

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-219

NAME AND ADDRESS:

PINE CREEK PROPERTY OWNERS IRR
ASSN
C/O PEARL J KETZ
PO BOX 190
CAMBRIDGE ID 83610

SOURCE:

Source:
EAST PINE CREEK

Tributary:
PINE CREEK

QUANTITY:

0.280 CFS
56.000 AFY

The total instantaneous diversion of water from all points of diversion under
Transfer No. 4236 shall not exceed 1.28 cfs.

PRIORITY DATE: 05/01/1901

POINT OF DIVERSION:

T16N R04W S25 NESW
Within WASHINGTON County

T16N R04W S35 SENE
Within WASHINGTON County

T16N R04W S35 SENE
Within WASHINGTON County

T16N R04W S35 SENE
Within WASHINGTON County

T16N R04W S35 SENE
Within WASHINGTON County

T16N R04W S35 SENE
Within WASHINGTON County

T16N R04W S35 NWSE
Within WASHINGTON County

T16N R04W S35 NWSE
Within WASHINGTON County

~~T16N R04W S36 SWNW~~
~~Within WASHINGTON County~~

**PURPOSE AND
PERIOD OF USE:**

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/01 10/31	0.280 CFS 56.00 AFY

IDAHO DEPARTMENT OF WATER RESOURCES RECOMMENDED
WATER RIGHTS ACQUIRED UNDER STATE LAW

PLACE OF USE: IRRIGATION within WASHINGTON County

T16N R04W S25 SWSW 5.0
T16N R04W S25 SESW 8.0
T16N R04W S35 SWNE 2.0
T16N R04W S35 SENE 10.0
T16N R04W S35 NESW 8.0
T16N R04W S35 SWSW 3.0
T16N R04W S35 SESW 3.0
T16N R04W S35 NWSE 4.0
~~T16N R04W S36 NENW 1.0~~
T16N R04W S36 NWNW 20.0

63 ACRES TOTAL

~~64 ACRES TOTAL~~

Right No. 67-00219 is limited to the irrigation of 14.0 acres within the place of use described above in a single irrigation season.

Right No. 67-00229 is limited to the irrigation of 21.0 acres within the place of use described above in a single irrigation season.

Right No. 67-00226 is limited to the irrigation of 17.0 acres within the place of use described above in a single irrigation season.

Right No. 67-00220 is limited to the irrigation of 12.0 acres within the place of use described above 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

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Use of water under this right will be regulated by the watermaster of State Water District No. 67.

Four (4) points of diversion are located within SENE, and two (2) points of diversion are located within NWSE, S35, T16N, R04W. A single point of diversion is located on or near the line between SENE, S35 and SWNE, S36, T16N, R04W. The system has a total of eight (8) points of diversion.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Right No. 67-00229 has been reduced by 0.40 cfs that has been lost through non-use.

Irrigated acres described in S35, T16N, R04W, are located south of the access road.

The change authorized by Transfer No. 4236 shall be accomplished within one (1) year of the date of this approval.

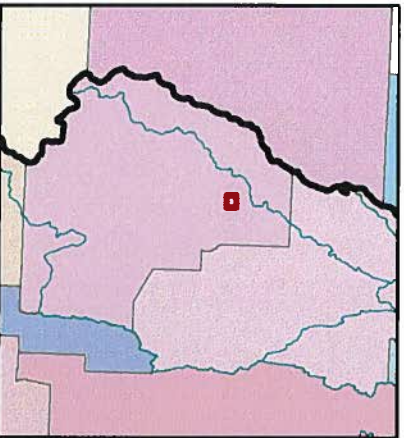


**SRBA Recommendation
67-219
(IRRIGATION)**

Idaho Department of Water Resources

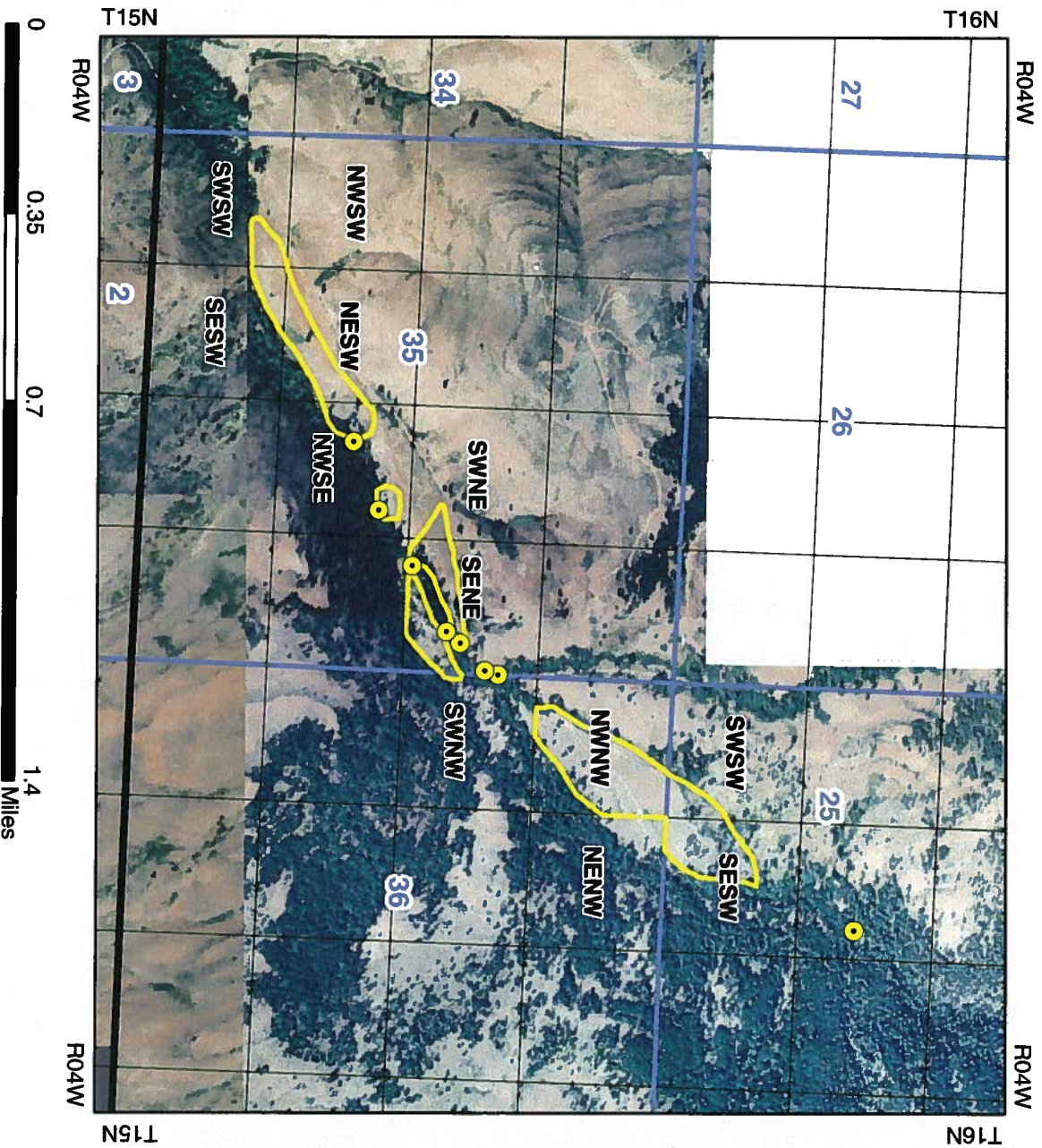
Legend

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



**Washington County
IDWR Basin 67**

Prepared by Craig Saxton
On August 14, 2008
1987/88 Aerial Photography



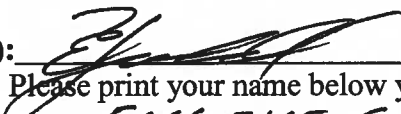
**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Water Right Number(s): 67-219, 67-220, 67-226, 67-229

Previous Mailing Address: 3608 advent Gulch Rd
Cambridge Id 83610

New Mailing Address: PINE CREEK OWNER IRRIGATION ASSN.
C/O EUGENE SIDWELL
PO. BOX 283
CAMBRIDGE ID. 83610

Telephone Number: (208) 454-2285 (208) 257-3253

Signature of all Claimant(s): 
Please print your name below your signature.
EUGENE C. SIDWELL

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701

RECEIVED

NOV 29 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

11/14/2006

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-219

PINE CREEK PROPERTY OWNERS IRR ASSN

C/O PEARL J KETZ

3608 ADVENT GULCH RD

CAMBRIDGE ID 83610

Telephone Number: ~~(208) 642-2766~~

no phone at this time

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: *no changes need to be made.*

DATE: *11-26-2006*

SIGNATURE:

Please print your name:

Pearl J. Ketz

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

*The Post Office will not deliver mail
to our physical address of Pine Creek Property
Owners Irr Assn 3608 Advent Gulch Rd, Cambridge
Id 83610*

*All mailing addresses should be changed to
P.O. Box 190, Cambridge, Id, 83610
where I received your 3 packets.*

SCANNED

NOV 30 2006

05/13/2005

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

RIGHT NUMBER: 67-219

NAME AND ADDRESS: PINE CREEK PROPERTY OWNERS IRR ASSN
C/O PEARL J KETZ
3608 ADVENT GULCH RD
CAMBRIDGE ID 83610

SOURCE: EAST PINE CREEK

TRIBUTARY: PINE CREEK

QUANTITY: 0.280 CFS
56.000 AFY

The total instantaneous diversion of water from all points of diversion under Transfer No. 4236 shall not exceed 1.28 cfs.

PRIORITY DATE: 05/01/1901

POINT OF DIVERSION:

T16N R04W S25 NESW Within WASHINGTON County
T16N R04W S35 SENE Within WASHINGTON County
T16N R04W S35 SENE Within WASHINGTON County
T16N R04W S35 SENE Within WASHINGTON County
T16N R04W S35 SENE Within WASHINGTON County
T16N R04W S35 NWSE Within WASHINGTON County
T16N R04W S35 NWSE Within WASHINGTON County
T16N R04W S36 SWNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.280 CFS 56.00 AFY

PLACE OF USE: IRRIGATION Within WASHINGTON County

T16N R04W S25	SWSW	5.0	T16N R04W S25	SESW	8.0
T16N R04W S35	SWNE	2.0	T16N R04W S35	SENE	10.0
T16N R04W S35	NESW	8.0	T16N R04W S35	SWSW	3.0
T16N R04W S35	SESW	3.0	T16N R04W S35	NWSE	4.0
T16N R04W S36	NENW	1.0	T16N R04W S36	NWNW	20.0

64 ACRES TOTAL

Right No. 67-00226 is limited to the irrigation of 17.0 acres within the place of use described above in a single irrigation season.

Right No. 67-00219^{45 5-13-05} is limited to the irrigation of 14.0 acres within the place of use described above in a single irrigation season.

Right No. 67-00229 is limited to the irrigation of 21.0 acres within the place of use described above in a single irrigation season.

Right No. 67-00220 is limited to the irrigation of 12.0 acres within the place of use described above in a single irrigation season.

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

Water Right 67-219

1

05/13/2005

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

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: Decreed

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Use of water under this right will be regulated by the watermaster of State Water District No. 67.

Four (4) points of diversion are located within SENE, and two (2) points of diversion are located within NWSE, S35, T16N, R04W. A single point of diversion is located on or near the line between SENE, S35 and SWNE, S36, T16N, R04W. The system has a total of eight (8) points of diversion.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Right No. 67-00229 has been reduced by 0.40 cfs that has been lost through non-use.

Irrigated acres described in S35, T16N, R04W, are located south of the access road.

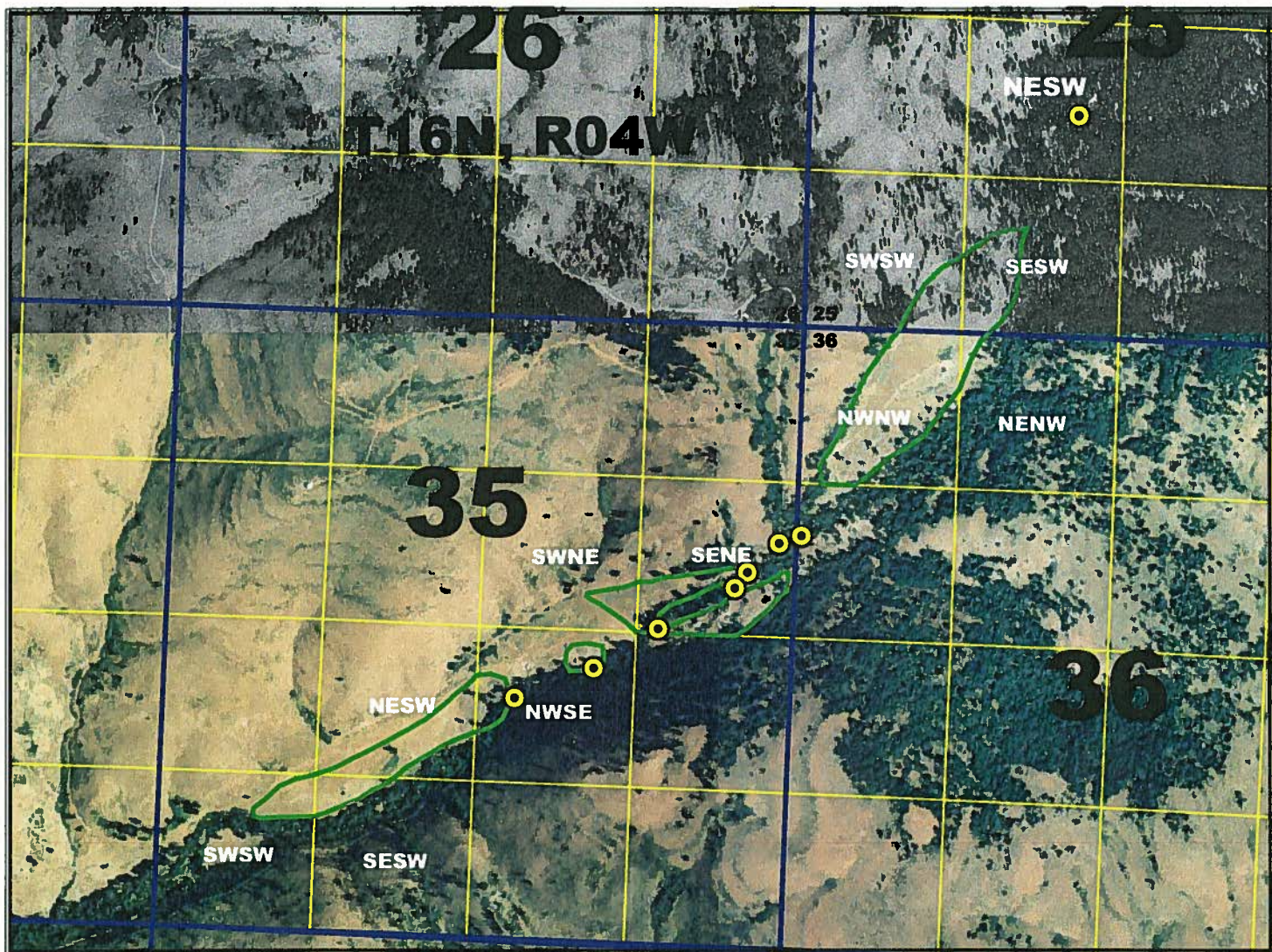
The change authorized by Transfer No. 4236 shall be accomplished within one (1) year of the date of this approval.



STATE OF IDAHO

Department of Water Resources

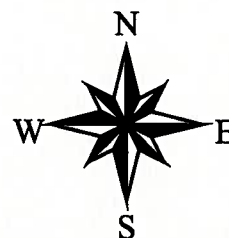
Water Right(s): 67-219, 67-220
67-226, 67-229



1320 0 1320 2640 3960 5280 6600 Feet

Total Irrigated Acres: 64.0

-  Point(s) of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: May 2005

MEMORANDUM

Date: May 2, 2005

To: File

From: Craig L. Saxton

Re: Pine Creek Property Owners Irrigation Association

Summary:

I plan to recommend SRBA claims in the name of an organization rather than the individual users. The following describes why.

Background:

Transfer 3377 split water right record 67-219 into 67-219A and 67-219B.

In 1994, transfer 4236 was approved to combine 67-219A and 67-219B into 67-219C. Transfer 4236 then combined 67-219C, 67-220, 67-226, and 67-229 into a permissible place of use in the name of Pine Creek Property Owners Irrigation Association.

It appears that one of the original land owners was Cecil Bilboa.

There are 25 SRBA claims currently active for use of Pine Creek water. These claims are for portions of original *Muir vs. Allison* decreed rights 67-219, 67-220, 67-226, and 67-229.

Some of the 25 claims were filed before transfer 4236 was approved, and some of the claims appear to have been filed based on the results of transfer 4236.

SRBA claim 67-219 was filed by Cecil Bilboa in 1989 for the entire decreed right, but was amended upon approval of TR 4236. The name on the data base remained as Bilboa despite that TR 4236 was in the name of Pine Creek Property Owners Irrigation Association. The claim has been subsequently split.

SRBA claim 67-220 was filed by Cecil Bilboa in 1989 for the entire decreed right, but was amended upon approval of TR 4236. The name on the data base remained as Bilboa despite that TR 4236 was in the name of Pine Creek Property Owners Irrigation Association. The claim has been subsequently split.

SRBA claim 67-226 appears to have been filed by Cecil Bilboa for the entire right, but was amended upon approval of TR 4236. The name on the data base remained as Bilboa despite that TR 4236 was in the name of Pine Creek Property Owners Irrigation Association. The claim has been subsequently split.

SRBA claim 67-229 appears to have been filed by Cecil Bilboa for the entire right, but notes on the claim say that the claim was amended per approval of Transfer 4236. The parent claim remained in Bilboa's name despite that TR 4236 was in the name of Pine Creek Property Owners Irrigation Association. The claim has been subsequently split.

Issue:

The situation appears to be that individual water users that are part of Pine Creek Property Owners Irrigation Association filed separate claims, when really Pine Creek Property Owners Irrigation Association should have filed 4 SRBA claims based on transfer 4263.

The question arose, that since TR 4236 was approved in 1994, can four claims be filed for recommendation by Pine Creek Property Owners Irrigation Association to replace the 25 individual claims filed for the same water.

Conclusion:

Per a discussion with David Tuthill, it was concluded that the administrative action of approving TR 4236 had the effect of amending the claims represented in the transfer to the name of Pine Creek Property Owners Irrigation Association.

These water rights, numbered 67-219C, 67-220, 67-226, and 67-229, were awarded a permissible place of use. My directive in the SRBA is to recommend the rights as such to the SRBA court.

Action:

Amend SRBA claims 67-219, 67-220, 67-226, and 67-229 to the name of Pine Creek Property Owners Irrigation Association, and represent the elements of the respective water rights as defined in TR 4236.

Disallow individual filings for portions of the above rights as "Recommended as 67-____....".

Note: TR 4236 defines a transfer on 67-219C. Transfer 3377 split water right record 67-219 into 67-219A and 67-219B. In 1994, transfer 4236 was approved to combine 67-219A and 67-219B into 67-219C.

The SRBA claim 67-219 will represent the WR record of 67-219C. They are one in the same.

Split history for Decreed Right 29-00219

WR History

SRBA Calm History

Recommendation

67-00219C	Webber	0.205	67-00219A	Webber	0.06	3	67-00219C	Ketz, Vernon	0.28	64	56	67-00219C	Ketz, Vernon	Disallow
67-00219D	Lopez	0.18	67-00219D	Lopez	0.18	6	67-00219D	Lopez	0.28	64	56	67-00219D	Lopez	Disallow
67-00219B	Ketz, Vernon	0.17	67-00219B	Ketz, Vernon	0.17	6	67-00219B	Ketz, Vernon	0.28	64	56	67-00219B	Ketz, Vernon	Disallow
67-00219E	Sidwell	0.02	67-00219E	Sidwell	0.02	1	67-00219E	Sidwell	0.28	64	56	67-00219E	Sidwell	Disallow
67-00219F	Sandstorm	0.12	67-00219F	Sandstorm	0.12	4	67-00219F	Sandstorm	0.28	64	56	67-00219F	Sandstorm	Disallow
67-00219G	Singlehurst	0.02	67-00219G	Singlehurst	0.02	0.7	67-00219G	Singlehurst	0.28	64	56	67-00219G	Singlehurst	Disallow
67-00219H	Mc Donald	0.007	67-00219H	Mc Donald	0.007	1.7	67-00219H	Mc Donald	0.28	64	56	67-00219H	Mc Donald	Disallow
67-00219	Pine Ck Assn	0.28	67-00219	Pine Ck Assn	0.28	64	67-00219	Pine Ck Assn	0.28	64	56	67-00219	Pine Ck Assn	0.28
Amended Per Tr 4283			Amended Per Tr 4283				Amended Per Tr 4283					Amended Per Tr 4283		

Sum CFS =	0.28
Sum Acre =	64
Sum AF =	56

Extra CFS =	0
Extra Acre =	0
Extra AF =	0

Sum CFS =	0.857
Sum Acre =	86.4
Sum AF =	57.49

Extra CFS =	-0.58
Extra Acre =	-22.4
Extra AF =	-1.49

Acreage based on 5/8 inch per acre

*Last updated 5-13-05 (csaxton)
For digital copy of Excel spreadsheet file: See Craig L. Saxton



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 16, 2005

MITCHEL H WHITED
5532 OSEOLA PL
BOISE ID 83709

RE: Notice of Change of Water Right Ownership

Dear Mr. Whited,

I apologize for it taking so long for us to get back to you. Much to my embarrassment, it appears that we received a request to change ownership of a portion of Water Right 67-00219 on September 7, 2004.

The back ground on water right 67-219 is that Transfer 4236 was approved in 1994 in the name of Pine Creek Property Owners Irrigation Association. This transfer involved water rights: 67-219C, 67-220, 67-226, and 67-229. Despite approval of Transfer 4236, users of Pine Creek water filed individual claims instead of having the association file 4 claims to cover every ones use.

Per my discussion with my supervisor, David Tuthill, it was concluded that the administrative action of approving TR 4236 had the effect of amending the claims (originally filed by Cecil Bilboa) represented in the transfer to the name of Pine Creek Property Owners Irrigation Association.

Thus, my directive is to amend the claims filed by Mr. Bilboa to represent Transfer 4236. These water rights, numbered 67-219C, 67-220, 67-226, and 67-229, were awarded a permissible place of use. My directive in the SRBA is to recommend the rights as such to the SRBA court. Claims filed by individual water users will be recommended as disallowed as that claimed use is covered by the recommendations in the name of Pine Creek Property Owners Irrigation Association.

So, the short story is the 4 water rights included in Transfer 4236 will be recommended in the name of Pine Creek Property Owners Irrigation Association, which covers your land. No further action needs to be taken at this time. No additional claims need to be filed.

For your records, I am returning the information you submitted. I have spoke with Mr. Sidwell and Mr. Waldemer (who are Pine Creek water users as well) about this issue and it is my understanding that they will be working on re-establishing the association.

Please feel free to contact me with any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig L. Saxton". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosures;

CONVERSATION MEMORANDUM
Western Regional

DATE 9/7/04

FILE 'Whited' Change
of Ownership

NAME OF PARTY Mitchel Whited

EMPLOYEE J. Westra

RE: Adj Change of ownership.

Mr. Whited presented the following forms to me stating he wanted the water rights for his parcel in the Pine Creek mtn Sub. to his name. #67-219 has been split several times. I was unable to find which split his parcel was a part of, if any. Also, any water rights/claims under the Hartung name was not found.

Mr. Whited had visited Rob W. the week previously and seemed to know what was needed? He stated the residence of the subdivision were going to file there own claims/name change splits as there was problems with Directors.

I emphasized I would take the completed forms, but I was not sure the route the Adjudication would take regarding claims and splits for the subdivision.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
SEP 07 2004
WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
67-219					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Thomas Hartung

4. New Owner/Claimant(s)

Mitchel H. Whited

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

5532 OSEOLA PL.

City, State and ZIP Code

BOISE ID 83709

New Telephone Number

(208)-362-6752

5. Date you acquired the property

April 10th 1981

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>67-219 (a portion of)</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>.10</u>	<u>5 acres</u>
Stock		
Domestic		
Other		
Total	<u>.10</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other		
Total		

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Michael H. White

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by JFW

Date 9/7/04

Fee _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____

Date _____

(Optional)

Recorded ☐
Microfilmed ☐
Indexed ☐

Platted ☐
Deed Card ☐
Compared ☐

Key Punched ☐
Master File ☐
Abstracted ☐

To Treasurer ☐
☐

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

INSTRUMENT NO. 173198

PAGE 1 OF 1

THOMAS C. HARTUNG and TAMMY K. HARTUNG, husband and wife, GRANTOR(S)
of McCall County of Valley State of Idaho
hereby CONVEYS, GRANTS and WARRANTS TO MITCHEL H. WHITED, a single
man

of Box 1809, McCall County of Valley
for the sum of Valuable Consideration

GRANTEE(S)

State of Idaho

- Dollars (\$-----)

the following described tract(s) of land in Washington

County, State of Idaho:

Lot 13 of PINE CREEK MOUNTAIN ESTATES, as the same is shown on the official plat thereof on file in the office of the County Recorder of Washington County, Idaho, Book 1 Plats, page 134, and according to Pine Creek Mountain Estates Covenants recorded in Book 9 Miscellaneous, page 890 Records of Washington County, Idaho.

SUBJECT to a right of way for road through Lot 13 as shown on the official plat of Pine Creek Mountain Estates, and

SUBJECT to covenants, reservations, easements, benefits and burdens of Pine Creek Mountain Estates, as set out in Covenants recorded in Book 9 Miscellaneous, page 890, Records of Washington County, Idaho, and

Subject to any easements of record or in use.

INSTRUMENT NO. 173198

STATE OF IDAHO, COUNTY OF WASHINGTON ss.

Filed for record at the request of

TIMBERLINE TITLE

40 Min. past EIGHT o'clock A. M.

This 11TH day of JUNE 19 98

Index to: DEEDS

SHARON WIDMER, Recorder Fee: \$3.00

By [Signature] Deputy

BOX 6, COUNCIL, ID 83612

Cmp. R.N.
Cmp. Rel.
Film
Compare
Card Rel.
Bk. Rel.
Up-date
Return
Copy

Location of above described property _____

House No. 10

Street _____

WITNESS the hand of said Grantors this

day of APRIL A.D. 19 81

Thomas C. Hartung
Tammy K. Hartung

(NOTARY SEAL)

State of Idaho

County of Valley

} ss.

On the 10 day of APRIL A.D. 1981

personally appeared before me
HARTUNG

THOMAS C. HARTUNG and TAMMY K.

the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.

Residing at: McCall

(NOTARY PUBLIC)

My Commission expires: 1982

MAIL DEED TO:

Mitchel H. Whited

P.O. Box 1809

McCall, Idaho 83638

MAIL TAX NOTICE TO:

Name Mitchel H. Whited

Address P.O. Box 1809

City & State McCall, Idaho Zip 83638

PINE CREEK MOUNTAIN ESTATES

IRRIGATION ASSOCIATION

VERN KETZ, DIRECTOR

3608 ADVENT GULCH RD.
CAMBRIDGE, IDAHO 83610

November 18, 1993

Dear Pine Creek Property Owner:

Vern & I are happy to report many significant accomplishments this year:

1. The formation of an irrigation association. The transfer of all 5 water rights owned by Mr. Bilbao was applied for per his instructions to the Idaho State Water Department to be transferred to the Pine Creek Mountain Estates Irrigation Assoc. and to be administered by the same for the good of the whole Subdivision. The final plan was worked out by Mr. Bilbao and the Water Board after the Idaho State officials made a personal inspection this summer. You will find the official notice on the other side of this letter. Also the issuing of private "stock" for each owner who has water shares, and the issuing of private "stock" in Basco Springs Creek Development for the benefit of drinking water source for all owners. The appropriate stock certificates are inclosed. The stock must remain with the land.
2. The putting through of the official platted road on properties # 33 and #27. Please use these official roads rather than the private driveways of owners.
3. The selling of all the unsold properties at Pine Creek Mountain Estates to many fine caring owners. We welcome them all warmly.
4. Much good work accomplished on the road including some gravel on the upper road and grading a barrow ditch on the bad part, with some culverts obtained.
5. The resolving of owners' fears over the thinning of #26's timber, and acceptance that private owners can thin their own timber judiciously. The general consensus is that the rest of the property owners would like to know such plans in advance and that the purpose and plan for preserving our valley's beauty will be observed.
6. Voting by an overwhelming majority not to publish names & addresses or dun property owners in arrears of dues as long as they are trying.
7. The opening of Mr. Bilbao's Hornet Creek Mountain Estates out of Council for the overflow buyers who were unable to purchase at Pine Creek, due to all being sold. You may tell any of your friends who might be interested that this wonderful investment though maybe not as perfect as Pine Creek is available. (OVER PLEASE)

BY-LAWS

Each original lot owns one (1) share in Basque Spring Water (1/35) development.

The irrigatable land in Pine Creek Mountain Estates lies within the East Fork Pine Creek drainage so that all water used recharges the aquifers that flow into the creek.

Purposes and benefits of the Pine Creek Mountain Estates Irrigation Association:

Participating owners have been issued one hundred (100) shares per inch of water or a part inch thereof as listed in the official prorated list.

The shares must remain with the land.

All major issues will be decided by popular vote under the auspices of the Pine Creek Mountain Estates Property Owners' Association.

All property owners must cooperate fully with the President of the Irrigation Association and the Watermaster.

Water will be beneficially applied to each irrigatable portion at least once every five (5) years according to the original water rights of Rutledge, Howland, and Webber, overseen by the Association, Lavendar & Weiner rights also.

All water use is in constant development and process according to season and need.

The Association is in favor of pipe lines as compared to ditches, and in favor of drip system instead of sprinklers when and where this is possible.

The Association President will serve until he resigns or until a majority of

The general information for Hornet is inclosed.

8. The spraying of the thistles accomplished, we look forward to fewer thistles next year, alot of seeds will never sprout. However, weed control officials tell us that seeds may survive for at least 7 years so we will keep close watch.

There has been alot of individual accomplishment by many of our owners, including grading of house and cabin sites, well drilling, etc. We have many sources of excellent workman, solar systems, etc. Please don't hesitate to contact us.

Sincerely,

Vern & Pearl Ketz
Vern & Pearl Ketz

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NOS.

67-00219A, 67-00219B, 67-00220, 67-00226

Notice is hereby given that Pine Creek Property Owners Irrigation Association of Cambridge, Idaho has applied to the Department of Water Resources to change the Point of Diversion of the following described decreed water right(s) to be changed pursuant to Section 42-222 of Idaho Code. Source for all the rights is Pine Creek tributary to Weiser River, and water is diverted and used for irrigation in T16N, R04W, Washington County as follows:

<u>Right No.</u>	<u>Priority Date</u>	<u>Amount of Water (CFS)</u>	<u>Point of Diversion</u>	<u>Place of Use</u>
67-00219A	5-1-1901	.205	NENW S. 36	SW 1/4 S. 35
67-00219B	5-1-1901	.075	NWSE S. 35 NENW S. 36	NESW & SESW, S. 35
67-00220	5-1-1901	.240	undefined	SWNE, SENE, NWSE, SWSE, S. 35
67-00226	5-1-1902	.340	undefined	SWSW & SESW, S. 25; SESE S. 26; NENE S. 35; NW 1/4 S. 36

TO BE CHANGED AS FOLLOWS

All four rights with a total of .86 cfs will use any one or more points of diversion for any acres as follows, all within T16N, R04W:

Diversion Points: SENESW S. 25; NESENE (2 points), SESENE (2 points), SWSENE, NENWSE, NWNWSE, S. 35; NWSWNW S. 36 (includes 5 ditches and 3 pumps)

Place of Use: SWSW, SESW, S. 25; SWNE, SENE, NESW, SWSW, SESW, NWSE, S. 35; NENW, NWNW, S. 36 (64 acres total).

Multiple points of diversion for common acres for property owners in Pine Creek Mountain Estates will be used. No additional water or additional acres will be involved before or after this transfer. Source is also known as East Pine Creek.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before

November 8, 1993.

R. Keith Higginson
Director

Published in the Upper County News Reporter
on 10-21 and 10-28-93

UNDER THE LAWS OF THE STATE OF IDAHO



PINE CREEK IRRIGATION ASSOCIATION

AUTHORIZED BASCO SPRINGS STOCK

THIS CERTIFIES THAT

One (1 1/2) _____

Shares of the Capital Stock of

PINE CREEK IRRIGATION ASSOCIATION

transferrable only in the books of the Corporation by the holder
hereof in person or by attorney duly authorized of this Certificate
properly endorsed. Transferable to one of Lot 13 only

The Within and Whereof, the said Corporation has caused this Certificate to be
signed by its duly authorized officers and its seal to be hereunto affixed.

