

04/05/2006

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

RIGHT NUMBER: 67-264

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

SOURCE: RUSH CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.125 CFS

PRIORITY DATE: 05/01/1901

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	0.125 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 27.0 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



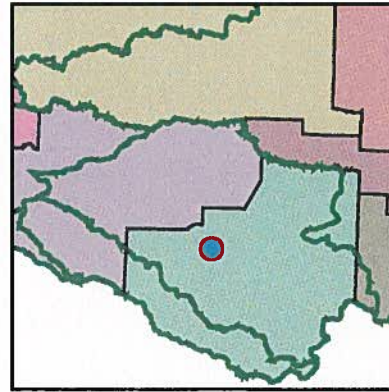
Idaho Department of Water Resources

Adjudication Claim:

67-264

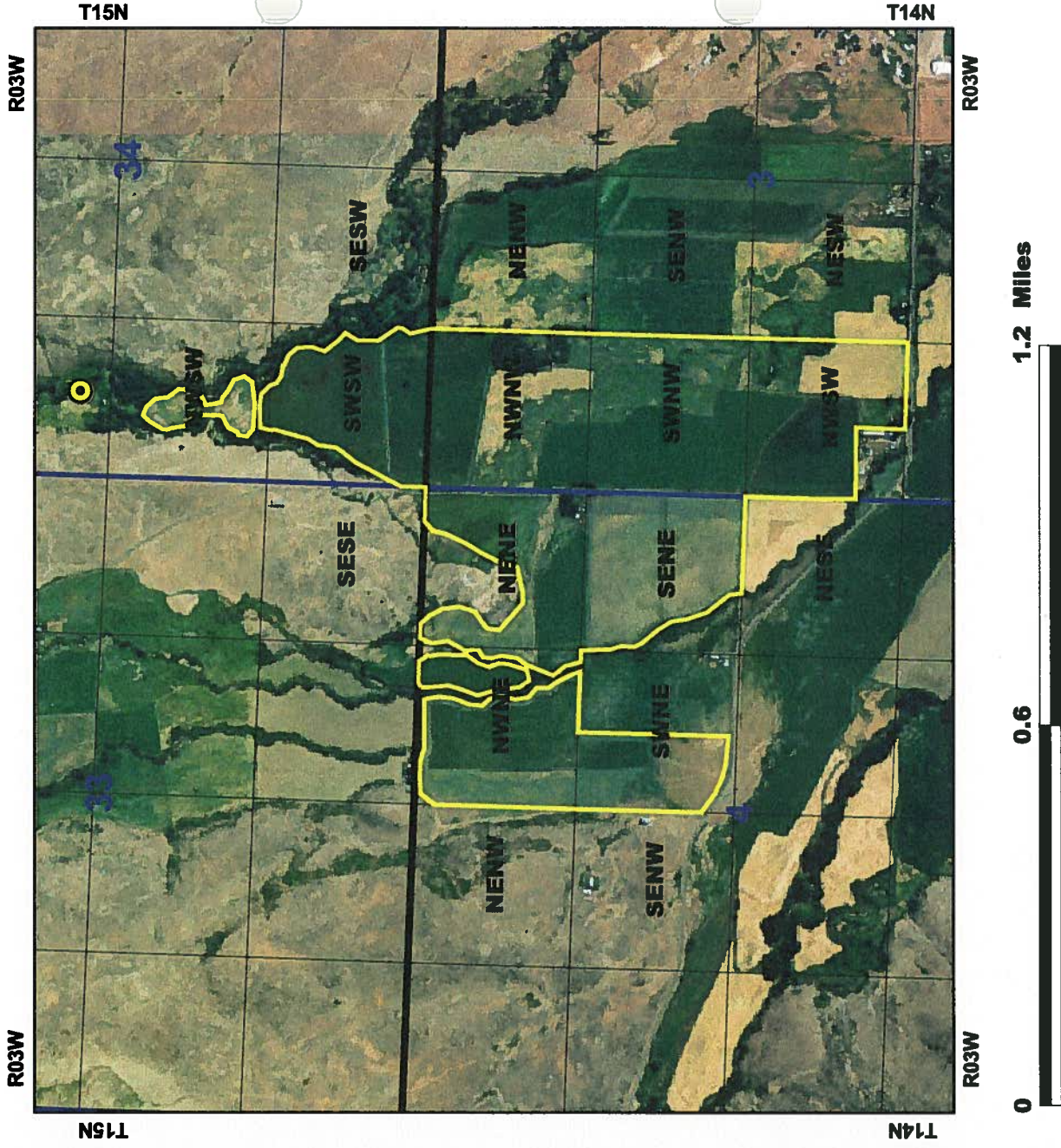
Legend

- 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 67-264 V1

WATER RIGHT NUMBER: 67-264 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: 05/01/1901

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	0.125 CFS	
	<u>Total Diversion:</u>	0.125 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					41.0	40.0			34.0								115.0
							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: 267

Conditions of Approval:

1. E56 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.

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

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	00	00	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:

<u>Right No.</u>	<u>Decreed To</u>	<u>Amount</u>	<u>Priority</u>	<u>Place of Use</u>
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 $\frac{1}{4}$ "	May 1, 1896	" " " "
67-0264		6 $\frac{1}{4}$ "	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:

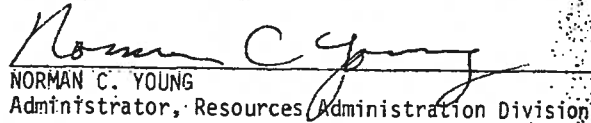
1. That a measuring device of a type approved by the Department and an adjustable lockable headgate shall be permanently installed and maintained at the point of diversion.

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:

<u>Right No.</u>	<u>Priority</u>	<u>No. of Acres</u>
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

Transfer No. 1955

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT

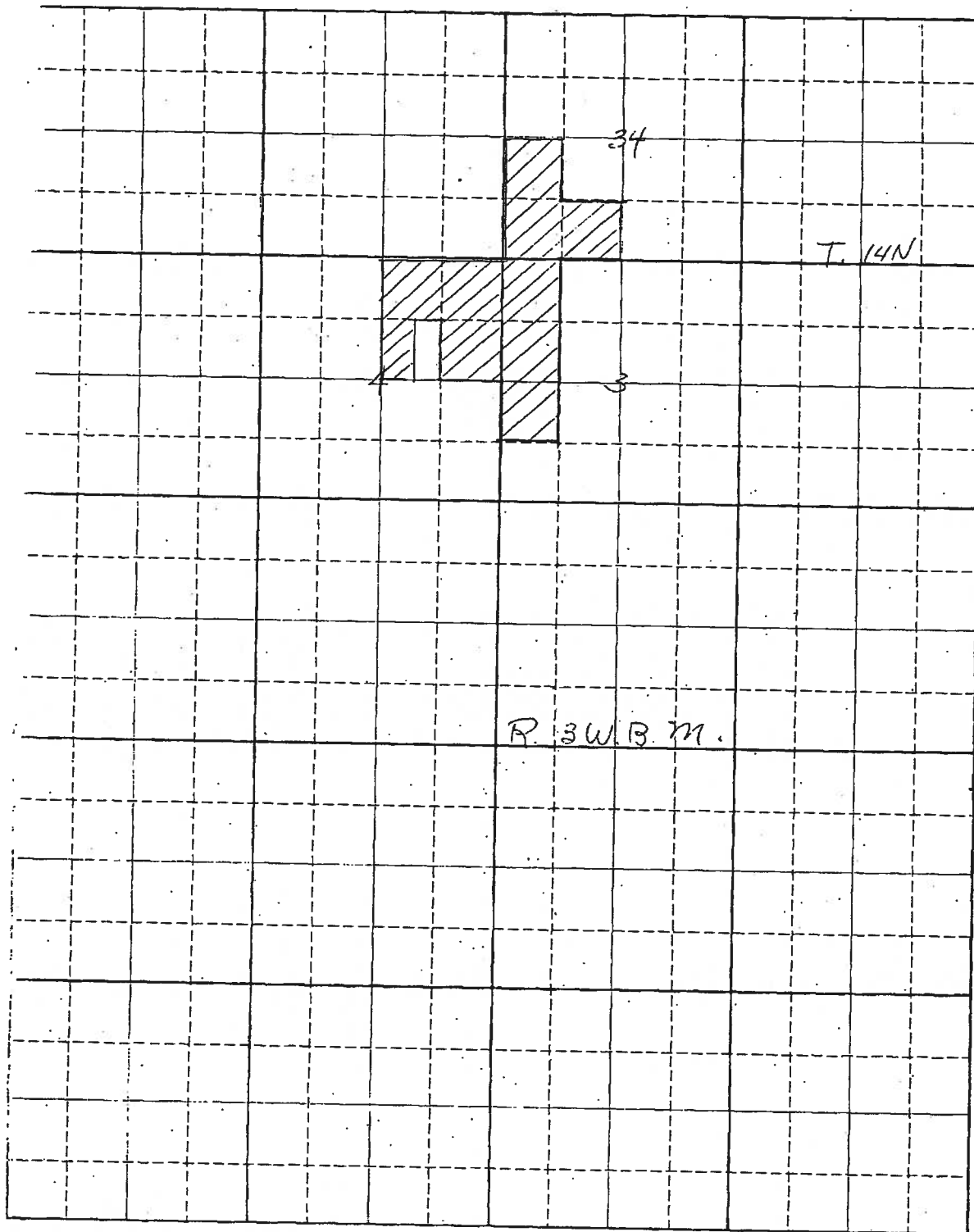
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder James L. Bumgarner
Post office address Cambridge, Idaho
2. Right obtained by:
- a. Decree to See attachment in Case of Muir
(Name)
vs. Allison et al, Dated June 20, 1921 in 7th Judicial District
Court. County of Washington (Name of Court)
- b. License No. _____ issued by the State of Idaho, Department of Reclamation.
3. Source of water Rush Creek tributary to Weiser River
(Name of stream or source)
4. Date of Priority See attachment
5. Amount of water a. 3.004 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from March 15 to Nov. 15
(Month, Day) (Month, Day)
7. Original location of point of diversion is _____ 1/4 _____ 1/4 of Section _____,
Township _____, Range _____, B.M., in _____ County;
Additional points of diversion, if any _____

8. Lands presently irrigated or place of use: _____

[illegible]

Total number of acres presently irrigated _____



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 L. Bingham
(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

Thomas C. Young
Administrator

STATE RECLAMATION ENGINEER

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 \$30.00

Approved for publication by James L. Bingham

Published in Des Moines Register Dates 2-7 - 2-14-74

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

G B Amidon

Fred C Kruck

Little Pine Creek

Pine Creek

Thomas Ray

S M Rutledge

James Orton

William Toorn

Joel W Weimer

Henry Marsh and Orma Marsh

Frank C Downs

Andrew Schweinfurter

Arthur Noon

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 Karl 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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22

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2 7/8

20

2-1/8

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, 1910

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, 1890

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

67 0222

67 0223

67 0224

67 0225

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67 0229

67 0230

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67 0232

67 0233

67 0234

67 0235

67 0236

67 0237

67 0238

67 0239

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 1965

67 0248 T 1955

67 0249 T 1955

67 0250

67 0251

67 0252

67 0253 T 1965

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

George W. Hall (cont.)

Fred H Suiter and Grace Z Suiter

C E Schmits

John Tinsley

Elizabeth Norton

John Norton

Louis Robson

C W Tuttle

George A Jefferson

Hattie Macey

Rush Creek (Con)

J M Atwell

Edward Byers, sub for William Cope

Eva Barber

✓ Jerome B Cox

Nels C Nelson

R R Wilson and Edwin J Hill

" " " "

Hub B Poyner

✓ W H Gibson

✓ Minta Dugger

J Edward Wicks

Charles F Hulet

A H Nunnallee

A L Kingsbury

A Milton Hinshaw

James L Warren

John Carrick

Elihu W Hinshaw, sub for Devaney & Carter

Philbrick & Greenwood

Walter F Ford

William Thelen

E E Lorton

Marion C Potter

Daniel W Brndshaw

Silas L Craddock

Edward E Lorton

Rush Creek (Con)

Charles R Edwards

E E Edwards admin of David G Edwards Metate

Joseph Hutchings (Beaver Creek)

11 1/2

6 1/2

12 1/2

4 3/8

- 13 5/8

- 2 3/8

- 4 3/4

- 2 3/8

- 2 3/8

3 1/8

12 3/8

19

9 1/2

12 1/2

- 7 1/2

16 T 6 9/16

19

12 1/2

16

136

16

6

2 1/2

1 1/2

19

31 1/2

14

7 1/2

19

75

32

18 1/2

3 1/8

3 3/4

12 1/2

25

9 3/8

19

23

63

27

20

45

May 1, 1896 67 0263

May 1, 1901 67 0264

Aug. 23, 1883 67 0265 T #3106

Aug 23 1883 67 0266

Aug 23, 1883 67 0267 T 1765

Aug 23, 1883 67 0268 T 1765

Aug 23, 1883 67 0269 T 1765

Aug 23, 1883 67 0270 T 1765

Aug 23, 1883 67 0271 T 1765

May 1, 1884 67 0272 T # 1955

May 1, 1890 67 0273 T # 1955

May 1, 1887 67 0274

May 1, 1888 67 0275

May 1, 1889 67 0276

May 1, 1892 67 0277

May 1, 1890 67 0278

May 1, 1890 67 0279 sec memo

April 30, 1890 67 0280

May 1, 1891 67 0281

Oct 29, 1908 67 0282

May 1, 1892 67 0283

May 1, 1894 67 0284

May 1, 1894 67 0285

May 1, 1894 67 0286

May 1, 1895 67 0287

May 1, 1895 67 0288

May 1, 1895 67 0289

May 1, 1895 67 0290

May 1, 1896 67 0291

May 1, 1897 67 0292

May 1, 1899 67 0293

May 1, 1899 67 0294

June 1, 1900 67 0295

May 1, 1902 67 0296

May 23, 1903 67 0297

May 1, 1904 67 0298

May 1, 1904 67 0299

Oct 29, 1908 67 0300

Oct 29, 1908 67 0301

Oct 29, 1908 67 0302

March 20, 1911 67 0303 T 222

March 20, 1911 67 0304

June 1, 1883 67 0305

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.
<u>RUSH CREEK</u>			
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.

JUL 24 1896

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 7½ acres, 4 inches August 23rd, 1883, as heretofore allotted.

251-52 L MTTA 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 GUTTER & GRACE E GUTTER: Lot 3, Section 2, Township 14 North, Range 3 West Boise Meridian.

266 O R 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 southwesterly 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.

34 267 JOHN TINSLEY: The Northeast Quarter of the Southwest 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: A67-00264
Date Received: 10/19/1989
Receipt No: W006402
Received By: DE JAH

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: MAY 01, 1901

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	0.125		876.00

7. Total Quantity Appropriated is:
0.125 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

A67-00264

Page 1

Date: 11/17/89

SCANNED MICROFILMED
APR 02 2004 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, 0244, 0245, 0261, 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

RECEIVED

OCT 19 1989

Ident. Number: A67-00264
Date Received: 10/13/1989
Receipt No: 0006402
Received By: _____

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

208-257-3422

83610

2. Date of Priority: MAY 01, 1901

3. Source: RUSH CREEK

Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	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	0.125		

7. Total Quantity Appropriated is:
0.125 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 of	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

A67-00264

Page 1

Date: 10/13/89

MICROFILMED

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, 0244, 0245, 0261, 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

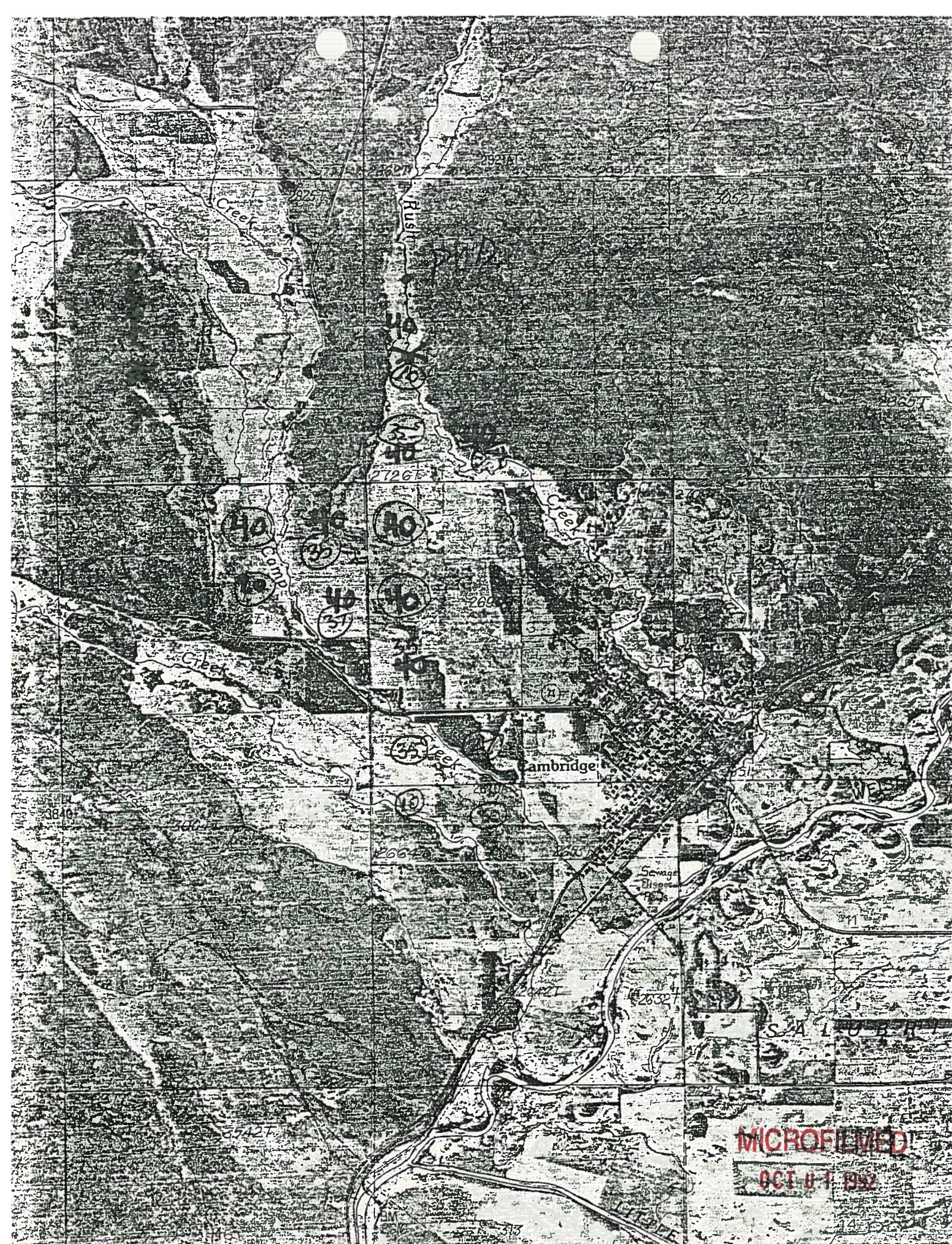
vs

WILLIAM ALLISON

Decree Defendant

(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.

MICROFILMED
OCT 01 1992



1/30/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Bumpner

CLAIM IDENT. NO. 467-00264

DATE RECEIVED 10/19/89

CK # W006402

AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | | | |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | | | |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | * |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 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. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☐ | ☒ | |
| Is the consumptive use correct? | ☐ | ☒ | |
| 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. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 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.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be receipted and data entered? | ☒ | ☐ | |

Claim checked by: Bumpner

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: _____

Comments: _____

MICROFILMED

OCT 01 1992