

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: **A37-07505A**
Date Received: 11/16/1993
Receipt No: S016384
Received By: 

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

1. Name: SHANNON WOLF 208-764-2624
Address: PO BOX 433
FAIRFIELD ID 83327
AND/OR
Name: MICHELLE WOLF 208-764-2624
Address: PO BOX 433
FAIRFIELD ID 83327

2. Date of Priority: JUL 21, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	13E	7	SW	SE			CAMAS

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.450		897.00

7. Total Quantity Appropriated is:
2.450 C.F.S. (and/or) 897.00 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	13E	7	NE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	13E	7	NW	SW		IRR	40.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
			NE	SE		IRR	39.0
			NW	SE		IRR	40.0
			SW	SE		IRR	36.0
			SE	SE		IRR	26.0

Section Acres 299.0

Total Acres 299.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

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): Shannon Wolf Date: 11/16/93

Date: _____

MICROFILMED
OCT 25 1994

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of November 19 93
Shirley C. Allen
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

MICROFILMED
OCT 25 1994

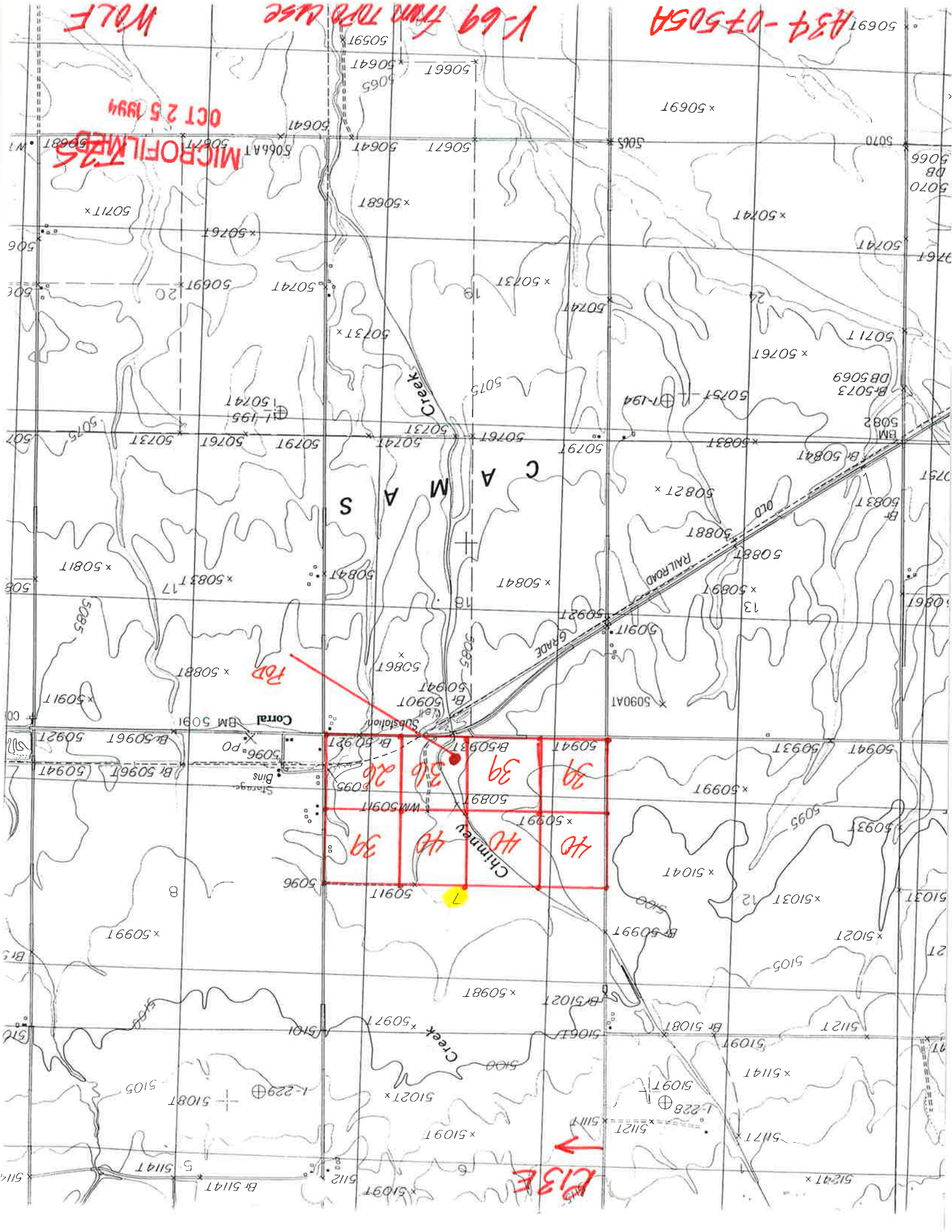
A34-07505A

V-69 from TRD case

WOLF

OCT 25 1994

MICROFILMED



C A M S

Creek

RAILROAD

GRADE

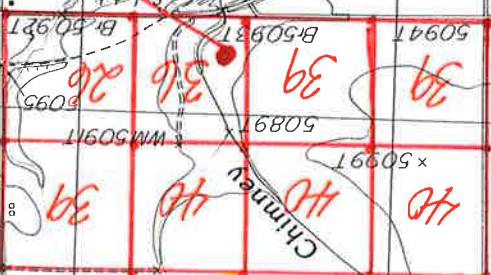
Corral

Bins

Storage

Substation

Chimney



7

13E

BARGAIN AND SALE DEED

THIS INDENTURE, Made the 5th day of April, in the year of our Lord one thousand nine hundred and eighty-nine between ADMINISTRATOR OF THE SMALL BUSINESS ADMINISTRATION, an Agency of the U.S. Government, the party of the first part and SHANNON L. WOLF and BETINA J. WOLF, Husband and Wife, the parties of the second part, whose address is Box 114, Hill City, ID 83337;

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00), and other valuable consideration, lawful money of the United States of America, to it in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, has granted bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said parties of the second part, and to their heirs and assigns, forever, all that certain piece or parcel of land situate, lying and being in the County of Camas and State of Idaho, particularly described as follows, to-wit:

SEE ATTACHED EXHIBIT "A"

Subject to rights of redemption granted by law and Judgment and Decree of Foreclosure in Case No. 2200, 5th District Court for the County of Camas and further subject to all unpaid taxes and assessments and all easements, restrictions and reservations, whether or not recorded.

TOGETHER WITH all the singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the revision and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part, of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, ALL and singular the said premises, together with the appurtenances, unto the said parties of the second part and to their heirs and assigns forever.

In witness whereof, The said party of the first part has hereunto set its hand and seal the day and year first above written.

By: Stella M. Hambree
Stella M. Hambree, Act. Chief, Portfolio Mgt. Div.

STATE OF IDAHO) ss.
COUNTY OF ADA)

On this 5th day of April 1989, before me, a Notary Public in and for said State, personally appeared Stella M. Hambree, known or identified to me to be the Acting Chief, Portfolio Management Division, of the SMALL BUSINESS ADMINISTRATION, An Agency of the United States of America, that executed the said instrument, and acknowledged to me that such SMALL BUSINESS ADMINISTRATION executed the same.

WITNESS my hand and official seal.

James Baker
Notary Public for Idaho
Residing at Boise
My commission expires: 4-16-93

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OCT 25 1994

Township 1 South, Range 13 East, Boise
Meridian in Camas County, Idaho.

Section 7: Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{2}$, SE $\frac{1}{2}$ EXCEPT
Railroad Right-of-Way to the
Central Idaho Railroad Company, a
corporation as described in Deed
dated October 14th, 1911, recorded
in Book 10 Deeds, page 109, records
of Camas County, Idaho, AND EXCEPT
Highway Right-of-Way to the State
of Idaho as described in Deed dated
June 14th, 1930, recorded in Book
15 Deeds, page 25, records of Camas
County, Idaho, AND EXCEPT Highway
Right-of-Way to the State of Idaho
as described in Deed dated April
26th, 1960, recorded in Book 19
Deeds, page 614 records of Camas
County, Idaho.

Section 17: NW $\frac{1}{2}$ EXCEPT Highway Right-of-Way to
the State of Idaho as described in
Deed dated November 14th, 1935,
recorded in Book 15 Deeds, page
523, records of Camas County,
Idaho.

Section 18: E $\frac{1}{2}$ EXCEPT Railroad Right-of-Way to
the Central Idaho Railroad Company,
a corporation, as described in Deed
dated January 19th, 1911, recorded
in Book 10 Deeds, page 78, records
of Camas County, Idaho, AND EXCEPT
right-of-way for highway to the
State of Idaho as described in Deed
dated June 14th, 1930, recorded in
Book 15 Deeds, page 33, records of
Camas County, Idaho, AND EXCEPT a
fraction of land on the North line
of the NE $\frac{1}{2}$ of Section 18, Township

64815

Filed for Record at the Request of

MICROFILMED

OCT 25 1994



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

claim File

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 29, 1997

Robert Bingham
Rt 1 Box 2050
Corral, ID
83322

RE: Water License 37-07505A

Dear Mr. Bingham;

Per your request, enclosed are profile reports for the above-referenced license and the adjudication claim of the same number. The license covers the well in Sec. 7 that you asked about. This license was issued by this Department, and is valid until ruled otherwise by us or by a judge. Without an active action before the Department, we are not in a position to rule on the validity of the license. The Snake River Basin Adjudication will eventually investigate the claim before making a recommendation to the SRBA court, but that will not occur for several years. If you have reason to believe that this right has not been used for five consecutive years, you can certainly submit information on this to our adjudication staff. But as long as the well is used on the licensed ground, we cannot stop Mr. Wolf from irrigating his land. You can certainly file a civil action against Mr. Wolf if you feel that his action is injuring you, and an attorney can advise you on this matter.

If I can be of further assistance, feel free to contact me.

Regards,

James E. Stanton
Sr. Water Resource Agent

03/09/2006

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

RIGHT NUMBER: 37-7505A
NAME AND ADDRESS: MICHELLE WOLF
PO BOX 433
FAIRFIELD ID 83327

SHANNON WOLF
PO BOX 433
FAIRFIELD ID 83327

SOURCE: GROUND WATER
QUANTITY: 2.450 CFS
897.000 AFY
PRIORITY DATE: 07/21/1976
POINT OF DIVERSION:

TRIBUTARY:

T01S R13E S7 NESWSE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	2.450 CFS 897.00 AFY

PLACE OF USE: IRRIGATION Within CAMAS County

T01S R13E S07	NESW	40.00	T01S R13E S07 Lot 3 NWSW	34.00
T01S R13E S07 Lot 4 SWSW		33.00	T01S R13E S07	SESW 39.00
T01S R13E S07	NESE	39.00	T01S R13E S07	NWSE 40.00
T01S R13E S07	SWSE	38.00	T01S R13E S07	SESE 36.00

299 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

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.



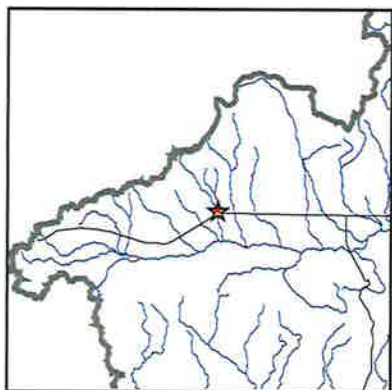
Idaho Department of Water Resources

Adjudication Claim:

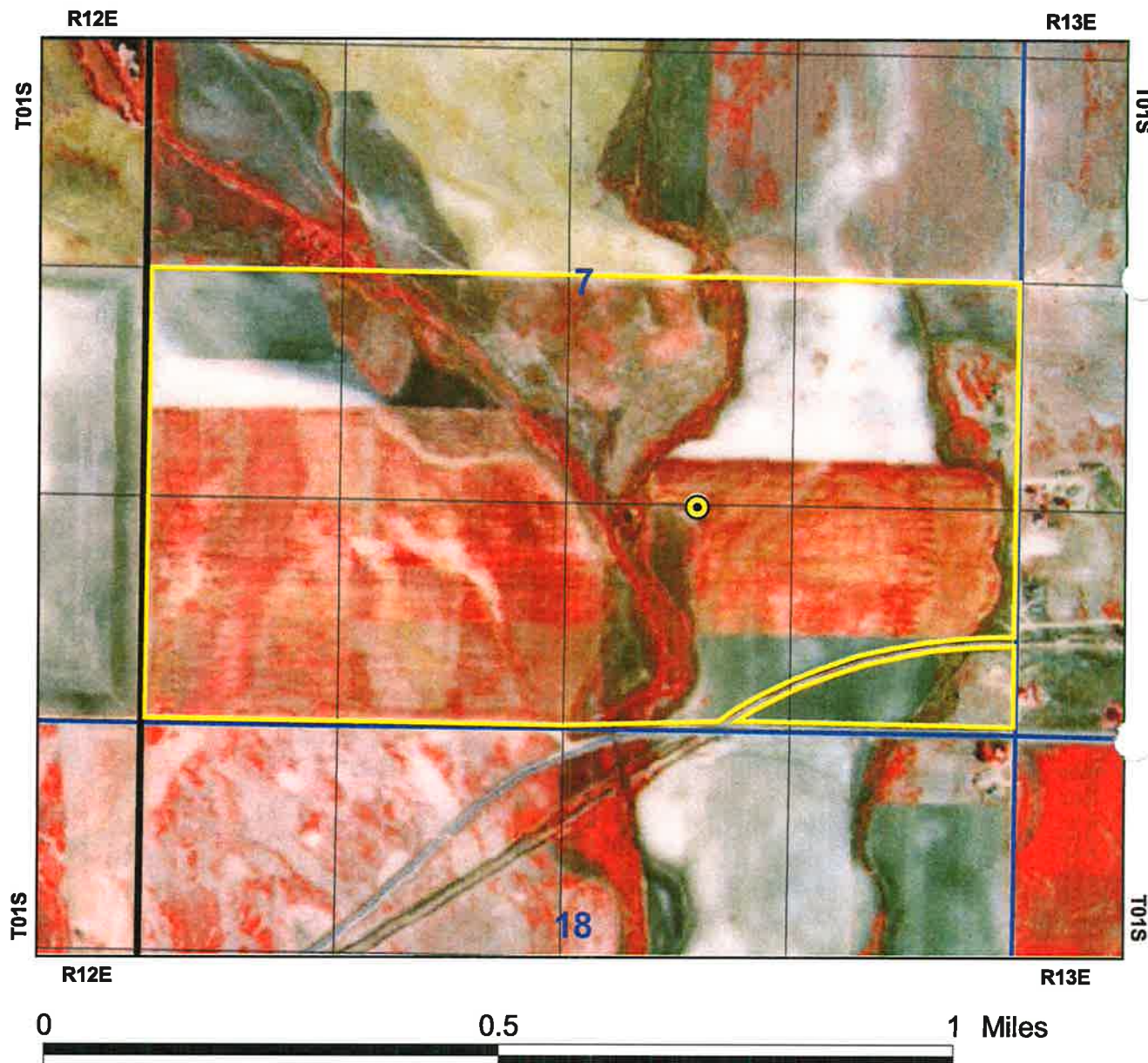
37-7505A

Legend

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



Camas County
IDWR Basin 37



Prepared by M. Anders
On Thursday, March 9, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-7505A

Background Data

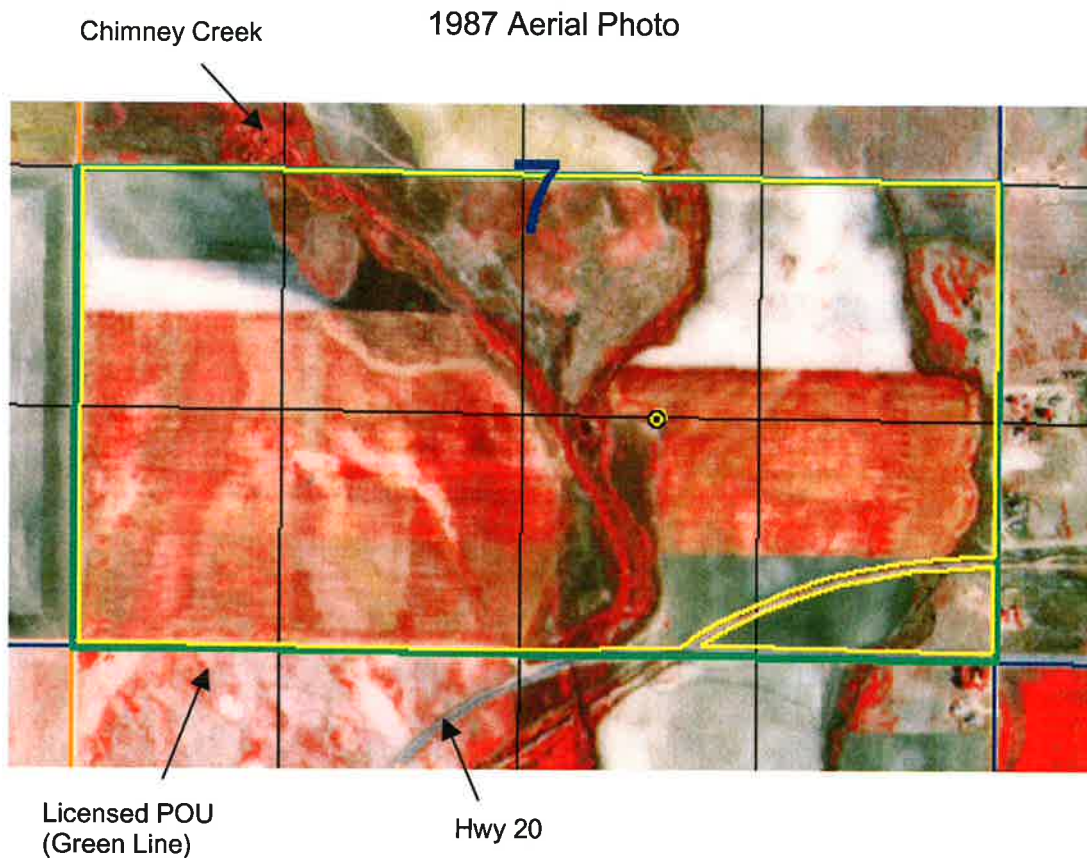
- Source is Groundwater
- Licensed for 2.45 cfs on 299 acres
- Claimed for 2.45 cfs on 299 acres

Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)



Notes

T1S R13E Section 7

- Found 298 acres
- POD digitized based on license documents
- This right was licensed for 40 and 39 acres in the NWSW and SWSW, but the GODB indicates these QQ are only 35 acres. The railroad quit operating in this area in the 1970s (conversation with Carter F.) and the track was removed before 1987. The land south of the railroad right of way in the SW quarter was not included in the licensed POU in 1983. The 1987 photo indicates the railroad right of way was not being farmed, but the land south of the railroad was being farmed. Since the rails were removed by 1987, water could have been easily delivered to this land. Therefore the land south of the railroad was included in the POU, but the railroad right of way was not.
- Make sure the updated PLS is used rather than the licensed PLS
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7505 A Priority July 21, 1976 Amount 2.45 cfs

THIS IS TO CERTIFY, that W. K. &/or Ethel L. Nichols
of Corral, Idaho, has complied with the terms and conditions of Permit
No. 37-7505 A issued pursuant to Application for Permit dated July 21, 1976,
and has submitted proof to the Department of Water Resources on September 8, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.45 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to November 1	at 2.45 cfs	and 897.0 acre feet
	from _____ to _____	at _____ cfs	and _____
	from _____ to _____	at _____ cfs	and _____

(both dates inclusive)

Subject, however, to the condition that no more than 2.45 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
897.0 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Twp.
1S, Rge. 13E in the County of Camas

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1S	13E	7									40	40	39	39	40	36	26		299

Total number of acres irrigated 299

This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 3.0 afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 2nd day of
May, 19 83.

Acting for the Director

Norman C. Young

SCANNED

NOV 06 2013