

04/05/2006

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

RIGHT NUMBER: 67-244

NAME AND ADDRESS: JAMES L BUMGARNER
2934 HWY 71
CAMBRIDGE ID 83610

SOURCE: RUSH CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.470 CFS

PRIORITY DATE: 06/01/1899

POINT OF DIVERSION:

T15N R03W S34 SESWNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.470 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T14N R03W S03 Lot 4 NWNW	41.00	T14N R03W S03	SWNW	40.00	
T14N R03W S03	NWSW	34.00	T14N R03W S04 Lot 1 NENE	30.00	
T14N R03W S04 Lot 2 NWNE	35.00	T14N R03W S04	SWNE	18.00	
T14N R03W S04	SENE	34.00	T15N R03W S34	NWSW	6.00
T15N R03W S34	SWSW	29.00			

267 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 267.0 acres in a single irrigation season. Combined Right Nos.: 67-244, 67-245, 67-261, 67-263, 67-264, 67-4045, 67-10796, and 67-11445.

This right is limited to the irrigation of 37.0 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



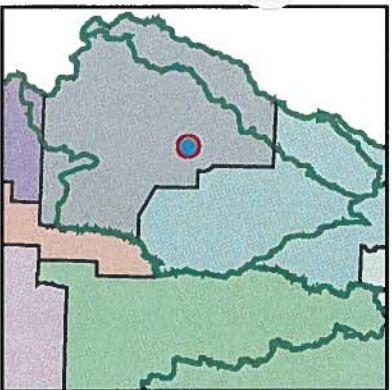
Idaho Department of Water Resources

Adjudication Claim:

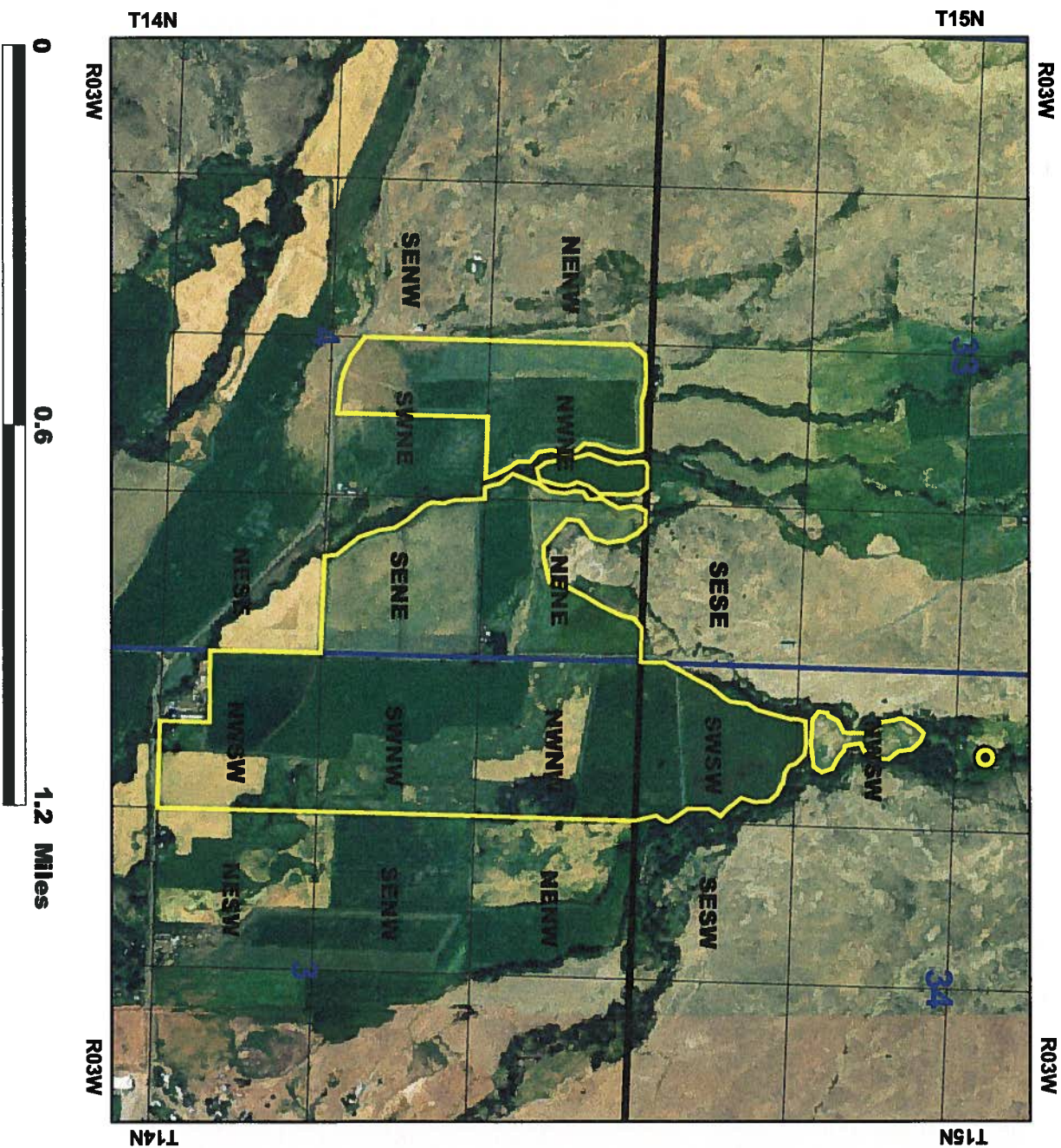
67-244

Legend

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



Washington County
IDWR Basin 67



Prepared by C. Saxton
On Wednesday, April 5, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-244 V1

WATER RIGHT NUMBER: 67-244 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES L BUMGARNER 2934 HWY 71 CAMBRIDGE, ID 83610 (208)257-3422
Original Owner	GEORGE W HALL CAMBRIDGE, ID 83610

Priority Date: 06/01/1899

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
RUSH 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	0.470 CFS	
<u>Total Diversion:</u>		0.470 CFS	

Location of Point(s) of Diversion

RUSH CREEK	SE1/4SW1/4NW1/4	Sec. 34, Twp 15N, Rge 03W, 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	
14N	03W	3						40.0	40.0			34.0							114.0
								L 4											
14N	03W	4	30.0	35.0	18.0	34.0													117.0
			L 1	L 2															
15N	03W	34									6.0	29.0							35.0

Total Acres: 266

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of ^{267.0}266.0 acres in a single irrigation season. Combined Right Nos.: 67-244, 67-245, 67-261, 67-263, 67-264, 67-4045, 67-10796, and 67-11445.
2. K06 This right is limited to the irrigation of 37.0 acres within the place of use described above in a single irrigation season.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-244 V1

3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. csaxton 4/5/2006 TR 1955

Comment: Transfer 1955 was filed to make a permissible place of use with rights 67-241, 67-242, 67-243, 67-344, 67-345, 67-361, 67-362, 67-263, 67-264, 67-272, and 67-273. The transfer application was protested and a hearing was held. The order issued defined the acreage for each of the rights. However, the acreage calculation was not based on 5/8 inches per acre as defined in the Muir v. Allison decree. Because the purpose of the transfer was to address the place of use under these rights specifically, we will use the acreage limitations defined by the order.

2. csaxton 4/5/2006 67-272

Comment: 67-272 was included in TR 1955 but was not claimed. The water master records show it is being delivered to the claimant. There is a temporary claim file on record but it claims a different priority date and diversion rate. I looked at the receipts for the claimant and it does not appear that claim 67-272 was paid for.

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:

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	6/4/2004 1:09:44 PM	awarntje			Active
Source	6/4/2004 1:28:52 PM	awarntje			Active
POD	6/4/2004 1:30:18 PM	awarntje			Active
POU	6/4/2004 1:30:19 PM	awarntje			Active
Use	6/4/2004 1:30:22 PM	awarntje			Active
Quantity	6/4/2004 1:30:24 PM	awarntje			Active
Season	6/4/2004 1:30:24 PM	awarntje			Active
POU	6/4/2004 2:13:22 PM	awarntje			Active
Use	6/4/2004 2:13:37 PM	awarntje			Active

Claim												
Basin	Sequence	Suffix	Basin	Status	Priority Date	Rate(cfs)	Volume(acft)		Source	Water Use(s)	Owner(s)	Source Table
67	244		Decreed	Active	1899-06-01	0.47			RUSH CREEK	IRRIGATION	BUMGARNER	Claim
67	245		Decreed	Active	6/1/1900	0.38			RUSH CREEK	IRRIGATION	BUMGARNER	Claim
67	261		Decreed	Active	1883-05-01	0.15			RUSH CREEK	IRRIGATION	BUMGARNER	Claim
67	263		Decreed	Active	1896-05-01	0.23			RUSH CREEK	IRRIGATION	BUMGARNER	Claim
67	264		Decreed	Active	5/1/1901	0.13			RUSH CREEK	IRRIGATION	BUMGARNER	Claim
67	272		Decreed	Temporary	1883-05-01	0.15			RUSH CREEK	IRRIGATION	BUMGARNER	Claim
67	4045		Statutory	Active	5/1/1936	7			RUSH CREEK	IRRIGATION	BUMGARNER	Claim
67	10796		Decreed	Active	1890-05-01	0.5			RUSH CREEK	IRRIGATION	BUMGARNER	Claim
67	11445		Decreed	Active	1878-05-01	1.1			RUSH CREEK	IRRIGATION	BUMGARNER	Claim

Recommendation												
Basin	Sequence	Suffix	Basin	Status	Priority Date	Rate(cfs)	IR 1956 Ac	@ 5/8"	Source	Water Use(s)	Owner(s)	Source Table
67	244		Decreed		1899-06-01	0.47	37	37.6	RUSH CREEK	IRRIGATION	BUMGARNER	Recommend
67	245		Decreed		6/1/1900	0.38	30	30.4	RUSH CREEK	IRRIGATION	BUMGARNER	Recommend
67	261		Decreed		1883-05-01	0.15	32	12	RUSH CREEK	IRRIGATION	BUMGARNER	Recommend
67	263		Decreed		1896-05-01	0.225	48	18	RUSH CREEK	IRRIGATION	BUMGARNER	Recommend
67	264		Decreed		5/1/1901	0.13	27	10.4	RUSH CREEK	IRRIGATION	BUMGARNER	Recommend
67	10796		Decreed		1890-05-01	0.5	85	40	RUSH CREEK	IRRIGATION	BUMGARNER	Recommend
67	11445		Decreed	Active	1878-05-01	1.098	113	87.84	RUSH CREEK	IRRIGATION	BUMGARNER	Recommend
							2.953	372	236.24			
67	4045		B-Use	Active	5/1/1936	2.387	267	N/A	RUSH CREEK	IRRIGATION	BUMGARNER	Recommend
Decreed and flood water combine make 1" per acre =							5.34	267				

262, 273
241, 242, 243

WR											
Basin	Sequence	Suffix	Basin	Status	Priority Date	Rate(cfs)	Volume(acf)	Source	Water Use(s)	Owner(s)	Source Table
67	241		Decreed	Active	1878-05-01	0.44		RUSH CREEK	IRRIGATION	BUMGARNER	wrtWaterRight
67	242		Decreed	Active	1878-05-01	0.5		RUSH CREEK	IRRIGATION	BUMGARNER	wrtWaterRight
67	243		Decreed	Active	1878-05-01	0.16		RUSH CREEK	IRRIGATION	BUMGARNER	wrtWaterRight
67	244		Decreed	Active	1899-06-01	0.47		RUSH CREEK	IRRIGATION	BUMGARNER	wrtWaterRight
67	245		Decreed	Active	6/1/1900	0.38		RUSH CREEK	IRRIGATION	BUMGARNER	wrtWaterRight
67	261		Decreed	Active	1883-05-01	0.15		RUSH CREEK	IRRIGATION	BUMGARNER	wrtWaterRight
67	262		Decreed	Active	1890-05-01	0.25		RUSH CREEK	IRRIGATION	BUMGARNER	wrtWaterRight
67	263		Decreed	Active	1896-05-01	0.23		RUSH CREEK	IRRIGATION	BUMGARNER	wrtWaterRight
67	264		Decreed	Active	5/1/1901	0.13		RUSH CREEK	IRRIGATION	BUMGARNER	wrtWaterRight
67	272		Decreed	Active	1884-05-01	0.06		RUSH CREEK	IRRIGATION	BUMGARNER	wrtWaterRight
67	273		Decreed	Active	1890-05-01	0.25		RUSH CREEK	IRRIGATION	BUMGARNER	wrtWaterRight
67	4045		Statutory	Active	6/1/1936	7		RUSH CREEK	IRRIGATION	BUMGARNER	wrtWaterRight

Tag #: A0014017

Jim Bumgarner



Point of diversion. Picture taken By Bosco Bosler on 7-20-04.

Receipt Details for ID W006402

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
10/19/1989 1:40:12 PM	10/19/1989	Western	\$1,001.80	Check
Payer		BUMGARNER, JAMES		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
4696			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$1,001.80	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
67	11445		\$342.80	Claim
67	261		\$50.00	Claim
67	186	A	\$152.00	Claim
67	4070		\$50.00	Claim
67	245		\$50.00	Claim
67	185	A	\$50.00	Claim
67	4045		\$50.00	Claim
67	264		\$50.00	Claim
67	263		\$50.00	Claim
67	244		\$50.00	Claim

67	233	\$57.00	Claim
67	10796	\$50.00	Claim

[Print Report](#)

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST THE APPROVAL OF
APPLICATION FOR TRANSFER NO. 67-0241, 67-0242, 67-0243,
67-0244, 67-0245, 67-0261, 67-0262, 67-0263, 67-0264,
67-0272, and 67-0273 IN THE NAME OF JAMES L. BUMGARNER

MEMORANDUM DECISION
AND ORDER

On June 2, 1921, the 7th Judicial District Court in Washington County decreed the water of Rush Creek, tributary to the Weiser River in the case entitled John T. Muir v.s. William Allison, et. al.

On January 18, 1974, James L. Bumgarner filed with the Department of Water Resources an application for transfer of water rights identified as follows:

Right No.	Decreed To	Amount	Priority	Place of Use
67-0241	Christian Larson	22"	May 1, 1878	W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 4, T14N, R3W, (60ac)
67-0242	James L. & Karl Lewis	25"	May 1, 1878	SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T14N, R3E, (40ac)
67-0243	James L. Lewis	7-7/8"	May 1, 1878	SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3,
67-0244		23 $\frac{1}{2}$ "	June 1, 1899	T14N, R3W, " "
67-0245		19"	June 1, 1900	" " " (80ac)
67-0261	George W. Hall	7 $\frac{1}{2}$ "	May 1, 1883	W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T15N,
67-0262		12 $\frac{1}{2}$ "	May 1, 1890	R3W, Lot 4, Sec. 3, T14N, R3W,
67-0263		11 $\frac{1}{2}$ "	May 1, 1896	" " " " "
67-0264		6 $\frac{1}{2}$ "	May 1, 1901	" " " (160ac)
67-0272	George A. Jefferson	3-1/8"	May 1, 1884	Lot 1, Sec. 4, T14N, R3W, (40ac)
67-0273		12-3/8"	May 1, 1890	" " " " "
				TOTAL 380acr

The application does not request a change in the point of diversion or the total place of use for all rights but requests that each of the rights be made appurtenant to the 380 acre total place of use.

Notice of the proposed change was caused to be published in the Upper Country News Reporter, at Cambridge, Idaho, and protests against the approval of the application for transfer were received from Elbert Langer, Melvin A. Dotson, Glen Farrens, Gary Farrens, George Ford, Jack Rippen, Dale Rippen, Arnold M. Rippen, Hubert V. Ward, and W. Forbes Morgan IV, all of Cambridge, Idaho.

A hearing was held and the primary issues identified as: 1) Would the proposed change constitute an enlargement of the existing water right? 2) Would the proposed change cause injury to the existing water rights? Based upon the evidence obtained at the hearing and the Director's understanding of the law, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. The water rights requested to be changed are presently being used.
2. There are other users downstream that depend upon return flow to satisfy their existing water rights.
3. An increase in the number of acres irrigated above that originally decreed, results in an increase in the amount of water consumed. For example, in this instance if there is no water available to irrigate the acreage under Right No. 67-0261 with a priority of 1883 but the water under Right No. 67-0241 with a priority of 1878 is used to irrigate that acreage instead of returning to the stream after it has irrigated the land it was decreed to, then less water would be available to fill the other water rights on Rush Creek.
4. The place of use under Right No. 67-0243, 67-0244, and 67-0245 is described as 80 acres and the total rate of diversion of the three rights is 1.01 cfs. The rate of diversion per acre equals 1.01 divided by 80 acres or 0.013 cfs per acre. Using this ratio to determine the number of acres irrigated under each right results in the following:

RIGHT NO.	RATE OF DIVERSION	NO. OF ACRES
67-0243	0.16	13
67-0244	0.47	37
67-0245	0.38	30

In a similar manner, the number of irrigated acres under the following rights would be:

RIGHT NO.	RATE OF DIVERSION	NO. OF ACRES
67-0261	0.15	32
67-0262	0.25	53
67-0263	0.225	48
67-0264	0.125	27
67-0272	0.0625	8
67-0273	0.2475	32

CONCLUSIONS OF LAW

1. An enlargement of the existing right cannot be allowed, therefore, the number of acres of land irrigated must be reduced by the number of acres to which the water right was originally decreed during the times there is not water available to fill that decreed right.

Therefore, the number of acres irrigated must be restricted as follows:

Right No.	Priority	No. of Acres Under Rights	No. of acres that may be irrigated when water is available for this priority right
67-0264	May 1, 1901	27	380
67-0245	June 1, 1900	30	353
67-0244	June 1, 1899	37	323
67-0263	May 1, 1896	48	286
67-0262	May 1, 1890	53	238
67-0273	May 1, 1890	32	
67-0272	May 1, 1884	8	153
67-0261	May 1, 1883	32	145

Right No.	Priority	No. of Acres Under Rights	No. of acres that may be irrigated when water is available for this priority right
67-0241	May 1, 1878	60	113
67-0242	May 1, 1878	40	
67-0243	May 1, 1878	13	

ORDER

IT IS, THEREFORE, HEREBY ORDERED and Application for Transfer No. 1956 of Water Right No's. 67-0241, 67-0242, 67-0243, 67-0244, 67-0245, 67-0261, 67-0262, 67-0263, 67-0264, 67-0272, 67-0273 is APPROVED subject to the following limitations and conditions:

1. That a measuring device of a type approved by the Department and an adjustable lockable headgate shall be permanently installed and maintained at the point of diversion.

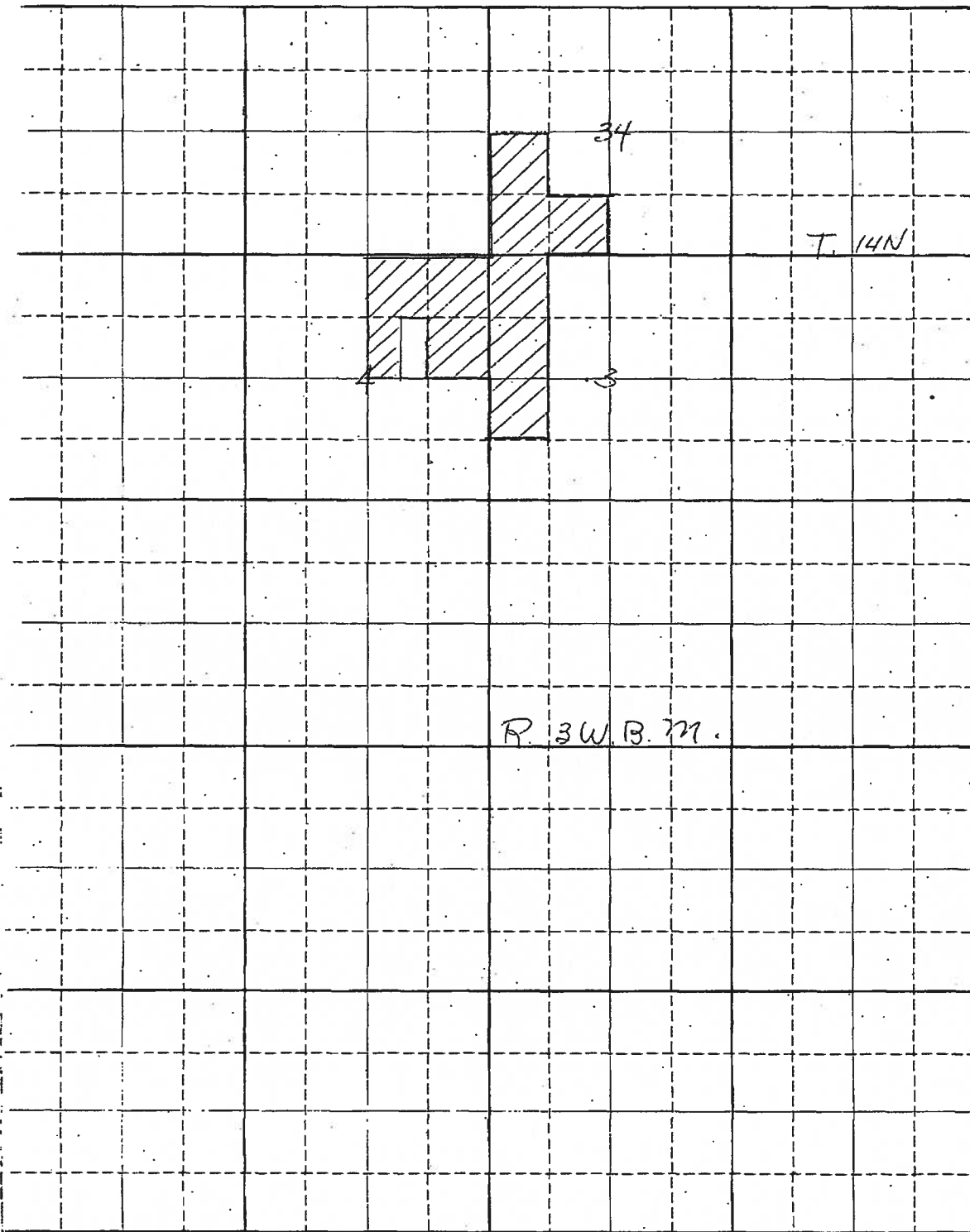
2. The water shall be under the control of the watermaster or his deputy of Water District No. 67.

3. That the maximum number of acres that may be irrigated when water is available to fill the right are as follows:

Right No.	Priority	No. of Acres
✓ 67-0264	May 1, 1901	380
✓ 67-0245	June 1, 1900	353
✓ 67-0244	June 1, 1899	323
✓ 67-0263	May 1, 1896	286
✓ 67-0262	May 1, 1890	238
✓ 67-0273	May 1, 1890	
67-0272	May 1, 1884	153
✓ 67-0261	May 1, 1883	145
✓ 67-0241	May 1, 1878	113
✓ 67-0242	May 1, 1878	
✓ 67-0243	May 1, 1878	

Dated this 23rd day of May, 1978.


 NORMAN C. YOUNG
 Administrator, Resources Administration Division



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: By purchase

10. CHANGE IN POINT OF DIVERSION No change

a. Quantity to be diverted at new point: _____ c.f.s. and/or _____ acre feet

b. New point of diversion: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____, Township _____, Range _____, B.M.

c. Description of method of diversion and conveyance from new points of diversion: _____

d. Is water to be conveyed to the lands previously irrigated? Yes _____ No _____

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion: _____

f. Do you intend to make the transfer permanent? _____

g. Do you intend to abandon completely the old point of diversion? _____

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

a. Describe the new lands on which you wish to use your right.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14N	3W	3						Lot 4											
								40	40			40							120
14N	3W	4	Lot 1																
			40	40	20	40													140
15N	3W	34										40	40	40					120

Total number of acres to be irrigated 380

b. Do you intend to make the transfer permanent? yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

No. To better utilize water rights on lands to which it is decreed.

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: None

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

James I. Benjamin
(signature of applicant)

Subscribed and sworn to before me this 18th day of January, 1974

Lyle Glen Saxon
(notary public)

My commission expires 14 July 1974

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 67-0243, 67-0244, 67-0241, 67-0242, 67-0245, 67-0261, 67-0262, 67-0272, 67-0273 and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

PURSUANT TO MEMORANDUM DECISION AND ORDER DATED THIS DATE.

2. Denial of said application is for the following reasons:

Witness my hand this 23rd day of May, 1978.

Norman C. Young
Administrator

FOR DEPARTMENT USE ONLY

Received by R.W.H. Date 1-18-74

Prelim. check by R.W.H. Date 1-18-74

Fee received by R.W.H. Date 1-18-74 Fee \$30⁰⁰

Approved for publication by Wagner County

Published in Wagner County Dates 2-7 - 3-14-74

Hearing held

Protest filed by: Date

Elbert Langer	2/25/74
Hubert V. Ward	2/20/74
Melvin A. Dotson	2/20/74
W. Forbes Morgan, IV	2/25/74
Glen & Gary Farrens	2/20/74
George Ford	2/20/74
Jack Dale &	
Arnold M. Rippen	2/20/74

Roy O Howland

O 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

11

2

10

6

17

8

7

41

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2

39

2

8

1

7

12

May 1, 1901

May 1, 1901

May 1, 1905

May 1, 1902

May 1, 1904

May 1, 1902

May 1, 1902

June 30, 1905

May 1, 1906

May 1, 1908

May 1, 1909

June 1, 1916

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

67 0221

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67 0257 T 1955

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67 0261 T 1955

67 0262 T 1955

JUL 24 1956

Name	Amount (Inches)	Date	Land Description
SPRING CREEK (Cont.)			
70 Andrew Miller	9 ✓	8-11-06 ✓	Part of SW $\frac{1}{4}$ NE $\frac{1}{4}$, Part NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, T. 14 N., R. 3 W.,
91 G. W. Rowley	5 ✓	8-11-06 ✓	Part NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 14 N., R. 3 W.
RUSH CREEK			
8 Estate of Christian Larson	22 ✓	5--1-78 ✓	W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 4, T. 14 N., R. 3 W.
9 James L. & Karl Lewis	25 ✓	5--1-78 ✓	Part SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T. 14 N., R. 3 W.
10 James L. Lewis	7 7/8 ✓ 23 1/2 ✓ 19 ✓	5--1-78 ✓ 6--1-99 ✓ 6--1-00 ✓	SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3, T. 14 N., R. 3 W.
11 R. E. Wilson	8 ✓ 4 ✓ 22 ✓ 19 ✓ 20 ✓	5--1-78 ✓ 8-23-83 ✓ 6--1-99 ✓ 6--1-00 ✓ 10-29-08 ✓	SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 14 N., R. 3 W. W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 14 N., R. 3 W. SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 14 N., R. 3 W. SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 14 N., R. 3 W. NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T. 14 N., R. 3 W.
12 L. Etta Wilson	22 ✓ 8 ✓	5--1-83 ✓ 5--1-07 ✓	NW $\frac{1}{4}$ SE $\frac{1}{4}$ & part SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 14 N., R. 3 W.
13 James Parke	4 ✓	8-23-83 ✓	E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 14 N., R. 3 W.
14 Village of Cambridge	2 7/8 ✓ 20 ✓ 2 1/8 ✓	8-23-83 ✓ 4-30-90 ✓ 5--1-95 ✓	W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 2; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 3; & NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 14 N., R. 3 W.
15 Margaret Haller	39	5--1-83 ✓	SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3; N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 14 N., R. 3 W.
16 Leroy T. Braden	2 1/2 ✓	8-23-83 ✓	W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 14 N., R. 3 W.
17 Moses H. Hopper	8 ✓ 1 ✓	5--1-83 ✓ 4-30-90 ✓	Part of Cambridge and part of SW $\frac{1}{4}$, Sec. 2, T. 14 N., R. 3 W.
18 Geo. W. Hall	7 1/2 ✓ 12 1/2 ✓ 11 1/4 ✓ 6 1/4 ✓	5--1-83 ✓ 5--1-90 ✓ 5--1-96 ✓ 5--1-01 ✓	W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 15 N., R. 3 W., and lot 4, Sec. 3, T. 14 N., R. 3 W.
Fred M. Suiter & Grace Z. Suiter	12 1/2 ✓	8-23-83 ✓	Lot 3, Sec. 2, T. 14 N., R. 3 W.

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the said legal subdivision in an easterly direction to the point and place of beginning, excepting therefrom a certain parcel of land in the southwest corner thereof, containing one and one fourth acres, and bounded and described as follows, to-wit: Beginning at the point of intersection of the aforesaid County road with the said right of way of the Pacific & Idaho Northern Railway; thence in a northerly direction along the said right of way for a distance of two hundred thirty five feet, thence turning at acute angles, in an easterly direction on a line parallel to the said County Road for a distance of 262½ feet; thence turning at right angles in a southerly direction on a line parallel to the said Pacific & Idaho Northern right of way for a distance of two hundred thirty five feet to a point in the middle of the said County Road, thence in a westerly direction along the middle of said County Road to the point and place of beginning.

ANDREW MILLER: Thirty-two acres in the Southwest Quarter of the Northeast Quarter, and three acres in the Northwest Quarter of the Southeast Quarter of Section 10, Township 14 North, Range 3 West Boise Meridian.

G W ROWLEY: Correct description, Beginning at a point on the East line of the Northeast Quarter of the Northeast Quarter of Section Ten, Township 14 North, Range 3 West Boise Meridian, where the South line of the Right of way of the Pacific & Idaho Northern Railway Company intersects the same which line is the section line between section 10 and 11 (in said Township and Range) thence South along said Section line 438.7 feet to the point and place of beginning of the tract herein described; thence West at an angle of 90 degrees 17 minutes with said section line a distance of 397.2 feet, more or less, to the said right of way of the Pacific & Idaho Northern Railway Company, thence along the line of said right of way in a Southwesterly direction to the South line of said Northeast Quarter of said Section 10; thence North along said Section line to the point and place of beginning of the tract herein described containing 8 acres, more or less out of the Southeast part of the said Northeast Quarter of the Northeast Quarter of said Section 10.

RESTATE OF CHRISTIAN LARSON: The West half of the Northeast Quarter of Section 4, Township 14 North, Range 3 West Boise Meridian.

JAMES L AND KARL LEWIS: The Southeast Quarter of the Northeast Quarter of Section 4, Township 14 North, Range 3 West of the Boise Meridian save and excepting therefrom a tract described as follows: Commencing at the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 4 said corner to be designated as point "A"; thence from said point "A" due South 442 feet to a point hereby designated as point "B" thence commencing at said point "A" and running West 298 feet to a point hereby designated as point "C" thence from said point "C" to said point "B" the same being in form a right triangle with a base of 442 feet and altitude of 298 feet. Also a tract described as follows, to-wit: Commencing at the Southwest corner of Lot 1 of said Section 4 thence North 420 feet; thence East 660 feet; thence in a Southeasterly direction to a point 960 feet East of the said Southwest corner of the said Lot 1; thence West to the said Southwest corner of the said Lot 1, embracing a tract of seven acres more or less out of said Lot 1, and also a tract out of Lot 2 of said Section 4 described as follows, to-wit: Commencing at the Southeast Corner of said Lot 2, thence North 420 feet, thence West 150 feet and to the East Bank of Spring Creek; thence in a Southeasterly direction following the East Bank of Spring Creek to the South line of said Lot 2; thence East to the Southeast corner of said Lot 2.

JAMES L LEWIS: The Southwest Quarter of the Northwest Quarter, and the North-

JUL 24 1996

west Quarter of the Southwest Quarter, Section 3, Township 14 North, Range 3 West Boise Meridian.

246-50 R R WILSON: The north west quarter of the north east quarter of Section 1, Township 14 North, Range 3 West Boise Meridian, 20 inches, Oct. 29th, 1908; the south east quarter of north west quarter, and north east quarter of the south west quarter of Section 3, same township and range, 8 inches May 1st, 1878, 22 inches June 1st, 1899, and 19 inches June 1st, 1900; the west half of the south west quarter of the south west quarter of the north west quarter, and the west half of the east half of the south west quarter of the south west quarter of the northwest quarter of Section 2 in same township and range, the last description containing $7\frac{1}{2}$ acres, 4 inches August 23rd, 1883, as heretofore allotted.

251-52 L MYA WILSON: The Northwest Quarter of the Southeast Quarter and twelve acres adjoining the same on the north, all in Section 3, Township 14 North, Range 3 West Boise Meridian.

253 JAMES PARKER: The East half of the Southeast Quarter of the Southwest Quarter of the Northwest Quarter, and the East half of the West half of the Southeast Quarter of the Southwest Quarter of the Northwest Quarter of Section 2, Township 14 North, Range 3 West Boise Meridian.

254-54 VILLAGE OF CAMBRIDGE: The West half of the Southwest Quarter of Section 2, and the East half of the Southeast Quarter of Section 3, and the Northeast Quarter of the Northeast Quarter of Section 10, in Township 14 North, Range 3 West Boise Meridian.

257 MARGARET HALLER: The Southwest Quarter of the Southeast Quarter of Section 3; and the North half of the Northwest Quarter of the Northeast Quarter of Section 10, Township 14 North, Range 3 West Boise Meridian.

258 LEROY T BRADEN: The West half of the Northwest Quarter of the Southwest Quarter of the Northwest Quarter of Section 2, Township 14 North, Range 3 West Boise Meridian.

259-60 MOSES H HOPPER: Hopper Reserve as the same appears of record in the office of the County Recorder, Washington County, Idaho, upon the plat Moses H Hopper Division of the City of Cambridge filed in said County Recorder's Office on the 16th day of November, 1899; also a tract containing 12 acres more or less in the Northeast corner of the Southwest Quarter of Section 2, Township 14 North, Range 3 West Boise Meridian.

261-64 GEORGE W HALL: The West half of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter, Section 34, Township 15 North, Range 3 West Boise Meridian, and Lot 4 Section 3, Township 14 North, Range 3 West Boise Meridian.

265 FRED SUITER & CHAS E SUITER: Lot 3, Section 2, Township 14 North, Range 3 West Boise Meridian.

266 O B SCHMITZ: Correct description, Beginning at a point on the South line of the Northeast Quarter of the Southwest Quarter of Section 2, where the said line intersects with the present Pacific & Idaho Northern right of way; thence east to the Southeast corner of said Northeast Quarter of the Southwest Quarter of Section 2, thence North to a point where the East line of the said North line of the said Northeast Quarter of the Southwest Quarter of Section 2 intersects with the present P & I N right of way; thence in a northwesterly direction along the present boundary of said P & I N right of way to the point and place of beginning, comprising a tract of seven acres of land, more or less, all in township 14 North, Range 3 West Boise Meridian, containing 7 acres.

267 JOHN TINSLEY: The Northeast Quarter of the Northwest Quarter of Section 2, Township 14 North, Range 3 West Boise Meridian.

JUL 24 1996

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: A67-00244
Date Received: 10/19/1989
Receipt No: W006402
Received By: DE JH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES L. BUMGARNER 208-257-3422
Address: 2934 HWY 71
CAMBRIDGE, ID 83610

2. Date of Priority: JUN 01, 1899

3. Source: RUSH CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	03W	34	NE	SW	NW		WASHINGTON

5. Description of diverting works:
HEADGATE AND GRAVITY DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.470		876.00

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

8. Total consumptive use is 876.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	3	NW	NW	4	IRR	40.0
			SW	NW		IRR	40.0
			NW	SW		IRR	35.0

Section Acres 115.0

A67-00244

Page 1

Date: 11/17/89

SCANNED
APR 02 2004

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OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	4	NE	NE	1	IRR	35.0
			NW	NE	2	IRR	40.0
			SW	NE		IRR	20.0
			SE	NE		IRR	37.0
						Section Acres	132.0
15N	03W	34	NW	SW		IRR	10.0
			SW	SW		IRR	35.0
						Section Acres	45.0
						Total Acres	292.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
67-10795, 10796, 0272, 0263, 0261, 0245, 0264, 4045

14. Remarks:
MAX. IRR. ACRE UNDER THIS RIGHT=292.
TRANS.#1955.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM 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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: A67-00244
Date Received: 10/13/1989
Receipt No: W0016402
Received By: _____

RECEIVED

OCT 19 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional Office

1. Name: JAMES L. BUMGARNER
Address: 2934 HWY 71
CAMBRIDGE, ID

208-257-3422

83610

2. Date of Priority: JUN 01, 1899

3. Source: RUSH CREEK

Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	03W	34		SW	NW		WASHINGTON

5. Description of diverting works:
HEADGATE AND GRAVITY DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.470		

7. Total Quantity Appropriated is:
0.470 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
14N	03W	3	NW	NW	4	IRR	40.0
			SW	NW		IRR	40.0
			NW	SW		IRR	35.0

Section Acres 115.0

A67-00244

Page 1

Date: 10/13/89

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	4	NE	NE	1	IRR	35.0
			NW	NE	2	IRR	40.0
			SW	NE		IRR	20.0
			SE	NE		IRR	37.0
						Section Acres	132.0
15N	03W	34	NW	SW		IRR	10.0
			SW	SW		IRR	35.0
						Section Acres	45.0
						Total Acres	292.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

67-10795, 10796, 0272, 0263, 0261, 0245, 0264, 4045

14. Remarks:

MAX. IRR. ACRE UNDER THIS RIGHT=292.

TRANS.#1955.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM 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): James C. Cungan Date: 10-18-89
Date:

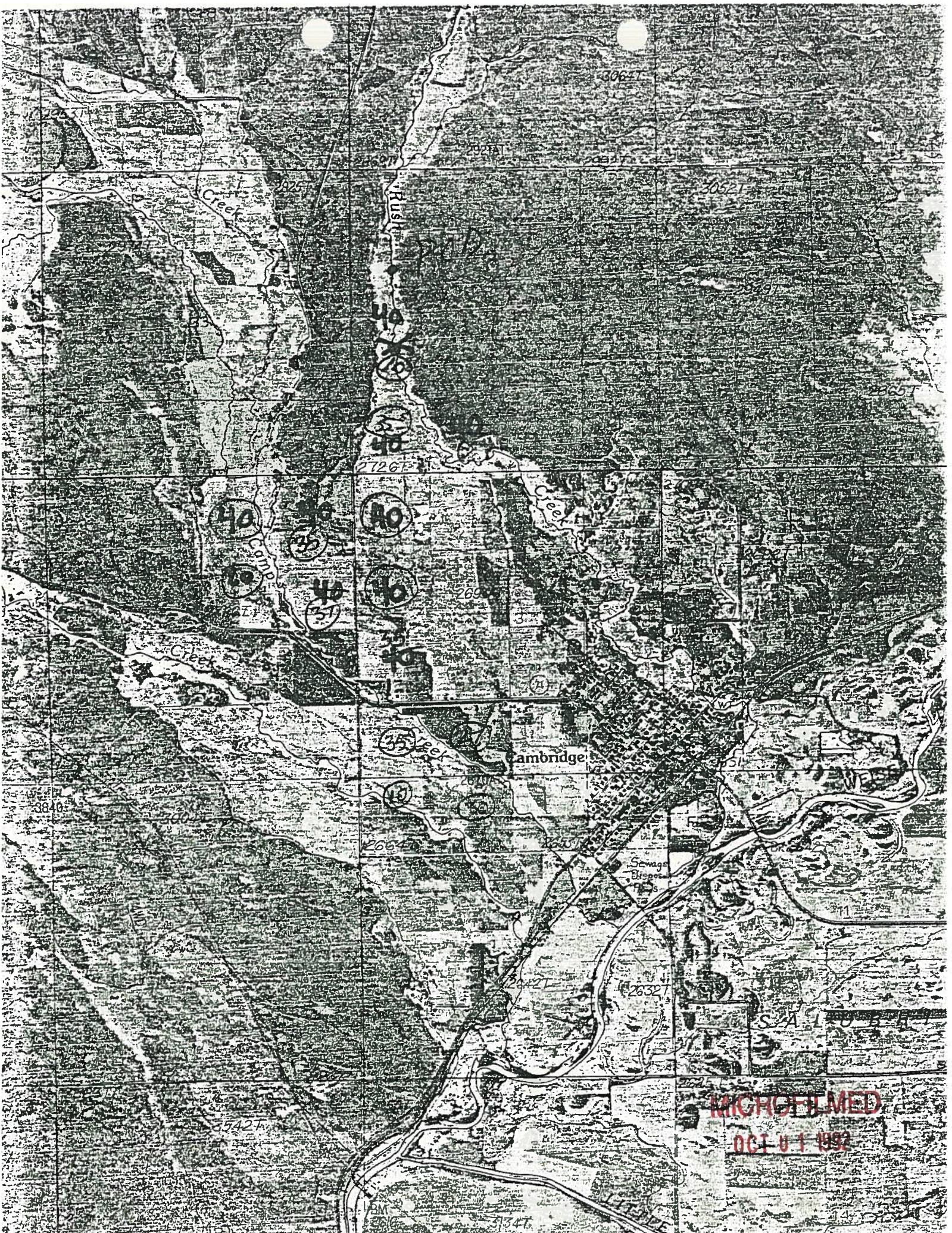
State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 18TH day
of October 19 89

B. G. Soule
Notary Public

Seal

Residing at Cambridge
My Commission Expires 8-21-91



NICHOLLMED
OCT 01 1992

1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST 2

CLAIMANT'S NAME

Bungamer

CLAIM IDENT. NO.

A67-00244

DATE RECEIVED

10/15

CK #

W006402

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ *
Required Info?
2. Is a priority date entered? ☒ YES ☐ NO ☐ *
Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ *
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ *
(b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ *
N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ *
Is the period of use included? ☒ YES ☐ NO ☐ *
Is a quantity claimed for each use? ☒ YES ☐ NO ☐ *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ *
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ *
N/A
Is the consumptive use correct? ☒ YES ☐ NO ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO ☐ *
N/A
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO ☐ *
N/A
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ *
N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ *
Exempt
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ *
N/A
22. Should this claim be receipted and data entered? ☒ YES ☐ NO ☐ *

Claim checked by:

Bunce

Date:

11/15/89

Claim must be returned to claimant:

☒ (Yes) ☐ (No)

Claimant must be notified of modifications:

☒ (Yes) ☐ (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

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OCT 01 1992

Comments: