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Documents
In File

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: A65-01641A
Date Received: 1/09/1990
Receipt No: X999999
Received By:

RECEIVED
JAN 9 1990

Department of Water Resources

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

1. Name: JAMES KIRKPATRICK 208-365-4676
Address: 641 EAST PARK
EMMETT, ID 83617

OR

Name: GLENDA KIRKPATRICK 208-365-4676
Address: 641 EAST PARK
EMMETT, ID 83617

2. Date of Priority: JUN 15, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	01W	8	NW	NW			GEM

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOME

A65-01641A

Page 1

Date: 01/09/90

MICROFILMED
SEP 18 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	01W	8	NW NW		DOMEST	

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
NONE

14. Remarks:

LOT 28, WASHBURN TRACT.

THIS CLAIM REPRESENTS A 1/3 PORTION OF DECREED RIGHT A65-01641.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

(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.

SEP 18 1992

03/08/2001

RECEIVED

NOTICE OF ERROR
REPLY

MAR 19 2001

WATER RESOURCES
WESTERN REGION

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: April 13, 2001

Water right number: 65-1641A

JAMES KIRKPATRICK

641 E PARK

EMMETT ID 83617

Telephone Number: (208)365-4676

GLEND A KIRKPATRICK

641 E PARK

EMMETT ID 83617

Telephone Number: (208)365-4676

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:

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

DATE: 3-15-2001

SIGNATURE:

Please print your name:

James Kirkpatrick Glenda Kirkpatrick
James Kirkpatrick Glenda Kirkpatrick

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

01/22/2001

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

RIGHT NUMBER: 65-1641A

NAME AND ADDRESS: JAMES KIRKPATRICK
641 E PARK
EMMETT, ID 83617
GLENDA KIRKPATRICK
641 EAST PARK
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY: 0.02 CFS
1.2 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 06/15/1962

POINT OF DIVERSION: T06N R01W S8 NWNW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01-01 12-31	0.02 CFS
		1.20 AFY

PLACE OF USE:

DOMESTIC Within GEM County
T06N R01W S8 NWNW

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

1703.001

AJ5809NP
No. R65-01641A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/12/97
PAGE: 96

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GLENDIA KIRKPATRICK	06/15/1962	DOMESTIC	01-01 12-31	~~0.06 CFS~~ 0.02	~~3.60 AFA~~ 1.2
C	JAMES KIRKPATRICK 641 EAST PARK EMMETT ID 83617 (208) 365-4676					
TOTAL DIVERSION:					0.02 CFS	1.2

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T06N R01W S08 NWNW

GEM County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: NENW NWNW SWNW SENW	: NESW NWSW SWSW SESW	: NESE NWSE SWSE SESE	: Lt Ac Lt Ac Lt Ac Lt Ac								
06N	01W	8	:	:	D	:	:	:	:	:	:	:	:		

POU County: GEM

Non-Irrigation Uses: 1 HOUSE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A65-00824	A65-00905	A65-00925	A65-01002	A65-01199	A65-01238	A65-01239	A65-01641A	A65-01641B	A65-01668
A65-01711	A65-01722	A65-01846	A65-01946	A65-05223	A65-18744	A65-21638	A65-21656	R65-00808	R65-00824
R65-00905	R65-00925	R65-01002	R65-01199	R65-01238	R65-01239	R65-01641B	R65-01668	R65-01722	R65-01846
R65-01946	R65-05223	R65-18744							

Other Water Rights Listing Overlapping Place(s) of Use:

A65-00054A A65-00054B A65-00054X

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP 1703.001

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Comm: Decreed for 3 homes to date
2 have been filed now.

Hold - to verify splits - original
decree 3 homes - only 2 claimed now

AJ5809NP
No. R65-01641A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/12/97
PAGE: 97

Comments: Date: 02/28/1997 User-ID: CORR2 Subject: COPIED FROM REMARKS
LOT 28, WASHBURN TRACT.

THIS CLAIM REPRESENTS A 1/3 PORTION OF DECREEED RIGHT A65-01641.

Audit: 02/28/97 CORR2

AJ5809NP
No. A65-01641A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/28/00
PAGE: 53

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES KIRKPATRICK	06/15/1962	DOMESTIC	01-01 12-31	0.020 CFS	1.2
C	GLEND A KIRKPATRICK 641 EAST PARK EMMETT ID 83617 (208) 365-4676			TOTAL DIVERSION:	0.020 CFS	1.2

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T06N R01W S08 NWNW

GEM County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac						
06N	01W	8	:	:	D	:	:	:	:	:	:	:	:	:	:

POU County: GEM

Non-Irrigation Uses: D/ 1 HOME

Other Rights: NONE

Remarks: GEN LOT 28, WASHBURN TRACT.

THIS CLAIM REPRESENTS A 1/3 PORTION OF DECREED RIGHT A65-01641.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

*This has been split
into "A" and other?
What do we do?*

WR5809NP
No. 65-01641

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/29/00
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROY M. JOHNSON 641 EAST PARK EMMETT ID 83617	06/15/1962	DOMESTIC	01/01 12/31	0.060 CFS	3.60 AFA
TOTAL DIVERSION:					0.060 CFS	3.60 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T06N R01W S08

NWNW

GEM County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
06N	01W	8	:					:					:					:					:

Pou County: GEM

Remarks: GEN LOT 28, WASHBURN TRACT.

