

05/08/2006

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

RIGHT NUMBER: 67-285

NAME AND ADDRESS: BESSIE L NEWBOLD
3498 WARD RD
CAMBRIDGE ID 83610-5114

MELVIN L NEWBOLD
3498 WARD RD
CAMBRIDGE ID 83610-5114

SOURCE: RUSH CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.050 CFS

This right when combined with other rights from the same point(s) of diversion is limited to a total combined diversion rate of 3.57 cfs.

PRIORITY DATE: 05/01/1894

POINT OF DIVERSION:

T15N R03W S3 SWNE 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	0.050 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T15N R03W S10	SWNE	6.00	T15N R03W S10	SENE	26.00
T15N R03W S10	NESE	25.00			

57 ACRES TOTAL

This right is limited to the irrigation of 4.0 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 57.0 acres in a single irrigation season. Combined Right Nos.: 67-285, 67-286, and 67-4490

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

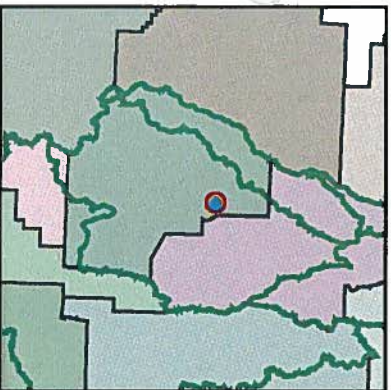


SRBA Recommendation:

67-285

Legend

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

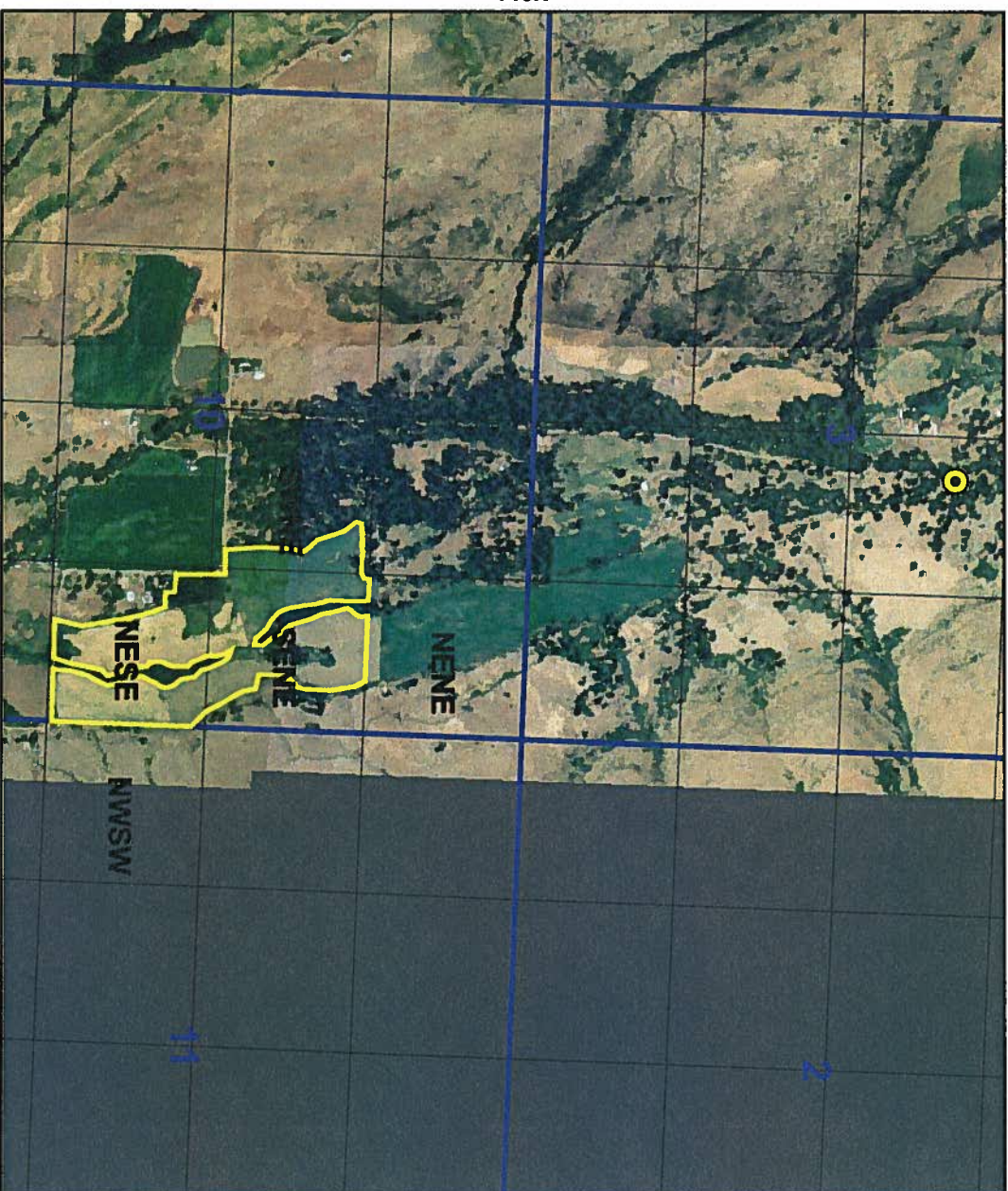


Washington County
IDWR Basin 67



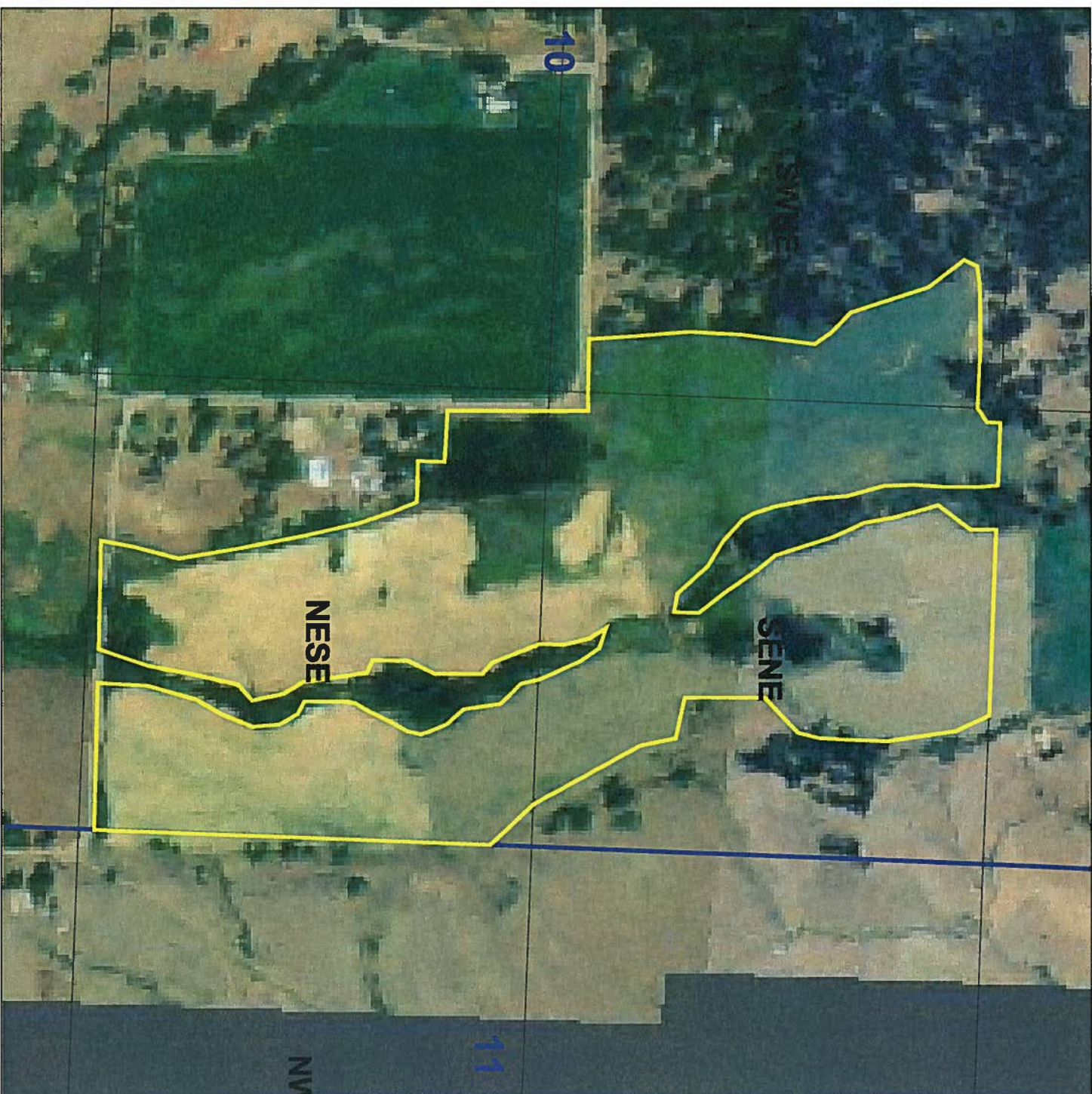
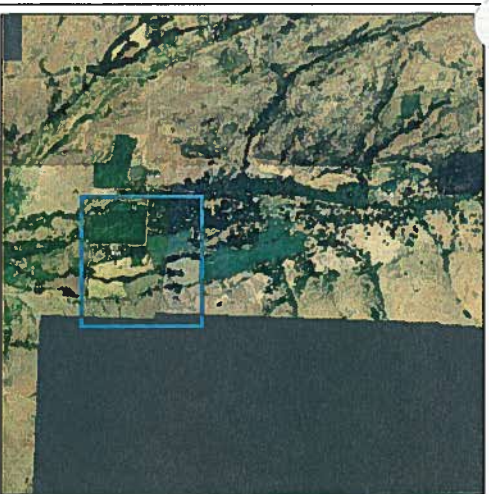
T15N

R03W



Prepared by C. Saxton
On Monday, May 8, 2006
1987/88 Aerial Photography

67-285



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-285 V1

WATER RIGHT NUMBER: 67-285 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BESSIE L NEWBOLD 3498 WARD RD CAMBRIDGE, ID 83610-5114 (208)257-3488
Original Owner	W H GIBSON CAMBRIDGE, ID 83610
Current Owner	MELVIN L NEWBOLD 3498 WARD RD CAMBRIDGE, ID 83610-5114 (208)257-3488

Priority Date: 05/01/1894

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	0.050 CFS	
	<u>Total Diversion:</u>	0.050 CFS	

Location of Point(s) of Diversion

RUSH CREEK	SW1/4NE1/4	Sec. 3, 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	
15N	03W	10			6.0	26.0									25.0				57.0

Total Acres: 57

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. K06 This right is limited to the irrigation of 4.0 acres within the place of use described above in a single irrigation season.
3. E56 The rights listed below are limited to the irrigation of a combined total of 57.0 acres in a single irrigation season. Combined Right Nos.: 67-285, 67-286, and 67-4490

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-285 V1

4. 178 This right when combined with other rights from the same point(s) of diversion is limited to a total combined diversion rate of 3.57 cfs.
5. 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. awarntje 6/22/2004 POU

Comment: Claim lists QQ not listed in decree

2. awarntje 6/22/2004 Water Use

Comment: Decree does not list water use for this right

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:

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	6/22/2004 10:59:41 AM	awarntje			Active
Source	6/22/2004 10:59:57 AM	awarntje			Active
POU	6/22/2004 11:18:26 AM	awarntje			Active
Use	6/22/2004 11:19:05 AM	awarntje			Active
Season	6/22/2004 11:19:40 AM	awarntje			Active
Quantity	6/22/2004 11:20:25 AM	awarntje			Active
Contacts	5/8/2006 3:27:22 PM	csaxton			Active
Priority Date	5/8/2006 3:27:44 PM	csaxton			Active
POD	5/8/2006 3:27:56 PM	csaxton			Active
Source	5/8/2006 3:28:34 PM	csaxton			Active
POU	5/8/2006 3:29:24 PM	csaxton			Active
Use	5/8/2006 3:30:13 PM	csaxton			Active

Claim									
Basin	Sequence	Suffix	Basis	Status	Priority D	Rate(cfs)	Acres	Source	Water Use(s) Owner(s) Source Table
67	285		Decreed	Active	1894-05-01	0.05	57	RUSH CRI	IRRIGATION NEWBOLD, BE Claim
67	286		Decreed	Active	1894-05-01	0.03	57	RUSH CRI	IRRIGATION NEWBOLD, BE Claim
67	4490		Beneficial	Active	7/1/1920	1.14	57	RUSH CRI	IRRIGATION NEWBOLD, BE Claim

Recommendation									
Basin	Sequence	Suffix	Basis	Status	Priority D	Rate(cfs)	Acres	Source	Water Use(s) Owner(s) Source Table
67	285		Decreed		1894-05-01	0.05	4	RUSH CRI	IRRIGATION NEWBOLD, BE Recommendation
67	286		Decreed		1894-05-01	0.03	2.4	RUSH CRI	IRRIGATION NEWBOLD, BE Recommendation
67	4490		B-use		7/1/1920	1.06	57	RUSH CRI	IRRIGATION NEWBOLD, BE Recommendation
						1.14	57		

WR									
Basin	Sequence	Suffix	Basis	Status	Priority D	Rate(cfs)	Volume(a)	Source	Water Use(s) Owner(s) Source Table
67	12308		Decreed	Active	5/7/1952	0.08		GROUND	DOMESTIC, NEWBOLD, BE wrWaterRight
67	14102		Decreed	Active	7/1/1920	0.02		SPRING	STOCKWAT NEWBOLD, BE wrWaterRight



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

RECEIVED

SEP 09 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 3, 2004

MELVIN AND BESSIE NEWBOLD
3498 WARD RD
CAMBRIDGE ID 83610-5114

*THIS ADDRESS IS CORRECT
+ THERE IS CHANGE WATER RIGHTS
ONLY RELOCATED - RESIDENCE OUTLINE SHOWN*

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #67-285, 67-286, 67-4490, 67-12308 and 67-14102

Dear Claimants:

Records modified 9-9-04 - SD

The Postal Service advised us your address has changed to the above address.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by September 21, 2004. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

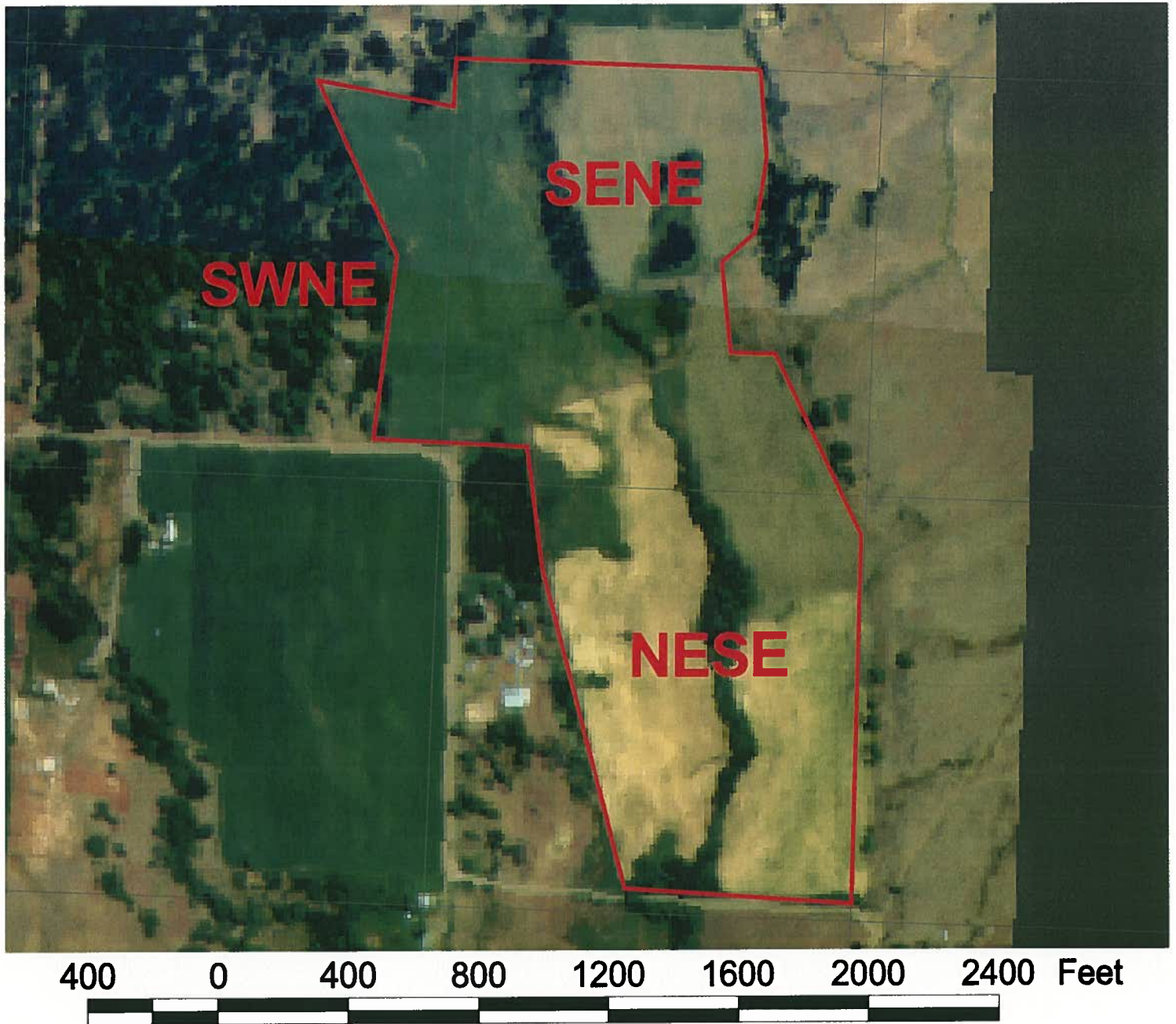
Water Right Holder's Signature

Telephone No.

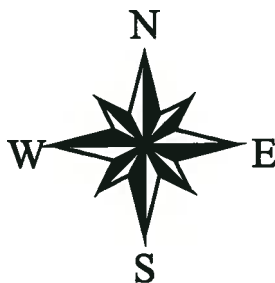
SCANNED
SEP 13 2004

Idaho Department of Water Resources

67-285



T15N, R03W, S10



**Prepared by Anita L. Warntjes
June 22, 2004
Adj 1987 True Color Photo**

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-285 V1

WATER RIGHT NUMBER: 67-285 V1

Owner Type
Current Owner
Name and Address
BESSIE L NEWBOLD
3473 RUSH CREEK RD
CAMBRIDGE, ID 83610
(208)257-3488

Original Owner
W H GIBSON

Current Owner
Name and Address
CAMBRIDGE, ID 83610
MELVIN L NEWBOLD
3473 RUSH CREEK RD
CAMBRIDGE, ID 83610
(208)257-3488

Priority Date: 05/01/1894

Basis: Decreed

Status:

Source
RUSH CREEK
Tributary
WEISER RIVER

Beneficial Use
IRRIGATION
From To
3/15 to 10/31
Annual Volume
0.050 CFS

Total Diversion: 0.050 CFS

Location of Potential Diversion

RUSH CREEK
WASHINGTON County

Sec. 3, Twp 19N, Rge 03W, B.M.

Places of Use
IRRIGATION

Twp Rge Sec NE NW SW NE NW SW NE NW SW NE NW SW NE NW SW NE NW SW
19N 03W 10 8.0 25.0 25.0 25.0 25.0 25.0 25.0 25.0 25.0 25.0 25.0 25.0 25.0 25.0 25.0
Totals 57.0

Total Acres: 57

Conditions of Approval:

Remarks:

Draft

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-285 V1

Comments:

- awarnrje 6/22/2004 POU
Comment: Claim lists OQ not listed in decree
- awarnrje 6/22/2004 Water Use
Comment: Decree does not list water use for this right

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:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Sven Falls Trust or Nontrust:
Sven Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan:
Combined Use Limits:

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewed	Last Verified Date	Verified	Status
Priority Date	6/22/2004 10:59:41 AM	awarnrje			
Source	6/22/2004 10:59:57 AM	awarnrje			
POU	6/22/2004 11:18:28 AM	awarnrje			
Use	6/22/2004 11:19:05 AM	awarnrje			
Season	6/22/2004 11:19:40 AM	awarnrje			
Quantity	6/22/2004 11:20:25 AM	awarnrje			

Verification Log:

Element	Date Time Stamp	Reviewed	Last Verified Date	Verified	Status
Source	6/22/2004 10:59:58 AM	awarnrje			
POU	6/22/2004 11:15:51 AM	awarnrje			

Log Text

(Yes) 1. Is the basis of claim Decree or License?
(Yes) 4. Does the Decree or License have a source?
(Yes) 5. Can the claimed source be verified using the water right file?
Edited shape boundary

DO NOT SCAN

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/05/99
PAGE: 1

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

03-15 11-15

DIVERSION RATE

DIVERSION
VOLUME

C BESSIE NEWBOLD
C MELVIN NEWBOLD

C BESSIE NEWBOLD
C MELVIN NEWBOLD

33473 RUSH CREEK RD
CAMBRIDGE ID 83610
(208) 257-3488

33473 RUSH CREEK RD
CAMBRIDGE ID 83610
(208) 257-3488

9.00 AFA

TOTAL DIVERSION:
CONSUMPTIVE USE:

Water Source: RUSH CREEK

Tributary to: WEISER RIVER

Stage: DECREE

Point(s) of Diversion:

T15N R03W S03

SWNE

Place of use Legal Description for: IRRIGATION

FIN

FS

NENE **NWNE**

S

SENW

5

MSFS

2

11

[illegible]

15N 03W 10 : 03

03

POU County: WASHINGTON

Other Rights: A67-04490

Remarks: GEN ADDRESS CHANGE BY CLAIMANT LETTER 5/5/99 SS.

Dates: **Exam Made Date:**

Verified Date:

Objection Filed Date:

Misc: Water District Number: 67

Field Inspection Flag:

Field Inspection Presumption Flag:

SCANNED
APR 02 2004

Notice to Mailer of Correction in Address

Addressee's Account Number (All numbers, dates, and letters)

67-12308✓

☐ No account number on mail

☐ Account number illegible

Addressee's Name

Melvin L Newbold Bessie Newbold

Old Address (Include apartment or suite number)

RR 1 Box 221

City, State, and ZIP Code

Cambridge, Id 83610

New Address (Include apartment or suite number)

3473 Rush Creek Rd

City, State, and ZIP Code

Cambridge, Id 83610

This card is furnished: ☒ For address correction, as requested (your mailpiece was forwarded).

☐ In place of Form 3579 (see reason for nondelivery below).

The address portion of your mailpiece was not readily detachable. Reason for nondelivery:

☐ Moved, left no address

☐ No such street

☐ No such number

☐ Refused

☐ Attempted, not known

☐ Unclaimed

PS Form 3547, June 1995

+ 67-14102✓

A67-00285✓

A67-00286✓

✓ - 04490✓

Date Filed 8-9-91

denied

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED
AUG 16 1991

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

W013575

MELVIN L. NEWBOLD (208) 257-3488
Name of Claimant Phone Number

Rt #1 Box 221 CAMBRIDGE ID 83610
Mailing Address City State Zip

WASH. 10-19-89
County(s) where place of use is located Date claim originally due

AG7-00285 & AG7-00286
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

IN THE CONFUSION, PAPER WORK ETC WE
WERE TOTALLY UNAWARE THAT THIS
WAS NOT COMPLETED.

Claimant requests an extension to 8-9-91, 19__

Melvin L. Newbold Aug 9, 19 91
Signature Date of request

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☐ granted] [☒ denied] for the following reasons:

Notice mailed to this address 6/21/89,

and if granted the filing deadline is extended to _____, 19__

Signed this 28 day of Sept, 19 91

DAVID B. SHAW
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

DAVID B. SHAW

MICROFILMED
OCT 22 1991

See attached receipt for

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 11/28/94
Time: 12:18:51

Rec/No - W013575 AR/No -
From: - NEWBOLD, MELVIN

Receipt Type - CK Doc/No - 1718
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 08/09/1991

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
SRBA	9337		410162	6490		100.00
SRBA LATE FEE	9337		410162	6490		100.00

Total Due - 200.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6700285	100.00	A6700286	100.00		

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

MICROFILMED
OCT 22 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF DIVERSION AND)
USE OF WATER NOT IN CONFORMANCE)
WITH WATER RIGHTS OR CONTROLLED)
BY BRET NEWBOLD AND/OR DOUGLAS)
NEWBOLD)
_____)

NOTICE OF VIOLATION

The Director of the Department of Water Resources (IDWR) is charged with the duties of protecting vested water rights, enforcing specific statutes of the state of Idaho, and enforcing the rules promulgated by IDWR. The Director is also authorized to order the cessation of violations or attempted violations of the provisions of the law relating to all aspects of appropriation and distribution of water.

Based on the information gathered and the records of IDWR, IDWR finds, concludes, and orders as follows:

FINDINGS OF FACT

1. Jerry Myers (Myers) is the elected and appointed watermaster for Water District no. 67, Weiser River. As the watermaster, Myers regulates diversions of the water flowing in tributaries of the Weiser River, including Rush Creek.

2. A pipeline was constructed to deliver water diverted from Rush Creek pursuant water right nos. 67-00285, 67-00286, and 67-00287. Other water rights are also delivered through the pipeline. The elevation difference between the point of diversion and the location of pipeline valves creates sufficient pressure to irrigate with sprinklers.

3. The intake to the pipeline is located at the edge of the Rush Creek streambed. Inflow to the pipeline is not controlled at the inlet but depends on the demand for water at valves

along the pipeline. Myers has regulated the flow by opening or closing the valves along the pipeline to deliver the proper quantity of water to lands described by the water rights.

4. Water right nos. 67-00285, 67-00286, and 67-00287 were decreed in the case of Muir v. Allison. The following is a summary of the decreed water rights and corresponding claims filed in the Snake River Basin Adjudication.

Water Right No.	Quantity (cfs)	Decreed POU	Claimed POU	Acreage Claimed
67-00285	0.05 cfs	NWNE, SWNE, S10, T15N, R03W	SWNE, S10 T15N, R03W	3
67-00286	0.03 cfs	NESE, S10, T15N, R03W	NESE, S10, T15N, R03W	2
67-00287	0.38 cfs	NWSE S03 SWSE S03 SESE S03 NENE S10 T15N, R03W	NWSE S03 SWSE S03 SESE S03 NENE S10 T15N, R03W	19 10 10 10

5. IDWR records show that water right nos. 67-00285 and 67-00286 are owned by Melvin and Bessie Newbold. IDWR records also show water right no. 67-00287 is owned by Kermit Wiggins. Myers informed IDWR that Bret Newbold acquired water right nos. 67-00285 and 67-00286 and the places of use described by the rights from his parents, Melvin and Bessie Newbold. Myers also informed IDWR that Bret Newbold acquired the property described as a place of use by water right no. 67-00287, and that Myers delivered water authorized by water right no. 67-00287 to Bret Newbold during the 2000 irrigation season.

6. Flows in Rush Creek and the Weiser River are not presently sufficient to satisfy all of the water rights. Myers has prevented diversion of Rush Creek water authorized by late priority water rights to satisfy the early priority water rights.

7. On or about July 26, 2000, Myers informed Bret Newbold that adjudicated water rights were being regulated. Myers told Bret Newbold to limit use on his father's place (place of use for 67-00285 and 67-00286) to ten sprinkler heads, estimated to be 0.08 cfs. Myers also told Bret Newbold that he could run a one-quarter mile line on the land formerly owned by Kermit Wiggins (place of use for 67-00287).

8. On June 27, 2000, Myers observed hand lines irrigating land in the SENE of Section 10, T15N, R03W, B.M., which is not described by any water right deliverable on or after July 26, 2000. Approximately 20 acres of alfalfa is planted and irrigated in the SENE of Section 10.

9. On July 30, 2000, Myers discovered that Bret Newbold, Douglas Newbold (Bret's brother), their representatives, or employees, were diverting more water than authorized by water right nos. 67-00285 and 67-00286 by operating a one-quarter mile sprinkler line, estimated to be 32 sprinkler heads. The sprinkler line was irrigating land located in the NESE of Section 10, T15N, R03W, B.M., which is the place of use described by water right no. 67-00286 (0.03 cfs, 2 acres). Approximately 20 acres of alfalfa is planted and is irrigated in the NESE of Section 10.

10. After discovering the additional water diverted on July 30, 2000, Myers closed the valve delivering water to the one-quarter mile sprinkler line delivering water to the NESE of Section 10, and placed a watermaster warning on a marker post that the valve should not be readjusted.

11. On August 2, 2000, Myers discovered that the valve had been reopened. Land located in the NESE of Section 10 was again being irrigated with the one-quarter mile sprinkler line.

CONCLUSIONS OF LAW

1. Idaho Code Section 42-351 states:

If the director of the department of water resources finds, on the basis of available information, that a person is diverting water or has diverted water from a natural water course or from a ground water source without having obtained a valid water right to do so, or is applying water or has applied water not in conformance with a valid water right, then the director of the department of water resources shall have the discretion to issue a notice of violation to the person in accordance with the provisions of section 42-1701B, Idaho Code, for the illegal diversion or use of water.

2. Idaho Code Section 42-1701B states:

(2) Notice. . . . the notice of violation shall identify the alleged violation and shall specify each provision of the designated chapter, rule, permit, condition of approval or order which has been violated. The notice of violation shall state the remedy, including all restoration and mitigation measures, and the amount of any civil penalty the director seeks for redress of the violation. Factors the director may consider in seeking the appropriate remedy include the impact of the violation and whether the violation was willful, a repeat violation for which the violator had been given a prior written warning, or the violator has otherwise refused to comply with the department's lawful directives. The notice of violation shall inform the person to whom it is directed of an opportunity to confer with the director, or the director's designee in a compliance conference concerning the alleged violation.

(6) Penalties.

(a) . . . persons determined to be in violation of section 42-351, Idaho Code, shall be liable for a civil penalty not to exceed:

(ii) For irrigation uses, three hundred dollars (\$300) annually for each acre irrigated, in whole or in part, by the illegal use or diversion.

3. Bret Newbold, Douglas Newbold and their representatives or employees are diverting Rush Creek water in excess of the 0.03 cfs authorized for diversion by water right no 67-00286, and applying the water to approximately 20 acres of land in the NESE, Section 10, T15N, R03W, not authorized or claimed to be irrigated by water right no. 67-00286.

4. Bret Newbold, Douglas Newbold and their representatives or employees are also diverting Rush Creek water and irrigating approximately 20 acres of land located in the SENE, Section 10, T15N, R03W, without any water right authorizing the diversion or irrigation of these lands.

5. The diversion and use of water described above violates Idaho Code § 42-351.

ORDER

IT IS HEREBY ORDERED that Bret and Douglas Newbold and their representatives or employees shall cease and desist diverting water from Rush Creek in excess of 0.03 cfs for the irrigation of land located in the NESE, Section 10, T15N, R03W.

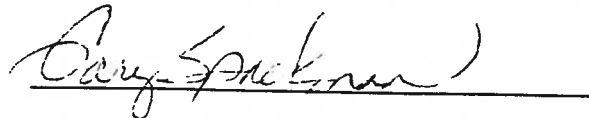
IT IS FURTHER ORDERED that Brett and Douglas Newbold and their representatives or employees shall cease and desist diverting water from Rush Creek for irrigation of lands located in the SENE, Section 10, T15N, R03W.

IT IS FURTHER ORDERED that IDWR seeks a civil penalty of \$300 per acre of land irrigated without a water right, totaling \$12,000 for 40 acres irrigated without a water right.

IDWR may pursue injunctive relief in the district court of the State of Idaho if Bret or Douglas Newbold do not cease the illegal use of water.

NOTICE IS GIVEN that Bret or Douglas Newbold may request, in writing, a compliance conference with IDWR within 14 days of the date of receipt of this notice of violation.

Dated this 4th day of August, 2000.



GARY SPACKMAN
Western Regional Manager

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT**

DATE: 08/03/00
PAGE: 3

NAME & ADDRESS

PRIORITY
DATE

WATER USE

05/01/1895 IRRIGATION

DIVERSION
 RATE

 DIVERSION
 VOLUME

0.600 CFS

USE PERIOD
FROM TO

03-15 11-15

0.600 CFS

TOTAL DIVERSION:
CONSUMPTIVE USE:

90.00 AFA

Tributary to: WEISER RIVER

Stage: DECREED

T115N R03W S03	SWSWNE
T116N R03W S34	SWSWNW

Place of use Legal Description for: IRRIGATION

NE

五

[illegible]

POU County: WASHINGTON

Non-Irrigation Uses: INCIDENTAL STOCKWATER

Other Rights: FLOOD WATER RIGHT FROM STREAM A67-04155 CLAIMED.

Remarks: GEN ABSTRACT OF TITLE FOR THIS PROPERTY THE NITA CARRICK PROPERTY STATES THAT RIGHT NO. 24 WAS TO BE FOR 30" WITH A 05/01/1895 PRIORITY, RATHER THAN THE 19" SHOWN IN THE DATA BASE. AMENDED ON 10/1/93 TO INCREASE THE QUANTITY AND ADD A PLACE OF USE.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 67	Field Inspection Flag: Presumption Flag:	

DATE: 08/03/00
PAGE: 3

=====

TOTAL DIVERSION:

Misc:
Water District Number: 67
Field Exam Fee:

Water District Number: 67

AJ5809NP
No. A67-00286

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/03/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BESSIE NEWBOLD	05/01/1894	IRRIGATION	03-15 11-15	0.030 CFS	
C	MELVIN L NEWBOLD					
Water Source: RUSH CREEK				6.00 AFA		
Point(s) of Diversion: T15N R03W S03				0.030 CFS		
Place of use Legal Description for: IRRIGATION				TOTAL DIVERSION: CONSUMPTIVE USE:		
NE NE NE NW NE SENE : NENE NW NW SW NW SENW : NENE NW SW SSW SSW : SE				Stage: DECREED		
T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : SUM				WASHINGTON County		
15N 03W 10 :				TOTAL ACRES : 2.0		
POU County: WASHINGTON				2.0		
Other Rights: A67-04490						

Remarks: GEN ADDRESS CHANGE BY CLAIMANT LETTER 5/5/99 SS.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 67 Field Inspection Flag: Presumption Flag:

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/03/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MINTA DUGGER	05/01/1994	IRRIGATION	00/00 00/00		

USE PERIOD	DIVERSION	DIVERSION
FROM TO	RATE	VOLUME
00/00 00/00	0.030 CFS	
TOTAL DIVERSION: 0.030 CFS		

Water Source: RUSH CREEK
Tributary to: WEISER RIVER
Stage: DECREEED

Place of use Legal Description for: IRRIGATION

[illegible]

Pou County: WASHINGTON

Dates:	App. Received:	Priority Date:	05/01/1894
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	

Misc: Water District Number: 67 Field Exam Fee:

Field Exam Fee:

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT**

DATE: 08/03/00
PAGE: 1

NAME & ADDRESS

C BESSIE NEWBOLD
C MELVIN NEWBOLD

**PRIORITY
DATE**

[illegible]

USE PERIOD
FROM TO

03-15 11-15

DIVERSION
VOLUME

0.050 CFS

0.050 CFS

9.00 AFA

TOTAL DIVERSION:
CONSUMPTIVE USE:

Water Source: RUSH CREEK

Tributary to: WEISER RIVER

Stage: DECREED

Point(s) of Diversion: T15N R03W S03 SWNE

WASHINGTON County

Place of use Legal Description for: IRRIGATION
NE

FIN

[illegible][illegible]

POU County: WASHINGTON

Other Rights: A67-04490

Remarks: GEN ADDRESS CHANGE BY CLAIMANT LETTER 5/5/99 SS.

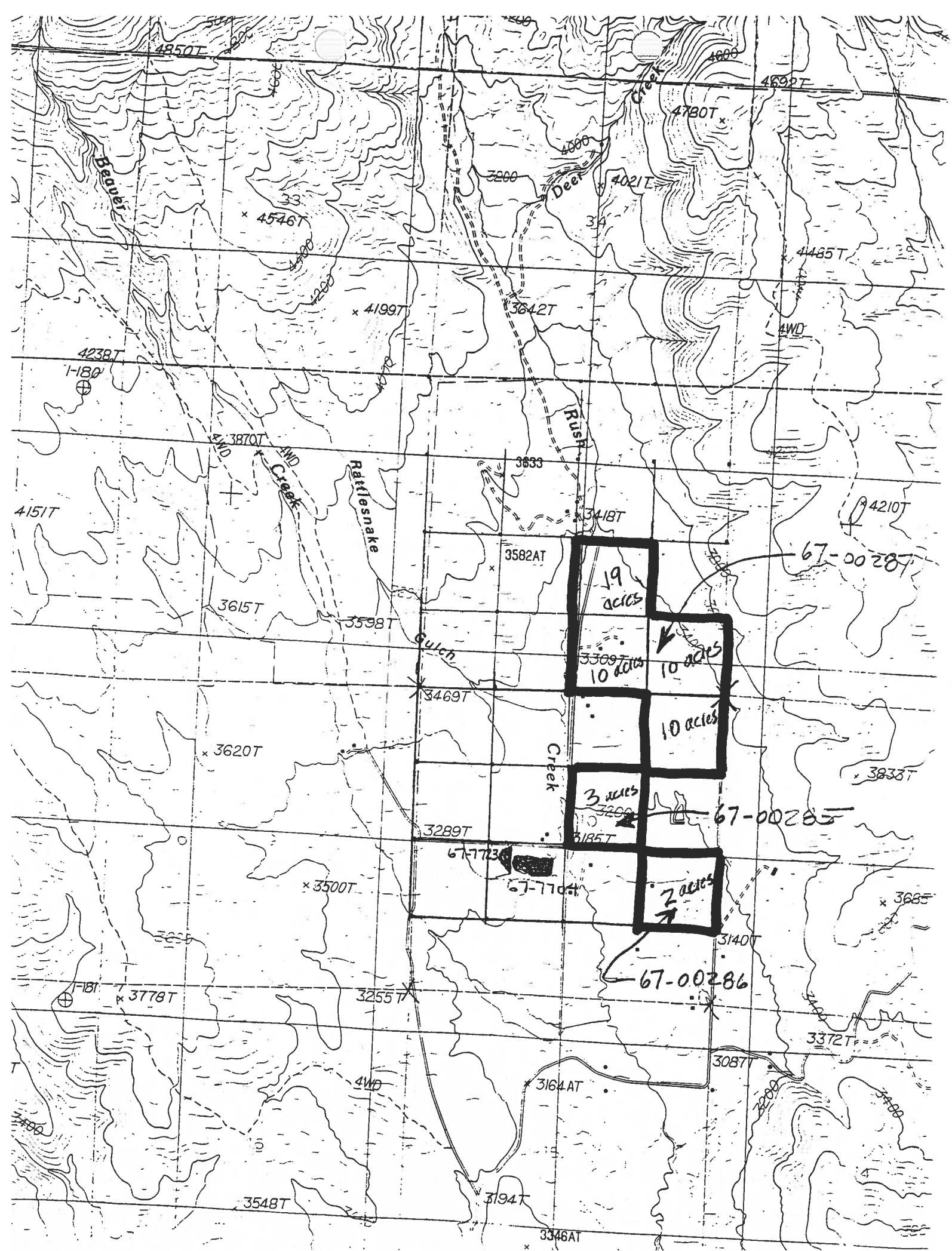
Dates: **Exam Made Date:**

Verified Date:

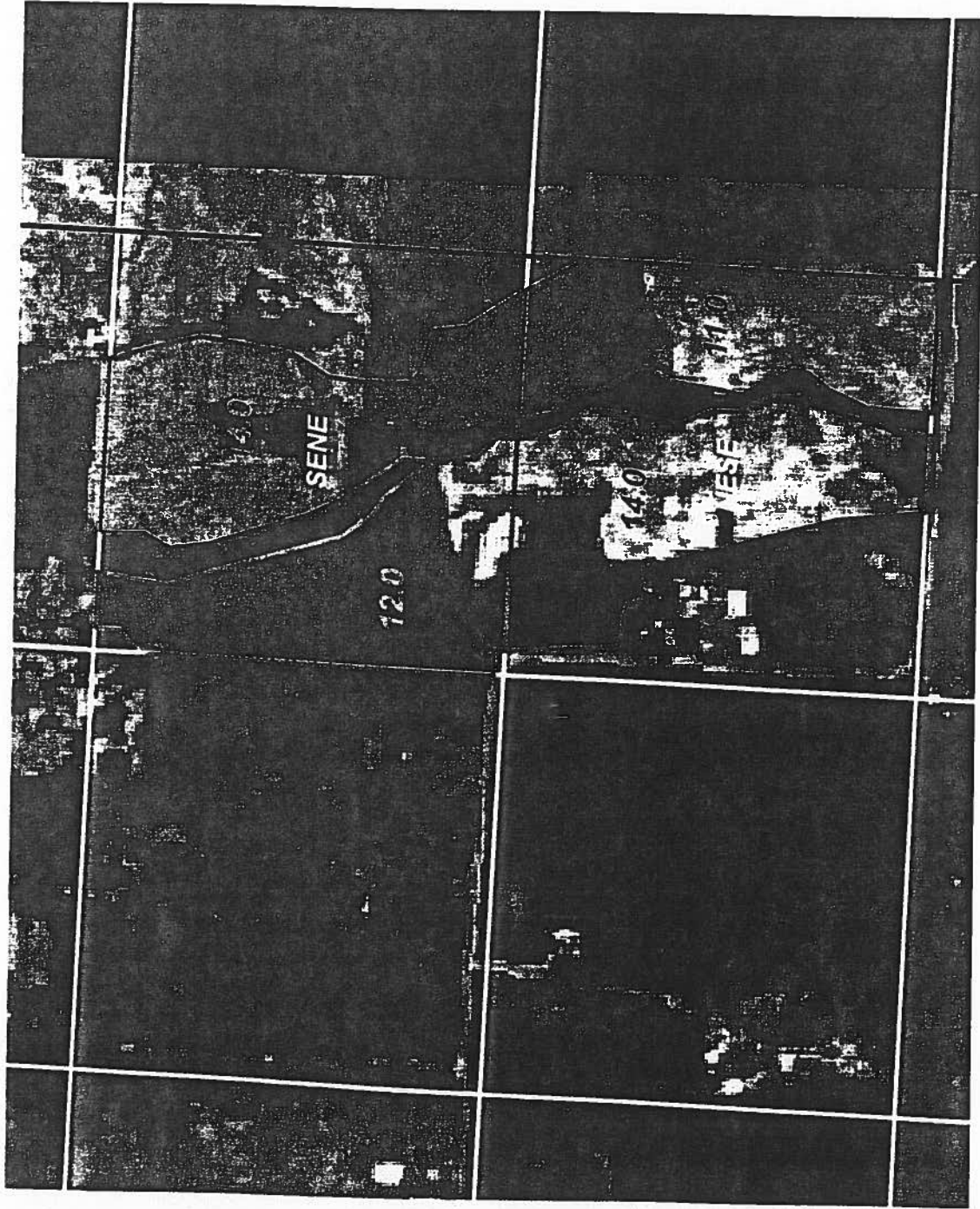
Objection Filed Date:

Misc: Water District Number: 67

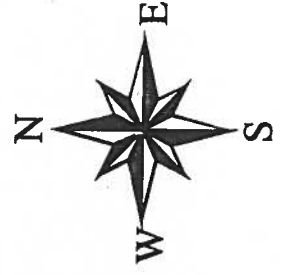
Field Inspection Flag:
Presumption Flag:



T15N, R03W, S10



- ☐ Temppou.shp
- ☐ S15n03w.shp
- ☐ P15n03w.shp



SENE

NESE

Sary

The only way I have regulated the water through the pipeline is by telling the water user, is that their water is down to adjudication and they can run 10 heads on the 67-00285 and the 67-00286 water rights being only 4" of adjudicated water and on the 67-00287 they can run a quarter mile line being 32 heads on their 19" right, there is really no other way too adjust the water.

On July ~~26~~ 26 I told Bret that the water was down too adjudicated and too run only 10 heads on his fathers place and could run a quarter mile line 32 heads on the 67-00287 right. I had a complaint called to me that on the 67-00285 & 67-00286 water rights that Newbolds were running a quarter mile line 32 heads on that land. I went and talked to Douglas Newbold about it and I then tagged the valve and shut the water line off. This was on July 30. Aug 1 they turned the water back on in the quarter mile line. I had told them to leave it off but that they could run 10 heads, they also ran the quarter mile lines Aug 2, 2000

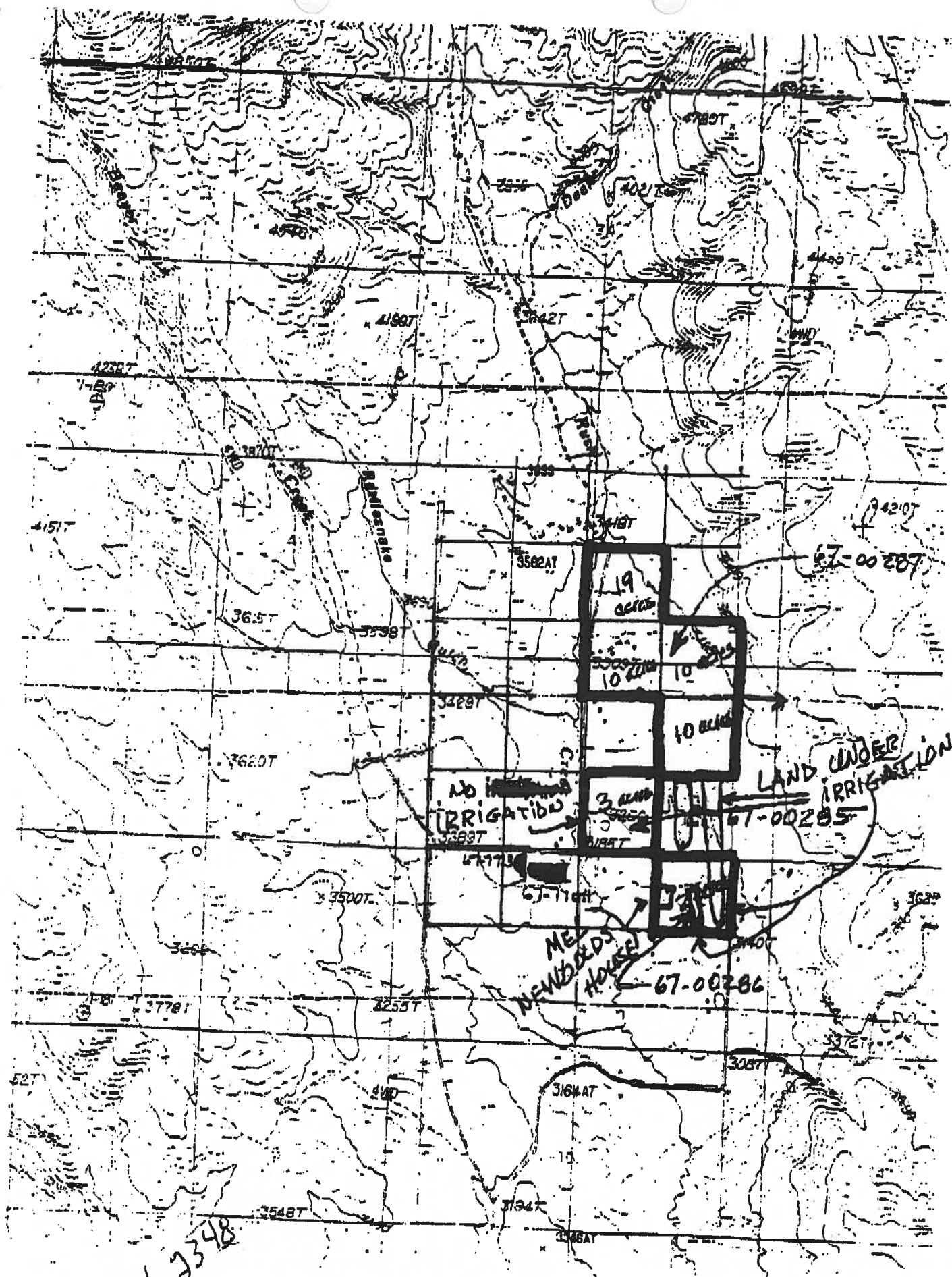
I was told by the neighbors that they ran the quarter lines on July 28 and 29 but I was gone and didn't see it.

Thank you
Jerry Myers

P.S. I found the valve had been turned back on not the deputy watermaster line 10

Bret Neubold is the owner of the land Douglas doesn't own any of it.

Any questions call I'll be home in the morning tell 9



34-2348
Fax

George W. Hall (cont.)

Fred H Suiter and Grace Z Suiter

G E Schmitt

John Tinsley

Elizabeth Norton

John Norton

Louis Robson

G 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 K Wilson and Edwin J Hill

" " " "

Hub B Poyner

✓ W H Gibson

✓ Minta Dugger

J Edward Wicks

Charles F Hulet

A H Nunnelee

A L Kingsbury

A Milton Hinshaw

James L Warren

John Carriock

Elihu W Hinshaw, sub for Devaney & Carter

Philbrick & Greenwood

Walter E 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 Estate

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 7/8

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 1766

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 Descriptions
RUSH CREEK (Cont.)			
50 C. E. Schmitz	4 3/8 ✓	8-23-83 ✓	Part NE 1/4 SW 1/4, Sec. 2, T. 14 N., R. 3 W.
51 John Tinsley	13 5/8 ✓	8-23-83 ✓	NE 1/4 SW 1/4, Sec. 2, T. 14 N., R. 3 W.
52 Elizabeth Norton	2 3/8 ✓	8-23-83 ✓	E 1/2 NW 1/4 SW 1/4 NW 1/4, Sec. 2; T. 14 N., R. 3 W.
53 John Norton	4 3/4 ✓	8-23-83 ✓	NW 1/4 SE 1/4 NW 1/4 Sec. 2; T. 14 N., R. 3 W.
54 Louis Robson	2 3/8 ✓	8-23-83 ✓	E 1/2 NE 1/4 SW 1/4 NW 1/4 Sec. 2, T. 14 N., R. 3 W.
55 C. W. Tuttle	2 3/8 ✓	8-23-83 ✓	W 1/2 NE 1/4 SW 1/4 NW 1/4, Sec. 2, T. 14 N., R. 3 W.
56 George A. Jefferson	3 1/8 ✓ 12 3/8 ✓	5--1-84 ✓ 5--1-90 ✓	Lot 1, Sec. 4, T. 14 N., R. 3 W.
57 Hattie Macey	19 ✓	5--1-87 ✓	Lot 3, Sec. 3, T. 14 N., R. 3 W.
58 J. M. Atwell	9 1/2 ✓	5--1-88 ✓	W 1/2 NW 1/4, NE 1/4 NW 1/4, NW 1/4 NE 1/4, Sec. 34, T. 18 N., R. 3 W.
59 Edward Byers, sub for William Cope	12 1/2 ✓ 7 1/2 ✓	5--1-89 ✓ 5--1-92 ✓	S 1/2 SW 1/4, NE 1/4 SW 1/4, SE 1/4 NW 1/4, Sec. 27, T. 15 N., R. 3 W.
60 Eva Barber	16 ✓	5--1-90 ✓	S 1/2 NE 1/4, Sec. 2, T. 14 N., R. 3 W.
61 Jerome B. Cox	19 ✓	5--1-90 ✓	W 1/2 SE 1/4, NE 1/4 SE 1/4, SE 1/4 NE 1/4, Sec. 2, T. 15 N., R. 3 W.
62 Nels C. Nelson	12 1/2 ✓	4-30-90 ✓	N 1/2 NE 1/4 SE 1/4, Sec. 3; NW 1/4 NW 1/4 SW 1/4, Sec. 2, T. 14 N., R. 3 W.
63 R. E. Wilson & Edwin J. Hill	16 ✓ 136 ✓	5--1-91 ✓ 10-29-08 ✓	E 1/2 SE 1/4, Sec. 26; S 1/2 SW 1/4, Sec. 25; N 1/2 NW 1/4, NW 1/4 NE 1/4, Sec. 36, T. 15 N., R. 3 W.
Hub B. Poyner	16 ✓ 6 ✓	5--1-92 ✓ 5--1-94 ✓	W 1/2 NW 1/4, NE 1/4 NW 1/4, NW 1/4 NE 1/4, Sec. 27, T. 15 N., R. 3 W.
W. H. Gibson	2 1/2 ✓	5--1-94 ✓	W 1/2 NE 1/4, Sec. 10, T. 15 N., R. 3 W.
Minta Dugger	1 1/2 ✓	5--1-94 ✓	NE 1/4 SE 1/4, Sec. 10; T. 15 N., R. 3 W.
J. Edward Wicks	19 ✓	5--1-95 ✓	W 1/2 SE 1/4, SE 1/4 SE 1/4, Sec. 3; NE 1/4 NE 1/4, Sec. 10, T. 15 N., R. 3 W.
Charles F. Hulet	31 1/4 ✓	5--1-95 ✓	S 1/2 NE 1/4, S 1/2 SE 1/4 NE 1/4, Sec. 3; T. 14 N., R. 3 W.

Township 14 North, Range 3 West Boise Meridian, save and excepting therefrom the right of way of the P & I N Railway.

269 ELIZABETH NORTON: The east half of the Northwest Quarter of the Southwest Quarter of the Northwest Quarter Section 2, Township 14 North, Range 3 West Boise Meridian.

269 JOHN NORTON: The Northwest Quarter of the Southeast Quarter of the Northwest Quarter Section 2, Township 14 North, Range 3, West Boise Meridian.

270 LOUIS ROBSON: East half Northeast Quarter Southwest Quarter Northwest Quarter, Section 2, Township 14, North, Range 3 West Boise Meridian.

271 C W TUTTLE: The West half of the Northeast Quarter of the Southwest Quarter of the Northwest Quarter Section 2, Township 14 North, Range 3 West Boise Meridian.

272-73 GEORGE A JEFFERSON: Lot number 1, Section 4, Township 14 North, Range 3 West Boise Meridian.

274 HATTIE MACEY: Lot 3, Section 3, Township 14 North, Range 3 West Boise Meridian.

275 J M ATKELL: The West half of the Northwest Quarter, the Northeast Quarter of the Northwest Quarter, and the Northwest Quarter of the Northeast Quarter of Section 34, Township 15 North, Range 3 West Boise Meridian.

276-77 EDWARD BYERS: The South half of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, and the Southeast Quarter of the Northwest Quarter of Section 27, Township 15, North, Range 3 West Boise Meridian.

278 EVA BARBER: The South half of the Northeast Quarter of Section 2, Township 14 North, Range 3 West Boise Meridian.

279 JEROME B COX: The West half of the Southeast Quarter, the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter, Section 2, Township 15 North, Range 3 West Boise Meridian.

280 NELS C NIELSON: The North half of the Northeast Quarter of the Southeast Quarter of Section 3; and the Northwest Quarter of the Northwest Quarter of the Southwest Quarter of Section 2, Township 14 North, Range 3 West Boise Meridian.

R E WILSON AND EDWIN J HILL: The East half of the Southeast Quarter of Section 26, the South half of the Southwest Quarter of Section 25, and the North half of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 36, Township 15 North, Range 3 West Boise Meridian.

HUB B FOYNER: The West half of the Northwest Quarter, the Northeast Quarter of the Northwest Quarter, and the Northwest Quarter of the Northeast Quarter of Section 27, Township 15 North, Range 3 West Boise Meridian.

W H GIBSON: The West half of the Northeast Quarter of Section 10, Township 15 North, Range 3 West Boise Meridian.

MINTA DUGGER: The Northeast Quarter of the Southeast Quarter of Section 10, Township 15 North, Range 3 West Boise Meridian.

J EDWARD WICKS: The West half of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 3 and the Northeast Quarter of the Northeast Quarter of Section 10, all in Township 15 North, Range 3 West Boise Meridian.

CHARLES F HULBT: The South half of the Northeast Quarter, and the South half of the South half of the North half of the Northeast Quarter of Section 3, Township 14 North, Range 3 West Boise Meridian.

A H NUNHALEM: The North Three Quarter of Lot 1, Section 3, Township 14 North, Range 3 West Boise Meridian.

JUL 24 1936

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 67-285
Date Received: 8/9/1991
Receipt No: W013575
Received By:

AMENDED

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

1. Name of Claimant(s)

MELVIN NEWBOLD Phone: (208)257-3488
3473 RUSH CREEK RD
CAMBRIDGE ID USA 83610

OR

BESSIE NEWBOLD Phone: (208)257-3488
3473 RUSH CREEK RD
CAMBRIDGE ID USA 83610

2. Date of Priority: 05/01/1894

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	Type
15N	03W	3	SW NE	WASHINGTON	

5. Description of diverting works:

CULVERT, PIPELINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.05	

7. Total Quantity Appropriated is:
0.05 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED
APR 02 2004

10. Place of use:

Township	Range	Section 1/4 of 1/4	Lot	Use	Acres
15N	03W	10	SW NE	IRRIGATION	6
			SE NE	IRRIGATION	26
			NE SE	IRRIGATION	25
Section Acres					57
Total Acres					57

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:

14. Remarks:

THIS CLAIM HAS BEEN AMENDED TO CLAIM A PPOU WITH 67-286 & 67-4490. ACRE LIMITS WITHIN THE PPOU WILL BE DETERMINED BY THE DUTY OF WATER DURING RECOMMENDATION REVIEW FOR EACH CLAIM.

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 Individuals:

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

Signature of Claimant(s): Melvin L. Newbold Date: 8/15/02

Date: _____

State of Idaho)
County of ADA) SS.

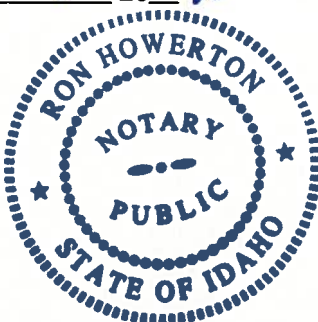
Subscribed and sworn (or affirmed) before me this

of AUG 20 02

15th

Ron Howerton

Notary Public



Residing at Ron Howerton

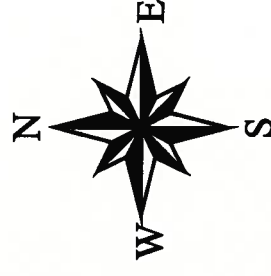
Residing at Boise, Idaho

My commission Expires My Commission Expires December 8, 2006

IDAHO DEPARTMENT OF WATER RESOURCES

DRAFT PPOU
CLAIM MAP
67-285, 67-286 &
67-4490
Date: 08/15/02

T15N, R03W
S10



○ Point of Diversion



PPOU



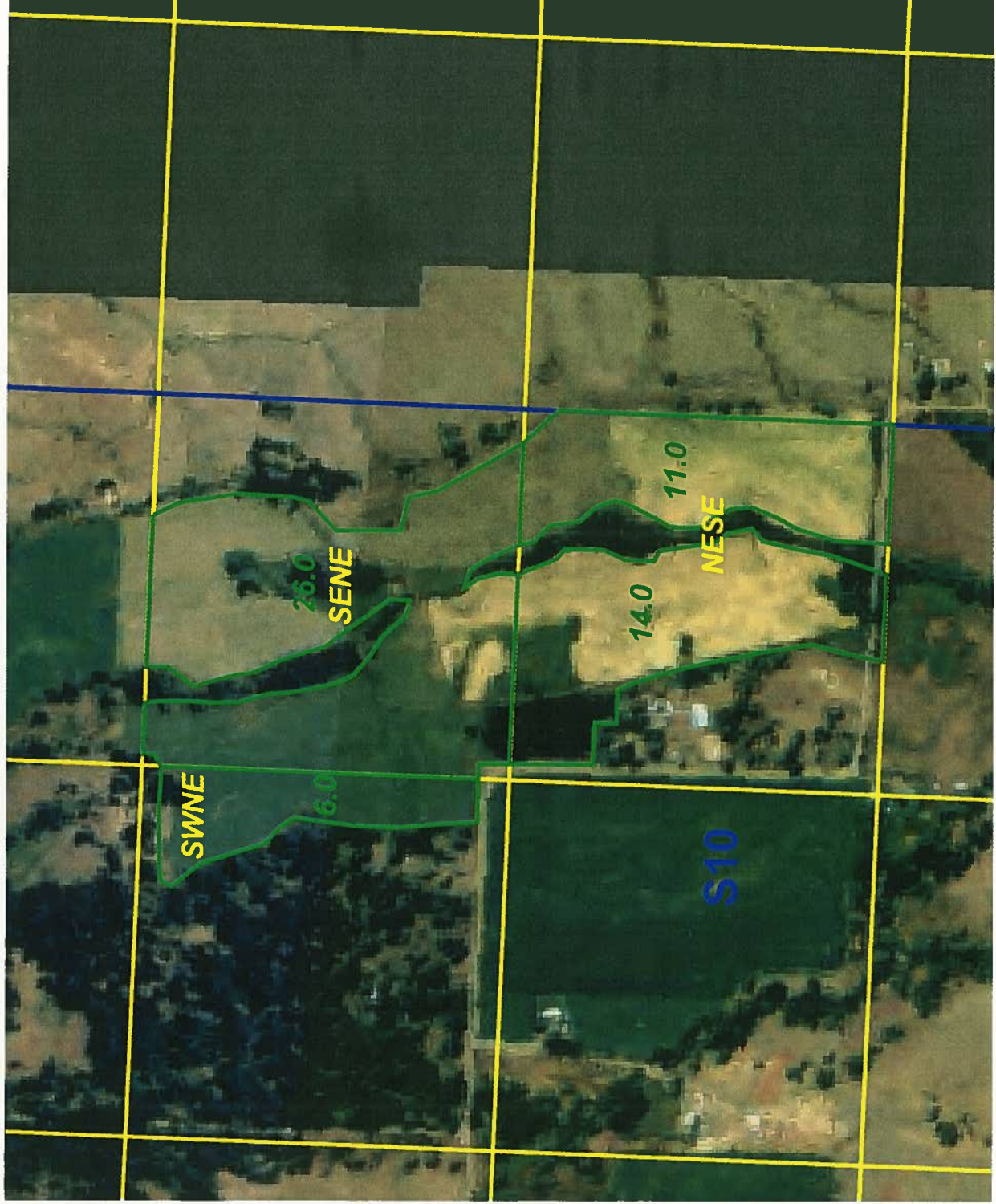
Section



1/4 1/4

57 Acres

1987 NAPP



0 0.25 0.5 0.75 Miles

0

0.25

0.5

0.75 Miles

the direction of the water commissioner or other officers charged by law with the execution of this decree and the waters of the said Hornet Creek Reservoir are to be distributed by the said water commissioner or other officers to the stockholders of the said Hornet Creek Water Storage Association according to their respective rights of said stockholders as the same shall appear by notice given said water commissioner for said water storage association at the commencement of each irrigation season.

It is further ordered, adjudged and decreed that the said Weiser Irrigation District may divert all of the waters flowing in said river during the low water period at the head of its canal upon delivery to the said Weiser City Water Ditch & Irrigating Company 450 inches of water, said delivery to be made at the gate or diversion point now connecting the two canals and where water has heretofore been diverted from the canal of the said Weiser Irrigation District into the canal of the said Weiser City Water Ditch and Irrigating Company.

As used in this decree the high water period shall include all that portion of the irrigation season when the river and its tributaries discharge sufficient water to supply all the allotments herein decreed on the basis of five-eighths ($5/8$) of an inch to the acre and the low water period shall consist of all that portion of the irrigation season when the discharge of the river and its tributaries is insufficient to supply the last named amount of water, and the foregoing allotments are made upon the basis of five-eighths ($5/8$) of an inch per acre, or its equivalent in irrigation heads, during the low water period, which is the maximum duty of water for said lands from said river and its tributaries, and whenever the commissioner, or other officer charged with the execution of this decree, finds the water in said river insufficient to supply the allotments as heretofore made on the basis of five-eighths ($5/8$) of an inch per acre, measured at the various diversion points, then and in that event the last appropriator in point of time shall be denied the use of said water.

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: A67-00285
Date Received: 8/ 9/1991
Receipt No: W013575
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: BESSIE NEWBOLD 208-257-3488
Address: 3473 RUSH CREEK RD
CAMBRIDGE ID 83610

OR

Name: MELVIN NEWBOLD 208-257-3488
Address: 3473 RUSH CREEK RD
CAMBRIDGE ID 83610

2. Date of Priority: MAY 1, 1894

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	3	SW	NE			WASHINGTON

5. Description of diverting works:
CULVERT, PIPELINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.050		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	03W	10	SW	NE		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
					Total Acres	3.0

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:
A67-04490

14. Remarks:
ADDRESS CHANGE BY CLAIMANT LETTER 5/5/99 SS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON

vs Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED
GOVERNOR

April 29, 1999

MAY 3 1999
RLJ:JN
DIRECTOR

MELVIN L AND BESSIE NEWBOLD
3473 RUSH CREEK RD
CAMBRIDGE ID 83610

Department of Water Resources

Re: Snake River Basin Adjudication (SRBA)
Water Rights #67-12308, 67-14102, A67-00285, A67-00286 &
A67-04490

Change of Address

already has.
Records changed, NCAP prepared.
10-5-99

Dear Water Right Holders:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by May 17, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Melvin L. Newbold

Claimant Signature

208-257-3488

Telephone No.

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: A67-00285
Date Received: 8/ 9/1991
Receipt No: W13575
Received By: DRW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MELVIN NEWBOLD 208-257-3488
Address: RR 1 BOX 221
CAMBRIDGE, ID 83610

OR

Name: BESSIE NEWBOLD 208-257-3488
Address: RR 1 BOX 221
CAMBRIDGE, ID 83610

2. Date of Priority: MAY 1, 1894

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	3	SW	NE			WASHINGTON

5. Description of diverting works:
CULVERT, PIPELINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.050		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	03W	10	SW	NE		IRR	3.0

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10. Place of Use: Continued

Section Acres 3.0

Total Acres 3.0

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:

A67-04490

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON

vs

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):

Melvin L. Pembold

Date:

Aug 9, 1991

Date:

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State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 9 day
of August 19 91

Linda Werner
Notary Public

Seal

Residing at LINDA WERNER
RESIDING AT EAGLE, IDAHO
My Commission Expires MY COMMISSION EXPIRES DEC. 8, 1994

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T15N, R3W
Sec. 10

AG7-285
AG7-286

35521

un

MADE
BY
JAN 1964

Water Right Number - 67-00285

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***

GIBSON

W. H.

1 -
2 -
3 -City- State- Zip-
Phone -+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
05/01/1894 14 D - DECREED

+ - - Source - - - - - + + - - - - - Tributary - - - - - WEISER RIVER

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +

+ - - - - - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume - - - - - +

01 - IRRIGATION

0.050

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.050

+ - - - - - - - - - - - - - - - Place of Use - - - - - Description County - - - - - +

15N 03W 10 NW NE 01 IRRIGATION 87 WASHINGTON
15N 03W 10 SW NE 01 IRRIGATION 87 WASHINGTON

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - - - Remarks - - - - - Remarks found. - - - - - +

+ - - - - - - - - - - - - - - - Old Water Right Numbers - - - - - No Old Water Right Numbers found. - - - - - +

+ - - - - - - - - - - - - - - - Conditions of Approval - - - - - No Conditions of Approval found. - - - - - +

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
JOHN T. MUIR WILLIAM ALLISON 06/20/1921MICROFILMED
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Water right number - 67-00285 Adj. flag translation: Standard Water Right Number

+ - - Audit Fields - 04/01/85 05/01/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

| | | | | | |
|------------------|--------------|------------------|--------------|------------------|------|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - P |
| Start Work Date | - 00/00/0000 | Verified Date | - 04/01/1985 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - 67 |
| Licensed Date | - 00/00/0000 | Appl Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 06/20/1921 | Presumption Flag | - | | |

Microfilm Roll Number -

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