

08/23/2006

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

RIGHT NUMBER: 27-12012
NAME AND ADDRESS: CHERYL STONE
441 E 400 N
BLACKFOOT ID 83221

GORDON STONE
441 EAST 400 NORTH
BLACKFOOT ID 83221

SOURCE: SAND CREEK TRIBUTARY: BLACKFOOT RIVER
QUANTITY: 0.090 CFS
PRIORITY DATE: 03/04/1909
POINT OF DIVERSION:

T02S R36E S14 NWNE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.090 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County
T02S R36E S14 NENW 3.00

3 ACRES TOTAL

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 27-10761.

Portion of water right no. 27-2012 in the name of Charles F. Landon. Number 27-12011 on water right.

07/15/2004

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

RIGHT NUMBER: 27-12012

NAME AND ADDRESS: CHERYL STONE
441 E 400 N
BLACKFOOT ID 83221

GORDON STONE
441 EAST 400 NORTH
BLACKFOOT ID 83221

Disallowed

SOURCE: SAND CREEK

TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 06/01/1907

POINT OF DIVERSION:

T02S R36E S14 SENWNE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.100 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R36E S14 NENW 5.0

5 ACRES TOTAL

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

RECOMMENDED AS RIGHT NO. 27-12013: This is included for a claim that is PROPOSED to be disallowed because the right claimed is recommended pursuant to another right. The remark indicates the water right number of the OTHER right that is proposed to be recommended. If you are not mailed a notice of the recommendation of the OTHER right, then the OTHER right is recommended in another claimants name.

EXPLANATORY MATERIAL: **Beneficial Use**

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 27-10767. 10761

Water Right 27-12012

1

SCANNED
MAR 02 2006

PROFILED



Idaho Department of Water Resources

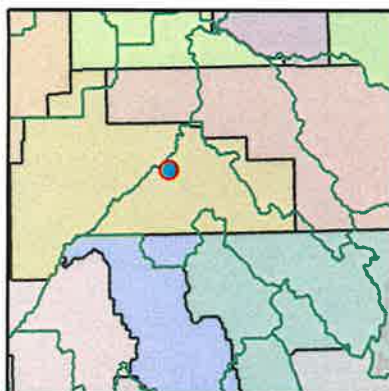
SRBA Recommendation:

