

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

1

10/21/2002

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

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 POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

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

06/28/2002

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

RIGHT NUMBER: 29-225

NAME AND ADDRESS: HERMESE H CRUMP
C/O RENE' CRUMP
101 BEACON ST
LAYTON UT 84001

SOURCE: JOE WILLEY CREEK TRIBUTARY: TWENTYFOURMILE CREEK

QUANTITY: 0.75 CFS

PRIORITY DATE: 05/01/1883

POINT OF DIVERSION:

T06S R39E S27 SWSWSW Within CARIBOU County

T06S R39E S28 SWSENE Within CARIBOU County

WATER DIVERTED UNDER THIS RIGHT IS EXCHANGED BY INJECTING, JOE WILLEY CREEK, WATER DIVERTED UNDER THIS RIGHT INTO TWENTYFOUR MILE CREEK AT THE POINT OF INJECTION IN THE SWSE FO SECTION 28, T6S, R39E, AND DIVERTING AN EQUAL AMOUNT FROM TWENTYFOUR MILE CREEK AT THE POINT OF REDIVERSION IN SECTION 28 AS DESCRIBED ABOVE.

THE AMOUNT OF WATER DIVERTED FROM JOE WILLEY CREEK SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF WATER FROM TWENTYFOUR MILE CREEK DOWNSTREAM FROM THE POINT OF REDIVERSION.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.750 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within CARIBOU County

T06S R39E S27	SWNW	23.0	T06S R39E S27	NWSW	35.0
T06S R39E S27	SWSW	19.0	T06S R39E S28	NENE	28.0
T06S R39E S28	SENE	40.0	T06S R39E S28	NESE	40.0
T06S R39E S28	SESE	39.0			

224 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 75 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

06/28/2002

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

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

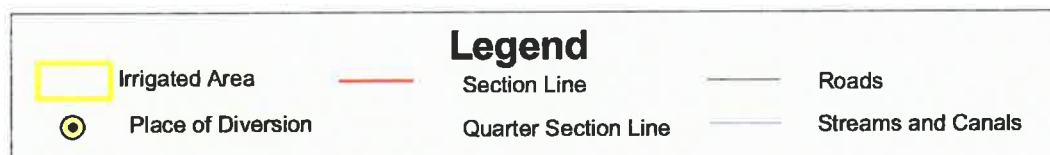
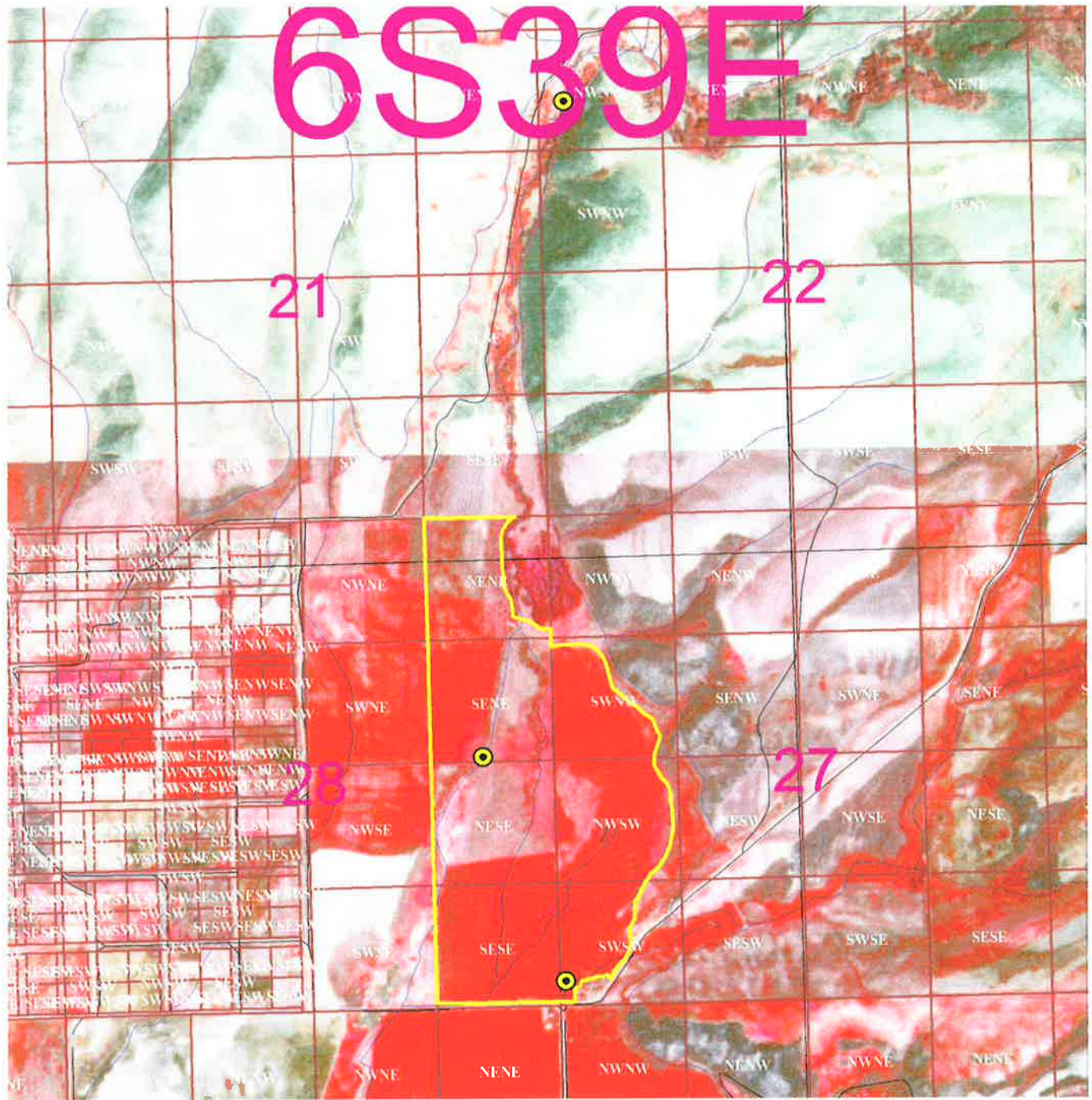
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

