

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 37-47A
Date Received: 7/28/1988
Receipt No: S001145
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CINDY ELISSON Phone: (208)788-6163
PO BOX 2072
HAILEY ID 83333

KJELL ELISSON Phone: (208)788-6163
PO BOX 2072
HAILEY ID 83333

2. Date of Priority: 10/31/1889

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	18E	12	SW SW	BLAINE	

5. Description of diverting works:

GLENDAL #50 DIVERSION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.5	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	23	NE	SW	IRRIGATION	20
					Section Acres	20
					Total Acres	20

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

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

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

RECEIVED
SEP 19 2001
 Department of Water Resources
 Southern Region

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>37-47A</u>	<u>37-47A</u>	☐	_____	_____	☐
<u>37-307A</u>	<u>37-307A</u>	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

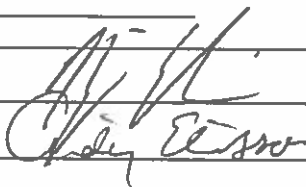
3. Name and Address of Former Owner/Claimant(s) Ed + Marge Cameron
PO Box 177 Bellevue, ID. 83313
4. New Owner/Claimant(s) Kjell Cindy Elisson
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 2072
- City, State and ZIP Code Hailey ID 83333
- New Telephone Number (208) 788-6163
5. Date you acquired the property April 20, 1998

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

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

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

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)



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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by Amelia AJ Date 9/19/01 WR _____ Date _____

WARRANTY DEED

For Value received: ED and MARGE CAMERON, Husband and Wife,

hereinafter called GRANTOR,

HEREBY GRANTS, bargains, sells, conveys and warrants unto:

KJELL and CINDY ELISSON, Husband and Wife,

hereinafter called GRANTEE,

THE FOLLOWING DESCRIBED PREMISES, TO WIT:

Lot # 2, Poverty Flats Subdivision, Glendale Road (Bellevue) County of Blaine as indicated in the official plat thereof, as recorded in the Office of the Recorder of Blaine County, City of Hailey, County of Blaine, State of Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

DATED this 26 day of April, 1998.

416425

Ed Cameron
Ed Cameron

Marge Cameron
Marge Cameron

BLAINE CO. REQUEST

OF: Michael Knapik

State of Idaho)

ss.

County of Blaine)

'98 JUL 9 PM 4 20

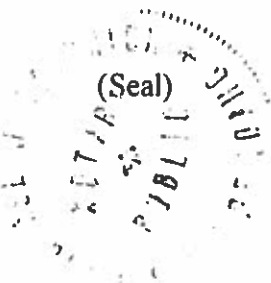
On this 20 day of April, 1998, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared ED and MARGE CAMERON, Husband and Wife, known to me, and identified to me on the basis of satisfactory evidence, to be the Grantors in the above Warranty Deed and that they signed the within instrument and acknowledged to me that they executed the same.

