

06/03/2008

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

RIGHT NUMBER: 37-22239

NAME AND ADDRESS: CRICHTON CREEK LTD PARTNERSHIP
RT 1 BOX 1210
FAIRFIELD ID 83327

STATE OF IDAHO
DEPT OF LANDS
300 N 6TH ST
PO BOX 83720
BOISE ID 83720-0050

KKC

SOURCE: SHONKS CREEK
UNNAMED STREAM

TRIBUTARY: WILLOW CREEK
TRIBUTARY: SHONKS CREEK

QUANTITY: 0.020 CFS

This right shall be used in conjunction with water right no. 37-22240 and is limited to a total combined diversion rate of 0.020 CFS and total combined quantity of 13,000 gallons per day.

PRIORITY DATE: 04/01/1950

POINT OF DIVERSION:

T01N R16E S21 NENWNE Begin of Stream Flow Within CAMAS County
T01N R16E S21 NESWSW Begin of Stream Flow Within CAMAS County
T01N R16E S21 SESWSW End of Stream Flow Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/01 11/01	0.020 CFS

PLACE OF USE: STOCKWATER in CAMAS County

T01N R16E S21	NWNE	T01N R16E S21	SWNE
T01N R16E S21	NESW	T01N R16E S21	SWSW
T01N R16E S21	SESW	T01N R16E S21	NWSE

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.

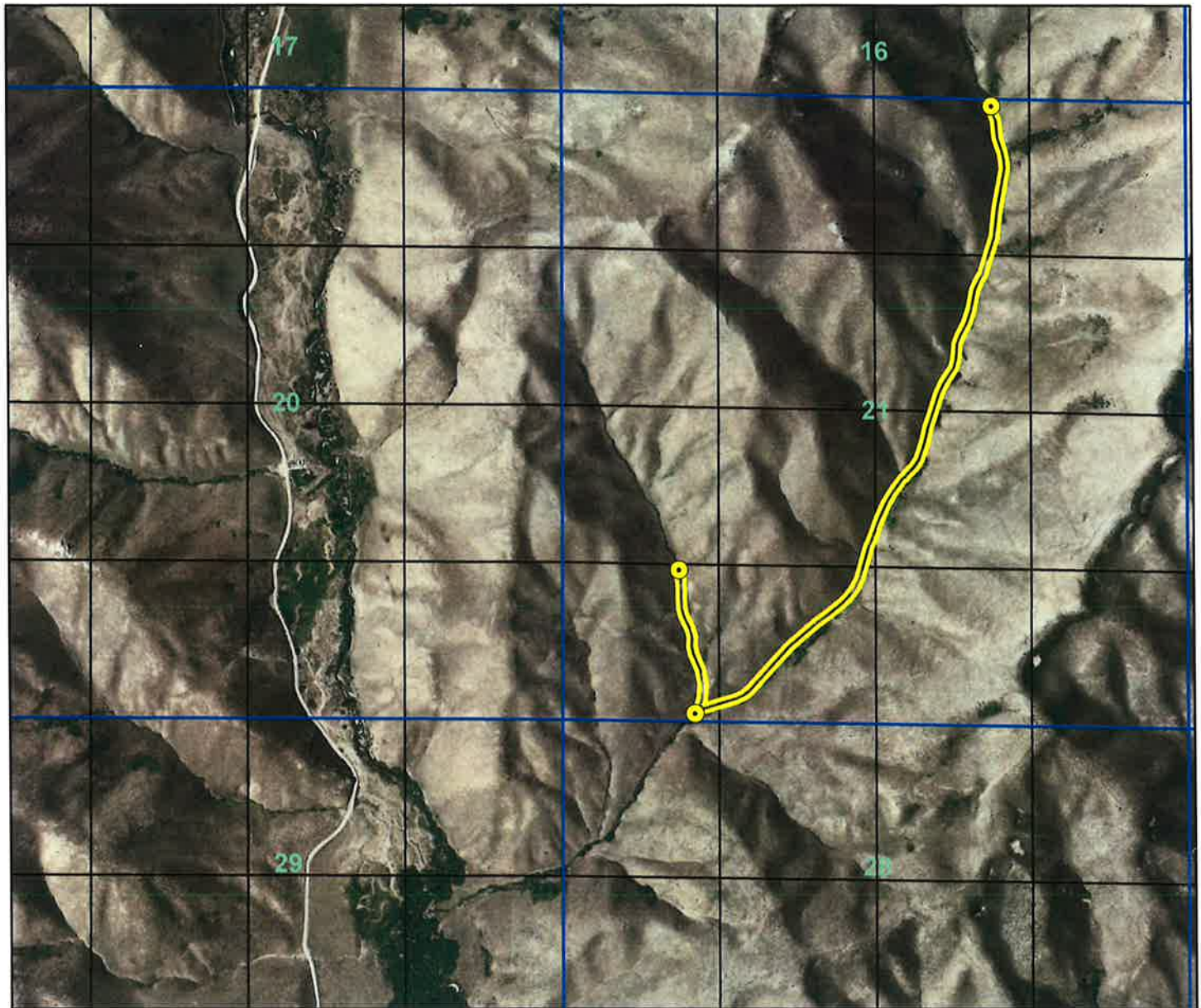
The ownership of water right no. 37-22239 is governed by a private agreement executed by the Idaho Department of Lands and Crichton Creek Ltd. Partnership.

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 - Beneficial Use

This right is a split from former right 37-13152 .

RECOMMENDED PLACE OF USE FOR 37-22239



PLACE OF USE
TWP 01N, RNG 16E, SEC 21
Data Entry on May 14, 2008

★ Approximate location
in Basin

- Recommended point of diversion
- Recommended place of use
- Township lines
- Section lines
- Quarter/quarter lines

GIS PLACE OF USE PRESENTATION
2006 AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



Basin 37



In Re SRBA)
) SUBCASE: 37-22239
)
)
) STANDARD FORM 5
)
 Case No. 39576)
) STIPULATED ELEMENTS OF A WATER
) RIGHT

The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:
CASA DEL NORTE LP

OBJECTOR:
State of Idaho – Department of Lands

Date _____

David J. Barber
Deputy Attorney General
State of Idaho – Department of Lands

IDWR CONCURRENCE:

Date _____

Date _____

CERTIFICATE OF MAILING

I certify that on _____, 2008, I mailed the original and the copies of this form, including all attachments, to the following persons by mailing the original and/or copies, 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

HAND DELIVERY

2. Copies to:

Mr. Bruce Smith representing
CASA DEL NORTE LP
Moore Smith Buxton & Turcke, Chtd
950 Bannock St., Ste. 520
Boise, ID 83702

U.S. MAIL

Office of the Attorney General
Natural Resource Division
Idaho Department of Lands
P.O. Box 83720
Boise, ID 83720-0050
Attn: David J. Barber

U.S. MAIL

State of Idaho
South Central Idaho Supervisory Area
Department of Lands
319 South 417 East
Jerome, ID 83338

U.S. MAIL

State of Idaho
Department of Lands
300 N. 6th St.
PO Box 83720
Boise, ID 83720-0050

U.S. MAIL

IDWR Depository
PO Box 83720
Boise, ID 83720

U.S. MAIL

Signature of person mailing the form

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

RIGHT NUMBER: ~~37-13152~~ 37-22239

NAME AND ADDRESS: CRICHTON CREEK LTD
PARTNERSHIP
RT 1 BOX 1210
FAIRFIELD ID 83327

STATE OF IDAHO
DEPT OF LANDS
300 N. 6th St.
PO BOX 83720
BOISE ID 83720-0050

SOURCE: SHONKS CREEK
UNNAMED STREAM

TRIBUTARY: WILLOW CREEK
TRIBUTARY: SHONKS CREEK

QUANTITY: 0.020 CFS

~~The quantity of water under this right shall not exceed 13,000 gallons per day.~~
This right shall be used in conjunction with water right no. 37-22240 and is limited to a total combined diversion rate of 0.020 CFS and total combined quantity of 13,000 gallons per day.

PRIORITY DATE: 04/01/1950

POINT OF DIVERSION:

~~T01N R16E S16~~ ~~SESWE~~ ~~Begin of Stream Flow Within CAMAS County~~
~~T01N R16E S21~~ ~~NENWE~~ ~~Begin of Stream Flow Within CAMAS County~~
~~T01N R16E S21~~ ~~NWNWSWNESWSW~~ ~~Begin of Stream Flow Within CAMAS County~~
T01N R16E S21 SESWSW End of Stream Flow Within CAMAS County

Handwritten notes: 710256, Beg. unkn stream, should be 1-33-54

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/01 11/01	0.020 CFS

PLACE OF USE: STOCKWATER in CAMAS County

~~T01N R16E S16~~ ~~SWSE~~	T01N R16E S21	NWNE
T01N R16E S21 SWNE	T01N R16E S21	NESW
~~T01N R16E S21~~ ~~NWSW~~	T01N R16E S21	SWSW
T01N R16E S21 SESW	T01N R16E S21	NWSE

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.

