

FEB-24-1997
0001

RIGHT NUMBER:

72-00146

NAME AND ADDRESS:

SPYIT RIGHT
NA 10 000

GARTH I CHIVERS
GLENIS M CHIVERS
HC 63 BOX 1771
CHALLIS ID 83226

SOURCE:

WARM SPRING CREEK
WARM SPRINGS CREEK
SPYIT RIGHT

TRIBUTARY: SALMON RIVER
SALMON RIVER

QUANTITY:

0.02 CFS
4100 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE:

11/01/1885

POINT OF DIVERSION:

T13N R19E S02
T14N S35

Within CUSTER County

763M R46E S36

Within SUBSCRIPTION County

PURPOSE AND
PERIOD OF USE:

STOCKWATER
DOMESTIC

PERIOD OF USE
Non-Irrigation Season
11/01 03/01

QUANTITY
0.02 CFS
4100 CFS

PLACE OF USE:

STOCKWATER
T13N R19E S02
T14N R19E S35

Within CUSTER County

Lot 2 (NAME)
SWSE

DOMESTIC

773M R19E S01
774M R19E S35

Within CUSTER County

761 / 4 (NAME)
WENE
NESE
WENW
WESW

SENE
SENE
SENE
SENE

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

FEB-24-1997
0002

72-00146 CONTINUED

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
STOCKWATER, 300 HEAD CATTLE

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. R72-D0146

OWNER
CODE

NAME & ADDRESS

C GARTH T CHIVERS
C GLENIS M CHIVERS
HC 63 BOX 1771
CHALLIS ID 83226
(208) 879-4407

PRIORITY
DATE

11/01/1885 STOCKWATER

USE PERIOD
FROM TO

11-01 03-01

TOTAL DIVERSION:

0.07 CFS

0.07 CFS

0.02 cfs per old. rate

Stage: DECREED

Tributary to: SALMON RIVER

CUSTER County
CUSTER County

Lt2 SENHNE
SWHSE

Point(s) of Beginning Stream Reach: T13N R19E S02
Point(s) of Ending Stream Reach: T14N R19E S35

Place of use Legal Description for: STOCKWATER

NE		NW		SW		SE		
ENE	NWNE	SWNE	SENE	ENW	NWNW	SWNW	SENW	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac
13N	19E	2	02-S					
14N	19E	35						

POU County: CUSTER

Non-Irrigation Uses: (STOCKWATER, 300 HEAD CATTLE)

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates: Exam Made Date: 08/04/1993 Verified Date: 02/14/1994 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Comments: Date: 02/14/1994 User-ID: CLELLAND Subject: COPIED FROM REMARKS IN THE DECREE WATER WAS DESIGNATED FOR DOMESTIC USE, THIS USE IS IN FACT FOR INSTREAM STOCKWATERING, AND THE FLOW OF 200" WAS DECREED TO THE FARM FOR USE DURING THE NON-IRRIGATION SEASON. THIS RIGHT HAS ALWAYS BEEN USED IN THIS MANNER ON LANDS ADJACENT

6/1/11
1/19/97
see 7/19/97

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. R72-DD146

Comments: Date: 02/14/1994 User-ID: CLELLAND Subject: COPIED FROM REMARKS
TO THE CREEK.

Date: 02/14/1994 User-ID: CLELLAND Subject: RENUMBERED/RECOMMENDATION
CLAIM IS REC'D AS 72-00146 SINCE NO SPLIT OF THIS RIGHT HAS
OCCURRED. FLOWS ABOVE THE STD. IDWR RATE FOR 300 CATTLE WERE
NOT CONSIDERED BENEFICIAL USE AS STOCKWATER.

Audit: 02/14/94 CLELLAND 03/30/95 POST-STD 01/14/97 D&S-DSHA

2500

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-00146A

Date Received: 11-30-89

Receipt No: MODS279

Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARTH T. CHIVERS 208-879-4407
Address: HC 63 BOX 1771
CHALLIS, ID 83226

AND/OR

Name: GLENIS M. CHIVERS 208-879-4407
Address: HC 63 BOX 1771
CHALLIS, ID 83226

2. Date of Priority: NOV 01, 1885

3. Source: WARM SPRING CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
Beginning Point of Minimum Instream Flow					
13N	19E	2	SE NW	NE	CUSTER
Ending Point of Minimum Instream Flow					
14N	19E	35	SW SW	SE	CUSTER