Nov. 25 _____ day of November 1903

[Signature]

[Signature]
PRESIDENT

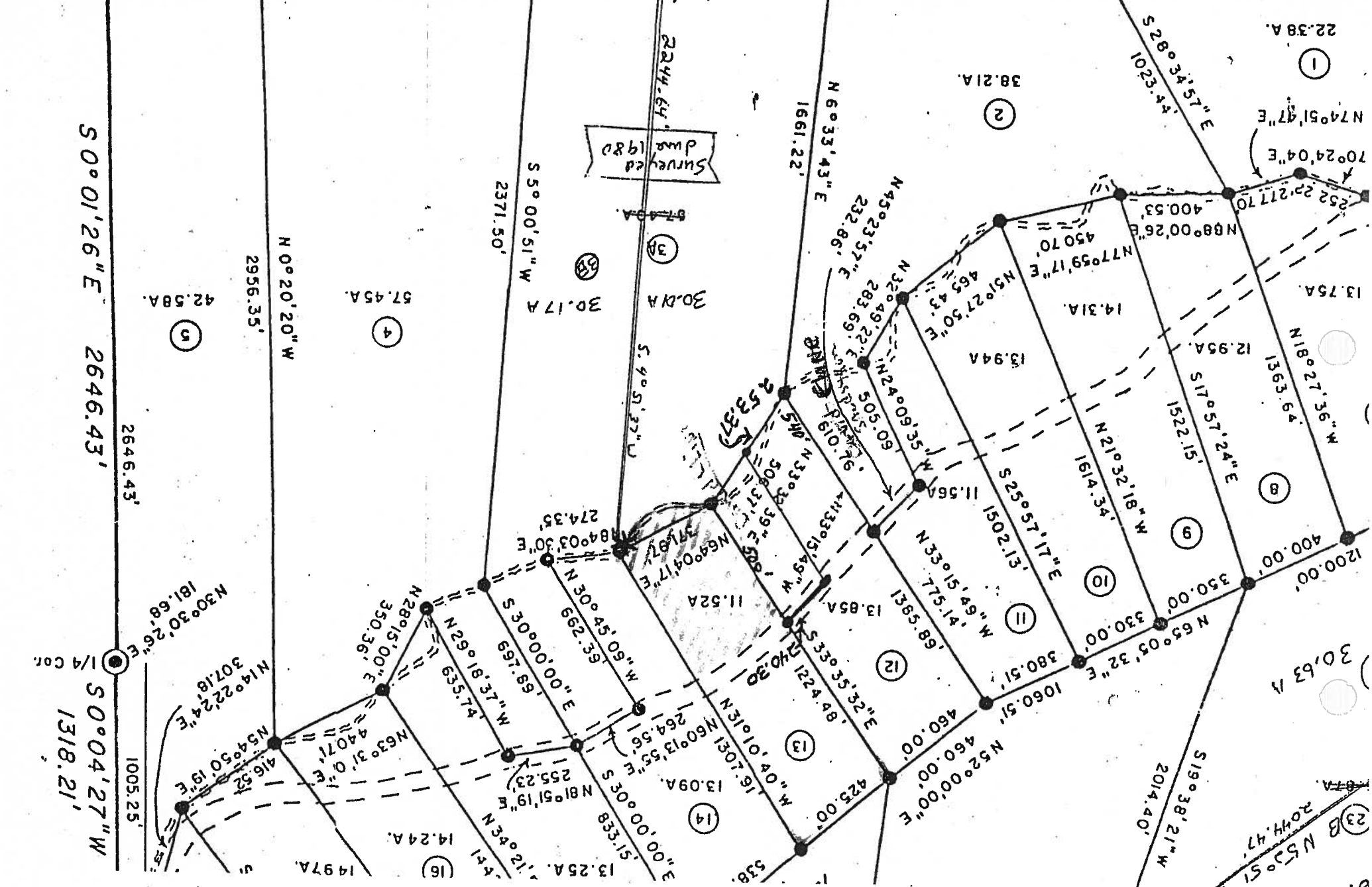
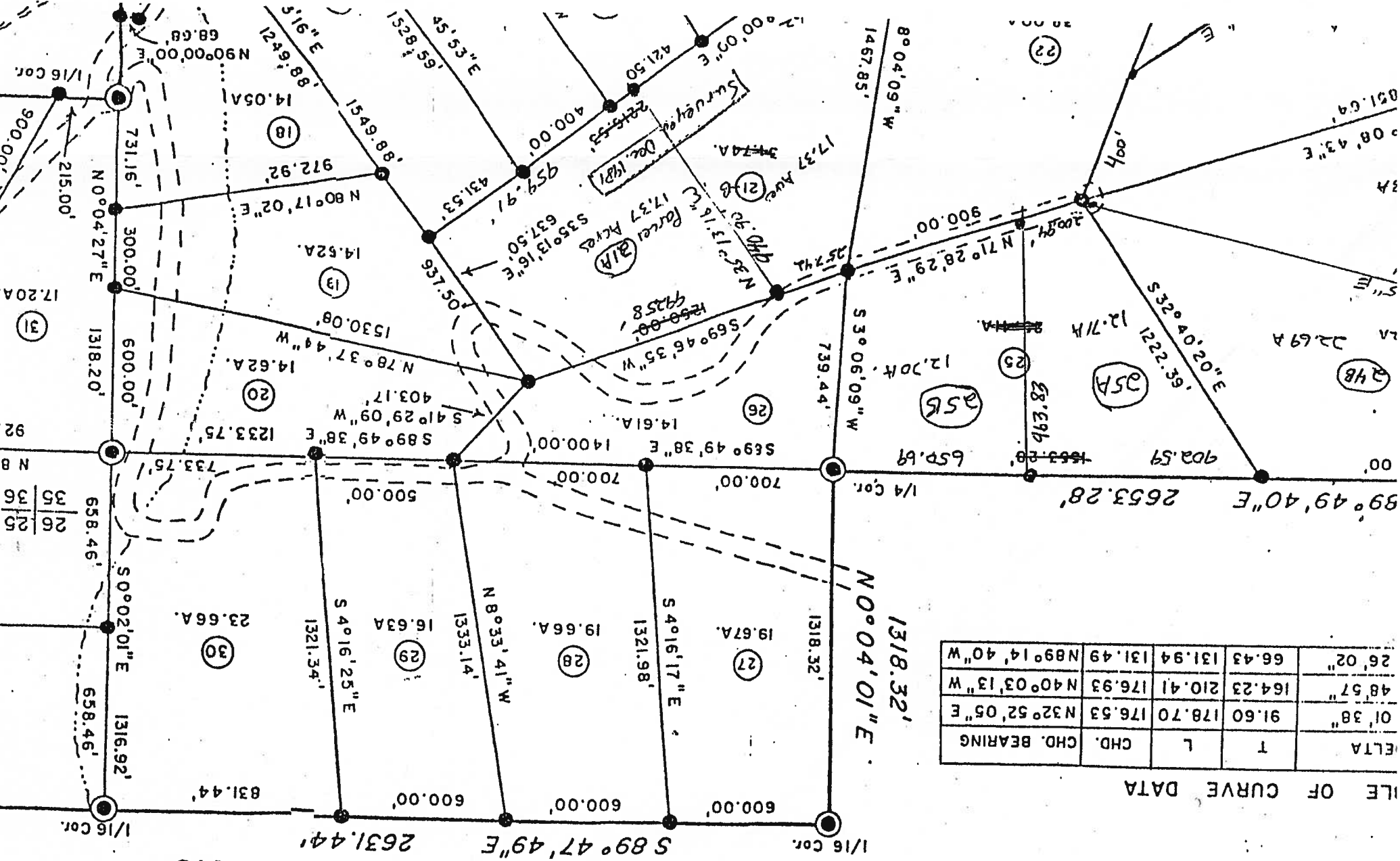
SHAW'S
REGISTER

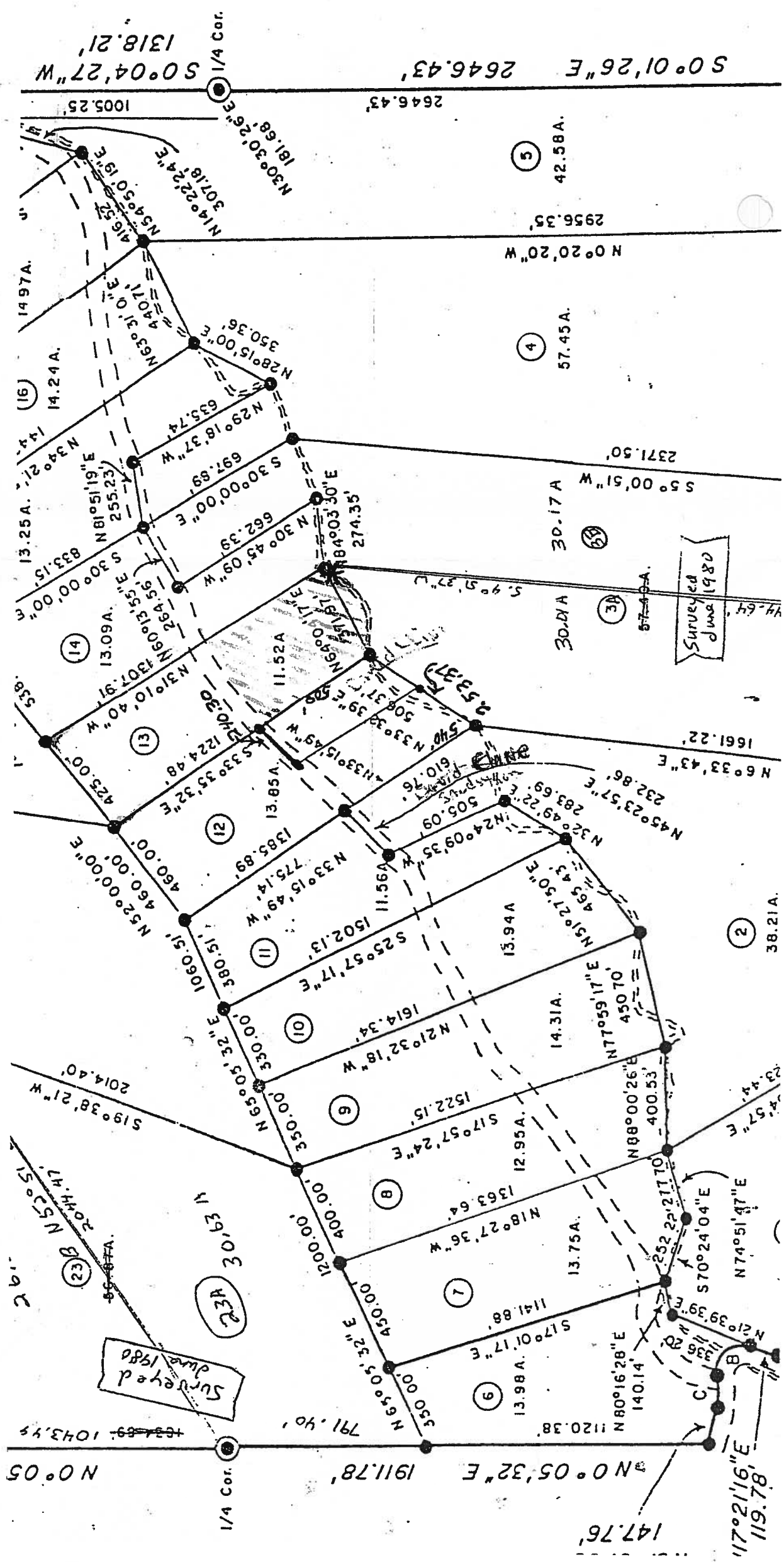
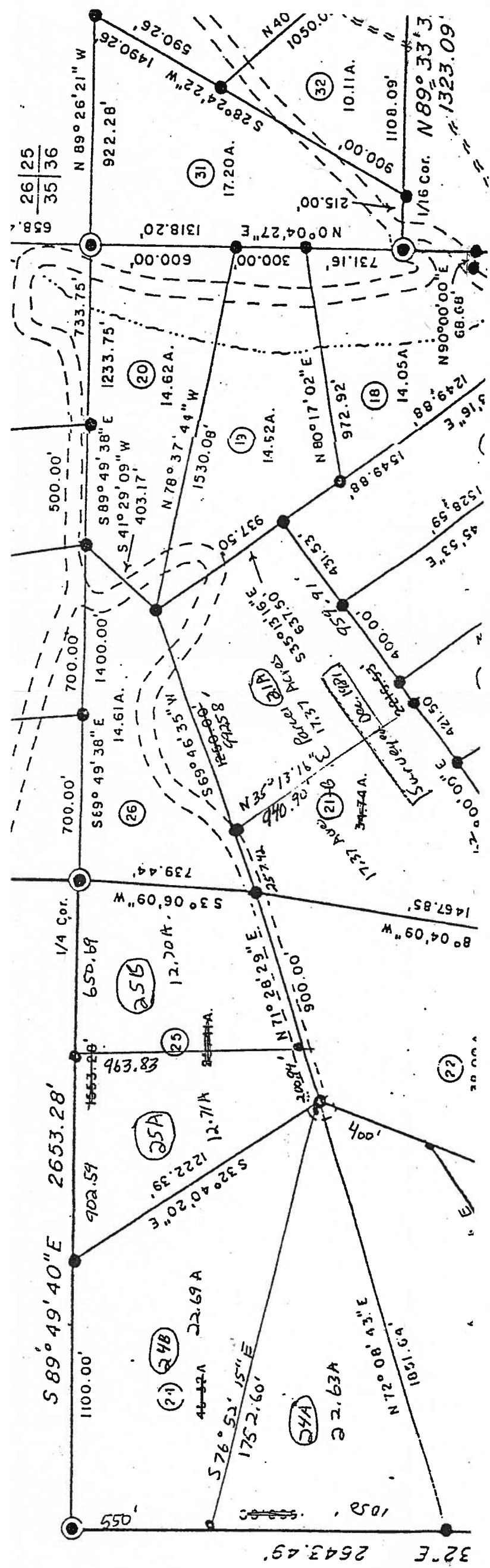
Boundary
 10 Area
 * version

FIVE CHILD SCHILLING R.L.S. -
 1978
 S1/2, of the SE 1/4 of Sec. 26; S1/2, of the SW 1/4 of Sec. 26; of the NW 1/4 of Sec. 35, T16N., R. 4 W., B.M., Washing

CHD. BEARING	CHD.	T	L	CHD. BEARING
01° 38' "	91.60	178.70	176.53	N 32° 52' 05" E
48° 57' "	164.23	210.41	176.93	N 40° 03' 13" W
26° 02' "	66.43	131.94	131.49	N 89° 14' 40" W

FILE OF CURVE DATA





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4236

WATER RIGHT NO(S). 67-00219C/67-00220/67-00226/67-00229

This is to certify that: **PINE CREEK PROPERTY OWNERS IRR ASSN**
C/O PEARL J KETZ
3608 ADVENT GULCH RD
CAMBRIDGE ID 83610

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 67-00219C :			
IRRIGATION	04/01 to 10/31	0.28 CFS	56.0 AF
Priority: 05/01/1901			
Right No. 67-00220 :			
IRRIGATION	04/01 to 10/31	0.24 CFS	48.0 AF
Priority: 05/01/1901			
Right No. 67-00226 :			
IRRIGATION	04/01 to 10/31	0.34 CFS	68.0 AF
Priority: 05/01/1902			
Right No. 67-00229 :			
IRRIGATION	04/01 to 10/31	0.42 CFS	84.0 AF
Priority: 05/01/1908			
TOTAL:		1.28 CFS	256.0 AF

SOURCE

EAST PINE CREEK

TRIBUTARY OF

PINE CREEK

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 25, Township 16N, Range 04W
SENE , Sec. 35, Township 16N, Range 04W
NWSE , Sec. 35, Township 16N, Range 04W
SWNW , Sec. 36, Township 16N, Range 04W
WASHINGTON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
16N	04W	25	SWSW 5	SESW 8		13
		35	SWNE 2	SENE 10	NESW 8	
			SWSW 3	SESW 3	NWSE 4	30
		36	NENW 1	NWNW 20		21

Total number of acres irrigated: 64

[Handwritten signature]

JUL 27 1994

TRANSFER NO. 4236
WATER RIGHT NO(S). 67-00219C/67-00220/67-00226/67-00229

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4236 shall not exceed 1.28 cfs.
8. Right No. 67-00219C is limited to the irrigation of 14.0 acres in the place of use described above in a single irrigation season.
9. Right No. 67-00220 is limited to the irrigation of 12.0 acres in the place of use described above in a single irrigation season.
10. Right No. 67-00226 is limited to the irrigation of 17.0 acres in the place of use described above in a single irrigation season.
11. Right No. 67-00229 is limited to the irrigation of 21.0 acres in the place of use described above in a single irrigation season.
12. Right No. 67-00229 has been reduced by 0.40 cfs that has been lost through non-use.
13. Irrigated acres described in S35, T16N, R04W, are located south of the access road.
14. Four (4) points of diversion are located within SENE, and two (2) points of diversion are located within NWSE, S35, T16N, R04W. A single point of diversion is located on or near the line between SENE, S35 and SWNW, S36, T16N, R04W. The system has a total of eight (8) points of diversion.

Dated this 22 day of

June

1994

J. Shaw Saylor
Chief, Water Alloc. Bureau

JUL 27 1994

Jan Shurte – 11-4-2003

Memo to file for splits on 67-219 – now known as 67-219C in Water Rights.

67-219C in Water Rights is a permissible place of use transfer which shows a total of 64 acres with a limit of 14 acres to be irrigated at any one time within the described place of use. This transfer was approved in 1993. The amount of water was .28 cfs. Normally in the Weiser River decree which was decreed at 5/8ths of an inch per acre that would have allowed for 22.4 acres rather than the 14 acre limiter which was based on 1" per acre. This should be taken into account during the SRBA review.

The splits now showing on the AJ side are:

219A – split into B & C

219B - .12 cfs for 6 acres – 4 ac NESW & 2 ac SESW, S.35

219C - .06 cfs for 3 acres – 3 ac NESW, S.35

219D - .12 cfs for 6 acres – 3 ac NESW, 3 ac SESW, S35

219E - .02 cfs for 1 acre – 1 ac NESW, S.35

219F - .12 cfs for 4 acres – 4 ac NESW, S. 35

219G - .02 cfs for .7 acre - .7 ac SWSW, S35

219H - .007 cfs for 1.7 acres - .2 ac SWNE & 1.5 ac SENE, S. 35

Total cfs = .467 cfs

Total acres = 22.4 acres

The acres make sense at 5/8ths" per acre for .28 cfs (original decreed amount), however, the cfs claimed has increased considerably and would need to be reduced during review.

The other item to note on these splits is that a total of 15 acres have been claimed in the NESW, S35 where only 8 were shown on the approved transfer and 5 acres claimed in the SESW, S35 where only 3 acres were shown on the approved transfer. These acres will need to be examined to see if they truly were in the area that could have been gravity irrigated back in 1901. A field exam will be needed.

A further split has been submitted for 2 acres in the SWNE and 2.5 acres in the NWSE, S. 35. All but the .2 acre portion under 67-219H are still remaining on from the transfer to be claimed. Therefore, with the aid of the platmap and GIS map this split will be processed for 1.8 acres in the SWNE and 2.7 acres in the NWSE in accordance with the transfer approved in 1993 – after the 1987 possibility of any type of accomplished transfers. Based on the approval of 1"/acre for 14 acres in transfer, the amount for this split will be at 1" per acre for .09 cfs. The acre limitation will need to be added at the time of review for SRBA recommendation.

CAREFUL REVIEW & ANALYSIS OF THESE SPLIT RIGHTS AND ANY FURTHER SPLITS IS NEEDED.

3 - 6 AC - .12
2 - 3 AC - .06
2 - 6 AC - .12
1 - 1 AC Page 1 .02
1 - 4 AC - .12
1 - .7 AC - .02
H - 1.7 AC - .007 CFS

11/04/2003

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 67-219C

22.4 + .467 CFS
acres

WATER RIGHT NUMBER: 67-219C

Owner Type Name and Address
Original Owner ELIZABETH WEBBER

ID
PINE CREEK PROPERTY OWNERS IRR ASSN
C/O PEARL J KETZ
3608 ADVENT GULCH RD
CAMBRIDGE, ID 83610
(208)642-2766

Priority Date: 05/01/1901

Basis: Decreed

Status: Active

Source Tributary
EAST PINE CREEK PINE CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	4/01 to 10/31	0.280 CFS	56.00 AF
Total Diversion:		0.280 CFS	56.00 AF

Location of Point(s) of Diversion

EAST PINE CREEK	NE1/4SW1/4	Sec. 25, Twp 16N, Rge 04W, B.M.
WASHINGTON County		
EAST PINE CREEK	NW1/4SE1/4	Sec. 35, Twp 16N, Rge 04W, B.M.
WASHINGTON County		
EAST PINE CREEK	SE1/4NE1/4	Sec. 35, Twp 16N, Rge 04W, B.M.
WASHINGTON County		
EAST PINE CREEK	SW1/4NW1/4	Sec. 36, Twp 16N, Rge 04W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
16N 04W 25	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	13.0
16N 04W 35			2.0	10.0					8.0	3.0	3.0		4.0				30.0
16N 04W 36					1.0	20.0											21.0

Total Acres: 64

NOT DONE FOR
REVIEW
At 5/8" per
acre could be
62.4 acres

See remarks - limited to 14 acres
for PPU. USED 1" / AC RATHER THAN 5/8" / AC.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 67-219C

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
2. R31 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.
3. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks:

1. General The total instantaneous diversion of water from all points of diversion under Transfer No. 4236 shall not exceed 1.28 cfs.
Right No. 67-00219C is limited to the irrigation of 14.0 acres in the place of use described above in a single irrigation season. Irrigated acres described in S35, T16N, R04W, are located south of the access road.
Four (4) points of diversion are located within SENE, and two (2) points of diversion are located within NWSE, S35, T16N, R04W. A single point of diversion is located on or near the line between SENE, S35 and SWNW, S36, T16N, R04W. The system has a total of eight (8) points of diversion.

Comments:

1. TAYLOR 10/25/1993 TRANSFER NO. 4236

Comment: Transfer No. 4236 was filed to add diversion points and change the place of use under Right Nos. 67-00219A/219B/220/226 and 229. The transfer reflects a combined system with a permissible place of use and will recombine part A and B of 67-00219 into part C.

Dates and Other Information:

Licensed Date:
Decreed Date: 6/20/1921
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 67
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: William Allison, et al
Decree Plaintiff: John T Muir, et al
Civil Case Number:
Judicial District: Seventh District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Re # 67-0219

RECEIVED

AUG 19 1991

V. & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

8-16-91

POOR ORIGIN

Department of Water Resources
Western Regional Office

Dear Linda,

Our water has been
completely cut off for 2 weeks
come Sunday!

Jerry Meyers, Watermaster, said
he was told he has to leave the
canal open because of one little
right and that a family lives on
the canal & needs the water. Do
you have a right filed by ~~Malone~~ ^{SLOAN}?
Also we understand that

Randy Noah has a very old right.
But also the canal should not
get its full supply & us be completely
shut off. Randy gets his out of the creek
not canal.

Now Cecil Bilbao said we should be
able to use his water on the
Rutledge right per his letter
dated 9-19-87 which copy I
should have filed with our
stuff. I believe I did - see copy
(over)

MICROFILMED
OCT 22 1996

Enclosed.

Now The headgate to # 35 +
34's water is on The National
Forest - That's why he added
the additional point of diversion
part - His big headgate is in creek but
part of ditch to our place is filled in.

But Jerry Meyers says

We can only use water
from the ^{Wabers} water right

Bilbao says ask you for
a copy of what he has

Filed on - The 40 acres.

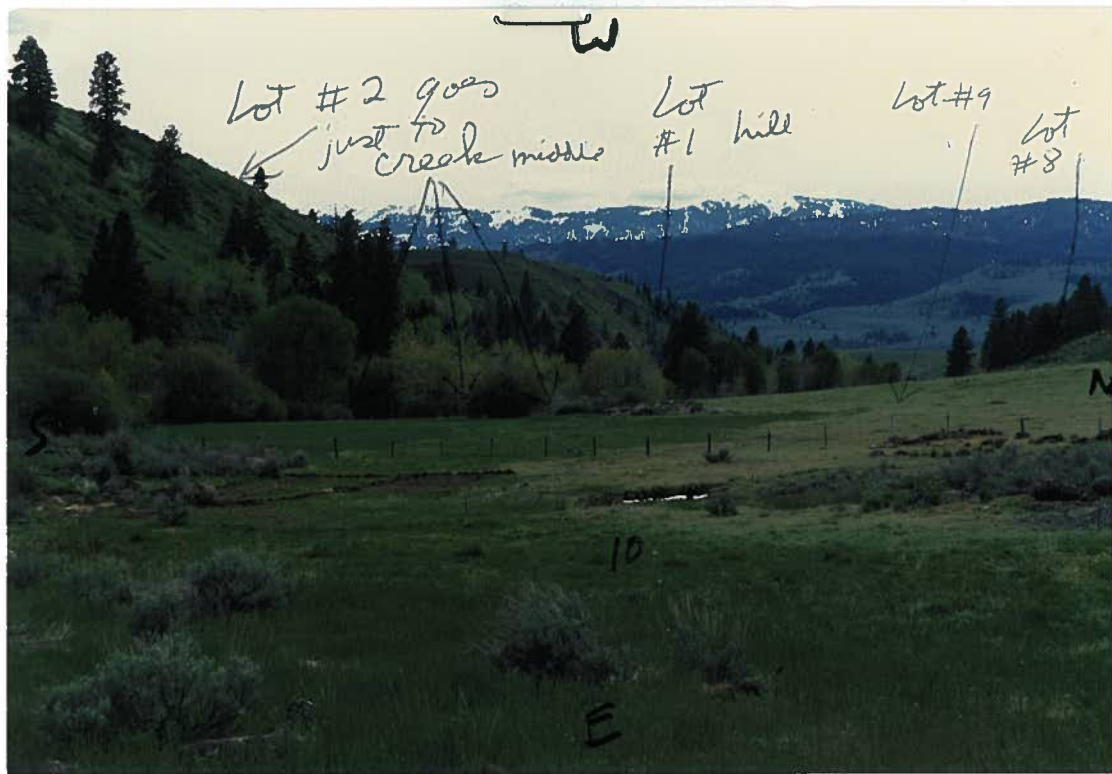
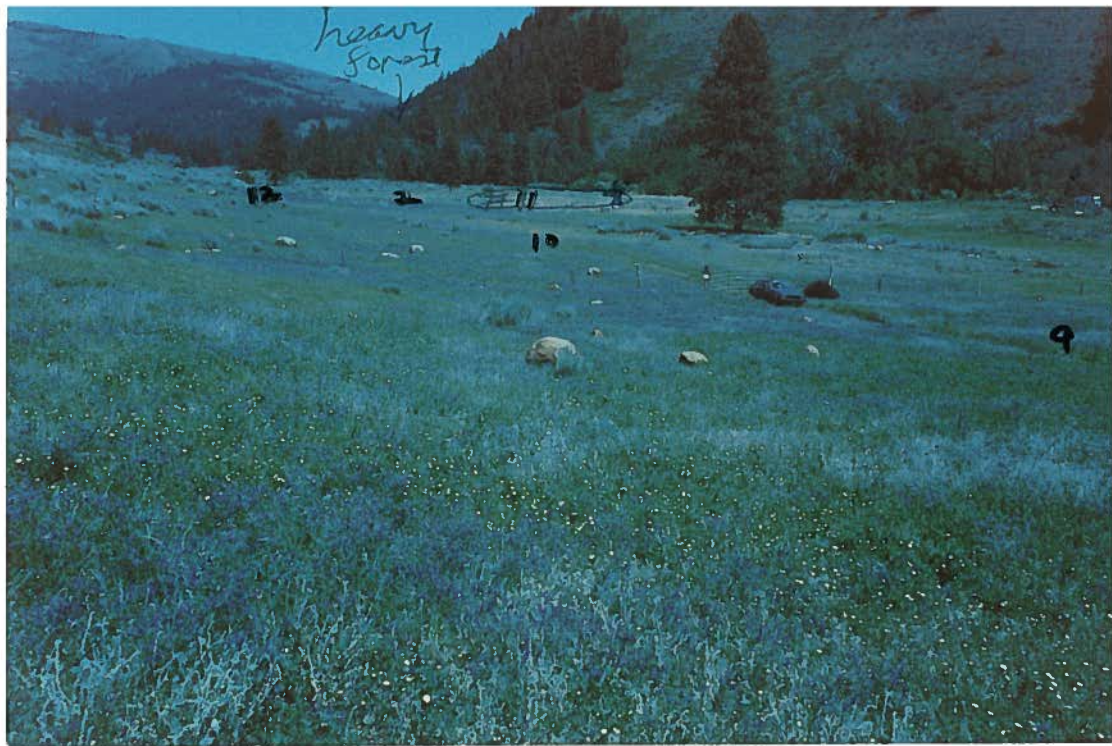
Rutledge right or Harrison right

- And show it to The Watermaster.

I don't know the number.

& The permission should be
Filed with his claim under
Application.

Can you help us? The watermaster
is new. Our Trees are dying in  sad Pearl





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 67-219
Date Received: 10/16/1989
Receipt No: W006278
Received By:

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

1. Name of Claimant(s)

PINE CREEK PROPERTY OWNERS IRR ASSN Phone: (208)642-2766

C/O PEARL J KETZ
3608 ADVENT GULCH RD
CAMBRIDGE ID USA 83610

2. Date of Priority: 05/01/1901

3. Source: EAST PINE CREEK

Trib. to: PINE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	04W	35	SE NE	WASHINGTON	
16N	04W	35	NW SE	WASHINGTON	
16N	04W	35	SE NE	WASHINGTON	
16N	04W	35	SE NE	WASHINGTON	
16N	04W	35	SE NE	WASHINGTON	
16N	04W	35	NW SE	WASHINGTON	
16N	04W	25	NE SW	WASHINGTON	
16N	04W	36	SW NW	WASHINGTON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.28	56

7. Total Quantity Appropriated is:
0.28 C.F.S. and/or 56 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
16N	04W	25	SW	SW		IRRIGATION	5
			SE	SW		IRRIGATION	8
						Section Acres	13
16N	04W	35	SW	NE		IRRIGATION	2
			SE	NE		IRRIGATION	10
			NE	SW		IRRIGATION	8
			SW	SW		IRRIGATION	3
			SE	SW		IRRIGATION	3
			NW	SE		IRRIGATION	4
						Section Acres	30
16N	04W	36	NE	NW		IRRIGATION	1
			NW	NW		IRRIGATION	20
						Section Acres	21
						Total Acres	64

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

CLAIMANT IS LIENHOLDER *THIS CLAIM HAS BEEN SPLIT MANY WAYS. A67-00219-A67-00219G.

A FIELD EXAM IS NECESSARY TO DETERMINE WHAT LOTS WERE IRRIGATED PER THE MUIR-ALLISON DECREE. L.R.W. 5/7/91*

Approval of Transfer 4236 amended SRBA claims 67-00219, 67-00220, 67-00226, and 67-00229. Previous splits of this right were done in error. The above claims were amended to reflect TR 4236. Note: This claim represents water right record 67-00219C as defined by TR 4236 (csaxton 5-12-05).

Use of water under this right will be regulated by the watermaster of State Water District No. 67.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The total instantaneous diversion of water from all points of diversion under Transfer No. 4236 shall not exceed 1.28 cfs.

Right No. 67-00219C is limited to the irrigation of 14.0 acres within the place of use described above in a single irrigation season.

Right No. 67-00220 is limited to the irrigation of 12.0 acres within the place of use described above in a single irrigation season.

Right No. 67-00226 is limited to the irrigation of 17.0 acres within the place of use described above in a single irrigation season.

Right No. 67-00229 is limited to the irrigation of 21.0 acres within the place of use described above in a single irrigation season.

Right No. 67-00229 has been reduced by 0.40 cfs that has been lost through non-use.

Irrigated acres described in S35, T16N, R04W, are located south of the access road.

Four (4) points of diversion are located within SENE, and two (2) points of diversion are located within NWSE, S35, T16N, R04W. A single point of diversion is located on or near the line between SENE, S35 and SWNE, S36, T16N, R04W. The system has a total of eight (8) points of diversion.

15. Basis of Claim: Decreed

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 Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct. _____
Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-219

WATER RIGHT NUMBER: 67-219

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CECIL BILBOA 3597 COW CREEK RD CAMBRIDGE, ID 83610 (208)257-3583

Priority Date: 05/01/1901

Basis: Decreed

Status: See Remarks

<u>Source</u>	<u>Tributary</u>
EAST FORK PINE CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.280 CFS	
	<u>Total Diversion:</u>	0.280 CFS	

Location of Point(s) of Diversion

EAST FORK PINE CREEK	NW1/4SE1/4	Sec. 35, Twp 16N, Rge 04W, B.M.
WASHINGTON County		
EAST FORK PINE CREEK	NE1/4NW1/4	Sec. 36, Twp 16N, Rge 04W, B.M.
WASHINGTON 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	
16N	04W	35									9.0	6.0	3.0	4.0					22.0

Total Acres: 22

Conditions of Approval:Remarks:

- General CLAIMANT IS LIENHOLDER *THIS CLAIM HAS BEEN SPLIT MANY WAYS.
A67-00219-A67-00219G.
A FIELD EXAM IS NECESSARY TO DETERMINE WHAT LOTS WERE IRRIGATED PER THE
MUIR-ALLISON DECREE. L.R.W. 5/7/91*

- Explanatory Through research of the history of this claim. All evidence appears to indicate that this claim
has been split into portions C, D, E, F, G, H (csaxton 3/8/05)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-219

Comments:Dates and Other Information:

Claim Received Date: 10/16/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

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

RECEIVED

OCT 16 1989

Ident. Number: A67-00219
Date Received: ~~9/14/1989~~ 10-16-89
Receipt No: W0006278
Received By: _____

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CECIL BILBOA 208-257-3583
Address: RT. 1, BOX 212
CAMBRIDGE, ID 83610

2. Date of Priority: MAY 01, 1901

3. Source: PINE CREEK, E. FORK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	04W	35	NW	SE			WASHINGTON
		36	NE	NW			WASHINGTON

5. Description of diverting works:
HEADGATE IN CREEK WITH PIPELINE TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.280		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	04W	35	NE	SW		IRR	9.0
			NW	SW		IRR	6.0
			SW	SW		IRR	3.0

A67-00219

Page 1

Date: 09/14/89

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OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	04W	35	SE	SW		IRR	4.0
Section Acres							22.0
Total Acres							22.0

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:
CLAIMANT IS LIENHOLDER

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 6/20/1921

MAIR

Decree Plaintiff

vs

ALLISON

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

Signature of Claimant(s): Cecil Belth Date: 10/5/89

Date: _____

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of October 19 89 B. G. Soules
Notary Public

Seal

Residing at Cambridge
My Commission Expires 8-21-91

Ull Waller irrigated land in red. Total 22 aca

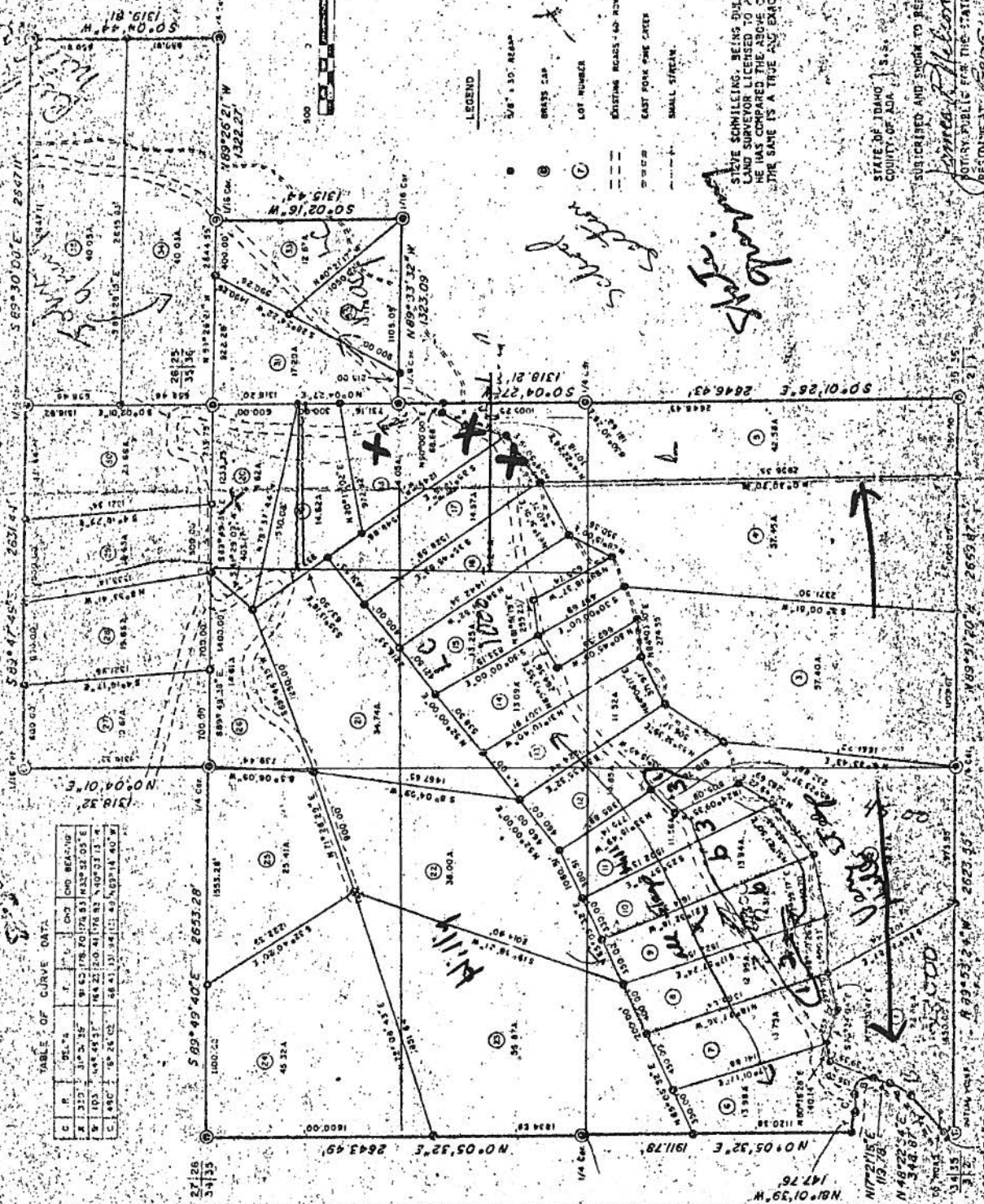
LA - FINE CREEK MOUNTAIN ESTATES -

3/20. the 22/4 of Sec 25, S. 4, E. 10, NW 1/4, of the 1/4 of Sec 35, and Sec 36, T. 2 N., R. 10 E., Washington County, Idaho

FILE - SCHILLING R.L.S. - 1978

TABLE OF CURVE DATA

C	R	PI	PC	PT	CH	BEA	UP
1	310.0	310.0	310.0	310.0	310.0	310.0	310.0
2	100.0	100.0	100.0	100.0	100.0	100.0	100.0
3	100.0	100.0	100.0	100.0	100.0	100.0	100.0
4	100.0	100.0	100.0	100.0	100.0	100.0	100.0
5	100.0	100.0	100.0	100.0	100.0	100.0	100.0
6	100.0	100.0	100.0	100.0	100.0	100.0	100.0
7	100.0	100.0	100.0	100.0	100.0	100.0	100.0
8	100.0	100.0	100.0	100.0	100.0	100.0	100.0
9	100.0	100.0	100.0	100.0	100.0	100.0	100.0
10	100.0	100.0	100.0	100.0	100.0	100.0	100.0
11	100.0	100.0	100.0	100.0	100.0	100.0	100.0
12	100.0	100.0	100.0	100.0	100.0	100.0	100.0
13	100.0	100.0	100.0	100.0	100.0	100.0	100.0
14	100.0	100.0	100.0	100.0	100.0	100.0	100.0
15	100.0	100.0	100.0	100.0	100.0	100.0	100.0
16	100.0	100.0	100.0	100.0	100.0	100.0	100.0
17	100.0	100.0	100.0	100.0	100.0	100.0	100.0
18	100.0	100.0	100.0	100.0	100.0	100.0	100.0
19	100.0	100.0	100.0	100.0	100.0	100.0	100.0
20	100.0	100.0	100.0	100.0	100.0	100.0	100.0
21	100.0	100.0	100.0	100.0	100.0	100.0	100.0
22	100.0	100.0	100.0	100.0	100.0	100.0	100.0
23	100.0	100.0	100.0	100.0	100.0	100.0	100.0
24	100.0	100.0	100.0	100.0	100.0	100.0	100.0
25	100.0	100.0	100.0	100.0	100.0	100.0	100.0
26	100.0	100.0	100.0	100.0	100.0	100.0	100.0
27	100.0	100.0	100.0	100.0	100.0	100.0	100.0
28	100.0	100.0	100.0	100.0	100.0	100.0	100.0
29	100.0	100.0	100.0	100.0	100.0	100.0	100.0
30	100.0	100.0	100.0	100.0	100.0	100.0	100.0
31	100.0	100.0	100.0	100.0	100.0	100.0	100.0
32	100.0	100.0	100.0	100.0	100.0	100.0	100.0
33	100.0	100.0	100.0	100.0	100.0	100.0	100.0
34	100.0	100.0	100.0	100.0	100.0	100.0	100.0
35	100.0	100.0	100.0	100.0	100.0	100.0	100.0
36	100.0	100.0	100.0	100.0	100.0	100.0	100.0
37	100.0	100.0	100.0	100.0	100.0	100.0	100.0
38	100.0	100.0	100.0	100.0	100.0	100.0	100.0
39	100.0	100.0	100.0	100.0	100.0	100.0	100.0
40	100.0	100.0	100.0	100.0	100.0	100.0	100.0
41	100.0	100.0	100.0	100.0	100.0	100.0	100.0
42	100.0	100.0	100.0	100.0	100.0	100.0	100.0
43	100.0	100.0	100.0	100.0	100.0	100.0	100.0
44	100.0	100.0	100.0	100.0	100.0	100.0	100.0
45	100.0	100.0	100.0	100.0	100.0	100.0	100.0
46	100.0	100.0	100.0	100.0	100.0	100.0	100.0
47	100.0	100.0	100.0	100.0	100.0	100.0	100.0
48	100.0	100.0	100.0	100.0	100.0	100.0	100.0
49	100.0	100.0	100.0	100.0	100.0	100.0	100.0
50	100.0	100.0	100.0	100.0	100.0	100.0	100.0
51	100.0	100.0	100.0	100.0	100.0	100.0	100.0
52	100.0	100.0	100.0	100.0	100.0	100.0	100.0
53	100.0	100.0	100.0	100.0	100.0	100.0	100.0
54	100.0	100.0	100.0	100.0	100.0	100.0	100.0
55	100.0	100.0	100.0	100.0	100.0	100.0	100.0
56	100.0	100.0	100.0	100.0	100.0	100.0	100.0
57	100.0	100.0	100.0	100.0	100.0	100.0	100.0
58	100.0	100.0	100.0	100.0	100.0	100.0	100.0
59	100.0	100.0	100.0	100.0	100.0	100.0	100.0
60	100.0	100.0	100.0	100.0	100.0	100.0	100.0
61	100.0	100.0	100.0	100.0	100.0	100.0	100.0
62	100.0	100.0	100.0	100.0	100.0	100.0	100.0
63	100.0	100.0	100.0	100.0	100.0	100.0	100.0
64	100.0	100.0	100.0	100.0	100.0	100.0	100.0
65	100.0	100.0	100.0	100.0	100.0	100.0	100.0
66	100.0	100.0	100.0	100.0	100.0	100.0	100.0
67	100.0	100.0	100.0	100.0	100.0	100.0	100.0
68	100.0	100.0	100.0	100.0	100.0	100.0	100.0
69	100.0	100.0	100.0	100.0	100.0	100.0	100.0
70	100.0	100.0	100.0	100.0	100.0	100.0	100.0
71	100.0	100.0	100.0	100.0	100.0	100.0	100.0
72	100.0	100.0	100.0	100.0	100.0	100.0	100.0
73	100.0	100.0	100.0	100.0	100.0	100.0	100.0
74	100.0	100.0	100.0	100.0	100.0	100.0	100.0
75	100.0	100.0	100.0	100.0	100.0	100.0	100.0
76	100.0	100.0	100.0	100.0	100.0	100.0	100.0
77	100.0	100.0	100.0	100.0	100.0	100.0	100.0
78	100.0	100.0	100.0	100.0	100.0	100.0	100.0
79	100.0	100.0	100.0	100.0	100.0	100.0	100.0
80	100.0	100.0	100.0	100.0	100.0	100.0	100.0
81	100.0	100.0	100.0	100.0	100.0	100.0	100.0
82	100.0	100.0	100.0	100.0	100.0	100.0	100.0
83	100.0	100.0	100.0	100.0	100.0	100.0	100.0
84	100.0	100.0	100.0	100.0	100.0	100.0	100.0
85	100.0	100.0	100.0	100.0	100.0	100.0	100.0
86	100.0	100.0	100.0	100.0	100.0	100.0	100.0
87	100.0	100.0	100.0	100.0	100.0	100.0	100.0
88	100.0	100.0	100.0	100.0	100.0	100.0	100.0
89	100.0	100.0	100.0	100.0	100.0	100.0	100.0
90	100.0	100.0	100.0	100.0	100.0	100.0	100.0
91	100.0	100.0	100.0	100.0	100.0	100.0	100.0
92	100.0	100.0	100.0	100.0	100.0	100.0	100.0
93	100.0	100.0	100.0	100.0	100.0	100.0	100.0
94	100.0	100.0	100.0	100.0	100.0	100.0	100.0
95	100.0	100.0	100.0	100.0	100.0	100.0	100.0
96	100.0	100.0	100.0	100.0	100.0	100.0	100.0
97	100.0	100.0	100.0	100.0	100.0	100.0	100.0
98	100.0	100.0	100.0	100.0	100.0	100.0	100.0
99	100.0	100.0	100.0	100.0	100.0	100.0	100.0
100	100.0	100.0	100.0	100.0	100.0	100.0	100.0



STATE OF IDAHO
COUNTY OF ADA

SUBSCRIBED AND SWORN TO BEFORE ME THIS 18 DAY OF April 1978

James R. Platten

NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT

The Xs are still for sale

POOR ORIGINAL

RECEIVED

AUG 19 1991

Department of Water Resources
Western Regional Office

7/19/87

Refer to Pine Creek Mountain Estates water
Rights - Permission is granted to Pearl Katz
Lot 10 of Pine Creek Mountain Estates
to use the water rights of the following
property until the lots are sold or this letter
revoked. Lot 9, 11, 12, 35, 34
Permission is also provided for an additional
point of diversion to be constructed on
Lot 12 to provide for the above usage of
water. The original point of diversion will
still be used for the balance of water.

Agreed on 9-21-87

by Pearl Katz

I will exchange & use water from
35 & 34 only. Trees got so big &
they are suffering for moisture

T N #

Katz

Pine Creek Mtn Estates

C. Buller

MICROFILMED

OCT 22 1996

Katz

ID #

Linda - now that I'm the President of Pine Creek Mountain Estates Property Owners Assn. I'm issuing a mailing List. You should have one to phone people if necessary.

PINE CREEK MOUNTAIN ESTATES MAILING LIST 1991

RECEIVED
AUG 19 1991

Department of Water Resources
Western Regional Office

1. EDWARD J. GALLAGHER
P.O. BOX 1551, WRIGHTWOOD, CA 92370
619-249-4896
2. RAYMOND SANDSTROM
25022 GRISSOM RD. LAGUNA HILLS, CA 92653
714-581-0101
- 3a. DAVID CLINE (SUSAN)
6568 W. AUTUMNWOOD, BOISE, ID 83702
208-939-2177
- 3b. LOYD WILLIAMS
21217 BENEDICT ST. RIVERDALE, CA 93656
4. BOB AND MARY HARRISON
P.O. BOX 7245, BROOKINGS, OR 91745
503-469-1966
5. CECIL BILBAO
3597 COW CREEK RD., CAMBRIDGE, ID 83610
208-257-3583
6. PEARL AND VERN KETZ
820 8TH. AVE. N., PAYETTE, ID 83661
208-642-2744
7. MIKE AND MARLENE SINGLEHURST
P.O. BOX 2114, KAHULUI, HI 96732
8. MYRTLE SIDWELL
613 KIMBALL, CALDWELL, ID 83605
9. ANDREA LOPEZ
575 N.W. 34TH. ST., ONTARIO, OR 97914

MICROFILMED

OCT 22 1996

Big Question - If we can raise money to drill a well - Do you need us¹ to apply? It would be for drinking & watering our 6 acres. When we get

Call Cecil on water stuff I mentioned is necessary

Lots 10, 11, 12, - KETZ.

13. MITCH WHITED
2719 N. 29TH. ST., BOISE, ID 83703
14. TED GIFFORD
206 TAMPICO CIRCLE, DUNCANVILLE, TX 75116
15. LLOYD NOAH
2490 W. PINE ROAD. CAMBRIDGE, ID 83610
16. JOHN MOUNT
10235 IOWA AVE. PAYETTE, ID 83661
17. *Unsold*
18. WILLIAM W. WILMORE
P.O. BOX 337, KAHULUI, HAWAII, 96732
19. DON AND KAREN HOLLIS
401 S. 9TH. ST., PAYETTE, ID 83661
208-642-4602
20. RODGER BOX
13342 DOUGLAS RANCH DR., PINE, CO 80470
- 21a. WARREN SMITH
4316 HOOVER ST. , BOISE, ID 83705
- 21b. UNSOLD
22. RALPH GOLAN
7020 18TH. AVE. N.E., SEATTLE, WA 98115
- 23a., 23b., 24a., 24b., - UNSOLD.
- 25a. VIRGINIA CHAPMAN
P.O. BOX 942, NEW PLYMOUTH, ID 83655

- 25b. JERRY PETERSON
2819 GREENTREE WAY, EUGENE, OR 97405
26. JOHN YOUNG
1760 AVENIDA DEL MUNDO #902, CORONADO, CA 92118
27. ROD ANDERSON
BOX 1272 S. ARAMCO, DHAHRAN, SAUDI ARABIA 31311
28. LONNIE JOHNSON
694 W. GALLOWAY, WEISER, ID 83672
29. UNSOLD
- 30a. JACK CHAPMAN
5890 BRIGHTON, BOISE, ID 83714
- 30b. RON COLLINGWOOD
211 7TH. AVE. NORTH, PAYATTE, ID 83661
31. HOWARD GILBERT
713 E. IDAHO, P.O. BOX 64, NEW PLYMOUTH, ID 83655
32. CY WERT
P.O. BOX 272, CAMBRIDGE, ID 83610
33. VERL CATE
P.O. BOX 91, CAMBRIDGE, ID 83610
34. LAURA AND KATHRYN YOUNG
1760 AVENIDA DEL MUNDO #902, CORONADO, CA. 92118
35. SHERRY MILLER
11989 SHERWOOD CT., HAYDEN LAKE, ID 83835
- BUD MILLER
10709 E. 35TH. AVE. SPOKANE, WA 99206

RECEIVED

APR 30 1991

CHANGE IN OWNERSHIP

Department of Water Resources
Western Regional Office

This form is used for purposes of notifying IDWR of a change in ownership of an Adjudication Claim.

[] Water Right Number(s): A67-00219

[] Name and Address of Former Claimant(s): Pine Creek Mtn. Estates
Cecil Bilbao
3597 Cow Creek Rd.
Cambridge, Id. 83610

[] New Claimant(s): Mike + Marlene Singlehurst
P.O. 1

[] New Mailing Address: P.O. Box 2114
Kahului, Hi. 96732

[] New Telephone Number: (808) 878-6516 Hm.
(808) 877-6541 WK

[] Does the change in ownership result in a spitting of the water right(s) claimed? ☒ Yes ☐ No
If yes, then describe the portion of the water right that is now claimed by the new owner(s):

A67-00219A - To be split Two ways for a
Total of ^{3/4} ~~one~~ acre irrigation on #7 (and
1/2 acre irrigation on #8 - (Total Wheeler right 22 acres complete

[] Attach proof of ownership: #7
Describe proof 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 claimant.)

16N 04W Section 35 SW 1/4 of the SW 1/4 of Pine Creek Mtn. Estates
Point of Diversion SW 1/4 of NW 1/4 of SE 1/4

[] Signature of New Claimant(s): Mike Singlehurst
Marlene Singlehurst
Date 4/22/91

Revised 01/91

(Over Please)

Split to A67-00219G - Singlehurst
Page 1

MICROFILMED

OCT 01 1992

A67-00219

September 14, 1989

Cecil Bilboa
Rt 1, Box 212
Cambridge, ID 83610

Dear Mr. Bilboa;

Enclosed are the Notices of Claims to a Water Right for the lands being irrigated from Cow Creek and Pine Creek.

On A67-04169 I transferred property that was not being irrigated in section 36 to the decree numbered A67-00306. Indicate in the remarks section when this change occurred.

You will notice on some of the Pine Creek rights that number of irrigated acreages are not indicated in the place of use area. Unless you fill in that item they will remain unknown until such time as a field exam is completed. This would be consistent with the original decree as those acreages were not listed then.

I am also enclosing a form to fill out and sign for the claim number A67-02010, which you did not want to file on. And in case you should find it necessary, I enclose a request for extension of time.

The filing fee for these claims comes to \$943.00. This includes the \$50.00 flat rate per claim plus \$1.00 per irrigated acre. No additional fee for overlapping acreage.

Please return these claims to my attention, signed and notarized, along with their corresponding maps. Feel free to contact me if you have questions. You may make any necessary changes to the claim forms.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures: ✓ A67-00219, ✓ A67-00229, ✓ A67-00220, ✓ A67-00226,
✓ A67-02096, ✓ A67-04169, ✓ A67-02126, ✓ A67-00306,
✓ A67-02132, ✓ A67-00503

W 278

MICROFILMED

OCT 01 1992

RECEIVED - 11-89

AUG 14 1989

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

Dear Linda - Department of Water Resources
Western Regional Office

Enclosed is a check for A 67-10096
in the amount of \$29.00.

About Bilboa's Filing: he does not own
the properties in question except for #7.
In fact #2 - Mr. Sandstrom owns his
property free & clear - so how can Mr.
Bilboa file? Mr. Bilboa's filing on the
Webber right was not necessary since we
have all filed on it except #7. And
it has not been irrigated. However - we
don't want to see anyone lose any rights -
Bilboa should be concerned about the Rutledge
of Howland rights - He had alot of inches in those
rights. at the most #7 has 1 acre of
irrigatable land - see map & photo

I am enclosing pictures & maps of the breakdam
as I understand it.

Hope it helps.

Sincerely

Pearl

MICROFILMED

OCT 01 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

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AUG 14 1989

A. DESCRIPTION OF RIGHT AS RECORDED

Department of Water Resources
 Western Regional Office

1. Right evidenced by:

- a. Decree No. 67-0219 Decreed to Elizabeth Webber
 in case of Muir vs. Allison
 dated 6/20/1921 in the 7th Judicial Dist. county of Washington
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other See Attachment A

3. Source of water Pine Creek tributary to Weiser River

4. Date or priority 5/1/1901

5. Water is used for the following purpose:

amount .28 cfs for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right .28 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	36	16N	4W	Washington	Basque Spring Creek

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	35									X	X	X	X					22

Total acres 22

9. Describe any other water rights used for the same purpose as described above None

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OCT 01 1992

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

WITNESSETH

Real Property in Adams County, Idaho:

Real Property in Washington County, Idaho:

Together with all and singular the tenements, hereditaments and appurtenances to said lands belonging or appertaining, and Together with all water and water rights, ditches and irrigating works of whatever nature, used upon, connected with or in anywise appurtenant to said lands, But Subject, However, to all existing Easements and Rights of Way for roads, lines of public utilities and ditches as

File No. and Original Owner	File Date	Present Owner	Land Description	Amount of Water	Actual Charge 198 7	Proposed Charge 198 8	Notes
67- 219 Webber	5-1-01	Ray Sandstrom	# 5399-2	2.05" -2.3"	7.50	7.50	
67- 220 R. Howland	5-1-01	Cecil Bilboa	# 5399-3	1.71"	.10	.30	
67- 226 S. Rutledge	5-1-02	Robt. Harrison	Tn-2 of lot 4 # 5399-4	.85"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Cecil Bilboa	# 5399-5	.85"	.10	.10	
67- 219 Webber	5-1-01	Arden Steiniker	# 5399-7	2.05" -2.3"	7.50	7.50	
67- 219 Webber	5-1-01	Albert Tomek	# 5399-8	2.05" -2.3"	7.50	7.50	
67- 219 Webber	5-1-01	Cecil Bilboa	# 5399-9	2.05" -2.3"	7.50	.30	
67- 219 Webber	5-1-01	Vernon Ketz	# 5399-10	3.75" -2.3"	7.50	7.50	275 CFS
67- 219 Webber	5-1-01	Cecil Bilboa	# 5399-11	2.05" -2.3"	.10	.30	
67- 220 R. Howland	5-1-01	Cecil Bilboa	# 5399-12	1.71"	.10	.30	
67- 220 R. Howland	5-1-01	Michael Whited	# 5399-13	1.71"	7.50	7.50	
67- 220 R. Howland	5-1-01	Ted W Gifford	# 5399-14	1.71"	7.50	7.50	
67- 220 R. Howland	5-1-01	Bill Noah	# 5399-15	1.71"		.30	
67- 220 R. Howland	5-1-01	John F. Mount	# 5399-16	1.71"	7.50	7.50	

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File No. and Original Owner	File Date	Present Owner	Land Description	Amount of Water	Actual Charge 1987	Proposed Charge 1988	Notes
67- 220 R. Howland	5-1-01	Cecil Bilboa	# 5399-17	1.71"	.10	.30	
67- 226 S. Rutledge	5-1-02	Cecil Bilboa	# 5399-18	1.70"	.10	.30	
67- 226 S. Rutledge	5-1-02	Jerrold McFarland	# 5399-19	1.70"	7.50	7.50	
67- 226 Rutledge	5-1-02	Rodger Box	# 5399-20	1.70"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Don Collingwood	Parcel 2 of Lot 30 # 5399-30	.85"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Cecil Bilboa	Parcel 1 of Lot 30 # 5399-40	.85"	.10	.10	
67- 226 S. Rutledge	5-1-02	Cecil Bilboa	# 5399-31	1.70"	7.50	.30	
67- 226 S. Rutledge	5-1-02	Kathryn Wert	# 5399-32	1.70"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Earl Cate	# 5399-33	1.70"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Laura Young	# 5399-34	1.70"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Mar Miller	# 5399-35	1.70"	7.50	7.50	
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