

06/29/2004

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

RIGHT NUMBER: 29-13249

NAME AND ADDRESS: MICHAEL E CHAMBERS  
705 E TOPONCE CANYON RD  
BANCROFT ID 83217

EILEEN M CHAMBERS  
705 E TOPONCE CANYON RD  
BANCROFT ID 83217

SOURCE: TOPONCE CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 2.480 CFS

PRIORITY DATE: 06/18/1902

POINT OF DIVERSION: ~~T06S R38E S34 SWSE Within CARIBOU County~~

T06S R38E S33 NWSWSE Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/15 09/15          | 2.480 CFS       |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within CARIBOU County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T06S R38E S33       | SWSE | 10.0 | T06S R38E S33       | SESE | 18.0 |
| T06S R38E S34       | NENE | 38.0 | T06S R38E S34       | NWNE | 7.0  |
| T06S R38E S34       | SWNE | 37.0 | T06S R38E S34       | SENE | 40.0 |
| T06S R38E S34       | SENE | 10.0 | T06S R38E S34       | NESW | 30.0 |
| T06S R38E S34       | NWSW | 8.0  | T06S R38E S34       | SWSW | 32.0 |
| T06S R38E S34       | SESW | 3.0  | T06S R38E S34       | NWSE | 14.0 |
| T07S R38E S03 Lot 4 | NWNW | 10.0 | T07S R38E S04 Lot 1 | NENE | 10.0 |
| T07S R38E S04 Lot 2 | NWNE | 1.0  |                     |      |      |

268 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Decreed

06/29/2004

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

---

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
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. 29-85, 29-99 and  
29-101.

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

RIGHT NUMBER: 29-13249

NAME AND ADDRESS:

EILEEN M CHAMBERS  
705 E TOPONCE CANYON RD  
BANCROFT ID 83217

MICHAEL E CHAMBERS  
705 E TOPONCE CANYON RD  
BANCROFT ID 83217

SOURCE:

Source:  
TOPONCE CREEK

Tributary:

PORTNEUF RIVER

QUANTITY:

2.480 CFS

0.000 AFY

~~577.500 AFY~~

PRIORITY DATE:

06/18/1902

POINT OF DIVERSION:

T06S R38E S33 NWSWSE Within CARIBOU County

~~T06S R38E S34 SWSE~~ ~~Within CARIBOU County~~

PURPOSE AND  
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/15 09/15

2.480 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS  
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,  
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE  
OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS  
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO  
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE  
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

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

**PLACE OF USE:** IRRIGATION within CARIBOU County

T06S R38E S33 SWSE 10.0

T06S R38E S33 SESE 18.0

T06S R38E S34 NENE Lot 1 38.0

T06S R38E S34 NWNE Lot 2 7.0

T06S R38E S34 SWNE Lot 7 37.0

T06S R38E S34 SENE Lot 8 40.0

T06S R38E S34 SENW Lot 6 10.0

T06S R38E S34 NESW Lot 11 30.0

T06S R38E S34 NWSW Lot 12 8.0

T06S R38E S34 SWSW Lot 13 32.0

T06S R38E S34 SESW Lot 14 3.0

T06S R38E S34 NWSE Lot 10 14.0

T07S R38E S03 NWNW Lot 4 10.0

T07S R38E S04 NENE Lot 1 10.0

T07S R38E S04 NWNE Lot 2 1.0

268 ACRES TOTAL

~~T06S R38E S34 NENE 38.0~~

~~T06S R38E S34 NWNE 7.0~~

~~T06S R38E S34 SWNE 37.0~~

~~T06S R38E S34 SENE 40.0~~

~~T06S R38E S34 SENW 10.0~~

~~T06S R38E S34 NESW 30.0~~

~~T06S R38E S34 NWSW 8.0~~

~~T06S R38E S34 SWSW 32.0~~

~~T06S R38E S34 SESW 3.0~~

~~T06S R38E S34 NWSE 14.0~~

**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 - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION  
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. 29-85, 29-99 and 29-101.



STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL  
LAWRENCE G. WASDEN

June 25, 2004

VIA FACSIMILE

Special Master Brigitte Bilyeu  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

Re: 29-13249 Amended Director's Report

Dear Special Master Bilyeu:

By order dated May 6, 2004, the Court has requested that the Idaho Department of Water Resources file an Amended Director's Report in the above listed subcase by today, June 25, 2004. By that same order, the claimants were to file a written amended claim for 29-13249 on May 28, 2004. However, the Department has not received an amended claim from the claimant. Therefore, the Department will not be filing an Amended Director's Report today. I am requesting that the Amended Director's Report deadline be vacated.

There is a status conference set in this matter for July 28, 2004, at which time the parties and the Department can update the court as to the status of this subcase. If you have any questions concerning this matter, please call me at (208) 327-5404.

Very Truly Yours,

Candice M. McHugh

cc: Chambers  
Cindy Bird  
Larry Brown

Natural Resources Division - Water Resources Unit  
1301 North Orchard St., Boise, Idaho 83706-2237  
Telephone: (208) 327-7920; Legal FAX: (208) 327-7866  
Adjudication FAX: (208) 327-5400

7/6/04 Spoke with Candice and she said she sent out the amended directors report and that the chambers should have rec'd a copy and that the next date is July 28th CB.  
- left a message with Eileen.

## Bird, Cindy

---

**From:** Carlsen, Ernie  
**Sent:** Friday, July 16, 2004 9:20 AM  
**To:** McHugh, Candice  
**Cc:** Bird, Cindy  
**Subject:** RE: Chambers 29-13249

Candice here is the "amended" Amended Director's Report for 29-13249. Fred has the luxury of working with the latest surveys which the BLM apparently has not updated onto the GCDB they provide to us. The lot numbers on his survey plat are not in our data base. Likely the reason lot numbers were not included in the initial land list.



29-13249.doc

Ernie

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

**From:** McHugh, Candice  
**Sent:** Thursday, July 15, 2004 3:03 PM  
**To:** Music, Vicky; Carlsen, Ernie  
**Cc:** Bird, Cindy  
**Subject:** RE: Chambers 29-13249

I'm having scanned and emailed Casey's fax. We need to do a Corrected ADR as the government lots are the correct descriptions according to Dave T. Thanks

Candice

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

**From:** Music, Vicky  
**Sent:** Thursday, July 15, 2004 1:33 PM  
**To:** McHugh, Candice; Carlsen, Ernie  
**Subject:** Chambers 29-13249

I got call from Casey at BLM. He and Fred looked at the ADR and saw that the gov lots were not on the ADR. He said that it was all private land, and the BLM was not going to object, but wanted us to be aware of the lots. Casey faxed the ADR to me at the state office, so CMM, its there now if you want to have Cathy put it in the file. I told him that I would forward the info to you two.

Vicky L. Music  
Water Resource Agent  
IDWR - Western Region  
(208) 334-2190

**FAX****July 15, 2004****TO: Vicky Music, Paralegal-IDWR****FROM: Casey O'Brien, BLM-ISO****RE: Review of Amended Dir. Rpt.  
29-13249**

| <u>Subcase</u> | <u>Claimant</u> | <u>Objector</u> | <u>Issues</u>    |
|----------------|-----------------|-----------------|------------------|
| 29-13249       | Chamber         | None            | Lot Descriptions |

We have reviewed the Chamber Amended Director's Report. The claim contained only non-Federal Lands, so BLM is not going to object.

In review, I noticed that ten of the fifteen QQ descriptions should be described by government lots. Just wanted to provide you this information in case you need it.

Please see the attached marked up Dir. Rpt. page and Master Title Plat (MTP) for verification.

Casey

SECRET

OTHER PROVISIONS PERTAINING FOR DETENTION OR NONDETENTION OF THIS PRISON PRISONER.

This partial detentions 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 or a judge in time so later than the entry of a final written decree. Section 42-1412(6), Idaho Code.

TOTAL EDITION 142

[illegible]

PLACE OF BIRTH:

[illegible]

2. 4. 2011

51/60 51/00

**INOCULATED**

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

1000 MAY 03 1966

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED~~

DATE: 11/11/79

940 849-2 : KILMURRAY

: 1500000

REF ID: A66666 : UNCLASSIFIED

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535

UNIVERSITY OF MICHIGAN  
706 E ZOOLOGY CAMPUS BL  
ANN ARBOR MI 48106-1107

[illegible]

RECOMMENDATION OF THE DIRECTOR OF THE BUREAU OF INVESTIGATION  
TO THE DEPARTMENT OF JUSTICE

TOWNSHIP 7 SOUTH RANGE 38 EAST OF THE POISE MERIDIAN, IDAHO

CARBOON COUNTY

10000 PAID DISTRICT

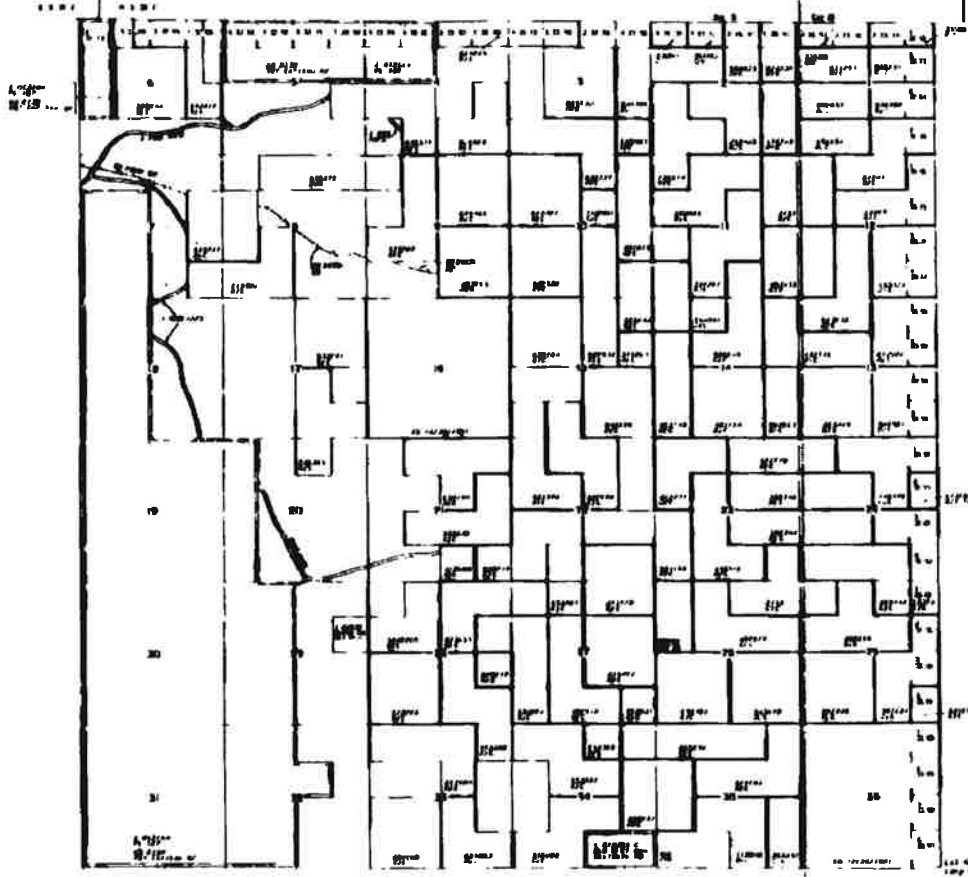
PLANNED L.A. PLAN

STATUS OF PUBLIC DOMAIN  
LAND AND MINERAL RIGHTS

MT PLAT

NO. 520 P. 3/4

JUL. 15, 2004 12:07PM



| SECTION | OWNER | ACRES |
|---------|-------|-------|
| 1       |       |       |
| 2       |       |       |
| 3       |       |       |
| 4       |       |       |
| 5       |       |       |
| 6       |       |       |
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| 23      |       |       |
| 24      |       |       |

1. 10000 PAID DISTRICT  
Completed 12/27/2003. 541 3P for 10000 PAID DISTRICT

1. 10000 PAID DISTRICT  
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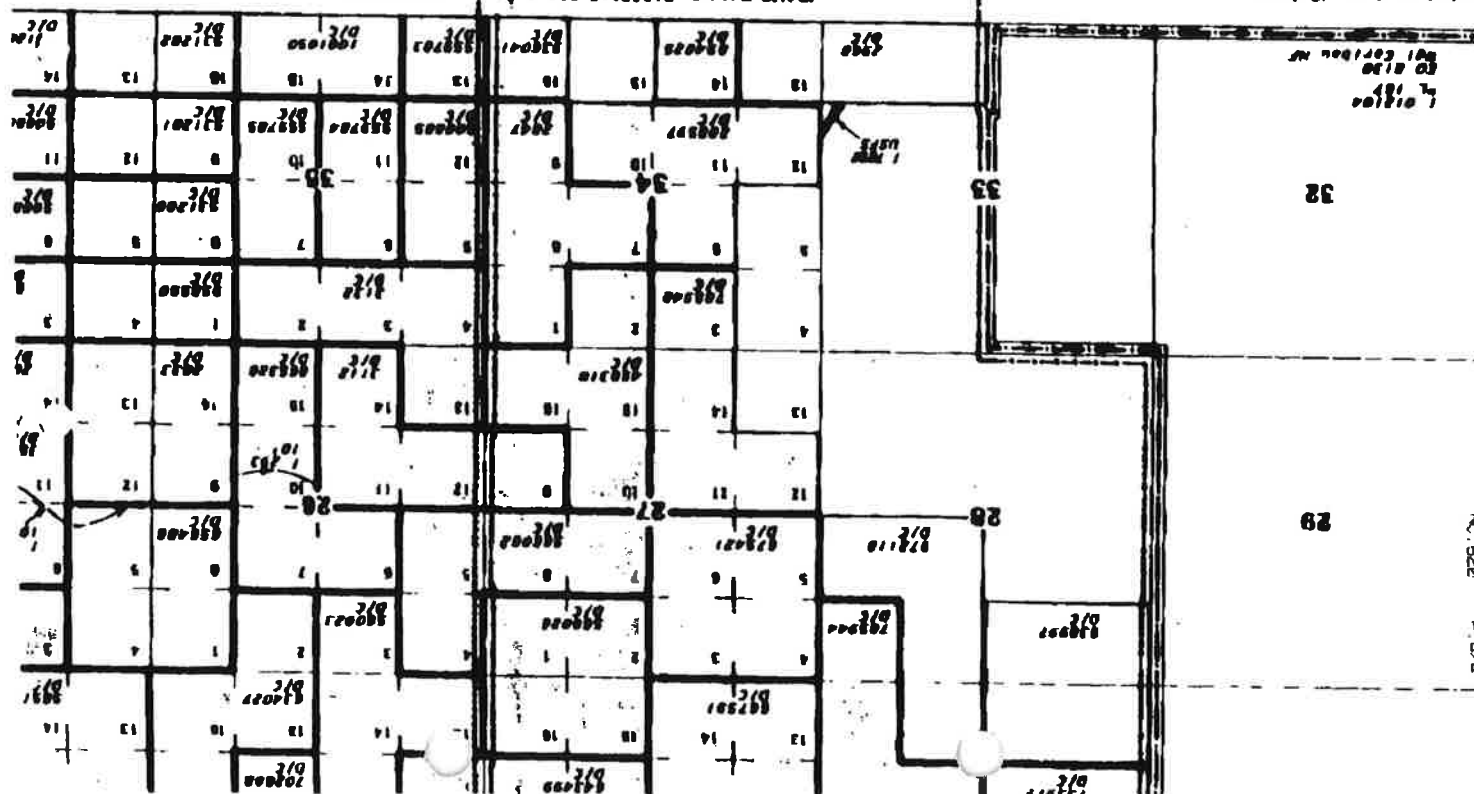
THE ABOVE SECTION IS SUBJECT TO THE  
10000 PAID DISTRICT

SCALE 1:10000

NOTES ON MAP  
1. 10000 PAID DISTRICT  
2. 10000 PAID DISTRICT  
3. 10000 PAID DISTRICT  
4. 10000 PAID DISTRICT  
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6. 10000 PAID DISTRICT  
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22. 10000 PAID DISTRICT  
23. 10000 PAID DISTRICT  
24. 10000 PAID DISTRICT

THE ABOVE SECTION IS SUBJECT TO THE  
10000 PAID DISTRICT

SCALE IN CHAINS  
10 15 20 25 30  
POCATELLO MAP  
IDaho FALLS DISTRICT SEC 3  
POCATELLO MAP  
WARNING STATEMENT  
This plot is the Bureau's Record of This, and now  
only on a Graphical display of the foregoing survey





STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL  
LAWRENCE G. WASDEN

June 25, 2004

**VIA FACSIMILE**

Special Master Brigitte Bilyeu  
Snake River Basin Adjudication  
253 Third Avenue North  
P. O. Box 2707  
Twin Falls, Idaho 83303-2707

*Re: 29-13249 Amended Director's Report*

Dear Special Master Bilyeu:

By order dated May 6, 2004, the Court has requested that the Idaho Department of Water Resources file an Amended Director's Report in the above listed subcase by today, June 25, 2004. By that same order, the claimants were to file a written amended claim for 29-13249 on May 28, 2004. However, the Department has not received an amended claim from the claimant. Therefore, the Department will not be filing an Amended Director's Report today. I am requesting that the Amended Director's Report deadline be vacated.

There is a status conference set in this matter for July 28, 2004, at which time the parties and the Department can update the court as to the status of this subcase. If you have any questions concerning this matter, please call me at (208) 327-5404.

Very Truly Yours,

A handwritten signature in cursive script, reading "Candice M. McHugh".

Candice M. McHugh

cc: Chambers  
Cindy Bird  
Larry Brown



## Bird, Cindy

---

**From:** McHugh, Candice  
**Sent:** Tuesday, June 29, 2004 8:16 AM  
**To:** Bird, Cindy  
**Cc:** Music, Vicky  
**Subject:** RE: Chambers amended directors report

Thanks. I remembered talking with you. I was pretty sure you just made hand-made changes because the system was down but we couldn't find it anywhere. In any event, we need an Amended Director's Report from you -- basically a version 2 document -- not in underline strikeout because it is an Amended Director's Report, not an SF5.

As a process in the future, once you take an amended claim, there is usually an Amended Director's Report deadline (that you will probably be calendared for) so just send us the Amended Director's Report via email. This gives us the head's up that it's done and we can track it electronically a lot better than if it is just paper.

I would like to get the Chambers Amended Director's Report in as soon as possible.

Thanks, Cindy.

Candice

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

**From:** Bird, Cindy  
**Sent:** Monday, June 28, 2004 4:53 PM  
**To:** Music, Vicky  
**Cc:** McHugh, Candice  
**Subject:** RE: Chambers amended directors report

I faxed a copy of the amended claim to you guys today. Please let me know if you need something else.

Cindy

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

**From:** Music, Vicky  
**Sent:** Monday, June 28, 2004 3:15 PM  
**To:** Bird, Cindy  
**Cc:** McHugh, Candice  
**Subject:** Chambers amended directors report

Cindy -

Candice and I cannot find that you sent us the amended directors report that you would have done after receiving the amended claim. . This is a document you would have generated in strike out underline format on workflow like an SF5. Will you please do that and email it to me in the next few days? thanks!

Vicky L. Music  
Office of the Attorney General  
Paralegal - IDWR  
(208) 327-7928

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank You.

# Fax

To: Candice McHugh From: Cindy Bird  
Fax: 1-208-327-5400 Pages: 4  
Phone: 1-208-327-54 Date: 6-28-04  
Re: \_\_\_\_\_ CC: \_\_\_\_\_

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

Candice,

we mailed this to you on May 28, 2004.

Cindy

P.S. Because I was on vacation and had to come into the office to do this by hand because the system was down. I spoke to you on that same day about the best way to hand this with no system.

CB

**FAXED**  
4:58pm

CB 6/28/04

**Bird, Cindy**

---

**From:** McHugh, Candice  
**Sent:** Monday, June 28, 2004 3:16 PM  
**To:** Music, Vicky; Bird, Cindy  
**Subject:** RE: Chambers amended directors report

Cindy,

Could you also fax us a copy of the amended claim?

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

**From:** Music, Vicky  
**Sent:** Monday, June 28, 2004 3:15 PM  
**To:** Bird, Cindy  
**Cc:** McHugh, Candice  
**Subject:** Chambers amended directors report

Cindy -

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Vicky L. Music  
Office of the Attorney General  
Paralegal - IDWR  
(208) 327-7928

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message. Thank You.

## Notes

4/22/04 Mike & Eileen did not appear in court today. They reached a settlement with BLM so they need to call in on the 10<sup>th</sup> of May to the court to complete the SF5 resolution. CB.

4/28/04 Received email from Ricky Musie that they didn't get the amended claim.

4:58pm faxed a copy of the amended claim.

**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

**A. Subcase** 29-13249  
(Insert water right number)

**STANDARD FORM 1  
OBJECTION**

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: United States of America acting through the Department of Interior,  
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way  
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax  
United States Department of Justice  
Environment and Natural Resource Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, Idaho 83724

**C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT**

Name: Mike Chambers

Address: 705 E. Toponce Canyon Road; Bancroft, Idaho 83217

Name: Eileen M. Chambers

Address: 705 E. Toponce Canyon Road; Bancroft, Idaho 83217

Name:

Address: ;

Name:

Address: ;



**D.** I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**  
Should be: \_\_\_\_\_
2. ☐ **Source**  
Should be: \_\_\_\_\_
3. ☐ **Quantity**  
Should be: \_\_\_\_\_
4. ☐ **Priority Date**  
Should be: \_\_\_\_\_
5. ☒ **Point(s) of Diversion**  
Should be: See attached.
6. ☐ **Instream Flow Description**  
Should be: \_\_\_\_\_
7. ☐ **Purpose(s) of Use**  
Should be: \_\_\_\_\_
8. ☐ **Period of Year**  
Should be: \_\_\_\_\_
9. ☐ **Place of Use**  
Should be: \_\_\_\_\_
11. **I object because:**
  - ☐ This water right should not exist.
  - ☐ This water right was not recommended, but should be recommended with the elements described above.

**E. REASONS SUPPORTING OBJECTION(S):**

The United States of America, through the Bureau of Land Management, is the owner of the land upon which the POD is claimed. There is no POD in the SWSE, S34, T06S, R38E. BLM believes the POD should be described as SWSE, S33, T06S, R38E.

**VERIFICATION** (Must be Completed)

State of Idaho )  
 ) ss.  
County of Ada )

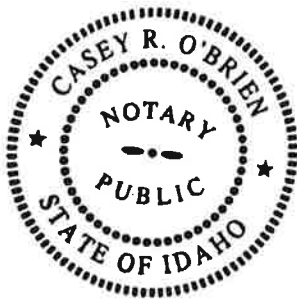
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

~~(Signature of person filing objection)~~

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 11/05/03



Casey R. O'Brien  
Notary Public in and for the State of Idaho  
Residing at: Nampa, ID.  
My Commission Expires: 10-31-2009

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**  
You must also send a copy to all the parties listed below in the Certificate of Mailing.

**G.**

### CERTIFICATE OF MAILING

I certify that on Nov. 13, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

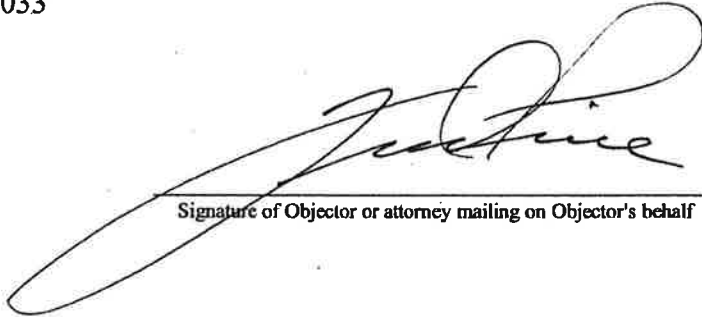
Name: Mike Chambers  
Address: 705 E. Toponce Canyon Road; Bancroft, Idaho 83217  
Name: Eileen M. Chambers  
Address: 705 E. Toponce Canyon Road; Bancroft, Idaho 83217  
Name:  
Address: ;  
Name:  
Address: ;

3. Copies to:

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

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
\_\_\_\_\_  
Signature of Objector or attorney mailing on Objector's behalf

07/10/2003

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

RIGHT NUMBER: 29-13249  
NAME AND ADDRESS: MIKE CHAMBERS  
705 E TOPONCE CANYON RD  
BANCROFT ID 83217  
  
EILEEN M CHAMBERS  
705 E TOPONCE CANYON RD  
BANCROFT ID 83217

-POD on BLM  
-Perhaps the POD is a typographical error

SOURCE: TOPONCE CREEK  
TRIBUTARY: PORTNEUF RIVER

QUANTITY: 2.480 CFS  
577.50 AFY

PRIORITY DATE: 06/18/1902

POINT OF  
DIVERSION: **BLM** T06S R38E S34 SWSE Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>                                                                                                                                                                                                                                                                                                                                                                                                                   | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------|
| IRRIGATION                                                                                                                                                                                                                                                                                                                                                                                                                              | 04/15 09/15          | 2.480 CFS       |
| THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT. |                      |                 |

PLACE OF USE:

| <u>IRRIGATION Within CARIBOU County</u> |      |      |                     |      |      |
|-----------------------------------------|------|------|---------------------|------|------|
| T06S R38E S33                           | SWSE | 10.0 | T06S R38E S33       | SESE | 18.0 |
| T06S R38E S34                           | NENE | 38.0 | T06S R38E S34       | NWNE | 7.0  |
| T06S R38E S34                           | SWNE | 37.0 | T06S R38E S34       | SENE | 40.0 |
| T06S R38E S34                           | SENW | 10.0 | T06S R38E S34       | NESW | 30.0 |
| T06S R38E S34                           | NWSW | 8.0  | T06S R38E S34       | SWSW | 32.0 |
| T06S R38E S34                           | SESW | 3.0  | T06S R38E S34       | NWSE | 14.0 |
| T07S R38E S03 Lot 4                     | NWNW | 10.0 | T07S R38E S04 Lot 1 | NENE | 10.0 |
| T07S R38E S04 Lot 2                     | NWNE | 1.0  |                     |      |      |

268 ACRES TOTAL

-POD should be represented as S33, SWSE, T06S, R38E as indicated in IDWR Shape File  
-Perhaps another POD (SWSESE, S33, T06S, R38E) should be included for feeder ditch off of Toponce Creek to irrigate POU's in S34.

07/10/2003

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

---

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 - Decreed

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

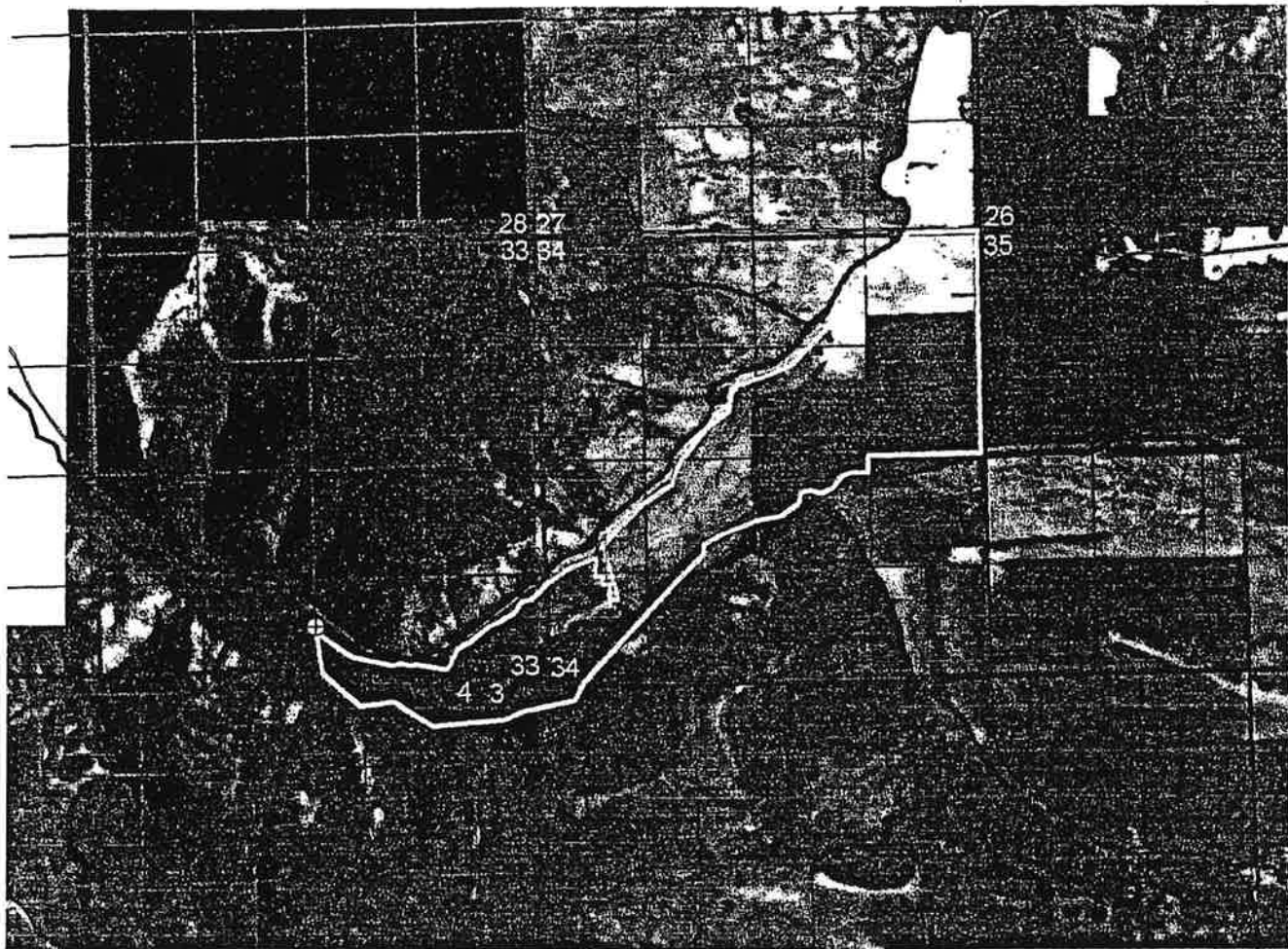
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT  
TO SECTION 42-1425, IDAHO CODE.



# STATE OF IDAHO

Department of Water Resources  
Eastern Region

## Water Right(s) 29-13249



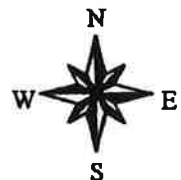
800 0 800 1600 Feet

### LEGEND

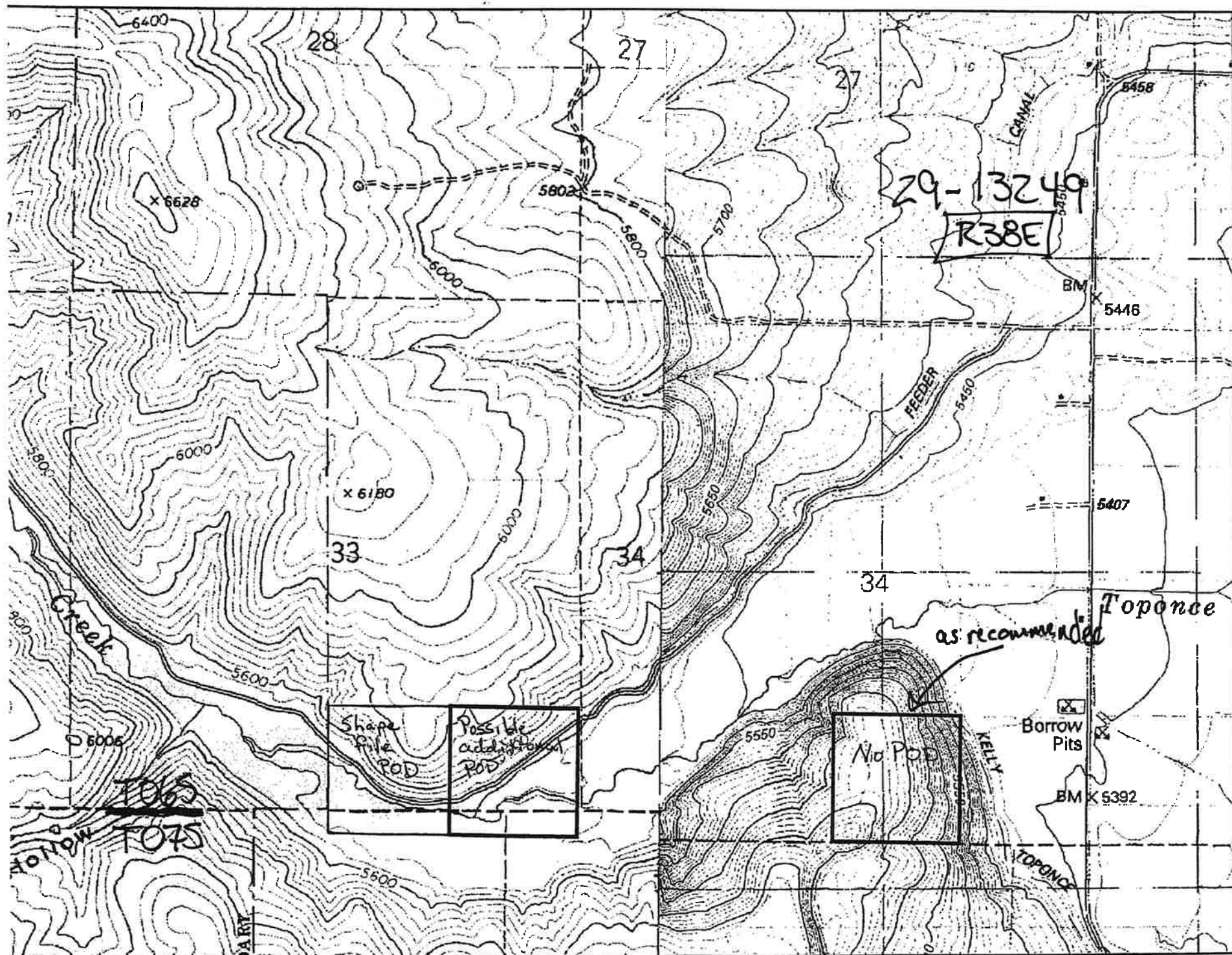
- ⊕ Point of Diversion
- Place of Use
- STREETS
- SECTIONS
- QUATER-QUATERS
- STREAMS

Place of Use: T6S, R38E  
(part of) Sections 33 and 34.  
T7S, R38E (part of) Sections 3 and 4.

Point of Diversion: T6S, R38E  
Sec. 33 SWSE



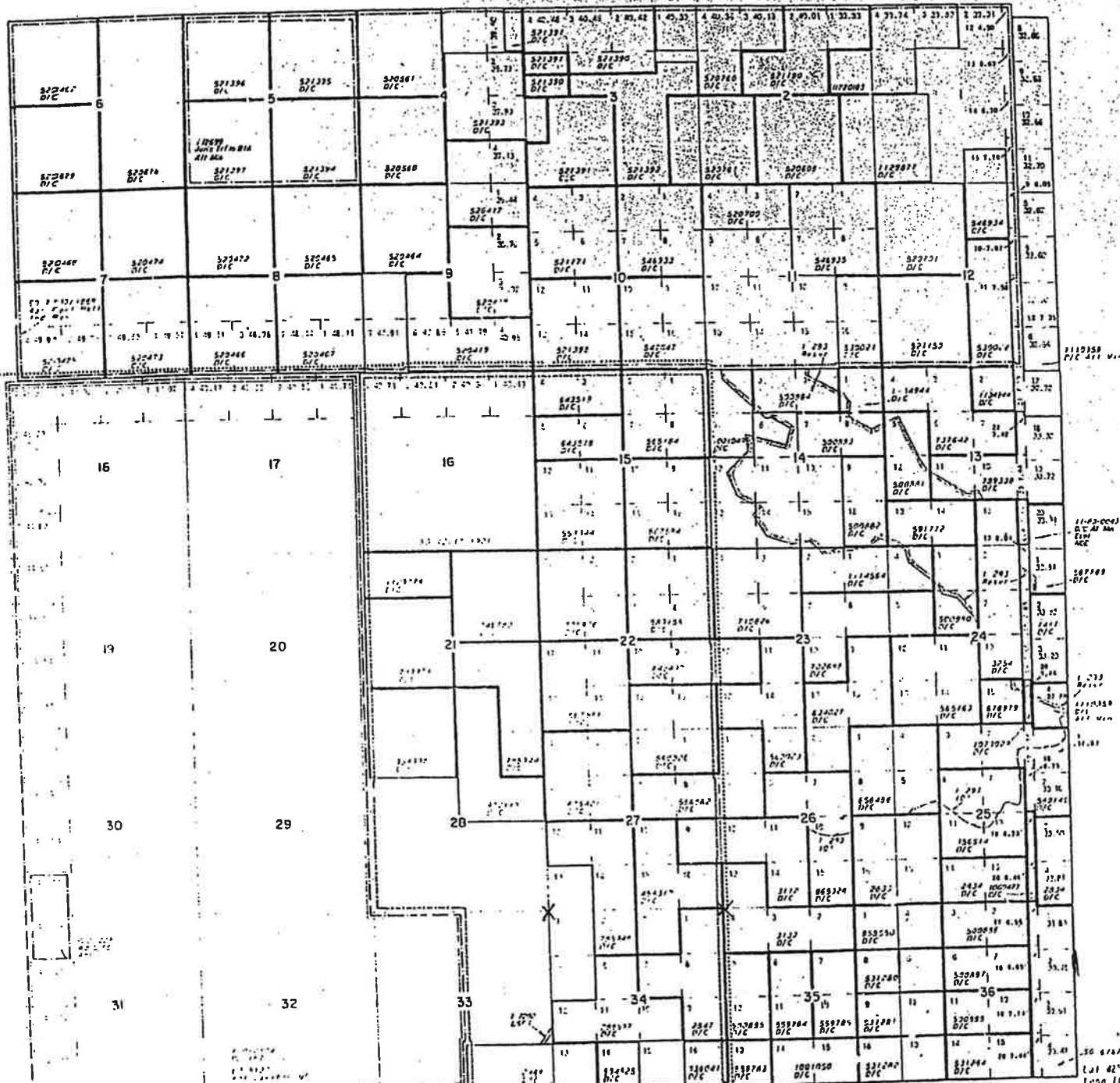
GIS Place of Use Illustration  
1987/88 NAPP PHOTOGRAPHY  
Prepared by C. Bird  
Date: April 2002





T65  
R38E

MT PLAT

[illegible]

1 012104 Del FL 167 (Act of Cong 7/23/1959)  
completed 6/26/1961. All AF surface wgt by U

120419 KELA Chestnutfield Range  
Sec 1: 6 to 2, 8, 9, 13, 11, 12, 13

FOR ORDERS RELATING CONTROL OR USE OF  
UNIDENTIFIED LANDS REFER TO INDEX OF  
MISCELLANEOUS DOCUMENTS

CURRENT TO 1.3

USE PLATE:



STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL  
LAWRENCE G. WASDEN

January 20, 2004

Mike and Eileen M. Chambers  
705 E Toponce Canyon Rd  
Bancroft, ID 83217

*Re: SRBA Subcase No. 29-13249*

Dear Mr. and Mrs. Chambers:

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources ("the Department" or "IDWR") in its investigation of water rights in Basin 29. The United States Bureau of Land Management has filed an objection to your water right to which you have responded.

It appears that when the Department made its recommendation for your water right's point of diversion that a typo placed your point of diversion in T6S, R38E, Section 34, SWSE but that the correct point of diversion is in T6S, R38E, Section 33, SWSE. However, you did not claim a point of diversion in Section 33, SWSE. Thus, in order to resolve BLM's objection to your water right, you must ask the SRBA District Court for permission to amend your claim to reflect the proper point of diversion. If the Court grants your motion, then IDWR will file an Amended Director's Report that reflected the proper point of diversion. Your motion can be in the form of a letter.

If you have any questions concerning this matter, please call me at (208) 327-5404. The sooner you get your Motion to Amend Claim filed, the sooner we can resolve this matter.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Candice M. McHugh", is written over the typed name.

Candice M. McHugh  
Deputy Attorney General, IDWR

cc: Larry Brown, BLM – electronically  
Cindy Bird, IDWR – electronically  
SRBA Court – electronically

## Bird, Cindy

---

**From:** McHugh, Candice  
**Sent:** Wednesday, January 14, 2004 10:19 AM  
**To:** Bird, Cindy  
**Subject:** RE: 29-13249. Claimant: Chambers

I didn't see the attachment to their response. They say it should be in the SWSE of Section 33 but that wasn't claimed. I'll have to see whether an amended claim is warranted.

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

From: Bird, Cindy  
Sent: Wednesday, January 14, 2004 10:17 AM  
To: McHugh, Candice  
Subject: RE: 29-13249. Claimant: Chambers

Candice,

I don't know. Because I don't have a copy of any of the information. I called the Chambers and they are going to let me know this afternoon what they filed on their objection response.

Cindy

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

From: McHugh, Candice  
Sent: Wednesday, January 14, 2004 8:44 AM  
To: Bird, Cindy  
Cc: Music, Vicky; McHugh, Candice; 'Fred\_Price@blm.gov';  
Larry.Brown@usdoj.gov  
Subject: RE: 29-13249. Claimant: Chambers

Cindy,

It appears that we have a typo on the DR for this water right. Should the p/d be in the SWNE of Section 34 as claimed? We recommended it in the SWSE and that's on BLM land.

Let me know. If the p/d is in the SWNE of Section 34 we can just execute an SF5 to resolve BLM's objection.

Candice

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

From: Fred\_Price@blm.gov [mailto:Fred\_Price@blm.gov]  
Sent: Wednesday, January 07, 2004 8:50 AM  
To: Larry.Brown@usdoj.gov  
Cc: 'SHAMLIN@idwr.state.id.us'; 'vmusic@idwr.state.id.us';  
cmchugh@idwr.state.id.us  
Subject: Re: 29-13249. Claimant: Chambers

Director's Report POD Location:

SWSE, S34, T06S, R38E

Claimed POD Location:

SWNE, S34, T06S, R38E

Actual POD Location:

SWSE, S33, T06S, R38E

Should the start of the "feeder ditch" also be listed as a POD under this right (SWSESE, S33, T06S, R38E)? The irrigation activity boundary in S34 follows the feeder ditch which suggests the land may be watered from the feeder ditch. BLM doesn't know that for sure, it just appears like that is what is happening from looking at the map.

```
|----->
|               |
|               | "Larry.Brown@usdo
|               | j.gov"
|               | <Larry.Brown
|               |
|               | 12/22/2003 09:33
|               | AM
|               |
|----->
```

```
>-----
|
|
|      To:      "'SHAMLIN@idwr.state.id.us'" <SHAMLIN@idwr.state.id.us> (Receipt
Notification Requested) (IPM Return
|      Requested), "'vmusic@idwr.state.id.us'" <vmusic@idwr.state.id.us> (Receipt
Notification Requested) (IPM Return
|      Requested), "'Fred_Price@blm.gov'" <Fred_Price@blm.gov> (Receipt Notification
Requested) (IPM Return Requested)
|      cc:
|
|      Subject: 29-13249. Claimant: Chambers
|
```

I note that Mike and Eileen M. Chambers filed a Standard Form 2 Response to Objection. In the Response, the Claimants point out that the POD for the above-referenced water right claim should be T06S, R38E, S33, SWSE. The POD legal description comports with BLM's investigation of the claim.

Correction of the legal description of a POD will probably require a Standard Form 4 Motion for Leave to File Amended Notice of Claim.

Susan: Would it be appropriate for IDWR to work with the Claimants to file a Standard Form 4 to amend the legal description of this water right claim? Please advise. I will help where I can.

## Notes

1-14-04 Candice sent me an email to find out if we can resolve this objection with BLM. POD recorded on the director's report was SWSE of Section 34, which is owned by BLM. It should be SWSE of Section 33, T6S, R38E. What I don't understand is that was what was recorded on the preliminary director's report. How did it get changed to Section 34?

15 West Center  
Soda Springs, ID 83276  
Phone (208) 547-3993  
FAX (208) 547-3939

## Idaho Department of Water Resources

# Fax

|                        |                             |
|------------------------|-----------------------------|
| <b>To:</b> Vicky Music | <b>From:</b> Barbara Payne  |
| <b>Fax:</b> 327-5400   | <b>Pages:</b> 10            |
| <b>Phone:</b>          | <b>Date:</b> 1/7/2004       |
| <b>Re:</b> 29-13249    | <b>CC:</b> Kristen Forsgren |

Hi Vicky,

The attached eight sheets constitute the entire file contents for the above referenced claim. In November we sent to the State the original claim and a copy of the file. So all that we have are copies. Per Kristen's direction, I am sending you a copy of our copy.

Thanks.



Barbara

copy sent to  
State  
11-03  
BP



Close

**From:** Forsgren, Kristen**To:** Payne, Barbara**Cc:****Subject:** Claim #29-13249**Sent:** 1/2/2004 9:26 AM**Importance:** Normal

Barbara,

Could you please make a copy of 29-13249 and make a copy of the original claim with signatures? Will you send the original claim with signatures and a copy of the rest of the file to Vicky Music? Thank you for you help.

Kristen  
Eastern

[Close](#)

**From:** Forsgren, Kristen

**To:** Payne, Barbara

**Cc:**

**Subject:** RE: Claim #29-13249

**Sent:** 1/5/2004 9:32 AM

**Importance:** Normal

Hi Barbara,

I would just send copies of the copies again. Thanks again for your help.

Kristen

 RE: Claim #29-13249

02/08/2003

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: April 21, 2003**

Water right number: 29-13249

MIKE CHAMBERS  
705 E TOPONCE CANYON RD  
BANCROFT ID 83217  
Telephone Number: (208) 648-7347

EILEEN M CHAMBERS  
705 E TOPONCE CANYON RD  
BANCROFT ID 83217  
Telephone Number: (208) 648-7347

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:

3/13/03

SIGNATURE:

Michael E. Chambers

Please print your name:

Michael E. Chambers

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

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 29-13249  
Date Received: 5/28/2004  
Receipt No:  
Received By:

**AMENDED**

**AMENDED**

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MICHAEL CHAMBERS Phone: (208) 648-7347

705 E TOPINCE CANYON RD  
BANCROFT, ID USA 83217

EILENE M CHAMBERS Phone: (208) 648-7347

705 E TOPINCE CANYON RD  
BANCROFT, ID USA 83217

2. Date of Priority: 06/18/1902

3. Source: TOPONCE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

| Township | Range | Section                            | 1/4 of 1/4 of 1/4 Lot | County  | Type |
|----------|-------|------------------------------------|-----------------------|---------|------|
| 06S      | 38E   | <sup>EMC</sup><br><del>34</del> 33 | SW SE                 | CARIBOU |      |

5. Description of diverting works:

HEAD BOX AND GRAVITY IRRIGATION

6. Water is used for the following purposes:

| Purpose    | From To     | C.F.S. | (or) A.F.A |
|------------|-------------|--------|------------|
| IRRIGATION | 04/01 09/15 | 2.48   |            |

7. Total Quantity Appropriated is:  
2.48 C.F.S. and/or A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4           | of 1/4     | Lot   | Use        | Acres      |
|---------------|-------|---------|---------------|------------|-------|------------|------------|
| 06S           | 38E   | 33      | SW            | SE         |       | IRRIGATION | 10.0 ✓     |
|               |       |         | SE            | SE         |       | IRRIGATION | 18.0 ✓     |
|               |       |         | Section Acres |            | 28.0  |            |            |
| 06S           | 38E   | 34      | NE            | NE         |       | IRRIGATION | 38.0 ✓     |
|               |       |         | NW            | NE         |       | IRRIGATION | 7.0 ✓      |
|               |       |         | SW            | NE         |       | IRRIGATION | 37.0 ✓     |
|               |       |         | SE            | NE         |       | IRRIGATION | 40.0 ✓     |
|               |       |         | SE            | NW         |       | IRRIGATION | 10.0 ✓     |
|               |       |         | NE            | SW         |       | IRRIGATION | 30.0 ✓     |
|               |       |         | NW            | SW         |       | IRRIGATION | 8.0 ✓      |
|               |       |         | SW            | SW         |       | IRRIGATION | 32.0 ✓     |
|               |       |         | SE            | SW         |       | IRRIGATION | 3.0 ✓      |
|               |       |         | NW            | SE         |       | IRRIGATION | 14.0 ✓     |
| Section Acres |       | 219.0   |               |            |       |            |            |
| 07S           | 38E   | 03      | NW            | NW         | 4     | IRRIGATION | 10.0 ✓     |
|               |       |         | Section Acres |            | 10.0  |            |            |
|               |       |         | 04            | NE         | NE    | 1          | IRRIGATION |
| NW            | NE    | 2       |               | IRRIGATION | 1.0 ✓ |            |            |
| Section Acres |       | 11.0    |               |            |       |            |            |
| Total Acres   |       | 268.0   |               |            |       |            |            |

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks: Amended Claim to the correct POD.

15. Basis of Claim: DECREE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication."

(b.) I/We do      do not   X   wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:     0    

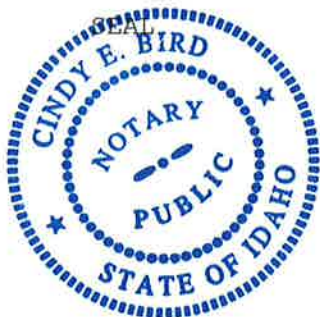
**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of claimant(s): *E. J. Anderson* Date: 5-28-04  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho                     )  
                                          )  
County of BANNOCK             )

Subscribed and sworn (or affirmed) before me this 28<sup>TH</sup> day of May, 2004



*Cindy E. Bird*  
Notary Public

Cindy E. Bird

Residing at Lava Hot Springs

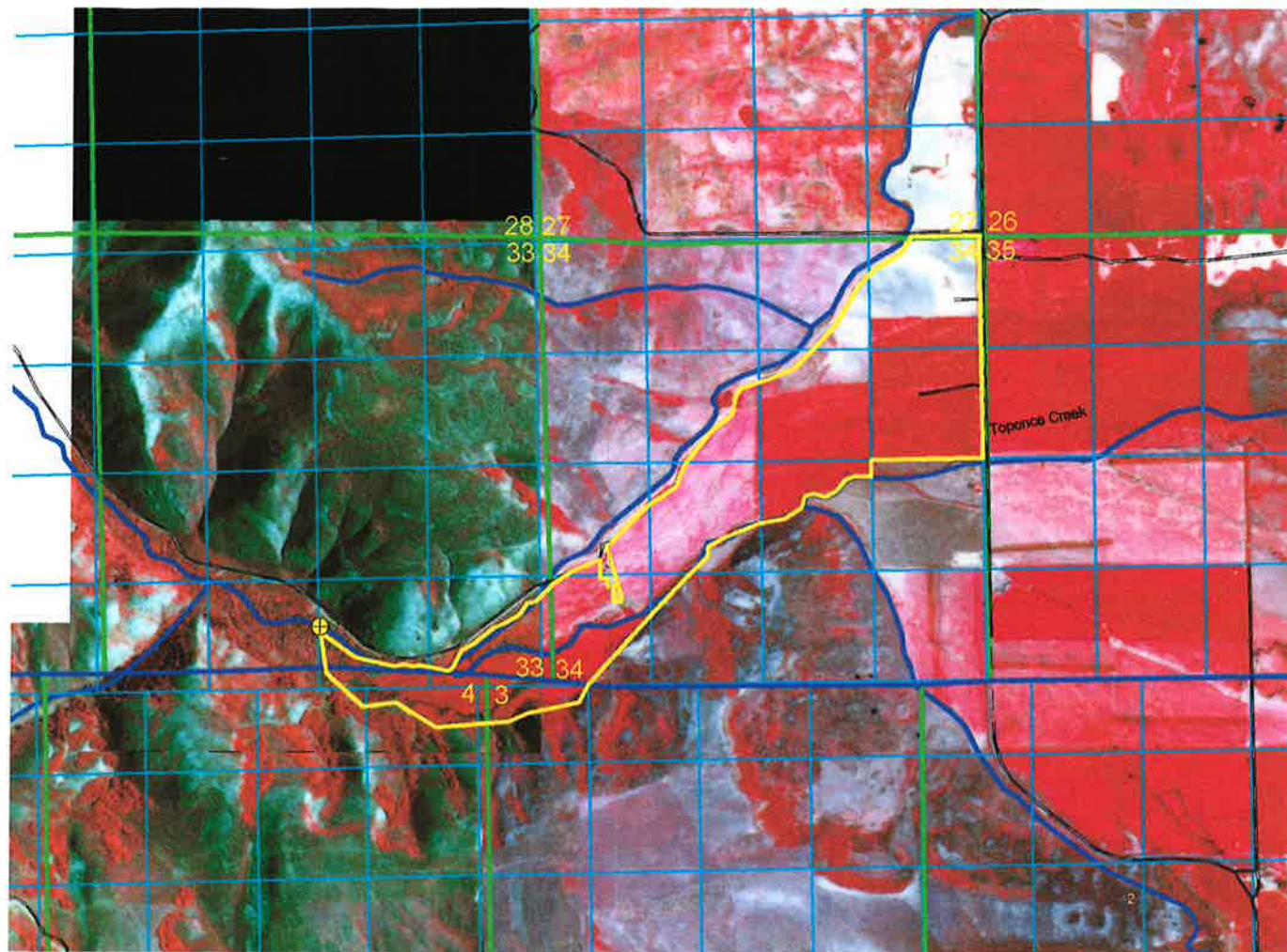
My Commission Expires: May 1, 2007



# STATE OF IDAHO

Department of Water Resources  
Eastern Region

## Water Right(s) 29-13249



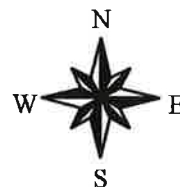
800 0 800 1600 Feet

### LEGEND

-  Point of Diversion
-  Place of Use
-  STREETS
-  SECTIONS
-  QUATER-QUATERS
-  STREAMS

Place of Use: T6S, R38E  
(part of) Sections 33 and 34.  
T7S, R38E (part of) Sections 3 and 4.

Point of Diversion: T6S, R38E  
Sec. 33 SWSE



GIS Place of Use Illustration  
1987/88 NAPP PHOTOGRAPHY  
Prepared by C. Bird  
Date: April 2002

NAME AND ADDRESS: MIKE CHAMBERS  
705 E TOPONCE CANYON RD  
BANCROFT ID 83217

EILEEN M CHAMBERS  
705 E TOPONCE CANYON RD  
BANCROFT ID 83217

SOURCE: TOPONCE CREEK TRIBUTARY: PORTNEUF RIVER  
QUANTITY: 2.48 CFS  
PRIORITY DATE: 06/18/1902  
POINT OF DIVERSION:  
T06S R38E S33 SWSE Within CARIBOU County

| <u>PURPOSE OF USE</u>                                                                                                                                                                                                                                                                                                                                                                                                                          | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------|
| IRRIGATION                                                                                                                                                                                                                                                                                                                                                                                                                                     | 04/15 09/15          | 2.480 CFS       |
| <p>THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.</p> |                      |                 |

| PLACE OF USE:       | <u>IRRIGATION Within CARIBOU County</u> |      |                     |      |      |  |  |  |
|---------------------|-----------------------------------------|------|---------------------|------|------|--|--|--|
| T06S R38E S33       | SWSE                                    | 10.0 | T06S R38E S33       | SESE | 18.0 |  |  |  |
| T06S R38E S34       | NENE                                    | 38.0 | T06S R38E S34       | NWNE | 7.0  |  |  |  |
| T06S R38E S34       | SWNE                                    | 37.0 | T06S R38E S34       | SENE | 40.0 |  |  |  |
| T06S R38E S34       | SENW                                    | 10.0 | T06S R38E S34       | NESW | 30.0 |  |  |  |
| T06S R38E S34       | NWSW                                    | 8.0  | T06S R38E S34       | SWSW | 32.0 |  |  |  |
| T06S R38E S34       | SESW                                    | 3.0  | T06S R38E S34       | NWSE | 14.0 |  |  |  |
| T07S R38E S03 Lot 4 | NWNW                                    | 10.0 | T07S R38E S04 Lot 1 | NENE | 10.0 |  |  |  |
| T07S R38E S04 Lot 2 | NWNE                                    | 1.0  |                     |      |      |  |  |  |

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.

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

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

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 29-13249  
Date Received: 10/12/2001  
Receipt No:  
Received By:

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

1. Name of Claimant(s)

MIKE CHAMBERS Phone: (208) 648-7647

705 E TOPONCE CANYON RD  
BANCROFT ID USA 83217

EILEEN M CHAMBERS Phone: (208) 648-7347

705 E TOPONCE CANYON RD  
BANCROFT ID USA 83217

2. Date of Priority: 06/18/1902

3. Source: TOPONCE CREEK , TOPONCE CREEK , TOPONCE CREEK Trib. to: PORTNEUF RIVER  
, PORTNEUF RIVER , PORTNEUF RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 Lot | County  | Type |
|----------|-------|---------|--------|--------|---------|---------|------|
| 06S      | 38E   | 33      | SE     | NE     |         | CARIBOU |      |
| 06S      | 38E   | 33      | SE     | SE     |         | CARIBOU |      |
| 06S      | 38E   | 34      | SW     | NE     |         | CARIBOU |      |

5. Description of diverting works:

HEAD BOX AND GRAVITY IRRIGATION

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/15 | 09/15 | 2.48   |            |

7. Total Quantity Appropriated is:  
2.48 C.F.S. and/or 577.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 | of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|--------|-----|---------------|-------|
| 06S      | 38E   | 33      | SW  | SE     |     | IRRIGATION    | 7     |
|          |       |         | SE  | SE     |     | IRRIGATION    | 12    |
|          |       |         |     |        |     | Section Acres | 19    |
| 06S      | 38E   | 34      | NE  | NE     |     | IRRIGATION    | 16    |
|          |       |         | NW  | NE     |     | IRRIGATION    | 6     |
|          |       |         | SW  | NE     |     | IRRIGATION    | 30    |
|          |       |         | SE  | NE     |     | IRRIGATION    | 38    |
|          |       |         | SE  | NW     |     | IRRIGATION    | 9     |
|          |       |         | NE  | SW     |     | IRRIGATION    | 21    |
|          |       |         | NW  | SW     |     | IRRIGATION    | 6     |
|          |       |         | SW  | SW     |     | IRRIGATION    | 21    |
|          |       |         | SE  | SW     |     | IRRIGATION    | 2     |
|          |       |         | NE  | SE     |     | IRRIGATION    | 21    |
|          |       |         |     |        |     | Section Acres | 170   |
| 07S      | 38E   | 3       | NW  | NW     | 4   | IRRIGATION    | 16    |
|          |       |         |     |        |     | Section Acres | 16    |
| 07S      | 38E   | 4       | NE  | NE     | 1   | IRRIGATION    | 21    |
|          |       |         | NW  | NE     | 2   | IRRIGATION    | 5     |
|          |       |         |     |        |     | Section Acres | 26    |
|          |       |         |     |        |     | Total Acres   | 231   |

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

BASED ON THE DECREE FOR 29-85, 29-99 AND 29-101 DATED 8/6/1932: UNION GRAIN & ELEVATOR VS. THE CAMMON DITCH.

15. Basis of Claim: Decreed

16. Signature(s)

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 29-13249Date Received 10-9-01Receipt Number E027180

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Mike & Eileen Chambers Phone (208) 648-7347Mailing Address 705 E. Topowee Canyon Rd. Zip 832172. Date of Priority (Only one (1) per claim) June 18<sup>th</sup> 19023. Source of water supply (a) Topowee Creek  
which is tributary to (b) Portneuf River4. a. Location of existing point of diversion is: Township 6S Range 38E Section 34,  
1/4 of SW 1/4 of NE 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of CaribouAdditional points of diversion if any: SENE SESE Section 33

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.Head box and gravity  
irrigation

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation. purposes from 4/15 to 9/15 amount 2.48 or \_\_\_\_\_  
 For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
 For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
 For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 2.48 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 577.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) stockwater (incidental)

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 |        |
| 6S  | 38E | 33  |             |            |       |       |        |             |       |       |        |       |       |       |        |       | 7     | 12    | 19     |
|     |     | 34  | 16          | 6          | 30    | 38    |        |             |       | 9     | 21     | 6     | 21    | 2     | 21     |       |       |       | 170    |
| 7S  | 38E | 3   |             |            |       |       |        | Lot 4<br>16 |       |       |        |       |       |       |        |       |       |       | 16     |
|     |     | 4   | Lot 1<br>21 | Lot 2<br>5 |       |       |        |             |       |       |        |       |       |       |        |       |       |       | 26     |
|     |     |     |             |            |       |       |        |             |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |             |            |       |       |        |             |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |             |            |       |       |        |             |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |             |            |       |       |        |             |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 231

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

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.  
29-8047A, 29-86A, 29-83, 29-12863, 29-107A, 29-12864 or None ( )

14. Remarks: A29-81  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

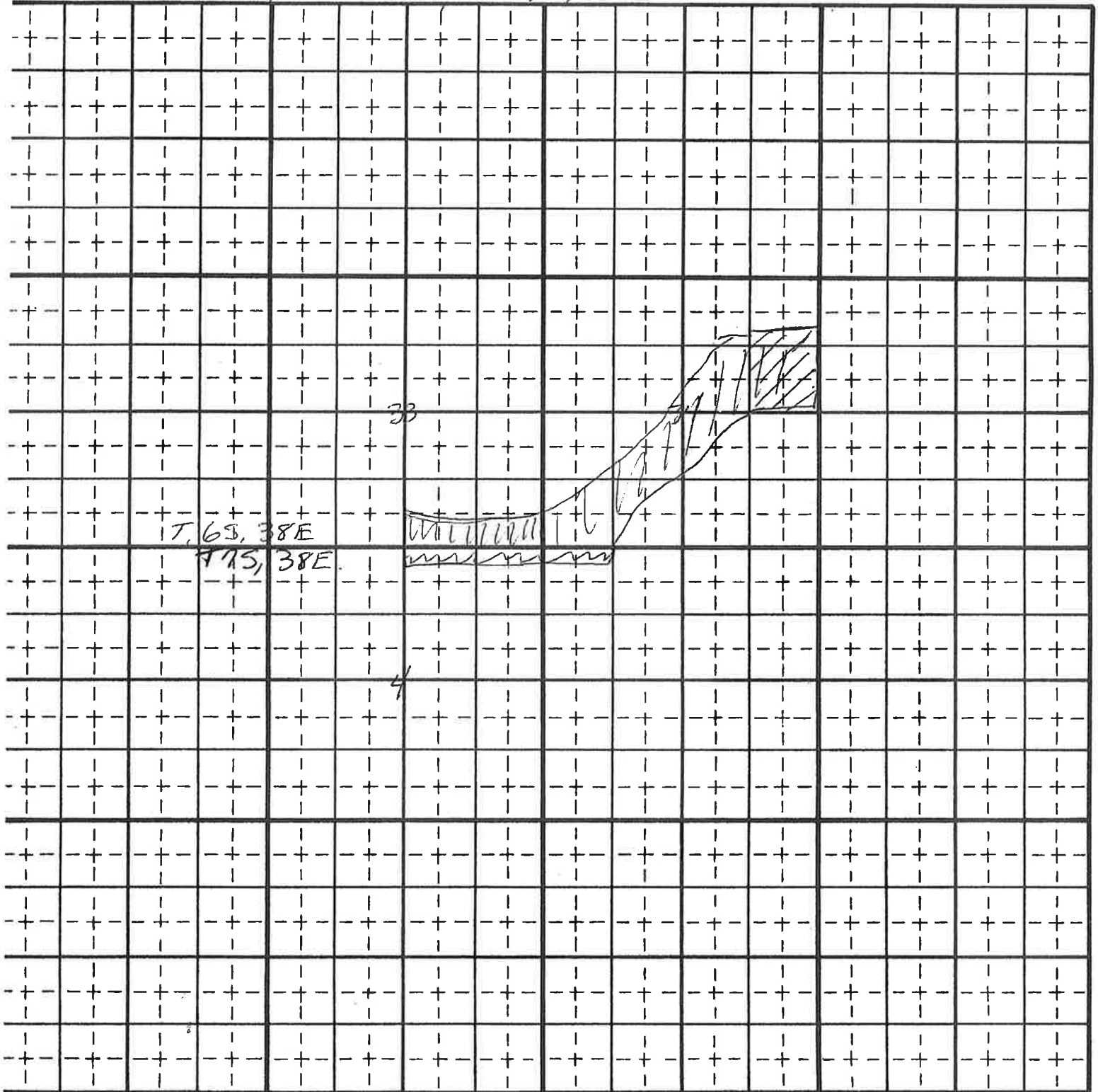
Last Name Chambers Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

T6S, R38E & T7S, R38E



Last Name Chambers Ident No. \_\_\_\_\_

Copies: White-State, Yellow-Claimant

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

If applicable provide IDWR Water Right Number 29-85, 99, 101

Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date 8/6/32

Plaintiff vs Defendant Union grain & elevator vs. The Camason Ditch

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) Michael E. Chambers Date 10/9/01

Elaine Chambers Date 10/9/01

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

of \_\_\_\_\_ Title \_\_\_\_\_, that I have signed the foregoing  
Organization

document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
Title Organization

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

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of Bannock ) SS.

Subscribed and sworn (or affirmed) before me this 9th day of October, 192001



Notary Public Cindy E. Bird

Residing at Lava Hot Springs

My Commission Expires 5-1-01

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 Chambers Ident. Number \_\_\_\_\_