

12/19/2006

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

RIGHT NUMBER: 67-10705

NAME AND ADDRESS: CHE ENTERPRISES INC
C/O CAMERON OR BARBARA ERTEL
3054 GOODRICH RD
CAMBRIDGE ID 83610

SOURCE: COW CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 03/15/1921

POINT OF DIVERSION:

T15N R02W S17 SWNE Within WASHINGTON County

T15N R02W S17 NESE Within WASHINGTON County

T15N R02W S17 SESE Within WASHINGTON County

T15N R02W S17 SESE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 10/31

0.200 CFS

PLACE OF USE: IRRIGATION in ADAMS County and WASHINGTON County

T15N R02W S17 NESE 4.50 T15N R02W S17 SESE 2.50

T15N R02W S20 NENE 3.00

10 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: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

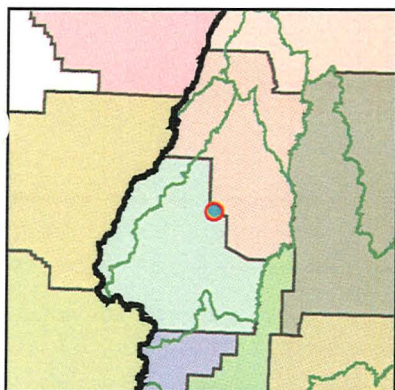
SRBA Recommendation:

67-10705

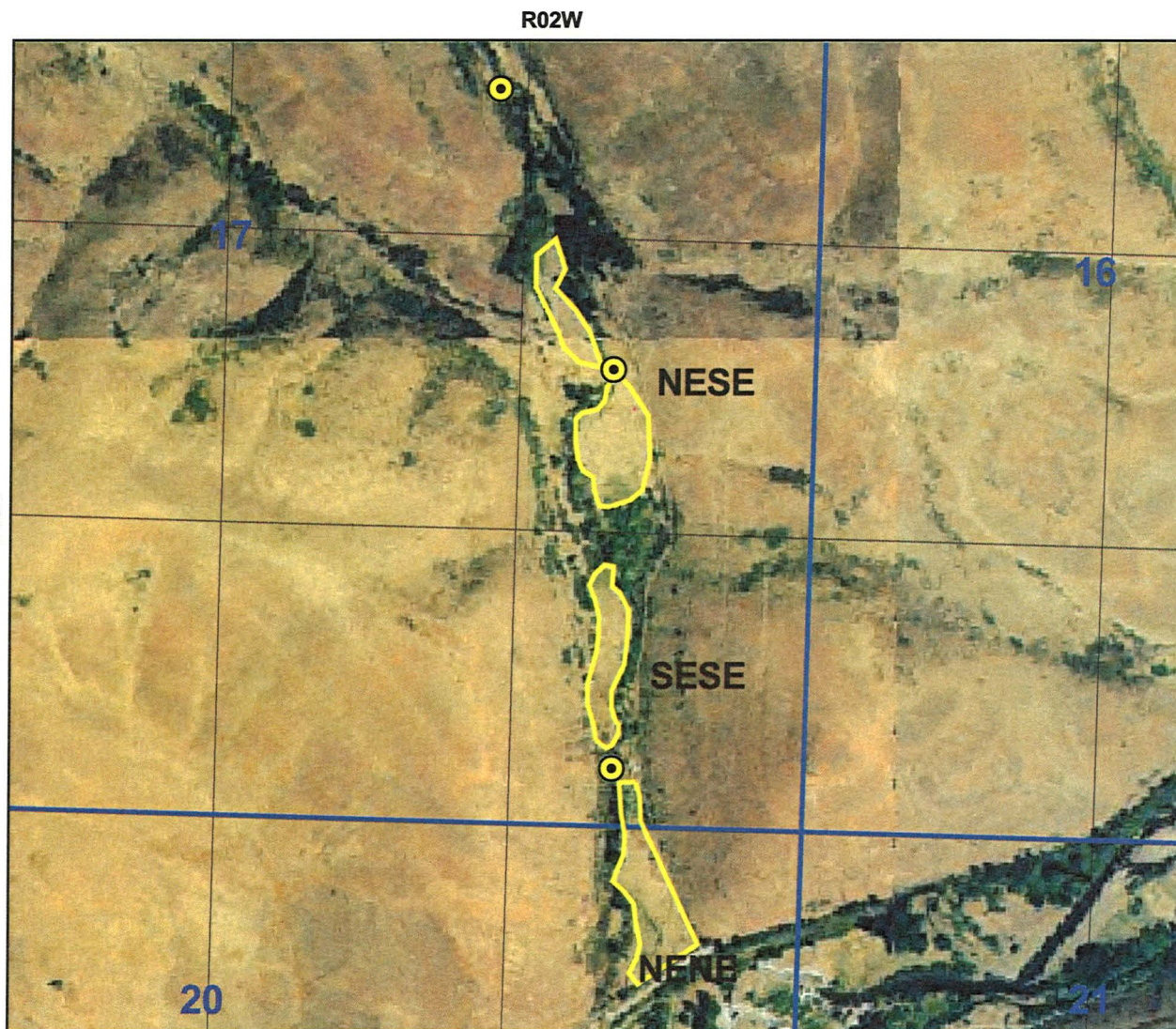
(Irrigation)

