

Idaho Dept. of Water Resources

Claim No(s): 65-10500

Claimant(s): Brutsman,
Baker

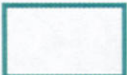
T09N, R04E, S 9

Prepared by: Sue Bock

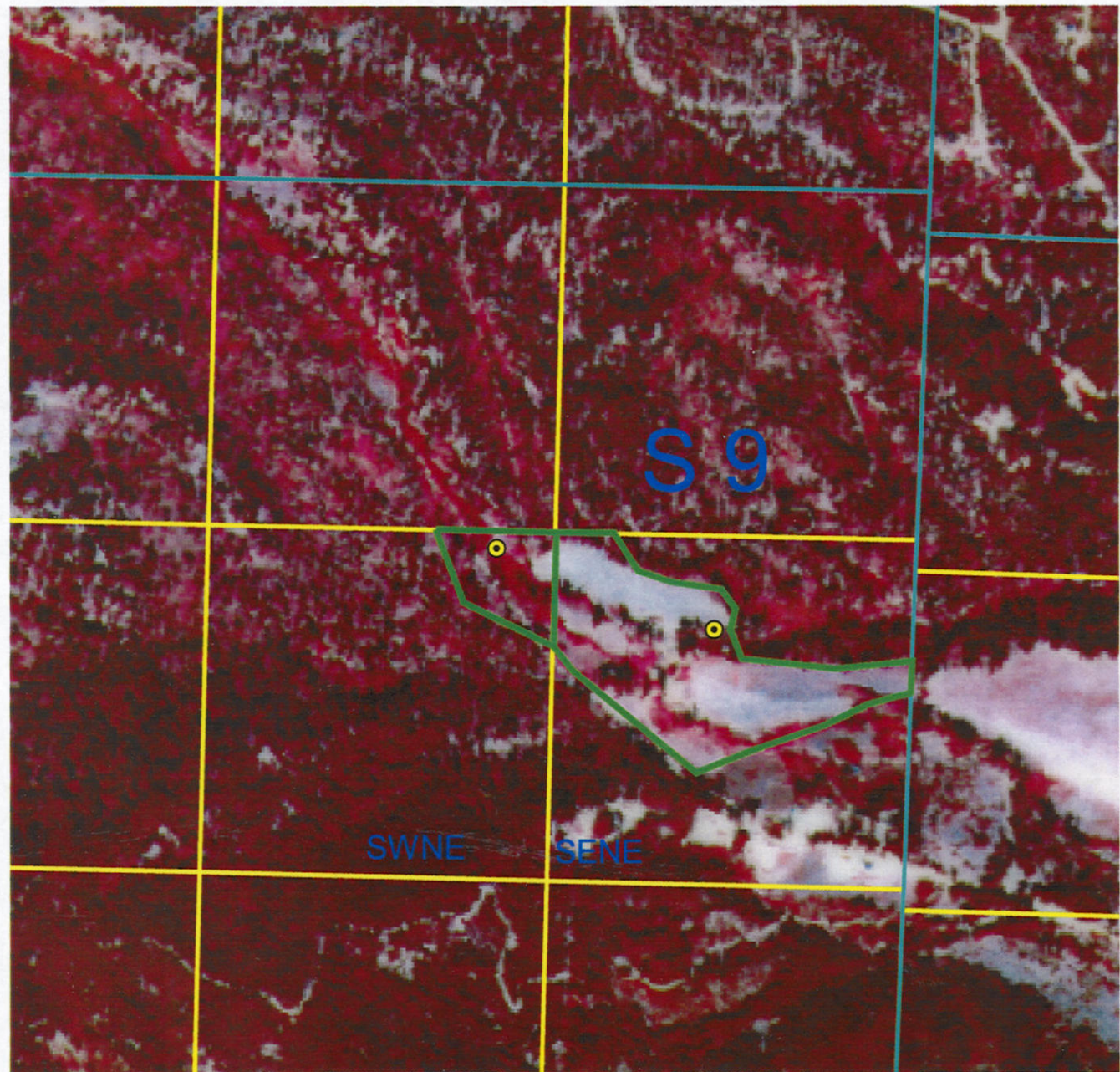
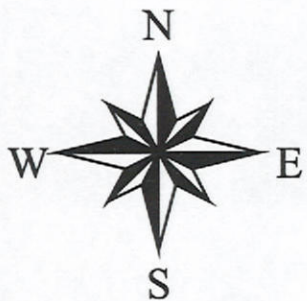
Date: 11/17/1999

 Place of Use

 Point of Diversion

 Section lines

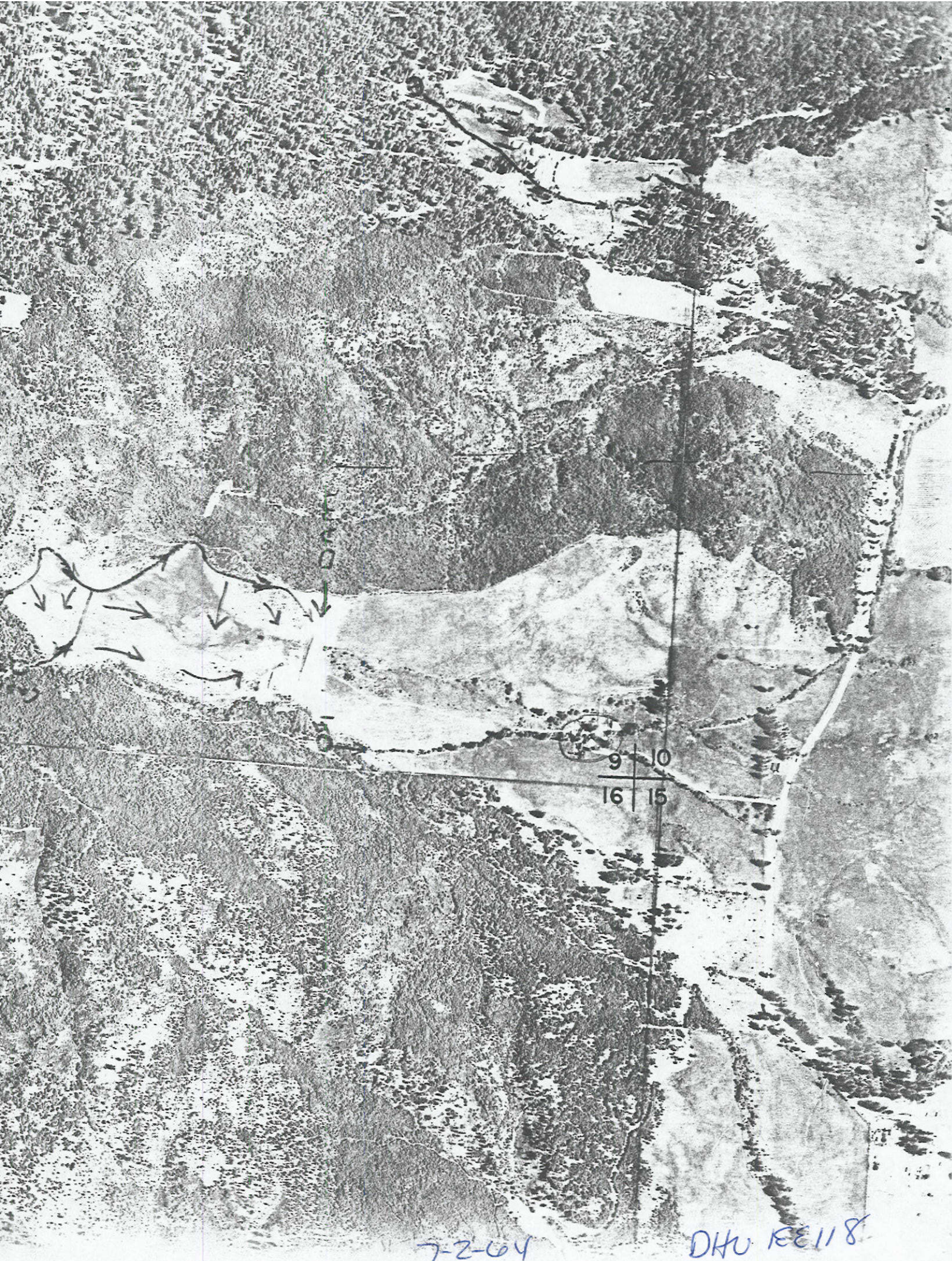
 1/4 1/4 lines



1987 NAPP Photo

0 0.3 0.6 Miles





7-2-64

DHU EE118

0050
10 ac.

520'

Lot #2 - 41.16 ac N 89° 21' 24" E 1352.11'

1820
Tx 288
29.91 ac

N 0° 21' 15" W 1050.1'

S 100° 41' W 732.24'

S 89° 17' 20" W 387.45' N 86° 37' 43" W 405.41'

2135
Tx 257
1.2 ac
190'

2200
Tx 271
1.2 ac
190'

2245
3.06 ac

2390
Tx 186
1.5 ac

2325
Tx 258
1.01 ac
235'

2395
Tx 262
210'

2250
Tx 251
1.01 ac
200'

2265
Tx 287
1.2 ac
171.71'

Lot #3
440.66 ac.

Lot #4
40.15 ac.

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: A65-10500
Date Received: 4/13/1989
Receipt No: X999999
Received By: SR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANABEL M. BRUTSMAN 208-365-6851
Address: 3131 SHELLROCK STREET
EMMETT, ID 83617
OR
Name: CARL C. BRUTSMAN 208-365-6851
Address: 3131 SHELLROCK STREET
EMMETT, ID 83617
OR
Name: JAY P. BAKER 208-939-6485
Address: ROUTE 3 HEREFORD LANE
EAGLE, ID 83616
2. Date of Priority: APR 01, 1952
3. Source: SCANLAND CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09N	04E	9	SW	NE	NE	2	BOISE
			SE	NE			BOISE
5. Description of diverting works:
HEADGATE & GRAVITY PIPELINE.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
IRRIGATION	04/01	11/01	0.320		
7. Total Quantity Appropriated is:
0.360 C.F.S. (and/or) 1.20 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.

A65-10500

Page 1

Date: 04/13/89

MICROFILMED
SEP 24 1992

9. Non-irrigation uses:
DOMESTIC FOR ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	04E	9	SW	NE		IRR	3.0
			SW	NE		DOMEST	
			SE	NE		IRR	13.0
						Section Acres	16.0
						Total Acres	16.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
N/A

14. Remarks:
PART OF JOHN SCANLAND HOMESTEAD OF 1886.

15. Basis of Claim: DECREED
Case Number: 3667
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 no 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): Carl C Brutsman Date: 4-13-89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of APRIL 19 89
Donet E. Lull
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994

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: A65-10500
Date Received: 2/27/89
Receipt No: X99999
Received By: DA S

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAY P. BAKER 208-939-6485
Address: ROUTE 3 HEREFORD LANE
EAGLE, ID 83616
2. Date of Priority: APR 01, 1952
3. Source: SCANLAND CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09N	04E	9	SW	NE	NE	2	BOISE
			SE	NE			BOISE

5. Description of diverting works:
HEADGATE & GRAVITY PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
IRRIGATION	04/01	11/01	0.320		

7. Total Quantity Appropriated is:
0.360 C.F.S. (and/or) 1.20 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
09N	04E	9	SW	NE		IRR	3.0
			SE	NE		IRR	13.0
						Section Acres	16.0

MICROFILMED
SEP 24 1992

10. Place of Use: Continued

Total Acres 16.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-10500

Date Received:

Receipt No: X99999

Received By: BAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAY P. BAKER 208-939-6485
Address: ROUTE 3 HEREFORD LANE
EALE, ID 83616
2. Date of Priority: ^{EAGLE TB} APR 01, 1952
3. Source: SCANLAND CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09N	04E	9	SW	NE	NE	2	BOISE
			SE	NE			BOISE

5. Description of diverting works:
HEADGATE & GRAVITY PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
IRRIGATION	04/01	11/01	0.320		

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

1.20 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
09N	04E	9	SW	NE		IRR	3.0
			SE	NE		IRR	13.0

Section Acres 16.0

A65-10500

Page 1

Date: 03/27/89

MICROFILMED

SEP 24 1992

10. Place of Use: Continued

Total Acres 16.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

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: 0

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): Jay P. Baker Date: 3/27/89
Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27th day,
of March 19 89 Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
 Residing at Boise, Idaho
My Commission Expires December 1, 1994

3-6-00

left msg.
w/wife that
we need some
documentation
showing the
ownership going
to Jay Baker.

Jay Baker

phoned 3-8-00

Will send deed
to change Owner,
also change

65-18083

3-14-00

left message for
Jay Baker that
deed he sent does
not cover all of
the water rights,
only a portion.
Please send any
additional info.
he might have



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

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 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

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

DOMESTIC
WELL

Receipt No: C006044

Call
Jay Baker

Date: 03/27/89
Time: 16:37:38

Received
From: BAKER, JAY B.

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$25.00
Total		\$25.00

CHECK 1067

WR/NO: A65-12159

Idaho Department of Water Resources

Region: STATE

Signature: Bruce A. Schell

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

RECEIVED

MAR 13 2000

WATER RESOURCES
WESTERN REGION

Ident. Number: A65-10500

Date Received:

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAY P. BAKER 208-939-6485
Address: ROUTE 3 HEREFORD LANE
EAL, ID 83616
2. Date of Priority: APR 01, 1952
3. Source: SCANLAND CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	04E	9	SW	NE			BOISE
			SE	NE		2	BOISE

5. Description of diverting works:
HEADGATE & GRAVITY PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20
IRRIGATION	04/01	11/01	0.320		

7. Total Quantity Appropriated is:
0.360 C.F.S. (and/or) 1.20 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	Lot	Use	Acres
09N	04E	9	SW	NE		IRR	3.0
			SE	NE		IRR	13.0
						Section Acres	16.0

A65-10500

Page 1

Date: 03/27/89

10. Place of Use: Continued

Total Acres 16.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-12159
Date Received: 3/27/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAY P. BAKER 208-939-6485
Address: ROUTE 3 HEREFORD LANE
EAGLE, ID 83616

2. Date of Priority: AUG 08, 1978

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	04E	9	SE	SE			BOISE

5. Description of diverting works:
DEVELOPED SPRING PIPELINE & RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.030		2.40

7. Total Quantity Appropriated is:
0.030 C.F.S. (and/or) 2.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	04E	9	SE	SE		DOMEST	

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

3 P/D IN SESE, S9, T9N, R4E.

15. Basis of Claim: LICENSE

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

CARL C. BRUTSMAN and ANNABEL L. BRUTSMAN, husband
and wife,

the grantors, do hereby grant, bargain, sell and convey unto

JAY P. BAKER and LINDA J. BAKER, husband and wife,
the grantees, whose current address is Route 3, Hereford Lane, Eagle, Idaho 83616

the following described premises, in Boise County Idaho, to wit:

A parcel of land located in the Southeast 1/4 of the
Northeast 1/4 of Section 9; Township 9 North; Range 4 East;
Boise Meridian; Boise County, Idaho; more particularly
described as follows:

Beginning at a Brass Cap marking the East 1/4 Corner of
Section 9; T. 9 N.; R. 4 E.; B.M.; thence N. 1°01'41" E.
582.82 feet along the Section line common to Sections 9
and 10 to an Iron Pin being the Real Point of Beginning;
thence, leaving said Section Line, S. 88°20'19" W.
219.53 feet to an Iron Pin; thence, S. 1°01'41" W.
190.00 feet to an Iron Pin; thence N. 88°58'19" W.
314.25 feet to an Iron Pin; thence S. 1°01'41" W. 142.51
feet to an Iron Pin; thence N. 88°27'43" W. 405.41 feet
to an Iron Pin; thence S. 89°17'20" W. 387.45 feet to an
Iron Pin on the 1/16 line; thence N. 0°21'15" W.
1050.10 feet along the 1/16 line to an Iron Pin and
Aluminum Cap marking the Northeast 1/16 Corner of
Section 9; thence N. 89°21'29" E. 1352.11 feet along the
1/16 line to an Iron Pin and Aluminum Cap marking the
North 1/16 Corner common to Sections 9 and 10; thence S.
1°01'41" W. 738.24 feet along the Section Line common to
Sections 9 and 10 to the Real Point of Beginning; said
Parcel containing 29.91 acres more or less;

Together with all and singular the tenements, hereditaments
and appurtenances thereunto belonging or in anywise
appertaining;

Subject to all easements, rights of way, restrictions and
reservations of record or appearing on the land.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said
Grantees, that they are the owners in fee simple of said premises; that they are free from all in-
cumbrances.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 12, 1985

Carl C. Brutsman
Carl C. Brutsman
Annabel L. Brutsman
Annabel L. Brutsman

STATE OF IDAHO, COUNTY OF Boise
On this 12 day of August, 19 85,
before me, a notary public in and for said State, personally
appeared

CARL C. BRUTSMAN,

Annabel L. Brutsman
known to me to be the person whose names is
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Beulah Ray
Notary Public
Residing at Jordan Valley, Idaho
Comm. Expires 2-23-87

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for
record at the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

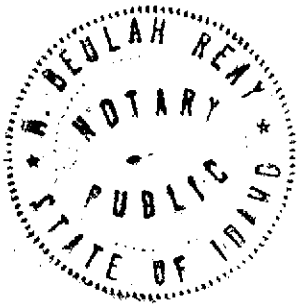
Fees \$
Mail To:

INSTRUMENT NO.

STATE OF IDAHO)
County of Baile) ss.

On this 12 day of August, 1985, before me the undersigned Notary Public, personally appeared ANNABEL L. BRUTSMAN, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this acknowledgment first above written.



M Beulah Reay
Notary Public for Idaho
Residing at Garden Valley

166403

INST# 166403
REQUEST Auf Baker
97 OCT 20 AM 11:20
COUNTY RECORDER
BY Shirley George
FEE Recd Fee \$6.00

February 3, 2000

NOTICE OF ERROR
REPLY

RECEIVED
MAR 1 2000
Department of Water Resources

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: March 3, 2000

RECEIVED
MAR 01 2000
WATER RESOURCES
WESTERN REGION

Water right number: 65-10500

JAY P BAKER
ROUTE 3 HEREFORD LANE
EAGLE ID 83616

Daytime Telephone Number:

Evening Telephone Number: 939-6485

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

I HAVE FULL OWNERSHIP OF THIS PROPERTY + WATER RIGHTS NOW. THE ONLY THING I WISH TO CHANGE IS TO DELETE ANABEL + CARL GRUTSMAN FROM THE RECORDS.

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

Jay P. Baker

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: 2/26/00 SIGNATURE:

Please print your name:

Jay P. Baker
JAY P. BAKER

RIGHT NUMBER: 65-10500

NAME AND ADDRESS: ANABEL M BRUTSMAN
CARL C BRUTSMAN
3131 SHELLROCK ST
EMMETT ID 83617

JAY P BAKER
ROUTE 3 HEREFORD LANE
EAGLE ID 83616

SOURCE: SCANLAND CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK

QUANTITY: 0.36 CFS

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

PRIORITY-DATE: 04/01/1952

POINT OF DIVERSION T09N R04E S09 SWNE Within BOISE County

LOT 2 (SENE)

PURPOSE AND PERIOD OF USE:		PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION		04-01 11-01	0.32 CFS
	DOMESTIC 1 HOME		01-01 12-31	0.04 CFS
				1.2 AFY

PLACE OF USE:	IRRIGATION	Within BOISE County
	T09N R04E S09	SWNE 3 SENE 13
	16 ACRES TOTAL	

DOMESTIC Within BOISE County
T09N R04E S09 SWNE

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

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

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. PART OF JOHN SCANLAND HOMESTEAD OF 1886.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

WESTERN REGION

OWNER (S): Brutsmann Baker

CLAIM NUMBERS: 105-10500

AGENT: Sue Bock DATE _____

RIGHT NO				NE				NW				SW				SE			
	TSP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
P.O.D.	TOWNSHIP			RANGE				SEC.				SOURCE							

POLYGON CREATED ON 332

POLYGON # () () () () UPDATED BY sue

ATTRIBUTES OF B65-POU.SHP (1143) () () () ()

ATTRIBUTES OF B65-POD.SHP (1138) (1139) () () () ()

DEVE *ISURE*

X B65-DBPOU.DBF UPDATED BY sue

X B65-DBPOD.DBF UPDATED BY sue

NOTES:

AJ0749NP
No. R65-10500

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/27/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANABEL M BRUTSMAN	04/01/1952	IRRIGATION	04-01 11-01	0.320 CFS	
C	CARL C BRUTSMAN		DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
	3131 SHELLROCK ST					
	EMMETT ID 83617					
	(208) 365-6851			TOTAL DIVERSION:	0.360 CFS	
C	JAY P BAKER					
	ROUTE 3 HEREFORD LANE					
	EAGLE ID 83616					
	(208) 939-6485					

Water Source: SCANLAND CREEK

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: DECREED

Point(s) of Diversion:

T09N R04E S09

SWNE Lot02(SENE)

BOISE 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	
09N	04E	9	:					03		13	:								16.0	
																			TOTAL ACRES	16.0

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	
09N	04E	9	:					D	:										

POU County: BOISE

Non-Irrigation Uses: 1 HOME

Other Rights: N/A

Conditions of Approval:

- N10 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N12 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
- NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: GEN PART OF JOHN SCANLAND HOMESTEAD OF 1886.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R65-10500

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/27/99
PAGE: 2

=====

Audit: 12/27/99 SBOCK

AJ5809NP
No. R65-10500

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/27/99
PAGE: 111

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANABEL M BRUTSMAN	04/01/1952	IRRIGATION	04-01 11-01	0.32 CFS	
C	CARL C BRUTSMAN 3131 SHELLROCK STREET EMMETT ID 83617 (208) 365-6851		DOMESTIC	01-01 12-31	0.04 CFS	1.20 AFA
TOTAL DIVERSION:					0.36 CFS	1.20 AFA

C JAY P BAKER
ROUTE 3 HEREFORD LANE
EAGLE ID 83616
(208) 939-6485

Water Source: SCANLAND CREEK

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: DECREED

Point(s) of Diversion:

T09N R04E S09

SWNE Lot02(SENE)

BOISE 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
09N	04E	9	:					03	13	:										:	16.0
TOTAL ACRES																				16.0	

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	:	
09N	04E	9	:					D	:											:	

POU County: BOISE

Non-Irrigation Uses: DOMESTIC FOR ONE HOUSEHOLD *1 Home*

Other Rights: N/A

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-18049 65-18083 A65-10500 A65-11342 A65-18049 A65-18083 R65-11342

Other Water Rights Listing Overlapping Place(s) of Use:
A65-10500

Remarks: GEN *Comm.* PART OF JOHN SCANLAND HOMESTEAD OF 1886.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

*N10
N12*

AJ5809NP
No. R65-10500

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/27/99
PAGE: 112

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Audit: 03/26/99 JSHURTE

WR5809NP
No. 65-10500

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/17/99
PAGE: 67

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CARL C. BRUTSMAN	04/01/1952	IRRIGATION	04/01 11/01	0.320 CFS	
C	ANABEL M. BRUTSMAN		DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
	GARDEN VALLEY ID 83622					
TOTAL DIVERSION:					0.360 CFS	1.20 AFA

Water Source: SCANLAND CREEK

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: DECREED

Point(s) of Diversion:

T09N R04E S09

SWNE Lot 02(SENE)

BOISE 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
09N	04E	9	:				03		13	:										:	16.0
TOTAL ACRES																				16.0	

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: BOISE

Dates:	App. Received:	Priority Date:	04/01/1952
	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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:08
10/07/99

PAGE: 1
GENERAL INFORMATION

190
CLAIM NUMBER: A65-10500

LAST: BRUTSMAN FIRST: ANABEL M
ADDRESS: 3131 SHELLROCK STREET
CITY: EMMETT STATE: ID ZIP: 83617
PHONE NUMBER: 208-365-6851

OWNER CODE: C

LAST: BRUTSMAN FIRST: CARL C
ADDRESS: 3131 SHELLROCK STREET
CITY: EMMETT STATE: ID ZIP: 83617
PHONE NUMBER: 208-365-6851

OWNER CODE: C

LAST: BAKER FIRST: JAY P
ADDRESS: ROUTE 3 HEREFORD LANE
CITY: EAGLE STATE: ID ZIP: 83616
PHONE NUMBER: 208-939-6485

OWNER CODE: C

FIELD EXAM REQUIRED? DATABASE FIELD
VERIFICATION REQUIRED DUE TO REMARKS? Y EXAMINER
Y() N()

CLAIM REMARKS: GEN PART OF JOHN SCANLAND HOMESTEAD OF 1886.

PAGE: 2
FIELD EXAMINATION INFORMATION

191
CLAIM NUMBER: A65-10500

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-10500 PRIORITY DATE: 04-01-1952 STAGE: D

B. WR RECORD: # 65-10500 PRIORITY DATE: 04-01-1952 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y(☐) N(☐)

LICENSE ISSUED

N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

04-01-1952

REVIEWED BY 11/17/99 SB

DATE _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-10500	09N 04E	9		SW	NE			BOISE		
A65-10500	09N 04E	9		SE	NE	2		BOISE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-18083 65-18083

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SCANLAND CREEK

TRIB: PAYETTE RIVER, MIDDLE FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-10500	09N 04E	9		SW	NE			BOISE		
65-10500	09N 04E	9		SE	NE	2		BOISE		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-18083 65-18083

SOURCE: SCANLAND CREEK

TRIB: PAYETTE RIVER, MIDDLE FORK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ☒

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
09N	04E	9		SW	NE			BOISE		
09N	04E	9		SE	NE	2		BOISE		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: SCANLAND CREEK TRIB: PAYETTE RIVER, MIDDLE FORK

REVIEWED BY: JB DATE: 11/17/99

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A65-10500
R65-10500

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09N	04E	9	SW	NE		BRUTSMAN, ANABEL M	A65-10500 /	3.0	65-10500 /	3.0	
			SW	NE		BRUTSMAN, ANNABEL M	A65-18083 /	-	/		
			SW	NE		BRUTSMAN, ANNABEL M	65-18083 /	-	/		
			SW	NE		BRUTSMAN, ANABEL M	R65-10500 /	3.0	-	/	
09N	04E	9	SW	NE		BRUTSMAN, ANABEL M	A65-10500 /	65-10500 /	3.0		
			SW	NE		BRUTSMAN, ANNABEL M	A65-18083 /	-	/		
			SW	NE		BRUTSMAN, ANNABEL M	65-18083 /	-	/		
			SW	NE		BRUTSMAN, ANABEL M	R65-10500 /	3.0	-	/	
09N	04E	9	SE	NE		BRUTSMAN, ANABEL M	A65-10500 /	13.0	65-10500 /	13.0	
			SE	NE		BRUTSMAN, GARY F	A65-18049 /	-	/		
			SE	NE		BRUTSMAN, GARY F	65-18049 /	-	/		
			SE	NE		BRUTSMAN, ANABEL M	R65-10500 /	13.0	-	/	

ADDITIONAL POU FOUND

TOTAL ACRES A65-10500 16.00 19.00

POU COUNTY: BOISE

14

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-10500	SCANLAND CREEK	BRUTSMAN, ANABEL M	0.360	0.022	1.20	0.07
R65-10500	SCANLAND CREEK	BRUTSMAN, ANABEL M	0.360	0.022	1.20	0.07

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-10500	DOMESTIC	BRUTSMAN, ANABEL M	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-10500	IRRIGATION	BRUTSMAN, ANABEL M	FROM 04-01 TO 11-01	0.320 CFS	0.00 AF/A
A65-18083	DOMESTIC	BRUTSMAN, ANNABEL M	FROM 01-01 TO 12-31	0.040 CFS	
A65-18083	STOCKWATER	BRUTSMAN, ANNABEL M	FROM 01-01 TO 12-31	0.040 CFS	
65-18083	DOMESTIC	BRUTSMAN, ANNABEL M	FROM 01-01 TO 12-31	0.040 CFS	
65-18083	STOCKWATER	BRUTSMAN, ANNABEL M	FROM 01-01 TO 12-31	0.040 CFS	
R65-10500	DOMESTIC	BRUTSMAN, ANABEL M	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-18049	DOMESTIC	BRUTSMAN, GARY F	FROM 01-01 TO 12-31	0.040 CFS	
65-18049	DOMESTIC	BRUTSMAN, GARY F	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: N/A

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

NOTES:

TOTAL ACRES: 16 N/A()
REVIEWED BY: SB DATE: 11/2/98

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-10500 DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-10500 IRRIGATION	FROM 04-01 TO 11-01	0.320 CFS	
TOTAL DIVERSION RATE/VOLUME		0.360 CFS	1.20 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-10500 DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-10500 IRRIGATION	FROM 04-01 TO 11-01	0.320 CFS	
TOTAL DIVERSION RATE/VOLUME		0.360 CFS	1.20 AF/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(~~X~~) N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(~~X~~) N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(~~X~~) N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N(~~X~~)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(~~X~~) N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N(~~X~~)

PAGE: 10

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

199

CLAIM NUMBER: A65-10500

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.360 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.360 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 16 x 0.02 CFS/ACRE = 32 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 1.20 AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES: _____

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
DOMESTIC IRRIGATION	01-01	12-31	DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
	04-01	11-01	0.040	_____	1.20	_____	0.0	_____
			0.320	_____		_____	0.0	_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.360	_____	1.20	_____	0.0	_____

NON-IRRIGATION USES CLAIMED: DOMESTIC FOR ONE HOUSEHOLD

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ☒

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

N 10
N 12

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

N/A

DATABASE
0.360

EXAMINER

CFS

SPLITS:

**CURRENT
CLAIM NUMBERS**

DIVERSION RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

**WR RIGHT
NUMBERS**

DIVERSION RATE

•

A65-10500

0.360

R65-10500

0.360

65-10500

0.360

TOTAL CFS

0.360

0.360

0.360

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
Y

FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>7-2-64</u> <u>DHU 18E118</u>	Y(☒) N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER <u>Mylar Field Exam</u>	DATE <u>7</u>	Y(☒) N()
☒ OTHER <u>City tax plat</u>	DATE <u>1994</u>	Y(☒) N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:08
10/07/99

PAGE: 16
QUICKLOOK INFORMATION

205
CLAIM NUMBER: A65-10500

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE					Dec 11	SB 11-17-99		
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:11:22
10/07/99
206

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-10500

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANABEL M BRUTSMAN	04/01/1952	IRRIGATION	04-01 11-01	0.320 CFS	
C	CARL C BRUTSMAN		DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
C	JAY P BAKER					
TOTAL DIVERSION:					0.360 CFS	1.20 AFA

Water Source: SCANLAND CREEK

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: DECREED

Point(s) of Diversion:

T09N R04E S09

SWNE Lot02(SENE)

BOISE 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
09N	04E	9	:					03		13										:	16.0
										TOTAL ACRES										:	16.0

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	:	
09N	04E	9	:					D												:	

POU County: BOISE

Non-Irrigation Uses: DOMESTIC FOR ONE HOUSEHOLD

Other Rights: N/A

Remarks: GEN PART OF JOHN SCANLAND HOMESTEAD OF 1886.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

March 19, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Notice of Claim to a Water Right No. A65-21625

CHARLOTTE A CHAMBERS
3131 SHELLROCK ST
EMMETT ID 83617

Dear Claimant:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

We were unable to change the ownership on claim numbers A65-10500 and A65-18083. These claims are filed under a different place of use, and there was not a warranty deed attached showing that you purchased that property also. If you have any additional information on these claims, please forward it to our office with a Change of Ownership form and we can go ahead and change the ownership.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure

Idaho Dept. of Water Resources

Claim No(s): 65-10500

Claimant(s): Brutsman,
Baker

T09N, R04E, S 9

Prepared by: Sue Bock

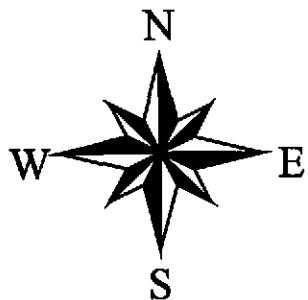
Date: 11/17/1999

 Place of Use

 Point of Diversion

 Section lines

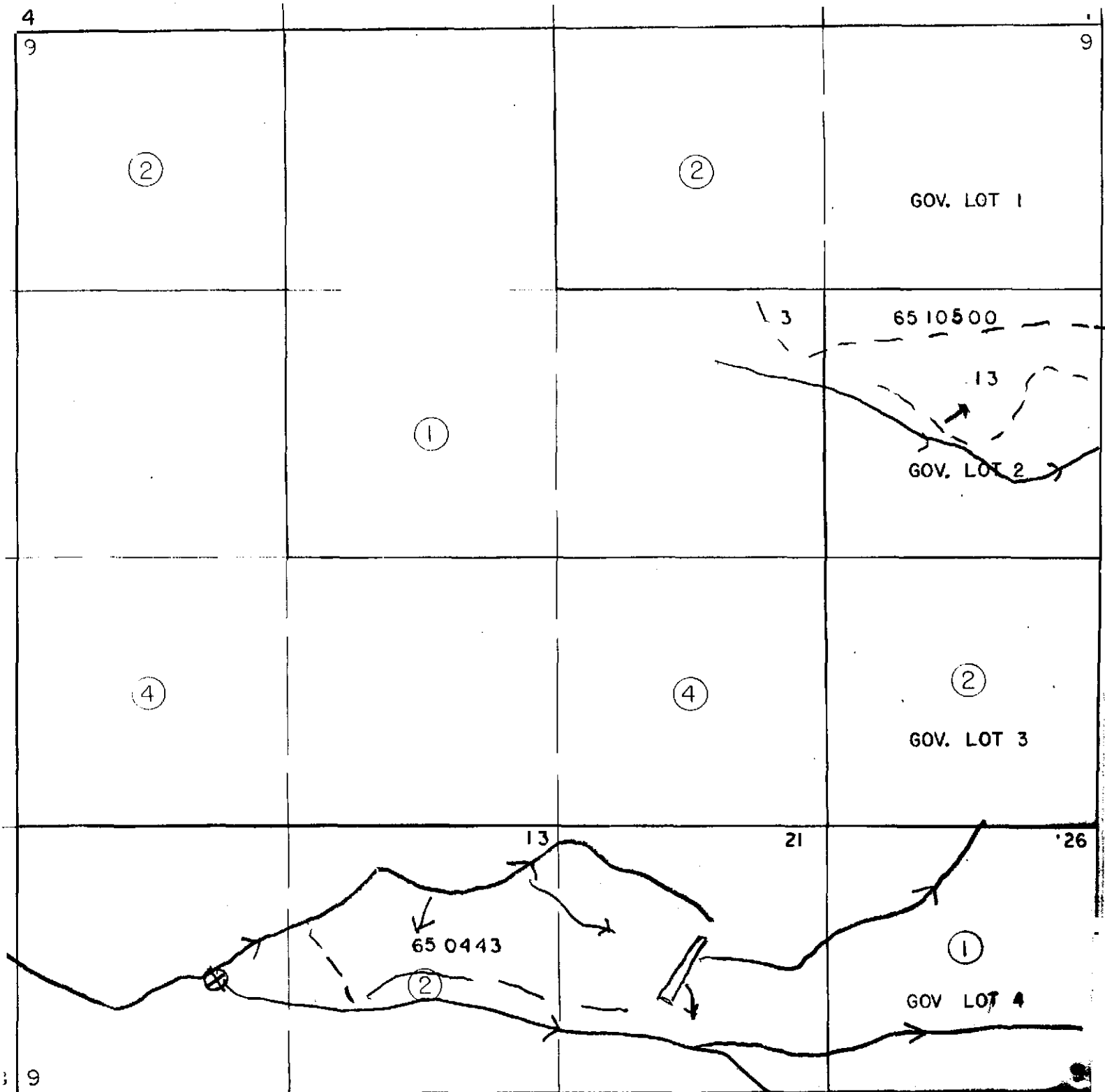
 1/4 1/4 lines



1987 NAPP Photo

0 0.3 0.6 Miles







81131 HQ

7-2-68

0050
10 ac.

Lot #2 - 41.16 ac N 89° 21' 29" E 1352.11'

1820
TX 1828
29.91 ac

1050.1'

M 51.12° 00' N

S 2° 01' 41" W 722.34'

S 88° 26' W

317.58'

2250

TX 2251

1.00 ac

N 88° 26' W

317.58'

2265

TX 2267

1.00 ac

S 88° 26' W

317.58'

2285

TX 2287

1.00 ac

S 88° 26' W

317.58'

2295

TX 2297

1.00 ac

S 88° 26' W

317.58'

2305

TX 2307

1.00 ac

S 88° 26' W

317.58'

2315

TX 2317

1.00 ac

S 88° 26' W

317.58'

2325

TX 2327

1.00 ac

S 88° 26' W

317.58'

2335

TX 2337

1.00 ac

S 88° 26' W

317.58'

2345

TX 2347

1.00 ac

S 88° 26' W

317.58'

2355

TX 2357

1.00 ac

S 89° 17' 20" W 387.44' N 88° 27' 43" W 405.01'

192.73'

2135

TX 2137

1.2 ac

190'

2200

TX 2201

1.2 ac

190'

S 89° 17' 20" W

387.44'

N 88° 27' 43" W

405.01'

2245

TX 2246

1.2 ac

190'

S 89° 17' 20" W

387.44'

N 88° 27' 43" W

405.01'

2255

TX 2256

1.2 ac

190'

S 89° 17' 20" W

387.44'

N 88° 27' 43" W

405.01'

2265

TX 2266

1.2 ac

190'

S 89° 17' 20" W

387.44'

N 88° 27' 43" W

405.01'

2275

TX 2276

1.2 ac

190'

S 89° 17' 20" W

387.44'

N 88° 27' 43" W

405.01'

2285

TX 2286

1.2 ac

190'

Lot #3
48.66 ac.

Lot #4
40.15 ac.

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED


☐ MOVED, LEFT NO ADDRESS
☐ FORWARDING ORDER EXPIRED
☐ ATTEMPTED NOT KNOWN
☐ UNCLAIMED ☐ REFUSED
☐ INCORRECTLY
CARL C BRUTSMAN ADDRESS

65-10500

ANABEL M BRUTSMAN
3131 SHELLROCK ST
EMMETT, ID 83617

65-10500

RECEIVED

MAY 10 2001

WATER RESOURCES
WESTERN REGION

83705 5082





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

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 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