

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 37-35A
Date Received: 11/24/1989
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DANNY VAN HORN
PO BOX 345
FAIRFIELD ID USA 83327-0345

Phone: (208)764-2139

VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID USA 83327-0345

Phone: (208)764-2139

2. Date of Priority: 06/01/1887

3. Source: CORRAL CREEK , CORRAL CREEK , CORRAL CREEK , CORRAL CREEK , CORRAL CREEK
Trib. to: CAMAS CREEK , CAMAS CREEK , CAMAS CREEK , CAMAS CREEK , CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01N	13E	20	SE	NW	NW	CAMAS	
01N	13E	21	NW	SW	NW	CAMAS	
01N	13E	29	SW	NW	NE	CAMAS	
01N	13E	20	NE	NE	SE	CAMAS	
01N	13E	29	NE	SE	SW	CAMAS	

5. Description of diverting works:

CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.95	

7. Total Quantity Appropriated is:
0.95 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
01N	13E	20	SW	NE		IRRIGATION	10
			NW	NW		IRRIGATION	10
			SE	NW		IRRIGATION	35
			NE	SW		IRRIGATION	15
			SE	SW		IRRIGATION	5
			NE	SE		IRRIGATION	35
			NW	SE		IRRIGATION	35
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
			NE	NW		IRRIGATION	20
						Section Acres	245
01N	13E	21	SW	NW		IRRIGATION	10
			SE	NW		IRRIGATION	5
			NE	SW		IRRIGATION	15
			NW	SW		IRRIGATION	30
			SW	SW		IRRIGATION	35
			SE	SW		IRRIGATION	5
						Section Acres	100
01N	13E	28	NW	NW		IRRIGATION	10
						Section Acres	10
01N	13E	29	SE	NE		IRRIGATION	25
			SE	NW		IRRIGATION	20
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	5
			SW	SW		IRRIGATION	35
			SE	SW		IRRIGATION	40
			NE	SE		IRRIGATION	20
			NW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	15
			NE	NE		IRRIGATION	35
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SW	SE		IRRIGATION	40

01N	13E	32	NW	NE	IRRIGATION	35
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	28
Section Acres						183
Total Acres						933

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

	RIGHT	PRIORITY	CFS AMOUNT	SOURCE A37-
13261	6/01/1882	5.4	CORRAL CREEK A37-00728	6/01/1883 1.5
CORRAL CREEK A37-00454	9/01/1883	.8	CORRAL CREEK A37-13267	6/01/1884
1.7	CORRAL CREEK A37-00463B	6/01/1885	1.4	CORRAL CREEK A37-00730
8/10/1885	.2	CORRAL CREEK A37-13268	6/01/1886	1.5 CORRAL
CREEK A37-00035	6/01/1887	1.0	CORRAL CREEK A37-13269	6/01/1888
1.4	CORRAL CREEK A37-02139	6/07/1909	.54	CORRAL CREEK/GARDEN
SPRING A37-13270	5/26/1966	9.28	CORRAL CREEK A37-13271	5/20/1901
.8	LANSING CREEK IRRIGATION USE P/D'S: WEST FORK CORRAL CREEK:		SE,NW,NW, SEC	
20.				

EAST FORK CORRAL CREEK: NW,SW,NW, SEC. 21, NE,NE,SE, SEC 20. CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.

LANSING CREEK: NE,NW,NW, SEC 28.

SE,NE,NE, & NW,SE,NE, SEC 29.

INSTREAM STOCK USE: A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...

BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

***** THE ABOVE CLAIMS ARE SPLIT BASED UPON A PROPORTIONAL RATE OF CLAIMED ACRES WITHIN THE PLACE OF USE FOR CRISTOBAL (47) AND THE TOTAL CLAIMED PLACE OF USE OF 980 ACRES. $47/980 = 4.8\%$.

KKC 5-1-98.

***** CHANGE OF OWNERSHIP DATA ENTERED 11-23-98. KKC

15. Basis of Claim: Decreed

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: **A37-00035A**

Date Received: 11/24/1989

Receipt No: X777777

Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: CARL D REY
Address: PO BOX 40
CORVALLIS MT 59828

AND/OR

Name: JANINE M REY
Address: PO BOX 40
CORVALLIS MT 59828

2. Date of Priority: JUN 1, 1887

3. Source: CORRAL CREEK

Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	13E	20	SE	NW	NW		CAMAS
			NE	NE	SE		CAMAS
		21	NW	SW	NW		CAMAS
		29	SW	NW	NE		CAMAS
			NE	SE	SW		CAMAS

5. Description of diverting works:

CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.950		

7. Total Quantity Appropriated is:

0.950 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

S/1500 RANGE STOCK

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	13E	20	SW		NE		IRR	10.0
			NE		NW		IRR	20.0
			NW		NW		IRR	10.0
			SE		NW		IRR	35.0
			NE		SW		IRR	15.0
			SE		SW		IRR	5.0
			NE		SE		IRR	35.0
			NW		SE		IRR	35.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	245.0
		21	SW		NW		IRR	10.0
			SE		NW		IRR	5.0
			NE		SW		IRR	15.0
			NW		SW		IRR	30.0
			SW		SW		IRR	35.0
			SE		SW		IRR	5.0
							Section Acres	100.0
		28	NW		NW		IRR	10.0
							Section Acres	10.0
		29	NE		NE		IRR	35.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	25.0
			SE		NW		IRR	20.0
			NE		SW		IRR	40.0
			NW		SW		IRR	5.0
			SW		SW		IRR	35.0
			SE		SW		IRR	40.0
			NE		SE		IRR	20.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	15.0
							Section Acres	395.0
		32	NW		NE		IRR	35.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	28.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
Section Acres						183.0
Total Acres						933.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

RIGHT	PRIORITY	CFS AMOUNT	SOURCE
A37-13261	6/01/1882	5.4	CORRAL CREEK
A37-00728	6/01/1883	1.5	CORRAL CREEK
A37-00454	9/01/1883	.8	CORRAL CREEK
A37-13267	6/01/1884	1.7	CORRAL CREEK
A37-00463B	6/01/1885	1.4	CORRAL CREEK
A37-00730	8/10/1885	.2	CORRAL CREEK
A37-13268	6/01/1886	1.5	CORRAL CREEK
A37-00035	6/01/1887	1.0	CORRAL CREEK
A37-13269	6/01/1888	1.4	CORRAL CREEK
A37-02139	6/07/1909	.54	CORRAL CREEK/GARDEN SPRING
A37-13270	5/26/1966	9.28	CORRAL CREEK
A37-13271	5/20/1901	.8	LANSING CREEK

IRRIGATION USE P/D'S:

WEST FORK CORRAL CREEK: SE,NW,NW, SEC 20.
EAST FORK CORRAL CREEK: NW,SW,NW, SEC. 21, NE,NE,SE, SEC 20.
CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.
LANSING CREEK: NE,NW,NW, SEC 28.
SE,NE,NE, & NW,SE,NE, SEC 29.

INSTREAM STOCK USE:

A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...
BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

THE ABOVE CLAIMS ARE SPLIT BASED UPON A PROPORTIONAL RATE OF CLAIMED ACRES WITHIN THE PLACE OF USE FOR CRISTOBAL (47) AND THE TOTAL CLAIMED PLACE OF USE OF 980 ACRES. $47/980 = 4.8\%$.
KKC 5-1-98.

CHANGE OF OWNERSHIP DATA ENTERED 11-23-98. KKC



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

May 1, 1998

PROPORTIONAL SPLIT ANALYSIS FOR SALE;
MELLEN TO CRISTOBAL

Total claimed acres = 980 acres
Claimed acres within sale p/u = 47 acres
47/980 $\approx$ 4.8%

CLAIM NO	DIV RATE	PROP RATE	RATE FOR CRISTOBAL	RATE FOR MELLEN
A37-00035	1.00	0.048	0.05	0.95
A37-00454	0.80	0.048	0.04	0.76
A37-00463B	1.40	0.048	0.07	1.33
A37-00728	1.50	0.048	0.07	1.43
A37-00730	0.20	0.048	0.01	0.19
A37-02139	0.54	0.048	0.03	0.51
A37-13261	5.40	0.048	0.26	5.14
A37-13267	1.70	0.048	0.08	1.62
A37-13268	1.50	0.048	0.07	1.43
A37-13269	1.40	0.048	0.07	1.33
A37-13270	9.28	0.048	0.45	8.83
A37-13271	0.80	0.048	0.04	0.76

A37-13292 is a stockwater claim that is not appurtenant to the property purchased by Cristobal.

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: A37-00454A
Date Received: 11/24/1989
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JON MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD ID 83327
AND/OR
Name: LANA MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD ID 83327

2. Date of Priority: SEP 1, 1883

3. Source: CORRAL CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	13E	20	SE	NW	NW		CAMAS
			NE	NE	SE		CAMAS
		21	NW	SW	NW		CAMAS
		29	SW	NW	NE		CAMAS
			NE	SE	SW		CAMAS

5. Description of diverting works:
CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.760		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/1500 RANGE STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	13E	20	SW	NE		IRR	10.0
			NE	NW		IRR	20.0
			NW	NW		IRR	10.0
			SE	NW		IRR	35.0
			NE	SW		IRR	15.0
			SE	SW		IRR	5.0
			NE	SE		IRR	35.0
			NW	SE		IRR	35.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	245.0
		21	SW	NW		IRR	10.0
			SE	NW		IRR	5.0
			NE	SW		IRR	15.0
			NW	SW		IRR	30.0
			SW	SW		IRR	35.0
			SE	SW		IRR	5.0
						Section Acres	100.0
		28	NW	NW		IRR	10.0
						Section Acres	10.0
		29	NE	NE		IRR	35.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	25.0
			SE	NW		IRR	20.0
			NE	SW		IRR	40.0
			NW	SW		IRR	5.0
			SW	SW		IRR	35.0
			SE	SW		IRR	40.0
			NE	SE		IRR	20.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	15.0
						Section Acres	395.0
		32	NW	NE		IRR	35.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	28.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
						Section Acres 183.0
						Total Acres 933.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

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A37-00454	9/01/1883	.8	CORRAL CREEK
A37-13267	6/01/1884	1.7	CORRAL CREEK
A37-00463B	6/01/1885	1.4	CORRAL CREEK
A37-00730	8/10/1885	.2	CORRAL CREEK
A37-13268	6/01/1886	1.5	CORRAL CREEK
A37-00035	6/01/1887	1.0	CORRAL CREEK
A37-13269	6/01/1888	1.4	CORRAL CREEK
A37-02139	6/07/1909	.54	CORRAL CREEK/GARDEN SPRING
A37-13270	5/26/1966	9.28	CORRAL CREEK
A37-13271	5/20/1901	.8	LANSING CREEK

IRRIGATION USE P/D'S:

WEST FORK CORRAL CREEK: SE,NW,NW, SEC 20.
EAST FORK CORRAL CREEK: NW,SW,NW, SEC. 21, NE,NE,SE, SEC 20.
CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.
LANSING CREEK: NE,NW,NW, SEC 28.
SE,NE,NE, & NW,SE,NE, SEC 29.

INSTREAM STOCK USE:

A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...
BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

THE ABOVE CLAIMS ARE SPLIT BASED UPON A PROPORTIONAL RATE OF CLAIMED ACRES WITHIN THE PLACE OF USE FOR CRISTOBAL (47) AND THE TOTAL CLAIMED PLACE OF USE OF 980 ACRES. $47/980 = 4.8\%$.
KKC 5-1-98.

15. Basis of Claim: DECREED



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 6/5/91

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: _____
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): JOHN MCELLEN
RT #1 Box 2015
FAIRFIELD, IDAHO 83327
- ☐ New Owner/Claimant (Purchaser): JOHN & BARBARA CRISTOBAL
- ☐ New Mailing Address: 940 E 16th North
Mountain Home, Idaho 83647
- ☐ New Telephone Number: (208) 587-8010
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) John Cristobal Date June 6, 1991
Date _____
- ☐ Signature of Former Owner/Claimant(s): John Mellen Date June 6, 1991
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

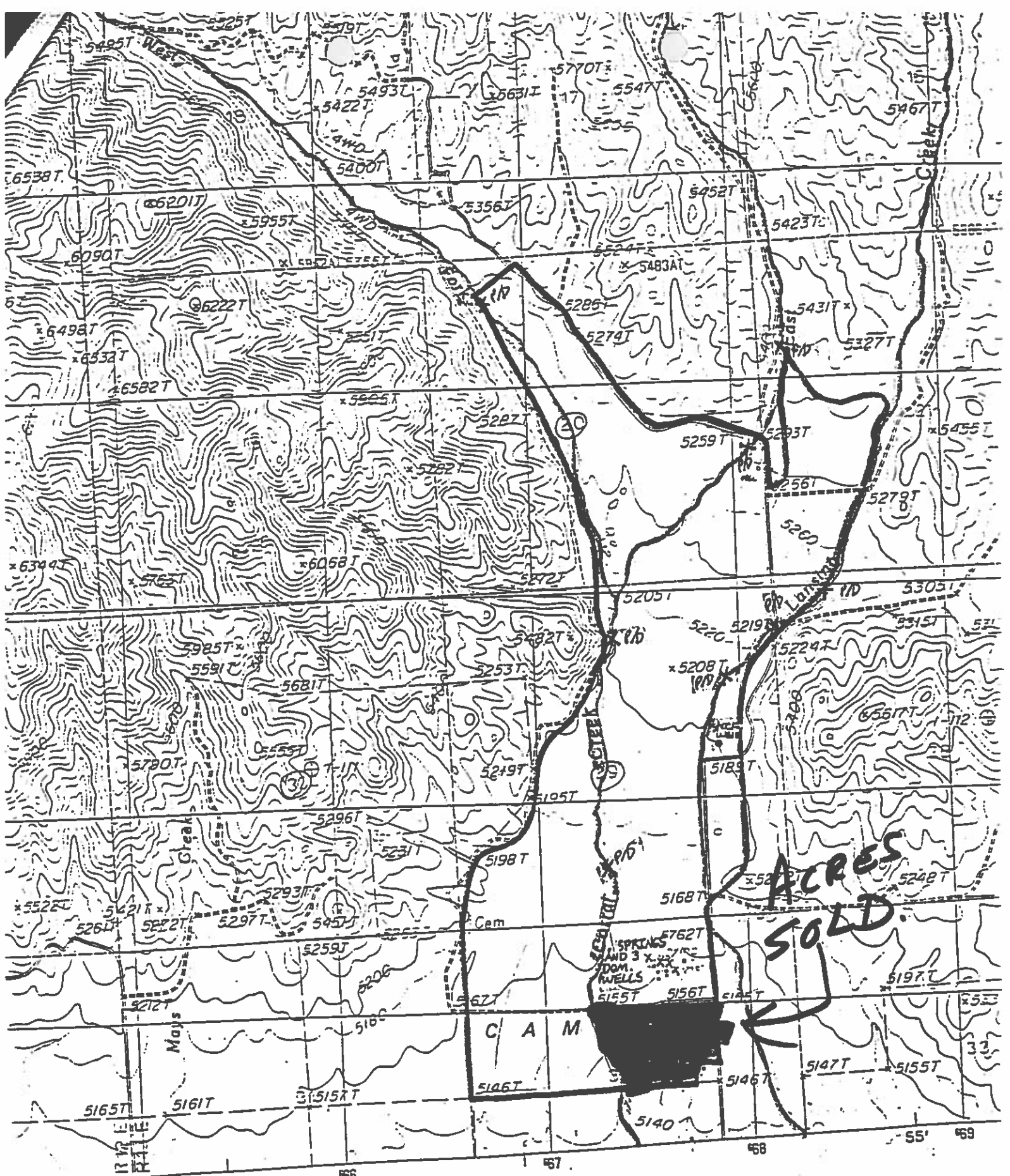
Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



SCALE 1:24 000





IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

May 1, 1998

PROPORTIONAL SPLIT ANALYSIS FOR SALE;
MELLEN TO CRISTOBAL

Total claimed acres = 980 acres
Claimed acres within sale p/u = 47 acres
47/980 $\approx$ 4.8%

CLAIM NO	DIV RATE	PROP RATE	RATE FOR CRISTOBAL	RATE FOR MELLEN
A37-00035	1.00	0.048	0.05	0.95
A37-00454	0.80	0.048	0.04	0.76
A37-00463B	1.40	0.048	0.07	1.33
A37-00728	1.50	0.048	0.07	1.43
A37-00730	0.20	0.048	0.01	0.19
A37-02139	0.54	0.048	0.03	0.51
A37-13261	5.40	0.048	0.26	5.14
A37-13267	1.70	0.048	0.08	1.62
A37-13268	1.50	0.048	0.07	1.43
A37-13269	1.40	0.048	0.07	1.33
A37-13270	9.28	0.048	0.45	8.83
A37-13271	0.80	0.048	0.04	0.76

A37-13292 is a stockwater claim that is not appurtenant to the property purchased by Cristobal.



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DATE OF CLOSING: 1/26/96

FEB 14 1996

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM. _____ Southern Region

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

See attached Exhibit A

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) A37-00035, A37-00454, A37-00463B, A37-00730, A37-00728
Assigned by IDWR: A37-13261, R37-13261, A37-13267, R37-13268, A37-13268,
A37-13269, A37-13270, A37-13271, A37-13292

☐ Name and Address of Former Owner/Claimant(s)(Seller): Jon and Lana Mellen

Route 1, Box 2015
Fairfield, ID 83315

☐ New Owner/Claimant (Purchaser): Carl D. Rey and Janine M. Rey

☐ New Mailing Address: P. O. Box 40
Corvalis, Montana 59828

(will be moving to Fairfield, ID - Summer '96)

☐ New Telephone Number: () -

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes XX no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: copy of recorded Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): Carl D. Rey Date 01/26/96

☐ Signature of Former Owner/Claimant(s): Jon Mellen Date _____
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

6/9/94

COMMUNICATION DOCUMENTATION

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

IDWR Employee/Agent Kelly K Christensen

CUSTOMER:

DATE: May 1, 1998 10:02 am

DeNene M Dixon

First American Title Co 934-4427

SUBJECT: CHANGE OF OWNERSHIP FOR MELLON TO REY
phone (X) walk-in()

I called her to get clarification on the actual place of use covered in warranty deed 69756.

She indicated that she is completing another change of ownership for REY that conveys the balance of Mellon's property to them. She felt that the deed would be recorded later today. I she indicated that she would fax the change of ownership to me after it is recorded.

RECEIVED

FEB 14 1996

WARRANTY DEED

Department of Water Resources
Southern Region

JON MELLEN AND LANA MELLEN, husband and wife, Grantor, hereby convey, grant, bargain, sell and warrant to CARL D. REY and JANINE M. REY, husband and wife, Grantee, whose address is P.O. Box 40, Corvallis, Montana 59828, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the real property located in Camas County, Idaho and more particularly described on Exhibit A, attached and incorporated by reference, hereinafter the Real Property.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, mineral rights, rights-of-way and water rights in anyway appertaining to the property herein described. Attached hereto as Exhibit B is a description of the water rights appurtenant to the Real Property conveyed by this deed, together with water rights appurtenant to an adjacent parcel also being acquired by Grantee.

The Grantor covenants to the Grantee that the Grantor is the owner in fee simple of said premises; that the premises are free from all encumbrances, except as described below, and that the Grantor will warrant and defend the same from all other claims whatsoever, except any claims relating to the county road located on the Real Property.

This conveyance is subject to 1996 real property taxes, easements of record, any reservations in favor of the United States of America, and all other matters of record.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 26th day of January, 1996.

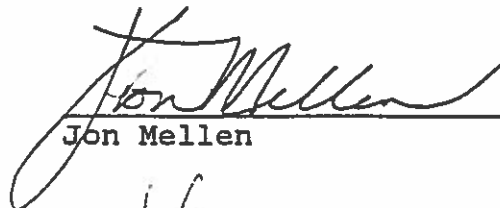
69756

Recorded at the Request of

Camas Titleat 1:05 PMJanuary 26, 1996In Book 29of Deeds Page 833

ROLLIE BENNETT

CAMAS COUNTY RECORDER

By Guy R. PachecoFees \$ 12.00WARRANTY DEED - 1
1/24/96

Jon Mellen



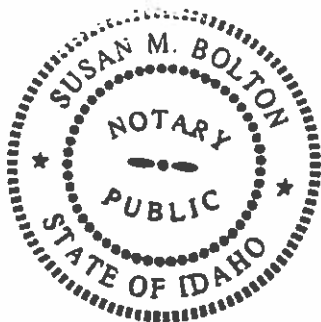
Lana Mellen

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF IDAHO)
) SS.
COUNTY OF GOODING)

On this 26th day of January, 1996, before me, the undersigned, a Notary Public, personally appeared JON MELLEN and LANA MELLEN, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Susan M. Bolton

Notary Public For Idaho
Residing at: Gooding, Idaho
My Commission Expires: 10-16-98

Tract #2

Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho.

Section 32: NW¼NE¼.

EXHIBIT A

EXHIBIT B

APPURTENANT WATER RIGHTS

Surface water rights appurtenant to the Real Property, described in the attached deed, to certain real property located adjacent to the Real Property, which is also being acquired by the Grantee, and to the Retained Property, described below, have been filed in the Snake River Basin Adjudication under the following numbers:

A37-00035
A37-00454
A37-00463B
A37-00728
A37-00730 ✓
A37-13261 ✓
A37-13267 ✓
A37-13268 ✓
A37-13269 ✓
A37-13270 ✓
A37-13271 ✓
A37-13292 ✓ *stock not power of Crystobol*
R37-13261
R37-13268

A Ground Water claim has also been filed in the Snake River Basin Adjudication under number A37-13274.

Together with all other water rights and permits which are appurtenant to the Real Property, described in the attached deed.

Seller reserves from the conveyance under the attached deed all water rights which are appurtenant to the following described real property ("the Retained Property"):

Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho

SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 29;
NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 29;
SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29;
NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29;
NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 29;
SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29, except that portion of the
SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, lying east of the county road;
NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29;
SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21;
SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21; and
SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 20.

RECEIVED

WARRANTY DEED

FEB 14 1996

Mellen Unitrust/Rey

Department of Water Resources
Southern Region

THE JON AND LANA MELLEN UNITRUST, established under Trust Agreement dated December 7, 1995, Jon and Lana Mellen, Co-Trustees, Grantor, hereby convey, grant, bargain, sell and warrant to CARL D. REY and JANINE M. REY, husband and wife, Grantee, whose address is P.O. Box 40, Corvallis, Montana 59828, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the real property located in Camas County, Idaho and more particularly described on Exhibit A, attached and incorporated by reference, hereinafter "the Real Property."

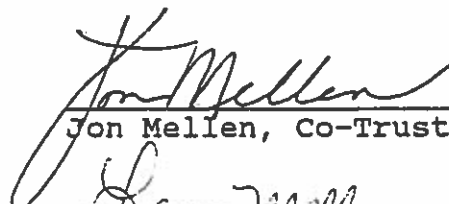
This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, mineral rights, rights-of-way and water rights in anyway appertaining to the property herein described. Attached hereto as Exhibit B is a description of the water rights appurtenant to the Real Property conveyed by this deed, together with water rights appurtenant to an adjacent parcel also being acquired by Grantee.

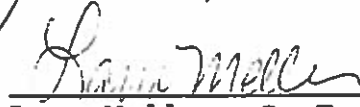
The Grantor covenants to the Grantee that the Grantor is the owner in fee simple of said premises; that the premises are free from all encumbrances, except as described below, and that the Grantor will warrant and defend the same from all other claims whatsoever, except any claims of easements or other rights relating to the cemetery, which is located at or near the intersecting corner of Sections 29, 30, 31 and 32 of the Real Property, and the cemetery's access road, and any claims relating to the county road located on the Real Property.

This conveyance is subject to 1996 real property taxes, easements of record, any reservations in favor of the United States of America, and all other matters of record.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 26th day of January, 1996.

THE JON AND LANA MELLEN UNITRUST


Jon Mellen, Co-Trustee

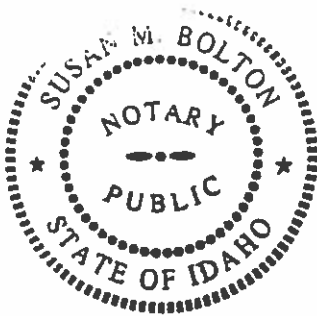

Lana Mellen, Co-Trustee

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
County of Gooding)

On this 26th day of January, 1996, before the undersigned, a Notary Public, personally appeared JON MELLEN, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same as TRUSTEE OF THE JON AND LANA MELLEN UNITRUST.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



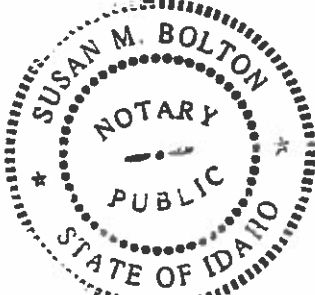
Susan M. Bolton
Notary Public for Idaho
Residing at Gooding, ID
My commission expires: 10/16/98

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
County of Gooding)

On this 26th day of January, 1996, before the undersigned, a Notary Public, personally appeared LANA MELLEN, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same as TRUSTEE OF THE JON AND LANA MELLEN UNITRUST.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Susan M. Bolton
Notary Public for Idaho
Residing at Gooding, ID
My commission expires: 10/16/98

Tract #1:

Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho.

Section 4: $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$.

Section 8: $SW\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}$, $S\frac{1}{2}$ EXCEPT Beginning at the SW corner of the $SW\frac{1}{4}$ Section 8, the True Point of Beginning; Thence North along the West boundary of said $SW\frac{1}{4}$, 900 feet to a point; Thence East and parallel with the South boundary of $SW\frac{1}{4}$, 1320 feet to a point; Thence in a Southeasterly direction to a point on the South boundary of the $SW\frac{1}{4}SE\frac{1}{4}$ Section 8, 400 feet East of the Southwest corner of the $SW\frac{1}{4}SE\frac{1}{4}$ said Section 8; Thence West on the South boundary of the $SW\frac{1}{4}SE\frac{1}{4}$ and $S\frac{1}{2}SW\frac{1}{4}$ 3,040 feet to the True Point of Beginning.

Section 9: All

Section 17: $SW\frac{1}{4}SW\frac{1}{4}$, AND a Parcel of Land lying East of the Following described Center Line, Beginning at the North $\frac{1}{4}$ corner of said Section 17, the True Point of Beginning; Thence East on the North boundary of Section 17, 400 feet to a point; Thence in a Southeasterly direction a distance of 4,920 feet to a point on the East boundary of Section 17, 900 feet North of the Southeast corner, Section 17; Thence South on the East boundary of Section 17, 900 feet to the Southeast corner of Section 17.

Section 18: $SE\frac{1}{4}$

Section 19: $W\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}$.

Section 20: $NW\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$ EXCEPT A parcel of land situated in the Northwest $\frac{1}{4}$ of Section 20, Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho; described as follows: Beginning at a point on the North Line of and 3395.2 feet West from the Northeast corner of said Section 20; thence $S 0^{\circ}16' W.$, a distance of 533.4 feet; thence $S 49^{\circ}26' E.$, a distance of 351.6 feet; thence $N 77^{\circ}33' E.$, a distance of 482.4 feet; thence $N 01^{\circ}33' E.$, a distance of 655.7 feet; thence $N 89^{\circ}44' W.$, a distance of 755.2 feet to the point of beginning..

EXHIBIT A

69757
Recorded at the Request of
Camas Title
at 1:07 P M
1-26, 1996
in Book 29
of DEEDS Page 837.
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Kore Blockett
Fees \$ 15⁰⁰

Section 21: $N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$, $S\frac{1}{2}SE\frac{1}{4}$, EXCEPT Commencing at the West quarter corner of Section 28; Thence $N 3^{\circ} 00' E.$, a distance of 3,274.38 feet; Thence $N 7^{\circ} 42' 30'' E.$, a distance of 715.76 feet; Thence $S 86^{\circ} 16' E.$, a distance of 871.90 feet to the Real Point of Beginning; Thence continuing $S 86^{\circ} 16' E.$, a distance 400.0 feet; Thence $N 3^{\circ} 44' W.$, a distance 600.0 feet; Thence $N 86^{\circ} 16' W.$, a distance of 400.0 feet; Thence $S 3^{\circ} 44' W.$, a distance of 600.0 feet to the Real Point of Beginning, AND EXCEPT $W\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$ and $W\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$.

Section 28: All EXCEPT $W\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$, AND a tract of land located in the $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ described as follows: Beginning at a point 950 feet South of the NW corner of said Section 28, the True point of beginning; Thence, East and parallel with the North boundary of Section 28, a distance of 660 feet to a point; Thence, South on the East boundary of the $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ of said Section 28, to the SE corner of said $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$; Thence, West on the South Boundary of the $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ a distance of 660 feet to the SW corner of the $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$; Thence, North on the boundary of the $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ to the point of beginning.

Section 29: $W\frac{1}{2}$, $SE\frac{1}{4}SE\frac{1}{4}$.

Section 30: Lots 2, 3, $NE\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}$, $SE\frac{1}{4}NW\frac{1}{4}$.

Section 31: $NE\frac{1}{4}$

Section 32: $E\frac{1}{2}E\frac{1}{2}$, $NW\frac{1}{4}$, EXCEPT A parcel of land in the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 32, described as follows: Beginning at a point 25 feet West of the SE corner of the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 32; Thence North and parallel with the East boundary line of the $SW\frac{1}{4}NE\frac{1}{4}$ a distance of 308 feet; Thence West and parallel with the South boundary line of the $SW\frac{1}{4}NE\frac{1}{4}$ a distance of 550 feet; Thence South and parallel with the East boundary line of the $SW\frac{1}{4}NE\frac{1}{4}$ a distance of 308 feet; Thence East along the South boundary of the $SW\frac{1}{4}NE\frac{1}{4}$ a distance of 550 feet to the point of beginning, AND EXCEPT Beginning at a point 575 feet West of the Southeast corner of and on the South boundary line of, the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 32, and running thence North, parallel with the East boundary line of said $SW\frac{1}{4}NE\frac{1}{4}$ of Section 32, a distance of 308 feet to a point; thence East, parallel with the South boundary line of the said $SW\frac{1}{4}NE\frac{1}{4}$, of said Section 32 a distance of 550 feet to a point; thence North, parallel with the East boundary line of said $SW\frac{1}{4}NE\frac{1}{4}$ of said Section 32 a distance of 987 feet to a point; thence West, parallel with the North boundary line of the said $SW\frac{1}{4}NE\frac{1}{4}$ and the $SE\frac{1}{4}NW\frac{1}{4}$ of said Section 32 a distance of 1,926 feet to a point; thence $S 16^{\circ} 46' E.$, a distance of 1,352.0 feet to a point on the South line of the $SE\frac{1}{4}NW\frac{1}{4}$ of said Section 32; thence East along the South line of the $SE\frac{1}{4}NW\frac{1}{4}$ and of the $SW\frac{1}{4}NE\frac{1}{4}$ of said Section 32 a distance of 986 feet to the point of beginning.

Section 33: $NW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$.

EXHIBIT B

APPURTENANT WATER RIGHTS

Surface water rights appurtenant to the Real Property, described in the attached deed, to certain real property located adjacent to the Real Property, which is also being acquired by the Grantee, and to the Retained Property, described below, have been filed in the Snake River Basin Adjudication under the following numbers:

A37-00035
A37-00454
A37-00463B
A37-00728
A37-00730
A37-13261
A37-13267
A37-13268
A37-13269
A37-13270
A37-13271
A37-13292
R37-13261
R37-13268

A Ground Water claim has also been filed in the Snake River Basin Adjudication under number A37-13274.

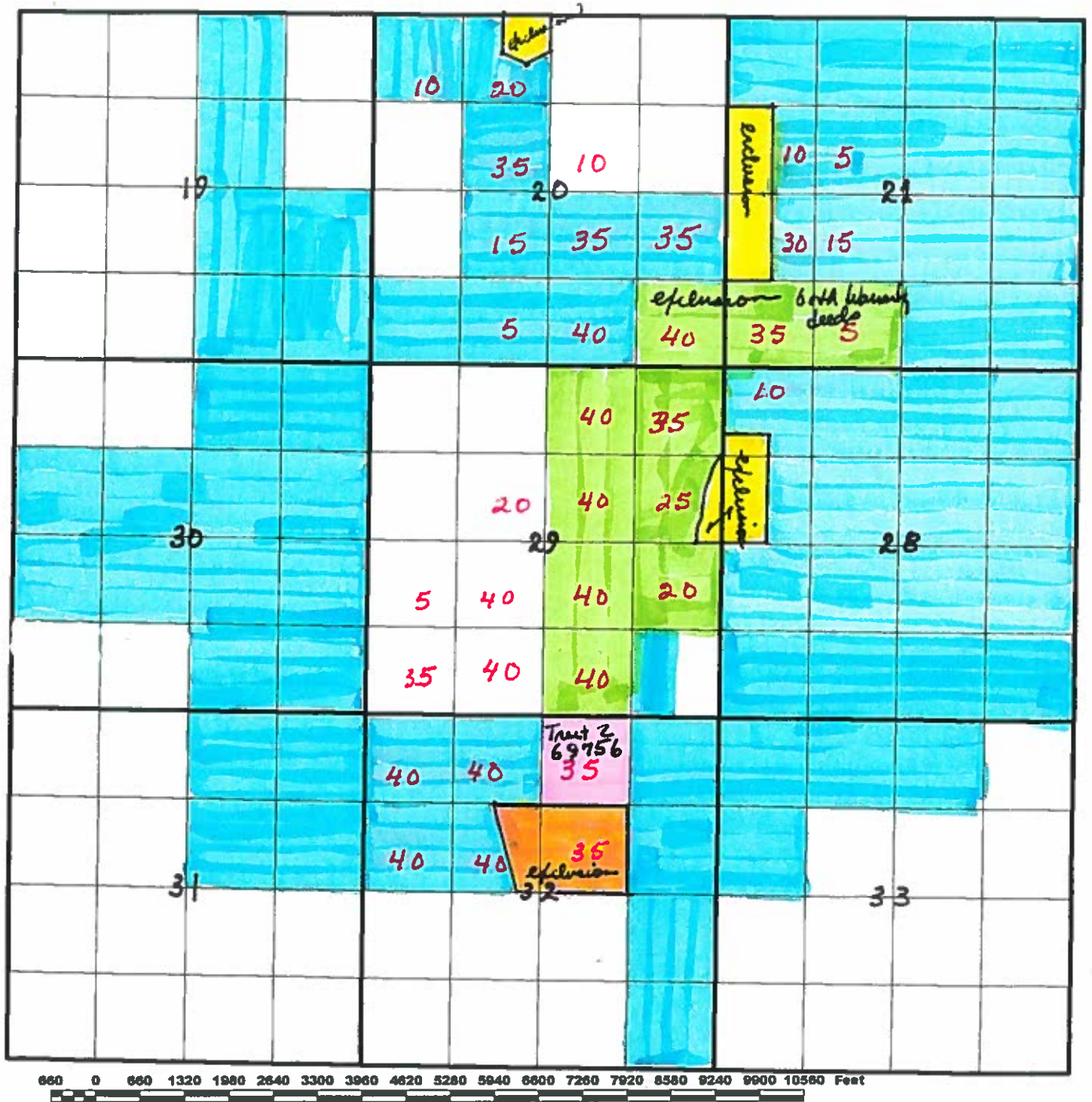
Together with all other water rights and permits which are appurtenant to the Real Property, described in the attached deed.

Seller reserves from the conveyance under the attached deed all water rights which are appurtenant to the following described real property ("the Retained Property"):

Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho

SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 29;
NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 29;
SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29;
NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29;
NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 29;
SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29, except that portion of the
SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, lying east of the county road;
NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29;
SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21;
SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21; and
SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 20.

IDAHO DEPARTMENT OF WATER RESOURCES



- PART OF P/U DESCRIBED IN 69757
- P/U DESCRIBED IN 69756
- EXCLUDED P/U BOTH deeds (Retained by Mellon)
- EXCLUDED P/U
- P/U for Mellon to CRISTOBAL

Scale: 2 inches equals 1 mile

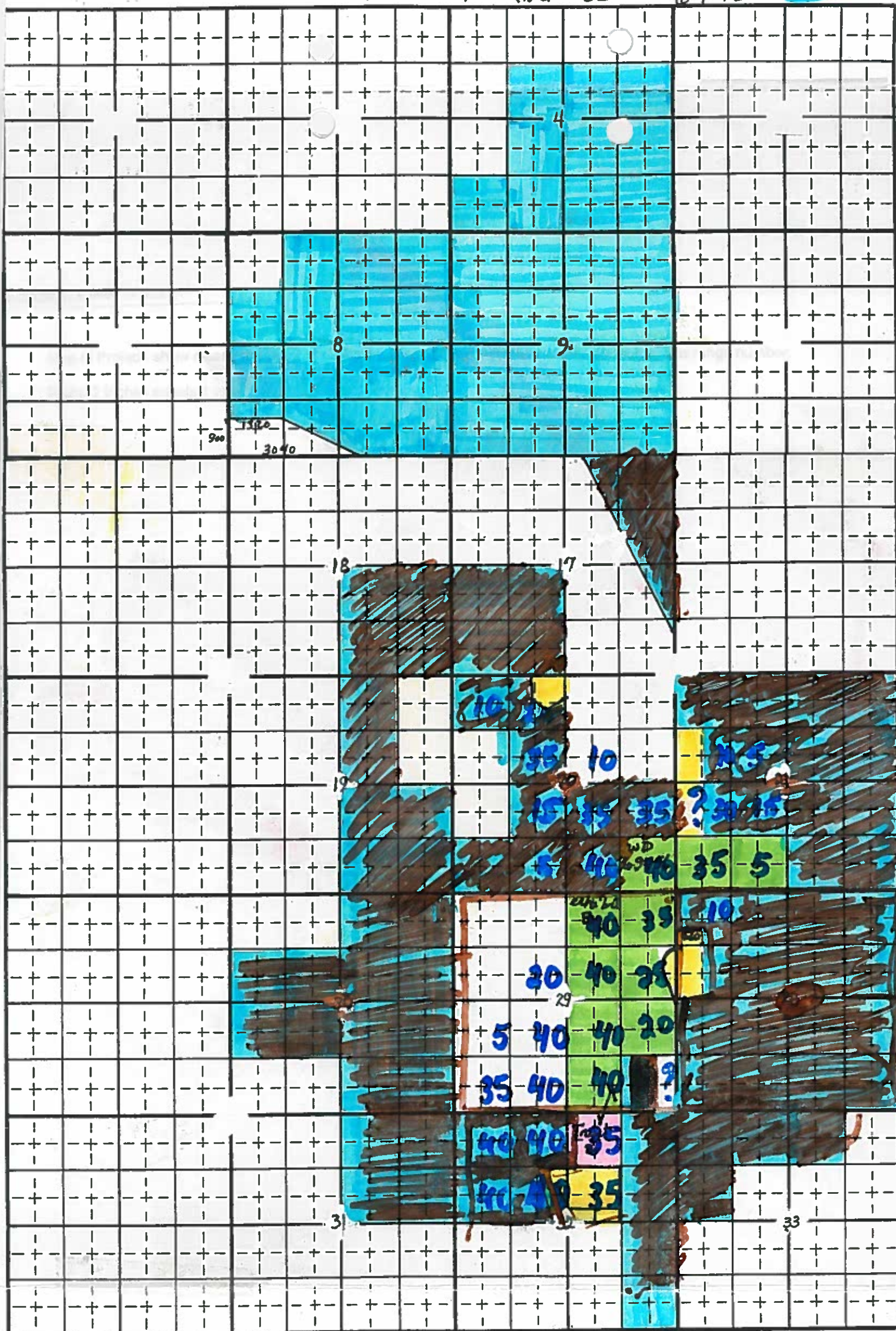
excluded =

Erbit B =

Tract 2 =

TWN IN RING 13E

WARRANTY
DEED

$$109\ 757 =$$


Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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: A37-00035A
Date Received: 11/24/1989
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JON MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD ID 83327
AND/OR
Name: LANA MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD ID 83327

2. Date of Priority: JUN 1, 1887

3. Source: CORRAL CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	13E	20	SE	NW	NW		CAMAS
			NE	NE	SE		CAMAS
		21	NW	SW	NW		CAMAS
		29	SW	NW	NE		CAMAS
			NE	SE	SW		CAMAS

5. Description of diverting works:
CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.950		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/1500 RANGE STOCK

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	13E	20	SW		NE		IRR	10.0
			NE		NW		IRR	20.0
			NW		NW		IRR	10.0
			SE		NW		IRR	35.0
			NE		SW		IRR	15.0
			SE		SW		IRR	5.0
			NE		SE		IRR	35.0
			NW		SE		IRR	35.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	245.0
		21	SW		NW		IRR	10.0
			SE		NW		IRR	5.0
			NE		SW		IRR	15.0
			NW		SW		IRR	30.0
			SW		SW		IRR	35.0
			SE		SW		IRR	5.0
							Section Acres	100.0
		28	NW		NW		IRR	10.0
							Section Acres	10.0
		29	NE		NE		IRR	35.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	25.0
			SE		NW		IRR	20.0
			NE		SW		IRR	40.0
			NW		SW		IRR	5.0
			SW		SW		IRR	35.0
			SE		SW		IRR	40.0
			NE		SE		IRR	20.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	15.0
							Section Acres	395.0
		32	NW		NE		IRR	35.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	28.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
						Section Acres 183.0
						Total Acres 933.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

RIGHT	PRIORITY	CFS AMOUNT	SOURCE
A37-13261	6/01/1882	5.4	CORRAL CREEK
A37-00728	6/01/1883	1.5	CORRAL CREEK
A37-00454	9/01/1883	.8	CORRAL CREEK
A37-13267	6/01/1884	1.7	CORRAL CREEK
A37-00463B	6/01/1885	1.4	CORRAL CREEK
A37-00730	8/10/1885	.2	CORRAL CREEK
A37-13268	6/01/1886	1.5	CORRAL CREEK
A37-00035	6/01/1887	1.0	CORRAL CREEK
A37-13269	6/01/1888	1.4	CORRAL CREEK
A37-02139	6/07/1909	.54	CORRAL CREEK/GARDEN SPRING
A37-13270	5/26/1966	9.28	CORRAL CREEK
A37-13271	5/20/1901	.8	LANSING CREEK

IRRIGATION USE P/D'S:

WEST FORK CORRAL CREEK: SE,NW,NW, SEC 20.
EAST FORK CORRAL CREEK: NW,SW,NW, SEC. 21, NE,NE,SE, SEC 20.
CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.
LANSING CREEK: NE,NW,NW, SEC 28.
SE,NE,NE, & NW,SE,NE, SEC 29.

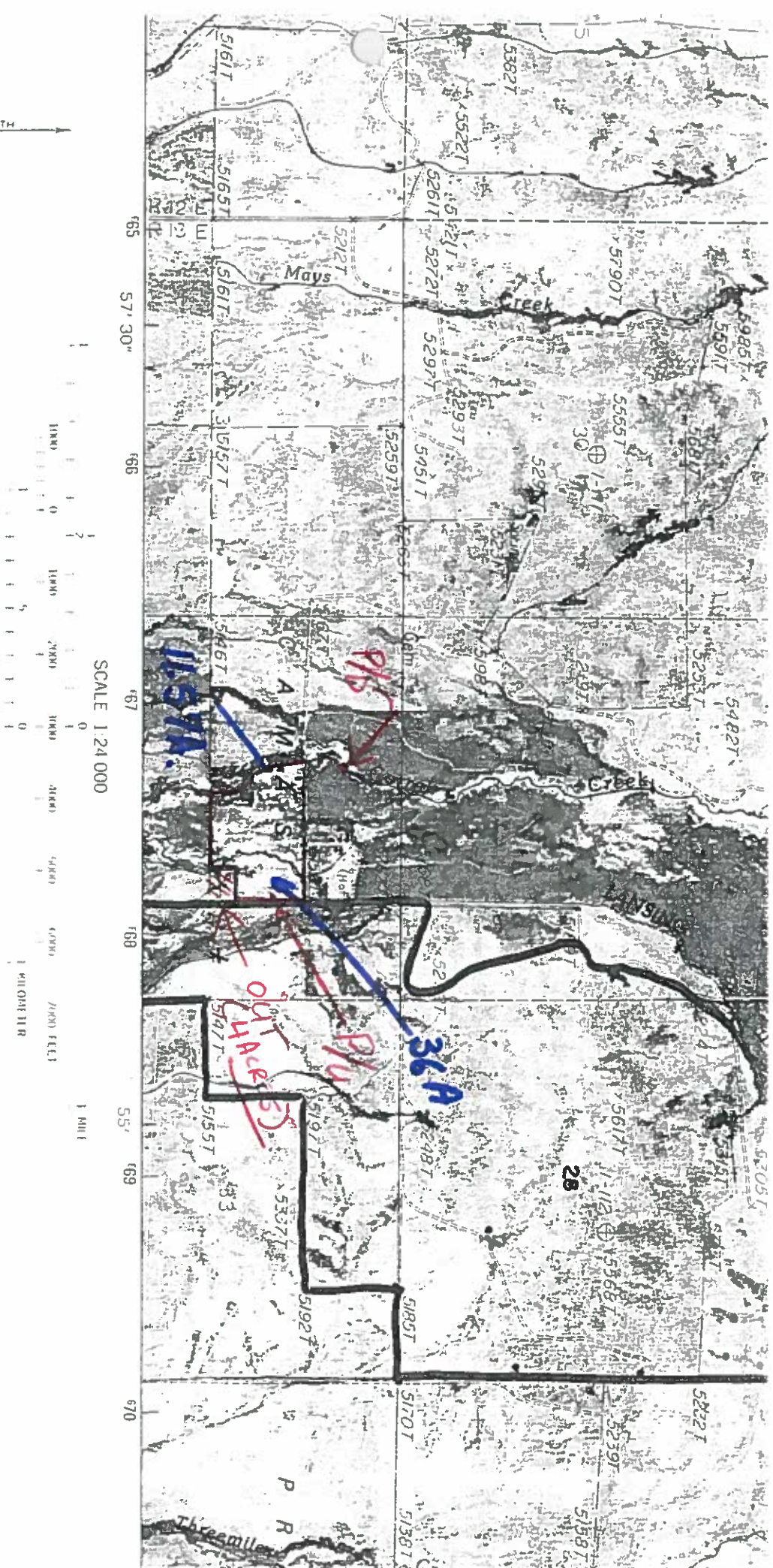
INSTREAM STOCK USE:

A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...
BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

THE ABOVE CLAIMS ARE SPLIT BASED UPON A PROPORTIONAL RATE OF CLAIMED ACRES WITHIN THE PLACE OF USE FOR CRISTOBAL (47) AND THE TOTAL CLAIMED PLACE OF USE OF 980 ACRES. $47/980 = 4.8\%$.
KKC 5-1-98.

15. Basis of Claim: DECREED

D



47 acres

A parcel of land located in the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section Thirty-two, Township One North, Range Thirteen East, Boise Meridian, bounded and described as follows:

Beginning at a point 575 feet West of the Southeast corner of, and on the South boundary line of, the Southwest Quarter of the Northeast Quarter of Section Thirty-two, Township One North, Range Thirteen East, Boise Meridian, and running thence North, parallel with the East boundary line of said Southwest Quarter of the Northeast Quarter of Section Thirty-two, a distance of 308 feet to a point; thence East, parallel with the South boundary line of the said Southwest Quarter of the Northeast Quarter, of said Section Thirty-two a distance of 550 feet to a point; thence North, parallel with the East boundary line of said Southwest Quarter of the Northeast Quarter of said Section Thirty-two a distance of 987 feet to a point; thence West, parallel with the North boundary line of the said Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of said Section Thirty-two a distance of 1,926 feet to a point; thence South $16^{\circ}46'$ East a distance of 1,352 feet to a point on the South line of the Southeast Quarter of the Northwest Quarter of said Section Thirty-two; thence East along the South line of the Southeast Quarter of the Northwest Quarter and of the Southwest Quarter of the Northeast Quarter of said Section Thirty-two a distance of 986 feet to the point of beginning, containing 47.57 acres, more or less.

47 acres

A parcel of land located in the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section Thirty-two, Township One North, Range Thirteen East, Boise Meridian, bounded and described as follows:

Beginning at a point 375 feet West of the Southeast corner of, and on the South boundary line of, the Southwest Quarter of the Northeast Quarter of Section Thirty-two, Township One North, Range Thirteen East, Boise Meridian, and running thence North, parallel with the East boundary line of said Southwest Quarter of the Northeast Quarter of Section Thirty-two, a distance of 308 feet to a point; thence East, parallel with the South boundary line of the said Southwest Quarter of the Northeast Quarter, of said Section Thirty-two a distance of 550 feet to a point; thence North, parallel with the East boundary line of said Southwest Quarter of the Northeast Quarter of said Section Thirty-two a distance of 987 feet to a point; thence West, parallel with the North boundary line of the said Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of said Section Thirty-two a distance of 1,926 feet to a point; thence South $16^{\circ}46'$ East a distance of 1,352 feet to a point on the South line of the Southeast Quarter of the Northwest Quarter of said Section Thirty-two; thence East along the South line of the Southeast Quarter of the Northwest Quarter and of the Southwest Quarter of the Northeast Quarter of said Section Thirty-two a distance of 986 feet to the point of beginning, containing 47.57 acres, more or less.



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 6/15/91

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: _____

☐ Name and Address of Former Owner/Claimant(s)(Seller): JOHN MELLEH

☐ New Owner/Claimant (Purchaser): RT #1 Box 2015
FAIRFIELD, IDAHO 83327

☐ New Mailing Address: JOHN & BARBARA CRISTOBAL
940 E 16th North
Mountain Home, Idaho 83647

☐ New Telephone Number: (208) 587-8010

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): John Cristobal Date June 6, 1991

☐ Signature of Former Owner/Claimant(s): John Mellen Date June 6, 1991

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____

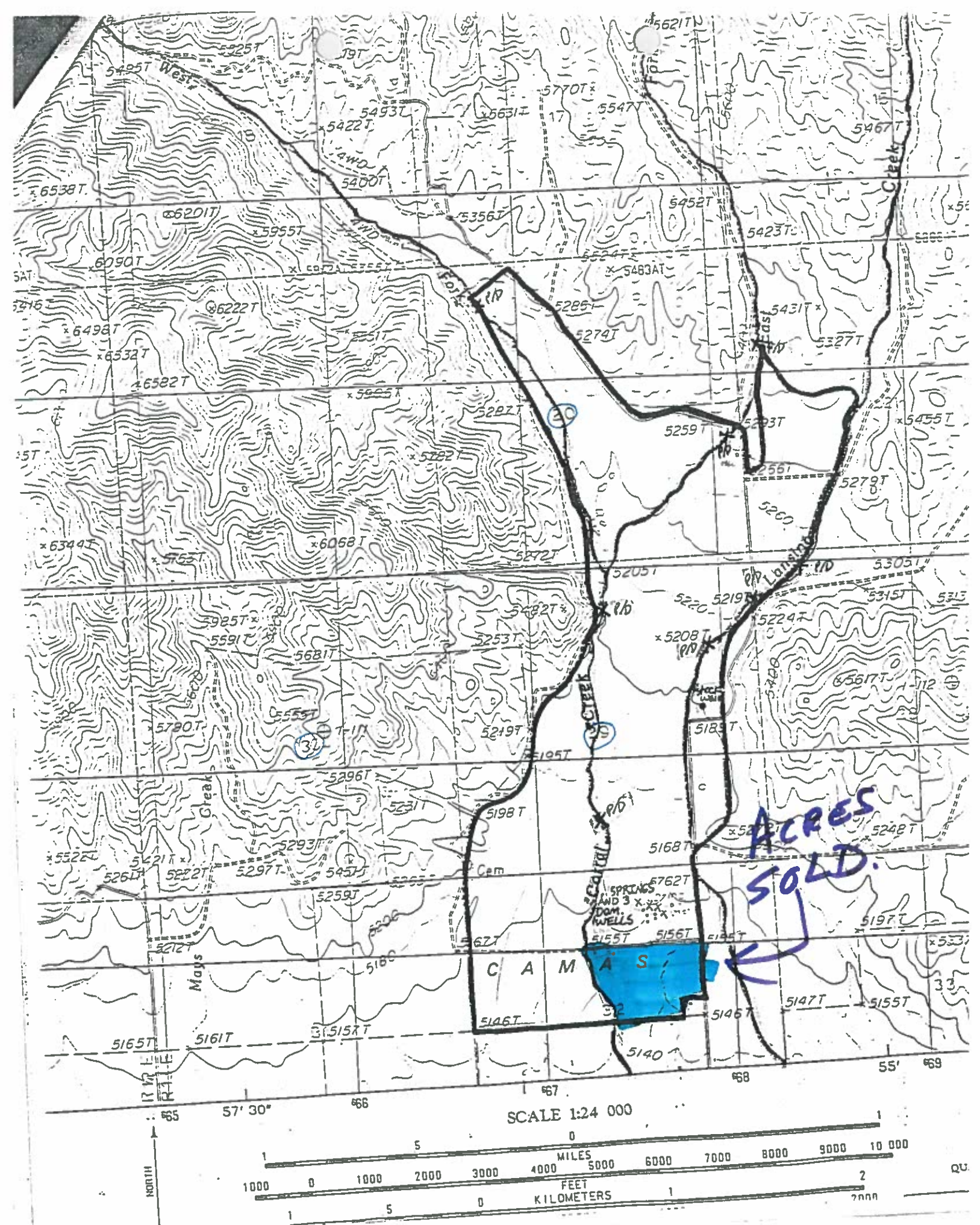
Further Action Needed:

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



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: A37-00035
Date Received: 11/07/1989
Receipt No: 5010532
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JON MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD, ID 83327
AND/OR
Name: LANA MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD, ID 83327

2. Date of Priority: JUN 01, 1887

3. Source: CORRAL CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	13E	20	SE	NW	NW		CAMAS
			NE	NE	SE		CAMAS
		21	NW	SW	NW		CAMAS
		29	SW	NW	NE		CAMAS
			NE	SE	SW		CAMAS

5. Description of diverting works:
CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.000		

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

8. Total consumptive use is 2450.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/1500 RANGE STOCK

RECEIVED
FEB 22 1990

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	13E	20	SW		NE		IRR	10.0
			NE		NW		IRR	20.0
			NW		NW		IRR	10.0
			SE		NW		IRR	35.0
			NE		SW		IRR	15.0
			SE		SW		IRR	5.0
			NE		SE		IRR	35.0
			NW		SE		IRR	35.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres					245.0
		21	SW		NW		IRR	10.0
			SE		NW		IRR	5.0
			NE		SW		IRR	15.0
			NW		SW		IRR	30.0
			SW		SW		IRR	35.0
			SE		SW		IRR	5.0
			Section Acres					100.0
		28	NW		NW		IRR	10.0
			Section Acres					10.0
		29	NE		NE		IRR	35.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	25.0
			SE		NW		IRR	20.0
			NE		SW		IRR	40.0
			NW		SW		IRR	5.0
			SW		SW		IRR	35.0
			SE		SW		IRR	40.0
			NE		SE		IRR	20.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	15.0
			Section Acres					395.0
		32	NW		NE		IRR	35.0
			SW		NE		IRR	35.0
			NE		NW		IRR	40.0

RECORDED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	13E	32	NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
Section Acres						230.0
Total Acres						980.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:

24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

RIGHT	PRIORITY	CFS AMOUNT	SOURCE
A37-13261	6/01/1882	5.4	CORRAL CREEK
A37-00728	6/01/1883	1.5	CORRAL CREEK
A37-00454	9/01/1883	.8	CORRAL CREEK
A37-13267	6/01/1884	1.7	CORRAL CREEK
A37-00463B	6/01/1885	1.4	CORRAL CREEK
A37-00730	8/10/1885	.2	CORRAL CREEK
A37-13268	6/01/1886	1.5	CORRAL CREEK
A37-00035	6/01/1887	1.0	CORRAL CREEK
A37-13269	6/01/1888	1.4	CORRAL CREEK
A37-02139	6/07/1909	.54	CORRAL CREEK/GARDEN SPRING
A37-13270	5/26/1966	9.28	CORRAL CREEK
A37-13271	5/20/1901	.8	LANSING CREEK

IRRIGATION USE P/D'S:

WEST FORK CORRAL CREEK: SE,NW,NW, SEC 20.
EAST FORK CORRAL CREEK: NW,SW,NW, SEC. 21, NE,NE,SE, SEC 20.
CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.
LANSING CREEK: NE,NW,NW, SEC 28.
SE,NE,NE, & NW,SE,NE, SEC 29.

INSTREAM STOCK USE:

A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...
BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

15. Basis of Claim: DECREED

Case Number:
Court :

S.C. FROST, ET. AL.
Decree Plaintiff

ALTURAS WATER COMPANY, ET. AL.
Decree Defendant

viii

(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.

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

Signature of Claimant(s): John Mullen Date: 11-22-89
Date: _____

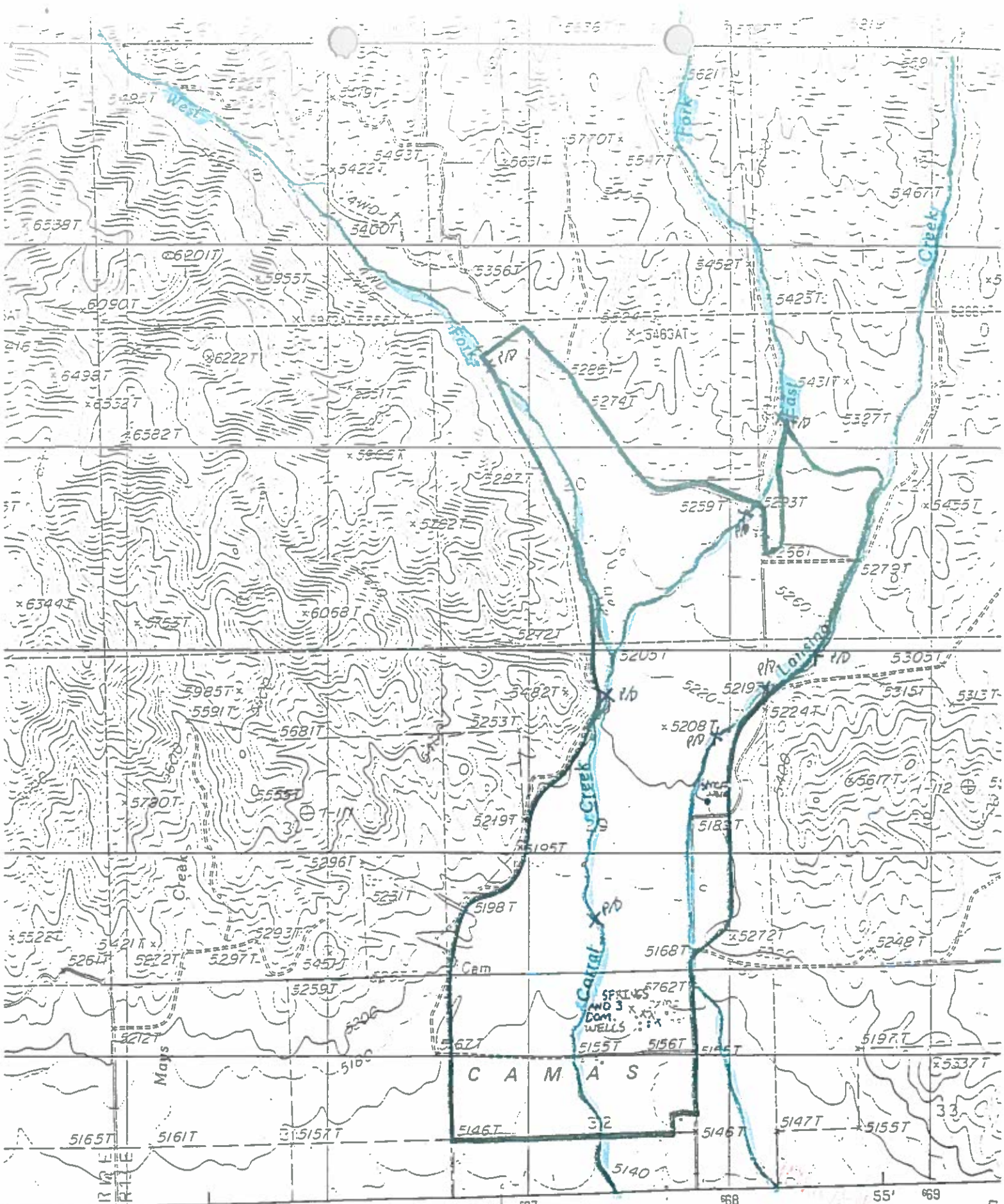
State of Idaho)
County of Id) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of Nov 19 89 Lois L.
Notary Public

Notary Public

Residing at Tf
My Commission Expires 5/54

FEB 22 1955



SCALE 1:24 000



QUADRANT

08/05/2008

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

RIGHT NUMBER: 37-35A

NAME AND ADDRESS: DANNY VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

SOURCE: EAST FORK CORRAL CREEK
WEST FORK CORRAL CREEK

TRIBUTARY: CORRAL CREEK
TRIBUTARY: CORRAL CREEK

QUANTITY: 0.950 CFS

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION:

T01N R13E S18 SESESE Within CAMAS County

T01N R13E S18 SESESE Within CAMAS County

T01N R13E S20 NENESE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/15 10/31

0.950 CFS

PLACE OF USE: IRRIGATION in CAMAS County

T01N R13E S20	SWNE	2.30	T01N R13E S20	NENW	12.00
T01N R13E S20	NWNW	14.00	T01N R13E S20	SESW	30.00
T01N R13E S20	NESW	17.00	T01N R13E S20	SESW	3.50
T01N R13E S20	NESE	30.00	T01N R13E S20	NWSE	35.00
T01N R13E S20	SWSE	34.00	T01N R13E S20	SESE	40.00
T01N R13E S21	SWNW	12.00	T01N R13E S21	SESW	6.60
T01N R13E S21	NESW	14.00	T01N R13E S21	NWSW	20.00
T01N R13E S21	SWSW	39.00	T01N R13E S21	SESW	4.80
T01N R13E S28	NENW	12.00	T01N R13E S28	NWNW	19.00
T01N R13E S29	NENE	39.00	T01N R13E S29	NWNE	39.00
T01N R13E S29	SWNE	40.00	T01N R13E S29	SENE	20.00
T01N R13E S29	NENW	0.70	T01N R13E S29	SESW	25.00
T01N R13E S29	NESW	40.00	T01N R13E S29	NWSW	4.10
T01N R13E S29	SWSW	27.00	T01N R13E S29	SESW	40.00
T01N R13E S29	NESE	21.00	T01N R13E S29	NWSE	40.00
T01N R13E S29	SWSE	40.00	T01N R13E S29	SESE	9.80
T01N R13E S31	NENE	2.50	T01N R13E S31	SENE	7.10
T01N R13E S32	NWNE	34.00	T01N R13E S32	NENW	40.00

T01N R13E S32	NWNW	38.00	T01N R13E S32	SWNW	40.00
T01N R13E S32	SEnw	21.00			

913.4 ACRES TOTAL

This right is limited to the irrigation of 47.6 acres within the place of use described above in a single irrigation season.

08/05/2008

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

described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 913.4 acres in a single irrigation season. Combined Right Nos.: 37-35A, 37-454A, 37-463C, 37-728A, 37-2139A, 37-13261A, 37-13267A, 37-13268A, 37-13269A, and 37-13271A.

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 place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

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

Brockway POD's - Van Horn

TIN RISE:

S18

GARDEN Spr. NE SE SE

Rey #3 SE SE SE CORR. Cr. WF

Rey #4 SE SE SE CORR. Cr. WF

S20

Rey #9 NE NE SE EF - CC

S21

Rey #10 SW NW NW EF - CC

S28

Lansing Cr. #5 NWNWNW Lansing Cr.

S29

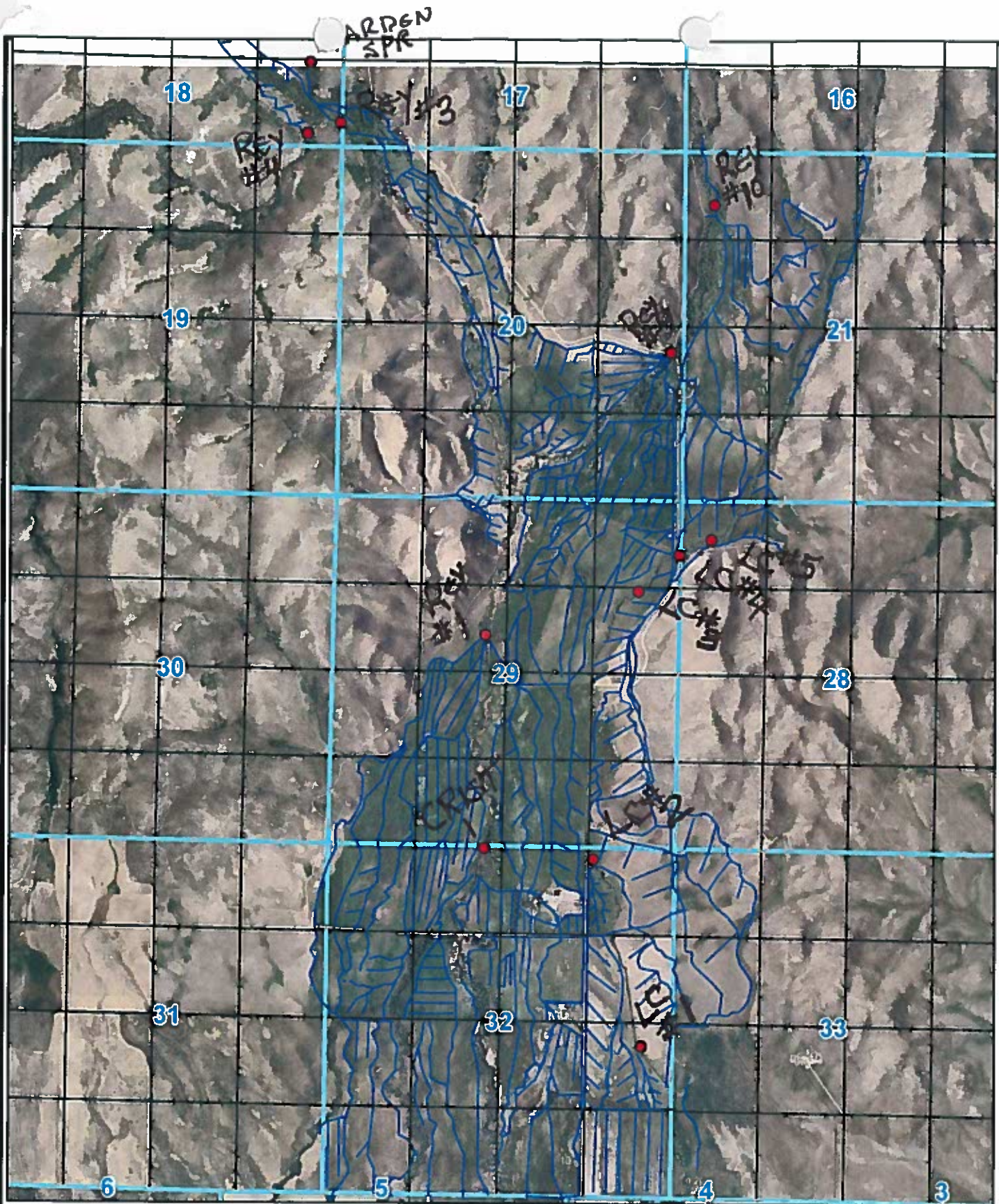
Lansing Cr. #4 SE NE NE Lansing Cr.

Lansing Cr. #3 SE NE Lansing Cr.

Rey #1 SE SE NW C.C.

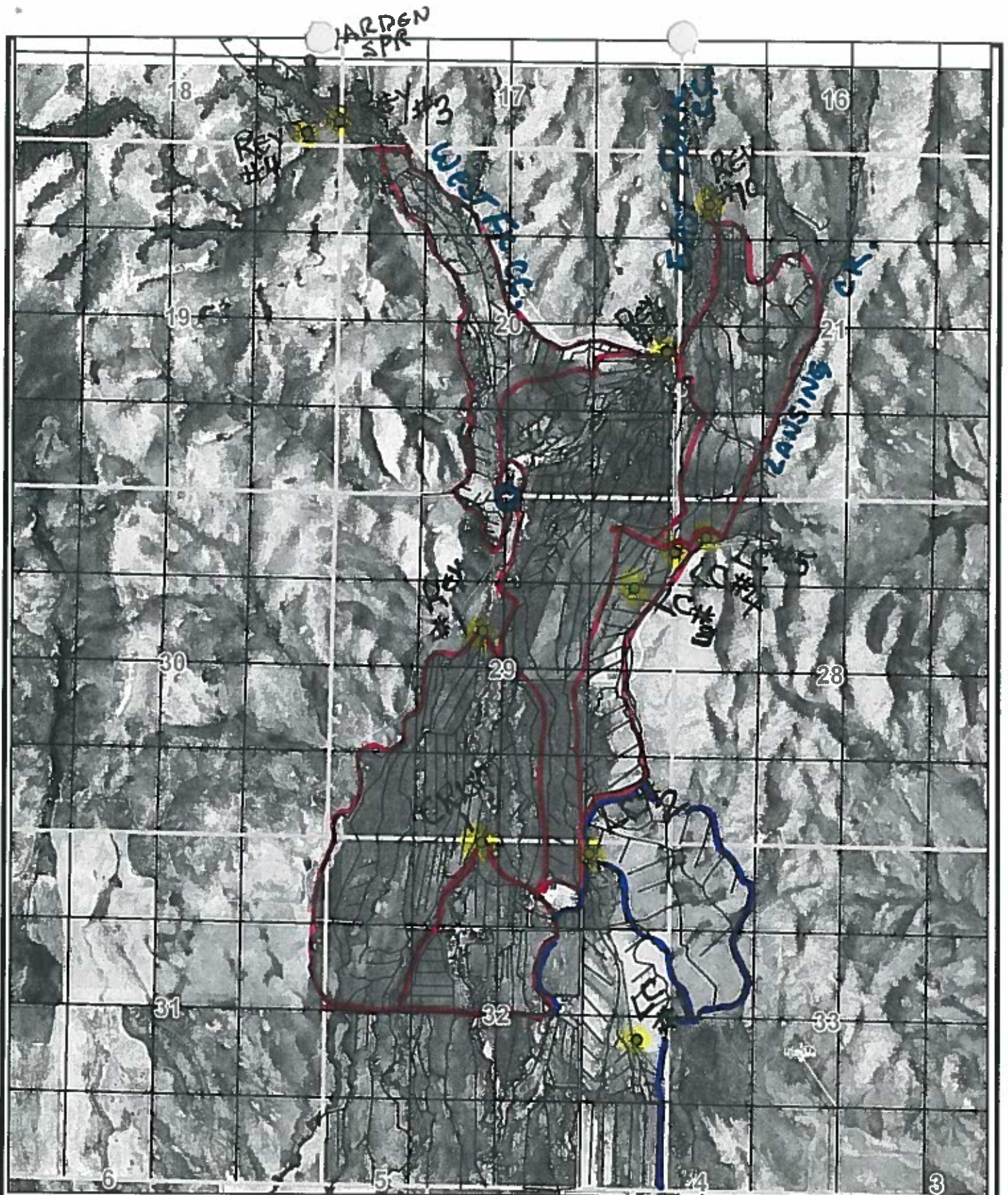
S32

Cristobal Div. NE NE NW C.C.



BROCKWAY ENGINEERING, PLLC.
ALR - MAY 12, 2008

37-35A



DANNY VANHORN
P.O.D. ALL SURFACE WATER RIGHTS
NAIP 2006 AERIAL PHOTO

BROCKWAY ENGINEERING, PLLC.
ALR - MAY 12, 2008

Legend

- POD_-_RR_Surface_Water_Creeks
- DITCHES
- 101n13e

N

37-35A

VAN HORN:

Decree Pod Review (P. 2)

- 13261 A

<u>Rec'd</u>	<u>Decree</u>	<u>Pod</u>
5 POD	- 34A-B	WF
CC	WF	EF
EF/WF	CC	
	✓ (A)	(R. #3 #4)
	✓ (B)	CC.
		(CD, R#1)
- 128		
CC		
LC.?		
(Lower end)		
- 493		
(R#1 R#9)		(R#9 R#1 CD)

DRAFT

- 13267 A

<u>Rec'd</u>	<u>Decree</u>	<u>Pod</u>
5-CC, EF, WF	- 134 (CC)	WF
	- 455 (CC)	EF
		(R#3 #4 #9)
		CC.
	✓ (R#1)	
	✓ (C. Div.)	

- 13268 A

<u>Rec'd</u>	<u>Dec.</u>	<u>Pod</u>
Spod: CC, EF, WF	✓ - 135	(R#3 #4 #9)
	CC.	
✓ - 300		(R#10)
CC.		
✓ - 727		(R#10)
	CC.	

VAN HORN

Decree POW

Review P.1

-13261

-34A & B

-128

493

WEST FIC

CC

CC

CC

ens.?

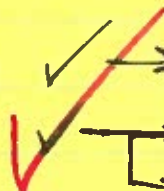
(lower end)

See pg. 2

-2139

GARDEN Sp

WF-CC



OK
GAL. SPR.
R#3
R#4

DRAFT

-454 A

Rec'd

5 pods

EF CC

WF CC

CC

Decree

No L.C.

All CC.

✓ (R.#1
C.Div.)

-463 C

Rec'd

5 POD

CC

EF

WF

Decree

CC.

Decree

POW

must be L.C.

✓ (#3#4#5)

-728

Rec'd

5 POD

CC

EF

WF

Dec

CC.

Decree

POW

EF

✓ (R.#9)

Decree POD Review VAN HORN

Ag 3

-13269A

Rec'd.
5 pods
EF-WF
CC.

Decree

~~721~~
CC.-136-

POU

WF.
EF.

R#3#4#9

-13271A

Rec'd
3 pods
L#4#5#3
LC. only

Decree

-301A-
LC.
-301B-
LC.

POU

"EF"

R#10

ABOVE
PODS

LC #3#4#5

"moved Downstream"

-35A

Rec'd
Spod's
CC
EF-WF

Decree
-35-

POU

S.18
Above
WF-CC

R. #3 #4 #9

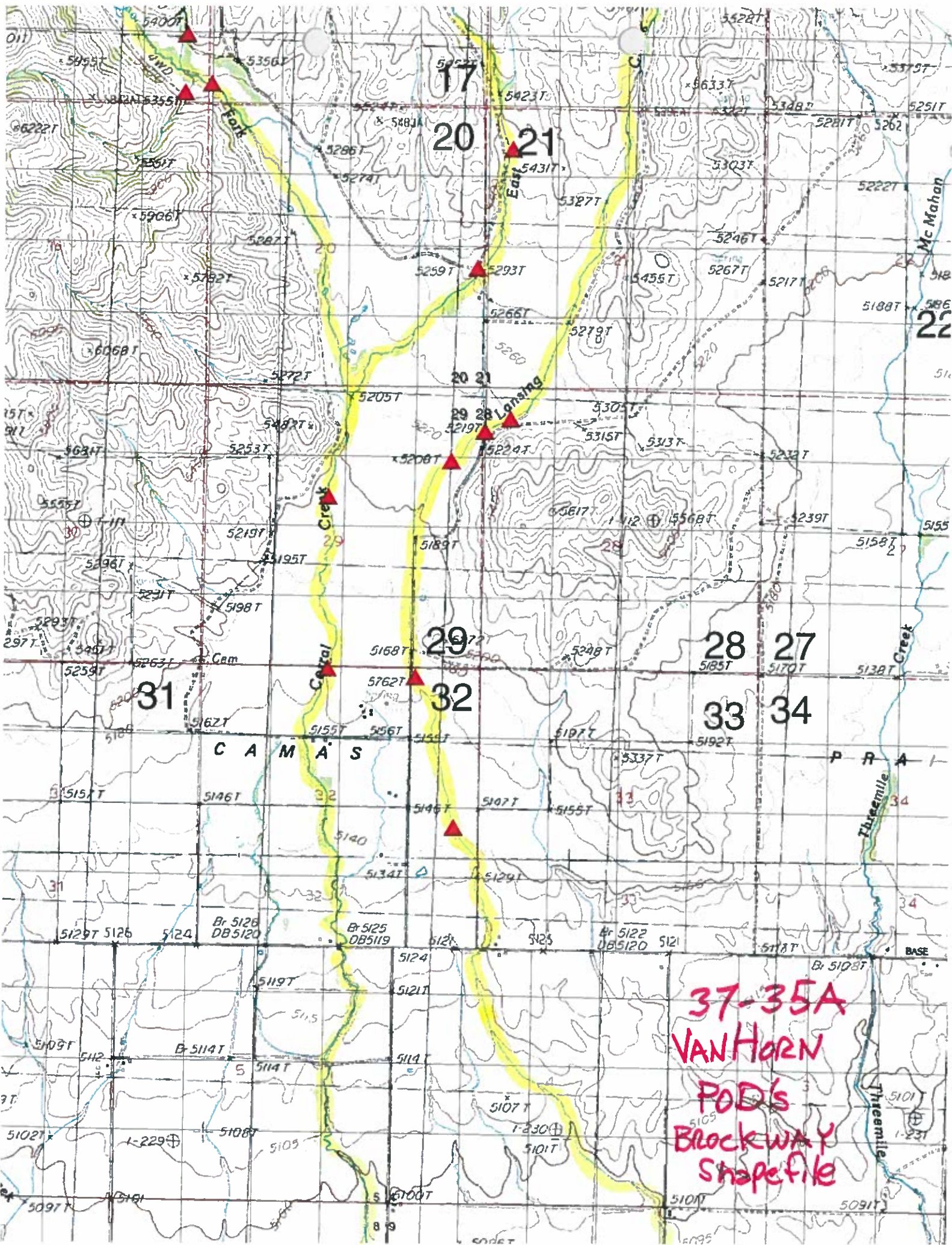
DRAFT

POU overlaps: - PPU -

~ • = Full POP + POU

- | | | |
|-------------------|------------|---------------------------|
| 1) • 35A ✓ | AC
47.6 | |
| 2) • 454A | 142.8 | 8) • 13268A ✓ |
| 3) • 463 C (or A) | 54.3 AC | 9) • 13269A ✓ |
| | other PPU | 10) • 13271A ✓ |
| 4) • 728A | 107.6 AC. | 11) ~~730A~~ (DIS) |
| 5) • 2139A | 25.7 AC. | (OR-34B) AC? |
| 6) • 13261A | 597.9 | Combined: |
| 7) • 13267A | 304.6 | -34A -34B |
| | | ~128 - 493 |

SCC Notes
ON OVERLAPS



37-35A
VAN HORN
POD'S
Brockway
Shapefile

Van Horn

Claim POD's

-35A POD claim
(5 POD's) CORREL. CR.

IN 13E

		CB-POD
S. 20	SE NW NW	No Match
	NE NE SE	R#9
S. 21	NW SW NW	No Match
S. 29	NE SE SW	No match
	SW NW NE	No match

31-13271A (claimed)

L#4 S. 29 SE NE NE

L#5 S. 28 NW NW

L#3 S. 29 NW SE NE

ALSO:

31-13269 A CORR. CR.

37-13268 A CORR. CR.

37-13267 A CORR. CR.

37-13261 A CORR. CR.

37-2139 A CORR. CR W.
GARDEN SPR.

37-728 A CORR. CR.

37-463 C CORR. CR.

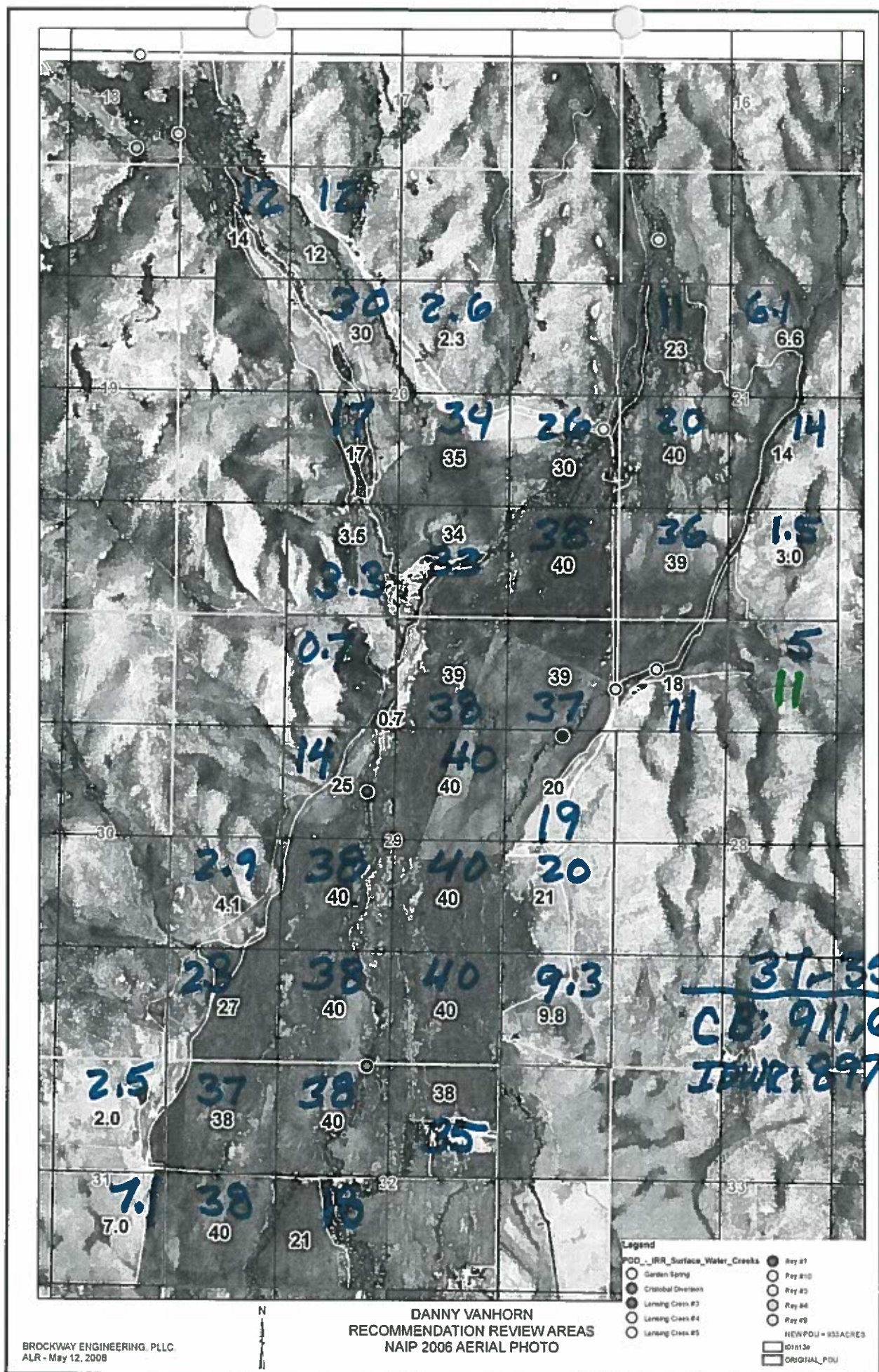
37-454 A CORR. CR.

7-23-08



37-35A COPY

+0.2



37-35A
CB: 911.6 AC
IDWR: 897.7 AC

37-35A Ac. COMPARISON



37-35A

Van Horn - Tentative Settlement Shape

Monday, June 2, 2008 9:22 AM

From: "Amy Runser" <amy.runser@brockwayeng.com>

To: steve83301@yahoo.com, "Charles E. Brockway"
 <charles.e.brockway@brockwayeng.com>, erobertson@rsidaholaw.com
 37-34A Tentative settlement shape.jpg (1844KB)

7-15-08

Steve,

We have reviewed your comments and questions in regard to Van Horn POU, and are in agreement with you. We have revised our place of use map in accordance and would like you to review the new shape/pou. Please let us know if you are ready to prepare the SF5 on these water rights. I have attached the new map and inserted a corresponding table.

Thanks

Amy Runser
 Brockway Engineering, PLLC.
 (208) 736-8543

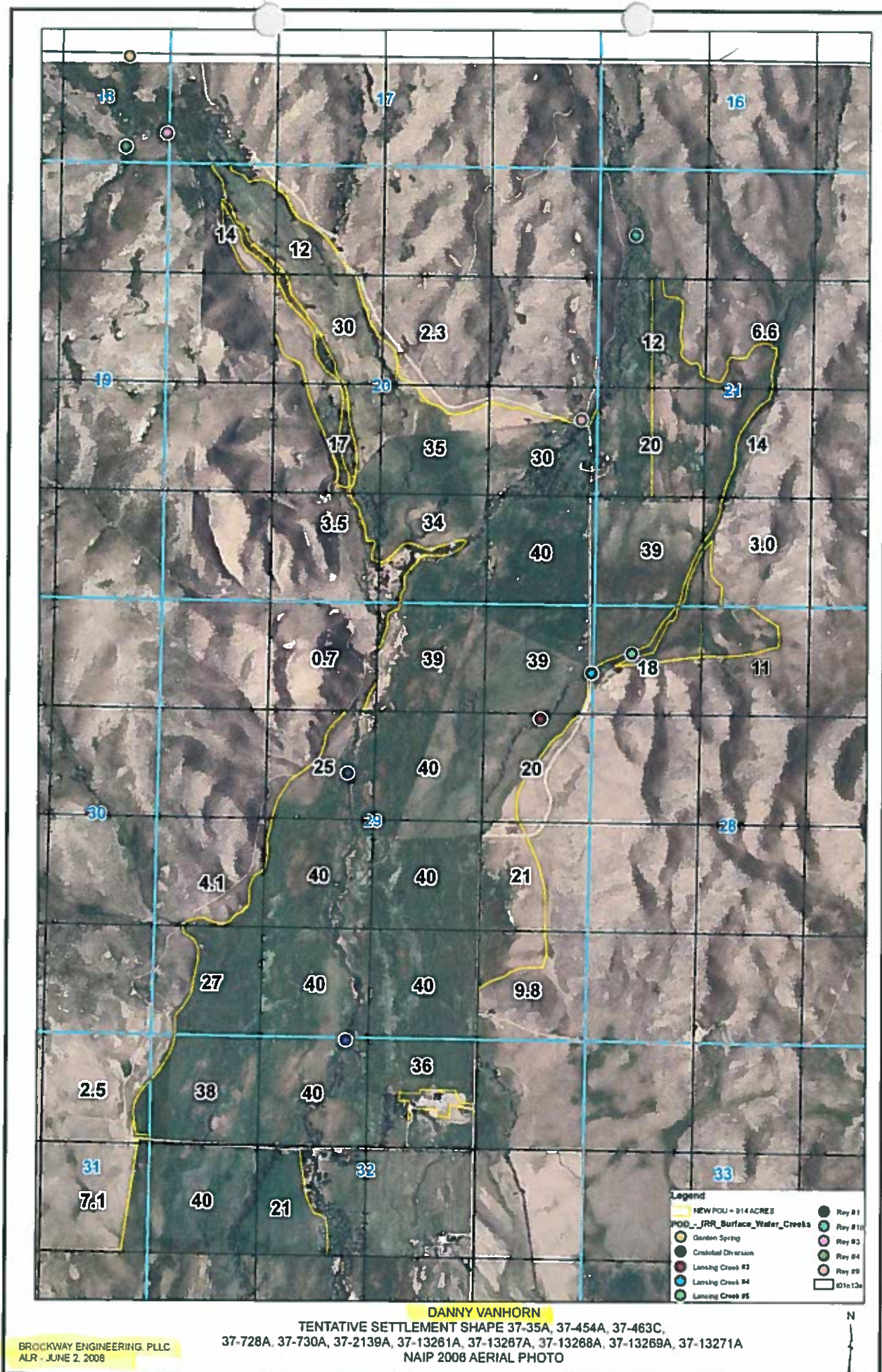
DANNY VANHORN

RECOMMENDED WATER RIGHT
 REVIEW
 BROCKWAY ENGINEERING, PLLC.
 ALR - JUNE 2, 2007

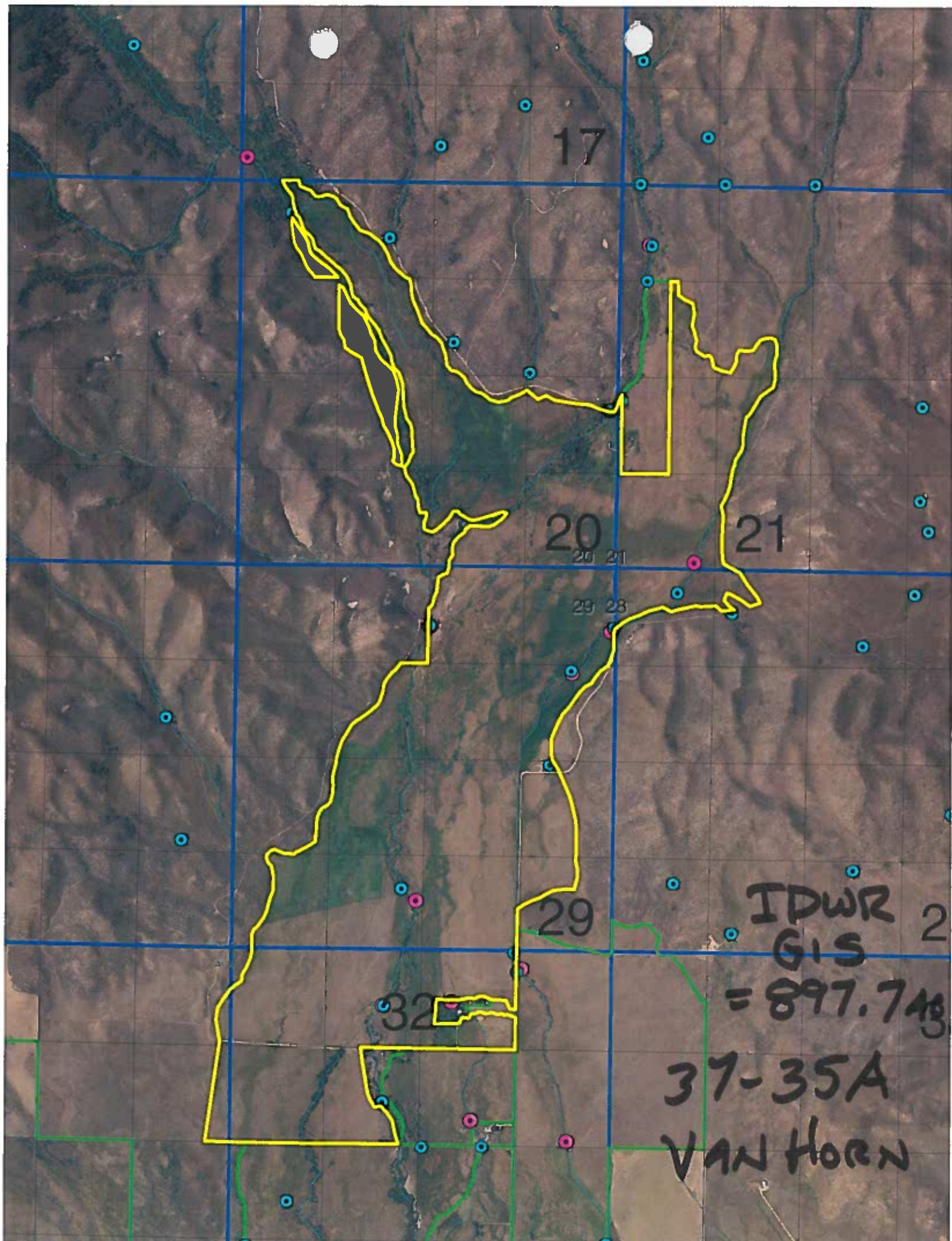
					CLAIM	RECMD	TENTATIVE AGREEMENT
					WATER RIGHTS		
					Corral Creek		
					Van Horn		
					PRIORITY DATE		
					Decreed		
					Irrigation		
					CFS	CFS CUT BY	CFS CUT BY
T	R	Sec	1/4	1/4		90 AC.	21.4
01N 13E	20	SW	NE		10	2.6	2.3
			NE	NW	20	12	12 —
			NW	NW	10	12	14
			SE	NW	35	30	30
			NE	SW	15	17	17 —
			SE	SW	5	3.3	3.5
			NE	SE	35	26	30 —
			NW	SE	35	34	35
			SW	SE	40	33	34
			SE	SE	40	38	40

<u>TOTAL</u>							
1N	13E	21	SW	NW	10	11	12
			SE	NW	5	6.1	6.6
			NE	SW	15	14	14
			NW	SW	30	20	20
			SW	SW	35	36	39
			SE	SW	5	1.5	3.0
<u>TOTAL</u>							
1N	13E	28	NE	NW			11
			NW	NW	10	11	18
<u>TOTAL</u>							
1N	13E	29	NE	NE	35	37	39
			NW	NE	40	38	39
			SW	NE	40	40	40
			SE	NE	25	19	20
			NE	NW		0.7	0.7
			SE	NW	20	14	25
			NE	SW	40	38	40
			NW	SW	5	2.9	4.1
			SW	SW	35	23	27
			SE	SW	40	38	40
			NE	SE	20	20	21
			NW	SE	40	40	40
			SW	SE	40	40	40
			SE	SE	15	9.3	9.8
<u>TOTAL</u>							
1N	13E	31	NE	NE		2.5	2.5
			SE	NE		7.1	7.1
<u>TOTAL</u>							
1N	13E	32	NE	NE			?
			NW	NE	35	35	36
			SE	NE			?

			NE	NW	40	38	40	
			NW	NW	40	37	38	
			SW	NW	40	38	40	
			SE	NW	28	18	21	
			NE	SE				
			SE	SE				
			<u>TOTAL</u>					
1N	13E	33	NW	NW				
			SW	NW				
			<u>TOTAL</u>		933	843	911.6	
					<u>CLAIMED REC</u>		<u>TENTATIVE #</u>	



37-35A



17

20

21

29

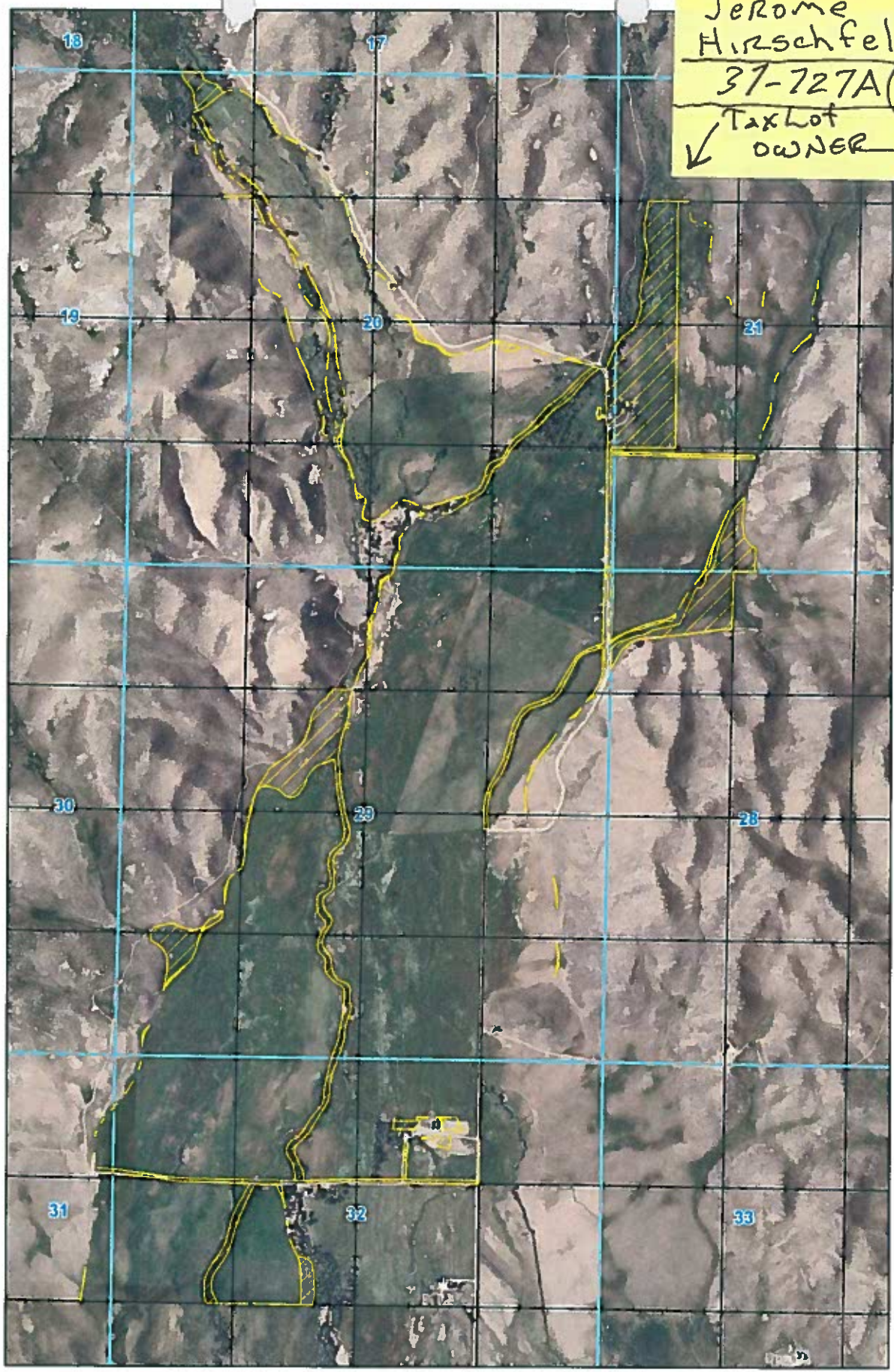
32

IPWR
GIS

= 897.743

37-35A
VAN HORN

Jerome
Hirschfeld
37-727A (30
Ac.)
Tax Lot
owner



Revised 6-2-08

BROCKWAY ENGINEERING, PLLC
ALR - APRIL 30, 2008

DANNY VANHORN
RECOMMENDATION REVIEW AREAS
NAIP 2006 AERIAL PHOTO

Legend
10 in 13e
Acres Excluded IDWR

37-~~727A~~ 35A

Adjudication Claim Notes

Claim(s): 37-35A, 37-454A, 37-463C, 37-728A, 37-730A, 37-2139A, 37-13261A, 37-13267A, 37-13268A, 37-13269A, 37-13270A, 37-13271A

Background Data

37-35A

- Source is Corral Creek tributary to Camas Creek
- 37-35 originally decreed for 1.0 cfs on 4 QQ
- SRBA claims:
 - 37-35A claimed 0.95 cfs on 933 acres
 - 37-35B claimed 0.05 cfs on 47 acres

37-454A

- Source is Corral Creek tributary to Camas Creek
- 37-454 originally decreed for 0.8 cfs on 4 QQ
- SRBA claims:
 - 37-454A claimed 0.76 cfs on 933 acres
 - 37-454B claimed 0.04 cfs on 47 acres

37-463C

- Source is Corral Creek tributary to Camas Creek
- 37-463 originally decreed for 2.5 cfs on 4 QQ
- SRBA claims:
 - 37-463A claimed 1.10 cfs on 241 acres
 - 37-463C claimed 1.33 cfs on 933 acres
 - 37-463D claimed 0.07 cfs on 47 acres

37-728A

- Source is Corral Creek tributary to Camas Creek
- 37-728 originally decreed for 1.50 cfs on 3 QQ
- SRBA claims:
 - 37-728A claimed 1.43 cfs on 933 acres
 - 37-728B claimed 0.07 cfs on 47 acres

37-730A

- Source is Corral Creek tributary to Camas Creek
- 37-730 originally decreed for 0.20 cfs on 4 QQ
- SRBA claims:
 - 37-730A claimed 0.19 cfs on 933 acres
 - 37-730B claimed 0.01 cfs on 47 acres

37-2139A

- Source is West Fork Corral Creek tributary to Corral Creek and Garden Spring tributary to West Fork Corral Creek
- 37-2139 originally licensed for 0.54 cfs from West Fork Corral Creek and Garden Spring for Domestic and Irrigation of 27 acres
- SRBA claims:
 - 37-2139A claimed 0.51 cfs on 933 acres
 - 37-2139B claimed 0.03 cfs on 47 acres

37-13261A

- Source is Corral Creek tributary to Camas Creek
- 37-34A decreed for 0.60 cfs on 7 QQ
- 37-34B decreed for 1.20 cfs on 8 QQ
- 37-128 originally decreed for 2.0 cfs on 4 QQ
- 37-493 originally decreed for 1.6 cfs on 4 QQ
- SRBA claims: (combined claims against 37-34A, 37-34B, 37-128, & 37-493)
 - 37-13261A claimed 5.14 cfs on 933 acres
 - 37-13261B claimed 0.26 cfs on 47 acres

37-13267A

- Source is Corral Creek tributary to Camas Creek
- 37-134 originally decreed for 0.5 cfs on 8 QQ
- 37-455 originally decreed for 1.2 cfs on 4 QQ
- SRBA claims: (combined claims against 37-134 & 37-455)
 - 37-13267A claimed 1.62 cfs on 933 acres
 - 37-13267B claimed 0.08 cfs on 47 acres

37-13268A

- Source is Corral Creek tributary to Camas Creek
- 37-135 originally decreed for 0.5 cfs on 8 QQ
- 37-300 originally decreed for 0.2 cfs on 3 QQ
- 37-727 originally decreed for 0.8 cfs on 5 QQ
- SRBA claims: (combined claims against 37-135, 37-300, & 37-727)
 - 37-727A claimed 0.16 cfs for Irrigation of 40 acres
 - 37-13268A claimed 1.43 cfs on 933 acres
 - 37-13268B claimed 0.07 cfs on 47 acres

37-13269A

- Source is Corral Creek tributary to Camas Creek
- 37-136 originally decreed for 0.7 cfs on 8 QQ
- 37-721 originally decreed for 0.7 cfs on 4 QQ
- SRBA claims: (combined claims against 37-136 & 37-721)
 - 37-13269A claimed 1.33 cfs on 933 acres
 - 37-13269B claimed 0.07 cfs on 47 acres

37-13270A

- Pending Permits
- Source is Corral Creek tributary to Camas Creek
- 37-2735 permitted for 4.0 cfs and 37-2736 permitted for 8.0 cfs
- SRBA claims: (combined claims against permits 37-2735 and 37-2736)
 - 37-2736A claimed 2.72 cfs on 241 acres
 - 37-13270A claimed 8.83 cfs on 933 acres
 - 37-13270B claimed 0.45 cfs on 47 acres

37-13271A

- Source is Lansing Creek tributary to Camas Creek
- 37-301A decreed for 0.5 cfs on 3 QQ
- 37-301B decreed for 0.3 cfs on 1 QQ
- SRBA claims: (combined claims against 37-301A & 37-301B)
 - 37-13271A claimed 0.76 cfs on 933 acres
 - 37-13271B claimed 0.04 cfs on 47 acres

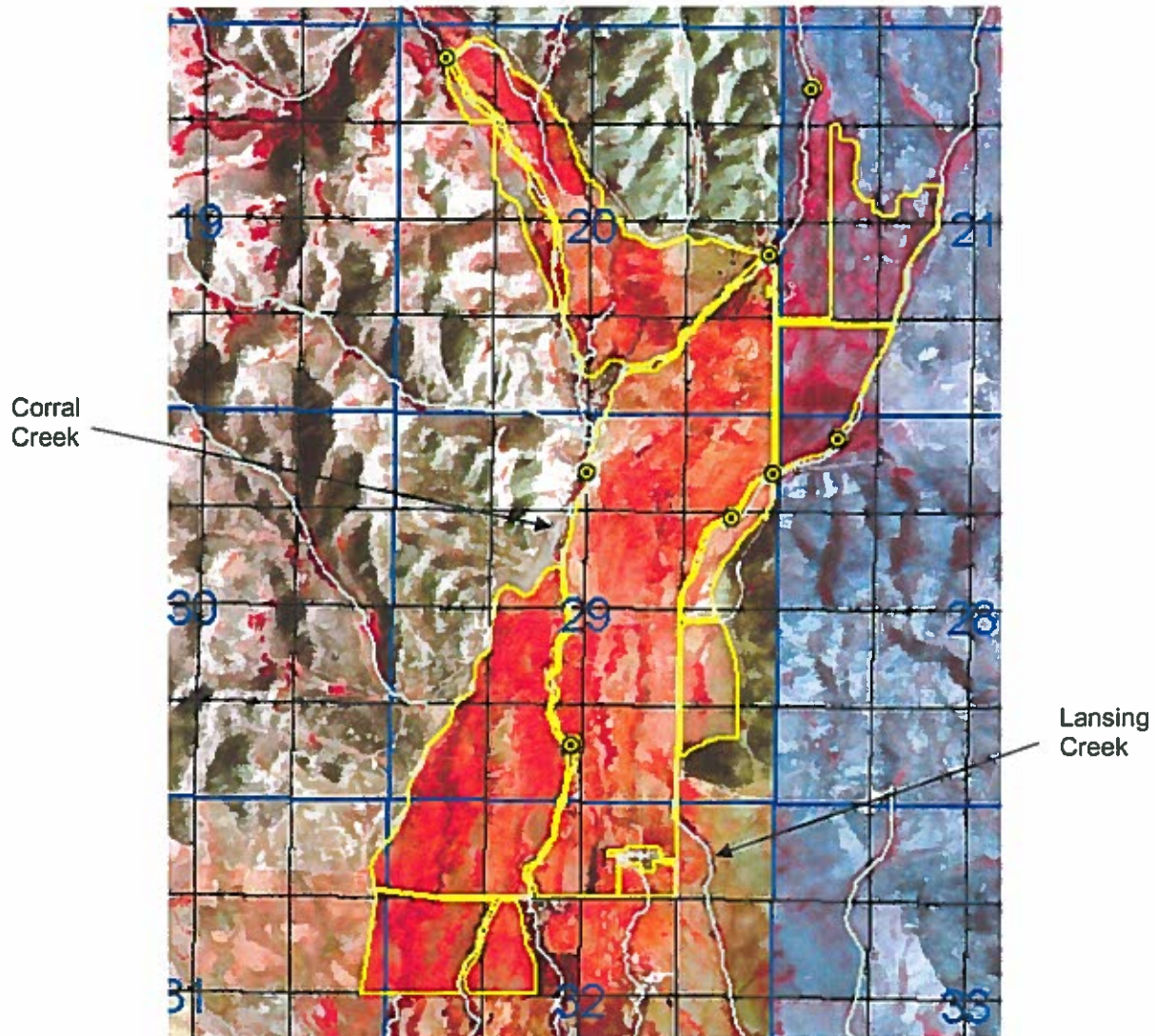
Place Of Use Data

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.

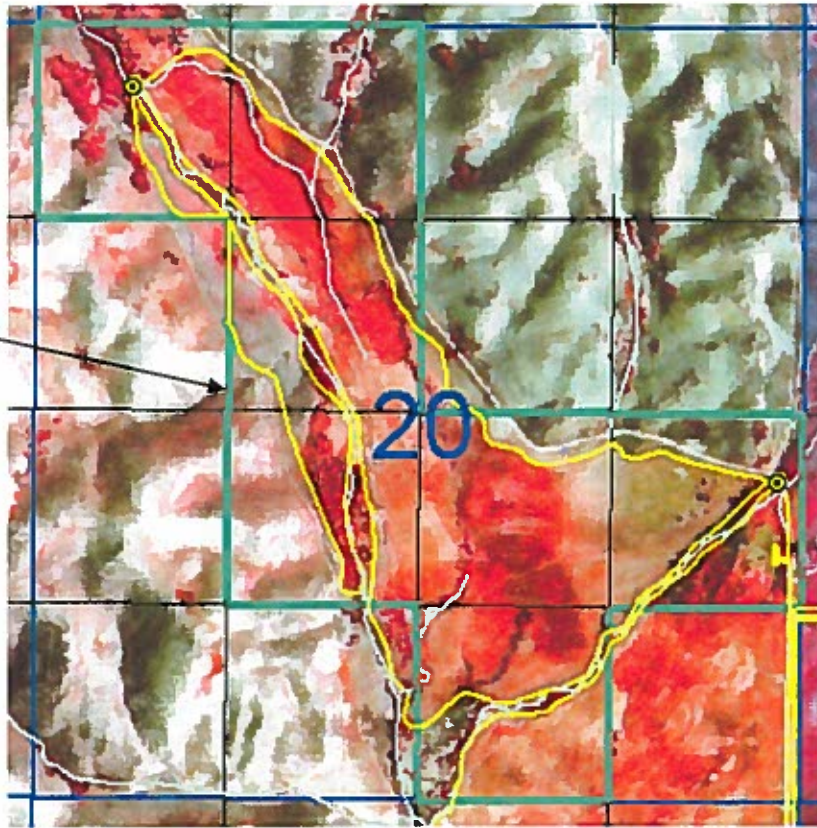
Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



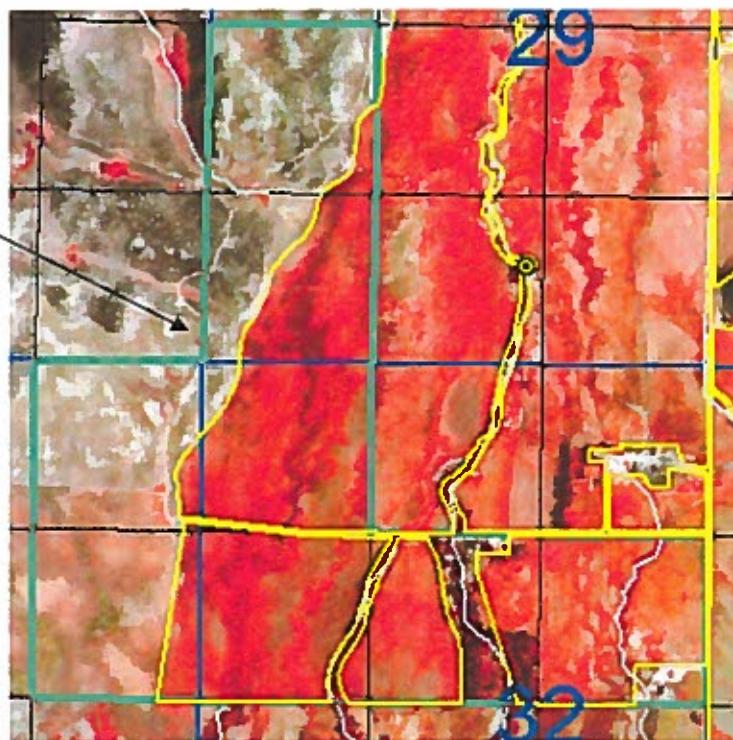
37-34A

Decreed POU
for 37-34A
(green line)



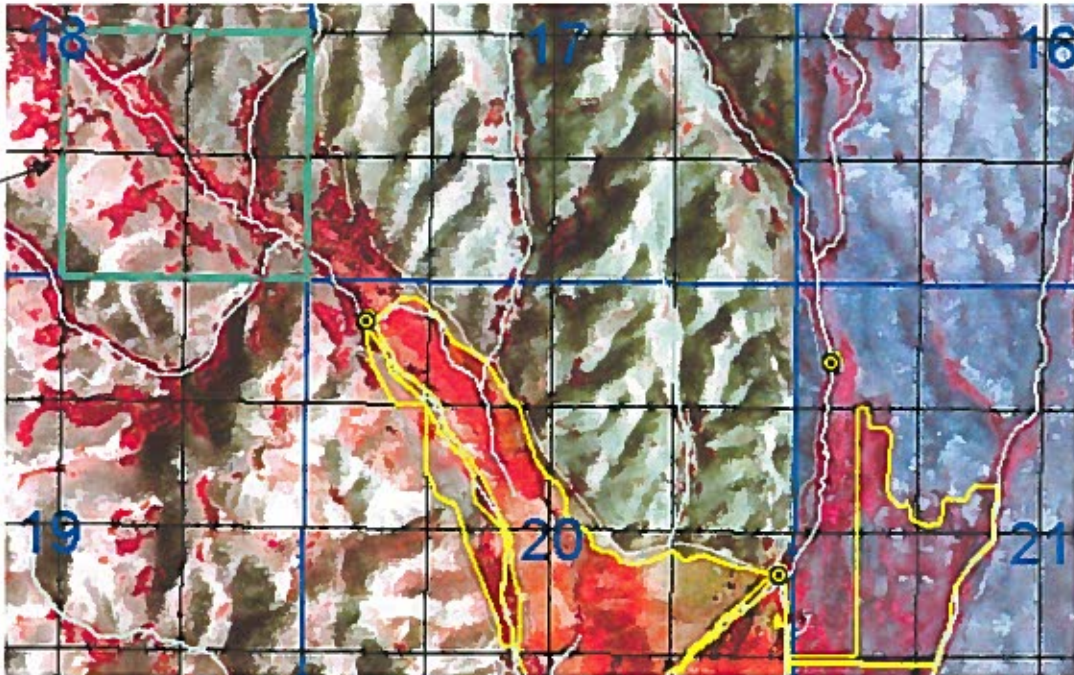
37-34B

Decreed POU
for 37-34B
(green line)



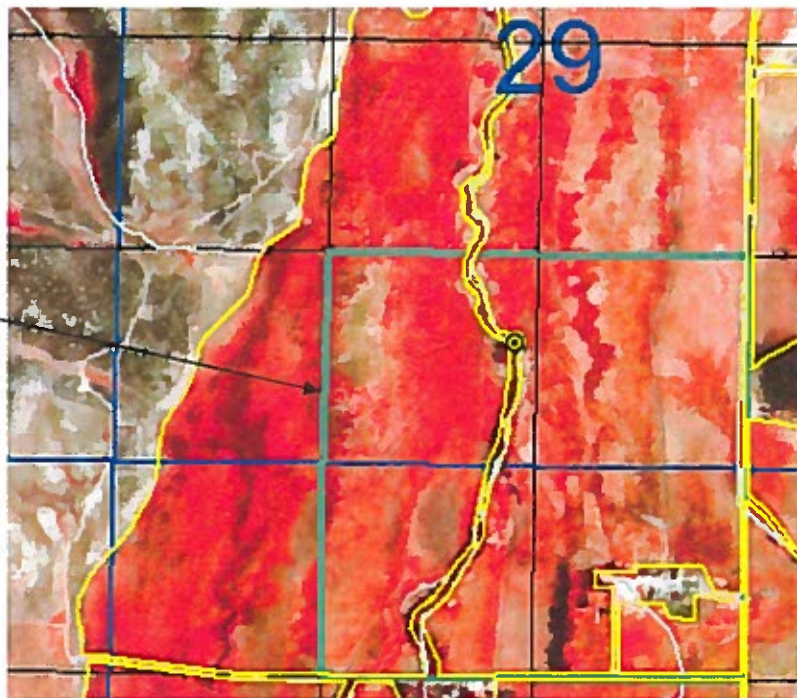
37-35

Decreed POU
for 37-35
(green line)



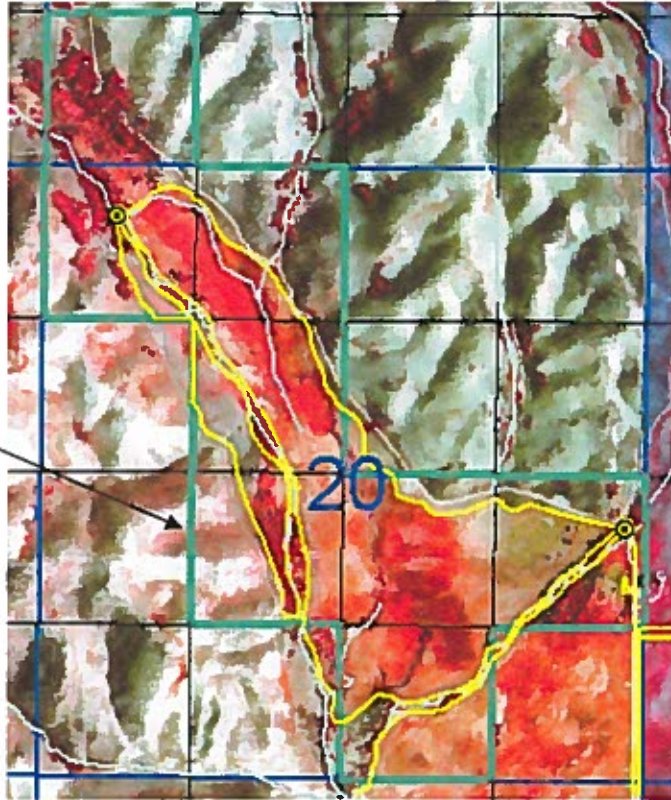
37-128

Decreed POU
for 37-128
(green line)



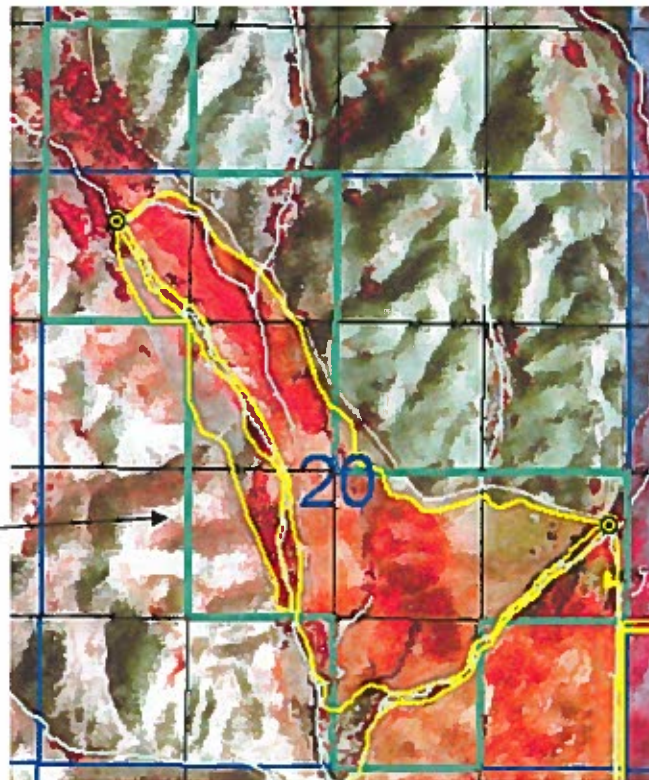
37-134

Decreed POU
for 37-134
(green line)



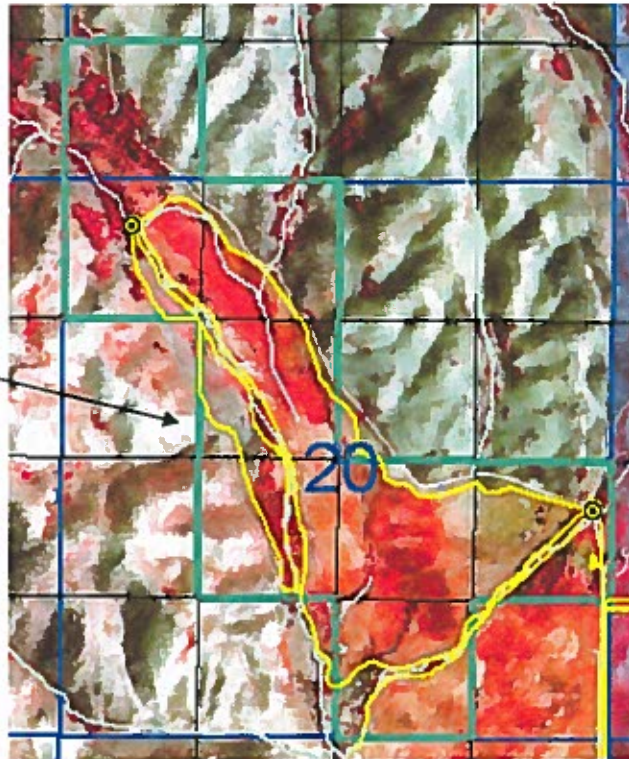
37-135

Decreed POU
for 37-135
(green line)



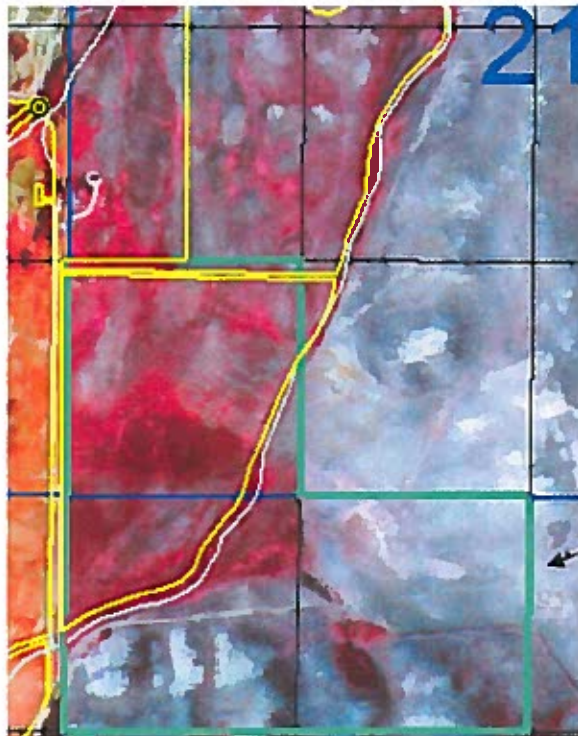
37-136

Decreed POU
for 37-136
(green line)



37-300

Decreed POU
for 37-300
(green line)

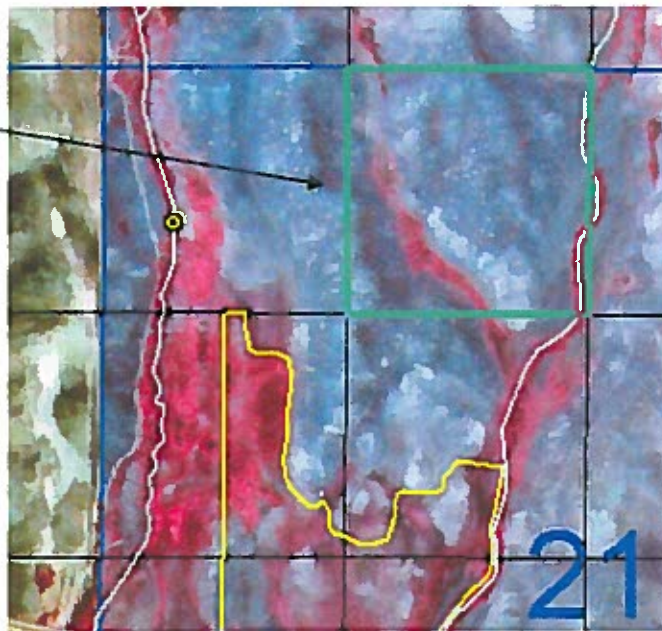


37-301A



Decreed POU
for 37-301A
(green line)

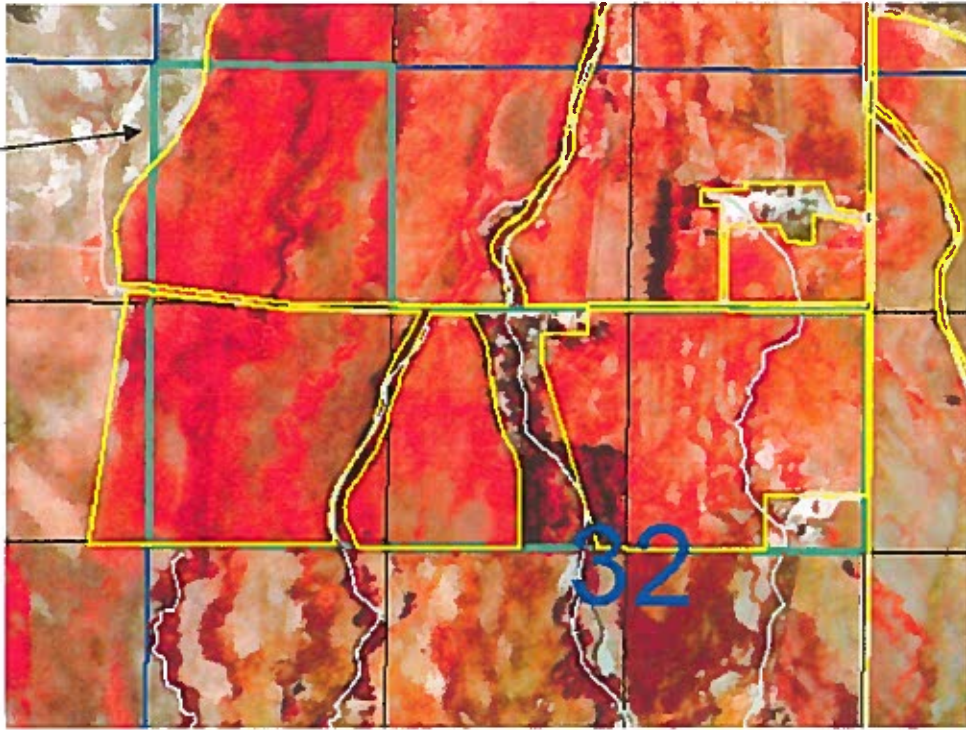
37-301B



Decreed POU
for 37-301B
(green line)

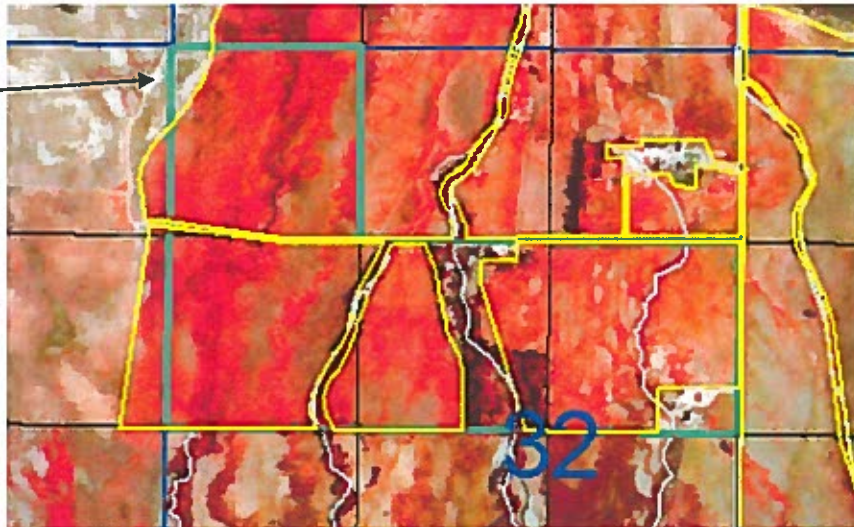
37-454

Decreed POU
for 37-454
(green line)

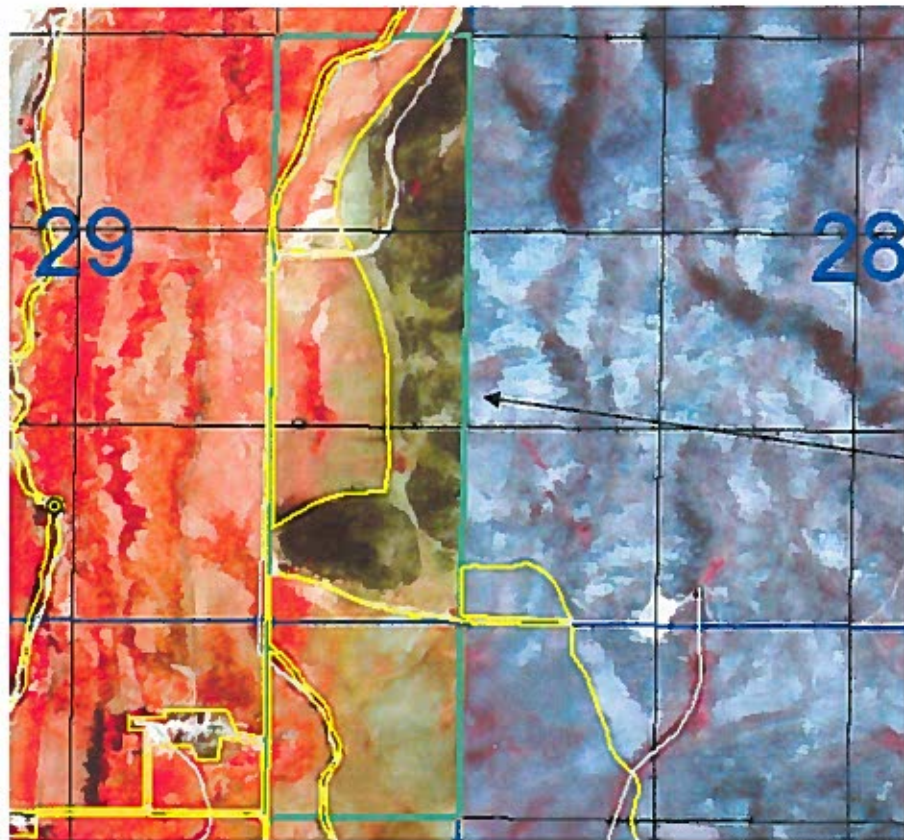


37-455

Decreed POU
for 37-455
(green line)



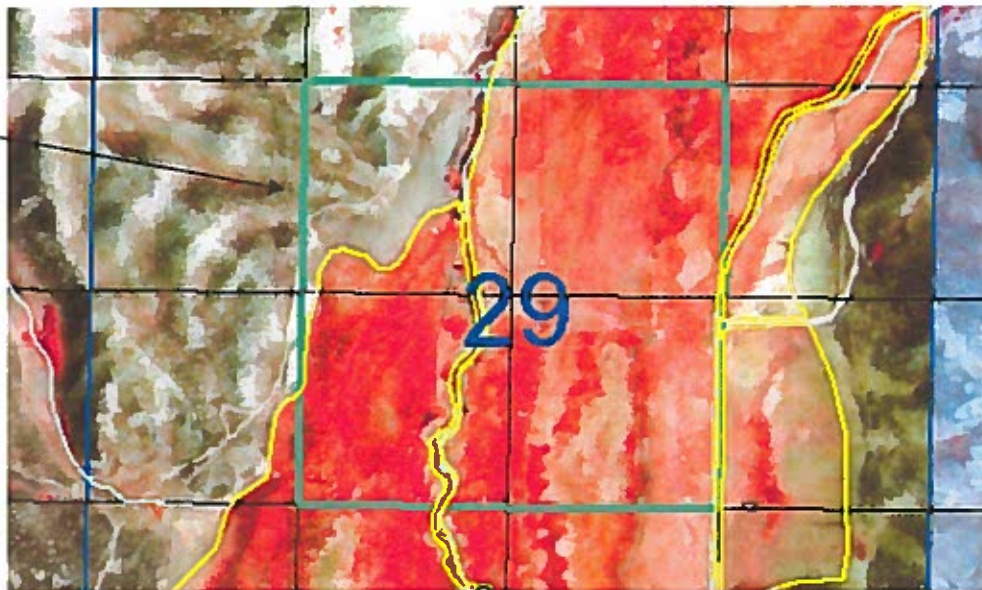
37-463



Decreed POU
for 37-463
(green line)

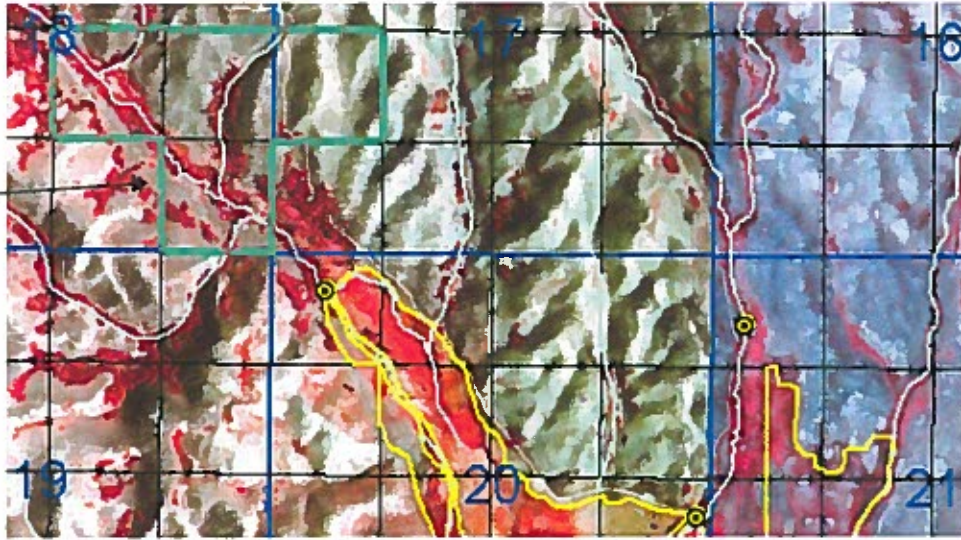
37-493

Decreed POU
for 37-493
(green line)



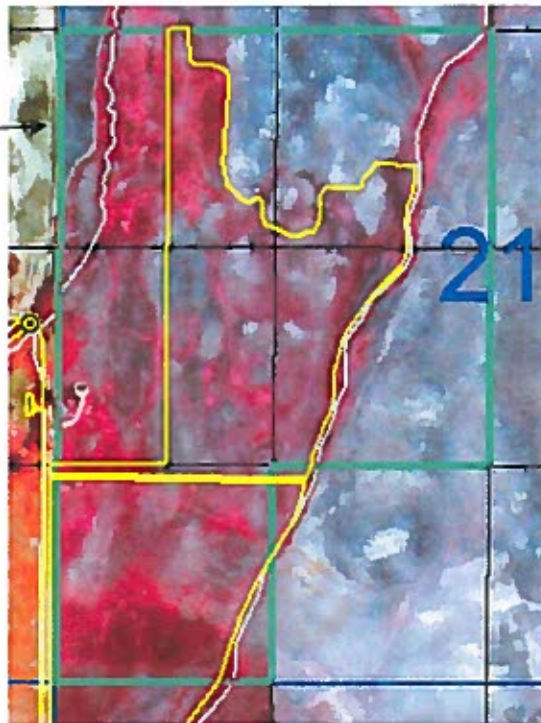
37-721

Decreed POU
for 37-721
(green line)



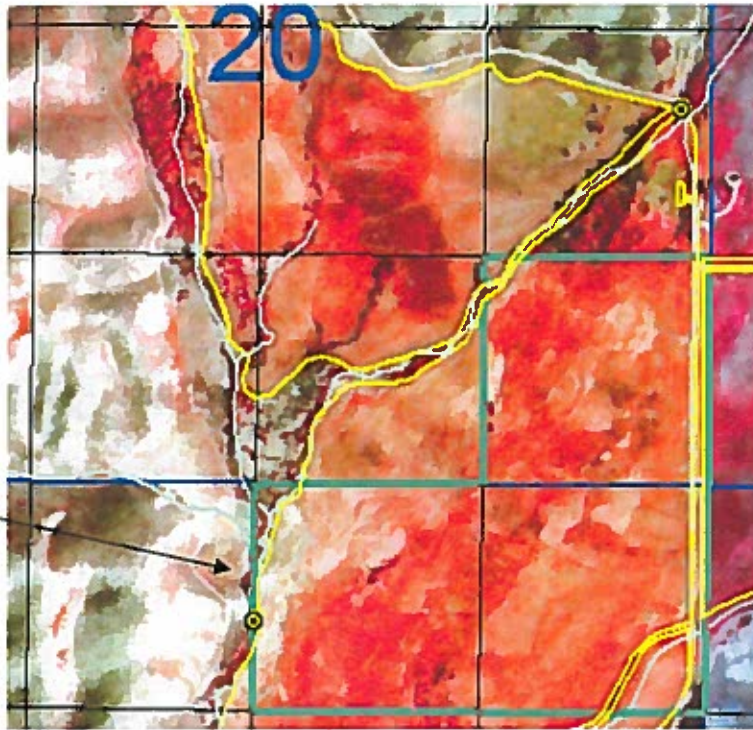
37-727

Decreed POU
for 37-727
(green line)



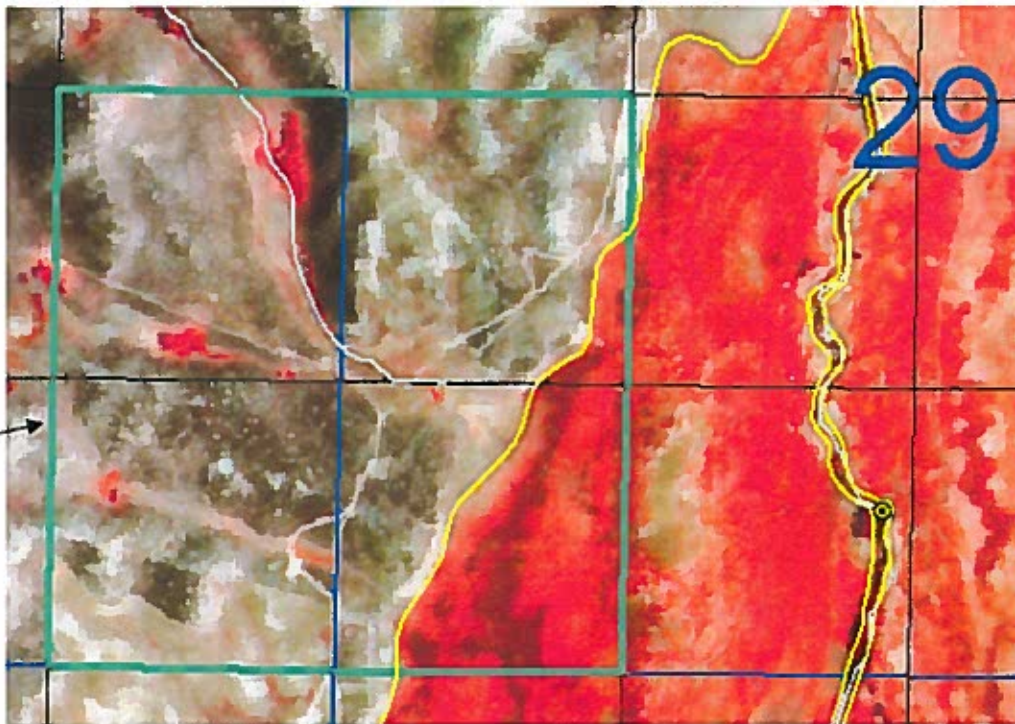
37-728

Decreed POU
for 37-728
(green line)



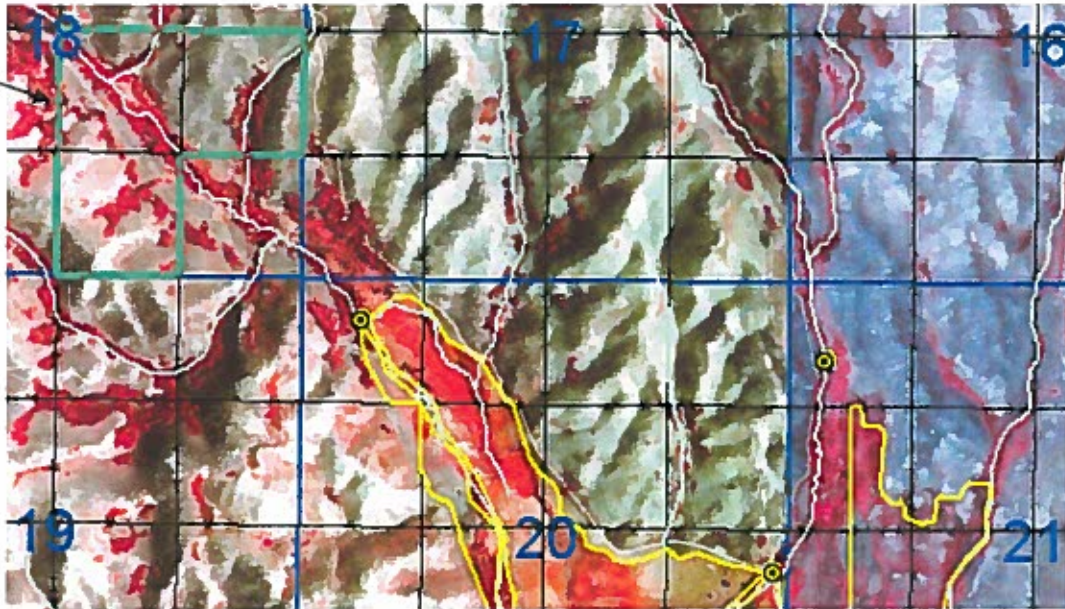
37-730

Decreed POU
for 37-730
(green line)



37-2139

Licensed POU
for 37-2139
(green line)



Notes

T1N R13E Section 32

- Found 46 acres for Irrigation for Cristobal claims (primarily the "B" splits)
- Found 843 acres for Irrigation Van Horn claims (primarily the "A" splits)
- Decree analysis:
 - All the decreed rights are from the Frost vs. Alturas (1909) and E.W. Moore and Thurston Hutchins, as firm of Moore and Hutchins vs. James Mc Gowan, et al., (1897). People with the same water right decreed in both cases have the right to take that water under either decree, but they cannot double-dip and take the same water from both decrees. Pages 30-31 of the Frost decree state:

"It is Further Ordered, Adjudged and Decreed that the respective parties, plaintiffs and defendants, in the various actions named in the Findings herein, to-wit:...E.W. Moore and Thurston Hutchins, as firm of Moore and Hutchins vs. James Mc Gowan, et al.,...they and their successors in interest, be and they are hereby awarded the right to the use of the waters of the Big Wood River and its tributaries, and the various dry streams named in said decrees, to the extent that they are respectively awarded such use in the various actions and decrees to which they are parties, respectively; but that this right shall not be construed to be a double appropriation of the waters of said streams, and wherein the said parties are reawarded such amounts in this decree, they and their successors in interest, respectively, shall be entitled to the use of only one of such rights, to-wit: either the right named in said decree, or the right otherwise awarded in this decree."

- 37-13269
- **Claims 37-136 and 37-721**
 - In Moore & Hutchins vs. Gowan, Thomas Carter, Jonas Carter, and Wilson Carter, each were decreed a water right with a unique POU.
 - Only Thomas Carter was decree a water right in Frost vs. Alturas, the POU was the combined POUs of Jonas Carter and Wilson Carter and the water was the same amounts and priority dates for as decreed Thomas Carter, Jonas Carter, and Wilson Carter in Moore & Hutchins vs. Gowan.
 - The POU for Thomas Carter in the Moore & Hutchins vs. Gowan was decreed as 37-35 in Frost vs. Alturas.
 - **Summary:** is appears that the water rights decreed to Thomas Carter, Jonas Carter, and Wilson Carter in Moore & Hutchins vs. Gowan were re-awarded to Thomas Carter in Frost vs. Alturas. Thus, the claimant can claim either 37-136 or 37-721, but not both.

- 37-13268
- **Claims 37-300, 37-301A, & 37-727**
 - 37-727 decreed in Moore & Hutchins vs. Gowan
 - 37-300 & 37-301A decreed in Frost vs. Alturas
 - All The decreed POU of all three rights included the SWSW Section 21. Does this mean that the water the claimant can claim either the water in Frost vs. Alturas or Moore & Hutchins vs. Gowan, but not both?
 - **Summary:** it is unclear that the water decreed in Frost vs. Alturas was the same water as decreed in Moore & Hutchins vs. Gowan because the sources are different and the priority dates are not the same.

- **Claim 37-728**
 - Water decreed in Moore & Hutchins vs. Gowan, no water decreed to POU in Frost vs. Alturas.

- 37-13261
- **Claim 37-34B & 730**
 - 37-730 decreed in Moore & Hutchins vs. Gowan with a priority date of 8/10/1885
 - 37-34B decreed in Frost vs. Alturas with priority date of 6/1/1882. The POU for 37-34B includes the portion of 37-730 that was historically irrigated.
 - **Summary:** is appears that water right 37-730 decreed Moore & Hutchins vs. Gowan was re-awarded as 37-34 in Frost vs. Alturas. Thus, the claimant can claim either 37-34B or 37-730, but not both.

➤ **Split analysis:**

- Water appears to have been historically used as a PPU. Accordingly, claims were proportionally split in 1998 when a portion of the POU sold to Cristobal. The proportional split was based on the claimed acreage of 980 acres in the original claims. The portion sold was 47 acres of the 980 acres claimed, so the claims were split into 4.8% and 95.2%.
- The SRBA review determined that the split resulted in two PPUs, Van Horn's is 843 acres and Cristobal's is 46 acres. The proportional split used to split the claims should have been slightly different (5.2% to 94.8%), but it was very close to the newly calculated proportion and neither claimant has contested the split, so the proportional split of 4.8% and 95.2% is being used to allocate the diversion rate and acreage for each right. The POUs will the 46-acre and 843-acre PPUs determined in the SRBA review.
- Water right 37-2139 is not listed on deed as being purchased. Also, the sources for 37-2139 are Garden Spring and West Fork Corral Creek, neither of which are directly

accessible to the land owned by Cristobal. However, the water was used in the PPU, so it was included in the split.

- 37-35
 - No claimed land in decreed POU. Using 1987 aerial photo, estimated 50 acres within decreed POU were historically irrigated.
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-35A: 0.95 cfs for Irrigation of 47.6 acres within 843 acre PPU
 - 37-35B: 0.05 cfs for Irrigation of 2.4 acres within 46 acre PPU
- 37-454
 - 150 acres within decreed POU were historically irrigated
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-454A: 0.76 cfs for Irrigation of 142.8 acres within 843 acre PPU
 - 37-454B: 0.04 cfs for Irrigation of 7.2 acres within 46 acre PPU
- 37-463
 - 104 acres within decreed POU were historically irrigated
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-463A: 1.10 cfs for Irrigation of 47.0 acres within 233 acre PPU
 - 37-463C: 1.33 cfs for Irrigation of 54.3 acres within 843 acre PPU
 - 37-463D: 0.07 cfs for Irrigation of 2.7 acres within 46 acre PPU
- 37-728
 - 113 acres within decreed POU were historically irrigated
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-728A: 1.43 cfs for Irrigation of 107.6 acres within 843 acre PPU
 - 37-728B: 0.07 cfs for Irrigation of 5.4 acres within 46 acre PPU
- 37-730
 - 26 acres within decreed POU were historically irrigated 0.20 cfs
 - Recommendations:
 - 37-730A: disallowed 0.19 cfs
 - 37-730B: disallowed 0.01 cfs
- 37-2139
 - 27 acres within licensed POU were historically irrigated
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-2139A: 0.51 cfs for Irrigation of 25.7 acres within 843 acre PPU
 - 37-2139B: 0.03 cfs for Irrigation of 1.3 acres within 46 acre PPU
- 37-13261
 - 628 acres within decreed POU were historically irrigated
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-13261A: 5.14 cfs for Irrigation of 597.9 acres within 843 acre PPU
 - 37-13261B: 0.26 cfs for Irrigation of 30.1 acres within 46 acre PPU

Remain
Disallowed
Rec'd as
37-34 in Comb.
w/ 37-13261
↓
= combined Rights
-34A
-34B
-128
-493

o 37-13267

- 320 acres within decreed POU were historically irrigated
- Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-13267A: 1.62 cfs for Irrigation of 304.6 acres within 843 acre PPU
 - 37-13267B: 0.08 cfs for Irrigation of 15.4 acres within 46 acre PPU

combined WR's

37-134
37-455

o 37-13268

- 271 acres within decreed POU were historically irrigated
- Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-727A: 0.16 cfs for Irrigation of 30 acres
 - 37-13268A: 1.28 cfs for Irrigation of 258.0 acres within 843 acre PPU
 - 37-13268B: 0.06 cfs for Irrigation of 13.0 acres within 46 acre PPU

combined WR's

37-135
37-300
37-727

o 37-13269

- 170 acres within decreed POU were historically irrigated
- Recommendations:
 - Assuming accomplished transfer for POU and POD
 - Claim 37-721 disallowed (see decree analysis above)
 - 37-13269A: 0.67 cfs for Irrigation of 161.8 acres within 843 acre PPU
 - 37-13269B: 0.03 cfs for Irrigation of 8.2 acres within 46 acre PPU

was COMBOD 37-1326
-13269

-721
136
they are the
same right
allows 37-136

o 37-13270

- Pending Permits
- Recommendations:
 - 37-2736A: Condition A01
 - 37-13270A: Condition A01
 - 37-13270B: Condition A01

Permit: 5/26/1966

Combined Rights:

* Permit VOIDED → - 37-2735

o 37-13271

- 50 acres within decreed POU for 37-301A were historically irrigated.
- No claimed land in decreed POU for 37-301B. Based on Transfer No. 73, the POU is 15 acres for 37-301B. Using 1987 aerial photo, confirmed that the POU was roughly 15 acres.
- Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-13271A: 0.76 cfs for Irrigation of 61.9 acres within 843 acre PPU
 - 37-13271B: 0.04 cfs for Irrigation of 3.1 acres within 46 acre PPU

Combined Rights:

37-301A
37-301B

➤ Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

RECEIVED
MAY 17 2007
DEPARTMENT OF
WATER RESOURCES

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

A. Subcase 37-35A
(Insert water right number)

STANDARD FORM 1

OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: **Danny Van Horn and Valerie Van Horn**

Address: **P.O. Box 345
Fairfield, ID 83327-0345**

Daytime Phone: **(208) 764-2139**

Name & Address of Attorney, if any:

**J. Evan Robertson
Robertson & Slette, PLLC
P.O. Box 1906
Twin Falls, ID 83303
(208) 933-0700**

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: **Danny Van Horn and Valerie Van Horn**

Address: **P.O. Box 345
Fairfield, ID 83327-0345**

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address:**
Should be:
2. ☐ **Source:**
Should be:
3. ☐ **Quantity:**
Should be:
4. ☐ **Priority Date:**
Should be:
5. ☐ **Point(s) of Diversion:**
Should be:
6. ☐ **Instream Flow Description:**
Should be:
7. ☐ **Purpose(s) of Use:**
Should be:
8. ☐ **Period of Use:**
Should be:
9. ☒ **Place of Use:**
Should be: Combined total irrigated acreage of 933
10. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

Recommendation approves combined irrigated acreage of 843 acres. Claimant asserts that the correct combined acreage is 933, as described in the claim. No justification for the recommended acreage reduction exists.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Twin Falls)

J. EVAN ROBERTSON, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

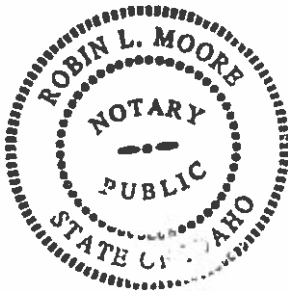
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6), or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

May 16, 2007



NOTARY PUBLIC FOR IDAHO

Residing at: _____

My commission expires: 12-29-12

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all of the parties listed below in the Certificate of Mailing.

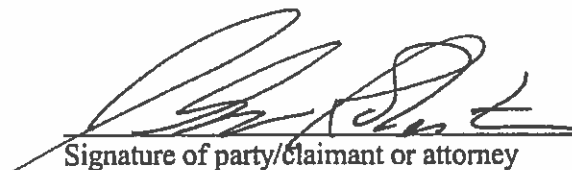
CERTIFICATE OF MAILING

I hereby certify that on May 16, 200~~8~~⁷, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One copy to the claimant of the water right at the following address:
Name: **Danny Van Horn and Valerie Van Horn**
Address: **P.O. Box 345**
Fairfield, ID 83327-0345
3. Copies to:
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of party/claimant or attorney
mailing on Objector's behalf



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

a
RECEIVED

JAN 18 2007

DEPARTMENT OF
WATER RESOURCES

January 16, 2007

Matthew Anderson
GIS Specialist - IDWR
322 East Front Street
PO Box 83720
Boise, Idaho 83720-0098

Dear Matthew,

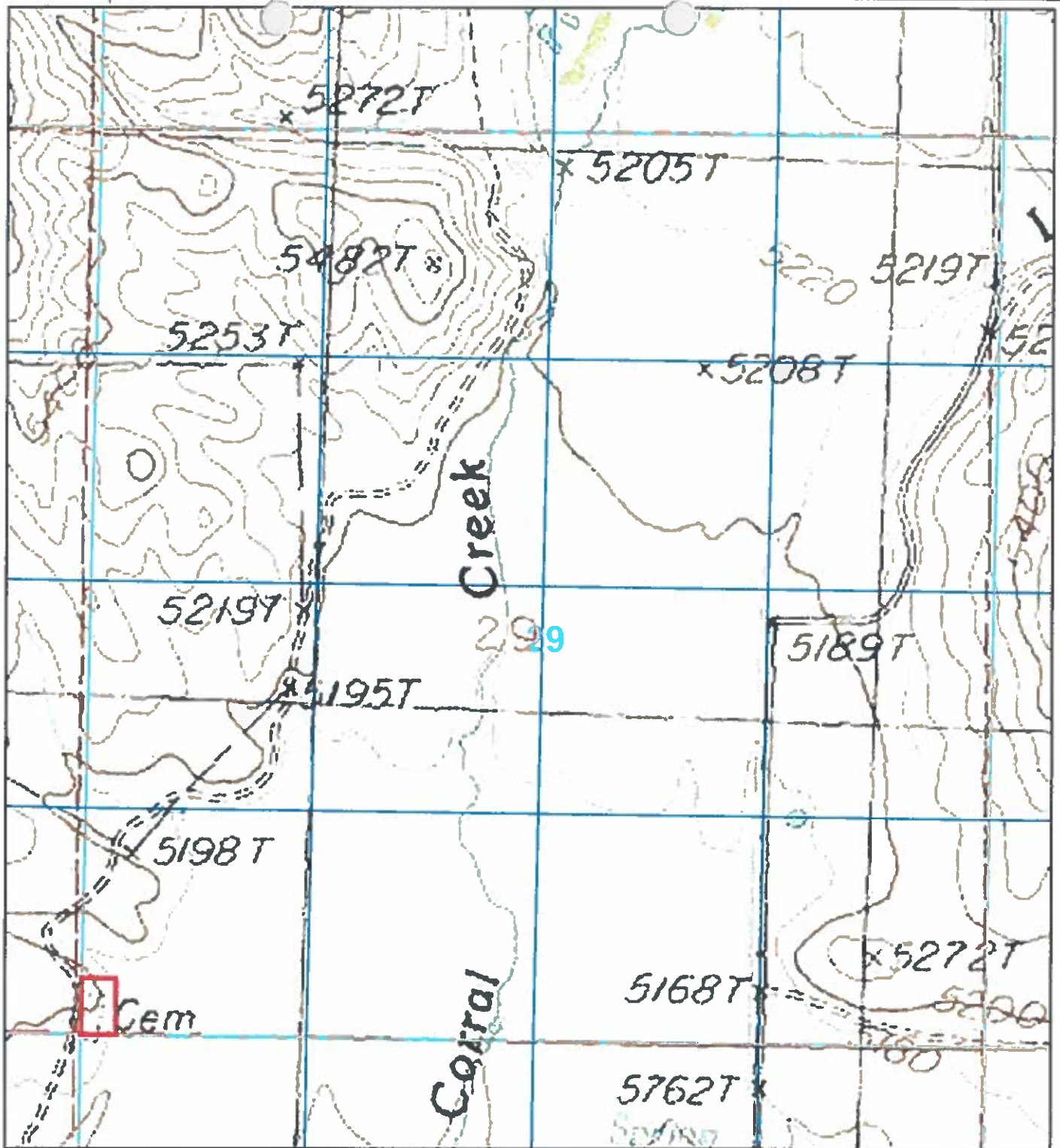
I have received notice from Danny & Valerie Van Horn that a small portion of the land that they purchased was not suppose to be included in the description of the sale. This parcel of land is owned by Corral Cemetery District and has been excluded from this ranches land description for the last two owners of the ranch. Upon the latest land split and sale this exclusion was overlooked. This parcel of land is located in T.1N., R.13E., Section 29 SWSW. I have included a map showing an outline of the area of exclusion as well as a legal description provided to me by Camas County assessor office. This parcel of land needs to be excluded for all of Danny's water rights that are listed in this 40 acre tract as a P.O.U. Those water rights are; 37-454A, 37-13268A, 37-13271A, 37-13267A, 37-13261A, 37-728A, 37-35A, 37-2139A, 37-463C, 730A, 37-13270A, & 37-13269A. I do not have the latest Recommended water right shapes for these water rights to see if they include this area or not but the claims shapes for these water rights include the entire quarter in concern. Please let me know if you need any other information.

Sincerely,

Amy Runser
Brockway Engineering, PLLC.
(208) 736-8543

cc: Danny & Valerie Van Horn

Scanned 1/22/2007



0 200 400 800 1,200 Feet

VAN HORN, DANNY AKA NEW HOPE ROAD LLC
T.01N., R.13E. SEC 29 SWSWSW
PARCEL EXCLUSION ERROR NOTICE

Legend
 Cemetary Parcel
 T01N13E
 Sections



THE GRANTOR, THE FEDERAL LAND BANK OF SPOKANE, A corporation,
for and in consideration of One hundred sixty thousand dollars
(\$160,000.00), and other valuable consideration in hand paid,
conveys and warrants to JON MELLEN and LANA MELLEN, husband and
wife, the following described real estate, situated in the
County of Camas, State of Idaho:

Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho.

Section 17: SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Section 18: SE $\frac{1}{4}$

Section 19: W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$.

Section 20: E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ EXCEPT the
following described tract of land:

Beginning at the Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said
Section 20; thence,

Running North along the Section line between Section 20 and
21, 930 feet to a point where Corral Creek intersects said Section
line; thence,

In a Southwesterly direction down the center of the channel
of said Corral Creek to a point where said creek intersects the
quarter section line between the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said
Section 20; thence,

East along said line 530 feet to the place of beginning;
AND EXCEPT a parcel of land situated in the NW $\frac{1}{4}$ of Section 20,
described as follows:

Beginning at a point on the North line of and 3395.2 feet
West from the Northeast corner of said Section 20; thence,

S 0° 16' W, a distance of 533.4 feet; thence,

S 49° 26' E, a distance of 351.6 feet; thence,

N 77° 33' E, a distance of 482.4 feet; thence

N 01° 33' E, a distance of 655.7 feet; thence

N 89° 44' W, a distance of 755.2 feet; to the point

of beginning.

Section 29: SW $\frac{1}{4}$ NW $\frac{1}{4}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ EXCEPT the following described
tract of land;

Beginning at the Southwest corner of W $\frac{1}{2}$ SW $\frac{1}{4}$ of said
Section 29; thence,

Running North 20 rods, to a point; thence,

East 12 rods to a point; thence,

South 20 rods to a point; thence,

West 12 rods to the place of beginning.

Section 30: Lots 2, 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$.

Section 31: NE $\frac{1}{4}$

Section 32: W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ EXCEPT the following
described tract of land:

Beginning at a point 25 feet West of the Southeast corner
of the SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence,

North and parallel with the East boundary line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 32, 308 feet to a point; thence,

West and parallel with the South boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
550 feet to a point; thence,

South and parallel with the East boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$,
308 feet to a point; thence,

East along the South boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, 550 feet to
the point of beginning.

08/24/2006

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

RIGHT NUMBER: 37-35A
NAME AND ADDRESS: DANNY VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

SOURCE: CORRAL CREEK TRIBUTARY: CAMAS CREEK
EAST FORK CORRAL CREEK TRIBUTARY: CORRAL CREEK
WEST FORK CORRAL CREEK TRIBUTARY: CORRAL CREEK

QUANTITY: 0.950 CFS
PRIORITY DATE: 06/01/1887

POINT OF DIVERSION:

T01N R13E S20 NWNWNW Within CAMAS County
T01N R13E S20 NENESE Within CAMAS County
T01N R13E S21 SWNWNW Within CAMAS County
T01N R13E S29 SWNWNE Within CAMAS County
T01N R13E S29 NESESW Within CAMAS County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.950 CFS

PLACE OF USE:

IRRIGATION Within CAMAS County

T01N R13E S20	SWNE	2.60	T01N R13E S20	NENW	12.00
T01N R13E S20	NWNW	12.00	T01N R13E S20	SENW	30.00
T01N R13E S20	NESW	17.00	T01N R13E S20	SESW	3.30
T01N R13E S20	NESE	26.00	T01N R13E S20	NWSE	34.00
T01N R13E S20	SWSE	33.00	T01N R13E S20	SESE	38.00
T01N R13E S21	SWNW	11.00	T01N R13E S21	SENW	6.10
T01N R13E S21	NESW	14.00	T01N R13E S21	NWSW	20.00
T01N R13E S21	SWSW	36.00	T01N R13E S21	SESW	1.50
T01N R13E S28	NWNW	11.00	T01N R13E S29	NENE	37.00
T01N R13E S29	NWNE	38.00	T01N R13E S29	SWNE	40.00
T01N R13E S29	SENE	19.00	T01N R13E S29	NENW	0.70
T01N R13E S29	SENW	14.00	T01N R13E S29	NESW	38.00
T01N R13E S29	NWSW	2.90	T01N R13E S29	SWSW	23.00
T01N R13E S29	SESW	38.00	T01N R13E S29	NESE	20.00
T01N R13E S29	NWSE	40.00	T01N R13E S29	SWSE	40.00
T01N R13E S29	SESE	9.30	T01N R13E S31	NENE	2.50
T01N R13E S31	SENE	7.10	T01N R13E S32	NWNE	35.00
T01N R13E S32	NENW	38.00	T01N R13E S32	NWNW	37.00
T01N R13E S32	SWNW	38.00	T01N R13E S32	SENW	18.00

843 ACRES TOTAL

08/24/2006

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

This right is limited to the irrigation of 47.6 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 843 acres in a single irrigation season. Combined Right Nos.: 37-35A, 37-454A, 37-463C, 37-728A, 37-2139A, 37-13261A, 37-13267A, 37-13268A, 37-13269A, and 37-13271A.

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 place of use pursuant to Section 42-1425, Idaho Code.

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

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.



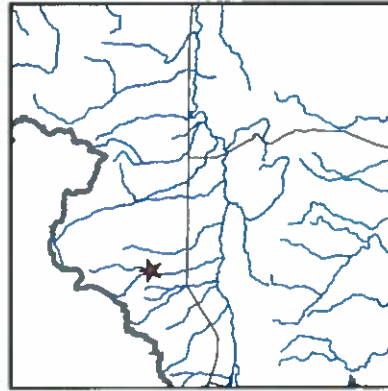
Idaho Department of Water Resources

SRBA Recommendation:

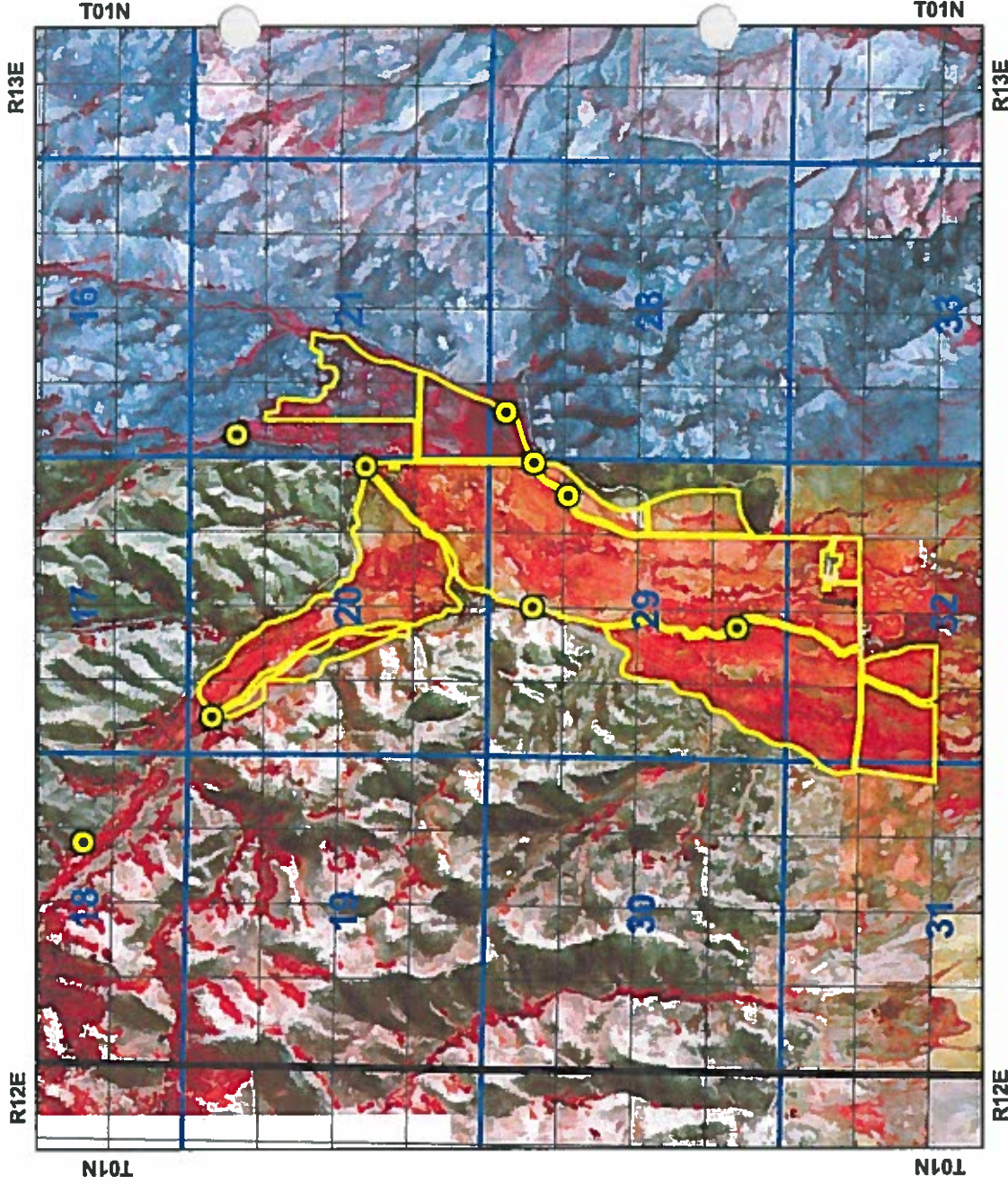
37-35A
37-454A
37-463C
37-728A
37-2139A

Legend

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



Camas County
IDWR Basin 37



0 0.25 0.5 Miles



Prepared by M. Anders
On Friday, August 25, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-35A, 37-454A, 37-463C, 37-728A, 37-730A, 37-2139A, 37-13261A, 37-13267A, 37-13268A, 37-13269A, 37-13270A, 37-13271A

Background Data

37-35A

- Source is Corral Creek tributary to Camas Creek
- 37-35 originally decreed for 1.0 cfs on 4 QQ
- SRBA claims:
 - 37-35A claimed 0.95 cfs on 933 acres
 - 37-35B claimed 0.05 cfs on 47 acres

37-454A

- Source is Corral Creek tributary to Camas Creek
- 37-454 originally decreed for 0.8 cfs on 4 QQ
- SRBA claims:
 - 37-454A claimed 0.76 cfs on 933 acres
 - 37-454B claimed 0.04 cfs on 47 acres

37-463C

- Source is Corral Creek tributary to Camas Creek
- 37-463 originally decreed for 2.5 cfs on 4 QQ
- SRBA claims:
 - 37-463A claimed 1.10 cfs on 241 acres
 - 37-463C claimed 1.33 cfs on 933 acres
 - 37-463D claimed 0.07 cfs on 47 acres

37-728A

- Source is Corral Creek tributary to Camas Creek
- 37-728 originally decreed for 1.50 cfs on 3 QQ
- SRBA claims:
 - 37-728A claimed 1.43 cfs on 933 acres
 - 37-728B claimed 0.07 cfs on 47 acres

37-730A

- Source is Corral Creek tributary to Camas Creek
- 37-730 originally decreed for 0.20 cfs on 4 QQ
- SRBA claims:
 - 37-730A claimed 0.19 cfs on 933 acres
 - 37-730B claimed 0.01 cfs on 47 acres

37-2139A

- Source is West Fork Corral Creek tributary to Corral Creek and Garden Spring tributary to West Fork Corral Creek
- 37-2139 originally licensed for 0.54 cfs from West Fork Corral Creek and Garden Spring for Domestic and Irrigation of 27 acres
- SRBA claims:
 - 37-2139A claimed 0.51 cfs on 933 acres
 - 37-2139B claimed 0.03 cfs on 47 acres

37-13261A

- Source is Corral Creek tributary to Camas Creek
- 37-34A decreed for 0.60 cfs on 7 QQ
- 37-34B decreed for 1.20 cfs on 8 QQ
- 37-128 originally decreed for 2.0 cfs on 4 QQ
- 37-493 originally decreed for 1.6 cfs on 4 QQ
- SRBA claims: (combined claims against 37-34A, 37-34B, 37-128, & 37-493)
 - 37-13261A claimed 5.14 cfs on 933 acres
 - 37-13261B claimed 0.26 cfs on 47 acres

37-13267A

- Source is Corral Creek tributary to Camas Creek
- 37-134 originally decreed for 0.5 cfs on 8 QQ
- 37-455 originally decreed for 1.2 cfs on 4 QQ
- SRBA claims: (combined claims against 37-134 & 37-455)
 - 37-13267A claimed 1.62 cfs on 933 acres
 - 37-13267B claimed 0.08 cfs on 47 acres

37-13268A

- Source is Corral Creek tributary to Camas Creek
- 37-135 originally decreed for 0.5 cfs on 8 QQ
- 37-300 originally decreed for 0.2 cfs on 3 QQ
- 37-727 originally decreed for 0.8 cfs on 5 QQ
- SRBA claims: (combined claims against 37-135, 37-300, & 37-727)
 - 37-727A claimed 0.16 cfs for Irrigation of 40 acres
 - 37-13268A claimed 1.43 cfs on 933 acres
 - 37-13268B claimed 0.07 cfs on 47 acres

37-13269A

- Source is Corral Creek tributary to Camas Creek
- 37-136 originally decreed for 0.7 cfs on 8 QQ
- 37-721 originally decreed for 0.7 cfs on 4 QQ
- SRBA claims: (combined claims against 37-136 & 37-721)
 - 37-13269A claimed 1.33 cfs on 933 acres
 - 37-13269B claimed 0.07 cfs on 47 acres

37-13270A

- Pending Permits
- Source is Corral Creek tributary to Camas Creek
- 37-2735 permitted for 4.0 cfs and 37-2736 permitted for 8.0 cfs
- SRBA claims: (combined claims against permits 37-2735 and 37-2736)
 - 37-2736A claimed 2.72 cfs on 241 acres
 - 37-13270A claimed 8.83 cfs on 933 acres
 - 37-13270B claimed 0.45 cfs on 47 acres

37-13271A

- Source is Lansing Creek tributary to Camas Creek
- 37-301A decreed for 0.5 cfs on 3 QQ
- 37-301B decreed for 0.3 cfs on 1 QQ
- SRBA claims: (combined claims against 37-301A & 37-301B)
 - 37-13271A claimed 0.76 cfs on 933 acres
 - 37-13271B claimed 0.04 cfs on 47 acres

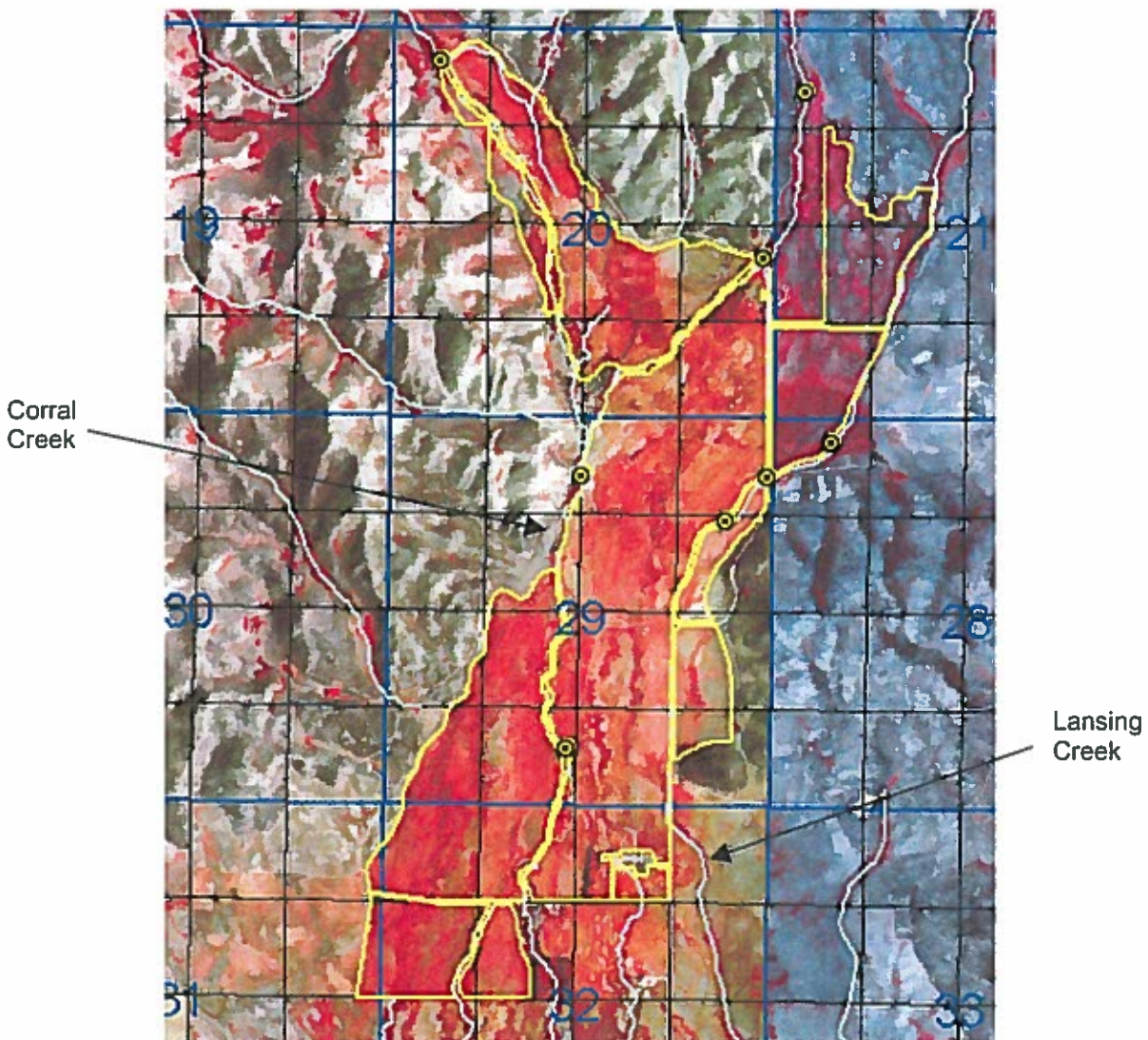
Place Of Use Data

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.

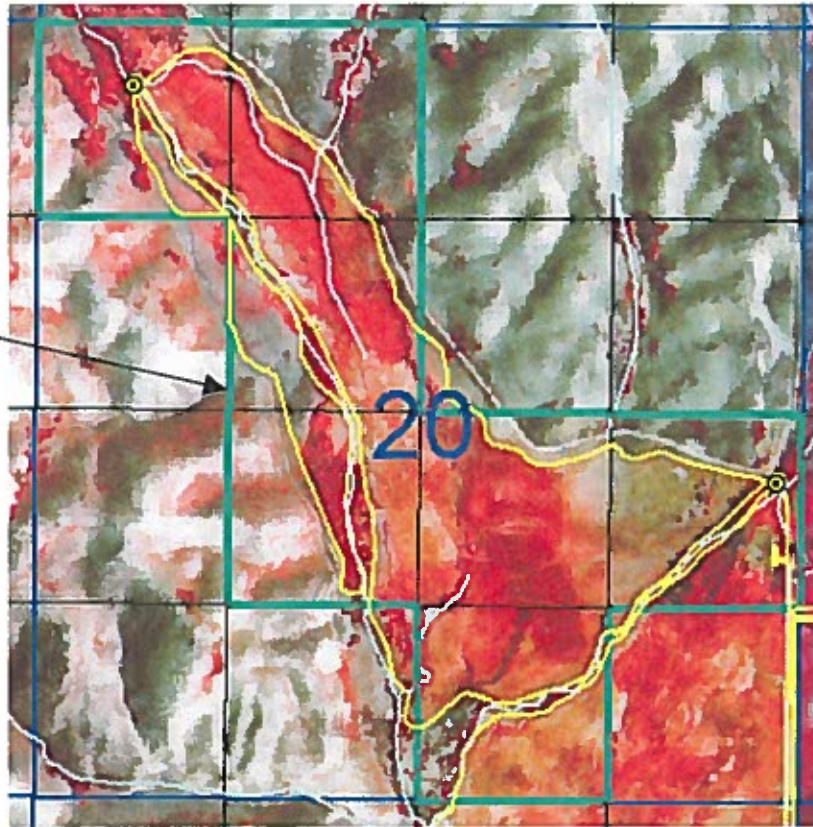
Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



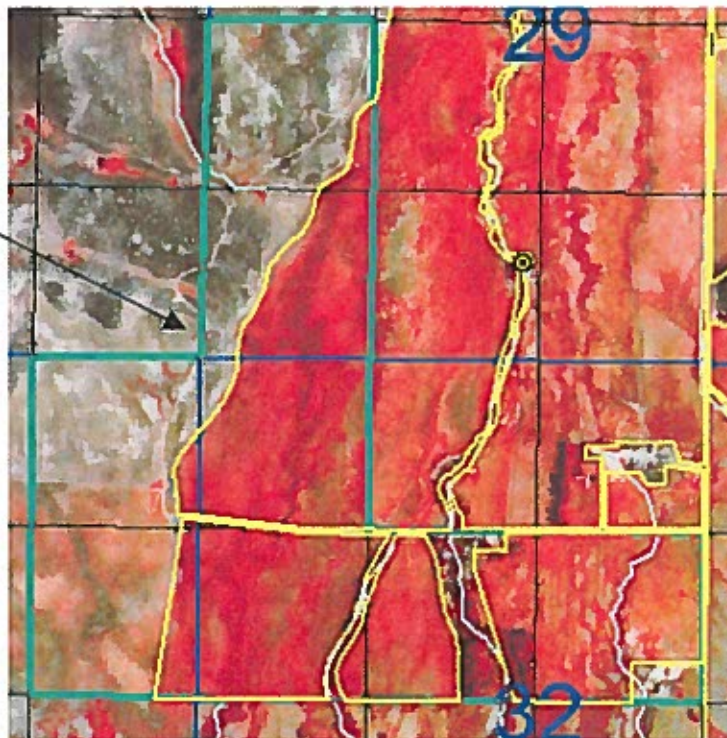
37-34A

Decreed POU
for 37-34A
(green line)

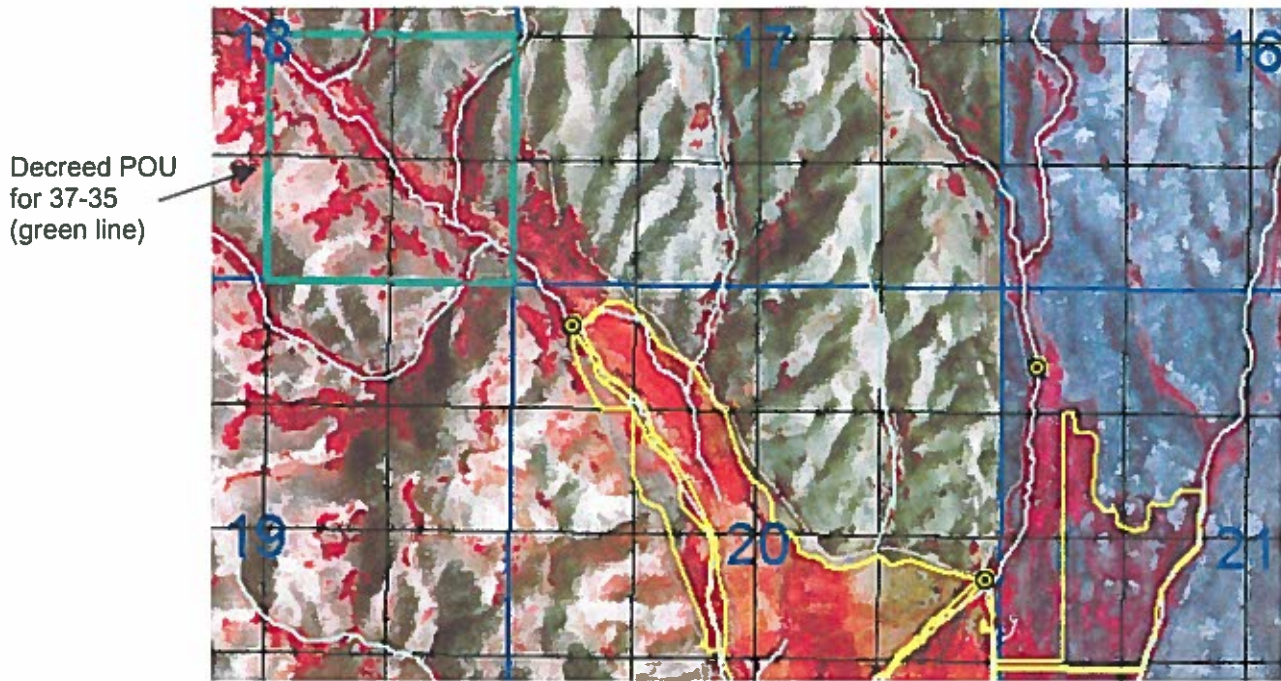


37-34B

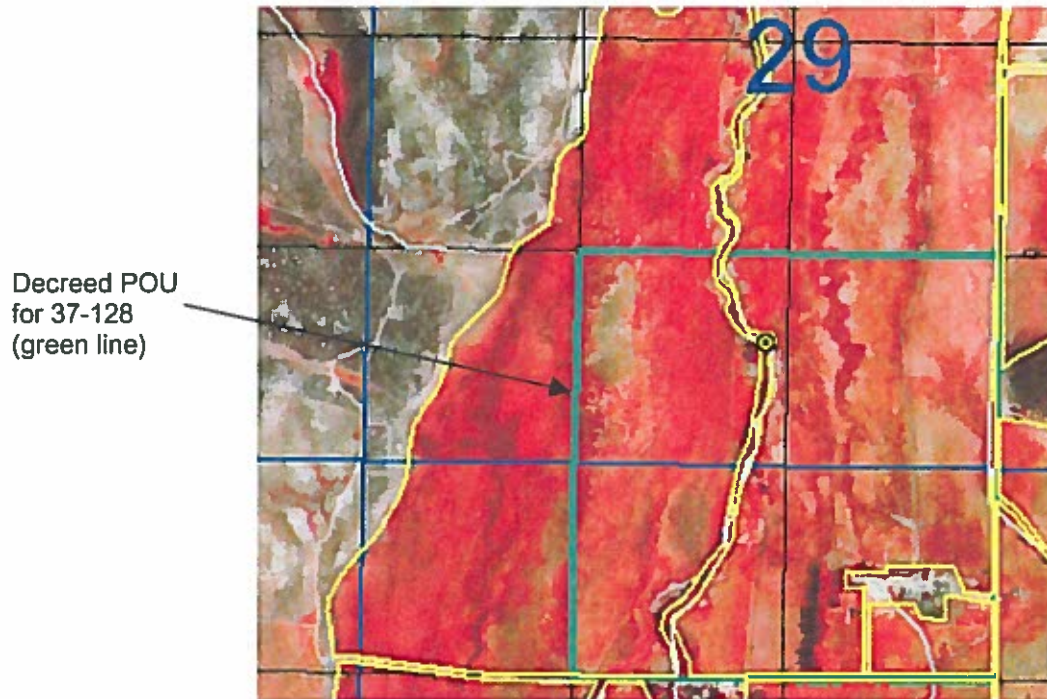
Decreed POU
for 37-34B
(green line)



37-35

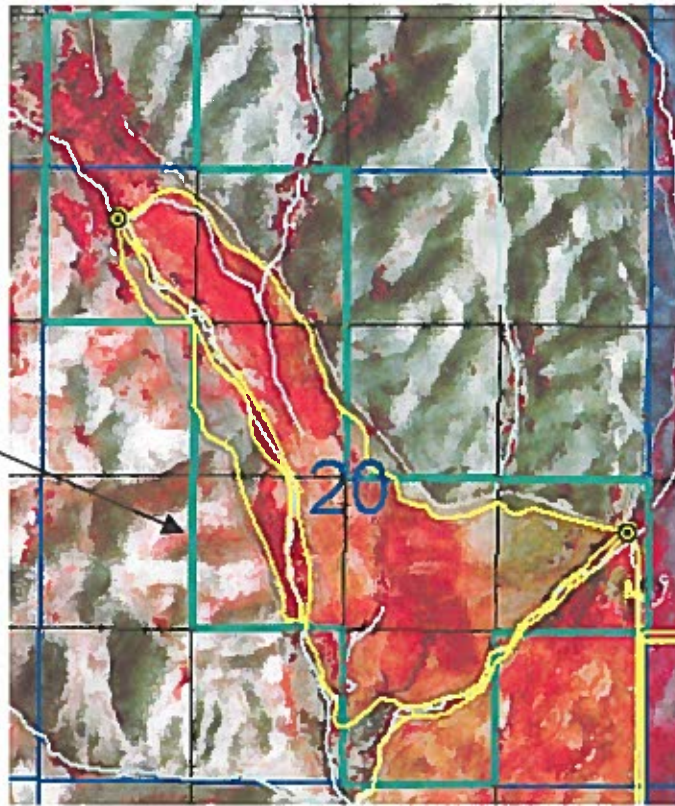


37-128



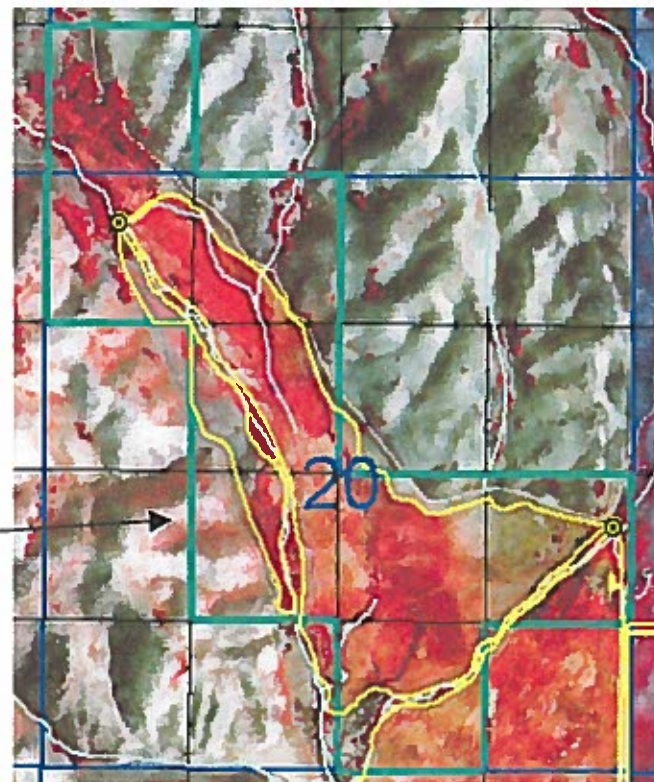
37-134

Decreed POU
for 37-134
(green line)



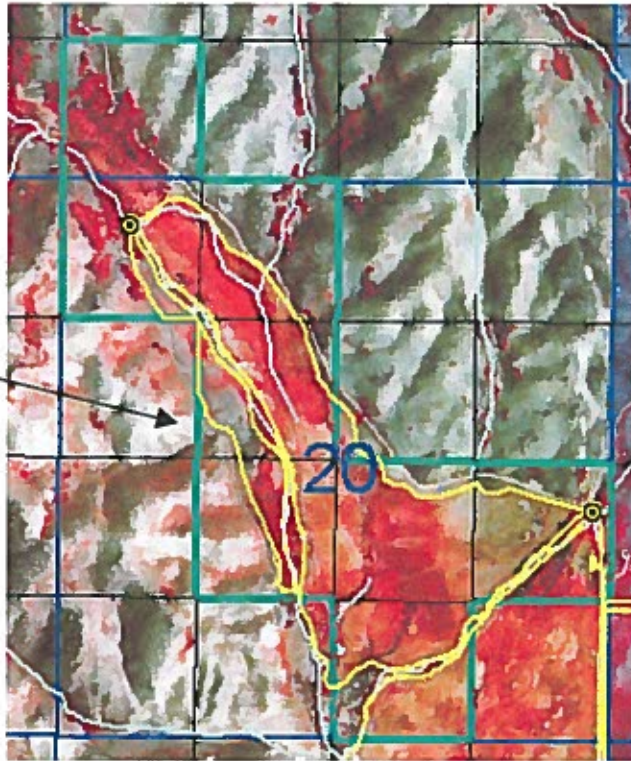
37-135

Decreed POU
for 37-135
(green line)



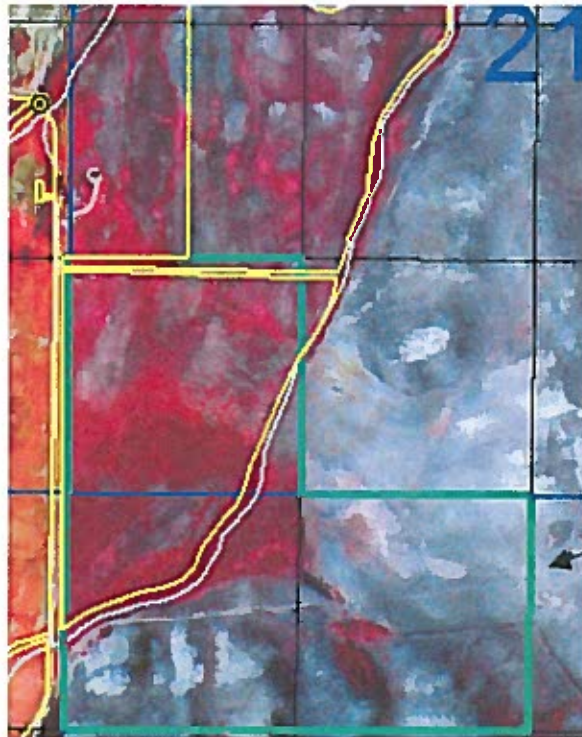
37-136

Decreed POU
for 37-136
(green line)

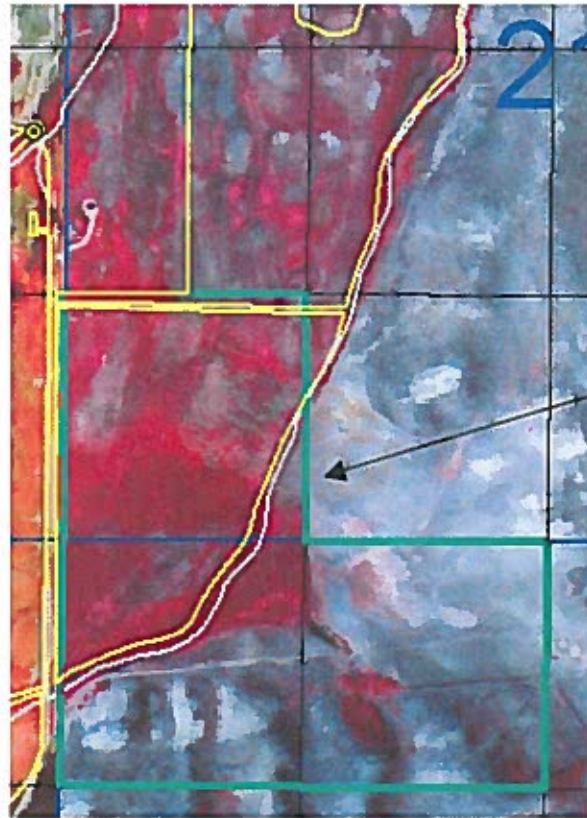


37-300

Decreed POU
for 37-300
(green line)

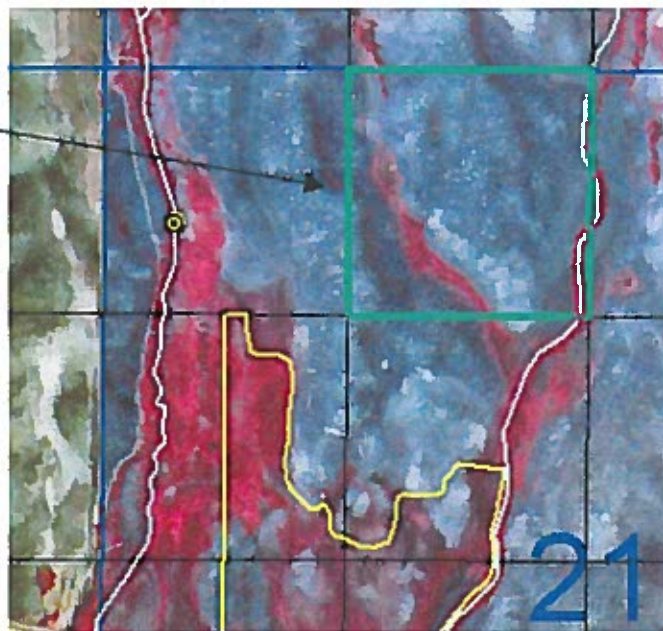


37-301A



Decreed POU
for 37-301A
(green line)

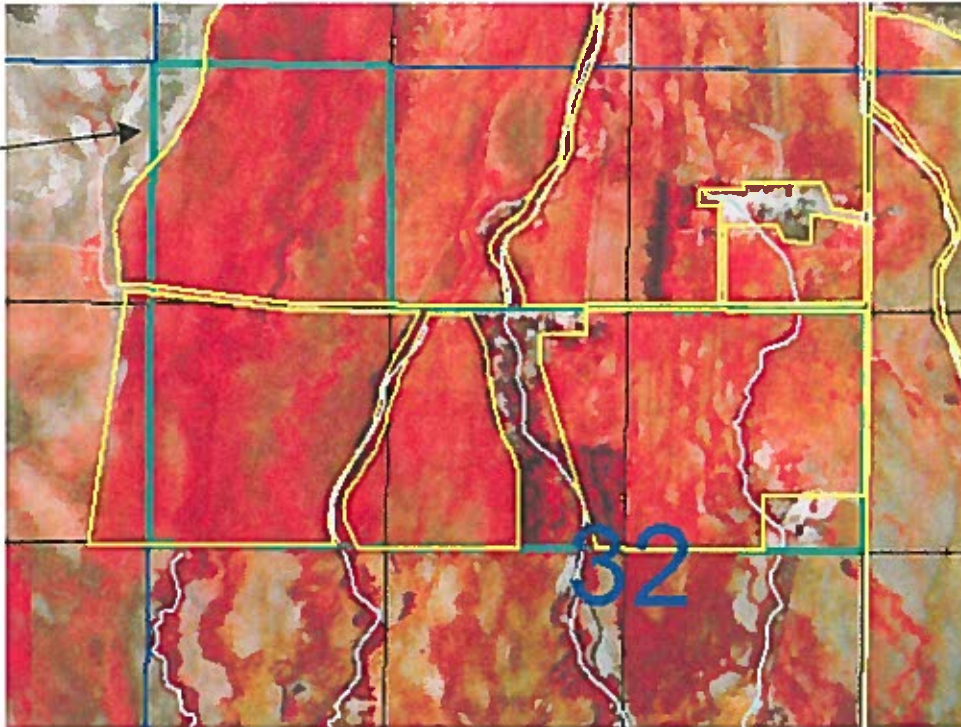
37-301B



Decreed POU
for 37-301B
(green line)

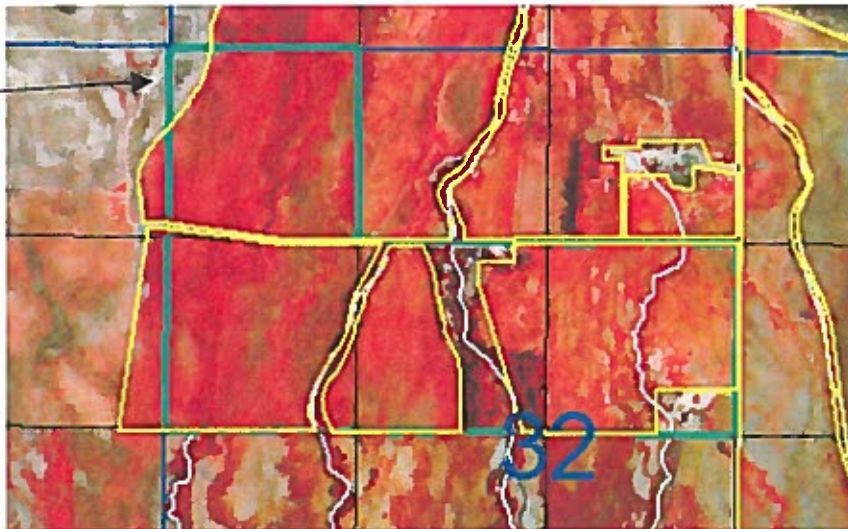
37-454

Decreed POU
for 37-454
(green line)

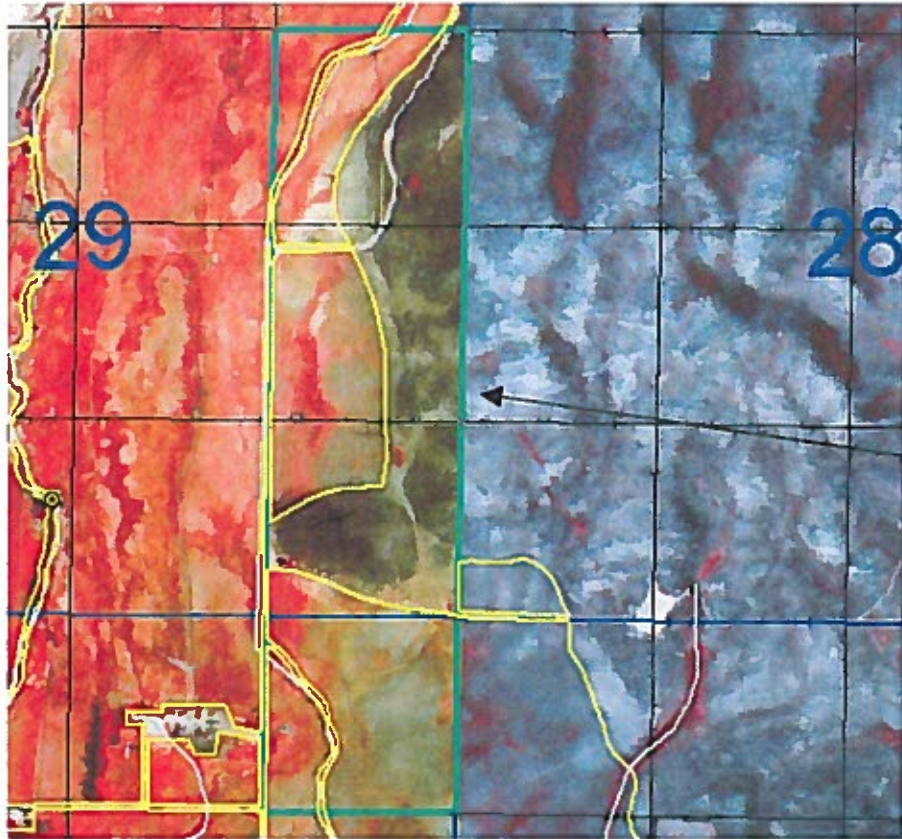


37-455

Decreed POU
for 37-455
(green line)



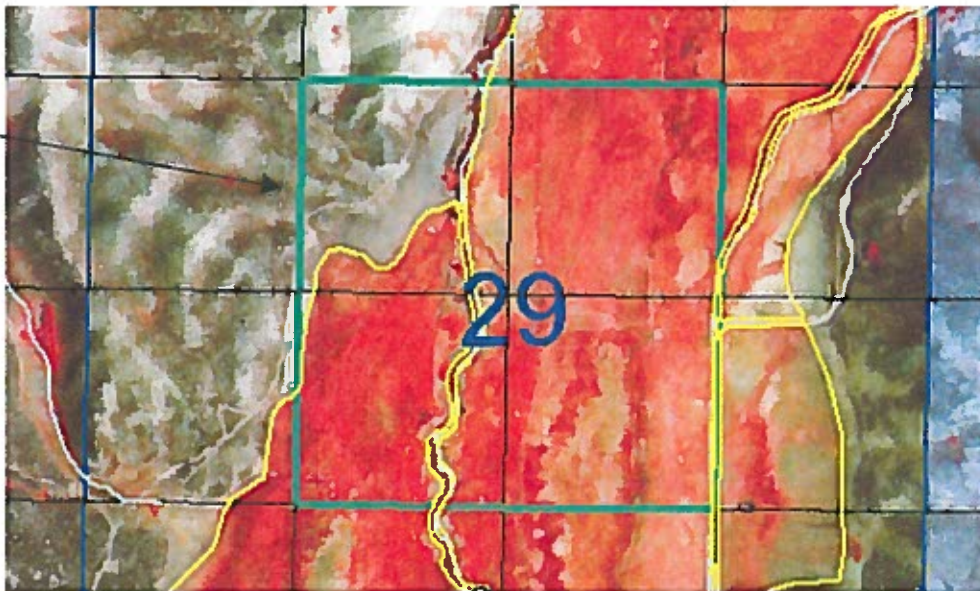
37-463



Decreed POU
for 37-463
(green line)

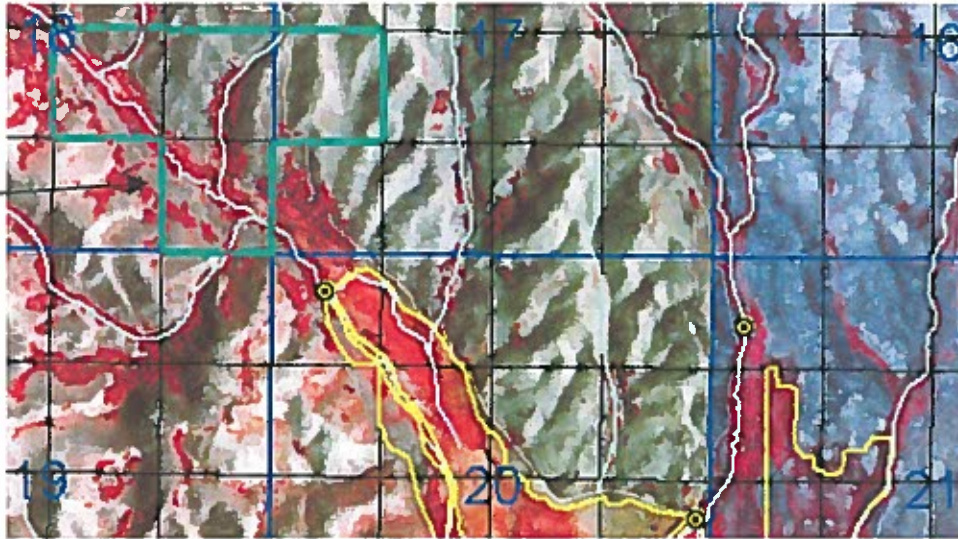
37-493

Decreed POU
for 37-493
(green line)



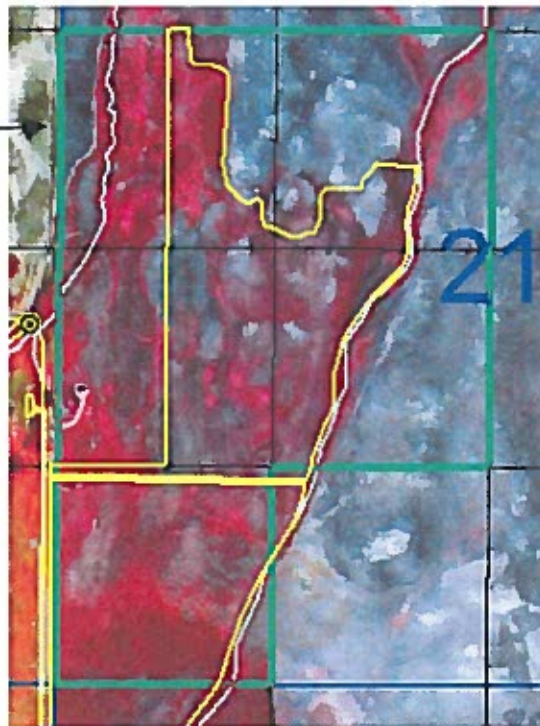
37-721

Decreed POU
for 37-721
(green line)



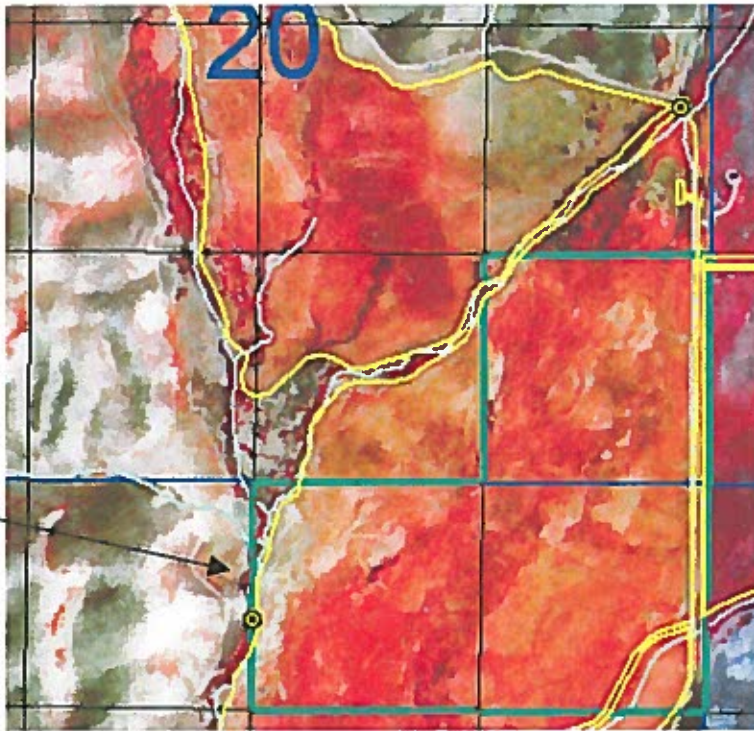
37-727

Decreed POU
for 37-727
(green line)



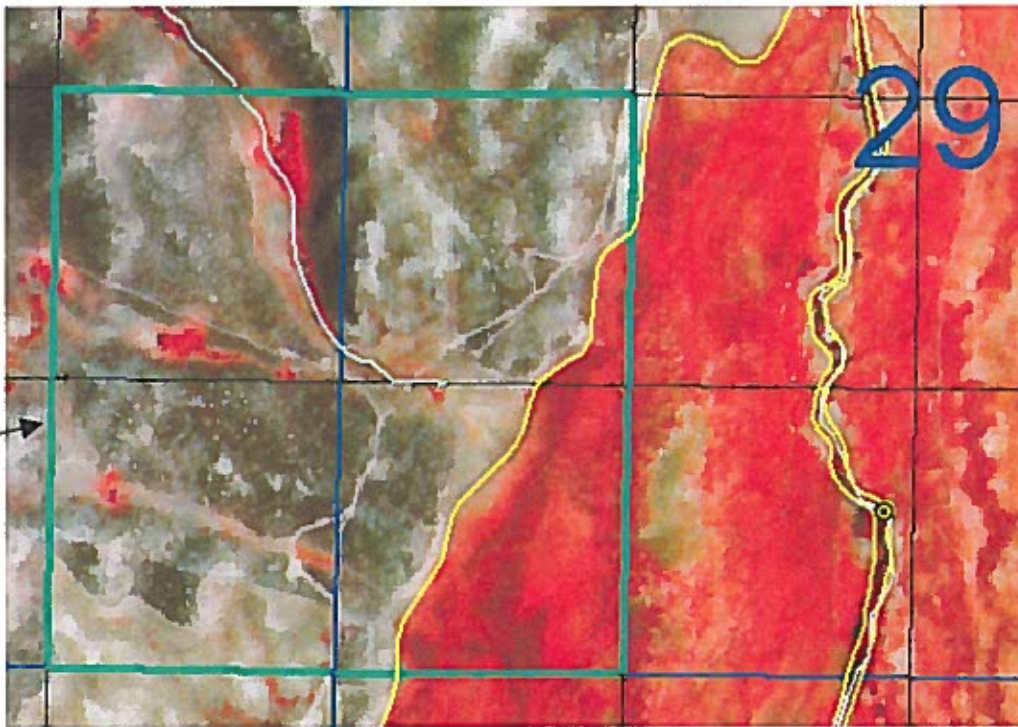
37-728

Decreed POU
for 37-728
(green line)



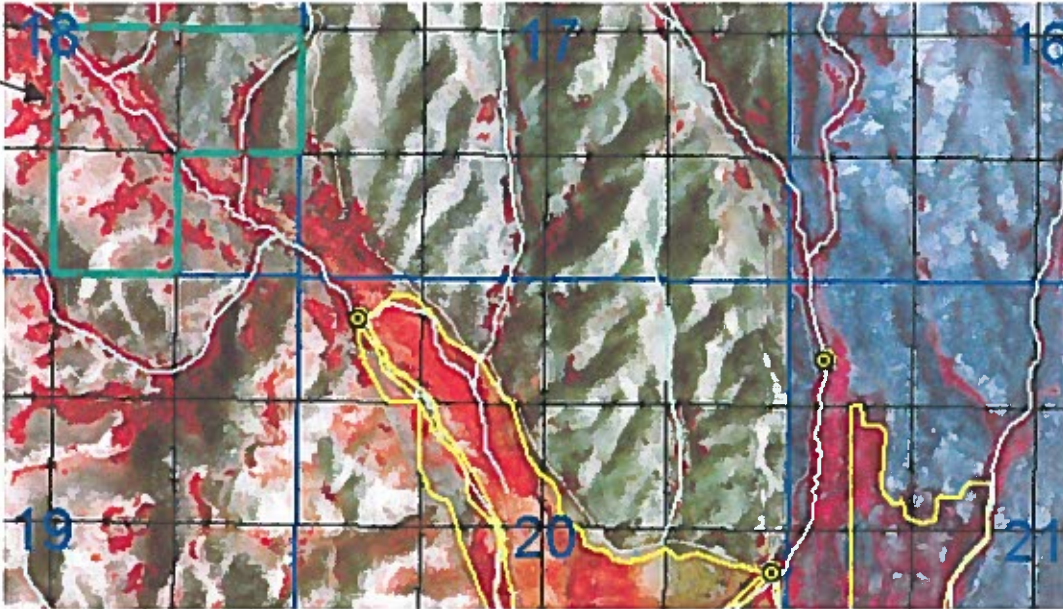
37-730

Decreed POU
for 37-730
(green line)



37-2139

Licensed POU
for 37-2139
(green line)



Notes

T1N R13E Section 32

- Found 46 acres for Irrigation for Cristobal claims (primarily the "B" splits)
- Found 843 acres for Irrigation Van Horn claims (primarily the "A" splits)
- Decree analysis:
 - All the decreed rights are from the Frost vs. Alturas (1909) and E.W. Moore and Thurston Hutchins, as firm of Moore and Hutchins vs. James Mc Gowan, et al., (1897). People with the same water right decreed in both cases have the right to take that water under either decree, but they cannot double-dip and take the same water from both decrees. Pages 30-31 of the Frost decree state:

"It is Further Ordered, Adjudged and Decreed that the respective parties, plaintiffs and defendants, in the various actions named in the Findings herein, to-wit: ...E.W. Moore and Thurston Hutchins, as firm of Moore and Hutchins vs. James Mc Gowan, et al.,...they and their successors in interest, be and they are hereby awarded the right to the use of the waters of the Big Wood River and its tributaries, and the various dry streams named in said decrees, to the extent that they are respectively awarded such use in the various actions and decrees to which they are parties, respectively; but that this right shall not be construed to be a double appropriation of the waters of said streams, and wherein the said parties are reawarded such amounts in this decree, they and their successors in interest, respectively, shall be entitled to the use of only one of such rights, to-wit: either the right named in said decree, or the right otherwise awarded in this decree."

- Claims 37-136 and 37-721
 - In Moore & Hutchins vs. Gowan, Thomas Carter, Jonas Carter, and Wilson Carter, each were decreed a water right with a unique POU.
 - Only Thomas Carter was decree a water right in Frost vs. Alturas, the POU was the combined POUs of Jonas Carter and Wilson Carter and the water was the same amounts and priority dates for as decreed Thomas Carter, Jonas Carter, and Wilson Carter in Moore & Hutchins vs. Gowan.
 - The POU for Thomas Carter in the Moore & Hutchins vs. Gowan was decreed as 37-35 in Frost vs. Alturas.
 - **Summary:** is appears that the water rights decreed to Thomas Carter, Jonas Carter, and Wilson Carter in Moore & Hutchins vs. Gowan were re-awarded to Thomas Carter in Frost vs. Alturas. Thus, the claimant can claim either 37-136 or 37-721, but not both.
- Claims 37-300, 37-301A, & 37-727
 - 37-727 decreed in Moore & Hutchins vs. Gowan
 - 37-300 & 37-301A decreed in Frost vs. Alturas
 - All The decreed POU of all three rights included the SWSW Section 21. Does this mean that the water the claimant can claim either the water in Frost vs. Alturas or Moore & Hutchins vs. Gowan, but not both?
 - **Summary:** it is unclear that the water decreed in Frost vs. Alturas was the same water as decreed in Moore & Hutchins vs. Gowan because the sources are different and the priority dates are not the same.
- Claim 37-728
 - Water decreed in Moore & Hutchins vs. Gowan, no water decreed to POU in Frost vs. Alturas.
- Claim 37-34B & 730
 - 37-730 decreed in Moore & Hutchins vs. Gowan with a priority date of 8/10/1885
 - 37-34B decreed in Frost vs. Alturas with priority date of 6/1/1882. The POU for 37-34B includes the portion of 37-730 that was historically irrigated.
 - **Summary:** is appears that water right 37-730 decreed Moore & Hutchins vs. Gowan was re-awarded as 37-34 in Frost vs. Alturas. Thus, the claimant can claim either 37-34B or 37-730, but not both.

➤ Split analysis:

- Water appears to have been historically used as a PPU. Accordingly, claims were proportionally split in 1998 when a portion of the POU sold to Cristobal. The proportional split was based on the claimed acreage of 980 acres in the original claims. The portion sold was 47 acres of the 980 acres claimed, so the claims were split into 4.8% and 95.2%.
- The SRBA review determined that the split resulted in two PPUs, Van Horn's is 843 acres and Cristobal's is 46 acres. The proportional split used to split the claims should have been slightly different (5.2% to 94.8%), but it was very close to the newly calculated proportion and neither claimant has contested the split, so the proportional split of 4.8% and 95.2% is being used to allocate the diversion rate and acreage for each right. The POUs will be the 46-acre and 843-acre PPUs determined in the SRBA review.
- Water right 37-2139 is not listed on deed as being purchased. Also, the sources for 37-2139 are Garden Spring and West Fork Corral Creek, neither of which are directly

accessible to the land owned by Cristobal. However, the water was used in the PPU, so it was included in the split.

- 37-35
 - No claimed land in decreed POU. Using 1987 aerial photo, estimated 50 acres within decreed POU were historically irrigated.
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-35A: 0.95 cfs for Irrigation of 47.6 acres within 843 acre PPU
 - 37-35B: 0.05 cfs for Irrigation of 2.4 acres within 46 acre PPU
- 37-454
 - 150 acres within decreed POU were historically irrigated
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-454A: 0.76 cfs for Irrigation of 142.8 acres within 843 acre PPU
 - 37-454B: 0.04 cfs for Irrigation of 7.2 acres within 46 acre PPU
- 37-463
 - 104 acres within decreed POU were historically irrigated
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-463A: 1.10 cfs for Irrigation of 47.0 acres within 233 acre PPU
 - 37-463C: 1.33 cfs for Irrigation of 54.3 acres within 843 acre PPU
 - 37-463D: 0.07 cfs for Irrigation of 2.7 acres within 46 acre PPU
- 37-728
 - 113 acres within decreed POU were historically irrigated
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-728A: 1.43 cfs for Irrigation of 107.6 acres within 843 acre PPU
 - 37-728B: 0.07 cfs for Irrigation of 5.4 acres within 46 acre PPU
- 37-730
 - 26 acres within decreed POU were historically irrigated
 - Recommendations:
 - 37-730A: disallowed
 - 37-730B: disallowed
- 37-2139
 - 27 acres within licensed POU were historically irrigated
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-2139A: 0.51 cfs for Irrigation of 25.7 acres within 843 acre PPU
 - 37-2139B: 0.03 cfs for Irrigation of 1.3 acres within 46 acre PPU
- 37-13261
 - 628 acres within decreed POU were historically irrigated
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-13261A: 5.14 cfs for Irrigation of 597.9 acres within 843 acre PPU
 - 37-13261B: 0.26 cfs for Irrigation of 30.1 acres within 46 acre PPU

- 37-13267
 - 320 acres within decreed POU were historically irrigated
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-13267A: 1.62 cfs for Irrigation of 304.6 acres within 843 acre PPU
 - 37-13267B: 0.08 cfs for Irrigation of 15.4 acres within 46 acre PPU
 - 37-13268
 - 271 acres within decreed POU were historically irrigated
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-727A: 0.16 cfs for Irrigation of 30 acres
 - 37-13268A: 1.28 cfs for Irrigation of 258.0 acres within 843 acre PPU
 - 37-13268B: 0.06 cfs for Irrigation of 13.0 acres within 46 acre PPU
 - 37-13269
 - 170 acres within decreed POU were historically irrigated
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - Claim 37-721 disallowed (see decree analysis above)
 - 37-13269A: 0.67 cfs for Irrigation of 161.8 acres within 843 acre PPU
 - 37-13269B: 0.03 cfs for Irrigation of 8.2 acres within 46 acre PPU
 - 37-13270
 - Pending Permits
 - Recommendations:
 - 37-2736A: Condition A01
 - 37-13270A: Condition A01
 - 37-13270B: Condition A01
 - 37-13271
 - 50 acres within decreed POU for 37-301A were historically irrigated.
 - No claimed land in decreed POU for 37-301B. Based on Transfer No. 73, the POU is 15 acres for 37-301B. Using 1987 aerial photo, confirmed that the POU was roughly 15 acres.
 - Recommendations:
 - Assuming accomplished transfer for POU and POD
 - 37-13271A: 0.76 cfs for Irrigation of 61.9 acres within 843 acre PPU
 - 37-13271B: 0.04 cfs for Irrigation of 3.1 acres within 46 acre PPU
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

Water Right	historical acres	Decreed diversion	Cristobal claim	Diversion rate	POU acres	Van Horn claim	Diversion rate	POU acres	Diversion rate	POU acres
37-35	50	1	37-35B	0.05	2.4	37-35A	0.95	47.6		
37-454	150	0.8	37-454B	0.04	7.2	37-454B	0.76	142.8		
37-463	104	2.5	37-463D	0.07	2.7	37-463C	1.33	54.3	37-463A	1.1 47
37-728	113	1.5	37-728B	0.07	5.4	37-728A	1.43	107.6		
37-730 disallowed	26	0.2	37-730B	0.01	1.2	37-730A	0.19	24.8		
37-2139	27	0.54	37-2139B	0.03	1.3	37-2139B	0.51	25.7		
37-13261	628	5.4	37-13261B	0.26	30.1	37-13261A	5.14	597.9		
37-34A	170	0.6		0.03	8.2		0.57	161.8		
37-34B	176	1.2		0.06	8.4		1.14	167.6		
37-128	151	2		0.10	7.2		1.90	143.8		
37-493	131	1.6		0.08	6.3		1.52	124.7		
37-13267	320	1.7	37-13267B	0.08	15.4	37-13267A	1.62	304.6		
37-134	170	0.5		0.02	8.2		0.48	161.8		
37-455	150	1.2		0.06	7.2		1.14	142.8		
37-13268	271		37-13268B	0.06	13.0	37-13268A	1.28	258.0		
37-135	170	0.5		0.02	8.2		0.48	161.8		
37-300	50	0.2		0.01	2.4		0.19	47.6		
37-727	120	0.8		0.03	4.3		0.61	85.7	37-727A	0.16 30
37-13269	170	0.7	37-13269B	0.03	8.2	37-13269A	0.67	161.8		
37-136	170	0.7		0.03	8.2		0.67	161.8		
37-721 (disallowed)	47	0.7		0.03	2.3		0.67	44.7		
37-13271	65	0.8	37-13271B	0.04	3.1	37-13271A	0.76	61.9		
37-301A	50	0.5		0.02	2.4		0.48	47.6		
37-301B	15	0.3		0.01	0.7		0.29	14.3		

Water Right	historical acres	Decreed diversion	Cristobal claim	Diversion rate	POU acres	Van Horn claim	Diversion rate	POU acres	Diversion rate	POU acres
37-35	50	1	37-35B	0.05	2.4	37-35A	0.95	47.6		
37-454	150	0.8	37-454B	0.04	7.2	37-454B	0.76	142.8		
37-463	104	2.5	37-463D	0.07	2.7	37-463C	1.33	54.3	37-463A	47
37-728	113	1.5	37-728B	0.07	5.4	37-728A	1.43	107.6		
37-730	26	0.2	37-730B	0.01	1.2	37-730A	0.19	24.8		
37-2139	27	0.54	37-2139B	0.03	1.3	37-2139B	0.51	25.7		
37-13261	628	5.4	37-13261B	0.26	30.1	37-13261A	5.14	597.9		
	170	0.6		0.03	8.2		0.57	161.8		
	176	1.2		0.06	8.4		1.14	167.6		
	151	2		0.10	7.2		1.90	143.8		
	131	1.6		0.08	6.3		1.52	124.7		
37-13267	320	1.7	37-13267B	0.08	15.4	37-13267A	1.62	304.6		
	170	0.5		0.02	8.2		0.48	161.8		
	150	1.2		0.06	7.2		1.14	142.8		
37-13268	271		37-13268B	0.06	13.0	37-13268A	1.28	258.0		
	170	0.5		0.02	8.2		0.48	161.8		
	50	0.2		0.01	2.4		0.19	47.6		
	120	0.8		0.03	4.3		0.61	85.7	37-727A	30
37-13269	170	0.7	37-13269B	0.03	8.2	37-13269A	0.67	161.8		
	170	0.7		0.03	8.2		0.67	161.8		
	47	0.7		0.03	2.3		0.67	44.7		
37-13271	65	0.8	37-13271B	0.04	3.1	37-13271A	0.76	61.9		
	50	0.5		0.02	2.4		0.48	47.6		
	15	0.3		0.01	0.7		0.29	14.3		



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

November 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CARL REY
RT 1 BOX 2015
CORRAL ID 83322

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS CHANGE OF
OWNERSHIP FROM JON MELLON

Dear Mr Rey

Enclosed are copies of 13 adjudication claims which I have changed the ownership from Mr Mellon to you, as identified through two change of ownership forms. Please review these claims to insure that they represent the water use as it exists on the property.

I have also enclosed a change of address form, as the quit claim deed submitted for A37-02139A showed the above address where as the change of ownership form has the address as shown on the claims. The department is required to have a written request before we can change the address on claims filed in the Snake River Basin Adjudication.

If you have any questions please contact this office.

Sincerely

Kelly K Christensen
Senior Water Resource Agent

Enclosures



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

May 4, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

JON MELLEN
RT 1 BOX 2015
FAIRFIELD ID 83327

RE: CHANGE OF OWNERSHIP FOR 47 ACRES SOLD TO CRISTOBAL

Dear Mr Mellen

Enclosed is the copies of the adjudication claims and the basis for the proportional split for these claims. Please review these records to see if they are satisfactory.

I will be processing the change of ownership for the Rey's in the near future. I discussed the change of ownership briefly with DeNene Dixon and she indicated that there is another change of ownership pending for the balance of the property. A change of ownership is required for that portion also. If the Reys are the legal owner for the that portion, then the change of ownerships can be combined and the claims can be changed into their name without splitting them again. I have enclosed a change of ownership form for your use in case you have not already obtained one.

If you have any questions please contact me at the number listed above.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 4, 1998

JON MELLEN
RT 1 BOX 2015
FAIRFIELD ID 83327

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If you have any questions please contact me at the number listed above.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

05/04/98 09:49:32
Page 1

Water Right Number - A37-00035

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number

*** C - CURRENT OWNER ***
SPLIT RIGHT

1 -
2 -
3 -
City- X
Phone - 208-000-0000

State- ID Zip- 0

*** O - ORIGINAL OWNER ***

JON

1 - RT 1 BOX 2015

State- ID Zip- 83327

MELLEN

LANA

City- FAIRFIELD
Phone - 208-764-2365
1 - RT 1 BOX 2015

2 -
3 -
City- FAIRFIELD
Phone - 208-764-2365

State- ID Zip- 83327

Priority Date - 06/01/1887

Region - 17 SOUTHERN

Stage -

Status -
2 - SEE REMARKS

SOURCE
CORRAL CREEK
SPLIT RIGHT

Tributary
CAMAS CREEK

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
01N	13E	20	SE NW NW	(25)		CAMAS	
		21	NE NE SE	(25)		CAMAS	
		29	NW SW NW	(25)		CAMAS	
			SW NW NE	(25)		CAMAS	
			NE SE SW	(25)		CAMAS	

01 - IRRIGATION
Total Div. Rate - 1.000
Total Div. Volume -

04/15

10/15

1.000

Total Consumptive Use - 2450.0
KM Usage -

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10.0	10/15	1.000	
01N	13E	20	SW NE	01	IRRIGATION	(25) CAMAS
01N	13E	20	NE NW	01	IRRIGATION	(25) CAMAS
01N	13E	20	NW NW	01	IRRIGATION	(25) CAMAS
01N	13E	20	SE NW	01	IRRIGATION	(25) CAMAS
01N	13E	20	NE SW	01	IRRIGATION	(25) CAMAS
01N	13E	20	SE SW	01	IRRIGATION	(25) CAMAS
01N	13E	20	NE SE	01	IRRIGATION	(25) CAMAS

Water right number - A37-00035

Prefix Translation: ADJUDICATION CLAIM

Place of Use						County
Twn	Rng	Sec	Tract	Lot	Description	
01N	13E	20	NW SE	35.0	01 IRRIGATION	(25) CAMAS
01N	13E	20	SW SE	40.0	01 IRRIGATION	(25) CAMAS
01N	13E	20	SE SE	40.0	01 IRRIGATION	(25) CAMAS
01N	13E	21	SW NW	10.0	01 IRRIGATION	(25) CAMAS
01N	13E	21	SE NW	5.0	01 IRRIGATION	(25) CAMAS
01N	13E	21	NE SW	15.0	01 IRRIGATION	(25) CAMAS
01N	13E	21	NW SW	30.0	01 IRRIGATION	(25) CAMAS
01N	13E	21	SW SW	35.0	01 IRRIGATION	(25) CAMAS
01N	13E	21	SE SW	5.0	01 IRRIGATION	(25) CAMAS
01N	13E	28	NW NW	10.0	01 IRRIGATION	(25) CAMAS
01N	13E	29	NE NE	35.0	01 IRRIGATION	(25) CAMAS
01N	13E	29	NW NE	40.0	01 IRRIGATION	(25) CAMAS
01N	13E	29	SW NE	40.0	01 IRRIGATION	(25) CAMAS
01N	13E	29	SE NE	25.0	01 IRRIGATION	(25) CAMAS
01N	13E	29	SE NW	20.0	01 IRRIGATION	(25) CAMAS
01N	13E	29	NE SW	40.0	01 IRRIGATION	(25) CAMAS
01N	13E	29	NW SW	5.0	01 IRRIGATION	(25) CAMAS
01N	13E	29	SW SW	35.0	01 IRRIGATION	(25) CAMAS
01N	13E	29	SE SW	40.0	01 IRRIGATION	(25) CAMAS
01N	13E	29	NE SE	20.0	01 IRRIGATION	(25) CAMAS
01N	13E	29	NW SE	40.0	01 IRRIGATION	(25) CAMAS
01N	13E	29	SW SE	40.0	01 IRRIGATION	(25) CAMAS
01N	13E	29	SE SE	15.0	01 IRRIGATION	(25) CAMAS
01N	13E	32	NW NE	35.0	01 IRRIGATION	(25) CAMAS
01N	13E	32	SW NE	35.0	01 IRRIGATION	(25) CAMAS
01N	13E	32	NE NW	40.0	01 IRRIGATION	(25) CAMAS
01N	13E	32	SW NW	40.0	01 IRRIGATION	(25) CAMAS
01N	13E	32	SE NW	40.0	01 IRRIGATION	(25) CAMAS

+ - - Diversion Means - CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE.

+ - - Non-Irrigation Use - S/1500 RANGE STOCK

+ - - Other Rights for Same Use - SEE REMARKS

Remarks

GEN	24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSWING CREEK WATER USED FOR IRRIGATION ON -980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:		
RIGHT	PRIORITY	CFS AMOUNT	SOURCE
A37-13261	6/01/1882	5.4	CORRAL CREEK
A37-00728	6/01/1883	1.5	CORRAL CREEK
A37-00454	9/01/1883	.8	CORRAL CREEK
A37-13267	6/01/1884	1.7	CORRAL CREEK

Prefix translation: ADJUDICATION CLAIM

[illegible]



First American Title Company

P.O. BOX 446, 342 MAIN STREET, GOODING, IDAHO 83330
TELEPHONE (208) 934-4427

RECEIVED

FEB 14 1996

Department of Water Resources
Southern Region

February 13, 1996

Idaho Department of Water
Resources
222 Shoshone Street East
Twin Falls, ID 83301

Re: Mellon - Rey

Gentlemen:

Enclosed please find a Notice of Change of Water Right Ownership on the above-referred to land transfer. I am also enclosing a copy of the Warranty Deeds for your reference.

Should you have any questions in connection with this transaction, please do not hesitate to contact this office.

Sincerely,

FIRST AMERICAN TITLE CO.

DeNene M. Dixon
Escrow Assistant

/dmd
Encl.

6/9/94

COMMUNICATION DOCUMENTATION

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

IDWR Employee/Agent Kelly K Christensen

CUSTOMER:

DATE: May 8, 1998 9:07 am

DeNene M Dixon

First American Title Co 934-4427

SUBJECT: ADDRESS FOR JON MELLEN

phone (X) walk-in()

I called her to obtain Jon's current address. The address that she has on file for Jon is;

JON MELLEN

8403 N ELMARO CIRCLE

PARADISE VALLEY AZ 85253-2660



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

11-Jun-1991 09:46

Jon Mellen
Rt. 1 Box 2015
Fairfield, ID 83327

Re: Ownership Change on Adjudication Claim

Dear Mr. Mellen:

I have tried to reach you by phone several times to tell you that the Department has some problems with the way we were discussing splitting the property adjudicated claim for Mr. Cristobal. You will need to talk to Allen Merritt, Adjudication Supervisor. If you could call him at 736-3033 at your convenience, I'm sure he can make some of the questions more clear for you.

Should you have any questions that I can help you with, please feel free to call me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg