

09/30/2003

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

RIGHT NUMBER: 65-3681

NAME AND ADDRESS: FREDRICK D RINGEL
PO BOX 582
CASCADE ID 83611

GLORIA J RINGEL
PO BOX 582
CASCADE ID 83611

SOURCE: CHIPPS CREEK TRIBUTARY: CAMP CREEK

QUANTITY: 0.760 CFS

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

PRIORITY DATE: 01/15/1898

POINT OF DIVERSION:

T11N R04E S7 NENE Within VALLEY County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.120 CFS 6.70 AFY
IRRIGATION	4/15 10/15	0.640 CFS

PLACE OF USE: IRRIGATION Within VALLEY County
T11N R04E S07 NENE 32.0
STOCKWATER same as IRRIGATION
32 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 65-5033C IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 225 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 237 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-5033C & 65-22621.

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 FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL
BENEFICIAL USE.

EXPLANATORY MATERIAL: Decreed

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) A: Subcase 65-03681
) (Insert water right number)
)
Case No. 39576)
)
)
)
)
)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B: NAME AND ADDRESS OF PERSON OBJECTING

Name: Derroll K. Ellis
Address: 9988 Round Valley Road
Cascade, ID 83611
Daytime Phone: (208) 382-5156

Name & Address of Attorney, if any:

C: CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Fredrick D. and Gloria J. Ringel
Address: P.O. Box 582
Cascade, ID. 83611

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address
Should be: _____
2. ☐ Source
Should be: _____
3. ☒ Quantity
Should be: See attached objection
4. ☐ Priority Date
Should be: _____
5. ☐ Point(s) of Diversion
Should be: _____
6. ☐ Instream Flow Description
Should be: _____
7. ☒ Purpose(s) of Use
Should be: See attached objection
8. ☐ Period of Year
Should be: _____
9. ☐ Place of Use
Should be: _____

11. I object because:

☒ This water right should not exist. See attached objection

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): _____

See attached objection

RECEIVED

MAR 20 2000

Department of Water Resources

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on March 17, 1900, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Fredrick & Gloria Ringel
Address: PO Box 502
CASCADE IDA. 83611

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

F.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

Derroll K. Ellis
(Name of person filing objection)

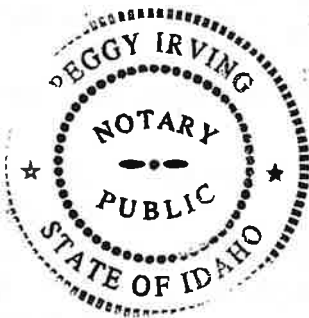
, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: March 17th, 2000



Peggy Irving
Notary Public for Idaho

Residing at: Emmett

My Commission Expires: 7-1-2000

RECEIVED

MAR 24 2000

March 9, 2000

Department of Water Resources

TO WHOM IT MAY CONCERN:

My name is Kyle F. Ellis and I operated a family owned ranch at 9982 Round Valley Road, Cascade, ID 83611, from 1954 until 1990 when I turned the daily operations over to my son, Derroll K. Ellis. My nearest neighbor was Ira Peterson, who passed away in 1996, and I helped Ira with his ranch for many years. In 1967 Ira and I discussed the feasibility of irrigation of some of our pastures and decided to attempt it. In the early summer of 1968, I assisted Ira in putting some ditches in one of his fields with my tractor. A few days after Ira diverted part of the water from Chipps Creek into his ditches, Chipps Creek at a point downstream approximately one mile and where it entered our pastures, went completely dry. I notified Ira that our cattle were without any water as Chipps Creek was and still is, our only source of stock water for this 100 acre pasture. Ira immediately turned all of the water back into Chipps Creek from the diversion into the ditches, and never again attempted to irrigate his pastures.

Kyle F. Ellis

Kyle F. Ellis
25400 Eel Lane
Middleton, ID 83644
(208) 585-2509

ACKNOWLEDGMENT - Individual

STATE OF Idaho, County of Ada, ss.

On this 17th day of March, in the year 19-2000,
before me Peggy Irving, a notary public
in and for said State of Idaho, personally appeared

Kyle F. Ellis
known or identified to me (or proved to me on the oath of _____)
whose name is subscribed to the within instrument and
acknowledged to me that he executed the same.

Notary Public: Peggy Irving
Residing At: 170 Emmett Idaho
My Commission Expires: 7-1-2000

RECEIVED

APR 10 2000

WATER RESOURCES
WESTERN REGION

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

A: Subcase A65-03681

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B: NAME AND ADDRESS OF PERSON OBJECTING

Name: LARRY & LYNN BESITON

Address: 10098 ROUND VALLEY ROAD
CASCADE IDAHO 83611

Daytime Phone: 382-3508

Name & Address of Attorney, if any:

C: CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: FREDRICK & GLORIA RINGEL

Address: P.O. BOX 582
CASCADE IDAHO 83611

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address

Should be: _____

2. ☐ Source

Should be: _____

3. ☒ Quantity

Should be: INSUFFICIENT WATER FOR CURRENT USERS

4. ☐ Priority Date

Should be: _____

5. ☐ Point(s) of Diversion

Should be: _____

6. ☐ Instream Flow Description

Should be: _____

7. ☒ Purpose(s) of Use

Should be: INSUFFICIENT WATER FOR IRRIGATION

8. ☐ Period of Year

Should be: _____

9. ☐ Place of Use

Should be: _____

11. I object because:

☒ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): CHIPPS CREEK IS USED

AS A SOURCE OF STOCK WATER FOR ROUND VALLEY CATTLE
GRAZING OPERATIONS. IF THIS WATER USE (IRRIGATION)
IS APPROVED, CHIPPS CREEK WILL NO LONGER EXIST.

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on 3-20, ²⁰⁰⁰~~199~~, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: FREDRICK & GLORIA RINGEL
Address: PO BOX 582
CASCADE IDAHO 83611

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Larry Beskoon

Signature of Objector or attorney
mailing on Objector's behalf

F.

VERIFICATION (Must be Completed)

State of Idaho)
)ss.

County of Owyhee

Larry Beskoon, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

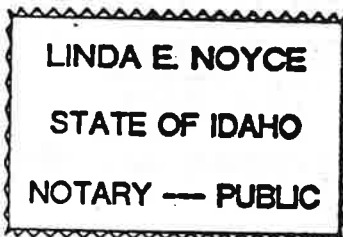
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

+ Larry Beskoon
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

03/15/2000



Linda E. Noyce
Notary Public for Idaho
Residing at: Marsing
My Commission Expires: 9-21-2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

Chipp Creek low flow.

June 14, 1990

David Tuthill

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Jim and Carolyn Kling
7301 East Locust Lane
Nampa, ID 83651

RECEIVED

MAR 20 2000

Department of Water Resources

RE: Permit No. 65-12870

Dear Mr. and Mrs. Kling:

Yesterday I conducted a follow-up field inspection at the location of the above-referenced permit. I found that the flow in Chipp Creek is already low, less than 0.5 cfs, even at this early date in the season, after a rainy month of May.

One of the primary tributaries of the creek appeared to be the one which flows northeast through your property and intersects the creek just upstream from the railroad grade. This tributary presently appears to be partially dammed by the dozer excavations which remain in piles along the creek bank. In one location the dozer excavation has formed a pond, through which this water flows.

As you are aware, condition of approval no. 4 of the decision regarding this water right requires that the small ponds that were inadvertently created as a result of the exploratory process must be removed, and the drainage replaced to be the same as prior to the exploratory program. Due to the lack of snowpack this year, combined with the extremely delicate nature of the flow of Chipp Creek, it is important that this work be conducted as soon as possible for the protection of downstream water rights during this and future seasons. The purpose of this letter is to request that the work be conducted no later than July 3, 1990.

Please feel free to contact this office if you wish to discuss any aspect of this assessment.

Sincerely,

David R. Tuthill Jr.

David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

cf: Gary Spackman, State Office

February 7, 1989

Mr. Fredrick D. Ringel
P.O. Box 582
Cascade, Idaho. 83611

RECEIVED
MAR 29 2000
Department of Water Resources

Dear Dave:

We are writing in regard to your application for a water right #65-12937 on Chips Creek in Round Valley. As you are aware, our pasturelands adjoin your land and are totally dependant upon Chips Creek for our only source of livestock water. We graze approximately 450 head of cattle in our pastures, and it is barely sufficient during normal watershed years. We have all seen what has happened during the past two years due to inadequate snow packs, and any additional decrease in the creek's existing water flow would result in a severe hardship for us.

We believe that the original purpose of our State of Idaho Water Permit #65-3854 dated January 1, 1887, (101 years old) was to allow sufficient clear running water for cattle in our pasturelands. It is also our firm belief that any water removed upstream from our pastures will result in an insufficient amount of water for our livestock.

You were granted an extension under Water Permit #65-12457 issued 6/03/82 until June 1, 1990 for proof of beneficial usage. Therefore, (we would suggest that you begin utilizing the existing water impounded on your properties as a source of agricultural irrigation as per the original permit ruling, prior to filing for additional water permits from Chips Creek.

Respectfully.

Kyle F. and Fern R. Ellis
HC 71, Box 2150
Cascade, Id. 83611

cc:David R. Tuthill, Jr.
Dept. of Water Resources

cc - Davidson
cc - Potash

STATEMENT OF OBJECTION TO WATER CLAIM 65-03681

Claimant of Water Right 65-03681
Fredrick D. and Gloria J. Ringel
P.O. Box 582
Cascade, ID 83611

Party/Claimant objecting:
Derroll K. Ellis
9988 Round Valley Road
Cascade, ID 83611
(208) 336-5570

RECEIVED
MAR 21 2001
Department of Water Resources

SF.1 Objection

D. I object to the following elements as recommended in the Director's Report.

3. Quantity:

I hereby object to the above mentioned water right for the following reasons in accordance to Idaho Code, Section 42-203:

1. *Will the proposed use reduce the quantity of water under existing water rights?*

We understand that the Ringel's have purchased a portion of water right no. 65-003681, dated 01/15/1898, which authorized the diversion of 0.640 cfs for irrigation and 0.120 cfs for stockwater from Chipps Creek.

Any usage of this stream for irrigation and/or other than for stock water usage, (42-113 INSTEAM LIVESTOCK USAGE, and 42-114 STOCK WATERING PERMIT) will cause injury to the existing downstream rights holders who will not receive the water to which they are entitled. For the past 15 years, Chipps Creek has ceased to exist at a point approximately 300 feet to the North of its juncture with Gray Lane by mid-summer. There are at least three water rights holders below the point where this stream ceases to exist not receiving any water by mid-summer. Our own downstream water right no. 65-03854 dated 01/01/1887 authorizes 0.050 cfs, 2.70 A.F.A. and is priority dated.

2. *Is the proposed water supply insufficient for the purpose intended?*

Yes, the proposed water source is insufficient for any purpose other than stock water. Attached is a letter dated June 14, 1990 to Jim and Carolyn Kling, who had applied for permit 65-12870. The letter is from (then) IDWR Manager, Western Regional Office, David R. Tuthill, Jr., P.E. who states "Yesterday I conducted a follow-up field inspection at the location of the above-referenced permit.

I found that the flow in Chipps Creek is already low, less than 0.5 cfs, even at this early date in the season, after a rainy month of May."

The location that Mr. Tuthill inspected is the same main channel of Chipps Creek at a point slightly upstream from the proposed site for irrigation, of the same creek that this Ringel permit 65-03681 is filed on.

The Kling permit 65-12870 was denied due to insufficient water available.

My parents, Kyle and Fern Ellis wrote Mr. Ringel a letter dated February 7, 1989 (attached) relative to another Chipps Creek water filing (65-12937) stating **"We believe that the original purpose of our State of Idaho Water Permit 65-3854 dated January 1, 1887, (101 years old) was to allow sufficient clear running water for cattle in our pasture lands. It is also our firm belief that any water removed upstream from our pastures will result in an insufficient amount of water for our livestock."**

3. Is the application made in good faith or for delay or speculative purposes?

I cannot attest to the exact purpose or intent of the Ringel's filing at this time; however, there are many survey stakes in the field proposed to be irrigated and speculation by several neighbors is that the Ringel's intend to subdivide the property in the near future.

4. Has the applicant sufficient financial resources with which to complete the project?

Unknown; however another project, 65-12457 dated September 16, 1981 was never completed and was eventually canceled in the 90's after many extensions.

5. Will the proposed use conflict with the local public interest?

Yes, the issuance of this irrigation permit will cause injury to existing downstream priority dated water rights users who will not receive the water to which they are entitled. Chipps Creek is the ONLY source of stock water for some of the downstream priority dated users. Additionally, Chipps Creek is a tributary to Valley Creek, which is a tributary to the North Fork of the Payette river, an important source of recreation, irrigation, scenic beauty and pride to all of the citizens of Idaho.

SF.1 - Objection

11. I object because this water right should not exist.

The original owner of the land and water right 65-03681, Ira L. Peterson, now deceased (1996), attempted to irrigate this location for the first time in 1968. Our cattle located downstream on Chipps Creek were suddenly without water as provided for under a priority dated January 1, 1887 claim #65-3854.

We notified Ira L. Peterson and he immediately ceased his attempt to irrigate his property under filings 65-05033c and 65-03681 and never attempted to irrigate again. (see attached statement of March 9, 2000, Kyle F. Ellis.)

Additionally, I am enclosing a copy of the Idaho Department of Water Resources satellite image map of the proposed area to be irrigated under 65-03681 and 65-05033c from a 1987 NAPP Photo. The map clearly shows the pasture lands that are proposed to be irrigated , and there are NO existing manmade irrigation ditches visible in the proposed area. Therefore I ask that the irrigation portion of this permit to irrigate be denied on this application, and that furthermore , the Water Right 65-03681 be amended to stock water usage only under State Code 42-350.

“REVOCATION OF LICENSE -- GROUNDS -- HEARING -- LICENSEE DEFINED. (1) If the director of the department of water resources finds, on the basis of available information at any time after a license is issued, that the licensee has ceased to put the water to a beneficial use for a period of five (5) continuous years or that the licensee has willfully or intentionally failed to comply with any of the conditions in the license, -....”

In closing, is my understanding that:

A water right remains valid as long as it is not intentionally canceled and beneficial use of the water is continued without a lapse of five or more consecutive years. If any portion of a water right (except those for municipal purposes) is not used for five or more consecutive years, that portion of the right is forfeited and reverts to the public as though the right had never existed.

Once a water right has been unused for five or more years, it is subject to cancellation even if the property owner begins to use the water again. The right is forfeited and reuse does not reinstate the right. This is true even if the current owner did not own the property when use was discontinued.

page four - 65-03681

I ask therefore, that the "irrigation diversion" of 65-03681 be denied in its entirety due to lack of usage for 5 or more consecutive years, and insufficient water to satisfy the priority dated claims of existing downstream water rights users.

Respectfully,



Derroll K. Ellis
9988 Round Valley Road
Cascade, ID 83611

ATTACHMENTS:

Kyle F. Ellis 02/07/1989

Kyle F. Ellis 03/09/2000

IDWR 1987 NAPP Image

IDWR David R. Tuthill, Jr., P.E. 06/14/1990

Copies to:

IDWR Document Depository

Chief, Natural Resources Division, Office of the Attorney General

United States Department of Justice, Environmental and Natural Resource Division

Fredrick and Gloria Ringel

RINGEL & ASSOCIATES, P.A.
LAND SURVEYING - DEVELOPMENT - CONSTRUCTION**CORPORATE OPERATIONS****PO BOX 742****CASCADE, IDAHO 83611****PHONE: (208) 382-4230****March 19, 2000**

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

RECEIVED**MAR 22 2000**

Department of Water Resources

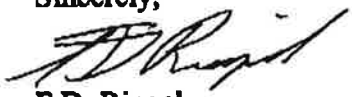
Dear Sirs:

In response to State Department of Water Resources letter dated December 8, 1999, we have reviewed the recommendations for our water rights and wish to file the enclosed objections, before the April 14, 2000 deadline:

65-03681	We have no objection (Quantity = 0.76 cfs)
A65-05033A	The quantity should be reduced to 0.02 cfs for domestic use only.
A65-05033B	This water right should not exist
A65-05033C	The quantity should be 5.22 cfs
	The point of diversion needs to be corrected.
	The place of use needs to be corrected.

