



MICROFILMED
AUG 05 1994

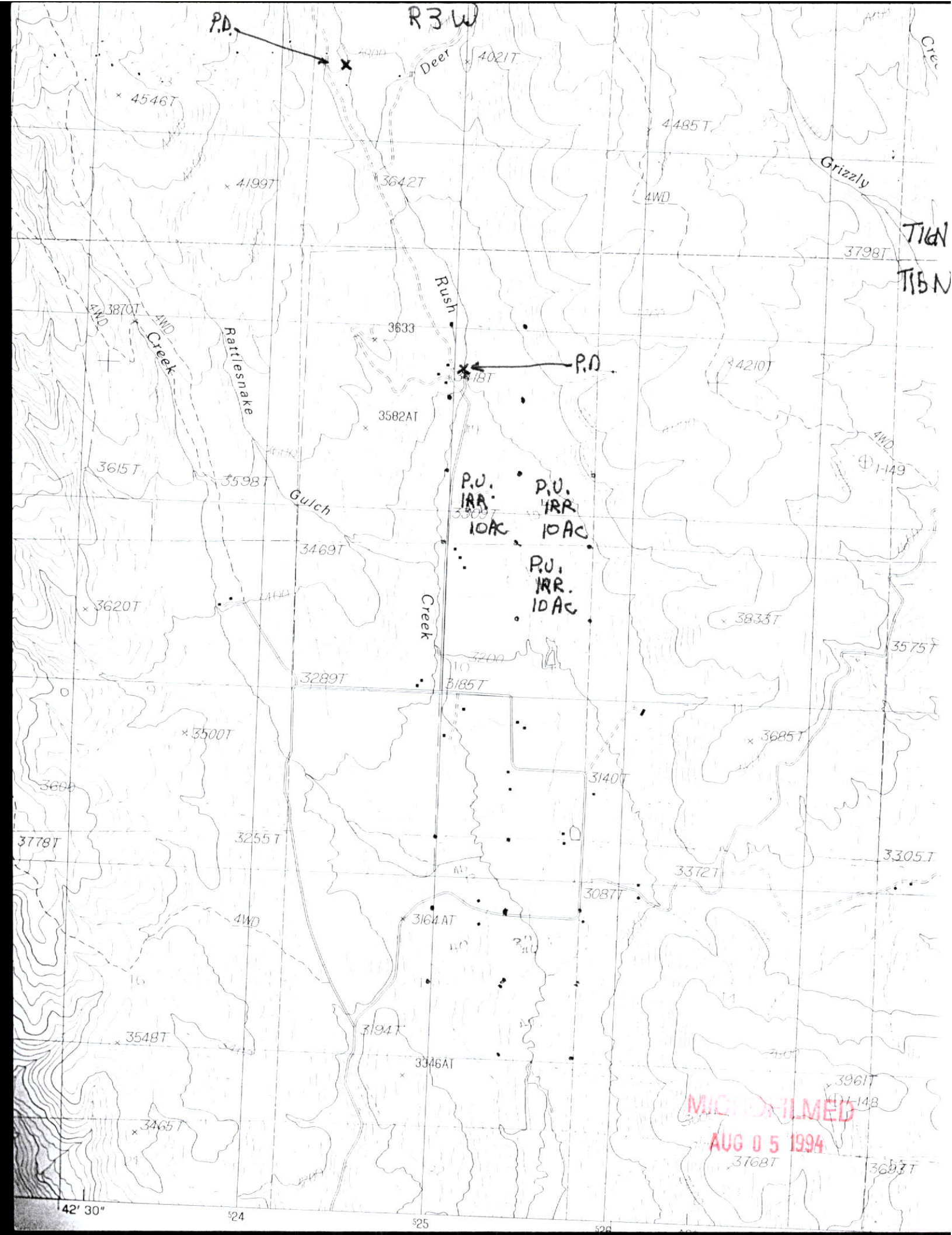
42' 30" 24 25 40' 27

POOR ORIGINAL

SCALE 1:24,000

AG 7-12329
00287

1 MILE



P.D.

R3W

Deer

4021T

4485T

Grizzly

T16N

T15N

3798T

Rush

3633

P.D.

P.U.
IRR.
10AC

P.U.
IRR.
10AC

P.U.
IRR.
10AC

Gulch

Creek

3833T

3575T

3685T

3305T

3372T

3087T

3164AT

3194T

3346AT

3961T

MICROFILMED

AUG 05 1994

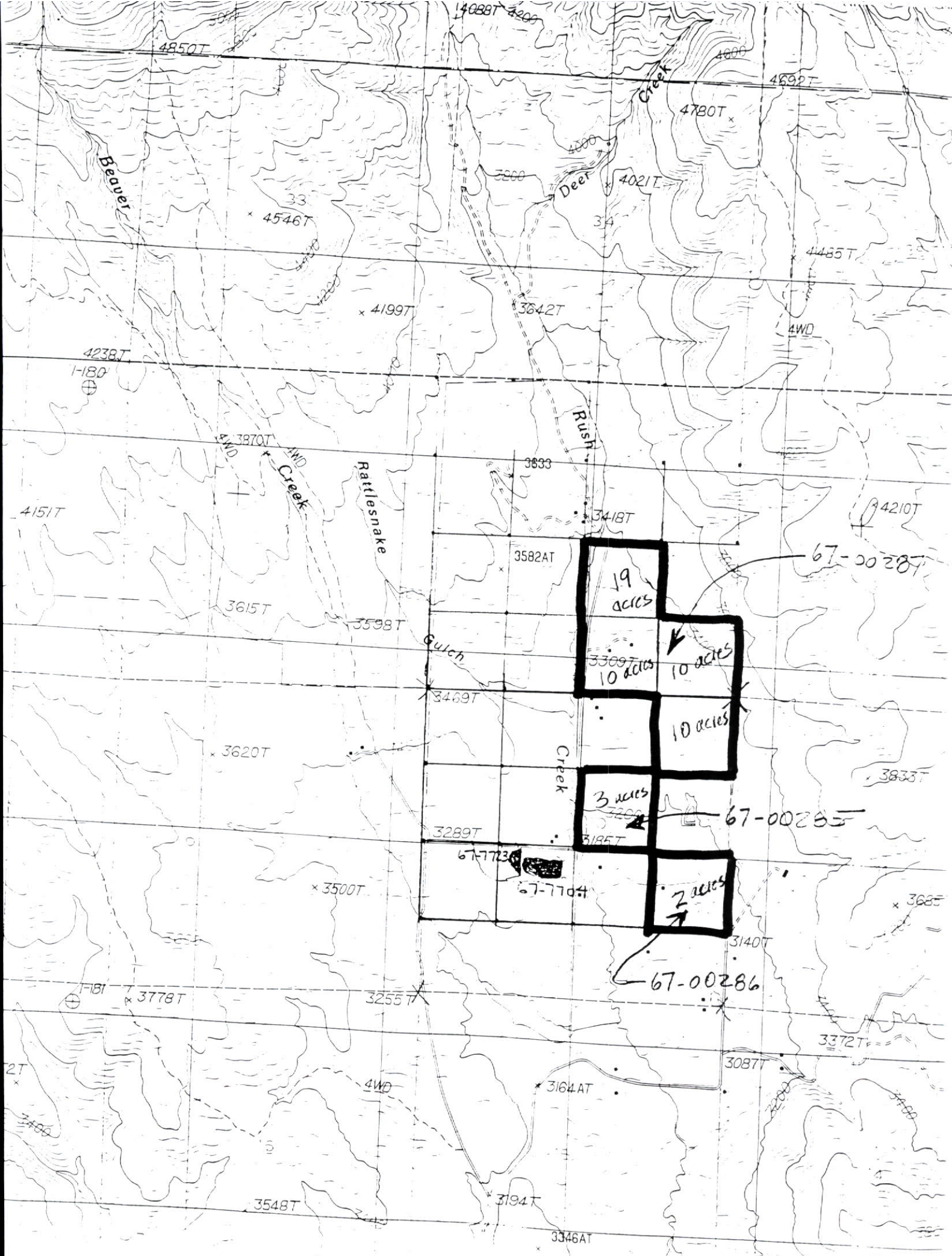
3768T

3693T

42' 30"

