11/04/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-193B

NAME AND ADDRESS: GUY AMIDON
2711 TONEY LN
CAMBRIDGE ID 83610

KAREN AMIDON
2711 TONEY LN
CAMBRIDGE ID 83610

SOURCE: PINE CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.410 CFS

PRIORITY DATE: 05/01/1889

POINT OF DIVERSION:

T14N R03W S10 NWNW Within WASHINGTON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 10/31	0.410 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R03W S10	NESW	16.00	T14N R03W S10	NWSW	16.00

32 ACRES TOTAL

This right is limited to the irrigation of 32.0 acres within the place of use described above in a single irrigation season.

Right Nos. 67-192B and 67-193B are limited to the irrigation of a combined total of 32.0 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.

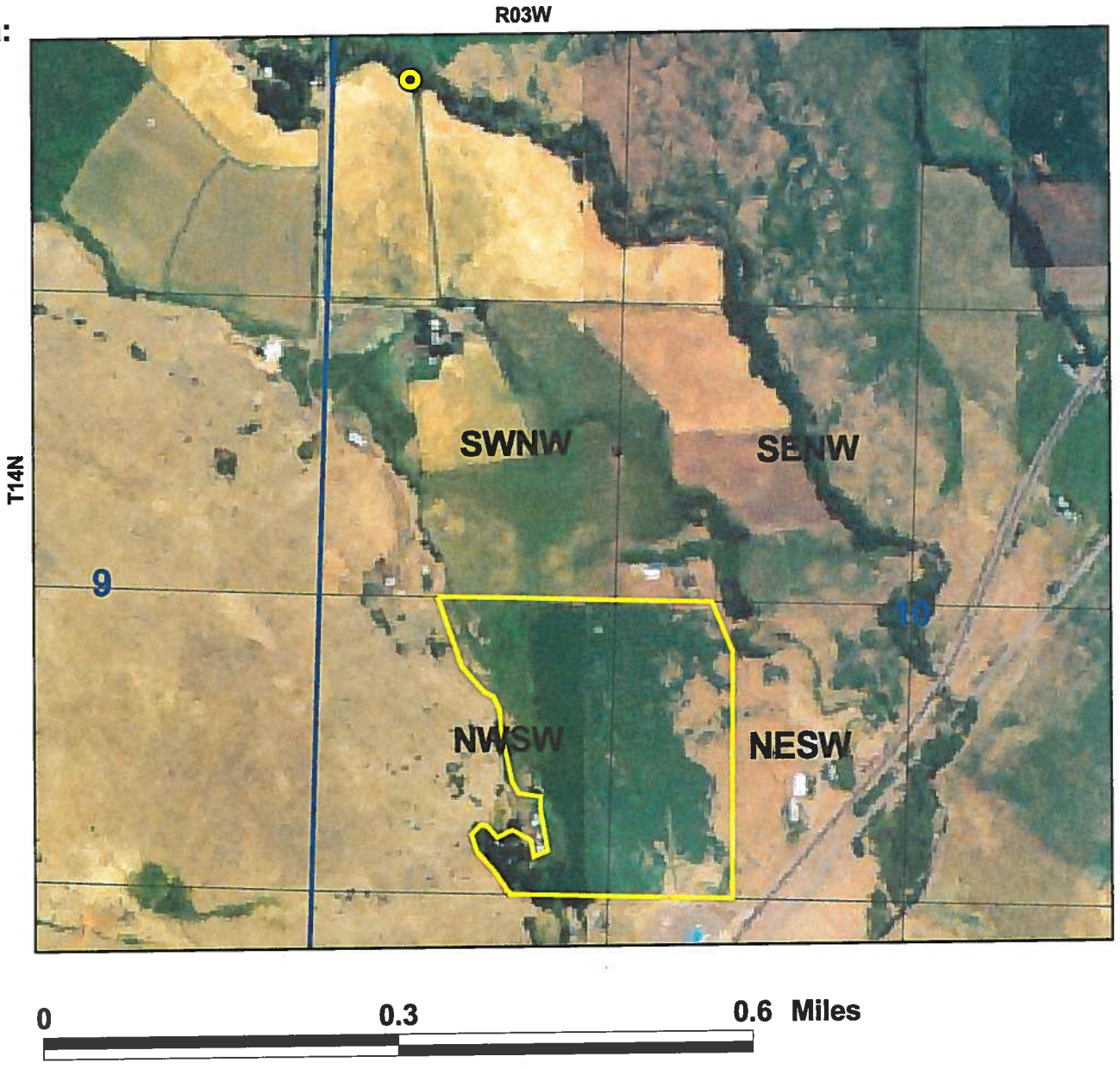
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

SRBA Recommendation:

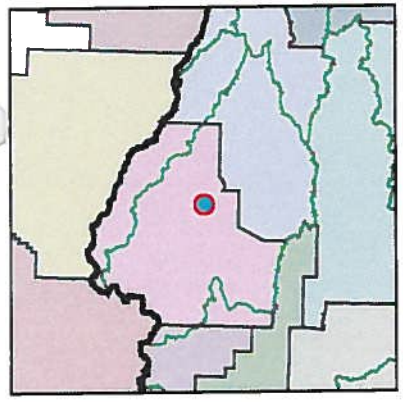
67-193B

(Irrigation)



Legend

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

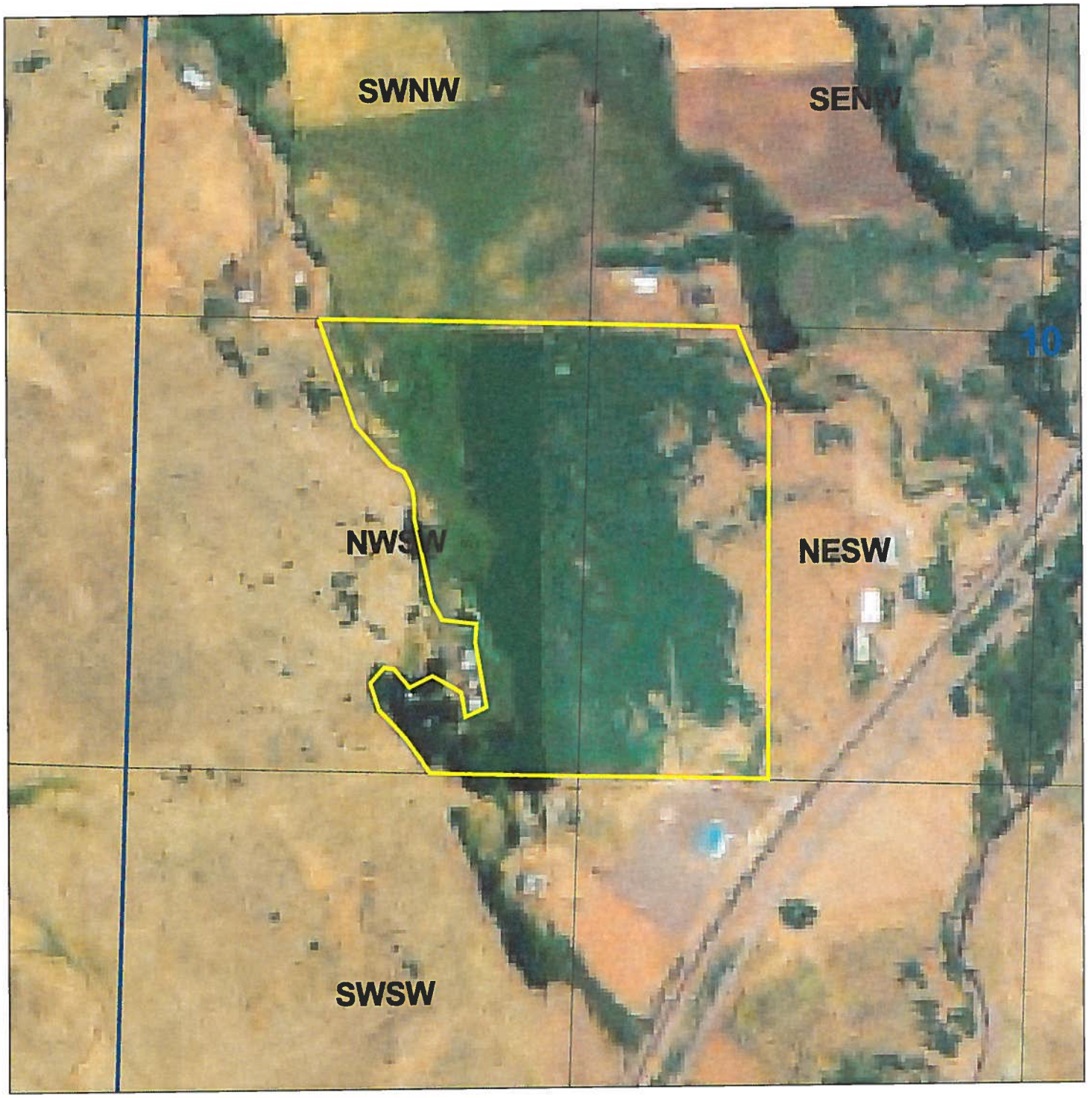


Washington County
IDWR Basin 67

N

Prepared by C. Saxton
On Saturday, November 4, 2006
1987/88 Aerial Photography

67-193B



Memorandum

Date: November 4, 2006
To: File **67-192B, 67-193B, 67-10112**
From: Craig L. Saxton

RE: Recommendation of 67-10112

67-10112 claims three sources; Pine Creek, Springs, Wastewater.

The POU claimed under 67-10112 directly overlaps the POU for decreed rights 67-192B and 67-193B. Normally a beneficial use claim that directly overlaps the decreed water could be recommended with a priority of one day after Muir v. Allison was signed. However, the source claimed under 67-10112 are not the same sources as decreed to that "rule" does not apply. Evidence of priority for the use of waste water and springs needs to be submitted in addition to needing to know when the storage of spring water and waste water first took place.

The irrigation from Pine Creek does not need a storage component as the pond can be filled with the Pine Creek water rights in less than 24 hours.

The claimant submitted insufficient priority which dated back to 1995 when he purchased the property.

In the back ground, between 67-192B and 67-193B there is enough decreed water to irrigate the claimed POU with a full inch per acre so a flood water right is not needed.

Lastly, it is unclear if the waste water is actually waste water or if it is just water coming out of a second delivery ditch.

Based on the above information 67-10112 will be recommended as such:

- Irrigation, Irrigation Storage, and Irrigation From Storage will be dropped in the recommendation.
- Waste water will be dropped as a source as it appears Pine Creek water is what is irrigating that side of the field and will be recommended in 67-192B & 67-193B
- Stock water can then be recommended as a de-minimus use from the springs limited to 13,000 gpd.

Separate claims will need to be filed for irrigation from the springs with EOP. Waste water can be recommended on this right if we have EOP for waste use as it is the same system as the irrigation right.

Claim

Basin	Sequence	Suffix	Basis	Status	Rate(cfs)	Acres	Volume(af	Source	Water Use(s)	Owner(s)	Source Table
67	192	B	Decreed	Active	0.23	48		PINE CREEK	IRRIGATION	AMIDON, GUY (C	Claim
67	193	B	Decreed	Active	0.41	48		PINE CREEK	IRRIGATION	AMIDON, GUY (C	Claim
67	10112		B-Use	Active	1.1	55		PINE CREEK , S	IRRIGATION,	AMIDON, GUY (C	Claim

Recommendation

Basin	Sequence	Suffix	Basis	Status	Rate(cfs)	Acres	Volume(af	Source	Water Use(s)	Owner(s)	Source Table
67	192	B	Decreed	Active	0.23	18.4		PINE CREEK	IRRIGATION,	AMIDON, GUY (C	Recommendation
67	193	B	Decreed	Active	0.41	32.8		PINE CREEK	IRRIGATION,	AMIDON, GUY (C	Recommendation
					0.64	32					
67	10112		B-Use	Active	0.02	N/A	1.15	SPRINGS	STOCKWATE	AMIDON, GUY (C	Recommendation

Water Master Records

Parcel	Name	Inches	File #	Original Owner	Priority
14N03W105410	GUY AMIDON	12.50	192	E. Bloomstrom	5/1/1886
14N03W105410	GUY AMIDON	22.50	193	E. Bloomstrom	5/1/1889

Walter C Keithley		16	May 15, 1899 67 0179
Elihu G Johnson		3 1/8	May 15, 1899 67 0180
		5	May 15, 1899 67 0181
Sarah S Keithley, administratrix of the estate of John D Keithley and trustee of Howard E Keithley, John Keithley and Clarence F Keithley.		200	May 15, 1877 67 0182
Pine Creek.			
Angus R.McDonald		47	June 1, 1879 67 0183
		13	June 1, 1905 67 0184
Nels Buhl		90	May 1, 1880 67 0185
		30	June 1, 1884 67 0186
James H Phillips		17½	June 5, 1884 67 0187
C E Schmitz		5	May 1, 1884 67 0188
		12	May 1, 1904 67 0189
		5½	May 1, 1912 67 0190
O S Hulet		31½	June 1, 1886 67 0191
Enoch Bloomstrom		12½	May 1, 1886 67 0192
		22½	May 1, 1889 67 0193
Harold E Kinney		35	Aug 15, 1888 67 0194
Nathaniel H Wells		31	Aug 15, 1888 67 0195
William W Allison	Little Pine	12	June 26, 1888 67 0196
	Said Creek	62½	May 6, 1899 67 0197
Joseph C Allison	Little Pine	18	June 26, 1888 67 0198
	Little Pine	30	May 1, 1906 67 0199
James W Tindell		32½	May 1, 1890 67 0200
Michael Ward		47½	June 3, 1890 67 0201
E E Edwards		123	May 1, 1891 67 0202
		42	May 1, 1891 67 0203
Fannie E Baker		6	May 1, 1891 67 0204
		29	May 1, 1900 67 0205
Denbrae Sheep Company		15	June 1, 1891 67 0206
William Niemeyer		7	May 1, 1892 67 0207
		6½	May 1, 1897 67 0208
Mary Marquess		5	— — — 67 0209
		21	May 1, 1892 67 0210
		20	May 1, 1893 67 0211
E M Fuller		32	May 1, 1900 67 0212
John D Foresyth		45	May 1, 1900 67 0213
James N Davis		35	May 1, 1900 67 0214
Charles A Haygood		25	May 1, 1900 67 0215
		25	May 1, 1902 67 0216
John W Gibson		27½	May 1, 1900 67 0217
William A McKenzie		19	May 1, 1900 67 0218
Elizabeth Webber for life		14	May 1, 1901 67 0219

JUL 2 4 19

ENOCH BLOOMSTROM: The North half of the Southwest Quarter of Section 10, Township 14 North, Range 3 West Boise Meridian.

See last preceding page

HAROLD E KENNEY: The Northeast Quarter of Section 23, Township 15 North, Range 4 West, and 8 acres off the South side of the Southeast Quarter of the Southeast Quarter of Section 14, Township 15 North, Range 4 West Boise Meridian.

NATHANIEL H WELLS: A Tract 12 rods wide off of the East side of the Northeast Quarter, Section 23, and the Southwest Quarter of the Northwest Quarter, the West half of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter Section 24, Township 15 North, Range 4 West Boise Meridian.

WILLIAM W ALLISON: The South half of the Southwest Quarter of Section 15, the North half of the Northwest Quarter and the North half of the Northeast Quarter of Section 22; and the North half of the Southwest Quarter of the Northeast Quarter of Section 22, Township 16 North, Range 4 West Boise Meridian.

JOSEPH C ALLISON: The Southwest Quarter, the Southeast Quarter of the Northeast Quarter, the Northwest Quarter of the Southeast Quarter and the South half of the Southwest Quarter of the Northeast Quarter of Section 22, Township 16 North, Range 4 West Boise Meridian.

JAMES W TINDELL: Lot 1, the East half of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter, Section 31, Township 15 North, Range 3 West Boise Meridian.

MICHAEL WARD: The Northeast Quarter Section 32, Township 15 North, Range 3 West Boise Meridian.

E R EDWARDS: The South half of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Section 28; the North half of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the West half of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter, the North half of the Southeast Quarter, and the Northeast Quarter of the Southwest Quarter of Section 33, Township 15 North, Range 3 West Boise Meridian.

FANNIE E BAKER: The Southeast Quarter of the Southeast Quarter of Section 4; the East half of the Northeast Quarter of Section 9; and the Southwest Quarter of the Northwest Quarter of Section 10, Township 15 North, Range 4 West Boise Meridian.

HEMBRAE SHEEP COMPANY: The Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southeast Quarter of Section 32 and the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 33, all in Township 16 North, Range 4 West Boise Meridian, and the Southeast Quarter of the Southeast Quarter of Section 32, the Southwest Quarter of the Southwest Quarter of Section 33 in Township 16 North, Range 4 West Boise Meridian, and the Lots 3 and 4 of Section 4 in Township 15 North, Range 4 West Boise Meridian.

WILLIAM NIEMEYER: The West half of the Southeast Quarter, the Southeast Quarter of the Southeast Quarter, Section 24, the Northeast Quarter of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 25, Township 15 North, Range 4 West Boise Meridian, and Lots 3 and 4 Section 30, Township 15 North, Range 3 West Boise Meridian.

MARY MARQUESS: The Northwest Quarter of the Southwest Quarter Section 32, the East half of the Southeast Quarter, the Southwest Quarter of the Southeast Quarter, the

JUL 2 4 1998

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON.

DECREE

John T. Muir et al.,
Plaintiffs,

vs.

William Allison, et al.,
Defendants.

Dated
June 20, 1921

	Name	Amount (Inches)	Date	Land Description
	PINE CREEK			
1	Angus R. McDonald	47 ✓ 13 ✓	6--1-79 · 6--1-05 ·	NE¼ Sec. 9; SE¼SW¼, SW¼SE¼ & 4 acres SE¼SW¼ Sec. 4; T. 14 N., R. 3 W.
2	Nels Buhl	90 · 30 ✓	5--1-80 ✓ 6--1-84 ✓	S½SW¼ Sec. 3; E½SE¼, NW¼SE¼, NE¼SW¼ Sec. 4; N½NW¼, Sec. 10, T. 14 N., R. 3 W.
3	James H. Phillips	17½ ✓	6--5-84 ✓	S½NW¼, NW¼SW¼, Sec. 4; SE¼NE¼ Sec. 5, T. 14 N., R. 3 W.
4	C. E. Schmitz	5 ✓ 12 ✓ 5½ ✓	5--1-84 ✓ 5--1-04 ✓ 5--1-12 ✓	S½SW¼ Sec. 32, T. 15 N., R. 3 W & Lots 2 and 3, Sec. 5, T. 14 N R. 3 W.
5	O. S. Hulet	31½ ✓	6--1-86 ✓	N½SW¼ Sec. 10, T. 14 N., R. 3 W.
6	Enoch Bloomstrom	12½ ✓ 22½ ✓	5--1-86 ✓ 5--1-89 ✓	N½SW¼ Sec. 10, T. 14 N., R. 3 W.
7	Harold E. Kinney	35 ✓	8-15-88 ✓	NE¼ Sec. 23, T. 15 N., R. 4 W.; 8 acres of SE¼SE¼, Sec. 14, T. 15 N., R. 4 W.
8	Nathaniel H. Wells	31 ✓	8-15-88 ✓	Part of NE¼, Sec. 23 & SW¼NW¼, W½SW¼, SE¼SW¼, Sec. 24, T. 15 N., R. 4 W.
9	William W. Allison (Little Pine) (Said Creek)	12 ✓ 62½ ✓	6-26-88 ✓ 5--6-99 ✓	S½SW¼, Sec. 15; N½NW¼, N½NE¼, Sec. 22; N½SW¼NE¼ Sec. 22, T. 16 N., R. 4, W.
10	Joseph C. Allison (Little Pine) (Little Pine)	18 ✓ 30 ✓	6-26-88 ✓ 5--1-06 ✓	SW¼, SE¼NE¼, NW¼SE¼, S½SW¼NE¼ Sec. 22, T. 16 N., R. 4 W.

JUL 24 1996

5/8" per acre decreed -
Muir vs. Allison 6/20/1921

Walter C Keithley		16		May 15, 1899 67 0179
Elihu G Johnson		3 1/8		May 15, 1899 67 0180
		5		May 15, 1899 67 0181
Sarah S Keithley, administratrix of the estate of John D Keithley and trustee of Howard E Keithley, John Keithley and Clarence F Keithley.		200		May 15, 1877 67 0182
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		12		May 1, 1904 67 0189
		5½		May 1, 1912 67 0190
O S Hulet		31½		June 1, 1886 67 0191
Enoch Bloomstrom		12½	35"	May 1, 1886 67 0192
		22½		May 1, 1889 67 0193
Harold E Kinney		35		Aug 15, 1888 67 0194
Nathaniel H Wells		31		Aug 15, 1888 67 0195
William W Allison	Little Pine	12		June 26, 1888 67 0196
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		42		May 1, 1891 67 0203
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		29		May 1, 1900 67 0205
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William Niemeyer		7		May 1, 1892 67 0207
		6½		May 1, 1897 67 0208
Mary Marquess		5		— — — 67 0209

35"

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DENBRAE SHEEP COMPANY: The Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southeast Quarter of Section 32 and the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 33, all in Township 16 North, Range 4 West Boise Meridian, and the Southeast Quarter of the Southeast

MEMORANDUM

January 31, 1997

TO: FILES 67-00192B, 67-00192C, 67-00193B, 67-00193C

FROM: KAY WALKER KW

RE: OWNERSHIP CHANGE COMPLETED 1/28/97

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I received a phone call from Guy Amidon this morning concerning the portion of these water rights that had been split to the Lee's. Mr. Amidon stated that the Lee's property was on a rocky hillside that was not irrigated. He is coming into the office on February 4 to discuss the lands actually irrigated. He is going to bring a copy of an ASCS photo of the lands with him. I told Mr. Amidon that we changed the ownership on Lee's 7 acres because the entire 40 acre parcel was claimed as irrigated under both above referenced claims. Hopefully our meeting next week will resolve any errors that may have been made when these claims were submitted.

Ron Lee also called me this morning. He said that the ditch does go to his property but is in bad disrepair. He did not purchase the home under Claim A67-10113 but would like to file on the well for his home that was drilled in 1994. He would also like to file for irrigation of his land from this well. He requested an application for permit form be sent to him. None of the ponds under Claim A67-10113 are on the Lee property unless there is high water and then the water does get onto his property. I mentioned that only a portion of decreed Rts. 67-00192 and 67-00193 were filed on. I told Mr. Lee I would look at those decrees and see if I could figure out where the water from the original decrees was used.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 28, 1997

RE: Original Notice of Claim to a Water Right No. A67-00192A
Renumbered to Notice of Claim to a Water Right No. A67-00192B
AND
Original Notice of Claim to a Water Right No. A67-00193A
Renumbered to Notice of Claim to a Water Right No. A67-00193B

Guy and Karen Amidon
2711 Toney Lane
Cambridge, ID 83610

Dear Claimants:

We have processed a Change of Ownership for portions of your original claims to water rights as referenced above. This change of ownership resulted in a split of your claims.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by adding alpha-suffixes to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim numbers reflect your remaining portion of the original claims after the change of ownership. Enclosed is a copy of the new claims for your records. Please refer to your new claim numbers when corresponding with our office.

While reviewing our records for any water rights on the 7 acres now owned by the Lee's, I found two other claims that I have some questions on. I have included profile reports of these claims for your convenience. Under Claim No. A67-10112, I found the Lee's property is covered for irrigation. I am uncertain, however, if I should split any of the stockwater use to the Lee's. Are any of the ponds under this claim on the land they purchased? Please indicate on the profile report what portion of this claim should be split to the Lee's besides the irrigation of their 7 acres. I also have a question on Claim A67-10113, which is for domestic and stockwater use from a well. If this home and well were sold to the Lee's too, we will need to change the ownership on that claim. Please let me know within 30 days of the date of this letter how you want Claim A67-10112 split. If I don't hear from you within this 30 day period I will split A67-10112 to show the Lee's have

ownership of 7 acres under this claim. I will not take any action on the domestic well unless I hear otherwise from you or the Lee's.

If you have any questions concerning this ownership change, or the enclosed claim copies, please feel free to contact this office. If you would like to come into the office for assistance in this matter, please call first and make an appointment to meet with one of us.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

SEE ORIGINAL

CLAIM FILE

DOCUMENTS IN

CLAIM

NO. A67-00193A