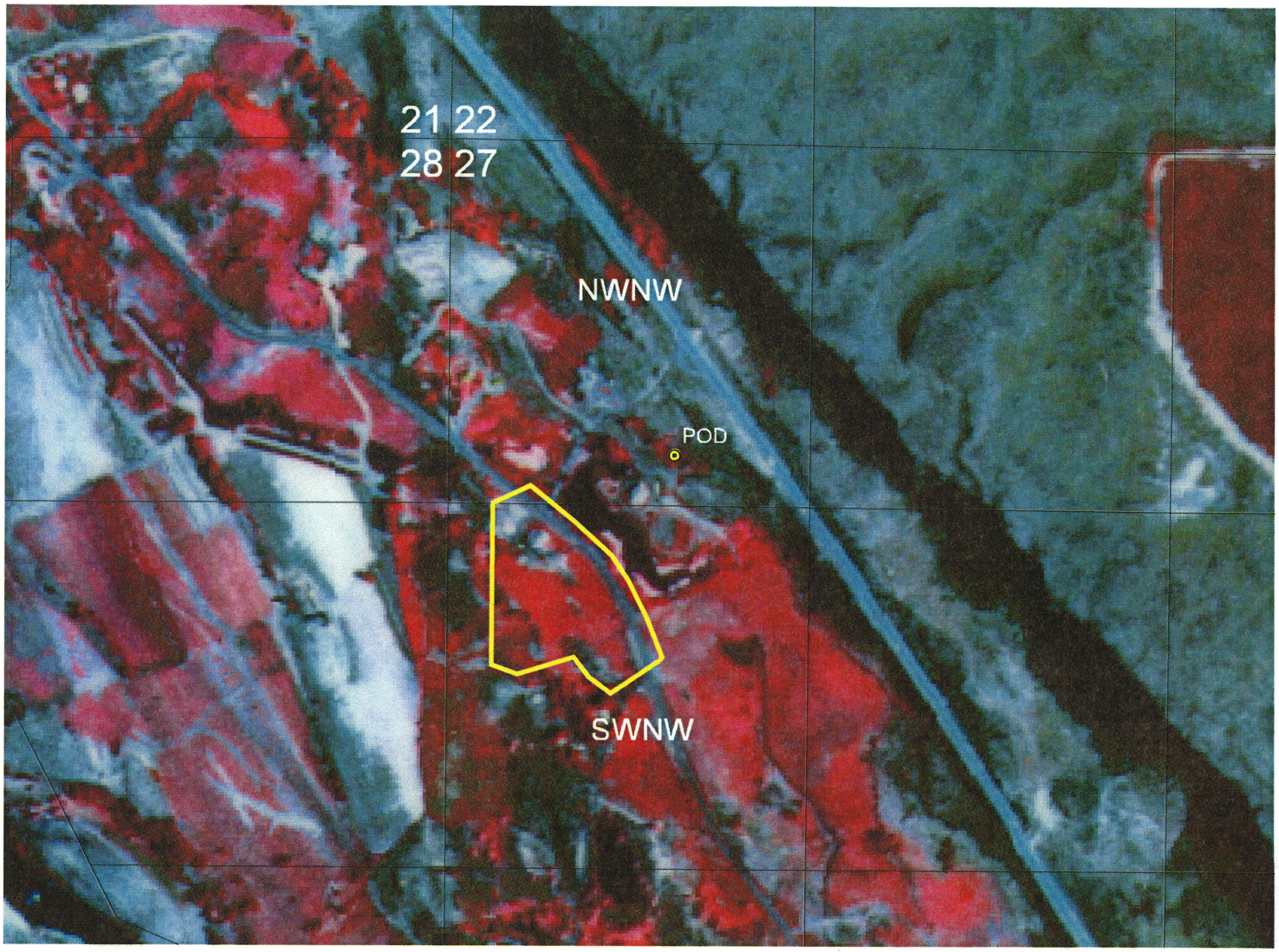
37-10086



800 0 800 1600 2400 Feet

T06S R13E S27

N
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Map prepared by: Carter Fritschle
Date prepared: 03/31/05
1987-1988 NAPP photography
Idaho Department of Water Resources

02/25/2005

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-10086

NAME AND ADDRESS: ZANE G HARRISON
C/O RUTH L HARRISON
627 RIVER RD
BLISS ID 83314

RUTH L HARRISON
627 RIVER RD
BLISS ID 83314

SOURCE: STODDARD CREEK SPRING TRIBUTARY: STODDARD CREEK

QUANTITY: 0.436 CFS

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1914

POINT OF DIVERSION:

T06S R13E S27 SENWNW Within GOODING County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	03/15 11/01	0.436 CFS
STOCKWATER	11/01 03/15	0.200 CFS

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water after November 1 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:

DOMESTIC Within GOODING County

T06S R13E S27	NWNW		T06S R13E S27	SWNW	

IRRIGATION Within GOODING County

T06S R13E S27	NWNW	0.2	T06S R13E S27	SWNW	6.8

STOCKWATER Within GOODING County

T06S R13E S27	NWNW		T06S R13E S27	SWNW	

7 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.

