

10/03/2002

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

RIGHT NUMBER: 29-73C

NAME AND ADDRESS: MARY ALENE TREASURE
2888 CHESTERFIELD RD
BANCROFT ID 83217

WILLIAM JEAN TREASURE
2888 CHESTERFIELD RD
BANCROFT ID 83217

SOURCE: TWENTYFOUR MILE CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.80 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-13391 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.8 CFS.

PRIORITY DATE: 05/01/1881

POINT OF DIVERSION:

T06S R39E S33 NWNWSE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.800 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R39E S33	NWNW	7.0	T06S R39E S33	SWNW	38.0
T06S R39E S33	NESW	33.0	T06S R39E S33	NWSW	37.0
T06S R39E S33	SESW	16.0			

131 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 131 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-2538 AND 29-13396.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

Use of this right is combined with water from Chesterfield Canal & Reservoir
Company.

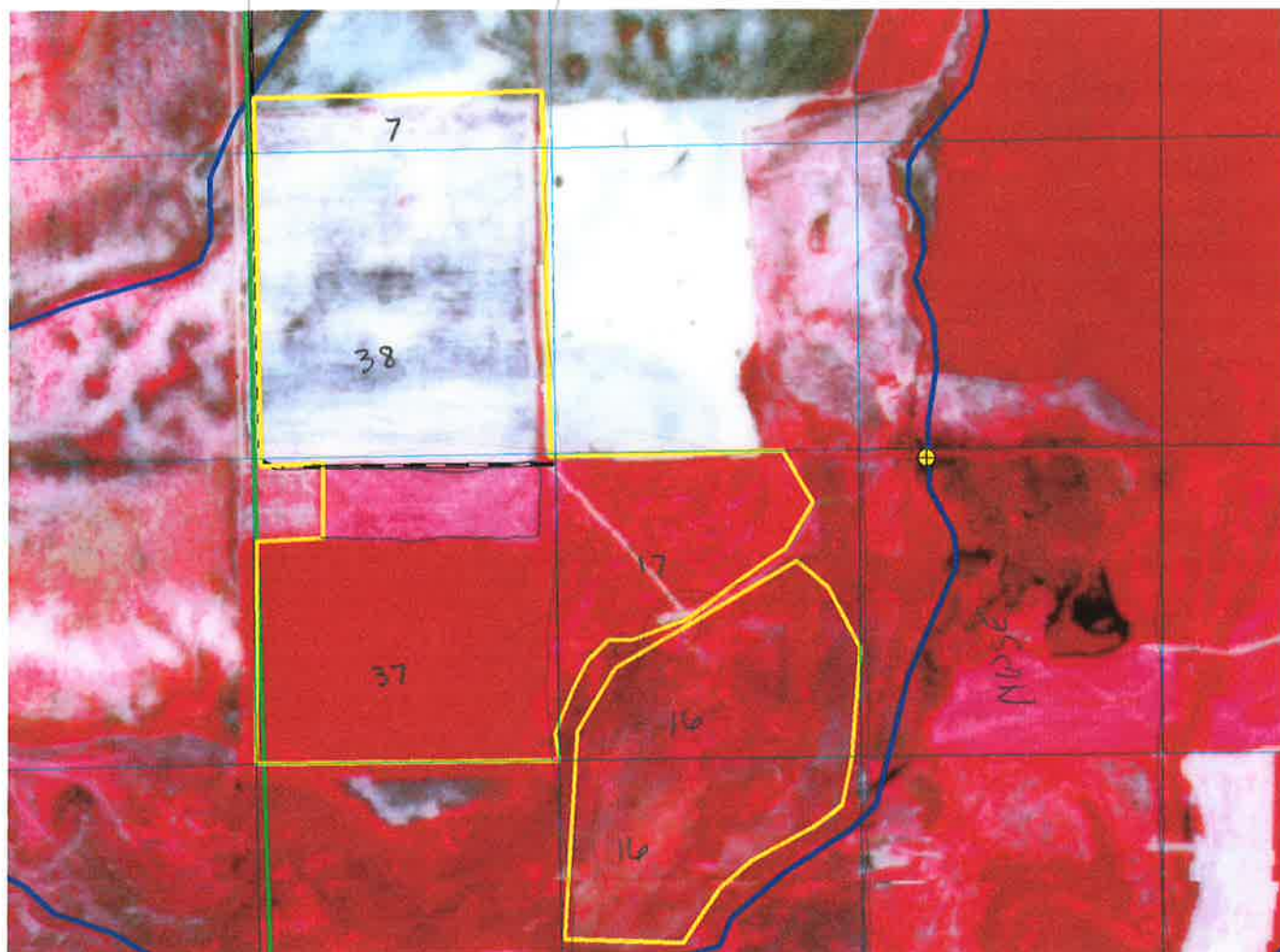
RIGHT NO. 29-13396 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right 29-73C



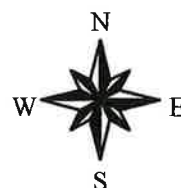
400 0 400 800 1200 Feet

LEGEND

-  Point of Diversion
-  Place of Use
-  STREETS
-  SECTIONS
-  QUATER-QUATERS
-  STREAMS

Place of Use: T6S, R39E,
(part of) Section 33

Points of Diversion: T6S, R39E
Sec. 33 NWNWSE



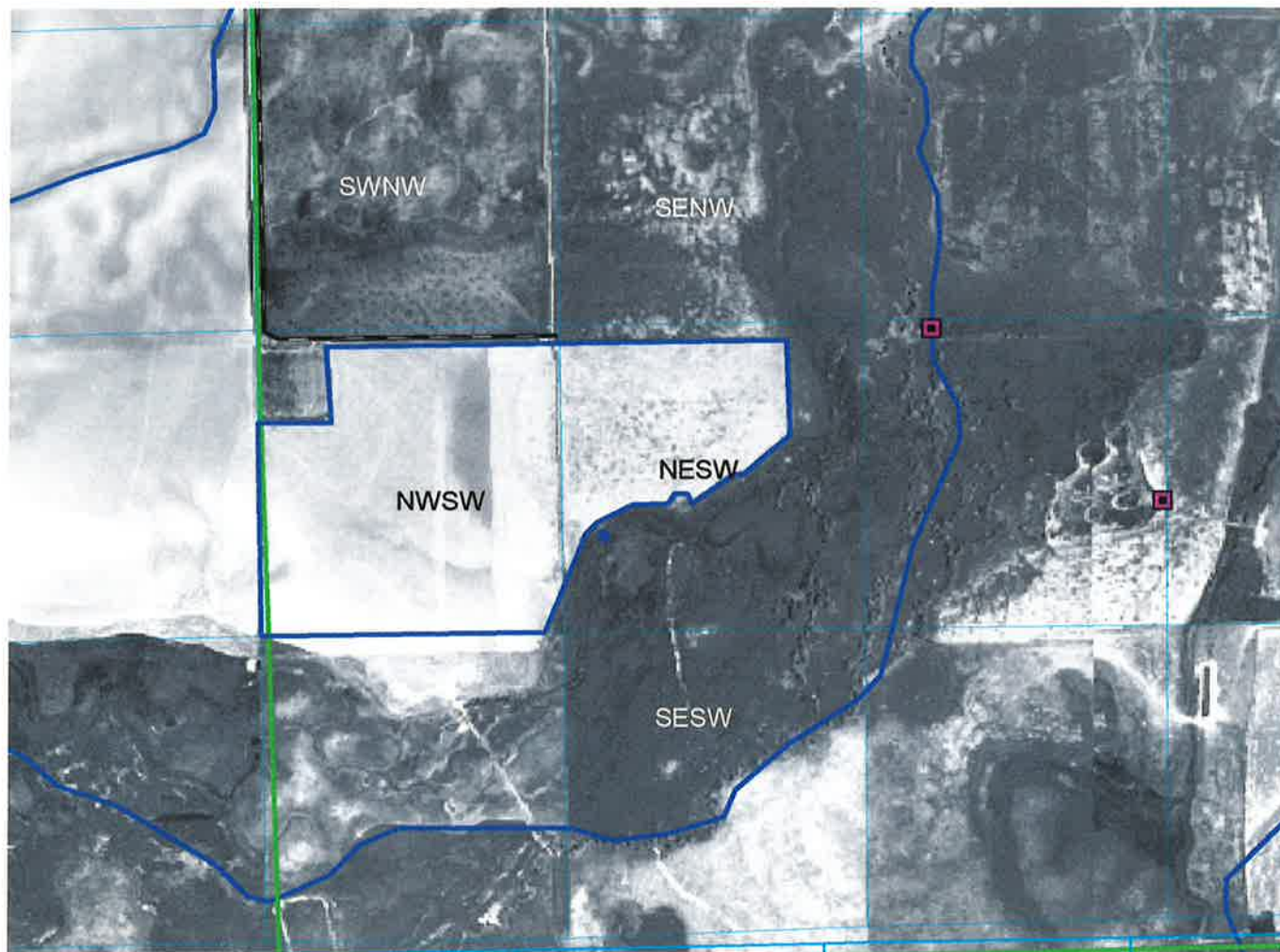
GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: July 2002



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right 29-73C



400 0 400 800 1200 Feet

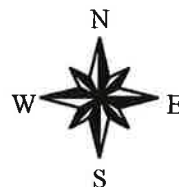
LEGEND

-  Point of Diversion
-  Place of Use
-  STREETS
-  SECTIONS
-  QUATER-QUATERS
-  STREAMS

Place of Use: T6S, R39E,
(part of) Section 33

Points of Diversion: T6S, R39E
Sec. 33 NWNWSE

50 acres (calc. acres)



GIS Place of Use Illustration
1964 PHOTOGRAPHY
Prepared by C. Bird
Date: July 2002

7/9/02 - 10:05 AM Jan Treasure. 8

29-73C

1978 - started irrigating the additional
Layne Rindlesbaker
2 years Banks Bros.
2 years. Jason Hatel

- well - pump.
- stored water. (1185 1200 slams)

170 -

→ got the land from William Treasure
he thought about 10 yrs ago. to dig the
well for the cemetery.

103° -

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: April 21, 2003

Water right number: 29-73C

MARY ALENE TREASURE
2888 CHESTERFIELD RD
BANCROFT ID 83217
Telephone Number: (208)648-7897

WILLIAM JEAN TREASURE
2888 CHESTERFIELD RD
BANCROFT ID 83217
Telephone Number: (208)648-7897

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: 2-14-03 SIGNATURE: William Jean Treasure

Please print your name: _____

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

**Chesterfield Canal and Reservoir Company
Ownership Status 1997**

Name	Dollar Amount	No. Shares	Percentage	2.8 %
				Assessment
Gary Hatch	6902.79	1380.558	40.18	193.28
Val J. Davids	4469.92	893.984	26.02	125.16
Paul Davids	2609.00	521.800	15.19	73.05
Floyd Banks	1239.77	247.954	7.22	34.71
Jean Treasure	1080.53	216.106	6.29	30.25
Joel Davids	310.00	62.000	1.80	8.68
A.W. Jones	186.00	37.200	1.08	5.21
Theron Davids	207.00	41.400	1.20	5.80
Cemetery	175.00	35.000	1.02	4.90
	<u>17180.01</u>	<u>3436.002</u>	<u>100.00</u>	<u>481.04</u>

*Exp. Remark - also used Chesterfield Canal & Res.
Co. water on the property.*

E29 Exp. Cond. edited.



Contacts Data Entry Form

Claim No.: 29-73C

Owner Type	Name	Address	City	State	Zip	Phone Number
C	William Jean Treasure	2888 Chesterfield Rd	Bancroft	ID	83217	648-7897
C	OR Mary Alene Treasure.	"				

Contact Person	William Treasure	Phone Number	648-7897.
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Date of Field Exam:	6/13/02	Time:	10pm.
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Directions to Property:

by the Chesterfield cemetery.

Additional Field Exam Information

Date of Field Exam:	6/13/02	Time:	10AM 2pm.
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Accompanied By:	Jason Hatch	Phone Number:		Relationship to Claimant:	operates the property.
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Directions to Property (if different from above) and/or additional ownership information:

- Ralph Kellinger is purchasing the property on contract. Jean Treasure doesn't want to change the water right into Ralph's name until the contract is settled ~~agreed~~ (paid off)

Claim No.: 29-73C

Reviewer CB

Date 1-9-02

Priority Date Data Entry Form

Claimed Priority Date:	May	1	1881	Basis of Claim:	decree
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☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:	MAY	1	1881	Basis of Right:	decree.
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Recommended Priority Date:				Recommended Basis of Claim:	
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Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

decree.

field exam 6/7/02 & 6/13/02.

- same POD as decree, the GPS Point puts the
POD on the line between SWNE & NWSE.
and the decreed POD is NWSE, so I'm going to
leave the POD in the decreed QQ because of
possible error in the satellite data.

Claim No.: 29-73C**Point of Diversion and Source Data Entry Form****Claimed Point of Diversion and Source**

Twp	Rge	Sec	Gov Lot	1/4	1/4	1/4	County	Water Source
6S	39E	33		NW	NW	SE	Caribou	Twenty-Four Mile Crk.

☒ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Twp	Rge	Sec	1/4	1/4	1/4	County	Lot Num	Diversion Name	Source	Water Right Number
6S	39E	33	NW	NW	SE	Caribou	-		Twenty-Four Mile Creek.	29-73

Source Information

Source	Source Qualifier	Tributary To	Tributary Qualifier
Twenty-Four mi Crk.		Portneut River.	

Recommended Point of Diversion

Twp	Rge	Sec	Gvt Lot	QQQ	QQ	Q	County	Source & Tributary	Type

Document how the POD and Source were verified:

Matches deeded right
 field verified 6/13/02 N42.8545840 -111.8934678

Claim No.: 29-73C Reviewer CB Date 1-9-02

Place of Use Data Entry Form

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6S	39E	33	NW	NW	Caribou	—	10	irrigation
			SW	NW	"	—	39	"
			NE	SW	"	—	30	"
			NW	SW	"	—	37	"
			SE	SW	"	—	20	"

☐ Use Claimed POU as Recommended POU

136

Water Right Place of Use

Twp	Rge	Sec	1/4	1/4	County	Lot Num	Acres	Water Source	Water Right Number
6S	39E	33	W $\frac{1}{2}$	NW	Caribou.	—		Twenty-Four mile creek.	29-73
			W $\frac{1}{2}$	SE	"	—		"	"
			E $\frac{1}{2}$	SW	"	—		"	"

100 AC
Total.

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
6S	39E	33	NW	NW	Caribou		7	Irrigation
			SW	NW			38	
			NW	SW			37	
			NE	SW			33	
			SE	SW			16	

This was not a decreed POU in the UG; E. decree.

Document how the POU was verified:

Total Acres 131

Decree, license 29-2538. Mr. Treasure has been injecting 24 mi ckh into the well and pumping it out to the POU described under the license. However prior to the well, I think Mr. Treasure was only irrigating about 50 acres in the

Claim No.: 29-73CReviewer CBDate 1-9-02

(Exp.) NWSW; NESW as shown in the 1964 imagery
C05 Remark! - K06 Remark (POU)

Purpose of Use Data Entry Form

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
Irrigation			40

☐ Use Claimed Use as Recommended Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Water Right Number

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			40	

Document how the Purpose of Use was verified:

field verified.

* 24 mi water is being injected into the ground water
under license 29-2538 - No injection permit.

- ground water & surface water is comingled and
pumped to land North ^{South} of the Cemetery.

K04 Remark

Claim No.: 29-73C

Reviewer

Cindy Bird

Date

6/14/02

Period of Use and Quantity Data Entry Form**Claimed Period of Use and Diversion Rate**

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1	0.80	

☐ Use Claimed Period of Use/Quantity as Recommended Period of Use/Quantity
Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume	Water Right Number
Irrigation	4/15	9/15			29-73

Overall Diversion Rate	0.80	Overall Diversion Volume	<u> </u>
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Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	9/15	0.80	

Document how the Period of Use and/or Diversion Rate were verified:

- decree.

- add shoulder remark for the administrative sou.
4/1 to 10/31. 508 Remark

7/12/02. 2pm. Meeting in Soda Springs with Jean Treasure.

I informed Jean that he had 30-45 days to move the pond away from the well and seal the well casing. I also let him know that Dennis would be out to check it.

Jean said the land in the HWHW is dry farmed. Only the part indicated on the map is irrigated.

Jean thought what they could do is take the 30 hp pump off the well and put a smaller pump on the well. ^{then} put the G.W. in the pond with a smaller pump and then pump the water from the pond with the 30 hp pump to the sprinkler lines.

I also explained to Jean that 7 acres his license 29-2538 in the NWSW of Sec 33 is owned by the cemetery and at some point when they need to put it into service they will need to split off from this license / decree 29-73C.

Mail Tax Notice to:
 Ralph Killinger
 917 Meadow Lane
 Jefferson, OR 97352

WARRANTY DEED

For Value Received WILLIAM JEAN TREASURE AND MARYALENE TREASURE, ALSO KNOWN AS MARY ALENE TREASURE, husband and wife, the grantors of Bancroft, Caribou County, Idaho, do hereby grant, bargain, sell and convey unto RALPH KILLINGER AND CAROLYN E. KILLINGER, husband and wife, of 917 Meadow Lane, Jefferson, OR 97352, the grantees, the following described premises located in Caribou County, Idaho, to-wit:

Township 6 South, Range 39 East of the Boise Meridian:

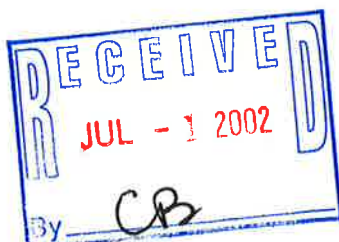
Section 33: $W\frac{1}{2}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}SW\frac{1}{4}$,
 EXCEPT THEREFROM, the following tracts:
 1. Beginning at the Northeast corner of the $NW\frac{1}{4}NW\frac{1}{4}$ of said Section 33, and running
 thence West 179 feet; thence South 486 feet;
 thence East 179 feet; thence North 486 feet,
 to the point of beginning.
 2. Beginning at a point 1280 feet South of the West Quarter corner of said Section 33, and running
 thence East 10 feet; thence South 10 feet;
 thence West 10 feet; thence North 10 feet,
 to the point of beginning.
 3. The West 50 feet of the $W\frac{1}{2}NW\frac{1}{4}$.

Together with all water and water rights appurtenant thereto, including, but not limited to 40 inches of the water of Twenty-Four Mile Creek and 216.106 shares of the Chesterfield Canal and Reservoir Company, and approximately the following sprinkler equipment:

1/4 mile 6 inch steel mainline
 1/4 mile 6 inch aluminum mainline
 2 - 1/4 mile 4 inch handlines
 1 - 1/4 mile 3 inch handline

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: February 7, 2001



William Jean Treasure
 WILLIAM JEAN TREASURE
MaryAlene Treasure
 MARYALENE TREASURE

STATE OF IDAHO)

: ss.

County of Caribou)

On this 21st day of February 2001, before me the undersigned, a notary public in and for said County and State, personally appeared **WILLIAM JEAN TREASURE AND MARYALENE TREASURE, husband and wife**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Donald Jean Benson
NOTARY PUBLIC FOR THE STATE OF IDAHO
Residing at: Soda Springs, Idaho
My commission expires: 8/15/2003

STATE OF IDAHO } ss 163000
County of Caribou }

I hereby certify that this instrument was filed at the request of Caribou Title
at 4:35 o'clock P m this 21 day of February, 2001 in my office and duly recorded official Records

Recorder Edie Izatt

Signature

Denise Harsley
Deputy 600



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 26, 2002

WILLIAM JEAN TREASURE
MARY ALENE TREASURE
2888 CHESTERFIELD ROAD
BANCROFT, ID 83217

REF: SNAKE RIVER BASIN ADJUDICATION (SRBA)

Subject: Change in place of use and a decreed water right not claimed in the SRBA

RESPONSE DATE: JULY 16, 2002

Dear Jean and Mary Alene,

IDWR's initial investigation of the Notice of Claim listed above indicates that the irrigated acres claimed and the actual irrigated acres do not match. On June 13th I met with Jason Hatch to look at the irrigated place of use and points of diversion. The property in NWNW of section 33 is being farmed all the way to the road. Your SRBA claims only claimed irrigation of 10 acres in the south half of this quarter-quarter. **When was the additional acres irrigated? What is the source of irrigation?**

Under decree 29-72 in the Union Grain and Elevator decree it decreed 0.06 cfs, irrigation of 5 acres, to the land in the NWNW of section 33. You have not claimed this in the SRBA. If you need to make an additional filing for this water please do this before the above response date.

A water right owner who has made a change in use of a water right prior to commencement of the SRBA without obtaining IDWR approval may claim the change in the SRBA. IDWR may recommend a right as changed, however, only if the change meets certain requirements. One of those requirements is that the changes not result in injury to other water rights.

Before IDWR may recommend your claim, you must either provide IDWR with evidence that there has been no change, or provide IDWR with the date the change was made and some evidence tending to support that date. If the change was made before November 19, 1987, then the date provided must include the month, date and year. If the change

was made after November 19, 1987, then a specific date is not necessary, and the evidence need only support that the change occurred sometime after November 19, 1987. If the change occurred after November 19, 1987 then your claims will be recommend to the court as it was prior to the commencement of adjudication and you will have to file a formal transfer with the Department to change the place of use.

In addition, Chris Duncan works in our injection well section in Boise. On June 24th, Chris and I visited your injection well in the NESW of section 33, township 6 south, range 39 east and took a water sample. It's currently being analyzed to determine what is being injected into the ground water. When the test results are back Chris will notify you of the results. You will need to bring this well into compliance by either applying for an injection permit or stop injecting the water into the aquifer and change your delivery system.

Any additional information will need to be received in my office by the response date listed above. If you have any further questions, please feel free to contact me at 547-3993. Continuing to irrigate the additional acres without a water right could result in a cease and desist order and a possible fine. Please contact me immediately so we can resolve this issue.

Sincerely,

Cindy E. Bird
Adjudication Bureau

Cc: Ralph Killinger
Chris Duncan

William Jean Treasure
June 21, 2002
Narrative by Cindy Bird

Monday June 17th I went by the property to verify that the land was now being irrigated to the road. Photo 1 below was taken at the Bancroft Cemetery looking north to the Chesterfield town site at the irrigated pasture in the NWNW of section 33, township 6 south, range 39 east. Ten acres in the south-half of the NWNW was licensed under water right 29-2538 and claimed in the SRBA. Decree 29-73C from Twentyfour mile creek also claimed irrigation of 10 acres in this quarter-quarter. Additional information will be requested from Mr. Treasure when these additional acres where irrigated.



Photo 1. Looking north at the Chesterfield town site.

EXAM INFORMATION

Exam Date

11-6-01

Exam Time

~~11-6-01~~ 1:30-2pm

CLAIM(S)

A29-2410

NAME

William Treasure.

ADDRESS

2888 Chesterfield Rd.

PHONE ()

648-7897

HOME

WORK

CELL

*apt cancelled
by William
Treasure.*

*648-7750 Jason
Hatch.*

DOMESTIC

☒

STOCKWATER

☒

IRRIGATION

☒

OTHER

OTHER RIGHTS

A29-73CA29-2538

*Jason Hatch
is operating*

DIRECTIONS

8mi N. of Bancroft. Brick home
on the right.

*- I found out later that William cancelled
the apt because he is injecting S.W.
into his ground water. I provided
this information to Dennis Dunn-
Eastern Region.*

DOGS

DATE

11-5-01

APPOINTMENT

William Treasure.

A29-2538 and A29-73C
William Jean Treasure
Narrative by Cindy Bird
June 10, 2002

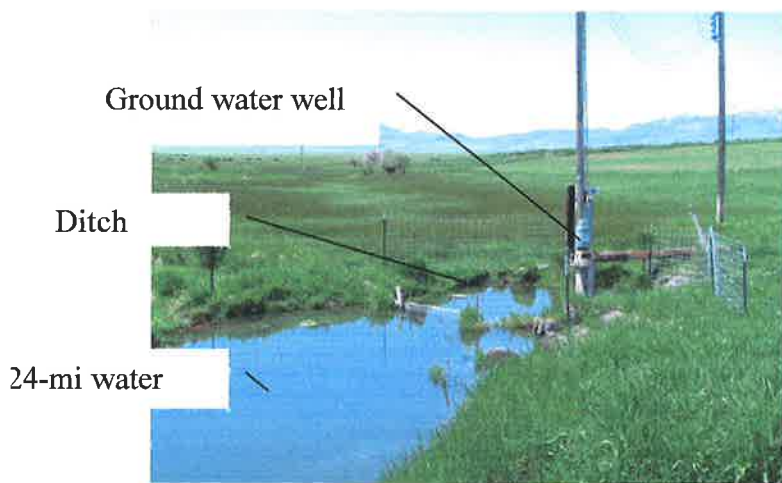


Photo 1. Looking west.



Photo 2. Looking west.

June 7, 2002 Steve Hebdon and I were out measuring some surface water rights on twenty-four mile creek when we visited William Jean Treasure's well.

In the fall of 2001 I made two different appointments with William Jean Treasure and Mr. Treasure canceled each one later. December 21, 2001 Mr. Treasure admitted to me that he cancelled the appointment because he was illegally injecting twenty-four mile water into the well because they don't get enough water from the well to irrigate with.

The power pole in the background of photo 1 is Craig Crandall's property. The water around the well is 24-mile water. It comes into this pond area and then can continue to Craig's property.

Photo 2 was taken looking in a westerly direction.

The licensing examination was done in August of 1974 and noted a 30 hp General Electric pump that appears to still be there. The manufactures plate is worn off that I couldn't verify that it is the same pump.

Photo 3 below shows the pond completely surrounding the pump casing. About 3 inches from the surface of the pond the pipe is perforated to allow the 24-mile creek to flow into the ground water. By adding the surface water to the well they can use the pump.



Photo 3. Looking southwesterly.

The mainline goes north to property in the NESW quarter of section 33, township 6 south, range 39 east.

The 1987 NAPP photography doesn't show irrigation in the W1/2NW of section 33 which was decreed and licensed under these rights.

Craig Crandall and William Jean Treasure
29-73, 29-75 and 29-76
Twenty-four mile Creek
Narrative by Cindy Bird
June 12, 2002



Photo 1. Looking west

June 7, 2002 Steve Hebdon and myself measured the flow from Twenty-four mile creek. Photo 1 is looking west, west branch, at the ditch for Craig Crandall and William Jean Treasure. Jason Hatch operates the Jean Treasure's property. It's my understanding that Ralph Killinger purchased the property in February of 2002. Two ownership change reminders have been sent to Mr. Killinger but no response has been received.

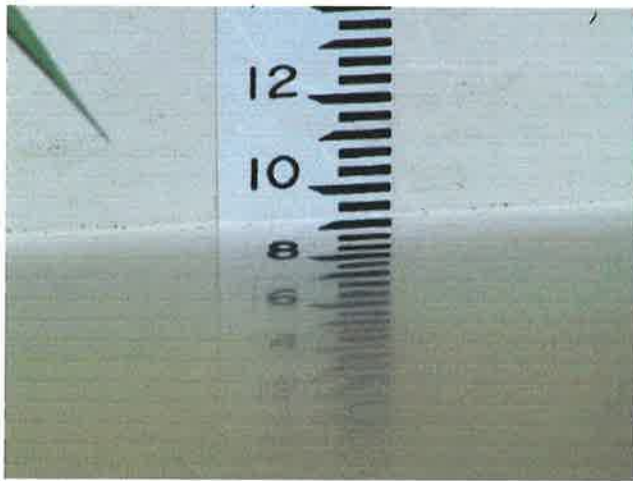


Photo 2. Flow measurement of 0.94 cm.

The flow measurement was 94 mm or 0.71 cfs is shown in photo 2. The flow was determined from the Departments 15" broad-crested flume chart for this weir.

This water is split between Craig and Jean under water rights 29-73, 29-75 and 29-76. They all have the same priority dates decreed in the Union Grain and Elevator decree. Water delivered to Gary Hatch, under 29-73, continues down twenty-four mile creek. The water that is delivered to Layne Rindlisbaker from water right 29-73 in the east branch of the diversion reenters the creek before Gary diverts his water.

29-73C. POD matches the decreed POD.

SOU: change to decreed season of 4/15 to 9/15
Claimed 40% of the right. ($0.80 = 2.0 * 0.4$).

POU - same as decree.

Priority date ok.

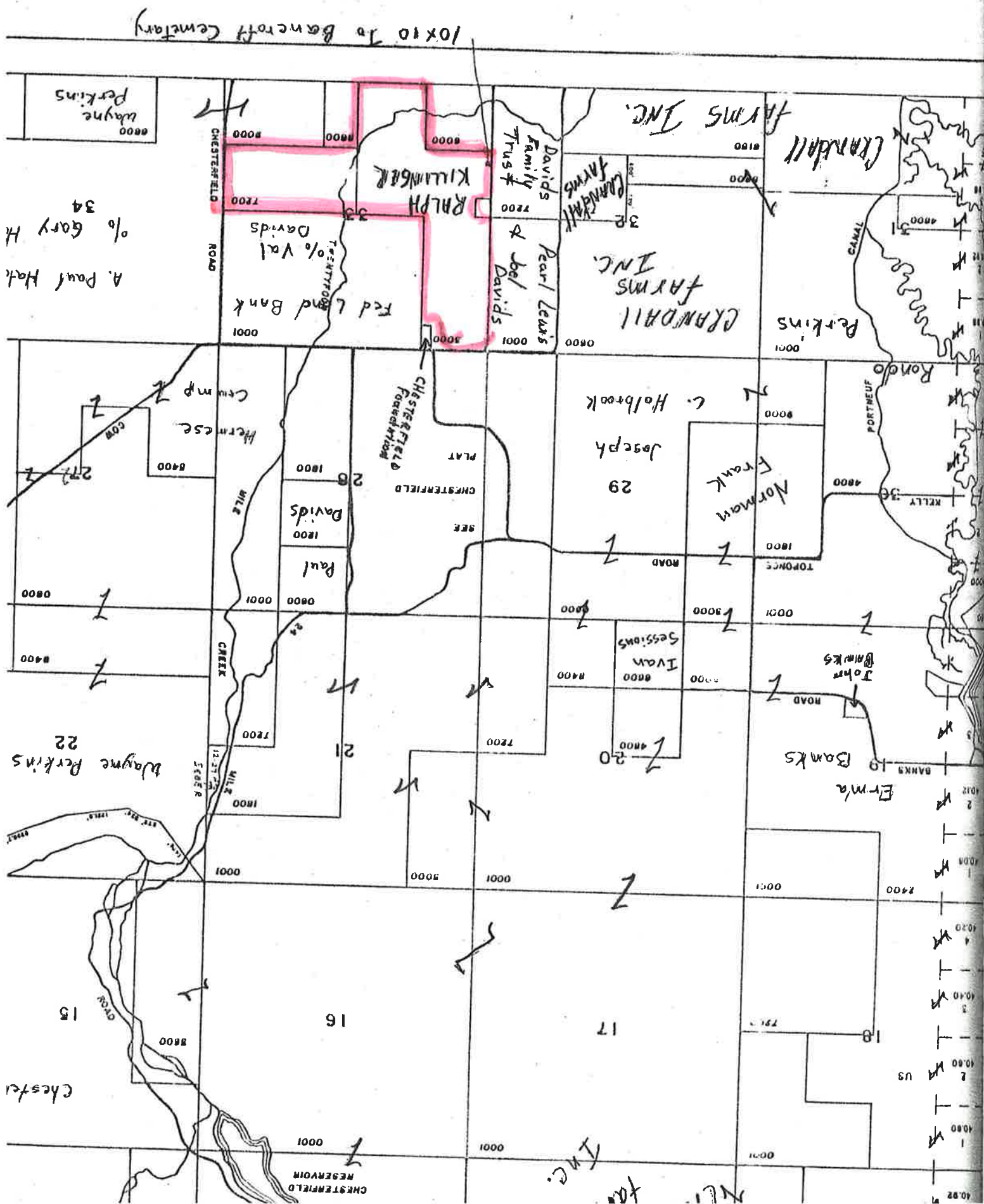
Ownership change - February of this year, Ralph Kellinger
paid off the contract to William Treasure. Requested an
ownership change.

Is. NWSW Irrigated with 24 mi Creek? If so, when did the
change occurred.

How is it irrigated?

6/12/02 GPS'd POD. Comes out really close on the line between
SWNE & NWSE in section 33. For some reason the GCDB
doesn't have QQ lines in this section. So, I'm going to
leave the POD as decreed.

