

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 72-4106
Date Received: 4/12/2001
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KEVIN MEYER Phone: (432)426-4190
HC 75 BOX 1337 I
FORT DAVIS TX USA 79734

JUDITH MEYER Phone: (432)426-4190
HC 75 BOX 1337 I
FORT DAVIS TX USA 79734

2. Date of Priority: 05/18/1900

3. Source: SPRING Trib. to: CHALLIS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14N	18E	12	NE NW	CUSTER	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.5	

7. Total Quantity Appropriated is:
0.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	18E	12	NW	NW	IRRIGATION	10
					Section Acres	10
					Total Acres	10

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

OTHER WATER RIGHT USED AT THE SAME PLACE AND FOR THE SAME PURPOSE - 72-4107.

15. Basis of Claim: Beneficial Use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
JAN 06 2005
 Department of Water Resources
 Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>72-4106</u>	_____	___	_____	_____	___
<u>72-4107</u>	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Jack and Dolores Ivis
P.O. Box 521 Challis, ID 83226
4. New Owner/Claimant(s) Kevin and Judith Meyer
 Name Connector (Check one): () and, () or, () and/or
- New Mailing Address HC 75 Box 1337 J
- City, State and ZIP Code Fort Davis, TX 79734
- New Telephone Number (432) 426-4190
5. Date you acquired the property _____

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)
- Kevin Meyer*
No Judith S Meyer

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

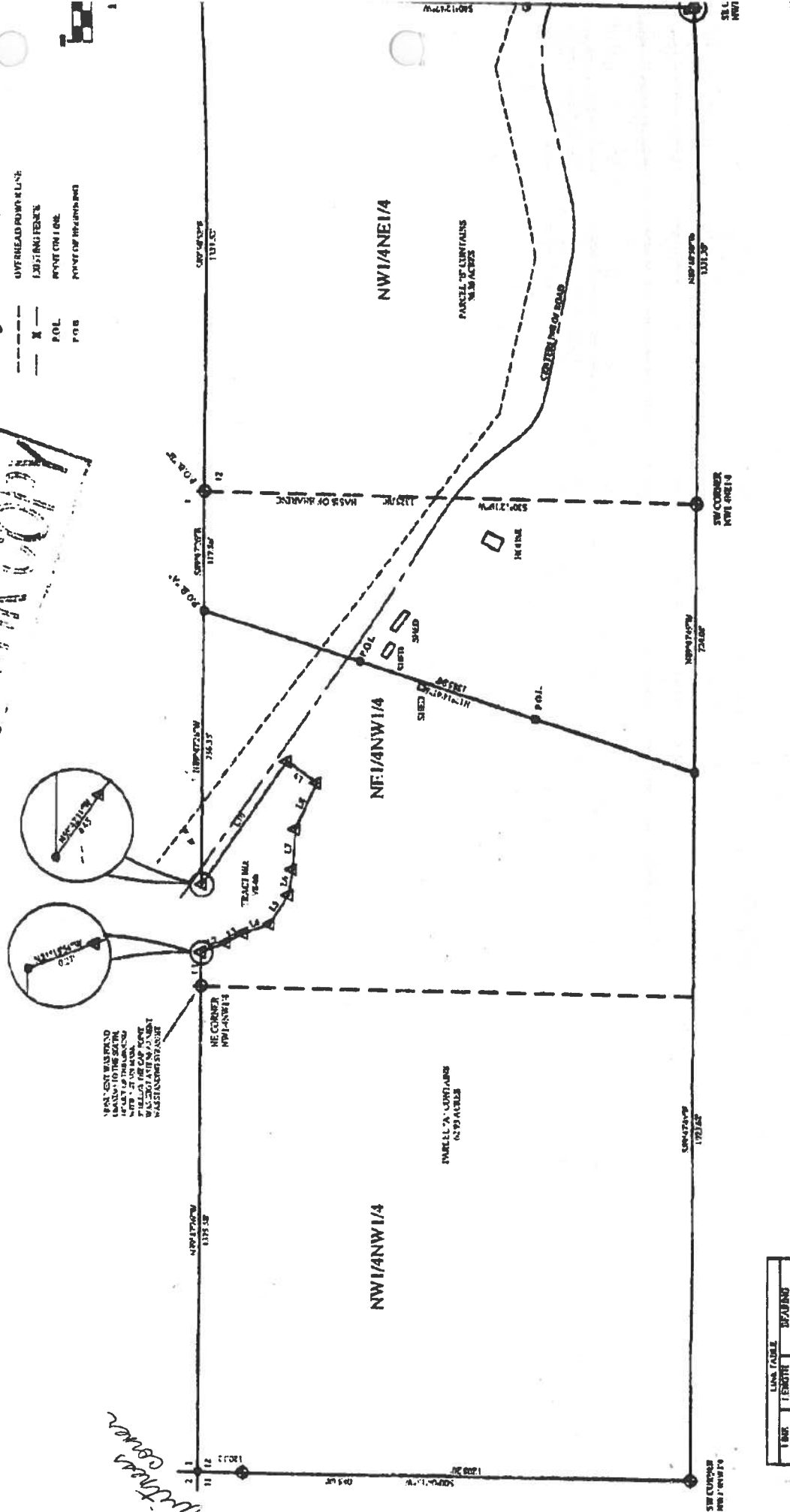
For Office Use Only

Received by Howard Date 1/7/05 Fee 100.00 no fee due
 Receipted by Howard Date 1/7/05 Receipt No. 5027271-VOID
 Processed by _____ AJ Date _____ WR _____ Date _____