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 ownership of water right no. 37-22239 is governed by a private agreement executed by the Idaho Department of Lands and Crichton Creek Ltd. Partnership.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use. This is a split of water right no. 37-13152.

05/09/2008

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

RIGHT NUMBER: 37-22240

NAME AND ADDRESS: CRICHTON CREEK LTD PARTNERSHIP
RT 1 BOX 1210
FAIRFIELD ID 83327

VERIFIED BY KKC
5-8-08

SOURCE: UNNAMED STREAM

TRIBUTARY: SHONKS CREEK

QUANTITY: 0.020 CFS

This right shall be used in conjunction with water right no. 37-22239 and is limited to a total combined diversion rate of 0.020 CFS and total combined quantity of 13,000 gallons per day.

PRIORITY DATE: 04/01/1950

POINT OF DIVERSION:

T01N R16E S21 NWNWSW Begin of Stream Flow Within CAMAS County

T01N R16E S21 SENWSW End of Stream Flow Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	06/01 10/15	0.020 CFS

PLACE OF USE: STOCKWATER in CAMAS County

T01N R16E S21 NWSW

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 is not a determination of historical beneficial use.

Pursuant to the decision in Joyce Livestock v. United States (144 Idaho 1, 156 P.3d 502 (Idaho 2007)), this water right is appurtenant to real property that is not the place of use. Property to which this water right is appurtenant is described as follows pursuant to I.C. 42-1402:

T01N R16E S20	NENE
T01N R16E S20	NWNE
T01N R16E S20	SWNE
T01N R16E S20	SENE
T01N R16E S20	NENW
T01N R16E S20	NESE
T01N R16E S20	NWSE
T01N R16E S20	SWSE
T01N R16E S20	SESE

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 37-13152

Christensen, Kelly

From: Barber, David [david.barber@ag.idaho.gov]
Sent: Friday, May 30, 2008 5:05 PM
To: Bromley, Chris; Christensen, Kelly
Cc: Arrington, Paul; Clay, Chris
Subject: Status of SF-5s for Crichton Creek

Dear Chris & Kelly:

I wanted to provide you an update on the SF-5s that you sent me regarding Crichton Creek. The GIS person who reviews these matters for me will be absent from the office until June 5th. She needs to review them before, I will present the settlement agreement to the Director of the IDL for consideration. If the Director executes the Settlement Agreement, then I will sign the SF-5s. I did find one glaring error in both the SF-5s. The IDWR dropped the joint ownership of IDL and Crichton Creek on water right nos. 37-22239 and 37-22260. Please do not send corrected SF-5s to me until I notify you that the GIS person at IDL concurs in your legal descriptions.

Sincerely,

David J. Barber

6/3/2008

Christensen, Kelly

From: Christensen, Kelly
Sent: Wednesday, May 14, 2008 4:34 PM
To: 'Barber, David'; 'Fred Price'; 'Scott Beazer'
Cc: Bromley, Chris; Kelly, Vicki
Subject: Recommendations for 37-22239 and 37-22240 (split from 37-13152)

Attachments: 37-22239 CRICHTON CREEK Sf-5 recom.doc; 37-22240 CRICHTON CREEK Sf-5 recom.doc; 37-22239 40 layouts.doc

I did not make any changes to the recommendations as data entered by Dave Barber. I basically just generated the records without the underline - strikeout entries.

I have also included layouts for your review although they will not be submitted to the SRBA court.



37-22239



37-22240



37-22239 40

CHTON CREEK Sf-5CHTON CREEK Sf-5ayouts.doc (1 MB)..

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

**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	)	SUBCASE NO: 37-13152
	)	(SPLIT INTO 37-22239 & 37-22240)
	)	
Case No. 39576	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

To resolve the objections filed by the BLM and the State of Idaho Department of Lands in subcase 37-13152, the parties agree and stipulate that the whole of water right claim 37-13152 shall be split into two new water right claims and renumbered as 37-22239 and 37-22240. Water rights 37-22239 and 37-22240 now supersede water right 37-13152, and right 37-13152 should be dismissed with prejudice. The parties and IDWR have further indicated their concurrence to these renumbered water rights by signing below and initialing the attached pages.

CLAIMANT/RESPONDENT:
Crichton Creek Ltd. Partnership

OBJECTOR:
United States on behalf of the
Bureau of Land Management

Paul L. Arrington
Attorney for Crichton Creek
Ltd. Partnership

Date

Larry A. Brown
Attorney, U.S. Department of Justice
Environment and Natural Resources

Date

OBJECTOR:

State of Idaho
Department of Lands

David J. Barber
Deputy Attorney General
Attorney for Department of Lands

Date

IDWR CONCURRENCE:

Kelly Christensen 5-29-08

Kelly Christensen
Sr. Water Resource Agent

Date

IDWR CONCURRENCE:

Christopher M. Bromley
Deputy Attorney General
Attorney for IDWR

Date

05/23/2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION REASON</u>
37-13152	CRICHTON CREEK LTD PARTNERSHIP RT 1 BOX 1210 FAIRFIELD ID 83327	Parent split into 37-22239 and 37-22240

KKC

06/03/2008

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

RIGHT NUMBER: 37-22239

NAME AND ADDRESS: CRICHTON CREEK LTD PARTNERSHIP
RT 1 BOX 1210
FAIRFIELD ID 83327

STATE OF IDAHO
DEPT OF LANDS
300 N 6TH ST
PO BOX 83720
BOISE ID 83720-0050

KKC

SOURCE: SHONKS CREEK
UNNAMED STREAM

TRIBUTARY: WILLOW CREEK
TRIBUTARY: SHONKS CREEK

QUANTITY: 0.020 CFS

This right shall be used in conjunction with water right no. 37-22240 and is limited to a total combined diversion rate of 0.020 CFS and total combined quantity of 13,000 gallons per day.

PRIORITY DATE: 04/01/1950

POINT OF DIVERSION:

T01N R16E S21 NENWNE Begin of Stream Flow Within CAMAS County
T01N R16E S21 NESWSW Begin of Stream Flow Within CAMAS County
T01N R16E S21 SESWSW End of Stream Flow Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/01 11/01	0.020 CFS

PLACE OF USE: STOCKWATER in CAMAS County

T01N R16E S21	NWNE	T01N R16E S21	SWNE
T01N R16E S21	NESW	T01N R16E S21	SWSW
T01N R16E S21	SESW	T01N R16E S21	NWSE

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.

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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 - Beneficial Use

This right is a split from former right 37-13152 .

05/09/2008

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

RIGHT NUMBER: 37-22240

NAME AND ADDRESS: CRICHTON CREEK LTD PARTNERSHIP
RT 1 BOX 1210
FAIRFIELD ID 83327

SOURCE: UNNAMED STREAM

TRIBUTARY: SHONKS CREEK

QUANTITY: 0.020 CFS

This right shall be used in conjunction with water right no. 37-22239 and is limited to a total combined diversion rate of 0.020 CFS and total combined quantity of 13,000 gallons per day.

PRIORITY DATE: 04/01/1950

KKC

POINT OF DIVERSION:

T01N R16E S21 NWNWSW Begin of Stream Flow Within CAMAS County

T01N R16E S21 SENWSW End of Stream Flow Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	06/01 10/15	0.020 CFS

PLACE OF USE:

STOCKWATER in CAMAS County

T01N R16E S21 NWSW

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

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T01N R16E S20	NWNE
T01N R16E S20	SWNE
T01N R16E S20	SENE
T01N R16E S20	NENW
T01N R16E S20	NESE
T01N R16E S20	NWSE
T01N R16E S20	SWSE
T01N R16E S20	SESE

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 37-13152.

CERTIFICATE OF SERVICE

I certify that on _____, 2008, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Paul L. Arrington
Barker Rosholt & Simpson LLP
P.O. Box 485
Twin Falls, ID 83303-0485

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

David J. Barber
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person or attorney mailing the form

06/03/2008

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

RIGHT NUMBER: 37-22239

NAME AND ADDRESS: CRICHTON CREEK LTD PARTNERSHIP
RT 1 BOX 1210
FAIRFIELD ID 83327

STATE OF IDAHO
DEPT OF LANDS
300 N 6TH ST
PO BOX 83720
BOISE ID 83720-0050

KKC

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UNNAMED STREAM

TRIBUTARY: WILLOW CREEK
TRIBUTARY: SHONKS CREEK

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POINT OF DIVERSION:

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T01N R16E S21 NESWSW Begin of Stream Flow Within CAMAS County
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PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/01 11/01	0.020 CFS

PLACE OF USE: STOCKWATER in CAMAS County

T01N R16E S21	NWNE	T01N R16E S21	SWNE
T01N R16E S21	NESW	T01N R16E S21	SWSW
T01N R16E S21	SESW	T01N R16E S21	NWSE

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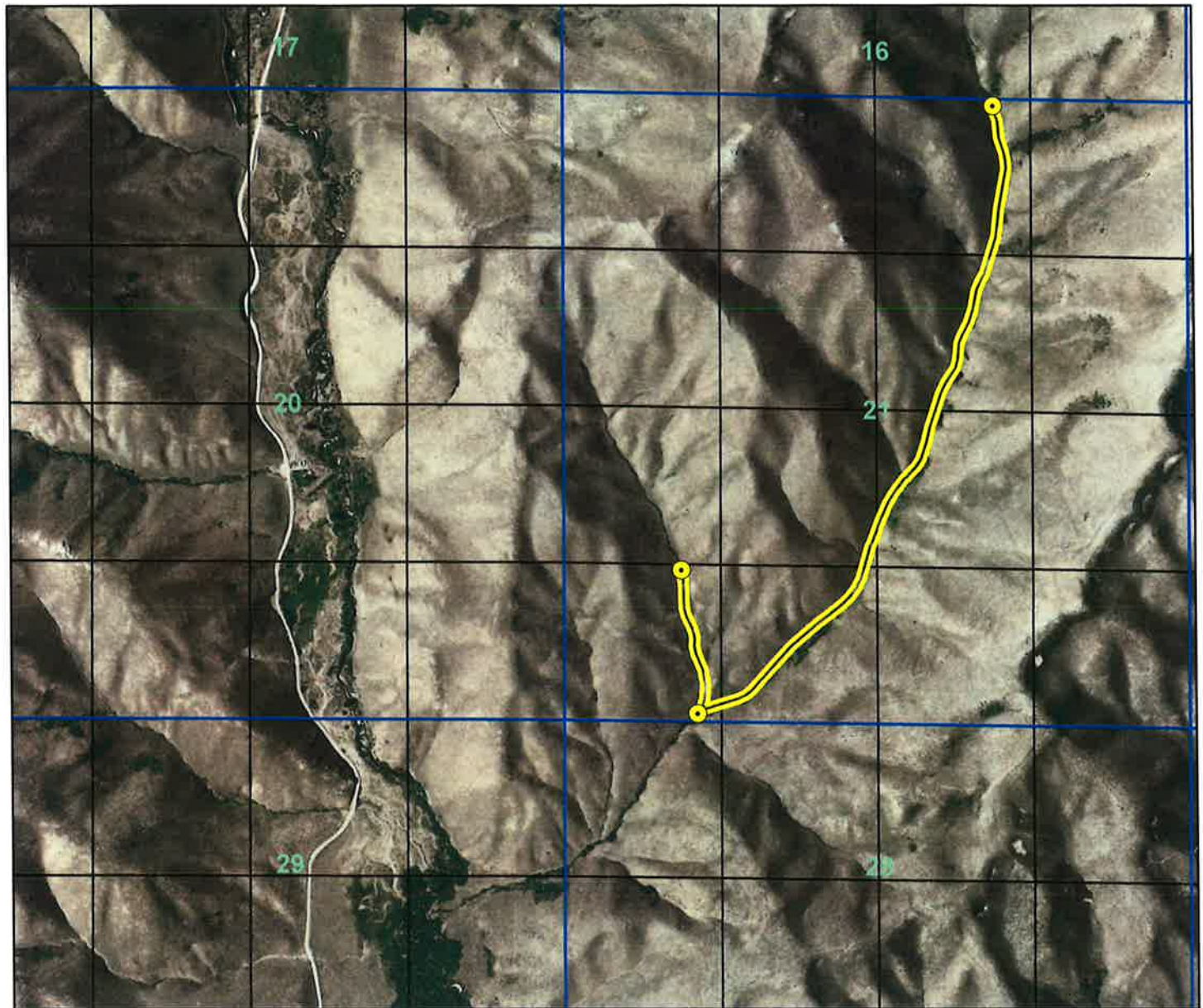
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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 37-13152 .

