



Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098



REASON CHECKED
Unclaimed ☒
Returned P.O. ☐
Other in State ☐
Return in this envelope ☒

79-4109
x85-7470

CHARLES STONE
PO BOX 325
LUCILE ID 83542

RECEIVED
NOV 08 2006
DEPARTMENT OF
WATER RESOURCES

FIRST CLASS



UNITED STATES POSTAGE
\$00.87
02 1A
0004310839
OCT 27 2006
MAILED FROM ZIP CODE 83702

RECEIVED
NOV 16
DEPARTMENT OF
WATER RESOURCES

12/06/2005

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

RIGHT NUMBER: 79-4109

NAME AND ADDRESS: DAVID CEREGHINO
HC 01 BOX 11
LUCILE ID 83542

CHARLES STONE
PO BOX 325
LUCILE ID 83542

SOURCE: JOHN DAY CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.280 CFS

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

PRIORITY DATE: 01/01/1900

POINT OF DIVERSION:

T26N R02E S18 SESW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/15 10/31	0.280 CFS
DOMESTIC		

PLACE OF USE: IRRIGATION Within IDAHO County

T26N R02E S18 SWSW 6.2 T26N R02E S18 SESW 3.0

STOCKWATER Within IDAHO County

T26N R02E S18 SWSW T26N R02E S18 SESW

DOMESTIC same as IRRIGATION

9.2 ACRES TOTAL

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

79-4109

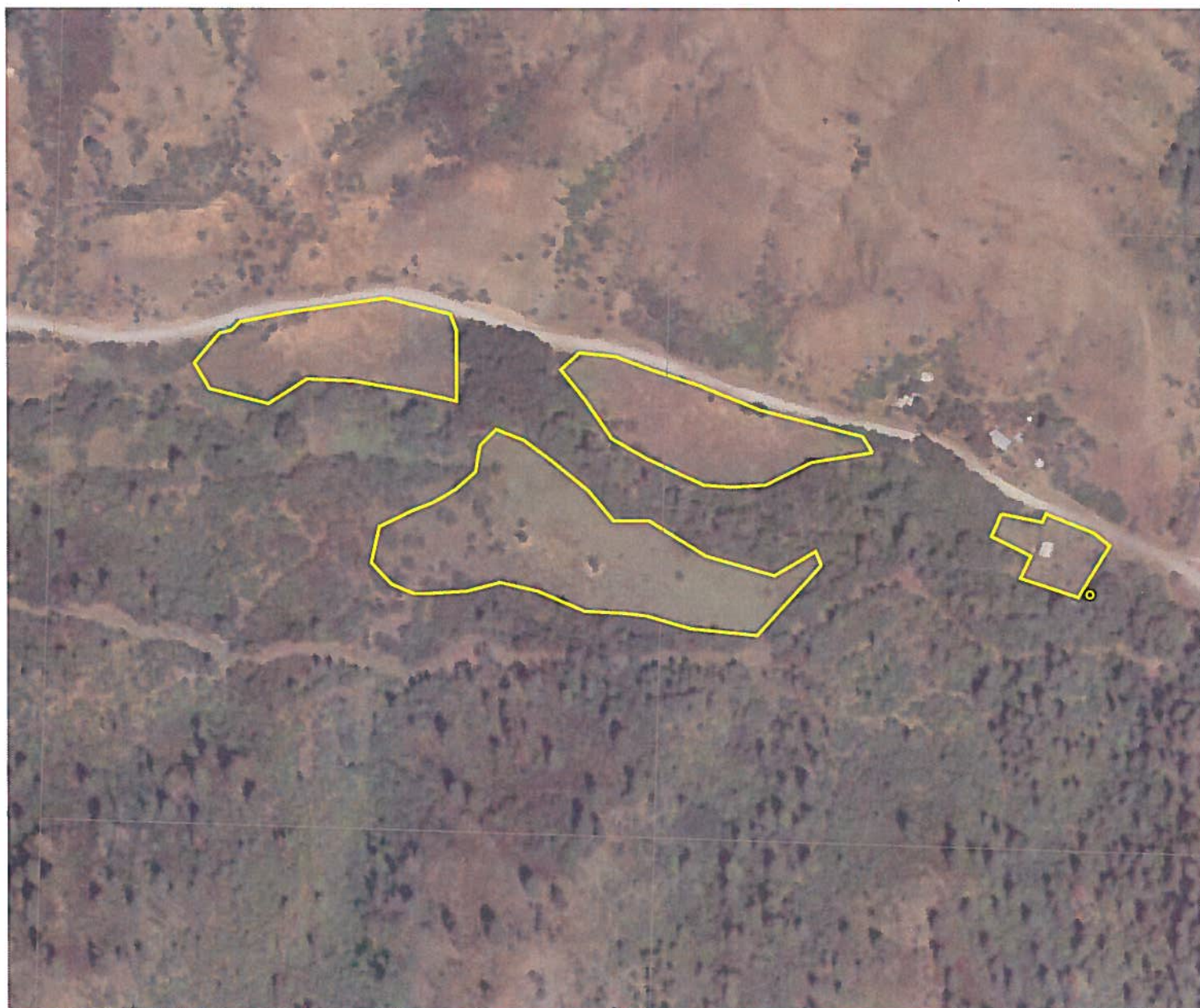
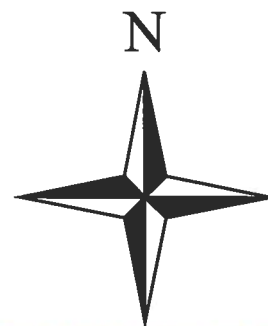
T26N R2E Section 18



