

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 37-13270A
Date Received: 11/24/1989
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DANNY VAN HORN
PO BOX 345
FAIRFIELD ID USA 83327-0345

Phone: (208)764-2139

VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID USA 83327-0345

Phone: (208)764-2139

2. Date of Priority: 05/26/1966

3. Source: CORRAL CREEK , CORRAL CREEK , CORRAL CREEK , CORRAL CREEK , CORRAL CREEK
Trib. to: CAMAS CREEK , CAMAS CREEK , CAMAS CREEK , CAMAS CREEK , CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	13E	20	NE NE SE	CAMAS	
01N	13E	29	SW NW NE	CAMAS	
01N	13E	21	NW SW NW	CAMAS	
01N	13E	20	SE NW NW	CAMAS	
01N	13E	29	NE SE SW	CAMAS	

5. Description of diverting works:

CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	8.83	

7. Total Quantity Appropriated is:
8.83 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
01N	13E	20	SW	NE		IRRIGATION	10
			SE	NW		IRRIGATION	35
			NW	SE		IRRIGATION	35
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
			SE	SW		IRRIGATION	5
			NE	NW		IRRIGATION	20
			NW	NW		IRRIGATION	10
			NE	SW		IRRIGATION	15
			NE	SE		IRRIGATION	35
						Section Acres	245
01N	13E	21	SE	NW		IRRIGATION	5
			NE	SW		IRRIGATION	15
			NW	SW		IRRIGATION	30
			SE	SW		IRRIGATION	5
			SW	SW		IRRIGATION	35
			SW	NW		IRRIGATION	10
						Section Acres	100
01N	13E	28	NW	NW		IRRIGATION	10
						Section Acres	10
01N	13E	29	SE	NE		IRRIGATION	25
			SE	NW		IRRIGATION	20
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	5
			SW	SW		IRRIGATION	35
			NE	SE		IRRIGATION	20
			NW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	15
			NE	NE		IRRIGATION	35
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SW	SE		IRRIGATION	40
			SE	SW		IRRIGATION	40

01N	13E	32	NW	NE	IRRIGATION	35
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			NE	NW	IRRIGATION	40
			SE	NW	IRRIGATION	28
Section Acres						183
Total Acres						933

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED: RIGHT PRIORITY CFS AMOUNT SOURCE A37-13261 6/01/1882 5.4 CORRAL CREEK A37-00728 6/01/1883 1.5 CORRAL CREEK A37-00454 9/01/1883 .8 CORRAL CREEK A37-13267 6/01/1884 1.7 CORRAL CREEK A37-00463B 6/01/1885 1.4 CORRAL CREEK A37-00730 8/10/1885 .2 CORRAL CREEK A37-13268 6/01/1886 1.5 CORRAL CREEK A37-00035 6/01/1887 1.0 CORRAL CREEK A37-13269 6/01/1888 1.4 CORRAL CREEK A37-02139 6/07/1909 .54 CORRAL CREEK/GARDEN SPRING A37-13270 5/26/1966 9.28 CORRAL CREEK A37-13271 5/20/1901 .8 LANSING CREEK IRRIGATION USE P/D'S: WEST FORK CORRAL CREEK: SE,NW,NW, SEC 20.

EAST FORK CORRAL CREEK: NW,SW,NW, SEC. 21, NE,NE,SE, SEC 20. CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.

LANSING CREEK: NE,NW,NW, SEC 28.

SE,NE,NE, & NW,SE,NE, SEC 29.

INSTREAM STOCK USE: A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...

BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

***** THE ABOVE CLAIMS ARE SPLIT BASED UPON A PROPORTIONAL RATE OF CLAIMED ACRES WITHIN THE PLACE OF USE FOR CRISTOBAL (47) AND THE TOTAL CLAIMED PLACE OF USE OF 980 ACRES. $47/980 = 4.8\%$.

KKC 5-1-98.

THIS IS A COMBINED RIGHT FOR PERMIT# 37-02735 4.0 CFS

37-02736 5.28 CFS

TOTAL.... 9.28 CFS

(COMMON PRIORITY, SAME SOURCE) THIS IS A COMBINED RIGHT
FOR PERMIT# 37-02735 AND 66% OF THE ORIGINAL LANDS TO BE LICENSED UNDER PERMIT# 37-
02736. THE ORIGINAL FILINGS WERE PROTESTED AND NEVER SETTLED.

***** CHANGE OF OWNERSHIP DATA ENTERED 11-23-98. KKC

15. Basis of Claim: Permit

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: **A37-13270A**
Date Received: 11/24/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CARL D REY
Address: PO BOX 40
CORVALLIS MT 59828

AND/OR

Name: JANINE M REY
Address: PO BOX 40
CORVALLIS MT 59828

2. Date of Priority: MAY 26, 1966

3. Source: CORRAL CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	13E	20	SE	NW	NW		CAMAS
			NE	NE	SE		CAMAS
		21	NW	SW	NW		CAMAS
		29	SW	NW	NE		CAMAS
			NE	SE	SW		CAMAS

5. Description of diverting works:
CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	8.830		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/1500 RANGE STOCK

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	13E	20	SW		NE		IRR	10.0
			NE		NW		IRR	20.0
			NW		NW		IRR	10.0
			SE		NW		IRR	35.0
			NE		SW		IRR	15.0
			SE		SW		IRR	5.0
			NE		SE		IRR	35.0
			NW		SE		IRR	35.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
								↓
							Section Acres	245.0
		21	SW		NW		IRR	10.0
			SE		NW		IRR	5.0
			NE		SW		IRR	15.0
			NW		SW		IRR	30.0
			SW		SW		IRR	35.0
			SE		SW		IRR	5.0
							Section Acres	100.0
		28	NW		NW		IRR	10.0
							Section Acres	10.0
		29	NE		NE		IRR	35.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	25.0
			SE		NW		IRR	20.0
			NE		SW		IRR	40.0
			NW		SW		IRR	5.0
			SW		SW		IRR	35.0
			SE		SW		IRR	40.0
			NE		SE		IRR	20.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	15.0
							Section Acres	395.0
		32	NW		NE		IRR	35.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	28.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	183.0
					Total Acres	933.0

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:
SEE REMARKS

14. Remarks:

24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

RIGHT	PRIORITY	CFS AMOUNT	SOURCE
A37-13261	6/01/1882	5.4	CORRAL CREEK
A37-00728	6/01/1883	1.5	CORRAL CREEK
A37-00454	9/01/1883	.8	CORRAL CREEK
A37-13267	6/01/1884	1.7	CORRAL CREEK
A37-00463B	6/01/1885	1.4	CORRAL CREEK
A37-00730	8/10/1885	.2	CORRAL CREEK
A37-13268	6/01/1886	1.5	CORRAL CREEK
A37-00035	6/01/1887	1.0	CORRAL CREEK
A37-13269	6/01/1888	1.4	CORRAL CREEK
A37-02139	6/07/1909	.54	CORRAL CREEK/GARDEN SPRING
A37-13270	5/26/1966	9.28	CORRAL CREEK
A37-13271	5/20/1901	.8	LANSING CREEK

IRRIGATION USE P/D'S:

WEST FORK CORRAL CREEK: SE,NW,NW, SEC 20.
EAST FORK CORRAL CREEK: NW,SW,NW, SEC. 21, NE,NE,SE, SEC 20.
CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.
LANSING CREEK: NE,NW,NW, SEC 28.
SE,NE,NE, & NW,SE,NE, SEC 29.

INSTREAM STOCK USE:

A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...

BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

THE ABOVE CLAIMS ARE SPLIT BASED UPON A PROPORTIONAL RATE OF CLAIMED ACRES WITHIN THE PLACE OF USE FOR CRISTOBAL (47) AND THE TOTAL CLAIMED PLACE OF USE OF 980 ACRES. $47/980 = 4.8\%$.

KKC 5-1-98.

THIS IS A COMBINED RIGHT FOR PERMIT#	37-02735	4.0	CFS
	37-02736	5.28	CFS
	TOTAL....	9.28	CFS

14. Remarks: Continued

(COMMON PRIORITY, SAME SOURCE)

THIS IS A COMBINED RIGHT FOR PERMIT# 37-02735 AND 66% OF THE
ORIGINAL LANDS TO BE LICENSED UNDER PERMIT# 37-02736. THE
ORIGINAL FILINGS WERE PROTESTED AND NEVER SETTLED.

CHANGE OF OWNERSHIP DATA ENTERED 11-23-98. KKC

15. Basis of Claim: PERMIT



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

November 23, 1998

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

CARL REY
RT 1 BOX 2015
CORRAL ID 83322

RE: SNAKE RIVER BASIN ADJUDICATION CLAIMS CHANGE OF
OWNERSHIP FROM JON MELLON

Dear Mr Rey

Enclosed are copies of 13 adjudication claims which I have changed the ownership from Mr Mellon to you, as identified through two change of ownership forms. Please review these claims to insure that they represent the water use as it exists on the property.

I have also enclosed a change of address form, as the quit claim deed submitted for A37-02139A showed the above address where as the change of ownership form has the address as shown on the claims. The department is required to have a written request before we can change the address on claims filed in the Snake River Basin Adjudication.

If you have any questions please contact this office.

Sincerely

Kelly K Christensen
Senior Water Resource Agent

Enclosures



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type
(see instructions on back of page)

FEB 14 1996

DATE OF CLOSING: 1/26/96

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM. _____ Southern Region
Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

See attached Exhibit A

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A37-00035, A37-00454, A37-00463B, A37-00730, A37-00728
A37-13261, R37-13261, A37-13267, R37-13268, A37-13268,
A37-13269, A37-13270, A37-13271, A37-13292

☐ Name and Address of Former Owner/Claimant(s)(Seller): Jon and Lana Mellen
Route 1, Box 2015
Fairfield, ID 83315

☐ New Owner/Claimant (Purchaser): Carl D. Rey and Janine M. Rey

☐ New Mailing Address: P. O. Box 40
Corvalis, Montana 59828
(will be moving to Fairfield, ID - Summer '96)

☐ New Telephone Number: () _____

- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes XX no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: copy of recorded Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): Carl D. Rey Date 1/26/96

☐ Signature of Former Owner/Claimant(s): Jon Mellen Date _____
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

RECEIVED

FEB 14 1996

Department of Water Resources
Southern Region

WARRANTY DEED

JON MELLEN AND LANA MELLEN, husband and wife, Grantor, hereby convey, grant, bargain, sell and warrant to CARL D. REY and JANINE M. REY, husband and wife, Grantee, whose address is P.O. Box 40, Corvallis, Montana 59828, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the real property located in Camas County, Idaho and more particularly described on Exhibit A, attached and incorporated by reference, hereinafter the Real Property.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, mineral rights, rights-of-way and water rights in anyway appertaining to the property herein described. Attached hereto as Exhibit B is a description of the water rights appurtenant to the Real Property conveyed by this deed, together with water rights appurtenant to an adjacent parcel also being acquired by Grantee.

The Grantor covenants to the Grantee that the Grantor is the owner in fee simple of said premises; that the premises are free from all encumbrances, except as described below, and that the Grantor will warrant and defend the same from all other claims whatsoever, except any claims relating to the county road located on the Real Property.

This conveyance is subject to 1996 real property taxes, easements of record, any reservations in favor of the United States of America, and all other matters of record.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 26th day of January, 1996.

69756

Recorded at the Request of

Camas Titleat 1:05 PMJanuary 26, 19 96in Book 29of Deeds Page 833

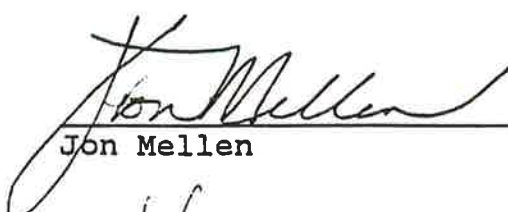
FOLLIE BENNETT

CAMAS COUNTY RECORDER

By Guy R. PachecoFees \$ 12.00

WARRANTY DEED - 1

1/24/96

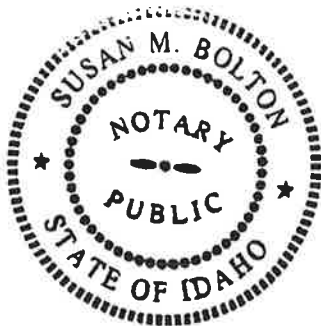

Jon Mellen
Lana Mellen

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF IDAHO)
) SS.
COUNTY OF GOODING)

On this 26th day of January, 1996, before me, the undersigned, a Notary Public, personally appeared JON MELLEN and LANA MELLEN, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Susan M. Bolton

Notary Public For Idaho
Residing at: Gooding, Idaho
My Commission Expires: 10-16-98

Tract #2

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

Section 32: NW¼NE¼.

EXHIBIT B

APPURTENANT WATER RIGHTS

Surface water rights appurtenant to the Real Property, described in the attached deed, to certain real property located adjacent to the Real Property, which is also being acquired by the Grantee, and to the Retained Property, described below, have been filed in the Snake River Basin Adjudication under the following numbers:

A37-00035

A37-00454

A37-00463B

A37-00728

A37-00730 ✓

A37-13261 ✓

A37-13267 ✓

A37-13268 ✓

A37-13269 ✓

A37-13270 ✓

A37-13271 ✓

A37-13292 ✓ *stock not part of Crystal Lake*

R37-13261

R37-13268

A Ground Water claim has also been filed in the Snake River Basin Adjudication under number A37-13274.

Together with all other water rights and permits which are appurtenant to the Real Property, described in the attached deed.

Seller reserves from the conveyance under the attached deed all water rights which are appurtenant to the following described real property ("the Retained Property"):

Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho

SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 29;

NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 29;

SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29;

NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29;

NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 29;

SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29, except that portion of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, lying east of the county road;

NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 29;

SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21;

SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 21; and

SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 20.

RECEIVED

WARRANTY DEED

FEB 14 1996

Mellen Unitrust/Rey

Department of Water Resources
Southern Region

THE JON AND LANA MELLEN UNITRUST, established under Trust Agreement dated December 7, 1995, Jon and Lana Mellen, Co-Trustees, Grantor, hereby convey, grant, bargain, sell and warrant to CARL D. REY and JANINE M. REY, husband and wife, Grantee, whose address is P.O. Box 40, Corvallis, Montana 59828, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the real property located in Camas County, Idaho and more particularly described on Exhibit A, attached and incorporated by reference, hereinafter "the Real Property."

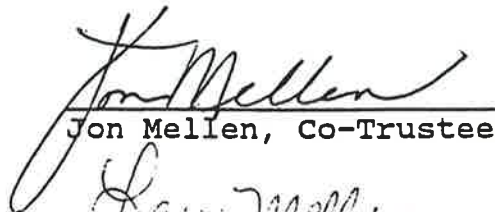
This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, mineral rights, rights-of-way and water rights in anyway appertaining to the property herein described. Attached hereto as Exhibit B is a description of the water rights appurtenant to the Real Property conveyed by this deed, together with water rights appurtenant to an adjacent parcel also being acquired by Grantee.

The Grantor covenants to the Grantee that the Grantor is the owner in fee simple of said premises; that the premises are free from all encumbrances, except as described below, and that the Grantor will warrant and defend the same from all other claims whatsoever, except any claims of easements or other rights relating to the cemetery, which is located at or near the intersecting corner of Sections 29, 30, 31 and 32 of the Real Property, and the cemetery's access road, and any claims relating to the county road located on the Real Property.

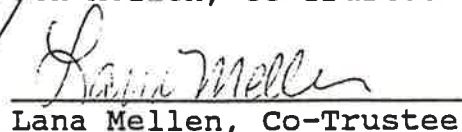
This conveyance is subject to 1996 real property taxes, easements of record, any reservations in favor of the United States of America, and all other matters of record.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 26th day of January, 1996.

THE JON AND LANA MELLEN UNITRUST



Jon Mellen, Co-Trustee



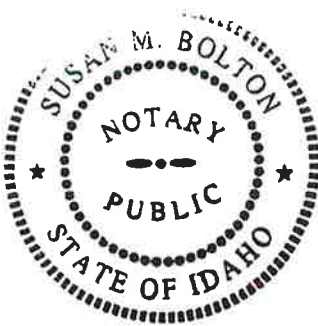
Lana Mellen, Co-Trustee

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
County of Gooding)

On this 26th day of January, 1996, before the undersigned, a Notary Public, personally appeared JON MELLEN, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same as TRUSTEE OF THE JON AND LANA MELLEN UNITRUST.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Susan M. Bolton
Notary Public for Idaho
Residing at Gooding, ID
My commission expires: 10/16/98

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF IDAHO)
) ss.
County of Gooding)

On this 26th day of January, 1996, before the undersigned, a Notary Public, personally appeared LANA MELLEN, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same as TRUSTEE OF THE JON AND LANA MELLEN UNITRUST.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Susan M. Bolton
Notary Public for Idaho
Residing at Gooding, ID
My commission expires: 10/16/98

Tract #1:

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

Section 4: $S\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$.

Section 8: $SW\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $NE\frac{1}{4}$, $S\frac{1}{2}$ EXCEPT Beginning at the SW corner of the $SW\frac{1}{4}$ Section 8, the True Point of Beginning; Thence North along the West boundary of said $SW\frac{1}{4}$, 900 feet to a point; Thence East and parallel with the South boundary of $SW\frac{1}{4}$, 1320 feet to a point; Thence in a Southeasterly direction to a point on the South boundary of the $SW\frac{1}{4}SE\frac{1}{4}$ Section 8, 400 feet East of the Southwest corner of the $SW\frac{1}{4}SE\frac{1}{4}$ said Section 8; Thence West on the South boundary of the $SW\frac{1}{4}SE\frac{1}{4}$ and $S\frac{1}{2}SW\frac{1}{4}$ 3,040 feet to the True Point of Beginning.

Section 9: All

Section 17: $SW\frac{1}{4}SW\frac{1}{4}$, AND a Parcel of Land lying East of the Following described Center Line, Beginning at the North $\frac{1}{4}$ corner of said Section 17, the True Point of Beginning; Thence East on the North boundary of Section 17, 400 feet to a point; Thence in a Southeasterly direction a distance of 4,920 feet to a point on the East boundary of Section 17, 900 feet North of the Southeast corner, Section 17; Thence South on the East boundary of Section 17, 900 feet to the Southeast corner of Section 17.

Section 18: $SE\frac{1}{4}$

Section 19: $W\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}$.

Section 20: $NW\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$ EXCEPT A parcel of land situated in the Northwest $\frac{1}{4}$ of Section 20, Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho; described as follows: Beginning at a point on the North Line of and 3395.2 feet West from the Northeast corner of said Section 20; thence $S 0^{\circ}16' W.$, a distance of 533.4 feet; thence $S 49^{\circ}26' E.$, a distance of 351.6 feet; thence $N 77^{\circ}33' E.$, a distance of 482.4 feet; thence $N 01^{\circ}33' E.$, a distance of 655.7 feet; thence $N 89^{\circ}44' W.$, a distance of 755.2 feet to the point of beginning.

EXHIBIT A

69757
Recorded at the Request of
Camas Title
at 1:07 P M
1-26, 1996
in Book 29
of DEEDS Page 837.
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Kore Blodgett
Fees \$ 15⁰⁰

Section 21: $N\frac{1}{2}$, $N\frac{1}{2}S\frac{1}{2}$, $S\frac{1}{2}SE\frac{1}{4}$, EXCEPT Commencing at the West quarter corner of Section 28; Thence $N\ 3^{\circ}\ 00'\ E.$, a distance of 3,274.38 feet; Thence $N\ 7^{\circ}\ 42'30''\ E.$, a distance of 715.76 feet; Thence $S\ 86^{\circ}\ 16'\ E.$, a distance of 871.90 feet to the Real Point of Beginning; Thence continuing $S\ 86^{\circ}\ 16'\ E.$, a distance 400.0 feet; Thence $N\ 3^{\circ}\ 44'\ W.$, a distance 600.0 feet; Thence $N\ 86^{\circ}\ 16'\ W.$, a distance of 400.0 feet; Thence $S\ 3^{\circ}\ 44'\ W.$, a distance of 600.0 feet to the Real Point of Beginning, AND EXCEPT $W\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$ and $W\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$.

Section 28: All EXCEPT $W\frac{1}{2}SW\frac{1}{4}NW\frac{1}{4}$, AND a tract of land located in the $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ described as follows: Beginning at a point 950 feet South of the NW corner of said Section 28, the True point of beginning; Thence, East and parallel with the North boundary of Section 28, a distance of 660 feet to a point; Thence, South on the East boundary of the $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ of said Section 28, to the SE corner of said $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$; Thence, West on the South Boundary of the $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ a distance of 660 feet to the SW corner of the $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$; Thence, North on the boundary of the $W\frac{1}{2}NW\frac{1}{4}NW\frac{1}{4}$ to the point of beginning.

