

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: **A37-00727A**
Date Received: 11/15/1989
Receipt No: S010474
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JEROME A HIRSCHFELD 208-336-2229
Address: 110 HEARTHSTONE
BOISE ID 83702

AND/OR

Name: CECILE K HIRSCHFELD 208-336-2229
Address: 110 HEARTHSTONE
BOISE ID 83702

2. Date of Priority: JUN 1, 1886

3. Source: CORRAL CR. Trib. to: CAMAS CR.

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	13E	21		NW	SW		CAMAS

5. Description of diverting works:
HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.160		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	13E	21	SW	NW		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	13E	21	NW	SW		IRR	20.0
Section Acres							40.0
Total Acres							40.0

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:
NONE

14. Remarks:

2/5/99 TF; OWNERSHIP CHANGED COE TO HIRSCHFELD PER 1409(6) AND
DEEDS REC'D 10/6/98.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/16/1898

MOORE & HUTCHINS
Decree Plaintiff

MCGOWAN ET AL
vs Decree Defendant

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

RECEIVED

OCT 06 1998

WATER RESOURCES
WESTERN REGION

RECEIVED

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

OCT 27 1998

1. Department of Water Resources
Water Right or Adjudication Claim No(s): A37-13013 ; A37-00727 A
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 LARRY C. COE AND/OR SUE L. COE
P.O. Box 435 FAIRFIELD, IDAHO 83327
4. New Owner/Claimant(s) JEROME A. AND/OR CECILE K. HINSCHFELD
 Name Connector (Check one): [] and, [] or, ☒ and/or
 New Mailing Address 110 HEARTSTONE
 City, State and ZIP Code BOISE, IDAHO 83702
 New Telephone Number (208) 336-2229
5. Date you acquired the property NOVEMBER 16 1989
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.**
- 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) Jerome A. Hinschfeld
- Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this 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.

WARRANTY DEED

FOR VALUE RECEIVED,

LARRY C. COE and SUE L. COE, husband and wife
the grantors, do hereby grant, bargain, sell and convey unto
PEDIATRIC ASSOCIATES, P.A. PROFIT SHARING PLAN & TRUST, Rjay Lloyd
as Trustee o/b/o Jerome Hirschfeld, beneficiary
whose current address is 110 Hearthstone, Boise, Idaho 83702

the grantee, the following described premises, in Camas County Idaho, to wit:

Fifty-five percent (55%) undivided interest in and to
approximately 40 acres, including improvements thereon
described as:

Township 1 North, Range 13 East, Boise Meridian,
Camas County, Idaho
Section 21: W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

65375

Record at the Request of

Camas Abstract

STATE OF IDAHO }
County of Camas, }

I hereby certify that this instrument
was filed for record in my office at

10:30 AM o'clock

11-17, 1989, and

duly recorded in Book 27 of

Deeds Page 307

ROLLIE BENNETT

County Recorder

By Cindy Alfemox Deputy

Fee \$ 3.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
its heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee, that they are the owners in fee simple of said premises; that they
are free from all incumbrances except those shown of record.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 11/14/89

Larry C. Coe
LARRY C. COE

Sue L. Coe
SUE L. COE

State of New Mexico)
County of Bernalillo) ss.

On this 14th day of November, 1989, before me, a notary public
in and for said State, personally appeared LARRY C. COE and SUE L. COE, husband
and wife, known to me to be the persons whose names are subscribed to the within
instrument, and acknowledged to me that they executed the same.

Residing at Albuquerque, New Mexico

My Commission Expires: 12/17/91

Paula A. Medlock
Notary Public

Paula A. Medlock

WARRANTY DEED

FOR VALUE RECEIVED,

LARRY C. COE and SUE L. COE, husband and wife
the grantor s, do hereby grant, bargain, sell and convey unto
PEDIATRIC ASSOCIATES, P.A. PENSION PLAN & TRUST, Rjay Lloyd as
Trustee o/b/o Jerome Hirschfeld, beneficiary
whose current address is 110 Hearthstone, Boise, Idaho 83702

the grantee , the following described premises, in Camas County Idaho, to wit:

Forty-five percent (45%) undivided interest in and to
approximately 40 acres, including improvements thereon
described as:

Township 1 North, Range 13 East, Boise Meridian,
Camas County, Idaho
Section 21: W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$

-65376

For Record at the request of
Camas Abstract
STATE OF IDAHO }
County of Camas, }
I hereby certify that this instrument
was filed for record in my office at
10:35 o'clock AM
11-17, 1989, and
duly recorded in Book 27 of
Deeds Page 308
ROLLIE BENNETT
County Recorder
Cindy Aelfenlos Deputy
3.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,
its heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee , that they are the owners in fee simple of said premises; that they
are free from all incumbrances except those shown of record.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 11/14/89

Larry C. Coe
LARRY C. COE

Sue L. Coe
SUE L. COE

State of New Mexico)
County of Bernalillo) ss.

On this 14th day of November, 1989, before me, a notary public
in and for said State, personally appeared LARRY C. COE and SUE L. COE, husband
and wife, known to me to be the persons whose names are subscribed to the within
instrument, and acknowledged to me that they executed the same.

Residing at Albuquerque

Paula A. Medlock
Notary Public
New Mexico

Paula A. Medlock

My Commission Expires: 12/17/91

QUIT CLAIM DEED

FOR VALUE RECEIVED PEDIATRIC ASSOCIATES, P.A. PENSION PLAN & TRUST, Rjay Lloyd as Trustee o/b/o Jerome Hirschfeld, beneficiary, does hereby convey, release, remise and forever quit claim unto JEROME HIRSCHFELD, whose address is 110 Hearthstone, Boise, Idaho 83702, the real property located in the County of Camas, State of Idaho, and more particularly described as follows:

Forty-five percent (45%) undivided interest in and to approximately 40 acres, including improvements thereon described as:

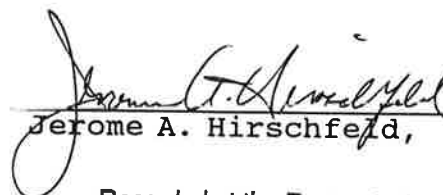
Township 1 North, Range 13 East, Boise
Meridian, Camas County, Idaho
Section 21: W1/2 SW1/4 NW1/4 W1/2 NW1/4 SW1/4.

Dated this 29th day of July, 1994.

PEDIATRIC ASSOCIATES, P.A.
PENSION PLAN & TRUST


David L. Peterman, Trustee


Thomas L. Cornwall, Trustee


Jerome A. Hirschfeld, Trustee

QUIT CLAIM DEED

Recorded at the Request of
Rjay Lloyd
at 9:01 A.M.
August 8, 19 94,
29
Deeds Page 186.
JILLIE BENNETT
CLATSOP COUNTY RECORDER
By Gayle Bachell
15.00

09989

QUIT CLAIM DEED

FOR VALUE RECEIVED PEDIATRIC ASSOCIATES, P.A. PROFIT SHARING PLAN AND TRUST, Rjay Lloyd as Trustee o/b/o Jerome Hirschfeld, beneficiary, does hereby convey, release, remise and forever quit claim unto JEROME HIRSCHFELD, whose address is 110 Hearthstone, Boise, Idaho 83702, the real property located in the County of Camas, State of Idaho, and more particularly described as follows:

Fifty-five percent (55%) undivided interest in and to approximately 40 acres, including improvements thereon described as:

Township 1 North, Range 13 East, Boise
Meridian, Camas County, Idaho
Section 21: W1/2 SW1/4 NW1/4 W1/2 NW1/4 SW1/4.

Dated this 29th day of July, 1994.

PEDIATRIC ASSOCIATES, P.A.
PROFIT SHARING PLAN & TRUST

David L. Peterman
David L. Peterman, Trustee

Thomas L. Cornwall
Thomas L. Cornwall, Trustee

Jerome A. Hirschfeld
Jerome A. Hirschfeld, Trustee

Recorded at the Request of

Rjay Lloyd
at 9:04 A.M.

August 8, 1994

In Book 29

of Deeds Page 191.

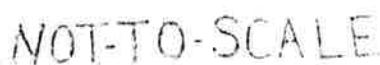
FOLIE BENNETT
CAMAS COUNTY RECORDER

By Gayle Dochte

15.00

QUIT CLAIM DEED

686661



E 4_L

7 IN 3 121



2609 293
T 448

(28)

105

(29)

MELLE N

133

14

19

787

204

(7)

WESLEY

702

(A)

(f)

Photo No. 1G-96 Section 21 Township 1N Range 13E

CARTON PRINTERS, CALDWELL, IDAHO 83602

N

Tax 1317

220 acres

Melley

cse

640

IG-40. - 1K. - 720
DA - 90.49 - 12.35 - 1185
G - 25. - 8.40 - 210
DG - 472. - 3. - 1416
W - 7.

4800
5.51
Acres
F1197
STATE

640. - 3531
IMP. 873
411041

W.D. Field

S

pg 33

140
890

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: A37-00727A
Date Received: 5/17/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY C. COE
Address: P.O. BOX 435
FAIRFIELD, ID 208-764-2418
AND/OR 83327
Name: SUE L. COE
Address: P.O. BOX 435 208-764-2418
FAIRFIELD, ID 83327
2. Date of Priority: JUN 01, 1886
3. Source: CORRAL CR. Trib. to: CAMAS CR.
4. Point of Diversion:
- | | | | | | | | |
|----------|-------|---------|--------|--------|-----|-----|--------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
| 01N | 13E | 21 | NW | SW | | | CAMAS |
5. Description of diverting works:
HEADGATE
6. Water is used for the following purposes:
- | | | | | | |
|------------|-------|-------|--------|------|--------|
| Purpose | From | To | C.F.S. | (or) | A.F.A. |
| IRRIGATION | 04/15 | 10/15 | 0.160 | | |
7. Total Quantity Appropriated is:
0.160 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	13E	21	SW	NW	IRR	20.0
			NW	SW	IRR	20.0
					Section Acres	40.0
					Total Acres	40.0

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:
NONE

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 3/16/1898

MOORE & HUTCHINS

Decree Plaintiff

vs

MCGOWAN ET AL

Decree Defendant

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):

Date: 11/11/89

State of ^{New Mexico} ~~Idaho~~

Date: 11-11-89

County of Bernalillo) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of November 19 89

Notary Public

Seal

Residing at Albuquerque, NM
My Commission Expires 5/3/90

#50
+40
#90

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: A37-00727A
Date Received: 5/17/1989
Receipt No: A 5010474
Received By: R.V. 26

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY C. COE 208-764-2418
Address: P.O. BOX 435
FAIRFIELD, ID 83327

AND/OR

Name: SUE L. COE 208-764-2418
Address: P.O. BOX 435
FAIRFIELD, ID 83327

2. Date of Priority: JUN 01, 1886

3. Source: CORRAL CR. Trib. to: CAMAS CR.

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
01N	13E	21	NW SW		CAMAS

5. Description of diverting works:
HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.160		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	13E	21	SW	NW		IRR	20.0
			NW	SW		IRR	20.0

Section Acres 40.0

Total Acres 40.0

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:

NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 3/16/1898

MOORE & HUTCHINS

Decree Plaintiff

vs

MCGOWAN ET AL

Decree Defendant

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): Larry C. Case Date: 11/11/89
Jue L. Case Date: 11-11-89

State of ~~Idaho~~ New Mexico)
County of Bernalillo) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of November 19 89

Eun J. Frankman
Notary Public

Seal

Residing at Albuquerque, NM
My Commission Expires 5/3/90

Hahn, Carrie

To: Jerome Hirschfeld
Subject: RE:
Attachments: JEROME.pdf

Dear Mr. Hirschfeld,

You have a correct interpretation of your current rights information. I have included scanned document of your partial decrees with the recommendation of the court. I have also included instruction for internet access so you can review your rights and the rights of Smokey Dome and the Van Horns. I believe the rights you are concern with are 37-35a, 37-454a, 37-463a, 37-463c, 37-728a, 37-730a, 37-2139a, 37-13261a , 37-13267a, 37-13268a, 37-13269a, and 37-13271a. The *Related Document* tab will bring up all correspondence and court documents concerning these rights. I hope this information will answer all your questions, but please feel free to contact me or Doug Jones with any concerns. Good luck also with your jury duty. I always found it to be an interest and necessary process.

Sincerely,
Carrie Hahn

From: Jerome Hirschfeld [mailto:dr.jerryh@yahoo.com]
Sent: Sunday, January 22, 2012 2:00 PM
To: Jones, Doug; Hahn, Carrie
Subject: Fw:

----- Forwarded Message -----

From: Jerome Hirschfeld <dr.jerryh@yahoo.com>
To: "doug.jones@idwr.id.gov" <doug.jones@idwr.id.gov>; "carrie.hahn@idwr.id.gov" <carrie.hahn@idwr.id.gov>
Sent: Sunday, January 22, 2012 1:55 PM
Subject:

Good morning,

Earlier this week I met with Matt Weaver at the IDWR in Boise, where I currently live. I wished to review the current status of my water rights in Camas County, where my wife and I own and operate a 40 acre property. Matt was most helpful in reviewing information related to the current status of these rights, and suggested if I had further questions about adjudication now and in the future, I converse with Carrie Hahn. I also first discussed these issues in 2007 with Doug Jones, when I received initial information about the SRBA proceedings.

Most recently I received additional documentation Re SRBA and Case No. 39576 from Brigette Bilyeu, dated December 29, 2011, that included a notice that a motion to alter or amend the Special Master's Recommendation must be made by January 29, 2012. As I can best determine, and with the help of Mr. Weaver, the current partial decree for this (my) Water Right 37-00727A, is entirely consistent with the original water right decree with priority date of 6/1/1886 except the irrigation of total acres has been reduced from 40 to 30, secondary to the reassessment in 2006 and reviewed with me by Doug Jones, that the approximate 10 acres that includes hillside, road and current home and yard is no longer included and/or is served by a domestic well (Water Right A37-13013 - which is unchanged since priority date of 1/1/1955. Can you please inform me if this is a correct interpretation of the current legal status and the basis for a final judgement/decreed/adjudication?

If that is not the case, I would appreciate some clarity about how to proceed to review and challenge any further abbreviation of the acreage or other changes to the special master's decision of 2006.

What has also given me some anxiety about these proceedings is the notice that "Objections were filed by Danny and Valerie Van Horn... which were resolved by the filing of Standard Forms 5" which subsequently led to a "Notice of Competed Administrative Proceeding was filed for each water right on June 29, 2011 changing ownership to Smokey Dome LLC...and after Amended Standard forms 5 were filed on November 14, 2011...there are no unresolved objections remaining in these subcases." Since I was not aware of nor a party to any of these objections, I have no awareness of the concerns or any impact on my Water Right based upon that outcome. I can only feel reassured that since the Case No. 39576 Partial Decree pursuant to Water Right 37-00727A includes the description of my Water Right consistent with the 2006 decree, that I have not been harmed and do not need to appeal. I would appreciate your thoughts on this.

The Van Horns were my previous neighbors, and they have subsequently sold that property, and I presume the accompanying Water Rights. I do not know whom Smokey Dome LLC is, but assume it is the new owner. and want to assure they have not infringed on my Water Right through these various actions. I also have not accessed/received the Standard Forms 5 that they and the IDWR are signatories too, so am not aware of the details of that action. Can you also tell me how I might access those documents?

I did obtain a copy of a 11/14/2011 letter from the AG's office stating that Amended Standard Forms 5 were enclosed for filing, and the listed Water Rights did not include my Water Right. They also corrected "errors in the PODs recommended for some of the original SF5s"...I am not sure of what a "POD" is, but if it is a point of diversion for irrigation access wanted to assure that this is downstream from my property and my point of diversion.

Lastly, since I have not received any information regarding my Water Right A37-13013(well and pump for domestic use), I presume that has not changed from its original adjudication, but would appreciate your assessment about this as well.

I am most appreciative of your attention to this, and hope you can provide me your thoughts by return e-mail. If necessary, I can visit with you in person or by phone as well. I am currently providing jury duty at the request of the court, and am uncertain when I will be able to communicate with you otherwise.

Thank you for your consideration.

Jerome Hirschfeld
3101 E. Nature Drive
Boise, Idaho 83706
208-336-2229

06/28/2006

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

RIGHT NUMBER: 37-727A

NAME AND ADDRESS: JEROME A HIRSCHFELD
3101 E NATURE DR
BOISE ID 83706-6921

CECILE K HIRSCHFELD
3101 E NATURE DR
BOISE ID 83706-6921

SOURCE: EAST FORK CORRAL CREEK

TRIBUTARY: CORRAL CREEK

QUANTITY: 0.160 CFS

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION:

T01N R13E S21 SWNNW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 10/31

QUANTITY
0.160 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T01N R13E S21

SWNW

12.00

T01N R13E S21

NWSW

18.00

30 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 - Decreed



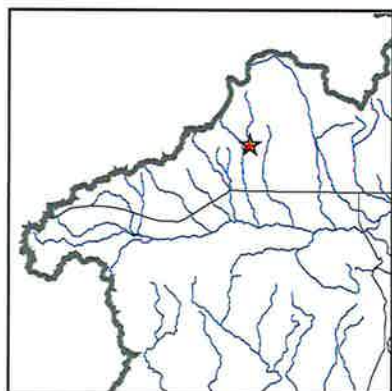
Idaho Department of Water Resources

SRBA Recommendation:

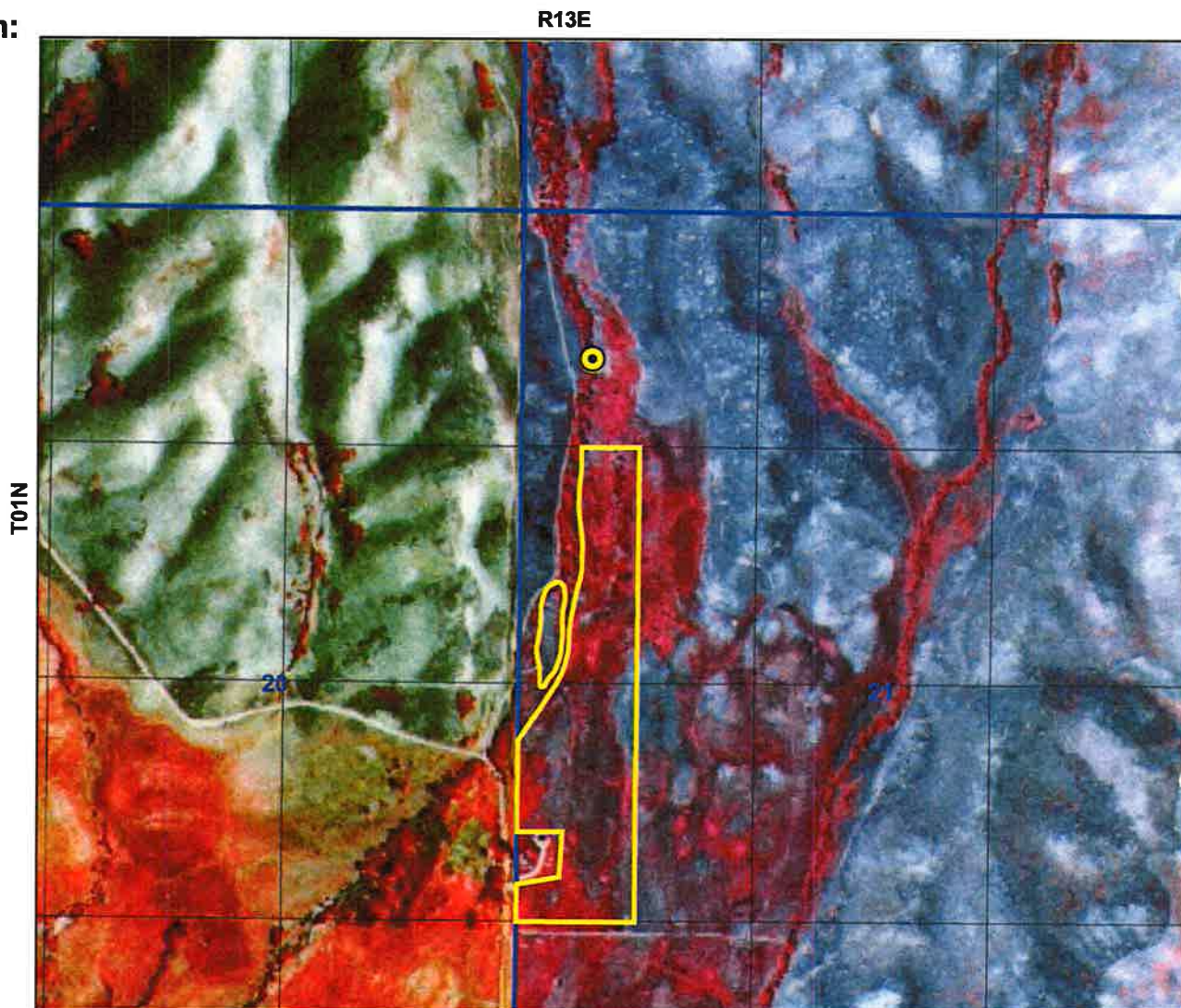
37-727A

Legend

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



Camas County
IDWR Basin 37



0 0.25 0.5 Miles

Prepared by M. Anders
On Wednesday, June 28, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-727A

Background Data

- Source is Corral Creek tributary to Camas Creek
- Priority date search indicates:
- 37-727 originally decreed for 0.8 cfs on 5 QQ
 - SRBA claims
 - 37-727A claimed 0.16 cfs for irrigation of 40 acres
 - 37-13268A claimed 0.8 cfs for irrigation of 933 acres
 - 37-13268B claimed 0.8 cfs for irrigation of 47 acres

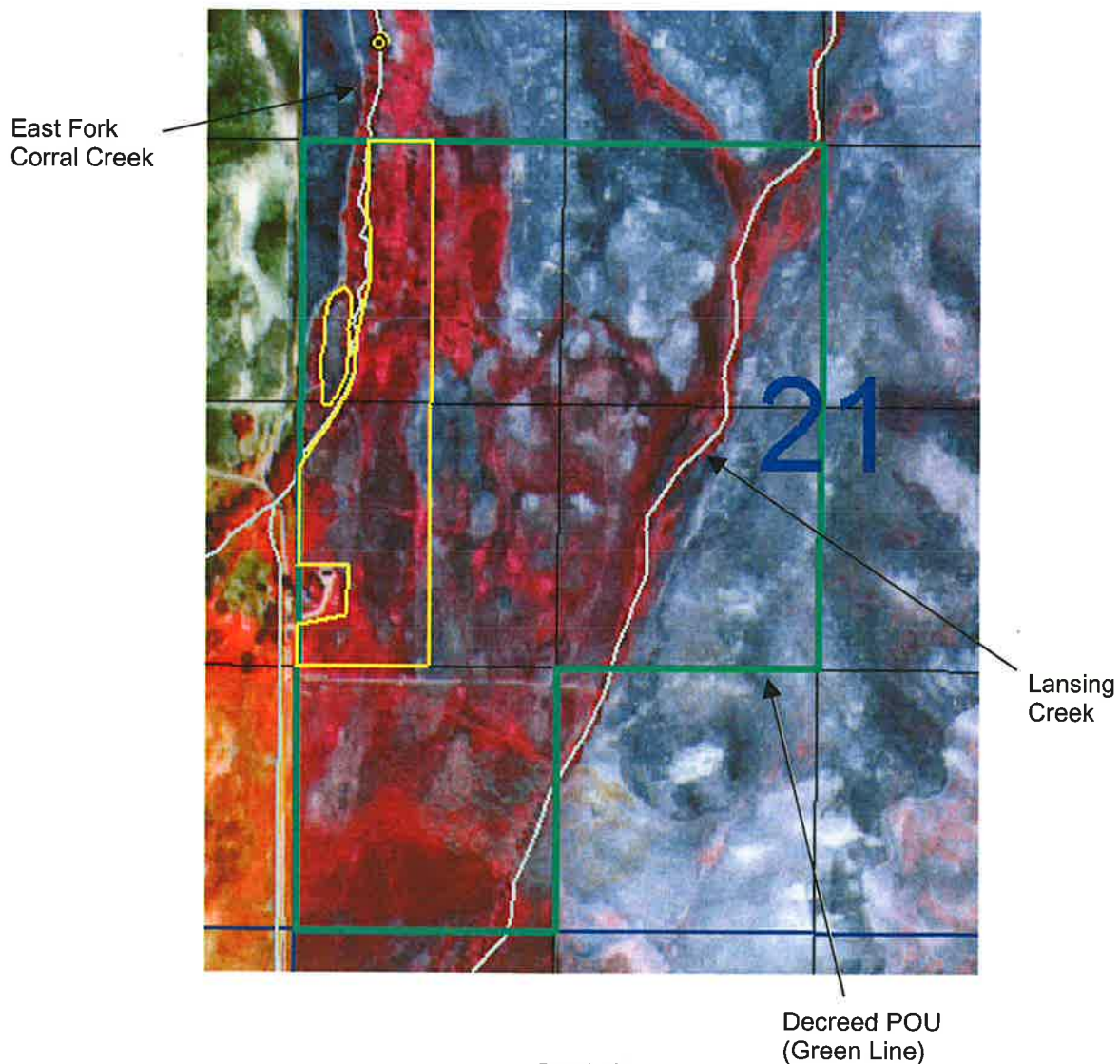
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



Notes

T1N R13E Section 21

- 120 acres of irrigated land in decreed POU of 37-727 is owned by 3 parties:
 - Jerome Hirschfeld = 30 acres
 - Van Horn = 85 acres
 - State of Idaho = 5 acres
- 37-727 was decreed in E.W. Moore and Thurston Hutchins, as firm of Moore and Hutchins vs. James Mc Gowan, et al., 1897. This decree was not superceded by the subsequent Frost decree (1909) according to pages 30-31 of the Frost decree which state:

"It is Further Ordered, Adjudged and Decreed that the respective parties, plaintiffs and defendants, in the various actions named in the Findings herein, to-wit: ...E.W. Moore and Thurston Hutchins, as firm of Moore and Hutchins vs. James Mc Gowan, et al.,...they and their successors in interest, be and they are hereby awarded the right to the use of the waters of the Big Wood River and its tributaries, and the various dry streams named in said decrees, to the extent that they are respectively awarded such use in the various actions and decrees to which they are parties, respectively; but that this right shall not be construed to be a double appropriation of the waters of said streams, and wherein the said parties are reawarded such amounts in this decree, they and their successors in interest, respectively, shall be entitled to the use of only one of such rights, to-wit: either the right named in said decree, or the right otherwise awarded in this decree."

- Recommendations for 37-727 only:
 - 37-727A (Hirschfeld) – 0.16 cfs for irrigation of 30 acres
 - they might have a right to up to 0.2 cfs , but 0.16 cfs is the claimed diversion rate
 - 37-13268A (Van Horn) – 0.61 cfs for irrigation of 85.7 acres
 - 37-13268B (Cristobal) – 0.03 cfs for irrigation of 4.3 acres
 - State of Idaho has not filed a water right claim on this land, and since the State is certainly aware of the SRBA, it is assumed they do not own a portion of 37-727. 0.03 cfs for State land allocated to 37-13268A & B.
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-727

WATER RIGHT NUMBER: 37-727

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT W LANSING
	, ZZ

Priority Date: 06/01/1886

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CORRAL CREEK	CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion
CORRAL CREEK

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N	13E	21							X	X	X	X	X						

Conditions of Approval:Remarks:Comments:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

JUL 16 2001

Department of Water Resources
Southern Region

July 6, 2001

DIRK KEMPTHORNE
GOVERNOR

CECILE K HIRSCHFELD
JEROME A HIRSCHFELD
3101 E NATURE DR
BOISE ID 83706-6921

RECEIVED

KARL J. DREHER
DIRECTOR

JUL 11 2001

Department of Water Resources

RE: Snake River Basin Adjudication (SRBA)

Water Rights #37-13013, 37-727A

1 PD 142-9

records modified 7-11-01,
-ps

Dear Water Right Holders:

Mail sent to you by the SRBA Court was returned to the SRBA Court by the Postal Service. We received the returned mail on July 2. The Postal Service advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by July 31, 2001. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

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

Water Right Holder's Signature

Jerome A. Hirschfeld

Cecile K. Hirschfeld

Telephone No.

208-336-2229

208-336-2229

7/10

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

37-13013
37-127A



NAME AND ADDRESS:

CECILE K HIRSCHFELD
JEROME A HIRSCHFELD
110 HEARTHSTONE
BOISE, ID 83702

HIRS110 837022019 1899 06 01/17/01
FORWARD TIME EXP RTN TO SEND
HIRSCHFELD
3101 E NATURE DR
BOISE ID 83706-6921

RETURN TO SENDER



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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-13013

NAME AND ADDRESS: CECILE K HIRSCHFELD
JEROME A HIRSCHFELD
110 HEARTHSTONE
BOISE, ID 83702

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 01/01/1955

POINT OF DIVERSION: T01N R13E S21 NWSW Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOUSE	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic Within Camas County
T01N R13E S21 NWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

*These are our water rights. We don't
believe we have any other. This is
what was given to us upon purchase
of the property.*

*Thank you,
Cecile Hirschfeld*