

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 67-14244
Date Received: 1/24/2001
Receipt No: C052008
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JAMES C AMSTUTZ
4685 BEACON AVE
EMMETT ID USA 83617

Phone: (208)365-2649

2. Date of Priority: 06/01/1870

3. Source: MILK CREEK Trib. to: CRANE CREEK
 UNNAMED STREAM MILK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
12N	01W	21	SW	SE		WASHINGTON	Beginning Point
12N	01W	21	SW	SE		WASHINGTON	Ending Point
12N	01W	29	SW	SE		WASHINGTON	Ending Point
12N	01W	29	SW	SE		WASHINGTON	Beginning Point
12N	01W	29	SW	SE		WASHINGTON	Beginning Point
12N	01W	29	SW	SE		WASHINGTON	Ending Point

5. Description of diverting works:

in-stream stock water

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

SCANNED
APR 12 2004

7. Total Quantity Appropriated is:
0.02 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
12N	01W	21	SW	SE		STOCKWATER	
12N	01W	29	SW	SE		STOCKWATER	

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:

Fees paid under receipt no. C052008

15. Basis of Claim: Beneficial Use

RECEIVED

JAN 24 2001

Department of Water Resources
Department of Water Resources

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 67-14244
Date Received: 11/27/00
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

FEB 05 2002

WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

JAMES C AMSTUTZ
4685 BEACON AVE
EMMETT ID USA 83617

Phone: (208)365-2649

2. Date of Priority: 06/01/1870

3. Source: MILK CREEK
UNNAMED STREAMS

Trib. to: CRANE CREEK
Trib. To: MILK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	County
12N	01W	21	SW SE (Begin Instream Flow)	WASHINGTON
12N	01W	21	SW SE (End Instream Flow)	WASHINGTON
12N	01W	29	SW SE (Begin Instream Flow)	WASHINGTON
12N	01W	29	SW SE (End Instream Flow)	WASHINGTON

5. Description of diverting works:

in-stream stock water

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses: range cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
12N	01W	21	SW SE	STOCKWATER	
12N	01W	29	SW SE	STOCKWATER	

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:

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): [Signature] Date: 01-22-01
_____ Date: _____

State of Idaho)
) SS.

County of Washington

Subscribed and sworn (or affirmed) before me this

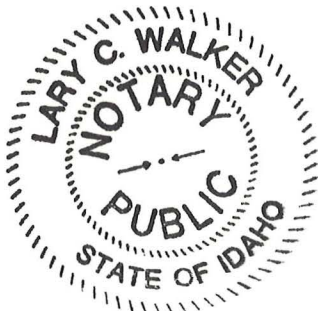
of 22-Jan 2001

Larry C. Walker

Notary Public

Residing at Weiser, Id.

My commission Expires 1-14-05



RECEIVED

JAN 24 2001

WALKER LAW OFFICE

Lary C. Walker
Attorney at Law

232 East Main St.
P.O. Box 828
Weiser, ID 83672
Telephone (208) 549-0390
FAX (208) 549-0404

Department of Water Resources
Delton L. Walker
Associate Attorney

January 23, 2001

Department of Water Resources
Attn: Roxanne Brown
1301 N. Orchard St.
Boise, Idaho 83706-2237

Re: Jim Amstutz
Milk Creek Claim No. 67-14244

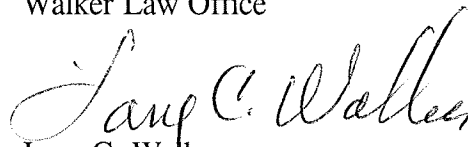
Dear Roxanne:

Enclosed please find the executed Notice of Claim of Water Right Acquired Under State Law which you prepared for Jim Amstutz on the two tracks of ground south of his property in Section 21 and 29. Also enclosed is a check for \$25 that I understand is required for filing this claim in the Snake River Adjudication Proceedings pursuant to your letter of January 5, 2001.

It is my understanding that you will have this claim processed in to that proceeding. Thank you.

Sincerely,

Walker Law Office


Lary C. Walker

Enclosure

Idaho Department of Water Resources Receipt

Receipt ID C052008

Payment Amount	\$25.00	Date Received	1/24/01 9:47:27 AM	Region	State	Status
Payment Type	Check	Check Number	1475			

Payer AMSTUTZ JAMES C**Comment** MILK CREEK CLAIM # 67-14244

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	ADJUDICATION FILING FEE	0337	41503	1155	



Signature Line (Dept. Representative)

11/12/2006

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

RIGHT NUMBER: 67-14244

NAME AND ADDRESS: JAMES C AMSTUTZ
4685 BEACON AVE
EMMETT ID 83617

SOURCE: MILK CREEK
UNNAMED STREAM

TRIBUTARY: CRANE CREEK
TRIBUTARY: MILK CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 06/01/1870

POINT OF DIVERSION:

T12N R01W S21 SWSE Begin of Stream Flow Within WASHINGTON County
T12N R01W S21 SWSE End of Stream Flow Within WASHINGTON County
T12N R01W S29 SWSE End of Stream Flow Within WASHINGTON County
T12N R01W S29 SWSE Begin of Stream Flow Within WASHINGTON County
T12N R01W S29 SWSE Begin of Stream Flow Within WASHINGTON County
T12N R01W S29 SWSE End of Stream Flow Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE: STOCKWATER in WASHINGTON County

T12N R01W S21 SWSE

T12N R01W S29 SWSE

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

Stockwater use is for up to 50 range cattle.

PARCEL NOS: RP12N01W218400 & RP12N01W298400.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-14244

WATER RIGHT NUMBER: 67-14244 ✓

Owner Type Name and Address
 Current Owner JAMES C AMSTUTZ ✓
 4685 BEACON AVE
 EMMETT, ID 83617
 (208)365-2649
 Attorney LARRY C WALKER ✓
 1759 COVE RD
 WEISER, ID 83672
 (208)549-0599

Current Owner:

James C. Amstutz
 1649 N. Crane Rd.
 Midvale 83645

Priority Date: 06/01/1870 ✓
 Basis: Beneficial Use ✓
 Status: Active

Source
 MILK CREEK ✓ Sec. 29
 UNNAMED STREAM ✓ Sec. 21

Tributary
 "North" CRANE CREEK ✓
 MILK CREEK ✓

North Crane Creek

Beneficial Use From To Diversion Rate Annual Volume
 STOCKWATER ✓ 01/01 to 12/31 ✓ 0.020 CFS ✓
 Total Diversion: 0.020 CFS ✓

"MONDAY" ?

Location of Point(s) of Diversion

UNNAMED STREAM	SW1/4SE1/4 ✓	Sec. 21, Twp 12N, Rge 01W, B.M. ✓
WASHINGTON County	(Beginning of Reach)	
UNNAMED STREAM	SW1/4SE1/4 ✓	Sec. 21, Twp 12N, Rge 01W, B.M. ✓
WASHINGTON County	(Ending of Reach)	
UNNAMED STREAM	SW1/4SE1/4 ✓	Sec. 29, Twp 12N, Rge 01W, B.M. ✓
WASHINGTON County	(Ending of Reach)	
UNNAMED STREAM	SW1/4SE1/4 ✓	Sec. 29, Twp 12N, Rge 01W, B.M. ✓
WASHINGTON County	(Beginning of Reach)	
MILK CREEK	SW1/4SE1/4 ✓	Sec. 29, Twp 12N, Rge 01W, B.M. ✓
WASHINGTON County	(Beginning of Reach)	
MILK CREEK	SW1/4SE1/4 ✓	Sec. 29, Twp 12N, Rge 01W, B.M. ✓
WASHINGTON County	(Ending of Reach)	

Place of Use ✓
 STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
12N	01W	21					

RP12N01W218400

ADD X02 - Stockwater use is for range cattle.

ADD N11 & N13 - stockwater

PARCEL NOS: (listed under P011) →

of range cattle not specified on claim

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-14244

✓

12N 01W 29 |

|

|

|

✓
X

|

PP 12N 01W 298 400
(40 AC)

Conditions of Approval:

1. Fees paid under receipt no. C052008

Remarks:

Comments:

Water Supply Bank:

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A67-14244
Notice of Error Reply**

December 6, 2006

James Amstutz (#355-2649) called in response to the Preliminary Recommendation/ Notice of Error packet of information he received in the mail for 67-14244. According to the message, it appears that he is concerned that several other water rights are missing (see attached message). Based on this message, I found that I recommended 67-14244 and that Monica Van Bussum recommended 67-2378 and -14316. Apparently, Mr. Amstutz received my Preliminary Recommendation in the mail, but did not receive anything for any of his other Basin 67 claims; as of this date. I returned Mr. Amstutz's call in order to answer any of his questions, but only got his answering machine. Therefore, I left a message with my name and number and asked him to return my call.

Kimberly Brown
Senior Water Resource Agent
Western Region

IMPORTANT MESSAGE

FOR Kimberly

DATE _____ TIME _____ A.M.
P.M.

WHILE YOU WERE OUT

M James Amstutz

OF _____

PHONE NO. 208-355-2649

TELEPHONED

PLEASE CALL

CAME TO SEE YOU

WILL CALL AGAIN

WANTS TO SEE YOU

RUSH

RETURNED YOUR CALL

MESSAGE

#67-14244
& Nov. 17 adjudication
Papers
Missing Several
Water Rights

SIGNED _____

OfficeMax

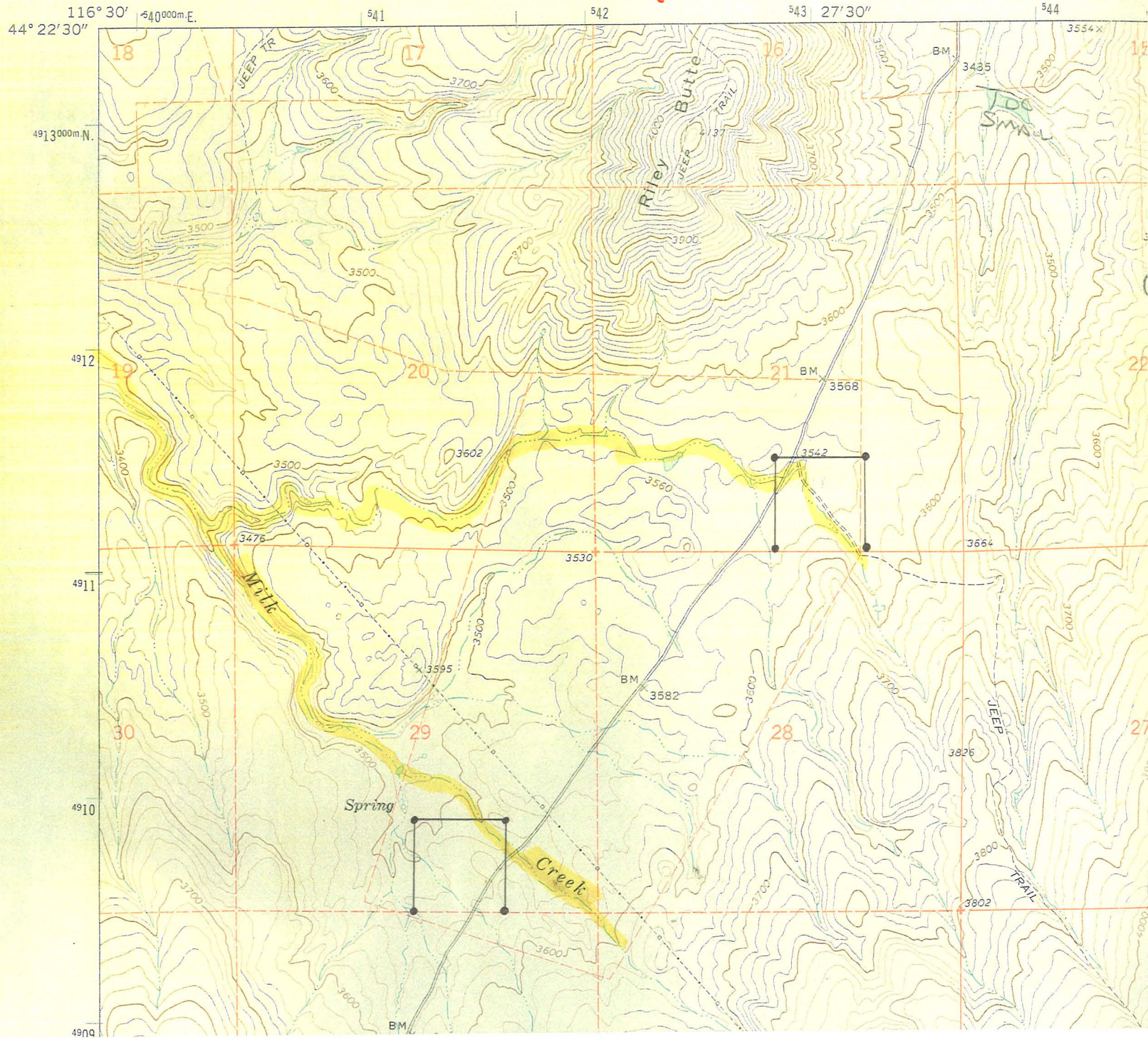
OM97295

26721
CREEK RES.)
1:62,500

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

Topo U-57

Riley Butte, ID
1970



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 67-14244

11/12/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
14244	Claim	12N	01W	21	SW	SE		STOCKWATER		JAMES C AMSTUTZ
14244	Claim	12N	01W	29	SW	SE		STOCKWATER		JAMES C AMSTUTZ

April 7, 1975

OPERATIONS DIVISION
ADMINISTRATOR'S MEMORANDUM

TO: District Office
FROM: A. Kenneth Dunn
SUBJECT: Annual Use of Water for Stockwater Purposes

No. of Stock (head)	RANGE CATTLE		DAIRY CATTLE	
	Rate* c.f.s. (1)	Volume AF/yr. (1)	Rate* c.f.s. (2)	Volume AF/yr. (2)
0 - 10	0.02	0.2	0.02	0.4
11 - 25	0.02	0.4	0.02	1.0
26 - 50	0.02	0.7	0.04	2.0
51 - 100	0.03	1.4	0.07	4.0
101 - 200	0.05	2.7	0.13	7.9
201 - 300	0.07	4.1	0.20	12.0
301 - 400	0.09	5.4	0.26	16.0
401 - 500	0.12	6.7	0.33	20.0
501 - 600	0.14	8.1	0.39	24.0
601 - 700	0.16	9.4	0.46	28.0
701 - 800	0.19	11.0	0.52	32.0
801 - 900	0.20	12.0	0.58	36.0
901 - 1000	0.23	14.0	0.65	40.0
1001 - up (3)				

(1) The amounts shown are based on 12 gpd/head with a 12 month period of use. (i.e. for range cattle, horses and mules). The amount does not include a loss (i.e. thru conveyance, etc.)

2. The amounts shown are based on 35 gpd/head with a 12 month period of use. (i.e. for dairy cattle). The amount does not include a loss. (i.e. thru conveyance, etc.).

3. For annual use calculations which involve more than 1000 head, round the number of head up to the next even one hundred, and

Volume

a) for livestock use @ 12 gpd/hd, N (0.0134).

b) for dairy use @ 35 gpd/hd, N (0.0391).

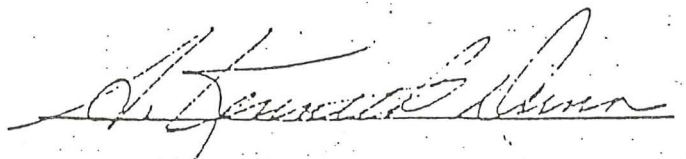
Rate

a) for livestock use @ 12 gpd/hd, N (0.00022).

b) for dairy use @ 35 gpd/hd, N (0.00065).

The answer should be rounded up to the nearest whole acre-foot.

*The rate is based upon approx. 2 hr/day diversion to obtain daily requirement.

12,500 gpd
12 gal/day/head


Receipt Details for ID C052008

Status	Adjustment Type	Version
		2

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/24/2001 9:47:27 AM	1/24/2001 12:29:40 PM	STATE	\$25.00	Check
Payer		AMSTUTZ JAMES C		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1475			
Card Expiration Date	Credit Card Transaction #		

Comment MILK CREEK CLAIM # 67-14244

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	ADJUDICATION FILING FEE	41503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
--------------	-----------------	--------------	--------	------

Print Report

12/06/2006

NOTICE OF ERROR
REPLY

RECEIVED

FEB 01 2007

DEPARTMENT OF
WATER RESOURCES

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 13, 2006

Water right number: 67-14244

JAMES C AMSTUTZ
4685 BEACON AVE
EMMETT ID 83617
Telephone Number: (208)365-2649

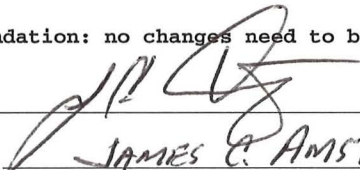
JAMES C. AMSTUTZ
1649 N. CRANE Rd
MIDVALE ID 83645
208-355-2649

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

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

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

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

DATE: 1-30-07 SIGNATURE: 

Please print your name: JAMES C. AMSTUTZ

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

SCANNED

FEB 01 2007

RECEIVED

FEB 01 2007
12/06/2006

DEPARTMENT OF
WATER RESOURCES

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

RIGHT NUMBER: 67-14244

NAME AND ADDRESS: JAMES C AMSTUTZ
4685 BEACON AVE
EMMETT ID 83617

JAMES C. AMSTUTZ
1649 N. CRANE Rd.
MIDVALE ID. 83645

SOURCE: MILK CREEK
UNNAMED STREAM

TRIBUTARY: CRANE CREEK
TRIBUTARY: MILK CREEK

208-355-2649

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 06/01/1870

POINT OF DIVERSION:

T12N R01W S21 SWSE Begin of Stream Flow Within WASHINGTON County
T12N R01W S21 SWSE End of Stream Flow Within WASHINGTON County
T12N R01W S29 SWSE End of Stream Flow Within WASHINGTON County
T12N R01W S29 SWSE Begin of Stream Flow Within WASHINGTON County
T12N R01W S29 SWSE Begin of Stream Flow Within WASHINGTON County
T12N R01W S29 SWSE End of Stream Flow Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01/01 12/31	0.020 CFS
PLACE OF USE: STOCKWATER in WASHINGTON County		
T12N R01W S21 SWSE	T12N R01W S29	SWSE

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

Stockwater use is for up to 50 range cattle.

PARCEL NOS: RP12N01W218400 & RP12N01W298400.

CANNED

FEB 01 2007

Walker Law Office

Attorneys at Law

232 E. Main St.
P.O. Box 828
Weiser, ID 83672

Lary C. Walker
Delton L. Walker

Telephone (208) 414-0390

Facsimile (208) 414-0404

2
RECEIVED

FEB 05 2007

DEPARTMENT OF
WATER RESOURCES

January 31, 2007

State of Idaho
Department of Water Resources
322 E. Front St, P.O. Box 83720
Boise, ID 83720-0098

RECEIVED
FEB 08 2007
WATER RESOURCES
WESTERN REGION

RE: Water Rights Number 67-14244
James C. Amstutz

Dear Gentlemen:

I received your letter of January 10, 2007, concerning your recommendations for water rights in basin 67.

Attached to your letter were several water rights for the USDA-forest service, and I could not figure out how they related to Mr. Amstutz. They were forest service rights 67-12139, 67-14817, and 67-12241.

When Mr. Amstutz purchased this property we had communication with your department relating to water rights 67-07321, 67-10,351, 67-04,417, and 67-04023. These water rights had substantial land associated with those rights and documentation was sent into your department reflecting these water rights.

I am enclosing the documentation concerning those water rights, which we understood were transferred from the prior owners to Mr. Amstutz. From the information I received from your office in relation to the water right number 67-14 244, it does not appear all of these water assignments were completed.

I do note from my information that water right number 67-10351, appears to relate to the same 13,000 gallon per day flow. I would appreciate your researching your records on these water rights to see that they have been properly assigned to my client.

SCANNED

FEB - 6 2007

WALKER LAW OFFICE

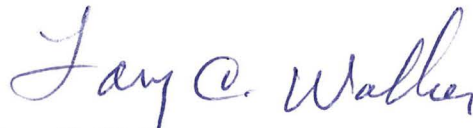
January 31, 2007

Page 2

In order for us to timely object to any provisions of the decree proposed in this case we need to have this information confirmed as soon as possible.

Thank you.

Sincerely,
WALKER LAW OFFICE



Lary C. Walker

LCW:acr
Enclosure

NEED TO FILE

Change of Ownership with IDWR

67-07321

67-10351

SCANNED

FEB 6 2007

Form 42-248/42-1495(6) March 26, 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Rights No(s): 67-07321

Adjudication Claim No(s): 67-07321

2. The following **REQUIRED** information must be submitted with this form:

- ☒ A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
- AND**
- B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
- OR**
- C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former GAY CRAIG, JAMES D. CRAIG
Owner/Claimant 1649 NORTH CRANE ROAD
MIDVALE, IDAHO 83645

4. New Owner/Claimant(s) JAMES C. AMSTUTZ
Name Connector (Check one): () and, () or, () and/or

New Mailing Address 1649 NORTH CRANE ROAD
City, State and ZIP Code MIDVALE, IDAHO 83645

☒ New Telephone Number () _____

☒ 5. Date you acquired the property _____

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

SCANNED

FEB 6 2007

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____

X/7. Signature of New Owner(s) _____
or Claimant(s) _____

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

SCANNED

FEB 6 2007

Form 42-248/42, 140(6) March 26, 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Rights No(s): 67-10351

Adjudication Claim No(s): 67-10351

2. The following **REQUIRED** information must be submitted with this form:

- ☒ A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
- AND**
- B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
- OR**
- C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former GAY CRAIG, JAMES D. CRAIG
Owner/Claimant 1649 NORTH CRANE ROAD
MIDVALE, IDAHO 83645

4. New Owner/Claimant(s) JAMES C. AMSTUTZ
Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address 1649 NORTH CRANE ROAD
City, State and ZIP Code MIDVALE, IDAHO 83645

☒ New Telephone Number () _____

☒ 5. Date you acquired the property _____

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

SCANNED

FEB 6 2007

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____

X 7. Signature of New Owner(s) _____
or Claimant(s) _____

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

SCANNED

FEB 6 2007

Form 42-248/42-1409(6) March 26, 1999

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

SCANNED

FEB 6 2007

Fax

August 9, 2000

TO: Lary Walker, Attorney at Law

FROM: Fred Price, BLM-ISO

RE: 67-04417 Amstutz (formerly Craig)

<u>SUBCASE</u>	<u>CLAIMANT</u>	<u>OBJECTOR</u>	<u>RESPONDENT</u>
67-04417	Amstutz	BLM	Semanko's Bunch

I have taken the deed that you were kind enough to provide and plotted the boundaries of Amstutz's property on a map (thick solid line). I also plotted all of the currently filed water claims in that area, so that we can determine if there are any water sources on Amstutz's property that have not been claimed in the SRBA. I have found a number of interesting things:

1. There are a number of water bodies (i.e. springs, ponds, reservoirs) shown on the U.S.G.S. map lying within Amstutz's property that have not been claimed in the SRBA. If there is water at these sites, then we could amend this claim through a Standard Form 5 (SF-5) to include these sources.

T12N R01W S10	SWNWNW	Spring	} circled on map
	SWNESW	Playa, pond, or reservoir	
	NENWSE	Playa, pond, or reservoir	
S16	NENESE	Playa, pond, or reservoir	

2. There are a number of intermittent streams depicted on the U.S.G.S. map, that I have accentuated with a dashed ink line which have not been claimed in the SRBA. I don't know if these (or a portion of) are suitable for asserting water claims or not, but your client should be able to tell us. Any stream segments that were overlooked could be added this claim via an SF-5 (amended claim).

3. Several stream segments are currently described by this claim and are represented by the solid ink line that I have drawn on the map. The squares (solid line) that I have drawn on the map represent the boundaries of the 40 acre tract Places of Use (POUs) recommended in the Director's Report. The 40 acre tract boundary lines that I have drawn in with a dashed line represent POUs that I believe are missing from the claim and should be added in order to complete the stream segments claimed. These POUs can be added to the claim via an SF-5 (amended claim).

MISSING POUs WITHIN STREAM SEGMENTS RECOMMENDED:

T12N R01W S10	SENW
	NESW
	NWSW

SCANNED

FEB 6 2007

SRBA DIRECTORS REPORT 67-10351

[Return to SRBA Home Page](#)

IWT072

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

Right Number: 67-10351
Name and Address: JAMES D CRAIG
GAY CRAIG
1649 N CRANE RD
MIDVALE, ID 83645
Source: GROUNDWATER
Quantity: .13 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

Priority Date: 08-17-1980

Diversion Point: T12N R01W S10 SESWNW Within Washington County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Domestic 1 HOME	01-01 TO 12-31	.04 CFS
	Stockwater	01-01 TO 12-31	.09 CFS

Place of Use:	Stockwater		Within Washington County
	T12N R01W S10	SWNW	
	Domestic		Within Washington County
	T12N R01W S10	SWNW	

Other Provisions Necessary for Definition / Administration of this Water Right:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

Explanatory Material: Basis of Claim - Beneficial Use

STOCKWATER, 400 RANGE CATTLE
PARCEL NO. RP 003476 A

[Return to SRBA Home Page](#)

SD-4103

Idaho Department of Water Resources
Adjudication Names ScreenDate: 08/09/00
Time: 12:24:55

Water Right Number: A67-07321

FIRST PAGE

Owner Codes: O Original Owner P Present Owner L Lien Holder T Trustee
C Current Owner R Representative S Lessee
K Also Known As A Attorney of Record D Dir Rpt Owner

Last: CRAIG

First: JAMES D

Address: 1649 NORTH CRANE ROAD

City: MIDVALE

State: ID Zip: 83645-

Phone: (208) 355-2480

Owner Code: C

Name Connector: OR

Last: CRAIG

First: GAY

Address: 1649 NORTH CRANE ROAD

City: MIDVALE

State: ID Zip: 83645-

Phone: (208) 355-2480

Owner Code: C

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

SCANNED

FEB - 6 2007

SD-4104

Idaho Department of Water Resources
Adjudication Screen 2Date: 08/09/00
Time: 12:24:59

Water Right Number: R67-07321

2. Priority Date: 5/3/1977

3. Source:

Trib.

4. Point of Diversion:

PoD County

County

TWP Range Sect 1/4 1/4 1/4 Lot

Flag

Code

Name

5. Description of Diverting Works:

WELL, 200' DEEP. PUMP 100 HP MOTOR. PUMP AT 130', STATIC WTR 70'

6. Water Uses:

Use Code Description

From

To

OFS (and/or) AFA

7. Total Diversion Rate:

3.120 8. Total Diversion Volume:

9. Consumptive Use:

771.0

Kilowatts:

(Enter=Exit)

(GOLD8=Cancel)

SCANNED
FEB - 6 2007

SD-4105

Idaho Department of Water Resources
Adjudication Source/Tributary Screen

Date: 08/08/00
Time: 12:25:03

Water Right Number: A67-07321

FIRST PAGE

Source: GROUNDWATER

Trib:

3

(GOLD4=Prev Screen) (GOLD8=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

CCANNED
FEB - 6 2007

SD-4106 Idaho Department of Water Resources Date: 08/09/00
[REDACTED] Adjudication Points of Diversion Screen Time: 12:25:06
Water Right Number: A67-07321 FIRST PAGE
4. Point of Diversion:
TWP RRG Sect 1/4 1/4 1/4 Lot Flag Code Name
12N 01W 10 NW SE SW 87 WASHINGTON

(GOLD4=Prev Screen) (GOLD6=End of Data) (Enter=Exit)
(GOLD5=Next Screen) (GOLD8=Cancel)

SCANNED
FEB - 6 2007

SD-4114

Idaho Department of Water Resources

Date: 08/09/00

Adjudication Diversion Data Screen

Time: 12:25:08

Water Right Number: A67-07321

FIRST PAGE

4. Point of Diversion:

POD

Diversion

TWP Rng Sect 1/4 1/4 1/4 Lot Flag

Name

12N 01W 10 NW SE SW

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

SCANNED
FEB -6 2007

SD-4107

Idaho Department of Water Resources
Adjudication Water Usage ScreenDate: 08/09/00
Time: 12.25.12

Water Right Number: A67-07321

FIRST PAGE

Water Usage:

Use Code	Description	From	To	OFS	AFR
01	IRR	4/15	10/15	3.120	
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		

(GOLD4=Prev Screen) (GOLD8=End of Data)
(GOLD5=Next Screen)(Enter=Exit)
(GOLD9=Cancel)SCANNED
FEB - 6 2007

SD-4108

Idaho Department of Water Resources
Adjudication Screen 3Date, 08/09/00
Time, 12:25:15

Water Right Number, A67-07321

9. Non-Irrigated Uses,

10. Places of Use,

TWP RANG SEC 1/4 of 1/4 Lot Acres Use Desc § 11. County
Code Name

12. Other Rights, LICENSE 87-2378.

13. Remarks,

14. Basis of Claim, Stage, Presumption Flag, Old Right Number,
Decree Date, / / Plaintiff,
Defendant,

(Enter=Exit)

(GOLD8=Cancel)

CCANNED

FEB - 6 2007

SD-4109

Idaho Department of Water Resources

Date: 08/09/00

Adjudication Places of Use Screen

Time: 12:25:19

Water Right Number: A67-07321

FIRST PAGE

10. TWP	RNG	SEC	1/4	1/4	Lot	Acres	Use	Use Desc.	County	County Name
12N	01W	10	NW	NE	20.0	01	IRR		87	WASHINGTON
12N	01W	10	SW	NE	18.0	01	IRR		87	WASHINGTON
12N	01W	10	NE	NW	32.0	01	IRR		87	WASHINGTON
12N	01W	10	NW	NW	37.0	01	IRR		87	WASHINGTON
12N	01W	10	SW	NW	39.0	01	IRR		87	WASHINGTON
12N	01W	10	SE	NW	34.0	01	IRR		87	WASHINGTON
12N	01W	10	NE	SW	14.0	01	IRR		87	WASHINGTON
12N	01W	10	NW	SE	30.0	01	IRR		87	WASHINGTON
12N	01W	10	SW	SE	21.0	01	IRR		87	WASHINGTON
12N	01W	10	SE	SE	12.0	01	IRR		87	WASHINGTON

(Enter=Exit)

(GOLD4=Prev Screen)

(GOLD5=Next Screen)

(GOLD6=End of Data)

(GOLD8=Cancel)

SCANNED

FEB - 6 2007

SD-4110

Idaho Department of Water Resources

Date: 08/09/00

Adjudication Remarks Screen

Time: 12:25:29

Water Right Number: R67-07321

FIRST PAGE

GEN

It appears that the point of diversion was incorrect on the license. The location of the well has not changed since initial development of the system, however, it appears that the correct legal description is as identified on this claim.

(GOLD4=Prev Screen) (GOLDB=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLDB=Cancel)

SCANNED

FEB 6 2007

SD-4112

Idaho Department of Water Resources
Adjudication Screen 4Date, 08/09/00
Time, 12:25:35

Water Right Number, R67-07321

Stage/Status,	L/	Receipt Number,	0011806
Court Report Filing Date,	/ /	State/Federal Indicator,	S
Objection Filed Date,	/ /	Old Judicial District,	
Response Filed Date,	/ /	Old Case Number,	
Claim Received Date,	9/27/1989	PoU Ownership Flag,	Y
Field Inspection Date,	/ /	Field Inspection Flag,	
Verified Date,	4/ 8/1985	Notice of Error Flag,	
Civil Case Number,	39576	Total Acres,	257.0
Water District Number,			

(GOLD8=Cancel)

CCANNED

FEB - 6 2007

PHIPPS POD ON AMSTUTZ PROPERTY

67-04023

SCANNED

FEB - 6 2007

SD-4103

Idaho Department of Water Resources
Adjudication Names ScreenDate, 08/09/00
Time, 12:27:29

Water Right Number: A67-04023

FIRST PAGE

Owner Codes: O Original Owner P Present Owner L Lien Holder T Trustee
C Current Owner R Representative S Lessee
K Also Known As A Attorney of Record D Dir Rpt Owner

Last, PHIPPS

First, WILLIAM C

Address, 2601 GROVE SCHOOL LN

City, VALE

State, OR Zip, 97918-

Phone, (541) 473-2525

Owner Code, C

Name Connector,

Last,

First,

Address,

State, Zip, -

City,

Phone, () -

Owner Code,

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD6=Next Screen)

(Enter=Exit)
(GOLD6=Cancel)

COANNED

FEB - 6 2007

SD-4104

Idaho Department of Water Resources
Adjudication Screen 2Date: 08/09/00
Time: 12:27:34

Water Right Number: A67-04023

2. Priority Date: 2/ 8/1984

3. Source:

Trib:

4. Point of Diversion:

TWP Range Sect 1/4 1/4 1/4 Lot Flag Code County Name

5. Description of Diverting Works:

6. Water Uses:

Use Code Description From To CFS (and/or) AFA

7. Total Diversion Rate:

2.000 8. Total Diversion Volume:

9. Consumptive Use:

Kilowatts:

(Enter=Exit)

(GOLD8=Cancel)

SCANNED

FEB - 6 2007

SD-4105

Idaho Department of Water Resources
Adjudication Source/Tributary Screen

Date: 08/09/00
Time: 12:27:37

Water Right Number: AS7-04023

FIRST PAGE

Source: CRANE CREEK

Trib. WEISER RIVER

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

SCANNED

FEB - 6 2007

SD-4106

Idaho Department of Water Resources

Date: 09/09/00

Adjudication Points of Diversion Screen

Time: 12:27:41

Water Right Number: A67-04023

FIRST PAGE

4. Point of Diversion:

TWP	RNG	Sect	1/4	1/4	1/4	Lot	Flag	Code	Name
12N	01W	10		NW	NE			07	WASHINGTON

(GOLD4=Prev Screen) (GOLD8=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

CCANNED

FEB 6 2007

SD-4107

Idaho Department of Water Resources
Adjudication Water Usage ScreenDate: 08/09/00
Time: 12:27:46

Water Right Number: A67-04023

FIRST PAGE

Water Use:					
Use Code	Description	From	To	CFS	AFR
01	IRR	4/1	10/31	2.000	
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		
		/	/		

(GOLD4=Prev Screen) (GOLD6=End of Data)
(GOLD5=Next Screen)(Enter=Exit)
(GOLD8=Cancel)SCANNED
FEB - 6 2007

SD-4108

Idaho Department of Water Resources

Date: 08/09/00

Adjudication Places of Use Screen

Time: 12.27.54

Water Right Number: AG7-04023

FIRST PAGE

10. TWP	RNG	SEC	1/4	1/4	Lot	Acres	Use	Use Desc.	County	County Name
12N	01W	3	NE	SW	28.0	01	IRR		87	WASHINGTON
12N	01W	3	NW	SW	30.0	01	IRR		87	WASHINGTON
12N	01W	3	SW	SW	38.0	01	IRR		87	WASHINGTON
12N	01W	4	NE	SE	3.0	01	IRR		87	WASHINGTON

(Enter=Exit)

 (GOLD4=Prev Screen)
 (GOLD5=Next Screen)

 (GOLD6=End of Data)
 (GOLD8=Cancel)

SCANNED

FEB - 6 2007

SD-4110

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 08/09/00
Time: 12:27:50

Water Right Number: A67-04023

FIRST PAGE

GEN

HISTORIC ACREAGE WAS ESTIMATED USING ASCS MAP.

(GOLD4=Prev Screen) (GOLD8=End of Data)
(GOLD5=Next Screen)

(Enter=Exit)
(GOLD8=Cancel)

CCANNED

FEB -6 2007

SD-4112

Idaho Department of Water Resources
Adjudication Screen 4Date: 08/09/00
Time: 12:28:05

Water Right Number: R67-04023

Stage/Status:	S/	Receipt Number:	C042403
Court Report Filing Date:	/ /	State/Federal Indicator:	S
Objection Filed Date:	/ /	Old Judicial District:	
Response Filed Date:	/ /	Old Case Number:	5
Claim Received Date:	7/20/1988	PoU Ownership Flag:	Y
Field Inspection Date:	/ /	Field Inspection Flag:	
Verified Date:	/ /	Notice of Error Flag:	
Civil Case Number:	39576	Total Acres:	100.0
Water District Number:			

(GOLDS=Cancel)

CCANNED

FEB 6 2007