

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 37-2609A
Date Received: 10/18/1988
Receipt No: S003032
Received By:

fees \$692⁰⁰

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHANEY CREEK RANCH LLC Phone:
C/O ELIZABETH K GRAY
PO BOX 3175
KETCHUM ID 83340

2. Date of Priority: 10/08/1958

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01S	19E	22	SW	SE	SW	BLAINE	
01S	19E	22	SW	SE	SW	BLAINE	I

5. Description of diverting works:

WELL AND PUMP, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.46	42
WILDLIFE STORAGE	01/01	12/31		15.8
RECREATION STORAGE	01/01	12/31		15.8
AESTHETIC STORAGE	01/01	12/31		15.8
DIVERSION TO STORAGE	01/01	12/31	0.02	

7. Total Quantity Appropriated is:

0.48 C.F.S. and/or 57.8 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	19E	22	SE	SW	IRRIGATION	12
					Section Acres	12
					Total Acres	12

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

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

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Prior to the diversion and use of groundwater under this right, the right holder shall install and maintain measuring devices acceptable to the watermaster and the department at both the point of diversion at the well and the point of injection into Chaney Creek.

Conv. losses → The portion of Right 37-02609B used for conveyance losses for irrigation use is 0.04 cfs.

The first year that water is diverted to wildlife, recreation and aesthetic storage uses, the irrigation use under this right shall be limited to 8.7 acres, 0.34 cfs and 30.5 afa.

*1.2ac
diverted up* The reduction of irrigation during the first year will provide the additional storage volume to fill the pond when combined with the 4.2 af associated with the 1.2 acres no longer irrigated.

During initial filling of the pond, the right holder shall inject groundwater into Chaney Creek at a rate not to exceed 0.50 cfs when all uses of the right are combined in order to replace captured surface water as soon as possible.

After the initial filling of the pond, the right holder shall continue to divert groundwater into Chaney Creek at a diversion rate of 0.02 cfs and an annual diversion volume of 3.1 af to replace consumptive losses of the pond.

1-21-98: CHANGE OF OWNERSHIP STINSON TO CHANEY AND ADDED ATTY SEMANKO PER NOTICE RECD 9-16-97 - VH

THIS WELL IS SHARED BY THREE CLAIMANTS. WATER IS DIVERTED INTO CHANEY CR. (SWSESW, S.22) AND DIVERTED OUT FROM MUD CR. (NWNESE, S.22) WATER IS COMBINED IN ONE SYSTEM FOR USE ON P/U.

15. Basis of Claim: License

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: **A37-02609A**
Date Received: 10/18/1988
Receipt No: S003032
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CHANEY CREEK RANCH LLC
Address: C/O ELIZABETH K GRAY
PO BOX 4630
KETCHUM ID

83340

2. Date of Priority: OCT 8, 1958

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	22	SW	SE	SW		BLAINE

5. Description of diverting works:
WELL AND PUMP, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.600		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	19E	22	SE	SW		IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	30.0
					Total Acres	30.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-02608

14. Remarks:
1-21-98: CHANGE OF OWNERSHIP STINSON TO CHANEY AND ADDED ATTY
SEMANKO PER NOTICE REC'D 9-16-97 - VH
THIS WELL IS SHARED BY THREE CLAIMANTS. WATER IS DIVERTED INTO
CHANEY CR.(SWSESW, S.22) AND DIVERTED OUT FROM MUD CR.(NWNESE,
S.22) WATER IS COMBINED IN ONE SYSTEM FOR USE ON P/U.

15. Basis of Claim: LICENSE

RECEIVED

SEP 16 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern RegionPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 37-02608; 37-02607; 37-02609A; 37-02685; 37-07284
Adjudication Claim No(s): A37-02608; A37-02607; A37-02609A; A37-02685; A37-07284; A37-11717
2. The following REQUIRED information must be submitted with this form:
 - * A. A copy of the most recent ~~DEED, TITLE POLICY, CONTRACT OF SALE~~ ^{WARRANTY, QUITCLAIM DEED, AND ARTICLES OF ORGANIZATION OF L.L.C.} or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - * C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant RALF H STINSON or HARRIET H STINSON
249 BRIDGE RD
HILLSBOROUGH CA 94010
4. New Owner/Claimant(s) CHANEY CREEK RANCH, L.L.C c/o ELIZABETH K GRAY
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address PO BOX 4630
City, State and ZIP Code KETCHUM ID 83340
New Telephone Number () _____
5. Date you acquired the property AUGUST 6, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Elizabeth K Gray
REGISTERED AGENT, CHANEY CREEK RANCH, L.L.C.
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication (SRBA)

Name(s) of Claimant (please print):

RECEIVED

CHANEY CREEK RANCH, L.L.C. c/o ELIZABETH K. GRAY

SEP 16 1997

I/we acknowledge (check one):

Department of Water Resources
Southern Region☐ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.☒ I/we are now represented by the attorney at the address below.NORMAN SEMANKOROSHOLT, ROBERTSON & TUCKERP.O. BOX 1906TWIN FALLS ID 83303-1906Attorney's Phone 208/734-0700

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

A37-02607 A37-02608 A37-02609A _____A37-02685 A37-07284 A37-11717 _____**For Individuals:**

Authorized signature(s) Date _____

For Organizations:I am the REGISTERED AGENT of CHANEY CREEK RANCH, L.L.C., and I

Title

Organization

have signed the foregoing document in the space below as

the REGISTERED AGENT of CHANEY CREEK RANCH, L.L.C.

Title

Organization

Signature of Authorized Agent Elizabeth K. GrayTitle REGISTERED AGENTDate 7/12/97Organization CHANEY CREEK RANCH, L.L.C.

IDWR Use:

Date Received _____

Data Entry _____

2087262922

JUN-30-97 TUE 1:31 PM BRIAN BARSOTTI

FAX NO. 2087262922

P. 2

97 JUL 31 AM 8:52
SECRETARY OF STATE
STATE OF IDAHO**ARTICLES OF ORGANIZATION
LIMITED LIABILITY COMPANY**To the Secretary of State of Idaho,
Statehouse, Boise, Idaho 83720ORIGINAL
COPY

1. The name of the limited liability company is: Chaney Creek Ranch, LLC
2. The address of the initial registered office is: 591 East Avenue, N.
(not a PO Box)
Ketchum, ID 83340 and the name of the initial registered agent at that address is: Elizabeth K. Gray
- Signature of registered agent: X Elizabeth K. Gray
3. The latest date certain on which the limited liability company will dissolve: July 8, 2027
4. Is management of the limited liability company vested in a manager or managers?
☒ Yes ☐ No (check appropriate box)

5. If management is vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is vested in the members, list the name(s) and address(es) of at least one initial member.

Name:Address:Elizabeth K. GrayP.O. Box 4630Ketchum, ID 83340

6. Signature of at least one person listed in #5 above:

X Elizabeth K. Gray

Secretary of State use only

IDAHO SECRETARY OF STATE

07/31/1997 09:00
CK: 1288 CT: 21422 BH: 25988W 4446
1 @100.00 = 100.00 ORGAN LLC

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

ORIGINAL

Brian Barsotti, Esq.
P O Box 10013
Ketchum, Idaho 83340

(Space above this line for Recorder's use)

QUITCLAIM DEED

COPY

FOR VALUE RECEIVED, PLAZA PLACE CORPORATION, a Colorado corporation, whose address is c/o Kemmerer Resources, P O Box 9, Chatham, New Jersey, 07928, does hereby convey, remise, release and forever quitclaim unto CHANEY CREEK RANCH, L.L.C., an Idaho limited liability company, whose address is c/o Elizabeth K. Gray, P O Box 4630, Ketchum, Idaho, 83340, all its right, title and interest in and to the real property situated in Blaine County, Idaho, described as follows:

See Exhibit "A" attached hereto and made a part hereof,

to have and to hold said real property, with its improvements, appurtenances, tenements and hereditaments unto CHANEY CREEK RANCH, L.L.C., and to its successors and assigns forever.

DATED this 6th day of August, 1997.

PLAZA PLACE CORPORATION, a
Colorado corporation

404650

Deed

BLAINE CO. REQUEST

OF: Brian Barsotti

By

Jeffrey S. Hall
Its President

'97 AUG 6 PM 1 25

MARY GREEN, CLERK *ms*

FEES \$ 9⁰⁰

STATE OF NEW JERSEY)
) ss.:
County of Morris)

On this 6th day of August, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared **JEFFREY S. HALL**, known or identified to me to be the President of the corporation that executed the instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and seal the day and year in this certificate first above written.

Anne P. Gosnell
Notary Public for New Jersey
Residing at Plainfield
Commission expires: 2000

realest\plaza.qcd



Legal Description
Order No. 20205

Exhibit "A"

A parcel of land encompassing a portion of the N1/2, Section 22, Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

Commencing at an aluminum cap by L.S. 792 marking the west one-quarter corner of said Section 22, which point is the Real Point of Beginning: thence North 0° 18' 59" West 2640.83 feet along the west boundary of said Section 22 to a point on the south boundary of Idaho State Highway No. 20 fifty (50) feet south of Highway centerline station 233 + 53.91; thence North 89° 49' 17" East 2246.89 feet along said highway south boundary fifty (50) feet south of said centerline to a Highway R.O.W. Monument at Highway centerline station 256 + 00; thence South 87° 18' 56" East 200.26 feet to a Highway R.O.W. Monument sixty (60) feet south of said Highway to centerline station 258 + 00; thence North 89° 49' 16" East 2838.55 feet along said Highway south boundary to a point sixty (60) feet south of said Highway centerline station 286 + 40.68 on the east boundary of said Section 22; thence South 0° 13' 46" East 2626.14 feet along said east boundary of Section 22 to the east one-quarter corner of Section 22; thence South 89° 46' 14" West 5281.42 feet along the south boundary of said N1/2, Section 22 to the point of beginning. Also subject to a possible prescriptive use easement by Blaine County covering the west one-half of Punkin Center Lane on the east boundary of said parcel and being approximately twenty-five (25) feet in width.

and

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho.

Section 22: E1/2SW1/4 and the SE1/4.

ACCEPTED & APPROVED BY:

J. H. Kemmerer

WARRANTY DEED

CCPY

This indenture made this 8th day of July, 1997, by and among (i) HARRIETT HILLS STINSON, as Trustee of Trust A under that certain Trust Agreement dated February 15, 1989 between Ralf H. Stinson and Harriett Hills Stinson, as Trustors, and Ralf H. Stinson as (initial) Trustee (the "Trust Agreement"), as to a thirty-five percent (35%) undivided interest, (ii) HARRIETT HILLS STINSON, as Trustee of Trust B Qualified Non-Exempt Marital Trust (Trust B-1) under said Trust Agreement, as to a thirty-five percent (35%) undivided interest, (iii) RALF HALE STINSON II, as his sole and separate property, as to an undivided thirty percent (30%) interest, collectively referred to as "Grantors," and (iv) PLAZA PLACE CORPORATION, a Colorado corporation, the "Grantee," whose complete mailing address is c/o Kemmerer Resources, P.O. Box 9, Chatham, New Jersey 07928.

WITNESSETH:

For valuable consideration the Grantors do hereby grant and convey to the Grantee the following described real property situate in the County of Blaine, State of Idaho, to wit:

Described on attached EXHIBIT A.

TOGETHER WITH the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

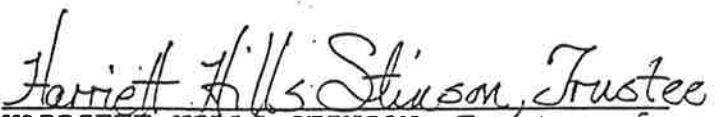
SUBJECT TO:

The matters described or referred to on attached EXHIBIT B

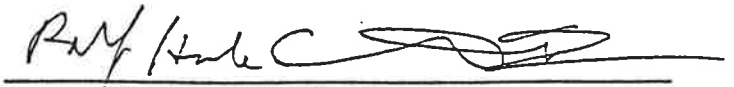
TO HAVE AND TO HOLD the said premises unto the Grantee and its successors and assigns forever.

The Grantors covenant with the Grantee and its successors and assigns, that Grantee shall enjoy the quiet and peaceful possession of said premises; that the Grantors are lawfully seized of said premises in fee simple; and the Grantors warrant that the title to said premises is merchantable and is free from all liens and encumbrances, excepting those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee, and that the Grantors will warrant and defend the same from all other lawful claims whatsoever.

IN WITNESS WHEREOF, this Warranty Deed has been duly executed by the Grantors as of the day and year herein first above written.


HARRIETT HILLS STINSON, Trustee of
Trust A aforesaid


HARRIETT HILLS STINSON, Trustee of
Trust B-1 aforesaid


RALF HALE STINSON II

State of California

County of

SAN MATEO

On

7/8/1997
DATE

before me,

C.G. WILSON - NOTARY PUBLIC
NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared

Harriett Hills Stinson
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that ~~he/she/it~~ executed the same in ~~his/her~~ authorized capacity(ies), and that by ~~his/her~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

C.G. Wilson
SIGNATURE OF NOTARY



OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☐ INDIVIDUAL

☐ CORPORATE OFFICER(S)

TITLE(S)

☐ PARTNER(S)

☐ LIMITED

☐ GENERAL

☐ ATTORNEY-IN-FACT

☒ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

Trust A and Trust B-1 of Trust Agreement dated 2/15/89 (see Deed)

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

TITLE OR TYPE OF DOCUMENT

WARRANTY DEED

NUMBER OF PAGES

6

DATE OF DOCUMENT

7-8-97

SIGNER(S) OTHER THAN NAMED ABOVE

Ralf Hale Stinson II

State of California

County of

SAN MATEO

On

7-8-1997

before me,

C.G. WILSON - Notary Public

DATE

NAME, TITLE OF OFFICER - E.G. "JANE DOE, NOTARY PUBLIC"

personally appeared

Ralf Hale Stinson II

NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒

proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

C.G. Wilson

SIGNATURE OF NOTARY



OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☒ INDIVIDUAL

☐ CORPORATE OFFICER(S)

TITLE(S)

☐ PARTNER(S)

☐ LIMITED

☐ GENERAL

☐ ATTORNEY-IN-FACT

☐ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

Self

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

TITLE OR TYPE OF DOCUMENT

BILL OF SALE

NUMBER OF PAGES

6

DATE OF DOCUMENT

July 8, 1997

SIGNER(S) OTHER THAN NAMED ABOVE

Harriett Hills Stinson, Trustee

Legal Description
Order No. 20205

Exhibit "A"

A parcel of land encompassing a portion of the N1/2, Section 22, Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

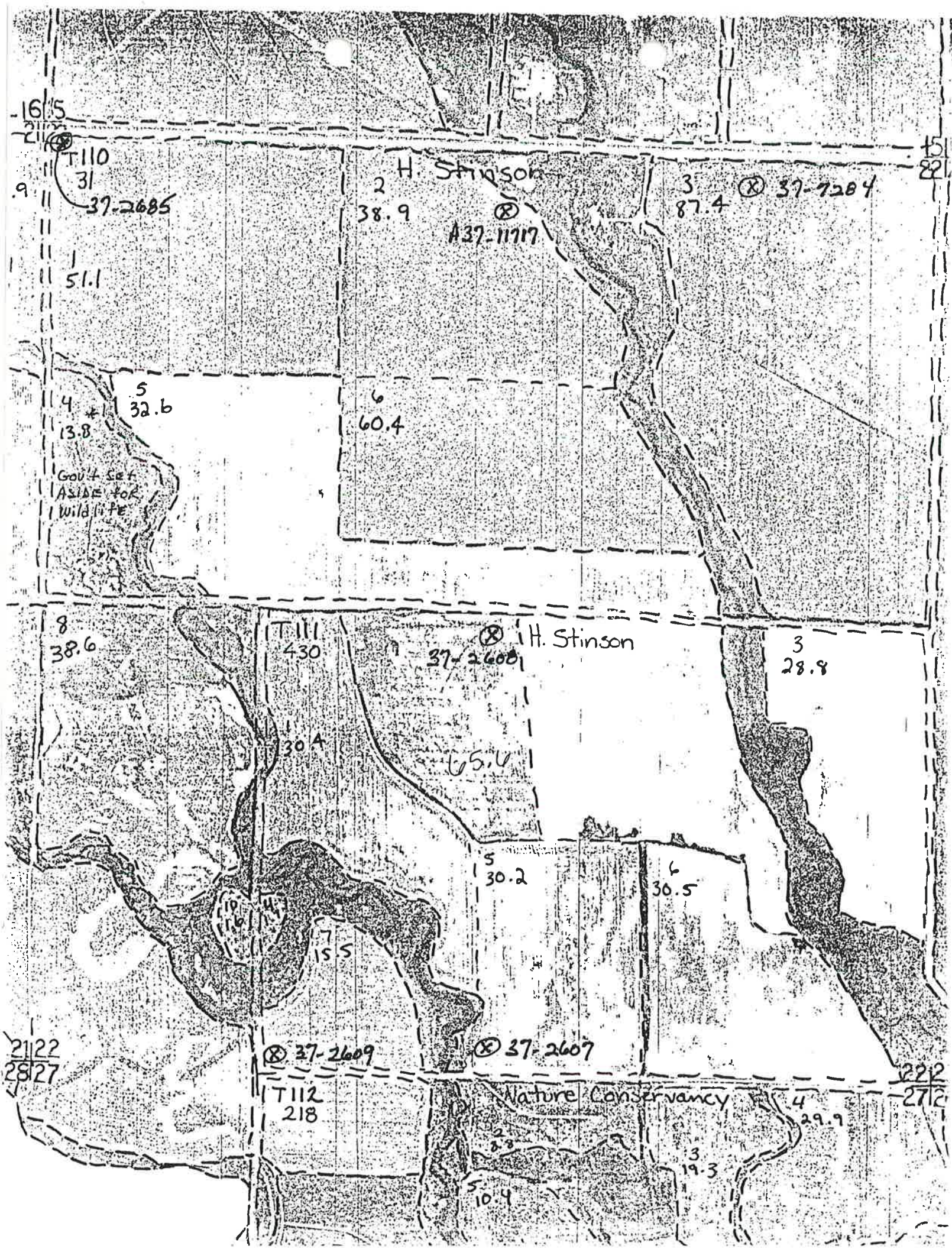
Commencing at an aluminum cap by L.S. 792 marking the west one-quarter corner of said Section 22, which point is the Real Point of Beginning: thence North 0° 18' 59" West 2640.83 feet along the west boundary of said Section 22 to a point on the south boundary of Idaho State Highway No. 20 fifty (50) feet south of Highway centerline station 233 + 53.91; thence North 89° 49' 17" East 2246.89 feet along said highway south boundary fifty (50) feet south of said centerline to a Highway R.O.W. Monument at Highway centerline station 256 + 00; thence South 87° 18' 56" East 200.26 feet to a Highway R.O.W. Monument sixty (60) feet south of said Highway to centerline station 258 + 00; thence North 89° 49' 16" East 2838.55 feet along said Highway south boundary to a point sixty (60) feet south of said Highway centerline station 286 + 40.68 on the east boundary of said Section 22; thence South 0° 13' 46" East 2626.14 feet along said east boundary of Section 22 to the east one-quarter corner of Section 22; thence South 89° 46' 14" West 5281.42 feet along the south boundary of said N1/2, Section 22 to the point of beginning. Also subject to a possible prescriptive use easement by Blaine County covering the west one-half of Punkin Center Lane on the east boundary of said parcel and being approximately twenty-five (25) feet in width.

and

Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho.

Section 22: E1/2SW1/4 and the SE1/4.

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims, or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Other matters of record in the public records of Blaine County, Idaho.
8. General taxes for the year 1997, a lien, not yet due or payable (to be prorated).
9. Reservations and Exceptions as set forth in that certain Warranty Deed recorded January 28, 1970, as Instrument No. 134900, records of Blaine County, Idaho.
10. Easements, Restrictions, Rights-of Way, conditions and Exceptions as set forth in that certain Deed recorded April 30, 1981, as Instrument No. 214435 and Amendment recorded as Instrument No. 242427, records of Blaine County, Idaho.
11. Baseline Biological Study recorded October 29, 1982, as Instrument No. 232066, records of Blaine County, Idaho.
12. Road and Fence encroachment as shown on that certain Survey recorded December 18, 1990, as Instrument No. 326339, records of Blaine County, Idaho.
13. Matters as shown on that certain survey, recorded August 29, 1996, as Instrument No. 393752, records of Blaine County, Idaho.
14. Rights of others in and to the Pumpkin Center Road.



JUL 21 1997

Department of Water Resource

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: A37-02609A

Date Received: 10/18/1988

Receipt No: S003032

Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: HARRIET H STINSON 415-343-3177
Address: 249 BRIDGE RD
HILLSBOROUGH CA 94010
OR
Name: RALF H STINSON 415-343-3177
Address: 249 BRIDGE RD
HILLSBOROUGH CA 94010

2. Date of Priority: OCT 8, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	19E	22	SW	SE	SW		BLAINE

5. Description of diverting works:
WELL AND PUMP, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.600		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	19E	22	SE	SW		IRR	30.0

COPY

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	30.0
					Total Acres	30.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-02608

14. Remarks:

THIS WELL IS SHARED BY THREE CLAIMANTS. WATER IS DIVERTED INTO CHANEY CR. (SWSESW, S.22) AND DIVERTED OUT FROM MUD CR. (NWNESE, S.22) WATER IS COMBINED IN ONE SYSTEM FOR USE ON P/U.

15. Basis of Claim: LICENSE

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): Harriett H. Stinson Date: July 18, 1997

Date: _____

COPY

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of July 19 97

John A. Burke
Notary Public

Seal

Residing at Ketchum, Idaho

My Commission Expires Oct. 1st 1997

COPY

STINSON

16 15

15

7.9

A 51.1

C 22 87.4

63B

B 38.9

E 93.0

D 13.8

CHANEY CREEK

MUD CREEK

L 41.4

B 47.4

P/R/D 28.8

40

40

29

E 30.2

F 30.5

(2.2)

D 15.5

P.D. P.D.

alt in sec 22

FEB 23 1900

127-121-1

15.
19E.

Fifteen (15.0%) percent (up to a maximum of 30⁷ miner's inches) of State of Idaho Water License No. G-27592/37-2609, (hereinafter "Well No. 2") as shown on Exhibit "C" hereto with a priority date of October 8, 1958, and appurtenant to 30 acres in the SE 1/4 SW 1/4 of Section 22, Township 1 South, Range 19 E.B.M.

The Grantor herein specifically reserves:

(1) A Conservation Easement, which Conservation Easement is attached hereto as Exhibit "D" and made a part hereof as if set out at length herein.

(2) The ownership of Well No. 2 located in SE 1/4 SW 1/4 of said Section 22 and the right to the remaining eighty-five (85.0%) percent for use on lands in Section 27 as shown in said License.

(3) Perpetual rights of way to said Well No. 2 for ingress, egress, operation, maintenance, construction and reconstruction of said well and a right of way for the pipes or ditches necessary to convey and transport said water of the Grantor to the natural channel of the creek formed by the confluence of Cain Creek and Chaney Creek in Section 22 for conveyance to Grantor's lands in Section 27; provided that any such ditch or pipe will be located as closely as possible to Grantor's exterior boundaries, adjusting where necessary to facilitate the gravity flow of said water to said creek channel.

(4) The right to change said conveying system and locate pipes or ditches for the conveyance of said water from said well.

(5) The rights herein reserved shall be appurtenant to and shall run with the lands of the Grantor and of the Grantee, which lands are described in Exhibit "E" as the lands of the Grantor and in Exhibit "F" as the lands of the Grantee with the Grantee's land being the servient tenement and that of the Grantor being the dominant tenement.

The parties agree to the following restrictions:

(1) Said rights of way hereinabove reserved shall constitute a covenant running with the land for the benefit of the Grantor, its successors and assigns.

(2) Neither the Grantor, nor their heirs, personal representatives, successors or assigns forever shall in any

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: A37-02609A
Date Received: 10/18/1988
Receipt No: S003032
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RALF H. STINSON 415-343-3177
Address: 249 BRIDGE RD.
HILLSBOROUGH, CA 94010
OR
Name: HARRIET H. STINSON 415-343-3177
Address: 249 BRIDGE RD.
HILLSBOROUGH, CA 94010

2. Date of Priority: OCT 08, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
01S	19E	22	SW		SE		SW		BLAINE

5. Description of diverting works:
WELL AND PUMP, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.040		

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

8. Total consumptive use is 493.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	19E	22	NE		SW		IRR	40.0
			SE		SW		IRR	20.0
			NE		SE		IRR	29.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	28.0
Section Acres								197.0
Total Acres								197.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
A37-02608

14. Remarks:

THIS WELL IS SHARED BY TWO CLAIMANTS. WATER IS DIVERTED INTO CHANEY CR.(SWSESW, S.22) AND DIVERTED OUT FROM MUD CR.(NWNESE, S.22) WATER IS COMBINED IN ONE SYSTEM FOR USE ON P/U.

15. Basis of Claim: LICENSE

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Ralf H. Strinson Date: 18 October 1988

Date: _____

State of Idaho

County of Twin Falls)
SS.

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

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

04/09/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-2609A
NAME AND ADDRESS: CHANEY CREEK RANCH LLC
C/O ELIZABETH K GRAY
PO BOX 3175
KETCHUM ID 83340

**SF-5 No change to recom.
4-9-10 KXC**

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.480 CFS
57.80 AFY

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/08/1958

POINT OF
DIVERSION:

T01S R19E S22 SWSESW Within BLAINE County
T01S R19E S22 SWSESW Injection Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
WILDLIFE STORAGE	01/01 12/31	15.80 AFY
RECREATION STORAGE	01/01 12/31	15.80 AFY
AESTHETIC STORAGE	01/01 12/31	15.80 AFY
DIVERSION TO STORAGE	01/01 12/31	0.020 CFS
IRRIGATION	04/15 10/31	0.460 CFS 42.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S22 SESW 12.00

WILDLIFE STORAGE in BLAINE County

T01S R19E S22 SESW

RECREATION STORAGE in BLAINE County

T01S R19E S22 SESW

AESTHETIC STORAGE in BLAINE County

T01S R19E S22 SESW

12 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Prior to the diversion and use of groundwater under this right, the right holder shall install and maintain measuring devices acceptable to the watermaster and the department at both the point of diversion at the well and the point of injection into Chaney Creek.

The portion of Right 37-02609A used for conveyance losses for irrigation use is 0.04 cfs.

The first year that water is diverted to wildlife, recreation and aesthetic storage uses, the irrigation use under this right shall be limited to 8.7 acres, 0.34 cfs and 30.5 afa.

The reduction of irrigation during the first year will provide the additional storage volume to fill the pond when combined with the 4.2 af associated with the 1.2 acres no longer irrigated.

During initial filling of the pond, the right holder shall inject groundwater into Chaney Creek at a rate not to exceed 0.50 cfs when all uses of the right are combined in order to replace captured surface water as soon as possible.

After the initial filling of the pond, the right holder shall continue to divert groundwater into Chaney Creek at a diversion rate of 0.02 cfs and an annual diversion volume of 3.1 af to replace consumptive losses of the pond.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

CHANNEY CREEK RANCH

Unnamed Drain
37-2607 lic 6 ac

Ground Water
37-2685 lic 233 ac claimed 183 ac
37-2608 lic 100 ac claimed 100 ac
37-7284 lic 143 ac claimed 143 ac

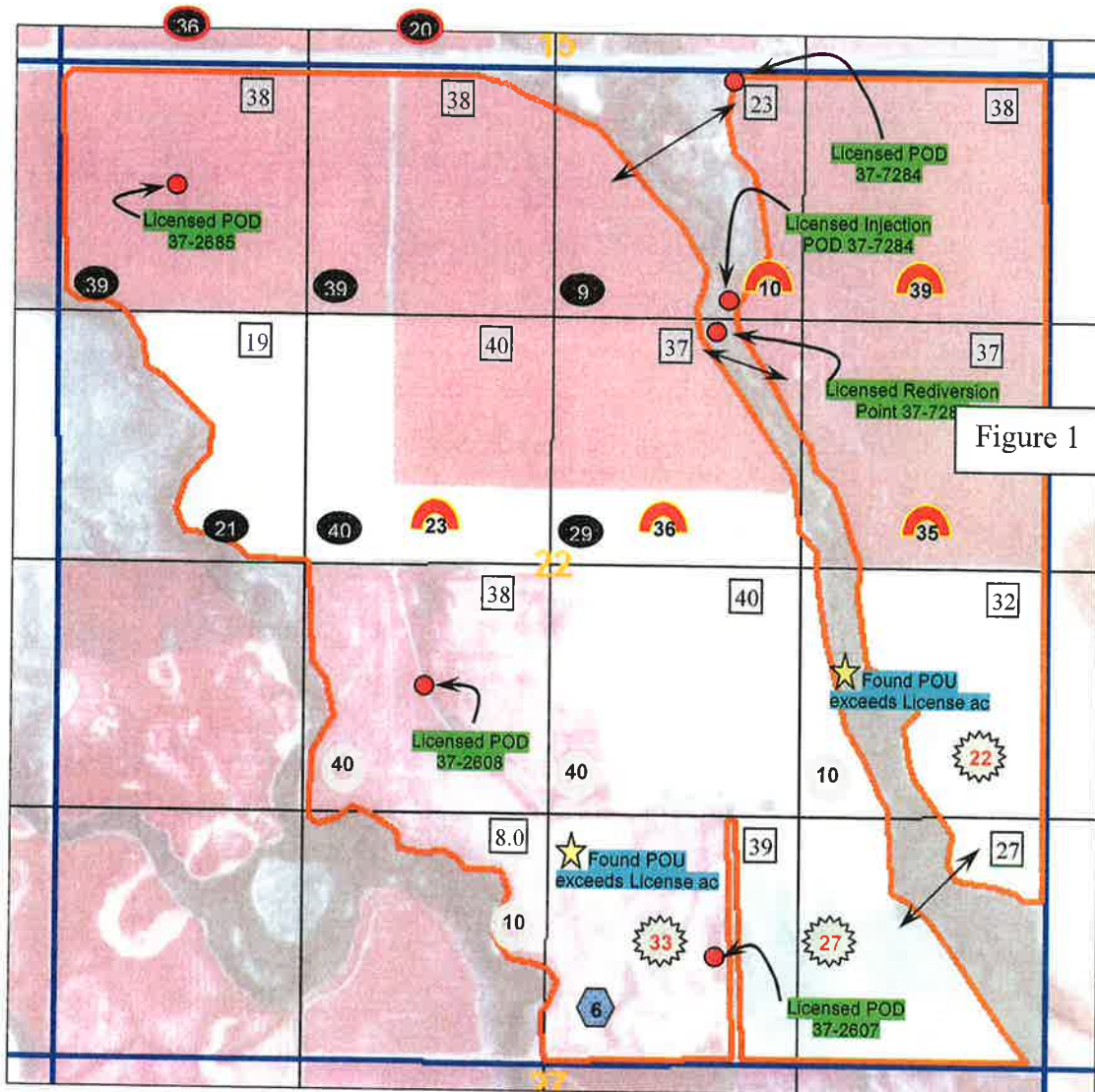


Figure 1

Found POU 454 acres		
40	37-2607 licensed POU Source = Unnamed Drain	License Ac = 6
40	37-2608 licensed POU Source = Ground Water	License Ac = 100
38	37-2685 licensed POU Source = Ground Water	License Ac = 233
36	37-2685 licensed POU	56 ac not claimed
39	37-7284 licensed POU Source = Ground Water	License Ac = 143
32	Irrigated ground without appurtenant water right	Total 82 acres, 88 ac for GW

In reviewing the licensed POU for the 3 ground water rights, I found that overlapping licensed acres exist in 3 different 40-acre tracts. 37-2685 and 37-7284 have three 40-acre tracts in common. For the SWNE they are limited to 40 ac combined. For the SENW I found 37 acres irrigated and am recognizing that when they are combined on this 40-acre tract that they are limited to the 37 acres. The third tract, the NWNW I found 23 irrigated acres. 37-2685 was licensed for 9 acres and 37-7284 was licensed for 10 acres for a combined total of 19 acres. The total irrigated acreage from ground water sources totals 369 acres. An additional licensed 6 acres by 37-2607 (source unnamed drain) are not being considered in the 369 acre total.

Acreage differences between the found acres vs. the licensed acres vary with respect to most of the 40-acre tracts. When considering the differences for the NE $\frac{1}{4}$, NW $\frac{1}{4}$, and the SW $\frac{1}{4}$ I found that cumulatively there were 3 more licensed acres than I found being irrigated.

ISSUES ASSOCIATED WITH 1S, 19E SEC 22 SE $\frac{1}{4}$

The majority of discrepancies occur in the SE $\frac{1}{4}$. No ground water right was associated with the S $\frac{1}{2}$ SE $\frac{1}{4}$ and only 10 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$. 37-2607 (unnamed drain source) was licensed for 6 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$.

When considering the differences between the licensed acres vs. the found acres (cumulatively and including recognition of the 1 acre previously discussed) as well as the 2 acre difference in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ I found 85 acres without an associated ground water right. In figure 1 the ground water acreage unlicensed is identified as 88 acres the difference being that I am recognizing an unrecorded transfer of the 3 acres to the previously non-irrigated acreage.

SUMMARY

GROUNDWATER SYSTEM

After considering any minor acre differences within various 40-acre tracts I am recognizing each right for its licensed acreage total as merely POU correction or as an unrecorded transfer except for 37-2685. This would include the 3 acres previously discussed in the Issues RE: Sec 22 SE $\frac{1}{4}$.

Regarding 37-2685, there were 56 acres licensed in Sec 15 S $\frac{1}{2}$ SW $\frac{1}{4}$ that were not claimed although the entire licensed diversion rate of 2.46 cfs was claimed. In reviewing the adjudication claim file I did not see any documentation addressing an unrecorded transfer of the proportionate share of that right from the ground in Sec 15 S $\frac{1}{2}$ SW $\frac{1}{4}$ to the remainder of the licensed POU as claimed. The rate per acre is not an issue as the claim is for 183 acres and the 2.46 cfs or ≈ 0.013 cfs/ac.

Regarding 37-2608, the licensed POU by 40-acre tracts vs. the found irrigated acres within the same tracts the license exceeds the found acreage in the E $\frac{1}{2}$ SW $\frac{1}{4}$ by 4 acres. In the NE $\frac{1}{4}$ SE $\frac{1}{4}$ the ground irrigated west of the stream channel is also smaller than the licensed acreage. However, I am recognizing the license in its entirety as previously discussed.

Regarding 37-7284 there are minor acre variations in most all of the licensed 40-acre tracts and again I am recognizing the license in its entirety as previously discussed. That right was licensed with one point of diversion in Sec 22 NENWNE with a point of injection in Sec 22

SEWNNE into Mud Creek with a point of redirection in Sec 22 NESWNE. The recommendation does not address the original system, rather identifies the three existing wells as an unrecorded change in the PODs.

OBJECTION ISSUES

When the 3 ground water rights are combined they are to be limited to
 The combined diversion volume for the three rights is 369 ac * 3.5 afa =
 When all four rights are combined they are limited to
 Of the four rights only 37-7284 was licensed with a season of use which was

369 ac
1291.5 af
375 ac.
4/1 - 11/1

As the remaining rights have no season of use, the department's policy is to recommend those rights with the current department standard which for this area is 4/15 -- 10/31. There is a possibility of recommending those rights with the "shoulder language" identifying 4/1 - 11/1.

4/15 - 10/31

UNNAMED DRAIN SYSTEM

Regarding **37-2607**, this right was licensed and recommended for 6 acres in Sec 22, SWSE. This right is the only right associated with the drain and historically the system was a dug drain running virtually the entire length (north to south) of Sec 22 SWSE. The drain was then dammed up at various points raising the water table to sub irrigate approximately 100 ft on either side of the drain for the ¼ mile run of that drain. This right was recommended with a point of diversion in Sec 22 SESW with Chaney Creek as the source. For this to be valid the department would have to recognize either a change of source or an exchange of water.

Table 1

	TNS	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Found ac	1S	19E	22	38	23	37	37	38	38	19	40	38			8	32	40	39	27	454
Recommend POU				39	16	29	33	38	35	11	40	31			2.5	23	37	22	20	376.5
37-2607	1S	19E	22															6		6
License 37-2607			22															6		6
37-2608			22									40			10	10	40			100
License 37-2608			22									40			10	10	40			100
37-2685			22		10	33		40	40	20	40									183
License 37-2685			22		9	29		39	39	21	40									177
			15											36	19.8					55.8
37-7284			22	39	10	36	35				23									143
License 37-7284			22	39	10	36	35				23									
Cumulative licensed POU by Q/Q (GW only)				39	19	37	35	39	39	21	40	40			10	10	40			369

Found acreage	= 454 ac	
Lic cumulative ac	= <u>369 ac</u>	(Ground water combined POU acreage limit)
Difference	85 ac	(not covered by an existing right)

37-2607 is being recognized for 6 acres in addition to the 369 acres identified above.

The licensed cumulative acreage is based upon the licensed POU acreage. Where there are differences I am recognizing acre shifting as a correction to the POU based upon mapping differences and/or an unrecorded transfer. Those acres are NOT considered either forfeited or as additional acreage up to the total combined POU licensed acreage limit.

Christensen, Kelly

From: Christensen, Kelly
Sent: Wednesday, November 18, 2009 12:09 PM
To: 'Jim Speck'; Bromley, Chris; Kelly, Vicki
Subject: RE: 37-2607, 2608, 2685, and 7284 Chaney Creek Ranch

The issue is enlargement vs. an unrecorded transfer of a portion of 37-2685 prior to the development of 37-7284. Where two rights are "stacked" on common acreage, if they were to be later un-stacked more acreage is irrigated then the overall consumptive use would increase thus enlargement.

I have reviewed the water right back files for 37-2685 and 37-7284 and have found the following.

37-2685 has a 1961 priority date but proof was submitted in 1968 and the licensing field examination was conducted in 1970 with the license ultimately being issued in 1972. All available evidence suggests that there was no change in POU prior to 1972 for this right.

37-7284 has a 1973 priority date and the licensing field exam was done in July of 1980. Neither the licensing field exam or license specifically addresses any overlap, but on page 23 of the back file the field exam includes the following statement. " Mr. Bickett said that he generally only uses the water from well for one or two irrigations on (an???) average year." This statement appears to address the overlapping acreage.

To be able to recognize those acres independently you would have to establish that, water from 37-2685 was moved off the overlapping ground and to the unlicensed acreage prior to the development of 37-7284.

I do not have definitive information clearly establishing that they were used conjunctively on that ground and it does not appear logical that they would route water around the overlapping acreage to the ground to the southeast.

The only aerial photos available within the time frame in question is the 1969 flight, and the licensing field exam maps included in the respective files listed above. The licensing field exam maps are not dated and are of poor quality. The aerial photo in 37-7284 does appear to suggest a pasture but does not really show any irrigation pattern as is shown in other parts of the property. If it is actually irrigated, there is no way to determine the source of the water from the aerial photo.

If you can document that the overlapping acreage covered by 37-2685 was actually moved southeast I would consider recognizing a larger POU. This may require an amendment to the claim for 37-2685 but we can address this at a future date.

Kelly

-----Original Message-----

From: Jim Speck [mailto:jim@speckkandaanestad.com]
Sent: Wednesday, November 11, 2009 5:49 PM
To: Bromley, Chris; Kelly, Vicki; hobdeycraig@hotmail.com; Christensen, Kelly; 'Peter Gray'
Subject: RE: 37-2607, 2608, 2685, and 7284 Chaney Creek Ranch

Kelly,

Thanks for the work up which I think I understand. Here is how I see it. There are a total of 420 acres of licensed ground water rights on the Ranch. However, you found that there are 51 acres shared by 2685 & 7284, so that reduces your total to 369 acres. Why can't you recognize accomplished transfers of the 51 acres (including transfers to add the 7284 p/d's to 2685) so that would bring the total back to 420 acres?? With the 6 acres under 2607 we are then at 426 acres, which is only 28 acres less than the total irrigated area you found.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

CONFIDENTIAL COMMUNICATION

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-----Original Message-----

From: Christensen, Kelly

Sent: Wednesday, November 04, 2009 1:18 PM

To: Jim Speck; Bromley, Chris; Kelly, Vicki; hobdeycraig@hotmail.com

After a more exhaustive review I have found that the 4 claims identified the licensed POU as the claimed POU. The objection indicates that the PPU should be 456 acres. I found that the combined POU for all four licenses totals 375 acres. As 456 acres are not claimed, I cannot recommend beyond the claimed POU. It is not clear when the additional acreage was first irrigated but it appears to be some time after 1963.

I have attached a narrative that hopefully addresses a majority of the issues covered in the objections and the basis for my tentative decisions.

37-2609A is associated with Chaney Creek Ranch but I have not looked into this one yet other than to note that the Responses have been withdrawn.

<<37-2607 etal analysis Chaney Cr Ranch.docx>>

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

Chaney Cr Ranch

37-2607 Obj C.R. Ranch Source should be unnamed drain
POD should be Sec 22 SWSE
Period. " " 4-1 / Oct 31
POU " " 456.5 ac

comb rts 2607, 2608, 2685, 7284

456.5 ac includes 80 ac CRP gnd.

37-2607 Response by BV/canal - no comments included

37-2608 Obj C.R. Ranch Quantity - annual vol should be 1597.75 ^{AF}
with Rts - 2608, 2685, 7284 - 1597.75 af
Period - should be 4-1 / 10-31
POU - all 4 rts comb. limit to 356.5 ac

$$1597.7 / 356.5 \text{ ac} = \underline{4.48 \text{ AF}}$$

$$1597.7 / 456 = \underline{3.5 \text{ AF}}$$

37-2685 Obj C.R. Ranch Quantity into comb. limit = 1597.75
POU all 4 Rts Comb limit to 356.5 ac

Reason states ASCS map ac add to 455.9 ac

37-7284 C.R. Ranch Obj - Quantity = 1597.75 af

P/D Sec 22 ^{P/D} NENWNE; ^{INS} SENWNE; ^{REDIV} SWSENE

lie ^{lie} NWNE NWNE SWNE

Period of yr Should be 4-1 / 10-31

POU comb = 356.5 ac

37-2607 orig source = drain now Chaney Cr?

P/D now needs to discussed. P/U needs a second look. Combined rt language needs to be reviewed

Want to a 456 ac POU?

Thurs Apr 23, 09
KHC / Chris

37-2607 Cheyney Cr Ranch

Hobby needs to be kept in the loop

Need to establish 2685 extra acres
evaluate OL acres

PPU = $\approx 456ac^+$

Status Conf Dec 2 9:30

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 37-2609A

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Chaney Creek Ranch LLC

Address: c/o Elizabeth Gray
PO Box 3175
Ketchum, ID 83340

Daytime Phone: (208) 726-5997

Name & Address of Attorney, if any:
James P. Speck
SPECK & AANESTAD
A Professional Corporation
PO Box 987
Ketchum, ID 83340

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

Name: Chaney Creek Ranch LLC

Address: c/o Elizabeth Gray
PO Box 3175
Ketchum, ID 83340

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:
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:
8. ☒ **Period of Year**
Should be: April 1 to October 31 for irrigation
9. ☐ **Place of Use**
Should be:
10. **I object because:**
 - ☐ This water should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): The season of use for all of the irrigation rights in this part of Blaine County should begin April 1.

F.

VERIFICATION (Must be completed)

State of Idaho)
) ss.
County of Blaine)

James P. Speck, being first duly sworn, upon oath, deposes and says:

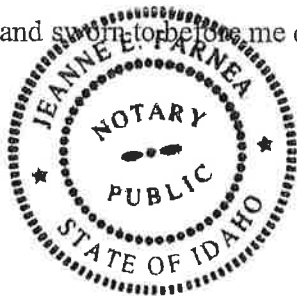
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6), or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

J. P. Speck
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

November 9, 2007.



Jeanne Farnea
Notary Public for Idaho

Residing at Shoshone, Idaho

My Commission expires 05/05/09

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 of the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on November 9, 2007, 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
P. O. Box 2707
Twin Falls, Idaho 83303-2707

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

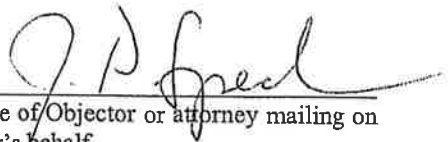
Name: Chaney Creek Ranch LLC
Address: c/o Elizabeth Gray
PO Box 3175
Ketchum, ID 83340

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
P. O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource
Division
550 West Fort Street, Box 33
Boise, Idaho 83734


Signature of Objector or attorney mailing on
Objector's behalf

State of Idaho **License and Certificate of Water Right**

Water License No. G-27592

Amount 4.04 c.f.s.

Water District No. _____

Priority Oct. 8, 1958

THIS IS TO CERTIFY that WINTON S. GRAY - Assignees - FRED PRINS & MARGARET F. PRINS of Sun Valley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 8, 1958; that Permit No. G-27592 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 4.04 second feet, was issued thereunder on September 16, 1964, showing that said works were completed on the 30th day of December, 1963; and that on the 30th day of December, 1963,

WINTON S. GRAY - Assignees - FRED PRINS & MARGARET F. PRINS of Sun Valley, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation

, under Use Permit No. G-27592 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

13 of Licenses at page 7993, on the 16 day of September, 1964;

The right hereby confirmed dates from October 8, 1958;

The Point of Diversion is located

in the SE 1/4 SW 1/4, Sec. 22, Tp. 1 S., R. 19 E., B. M. Blaine County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.04 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	19 E.	22 27	SE 1/4 SW 1/4	30	30
			NE 1/4 NE 1/4	30	30
			NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	30	30
			SE 1/4 NE 1/4	15	15
			NE 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	10	10
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	15	15
			Total number of acres to be irrigated:		250

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 16th day of September, 1964.

(SEAL)

RALPH W. THOMAS
Deputy State Reclamation Engineer.

37 2609

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 No. 37-2609A

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING:

Tom O'Gara
John F. Stevenson
Bill Molyneux
Pete Van Der Meulen
Grace Eakin
Rocky Sherbine
Gerald Bashaw
Pepin Corso-Harris
c/o Concerned Water Users
P.O. Box 1200
Bellevue, ID 83313

Big Wood Canal Company
112 South Apple Street
Shoshone, ID 83352

Name and Address of Attorney, if any:

Albert P. Barker
Barker, Rosholt & Simpson, LLP
P.O. Box 2139
Boise, ID 83701
Telephone: (208) 336-0700
Attorney for O'Gara, Stevenson,
Molyneux, Van Der Meulen, Eakin,
Sherbine & Bashaw

Craig Hobdey
Hobdey & Hobdey
P.O. Box 176
Gooding, ID 83330
Telephone: (208) 934-4420
Attorney for Big Wood Canal Company

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

Name: Chaney Creek Ranch LLC
Address: P. O. Box 3175, Ketchum, ID 83340-3175

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

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☒ **Priority Date**
Should be: See "E" below.
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Beginning and Ending Point**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☐ **Place of Use**
Should be:
10. ☒ **I object because:**

☒ This water right should not exist

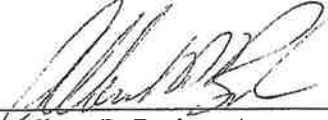
☐ This water right was not recommended, but should be recommended with the elements described above.

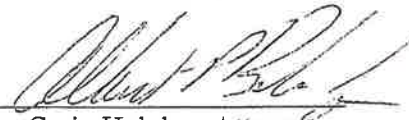
E. REASONS SUPPORTING OBJECTION(S):

Under Idaho Code 42-1501, aesthetic, wildlife and recreation are not beneficial uses authorized by the Idaho legislature or Constitution to be held in the name of private entities. If such uses are allowed, the right cannot carry a priority date earlier than the first date that the legislature authorized that beneficial use to be held by a private party.

Tom O'Gara
John F. Stevenson
Bill Molyneux
Pete Van Der Meulen
Grace Eakin
Rocky Sherbine
Gerald Bashaw
Pepin Corso-Harris

Big Wood Canal Company

By: 
Albert P. Barker, Attorney

By: 
Craig Hobdey, Attorney

F. VERIFICATION

State of IDAHO)
) ss.
County of Ada)

Albert P. Barker, 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 of person filing objection)



(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 14, 2007



Karen Joy Edwards
Notary Public for: Idaho
Residing at: Boise
My Commission Expires: 8/2/2012

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.

CERTIFICATE OF MAILING

I certify that on November 1st, 2007, I hand-delivered and mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original hand-delivered to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

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

Name: Chaney Creek Ranch LLC
Address: P. O. Box 3175, Ketchum, ID 83340-3175

3. Copies mailed to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

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



Apr 23, 09

Haitian Int hearing

37-2609A Chaney Cr

Chicken season of use

Chaney Cr. Ranch

Thurs Apr 23
9:30

37-2609A Chaney Cr Ranch
Obj - Big Wood Canal - Period of years = 4-1/10-31 for div
Resp - { Sinclair } Right should not list
 { Newfoundland } " " " "
No season of use on license

Note Right 37-2609 (Pc Doc pg 24)

approved T-5289
Oct 14, 1998

37-2609A	37-2609B
3.44 cfb	.48 cfb 12 ac
	~~irr~~ .46 cfb
	W/L/St 15.8 af
	Rec/St " "
	Acot St " "
	Div to Stor .02 cfb

Adj Claim

37-2609A Chaney Cr. Ranch

irr .46

W/L/St	15.8 af
Rec/St	15.8 af
Acot/St	15.8 af
Div to Stor	.02
tot	.48 cfb 57.8 af

State of Idaho
License and Certificate of Water Right

37-2609

Water License No. G-27592

Amount 4.04 c.f.s.

Water District No. _____

Priority Oct. 8, 1958

THIS IS TO CERTIFY that WINTON S. GRAY - Assignees - FRED PRINS & MARGARET F. PRINS of Sun Valley, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 8, 1958; that Permit No. G-27592 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 4.04 second feet, was issued thereunder on September 16, 1964, showing that said works were completed on the 30th day of December, 1963; and that on the 30th day of December, 1963,

WINTON S. GRAY - Assignees - FRED PRINS & MARGARET F. PRINS of Sun Valley, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-27592 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

13 of Licenses at page 7993, on the 16 day of September, 1964;

The right hereby confirmed dates from October 8, 1958;

The Point of Diversion is located

In the SE 1/4 SW 1/4, Sec. 22, Tp. 1 S., R. 19 E., B. M. Blaine County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 4.04 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	19 E.	22 27	SE 1/4 SW 1/4	30	30
			NE 1/4 NE 1/4	30	30
			NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	30	30
			SE 1/4 NE 1/4	15	15
			NE 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	10	10
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	15	15
			Total number of acres to be irrigated:		250

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 16th day of September, 1964.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

37-2609

Pc Doc Pg 56

12/13/2006

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

RIGHT NUMBER: 37-2609A

NAME AND ADDRESS: CHANEY CREEK RANCH LLC
C/O ELIZABETH K GRAY
PO BOX 3175
KETCHUM ID 83340

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.480 CFS
57.800 AFY

This right when combined with all other rights shall provide no more than 3.5
afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 10/08/1958

POINT OF DIVERSION:

T01S R19E S22 SWSESW Within BLAINE County

T01S R19E S22 SWSESW Injection Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
WILDLIFE STORAGE	01/01 12/31	15.80 AFY
RECREATION STORAGE	01/01 12/31	15.80 AFY
AESTHETIC STORAGE	01/01 12/31	15.80 AFY
DIVERSION TO STORAGE	01/01 12/31	0.020 CFS
IRRIGATION	04/15 10/31	0.460 CFS 42.00 AFY

PLACE OF USE:

IRRIGATION in BLAINE County
T01S R19E S22 SESW 12.00
WILDLIFE STORAGE in BLAINE County
T01S R19E S22 SESW
RECREATION STORAGE in BLAINE County
T01S R19E S22 SESW
AESTHETIC STORAGE in BLAINE County
T01S R19E S22 SESW

12 ACRES TOTAL

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

current Standard Season
obj by Chaney et al.
License did not include a season of use.

12/13/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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.

Prior to the diversion and use of groundwater under this right, the right holder shall install and maintain measuring devices acceptable to the watermaster and the department at both the point of diversion at the well and the point of injection into Chaney Creek.

The portion of Right 37-02609A used for conveyance losses for irrigation use is 0.04 cfs.

The first year that water is diverted to wildlife, recreation and aesthetic storage uses, the irrigation use under this right shall be limited to 8.7 acres, 0.34 cfs and 30.5 afa.

The reduction of irrigation during the first year will provide the additional storage volume to fill the pond when combined with the 4.2 af associated with the 1.2 acres no longer irrigated.

During initial filling of the pond, the right holder shall inject groundwater into Chaney Creek at a rate not to exceed 0.50 cfs when all uses of the right are combined in order to replace captured surface water as soon as possible.

After the initial filling of the pond, the right holder shall continue to divert groundwater into Chaney Creek at a diversion rate of 0.02 cfs and an annual diversion volume of 3.1 af to replace consumptive losses of the pond.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



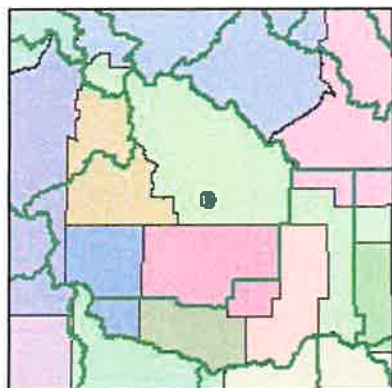
Idaho Department of Water Resources

SRBA Recommendation:

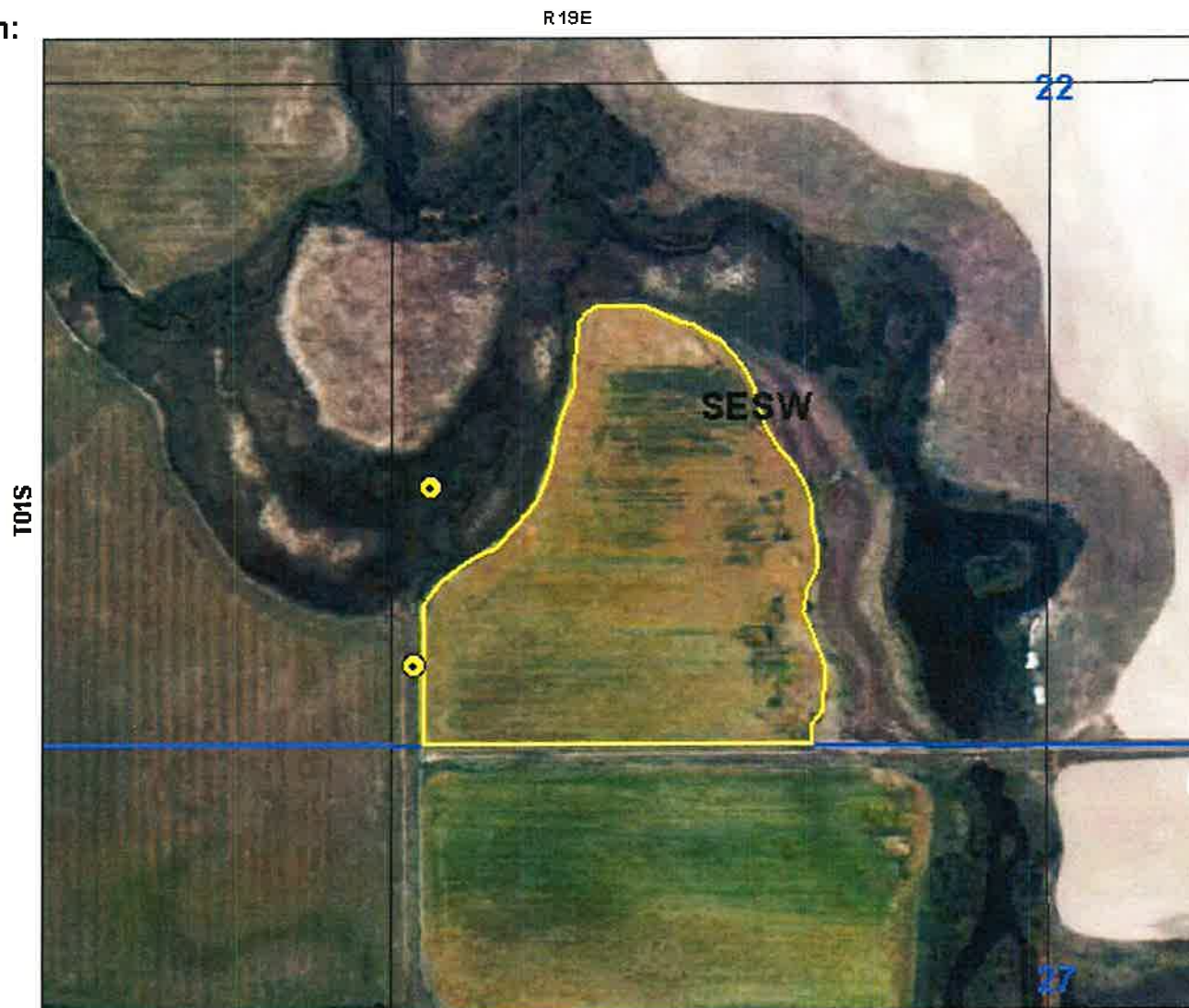
37-2609A

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Prepared by N. Erickson
On Wednesday, December 13, 2006
2004 Aerial Photography



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

January 21, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Norman Semanko
ROSHOLT, ROBERTSON & TUCKER
PO Box 1906
Twin Falls, Idaho 83303-1906

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): A37-02607, A37-02608, A37-02609A, A37-02685,
A37-07284, and A37-11717
Change of Ownership Notification

Dear Mr Semanko:

Pursuant to the notification that your client(s) have purchased property with the above-mentioned Snake River Basin Adjudication claim(s), I have modified our records. The enclosed copies are for your records, please review them for accuracy in all respects.

Sincerely,

A handwritten signature in cursive script, appearing to read 'V. Hancock'.

Vikie Hancock
S.R.B.A. Records Clerk

ENCLOSURES

Southern AJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5289
WATER RIGHT NO. 37-02609B

RECEIVED
DEC 02 1993
Department of Water Resources
Southern Region

This is to certify that: **CHANEY CREEK RANCH LLC**
PO BOX 4630
KETCHUM ID 83340

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	* 0.46 CFS	42.0 AF
WILDLIFE STORAGE	01/01 to 12/31		15.8 AF
RECREATION STORAGE	01/01 to 12/31		15.8 AF
AESTHETIC STORAGE	01/01 to 12/31		15.8 AF
DIVERSION TO STORA	01/01 to 12/31	0.02 CFS	
	Totals	0.48 CFS	57.8 AF

SOURCE

GROUNDWATER

Priority: 10/08/1958

LOCATION OF POINT(S) OF DIVERSION:

Injection

SESW , Sec. 22, Township 01S, Range 19E
SESW , Sec. 22, Township 01S, Range 19E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	19E	22	SESW	12		12
Total number of acres irrigated:						** 12

CONDITIONS OF APPROVAL AND REMARKS

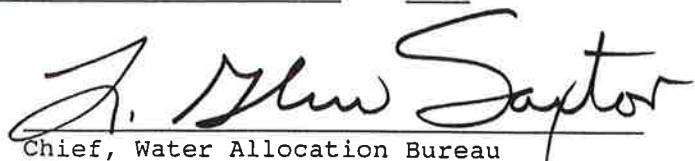
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37M.
2. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5289
WATER RIGHT NO. 37-02609B

CONDITIONS OF APPROVAL AND REMARKS

3. Prior to the diversion and use of groundwater under this right, the right holder shall install and maintain measuring devices acceptable to the watermaster and the department at both the point of diversion at the well and point of injection into Chaney Creek.
- ** 4. The first year that water is diverted to wildlife, recreation and aesthetic storage uses, the irrigation use under this right shall be limited to 8.7 acres, 0.34 cfs and 30.5 afa.
5. The reduction of irrigation during the first year will provide the additional storage volume to fill the pond when combined with the 4.2 af associated with the 1.2 acres no longer irrigated.
6. During the initial filling of the pond, the right holder shall inject groundwater into Chaney Creek at a rate not to exceed 0.50 cfs when all uses of the right are combined in order to replace captured surface water as soon as possible.
7. After the initial filling of the pond, the right holder shall continue to divert groundwater into Chaney Creek at a diversion rate of 0.02 cfs and an annual diversion volume of 3.1 af to replace consumptive losses of the pond.
- * 8. The portion of Right 37-02609B used for conveyance losses for irrigation use is 0.04 cfs.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 14th day of October, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 37-02609 
FROM: Pam Skaggs/State Office
SUBJECT: Transfer 5289 
DATE: October 5, 1998

=====

Transfer 5289 adds a point of injection to Chaney Creek, reduces the irrigation and adds new storage uses under a portion of Right 37-02609, splitting the right into Parts A and B. The applicant is enlarging an existing natural pond on Chaney Creek to store 15.8 af for wildlife, recreation and aesthetic uses. A stream channel alteration permit has already been approved by Southern Region.

The extent of use under this right prior to any changes was identified as irrigation of 13.2 acres from the well. The surface area of the pond is being enlarged approximately 1.1 acres to a total of 2.0 acres. The initial filling of the pond will require the diversion volume from 4.5 acres and the following years 1.2 acres will no longer be irrigated.

A diversion rate of 0.02 cfs groundwater will continue to be injected into Chaney Creek to compensate for the consumptive losses of the pond. Excessive flow analysis found that 0.035 cfs/acre was required for the irrigation portion of this right and 0.04 cfs for conveyance losses.

Recommended conditions include watermaster control, irrigation overlap, measuring devices, first year irrigation reduction & limits, continued injection to Chaney Creek, conveyance loss, and standard transfer conditions.

<u>Change in Nature of Use Evaluations</u>				
	<u>Rate</u>	<u>Acres</u>	<u>Use</u>	<u>Div. Vol./C.U. Vol</u>
Before	0.46 cfs	13.2 acres	IRR	46.2 afa/33.0 afa
	<u>0.04 cfs</u>	Conveyance Loss		
	0.50 cfs	13.2 acres	IRR	46.2 afa/33.0 afa
First Year	*0.34 cfs	8.7 acres	IRR	30.4 afa/21.8 afa
		WILD/REC/AES STOR		15.8 afa/ 3.0 afa
	<u>0.50 cfs</u>	DIV STOR		
	0.50 cfs	8.7 acres		46.2 afa/24.8 afa
After	*0.46 cfs	12.0 acres	IRR	42.0 afa/30.0 afa
		WILD/REC/AES STOR		15.8 afa/ 3.0 afa
	<u>0.02 cfs</u>	(1.2 acres) DIV STOR		(4.2 afa)
	0.48 cfs	12.0 acres		46.2 afa/33.0 afa

* Irrigation diversion rate includes 0.04 cfs conveyance loss.

MEMORANDUM

TO: File 37-02609
 FROM: Pam Skaggs/State Office
 SUBJECT: Transfer 5289
 DATE: October 5, 1998

Transfer 5289 adds a point of injection to Chaney Creek, reduces the irrigation and adds new storage uses under a portion of Right 37-02609, splitting the right into Parts A and B. The applicant is enlarging an existing natural pond on Chaney Creek to store 15.8 af for wildlife, recreation and aesthetic uses. A stream channel alteration permit has already been approved by Southern Region.

The extent of use under this right prior to any changes was identified as irrigation of 13.2 acres from the well. The surface area of the pond is being enlarged approximately 1.1 acres to a total of 2.0 acres. The initial filling of the pond will require the diversion volume from 4.5 acres and the following years 1.2 acres will no longer be irrigated.

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	<u>Rate</u>	<u>Acres</u>	<u>Use</u>	<u>Div. Vol./C.U. Vol</u>
Before	0.46 cfs	13.2 acres	IRR	46.2 afa/33.0 afa
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	0.50 cfs	13.2 acres	IRR	46.2 afa/33.0 afa
First Year	*0.34 cfs	8.7 acres	IRR	30.4 afa/21.8 afa
		WILD/REC/AES STOR		15.8 afa/ 3.0 afa
	<u>0.50 cfs</u>	DIV STOR		
	0.50 cfs	8.7 acres		46.2 afa/24.8 afa
After	*0.46 cfs	12.0 acres	IRR	42.0 afa/30.0 afa
		WILD/REC/AES STOR		15.8 afa/ 3.0 afa
	<u>0.02 cfs</u>	(1.2 acres) DIV STOR		(4.2 afa)
	0.48 cfs	12.0 acres		46.2 afa/33.0 afa

* Irrigation diversion rate includes 0.04 cfs conveyance loss.

TRANSMITTAL COVER SHEET

OMNIFAX G66

TO: Tom Miller

TOTAL PAGES SENT: 8

DOCUMENT DESCRIPTION: SRBA CLAIMS - STINSON
AS AMENDED:

A37-02608 & A37-02609A

FROM: **IDAHO DEPARTMENT OF WATER RESOURCES**

1341 FILLMORE ST, STE 200

TWIN FALLS ID 83301-3380

PHONE: **736-3033**

FAX: **736-3037**

SENDER: Steve Clelland

CHARGES:

One (1) free copy per request, cover sheet not counted. Two (2) or more copies per request will cost \$0.25 per page. (\$0.50 minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: \$ 2.00

TRANSMISSION VERIFICATION REPORT

TIME : 07/25/1997 16:23
NAME : IDWR SOUTHERN REGION
FAX : 2087363037
TEL : 2087363033

DATE, TIME
FAX NO. / NAME
DURATION
PAGE(S)
RESULT
MODE

07/25 16:20
912083446505-540044
00:03:00
09
OK
STANDARD
ECM

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland *hcc*

July 25, 1997 1:03pm

NAME:

RE:

TOM MILLER @ HOLLEY-TROXEL

STINSON RIGHTS IN B37

HE CALLED TO SEE IF AN AMENDMENT WAS NEEDED TO CHANGE THE NAME OF THE TRIBUTARY TO MATCH THE USGS NAME... I TOLD HIM HE COULD EITHER HAVE THEM AMEND THE CLAIM OR I CAN PLACE A MEMO IN THE FILE AND WE CAN BE SURE TO GET IT CORRECT AT THE TIME THE RIGHT IS REPORTED TO THE COURT. HE WILL LET US MAKE THE CORRECTION THEN.

TRIBUTARY SHOULD BE STALKER CREEK AND NOT STOCKER CREEK AS LISTED ON THE CLAIM. *RE: A37-02607*

HE WOULD ALSO LIKE TO GET COPIES OF THE AMENDED CLAIMS OF THE OTHER RIGHTS THE STINSON'S FILED.. 37-02609A & 37-02608.

FAX: 344-6505 PHONE: 344-6000

A37-02609A

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

July 21, 1997 1:18pm

CUSTOMER

CRYSTAL/ROSHALT'S OFFICE

A37-02608

A37-02609A

SUBJECT: AMENDED CLAIMS...

phone call (.) walk-in (X)

She brought the proposed amendments in to me last Friday, which essentially changed the claims to agree with the licenses on which they were based. She returned today with the signed and notarized amendments...

On A37-02608, the POU was changed and reduced from 197 acres to 100 acres and the Remark referring to the combined system was deleted. The reference to Consumptive Use was also removed...

On A37-02609A, the diversion rate was reduced from 4.04 to .6 cfs, the POU was changed and reduced to 30 acres, and the Remark referring to the well being shared by two claimants was changed to three claimants...