LOCATED IN THE N1/2NW1/4, NW1/4NE1/4, SECTION 12, T. 14 N.,
R. 18 E., BOISE MERIDIAN, CUSTER COUNTY, IDAHO

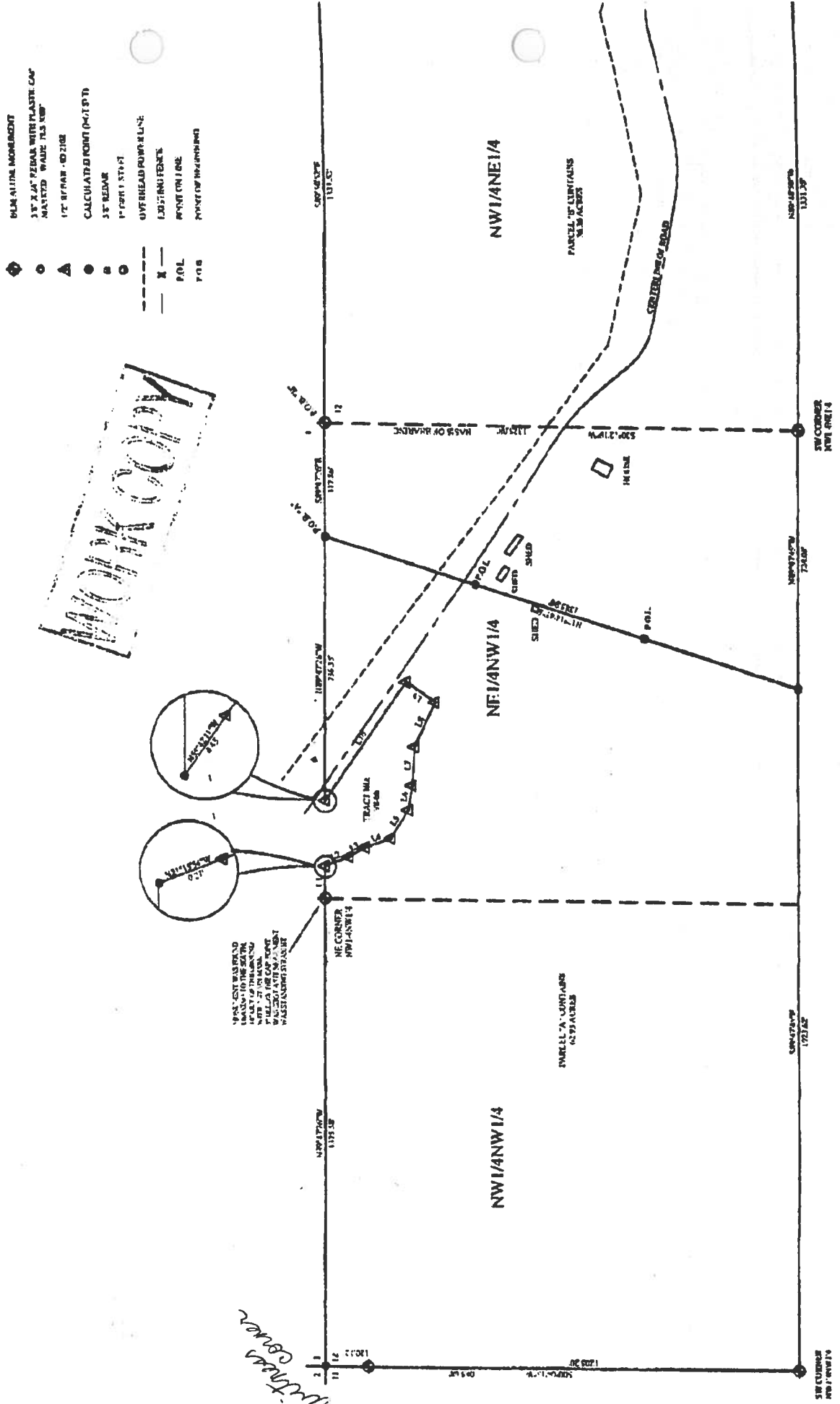
LEGEND

- | | |
|-----|---|
| ● | PLANALIM, MODERNT |
| ○ | 3 1/2" TUBS WITH PLASTIC CAP
MASTED, WAIVE 15.000" |
| △ | 1" TUBS - 40.200" |
| ● | CALCULATED POINT (4-11-57) |
| ● | 3 1/2" TUBS |
| ○ | 1" TUBS (1-57) |
| --- | OVERHEAD POWER LINE |
| X | JUSTING POINT |
| POL | POWELL LINE |
| POL | POWELL HILLS ROAD |



LOCATED IN THE N1/2NW1/4, NW1/4NE1/4, SECTION 12, T. 14 N.,
R. 18 E., BOISE MERIDIAN, CUSTER COUNTY, IDAHO

◆	BULK A LINE MOVEMENT
○	3" X 24" PEARL WITH PLASTIC CAP MASTED - MADE 11.5.00"
▲	1" X 8" PEARL - 002102
●	CALCULATED POINT (04/17/78)
□	3" X 8" PEARL
○	1" PEARL 1 STY 51
—	OVERHEAD PUMP & LINE
X	100% INK FENCE
POL	PERMANENT FENCE
YUB	PERMANENT FENCE



LINE TABLE	
YEAR	LENGTH
1940	10.0
1941	10.0
1942	10.0
1943	10.0
1944	10.0
1945	10.0
1946	10.0
1947	10.0
1948	10.0
1949	10.0
1950	10.0
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2071	10.0
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2073	10.0
2074	10.0
2075	10.0
2076	10.0
2077	10.0
2078	10.0
2079	10.0
2080	10.0
2081	10.0
2082	10.0
2083	10.0
2084	10.0
2085	10.0
2086	10.0
2087	10.0
2088	10.0
2089	10.

WARRANTY DEED

For Value Received JACK A. IVIE AND DOLORES A. IVIE, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto KEVIN MEYER AND JUDITH MEYER, husband and wife, the Grantees, whose current address is HC 75 Box 1337-I, Fort Davis, Texas 79734, the following described premises, in Custer County, Idaho, to-wit:

See Exhibit "A", attached hereto and incorporated by reference herein as though fully set forth.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 22nd day of December, 2004.

Jack A. Ivie
JACK A. IVIE

Dolores A. Ivie
DOLORES A. IVIE

STATE OF IDAHO)

: ss

County of: CUSTER)

On this 22 day of
December 20 04, before
me, a Notary Public, per-
sonally appeared JACK A.
Ivie and Dolores H.
Ivie

known or identified to me to
be the person(s) whose name(s)
are subscribed to the within
instrument, and acknowledged to
me that the y executed the same.

Patsy Kindt
Notary Public for Idaho
Residing at Challis
Commission Expires 3/27/10

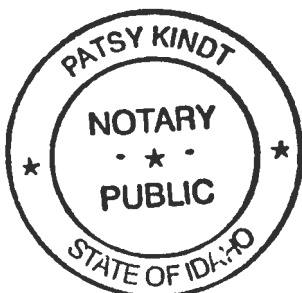
STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
record at the request of CCT
at 00 minutes past 2
o'clock P.M., this 4 day of JAN
2005, in my office.

Ethel M. Peck
Ex-Officio Recorder

BY *Ruth Brunner*
Deputy

Fee: \$ 6.00
Mail to: CCT



A parcel of land located in the N½NW¼, Section 12, Township 14 North, Range 18 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the North quarter corner of said Section 12 from which the Southwest corner of the NW¼NE¼ of said section bears South 00°12'19" West, 1325.08 feet, the Basis of Bearing of this description, run thence North 89°47'26" West along the northerly boundary of said Section 12, a distance of 17.86 feet to the POINT OF BEGINNING: thence South 17°14'47" West, a distance of 1385.96 feet to a point on the southerly boundary of said N½NW¼; thence North 89°47'45" West, along said boundary, a distance of 1923.62 feet to the Southwest corner of the NW¼NW¼ of said Section 12: thence North 0°04'13 East along the westerly boundary of said NW¼NW¼, a distance of 1325.32 feet to the Northwest corner of said Section 12; thence South 89°47'26" East along the northerly boundary of said section, a distance of 1414.71 feet to the Northwest corner of the parcel sold from Ivie to Taylor (Tract 98-66) in 1998; thence the following courses and distances along said Tract as monumented on the ground with 1½" rebar set ID 2102; South 21°19'36" East, 71.66 feet; South 29°43'42" East, 51.94 feet; South 20°05'43" East, 5.69 feet; South 58°19'56" East, 93.55 feet; South 80°56'45" East, 70.67 feet; South 85°36'36" East, 109.33 feet; South 65°23'01 East, 137.07 feet; North 34°07'50" East, 97.77 feet; North 55°41'56" West, 404.56 feet to a point on the northerly boundary of said Section 12; thence South 89°47'26" East along said boundary a distance of 736.35 feet to the POINT OF BEGINNING.



EXHIBIT "A"

CUSTER COUNTY TITLE, INC.

**P.O. Box 370
720 MAIN STREET
Challis, ID 83226
(208) 879-4424
(208) 879-5249 FAX**

RECEIVED
JAN 06 2005
Department of Water Resources
Southern Region

January 4, 2005

Our Order No. 11352: Ivie-Meyer

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

To Whom It May Concern:

Please find enclosed our trust account check in the amount of \$100.00 representing water transfer for the above mentioned. I have also enclosed a copy of the recorded deed for your information.

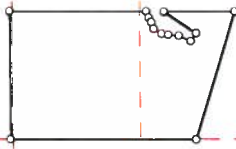
If you have any questions, please do hesitate to call the Meyer's at the number listed.

Respectfully,



Susan Swindell
Secretary

enc.



Title:

Date: 01-12-2005

Scale: 1 inch = 2000 feet

File:

Tract 1: 62.939 Acres: 2741636 Sq Feet: Closure = s51.2230w 0.01 Feet: Precision = 1/903421: Perimeter = 7899 Feet

001=/NW,NE,12,14N,18E

007=S89.4726E 1414.71

013=S85.3636E 109.33

002=/S00.1219W 1325.08

008=S21.1936E 71.66

014=S65.2301E 137.07

003=/N89.4726W 317.86

009=S29.4342E 51.94

015=N34.0750E 97.77

004=S17.1447W 1385.96

010=S20.0543E 76.69

016=N55.4156W 404.56

005=N89.4745W 1923.62

011=S58.1956E 93.55

017=S89.4726E 736.35

006=N00.0413E 1325.32

012=S80.5645E 70.67



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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 12, 2005

CUSTER COUNTY TITLE INC
TRUST ACCOUNT
PO BOX 370
CHALLIS ID 83226

RE: Kevin and Judith Meyers
#72-4106, #72-4107

Dear Sir or Madam,

The Department has received the *Notice of Change of Water Right Ownership* you recently submitted referenced above. Since these claims have not been decreed in the Snake River Basin Adjudication, no fees are due at this time. I am herein returning Custer County Title Inc Check #16378 for \$100.00.

Should you have any questions please call me at (208) 736-3033.

Sincerely,

Carrie Hahn
Clerk

Enc.



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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 12, 2005

KEVIN AND JUDITH MEYER
HC 75 BOX 1337 I
FORT DAVIS TX 79734

Re: SRBA Claim #72-1406,#72-4107

Dear Mr. and Mrs. Meyer,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claim noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carrie Hahn'.

Carrie Hahn
Office Specialist

Enc.

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

Date Received

Receipt Number

4/12/01

C053198

72-04106

J. Barton

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Jack & Dolores Ivie Phone (208) 879-2715
Mailing Address P.O. Box 521 Challis, ID Zip 83226

2. Date of Priority (Only one (1) per claim) 5/18/1900

3. Source of water supply (a) Spring
which is tributary to (b) Challis Creek

4. a. Location of existing point of diversion is: Township 14N Range 18E Section 12,
NE 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 14N Range 18E Section 12, NE 1/4 of NW 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of Custer
ending point is: Township 14N Range 18E Section 12, NE 1/4 of NW 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of Custer

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Ditches, headgates

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .500 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .500 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14	18	12					10												10

Total number of acres irrigated 10

11. In which county (ies) are lands listed above as place of use located? Custer

12. Do you own the property listed above as place of use? Yes x No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
72-04107 or None ()

14. Remarks:

Last Name Ivie Ident No. 72-04106

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

SEC 12 14N R 18 EBM

10A

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use x Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 72-04106
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 x
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 3

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s)

Jack Ivie
Sharon Ivie

Date

6/30/00

Date

6/30/00

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)
County of Custer) SS.

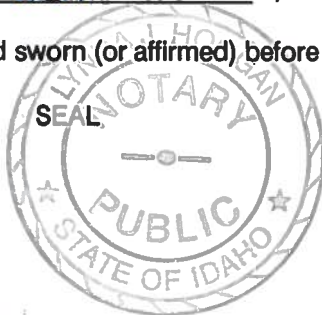
Subscribed and sworn (or affirmed) before me this

30th

day of

June

2000



Notary Public

Linda J. Hoggan

Residing at

Challis

My Commission Expires

7/27/00

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Ivie Ident. Number 72-04106

Copies White-State, Yellow-Claimant

CLAIMANT'S NAME Trive, Jack Dolores CLAIM IDENT. NO. 72-4106

DATE RECEIVED 4-12-01 OR # C053198 AMOUNT \$ 54.1
(2 clms)

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☐	☒	
Is the consumptive use correct?	☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☐	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☐	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: S. Jherman Date: 4-12-01

Claim must be returned to claimant: (Yes) ☒ (No) ☐

Claimant must be notified of modifications: (Yes) ☒ (No) ☐

Receipt Prepared by: A. Barron Date: 4-12-01

Claim data entered by: S. Jherman Date: 4-12-01 Checked by: — Date: —

Sent to claimant by: S. Jherman Date: 4-13-01

Comments: _____

RECEIVED

APR 12 2001

Department of Water Resources

2001 APR 11 PM 3:37

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA

Case No. 39576

Subcase 72-04106 and 72-04107

ORDER GRANTING MOTIONS TO FILE
LATE NOTICE OF CLAIM

On July 3, 2000, Claimants Jack and Dolores Ivie, *pro se*, filed *Motions to File Late Notice of Claim*. Hearing was held on the *Motions* April 10, 2001. These *Motions* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* water rights 72-04106 and 72-04107 are **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action.

IT IS SO ORDERED.

Dated April 11, 2001.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

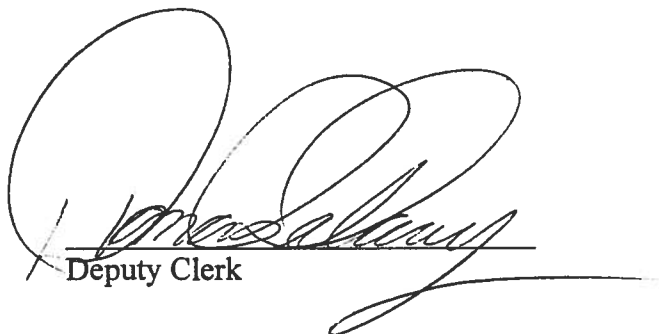
I certify that a true and correct copy of the **ORDER GRANTING MOTIONS TO FILE LATE NOTICE OF CLAIM** was mailed on April 11, 2001, with sufficient first-class postage to the following:

Jack & Dolores Ivie
PO Box 521
Challis, ID 83226

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Deputy Clerk



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 12, 2001

Jack and Dolores Ivie
P.O. Box 521
Challis, ID 83226

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #72-4106 and 72-4107

Dear Claimants:

Your Notices of Claim to a Water Right were received from the SRBA Court recently. We have enclosed data-entered copies of your claims. We have also enclosed your receipt #C053198 for the filing fees. Please retain these documents for your records.

Your Notices of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/327-7932 if you have any questions.

Please notify us in writing if your address changes or if there is a change in ownership of your property and water rights.

Sincerely,

Donald V. Shaff, Manager
Adjudication Technical Section

DVS:ss:region
Enclosures:

Data-entered Copies of Claims Referenced Above
Receipt #C053198

VERIFIED BY X 1/5/09
01/05/2009

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 72-4106
NAME AND ADDRESS: DOLORES IVIE
PO BOX 521
CHALLIS ID 83226

JACK IVIE
PO BOX 521
CHALLIS ID 83226

SOURCE: SPRING TRIBUTARY: CHALLIS CREEK
QUANTITY: 0.500 CFS
PRIORITY DATE: 10/10/1911
POINT OF DIVERSION:

T14N R18E S12 NWNENW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.500 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

T14N R18E S12	NWNE	5.0	T14N R18E S12	NENW	20.0
T14N R18E S12	NWNW	15.0			

40 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 72-4107 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 40 ACRES IN A SINGLE IRRIGATION
SEASON.

This right is limited to the irrigation of 10 acres within the place of use
described above in a single irrigation season.

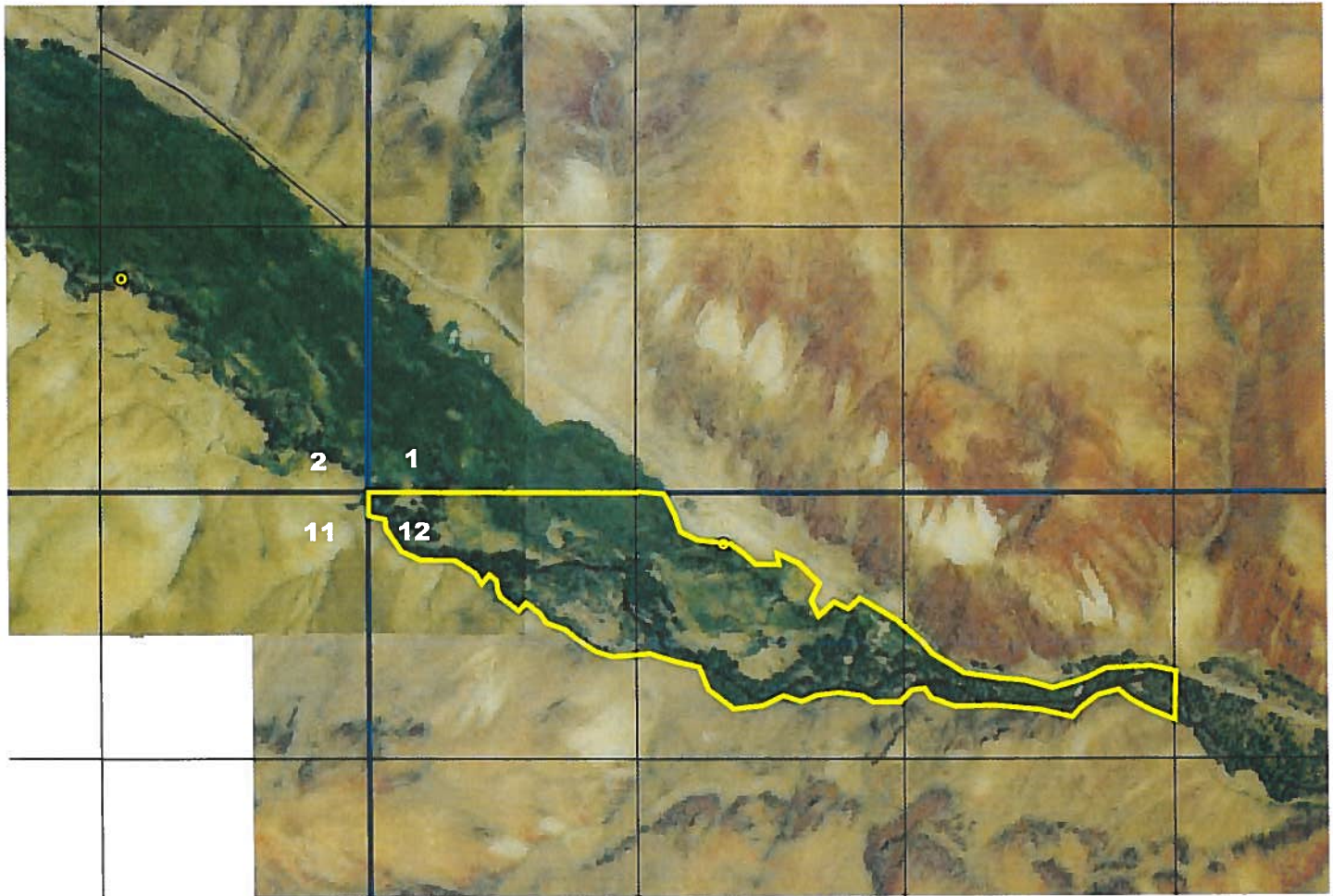
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

72-4106 & 72-4107



0 1320 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON JANUARY 5, 2005
TWP 14N, R18E, SEC. 12



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES

GIS PLACE OF USE PRESENTATION
USFS 1992 AERIAL PHOTOGRAPHY
DATA ENTRY BY JEANIE ROBERTSON

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 72-4106 V1

WATER RIGHT NUMBER: 72-4106 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DOLORES IVIE PO BOX 521 CHALLIS, ID 83226 (208)879-2715
Current Owner	JACK IVIE PO BOX 521 CHALLIS, ID 83226 (208)879-2715

Priority Date: 10/10/1911

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	CHALLIS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.500 CFS	
	<u>Total Diversion:</u>	0.500 CFS	

Location of Point(s) of Diversion

SPRING	NW1/4NE1/4NW1/4	Sec. 12, Twp 14N, Rge 18E, B.M.
CUSTER County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 18E 12		5.0			20.0	15.0											40.0

Total Acres: 40

Conditions of Approval:

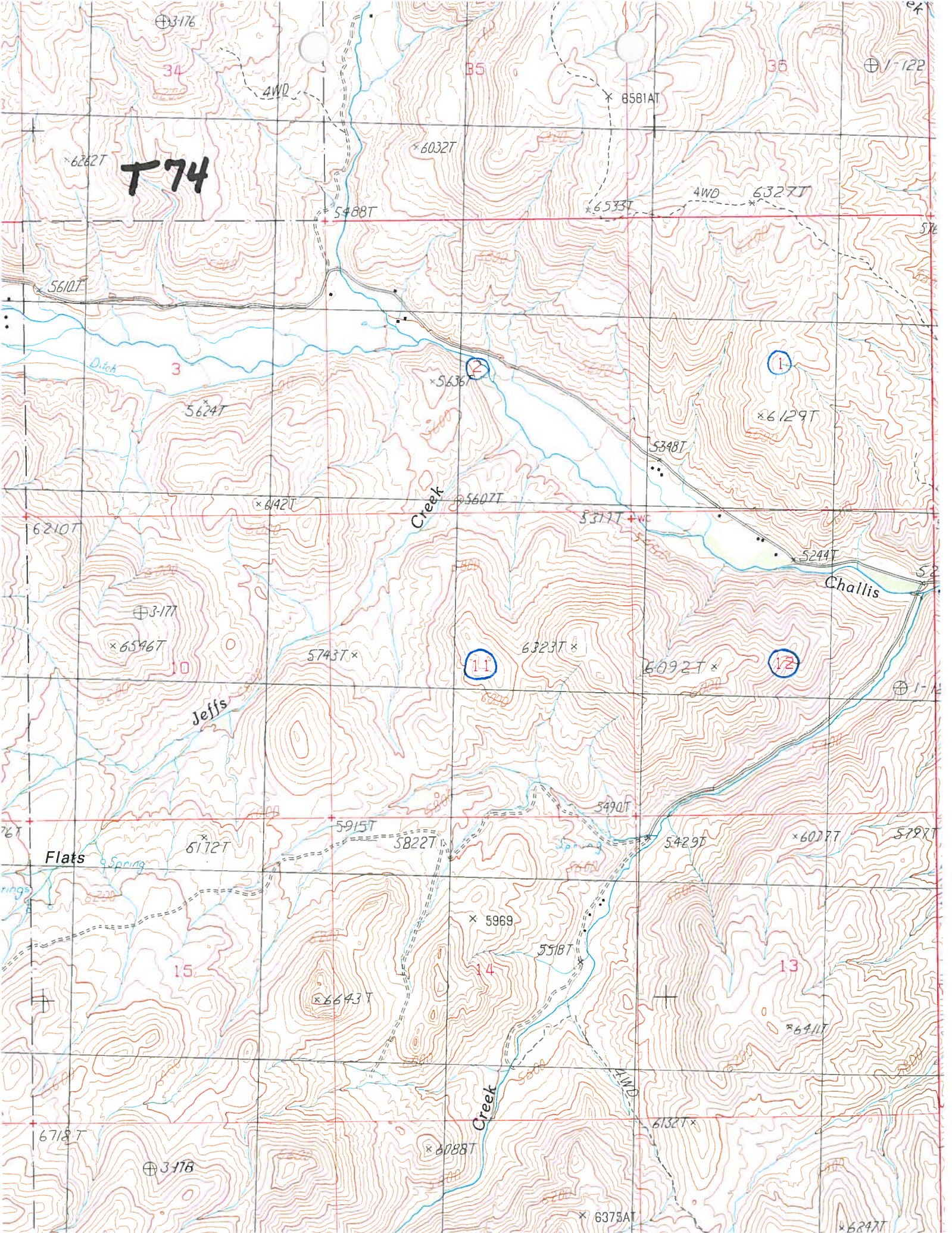
1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Place of Use USE OF THIS RIGHT WITH RIGHT NO. 72-4107 IS LIMITED TO THE IRRIGATION OF A
- Irrigation COMBINED TOTAL OF 40 ACRES IN A SINGLE IRRIGATION SEASON.
2. Place of Use This right is limited to the irrigation of 10 acres within the place of use described above in a
- Irrigation single irrigation season.

Comments:

1. jroberts 1/5/2005 Basis of Recommendation
Comment: This was a late claim. Recommended priority date of 10/10/1911 (day after decree was signed), 10 acres within 40 acre ppu, claimed diversion rate per soil analysis program, standard season of use 4/1 to 10/31.



RE-EVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-4106
72-4107

 DATE: 1/5/05, 1998

 REVIEWED BY [Signature]

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62
BB1	.09	.09			6.09	6.17
BBD						
BC1	.16	.17			5.82	5.46
BK1	.07	.06			10.62	11.86
BT1	.18	.16			3.99	4.19
BT2	.41	.32			2.34	2.87
CB1	.06	.06			11.55	13.47
CHA	.21	.21			4.52	4.76
CP1	.36	.36			2.61	2.78
DB1	.13	.11			5.66	6.65
DEB	.13	.11			5.71	6.69
DBC	.13	.11			5.71	6.69
DMF	.18	.21			5.12	4.72
DT2	.05	.04			12.46	16.50
DWA	.14	.14			4.79	5.01
GO1	.10	.12			12.47	10.51
HAYSE						
KEG	.08	.07			8.73	10.06
MUG	.15	.14			4.54	4.98
NDL	.13	.12			5.30	6.06

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
PD2	.11	.12			5.15	4.74
RE2	.29	.21			3.15	4.74
RP1	.19	.21			4.89	4.57
SH1	.06	.05			9.37	12.10
SOC	.08	.07			7.38	8.08
SSA	.15	.14			4.79	5.01
SXF	.12	.11			6.14	6.80
TC1	.06	.06			9.82	9.55
TD1	.04	.03			12.46	16.50
WB2	.13	.13			5.37	5.43
WAA	.19	.16			3.81	4.23
WBB	.17	.14			3.36	3.84
WC1	.07	.06			11.24	13.45
WPT	.19	.15			3.16	3.69
WV1	.07	.06			11.24	13.45
XHS						
YN1	.18	.14			5.38	6.92

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION / (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
CP1	2.61	?	19 Ac.	.36	= 6.84 CFS
WV1	11.24	?	7 Ac.	.07	= .49 CFS
WC1	11.24	?	14 Ac.	.07	= .98 CFS
					= CFS

8.31 *As allowed*

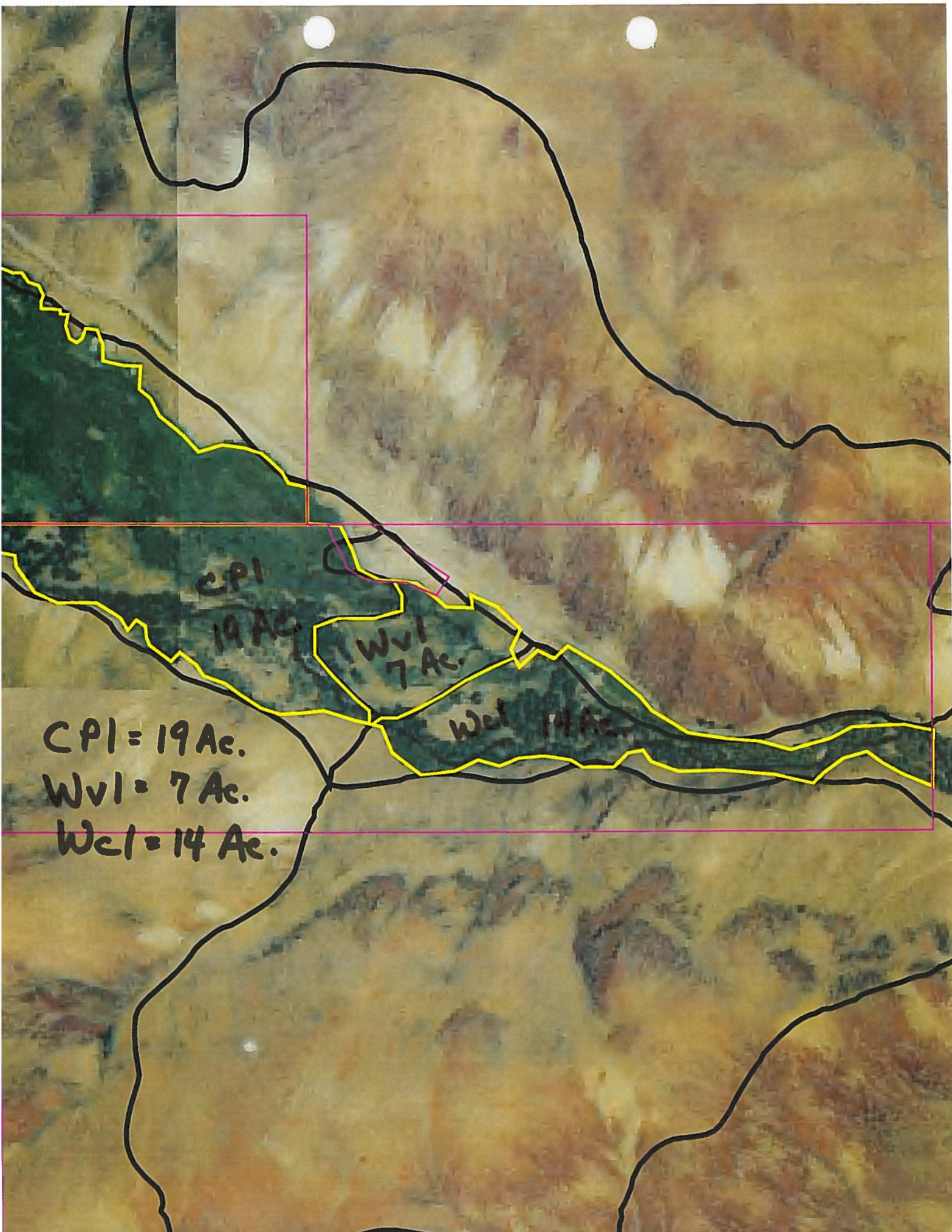
 TOTAL ACRES 40

DECREED RATE =

 CLAIMED DIVERSION RATE = 2.0 *reco. as claimed*

MEASURED DIVERSION RATE =

72-4106 = 0.5 cfs
72-4107 = 1.5 cfs
2. cfs



CPI
19 Ac.

Wv1
7 Ac.

Wc1 14 Ac.

CPI = 19 Ac.
Wv1 = 7 Ac.
Wc1 = 14 Ac.

RECEIVED

MAY 19 1962

Department of Justice
Southern District of New York

Notice is hereby given that Jack or Dolores Ivie

Telephone No. 879-2715

11) Date of priority: (When was the water first applied to a beneficial use) May 18, 1900

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Unnamed Spring tributary to Challis Creek

(3) Describe the purpose for which the water has been used and the time claimed: _____

Quantity 5 cfs Use Irrigation Period of Use From 3-15 To 11-15
 Quantity Use Period of Use From To
 Quantity Use Period of Use From To
 Quantity Use Period of Use From To
 Quantity .5 cfs Use Period of Use From To
 lcf, gpd, AFAI TOTAL QUANTITY USED.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Ditches totaling 24 miles in length, supplements high water right specified in deed

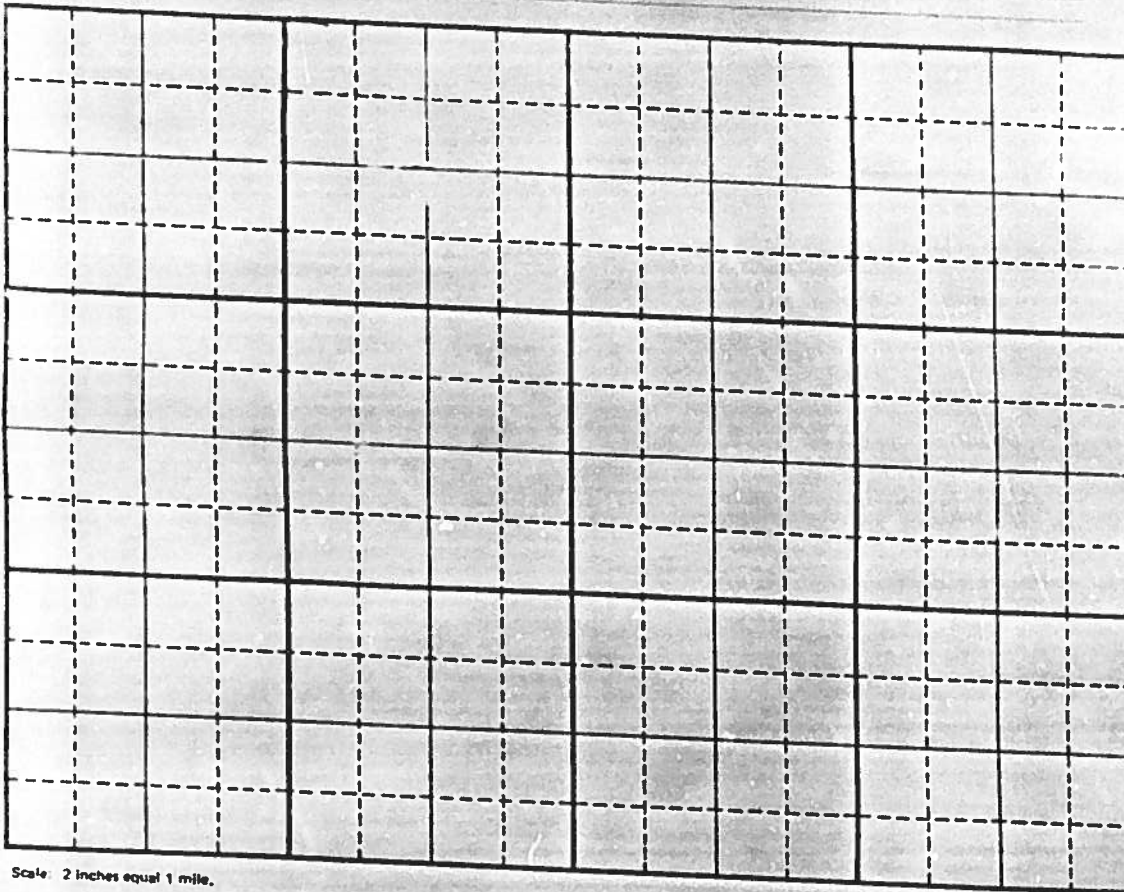
(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 10

(7) **NOTE:** Include here the type and number of stock watered: 50 Sheep
If you are claiming water as a member of an organization, list name of organization:

(8) Remarks Please send me information on V.I. I need
to know what claims are and what the fees are



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Custer ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Delores D. Dine Jack Dine
(Claimant)

Sworn to before me this 4th day of May, 19 82.

Norma C. Imbhusser
Notary Public
Residing at Challis, Idaho

My commission expires Lifetime

Received by manya 5/18/82
Prelim. check by CW 5/18/82
4/400-400 received by AD 5/18/82
Published in Custer Publishing 5/18/82 #22259
Dates 6/24 & 7/1/82

FOR DEPARTMENT USE ONLY

Date 5-10-82 Exception filed by:
Date 5/18/82
Date 5/18/82

Forwarded to
claimant by: Date

Verle Ham: Hon

NE 1/4 NW 1/4 Sec 13, T14N, R8W

T 14 N

Charles L. Gilliland

U.S.

R 8 W

33.5

33.42



Robertson, Jean

From: Robertson, Jean
Sent: Thursday, July 06, 2000 12:39 PM
To: 'Chris James'
Subject: Jack & Delores Ivie property???

Hi Chris,

We got a new claim for some property up Challis Creek Road filed by the Ivie's. The legals are T14N, R18E, Sections 1 and 12. The problem I see is that I recommended the land clear to the section line in the SWSW of Section 1 to Neider and now the Ivie's are claiming **4 acres** in the SWSW of Section 1. Can you be of any help on this? Maybe send a plat map or something? Would sure appreciate any input!

Thanks, Jeanie/IDWR

FYI

Roxanne,

I noticed that these "new/late" claims in Basin 72 overlapped some claims which I'd previously recommended. I emailed Chris James @ the assessor's office in Challis and it appears the Ivie's don't own the acres they've claimed in Section 1, only the lands in Section 12. I've enclosed copies of our emails and the map she faxed!

Good luck - Jeanie

P/D 8/18/05

Robertson, Jean

From: Robertson, Jean
Sent: Friday, July 07, 2000 12:31 PM
To: 'Chris James'
Subject: RE: Ivie Property

Thank you! Our FAX # is (208) 736-3037...

-----Original Message-----

From: Chris James [mailto:custera@cyberhighway.net]
Sent: Friday, July 07, 2000 11:36 AM
To: JRoberts@idwr.state.id.us
Subject: Ivie Property

Hi Jeanie

I received your E-mail in regards to Jack and Dolores Ivies' property in T14N R18E. Your E-mail indicated ownership in Section 12. Leroy J Neider has all the property in the SW4SW4 of Section 1, Ivies have no ownership in that quarter. The Ivies' are being assessed for no acreage in Section 1, in Section 12 they have all of the N2NW4 and NW4NE4 excepting one small parcel located in the NW corner of the NE4NW4 of about 1.8 acres. I will send you a copy of the map if you will send me your fax number. Hope this helps you out. Have a nice weekend!!!!

Chris James
County Assessor

FAX

FROM THE OFFICE OF
CUSTER COUNTY ASSESSOR
CHRISTINE A. JAMES

////////////////////////////////////

TO: Jean Robertson

FAX: 208-736-3037

SUBJECT: Ivie Property

COMMENTS: *Jean; hope this map helps you out. Send another E-mail if
you have any more questions. Have a nice weekend.*

From the desk of: Christine A. James
Custer County Assessor
P.O. Box 597
Challis, ID 83226

208-879-2325
FAX 208-879-5246

7/27/00

PMO100 - PARCEL MASTER INQUIRY

11:24:09

PARCEL: RP 14N18E120003 A

F9=MS F10=SW

F12=RC F14=HO

F17=DD F19=SP

F23=AG

NAME/ADDRESS

IVIE, JACK A
& IVIE, DOLORES

LEGAL DESCRIPTION

TRACTS 1826, 1827, 1831, 1909
NW4NW4, NW4NE4
SEC 12 T14N R18E

PO BOX 521

CODE AREA 2400

OWNER CODE

PARC TYPE AG

LOC CODE 341

CHALLIS

ID 83226

EFFDATE 4021998

EXPDATE

PREV PARCEL

RP14N18E120002T

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
2	1997	20000	AC	9044				
5	1997	96050	AC	3266				
	1997	1000	AC	11000				
19	1997	3000	AC					
TOTALS		120050		73936	36831	18416		

ENTER NEXT PARCEL NUMBER

RP

A

FKeys:

F2=TX

F3=Exit

F5=SS

F6=NM

F7=LG

F8=CT

F13=TM

F18=HS

F20=SrcH

F22=EU

1899
1001
300 Reich
21161
1405