

03/10/2003

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

RIGHT NUMBER: 29-13224
NAME AND ADDRESS: CITY OF MC CAMMON
PO BOX 9
MC CAMMON ID 83250-0009

MIXED OWNERSHIP

**-THE PLACE OF USE IDENTIFIED BELOW
CONTAINS BOTH PRIVATE AND PUBLIC LANDS.
-CLARIFY THE POU SUCH THAT IT IS CLEAR
THAT ONLY PRIVATE LAND IS INTENDED.**

SOURCE: CRYSTAL SPRINGS

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.700 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-224 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.20 CFS.

PRIORITY DATE: 07/01/1892

POINT OF
DIVERSION: T09S R37E S3 SENWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
01/01 12/31

QUANTITY
0.700 CFS

PLACE OF USE: MUNICIPAL Within BANNOCK County

T09S R36E S01

T09S R36E S12

T09S R36E S13

T09S R36E S18

R37E

**THE FOLLOWING LANGUAGE INSERTED UNDER POU WOULD RESOLVE ANY
POTENTIAL OBJECTION BY THE BLM**

**"THE USE OF WATER UNDER THIS RIGHT WITHIN SWSW, S18, T09S,
R36E, IS LIMITED TO THE N2NE OF THAT PLACE OF USE."**

**IN ALTERNATIVE TO THE ABOVE LANGUAGE, THE FOLLOWING REMARK
INSERTED UNDER PLACE OF USE WOULD RESOLVE ANY POTENTIAL
OBJECTION BY BLM.**

**"THE USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON
FEDERAL PUBLIC LAND."**

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

Place of use is within the city of MC CAMMON and surrounding service area.

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SEASON OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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 - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-200, 201, AND 202.

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

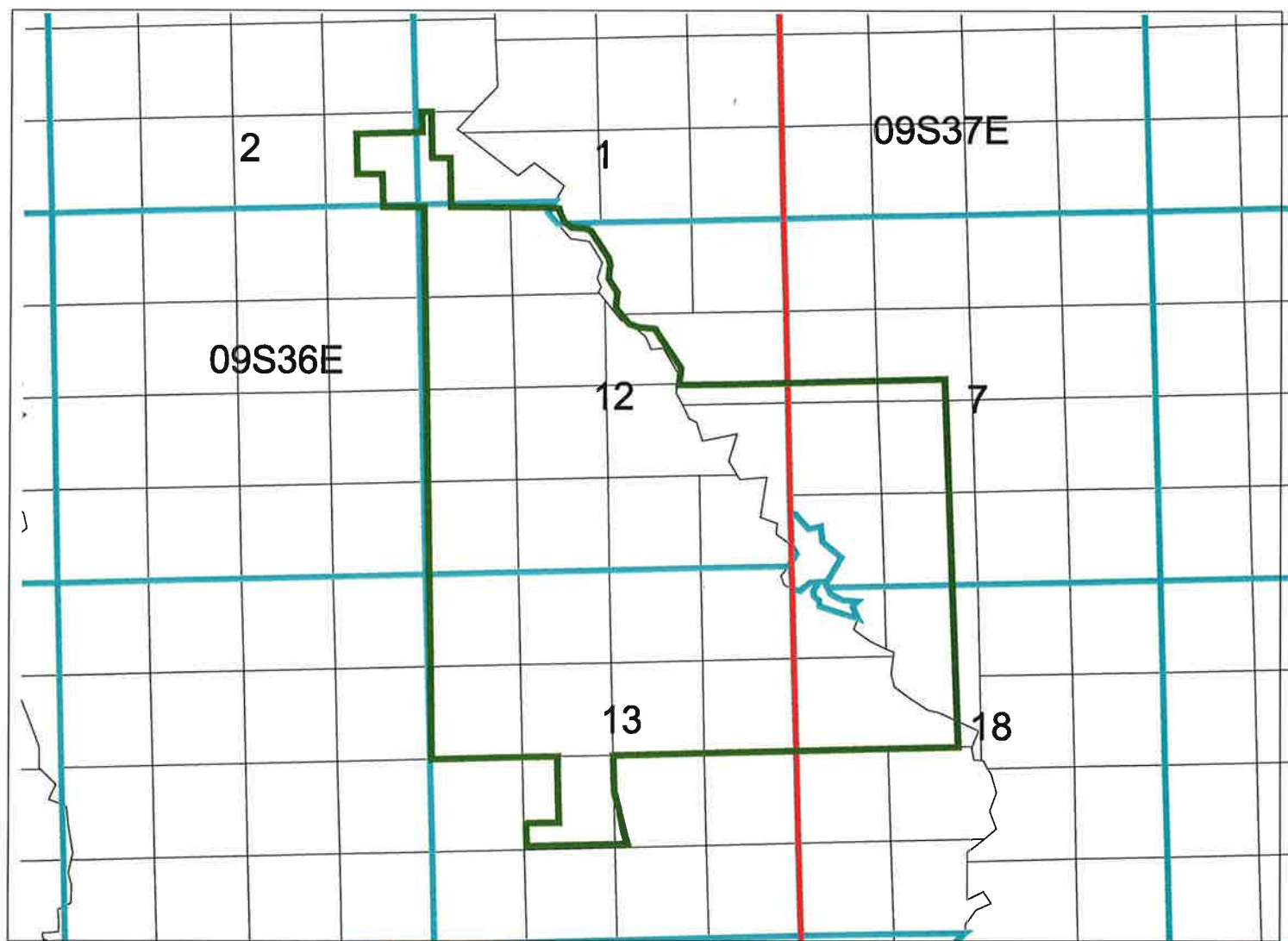
THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-200, 201, AND 202.



