

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 37-33
Date Received: 12/20/1988
Receipt No: C004047
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LOWREY HASCALL KAMMER Phone: (208)578-3515
398 BROADFORD RD
BELLEVUE ID 83313

TAMI SIPE KAMMER Phone: (208)578-3515
398 BROADFORD RD
BELLEVUE ID 83313

2. Date of Priority: 07/01/1887

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	26	NW SE	BLAINE	

5. Description of diverting works:

ROCKWELL #40 DIVERSION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.84	

7. Total Quantity Appropriated is:

0.84 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
02N	18E	35	NW	NE	IRRIGATION	14
					Section Acres	14
					Total Acres	14

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

CONFORMED ATTORNEY MAILING ADDRESS DMS

15. Basis of Claim: Decreed

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

RECEIVED

JUN 17 2003

Department of Water Resources
Pocatello, Idaho

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>SEE ATTACHED COPY OF RECORDED WARRANTY DEED</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) BRUCE S. TIDWELL and LESLIE A. TIDWELL
4. New Owner/Claimant(s) LOWREY HASCALL KAMMER AND TAMI SIPE KAMMER
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 398 BROADFORD ROAD
- City, State and ZIP Code BELLEVUE, ID 83313
- New Telephone Number (208) 578-3515
5. Date you acquired the property March 13, 2003

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)

James Hammer
Kimberly Hammer

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 _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____, AJ Date _____ WR _____ Date _____

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
P. O. Box 987
Ketchum, Idaho 83340

Instrument # 480240
HAILEY, BLAINE, IDAHO
2003-03-13 03:53:00 No. of Pages: 2
Recorded for: AMERITITLE
MARSHA RIEMANN Fee: 6.00
Ex-Officio Recorder Deputy
Index to: WTYOCORP DEED

(space above line for Recorder's use)

QUITCLAIM DEED

FOR VALUE RECEIVED, we, LOWREY HASCALL KAMMER and TAMI SIPE KAMMER, co-trustees of the Kammer Family Trust dated May 6, 1998, ("Grantors"), do hereby convey, release, remise and forever quitclaim to LESLIE A. TIDWELL, an unmarried woman, of Post Office Box 2919, Ketchum, Idaho 83340 ("Grantee"), all our right, title and interest in and to the following described water rights, situated in Blaine County, Idaho, to wit:

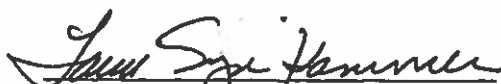
0.02 cfs of groundwater pursuant to Water Right No. 37-7178B for the irrigation of two (2) acres within the NW1/4 NE 1/4, S.35, T.2N., R. 18E, B.M., Blaine County, Idaho.

0.04 cfs of groundwater pursuant to Water Right No. 37-12540B for the irrigation of two (2) acres within the NW1/4 NE 1/4, S.35, T.2N., R. 18E, B.M., Blaine County, Idaho.

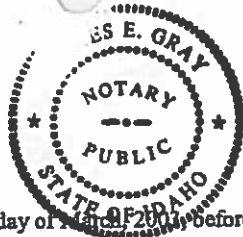
DATED this 13 day of March, 2003.

GRANTORS:


LOWREY HASCALL KAMMER, Co-Trustee
of the Kammer Family Trust dated May 6, 1998


TAMI SIPE KAMMER, Co-Trustee of the Kammer
Family Trust dated May 6, 1998

STATE OF IDAHO)
) ss.
County of Blaine)



On this 13 day of March, 2004, before me the undersigned notary public in and for said state, personally appeared LOWREY HASCALL KAMMER and TAMI SIPE KAMMER, known or identified to me to be the trustees of THE KAMMER FAMILY TRUST dated May 6, 1998 and the persons who executed the foregoing instrument on behalf of said trust and acknowledged to me that said trust executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

A handwritten signature in black ink, appearing to be "E. Gray", written over a horizontal line.

Notary Public for Idaho
Residing at : Blaine County Idaho
Comm. Expires: 8/25/05

Order No. 50925

QUITCLAIM DEED

Instrument # 480239
HAILEY, BLAINE, IDAHO
2003-03-13 03:53:00 No. of Pages: 2
Recorded for : AMERITITLE
MARSHA RHEMANN Fee: 6.00
Ex-Officio Recorder Deputy
Index to: WITNOTICORP DEED

FOR VALUE RECEIVED

BRUCE S. TIDWELL, an unmarried man and LESLIE A. TIDWELL, an unmarried woman

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

LOWREY HASCALL KAMMER and TAMI SIPE KAMMER, CO-TRUSTEES OF THE KAMMER FAMILY TRUST
DATED MAY 6, 1988

whose address is: 75-295 Purple Hills Road, Indian Wells, CA 92210

the following described premises situated in Blaine County, Idaho, to wit:

The following water rights appurtenant to the property described in Exhibit "A"

Water Right No. 37-12541, Water Right No. 37-07178, Water Right No. 37-12538, Water Right No. 37-12539,
Water Right No. 37-12540 and Water Right No. 37-00033.

together with their appurtenances.

Dated: March 6, 2003


BRUCE S. TIDWELL

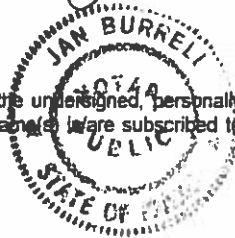

LESLIE A. TIDWELL

State of Idaho

}
}ss.
}

County of Blaine

On this 11th day of March, in the year 2003, before me, the undersigned, personally appeared BRUCE S. TIDWELL, known or identified to me to be the person(s) whose name(s) were subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



WITNESS my hand and official seal.


Notary Public

Commission Expires: 2.18.2004

State of Idaho

}
}ss.
}

County of Blaine

On this 12th day of March, in the year 2003, before me, the undersigned, personally appeared LESLIE A. TIDWELL, known or identified to me to be the person(s) whose name(s) was subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



WITNESS my hand and official seal.


Notary Public

Commission Expires: 2.18.2004

EXHIBIT A

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 35: A parcel of land lying within the N½ of the NE¼ of said section, more particularly described as follows:

BEGINNING at the 5/8" bar marking the N¼ corner of said Section 35; thence S. 00° 15' 12" W., 276.30 feet along the center-section line to a bar on the south side of Broadford Road; thence S. 79° 28' 00" E., 298.10 feet to a bar; thence N. 77° 57' 00" E., 400.80 feet to a point on the west side of Mabee Slough, being the TRUE POINT OF BEGINNING; thence S. 18° 05' 00" W., 310.62 feet to the center of the slough; thence Along the center of the slough the following 13 courses; thence S. 73° 40' 00" E., 22.40 feet; thence S. 07° 09' 00" W., 223.90 feet; thence S. 04° 18' 00" E., 115.30 feet; thence S. 13° 12' 00" W., 281.00 feet; thence S. 17° 13' 00" E., 94.80 feet; thence S. 63° 37' 00" E., 90.20 feet; thence N. 70° 51' 00" E., 81.90 feet; thence N. 21° 36' 00" E., 93.60 feet; thence N. 44° 31' 00" E., 63.00 feet; thence N. 78° 47' 00" E., 126.50 feet; thence N. 54° 34' 00" E., 184.70 feet; thence N. 16° 28' 00" E., 131.30 feet; thence N. 65° 14' 00" E., 333.30 feet; thence N. 05° 48' 00" W., 262.20 feet along the old fence; thence N. 01° 05' 30" E., 233.00 feet along the old fence to a point on the south side of Broadford Road; thence S. 83° 54' 00" W., 373.05 feet along the road; thence S. 87° 43' 45" W., 298.00 feet to a point on the east bank of the slough; thence N. 54° 15' 15" W., 42.87 feet to the Northeast corner of Tax Lot 226; being the TRUE POINT OF BEGINNING.
(TL 6459)

AND

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 35: A parcel of land lying within the N½ of the NE¼ of said section, more particularly described as follows:

BEGINNING at the 5/8" bar marking the N¼ of said section 35; thence S. 0° 15' 12" W., 276.30 feet along the center-section line to a bar on the south side of Broadford Road; thence S. 79° 28' 00" E., 298.10 feet along said road to a 5/8" bar bearing S. 41° 25' 18" E., 441.14 feet from said N¼ corner being the TRUE POINT OF BEGINNING; thence S. 10° 16' 15" W., 120.62 feet to the center of Mabee Slough; thence Along the center of said slough, S. 73° 40' 00" E., 330.40 feet; thence N. 18° 05' 00" E., 310.62 feet to a point on the west side of Mabee Slough; thence S. 77° 57' 00" W., 400.80 feet along the Broadford Road to the TRUE POINT OF BEGINNING. (TL 6480)



Title: Tidwell to Hammer owner change

Date: 06-18-2003

Scale: 1 inch = 2000 feet

File:

Tract 1: 13.707 Acres: 597058 Sq Feet: Closure = s26.5152e 0.01 Feet: Precision = 1/542260: Perimeter = 3342 Feet

Tract 2: 1.691 Acres: 73651 Sq Feet: Closure = s88.0346w 0.01 Feet: Precision = 1/173594: Perimeter = 1162 Feet

001=/nw,ne,35,2n,18e

012=n70.5100e 81.90

023=n54.1515w 42.87

002=/s00.1512w 276.30

013=n21.3600e 93.60

024=@0nw,ne,35,2n,18e

003=/s79.2800e 298.10

014=n44.3100e 63.00

025=/s0.1512w 276.30

004=/n77.5700e 400.80

015=n78.4700e 126.50

026=/s79.2800e 298.10

005=s18.0500w 310.62

016=n54.3400e 184.70

027=s10.1615w 120.62

006=s73.4000e 22.40

017=n16.2800e 131.30

028=s73.4000e 330.40

007=s07.0900w 223.90

018=n65.1400e 333.30

029=n18.0500e 310.62

008=s04.1800e 115.30

019=n05.4800w 262.20

030=s77.5700w 400.80

009=s13.1200w 261.00

020=n01.0530e 233.00

010=s17.1300e 94.80

021=s83.5400w 373.05

011=s63.3700e 90.20

022=s87.4345w 298.00

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: A37-00033

Date Received: 10/25/1988

Receipt No: C004047

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRUCE S. TIDWELL 208-788-2193
Address: P.O. BOX 2919
KETCHUM, ID 83340

AND/OR

Name: LESLIE TIDWELL 208-788-2193
Address: P.O. BOX 2919
KETCHUM, ID 83340

2. Date of Priority: JUL 01, 1887

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	26	NW	SE			BLAINE

5. Description of diverting works:
ROCKWELL #40 DIVERSION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.840		

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

8. Total consumptive use is 35.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-00033

Page 1

Date: 01/23/89

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MAR 01 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	35	NW	NE		IRR	14.0
Section Acres							14.0
Total Acres							14.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

A37-07178, A37-12538, A37-12539, A37-12540

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

S. C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, 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: _____

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 _____

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

Attorneys at Law

120 East Avenue

Post Office Box 987

Ketchum, Idaho 83340

Phone: (208) 726-4421

FAX: (208) 726-0752

FAX MEMO/COVER SHEET

DATE: October 7, 1994

TIME: 11:52 am

PAGE 1 OF 1

TO: Idaho Department of Water Resources/Southern Region

FAX NUMBER: 208/736-3037

FROM: Jenifer Lytle for James P. Speck

RE: Bruce S. Tidwell or Leslie Tidwell Water Right Claims

Please mail copies of the claims for the following water rights, as they were entered in your database.

A37-07178

A37-00033

A37-12538

A37-12539

A37-12540

A37-12541

Please call if you have any questions. Thank you for your assistance.

OCT 07 1994

Department of Water Resources
Southern Region Office

THE INFORMATION CONTAINED IN THIS FAX TRANSMISSION IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE ABOVE-NAMED RECIPIENT AND MAY BE THE SUBJECT OF ATTORNEY/CLIENT PRIVILEGE. IF THE READER OF THIS MESSAGE IS NOT THE ABOVE-NAMED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISSEMINATION, COPYING OR OTHER USE OF THIS COMMUNICATION IS STRICTLY PROHIBITED AND NO PRIVILEGE IS WAIVED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE. THANK YOU.

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: 39356
Ident Number A37-00033
Date Received 10-25-88
Receipt Number C004047

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 26 1988

Department of Water Resources
Southern Region Office

1. Name of Claimant(s): Bruce S. Tidwell &/or Leslie Tidwell
Phone: (208) 788-2193
Mailing Address: P.O. Box 2919
Ketchum, ID 83340

2. Date of Priority: July 1, 1887

3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
2N	18E	26		NW	SE		Blaine

Additional points of diversion if any: None.

b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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5. Description of existing diversion works: Rockwell 40 Headgate,
handlines, guns & some flood irrigation.

MICROFILMED

MAR 01 1993

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	0.84 cfs

7. Total Quantity Claimed: 0.84 cfs

8. Total consumptive use claimed is 35 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
2N	18E	35	NW	NE	I	14

Total number of irrigated acres: 14

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? 37-7178, 3 beneficial use claims.

14. Remarks: Originally decreed to Edward Ashton in S.C. Frost et al. v. Alturus Water Company Co. et ux. Soil is extremely pourous - gravelly, sandy loam - Little Wood River Series.

Last Name: Tidwell Ident No. _____

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MAR 01 1993

15. Basis of Claim: Decree
IDWR Water Right Number: 37-0033
Court: Lincoln County
Case Number:
Decree Date: December 13, 1909
Plaintiff v. Defendant:
S.C. Frost et al. v. Alturus Water Company Co. et ux.

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Robert A. Tidwell

Date 10/24/88

State of IDaho)
County of BLAINE) ss.

Date _____

Subscribed and sworn before me this 24 day of October, 1988.

Notary Public James P. Speck

Residing at East Fork Rd

Commission Expires 1/22/91

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law 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 the address listed below.

Signature: James P. Speck

James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 10/27/88

Last Name: Tidwell
a:\tidwell12.clm

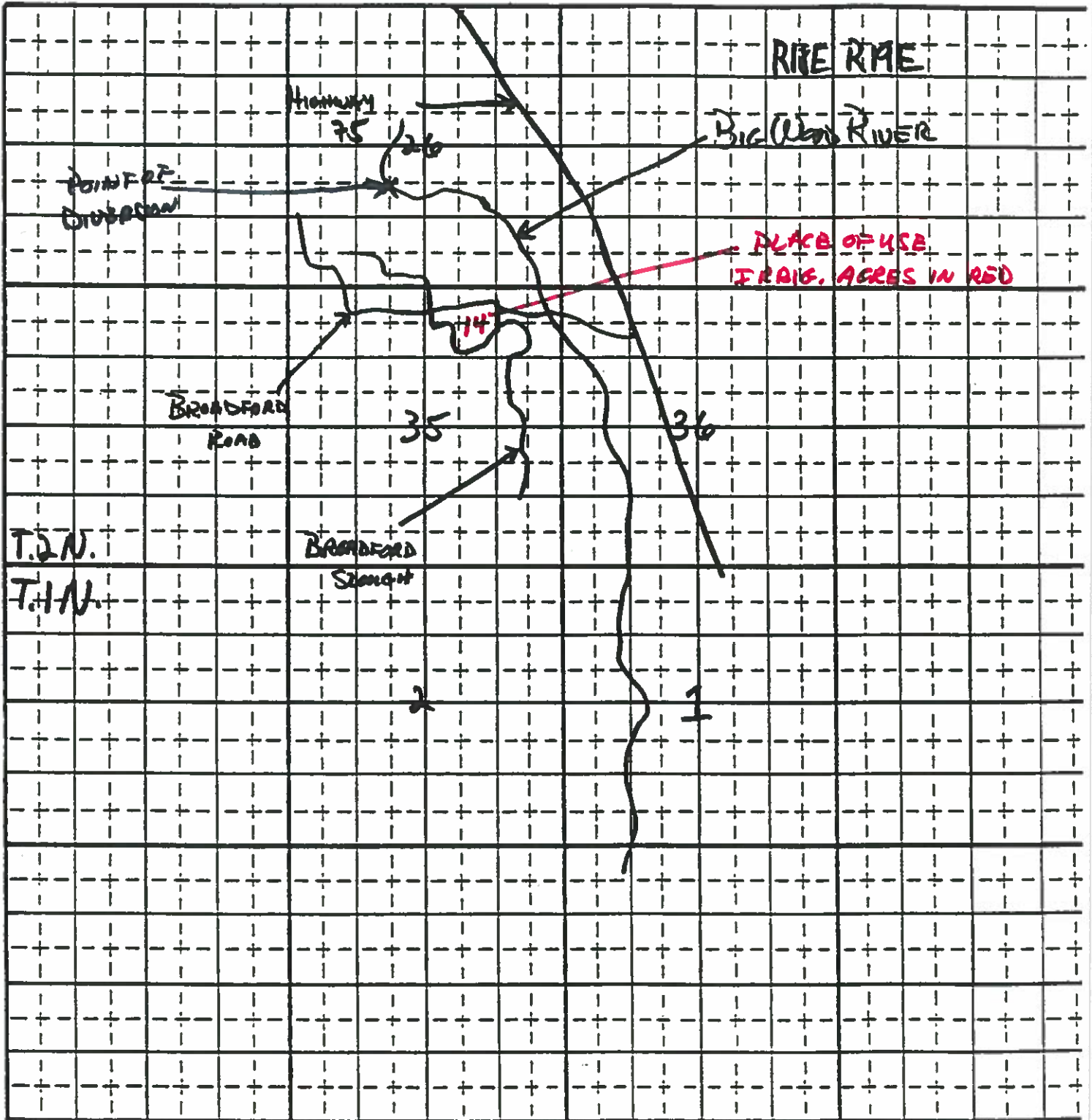
Ident No.: _____

MICROFILMED

MAR 01 1993

Map of Project: show clearly a point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

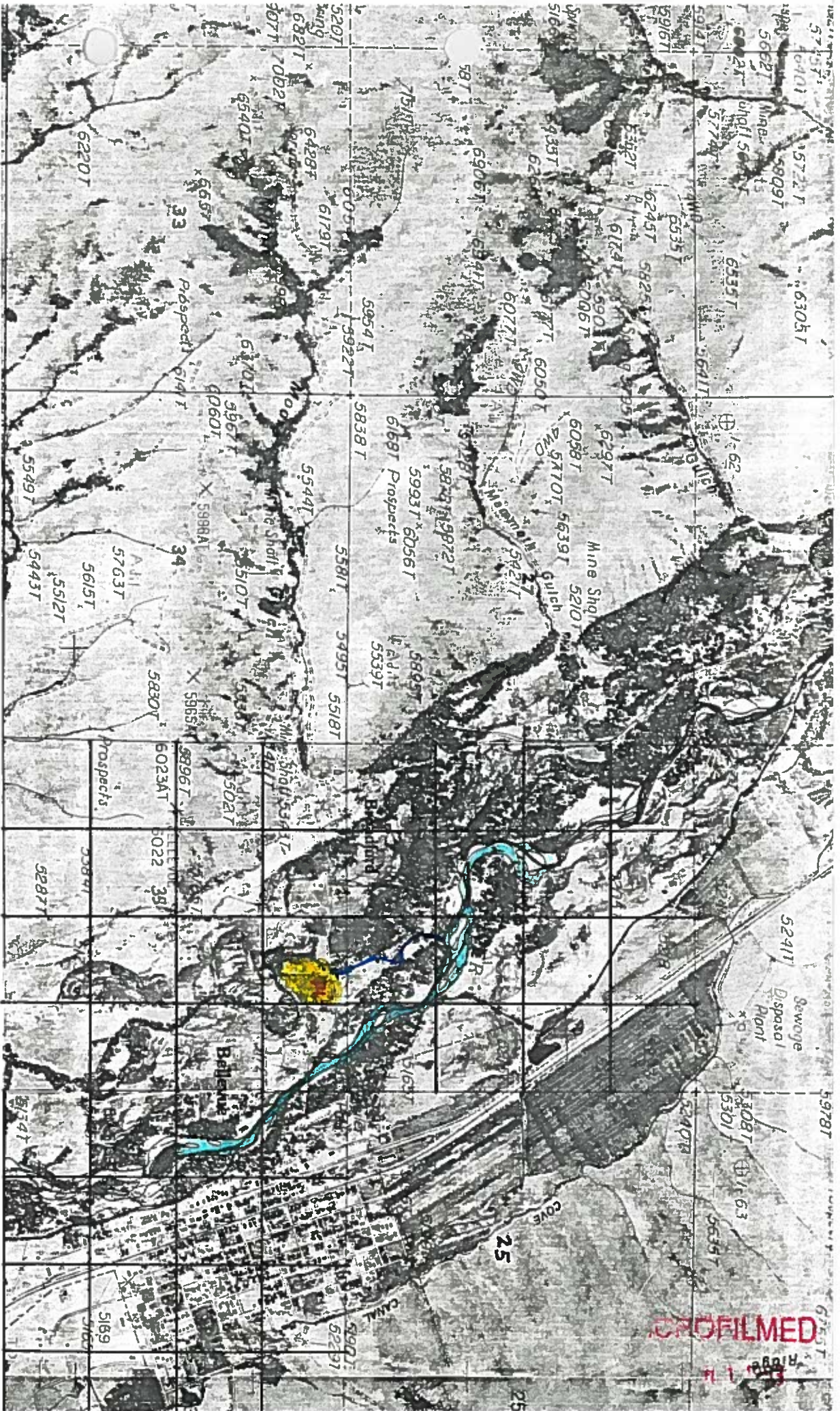


Last Name TIDWELL

Ident No. _____

Copies: White-Slate, Yellow-Casimant

REPRODUCED



SCALE 1:24000



N

COPY

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB 18 2010	
By _____	Clerk
_____	Deputy Clerk

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

Subcase No: 37-33

Case No. 39576

37-21128 (Conditions only)

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership

☐ Split of Water Right

☒ Point of Diversion

☐ Place of Use

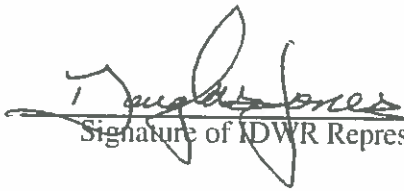
☐ Period of Use

☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 2/17/10


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2-18, 2010, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

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

United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724

Lowrey Hascall Kammer
Tami Sipe Kammer
398 Broadford Rd
Bellevue ID 8313



Signature of person or attorney mailing the form

02/04/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-33
NAME AND ADDRESS: LOWREY HASCALL KAMMER
398 BROADFORD RD
BELLEVUE ID 83313
TAMI SIPE KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.720 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre when delivered via pump and pressurized irrigation system, nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Rights 37-33 and 37-21128 when combined shall not exceed a total diversion rate of 0.72 cfs and the irrigation of 12 acres.

PRIORITY DATE: 07/01/1887

POINT OF
DIVERSION:

T02N R18E S35 NWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.720 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T02N R18E S35 NENE 1.00	T02N R18E S35 NWNE	11.00
	12 ACRES TOTAL		

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.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

02/04/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-21128
NAME AND ADDRESS: LOWREY HASCALL KAMMER
398 BROADFORD RD
BELLEVUE ID 83313
TAMI SIPE KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.120 CFS
36.00 AFY

Right Nos. 37-33 and 37-21128 are limited to a total combined diversion rate of 0.72 cfs, and when diverted via pump and delivered via pressurized irrigation system shall not exceed a total combined diversion rate of 0.24 cfs.

PRIORITY DATE: 12/31/1962

POINT OF
DIVERSION:

T02N R18E S35 NENWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.120 CFS 36.00 AFY
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T02N R18E S35 NENE 1.00	T02N R18E S35 NWNE 11.00	
	12 ACRES TOTAL		

Right Nos. 37-33 and 37-21128 are limited to the irrigation of a combined total of 12 acres 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: BASIS OF CLAIM - Beneficial Use

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right 37-12539 is also diverted through the point of diversion described above.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

February 18, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

LOWREY HASCALL KAMMER
TAMI SIPE KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

RE: SRBA Claim(s) 37-33, 37-21128

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73570

This is to certify that: LOWREY HASCALL KAMMER
 398 BROADFORD RD
 BELLEVUE ID 83313

And

TAMI SIPE KAMMER
 398 BROADFORD RD
 BELLEVUE ID 83313

have requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-33	AJC/Decreed	07/01/1887	0.72 cfs	N/A	N/A	12.0	BIG WOOD RIVER

Associated Water Rights Also Included in Transfer Approval (Conditions Updated)

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-21128	AJC/Beneficial Use	12/31/1962	0.12 cfs	36 af	N/A	12.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-33	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-33	37-33	0.24 cfs	N/A	N/A	12.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.24 cfs	N/A	N/A	12.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of September, 20 07

 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 37-33

WATER RIGHT NO. 37-33
As Modified by Transfer No. 73570

In accordance with the approval of Transfer No. 73570, Water Right No. 37-33 is now described as follows.

Right Holder: LOWREY HASCALL KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

And

TAMI SIPE KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

Priority Date: July 01, 1887

Source: BIG WOOD RIVER

Tributary: MALAD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15	to 10/31	0.24 CFS
			0.24 CFS

LOCATION OF POINT(S) OF DIVERSION:

BIG WOOD RIVER NWNE Sec. 35 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	<u>Totals</u>
02N 18E 35	1.0	11.0															12.0

Total Acres: 12

WATER RIGHT NO. 37-33
As Modified by Transfer No. 73570

CONDITIONS OF APPROVAL

1. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
2. Rights 37-33 and 37-21128 when combined shall not exceed a total diversion rate of 0.24 cfs and the irrigation of 12 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
6. The source at the point of diversion for this right is known locally as the Clearwater Slough.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 20th day of September, 20 07



Chief, Water Allocation Bureau

WATER RIGHT NO. 37-21128
As Modified by Transfer No. 73570

In accordance with the approval of Transfer No. 73570, Water Right No. 37-21128 is now described as follows.

Right Holder: LOWREY HASCALL KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

And

TAMI SIPE KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

Priority Date: December 31, 1962

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	10/31	0.12 CFS	36.0 AF
			0.12 CFS	36.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NENWNE Sec. 35 Twp 02N Rge 18E BLAINE County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	18E	35	1.0		11.0														12.0

Total Acres: 12

WATER RIGHT NO. 37-21128
As Modified by Transfer No. 73570

CONDITIONS OF APPROVAL

1. Right Nos. 37-33 and 37-21128 are limited to the irrigation of a combined total of 12 acres in a single irrigation season.
2. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. Right 37-12539 is also diverted through the point of diversion described above.
4. Right Nos. 37-33 and 37-21128 are limited to a total combined diversion rate of 0.24 cfs.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 20th day of September, 20 07



Chief, Water Allocation Bureau



Idaho Department of Water Resources

Adjudication Recommendation

37-33

(IRRIGATION)

Legend

● Point of Diversion

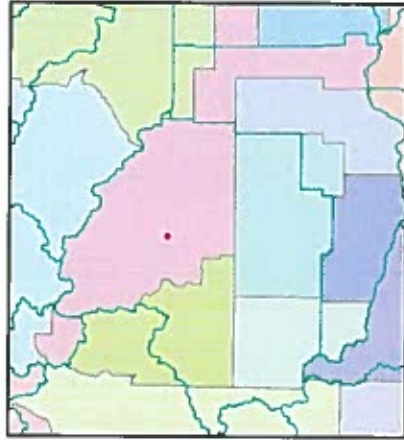
□ Place of Use

□ State Outline

□ Townships

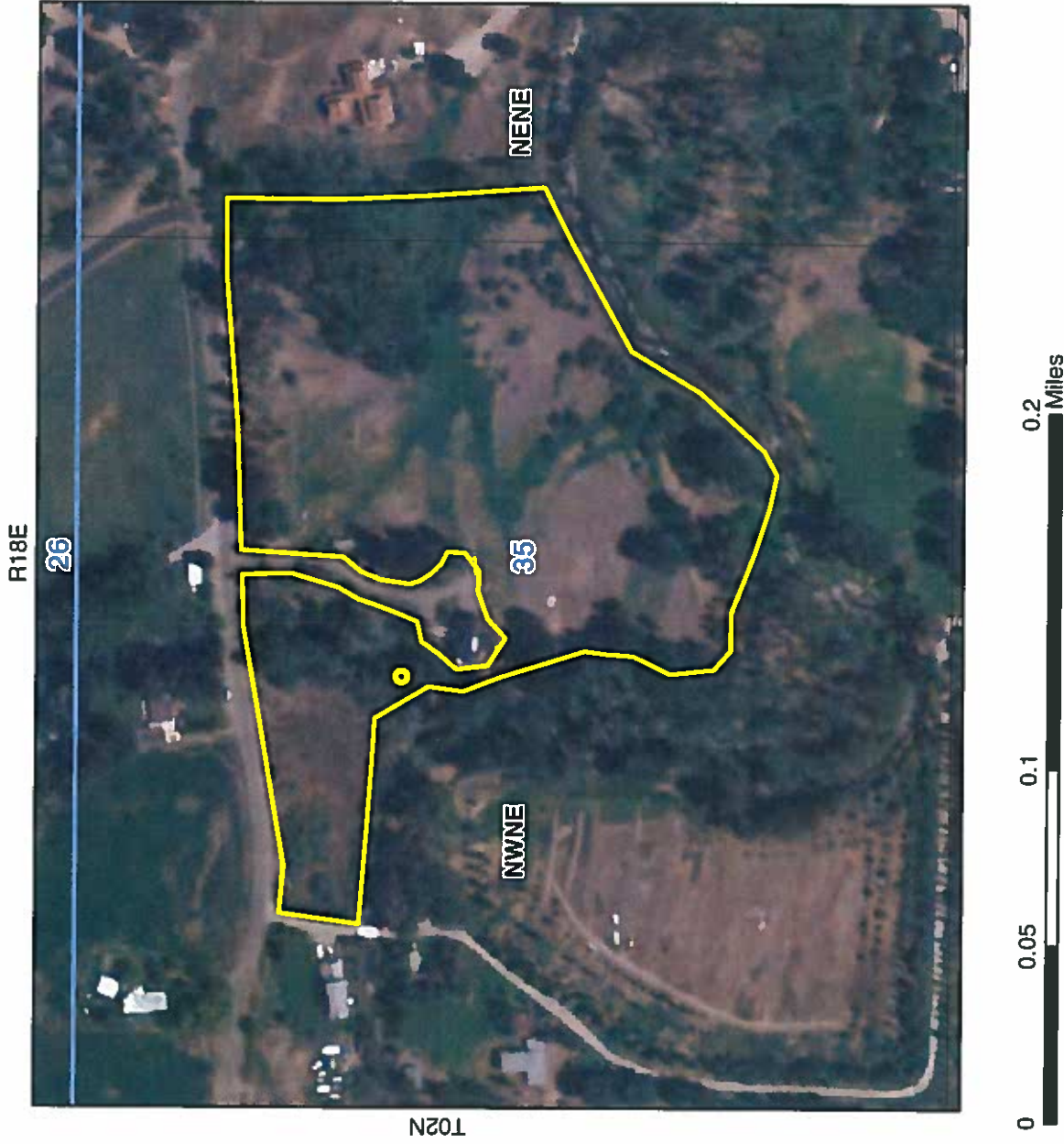
□ PLS Sections

□ Quarter Quarters



Blaine County
IDWR Basin 37

Prepared by Trish Fawcett
On February 04, 2010
2004 Aerial Photography



11/30/2006

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

RIGHT NUMBER: 37-33

NAME AND ADDRESS: LOWREY HASCALL KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

TAMI SIPE KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.720 CFS

Right Nos. 37-33 and 37-21128 are limited to a total combined diversion rate of 0.72 cfs.

PRIORITY DATE: 07/01/1887

POINT OF DIVERSION: T02N R18E S26 SENESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.720 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S35	NENE	1.00	T02N R18E S35	NWNE	11.00
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12 ACRES TOTAL

Right Nos. 37-33 and 37-21128 are limited to the irrigation of a combined total of 12 acres 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: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

SRBA Recommendation:

37-33
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



T02N



R18E



Prepared by S. Keen
On Thursday, November 30, 2006
2004 Aerial Photography



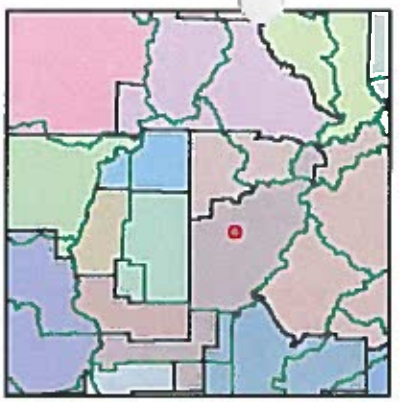
Idaho Department of Water Resources

SRBA Recommendation:

37-33
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37



T02N



R18E



Prepared by S. Keen
On Thursday, November 30, 2006
2004 Aerial Photography



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

July 9, 2003

LOWREY HASCALL KAMMER
TAMI SIPE KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

Re: SRBA Claim(s) 37-33, 37-7178A, 37-12538, 37-12539, 37-21128
Decreed Water Right 37-12541

Dear Mr. and Mrs. Kammer:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) 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 black ink, appearing to read 'Trish Fawcett', written over a horizontal line.

Trish Fawcett
Technical Records Specialist

Enc.

Kammer

Claim Review

37-33

Watermaster List = Kammer Family Trust 0.84 cfs

37-7178A

37-12538

37-12539

37-21128

37-33

- Found in watermaster records. 0.84 cfs
- Claimed 10/25/1988 by Tidwell
- Land looks irrigated on 1987 photography
- 1972 app. for GW (37-7178) makes no mention of SW.
- 1974 field examiner makes no mention of SW
- 2000 Jim Stanton's review of Transfer 68549 (Rt. 37-7178) says A. Ms. Tidwell said it had not been used in ~~2~~ 13 years
B. Watermaster records do not show delivery in previous 5 years.
- 2005 Lee Peterson found the diversion works are not usable due to a change in the river course.

Conclusion: Recommend the right because established period of non-use occurred after the claim was filed, and it is not clear that the GW completely replaced the SW before 1987.

Kammer Claim Review

37-33 Continued

Transfer App. 68549 + 4/18/2000 letter from Jim Speck to Allen Merritt say that 2 acres of the right will be relinquished.

POH Claimed 14 acres. Found ~~14~~¹² acres.
Recommend ~~14~~ⁿ acres in NWNE as claimed. ~~14~~¹ acre in WNE.

Rate $0.84 \text{ cfs} / 14 \text{ acres} = .06 \text{ cfs/acre}$
 $.06 \text{ cfs/acre} \times 12 \text{ acres} = 0.72 \text{ cfs}$

POD is in SENESE, not NWSE. Recommend as accomplished transfer of POD

Kammer

SEE
PAGE
6

37-7178 - The only issue here is the POU. About 7 acres of the 12-acre POU is in the NENE, not the NWNE. The 1975 license and the 2002 transfer depict the entire POU in the NWNE. The 1 acre in the NENE was established by the time the 1987 NAPP photo was taken. This right was the "unchanged" portion of the right after the 2002 transfer. Therefore, it was not really the subject of the transfer, and thus does not have to be recommended in accordance with the transfer. I am recommending an accomplished change in the POU to show 1 acre in the NENE.

POD - Appears to be in the NE NWNE on the east side of the driveway in some trees under a cover. See Lee Peterson's photo in AS file 37-12539. It matches the photo labeled "Diversion Works" in Jim Stanton's 2000 exam for 37-7178.

Kammer

37-12538 + 37-12539 + 37-21128

- 1974 - Gary Funderburg conducts an exam for 37-7178 and finds 1 well^(sump) with 2 pumps. Each of the pumps is 2 h.p. The capacity of 0.14 cfs is determined by adding the flow of 18 Rainbird sprinklers.
- 1988 Tidwell files the ~~two~~³ claims with 1962 priority dates.
- 2000 - Jim Stanton examines the irrigation system prior to working on Transfer 68549. He finds a sump with 2 pumps - a 2.5 h.p. and a 7.5 h.p. - serving a more sophisticated sprinkler system than used in 1974. Jim estimates the system capacity to be 0.35 cfs. Stanton concludes that the diversion capacity was increased after 1974, and he questions the validity of the 3 beneficial use claims.
- 2000 Jim Speck writes IDWR to explain that the increased system capacity is due to an accomplished transfer from the PODs for the beneficial use claims to the GW diversion found by Jim Stanton.

Kammer

2005 - ~~Bill R~~ Lee Peterson reviews the claimed irrigation system and states that 37-12538 is on land west of the house from a well west of the house and 37-12539 is on land east of the house from a well east of the house. He doesn't mention 37-21128 or its former iteration, 37-12540. His photo of the POD for 37-12538 shows no diversion works.

2006 Bill Rousey submits a letter referring to the three beneficial use claims and stating that they were in use by 1962.

Questions

1. Why didn't the 1974 field examiner find two PODs? Likely answer - there was only one "well" in use by 1974. It would have been expensive to maintain 2 pumping systems for such a small place.

Kammer

Conclusion RE: Ground Water Claims

It is likely that two wells/sumps, as described by Len Peterson in 2005 and Bill Rousey in 2006, were constructed and used in 1962. We have no evidence, however, of the amount of water diverted and used at that time. It would have been expensive to install and maintain 2 pumping systems; one might even speculate that a portable tractor driven pump was used. By 1974 there was only one well/sump in use, and the system capacity was 0.14 cfs. The increase in capacity after 1974 will have to be covered by a new permit or a transfer unless the claimant can provide convincing evidence that the pre-1974 capacity exceeded 0.14 cfs and that it was not partially forfeited.

Recommendations

- 37-21128 B/u 1962 0.14 cfs 12 acres
A completed transfer of POD from 2 wells to 1.
- 37-12538 - Disallow. Recommended as 37-21128.
- 37-12539 - Irrigation covered by 37-21128. Recommend stock water only.
- 37-7178A - Disallow. Recommended as 37-21128.

★ 37-21128 + 37-33 combined for 0.72 cfs + 12 acres.

MEMO

TO: File

DATE: 6/15/2000

FROM: J E STANTON

SUBJECT: App. for Transfer, Leslie Tidwell; Field Review

Today I met with Ms. Tidwell (ex-wife of Bruce Tidwell). We viewed both the old and new places of use. The old p/u consists of a lawn/garden area with pop-up sprinklers, and a pasture area with trees. The diversion works consists of a well (a 3-4' cnp 12' deep) with 2 pumps. A 2 ½ hp motor and pumps serves the pop-up sprinklers, while a 7 ½ hp motor and pump serve a buried mainline with risers for handlines and big guns to water the pasture. Water sits about 2' below the ground, and the area is quite subby (it sits on the north side of the Broadford Slough west of Bellevue). MS. Tidwell said that both pumps can be run at the same time, as there is plenty of water in the well for both. In 1974, the licensing examiner found 2 2 hp pumps running 24 rainbirds at 25 psi average pressure; system capacity has obviously been increased since then. Using 2' lift and the same pressure, the system should now pump either 0.35 cfs or 1.03 cfs (the measured flow was much less than the theoretical calculation for the original system).

Although there are 42 inches of decreed water on this property, Ms. Tidwell did not think that they had ever used it (they bought the property about 13 years ago). Watermaster records do not show any use of this right for the last 5 seasons, so it should be considered abandoned. Lee said that the 1887 right is usually cut off in early summer, so would not be available when it was needed most. With such a good well, it was probably not worth the trouble of maintaining a surface diversion for a month or so of early-season use.

The new p/u was a parcel of state land that was sold in 1998 for the subdivision there; we received a Change of Ownership for Claim A37-00402 then. Ms. Tidwell said that the land was leased out and gravity irrigated for pasture before then, and I could not disagree with this based on my inspection of that property. I talked to Dale Mizer, who leased this land until about 1991. He turned his lease over to Kristine Pigeon then, and she kept it until finally purchasing the property (18.4 acres) and 0.81 cfs of the #402 right. Lee Peterson said that this right is normally cut off in mid to late July, so would not be available to maintain landscaping on a permanent basis. The Hiawatha Canal conveys water to the subdivision, which has put in a community irrigation system with a small pond & buried sprinkler system. Lee shows this water as being delivered into the Canal to cover conveyance losses; this conflicts with the SRBA claim, so I'm not sure what to make of this. Mizer, who ran the Hiawatha Canal for years, talked about irrigating with this right. Ms. Tidwell wants to be able to use her own well also. The lot is 2.6 acres, so about 2 acres would be irrigable with the home and driveway out. Although it appears that all of the land is in the SW/NW Sec. 33 based on the GIS map, the subdivision plat

MICROFILMED

OCT 04 2002

T#586C
68548

shows about 0.1 acres in the NW/NW. So I propose to change the application to reflect this.

It appears that both the existing and new places of use have been irrigated, so the transfer would not increase the number of irrigated acres. By drying up land at the old p/u, the number of irrigated acres will actually decrease. On this basis, the transfer should be approved. But there is still the question of flow rates. File evidence indicates that the pumping capacity of the system has increased since 1974, so this increased rate is not claimable in the SRBA (at least it cannot be legalized in this process). In order for us to recognize the higher rate, the claimant would have to refute the examiner's findings. What she should probably do is to withdraw the claim and file a pre-1987 permit to cover the increased flow. Claims A37-12538-12540 cover this system with a 1962 priority date, but there was no supporting documentation in the files. At this point, I can only recommend that 37-07178 be allowed to be transferred. From a practical point of view, it is unlikely that the licensed pumping rate at the existing well will be decreased due to this transfer; it will still be above the licensed rate.

MICROFILMED

OCT 04 2002

T#586C
68549

Adjudication Claim Notes

Claim(s): 37-0033

Background Data

- Source is Big Wood River tributary to Malad River
- Decreed for 0.84 cfs on 14 acres (legal is a surveyed description in the Frost decree)
- Claimed for 0.84 cfs on 14 acres
- Watermaster delivering 0.84 cfs

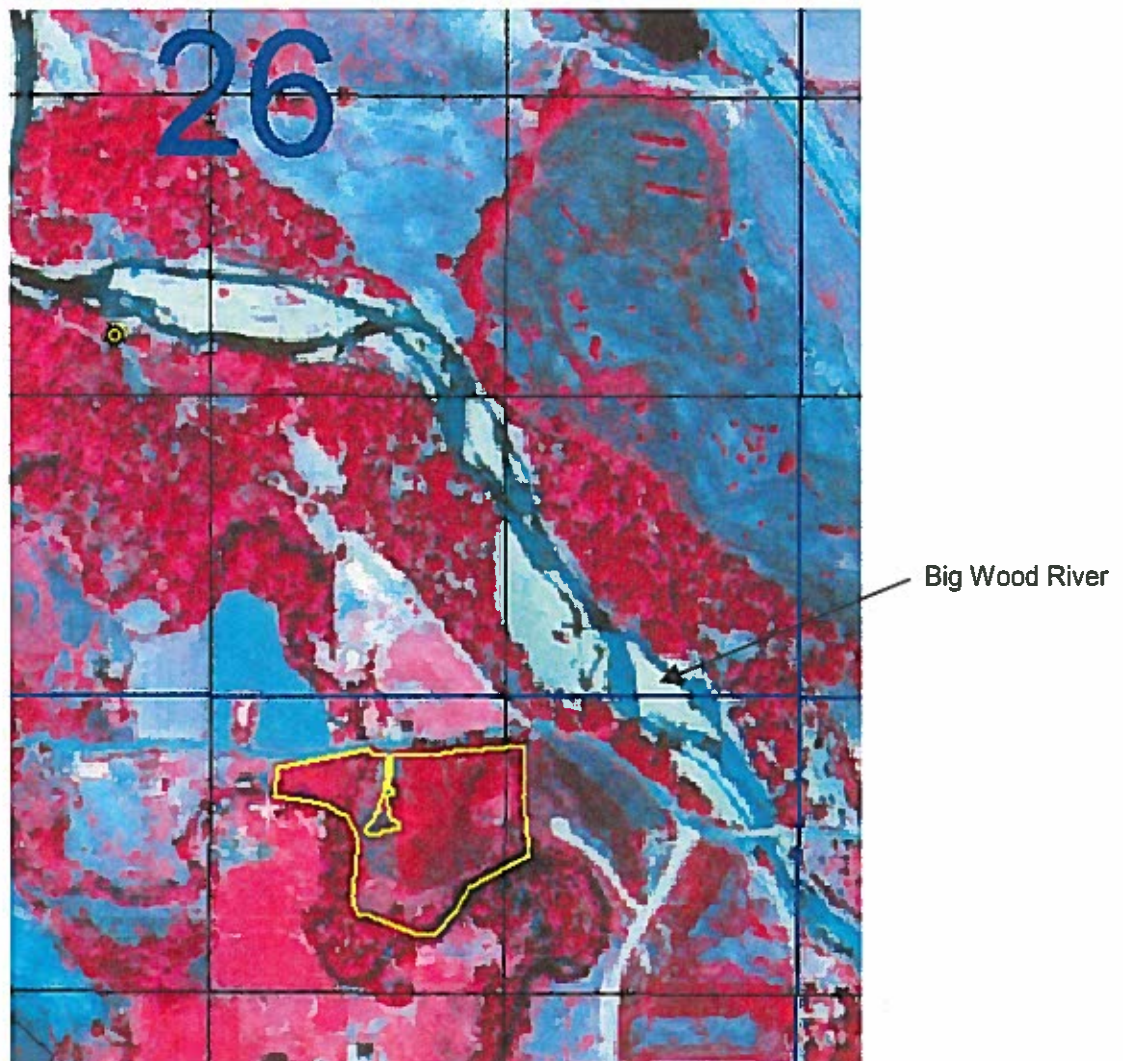
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo





Photograph of POD taken by Lee Peterson during field exam.
Location: 2477458 1363722
Plate: A0011766
Photo #: 1010208

Notes

T2N R18E Section 35

- Found 13 acres
- POU overlaps with 37-12538 & 37-12539
- Due to a change in the course of the Big Wood River in ~1989, the POD for right (Rockwell 40) is above the water line and cannot be used to divert water from the river. The delivery ditch requires deepening or a different POD must be used.
- Data used for review: 1987, 1992, & 2004 aerial photos, Blaine Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

File No.
37-00033= 12538= 12539

Lowrey & Tami Kammer
398 Broadford Rd.
Bellevue

8/5/05

I met with Lowrey [Skip] this morning and reviewed his three water right files, the location of his wells and property. Skip said that the area marked in yellow is a good representation of his irrigated property. W R 00033= He told me that he is planning to file a transfer of this 40" of water from the Big Wood River to the slough which is thru his property. So I advised him to see Kelly about this transfer. W R 12538 #1 is within the pasture area West of his house. W R 12539 # 2 is within the pasture East of house. Skip said all of his irrigated property is sprinkler irrigated from the two wells.

00033 POD is on Big wood river Rockwell 40 Diversion and there is , as I see it, no way they can get water high enough in the river to get it out this diversion without building a dam across the river, the river has changed and is deeper than was before.

No's 12538 & 12539 are two different wells

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
West pasture	Kammer 1	2477750	1363112	A0016279	1060672
East pasture	" 2	2477851	1363068	280	673

Lee R. Peterson

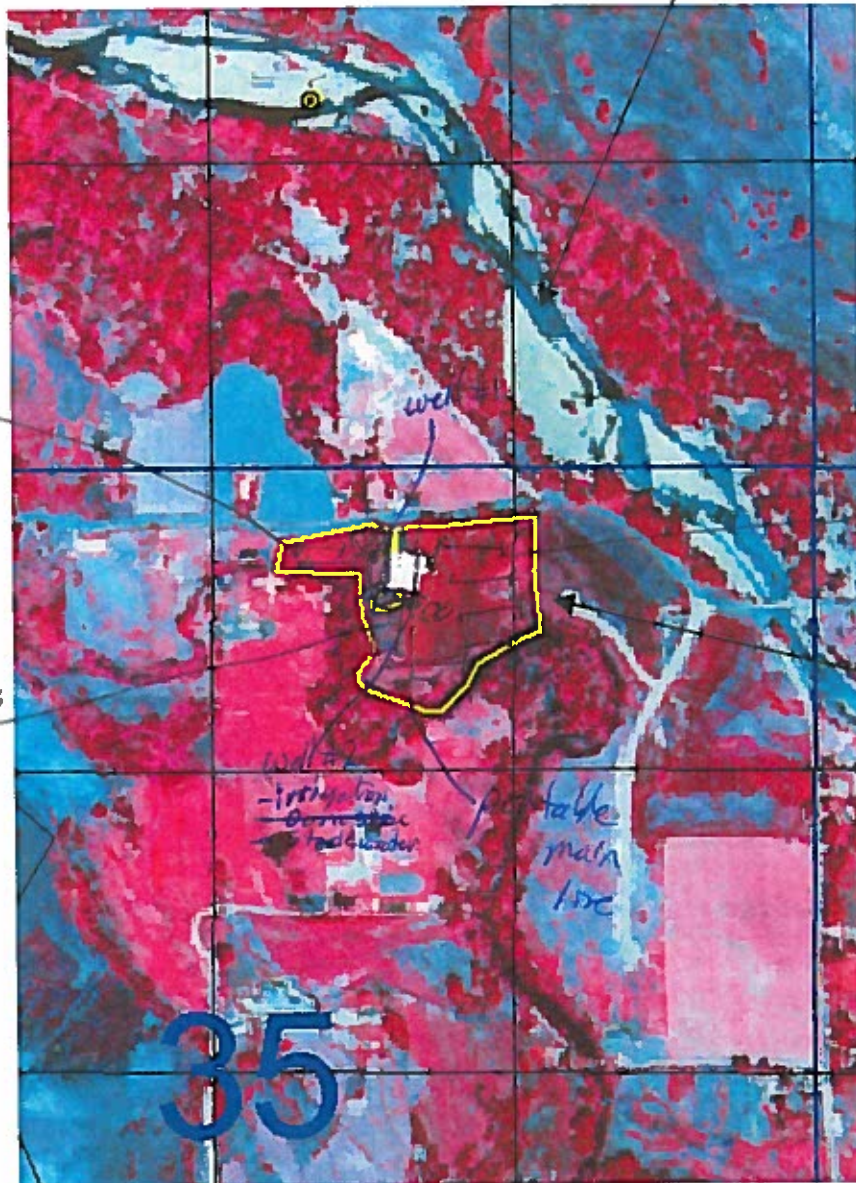
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.
 Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.
 Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

Big Wood POU is
 Rockwell 40
 diversion

1987 Aerial Photo

Big Wood River YES



Outline irrigation
 POU for 37-12538
 West Pasture

East Pasture

Irrigation POU for
 37-0033?

place all
 SPRINKLER irrig.
 - hard line

Outline irrigation
 POU for 37-12539

Outline Stockwater
 POU for 37-12539
 East Pasture &
 Lawns

house &
 barn - 60x80s

00033 He is planning to trans. this water into
 the Slough that is in his property

- he cannot get his Big Wood
 water now, silt bar
 washed out ~1989

Page 4 of 5

37-0033, 37-12538, 37-12539

- a change in the Big Wood caused
 the Rockwell 40 diversion too high
 Kristine Berry owns land
 that ditch runs across -
 the ditch need to be several feet
 deeper to deliver water from Big Wood

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SNAKE RIVER BASIN ADJUDICATION CLAIM VERIFICATION REPORT

FIELD REPORT LOGCLAIM NUMBER: A37-00033

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT RECEIVED	COMPLETED REVIEW	COMPLETED DATA ENTRY
PRIORITY DATE	N		R.V. 3/1/90	
POINT OF DIV.	N		SC 4-27-90	
SOURCE	N			
PLACE OF USE	<u>YES</u>		6-6-90 SC	
DIV. AMOUNT	N			
CONSUMPTIVE USE	N			
USES	N		R.V. 3/1/90	
PERIOD OF USE	N		R.V. 3/1/90	
BASIS OF CLAIM	<u>OWNERSHIP</u> <u>YES</u>		SC 4-27-90	

REMARKS:

MICROFILMED

MAR 01 1993

GENERAL INFORMATION

Claim number: A37-00033

LAST: TIDWELL

FIRST: BRUCE S.

ADDRESS: P.O. Box 2919

CITY: KETCHUM

STATE: ID

ZIP: 83340

PHONE: (208) 788-2193

OWNER CODE: C

OWNER CONNECTOR: AND/OR

LAST: TIDWELL

FIRST: LESLIE

ADDRESS: P.O. Box 2919

CITY: KETCHUM

STATE: ID

ZIP: 83340

PHONE: (208) 788-2193

OWNER CODE: C

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER (____) ____-____

DATE OF FIELD EXAM: / / APPOINTMENT MADE? Y() N(), TIME: _____

ACCOMPANIED BY: _____ PHONE NUMBER (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS: _____

=====

MICROFILMED

11 1 1993

PRIORITY DATE REVIEW SHEET

A. SRBA CLAIM # A37-00033

PRIORITY DATE: 7/1/88

STAGE $\mathcal{D}$

B. IDWR RECORD # 37-00033

PRIORITY DATE: 7/1/1987

STAGE D

C. REVIEW - FIELD EXAM NEEDED? Y() N(~~X~~)

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE: 7/1/1887

REVIEWED BY

DATE _____

3/1/90

MICROFILMED

MAR 01 1993

POINT OF DIVERSION AND SOURCE REVIEW SHEET

CLAIM # A37-00033

A. SRBA CLAIM POINT OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>26</u>	—	<u>NW</u>	<u>SE</u>	—	<u>BLAINE</u>

SOURCE: BIG WOOD RIVER TRIB: MALAD RIVER

B. IDWR RECORD POINT OF DIVERSION RECORD AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>26</u>	—	<u>NW</u>	<u>SE</u>	—	<u>BLAINE</u>

SOURCE: BIG WOOD RIVER TRIB: MALAD RIVER

C. REVIEW - FIELD EXAM NEEDED? Y() N()

VERIFIED WITH:		ATTACHED	OR	SEE FILE
☒ TOPO MAP/ORTHO-PQ	YES ☒ NO ()			
☒ ASCS MAP	YES () NO ☒			
☐ WATERMASTER RECORDS	YES ☒ NO ()			
☐ FIELD EXAM	YES () NO ()			
☐ OTHER _____	YES () NO ()			

REMARKS: DIV. #40

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>2N</u>	<u>18E</u>	<u>26</u>	<u>SW</u>	<u>NW</u>	<u>SE</u>	—	<u>13</u>

SOURCE: BIG WOOD RIVER TRIB: MALAD RIVERREVIEWED BY SCU DATE 4/27/90

MICROFILMED

MAR 01 1993

PAGE 5.

PLACE OF USE REVIEW SHEET (IRRIGATION)

CLAIM # A37-00033

FIELD EXAM REQUIRED: Y() N()

PRESUMPTION FLAG: Y() N()

ROOT WATER RIGHT NUMBERS 37-00033

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
<u>2N 18E 35 NW NE A37-00579/ 3</u>	<u>37-00579/ 3</u>	<u>12</u>			
	<u>-04267/ 9</u>	<u>-04267/ 9</u>			
	<u>-07178/ 14</u>	<u>-07178/ 14</u>			
7. -12538 (2)	<u>-00033/ 14</u>	<u>-</u>			
-12539 (3)	<u>-</u>	<u>-08058/ 5</u>			
-12540 (14)	<u>-</u>	<u>-</u>			
	<u>-</u>	<u>-</u>			
	<u>-</u>	<u>-</u>			
	<u>-</u>	<u>-</u>			
TOTAL ACRES					

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

REMARKS:

REVIEWED BY

DATE

MICROFILMED

MAR 11 1993

A. S.R.B.A CLAIMED USES:

PURPOSES	MONTH/DAY	RATE
FOR <u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>0.84</u> CFS
FOR _____	FROM ____ TO ____	____ CFS
FOR _____	FROM ____ TO ____	____ CFS

B. I.D.W.R. RECORDED USES:

PURPOSES	MONTH/DAY	RATE
FOR <u>IRRIGATION</u>	FROM ____ TO ____	<u>0.84</u> CFS
FOR _____	FROM ____ TO ____	____ CFS
FOR _____	FROM ____ TO ____	____ CFS

PRESUMPTION FLAG: _____

PERIOD OF USE:

IS PERIOD OF USE WITHIN THE RECOMMENDED SEASON?

Y(☒) N(☐)

RECOMMENDED AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO IDWR STANDARDS OR OTHER?

Y(☒) N(☐)

REMARKS:

RECOMMENDED USES:

PURPOSES	MONTH/DAY	RATE
FOR <u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>0.28</u> CFS
FOR _____	FROM ____ TO ____	____ CFS
FOR _____	FROM ____ TO ____	____ CFS

REVIEWED BY R.V.S.

DATE 3/1/90

MICROFILMED

MAR 11 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(☒) N(☐)

SRBA CLAIMED RATE: 0.84 CFS IDWR ROOT RIGHT RATE: 0.84 CFS
IF NO or IF STATUTORY CLAIM or BENEFICIAL USE field exam required.

IS FLOW MEASUREMENT REQUIRED? Y(☐) N(☒)

B. FLOW MEASUREMENTS

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☐) If YES complete overlap review.

OTHER RIGHTS LISTED IN CLAIM: A37-07178 -12540 -
-12538 - -
-12539 - -

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1. IRRIGATION RATE.

ACRES 14 X 0.02 CFS/ACRE = 0.28 CFS.
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(☒) N(☐)

IF YES EXCESSIVE WATER USE FORM FILED AND ATTACHED? Y(☐) N(☒)

2. ANNUAL IRRIGATION CONSUMPTIVE USE & FIELD HEADGATE DIVERSION VOLUME.

ACRES 14 X CONSUMPTIVE RATE FOR AREA 2.5 A.F./ACRE =

TOTAL CONSUMPTIVE USE 35 ACRE FEET/ANNUM

ACRES _____ X FIELD APPLIC. RATE FOR AREA _____ A.F./ACRE =

TOTAL FIELD APPLIC. _____ ACRE FEET/ANNUM

E. RATE/VOLUME CALCULATIONS: (OTHER USES)

CONTACT OWNER? Y(☐) N(☐) SEE ATTACHED SHEET? Y(☐) N(☐)

RECOMMENDED DIVERSION RATE: 0.84 CFS

RECOMMENDED CONSUMPTIVE USE: 35 AF/ANNUM

RECOMMENDED FIELD HEADGATE APPLICATION: _____ AF/ANNUM

REVIEWED BY SCC , DATE 4-27-90

MICROFILMED

MAR 11 1993

CLAIM # _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

NEEDS REVIEW

()
()
()

$$\begin{pmatrix} \infty \\ (\\ (\end{pmatrix}$$
0.06

0.01 A37-07178

0.02 A37-12540

-12539

- 12538

**Excessive water use form filed and ATTACHED? Y(E) N(E)

B. SPLIT WATER RIGHT REVIEW

SPLITS # -

CFS

CFS

CFS

#

CFS

CFS

TOTAL CFS

Y() N()

$$Y(\bar{}) \quad N(\bar{})$$

REMARKS:

AUTHENTICATION:

SIGNATURE: _____ **DATE:** _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

MICROFILMED
MAR 01 1993

ADDITIONAL ACREAGE FORM

TWN.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	18E	35		14															14

TOTAL NUMBER OF ACRES 14

REMARKS: None

REVIEWED BY _____

DATE _____

MICROFILMED
MAR 01 1993

+ - - Other Rights for Same Use - A37-07178, A37-12538, A37-12539, A37-12540

MICROFILMED

MAR 01 1993

Water right number - A37-00033

Adj. flag translation: Adjudication Temporary Work Area

	Remarks
	No Remarks found.

----- Conditions of Approval -----
 ----- No Conditions of Approval found. -----

Decree Plaintiff	Decree Defendant	Decree Date
S.C. FROST, ET AL	ALTURAS WATER COMPANY, ET AL	00/00/0000

+ - - Audit Fields -

```

+-----+-----+-----+-----+-----+-----+-----+-----+
| Adjudication Rights Dates and Flags Area |
+-----+-----+-----+-----+-----+-----+-----+

```

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	- P
Claim Received Date	- 12/20/1988	Last Amended Date	- 00/00/0000	Temporary Right	-

```
POU Ownership Flag      - Y      Federal/State Indicator - 5
Name Connector          - AND/OR
```

- AND/OR

Federal/State Indicator - 5

MICROFILMED

+ - - Audit Fields - 02/11/86

05/28/88 CONVERT

MICROFILMED

MAR 0 1 1993

Water Right Number - 37-00033 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

Last Name - + First Name - + Address - +
*** C - CURRENT OWNER ***
ASHTON EDWARD

1 -
2 -
3 -
City-
Phone -
State- Zip-

Priority Date - + 07/01/1887 17 Region - + D - DECREED Stage - + Status - +

SOURCE - BIG WOOD RIVER
MALAD RIVER

Twn Rng Sec Tract Lot Rflg County Point of Diversion - Stream Index (Blank if no Index Code)
02N 18E 26 NW SE (13) BLAINE

01 - IRRIGATION

Total Div. Rate - + Total Div. Volume - + Total Div. Capacity - + Total Consumptive Use - + KW Usage - +
0.840 0.840

Twn Rng Sec Tract Lot Acres Code Description County

Total Acres:

- Diversion Means - ROCKWELL #40 DIVERSION

- Non-Irrigation Use -

- Other Rights for Same Use -

P/U INCOMPLETE. SEE FILE.
P/D NOT GIVEN IN DECREE BUT VERIFIED BY WATERMASTER.
AC. IRRIG. NOT SPECIFIED. FARM = 14 AC.

Conditions of Approval -
No Conditions of Approval found.

- Decree Plaintiff - + Decree Defendant - + Decree Date - +
S. C. FROST, ET. AL. ALTURAS WATER COMPANY, ET. AL. 12/13/1909

MICROFILMED
1993

Water right number - 37-00033

Adj. flag translation: Standard Water Right Number

Water Rights Dates and Flags Area		Field Exam Fee	
Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000
Start Work Date	- 00/00/0000	Verified Date	- 06/03/1985
Order Show Cause	- 00/00/0000	Receipt Number	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000
Decree Date	- 12/13/1909		

MICROFILMED

DEC 1 1993

RECEIVED
MAR 01 1993

WATER DIST. 37 WOOD RIVER ABOVE MAGIC -- PRIORITY BOOK as of:

PAGE N

RIVER DIST.		ST. ID.		ORIG DECREE TO		PRIORITY		INCHES		BELOW ABOVE		OTHER	
R. PRIOR. OWNER						DATE				10			
40	E 63-A DEVERE BARKER	37-0033	EDWARD ASTON	07-01-1887	42.00								
40-A	E 63-C BROADFORD FOLD, LTD.	37-0687	NICHOLAS WERRY	07-01-1887	100.00								
40-P	E 63-B ASSEMBLY OF GOD CHURCH	37-0332	IDA. CONSOL. MINES	07-01-1887	50.00								
50	E 64-A JOHN BROWN INC.	37-0204	HENRY ELDT	07-15-1887	400.00								
10	D 65-A GLEN B. GOULD, PARTNERSHIP	37-0154A	M.H. COMSTOCK	12-13-1887	302.00								
11	D 65-A1 HARRY S. RINKER	37-0154	M.H. COMSTOCK	12-13-1887	22.00								
10	D 65-A2 HARRY S. RINKER	37-0154A	M.H. COMSTOCK	12-13-1887	176.00								
22	D 66-A W R VALLEY ASSOCIATES	37-0183	PHILLIP S. DITTOE	05-01-1888	165.71								
	D 66-A1 W R VALLEY INVESTORS	37-0183	PHILLIP S. DITTOE	05-01-1888	44.29								
77	F 67-A SPRING CREEK RANCH	37-0233	ROBERT R. FLOOD	05-15-1888	80.00								
18-B	D 68-A2 EDWARD R. DALE	37-0387	GEORGE S. KNIGHT	06-01-1888	6.34								
18-A	D 68-A DAVID SHERIDAN	37-0387	GEORGE S. KNIGHT	06-01-1888	168.66								
18	D 68-A1 THOMAS GLACCUM	37-0387	GEORGE S. KNIGHT	06-01-1888	25.00								
27	D 68-B ASPEN LAKES %JOHN BIGG	37-0559	ROSA L. PURDUM	06-01-1888	180.00								
37-A	E 69-A MRS. GEORGE WISE	37-0579	ELIZABETH ROBERTS	06-02-1888	25.00								