5. Description of diverting works:
INSTREAM STOCKWATERING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	11/01	03/01	4.000		

7. Total Quantity Appropriated is:
4.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 300 HEAD CATTLE

A72-00146A

Page 1

Date: 11/28/89

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	19E	2	NE	NE	1	STOCK	
			NW	NE	2	STOCK	
14N	19E	35	SW	SE		STOCK	
			SE	SE		STOCK	

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

IN THE DECREE WATER WAS DESIGNATED FOR DOMESTIC USE, THIS USE IS IN FACT FOR INSTREAM STOCKWATERING, AND THE FLOW OF 200" WAS DECREED TO THE FARM FOR USE DURING THE NON-IRRIGATION SEASON. THIS RIGHT HAS ALWAYS BEEN USED IN THIS MANNER ON LANDS ADJACENT TO THE CREEK.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JOSEPH RODGERS, ET. AL.
Decree Plaintiff

vs

DANIEL C. BREYER, ET. AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Glenn M. Chivers Date: 11-30-89

Date: _____

State of Idaho)
County of Custer) ss.

Subscribed and sworn (or affirmed) before me this 30th day
of November 19 89

Anna Baunhoff
Notary Public

Seal

Residing at Anna Baunhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires 11/28/94

Water Right Number - 72-00146 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

*** C - CURRENT OWNER ***
CHIVERS
GARTH
1 -
2 -
3 -
City-
Phone -
1 -
2 -
3 -
City-
Phone -
State- Zip-
State- Zip-

GEORGE MC GOWAN CO. LTD.

+ - Priority Date - - + + - Region - - - + + - Stage - - - + + - Status - - - +
11/01/1885 17 D - DECREASED

+ - Source - - - - - +
WARM SPRINGS CREEK
Tributary - - - - -
SALMON RIVER

+ - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +
Twn Rng Sec Tract Lot Rflg County

+ - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume - - - - - +
Code Description Period From Period To 11/01 03/01 4.000
43 - DOMESTIC

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
4.000

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use Code | Description | County |
|-----|-----|-----|-------|-----|-------|-------------------|-------------|-----------|
| 13N | 19E | 2 | | 1 | | 01 | IRRIGATION | 37 CUSTER |
| 13N | 19E | 2 | | 2 | | 01 | IRRIGATION | 37 CUSTER |
| 14N | 19E | 35 | NE SW | 6 | | 01 | IRRIGATION | 37 CUSTER |
| 14N | 19E | 35 | SE SE | | | 43 | DOMESTIC | 37 CUSTER |
| 13N | 19E | 1 | NW NW | 4 | | 43 | DOMESTIC | 37 CUSTER |
| 14N | 19E | 35 | NE NE | | | 43 | DOMESTIC | 37 CUSTER |
| 14N | 19E | 35 | NW NE | | | 43 | DOMESTIC | 37 CUSTER |
| 14N | 19E | 35 | SW NE | | | 43 | DOMESTIC | 37 CUSTER |
| 14N | 19E | 35 | SE NE | | | 43 | DOMESTIC | 37 CUSTER |
| 14N | 19E | 35 | NW SE | | | 43 | DOMESTIC | 37 CUSTER |
| 14N | 19E | 35 | SW SE | | | 43 | DOMESTIC | 37 CUSTER |
| 14N | 19E | 36 | NE NW | | | 43 | DOMESTIC | 37 CUSTER |
| 14N | 19E | 36 | SW NW | | | 43 | DOMESTIC | 37 CUSTER |
| 14N | 19E | 36 | SE NW | | | 43 | DOMESTIC | 37 CUSTER |
| 14N | 19E | 36 | NE SW | | | 43 | DOMESTIC | 37 CUSTER |

1413

1311

195

ending 100

472-0014, A



R PROOF

CVR

MAPS

PHOTOS

MISC

OWNER
CODE NAME & ADDRESS

C GARTH T CHIVERS
C GLENIS M CHIVERS
HC 63 BOX 1771
CHALLIS ID 83226
(208) 879-4407

PRIORITY
DATE

11/01/1985

WATER USE

STOCKWATER

USE PERIOD
FROM TO

11-01 03-01

DIVERSION
RATE

0.07 CFS

DIVERSION
VOLUME

TOTAL DIVERSION: 0.07 CFS

Water Source: WARM SPRING CREEK

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Beginning Stream Reach: T13N R19E S02
Point(s) of Ending Stream Reach: T14N R19E S35

SENAME
SWSME

CUSTER County
CUSTER County

Place of use legal Description for: STOCKWATER

| | NE | NW | SW | SE |
|------------|---------------------------|---------------------------|---------------------------|---------------------------|
| T R S | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac |
| 13N 19E 2 | : 02-S | : | : | : |
| 14N 19E 35 | : | : | : | S |

POU County: CUSTER

Non-Irrigation Uses: STOCKWATER, 300 HEAD CATTLE

Other Rights: NONE

Dates: Exam Made Date: 08/04/1993 Verified Date: 02/14/1994

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Comments: Date: 02/14/1994 User-ID: CLELLAND Subject: COPIED FROM REMARKS

IN THE DECREE WATER WAS DESIGNATED FOR DOMESTIC USE, THIS USE IS
IN FACT FOR INSTREAM STOCKWATERING, AND THE FLOW OF 200" WAS
DECREED TO THE FARM FOR USE DURING THE NON-IRRIGATION SEASON.
THIS RIGHT HAS ALWAYS BEEN USED IN THIS MANNER ON LANDS ADJACENT
TO THE CREEK.

Date: 02/14/1994 User-ID: CLELLAND Subject: RENUMBERED/RECOMMENDATION
CLAIM IS REC'D AS 72-00146 SINCE NO SPLIT OF THIS RIGHT HAS
OCCURRED. FLOWS ABOVE THE STD. IDWR RATE FOR 300 CATTLE WERE
NOT CONSIDERED BENEFICIAL USE AS STOCKWATER.

Audit: 02/14/94 CLELLAND

RECEIVED
NOV 1 1994

Water Right Number - R72-00146A

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + - - - - Address - - - - +

*** C - CURRENT OWNER ***
CHIVERS

GARTH T

1 - HC 63 BOX 1771
2 -
3 -

State- ID Zip- 83226

CHIVERS

GLENIS M

City- CHALLIS
Phone - 208-879-4407
1 - HC 63 BOX 1771
2 -
3 -
City- CHALLIS
Phone - 208-879-4407

State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - Stage - - - + + - - Status - - - +
11/01/1885 17 SOUTHERN 2 - SEE REMARKS

Source - - - - -
WARM SPRING CREEK

Tributary - - - - -
SALMON RIVER

+ - - - - Point of Diversion - - - - -
Twn Rng Sec Tract Lot RFlg County

13N 19E 2 SE NW NE B (37) CUSTER
14N 19E 35 SW SW SE E (37) CUSTER

+ - - - - Water Use - - - - -
Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER 11/01 03/01 4.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.000 0.0

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use | Description | County |
|-----|-----|-----|-------|-----|-------|---------------|-------------|--------|
| 13N | 19E | 2 | NE NE | 1 | | 04 STOCKWATER | (37) CUSTER | |
| 13N | 19E | 2 | NW NE | 2 | | 04 STOCKWATER | (37) CUSTER | |
| 14N | 19E | 35 | SW SE | | | 04 STOCKWATER | (37) CUSTER | |
| 14N | 19E | 35 | SE SE | | | 04 STOCKWATER | (37) CUSTER | |

Total Acres:

+ - - Diversion Means - INSTREAM STOCKWATERING
+ - - Non-Irrigation Use - S/ 300 HEAD CATTLE
+ - - Other Rights for Same Use - NONE

Water right number - R72-00146A

Prefix Translation: RESEARCH

SEE NO. 72-00146.

7200146

Old Water Right Numbers

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff - JOSEPH RODGERS, ET. AL.

Decree Defendant - DANIEL C. BREYER, ET. AL.

Decree Date - 00/00/0000

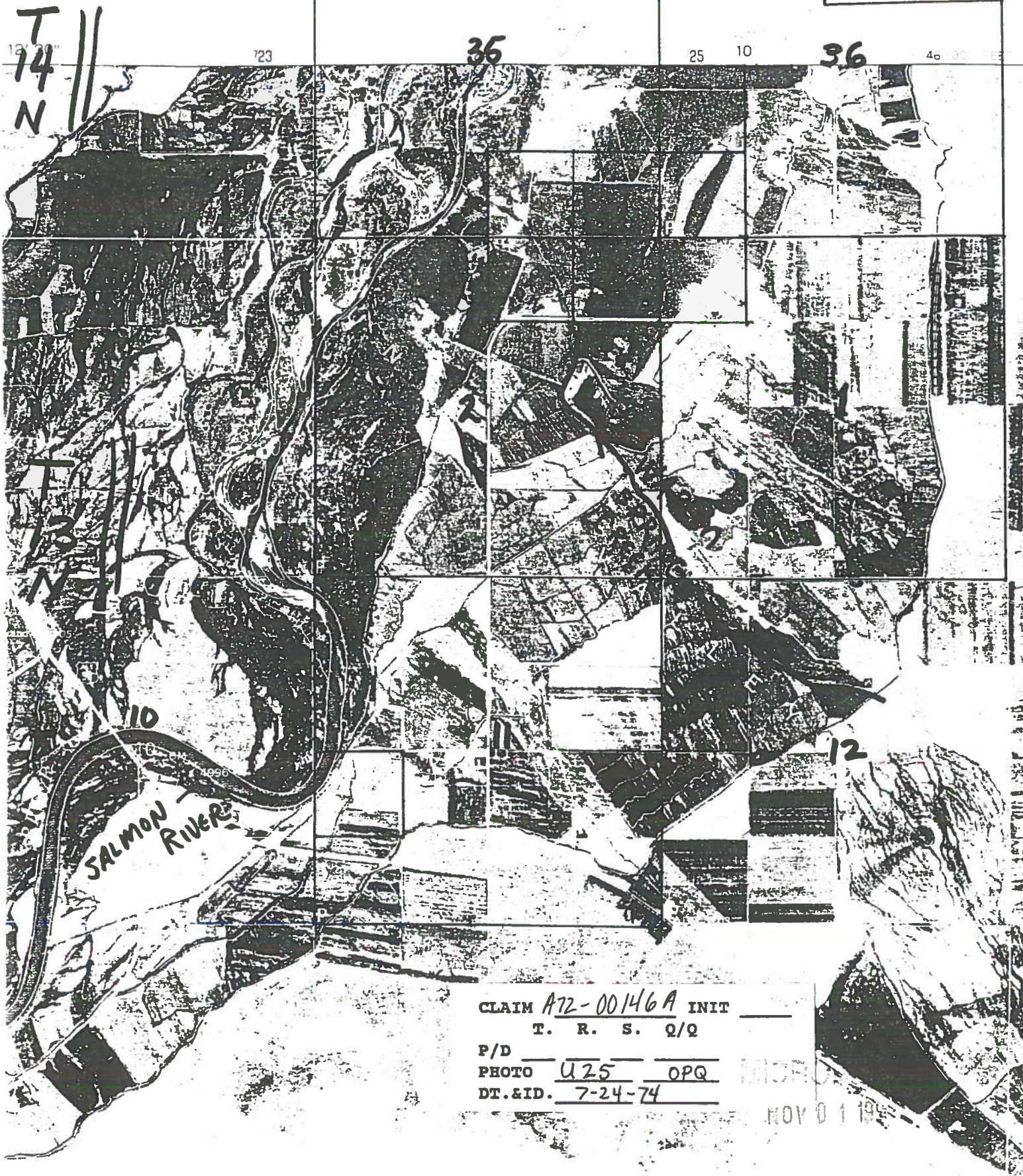
Date: 02/14/1994 User Id: CLELLAND Subject: COPIED FROM REMARKS
IN THE DECREE WATER WAS DESIGNATED FOR DOMESTIC USE, THIS USE IS IN FACT FOR INSTREAM STOCKWATERING, AND THE FLOW OF 200" WAS
DECREED TO THE FARM FOR USE DURING THE NON-IRRIGATION SEASON. THIS RIGHT HAS ALWAYS BEEN USED IN THIS MANNER ON LANDS ADJACENT
TO THE CREEK.

Audit Fields - 02/14/94 CLELLAND

| Adjudication Rights Dates and Flags Area | | Civil Case Number |
|--|--------------|-------------------|
| Court Report Filing | - 00/00/0000 | 39576 |
| Objection Filed Date | - 00/00/0000 | |
| Response Filed Date | - 00/00/0000 | |
| Claim Received Date | - 11/30/1989 | |
| Field Inspection Made | - 08/04/1993 | |
| Field Inspection Flag | - 02/14/1994 | |
| Verified Date | - 00/00/0000 | |
| Last Amended Date | - X777777 | |
| Receipt Number | - Y | |
| POU Ownership Flag | - AND/OR | |
| Name Connector | - | |
| Notice of Error Flag | - | |

RI9E

POOR ORIGINAL



CLAIM A72-00146A INIT _____
T. R. S. Q/Q

P/D _____
PHOTO U25 OPQ
DT.&ID. 7-24-74

NOV 01 1974

CVR - Review of A72-00146

by SCC
2-11-94

Decree support the claim as filed.

Exam shows use is for instream flow of the natural flow of Warm Spring Creek through the property owned by Chivers.

Allowing 300 cattle as claimed,
the IDWR standard diversion rate found
to be beneficial use in stockwatering
is: 0.07 cfs.

↖ This is the amount to be recommended.

Additional flows claimed cannot be justified
as beneficial use for stockwater purposes.

Used OPQ 425, dated 7-24-74, map to confirm
legals also extensive review of POU in claim A72-10120.

Steve Callan
2-11-94

RECEIVED

NOV 1 1994

ating from the first day of February, of the year 1877, to be appurtenant to and Awarded for the purpose of irrigating the lands of said defendant, to-wit: The E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 35, the E $\frac{1}{2}$ of SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of Section 26, in Township 12 North, of Range 20 East, Boise Meridian, in Custer County, Idaho.

72-1445 The plaintiff Joseph Rodgers, in any irrigating season, the excess amount not to exceed 320 inches, or six and two-fifths cubic feet per second, of the flow of the waters of Warm Springs Creek, exceeding the amounts referred to herein, in the aggregate, dating from the first day of March, in the year 1878, subject to the rights of David B. Drake, Daviel C. Breyer, Margaret Breyer and Joseph Rodgers, to such waters as may be conserved and stored by their reservoir, in Box Canyon, in Custer County, Idaho, to be appurtenant to and awarded for the purpose of irrigating the lands of said plaintiff herein above described, as a later, additional and subservient right therefor to the rights herein above decreed, in said Warm Springs Creek.

72-1446 The plaintiff, the George McGowan Company, limited, a corporation, the right to the use of 200 inches, or four cubic feet per second, of the waters of Warm Spring Creek, aforesaid for domestic purposes and uses only, between, the first day of November and first day of March of each year, dating from the first day of November, 1885, to be so used for domestic purposes only at its premises known as George McGowan Ranch, situated on the east side of Salmon River, in Round Valley, Custer County, Idaho;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the several amounts of water above decreed be measured and distributed to the said parties, at thier respective points of diversion, from the natural channels of Warm Springs Creek and Antelope Creek, and the tirbutaries thereof respectively.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the first appropriation in point of time is first in point of right, and all appropriations of the same date are of equal rights, and in case of insufficiency of water to supply all awards, the said waters are to be diverted and used by those appropriators who are first in point of time.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the said waters be measure

POOR ORIGINAL

12-00146

R PROOF

X

CVR

MAPS

X

PHOTOS

MISC

X

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-00146

Date Received:

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SPLIT RIGHT

Address:

NA, ID

000

2. Date of Priority: NOV 01, 1885

3. Source: WARM SPRINGS CREEK
SPLIT RIGHT

Trib. to: SALMON RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 | Lot | County |
|----------|-------|---------|-------------------|-----|--------------|
| 65N | 46E | 36 | | | SUBSCRIPTION |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|----------|-------|-------|--------|------|--------|
| DOMESTIC | 11/01 | 03/01 | 4.000 | | |

7. Total Quantity Appropriated is:
4.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|--------|-------|
| 13N | 19E | 1 | NW | 4 | DOMEST | |
| | | 2 | | 1 | IRR | |
| | | | | 2 | IRR | |

A72-00146

Page 1

Date: 11/29/89

10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|-----|----|-----|-----|--------|-------|
| 14N | 19E | 35 | NE | | NE | | DOMEST | |
| | | | NW | | NE | 1 | DOMEST | |
| | | | SW | | NE | | DOMEST | |
| | | | SE | | NE | | DOMEST | |
| | | | NE | | SW | 6 | IRR | |
| | | | NE | | SE | | DOMEST | |
| | | | NW | | SE | | DOMEST | |
| | | | SW | | SE | | DOMEST | |
| | | | SE | | SE | | IRR | |
| | | 36 | NE | | NW | | DOMEST | |
| | | | NW | | NW | | DOMEST | |
| | | | SW | | NW | | DOMEST | |
| | | | SE | | NW | | DOMEST | |
| | | | NE | | SW | | DOMEST | |
| | | | NW | | SW | | DOMEST | |
| | | | SW | | SW | | DOMEST | |
| | | | SE | | SW | | DOMEST | |

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

P/U NOT GIVEN IN DECREE BUT DETERMINED FROM JENSEN VS. BENNETT DECREE.

THIS RIGHT HAS BEEN SPLIT.

THE DECREE WAS FOR DOMESTIC USE WITH A FLOW RATE OF 200", THIS WATER HAS BEEN USED FOR INSTREAM STOCKWATERING DURING THE WINTER.

G. CHIVERS THEREFORE CLAIMED THE FLOW OF 4.00CFS UNDER THE USE OF STOCKWATERING, IN-STREAM. SE CLAIM A72-00146A.

15. Basis of Claim:

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

June 10, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GARTH T & GLENIS M CHIVERS
HC 63 BOX 1771
CHALLIS ID 83226

RE: SRBA OBJECTION FORM FOR 72-00146 CHANGE OF OWNERSHIP FORM FOR
72-10121

Dear Mr. & Mrs. Chivers,

Thank you for coming down yesterday and helping to clarify the issues around your pending transfer #4900 and the recent recommendations for the Domestic & Stockwater claims you have on file in the Snake River Basin Adjudication.

Enclosed please find the form used to file an objection on Domestic claims in the SRBA. You had mentioned you would like to object to the recommendation of right 72-00146; stockwater from Warm Spring Creek. I will speak to our attorney in Boise and see if we may be able to negotiate some type of settlement to address your concerns of water delivery to the stock during colder winter months. I have spoke with my supervisor and he proposed we may be able to add some additional remarks to the record better describing the situation and delivery to stock.

Also enclosed is the Change of Ownership form. This form is for the right 72-10121 which you told me had been sold. If possible could you forward this to the new owners or have them contact our dept. to correct this matter. Otherwise you will continue to receive all the mailings intended for the new owners of that property; after meeting with you yesterday it doesn't sound like you want additional paperwork to sort through.

If you have any questions feel free to contact me at our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC: D&S Objection Form
Change of Ownership Form

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

June 9, 1997 2:30pm

NAME:

GARTH & GLENIS CHIVERS CAMEIN

RE:

QUESTIONS ON D&S; TRANS.

THEY STARTED OFF WITH THE FOUR D&S CLAIMS RECENTLY LISTED WITH THE COURT; A72-10117, A72-10118, A72-10119 & A72-10121. BASICLY THEY NEEDED TO CLARIFY THESE RIGHTS AS TO WHERE THEY WERE AT AND WHAT THEY REPRESENTED.

FOUND: -10117 IS FOR THE HOME PLACE.

-10118 & -10119 ARE FOR THE LOWER PLACE AT TWO PRIORTIES.

-10121 IS FOR PROPERTY THEY SOLD, THEY WILL TRY TO INFORM NEW OWNERS.

WE ALSO DISCUSSED THE STOCKWATER RIGHT, A72-00146, FOR WARM SPRING CREEK... MR. CHIVERS STATED THE RIGHT WAS DECREED TO HIM FOR KEEPING THE WATER FLOWING IN WINTER MONTHS FOR STOCK USES. I EXPLAINED THE RECENT COURT DECISION LIMITING INSTREAM STOCK USES TO 0.02 CFS. HE UNDERSTOOD AND SAID HE WILL HAVE TO OBJECT TO THE RECOMMENDATION. (I WILL SEND HIM THE PROPER FORMS SINCE THEY FORGOT TO GET THEM BEFORE THEY LEFT AS WE HAD PLANNED.)

TRANSFER 4900 - REVIEWED THE RECORDS THEY BROUGHT AND THE BAR-CODE STATUS EVENTUALLY SHOWS THE TRANSFER IS PENDING APPROVAL IN BOISE. A72-00185A & A72-10120