

**T06N R02W  
S23**

# Idaho Department of Water Resources

**Claims: 65-02652  
Prepared by:  
RON HOWERTON  
Date: 28 DEC 00**

 **Place of use**

 **POD**

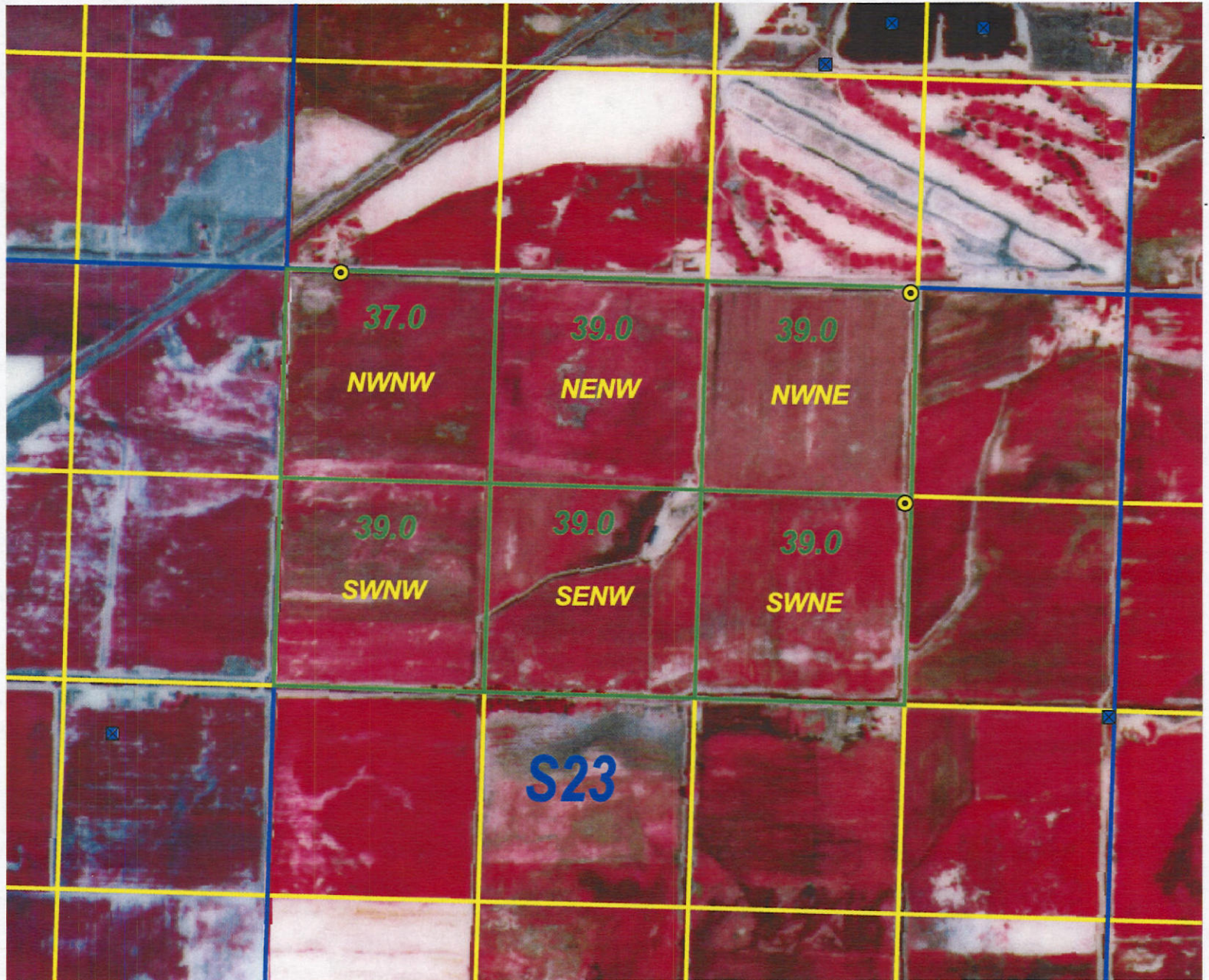
 **SECTION**

 **1/4 1/4**

232 Acres



**1987 NAPP**



0 0.25 0.5 0.75 1 1.25 Miles

**T06N R02W  
S23**

# Idaho Department of Water Resources

**Claims: 65-02652  
Prepared by:  
RON HOWERTON  
Date: 28 DEC 00**

 **Place of use**

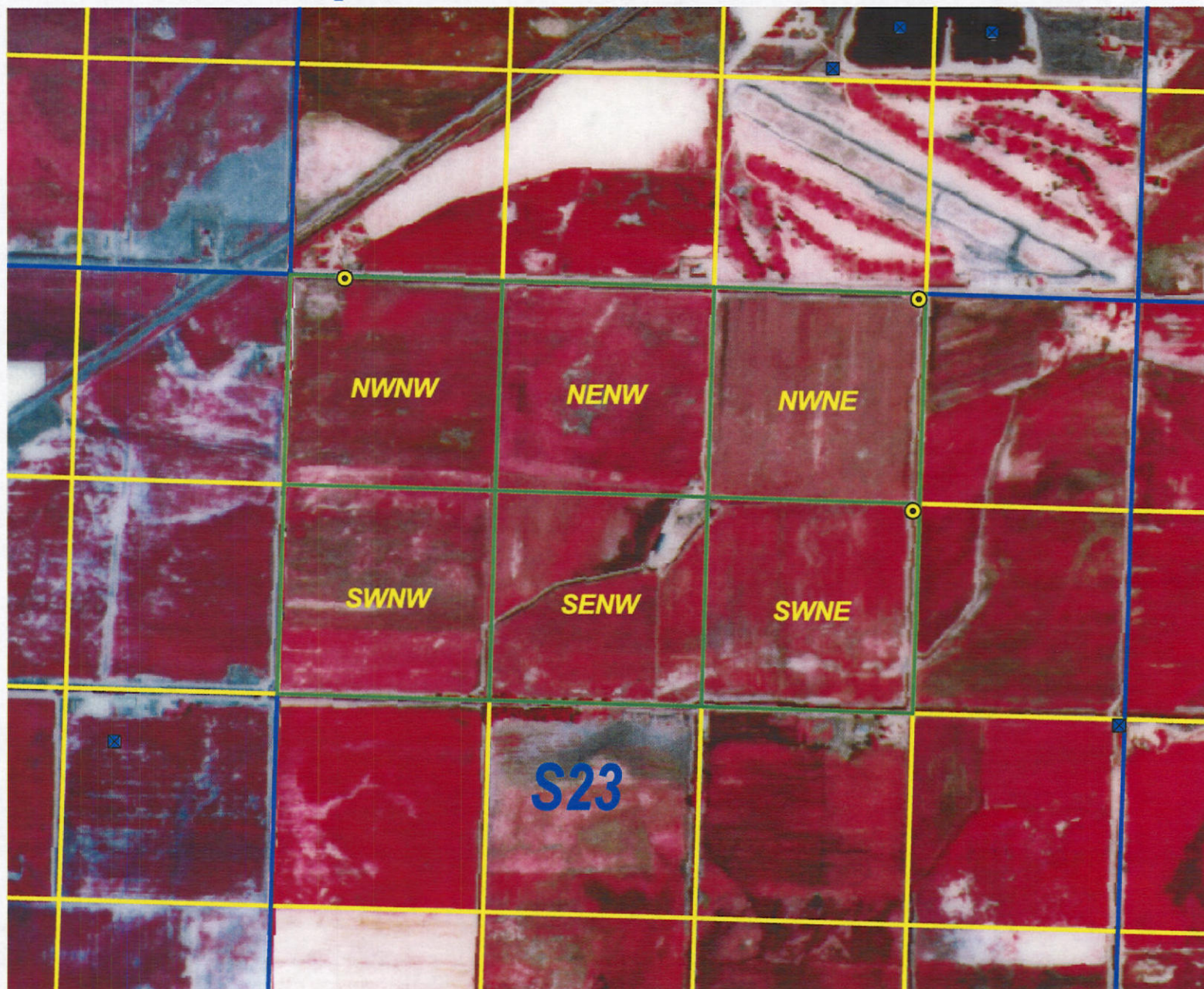
 **POD**

 **SECTION**

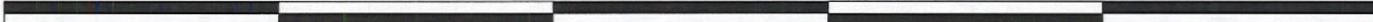
 **1/4 1/4**

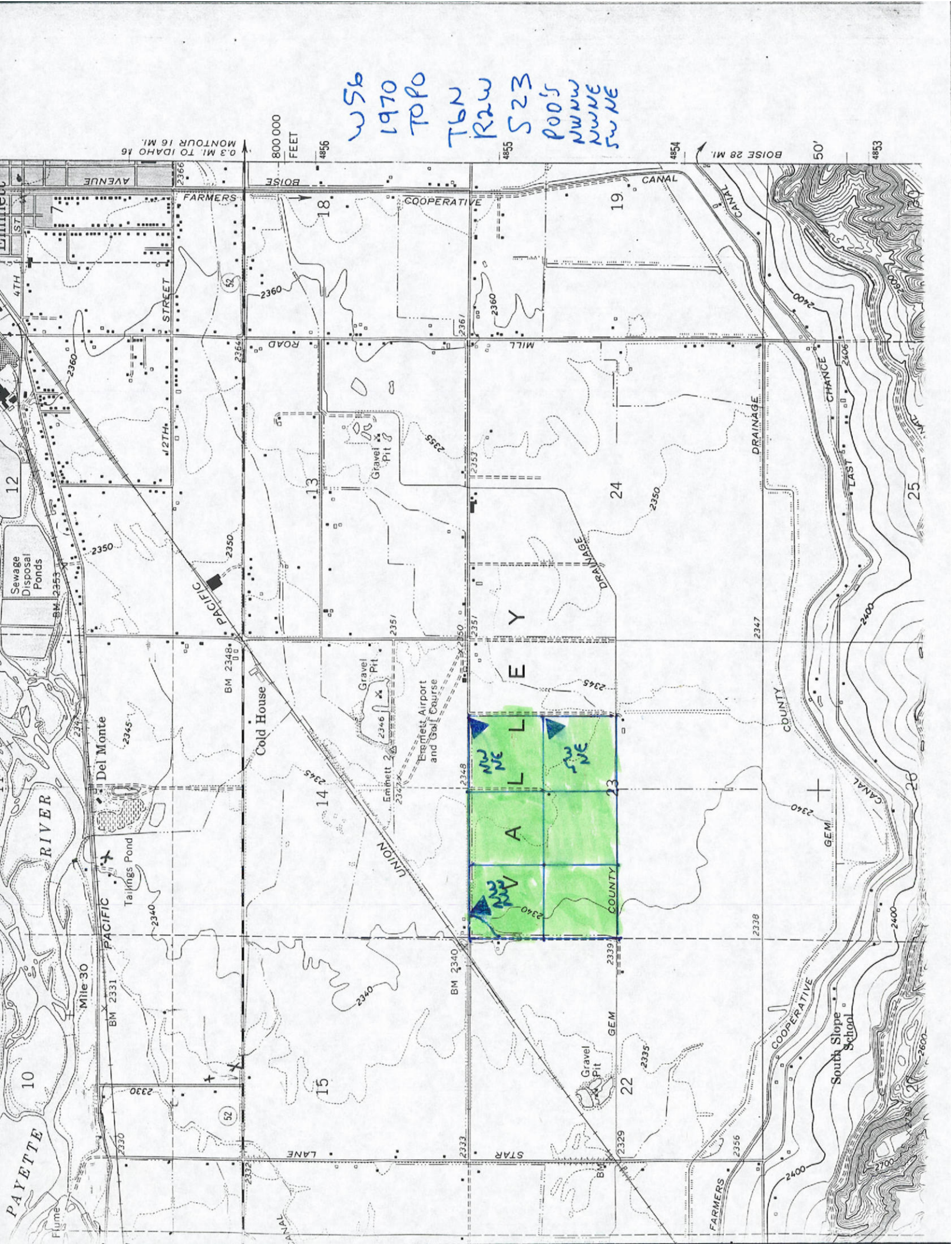


**1987 NAPP**



0 0.25 0.5 0.75 1 1.25 Miles





W56  
1970  
TOPO  
T6N  
R2W  
S23  
P00's  
NW NW  
NW NE  
SW NE

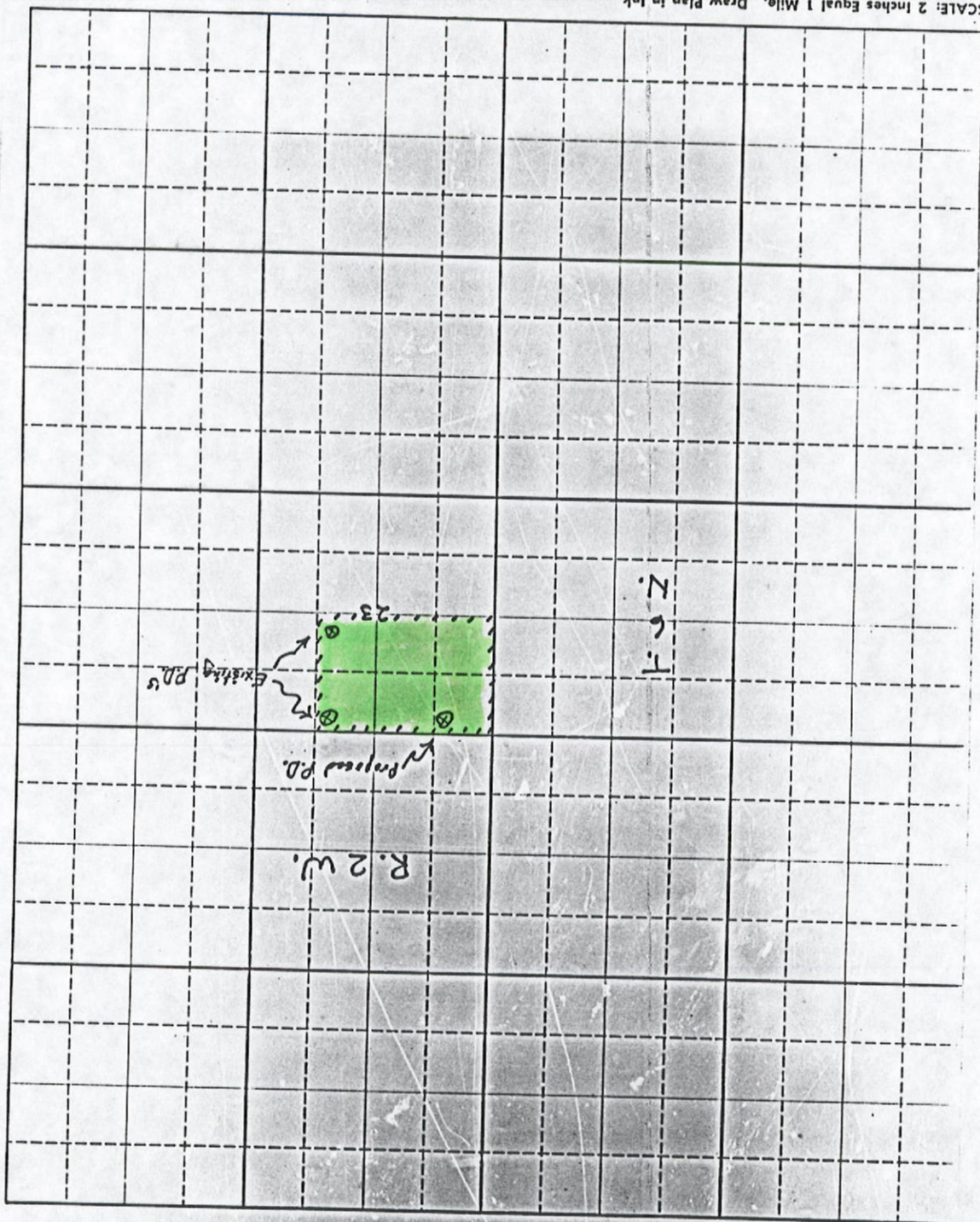


76N R2W 523

PRBA BLUELINE MARD

2652 TRAFFIC

SCALE: 2 inches Equal 1 Mile. Draw Plan in Ink.



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: A65-02652  
Date Received: 4/ 3/1990  
Receipt No: X999999  
Received By: \_\_\_\_\_

JAN 23 1991

Department of Water Resources  
Western Regional Office  
COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: JOHN B. MCCALLUM  
Address: P.O. BOX 143  
GARDEN VALLEY, ID 83622
2. Date of Priority: AUG 24, 1959
3. Source: WASTE WATER Trib. to: NORTHSIDE DRAIN
4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 06N      | 02W   | 23      | NW     | NE     |        |     | GEM    |
|          |       |         | SW     | NE     |        |     | GEM    |
|          |       |         | NW     | NW     |        |     | GEM    |

5. Description of diverting works:
6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 3.100  |      |        |
7. Total Quantity Appropriated is:  
3.100 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 06N      | 02W   | 23      | NW     | NE     |     | IRR | 39.0  |
|          |       |         | SW     | NE     |     | IRR | 39.0  |
|          |       |         | NE     | NW     |     | IRR | 39.0  |

A65-02652

Page 1

Date: 01/22/91

MICROFILMED  
SEP 21 1992

10. Place of Use: Continued

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 06N           | 02W   | 23      | NW     | NW  |     | IRR | 37.0  |
|               |       |         | SW     | NW  |     | IRR | 39.0  |
|               |       |         | SE     | NW  |     | IRR | 39.0  |
| Section Acres |       |         |        |     |     |     | 232.0 |
| Total Acres   |       |         |        |     |     |     | 232.0 |

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:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAST CHANCE DITCH CO.  
SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

## CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[ ] Water Right Number(s): A65-02652, A65-05173 and A65-05174

[ ] Name and Address of Former Claimant(s): Clyde E. Jungert  
8374 Plum Hollow Drive,  
Arizona City, Arizona 85223

[ ] New Claimant(s): John<sup>B</sup> McCallum  
P.O. Box 143

[ ] New Mailing Address: Garden Valley, Idaho 83622

New Telephone Number: (     ) \_\_\_\_\_

[ ] Does the change in ownership result in a splitting of the water right claimed? yes X no  
If yes, then describe the portion of the water right that is now claimed by the new owner:

[ ] Attach proof of ownership  
Describe proof attached: Warranty Deed from Jungert to McCallum  
(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 claimant.)

[ ] Signature of New Claimant(s): John B. McCallum  
John McCallum

Date: 12-31-90

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SEP 21 1992

CHANGE IN OWNERSHIP

Page 2

[ ] Signature of Former Claimant(s): \_\_\_\_\_

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: 4-15-91

By: *[Signature]*

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry *gac 1/10/91 OK*

Date:

By:

*Legal and Name match on deed + W.R.*

Claim Numbers of Split, if any:

After form has been completed, please return to the nearest IDWR office below:

WESTERN REGIONAL OFFICE

2735 AIRPORT WAY

BOISE, IDAHO 83705

(208) 334-2190

EASTERN REGIONAL OFFICE

150 SHOUP SUITE #15

IDAHO FALLS, IDAHO 83402

(208) 525-7161

STATE OFFICE

1301 N. ORCHARD ST.

STATEHOUSE MAIL

BOISE, IDAHO 83720

(208) 327-7906

SOUTHERN REGIONAL OFFICE

222 SHOSHONE STREET EAST

TWIN FALLS, ID 83301

(208) 734-3578

NORTHERN REGIONAL OFFICE

1910 NORTHWEST BLVD. SUITE 210

COEUR D'ALENE, IDAHO 83814

(208) 765-4639

SECURITY TITLE COMPANY  
OF IDAHO

RECEIVED  
JAN 08 1991

Department of Water Resources

Please Reply To: 1022 South Washington Av.  
P.O. Box 622  
Emmett, ID 83617  
208-365-4486

Idaho Department of Water Resources  
State Office  
1301 N. Orchard Street  
Statehouse Mail  
Boise, Idaho 83720

ESCROW NO. 3-16264  
RE: Jungert - McCallum  
DATE: January 7, 1991

In connection with the above numbered Escrow, we enclose the following:

|                                                           |                  |
|-----------------------------------------------------------|------------------|
| <input type="checkbox"/> Our check #                      | in the sum of \$ |
| <input type="checkbox"/> Deed recorded                    | Instrument No.   |
| <input type="checkbox"/> Deed of Trust recorded           | Instrument No.   |
| <input type="checkbox"/> Note dated                       | in the sum of \$ |
| <input type="checkbox"/> Title Insurance Policy No.       |                  |
| <input type="checkbox"/> Fire Insurance Binder            |                  |
| <input type="checkbox"/> Copy of Closing Statement        |                  |
| <input type="checkbox"/> Copy of Escrow Instructions      |                  |
| <input type="checkbox"/> Assignment of Trust Fund         |                  |
| <input type="checkbox"/> Change of ownership agreement    |                  |
| <input checked="" type="checkbox"/> Change in Ownership   |                  |
| <input checked="" type="checkbox"/> Copy of Warranty Deed |                  |
| <input type="checkbox"/>                                  |                  |

Any other documents to which you are entitled will be forwarded as soon as they are available.

Yours very truly,  
Security Title Company of Idaho

By:

*Lucinda M. Jensen*

MICROFILMED

SEP 21 1992

3-16264

RECORDING-REQUESTED BY:

Fee No. \_\_\_\_\_

Recorders Stamp:

WHEN RECORDED MAIL TO:

John McCallum  
P.O. Box 143  
Garden Valley, Idaho 83622

Closing  
Escrow No. 3-16264

WARRANTY DEED

For the consideration of Ten and NO/100 Dollars, and other valuable considerations, I or we,

the GRANTOR

CLYDE E. JUNGERT and BARBARA E. JUNGERT, husband and wife  
do hereby convey to

John McCallum, a single man  
P.O. Box 143  
Garden Valley, Idaho 83622

the GRANTEE

IDAHO

the following described real property situate in

Gem

County,

Township 6 North, Range 2 West B.M., Gem County, Idaho.

Section 23: NW $\frac{1}{4}$ ; SW $\frac{1}{4}$  NE $\frac{1}{4}$ ; NW $\frac{1}{4}$  NE $\frac{1}{4}$

Excepting Therefrom the following discribed portions thereof:

- (1) The East 30 feet of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  and the East 30 feet of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ .
- (2) The West 50 feet of the NW $\frac{1}{4}$

1.49 Ac +/-

SUBJECT TO: Existing taxes, assessments, liens, encumbrances, covenants, conditions, restrictions, rights of way and easements of record.

And the Grantor does warrant the title against all persons whomsoever, subject to the matters above set forth.

DATED: 12-30, 1990

Clyde E. Jungert

Barbara E. Jungert

STATE OF ARIZONA )  
County of Pinal ) ss.

This instrument was acknowledged and executed before me this 30 day  
of December, 1990 by Clyde E. Jungert + Barbara E. Jungert

Mary Ann Cole  
formerly Mary Ann Hawley  
Notary Public

2EB 5 1 1235

My commission expires June 1991 WICBOWED

STATE OF ARIZONA )  
County of ) ss.

This instrument was acknowledged and executed before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_ by \_\_\_\_\_

Notary Public

My commission expires \_\_\_\_\_

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

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE STATE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-02652

Date Received:

Receipt No: ~~X99999~~

Received By: \_\_\_\_\_

**RECEIVED**  
APR 3 1990

Department of Water Resources

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

1. Name: CLYDE E. JUNGERT  
Address: 2413 SALESYARD RD.  
EMMETT, ID

83617

Name: BARBARA E. JUNGERT  
Address: 2413 SALESYARD RD.  
EMMETT, ID

83617

2. Date of Priority: AUG 24, 1959

3. Source: WASTE WATER

Trib. to: NORTHSIDE DRAIN

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 06N      | 02W   | 23      | NW     | NE     |        |     | GEM    |
|          |       |         | SW     | NE     |        |     | GEM    |
|          |       |         | NW     | NW     |        |     | GEM    |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 3.100  |      |        |

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A65-02652

Page 1

Date: 04/03/90

**MICROFILMED**

**SEP 21 1992**

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 06N      | 02W   | 23      | NW     | NE  |     | IRR | 39.0  |
|          |       |         | SW     | NE  |     | IRR | 39.0  |
|          |       |         | NE     | NW  |     | IRR | 39.0  |
|          |       |         | NW     | NW  |     | IRR | 37.0  |
|          |       |         | SW     | NW  |     | IRR | 39.0  |
|          |       |         | SE     | NW  |     | IRR | 39.0  |

Section Acres 232.0

Total Acres 232.0

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:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAST CHANCE DITCH CO.  
SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ 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):

*[Handwritten Signature]*

Date:

*Apr. 3, 1990*

Date:

State of Idaho )

County of *Ada* )

SS.

Subscribed and sworn (or affirmed) before me this *30* day

of *April* 19 *90*

*[Handwritten Signature]*

Notary Public

Seal

Residing at

*Helen Harrington, Notary Public*

My Commission Expires

*Boise, Idaho*

My Commission Expires December 1, 1994

4/5/1989

## SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Jungert

CLAIM IDENT. NO.

A65-02652

DATE RECEIVED

CR #

AMOUNT \$

YES

NO

Require Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Require Info? \*
2. Is a priority date entered? ☐ YES ☐ NO ☐ Require Info? \*
- Is the priority date acceptable in view of mandatory filing dates? ☐ YES ☐ NO ☐ Require Info? \*
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ YES ☐ NO ☐ Require Info? \*
3. (a) Is a source entered? ☐ YES ☐ NO ☐ Require Info? \*
- (b) Is a tributary to entered? (If required) ☐ YES ☐ NO ☐ Require Info? \*
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO ☐ Require Info? \*
5. Is there a description of the diverting works? ☐ YES ☐ NO ☐ Require Info? \*
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NO ☐ Require Info? \*
- Is the period of use included? ☐ YES ☐ NO ☐ Require Info? \*
- Is a quantity claimed for each use? ☐ YES ☐ NO ☐ Require Info? \*
7. Is a total quantity claimed entered? ☐ YES ☐ NO ☐ Require Info? \*
8. If required is a consumptive use entered? ☐ YES ☐ NO ☐ Require Info? \*
- Is the consumptive use correct? ☐ YES ☐ NO ☐ Require Info? \*
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☐ NO ☐ Require Info? \*
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO ☐ Require Info? \*
11. Is (are) the county(ies) entered? ☐ YES ☐ NO ☐ Require Info? \*
12. Is the ownership of p.u. checked? ☐ YES ☐ NO ☐ Require Info? \*
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO ☐ Require Info? \*
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☐ NO ☐ Require Info? \*
15. Is the basis of the claim indicated? ☐ YES ☐ NO ☐ Require Info? \*
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO ☐ Require Info? \*
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Require Info? \*
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Require Info? \*
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Require Info? \*
20. Is the fee enclosed correct? ☐ YES ☐ NO ☐ Require Info? \*
- Exempt ☒ YES ☐ NO ☐ Require Info? \*
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO ☐ Require Info? \*
22. Should this claim be data entered? ☒ YES ☐ NO ☐ Require Info? \*

Claim checked by:

RMF

Date:

5/25/90

Claim must be returned to claimant:

☐ (Yes) ☒ (No)

Claimant must be notified of modifications:

☐ (Yes) ☒ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Stav White

Date:

Date:

Date:

7-27-90

Checked by:

B

Date:

6/6/90

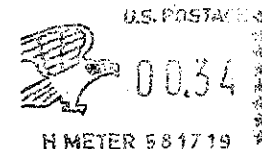
Comments:

MICROFILMED

SEP 21 1992

2 STATE OF IDAHO  
District Court  
Snake River Basin Adjudication  
P.O. Box 2707  
Twin Falls, ID 83303-2707

65-2452



- ☐ MOVED, LEFT NO ADDRESS
- ☐ NOT DELIVERABLE AS ADDRESSED
- ☐ UNABLE TO FORWARD
- ☐ ATTEMPTED - NOT KNOWN
- ☐ UNCLAIMED ☐ REFUSED
- ☐ NO SUCH STREET - NUMBER
- ☐ DO NOT REMAIL IN THIS ENVELOPE
- ☐ INSUFFICIENT ADDRESS
- ☐ NO MAIL RECEPTACLE
- ☐ BOX CLOSED NO ORDER

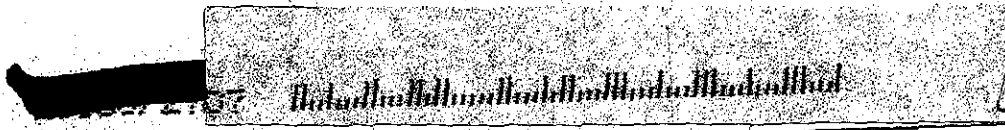
**FWD  
EXPIRED**

**RECEIVED  
JUL 09 2002  
WATER RESOURCES  
WESTERN REGION**

*No New  
Address  
Found*

NAME AND ADDRESS:

JOHN B MC CALLUM  
PO BOX 143  
GARDEN VALLEY, ID 83622



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 )  
                  ) PARTIAL DECREE PURSUANT TO  
                  ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
\_\_\_\_\_) Water Right 65-02652

RECEIVED

JUL - 5 2002

Department of Water Resources

NAME AND ADDRESS: JOHN B MC CALLUM  
PO BOX 143  
GARDEN VALLEY, ID 83622

SOURCE: WASTE WATER TRIBUTARY: PAYETTE RIVER

QUANTITY: 3.10 CFS

THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAST CHANCE DITCH CO.  
SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

PRIORITY DATE: 08/24/1959

POINT OF DIVERSION: T06N R02W S23 SWNE Within Gem County  
NWNW  
NWNE

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 03-15 TO 11-15 | 3.10 CFS |

| PLACE OF USE: | Irrigation        | Within Gem County                                                 |
|---------------|-------------------|-------------------------------------------------------------------|
|               | T06N R02W S23     | NWNE 39.0 SWNE 39.0<br>NENW 39.0 NWNW 37.0<br>SWNW 39.0 SENW 39.0 |
|               | 232.0 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

*Roger Burdick*

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

ADDRESS SERVICE  
REQUESTED



RECEIVED

SEP 21 2001

Department of Water Resources

65-2652

**IDAHO DEPARTMENT OF WATER RESOURCES**

1301 North Orchard St

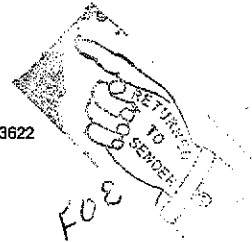
P O Box 83720

Boise, ID 83720-0098

(208) 327-7900

TO

JOHN B MC CALLUM  
PO BOX 143  
GARDEN VALLEY ID 83622



Ø



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

September 10, 2001

RE: Water Rights in Reporting Area 15, Basin 65  
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right(s) in Basin 65 for the Payette River drainage basin. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note that you have 120 days in which to review your water rights or those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Emmett, Payette, Weiser, Idaho City, and Cascade, and at all the Idaho Department of Water Resources offices (see addresses in enclosures).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed the first part of next year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher  
Director

Enclosures

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

RIGHT NUMBER: 65-2652

NAME AND ADDRESS: JOHN B MC CALLUM  
PO BOX 143  
GARDEN VALLEY ID 83622

SOURCE: WASTE WATER

TRIBUTARY: PAYETTE RIVER

QUANTITY: 3.100 CFS

THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAST CHANCE DITCH CO. SHALL  
PROVIDE NO MORE THAN .02 CFS/ACRE.

PRIORITY DATE: 08/24/1959

POINT OF  
DIVERSION:

T06N R02W S23 NWNE Within GEM County  
T06N R02W S23 SWNE Within GEM County  
T06N R02W S23 NWNW Within GEM County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 3/15 11/15           | 3.100 CFS       |

PLACE OF USE: IRRIGATION Within GEM County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T06N R02W S23 | NWNE | 39.0 | T06N R02W S23 | SWNE | 39.0 |
| T06N R02W S23 | NENW | 39.0 | T06N R02W S23 | NWNW | 37.0 |
| T06N R02W S23 | SWNW | 39.0 | T06N R02W S23 | SENW | 39.0 |

232 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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LAST CHANCE DITCH CO.

**RETURN SERVICE REQUESTED**

**RETURNED TO SENDER**

☐ MOVED, LEFT NO ADDRESS  
☐ NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD  
☐ ATTEMPTED ☐ NOT KNOWN  
☐ UNCLAIMED ☐ REFUSED  
NO SUCH STREET - NUMBER \_\_\_\_\_  
DO NOT REMIT IN THIS ENVELOPE  
NEW ADDRESS \_\_\_\_\_  
NOT RECOGNIZABLE  
NO ORDER

65-2652

WATER RESOURCES  
WESTERN REGION

ALPES 33632





## State of Idaho

# DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

May 4, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

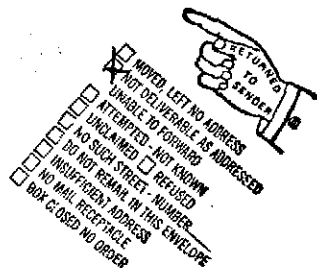
If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at [www.idwr.state.id.us/info/water/srba/forms.htm](http://www.idwr.state.id.us/info/water/srba/forms.htm) or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.  
Adjudication Bureau Chief

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WESTERN REGIONAL OFFICE  
2735 AIRPORT WAY  
BOISE, IDAHO 83705

ADDRESS SERVICE  
REQUESTED



FOE

JOHN B MC CALLUM  
PO BOX 143  
GARDEN VALLEY ID 83622

65-02652

Sent again 3/16/01 To:

Rt 1 Box 451

Glenns Ferry 83623

RECEIVED

MAR 15 2007

WATER RESOURCES  
WESTERN REGION

12/28/2000

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

RIGHT NUMBER: 65-2652

NAME AND ADDRESS: JOHN B MCCALLUM  
PO BOX 143  
GARDEN VALLEY, ID 83622

SOURCE: WASTEWATER TRIBUTARY: PAYETTE RIVER

QUANTITY: 3.1 CFS

THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAST CHANCE DITCH  
CO. SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

PRIORITY DATE: 08/24/1959

|                     |               |      |                   |
|---------------------|---------------|------|-------------------|
| POINT OF DIVERSION: | T06N R02W S23 | NWNE | Within GEM County |
|                     | T06N R02W S23 | SWNE | Within GEM County |
|                     | T06N R02W S23 | NWNW | Within GEM County |

PURPOSE AND  
PERIOD OF USE:

|                       |                      |                 |
|-----------------------|----------------------|-----------------|
| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
| IRRIGATION            | 3-15 11-15           | 3.10 CFS        |

PLACE OF USE:

|                                     |      |    |               |      |    |
|-------------------------------------|------|----|---------------|------|----|
| <u>IRRIGATION Within GEM County</u> |      |    |               |      |    |
| T06N R02W S23                       | NWNE | 39 | T06N R02W S23 | SWNE | 39 |
| T06N R02W S23                       | NENW | 39 | T06N R02W S23 | NWNW | 37 |
| T06N R02W S23                       | SWNW | 39 | T06N R02W S23 | SENE | 39 |

232 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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM LAST CHANCE  
DITCH CO.

AJ5809NP  
No. A65-02652

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/18/00  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS                                          | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|---------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | JOHN B MCCALLUM<br>PO BOX 143<br>GARDEN VALLEY ID 83622 | 08/24/1959       | IRRIGATION | 03-15 11-15           | 3.100 CFS         |                     |
|               |                                                         |                  |            |                       | TOTAL DIVERSION:  | 3.100 CFS           |

Water Source: WASTE WATER

Tributary to: NORTHSIDE DRAIN *PAYETTE RIVER* Stage: DECREED

Point(s) of Diversion: T06N R02W S23 NWNE SWNE NWNW GEM County

Place of use Legal Description for: IRRIGATION

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |             |       |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------------|-------|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | :           | SUM   |
| 06N | 02W | 23 | : |    |    | 39 | 39 |    |    | 39 | 37 | 39 | 39 |    |    |    |    |    |    | :           | 232.0 |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES | 232.0 |

POU County: GEM

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAST CHANCE DITCH CO.  
SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

*JONT  
E28 & W24*

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:  
Presumption Flag:

*d18*

WR5809NP  
No. 65-02652

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 09/18/00  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                              | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | CLYDE E. JUNGERT                                            | 08/24/1959       | IRRIGATION | 03/15 11/15           | 3.100 CFS         |                     |
| C                | BARBARA E. JUNGERT<br>2413 SALESYARD RD.<br>EMMETT ID 83617 |                  |            |                       |                   |                     |
| TOTAL DIVERSION: |                                                             |                  |            |                       | 3.100 CFS         |                     |

Water Source: WASTE WATER

Tributary to: NORTHSIDE DRAIN

Stage: DECREED

Point(s) of Diversion: T06N R02W S23 NWNE SWNE NWNW GEM County

Place of use Legal Description for: IRRIGATION

| NE  |     |    |   | NW |    |    |    | SW |    |    |    | SE |    |    |    |             |       |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|-------------|-------|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | :           | SUM   |
| 06N | 02W | 23 | : |    |    | 39 | 39 | :  | 39 | 37 | 39 | 39 | :  |    |    | :           | 232.0 |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES | 232.0 |

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
65-05174

Other Water Rights Listing Overlapping Place(s) of use:  
65-00054X 65-13609

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF LAST CHANCE DITCH CO.  
SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

Dates: App. Received: Priority Date: 08/24/1959  
Proof Due Date: Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

**T06N R02W  
S23**

# Idaho Department of Water Resources

**Claims: 65-02652**

**Prepared by:**

**RON HOWERTON**

**Date: 28 DEC 00**

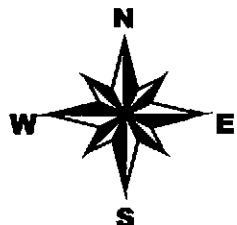
 **Place of use**

 **POD**

 **SECTION**

 **1/4 1/4**

**232 Acres**



**1987 NAPP**



**T06N R02W  
S23**

# Idaho Department of Water Resources

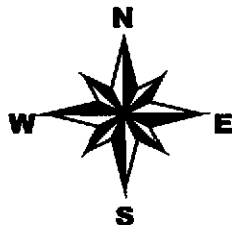
**Claims: 65-02652  
Prepared by:  
RON HOWERTON  
Date: 28 DEC 00**

 **Place of use**

● **POD**

 **SECTION**

 **1/4 1/4**

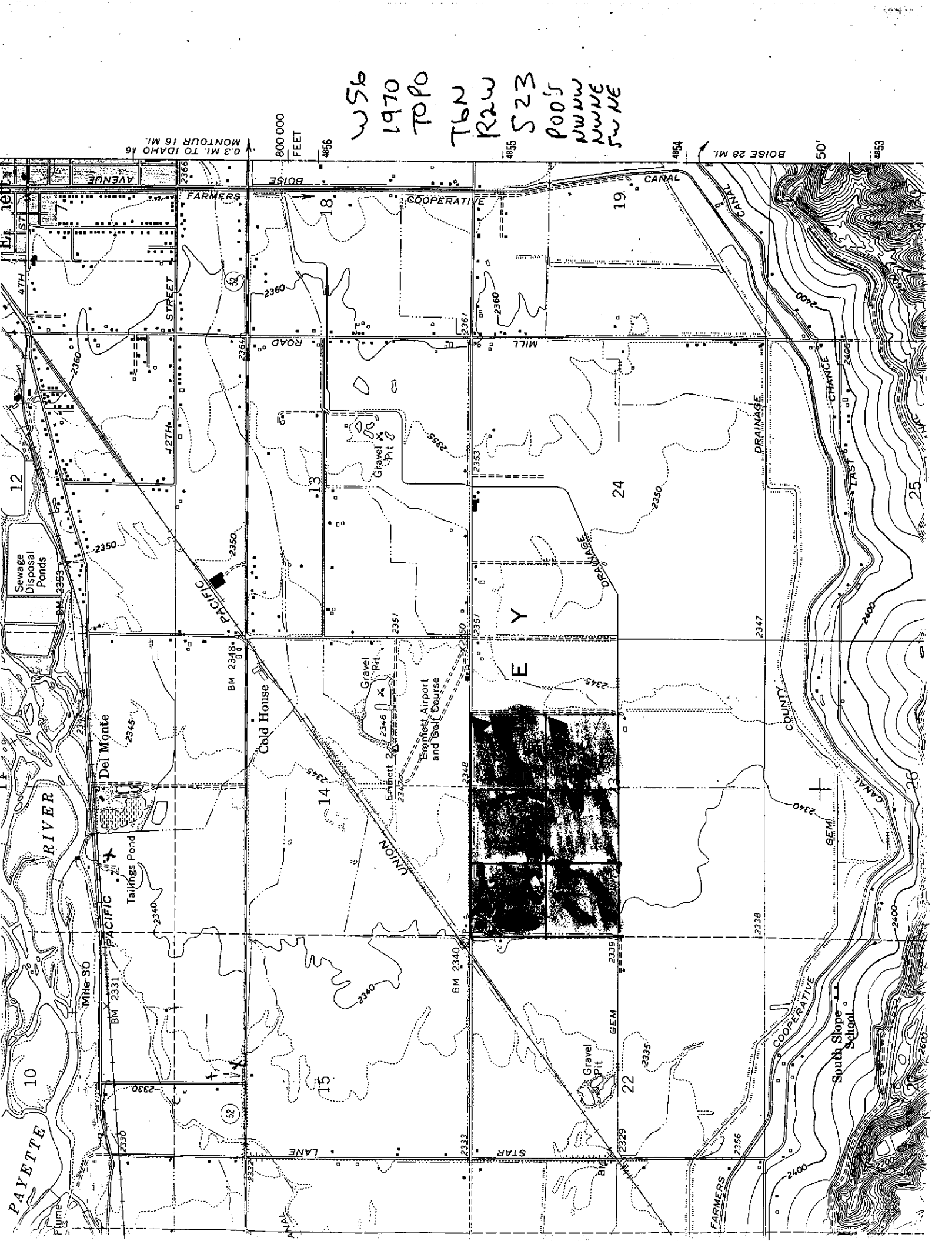


**1987 NAPP**



0 0.25 0.5 0.75 1 1.25 Miles





W56  
1970  
TOPO  
T6N  
R2W  
S23  
POO'S  
NW NW  
NW NE  
SW NE

0.3 MI. TO IDAHO 16  
MONTAUR 16 MI.

BOISE 28 MI.

50'

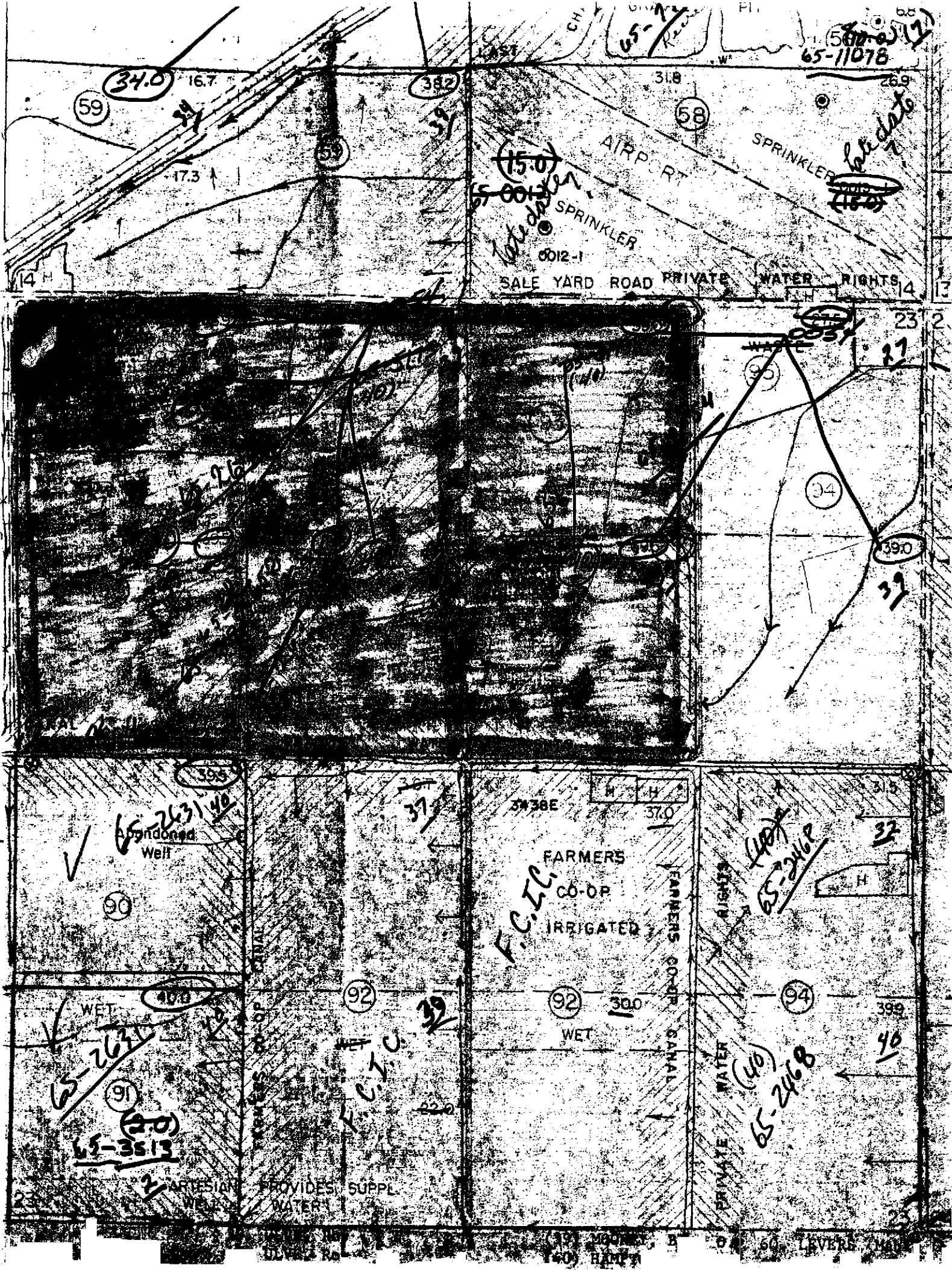
4853

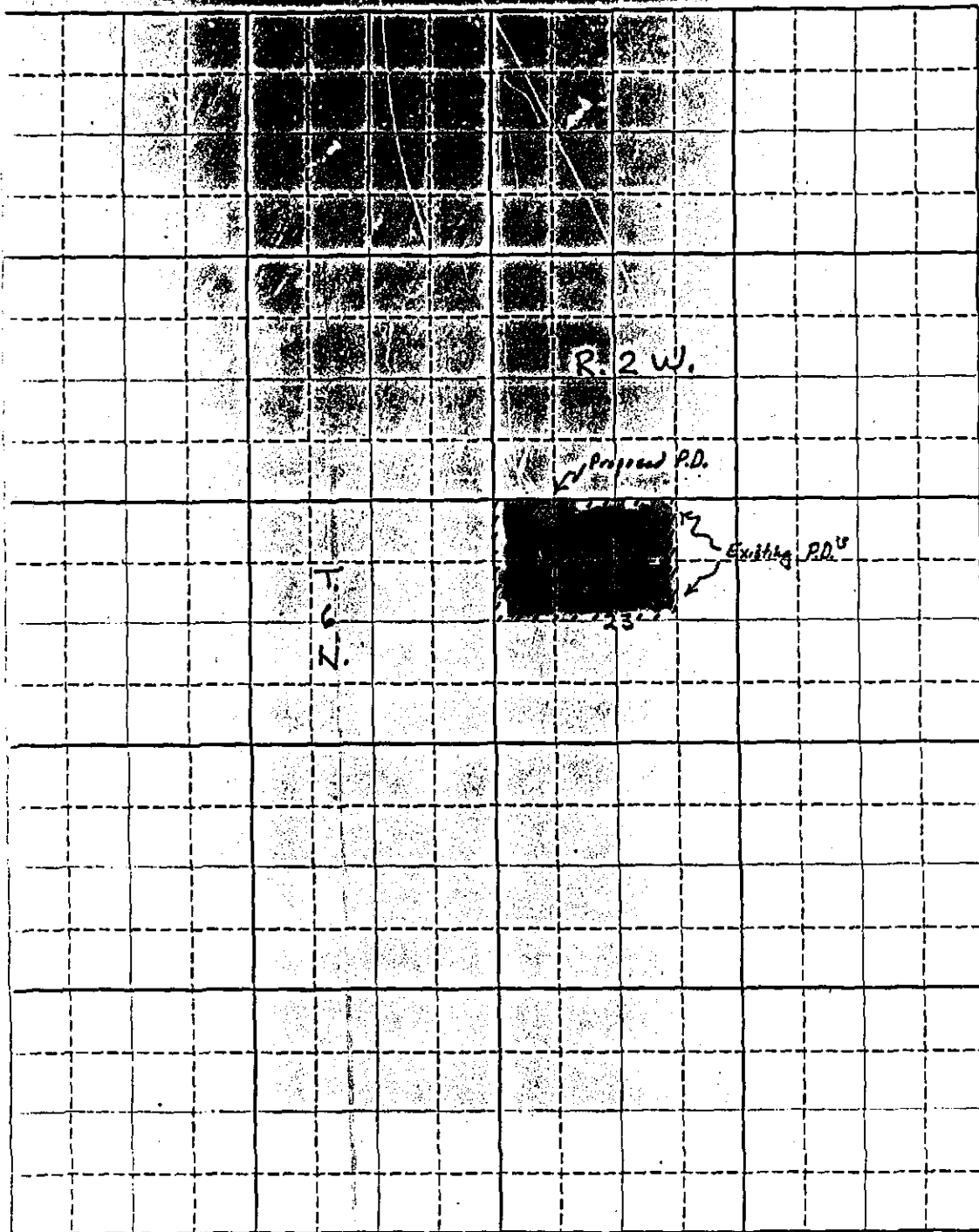
4854

4855

4856

800 000  
FEET





SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

2652 TRANSFER

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.

MAP NO.

2652  
65-5115 Department of Labor Administration

Notice is hereby given that Glyde E. and/or Barbara E. Jungert  
(Name of Claimant)

Route 1, Box 312, Panguitch, Utah 84619, claims a right to the diversion and beneficial use of the surface or groundwater, of or tributary to the Payette River; The center line of said stream is shown on the attached map.

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) \_\_\_\_\_

~~August 24, 1959~~

- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Gen Co Drain #1

Private drain and a district drain / Wastewater trip to wastewater

- (8) 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 310 1044 AFA 1044 AFA Period of Use From 4/15 To 10/31  
(Both Dates Inclusive) (Mo., Day) (Mo., Day)

Use 1044 AFA Period of Use From \_\_\_\_\_ To \_\_\_\_\_  
(Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive) (Mo., Day) (Both Dates Inclusive)

Use \_\_\_\_\_ Period of Use From \_\_\_\_\_ To \_\_\_\_\_  
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

- (4) Quantity of water claimed: 3.10 Cubic Feet Per Second, or \_\_\_\_\_ 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 NE 1/4, Sec. 23, Twp. 6N, Rge. 2W, B.M.; additional points: SW 1/4 NE 1/4 Sec. 23 Twp. 6N Rge. 2W B. M.; NW 1/4 NE 1/4, Sec. 23, Twp. 6N, Rge. 2W B. M.

- 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 into ditch~~

- (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.

[illegible]

Total No. of acres ~~298~~ 237  
possible:

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: \_\_\_\_\_

- (7) Effluent, sewage waste, or return water from this use is discharged into  
drain fields

- (8) If you are claiming water as a member of an organization, list name of organization. 6-Pharmaceuticals

- (9) Remarks This night open combined with night 44-054 sh 11  
6N 2W Map D No. 93 not exceed 0205/12 no more than 4505/12

- (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.: 65-2652 Lic

65-2652 *File*  
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- \_\_\_\_\_

August 31, 1971  
(Date)

Individual: John Gungut  
(Signature of Claimant) **KEYPUNCHED**

Organization \_\_\_\_\_ (Signature of Spouse) *9-8-76* *4-8-11* *FWS*

State of Idaho }  
 } ss.  
 Organisation  
 Seal

County of Gen )  
On this 31 day of August, in the year 1971, before me,  
a notary public, personally appeared Clyde F. Jungert

a notary public, personally appeared Clyde E. Jungert  
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 \_\_\_\_\_) executed the same. *[Signature]*

Notary Public residing at Kenneth H. Fort  
Boise Idaho

My commission expires May 26, 1974  
Ren 4/1/77

9KN Noise, Texas



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

January 22, 1991

John B. McCallum  
P.O. Box 143  
Garden Valley, ID 83622

RE: Snake River Basin Adjudication (SRBA)  
Gem County - Claims #A65-02652, A65-05173  
& A65-05174

Dear Mr. McCallum:

Notice of the change in ownership of the above-referenced water right has been received. The Claim to Water Rights records of the Department have been changed to reflect such notice.

A claim prepared from the Agency's computer is enclosed for your review and records. If you find the address is incorrect, please contact us.

Yours truly,

John D. Carlson  
Adjudication Supervisor

JDC:sf:0:west

Enclosures:

Claims Referenced Above

MICROFILMED  
SEP 21 1992

5/89

Date Received \_\_\_\_\_

**RECEIVED**

APR 3 1990

**State of Idaho  
Department of Water Resources  
REQUEST FOR EXTENSION OF TIME  
TO FILE ADJUDICATION CLAIM(S)**

**Department of Water Resources**

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Jungert Clyde E. ( ) 345 5669  
Name of Claimant Phone Number

2413 Sales Yd Rd Commish Idaho 836 107  
Mailing Address City State Zip

Gem Feb 14, 1990  
County(s) where place of use is located Date claim originally due

H65-02652 - H65-05773 H65-05774  
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

Gone to Arizona Sept. to April Mail

Held up. Have home (winter home)

Yuma Ariz.

Claimant requests an extension to \_\_\_\_\_, 19 \_\_\_\_

[Signature] \_\_\_\_\_, 19 \_\_\_\_  
Signature Date of request

Owner  
Title

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to April 3, 19 90

Signed this 28 day of April, 19 90

[Signature]  
Director or his Designated agent

**DAVID B. SHAW**

Mail to: Idaho Department of Water Resources  
1301 N. Orchard St.  
Boise, ID 83706

**MICROFILMED****SEP 21 1992**

DEC 8 1989

Department of Water Resources

12334 Camins Loma Vista  
Yuma, Ariz. 85365  
December 3, 1989

Adjudication Bureau  
Dept. of Water Resources  
Boise, Idaho

Id # 65-05173  
Case # 39576

To Whom It May Concern:

We received your letter regarding water rights today. My water rights are all filed on. As I understand it, these water rights you are asking about are not complete.

I have a water right out of the Payette River under Last Chance Ditch.

MICROFILMED

SEP 21 1992

I have a water right out of the drain ditch on the east side of my property, serviced by my pumps.

I have a water right out of the drain ditch on the north side of my property serviced by my pump

I have a domestic pump for cattle  
& household use.

I do not understand these forms you  
sent. You ask me to swear that  
they are true. This I cannot do  
until I get back to Boise in April.  
At that time I'll come to your office  
& verify.

We are in Arizona for the winter. We  
have none of our files pertaining to  
water rights here with us; besides,  
ours have all been filed on.

Yours truly,  
Chas. E. Jorgensen.

MICROFILMED

SEP 21 1992