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: **A37-00680E**
Date Received: 10/26/1989
Receipt No: X777777
Received By: _____

COPY FOR YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

COPY FOR YOUR FILES

1. Name: CLARENCE D STILWILL 208-764-2246
   Address: PO BOX 1281
   FAIRFIELD ID 83327
   AND
   Name: TONA B STILWILL 208-764-2246
   Address: PO BOX 1281
   FAIRFIELD ID 83327

2. Date of Priority: APR 1, 1900

3. Source: SOLDIER CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
01N	14E	9	NW NW		CAMAS

5. Description of diverting works:
   HEADGATE, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
01N	14E	9	SE	SW		IRR	3.8
			SW	SE		IRR	2.8
					Section Acres		6.6
					Total Acres		6.6

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
A37-00678B, A37-02041B

14. Remarks:
OWNERSHIP CHANGE MADE 5/23/96 BY TLB.
****
8-3-98: OWNERSHIP CHANGE RESULTED IN A SPLIT. ACCORDING TO DEED SUBMITTED WITH NOTICE REC'D 2-10-98 STILWILL REC'D 55% OF .36 CFS (.20 CFS) FOR 6.6 ACRES OF PROPERTY IN SECTION 9
SMITH RETAINED A37-00680D WITH .16 CFS FOR 5.4 AC IN SEC 9 AND 18 AC IN SECTION 16

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

S. C. FROST, ET. AL.
Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL
Decree Defendant

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

August 4, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Clarence D. and Tona B. Stilwill
PO Box 1281
Fairfield, Idaho 83327

RE: Snake River Basin Adjudication (SRBA)
Claim Number(s): **A37-02041E, A37-00678E, A37-00680E, A37-13040**
Change of Ownership Notification

Dear Claimant(s):

We have been notified that you have purchased a portion of the property with the above referenced Snake River Basin Adjudication claims, and our records have been changed, accordingly. **The enclosed copies are for your records,** please review these documents for accuracy in all respects. If you have any questions, please contact me at this office.

Sincerely,

Vikie Hancock
Water Resource Agent

Form 42-248/42-1409(6) February 3, 1997

RECEIVED
FEB 10 1998

RECEIVED
MAR 12 1998
Department of Water Resources
Southern Region

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 Right No(s).: _____

   Adjudication Claim No(s).: A37 -13040

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 for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

   OR

   C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant: Greg Smith & Katherine Smith

   79720 Rock Creek Road, Wamic OR 97063

4. New Owner/Claimant(s): Clarence D. and Tona B. Stillwell

   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

   New Mailing Address: PO Box 1281 (Route 1)

   City, State and ZIP Code: Fairfield ID 83327

   New Telephone Number: (208) 764-2246

5. Date you acquired the property: 7/21/97

* 6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. *(SEE ATTACHED PAGE FOR DETAIL)

   Number of acres you irrigate _____ Number and type of stock _____

   Diversion rate in CFS _____ Number of homes _____ Other uses _____

   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.

7. Signature of New Owner 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..

C[illegible]7070
Order [illegible] 97008087
This [illegible] furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received GREGORY C. SMITH and KATHERINE T. SMITH, husband and wife

the Grantor hereby grants, bargains, sells, conveys and warrants unto CLARENCE D. STILWILL and TONA B. STILWILL, husband and wife

the Grantee whose current address is: P.O. BOX 283, HAILEY, ID 83333

the following described premises, to-wit:

LOTS 2, 3, AND 4 OF GIESLER HIDDEN SMILE SUBDIVISION, CAMAS COUNTY, IDAHO, ACCORDING TO THE PLAT THEREOF, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

71052
Recorded at the Request of
Blaine Co. Title
at 4:35 P.M
July 21, 1997
In Book 30
of Deeds Page 470
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Gayle Backtell
Fees $ 3.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all incumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 15, 1997

GREGORY C. SMITH

KATHERINE T. SMITH

State of OREGON
ss.
County of WASCO

On this 18 day of July, 1997, before me, the undersigned, a Notary Public, in and for said State, personally appeared GREGORY C. SMITH AND KATHERINE T. SMITH, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL. (SEAL)

Charlotte Hawkins
Notary Public
Residing at:
Commission Expires: 10-24-99

OFFICIAL SEAL
CHARLOTTE HAWKINS
NOTARY PUBLIC-OREGON
COMMISSION NO. 048309
MY COMMISSION EXPIRES OCT. 24, 1999

Notice of change of Water Right Ownership

New Owner: Clarence and Tona Stilwill

Property Legal Description: Lots 2,3,4 of Giesler Hidden Smile Subdivision, Camas County, Idaho (6.78 Acres Total)

Total lots within Section 9 1N 14E : (4) see attached plat map (12.22 Acres Total)

% of the following water rights determined as follows: 6.78 divided by 12.22 = 55%

Applicable Water Right No.(s) **A37-00678B 55% of .24 cfs = .13 cfs**

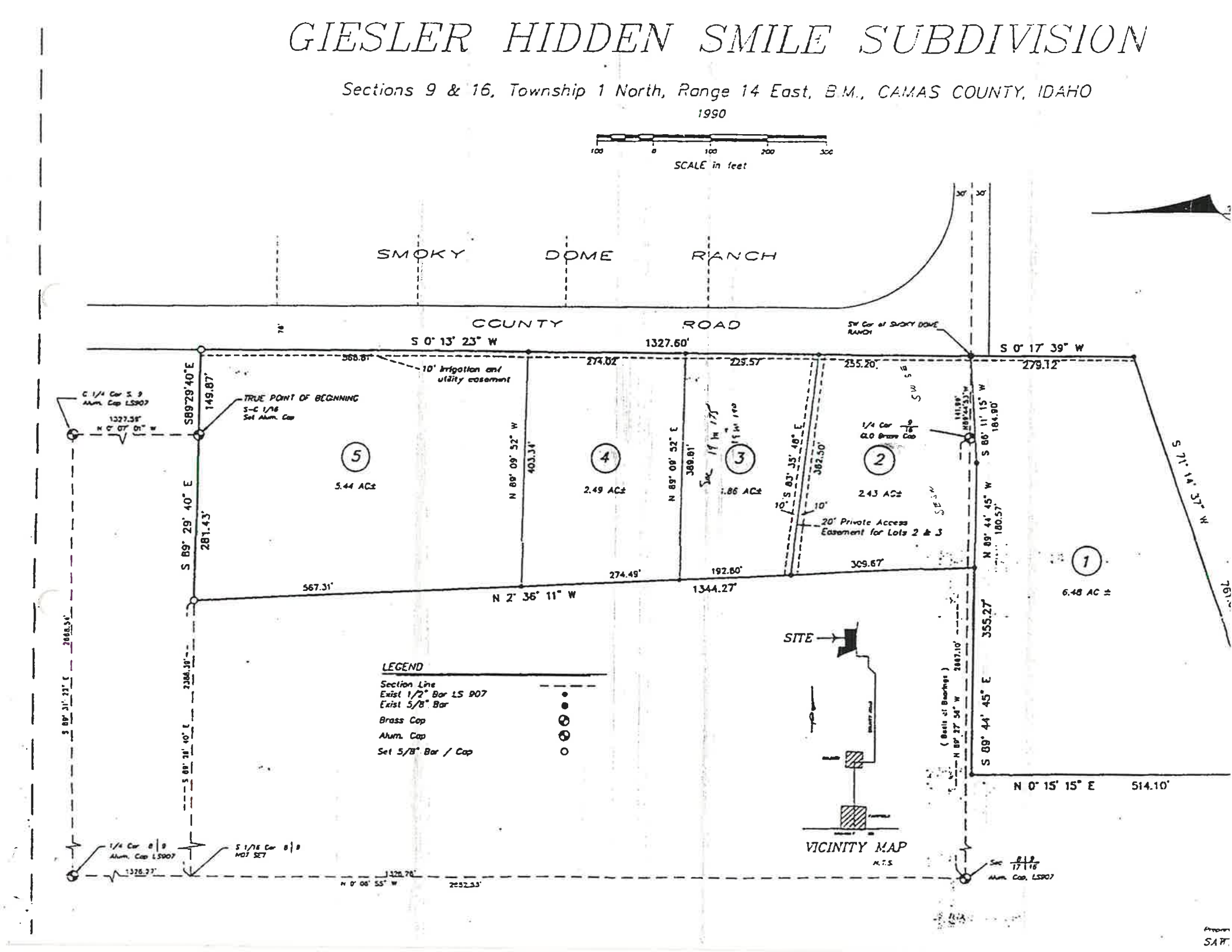
A37-00680B 55% of .36 cfs = .20 cfs

A37-02041B 55% of 3.9 inches = 2.15 miners inches *
*** .36cfs/.02 = 18 miners inches**
18 inches/23 acres = .78 inches per acre
5 acres x .78 = 3.9 inches for Section 9

GIESLER HIDDEN SMILE SUBDIVISION

Sections 9 & 16, Township 1 North, Range 14 East, B.M., CAMAS COUNTY, IDAHO

1990



06/23/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-680E

NAME AND ADDRESS: CLARENCE D STILWILL
PO BOX 1281
FAIRFIELD ID 83327

TONA B STILWILL
PO BOX 1281
FAIRFIELD ID 83327

SOURCE: SOLDIER CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 0.200 CFS

PRIORITY DATE: 04/01/1900

POINT OF DIVERSION:

T01N R14E S9 NWNWNW Within CAMAS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	0.200 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T01N R14E S09	SESW	3.80	T01N R14E S09	SWSE	2.80

6.6 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 6.6 acres in a single irrigation season. Combined Right Nos.: 37-678E, 37-680E, and 37-2041E.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of water under this water right will be regulated by the watermaster of State Water District No. 37C.

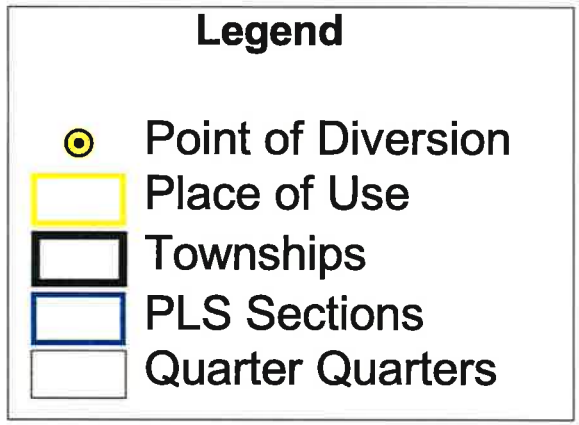
A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

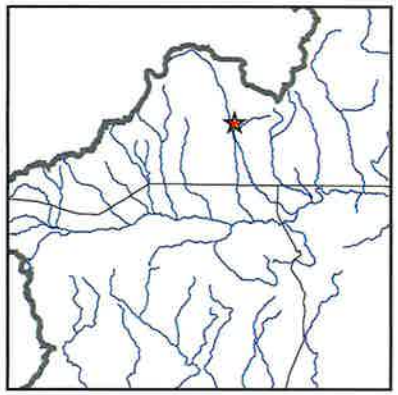
A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Idaho Department of Water Resources

SRBA Recommendation:

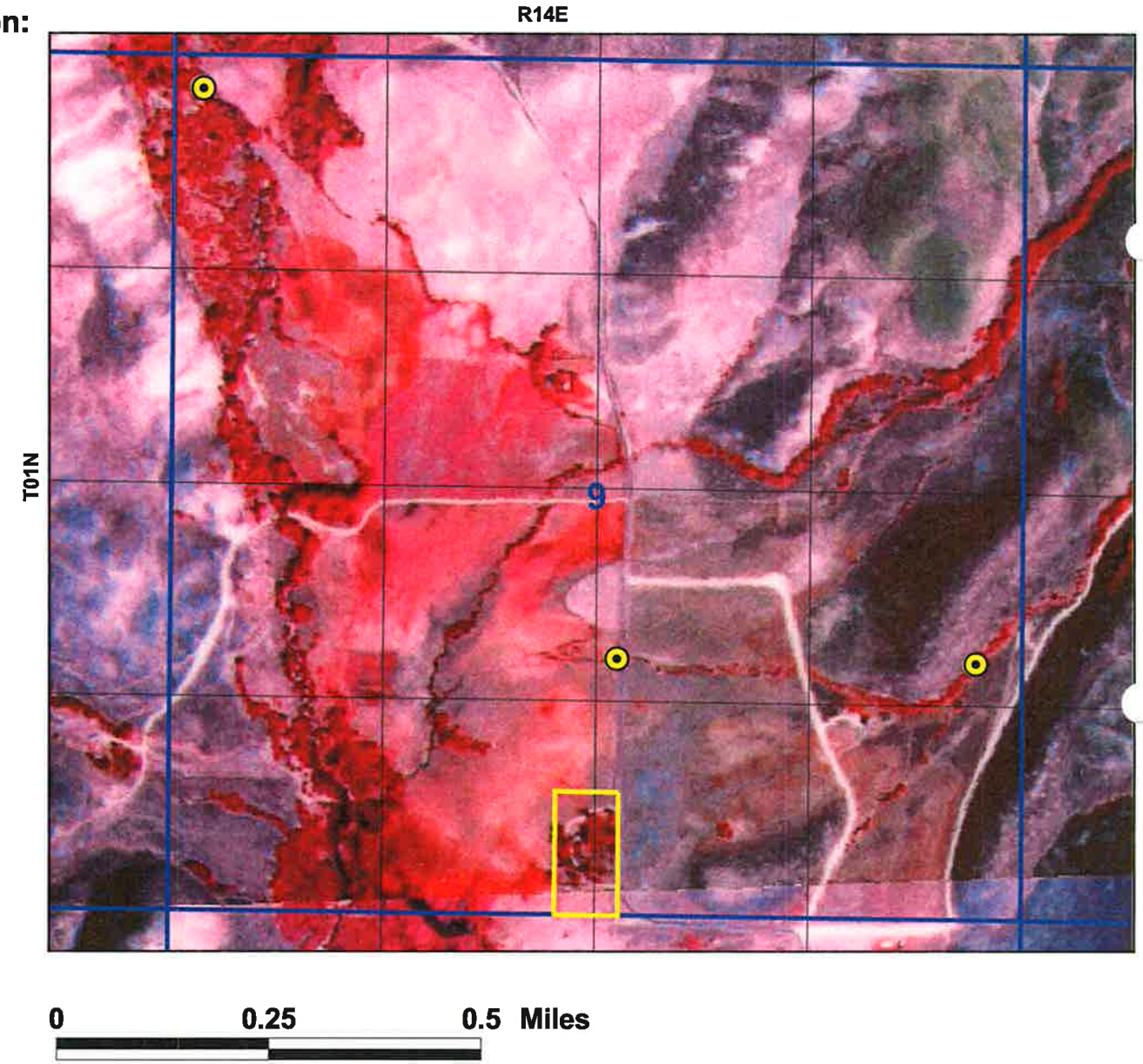
37-678E
37-680E
37-2041E





Camas County
IDWR Basin 37

N



0 0.25 0.5 Miles

Prepared by M. Anders
On Friday, June 23, 2006
1987/88 Aerial Photography

06/23/2006

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-680B

WATER RIGHT NUMBER: 37-680B

Owner Type	Name and Address
Current Owner	RICHARD B GIESLER 807 CAMPUS DR TWIN FALLS, ID 83301
Current Owner	JOHN WARDROP 807 CAMPUS DR TWIN FALLS, ID 83301
Original Owner	JOHN WARDROP 807 CAMPUS DR TWIN FALLS, ID 83301

Priority Date: 04/01/1900

Basis: Decreed

Status: Active

Source	Tributary
SOLDIER CREEK	CAMAS CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	/ to /	0.360 CFS	
	Total Diversion:	0.360 CFS	

Location of Point(s) of Diversion

SOLDIER CREEK

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	
01N	14E	9												7.0			5.0		12.0

Total Acres: 12

Conditions of Approval:

1. R02 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
3. R26 This right when combined with all other rights shall provide no more than 4.0 afa per acre for irrigation of the lands above.
4. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-680B

Remarks:

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37C
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status

Verification Log:

Element	Date Time Stamp	Reviewer	Log text

Water Supply Bank:

FOR REFER. ONLY

AJ0749NP
No. A37-00680B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/04/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	GREGORY C SMITH	04/01/1900	IRRIGATION	04-15	10-15	0.36 CFS	
C	KATHERINE T SMITH						
	BOX 406					TOTAL DIVERSION:	0.36 CFS
	FAIRFIELD ID 83327					CONSUMPTIVE USE:	75.00 AFA
	(208) 764-2118						

Water Source: SOLDIER CREEK Tributary to: CAMAS CREEK Stage: DECREED

Point(s) of Diversion: T01N R14E S09 NWNW CAMAS County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
T R S	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	SUM
01N 14E 9												07			05		12.0
01N 14E 16		13			05												18.0
																TOTAL ACRES	30.0

POU County: CAMAS

Non-Irrigation Uses: NONE

Other Rights: A37-00678B, A37-02041B

Conditions of Approval:

R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

R02 - A lockable device subject to the approval of the Department
- shall be maintained on the diverting works in a manner that will
- provide the watermaster suitable control of the diversion.

R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 37C.

R26 - This right when combined with all other rights shall provide no
- more than 4.0 afa per acre for irrigation of the lands above.

Remarks: GEN OWNERSHIP CHANGE MADE 5/23/96 BY TLB.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 37C Field Inspection Flag:
Presumption Flag: D

WOULD BE PROPORTIONATE SPLIT CFS

ACCORDING TO PEED
D=.16
E=.20 CFS

Water Right Number - A37-00678B Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SPLIT RIGHT		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
*** O - ORIGINAL OWNER ***		
GIESLER	RICHARD B	1 - 260 MEADOWS LN 2 - 3 - City- TWIN FALLS State- ID Zip- 833010000 Phone - 208-734-4721
SMITH	KATHERINE T	1 - BOX 406 2 - 3 - City- FAIRFIELD State- ID Zip- 83327 Phone - 208-764-2118
SMITH	GREGORY C	1 - BOX 406 2 - 3 - City- FAIRFIELD State- ID Zip- 83327 Phone - 208-764-2118

Priority Date	Region	Stage	Status
11/30/1882	17 SOUTHERN	D - DECREED	

Source	Tributary
SPLIT RIGHT	SPLIT RIGHT

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
01N	14E	9	NW NW		(25)	CAMAS

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	11/15	0.240	

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
0.240		30.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01N	14E	9	SE SW		7.0	01	IRRIGATION	(25) CAMAS
01N	14E	9	SW SE		5.0	01	IRRIGATION	(25) CAMAS

Total Acres: 12.0

Water right number - A37-00678B Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - HEADGATE, PIPE

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - A37-00680B, A37-02041B

+ - Remarks - +

GEN SEE TRANS.
OWNERSHIP CHANGE MADE 5/23/96 BY TLB.
****
8-3-98: OWNERSHIP CHANGE RESULTED IN A SPLIT INTO D & E PORTIONS
SMITH RETAINED 37-00678D WITH 5.4 AC AND .11 CFS
STILWILL REC'D 37-00678E WTIH 6.6 AC AND .13 CFS PER DEED REC'D
2-10-98 - VH

+ - Old Water Right Numbers - +

No Old Water Right Numbers Found

+ - Conditions of Approval - +

R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.
R02 - A lockable device subject to the approval of the Department
- shall be maintained on the diverting works in a manner that will
- provide the watermaster suitable control of the diversion.
R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 37C.
R26 - This right when combined with all other rights shall provide no
- more than 4.0 afa per acre for irrigation of the lands above.

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
S. C. FROST, ET. AL.	ALTURAS WATER COMPANY, ET. AL.	00/00/0000

+ -Comments- +

No Comments Found

+ - - Audit Fields - - +
08/03/98 VHANCOCK

+ - Adjudication Rights Dates and Flags Area - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S010301	Water District	- 37C
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-