

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 37-21956
Date Received: 9/29/2006
Receipt No:
Received By:

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

1. Name of Claimant(s)

DAVID CROPPER Phone: (208)788-4498
LINDA CROPPER Phone: (208)788-4498
PO BOX 516
HAILEY ID USA 83333

2. Date of Priority: 03/24/1883

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	18E	20	SW SW NW	BLAINE	

5. Description of diverting works:

The property is served with a ditch, that in turn serves a pond. The ditch leads through the pond that in turn serves other properties. The property is irrigated with handlines and a pump.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.11	
STOCKWATER	04/01	11/01	0.11	
RECREATION	04/01	11/01	0.11	
AESTHETIC	04/01	11/01	0.11	
SEE REMARKS	04/01	11/01	0.11	

7. Total Quantity Appropriated is:
0.11 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	4	SE	NW	IRRIGATION	1
			SE	NW	STOCKWATER	
			SE	NW	AESTHETIC	
			SE	NW	RECREATION	
			SE	NW	SEE REMARKS	
					Section Acres	1
					Total Acres	1

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

This claim is based upon a portion of 37-577. This claim may also be included within claim 37-21817. The claimant chose to file this claim rather than filing a change of ownership to split that right.

As of 9-29-2006 variable fees for uses other than irrigation were not paid.

One claimed use was for Flood Control. As this use is not a standard use identified by the department it was entered as See Remarks and is noted here

15. Basis of Claim: Decreed

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 37-21956

Date Received 9-29-2006

Receipt Number 5028941

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) David and Linda Cropper Phone (208) 788-4498

Mailing Address P.O. Box 516, Hailey, ID Zip 833333

2. Date of Priority (Only one (1) per claim) 3/24/1883

3. Source of water supply (a) Big Wood River
which is tributary to (b) Malad River

4. a. Location of existing point of diversion is: Township 3N Range 18E Section 20,
SW 1/4 of SW 1/4 of NW 1/4, Govt. Lot, B.M., County of Blaine

Additional points of diversion if any:

b. If Instream flow, beginning point of claimed instream flow is:

Township Range Section , 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section , 1/4 of 1/4 of

1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. The property is served with a ditch, that in turn serves a pond. The ditch leads through the pond that in turn serves other properties. The property is irrigated with hand lines and a pump.

COPY

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/01 to 11/01 amount 0.11 or _____

For flood control purposes from 4/01 to 11/01 amount 0.11 or _____

For stock water purposes from 4/01 to 11/01 amount 0.11 or _____

For aesthetic recreation purposes from 4/01 to 11/01 amount 0.11 or _____

7. Total quantity claimed (a) 0.11 (cfs) and/or (b) 0.11 (acre feet)

8. Total consumptive use claimed is 3 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>2N</u>	<u>18E</u>	<u>4</u>								<u>X</u>									<u>1</u>

Total number of acres irrigated 1

11. In which county (ies) are lands listed above as place of use located? Blaine County

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (X)

14. Remarks:

Place of use is same as Lots 1A & 1B, Northridge Subdivision, Blaine County, Idaho

Last Name _____ Ident No. _____

COPY

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant S.C. Frost v. Alturas Water Company

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Linda C. Cropper

Date 9-28-06

Date 9-28-06

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

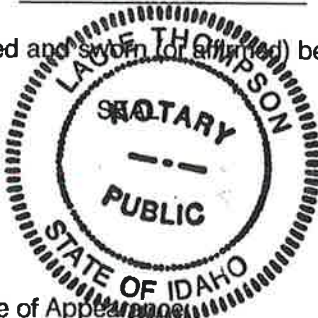
Date _____

State of Idaho/or Idaho)

County of Blaine)

SS.

Subscribed and sworn to before me this 28th day of September 2006



Notary Public Lacie Thompson

Residing at Bellevue, ID

My Commission Expires 1/14/2008

Please Print Name Lacie Thompson

17. Notice of Appearance

Notice is hereby given that I, Fritz X. Haemmerle will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Fritz X. Haemmerle

Address P.O. Box 1800, Hailey, ID 83333

Date June 7, 2006

COPY

Last Name _____ Ident. Number _____

2



Mizer Ditch

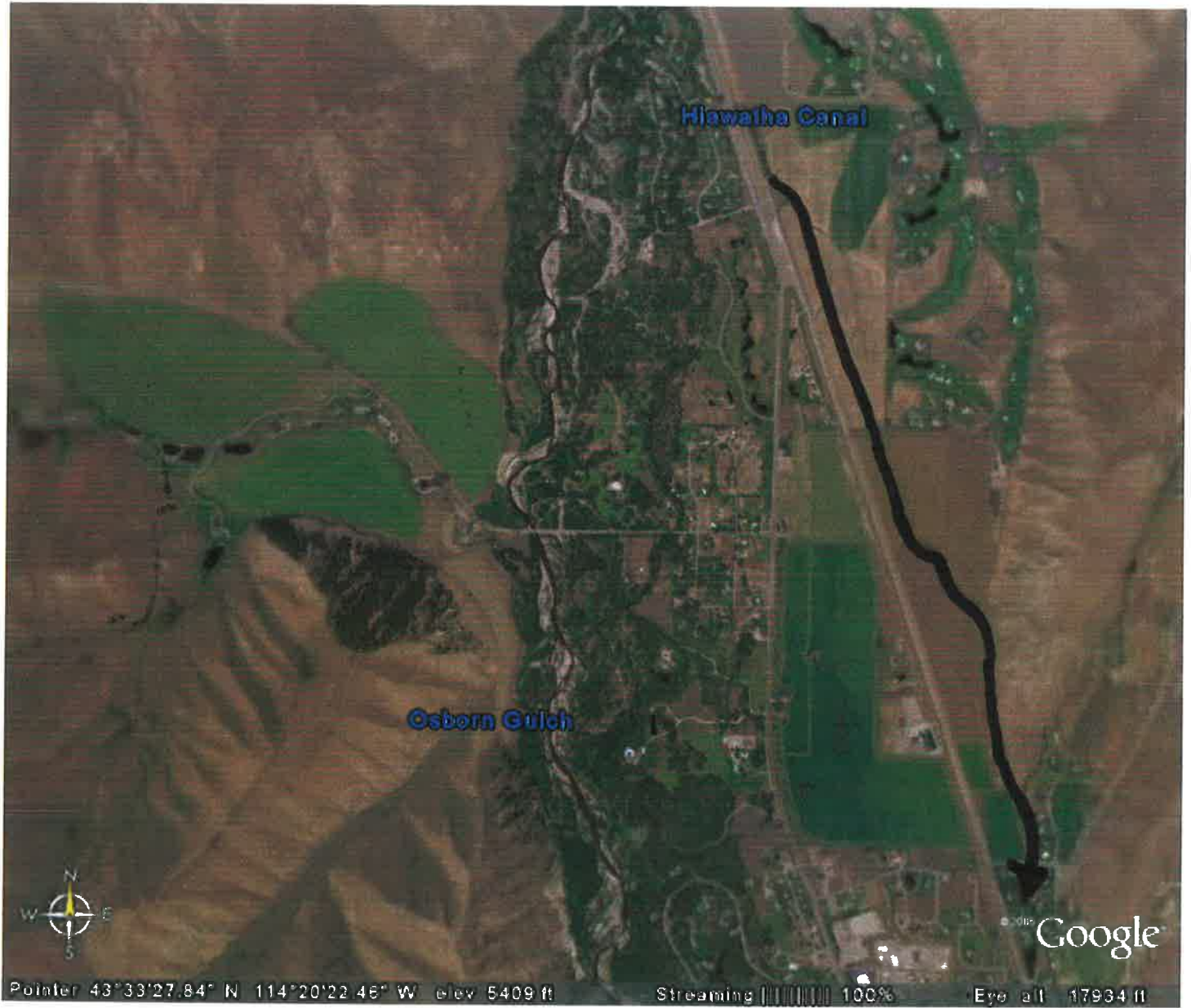
Hiawatha Canal



© 2005 Google

Pointer 43°34'26.72" N 114°20'22.49" W elev 5459 ft Streaming 100% Full 13121 ft

②



3



MG: Main head gate

HG: Head gate

POU: Lots 1A & 1B, Block 14, Wenthridge Subdivision, Records of Blaine County

3a



Order No. 17775

QUITCLAIM DEED

FOR VALUE RECEIVED

Jess C. Groves, a single man

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

David L. Cropper and Linda C. Cropper, husband and wife

whose address is: P. O. Box 516, Halley, ID 83333

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

5.5 Inches of March 24, 1883 W. T. Riley Water Rights
Priority No. 19-E19, Idaho State No. 37-0577 appurtenant to the following described property:

A parcel of land within Section 4, Township 2 North, Range 18 East, Boise Meridian, Halley, Blaine County, Idaho, more particularly described as follows:

COMMENCING at a brass cap marking the South one-quarter of said Section 4; thence N. 14°53'48" W., 3136.71 feet to an iron pin marking the Northerly most corner of the Boller Tract and the REAL POINT OF BEGINNING of this parcel; thence N. 18°40'05" W., 173.39 feet to an iron pin on the Southeast Boundary of Northridge Subdivision No. 1; thence S. 66°30'29" W., 267.57 feet along said Southeast Boundary of the Northridge Subdivision to an iron pin; thence S. 18°30'00" E., 147.90 feet to an iron pin; thence N. 71°58'22" E., 267.07 feet along the Northwestern Boundary of the Boller Tract to the POINT OF BEGINNING.

BLAINE CO. REQUEST

together with their appurtenances.

Escrow Title Co., Inc.

OF

1991 NOV -4 P 3: 56

335150

Dated: October 31, 1991

MARY GREEN, CLERK

FEES \$

3.00

YMP

Deed

Jess C. Groves

State of Idaho
County of Ada

On this November 1, 1991, before me, a notary public in and for said State, personally appeared Jess C. Groves 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.

Teresa J. Montgomery

Notary Public

Residing at Boise, Idaho

Commission Expires: 9-20-95

J:\escrow\forms\qdcd



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73969

This is to certify that: ROBERT ROHE
 PO BOX 2288
 KETCHUM ID 83340-2288
 (208)726-8090

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>
37-21956	AJC/Decreed	03/24/1883	0.11 cfs	N/A	N/A	1.0	BIG WOOD RIVER

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>
37-21956	NO	YES	YES	NO	NO	YES

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>
37-21956	37-21956	0.11 cfs	N/A	N/A	0.9		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.11 cfs	N/A	N/A	0.9		N/A	N/A	N/A	N/A

Right 37-21956 is subject to the conditions of the Final Order dated May 12, 2010 in the matter of Application for Transfer 73969.

Detailed Water Right Description(s) attached

Dated this 25th day of October, 20 10

for Camille S. Skaggs
 Chief, Water Allocation Bureau

Right Holder: ROBERT ROHE
PO BOX 2288
KETCHUM ID 83340-2288

Source: BIG WOOD RIVER
GROUND WATER

Tributary: MALAD RIVER
BIG WOOD RIVER

IRRIGATION
MITIGATION

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
04/15	to 10/31	0.10 CFS
04/15	to 10/31	0.01 CFS
		0.11 CFS

GROUND WATER

L1 (NWNENE) Sec. 6 Twp 03N Rge 18E BLAINE County

BIG WOOD RIVER

SWNW Sec. 20 Twp 03N Rge 18E BLAINE County

[illegible]

<u>PLACE OF USE:</u>	MITIGATION
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[illegible]

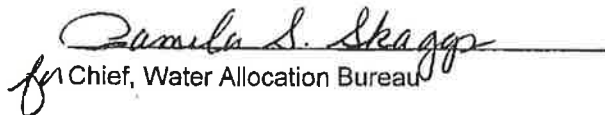
WATER RIGHT NO. 37-21956
As Modified by Transfer No. 73969

CONDITIONS OF APPROVAL

1. Diversion of ground water is limited to those times water is available for diversion under this right and priority from the Big Wood River.
2. To prevent injury to other water users caused by approval of transfer 73969 the watermaster shall deliver a 0.08 cfs portion of this right for irrigation into the Hiawatha Canal where it shall remain undiverted and used for conveyance loss. The other portion authorized for irrigation (0.02 cfs) shall be diverted from ground water from the pond located in Lt1 (NWNENE) S6, T3N, R18E used to irrigate 0.9 acres.
3. To prevent injury to water rights 37-7919 and 37-8307 held by the Water Resource Board for minimum stream flow on the Big Wood River the 0.02 cfs allowed for irrigation use from ground water authorized by transfer 73969 shall be subject to curtailment 3 days after flows at the Hailey gauge drop below 189 cfs or curtailed by priority, whichever occurs first. The Director retains jurisdiction to modify the condition of use authorized by transfer 73969 to prevent injury to other users as may be required based on future studies or the addition of gauges on the Big Wood River.
4. The 0.01 cfs portion of this right listed as mitigation use shall remain undiverted to compensate for the evaporation losses necessary to maintain the pond authorized under right 37-22385 and to mitigate potential injury to rights 37-7919 and 37-8307.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions. Specifically, the pump diverting ground water for irrigation shall have a meter and locable control valve installed.
7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.

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 25th day of October, 2010


for Chief, Water Allocation Bureau

12/18/2006

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

RIGHT NUMBER: 37-21956
NAME AND ADDRESS: DAVID CROPPER
PO BOX 516
HAILEY ID 83333

LINDA CROPPER
PO BOX 516
HAILEY ID 83333

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.110 CFS
PRIORITY DATE: 03/24/1883
POINT OF DIVERSION:

T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.110 CFS
STOCKWATER	04/01 10/31	0.110 CFS

PLACE OF USE: IRRIGATION in BLAINE County
T02N R18E S04 SENW 1.00
STOCKWATER in BLAINE County
T02N R18E S04 SENW

1 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
This right is a split from former right 37-577



Idaho Department of Water Resources

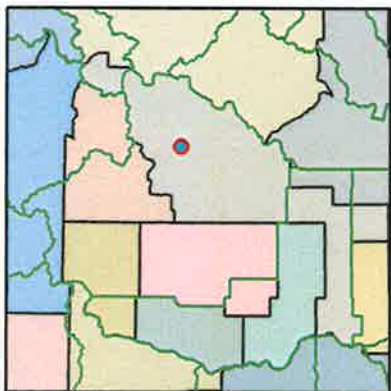
SRBA Recommendation:

37-21956

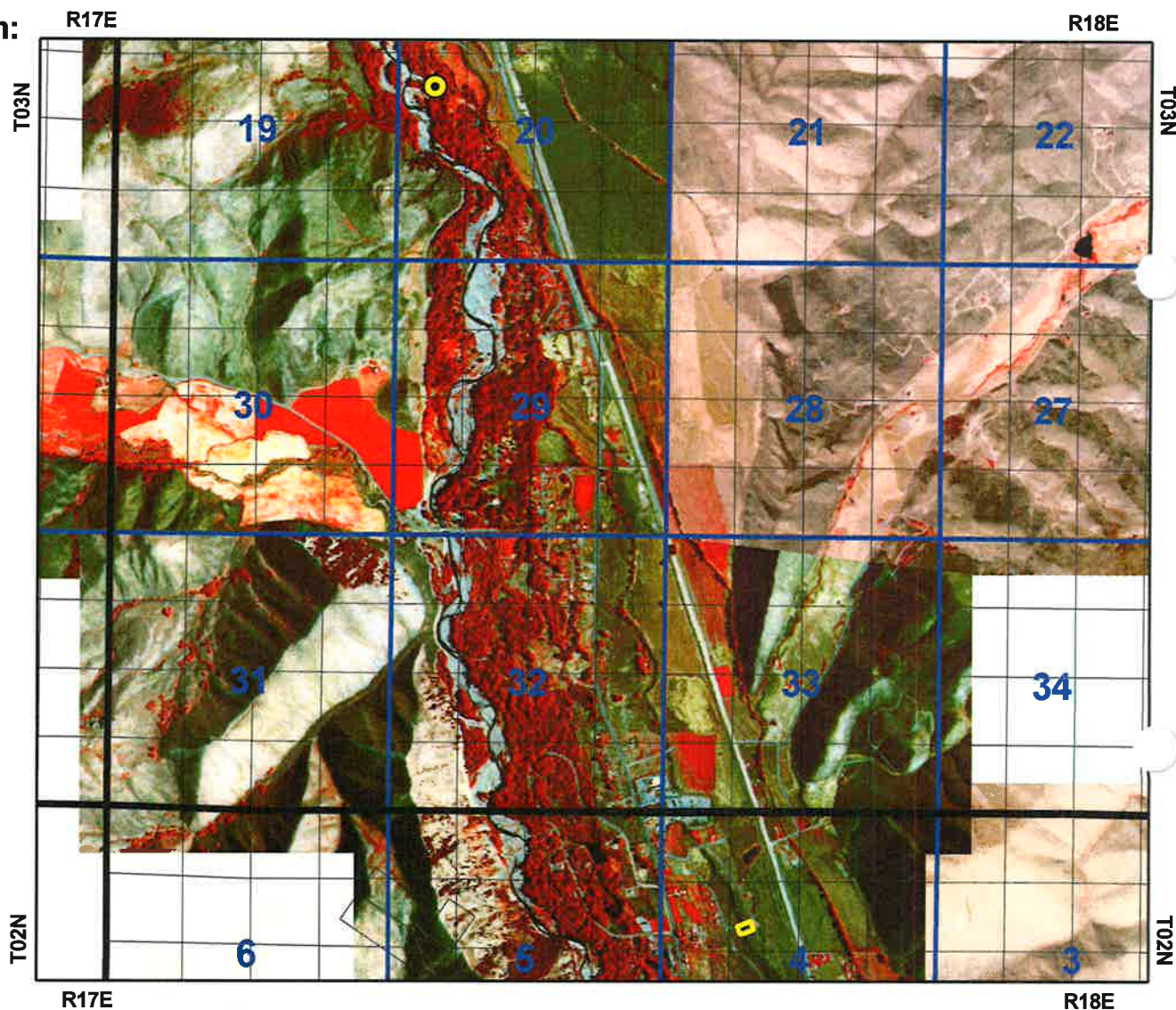
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 1 2 Miles

Prepared by S. Egbert
On Monday, December 18, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21956 V1

WATER RIGHT NUMBER: 37-21956 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAVID CROPPER PO BOX 516 HAILEY, ID 83333 (208)788-4498
Current Owner	LINDA CROPPER PO BOX 516 HAILEY, ID 83333
Attorney	FRITZ X HAEMMERLE PO BOX 1800 HAILEY, ID 83333 (208)578-0520

Priority Date: 03/24/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.110 CFS	
STOCKWATER	04/01 to 10/31	0.110 CFS	
	<u>Total Diversion:</u>	0.110 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	SW1/4NW1/4	Sec. 20, Twp 03N, Rge 18E, B.M.
BLAINE 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	
02N	18E	4								1.0									1.0

Total Acres: 1

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	4								X									

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-21956 V1

Conditions of Approval:

1. C18 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.
2. P21 This right is a split from former right 37-577

Remarks:Comments:

1. kchrste 12/6/2006 copied fm rmks

Comment: One claimed use was for Flood Control. As this use is not a standard use identified by the department it was entered as See Remarks and is noted here

2. kchrste 12/6/2006 copied fm rmks

Comment: This claim is based upon a portion of 37-577. This claim may also be included within claim 37-21817. The claimant chose to file this claim rather than filing a change of ownership to split that right.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal:

Owner Name Connector: AND

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			12/06/2006	kchrste	Active
Priority Date	12/18/2006 12:54:33 PM	segbert			Active
POD	12/18/2006 12:54:46 PM	segbert			Active
Source	12/18/2006 12:54:59 PM	segbert			Active
POU	12/18/2006 12:55:27 PM	segbert			Active
Use	12/18/2006 12:56:32 PM	segbert			Active
Season	12/18/2006 12:57:58 PM	segbert			Active
Quantity	12/18/2006 12:59:26 PM	segbert			Active
Summary			12/18/2006	segbert	Active

Verification Log:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21956 V1

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
General	12/18/2006 12:54:31 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	12/18/2006 12:54:45 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	12/18/2006 12:54:58 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	12/18/2006 12:55:26 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	12/18/2006 12:56:31 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	12/18/2006 12:57:57 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (Yes) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-21956 V1

POU	12/6/2006 11:08:46 AM	kchrste	Updated shape for Active POU
POU	12/6/2006 1:21:28 PM	kchrste	Updated shape for Active POU
Summary	12/6/2006 1:27:35 PM	kchrste	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (Yes) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Summary	11/3/2006 5:01:16 PM	CFRITSCH	Bulk Copy
POD	12/6/2006 11:43:43 AM	kchrste	Updated shape
POD	12/6/2006 11:43:57 AM	kchrste	Updated PLS
Quantity	12/18/2006 12:59:25 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	12/18/2006 1:01:53 PM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Christensen, Kelly

From: Christensen, Kelly
Sent: Friday, September 29, 2006 1:49 PM
To: Smith, Danni
Subject: 37-21817 possible conflict

I just received a claim (37-21956) that is probably claimed on ground covered by and in 37-21817. I see that this claim is in transit and whoever received this file should be informed of the conflict. I will be sending 37-21956 up at a later date. If there is an agent assigned I can ear-mark this file to him. Otherwise 37-21817 should be flagged with this e-mail for future reference.

Kelly

((I hope that contacting you is the proper procedure for info decimation regarding B37 claim recommendations from the S.O.)))



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 DEPT INTERNET WEB SITE: www.idwr.idaho.gov

SOUTHERN REGION

JAMES E RISCH
GOVERNOR

KARL J DREHER
DIRECTOR

September 29, 2006

FRITZ X HEAMMERLE
PO BOX 1800
HAILEY ID 83333

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA) 37-21956

Dear Mr Heammerle

When discussing this claim and the required fees I inadvertently overlooked the necessity to collect variable fees for the uses beyond the irrigation acre fee.

For each use in addition to the irrigation use there is a \$200.00 variable fee per claimed cfs. Therefore the additional fees due are: $\$200.00 * 0.11 = \$22.00$

Flood control*	\$22.00
Stock water	22.00
Aesthetic	22.00
Recreation	22.00
Total	\$88.00

* Flood control is not a standard use identified by the department therefore it has been data entered as "See Remarks" and described in the remarks section.

As the incidental uses claimed were not decreed uses listed for 37-577 it is likely that these uses will not be recognized as valid in the final recommendation for this right as a portion of 37-577.

Enclosed is the claim as data entered. Please review the claim to confirm that it is correct. You have been entered as the attorney of record for Mr Cropper, however it does not print out on the claim form.

If you wish to pursue the 4 uses beyond irrigation, please return the additional \$88.00 variable fees attn Kelly as I have personal knowledge of the activity for this claim.

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

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kelly.christensen@idwr.idaho.gov