

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: **A67-04049**  
Date Received: 7/25/1989  
Receipt No: C008530  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

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

**COPY FOR  
YOUR FILES**

1. Name: KEITH FORD  
Address: 3475 FORD RANCH RD  
CAMBRIDGE ID

208-257-3579

83610

AND/OR

Name: HELEN M FORD  
Address: 3475 FORD RANCH RD  
CAMBRIDGE ID

208-257-3579

83610

2. Date of Priority: JUN 1, 1920

3. Source: RUSH CREEK

Trib. to: WEISER RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County     |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 16N      | 03W   | 34      | SE     | NW     | SW  |     | WASHINGTON |

5. Description of diverting works:

ROCK DAM HEADGATE, 2 MILES OF OPEN DITCH, GRAVITY FLOOD/SPRINKLER

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/15 | 4.000  |      |        |

7. Total Quantity Appropriated is:

4.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

585.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 15N      | 03W   | 9       | NE     | NE  |     | IRR | 10.0  |

**SCANNED**  
**APR 08 2004**

10. Place of Use: Continued

| Township | Range | Section | 1/4 | of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|--------|-----|---------------|-------|
| 15N      | 03W   | 9       | NW  | NE     |     | IRR           | 37.0  |
|          |       |         | SW  | NE     |     | IRR           | 20.0  |
|          |       |         | SE  | NE     |     | IRR           | 28.0  |
|          |       |         | NE  | NW     |     | IRR           | 7.0   |
|          |       |         | NE  | SE     |     | IRR           | 28.0  |
|          |       |         |     |        |     |               |       |
|          |       |         |     |        |     | Section Acres | 130.0 |
|          |       | 10      | NW  | SW     |     | IRR           | 14.0  |
|          |       |         | SW  | SW     |     | IRR           | 30.0  |
|          |       |         | SE  | SW     |     | IRR           | 11.0  |
|          |       |         |     |        |     |               |       |
|          |       |         |     |        |     | Section Acres | 55.0  |
|          |       | 15      | NE  | NW     |     | IRR           | 17.0  |
|          |       |         |     |        |     |               |       |
|          |       |         |     |        |     | Section Acres | 17.0  |
|          |       |         |     |        |     |               |       |
|          |       |         |     |        |     | Total Acres   | 202.0 |

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:  
67-00292, 67-00305

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

15. Basis of Claim: STATUTORY CLAIM



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

MAY - 4 1999

Department of Water Resources

DIRK KEMPTHORNE  
GOVERNOR

April 29, 1999

KARL J. DREHER  
DIRECTOR

KEITH AND HELEN M FORD  
3475 FORD ~~Ranch Rd~~  
CAMBRIDGE ID 83610

Re: Snake River Basin Adjudication (SRBA)  
Water Rights #67-02061, '67-04486, '67-10089, '67-10090,  
'67-10091, '67-10092, '67-10093, A67-00292, A67-00305,  
A67-04049 & A67-10094  
Change of Address *Records changed, not prepared,*  
*-205-4-99*

Dear Water Right Holders:

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

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

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

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

Sincerely,

*Sally*

Sally Sherman  
Technical Records Specialist  
Adjudication Bureau

SS:region

#####

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

Claimant Signature

*Helen M. Ford*  
3475 Ford Ranch Rd  
Cambridge, Idaho 83610

Telephone No.

208257 3579

8 pieces

**Notice to Mailer of Correction in Address**

67-02061✓

67-10093

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

67-10089/67-04486/67-10090/67-10091/67-10092

☐ No account number on mail  
☒ Account number illegible

Addressee's Name

HELENN FORD Keith FORD

Old Address (Include apartment or suite number)

Rt 1 Box 236

City, State, and ZIP Code

Cambridge, Id 83610

New Address (Include apartment or suite number)

3475 Ford Rd

City, State, and ZIP Code

Cambridge, Id 83610

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

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

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

☐ Moved, left no address  
☐ Refused

☐ No such street  
☐ Attempted, not known

☐ No such number  
☐ Unclaimed

PS Form 3547, June 1995

+A67-00292✓

A67-00305✓

A62 04049✓

A67-10094✓

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: A67-04049  
Date Received: 7/25/1989  
Receipt No: COO8536  
Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: KEITH FORD 208-257-3579  
Address: RT. 1 BOX 236  
CAMBRIDGE, ID 83610  
AND/OR  
Name: HELEN M FORD 208-257-3579  
Address: RT. 1 BOX 236  
CAMBRIDGE, ID 83610
2. Date of Priority: JUN 01, 1920
3. Source: RUSH CREEK Trib. to: WEISER RIVER
4. Point of Diversion:  

|          |       |         |     |    |     |    |     |     |            |
|----------|-------|---------|-----|----|-----|----|-----|-----|------------|
| Township | Range | Section | 1/4 | of | 1/4 | of | 1/4 | Lot | County     |
| 16N      | 03W   | 34      | SE  |    | NW  |    | SW  |     | WASHINGTON |
5. Description of diverting works:  
ROCK DAM HEADGATE, 2 MILES OF OPEN DITCH, GRAVITY FLOOD/SPRINKLER
6. Water is used for the following purposes:  

|            |       |       |       |      |        |
|------------|-------|-------|-------|------|--------|
| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
| IRRIGATION | 04/01 | 11/15 | 4.000 |      |        |
7. Total Quantity Appropriated is:  
4.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 585.0 Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 15N      | 03W   | 9       | NE  |    | NE  |     | IRR           | 10.0  |
|          |       |         | NW  |    | NE  |     | IRR           | 37.0  |
|          |       |         | SW  |    | NE  |     | IRR           | 20.0  |
|          |       |         | SE  |    | NE  |     | IRR           | 28.0  |
|          |       |         | NE  |    | NW  |     | IRR           | 7.0   |
|          |       |         | NE  |    | SE  |     | IRR           | 28.0  |
|          |       |         |     |    |     |     | Section Acres | 130.0 |
|          |       | 10      | NW  |    | SW  |     | IRR           | 14.0  |
|          |       |         | SW  |    | SW  |     | IRR           | 30.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 11.0  |
|          |       |         |     |    |     |     | Section Acres | 55.0  |
|          |       | 15      | NE  |    | NW  |     | IRR           | 17.0  |
|          |       |         |     |    |     |     | Section Acres | 17.0  |
|          |       |         |     |    |     |     | Total Acres   | 202.0 |

