

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: **A37-00728B**
Date Received: 11/24/1989
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: JOHN CRISTOBAL 208-587-8010
Address: 940 E 16 N
MOUNTAIN HOME ID 83647
AND/OR
Name: BARBARA CRISTOBAL 208-587-8010
Address: 940 E 16 N
MOUNTAIN HOME ID 83647

2. Date of Priority: JUN 1, 1883

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	13E	20	SE	NW	NW		CAMAS
			NE	NE	SE		CAMAS
		21	NW	SW	NW		CAMAS
		29	SW	NW	NE		CAMAS
			NE	SE	SW		CAMAS

5. Description of diverting works:
CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.070		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/1500 RANGE STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	13E	32	SW	NE		IRR	35.0
			SE	NW		IRR	12.0
Section Acres							47.0
Total Acres							47.0

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:
SEE REMARKS

14. Remarks:

24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

RIGHT	PRIORITY	CFS AMOUNT	SOURCE
A37-13261	6/01/1882	5.4	CORRAL CREEK
A37-00728	6/01/1883	1.5	CORRAL CREEK
A37-00454	9/01/1883	.8	CORRAL CREEK
A37-13267	6/01/1884	1.7	CORRAL CREEK
A37-00463B	6/01/1885	1.4	CORRAL CREEK
A37-00730	8/10/1885	.2	CORRAL CREEK
A37-13268	6/01/1886	1.5	CORRAL CREEK
A37-00035	6/01/1887	1.0	CORRAL CREEK
A37-13269	6/01/1888	1.4	CORRAL CREEK
A37-02139	6/07/1909	.54	CORRAL CREEK/GARDEN SPRING
A37-13270	5/26/1966	9.28	CORRAL CREEK
A37-13271	5/20/1901	.8	LANSING CREEK

IRRIGATION USE P/D'S:

WEST FORK CORRAL CREEK: SE,NW,NW, SEC 20.
EAST FORK CORRAL CREEK: NW,SW,NW, SEC. 21, NE,NE,SE, SEC 20.
CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.
LANSING CREEK: NE,NW,NW, SEC 28.
SE,NE,NE, & NW,SE,NE, SEC 29.

INSTREAM STOCK USE:

A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...
BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

THE ABOVE CLAIMS ARE SPLIT BASED UPON A PROPORTIONAL RATE OF CLAIMED ACRES WITHIN THE PLACE OF USE FOR CRISTOBAL (47) AND THE TOTAL CLAIMED PLACE OF USE OF 980 ACRES. $47/980 = 4.8\%$.

KKC 5-1-98.

15. Basis of Claim: DECREED



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 6/15/91

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: _____
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): JOHN MCELLEN
RT #1 Box 2015
FAIRFIELD, IDAHO 83327
- ☐ New Owner/Claimant (Purchaser): JOHN & BARBARA CRISTOBAL
- ☐ New Mailing Address: 940 E 16th North
Mountain Home, Idaho 83647
- ☐ New Telephone Number: (208) 587-8010
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) John Cristobal Date June 6, 1991

Date _____
- ☐ Signature of Former Owner/Claimant(s): John Mellen Date June 6, 1991

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

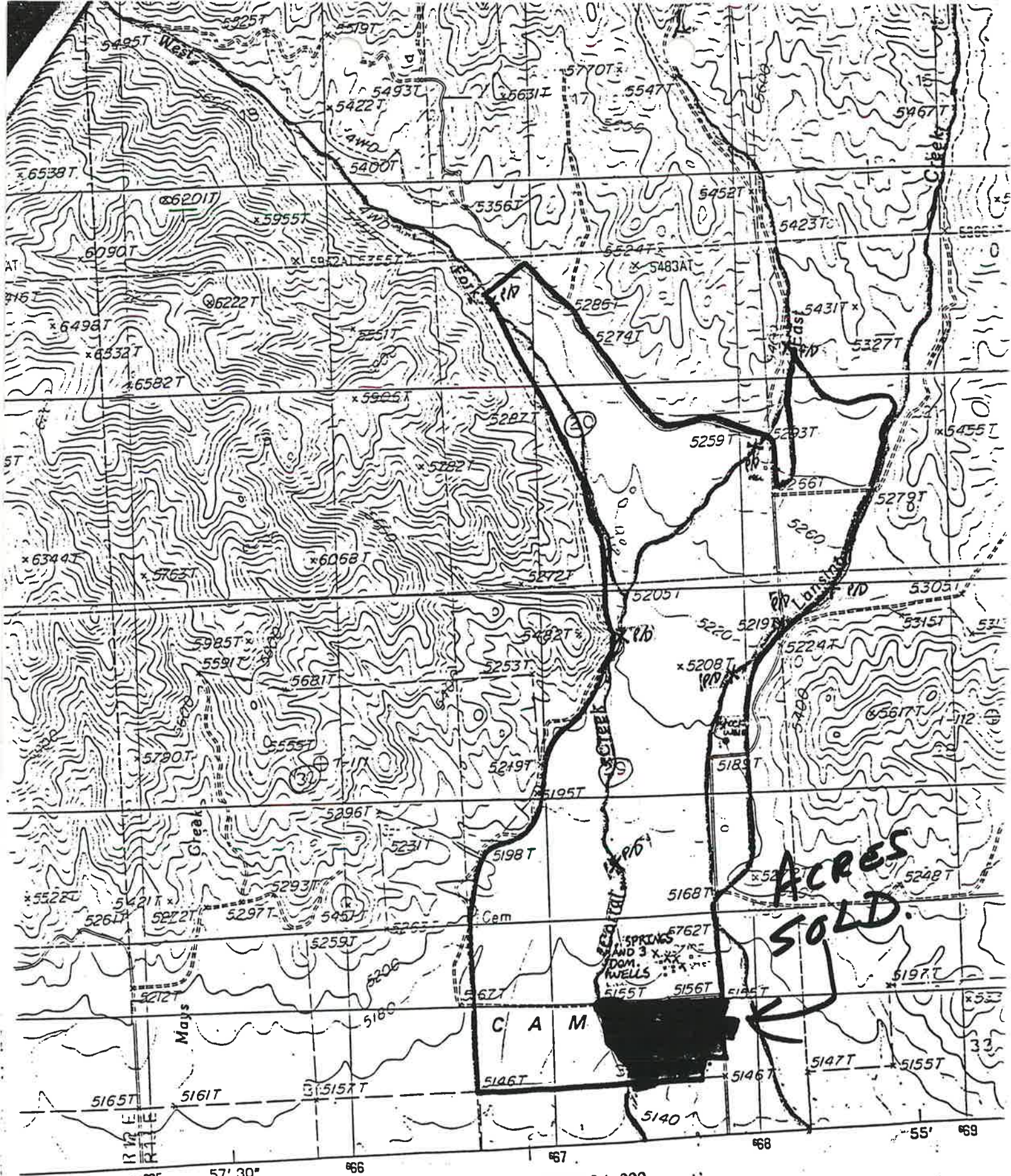
Date: _____ By: _____

Final Review and Data-Entry

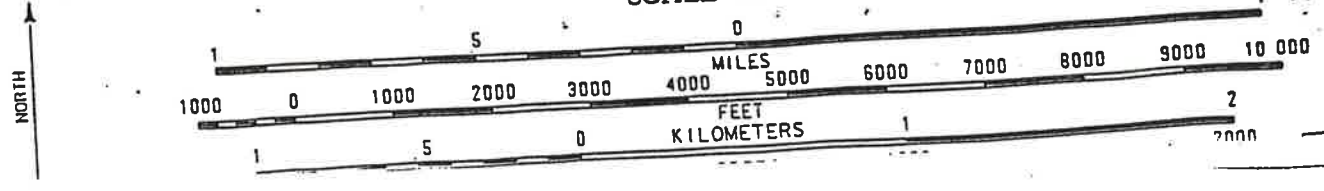
Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



SCALE 1:24 000



08/24/2006

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

RIGHT NUMBER: 37-728B

NAME AND ADDRESS: JOHN CRISTOBAL
875 N 18 E ST
MOUNTAIN HOME ID 83647

BARBARA CRISTOBAL
875 N 18 E ST
MOUNTAIN HOME ID 83647

SOURCE: CORRAL CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 0.070 CFS

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION:
T01N R13E S29 NESESW Within CAMAS County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.070 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T01N R13E S32	SWNE	36.00	T01N R13E S32	SENW	10.00
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46 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 46 acres in a single irrigation season. Combined Right Nos.: 37-35B, 37-454B, 37-463D, 37-728B, 37-2139B, 37-13261B, 37-13267B, 37-13268B, 37-13269B, and 37-13271B.

This right is limited to the irrigation of 5.4 acres within the place of use described above in a single irrigation season.

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



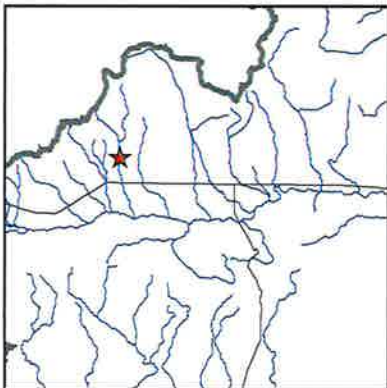
Idaho Department of Water Resources

SRBA Recommendation:

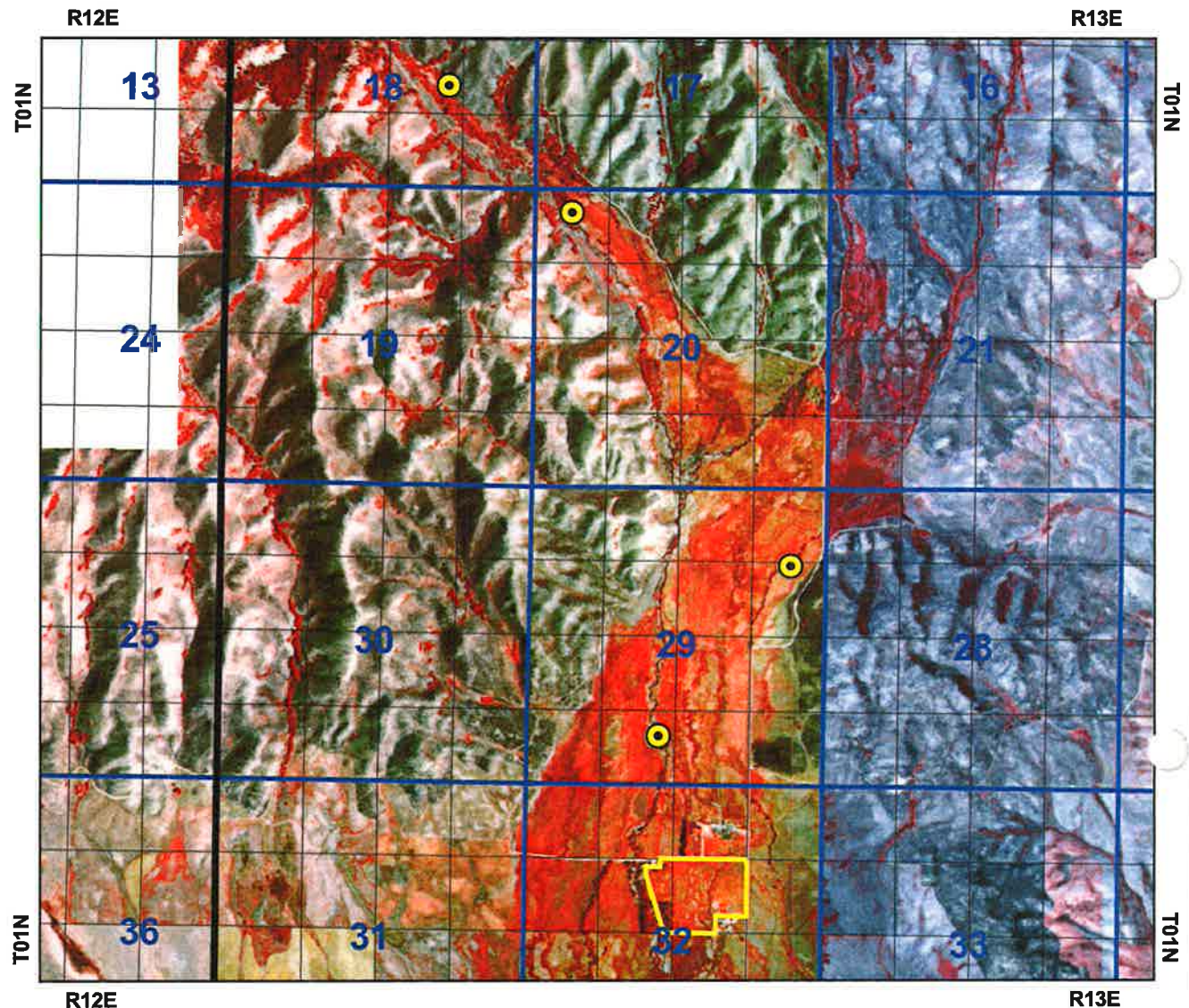
37-35B
37-454B
37-463D
37-728B
37-2139B

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 Thursday, August 24, 2006
1987/88 Aerial Photography

Water Right Report 37-728

WATER RIGHT NUMBER: 37-728

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLES JOHNSON
	, ID

Priority Date: 06/01/1883

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 /	1.500 CFS	
	Total Diversion:	1.500 CFS	

Location of Point(s) of Diversion
CORRAL CREEK

Place of Use
IRRIGATION

[illegible]

Conditions of Approval:

Remarks:Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-728

Licensed Date:
Decreed Date: 3/16/1898
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37A
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: James McGowan, et al
Decree Plaintiff: E M Moore, 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:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:



DEPARTMENT OF WATER RESOURCES

Southern Region, [REDACTED] 6-3033

~~CECIL D. ANDRUS~~ Phil Batt
Governor

R. KEITH HIGGINSON
Director

RECEIVED

decree

DEC 02 1998

CHANGE IN ADDRESS OF THE NOTICE OF CLAIM IN THE SNAKE RIVER BASIN ADJUDICATION

Department of Water Resources
Southern Region

[] Water Right Number(s): A37-00035B *Ident Number*
A37-00454B, 00463D, 00728B, 00730B, 02139B, 13261B,
A37-136267B, 13268B, 13269B, 13270B, 13271B, 13316

[] Old Mailing Address: 940 E 16th
Metu Home Id
83647

[] New Mailing Address: 875 N. 18 E St
Metu Home Id
83647

[] New Telephone Number: (208) 587-8010 H. 587-4746-0-

[] Signature of Claimant(s): John Cristobal

Date: 11-30-98

For IDWR use only:
Initial Review and Data Entry
Date: 12/7/98 By: CEJ
Further Action Taken
Date: By:
Final Review and Data Entry
Date: By:

Further Action Needed:

AJ0749NP
No. A37-007288

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

DATE: 12/07/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN CRISTOBAL	06/01/1883	IRRIGATION	04-15 10-15	0.07 CFS	
C	BARBARA CRISTOBAL					
	875 N 18 E ST					
	MOUNTAIN HOME ID 83647					
	(208) 587-8010					
				TOTAL DIVERSION:	0.07 CFS	

Water Source: CORRAL CREEK

Tributary to: CAMAS CREEK

Stage: DECREED

Point(s) of Diversion:	T01N R13E S20	SENNW	NENESE	CAMAS County
	S21	NWSNW		CAMAS County
	S29	SWNWNE	NESESW	CAMAS County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE							
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: SUM
01N	13E	32	:					35	:						12	:											47.0
TOTAL ACRES																								47.0			

POU County: CAMAS

Non-Irrigation Uses: S/1500 RANGE STOCK

Other Rights: SEE REMARKS

Remarks: GEN 24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

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EAST FORK CORRAL CREEK: NW,SW,NW, SEC. 21, NE,NE,SE, SEC 20.
CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.
LANSING CREEK: NE,NW,NW, SEC 28.

"DO NOT FILM"

AJ0749NP
No. A37-00728B

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

DATE: 12/07/98
PAGE: 2

Remarks:

SE,NE,NE, & NW,SE,NE, SEC 29.

INSTREAM STOCK USE:

A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...

BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

THE ABOVE CLAIMS ARE SPLIT BASED UPON A PROPORTIONAL RATE OF
CLAIMED ACRES WITHIN THE PLACE OF USE FOR CRISTOBAL (47) AND THE
TOTAL CLAIMED PLACE OF USE OF 980 ACRES. $47/980 = 4.8\%$.
KKC 5-1-98.

CHANGED ADDRESS AS PER REQUEST REC'D 12/02/98. CT

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

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



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

May 1, 1998

PROPORTIONAL SPLIT ANALYSIS FOR SALE;
MELLEN TO CRISTOBAL

Total claimed acres = 980 acres
Claimed acres within sale p/u = 47 acres
47/980 $\approx$ 4.8%

CLAIM NO	DIV RATE	PROP RATE	RATE FOR CRISTOBAL	RATE FOR MELLEN
A37-00035	1.00	0.048	0.05	0.95
A37-00454	0.80	0.048	0.04	0.76
A37-00463B	1.40	0.048	0.07	1.33
A37-00728	1.50	0.048	0.07	1.43
A37-00730	0.20	0.048	0.01	0.19
A37-02139	0.54	0.048	0.03	0.51
A37-13261	5.40	0.048	0.26	5.14
A37-13267	1.70	0.048	0.08	1.62
A37-13268	1.50	0.048	0.07	1.43
A37-13269	1.40	0.048	0.07	1.33
A37-13270	9.28	0.048	0.45	8.83
A37-13271	0.80	0.048	0.04	0.76

A37-13292 is a stockwater claim that is not appurtenant to the property purchased by Cristobal.



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

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

May 5, 1998

JOHN CRISTOBAL
HOT SPRINGS RD
FAIRFIELD ID 83327

RE: CHANGE OF OWNERSHIP FOR 47 ACRES PURCHASED FROM MELLEN

Dear Mr Cristobal

Enclosed are the adjudication claims split from the base rights on a proportional basis and the calculations used to determine the rates. Please review these claims to see if they are satisfactory.

I have also enclosed a change of address form for your use. I obtained the above address from the telephone book but as the claims are court documents I am unable to change the address without your authorization.

If you have any questions please contact me at the number shown above.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures