

11/03/2006

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

RIGHT NUMBER: 67-237

NAME AND ADDRESS: KRISTEN D JAEGER
2787 SALUBRIA RD
CAMBRIDGE ID 83610

RONALD E JAEGER
2787 SALUBRIA RD
CAMBRIDGE ID 83610

SOURCE: SPRING CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 08/11/1906

POINT OF DIVERSION:

T14N R03W S10 NESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.200 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R03W S10	SWNE	5.20	T14N R03W S10	SENE	9.00
T14N R03W S10	NESE	2.80	T14N R03W S10	NWSE	27.00

44 ACRES TOTAL

This right is limited to the irrigation of 16 acres within the place of use described above in a single irrigation season.

Right Nos. 67-26E, 67-27E, 67-237, 67-4333 are limited to the irrigation of a combined total of 44.0 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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

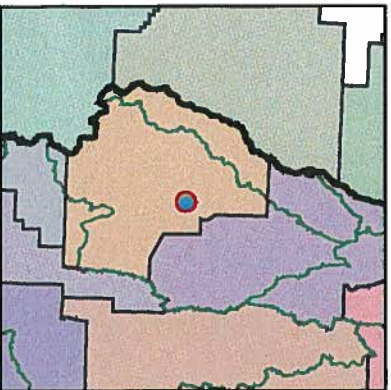
Idaho Department of Water Resources



SRBA Recommendation:
67-237
(Irrigation)

Legend

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



Washington County
IDWR Basin 67



T14N



Prepared by C. Saxton
On Friday, November 3, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-237 V1

WATER RIGHT NUMBER: 67-237 V1

<u>Owner Type</u>	<u>Name and Address</u>
Security Interest	PACIFIC INTERMOUNTAIN MORTGAGE CO 2420 MAIN ST BAKER CITY, OR 97814
Original Owner	W BEESON
Current Owner	, ID KRISTEN D JAEGER 2787 SALUBRIA RD CAMBRIDGE, ID 83610 (208)257-3763
Original Owner	G W LATTIG
Current Owner	, ID RONALD E JAEGER 2787 SALUBRIA RD CAMBRIDGE, ID 83610 (208)257-3763

Priority Date: 08/11/1906

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING CREEK	WEISER 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	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

SPRING CREEK	NE1/4SE1/4	Sec. 10, Twp 14N, Rge 03W, B.M.
ADA 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	
14N	03W	10			5.2	9.0									2.8	27.0			44.0

Total Acres: 44

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-237 V1

1. K06 This right is limited to the irrigation of 16 acres within the place of use described above in a single irrigation season.
2. 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.
3. E55 Right Nos. 67-26E, 67-27E, 67-237, 67-4333 are limited to the irrigation of a combined total of 44.0 acres in a single irrigation season.

Remarks:Comments:

1. csaxton 11/3/2006 Notes

Comment: Acre limit for this right was calculated by taking the diversion rate and figuring out how many acres can be irrigated with the diversion rate @ 5/8 inches per acre.

The POU for this right was identified by transfer 2528.

This right is recommended in a QQ that was not defined in TR 2528.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number: 67

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>
Priority Date	6/3/2004 2:45:04 PM	awarntje			Active
Source	6/3/2004 2:46:46 PM	awarntje			Active
POU	6/4/2004 9:25:41 AM	awarntje			Active
Use	6/4/2004 9:27:33 AM	awarntje			Active
Season	6/4/2004 9:28:09 AM	awarntje			Active
Quantity	6/4/2004 9:29:06 AM	awarntje			Active
Contacts	9/13/2006 3:47:26 PM	mmount			Active
Priority Date	9/13/2006 3:47:41 PM	mmount			Active
POD	9/13/2006 3:47:55 PM	mmount			Active

Name	Amount (Inches)	Date	Land Description
PINE CREEK (Cont.)			
24 Elizabeth Webber (for life)	14 ✓	5--1-01✓	SW $\frac{1}{4}$ Sec. 35, T. 16 N., R. 4 W.
25 Ray O. Howland	12 ✓	5--1-01✓	S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35, T. 16 N., R. 4 W.
26 C. E. Ammidon	21 ✓	5--1-01✓	W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 33, T. 16 N., R. 4 W.
	11 ✓	5--1-05✓	Lots 1 & 2, Sec. 4, T. 15 N., R. 4 W.
27 Fred C. Kruck (Little Pine)	2 ✓	5--1-02✓	SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4; W $\frac{1}{2}$ NE $\frac{1}{4}$,
(Pine Creek)	10 ✓	5--1-04✓	Sec. 9, T. 15 N., R. 4 W.
28 Thomas Ray	6 $\frac{1}{2}$ ✓	5--1-02✓	E $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10, T. 14 N., R. 3 W;
29 S. M. Rutledge	17 ✓	5--1-02✓	S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 25; SE $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 26; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35; NW $\frac{1}{4}$ Sec. 36, T. 16 N., R. 4 W.
30 James Orton	8 $\frac{1}{2}$ ✓	6-30-05✓	NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 16 N., R. 4 W.
31 William Toors	7 $\frac{1}{2}$ ✓	5--1-06✓	NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 15 N., R. 4 W.
32 Joel W. Weimer	41 ⑦	5--1-08	⑦
33 Henry & Orma Harsh	13 $\frac{1}{2}$ ✓	5--1-09✓	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 13, T. 15 N., R. 4 W.
34 Frank C. Downs	5 ✓	6--1-10✓	NW $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 6 & 7 Sec. 3; and Lot 1, Sec. 10, T. 15 N., R. 4 W.
35 Andrew Schweinfurter	2 ✓	5--1-10✓	S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 14 N., R. 3 W.
36 Arthur Moon	5 ✓	5--1-10✓	Lot 5 of Sec. 3, T. 15 N., R. 4 W.
37 Augusta Kinney	12 $\frac{1}{2}$ ✓	5--1-12 ✓	S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, T. 15 N., R. 4 W. Less 8 acres

SPRING CREEK

38 Thomas Ray	12 $\frac{1}{2}$ ✓	8-11-06✓	S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 14 N., R. 3 W.
39 Frank Courtright	1 ✓	8-11-06✓	1 $\frac{1}{2}$ acres of SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 14 N., R. 3 W.
40 G. W. Lattig, sub. for W. Beeson	10 ✓	8-11-06✓	Part of SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 14 N., R. 3 W.
41 James C. Tuttle	10 ✓	8-11-06✓	Part of SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10; T. 14 N., R. 3 W.

JUL 24 1996

ANDREW SCHWEINFURTH: The South half of the Northwest Quarter, the Southwest Quarter of the Northeast Quarter, the Northwest Quarter of the Southeast Quarter of Section 5, Township 14 North, Range 3 West Boise Meridian.

ARTHUR MOON: Lot 5 Section 3, Township 15 North, Range 4 West Boise Meridian.

AUGUST KINNEY: The South half of the Southeast Quarter Section 14, Township 15 North, Range 4 West Boise Meridian, less 8 acres out of the South side which would be the Southeast Quarter of the Southeast Quarter, and 2 acres off the North side of the Northwest Quarter of the Northeast Quarter, Section 23. —

THOMAS RAY: The South half of the Northwest Quarter of the Northeast Quarter of Section 10, Township 14 North, Range 3 West Boise Meridian.

FRANK COUNTRYRIGHT: Correct Description: Beginning at the point of intersection of the center line of the present County Road with the Right of way of the Pacific & Idaho Northern Railway (on the Southeasterly side of said Right of Way) thence on a Northeasterly direction along the said Right of Way a distance of 235 feet; thence in an Easterly direction on a line parallel with said County Road for a distance of 262½ feet thence turning at right angles in a southwesterly direction on a line parallel with the said Pacific & Idaho Northern Railway Right of Way, a distance of 235 feet to a point in the middle of said County Road thence in a westerly direction along the middle of said County Road to the point and place of beginning, said tract embracing about one and one fourth acres out of the Southeast Quarter of the Northeast Quarter of Section 10, Township 14 North, Range 3 West Boise Meridian.

G W LATTIO: Correct description: Beginning at a point on the South line of the Southeast Quarter of the Northeast Quarter of Section 10, Township 14 North, Range 3 West Boise Meridian, 460 feet West of the Southeast corner of said Southeast Quarter of the Northeast Quarter (same being the quarter corner between Section 10 and 11) in said township and Range, running thence 28 degrees 6 minutes East 148 feet, thence North 39 degrees 33 minutes West 1176 feet more or less to the right of way of the Pacific & Idaho Northern Railway; thence Southwesterly to the East line of the said right of way 375 feet more or less to the west line of said Southeast Quarter of the Northeast Quarter, thence 750 feet more or less to the Southwest corner of the Southeast Quarter of the Northeast Quarter; thence East along the South line of said tract 942 feet more or less to the said point and place of beginning, said tract so circumscribed being all that portion of said Southeast Quarter of the Northeast Quarter of said Section 10 which lies South of the center of the County Road and East of the Railway right of way and containing 15.25 acres more or less.

JAMES O TUTTLE: Beginning at the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 10, Township 14 North, Range 3 West of Boise Meridian, thence in a Northerly direction along the eastern boundary of the said legal subdivisions to the Northeast corner of the said legal subdivisions; thence in a westerly direction along the northern boundary of the said legal subdivision to the point of intersection of the said northern boundary of the said legal subdivision with the right of way of the Pacific & Idaho Northern Railway; thence in a southerly direction along the east side of said right of way for a distance of four hundred thirteen feet, more or less, to the middle of the County Road, thence along the middle of said County road in a southeasterly direction to the point of intersection of the middle of said County Road with the southern boundary of the aforesaid legal subdivision, thence along the southern boundary of

Roy O Howland

G E Amidon

Fred C Kruck

Little Pine Creek

Pine Creek

Thomas Ray

S M Rutledge

James Orton

William Toors

Joel W Weimer

Henry Marsh and Orma Marsh

Frank C Downs

Andrew Schweinfurter

Arthur Neon

Augusta Kinney

Spring Creek.

Thomas Ray

Frank Courtright

G W Lattig sub for W Beeson

James C Tuttle

Andrew Miller

G W Rowley

Rush Creek

Estate of Christian Larson

James L and Earl Lewis

James L Lewis

Rush Creek (Con)

R E Wilson

L Etta Wilson

James Parke

Village of Cambridge

Margaret Haller

LeRoy T Braden

Moses H Hopper

George W Hall

12

21

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2

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20

2-1/8

39

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12

May 1, 1901

May 1, 1901

May 1, 1905

May 1, 1902

May 1, 1904

May 1, 1902

May 1, 1902

June 30, 190

May 1, 1906

May 1, 1908

May 1, 1909

June 1, 191

May 1, 1910

May 1, 1910

May 1, 1912

Aug 11, 1906

Aug 11, 1906

Aug 11, 1906

Aug 11, 1906

Aug 11, 1906

Aug 11, 1906

May 1, 1878

May 1, 1878

May 1, 1878

June 1, 1899

June 1, 1900

May 1, 1878

Aug 23, 1883

June 1, 1899

June 1, 1900

Oct 29, 1908

May 1, 1883

May 1, 1907

Aug 23, 1883

Aug 23, 1883

April 30, 1896

May 1, 1895

May 1, 1883

Aug 23, 1883

May 1, 1883

April 30, 1890

May 1, 1883

May 1, 1890

67 0220

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67 0233

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67 0238

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67 0240

67 0241 TRANS 1955

67 0242 T 1955

67 0243 T 1955

67 0244 T 1955

67 0245 T 1955

67 0246 T 1955

67 0247 T 1955

67 0248 T 1955

67 0249 T 1955

67 0250

67 0251

67 0252

67 0253 T 1955

67 0254

67 0255

67 0256

67 0257 T 1955

67 0258 T 1955

67 0259

67 0260 T 1955

67 0261 T 1955

67 0262 T 1955

JUL 24 1956

11-3-06 (csaxton)

Claim											
Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Acres	Source	Water Use Owner(s)	Source Table	
67	26	E	Decreed	Active	1882-07-04	0.18	120	WEISER R	IRRIGATI	JAEGER, H	Claim
67	27	E	Decreed	Active	5/1/1902	0.15	120	WEISER R	IRRIGATI	JAEGER, H	Claim
67	237		Decreed	Active	8/1/1906	0.2	120	SPRING C	IRRIGATI	JAEGER, H	Claim
67	4333		Statutory	Active	5/1/1966	0.9	120	SPRING C	IRRIGATI	JAEGER, H	Claim

Recommendation											
Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Acres	Acre Limit	Source	Water Use Owners(s)	Source Table
67	26	E	Decreed	Active	1882-07-04	0.183	14.64	28	WEISER R	IRRIGATI	JAEGER, Recommendation
67	27	E	Decreed	Active	5/1/1902	0.145	11.6	28	WEISER R	IRRIGATI	JAEGER, Recommendation
67	237		Decreed	Active	8/1/1906	0.2	16	16	SPRING C	IRRIGATI	JAEGER, Recommendation
Decreed total =						0.528	42.24	44			
67	4333		B-Use	Active	5/1/1966	0.352	42.24	44	SPRING C	IRRIGATI	JAEGER, Recommendation
Total =						0.88 cfs	44 acres				

Transfer defined the POU for transferred portion to 67-26 & 27 to be 28 acres