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:  
67-00292, 67-00305

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 Helen M. Ford Date: July 25, 1989  
Date: \_\_\_\_\_

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 25<sup>th</sup> day  
of July 19 89

Anna Baunhoff  
Notary Public

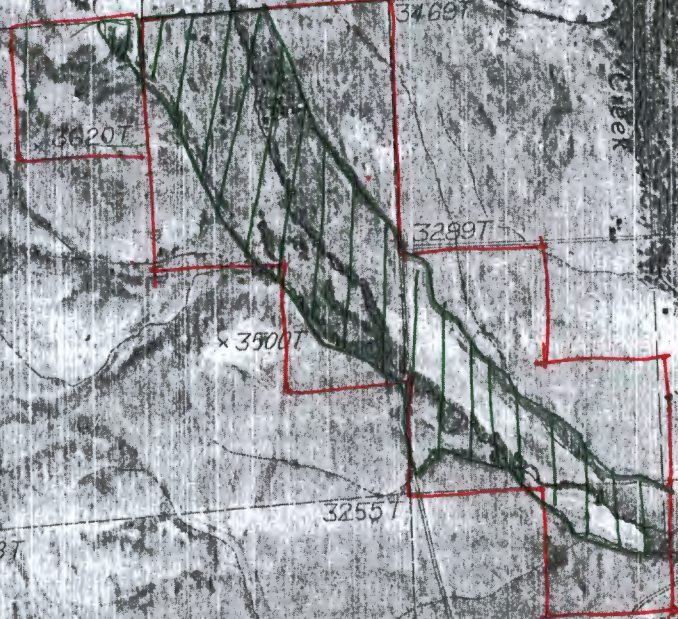
Seal

Residing at \_\_\_\_\_

My Commission Expires Anna Baunhoff, Notary Public  
Residing at Boise, Idaho  
My Commission Expires December 7, 1994

A67-041049

POD



MICROFILMED  
OCT 02 1992

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: 67-4049

HELEN M FORD  
3475 FORD RANCH RD  
CAMBRIDGE ID 83610  
Telephone Number: (208)257-3579

KEITH FORD  
3475 FORD RANCH RD  
CAMBRIDGE ID 83610  
Telephone Number: (208)257-3579

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: Dec. 3, 2006

SIGNATURE: Helen M. Ford

Please print your name: Hellen M. Ford

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

SCANNED

DEC - 6 2006

05/25/2006

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

RIGHT NUMBER: 67-4049

NAME AND ADDRESS: HELEN M FORD  
3475 FORD RANCH RD  
CAMBRIDGE ID 83610

KEITH FORD  
3475 FORD RANCH RD  
CAMBRIDGE ID 83610

SOURCE: RUSH CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 1.130 CFS

PRIORITY DATE: 06/01/1920

POINT OF DIVERSION:

T16N R03W S34 SENWSW Within WASHINGTON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/15 10/31          | 1.130 CFS       |

PLACE OF USE: IRRIGATION Within WASHINGTON County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T15N R03W S09 | NENE | 6.30  | T15N R03W S09 | NWNE | 33.00 |
| T15N R03W S09 | SWNE | 14.00 | T15N R03W S09 | SENE | 29.00 |
| T15N R03W S09 | NESE | 22.00 | T15N R03W S10 | NWSW | 17.00 |
| T15N R03W S10 | SWSW | 25.00 | T15N R03W S10 | SESW | 18.00 |
| T15N R03W S15 | NENW | 12.00 |               |      |       |

176.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 176.3 acres in a single irrigation season. Combined Right Nos.: 67-292, 67-305, and 67-4049

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 - Beneficial Use



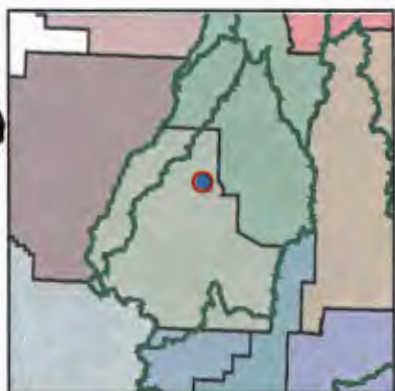
# Idaho Department of Water Resources

SRBA Recommendation:

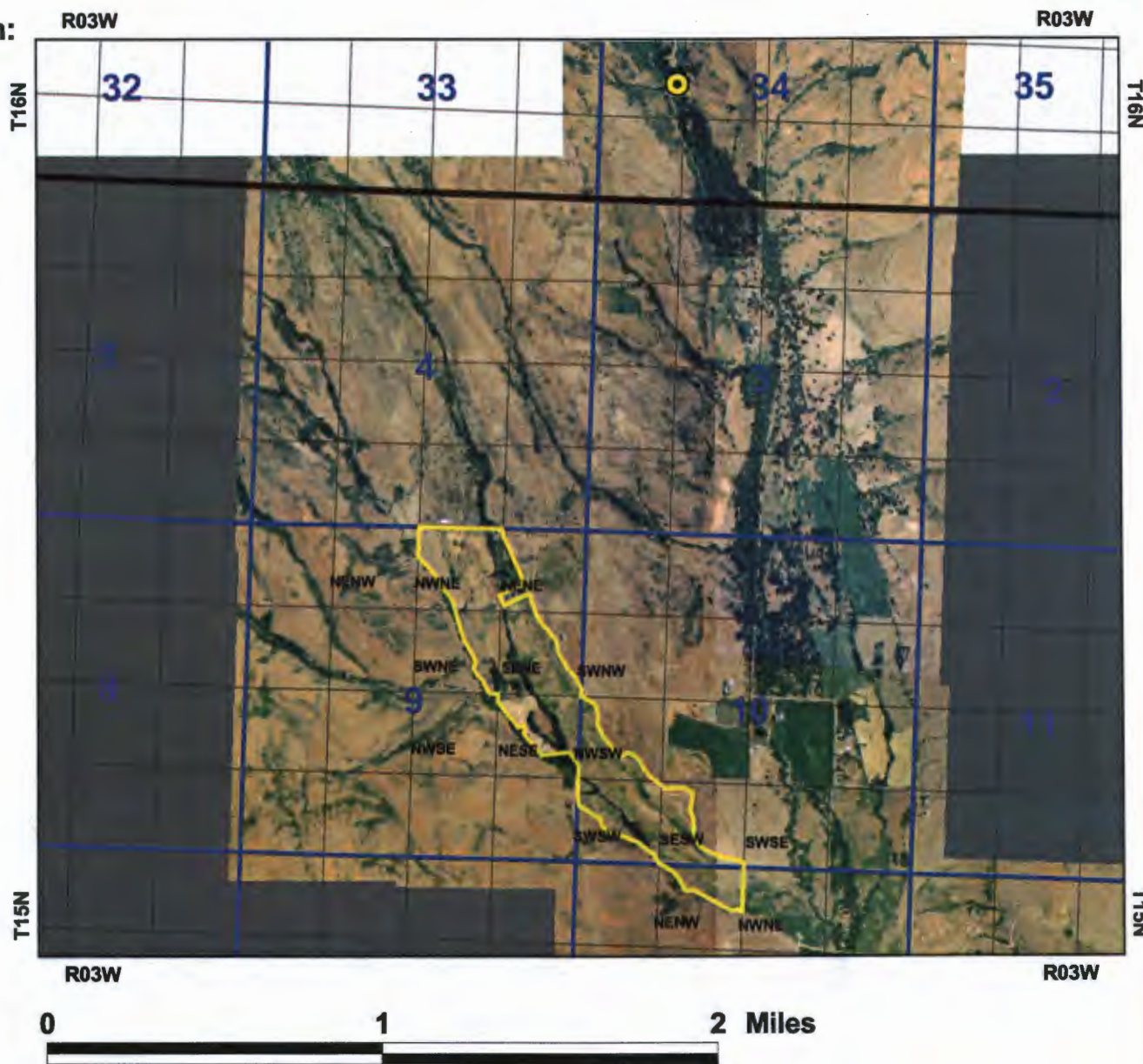
**67-4049**

## Legend

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

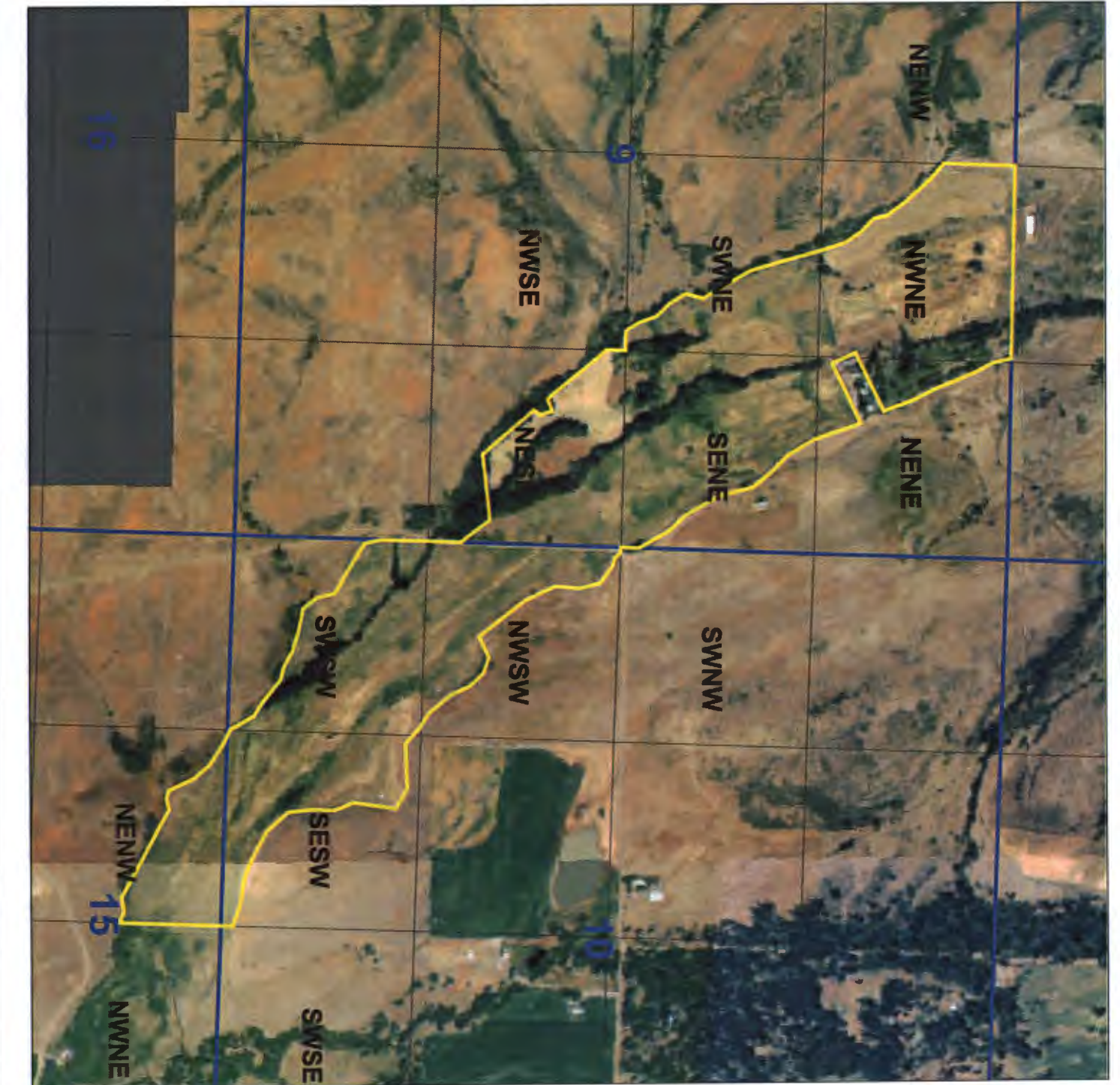


Washington County  
IDWR Basin 67



Prepared by C. Saxton  
On Thursday, May 25, 2006  
1987/88 Aerial Photography

67-4049



## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4049 V1

WATER RIGHT NUMBER: 67-4049 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Current Owner     | HELEN M FORD<br>3475 FORD RANCH RD<br>CAMBRIDGE, ID 83610<br>(208)257-3579 |
| Current Owner     | KEITH FORD<br>3475 FORD RANCH RD<br>CAMBRIDGE, ID 83610<br>(208)257-3579   |

Priority Date: 06/01/1920

Basis: Beneficial Use

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| RUSH CREEK    | WEISER RIVER     |

| <u>Beneficial Use</u>   | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-----------------------|-----------------------|----------------------|
| IRRIGATION              | 03/15 to 10/31        | 1.130 CFS             |                      |
| <u>Total Diversion:</u> |                       | 1.130 CFS             |                      |

Location of Point(s) of Diversion

|                   |                 |                                 |
|-------------------|-----------------|---------------------------------|
| RUSH CREEK        | SE1/4NW1/4SW1/4 | Sec. 34, Twp 16N, Rge 03W, B.M. |
| WASHINGTON County |                 |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE  |      |      |      | NW   |    |    |    | SW |      |      |      | SE |    |      |       | Totals |
|-----|-----|-----|-----|------|------|------|------|----|----|----|----|------|------|------|----|----|------|-------|--------|
|     |     |     | NE  | NW   | SW   | SE   | NE   | NW | SW | SE | NE | NW   | SW   | SE   | NE | NW | SW   | SE    |        |
| 15N | 03W | 9   | 6.3 | 33.0 | 14.0 | 29.0 |      |    |    |    |    |      |      |      |    |    | 22.0 | 104.3 |        |
| 15N | 03W | 10  |     |      |      |      |      |    |    |    |    | 17.0 | 25.0 | 18.0 |    |    |      | 60.0  |        |
| 15N | 03W | 15  |     |      |      |      | 12.0 |    |    |    |    |      |      |      |    |    |      | 12.0  |        |

Total Acres: 176.3

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 176.3 acres in a single irrigation season. Combined Right Nos.: 67-292, 67-305, and 67-4049

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-4049 V1

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.

Remarks:Comments:

1. dnarsavage 2/17/2005 POU  
Comment: Updated Shape

2. dnarsavage 2/17/2005 POD  
Comment: Updated shape

3. csaxton 5/25/2006 Flood Water  
Comment: This right is for flood water that when used with 67-292 and 67-305, will bring irrigation of POU to one inch per acre.

4. csaxton 5/25/2006 Priority  
Comment: Direct overlap with Muir v Allison decreed water. Can recommend as claimed without further EOP.

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: AND  
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:

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|-------------|---------------|--------------|
|             |               | 176.3        |

Combined Water Rights: 67-292 , 67-305 , 67-4049

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> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Use            | 2/17/2005 4:13:05 PM      | dnarsavage      |                           |                 | Active        |
| Season         | 2/17/2005 4:15:26 PM      | dnarsavage      |                           |                 | Active        |
| Summary        |                           |                 | 02/17/2005                | dnarsavage      | Active        |
| Contacts       | 5/25/2006 2:56:59 PM      | csaxton         |                           |                 | Active        |
| Priority Date  | 5/25/2006 2:57:57 PM      | csaxton         |                           |                 | Active        |
| POD            | 5/25/2006 2:58:22 PM      | csaxton         |                           |                 | Active        |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-4049 V1

|          |                      |         |        |
|----------|----------------------|---------|--------|
| Source   | 5/25/2006 3:01:35 PM | csaxton | Active |
| POU      | 5/25/2006 3:02:06 PM | csaxton | Active |
| Use      | 5/25/2006 3:03:26 PM | csaxton | Active |
| Season   | 5/25/2006 3:03:41 PM | csaxton | Active |
| Quantity | 5/25/2006 3:07:40 PM | csaxton | Active |
| Summary  | 05/25/2006           | csaxton | Active |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------|------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use            | 2/17/2005 4:13:06 PM   | dnarsavage      | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a Purpose of Use?<br>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?<br>(No) 13. Is a Purpose of Use remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                      |
| Season         | 2/17/2005 4:15:26 PM   | dnarsavage      | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a Period of Use?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Summary        | 2/17/2005 4:16:39 PM   | dnarsavage      | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?<br>(No) 5. Does this right have any combined use limits with other rights?<br>(No) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(No) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(No) 10. Would you like to set the verification date? |
| POD            | 5/25/2006 2:59:02 PM   | csaxton         | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Contacts       | 5/25/2006 2:57:17 PM   | csaxton         | (No) 1. Do you want to schedule an appointment?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

Comment for 1: Met with claimant on 9-8-05.

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-4049 V1

|         |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------|----------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| General | 5/25/2006 2:58:15 PM | csaxton | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(No) 4. Is the basis of claim decree or license?</p> <p>(No) 7. Is the basis of claim a Application or Permit?</p> <p>(No) 8. Is the basis of claim a posted notice?</p> <p>(No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use?</p> <p>(Yes) 12. Does the claim file contain sufficient evidence of Priority Date?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p> <p>Description for Question 12/13 - Direct overlap with Muir v Allison decreed water. Can recommend as claimed without further EOP.</p> |
| POD     | 5/25/2006 2:58:40 PM | csaxton | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the POD?</p> <p>(Yes) 9. Does the file contain all the necessary information to verify the POD?</p> <p>(No) 10. Is a POD remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                                                         |
| POD     | 5/25/2006 2:59:10 PM | csaxton | Updated PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Source  | 5/25/2006 3:01:53 PM | csaxton | <p>(No) 1. Is the basis of claim Decree or License?</p> <p>(No) 2. Is the basis of claim an Application or Permit?</p> <p>(No) 6. Is the basis of claim a Posted Notice?</p> <p>(No) 7. Is there evidence that there has been a change in the source?</p> <p>(Yes) 10. Does the file contain all the necessary information to verify the source?</p> <p>(No) 11. Is a Source remark and/or condition required?</p> <p>Description for Question 10 - Overlap with decreed water right where source has been previously determined.</p>                                                                                                                                                                                                                                                 |
| POU     | 5/25/2006 3:02:24 PM | csaxton | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2b. Is the POU required?</p> <p>(No) 3. Is the basis of claim a Application or Permit?</p> <p>(No) 7. Is there evidence that there has been a change in the POU?</p> <p>(Yes) 13. Does the file contain all the necessary information to verify the POU?</p> <p>(No) 14. Is a POU remark and/or condition required?</p> <p>Description for Question 13 - Overlap with decreed water right where POU has been previously determined. Used Aerial photography.</p>                                                                                                                                                                                                                                              |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-4049 V1

|         |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------|----------------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use     | 5/25/2006 3:03:45 PM | csaxton | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Purpose of Use?</p> <p>(Yes) 11. Does the file contain all the necessary information to verify the Water Use?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p> <p>Description for Question 10,11,12 - Overlap with decreed water right where water use has been previously determined.</p>                                                                                                                                                                 |
| Season  | 5/25/2006 3:03:59 PM | csaxton | <p>(No) 1. Is the basis of claim Decree or License?</p> <p>(No) 2. Is the basis of claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Period of Use?</p> <p>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?</p> <p>(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?</p> <p>(Yes) 15. Is irrigation claimed as a Purpose of Use?</p> <p>(No) 18. Is a Period of Use remark and/or condition required?</p>                                                                                |
| POU     | 5/25/2006 3:02:39 PM | csaxton | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| POU     | 5/25/2006 3:02:50 PM | csaxton | Updated PLS for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Summary | 5/25/2006 3:09:37 PM | csaxton | <p>(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?</p> <p>(Yes) 5. Does this right have any combined use limits with other rights?</p> <p>(Yes) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(No) 8. Is this a split or combined right?</p> <p>(No) 9. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 10. Would you like to set the verification date?</p> |

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4049 V1

|          |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|----------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Quantity | 5/25/2006 3:07:58 PM | csaxton | (No) 1. Is the basis of this claim a Decree or License?<br>(No) 2. Is the basis of this claim a Application or Permit?<br>(No) 6. Is the basis of claim a posted notice?<br>(Yes) 7. Is a flow measurement required?<br>(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?<br>(No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?<br>(No) 12. Is a Quantity remark or condition required?<br>Description for Question 7 - Since the ditch can be seen from the aerial photography, and the ditch is over a mile long, the POD would have to have the capacity to divert 2.63 cfs which is the sum of the water right diversion rate from this POD. |
|----------|----------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Water Supply Bank:

**Claim**

| Basin | Sequence | Suffix | Basis      | Status | Priority Date | Rate(cfs) | Acres | Source       | Water Use(s) | Owner(s) | Source Table |
|-------|----------|--------|------------|--------|---------------|-----------|-------|--------------|--------------|----------|--------------|
| 67    | 292      |        | Decreed    | Active | 1897-05-01    | 1.5       |       | RUSH CREEK   | IRRIGATION   | FORD, HE | Claim        |
| 67    | 305      |        | Decreed    | Active | 1883-06-01    | 0.9       |       | BEAVER CREEK | IRRIGATION   | FORD, HE | Claim        |
| 67    | 4049     |        | Statutory  | Active | 6/1/1920      | 4         |       | RUSH CREEK   | IRRIGATION   | FORD, HE | Claim        |
| 67    | 10089    |        | Beneficial | Active | 1883-04-01    | 0.23      |       | BEAVER CREEK | STOCKWATER   | FORD, HE | Claim        |
| 67    | 10092    |        | Beneficial | Active | 4/1/1914      | 0.23      |       | RUSH CREEK   | STOCKWATER   | FORD, HE | Claim        |
| 67    | 10094    |        | Beneficial | Active | 1897-07-01    | 0.03      |       | SPRING       | STOCKWATER   | FORD, HE | Claim        |

**Recommendation**

| Basin | Sequence | Suffix | Basis      | Status | Priority Date | Rate(cfs) | Acres | Source       | Water Use(s) | Owner(s) | Source Table   |
|-------|----------|--------|------------|--------|---------------|-----------|-------|--------------|--------------|----------|----------------|
| 67    | 292      |        | Decreed    |        | 1897-05-01    | 1.5       | 104.3 | RUSH CREEK   | IRRIGATION   | FORD, HE | Recommendation |
| 67    | 305      |        | Decreed    |        | 1883-06-01    | 0.9       | 72    | BEAVER CREEK | IRRIGATION   | FORD, HE | Recommendation |
| 67    | 4049     |        | Beneficial | Active | 6/1/1920      | 1.13      | 176.3 | RUSH CREEK   | IRRIGATION   | FORD, HE | Recommendation |
|       |          |        |            |        |               | 3.53      | 176.3 |              |              |          |                |

|     |       |  |            |        |            |      |  |              |            |          |                |
|-----|-------|--|------------|--------|------------|------|--|--------------|------------|----------|----------------|
| *67 | 10089 |  | Beneficial | Active | 1883-04-01 | 0.02 |  | BEAVER CREEK | STOCKWATER | FORD, HE | Recommendation |
| *67 | 10092 |  | Beneficial | Active | 4/1/1914   | 0.23 |  | RUSH CREEK   | STOCKWATER | FORD, HE | Recommendation |
| 67  | 10094 |  | Beneficial | Active | 1897-07-01 | 0.03 |  | SPRING       | STOCKWATER | FORD, HE | Recommendation |