27-12012

(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters

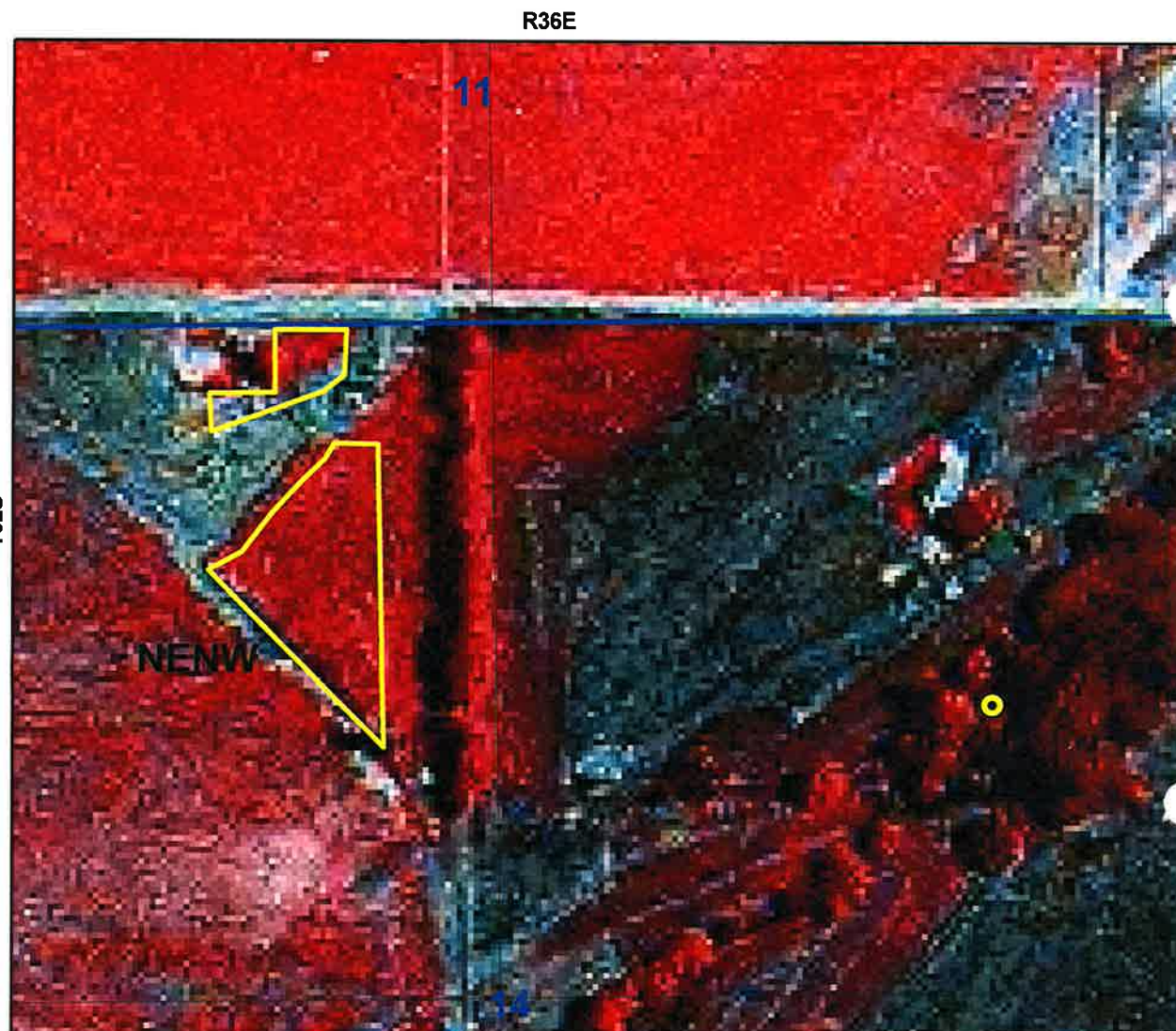


Bingham County
IDWR Basin 27



SEP 20 2006

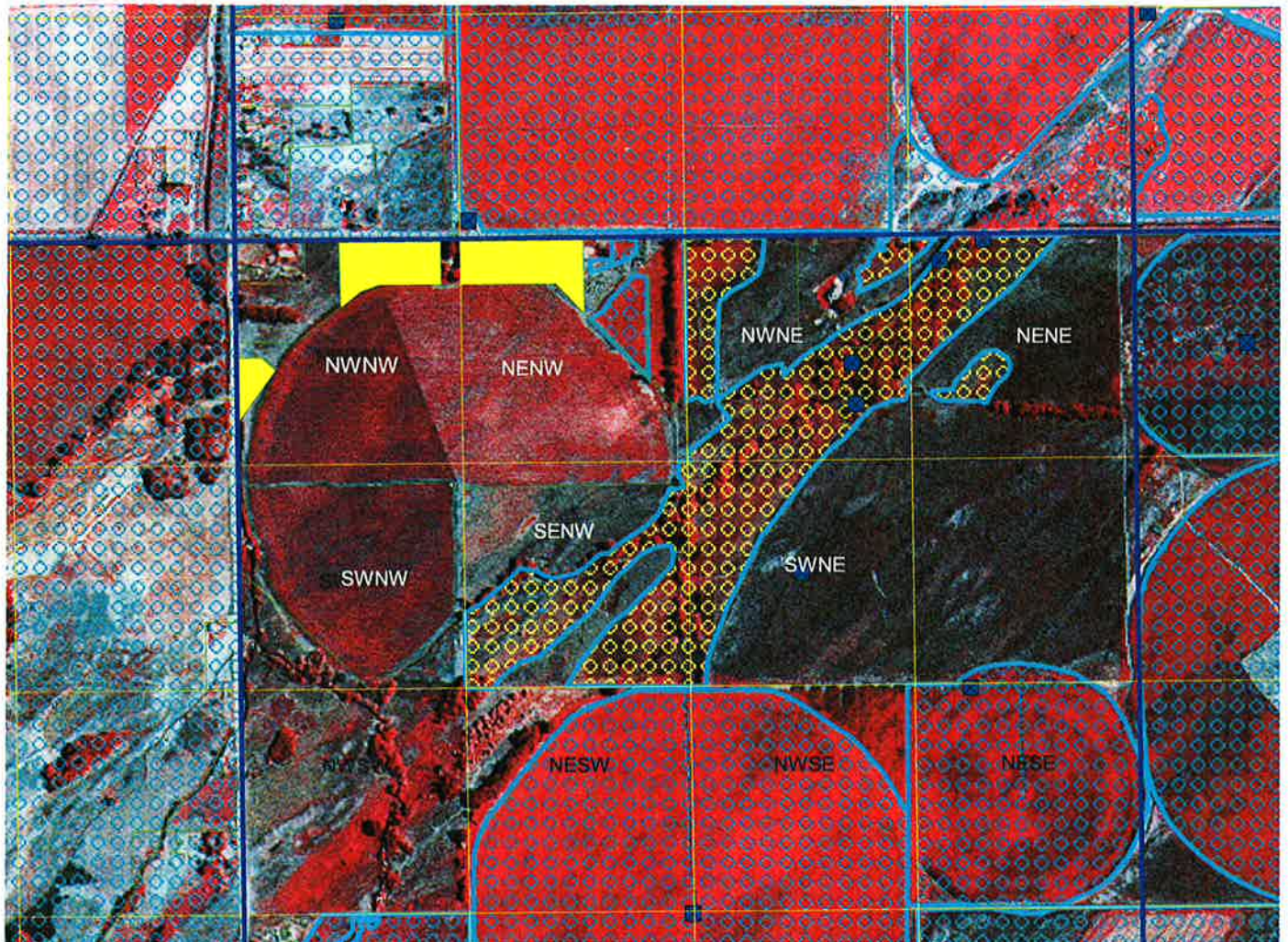
SCANNED



0 0.1 0.2 Miles

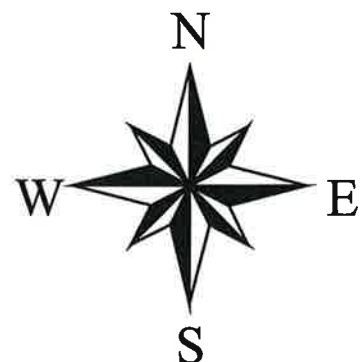
Prepared by C. Moore
On Wednesday, August 23, 2006
1987/88 Aerial Photography

2 south, 36 east, section 14, north half



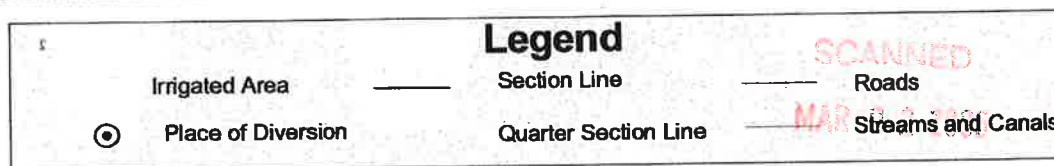
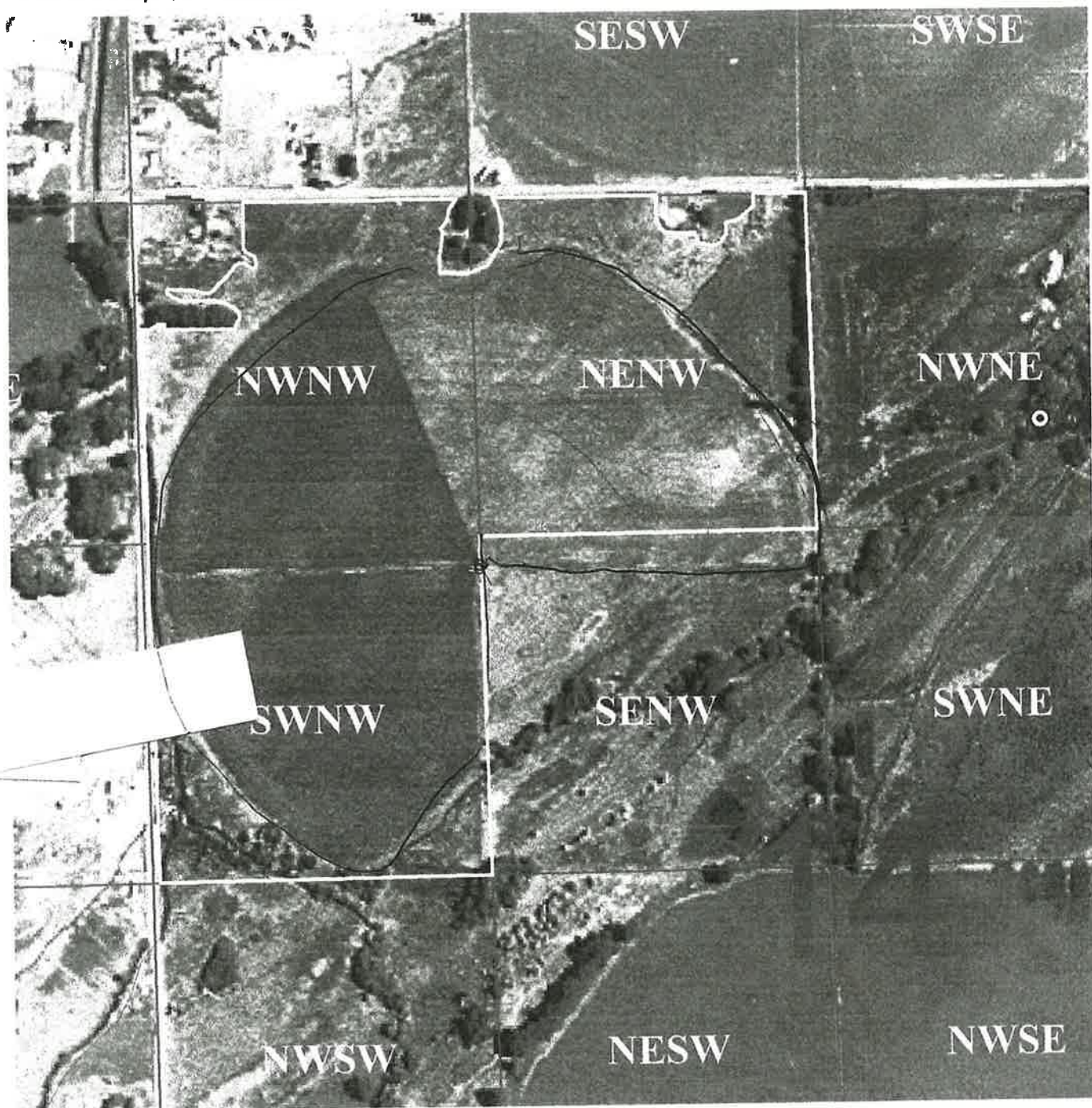
0.2 0 0.2 0.4 Miles

- Sections
- QQ
- Bingham taxlots
- GCDB02S36E GCDB
- Recommendation POD
- Recommendation POU
- Administrative BasinsAdminbas.shp



Water Right Claim Number 27-10761
Township , 2S36E

01/04/2001

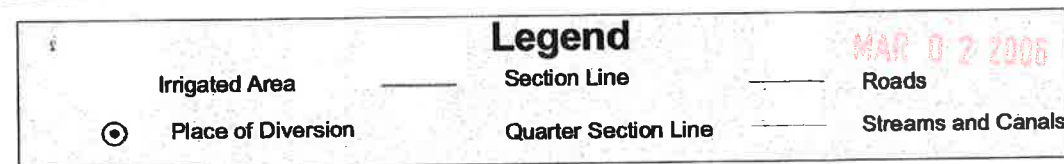
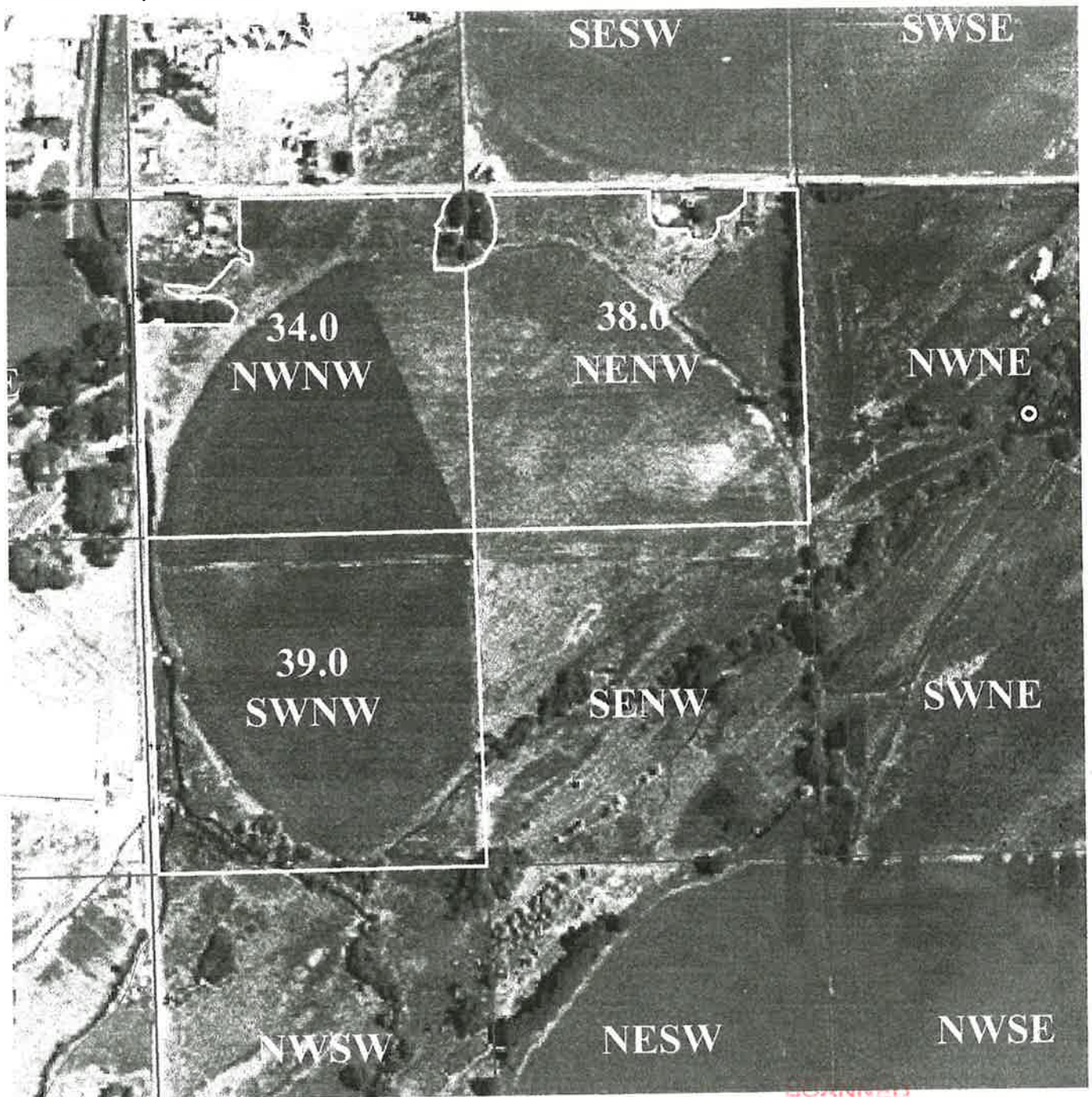


PROFILED



Water Right Claim Number 27-10761
Township , 2S36E

01/04/2001



400 0 400 800 Feet

PROFILED

SPATIAL
DYNAMICS

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

RIGHT NUMBER: 27-12012

NAME AND ADDRESS:

CHERYL STONE
441 E 400 N
BLACKFOOT ID 83221

GORDON STONE
441 EAST 400 NORTH
BLACKFOOT ID 83221

SOURCE:

Source:
SAND CREEK

Tributary:
BLACKFOOT RIVER

QUANTITY:

0.090 CFS
0.000 AFY

~~0.100 CFS~~

PRIORITY DATE:

03/04/1909
~~06/01/1907~~

POINT OF DIVERSION:

T02S R36E S14 NWNE
Within BINGHAM County

~~T02S R36E S14 SENWNE~~
~~Within BINGHAM County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

0.090 CFS

~~04/01 11/01~~

~~0.100 CFS~~

PLACE OF USE:

IRRIGATION

within BINGHAM County

T02S R36E S14 NENW 3.0

~~T02S R36E S14 NENW 5.0~~

3 ACRES TOTAL

~~5 ACRES TOTAL~~

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

~~No beneficial use found.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 27-10761.

Portion of water right no. 27-2012 in the name of Charles F. Landon.
Number 27-12011 on water right.

~~THIS RIGHT IS A SPLIT FROM FORMER RIGHT 27-10767.~~

~~No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.~~



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION
October 31, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

NEIL MORGAN
MORGAN ENTERPRISES LLC
762 W HWY 39
BLACKFOOT ID 83221

RE: RETURNED OWNERSHIP CHANGES 27-12011 FOR ELLIS, CAMPBELL
AND KOHLER

Dear Mr. Morgan:

I am returning the above referenced documents. I have done extensive research on the property described in the deeds you submitted and there are no valid water rights on that property. 27-12011 was disallowed due to forfeiture as a result of 5 years of non-use when the Belnaps owned it.

I have enclosed a map delineating your clients' properties and the only valid water right in the area. As you can see, the water is not located in the same quarter section.

I hope this clears up any confusion you or your clients have over this issue. If you need more information, please contact Senior Water Right Agent, Cindy Bird, in our Soda Springs office at (208) 547-3993.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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

Subcase No. 27- 12012
Previously Disallowed

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 and/or one federal reserved water right. 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; 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 described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT(s):/OBJECTOR(s)

[Signature] 7-27-06
Date

[Signature] 07/27/06
Date

SCANNED

SEP 20 2006

PROFILED

STANDARD FORM 5

RECEIVED

AUG 02 2006

Department of Water Resources
Eastern Region

OBJECTOR(s):

Date

Date

RESPONDENT(s):

Date

Date

IDWR Concurrence:

Ernie Carlsen *7-27-06*

Ernie Carlsen Date
IDWR Adjudication Supervisor

Candice McHugh *7/27/06*

Candice McHugh Date
Deputy Attorney General
Attorney for IDWR

IDAHO DEPARTMENT OF WATER RESOURCES
AMENDED RECOMMENDATION - PREVIOUSLY DISALLOWED

RIGHT NUMBER: 27-12012

NAME AND ADDRESS: CHERYL STONE
441 EAST 400 N
BLACKFOOT, ID 83221

GORDON STONE
441 EAST 400 N
BLACKFOOT, ID 83221

SOURCE: SAND CREEK

TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.09 CFS

PRIORITY DATE: 03/04/1909

POINT OF
DIVERSION: T02 R36E S14 NWNE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.09 CFS

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R36E S14 NENW 3

ACRES TOTAL 3 acres

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Portion of water right no. 27-2012 in the name of Charles F. Landon.

CERTIFICATE OF MAILING

I certify that on July 27, 2006, I mailed the original and 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-delivered

2. Copies to:

GORDON & CHERYL STONE

hand-delivered

441 E 400 N

BLACKFOOT ID 83221

IDWR Repository
P.O. Box 83720
Boise, ID 83720

hand-delivered



Signature of person or attorney mailing the form

07/16/2004

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 27-12012

CHERYL STONE
441 E 400 N
BLACKFOOT ID 83221

GORDON STONE
441 EAST 400 NORTH
BLACKFOOT ID 83221

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 05/23/05

SIGNATURE: *Cheryl Stone*

Gordon Stone

Please print your name:

CHERYL STONE

GORDON STONE

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

RECEIVED

JUN 17 2005

Department of Water Resources
Eastern Region

SCANNED

MAR 02 2005

2005/6/20

Notes

7/9/04 Gordon Stone owns 5 acres but skip found no way for Mr. Stone to convey sand creek to his ground.

Claim "Disallowed"

11/14/05 Cheryl Stone called to find out why the claim was disallowed. I told her I would get the file from Eldorado Falls and call her back, cell phone 681-7954.

11/15/05 picked file up from Dave Grundle in Pocatello.

11/16/05 4pm. I called Cheryl back at 681-7954 to say that, there must be some confusion because the POR was disallowed and both of you signed the NOE in agreement? Cheryl, we wouldn't sign our w/r away!

Cheryl said their deed conveyed water, she is going to send a copy of her warranty deed.

I asked her how they get water from Sand Creek. She said through the Gardner's ditch.

I told Cheryl that they need to file an objection to the recommendation.

MAR 02 2006

PROFILED

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
------------	-----------	---------	------	-------	-----	-------

Current Owner: Gordon C Stone 441 F 400 N ⁷⁷

Name connector: and +, or —, and/or —

Current Owner Cheryl L. Stone. Blackfoot, ID 83221.

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: Bonnie Gardner Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: 6-16-04 Time: _____

Directions to Property (if different from above) and/or update owner information:

This image shows a single page of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Reviewer: CS

Date: 7/9/04

SEARCHED
MAR 02 2006

Contacts Data Entry Form

PROFILED

Priority Date Data Entry Form

Claim Number: 27-12012

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

None B.U.

Reviewer: CBSCANNED
MAR 02 2006Date: 7/9/04

Priority Date Data Entry Form

PROFILED

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (X)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes (X) No ()
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes (X) No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes (X) No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No ()
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No ()
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit.
Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes (X) No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim.
license B.U.
16. Is a Priority Date remark and/or condition required? Yes () No (X)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete.
If No, Priority Date review is complete.

Priority Date

SCANNED
MAR 02 2006

PROFILED

Claim No. 27 - 12012

Point of Diversion and Source Data Entry FormClaim Number: 27-12012

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____, County:_____

Source:_____ Tributary:_____

☒ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

PROFILED

Transfers Changing POD _____

Reviewer: CB

SCANNED

MAR 02 2003

Date: 7/9/04**Point of Diversion and Source Data Entry Form**

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

If Yes, go to 2
If No, go to 3

Yes (☒) No (☐)

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5

Yes (☒) No (☐)

3. Is the water being used for all of the purposes claimed and to the extent claimed?

If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

Yes (☐) No (☐)

4. Is any portion of the claim being recommended?

If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

Yes (☐) No (☒)

5. Does this right have any combined used limits with other rights?

If Yes, go to 6
If No, go to 6

Yes (☐) No (☒)

6. Is an additional remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Go to 7
If No, go to 7

Yes (☒) No (☐)

7. Would you like to view the recommended right?

If Yes, go to 8
If No, the review is incomplete. The recommendation must be viewed to complete the review.

Yes (☒) No (☐)

8. Is this a "split" or "combined" right?

If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 9
If No, go to 9

Yes (☒) No (☐)

9. Do you have documents you would like to attach or link to the file?

If Yes, go to PowerDOCS and profile the documents. Go to 10
If No, go to 10

Yes (☐) No (☒)

10. Would you like to set the verification date?

If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes (☒) No (☐)

Summary

Claim No.

27-12012

Claim No.: _____

Summary Data Entry Form

Remarks and Conditions (Include Type, Category and Code if applicable):

P21 Rem. Exp 27-~~2012~~ 10767
P06 Cond. Gen 27-12013
✱

Split or Combined Right Analysis:

yes

Attached Field Notes or Other Documents:

yes

PROFILED

SCANNED

MAR 02 2003

Claim No.:

27-12012

Reviewer

CB

Date

7/9/04

MAR 04 2005

SCANNED

NOV 12 1992

MICROFILMED

PROVIDED

TNS

Clawson
3/4 Puck

EAST BRANCH
BLACK FOOT
CANAL

Sec 8
Photo 6

Middleton

R 36E

R36E

SAND
CREEK

24

34

15

37

A27-10028-10761. SPLIT
A27-02012B

27-12011

N

Claim no. A27-10028
A27-2012A

Claimant Contact Log

Date	Remarks	Agent initials
------	---------	----------------

6-16-04	The on-site exam was conducted on 6-16-04 with claimant Bonnie Gardner. Photo # 1 shows an old diversion structure next to the current major one in Photo #2. Date on the old structure shows "1919" carved in concrete.	RLT
---------	--	-----

Photo #2 shows the main diversion site on Sand Creek. Area is aptly named as all of ditch area + surrounding places of use is sand based.

GPS data is: 2645813 1340346 WSR, GPS Tag # A0009074, GPS File - GARDNR

The flow measurement was taken here for a total of 5.08 cfs. All of the water is diverted out of Sand Creek by the 2 ditches shown.

Photo #3 shows the middle diversion on Sand Creek. The ditch is 3' wide by 1.5' deep + not yet opened for irrigation.

GPS data is: 2645969, GPS tag (existing) A0013029 on fence stake 1340530

to the right of the headgate. GPS File # 272012

Photo #4 is the uppermost diversion on Sand Creek. This is an 18" culvert to a small ditch that is not yet opened for irrigation. GPS data is: 2646037 GPS Tag # A001328F

1340570 GPS File # 271028

Photo #5 shows the end of the Sand Creek channel. This is at the edge of the Clawson property claimed in A27-02012B + A27-10761. The Clawson field is 5'-6' higher than the channel bottom. It doesn't appear this water has been used on the Clawson ground for many years + the ground (Clawson) is now irrigated with a pivot from a well.

SCANNED
MAR 02 2008

Claim no. A27-10028
A27-2017A

Claimant Contact Log

Date	Remarks	Page	Agent initials
6-16-04		2	WJF

Photo #6 shows the fence line at end of Sand Creek channel + edge of Clawson property. Note GPS unit on top of fence post. GPS data for that point is:
2645116 GPS File # SDCRK
1339890 No GPS TAG

Photo #7 shows a remnant of the Gardner ditch that reached the Mickelson Property (Claim 27-2012). This does not appear to have been used in many years + it too is below the grade of the Mickelson property. The Mickelson property also is irrigated with a pivot from a well.

Photo #8 shows that Sand Creek now flows directly into the Resurrection Canal. This canal was built in the early 1960's + did not flume Sand Creek water over or under it. Honestly, I don't know how the Tribe could appropriate this water. Mr. Gardner, shown in the photo is standing on a headgate which allows some of the Sand Creek flow into a 4' wide channel. This is the channel that then flows onto the Gardner property.

GPS data for this intersection of Canal + Creek is
2645108 GPS File - RESCNL
1342067 No GPS Tag.

PROFILED

SCANNED

MAR 02 2006

Claim no. A-27-10028
A-27-2012A

Claimant Contact Log

ate 6-16-04

Remarks Page 3

Agent initials
thf

It appears to me that Gardner is the only user of
License 27-2012 with a probable beneficial use claim
dated at least till "1919".

From the letters in the file + old permit data it appears
"old" permit 4591 matured into 2 licenses somehow.
One was for 1.44 cfs (I presume this was 27-2012)
+ another for 1.00 cfs. The old Number book shows that
"old" permit # 6288 (mentioned in property transfers) never matured
into a license.

PROFILED

SCANNED
MAR 02 2008

Notes

6/22/04 Mike & Connie clauson also has license
27-7389 from a G.W. source that
indicates this price.

assignment of permit occurred in 1995.
from Belnap to Clawson on permit 27-7389.
we don't have an ownership change
from Mike & Connie Clawson on 27-20128
or 27-10761

Gordon Stone filed an ownership change on 27-10761. He owns 5 acres as noted on skip map.

6/20/14 Sent Mike + Connie Clawson an ownership change form.

Called Eric to Split 27-10761 B-21.
claim from Sand Creek. According
to Skip. There is no way to get
Sand Creek on either piece of ground.

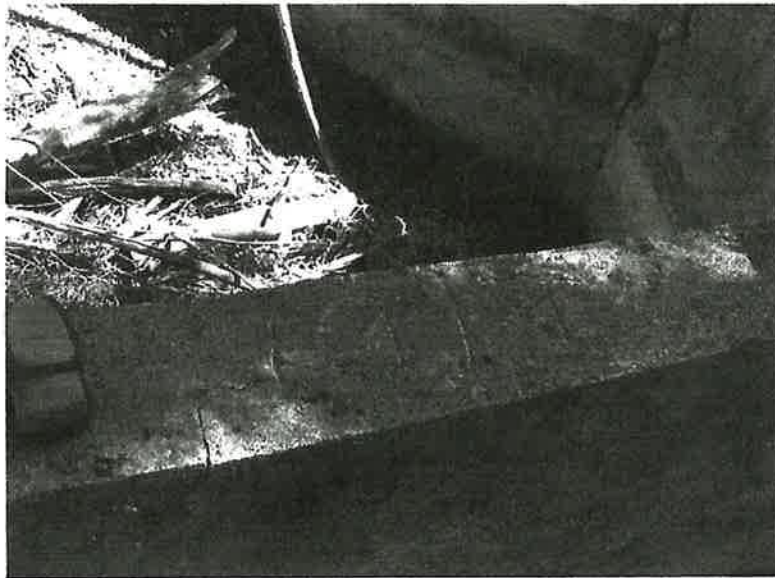
27-10761 split to. 27-12011 Clauson.
27-12012. Stone (sacres)

Skip found no use by either party from
Sand Ck. CB

PROFILED

SCANNED
MAR 02 2006

A27-2012A + A27-10028



Old diversion structure with
year "1919" carved in concrete

SCANNED
11/10/2013
PROFILED

A27-2012A + A27-10028



Sand
Creek

Headgate

Middle division on Sand Creek

SCANNED
MAR 02 2006

DDOHH ED

A27-20124 + A27-10028



GPS tag

Current major diversion structure,
site of measurement

SCANNED
MAR 02 2006

PROFILED

A27-20124 + A27-10028



Upper division on Sand Creek

SCANNED
MAR 02 2006

PROFILED

PROFITLED

MAR 02 2006

SCANNED

End of Sand Creek Channel



A27-2012A + A27-10028

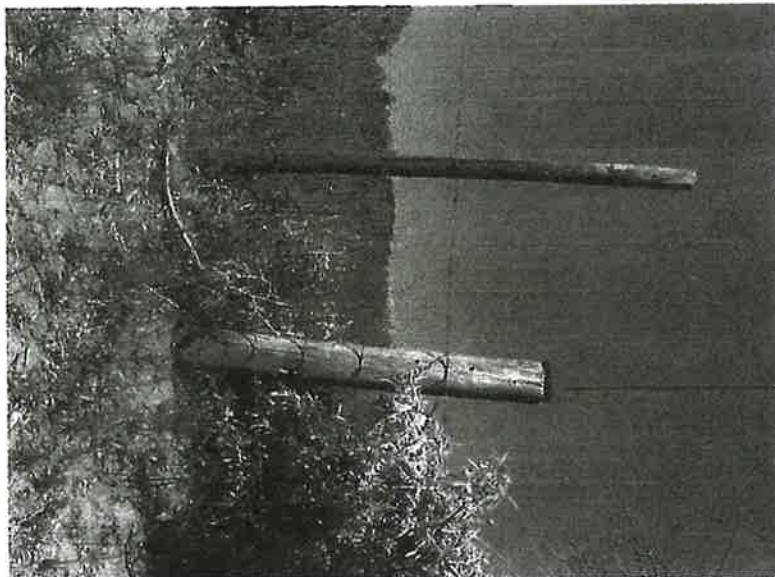
PROFILED

MAR 02 2006

SCANNED

of Clauson 3/4 Post

End of Sand Creek Channel + edge



CR
unit

A27-2012A + A27-10028

PROFILING

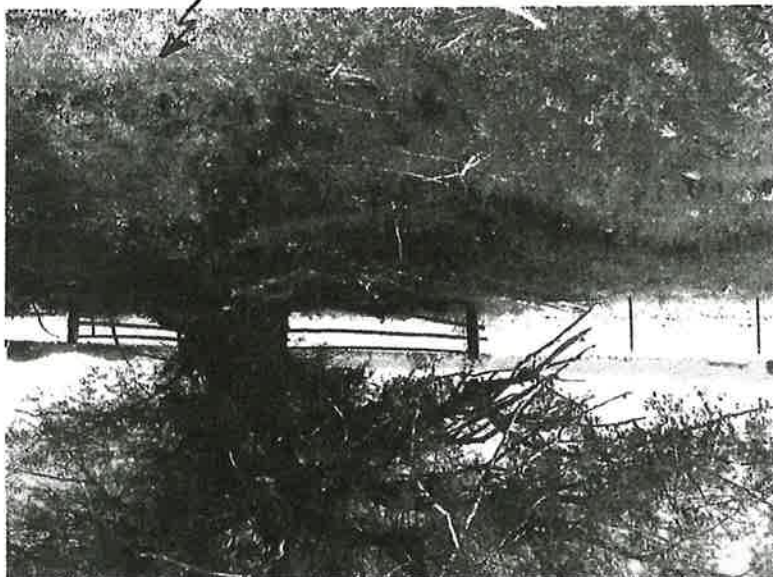
MAR 02 2006

SCANNED

at edge of Mickelson property

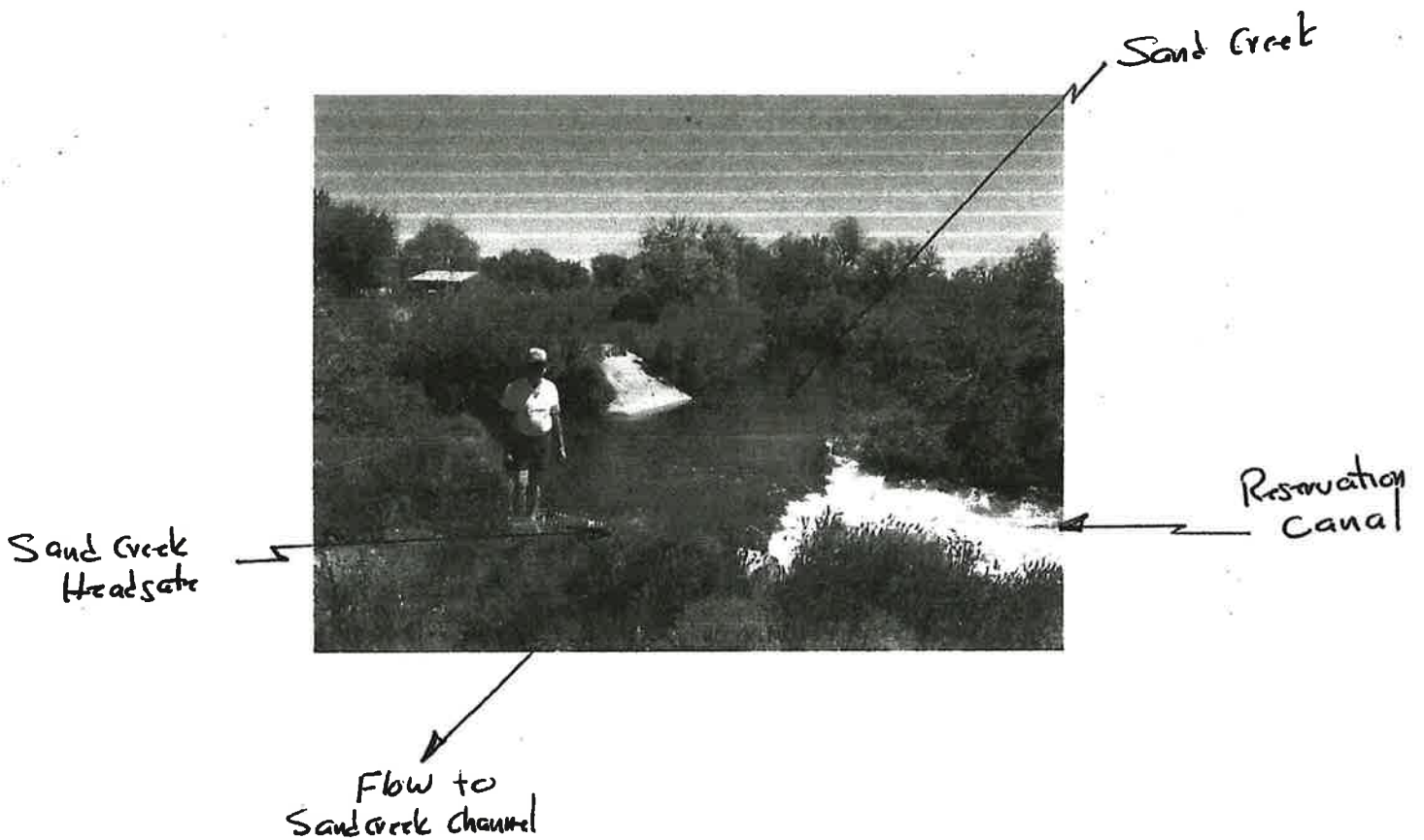
Remnant of Gaudin vs ditch

Old ditch



A27-2012A + A27-1008

A27-02012A + A27-10028



SCANNED
MAR 02 2006
PROFILED

SCANNED
MAR 02 2006

Sand Creek Channel after
exiting headgate



A27-02012A + A27-10028



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



RIGHT ID 27 10761
POD ID 164236
Folder No. A2710761
Claim Status In Use
IDTMEAST 645811
IDTMNORTH 240560
GPSID A0013030

Diversion Description

HEAD GATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION. Series of checks. Diversions are 5 feet wide, Sand Creek (center) is 4 feet wide. Based on channel it does not appear that water is turned down Sand Creek very often. POD is the West set of checks (see photo for POD ID 127048).

Assumptions

Observed flow rate is representative. Assume a slope of .01%.

Invoice #

2000-055-23-27-0

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missing)
Phase-III (Complete w/issues)

Linked

photos\27-10761-001.JPG photos\27-10761-003.JPG photos\27-10761-005.JPG

Photos

photos\27-10761-002.JPG photos\27-10761-004.JPG

GPS Accuracy (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

23 Feet

07-24-02

13:37

8.57

Open Channel Flow

☒ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 1.5

☒ Rectangular Channel

Width 5

Depth 1.5

Flow Calculation

☒ Continuity

Velocity

1

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline

0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

0

Width of weir

0

☒ Manning

(If used, include photo of representative channel section)

Channel Slope

0.0001

Channel Description

Concrete lined .016
Smooth earth .025
Earth .033
Rough bed, weeds on sides .04
Smooth natural stream .033
Rough natural stream .1

SCANNED

MAR 02 2011

Pumped System

☐

HP

0

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

☐

New Contact Comments

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intrepid technology & resources
incorporated

FOLDER NO.

A2710761

PROFILED



DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 21, 2002

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication

Dear Claimant:

The Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Blackfoot River, Willow Creek and South Fork of the Snake River Drainages. This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that personnel from Intrepid will make an effort to contact claimants to arrange for conducting a field investigation and obtain information about your water use. IDWR requests that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights. Information collected during this process will be reported to IDWR and used by a Senior Water Resource Agent to prepare a recommendation on the water right.

The process of adjudicating water rights is straightforward for most people, resulting in the issuance of decreed water rights. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

If you have sold your property, we request that you forward this letter to the purchaser. The new owner is responsible for advising IDWR of the change in ownership so future correspondence will be mailed to the correct party. If you are unable to forward this letter, please send any information regarding a new owner to our Eastern Regional Office located at 900 N Skyline Dr, Idaho Falls, ID, 83402, Attention: Jennifer Crabtree (208) 525-7161.

Sincerely,

Ernest Carlsen
Adjudication Section Supervisor
Eastern Regional Office

SCANNED

MAR 02 2006

PROFILED

November 6, 2002

Dear Sir or Madam:

Intrepid Technology and Resources, Inc. (ITR) has been contracted by the Idaho Department of Water Resources (IDWR) to verify information in the State's records regarding the enclosed claim(s). This letter is being sent to the address of record for the enclosed claim(s).

In June or July of 2002, ITR employees visited the point(s) of diversion for the claim(s) in question. The purpose of this letter is to follow up on that visit, and ask for your input to verify the boundary of the area irrigated by each point of diversion. IDWR has supplied the enclosed maps and/or aerial photographs. The points of diversion (wellheads, dams, etc.) are indicated as circles. The irrigated areas are traced with bright yellow lines.

Please take the time to review the map, and correct any inaccuracies by marking changes on the map, and sending the map and claim file back to us in the enclosed postage-paid envelope.

If the claim is no longer in use, please note it on the claim file and return it to us in the enclosed envelope.

This applies only to the enclosed claim file. Water rights or claims not included with this package will be dealt with separately. Please DO NOT mark wells, diversions, or irrigated areas not specifically addressed in this package.

If you have any questions about the letter itself or how to respond, please call Doug Larsen or myself at 208-529-5337. We will be happy to discuss it with you.

Sincerely,

Shaun Dustin, PE
Intrepid Technology & Resources, Inc.

Enclosures: a/s

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MAR 02 2006

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Log for claim 27-10761

Spatial Dynamics LTD

1/4/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s36e	14	SWNW	39	39	
02s36e	14	NWNW	38	34	
02s36e	14	NENW	39	38	
Totals:			116	111	

SCANNED

MAR 22 2001
SPATIAL
DYNAMICS

PROFILED



State of Idaho

SCANNED

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

June 19, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GORDON C & CHERYL L STONE
441 E 400 N
BLACKFOOT ID 83221

RE: NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP FOR A27-10761

Dear Mr. & Mrs. Stone:

The above mention Change in Ownership form is being returned to you for a signature.

Please sign and date the back of the first page and return the entire packet to us at:

Id Dept of Water Resources
900 N Skyline Dr Ste A
Idaho Falls ID 83402

If you have any questions feel free to contact this office at 208-525-7161.

Respectfully Submitted,

Cheri Vandermeulen
Records Clerk

SCANNED

MAR 02 2006

PROFILED

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 27-12012
Date Received: 6/22/2004
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

GORDON STONE

Phone:

441 E 400 N
BLACKFOOT ID USA 83221

CHERYL STONE

Phone:

441 E 400 N
BLACKFOOT ID USA 83221

2. Date of Priority: 06/01/1907

3. Source: SAND CREEK

Trib. to: BLACKFOOT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	36E	14	SE NW NE	BINGHAM	

5. Description of diverting works:

HEAD GATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.1	

7. Total Quantity Appropriated is:
0.1 C.F.S.

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SCANNED
MAR 02 2006

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	36E	14	NE	NW	IRRIGATION	5
					Section Acres	5
					Total Acres	5

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 27-10761.

~~THIS RIGHT IS A SPLIT FROM WATER RIGHT 27-2012.~~

15. Basis of Claim: ~~License~~ B.u.

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

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

SCANNED

\$166.00

JUL 20 2001

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

RECEIVED
JUN 27 1989

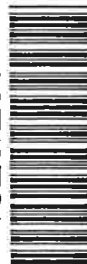
Ident. Number: A27-10761
Date Received: 5/23/1989
Receipt No: E009291
Received By: SN

Department of Water Resources NOTICE OF CLAIM TO A WATER RIGHT
Eastern District Office ACQUIRED UNDER STATE LAW

Michael & Connie Clawson

1. Name: VERA POULSON BELNAP 208-785-0847
Address: 441 E. 400 N.
BLACKFOOT, ID 83221
OR
Name: NEWELL BELNAP 208-785-0847
Address: 441 E. 400 N.
BLACKFOOT, ID 83221

A2710761



2. Date of Priority: JUN 01, 1907
3. Source: SAND CREEK Trib. to: BLACKFOOT RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	36E	14	SE	NW	NE		BINGHAM

5. Description of diverting works:
HEAD GATE IN STREAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.440		

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

8. Total consumptive use is 348.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

PROFILED

A27-10761

Page 1

Date: 06/12/89

SCANNED
MAR 02 2006

MICROFILMED
NOV 12 1992

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
02S	36E	14	NE	NW		IRR	39.0
			NW	NW		IRR	38.0
			SW	NW		IRR	39.0

Section Acres 116.0

Total Acres	116.0
-------------	-------

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:

PORTION OF 27-02012, APP. 4 PERMIT 27-07389

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

REF ID: A66555
MICROFILMED

NOV 12 1952

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): Lera Paulson Belnap Date: 6-12-89

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 12 day

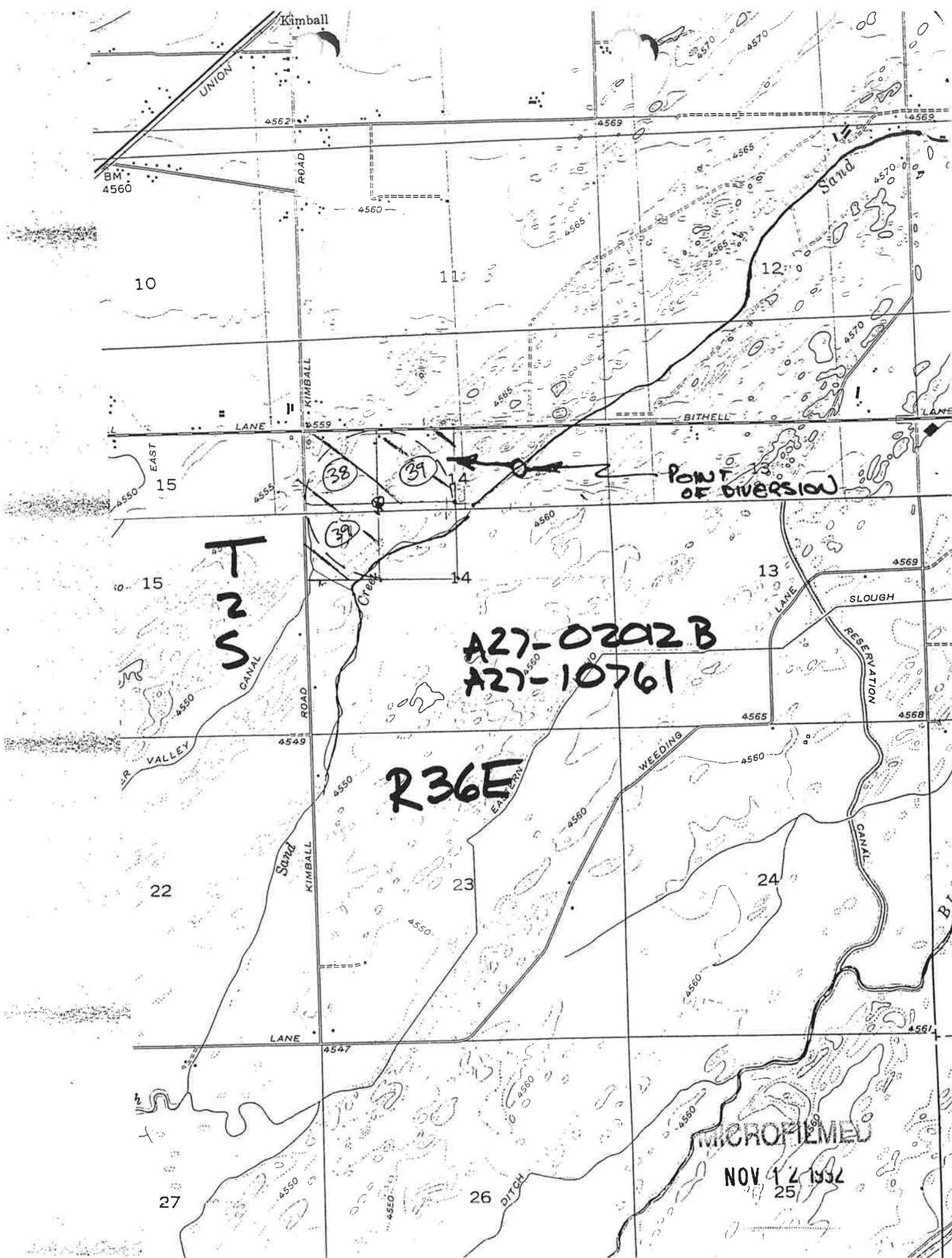
of June 19 89

E. J. [Signature]
Notary Public

Seal

Residing at Salida Falls, ID

My Commission Expires 22 Aug 1994



Kimball

UNION

BM
4560

ROAD

4560

10

11

12

Sand

LANE

KIMBALL

38

39

POINT OF DIVERSION

15

15

T
2
S

CANAL

ROAD

14

A27-0202B
A27-10761

13

LANE

SLOUGH

RESERVATION

VALLEY

4549

4550

R36E

EAST

WEEDING

4565

4560

22

Sand

KIMBALL

23

24

LANE

4547

27

26

ORCH

MICROFILMED

NOV 12 1952