

37-10534
COPY

1999 JUL 14 PM 3:12

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS
Water Rights 37-10534 and 37-10536

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☒ Substitution of Party
☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☐ Yes ☒ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 37-10534 and 37-10536

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
5/21/1999

37-10534 AND 37-10536

PAGE 1

From (Claimant/Seller):

Name of Claimant: LONNY J KULHANEK
GAYDANA R KULHANEK
Address: 650 W 612 N
SHOSHONE ID 83352
Phone: (208) 886-2628

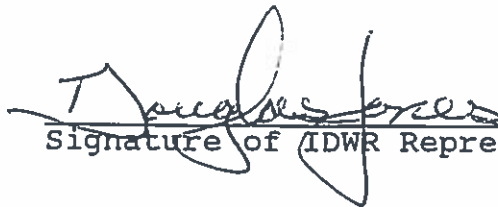
To (Claimant/Purchaser):

Name of Claimant: RONALD BRAUN
ENNICE BRAUN
Address: 676 N 750 W
SHOSHONE ID 83352
Phone: (208) 886-7769

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

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

DATED: 5/8/99



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6/14/99 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

LONNY J KULHANEK
GAYDANA R KULHANEK
650 W 612 N
SHOSHONE ID 83352
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

RONALD BRAUN
ENNICE BRAUN
676 N 750 W
SHOSHONE ID 83352
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

AJ5856NP

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

DATE: MAY-25-1999
PAGE: A-6

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 37-10534

NAME & ADDRESS: RONALD BRAUN
ENNICE BRAUN
676 N 750 W
SHOSHONE ID 83352

SOURCE: GROUNDWATER

QUANTITY: 0.05 CFS

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

PRIORITY DATE: 12/31/1920

POINT OF DIVERSION: T05S R16E S03 SENESE Within LINCOLN County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within LINCOLN County
 T05S R16E S03 NESE

DOMESTIC Within LINCOLN County
 T05S R16E S03 NESE

OTHER PROVISIONS 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 NO. RP05S16E037200A
STOCKWATER, 10 RANGE CATTLE

AJ5856NP

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

DATE: MAY-25-1999
PAGE: A-12

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 37-10536

NAME & ADDRESS: RONALD BRAUN
ENNICE BRAUN
676 N 750 W
SHOSHONE ID 83352

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1941

POINT OF DIVERSION: T05S R16E S03 LOT 4 (NENWNW)

Within LINCOLN County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.03 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within LINCOLN County
T05S R16E S03 Lot 4 (NWNW)

DOMESTIC Within LINCOLN County
T05S R16E S03 Lot 4 (NWNW)

OTHER PROVISIONS 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 NO. RP05S16E032400
STOCKWATER, 100 RANGE CATTLE



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

June 14, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RONALD BRAUN
ENNICE BRAUN
676 N 750 W
SHOSHONE ID 83352

RE: SRBA Claim(s) 37-10534 and 37-10536

Dear Claimant:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

cc: Lonny J. and Gaydana R. Kulhanek

NCAP

RECEIVED

APR 28 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: _____
Adjudication Claim No(s).: 37-10534, 37-10536
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Kulhanek
650 W 612 N Shoshone ID
4. New Owner/Claimant(s) Ronald & Ennice Braun
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address 676 North 750 West
City, State and ZIP Code Shoshone, Ida 83352
New Telephone Number (208) 886-7769
5. Date you acquired the property 1998 Feb
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Ron Braun
Ennice Braun
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

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1. *Chlorophyll a* and *Chlorophyll b* were determined using a spectrophotometer (Shimadzu UV-1601) at 663 nm and 646 nm, respectively. The concentrations were calculated using the following equations: $Chl\ a = 12.7 \times OD_{663} - 2.13 \times OD_{646}$ and $Chl\ b = 21.6 \times OD_{646} - 5.10 \times OD_{663}$ (Lichtenthaler and Whistler, 1987).

1 more fully appear by reference to a Certificate of Sale given to
2 said Ronald and Ennice Braun of 676 N. 750 W., Shoshone, ID
3 83352, on behalf of the said United States Marshal bearing date
4 on the 21st day of February, 1997, by virtue of which purchase
5 and certificate the said Ronald and Ennice Braun, became
6 entitled to a deed for the real property from the United States
7 Marshal since said property was not redeemed as provided by law.

8 NOW THEREFORE, I, James H. Benham, United States Marshal for
9 the District of Idaho, by virtue of my office, for and in
10 consideration of ~~\$23,900.00~~, have sold and by these presents do
11 sell all the real property situated in the County of Lincoln,
12 State of Idaho, and more particularly described as follows:

13 REAL PROPERTY

14 PARCEL II

15 The Northeast Quarter of the Southeast Quarter of
16 Section 3, Township 5 South, Range 16 East of the
Boise Meridian, Lincoln County, Idaho

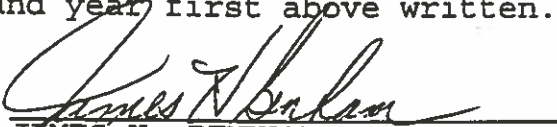
17 PARCEL III

18 Lots 3 and 4, Section 3, Township 5 South, Range 16
19 East of the Boise Meridian, Lincoln County, Idaho

20 Commonly Known Address: 612 North 650 W. Shoshone, ID 83352

21 TO HAVE AND TO HOLD, the above-described premises unto said
22 grantees and assigns forever.

23 IN WITNESS WHEREOF, said grantor as Marshal aforesaid, doth
24 hereunto set his hand the day and year first above written.

