

RECEIVED

JUN 27 2006

DEPARTMENT OF
WATER RESOURCESIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO
IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 67-2258
Date Received: 6/22/2006
Receipt No: 0081565
Received By: *mm*

New Claim

New Claim

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JAY S CHAMBERLIN Phone: (541) 372-3540

1484 COVER RD
WEISER ID USA 83672

2. Date of Priority: 06/05/1958

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/01	0.04	
DOMESTIC	01/01	12/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
10N	05W	4	NE SE	IRRIGATION	2
Section Acres					2

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Total Acres 2

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

Claim set to temporary status until signed in front of a notary and returned with filing fee of \$52.00 or returned to this office by 6-31-06 (csaxton 6-22-06).

The quantity of water under this right and 67-10008 for domestic use shall not exceed 13,000 gallons per day.

15. Basis of Claim: License

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): *[Signature]*Date: 6-23-06Date: 6/23/06

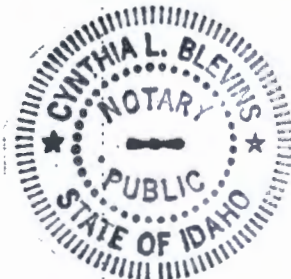
State of Idaho

County of Payette) SS.

Subscribed and sworn (or affirmed) before me this

of 6-23-06 2006*[Signature]*

Notary Public

Residing at New Plymouth, Id.My commission Expires 12-08-2010

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06/22/2006

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-10008

WATER RIGHT NUMBER: 67-10008

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ALBERTA D TODD 1484 COVE RD WEISER, ID 83672 (208)549-1595
Original Owner	CAROL JEAN HURT 1484 COVE RD WEISER, ID 83672
Current Owner	JENNIFER L WILLIAMS 1484 COVE RD WEISER, ID 83672
Current Owner	ROBERT R WILLIAMS 1484 COVE RD WEISER, ID 83672
Original Owner	TERRY KAY TODD 1484 COVE RD WEISER, ID 83672 (208)549-1595

*This is the
Decreed Down & Stock
Right already on
your place.
FYI*

Priority Date: 12/31/1958

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01	12/31	0.040 CFS	
STOCKWATER	1/01	12/31	0.020 CFS	
	<u>Total Diversion:</u>		0.060 CFS	

Location of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4

Sec. 4, Twp 10N, Rge 05W, B.M.

WASHINGTON County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
10N	05W	4					

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-10008

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N 05W 4													X				

Conditions of Approval:

1. PARCEL NO. 10N05W047220 STOCKWATER, 2 HORSES
2. 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.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
4. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:Comments:

1. LHARRIS 5/8/1995 OWNERSHIP CHANGE
Comment: OWNERSHIP CHANGED BY LH 5/8/95.

Dates and Other Information:

Licensed Date:
 Decreed Date: 12/8/2000
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

SCANNED

JUN 28 2006

6695

State of Idaho License and Certificate of Water Right

Water License No. G-27413

Amount 0.04 c.f.s.

Water District No.

Priority June 5, 1958

THIS IS TO CERTIFY that

GEORGE A. DUSENBERRY

of Weiser, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 5, 1958; that Permit No. G-27413 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.04 second feet, was issued thereunder on July 22, 1959, showing that said works were completed on the 20 day of October, 1958; and that on the 20th day of October, 1958,

GEORGE A. DUSENBERRY

of Weiser, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of domestic & irrigation purposes, under Use Permit No. G-27413 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 11 of Licenses at page 6695, on the 22 day of July, 1959;

The right hereby confirmed dates from June 5, 1958;

The Point of Diversion is located

in the NE ¼ SE ¼, Sec. 4, Tp. 10 N, R. 5 W., B. M. County Washington

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 0.04 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.	4	NE ¼ SE ¼	2	2
Total number of acres to be irrigated:					2

Original
License

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

22 day of July, 1959.

s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

SCANNED

67 2268

JUN 28 2006

Payment Amount \$52.00 Date Received 6/27/2006 11:45:17 AM Region State Status
Payment Type Check Check Number 1090

Comment NOTICE OF CLAIM FOR #67-2258

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$52.00	ADJUDICATION FILING FEE	0337		41503	1155

□ □

Signature Line (Dept. Representative)

JS Chambers
1484 Cow Rd
Musk Id 83672

State of Idaho Department of Water Resources
Attn: Craig A. Jackson
322 E. Front Street
P.O. Box 83720
Pocatello Idaho
83720-0098



83720-0098



RECEIVED

11/14/2006

DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

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

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

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

Water right number: 67-2268

JAY S CHAMBERLIN

1484 COVE RD

WEISER ID 83672

Telephone Number: (541) 372-3540

WORK

1-208-549-1493
HOME

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

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

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

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

DATE: 12-2-06

SIGNATURE:

Please print your name:

Jay S Chamberlin

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

SCANNED

DEC - 6 2006

07/07/2006

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

RIGHT NUMBER: 67-2268

NAME AND ADDRESS: JAY S CHAMBERLIN
1484 COVE RD
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
9.000 APY

The quantity of water under this right and 67-10008 for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/05/1958

POINT OF DIVERSION:

T10N R05W S4 NESE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.040 CFS 9.00 APY
DOMESTIC	01/01 12/31	0.020 CFS

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R05W S04 NESE 2.00

DOMESTIC same as IRRIGATION

2 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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Parcel #: RP10N05W047220A



Idaho Department of Water Resources

SRBA Recommendation:

67-2268

Legend

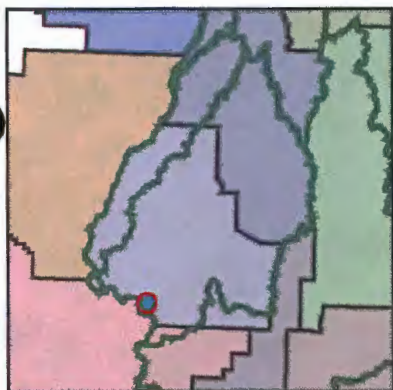
○ **Point of Diversion**

□ **Place of Use**

□ **Townships**

□ **PLS Sections**

□ **Quarter Quarters**



Washington County
IDWR Basin 67



0 0.1 0.2 Miles

Prepared by C. Saxton
On Friday, July 7, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2268 V1

WATER RIGHT NUMBER: 67-2268 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GEORGE A DUSENBERRY
Current Owner	WEISER, ID JAY S CHAMBERLIN 1484 COVE RD WEISER, ID 83672 (541) 372-3540

Priority Date: 06/05/1958

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.040 CFS	9.00 AF
DOMESTIC	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.040 CFS	9.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 4, Twp 10N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
10N 05W 4	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	2.0
					2.0

Total Acres: 2

DOMESTIC same as IRRIGATIONConditions of Approval:

1. X01 Domestic use is for 1 home.
2. 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.
3. Parcel #: RP10N05W047220A
4. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2268 V1

5. N12 The quantity of water under this right and 67-10008 for domestic use shall not exceed 13,000 gallons per day.

Remarks:Comments:

1. csaxton 7/7/2006 POU

Comment: This right is co-mingled with surface water that irrigates around 7 acres according to GIS. Recommend the licensed 2 acres, but put the shape in for 7 as I do not know what 2 acres of the 7 is irrigated.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 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>
Contacts	7/7/2006 3:36:00 PM	csaxton			Active
Priority Date	7/7/2006 3:36:40 PM	csaxton			Active
POD	7/7/2006 3:36:47 PM	csaxton			Active
Source	7/7/2006 3:38:04 PM	csaxton			Active
POU	7/7/2006 3:38:11 PM	csaxton			Active
Use	7/7/2006 3:45:16 PM	csaxton			Active
Season	7/7/2006 3:52:31 PM	csaxton			Active
Quantity	7/7/2006 3:55:10 PM	csaxton			Active
Summary			07/07/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	7/7/2006 3:37:39 PM	csaxton	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2268 V1

Source	7/7/2006 3:38:04 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	7/7/2006 3:38:11 PM	csaxton	(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? (No) 14. Is a POU remark and/or condition required?
POU	7/7/2006 3:38:24 PM	csaxton	Updated shape for Active POU
Season	7/7/2006 3:52:32 PM	csaxton	(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? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	7/7/2006 3:55:10 PM	csaxton	(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? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - (4.5 af) * (2 acres) = 9 afa

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2268 V1

Summary	7/7/2006 3:58:17 PM	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? (Yes) 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?
Use	7/7/2006 3:45:16 PM	csaxton	(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? (No) 13. Is a Purpose of Use remark and/or condition required?
Contacts	7/7/2006 3:36:01 PM	csaxton	(No) 1. Do you want to schedule an appointment?
General	7/7/2006 3:36:41 PM	csaxton	Comment for 1: Desktop Review (No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	7/7/2006 3:36:48 PM	csaxton	(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? (No) 10. Is a POD remark and/or condition required?

Water Supply Bank: