

Saxton, Craig

From: Saxton, Craig
Sent: Tuesday, March 04, 2008 9:46 AM
To: Ridgeway, Renea; Bromley, Chris
Subject: RE: 67-04437; Claimant: Simpson

Attachments: 67-4437 Recommendation.RTF; 67-4437.jpg



67-4437

Recommendation.RTF



67-4437.jpg

Attached is the SF5 and an updated version of the POU if you wanted to see that for fun. So it should be ready to be sent out.

Thanks,
C

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

From: Brown, Larry (ENRD) [mailto:Larry.Brown@usdoj.gov]
Sent: Tuesday, March 04, 2008 9:38 AM
To: Saxton, Craig; Fredric_Price@blm.gov
Cc: Bromley, Chris; Ridgeway, Renea; Sherman_Beazer@blm.gov; casey_o'brien@blm.gov
Subject: RE: 67-04437; Claimant: Simpson

I just spoke with Ms. Simpson. Mr. Simpson passed away. She agreed to IDWR changing the description of the place of use to private land, as suggested by Mr. Saxton. BLM will deal with the trespass issue separately. Please draft an appropriate SF-5 and adjust the shapefile accordingly. Ms. Simpson said she had a copy of Mr. Simpson's death certificate to send back with the SF-5, so please change the ownership to solely Ms. Simpson. She seemed a little overwhelmed by all of this. I suggested she could call on a lawyer in Weiser to discuss if necessary. She said she couldn't afford that. She said it didn't sound like the agreement would hurt her water right at all. I said probably not because the irrigated acreage and quantity would be the same as recommended, but I encouraged her to call IDWR if she wanted to talk more about it. I gave her Chris's phone number and said Chris may give her Carig Saxton's phone number, but if she had any questions, to please call me or Chris.

Thanks,

Larry

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

From: Saxton, Craig [mailto:Craig.Saxton@idwr.idaho.gov]
Sent: Monday, March 03, 2008 5:50 PM
To: Brown, Larry (ENRD); Fredric_Price@blm.gov
Cc: Bromley, Chris
Subject: RE: 67-04437; Claimant: Simpson

Dear Mr. Brown,

I have not contacted the claimant or solicited an SF5 for an amended recommendation. I was not aware of the land trespass issue between the claimant and BLM.

I originally contacted Mr. Price as I thought the recommendation placing POU on BLM ground was simply an error as the claimant never actually claimed use on BLM ground. However, it sounds like there is an issue of

trespass.

It is unclear to me if the BLM wishes to pursue a settlement prior to initial hearings.

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

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

From: Brown, Larry (ENRD) [mailto:Larry.Brown@usdoj.gov]
Sent: Monday, March 03, 2008 1:47 PM
To: Fredric_Price@blm.gov
Cc: Saxton, Craig
Subject: 67-04437; Claimant: Simpson

I read a couple of e-mails indicating that a new recommendation was forthcoming. Does that mean we get an SF-5, an amended recommendation, or what? I am working on Basin 67 and would like to know if I need to call the Claimant or if IDWR has already dealt with this matter directly with the Claimant.

Saxton, Craig

From: Saxton, Craig
Sent: Monday, February 25, 2008 10:54 AM
To: 'fred_price@blm.gov'
Subject: Objection to SRBA claim 67-4437
Attachments: Objection 67-4437.pdf; 67-4437 Recommendation.RTF; 67-4437.jpg

Dear Mr. Price,

I have been reviewing objections in basin 67. After reviewing the objection filed by BLM for 67-4437, feel that I can support changing the recommendation to remove recommended place of use from BLM property.

I am attaching a copy of the objection, as well as the recommendation I would propose in order to settle the objection. Could you take a look at it and let me know if that would be acceptable to the BLM.

Feel free to contact me if you have any questions.

Sincerely,

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau
craig.saxton@idwr.idaho.gov
208.287.4916

2/25/2008

RECEIVED

11/14/2006

DEC 06 2006

DEPARTMENT OF
WATER RESOURCES

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: December 8, 2006

Water right number: 67-4437

SUE A SIMPSON

1477 GOODRICH CREEK RD

COUNCIL ID 83612

Telephone Number: (208)253-0076

CARL W SIMPSON

1477 GOODRICH CREEK RD

COUNCIL ID 83612

Telephone Number: (208)253-0076

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:

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

DATE: 12-5-06

SIGNATURE: Sue A. Simpson

Please print your name: SUE A SIMPSON

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC 08 2006

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

RIGHT NUMBER: 67-4437

NAME AND ADDRESS: SUE A SIMPSON
1477 GOODRICH CREEK RD
COUNCIL ID 83612

CARL W SIMPSON
1477 GOODRICH CREEK RD
COUNCIL ID 83612

SOURCE: GOODRICH CREEK SPRINGS TRIBUTARY: WEISER RIVER
TRIBUTARY: SINKS

QUANTITY: 0.060 CFS
The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1941

POINT OF
DIVERSION: T15N R02W S5 SESWNE Within ADAMS County
T15N R02W S5 SESWNE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	03/15 10/31	0.020 CFS

