

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 37-12539
Date Received: 10/25/1988
Receipt No: C004047
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LOWREY HASCALL KAMMER Phone: (208)578-3515
398 BROADFORD RD
BELLEVUE ID 83313

TAMI SIPE KAMMER Phone: (208)578-3515
398 BROADFORD RD
BELLEVUE ID 83313

2. Date of Priority: 12/31/1962

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	35	NE NW NE	BLAINE	

5. Description of diverting works:

WELL, 12' DEEP, PUMP, FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.12	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:

0.14 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	35	NW	NE	IRRIGATION	3
			NW	NE	STOCKWATER	
					Section Acres	3
					Total Acres	3

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:

CONFORMED ATTORNEY MAILING ADDRESS DMS

15. Basis of Claim: Beneficial Use



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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 9, 2003

LOWREY HASCALL KAMMER
TAMI SIPE KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

Re: SRBA Claim(s) 37-33, 37-7178A, 37-12538, 37-12539, 37-21128
Decreed Water Right 37-12541

Dear Mr. and Mrs. Kammer:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

RECEIVED
JUN 17 2003
Department of Water Resources
Water Rights Section

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>SEE ATTACHED COPY OF RECORDED WARRANTY DEED</u>					
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) BRUCE S. TIDWELL and LESLIE A. TIDWELL
4. New Owner/Claimant(s) LOWREY HASCALL KAMMER AND TAMI SIPE KAMMER
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 398 BROADFORD ROAD
- City, State and ZIP Code BELLEVUE, ID 83313
- New Telephone Number (208) 578-3515
5. Date you acquired the property March 13, 2003

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) James Hammer
(include title if applicable) Kimberly Hammer

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
P. O. Box 987
Ketchum, Idaho 83340

Instrument # 480240
HAILEY, BLAINE, IDAHO
2003-03-13 03:53:00 No. of Pages: 2
Recorded for: AMERITITLE
MARSHA RIEMANN Fee: 6.00
Ex-Officio Recorder Deputy
Index to: WTYGOCORP DEED

(space above line for Recorder's use)

QUITCLAIM DEED

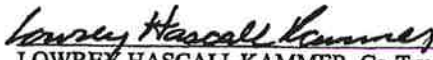
FOR VALUE RECEIVED, we, LOWREY HASCALL KAMMER and TAMI SIPE KAMMER, co-trustees of the Kammer Family Trust dated May 6, 1998, ("Grantors"), do hereby convey, release, remise and forever quitclaim to LESLIE A. TIDWELL, an unmarried woman, of Post Office Box 2919, Ketchum, Idaho 83340 ("Grantee"), all our right, title and interest in and to the following described water rights, situated in Blaine County, Idaho, to wit:

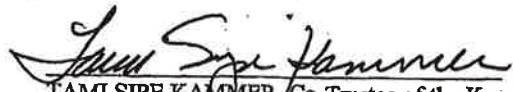
0.02 cfs of groundwater pursuant to Water Right No. 37-7178B for the irrigation of two (2) acres within the NW1/4 NE 1/4, S.35, T.2N., R. 18E, B.M., Blaine County, Idaho.

0.04 cfs of groundwater pursuant to Water Right No. 37-12540B for the irrigation of two (2) acres within the NW1/4 NE 1/4, S.35, T.2N., R. 18E, B.M., Blaine County, Idaho.

DATED this 13 day of March, 2003.

GRANTORS:


LOWREY HASCALL KAMMER, Co-Trustee
of the Kammer Family Trust dated May 6, 1998


TAMI SIPE KAMMER, Co-Trustee of the Kammer
Family Trust dated May 6, 1998

STATE OF IDAHO)
) ss.
County of Blaine)



On this 13 day of March, 2005, before me the undersigned notary public in and for said state, personally appeared LOWREY HASCALL KAMMER and TAMI SIPE KAMMER, known or identified to me to be the trustees of THE KAMMER FAMILY TRUST dated May 6, 1998 and the persons who executed the foregoing instrument on behalf of said trust and acknowledged to me that said trust executed the same.

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

A handwritten signature in black ink, appearing to be "JES", written over a horizontal line.

Notary Public for Idaho

Residing at : Blaine County Idaho

Comm. Expires: 8/25/05

QUITCLAIM DEED - 2

Order No. 50925

QUITCLAIM DEED

Instrument # 480239

HAILEY, BLAINE, IDAHO

2003-03-13

03:53:00

No. of Pages: 2

Recorded for: AMERITITLE

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTYOCICORP DEED

FOR VALUE RECEIVED

BRUCE S. TIDWELL, an unmarried man and LESLIE A. TIDWELL, an unmarried woman

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

LOWREY HASCALL KAMMER and TAMI SIPE KAMMER, CO-TRUSTEES OF THE KAMMER FAMILY TRUST
DATED MAY 6, 1988

whose address is: 75-295 Purple Hills Road, Indian Wells, CA 92210

the following described premises situated in Blaine County, Idaho, to wit:

The following water rights appurtenant to the property described in Exhibit "A"

Water Right No. 37-12541, Water Right No. 37-07178, Water Right No. 37-12538, Water Right No. 37-12539,
Water Right No. 37-12540 and Water Right No. 37-00033.

together with their appurtenances.

