

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: **A37-02139B**
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 7, 1909

3. Source: GARDEN SPRING Trib. to:
CORRAL CREEK, WEST FORK 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		BLAINE
			NE	NE	SE		BLAINE
		21	NW	SW	NW		BLAINE
		29	SW	NW	NE		BLAINE
			NE	SE	SW		BLAINE

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	0.030		

7. Total Quantity Appropriated is:
0.030 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.

THIS LICENSE WAS ORIGINALLY FOR 27 ACRES IN SECTION 18. WATER NOW COMBINED WITH ABOVE WATER RIGHTS AND DISPURSED THROUGHOUT

14. Remarks: Continued

~980 ACRES. THE USE OF THIS RIGHT IS LIMITED TO .54 CFS.

15. Basis of Claim: LICENSE

Water Right Number: 4728



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 6/17/91

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): JON MELLEH
RT #1 Box 2015
FAIRFIELD, IDAHO 83327
- ☐ New Owner/Claimant (Purchaser): JOHN & BARBARA CRISTOBAL
- ☐ New Mailing Address: 940 E 16th
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
- ☐ Signature of Former Owner/Claimant(s): Jon Mellen Date June 6, 1991

(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: _____

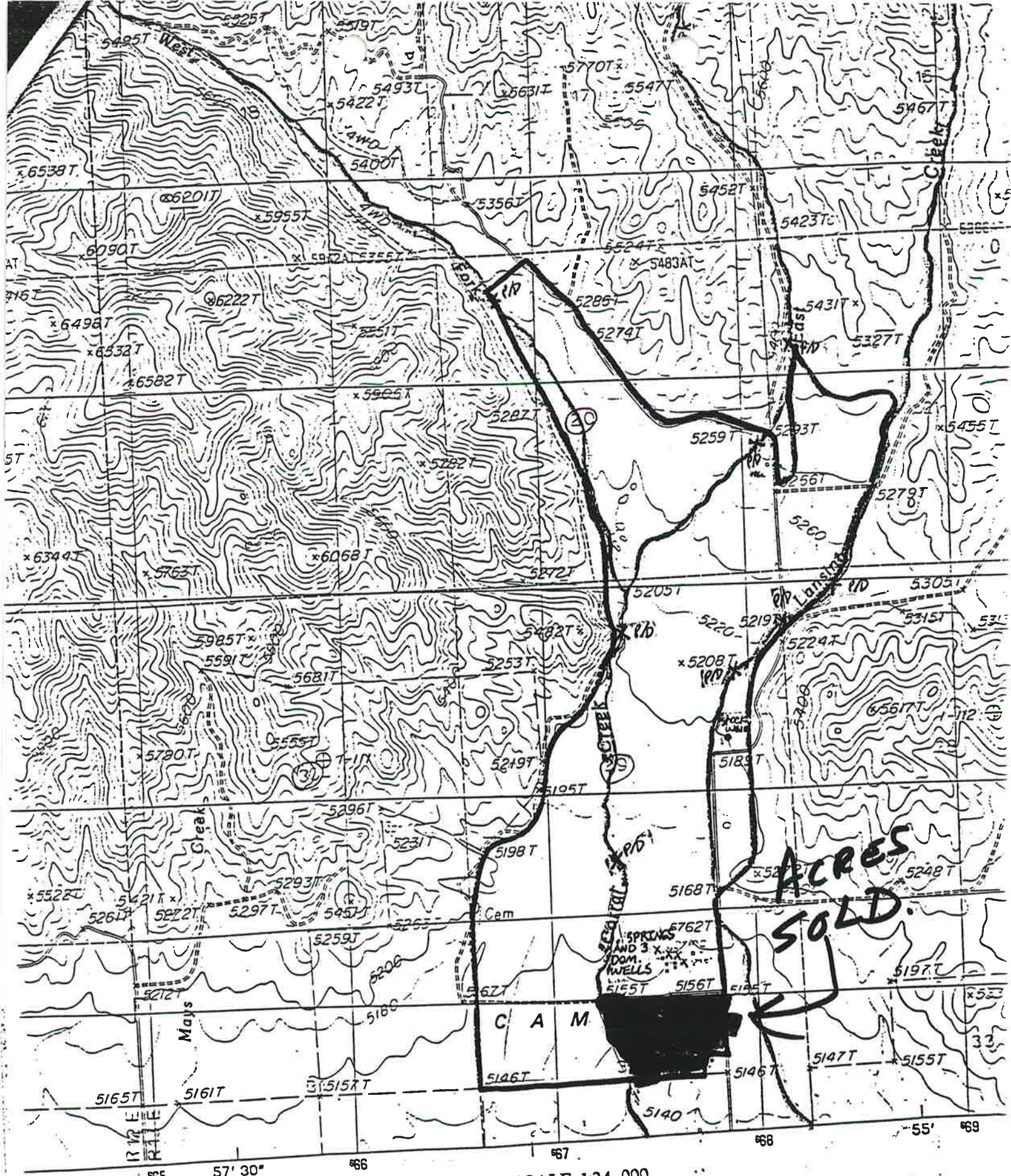
Further Action Needed:

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: _____ By: _____

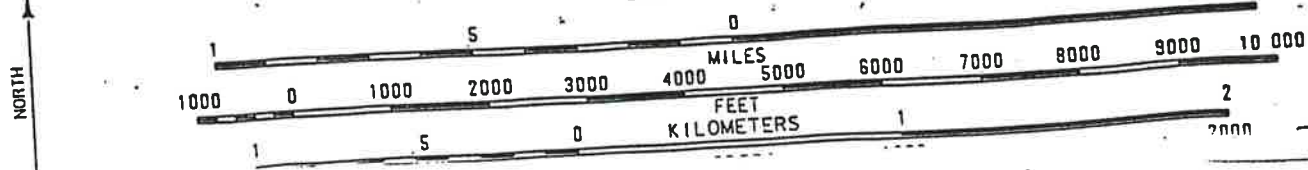
Claim Numbers of Split, if any:

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



ACRES
SOLD.

SCALE 1:24 000





DEPARTMENT OF WATER RESOURCES

Southern Region, [REDACTED]

6-3033

~~CECIL D. ANDRUS~~ Phil Batt

R. KEITH HIGGINSON
Director

RECEIVED

DEC 02 1998

Department of Water Resources
Southern Region

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

[] 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: RA

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

Further Action Needed:

08/24/2006

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

RIGHT NUMBER: 37-2139B

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: GARDEN SPRING
WEST FORK CORRAL CREEK

TRIBUTARY: WEST FORK CORRAL CREEK
TRIBUTARY: CORRAL CREEK

QUANTITY: 0.030 CFS

PRIORITY DATE: 06/07/1909

POINT OF DIVERSION:

T01N R13E S18 SENWSE Within CAMAS County
T01N R13E S20 NWNWNW 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	0.030 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T01N R13E S32	SWNE	36.00	T01N R13E S32	SENW	10.00
---------------	------	-------	---------------	------	-------

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 1.3 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 - License

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

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



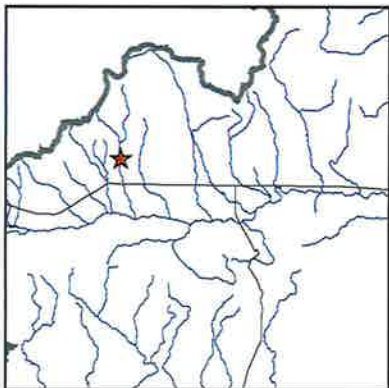
Idaho Department of Water Resources

SRBA Recommendation:

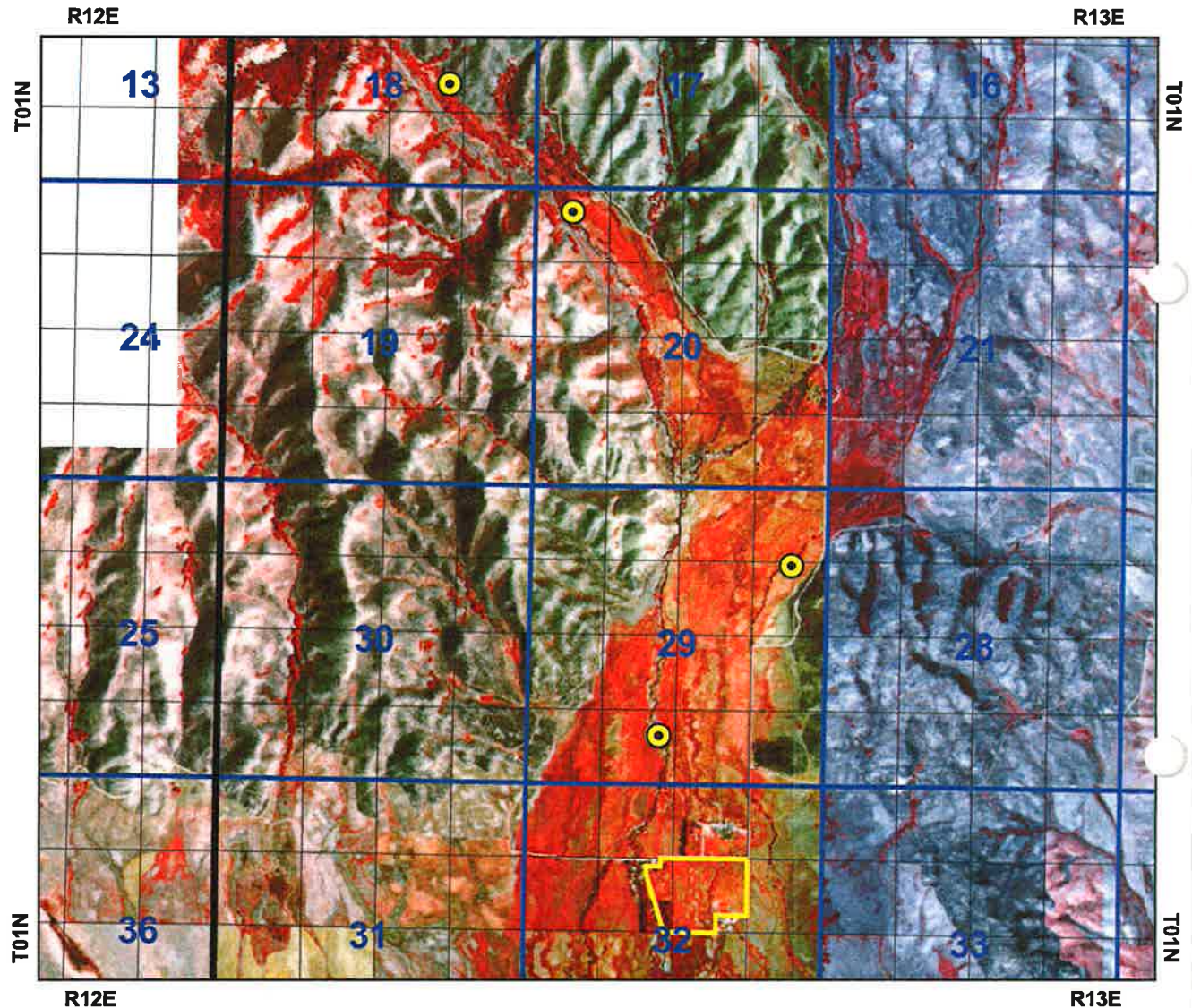
37-35B
37-454B
37-463D
37-728B
37-2139B

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

 Blaine County. *
 Garden Spring. *
 27/50 second-foot. *
 Irrigation and domestic *
 Priority 6/7/1909 *

S T A T E O F I D A H O.

Water License No. 4728.

WHEREAS, On the 7th day of June, A.D. 1909, PARTHENIA E. DRENTER, of Corral, County of Blaine, State of Idaho, duly made application (No. 6824) to me for a permit to use two (2) cubic feet per second of the waters of WEST FORK CORRAL CREEK and four-tenths (4/10ths) of one cubic foot per second of the waters of GARDEN SPRING, County of Blaine, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 7th day of June, A.D. 1909, Permit No. 4728 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 7th day of June, A.D. 1911, and for the application to beneficial use of said water on or before the 7th day of June, A.D. 1912, and,

WHEREAS, On the 7th day of June, A.D. 1911, PARTHENIA E. DRENTER, the holder of said permit duly made proof of the completion of adequate works for the diversion of two and four-tenths (2.4) cubic feet per second of said waters, as evidenced by my Certificate No. 4728, dated August 1, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use two and four tenths (2.4) cubic feet per second of water, with date of priority of June 7, 1909, and,

WHEREAS, On the 7th day of June, A.D. 1911, PARTHENIA E. DRENTER, the holder of said permit duly made proof of the application to beneficial use of 27/50 of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to PARTHENIA E. DRENTER, of Corral, County of Blaine, State of Idaho, the holder and owner of said Permit No. 4728, a perpetual right, dating from June 7, 1909, to the use of twenty-seven fiftieths (27/50) of 1 cubic foot per second of the waters of WEST FORK CORRAL CREEK & GARDEN SPRING, in the County of Blaine and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted from the West Fork Corral creek in the southeast quarter of the northwest quarter (SE4 NW4) and northwest quarter of southeast quarter (NW4 SE4) Section 18, and from Garden Spring in northeast quarter of southeast quarter (NE4 SE4) Section 18, Township 1 North, Range 13 East of Boise Meridian, and conducted to and upon (10 acres in the northwest quarter of southeast quarter (NW4 SE4), 7 acres in southwest quarter of southeast quarter (SW4 SE4) and 10 acres in northeast quarter of southeast quarter (NE4 SE4), Section 18, Township 1 North, Range 13 East of Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal, or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

(SEAL) WITNESS, My hand and the seal of my office at Boise, Idaho, this first day of August, A.D. nineteen hundred and eleven.

Recorded August 9th, 1911.

A. E. Robison.
 State Engineer.

37-2139

T.I.N.R. 14 E.B.M.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

Mid-Term (approx. 1911)

Gravel Spring
Pebble

4728

Amid #4728- Paddockia E. Duntou

June 9, 1911

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-2139

WATER RIGHT NUMBER: 37-2139

Owner Type

Current Owner

Name and Address

PARTHENIA E DRENTER

CORRAL, ID 83322

Priority Date: 06/07/1909

Basis: License

Status: Active

SourceWEST FORK CORRAL CREEK
UNNAMED STREAMTributaryCORRAL CREEK
CORRAL CREEKBeneficial Use

DOMESTIC

IRRIGATION

From To

/ to /

/ to /

Diversion Rate

0.540 CFS

Annual VolumeTotal Diversion:

0.540 CFS

Location of Point(s) of Diversion

WEST FORK CORRAL CREEK

BLAINE County

NW1/4SE1/4

Sec. 18, Twp 01N, Rge 13E, B.M.

UNNAMED STREAM

BLAINE County

NE1/4SE1/4

Sec. 18, Twp 01N, Rge 13E, B.M.

WEST FORK CORRAL CREEK

BLAINE County

SE1/4NW1/4

Sec. 18, Twp 01N, Rge 13E, B.M.

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	13E	18													10.0	10.0	7.0		27.0

Total Acres: 27

DOMESTIC same as IRRIGATIONConditions of Approval:

1. SOURCES ARE GARDEN SPRING & W. FK. CORRAL CREEK.

Remarks:



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