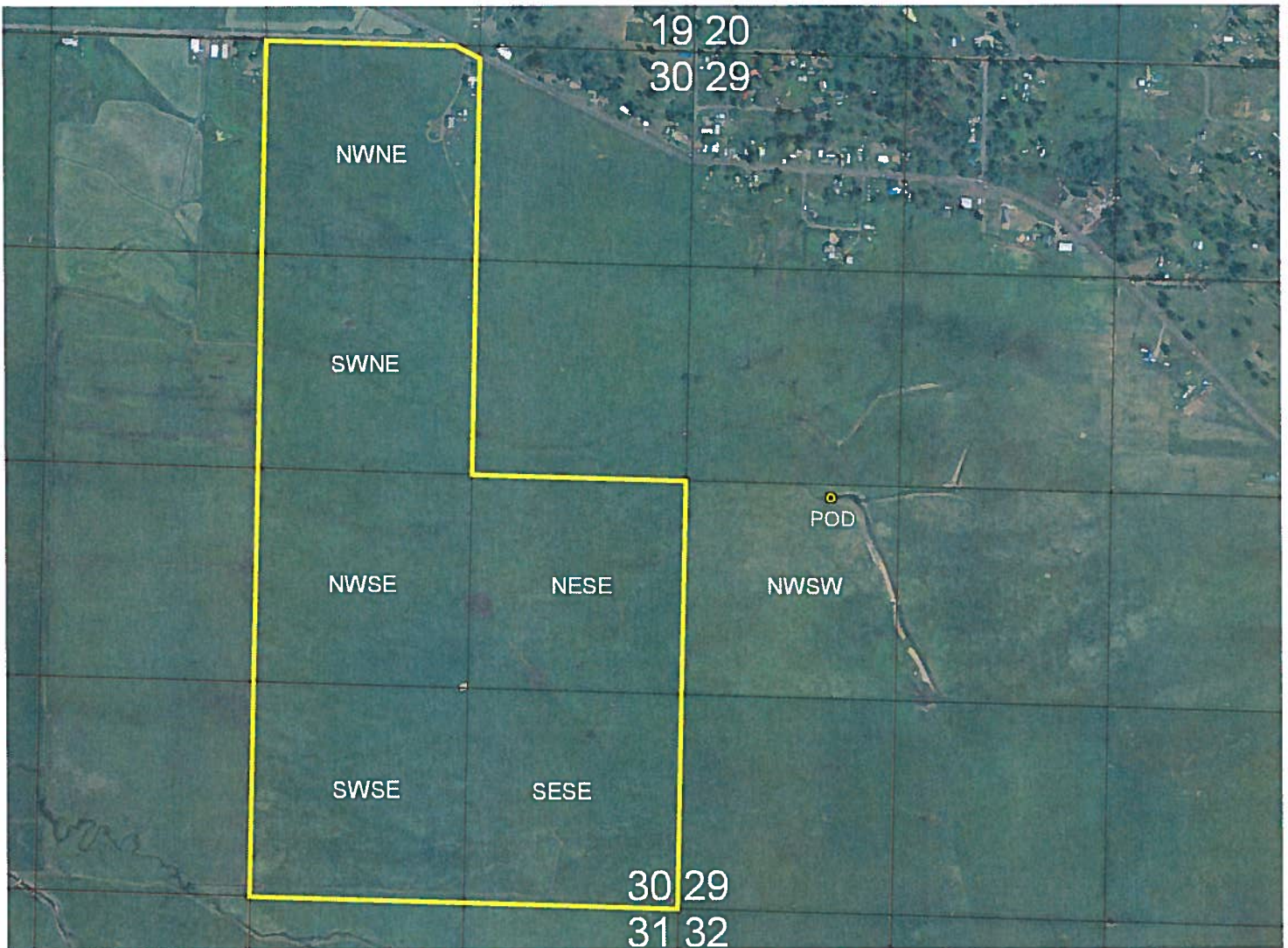
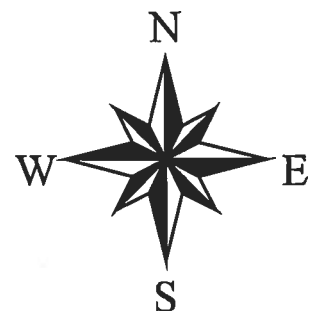


78-4085



T19N R02E S30

Map prepared by: Carter Fritschle
Date prepared: 05/20/05
2004 NAIP Photography
Idaho Department of Water Resources



02/01/2006

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

RIGHT NUMBER: 78-4085

NAME AND ADDRESS: TANA WILSON KERBY
3175 HWY 55
NEW MEADOWS ID 83654

INEZ M WILSON MORRIS
3175 HWY 55
NEW MEADOWS ID 83654

SOURCE: CAMPBELL SWAMP

TRIBUTARY: SINKS

QUANTITY: 4.040 CFS

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

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION:

T19N R02E S29 NWSW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/1 10/31	4.000 CFS
STOCKWATER	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T19N R02E S30	NWNE	40.00	T19N R02E S30	SWNE	40.00
T19N R02E S30	NESE	40.00	T19N R02E S30	NWSE	40.00
T19N R02E S30	SWSE	40.00	T19N R02E S30	SESE	40.00

STOCKWATER same as IRRIGATION

240 ACRES TOTAL

Right Nos. 78-228, 78-2036 and 78-4085 are limited to the irrigation of a combined total of 240 acres in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through the Wilson Ditch.

Use of this right is combined with water from Goose Lake Reservoir Company.

Stockwater use is for 400 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 78-4085

02/01/2006

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
78-228	Claim	19N	02E	30	NW	NE		IRRIGATION	40/80	TANA WILSON KERBY
78-2036	Claim	19N	02E	30	NW	NE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-4085	Claim	19N	02E	30	NW	NE		IRRIGATION	40/240	TANA WILSON KERBY
78-2036	Water Right	19N	02E	30	NW	NE		IRRIGATION	40/240	T A CLARK EST
78-4085	Water Right	19N	02E	30	NW	NE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-12129	Water Right	19N	02E	30	NW	NE		IRRIGATION	40/240	GEORGE WILSON
78-4006A	Claim	19N	02E	30	NW	NE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO
78-4006B	Claim	19N	02E	30	NW	NE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO
78-228	Claim	19N	02E	30	SW	NE		IRRIGATION	40/80	TANA WILSON KERBY
78-2036	Claim	19N	02E	30	SW	NE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-4085	Claim	19N	02E	30	SW	NE		IRRIGATION	40/240	TANA WILSON KERBY
78-2036	Water Right	19N	02E	30	SW	NE		IRRIGATION	40/240	T A CLARK EST
78-4085	Water Right	19N	02E	30	SW	NE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-12129	Water Right	19N	02E	30	SW	NE		IRRIGATION	40/240	GEORGE WILSON
78-4006A	Claim	19N	02E	30	SW	NE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO
78-4006B	Claim	19N	02E	30	SW	NE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO
78-2036	Claim	19N	02E	30	NE	SE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-4085	Claim	19N	02E	30	NE	SE		IRRIGATION	40/240	TANA WILSON KERBY
78-2036	Water Right	19N	02E	30	NE	SE		IRRIGATION	40/240	T A CLARK EST
78-4085	Water Right	19N	02E	30	NE	SE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-12129	Water Right	19N	02E	30	NE	SE		IRRIGATION	40/240	GEORGE WILSON
78-4006A	Claim	19N	02E	30	NE	SE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 78-4085

02/01/2006

2

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
78-4006B	Claim	19N	02E	30	NE	SE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO
78-2036	Claim	19N	02E	30	NW	SE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-4085	Claim	19N	02E	30	NW	SE		IRRIGATION	40/240	TANA WILSON KERBY
78-2036	Water Right	19N	02E	30	NW	SE		IRRIGATION	40/240	T A CLARK EST
78-4085	Water Right	19N	02E	30	NW	SE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-12129	Water Right	19N	02E	30	NW	SE		IRRIGATION	40/240	GEORGE WILSON
78-4006A	Claim	19N	02E	30	NW	SE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO
78-4006B	Claim	19N	02E	30	NW	SE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO
78-2036	Claim	19N	02E	30	SW	SE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-4085	Claim	19N	02E	30	SW	SE		IRRIGATION	40/240	TANA WILSON KERBY
78-2036	Water Right	19N	02E	30	SW	SE		IRRIGATION	40/240	T A CLARK EST
78-4085	Water Right	19N	02E	30	SW	SE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-12129	Water Right	19N	02E	30	SW	SE		IRRIGATION	40/240	GEORGE WILSON
78-4006A	Claim	19N	02E	30	SW	SE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO
78-4006B	Claim	19N	02E	30	SW	SE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO
78-2036	Claim	19N	02E	30	SE	SE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-4085	Claim	19N	02E	30	SE	SE		IRRIGATION	40/240	TANA WILSON KERBY
78-2036	Water Right	19N	02E	30	SE	SE		IRRIGATION	40/240	T A CLARK EST
78-4085	Water Right	19N	02E	30	SE	SE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-12129	Water Right	19N	02E	30	SE	SE		IRRIGATION	40/240	GEORGE WILSON
78-4006A	Claim	19N	02E	30	SE	SE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO
78-4006B	Claim	19N	02E	30	SE	SE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO

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 78-4085
Date Received: 5/31/1988
Receipt No: C001014
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

TANA WILSON KERBY Phone: (208)347-2327
3175 HWY 55
NEW MEADOWS ID USA 83654

INEZ M WILSON MORRIS Phone: (208)347-2327
3175 HWY 55
NEW MEADOWS ID USA 83654

IDAHO FIRST NATIONAL BANK TRUSTEE Phone: (208)383-7172
PO BOX 7928
BOISE ID USA 83707

AMENDED

2. Date of Priority: 06/01/1890

3. Source: CAMPBELL SWAMP Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
19N	02E	29	SW	NW	ADAMS	
19N	02E	29	NW	SW	ADAMS	

5. Description of diverting works:

DITCH FROM NORTH END OF SLOUGH DELIVERS WATER TO IRRIGATED LAND.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	4	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:

4.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	30	NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
						Section Acres	240
						Total Acres	240

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:

14. Remarks:

PERMIT 78-2034 NOW LAPSED FILED 6-17-1924 WILL SUPPORT PRIORITY DATE, POINT OF DIVERSION AND PLACE OF USE.
NECESSARY CHANGES MADE PER AMENDED CLAIM RECEIVED. DB 9/14/2000.
COURT CASE 923 - THOMAS CAREY vs HOWARD DRYDEN SUPPORTS PRIORITY DATE OF JUNE 1, 1890.

Water in swamp has never been measured but we have used over 4.04 cfs yearly for at least the last 75 years. I am claiming decreed right number A78-12129 under A78-4085.
Claim amended per claimant 4-30-03.

Stockwater use is for 400 range cattle.

15. Basis of Claim: Decreed

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 78-12129 78-04085
Date Received 4/30/03
Receipt Number SEE ORIGINAL A78-04085 -52

AMENDED

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

Please type or print clearly

1. Name of Claimant (s) Inez Wilson Morris & TANA Phone (208) 347-2464
Mailing Address 3175 Hwy 55 Wilson Kerby Zip 83654
New Meadows, ID

2. Date of Priority (Only one (1) per claim) 6/01/1890

3. Source of water supply (a) Campbell Swamp
which is tributary to (b) Water sinks

4. a. Location of existing point of diversion is: Township 19N Range 02E Section 29,
1/4 of SW 1/4 of NW 1/4, Govt. Lot, Adams B.M., County of Adams

Additional points of diversion if any: NWSW 5.29 T19N R2E (single point on 4-4 line)

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Ditch from North end of
drain delivers water to my land.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/15 to 10/15 amount 4 + or _____

For Domestic purposes from 1/1 to 12/31 amount .04 + or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.04 + (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) stockwater 400 head steers yearly

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
19N	2E	30		40	40										40	40	40	40	
				D	D										D	D	D	D	

Total number of acres irrigated 240

11. In which county (ies) are lands listed above as place of use located? Adams

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
78-0228- 78-0212; 78-0211, 78-0210, 78-0209, 782036, 78-10044 or None ()

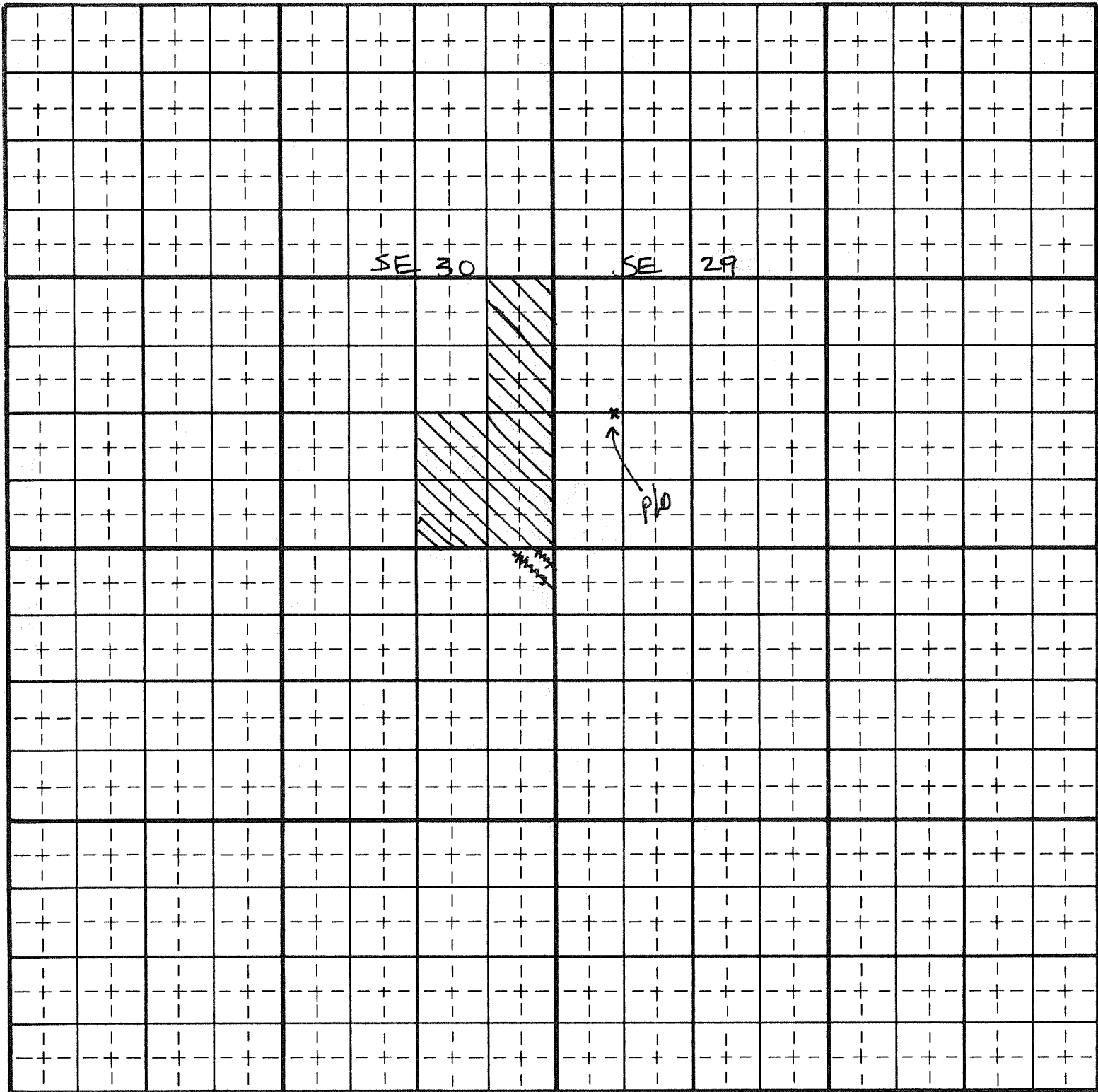
14. Remarks:
Permit 78-2034 lapsed - Court Case #923
supports priority date of 6-1-1890
Water in swamp has never been measured but
we have used over 4.04 cfs yearly for at least
the last 75 years. I am claiming decreed right #
A-78-~~4085~~ under # A78-4085.
12129 (A78-12129)

Last Name Wilson- Kerby Ident No. A-78-4085

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Wilson Kerby Ident No. A-78-4085 (A-78-12129)

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number _____

Court Seventh Judicial Dist. Case Number 923 Decree Date 5/19/1932

Plaintiff vs Defendant T. Carrey VS Howard Dryden

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

Signature of Claimant (s) Lana Wilson Perky Date 4/17/03

Luey Morris (Wilson) Date 4/17-2003

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

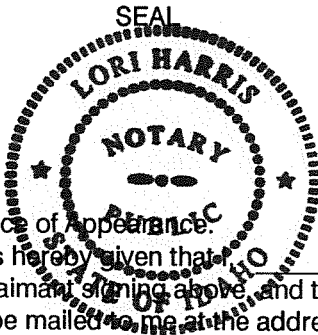
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 17 day of April 19 2003



Notary Public Lori Harris

Residing at Boise, Idaho

My Commission Expires 12-8-06

Please Print Name

17. Notice of Appearance

Notice is hereby given that _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Wilson - Perky Ident. Number (A78-12129) A78-4085

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 A78-04085
Date Received: 5/31/88
Receipt No: C001014
Received By:

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

AMENDED

1. Name of Claimant(s): IDAHO FIRST NATIONAL BANK TRUSTEE Phone: (208)383-7172
PO BOX 7928
BOISE ID 83707
- INEZ WILSON MORRIS Phone: (208) 347-2465
3175 HWY 55
NEW MEADOWS ID USA 83654
- TANA WILSON KERBY Phone: (208) 347-2465
3175 HWY 55
NEW MEADOWS ID USA 83654

2. Date of Priority: 06/17/1890

3. Source: CAMPBELL SLOUGH Trib. to: Little Creek

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
19N	02E	29	NW SW	ADAMS

5. Description of diverting works:

DITCH FROM NORTH END OF SLOUGH DELIVERS WATER TO IRRIGATED LAND.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	4	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
4.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	02E	30	NW NE		IRRIGATION	40
			SW NE		IRRIGATION	40
			NE SE		IRRIGATION	40
			NW SE		IRRIGATION	40
			SW SE		IRRIGATION	40
			SE SE		IRRIGATION	40
Section Acres						240
Total Acres						240

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:

78-00228, 78-00212, 78-00211, 78-00210, 78-00209 78-02036 & 78-10044

14. Remarks:

PERMIT 78-2034 NOW LAPSED FILED 6-17-1924 WILL SUPPORT PRIORITY DATE, POINT OF DIVERSION AND PLACE OF USE

NECESSARY CHANGES MADE PER AMENDED CLAIM RECEIVED. DB 9/14/2000.

COURT CASE 923 - THOMAS CAREY vs HOWARD DRYDEN SUPPORTS PRIORITY DATE OF JUNE 1, 1890.

15. Basis of Claim: Statutory Claim

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 WA

CIVIL CASE NUMBER: 39576

Ident. Number

A78-04085

Date Received

C001014

DAW

8-28-00

RECEIVED

SEP 13 2000

WATER RESOURCES
WESTERN REGION

George Wilson is
deceased per
conversation w/ current
owners.

RECEIVED

Please type or print clearly

1. Name of Claimant (s) Inez Wilson Morris or TAWA Wilson Phone (208) 347-2465
Mailing Address 3175 Hwy 55 New Meadows, ID 83654 ^{Kerby} Zip 83654
2. Date of Priority (Only one (1) per claim) 1890
3. Source of water supply (a) unnamed spring or Slough AKA Campbell Slough
which is tributary to (b) Little Creek
4. a. Location of existing point of diversion is: Township 19N Range 02E Section 29,
NW 1/4 of SW 1/4 of 1/4, Govt. Lot, B.M., County of Adams
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Ditch from North end of
Slough delivers water to irrigated land

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-15 to 10-15 amount 4 or _____

For Domestic purposes from 1-1 to 12-31 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
19N	2E	30		40	40										40	40	40	40	
				D	D										D	D	D	D	

Total number of acres irrigated 240

11. In which county (ies) are lands listed above as place of use located? Adams

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
78-0228, 78-0212, 78-0211, 78-0210, 78-0209, 78-2036 or None ()

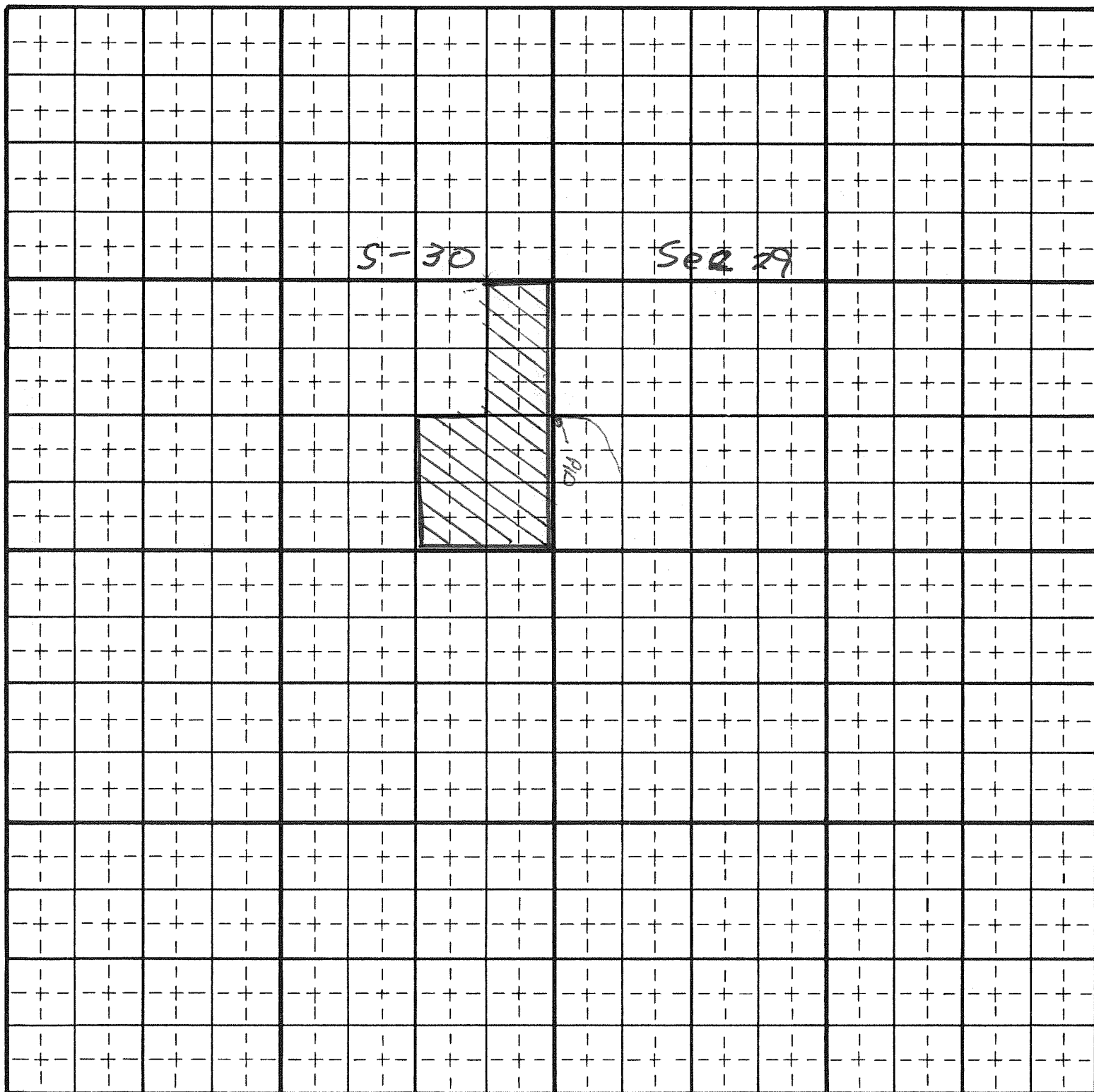
14. Remarks: Permit 78-2034 Now lapsed - Court Case
923 - Thomas Corey vs Howard Dryden Supports
priority date of June 1st 1890.

Last Name Wilson - Kerby Ident No. A78-4085

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Wilson - Kerby Ident No. A78-4085

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number _____

Court Seventh Judicial Dist Case Number 923 Decree Date May 19, 1932

Plaintiff vs Defendant T. Carrey vs Howard Dryden

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

Signature of Claimant (s) Lana Wilson Reddy Date 8-31-00

Greg Wilson Mervin Date 8-31-00

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

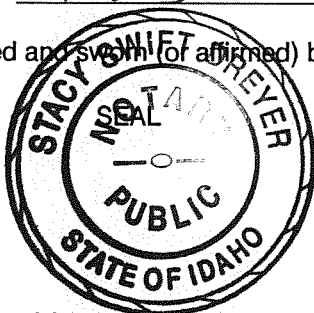
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 31st day of August 192000



Notary Public Stacy Swift Dryden

Residing at New Meadows, ID

My Commission Expires 3-17-2005

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

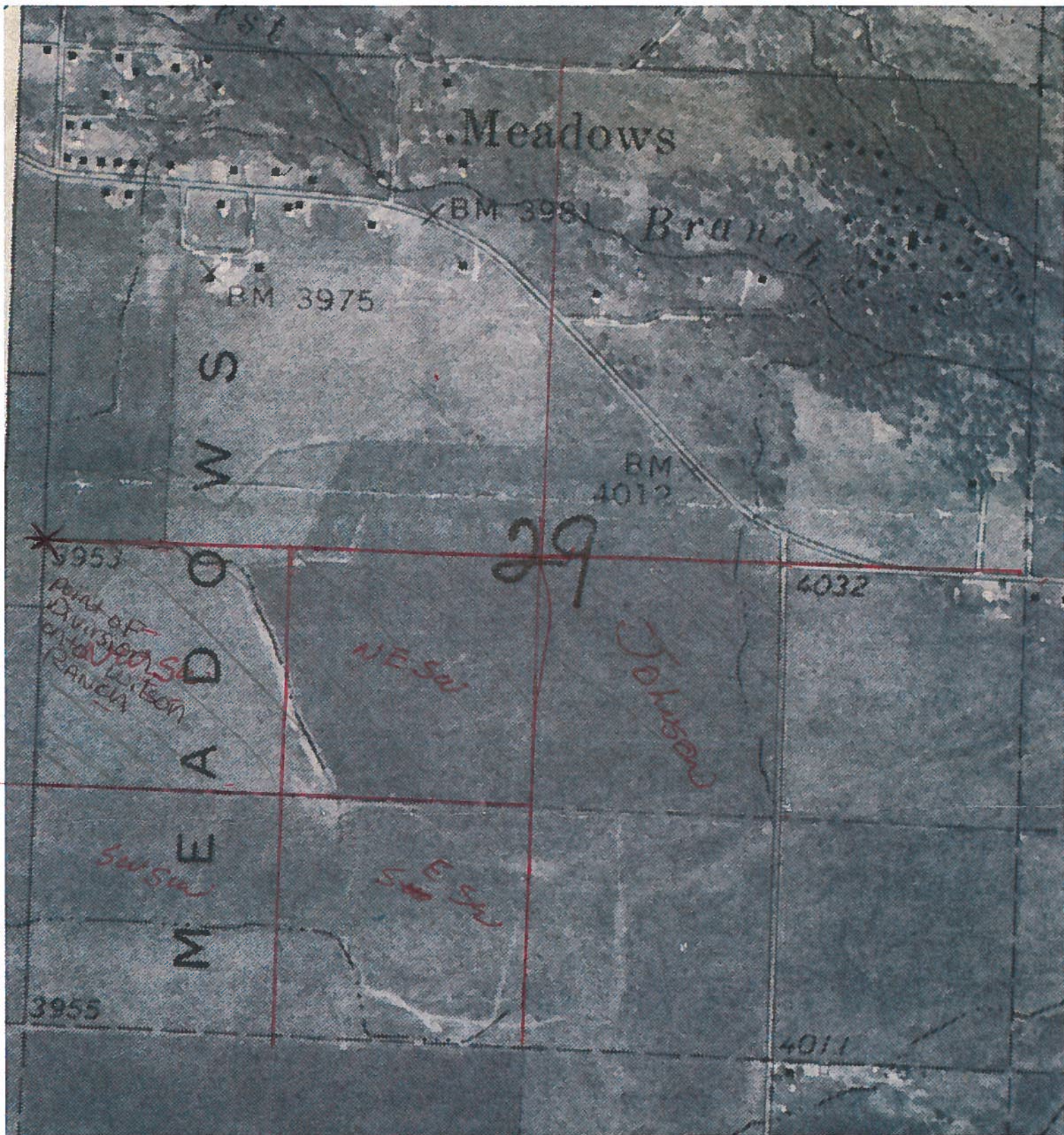
Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

↗
↘



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: A78-04085
Date Received: 5/31/1988
Receipt No: C001014

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IDAHO FIRST NATIONAL BANK, TRUSTEE
Address: P.O. BOX 7928
BOISE, ID 83707

208-383-7172

OR
Name: GEORGE WILSON
Address:

NEW MEADOWS, ID 83654

OR
Name: INEZ WILSON MORRIS
Address:

NEW MEADOWS, ID 83654

RECEIVED
JUN 1 1988

Department of Water Resources
Western Regional Office

2. Date of Priority: JUN 17, 1924

3. Source: CAMPBELL SLOUGH Trib. to: LITTLE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	02E	29	NW	SW			ADAMS

5. Description of diverting works:
DITCH FROM SLOUGH TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	4.000		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A78-04085

Page 1

Date: 06/01/88

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	02E	30	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0

Section Acres 240.0

Total Acres 240.0

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:

78-00212/00228/00211/00210/00209/2036/10044

14. Remarks:

PERMIT 78-2034 NOW LAPSED FILED 6-17-1924 WILL SUPPORT PRIORITY
DATE, POINT OF DIVERSION AND PLACE OF USE.

15. Basis of Claim: BENEFICIAL USE

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): _____ 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: 39356

Ident. Number A78-4085

Date Received 5-31-1988

Receipt Number 0001014

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUN 1 1988

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Idaho First National Bank, Trustee
for George Wilson and Inez Wilson Morris Phone (208) 383-7172

Mailing Address P. O. Box 7928, Boise, Idaho Zip 83707

2. Date of Priority (Only one (1) per claim) 6-17-24

3. Source of water supply (a) Unnamed spring and slough AKA Campbell Slough.
which is tributary to (b) None

4. a. Location of existing point of diversion is: Township 19N Range 2E Section 29,
SW 1/4 of SW 1/4 of 1/4, Govt. Lot, B.M., County of Adams

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section , 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section , 1/4 of 1/4 of
1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Ditch from the Southend of slough delivers
water from the source to the land irrigated.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-15 to 10-15 amount 4 or _____

For Domestic purposes from 1-1 to 12-31 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Occasional - stock water

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
19N	2E	30		X	X										X	X	X	X	240

Total number of acres irrigated 240

11. In which county (ies) are lands listed above as place of use located? Adams

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

78-0228, 78-0212, 78-0211, 78-0210, 78-0209, 78-2036, 78-10044 or None ()

14. Remarks:

Permit 78-2034 now lapsed filed 6-17-1924 will support priority date, point of diversion and place of use.

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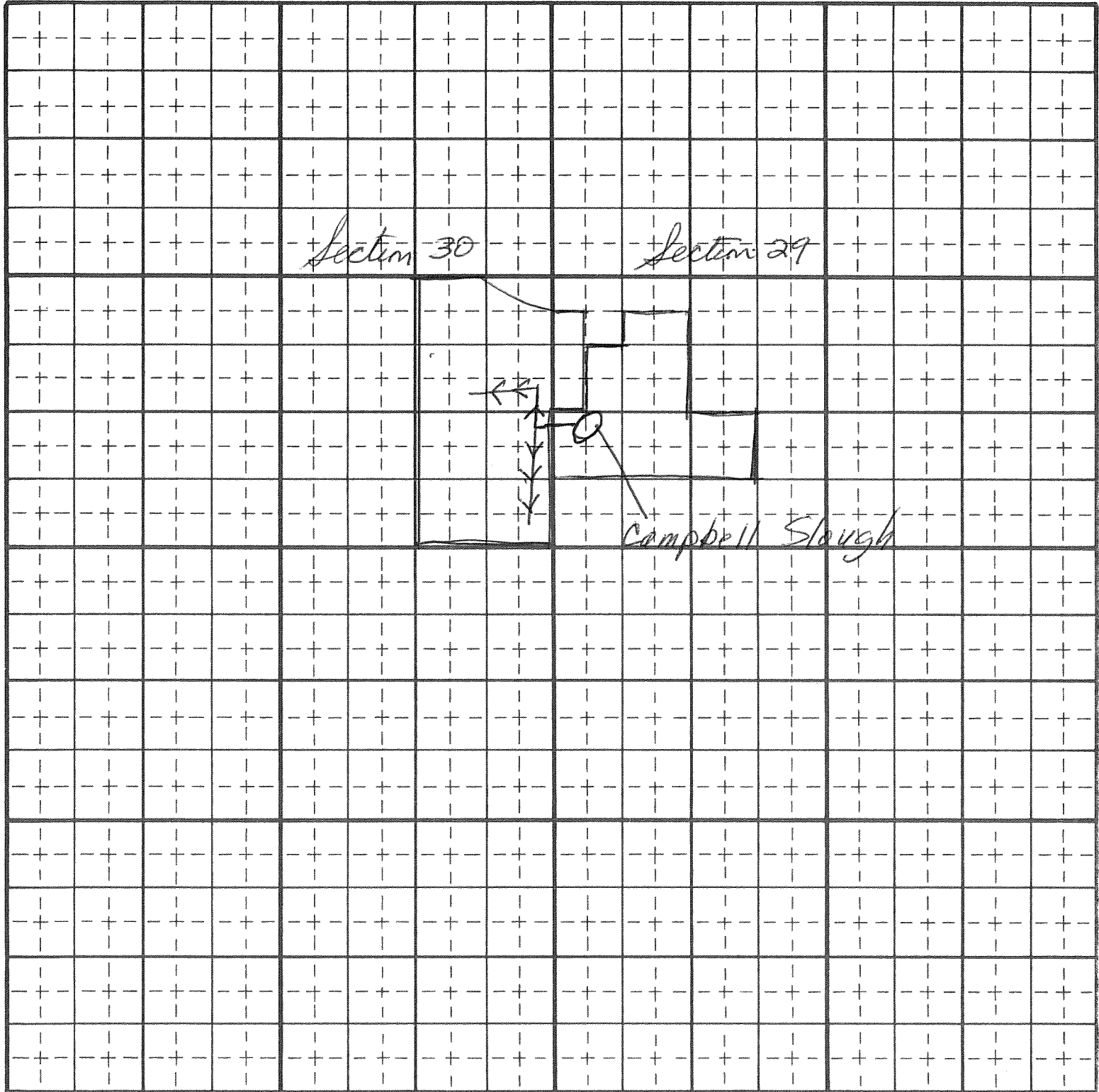
Last Name IFNB - Wilson Ident No. A78-4085

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T19N - R2E



MICROFILMED

OCT 06 1992

Last Name IFNB-Wilson

Ident No. A78-4085

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 78-4085

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Manager - Trust Real Estate
Title

of Idaho First National Bank - Trust Division, that I have signed the foregoing
Organization

document in the space below as Manager - Trust Real Estate of Idaho First - Trust Division
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Melvin D. Schultz, Manager - Trust Real Estate

Title and Organization Idaho First National Bank, Trustee
for George Wilson Date 5-31-88

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 31st day of May 19 88

SEAL

Notary Public Karen Thomas

Residing at Boise

My Commission Expires 7-29-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
OCT 06 1992

Last Name IFNB - Wilson Ident. Number A78-4085

Copies White-State, Yellow-Claimant

RECEIVED
Claim No. 18-4085

SEP 10 1977

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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.

Notice is hereby given that Mrs. Inez Wilson Morris
(name of claimant)
of New Meadows, ID 83654, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

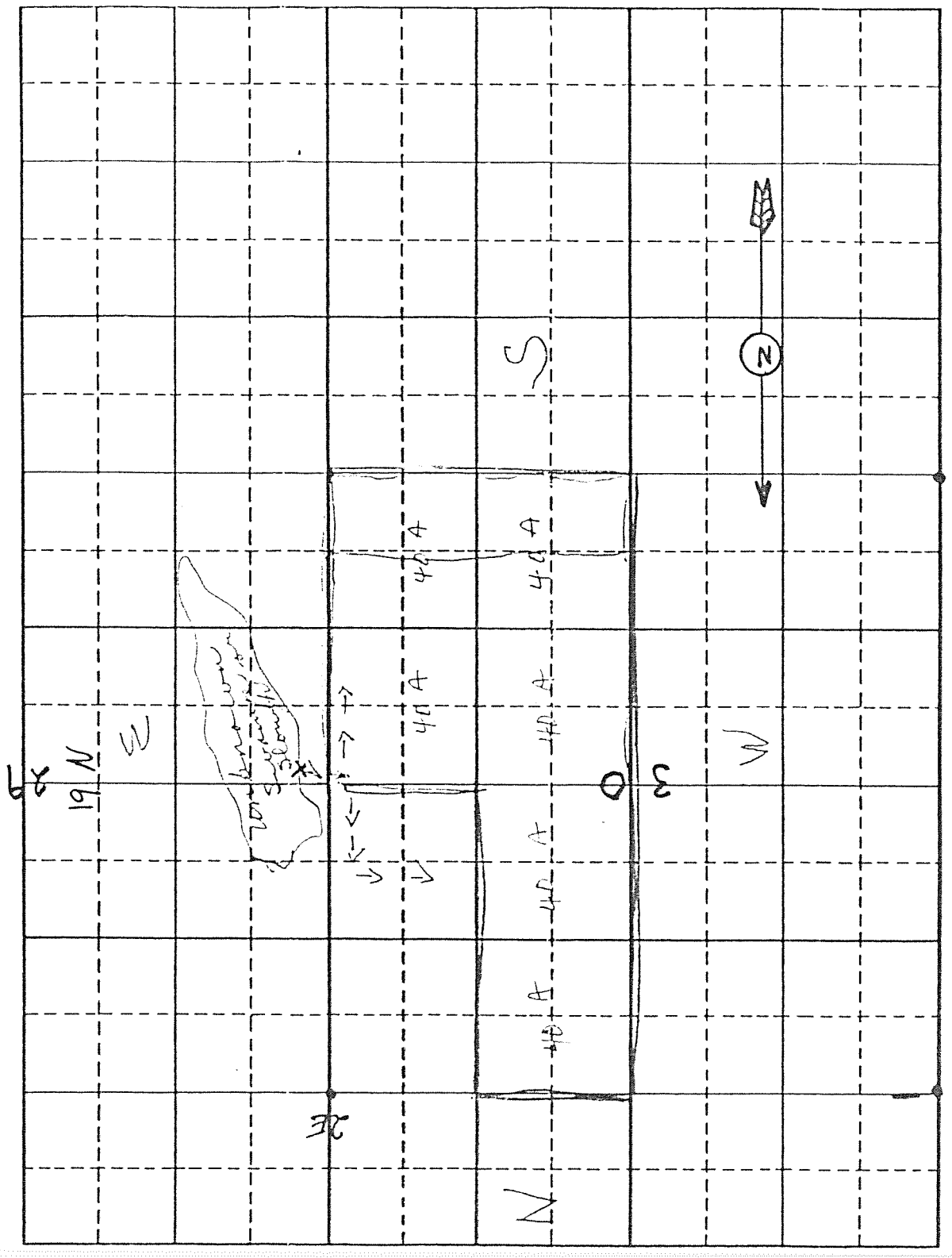
The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Unnamed Slough
_____, tributary to, _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Amount 4.00 cfs Use Irrigation Period of Use: From May 1 To Oct. 1
Amount 0.04 cfs Use Domestic Period of Use: From Jan. 1 To Dec. 31
Amount _____ Use _____ Period of Use: From _____ To _____
(cfs, gpm (dom., irri., stock, etc.) (both dates inclusive)
or a/f)
- (3) Total quantity of water claimed: 4.00 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) June 17, 1924

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 29 Twp. 19N Rge. 2E B.M. County of Adams
Additional points of diversion: SE ¼ SW ¼, Sec. 29, Twp. 19N, Rge. 2E, B.M.

(8) Remarks This claim is filed for a use which was first developed under permit no. 16028/78-2034, Proof of beneficial use was never completed, even though the water was being used, and the permit was subsequently cancelled.



Scale: 4 inches equal 1 mile.
Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

MEMORANDUM

TO: Jan Shurte

FROM: Steve Lester 

DATE: April 30, 2003

RE: **SRBA Claims for Decreed Rights 78-12128, 78-12129 & 78-12131**

These decreed rights involve Campbell Swamp and a new water district for the three rights, District 78-D. The site is between Meadows and New Meadows south of Highway 55.

One items for right owners to complete is filing SRBA claims. Here is a quick summary of the adjudication records to date.

78-12128

For **Hearn**. SRBA claim filed by attorney 1-3-02. Status listed as temporary for some reason. SRBA record probably should include attorneys Campbell and Schaer per notice of appearance in the file.

78-12129

For **Tana Kerby and Inez Wilson Morris** (Tana's mother). Tana filed amended SRBA claim 78-4085 today. She wants to use the statutory claim number to cover the decreed right, which is what she did by filing the amended claim today. She said she "did not want to lose her old number." No additional fees are needed.

SRBA claim 78-4085 includes a bank in the current owner list. The bank managed a trust for Tana's father. The trust has been dissolved per Mel Schulte's recent research. The file shows a 1992 incomplete ownership change to remove the bank from the claim. I suggested Tana keep working on the ownership change to remove the bank's name but told her the bank would remain on the claim until that step is completed. She said she would work on that. Proof of ownership seems to be the hang up in this matter.

78-12131

For **Johnson**. Owner filed SRBA claim on 3-20-03.

All three water right records list 0.01 cfs as a diversion rate. This was a data entry convenience because the decree did not specify amounts of water. Note that amended A78-4085 lists "4.04 +" cfs. Tana used this to show at least that amount but perhaps more has been used. The rate of flow for each claim can be investigated if necessary during SRBA recommendations for the New Meadows area.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 26, 2003

TANA KERBY-WILSON
3175 HWY 55
NEW MEADOWS ID 83654

Re: Water Right & Adjudication Information

Dear Tana:

The following information results from our meeting earlier today. I hope it proves useful to you.

Estabrook-Bryden Canal

The Goose Creek decree lists two water rights using this ditch: 78-228 and 78-229. Enclosed is a copy from the decree and IDWR printouts for these rights. You claimed the first one in the SRBA, but the latter one remains unclaimed in the SRBA. Any user of decreed right 78-229 should file a SRBA claim to protect the decreed right.

Ownership Change for SRBA Claim 78-4085 (aka A78-4085)

An ownership change to remove the bank from the claim was initiated in 1992 but remains incomplete as noted in the enclosed copies of IDWR records.

Enclosed is a new change in ownership form that should be more effective for your efforts. The 1992 ownership change form listed land in SWSW Section 29 not associated with SRBA Claim 78-4085. The new form provides a way to avoid that problem.

Item 2 on the new form: part A n/a, Part B requires proof of current ownership of the place of use described by the claim, and Part C discusses an aerial photo requirement.

Item 4 of the new form: the same name connector listed in the proof of ownership is recommended for the ownership change form. If the connector is "and," all people listed as owners need to sign the ownership change form. Otherwise only one signature from the owner list is needed.

The bank does not need to sign the new form.

March 26, 2003

Page 2

Amending SRBA Claim 78-4085

I recommend using the same name configuration included in the new ownership change form. Any signature(s) on the claim must be notarized. No fee is needed to amend the claim.

You can amend the claim to reflect decreed information in water right 78-12129 as we discussed. Eventually this will allow the decreed right to be recognized as number 78-4085 instead of as number 78-12129. This recognition is expected via the SRBA process in which the claim is expected to be decreed by the SRBA Court.

The SRBA Court generally adheres to prior decrees as much as possible. This means additional uses not decreed in water right 78-12129, such as domestic or stockwater, might not be decreed in the SRBA process despite being claimed under 78-4085 as amended. On the other hand, the Court generally tries to accommodate historic practices somehow, so the outcome might be as you hope in that regard.

Another option to recording uses not yet decreed from Campbell Swamp is to file a separate beneficial use claim in the SRBA for such additional uses. Perhaps you can start by including extra things on amended claim 78-4085 with the possibility of filing another SRBA claim later only if necessary. This would avoid any filing fee expense at this time. My opinion in this matter is not offered as legal advice but as a layperson's take on the situation. You might want to consult with an attorney if you have concerns about legal issues such as this.

In amending SRBA Claim 78-4085, you can add additional information as you wish regarding any element of the claimed right: source, tributary, amount and use of water and so forth subject to the caveat of the above paragraph. Be sure to explain that the basis of your amended claim is decreed water right 78-12129 but filed under an older number for various reasons. This will clearly document your intent.

I appreciate the time you and your husband took to visit the office and clarify these things and the other topics we covered. Please contact me at 208-334-2190 if you need more information.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure

A78-4085

proof of ownership re 1992
info: deed etc. not in file,
Apparently not submitted yet.

FL 3/24/03

INTER-DEPARTMENT MEMO

TO: A78-4085

SUBJECT: Chg. in ownership

FROM: Linda Werner

DATE: 5-7-93

Will send copy of deed showing correct legal
Intz in wife of deceased & must want claim in
name of her daughter & self.

☒ For your information

☐ Response required

signature

MEMORANDUM

TO: Water District File No. 78-D

FROM: Steve Lester 

DATE: February 6, 2003

RE: Summary of Water Right and SRBA Records

This memo summarizes Idaho Department of Water Resources (IDWR) records for this newly established water district. The district resulted from the 1932 decree in *Carey vs. Dryden and Campbell* plus the 2002 IDWR Order establishing the district.

IDWR was not aware of the 1932 decree until recently. Three water right records were created by IDWR based on the decree. The rights include numbers **78-12128 for Carey, 78-12129 for Wilson and 78-12131 for Dryden**. The decree did not quantify the amount of water in each right and other expected details such as the $\frac{1}{4}$ $\frac{1}{4}$ descriptor for points of diversion. The decree identified Campbell *Swamp* as the source of water, although the IDWR Order inadvertently listed Campbell *Drain*. Efforts are underway to correct the Order in this regard.

The following summary reflects the current records of IDWR.

✓ 78-12128, apparently to serve Hearn

A 78-12128 f.k.d 1/3/02 bwt
Status = TEMPORARY

Decreed for land in T19N-R2E-Section 25-SE $\frac{1}{4}$. Apparently this means about 160 acres from that description. The range identifier appears to be in error – R2E is several miles east of the area served by Campbell Swamp, and R1E must be assumed to be correct. This right appears to be used by Hearn based on information leading to the Order creating the district. However, *Eberle* owns the SE $\frac{1}{4}$ of T19N-R1E-Section 25 according to IDWR and Adams County Assessor records.

Hearn appears to own land in T19N-R1E-Section 25-NE $\frac{1}{4}$ (emphasis added). That property is addressed by Snake River Basin Adjudication (SRBA) claims filed by Hearn for Goose Creek water (SRBA claims 78-182 and 78-12165). Also, the same land is described by water right license 78-2038. The license was issued to *Steckman* for 1.60 cfs diverted from Campbell Swamp under a 1929 priority. The diversion point was listed as T19N-R2E-¹Section 29- SW $\frac{1}{4}$ NW $\frac{1}{4}$, and the place of use included 160 acres in T19N-

¹ The R2E identifier appears correct in the rest of this memo. The correction to R1E only applies to T19N-R2E-Section 25, not to other sections discussed in this memo.

R1E-Section 25-NE ¼. The license has not been claimed in the SRBA. The license probably serves no purpose since the water defined by the license is presumed to be fully covered by decreed right 78-12128 with a senior (1890) priority. Even if the licensed right is claimed in the SRBA and eventually decreed by the SRBA Court, rights 78-2038 and 78-12128 would probably be limited by conditions if both describe the same source for the same acres ("1 + 1 = 1" instead of 2, for example).

If right 78-12128 serves Hearn's land, Hearn should file a SRBA claim to protect the decreed right. The claim can correct any errors and/or omissions in the decree. The license might help fill in the blanks in claiming the decreed right, e.g., quantity of water. If the decree is presumed to identify land in Section 25 SE ¼ currently owned by Eberle instead of Hearn, Hearn should document the use of this water on his property in the NE ¼ or wherever he uses it, assuming such a change from the decree occurred prior to the 1987 commencement of the SRBA. Changes to decreed rights initiated after 1987 would require an *Application for Transfer* since post-1987 changes cannot be recognized in the SRBA unless first approved by IDWR in the transfer application process.²

✓ 78-12129, apparently to serve Wilson-Kerby (abbreviated as Kerby) *AJ claim f-161 4/30/03 under 62 Amended A78-4085*

Decreed for land in T19N-R2E-Section 30-W½ NE ¼ and SE ¼. Apparently this means about 240 acres from that description. The property is also described by Kerby's SRBA claims for Goose Creek water (claims 78-228 and 78-2036). In addition, water right and SRBA records 78-4085 (for a *statutory claim* or "grandfather" use) appear to cover the same water and acres as the decreed right. The 78-4085 records identify the source as Campbell Slough or an Unnamed Slough for about 4.00 cfs with either an 1890 (SRBA claim record) or a 1924 (water right record) priority. SRBA claim 78-4085 shows a 6-17-1890 priority, slightly junior to the 6-1-1890 decreed priority in 78-12129.

It appears SRBA claim 78-4085 is fully covered by the slightly older decreed right, suggesting 78-4085 serves no purpose. Kerby might wish to withdraw SRBA claim 78-4085 and instead file a SRBA claim to protect 78-12129. As in Hearn's case, the 78-4085 record might suggest details to include in claiming 78-12129 in the SRBA. If Kerby wants to protect and retain both rights from the same source serving the same acres, the likely SRBA outcome would be conditioned (1 + 1 = 1 instead of 2).

✓ 78-12131, apparently to serve Johnson *A78-12131 f-161 3/20/03*

Decreed for approximately 20 acres in T19N-R2E-Section 29-NW ¼ SW ¼. The same land is described by Johnson's SRBA claims for Goose Creek water (claims 78-12136, 78-12141, 78-12144 and 78-12147). Johnson should file a SRBA claim to protect this

² The transfer process does not apply to simply changing ownership of a water right and/or SRBA claim without changing other elements of the right/claim such as the place of use.

decreed right, filling in the blanks left by the decree as in the case of the other two owners.

Johnson expressed an interest in enrolling right 78-12131 in the state water bank administered by the Idaho Water Resource Board. Johnson should submit a completed water bank application, SRBA claim and proof of ownership of the decreed right (typically a deed describing the place of use in the decree and the claim being filed) to IDWR to initiate the water bank process.

Summary

- * *Owners should file SRBA claims to protect decreed Campbell Swamp water rights.* SRBA fees include \$50 per claim plus \$1 per irrigated acre. The \$1 per acre charge does not apply if it has been paid in a SRBA claim already recorded with IDWR. In that case, the owner should identify the SRBA claim for which the acreage fee was already paid, reducing the fee for a new claim to \$50. The owner should include a request for IDWR to waive the late charge (\$50 or 15% of total fee per claim, whichever is greater). Owners can use existing records such as license 78-2038 etc. to help fill in missing details in filing the SRBA claims. Owners can correct errors found in the 1932 decree, and/or they can document changes to the decreed rights accomplished prior to November 1987.

IDWR should revise its Order to properly identify the source of water as Campbell *Swamp* instead of Campbell *Drain*. IDWR should waive late fees for SRBA claims filed to protect the decreed rights. IDWR should process Johnson's request to enroll water right no. 78-12131 in the state water bank if it is filed.

These steps should clarify and update IDWR water right and SRBA records. Steps such as these will help administer the water district and determine the final outcome of the SRBA process with respect to the decreed rights.

* OK except temp. status A78-12128

✓ = Kerby's Attached,
Others not
↔

Copies attached:

IDWR record nos. 78-12128, 78-12129, 78-12131, 78-2038 and 78-4085.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 78-12129

WATER RIGHT NUMBER: 78-12129

Owner Type

Current Owner

Name and Address

GEORGE WILSON

NEW MEADOWS, ID 83654

Priority Date: 06/01/1890

Basis: Decreed

Status: Active

Source

CAMPBELL SWAMP

Tributary

SINKS

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.010 CFS

Annual VolumeTotal Diversion:

0.010 CFS

Location of Point(s) of Diversion

CAMPBELL SWAMP

ADAMS County

Sec. 29, Twp 19N, Rge 02E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
19N	02E	30	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	240.0
				40.0	40.0										40.0	40.0	40.0	40.0	

Total Acres: 240

Conditions of Approval:Remarks:

1.

The right holders are entitled to all of the water which now is or shall be diverted into the Mitchell Ditch from that portion of Campbell Swamp which lies north of the north bank of the Dryden East and West Drain and north of the line thereof extended in its same course and direction.

Comments:

SEE "COMMENTS"
in 78-12128

Dates and Other Information:

Q not defined in decree - see for 78-12128, 78-12129, 78-12131.
Dept. entered .01 cfs just to fill data field.

WILSON-
KERBY

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 78-4085

WILSON-
KERBY

WATER RIGHT NUMBER: 78-4085

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO FIRST NATIONAL BANK TRUSTEE PO BOX 7928 BOISE, ID 83707 (208)383-7172
Current Owner	INEZ WILSON MORRIS 3175 HWY 55 NEW MEADOWS, ID 83654 (208) 347-2465
Current Owner	TANA WILSON -KERBY 3175 HWY 55 NEW MEADOWS, ID 83654 (208)347-2327
Original Owner	GEORGE WILSON NEW MEADOWS, ID 83654

Priority Date: 06/17/1890

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
CAMPBELL SLOUGH	LITTLE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/15	4.000 CFS	
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	4.040 CFS	

Location of Point(s) of Diversion

CAMPBELL SLOUGH	NW1/4SW1/4	Sec. 29, Twp 19N, Rge 02E, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	02E	30		40.0	40.0										40.0	40.0	40.0	40.0	240.0

Total Acres: 240

DOMESTIC same as IRRIGATIONConditions of Approval:

Remarks:

Next page

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 78-4085

1. PERMIT 78-2034 NOW LAPSED FILED 6-17-1924 WILL SUPPORT PRIORITY DATE, POINT OF DIVERSION AND PLACE OF USE.
NECESSARY CHANGES MADE PER AMENDED CLAIM RECEIVED. DB 9/14/2000.
COURT CASE 923 - THOMAS CAREY vs HOWARD DRYDEN SUPPORTS PRIORITY DATE OF JUNE 1, 1890.

Comments:

Dates and Other Information:

Claim Received Date: 5/31/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
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

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 78-4085

WATER RIGHT NUMBER: 78-4085

WILSON-
KERBY

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	INEZ WILSON MORRIS 3175 HWY 55 NEW MEADOWS, ID 83654 (208) 347-2465

Priority Date: 06/17/1924
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED SLOUGH	LITTLE CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/01	4.000 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	4.000 CFS	

Location of Point(s) of Diversion

UNNAMED SLOUGH	NW1/4SW1/4	Sec. 29, Twp 19N, Rge 02E, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	02E	30		40.0	40.0										40.0	40.0	40.0	40.0	240.0

Total Acres: 240

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:Dates and Other Information:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

[April 13, 1993]

Inez Wilson or Tana Kerby
HC 75, Box 3150
New Meadows, ID 83654

CECIL E. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

[]

Dear Wateruser(s):

This office has reviewed the **Notice of Change of Water Right Ownership** form submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to **COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S).**

_____ **There is no existing water right in our records either under the former owner's name or for the legal description given.** If, after contacting the former owner, you find more information concerning a water right, please contact us.

_____ **Legal description of property.** Please complete showing the legal description by 1/41/4 (40-acre tract), section, township and range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat map.

_____ **It appears you receive your water from an irrigation district, ditch company, municipality or community water company.** If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.

_____ **Name and address of former owner (seller).** This will clarify the original owner of the water right.

_____ **Name, address and phone number of new owner (purchaser).**

_____ **This change in ownership appears to result in a splitting of the water right.** A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by 1/4 1/4 with the number of acres in each 1/41/4 (if applicable) and the point of diversion by 1/41/4, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion.
Enclosed is a computer copy of this right for your review.

X _____ **Proof of ownership is needed.** This proof can be a copy of the warranty deed, sales contract or tax assessment in your name which includes a description of this property by 1/41/4, Section, Township and Range. Quitclaim deed was not attached

MICROFILMED

AUG 08 1994

____ signature of new owner (purchaser) is needed on this form.

X other: The adjudication claim listed on your change
notice is not appurtenant to the land listed on your
legal description. (Copy enclosed)

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed (if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

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

LW:1
Enclosures

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DEC 2 1992

Form 42-1409(7)

Department of Water Resources
Northern Region Office

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
DEC 16 1992

Department of Water Resources

DATE OF CLOSING: 11-5-92

LEGAL DESCRIPTION OF PROPERTY: Township 19 N Range 2 E
Section 29, SW 1/4 of SW 1/4 of 1/4 Govt. Lot , BM.

Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet. SEE ATTACHED QUIT CLAIM DEED

☐ 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: A78-04085

☐ Name and Address of Former Owner/Claimant(s)(Seller): IDAHO FIRST NATIONAL BANK, TRUSTEE
FOR GEORGE WILSON AND INEZ WILSON MORRIS
PO BOX 7928 BOISE ID 83707

☐ New Owner/Claimant (Purchaser): INEZ WILSON MORRIS AND TANA KERBY AS TRUSTEES
OF THE TESTAMENTARY TRUST - (SEE QUIT CLAIM DEED)

☐ New Mailing Address: INEZ WILSON MORRIS OR TANA KERBY
HC 75 BOX 3150
NEW MEADOWS, ID 83654

☐ New Telephone Number: (208) 347-2464

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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: DECREE OF FINAL DISTRIBUTION AND
QUIT CLAIM DEED ATTACHED

(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): Tana Kerby Date 12-15-92

☐ Signature of Former Owner/Claimant(s): Idaho First National Bank, Trustee for George Wilson & Inez Wilson Morris BY: Danna Wagner Date 12-3-92

(Signature of former claimant(s) is not required if proof of ownership is attached.) property officer trust

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: By:

Further Action Needed:

Further Action Taken
Date: By:

Final Review and Data-Entry
Date: By:

Claim Numbers of Split, if any:

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AUG 08 1994

RECEIVED

DEC 21 1992

NORTHERN REGION
IDWR

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