

02/07/2005

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

RIGHT NUMBER: 37-794C

NAME AND ADDRESS: STEVE CRANDALL
2467 S 1100 E
HAGERMAN ID 83332

SOURCE: SPRINGS

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1888

POINT OF DIVERSION:

T06S R13E S28 NENENE Lot 1 Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.020 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S21 Lot 3 SWSE 0.9

STOCKWATER same as IRRIGATION

0.9 ACRES TOTAL

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Decreed

Source is also known as Montana Mining Company Ditch Spring No. 1.

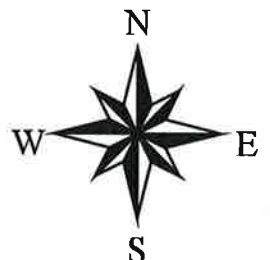
37-794C



600 0 600 1200 1800 Feet

T06S R13E S21 & S28

Map prepared by: Carter Fritschle
Date prepared: 02/07/05
1987-1988 NAPP photography
Idaho Department of Water Resources



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: 39356

Ident. Number

A37-00794 C

Date Received

8-26-88

Receipt Number

5002272

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

AUG 26 1988

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) STEVE GRANDALL Phone (208) 837-6618
Mailing Address 2467 South 1100 East, Rt. #1, Hagerman, Idaho Zip 83332
2. Date of Priority (Only one (1) per claim) April 1, 1888
3. Source of water supply (a) Unnamed Springs
which is tributary to (b) Snake River
4. a. Location of existing point of diversion is: Township 6 South Range 13 East Section 21,
1/4 of SE 1/4 of SE 1/4, Govt. Lot, 3 B.M., County of Gooding
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. From the spring, the flows in a dirt ditch
to the subject property where it is used to irrigate pasture by flood irrigation.

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Copies: White - State, Yellow - Claimant

FEB 23 1989

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar. 15 to Nov. 15 amount 0.02 or _____

For Stockwater purposes from Jan. 1 to Dec. 31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) 4 (acre feet)

8. Total consumptive use claimed is 3 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) There are two horses on the property.

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6 S	13 E	21															Lot 3 S-1		1

Total number of acres irrigated 1 acre

11. In which county (ies) are lands listed above as place of use located? Gooding County

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

Last Name CRANDALL Ident No. _____

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Scale: 2 inches equals 1 mile

[illegible]

Last Name CRANDALL Ident No.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number A portion of 37-00794

Court District Court 4th Dist. Case Number _____ Decree Date May 29, 1913

Plaintiff vs Defendant See attached copy of the decree.

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 One (1)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Steve Crandall

Date 8-26-88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)

) SS.

County of Gooding)

Subscribed and sworn (or affirmed) before me this 26th day of August 19 88

SEAL

Notary Public Clyde Jensen

Residing at Hagerman, Idaho

My Commission Expires 5-10-91

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name CRANDALL Ident. Number _____

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FEB 23 1993

Copies White-State, Yellow-Claimant

tion list, and for the further reason that the said subscription list created no liability on the part of the defendant, to any person save and except a corporation which had never been formed or incorporated; Whereupon defendant cross examined the said John Stewart Clark, and he admitted that no incorporation had ever been formed under the said subscription list; and the said motion being argued by counsel, and the Court being fully advised in the premises; It is ordered adjudged and decreed, that the motion so made for nonsuit be and hereby is sustained, for the reason that said subscription list shows no liability on the part of the defendant C. A. Owens, to the plaintiff, for the reason that the same is not a subscription to its capital stock, and that no corporation has ever been formed pursuant to the said subscription list; That the defendant have and recover his costs of suit herein.

EDWARD A. WALTERS
Judge.

Filed June 9th, 1913.

FRANK L. BOWER, CLERK

BY H. BOWER, DEPUTY.

*Book 1 Judgements
Page 19*

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

Erastus West and Lona West
(husband and wife) and John
A. West, Jr., successors in
interest of David B. Bliss
and Lydia H. Bliss and Fred
G. Bliss,

Plaintiffs

vs

E. Bell and Helen Bell (husband
and wife), Deborah Sherman (for-
merly Smith) and George Sherman
(wife and husband) P. R. Lanchester
and Aretta Lanchester (hus-
band and wife) and Walter Burk-
hardt and Josephine Burkhardt
(husband and wife),

Defendants

D E C R E E

This cause came on regularly for hearing on the 30th day of May, 1913 before Hon. Edward A. Walters, District Judge sitting at chambers in Shoshone, Lincoln County, State of Idaho, upon the stipulation of the parties herein, waiving the taking of testimony, findings of facts, and conclusions of law and upon the stipulation of said parties that the following decree should be entered in this action and the Court being fully informed and advised in the premises, Wherefore by reason of the law and the stipulation of entry of judgment and of waiver of findings of facts and conclusions of law;

It is hereby Ordered, Adjudged and Decreed that Erastus West and Lona West (husband and wife) and John A. West, Jr., unmarried, successors in interest of David B. Bliss and Lydia H. Bliss, and Fred G. Bliss, plaintiffs and E. Bell and Helen Bell (husband and wife) Deborah Sherman (formerly Smith) and George Sherman (wife and husband) P. R. Lanchester and Aretta Lanchester (husband and wife), Walter Burkhardt and Josephine Burkhardt (husband and wife) defendants, be and they hereby are entitled to use for irrigation and other purposes the following number of inches of water, each fifty (50) inches thereof to be equivalent to a flow of one cubic foot per second of time as prescribed by the law of Idaho, from the waters of the Montana Mining Company's ditch, or any and all Springs feeding or tributary to said ditch, which ditch and springs are located as follows; said ditch, beginning at

Spring No. 1 in Lot 3, Sec. 21 T. 6 S.R. 13 E.B.M.; and flowing in a North Westerly direction parallel to the Snake River and ending at the center of East line of Lot 6, Sec. 7 T. 6 S.R. 13 E.B.M.

Said Springs feeding and tributary to said ditch, being located as follows; Spring No 1 and 2 in Lot 3, Sec. 21 T. 6 S.R. 13 E.B.M.; Springs No. 3 and 4 in the N.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Sec. 21, T. 6 S.R. 13 E.B.M.; Springs No. 5 and 6 in the N.W. $\frac{1}{4}$ of Sec. 21, T. 6 S.R. 13 E.B.M.; Springs No. 7 and 8 in the SW $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Sec. 16 T. 6 S.R. 13 E.B.M.; Spring No. 9 in the S.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Sec. 17 T. 6 S.R. 13 E. B. M.; Spring No. 10 in the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Sec. 17 T. 6 S.R. 13 E.B.M.; Spring No. 11 in the N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Sec. 17 T. 6 S.R. 13 E.B.M.; Springs No. 12 and 13 in the S.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Sec. 7 T. 6 S.R. 13 E.B.M.; Spring No. 14 in Lot 5, Sec. 12 T. 6 S.R. 12 E.B.M. Which said ditch and said Springs are all situate in Gooding County, State of Idaho.

Erastus West and Lona West (husband and wife) and John A. West, Jr., unmarried, successors in interest of David B. Bliss and Lydia H. Bliss, plaintiffs, One Hundred seventy-five (175) inches to be used on the following described lands; the North one-half of the North West one-fourth, the South-East one-fourth of the North-West one-fourth and Lot No. 2 all in Section seventeen (17) Township Six (6) South Range Thirteen East Boise Meridian, containing one Hundred sixty-four and forty-four one-hundredths acres, except however, three and twenty-eight one-hundredths (3.28) acres heretofore conveyed by David B. Bliss to the Twin Falls North Side Land and Water Company, also the South-West one-fourth of the South-West one-fourth of Section Eight (8) in Township Six (6) South Range Thirteen East Boise Meridian, containing Forty (40) acres.

Fred C. Bliss, plaintiff, One Hundred twenty-five (125) inches to be used on the following described lands; Lots Number Six (6) and Seven (7) in Section Seven and the South-West one-fourth of the North-East one-fourth and Lots No Two (2) and Eight (8) of Section Seven in Township Six (6) South Range Thirteen East Boise Meridian, containing approximately One Hundred Thirty acres, and Lot No. Five (5) of Section Twelve, Township Six (6) South Range Twelve, East Boise Meridian, containing Thirty-eight and eight (38.8) one-hundredths acres.

Deborah Sherman and George Sherman (wife and husband) One Hundred inches to be used in the following described lands; South-West one-fourth of the North-East one-fourth and the North-West one-fourth of the South-East one-fourth and Lot No. Two (2) of Section Twenty-one Township Six (6) South Range Thirteen East Boise Meridian, containing One Hundred Thirty-five acres more or less according to Government Survey.

P. R. Lanchester and Aurette Lanchester (Husband and wife) One Hundred Thirty-eight inches to be used on the following described lands; the South-East one-fourth of the South East one-fourth, and the North-West one-fourth of the South-East one-fourth, and Lot Three 3, of Section Seventeen Township Six, South Range Thirteen East Boise Meridian, containing One Hundred Thirty-five and Forty-one (135.41) one-hundredths acres; which said water may be taken from Spring No. 9 when necessary to irrigate the above described land, so long as the excess water therefrom is turned into the said Montana Mining Company's ditch.

Walter Burkhardt and Josephine Burkhardt (husband and wife) One Hundred inches to be used on the following described lands; Lot One (1) Section Seventeen and Lot Seven (7) Section Eighteen, Township Six (6) South Range Thirteen East Boise Meridian, containing Eighty-one and ninety-four (81.94) one-hundredths acres.

DOT 500
5 miles
[Signature]

E. Bell and Helen Bell (husband and wife) Sixty (60) inches to be used on the following described lands; Lot Three (3) Section Twenty-one Township Six (6) South Range Thirteen East Boise Meridian, containing Sixty-two and ninety-three (62.93) one-hundredths acres, according to the Government Survey.

*James
Bowler
Brown*

All of which said lands herein last above described are situate in the County of Gooding, State of Idaho.

All of which said rights shall date in priority from April 1, 1888.

That the parties herein shall maintain the said Montana Mining Company's ditch as described herein and to that end, they shall contribute yearly the following proportions of the entire cost of said maintenance, namely:

Fred G. Bliss and the lands to which his said water is decreed, twenty-five (25) per cent of said cost.

Erastus West and Lona West (husband and wife) and John A. West, Jr., unmarried and the lands to which their said water is decreed, twenty-five (25) per cent of said cost.

Walter Burkhardt and Josephine Burkhardt (husband and wife) and the lands to which their said water is decreed, fifteen (15) per cent of said cost.

E. R. Lancaster and Aretta Lancaster (husband and wife) and the lands to which their said water is decreed, fifteen (15) per cent of said cost.

E. Bell and Helen Bell, (husband and wife) and the lands to which their said water is decreed, ten (10) per cent of said cost.

Deborah Sherman and George Sherman (wife and husband) and the lands to which their said water is decreed, ten (10) per cent of said cost.

Dated at Shoshone, Idaho May 30th, 1913.

EDWARD A. WALTERS
Senior District Judge

STIPULATION.

It is hereby stipulated and agreed by and between counsel for plaintiffs and counsel for defendants that the above and foregoing decree may be signed by the Court at Chambers and the taking of testimony, making findings of facts and conclusions of law, is hereby expressly waived. It being the intention of the parties hereto, that the above decree shall be entered by the Judge by Stipulation and consent of all parties.

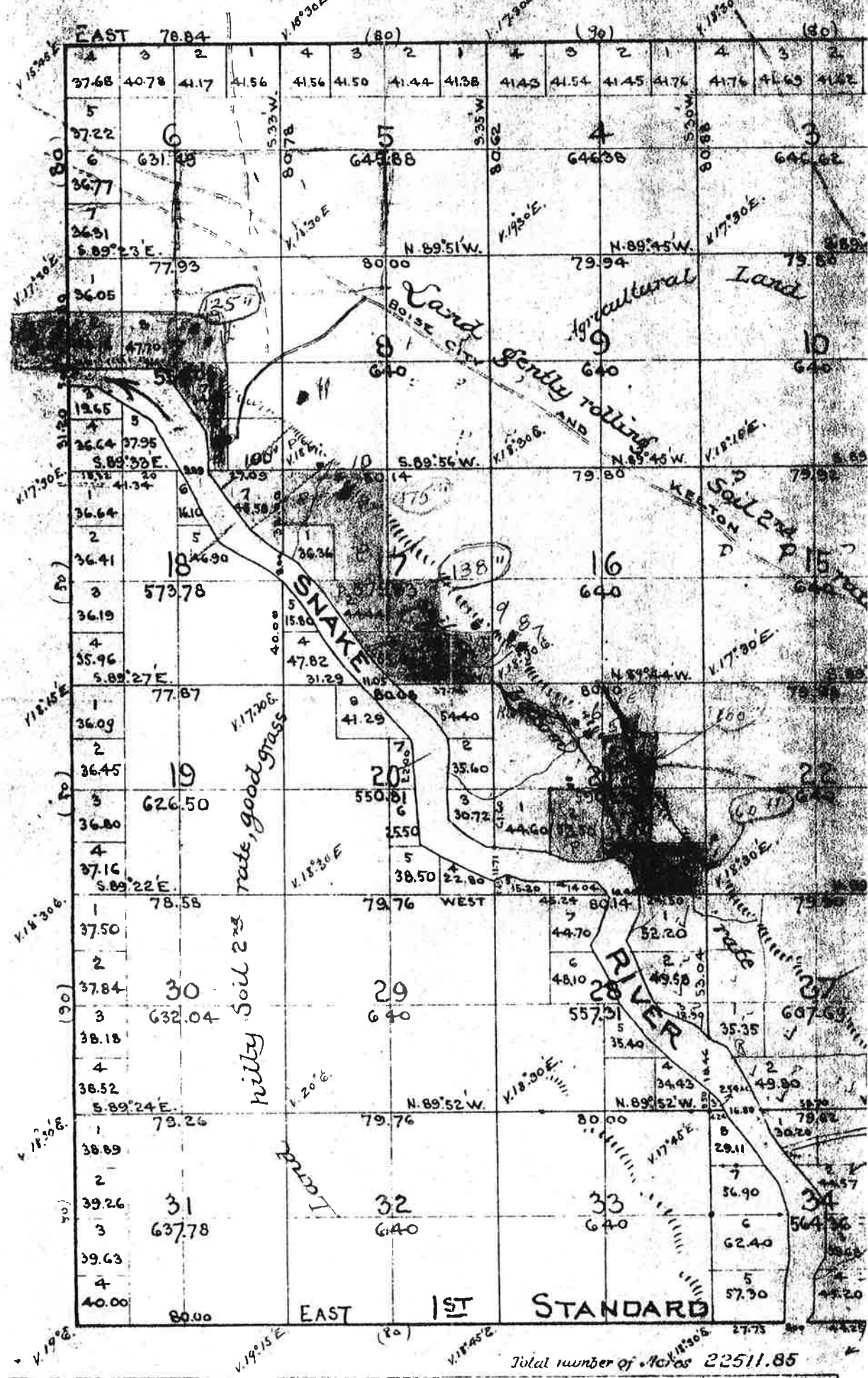
Dated this 29th day of May, 1913.

JAMES R. BOTTWELL
Attorney for plaintiffs
Residence, Shoshone, Idaho.

W. E. STAFFORD
Attorney for defendants.
Residence, Gooding, Idaho.

Filed June 2nd, 1913.

Frank L. Bower, Clerk
By H. Bower, Deputy.



Total number of Acres 22511.85

1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

portion

CLAIMANT'S NAME

Crandall

CLAIM IDENT. NO.

A37-00794C

DATE RECEIVED

8-26-88

CK #

5002272

AMOUNT \$

101.

- | | YES | NO | Required Info? |
|---|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | * |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo #4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be receipted and data entered? | ☒ | ☐ | |

Claim checked by:

lat

Date:

2-3-89

Claim must be returned to claimant:

(Yes)

(No)

Claimant must be notified of modifications:

(Yes)

(No)

Receipt Prepared by:

A. Merritt

Claim data entered by:

lat

Sent to claimant by:

Date:

9-19-88

Date:

2-3-89

Checked by:

lat

Date: 2-3-89

Comments:

MICROFILMED

FEB 23 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAH
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: A37-00794C

Date Received: 8/26/1988

Receipt No: S002272

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVE CRANDALL
Address: 2467 S. 1100 E., RT. 1
HAGERMAN, ID 83332 208-837-6618

2. Date of Priority: APR 01, 1888

3. Source: UNNAMED SPRINGS Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	13E	21	SE	SE	SE	3	GOODING

5. Description of diverting works:
DIRT DITCH, FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	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 3.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/2 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	13E	21	SW	SE	3	IRR	1.0
			SW	SE	3	STOCK	

Section Acres 1.0

A37-00794C

Page 1

Date: 02/03/89

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FEB 23 1993

10. Place of Use: Continued

Total Acres 1.0

11. Place of use in counties: GOODING

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: DECREED
Case Number:
Court :
Decree date: 5/29/1913

WEST ET AL

Decree Plaintiff

vs

BELL 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 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 _____