

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: A37-07059
Date Received: 10/26/1988
Receipt No: M001768
Received By: ENC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANDREAS SCHERNTHANNER 208-726-5292
Address: P.O. BOX 567
SUN VALLEY, ID 83353

AND/OR
Name: ALICE E. SCHERNTHANNER 208-726-5292
Address: P.O. BOX 567
SUN VALLEY, ID 83353

2. Date of Priority: MAR 11, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	17E	11	NE	SE			BLAINE
		12	NW	SW			BLAINE

5. Description of diverting works:
WELL, PUMP, MOTOR & PIPE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	06/01	09/01	0.200		36.40
STOCKWATER	01/01	12/31	0.020		0.20

7. Total Quantity Appropriated is:
0.200 C.F.S. (and/or) 36.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/10 HORSES.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	17E	11	NE	SE	IRR	5.0
					Section Acres	5.0
		12	NW	SW	IRR	18.0
			SW	SW	IRR	5.0
					Section Acres	23.0
					Total Acres	28.0

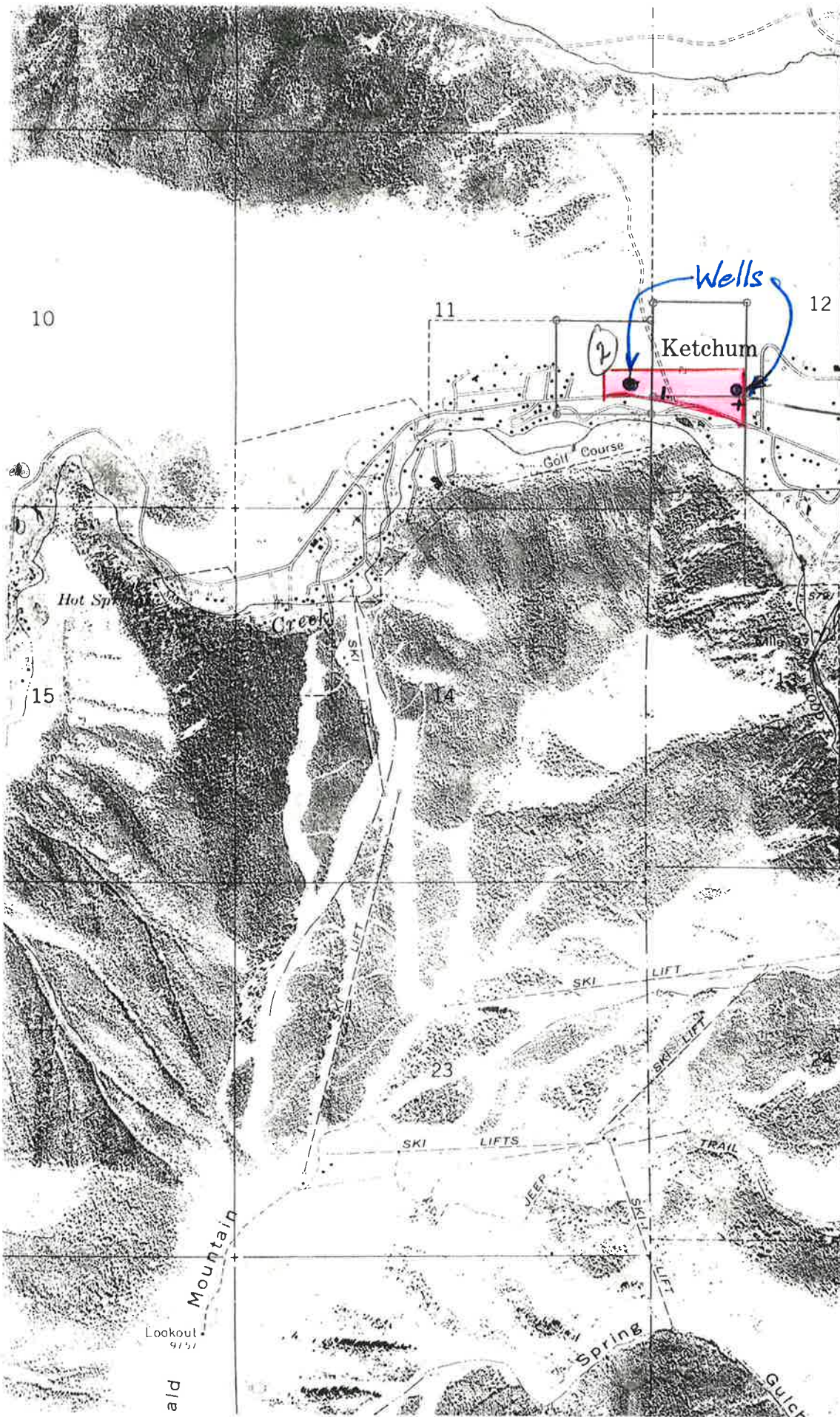
11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE



Tw 4N
Rge 17E

7059

MICROFILMED
FEB 24 1993

A37-07059

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): Andrew Thornton Date: 10-26-1988

_____ Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of October 19 88

Ernest Carlson
Notary Public

Seal

Residing at Idaho Falls, ID

My Commission Expires 14 June 1994

11/21/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 37-7059

ALICE E SCHERNTHANNER
PO BOX 567
SUN VALLEY ID 83353
Telephone Number: (208)726-5292

ANDREAS SCHERNTHANNER
PO BOX 567
SUN VALLEY ID 83353
Telephone Number: (208)726-5292

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

12-4-06

SIGNATURE:

Andreas Schernthanner

Please print your name:

ANDREAS SCHERNTHANNER

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
13 2006

05/10/2005

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2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office,

05/10/2005

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

RIGHT NUMBER: 37-7059
NAME AND ADDRESS: ALICE E SCHERNTHANNER
PO BOX 567
SUN VALLEY ID 83353

ANDREAS SCHERNTHANNER
PO BOX 567
SUN VALLEY ID 83353

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.200 CFS
36.60 AFY

PRIORITY DATE: 03/11/1970

POINT OF DIVERSION:
T04N R17E S11 NESE Within BLAINE County
T04N R17E S12 NWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	06/01 09/01	0.200 CFS 36.40 AFY
STOCKWATER	01/01 12/31	0.020 CFS 0.20 AFY

PLACE OF USE: IRRIGATION Within BLAINE County
T04N R17E S11 Lot 3 NESE 0.4 T04N R17E S12 NWSW 26.0
T04N R17E S12 SWSW 1.6
STOCKWATER same as IRRIGATION
28 ACRES TOTAL

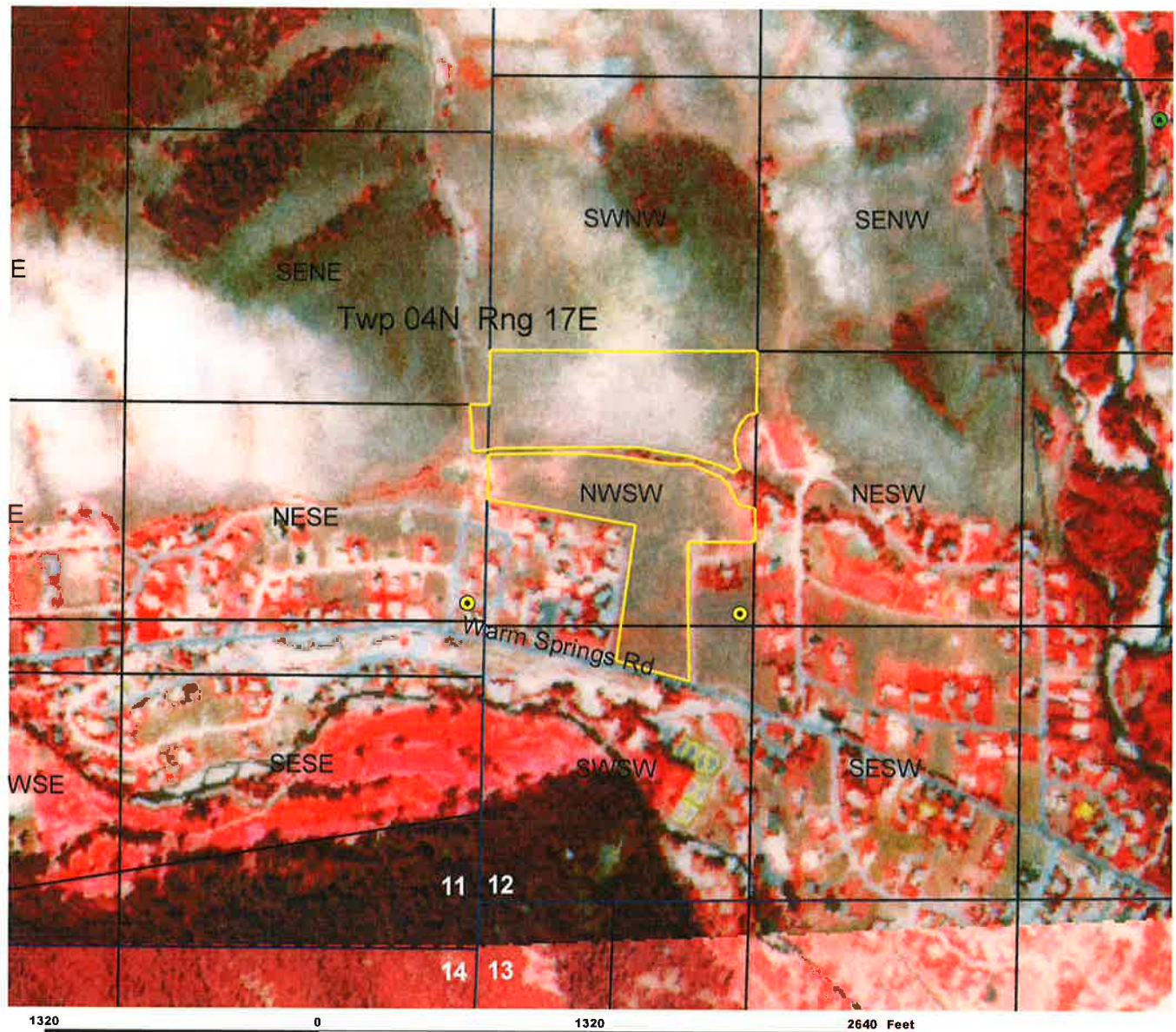
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

Idaho Department of Water Resources

RECOMMENDED PLACE OF USE FOR
37-7059

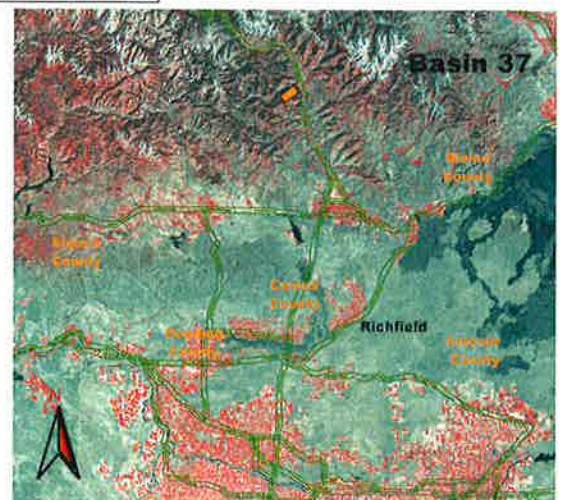


PLACE OF USE
TWP 04N, RNG 17E, SEC 11,12
Data entry on May 09, 2005

- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- TOWNSHIP LINES
- SECTION LINES
- QUARTER/QUARTER LINES

LOCATION IN BASIN

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY NICK TREASURE



05/10/2005

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VERIFIED BY NT

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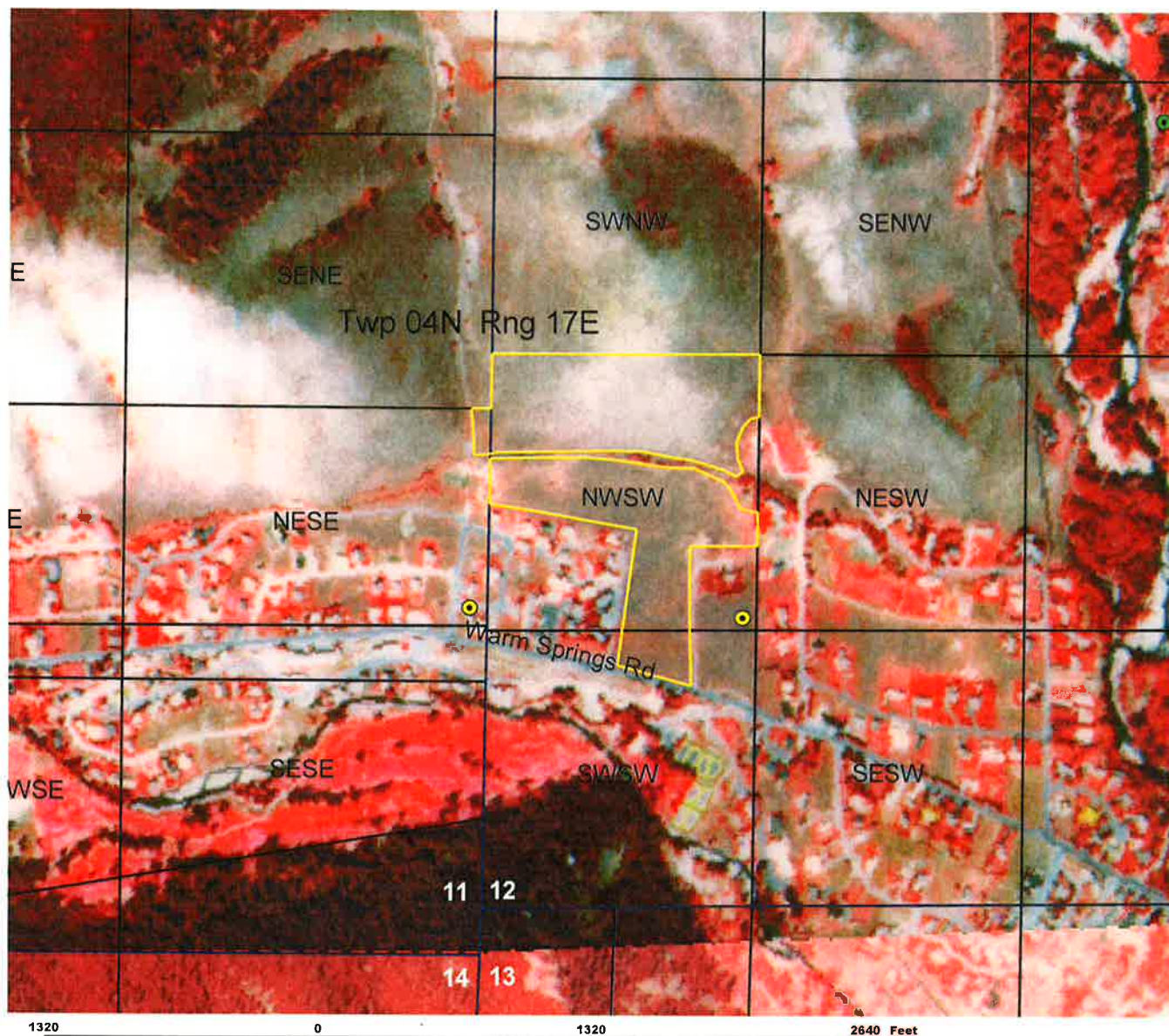
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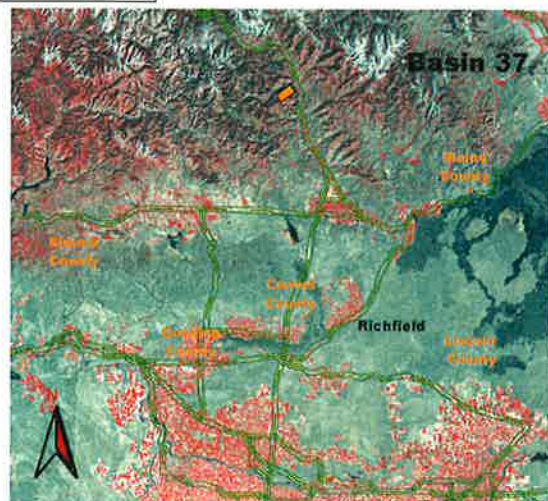
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1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY NICK TREASURE



File No.
A37-07059, A37-07104

Owner
Andreas & Alice Scherthanner
P.O. Box 567
Sun Valley

Date
5/6/05

I called Alice and made an appointment to meet them at noon today and she said Andreas would be there To meet me which he did meet me at their home up warm spring . While looking at the photos within each file He drew where the three home are that could not be identified by yellow he also addressed the three On the photo in file 37-7059 and some area for irrigation , there is also some irrigation on small lawns by some homes. Then he took me to the well locations and watched me get GPS,

No. 1 A37-7059
No. 2 A37-7104

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Photo looking SE	Andre 1	2469212	1387859	A0016183	1050582
" " S	" 2	2468825	1387903	"	583

Lee R. Peterson

RECEIVED
MAY 09 2005
Department of Water Resources
Southern Region



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 DEPT INTERNET WEB SITE: www.idwr.idaho.gov

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 21, 2005

Andreas Schernthanner
P.O. Box 567
Sun Valley, ID 83353

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA) CLAIM(S): 37-7059, 37-7104

Dear claimant

The Idaho Department of Water Resources (IDWR) is presently investigating water right claims in the Upper Big Wood Basin in preparation for submittal of Director's Report recommendations to the SRBA Court later this year.

Both of the above listed claims are located at Township 04N, Range 17E, Sections 11 and 12. Claim 37-7104 is a licensed domestic claim for 8 homes with a rate of 0.20 cfs. Claim 37-7059 is licensed for irrigation/stock water purposes for a 28-acre place of use also with a diversion of 0.20 cfs.

In comparing the place of use of both of these water claims to the Blaine county tax lots, it is unclear to the definite boundaries of the 8 homes as well as the 28 acres listed on the license. Using the enclosed maps provided, please help us by outlining the boundaries of the claims you have made. After doing so, return the maps and any other helpful information to IDWR at the address above. Please feel free to call with any questions or clarifications.

Sincerely

Nick Treasure

Water Resource Agent

E-mail address: nick.treasure@idwr.idaho.gov

Enclosures



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 DEPT INTERNET WEB SITE: www.idwr.idaho.gov

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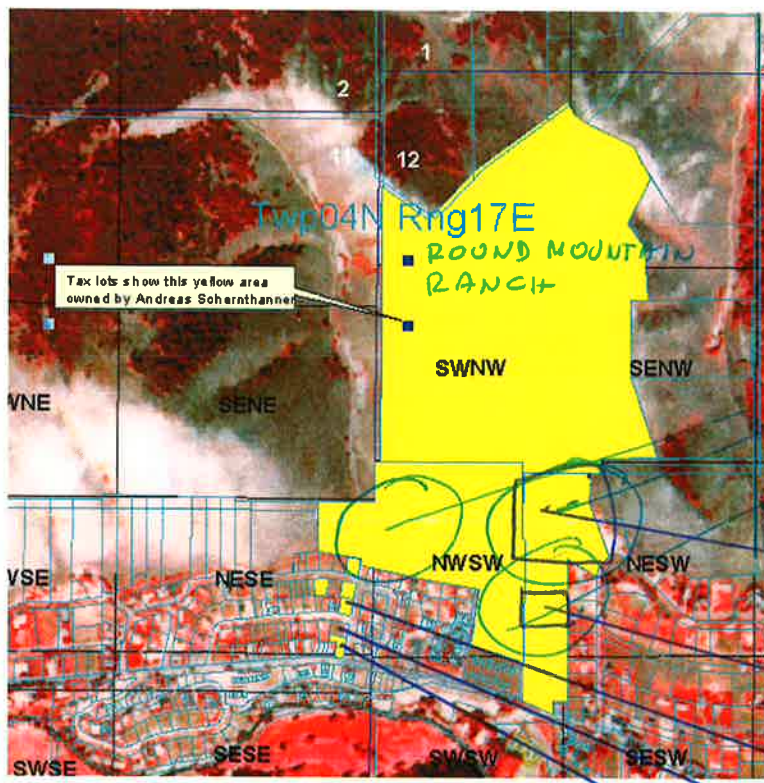
Nick Treasure
Water Resource Agent
E-mail address: nick.treasure@idwr.idaho.gov

Enclosures

I MARKED THE LOCATIONS AND STREET #
OF THE HOMES FOR WHICH I SUPPLY WATER.
THE NEXT TIME WHEN I'LL BE IN TWIN F.
I STOPP BY AT YOUR OFFICE
SINCERELY ANDY SCHERNTHANNER

RECEIVED
MAY 05 2005

Department of Water Resources
Southern Region



IRRIGATED LAND

200 BALSAM ROOT ROAD

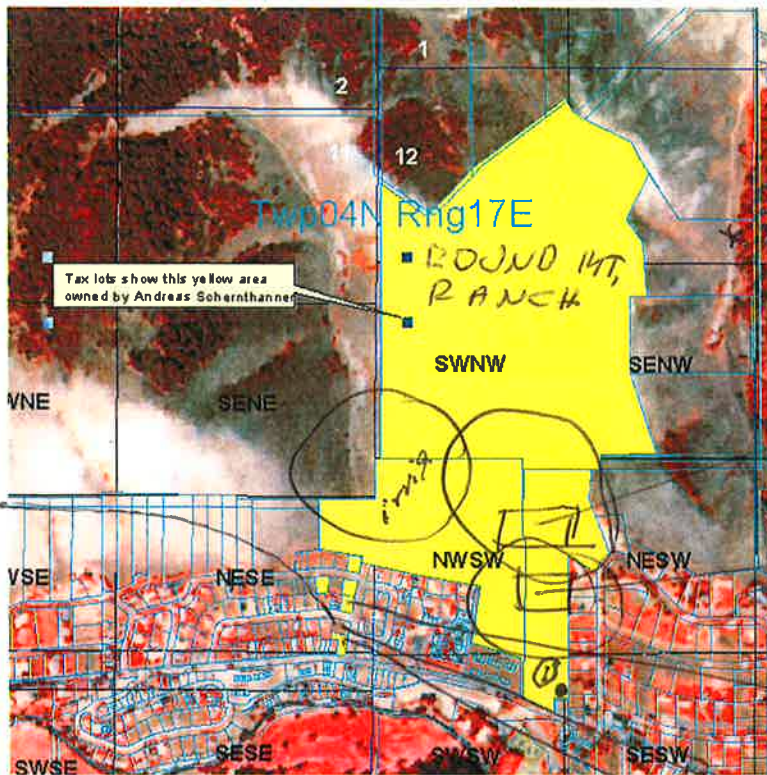
200 FLOWER DRIVE

111 & 115 WANDERERS WAY

164 & 166 BELMONT DRIVE

1950 & 1952 WARM SPRINGS RD





200
BALSAM ROOT ROAD

200
FLOWER DR.

111 & 115
WANDERERS WAY

164 & 166
BELMONT DR.

1950 & 1952
WARM SPRINGS ROAD

lawns around
homes irrig.

animals = varies



WATER RIGHT LICENSE

THIS IS TO CERTIFY, that **ANDREAS SCHERNTHANNER**

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from June 1 to September 1	0.20 cfs and	36.4 acre feet
Stockwater	from January 1 to December 31	0.02 cfs and	0.2 acre feet
	from _____ to _____	_____ cfs and	_____

Description and location of place of use:

[illegible]

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
November 19 79

Director

MICROFILMED

Rge - 17E

T
4
N

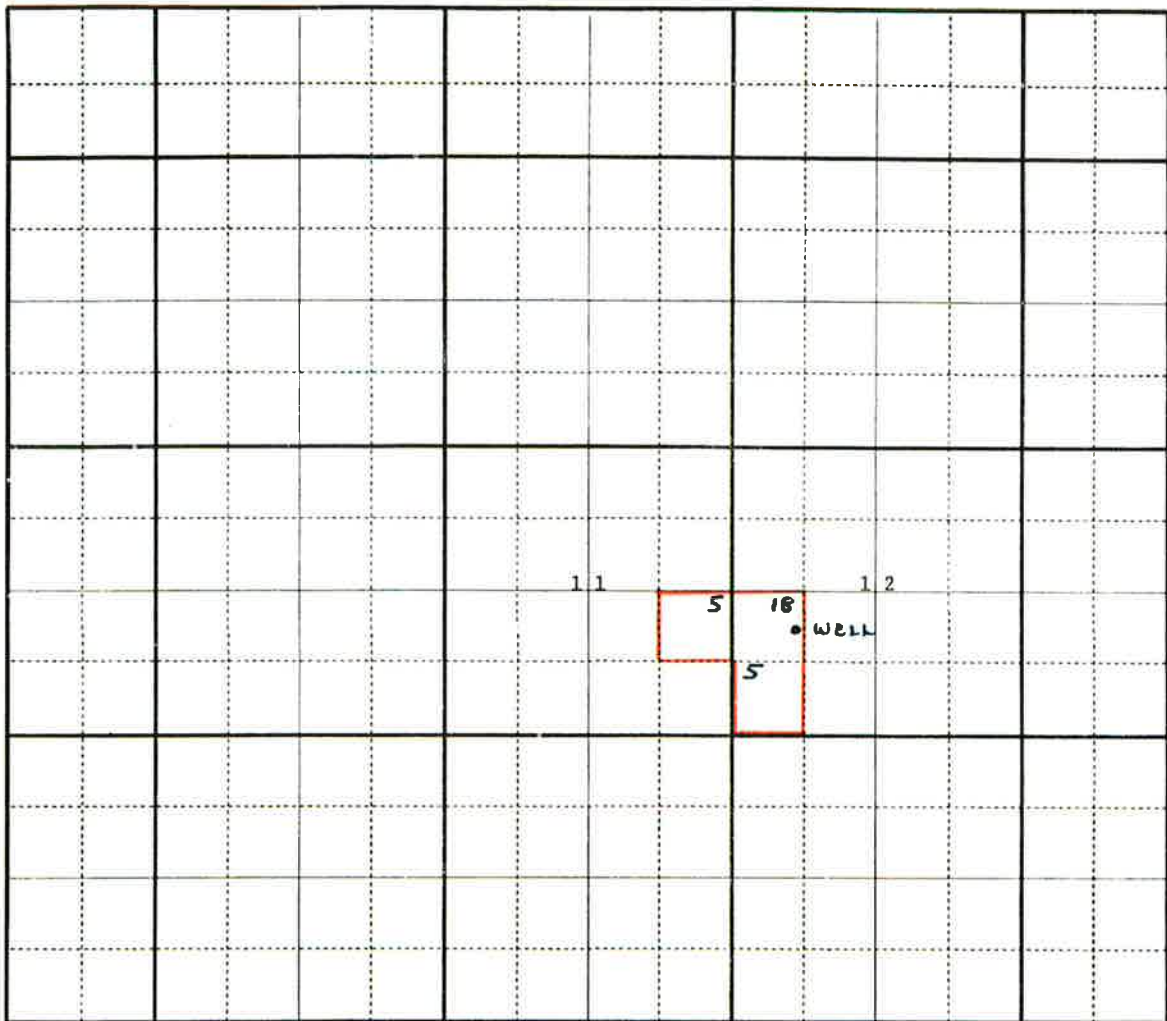


Diagram of System