

\$100.00

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A67-02071
Date Received: 10-16-89
Receipt No: CA12260
Received By: D. Leathley
lat

RECEIVED

OCT 16 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: GEORGE THOMAS MACOMB
Address: 316 MACOMB ROAD
WEISER, ID

208-549-1829

83672

2. Date of Priority: NOV 04, 1933

3. Source: BUTTERMILK SLOUGH

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	05W	15	NE	SW	SE		WASHINGTON

5. Description of diverting works:
10 HP PUMP, 10" DISCHARGE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

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

A.F.A.

8. Total consumptive use is 175.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10N	05W	15	SE	SW		IRR	40.0
			SW	SE		IRR	10.0
						Section Acres	50.0

A67-02071

Page

1

Date: 10/11/89

MICROFILMED
OCT 01 1992

SCANNED
MAY 10 2004

10. Place of Use: Continued

Total Acres 50.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:

ORIGINAL LICENSE DESCRIBES THE SOURCE AS CRYSTAL LAKE; THIS IS THE SAME AS BUTTERMILK SLOUGH AND IS CORRECTLY IDENTIFIED AS BUTTERMILK SLOUGH. THE NAME CRYSTAL LAKE IS NOT LONGER IN CURRENT USAGE.

15. Basis of Claim: LICENSE
Water Right Number: 8399

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): X George Thomas Macomb Date: X Oct 12, 1989

Date: _____

State of Idaho)
County of WASHINGTON) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of October 19 89

Joe T Burton
Notary Public

Seal

Residing at Weiser

My Commission Expires Sept 27, 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST 2

CLAIMANT'S NAME

Macomb

CLAIM IDENT. NO.

A67-02071

DATE RECEIVED

10/16/89

CK #

C012260

AMOUNT \$

100-

YES

NO

Required Info?

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

Claim checked by:

B

Date:

5/16/90

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐

Receipt Prepared by: ☒
Claim data entered by: ☒
Sent to claimant by: ☒

Date:

5/23/90

Checked by:

Date:

Comments:

MICROFILMED

OCT 01 1992

FF

53702

MAILED FROM ZIP CODE 53702

ADDRESS SERVICE
REQUESTED



UNDELIVERABLE
AS ADDRESSED
FORWARDING
ORDER EXPIRED

UTF

RECEIVED
NOV 22 2006
DEPT
WATER RES.

c/o needed?

Arden J Dunker
6334 Hollilynne
Boise ID 83709

comment in Quicklook
mrb66/11/2007

GEORGE THOMAS MACOMB
316 MACOMB RD
WEISER ID 83672

NOE
WR # 67-2071

SCANNED

FEB 27 2007

0000

FIR



0004389393 JAN 19 2007
MAILED FROM ZIP CODE 83702

NOT DELIVERABLE
AS ADDRESS IS
UNABLE TO FORWARD

RECEIVED
JAN 23 2007
DEPARTMENT OF
WATER RESOURCES

WAM

GEORGE THOMAS MACOMB
316 MACOMB RD
WEILER ID 835

Director's Report
WR # 67-2071

SCANNED

MAR 13 2007

07/25/2006

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

RIGHT NUMBER: 67-2071

NAME AND ADDRESS: GEORGE THOMAS MACOMB
316 MACOMB RD
WEISER ID 83672

SOURCE: BUTTERMILK SLOUGH

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 11/04/1933

POINT OF DIVERSION:

T10N R05W S15 NWSWSE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

1.000 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R05W S15

SESW

40.00

T10N R05W S15

SWSE

10.00

50 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

SRBA Recommendation:

67-2071

Legend

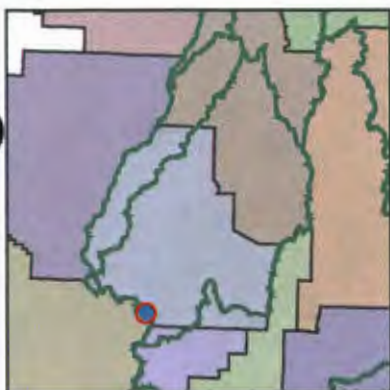
● **Point of Diversion**

□ **Place of Use**

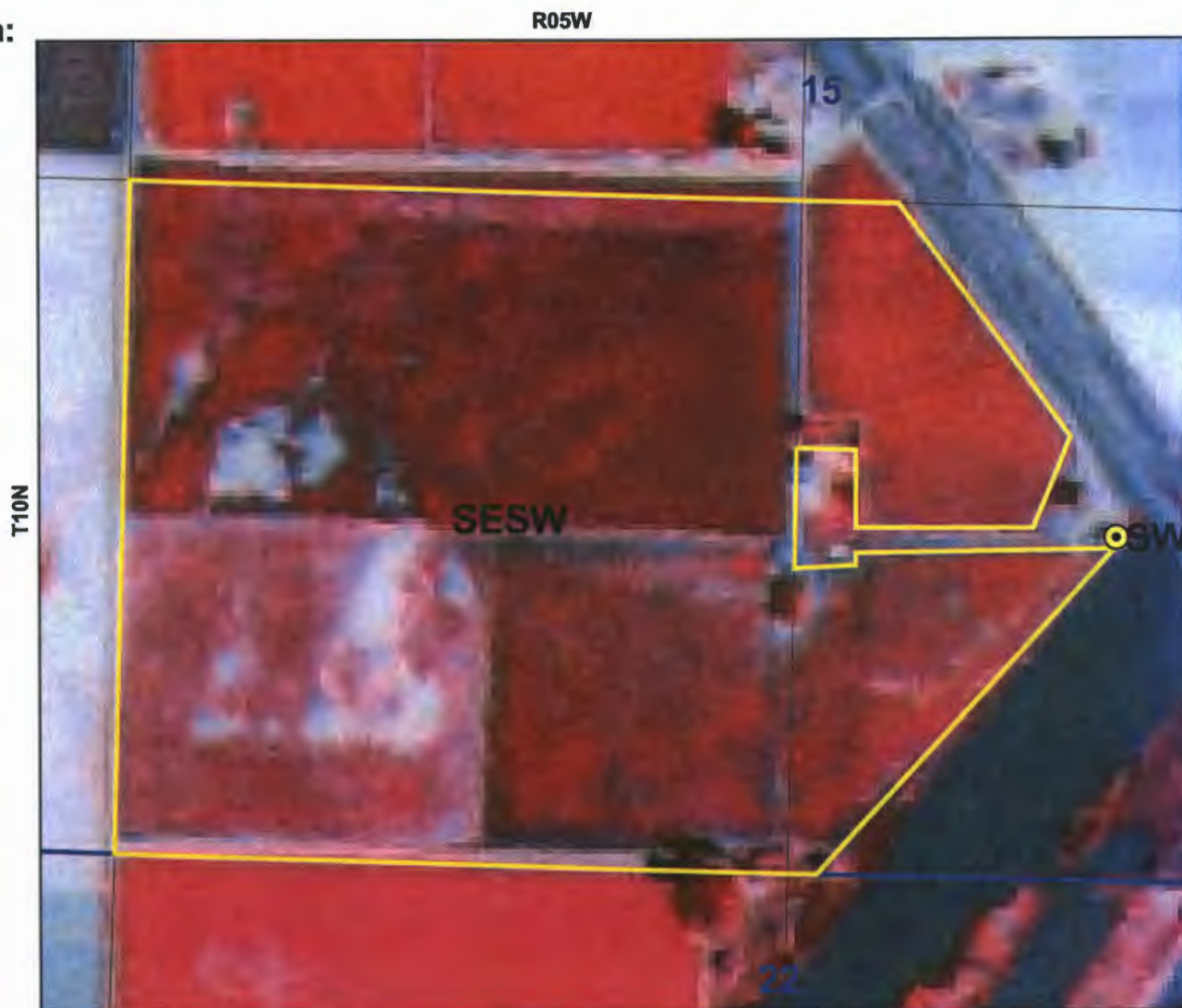
□ **Townships**

□ **PLS Sections**

□ **Quarter Quarters**



Washington County
IDWR Basin 67



0 0.1 0.2 Miles

Prepared by C. Saxton
On Tuesday, July 25, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2071 V1

WATER RIGHT NUMBER: 67-2071 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEORGE THOMAS MACOMB 316 MACOMB RD WEISER, ID 83672 (208)549-1829
Original Owner	T B CLARK
	WEISER, ID
Original Owner	W A FULKERSON
	, ZZ

Priority Date: 11/04/1933

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
BUTTERMILK SLOUGH	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

BUTTERMILK SLOUGH	NW1/4SW1/4SE1/4	Sec. 15, Twp 10N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	05W	15																	50.0

Total Acres: 50

Conditions of Approval:

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

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2071 V1

Comments:

1. segbert 4/14/2004 Source

Comment: The license says Crystal Lake and the Claim says Buttermilk Slough

2. csaxton 7/25/2006 Source

Comment: USGS Quad defines source as Buttermilk Slough without the "Creek" at the end.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/14/2004 3:25:25 PM	segbert			Active
POD	4/14/2004 3:30:17 PM	segbert			Active
Source	4/14/2004 3:35:37 PM	segbert			Active
POU	4/14/2004 3:37:15 PM	segbert			Active
Use	4/14/2004 3:37:57 PM	segbert			Active
Season	4/14/2004 3:42:09 PM	segbert			Active
Quantity	4/14/2004 3:44:32 PM	segbert			Active
Season	6/1/2004 1:16:26 PM	mcase			Active
Summary			07/25/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	4/14/2004 3:29:46 PM	segbert	Edited point location
POD	4/14/2004 3:30:18 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2071 V1

Season	4/14/2004 3:42:10 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (Yes) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?
Quantity	4/14/2004 3:44:33 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?
Source	4/14/2004 3:35:37 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (No) 5. Can the claimed source be verified using the water right file? (No) 7. Is there evidence that there has been a change in the source?
POU	4/14/2004 3:37:16 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/14/2004 3:37:58 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2071 V1

Priority Date	4/14/2004 3:25:26 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	7/25/2006 10:08:19 AM	csaxton	Updated PLS for Active POU
Summary	7/25/2006 10:10:01 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	7/25/2006 10:03:09 AM	csaxton	Updated shape
POD	7/25/2006 10:03:20 AM	csaxton	Updated PLS
POU	7/25/2006 10:08:10 AM	csaxton	Updated shape for Active POU
POU	12/31/2003 9:30:21 AM	awarntje	Edited shape boundary
Season	6/1/2004 1:16:26 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?

Water Supply Bank:

BURTON & KROLL

ATTORNEYS AT LAW

P. O. BOX 367

WEISER, IDAHO 83672

IRA T. BURTON
CHARLES R. KROLL

208 549 1652

October 13, 1989

IDAHO DEPT. OF WATER RESOURCES
ATTN: Helen Harrington
1301 N. Orchard
Boise, ID 83706

RECEIVED
OCT 16 1989

Re: Water Rights Claims

Department of Water Resources

Dear Helen:

Enclosed for filing please find Notice of Claim to
A Water Right for the following:

1. James L. Mason (2);
2. Clarence C. Chrestesen (3);
3. Rosemary Wilson (2);
4. Tommy Macomb (2);
5. Blanche A. Beggs (2);
6. Shirley F. Smith (3);
7. L. C. & Myrla Cheney (3); and
8. Myrtle M. Witte & Genevieve L. Witte (1).

If you have any questions concerning these Notices, please
contact me.

Sincerely yours,

BURTON & KROLL
Ira T. Burton

IRA T. BURTON
Attorney at Law

ITB:jas
Enclosure

MICROFILMED
OCT 01 1992

State of Idaho

License and Certificate of Water Right

Water License No. 8399

Amount 1.0 Sec. Ft.

Water District No.

Priority Nov. 4, 1933

THIS IS TO CERTIFY that W. A. FULKERSON
 of Weiser, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated May 20, 1912; that Permit No. 8399
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 1-1/5 second feet, was issued thereunder on January 11, 1913, showing that said works
 were completed on the 6th day of January, 1913; and that on the 22nd
 day of June, 1937,

T. B. CLARK, Assignee,
 of Weiser, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of Crystal Lake
 , a tributary of Snake River, for the purpose of irrigation
 , under Use Permit No. 8399 of the State Engineer
 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 Commissioner of Reclamation of Idaho and entered of record in Volume 7
 of Licenses, at page 3891, on the 13th day of January, 1938;

The right hereby confirmed dates from November 4, 1933;

The Point of Diversion is located
 in the SW 1/4 SE 1/4, Sec. 15, Tp. 10 N., R. 5 W., B. M., Washington County.

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 1
 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 N.	5 W.	15	SW 1/4 SE 1/4	20	10
			SE 1/4 SW 1/4	40	40
					50

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 Commissioner of Reclamation, affixed at Boise, Idaho,
 this 13th day of January, 1938

R. W. FARIS
 Commissioner of Reclamation

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 8399This proof is for Beneficial Use

In Water District No.

1. Name of applicant: Thomas B. Clark
2. Source of water supply: Crystal Lake
3. Location of point of diversion: Is in the SW¹₄ of Section 15
T. 10 N. R. 5 W. County of Washington
4. Describe works as they exist, giving dimensions and capacities of same: Centrifugal pump connected to "Howard Electric" motor (3 HP) by "V" belt. Motor 440 Volts, 1740 R.P.M. lifts 12 feet through 50 ft. of 8" steel pipe. Ditch 2 ft wide 3/4 ft. deep
5. Water is used for: Irrigation & domestic use
6. 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 for other than irrigation): SW¹₄ & SE¹₄ SW¹₄, Sec. 15, T. 10 N., R. 5 W., 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? Snake River

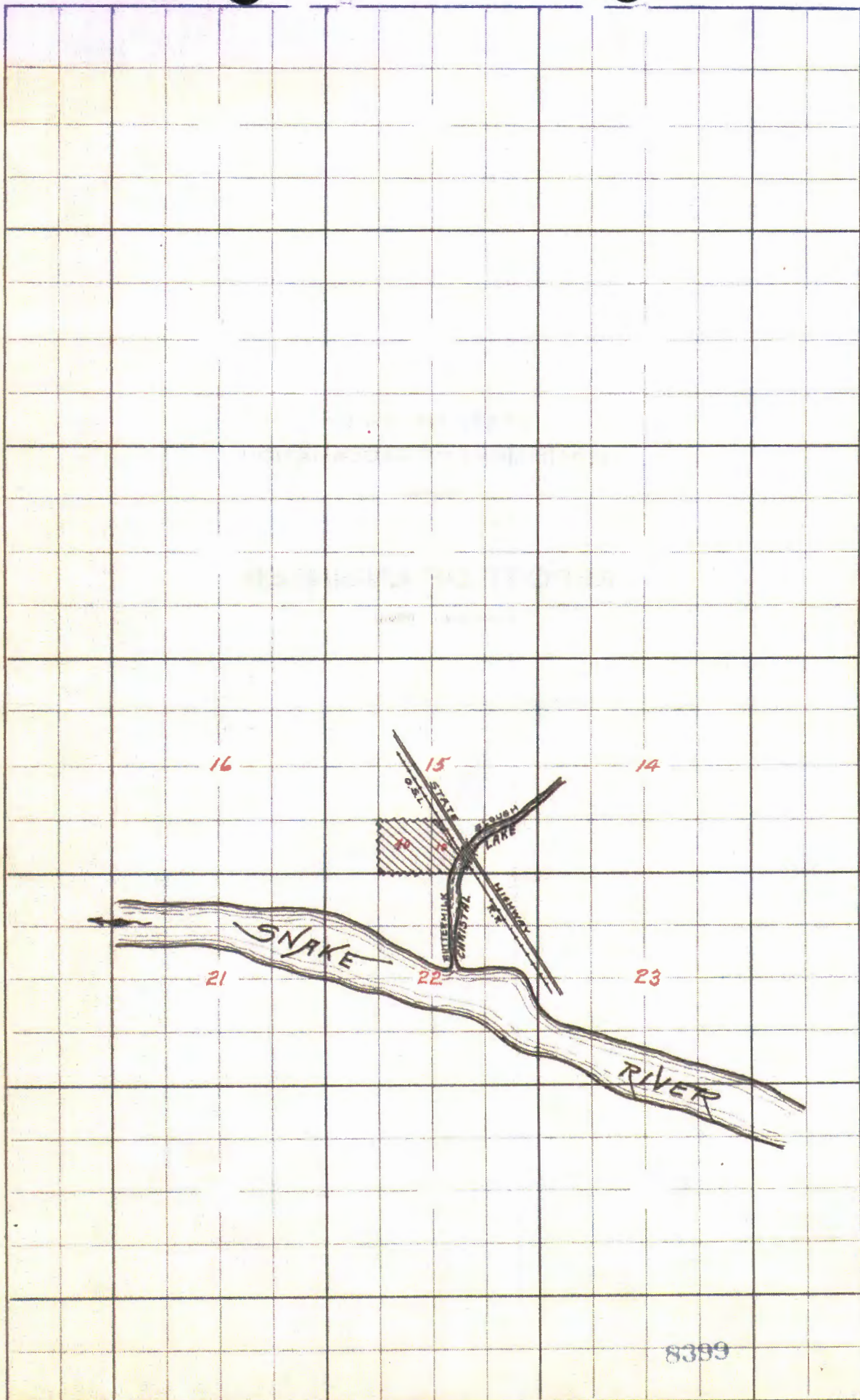
Remarks:

This examination was made on the 26th day of July, 1937.

S. C. C.

(Signed)

Edith Holman
Examiner.



8399