PLACE OF USE: IRRIGATION in ADAMS County
T15N R02W S05 SWNE 0.40 T15N R02W S05 SENE 0.60
DOMESTIC in ADAMS County
T15N R02W S05 SWNE

1 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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



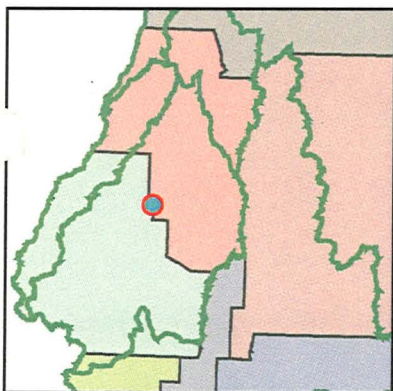
Idaho Department of Water Resources

Adjudication Claim:

67-4437

Legend

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



Adams County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by M. Van Bussum
On Monday, April 3, 2006
1987/88 Aerial Photography

Priority Date Data Entry Form

Claim Number 67-4437

Claimed Priority Date: 6/1/1941

Claimed Basis: Statutory Claim

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

Water Right Priority Date: 6/1/1941

Water Right Basis: Statutory Claim

Recommended Priority Date ____ Recommended Basis _____

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

Affidavit in file.

Reviewer: MVB

Date: 3-31-06

Point of Diversion and Source Data Entry Form

Claim Number 67-4437

Claimed Point of Diversion and Source

T15N R02W S5 SWNE Within ADAMS County

T15N R02W S5 SESWNE Within ADAMS County

 Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T15N R02W S5 SWNE Within ADAMS County

T15N R02W S5 SWNE Within ADAMS County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

map from claimant in file

Reviewer: MVBDate: 3-31-06

Place Of Use Data Entry Form

Claim Number 67-4437

Claimed Place Of Use

T15N R02W S05 SWNE
T15N R02W S05 SWNE 1.0

Total Acres 1

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T15N R02W S05 SWNE 1.0

Total Acres 1

Recommended Place of Use

☐ See corrections to claimed POU above

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

map from claimant in file

Reviewer: MVBDate: 3-31-06

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	SUE A SIMPSON	6050 VERDE WAY	LAS VEGAS	NV	89130	(702)645-8992
Current Owner	CARL W SIMPSON	6050 W VERDE WY	LAS VEGAS	NV	89130	(702)645-8992
Original Owner	G CLARKE CHILDERS	PO BOX 25	COUNCIL	ID	83612	

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

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

~~Corresp~~

Contacts ok

Reviewer: MVBDate: 3-31-06

RECEIVED

FEB 10 2006

DEPARTMENT OF
WATER RESOURCES

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

67-4437

AFFIDAVIT

State of Idaho)
County of Adams)

Ferrel Crossley being first duly sworn,
deposes and says:

This water right originally owned by
Clarke Childers and now owned by the
Simpson's; has been put to beneficial
use most seasons.

I have lived in the area since 1957.

And I believe that Historically, since
inception it has been used on the property.

Ferrel Crossley
(Signature)

Subscribed and sworn to before me this
day 7th of February, 19th 2006.

Debbie J Maxwell
(Notary Public)

Residing at Council Bluffs

My Commission Expires 8/24/07

SEAL

SCANNED
FEB 10 2006

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 67-4437
Date Received: 7/31/1996
Receipt No: W021283
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SUE A SIMPSON Phone: (208)253-0076

1477 GOODRICH CREEK RD
COUNCIL ID USA 83612

CARL W SIMPSON Phone: (208)253-0076

1477 GOODRICH CREEK RD
COUNCIL ID USA 83612

2. Date of Priority: 06/01/1941

3. Source: , Trib. to: ,

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4

15N 02W 5 SE SW NE ADAMS

15N 02W 5 SW NE ADAMS

5. Description of diverting works:

SMALL DITCH AND PUMP FOR IRRIGATION AND DEV SPRINGS W/PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.03	
DOMESTIC	1/01	12/31	0.04	

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

Called Mrs Simpson
and asked if she
had any questions.
She did not but
will call if she
does.

C. Sutton

3-4-08

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15N	02W	5	SW	NE	DOMESTIC	
			SW	NE	IRRIGATION	1
					Section Acres	1
					Total Acres	1

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Statutory Claim

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.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	02W	5	SW	NE		IRR	1.0
			SW	NE		DOMEST	

Section Acres 1.0

Total Acres 1.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Carl V Simpson Date: 1-31-96

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 31st day

of July 19 96

Seal

Jo Shute
Notary Public

Residing at Meridian ID

My Commission Expires 9-14-2000

4947

4946

40'

4945

4944

4943

4942

5000
FEET

PLACE OF
USE

Creek

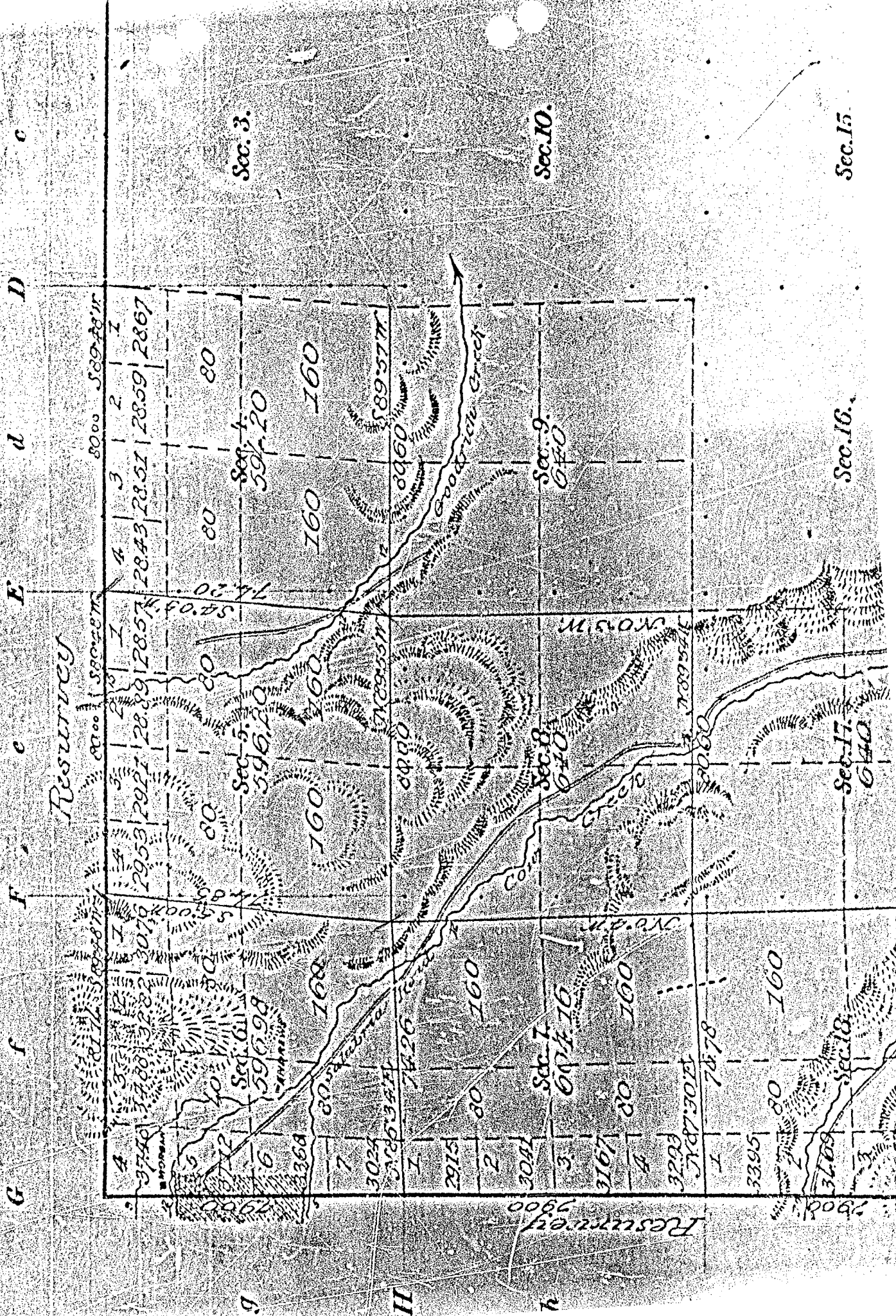
PAUSION

MICROFILMED

OCT 23 1990

19

Township No 15 North Range No 2 West of the 1



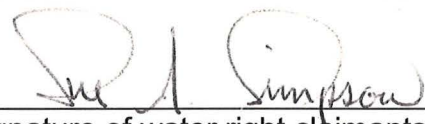
CARL W SIMPSON
SUE A SIMPSON
1477 GOODRICH CREEK RD
COUNCIL ID 83612

SRBA Claim 67-4437

*record updated
1-27-06
-M*

RECEIVED
JAN 26 2006
DEPARTMENT OF
WATER RESOURCES

The address is correct as shown above or as otherwise changed.



Signature of water right claimants
Carl W Simpson

208-253-0076
Telephone number

SCANNED
JAN 27 2006

DO NOT SCAN