The land is irrigated with the 24 mi creek water being injected
into the G.W. under 29-2538 and irrigates with a mainline
the land in the NESE of Section 33.





State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 30, 2002

Ralph Killinger
917 Meadow Lane
Jefferson, OR 97332

REF: Snake River Basin Adjudication (SRBA)
Adjudication No. A29-73C, A29-2538

Dear Mr. Killinger,

We have been advised you are the current owner of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property, we need form 42-248/42-1409(6) completed, signed and returned. I have enclosed the form and a self-addressed stamped envelope for your convenience.

In the adjudication review process there is no filing fee. However, we will need a copy of the plat, survey map or aerial photo with the appropriate area marked.

Please call me at 547-3993 if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Cindy E. Bird". The signature is written in a cursive, flowing style.

Cindy E. Bird
Adjudication Bureau

Enclosure: form 42-248/42-1409(6)
change in water right ownership

11-5-01 Spm Mary Treasure

Banks Brothers - operates the land next
well - house, irrigation to house.

CONVERSATION MEMORANDUM

EMPLOYEE: Cindy Bird

FILE: A29-73C & A29-2538

RE: Ownership Change and injection well

DATE: December 21, 2001

9:15 am

NAME OF PARTY

William Jean Treasure

Jean Treasure's called me to say that he doesn't want the water rights transferred to Ralph Killinger because he still owes him a lot of money. He is selling the property to Ralph on contract and the property should be paid off in 5 years. I asked Jean if he is paying the taxes on the property? He said "no". Mr. Killinger pays the taxes. He gave him a warranty deed on 6 acres so he could build his home.

Mr. Treasure further explained that he was hesitated to have me out to do any fieldwork because he is doing the same thing with his pond as Mr. Holbrook. I asked him if he was adding surface water to his ground water. He said that the surface water seeps into the ground water. I explained to Mr. Treasure's that it is illegal to add surface water to a well unless you have an injection permit and then the water must be drinking quality to do that. If the Department levied a fine he would be the responsible party. Mr. Killinger wouldn't be required to make the repairs he would because he is the owner of the water rights. I told Mr. Treasure I'll need to come out once the weather would permit. He said maybe I could tell him how to fix the surface water injecting into the ground water. I asked Mr. Treasure if he wanted Mr. Killinger their when I did the field work.

I phoned Dennis Dunn once I got off the phone with Mr. Treasures to let him know that we had another injection well in the Chesterfield area and that he said there are others in the area that are doing the same thing. He was going to call Boise and talk to them and see if Dick Larsen to issue a statement to the press that injections wells are illegal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 19, 2001

Ralph Killinger
917 Meadow Lane
Jefferson, OR 97332

RE: Snake River Basin Adjudication (SRBA)
Water Right Claim #29-73C & 29-2538

SUBJECT: Ownership Change

Dear Water Right Holder:

The Idaho Department of Water Resources has recently begun its water right review in Basin 29. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). We have been advised you are the current owner of the property. Before we can modify our records to reflect your ownership of the property and water right referenced above, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use. Any additional forms or information can also be obtained from our website at www.idwr.state.id.us.

I have enclosed a copy of the water rights as they have been claimed in the SRBA. Since these claims have not yet been partially decreed, there is no filing fee due at this time. We expect the Court to issue partial decrees in the near future, so please submit the ownership change as soon as possible. If we don't receive the ownership change form prior to making the recommendation to the SRBA court the claims will be decreed to the previous owner. Any ownership changes after the partial decree has been issued will be subject to the current fees.

It is our goal to recommend historical use of water rights within the Snake River Basin as accurately as possible. **A field examination to verify items on these claims will need to be conducted by Department personnel as soon as the weather will permit.**

Please call me at 1-208-547-3993 if you have any questions.

Sincerely,

**Cindy E. Bird
Adjudication Bureau**

Enclosures:

**Copy of SRBA claims: A29-73C and A29-2538
Form 42-248/42-1409(6)**

cc: Former Owner

29 0073 ✓ 6. MUIR, M. V. and S. 2.0, c.f.s.
May 1 1881

29-73C Treasure 0.80
29-73A - Rindlisbacher 0.80
29-73B - Gary Hater 0.40

Said water to be diverted from Twenty-four Mile Creek, a tributary of the Portneuf River, by means of the Muir Dams, three in number. Dam No. 1 is located across the channel of Twenty-four Mile Creek, in the Northwest quarter of the Southeast quarter, Section 33, about 250 yards South of the North line of said quarter section; Dam No. 2 is located in the Northwest quarter of the Southeast quarter of Section 33, 330 yards below the North line of said quarter section; Dam No. 3 is located in the Southeast quarter of the Southwest quarter, Section 33, all in Township 6 South, Range 39 East; 16 rods west of the East line of the Southeast quarter of the Southwest quarter, Section 33, above Township and Range, for the Irrigation of 100 acres of land in the West half of the Northwest quarter, the West half of the Southeast, the East half of the Southwest quarter, Section 33, Township 6 South, Range 39 East.

MUSE ✓ Sec 33

Sec. 33
W 1/2 NW.
W 1/2 SE
E 1/2 SW

DAVIDS DITCH, is located in the Southeast quarter of the Southwest quarter, Section 33, Township 6 South, Range 39 East. From the South quarter corner of Section 33, said Township and Range, the point of diversion bears North 69 degrees and 15 minutes 1265 feet.

UNNAMED SPRING arises in the Northwest corner of the Southeast quarter of the Southwest quarter, Section 33, Township 6 South, Range 39 East.

62. DAVIDS, A. C., Administrator
of the Estate of J. A. DAVIDS
Deceased
29 0074 ✓ 1881 Apr. 30 .80 c.f.s.

For the irrigation of 40 acres of land in the EAST half of the Southeast quarter, Section 32, Township 6 South, Range 39 East. The said amount of water to be made up of the entire flow of the above named spring, plus an addition amount from the channel of Twenty Four Mile Creek to equal the said .80 cubic feet per second of time, but in no case to exceed one (1) inch to the acre for the said 40 acres from both sources.

63. GOOCH, JOHN O. Jr.
1881 May. .40 c.f.s.
29 0075 ✓

For the irrigation of 20 acres of land in the Southwest quarter of the Southeast quarter and the Southeast quarter of the Southwest quarter, Section 32, Township 6 South, Range 39 East.

64. GOOCH, JOHN O. Jr. .40 c.f.s.
29 0076 ✓ 1918 May 1st.

For the irrigation of 20 acres of land in the Southwest quarter of the Southeast quarter, Section 5, Township 7 South, Range 39 East.

65. KNOLLIN A. J. 1.24 c.f.s.
29 0077 ✓ 1881. July 1

For the irrigation of 62 acres of land in the Southwest quarter of the Southwest quarter, Section 33, Township 6 South, Range 39 East, and the Northeast quarter of the Southeast quarter, Sec-

MAY 4 2001

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: A29-00073C

Date Received: 1-24-90

Receipt No: M005582

Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM JEAN TREASURE 208-648-7897
Address: 2888 CHESTERFIELD RD.
BANCROFT, ID 83217

OR

Name: MARY ALENE TREASURE 208-648-7897
Address: 2888 CHESTERFIELD RD.
BANCROFT, ID 83217

2. Date of Priority: MAY 01, 1881

3. Source: TWENTY-FOUR MILE CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	39E	33	NW	NW	SE		CARIBOU

5. Description of diverting works:

CEMENT WIER IN CREEK, HEADGATE, 30 HP PUMP TO HANDLINES

6. Water is used for the following purposes: 4/15

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		

7. Total Quantity Appropriated is:

0.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 340.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-00073C

Page 1

Date: 01/24/90

MICROFILMED

NOV 13 1992

A2900073C

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	39E	33	NW	NW		IRR	10.0 <i>lic.</i>
			SW	NW		IRR	39.0 <i>lic.</i>
			NE	SW		IRR	~~30.0~~ <i>14 lic.</i>
			NW	SW		IRR	37.0 <i>lic.</i>
			SE	SW		IRR	20.0

Section Acres 136.0

Total Acres 136.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
A29-02538

14. Remarks:

THIS CLAIM REPRESENTS A 40% SPLIT OF DECREED RIGHT 29-00073,
CLAIMING 40 INCHES OF THE ORIGINAL 100 INCHES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UNION GRAIN & ELEVATOR CO.
Decree Plaintiff

vs

MCCAMMON DITCH CO. ET. AL.
Decree Defendant

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: _____

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): William Jean Treasore Date: 1-24-1990

Date: _____

State of Idaho)
County of Caribou) SS.

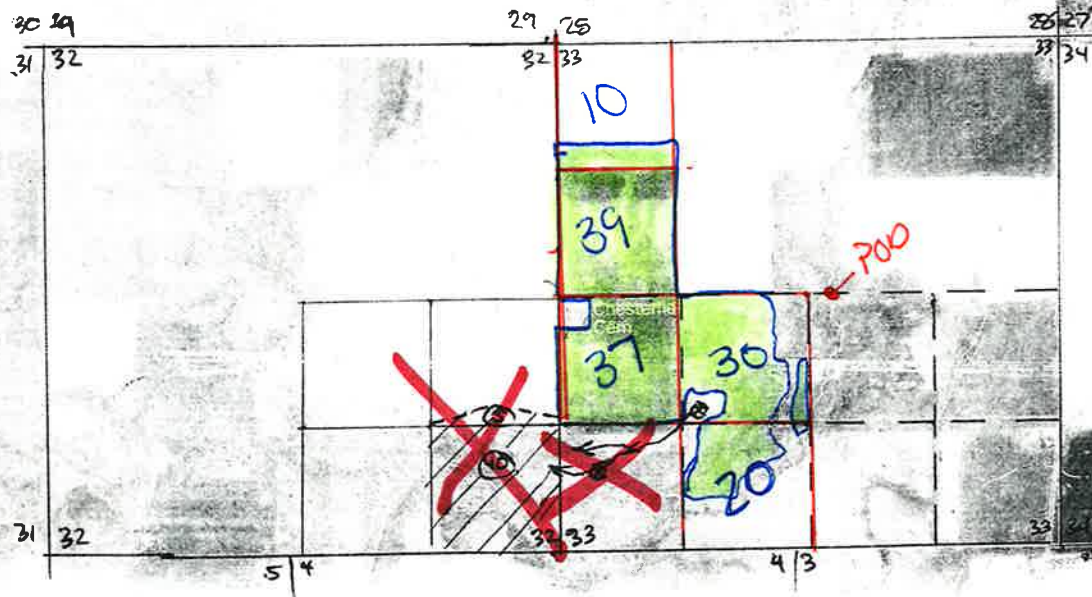
Subscribed and sworn (or affirmed) before me this 24th day
of January 19 90

Anna Baumhoff
Notary Public

Seal

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

A29-00073C 39E



6S

136 acres

NOV 13 1992

MICROFILMED

A29-000736

39E

ACRES

IRRIGATED BY

JEAN TREASURE
ALL SHARED IN
CHICKFIELD CANYON

& RESERV. CO.

14 fee paid

on M005582

136 acres

65



was located with 29-000724.

NOV 11 1972