25 
26 JAMES H. BENHAM
27 United States Marshal
for the District of Idaho

1 STATE OF IDAHO)
2 County of Ada) ss.

3 I, the undersigned, a Notary Public for the State of Idaho,
4 do hereby certify that James H. Benham, United States Marshal
5 for the District of Idaho, who is known to me to be the person
6 who executed the foregoing deed of conveyance, this day
7 personally appeared before me and acknowledged that he executed
8 the same as said United States Marshal for the District of
9 Idaho, for the uses and purposes therein set forth.

10 IN WITNESS WHEREOF, I have hereunto set my hand and affixed
11 my seal at the City of Boise, State of Idaho, this 6th day of
12 March, 1998.

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Sheryl A. Cross
NOTARY PUBLIC

Residing at *Boise, ID*

My Commission Expires: *12/31/2002*

164291

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of <i>Ken Brown</i>
MAR 16 1998
at <i>30</i> minutes past <i>4:10</i> M recorded by <i>Helen Jackson, Dep.</i> Fee: <i>2.00</i> Return to: <i>Above</i>

By hand.





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

37-10534

LONNY J KULHANEK
GAYDANA R KULHANEK
650 W 612 N
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

AJ5855NP
1218

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

DATE: March 3, 1999
PAGE: 1

RIGHT NUMBER: 37-10534

NAME AND ADDRESS: LONNY J KULHANEK
GAYDANA R KULHANEK
650 W 612 N
SHOSHONE ID 83352

SOURCE: GROUNDWATER

QUANTITY: 0.05 CFS

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

PRIORITY-DATE: 12/31/1920

POINT OF DIVERSION T05S R16E S03 SENESE Within LINCOLN County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE:	STOCKWATER	Within LINCOLN County
	T05S R16E S03	NESE
	DOMESTIC	Within LINCOLN County
	T05S R16E S03	NESE

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 NO. RP05S16E037200A
STOCKWATER, 10 RANGE CATTLE

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



NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FOR: Department of Water Resources
RECEIVED
MAR 08 1999

AJ5856NP

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

DATE: OCT-24-1997
PAGE: A-290

RIGHT NUMBER: 37-10534

NAME & ADDRESS: LONNY J KULHANEK
GAYDANA R KULHANEK
650 W 612 N
SHOSHONE ID 83352

SOURCE: GROUNDWATER

QUANTITY: 0.05 CFS *ok*

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

PRIORITY DATE: 12/31/1920

POINT OF DIVERSION: T05S R16E S03 SENESE Within LINCOLN County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within LINCOLN County
T05S R16E S03 NESE

DOMESTIC Within LINCOLN County
T05S R16E S03 NESE

OTHER PROVISIONS 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 NO. RP05S16E037200A
STOCKWATER, 10 RANGE CATTLE

9-29-98

Claim proofread by: Uro
Date: 1103

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: A37-10534
Date Received: 7/11/1988
Receipt No: S000855
Received By: Adm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LONNY J. KULHANEK 208-886-2628
Address: 650 WEST 612 NORTH
SHOSHONE, ID 83352

AND/OR
Name: GAYDANA R. KULHANEK 208-886-2628
Address: 650 WEST 612 NORTH
SHOSHONE, ID 83352

2. Date of Priority: DEC 31, 1920

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	16E	3	SE	NE	SE		LINCOLN

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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:
D/ 1 HOUSE & YARD, S/ 10 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	16E	3	NE	SE	STOCK DOMEST	

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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: 1

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): *Louise J. Kuhlman* Date: _____
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of July 19 88 *Alfred J. Smith*
Notary Public

Residing at Kimberly, ID
My Commission Expires 6/30/90

A37-10534

Page 2

Date: 07/11/88

MICROFILMED

FEB 25 1993



SCALE 1:24,000

1 MILE

FEB 25 1993

03000m

WATER RIGHT NUMBER - A37-10534

PREFIX TRANSLATION: ADJUDICATION CLAIM

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

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 07/11/88 MERRITT 09/26/89 REFUNDML

+ - - - - COMMENTS - - - - - +
NO COMMENTS FOUND

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

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 07/11/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- S000855	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND/OR	NOTICE OF ERROR FLAG	-

RP 05516E037200 A

DATA ENTRY

ENTERED 12209318
CHECKED 4-5-947

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

VERIFIED
FEB 13 1992

CERTIFIED
MAR 22 1992
WATER EXAMINER