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

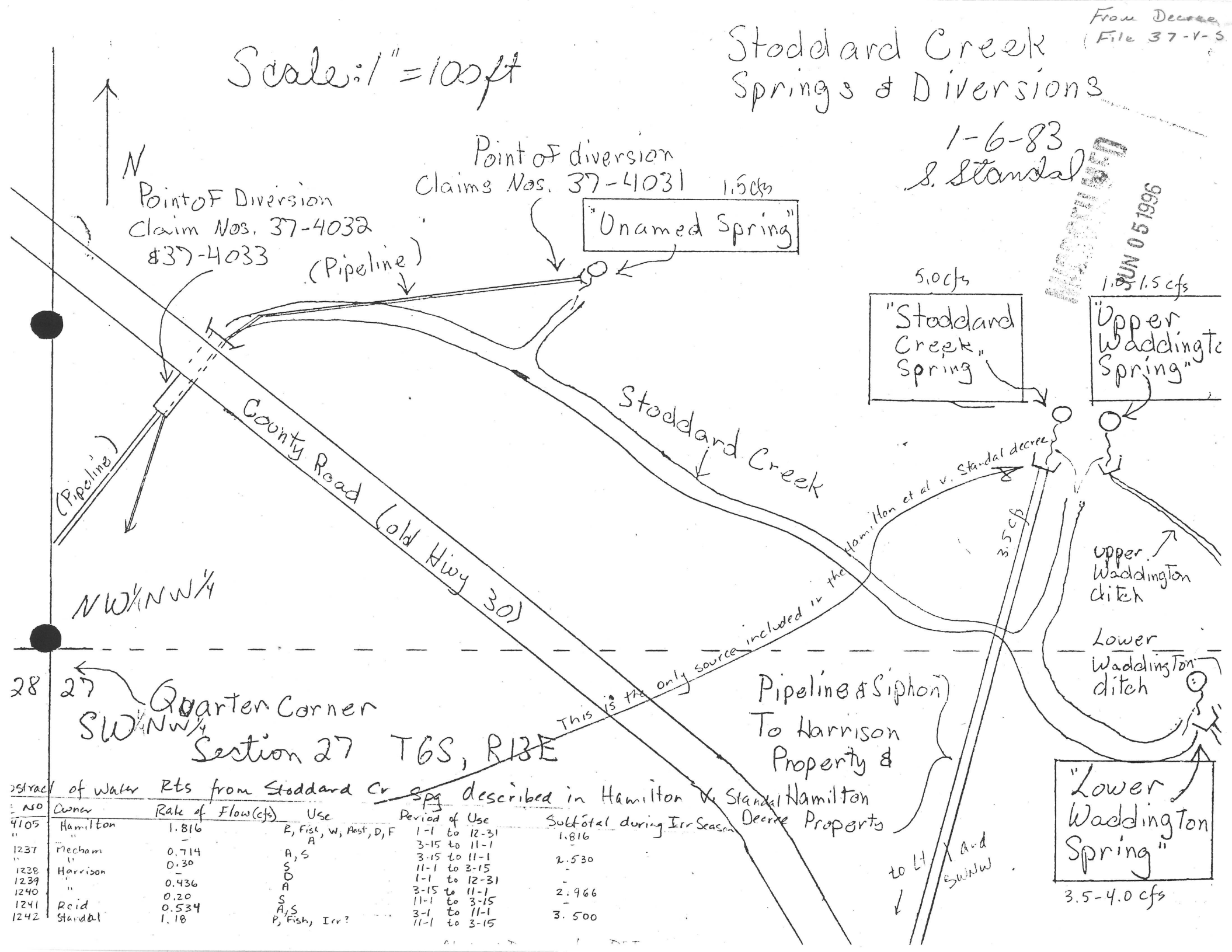
EXPLANATORY MATERIAL: Decreed

This right is a combination of old right nos. 37-1238, 37-1239 and 37-1240.

From Decree (File 37-V-S

Stoddard Creek Springs & Diversions

1-6-83 S. Standal



Abstract of water Rts from Stoddard Cr Spg described in Hamilton v. Standal

No	Owner	Rate of Flow (cfs)	Use	Period of Use	Subtotal during Irr Season
4105	Hamilton	1.816	P, Fish, W, Aest, D, F	1-1 to 12-31	1.816
"	"	–	A	3-15 to 11-1	–
1237	Mecham	0.714	A, S	3-15 to 11-1	2.530
"	"	0.30	S	11-1 to 3-15	–
1238	Harrison	–	D	1-1 to 12-31	–
1239	"	0.436	A	3-15 to 11-1	2.966
1240	"	0.20	S	11-1 to 3-15	–
1241	Reid	0.534	A, S	3-1 to 11-1	3.500
1242	Standal	1.18	P, Fish, Irr?	11-1 to 3-15	

Hamilton v. Standal

Water Right	Purpose	From	To	Amount (cfs)	Priority	Decreed Owner	SRBA Claim	Comments
37-1238	Domestic	1-1	12-31		6-1-1914	Harrison	37-10086	1.5 inch pipe, under 13,000 gpd
37-1239	Irrigation	3-15	11-1	0.436	6-1-1914	Harrison	37-10086	7 ac. total
37-1240	Stockwater	11-2	3-14	0.20	6-1-1914	Harrison	37-10086	Under 13,000 gpd
37-1241	Irrigation	3-15	11-1	0.534	6-1-1914	Reid	37-1241	9.75 ac. irrigated (11 ac. total)
	Stockwater	3-15	11-1					Under 13,000 gpd
37-1242	Irrigation	11-2	3-14	1.18	6-2-1914	Standal	37-1242	All of the unallocated water *
	Power	11-2	3-14	1.18				
	Fish Propagation	11-2	3-14	1.18				
37-1244	Irrigation	3-15	11-1	0.714	6-1-1914	Mecham	37-1244	11 ac. irrigated (21 ac. total)
	Stockwater	3-15	11-1					Under 13,000 gpd
	Stockwater	11-1	3-15	0.30				Under 13,000 gpd
37-4105	Irrigation	3-15	11-1	1.816	6-1-1914	Hamilton	37-12974	34 ac. total
	Domestic	1-1	12-31					Under 13,000 gpd
	Fire Protection	1-1	12-31	1.816				
	Recreation	1-1	12-31	1.816				
	Fish Propagation	1-1	12-31	1.816				
	Wildlife	1-1	12-31	1.816				
	Aesthetics	1-1	12-31	1.816				

* "5. Defendants Standal are entitled to all waters flowing from Stoddard Creek Springs not previously allocated above." (Page 7 or page 47 of the Amended Findings of Fact.)

See page 2 for most recent information

Hamilton v. Standal

Water Right	Purpose	From	To	Amount (cfs)	Priority	Decreed Owner	SRBA Claim	Comments
37-1238	Domestic	1-1	12-31	0.04	6-1-1914	Harrison	37-10086	1.5 inch pipe, under 13,000 gpd
37-1239	Irrigation	3-15	11-1	0.436	6-1-1914	Harrison	37-10086	7 ac. total
37-1240	Stockwater	11-2	3-14	0.20	6-1-1914	Harrison	37-10086	Under 13,000 gpd
	Aesthetics	3-15	11-1	0.436	6-1-1914		37-10086	
	Aesthetics	11-2	3-14	0.20	6-1-1914		37-10086	
37-1241	Irrigation	3-15	11-1	0.534	6-1-1914	Reid	37-1241	9.75 ac. irrigated (11 ac. total)
	Stockwater	3-15	11-1					Under 13,000 gpd
37-1242	Irrigation	11-2	3-14	1.18	6-2-1914	Standal	37-1242	All of the unallocated water *
	Power	11-2	3-14	1.18				
	Fish Propagation	11-2	3-14	1.18				
37-1244	Irrigation	3-15	11-1	0.714	6-1-1914	Mecham	37-1244	11 ac. irrigated (21 ac. total)
	Stockwater	3-15	11-1					Under 13,000 gpd
	Stockwater	11-1	3-15	0.30				Under 13,000 gpd
37-4105	Irrigation	3-15	11-1	1.816	6-1-1914	Hamilton	37-12974	34 ac. total
	Domestic	1-1	12-31					Under 13,000 gpd
	Fire Protection	1-1	12-31	1.816				
	Recreation	1-1	12-31	1.816				
	Fish Propagation	1-1	12-31	1.816				
	Wildlife	1-1	12-31	1.816				
	Aesthetics	1-1	12-31	1.816				

* "5. Defendants Standal are entitled to all waters flowing from Stoddard Creek Springs not previously allocated above." (Page 7 or page 47 of the Amended Findings of Fact.)

37-V-5

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Department of Water Resources

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SEP 11 1981
Department of Water Resources

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

* * * * * * * * * * *

THOMAS M. HAMILTON and CHARLOTTE HAMILTON, husband and wife, JAMES MECHAM and SHIRLEY JUNE MECHAM, husband and wife, ZANE HARRISON and RUTH HARRISON, husband and wife, and ROBERT P. REID and WAHNITA REID, husband and wife, Plaintiffs, vs. NORMAN STANDAL and ANITA J. STANDAL, husband and wife, Defendants.	Case No. 17298 ORDER CORRECTING JUDGMENT NUNC PRO TUNC

* * * * * * * * * * *

The Court having read and considered the Motion to Correct Judgment Pursuant to Rule 60(a), and finding that a clerical error or omission has occurred with regard to the Judgment and Decree entered by this Court on November 15, 1979,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Judgment and Decree entered by this Court on November 15, 1979, is hereby supplemented so as to include in paragraph (C) on page 5 of said Judgment and Decree, a new paragraph (3) reading as follows:

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37-1240

"Plaintiffs Harrison are entitled to and herein decreed the use of 10 miner's inches of the waters of Stoddard Creek Spring for the purposes of stock watering between November 1st and March 15th of each year."

IT IS FURTHER ORDERED that this order correcting the record of said judgment be entered nunc pro tunc as of November 15, 1979, that being the date when said judgment was originally made and entered.

DATED this 9 day of June, 1981.

District Judge

STATE OF IDAHO }
COUNTY OF GOODING } ss

I hereby certify that the foregoing is a true copy of the original instrument on file in my office.
Date 9-10 19 81
MARGARET F. CLEMENTS
District Court Clerk
By: Kay Smith Deputy Clerk

JUN 05 1996

(2)

37-V-S

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Department of Water Resources

DISTRICT COURT
GOODING CO. IDAHO
FILED

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Copies sent to Tucker & Weaver 11/16/79

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

* * * * * * * * * * *

THOMAS M. HAMILTON and CHARLOTTE HAMILTON, husband and wife, JAMES MECHAM and SHIRLEY JUNE MECHAM, husband and wife, ZANE HARRISON and RUTH HARRISON, husband and wife, and ROBERT L. REID and WAHNITA REID, husband and wife, Plaintiffs, vs. NORMAN STANDAL AND ANITA J. STANDAL, husband and wife, Defendants.	Civil No. 17298 JUDGMENT AND DECREE

* * * * * * * * * * *

The Court having heretofore made and entered Findings of Fact and Conclusions of Law, and being fully advised of the premises,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the parties hereinafter named have the right to divert and beneficially use for irrigation, domestic, stock water, fish and wildlife propagation, recreation, fire protection, aesthetic purposes, and other purposes as hereinafter specifically set out, the waters of Stoddard Spring Creek in amounts as hereinafter specifically set out with a priority date of 1914, which said amounts of water shall be

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JUN 05 1996

diverted from the spring in the NW¼ NW¼ of Section 27, Township 6 South, Range 13 East, Boise Meridian, Gooding County, Idaho, through the existing diversion facility with a head of water of 15½ inches above the top of the existing pipe, then through a ten inch pipe to the division box located on the land of Harrison hereafter described, and said water is herein decreed appurtenant to the lands as hereinafter specifically set out.

(A) Thomas M. Hamilton and Charlotte Hamilton, husband and wife.

(1) Plaintiffs Hamilton are entitled and are hereby decreed the amount of water in miner's inches which typically flows down the multiple sized pipe adjacent to the white cinder block house located on the property of Hamilton at the same pressure as now exists, to be beneficially applied for domestic and fire prevention purposes on a year round basis, and for irrigation between March 15th and November 1st of each year, which uses are herein declared beneficial.



(2) Plaintiffs Hamilton are entitled and are hereby decreed the amount of 90.8 miner's inches of water of Stoddard Creek Springs (which includes the water discussed in paragraph (1) above) to keep the ponds and water courses on their premises filled for recreation, fish and wildlife propagation, and for aesthetic purposes on a year around basis, which purposes are herein declared beneficial.

37-4105

(3) The said rights above enumerated are appurtenant to the lands as hereinafter described:

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PARCEL I

Township 6 South, Range 13 East of the Boise Meridian, Gooding County, Idaho,

Section 27: Part of Lot 1 and SW¼ NW¼ (NWSW) described as follows: Beginning at a point which is 165.0 feet East of and 740.0 feet North of the quarter corner between Sections 27 and 28; thence

South parallel with the Section line, 740.0 feet to the North line of Lot 1; thence
East along the North line of Lot 1, 370.0 feet; thence
South parallel with the Section line 816.0 feet; thence
East parallel with the North line of Lot 1, 597.0 feet; thence
North 17°39' West, 300.0 feet; thence
North 10°51' East, 530.0 feet to the North line of Lot 1; thence
North 37°30' West, 100.0 feet; thence
North 23°30' West, along the West right of way boundary of old Highway #30, as constructed in 1949, to a point identified by a permanent cement weir box for the delivery of irrigation water, (which point is the Southeast corner of the tract sold by Veda M. Mosher to Delmar E. Smith and Della R. Smith); thence
due West 228.0 feet; thence
in a Northwesterly direction 194.0 feet; thence
due West 370.0 feet to the point of beginning.

The North line of the above described tract is the South boundary line of the tract mentioned above as sold to Delmar E. Smith and Della R. Smith.

PARCEL II

Township 6 South, Range 13 East of the Boise Meridian

Section 27: Part of Lot 1 described as follows:

Beginning at the Northwest corner of Lot 1;
thence South along the West line of Lot 1, 816.0 feet;
thence East parallel with the South line of Lot 1, 535.0 feet;
thence North parallel with the West line of Lot 1, 816.0 feet to said North line of Lot 1;
thence West along the North line of Lot 1, 535.0 feet to the point of beginning.

JUN 05 1996

Together with an easement for the right of egress and ingress across the following described tract:

Beginning at a point which is 165.0 feet East of and 740.0 feet North of the quarter corner between Sections 27 and 28;

thence South parallel with the Section line 740.0 feet, to the North line of Lot 1;

thence East along the North line of Lot 1 to the West right of way of the Old Highway #30 as constructed in 1949;

thence Northwesterly along the West right of way line of Old Highway #30 to a point identified by a permanent cement weir box for the delivery of irrigation water, (which point is the Southeast corner of the tract sold by Veda M. Mosher to Delmar E. Smith and Della R. Smith);

thence due West, 228.0 feet;

thence in a Northwesterly direction 194 feet;

thence due West, 370.0 feet to the point of beginning.

(B) James Mecham and Shirley June Mecham, husband and wife.

(1) Plaintiffs Mecham are entitled and are herein decreed the use of 35.7 miner's inches of water from Stoddard Creek Spring through the diversion works above described for irrigation and stockwater purposes from March 15th to November 1st of each year, and 15 inches for stockwater purposes between November 1st and March 15th of each year, which waters shall be appurtenant to and said uses are herein declared beneficial on eleven acres of the approximate 21 acre parcel hereinafter specifically described:

37-1244

That part of Lot 1 Section 27 Township 6 South, Range 13 East, Boise Meridian, described as follows:

Beginning at a point 816 feet South of the Quarter corner between Sections 27 and 28 said Township and Range; thence South along Section line 44 feet; thence South 64°00' East 528 feet; thence South 32°45' East 280 feet; thence East along the South line of Lot 1, 660.4 feet more or less, to a point which is 39.6 feet West of the SE corner of said Lot 1; thence North parallel

JUN 05 1996

with East side of said Lot 1, 176.9 feet; thence North 7°24' West 205.3 feet; thence North 12°50' West 89.1 feet; thence North parallel to the East side of Lot 1, 258.7 feet; thence North 18°53' East 265.3 feet; thence North along the East line of Lot 1, 125 feet; thence North 37°30' West along State Highway 285 feet; thence South 10°51' West 1132 feet; more or less, to point of beginning, and Also

That part of Lot 2, Section 27 Township 6 South, Range 13 East, Boise Meridian, described as follows:

Beginning at a point 72.6 feet West of the SE corner of Lot 1, said Section, Township and Range, thence South on a projected line to the South line of said Lot 2 to a point on the projected line where same intersects the North property line of the Idaho Power Company property in said Lot 2 (which point is 552.0 feet North of the South line of said Lot 2) true point of beginning; thence North 75°06' West 207.4 feet; thence North 21°45' West 231.3 feet; thence West 120 feet; thence North 31°00' West 340 feet; thence West 200 feet to the East waters edge of Snake River, which is the NW corner of Idaho Power Company property in said Lot 2, thence continuing along the waters edge of Snake River to the South line of said Lot 1 and thence East along the South line of said Lot 1 to a point which is 72.6 feet West of the SE corner of said Lot 1, thence South on said line projected South from said point, to the true point of beginning. In Gooding County, Idaho.

(C) Zane Harrison and Ruth Harrison, husband and wife.

(1) Plaintiffs Harrison are entitled and are herein decreed from Stoddard Creek Springs their domestic water on a year round basis from the division box on their premises, which pipe system consists of a 4 inch pipe which junctions into a 2 inch and 1½ inch 100 feet down the pipe from the diversion box, under full pressure from the said division box.

37-1238

(2) Plaintiffs Harrison are entitled and herein decreed the use of 21.8 miner's inches of the waters of Stoddard Creek Spring for irrigation purposes from March 15th to November 1st of each year, which use is herein decreed as beneficial.

37-1239

See Order Correcting Judgment JUN 25

(3) The rights enumerated are appurtenant to the following specifically described parcel:

A tract of land described as follows:

Beginning at the Southwest corner of the Northwest Quarter of the Northwest Quarter (NW¼ NW¼), Section 27, Township 6 South, Range 13 EBM., running due East 165 feet thence South 580 feet parallel to the West line to the Southwest Quarter of the Northwest Quarter (SW¼ NW¼), Section 27, Township 6 South, Range 13 EBM., thence due East 370 feet, more or less, to a point, thence in a Southeasterly direction 194 feet, thence due East 228 feet to the West boundary line of the present existing highway which point is identified by a permanent weir box for the delivery of irrigation water, thence in a Northerly direction along the West boundary line of the existing highway a distance of 824 feet, more or less, to the point of intersection with the South line of the NW¼ NW¼, Section 27, Township 6 South, Range 13 EBM., thence due West approximately 160 feet to the point of beginning.

And together with:

A parcel of land in Section 27, Township 6 South, Range 13 E.B.M., Gooding County, Idaho particularly described as:

Beginning at the Northwest corner of said Section 27;
thence South along the section line 1336.03 feet;
thence East 165 feet to the real place of beginning;
thence N64°04'30"E, 153.32 feet;
thence S51°02'10"E, 108.93 feet;
thence N89°37'18"W, 222.59 feet to the real place of beginning.