RECOMMENDED PLACE OF USE FOR 37-22239



PLACE OF USE
TWP 01N, RNG 16E, SEC 21
Data Entry on May 14, 2008

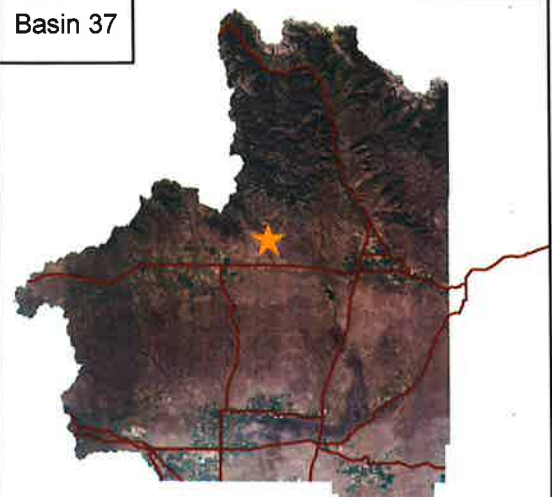
★ Approximate location
in Basin

- Recommended point of diversion
- Recommended place of use
- Township lines
- Section lines
- Quarter/quarter lines

GIS PLACE OF USE PRESENTATION
2006 AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



Basin 37



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

) SUBCASE: 37-22239
)
)
)

STANDARD FORM 5

Case No. 39576

) **STIPULATED ELEMENTS OF A WATER**
) **RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:

CASA DEL NORTE LP

OBJECTOR:

State of Idaho – Department of Lands

Date

David J. Barber Date
Deputy Attorney General
State of Idaho – Department of Lands

IDWR CONCURRENCE:

Date

Date

CERTIFICATE OF MAILING

I certify that on _____, 2008, I mailed the original and the copies of this form, including all attachments, to the following persons by mailing the original and/or copies, 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

HAND DELIVERY

2. Copies to:

Mr. Bruce Smith representing
CASA DEL NORTE LP
Moore Smith Buxton & Turcke, Chtd
950 Bannock St., Ste. 520
Boise, ID 83702

U.S. MAIL

Office of the Attorney General
Natural Resource Division
Idaho Department of Lands
P.O. Box 83720
Boise, ID 83720-0050
Attn: David J. Barber

U.S. MAIL

State of Idaho
South Central Idaho Supervisory Area
Department of Lands
319 South 417 East
Jerome, ID 83338

U.S. MAIL

State of Idaho
Department of Lands
300 N. 6th St.
PO Box 83720
Boise, ID 83720-0050

U.S. MAIL

IDWR Depository
PO Box 83720
Boise, ID 83720

U.S. MAIL

Signature of person mailing the form

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

RIGHT NUMBER: 37-13152 37-22239

NAME AND ADDRESS: CRICHTON CREEK LTD
PARTNERSHIP
RT 1 BOX 1210
FAIRFIELD ID 83327

STATE OF IDAHO
DEPT OF LANDS
300 N. 6th St.
PO BOX 83720
BOISE ID 83720-0050

SOURCE: SHONKS CREEK
UNNAMED STREAM

TRIBUTARY: WILLOW CREEK
TRIBUTARY: SHONKS CREEK

QUANTITY: 0.020 CFS

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PRIORITY DATE: 04/01/1950

POINT OF DIVERSION:

~~T01N R16E S16~~ ~~SESWE~~ ~~Begin of Stream Flow Within CAMAS County~~

T01N R16E S21 ~~NENWE~~ ~~Begin of Stream Flow Within CAMAS County~~

T01N R16E S21 ~~NWNWSWNESWSW~~ ~~Begin of Stream Flow Within CAMAS County~~

T01N R16E S21 SESWSW End of Stream Flow Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05/01 11/01	0.020 CFS

PLACE OF USE: STOCKWATER in CAMAS County

~~T01N R16E S16~~ ~~SWSE~~	T01N R16E S21	NWNE
T01N R16E S21 SWNE	T01N R16E S21	NESW
~~T01N R16E S21~~ ~~NWSW~~	T01N R16E S21	SWSW
T01N R16E S21 SESW	T01N R16E S21	NWSE

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use. This is a split of water right no. 37-13152.

05/09/2008

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

RIGHT NUMBER: 37-22240

NAME AND ADDRESS: CRICHTON CREEK LTD PARTNERSHIP
RT 1 BOX 1210
FAIRFIELD ID 83327

VERIFIED BY KKC
5-8-08

SOURCE: UNNAMED STREAM

TRIBUTARY: SHONKS CREEK

QUANTITY: 0.020 CFS

This right shall be used in conjunction with water right no. 37-22239 and is limited to a total combined diversion rate of 0.020 CFS and total combined quantity of 13,000 gallons per day.

PRIORITY DATE: 04/01/1950

POINT OF DIVERSION:

T01N R16E S21 NWNWSW Begin of Stream Flow Within CAMAS County

T01N R16E S21 SENWSW End of Stream Flow Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	06/01 10/15	0.020 CFS

PLACE OF USE: STOCKWATER in CAMAS County

T01N R16E S21 NWSW

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 is not a determination of historical beneficial use.

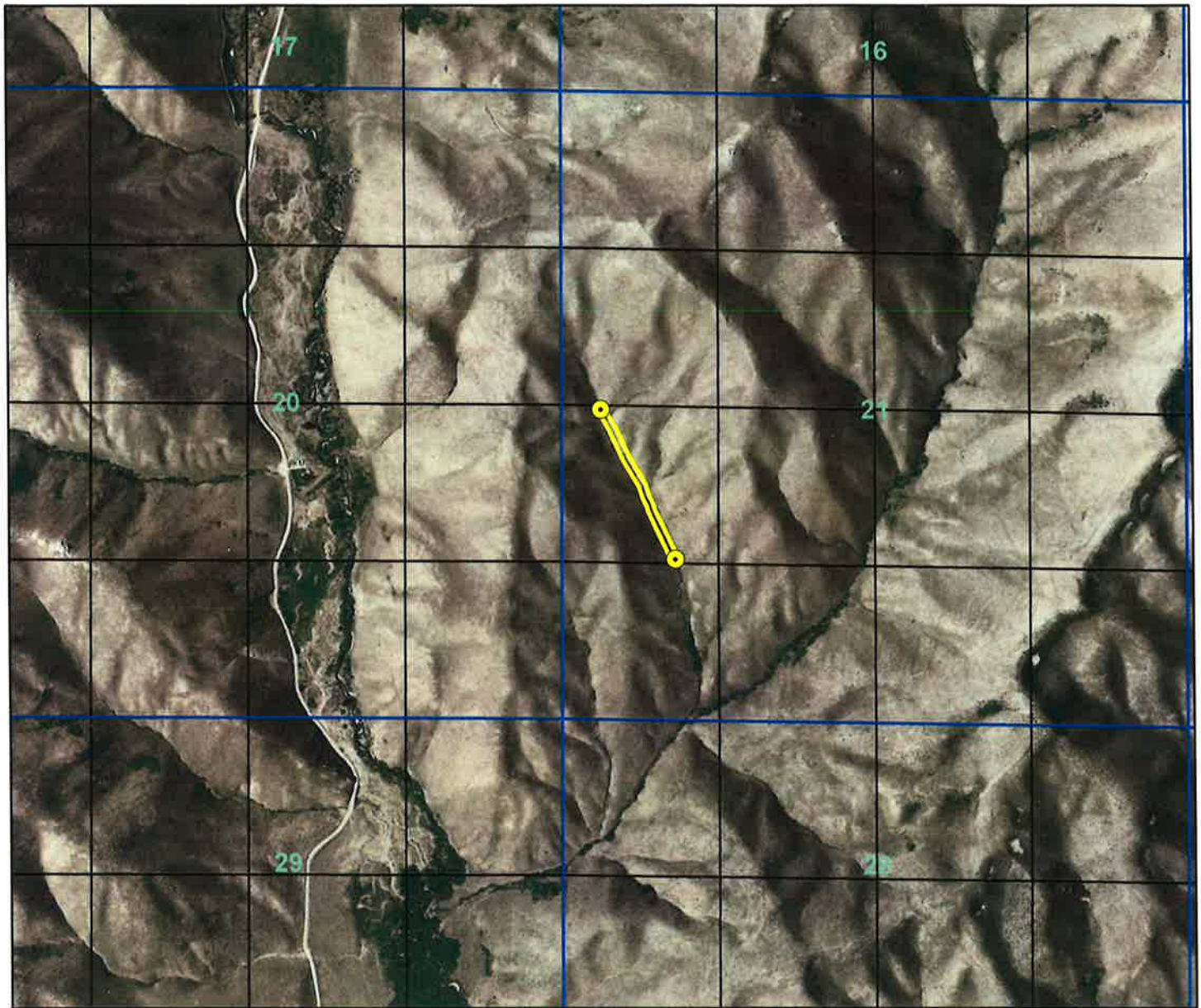
Pursuant to the decision in Joyce Livestock v. United States (144 Idaho 1, 156 P.3d 502 (Idaho 2007)), this water right is appurtenant to real property that is not the place of use. Property to which this water right is appurtenant is described as follows pursuant to I.C. 42-1402:

T01N R16E S20	NENE
T01N R16E S20	NWNE
T01N R16E S20	SWNE
T01N R16E S20	SENE
T01N R16E S20	NENW
T01N R16E S20	NESE
T01N R16E S20	NWSE
T01N R16E S20	SWSE
T01N R16E S20	SESE

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 37-13152 .

RECOMMENDED PLACE OF USE FOR 37-22240



PLACE OF USE
TWP 01N, RNG 16E, SEC 21
Data Entry on May 14, 2008

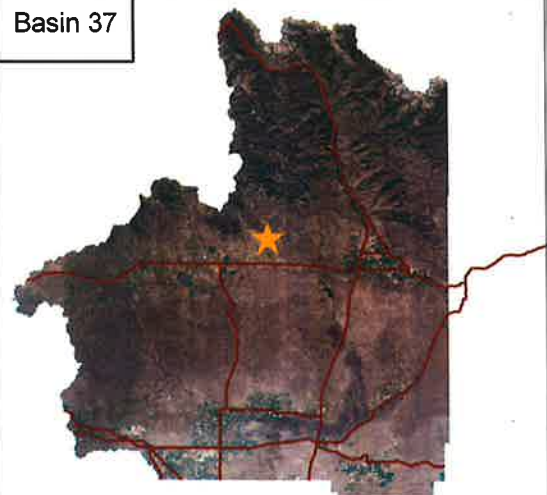
★ Approximate location
in Basin

- Recommended point of diversion
- ▬ Recommended place of use
- ▬ Township lines
- ▬ Section lines
- ▬ Quarter/quarter lines

GIS PLACE OF USE PRESENTATION
2006 AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



Basin 37



Christensen, Kelly

From: Barber, David [david.barber@ag.idaho.gov]
Sent: Wednesday, October 24, 2007 2:33 PM
To: Christensen, Kelly
Subject: RE: Follow-up to Basin 37 Initial hearings

Dear Kelly:
 Thank you!!
 Sincerely,
 David J. Barber

-----Original Message-----

From: Christensen, Kelly [mailto:Kelly.Christensen@idwr.idaho.gov]
Sent: Wednesday, October 24, 2007 2:31 PM
To: Barber, David
Subject: RE: Follow-up to Basin 37 Initial hearings

I have created the following splits:

37-20916 split into

37-22235 — SF-5 generated
 37-22236 — SF-5 generated

37-13137 split into Printed

37-22237 — 37-22259
 37-22238 — 22260
 22238

37-13152 split into

37-22239
 37-22240

Let me know if you need anything else.

Kelly

-----Original Message-----

From: Barber, David [mailto:david.barber@ag.idaho.gov]
Sent: Friday, October 19, 2007 8:44 AM
To: Christensen, Kelly
Cc: Bromley, Chris
Subject: Follow-up to Basin 37 Initial hearings

Dear Kelly:

I need some additional water right numbers to implement the split of the various water rights as discussed at the initial hearings. I need the following:

Water right no. 37-20916 will be split. I will use the original number for the split with the larger area. I need a new number for the other water right.

Water right no. 37-13137 will be split. I will use the original number for the split with the larger area. I need a new number for the other water right.

*SRBACT
 SF-5 filed
 4-9-08*

GP 1 sent to S.O. for finalization

*Proof generated (updated 2-28-08)
 Proof generated
 -proof generated (updated 2-28-08)
 GP 2 appear to be O.K. have not
 received an SF-5 packet as of
 2-28-08*

No info received yet.

*By Dave
 Barber*

Water right no. 37-13152 will be split. I will use the original number for the split with the larger area. I need a new number for the other water right.

Thank you!! I am trying to get all the splits prepared before I get distracted with other matters.

Sincerely,

David J. Barber

2/29/2008