

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: A37-00035B

Date Received: 11/24/1989

Receipt No: X777777

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JOHN CRISTOBAL 208-587-8010
Address: 940 E 16 N
MOUNTAIN HOME ID 83647
AND/OR
Name: BARBARA CRISTOBAL 208-587-8010
Address: 940 E 16 N
MOUNTAIN HOME ID 83647

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	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	0.050		

7. Total Quantity Appropriated is:
0.050 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	32	SW	NE		IRR	35.0
			SE	NW		IRR	12.0
Section Acres							47.0
Total Acres							47.0

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



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)

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 MCELLEN
RT #1 Box 2015
FAIRFIELD, IDAHO 83327
- ☐ New Owner/Claimant (Purchaser): JOHN & BARBARA CRISTOBAL
- ☐ New Mailing Address: 940 E 16th
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

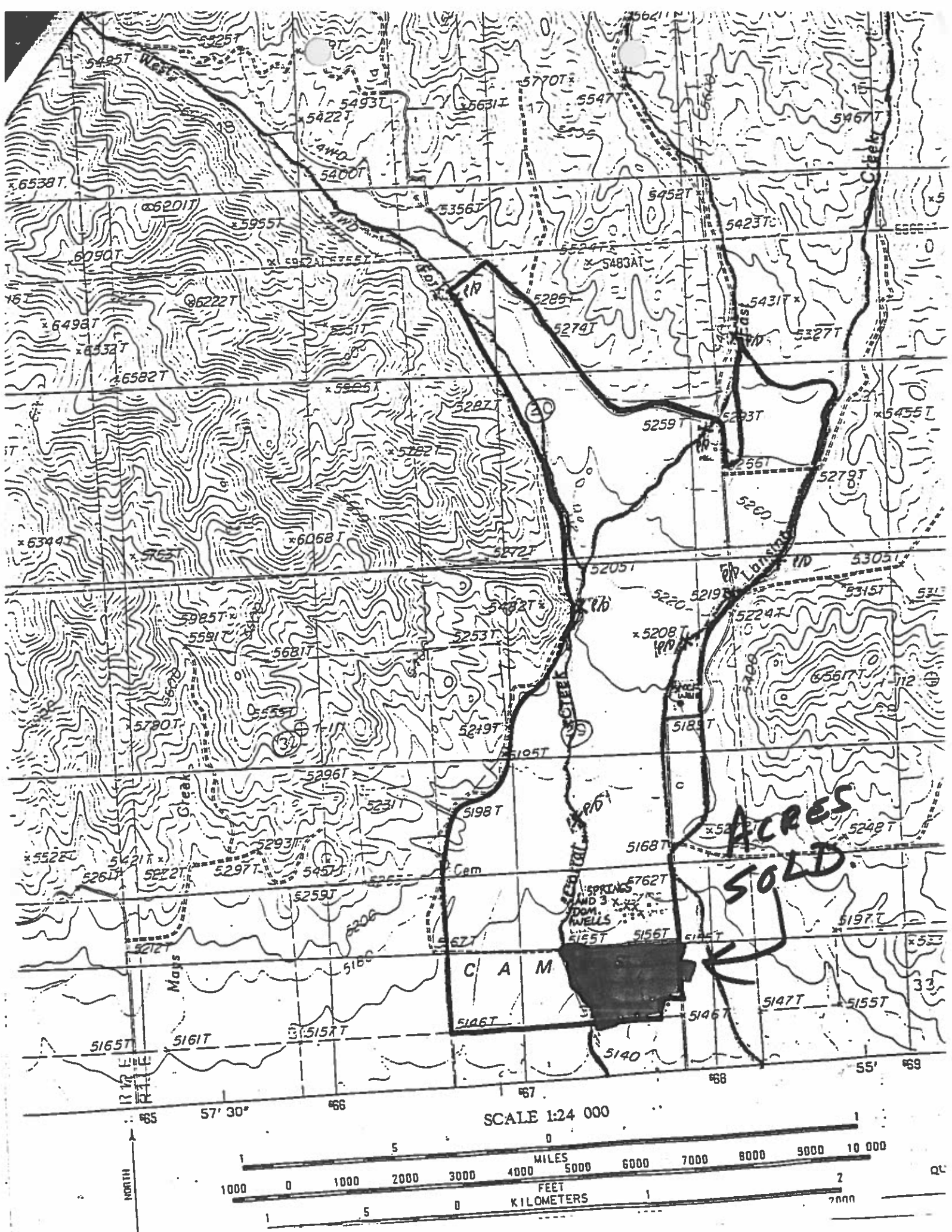
Date: _____ By: _____

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



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: 11/24/1989
Receipt No: S010532
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	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

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
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0

10. Place of Use: Continued

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:

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A37-13268	6/01/1886	1.5	CORRAL CREEK
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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.

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INSTREAM STOCK USE:

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BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S.C. FROST, ET. AL.

Decree Plaintiff

ALTURAS WATER COMPANY, ET. AL

vs Decree Defendant



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

PHILIP E BATT
GOVERNOR 37-00035
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%

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(see instructions on back of page)

DATE OF CLOSING: 6/17/91

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): JON MELLEH
RT #1 Box 2015
FAIRFIELD, IDAHO 83327
- ☐ New Owner/Claimant (Purchaser): JOHN & BARBARA CRISTOBAL
- ☐ New Mailing Address: 940 E 16th
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- ☐ 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) Jon 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

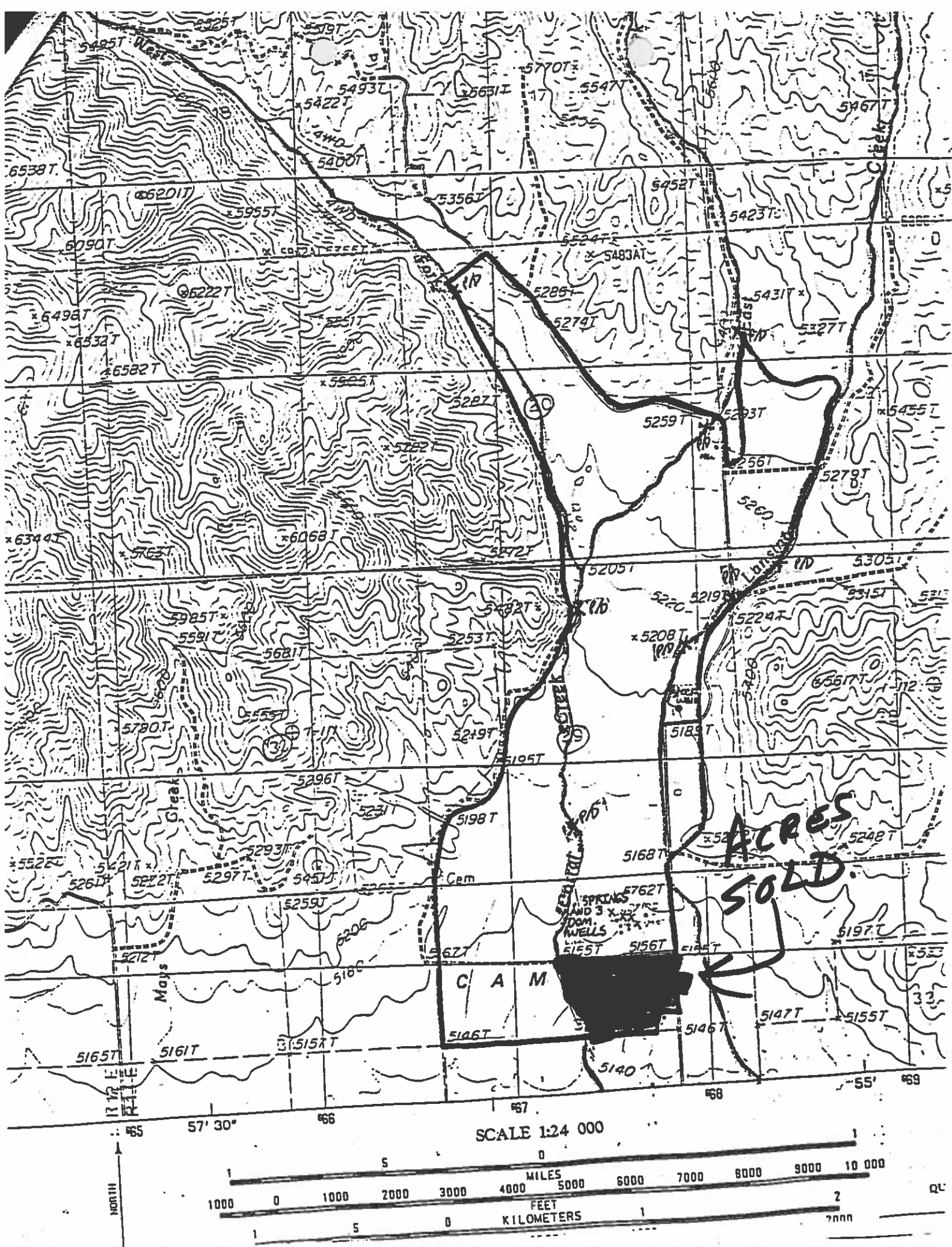
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Date: _____ By: _____

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Copies to Former Owner and New Owner



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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CIVIL CASE NUMBER: 39576

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Date Received: 11/07/1989
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AND/OR
Name: LANA MELLEN 208-764-2365
Address: RT 1 BOX 2015
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			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

A37-00035

Page 1

Date: 11/08/89

MICROFILMED
FEB 22 1993

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

MICROFILMED
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:

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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 :

Decree date: 12/13/1909

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

vs

ALTURAS WATER COMPANY, ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments:

For Individuals:

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

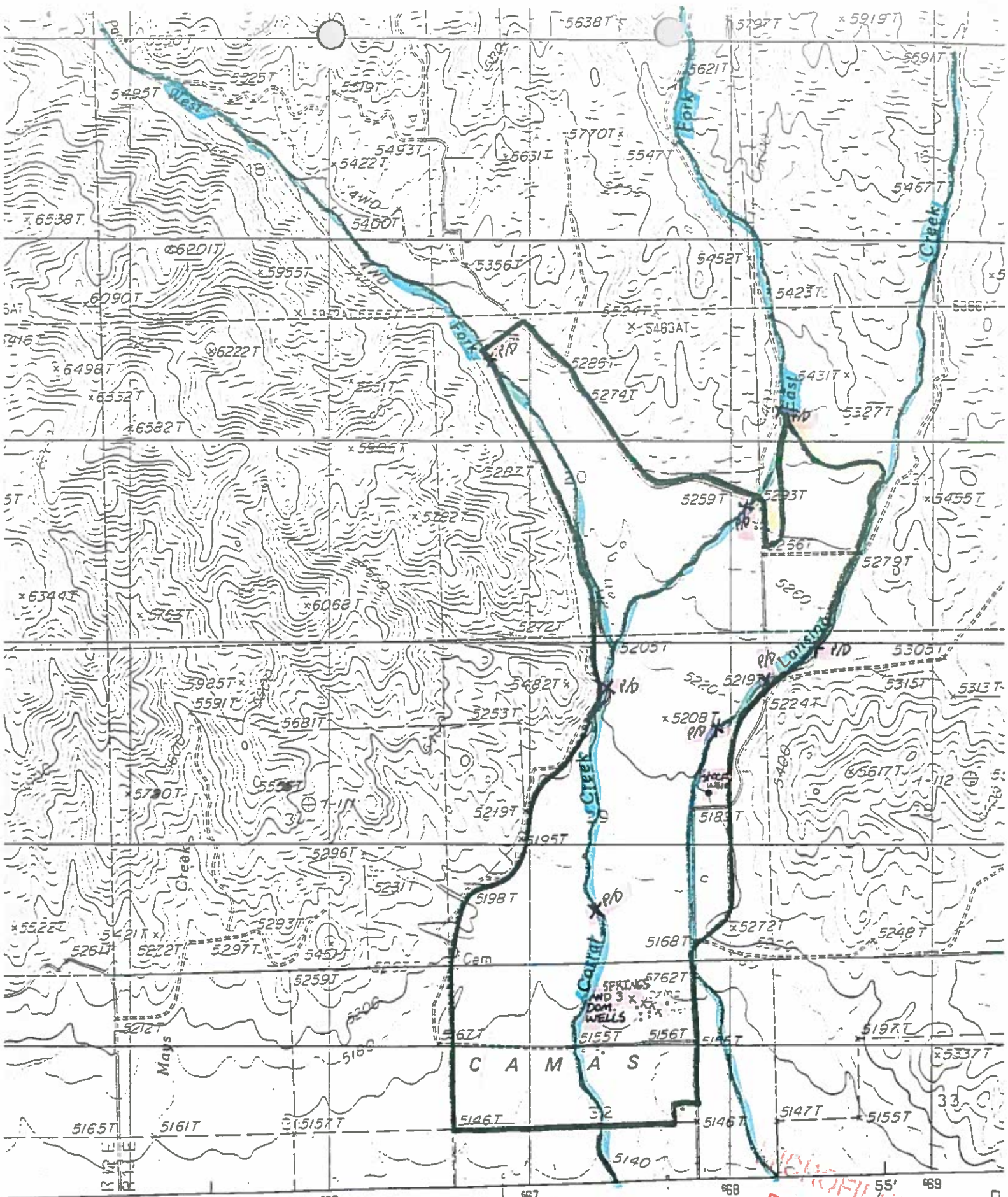
Signature of Claimant(s): Jon Mellen Date: 11-22-89
Date:

State of Idaho)
County of Tf) SS.

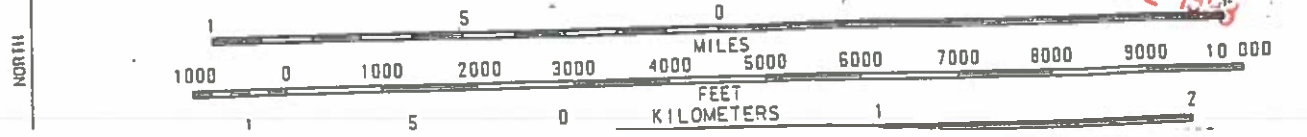
Subscribed and sworn (or affirmed) before me this 22nd day
of Nov 19 89 Loi White
Notary Public

Seal

Residing at Tf
My Commission Expires 5/94



SCALE 1:24 000



RECEIVED
FEB 22 1963

QUADRAN

Ident. No. _____

FACT SHEET

for

Excessive Irrigation Flows

This information is to be submitted with any application for permit or adjudication claim to water right for which the irrigation rate of flow requested/claimed is more than .02 cfs per acre. One exception is that .03 cfs per acre is allowed for up to five (5) acres.

Soil type and soil profile: _____

Soil water holding capacity: _____

Soil intake family (if known): _____

Field slope: _____

Anticipated crops: _____

Method of irrigation: _____

ADJUDICATION CLAIM ONLY:

Is this method of irrigation the common local practice? _____

Have you changed the irrigated method from the one first developed? _____

If yes, describe. _____

Remarks

We use all the current flow from Corral Creek, Lansing Creek and Spring Water that is available. The water levels vary year to year, but the overall flow has been decreasing over the years.
Jon Miller

FILED
22 1993

EXCESSIVE IRRIGATION INFORMATION:

CORRAL CREEK WATER	CFS	
A37-13261	5.4	DECREE
A37-00728	1.5	DECREE
A37-00454	.8	DECREE
A37-13267	1.7	DECREE
A37-00463B	1.4	DECREE
A37-00730	.2	DECREE
A37-13268	1.5	DECREE
A37-00035	1.0	DECREE
A37-13269	1.4	DECREE
A37-02139	.54	DECREE
A37-13270	9.28	PERMIT
LANSING CREEK WATER		
A37-13271	.8	DECREE
SPRING WATER		
A37-02726	.06	LICENSE

TOTAL CFS	25.58	

AT 1" PER ACRE, 25.58 CFS IS ENOUGH WATER FOR 1,279 ACRES.

THE ACRES THAT THE ABOVE WATER APPLIES TO IS ~980 ACRES.
 25.58 CFS AVERAGES OUT TO .026 CFS PER ACRE OR 1.3" PER ACRE.

MICROFILMED
 FEB 22 1993

08/24/2006

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

RIGHT NUMBER: 37-35B
NAME AND ADDRESS: JOHN CRISTOBAL
875 N 18 E ST
MOUNTAIN HOME ID 83647

BARBARA CRISTOBAL
875 N 18 E ST
MOUNTAIN HOME ID 83647

SOURCE: CORRAL CREEK TRIBUTARY: CAMAS CREEK
QUANTITY: 0.050 CFS
PRIORITY DATE: 06/01/1887
POINT OF DIVERSION:

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	0.050 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T01N R13E S32	SWNE	36.00	T01N R13E S32	SENE	10.00
---------------	------	-------	---------------	------	-------

46 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 46 acres in a single irrigation season. Combined Right Nos.: 37-35B, 37-454B, 37-463D, 37-728B, 37-2139B, 37-13261B, 37-13267B, 37-13268B, 37-13269B, and 37-13271B.

This right is limited to the irrigation of 2.4 acres within the place of use described above in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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



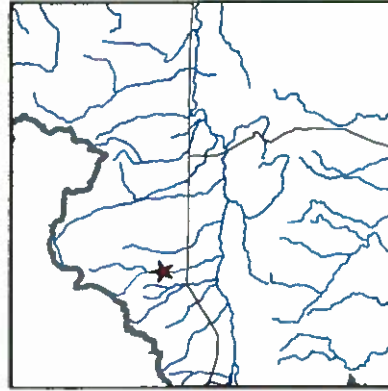
Idaho Department of Water Resources

SRBA Recommendation:

37-35B
37-454B
37-463D
37-728B
37-2139B

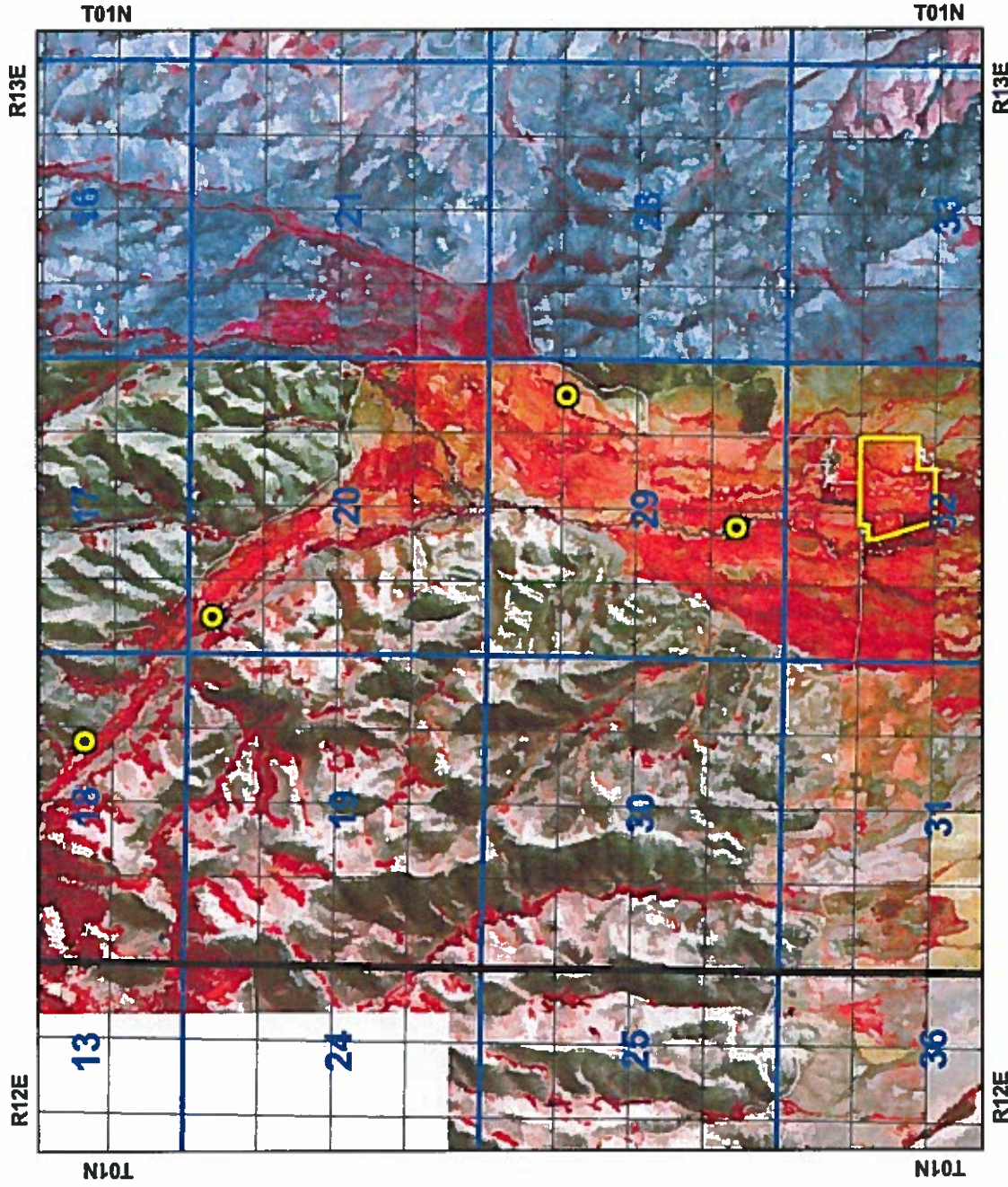
Legend

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



Camas County
IDWR Basin 37

Prepared by M. Anders
On Thursday, August 24, 2006
1987/88 Aerial Photography



0 0.25 0.5 Miles



Adjudication Claim Notes

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

Background Data

37-35B

- 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

37-454B

- 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

37-463D

- 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

37-728B

- 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

37-730B

- 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

37-2139B

- 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

37-13261B

- 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

37-13267B

- 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

37-13268B

- 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

37-13269B

- 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

37-13270B

- 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

37-13271B

- 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

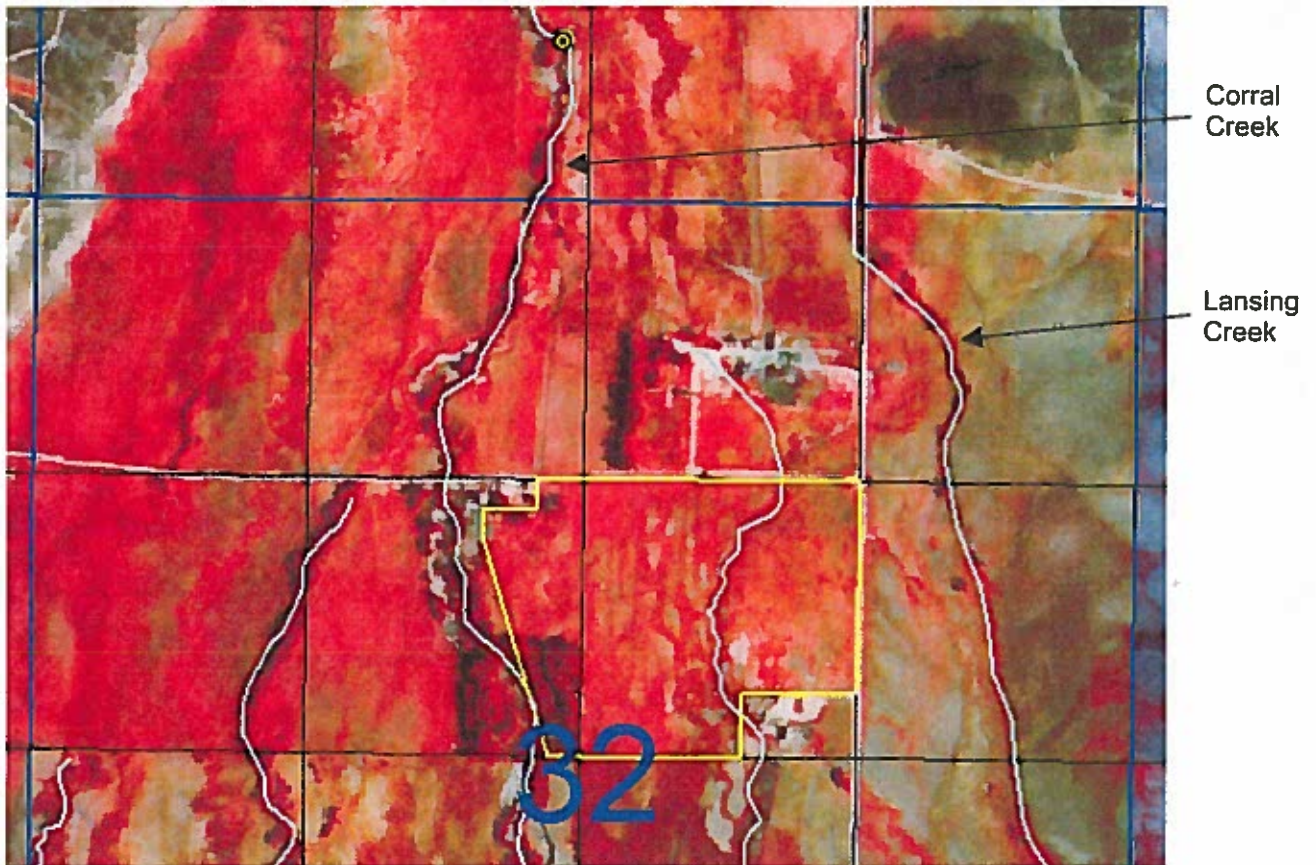
Place Of Use Data

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.

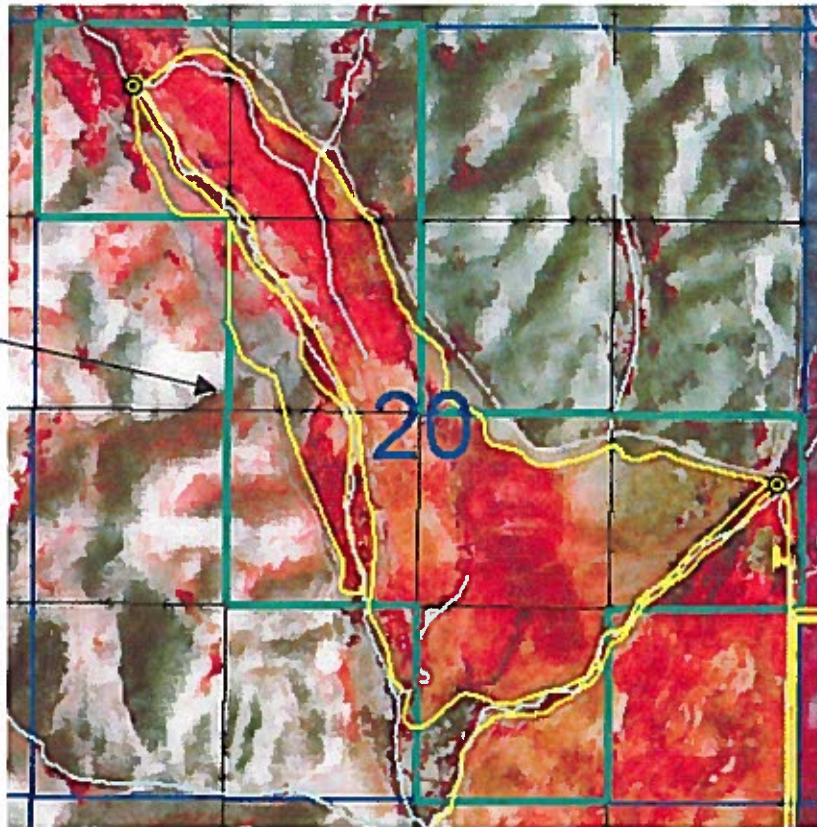
Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



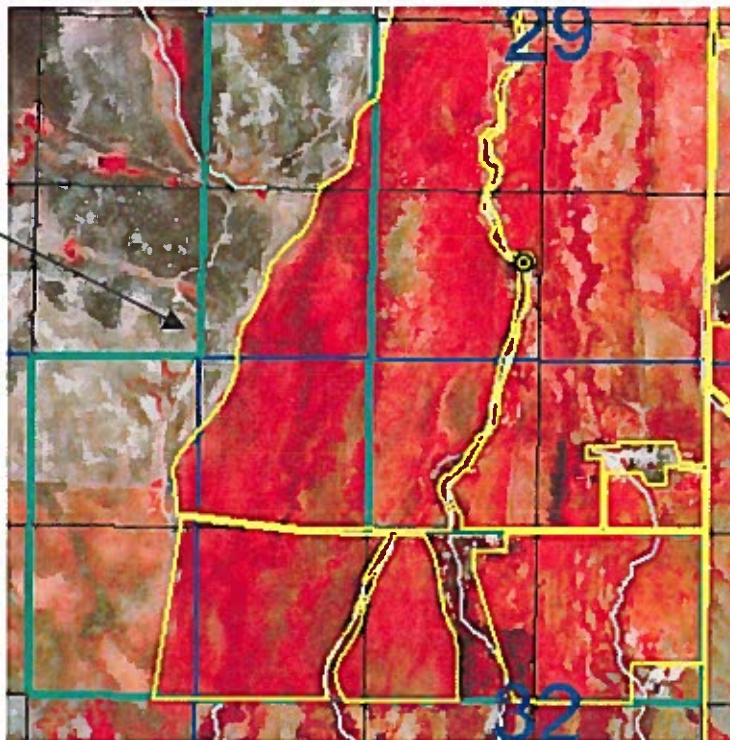
37-34A

Decreed POU
for 37-34A
(green line)



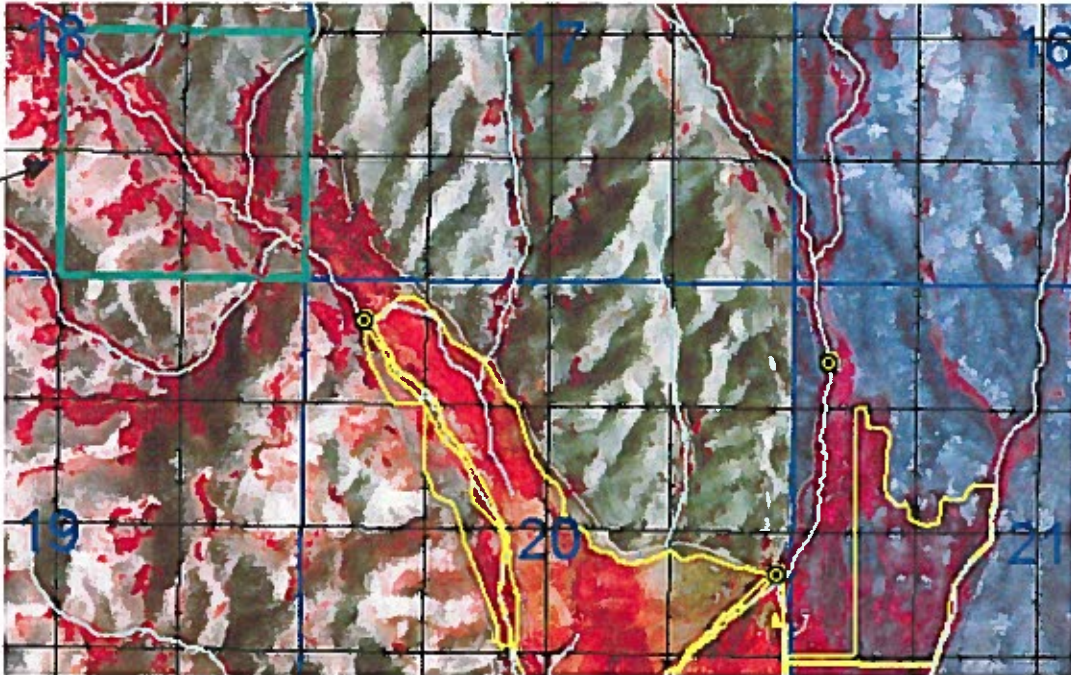
37-34B

Decreed POU
for 37-34B
(green line)



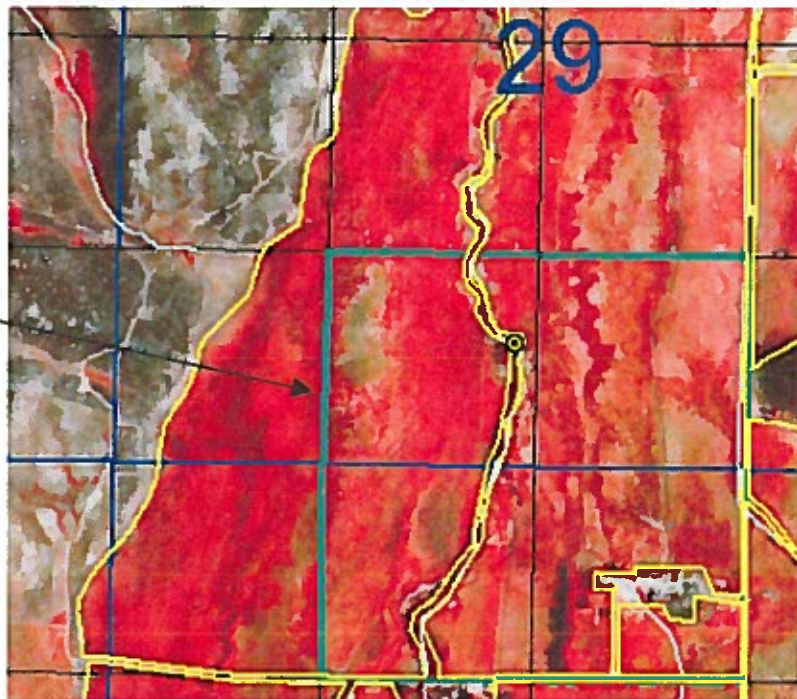
37-35

Decreed POU
for 37-35
(green line)



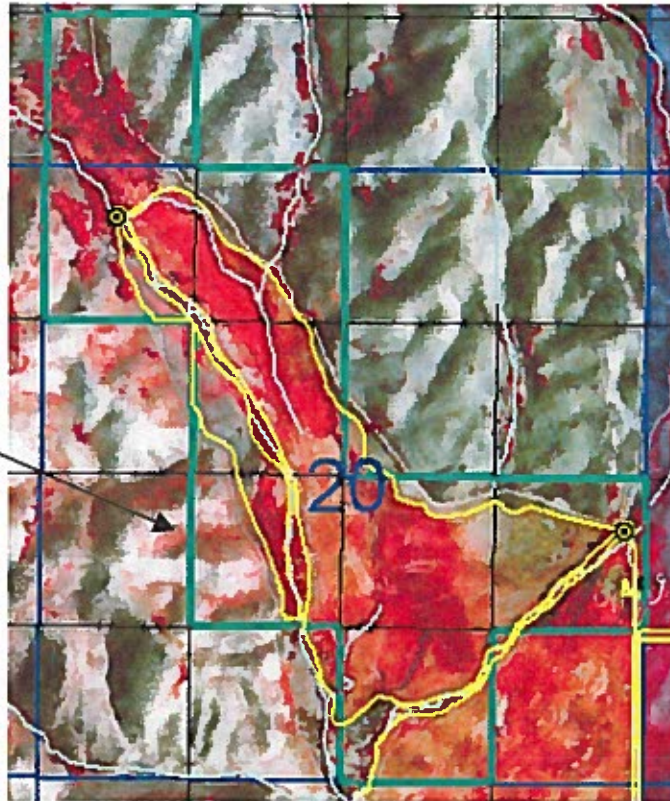
37-128

Decreed POU
for 37-128
(green line)



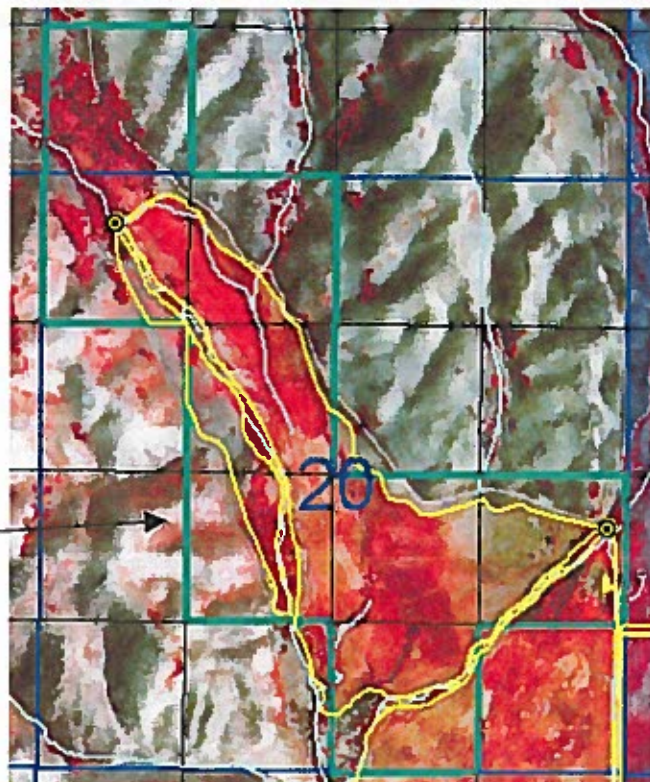
37-134

Decreed POU
for 37-134
(green line)



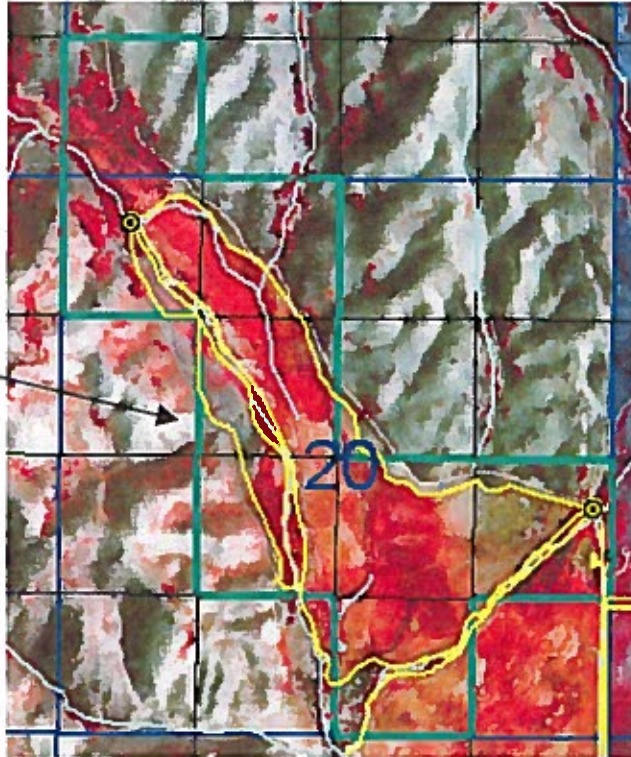
37-135

Decreed POU
for 37-135
(green line)



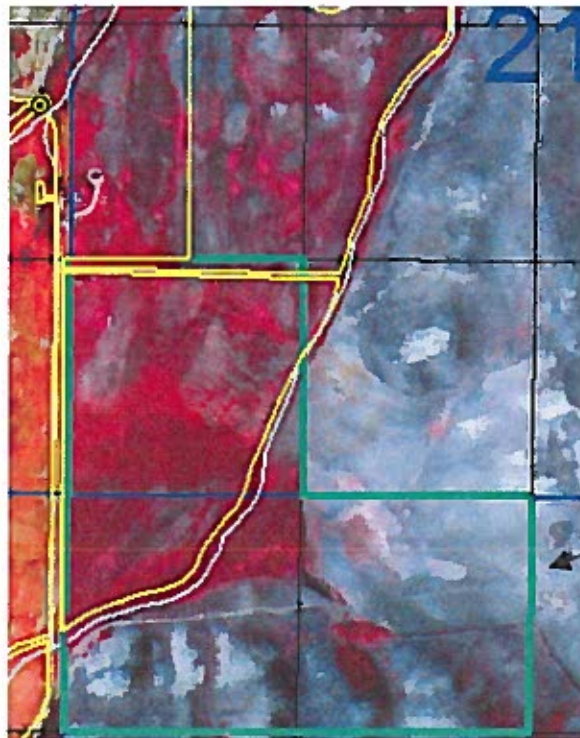
37-136

Decreed POU
for 37-136
(green line)

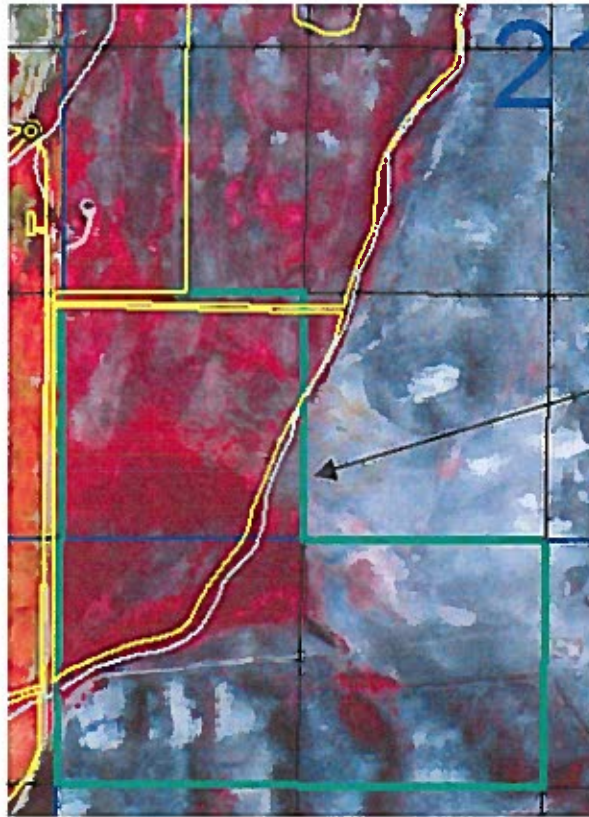


37-300

Decreed POU
for 37-300
(green line)

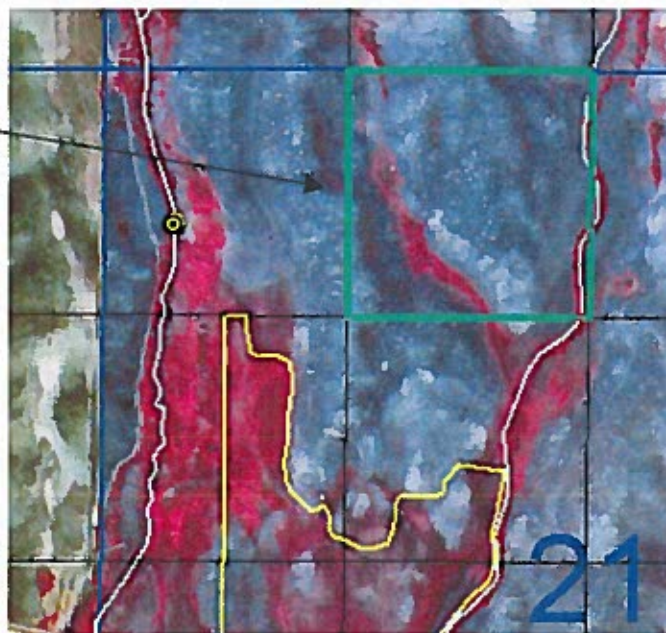


37-301A



Decreed POU
for 37-301A
(green line)

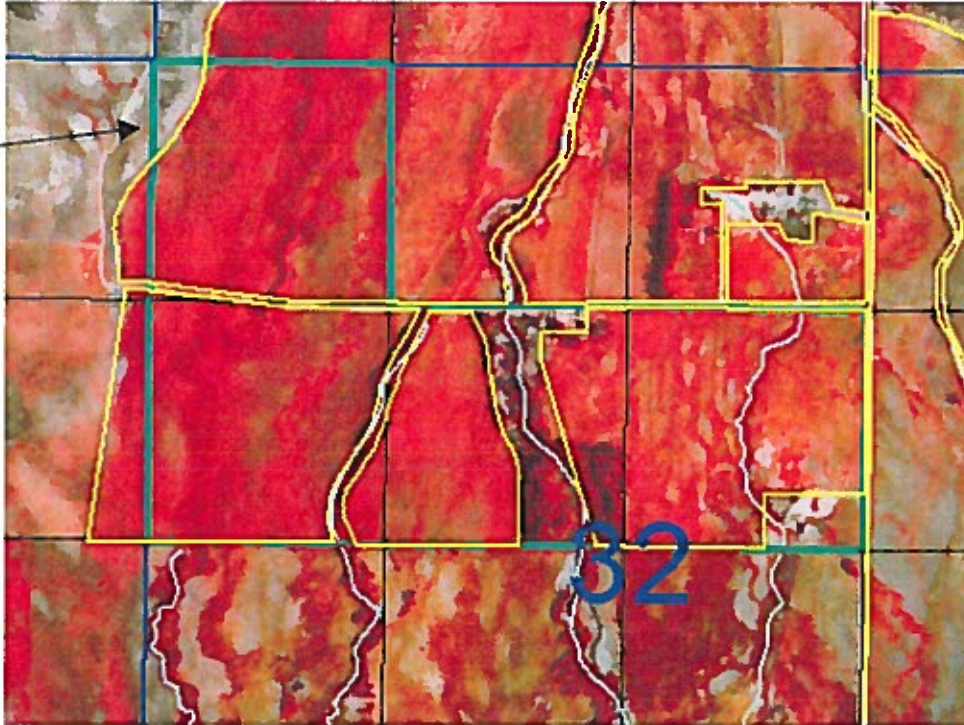
37-301B



Decreed POU
for 37-301B
(green line)

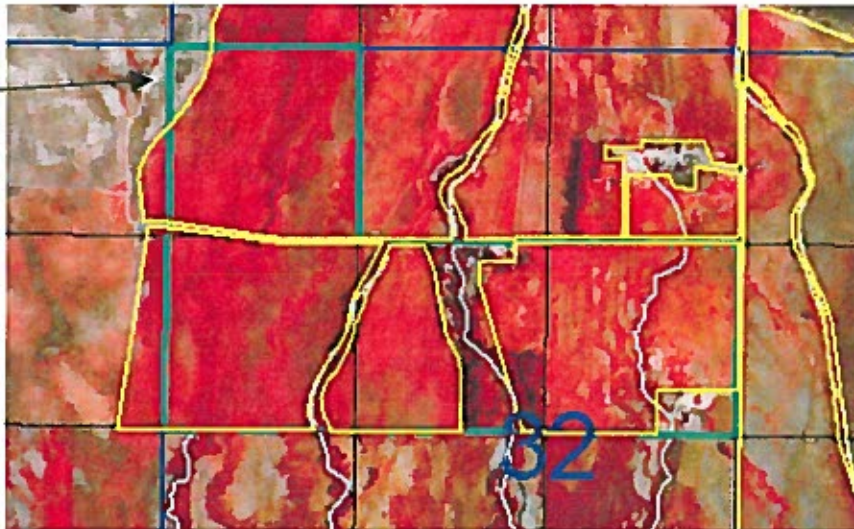
37-454

Decreed POU
for 37-454
(green line)

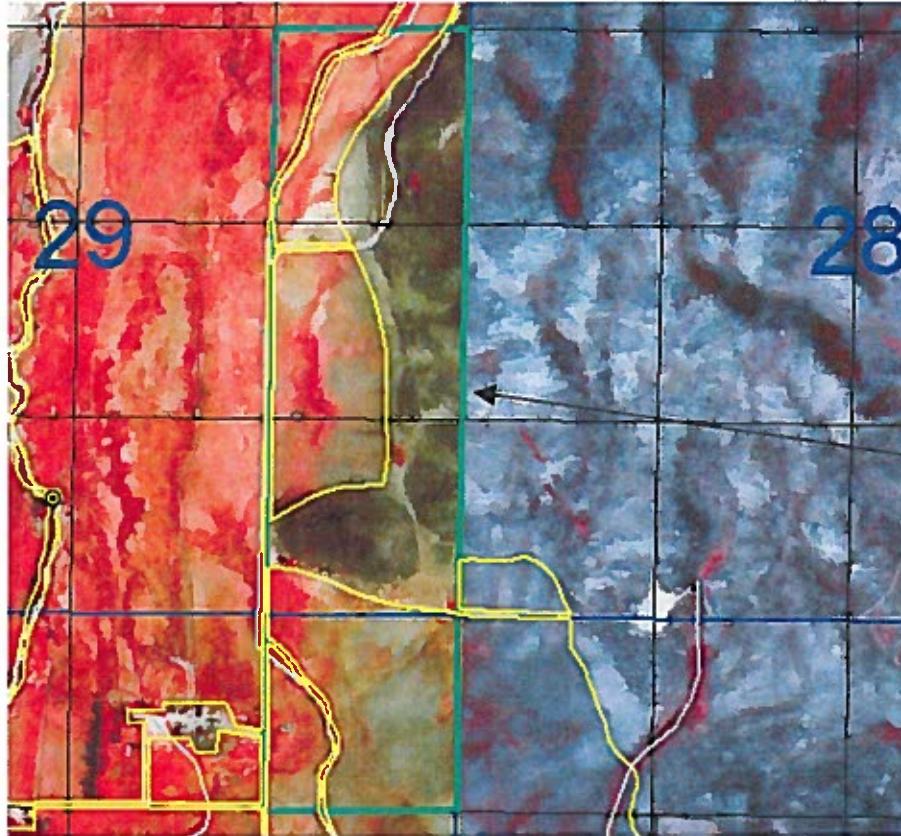


37-455

Decreed POU
for 37-455
(green line)

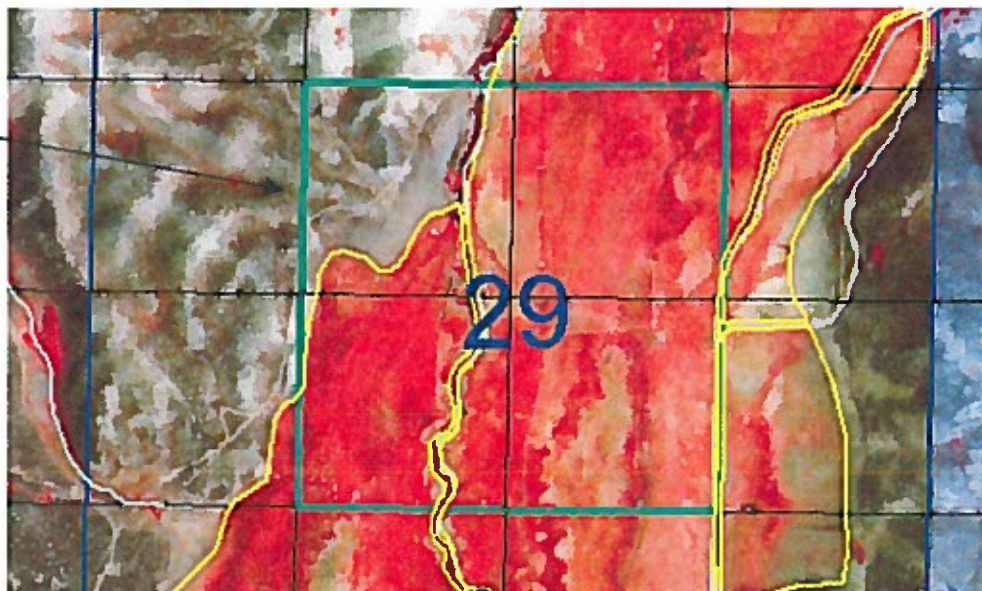


37-463



Decreed POU
for 37-463
(green line)

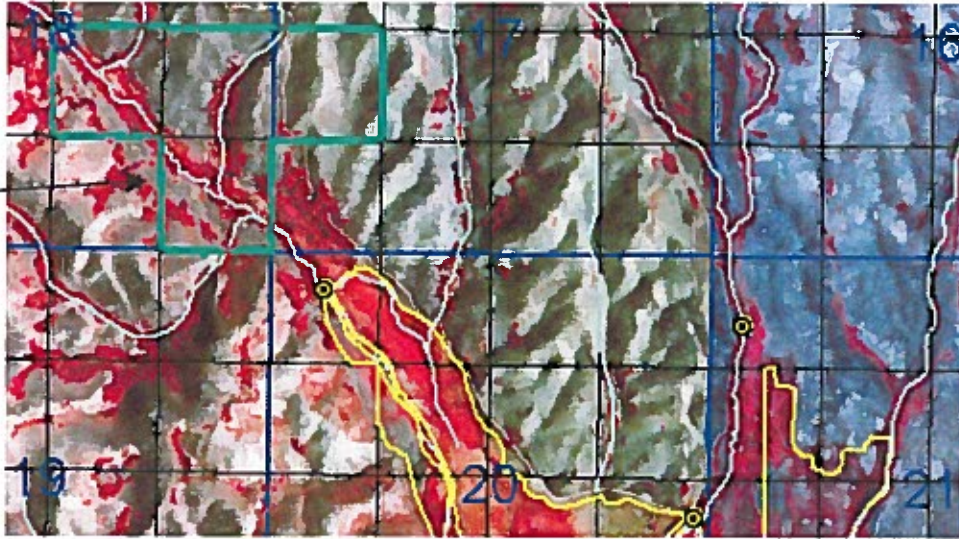
37-493



Decreed POU
for 37-493
(green line)

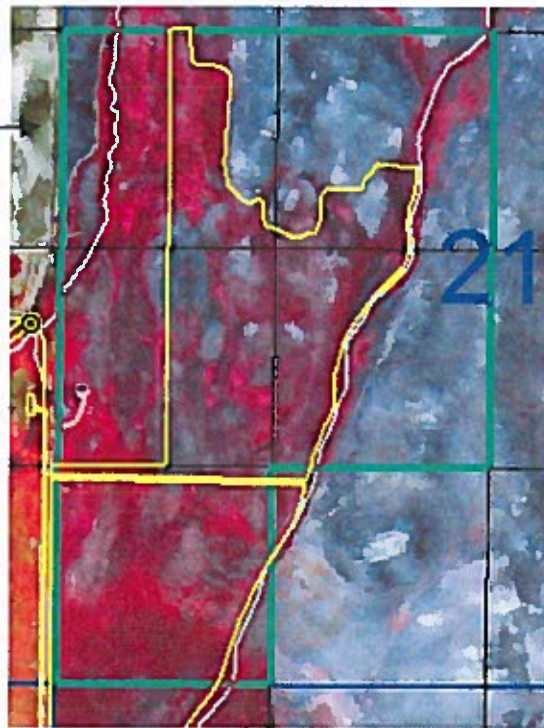
37-721

Decreed POU
for 37-721
(green line)

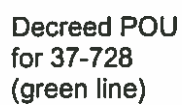


37-727

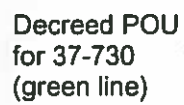
Decreed POU
for 37-727
(green line)



37-728

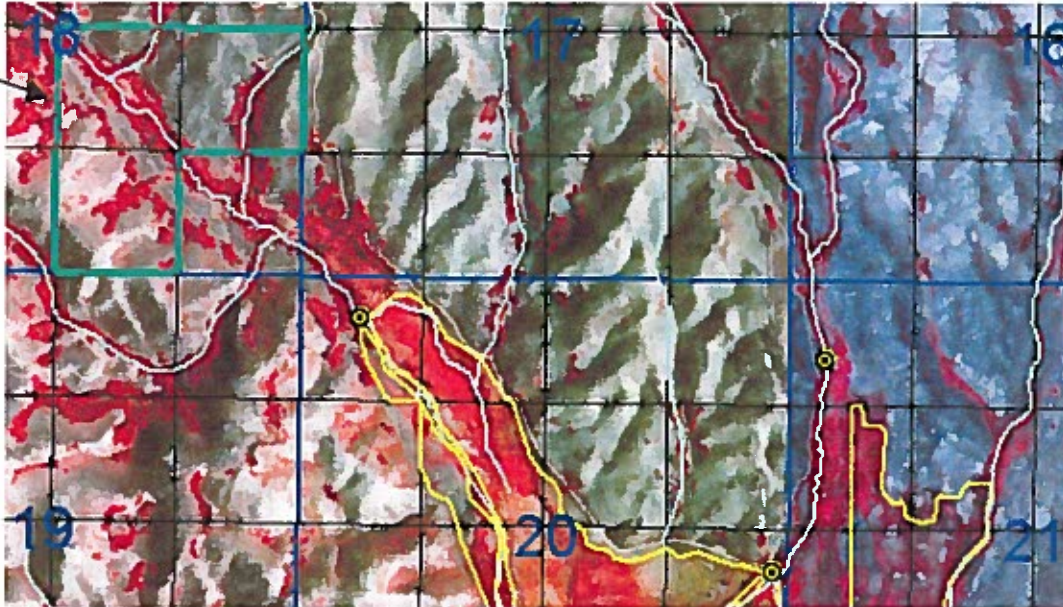


37-730



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 decreed 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:** it 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:** it 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	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		

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-35

WATER RIGHT NUMBER: 37-35

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	THOMAS BABINGTON
	, ZZ
Current Owner	WILLIAM S MC CARTER
	CORRAL, ID 83322

Priority Date: 06/01/1887

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CORRAL CREEK	CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.000 CFS	
DOMESTIC	/ to /		
<u>Total Diversion:</u>		1.000 CFS	

Location of Point(s) of Diversion

CORRAL CREEK	NE1/4SE1/4	Sec. 18, Twp 01N, Rge 13E, B.M.
CAMAS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	13E	18													X	X	X	X	

DOMESTIC same as IRRIGATIONConditions of Approval:

1. TRANS. 774.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-35

Licensed Date:
Decreed Date: 12/13/1909
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37A
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1222 Shoshone St. East Tule Falls, Idaho 83204 (208) 736-3033

~~CECIL D. ANDRUS~~ Phil Batt
Governor
RECEIVED

R. KEITH HIGGINSON
Director

DEC 02 1998

CHANGE IN ADDRESS OF THE NOTICE OF CLAIM
IN THE SNAKE RIVER BASIN ADJUDICATION

Department of Water Resources
Southern Region

[] Water Right Number(s): A37-00035B Ident Number
A37-00454B, 00463D, 00728B, 00730B, 02139B, 13261B,

A37-131267B, 13268B, 13269B, 13270B, 13271B, 13316
37-07636

[] Old Mailing Address: 940 E 16th
Metu Home Id
83647

[] New Mailing Address: 875 N. 18 E St
Metu Home Id
83647

[] New Telephone Number: (208) 587-8010 H. 587-4746-0-

[] Signature of Claimant(s): John Cristobal

Date: 11-30-98

For IDWR use only:
Initial Review and Data Entry
Date: 12/2/98 By: CA
Further Action Taken
Date: By:
Final Review and Data Entry
Date: By:

Further Action Needed:

DATE: 12/07/98
PAGE: 1

TOTAL DIVERSION: 0.05 CFS

Stage: DECREED

CAMAS County
CAMAS County
CAMAS County

ME

TOTAL ACRES

Non-Irrigation Uses: S/1500 RANGE STOCK

Remarks: GEN

24.72 CFS LORAL CREEK WATER AND .8 CFS LANSHING 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
A37-004638	6/01/1885	1.4	CORRAL CREEK
A37-00730	8/10/1885	1.2	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
A37-13270	5/26/1966	9.28	CORRAL CREEK
A37-13271	5/20/1901	.8	CORRAL CREEK
IRRIGATION USE P/D'S:			LANISING CREEK

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

AJ0749NP
No. A37-000358

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/07/98
PAGE: 2

Remarks:

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

INSTREAM STOCK USE:
A37-13292: 6/01/1882, .33 CFS, LANISING & 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. $47/980 = 4.8\%$.
KCC 5-1-98.

CHANGED ADDRESS AS PER REQUEST REC'D 12/02/98. CT

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 37A

Field Inspection Flag: D
Presumption Flag: D

"DO NOT FILM"



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 5, 1998

JOHN CRISTOBAL
HOT SPRINGS RD
FAIRFIELD ID 83327

RE: CHANGE OF OWNERSHIP FOR 47 ACRES PURCHASED FROM MELLEN

Dear Mr Cristobal

Enclosed are the adjudication claims split from the base rights on a proportional basis and the calculations used to determine the rates. Please review these claims to see if they are satisfactory.

I have also enclosed a change of address form for your use. I obtained the above address from the telephone book but as the claims are court documents I am unable to change the address without your authorization.

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

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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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

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



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 FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR BLAINE COUNTY.

C. W. Moore and Thurston Hutchins,)
as firm of Moore and Hutchins,)
Plaintiffs,)
-vs-)
James Mc Gowan et al,)
Defendants.)

JUDGMENT AND DECREE

This cause came on regularly for trial on the 10th day of July, 1897, S.B.Kingsbury appearing for the Plaintiffs and J.S.Waters, J.J.Mc Fadden and Angel and Sullivan as attorneys for the defendants, and, trial by a jury having been expressly waived by the respective parties in open Court, the case was tried before the Court sitting without a jury.

Whereupon witnesses on the part of plaintiffs and defendants were duly sworn and examined, and documentary evidence introduced by the respective parties, and the evidence being closed, the cause was submitted to the Court for consideration and decision, and after due deliberation thereon, the Court files its findings and decision in writing, and orders that judgment be entered herein in favor of plaintiff in accordance therewith.

Wherefore, by reason of the law and the findings aforesaid, it is ordered, adjudged and decreed, that Moore and Hutchins, plaintiffs herein, have judgment as follows:

0145 See Frost v. S. Altman
For fifteen inches, constant flow, of the waters of Corral Creek dating from June 1st, 1881.

1.

MAY 28 1898

0146
For one hundred thirty five inches of said waters, dating from June first 1885 and to be used from beginning of irrigating season in each year until July tenth in each year.

11.

It is further ordered, adjudged and decreed that the defendants herein have judgment as follows:

1.

37-1176 0120 James Mc Gowan for fifty inches of the waters of Corral Creek dating from June thirtieth, 1884; also for [fifty inches of the waters of said Creek, dating from June first 1887; to be used in accordance with the findings.

11.

0136 Thomas Carter for thirty five inches of the waters of Corral Creek dating from June 1st, 1888 to be used in accordance with the findings.

111.

0135 Jonas Carter twenty five inches of waters of Corral Creek dating from June first 1886 to be used in accordance with the findings.

1V.

0134 Wilson Carter for twenty five inches of the waters of Corral Creek dating from June first 1884 to be used in accordance with the findings.

V.

0123 Mary L. Kempton for thirty inches of the waters of Corral Creek, dating from June first 1886, to be used in accordance with the findings.

VI.

0455 H.L. Mc Carter for sixty inches of the waters of Corral Creek, dating from June 1st, 1884, also for [Forty inches of the water of said Creek, dating from September first 1885, to be used in accordance with the findings.

VII.

0128 Joseph B. Jones for one hundred inches of the waters of Corral Creek dating from June first 1882 to be used in accordance

MAY 28 1996

with the findings:

VIII.

0493 ✓

John Wondershak for eighty inches of the waters of Corral Creek dating from June first, 1882, to be used in accordance with the findings.

IX.

07227 Robert W. Lansing for forty inches of the waters of Corral Creek dating from June first 1886 to be used in accordance with the findings.

X.

07228 Charles Johnson for seventy five inches of the waters of Corral Creek dating from June 1st, 1885 to be used in accordance with the findings.

XI.

07229 S.G. Heddin for thirty inches of the waters of Corral Creek dating from May 25th, 1888, to be used in accordance with the findings.

XII.

07230 H.R. Clark for ten inches of the waters of Corral Creek dating from August tenth, 1885, to be used in accordance with the findings.

XIII.

07231 Sarah R. Clark for two hundred and seventy five inches of the waters of Corral Creek dating from May first 1888; also for ten inches of the waters of said Creek, dating from May first 1888, to be used in accordance with the findings.

XIV.

07232 ✓ Thomas Babbington and Charles W. Babbington, Jr. for ten inches of the waters of Corral Creek, dating from June 1, 1882; also eighty inches of the waters of said Creek, dating from June first 1882; also fifty inches of the waters of said Creek dating

MAY 28 1996

from June first 1887 to be used in accordance with said findings.

XV.

The water to be measured under a four inch pressure, each party to this judgment in whose favor decree is made, to provide a suitable box to measure the amount of water decreed; the waters of said Creek when not in beneficial use by the party or parties entitled thereto, to be turned into the main Creek or stream and permitted to flow down uninterrupted, and at the end of the irrigating season for latest use for which water can be beneficially employed, to be turned into the main Creek, except a sufficient flow for stock and domestic purposes, to be measured by the water master.

XVI.

The plaintiffs to pay all Costs they have caused to be made in this action, excepting the costs of defendants in filing their answers, cross complaints, issuing subpoenas for witnesses, and in maintaining their cross complaints, which costs shall be borne by each one making such costs.

C.O. Stockslager,
District Judge.

Filed.....1898

Entered.....1898

MAY 28 1896

STATE OF IDAHO)
 : SS.
COUNTY OF BLAINE)

I, W.F.Horne, Clerk of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Blaine, do hereby certify that the foregoing is a full, true and correct copy of the original Judgment in the above entitled action now on file in my office.

Given under my hand and the seal of said Court in my office, at Hailey, this, the 26th day of July, A.D.1912.

Attest:

.....*W.F.Horne*.....

Clerk.

Received and filed for record in the office
of the State Engineer at Boise, Idaho. at

W.F.Horne M. JUL 29 1912 19
C.E. Robinson
STATE ENGINEER

MAY 28 1936

Water Right Number - 37-00035 Adj. Flag Translation: Standard Water Right Number Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
MC CARTER

WILLIAM S.

1 -
2 -
3 -

City- CORRAL
Phone -
State- ID Zip- 83322

*** O - ORIGINAL OWNER ***
BABBINGTON

THOMAS

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1987 17 D - DECREED

+ - - Source - - - - - + + - - Tributary - - - - - +
CORRAL CREEK CAMAS CREEK

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

01N 13E 18 NE SE (25) CAMAS

+ - - Code Description Period From Water Use Period To Diversion Rate Diversion Volume
01 - IRRIGATION 1.000
43 - DOMESTIC

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.000

+ - - - - Rng Sec Tract Lot Acres Place of Use Code Description County
01N 13E 18 NE SE 01 IRRIGATION (25) CAMAS
01N 13E 18 NW SE 01 IRRIGATION (25) CAMAS
01N 13E 18 SW SE 01 IRRIGATION (25) CAMAS
01N 13E 18 SE SE 01 IRRIGATION (25) CAMAS

Total Acres:

- - - Diversion Means -
- - - Non-Irrigation Use -
- - - Other Rights for Same Use -

MICROFILMED
FEB 22 1993

Water right number -	37-00035	Adj. flag translation:	Standard Water Right Number
+	TRANS. 774.	+	Remarks
+		+	Conditions of Approval -
+		+	No Conditions of Approval found.
+	Decree Plaintiff -	+	Decree Defendant -
+	S. C. FROST, ET. AL.	+	ALTURAS WATER COMPANY, ET. AL.
+	Audit Fields -	+	Decree Date -
+		+	12/13/1909

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-
Start Work Date	-	00/00/0000	Verified Date	-	06/03/1985	DLE/Carey Act	-
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-
Decree Date	-	12/13/1909					-

MICROFILMED
FEB 22 1993