Dated: March 5, 2003


BRUCE S. TIDWELL


LESLIE A. TIDWELL

State of Idaho

}
}ss.
}

County of Blaine

On this 14th day of March, in the year 2003, before me, the undersigned, personally appeared BRUCE S. TIDWELL, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public

Commission Expires: 2.18.2004

State of Idaho

}
}ss.
}

County of Blaine

On this 12th day of March, in the year 2003, before me, the undersigned, personally appeared LESLIE A. TIDWELL, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public

Commission Expires: 2.18.2004



EXHIBIT A

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 35: A parcel of land lying within the N½ of the NE¼ of said section, more particularly described as follows:

BEGINNING at the 5/8" bar marking the N¼ corner of said Section 35; thence
S. 00° 15' 12" W., 276.30 feet along the center-section line to a bar on the south
side of Broadford Road; thence
S. 79° 28' 00" E., 298.10 feet to a bar; thence
N. 77° 57' 00" E., 400.80 feet to a point on the west side of Mabee Slough, being the
TRUE POINT OF BEGINNING; thence
S. 18° 05' 00" W., 310.62 feet to the center of the slough; thence
Along the center of the slough the following 13 courses; thence
S. 73° 40' 00" E., 22.40 feet; thence
S. 07° 09' 00" W., 223.90 feet; thence
S. 04° 18' 00" E., 115.30 feet; thence
S. 13° 12' 00" W., 261.00 feet; thence
S. 17° 13' 00" E., 94.80 feet; thence
S. 63° 37' 00" E., 90.20 feet; thence
N. 70° 51' 00" E., 81.90 feet; thence
N. 21° 36' 00" E., 93.60 feet; thence
N. 44° 31' 00" E., 63.00 feet; thence
N. 78° 47' 00" E., 126.50 feet; thence
N. 54° 34' 00" E., 184.70 feet; thence
N. 16° 28' 00" E., 131.30 feet; thence
N. 65° 14' 00" E., 333.30 feet; thence
N. 05° 48' 00" W., 262.20 feet along the old fence; thence
N. 01° 05' 30" E., 233.00 feet along the old fence to a point on the south side of
Broadford Road; thence
S. 83° 54' 00" W., 373.05 feet along the road; thence
S. 87° 43' 45" W., 298.00 feet to a point on the east bank of the slough; thence
N. 54° 15' 15" W., 42.87 feet to the Northeast corner of Tax Lot 226; being the TRUE
POINT OF BEGINNING.
(TL 6459)

AND

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 35: A parcel of land lying within the N½ of the NE¼ of said section, more particularly described as follows:

BEGINNING at the 5/8" bar marking the N¼ of said section 35; thence
S. 0° 15' 12" W., 276.30 feet along the center-section line to a bar on the south side
of Broadford Road; thence
S. 79° 28' 00" E., 298.10 feet along said road to a 5/8" bar bearing S. 41° 25' 18" E.,
441.14 feet from said N¼ corner being the TRUE POINT OF BEGINNING; thence
S. 10° 16' 15" W., 120.62 feet to the center of Mabee Slough; thence
Along the center of said slough, S. 73° 40' 00" E., 330.40 feet; thence
N. 18° 05' 00" E., 310.62 feet to a point on the west side of Mabee Slough; thence
S. 77° 57' 00" W., 400.80 feet along the Broadford Road to the TRUE POINT OF
BEGINNING. (TL 6460)

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: A37-12539

Date Received: 10/25/1988

Receipt No: C004047 *post*

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRUCE S. TIDWELL 208-788-2193
Address: P.O. BOX 2919
KETCHUM, ID 83340

AND/OR

Name: LESLIE TIDWELL 208-788-2193
Address: P.O. BOX 2919
KETCHUM, ID 83340

2. Date of Priority: DEC 31, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	35	NE	NW	NE		BLAINE

5. Description of diverting works:
WELL, 12' DEEP, PUMP, FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.120		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/20 HORSES

A37-12539

Page 1

Date: 01/24/89

MICROFILMED

MAR 01 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	35	NW NE	NE NE	IRR STOCK	3.0
Section Acres						3.0
Total Acres						3.0

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:
37-00033,A37-07178,A37-12538,A37-12540

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: 39356
Ident Number A37-12539
Date Received 10-25-88
Receipt Number 0004047

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 25 1988

Department of Water Resources
Southern Region Office

1. Name of Claimant(s): Bruce S. Tidwell &/or Leslie Tidwell
Phone: (208) 788-2193
Mailing Address: P.O. Box 2919
Ketchum, ID 83340

2. Date of Priority: 1962

3. Source of water supply (a) Groundwater
which is tributary to (b)

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Lot</u>	<u>County</u>
2N	18E	35	NE	NW	NE		Blaine

Additional points of diversion if any: None.

b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Lot</u>	<u>County</u>
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Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Lot</u>	<u>County</u>
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5. Description of existing diversion works: Approx. 12 ft. deep well
and pump, flood irrigation.

MICROFILMED

JUN 1 1993

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	0.12 cfs
Stockwater	January 1	December 31	0.02 cfs

7. Total Quantity Claimed: 0.14 cfs

8. Total consumptive use claimed is 7.5 acre feet per annum.

9. Non-irrigation uses: Stockwater - 20 horses.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Use</u>	<u>Irrig. Acres</u>
2N	18E	35	NW	NE	I/S	3

Total number of irrigated acres: 3

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? 37-0033, 37-7178, 2 other beneficial use well claims.

14. Remarks: Old hand dug well used for irrigation of an orchard and adjacent lands. Soil is extremely pourous - gravelly, sandy loam - Little Wood River Series.

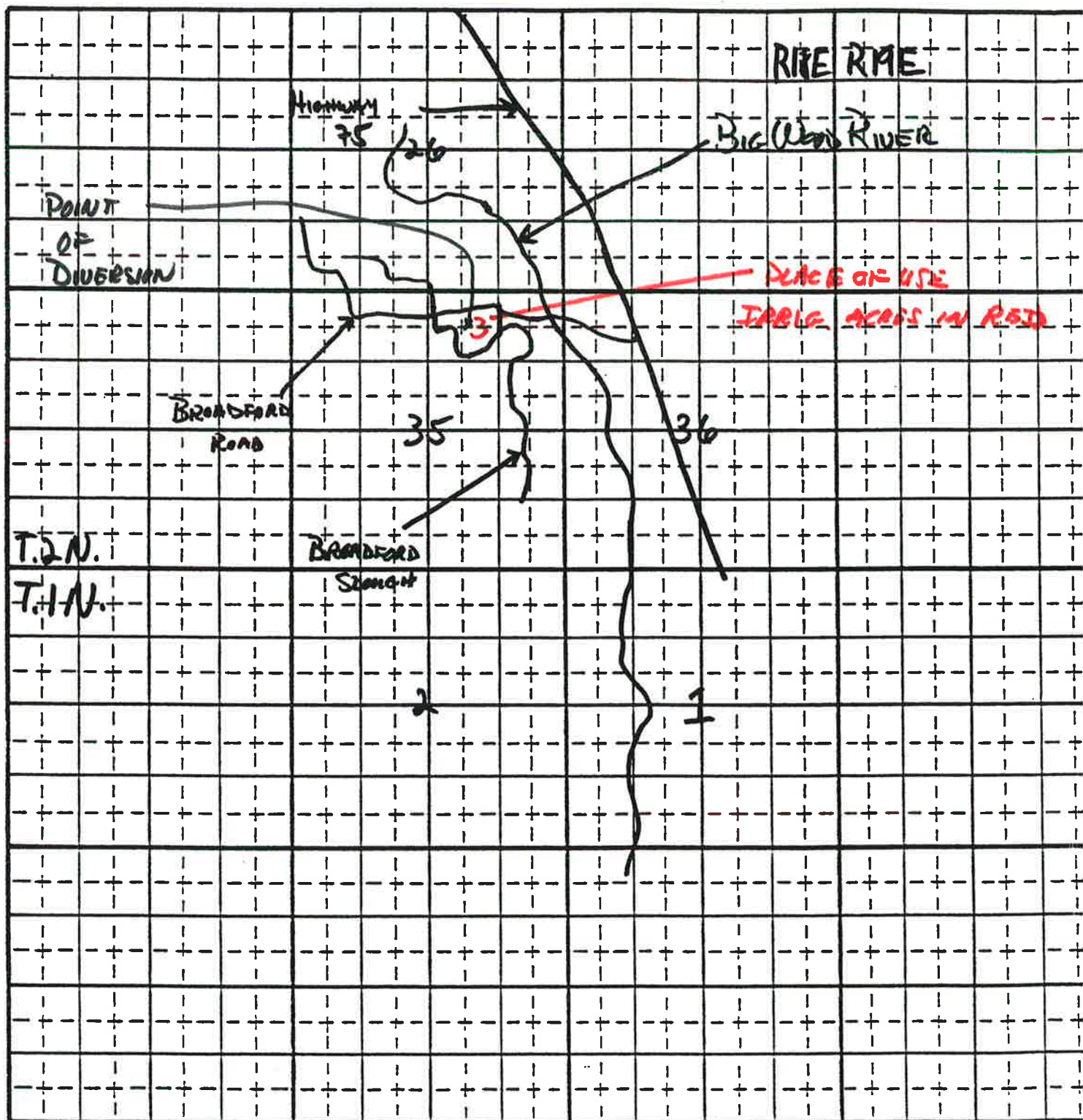
Last Name: Tidwell Ident No. _____

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MAR 0 1 1993

Map of Project: show clearly a point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name TIDWELL Ident No. _____

Copies: White-State, Yellow-Claimant

MAR 01 1993

15. Basis of Claim: Beneficial Use
IDWR Water Right Number:
Court:
Case Number:
Decree Date:
Plaintiff v. Defendant:

16. Signature(s)
(a) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b) I/We do not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments - none.

[For individuals] I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)

Keslin A. Tidwell

Date

10/24/88

State of IDAHO)

) ss.

County of BLAINE)

Date

Subscribed and sworn before me this 24 day of October, 1988.

Notary Public

Residing at

Commission Expires

James P. Speck
Fort Fork, ID
1/22/91

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to the address listed below.

Signature:

James P. Speck
James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date:

10/29/88

Last Name: Tidwell
a:\tidwell14.clm

Ident No.: _____

MICROFILMED

MAR 01 1993

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

Attorneys at Law

120 East Avenue

Post Office Box 987

Ketchum, Idaho 83340

Phone: (208) 726-4421

FAX: (208) 726-0752

FAX MEMO/COVER SHEET

DATE: October 7, 1994

TIME: 11:52 am

PAGE 1 OF 1

TO: Idaho Department of Water Resources/Southern Region

FAX NUMBER: 208/736-3037

FROM: Jenifer Lytle for James P. Speck

RE: Bruce S. Tidwell or Leslie Tidwell Water Right Claims

Please mail copies of the claims for the following water rights, as they were entered in your database.

A37-07178

A37-00033

A37-12538

A37-12539

A37-12540

A37-12541

Please call if you have any questions. Thank you for your assistance.

OCT 07 1994Department of Water Resources
Southern Region Office

THE INFORMATION CONTAINED IN THIS FAX TRANSMISSION IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE ABOVE-NAMED RECIPIENT AND MAY BE THE SUBJECT OF ATTORNEY/CLIENT PRIVILEGE. IF THE READER OF THIS MESSAGE IS NOT THE ABOVE-NAMED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISSEMINATION, COPYING OR OTHER USE OF THIS COMMUNICATION IS STRICTLY PROHIBITED AND NO PRIVILEGE IS WAIVED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE. THANK YOU.

12/10/2006

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

RIGHT NUMBER: 37-12539
NAME AND ADDRESS: LOWREY HASCALL KAMMER
398 BROADFORD RD
BELLEVUE ID 83313
TAMI SIPE KAMMER
398 BROADFORD RD
BELLEVUE ID 83313

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.020 CFS
0.300 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1962

POINT OF DIVERSION: T02N R18E S35 SENWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS 0.30 AFY

PLACE OF USE: STOCKWATER in BLAINE County

T02N R18E S35	NENE	T02N R18E S35	NWNE
---------------	------	---------------	------

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use

Right No. 37-21128 is also diverted through point of diversion described above.

Stockwater use is for 20 horses.



Idaho Department of Water Resources

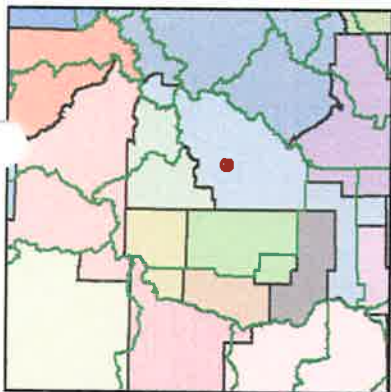
SRBA Recommendation:

37-12539

(Stockwater)

Legend

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



Blaine County
IDWR Basin 37



Prepared by S. Keen
On Sunday, December 10, 2006
2004 Aerial Photography



Idaho Department of Water Resources

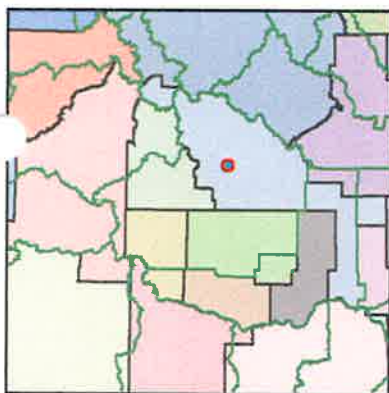
SRBA Recommendation:

37-12539

(Stockwater)

Legend

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



Blaine County
IDWR Basin 37



Prepared by S. Keen
On Sunday, December 10, 2006
2004 Aerial Photography

Claim Review for 37-12539

On 12/4/~~2006~~ 2006 I met with Skip Kammer in Sun Valley. He told me that the stockwater well is the one near the south edge of his property. I've modified the recommendation to depict the new information. It results in the POD being recommended as the SENWNE, not the NE NWNE.

S. Keen
12/10/06

Kammer Claim Review

37-33 Watermaster List = Kammer Family Trust 0.84 cfs
37-7178A
37-12538
37-12539
37-21128

37-33

- Found in watermaster records. 0.84 cfs
- Claimed 10/25/1988 by Tidwell
- Land looks irrigated on 1987 photography
- 1972 app. for GW (37-7178) makes no mention of SW.
- 1974 field examiner makes no mention of SW
- 2000 Jim Stanton's review of Transfer 68549 (Rt. 37-7178) says A. Ms. Tidwell said it had not been used in ~~2~~ 13 years
B. Watermaster records do not show delivery in previous 5 years.
- 2005 Lee Peterson found the diversion works are not usable due to a change in the river course.

Conclusion: Recommend the right because established period of non-use occurred after the claim was filed, and it is not clear that the GW completely replaced the SW before 1987.

Kammer Claim Review

37-33 Continued

Transfer App. 68549 + 4/13/2000 letter from Jim Speck to Allen Meritt say that 2 acres of the right will be relinquished.

POH Claimed 14 acres. Found ¹²~~14~~ acres.
Recommend ^N~~14~~ acres in NWNE as claimed. ~~1 acre~~ ^{1 acre} in WENE.

Rate $0.84 \text{ cfs} / 14 \text{ acres} = .06 \text{ cfs/acre}$
 $.06 \text{ cfs/acre} \times 12 \text{ acres} = 0.72 \text{ cfs}$

POD is in SE NESW, not NWSE. Recommend as accomplished transfer of POD

Kammer

SEE
PAGE
6

37-7178 - The only issue here is the POU. About 7 acre of the 12-acre POU is in the NENE, not the NWNE. The 1975 license and the 2002 transfer depict the entire POU in the NWNE. The 1 acre in the NENE was established by the time the 1987 NAPP photo was taken. This right was the "unchanged" portion of the right after the 2002 transfer. Therefore, it was not really the subject of the transfer, and there does not have to be recommended in accordance with the transfer. I am recommending an accomplished change in the POU to show 1 acre in the NENE.

POD - Appears to be in the NE NWNE on the east side of the driveway in some trees under a cover. See Lee Peterson's photo in AS file 37-12539. It matches the photo labeled "Division Works" in Jim Stanton's 2000 exam for 37-7178.

Kammer

37-12538 + 37-12539 + 37-21128

- 1974 - Gary Funderburg conducts an exam for 37-7178 and finds 1 well^(sump) with 2 pumps. Each of the pumps is 2 h.p. The capacity of 0.14 cfs is determined by adding the flow of 18 Rainbird sprinklers.
- 1988 Tidwell files the ~~two~~³ claims with 1962 priority dates.
- 2000 - Jim Stanton examines the irrigation system prior to working on Transfer 68549. He finds a sump with 2 pumps - a 2.5 h.p. and a 7.5 h.p. - serving a more sophisticated sprinkler system than used in 1974. Jim estimates the system capacity to be 0.35 cfs. Stanton concludes that the diversion capacity was increased after 1974, and he questions the validity of the 3 beneficial use claims.
- 2000 Jim Speck writes IDWR to explain that the increased system capacity is due to an accomplished transfer from the PDDs for the beneficial use claims to the GW diversion found by Jim Stanton.

Kammer

2005 - ~~Bill R~~ Lee Peterson reviews the claimed irrigation system and states that 37-12538 is on land west of the house from a well west of the house and 37-12539 is on land east of the house from a well east of the house. He doesn't mention 37-21128 or its former iteration, 37-12540. His photo of the POD for 37-12538 shows no diversion works.

2006 Bill Rousey submits a letter referring to the three beneficial use claims and stating that they were in use by 1962.

Questions

1. Why didn't the 1974 field examiner find two PODs? Likely answer - there was only one "well" in use by 1974. It would have been expensive to maintain 2 pumping systems for such a small place.

Kammer

Conclusion RE: Ground Water Claims

It is likely that two wells/sumps, as described by Lee Peterson in 2005 and Bill Rousey in 2006, were constructed and used in 1962. We have no evidence, however, of the amount of water diverted and used at that time. It would have been expensive to install and maintain 2 pumping systems; one might even speculate that a portable tractor driven pump was used. By 1974 there was only one well/sump in use, and the system capacity was 0.14 cfs. The increase in capacity after 1974 will have to be covered by a new permit or a transfer unless the claimant can provide convincing evidence that the pre-1974 capacity exceeded 0.14 cfs and that it was not partially forfeited.

Recommendations

- 37-21128 B/u 1962 0.14 cfs 12 acres
A completed transfer of POD from 2 wells to 1.
- 37-12538 - Disallow. Recommended as 37-21128.
- 37-12539 - Diversion covered by 37-21128. Recommend stock water only.
- 37-7178A - Disallow. Recommended as 37-21128.

★ 37-21128 + 37-33 combined for 0.72 cfs + 12 acres.

Page 6

05-26-2006

RECEIVED

JUL 05 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Id. 83301

SCANNED
JUL 05 2006

To Whom It May Concern:

This letter is in response to the letter your office sent to Lowrey Kammer on 04-15-2005, regarding "Evidence of Priority" on water rights: #37-12539 and #37-12538.

I rented a cabin on the adjacent property in 1961 (owned at the time by Mike Ivey) and actually lived at 398 Broadford Road a few years later. I can confirm that both of these wells were in place in 1962.

If you have any questions regarding this matter, fell free to contact me.

Sincerely,

Bill Rousey


HAILEY, ID.

Adjudication Claim Notes

Claim(s): 37-12539

Background Data

- Beneficial Use Claim
- Source is Groundwater
- Claimed for 0.12 cfs on 3 acres for Irrigation and 0.02 cfs for Stockwater

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)

1987 Aerial Photo

Big Wood River





Photograph of POD taken by Lee Peterson during field exam.
Location: 2477851 1363068
Plate: A0016280
Photo #: 1060673

Notes

T2N R18E Section 35

- Found 1.6 acres
- 6/15/05 Talked with Lowrey (Skip) Kammer on the telephone. I explained to Mr. Kammer the possible types of evidence of priority that he could submit for this claim.
- 7/7/05 Talked with Lowrey (Skip) Kammer on the telephone. Mr. Kammer said this well is not deep, he thought it was probably dug with a back-hoe in 1962. He is working on finding evidence of priority for this claim.
- POU overlaps with 37-0033 & 37-12538
- Data used for review: 1987, 1992, & 2004 aerial photos, Blaine Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

File No.
37-00033= 12538= 12539

Lowrey & Tami Kammer
398 Broadford Rd.
Bellevue

8/5/05

I met with Lowrey [Skip] this morning and reviewed his three water right files, the location of his wells and property. Skip said that the area marked in yellow is a good representation of his irrigated property.

W R 00033= He told me that he is planning to file a transfer of this 40" of water from the Big Wood River to the slough which is thru his property. So I advised him to see Kelly about this transfer.

W R 12538 #1 is within the pasture area West of his house.

W R 12539 # 2 is within the pasture East of house.

Skip said all of his irrigated property is sprinkler irrigated from the two wells.

00033 POD is on Big wood river Rockwell 40 Diversion and there is , as I see it, no way they can get water high enough in the river to get it out this diversion without building a dam across the river, the river has changed and is deeper than was before.

No's 12538 & 12539 are two different wells

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
West pasture	Kammer 1	2477750	1363112	A0016279	1060672
East pasture	" 2	2477851	1363068	280	673

We will get priority letter

Lee R. Peterson

**Idaho Dept of Water Resources
Claims review notes and narrative**

Date: 10-1-2001

File: t-68549 Tidwell 37-7178 12540

Prepared by Kelly K Christensen

**ADJUDICATION REVIEW OF 37-12540
AS IT RELATES TO T-68544**

Based upon the information currently available for this right I am recommending 37-12540 for disallowal. No lawful appropriation shown as no evidence of priority has been established. Also missing is information to establish a historical place of use and diversion rate.

Also identified in the file but not delt with are two additional claims 37-12538 and 37-12539. They were claimed within the same 14 acre tract with the same priority date and appear to be through the same delivery system. Based upon the limited information availbale, 37-12538 should be recommended for disallowal as 37-12540, if valid, would encompass the same place of use. 37-12539 could be recognized as valid for stockwater only as the claimed acres again are within the same place of use as 37-12540.

The following is copied from e-mail from Garrick Baxter to Kelly K Christensen concerning procedures for recommending claims through the transfer process. Based upon this memo it is my understanding that the adjudication staff cannot approve claims processing through the transfer process without a complete review and recommendation of the rights involved. The allocations conditions that would allow further claims review post transfer, in reality, do not actually grant that authority. It is my understanding that an approved transfer, regardless of remarks, becomes the adjudication review.

(color by Kelly)
Hi Kelly-

I have had a chance to take a closer look and research the issues you raised regarding Transfer No. 68549. As I see it, IDWR should not approve a priority date on a transfer of beneficial use claim when there is no proof of the priority date.

Adjudication Memo 33/Transfer Processing Memo 15 says that "field examinations must be conducted by the regions to confirm the use claimed prior to making final recommendations and forwarding the transfer to the state office."

Thus, we should be making an investigation. If that investigation finds no basis for the priority date claimed, we should not recommend that priority date. **Especially** when we know the current owner is going to sell the property to someone else and leave the new owner holding the bag on the priority date issue. If the current owner can't find any information on the priority date, why do we think a new owner will? *A court will not look favorably on us approving the transfer and then telling the new owner that in reality, they don't have that priority date, even if we include the suggested conditional remarks.* It seems to me to be a good compromise to give the claimant whatever priority date they can prove, then include the conditional remarks and allow the new owner to try for a better priority date in the SRBA if they so desire.

In summary, I don't think we should be using conditional remarks to allow a current owner to push the burden of proof of the priority date onto a new purchaser.

Instead, we should recommend only a priority date for which there is proof and leave it to the new owner to address in the SRBA if they want.

Garrick L. Baxter
Deputy Attorney General
Idaho Department of Water Resources
Phone: (208) 327-7975
Fax: (208) 327-5400
Email: gbaxter@idwr.state.id.us

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SNAKE RIVER BASIN ADJUDICATION CLAIM VERIFICATION REPORT

FIELD REPORT LOGCLAIM NUMBER: A37-12539

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT RECEIVED	COMPLETED REVIEW	COMPLETED DATA ENTRY
PRIORITY DATE	YES			
POINT OF DIV.				
SOURCE				
PLACE OF USE				
DIV. AMOUNT				
CONSUMPTIVE USE				
USES				
PERIOD OF USE				
BASIS OF CLAIM				

REMARKS:

Field Exam: See A37-12538

MICROFILMED

MAR 01 1993

GENERAL INFORMATION

Claim number: A37-12539

LAST: TIDWELL

FIRST: LESLIE

ADDRESS: P.O. Box 2919

CITY: KETCHUM

STATE: ID ZIP: 83340

PHONE: (208) 788-2193

OWNER CODE: C

OWNER CONNECTOR: _____

LAST: _____

FIRST: BRUCE S.

ADDRESS: _____

CITY: _____

STATE: _____ ZIP: _____

PHONE: (____) ____-____

OWNER CODE: C

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER (____) ____-____

DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE? Y(____) N(____), TIME: _____

ACCOMPANIED BY: _____ PHONE NUMBER (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS: _____

=====

MICROFILMED

MAR 01 1993

PRIORITY DATE REVIEW SHEET

CLAIM NUMBER: A37-12539

STAGE 5

STAGE

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE: / /

REVIEWED BY _____ DATE _____

MICROFILMED
MAR 11 1993

SOURCE: GROUNDWATER TRIB: _____

B. IDWR RECORD POINT OF DIVERSION RECORD AND SOURCE:

SOURCE: _____ TRIB: _____

C. REVIEW - FIELD EXAM NEEDED? Y() N()

REMARKS: _____

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

SOURCE: _____ **TRIB:** _____

REVIEWED BY _____ DATE _____

MAR 01 1993

PLACE OF USE REVIEW SHEET (IRRIGATION)

CLAIM # -

FIELD EXAM REQUIRED: Y() N()

PRESUMPTION FLAG: Y() N()

ROOT WATER RIGHT NUMBERS

TWP	RGE	SEC	1/4	1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
—	—	—	—	—	— / —	— / —	—	—	—
—	—	—	—	—	— / —	— / —	—	—	—
—	—	—	—	—	— / —	— / —	—	—	—
—	—	—	—	—	— / —	— / —	—	—	—
—	—	—	—	—	— / —	— / —	—	—	—
—	—	—	—	—	— / —	— / —	—	—	—
—	—	—	—	—	— / —	— / —	—	—	—
—	—	—	—	—	— / —	— / —	—	—	—
TOTAL ACRES									

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

REMARKS:

REVIEWED BY _____ DATE _____

MICROFILMED
MAR 01 1993

A. S.R.B.A CLAIMED USES:

	PURPOSES	MONTH/DAY	RATE
FOR	<u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>.12</u> CFS
FOR	<u>STOCKWATER</u>	FROM <u>1-1</u> TO <u>12-31</u>	<u>.02</u> CFS
FOR	_____	FROM ____ TO ____	_____ CFS

B. I.D.W.R. RECORDED USES:

	PURPOSES	MONTH/DAY	RATE
FOR	_____	FROM ____ TO ____	_____ CFS
FOR	_____	FROM ____ TO ____	_____ CFS
FOR	_____	FROM ____ TO ____	_____ CFS

PRESUMPTION FLAG: _____

PERIOD OF USE:

IS PERIOD OF USE WITHIN THE RECOMMENDED SEASON? Y() N()

RECOMMENDED AS CLAIMED? Y() N()

RECOMMEND TO IDWR STANDARDS OR OTHER? Y() N()

REMARKS:

RECOMMENDED USES:

	PURPOSES	MONTH/DAY	RATE
FOR	_____	FROM ____ TO ____	_____ CFS
FOR	_____	FROM ____ TO ____	_____ CFS
FOR	_____	FROM ____ TO ____	_____ CFS

REVIEWED BY _____

DATE _____

MICROFILMED
MAR 01 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

IS FLOW MEASUREMENT REQUIRED? Y() N()

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS

OTHER RIGHTS LISTED IN CLAIM: _____

REVIEWED BY : DATE

MAR 01 1993

BASIS OF CLAIM ISSUES REVIEW SHEET

CLAIM #

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
EXCESSIVE AMOUNT _____	()	()

THIS SRBA CLAIM CFS/ACRE _____

OTHER SRBA CLAIMS CFS/ACRE _____

**Excessive water use form filed and ATTACHED? Y(E) N(E)

B. SPLIT WATER RIGHT REVIEW

ROOT RIGHT # _____	SPLITS # _____	_____ CFS
_____ CFS	# _____	_____ CFS
	# _____	_____ CFS
	# _____	_____ CFS
	# _____	_____ CFS
	TOTAL CFS _____	

**Do the sum of the parts equal the whole?

Y() N()

**IF NO is the written review sheet ATTACHED?

Y() N()

REMARKS: _____

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

MICROFILMED

MAR 01 1993

ADDITIONAL ACREAGE FORM

Claim number: A37-12539

[illegible]

TOTAL NUMBER OF ACRES 3

REMARKS:

REVIEWED BY _____

DATE _____

MICROFILMED

MAR 01 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - A37-12539

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

TIDWELL

LESLIE

1 - P.O. BOX 2919

2 -

3 -

City- KETCHUM

State- ID Zip- 83340

Phone - 208-788-2193

1 - P.O. BOX 2919

2 -

3 -

City- KETCHUM

State- ID Zip- 83340

Phone - 208-788-2193

TIDWELL

BRUCE S.

*** A - ATTORNEY ***

SPECK

JAMES P.

1 - P.O. BOX 987

2 -

3 -

City- KETCHUM

State- ID Zip- 83340

Phone - 208-000-0000

+ - - Priority Date - - +
12/31/1962

+ - - Region - - - +

+ - - Stage - - - +

+ - - Status - - - +

J - BENEFICIAL USE

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

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County (Blank if no Index Code)

02N 18E 35 NE NW NE (13) BLAINE

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

01 - IRRIGATION

04/01

11/01

0.120

04 - STOCKWATER

01/01

12/31

0.020

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

02N

18E

35

NW NE

3.0

01

IRRIGATION

(13) BLAINE

02N

18E

35

NW NE

04

STOCKWATER

(13) BLAINE

Total Acres: 3.0

+ - - Diversion Means - WELL, 12' DEEP, PUMP, FLOOD IRRIGATION

+ - - Non-Irrigation Use - S/20 HORSES

MICROFILMED
MAR 01 1993

Civil Case Number	-	39576
Old Case Number	-	
Old Judicial District	-	
Temporary Right	-	P
Water District	-	
Federal/State Indicator	-	S

MICROFILMED
MAR 01 1993

10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Tidwell CLAIM IDENT. NO. A37-12539DATE RECEIVED 10-25-88 CK # C004047 AMOUNT \$ _____

- | | YES | NO |
|--|-------------------------------------|--------------------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ |
| 2. Is a priority date entered? | ☒ | ☐ |

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

- | | | |
|---|--|--------------------------|
| 3. (a) Is a source entered? | ☒ | ☐ |
| (b) Is a tributary to entered? (if required) | ☒ N/A | ☐ |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ |
| 5. Is there a description of the diverting works? | ☒ | ☐ |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ |
| Is the period of use included? | ☒ | ☐ |
| Is a quantity claimed for each use? | ☒ | ☐ |
| 7. Is a total quantity claimed entered? | ☒ | ☐ |
| 8. If required is a consumptive use entered? | ☒ N/A | ☐ |
| Is the consumptive use correct? | ☒ N/A | ☐ |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ N/A | ☐ |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ N/A | ☐ |
| 15. Is the basis of the claim indicated? | ☒ | ☐ |
| 16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) | ☒ | ☐ |
| Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ |
| Was this claim filed on time, or was an extension granted? | ☒ | ☐ |
| Is the fee enclosed correct? | ☒ Exempt | ☐ |
| If this claim is based on an existing water right, has the identification number been entered? | ☒ N/A | ☐ |
| Should this claim be receipted and data entered? | ☒ | ☐ |

Claim checked by: Rat

Comments: _____

MICROFILMED

MAR 11 1993

R PROOF

CVR

MAPS

PHOTOS

MISC

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:46
06/02/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A37-12539

LAST: TIDWELL
ADDRESS: P.O. BOX 2919
CITY: KETCHUM
PHONE NUMBER: 208-788-2193

FIRST: LESLIE
STATE: ID ZIP: 83340

OWNER CODE: C

LAST: SPECK
ADDRESS: P.O. BOX 987
CITY: KETCHUM
PHONE NUMBER: 208-000-0000

FIRST: JAMES P.
STATE: ID ZIP: 83340

OWNER CODE: A

LAST: TIDWELL
ADDRESS: P.O. BOX 2919
CITY: KETCHUM
PHONE NUMBER: 208-788-2193

FIRST: BRUCE S.
STATE: ID ZIP: 83340

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

MICROFILMED
OCT 27 1994

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
OCT 27 1994

A. AJ CLAIM: # A37-12539 PRIORITY DATE: 12-31-1962 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:

__-__-__

REVIEWED BY _____

DATE _____

=====

MICROFILMED
OCT 27 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-12539	02N	18E	35	NE	NW	NE		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A37-13370 NONE

WR RECORDS IN SAME 40 ACRE TRACT

37-04250
37-04267
37-07178
37-08058

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	_____
DUE TO SOURCE DISCREPANCY? (Y/N)	Y	_____

REMARKS:

MICROFILMED
OCT 27 1994

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

SOURCE: _____

TRIB: _____

REVIEWED BY: _____

DATE: _____

MICROFILMED
OCT 27 1994

A. ROOT WATER RIGHT NUMBERS: A37-12539
R37-12539

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	18E	35	NW	NE		TIDWELL , LESLIE	A37-12539 / 3.0	- /	12.0		
						WISE , GEORGE E.	A37-11301 /	- /			
						WISE , GEORGE E.	A37-11302 /	- /			
						IVIE , W. W.	A37-04267 / 9.0	37-04267 / 9.0			
						IVIE , W.W.	A37-11337 /	- /			
						IVIE , W.W.	A37-11338 /	- /			
						SPECK , JAMES P.	A37-07178 /14.0	37-07178 /14.0			
						SPECK , JAMES P.	R37-00033 /14.0	- /			
						TIDWELL , BRUCE S.	A37-12541 /	- /			
						SPECK , JAMES P.	A37-00033 /14.0	- /			
						WISE , KATHLEEN W.	A37-00579 / 3.0	37-00579 / 3.0			
						SPECK , JAMES P.	A37-12538 / 2.0	- /			
						TIDWELL , LESLIE	A37-12540 /14.0	- /			
						BELLEVUE BIBLE CAMP, ASSEMBLY	A37-13370 /	- /			
						WISE , GEORGE E.	R37-00579 / 3.0	- /			
						SPECK , JAMES P.	R37-07178 /14.0	- /			
						WISE , GEORGE E.	R37-11301 /	- /			
						WISE , GEORGE E.	R37-11302 /	- /			
						IVIE , W.W.	R37-11337 /	- /			
						IVIE , W.W.	R37-11338 /	- /			
						MACDONALD , WILLIAM	R37-11339 /	- /			
						TIDWELL , BRUCE S.	R37-12538 / 2.0	- /			
						TIDWELL , LESLIE	R37-12539 / 3.0	- /			
						TIDWELL , LESLIE	R37-12540 /14.0	- /			
						TIDWELL , BRUCE S.	R37-12541 /	- /			
						IVIE , W. W.		37-08058 / 5.0			
						EITREIM , WILLIAM D.		37-04250 /			
02N	18E	35	NW	NE		TIDWELL , LESLIE	A37-12539 /	- /	12.0		
						WISE , GEORGE E.	A37-11301 /	- /			
						WISE , GEORGE E.	A37-11302 /	- /			
						IVIE , W. W.	A37-04267 / 9.0	37-04267 / 9.0			
						IVIE , W.W.	A37-11337 /	- /			
						IVIE , W.W.	A37-11338 /	- /			
						SPECK , JAMES P.	A37-07178 /14.0	37-07178 /14.0			
						SPECK , JAMES P.	R37-00033 /14.0	- /			
						TIDWELL , BRUCE S.	A37-12541 /	- /			
						SPECK , JAMES P.	A37-00033 /14.0	- /			
						WISE , KATHLEEN W.	A37-00579 / 3.0	37-00579 / 3.0			
						SPECK , JAMES P.	A37-12538 / 2.0	- /			
						TIDWELL , LESLIE	A37-12540 /14.0	- /			
						BELLEVUE BIBLE CAMP, ASSEMBLY	A37-13370 /	- /			
						WISE , GEORGE E.	R37-00579 / 3.0	- /			
						SPECK , JAMES P.	R37-07178 /14.0	- /			
						WISE , GEORGE E.	R37-11301 /	- /			
						WISE , GEORGE E.	R37-11302 /	- /			
						IVIE , W.W.	R37-11337 /	- /			

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IVIE , W.W.	R37-11338	/	-	/
MACDONALD , WILLIAM	R37-11339	/	-	/
TIDWELL , BRUCE S.	R37-12538	/ 2.0	-	/
TIDWELL , LESLIE	R37-12539	/ 3.0	-	/
TIDWELL , LESLIE	R37-12540	/14.0	-	/
TIDWELL , BRUCE S.	R37-12541	/	-	/
IVIE , W. W.			37-08058	/ 5.0
EITTREIM , WILLIAM D.			37-04250	/

TOTAL ACRES	A37-12539	3.00	24.00
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ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

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A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A37-12539	IRRIGATION	FROM 04-01 TO 11-01	.120 CFS
A37-12539	STOCKWATER	FROM 01-01 TO 12-31	.020 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			.140 CFS

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
37-08254	AESTHETIC	FROM 01-01 TO 12-31	.020 CFS 1.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED			1.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(____) N(____)

RECOMMEND TO WR STANDARDS OR OTHER? Y(____) N(____) Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.140 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

B. FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 37-00033,A37-07178,A37-12538,A37-12540

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A37-12539	GROUNDWATER	TIDWELL , LESLIE	0.140	0.046		
A37-04267	GROUNDWATER	IVIE , W. W.	0.300	0.033		
A37-00033	BIG WOOD RIVER	SPECK , JAMES P.	0.840	0.060		
A37-00579	BIG WOOD RIVER	WISE , KATHLEEN W.	0.500	0.083		
A37-12538	GROUNDWATER	SPECK , JAMES P.	0.080	0.040		
A37-12540	GROUNDWATER	TIDWELL , LESLIE	0.280	0.020		
R37-00579	BIG WOOD RIVER	WISE , GEORGE E.	0.500	0.083		
R37-07178	GROUNDWATER	SPECK , JAMES P.	0.140	0.010		
R37-12538	GROUNDWATER	TIDWELL , BRUCE S.	0.080	0.040		
R37-12539	GROUNDWATER	TIDWELL , LESLIE	0.140	0.046		
R37-12540	GROUNDWATER	TIDWELL , LESLIE	0.280	0.020		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A37-12539	STOCKWATER	TIDWELL , LESLIE	FROM 01-01 TO 12-31	.020 CFS	
A37-11301	DOMESTIC	WISE , GEORGE E.	FROM 01-01 TO 12-31	.040 CFS	
A37-11302	DOMESTIC	WISE , GEORGE E.	FROM 01-01 TO 12-31	.040 CFS	
A37-11337	STOCKWATER	IVIE , W.W.	FROM 10-01 TO 05-01	.020 CFS	
A37-11338	DOMESTIC	IVIE , W.W.	FROM 01-01 TO 12-31	.040 CFS	
A37-12541	STOCKWATER	TIDWELL , BRUCE S.	FROM 10-01 TO 05-01	.020 CFS	
A37-13370	COMMERCIAL	BELLEVUE BIBLE CAMP, ASSEMBLIE	FROM 01-01 TO 12-31	.400 CFS	

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R37-11301	DOMESTIC	WISE , GEORGE E.	FROM 01-01	TO 12-31	.040 CFS
R37-11302	DOMESTIC	WISE , GEORGE E.	FROM 01-01	TO 12-31	.040 CFS
R37-11337	STOCKWATER	IVIE , W.W.	FROM 10-01	TO 05-01	.020 CFS
R37-11338	DOMESTIC	IVIE , W.W.	FROM 01-01	TO 12-31	.040 CFS
R37-11339	DOMESTIC	MACDONALD , WILLIAM	FROM 01-01	TO 12-31	.040 CFS
R37-12539	STOCKWATER	TIDWELL , LESLIE	FROM 01-01	TO 12-31	.020 CFS
R37-12541	STOCKWATER	TIDWELL , BRUCE S.	FROM 10-01	TO 05-01	.020 CFS

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(____) N(____)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(____) N(____) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 7.5 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(____)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT				_____		_____		_____

REVIEWED BY: _____

DATE: _____

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 37-12539

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE	EXAMINER	CFS
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SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A37-12539	0.140	R37-12539	0.140	-	
-	R37-12539	0.140	R37-12539	0.140	-	
	TOTAL CFS	0.280		0.280		

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE	FIELD EXAMINER
N	_____

REMARKS:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____
NAME OF FIELD EXAMINER: _____ TITLE: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:46
06/02/90

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A37-12539

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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