The total amount of water right we have is: 5.22 cfs (A65-05033C)
+ 0.76 cfs (65-03681)
5.98 cfs
- 0.02 cfs (A65-05033A)
5.96 cfs total

Sincerely,


F.D. Ringel

Enclosures

original
map in
Repository

Check
with the
actual
objection

AJ0749NP
No. R65-03681

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

DATE: 09/01/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FREDRICK D RINGEL	01/15/1898	IRRIGATION	04-15 10-15	0.640 CFS	6.70 AFA
C	GLORIA J RINGEL PO BOX 582 CASCADE ID 83611 (208) 382-4671		STOCKWATER	01-01 12-31	0.120 CFS	
TOTAL DIVERSION:					0.760 CFS	

Water Source: CHIPPS CREEK Tributary to: CAMP CREEK Stage: DECREED
Point(s) of Diversion: T11N R04E S07 NENE VALLEY 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	SUM
11N	04E	7	:	32	:	:	:	:	:	:	:	:	:	:	32.0
TOTAL ACRES															32.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes ALL Sources):
A65-03681

Other Water Rights Listing Overlapping Place(s) of Use:
A65-03681 A65-05033 A65-05033C

Conditions of Approval:
N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

Dates: Exam Made Date: Verified Date: 09/01/1999 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 09/01/1999 User-ID: KWALKER Subject: COPIED FROM REMARKS
OWNERSHIP CHANGED BY KW 5/20/1999.

Date: 09/01/1999 User-ID: KWALKER Subject: RECOMMENDATION

AJ0749NP
No. R65-03681

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

DATE: 09/01/99
PAGE: 2

Comments: Date: 09/01/1999 User-ID: KWALKER Subject: RECOMMENDATION
VISITED ROUND VALLEY. ALL THE PROPERTIES FOR RINGEL, TROUTT, AND
WOOD LOOKED THE SAME SO I COULD NOT RECOMMEND ANY OF THEM AS
FORFEITED EVEN THOUGH WE HAVE DOCUMENTS IN OUR FILES THAT STATE
FORFEITURE HAS OCCURRED. IF WATER RIGHTS HAVE BEEN FORFEITED THE
CLAIMANTS AND WATER USERS CAN TAKE IT UP WITH THE SRBA COURT.

Audit: 09/01/99 KWALKER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:22
08/20/99
16

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-03681

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FREDRICK D RINGEL	01/15/1898	IRRIGATION	04-15 10-15	0.640 CFS	6.70 AFA
C	GLORIA J RINGEL		STOCKWATER	01-01 12-31	0.120 CFS	

TOTAL DIVERSION: 0.760 CFS

Stage: DECREE

Tributary to: CAMP CREEK

VALLEY County

T11N R04E S07

Point(s) of Diversion: NENE

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		SUM	
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESE	NWSE
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
7	32								
TOTAL ACRES		TOTAL ACRES		TOTAL ACRES		TOTAL ACRES		TOTAL ACRES	
32.0		32.0		32.0		32.0		32.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: VALLEY

Remarks: GEN OWNERSHIP CHANGED BY KW 5/20/1999.

Dates: Exam Made Date: 8/21/99 Verified Date:

Misc: Water District Number: 65 Field Inspection Flag: Presumption Flag:

Objection Filed Date:

105, 108

00:00:10
08/20/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A65-03681

LAST: PETERSON
ADDRESS:
CITY: CASCADE
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: IRA L
STATE: ID ZIP: 83611

LAST: RINGEL
ADDRESS: PO BOX 582
CITY: CASCADE
PHONE NUMBER: 208-382-4671
OWNER CODE: C

FIRST: FREDRICK D
STATE: ID ZIP: 83611

LAST: RINGEL
ADDRESS: PO BOX 582
CITY: CASCADE
PHONE NUMBER: 208-382-4671
OWNER CODE: C

FIRST: GLORIA J
STATE: ID ZIP: 83611

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: GEN OWNERSHIP CHANGED BY KW 5/20/1999.

DATABASE
Y

FIELD
EXAMINER
Y() N()

CONTACT PERSON: _____

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 8/21/99

APPOINTMENT MADE: Y() N()

TIME: - : - A() P()

ACCOMPANIED BY: Sue Bock, IDWR

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

conducted drive by exam to look
at status of this land. Details
describing procedure of this right
at bottom of CVR stated. Found
that this property looked no
different than all adjoining
properties.

A. AJ CLAIM: # A65-03681 PRIORITY DATE: 01-15-1898 STAGE: D

B. WR RECORD: # 65-03681 PRIORITY DATE: 01-15-1898 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

NOTES:

Y(✓) N()
Y() N(✓)
Y(✓) N() → all lands in
area looked
same - could
not verify
this right
had been
forfeited.

N/A() Y() N()
N/A() Y() N()
N/A() Y() N()
N/A() Y() N()

N/A(✓) Y() N()
Y(✓) N()

RECOMMENDED PRIORITY DATE:

01-15-1898

REVIEWED BY kw

DATE 8/31/99

A. ROOT WATER RIGHT NUMBERS: A65-03681

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11N	04E	7	NE	NE		RINGEL, FREDRICK D	A65-03681 / 32.0	65-03681 / 32.0			32
			NE	NE		RINGEL, FREDRICK D	A65-05033C / 8.0	- /			
			NE	NE		PETERSON, IRA L.	65-05033 / 8.0				

ADDITIONAL POU FOUND

TOTAL ACRES	A65-03681	32.00	32.00
			POU COUNTY: VALLEY

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET? ☒ N()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-03681	CHIPPS CREEK	RINGEL, FREDRICK D	0.760	0.023	6.70	0.20
A65-05033C	CHIPPS CREEK	RINGEL, FREDRICK D	4.380	0.022	6.70	0.03

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? ☒ N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? ☒ Y ☐ N

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? ☒ Y ☐ N

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____; () MAP, IDWR NO. _____; () ASCS PHOTO; () OTHER G/S shape

NOTES: Found the greatest of all land
in area to be in W 1/2 SE, Sec. 6 -
owned by Pingel per Valley Co
tax info; will write to him to
advise; no water rights appurtenant
to that property.

RECOMMENDATIONS:

TOTAL ACRES: 32 N/A ☐
REVIEWED BY: KW DATE: 8/31/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03681 IRRIGATION	FROM 04-15 TO 10-15	0.640 CFS	
A65-03681 STOCKWATER	FROM 01-01 TO 12-31	0.120 CFS	6.70 AF/A
TOTAL DIVERSION RATE/VOLUME		0.760 CFS	~~6.70 AF/A~~

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03681 IRRIGATION	FROM 04-15 TO 10-15	0.640 CFS	
65-03681 STOCKWATER	FROM 01-01 TO 12-31	0.120 CFS	6.70 AF/A
TOTAL DIVERSION RATE/VOLUME		0.760 CFS	~~6.70 AF/A~~

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☐) N(☒)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☒)

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.760 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.760 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(✓) N()
B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(✓) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y(✓) N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(✓)

E. MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 32 x 0.02 CFS/ACRE = 0.64 CFS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(✓)
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME
CLAIMED DIVERSION VOLUME = 6.70 AF/A *stock only*
ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ = _____
TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE N/A
CLAIMED CONSUMPTIVE USE = _____ AF/A
ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ = _____
TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

[illegible]

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION STOCKWATER	04-15 / 10-15 01-01 / 12-31	DATABASE EXAMINER 0.640 0.120 0.12 0.12	DATABASE EXAMINER 6.70 6.7	DATABASE EXAMINER 0.0 0.0 N/A N/A
TOTAL FOR THIS RIGHT		0.760 0.76	6.70 6.7	0.0 N/A

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: KW DATE: 8/31/99

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): N05, N08

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()
()
()
()

*ok per Valley Co.
tax info*

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-03681

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.760

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-03681	0.760	-		65-03681	0.760

TOTAL CFS 0.760

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE Y
FIELD EXAMINER Y () N ()

NOTES:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

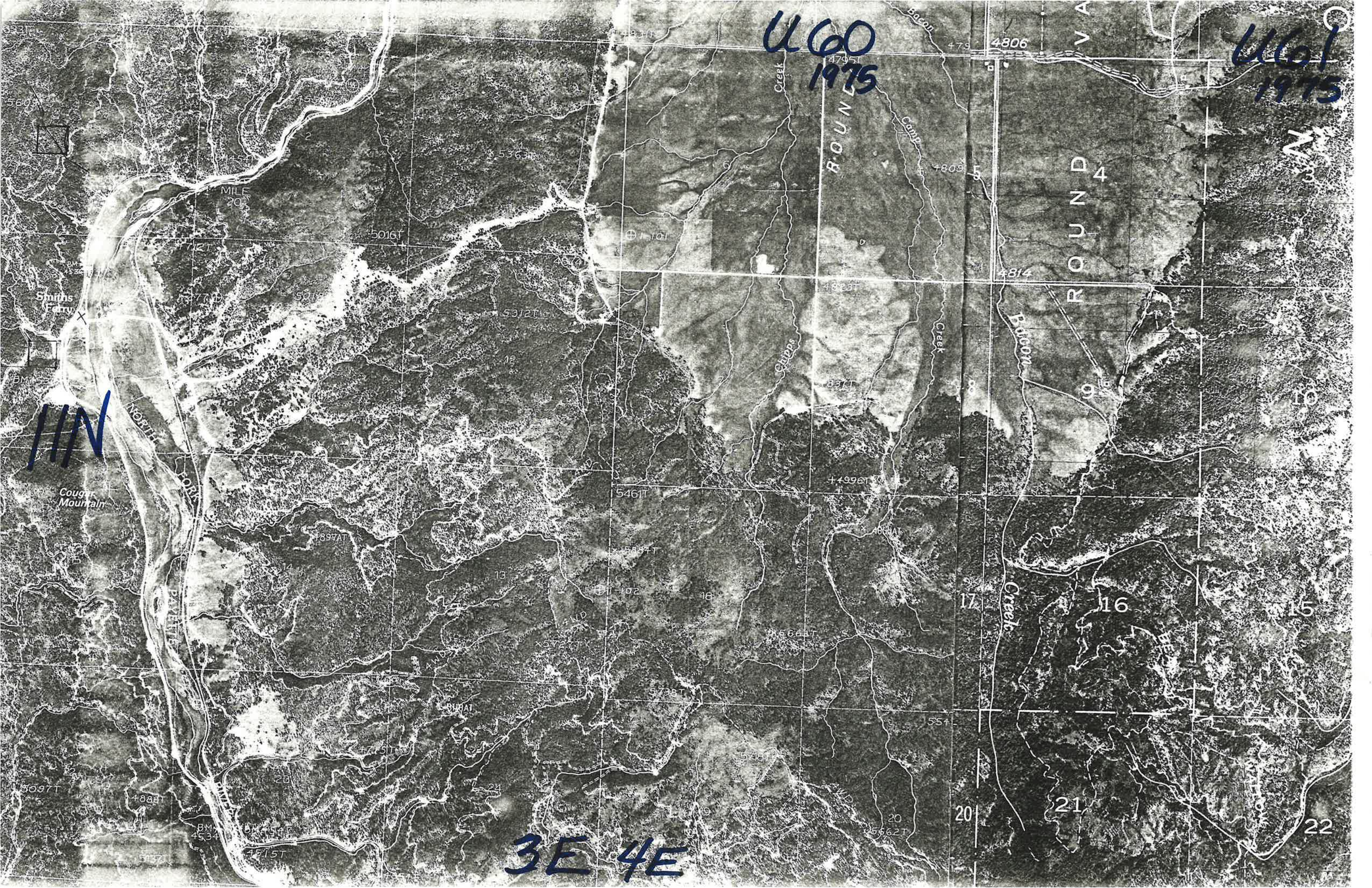
Ray Walker *8/31/99*
Ray Walker *Sr. Agent*

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED) IF ATTACHED, SUPPLY APPROPRIATE INFORMATION PAGES

	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	_____	DATE OF FIELD EXAM _____
() WATER RIGHT LICENSE	_____	DATE LICENSE SIGNED _____
() IDWR APPROVED TRANSFER	_____	DATE TRANSFER APPROVED _____
() SYSTEM DESCRIPTION	_____	DATE DRAWN _____
() PHOTOGRAPHS	_____	DATE(S) PHOTOS TAKEN _____
() SPLIT RIGHT REVIEW	_____	DATE REVIEW COMPLETED _____
() HUBBLE ANALYSIS	_____	DATE ANALYSIS COMPLETED _____
() CONVEYANCE LOSS ANALYSIS	_____	DATE ANALYSIS COMPLETED _____
() FLOW MEASUREMENT CALCULATIONS	_____	DATE SYSTEM MEASURED _____
() OTHER _____	_____	DATE _____
() OTHER _____	_____	DATE _____



U60
1975

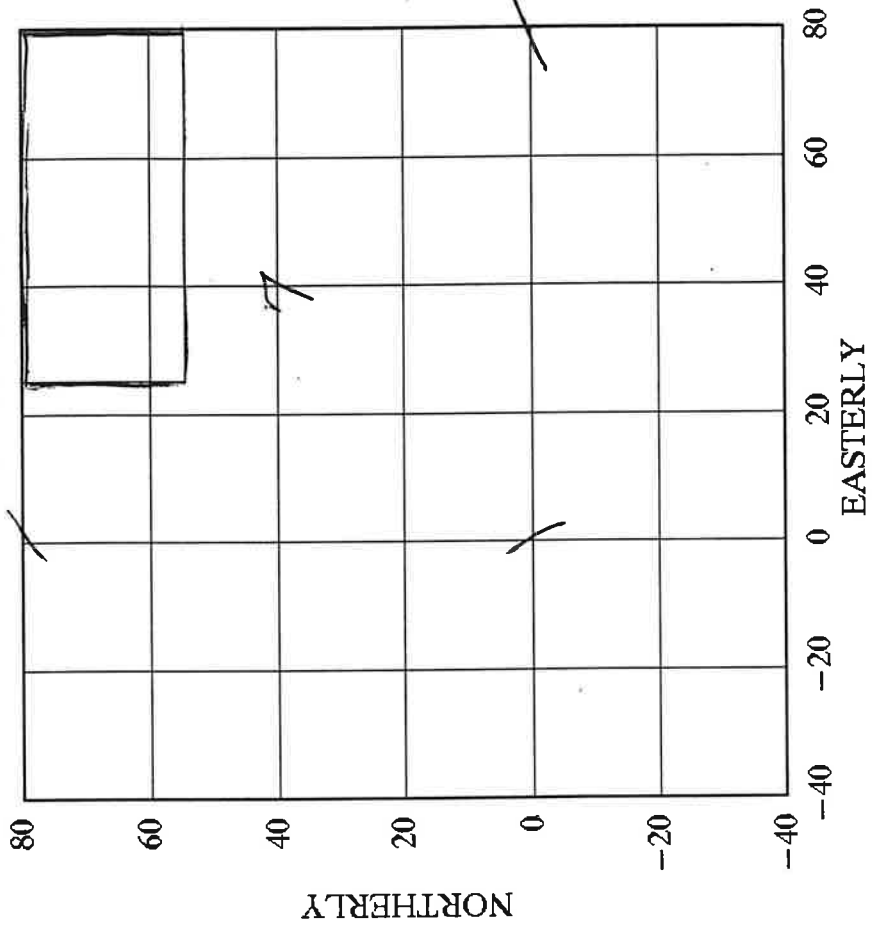
U61
1975

N

3E 4E

N

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



5/12/96
Good

5/18/96
VJ

X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
		DEGREES	MINUTES	SECONDS		
80.00	80.00					
79.56	80.00	89.00	59.00	30.00	NW	29.00
79.57	54.53	0.00	0.00	39.00	SE	1680.74
25.22	54.54	89.00	59.00	30.00	NW	3586.81
25.23	80.01	0.00	0.00	59.00	NE	1680.74
40.04	80.01	89.00	59.00	30.00	SE	977.68
79.56	80.00	89.00	59.00	30.00	SE	2608.33