Legend

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



Adams, Washington Counties
IDWR Basin 67



0 0.3 0.6 Miles

Prepared by IDWR State Office
On Tuesday, December 19, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10705 V1

WATER RIGHT NUMBER: 67-10705 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHE ENTERPRISES INC C/O CAMERON OR BARBARA ERTTEL 3054 GOODRICH RD CAMBRIDGE, ID 83610 (208) 257-3491

Priority Date: 03/15/1921

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
COW CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

COW CREEK	SE1/4SE1/4	Sec. 17, Twp 15N, Rge 02W, B.M.
WASHINGTON County		
COW CREEK	SE1/4SE1/4	Sec. 17, Twp 15N, Rge 02W, B.M.
WASHINGTON County		
COW CREEK	SW1/4NE1/4	Sec. 17, Twp 15N, Rge 02W, B.M.
WASHINGTON County		
COW CREEK	NE1/4SE1/4	Sec. 17, Twp 15N, Rge 02W, B.M.
WASHINGTON 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	
15N	02W	17													4.5			2.5	7.0
15N	02W	20	3.0																3.0

Total Acres: 10

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10705 V1

1. C18 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.

Remarks:Comments:

1. csaxton 11/6/2006 Evidence of priority

Comment: I am recommending this claim as disallowed because I do not have any evidence of priority. However, I am completing the ECVR as if I did and just setting it to disallowed. The reason for this is I am confident that the claimant will come up with some sort of evidence of priority as he has been very cooperative with his other water rights. EOP has been brought up to him three times but I assume this one slipped through the cracks. I cannot wait on it anymore. 1) Mass Mailing, 2) Phone conversation with 8-10-05, 3) Field examiner contact.

2. csaxton 11/6/2006 POD

Comment: Field Examiner found several more PODs in use than claimed.

3. csaxton 12/19/2006 NOE

Comment: EOP submitted so the recommendation of disallowed has been changed. Affidavit from claimant born in 1917. Assuming he could remember at age 4, recommend beginning of irrigation season 1921.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 67
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			11/06/2006	csaxton	Active
Summary			12/19/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	11/6/2006 8:52:16 AM	csaxton	Updated PLS
POU	11/6/2006 9:03:53 AM	csaxton	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10705 V1

Summary	12/19/2006 9:55:15 AM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	11/6/2006 8:52:06 AM	csaxton	Updated shape
POD	11/6/2006 8:52:49 AM	csaxton	Updated shape
POD	11/6/2006 8:59:49 AM	csaxton	Updated shape
POU	11/6/2006 9:01:25 AM	csaxton	Updated shape for Active POU
POU	11/6/2006 9:01:36 AM	csaxton	Updated PLS for Active POU
POU	11/6/2006 9:03:44 AM	csaxton	Updated shape for Active POU
POD	11/6/2006 8:58:32 AM	csaxton	Updated shape
Summary	11/6/2006 9:08:00 AM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

Reference: WR 67-10705

RECEIVED

December 1, 2006

DEC 5 2006

DEPARTMENT OF
WATER RESOURCES

Dear Mr. Saxton:

At Wednesday's meeting in Council, Monica helped us with our questions on the preliminary recommendations, since you were one very popular gentleman that afternoon.

She was very helpful, and when she pulled the file on Water Right 67-10705, she read your explanation that you were waiting for backup support information from us, but couldn't wait any longer because of deadlines. I have no idea what happened to this affidavit from Mr. Barton the first time I sent it, but, hopefully, this copy will reach you. I apologize for the inconvenience.

Monica told us to resubmit the affidavit with the Notice-of-Error Reply and that, hopefully, this will be what you need to confirm beneficial use.

Once again, thank you for all your help with all our claims and questions. We have enjoyed working with you - but you're glad this process is winding down.

Merry Christmas!

Sincerely,
Barbara A. Eitel
C.H.E. Enterprises
Cambridge, Idaho 83610

RECEIVED
DEC 5 2006

Low creek

11/14/2006

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

RIGHT NUMBER: 67-10705
NAME AND ADDRESS: CHE ENTERPRISES INC
C/O CAMERON OR BARBARA ERTEL
3054 GOODRICH RD
CAMBRIDGE ID 83610

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

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

SCANNED
DEC - 6 2006

11/14/2006

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: 67-10705

CHE ENTERPRISES INC
C/O CAMERON OR BARBARA ERTEL
3054 GOODRICH RD
CAMBRIDGE ID 83610
Telephone Number: (208) 257-3491

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Basis of claim— no beneficial use found

2. Describe the changes you wish to make in the proposed recommendation:

Beneficial use established based on enclosed affidavit, thus allowing water right 67-10705

3. Give a brief explanation as to why you disagree with these portions:

The claimant did submit this affidavit during the exploratory process, but, for some reason, it apparently didn't reach the proper representative. So we are resubmitting it in hopes of reversing the preliminary recommendation.

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

DATE: 12-1-06

SIGNATURE: *Cameron C. Ertel*

Please print your name: Cameron C. Ertel

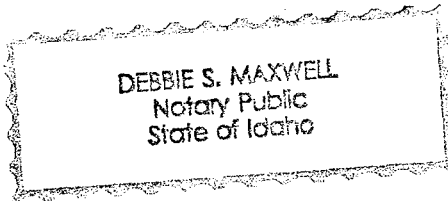
IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC - 6 2006

I, Fred Barton, of Cambridge, Idaho, was born Aug. 23, 1917, and, as a young man of sixteen or maybe younger, I worked for my uncle, Fred Jewell, riding and herding cattle on land he owned surrounding Cow Creek. I remember water being taken from Cow Creek in ditches, and being used at that time to irrigate the meadows north of the railroad tracks, near the mouth of Cow Creek.

Fred Barton
Fred Barton

Subscribed before me this 22nd day of August 2005.



Debbie S. Maxwell
Notary Public State of Idaho

**My Commission Expires On
August 24, 2007**

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10705 V1

WATER RIGHT NUMBER: 67-10705 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHE ENTERPRISES INC C/O CAMERON OR BARBARA ERTEL 3054 GOODRICH RD CAMBRIDGE, ID 83610 (208) 257-3491

Priority Date: 03/05/1880

Basis: Beneficial Use

Status: **Disallowed**

<u>Source</u>	<u>Tributary</u>
COW CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

COW CREEK	SE1/4SE1/4	Sec. 17, Twp 15N, Rge 02W, B.M.
WASHINGTON County		
COW CREEK	SE1/4SE1/4	Sec. 17, Twp 15N, Rge 02W, B.M.
WASHINGTON County		
COW CREEK	SW1/4NE1/4	Sec. 17, Twp 15N, Rge 02W, B.M.
WASHINGTON County		
COW CREEK	NE1/4SE1/4	Sec. 17, Twp 15N, Rge 02W, B.M.
WASHINGTON 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	
15N	02W	17													4.5			2.5	7.0
15N	02W	20	3.0																3.0

Total Acres: 10

Conditions of Approval:

1. P03 **No beneficial use found.**

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10705 V1

2. P13 No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

Remarks:Comments:

1. csaxton 11/6/2006 Evidence of priority

Comment: I am recommending this claim as disallowed because I do not have any evidence of priority. However, I am completing the ECVR as if I did and just setting it to disallowed. The reason for this is I am confident that the claimant will come up with some sort of evidence of priority as he has been very cooperative with his other water rights. EOP has been brought up to him three times but I assume this one slipped through the cracks. I cannot wait on it anymore. 1) Mass Mailing, 2) Phone conversation with 8-10-05, 3) Field examiner contact.

2. csaxton 11/6/2006 POD

Comment: Field Examiner found several more PODs in use than claimed.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 67
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			11/06/2006	csaxton	Disallowed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	11/6/2006 8:52:16 AM	csaxton	Updated PLS
POU	11/6/2006 9:03:53 AM	csaxton	Updated PLS for Active POU
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POD	11/6/2006 8:52:49 AM	csaxton	Updated shape
POD	11/6/2006 8:59:49 AM	csaxton	Updated shape
POU	11/6/2006 9:01:25 AM	csaxton	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10705 V1

POU	11/6/2006 9:01:36 AM	csaxton	Updated PLS for Active POU
POU	11/6/2006 9:03:44 AM	csaxton	Updated shape for Active POU
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Water Supply Bank:

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	CHE ENTERPRISES INC	C/O BARBARA A ERTEL 3054 GOODRICH RD	CAMBRIDGE	ID	83610	(208)257-3491

Date of Field Exam: 8/28/05 Time: _____

Accompanied By: Cameron Ertel Phone Number: _____

Relationship to Claimant: Claimant

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

Reviewer: Bosco

Date: 8/28/05

Priority Date Data Entry Form

Claim Number 67-10705

Claimed Priority Date: 3/5/1880

Claimed Basis: Beneficial Use

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

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date

Recommended Basis

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

Need Affidavit

Reviewer: Bosco

Date: 9/14/05

Point of Diversion and Source Data Entry Form

Claim Number 67-10705

Claimed Point of Diversion and Source

T15N R02W S17 SWSE Within WASHINGTON County Source: COW CREEK WEISER RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

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:

#1	2293891	#2	2293879
	1495371		1495682
#3	2293890	#4	2293732
	1495921		1496309

Reviewer: BascoDate: 9/14/05

WR 10705
CHE Cow CR #1 POD
Tag # A0016604



WR 67-10705
CHE Cow Cr. Rod # 2
Tag # A0016605



WR # 10705-
CHE Cow Co. #3 POD
Tag # A0016606



WR#67-10705-
CNE Cow CR #4 POD
Tag# A0016607



Place Of Use Data Entry Form

Claim Number 67-10705

Claimed Place Of Use

T15N R02W S17 SWSE 40.0

Total Acres 40

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
15N	02W	20	NE	NE			7	IRR.
15N	02W	17	SE	SE			85	"
15N	02W	17	NE	SE			78	"
								"

Total Acres

19

Document how the POU was verified:

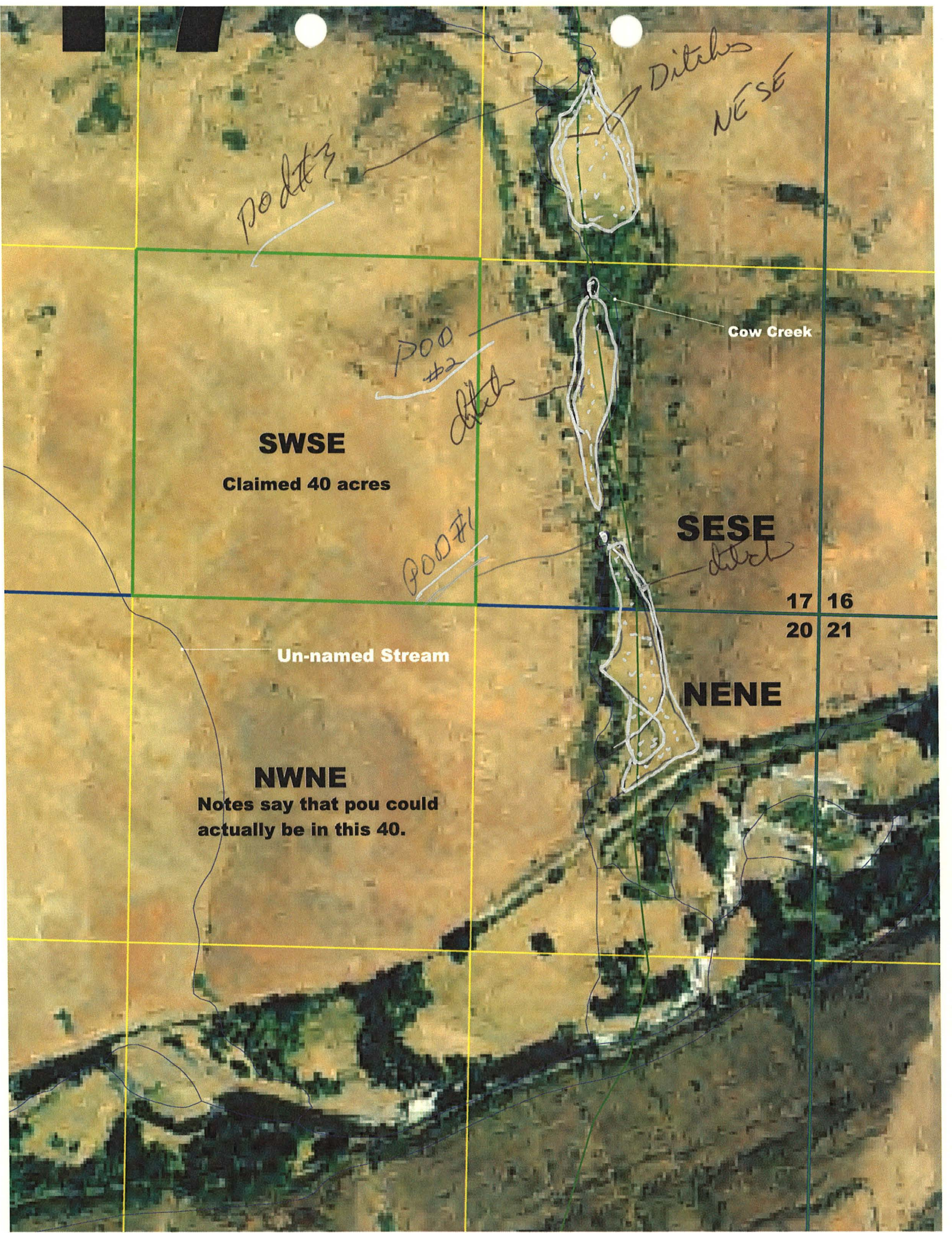
Field Exam

Reviewer:

Borco

Date:

9/14/05



POD #3

*Ditches
NE SE*

*POD #2
ditch*

Cow Creek

SWSE

Claimed 40 acres

POD #1

SESE

ditch

17 16
20 21

Un-named Stream

NENE

NWNE

Notes say that you could
actually be in this 40.



POD #24
Litch

17

18

NESE

SWSE
Claimed 40 acres

SESE

SESW



17 16
20 21

Un-named Stream

NENE

NWNE
Notes say that you could
actually be in this 40.

20

21

17

SWSE

Claimed 40 acres

Cow Creek

SESE

17 16
20 21

Un-named Stream

NENE

NWNE

Notes say that you could
actually be in this 40.

20

Purpose of Use Data Entry Form

Claim Number 67-10705

Claimed Purpose of Use

Water Use Number of Homes Number of Stock Acre Limit

IRRIGATION

☒ **Use Claimed Purpose of Use as Recommended Purpose of Use**

Water Right Purpose of Use

Water Use Number of Homes Number of Stock Acre Limit

Recommended Purpose of Use

Water Use Number of Homes Number of Stock Acre Limit Number of Other

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

Document how the Purpose of Use was verified:

Reviewer:

Bosco

Date:

9/14/05

Period of Use and Quantity Data Entry Form

Claim Number 67-10705

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	10/31	0.8	

Overall Diversion Rate 0.8

Overall Diversion Volume

☒ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
-----------	-------	-----	------	--------

Overall Diversion Rate

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Quantity was not possible to determine
at time of field exam as Cow Creek was
dry.

Rel is for less than 0.20 cfs so no
measurement required. CS 1-11-06

Reviewer: BascoDate: 9/14/05



State of Idaho
State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
DIRK KEMPTHORNE
Governor
KARL J. DREHER
KARL J. DREHER
Director

August 11, 2005

CHE ENTERPRISES INC
C/O CAMERON ERTEL
3054 GOODRICH RD
CAMBRIDGE ID 83610

RE: Basin 67 Snake River Basin Adjudication (SRBA) claims

Dear Mr. Ertel,

Per our phone conversation, I am sending you the following documents:

- Change of Address form to make sure we have all water rights with the correct contact information.
- Change of ownership form to change Mooney claims 67-36 and 67-2212 into CHE Enterprises name (no fee).
- 3 maps showing the area claimed under 67-10705 – Cow Creek. Please look them over and draw in the irrigated place of use and point of diversion and return one of them to this office.
- Proof reports for Mooney SRBA claims and your portion of the Fox property water right split.

Please feel free to contact me with any questions. Thanks for your attention to this matter.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure(s)

67-10705

Needs evidence of priority - not limited by
Muir v. Allison
decree

GPS POD

outline POA

~~pump and sprinkler info : HP:
make:
sprinkler set up:
number heads:~~

8/9 - just as I was
finishing work.

phone call w/ Cameron Ertel, son

* dams, ditches, gravity flow

1988 - Peter Ertel filed

Needs F.E. - call Cameron to set up time

* Bring all other water rights

8-10-05: Spoke with Cameron: I told him that I would check
C 300 to see if Cow Creek was listed in decree. It
was so I called Back and spoke with someone (woman)
I explained that since Cow Creek was in Muir vs Allison,
then they are limited to the day after the decree.
She said Cameron will call w/ questions
Phone: 257-3499

September 2, 2005

CHE ENTERPRISES INC
C/O CAMRON OR BARBARA ERTEL
3054 GOODRICH RD
CAMBRIDGE ID 83610

67-110705
Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed. **Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.**

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. A map of the general area stated in your claim is also enclosed. If you irrigate, please outline the location of lands irrigated based on your claim, as well as the location of any points of diversion, if possible. If you have a claim other than irrigation, please outline the location of your place of use (i.e. house) and note the location of wells or other points of diversion. Please submit the completed map along with your evidence of priority. This will assist me in making a more accurate recommendation of your claim(s).

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, **referencing all documents with the corresponding claim number.** Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. You can contact the Basin 67 team via e-mail at B67questions@IDWR.idaho.gov. If you wish to call, our toll free number is 1-800-451-4129.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the Adjudication.

Sincerely,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

CLAIMANT'S NAME: Peter ErtelDATE: 11-2-89EMPLOYEE: John H-TRE: I called Mr. Ertel to ask about his hand-written information in stem 10.

He said that he couldn't tell from the map exactly where the 40 acres lay.

I told him I would note that in Remarks and would flag for a field check.

MICROFILMED
OCT 05 1992

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 67-10705
Date Received: 10/23/1989
Receipt No: C012451
Received By:

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

1. Name of Claimant(s)

CHE ENTERPRISES INC Phone: (208) 257-3491

C/O CAMERON OR BARBARA ERTEL
3054 GOODRICH RD
CAMBRIDGE ID USA 83610

2. Date of Priority: 03/05/1880

3. Source: COW CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	02W	17	SW SE	WASHINGTON	

5. Description of diverting works:

PUMP AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.8	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
15N	02W	17	SW SE	IRRIGATION	40

Section Acres 40
Total Acres 40

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

LEGAL DESCRIPTION OF PLACE OF USE MAY ACTUALLY LIE IN SEC. 20, WITHIN THE NE1/4 NW1/4, LYING IN WASHINGTON COUNTY.

15. Basis of Claim: Beneficial Use

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.

DATA ENTRY BY rat

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Ident. Number: A67-10705
Date Received: 10/20/1989
Receipt No: C012451
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C.H.E. ENTERPRISE 208-257-3491
Address: C/O PETER H. ERTEL
RT. 1 BOX 152
CAMBRIDGE, ID 83610

2. Date of Priority: MAR 05, 1880

3. Source: COW CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	02W	17	SW	SE			WASHINGTON

5. Description of diverting works:
PUMP AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.800		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:
IN-STREAM STOCK WATERING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	02W	17	SW	SE		IRR	40.0
Section Acres							40.0

A67-10705

Page 1

Date: 11/02/89

SCANNED
APR 09 2004

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OCT 05 1992

10. Place of Use: Continued

Total Acres 40.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
 NONE

14. Remarks:

 LEGAL DESCRIPTION OF PLACE OF USE MAY ACTUALLY LIE IN SEC. 20,
 WITHIN THE NE1/4 NW1/4, LYING IN WASHINGTON COUNTY.

15. Basis of Claim: BENEFICIAL USE

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OCT 05 1992

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A67-10705
Date Received: 10/05/1989 10/20/89
Receipt No: C012451
Received By: OK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C.H.E. ENTERPRISE
Address: C/O PETER H. ERTEL
RT. 1 BOX 152
CAMBRIDGE, ID

208-257-3491

83610

RECEIVED
OCT 20 1989

2. Date of Priority: MAR 05, 1880

3. Source: COW CREEK

Trib. to: WEISER RIVER

4. Point of Diversion:

Department of Water Resources

Township Range Section 1/4 of 1/4 of 1/4 Lot
15N 05W 02W 17 SW SE

County
WASHINGTON

5. Description of diverting works:
PUMP AND SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.800		

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

A.F.A.

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:
IN-STREAM STOCK WATERING

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15N	02W	17	SW SE		IRR	40.0

15N	02W	20	E 1/2 E 1/2 NE NW			
15N	02W	20	E 1/2		Section Acres	40.0

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Date: 10/10/89

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OCT 5 1992

10. Place of Use: Continued

Total Acres 40.0

11. Place of use in counties: WASHINGTON

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: BENEFICIAL USE

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

Signature of Claimant(s): Barbara A. Eitel Date: _____
Vice President for operations Date: 10/19/89
C.H.E. Enterprises, Inc.

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of October 19 89

John C. Clemens
Notary Public

Seal

Residing at Cambridge
My Commission Expires 11-8-93

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 Organizations:

I do solemnly swear or affirm that I am V.P. for Operations of
C.H.E. Enterprises, Inc. Title
Organization, that I have signed the foregoing
document in the space below as V.P. for Operations of
C.H.E. Enterprises, Inc. Title
Organization and that the statements contained in the
foregoing document are true and correct.

Barbara A. Eitel
Signature of Authorized Agent
V.P. for Operations, C.H.E. Enterprises, Inc.
Title and Organization
Oct. 27, 1989
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of October 19 89

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

AG7-10705

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Date: 10-27-89

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OCT 05 1992

1/30/1988

RBA CLAIMS RECEIVING CHECKLIST

001245J

CLAIMANT'S NAME

C.H.E. Enterprises

CLAIM IDENT. NO.

Ag 7-10705

DATE RECEIVED

10/20/89

CK #

AMOUNT \$

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A
- Is the consumptive use correct? ☒ YES ☐ NO N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO
12. Is the ownership of p.u. checked? ☒ YES ☐ NO
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A
15. Is the basis of the claim indicated? ☒ YES ☐ NO
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A
22. Should this claim be receipted and data entered? ☒ YES ☐ NO

Claim checked by:

Lat

Date:

11-2-89

Claim must be returned to claimant:

(Yes)

(No)

Claimant must be notified of modifications:

(Yes)

(No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

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OCT 05 1992