

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 79-4432 V1

WATER RIGHT NUMBER: 79-4432 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                       |
|-------------------|-------------------------------------------------------------------------------|
| Current Owner     | KELLEY CHAMBERLAIN<br>13694 HWY 95 S<br>WHITE BIRD, ID 83554<br>(208)839-2401 |
| Original Owner    | ROBERT V PARSONS<br>PO BOX 146<br>WHITE BIRD, ID 83554<br>(208)839-2412       |
| Original Owner    | JOSEPHINE C PARSONS<br>PO BOX 146<br>WHITE BIRD, ID 83654<br>(208)839-2412    |

Priority Date: 10/01/1903

Basis: Beneficial Use

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| SALMON RIVER  | SNAKE RIVER      |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 10/31          | 0.390 CFS             |                      |
| STOCKWATER            | 01/01 to 12/31          | 0.010 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.400 CFS             |                      |

Location of Point(s) of Diversion

|              |                 |                                 |
|--------------|-----------------|---------------------------------|
| SALMON RIVER | L5 (NW1/4SE1/4) | Sec. 10, Twp 27N, Rge 01E, B.M. |
| IDAHO County |                 |                                 |
| SALMON RIVER | L5 (NW1/4SE1/4) | Sec. 10, Twp 27N, Rge 01E, B.M. |
| IDAHO 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  |        |
| 27N | 01E | 10  |    |    | 1.7 |    |    |    |    |    |    |    |    |    | 7.4 | 10.0 |    | .3  | 19.4   |
|     |     |     |    |    | L 4 |    |    |    |    |    |    |    |    |    |     | L 5  |    | L 8 |        |

Total Acres: 19.4

STOCKWATER same as IRRIGATIONConditions of Approval:

1. F02 Two points of diversion located in T27N, R1E, S10, NWSE.

IDAHO DEPARTMENT OF WATER RESOURCES

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2. J02 Property is also known as Homestead Certificate No. 2659.
3. 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.
4. X02 Stockwater use is for 5 head cattle.
5. IRRIGATION OF THE 19.4 ACRES IS LIMITED TO 0.02 CFS DURING ANY ONE IRRIGATION SEASON.
6. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
7. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
8. E37 This right authorizes the irrigation of 19.4 total acres.

Remarks:

Comments:

1. shemenway 8/30/2007 EVIDENCE OF PRIORITY

Comment: SENT LETTER REQUESTING EVIDENCE OF PRIORITY DATE WITH RESPONSE DEADLINE OF 9/21/2007. MAP, NOTICE OF CLAIM, EVIDENCE OF PRIORITY BROCHURE, AND RETURN ENVELOPE MAILED OUT.

2. shemenway 10/10/2007 FIELD INSPECTION

Comment: 9/12/2007 FE CONFIRMED 19.4 ACRES IRRIGATED, 5 HEAD LIVESTOCK, 2 PODS, FLOW MEASUREMENT TAKEN 0.39 (RECOMMEND 0.40 CFS). HOMESTEAD CERTIFICATE #2659 PRIORITY DATE IS 10/1/1903 , AND DATE CHECKS WITH BLM WEBPAGE (ORIGINAL DATE OF PRIORITY CHANGED TO REFLECT THIS DATE). BOTH PODS ARE IN LOT 5.

3. shemenway 10/10/2007 OWNERSHIP CHANGE

Comment: OWNERSHIP CHANGE: PARSONS TO CHAMBERLAIN, RECONVEYANCE #446692 DATED 2/14/2006 IDAHO COUNTY TITLE CO. INC.

Water Supply Bank:



# Idaho Department of Water Resources

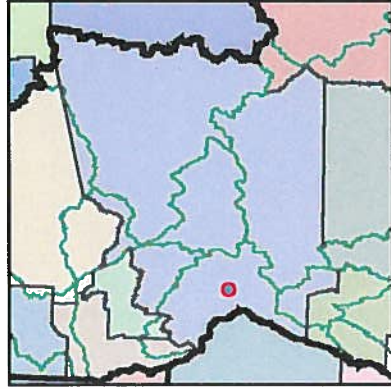
SRBA Recommendation:

**79-4432**

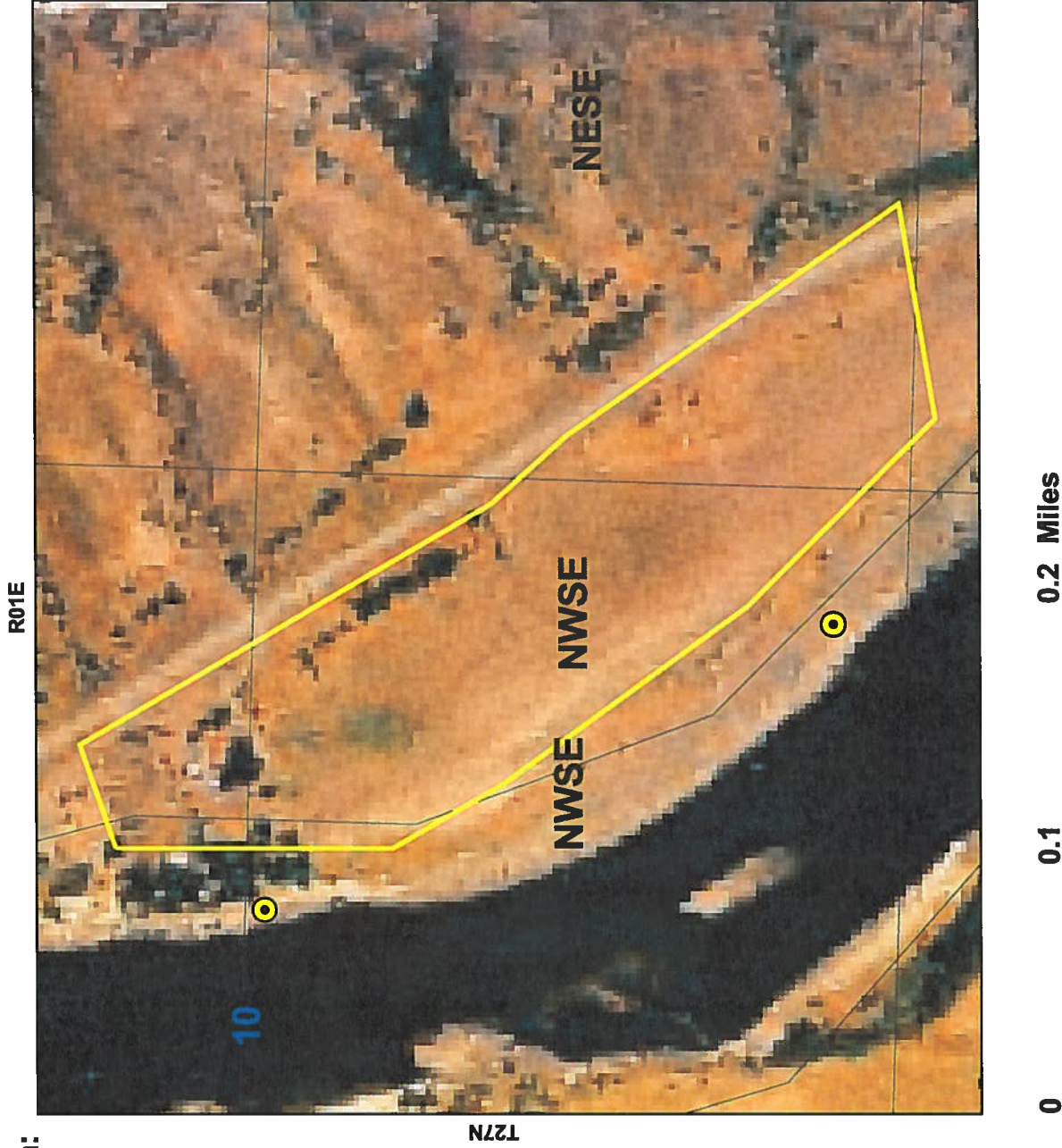
(Irrigation)

## Legend

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



Idaho County  
IDWR Basin 79



Prepared by S. Hemenway  
On Wednesday, October 10, 2007  
1987/88 Aerial Photography

**Hemenway, Sandy**

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**From:** Saxton, Craig  
**Sent:** Thursday, August 30, 2007 12:28 PM  
**To:** Hemenway, Sandy  
**Subject:** RE: Priority Form Letters

Sandy,

On that claim it looks like they are claiming a 1902 priority date from when they diverted from Skookumchuck Creek. Now they are diverting from the river. We need priority evidence of diversion from the Creek if they hope to maintain a 1902 priority date. If they can support 1902, we will have to treat this as an exchange where the source if Skookumchuck creek, is injected into the Salmon River, then Re-diverted to the POU.

I don't know if you wanted to emphasize the need for evidence from S. Creek in the letter. Evidence from the River is most likely going to bump the priority date back to when ever they put the pump in the river.

Come talk to me if you have questions.

Thanks,

c

change. Water presently pumped from Salmon River by pump and pipeline  
 sprinkler system. pump has 8" suction driven by 25 hp motor with pipel  
 varying from 6" to 3" for about 1/2 mile length. Originally land was i  
 (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If u  
 not for irrigation, place an "X" in appropriate box to show location.  
 by ditch system diverted from Skookumchuck Creek, and gravity feed

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**From:** Hemenway, Sandy  
**Sent:** Thursday, August 30, 2007 12:05 PM  
**To:** Saxton, Craig  
**Subject:** RE: Priority Form Letters

thanks.....s

-----Original Message-----

**From:** Saxton, Craig  
**Sent:** Thursday, August 30, 2007 10:33 AM  
**To:** Hemenway, Sandy  
**Subject:** Priority Form Letters

Here are a couple of options.

c

09/17/2007

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

RIGHT NUMBER: 79-4432

NAME AND ADDRESS: KELLEY CHAMBERLAIN  
13694 HWY 95 S  
WHITE BIRD ID 83554

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.400 CFS

PRIORITY DATE: 10/01/1903

POINT OF DIVERSION:

T27N R01E S10 NWSE Lot 5 Within IDAHO County

T27N R01E S10 NWSE Lot 5 Within IDAHO County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/15 10/31          | 0.390 CFS       |
| STOCKWATER            | 01/01 12/31          | 0.010 CFS       |

PLACE OF USE: IRRIGATION in IDAHO County

T27N R01E S10 Lot 4 SWNE 1.70 T27N R01E S10 NESE 7.40

T27N R01E S10 Lot 5 NWSE 10.00 T27N R01E S10 Lot 8 SESE 0.30

STOCKWATER same as IRRIGATION

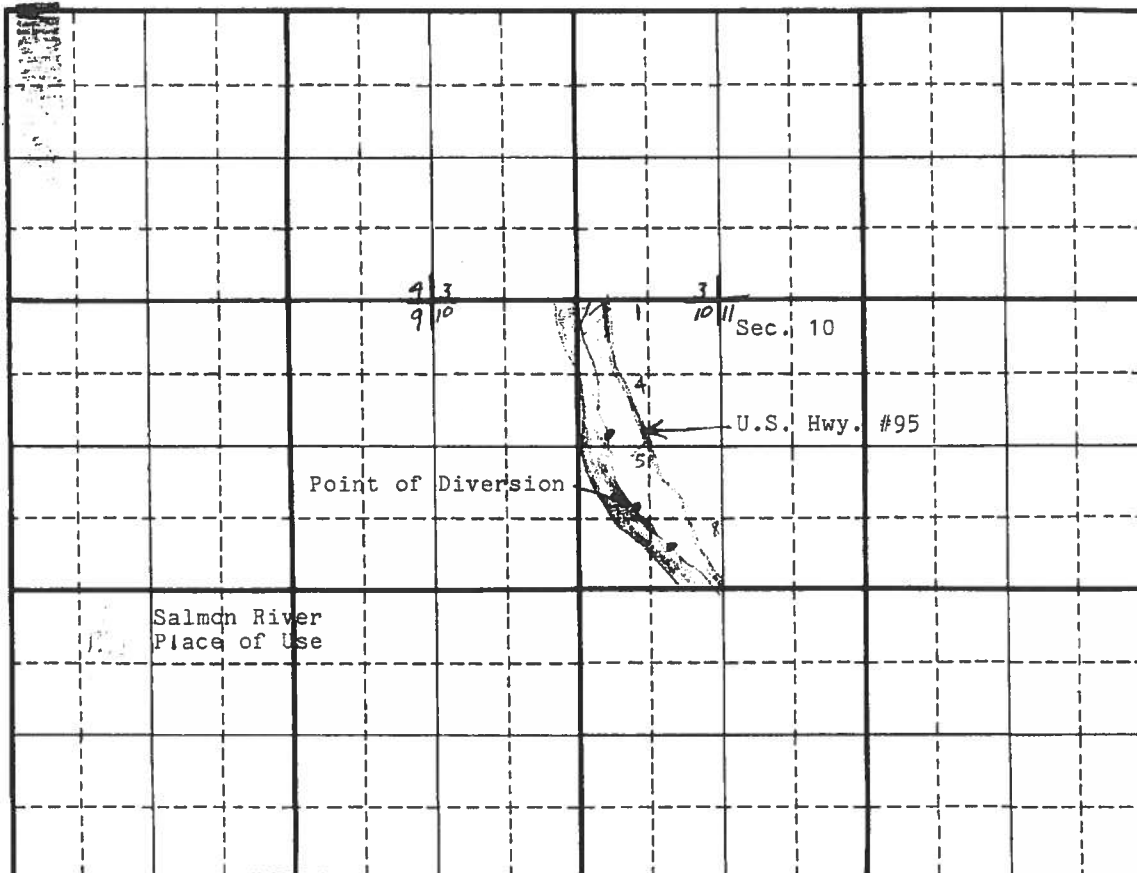
19.4 ACRES TOTAL

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

(8) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Scale: 2 inches equal 1 mile.

Twp. 27 N, R. 1 E.B.M., Idaho County

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.

State of Idaho )  
County of Idaho ) 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 affiant's knowledge.

Sworn to before me this 17th day of June

Robert V. Parsons  
Robert V. (Claimant) Parsons

, 1983

Notary Public for State of Idaho  
Residing at Grangeville

My commission ~~expires~~ is permanent

6 24 83 FOR DEPARTMENT USE ONLY

Received by REDA Date 6/20/83 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by REDA Date 6/20/83 \$20.00 fee received by REDA Date 6/20/83 (27745)  
Published in Idaho County Free Press \_\_\_\_\_  
Dates 2/22 & 2/24/84 \_\_\_\_\_

Forwarded to claimant by: \_\_\_\_\_ Date \_\_\_\_\_



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Director

August 3, 2007

ROGER D LING  
LING & ROBINSON  
PO BOX 396  
RUPERT ID 83350-0396

RE: Snake River Basin Adjudication (SRBA)  
**Notice of Claim to a Water Right #79-4432**  
**Your Client: Kelley Chamberlain**

Dear Mr. Ling:

Before we can proceed, additional fees in the amount of \$100 are required. Fees in the amount of \$139 have been paid.

Fees required are as follows:

\$100 claim fee  
\$100 late fee  
19.4 ac @ \$2.00/ac = \$39

Upon receipt of the balance of the filing fees your client's Notice of Claim will be investigated and reported to the Court in a future supplemental Director's Report. Please contact me at 208/287-4907 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Monica Van Bussum', with a long horizontal flourish extending to the right.

Monica Van Bussum  
Sr. Water Resource Agent  
Adjudication Bureau

MVB:ss:region  
C: Kelley Chamberlain