R PROOF

CVR

MAPS

PHOTOS

MISC

PAGE: 1
GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A37-00033

00:00:42
05/19/90

LAST: SPECK
ADDRESS: P.O. BOX 987
CITY: KETCHUM
PHONE NUMBER: 208-000-0000
OWNER CODE: A

FIRST: JAMES P.
STATE: ID ZIP: 83340

LAST: TIDWELL
ADDRESS: P.O. BOX 2919
CITY: KETCHUM
PHONE NUMBER: 208-788-2193
OWNER CODE: C

FIRST: BRUCE S.
STATE: ID ZIP: 83340

LAST: TIDWELL
ADDRESS: P.O. BOX 2919
CITY: KETCHUM
PHONE NUMBER: 208-788-2193
OWNER CODE: C

FIRST: LESLIE
STATE: ID ZIP: 83340

MICROFILMED

OCT 26 1994

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A37-00033 PRIORITY DATE: 07-01-1987 STAGE: D

B. WR RECORD: # 37-00033 PRIORITY DATE: 07-01-1987 STAGE: D

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD EXAMINER
Y

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:
_ _ _ _ _

REVIEWED BY _____

DATE _____

MICROFILMED

OCT 26 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-00033	02N	18E	26		NW	SE		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD WR RECORDS IN SAME 40 ACRE TRACT

NONE

37-00885

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
37-00033	02N	18E	26		NW	SE		BLAINE

OTHER WR RECORDS WITH SAME WR POD AJ CLAIMS IN SAME 40 ACRE TRACT

37-00885

NONE

SOURCE: BIG WOOD RIVER

TRIB: MALAD RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	

REMARKS:

MICROFILMED
OCT 26 1994

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:				
TWP.	RGE.	SEC.	LOT	COUNTY
		1/4	1/4	
SOURCE: BIG WOOD RIVER				
TRIB: MALAD RIVER				
REVIEWED BY: _____				
DATE: _____				

MICROFILMED
OCT 26 1994

A. ROOT WATER RIGHT NUMBERS: A37-00033
R37-00033

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	18E	35	NW	NE		SPECK, JAMES P.	A37-00033 /14.0	-			
						WISE, GEORGE E.	A37-11301 /	-			
						WISE, GEORGE E.	A37-11302 /	-			
						IVIE, W.W.	A37-04267 / 9.0	37-04267			9.0
						IVIE, W.W.	A37-11337 /	-			
						IVIE, W.W.	A37-11338 /	-			
						SPECK, JAMES P.	A37-07178 /14.0	37-07178			14.0
						SPECK, JAMES P.	R37-07178 /	-			
						TIDWELL, BRUCE S.	A37-12541 /	-			
						WISE, KATHLEEN W.	A37-00579 / 3.0	37-00579			3.0
						SPECK, JAMES P.	A37-12538 / 2.0	-			
						TIDWELL, LESLIE	A37-12539 / 3.0	-			
						TIDWELL, LESLIE	A37-12540 /14.0	-			
						BELLEVUE BIBLE CAMP, ASSEMBLY	A37-13370 /	-			
						SPECK, JAMES P.	R37-00033 /14.0	-			
						WISE, GEORGE E.	R37-00579 / 3.0	-			
						WISE, GEORGE E.	R37-11301 /	-			
						WISE, GEORGE E.	R37-11302 /	-			
						IVIE, W.W.	R37-11337 /	-			
						IVIE, W.W.	R37-11338 /	-			
						MACDONALD, WILLIAM	R37-11339 /	-			
						TIDWELL, BRUCE S.	R37-12538 / 2.0	-			
						TIDWELL, LESLIE	R37-12539 / 3.0	-			
						TIDWELL, LESLIE	R37-12540 /14.0	-			
						TIDWELL, BRUCE S.	R37-12541 /	-			
						IVIE, W.W.	37-08058 /	37-08058			5.0
						EITTREIM, WILLIAM D.	37-04250 /	37-04250			

TOTAL ACRES A37-00033 14.00 12.00

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER

DUE TO POU DISCREPANCY? (Y/N) Y

MICROFILMED
OCT 26 1994

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

MICROFILMED
OCT 26 1994

A. AJ CLAIMED USES:

PURPOSES
A37-00033 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
.840 CFS
.840 CFS

B. WR RECORDED USES:

PURPOSES
37-00033 IRRIGATION

MONTH/DAY
FROM TO

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
.840 CFS
.840 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY?	(Y/N)	N	
DUE TO DIVERSION RATE DISCREPANCY?	(Y/N)	N	
DUE TO PERIOD FROM/TO DISCREPANCY?	(Y/N)	Y	

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y () N ()

RECOMMEND TO WR STANDARDS OR OTHER?

Y () N ()

Explain in remarks, below.

REMARKS:

MICROFILMED

OCT 26 1994

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.840 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.840 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y
FIELD DATABASE EXAMINER

B.

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A37-07178, A37-12538, A37-12539, A37-12540

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A37-00033	BIG WOOD RIVER	SPECK, JAMES P.	0.840	0.060		
A37-04267	GROUNDWATER	IVIE, W. W.	0.300	0.033		
R37-07178	GROUNDWATER	SPECK, JAMES P.	0.140	0.010		
A37-00579	BIG WOOD RIVER	WISE, KATHLEEN W.	0.500	0.083		
A37-12538	GROUNDWATER	SPECK, JAMES P.	0.080	0.040		
A37-12539	GROUNDWATER	TIDWELL, LESLIE	0.140	0.046		
A37-12540	GROUNDWATER	TIDWELL, LESLIE	0.280	0.020		
R37-00033	BIG WOOD RIVER	SPECK, JAMES P.	0.840	0.060		
R37-00579	BIG WOOD RIVER	WISE, GEORGE E.	0.500	0.083		
R37-12538	GROUNDWATER	TIDWELL, BRUCE S.	0.080	0.040		
R37-12539	GROUNDWATER	TIDWELL, LESLIE	0.140	0.046		
R37-12540	GROUNDWATER	TIDWELL, LESLIE	0.280	0.020		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A37-11301	DOMESTIC	WISE, GEORGE E.	FROM 01-01 TO 12-31	.040 CFS	
A37-11302	DOMESTIC	WISE, GEORGE E.	FROM 01-01 TO 12-31	.040 CFS	
A37-11337	STOCKWATER	IVIE, W.W.	FROM 10-01 TO 05-01	.020 CFS	
A37-11338	DOMESTIC	IVIE, W.W.	FROM 01-01 TO 12-31	.040 CFS	
A37-12541	STOCKWATER	TIDWELL, BRUCE S.	FROM 10-01 TO 05-01	.020 CFS	
A37-12539	STOCKWATER	TIDWELL, LESLIE	FROM 01-01 TO 12-31	.020 CFS	

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A37-13370	COMMERCIAL	BELLEVUE BIBLE CAMP, ASSEMBLY	FROM 01-01 TO 12-31	.400 CFS
R37-11301	DOMESTIC	WISE, GEORGE E.	FROM 01-01 TO 12-31	.040 CFS
R37-11302	DOMESTIC	WISE, GEORGE E.	FROM 01-01 TO 12-31	.040 CFS
R37-11337	STOCKWATER	IVIE, W.W.	FROM 01-01 TO 12-31	.020 CFS
R37-11338	DOMESTIC	IVIE, W.W.	FROM 01-01 TO 12-31	.040 CFS
R37-11339	DOMESTIC	MACDONALD, WILLIAM	FROM 01-01 TO 12-31	.040 CFS
R37-12539	STOCKWATER	TIDWELL, LESLIE	FROM 01-01 TO 12-31	.020 CFS
R37-12541	STOCKWATER	TIDWELL, BRUCE S.	FROM 10-01 TO 05-01	.020 CFS

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from P/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 35.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
	FROM	TO			
IRRIGATION	04-01	11-01	DATABASE 0.840	EXAMINER	DATABASE 35.0
TOTAL FOR THIS RIGHT			0.840		35.0

REVIEWED BY: _____

DATE: _____

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	OWNERSHIP FORFEIT/ABANDON	ADDITIONAL DIV. AMOUNT	ACCEPTED AS CLAIMED	NEEDS REVIEW
	_____	_____	()	()
	_____	_____	()	()
	_____	_____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 37-00033 DATABASE EXAMINER CFS

TOTAL DIVERSION RATE OF WR SPLITS 0.840

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	WR RIGHT NUMBERS	DIVERSION RATE
A37-00033	A37-00033	0.840	37-00033	0.840
A37-00033	R37-00033	0.840	37-00033	0.840
TOTAL CFS				0.840

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)

IF NO, is the written review sheet attached? (Y/N)

DATABASE N FIELD EXAMINER

REMARKS:

AUTHENTICATION: _____

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A37-00033

00:00:42
05/19/90

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
MAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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