And subject to that certain Boundary Line Agreement of February 20, 1975, between Smith, Harrison and Hamilton which establishes the fence line between Harrison and Hamilton as follows:

The fence commences at a point from which the northwest corner of Section 27, Township 6 South, Range 13 East, Boise Meridian bears 22°11'14"W, 2063.02 feet,
thence S 56°21'00"W, 214.50 feet;
thence N 54°29'25"W, 97.57 feet;
thence N 37°48'48"W, 92.19 feet;
thence S 77°08'44"W, 216.25 feet;
thence N 64°57'34"W, 98.50 feet to the end of the South fence line.

Basis of Bearings - Section line between Northwest corner and West Quarter corner of Section 27, Township 6 South, Range 13 East, Boise Meridian.

(See Order Correcting Judgement for 37-1240)

JUN 05 1996

(D) Robert P. Reid and Wahnita Reid, husband and wife.

(1) Plaintiffs Reid are hereinafter decreed 26.7 inches from Stoddard Creek Spring for irrigation and stock water purposes from March 1st to November 1st of each year. Said uses are herein decreed as beneficial and appurtenant to the property hereinafter specifically described:

37-1241

Township 6 South, Range 13 East of the Boise Meridian.

Section 27: That part of the SE¼ NW¼, lying West of the State Highway, and

That part of the SW¼ NW¼ described as follows:

Beginning at a point which bears South 23°35' East for a distance of 1855 feet more or less from the Northwest corner of Section 27;
thence South 21°40' East 820 feet more or less;
thence South 35°40' East 218 feet more or less;
thence South 88°23' East 148 feet more or less, to the East boundary line of said SW¼ NW¼ Sec. 27;
thence North 0°07' West 1113 feet along the East boundary of said SW¼ NW¼;
thence South 73°45' West 602 feet more or less to the point of beginning.

2. Defendants Norman Standal and Anita J. Standal, husband and wife.

(A) Defendants Standal are herein decreed, with a priority inferior to 1914 and inferior to the rights of the parties above delineated, waters flowing from Stoddard Creek Spring in the NW¼ NW¼, Section 27, Township 6 South, Range 13 East, Boise Meridian, Gooding County, which is the remainder of said water of the spring not previously allocated in paragraph 1 and its subparts above. (1.18cfs) Since the system of plaintiffs will only convey 3.5 cubic feet per second, and since a priority to 3.5 c/f/s has been decreed for plaintiffs'

37-1242

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beneficial uses above during the irrigation season of March 15th to November 1st, defendants will be entitled to divert only in the non-irrigation season of November 1st to March 15th, the amount of water over and above the 2.32 c/f/s priority right decreed to plaintiffs for non-irrigation season uses above. The waters are herein declared to be beneficially used by Standals for power, fish culture, and irrigation, and appurtenant to the property hereinafter specifically described:

During non-irr season?

Township 6 South, Range 13 East of the Boise Meridian, Gooding County, Idaho

Section 27: That portion of the NW¼ NW¼ lying southwest of the old Bliss Highway.

Section 28: Lots 1, 2 and 3.

(B) If Norman Standal and Anita J. Standal wish to divert such additional amounts of water referred to in paragraph 2(A) at the overflow of the headworks from Stoddard Spring Creek constructed by the plaintiffs' predecessors, (which said current diversion works are adequate,) Standal shall, at his own expense, install more efficient works at the division box on Harrison's property, including flow meters to measure at such points where measurements would be required to conform to this decree, but only if such proposed works are approved by all of the plaintiffs, provided that such consent not be unreasonably withheld by the plaintiffs.

3. If defendant does proceed to obtain the necessary permissions and the division box is altered to facilitate the non-irrigation season diversion of defendant of up to 1.18 c/f/s, such changes shall only be effected by a duly appointed

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JUN 05 1995

watermaster of the State of Idaho to assure plaintiffs' diversions as hereinabove set out, and the parties shall share proportionately in the cost of the watermaster.

4. It is decreed that real property in the Hagerman Valley with live streams flowing thereon is more valuable than real property without such water. The highest and best use of the real property and the water in the Hagerman Valley is for domestic and aesthetic purposes as subdivisions or building sites and those uses are herein declared beneficial.

5. The parties shall hereafter share operation and maintenance costs of the Stoddard Spring Creek diversion works in proportion to the amounts of water diverted therefrom by each.

DONE this 15 day of Nov., 1979.

Douglas D. Kramer
District Judge

STATE OF IDAHO }
COUNTY OF GOODING } ss

I hereby certify that the foregoing is a true copy of the original instrument on file in my office.
Date 9-10 19 81
MARGARET F. CLEMENTS
District Court Clerk
By: Kay Smith Deputy Clerk

JUN 05 1996

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1238

WATER RIGHT NUMBER: 37-1238

Owner Type	Name and Address
Current Owner	RUTH HARRISON
	, ZZ
Current Owner	ZANE G HARRISON PO BOX 145 HILL CITY, ID 83337 (208)764-2551

Priority Date: 06/01/1914

Basis: Decreed

Status: Active

Source	Tributary
STODDARD CREEK SPRINGS	STODDARD SPRING CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
DOMESTIC	1/01 to 12/31	0.020 CFS	

Total Diversion:

Location of Point(s) of Diversion

STODDARD CREEK SPRINGS NW1/4NW1/4 Sec. 27, Twp 06S, Rge 13E, B.M.

GOODING County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	13E	27						X	X										

Conditions of Approval:

Remarks:

1. General NO DIVERSION RATE GIVEN IN DECREE.
SEE DECREE FOR FURTHER DESCRIPTION OF P. U.
PRIORITY GIVEN IN DECREE AS 1914.

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1238

Dates and Other Information:

Licensed Date:
Decreed Date: 11/15/1979
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Norman Standal, et al
Decree Plaintiff: Thomas M Hamilton, et al
Civil Case Number: 17298
Judicial District: Fifth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status

Verification Log:

Element	Date Time Stamp	Reviewer	Log text

02/20/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1239

WATER RIGHT NUMBER: 37-1239

Owner Type	Name and Address
Current Owner	ZANE G HARRISON PO BOX 145 HILL CITY, ID 83337 (208)764-2551
Current Owner	RUTH HARRISON , ZZ

Priority Date: 06/01/1914

Basis: Decreed

Status: Active

Source	Tributary
STODDARD CREEK SPRINGS	STODDARD SPRING CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	3/15 to 11/01	0.436 CFS	
	Total Diversion:	0.436 CFS	

Location of Point(s) of Diversion

STODDARD CREEK SPRINGS NW1/4NW1/4 Sec. 27, Twp 06S, Rge 13E, B.M.

GOODING County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	13E	27						X	X										

Conditions of Approval:

Remarks:

1. General SEE DECREE FOR FURTHER DESCRIPTION OF P. U.
PRIORITY GIVEN IN DECREE AS 1914.

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1239

Dates and Other Information:

Licensed Date:
Decreed Date: 11/15/1979
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Norman Standal, et al
Decree Plaintiff: Thomas M Hamilton, et al
Civil Case Number: 17298
Judicial District: Fifth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status

Verification Log:

Element	Date Time Stamp	Reviewer	Log text

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1240

WATER RIGHT NUMBER: 37-1240

Owner Type	Name and Address
Current Owner	RUTH HARRISON
	, ZZ
Current Owner	ZANE G HARRISON PO BOX 145 HILL CITY, ID 83337 (208)764-2551

Priority Date: 06/01/1914

Basis: Decreed

Status: Active

Source	Tributary
STODDARD CREEK SPRINGS	STODDARD SPRING CREEK

Beneficial Use	From	To	Diversion Rate	Annual Volume
STOCKWATER	11/01	3/15	0.200 CFS	
		Total Diversion:	0.200 CFS	

Location of Point(s) of Diversion

STODDARD CREEK SPRINGS NW1/4NW1/4 Sec. 27, Twp 06S, Rge 13E, B.M.

GOODING County

Place of Use

Conditions of Approval:

Remarks:

1. General SEE DECREE FOR FURTHER DESCRIPTION OF P. U.
PRIORITY GIVEN IN DECREE AS 1914.
SEE ORDER CORRECTING DECREE, DATED 6-9-1981.

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-1240

Dates and Other Information:

Licensed Date:
Decreed Date: 11/15/1979
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Norman Standal, et al
Decree Plaintiff: Thomas M Hamilton, et al
Civil Case Number: 17298
Judicial District: Fifth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
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Mitigation Plan: False

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status

Verification Log:

Element	Date Time Stamp	Reviewer	Log text

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: **A37-10086**
Date Received: 6/06/1988
Receipt No: S001543
Received By: ADM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: ZANE G. HARRISON 208-764-2551
   Address: P.O. BOX 145
   HILL CITY, ID 83337
   AND/OR
   Name: RUTH L. HARRISON 208-764-2551
   Address: P.O. BOX 145
   HILL CITY, ID 83337

2. Date of Priority: JUN 01, 1914

3. Source: STODDARD CREEK SPRINGS Trib. to: STODDARD SPRING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06S	13E	27	SE NW NW		GOODING

5. Description of diverting works:
   HEADBOX DIVERTING TO 10" PIPELING COMMON TO OTHER USERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.200		
IRRIGATION	03/15	11/01	0.600		
AESTHETIC	01/01	12/31	0.640		

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

8. Total consumptive use is 21.0 Acre Feet Per Annum.

9. Non-irrigation uses:
   D/ 1 HOUSE & YARD S/ 50 RANGE A/ POND

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FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
06S	13E	27				STOCK DOMEST AES	
			SW	NW		IRR	7.0
					Section Acres		7.0
					Total Acres		7.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS CLAIM IS BASED ON 37-1238, 37-1239 & 37-1240 WHICH HAVE A COMMON PRIORITY AND COMMON DELIVERY SYSTEM. THE AMOUNT CLAIMED FOR IRRIGATION IS BASED ON 12.46% OF 4.80 CFS MEASURED 5/9/85 BY USING A WEIR BY GEORGE LEMMONS. THIS IS SLIGHTLY MORE THAN THE AMOUNT APPROXIMATED TO BE 3.50 CFS IN THE HAMILTON VS. STANDALL DECREE. THIS DELIVERY SYSTEM IS COMMON TO 3 OTHER USERS WHICH ALSO WERE DECREED WATER IN THE HAMILTON VS. STANDALL DECREE.
ALL WATER NOT DIVERTED FOR IRRIGATION, STOCK OR DOMESTIC IS DIVERTED INTO POND.

15. Basis of Claim: DECREED
Water Right Number:
Case Number: Civil No. 17298
Court : Fifth District -- Gooding County
Decree date: November 15, 1979

THOMAS M. HAMILTON, ET AL.
Decree Plaintiff

vs

NORMAN STANDAL, ET AL.
Decree Defendant

MICROFILMED
FEB 27 1989

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 XXX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Faye D Harrison Date: 8-12-88

Ruth L Harrison Date: 8-12-88

State of Idaho)
) SS.
County of Twin Falls)

Subscribed and sworn (or affirmed) before me this 12th day of August 19 88

Cheryl L Smith
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires 2-13-90

MICROFILMED
FEB 24 1993

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

* * * * * * * * * * *

THOMAS M. HAMILTON and CHARLOTTE HAMILTON, husband and wife, JAMES MECHAM and SHIRLEY JUNE MECHAM, husband and wife, ZANE HARRISON and RUTH HARRISON, husband and wife, and ROBERT L. REID and WAHNITA REID, husband and wife,	Civil No. 17298
Plaintiffs,	JUDGMENT AND DECREE
vs.	
NORMAN STANDAL AND ANITA J. STANDAL, husband and wife,	
Defendants.	

* * * * * * * * * * *

The Court having heretofore made and entered Findings of Fact and Conclusions of Law, and being fully advised of the premises,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the parties hereinafter named have the right to divert and beneficially use for irrigation, domestic, stock water, fish and wildlife propagation, recreation, fire protection, aesthetic purposes, and other purposes as hereinafter specifically set out, the waters of Stoddard Spring Creek in amounts as hereinafter specifically set out with a priority date of 1914, which said amounts of water shall be

diverted from the spring in the NW¼ NW¼ of Section 27, Township 6 South, Range 13 East, Boise Meridian, Gooding County, Idaho, through the existing diversion facility with a head of water of 15½ inches above the top of the existing pipe, then through a ten inch pipe to the division box located on the land of Harrison hereafter described, and said water is herein decreed appurtenant to the lands as hereinafter specifically set out.

(A) Thomas M. Hamilton and Charlotte Hamilton, husband and wife.

(1) Plaintiffs Hamilton are entitled and are hereby decreed the amount of water in miner's inches which typically flows down the multiple sized pipe adjacent to the white cinder block house located on the property of Hamilton at the same pressure as now exists, to be beneficially applied for domestic and fire prevention purposes on a year round basis, and for irrigation between March 15th and November 1st of each year, which uses are herein declared beneficial.

(2) Plaintiffs Hamilton are entitled and are hereby decreed the amount of 90.8 miner's inches of water of Stoddard Creek Springs (which includes the water discussed in paragraph (1) above) to keep the ponds and water courses on their premises filled for recreation, fish and wildlife propagation, and for aesthetic purposes on a year around basis, which purposes are herein declared beneficial.

(3) The said rights above enumerated are appurtenant to the lands as hereinafter described:

PARCEL I

Township 6 South, Range 13 East of the Boise Meridian, Gooding County, Idaho,

Section 27: Part of Lot 1 and SW¼ NW¼ described as follows: Beginning at a point which is 165.0 feet East of and 740.0 feet North of the quarter corner between Sections 27 and 28; thence

South parallel with the Section line, 740.0 feet to the North line of Lot 1; thence
East along the North line of Lot 1, 370.0 feet; thence
South parallel with the Section line 816.0 feet; thence
East parallel with the North line of Lot 1, 597.0 feet; thence
North 17°39' West, 300.0 feet; thence
North 10°51' East, 530.0 feet to the North line of Lot 1; thence
North 37°30' West, 100.0 feet; thence
North 23°30' West, along the West right of way boundary of old Highway #30, as constructed in 1949, to a point identified by a permanent cement weir box for the delivery of irrigation water, (which point is the Southeast corner of the tract sold by Veda M. Mosher to Delmar E. Smith and Della R. Smith); thence
due West 228.0 feet; thence
in a Northwesterly direction 194.0 feet; thence
due West 370.0 feet to the point of beginning.

The North line of the above described tract is the South boundary line of the tract mentioned above as sold to Delmar E. Smith and Della R. Smith.

PARCEL II

Township 6 South, Range 13 East of the Boise Meridian

Section 27: Part of Lot 1 described as follows:

Beginning at the Northwest corner of Lot 1;

thence South along the West line of Lot 1, 816.0 feet;

thence East parallel with the South line of Lot 1, 535.0 feet;

thence North parallel with the West line of Lot 1, 816.0 feet to said North line of Lot 1;

thence West along the North line of Lot 1, 535.0 feet to the point of beginning.

Together with an easement for the right of egress and ingress across the following described tract:

Beginning at a point which is 165.0 feet East of and 740.0 feet North of the quarter corner between Sections 27 and 28;

thence South parallel with the Section line 740.0 feet, to the North line of Lot 1;

thence East along the North line of Lot 1 to the West right of way of the Old Highway #30 as constructed in 1949;

thence Northwesterly along the West right of way line of Old Highway #30 to a point identified by a permanent cement weir box for the delivery of irrigation water, (which point is the Southeast corner of the tract sold by Veda M. Mosher to Delmar E. Smith and Della R. Smith);

thence due West, 228.0 feet;

thence in a Northwesterly direction 194 feet;

thence due West, 370.0 feet to the point of beginning.

(B) James Mecham and Shirley June Mecham, husband and wife.

(1) Plaintiffs Mecham are entitled and are herein decreed the use of 35.7 miner's inches of water from Stoddard Creek Spring through the diversion works above described for irrigation and stockwater purposes from March 15th to November 1st of each year, and 15 inches for stockwater purposes between November 1st and March 15th of each year, which waters shall be appurtenant to and said uses are herein declared beneficial on eleven acres of the approximate 21 acre parcel hereinafter specifically described:

That part of Lot 1 Section 27 Township 6 South, Range 13 East, Boise Meridian, described as follows:

Beginning at a point 816 feet South of the Quarter corner between Sections 27 and 28 said Township and Range; thence South along Section line 44 feet; thence South 64°00' East 528 feet; thence South 32°45' East 280 feet; thence East along the South line of Lot 1, 660.4 feet more or less, to a point which is 39.6 feet West of the SE corner of said Lot 1; thence North parallel

with East side of said Lot 1, 176.9 feet; thence North 7°24' West 205.3 feet; thence North 12°50' West 89.1 feet; thence North parallel to the East side of Lot 1, 258.7 feet; thence North 18°53' East 265.3 feet; thence North along the East line of Lot 1, 125 feet; thence North 37°30' West along State Highway 285 feet; thence South 10°51' West 1132 feet; more or less, to point of beginning, and Also

That part of Lot 2, Section 27 Township 6 South, Range 13 East, Boise Meridian, described as follows:

Beginning at a point 72.6 feet West of the SE corner of Lot 1, said Section, Township and Range, thence South on a projected line to the South line of said Lot 2 to a point on the projected line where same intersects the North property line of the Idaho Power Company property in said Lot 2 (which point is 552.0 feet North of the South line of said Lot 2) true point of beginning; thence North 75°06' West 207.4 feet; thence North 21°45' West 231.3 feet; thence West 120 feet; thence North 31°00' West 340 feet; thence West 200 feet to the East waters edge of Snake River, which is the NW corner of Idaho Power Company property in said Lot 2, thence continuing along the waters edge of Snake River to the South line of said Lot 1 and thence East along the South line of said Lot 1 to a point which is 72.6 feet West of the SE corner of said Lot 1, thence South on said line projected South from said point, to the true point of beginning. In Gooding County, Idaho.

(C) Zane Harrison and Ruth Harrison, husband and wife.

(1) Plaintiffs Harrison are entitled and are herein decreed from Stoddard Creek Springs their domestic water on a year round basis from the division box on their premises, which pipe system consists of a 4 inch pipe which junctions into a 2 inch and 1½ inch 100 feet down the pipe from the diversion box, under full pressure from the said division box.

(2) Plaintiffs Harrison are entitled and herein decreed the use of 21.8 miner's inches of the waters of Stoddard Creek Spring for irrigation purposes from March 15th to November 1st of each year, which use is herein decreed as beneficial.

(3) The rights enumerated are appurtenant to the following specifically described parcel:

A tract of land described as follows:

Beginning at the Southwest corner of the Northwest Quarter of the Northwest Quarter (NW¼ NW¼), Section 27, Township 6 South, Range 13 EBM., running due East 165 feet thence South 580 feet parallel to the West line to the Southwest Quarter of the Northwest Quarter (SW¼ NW¼), Section 27, Township 6 South, Range 13 EBM., thence due East 370 feet, more or less, to a point, thence in a Southeasterly direction 194 feet, thence due East 228 feet to the West boundary line of the present existing highway which point is identified by a permanent weir box for the delivery of irrigation water, thence in a Northerly direction along the West boundary line of the existing highway a distance of 824 feet, more or less, to the point of intersection with the South line of the NW¼ NW¼, Section 27, Township 6 South, Range 13 EBM., thence due West approximately 160 feet to the point of beginning.

And together with:

A parcel of land in Section 27, Township 6 South, Range 13 E.B.M., Gooding County, Idaho particularly described as:

Beginning at the Northwest corner of said Section 27;
thence South along the section line 1336.03 feet;
thence East 165 feet to the real place of beginning;
thence N64°04'30"E, 153.32 feet;
thence S51°02'10"E, 108.93 feet;
thence N89°37'18"W, 222.59 feet to the real place of beginning.

And subject to that certain Boundary Line Agreement of February 20, 1975, between Smith, Harrison and Hamilton which establishes the fence line between Harrison and Hamilton as follows:

The fence commences at a point from which the northwest corner of Section 27, Township 6 South, Range 13 East, Boise Meridian bears 22°11'14"W, 2063.02 feet,
thence S 56°21'00"W, 214.50 feet;
thence N 54°29'25"W, 97.57 feet;
thence N 37°48'48"W, 92.19 feet;
thence S 77°08'44"W, 216.25 feet;
thence N 64°57'34"W, 98.50 feet to the end of the South fence line.

Basis of Bearings - Section line between Northwest corner and West Quarter corner of Section 27, Township 6 South, Range 13 East, Boise Meridian.

(D) Robert P. Reid and Wahnita Reid, husband and wife.

(1) Plaintiffs Reid are hereinafter decreed 26.7 inches from Stoddard Creek Spring for irrigation and stock water purposes from March 1st to November 1st of each year. Said uses are herein decreed as beneficial and appurtenant to the property hereinafter specifically described:

Township 6 South, Range 13 East of the Boise Meridian.

Section 27: That part of the SE¼ NW¼, lying West of the State Highway, and

That part of the SW¼ NW¼ described as follows:

Beginning at a point which bears South 23°35' East for a distance of 1855 feet more or less from the Northwest corner of Section 27;

thence South 21°40' East 820 feet more or less;

thence South 35°40' East 218 feet more or less;

thence South 88°23' East 148 feet more or less, to the East boundary line of said SW¼ NW¼ Sec. 27;

thence North 0°07' West 1113 feet along the East boundary of said SW¼ NW¼;

thence South 73°45' West 602 feet more or less to the point of beginning.

2. Defendants Norman Standal and Anita J. Standal, husband and wife.

(A) Defendants Standal are herein decreed, with a priority inferior to 1914 and inferior to the rights of the parties above delineated, waters flowing from Stoddard Creek Spring in the NW¼ NW¼, Section 27, Township 6 South, Range 13 East, Boise Meridian, Gooding County, which is the remainder of said water of the spring not previously allocated in paragraph 1 and its subparts above. Since the system of plaintiffs will only convey 3.5 cubic feet per second, and since a priority to 3.5 c/f/s has been decreed for plaintiffs'

beneficial uses above during the irrigation season of March 15th to November 1st, defendants will be entitled to divert only in the non-irrigation season of November 1st to March 15th, the amount of water over and above the 2.32 c/f/s priority right decreed to plaintiffs for non-irrigation season uses above. The waters are herein declared to be beneficially used by Standals for power, fish culture, and irrigation, and appurtenant to the property hereinafter specifically described:

Township 6 South, Range 13 East of the Boise Meridian, Gooding County, Idaho

Section 27: That portion of the NW¼ NW¼ lying southwest of the old Bliss Highway.

Section 28: Lots 1, 2 and 3.

(B) If Norman Standal and Anita J. Standal wish to divert such additional amounts of water referred to in paragraph 2(A) at the overflow of the headworks from Stoddard Spring Creek constructed by the plaintiffs' predecessors, (which said current diversion works are adequate,) Standal shall, at his own expense, install more efficient works at the division box on Harrison's property, including flow meters to measure at such points where measurements would be required to conform to this decree, but only if such proposed works are approved by all of the plaintiffs, provided that such consent not be unreasonably withheld by the plaintiffs.

3. If defendant does proceed to obtain the necessary permissions and the division box is altered to facilitate the non-irrigation season diversion of defendant of up to 1.18 c/f/s, such changes shall only be effected by a duly appointed

watermaster of the State of Idaho to assure plaintiffs' diversions as hereinabove set out, and the parties shall share proportionately in the cost of the watermaster.

4. It is decreed that real property in the Hagerman Valley with live streams flowing thereon is more valuable than real property without such water. The highest and best use of the real property and the water in the Hagerman Valley is for domestic and aesthetic purposes as subdivisions or building sites and those uses are herein declared beneficial.

5. The parties shall hereafter share operation and maintenance costs of the Stoddard Spring Creek diversion works in proportion to the amounts of water diverted therefrom by each.

DONE this 15 day of Nov., 1979.

Douglas D. Kramer
District Judge