

12/15/2006

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

RIGHT NUMBER: 78-4028A

NAME AND ADDRESS: KENNETH R PURDOM II
6354 PAINTER AVE
WHITTIER CA 90601

SOURCE: UNNAMED STREAM

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.820 CFS
5.000 AFY

The rights listed below are limited to a total combined diversion rate of 0.82 cfs.

Combined Right Nos.: 78-4028A, 78-4028B & 78-4028C

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/09/1919

POINT OF DIVERSION:

T20N R01E S26 SWNE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.800 CFS
STOCKWATER STORAGE	05/01 11/15	5.00 AFY
STOCKWATER FROM STORAGE	01/01 12/31	5.00 AFY
IRRIGATION FROM STORAGE	04/01 10/31	5.00 AFY
IRRIGATION STORAGE	05/01 11/15	5.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T20N R01E S26	NENE	4.50	T20N R01E S26	NWNE	0.60
T20N R01E S26	SWNE	6.70	T20N R01E S26	SENE	37.00
T20N R01E S26	NESE	31.00	T20N R01E S26	NWSE	0.20

STOCKWATER FROM STORAGE same as IRRIGATION

IRRIGATION FROM STORAGE same as IRRIGATION

STOCKWATER same as IRRIGATION

80 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 80 acres in a single irrigation season. Combined Right Nos.: 78-4028A, 78-4028B, 78-4028C, 78-4029 & 78-4097

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

The quantity of water decreed for this water right for stockwater 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is renumbered from former right 78-4028.

Stockwater use is for 150 range cattle.

Source known locally as Hot Springs Creek.



Idaho Department of Water Resources

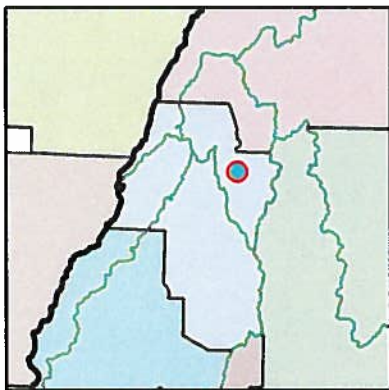
SRBA Recommendation:

78-4028A

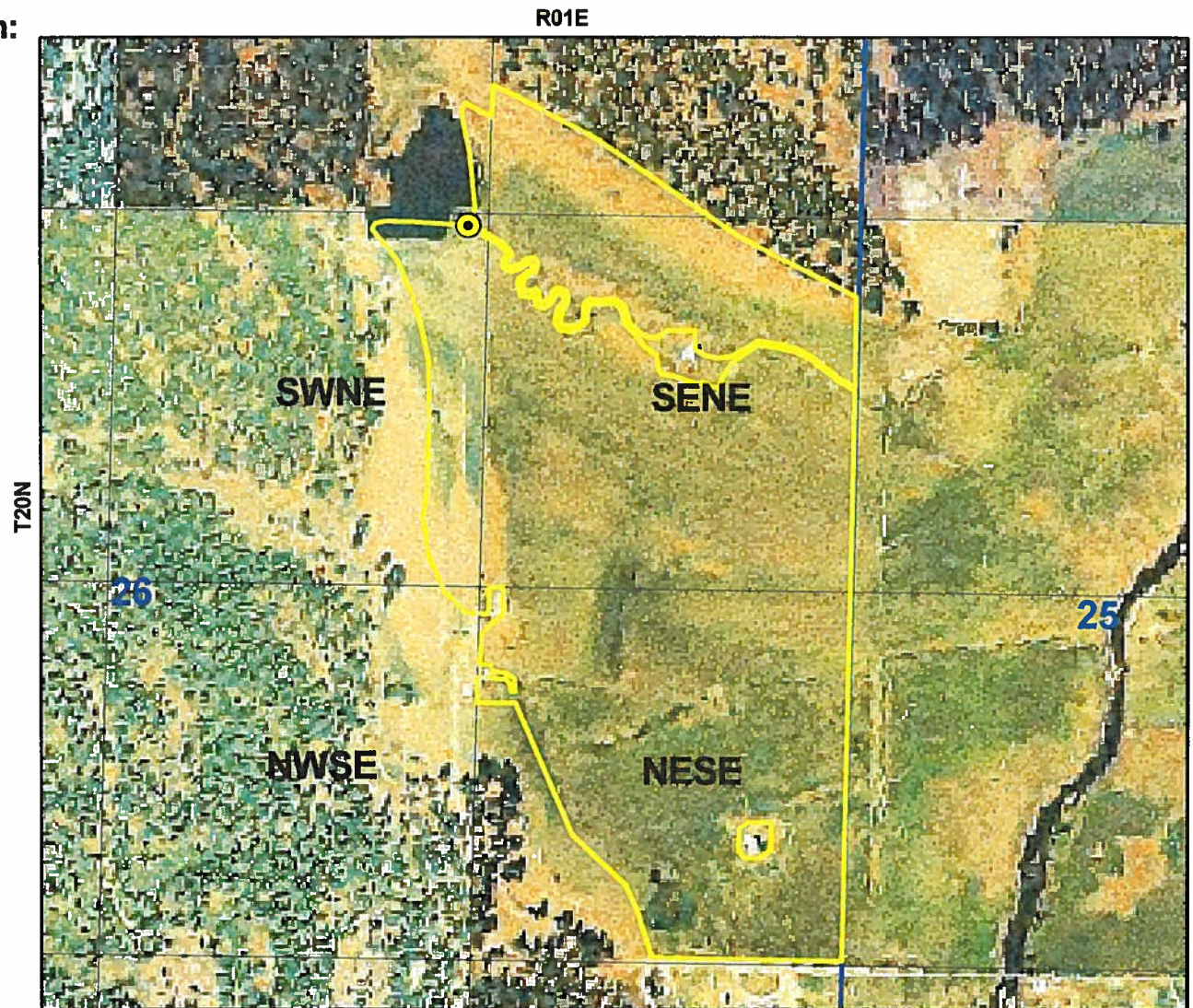
(Irrigation)

Legend

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



Adams County
IDWR Basin 78



0 0.3 0.6 Miles

Prepared by K. Walker
On Thursday, December 14, 2006
1987/88 Aerial Photography

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: **A78-04028**
Date Received: 5/ 3/1988
Receipt No: C000490
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH R PURDOM II 310-698-0948
Address: 6354 PAINTER AVE
WHITTIER CA 90601

2. Date of Priority: MAY 9, 1919

3. Source: HOT SPRINGS CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	01E	26		NW	NE		ADAMS

5. Description of diverting works:
EARTH DAM WITH IRRIGATION TILE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/15	0.800		
IRRIGATION STORAGE	05/01	11/15			20.00
IRRIGATION FROM STORAGE	05/01	10/15			20.00
STOCKWATER	01/01	12/31	0.020		
STOCKWATER STORAGE	05/01	11/15			20.00
STOCKWATER FROM STORAGE	01/01	12/31			20.00

7. Total Quantity Appropriated is:
0.820 C.F.S. (and/or) 20.00 A.F.A.

8. Total consumptive use is 160.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 RANGE.

MICROFILMED

AUG 08 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	01E	26	SE	NE		IRR	40.0
			NE	SE		IRR	40.0
Section Acres							80.0
Total Acres							80.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
78-04029, 04097, 07175

14. Remarks:
PRIORITIES ARE 5-9-1919 OF .82 CFS & 5 AFA, 9-3-1946 OF .82 CFS & 10 AFA, & 9-10-1963 OF .82 CFS & 20 AFA.

15. Basis of Claim: STATUTORY CLAIM

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: _____

MICROFILMED

AUG 08 1994

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

AUG 08 1994

RECEIVED



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

JAN 9 1993

Please print or type

(see instructions on back of page)

Department of Water Resources

DATE OF CLOSING: Dec. 31, 1992

RECEIVED

JAN 20 1993

LEGAL DESCRIPTION OF PROPERTY: Township 20 North Range 01 East

Section 26, 1/4 of 1/4 of 1/4, Govt. Lot, BM. Department of Water Resources
Lot, Block, Subdivision/Townsite. Western Regional Office

If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) Assigned by IDWR: A78-04028

☐ Name and Address of Former Owner/Claimant(s)(Seller): Marie A. Evans or Donald R. Evans, et al.

☐ New Owner/Claimant (Purchaser): Kenneth R. Purdom, II

☐ New Mailing Address: 6354 Painter Ave.
Whittier, CA 90601

☐ New Telephone Number: (310) 698 - 0948

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Amended Notice of Claim

(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 owner/claimant.)

☐ Signature of New Owner/Claimant(s): Kenneth R. Purdom II Date 1-10-93
Kenneth R. Purdom, II Date

☐ Signature of Former Owner/Claimant(s): Donald R. Evans Date 12-30-92
Donald R. Evans 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: 2-1-93 By: JH

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 2-1-93 By: JH

Claim Numbers of Split, if any:

MICROFILMED

AUG 08 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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: A78-04028
Date Received: 5/03/1988
Receipt No: C000490
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MARIE A. EVANS
Address: C/O DONALD R. EVANS
512 S. LATAH ST.
BOISE, ID

83705

OR

Name: DONALD R. EVANS
Address: 512 S. LATAH ST.
BOISE, ID

208-343-6824

83705

OR

Name: EVELYN EVANS CHURCH
Address: C/O DONALD R. EVANS
512 S. LATAH ST.
BOISE, ID

83705

OR

Name: CLIFTON E. EVANS
Address: C/O DONALD R. EVANS
512 S. LATAH ST.
BOISE, ID

83705

2. Date of Priority: MAY 09, 1919

3. Source: HOT SPRINGS CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	01E	26	NW	NE			ADAMS

5. Description of diverting works:
EARTH DAM WITH IRRIGATION TILE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/15	0.800		
IRRIGATION STORAGE	05/01	11/15			20.00

A78-04028

Page 1

Date: 04/27/90

MICROFILMED
OCT 05 1992

6. Water is used for the following purposes: Continued

Purpose	From	To	C.F.S (and/or)	A.F.A.
IRRIGATION FROM STORAGE	05/01	10/15		20.00
STOCKWATER	01/01	12/31	0.020	
STOCKWATER STORAGE	05/01	11/15		20.00
STOCKWATER FROM STORAGE	01/01	12/31		20.00

7. Total Quantity Appropriated is:
0.820 C.F.S. (and/or) 20.00 A.F.A.

8. Total consumptive use is 160.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
20N	01E	26	SE	NE	IRR	40.0
			NE	SE	IRR	40.0
Section Acres						80.0
Total Acres						80.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
78-04029, 04097, 07175

14. Remarks:
PRIORITIES ARE 5-9-1919 OF .82 CFS & 5 AFA, 9-3-1946 OF .82 CFS & 10 AFA, & 9-10-1963 OF .82 CFS & 20 AFA.

15. Basis of Claim: STATUTORY CLAIM

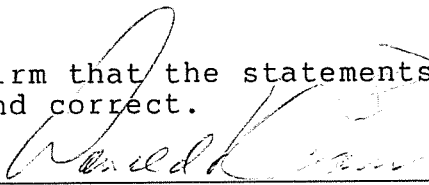
16. Signature(s)

(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: _____

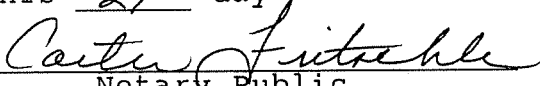
For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):  Date: 4-27-90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of April 19 90 
Notary Public

Seal

Residing at _____
My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 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: A78-04028
Date Received: 5/03/1988
Receipt No: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARIE A. EVANS, ET AL 208-347-2418
Address: P.O. BOX 332
NEW MEADOWS, ID 83654

2. Date of Priority: MAY 09, 1919

3. Source: HOT SPRINGS CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	01E	26		NW	NE		ADAMS

5. Description of diverting works:
EARTH DAM WITH IRRIGATION TILE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/15	0.800		
IRRIGATION STORAGE	05/01	11/15			20.00
IRRIGATION FROM STORAGE	05/01	10/15			20.00
STOCKWATER	01/01	12/31	0.020		
STOCKWATER STORAGE	05/01	11/15			20.00
STOCKWATER FROM STORAGE	01/01	12/31			20.00

7. Total Quantity Appropriated is:
0.820 C.F.S. (and/or) 20.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	01E	26	SE	NE		IRR	40.0
			NE	SE		IRR	40.0
						Section Acres	80.0
						Total Acres	80.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
78-4029.

14. Remarks:
PRIORITIES ARE 5-9-1919 OF .82 CFS & 5 AFA, 9-3-1946 OF .82 CFS &
10 AFA, & 9-10-1963 OF .82 CFS & 20 AFA.

15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

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): Donald K. Pauer Date: 5-3-88

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 3rd day

of May 19 88

Dena Billups
Notary Public

Seal

Residing at Caldwell, ID

My Commission Expires 3/21/94



12/15/2006

Idaho Dept. of Water Resources
Place of Use Comparison Report

Page1

only report -

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Rec	~~78 7175~~	KENNETH R PURDOM II,	GROUND WATER	20N01E26				~~16~~ ~~40~~									~~40~~ ~~6~~				~~102~~
Rec	78 4029	KENNETH R PURDOM II,	SPRINGS	20N01E26				14									26				40
Rec	78 4097	KENNETH R PURDOM II,	SPRINGS	20N01E26													31				31
Rec	78 4028A	KENNETH R PURDOM II,	UNNAMED STREAM	20N01E26	4.5	0.6	6.7	37									31	0.2			80
Rec	78 4028B	KENNETH R PURDOM II,	UNNAMED STREAM	20N01E26	4.5	0.6	6.7	37									31	0.2			80
Rec	78 4028C	KENNETH R PURDOM II,	UNNAMED STREAM	20N01E26	4.5	0.6	6.7	37									31	0.2			80

4.5 0.6 6.7 37

31 0.2 = 80



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

RECEIVED

DEC 19 2006

DEPARTMENT OF
WATER RESOURCES

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 7, 2006

KENNETH R PURDOM II
6354 PAINTER AVE
WHITTIER CA 90601

12-12-06
See foret response
Hard copy to follow
Kenneth R Purdom II

Re: Claims to Water Right Nos. 78-4028, 78-4029 and 78-4097

Dear Claimant:

In January of 1993, you submitted a notice of change in ownership of the above referenced claims in the Snake River Basin Adjudication. Enclosed are computer generated print-outs of the claims for your reference only; these print-outs are **NOT** to be returned or re-filed. You have indicated, when these claims were filed, that the water rights were based on a "Statutory Claim" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-outs. These claims have not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, the priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize the water use under this right, if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible.

The required evidence supporting the priority dates must be submitted by **December 14, 2006**, referencing all documents with the corresponding claim numbers. If you have any questions not covered by this letter, or the enclosed pamphlet, please feel free to call me at 287-4953.

Sincerely,

Kay Walker
Sr. Water Resource Agent

Enclosures

KENNETH R. PURDOM II, M.D., F.A.C.O.G.
6354 PAINTER AVENUE • WHITTIER, CALIFORNIA 90601
(562) 698-0948
OBSTETRICS • GYNECOLOGY • INFERTILITY

**WHAT IF I AM UNABLE TO OBTAIN
ANY OF THE SOURCES LISTED
ABOVE?**

IF YOU CANNOT furnish some proof such as the examples listed above, you may submit your own testimony, in the form of an affidavit (a letter signed by the you and notarized), which explains the basis for the year of priority claimed. The letter should include a statement of the claimant's personal knowledge of the water use, but may also include information the claimant obtained from others.

December 12, 2006

To: State of Idaho
Department of Water Resources
322 E. Front Street
Boise, Idaho

From: Kenneth R. Purdom II

Re: Claims to water right Nos. 78-4028, 78-4029, 78-4097

Dear Sirs:

I will need to submit my own testimony in the form of an affidavit.

When I purchased the property in 1994, -associated with the above listed water right nos., I was informed by the owners-members of the Evans family-that they have been irrigating from The Springs and Irrigation Storage since the late 1800's and early 1900's.

I am requesting the early priority dates be honored.

Sincerely,

Kenneth R. Purdom II MD
Kenneth R. Purdom II

ROSE M. PYLES
COMM. # 1678268
NOTARY PUBLIC, CALIFORNIA
LOS ANGELES COUNTY
Comm. Expires June 27, 2010

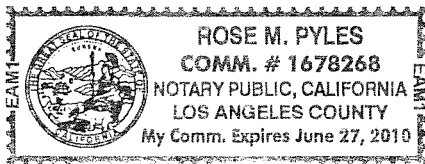
**OFFICIAL CALIFORNIA NOTARIAL CERTIFICATE
JURAT**

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 12th day of Dec., 2006, by
Kenneth Rea Purdom,
personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who
appeared before me.

Seal



Rose M. Pyles
Signature

ADDITIONAL INFORMATION

DOCUMENT INFORMATION

Document Date Dec. 12 2006

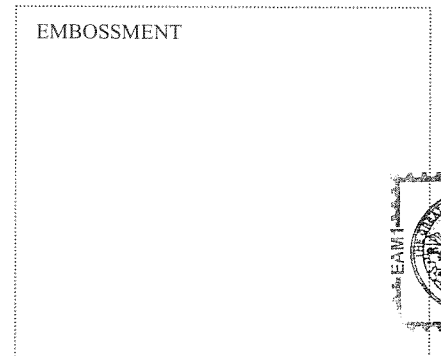
Number of Pages 2

☒ Placed under Oath ☐ Placed under Affirmation ☐ Document Signed before the
Notary

TYPE OF IDENTIFICATION

- ☐ Personal Knowledge of the Notary Public
☒ Satisfactory Evidence –identification card
☐ One Credible Witness acknowledging identity of principal
☐ Two Credible Witnesses acknowledging identity of principal

EMBOSSMENT



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 78-4028A V1

WATER RIGHT NUMBER: 78-4028A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KENNETH R PURDOM II 6354 PAINTER AVE WHITTIER, CA 90601 (310)698-0948
Original Owner	DONALD R EVANS 512 S LATAH ST BOISE, ID 83705 (208)343-6824
Original Owner	MARIE A EVANS C/O DONALD R EVANS 512 S LATAH ST BOISE, ID 83705
Original Owner	CLIFTON E EVANS C/O DONALD R EVANS 512 S LATAH ST BOISE, ID 83705
Original Owner	EVELYN EVANS CHURCH C/O DONALD R EVANS 512 S LATAH ST BOISE, ID 83705

Priority Date: 05/09/1919

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	LITTLE SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.800 CFS	
STOCKWATER STORAGE	05/01 to 11/15		5.00 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		5.00 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		5.00 AF
IRRIGATION STORAGE	05/01 to 11/15		5.00 AF
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.820 CFS	5.00 AF

Location of Point(s) of Diversion

UNNAMED STREAM	SW1/4NE1/4	Sec. 26, Twp 20N, Rge 01E, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp Rge Sec | NE | NW | SW | SE |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 78-4028A V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
20N 01E 26	4.5	.6	6.7	37.0									31.0	.2			80.0

Total Acres: 80

STOCKWATER FROM STORAGE same as IRRIGATION

IRRIGATION FROM STORAGE same as IRRIGATION

STOCKWATER same as IRRIGATION

Conditions of Approval:

1. This right is renumbered from former right 78-4028.
2. E52 The rights listed below are limited to a total combined diversion rate of 0.82 cfs.
Combined Right Nos.: 78-4028A, 78-4028B & 78-4028C
3. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. E56 The rights listed below are limited to the irrigation of a combined total of 80 acres in a single irrigation season. Combined Right Nos.: 78-4028A, 78-4028B, 78-4028C, 78-4029 & 78-4097
5. X02 Stockwater use is for 150 range cattle.
6. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
7. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
8. Source known locally as Hot Springs Creek.

Remarks:

Comments:

1. kwalker 12/14/2006 claim remarks

Comment: PRIORITIES ARE 5-9-1919 OF .82 CFS & 5 AFA, 9-3-1946 OF .82 CFS & 10 AFA, & 9-10-1963 OF .82 CFS & 20 AFA.

2. kwalker 12/14/2006 Source

Comment: Source is unnamed stream per topographical map R58.

3. Renumber 12/14/2006 10:44:20 AM Renumber WR 78-4028A

Comment: This has been renumbered from 78-4028

4. kwalker 12/14/2006 Splits of 4028

Comment: Claim was split due to claim remarks shown below. Claim 78-4028 split by priority dates of reservoir enlargements.

5. kwalker 12/15/2006 Overlap with 78-7175

Comment: Rt. 78-7175 is recommended as a permit. Since this is only a permit it has not been included in the overlap conditions because licensing of that permit may not be reflected in the recommendation and it would be easier to license is not included in limiting conditions.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 78-4028A V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.82		80

Combined Water Rights: 78-4028A , 78-4028B , 78-4028C

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		80

Combined Water Rights: 78-4029 , 78-4097 , 78-4028A , 78-4028B , 78-4028C

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	12/14/2006 10:18:47 AM	kwalker			Active
Priority Date	12/14/2006 10:20:05 AM	kwalker			Active
POD	12/14/2006 10:20:32 AM	kwalker			Active
Source	12/14/2006 10:29:03 AM	kwalker			Active
POU	12/14/2006 10:29:32 AM	kwalker			Active
Priority Date	12/14/2006 11:23:46 AM	kwalker			Active
POD	12/14/2006 11:24:14 AM	kwalker			Active
Source	12/14/2006 11:25:43 AM	kwalker			Active
POU	12/14/2006 11:26:57 AM	kwalker			Active
Use	12/14/2006 11:31:45 AM	kwalker			Active
Season	12/14/2006 11:33:22 AM	kwalker			Active
Quantity	12/14/2006 11:35:48 AM	kwalker			Active
Summary			12/15/2006	kwalker	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 78-4028A V1

POD	12/14/2006 10:20:40 AM	kwalker	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	12/14/2006 10:22:15 AM	kwalker	Updated PLS
POU	12/14/2006 10:30:20 AM	kwalker	Updated PLS for Active POU
Contacts	12/14/2006 10:18:54 AM	kwalker	(No) 1. Do you want to schedule an appointment? Comment for 1: no time to do exam - recommendations due asap
General	12/14/2006 10:20:12 AM	kwalker	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (No) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - statement of current owner
Source	12/14/2006 10:29:10 AM	kwalker	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (Yes) 11. Is a Source remark and/or condition required? Description for Question 10 - in office review - source is unnamed stream known locally as Hot Springs Creek - see topo R58
POU	12/29/2005 1:19:34 PM	cfritsch	Updated shape for Active POU
POU	12/29/2005 1:19:53 PM	cfritsch	Updated PLS for Active POU
POD	12/29/2005 1:23:36 PM	cfritsch	Updated shape
POU	12/29/2005 1:24:35 PM	cfritsch	Edited Season Of Use
POU	12/29/2005 1:21:21 PM	cfritsch	Updated shape for Active POU
POD	12/29/2005 1:23:51 PM	cfritsch	Updated PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 78-4028A V1

POU	12/14/2006 10:29:40 AM	kwalker	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - In office review
POD	12/14/2006 11:24:25 AM	kwalker	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	12/14/2006 11:29:55 AM	kwalker	Updated shape for Active POU
Season	12/14/2006 11:33:33 AM	kwalker	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
General	12/14/2006 11:23:57 AM	kwalker	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (No) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - claimants statement of previous owners knowledge

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 78-4028A V1

Source	12/14/2006 11:25:53 AM	kwalker	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (Yes) 11. Is a Source remark and/or condition required? Description for Question 10 - in office review
POU	12/14/2006 11:27:07 AM	kwalker	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - in office review
Quantity	12/14/2006 11:35:59 AM	kwalker	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - no time - recommend only 5 afa of storage under this recommendation with 1919 priority - see remarks on claim
POD	12/14/2006 11:25:07 AM	kwalker	Updated shape
POD	12/14/2006 11:25:22 AM	kwalker	Updated PLS
POU	12/14/2006 11:30:18 AM	kwalker	Updated PLS for Active POU
Use	12/14/2006 11:31:56 AM	kwalker	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (Yes) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - in office review

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 78-4028A V1

Summary	12/15/2006 10:08:28 AM	kwalker	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
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Water Supply Bank:

KENNETH R. PURDOM II, M.D., F.A.C.O.G.
6354 PAINTER AVENUE • WHITTIER, CALIFORNIA 90601
(562) 698-0948
OBSTETRICS • GYNECOLOGY • INFERTILITY

WHAT IF I AM UNABLE TO OBTAIN
ANY OF THE SOURCES LIST
ABOVE?

IF YOU CANNOT furnish such proof such as the examples listed above you may submit your own testimony, in form of an affidavit (a letter signed by you and notarized), which explains basis for the year of priority claimed. The letter should include a statement of claimant's personal knowledge of the water use, but may also include information claimant obtained from others.

December 12, 2006

To: State of Idaho
Department of Water Resources
322 E. Front Street
Boise, Idaho

From: Kenneth R. Purdom II

Re: Claims to water right Nos. 78-4028, 78-4029, 78-4097

Dear Sirs:

I will need to submit my own testimony in the form of an affidavit.

* When I purchased the property in 1994, -associated with the above listed water right nos., I was informed by the owners-members of the Evans family-that they have been irrigating from The Springs and Irrigation Storage since the late 1800's and early 1900's.

I am requesting the early priority dates be honored.

Sincerely,

Kenneth R. Purdom II MD
Kenneth R. Purdom II

ROSE M. PYLES
COMM. # 1678268
NOTARY PUBLIC, CALIFORNIA
LOS ANGELES COUNTY
Comm. Expires June 27, 2010

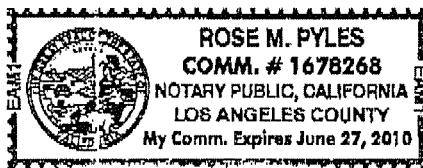
OFFICIAL CALIFORNIA NOTARIAL CERTIFICATE JURAT

State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 12th day of Dec., 2006, by
Kenneth Reg Purdom
~~personally known to me~~ or proved to me on the basis of satisfactory evidence to be the person(s) who
 appeared before me.

Seal



Rose M. Pyles
 Signature

 ADDITIONAL INFORMATION

DOCUMENT INFORMATION

Document Date Dec. 12 2006Number of Pages 2

☒ Placed under Oath ☐ Placed under Affirmation ☐ Document Signed before the
 Notary

TYPE OF IDENTIFICATION

- ☐ Personal Knowledge of the Notary Public
☒ Satisfactory Evidence —identification card
☐ One Credible Witness acknowledging identity of principal
☐ Two Credible Witnesses acknowledging identity of principal

EMBOSSMENT





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 7, 2006

KENNETH R PURDOM II
6354 PAINTER AVE
WHITTIER CA 90601

12-12-06
See forked response
Hard copy to follow
Kenneth R. Purdom II

Re: Claims to Water Right Nos. 78-4028, 78-4029 and 78-4097

Dear Claimant:

In January of 1993, you submitted a notice of change in ownership of the above referenced claims in the Snake River Basin Adjudication. Enclosed are computer generated print-outs of the claims for your reference only; these print-outs are **NOT** to be returned or re-filed. You have indicated, when these claims were filed, that the water rights were based on a "Statutory Claim" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-outs. These claims have not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, the priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize the water use under this right, if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible.

The required evidence supporting the priority dates must be submitted by **December 14, 2006**, referencing all documents with the corresponding claim numbers. If you have any questions not covered by this letter, or the enclosed pamphlet, please feel free to call me at 287-4953.

Sincerely,

Kay Walker
Sr. Water Resource Agent

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

December 7, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

KENNETH R PURDOM II
6354 PAINTER AVE
WHITTIER CA 90601

Re: Claims to Water Right Nos. 78-4028, 78-4029 and 78-4097

Dear Claimant:

In January of 1993, you submitted a notice of change in ownership of the above referenced claims in the Snake River Basin Adjudication. Enclosed are computer generated print-outs of the claims for your reference only; these print-outs are **NOT** to be returned or re-filed. You have indicated, when these claims were filed, that the water rights were based on a "Statutory Claim" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-outs. These claims have not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

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The required evidence supporting the priority dates must be submitted by **December 14, 2006**, referencing all documents with the corresponding claim numbers. If you have any questions not covered by this letter, or the enclosed pamphlet, please feel free to call me at 287-4953.

Sincerely,

Kay Walker
Sr. Water Resource Agent

Enclosures

Identification No. 78-40289

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Marie A. Evans
post office address Box # 332 New Meadows, Idaho 83654
2. The point of diversion is in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 26 Township 20N
Range 1E B.M. located on Hot Springs Creek
(name of source)
tributary to Little Salmon in Adams County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed: MAY 9, 1919 M.A.E. 11-15-71

<u>Sept 1, 1922</u>	amount: <u>.82</u> c.f.s. or <u>5</u> acre feet <u>Storage</u>
<u>Sept 3, 1940</u>	amount: <u>.82</u> c.f.s. or <u>10</u> acre feet <u>Storage</u>
<u>Sept 10, 1963</u>	amount: <u>.82</u> c.f.s. or <u>20</u> acre feet <u>Storage</u>

Total claimed .82 c.f.s. or 20 acre feet.
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

<u>.80</u> use <u>irrigation</u>	period of use from <u>5/1</u> to <u>10/15</u> (both dates inclusive)
<u>.02</u> use <u>stockwater</u>	period of use from <u>1/1</u> to <u>12/31</u> (both dates inclusive)
use _____	period of use from _____ to _____ (both dates inclusive)
use _____	period of use from _____ to _____ (both dates inclusive)
4. Description of diverting works:
 - a. Surface water diversion dam and/or headgate: material is composed of earth
_____; length is 700 feet; height is 15 feet;
width at bottom is 40 feet; with at top is 10 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known
Reservoir was increased by total capacity on the above priority dates.
 - b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

c. Conveying works: length of ditch to place of use is ~~2000~~ feet; width of ditch at top is 2 feet; width of bottom of ditch is 1 feet; depth of water is 1 feet; grade of ditch per 1000 feet is 7 feet; material through which ditch passes is earth (clay); maximum length of pipe line to first place of use is ~~50~~ feet; diameter of pipe line is 8" inches; type of pipe Concrete; grade of pipe per 1000 feet is 2 12". Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible None.

d. If water is stored: name of reservoir SAF in 1919 No Name;
total capacity of reservoir is SAF acre feet; active capacity of reservoir is SAF in 1919 acre feet;
year construction commenced 1919; year completed 1919; date first used 1919
period of storage is from 5/1 to 11/15; is reservoir drained each year yes;
is reservoir on or off stream ON explain Dam was built in stream bed

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built. yes, if so, give dates and describe 1946 Dam was enlarged with additional fill + increased storage capacity to 10 AF. In 1963, dam was enlarged again and increased storage capacity to 20 AF.

[illegible]

Total number of acres to be irrigated 80

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered 150 head of cattle

7. Where water is used for domestic or municipal purposes give number of families served None
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities None

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

Spring within the reservoir is hot water spring
& hot water is assessable when reservoir is
dry. Temperature of water is 138°.

Spring runoff in addition to normal flow is necessary in order
to adequate irrigate the 80 acres.

* See map in claim # 78-4029

State of Idaho

County of Ada } ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the
foregoing claim to a water right, together with all attached information, and that the matters and facts therein are
true to the best of the affiants knowledge.

x. Maria A Evans
Claimant

Sworn to before me this 3 day of November, 1971.

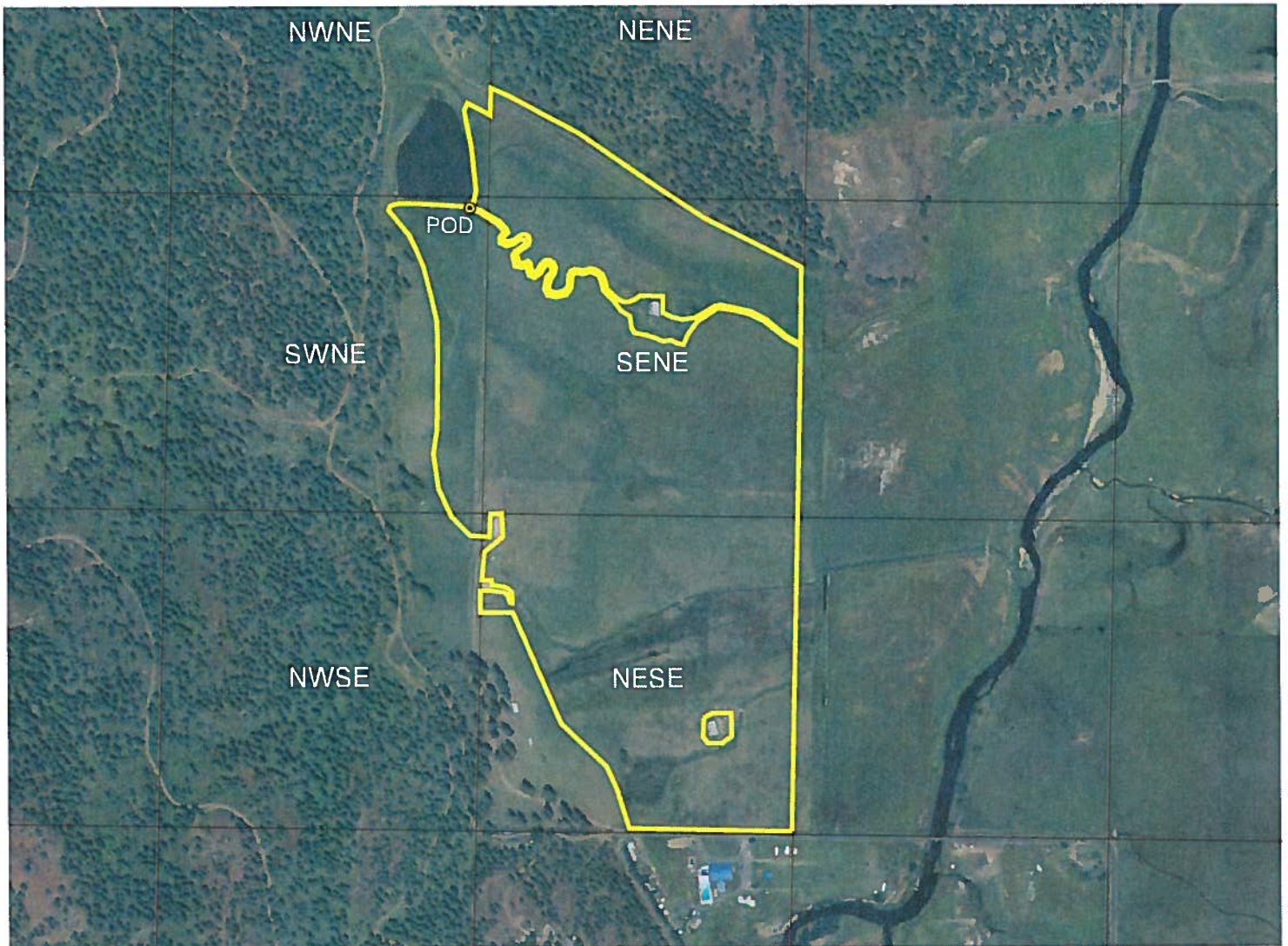
Gary L. Page
Notary Public
Residing at Boise, Idaho

My commission expires 7/29/1971

Rec'd # 8451 For Department Use Only

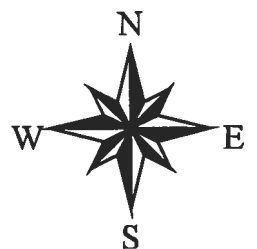
Received by <u>eg</u> Date <u>11-3-71</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>FE</u> Date <u>11/3/71</u>	_____	_____	_____
Fee received by <u>eg</u> Date <u>11/3/71</u> Fee \$ <u>10⁰⁰</u>	_____	_____	_____
Approved for publication by <u>BDE</u>	_____	_____	_____
Published in <u>Idaho Cty Leader</u> Dates <u>11-25-412-2-71</u>	_____	<u>78 666</u>	_____

78-4028



900 0 900 1800 2700 Feet

T20N R01E S26





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 1, 1993

Re: Notices of Claim to a Water Right No's. A78-04028, A78-04029,
A78-04097, A78-07175

Kenneth R. Purdom II
6354 Painter Ave.
Whittier, CA 90601

Mr. Purdom:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

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

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

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

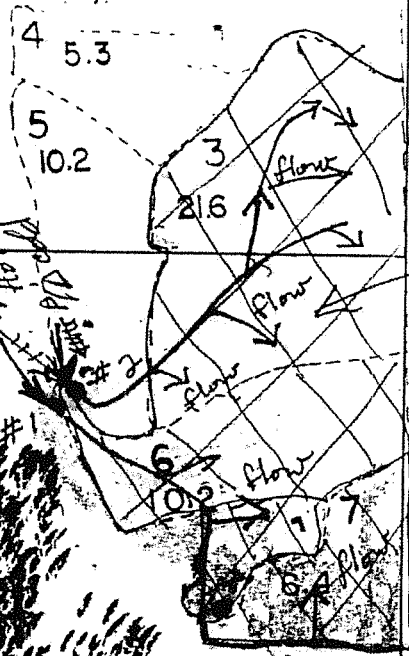
LH:1
Enclosure

MICROFILMED

AUG 08 1994



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DAKOTA

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GEDDES

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PERMIT 78-07175 INIT S.H.
T. R. S. 9/8
P/D 30N 1E 26 SWDE + SENE
SCALE 1:50,000 Aerial Map
PHOTO ID. _____



Idaho Department of Water Resources

SRBA Recommendation:

78-4028A

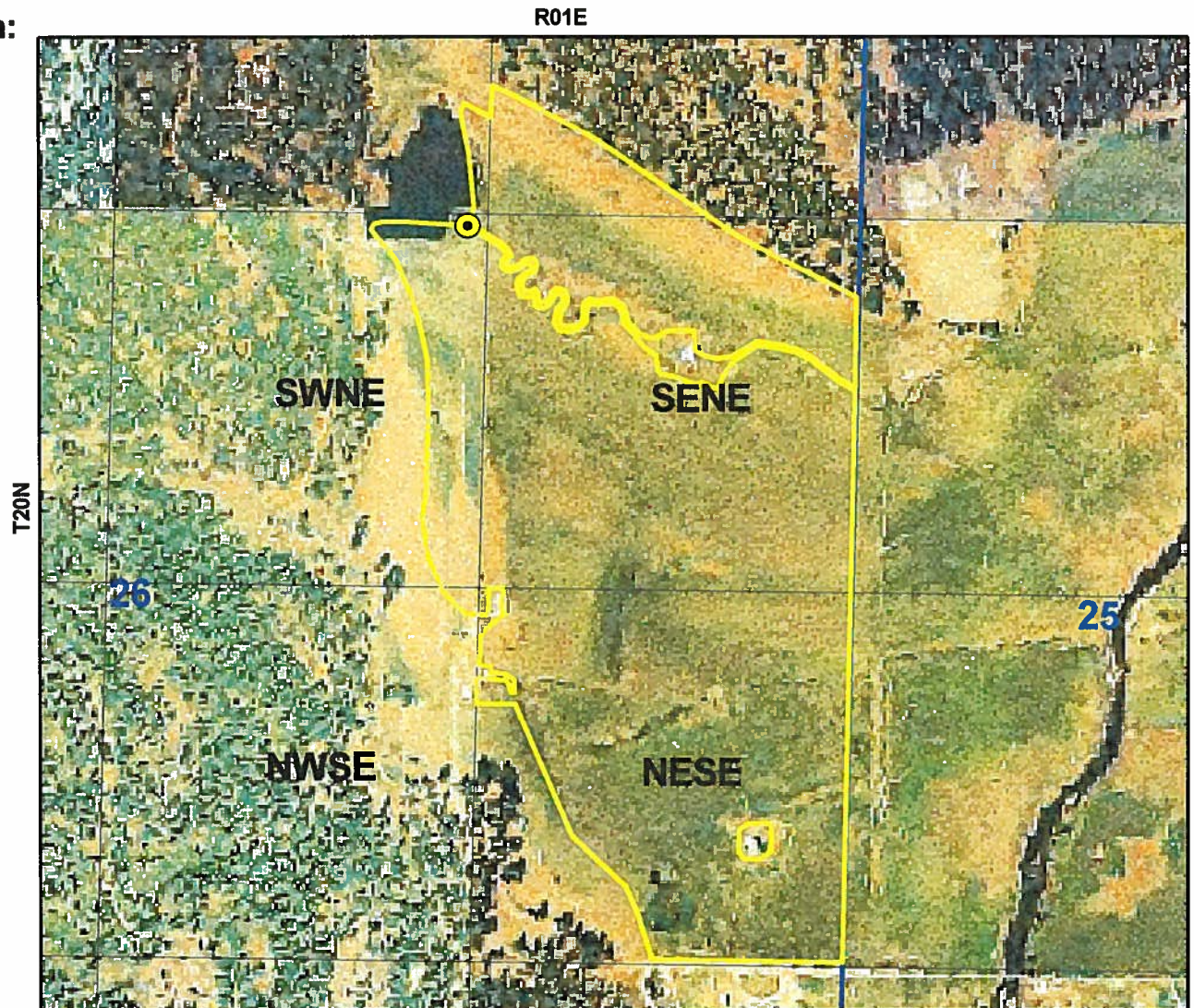
(Irrigation)

Legend

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



Adams County
IDWR Basin 78



Prepared by K. Walker
On Thursday, December 14, 2006
1987/88 Aerial Photography