Section 29: $W\frac{1}{2}$, $SE\frac{1}{4}SE\frac{1}{4}$.

Section 30: Lots 2, 3, $NE\frac{1}{4}SW\frac{1}{4}$, $E\frac{1}{2}$, $SE\frac{1}{4}NW\frac{1}{4}$.

Section 31: $NE\frac{1}{4}$

Section 32: $E\frac{1}{2}E\frac{1}{2}$, $NW\frac{1}{4}$, EXCEPT A parcel of land in the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 32, described as follows: Beginning at a point 25 feet West of the SE corner of the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 32; Thence North and parallel with the East boundary line of the $SW\frac{1}{4}NE\frac{1}{4}$ a distance of 308 feet; Thence West and parallel with the South boundary line of the $SW\frac{1}{4}NE\frac{1}{4}$ a distance of 550 feet; Thence South and parallel with the East boundary line of the $SW\frac{1}{4}NE\frac{1}{4}$ a distance of 308 feet; Thence East along the South boundary of the $SW\frac{1}{4}NE\frac{1}{4}$ a distance of 550 feet to the point of beginning, AND EXCEPT Beginning at a point 575 feet West of the Southeast corner of and on the South boundary line of, the $SW\frac{1}{4}NE\frac{1}{4}$ of Section 32, and running thence North, parallel with the East boundary line of said $SW\frac{1}{4}NE\frac{1}{4}$ of Section 32, a distance of 308 feet to a point; thence East, parallel with the South boundary line of the said $SW\frac{1}{4}NE\frac{1}{4}$, of said Section 32 a distance of 550 feet to a point; thence North, parallel with the East boundary line of said $SW\frac{1}{4}NE\frac{1}{4}$ of said Section 32 a distance of 987 feet to a point; thence West, parallel with the North boundary line of the said $SW\frac{1}{4}NE\frac{1}{4}$ and the $SE\frac{1}{4}NW\frac{1}{4}$ of said Section 32 a distance of 1,926 feet to a point; thence $S\ 16^{\circ}\ 46'\ E.$, a distance of 1,352.0 feet to a point on the South line of the $SE\frac{1}{4}NW\frac{1}{4}$ of said Section 32; thence East along the South line of the $SE\frac{1}{4}NW\frac{1}{4}$ and of the $SW\frac{1}{4}NE\frac{1}{4}$ of said Section 32 a distance of 986 feet to the point of beginning.

Section 33: $NW\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$.

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: **A37-13270A**
Date Received: 11/24/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: LANA MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD ID 83327
AND/OR
Name: JON MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD ID 83327

2. Date of Priority: MAY 26, 1966

3. Source: CORRAL CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	13E	20	SE	NW	NW		CAMAS
			NE	NE	SE		CAMAS
		21	NW	SW	NW		CAMAS
		29	SW	NW	NE		CAMAS
			NE	SE	SW		CAMAS

5. Description of diverting works:
CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	8.830		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/1500 RANGE STOCK

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	13E	20	SW		NE		IRR	10.0
			NE		NW		IRR	20.0
			NW		NW		IRR	10.0
			SE		NW		IRR	35.0
			NE		SW		IRR	15.0
			SE		SW		IRR	5.0
			NE		SE		IRR	35.0
			NW		SE		IRR	35.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	245.0
		21	SW		NW		IRR	10.0
			SE		NW		IRR	5.0
			NE		SW		IRR	15.0
			NW		SW		IRR	30.0
			SW		SW		IRR	35.0
			SE		SW		IRR	5.0
							Section Acres	100.0
		28	NW		NW		IRR	10.0
							Section Acres	10.0
		29	NE		NE		IRR	35.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	25.0
			SE		NW		IRR	20.0
			NE		SW		IRR	40.0
			NW		SW		IRR	5.0
			SW		SW		IRR	35.0
			SE		SW		IRR	40.0
			NE		SE		IRR	20.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	15.0
							Section Acres	395.0
		32	NW		NE		IRR	35.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	28.0

10. Place of Use: Continued

Section Acres 183.0

Total Acres 933.0

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:

SEE REMARKS

14. Remarks:

24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

RIGHT	PRIORITY	CFS AMOUNT	SOURCE
A37-13261	6/01/1882	5.4	CORRAL CREEK
A37-00728	6/01/1883	1.5	CORRAL CREEK
A37-00454	9/01/1883	.8	CORRAL CREEK
A37-13267	6/01/1884	1.7	CORRAL CREEK
A37-00463B	6/01/1885	1.4	CORRAL CREEK
A37-00730	8/10/1885	.2	CORRAL CREEK
A37-13268	6/01/1886	1.5	CORRAL CREEK
A37-00035	6/01/1887	1.0	CORRAL CREEK
A37-13269	6/01/1888	1.4	CORRAL CREEK
A37-02139	6/07/1909	.54	CORRAL CREEK/GARDEN SPRING
A37-13270	5/26/1966	9.28	CORRAL CREEK
A37-13271	5/20/1901	.8	LANSING CREEK

IRRIGATION USE P/D'S:

WEST FORK CORRAL CREEK: SE,NW,NW, SEC 20.

EAST FORK CORRAL CREEK: NW,SW,NW, SEC. 21, NE,NE,SE, SEC 20.

CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.

LANSING CREEK: NE,NW,NW, SEC 28.

SE,NE,NE, & NW,SE,NE, SEC 29.

INSTREAM STOCK USE:

A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...

BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

THE ABOVE CLAIMS ARE SPLIT BASED UPON A PROPORTIONAL RATE OF CLAIMED ACRES WITHIN THE PLACE OF USE FOR CRISTOBAL (47) AND THE TOTAL CLAIMED PLACE OF USE OF 980 ACRES. $47/980 = 4.8\%$.

KKC 5-1-98.

THIS IS A COMBINED RIGHT FOR PERMIT# 37-02735 4.0 CFS

37-02736 5.28 CFS

TOTAL.... 9.28 CFS

(COMMON PRIORITY, SAME SOURCE)

THIS IS A COMBINED RIGHT FOR PERMIT# 37-02735 AND 66% OF THE ORIGINAL LANDS TO BE LICENSED UNDER PERMIT# 37-02736. THE

14. Remarks: Continued

ORIGINAL FILINGS WERE PROTESTED AND NEVER SETTLED.

15. Basis of Claim: PERMIT



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 6/15/91

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: _____
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): JOHN MCELLEN
RT #1 Box 2015
FAIRFIELD, IDAHO 83327
- ☐ New Owner/Claimant (Purchaser): JOHN & BARBARA CRISTOBAL
- ☐ New Mailing Address: 940 E 16th
Mountain Home, Idaho 83647
- ☐ New Telephone Number: (208) 587-8010
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) John Cristobal Date June 6, 1991

Date _____
- ☐ Signature of Former Owner/Claimant(s): John Mellen Date June 6, 1991

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

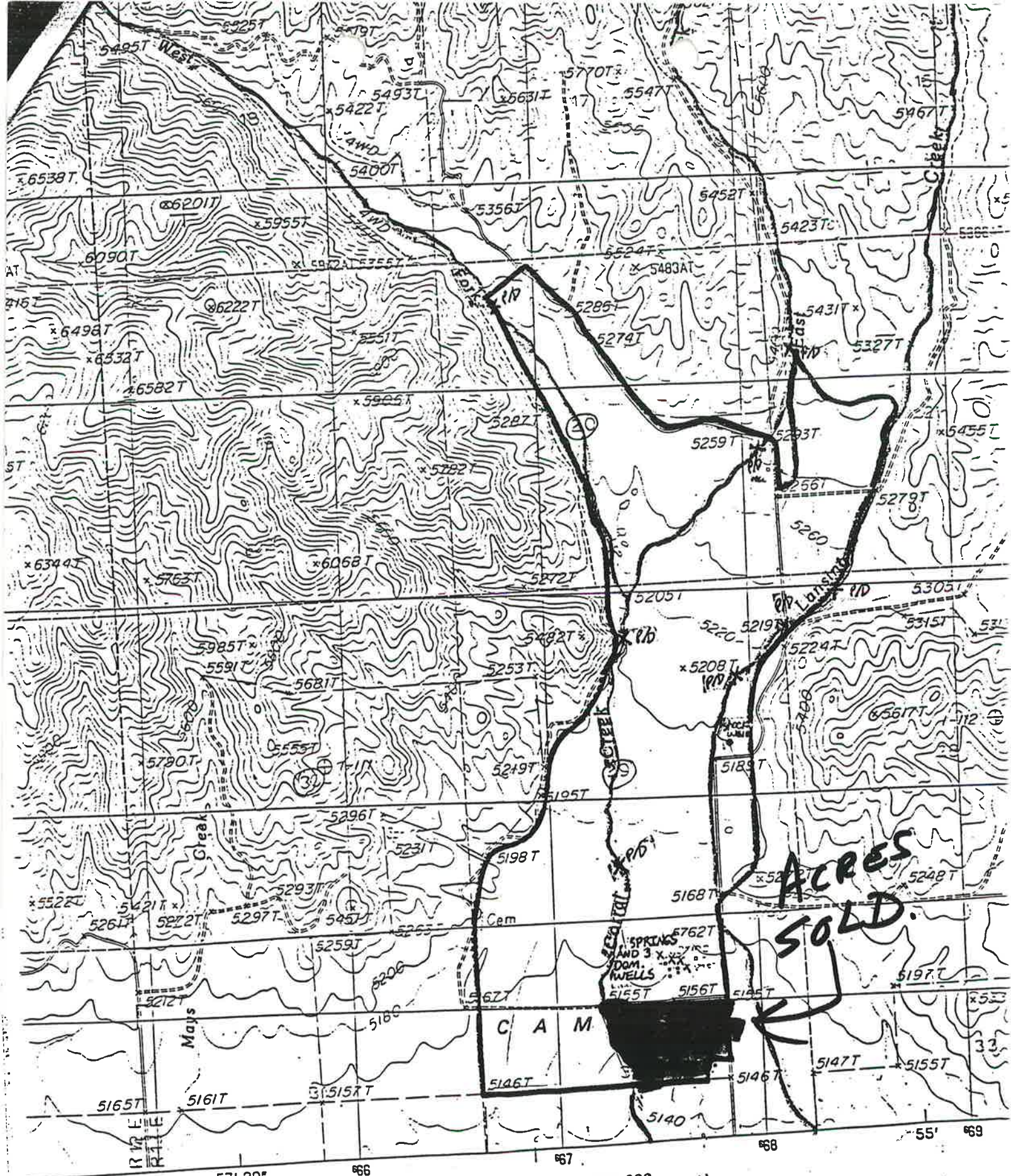
Date: _____ By: _____

Final Review and Data-Entry

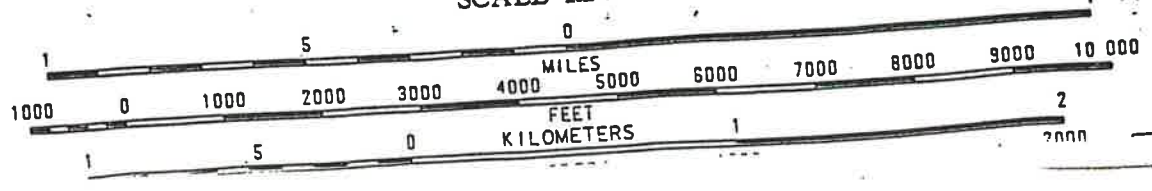
Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



SCALE 1:24 000



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: A37-13270

Date Received: 11/07/1989

Receipt No: 5010532

Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LANA MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD, ID 83327

AND/OR

Name: JON MELLEN 208-764-2365
Address: RT 1 BOX 2015
FAIRFIELD, ID 83327

2. Date of Priority: MAY 26, 1966

3. Source: CORRAL CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	13E	20	SE	NW	NW		CAMAS
			NE	NE	SE		CAMAS
		21	NW	SW	NW		CAMAS
		29	SW	NW	NE		CAMAS
			NE	SE	SW		CAMAS

5. Description of diverting works:

CONCRETE DAMS, CHECK DAMS, FLOOD IRRIGATION, INSTREAM STOCK USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	9.280		

7. Total Quantity Appropriated is:

9.280 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 2450.0 Acre Feet Per Annum.

9. Non-irrigation uses:

S/1500 RANGE STOCK

A37-13270

Page 1

Date: 11/08/89

MICROFILMED

MAR 01 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	13E	20	SW		NE		IRR	10.0
			NE		NW		IRR	20.0
			NW		NW		IRR	10.0
			SE		NW		IRR	35.0
			NE		SW		IRR	15.0
			SE		SW		IRR	5.0
			NE		SE		IRR	35.0
			NW		SE		IRR	35.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres 245.0					
		21	SW		NW		IRR	10.0
			SE		NW		IRR	5.0
			NE		SW		IRR	15.0
			NW		SW		IRR	30.0
			SW		SW		IRR	35.0
			SE		SW		IRR	5.0
			Section Acres 100.0					
		28	NW		NW		IRR	10.0
			Section Acres 10.0					
		29	NE		NE		IRR	35.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	25.0
			SE		NW		IRR	20.0
			NE		SW		IRR	40.0
			NW		SW		IRR	5.0
			SW		SW		IRR	35.0
			SE		SW		IRR	40.0
			NE		SE		IRR	20.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	15.0
			Section Acres 395.0					
		32	NW		NE		IRR	35.0
			SW		NE		IRR	35.0
			NE		NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	13E	32	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
Section Acres							230.0
Total Acres							980.0

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:
SEE REMARKS

14. Remarks:

24.72 CFS CORRAL CREEK WATER AND .8 CFS LANSING CREEK WATER USED FOR IRRIGATION ON ~980 ACRES. THE FOLLOWING IS A LIST OF THE ADJUDICATION RIGHTS, PRIORITIES, AMOUNTS AND SOURCES INVOLVED:

RIGHT	PRIORITY	CFS AMOUNT	SOURCE
A37-13261	6/01/1882	5.4	CORRAL CREEK
A37-00728	6/01/1883	1.5	CORRAL CREEK
A37-00454	9/01/1883	.8	CORRAL CREEK
A37-13267	6/01/1884	1.7	CORRAL CREEK
A37-00463B	6/01/1885	1.4	CORRAL CREEK
A37-00730	8/10/1885	.2	CORRAL CREEK
A37-13268	6/01/1886	1.5	CORRAL CREEK
A37-00035	6/01/1887	1.0	CORRAL CREEK
A37-13269	6/01/1888	1.4	CORRAL CREEK
A37-02139	6/07/1909	.54	CORRAL CREEK/GARDEN SPRING
A37-13270	5/26/1966	9.28	CORRAL CREEK
A37-13271	5/20/1901	.8	LANSING CREEK

IRRIGATION USE P/D'S:

WEST FORK CORRAL CREEK: SE,NW,NW, SEC 20.
EAST FORK CORRAL CREEK: NW,SW,NW, SEC. 21, NE,NE,SE, SEC 20.
CORRAL CREEK: SW,NW,NE, & NE,SE,SW, SEC 29.
LANSING CREEK: NE,NW,NW, SEC 28.
SE,NE,NE, & NW,SE,NE, SEC 29.

THIS IS A COMBINED RIGHT FOR PERMIT# 37-02735 4.0 CFS
37-02736 5.28 CFS (66%)
TOTAL.....9.28 CFS

(COMMON PRIORITY, SAME SOURCE)

THIS CLAIM IS BASED ON 100% OF THE ORIGINAL LANDS TO BE LICENSED UNDER PERMIT# 37-02735 AND 66% OF THE ORIGINAL LANDS TO BE LICENSED UNDER PERMIT# 37-02736. THE ORIGINAL FILINGS

14. Remarks: Continued

WERE PROTESTED AND NEVER SETTLED.

INSTREAM STOCK USE:

A37-13292: 6/01/1882, .33 CFS, LANSING & CORRAL CREEK...
BENEFICIAL USE CLAIM FILED FOR 1500 RANGE STOCK.

15. Basis of Claim: PERMIT

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: _____

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):

Jon Mellen

Date: 11-22-89

Date: _____

State of Idaho)

County of _____)

SS.

Subscribed and sworn (or affirmed) before me this 22nd day

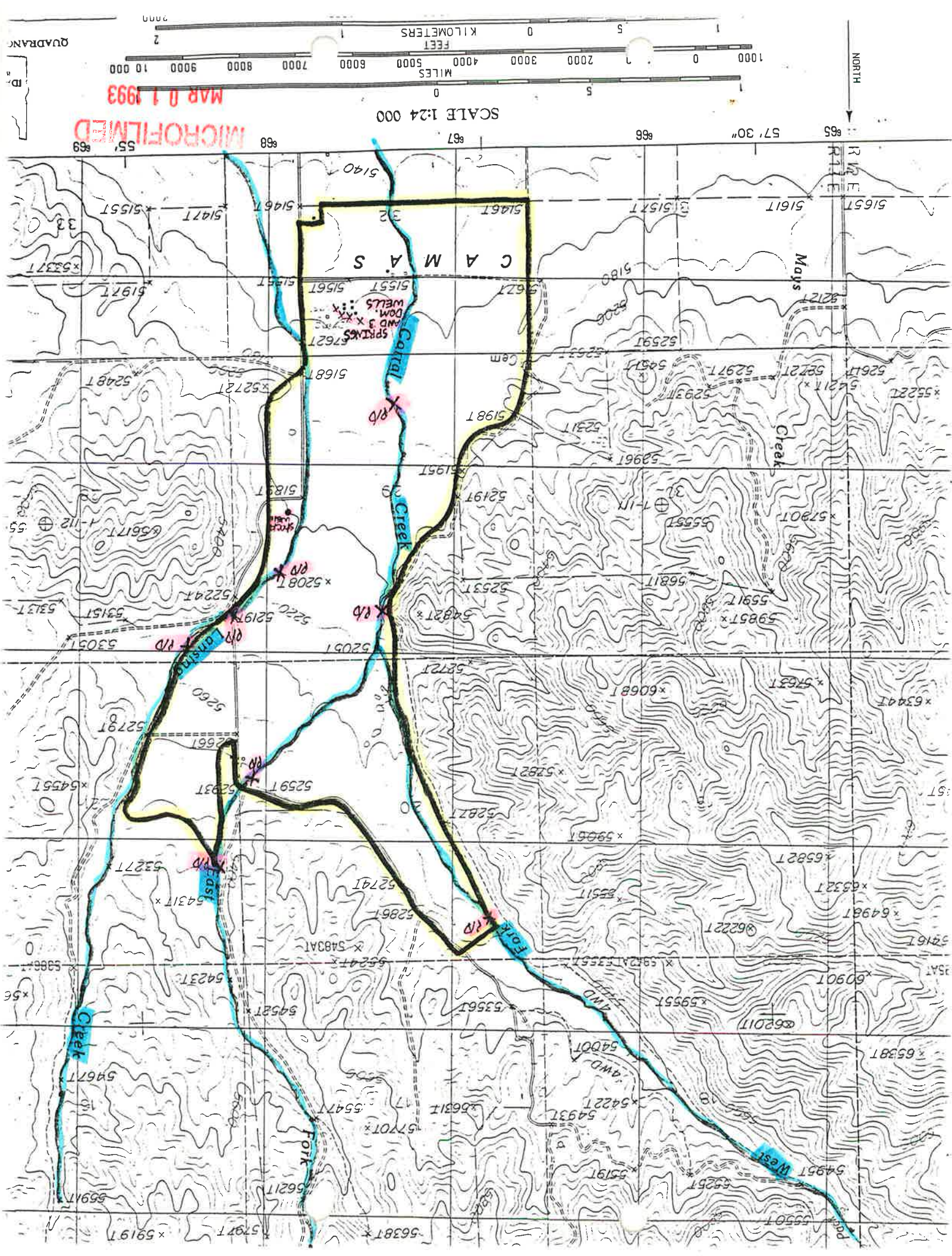
of Nov 19 89

Lon White
Notary Public

Seal

Residing at TF

My Commission Expires 5/94



Ident. No. _____

FACT SHEET

for

Excessive Irrigation Flows

This information is to be submitted with any application for permit or adjudication claim to water right for which the irrigation rate of flow requested/claimed is more than .02 cfs per acre. One exception is that .03 cfs per acre is allowed for up to five (5) acres.

Soil type and soil profile: _____

Soil water holding capacity: _____

Soil intake family (if known): _____

Field slope: _____

Anticipated crops: _____

Method of irrigation: _____

ADJUDICATION CLAIM ONLY:

Is this method of irrigation the common local practice? _____

Have you changed the irrigated method from the one first developed? _____

If yes, describe. _____

Remarks

We use all the current flow from Corral Creek, Lansing Creek and Spring Water that is available. The water levels vary year to year, but the overall flow has been decreasing over the years.
J. Miller

MICROFILMED
MAR 21 1993

EXCESSIVE IRRIGATION INFORMATION:

CORRAL CREEK WATER	CFS	
A37-13261	5.4	DECREE
A37-00728	1.5	DECREE
A37-00454	.8	DECREE
A37-13267	1.7	DECREE
A37-00463B	1.4	DECREE
A37-00730	.2	DECREE
A37-13268	1.5	DECREE
A37-00035	1.0	DECREE
A37-13269	1.4	DECREE
A37-02139	.54	DECREE
A37-13270	9.28	PERMIT
LANSING CREEK WATER		
A37-13271	.8	DECREE
SPRING WATER		
A37-02726	.06	LICENSE

TOTAL CFS	25.58	

AT 1" PER ACRE, 25.58 CFS IS ENOUGH WATER FOR 1,279 ACRES.

THE ACRES THAT THE ABOVE WATER APPLIES TO IS ~980 ACRES.
25.58 CFS AVERAGES OUT TO .026 CFS PER ACRE OR 1.3" PER ACRE.

MICROFILMED
MAR 01 1993

12/23/2010

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

RIGHT NUMBER: 37-13270A

NAME AND ADDRESS: DANNY VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

SOURCE: CORRAL CREEK
EAST FORK CORRAL CREEK
WEST FORK CORRAL CREEK

TRIBUTARY: CAMAS CREEK
TRIBUTARY: CORRAL CREEK
TRIBUTARY: CORRAL CREEK

Point of injection into and point of redirection from Lansing Creek.

QUANTITY:

5.280 CFS

5.48

Rights 37-35A, 37-454A, 37-463C, 37-728A, 37-2139A, 37-2736, 37-13261A, 37-13267A, 37-13268A, 37-13269A, and 37-13271A when combined shall not exceed the total annual maximum diversion volume of 3,196.9 af at the field headgate nor the irrigation of 913.4 acres.

Rights 37-35A, 37-454A, 37-463A, 37-463C, 37-728A, 37-2139A, 37-2736A, 37-13261A, 37-13267A, 37-13268A, 37-13269A, 37-13270A and 37-13271A when combined shall not exceed a total diversion rate of 23 cfs and a total annual maximum diversion volume of 4,031.3 af at the field headgate.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/26/1966

POINT OF DIVERSION:

T01N R13E S17 SWSWSW Within CAMAS County
T01N R13E S18 SESESE Within CAMAS County
T01N R13E S20 NENESE Within CAMAS County
T01N R13E S21 SWNWNW Within CAMAS County
T01N R13E S21 NWSSEW Injection Within CAMAS County
T01N R13E S28 NWNWNW Rediversion Within CAMAS County
T01N R13E S29 SENENE Rediversion Within CAMAS County
T01N R13E S29 SENE Rediversion Within CAMAS County
T01N R13E S29 SESENE Within CAMAS County
T01N R13E S32 NWNENE Rediversion Within CAMAS County
T01N R13E S32 NENENW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USEPERIOD OF USEQUANTITY

IRRIGATION

04/15 10/31

5.280 CFS

5.48

PLACE OF USE:

IRRIGATION in CAMAS County

T01N R13E S20	SWNE	2.30 .	T01N R13E S20	NENW	12.00 .
T01N R13E S20	NWNW	14.00 .	T01N R13E S20	SENE	30.00 .
T01N R13E S20	NESW	17.00 .	T01N R13E S20	SESW	3.50 .
T01N R13E S20	NESE	30.00 .	T01N R13E S20	NWSE	35.00 .

12/23/2010

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

T01N R13E S20	SWSE	34.00	T01N R13E S20	SESE	40.00
T01N R13E S21	SWNW	12.00	T01N R13E S21	SENW	6.60
T01N R13E S21	NESW	14.00	T01N R13E S21	NWSW	20.00
T01N R13E S21	SWSW	39.00	T01N R13E S21	SESW	4.80
T01N R13E S28	NENW	12.00	T01N R13E S28	NWNW	19.00
T01N R13E S29	NENE	39.00	T01N R13E S29	NWNE	39.00
T01N R13E S29	SWNE	40.00	T01N R13E S29	SENE	20.00
T01N R13E S29	NENW	0.70	T01N R13E S29	SENW	25.00
T01N R13E S29	NESW	40.00	T01N R13E S29	NWSW	4.10
T01N R13E S29	SWSW	27.00	T01N R13E S29	SESW	40.00
T01N R13E S29	NESE	21.00	T01N R13E S29	NWSE	40.00
T01N R13E S29	SWSE	40.00	T01N R13E S29	SESE	9.80
T01N R13E S31	NENE	2.50	T01N R13E S31	SENE	7.10
T01N R13E S32	NWNE	34.00	T01N R13E S32	NENW	40.00
T01N R13E S32	NWNW	38.00	T01N R13E S32	SWNW	40.00
T01N R13E S32	SENW	21.00			

913.4 ACRES TOTAL

This right is limited to the irrigation of 519.6 acres within the authorized place of use in a single irrigation season.

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 is a split from former right 37-2736.

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

12/22/2010

AD1
NCA
DRAFT

RIGHT NUMBER: 37-2736A

NAME AND ADDRESS: DANNY VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

SOURCE: CORRAL CREEK
EAST FORK CORRAL CREEK
WEST FORK CORRAL CREEK
TRIBUTARY: CAMAS CREEK
TRIBUTARY: CORRAL CREEK
TRIBUTARY: CORRAL CREEK

Point of injection into and point of redirection from Lansing Creek.

QUANTITY: 2.520 CFS

Rights 37-463A and 37-2736A when combined shall not exceed the total annual maximum diversion volume of 834.4 af at the field headgate nor the irrigation of 238.4 acres.

Rights 37-35A, 37-454A, 37-463A, 37-463C, 37-728A, 37-2139A, 37-2736A, 37-13261A, 37-13267A, 37-13268A, 37-13269A, 37-13270A and 37-13271A when combined shall not exceed a total diversion rate of 23 cfs and a total annual maximum diversion volume of 4,031.3 af at the field headgate.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/26/1966

POINT OF DIVERSION:

T01N R13E S17 SWSWSW Within CAMAS County
T01N R13E S18 SESESE Within CAMAS County
T01N R13E S20 NENESE Within CAMAS County
T01N R13E S21 SWNWNW Within CAMAS County
T01N R13E S21 NWSESW Injection Within CAMAS County
T01N R13E S28 NWNWNW Rediversion Within CAMAS County
T01N R13E S29 SENENE Rediversion Within CAMAS County
T01N R13E S29 SENE Rediversion Within CAMAS County
T01N R13E S29 SESENE Within CAMAS County
T01N R13E S32 NWNENE Rediversion Within CAMAS County
T01N R13E S32 NENENW Within CAMAS County
T01N R13E S32 NENESE Rediversion Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	2.520 CFS

PLACE OF USE: IRRIGATION in CAMAS County

T01N R13E S28	SWSW	4.40	T01N R13E S29	SESE	4.00
T01N R13E S32	NENE	40.00	T01N R13E S32	SENE	40.00
T01N R13E S32	NESE	40.00	T01N R13E S32	SESE	40.00

T01N R13E S33

NWNW

30.00

T01N R13E S33

SWNW

40.00

238.4 ACRES TOTAL

This right is limited to the irrigation of 238.4 acres within the authorized place of use in a single irrigation season.

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

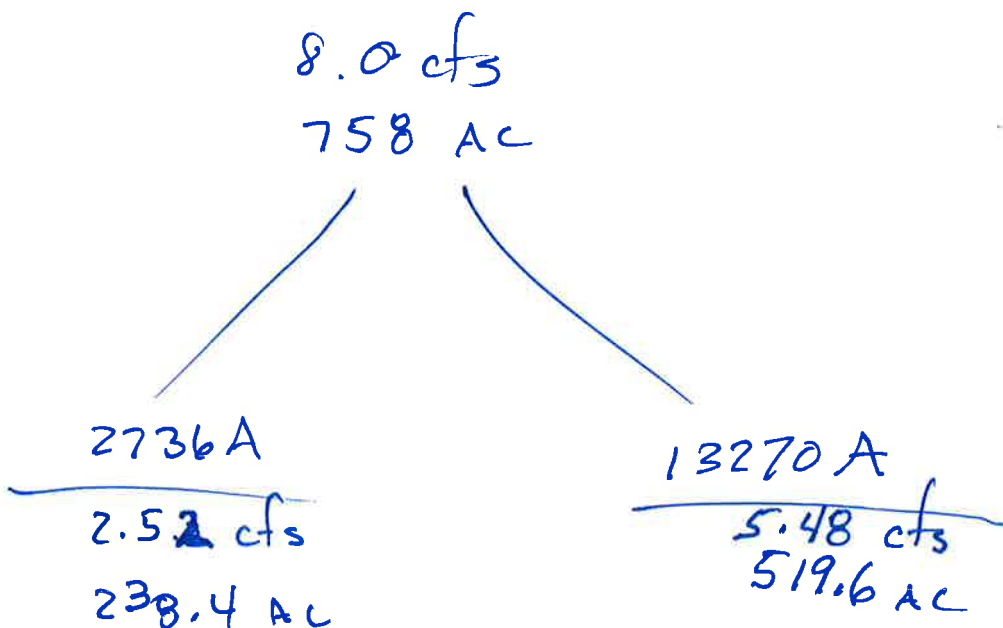
Clelland, Steve

From: Fawcett, Trish
Sent: Thursday, November 04, 2010 1:27 PM
To: Clelland, Steve
Subject: 37-2736A & 37-13270A / Van Horn
Attachments: 37-2736 license.pdf

Hi Steve,

I know you're not going to want to hear this, but Doug and I have been struggling with it and he thinks you probably need to take care of the data entry since you're familiar with it. As you may or may not be aware, the license for 37-2736 was recently approved (after a mere 40 years) and as near as I can figure these two recs represent what was licensed. What I've been struggling with is which POD goes with which right. Would you take pity on me and take a look and either update these two recs to match the license (if these *are* in fact the recs that match the license) or tell me which POD you think goes with which right. I'll create the NCAPs once everything is complete. Anything you can do to help would be greatly appreciated. I am attaching the license. Thanks so much and I hope you and your family are all doing well.

Trish



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-02736

Priority: May 26, 1966

Maximum Diversion Rate: 8.00 CFS

It is hereby certified that WESLEY D FIELDS
FAIRFIELD ID 83327 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 26, 1966; and has
submitted Proof of Beneficial Use on June 14, 1971. An examination indicates that the works have a
diversion capacity of 11.2 cfs of water from:

SOURCE

EAST FORK CORRAL CREEK
WEST FORK CORRAL CREEK
CORRAL CREEK

Tributary: CORRAL CREEK
CORRAL CREEK
CAMAS CREEK

$$\frac{8 \text{ cfs}}{758 \text{ ac}} = .0106 \text{ cfs/ac}$$

and a water right has been established as follows:

BENEFICIAL USE
IRRIGATION

PERIOD OF USE
04/15 to 10/31

DIVERSION RATE
8.00 CFS

LOCATION OF POINTS OF DIVERSION (ALL IN CAMAS COUNTY):

1. CORRAL CREEK SE1/4SE1/4NW1/4 Sec. 29, Twp 01N, Rge 13E, B.M.
2. CORRAL CREEK NE1/4NE1/4NW1/4 Sec. 32, Twp 01N, Rge 13E, B.M.
3. WEST FORK CORRAL CREEK SW1/4SW1/4SW1/4 Sec. 17, Twp 01N, Rge 13E, B.M.
4. WEST FORK CORRAL CREEK SE1/4SE1/4SE1/4 Sec. 18, Twp 01N, Rge 13E, B.M.
5. EAST FORK CORRAL CREEK NE1/4NE1/4SE1/4 Sec. 20, Twp 01N, Rge 13E, B.M.
6. EAST FORK CORRAL CREEK SW1/4NW1/4NW1/4 Sec. 21, Twp 01N, Rge 13E, B.M.
7. EAST FORK CORRAL CREEK NW1/4SE1/4SW1/4 Sec. 21, Twp 01N, Rge 13E, B.M. (Injection)
8. EAST FORK CORRAL CREEK **NE SE1/4SE1/4NE1/4** Sec. 29, Twp 01N, Rge 13E, B.M. (Rediversion)
9. EAST FORK CORRAL CREEK NW1/4NW1/4NW1/4 Sec. 28, Twp 01N, Rge 13E, B.M. (Rediversion)
10. EAST FORK CORRAL CREEK SE1/4NE1/4NE1/4 Sec. 29, Twp 01N, Rge 13E, B.M. (Rediversion)
11. EAST FORK CORRAL CREEK NW1/4NE1/4NE1/4 Sec. 32, Twp 01N, Rge 13E, B.M. (Rediversion)
12. EAST FORK CORRAL CREEK NE1/4NE1/4SE1/4 Sec. 32, Twp 01N, Rge 13E, B.M. (Rediversion)

PLACE OF USE: IRRIGATION

POD only
-2736A

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N 13E 20			2.3		12.0	14.0		30.0	17.0			3.5	30.0	35.0	34.0	40.0	217.8
01N 13E 21							12.0	6.6	14.0	20.0	39.0	4.8					96.4
01N 13E 28					12.0	19.0					4.4						35.4
01N 13E 29	39.0	39.0	40.0	20.0	.7			25.0	40.0	4.1	27.0	40.0	21.0	40.0	40.0	13.8	389.6
01N 13E 31	2.5			7.1													9.6
01N 13E 32	40.0	34.0	40.0		40.0	38.0	40.0	21.0					40.0			40.0	333.0
01N 13E 33						30.0	40.0										70.0

Total Acres: 1151.8

State of Idaho
Department of Water Resources
Water Right License

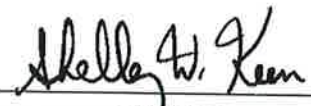
WATER RIGHT NO. 37-02736

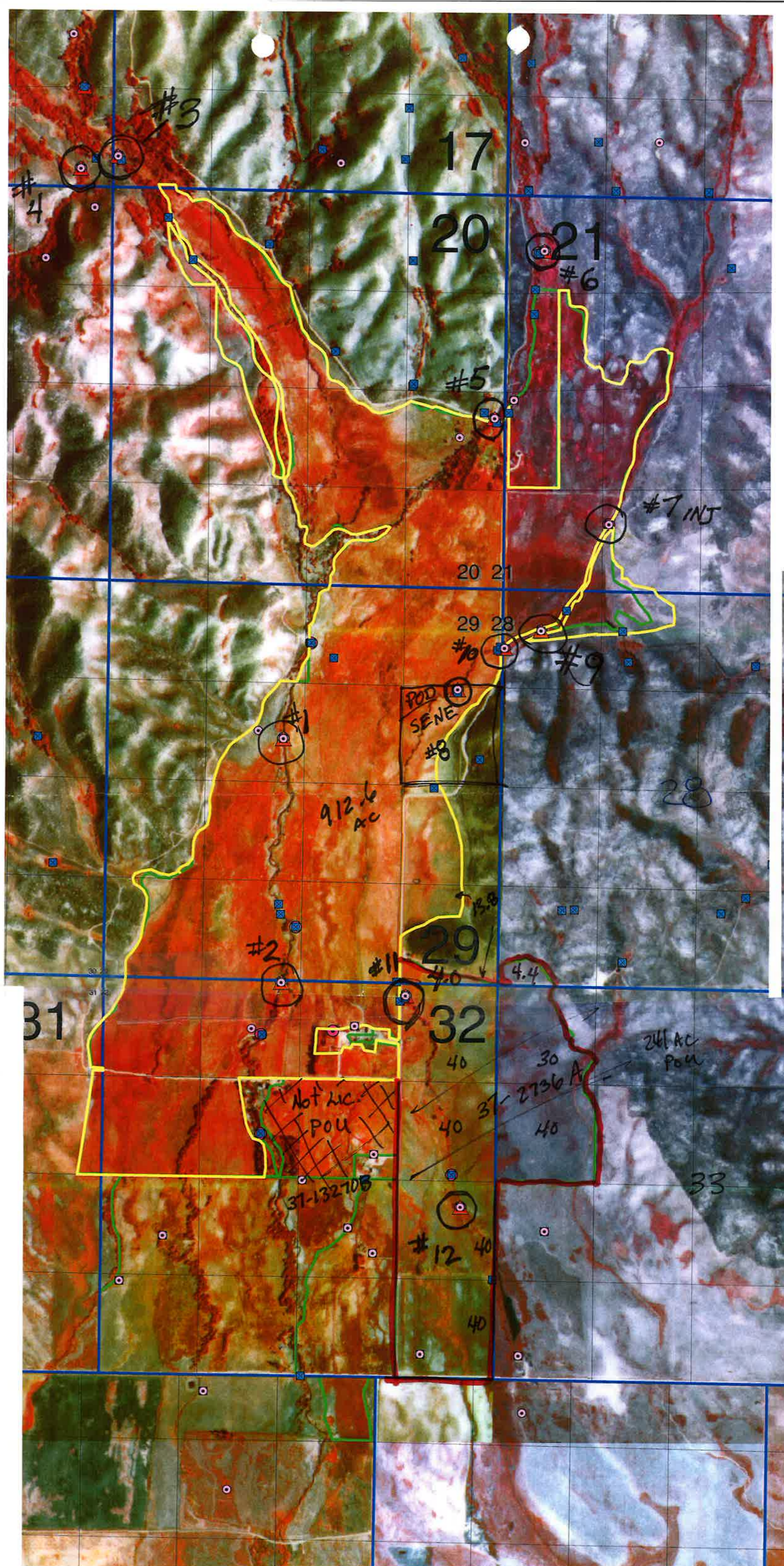
CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. This right is limited to the irrigation of 758 acres within the authorized place of use in a single irrigation season.
3. Rights 37-35A, 37-454A, 37-463C, 37-728A, 37-2139A, 37-2736, 37-13261A, 37-13267A, 37-13268A, 37-13269A, and 37-13271A when combined shall not exceed the total annual maximum diversion volume of 3,196.9 af at the field headgate nor the irrigation of 913.4 acres. } 2736A
13270A
4. Rights 37-463A and 37-2736 when combined shall not exceed the total annual maximum diversion volume of 834.4 af at the field headgate nor the irrigation of 238.4 acres. } 37-2736A
2736A
5. Rights 37-35A, 37-454A, 37-463A, 37-463C, 37-728A, 37-2139A, 37-2736, 37-13261A, 37-13267A, 37-13268A, 37-13269A, and 37-13271A when combined shall not exceed a total diversion rate of 23 cfs and a total annual maximum diversion volume of 4,031.3 af at the field headgate. } BOTH
37-13270A
6. Point of injection into and point of rediversion from Lansing Creek.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 9th day of September, 2010.


for GARY SPACKMAN
Interim Director



MEMO

TO: File 37-2736

FROM: Cherie Padilla

DATE: July 13, 2010

RE: Water Right License

POU

The POU as recorded by the field examiner raises more questions than answers when trying to attach a POU to this right. Information in the field exam report is inconsistent with the maps that were drawn up. I'm unsure how the field examiner found 758 acres, but it is the only information relating to a total acre amount, so this right will be good for 758 acres.



POU for recommended rights (913.4 acres):

37-35A	37-13261A
37-454A	37-13269A
37-13271A	37-13267A
37-13268A	37-463C
37-728A	37-2139A
37-2736	

POU for recommended right (238.4 acres):

37-463A

The black outline represents the shape that combines the field examiners map and field exam narrative for the POU. Notice that the findings nearly fully overlap existing rights.

Figure 1: POU for right 37-2736 is determined based on the above shapes

Since the POU that I pieced together in the black outline is sketchy at best, I recommend licensing this right based on a combination of the two sets of recommended rights. Licensing a



Figure 2: POU for 37-2736

right that has a POU that is not consistent with the field examiners findings is not common practice, but there are some exceptions.

I spoke with Shelley Keen for advice on how to license this right concerning the POU, and he told me that the best option is to match the POU up to the recommended POU in connection with the overlapping rights. An acre limit will be added to the right of 758 acres to insure that the right is not enlarged. Changing the POU will avoid the need to file a transfer to change the POU after the license is approved and simplify the overlap analysis.

POD

During the field exam, three PODs were identified. I am unsure of the current locations of the PODs as the field exam was conducted in 1975 and the maps weren't exact and there seems to be some inconsistencies. The PODs found at the time of the exam are most likely shared with other rights that are identified in the POU overlap analysis. The license will reflect PODs that exist as points for other overlapping rights and have been

pinpointed by a GPS (8/2008 Charles Brockway recorded these GPS points as part of recommendation activity). Note that the point of injection was digitized by SClellan on 9/2008 and is not verified by a GPS measurement. However, the imagery clearly shows the ditch running from the East Corral Creek to Lansing Creek (the point of injection).

Volume

A volume will not be assigned on the face of this license. Any volume limitations will be addressed in the conditions.

Ownership

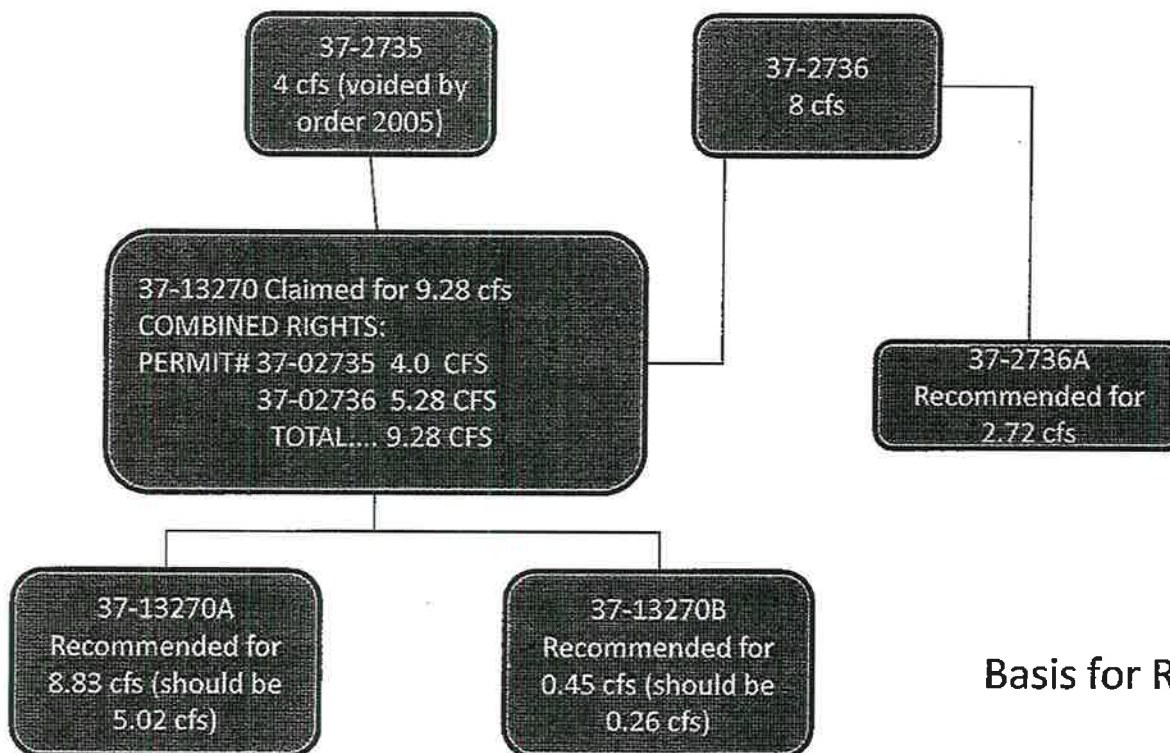
2006 taxlot datum shows that the land owner that covers the POU is now Danny VanHorn, PO Box 345, Fairfield ID 83327. The overlapping rights are all in the name of Danny and Valerie VanHorn thus the licensing amendment will be mailed to them and assume their interest in the licensure of this right. The Vanhorn's signature will be acceptable for the amendment.

Protest

A protest was filed in 1971 by neighboring property owner WW Hobdey against the issuance of this license. The protest was never resolved. I contacted the new owner, James Stewart, of the parcel that Hobdey owned at the time the protest was filed. Carl Rey, James' attorney, left me a message on 5/18/10 stating that James is not interested in pursuing the protest. An order dismissing the protest has been issued and is now considered resolved.

[illegible]

[illegible]



Basis for Rights=Permit 37-2736

37-2736A.....	2.72
37-13270A.....	5.02
37-13270B.....	<u>0.26</u>
Total.....	8.00 cfs

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 37-2735)
IN THE NAME OF WESLEY D. FIELDS)
_____)

**PRELIMINARY ORDER
VOIDING PERMIT**

This matter having come before the Department of Water Resources (Department) as a result of an investigation by the Department to determine the extent of beneficial use of water, the Department finds, concludes, and orders:

FINDINGS OF FACT

1. On May 26, 1966, Lois E. Rowland applied to the State Reclamation Engineer, a predecessor agency of the Department, for a permit to appropriate 4.00 cubic feet per second of water from Corral Creek, a tributary of Camas Creek, within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16 and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 1 North, Range 13 East, B. M., Camas County, to irrigate 320 acres of land in Section 21, Township 1 North, Range 13 East, B. M.

2. On June 13, 1966, the State Reclamation Engineer approved the application as Permit 32918 (permit). Later the permit was designated Permit No. 37-2735 when the Department adopted a new numbering scheme for water right records.

3. On February 24, 1971, Lois E. Rowland assigned all her interest in the permit to Wesley D. Fields (permit holder).

4. On March 15, 1971, the Department of Water Administration, another predecessor agency of the Department, received the permit holder's application to amend the permit to change the authorized place of use to reduce the number of irrigated acres in Section 21, Township 1 North, Range 13 East, B. M., and to add an equal number of irrigated acres in Section 28, Township 1 North, Range 13 East, B. M. (amendment).

5. On April 16, 1971, the Department of Water Administration approved the amendment.

6. On May 6, 1971, the Department of Water Administration received a protest filed by W. W. Hobdey against issuance of a license in connection with the permit. In his protest document, W. W. Hobdey alleged that diversion and use of water in connection with the permit would reduce the availability of water to senior water right holders.

7. On June 27, 1972, the Department of Water Administration acknowledged receiving the permit holder's proof of beneficial statement for the permit.

8. On July 5, 1972, a Department of Water Administration field examiner conducted an inspection to verify the beneficial use of water established in connection with the permit. The examiner reported that 1.34 cfs of water was being diverted from Corral Creek within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 1 North, Range 13 East, B. M., for the irrigation of 214 acres of land in Sections 21 and 28, Township 1 North, Range 13 East, B. M.

9. On October 15, 1975, the Department of Water Administration sent notice to the permit holder that the point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 21, Township 1 North, Range 13 East, B. M., and some of the irrigated land were in locations that were not authorized by the permit and that the permit had to be amended to accurately portray the points of diversion and place of use before a water right license could be issued. An Application for Amendment of Permit form was enclosed with the notice.

10. On November 6, 1975, the Department sent the permit holder a notice reminding him that the permit would have to be amended before a license could be issued.

11. The permit holder has not filed an application to amend the permit to conform with the findings of the field examiner.

12. On November 19, 1987, District Judge Daniel C. Hurlbutt of the Fifth Judicial District of the State of Idaho issued a commencement order for the Snake River Basin Adjudication. The commencement order required holders of permits who had submitted proof of beneficial use prior to the issuance of the commencement order to claim the permit in the adjudication proceedings.

13. On September 4, 1990, the Department sent the permit holder a notice telling him that the permit must be claimed in the Snake River Basin Adjudication or he must explain why a claim has not been filed before the Department would schedule a hearing to resolve the protest of W. W. Hobdey against issuance of a water right license in connection with the permit.

14. On June 3, 1991, Department staff met with attorney Bruce Thomas who indicated that his client, Jon Mellen, was buying the land irrigated in connection with this permit. The staff informed Mr. Thomas that the permit is required to be claimed in the Snake River Basin Adjudication and that the protest would have to be resolved before a water right license could be issued in connection with the permit.

15. Idaho Code § 42-219(8) provides in pertinent part as follows:

In the event that the Department shall find that the applicant has not fully complied with the law and the conditions of the permit, it may issue a license for that portion of use which is in accordance with the permit, or may refuse issuance of a license and void the permit.

CONCLUSIONS OF LAW

1. When a permit holder has not fully complied with the law and the conditions of the permit, the provisions of Idaho Code § 42-219(8) grant the Department of Water Resources discretion to issue a license for the portion of the development which complies with the permit or to void the permit altogether.

2. The development of the water described by the field examiner did not comply with the permit because one of the points of diversion established by the permit holder was not in the location authorized by the permit and some of the irrigated land was not within the location authorized by the permit.

3. The Department made reasonable efforts to notify the permit holder of his obligations to apply to amend the permit and to file a Snake River Basin Adjudication claim in connection with the permit.

4. The permit holder could have applied to amend the permit to cover the points of diversion and place of use as he established them, but the permit holder has not filed the appropriate Application for Amendment of Permit.

5. The permit is required to be claimed in the Snake River Basin Adjudication, but neither the permit holder nor anyone else has claimed the permit.

6. The permit holder has not asked the Department to resolve the protest submitted by W. W. Hobday to determine whether a water right license should be issued in connection with the permit.

7. A license should not be issued on this permit and the permit should be voided pursuant to Idaho Code § 42-219(8).

ORDER

IT IS HEREBY ORDERED that issuance of a license is **REFUSED** and Permit No. 37-2735 is **VOIDED**.

Dated this 15th day of September, 2005.



GARY SPACKMAN

11/1/2006

**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: 11/21/2006

Water right number: 37-13270A

Danny Van Horn
PO Box 345
Fairfield, Id. 83327-0345
Telephone Number: (208) 764-2139

Valerie Van Horn
PO Box 345
Fairfield, Id. 83327-0345
Telephone Number: (208) 764-2139

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source) :

Place of use amounts, source, points of diversion changes, & diversion rate reductions.

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

Current acreage recommended, relocated & rename points of diversion, correct diversion rates

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

Preliminary review indicates many components of the recommendation are incorrect, see note below.

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

DATE: 12/12/06

SIGNATURE: Charles E. Brackway

Please print your name: Charles E. Brackway

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

The preliminary recommendation for which this Notice of Error is submitted is dated November 6, 2006, and requires a reply by November 21, 2006. Due to extremely short period for review and reply, and the considerable number of related preliminary recommendations currently under review by our firm, the undersigned must categorically object to, and disagree with, any and all portions of the recommendation which may be contrary to, or inconsistent with, the claim which has been filed for the above-referenced water right.

08/24/2006

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

RIGHT NUMBER: 37-13270A
NAME AND ADDRESS: DANNY VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

VALERIE VAN HORN
PO BOX 345
FAIRFIELD ID 83327-0345

SOURCE: CORRAL CREEK TRIBUTARY: CAMAS CREEK
QUANTITY: 8.830 CFS
PRIORITY DATE: 05/26/1966
POINT OF DIVERSION:

T01N R13E S17 SWSWSW Within CAMAS County
T01N R13E S20 NENESE Within CAMAS County
T01N R13E S21 SWNNWN Within CAMAS County
T01N R13E S29 SWNNWE Within CAMAS County
T01N R13E S29 NESESW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/15 10/15	8.830 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T01N R13E S20	SWNE	10.00	T01N R13E S20	NENW	20.00
T01N R13E S20	NWNW	10.00	T01N R13E S20	SESW	35.00
T01N R13E S20	NESW	15.00	T01N R13E S20	SESE	5.00
T01N R13E S20	NESE	35.00	T01N R13E S20	NWSE	35.00
T01N R13E S20	SWSE	40.00	T01N R13E S20	SESE	40.00
T01N R13E S21	SWNW	10.00	T01N R13E S21	SESW	5.00
T01N R13E S21	NESW	15.00	T01N R13E S21	NWSW	30.00
T01N R13E S21	SWSW	35.00	T01N R13E S21	SESW	5.00
T01N R13E S28	NWNW	10.00	T01N R13E S29	NENE	35.00
T01N R13E S29	NWNE	40.00	T01N R13E S29	SWNE	40.00
T01N R13E S29	SENE	25.00	T01N R13E S29	SESW	20.00
T01N R13E S29	NESW	40.00	T01N R13E S29	NWSW	5.00
T01N R13E S29	SWSW	35.00	T01N R13E S29	SESW	40.00
T01N R13E S29	NESE	20.00	T01N R13E S29	NWSE	40.00
T01N R13E S29	SWSE	40.00	T01N R13E S29	SESE	15.00
T01N R13E S32	NWNE	35.00	T01N R13E S32	NENW	40.00
T01N R13E S32	NWNW	40.00	T01N R13E S32	SWNW	40.00
T01N R13E S32	SESW	28.00			

933 ACRES TOTAL

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

08/24/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

This right is conditioned upon completion of the appropriation in accordance with the statutory procedure for appropriation of water rights. This right remains subject to all conditions set forth in the permit upon which this right is based, and will be subject to all conditions set forth in the license issued by IDWR upon completion of the statutory appropriation process.

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 -

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 37-2736

WATER RIGHT NUMBER: 37-2736

Owner Type

Current Owner

Name and Address

WESLEY D FIELDS

FAIRFIELD, ID 83327

Priority Date: 05/26/1966

Basis:

PERMIT

Status:

Active

Source

CORRAL CREEK

Tributary

CAMAS CREEK

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

8.000 CFS

Annual VolumeTotal Diversion: 8.000 CFSLocation of Point(s) of Diversion

CORRAL CREEK

SE1/4SE1/4

Sec. 20, Twp 01N, Rge 13E, B.M.

CAMAS County

CORRAL CREEK

SW1/4NE1/4

Sec. 29, Twp 01N, Rge 13E, B.M.

CAMAS County

CORRAL CREEK

NE1/4NW1/4

Sec. 32, Twp 01N, Rge 13E, B.M.

CAMAS County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	13E	20																40.0	40.0
01N	13E	29	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
01N	13E	32	40.0			40.0	40.0	40.0							40.0			40.0	240.0
01N	13E	33					40.0	40.0	40.0										120.0

Total Acres: 1040

Conditions of Approval:

1. LICENSE PROTESTED.

Split:

37-2736 A
 37-13270 A
 37-13270 B

6/9/94

COMMUNICATION DOCUMENTATION

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

IDWR Employee/Agent Kelly K Christensen

CUSTOMER:

DATE: May 1, 1998 10:02 am

DeNene M Dixon

First American Title Co 934-4427

SUBJECT: CHANGE OF OWNERSHIP FOR MELLON TO REY
phone (X) walk-in()

I called her to get clarification on the actual place of use covered in warranty deed 69756.

She indicated that she is completing another change of ownership for REY that conveys the balance of Mellon's property to them. She felt that the deed would be recorded later today. I she indicated that she would fax the change of ownership to me after it is recorded.



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 5, 1998

JOHN CRISTOBAL
HOT SPRINGS RD
FAIRFIELD ID 83327

RE: CHANGE OF OWNERSHIP FOR 47 ACRES PURCHASED FROM MELLEN

Dear Mr Cristobal

Enclosed are the adjudication claims split from the base rights on a proportional basis and the calculations used to determine the rates. Please review these claims to see if they are satisfactory.

I have also enclosed a change of address form for your use. I obtained the above address from the telephone book but as the claims are court documents I am unable to change the address without your authorization.

If you have any questions please contact me at the number shown above.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

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

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

May 4, 1998

JON MELLEN
RT 1 BOX 2015
FAIRFIELD ID 83327

RE: CHANGE OF OWNERSHIP FOR 47 ACRES SOLD TO CRISTOBAL

Dear Mr Mellen

Enclosed is the copies of the adjudication claims and the basis for the proportional split for these claims. Please review these records to see if they are satisfactory.

I will be processing the change of ownership for the Rey's in the near future. I discussed the change of ownership briefly with DeNene Dixon and she indicated that there is another change of ownership pending for the balance of the property. A change of ownership is required for that portion also. If the Reys are the legal owner for the that portion, then the change of ownerships can be combined and the claims can be changed into their name without splitting them again. I have enclosed a change of ownership form for your use in case you have not already obtained one.

If you have any questions please contact me at the number listed above.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

May 1, 1998

PROPORTIONAL SPLIT ANALYSIS FOR SALE;
MELLEN TO CRISTOBAL

Total claimed acres = 980 acres
Claimed acres within sale p/u = 47 acres
47/980 $\approx$ 4.8%

CLAIM NO	DIV RATE	PROP RATE	RATE FOR CRISTOBAL	RATE FOR MELLEN
A37-00035	1.00	0.048	0.05	0.95
A37-00454	0.80	0.048	0.04	0.76
A37-00463B	1.40	0.048	0.07	1.33
A37-00728	1.50	0.048	0.07	1.43
A37-00730	0.20	0.048	0.01	0.19
A37-02139	0.54	0.048	0.03	0.51
A37-13261	5.40	0.048	0.26	5.14
A37-13267	1.70	0.048	0.08	1.62
A37-13268	1.50	0.048	0.07	1.43
A37-13269	1.40	0.048	0.07	1.33
A37-13270	9.28	0.048	0.45	8.83
A37-13271	0.80	0.048	0.04	0.76

A37-13292 is a stockwater claim that is not appurtenant to the property purchased by Cristobal.

Water Right Number - 37-02735

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 32918

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

*** C - CURRENT OWNER ***
FIELDS

WESLEY D.

1 -
2 -
3 -
City- FAIRFIELD
Phone -

State- ID Zip- 83327

*** O - ORIGINAL OWNER ***
ROWLAND

LOIS E.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/26/1966 17 P - PERMIT

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
CORRAL CREEK CAMAS CREEK

TwN	Rng	Sec	Tract	Lot	RFlg	County
01N	13E	16	SW SW		(25)	CAMAS
01N	13E	21	NW NW		(25)	CAMAS
01N	13E	21	SW NW		(25)	CAMAS

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		05/01	11/01	4.000	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
4.000

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01N	13E	21	NW NE		4.0	01	IRRIGATION	(25) CAMAS
01N	13E	21	SE NE		4.0	01	IRRIGATION	(25) CAMAS
01N	13E	21	NE NW		12.0	01	IRRIGATION	(25) CAMAS
01N	13E	21	NW NW		17.0	01	IRRIGATION	(25) CAMAS
01N	13E	21	SW NW		23.0	01	IRRIGATION	(25) CAMAS
01N	13E	21	SE NW		25.0	01	IRRIGATION	(25) CAMAS
01N	13E	21	NE SW		10.0	01	IRRIGATION	(25) CAMAS
01N	13E	21	NW SW		26.0	01	IRRIGATION	(25) CAMAS
01N	13E	21	SE SW		21.0	01	IRRIGATION	(25) CAMAS
01N	13E	21	NE SE		30.0	01	IRRIGATION	(25) CAMAS
01N	13E	21	NW SE		11.0	01	IRRIGATION	(25) CAMAS
01N	13E	21	SW SE		30.0	01	IRRIGATION	(25) CAMAS

MAR 01 1993

MICROFILMED

Adj. flag translation: Standard Water Right Number

Total Acres: 320.0

Proof Due Date	- 07/01/1972	Field Exam Made	- 07/05/1972	Field Exam Fee	-
Approved/Denied	- 06/13/1966	Protested Date	- 05/06/1971	Swan Falls	- Z
Proof Made Date	- 06/26/1972	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- A
Decree Date	- 00/00/0000				

UNPROFILLED
MAR 01 1993

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

Water Right Number - 37-02736

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***

FIELDS

WESLEY D.

1 -
2 -
3 -

City- FAIRFIELD
Phone -

State- ID Zip- 83327

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/26/1966 17 P - PERMIT

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
CORRAL CREEK CAMAS CREEK

Point of Diversion						
Twn	Rng	Sec	Tract	Lot	RFlg	County
01N	13E	20	SE SE		(25)	CAMAS
01N	13E	29	SW NE		(25)	CAMAS
01N	13E	32	NE NW		(25)	CAMAS

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION			8.000	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
8.000

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
01N	13E	20	SE SE		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	NE NE		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	NW NE		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	SW NE		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	SE NE		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	NE NW		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	NW NW		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	SW NW		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	SE NW		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	NE SW		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	NW SW		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	SW SW		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	SE SW		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	NE SE		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	NW SE		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	SW SE		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	29	SE SE		40.0	01	IRRIGATION	(25) CAMAS
01N	13E	32	NE NE		40.0	01	IRRIGATION	(25) CAMAS

MICROFILMED
MAR 01 1993

MICROFILMED
 MAR 01 1993