

**STARTING
LEFT
SIDE OF
FILE**

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 67-721C
Date Received: 10/17/1989
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

BRAD L QUAID Phone: (208) 549-8342

1240 MONRE CK RD
WEISER ID USA 83672

STAR L QUAID Phone: (208) 549-8342

1240 MONRE CK RD
WEISER ID USA 83672

2. Date of Priority: 04/01/1880

3. Source: MONROE CREEK , MONROE CREEK Trib. to: WEISER RIVER , WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
12N	05W	34	SE	SE	NW	WASHINGTON	
12N	05W	27		NE	NW	WASHINGTON	

5. Description of diverting works:

HEADGATE & GRAVITY DITCH; PUMP, PIPELINE, AND SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.046	10.4
STOCKWATER	1/01	12/31	0.005	0.07

7. Total Quantity Appropriated is:
0.051 C.F.S. and/or 10.47 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12N	05W	34	SE	NW	IRRIGATION	1
			NE	SW	IRRIGATION	3
					Section Acres	4
					Total Acres	4

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:

Ownership changed per claimant request (csaxton 3-14-05).

THE TOTAL AMOUNT OF WATER DIVERTED USING THIS RT. AND RT.
67-0720C SHALL NOT EXCEED 0.8 CFS OR 180 AF/YR.
OWNERSHIP CHANGED BY LH 6/27/94.
OWNERSHIP CHANGED BY LH 9/22/97.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

March 14, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BRAD L QUAID
STAR L QUAID
1240 MONRE CK RD
WEISER ID 83672

Re: Notice of Claim to a Water Right No. 67-00720C and 67-00271C

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure(s)

RECEIVED
SEP - 3 1997
WATER RESOURCES
WESTERN REGION

IDAHO HOMES AND LAND
700 EAST COMMERCIAL
WEISER, ID 83672
1-208-549-0268

SEPT 2, 1997

JAN SHURTE
IDAHO DEPT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE, ID 83705-5082

DEAR JAN:

PLEASE FIND ENCLOSED THE CHANGE IN OWNERSHIP PAPERS ON THE PALLIS
PROPERTY ON DEVIL'S ELBOW ROAD NORTH OF WEISER. THE THIRD PARCEL BESIDES
BIDDINGER'S AND SHEELEY'S NOW BELONGS TO BRAD AND MORNINGSTAR QUADE
AT THE FOLLOWING ADDRESS: 1240 MONROE CREEK RD, WEISER, ID 83672. THEY SHOULD
HAVE 5 IRRIGATED ACRES IN THE SENW AND NESW OF SEC 34 T12NR5W. PLEASE CALL
ME WITH ANY QUESTIONS. THANK YOU AGAIN FOR ALL YOUR HELP!!

SINCERELY,



GILBERT BALL

IDAHO HOMES AND LAND

00720 B - IRR.
.25 CFS $\frac{1}{2}$ 56 AF₄₅
SW NE - 16 AC
RD - SENW 5.34
STOCKWATER IS
UP TO
.015 CFS - 20 HD.
x .28 AF
TOTAL CFS = .265
TOTAL AF = 56.23
AF

00721 B - IRR.
.184 CFS $\frac{1}{2}$ 41.6 AF
SW NE - 16 AC
RD SENW 5.34
STOCKWATER -
.015 CFS x .28 AF
20 HD.
TOTAL CFS = .199 CFS
AF = 41.9 AF

IDAHO DEPARTMENT OF WATER RESOURCES

MAR 08 1999

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

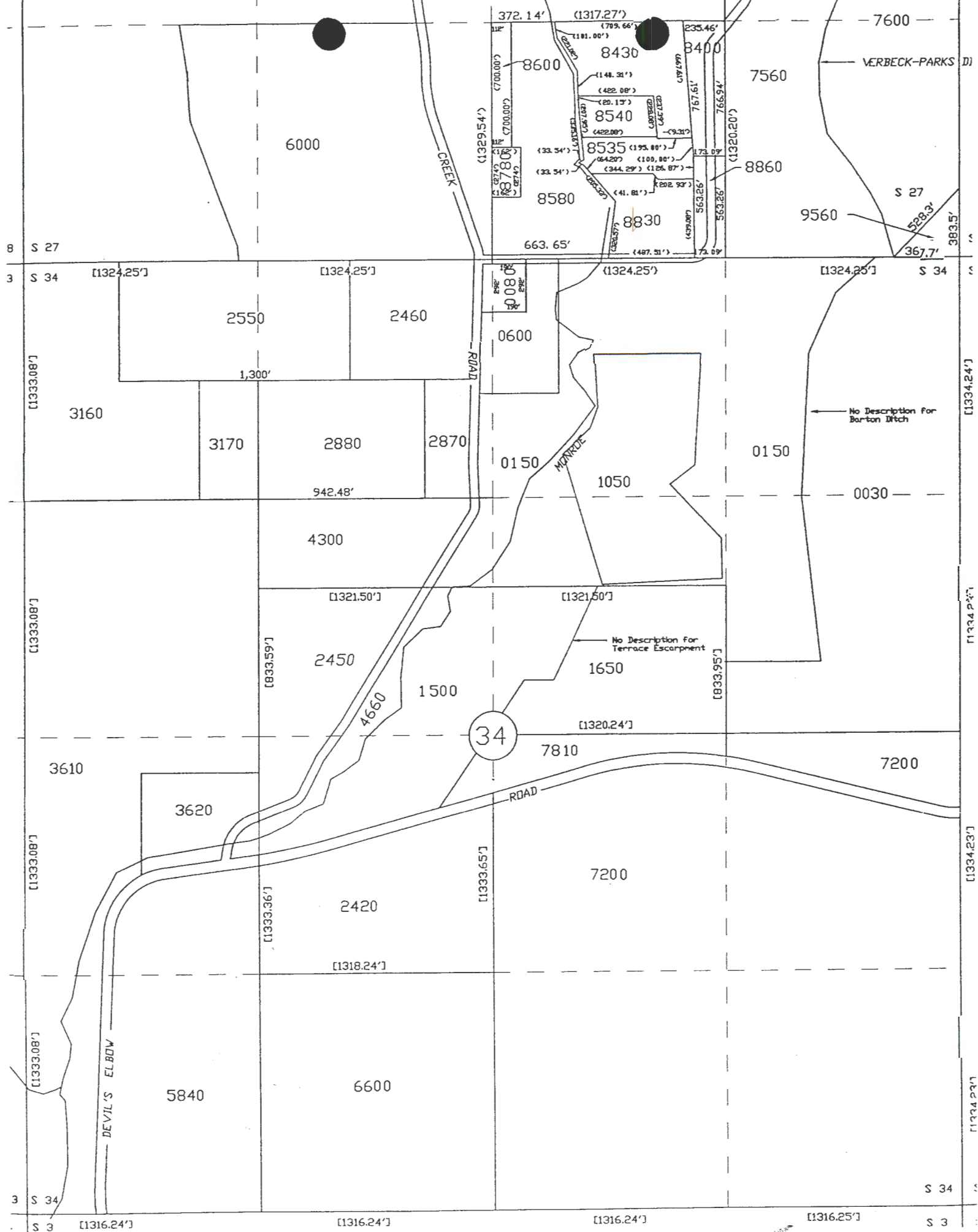
Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

MAR 09 1999

WATER RESOURCES
WESTERN REGION

1. Water Right Number(s) _____
Adjudication Claim Number(s) A67-00720C A67-00721C
2. The following **REQUIRED** information must be submitted with this form. *OK to change CS 3-14-05*
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) WILLIAM T. PALLIS
1240 MONROE CREEK ROAD, WEISER, ID 83672
4. New Owner/Claimant(s) BRAD L. QUAID AND STAR L. QUAID
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address 1240 MONRE CREEK ROAD
City, State and ZIP Code WEISER, ID 83672
New Telephone Number (208) 549-8342
5. Date you acquired the property 8/18/97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated 4 Number and type of stock 5 HORSES = COWS
Diversion rate in CFS .12 Number of homes 1 Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Brad L. Quaid Date 8-18-97
Star L. Quaid Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



WARRANTY DEED

For Value Received

WILLIAM T. PALLIS, a single person

The grantor, do es hereby grant, bargain, sell and convey unto
BRAD L. QUAID AND STAR L. QUAID, husband and wifethe grantee s, whose current address is
1240 MONROE CREEK ROAD, WEISER, ID 83672

the following described premises, in WASHINGTON County Idaho, to-wit:

The South 868.52 feet of the SE~~1~~⁴SW~~4~~⁴ of Section 34, Township 12 North, Range 5 West of the Boise Meridian, Washington County, Idaho lying westerly of the center of Monroe Creek and Easterly of Monroe Creek Road; SUBJECT to a 12 foot wide ingress-egress and utility easement along the North boundary which Grantor reserves;

AND

All that portion of the NE~~1~~⁴SW~~4~~⁴ of Sec. 34, Twp. 12 N., R. 5 W., B.M., Washington County, Idaho lying Westerly of the center of Monroe Creek and Easterly of Monroe Creek Road;

AND

All that portion of the NW~~1~~⁴SW~~4~~⁴ of Sec. 34, Twp. 12 N., R. 5 W., B.M., Washington County, Idaho lying Northwesterly of the center of Monroe Creek and Easterly of Monroe Creek Road as the same now crosses said NW~~1~~⁴SW~~4~~⁴.

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s their heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantee s, that he is the owner in fee simple of said premises; that they are free from all incumbrances

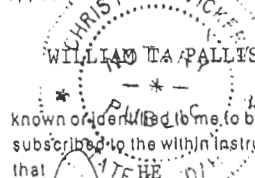
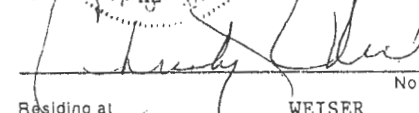
and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: AUGUST 18, 1997



WILLIAM T. PALLIS

STATE OF IDAHO, COUNTY OF WASHINGTON
On this 18th day of AUGUST, 1997,
before me, a notary public in and for the said State, personally
appeared


known or certified to me to be the person whose name
subscribed to the within instrument, and acknowledged to me
that  executed the same.

Residing at
Comm. Expires

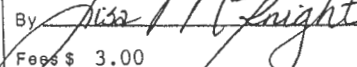
WEISER
11/4/97

Notary Public

STATE OF IDAHO, COUNTY OF WASHINGTON
I hereby certify that this instrument was filed for record at the
request of WEISER VALLEY TITLE

at 45 minutes past FIFTEEN o'clock P.M.,
this 18TH day of AUGUST
19 97, in my office, and duly recorded in ~~86XX~~
~~XX~~ Deeds ~~XXXXXX~~ BY #170304

SHARON WIDNER
Ex. Officio Recorder

By  Deputy
Fees \$ 3.00
Mail to: WEISER VALLEY TITLE

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

INSTRUMENT NO.

WEISER VALLEY TITLE, INC.

1/18/99

BRAD & STAR QUAID
1240 MONROE CREEK ROAD
WEISER, ID 83672

RE: WATER RIGHTS

DEAR BRAD:

I CALLED AND TALKED TO MR. STAN WHITING, SECRETARY OF MONROE CREEK IRRIGATION. HE INFORMED ME THAT YOUR AREA IS PAST THE MONROE CREEK DISTRICT AND THERE WERE NEVER ANY SHARES FOR THE PROPERTY NORTH OF DEVILS ELBOW ROAD.

PLEASE FIND ENCLOSED A NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP FORM FOR YOU TO MAIL IN TO THE IDWR (ADDRESS HI-LITED ON BACK OF FORM). IF THERE IS OR WAS A WELL ON THE PROPERTY, THIS SHOULD TRANSFER TO YOU. IF NOTHING HAS BEEN FILED CONTACT THE IDWR AND THEY CAN HELP YOU FILE FOR YOUR WATER RIGHTS.

PLEASE CALL IF YOU HAVE ANY FURTHER QUESTIONS.

SINCERELY,

CHRISTY L. VICKERS
ESCROW OFFICER

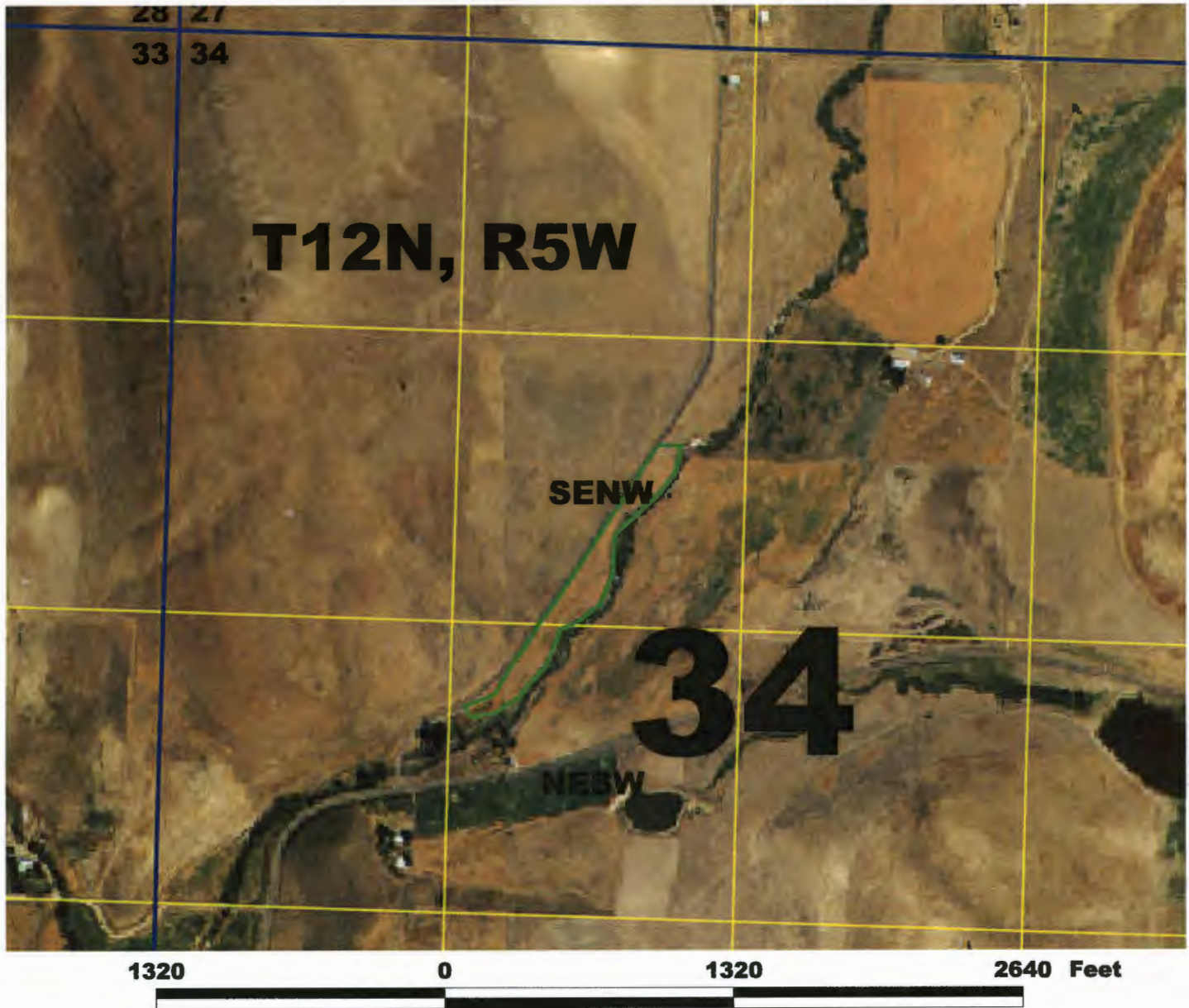
encl.

P.O. Box 591
128 East Main
Weiser, Idaho 83672
(208) 549-1792
Fax 208-549-1794



State of Idaho

**Change of Ownership
Phallis to Quaid
67-00720C & 67-00721C**



-  **Point of Diversion**
-  **Claimed POU**
-  **Rec POU**
-  **Tax Lot Data**
-  **Quarter Quarter Lines**
-  **Section Lines**

Acreage Claimed: 4.0 ac



**Prepared By: Craig L. Saxton
Date: March 2005**

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 67-720C
Date Received: 10/17/1989
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

WILLIAM T PALLIS Phone: (208)549-2180
1240 MONROE CREEK RD
WEISER ID USA 83672

2. Date of Priority: 04/01/1888

3. Source: MONROE CREEK , MONROE CREEK Trib. to: WEISER RIVER , WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12N	05W	34	SE NW	WASHINGTON	
12N	05W	22	SE SW	WASHINGTON	

5. Description of diverting works:

PUMP & SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.06	13.54
STOCKWATER	1/01	12/31	0.005	0.07

7. Total Quantity Appropriated is:
0.06 C.F.S. and/or 13.54 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

12N	05W	34	SE	NW	IRRIGATION	1
			NE	SW	IRRIGATION	3
					Section Acres	4
					Total Acres	4

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:

THE TOTAL AMOUNT OF WATER DIVERTED USING THIS RT. AND RT.
 67-0721C SHALL NOT EXCEED 0.8 CFS OR 180 AF/YR.
 OWNERSHIP CHANGED BY LH 6/27/94.
 OWNERSHIP CHANGED BY LH 9/22/97.

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): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
 County of _____)

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

**STARTING
RIGHT
SIDE OF
FILE**

11/14/2006

NOTICE OF ERROR
REPLY

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

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

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

Water right number: 67-720C

STAR L QUAID
1240 MONRE CK RD
WEISER ID 83672
Telephone Number: (208) 549-8342

BRAD L QUAID
1240 MONRE CK RD
WEISER ID 83672
Telephone Number: (208) 549-8342

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 12-9-06

SIGNATURE: Brad Quaid

Please print your name: BRAD QUAID

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

SCANNED
DEC 13 2006

11/21/2006

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

RIGHT NUMBER: 67-720C

NAME AND ADDRESS: STAR L QUAID
1240 MONRE CK RD
WEISER ID 83672

BRAD L QUAID
1240 MONRE CK RD
WEISER ID 83672

SOURCE: MONROE CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.051 CFS
~~11.100~~ AFY **10.47**

Right Nos. 67-720C and 67-721C are limited to a total combined annual diversion volume of 18.0 AF. *for Irr. purposes*

PRIORITY DATE: 04/01/1888

POINT OF DIVERSION:

T12N R05W S22 SESW Within WASHINGTON County

T12N R05W S34 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.005 CFS 0.70 AFY 0.07
IRRIGATION	03/15 11/15	0.046 CFS 10.40 AFY

PLACE OF USE: IRRIGATION in WASHINGTON County

T12N R05W S34 SENW 2.70 T12N R05W S34 NESW 1.30

STOCKWATER same as IRRIGATION

4 ACRES TOTAL

Right Nos. 67-720C and 67-721C are limited to the irrigation of a combined total of 4.0 acres in a single irrigation season.

This right is limited to the irrigation of 2.3 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

Stockwater use is for 5 head.

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



Idaho Department of Water Resources

SRBA Recommendation:

67-720C

(Irrigation)