138.3820

OWNERSHIP CHANGE CHECKLIST

Peterson / Ringel

NO - S.W.W. 57

NO - N.E.N.E. 512

part

____ AJQ1 ADJUDICATION CLAIMS FOUND ☒ Y ____ N
AL65-03679, AL65-03680, AL65-03681, AL65-05033

____ AJQ4 ADJUDICATION CLAIMS FOUND ____ Y ____ N
Same

____ WRQ1 WATER RIGHTS FOUND ☒ Y ____ N
65-03679, 65-03680, 65-03681, 65-05033

____ WRQ4 WATER RIGHTS FOUND ____ Y ____ N
Same

CLAIM(S) FILED ☒ Y ____
 ____ N ____

IF NO, CLAIM(S) REQUIRED ____ Y ____ N

IF YES, DATE LETTER REQUESTING CLAIM SENT _____

IF NO, DATE SENT TO S.O. _____

NEW CLAIM RECEIVED ____ Y ____ N

IF NO, DATE SENT TO S.O. _____

COMMENTS _____

CONVERSATION MEMORANDUM

DATE 1/28/99
FILE "Peterson Files"

NAME OF PARTY Jim Kling

EMPLOYEE JL

RE: Forfeiture Issues

Jim Kling visited the office again to discuss continuing problems with his neighbor, Ringel, & the "old IWA Peterson" rights. Jim believes that significant forfeiture has occurred & the plan, some of which is apparently owned by Ringel now.

We discussed the forecasted time table for BS 65 claims in SRBA - field work, verification of use, R files, Director's report etc.

Again, I told Mr. Kling that the SRBA files would be noted with respect to forfeiture issues.

Add'l info & this is filed in Western's files labeled "Complaints" & "Complaints - Rural Valley".

↑
"Complaints - Ringel"

Orig → ABS-05033

cc → ABS-03681



PHOTOGRAPHER: KAY WALKER

DATE OF PHOTOS

8-21-99

FILE NO(S).



Photos taken
from NENE,
Sec. 7 -
near creek
facing SW



Photos taken
at creek
in NENE,
Sec. 7 -
facing
south



PHOTOGRAPHER: KAY WALKER

DATE OF PHOTOS

8-21-99

FILE NO(S).



photos taken
from NENE,
Sec. 7 -
near creek
Ringel's property
facing SE



facing South

WR5809NP
No. 65-03681

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/14/99
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IRA L. PETERSON	01/15/1898	IRRIGATION	04/15 10/15	0.640 CFS	6.70 AFA
			STOCKWATER	01/01 12/31	0.120 CFS	6.70 AFA
TOTAL DIVERSION:					0.760 CFS	6.70 AFA

Water Source: CHIPPS CREEK
Point(s) of Diversion: T11N R04E S07
Place of use Legal Description for: IRRIGATION
Tributary to: CAMP CREEK
Stage: DECREED
Valley County

Place of use Legal Description for: IRRIGATION									
NE									
NW									
SW									
SE									
T	R	S	NE	NW	SW	SE	NE	NW	SE
11N	04E	7	Ac	Lt	Ac	Lt	Ac	Lt	Ac
32									
TOTAL ACRES							32.0		

Place of use Location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: VALLEY

Dates: App. Received: 01/15/1898
Proof Due Date:
Exam Made Date:
Exam Sent to S.O.:

Misc: Water District Number: 65
Audit: 04/02/86 04/30/88 CONVERT

Claimed for record

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 34

* INDICATES TOTAL *

SOURCE: CHIPPS CREEK

TRIBUTARY 10: CAPP CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-3854	ELLIS, KYLE I. CASCADE, IDAHO 83611	1/ 1/1887	STOCKWATER	1/ 1 12/31	2.70 AFA .05 CFS	NENE S 6 TIIN R 4E	NENE S 6 TIIN R 4E	BENEFICIAL USE
65-5033	PLIERSON, IRA L. CASCADE, IDAHO 83611 REMARKS: TWO POINTS OF DIVERSION IN SWSE, S. 7, T. 11N, & R. 4E.	1/ 4/1897	IRRIGATION	4/15 10/15	--- AFA 5.10 CFS	SWSE S 7 TIIN R 4E	NENE(8) NWNE(40) SWNE(40) SENNE(39) NENE(3) SENNE(26) NESE(24) NWSE(38) SWSE(12) LOT 1(17) S 7 TIIN R 4E NENE(8) S12 TIIN R 3E *255* SAME AS OTHER USE	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	6.70 AFA .12 CFS *---*AFA *5.10*CFS			
65-3681	PETERSON, IRA L. CASCADE, IDAHO 83611	1/15/1898	IRRIGATION	4/15 10/15	--- AFA .64 CFS	NENE S 7 TIIN R 4E	NENE(32) S 7 TIIN R 4E *32*	BENEFICIAL USE
			STOCKWATER	1/ 1 12/31	6.70 AFA .12 CFS *---*AFA *5.76*CFS		SAME AS OTHER USE	

MEMORANDUM

TO: FILES 65-05033A, B, C

FROM: KAY WALKER 

RE: Recommendations

Date: December 19, 2000

Right 65-05033 was decreed in the Payette River Basin Adjudication (PRBA) for 255 acres and 5.10 cfs, which is 0.02 cfs per acre, and stockwater for 0.12 cfs. Right 65-03681 was decreed in the PRBA at 0.64 cfs for 32 acres, which is 0.02 cfs/acre and 0.12 cfs for stockwater. Combined rights were decreed for 287 acres, 5.74 cfs for irrigation (0.02 cfs/acre), and stockwater use at 0.24 cfs.

SRBA Claim 65-05033, submitted by Ira Peterson claimed irrigation of 226 acres and 5.10 cfs, which would be 0.0225 cfs per acre; along with 0.12 cfs for stockwater, with the total claimed being 5.10 cfs and 226 acres. Due to ownership changes and deeds submitted the claim was split into Parts A (Kling), Part B (Peterson) and Part C (Ringel).

Recommendations made:

65-05033A = 0.48 cfs and 24 acres

65-05033B = 0.56 cfs and 28 acres

65-05033C = 3.88 cfs and 194 acres

Totals = 4.92 cfs and 246 acres (0.02 cfs/acre)

Rights 65-05033C & 65-03681 were recommended for 226 acres of irrigation and 4.52 cfs (0.02 cfs/acre) and 0.24 cfs for stockwater. The stockwater use is not in dispute. The claimant believes he is entitled to 5.72 cfs for irrigation of 226 acres (which would be 0.025 cfs/acre) under these rights. The deeds submitted with the ownership changes are subject to interpretation and it is possible I did not interpret them correctly. Our legal staff is reviewing them.

Idaho Dept of Water Resources

Claim No(s): 65-03681,

65-05033B

Claimant(s) Ringel

T11N, R04E, S 7

Prepared by: Sue Bock

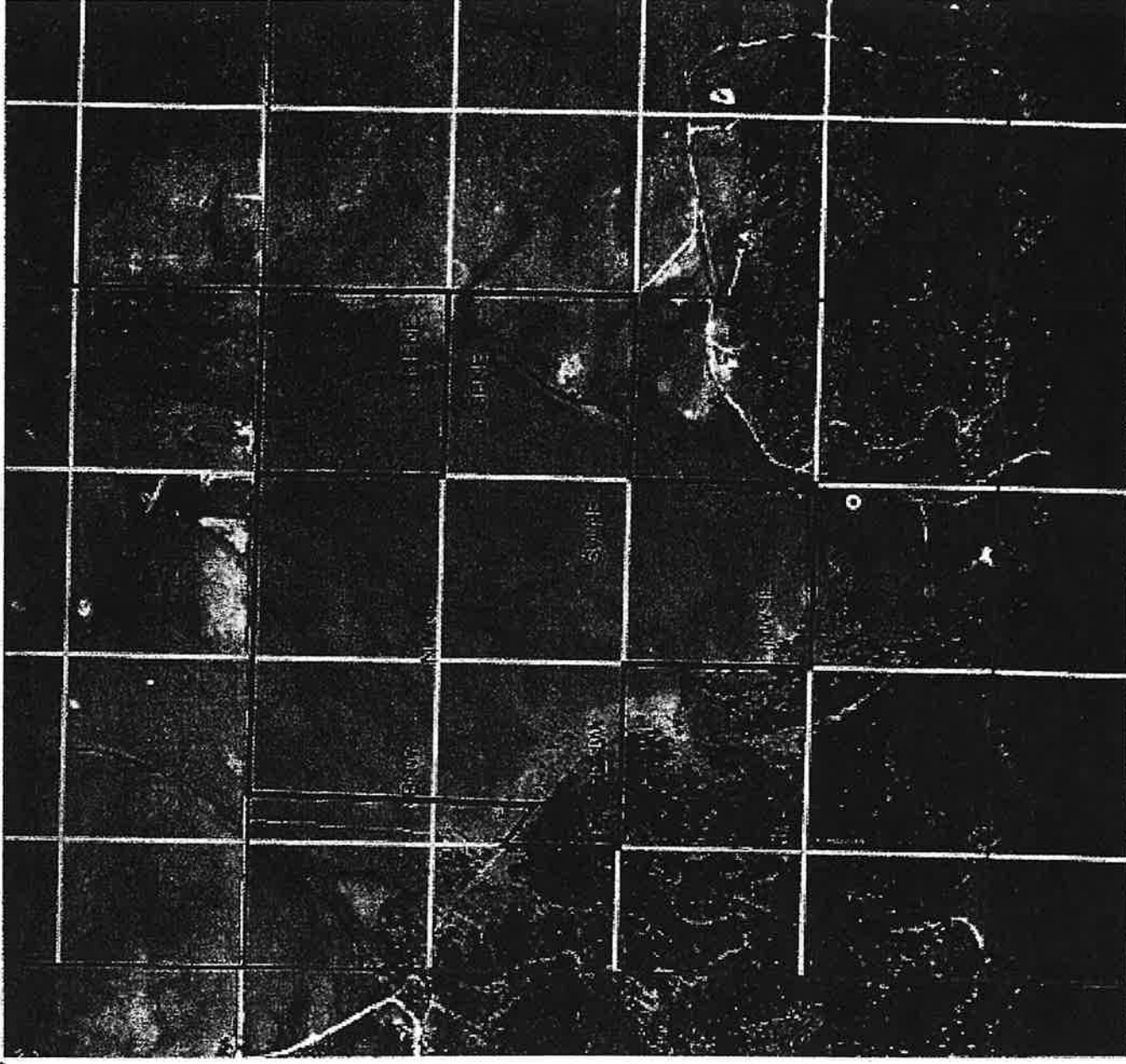
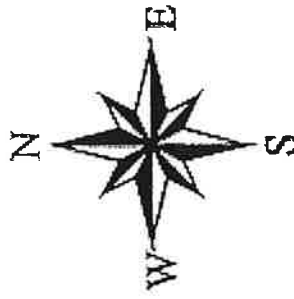
Date: 10/28/99

 Place of Use

 Point of Diversion

 Section lines

1/4 1/4 lines



0 0.25 0.5 Miles

1987 NAPP Photo

RINGEL & ASSOCIATES, P.A.
LAND SURVEYING - DEVELOPMENT - CONSTRUCTION



CORPORATE OPERATIONS
PO BOX 742
CASCADE, IDAHO 83611
PHONE: (208) 382-4230

January 10, 2000

Mr. Scott D. Van Hoff
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Re: Water Rights in Reporting Area 15, Basin 65
Snake River Basin Adjudication (SRBA)
Water Right File No. 65-03681 and 65-05033

Dear Mr. Van Hoff:

Your letter dated December 29, 1999 is clearly in conflict with the letter from Karl Dreher the Director giving us 120 days to review the water rights to file any objection to your recommendations. We did so 13 days later. Therefore your department must resubmit to the SRBA.

We received a letter from Sue Brock dated October 29, 1999 enclosing a map showing the point of diversion. This is not the point of diversion, never was.

A letter from Gary Spackman dated August 15, 1997 says he visited the point of diversion, stated it had been established at this location for a significant amount of time.

There are four+ different people from the department working on this file and each sound like they don't know what the other is talking about.

Kyle Ellis has always tried to take the water rights away from Ira Peterson. It even went to court back in the 1970's. The court upheld the Decreed Water Rights.

We have researched the records and have copies of the originals of these water rights. We have bought and paid for 6.10 cfs Decreed Water Rights. We will continue to use it where we need, alternating fields as we cultivate and rotate pastures.

Sincerely,

F.D. Ringel

SEATTLE AREA OFFICE
P.O. Box 88926, SEATTLE, WA 98188
TELEPHONE (206) 439-8922 MOBILE (206) 915-2485
FACSIMILE (206) 439-8826 PAGER (206) 469-6260



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

F.D.Ringel
P.O. Box 582
Cascade ID 83611

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Dec 29 1999

Dear Mr. Ringel.

I have received your letter dated Dec. 21 1999 that states your objection to our department's recommendation for water rights 65-03681 and 65-05033C. These water rights have already been submitted to the Snake River Basin Adjudication (SRBA) Court for partial decree. Our department can no longer alter or edit these rights until the court has completed its review and partial decree. Your best option for changing these recommendations prior to them being decreed is to file an objection with the SRBA court. I have enclosed the required forms with instructions that you will need to file an objection. Please file these documents as soon as possible to allow the court time to review your objection prior to the scheduled decree date. Please call me if you have any additional questions.

Sincerely,

Scott D. Van Hoff
Sr. Water Resource Agent

RECEIVED

DEC 22 1999

Department of Water Resources

F.D. Ringel
PO Box 582
Cascade, ID 83611

December 21, 1999

Mr. Karl J. Dreher, Director
Department of Water Resources
PO Box 83720
Boise, Idaho 83720-0098

RECEIVED

DEC 28 1999

WATER RESOURCES
WESTERN REGION

Re: Water Rights in Reporting Area 15, Basin 65
Snake River Basin Adjudication (SRBA)
Water Right File No. 65-03681 and 65-05033^c

Dear Mr. Dreher:

We object to your recommendation of our water right.

Our files indicate a greater cfs for irrigation than the individual listing you enclosed in your letter of December 8, 1999. The area of use is also not consistent with water right records on file in Valley and Boise County courthouses.

We own water rights that are of the oldest of record in the State of Idaho. We have copies of those records and will provide them to you for your review.

Sincerely,



F.D. Ringel

*also The information sent to us previously
don't even agree with its self.*

*The map & Drawing I drew out for
The point of diversion was not even
looked at - obviously - after reviewing
The one you sent us.*

Done



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

September 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Water Rights

Fredrick D. &/or Gloria J. Ringel
P.O. Box 582
Cascade, ID 83611

Dear Mr. and Mrs. Ringel:

We drove by your properties on August 21, 1999, to view the use of water under Claims A65-03681 and A65-05033C. In looking at the lands covered under the claims, we saw that the greenest field out there was located near your home in the W1/2SE1/4, Sec. 6, Twp. 11N, Rge. 4E. When we came back to the office I looked at our records and could find no water right for that property. If you are going to irrigate the lands I have identified you need to file for water rights to cover that use.

I have enclosed an application for permit for your use in this matter. If you have any questions in regard to completing the application, please feel free to contact our office. If you need assistance in completing the application, please call and make an appointment before coming in to the office.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Cc: Steve Lester, IDWR



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 20, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Notice of Claims to Water Right Nos. A65-03681 and A65-05033C

Fredrick D. or Gloria J. Ringel
P.O. Box 582
Cascade, ID 83611

Dear Mr. and Mrs. Ringel:

We have received and processed the Change of Ownership forms you submitted for lands you purchased from the Petersons. The change in ownership of Claim A65-05033 required a split of the original claim resulting in renumbering the claim by adding alpha-suffixes to represent each split. Please note that your portion of Claim A65-05033 has been issued number A65-05033C as identified above.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, than an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time.

Please be advised that we will be conducting field investigations of water rights in your area this summer. I will be contacting you prior to conducting the field investigation of this property so that you will know when I will be out there. If you have any questions in regard to your claims, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Kay Walker'.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

September 16, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KYLE F ELLIS
9982 ROUND VALLEY RD
CASCADE ID 83611

Re: Your Letters Sent to this Office Regarding Use of Water on the Ira Peterson Property in Round Valley

Dear Mr. Ellis:

Thank you for your letters setting forth facts about water use on the Ira Peterson Ranch in Round Valley. Our records show two adjudication claims for irrigation have been by filed by Ira Peterson, numbered in the files of the Department of Water Resources (IDWR) as A65-03681 (0.76 cfs) and A65-065-05033 (5.1 cfs). IDWR understands that portions of the place of use described by these water rights are now owned by Frederick (Dave) Ringel. IDWR also understands that the ownership of the remainder of the Peterson Ranch is being contested in ongoing litigation.

Continuous non-use of a water right for five years results in forfeiture of the water right. The Peterson rights were decreed in the Payette River adjudication. Rights are again subject to review in the ongoing Snake River Basin Adjudication (SRBA). The court will ultimately determine their validity. When a director's report is filed for the rights on the Payette River, you may object to their validity at that time. The letters and affidavits that you submitted will be placed in the adjudication file for future reference.

IDWR has the authority to determine forfeiture on its own volition for rights that are licensed, but not for decreed rights. This limited authority is set forth in Idaho Code § 42-350. The courts have held that if the water rights are brought before IDWR as part of an application for transfer, the applicant consents to a review of the validity of those rights before IDWR. There is no such administrative action pending at the present time.

The SRBA court can grant a petition for expedited review. I believe the court is somewhat reluctant to take these cases out of order, but the court may be willing to hear this particular matter.

I am also forwarding copies of your correspondence to Dave Ringel who has an interest in this matter. I do not anticipate that IDWR will take any action unless further requested pursuant to some legal authority.

Sincerely,

Gary Spackman

GS:st

CC: Dave Ringel, Gene Gibson, Steve Lester, Jim Kling, State Office File



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

September 16, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT PETERSON
11378 LLOYD COURT
CASCADE ID 83611

Re: Your Letters Sent to this Office Regarding Use of Water on the Ira Peterson Property in Round Valley

Dear Mr. Peterson:

Thank you for your letter setting forth facts about water use on the Ira Peterson Ranch in Round Valley. Our records show two adjudication claims for irrigation have been by filed by Ira Peterson, numbered in the files of the Department of Water Resources (IDWR) as A65-03681 (0.76 cfs) and A65-065-05033 (5.1 cfs). IDWR understands that portions of the place of use described by these water rights are now owned by Frederick (Dave) Ringel. IDWR also understands that the ownership of the remainder of the Peterson Ranch is being contested in ongoing litigation.

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The SRBA court can grant a petition for expedited review. I believe the court is somewhat reluctant to take these cases out of order, but the court may be willing to hear this particular matter.

I am also forwarding copies of your correspondence to Dave Ringel who has an interest in this matter. I do not anticipate that IDWR will take any action unless further requested pursuant to some legal authority.

Sincerely,


Gary Spackman

GS:st

CC: Dave Ringel, Gene Gibson, Steve Lester, Jim Kling, State Office File

RECEIVED

SEP 11 1997

WATER RESOURCES
WESTERN REGION

11378 Lloyd Court

CASCADE, ID 83611

September 07, 1997

I have been familiar with
Chips Creek in Round Valley since
the 1950's. For many years I
helped farm that area. Chips
Creek has not been used for
irrigation since 1968 on the
former Lloyd / Ira Peterson
ranch.

Robert Peterson

Witnessed by:

Linda Jo Ford 9-7-97

Lawrence M. Ford 9-7-97

RECEIVED

SEP 11 1997

WATER RESOURCES
WESTERN REGION

August 29, 1997

My name is Kyle F. Ellis and I reside at 9982 Round Valley Road, Cascade, Idaho. I have resided at this address since 1954 when I purchased this ranch. My property is adjacent to property owned by Ira and Lola Peterson in Round Valley. Ira passed away in 1996. I assisted Ira in building ditches on his property in an attempt to irrigate his pastures on or about 1957 ^{67 K.E.} The year following our building of the ditches, (on or about 1958 ^{68 K.E.}) the water in Chipps Creek was not sufficient to allow water for irrigation and the stock water needed, so Ira didn't irrigate at all that year, nor did he ever attempt to irrigate his land again.

Kyle F. Ellis

Kyle F. Ellis
9982 Round Valley Road
Cascade, Idaho. 83611

STATE OF IDAHO, COUNTY OF Valley

On this 29th day of August, 19 97,
before me, a notary public in and for said State, personally
appeared

Kyle F. Ellis

known to me to be the person whose name he
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Diana K. Synsky
Notary Public
Residing at Cascade, Idaho
Comm. Expires 5-3-2000

21809/586

RECEIVED

SEP 11 1997

WATER RESOURCES
WESTERN REGION

August 27th, 1997

State of Idaho
Department of Water Resources
Mr. Gary Spackman,
Western Region Mgr.
2735 Airport Way
Boise, Idaho 83705-5082

Dear Sir:

Thank you for the prompt inspection regarding the illegal use of water from Chipps Creek. However, regarding your letter of August 15, 1997, we have several issues we would like to bring to your attention at this time.

Idaho Code 42-222. CHANGE IN POINT OF DIVERSION, PLACE OF USE, PERIOD OF USE, OR NATURE OF USE OF WATER UNDER ESTABLISHED RIGHTS - FORFEITURE AND EXTENSION.

-- PARAGRAPH 2 "All rights to the use of water acquired under this chapter or otherwise shall be lost and forfeited by a failure for the term of five (5) years to apply it to the beneficial use for which it was appropriated and when any right to the use of the water shall be lost through nonuse or forfeiture such rights to such water shall revert to the state and be again subject to appropriation under this charter."

We assume this Idaho code replaces a prior Idaho Code 42-104 - APPROPRIATION MUST BE FOR BENEFICIAL PURPOSE. "The appropriation must be for some useful or beneficial purpose, and when the appropriator or his successor in interest ceases to use it for such purposes, the right ceases."

We have several statements, signed and notarized, (attached as part of this document) that Ira Peterson, the original appropriator has not used the waters from Chipps Creek Water Right 65-05033 for any type of irrigation purpose for the past thirty (30) years. Therefore any water rights under water right no. 65-05033 ceased to exist some years ago and any diversion work performed by the Ringels is in

direct violation of Idaho Code 42-3803 dealing with the illegal Alteration of Channels without a permit, and is therefore subject to Idaho Code 42-3809 - ALTERATION OF CHANNELS OF STREAMS - PENALTY FOR VIOLATION. We hereby request that the State of Idaho, Department of Water Resources, immediately file charges relative to this illegal diversion and use of water and take whatever action is necessary to force Ringel to comply with the above State Idaho codes and that the original stream channels be replaced the same as prior to the illegal alteration of this channel.

Robert Peterson, author of one of the letters is the nephew of Ira Peterson. Robert's father, Lloyd Peterson was the co-owner of the Peterson Ranch until the early 1970's when Ira purchased his interest. Robert is intimately familiar with the property, having hayed and farmed it for several years in the 50's and 60's. I personally assisted Ira in the original construction of the irrigation ditches, which were only used for one year. It was mutually determined that there was insufficient water in Chipps Creek for both irrigation water, and downstream stock water usage.

Respectfully,

A handwritten signature in cursive script that reads "Kyle F. Ellis". The signature is written in dark ink and includes a small circle at the end, possibly a period or a flourish.

Kyle F. Ellis
9982 Round Valley Road
Cascade, Idaho 83611

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: **A65-03681**
Date Received: 11/16/1988
Receipt No: X999999
Received By: _____

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

1. Name: FREDRICK D RINGEL 208-382-4671
Address: PO BOX 582
CASCADE ID 83611
AND/OR
Name: GLORIA J RINGEL 208-382-4671
Address: PO BOX 582
CASCADE ID 83611

2. Date of Priority: JAN 15, 1898

3. Source: CHIPPS CREEK Trib. to: CAMP CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	04E	7		NE	NE		VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.640		
STOCKWATER	01/01	12/31	0.120		6.70

7. Total Quantity Appropriated is:
0.760 C.F.S. (and/or) 6.70 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
11N	04E	7	NE	NE		IRR	32.0
Section Acres							32.0
Total Acres							32.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

OWNERSHIP CHANGED BY KW 5/20/1999.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

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: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

SEP 30 1996

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 11 N Range 4 E Department of Water Resources
 Section 7, 1/4 of 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: A65-~~XXXXXX~~/XXXXXX/03681/05033

[] Name and Address of Former Owner/Claimant(s)(Seller): IRA L. PETERSON
CASCADE ID 83611

[] New Owner/Claimant (Purchaser): FREDRICK D. RINGEL

[] New Mailing Address: GLORIA J. RINGEL
PO BOX 582
CASCADE ID 83611

[] New Telephone Number: (208) 382-4671

[] Does the change in ownership result in a splitting of the water right owned/claimed? Xyes no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
ATTACHED - ONE/HALF OF EACH WATER
RIGHT AS NOW CONSTITUTED.

[] Attach proof of ownership, describe proof attached: WARRANTY DEED

(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) Fredrick D. Ringel Date 9-15-96
Gloria J. Ringel Date 9-15-96
 [] Signature of Former Owner/Claimant(s): _____ Date _____
 _____ 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:

RECEIVED

OCT 04 1996

WATER RESOURCES
WESTERN REGION

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

WARRANTY DEED

For value received, IRA L. PETERSON and LOLA B. PETERSON, husband and wife the GRANTORS,

do hereby grant, bargain, sell and convey unto FREDRICK D. RINGEL and GLORIA J. RINGEL, husband and wife,

whose address is P.O. Box 582, Cascade, Idaho 83611,

the GRANTEES, the following described premises, to wit:

A parcel of land, being a portion of Section 7, Township 11 North, Range 4 East, Boise Meridian, Valley County, Idaho, being more particularly described as follows:

Commencing at the Section Corner common to Sections 5, 6, 7 and 8 of T 11 N, R 4 E, Boise Meridian, being a brass cap in concrete (CP&F No. 171110); Thence N 89° 59' 30" W on the Section line between Sections 6 and 7 of said Township and Range a distance of 29.00 feet to a point and the True Point of Beginning.

Thence S 0° 00' 39" E on the westerly right-of-way of Center Road a distance of 1680.74 feet to a 5/8 - inch rebar ; Thence N 89° 59' 30" W a distance of 3586.81 feet to a 5/8 - inch rebar, being on the easterly line of Record of Survey (Instrument No 171226) as recorded in Valley County Courthouse; Thence N 0° 00' 59" E a distance of 1680.74 feet to a 5/8 - inch rebar, being the Northeast corner of said Record of Survey and on the section line between Sections 7 and 6; Thence S 89° 59' 30" E on said section line a distance of 977.68 feet to a brass cap in concrete, being the 1/4 corner common to Sections 7 and 6; Thence continuing on said section line S 89° 59' 30" E a distance of 2608.33 feet to the Point of Beginning.

Said described parcel of land contains 138.38 acres.

Together with an easement for ingress and egress being 35.00 feet in width; 17.50 feet each side of the constructed centerline of the old railroad grade and fire access road that lies in the parcel of land as recorded by Instrument Numbers 174713 and 171226, Records of Valley County, also that connects to the easement that crosses the parcel of land as recorded in Warranty Deed, Instrument No. 185704 and connects to the public road in the Peterson's Subdivision No. 1.

Together with all of the Peterson interest in one-half of Water Right No. 22, Idaho Department of Water Resources, Adjudication Claim Profile Report Number A65-05033 dated January 4, 1897 and one-half of Number A65-03681 dated January 15, 1898.

Together with an easement for an irrigation ditch, said easement being 50.00 feet in width, 25.00 feet each side of the existing ditch line, to the point of diversion on an unnamed tributary to Chips Creek, said existing irrigation ditch being located in the S 1/2 of Section 7 and into Section 18 all in T 11 N, R 4 E, Boise Meridian, the purpose of said easement being for the maintenance of (using heavy equipment) said irrigation ditch line.

July 20, 1993

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except their part of the 1996 taxes and assignments and that they will warrant and defend the same from all lawful claims whatsoever.

Lola B. Peterson

LOLA B. PETERSON

Ira L. Peterson

IRA L. PETERSON

STATE OF IDAHO)

) ss

County of Valley)

On this 12 day of May, 1996, before me, a Notary Public, in and for the State of Idaho, personally appeared IRA L. PETERSON and LOLA B. PETERSON, whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]

Notary Public, State of Idaho

Residing at: (290) 10Commission Expires: 7/23/96

96 MAY 13 PM 2:00
REQUESTED BY
RECORDED

Jerry Schmitt

218030
T.M. Buck #10
LEONARD HEINRICH
VALLEY COUNTY RECORDER
BY: dyu
FEE: 6.00

QUITCLAIM DEED

For value received IRA L. PETERSON and LOLA B. PETERSON, husband and wife, do hereby convey, release, remise and forever quitclaim unto FREDRICK D. RINGEL and GLORIA J. RINGEL, husband and wife, whose address is P.O. Box 582, Cascade, Idaho 83611, all of the interest they may now have or later acquire in the following:

AN EXCLUSIVE EASEMENT for ingress and egress being 35.00 feet in width; 17.50 feet each side of the constructed centerline of the old railroad grade and fire access road, that lies in the parcel of land as recorded by instrument No.'s 174713 and 171226 records of Valley County, also that connects to the Easement that crosses the parcel of land as recorded in Warranty Deed Instrument No. 185704 and connects to the public road in the Peterson's Subdivision No. 1.

Dated this 12th day of May, 1996.

Lola B. Peterson
LOLA B. PETERSON

Ira L. Peterson
IRA L. PETERSON

STATE OF IDAHO)
) ss
COUNTY OF VALLEY)

On this 12 day of May, 1996, before me, a Notary Public in and for the State of Idaho, personally appeared IRA L. PETERSON, known to me to be IRA L. PETERSON and LOLA B. PETERSON, whose names is subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public, State of Idaho
Residing at: 209C 260

Commission Expires: 9/23/96

218031

TYLER, Deeds

HEINRICH

VALLEY COUNTY RECORDER

BY: [Signature]

FEE: 3.00

'96 MAY 13

REQUESTED

RECORDED

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: A65-03681

Date Received: 11/16/1988

Receipt No: X999999

Received By: DE JAL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IRA L. PETERSON

Address:

CASCADE, ID

83611

2. Date of Priority: JAN 15, 1898

3. Source: CHIPPS CREEK

Trib. to: CAMP CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	04E	7	NE	NE			VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.640		
STOCKWATER	01/01	12/31	0.120		6.70

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

6.70 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
11N	04E	7	NE	NE		IRR	32.0
Section Acres							32.0

A65-03681

Page

1

Date: 11/16/88

MICROFILMED
SEP 22 1992

10. Place of Use: Continued

Total Acres 32.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., 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.

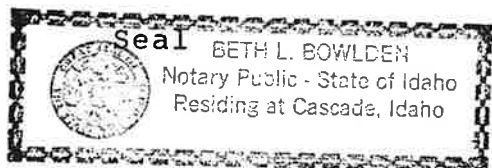
Signature of Claimant(s): Gra L. Peterson Date: 11-18-88

Date: _____

State of Idaho)
County of Valley) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of November 19 88

Beth L. Bowlden
Notary Public



Residing at Cascade, Idaho
My Commission Expires _____