Dates:	App. Received:	Priority Date:	06/15/1962
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

ADJUDICATION DIVISION
REPORT OF EXAMINERS

Claim No. 65-1641

1. Name of Applicant... Ray. M. Johnson.....
2. Priority..... 6/15/1962.....
3. Source of Water... Groundwater.....
4. Determine Purpose and Quantity of Water Found Used:
- | (Quantity) | (Dom., Irr., Stk. water, etc.) | | (Mo., -Day) | (Mo., -Day) |
|-------------------|--------------------------------|---------------|------------------------|------------------------|
| ... <u>Pk</u> ... | Use <u>Dom</u> | Period of Use | From... <u>1/1</u> ... | To... <u>12/31</u> ... |
| | Use | Period of Use | From..... | To..... |
| | Use | Period of Use | From..... | To..... |
5. Location of Point of Diversion: NW NW of Section 8
- Twp. 6N, Rge. 1W County of Gen
6. Describe Diversion Works: well w/ pump 5 H.P.

7. Describe Location of Use:

[illegible]

TWP. 6N RGE. 1W COUNTY Lea SCALE: 1" = 1 MILE

[illegible]

8. Purpose Other Than Irrigation: ..Domestic... 3. House S.....
 ..Town... Trv.....

 1. Remarks: ..located ~~at~~ SE corner of Reality Office..
 ..Lot 20 Washburn Trust.. 641 E Park... White House..

This examination was made on the 30 day of December, 1970

(Signed)

Examiner,

check original
decre
x

"C" there is no
65-16410

references 3 homes
but only two claimed

**IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM**

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

**NOTICE OF CLAIM
TO A
WATER RIGHT**

IDENT. NO. 65-1641 MAP NO. 65-1641

Notice is hereby given that Roy M. Johnson

(Name of Claimant)

641 E. Park, Emmett, Idaho 83617

(Mailing Address)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) June 15, 1962
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Groundwater
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)
- Use Domestic Period of Use From 1/1 To 12/31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
- Use Domestic Period of Use From 1/1 To 12/31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
- Use Domestic Period of Use From 1/1 To 12/31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day)
- (4) Quantity of water claimed: 0.06 Cubic Feet Per Second, or 3.6 Acre Feet Per Annum, and/or Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source. NW 1/4 NW 1/4
Sec. 8 Twp. 6N Rge. 1W B.M.; additional points:
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. Pump
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>6N</u>	<u>1W</u>	<u>8</u>					<u>X</u>												

Total No. of acres 160

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Household, lawn and garden irrigation for 3 households

- (7) Effluent, sewage waste, or return water from this use is discharged into City sewer
- (8) If you are claiming water as a member of an organization, list name of organization.
- (9) Remarks (Lot 28, Washburn Tract)
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.
☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

16, 1970
(Date)

Roy M. Johnson
(Signature of Claimant)

(Signature of Spouse)

State of Idaho ss. Organization 10/27/77
County of Gem Seal RECEIVED
(Signature of Authorized Agent)

On this 16 day of November, in the year 1970, before me,
a notary public, personally appeared Roy M. Johnson
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they,
corporation, partnership or they) executed the same.

Notary Public residing at Boise, Idaho

My commission expires Oct. 8, 1974 10/27/77

WATER RIGHT NUMBER - A65-01641A

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
KIRKPATRICK

JAMES

1 - 641 EAST PARK

2 -
3 -

CITY- EMMETT

STATE- ID ZIP- 83617

PHONE - 208-365-4676

KIRKPATRICK

GLENDA

1 - 641 EAST PARK

2 -
3 -

CITY- EMMETT

STATE- ID ZIP- 83617

PHONE - 208-365-4676

*** D - ORIGINAL OWNER ***
JOHNSON

ROY M.

1 - 641 EAST PARK

2 -
3 -

CITY- EMMETT

STATE- ID ZIP- 83617

PHONE - 208-000-0000

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
06/15/1962 ✓ 14 WESTERN D - DECREED+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
GROUNDWATER+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

06N 01W 8 NW NW ✓ (45) GEM

+ - - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC ✓

01/01

12/31

0.060
0.020

3.60

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.020 0.0+ - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

06N

01W

3

NW NW ✓

43 DOMESTIC

(45) GEM

+ - - DIVERSION MEANS - WELL & PUMP ~~to~~

+ - - NON-IRRIGATION USE - D/ 1 HOME

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +
LOT 28, WASHBURN TRACT.

WATER RIGHT NUMBER - A65-01641A

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - REMARKS - - - - -
THIS CLAIM REPRESENTS A 1/3 PORTION OF DECREED RIGHT A65-01641.

+ - - - - OLD WATER RIGHT NUMBERS - - - - -
A6501641

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
STATE OF IDAHO A & C CORP., ET AL. 00/00/0000

+ - - AUDIT FIELDS - 01/09/90 BAUMHOFF

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING - 00/00/0000	FIELD INSPECTION MADE - 00/00/0000	CIVIL CASE NUMBER - 39576
OBJECTION FILED DATE - 00/00/0000	FIELD INSPECTION FLAG -	OLD CASE NUMBER -
RESPONSE FILED DATE - 00/00/0000	VERIFIED DATE - 00/00/0000	OLD JUDICIAL DISTRICT -
CLAIM RECEIVED DATE - 01/09/1990	LAST AMENDED DATE - 00/00/0000	TEMPORARY RIGHT - P
PROOF DUE DATE - 00/00/0000	PROOF MADE DATE - 00/00/0000	WATER DISTRICT - 65
LICENSED DATE - 00/00/0000	RECEIPT NUMBER - X999999	FEDERAL/STATE INDICATOR - S
CLAIMS TAPE ERROR FLG -	PDU OWNERSHIP FLAG - Y	PRESUMPTION FLAG -
FEE EXEMPT FLAG -	NAME CONNECTOR - OR	NOTICE OF ERROR FLAG -

1703.50 1

DATA ENTRY

ENTERED

CHECKED

74 3-7

"Verified By"
Topo Map Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED

APR 27 1992

CERTIFIED

NOV 27 1992

WATER EXAMINER