Legend

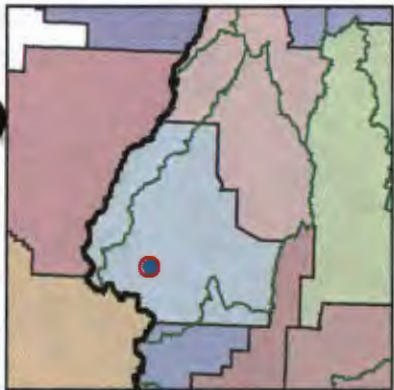
⊙ **Point of Diversion**

□ **Place of Use**

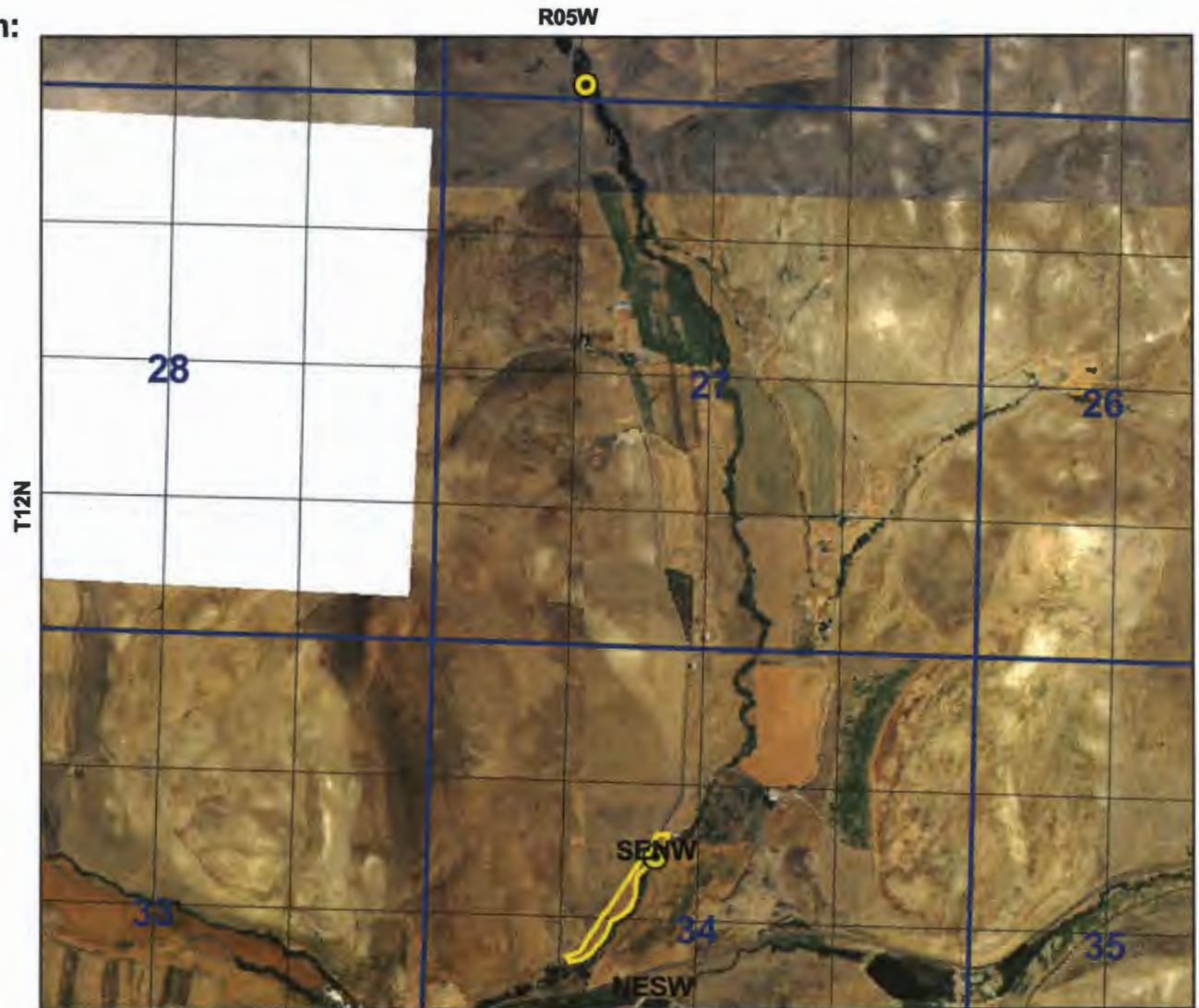
□ **Townships**

□ **PLS Sections**

□ **Quarter Quarters**



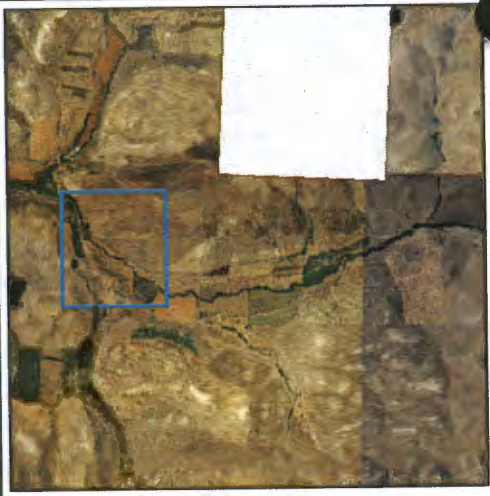
Washington County
IDWR Basin 67



0 0.7 1.4 Miles

Prepared by IDWR State Office
On Tuesday, November 21, 2006
1987/88 Aerial Photography

67-720C



Adjudication Recommendation Report 67-720C V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BUDDY R ALLEN 1240 MONROE CREEK RD WEISER, ID 83672
Original Owner	WILLIAM T PALLIS 1240 MONROE CREEK RD WEISER, ID 83672 (208)549-2180
Current Owner	STAR L QUAID 1240 MONRE CK RD WEISER, ID 83672 (208) 549-8342
Original Owner	BARBARA ANN ALLEN 1240 MONROE CREEK RD WEISER, ID 83672
Original Owner	JOSEPH W SUMRALL SR 1240 MONROE CREEK RD WEISER, ID 83672 (208)549-2664
Current Owner	BRAD L QUAID 1240 MONRE CK RD WEISER, ID 83672 (208) 549-8342

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.005 CFS	0.70 AF 0.07
IRRIGATION	03/15 to 11/15	0.046 CFS	10.40 AF
	<u>Total Diversion:</u>	0.051 CFS	11.10 AF 10.47

<u>Location of Point(s) of Diversion</u>		
MONROE CREEK WASHINGTON County	SE1/4SW1/4	Sec. 22, Twp 12N, Rge 05W, B.M.
MONROE CREEK WASHINGTON County	SE1/4NW1/4	Sec. 34, Twp 12N, Rge 05W, B.M.

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-720C V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12N 05W 34								2.7	1.3								4.0

Total Acres: 4

STOCKWATER same as IRRIGATIONConditions of Approval:

1. X02 Stockwater use is for 5 head.
2. E53 Right Nos. 67-720C and 67-721C are limited to a total combined annual diversion volume of 18.0 AF.
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.
4. E55 Right Nos. 67-720C and 67-721C are limited to the irrigation of a combined total of 4.0 acres in a single irrigation season.
5. K06 This right is limited to the irrigation of 2.3 acres within the place of use described above in a single irrigation season.
6. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Remarks:Comments:

1. dnarsavage 5/15/2006 Disallowal

Comment: It appears that the ditch on the west side of Monroe Creek in this vicinity was decreed an 1884 priority date. The lower ditch on the east side of the creek has an 1880 priority date, and the upper ditch on the east side (AKA Barton Feeder) has an 1888 priority. Based on this observation, it appears to me that 67-721 was decreed out of the lower ditch on the east side of the creek, and that 67-720 was decreed out of the Barton Feeder. This claim claims irrigation on the west side of the creek, and I can find no decreed right there in this QQ.

2. csaxton 11/21/2006 Afa

Comment: Decreed at 4.5 af per acre

3. csaxton 11/21/2006 No cfs limit

Comment: No diversion rate limit was added to this right and 67-721C because since the recommended acreage is less than 5 acres, can recommend 1.5 inches per acre.

4. csaxton 11/21/2006 change in POD

Comment: Recommended POD is different than decreed.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-720C V1

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	5/15/2006 10:00:08 AM	dnarsavage			Active
Summary			05/15/2006	dnarsavage	Active
POD	5/15/2006 10:02:36 AM	dnarsavage			Active
POU	5/15/2006 10:02:38 AM	dnarsavage			Active
Season	5/15/2006 10:02:38 AM	dnarsavage			Active
Source	5/15/2006 10:02:38 AM	dnarsavage			Active
Use	5/15/2006 10:02:38 AM	dnarsavage			Active
Quantity	5/15/2006 10:02:39 AM	dnarsavage			Active
Summary			11/21/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	11/21/2006 8:24:35 AM	csaxton	Updated PLS for Active POU
POD	11/21/2006 8:47:31 AM	csaxton	Updated shape
POD	11/21/2006 8:48:52 AM	csaxton	Updated PLS
POD	11/21/2006 8:49:32 AM	csaxton	Updated shape
POU	11/21/2006 8:26:02 AM	csaxton	Updated PLS for Active POU
POD	11/21/2006 8:46:15 AM	csaxton	Updated shape
POD	11/21/2006 8:46:28 AM	csaxton	Updated PLS
POD	11/21/2006 8:47:41 AM	csaxton	Updated PLS
POD	11/21/2006 8:48:43 AM	csaxton	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-720C V1

POD	11/21/2006 8:49:40 AM	csaxton	Updated PLS
POU	11/21/2006 8:24:26 AM	csaxton	Updated shape for Active POU
Summary	11/21/2006 8:55:01 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
General	5/15/2006 10:00:08 AM	dnarsavage	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	5/15/2006 10:02:36 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License?
POU	5/15/2006 10:02:38 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License?
Source	5/15/2006 10:02:38 AM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License?
Use	5/15/2006 10:02:39 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License?
Season	5/15/2006 10:02:39 AM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License?
Quantity	5/15/2006 10:02:39 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-720C V1

Summary	5/15/2006 10:01:00 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
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Water Supply Bank:

PROPOSED FINDING OF WATER RIGHTS - MONROE CREEK DRAINAGE

SURFACE WATER

IDENT. NO.	NAME AND ADDRESS	PRIORITY	PURPOSE	PERIOD OF USE FROM - TO	AMOUNT ACRE FEET PER ANNUM	MAXIMUM RATE OF DIVERSION (cfs)	POINT OF DIVERSION	PLACE OF USE AND LANDS IRRIGATED (acres)	BASIS OF RIGHT AND REMARKS
67-0720	SUMRALL, Joseph W., Sr. Route 2, Box 149 Weiser, Idaho	4- 1-1888	Stockwater	1/1 12/31	0.7	0.04	SE $\frac{1}{4}$ SE $\frac{1}{4}$, S.22 T12N, R5W	Sec. 34 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 18.0	Beneficial Use 50 Head Stock
		4- 1-1888	Irrigation	3/15 11/15	140.0	0.62	Same as above	SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3.0	Source: Monroe Creek
					140.7	0.66		NE $\frac{1}{4}$ SW $\frac{1}{4}$ 10.0 T12N, R5W	
								31.0	
		The total amount of water diverted using this right and right 67-0721 shall not exceed 0.8 cfs or 180 AF/year.							
67-0721	SUMRALL, Joseph W., Sr. Route 2, Box 149 Weiser, Idaho	4- 1-1880	Stockwater	1/1 12/31	0.7	0.04	NE $\frac{1}{4}$ NW $\frac{1}{4}$, S.27 T12N, R5W	Sec. 34 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 10.0	Beneficial Use 50 Head Stock
		4- 1-1880	Irrigation	3/15 11/15	104.0	0.46	Same as above	SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3.0	Source: Monroe Creek
					104.7	0.50		NE $\frac{1}{4}$ SW $\frac{1}{4}$ 10.0 T12N, RW	
								23.0	
		The total amount of water diverted using this right and right 67-0720 shall not exceed 0.8 cfs or 180 AF/year.							
67-7240	THORSON, Freeland and/or Diana Route 2 Weiser, Idaho	3-10-1975	Stockwater	1/1 12/31	20.0		NE $\frac{1}{4}$ NW $\frac{1}{4}$, S.12 T13N, R6W	Sec. 1 SE $\frac{1}{4}$ SW $\frac{1}{4}$	Permit 100 Head Stock
		3-10-1975	Fish and Wildlife	1/1 12/31	20.0 20.0			Sec. 12 NE $\frac{1}{4}$ NW $\frac{1}{4}$ T13N, R6W	Dam and Pond Source: Monroe Creek

JUL 24 1996

Split history for Decreed Right 67-00720

WR History

67-00720	Sumrall Sr.
irr cfs	0.62
ac	31
irr af	140
stock cfs	0.04
stock af	0.7

Rate per acre = 0.02
Vol per acre = 4.52

Claim History

67-00720	Phallis*
irr cfs	0.62
ac	31
irr af	140
stock cfs	0.04
stock af	0.7

67-00720A	Sheely
irr cfs	0.31
ac	20
irr af	70
stock cfs	0.02
stock af	0.35

67-00720B	Biddinger
irr cfs	0.25
ac	16
irr af	65
stock cfs	0.015
stock af	0.28

67-00720C	Quaid
irr cfs	0.046
ac	4
irr af	10.4
stock cfs	0.005
stock af	0.07

Sum CFS =	0.606
Sum Acre=	40
Sum AF =	145.4
Sum St cfs=	0.04
Sum St af =	0.7

Extra CFS =	0.014
Extra Acre=	-9
Extra AF =	-5.4
Extra St cfs =	0
Extra AF =	0

67-00720A	Sheely
irr cfs	0.31
ac	15.5
irr af	70
stock cfs	0.02
stock af	0.35

67-00720B	Biddinger
irr cfs	0.25
ac	12.5
irr af	56.5
stock cfs	0.015
stock af	0.28

67-00720C	Quaid
irr cfs	0.046
ac	2.3
irr af	10.4
stock cfs	0.005
stock af	0.07

Sum CFS =	0.606
Sum Acre=	38.3
Sum AF =	136.83871
Sum St cfs=	0.04
Sum St af =	0.7

Extra CFS =	0.014
Extra Acre=	0.7
Extra AF =	3.16129032
Extra St cfs =	0
Extra AF =	0

* Original claim filed by Sumrall Sr, then c/o to Allen, then c/o to Phallis

Last updated 11-20-06 (csaxton)

For digital copy of Excel spreadsheet file: See Craig L. Saxton

Adjudication Recommendation Report 67-720C V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BUDDY R ALLEN 1240 MONROE CREEK RD WEISER, ID 83672
Original Owner	WILLIAM T PALLIS 1240 MONROE CREEK RD WEISER, ID 83672 (208)549-2180
Current Owner	STAR L QUAID 1240 MONRE CK RD WEISER, ID 83672 (208) 549-8342
Original Owner	BARBARA ANN ALLEN 1240 MONROE CREEK RD WEISER, ID 83672
Original Owner	JOSEPH W SUMRALL SR 1240 MONROE CREEK RD WEISER, ID 83672 (208)549-2664
Current Owner	BRAD L QUAID 1240 MONRE CK RD WEISER, ID 83672 (208) 549-8342

Before Prelim
Report is on
Longer Valid

Basis: Decreed

Status: Disallowed

Tributary

WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.005 CFS	0.07 AF
IRRIGATION	3/15 to 11/15	0.060 CFS	13.54 AF
	Total Diversion:	0.060 CFS	13.54 AF

MONROE CREEK WASHINGTON County	SE1/4NW1/4	Sec. 34, Twp 12N, Rge 05W, B.M.
MONROE CREEK WASHINGTON County	SE1/4SW1/4	Sec. 22, Twp 12N, Rge 05W, B.M.

IRRIGATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-720C V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
12N 05W 34								1.0	3.0								4.0

Total Acres: 4

STOCKWATER same as IRRIGATIONConditions of Approval:

1. P11 No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

Remarks:Comments:

1. dnarsavage 5/15/2006 Disallowal

Comment: It appears that the ditch on the west side of Monroe Creek in this vicinity was decreed an 1884 priority date. The lower ditch on the east side of the creek has an 1880 priority date, and the upper ditch on the east side (AKA Barton Feeder) has an 1888 priority. Based on this observation, it appears to me that 67-721 was decreed out of the lower ditch on the east side of the creek, and that 67-720 was decreed out of the Barton Feeder. This claim claims irrigation on the west side of the creek, and I can find no decreed right there in this QQ.

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:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	5/15/2006 10:00:08 AM	dnarsavage			Disallowed
Summary			05/15/2006	dnarsavage	Disallowed

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-720C V1

General	5/15/2006 10:00:08 AM	dnarsavage	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Summary	5/15/2006 10:01:00 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

CONVERSATIONAL MEMORANDUM

Date: March 22, 2005

To: File

From: Craig L. Saxton

Subject: Call From Star Quaid regarding 67-00720C and 67-00721C

I received a call from Star Quaid at about 9:00 am regarding the letter we sent to her on March 4, 2005. She was just confused with why she was getting notified that the water rights 67-00720C and 67-00721C were now in her name since the change of ownership was submitted in 1997.

I explained that the files were backlogged and we are just now getting to the point of cleaning up the records. I explained that the letter was just to ensure her that the claims are in their (her and her husband) name as requested in 1997.

I also explained the Adjudication process and that we will be reviewing the claims for recommendation to the SRBA court. I told her that contractors employed by IDWR may be contacting her in the future for a field exam if necessary and I would get a hold of her if any questions/problems arose.

MEMORANDUM

September 8, 1997

TO: CLAIM FILE NOS. A67-00720 & A67-00721

FROM: JAN SHURTE

RE: CHANGE OF OWNERSHIP SPLITS

Due to a phone conversation concerning a split on the above two and there is a change of ownership pending now plus two more to come in. Since I now know how the split has been split and have recently received the second head and reviewed the claims to see how to split come up with the fact that the two water rights are limited to .80 cfs & 180 af when they are combined. Monroe Ck decree was issued at 1" per acre and therefore, the acres are limited to 40. One right and another covers 23 acres. I am assuming that the acres between these two, however, the total at that time was 40. So, I have done the split of 40 acres.

1st order required 20 acres of the original rights. In order to determine the amount of cfs per each right (they both have different amounts of acres - and divided that by the total number of acres decreed on each right which then gave me the percentage of total acres decreed under each right. I then multiplied that percentage times the total acquired. This gave me the percentage of the total acquired which applied to that decreed number of acres. This was then multiplied by the .02 cfs per acre per the Monroe Creek decree. The splits are as follows:

A67-00720A - .31 cfs calculated taking the number of acres decreed divided by the total acres irrigated at that time = $31 \div 40 = .775$
X the 20 acres acquired = 15.5 acres to be covered at .02 cfs per acre for .31 cfs, $\$ 4.5AF/AC$ OR 70.0 AF $\$ 3.5 AF/AC$ CONW. USE OR 34.25 AF.

A67-00721A - .23 cfs calculated using the same calculation above with 23 acres $\div 40 = .575$ = 11.5 acres to be covered at .02 cfs per acre OR 52 AF $\$ 3.5 AF/AC$ CONW USE = 10.25 AF. (51.75 AF)

These two rights when they are combined to 20 acres, .40 cfs and 90

2nd split - Bidding of the original rights. Based on the above it is as follows:

00721C
REMAINDER:
.046 CFS + 10.4 AF
IRRIG.
STOCK - .005 CFS
X .07 AF - 5 HD
SE NW - 1 AC
NE SW - 3 AC
Both PD'S
TOTAL CFS - .051
AF - 10.47

00720C -
REMAINDER:
IRRIG.
.06 CFS + 13.54 AF
STOCK WATER
.005 CFS + .07 AF
AC - SE NW
3 AC - NE SW
PD'S

$\$ 4.5AF/AC$
AM

A67-00720B - .25 cfs calculated using $.775 \times 16 \text{ acres} = 12.4 \text{ acres}$ to be covered at .02 cfs per acre or .25 cfs.

A67-00721B - .184 cfs calculated using $.575 \times 16 \text{ acres} = 9.2 \text{ acres}$ to be covered at .02 cfs per acre or .184 cfs.

These two right would then be limited to 16 acres, .32 cfs and 72 af when they are used together.

3rd split - Not yet submitted - Quade's aquired 4 acres of the original rights. Based on the above calculation their split is:

A67-00720C - .06 cfs calculated using $.775 \times 4 \text{ acres} = 3.1 \text{ acres}$ to be covered at .02 cfs per acre or .06 cfs.

A67-00721C - .046 cfs calculated using $.575 \times 4 \text{ acres} = 2.3 \text{ acres}$ to be covered at .02 cfs per acre or .046 cfs.

These two right would then be limited to 4 acres, .08 cfs and 18 af when they are used together.

Totals:

A67-00720A	- .31 cfs	- 20 acres
A67-00720B	- .25 ^{.18} cfs	- 16 acres
A67-00720C	- .06 cfs	- 4 acres
Total	- .62 cfs	- 40 acres

A67-00721A	- .23 cfs	- 20 acres
A67-00721B	- .184 cfs	- 16 acres
A67-00721C	- .046 cfs	- 4 acres
Total	- .46 cfs	- 40 acres

Dividing up the stockwater will be based on the percentage of cfs compared to the total. This will be divided as follows:

A67-00720A - .02 cfs for 25 hd
A67-00721A - .02 cfs for 25 hd

A67-00720B - .015 cfs for 20 hd
A67-00721B - .015 cfs for 20 hd

A67-00720C - .005 cfs for 5 hd
A67-00721C - .005 cfs for 5 hd

Totals - .04 cfs for 50 hd - 00720 right
 .04 cfs for 50 hd - 00721 right