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

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

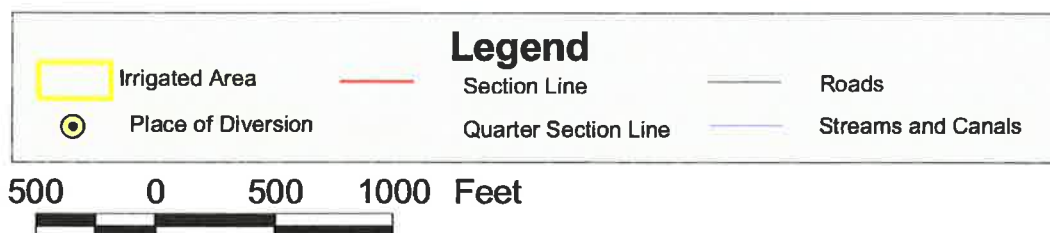
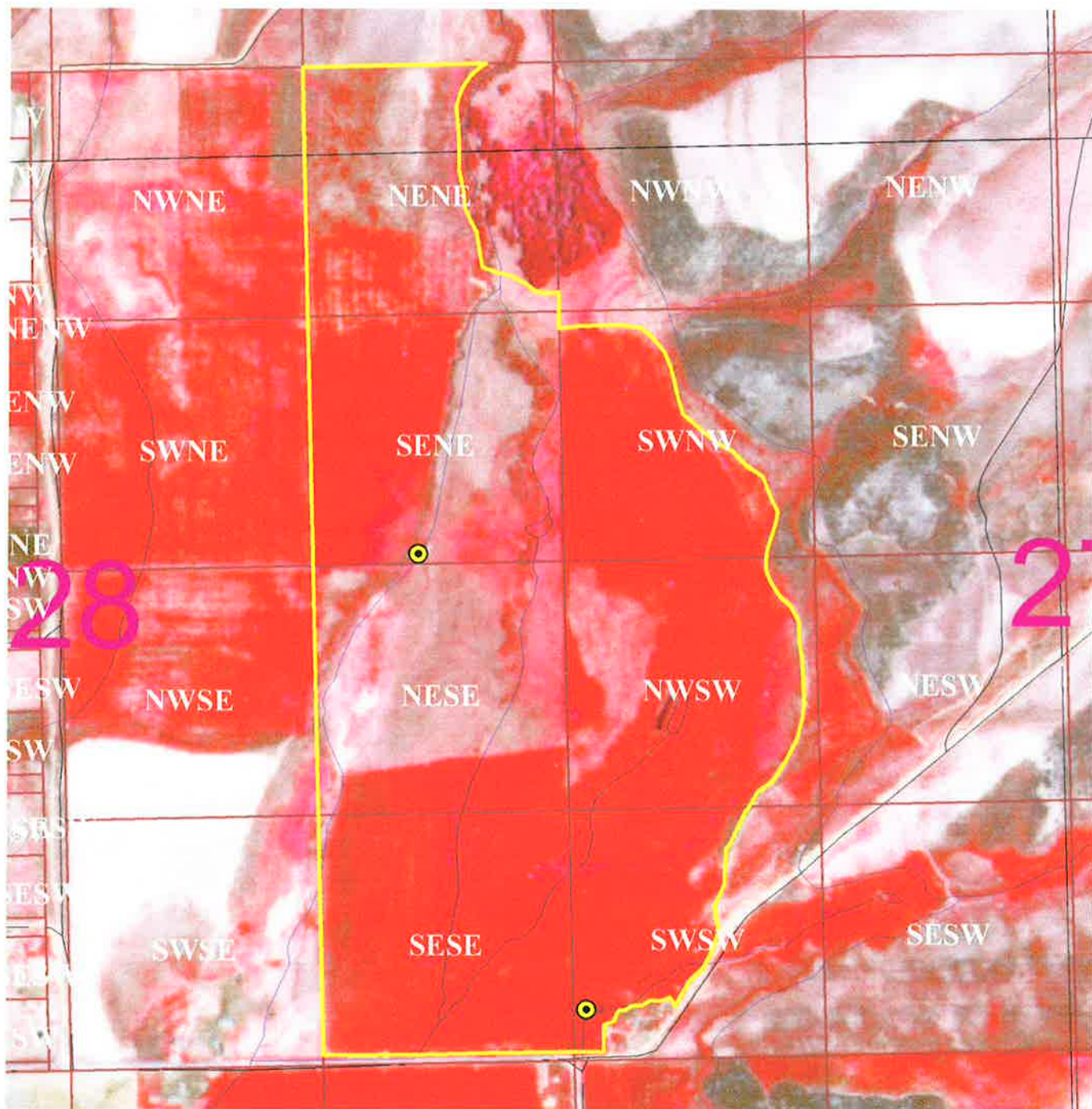
Township , 6S39E



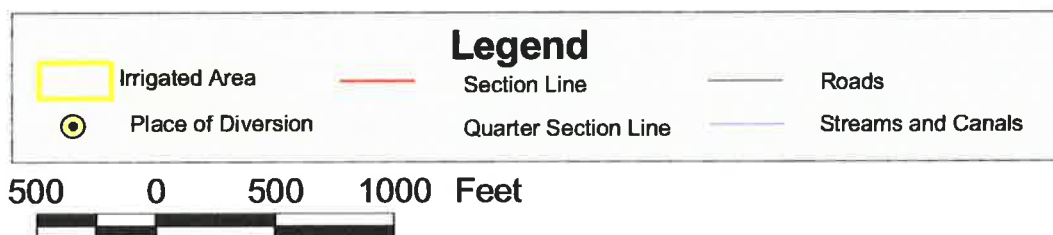
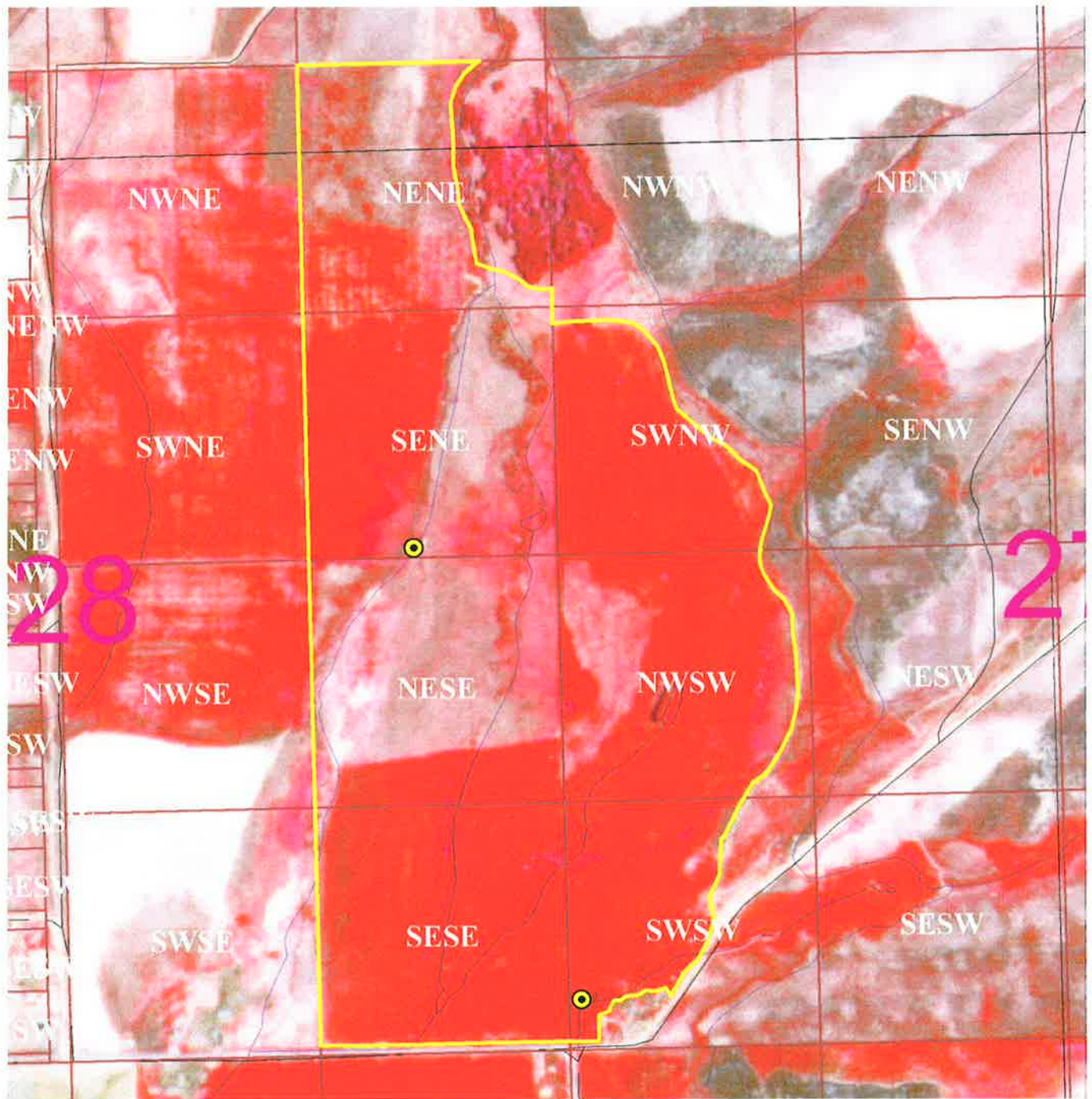
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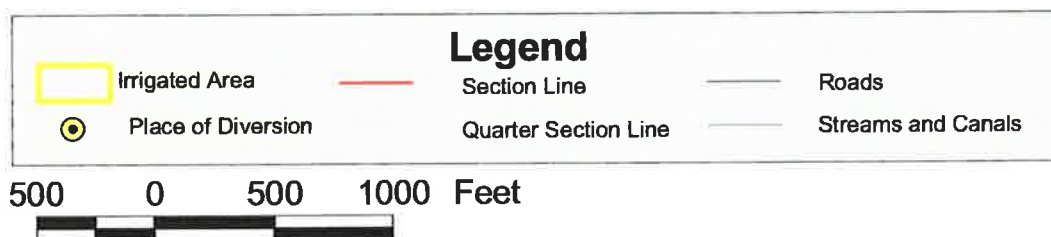
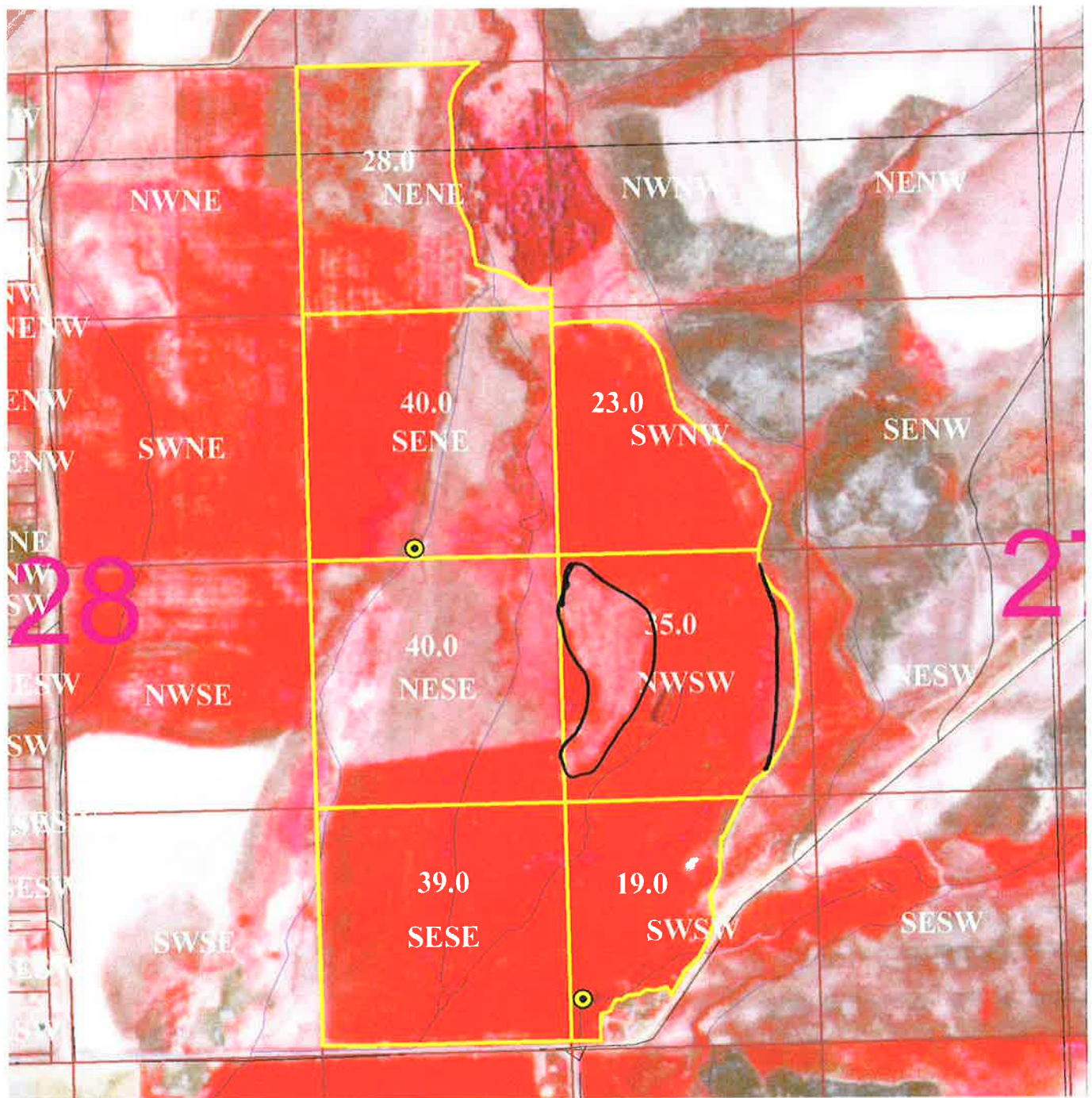
Township , 6S39E



Township , 6S39E



Township , 6S39E

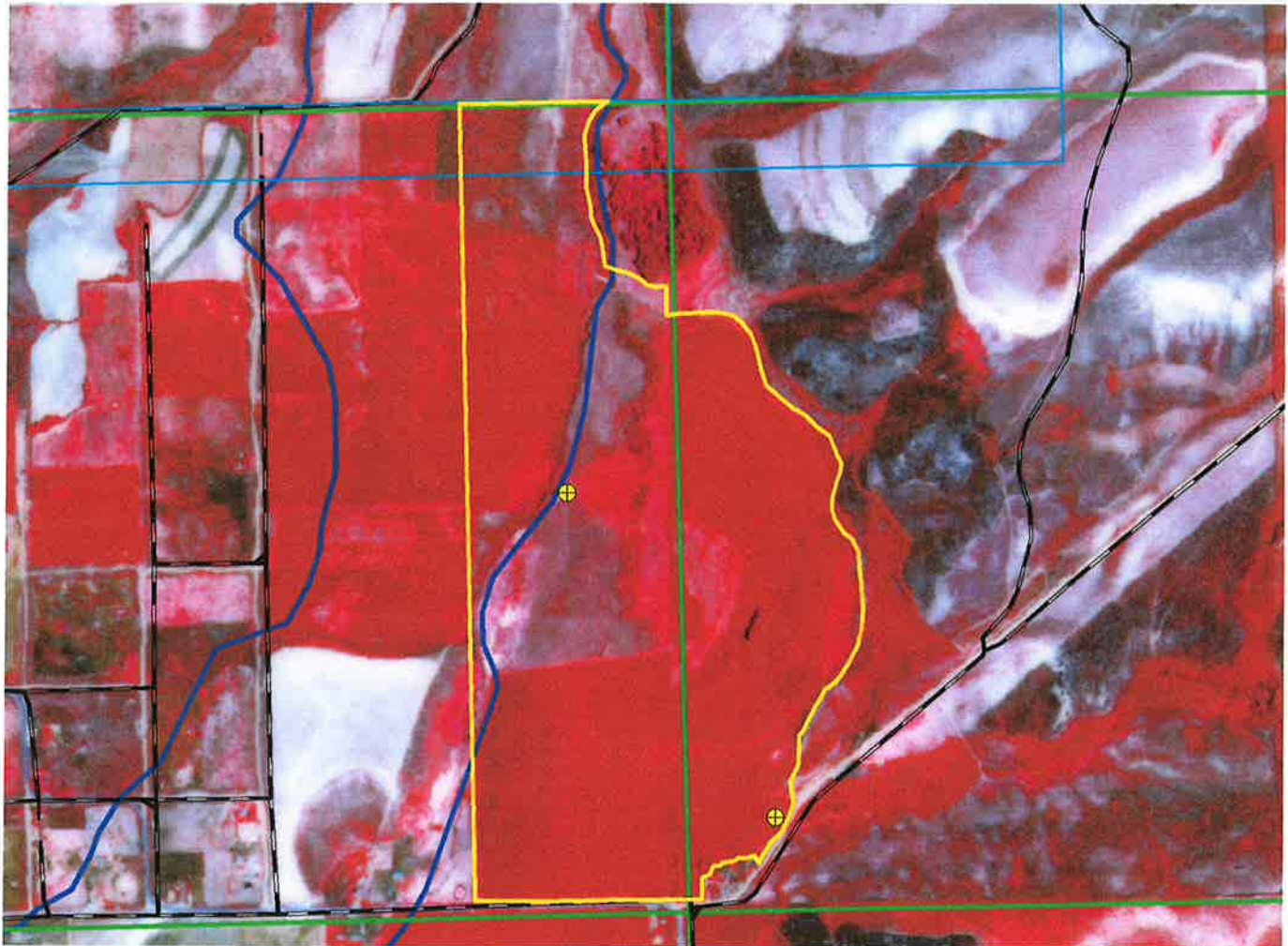




STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right 29-225



600 0 600 1200 1800 Feet

LEGEND

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

Place of Use: T6S, R39E
(part of) Sections 27 and 28.

Points of Diversion: T6S, R39E
Sec. 27 and 28



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

WATER RIGHT NO. 29 225 V1

- C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- 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.
- E14 USE OF THIS RIGHT WITH THE RIGHT LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 224 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NO.: 29-72B
- G03 WATER DIVERTED UNDER THIS RIGHT IS EXCHANGED BY INJECTING WATER DIVERTED UNDER THIS RIGHT INTO TWENTYFOUR MILE CREEK AT THE POINT OF INJECTION DESCRIBED ABOVE, AND DIVERTING AN EQUAL AMOUNT FROM TWENTYFOUR MILE CREEK AT THE POINT OF REDIVERSION DESCRIBED ABOVE.
- G10 THE AMOUNT OF WATER DIVERTED FROM TWENTYFOUR MILE CREEK SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF WATER FROM TWENTYFOUR MILE CREEK DOWNSTREAM FROM THE POINT OF REDIVERSION.
- K06 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 75 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.



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

DIRK KEMPTHORNE
GOVERNOR

October 9, 2002

KARL J. DREHER
DIRECTOR

JUSTIN AND MELANIE WILLIAMS
PO BOX 155
BANCROFT ID 83217

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #29-72B, 29-225, 29-2455

Dear Claimants:

We have processed your change in ownership of the Notices of Claim referenced above.

Enclosed are copies of your claims for your file. Please refer to these record numbers in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claims. Please call us toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures:

Computer-generated Copies of Notices of Claim #29-72B, 29-225 and 29-2455



HERMESE H. CRUMP
29-72B, 29-225 and 29-2455
Narrative by Cindy Bird
June 21, 2002



Photo 1. Diversion on Joe Willey Creek.



Photo 2. Diversion on Twenty-four mile creek.

Monday June 17th I met with Nyles Crump, Hermese's son, to discuss her water rights. Nyles operated a portion of the property for 15 years. The property is currently on the market and is not being farmed.

The water rights decreed on the property from the Union Grain and Elevator Decree are from Twenty-four Mile creek and Joe Willey creek. Joe Willey Creek is tributary to Twenty-four Mile Creek. Over the years water has been exchanged from Joe Willey Creek to Twenty-four Mile Creek.

Photo 1 was taken looking in a southwesterly direction at Joe Willey creek and the Crump's diversion. The water would enter the ditch at this diversion and go north and flood the property or it can continue down the stream along the road and flow into Twenty-four mile creek. The Joe Willey exchange water would be diverted in the SENE of section 28.

Photo 2 was taken looking southwesterly at diversion graveyard for the Twenty-four mile diversion. They use to pump it out of the creek and irrigate the property east of the creek in section 28. No pump was in place at the time of my visit.



Photo 3. The ground water diversion.

Photo 3 was taken looking east at the old ground water system. The 50-horse pump is still setting on the concrete pad as shown in photo 3. Nyle's brother operated the property west of Twenty-four mile creek. According to Nyles they quit using the well in 1979 because the amount of water they got from the well wasn't being offset by the power costs. His brother moved out of the area in 1989

On June 14th I requested power records from Nyles on the well to determine when the well was last used but because the meter was removed no records are available. According to Nyles the ground water system hasn't been operated since 1979 it has been abandoned or forfeited and I'm recommending the claim be disallowed.

The point of diversion listed in the NWNW of section 22 washed out in 1980 and hasn't been since that time. The only point of diversion used out of Twenty-four mile since 1980 is the point of diversion in the SENE of section 28, township 6 south, range 39 east. This is also the same point of diversion used for the Joe Willey exchange water.

Claim 29-72B is decreed Twenty-four mile creek. It has been over claimed in the SRBA and will be adjusted to match the decree.

JOE WILLEY CREEK, TRIBUTARY TO TWENTY FOUR MILE CREEK.

CALL DITCH NO. 21, Diverts from Joe Willey Creek in the Southeast quarter of the Northeast quarter, Section 27, Township 6 South, Range 39 East. From the East quarter corner of Section 27, the point of diversion bears North 53 degrees and 25 minutes West, 952 feet.

CALL DITCH NO. 2 diverts from Joe Willey Creek in the Southwest quarter of the Southwest quarter, Section 27, Township 6 South, Range 39 East. From the Southwest corner of Section 27, the point of diversion bears North 61 degrees and 15 minutes East, 1210 feet.

29 0225

161. CALL, OSMOND
1883 May 1. .75 c.f.s.
(37.5 inches)

Said water to be diverted through the said Call Ditch No. 1, and Call Ditch No. 2, last above described, for the irrigation of 75 acres of land in the West half of the Southeast quarter, and the Southeast quarter, and the Southeast quarter of the Southwest quarter, Section 27, Township 6 South, Range 39 East.

9 0226

162. HOLBROOK, JONATHAN
1883 May 1. .19 c.f.s.
(9.4 inches)

Said water to be diverted through the said Call Ditch No. 1 and Call Ditch No. 2, last above described, for the irrigation of 9 3/8 acres of land in the Southeast quarter of the Northeast quarter, Section 33, Township 6, South, Range 39 East.

9 0227

163. CORNELISON, FORREST L.
1883 May 1. .06 c.f.s.
(3.1 inches)

Said water to be diverted through the said Call Ditch No. 1, and Call Ditch No 2, last above described, for the irrigation of 3 1/8 acres of land in the Northeast quarter of the Northeast quarter, Section 33, Township 6 South, Range 39 East.

The Court having found that 18-Mile Creek and Mose Canyon Creek are not tributaries to the Portneuf River,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED: That the following named persons so far as their rights to the waters of said Creeks are concerned, be dismissed from this action, to-wit:

Frank Butterfield, Robert L. Redford, Alma Hogan, E. A. Madison, Margarette Hatch, Administatrix of the Estate of Ramson Hatch, Deceased, Nels Hogan, William Higginson, and Thomas Hatch.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED: That Sarah Harkness, Ernest Byington, John Byington, Charles Mills, Robert Redford, Charles Byington, C. F. Potter, Leslie Sharp, James Higgins, James Roddy, Alfred Baker, Chas. Bell, John Ramsey, Jesse Avery, A. M. Boyce, Ray Bloxum, Mrs. N. Norton, Joseph Bell, Arthur Naylor, E. J. Dolbeer, H. A. Weddell, Stephan Grimm and Will Bowers, have no right, title, interest or claim in or to any of the waters of the Portneuf River, or its tributaries and sources, and the parties and each of them, their agents, servants, attorneys, successors in interest and assigns, are perpetually enjoined from diverting or using any of the water of the Portneuf River, or its tributaries and sources.

No costs or disbursements are allowed to any of the parties to this action, but each shall pay his, her or its own costs.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED: That when the natural flow of the streams, the water of which is awarded by this decree, is not sufficient to furnish all parties claiming water therefrom with the full

MAY 15 1996

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

06/14/2002

WATER RIGHT NO. 29-225

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HERMESE H CRUMP 234 N 200 E LOGAN, UT 84321 (801)752-2996
Original Owner	CALL OSMOND BANCROFT, ID 83217

Priority Date: 05/01/1883
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary</u>
TWENTYFOUR MILE CREEK JOE WILLEY CREEK	PORTNEUF RIVER TWENTYFOURMILE CREEK

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/01	11/01	0.75 CFS	
Total Diversion			0.75 CFS	

Location of Point(s) of Diversion:

SWNWNW	Sec. 22	Township 06S	Range 39E	CARIBOU County
SWSWSW	Sec. 27	Township 06S	Range 39E	CARIBOU County
SWSENE	Sec. 28	Township 06S	Range 39E	CARIBOU County

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06S	39E	27		SWNW	25									
		28		NWSW	30		SWSW	30						
				NENE	35		SENE	40						
				NESE	40		SESE	40						

Total Acres: 240

Remarks:

1.	General	CLAIMANTS HAVE BEEN ALLOWED TO DIVERT THIS RIGHT FROM TWENTYFOUR MILE CREEK IN EXCHANGE FOR LETTING THE JOE WILLEY CREEK WATER GO DOWN-STREAM TO OTHER USERS.
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Dates:

Licensed Date:

Claim Received Date:

Decreed Date: 08/06/1932

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

MAY 4 2001

Log for claim A29-00225

Spatial Dynamics LTD

6/8/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s39e	27	SWNW	25	23	
06s39e	27	NWSW	30	35	30
06s39e	27	SWSW	30	19	
06s39e	28	NENE	35	28	
06s39e	28	SENE	40	40	
06s39e	28	NESE	40	40	
06s39e	28	SESE	40	39	
Totals:			240	224	

AJ5809NP
No. A29-00225

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 43

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HERMESE H CRUMP 234 N 200 E LOGAN ID 84321 (801) 752-2996	05/01/1883	IRRIGATION	04-01 11-01	0.750 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.750 CFS	600.00 AFA

Water Source: TWENTYFOUR MILE CREEK
JOE WILLEY CREEK

Tributary to: PORTNEUF RIVER
TWENTYFOUR MILE CREEK

Stage: DECREED

Point(s) of Diversion:

T06S R39E S22
S27
S28

SWNNWN
SWSWSW
SWSENE

CARIBOU County
CARIBOU County
CARIBOU County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE						
T	R S	: Lt Ac	NENE Lt Ac	NWNE Lt Ac	SENE Lt Ac	: Lt Ac	NENW Lt Ac	NWNW Lt Ac	SENW Lt Ac	: Lt Ac	NESW Lt Ac	NWSW Lt Ac	SESW Lt Ac	: Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	: SUM	
06S	39E 27	:				:			25	:		30	30	:					:	85.0
06S	39E 28	:	35		40	:				:				:	40			40	:	155.0
TOTAL ACRES																			:	240.0

POU County: CARIBOU

Non-Irrigation Uses: NONE

Other Rights: PORTION OF 29-00072 AND ALL OF 29-02455

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-00072B A29-00072C

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00072 A29-00072B A29-02455

Remarks: GEN CLAIMANTS HAVE BEEN ALLOWED TO DIVERT THIS RIGHT FROM
TWENTYFOUR MILE CREEK IN EXCHANGE FOR LETTING THE JOE WILLEY
CREEK WATER GO DOWN-STREAM TO OTHER USERS.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 01/23/90 VERNER 04/04/94 THOMPSON 03/29/95 POST-STD

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: A29-00225
Date Received: 1/23/1990
Receipt No: 601833
Received By: SW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HERMESE H. CRUMP
Address: 234 N. 200 E.
LOGAN, ~~ID~~ UT

801-752-2996

84321

2. Date of Priority: MAY 01, 1883

3. Source: TWENTYFOUR MILE CREEK
JOE WILLEY CREEK

Trib. to: PORTNEUF RIVER
TWENTYFOUR MILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06S	39E	22	SW NW NW		CARIBOU
		27	SW SW SW		CARIBOU
		28	SW SE NE		CARIBOU

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES AND REDIVERSION PUMPS. HANDLINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.750		

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

A.F.A.

8. Total consumptive use is 600.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-00225

Page 1

Date: 01/23/90

MICROFILMED
NOV 13 1992

A2900225



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
06S	39E	27	SW	NW		IRR	25.0	
			NW	SW		IRR	30.0	
			SW	SW		IRR	30.0	
					Section Acres		85.0	
		28	NE	NE		IRR	35.0	
			SE	NE		IRR	40.0	
			NE	SE		IRR	40.0	
			SE	SE		IRR	40.0	
					Section Acres		155.0	
		Total Acres						240.0

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:

PORTION OF 29-00072 AND ALL OF 29-02455

14. Remarks:

CLAIMANTS HAVE BEEN ALLOWED TO DIVERT THIS RIGHT FROM TWENTYFOUR MILE CREEK IN EXCHANGE FOR LETTING THE JOE WILLEY CREEK WATER GO DOWN-STREAM TO OTHER USERS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UNION GRAIN & ELEVATOR
Decree Plaintiff

vs

MCCAMMON DITCH CO.
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: 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): Hermese H. Cremp Date: 1/28/90

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23 day

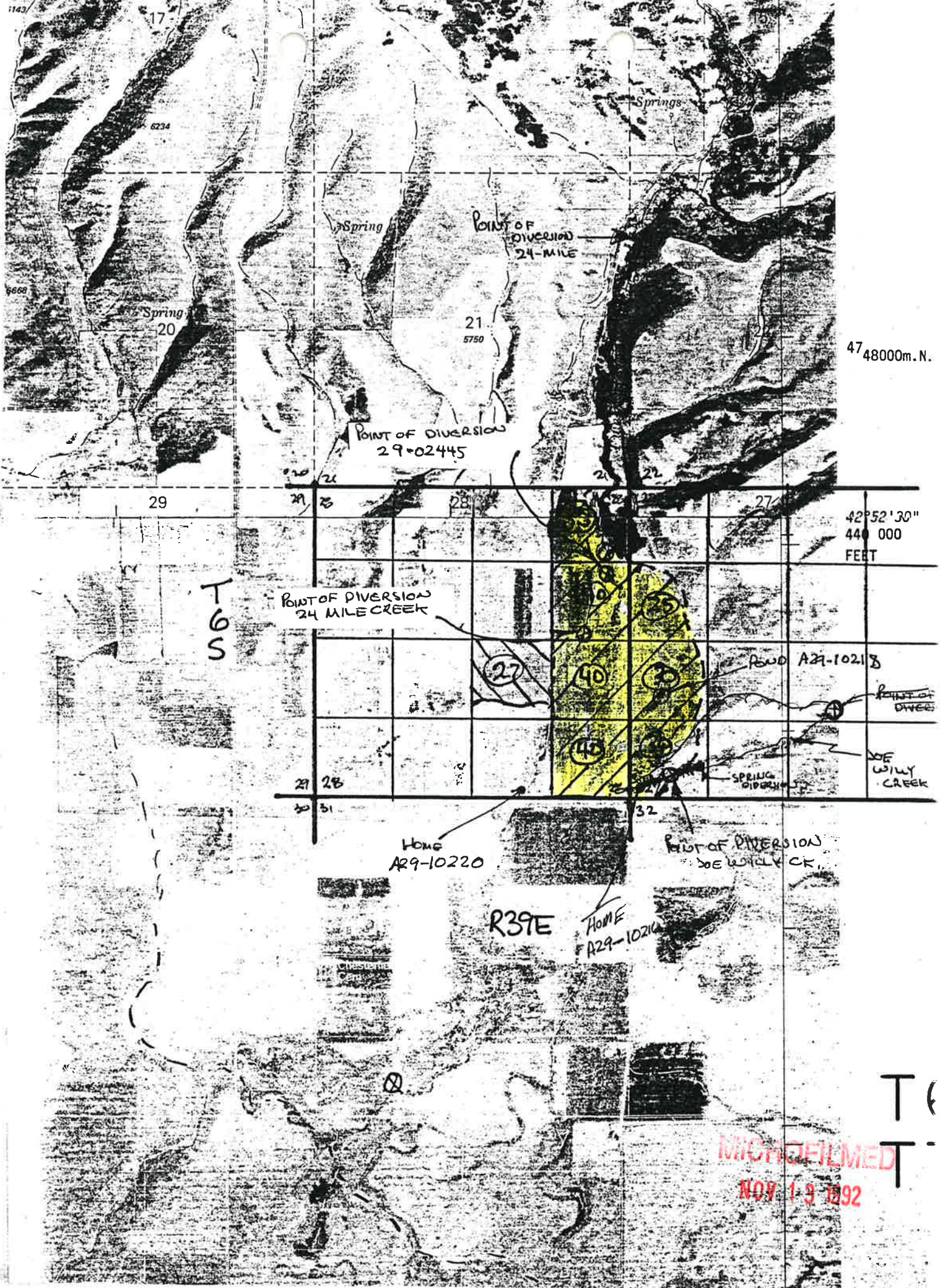
of January 19 90

[Signature]
Notary Public

Seal

Residing at Sal Fell, B.

My Commission Expires 22 Aug 1994



MICROFILMED
NOV 13 1992