

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4117 V1

WATER RIGHT NUMBER: 37-4117 V1

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	GARY L KISSLER PO BOX 156 RICHFIELD, ID 83349 (208)487-2253
Current Owner	DAVID W LUNTE 401 13TH AVE N BUHL, ID 83316 (208)543-6990
Current Owner	JULIE ANN LUNTE 401 13TH AVE N BUHL, ID 83316 (208)543-6990
Current Owner	BROCK WEAVER 401 13TH AVE N BUHL, ID 83316 (208)543-6990
Current Owner	J TODD BURKHART 401 13TH AVE N BUHL, ID 83316 (208)543-6990

But

Priority Date: 01/01/1939

Basis: Beneficial Use

Status: Active

Source

LITTLE WOOD RIVER

Tributary

MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.020 CFS	
STOCKWATER	1/01 to 12/31	0.020 CFS	
	Total Diversion:	0.040 CFS	

Location of Point(s) of Diversion

LITTLE WOOD RIVER NW1/4SE1/4 Sec. 5, Twp 05S, Rge 19E, B.M.
LINCOLN County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
05S	19E	5														X			

STOCKWATER

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4117 V1

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S	19E	5									X				X		X	X	

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. PARCEL NOS. 05S19E0505T0, 05S19E051500, RP05S19E054801T DOMESTIC, LAWN IRRIGATION
4. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:Comments:

1. CTIMM 11/29/1999 ADDRESS CHANGE

Comment: 11/29/99, CHANGED ADDRESS AS PER REQUEST REC'D 9/29/99. C.T.

Water Supply Bank:

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
JUL 27 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
37-10031					
37-04117					
~~37-07826~~					

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) Gary C. Kissler
4. New Owner/Claimant(s) David W. Lunte and Julie Ann Lunte
 Name Connector (Check one): ☒ and ☐ or ☐ and/or
 and Brock Weaver and J. Todd Burkhart
- New Mailing Address 401 13th Ave N.
- City, State and ZIP Code BOULDER IDAHO 83316
- New Telephone Number (208) 573-6990
- Date you acquired the property 6/21/01

SCHEDULE A

Order Number: L-30294

PARCEL NO. 1

TOWNSHIP 5 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 5: That part of the W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying South and East of Right of Way of U.S. Highway No. 26 and 93.

PARCEL NO. 2

TOWNSHIP 5 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 5: That part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying South and East of the Right of Way of U.S. Highway No. 26 and 93.

WARRANTY DEED

#L-30294

170700

For Value Received

GARY L. KISSLER , a single man

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

BROCK WEAVER, an unmarried man AND
DAVID W. LUNTE and JULIE ANN LUNTE, husband and wife
J. TODD BURKHART, an unmarried man
Address: 1411 East 4400 North Buhl, Idaho 93316

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of <i>Gary L. Kissler</i>
JUN 22 2001
at <i>25</i> minutes past <i>2</i> P.M. recorded by <i>Shirley B. Buel</i> Fee: <i>6.00</i> Return to: <i>Shirley B. Buel</i>

Hereinafter called the Grantee, the following described premises situated in LINCOLN County, Idaho, to-wit:

See Attached Schedule A

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 18 shares of Big Wood Canal Company

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 21, 2001

Gary L. Kissler
GARY L. KISSLER

STATE OF IDAHO)
COUNTY OF JEROME) ss.

On this 20TH day of June, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared GARY L. KISSLER , 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.

[Signature]
Notary Public

Residing at: _____

My Commission expires: _____

RICK BERNSEN
★ NOTARY PUBLIC ★
STATE OF IDAHO

RESIDING AT JEROME, ID

730-3

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

Water Right Number - 37-04117

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
KISSLER

GARY L

1 - PO BOX 156

2 -

3 -

City- RICHFIELD

State- ID Zip- 83349

Phone - 208-487-2253

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/01/1939 ERROR IN REGION J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
LITTLE WOOD RIVER MALAD RIVER