**WR**

| Basin | Sequence | Suffix | Basis   | Status | Priority Date | Rate(cfs) | Acres | Source       | Water Use(s) | Owner(s) | Source Table |
|-------|----------|--------|---------|--------|---------------|-----------|-------|--------------|--------------|----------|--------------|
| 67    | 2061     |        | Decreed | Active | 5/25/1911     | 0.09      |       | SPRING       | STOCKWATER   | FORD, HE | wrWaterRight |
| 67    | 4486     |        | Decreed | Active | 4/1/1956      | 0.04      |       | SPRING       | DOMESTIC     | FORD, HE | wrWaterRight |
| 67    | 10090    |        | Decreed | Active | 1883-04-01    | 0.02      |       | BEAVER CREEK | STOCKWATER   | FORD, HE | wrWaterRight |
| 67    | 10091    |        | Decreed | Active | 1883-04-01    | 0.02      |       | BEAVER CREEK | STOCKWATER   | FORD, HE | wrWaterRight |
| 67    | 10093    |        | Decreed | Active | 5/8/1956      | 0.08      |       | GROUND WATER | DOMESTIC     | FORD, HE | wrWaterRight |

\* Recommendation made but objected to.

## CONVERSATIONAL MEMORANDUM

Date: September 8, 2005

To: File 67-292, 67-305, 67-4049, and 67-10094

From: Craig L. Saxton

Subject: Evidence of Priority letter

I spoke with claimants Helen and Keith Ford regarding the evidence of priority letter I sent them.

67-10094 – claimant paid \$25. Don't need evidence of priority. I informed them of this.

67-4049 - After speaking with Keith, I confirmed that the flood water claimed under 67-4094 directly overlaps with the decreed water from Rush Creek 67-292 and Beaver Creek 67-305. Water from Rush Creek and Beaver Creek can make it over all of the claimed POU. It is a common system. And Keith stated that the intent of the flood water claim was to supplement the decreed irrigated acreage. Not to add additional acres that weren't defined in the decree. I informed them that they did not need to send in evidence of priority for this claim.

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report 67-4049

WATER RIGHT NUMBER: 67-4049

RECEIVED  
SEP 20 2005  
DEPARTMENT OF  
WATER RESOURCES

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Current Owner     | HELEN M FORD<br>3475 FORD RANCH RD<br>CAMBRIDGE, ID 83610<br>(208)257-3579 |
| Current Owner     | KEITH FORD<br>3475 FORD RANCH RD<br>CAMBRIDGE, ID 83610<br>(208)257-3579   |

Priority Date: 06/01/1920  
Basis: Statutory Claim  
Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| RUSH CREEK    | WEISER RIVER     |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 4/01 to 11/15           | 4.000 CFS             |                      |
|                       | <u>Total Diversion:</u> | 4.000 CFS             |                      |

Location of Point(s) of Diversion

RUSH CREEK                      SE1/4NW1/4SW1/4                      Sec. 34, Twp 16N, Rge 03W, B.M.  
WASHINGTON County

Place of UseIRRIGATION Within WASHINGTON County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T15N R03W S09 | NENE | 10.0 | T15N R03W S09 | NWNE | 37.0 |
| T15N R03W S09 | SWNE | 20.0 | T15N R03W S09 | SENE | 28.0 |
| T15N R03W S09 | NENW | 7.0  | T15N R03W S09 | NESE | 28.0 |
| T15N R03W S10 | NWSW | 14.0 | T15N R03W S10 | SWSW | 30.0 |
| T15N R03W S10 | SESW | 11.0 | T15N R03W S15 | NENW | 17.0 |

Total Acres: 202

Conditions of Approval:

1. ADDRESS CHANGE BY CLAIMANT LETTER 5/5/99 SS.

Remarks:

James L Warren decree is 67-292  
for some of same POU, but 4049  
is not a direct overlap, so  
we need additional evidence

SCANNED  
SEP 20 2005

#321

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON

John T Muir and Wm H Muir,  
Partners doing business  
under firm name of Muir  
Brothers,

Plaintiffs,

vs

William Allison; et al;  
Defendants.

D E C R E E.

It is ordered, adjudged and decreed that the waters of the Weiser River and all of its tributaries be and the same are hereby decreed to the plaintiffs herein and to the various defendants and cross-complainants, in the following amounts and from the dates and in the order of priority hereinafter stated each inch of water as hereinafter stated being the equibalent of one fiftieth of a cubic second foot flow, said saters to be diverted from the said Weiser River and its tributaries by the plaintiffs and defendants and cross-complainants hereinafter named and through the ditches and from the various tributaries of the said Weiser River hereinafter named:

WATER ALLOTMENTS CONTAINING NAMES OF PARTIES  
AMOUNTS ALLOTTED IN INCHES WITH DATES OF PRIORITY

| NAMES          | AMOUNTS IN INCHES | DATES        |
|----------------|-------------------|--------------|
|                | RUSH CREEK        |              |
| James L Warren | 75 inches         | May 1, 1897. |

SCANNED

SEP 20 2005



**Claim67-4049**



**SCANNED**  
**SEP 20 2005**





**Claim67-4049**



**SCANNED**  
**SEP 20 2005**





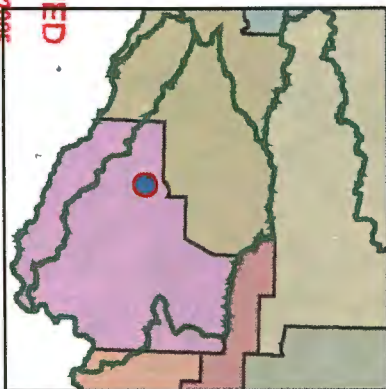
# Idaho Department of Water Resources

Adjudication Claim Number: **67-4049**

**T15N R03W**

## Legend

PLS Sections  
GCDBQuarter Quarters



Washington County  
IDWR Basin 67

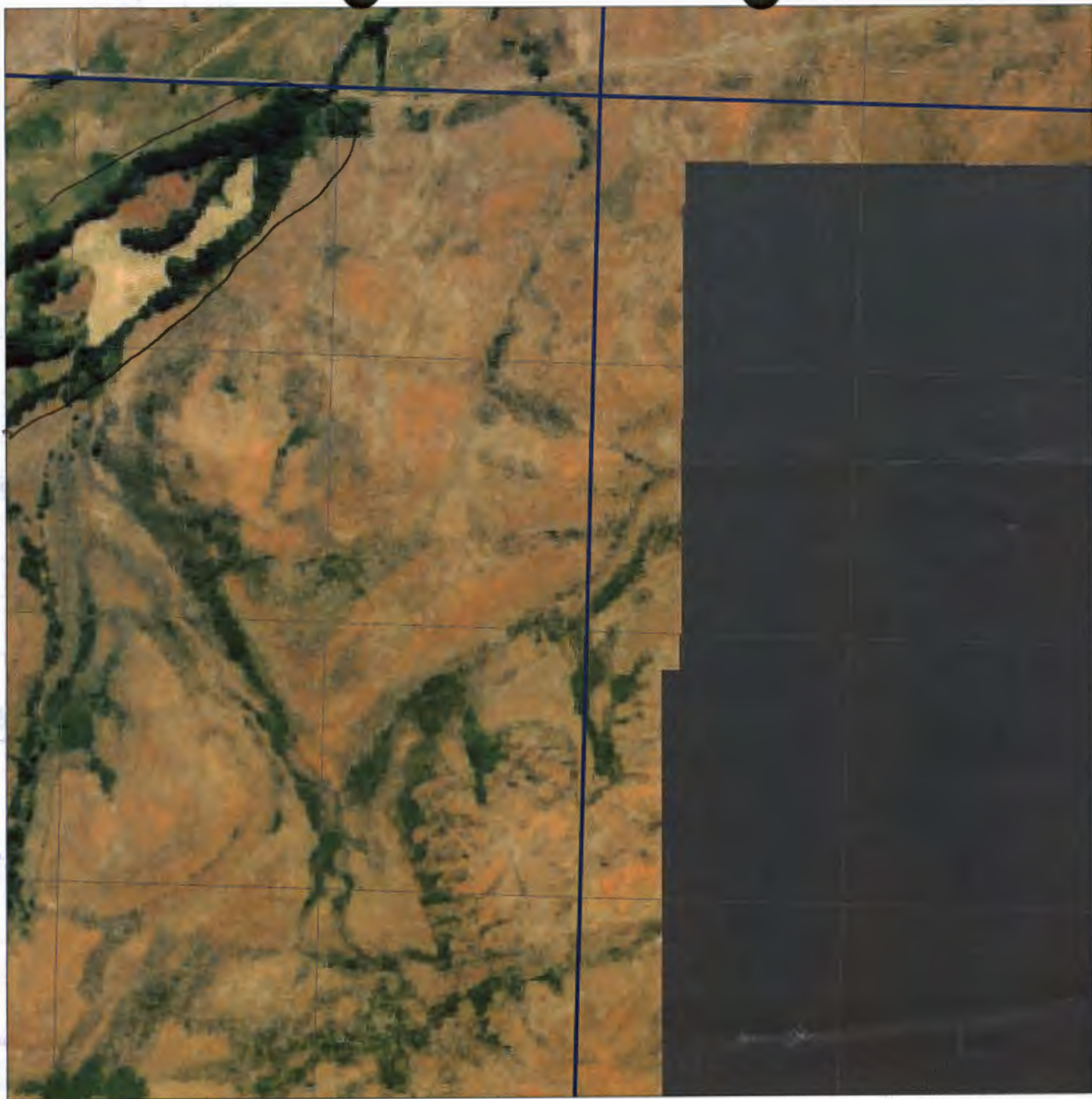


0 0.6 1.2 Miles

Prepared by M. Van Bussum  
On Wednesday, August 31, 2005  
1987 Aerial Photography

SEP 20 2005

SCANNED



**Claim67-4049**



**SCANNED**  
**SEP 20 2005**



STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that George Ford  
(name of claimant)  
of Cambridge, Idaho 83610, claims a right to the diversion and beneficial use of  
(mailing address)  
ground water or surface water tributary to Weiser River;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Rush Creek
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

|                      |                               |                                  |                       |
|----------------------|-------------------------------|----------------------------------|-----------------------|
| Amount <u>200 in</u> | Use <u>irrigation</u>         | Period of Use: From <u>April</u> | To <u>November 15</u> |
| Amount _____         | Use _____                     | Period of Use: From _____        | To _____              |
| Amount _____         | Use _____                     | Period of Use: From _____        | To _____              |
| (cfs, gpm<br>or a/f) | (dom., irri.,<br>stock, etc.) | (both dates inclusive)           |                       |

- (3) Total quantity of water claimed: 1.0 cubic feet per second, or \_\_\_\_\_ acre feet per annum, and/or \_\_\_\_\_ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1920

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)

SW 1/4 NW 1/4, Sec. 24 Twp. 16 N Rge. 3 W. B. M. County of Washington

Additional points of diversion: \_\_\_\_\_

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. diversion dam

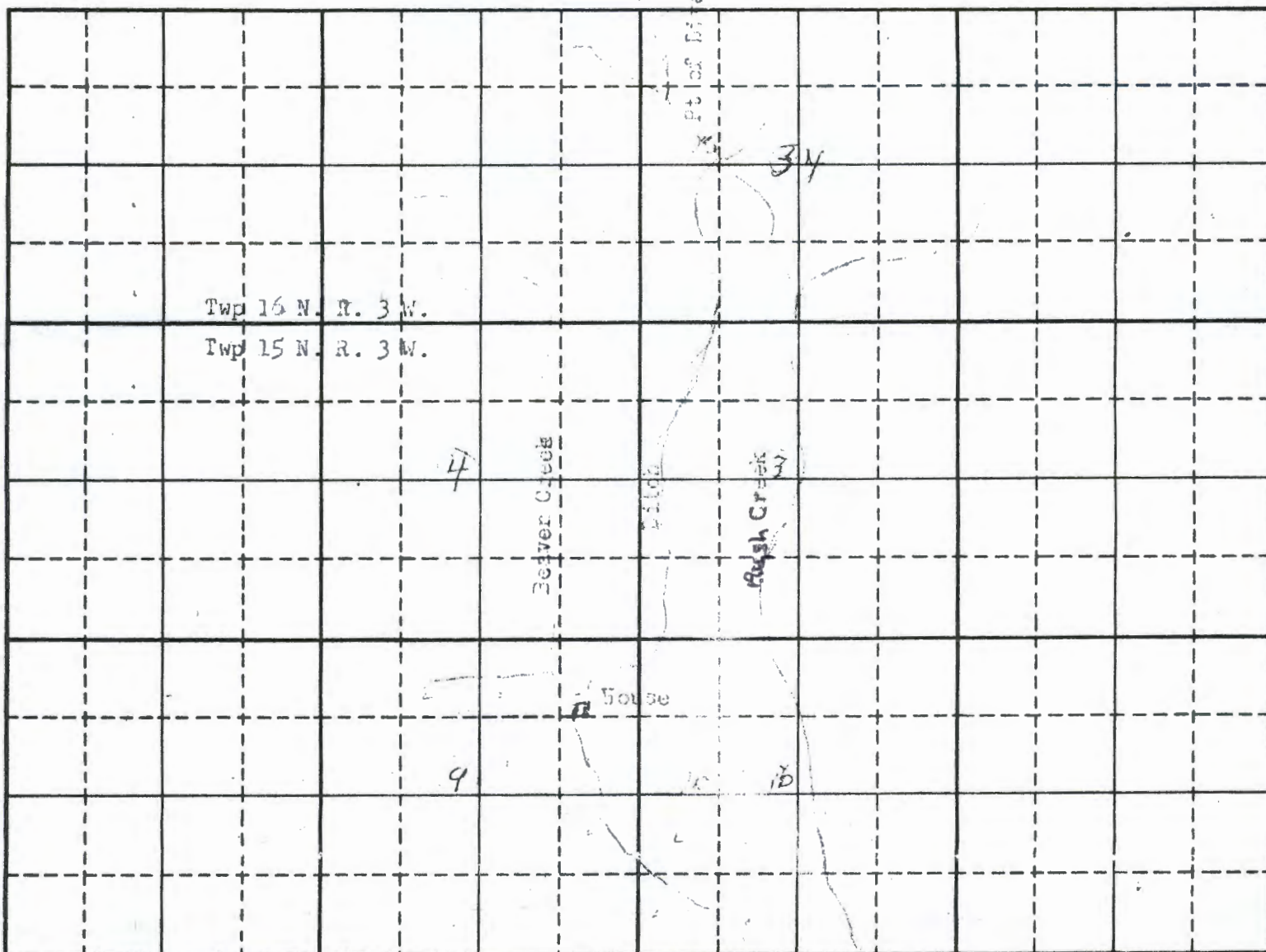
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T  | R | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTAL |
|----|---|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
|    |   |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |       |
| 15 | R | 349  |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |   | 10   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |   | 15   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

SCANNED

SEP 20 2005

Remarks Approximately 200 Acres lying within the boundaries  
of the following diagram in under irrigation



Scale: 2 Inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

ss.

County of Washington

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 19th day of February, 19 74.

SCANNED (aimant)

SEP 20 2005

AJ0749NP  
No. A67-04049

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

DATE: 05/05/99  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS     | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|--------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | KEITH FORD         | 06/01/1920       | IRRIGATION | 04-01 11-15           | 4.000 CFS         |                     |
| C             | HELEN M FORD       |                  |            |                       |                   |                     |
|               | 3475 FORD RANCH RD |                  |            |                       |                   |                     |
|               | CAMBRIDGE ID 83610 |                  |            | TOTAL DIVERSION:      | 4.000 CFS         |                     |
|               | (208) 257-3579     |                  |            | CONSUMPTIVE USE:      |                   | 585.00 AFA          |

Water Source: RUSH CREEK

Tributary to: WEISER RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T16N R03W S34 SENWSW

WASHINGTON County

Place of use Legal Description for: IRRIGATION

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |             |   |       |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------------|---|-------|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac          | : | SUM   |
| 15N | 03W | 9  | : | 10 |    | 37 |    | 20 |    | 28 | :  | 07 |    |    |    |    |    | 28 |             | : | 130.0 |
| 15N | 03W | 10 | : |    |    |    |    |    |    |    | :  |    |    | 14 |    | 30 |    | 11 |             | : | 55.0  |
| 15N | 03W | 15 | : |    |    |    |    |    |    |    | :  | 17 |    |    |    |    |    |    |             | : | 17.0  |
|     |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES | : | 202.0 |

POU County: WASHINGTON

Other Rights: 67-00292, 67-00305

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

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:  
Presumption Flag: