

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-12541

WATER RIGHT NUMBER: 37-12541

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BRUCE S TIDWELL PO BOX 2919 KETCHUM, ID 83340 (208)788-2193
Current Owner	LOWREY HASCALL KAMMER 398 BROADFORD RD BELLEVUE, ID 83313
Current Owner	TAMI SIPE KAMMER 398 BROADFORD RD BELLEVUE, ID 83313 (208)578-3515
Original Owner	LESLIE TIDWELL PO BOX 2919 KETCHUM, ID 83340 (208)788-2193

Priority Date: 10/01/1972

Basis: Decreed

Status: Active

Source

BROADFORD SLOUGH

Tributary

SINKS

Beneficial Use

STOCKWATER

From To

10/01 to 5/01

Diversion Rate

0.020 CFS

Annual VolumeTotal Diversion:

0.020 CFS

Location of Point(s) of Diversion

BROADFORD SLOUGH

NW1/4SE1/4

Sec. 26, Twp 02N, Rge 18E, B.M.

BLAINE County

Place of Use

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	
02N	18E	35		X															

Conditions of Approval:

1. 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-12541

2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory S/20 HORSES

Comments:

1. DSMITH 4/3/1995 DATA ENTRY
Comment: CONFORMED ATTORNEY ADDRESS DMS

2. SOUTH2 2/10/1999 COPIED FROM REMARKS
Comment: NON-IRRIGATION SEASON STOCKWATER USE OF WATER RUNNING IN BROADFORD SLOUGH.

Dates and Other Information:

Licensed Date:
Decreed Date: 1/5/2001
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 9, 2003

LOWREY HASCALL KAMMER
TAMI SIPE KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

Re: SRBA Claim(s) 37-33, 37-7178A, 37-12538, 37-12539, 37-21128
Decreed Water Right 37-12541

Dear Mr. and Mrs. Kammer:

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,

A handwritten signature in black ink, appearing to read 'Trish Fawcett', written in a cursive style.

Trish Fawcett
Technical Records Specialist

Enc.

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

RECEIVED

JUN 17 2003

Department of Water Resources
Boise, Idaho

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

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>SEE ATTACHED COPY OF RECORDED WARRANTY DEED</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) BRUCE S. TIDWELL and LESLIE A. TIDWELL
4. New Owner/Claimant(s) LOWREY HASCALL KAMMER AND TAMI SIPE KAMMER
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 398 BROADFORD ROAD
- City, State and ZIP Code BELLEVUE, ID 83313
- New Telephone Number (208) 578-3515
5. Date you acquired the property March 13, 2003

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 _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
P. O. Box 987
Ketchum, Idaho 83340

Instrument # 480240
HAILEY, BLAINE, IDAHO
2003-03-13 03:53:00 No. of Pages: 2
Recorded for : AMERITITLE
MARSHA RIEMANN Fee: 6.00
Ex-Officio Recorder Deputy
Index to: WTYGICORP DEED

(space above line for Recorder's use)

QUITCLAIM DEED

FOR VALUE RECEIVED, we, LOWREY HASCALL KAMMER and TAMI SIPE KAMMER, co-trustees of the Kammer Family Trust dated May 6, 1998, ("Grantors"), do hereby convey, release, remise and forever quitclaim to LESLIE A. TIDWELL, an unmarried woman, of Post Office Box 2919, Ketchum, Idaho 83340 ("Grantee"), all our right, title and interest in and to the following described water rights, situated in Blaine County, Idaho, to wit:

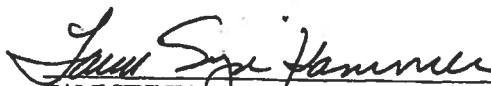
0.02 cfs of groundwater pursuant to Water Right No. 37-7178B for the irrigation of two (2) acres within the NW1/4 NE 1/4, S.35, T.2N., R. 18E, B.M., Blaine County, Idaho.

0.04 cfs of groundwater pursuant to Water Right No. 37-12540B for the irrigation of two (2) acres within the NW1/4 NE 1/4, S.35, T.2N., R. 18E, B.M., Blaine County, Idaho.

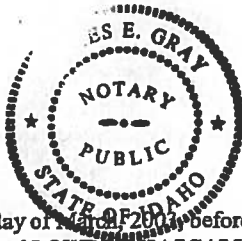
DATED this 13 day of March, 2003.

GRANTORS:


LOWREY HASCALL KAMMER, Co-Trustee
of the Kammer Family Trust dated May 6, 1998


TAMI SIPE KAMMER, Co-Trustee of the Kammer
Family Trust dated May 6, 1998

STATE OF IDAHO)
) ss.
County of Blaine)



On this 13 day of March, 2003, before me the undersigned notary public in and for said state, personally appeared LOWREY HASCALL KAMMER and TAMI SIPE KAMMER, known or identified to me to be the trustees of THE KAMMER FAMILY TRUST dated May 6, 1998 and the persons who executed the foregoing instrument on behalf of said trust and acknowledged to me that said trust executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

A handwritten signature in black ink, appearing to be "E. Gray", written over a horizontal line.

Notary Public for Idaho
Residing at : Blaine County, Idaho
Comm. Expires: 8/25/05

QUITCLAIM DEED - 2

Order No. 50925

QUITCLAIM DEED

Instrument # 480239
HAILEY, BLAINE, IDAHO
2003-03-13 03:53:00 No. of Pages: 2
Recorded for: AMERITITLE
MARSHA RIEMANN
Ex-Officio Recorder Deputy
Index to: WTYOCICORP DEED
Fee: 6.00

FOR VALUE RECEIVED

BRUCE S. TIDWELL, an unmarried man and LESLIE A. TIDWELL, an unmarried woman

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

LOWREY HASCALL KAMMER and TAMI SIPE KAMMER, CO-TRUSTEES OF THE KAMMER FAMILY TRUST
DATED MAY 6, 1988

whose address is: 75-295 Purple Hills Road, Indian Wells, CA 92210

the following described premises situated in Blaine County, Idaho, to wit:

The following water rights appurtenant to the property described in Exhibit "A"

Water Right No. 37-12541, Water Right No. 37-07178, Water Right No. 37-12538, Water Right No. 37-12539,
Water Right No. 37-12540 and Water Right No. 37-00033.

together with their appurtenances.

Dated: March 5, 2003

Bruce S. Tidwell
BRUCE S. TIDWELL

Leslie A. Tidwell
LESLIE A. TIDWELL

State of Idaho

}
}ss.

County of Blaine

On this 6th day of March, in the year 2003, before me, the undersigned, personally appeared BRUCE S. TIDWELL, known or identified to me to be the person(s) whose name(s) were subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Jan Burrell
Notary Public

Commission Expires: 2.18.2004

State of Idaho

}
}ss.

County of Blaine

On this 12th day of March, in the year 2003, before me, the undersigned, personally appeared LESLIE A. TIDWELL, known or identified to me to be the person(s) whose name(s) were subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Jan Burrell
Notary Public

Commission Expires: 2.18.2004

EXHIBIT A

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 35: A parcel of land lying within the N½ of the NE¼ of said section, more particularly described as follows:

BEGINNING at the 5/8" bar marking the N¼ corner of said Section 35; thence
S. 00° 15' 12" W., 276.30 feet along the center-section line to a bar on the south
side of Broadford Road; thence
S. 79° 28' 00" E., 298.10 feet to a bar; thence
N. 77° 57' 00" E., 400.80 feet to a point on the west side of Mabee Slough, being the
TRUE POINT OF BEGINNING; thence
S. 18° 05' 00" W., 310.62 feet to the center of the slough; thence
Along the center of the slough the following 13 courses; thence
S. 73° 40' 00" E., 22.40 feet; thence
S. 07° 09' 00" W., 223.90 feet; thence
S. 04° 18' 00" E., 115.30 feet; thence
S. 13° 12' 00" W., 261.00 feet; thence
S. 17° 13' 00" E., 94.80 feet; thence
S. 63° 37' 00" E., 90.20 feet; thence
N. 70° 51' 00" E., 81.90 feet; thence
N. 21° 36' 00" E., 93.60 feet; thence
N. 44° 31' 00" E., 63.00 feet; thence
N. 78° 47' 00" E., 126.50 feet; thence
N. 54° 34' 00" E., 184.70 feet; thence
N. 16° 28' 00" E., 131.30 feet; thence
N. 65° 14' 00" E., 333.30 feet; thence
N. 05° 48' 00" W., 262.20 feet along the old fence; thence
N. 01° 05' 30" E., 233.00 feet along the old fence to a point on the south side of
Broadford Road; thence
S. 83° 54' 00" W., 373.05 feet along the road; thence
S. 87° 43' 45" W., 298.00 feet to a point on the east bank of the slough; thence
N. 54° 15' 15" W., 42.87 feet to the Northeast corner of Tax Lot 226; being the **TRUE
POINT OF BEGINNING**.
(TL 6459)

AND

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 35: A parcel of land lying within the N½ of the NE¼ of said section, more particularly described as follows:

BEGINNING at the 5/8" bar marking the N¼ of said section 35; thence
S. 0° 15' 12" W., 276.30 feet along the center-section line to a bar on the south side
of Broadford Road; thence
S. 79° 28' 00" E., 298.10 feet along said road to a 5/8" bar bearing S. 41° 25' 18" E.,
441.14 feet from said N¼ corner being the **TRUE POINT OF BEGINNING**; thence
S. 10° 16' 15" W., 120.62 feet to the center of Mabee Slough; thence
Along the center of said slough, S. 73° 40' 00" E., 330.40 feet; thence
N. 18° 05' 00" E., 310.62 feet to a point on the west side of Mabee Slough; thence
S. 77° 57' 00" W., 400.80 feet along the Broadford Road to the **TRUE POINT OF
BEGINNING**. (TL 6460)

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: A37-12541
Date Received: 10/25/1988
Receipt No: C004047 *let*
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRUCE S. TIDWELL 208-788-2193
Address: P.O. BOX 2919
KETCHUM, ID 83340

AND/OR

Name: LESLIE TIDWELL 208-788-2193
Address: P.O. BOX 2919
KETCHUM, ID 83340

2. Date of Priority: OCT 01, 1972

3. Source: BROADFORD SLOUGH Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	26	NW	SE			BLAINE

5. Description of diverting works:
IN-STREAM STOCKWATER USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	10/01	05/01	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/20 HORSES

A37-12541

Page 1

Date: 01/23/89

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FEB 20 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	35	NW NE		STOCK	

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:
A37-12539

14. Remarks:
NON-IRRIGATION SEASON STOCKWATER USE OF WATER RUNNING IN
BROADFORD SLOUGH.

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 _____ 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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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 A37-12541
Date Received 10-25-88
Receipt Number C004047

RECEIVED

OCT 25 1988

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Southern Region Office

For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

1. Name of Claimant(s): Bruce S. Tidwell &/or Leslie Tidwell
Phone: (208) 788-2193
Mailing Address: P.O. Box 2919
Ketchum, ID 83340
2. Date of Priority: October 1, 1972
3. Source of water supply: (a) Broadford Slough
which is tributary to: (b) Sinks
4. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 1/4 1/4</u>	<u>Lot</u>	<u>County</u>
2N	18E	26	NW SE		Blaine

Additional points of diversion if any: None.

5. Description of diversion works: In-stream stockwater use.
6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Stockwater	October 1	May 1	0.02 cfs

7. Total Quantity Claimed: 0.02 cfs
8. Total consumptive use claimed is de minimus

MICROFILMED

FEB 26 1993

9. Non-irrigation uses: Stockwater - in-stream by 20 horses

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>
2N	18E	35	NW	NE	S

11. Place of use is located in Blaine County.

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

13. Describe other water rights used? One beneficial use claim includes stockwater.

14. Remarks: Non-irrigation season stockwater use of water running in Broadford Slough.

15. Basis of Claim: Beneficial use.

IDWR Water Right Number: N/A

Court: Case Number: Decree Date:

Plaintiff v. 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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)

Robert A. Tidwell

Date 10/24/88

Date _____

State of IDAHO)

) ss.

County of BLAINE)

Subscribed and sworn before me this 29 day of October, 1988.

Notary Public

Residing at

Commission Expires

James P. Speck
East Fork, ID
1/22/91

Last Name: Tidwell
a:\tidwell16.clm

Ident No.:

MICROFILMED

FEB 26 1993