

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 37-21430
Date Received: 3/1/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SANDRA L BOLAN
PO BOX 3296
HAILEY ID USA 83333

Phone: (208)788-4789

KIM L TANNAHILL
PO BOX 3296
HAILEY ID USA 83333

Phone: (208)788-4789

ROBERT G BOLAN
PO BOX 3296
HAILEY ID USA 83333

Phone: (208)788-4789

2. Date of Priority: 08/03/1883

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01N	14E	21	SW	SW	NE	CAMAS	

5. Description of diverting works:

CONCRETE DAM WITH CHECKS AND HEADGATES, REBUILT 1983.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.08	

7. Total Quantity Appropriated is:
0.08 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	14E	20	SW	SW	IRRIGATION	8.9
					Section Acres	8.9
					Total Acres	8.9

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 37-20844.

PROPERTY IS ALSO KNOWN AS LOT 1, SMOKEY DOME RANCHOS NORTH.

15. Basis of Claim: Decreed

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PO BOX 3296
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This right is a split from former right 37-20844.

15. Basis of Claim: Decreed



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

March 2, 2005

ROBERT BOLAN
SANDRA BOLAN
KIM TANNAHILL
PO BOX 3296
HAILEY ID 83333

RE: SRBA Claim(s) 37-20844

Dear Mr. and Mrs. Bolan and Ms. Tannahill:

Pursuant to the notification that you purchased a portion of the property to which the above referenced adjudication claim is appurtenant, the department has split the original claim. Your portion has been numbered 37-21430.

Enclosed please find your copy of the computer-generated claim. Review this document and should you have any questions or corrections, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

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.

RECEIVED
FEB 28 2005
 Department of Water Resources
 Southern Region

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>37-20841</u>	<u>37-20841</u>	<u>X</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**.

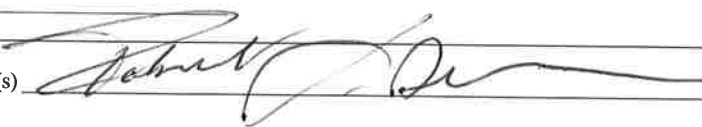
3. Name and Address of Former Owner/Claimant(s) GEORGE C CRANNEMIRE
PO Box 902, SUN VALLEY, ID 83353
4. New Owner/Claimant(s) ROBERT G. BOLAN, SARAH L. BOLAN
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address P.O. Box 3296
- City, State and ZIP Code HAILET, ID 83333
- New Telephone Number 208 788-4789
5. Date you acquired the property NOVEMBER 15, 1996

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 <u>37-20844</u>		
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	<u>0.080 cfs</u>	<u>8.94 ac</u>
Stock		
Domestic		
Other		
Total	<u>0.080 cfs</u>	

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)
(include title if applicable)



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 _____

Order No. 22462

WARRANTY DEED

FOR VALUE RECEIVED

George C. Crandlemire, a married man as his sole and separate property

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Kim L. Tannahill, an unmarried woman as to an undivided 1/2 interest and Robert G. Bolen and Sandra L. Bolen, husband and wife as to an undivided 1/2 interest

GRANTEE(s) whose address is: P.O. Box 3092, Hailey, ID 83333

the following described real property in Camas County, Idaho, to wit:

Lot 1 SMOKEY DOME RANCHOS NORTH, as the same appears on the official plat on file in the office of the Recorder of Camas County, Idaho.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 13, 1996


George C. Crandlemire

State of Idaho

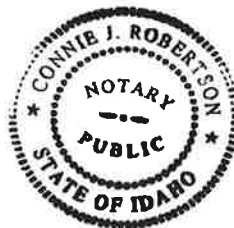
County of ADA

} ss.
}

On this 15 day of November, in the year 1996, before me, the undersigned, personally appeared George C. Crandlemire, 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
Residing at Boise, Idaho
Commission Expires: 7-1-00



J:\escrow\forms\wd

SMOKEY DOME RANCHOS NORTH

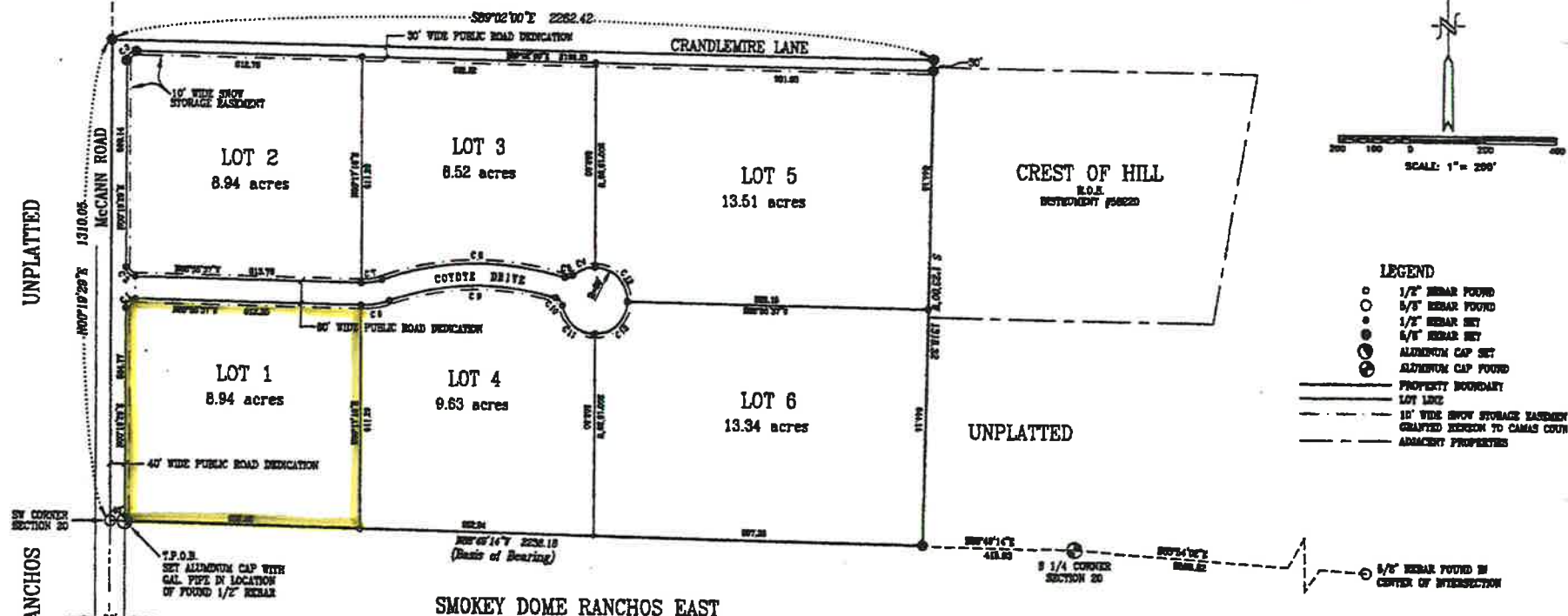
LOCATED IN T1N, R14E, SECTION 20, BOISE MERIDIAN
CAMAS COUNTY, IDAHO

OCTOBER 1996

CURVE TABLE

No.	Delta	Radius	Arc Length	Tangent	Chord
1	90°44'35"	25.00	39.80	35.33	35.38 N42°41'54"E
2	89°15'05"	25.00	38.84	34.88	35.12 N42°15'04"E
3	90°38'31"	25.00	34.55	35.28	35.05 N42°38'44"E
4	41°53'36"	90.00	85.39	34.21	83.96 S89°30'34"W
5	57°58'09"	25.00	25.30	13.85	24.34 S77°41'54"W
6	39°48'26"	830.00	918.71	898.14	810.31 S89°48'46"W
7	29°11'30"	170.00	86.83	46.28	96.82 S80°56'28"W
8	20°11'30"	330.00	91.05	49.86	90.48 N80°56'38"E
9	33°18'27"	770.00	474.38	248.85	487.03 S89°31'48"E
10	89°14'43"	25.00	38.47	18.80	38.89 S41°11'28"E
11	81°08'14"	90.00	127.40	77.01	117.02 S49°57'24"E
12	90°44'54"	90.00	142.58	91.18	132.11 S44°18'04"W
13	89°15'05"	90.00	140.20	88.83	128.45 N42°41'54"E

UNPLATTED



Note:

- Improvements on all lots will be accessed off Coyote Drive.
- Coyote Drive is hereby dedicated to the public.
- A sound perimeter fence along with gate or cattle guard will be in place (by the developer), and maintained by the lot owner.

HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1326, by the issuance of a certificate of disapproval.

Date: 10-23-96

R. L. Weir
South Central District Health Dept., EHS



SMOKEY DOME RANCHOS 1
T1N, R14E, SECTION 20, B.M.
CAMAS COUNTY, IDAHO

PREPARED FOR GEORGE CRANDLEMIRE
DATE: 10/29/96 DRAWN BY: BLM
SHEET 1 OF 2 JOB #06105 [RETRPG1.DWG]

WATER RIGHT NO. 37-20844 - CHANGE OF OWNERSHIP	
OWNER: Crandlemire - Smokey Dome Ranchos Sub. LOCATION: POU T. 1N, R. 14E, SECTION 20 & 29 CAMAS COUNTY IDAHO	DATE: JAN 18, 2005 SHEET: OF
SAWTOOTH ENVIRONMENTAL CONSULTING, LLC	

Map from: USGS Phillips Creek, Idaho Quad.
 APPROXIMATE SCALE: 1" = 2000'

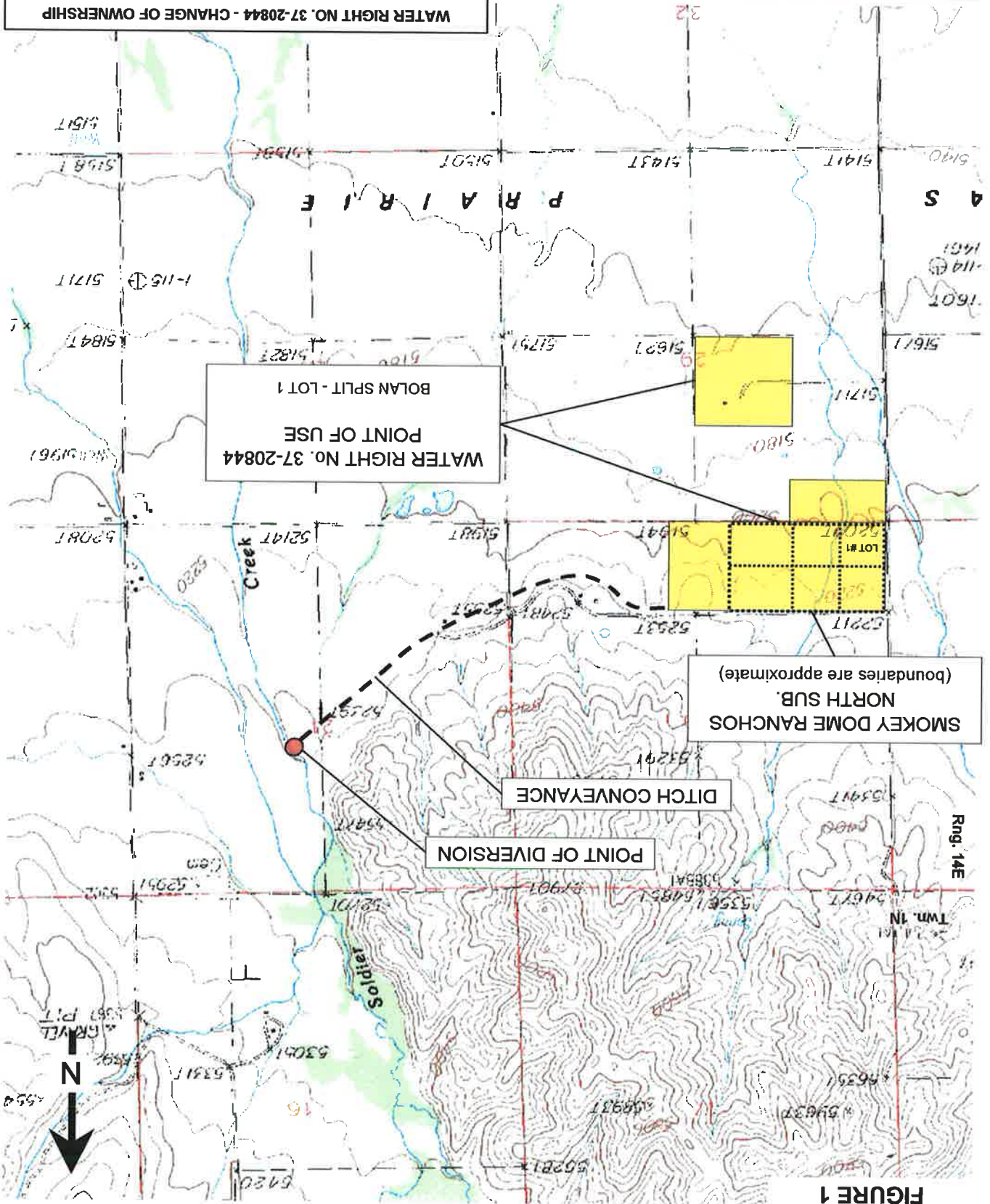


FIGURE 1

RECEIVED

FEB 28 2005

Department of Water Resources
Southern Region

Sawtooth Environmental Consulting, LLC

PO BOX 2707
KETCHUM, ID 83340
PH 208-727-9748
FAX 208-727-9758
trentstumph@cox-internet.com

February 24, 2005

Cory Skinner
Idaho Department of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301

RE: Smokey Dome Ranchos North – Notice of Change in Water Right Ownership

Dear Mr. Skinner,

Enclosed please find three forms for Notice of Change In Water Right Ownership associated with Water Right No. 37-20844 and the new Smokey Dome Ranchos North Subdivision lot owners; Lot #1 – Mr. Robert Bolan, Lot #4 – Ms. Mary Ann Mix and Lot #5 – Donne Irene Moore / Nicholas D. McGough. The subdivision is located in Section 2, Township 1 North, Range 18 East, Blaine County, Idaho.

Sawtooth Environmental Consulting was contracted to fill out and submit the application for permit on behalf of the new owners. I'm available to answer any questions that you may have with regards to the change in ownership. Please do not hesitate to contact me with any questions or concerns. My office number is (208) 727-9748.

Sincerely,



Trent Stumph
Sawtooth Environmental Consulting, LLC

Cc: Clients

37-21430

Karl J. Dreher, Director
State of Idaho
Department of Water Resources
322 East Front Street
Post Office Box 83720
Boise, Idaho 83720-0098

November 20, 2006

Dear Director Dreher,

Please find attached some information regarding certain water rights for property located in Camas County, Idaho. Having recently relocated, my mail is being forwarded to me until such time as I have acquired a permanent address. I will however, maintain the mailing address listed on the attached documents, and will notify you in writing of any subsequent changes. My former wife, Sandra as a matter of a Marital Settlement / Divorce Decree, did quitclaim any interest in the subject property several years ago, and the Quitclaim was recorded at the time of the divorce in the Blaine County Courthouse and I believe also in the Camas County Courthouse. Please advise if there is anything further I need to do to have the ownership reflect my name and that of Kim Tannahill only, which it currently does show as owners. I can also be contacted at budbolan@msn.com. Thank you in advance for your assistance in this matter.

Sincerely,


Robert G. Bolan

Faxed 11/20/2006

*o/c form
part 11-21-06 ss*

SCANNED

NOV 21 2006

SCANNED

NOV 21 2006

**State of Idaho****DEPARTMENT OF WATER RESOURCES**

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

November 2, 2006

JAMES E. RISCH
Governor**KARL J. DREHER**
Director

Dear Water Users of Basin 37,

Please find enclosed the Preliminary Director's Report for your water right claims in the Snake River Basin Adjudication. This is an important opportunity to review the Idaho Department of Water Resources' (IDWR) conclusions regarding your water rights, resolve errors, and have questions answered *before* the report is finalized for the SRBA Court.

CONTENTS OF THIS MAILING:

- ❖ Preliminary Director's Report Instructions (colored page, front and back)
- ❖ Letter From Karl Dreher, IDWR Director
- ❖ **Your Water Right Recommendation(s) & Map(s)** with Notice of Error form(s)
- ❖ Basin 37 Area Map for vicinity reference
- ❖ Letter from the Presiding Judge, Snake River Basin Adjudication Court

Please join us for an informational presentation:

When: 2:00 pm on November 14, 2006
Where: Camas County Senior Citizens Center
120 West Willow Street
Fairfield, Idaho

For questions about the enclosures or needing additional assistance, please call us to set up an appointment.

Respectfully yours,

Don Shaff, MPA
Adjudication Bureau Chief
Idaho Department of Water Resources

SCANNED
NOV 21 2006**SCANNED**
NOV 21 2006

(Other Instructions on the back)

11/02/2006

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

RIGHT NUMBER: 37-21430
NAME AND ADDRESS: SANDRA L BOLAN
PO BOX 3296
HAILEY ID 83333
KIM L TANNAHILL
PO BOX 3296
HAILEY ID 83333
ROBERT G BOLAN
PO BOX 3296
HAILEY ID 83333

[Handwritten signature and date 11/20/2006]

SOURCE: SOLDIER CREEK
QUANTITY: 0.020 CFS
PRIORITY DATE: 08/03/1883
POINT OF DIVERSION: T01N R14E S21 NWSWNE Within CAMAS County
PURPOSE AND PERIOD OF USE: TRIBUTARY: CAMAS CREEK

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.020 CFS
PLACE OF USE:	<u>IRRIGATION in CAMAS County</u>		
	T01N R14E S20 SWSW 0.50		
	0.5 ACRES TOTAL		

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

SCANNED

NOV 21 2006



11/02/2006

**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: November 21, 2006

Water right number: 37-21430

SANDRA L BOLAN

PO BOX 3296

HAILEY ID 83333

Telephone Number: (208) 788-4789

KIM L TANNAHILL

PO BOX 3296

HAILEY ID 83333

Telephone Number: (208) 788-4789

ROBERT G BOLAN

PO BOX 3296

HAILEY ID 83333

Telephone Number: (208) 788-4789

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

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

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

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

DATE:

11/20/2006

SIGNATURE:

Please print your name:

Robert G Bolan

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

SCANNED**NOV 21 2006**

05/22/2006

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

RIGHT NUMBER: 37-21430
NAME AND ADDRESS: SANDRA L BOLAN
PO BOX 3296
HAILEY ID 83333

KIM L TANNAHILL
PO BOX 3296
HAILEY ID 83333

ROBERT G BOLAN
PO BOX 3296
HAILEY ID 83333

SOURCE: SOLDIER CREEK TRIBUTARY: CAMAS CREEK
QUANTITY: 0.020 CFS
PRIORITY DATE: 08/03/1883
POINT OF DIVERSION:

T01N R14E S21 NWSWNE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.020 CFS

PLACE OF USE: IRRIGATION Within CAMAS County
T01N R14E S20 SWSW 0.50

0.5 ACRES TOTAL

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



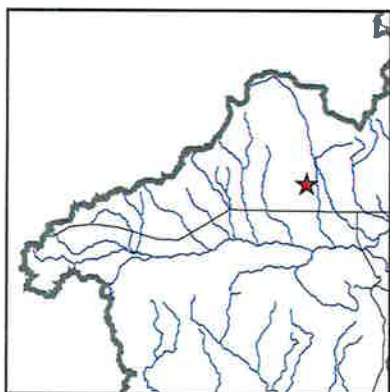
Idaho Department of Water Resources

SRBA Recommendation:

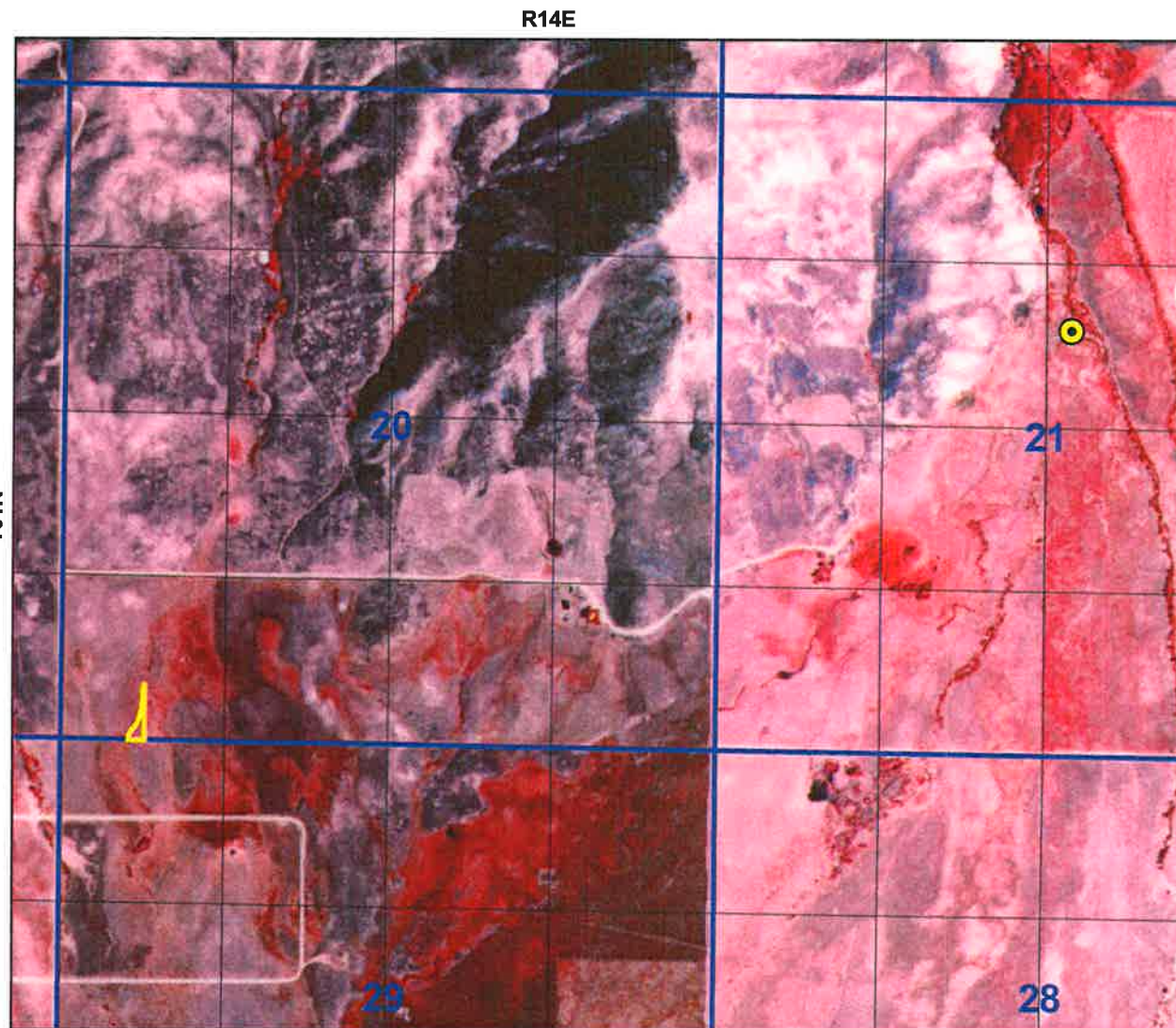
37-21430

Legend

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



Camas County
IDWR Basin 37



0 0.25 0.5 Miles



Prepared by M. Anders
On Monday, May 22, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-21430

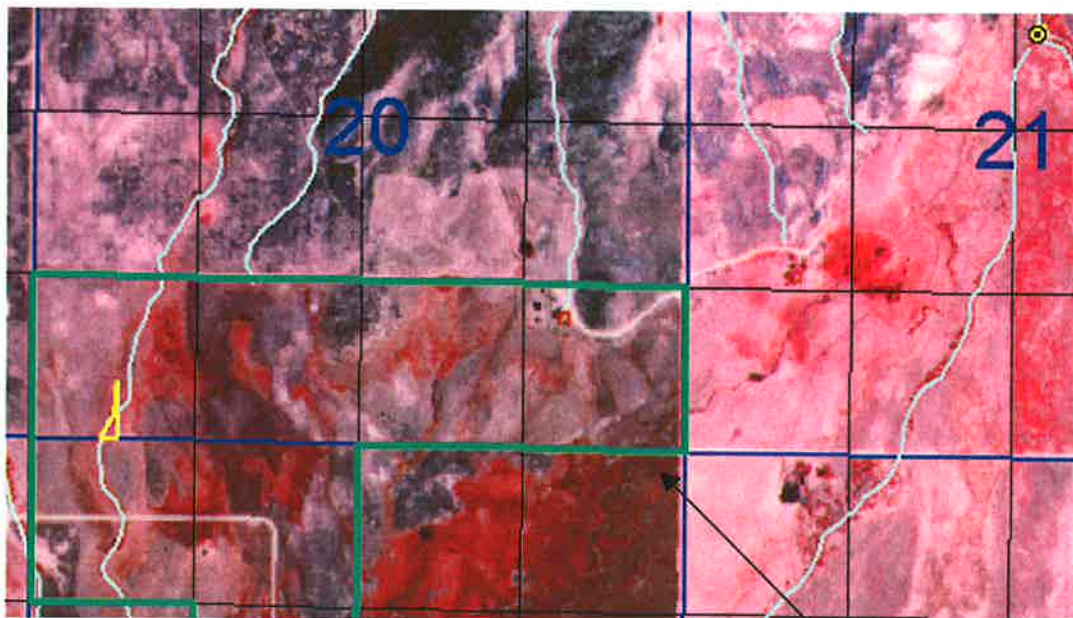
Background Data

- Source is Soldier Creek tributary to Camas Creek
- Priority date search indicates:
 - 37-369 originally decreed for 2.9 cfs on 8 QQ. Transfer No. 3065 split into:
 - 37-369A for 1.99 cfs for Irrigation of 220 acres
 - 37-20844 claimed 1.27 cfs on 140.7 acres. Claim split into:
 - 37-21429 claimed 0.98 cfs on 108.7 acres
 - 37-21430 claimed 0.08 cfs on 8.9 acres
 - 37-21431 claimed 0.09 cfs on 9.6 acres
 - 37-21432 claimed 0.12 cfs on 13.5 acres
 - 37-20845 claimed 0.72 cfs on 79.3 acres
 - 37-369B for 0.91 cfs for Irrigation of 100 acres
 - 37-369B claimed 0.91 cfs on 430 acres
 - 37-369
 - diversion rate = 2.9 cfs → fully claimed
 - POU acreage = 320 acres → fully claimed

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



Decreed POU
(Green Line)

Notes

T1N R14E Section 20

- Found 0.5 acres for Irrigation
- The splits for 37-369A claimed 220 acres of irrigation. The split by Transfer No. 3065 involved 37-369B, the 37-369A portion of the right was not reviewed as part of the transfer, it was just arbitrarily assigned a POU of 220 acres, the remaining acreage after 100 acres was split off for 37-369B. Based on the ditch distribution system observed during a field exam, only 137 acres was irrigated under 37-369A. Water right 37-369A was allocated by giving each claimant 0.02 cfs/acre or the claimed diversion rate, whichever was greater. The recommendations:
 - 37-20845: 0.72 cfs for Irrigation of 67 acres
 - 37-21429: 0.94 cfs for Irrigation of 47 acres
 - 37-21430: 0.02 cfs for Irrigation of 0.5 acres
 - 37-21431: 0.09 cfs for Irrigation of 9.6 acres
 - 37-21432: 0.12 cfs for Irrigation of 13.5 acres
 - Summary: 1.89 cfs allocated for irrigation of 137.6 acres; 0.10 cfs are unallocated
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

COPY

NCAP filed
9/11/2008

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

)

SUBCASE NO. 37-21430

Case No. 39576

)

)

)

)

NOTICE OF COMPLETED

ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated:

9/10/08


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 9/11, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Robert Bolan
PO Box 3861
Coeur D'Alene ID 83814

Sandra Bolan
Kim Tannahill
PO Box 3296
Hailey ID 83333



Signature of person or attorney mailing the form

07/29/2008

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

RIGHT NUMBER: 37-21430

NAME AND ADDRESS: SANDRA L BOLAN
PO BOX 3296
HAILEY ID 83333

KIM L TANNAHILL
PO BOX 3296
HAILEY ID 83333

ROBERT G BOLAN
PO BOX 3861
COEUR D ALENE ID 83814

SOURCE: SOLDIER CREEK
QUANTITY: 0.020 CFS
PRIORITY DATE: 08/03/1883

TRIBUTARY: CAMAS CREEK

POINT OF
DIVERSION:

T01N R14E S21 NWSWNE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.020 CFS
PLACE OF USE:	<u>IRRIGATION in CAMAS County</u>		
	T01N R14E S20 SWSW	0.50	
	0.5 ACRES TOTAL		

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

September 11, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

ROBERT BOLAN
PO BOX 3861
COEUR D'ALENE ID 83814

RE: SRBA Claim(s) 37-21430

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,


Trish Fawcett
Technical Records Specialist

Enclosure

cc: Sandra Bolan & Kim Tannahill
PO Box 3296
Hailey ID 83333

RECEIVED

JUL 28 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

*Data Entry
7/28/08
C. Bell*

[] Water Right Number(s): 37-21430

[] Name(s): Robert G. Boraof

[] Old Mailing Address: P.O. Box 3296
Harvey, IDAHO
83333

[] New Mailing Address: P.O. Box 3861
Coeur d'Alene, IDAHO
83814

Telephone Number: (208) 659-6420

[] Signature(s) of Owner(s) 

(Include your title if on behalf of company or organization)

Date: 7/20/2008

SCANNED

JUL 28 2008

COPY

RECEIVED JUDGE
TWIN FALLS
FILED
2008 OCT 1 07 11 55

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase No: 37-21511

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER**

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership

☐ Split of Water Right

☒ Point of Diversion

☐ Place of Use

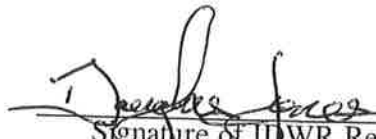
☐ Period of Use

☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 9/30/08


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10/1, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724

Gary and Judith Frugard Trust
PO Box 346
Bellevue ID 83313

James P. Speck
Speck and Aanestad
PO Box 987
Ketchum ID 83340



Signature of person or attorney mailing the form

09/18/2008

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

RIGHT NUMBER: 37-21511

NAME AND ADDRESS: GARY AND JUDITH FRUGARD TRUST
PO BOX 346
BELLEVUE ID 83313

SOURCE: GROUND WATER

TRIBUTARY:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 0.100 CFS
17.50 AFY

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 09/25/1954

POINT OF
DIVERSION:

T01N R19E S18 SWNENW Within BLAINE County
Point of diversion is located within Lot 6, Blk. 2, Bellevue Farms
Subdivision.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.100 CFS 17.50 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01N R19E S18 NENW 5.00

5 ACRES TOTAL

Rights 37-21511, 37-21515, 37-21526, 37-21537, 37-21548 and 37-21559
when combined shall not exceed the irrigation of 5 acres.

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

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Place of use is located within Lot 6, Blk. 2; Bellevue Farms Subdivision.

This right is a split from former right 37-2557.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

September 30, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

GARY AND JUDITH FRUGARD TRUST
PO BOX 346
BELLEVUE ID 83313

RE: SRBA Claim(s) 37-21511

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: James P. Speck
Speck & Aanestad
PO Box 987
Ketchum ID 83340

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74945

This is to certify that: GARY AND JUDITH FRUGARD TRUST
PO BOX 346
BELLEVUE ID 83313

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-21511	AJC/License	09/25/1954	0.1 cfs	17.5 af		5.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

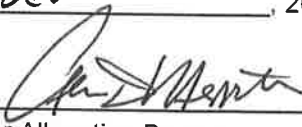
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-21511	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-21511	37-21511	0.1 cfs	17.5 af	N/A	5.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.1 cfs	17.5 af	N/A	5.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 11th day of September, 2008

FOR 
Chief, Water Allocation Bureau

SCANNED
SEP 11 2008

WATER RIGHT NO. 37-21511
As Modified by Transfer No. 74945

In accordance with the approval of Transfer No. 74945, Water Right No. 37-21511 is now described as follows.

Right Holder: GARY AND JUDITH FRUGARD TRUST
PO BOX 346
BELLEVUE ID 83313

Priority Date: September 25, 1954

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15	to 10/31	0.10 CFS	17.5 AF
			0.10 CFS	17.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNENW Sec. 18 Twp 01N Rge 19E BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
01N 19E 18					5.0												5.0

Total Acres: 5

SCANNED
SEP 11 2008

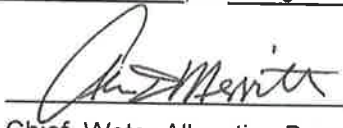
WATER RIGHT NO. 37-21511
As Modified by Transfer No. 74945

CONDITIONS OF APPROVAL

1. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
2. If the surface water right(s) appurtenant to the place of use is abandoned, forfeited, sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
3. Rights 37-21511, 37-21515, 37-21526, 37-21537, 37-21548 and 37-21559 when combined shall not exceed the irrigation of 5 acres.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. Place of use is located within Lot 6, Blk. 2; Bellevue Farms Subdivision.
9. Point of diversion is located within Lot 6, Blk. 2, Bellevue Farms Subdivision.
10. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 11th day of September, 20 08


FOR Chief, Water Allocation Bureau

SCANNED
SEP 11 2008