Place of Use



Point of Diversion



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: A79-04109

Date Received: 7/01/1988

Receipt No: 1000600

Received By: g de



NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional Office

1. Name: CHARLES STONE
Address: P.O. BOX 325
LUCILE, ID 83542

AND/OR

Name: DAVID CEREGHINO
Address: P.O. BOX 387
LUCILE, ID 83542

208-628-3986

2. Date of Priority: JAN 01, 1900

3. Source: JOHN DAY CREEK

Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
26N	02E	18	SE	SW			IDAHO

5. Description of diverting works:

DITCH FROM JOHN DAY CREEK FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		
STOCKWATER	01/01	12/31	0.090		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/400 RANGE

A79-04109

Page 1

Date: 07/01/88

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AUG 08 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
26N	02E	18	SW	SW		IRR	20.0
			SE	SW		STOCK	
			SE	SW		IRR	20.0
						Section Acres	40.0
						Total Acres	40.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

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): David C. [Signature] Date: 7-27-88
_____ Date: _____

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of July 19 88 _____
Notary Public [Signature]

Seal

Residing at Grangeville
My Commission Expires 10-21-91

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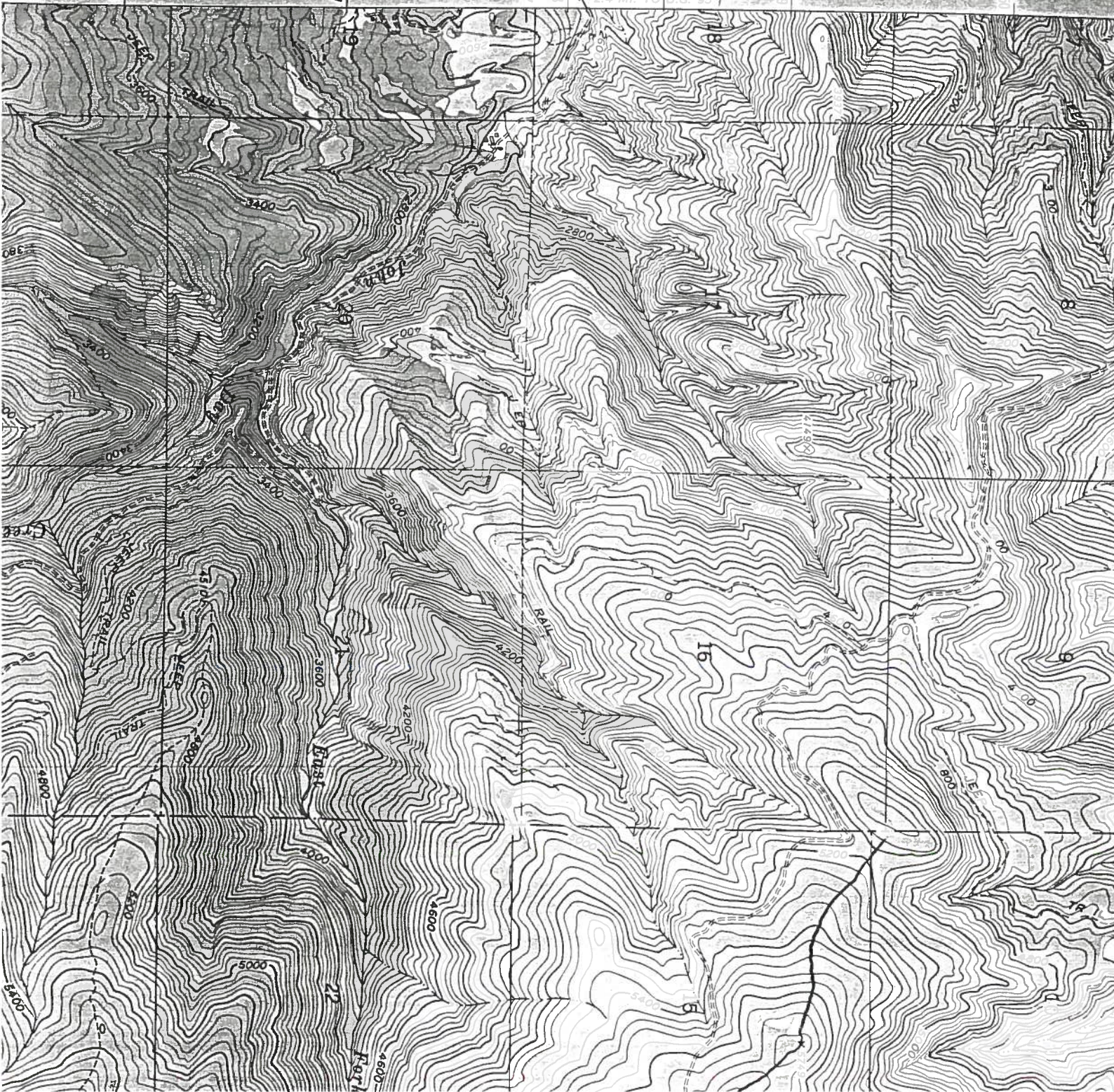
T26N R02E

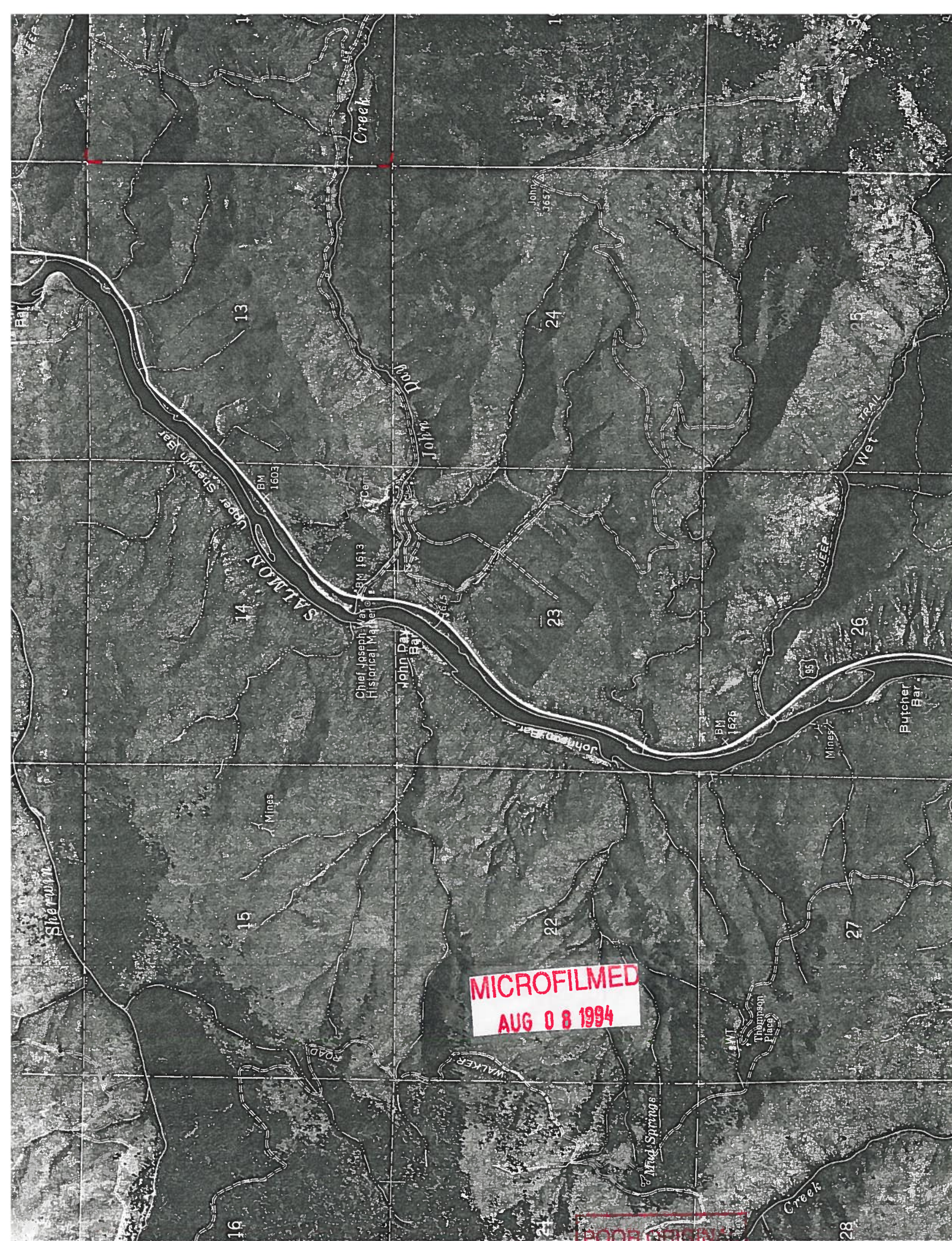
III SE
(CILE)

5045

5047

2.4 MI. TO U.S. 95





✓ A79-07089 - Power. 1010 KW $\$50 + \$3535 = \$3585$ ¹⁹²

✓ A79-02066 Irr. $\$50 + 213 \text{ Ac.} = \$263^{00}$

✓ A79-04132 Irr. $\$50 + 35 \text{ Ac.} = \$85^{00}$ ^{$\$18^{00}$} ~~$\$67^{00}$~~

overlap with A79-02066

✓ A79-04109 Irr. $\$50 + 40 \text{ Ac.} = \$190^{00}$

No overlap.

✓ A79-07000 Irr. $\$50 + 30 \text{ Ac.} = \$80^{00}$

No overlap.

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✓ A79-07121 Irr. $\$50 + 10 \text{ Ac.} = \$60^{00}$

Department of Water Resources
Western Regional Office

overlap with A79-07000

✓ A79-10088 Don Stock $\$25^{00}$

A79-10089 Don Stock $\$25^{00}$

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AUG 08 1994

I helped Mr. David Cereghino on 7/1/88. There were no maps available for his area, so I reproduced claim from water rights. He did not wish to pay for them at the time as he felt there should have been more of an overlap on some of the acreages. He indicated he would be out of state for a couple of weeks and would come back in with the money to file the claims.

I gave him some figure? (dollar amount) and requested he secure maps of the area for a more accurate acreage determination.

On July 27, 1988 Mr. Daniel Cereghino came back in with a check for the amount of \$4195.00 and indicated that was the amount I gave him. There had been a death in his family and he did not obtain the necessary maps.

As there was the deadline to file without a \$600.00 late fee and we were extremely busy, the claim was taken.

Later when receipting the claims I was unable to come up with the same dollar amount I gave him the first time. It was \$18.00 short. In order to receipt all of the claims (I have no record of the initial figure I gave him) and that may very well have been the figure I gave him, I made an adjustment of \$18.00 on A79-04132 reducing it to \$67.00 for \$85.00.

Mr. Cereghino was a pleasure to work with and I feel we should request maps for the irrigated claims, or make maps for him to be sure the acreage figures are correct.

A 79-02066 did not get the notary seal.

And as it was in a hurry I had not advised him of the docket sheet, when the App. was submitted, I don't recall the first time.

JDC

MICROFILMED

AUG 08 1994

Period of Use and Quantity Data Entry Form

Claim Number 79-4109

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	0.8	
STOCKWATER	1/01	12/31	0.09	
DOMESTIC	1/01	12/31	0.04	

Overall Diversion Rate 0.93

Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	0.8	
STOCKWATER	1/01	12/31	0.09	
DOMESTIC	1/01	12/31	0.04	

Overall Diversion Rate 0.93

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number 79-4109

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
STOCKWATER			
IRRIGATION			
DOMESTIC			

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
STOCKWATER			
DOMESTIC			
IRRIGATION			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation				

Document how the Purpose of Use was verified:

On site inspection, Conversation with claimant, David George

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number 79-4109

Claimed Place Of Use

T26N R02E S18	SESW				
T26N R02E S18	SWSW	20.0	T26N R02E S18	SESW	20.0
Total Acres 40					

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T26N R02E S18	SESW				
T26N R02E S18	SWSW	20.0	T26N R02E S18	SESW	20.0
Total Acres 40					

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
26N	2E	18	SE	SW	Idaho			Irrigation
26N	2E	18	SW	SW	Idaho			Irrigation

Total Acres _____

Document how the POU was verified:

On Site inspection / Conversation with Claimant, David Cereghino
 USGS 7½ min. Topo map / Photo-aerial map.

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number 79-4109

Claimed Point of Diversion and Source

T26N R02E S18 SESW Within IDAHO County Source: JOHN DAY CREEK SALMON RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T26N R02E S18 SESW Within IDAHO County

Recommended Point of Diversion and Source

Source Information

Source

John Day Creek

Tributary To

Salmon River

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
26N	2E	18		SE SE SW	Idaho	John Day Creek

Other rights from this POD?

None

Document how the POD and Source were verified:

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number 79-4109

Claimed Priority Date: 1/1/1900

Claimed Basis: Statutory Claim

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 1/1/1900

Water Right Basis: Statutory Claim

Recommended Priority Date Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Reviewer:

Date:

Contacts Data Entry Form

Claim Number: 79-4109

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	DAVID CEREGHINO	HC 01 BOX 11	LUCILE	ID	83542	(208)628-3986
Current Owner	CHARLES STONE	PO BOX 325	LUCILE	ID	83542	

Date of Field Exam: _____ Time: AfternoonAccompanied By: David Cereghino Phone Number: (208) 628-3986Relationship to Claimant: Claimant

Directions to Property (if different from above) and/or update owner information:

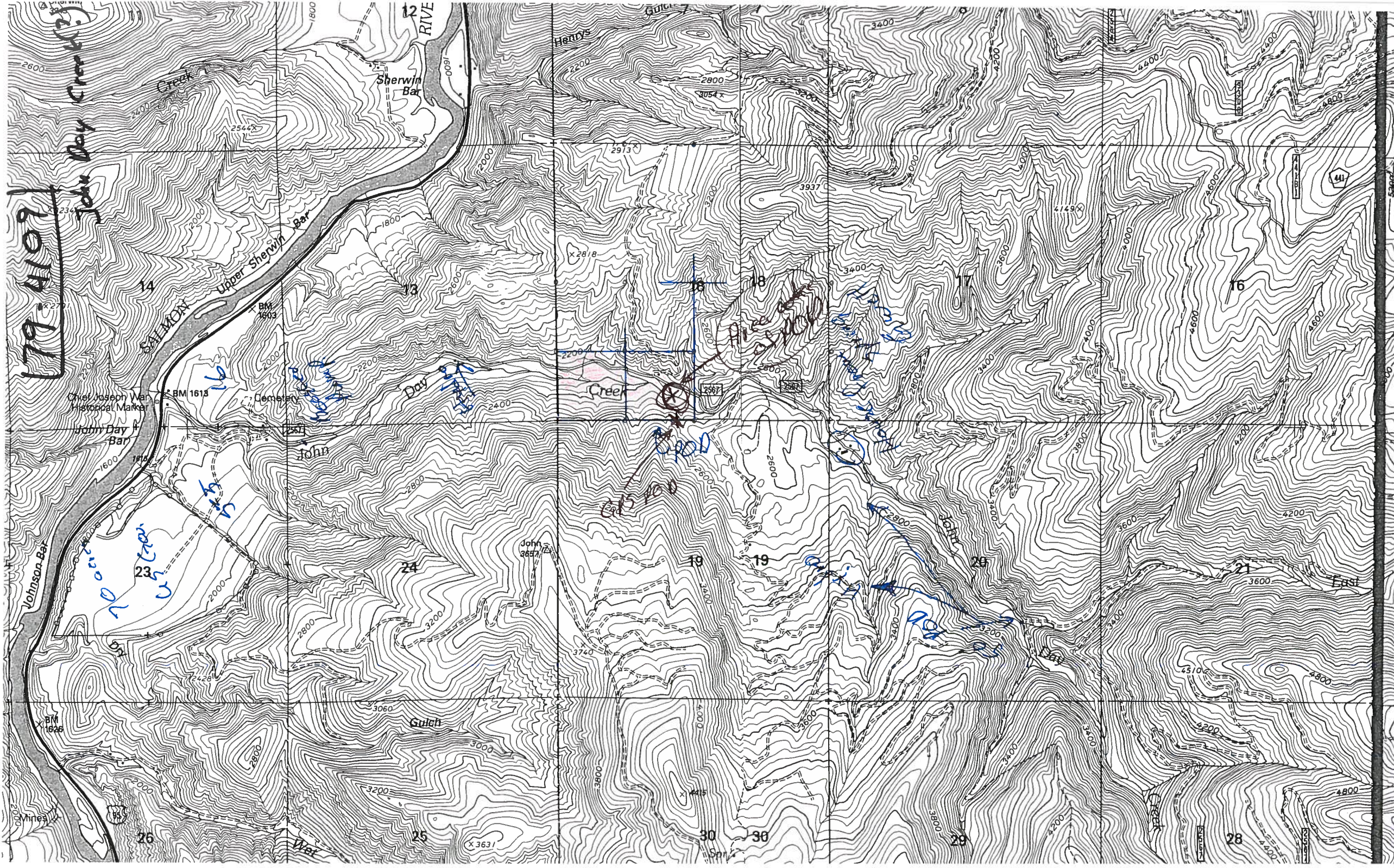
Go up John Day creek to end of Main Road.

Reviewer: _____

Date: _____

64 in

2000 Mines



79-4109

Field Exam Notes

Date of Exam: August 2, 2005

The GPS location of the Point of Diversion (POD) is **N45° 35' 1.7"** by **W116° 15' 22.6"**. The diversion consists of a combination natural and excavated channel on the south bank of John Day Creek (*Photo 1*). The channel runs water when the water in John Day Creek is high, but was not running on the day of the exam. The channel proceeds to a point about seventy-five feet (75') down stream from the POD where there is a head-gate and a return culvert (*Photo 2*) that channels excess water back to John Day Creek. Behind the head-gate, there is a short buried three foot (3') diameter culvert that empties into a ditch that goes to the place of use (POU). David Cereghino, the claimant, stated that the head-gate was installed in 1950. The return is a twenty-two inch (22") diameter metal culvert (*Photos 2 & 3*) that returns excess water back into John Day Creek about thirty feet (30') away.

Mr. Cereghino stated that the house is on a well and does not use any water from John Day Creek. He also stated that the livestock drink directly out of the creek.

Mr. Cereghino further stated that much more land was originally irrigated under this right and that the amount of land was reduced to a little more than what is indicated on the photo-quad map when his power plant was installed in 1987. He also stated that the land was last irrigated four (4) or five (5) years ago, but that he intended to start irrigating that part of the land that is indicated on the photo-quad map.

A search of the Idaho Department of Water Resources (IDWR) public web site and a conversation with Mr. Cereghino indicated that there are no other water rights with the same POD or POU as this claim.

Field Examiner:



79-4109

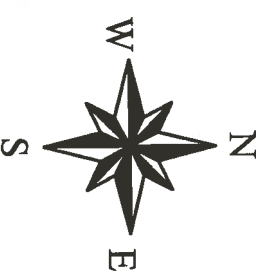
**T26N R01E & R02E
Section(s) 13 & 18**



Place of Use



Point of Diversion



Map prepared by: Greg Taylor
Date prepared: May 5, 2005
Photography: 1992 DOQQ
Idaho Department of Water Resources