524

525



19
acres

10 acres

10 acres

10 acres

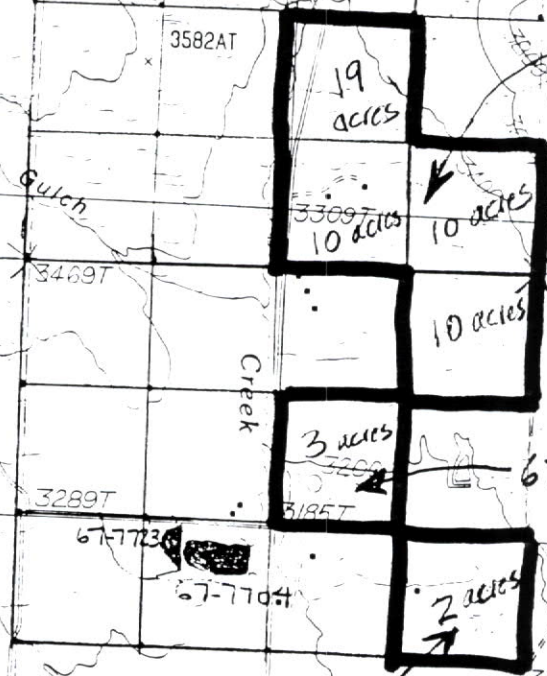
3 acres

2 acres

67-00287

67-00285

67-00286



Beaver

Rush

Rattlesnake

Gulch

Creek

Deer

Creek

33

34

x 4546T

x 4199T

x 3842T

x 4485T

4238T

1-180

x 3870T

4WD

4151T

x 3615T

x 3598T

x 3582AT

3633

x 3418T

x 4210T

x 3620T

x 3469T

3289T

67-7723

67-7704

x 3500T

1-181

x 3778T

3255T

3140T

x 3685

3372T

3087T

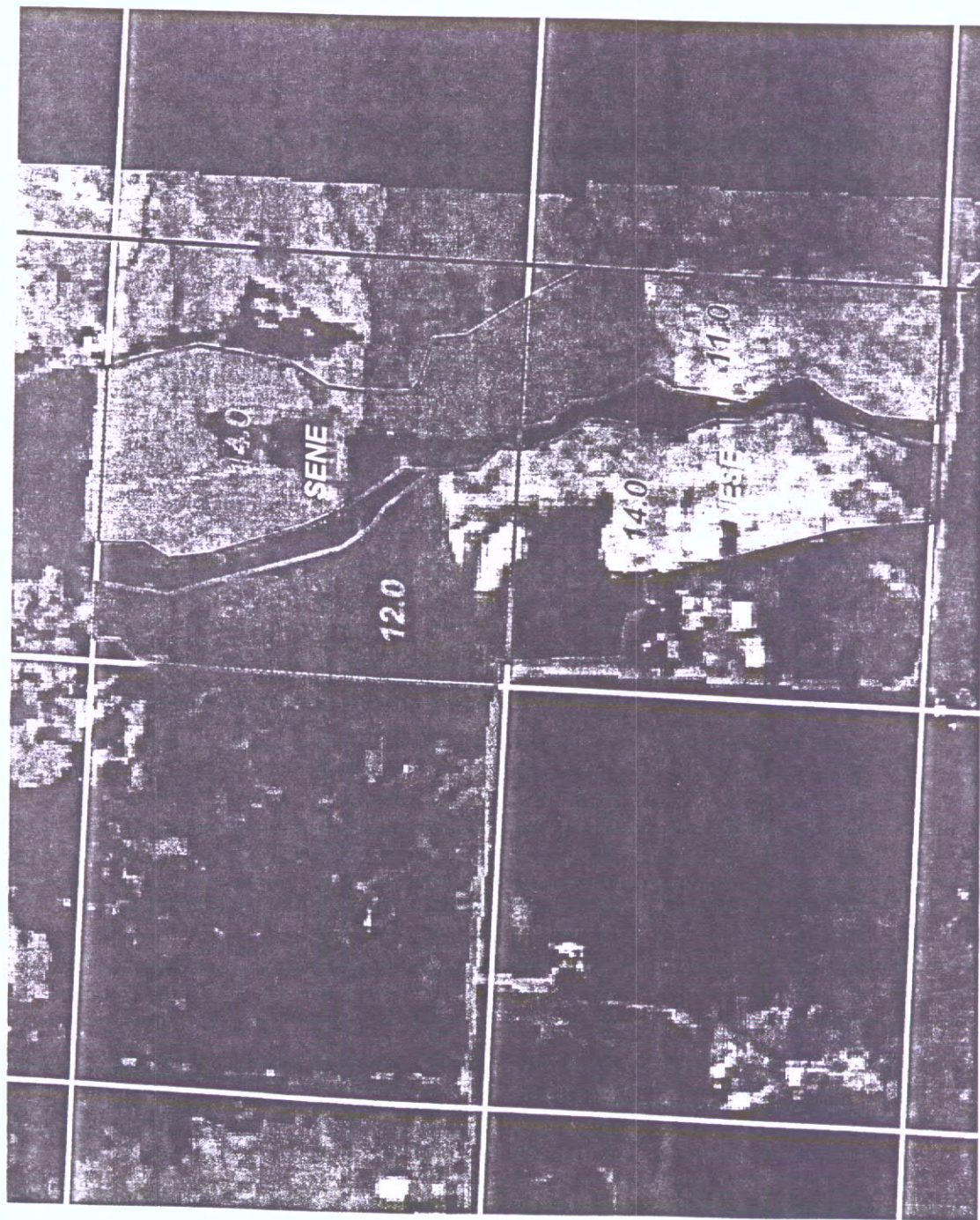
x 3164AT

x 3194T

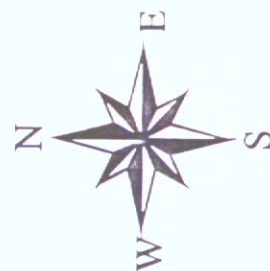
3548T

3346AT

T15N, R03W, S10



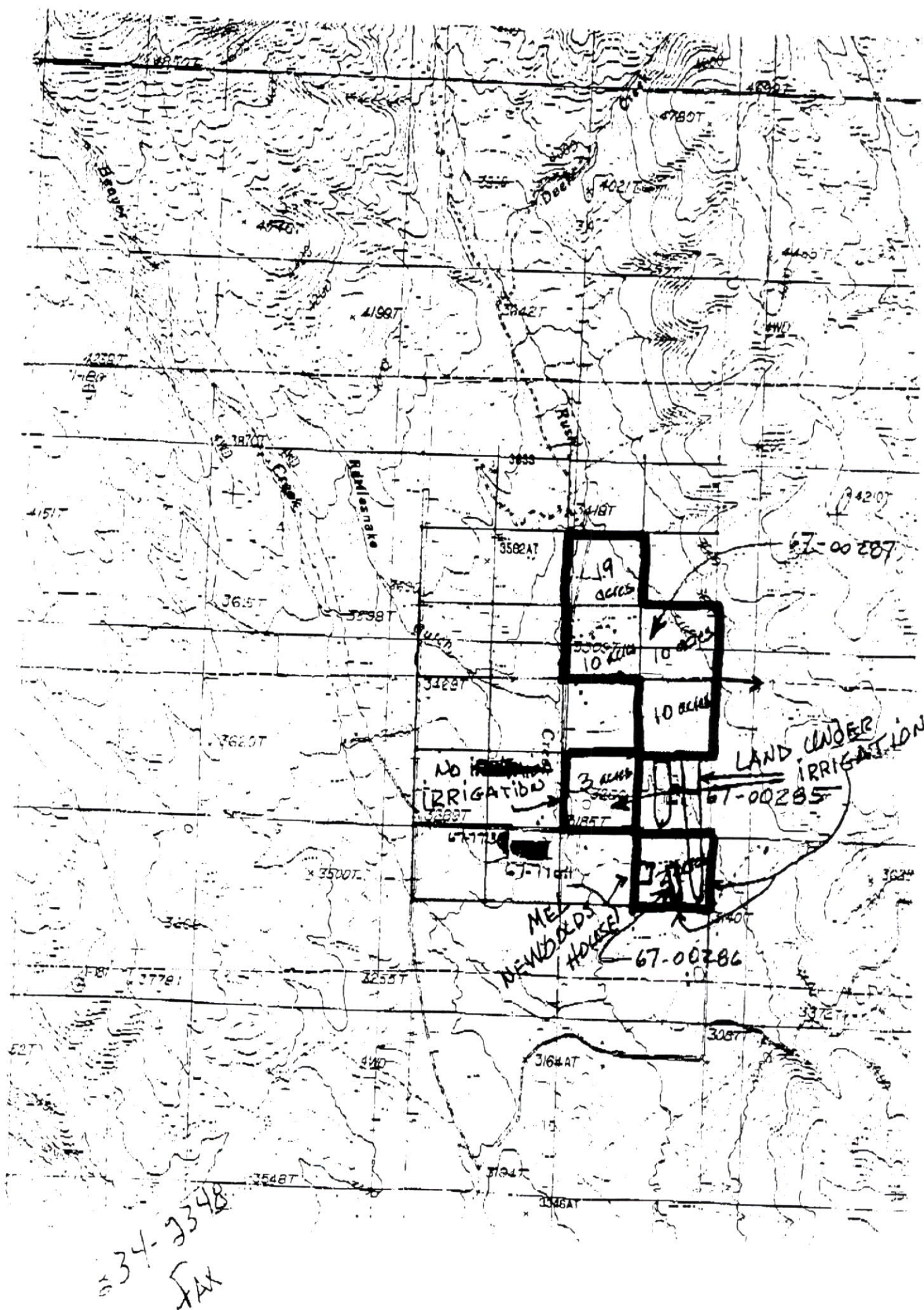
- ☐ Temppou.shp
- ☐ S15n03w.shp
- ☐ P15n03w.shp



0 0.25 0.5 Miles

SENE

NESE



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: **A67-00287**
Date Received: 10/20/1989
Receipt No: W006487
Received By: JKU

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: KERMIT L WIGGINS 208-257-3428
Address: PO BOX 86
CAMBRIDGE ID 83610
OR
Name: JOANA WIGGINS 208-257-3428
Address: PO BOX 86
CAMBRIDGE ID 83610

2. Date of Priority: MAY 1, 1895

3. Source: RUSH CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	03W	3	SW	SW	NE		WASHINGTON
16N	03W	34	SW	SW	NW		WASHINGTON

5. Description of diverting works:
DIVERSION DAM IN CREEK WITH GRAVITY DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		

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

8. Total consumptive use is 90.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATER

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AUG 05 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	03W	3	NW	SE		IRR	19.0
			SW	SE		IRR	10.0
			SE	SE		IRR	10.0
						Section Acres	39.0
		10	NE	NE		IRR	10.0
						Section Acres	10.0
						Total Acres	49.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

FLOOD WATER RIGHT FROM STREAM A67-04155 CLAIMED.

14. Remarks:

ABSTRACT OF TITLE FOR THIS PROPERTY THE NITA CARRICK PROPERTY STATES THAT RIGHT NO. 24 WAS TO BE FOR 30" WITH A 05/01/1895 PRIORITY, RATHER THAN THE 19" SHOWN IN THE DATA BASE.

AMENDED ON 10/1/93 TO INCREASE THE QUANTITY AND ADD A PLACE OF USE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON

vs 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: _____

MICROFILMED

AUG 05 1994

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): Hermit L. Wiggins Date: Oct 1, 1993

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 1 day
of Oct. 19 93 Linda Werner
Notary Public

Seal

Residing at LINDA WERNER
RESIDING AT EAGLE, IDAHO
My Commission Expires MY COMMISSION EXPIRES DEC. 8, 1994

MICROFILMED

AUG 05 1994

EXHIBIT A

All of the following described real estate situate in the County of Washington, State of Idaho, to-wit:

The Southeast Quarter of the Southeast Quarter; The West Half of the Southeast Quarter, SAVE AND EXCEPT the following described land;

Commencing at the Southwest corner of the North-west Quarter of the Southeast Quarter of Section Three (3), Township Fifteen (15) North of Range Three (3) West of the Boise Meridian, thence North identical with the West line of said Northwest Quarter of the Southeast Quarter to the Northwest corner thereof; thence East a distance of Two Hundred (200) feet, more or less, to the West Boundary of the County Road right-of-way; thence Southwesterly along said boundary to where the same intersects the South line of said Northwest Quarter of the Southeast Quarter; thence West to the point and place of beginning, containing Three (3) acres, more or less; ALL located in Section Three (3), Township Fifteen (15) North Range Three (3) West of the Boise Meridian;

The Northeast Quarter of the Northeast Quarter of Section Ten (10), all in Township Fifteen (15) North Range Three (3), West of the Boise Meridian;

Together with all water rights, water ways, ditches and ditch rights belonging thereto.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

MICROFILMED

AUG 05 1994

COPY

THIS INDENTURE, Made this 21st day of August, in the year 1990..
 between Gary G. Farrens and Lorraine L. Farrens, husband and wife,
 of Cambridge, County of Washington, State of Idaho
 the part ies of the first part, and Kermit L. Wiggins and JoAna R. Wiggins, husband and
wife,
 of Cambridge, County of Washington
 State of Idaho, the part ies of the second part.

WITNESSETH. That the said part ies of the first part, for and in consideration of the sum of
ONE HUNDRED TWENTY THOUSAND (120,000.00) DOLLARS
 lawful money of the United States of America, to them in hand paid by the said part ies of
 the second part, the receipt whereof is hereby acknowledged, ha ve granted, bargained and sold and by
 these presents do grant, bargain, sell, convey and confirm unto the said part ies of the second part,
 and to their heirs and assigns forever, all the following described real estate situated in Cambridge,
Washington County, State of Idaho, to-wit:

See Attached Exhibit A

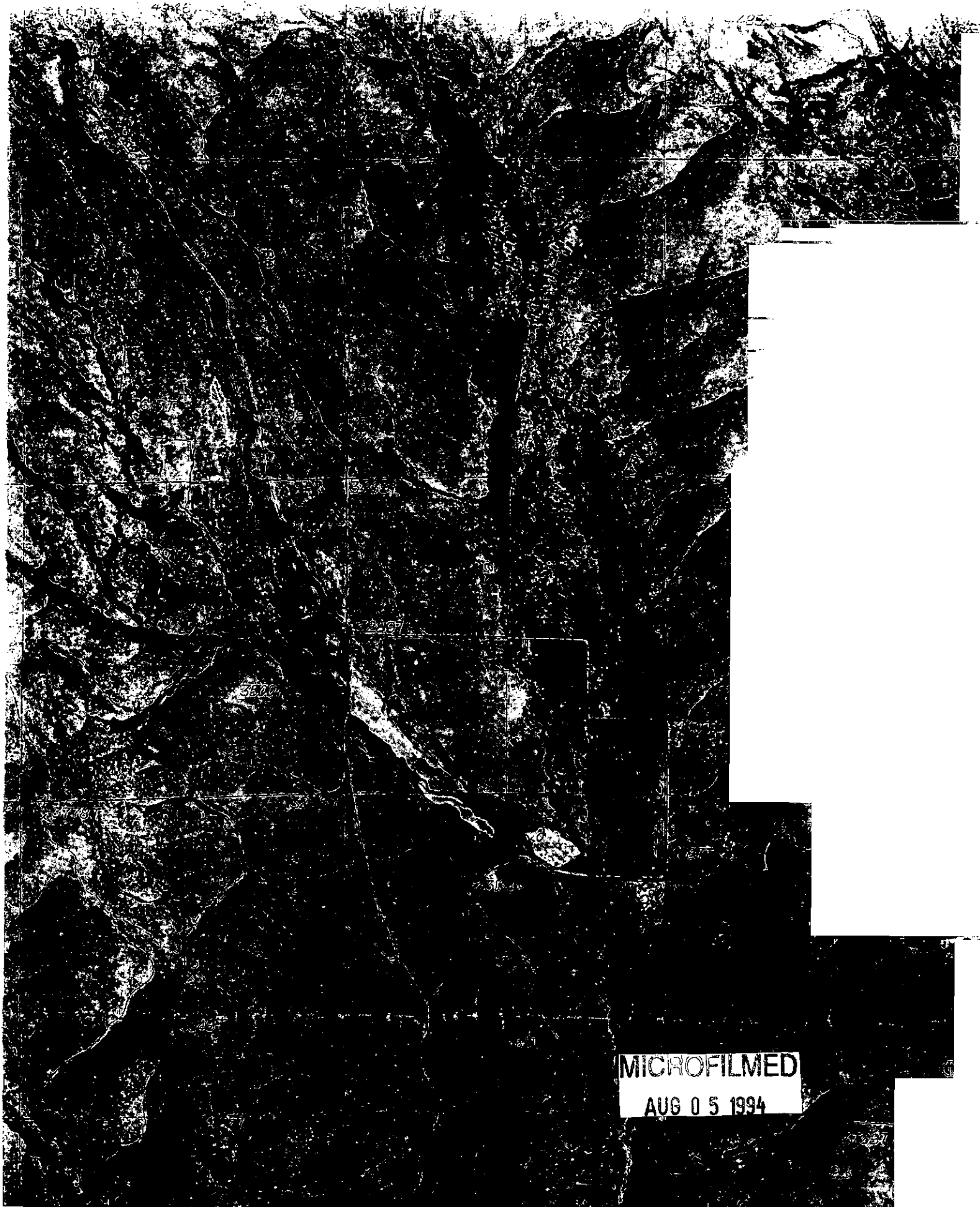
TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belong-
 ing, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents,
 issues, and profits thereof, and all estate, right, title and interest in and to the said property, as well in
 law as in equity of the said part ies of the first part:

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together
 with the appurtenances unto the part ies of the second part, and to their heirs and assigns forever.
 And the said part ies of the first part, and their heirs, the said premises in the quiet and peaceable
 possession of the said part ies of the second part their heirs and assigns against the said part ies
 of the first part, and their heirs and against all and every person or persons whomsoever, lawfully
 claiming or to claim the same shall and I will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said part ies of the first part ha ve hereunto set their
 hand s and seal s the day and year first written.

Signed, sealed and delivered in the presence of

}	<u>Gary G. Farrens</u>	[SEAL]
	<u>Lorraine L. Farrens</u>	[SEAL]
	<u>Lorraine L. Farrens</u>	[SEAL]
		[SEAL]



MICROFILMED

AUG 05 1994

42' 30"

524

525

40'

527

POOR ORIGINAL

SCALE 1:24 000

AG 7-12309
00287

1 MILE

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: A67-00287
Date Received: 10/20/1989
Receipt No: W006487
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: LORRAINE FARRENS 208-257-3412
Address: RT 1 BOX 206A
CAMBRIDGE ID 83610

OR

Name: GARY FARRENS 208-257-3412
Address: RT 1 BOX 206A
CAMBRIDGE ID 83610

2. Date of Priority: MAY 1, 1895

3. Source: RUSH CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	03W	3	SW	SW	NE		WASHINGTON
16N	03W	34	SW	SW	NW		WASHINGTON

5. Description of diverting works:
DIVERSION DAM IN CREEK WITH GRAVITY DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.380		

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

8. Total consumptive use is 90.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	03W	3	SW	SE		IRR	10.0
			SE	SE		IRR	10.0
					Section Acres		20.0
		10	NE	NE		IRR	10.0
					Section Acres		10.0
					Total Acres		30.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

FLOOD WATER RIGHT FROM STREAM A67-04155 CLAIMED.

14. Remarks:

ABSTRACT OF TITLE FOR THIS PROPERTY THE NITA CARRICK PROPERTY STATES THAT RIGHT NO. 24 WAS TO BE FOR 30" WITH A 05/01/1895 PRIORITY, RATHER THAN THE 19" SHOWN IN THE DATA BASE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON

vs Decree Defendant

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: A67-00287
Date Received: 10/06/1989
Receipt No: W0006481
Received By: _____

RECEIVED

OCT 20 1989

postmarked 10/18/89
Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY FARRENS 208-257-3412
Address: RT. 1, BOX 206A
CAMBRIDGE, ID 83610
OR
Name: LORRAINE FARRENS 208-257-3412
Address: RT. 1, BOX 206A
CAMBRIDGE, ID 83610

2. Date of Priority: MAY 01, 1895

3. Source: RUSH CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	03W	3	SW	SW	NE		WASHINGTON
16N	03W	34	SW	SW	NW		WASHINGTON

5. Description of diverting works:
DIVERSION DAM IN CREEK WITH GRAVITY DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.380		

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

8. Total consumptive use is 90.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	03W	3	SW	SE		IRR	10.0
			SE	SE		IRR	10.0
					Section Acres		20.0
		10	NE	NE		IRR	10.0
					Section Acres		10.0
					Total Acres		30.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
FLOOD WATER RIGHT FROM STREAM A67-04155 CLAIMED.

14. Remarks:
ABSTRACT OF TITLE FOR THIS PROPERTY THE NITA CARRICK PROPERTY STATES THAT RIGHT NO. 24 WAS TO BE FOR 30" WITH A 05/01/1895 PRIORITY, RATHER THAN THE 19" SHOWN IN THE DATA BASE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Gary Farrens Date: 10/6/89

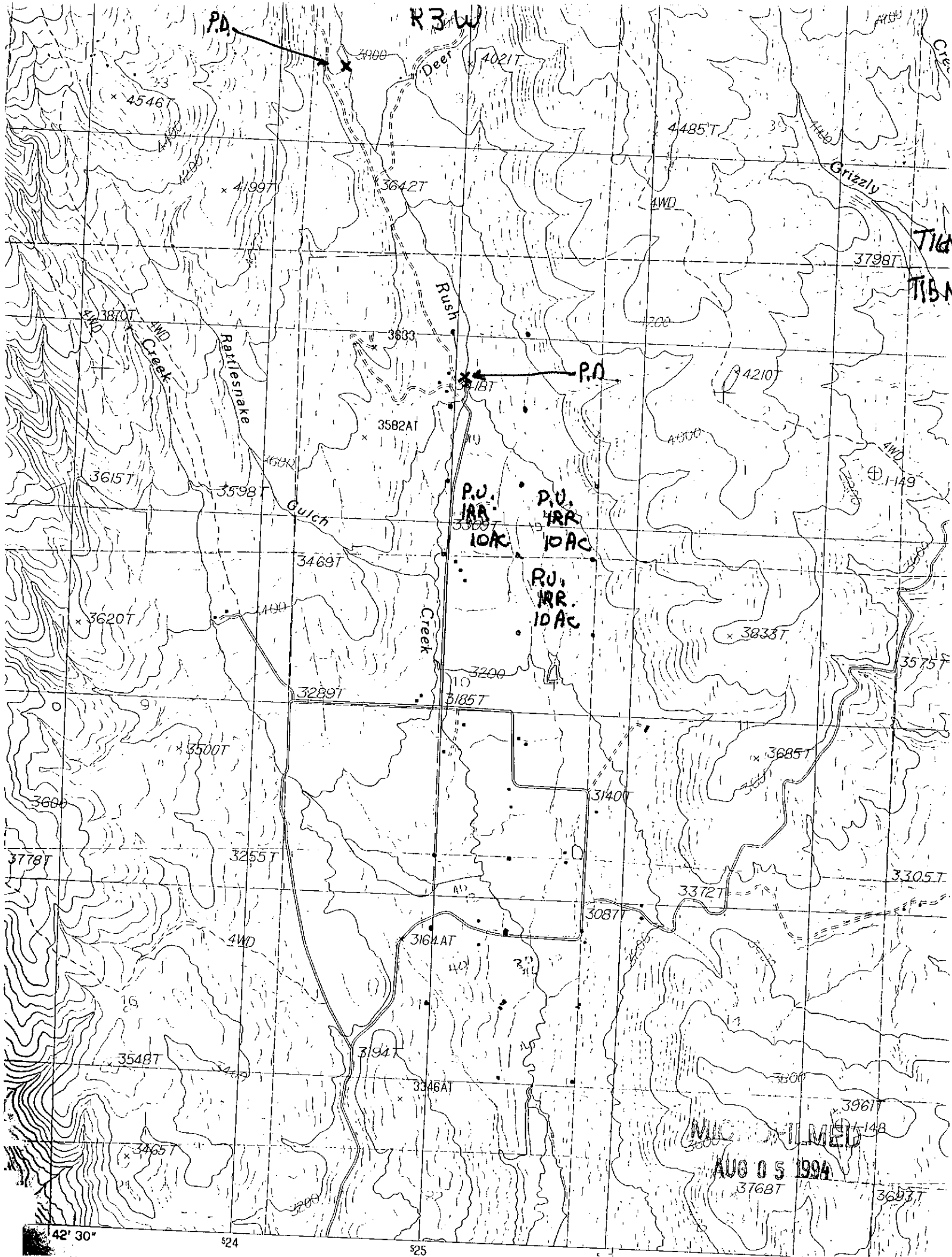
Date: _____

State of Idaho)
County of WASHINGTON) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of OCTOBER 1989
Donna E. Sully
Notary Public

Seal

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



**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF DIVERSION AND	)	
USE OF WATER NOT IN CONFORMANCE	)	NOTICE OF VIOLATION
WITH WATER RIGHTS OR CONTROLLED	)	
BY BRET NEWBOLD AND/OR DOUGLAS	)	
NEWBOLD	)	
_____	)	

The Director of the Department of Water Resources (IDWR) is charged with the duties of protecting vested water rights, enforcing specific statutes of the state of Idaho, and enforcing the rules promulgated by IDWR. The Director is also authorized to order the cessation of violations or attempted violations of the provisions of the law relating to all aspects of appropriation and distribution of water.

Based on the information gathered and the records of IDWR, IDWR finds, concludes, and orders as follows:

FINDINGS OF FACT

1. Jerry Myers (Myers) is the elected and appointed watermaster for Water District no. 67, Weiser River. As the watermaster, Myers regulates diversions of the water flowing in tributaries of the Weiser River, including Rush Creek.
2. A pipeline was constructed to deliver water diverted from Rush Creek pursuant water right nos. 67-00285, 67-00286, and 67-00287. Other water rights are also delivered through the pipeline. The elevation difference between the point of diversion and the location of pipeline valves creates sufficient pressure to irrigate with sprinklers.
3. The intake to the pipeline is located at the edge of the Rush Creek streambed. Inflow to the pipeline is not controlled at the inlet but depends on the demand for water at valves

along the pipeline. Myers has regulated the flow by opening or closing the valves along the pipeline to deliver the proper quantity of water to lands described by the water rights.

4. Water right nos. 67-00285, 67-00286, and 67-00287 were decreed in the case of Muir v. Allison. The following is a summary of the decreed water rights and corresponding claims filed in the Snake River Basin Adjudication.

Water Right No.	Quantity (cfs)	Decreed POU	Claimed POU	Acreage Claimed
67-00285	0.05 cfs	NWNE, SWNE, S10, T15N, R03W	SWNE, S10 T15N, R03W	3
67-00286	0.03 cfs	NESE, S10, T15N, R03W	NESE, S10, T15N, R03W	2
67-00287	0.38 cfs	NWSE S03 SWSE S03 SESE S03 NENE S10 T15N, R03W	NWSE S03 SWSE S03 SESE S03 NENE S10 T15N, R03W	19 10 10 10

5. IDWR records show that water right nos. 67-00285 and 67-00286 are owned by Melvin and Bessie Newbold. IDWR records also show water right no. 67-00287 is owned by Kermit Wiggins. Myers informed IDWR that Bret Newbold acquired water right nos. 67-00285 and 67-00286 and the places of use described by the rights from his parents, Melvin and Bessie Newbold. Myers also informed IDWR that Bret Newbold acquired the property described as a place of use by water right no. 67-00287, and that Myers delivered water authorized by water right no. 67-00287 to Bret Newbold during the 2000 irrigation season.

6. Flows in Rush Creek and the Weiser River are not presently sufficient to satisfy all of the water rights. Myers has prevented diversion of Rush Creek water authorized by late priority water rights to satisfy the early priority water rights.

7. On or about July 26, 2000, Myers informed Bret Newbold that adjudicated water rights were being regulated. Myers told Bret Newbold to limit use on his father's place (place of use for 67-00285 and 67-00286) to ten sprinkler heads, estimated to be 0.08 cfs. Myers also told Bret Newbold that he could run a one-quarter mile line on the land formerly owned by Kermit Wiggins (place of use for 67-00287).

8. On June 27, 2000, Myers observed hand lines irrigating land in the SENE of Section 10, T15N, R03W, B.M., which is not described by any water right deliverable on or after July 26, 2000. Approximately 20 acres of alfalfa is planted and irrigated in the SENE of Section 10.

9. On July 30, 2000, Myers discovered that Bret Newbold, Douglas Newbold (Bret's brother), their representatives, or employees, were diverting more water than authorized by water right nos. 67-00285 and 67-00286 by operating a one-quarter mile sprinkler line, estimated to be 32 sprinkler heads. The sprinkler line was irrigating land located in the NESE of Section 10, T15N, R03W, B.M., which is the place of use described by water right no. 67-00286 (0.03 cfs, 2 acres). Approximately 20 acres of alfalfa is planted and is irrigated in the NESE of Section 10.

10. After discovering the additional water diverted on July 30, 2000, Myers closed the valve delivering water to the one-quarter mile sprinkler line delivering water to the NESE of Section 10, and placed a watermaster warning on a marker post that the valve should not be readjusted.

11. On August 2, 2000, Myers discovered that the valve had been reopened. Land located in the NESE of Section 10 was again being irrigated with the one-quarter mile sprinkler line.

CONCLUSIONS OF LAW

1. Idaho Code Section 42-351 states:

If the director of the department of water resources finds, on the basis of available information, that a person is diverting water or has diverted water from a natural water course or from a ground water source without having obtained a valid water right to do so, or is applying water or has applied water not in conformance with a valid water right, then the director of the department of water resources shall have the discretion to issue a notice of violation to the person in accordance with the provisions of section 42-1701B, Idaho Code, for the illegal diversion or use of water.

2. Idaho Code Section 42-1701B states:

(2) Notice. . . . the notice of violation shall identify the alleged violation and shall specify each provision of the designated chapter, rule, permit, condition of approval or order which has been violated. The notice of violation shall state the remedy, including all restoration and mitigation measures, and the amount of any civil penalty the director seeks for redress of the violation. Factors the director may consider in seeking the appropriate remedy include the impact of the violation and whether the violation was willful, a repeat violation for which the violator had been given a prior written warning, or the violator has otherwise refused to comply with the department's lawful directives. The notice of violation shall inform the person to whom it is directed of an opportunity to confer with the director, or the director's designee in a compliance conference concerning the alleged violation.

(6) Penalties.

(a) . . . persons determined to be in violation of section 42-351, Idaho Code, shall be liable for a civil penalty not to exceed:

(ii) For irrigation uses, three hundred dollars (\$300) annually for each acre irrigated, in whole or in part, by the illegal use or diversion.

3. Bret Newbold, Douglas Newbold and their representatives or employees are diverting Rush Creek water in excess of the 0.03 cfs authorized for diversion by water right no 67-00286, and applying the water to approximately 20 acres of land in the NESE, Section 10, T15N, R03W, not authorized or claimed to be irrigated by water right no. 67-00286.

4. Bret Newbold, Douglas Newbold and their representatives or employees are also diverting Rush Creek water and irrigating approximately 20 acres of land located in the SENE, Section 10, T15N, R03W, without any water right authorizing the diversion or irrigation of these lands.

5. The diversion and use of water described above violates Idaho Code § 42-351.

ORDER

IT IS HEREBY ORDERED that Bret and Douglas Newbold and their representatives or employees shall cease and desist diverting water from Rush Creek in excess of 0.03 cfs for the irrigation of land located in the NESE, Section 10, T15N, R03W.

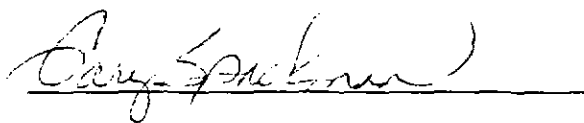
IT IS FURTHER ORDERED that Brett and Douglas Newbold and their representatives or employees shall cease and desist diverting water from Rush Creek for irrigation of lands located in the SENE, Section 10, T15N, R03W.

IT IS FURTHER ORDERED that IDWR seeks a civil penalty of \$300 per acre of land irrigated without a water right, totaling \$12,000 for 40 acres irrigated without a water right.

IDWR may pursue injunctive relief in the district court of the State of Idaho if Bret or Douglas Newbold do not cease the illegal use of water.

NOTICE IS GIVEN that Bret or Douglas Newbold may request, in writing, a compliance conference with IDWR within 14 days of the date of receipt of this notice of violation.

Dated this 4th day of August, 2000.



GARY SPACKMAN
Western Regional Manager

AJ5809NP

No. A67-00287

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/03/00
PAGE: 3

OWNER NAME & ADDRESS
C KERRIT L WIGGINS
C JOANA WIGGINS

PRIORITY DATE
05/01/1895 IRRIGATION

USE PERIOD FROM TO
03-15 11-15

DIVERSION RATE
0.600 CFS

DIVERSION VOLUME
0.600 CFS

TOTAL DIVERSION:
CONSUMPTIVE USE:

90.00 AFA

Water Source: RUSH CREEK
Tributary to: WEISER RIVER

Point(s) of Diversion:
T15N R03W S03
T16N R03W S34

Stage: DECREED
WASHINGTON County
WASHINGTON County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE													
T	R	S	NE	SE	T	R	S	NE	SE	T	R	S	NE	SE	T	R	S	NE	SE
15N	03W	3	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10
SUM										SUM									
39.0										49.0									
10.0										10.0									
TOTAL ACRES										TOTAL ACRES									

POU County: WASHINGTON

Non-Irrigation Uses: INCIDENTAL STOCKWATER

Other Rights: FLOOD WATER RIGHT FROM STREAM A67-04155 CLAIMED.

Remarks: GEN ABSTRACT OF TITLE FOR THIS PROPERTY THE NITA CARRICK PROPERTY STATES THAT RIGHT NO. 24 WAS TO BE FOR 30" WITH A 05/01/1895 PRIORITY, RATHER THAN THE 19" SHOWN IN THE DATA BASE. AMENDED ON 10/1/93 TO INCREASE THE QUANTITY AND ADD A PLACE OF USE.

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

Misc: Water District Number: 67 Field Inspection Flag: Presumption Flag:

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/03/00
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J. EDWARD WICKS	05/01/1895	IRRIGATION	00/00 00/00	0.380 CFS	

C. J. EDWARD WICKS

TOTAL DIVERSION: 0.380 CFS

Water Source: RUSH CREEK

Tributary to: WEISER RIVER

Stage: DECREED

Place of use Legal Description for: IRRIGATION

PN
NE

[illegible]

Pop County: WASHINGTON

Dates:	App. Received:	Priority Date:	05/01/1895
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 67 Field Exam Fee:

DIVERSION
VOLUME

0
6
7
1
1
1
1
4
4

0.030 CFS

Stage: DECREE

SWNE

113 114

[illegible]

SE	SWSE	SESE
AC	Lt AC	Lt AC
---	---	---

TOTAL ACRES

Other Rights: A67-04490

Dates: **Exam Made Date:**

Verified Date:

Misc: Water District Number: 67

Field Inspection Flag:
Presumption Flag:

Objection Filed Date:

WR5809NP

No. 67-00286

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/03/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MINTA DUGGER	05/01/1894	IRRIGATION	00/00 00/00	0.030 CFS	
TOTAL DIVERSION:					0.030 CFS	

Water Source: RUSH CREEK Tributary to: WEISER RIVER Stage: DECREED

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE	
NE	NW	SE	SW	NE	NW	SE	SW
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
15N	03W	10					SUM

Pou County: WASHINGTON

Dates:	App. Received:	Priority Date:
	Proof Due Date:	05/01/1894
	Exam Made Date:	Proof Made Date:
	Licensed Date:	Exam Sent to S.O.:

Misc: Water District Number: 67 Field Exam Fee:

DATE: 08/03/00
PAGE: 1

TOTAL DIVERSION:	0.050 CFS
CONSUMPTIVE USE:	9.00 AFA

[illegible]

Other Rights: A67-04490

Misc: Water District Number: 67 Field Inspection Flag:
Presumption Flag:

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD		DIVERSION RATE	DIVERSION VOLUME
				FROM	TO		
	C W. H. GIBSON	05/01/1894	IRRIGATION	00/00	00/00	0.050 CFS	
TOTAL DIVERSION:						0.050 CFS	

Water Source: RUSH CREEK	Tributary to: WEISER RIVER	Stage: DECREED
Place of use Legal Description for: IRRIGATION		
NE SE SW		
T R S 15N 03W 10	NE SE SW NESE NWSE SWSE Lt Ac Lt Ac Lt Ac Lt Ac	NESE NWSE SWSE Lt Ac Lt Ac Lt Ac Lt Ac
		SUM

Pou County: WASHINGTON

Dates:

App. Received:

Proof Due Date:

Exam Made Date:

Licensed Date:

Priority Date:

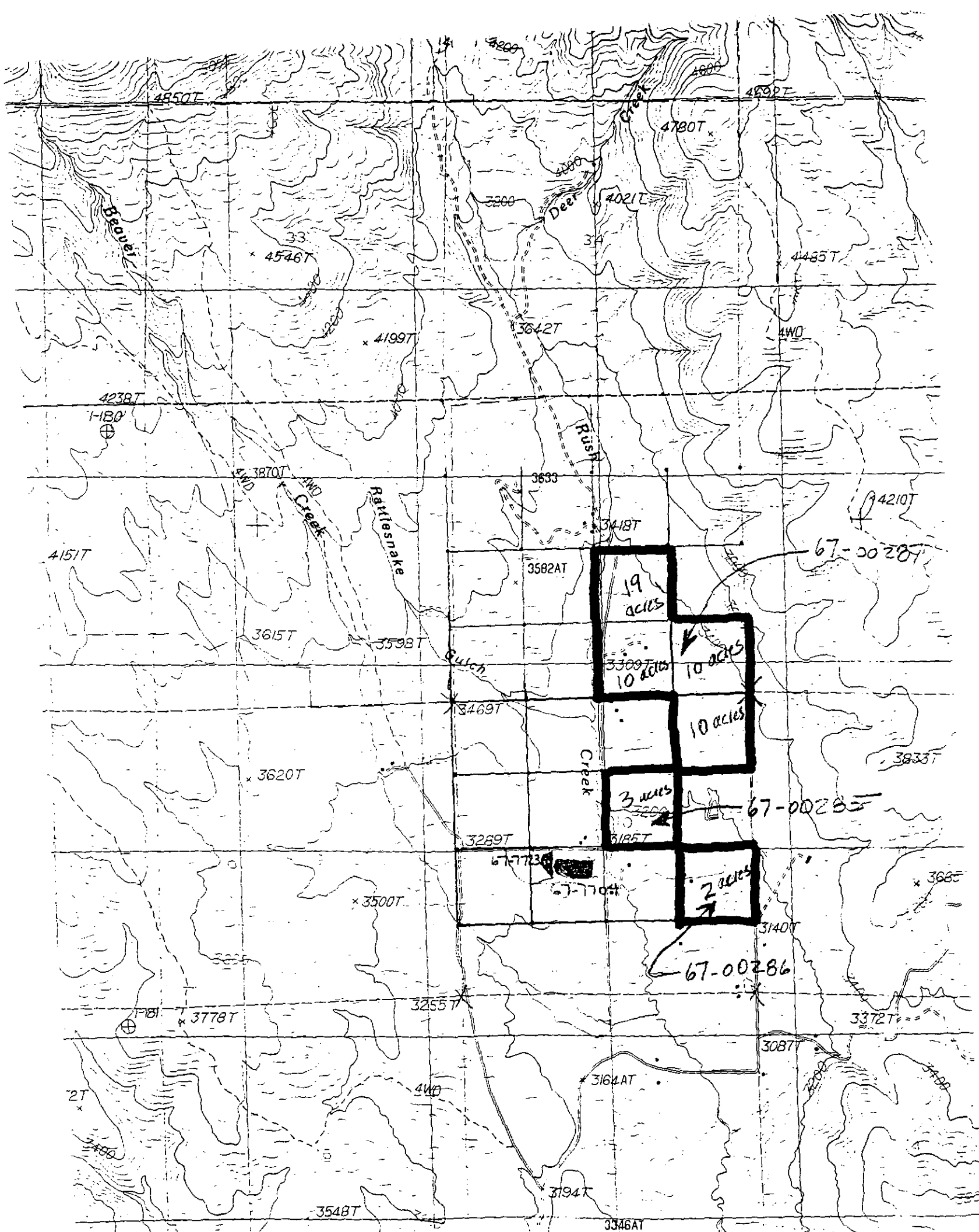
Proof Made Date:

Exam Sent to S.O.:

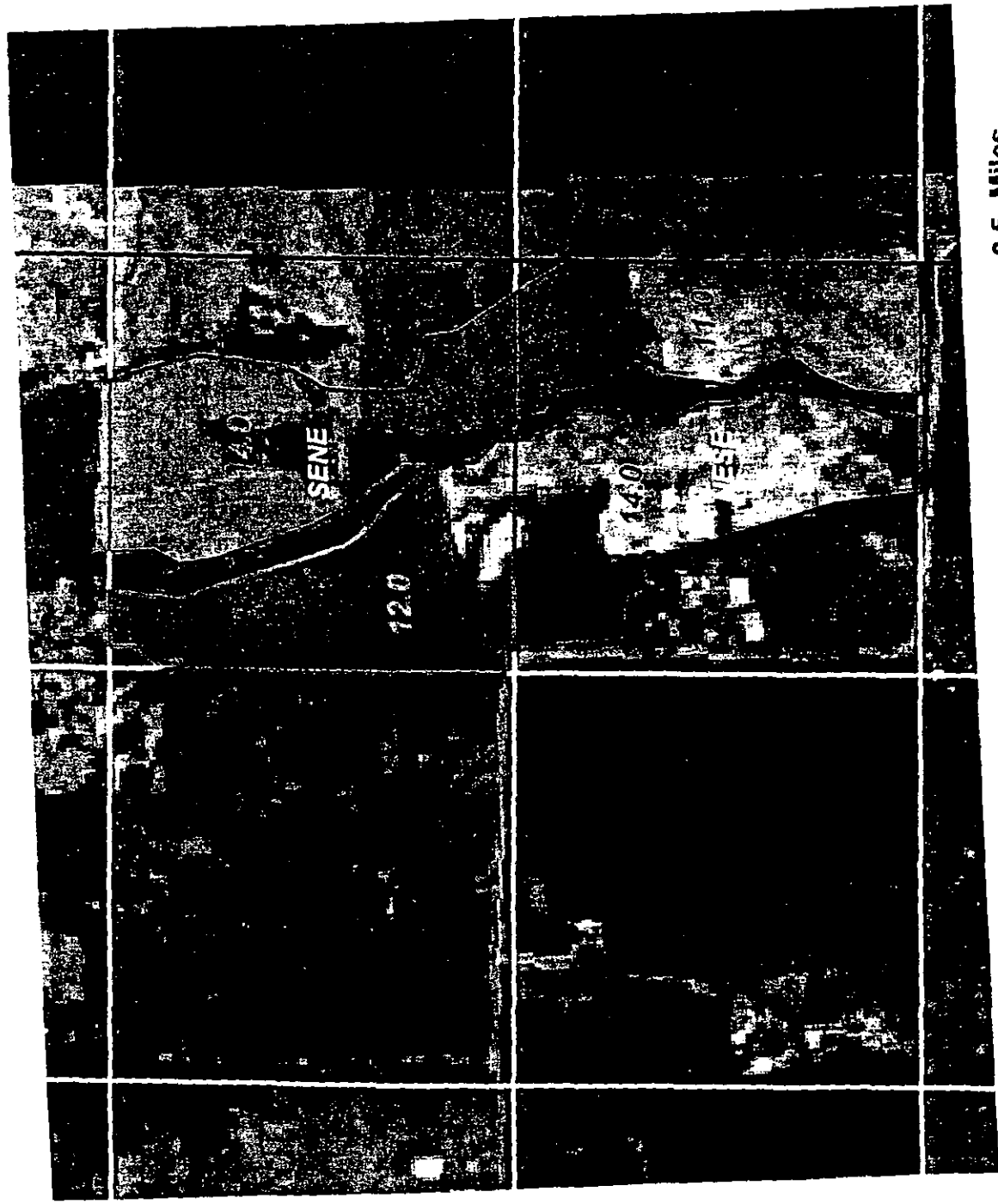
Misc:

Water District Number: 67

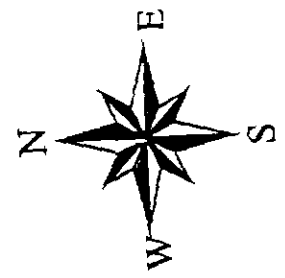
Field Exam Fee:



T15N, R03W, S10



- Temp pou.shp
- S15n03w.shp
- P15n03w.shp



0.5 Miles

0.25

0



SENE

NESE

Gary

The only way I have regulated the water through the pipeline is by telling the water user, is that their water is down to adjudication and they can run 10 heads on the 67-00285 and the 67-00286 water rights being only 4" of adjudicated water and on the 67-00287 they can run a quarter mile line being 32 heads on their 19" right, there is really no other way too adjust the water.

On July ~~26~~ ²⁶ I told Bret that the water was down too adjudicated and too run only 10 heads on his fathers place and could run a quarter mile line 32 heads on the 67-00287 right. I had a complaint called to me that on the 67-00285 & 67-00286 water rights that Newbolds were running a quarter mile line 32 heads on that land. I went and talked to Douglas Newbold about it and I then tagged the valve and shut the water line off. This was on July 30. Aug 1 they turned the water back on in the quarter mile line. I had told them to leave it off but that they could run 10 heads, they also ran the quarter mile lines Aug 2, 2000

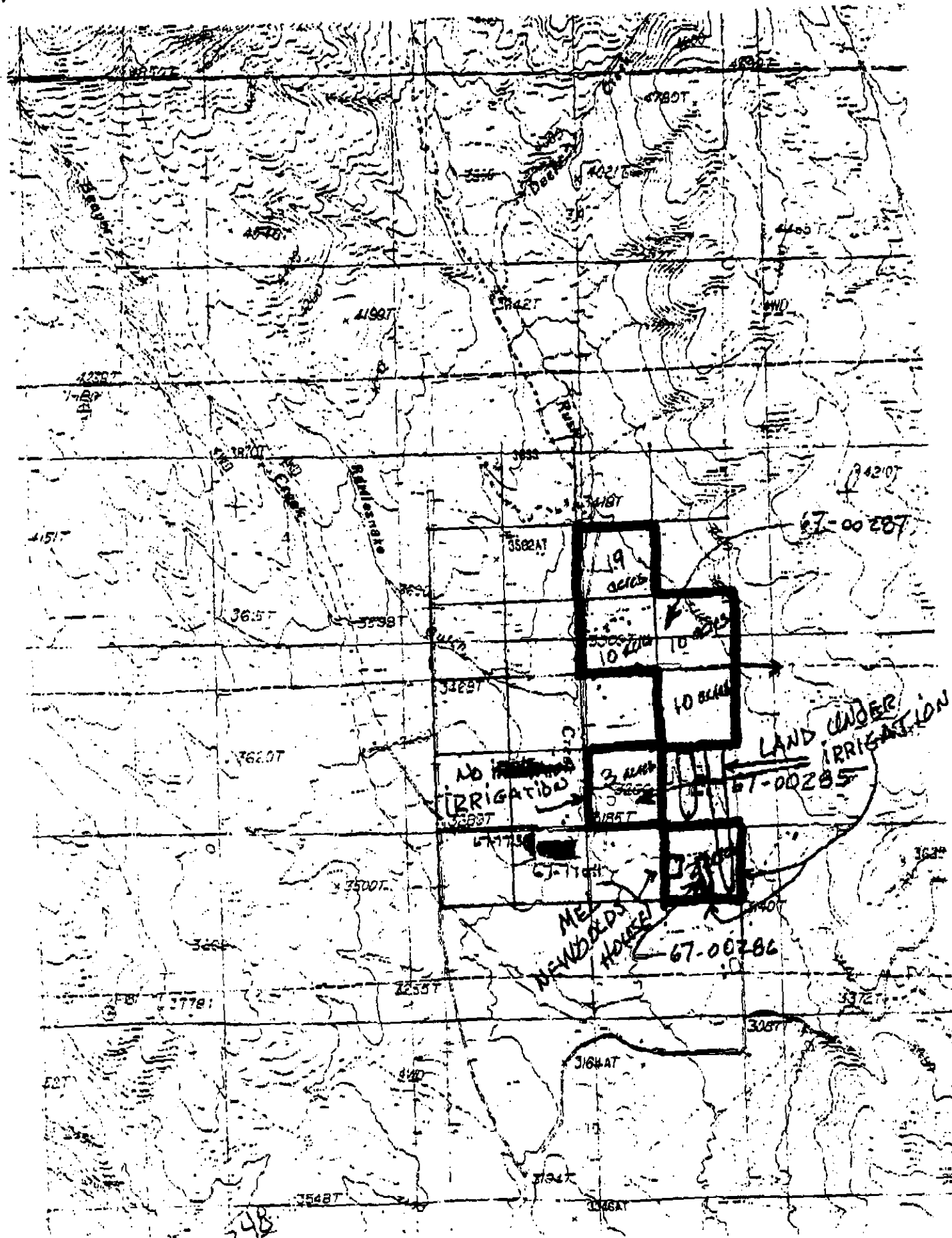
I was told by the neighbors that they ran the quarter lines on July 28 and 29 but I was gone and didn't see it.

Thank you
Jerry Myers

P.S. I found the valve had been turned back on not the deputy watermaster line 10

Bret Neubold is the owner of the land Douglas doesn't own any of it.

Any questions call I'll be home in the morning tell 9



34-3348
FAX