

10/24/2002

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

RIGHT NUMBER: 29-10347

NAME AND ADDRESS: RAYMOND SCHERER
3066 SUNBEAM RD
AMERICAN FALLS ID 83211

SOURCE: SUNBEAM CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.110 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/01/1920

POINT OF DIVERSION:
T08S R31E S2 SENE End of Stream Flow Within POWER County
T08S R31E S2 SESE Begin of Stream Flow Within POWER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.110 CFS

PLACE OF USE: STOCKWATER Within POWER County

T08S R31E S02	SENE	T08S R31E S02	NESE
T08S R31E S02	SESE		

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.

EXPLANATORY MATERIAL: Beneficial Use

PARCEL NOS. D1245-00, D1245-02 STOCKWATER, 500 RANGE CATTLE, 30 HORSES

NO LATE FEE IF RECEIVED
BY 3/16/90

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

CIVIL CASE NUMBER 39576
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SHARKE RIVER BASIN WATER SYSTEM

RECEIVED

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

FEB 15 1990

Department of Water Resources
Eastern District Office

Phone (208) 226-2795



A2910347

1. Name of claimant(s) Roy and Scheraga
2. Address of claimant(s) 206 S. Main St., P.O. Box 120, Twin Falls, ID 83431
3. Source of water supply (a) Shoshone River
4. Location of existing point of diversion (b) Range 31E, B. Section 2
5. Location of proposed point of diversion (c) Range 31E, B. Section 2
6. Name of water right (d) B.M. County d. Power

7. If known, low beginning point of claimed stream flow:

8. Town or city

9. County

10. State

11. Section

12. Township

13. Range

14. B.M. County d. Power

15. Section

16. Township

17. Range

18. B.M. County d. Power

19. Section

20. Township

21. Range

22. B.M. County d. Power

23. Section

24. Township

25. Range

26. B.M. County d. Power

27. Section

Form No. 10-100 (2-1-78)

25x10 32x10

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From ACF Claim file Microfiche

TE FEE IF RECEIVED

3/19/90

OF THE
VILLS

R: 10347

21-770

12120

RECEIVED

FEB 15 1990

Department of Water Resources
Eastern District Office

208 226-2795

Zp 8321



A2910347

action 2

8/1/90

8/1/90

on Headwaters (B)

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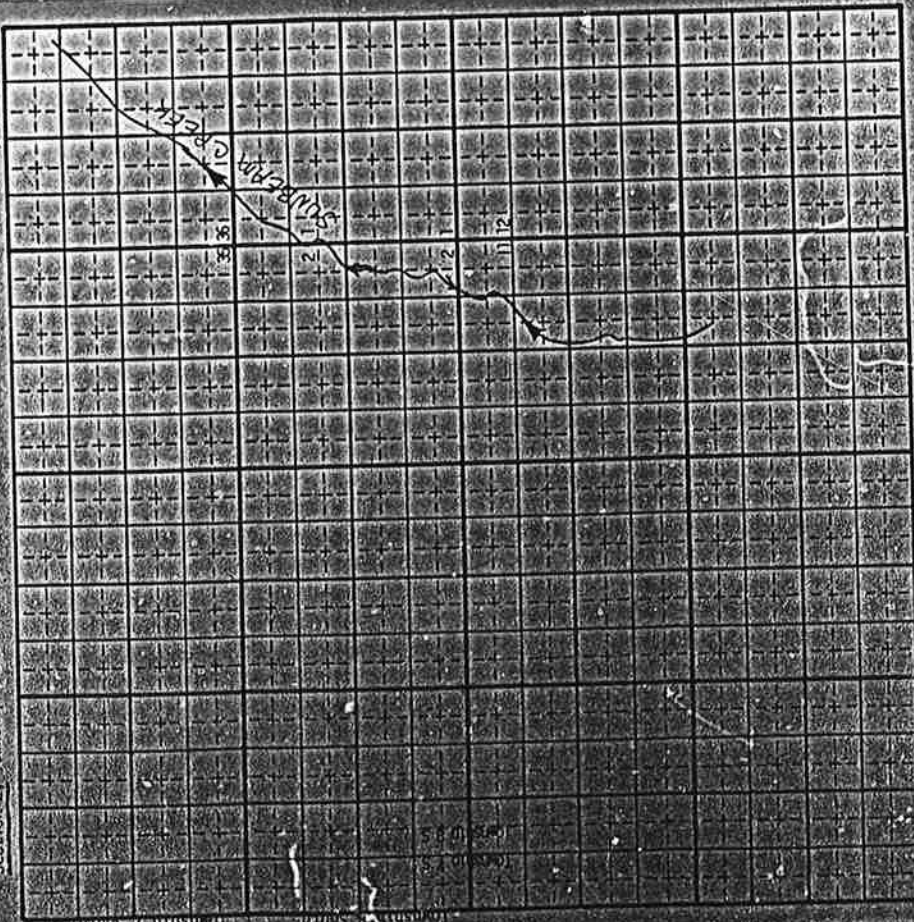
25x10

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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Section 2, Township 8, South, Range 31, E.B.M.



Owner's Name _____ Scherren _____

Unit No. _____

Source: Public Survey, Section 2, Township 8, South, Range 31, E.B.M.

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Last Name: Scherer ID#: NAT0000000
 Copyright © 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671,

32x10

6/11/1989
 CLAIMANT'S NAME Schuler CLAIM IDENT. NO. A29-10347
 DATE RECEIVED 2-2-90 CK # AMOUNT \$
 1. Is the name and address complete with zip code? YES NO Required Info
 2. Is a priority date entered? YES NO
 3. Is the priority date acceptable in view of mandatory filing dates? YES NO
 4. See Adjudication Memo #1 and #4 to determine if a permit is required. YES NO
 5. (a) Is a source entered? YES NO
 6. (b) Is a tributary to entered? (if required) N/A
 7. Is the legal description of the p.d. sufficient? YES NO
 8. Is there a description of the diverting works? YES NO
 9. 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. YES NO
 10. Is the period of use included? YES NO
 11. Is a quantity claimed for each use? YES NO
 12. Is a total quantity claimed entered? YES NO
 13. If required is a consumptive use entered? YES NO
 14. Is the consumptive use correct? YES NO
 15. 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. YES NO
 16. Is (are) the place(s) of use and purpose(s) indicated? YES NO
 17. Is (are) the county(ies) entered? YES NO
 18. Is the ownership of p.u. checked? YES NO
 19. Are other water rights listed or "none" indicated? YES NO
 20. If required, are "rights" correct? If the claimant does not own the place of the "rights", the claim must be YES NO
 21. Is the basis of the claim indicated? YES NO
 22. If the claimant requested a monthly check sheet, is payment enclosed? (if yes, describe payment status in comments below. YES NO
 23. Was the claim signed by the claimant, and is the signature appropriate? YES NO
 24. Has the claim been signed, sealed, and dated by a notary? YES NO
 25. Was this claim filed on time, or was an extension granted? YES NO
 26. Is the fee enclosed correct? YES NO
 27. If this claim is based on an existing water right, has the identification number been entered? YES NO
 28. Should this claim be data entered? YES NO
 Claim checked by: LLH Date: 5-4-99
 Claim must be returned to claimant: YES NO
 Claimant must be notified of modifications: YES NO
 Receipt prepared by: Date:
 Claim data entered by: Date:
 Sent to claimant by: Date:
 Comments: #4A 785 R316 sec. 2 5556 hr Beginning and End SE NE 1/4
Ending #10 should be same as above plus NE SE Sec. 2
#6 should be Stockwater

-10347

Required
NO Info?

5-4-94

Yes) (No)

Yes) (No)

Date:

2 SE NE 1/4

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: A29-10347
Date Received: 5/5/1994
Receipt No: E012120
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

208-226-2795

1. Name: RAYMOND SCHERER
Address: 3066 SUNBEAM RD
AMERICAN FALLS ID 83211

2. Date of Priority: MAY 1, 1920

3. Source: SUNBEAM CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot County

Beginning Point of Instream Flow SE SE POWER

Ending Point of Instream Flow SE NE POWER

085 31E

5. Description of diverting works:
STOCK WATERING AT VARIOUS POINTS IN THE STREAM BED

6. Water is used for the following purposes:

Purpose From To C.F.S. (or) A.F.A.
STOCKWATER 01/01 12/31 0.110 A.F.A.

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

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

9. Non-irrigation uses:
STOCKWATER, 500 RANGE CATTLE, 30 HORSES

A29-10347

Page 1

Date: 05/05/94

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THE STATE OF IDAHO,

SE NUMBER: 39576

Number: 129-10347
Received: 5/5/1994
Not: F012120
By:

208-226-2795

KE RIVER

County

POWER

POWER

BED

(or) A.P.A.

Per Annum.

Date: 05/05/94

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	31E	2	SE NE		STOCK	
			NE SE		STOCK	
			SE SE		STOCK	

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
HAND DUG WELL

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(c.) 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 \$ 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

Subscribed and sworn (or affirmed) before me this day

of 19

Notary Public

Seal

Residing at

My Commission Expires

129-10347

Page 2

Date: 05/05/94

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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 29-10347

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RAYMOND SCHERER 3066 SUNBEAM RD AMERICAN FALLS, ID 83211 (208)226-2795

Priority Date: 05/01/1920
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary to</u>
SUNBEAM CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01	12/31	0.11 CFS		
Total Diversion			0.11 CFS		

Location of Point(s) of Diversion:

SUNBEAM CREEK End of Stream Flow	SENE	Sec. 02	Township 08S	Range 31E	POWER County
SUNBEAM CREEK Beginning of Stream Flow	SESE	Sec. 02	Township 08S	Range 31E	POWER County

Place(s) of use:

Place of Use Legal Description: STOCKWATER POWER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08S	31E	2		SENE			SESE							

Conditions of Approval:

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

Remarks:

1. General PARCEL NO. D1245-00 280 ACRES, PARCEL NO. D1245-02 80 ACRES
2. Explanatory STOCKWATER, 500 RANGE CATTLE, 30 HORSES

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
AJU5-ECA	9/30/97	AJU5 STOCK ONLY UPDATE	USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK. CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Dates:

Licensed Date:
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): E012120
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False