MARY GREEN, CLERK

FEES \$ 3.00

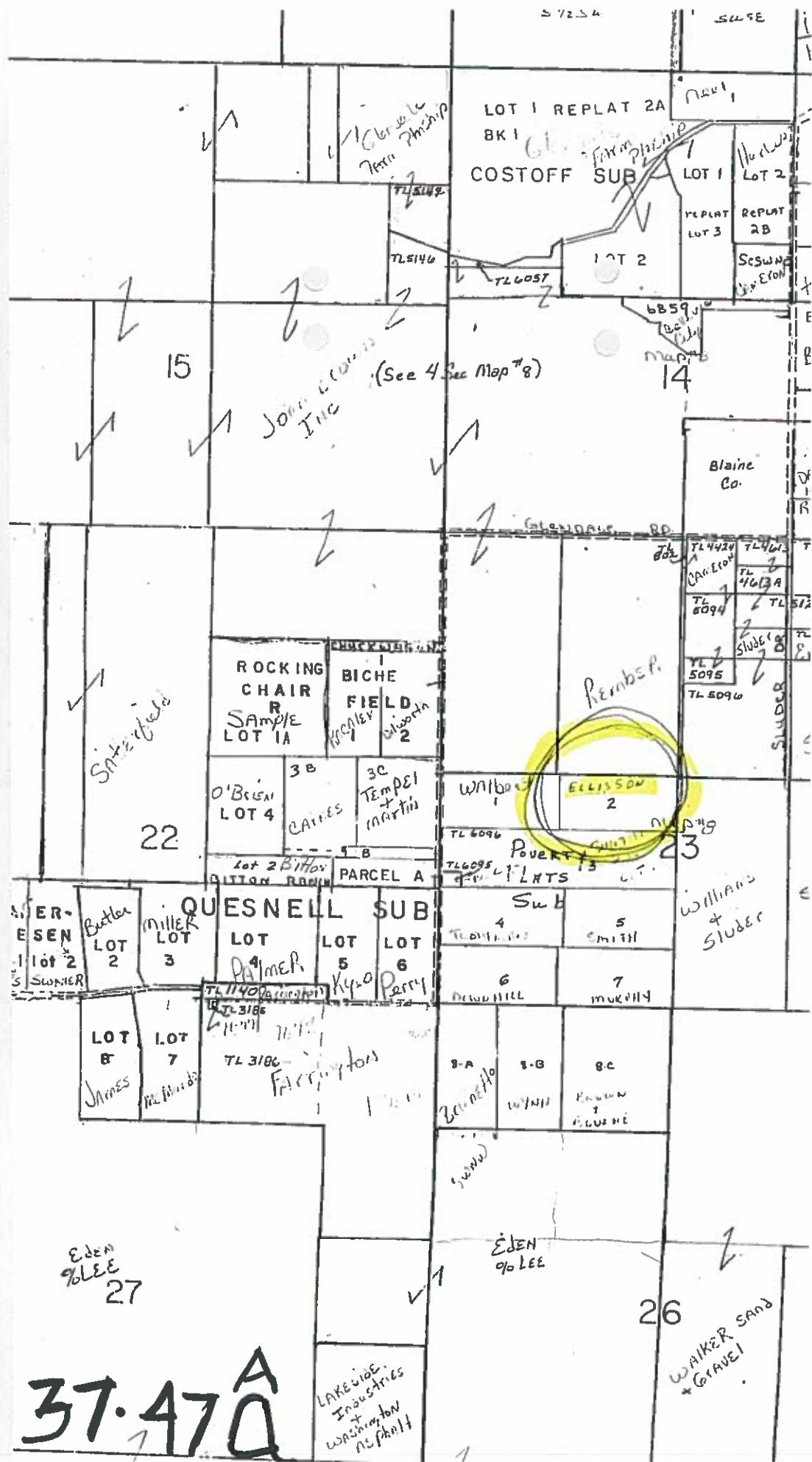
WITNESS MY HAND AND SEAL.

Notary Public:



Residing: Blaine

Commn. Exp.: 11-1-99



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: A37-00047A
Date Received: 7/28/1988
Receipt No: S001145
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE EDWARD CAMERON 208-788-4817
Address: BOX 177
BELLEVUE, ID 83313

OR

Name: MARGARET J. CAMERON 208-788-4817
Address: BOX 177
BELLEVUE, ID 83313

2. Date of Priority: OCT 31, 1889

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	18E	12	SW	SW	SW		BLAINE

5. Description of diverting works:
GLENDALE #50 DIVERSION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.500		

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

8. Total consumptive use is 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	23	NE SW		IRR	20.0
Section Acres						20.0
Total Acres						20.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-00307A, A37-00521B

14. Remarks:

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 X 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): Margaret J. Cameron Date: 7-28-88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 28th day

of July 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id

My Commission Expires 6-30-94

12/01/2006

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

RIGHT NUMBER: 37-47A
NAME AND ADDRESS: CINDY ELISSON
PO BOX 2072
HAILEY ID 83333

KJELL ELISSON
PO BOX 2072
HAILEY ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.500 CFS
PRIORITY DATE: 10/31/1889
POINT OF DIVERSION:

T01N R18E S12 NWSESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.500 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S23 NESW 20.00

20 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 20.0 acres in a single irrigation season. Combined Right Nos.: 37-47A, 37-307A, and 37-521B.

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

The place of use is located within Lot 2, Poverty Flat Subdivision.



Idaho Department of Water Resources

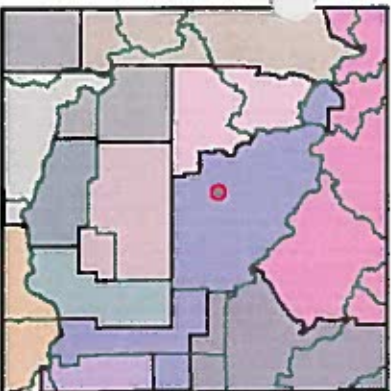
SRBA Recommendation:

37-47A

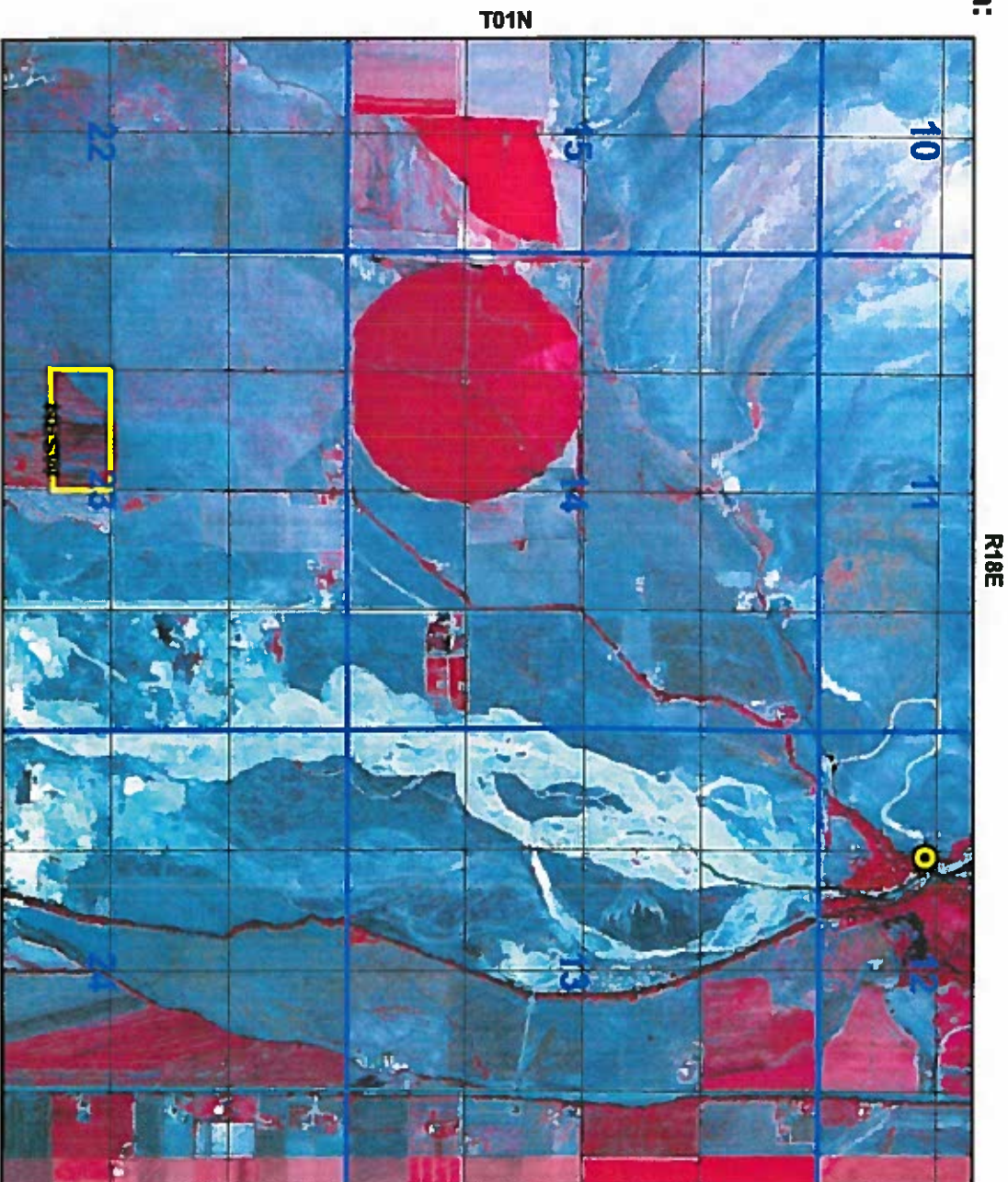
(Irrigation)

Legend

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

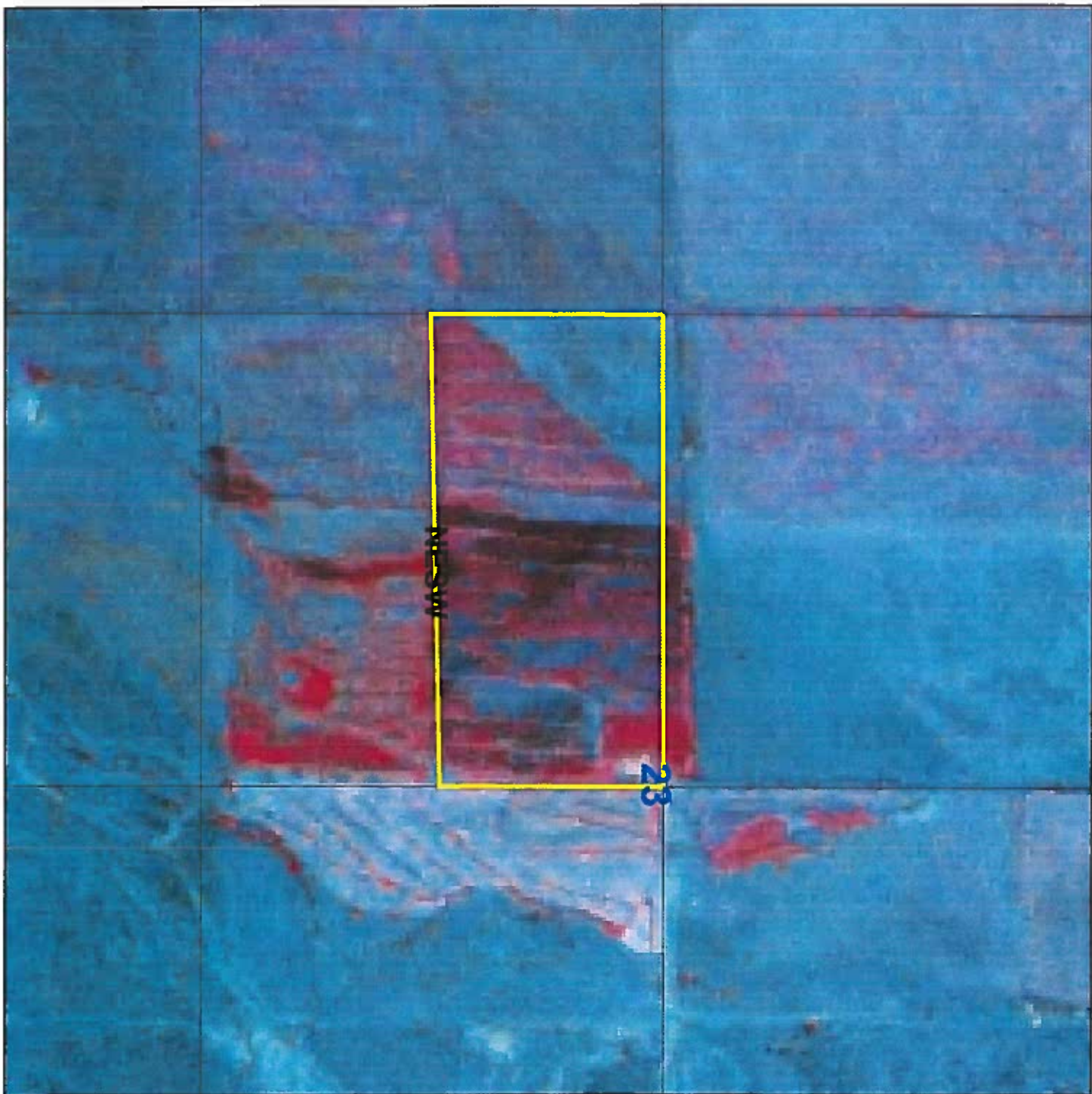


Blaine County
IDWR Basin 37



Prepared by C. Skinner
On Thursday, November 16, 2006
1987/88 Aerial Photography

37-47A



MEMORANDUM

TO: SRBA Claim Files Based on Portions of Rights 37-0047 & 37-0307

FROM: Corey Skinner

DATE: November 14, 2006

SUBJECT: SRBA Review & Recommendation(s)

Numerous SRBA claims have been filed based on portions of rights 37-0047 and 37-0307. Review of records indicates that various lot owners within the Poverty Flats Subdivision have filed these claims. Review of IDWR water right records indicates that right 37-0047 was decreed for 6.0 cfs for the irrigation of five 40-acre tracts that are now portions of Poverty Flats Subdivision, in particular, the Southwest $\frac{1}{4}$ of Section 23 (T01N, R18E) and the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 26 (T01N, R18E). Review of IDWR water right records indicates that right 37-0307 was decreed for 1.6 cfs for the irrigation of four 40-acre tracts that are located to the west of Poverty Flats Subdivision, in particular, the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 22 (T01N, R18E), the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 27 (T01N, R18E). Further review of IDWR records indicates that these two particular decreed rights did not historically overlap any other rights on their historical places of use. Therefore, there does not seem to be any problem with assuming that these rights were moved via unrecorded transfer(s) to the claimed place(s) of use now consisting of the Poverty Flats Subdivision.

The SRBA review consisted of determining the historically irrigated land on the property now consisting of the Poverty Flats Subdivision. Examination of various years of aerial photos helped to determine an approximate shape outlining the historically irrigated land. This shape (outlined in yellow) is shown on page 4 of this memo showing various years of aerial photos. The shape consists of approximately 199 acres of land. Note that the shape includes some land, in particular Lot 5 (owned by Ken Smith) and Lot 8C (owned by Fredrick Brown) that do not currently (as of this date) have SRBA claims filed by the property owners for their irrigation use. Water master records indicate that both of these properties &/or owners, Lot 5 (owned by Ken Smith) and Lot 8C (owned by Fredrick Brown), have been delivered water. The owners of these properties have been contacted in an effort to try and solicit SRBA claim filings for their water use.

Because the historically irrigated ground consists of approximately 199 acres there is a slight problem because the originally decreed place of use for right 37-0307 only consisted of four 40-acre tracts, at most 160 acres. Note that the approximately 199 acres matches very closely with the originally decreed place of use for right 37-0047, five 40-acre tracts, or potentially 200 acres. For the claims based upon right 37-0307, a set of allowable irrigated acres per claim was established by proportionately distributing the at most 160 acres amongst the claims within the historically irrigated 199 acres based on the amounts of water for each individual claimant as recorded in water master records. For example, original decree was for 1.6 cfs for 160 acres or 0.01cfs/acre so if watermaster records show delivery of 0.14 cfs then a 14-acre limit is recommended. The following table summarizes the individual recommendations for the claims currently filed, and that need to be filed, based on rights 37-0047 and 37-0307....

37-47 & 37-307 SRBA Claim Review Memo

November 14, 2006

Lot #	Claimant / Lot Owner	Claim #	Claimed Rate	Claimed POU	Water Master Rate	Rec. Rate	Rec. POU	Notes
1	Walbert	37-47E	0.50 cfs	20 acres	0.50 cfs	0.50 cfs	20 acres	Rec. as claimed
1	Walbert	37-307E	0.14 cfs	20 acres	0.14 cfs	0.14 cfs	14 acres within 20 acre PPU	Rec. as claimed except acre limit within PPU
2	Elisson	37-47A	0.50 cfs	20 acres	0.50 cfs	0.50 cfs	20 acres	Rec. as claimed
2	Elisson	37-307A	0.14 cfs	20 acres	0.14 cfs	0.14 cfs	14 acres within 20 acre PPU	Rec. as claimed except acre limit within PPU
3	South 36	37-11723	0.96 cfs	37.4 acres	0.96 cfs	0.96 cfs	36.4 acres	Claim based on 37-47. One acre home site (owned by Beck) not included in recommended POU
3	South 36	37-11721	0.24 cfs	37.4 acres	0.24 cfs	0.24 cfs	24 acres within 36.4 acre PPU	Claim based on 37-307. One acre home site (owned by Beck) not included in recommended POU
4	Toothman or Zenoniani	37-21803	0.50 cfs	20 acres	0.50 cfs	0.50 cfs	20 acres	Claim based on part of 37-47
4	Toothman or Zenoniani				0.14 cfs	0.14 cfs	14 acres within 20 acre PPU	No Claim Filed as of 11/14/06 on 37-307
5	Smith				0.50 cfs	0.50 cfs	19 acres	No Claim Filed as of 11/14/06 on 37-47
5	Smith				0.14 cfs	0.14 cfs	14 acres within 19 acre PPU	No Claim Filed as of 11/14/06 on 37-307
6	Guyre	37-47B	0.50 cfs	20 acres	0.50 cfs	0.50 cfs	20 acres	Rec. as claimed
6	Guyre	37-307B	0.14 cfs	20 acres	0.14 cfs	0.14 cfs	14 acres within 20 acre PPU	Rec. as claimed except acre limit within PPU
7	Murphy	37-47C	0.50 cfs	20 acres	0.50 cfs	0.50 cfs	14 acres	6.0 acres on east end of property not historically irrigated
7	Murphy	37-307C	0.14 cfs	20 acres	0.14 cfs	0.14 cfs	14 acres	6.0 acres on east end of property not historically irrigated
8A	Brunetto	37-47D	0.50 cfs	22 acres	0.50 cfs	0.50 cfs	21 acres	Plat shows lot at 21.37 acres
8A	Brunetto	37-307D	0.14 cfs	22 acres	0.14 cfs	0.14 cfs	14 acres within 21 acre PPU	Plat shows lot at 21.37 acres
8B	Wynn	37-47F	1.01 cfs	19 acres	0.50 cfs	0.50 cfs	19 acres	Recommended Rate Based on Water Master Records
8B	Wynn	37-307F	0.27 cfs	19 acres	0.14 cfs	0.14 cfs	14 acres within 19 acre PPPU	Recommended Rate Based on Water Master Records
8C	Brown				1.01 cfs	1.01 cfs	9 acres	No Claim Filed as of 11/14/06 on 37-47
8C	Brown				0.27 cfs	0.24 cfs	9 acres	No Claim Filed as of 11/14/06 on 37-307. Rate adjusted to match original decree total (1.6 cfs)

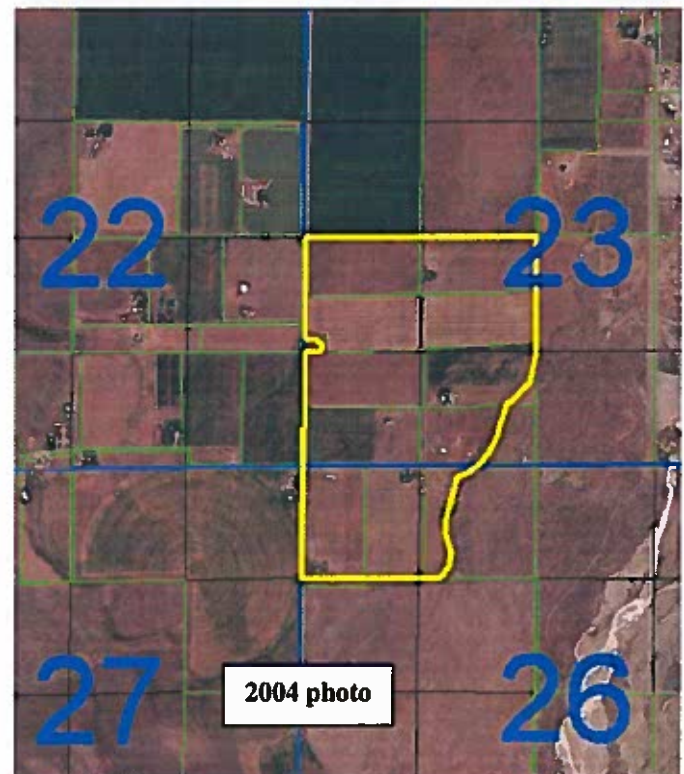
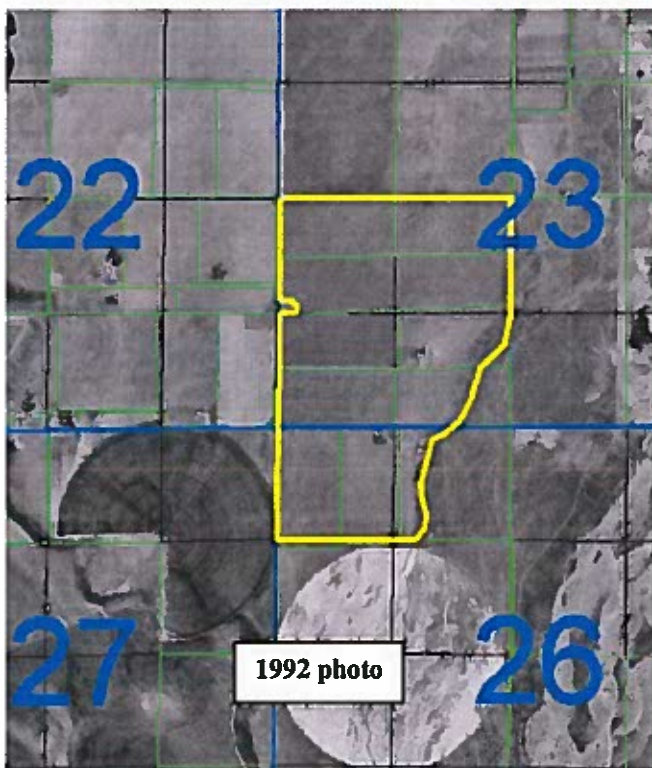
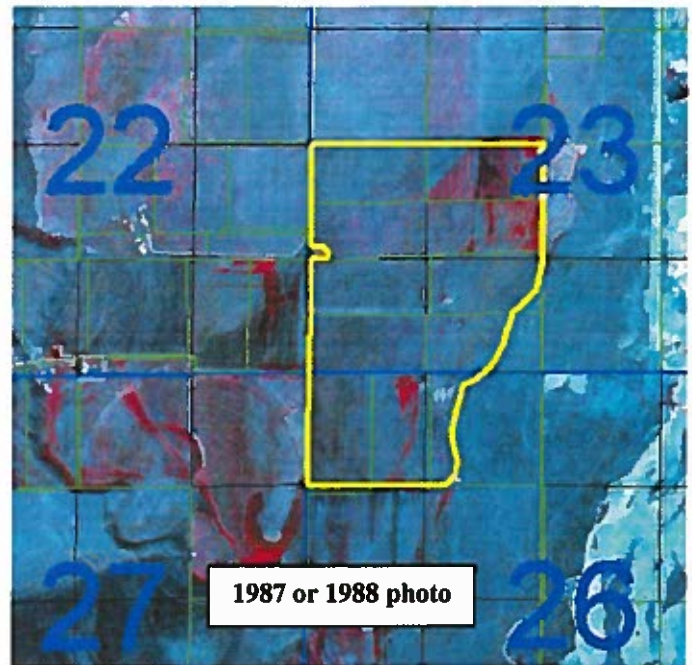
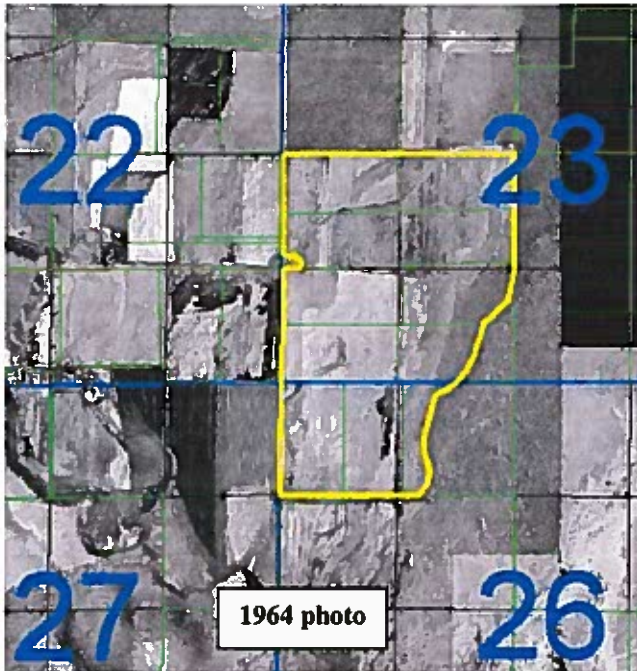
Page 3

37-47 & 37-307 SRBA Claim Review Memo

November 14, 2006

Note that the total recommended amounts for the claimed portions of right 37-47 total 5.97 cfs for the irrigation of 198.4 acres, compared to the original decreed amount of 6.0 cfs for the irrigation of five 40-acre tracts, and compared to the total water master record of 5.97 cfs. Also note that the total recommended amounts for the claimed portions of right 37-307 total 1.60 cfs for the irrigation of 145 acres, compared to the original decreed amount of 1.60 cfs for the irrigation of four 40-acre tracts, and compared to the total water master record of 1.63 cfs. *It should be noted that these totals include proposed recommendations for claims that have not yet been filed as of this date (Toothman or Zenoniani portion of 37-307 for Lot # 4, Smith portions of 37-47 and 37-307 for Lot #5, and Brown portions of 37-47 and 37-307 for Lot #8C.* Also in order to insure that no more than 1.6 cfs will be recommended for the portions of right 37-307, the proposed recommendation for the Brown portion of right 37-307 is 0.24 cfs (water master records show 0.27 cfs). This particular recommendation was selected to be reduced since it has the highest duty of water (rate per acre), when compared to the original decree, and other claimed portions based on the original decree.

**Various Years of Aerial Views of Historical Place of Use
(Approximately 199 acres Outlined in Yellow)**



ROAD

GLENDALE

300

304

1 2
3

316

4 5

324

328

332

336

POVERTY FLAT SUBDIVISIC

22 23
27 26

6 7

340

344

348

8A 8B

8C

SECS. 23 & 26,

FND 5/8" PIN JUL 1973 N 88°53'08"E

652.35'

22-23

1310.02

1312.32

30'

20 Acres

20 Acres

CAMERON

N 88°53'08"E

1314.12

1312.32

Acres

N 87°26'46"E

1160.07

2400.39'

1270.32'

20 Acres

20 Acres

60' PRIVATE DRIVEWAY & UTILITY EASEMENT

1317.03'

S 89°30'53" W

1317.03'

20 Acres

20 Acres

Glendale Road (Dedicated)

(BASIS OF BEARINGS)
N 0°00'00"E

22 23

FND 5/8" PIN JUL 1973

27

26

1319.07'

S 89°30'53" W

1319.07'

717.67'

686.17'

1264.30'

30' ROADWAY & UTILITY EASEMENT

WYNN

B-A

B-B

B-C

21.37 Acres

20.47 Acres

37.99 Acres

N 0°00'00"E

N 0°00'00"E

N 0°00'00"E

S 89°44'44" W

2678.15'

UNPLATTED

S 89°58'28" W

2688.16'

(S 89°58'23" W

2688.00')

MICROFILMED
FEB 22 1993

FND 5/8" PIN JUL 1973

27

26

N 0°00'00"E 5181.76')

(1295.44')
1295.42'

1306.16'
(1306.10')

5224.21')
C1/4
(S 89°26'11" W

2.01')



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

September 20, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CINDY ELISSON
KJELL ELISSON
PO BOX 2072
HAILEY ID 83333

Re: SRBA Claim(s) 37-47A, 37-307A

Dear Mr. and Mrs. Elisson:

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

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.