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

05S 19E 5 NW SE (63) LINCOLN

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.020

04 - STOCKWATER 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

05S	19E	5	NE SW			04	STOCKWATER	(63) LINCOLN
05S	19E	5	SE SW			04	STOCKWATER	(63) LINCOLN
05S	19E	5	NW SE			04	STOCKWATER	(63) LINCOLN
05S	19E	5	SW SE			04	STOCKWATER	(63) LINCOLN
05S	19E	5	NW SE			43	DOMESTIC	(63) LINCOLN

Total Acres:

+ - - Diversion Means - PUMP & PIPELINE FOR DOMESTIC & STOCK PLUS DIRECT ACCESS FOR STOCK

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - CANAL RIGHTS, DOMESTIC WELL.

+ - - - - Remarks - - - - - +

EXP PARCEL NOS. 05S19E0505T0, 05S19E051500, RP05S19E054801T
DOMESTIC, LAWN IRRIGATION

Water right number - 37-04117

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A

- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000

- GALLONS PER DAY.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 11/29/1999 User Id: CTIMM Subject: ADDRESS CHANGE

11/29/99, CHANGED ADDRESS AS PER REQUEST REC'D 9/29/99. C.T.

+ - - Audit Fields - - +

11/29/99 CTIMM

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

Court Report Filing	- 03/05/1999	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 04/28/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000147	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-



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

Copy Sent to S.O. 29 Sept 99

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

RECEIVED

SEP 29 1999

Department of Water Resources
Southern Region

CHANGE IN ADDRESS

☐ Water Right Number(s):

NCAP 37-04117 *pl-issued*

WR 37-07826

NCAP 37-10031 *pl-issued*

☐ Old Mailing Address:

BOX 134

Shoshone, Ida 83352

☐ New Mailing Address:

Box 156

RICHFIELD, IDAHO 83344

☐ New Telephone Number:

(208) 487 2253

☐ Signature of Claimant(s):

Gary L. Kruse

Date:

29 SEPT 1999

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: 11/29/99 By: *ct*

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

37-04117
GARY L KISSLER
PO BOX 134
1187 E HWY 26
SHOSHONE ID 83352

RE: Domestic and/or Stockwater Rights in Reporting Area 16, Basin 37
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basin 37 (the Big Wood River drainage area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in basin 37 will be recommended in a later process.

Note that you have 180 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the county courthouses in Hailey, Fairfield, Gooding, Shoshone, Mountain Home, and all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed as recommended after the 180-day objection period. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-04117

NAME AND ADDRESS: GARY L KISSLER
PO BOX 134
1187 E HWY 26
SHOSHONE ID 83352

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY-DATE: 01/01/1939

POINT OF DIVERSION T05S R19E S05 NWSE Within LINCOLN County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC	01-01 12-31	0.02 CFS

PLACE OF USE:	STOCKWATER	Within LINCOLN County			
	T05S R19E S05	NESW	SESW	NWSE	SWSE
	DOMESTIC	Within LINCOLN County			
	T05S R19E S05	NWSE			

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NOS. 05S19E0505T0, 05S19E051500, RP05S19E054801T
DOMESTIC, LAWN IRRIGATION

**NOTICE OF DIRECTOR'S REPORT
REPORTING AREA 16, BASIN 37
FOR SMALL DOMESTIC AND STOCK WATER RIGHTS**

INTRODUCTION

This is the Idaho Department of Water Resources' (IDWR) Director's Report for your small domestic and/or stock water right claimed in the Snake River Basin Adjudication (SRBA). The quantity allowed for each small domestic or stock water right is up to 13,000 gallons per day. An additional Director's Report for irrigation and all other state law based claims in your reporting area will be filed with the court at a later date.

IDWR is providing individual reports like this one to all claimants of small domestic and stock water rights in your area. A complete copy of the Director's Report, listing all of these small domestic and stock water rights claimed under both state and federal law, is available at the SRBA courthouse in Twin Falls and the locations listed on the third page of this notice. Copies of the report can be made, but you may be charged for copying and mailing.

The following instructions and definitions are designed to help you understand this report.

INSTRUCTIONS FOR REVIEWING YOUR OWN WATER RIGHT

The description of your right which is enclosed is only the Director's recommendation to the SRBA Court on your water right. The Court will decide how it will decree your water right. You are free to agree or disagree with the Director's recommendation. If you agree with the Director's recommendation you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendation, you need to file an objection as described below.

INSTRUCTIONS FOR REVIEWING THE WATER RIGHTS OF OTHERS

The complete Director's Report contains recommendations to the SRBA Court on your water right and all other small domestic and stock water rights in your area. The Court will decide how it will decree all water rights. The Director's recommendations in the full report are listed in two sections of the report:

- 1) **List of Recommended Water Rights** -- Water right recommendations are listed alphabetically by source and then chronologically by priority date within each source.
- 2) **List of Claims Recommended to Be Disallowed** -- Water rights recommended to be disallowed are listed numerically by water right number. A short statement of the reason for IDWR's recommendation for disallowance is provided.

Also included in the complete Director's Report are descriptions of the United States' claims for domestic and stockwater under federal law. The Director does not investigate these claims and

makes no recommendation whether they should be granted or not. Sometimes the United States claims one right under both federal and state law. These are called "dual based" claims.

If you want to review someone else's water right you need to look at the complete Director's Report, which is available at the SRBA courthouse in Twin Falls and the locations listed on the third page of this notice. Copies of the report can be made, but you may be charged for copying and mailing.

INSTRUCTIONS FOR TAKING A WATER RIGHT CLAIM TO COURT

What do I do if I disagree with a recommendation or a federal water right claim?

If you disagree with any element of the recommendation for your water right or anyone else's water right and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form available from any IDWR office or from the SRBA Court.

Your objection must be received by the SRBA Court on or before **September 10, 1999**.

What do I do if someone else objects to my water right recommendation?

If someone files an objection to your water right, or anyone else's water right, you may file a response to that objection. Responses to objections must be made on the standard response form available from any IDWR office or from the SRBA Court.

Your response must be received by the SRBA Court on or before **January 10, 2000**.

What do I do if I want to participate in the court case on someone else's water right?

If you want to be involved in the court case on any water right in the Director's Report, you must file either an objection or a response by the dates listed above.

What happens if there are no objections to a water right?

After the deadline for filing objections, IDWR will file a list of all water right recommendations with no objections. The SRBA Court will hear the uncontested recommendations on **November 12, 1999, at 10:00 A.M.** at the SRBA Courthouse. Partial decrees will be issued following this hearing.

How will I know about the proceedings on water right recommendations to which objections were filed?

A notice will be mailed to you for court dates on your water right or for those where you filed an objection or a response. You will not receive notice of court dates on any other water right recommendations. Additional information regarding domestic and stockwater claims in your area can be found on the SRBA Web Site at www.srba.state.id.us.

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 37.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in their records for the water right.

SOURCE: The name and/or type of the source where you divert your water. For example: "groundwater," "unnamed spring," "Common Creek."

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY). Each of these small domestic and/or stock water claims is not to exceed 13,000 gallons per day.

PRIORITY DATE: The date used to determine the priority of your right in relation to other rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections down to a 40-acre tract, or smaller. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys and other survey information.

Legal locations for instream flow claims are marked with a beginning point and an ending point.

PURPOSE OF USE: This report only deals with claims for small domestic and/or stock water uses, such as yours.

"Domestic right" means a right to the use of water for homes, organization camps, public campgrounds, livestock, and for any other purpose in connection with these uses, including irrigation of up to one-half acre of land.

"Stock water right" means a right to the use of water solely for livestock or wildlife.

PERIOD OF USE: The period of time during the year when you can use the water for your right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections down to a 40-acre tract. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys and other survey information.

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, permit.

DUAL BASED CLAIMS: In some cases, the federal government has claimed one right under two theories: a state basis and a federal law basis. Both theories will be reported on one form for that single water right. In most cases, the priority dates are different and will be listed separately. The federal law basis is separately indicated in a box such as this:

```
*****
*                                     *
*                                     *
*                                     *
*****
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IDWR does not investigate or make recommendations regarding federal law based claims.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA. The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the SRBA Web Site at www.srba.state.id.us.

CHANGES OF ADDRESS OR OWNERSHIP DURING THE SRBA COURT CASE

You must contact your regional IDWR office with your address change or if the ownership of your water right changes. Failure to notify IDWR may result in the loss of your water rights.

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office. Maps and aerial photography of this reporting area, as well as assistance in using the maps and the photography, are available at the IDWR southern region office in Twin Falls. You are also welcome to call IDWR at any of its offices or the SRBA Court. You may also want to consider contacting an attorney to assist you.

**Snake River Basin Adjudication
District Court**
253 Third Avenue North.
P.O. Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011

Idaho Department of Water Resources
1301 North Orchard
Box 83720
Boise, Idaho 83720-0098
(208) 327-7906
(800) 451-4129

**Idaho Department of Water Resources
Western Region**
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

**Idaho Department of Water Resources
Northern Region**
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 765-1450

**Idaho Department of Water Resources
Southern Region**
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380
(208) 736-3033

**Idaho Department of Water Resources
Eastern Region**
900 North Skyline, Suite A
Idaho Falls, Idaho 83402-3653
(208) 525-7161

Blaine County Courthouse
1st & Croy St.
Hailey, ID 83333
(208) 788-5525

Camas County Courthouse
501 Solider Rd.
Fairfield, ID 83327
(208) 764-2242

Gooding County Courthouse
624 Main St.
Gooding, ID 83330
(208) 934-4221

Lincoln County Courthouse
111 W. B St.
Shoshone, ID 83352
(208) 886-7641

Elmore County Courthouse
150 S. 4th E.
Mountain Home, ID 83647
(208) 587-2131

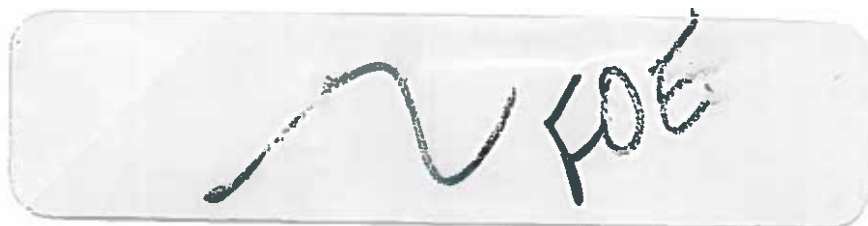
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

PRESORTED
FIRST CLASS



IMPORTANT WATER RIGHT INFORMATION



RETURNED
TO SENDER
NOT DELIVERABLE
AS ADDRESSED —
UNABLE TO FORWARD

RECEIVED
MAR 08 1999
Department of Water Resources

CONVERSATION MEMORANDUM

NAME OF PARTY Mr. Huber
EMPLOYEE: Jeannie

DATE 4/13/94
FILE A37-04118

RE: Evidence of Priority

Had some questions on evidence of priority for claim
his dad filed. Gave him pamphlet and he said he
will check his records for possible names or water
right references of the previous owner.

A37-04117

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: A37-04117
Date Received: 4/28/1988
Receipt No: S000147

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY L. KISSLER 208-487-2253
Address: P. O. BOX 134
SHOSHONE, ID 83352

2. Date of Priority: JAN 01, 1939

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	19E	5	NW	SE			LINCOLN

5. Description of diverting works:
PUMP & PIPELINE FOR DOMESTIC & STOCK PLUS DIRECT ACCESS FOR STOCK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - IRRIGATION OF LAWN, GARDEN, WASHING BARN.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	19E	5	NE	SW		STOCK	
			SE	SW		STOCK	
			NW	SE		STOCK	

A37-04117

Page 1

Date: 04/28/88

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	19E	5	NW SW	SE SE	DOMEST STOCK	

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
CANAL RIGHTS, DOMESTIC WELL.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

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): Gary L. Kissler Date: 28 April 1988

Date: _____

State of Idaho)
County of Twin Falls) SS.

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

of April 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding, Id
My Commission Expires 10/16/1992

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

WATER RIGHT NUMBER - A37-04117

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - - LAST NAME - - - - - +

+ - FIRST NAME - - +

+ - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
KISSLER

GARY L.

1 - P. O. BOX 134 1187 E Hwy 26

2 -

3 -

CITY- SHOSHONE

STATE- ID ZIP- 83352

PHONE - 208-487-2253

+ - - PRIORITY DATE - - +
01/01/1939

```

+ - - - REGION - - - +
  ERROR IN REGION

```

+ - - - STAGE - - - +
S - STATUTORY CLAIM

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - -
LITTLE WOOD RIVER

+ - - - - - ~ - TRIBUTARY - - - - - +
MALAD RIVER

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	STREAM INDEX (BLANK IF NO INDEX CODE)
1	2	3	4	5	6	7	8	9

05S 19E 5 NW SE (63) LINCOLN

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
1	1	1	1	1	1	1

43 - DOMESTIC
04 - STOCKWATER

01/01	12/31
01/01	12/31

0.020
0.020

+ - TOTAL DIV. RATE - +		+ - TOTAL DIV. VOLUME - +		+ - TOTAL DIV. CAPACITY - +		+ - TOTAL CONSUMPTIVE USE - +		+ - KW USAGE - +	
	0.040						0.0		

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
14N	10E	36	1	1	0.10	00	0.10 ACRES OF LAND	CLATSOP

05S	19E	5	NE SW	~~SUNNE 05519E 05519E~~ 05519E 05519E	04	STOCKWATER	(63)	LINCOLN
05S	19E	5	SE SW		04	STOCKWATER	(63)	LINCOLN
05S	19E	5	NW SE	~~SE 1/2 SW 05519E 05519E~~ SE 1/2 SW	04	STOCKWATER	(63)	LINCOLN
05S	19E	5	SW SE	~~SE 1/2 SW~~ SE 1/2 SW	04	STOCKWATER	(63)	LINCOLN
05S	19E	5	NW SE		43	DOMESTIC	(63)	LINCOLN

+ - - DIVERSION MEANS - PUMP & PIPELINE FOR DOMESTIC & STOCK PLUS DIRECT ACCESS FOR STOCK

+ - - NON-IRRIGATION USE - DOMESTIC - IRRIGATION OF LAWN, GARDEN, WASHING BARN.

+ - - OTHER RIGHTS FOR SAME USE - CANAL RIGHTS, DOMESTIC WELL.

+	REMARKS	+
	NO REMARKS FOUND.	

+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

MICROFILMED

OCT 24 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

WATER RIGHT NUMBER - A37-04117

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - DECREE DEFENDANT - - - +

+ - - AUDIT FIELDS - 04/28/88 STANTON 09/26/89 REFUNDML

```
+-----COMMENTS-----+
```

NO COMMENTS FOUND

+ - - - - - - - - - - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +						

```

FIELD INSPECTION MADE      - 00/00/0000
FIELD INSPECTION FLAG      -
VERIFIED DATE              - 00/00/0000
LAST AMENDED DATE          - 00/00/0000
PROOF MADE DATE            - 00/00/0000
RECEIPT NUMBER             - S000147
POU OWNERSHIP FLAG         - Y
NAME CONNECTOR             -

```

CIVIL CASE NUMBER	-	39576
OLD CASE NUMBER	-	
OLD JUDICIAL DISTRICT	-	
TEMPORARY RIGHT	-	P
WATER DISTRICT	-	
FEDERAL/STATE INDICATOR	-	S
PRESUMPTION FLAG	-	
NOTICE OF ERROR FLAG	-	

05519E0505TO
05519E051500
RP 05519E054801T

DATA ENTRY

ENTERED 10-31-93 RS

CHECKED 2/6/94 DWS

"Verified By"
 Topo Map/Ortho-PQ
 ASCS Map
 Watermaster Records
 NAPP Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statement
 Project Records
 IDWR Records

VERIFIED
FEB 10 1992

CERTIFIED
MAR 24 1992
WATER EXAMINER