State of Idaho

Department of Water Resources

Claim No.: 29-224
29-13224



-  City of mc cammon.shp
-  Township/Range
-  Sections
-  QQ



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: E Carlsen
Date: March 2004

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

RIGHT NUMBER: 29-13224

NAME AND ADDRESS:

CITY OF MC CAMMON
PO BOX 9
MC CAMMON ID 83250-0009

SOURCE:

Source:
CRYSTAL SPRINGS

Tributary:
PORTNEUF RIVER

QUANTITY:

0.700 CFS 0.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 29-224 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.20 CFS.

PRIORITY DATE: 07/01/1892

POINT OF DIVERSION:

T09S R37E S3 SENWSE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
MUNICIPAL	01/01 12/31	0.700 CFS

PLACE OF USE:

~~MUNICIPAL~~ within BANNOCK County

~~T09S R36E S01~~
~~T09S R36E S12~~
~~T09S R36E S13~~
~~T09S R36E S18~~

0 ACRES TOTAL

Place of use is within the service area of the City of Mc Cammon municipal water supply system as provided for under Idaho Law.

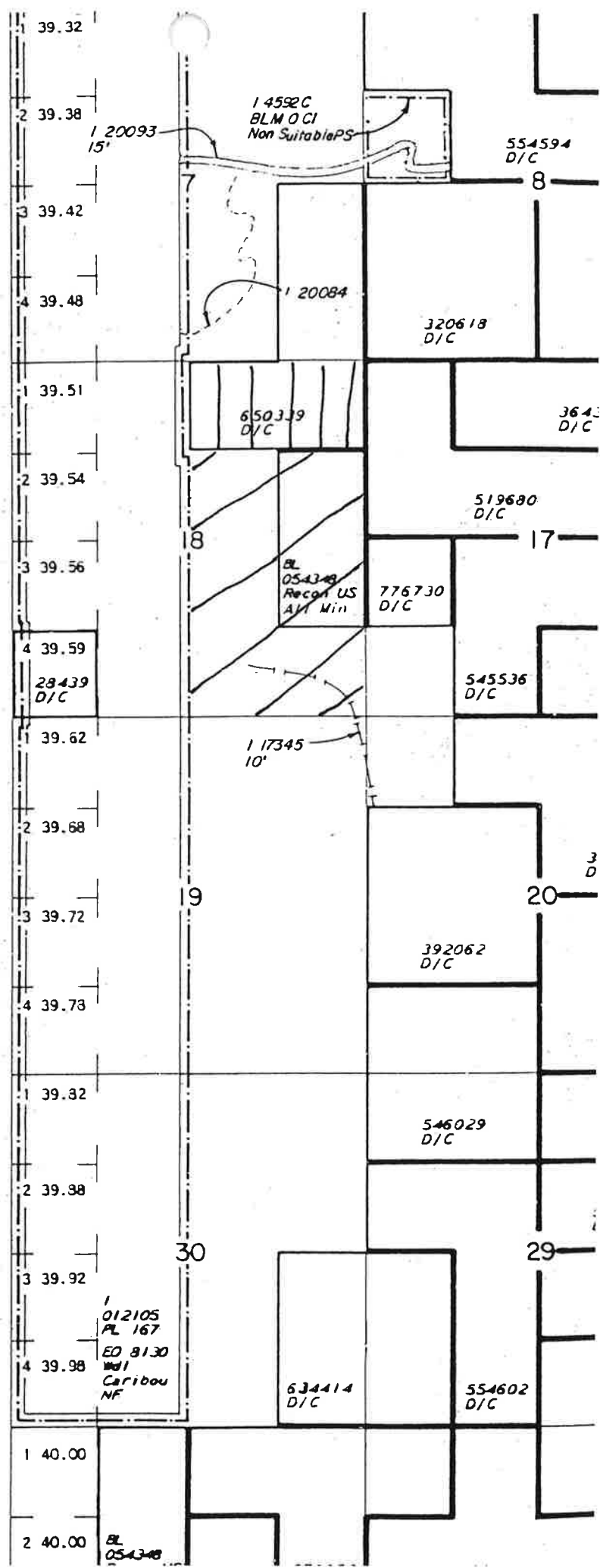
~~Place of use is within the city of MC CAMMON and surrounding service area.~~

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SEASON OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.
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.

BLM = 
 PVT = 

T09S
 R36E



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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 29-200, 201, AND 202.

June 5, 2002

City of McCammon
Attn Larry Orgill
PO Box 9
McCammon ID 83250

Dear Mr. Orgill:

On May 29, Steve Hebdon, WD #29 Water Master, Cindy Bird and myself, both of IDWR, visited the City office for the purpose of conducting a field exam of the Crystal Springs installation. After being told you were unavailable and after speaking with the next individual in charge, we were referred to the flow meter up on the hill next to the city water tank. After monitoring the flow meter we have determined that the City of McCammon is pulling too much water, by 186 (+/-) gpm, from the source of Crystal Springs as further explained below.

The flow meter was observed for one complete revolution of the 1000gal dial, taking 83 seconds. Therefore, $1000\text{gal}/83\text{sec. (1.38 min)} = 723 \pm \text{gpm (1.61 cfs)}$.

The City filed claims for the waters of Crystal Springs and other springs in the Snake River Basin Adjudication (SRBA) identified as, 29-00224, 29-13224, and 29-07390. In addition, there are claims for wells within the city, which are not discussed herein. Each of the referenced (springs) claims is hereafter discussed.

29-00224 was decreed to the Village of McCammon, for domestic, culinary, irrigation, fire and other purposes, by the 1932 (final amendment) Union Grain and Elevator vs. McCammon Canal Company, et al Decree. This water right is for 0.50 cfs with a priority date of 17 June 1902.

29-13224 is a composite claim of decreed water rights 29-00200, 29-00201, and 29-00202. These referenced water rights all have a priority date of 1 July 1892. All rights were decreed for conveyance by the Cutler Ditch and subsequently conveyed to the Village of McCammon by various deeds (circa 1926 and 1947).

29-07390 is a License for 0.04 cfs, having a priority date of 3 May 1977 to the City of McCammon for domestic purposes. The source of this License is springs with a point of diversion in NENW Section 10, T9S, R37E. However, during our February 23, 2002 telephone conversation you informed me that this water right was no longer used due to an order by the Department of Environmental Quality to stop its use for municipal purposes. Further, the spring had been disconnected

from the system and now discharges to West Bob Smith Creek. Therefore, the City should withdraw this claim, or a disallowed recommendation can be presented to the SRBA court, whichever you prefer. Please advise.

Both 29-00224 and 29-13224 will receive favorable recommendations before the SRBA court, with remarks and conditions concerning use. However, the flow meter readings of 29 May are discussed below.

As stated above; 29-00224 is for 0.50 cfs, having a priority of 1902, while 29-13224 is a composite right for 0.70 cfs, having priority of 1892.

29-00200, @ 0.22 cfs	
29-00201, @ 0.17 cfs	
29-00202, @ 0.31 cfs	
Total	0.70 cfs

By combining 29-00224 and 29-13224 a total of 1.20 cfs can be diverted for municipal (and other) uses from Crystal Springs. However, 1.61 cfs was observed on 29 May meaning that 0.41 cfs (186 +/- gpm) more water is being diverted than your rights allow. Therefore, you are required to reduce flow from Crystal Springs to 1.20 cfs immediately. Mr. Hebdon, WD #29 Water Master, will monitor the flow meter of the Crystal Springs system and the City of McCammon will be subject to priority cuts of these decreed rights the same as any other decreed surface water right. In addition, Mr. Hebdon will contact you to set an appointment to visit the Crystal Springs collection system at its source.

Other users on West Bob Smith Creek have made inquiries regarding the delivery and curtailment of Crystal Springs waters. However, the City of McCammon has the senior rights to Crystal Springs and the West Bob Smith Creek system. But, again, the City is only allowed to divert 1.20 cfs from these senior rights.

Thank you for your prompt attention to this important matter. You will note I am also forwarding a copy of this letter to Mr. Hebdon. He should be contacting you for an appointment. Should you have questions or concerns regarding this matter please address them first to Mr. Hebdon.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

Cc; file

Steve Hebdon, WD #29 Water Master (under separate cover)

Ruberry, Allen

From: Bird, Cindy
Sent: Thursday, May 30, 2002 11:13 AM
To: Ruberry, Allen
Subject: RE: Perkins measures



perkins_allenruberr y.dbf



perkins_allenruberr y.shp



perkins_allenruberr y.shx

GPS POINT FOR WEST CREEK MEASUREMENT.

McCammon flow : Flow meter recorded 725 gpm. Measured flow was 1 minute 23 seconds = 1.38 min. 1000 gal/1.38 min=724.6 gpm.

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

From: Ruberry, Allen
Sent: Thursday, May 30, 2002 10:43 AM
To: Bird, Cindy
Subject: Perkins measures

Will you kindly send me the measurements notes for the Perkins claim we did with the 15" weir on West Creek???

Also the notes for the McCammon flow meter???

thx..... al

29-13224 is a P15 Decayed Chrm.

8/16/01 Visitor Center Crystal Springs w/ Helen Christensen of

Arkansas Rivers.

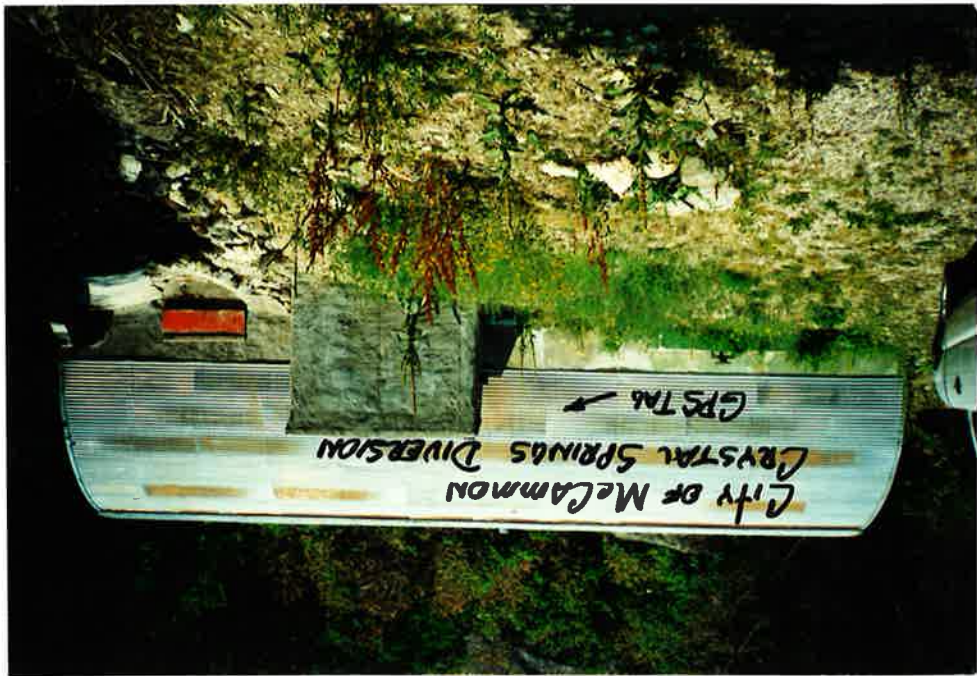
GPS# 0654735, Tagged # A0Φ116Φ3, & Photo'd.

The Accesses were locked.

I. This Not A Bd claim, Apparently it

Comments DATED RIGHTS 29-00200,00201,00202.

II. Tributary to W. Bog Smith Cr. Not Pontreuef Riv.





CRS

SHEPHERD ENGINEERING

**Civil/Municipal, Transportation, Industrial, Recreation
Construction & Development Services**

August 3, 2001

Mr. Allen B. Ruberry, Sr. Water Resource Agent
Idaho Department of Water Resources, Adjudication Bureau
900 No. Skyline Drive
Idaho Falls, Idaho 83402

RECEIVED

AUG 13 2001

Department of Water Resources
Eastern Region

RE: City of McCammon Water Rights, Claim Forms on Water Rights

Dear Mr. Ruberry:

I appreciated the opportunity to meet with you this past week regarding the water right issues for the City of McCammon. I have reviewed the issues with Mayor Martell Gunter and the City has issued a new check in the amount of \$290.00 made out to the Department of Water Resources. We hope that with this check and the applications as they were modified during our meeting will allow you to process the claim forms.

We discussed water right # 29-07390 which I had understood was not used by the City for culinary purposes and which I thought could be withdrawn. It seems that I was mistaken. The City had used this spring for culinary purposes but when DEQ required disinfection of the springs above, the City placed the Chlorinator at the upper springs. At this time, DEQ suggested that the City not use the spring since it was after the chlorination process and was relative small compared to the total spring source. The City disconnected the spring from the pipeline at that time. However, about two years ago the City moved the chlorinator downstream to the tank location above the City. The spring could be turned back into the pipeline and could deliver over 25,000 gallons per day which is looking significant this year. The Mayor requested that we delay taking action on this water right until he had a chance to discuss the issues with the City Council.

Please let me know if you have questions or need further information regarding these submittals. Thank you for your assistance in these water rights issues which are so important to our local communities.

Sincerely,



L. Wayne Shepherd, P.E.
Project Manager

cc City of McCammon w/ attachments

460 E. Oak, P.O. Box 4609, Pocatello, Idaho 83205-4609
Phone: (208) 233-9793, Fax: (208) 233-9806



WARRANTY DEED.

THIS INDENTURE made this 9th day of December in the year of our Lord one thousand nine hundred and twenty-six, between John T. Gittins and Olena Gittins, husband and wife, and Arden A. Christiansen and Hazel Christiansen, husband and wife, all of McCammon, County of Bannock, State of Idaho, the parties of the first part, and Village of McCammon, Idaho, a municipal corporation, party of the second part:

WITNESSETH, That the parties of the first part, for and in consideration of the sum of Two thousand nine hundred twenty-five Dollars (\$2,925.00), cash, lawful money of the United States of America, to them in hand paid by the party of the second part, receipt whereof is hereby acknowledged, have granted, bargained and sold and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part and to its successors and assigns forever, all of the following described property situated in the County of Bannock, State of Idaho, to-wit:

Thirty-nine hundredths (39/100) cubic feet per second of time (19 1/2 miner's inches) of the waters of Crystal springs (the same being the head waters of West Bob Smith Creek in Bannock County, Idaho) with a priority of July 1st, 1892, which said waters have heretofore been used for the irrigation of eleven (11) acres of land in Lot four (4) and the Northwest quarter of the Northeast Quarter (NW 1/4) of Section twenty (20) Township nine (9) South Range thirty-seven (37), East Boise Meridian, and eight and six-tenths (8 6/10) acres of land in the Southwest Quarter of the Southeast Quarter (SW 1/4) of Section seventeen (17), Township nine (9), South Range thirty-seven (37) East Boise Meridian, and which water has heretofore been diverted from said springs through the Cutler ditch and which water and water rights hereby conveyed are described as right No. 146 and No. 147 of that certain decree entered in the District Court of the Fifth Judicial District of the State of Idaho ,

Water Right Number
29-00200

Water Right Number
29-00201

of said water will not interfere with nor affect the rights of any person whatsoever; that there is no right to the waters of Crystal Springs prior in point of time to the rights hereby conveyed.

Said parties further agree jointly and severally that they will forever warrant and defend the title to and right to use the waters aforesaid, and the right to divert said waters to the uses of this grantee and if said rights or any of them are attacked in Court they will, upon request of said grantee, pay any reasonable expense of such litigation and, if any Court decision should be such as to diminish the value of the rights hereby conveyed, will pay such damages sustained.

Said grantors further agree that they will, at their own expense, attend to the concluding of any litigation now pending and affecting the right to the use of the aforesaid waters and they hereby jointly and severally guarantee the successful conduct and conclusion of said actions, both State and Federal, to the end that the right hereby conveyed shall not be diminished either in priority, amount, or relative right to the use of the waters of said Crystal Springs.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

John T. Gittins
Oliver Gittins
Isaac Q. Christensen
Angel B. Christensen

Signed, sealed and delivered in the presence of:

A. B. Merrill

in and for Bannock County, wherein the Union Grain & Elevator Company, a corporation, was plaintiff, and McCammon Ditch Company, a corporation, et al., were defendants, dated June 29th. 1921, and filed and entered July 1st. 1921, and also all accretions and additions to said waters or water rights which may hereafter accrue by reason of subsequent litigation and development work in said Crystal Springs or otherwise.

Together with all and singular the appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to said property, as well in law as in equity of the parties of the first part,

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises together with the appurtenances and accretions unto the said party of the second part and to its successors and assigns forever. And the said parties of the first part, and their heirs and assigns, the said premises in the quiet and peaceable possession of the said party of the second part, its successors and assigns, against the said parties of the first part, and their heirs and assigns, and against all and every person and persons whomsoever lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever defend.

It is understood between the parties that the party of the second part intends to divert said waters hereby conveyed into its pipe line at Crystal Springs.

And the said parties of the first part hereby covenant and agree that they are the lawful owners of said water rights, and the whole thereof, and are possessed of the absolute right to convey the same and that the change of the place of use

TO HAVE AND TO HOLD all and singular the said premises,
together with the appurtenances unto said party of the second part,
and to its successors and assigns forever.

IN WITNESS WHEREOF, The said parties of the first part have
hereunto set their hands and seals the day and year first above
written.

Arden A. Christiansen
Hazel Elizabeth Christiansen

STATE OF IDAHO)
 : ss.
COUNTY OF BANNOCK)

On this 15th day of Feb., in the year 1947,
before me, the undersigned, a Notary Public in and for said
State, personally appeared ARDEN A. CHRISTIANSEN and
HAZEL ELIZABETH CHRISTIANSEN, husband and wife, known to me to
be the persons whose names are subscribed to the within instru-
ment, and acknowledged to me that they executed the same.

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

R. J. Merrill
NOTARY PUBLIC
Residing at: Pocatello, Idaho

(SEAL)

This deed is given to perfect title, and no revenue stamps required.

QUITCLAIM DEED

*transferring
some 464 only*

(2)

THIS INDENTURE, Made the 15th day of February, in the year of our Lord One Thousand Nine Hundred and Forty-seven, between ARDEN A. CHRISTIANSEN and HAZEL ELIZABETH CHRISTIANSEN, husband and wife, of Pocatello, County of Bannock, State of Idaho, the parties of the first part, and the VILLAGE OF McCAMMON, IDAHO, a municipal corporation organized under the laws of Idaho and within the boundaries of Bannock County, Idaho, the party of the second part,

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of One Dollar, lawful money of the United States of America, to them in hand paid by the said party of the second part, and other valuable consideration, the receipt of which is hereby acknowledged, do by these presents demise, release and forever Quitclaim unto the said party of the second part, and to its successors and assigns forever, the following described real property located in Bannock County, Idaho, to wit:

29-00202
Thirty-one hundredths of a cubic foot of water per second of time (.31 c.f.s.), otherwise described as 15 1/2 Miner's inches of the waters of Crystal Springs, the same being headwaters of West Bob Smith Creek in Bannock County, Idaho, with a priority of July 1, 1892, which said waters have heretofore been used through the Cutler Ditch for irrigation of 15.5 acres of land in Lot 3 and the North Half of the Northwest Quarter of Section 20, Township 9 South Range 37 East of the Boise Meridian, and at various times upon other lands, and which water right hereby conveyed is otherwise described as all of that certain adjudicated right listed in that decree of the District Court of the Fifth Judicial District of the State of Idaho in and for Bannock County, wherein Union Grain & Elevator Company, a corporation, was plaintiff, and McCammon Ditch Company, et al, were defendants, dated June 29, 1921, and filed and entered in the records of Bannock County, Idaho, July 1, 1921, and thereafter again signed and filed for record on the 6th day of August, 1932, and recorded in Book 11 of Judgments at page 202 of the Records of Bannock County, as right No. 148 decreed to J. G. Lewis, with a priority of July 1, 1892, in the amount of .31 c.f.s. with point of diversion and place of use recited as follows: "said water to be diverted through said Cutler Ditch last above described for the irrigation of 15.5 acres of land in Lot 3 and the North Half of the Northwest Quarter of Section 20, Township 9 South, Range 37 East Boise Meridian."

WARRANTY DEED *3*

THIS INDENTURE, Made this 14 day of March, in the year of our Lord One Thousand Nine Hundred and Forty-seven, between DAVID T. JOHNSON and SYLVIA R. JOHNSON, husband and wife, of McCammon, County of Bannock, State of Idaho, parties of the first part, and the VILLAGE OF McCAMMON, IDAHO, a municipal corporation organized under the laws of Idaho and within the boundaries of Bannock County, Idaho, party of the second part, WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of Two Thousand and no/100 DOLLARS (\$2,000.00) cash, lawful money of the United States of America, to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, do by these presents, grant, bargain, sell and convey and confirm unto the said party of the second part, and to its successors and assigns forever, the following described real property located in Bannock County, Idaho, to wit:

Thirty-one hundredths of a cubic foot of water per second of time (.31 c.f.s.), otherwise described as 15 1/2 Miner's inches of the waters of Crystal Springs, the same being headwaters of West Bob Smith Creek in Bannock County, Idaho, with a priority of July 1, 1892, which said waters have heretofore been used through the Cutler Ditch for irrigation of 15.5 acres of land in Lot 3 and the North Half of the Northwest Quarter of Section 20, Township 9 South Range 37 East of the Boise Meridian, and at various times upon other lands, and which water right hereby conveyed is otherwise described as all of that certain adjudicated right listed in that decree of the District Court of the Fifth Judicial District of the State of Idaho in and for Bannock County, wherein Union Grain & Elevator Company, a corporation, was plaintiff, and McCammon Ditch Company, et al, were defendants, dated June 29, 1921, and filed and entered in the records of Bannock County, Idaho, July 1, 1921, and thereafter again signed and filed for record on the 6th day of August, 1932, and recorded in Book 11 of Judgments at page 202 of the Records of Bannock County, as right No. 148 decreed to J. G. Lewis, with a priority of July 1, 1892, in the amount of .31 c.f.s. with point of diversion and place of use recited as follows: "said water to be diverted through said Cutler Ditch last above described for the irrigation of 15.5 acres of land in Lot 3 and the North Half of the Northwest Quarter of Section 20, Township 9 South, Range 37 East Boise Meridian."

PARTIAL RELEASE OF REAL ESTATE MORTGAGE

(4)

(Loan Number.....D8248.....)

KNOW ALL MEN BY THESE PRESENTS that the Federal Farm Mortgage Corporation, a corporation duly established by the Act of Congress known as the Federal Farm Mortgage Corporation Act, approved January 31st, 1934, by its attorney-in-fact, The Federal Land Bank of Spokane, a corporation, hereby, for a valuable consideration, releases from the lien of that certain mortgage executed by David T. Johnson and Sylvia R. Johnson, husband and wife,

to the Land Bank Commissioner, dated May 31st, 1946, and recorded in Book 78

of Mortgages on page 63 in the office of the County Recorder

of Bannock County, State of Idaho, (which mortgage, together with the debt thereby secured, is owned and held by the Federal Farm Mortgage Corporation by virtue of the provisions of the Federal Farm Mortgage Corporation Act, as amended, and the Emergency Farm Mortgage Act of 1933, as amended), ~~the following water right and~~ described as follows, to-wit: Thirty-one hundredths of a cubic foot of water per second of time (.31 c.f.s.), otherwise described as 15 1/2 Miner's inches of the waters of Crystal Springs, the same being headwaters of West Bob Smith Creek in Bannock County, Idaho, with a priority of July 1, 1892, which said waters have heretofore been used through the Cutler Ditch for irrigation of 15.5 acres of land in Lot 3 and the North Half of the Northwest Quarter of Section 20, Township 9 South Range 37 East of the Boise Meridian, and at various times upon other lands, and which water right hereby conveyed is otherwise described as all of that certain adjudicated right listed in that decree of the District Court of the Fifth Judicial District of the State of Idaho in and for Bannock County, wherein Union Grain & Elevator Company, a corporation, was plaintiff, and McCammon Ditch Company, et al, were defendants, dated June 29, 1921, and filed and entered in the records of Bannock County, Idaho, July 1, 1921, and thereafter again signed and filed for record on the 6th day of August, 1932, and recorded in Book 11 of Judgments at page 202 of the Records of Bannock County, as right No. 148 decreed to J. G. Lewis, with a priority of July 1, 1892, in the amount of .31 c.f.s. with point of diversion and place of use recited as follows: "said water to be diverted through said Cutler Ditch last above described for the irrigation of 15.5 acres of land in Lot 3 and the North Half of the Northwest Quarter of Section 20, Township 9 South, Range 37 East Boise Meridian."
It is understood that no land whatsoever is released, it being the intent to release the water only.

It is expressly understood that this release shall not in any way affect or impair the rights of the undersigned to hold under said mortgage and as security for the sum remaining unpaid thereon the remainder of the premises therein described and not hereby released.

Dated this 28th day of February, 1947.

FEDERAL FARM MORTGAGE CORPORATION

By THE FEDERAL LAND BANK OF SPOKANE
a corporation, its attorney-in-fact

By B. C. FISH
Vice President

Attest:
Arnold Anderson
Assistant Secretary

STATE OF WASHINGTON, } ss.
County of Spokane.

On this 28th day of February, 1947, before me, a Notary Public,

personally appeared B. C. FISH, known to me to be Vice President of The Federal Land Bank of Spokane, a corporation, the name of which is subscribed to the within instrument as the attorney-in-fact of the Federal Farm Mortgage Corporation, a corporation, and on oath stated that he was authorized to execute said instrument and that the seal affixed is the corporate seal of The Federal Land Bank of Spokane, a corporation, and acknowledged to me that he subscribed thereto the name of the Federal Farm Mortgage Corporation, a corporation, as principal and the name of The Federal Land Bank of Spokane, a corporation, as attorney-in-fact, and further acknowledged that said The Federal Land Bank of Spokane, a corporation, as attorney-in-fact for the said Federal Farm Mortgage Corporation, a corporation, executed said instrument as the free and voluntary act and deed of said principal and attorney-in-fact for the uses and purposes therein mentioned.

WITNESS my hand and notarial seal the day and year last above written.

Carol E. Schrey
Notary Public for the State of Washington,
Residing at Spokane.

My commission expires MAR 15 1947

Approved as to Form
HRU

TO HAVE AND TO HOLD All and singular, the property hereby conveyed unto the said party of the second part and to its successor and assigns forever.

It is the intention of the undersigned to hereby convey to the grantee all of said water right together with all accretions or additions thereto that may have been acquired since the rendition of said decree.

It is understood between the parties hereto that the party of the second part intends to divert certain waters hereby conveyed into its pipe-line for municipal uses.

The said parties of the first part hereby covenant and agree that they are the lawful owners of said water right and the whole thereof and the same is free from any lien or encumbrance and they are possessed of the absolute right to convey the same and that the change in the place of use of said waters will not interfere with nor affect the rights of any other person whomsoever and there is no right to the waters of Crystal Springs prior in point of time to the right hereby conveyed.

The parties of the first part, their heirs and assigns, warrant the said property hereby conveyed in the quiet and peaceable possession of the party of the second part, and its successors and assigns, and agree that they will forever defend the title to and the right to use said waters by the party of the second part against any claim of any person whomsoever, lawfully claiming, or to claim, said waters or any part thereof.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals as of the day and year first above written.

David T. Johnson
Myra R. Johnson



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 29-13224
Date Received: 8/14/2001
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A2913224



1. Name of Claimant(s)

CITY OF MC CAMMON Phone:

PO BOX 9
MC CAMMON ID USA 83250

2. Date of Priority: 07/01/1892

3. Source: CRYSTAL SPRINGS Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	37E	3	SE NW SE	BANNOCK	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
MUNICIPAL	01/01	12/31	0.31	
MUNICIPAL	01/01	12/31	0.22	
MUNICIPAL	01/01	12/31	0.17	

202
200
201
70

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
09S	36E	1		MUNICIPAL	
09S	36E	12		MUNICIPAL	

09S 36E 13

MUNICIPAL

09S 36E 18

MUNICIPAL

11. Place of use in counties: BANNOCK

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

UNDERGROUND SPING COLLECTION PIPES INTO TRANSMISSION PIPELINE(7+MILES) TO CITY TANK & CHLORINATION SYSTEM, THEN WEST INTO CITY (2+MILES) TO CITY DISTRIBUTION SYSTEM.

CITY HAS ADDITIONAL CRYSTAL SPRINGS WATER (29-00224) - 0.5 CFS
THESE WATER RIGHTS (29-00200, 29-00201 AND 29-00202) WERE PURCHASED BY THE CITY IN DECEMBER, 1926 FROM JOAN T & OLENA GITTINS AND ARDEN A & HAZEL CHRISTIANSEN (SEE ATTACHED WARRANTY DEEDS).

MUNICIPAL SYSTEM SERVES 300+ HOUSEHOLDS.

THIS RIGHT IS COMBINATION OF 29-00200, 29-00201 AND 29-00202

15. Basis of Claim: Beneficial Use

DECEASED Arden 6/6/02

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

29-13224

Date Received

8-13-01

Receipt Number

F027011

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Claim 50⁰⁰
Late 50⁰⁰
CFS 70⁰⁰
\$170⁰⁰

Please type or print clearly

1. Name of Claimant (s) CITY OF McCAMMON Phone (208) 254-3200
Mailing Address P.O. Box 9, McCAMMON, IDAHO Zip 83250

2. Date of Priority (Only one (1) per claim) JULY 1, 1892

3. Source of water supply (a) CRYSTAL SPRINGS (WEST BOB SMITH CREEK)
which is tributary to (b) PORTNEUF RIVER

4. a. Location of existing point of diversion is: Township 9S Range 37E Section 3,
SE 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of BANNOCK

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.

UNDERGROUND SPRING COLLECTION PIPES INTO TRANSMISSION PIPELINE
(7± MILES) TO CITY TANK & CHLORINATION SYSTEM, THEN WEST INTO
CITY (2± MILES) TO CITY DISTRIBUTION SYSTEM.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For MUNICIPAL purposes from JAN 1 to DEC 31 amount 0.31 or (29-00202)

For MUNICIPAL purposes from JAN 1 to DEC 31 amount 0.22 or (29-00200)

For MUNICIPAL purposes from JAN 1 to DEC 31 amount 0.17 or (29-00201)

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.70 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) MUNICIPAL SYSTEM SERVES 300± HOUSEHOLDS

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	
9S	36E	1, 12, 13:	EXISTING CITY LIMITS OF MCCAMMON PLUS SOME																
9S	37E	18:	OUTSIDE CONNECTIONS TO DISTRIBUTION SYSTEM																

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes _____ 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.
CITY HAS ADDITIONAL CRYSTAL SPRINGS WATER RIGHT (29-00224) - 0.5 cfs or None ()

14. Remarks: THESE WATER RIGHTS (29-00200)(29-00201)(29-00202) WERE PURCHASED BY THE CITY IN DECEMBER, 1926 FROM JOHN T. & OLENA GITTINS AND ARDEN A. & HAZEL CHRISTIANSEN (SEE ATTACHED WARRANTY DEEDS)

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid of squares, each containing a crosshair symbol. The text "SEE ATTACHED QUADRANGLE MAP" is written in the center of the grid.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☒ Permit ☐
Decree _____
If applicable provide IDWR Water Right Number 29-07834 JC
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 pay a small annual fee for monthly copies of the docket sheet.

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

Signature of Claimant (s) _____ Date _____
_____ Date _____

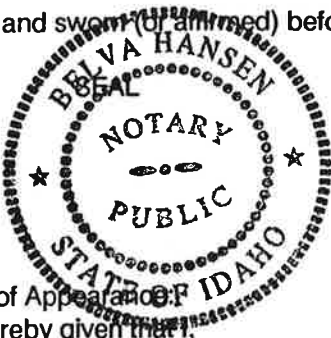
For Organizations: I do solemnly swear or affirm that I am MAYOR Title _____
of CITY OF McCAMMON Organization _____, that I have signed the foregoing
document in the space below as MAYOR Title _____ of CITY OF McCAMMON Organization _____

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

Signature of Authorized Agent Martell Gunter
Title and Organization MAYOR, CITY OF McCAMMON Date _____

State of Idaho/or _____)
County of Bannock) ss.

Subscribed and sworn (or affirmed) before me this 12 day of July 2001



Notary Public Belva Hansen
Residing at McCammon
My Commission Expires 10-26-01

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.

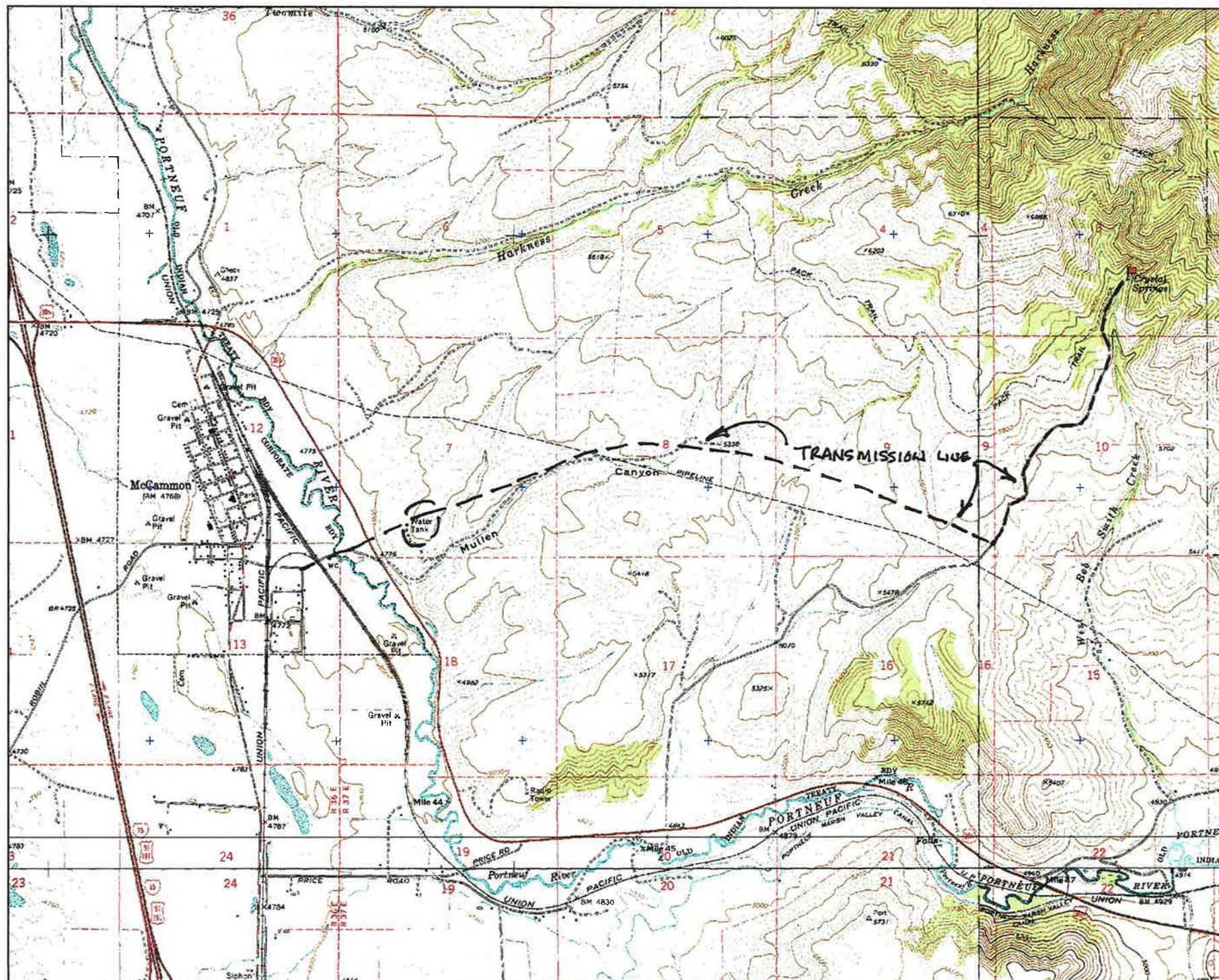
Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-13224

WATER RIGHT NUMBER: 29-13224

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CITY OF MC CAMMON PO BOX 9 MC CAMMON, ID 83250-0009 (208)254-3200

Priority Date: 07/01/1892
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
CRYSTAL SPRINGS	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MUNICIPAL	01/01 to 12/31	0.310 CFS	
MUNICIPAL	01/01 to 12/31	0.220 CFS	
MUNICIPAL	01/01 to 12/31	0.170 CFS	
	<u>Total Diversion:</u>	0.700 CFS	

Location of Point(s) of Diversion

CRYSTAL SPRINGS	SE1/4NW1/4SE1/4	Sec. 3, Twp 09S, Rge 37E, B.M.
BANNOCK County		

Place of Use

MUNICIPAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	36E	1																	
09S	36E	12																	
09S	36E	13																	
09S	36E	18																	

Conditions of Approval:Remarks:

29-200 WAS ALSO CLAIMED BY LEON HANOCASTLES
DUE TO THE WARRANTY DEED TO CITY OF
McCammow - (29-13224) Mr. Hanocastles
29-200 IS DISALLOWED.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-13224

1. UNDERGROUND SPING COLLECTION PIPES INTO TRANSMISSION PIPELINE(7+MILES) TO CITY TANK & CHLORINATION SYSTEM, THEN WEST INTO CITY (2+MILES) TO CITY DISTRIBUTION SYSTEM.
CITY HAS ADDITIONAL CRYSTAL SPRINGS WATER (29-00224) - 0.5 CFS
THESE WATER RIGHTS (29-00200, 29-00201 AND 29-00202) WERE PURCHASED BY THE CITY IN DECEMBER, 1926 FROM JOAN T & OLENA GITTINS AND ARDEN A & HAZEL CHRISTIANSEN (SEE ATTACHED WARRANTY DEEDS).
MUNICIPAL SYSTEM SERVES 300+ HOUSEHOLDS.
THIS RIGHT IS COMBINATION OF 29-00200, 29-00201 AND 29-00202

Comments:Dates and Other Information:

Claim Received Date: 8/14/2001
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False