

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: **A37-07775F**
Date Received: 10/26/1988
Receipt No: X777777
Received By: _____

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

1. Name: BRIAN W TEMPEL 208-788-6071
Address: 309 GLENDALE RD
BELLEVUE ID 83313

Name: ROXANNE L MARTIN 208-788-6071
Address: 309 GLENDALE RD
BELLEVUE ID 83313

2. Date of Priority: AUG 2, 1988

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	18E	22	SE	NE			BLAINE

5. Description of diverting works:
200' WELL, 14" CASING.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.400		70.00

7. Total Quantity Appropriated is:
0.400 C.F.S. (and/or) 70.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	22	NE SE		IRR	20.0
Section Acres						20.0
Total Acres						20.0

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:
A37-00604

14. Remarks:

The following rights are also diverted through the point of diversion described above: 37-07775B, 37-07775C, 37-07775D, 37-07775E, and 37-07775G.

The place of use is located within Lot 3C, Rocking Chair R Ranch Subdivision.

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: _____

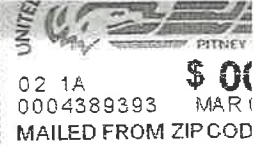
For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



02 1A
0004389393 MAR 1
MAILED FROM ZIP CODE

 NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD

RECEIVED
MAR 12 2007
DEPARTMENT OF
WATER RESOURCES

37-604F
37-7775F

MCNF
VAC

Brian D Temple
ROXANNE L MARTIN
309 GLENDALE RD
BELLEVUE ID 98008

RECEIVED
MAR 12 2007
DEPARTMENT OF
WATER RESOURCES

12/05/2006

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

RIGHT NUMBER: 37-7775F
NAME AND ADDRESS: BRIAN W TEMPEL
309 GLENDALE RD
BELLEVUE ID 83313

ROXANNE SLIWICKI
309 GLENDALE ROAD
BELLEVUE ID 83313

ROXANNE L MARTIN
309 GLENDALE RD
BELLEVUE ID 83313

MARK SLIWICKI
309 GLENDALE ROAD
BELLEVUE ID 83313

SOURCE: GROUND WATER
QUANTITY: 0.400 CFS
70.000 AFY
PRIORITY DATE: 08/02/1988
POINT OF DIVERSION:

TRIBUTARY:

T01N R18E S22 SESENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 10/15	0.400 CFS 70.00 AFY
The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S22 NESE 20.00

20 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 20.0 acres in a single irrigation season. Combined Right Nos.: 37-604F and 37-7775F.

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

The place of use is located within Lot 3C, Rocking Chair R Ranch Subdivision.



Idaho Department of Water Resources

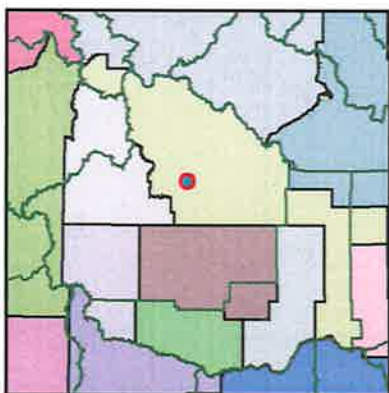
SRBA Recommendation:

37-7775F

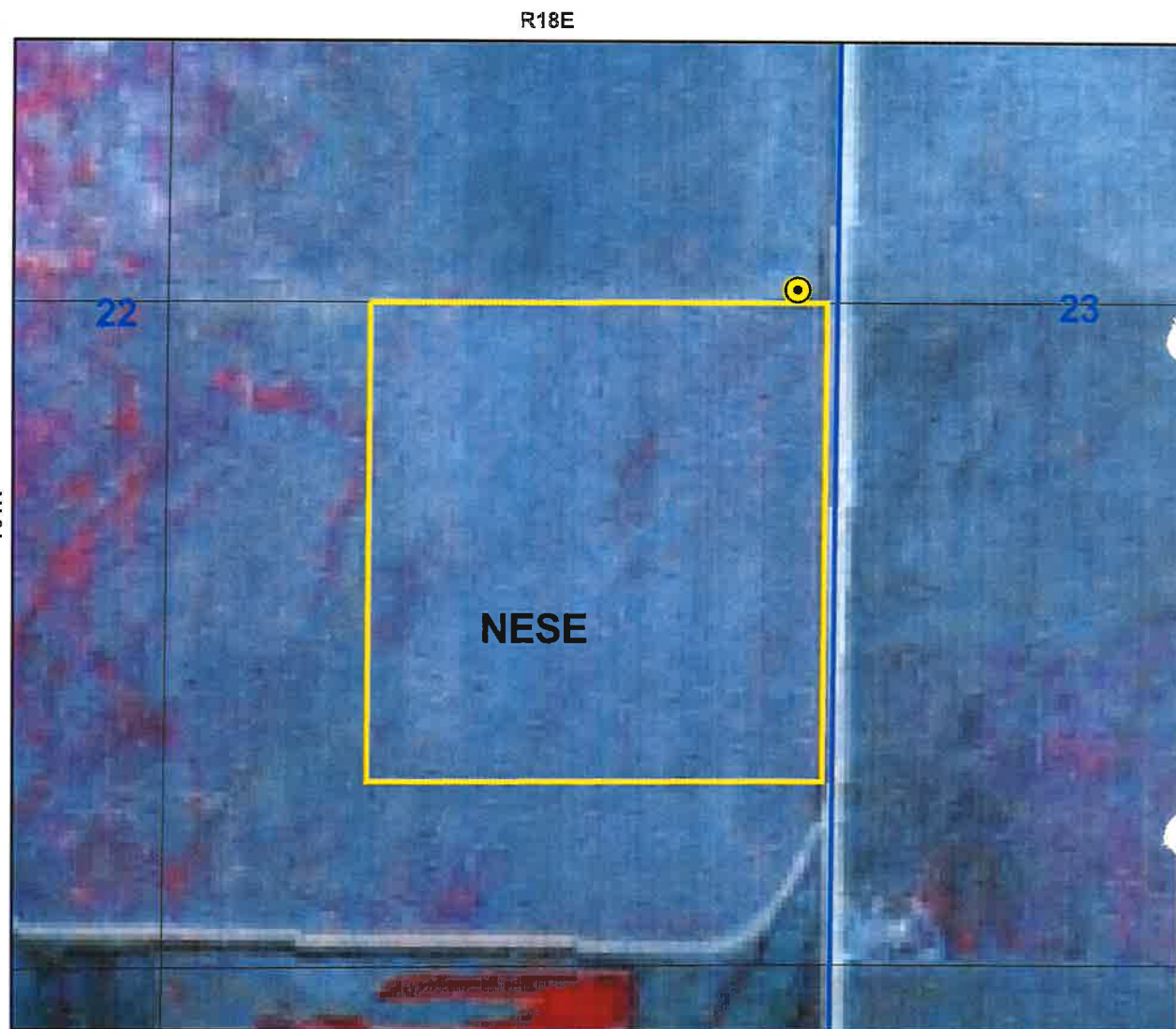
(Irrigation)

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 C. Skinner
On Wednesday, November 15, 2006
1987/88 Aerial Photography

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

SEP 13 1994

WATER RIGHT NO. 37-07775F

Department of Water Resources
Southern Region Office

Priority: August 2, 1988

Maximum Diversion Rate: 40 CFS
Maximum Diversion Volume: 70.0 AF

This is to certify, that BRIAN W TEMPEL
ROXANNE L MARTIN

309 GLENDALE RD
BELLEVUE ID 83313

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 2, 1979; and has submitted Proof of Beneficial Use on August 2, 1988. An examination indicates that the works have a diversion capacity of 2.780 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.40 CFS	70.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENE, Sec. 22, Township 01N, Range 18E
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>
01N	18E	22	NESE	20		20

Total number of acres irrigated: 20

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. The following rights are also diverted through the point of diversion described above: 37-07775B, 37-07775C, 37-07775D, 37-07775E, and 37-07775G.
7. The place of use is located within Lot 3C, Rocking Chair R Ranch Subdivision.

MICROFILMED
NOV 27 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07775F

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 8TH
day of SEPTEMBER, 1994

Acting for  R. Keith Higginson, Director

MICROFILMED
NOV 27 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

*** CECIL D. ANDRUS ***
Governor PHIL BATT

R. KEITH HIGGINSON
Director

January 25, 1995

BRIAN W TEMPEL
ROXANNE L MARTIN
309 GLENDALE RD
BELLEVUE ID 83313

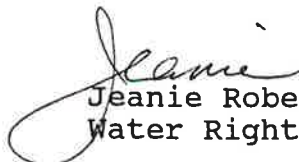
Re: Ownership Change for Adjudication Claim #A37-07775

Dear Claimant(s):

In 1988, Rod Kegley filed a claim in the SRBA appurtenant to lands of which you now own a portion. The Department issued a License on these lands on September 8, 1994 and at that time the right was split into parts B through G. To correspond with the license we have split Mr. Kegley's SRBA claim into parts B through G. I have enclosed a copy of your claim A37-07775F. Please review the record and if you have any corrections or questions, feel free to call this office.

Please be aware that should you decide to drill a new well to isolate your portion of the right, you will need to file a transfer with the department.

Sincerely,


Jeanie Robertson
Water Right Agent

/jr
Enclosures

MICROFILMED
NOV 27 1996

Water Right Number - 37-07775F Prefix Translation: WATER RIGHT Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
TEMPEL

BRIAN W

1 - 309 GLENDALE RD
2 -
3 -

City- BELLEVUE
Phone - 208-788-6071

State- ID Zip- 83313

MARTIN

ROXANNE L

1 - 309 GLENDALE RD
2 -
3 -

City- BELLEVUE
Phone - 208-788-6071

State- ID Zip- 83313

*** O - ORIGINAL OWNER ***
RATTO

ROBERT W

1 -
2 -
3 -

City-
Phone - 208-000-0000

State- ID Zip-

RATTO

ARNETTA

1 -
2 -
3 -

City-
Phone - 208-000-0000

State- ID Zip-

+ - - Priority Date - - +
08/02/1988

+ - - Region - - +
17 SOUTHERN

+ - - Stage - - +
L - LICENSE

+ - - Status - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

01N 18E 22 SE NE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/15 10/15 0.400 70.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.400 70.00 2.780

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

01N 18E 22 NE SE 20.0 01 IRRIGATION (13) BLAINE

Total Acres: 20.0

+ - - Diversion Means -

MICROFILMED
NOV 27 1996

Water right number - 37-07775F Prefix Translation: WATER RIGHT

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
The following rights are also diverted through the point of
diversion described above: 37-07775B, 37-07775C, 37-07775D,
37-07775E, and 37-07775G.
The place of use is located within Lot 3C, Rocking Chair R
Ranch Subdivision.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for the
- lands above.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +
Date: 06/22/1994 User Id: BCHAPMAN Subject: SPLIT RIGHT
This right was split from 37-07775A at the time of licensing.

+ - - Audit Fields - 06/22/94 BCHAPMAN 06/22/94 BCHAPMAN

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 06/01/1984	Field Exam Made - 03/19/1992	Field Exam Fee - R
Approved/Denied - 06/20/1979	Protested Date - 00/00/0000	Swan Falls - E
Proof Made Date - 08/02/1988	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 04/15/1992	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 09/08/1994	Appl Received - 05/02/1979	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector - AND/OR	POU Ownership Flag - Y
Presumption Flag -		

MICROFILMED
NOV 27 1995

Water Right Number - R37-07775F

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
TEMPEL

BRIAN W

1 - 309 GLENDALE RD
2 -
3 -City- BELLEVUE
Phone - 208-788-6071
1 - 309 GLENDALE RD
2 -

State- ID Zip- 83313

MARTIN

ROXANNE L

3 -
City- BELLEVUE
Phone - 208-788-6071

State- ID Zip- 83313

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/02/1988 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

01N 18E 22 SE NE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/15 10/15 0.400 70.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.400 70.00 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

01N 18E 22 NE SE 20.0 01 IRRIGATION (13) BLAINE

Total Acres: 20.0

+ - - Diversion Means - 200' WELL, 14" CASING.

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - A37-00604

+ - - - - Remarks - - - - - +

The following rights are also diverted through the point of
diversion described above: 37-07775B, 37-07775C, 37-07775D,
37-07775E, and 37-07775G.

The place of use is located within Lot 3C, Rocking Chair R

MICROFILMED
NOV 27 1996

Water right number - R37-07775F

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - -
Ranch Subdivision.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - -
R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for the
- lands above.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -

Date: 01/25/1995 User Id: JROBERTS Subject: SPLIT/TRANSFER

This is a portion of A37-07775 which was split at time License was issued. This claim is based on that License. jr

+ - - Audit Fields - - +
01/25/95 JROBERTS

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/26/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
NOV 27 1996



Licensed P/D



A37-07775F

7-7-98
JES