

Memorandum

To: 61-11808

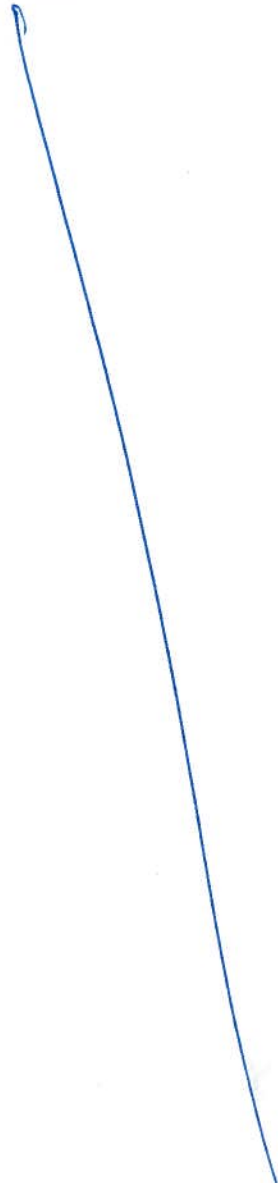
From: D. Shaff 

Date: May 22, 2000

Subject Stipulated Water Right (SF5) Description:

The recommendation record was modified to match the irrigated lands found after the Director's Report and the irrigation requirements for the diversion system. The documents related to both elements are in the legal (subcase) file today.

The record was modified to show 9.6 acres requiring .288 cfs with a savings clause (C18) condition with the Other Provisions description. The diversion volume was deleted because the source is surface water and no prior document (even the water right license 61-02113 that contributed to some confusion) placed a limit on the diversion volume.



IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: APR-27-2000

PAGE: A-1

RIGHTS FROM: SOURCE: ALKALI CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 61-11808

NAME AND ADDRESS: EMILY MEADOW
KATHY K MEADOW
PO BOX 893
MOUNTAIN HOME ID 83647BRADLEY D RUMSEY
KATHY K RUMSEY
RR 1 BOX 261
GLENNS FERRY ID 83623-9762

SOURCE: ALKALI CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.29 CFS
~~0.174~~ CFS
38.4 AFY
~~2810~~ AFY

PRIORITY DATE: 03/01/1947

POINT OF DIVERSION: T05S R09E S27 NENWSE Within ELMORE County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATIONPERIOD OF USE
03-15 11-15QUANTITY
0.288 CFS
~~0.174~~ CFS
38.4 AFY
~~2810~~ AFY

PLACE OF USE: IRRIGATION Within ELMORE County

T05S R09E S27

NWSE 9.6
NWSE 79.6 ACRES TOTAL
7 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 61:WATER RIGHT NO. SOURCE
NONE NONE

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: APR-27-2000

PAGE: A-2

61-11808 (CONT.)

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE ✓

In Re SRBA) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS
Case No. 39576)
) Water Right 61-11808
)

X	Change of Address
_	Substitution of Party
_	I.C. 42-222 Transfer

The Claimant has filed Objections or Responses to the following water rights: 61-11808

PAGE 1

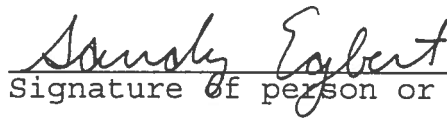
CERTIFICATE OF MAILING

I certify that on 4-25-00 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Each party in the subcase, or attorney of record:

BRADLEY D RUMSEY
KATHY K RUMSEY
RR 1 BOX 261
GLENNS FERRY ID 83623-9762

CHARLES L HONSINGER
RINGERT CLARK
PO BOX 2773
BOISE ID 93701
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: APR-25-2000
PAGE: A-1

RIGHTS FROM: SOURCE: ALKALI CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 61-11808
NAME & ADDRESS: BRADLEY D RUMSEY
KATHY K RUMSEY
RR 1 BOX 261
GLENN'S FERRY ID 83623-9762
SOURCE: ALKALI CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 0.14 CFS
28.0 AFY
PRIORITY DATE: 03/01/1947
POINT OF DIVERSION: T05S R09E S27 NENWSE Within ELMORE County
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 03-15 11-15 0.14 CFS
28.0 AFY
PLACE OF USE: IRRIGATION Within ELMORE County
T05S R09E S27 NWSE 7
7 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 61:

WATER RIGHT NO. SOURCE
NONE NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO. SOURCE
NONE NONE

ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

AJ0749NP
No. 61-11808

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

DATE: 05/13/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD		DIVERSION RATE	DIVERSION VOLUME
				FROM	TO		
C	BRAD RUMSEY	03/01/1947	IRRIGATION	03-15	11-15	0.14 CFS	28.00 AFA
C	KATHY RUMSEY						
D	EMIL NEJDL						
	PO BOX 893						
	MOUNTAIN HOME ID 83647						
	(208) 366-2426						
TOTAL DIVERSION:						0.14 CFS	28.00 AFA

D BRADLEY D RUMSEY
D KATHY K RUMSEY
RR 1 BOX 261
GLENN'S FERRY ID 836239762
(208) 366-2426

D LOIS L NEJDL
PO BOX 893
MOUNTAIN HOME ID 83647
(208) 366-2426

Water Source: ALKALI CREEK

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T05S R09E S27

NEENUSE

ELMORE County

Place of use Legal Description for: IRRIGATION

	NENE	NAME	SENE	:	NENW	NMW	SNW	SEW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	SUM
05S	09E	27	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	7.0
TOTAL ACRES																				7.0	

POU County: ELMORE

Other Rights: NONE

Other Water Rights With Same Point(s) of Diversion with Stage (Includes All Sources):
61-10082 61-11822 A61-10082 A61-11808 A61-11822

Other Water Rights Listing Overlapping Place(s) of Use:
A37-04,112 A61-02113 A61-11808 R61-02113

Conditions of Approval:

- C15 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 61:
- WATER RIGHT NO. SOURCE
- NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER

AJ0749NP
No. 61-11808

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

DATE: 05/13/99
PAGE: 2

Conditions of Approval:

- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

Dates: Exam Made Date: 05/25/1995 Verified Date: Objection Filed Date:

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

Comments:

Date: 11/15/1996 User-ID: MMINICUC Subject: ACRES
REC'D ACRES ARE BASED ON FIELD EXAM & ASCS MAP DRAWN WHEN NEW
SYSTEM WAS INSTALLED IN 1995 (INCLUDES LAWN & GARDEN BY THE HOUSE
Date: 11/15/1996 User-ID: MMINICUC Subject: COPIED FROM REMARKS
THIS CLAIM HAS BEEN AMENDED TO CORRECT THE PLACE OF USE. THE
POU WAS DATA ENTERED INCORRECTLY WHEN THE CLAIM WAS CREATED.
11/21/1995 MM.

Date: 11/22/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C15 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 12/31/1998 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Date: 05/13/1999 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Date: 05/13/1999 User-ID: DBUFFING Subject: ADDITIONAL PHONE NUMBER
CLAIMANT LISTED 2ND PHONE NUMBER: (208) 587-4237.

Audit: 05/13/99 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

May 17, 1999

PHILIP E. BATT
GOVERNOR
KARL J. DREHER
DIRECTOR

RE: Water Right No. 61-11808

BRAD RUMSEY
KATHY RUMSEY
PO BOX 893
MOUNTAIN HOME ID 83647

Dear Property Owners:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Please note, the ownership has also been changed on water right numbers 61-11822 and 61-10082, which have been decreed by the SRBA court.

Thank you for your patience and cooperation. If you have any further questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region
(208) 334-2190

DB:db

Enclosures

cc: Lois L and Emil Nejd1

DIVERSION
VOLUME

28.00 AFA

28.00 AFA

28.00 AFA

Stage: BENEFICIAL USE

ELMORE County

SUM

7.0

Other Rights: NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER

- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER

NONE

- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER

SOURCE
NONE

- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED

Objection Filed Date:

Presumption Flag:

AJ0749NP
No. R61-11808

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

DATE: 12/31/98
PAGE: 2

Comments:

Date: 11/15/1996 User-ID: MMINICUC Subject: ACRES
REC'D ACRES ARE BASED ON FIELD EXAM & ASCS MAP DRAWN WHEN NEW
SYSTEM WAS INSTALLED IN 1995 (INCLUDES LAWN & GARDEN BY THE HOUSE

Date: 11/15/1996 User-ID: MMINICUC Subject: COPIED FROM REMARKS
THIS CLAIM HAS BEEN AMENDED TO CORRECT THE PLACE OF USE. THE
POU WAS DATA ENTERED INCORRECTLY WHEN THE CLAIM WAS CREATED.
11/21/1995 MM.

Date: 11/22/1998 User-ID: AUJ10-JS Subject: AUJ10 CONDITION UPDATE
CONDITION CODE(S) C15 ADDED IF NOT ALREADY PART
OF RECORD THRU AUJ10.

Date: 12/31/1998 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit: 12/31/98 SSHERMAN



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

DEC 31 1998

Department of Water Resources

December 7, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BRADLEY D AND KATHY K RUMSEY
RR 1 BOX 261
GLENNS FERRY ID 83623-9762

RE: Snake River Basin Adjudication (SRBA)
Water Right #61-11808

*File and changed 12-31-98,
WCAAR prepared*

Dear Water Right Holders:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

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 December 18, 1998. 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 right 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 record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

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

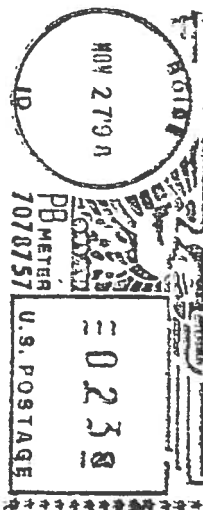
Claimant Signature

Telephone No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

PRESORTED
FIRST CLASS



R61-11808
BRADLEY D RUMSEY
KATHY K RUMSEY
PO BOX 893
MOUNTAIN HOME

ID 83647

RECEIVED
DEC 03 1998

Department of Water Resources

RUMS093 036472011 1898 00 12/01/98
RETURN TO SENDER
RUMSEY
PO BOX 893
GLENN'S FERRY ID 83623-9762

83647-0364720/0098
8364



November 20, 1998

NOTICE OF ERROR
REPLY

RECEIVED
DEC 07 1998
Department of Water Resources

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 18, 1998 **WATER RESOURCES
WESTERN REGION**

Water right number: 61-11808

BRADLEY D RUMSEY
KATHY K RUMSEY
PO BOX 893
MOUNTAIN HOME ID 83647

Daytime Telephone Number: 208-366-2426
Evening Telephone Number: 208-366-2426

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Name
Quantity
Acres
Period of Use

2. Describe the changes you wish to make in the proposed recommendation:

Emil Nejd and Loise Nejd should be deleted as I filed when we bought them out. The Names should read Bradley D Rumsey and Kathy Kay Rumsey. We should be allowed 24 CFS as our original license stated. We irrigate 12 acres not 7. Our original license had no period of use limitations. They should also continue to give us license back. One small typo and they tried to change our license

3. Give a brief explanation as to why you disagree with these portions:

I have been most co-operative from the beginning field exam throughout this process to sort out our license and every time I try to do as told by the Dept of water resources, they take away or try to minimize our water right. Our water right is the only one on Alkali creek it was a license and was included in our deed to our property. We paid for it and we use it and always have. They are trying to take our rights away and we do need this water and will file an objection in the SRBA court. I don't

I AGREE with this proposed recommendation; no changes need to be made. See why you informed me of a meeting in Mt Home AFTER the fact either meeting Nov 10 or Dec 2

DATE: _____ SIGNATURE: _____

Please print your name: _____

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

1
2

DIVERSION
VOLUME

04-01-10-311	0.14 CFS	28.00 AFA
3115-11-15	-----	-----
TOTAL DIVERSION:	0.14 CFS	28.00 AFA
CONSUMPTIVE USE:		21.00 AFA

Stage: BENEFICIAL USE

ELMORE County

TOTAL ACRES

Other Rights:

Objection Filed Date:

Field Inspection Flag:

Date: 11/15/1996 User-ID: MMINUC subject: COPIED FROM REMARKS

THIS CLAIM HAS BEEN AMENDED TO CORRECT THE PLACE OF USE. THE
POU WAS DATA ENTERED INCORRECTLY WHEN THE CLAIM WAS CREATED.
11/21/1995 MM.

Date: 11/15/1996 User-ID: MMINICUC Subject: ACRES
REC'D ACRES ARE BASED ON FIELD EXAM & ASCS MAP DRAIN WHEN NEW
SYSTEM WAS INSTALLED IN 1995 (INCLUDES LAWN & GARDEN BY THE HOUSE

Audit: 11/15/96 MMINICUC

11/15/96 MMINICUC

MR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		777 05/25/1995	N		777 11/15/1996	777 11/15/1996	
POINT OF DIV	Y			Add 10-acre				
SOURCE	Y			N				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME	Y			Y				
CONSUMPTIVE USE	-			Y				
PURPOSES OF USE	Y			N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE
777 11/15/1996

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet For

SRBA Claim Verification Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Claim Verification Report(CVR)
- ☐ Copy of Adjudication Claim
- ☒ Copies of pertinent files(prev. rts., exams, etc.)
- ☒ Well Inspection Form (If Needed)
- ☒ Copy of U.S.G.S. Quad map, orthophotoquad, or NAPP photography *ARISNE*
- ☒ Check P.D. & P.U. desc. for Govt. Lots(if a lot is found, a copy of the Govt. plat is needed to add the lot onto the R claim file later.
- ☐ Check CVR for P.D. overlap(see page titled Pt. of Div. Review Sheet)
- ☒ Check AJ & WR P/D indexes(to ck. accuracy of CVR overlap ckd. above)
- ☐ Overlap ☒ yes ☒ no If yes: ☐ copy of claims & water rights incl?
- ☐ Type of Overlap? ☐ Add acres or uses to existing system
- ☐ Increase rate of flow or volume
- ☐ Other: *Abt-10082 G.W.O.M*

- ☐ Check CVR for P.U. overlaps(see page titled Pl. of Use Review Sheet)
- ☒ Check AJ & WR P/U indexes(to ck. accuracy of CVR overlap ckd. above)
- ☐ Overlap ☒ yes ☒ no If yes: ☐ copy of claims & water rights incl?
- ☐ Type of Overlap? ☐ Increase rate of flow or volume
- ☐ Add P/D's
- ☐ Increase number of acres within tracts
- ☒ Different source for same acres *KING HILL? NO*
- ☐ Other: _____

- ☒ Appointment Letter Sent? _____ (initial & date)
- ☒ Appointment Made and Telephone Conversation Memo Attached
- ☒ After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed CVR Form
- ☒ Photographs of Point(s) of Diversion and Place of Use
- ☒ Completed map outlining Point(s) of Diversion and Place of Use

C. Review and Processing:

- Claim No. submitted for weekly exam completed prog. report? ☐ Yes ☐ No
- Exam completed date entered on claim *00 11/15/1996* (initial & date)
- Claim Verification Report completed _____ (initial & date)
- Was CVR spot-checked by Supervisor? ☐ Yes ☐ No _____ (initial & date)
- R claim file created *00 11/15/1996* _____ (initial & date)
- Recommendations entered on R claim file *00 11/15/1996* _____ (initial & date)

Adjudication Claim No.

461-02113

Nº 6075

PAGE: 1
GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A61-11808

11:29:01
11/12/96

LAST: RUMSEY
ADDRESS: PO BOX 893
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-366-2426
STATE: ID ZIP: 83647

OWNER CODE: C

LAST: RUMSEY
ADDRESS: PO BOX 893
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-366-2426
STATE: ID ZIP: 83647

OWNER CODE: C

LAST: NEJD L
ADDRESS: PO BOX 893
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-366-2426
STATE: ID ZIP: 83647

OWNER CODE: C

LAST: NEJD L
ADDRESS: PO BOX 893
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-366-2426
STATE: ID ZIP: 83647

OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
DATABASE EXAMINER
Y N()

CLAIM REMARKS: GEN THIS CLAIM HAS BEEN AMENDED TO CORRECT THE PLACE OF USE. THE
POU WAS DATA ENTERED INCORRECTLY WHEN THE CLAIM WAS CREATED.
11/21/1995 MM.

CONTACT PERSON: Mrs. Rumsey

PHONE NUMBER: (208) 366-2426

DATE OF FIELD EXAM: 05/25/1995

APPOINTMENT MADE: Y(X) N()

TIME: 11:30 A(X) P()

ACCOMPANIED BY: Claimant, K Walker

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: Same

DIRECTIONS TO PROPERTY / NOTES:

184 east to Hammer exit. Turn south to Hammer, to Train east-west
road. Turn east toward Stearns Ferry. Approximately five miles, turn
north under freeway then left down driveway past corals to house.

AA16 NW

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

NAME OF CONTACT Kathy Rumsey 366-2426

PHONE NUMBER 366-2426 ADJ. AGENT MMenicucci

DATE SET FOR EXAM Weds 10th 9:30 am.

LOCATION/DIRECTIONS 1 1/2

Hammett Exit from Freeway (#112)
W to Hammett STOP SIGN - Take left
Old Hwy 30 (Frontage Rd). 3 miles WALK in Freeway

Diverting at full rates? YES

Go underneath
freeway
(Driveway)

Type of measuring devices? _____

Places to make measurements? _____

Type of System? (pipelines, ditches) _____

How many laterals are used? _____

Length and size of mainline? _____

Size of motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler heads? _____

COMMENTS Abl-10082 GW Dam

A. AJ CLAIM: # A61-11808 PRIORITY DATE: 04-01-1947 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y() N(☒)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y() N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)

Y() N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y() N()

FIELD EXAM COMPLETED

N/A(☒) Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y() N()

LICENSE ISSUED

N/A(☒) Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?

N/A() Y(☒) N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N()

NOTES: 11/13/1996: See attach memo for discussion of priority date. ~~water~~ claim

was originally filed incorrectly on license No. 61-02113. P27

RECOMMENDED PRIORITY DATE:

04 - 01 - 1947

REVIEWED BY TT Benner

DATE 11/13/1996

IN THE MATTER OF:

Kathy Rumsey
CLAIMANT(S)

AFFIDAVIT

CLAIM # AG1 - 02113

State of Idaho
County of _____

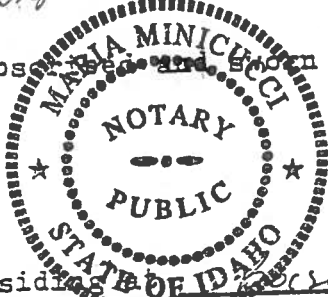
I Samuel O Blackwell being first duly sworn,

deposes and says: In 1947 my parents bought the ranch next to this property. It borders it along the east side. I moved to that property in 1956 to manage it. We ran ditches out of the unnamed stream to irrigate some of the property, all on gravity flow. In approximately 1960 or 61 my dad traded for some waste ground that had never been used for anything and we put that ground in pasture and irrigated it from the ditches we took from the unnamed stream. This land layed east of the creek and was owned by Ray Sniggie. The diversion in question ran out of the creek to the west and irrigated the ground between the creek and the house on the west side of the creek. When my father bought the property in 1947 the ditch was already there and in use.

Samuel D. Blackwell
(Signature)

(Signature)

Subscribed and sworn to before me this 7th day of Sept, 1994.



(Notary Public)

Residence Boise, Idaho
My Commission Expires 06/25/1999

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A61-11808	05S	09E	27			NW	SE		ELMORE		

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

A61-10082

NONE

61-02113

A61-11822

SOURCE: ALKALI CREEK

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM 05/25/1995) NAME OF EXAMINER D. Minicucci Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (____)

[illegible]

REVIEWED BY: TT DATE: 11/5/1996

SYSTEM DESCRIPTION: DESCRIBED BELOW (X), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

Canvax dam in creek. Pump located on bank over stilling well. Motor is Marathon Electric, Cat. NO. Z427, Model No. 1VA184TCOR7909AT L, 5 HP, Berkeley Pump, Model B1-1/2 TPM, serial NO. 172005. Pipe to sprayers (1 ~~inch~~ handling of 20 nozzles). See attached system diagram drawn by ASCS when newest delivery system was designed. 12/17



PHOTOGRAPHER AND DATE OF PHOTOS MM. Minicucci 05/25/1995

FILE NO. A61-11808 TOSS ROGE S.27 NENWSE



① Point of diversion



② Dam in stream
w/ headgate in
stream to divert
water to stillwell
& pump location.

A. ROOT WATER RIGHT NUMBERS: A61-11808

B. POU LISTING				AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
TWP	RNG	SEC	1/4 1/4 LOT NAME					
05S	09E	27	NW SE RUMSEY, BRADLEY D	A61-11808 / 12.0	- /	28.0	7.0	7.0
			NW SE NEJD, EMIL	A61-10082 /	- /			
			NW SE KING HILL IRRIGATION DISTRICT	A37-04112 / 19.1	- /			
			NW SE NEJD, LOIS L	A61-11822 /	- /			
			NW SE KNIGE, ROY	61-02113 / 2.0	A02-00214 /			
			NW SE KING HILL IRRIGATION DISTRICT		A02-00215 /			
			NW SE KING HILL IRRIGATION DISTRICT		A02-00216 /			
			NW SE KING HILL IRRIGATION DISTRICT		A02-00217 /			

ADDITIONAL POU FOUND

TOTAL ACRES	A61-11808	12.00	28.00	7.0
POU COUNTY: ELMORE				

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

Y () N (X)

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A61-11808	ALKALI CREEK	RUMSEY, BRADLEY D	0.240	0.020	48.00	4.00
A37-04112	MALAD RIVER	KING HILL IRRIGATION DISTRICT	370.000	0.032		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A61-10082	DOMESTIC	NEJD, EMIL	FROM 01-01 TO 12-31	0.020 CFS	
A61-11822	DOMESTIC STORAGE	NEJD, LOIS L	FROM 01-01 TO 12-31		1.00 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A(☒) Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(☒) N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

CHECK DOCUMENTS USED TO VERIFY POB: (X) ORTHOPHOTOQUAD, IDMR NO. A416; () TOPOGRAPHIC QUAD, IDMR NO. _____;

(X) NAPP, IDMR NO. A416; () ASCS PHOTO; () OTHER _____

NOTES: 11/15/1996: This water right was originally filed ~~as~~ as license 61-02113. A field exam conducted 08/10/1994 found that the claimed place of use was not the actual place of use although it was the licensed place of use. The license is not appurtenant to the actual irrigated acres owned by the claimants. There was a great deal of claimant contact and additional information provided to IDWR (see attachments), but the BLU exam for 61-02113 clearly shows the irrigation on the east side of the creek. The Blackwell, a former neighbor, did not remember a diversion on Alkali Creek for those acres, but from the unnamed stream tributary to Alkali. He provided an affidavit in support of this claim (A61-11808) which was filed when ~~it~~ it became apparent that the information was not available which would support changes to 61-02113 which would allow it to qualify under the amnesty statutes. Since the Blackwell was able to provide evidence of priority, the claimants decided to file a claim based on beneficial use. Recommended acres are based on measurements taken by ASCS when the current delivery system was designed. Irrigated acres include small lawns + garden by the house. See calculations on Attachment E, Copy 2.

RECOMMENDATIONS:

TOTAL ACRES: 7.0 N/A ()

REVIEWED BY: [Signature] DATE: 11/15/1996

WATER RESOURCES

T05S, R09E, S 27
Claimant(s): Rumsey
Claim No(s): 61-11808
Prepared by: Sue Bock
Date: 09/23/1998



Place of Use



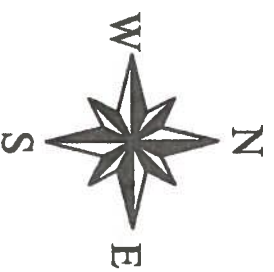
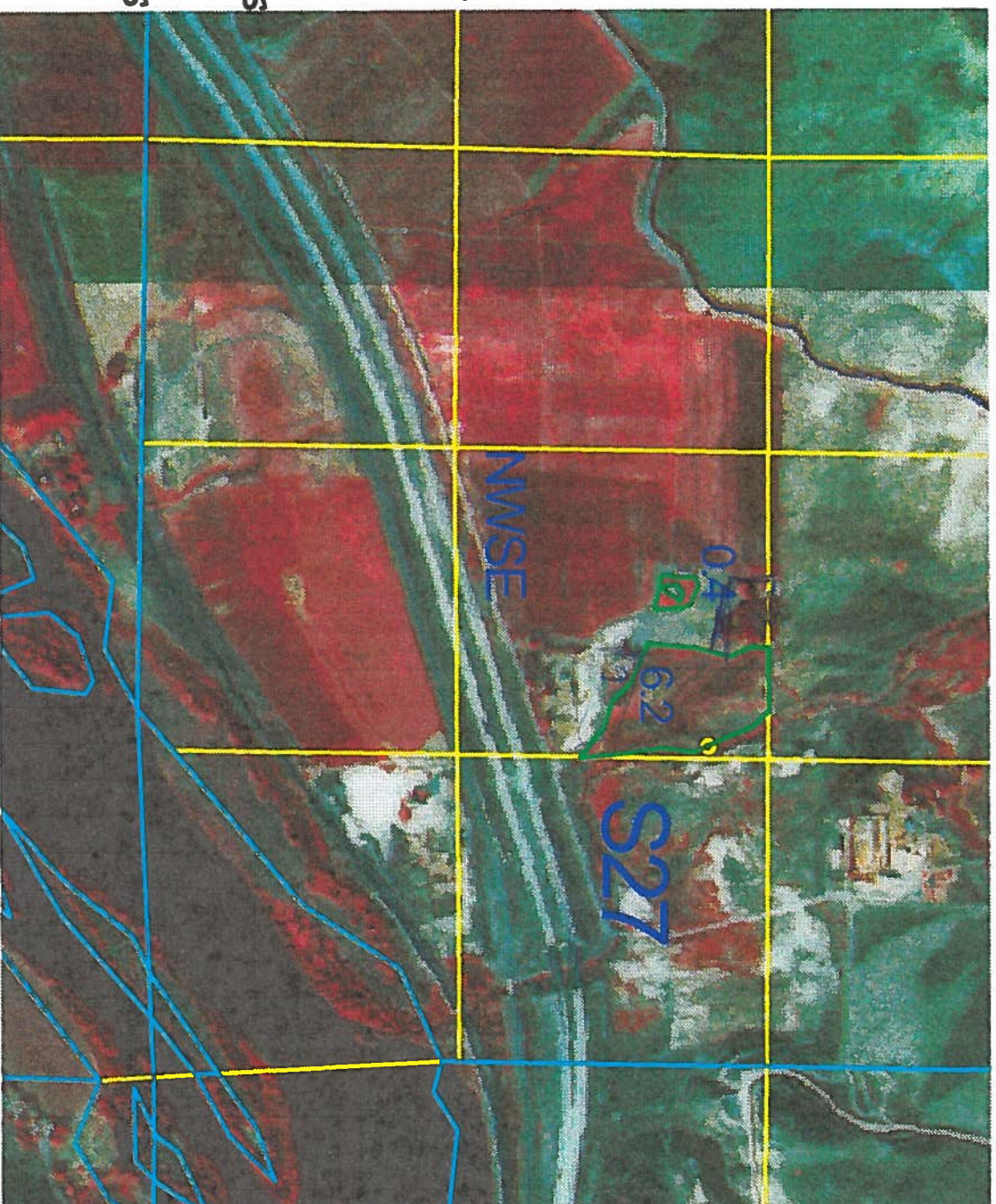
Point of Diversion



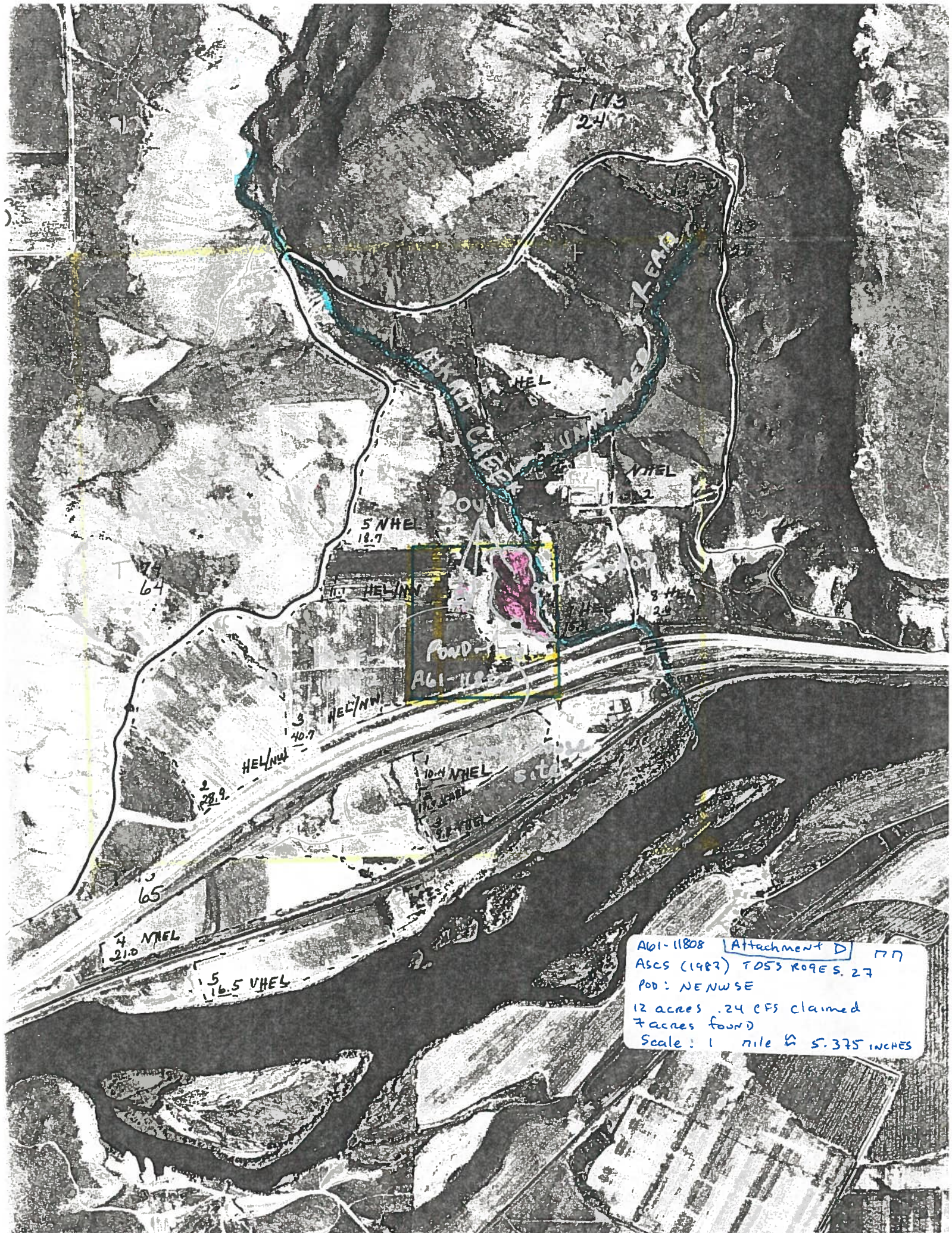
1/4 1/4 lines



Section Lines



1987 NAPP Photo



AGI-11808 Attachment D 77
ASCS (1987) TDS ROSES. 27
POB: NENWSE
12 acres .24 CFS claimed
7 acres found
Scale: 1 mile = 5.375 inches

PLANT 1 to 15 of April

T55, R9E Section 27

BRAD RUMSEY
SPRINKLER DESIGN

EUTORE SCD EUTORE CO.

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed J. Lott Date 1/95

Drawn J. Lott

Traced

Checked

Approved Title Sheet No. 1 of 4

Job Class I



PHOTOGRAPHER AND DATE OF PHOTOS TT Wierucci 05/25/1995
FILE NO. A61-11808 T055 R09E S.27 NE SE 7 acres



② Place of use.
Photo taken from
south side of
pond, looking
north, from
location of original
house on hill
south of pond.
Field is newly disced



② Place of use
north of house.
Water piped westward
from point of
diversion up the
hill to water
the lawn + garden
for the house.

Attachment C

Page 2

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A61-11808 IRRIGATION	FROM 04-01 TO 10-31	0.240 CFS	48.00 AF/A
TOTAL DIVERSION RATE/VOLUME		0.240 CFS	48.00 AF/A

B. HR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
----------------	---------------------------	------------------------	------------------------

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☒) N(☐)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☒) N(☐)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☒) N(☐)

NOTES: 11/15/1996: Recommended to IDWR standards. Design rate of diversion is 86 gpm, 19 CES, at 80% efficiency. System was not running on the day of the field exam. 7/17

AJ CLAIM TOTAL DIVERSION RATE: 0.240 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

- A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A (X) Y () N ()
B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A (X) Y () N ()
* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.
C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y () N (X)
* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.
D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y (X) N ()

E. MEASUREMENT METHOD Theoretical - Designed in 1995 for 86 gpm FLOW MEASUREMENT
SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

- 1a. IRRIGATION RATE
ACRES 7 x 0.02 CFS/ACRE = .14 CFS
(Taken from pou review)
IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y () N (X)
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y () N ()
2. IRRIGATION DIVERSION VOLUME
CLAIMED DIVERSION VOLUME = 48.00 AF/A
ACRES 7 x DIVERSION VOL. AF/A FOR AREA 4.0 =
TOTAL DIVERSION VOLUME 28 AF/A
3. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = 36.0 AF/A
ACRES 7 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =
TOTAL CONSUMPTIVE USE 21 AF/A
4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()
.14 CFS x 1.98 AF/CFS/DAY x 245 days/season = 67.9 AF

NOTES: 11/5/1996: No other water rights are used on the recommended acres.

The domestic well (A61-10082) is used for ~~for~~ internal use only. No King Hill Irrigation District water is used on the claimed ~~acres~~ (recommended) acres. 7th

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. CONS. USE
	FROM	TO		EXAMINER	EXAMINER	
IRRIGATION	04-01	10-31	0.240	48.00	36.0	
122	04-01	10-31	.14	28.0	21.0	
TOTAL FOR THIS RIGHT			.14	28.0	21.0	

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: Thompson

DATE: 11/15/1996

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	()	()
FORFEIT/ABANDON	()	()
ADDITIONAL DIV. AMOUNT	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-11808
TOTAL DIVERSION RATE OF WR SPLITS: _____
SPLITS: _____

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-11808	0.240	261-11808	.14	-	
TOTAL CFS		0.240	261-11808	.14		

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

NOTES:

11/25/1996: This water right has not been split. Recommendation reflects beneficiary
use. rnr

AUTHENTICATION:
SIGNATURE: _____ DATE: _____
NAME OF FIELD EXAMINER: _____ TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

☒ ORTHOPHOTOQUAD	DATE OF PHOTO	IDMR ID NO.	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED	IDMR ID NO.	Y() N()
☒ MAP	DATE OF PHOTO	IDMR ID NO. AA 16000	Y() N(X)
☒ ASCS AERIAL PHOTO	DATE OF PHOTO	1987	Y(X) N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO		Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO		Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY		Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED		Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP		Y() N()
☒ OTHER SCS	DATE	01/1994 System design: Copy provided by claimant	Y(X) N() (E)
☐ OTHER	DATE		Y() N()
☐ OTHER	DATE		Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED		
☐ IDMR APPROVED TRANSFER	DATE TRANSFER APPROVED		
☐ SYSTEM DESCRIPTION	DATE DRAWN		
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN	05/25/1995	2
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED		
☒ OTHER Affidavit	DATE	09/07/1994	1
☒ OTHER Retro-Genesis of claim	DATE	11/13/1996	1

Description of 61-02113 & A61-11808
Right claimed inaccurately as A61-02113

x Coeas pondance

Variable

22

Re: A61-02113, field exam, historical use, etc

(F)

(A)

(B)

(C)

(D)

(E)



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 23, 1998

Kathy Rumsey
PO Box 893
Mountain Home, ID 83647

Dear Ms. Rumsey:

This letter is being written to summarize your water right and what has occurred, plus to explain the different types of water rights and how they relate to each other in real world situations.

Water Right License No. 61-02213 was filed in 1956 for irrigation of the N1/2SE1/4, Sec. 27, Twp. 5S, Rge. 9E, from Alkali Creek. The permit holder submitted proof of beneficial use on June 24, 1957, stating that the water has been put to beneficial use on 12 acres within the N1/2SE1/4. He also stated in the notarized affidavit that the pump from the Creek pumped the water into a ditch to the east. This indicated the water left the creek east through the ditch to the land. Then, the field exam was conducted on October 17, 1957, and the examiner found the land irrigated to be on the east side of the creek in the N1/2SE1/4. After reading through the files, it indicates you have been sent copies of all of the above documents.

When the SRBA claim was filed in 1989, it appears the claimant stated that the point of diversion from Alkali Creek was in the same location and the place of use had been transposed. Our field exam conducted in 1994 found one point of diversion via a pump in Alkali Creek which pumped water through a pipe up the hill to the west to your lawn and gardens. A diversion point was also found from an unnamed stream, tributary to Alkali Creek, through a pipeline over the creek to the pasture also on the west side of the creek. It was at this point that problems arose. The water right in use was greatly different from that which was licensed under 61-02113. It was at this point that it appeared a different water right was in use than the licensed right. After much discussion, which included the immediate adjudication supervisor, the bureau chief for the adjudication bureau, and the deputy attorney for the adjudication, it was determined that a water right based on beneficial use of water needed to be filed and that the license was not the correct water right. Since a date of change for the sources could not be found, the source was changed to only Alkali Creek to irrigate the pasture, lawn, and gardens around the house. This is when you filed the beneficial use claim and had the fees from the license transferred to cover the fee for the new claim. This claim was filed for an earlier priority date than the licensed right. Evidence to support that right was submitted by Sam Blackwell in the form of an affidavit.

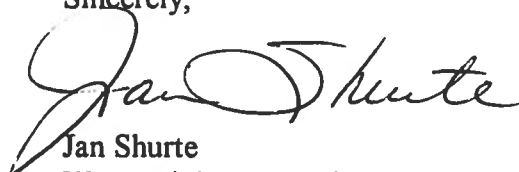
There are basically three types of water rights. There are water rights that are established by filing an application for permit prior to development, which are then licensed for the extent of beneficial use found. There are rights established totally due to the beneficial use of the water over the years. These are sometimes referred to as "Grandfather rights". They can only be claimed, however, on uses that began prior to May 20, 1971, for surface water and March 25, 1963, for groundwater (excluding domestic use). Then, there are decreed rights which are rights that have gone through a court adjudication of water rights. All of these rights can be lost through non-use of the water right for a period of time greater than 5 years, per Idaho Code Section 42-222 (copy enclosed). The only time that one of these rights are better than another is in a water dispute. If a stream is decreed through a court case, then the water from that stream can be delivered by a watermaster appointed by the parties involved. In the case of a dispute, often times a watermaster is the only way to resolve the issues. In these cases, watermasters can only deliver a decreed right or a licensed right and not a right based on beneficial sue. Alkali Creek has never been decreed, therefore, a watermaster cannot be hired to deliver water and the affect of a license verses a beneficial use right will not occur in you case.

The preliminary report for this area is tentatively scheduled to be sent to the claimants in November, with the final recommendations sent to the Court for decree in December, 1998. The preliminary report sent to the claimants allows for a 30-day notice of error period during which the claimants can contact the department if they find a problem with the way their claims are being recommended. After the notice of error, the report is sent to the Court and if no objections are received, these rights are decreed in 120 days. Your beneficial use right then becomes a decreed right.

Also enclosed are copies of the maps from the field exam, indicating what the field examiner found. Please review these and if you can find additional information to support the addition of 5 acres of irrigation on the right, please forward that information to Sue Bock at this address. Irrigation would consist of ground irrigated with homes, outbuilding, driveways, etc., removed from the total acreage.

If you have any further questions concerning the information in this letter, please feel free to contact me.

Sincerely,



Jan Shurte
Water Rights Supervisor

Enclosure: Field exam map, GIS map, ID Code 42-222

MEMORANDUM

TO: A61-11808

FROM: M. Minicucci, W. Region Sr. Water Agent, SRBA

RE: Genesis of claim

DATE: 11/13/1996

This water right was originally ^{claimed} ~~filed~~ as license no. 61-02113. The license was issued for .24 cfs for 12 acres (2 in NWSE, 10 in NESE). Review of the licensing exam uncovered that the licensed acres are on the east side of Alkali Creek. The map filed with A61-02113 also shows the irrigated acres on the east side of the creek.

The SRBA field exam found one diversion from Alkali Creek. This diversion pumped water through a pipe up the hill to the west to lawns and gardens around the house. A diversion from an unnamed stream tributary of Alkali Creek was found, and the water was piped east to west across Alkali Creek to a ditch which brought the water to the south to the Rumseys' pasture on the west side of the creek.

An affidavit supplied by Mr. Samuel D. Blackwell indicates that the water right on the east side of the creek is not the same water right as on the west side of the creek. The existence of the licensed right was called into question by Mr. Blackwell during conversation, as he did not remember the diversion system as described in the b/u exam for 61-02113. See correspondence and memos in file for route of confusion. Regardless, the affidavit supports a water right from Alkali Creek to the pasture on the west side of the creek now owned by the Rumseys.

At the time of the first SRBA field exam the diversion in Alkali Creek was limited to use for lawns and gardens at the Rumseys' residence at the top of the hill. The Rumseys were unable to establish when the source of the water right for the pasture changed from Alkali Creek to the Unnamed Stream. Since no date of change was found, the Rumseys moved the diversion point back to Alkali Creek and filed a claim based on beneficial use. The priority date is supported by Mr. Blackwell's affidavit (see last sentence of affidavit).

ADJUDICATION MEMORANDUM

CLAIM NO.: A61-11808 A61-11822SUBJECT: CopiesEMPLOYEE: T.T. WierucciDATE: 04/29/1996

Mrs. Rumsey called today to request copies of her two claims, and to request a correction of the listed county in the ~~place of~~ point of diversion for A61-11822.

The second POD was listed as being in Caribou County (#29 instead of #39). I correct this & sent a corrected copy to Mrs. Rumsey, along with a copy of

^{11808.}
A61-~~11808~~

MANT'S NAME: K. Rumsey

DATE: 03/01/1995

TY: Elmore

OYEE: MMINICUCCI

(F-2)

Ms. Rumsey called to say that they have their plans from NRCS (ASCS) for the irrigation system. NRCS has detailed plans for the system and installation s/B some time in April.

I will call her in April to set up a field exam. If the system is in place in March she will call to set up an earlier exam.

(F-3)

RECEIVED

DEC 09 1994

Form 25a

WATER RESOURCES
WESTERN REGION

(Name of Claimant)
Claim # _____ / Receipt # _____
_____, 1989

REQUEST FOR WITHDRAWAL OF CLAIM

Name of Claimant: KATHY K RUMSEY
(Please Print)

Mailing Address: PO BOX 893 MOUNTAIN HOME ID 83647

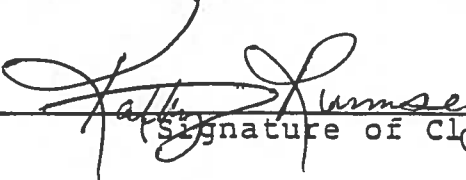
Amount: \$ 62.00 Receipt No.: W006032

County of Water Right: ELMORE

Claim No(s): A61-02113

I wish to withdraw the Notice(s) of Claim to a Water Right which number(s) appear above and for which I previously paid a filing fee to the Idaho Department of Water Resources. I do _____ / do not x request a refund of the filing fee. If a refund is requested I have attached an explanation of the justification for granting a refund.

PLEASE TRANSFER THE FILING FEE TO CLAIM NO. A61-11808, WHICH IS FOR THE SAME ACRES.

 12-7-94
(Signature of Claimant) (Date)

(Signature of Claimant) (Date)

(Signature of Claimant) (Date)

Return to:

Idaho Department of Water Resources
Adjudication Section
Statehouse Mail
Boise, Idaho 83720

For IDWR Use

	<u>Initials</u>	<u>Date</u>
Approval Region	_____	_____
Approval State Office	_____	_____
Data Entry	_____	_____
Claim File	_____	_____
<<25b>>		



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

F-4

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 5, 1994

KATHY RUMSEY
PO BOX 893
MOUNTAIN HOME ID 83647

Dear Ms. Rumsey:

Enclosed please find a computer-generated copy of a beneficial use claim for the irrigation of twelve acres from Alkali Creek. The acres for this claim are based on claim no. A61-02113. The actual acres will be determined by field exam. Please review this claim carefully, initial any changes, add your notarized signature, and return it to this office to my attention. Only one of the claimants listed is required to sign the claim form.

The fee for this claim can be transferred from claim no. A61-02113, provided A61-02113 is Withdrawn. I have enclosed a "Request for Withdrawal of Claim" with this letter; this form requires the signature of at least one of the claimants on claim no. A61-02113. Once this form is received, claim no. A61-02113 will be withdrawn from the SRBA and the fees transferred to claim no. A61-11808. If the Withdrawal of Claim form is not returned to this office, a fee of \$62.00 must accompany claim no. A61-11808. Claim no. A61-11808 will not be accepted without submittal of the Withdrawal form or the correct fees.

Also enclosed is a Change of Ownership form for claim no. A61-10082. This claim is for the domestic well on your property. Please sign and date this form on the highlighted line(s) and return it to this office. The warranty deed previously submitted for the change of ownership of claim no. A61-02113 will serve as proof of ownership.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Maria Minicucci'.

Maria Minicucci

Water Agent, Adjudication Bureau

MM:m

Enc: Claim No. A61-11808
Request for Withdrawal of Claim (A61-02113)
Change of Ownership form (A61-10082)

MANT'S NAME: RumseyDATE: 12/02/1994TY: ElmoreOYEE: M. Minicucci

(F-5)

Dave Shaw, Bureau Chief, & Lynn Keogh, staff attorney, confirmed that Mrs. Rumsey could file a B/U claim on a diversion pt on Alkali Creek provided a field exam (next spring) confirmed the POD. Mr. Blackwell's affidavit could serve as evidence of priority, place of use, & source. Since IDWR cannot prove there has been an interruption of 5 years or greater in the diversion from Alkali Creek, the water right should still be valid.

I called Mrs. Rumsey and she agreed that a B/U claim seems to be the way to go. I will send her a computer-generated B/U claim, a Withdrawal form (for A61-02113 to allow us to transfer fees) and a map for her to indicate place of use and point of diversion. A change of ownership form is needed for A61-10082; I will also send this form to the claimant.

CLAIMANT'S NAME: Mrs. RumseyDATE: 11/30/1994TYPE: ElmoreOFFICE: TM Minicucci

(F-6)

I returned Mrs. Rumsey's call of 11/29/1994. Her message indicated that she wanted to get an extension on her response date. Instead she discussed her difficulties filling out the forms I had sent her with my last correspondence. She would like to file a Transfer on the license, changing the source, adding a point of diversion, and changing the place of use. I am not familiar with the intricacies of transfers, & I told her I would call her back with more information.

I discussed the situation with Cindy Hodges, W. Region SR H₂O Agent in the allocations section. She indicated that the claimant will have to prove ownership of the originally licensed place of use (or an affidavit from current owner OK'ing XFER) as well as ~~state~~ the water was not forfeited before it was transferred.

I called Mrs. Rumsey back & we discussed the transfer process. She is very frustrated by the entire paperchasing aspect and is going to move her POD back to Alkali Creek and irrigate her acres from the POD next to the pasture. IDWR cannot prove that Alkali Creek has not been used for 5 years since she cannot locate

11/30/1994

(2)

F-7

an evidence of when the change in source occurred. Her priority, place of use, and source are all covered by Mr. Blackwell's affidavit. After some reflection I told her she could take the pipe out of the unnamed stream, since the irrigation season is over and she should not be diverting anyway. I offered to discuss her suggestion w/ IDWR staff- she will call next week to find out what our conclusions are.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

(F-8)

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 1, 1994

KATHY RUMSEY
PO BOX 893
MOUNTAIN HOME ID 83647

RESPONSE DATE: DECEMBER 1, 1994

RE: Notice of Claim to a Water Right No. A61-02113

Dear Ms. Rumsey:

Please read this letter carefully, as it contains important details about your water rights and what is required by IDWR in order to recommend the water rights to the court for decree.

During our telephone conversation today you indicated that you will file a claim for your water right from the unnamed stream. Enclosed is a "Notice of Claim to a Water Right Acquired Under State Law", form number 42-1409(2)a. This is a four page form which is used to file a claim in the Snake River Basin Adjudication (SRBA). Directions are also enclosed. The fee for this claim is \$50.00

In order to recommend your water rights to the court for decree, additional information about the changes in your water rights is required.

Idaho Code section 42-1416A allows a person to claim a change in their water right in the SRBA (a general adjudication) provided the change in the water right was made prior to November 19, 1987 (the commencement of the SRBA). In other words, a beneficial use claim for the irrigation from the unnamed stream can be filed with the unnamed stream as the source if the change in source from Alkali Creek to the unnamed stream occurred before November 19, 1987.

If the water right was changed after November 19, 1987, then a beneficial use claim may still be filed, but it must be filed on the water right as it existed in 1987, with Alkali Creek as the source. A Transfer must then be filed with IDWR to change the source to the unnamed stream. Idaho Code section 42-1416A 'grandfathers' only those changes made before November 19, 1987; if the change was made after that date a Transfer is required.

Idaho Code section 42-1416A also applies to your licensed water right from Alkali Creek. The point of diversion for this water right has been changed from the site of the dam to the present location of the pump. The date of this change, plus some evidence supporting that date is required. If the change occurred after November 19, 1987, a Transfer for this change may be required.

This "grandfathering" of changes to water rights is one reason why the date of change and evidence to support that date is so important. Without the evidence of when the water right was changed, IDWR cannot evaluate the impacts of the change.

Please provide IDWR with the date of change in source from Alkali Creek to the unnamed stream. The date of change in the point of diversion for your other water right (previously licensed) which is pumped from Alkali Creek is also required. These dates of change must be supported by some type of evidence. A response to this request must be received by the response date at the top of this letter, or IDWR may be unable to recommend your water rights to the court for decree.

Page 2.
Rumsey

If you have any questions or need additional information, please contact this office.

Sincerely,



Maria Minicucci
Water Agent, Adjudication Bureau

MM:m

Encs: Form No. 42-1409(2)a & Directions
IDWR Information Sheet - Evidence of Date of Change
SRBA Pamphlet "Idaho Water Rights - A Primer"
Idaho Code 42-1416A

WARRANT'S NAME: RumseyDATE: 11/01/1994BY: Elmore

(F-10)

BYEE: TH. WICUCCI

Returned Mrs. Rumsey's call of 10/31/1994

Discussed my letter of 10/25/1994. She & says that the acres originally licensed have never been irrigated. I said, basically, that I would not throw out the field exam (licensing) & supporting documentation; what I believe the Rumseys have is an unrecorded water right, for the currently irrigated acres. The acres were originally irrigated from Alkali Creek & are now irrigated from the unnamed stream.

We discussed the implications of the options discussed in my letter. Mrs. Rumsey indicated that she will file a B/U claim for the water right - her ~~father~~ father-in-law spoke w/ previous owner about H₂O rights before purchasing the property & may be able to provide a statement as to the date of change in the source.

I will send B/U form & instructions

MEMO TO FILE A61-02113

DURING A TELEPHONE CONVERSATION ON 10/24/1994 WITH KATHY RUMSEY I AGREED TO DISCUSS HER CLAIM WITH MY SUPERVISOR (JAN SHURTE) TO DETERMINE WHAT MS. RUMSEY'S OPTIONS ARE AT THIS TIME.

JAN AND I DISCUSSED MR. BLACKWELL'S STATEMENT AS COMPARED TO THE DOCUMENTS IN THE LICENSING FILE. MR. BLACKWELL STATES THAT THE ACRES IN QUESTION WERE ALWAYS IRRIGATED, ORIGINALLY FROM ALKALI CREEK, GOING BACK TO AT LEAST 1947. HE ALSO STATED VERBALLY DURING THE 09/07/1994 FIELD EXAM THAT THERE WAS NEVER A PUMP IN THE CREEK TO IRRIGATE LANDS TO THE EAST OF THE CREEK. HOWEVER, THE LICENSE WAS ISSUED FOR LANDS ON THE EAST SIDE OF THE CREEK, AND THE PRIORITY DATE OF THE LICENSE IS 1956. IF THE CURRENTLY IRRIGATED ACRES ARE REPRESENTED BY THE LICENSE, THEN IN 1956 THE APPLICANT, TWO WITNESSES AND THE IDWR FIELD EXAMINER WERE ALL INCORRECT IN THEIR DESCRIPTIONS OF NOT ONLY THE LANDS IRRIGATED, BUT THE DIVERSION AND DELIVERY SYSTEM. MS. RUMSEY'S PASTURE MAY HAVE BEEN IRRIGATED SINCE 1947, BUT THAT WATER RIGHT WAS NOT AND IS NOT REPRESENTED BY 61-02113.

I WROTE A LETTER TO MS. RUMSEY WITH TWO OPTIONS: (1) A BENEFICIAL USE CLAIM ON THE WATER RIGHT FROM THE UNNAMED STREAM OR (2) A NEW APPLICATION FOR THAT WATER USE. EITHER WAY SHE MUST PROVIDE EVIDENCE OF WHEN THE DIVERSION ON ALKALI CREEK WAS INSTALLED IN ITS CURRENT LOCATION (FOR IRRIGATION OF THE LAND NEAR THE HOUSE) (DATE OF CHANGE OF POD OF THE LICENSE).

INITIALLY WE THOUGHT WE COULD OFFER HER A THIRD OPTION OF AMENDING THE SRBA CLAIM TO CHANGE THE SOURCE TO THE UNNAMED STREAM, AND THEN FILE A BENEFICIAL USE CLAIM ON ALKALI CREEK WITH THE PRIORITY DATE BEING THE DATE THE PUMP WAS INSTALLED IN THE CURRENT LOCATION. THE PROBLEM WITH AMENDING THE SOURCE OF THE CLAIM IS EXPLAINED ABOVE; WE WOULD HAVE TO IGNORE THE LICENSING INFORMATION IN TERMS OF THE DELIVERY SYSTEM AND WHERE THE LANDS IRRIGATED FROM ALKALI CREEK WERE LOCATED AT THE TIME OF THE FIELD EXAM (1957).

DURING THE 09/07/1994 FIELD EXAM K WALKER, MS. RUMSEY, MR. BLACKWELL AND I DISCUSSED WHETHER THE UNNAMED STREAM SHOULD HAVE BEEN LISTED AS A SOURCE ON THE LICENSE, SINCE THE DAM WAS VERY CLOSE TO THE CONFLUENCE OF THE STREAM AND ALKALI CREEK. HOWEVER, AFTER ATTEMPTING TO FIND THE GENERAL LOCATION OF THE DAM, IT APPEARS THAT IT WAS DOWNSTREAM OF THE CONFLUENCE AND THAT THE WATER BEHIND THE DAM WAS ALL ALKALI CREEK WATER.

MY EVALUATION AT THIS POINT IS THAT THE LICENSED WATER RIGHT IS NOW USED ON THE LANDS BY THE HOUSE (SAME SOURCE, SAME POU, DIFFERENT POD). THE LANDS BEING CURRENTLY IRRIGATED BY THE UNNAMED STREAM WERE ORIGINALLY IRRIGATED FROM ALKALI CREEK, AS STATED BY MR. BLACKWELL, PROBABLY AS LONG AS THE DAM IN THE CREEK WAS FUNCTIONAL. THE SOURCE IS NOW THE UNNAMED STREAM. THIS WATER RIGHT HAS NEVER BEEN RECORDED.

MARIA T. INICUCCI
10/27/1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

F-12

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 25, 1994

KATHY RUMSEY
PO BOX 893
MOUNTAIN HOME ID 83647

RESPONSE DATE: NOVEMBER 23, 1994

RE: Notice of Claim to a Water Right No. A61-02113

Dear Ms. Rumsey:

Pursuant to our telephone conversation of October 24, 1994, I am sending you a copy of the file for the original license which is the basis for your Snake River Basin Adjudication (SRBA) claim referenced above. I did not include the documents which discuss fees for advertising and field exams. Also enclosed is a copy of an affidavit submitted by Mr. Sam Blackwell regarding the water use represented by your claim.

I have discussed your claim with my supervisor, and the following is a listing and brief discussions of your options.

A. File a Beneficial Use claim for the acres irrigated from the source of the unnamed stream. Mr. Blackwell's affidavit would serve as evidence of priority that the acres were irrigated from Alkali Creek in 1947; you will be required to provide the date the source was changed from Alkali Creek to the unnamed stream and some evidence tending to support that date. The fee for this claim is \$50.00.

The license may then be recommended for the acres actually irrigated from Alkali Creek (around the house); however the date the pump was installed in its current location and evidence tending to support that date must be submitted to IDWR. One source of information about the installation of the pump may be the electrical system. Since the electrical hookup for the pump should have been inspected by the State of Idaho, there may be a silver sticker on or near the electrical box which has a permit number and a date inspected. This sticker may provide evidence of the date of installation.

B. File a new application for your current use from the unnamed stream on the currently irrigated acres. Your priority date will be the day you file the Bapplication, but since there are no other users on Alkali Creek or the unnamed stream tributary to Alkali Creek this loss in priority should not cause you any injury. The fee for the application is \$100. An approved Transfer from IDWR will be required to move the point of diversion back to Alkali Creek if you decide to pursue that change.

The license may then be recommended for the acres actually irrigated from Alkali Creek (around the house); however the date the new pump was installed at its current location and some evidence tending to support that date will be required by IDWR.

Page 2.
A61-02113

As you can see, all of your options have two common elements: (1) The date the pump was installed at its current location in Alkali Creek (with evidence supporting that date) and (2) the date water from the unnamed stream was first put to use on the currently irrigated acres (with evidence supporting that date). Your claim(s) cannot be recommended to the court for decree without this evidence.

If no response is received by this office by the Response Date at the beginning of this letter, your claim may not be recommended to the court for decree. Please contact this office for the correct forms to file a claim or an application for permit, or if you need additional information.

Sincerely,



Maria Minicucci
Water Agent, Adjudication Bureau

MM:m

Encs: License 61-02113 file (from microfiche)
Copy of Affidavit from S. Blackwell dated 09/07/1994

MANT'S NAME: Rumsey 366-2426

DATE: 10/31/1994

ITY: Elmore

F-14

JOYEE: TT Minicucci

8:00 am Returned Mrs. Rumsey's call from yesterday morning (Field work) & left msg w/ the young person who answered the telephone.

10/24 Mrs. Rumsey returned my call

She has been trying to ~~obtain~~ obtain the date of change for the source of this water right. Mr. Blackwell's affidavit supports date of change for the place of use, although the affidavit indicates a priority date previous to the license.

Mrs. Rumsey requested a copy of the license file & of Mr. Blackwell's affidavit. I told her I would write a letter to her explaining her options (after discussing transfer requirements w/ my supervisor).

She has been unable to locate former owner. Husband has passed on, wife's location unknown, son's location unknown. Many previous owners unable to determine when source was changed. Mr. Blackwell does not remember the change.

The Rumseys intend to put a larger pump in Alkali Cr next to their property to irrigate the acres in question.



State of Idaho
DEPARTMENT OF WATER RESOURCES

F-15

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

September 23, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

EMIL AND/OR LOIS NEJDL
BRADLEY AND/OR KATHY RUMSEY
PO BOX 893
MOUNTAIN HOME ID 83647

RE: Notice of Claim to a Water Right Number A61-02113

RESPONSE DATE: OCTOBER 24, 1994

Dear Mr. and Ms. Nejdl and Mr. and Ms. Rumsey:

This letter is a request for additional information on the above-referenced claim. Our initial investigation of the claim indicates that there may have been a change from the licensed place of use, the licensed point of diversion, and in the licensed source for this water right.

Licensed place of use: Twp. 05S Rge. 09E s. 27 NESE 10 acres
NWSE 2 acres

Claimed place of use: Twp. 05S Rge. 09E s. 27 NESE 2 acres
NWSE 10 acres

Licensed point of diversion: Twp. 05S Rge. 09E s. 27 NWSE

Claimed point of diversion: Twp. 05S Rge. 09E s. 27 SWNE

Licensed source: Alkali Creek

Claimed source: Alkali Creek

Source found during field exams: Unnamed stream

In order to continue the investigation of this claim additional information from you is required. You must provide IDWR with the date the diversion was put in the unnamed stream and used to irrigate the claimed acres, and the date the pump was installed in its present location in Alkali Creek. These dates must be supported by some type of evidence. An information sheet is enclosed that describes the types of evidence that can be submitted for showing the date of change.

Your response to this letter must be received by this office by the response date shown at the top of this letter. If no response is received, then your claim to water from Alkali Creek on the claimed acres may not be recommended to be decreed.

F-16

Page 2.
Rumsey

Please do not hesitate to contact this office with any questions or if you need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maria Minicucci', written over the printed name.

Maria Minicucci

Water Agent, Adjudication Bureau

Enc.: IDWR Information Sheet - Evidence of Date of Change

WARRANT'S NAME: Nejdl / RumseyDATE: 09/07/1994BY: Elmore

(F-17)

BYEE: MMWICUCCI

Kay Walker (Sr. Agent - W Region) & I met with Mrs. Rumsey and Mr. Samuel Blackwell at the Rumsey home. We went out to the point of diversion to go review the history of the water right with Mr. Blackwell. His family owned the property next door from 1947 through the early 1960's (approx).

We attempted to find the original site of the dam and did find one location on Alkali Creek where some boulders may indicate the possible location of the dam. Mr. Blackwell stated that the location of the dam had changed over time because it frequently washed out. Regardless, that diversion was not used to irrigate the land on the east side of the creek. The east side of Alkali Creek was irrigated with the water diverted from the unnamed stream higher up on that stream (NE of small white house). The acres on the west side of the creek (pasture below the house) were irrigated by water taken from the diversion point at the confluence of Alkali Creek and the unnamed stream.

WARRANT NAME: Kathy Rumsey 366-2426 DATE: 08/30/1994BY: E/more

(F-18)

OFFICE: 77 Minicucci

4:02 pm Mrs. Rumsey called to say that she had to be out of town tomorrow + would like to reschedule.

4:15 pm Returned Mrs. Rumsey's call - any day next wk but Tuesday (Monday is Labor Day). Any week day except Tuesday is fine with me. She will call Mr. Blackwell and call back with a time.

4:20 Mrs. Rumsey called back - Sept. 7th am (Weds)
for field exam

ADJUDICATION MEMORANDUM

CLAIM NO.: 61-02113SUBJECT: Field Exam/LetterEMPLOYEE: MMWICUCCIDATE: 08/19/19943:15 pm

Mrs. Rumsey called regarding correspondence of Aug 18 1994. She feels that my information obtained during the field exam is incorrect and that the source of the water is Alkali Creek. I explained what I had found at the diversion point (piped across Alkali Cr, etc) and that no filing had ever been made on this source of water. I explained that I was not saying that their license on Alkali Creek (61-02113) was invalid, but that there was a second water right which requires either a SRBA claim or an application for permit. I told her I recognized the use of Alkali Creek water for irrigating her lawn + gardens + possibly the field in question, but that the field was irrigated primarily from the water that originates in the unnamed stream. She asked if she needed a lawyer and I told her that she certainly could get a lawyer if she felt that she needed one, but that at this stage all of the information was available to anyone willing to dig it out (evidence of priority, previous owners, etc). I explained the Notice of Error proceedings + Objection proceedings. I also explained that if she felt that legal representation was warranted that she could also have that.

ADJUDICATION MEMORANDUM

CLAIM NO.: AB1-02113SUBJECT: Field Exam / LETTEREMPLOYEE: MMINICUCCIDATE: 08/19/1994

We discussed when the property was split, the previous owners, when ^{irrigation stopped at} the acres on the east side of Alkali Creek, ~~when~~ ^{irrigation stopped at} and when irrigation of the acres on the west side of Alkali Creek began. Mr. Rumsey came on the line and I explained what I had found during the field exam (source) and how the license had changed. He said they would contact people to determine when diversion of unnamed stream commenced, when pump was placed in its current location on Alkali Creek, when property was split, etc. (It was his understanding that the water was a spring in Alkali Creek.) He, I told him to send correspondence/questions directly to my attention.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

F-21

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 18, 1994

EMIL AND/OR LOIS NEJDL AND/OR
BRADLEY D AND/OR KATHY K
PO BOX 893
MOUNTAIN HOME ID 83647

RESPONSE DATE: SEPTEMBER 12, 1994

RE: Notice of Claim to a Water Right Number A61-02113

Dear Mr. and Mrs. Nejdl and Mr. and Mrs. Rumsey:

This letter is a result of a field exam conducted August 10, 1994, on the above-reference claim filed in the Snake River Basin Adjudication (SRBA). This claim is based on a license which was originally issued to Mr. Ray Knigge for .24 cfs from Alkali Creek to irrigate land in Twp. 05S, Rge. 09E, section 27, 10 acres in the NESE and 2 acres in the NWSE.

The field exam of August 10, 1994, revealed that the claimed acres are irrigated from an unnamed stream which is tributary to Alkali Creek. Water from this stream is piped across Alkali Creek into a ditch which carries the water to the claimed acres and a stock pond on the south end of the property.

At this time you must file on the water being diverted from the unnamed stream which is tributary to Alkali Creek. Depending on when this diversion was established, you must file either an SRBA claim or an application for permit. In order to determine which filing is required, you must determine the date water from the unnamed stream was first diverted for use on the field and in the stock pond. This date is called the "priority date". On May 20, 1971, the law requiring permits for the diversion of surface water went into effect. If the use started before that date, the use may be claimed in the SRBA and evidence of priority will be required. If the use started on or after May 20, 1971, an application for permit is required. Both forms and corresponding instruction booklets are enclosed.

If the priority date is previous to May 20, 1971 and you file an SRBA claim, the fee is \$50. No additional fee is required for the acres because the acres were paid for under claim number A61-02113. If the priority date is on or after May 20, 1971, please follow the fee schedule in the instruction booklet for the application for permit.

Please respond to this letter by the Response Date at the top of this letter. If no response is received the Department may take further action which may include actions such as issuing a Cease and Desist order and/or assessing fines of up to \$1,000 per day.

Page 2.
Nejdl/Rumsey

If you need additional information or have any questions or comments please do not hesitate to contact me at this office.

Sincerely,



Maria Minicucci
Water Agent, Adjudication Bureau

Encs: SRBA claim form & instruction booklet
Application for permit form & instruction booklet
Water Rights Primer booklet "Evidence of Priority" pamphlet
SRBA Report to Water Users

FIELD EXAM PHOTO INDEX SUMMARY

Date: 05/25/1995

Roll No.: 1

Photographer: Tr Minicucci

PHOTO NO.

SUBJECT

1	
2	
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5	
6 *	
7	
8	S.26 NW $\frac{1}{4}$ No powerlines
9	" No wells
10	S.26 W $\frac{1}{2}$, Looking South
11	Probable old ditch on N edge of S.19 for treatment plant
12	Field in NWNW (+NENW) S.19 from x line into S.18 Run-off.
13	No ditches/canal in this field
	RESERVOIR
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Rumsey

Hillard

(Clark)

State of Idaho

License and Certificate of Water Right

Water License No. 26317

Amount .24 c.f.s.

Water District No. _____

Priority April 30, 1956

THIS IS TO CERTIFY that ROY KNIGGE

of Glenns Ferry

, made application for a permit to appropriate the

public waters of the State of Idaho, dated April 30, 19 56; that Permit No. 26317 was issued under said application; that Certificate of Completion of works, with a carrying capacity of

.60 second feet, was issued thereunder on June 28, 19 57, showing that said works

were completed on the 2nd day of May, 19 57; and that on the 24th

day of June, 19 57,

ROY KNIGGE

of Glenns Ferry

, State of Idaho

, made proof to the satisfaction of the

State Reclamation Engineer

of Idaho, of the right to use the waters of Alkali

Creek

, a tributary of Snake River

, for the purpose of Irrigation

, under Use Permit No. 26317

of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

10 of Licenses at page 6234, on the 11th day of December, 19 57;

The right hereby confirmed dates from

April 30, 19 56;

The Point of Diversion is located

In the NW 1/4 3E 1/4, Sec. 27, Tp. 5 S., R. 9 E., B. M. Elmore County Elmore

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed .24 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>5 S.</u>	<u>9 E.</u>	<u>27</u>	<u>NE 1/4 SE 1/4</u> <u>NW 1/4 SE 1/4</u>	<u>25</u> <u>25</u>	<u>10</u> <u>2</u>
Total number of acres irrigated - - -					<u>12</u>

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 11th day of December, 19 57.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 25317

This proof is for one Acreal Use

In Water District No.

1. Name of applicant Roy Enigge, P. O. Box 165, Glenna Perry, Idaho2. Source of water supply: Alkali Creek3. Location of point of diversion: Is in the NW 1/4 Sec 27 of Section 27T. 5 S., R. 9 E. County of Elmore

4. Describe works as they exist, giving dimensions and capacities of same: Small portable
diversion in water and facing's cant. Pump. Pump
outlet 3" 6" iron pipe 200' long uphill to ditch. Lift
12 feet. Ditch 12" to 24" w. in bottom. To
field by gravity. Corrograted.

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW 1/4 Section 27, Twp. 5 S., Range 9 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: This is a direct entry

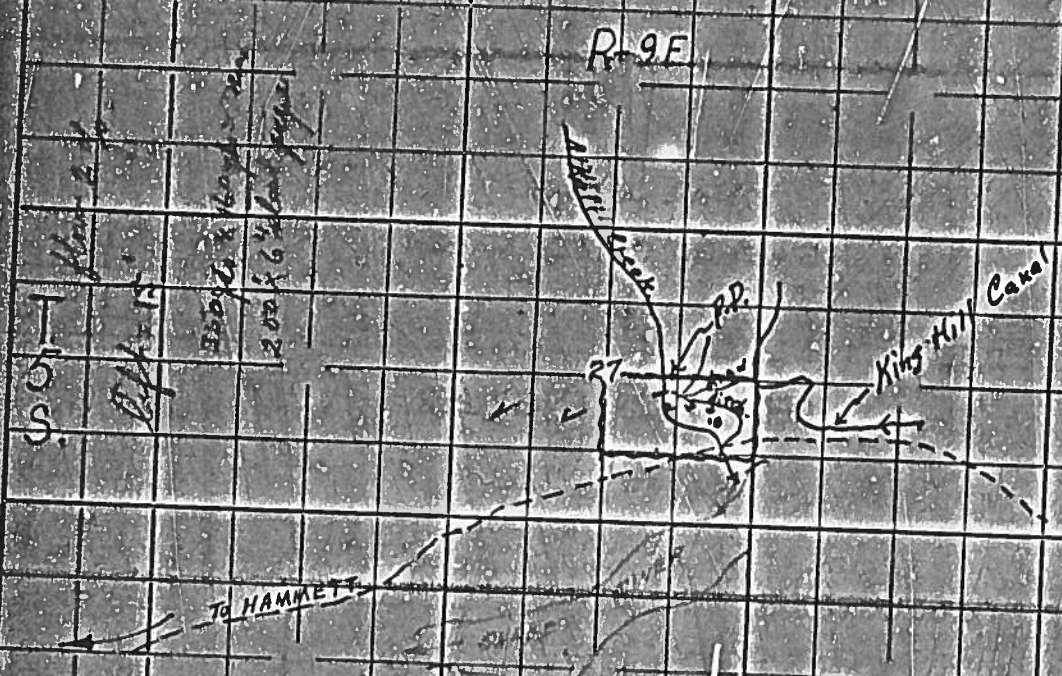
Est. 2 cfs of water in Alkali Creek

2

This examination was made on the 17 day of Oct, 1957

(Signed) E. H. Humphrey Examiner

25317



Subdivisions = 2
 Area = 12 Acres
 Q = 12 inches

Proof of Application of Water to Beneficial Use

Deposition of Holder

Mr. Roy Wilson, residence is 3 miles West of Glenna Ferry, occupation is farming and
P. O. Address is Box 185, Glenna Ferry.

As an individual

Ans. The number of my permit is 26117, date of priority is April 30th, 1955 and the date of the permit is May 2nd, 1955.

And From Alkali Creek, via road 1601 from the North link of the Wilson Canyon and approximately 350' West from the NE corner.

Ans. The diversion in Alkali Creek itself consists of earth, rocks and straw, about 2' high in the Creek and about 8 or 9' across. Then I have a diversion ditch out of this at the outlet of the pump. I put a 4" pump and 7 1/2 hp gasoline motor in the Creek bottom to raise this water onto a ditch which goes east from here, with a 15' lift. The ditch is V type, about 2 1/2' wide at the top and about 2' deep. All the distribution here is by gravity system.

Ans. The purpose of this is to irrigate crops, and I irrigate in the NE-SE₁, 10 acres, and in the NW-SE₁, 2 acres, before the ditch gets to the east 40. I have spent about \$400.00 in this pump and development in putting this water to beneficial use.

96317

Ques. 7. If for other than irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. Only irrigation.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. I need at least the amount of water provided here, and can probably use more when and at such time I am able to develop the larger amount of crop land. At least 1" per acre.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I am the same person that filed this originally.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. I started work on this immediately after I filed the water permit, and my land was under desert entry, which was not allowed until 1952, when the land was irrigated first, and I have good crops that were grown on this in 1956. I have a crop of oats there now, which I will pasture off.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. There are no other waters of any kind and no other permits appurtenant to this land.

(Sigd)

Poy Knigge

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise County of Ada

State of Idaho, on this 24th day of June A. D. 1957

Halcyon H. Drnell
Notary Public for Idaho

My commission expires 10-11-59

56317

DESIGN SUMMARY:

1. Application Frequency = 6 days
2. Nozzles are NELSON 3/4" 40psi 4.3 GPM.
3. Design Net Application = 1.55 in. Moisture.
4. Spacing on the Mainline is 50 ft.
Spacing on the Lateral is 40 ft.
5. Laterals:
 - 1 - 3 in. H/L w/ 20 Nozzles ea.
 - in. w/ Nozzles ea.
6. Pump Requirements:
The Pump will be required to deliver 86 GPM at
a total dynamic head of 116 ft. At 81 %
efficiency this will require a 3 H.P.
or good 5 HP

Notes:

1. Construction shall be in accordance with SCS
Standards and Specifications listed:
 - A. ID-442
 - B. ID-533
 - C. ID-449
 - D. ID-430-xx
 - E. ID-537-B
2. Manufacturer names used for performance data.
Equal performing products are acceptable.
3. Cracking pressures shown for pressure relief
valves must be factory set.
4. 1 - 5" Gear Operated Butterfly Valve Sta 0+00
5. 2 - 1 1/2" Waterman AV-150 Air-Vac Valve @ 0+00
1 - 1 1/2" Waterman AV-150 Air-Vac Valve @ 6+00.
6. 1 - 2" Waterman AA-6 Pressure Relief Valve @ 0+00 } see to crack
1 - 2" Waterman AA-6 Pressure Relief Valve @ 6+00 } @ 65psi
1 - 5" Check Valve @ 0+00

Mainline Summary:

Station	to	Station	Pressure Rating	Length
0+00	to	6+00	5" Aluminum 150psi	600 ft

NOTE: Concrete Anchor Blocks will be installed
@ Stations 0+00, 3+00, 6+00 See pg 2.



B.M @ 0+00
100.00
@ Rock by pun
station.

SCALE
1" = 150'

It is
rose
all
can

1 1/2" to
end of
last of

RECEIVED

NOV 21 1995

WATER RESOURCES
WESTERN REGION

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: A61-11808

Date Received: 12/ 9/1994

Receipt No: W006032

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name:	KATHY K RUMSEY	208-366-2426
Address:	PO BOX 893	
	MOUNTAIN HOME ID	83647
AND/OR		
Name:	EMIL NEJDL	208-366-2426
Address:	PO BOX 893	
	MOUNTAIN HOME ID	83647
AND/OR		
Name:	LOIS L NEJDL	208-366-2426
Address:	PO BOX 893	
	MOUNTAIN HOME ID	83647
AND/OR		
Name:	BRADLEY D RUMSEY	208-366-2426
Address:	PO BOX 893	
	MOUNTAIN HOME ID	83647

2. Date of Priority: APR 1, 1947

3. Source: ALKALI CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	09E	27		NW	SE		ELMORE

5. Description of diverting works:
PUMP TO SPRINKLER LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.240		48.00

7. Total Quantity Appropriated is:
0.240 C.F.S. (and/or) 48.00 A.F.A.

8. Total consumptive use is 36.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	09E	27	NW SE		IRR	12.0
Section Acres						12.0
Total Acres						12.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

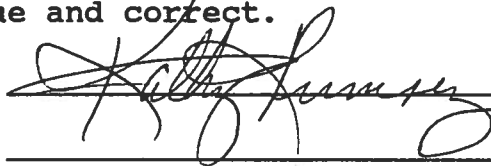
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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:

11-20-95

Date:

State of Idaho)
County of Elmore) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of Nov. 19 95

Linda M. Newer
Notary Public

Seal

Residing at Glenns Ferry
My Commission Expires 4/30/1999

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: A61-11808
Date Received: ~~12/5/1994~~ 12/09/1994
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KATHY K RUMSEY 208-366-2426
Address: PO BOX 893
MOUNTAIN HOME ID 83647
AND/OR
Name: BRADLEY D RUMSEY 208-366-2426
Address: PO BOX 893
MOUNTAIN HOME ID 83647
AND/OR
Name: EMIL NEJDL 208-366-2426
Address: PO BOX 893
MOUNTAIN HOME ID 83647
AND/OR
Name: LOIS L NEJDL 208-366-2426
Address: PO BOX 893
MOUNTAIN HOME ID 83647

2. Date of Priority: APR 1, 1947

3. Source: ALKALI CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	09E	27	NW	SE			ELMORE

5. Description of diverting works:
PUMP TO SPRINKLER LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.240		48.00

7. Total Quantity Appropriated is:
0.240 C.F.S. (and/or) 48.00 A.F.A.

8. Total consumptive use is 36.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	09E	27	NE	SE	IRR	2.0
			NW	SE	IRR	10.0
Section Acres						12.0
Total Acres						12.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s) *Kathy Ramsey*

(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): *Kathy Ramsey* Date: 12-8-94
Kathy Ramsey Date: 12-8-94

State of Idaho)
County of Elmore) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of Dec 19 94

Orville Aldrich
Notary Public

Seal

Residing at *Mt Home, Idaho*

My Commission Expires *7-13-99*

RIGHTS FROM: SOURCE: ALKALI CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 61-11808

NAME & ADDRESS: BRAD RUMSEY
KATHY RUMSEY
PO BOX 893
MOUNTAIN HOME ID 83647

SOURCE: ALKALI CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.14 CFS
28.0 AFY

PRIORITY DATE: 03/01/1947

POINT OF DIVERSION: T05S R09E S27 NENWSE Within ELMORE County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION 03-15 11-15 0.14 CFS
28.0 AFY

PLACE OF USE: IRRIGATION Within ELMORE County
T05S R09E S27 NWSE 7
7 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 61:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

In Re SRBA
Case No. 39576

IDWR has completed the following Administrative Proceeding:

SUBSTITUTION OF PARTY

Water Right(s): 61-11808

From (Claimant/Seller):

Name of Claimant: BRADLEY D RUMSEY
KATHY K RUMSEY
Address: RR 1 BOX 261
GLENN'S FERRY ID 83623-9762
Phone: (208) 366-2426

Name of Claimant: LOIS L NEJDL
EMIL NEJDL
Address: PO BOX 893
MOUNTAIN HOME ID 83647
Phone: (208) 366-2426

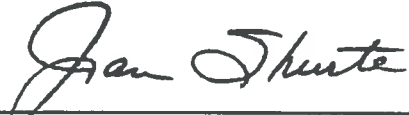
To (Claimant/Purchaser):

Name of Claimant: BRAD RUMSEY
KATHY RUMSEY
Address: PO BOX 893
MOUNTAIN HOME ID 83647
Phone: (208) 366-2426

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 14, 1999



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on *May 17, 1999* I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

BRADLEY D RUMSEY
KATHY K RUMSEY
RR 1 BOX 261
GLENNS FERRY ID 83623-9762

LOIS L NEJDL
EMIL NEJDL
PO BOX 893
MOUNTAIN HOME ID 83647
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

BRAD RUMSEY
KATHY RUMSEY
PO BOX 893
MOUNTAIN HOME ID 83647
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449

5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Denise Buffington
Signature of person or attorney mailing the form

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

MAY 13 1999

WATER RESOURCES
WESTERN REGION

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

1. Water Right No(s).: 61-10082, 61-11822, A61-11808 (License # 2631)
Adjudication Claim No(s).: _____
2. The following REQUIRED information must be submitted with this form:
 - 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 attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: Brad Rumsey, Kathy Rumsey, Emil Nejd, Lois Nejd, PO Box 893 Mt Home Id 834
4. New Owner/Claimant(s): Brad Rumsey, Kathy Rumsey,
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address: PO Box 893
City, State and ZIP Code: Mt Home Id 83647
New Telephone Number: (208) 366-2426 208-587-4237
5. Date you acquired the property: please note: Emil & Lois Nejd signed over to us 7/1/97
We have always been an owner with them.
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 you irrigate 12 Number and type of stock _____
Diversion rate in CFS _____ Number of homes 1 Other uses Pond
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 or Claimant(s): [Signature]
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Quit Claim Deed

For Value Received, EMIL NEJDL and LOIS NEJDL, Grantors, husband and wife, whose address is P.O. Box 923, Mountain Home, Elmore County, Idaho, do hereby convey, release, remise and forever quit claim unto BRADLEY D. RUMSEY and KATHY K. RUMSEY, Grantees, husband and wife, whose address is P.O. Box 893, Mountain Home, Elmore County, Idaho, the premises located in Elmore County, Idaho, and more particularly described as follows:

302134

ELMORE COUNTY, IDAHO ss
Request of

See Attached Exhibit "A"

GUARANTY TITLE, INC

Time 9:57 A M

Date August 4, 1997

Book 0 Page 0

DOLORES ROBISON

Recorder

By [Signature]

Deputy

Fee \$6.00

together with their appurtenances.

DATED this 8 day of July, 1997.

[Signature]
EMIL NEJDL

[Signature]
LOIS NEJDL

STATE OF IDAHO, COUNTY OF ELMORE

STATE OF IDAHO, COUNTY OF ELMORE

On this 8 day of July, 1997,
before me a Notary Public in and for said State,
personally appeared EMIL NEJDL and LOIS NEJDL,
known or proved to me to be the persons whose names
are subscribed to the foregoing instrument, and
acknowledged to me jointly executed the same.

I hereby certify that this instrument was filed
for record at the request of _____
at _____ minutes past _____ o'clock _____ m.,
this _____ day of _____, 19____.
in my office, and duly recorded in Book _____
of Deeds at page _____.

Notary Public for Idaho
Residing in Idaho,
My commission expires 2-1-98

Ex-Officio Recorder

By _____
Deputy

Fees \$ _____



TOWNSHIP 5 SOUTH, RANGE 9 EAST, BOISE MERIDIAN, ELMORE COUNTY, IDAHO

SECTION 27: N4SW4, N44SE4

and

Lots 1, 2, 3, 4, 5, 7 and 8, Block 4, and all of Block 5, WOODHOUSE COVE, Elmore County, Idaho, according to the official plat thereof on file and of record in the office of the County Recorder of Elmore County, Idaho.

SAVE AND EXCEPT:

PARCEL I:

That part of Lot 5, Block 4, WOODHOUSE COVE SUBDIVISION, Elmore County Idaho, lying south of old U.S. Highway 30 and located in the SE4SW4, Section 27, T5S, R9E, B.M., being more particularly described as follows:

Beginning at a Brass Cap, the south quarter corner of Section 27, T5S, R9E, B.M., Elmore County, Idaho; thence West 990.18 feet along the Section line to a point, the SE corner of said Lot 5 and the REAL POINT OF BEGINNING; thence continuing West 330.06 feet along the section line to a point, the SW corner of said Lot 5, which is the sixteenth corner; thence N 1°02'45" E 111.49 feet along the west side of said Lot 5, which is the sixteenth line, to a point; thence N 56°31'52" E 399.09 feet along the south right of way line of old U.S. Highway 30 to a point; thence S 0°50'39" W 331.59 feet along the east side of said Lot 5 to a point, the REAL POINT OF BEGINNING.

PARCEL II:

That part of Lots 1, 2, 7 and 8, Block 4, WOODHOUSE COVE SUBDIVISION, lying south of old U.S. Highway 30 located in the SE4SW4, Section 27, T5S, R9E, B.M., Elmore County, Idaho, being more particularly described as follows:

Beginning at a Brass Cap, the south quarter corner of Section 27, T5S, R9E, B.M., Elmore County, Idaho, said point being the SE corner of Lot 5, Block 4, Woodhouse Cove Subdivision, and the REAL POINT OF BEGINNING; thence West 660.12 feet along the section line to a point; the SW corner of Lot 7; thence N 0°38'32" E 550.27 feet along the west side of said Lot 7 to a point; thence northeasterly 709.38 feet along a curve to the right having a Delta angle of 14°27'13", a tangent of 356.58 feet, a long chord of 707.56 feet bearing N 64°38'15" E to a point, a concrete highway right of way monument; thence N 71°51'52" E 19.19 feet to a point on the east side of said Lot 1; thence S 0°14'26" W 859.32 feet along the east side of said Lots 1 and 8 to a point, the REAL POINT OF BEGINNING.

PARCEL III:

A tract of land located in the Southwest Quarter of the Southwest Quarter of Section 27, Township 5 South, Range 9 East Boise Meridian, Elmore County, Idaho, bounded as follows:

Commencing at the South Quarter corner of Section 27, T5S, R9E, B.M., and running thence West along the section line 1320.24 feet, more or less, to the Southwest corner of Lot 5, Block 4, Woodhouse Cove Subdivision, the REAL POINT OF BEGINNING; thence continuing from the point of beginning West along said section line a distance of 168.75 feet, more or less to its intersection with the South right of way line of old U.S. Highway No. 30; running thence North 56°31'52" E along the South right of way line of said highway a distance of 220 feet, more or less, to the intersection of said South highway right of way line with the East boundary line of the Southwest Quarter of the Southwest Quarter of said Section 27; and also being the West boundary line of Lot 5, Block 4, Woodhouse Cove Subdivision; running thence S 1°02'45" W 111.49 feet to the REAL POINT OF BEGINNING.

ALSO SAVE AND EXCEPT:

Those parcels deeded to the State of Idaho for roadway purposes as disclosed on Project No. I-80-N-2(12)114, Parcel No. 6-E-2, recorded July 31, 1975 as Instrument Number 164139, records of Elmore County, Idaho.

WESTERN REGION

CLAIM NUMBERS 61-1108

AGENT SB DATE 9/23/98

TOTAL ACRES FROM RECOMMENDATION 7

GEOGRAPHIC INFO SYSTEM ACRES 6.6

READY FOR DECREE ____ (YES) SENT FOR DECREE ____ (YES)

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM																			
GIS																			
RECOM																			
GIS																			

POLYGON CREATED ON 80__

POLYGON # () () () () _____ UPDATED BY

ATTRIBUTES OF B51-POU.SHP (^{6.2}65) (^{6.4}66) () () ()

ATTRIBUTES OF B51-POD.SHP (71) () () () ()

B51-DBPOU.DBF SB UPDATED BY

B51-DBPOD.DBF SB UPDATED BY

Added to B61

RECEIVED
JUN 09 2000
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

RECEIVED

APR 17 2000



Department of Water Resources

RECEIVED

JUN 27 2000

Department of Water Resources

BRAD AND KATHY RUMSEY
PO BOX 893
MOUNTAIN HOME ID 83647

Depart

RETURN TO SENDER

53706+2237



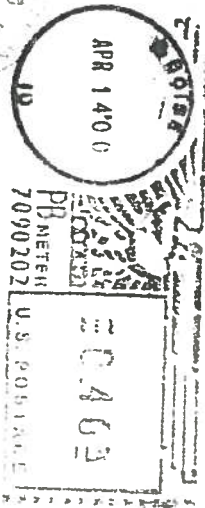
RUMS893 836472221 1B98 06 04/14/00
FORWARD TIME EXP RTN TO SEND
RUMSEY
RR1 BOX 261
GLENN'S FERRY ID 83623-9762

61-10082 (a)
61-11808 (b)
61-02113 w/d

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

PRESORTED
FIRST CLASS



IMPORTANT WATER RIGHT INFORMATION

65-07504A
JULIUS H RAMBO
WINNIFFERED L RAMBO
1402 HARRISON
BOISE ID 83702

RECEIVED

2 8 2000

Water Resources

2nd attempt
UAA 208

RECEIVED
JUN 09 2000
WATER RESOURCES
WESTERN REGION