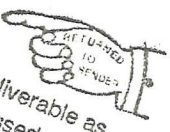


83720-0098

ADDRESS SERVICE
REQUESTED

- 
- ☐ Undeliverable as Addressed
 - ☒ Moved, Left No Address
 - ☐ Unclaimed
 - ☐ Refused
 - ☐ Attempted, Not Known
 - ☐ No Such Street
 - ☐ No Such Number
 - ☐ No Receptacle
 - ☐ Deceased
 - ☐ Vacant

FIR



MAILED FROM ZIP CODE 83702

RECEIVED
NOV 21 2003
DIP. ST. CP.
WATER RESOURCES

c/o needed?
According to taxlots, owner is:
Bill J & Janet C Mayfield
PO Box L
Council ID 83612
comment in QuickLook
mub 6/12/2007

SIBYL PERKINS
HC 64 BOX 3307
COUNCIL ID 83612

NOE
WDR # 67-4335

SCANNED

FEB 27 2007

12/13/2006

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

RIGHT NUMBER: 67-4335

NAME AND ADDRESS: SIBYL PERKINS
HC 64 BOX 3307
COUNCIL ID 83612

WILLARD SURGENER
2809 HWY 95
COUNCIL ID 83612

BILL MAYFIELD
2809 HWY 95
COUNCIL ID 83612

JANET MAYFIELD
2809 HWY 95
COUNCIL ID 83612

SOURCE: SPRING

TRIBUTARY: EAST FORK WEISER RIVER

QUANTITY: 0.560 CFS

PRIORITY DATE: 01/01/1883

POINT OF DIVERSION:

T18N R01E S32 NESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.560 CFS
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T18N R01E S31	SWSE	2.10	T18N R01E S31	SESE	17.00
T18N R01E S32	NWSW	1.70	T18N R01E S32	SWSW	7.20

STOCKWATER same as IRRIGATION

28 ACRES TOTAL

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

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

Source is locally known as Stevens Spring.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

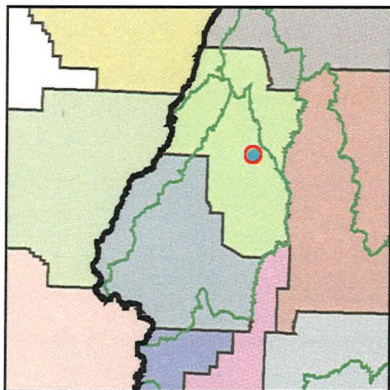
SRBA Recommendation:

67-4335

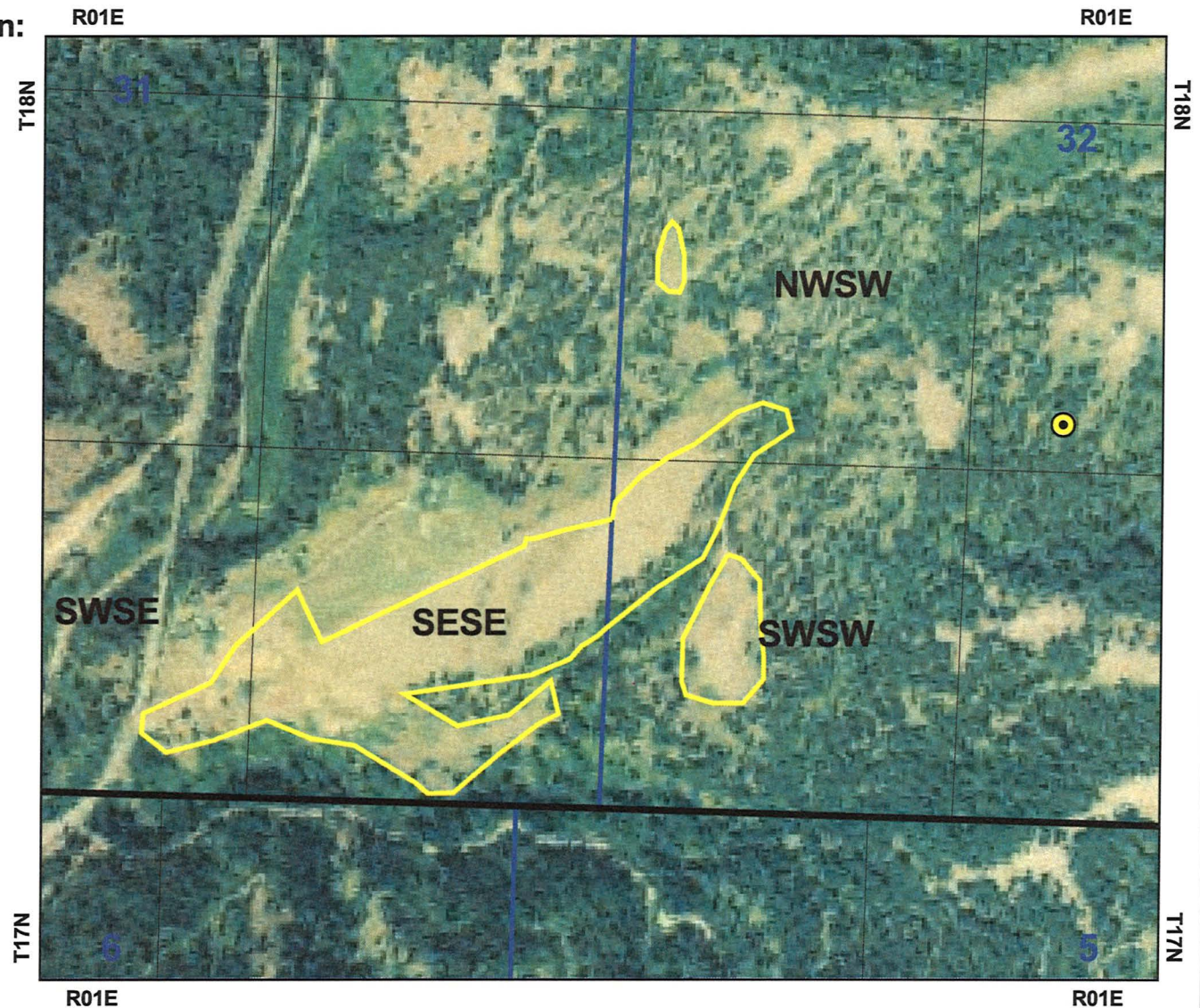
(Irrigation)

Legend

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



Adams County
IDWR Basin 67

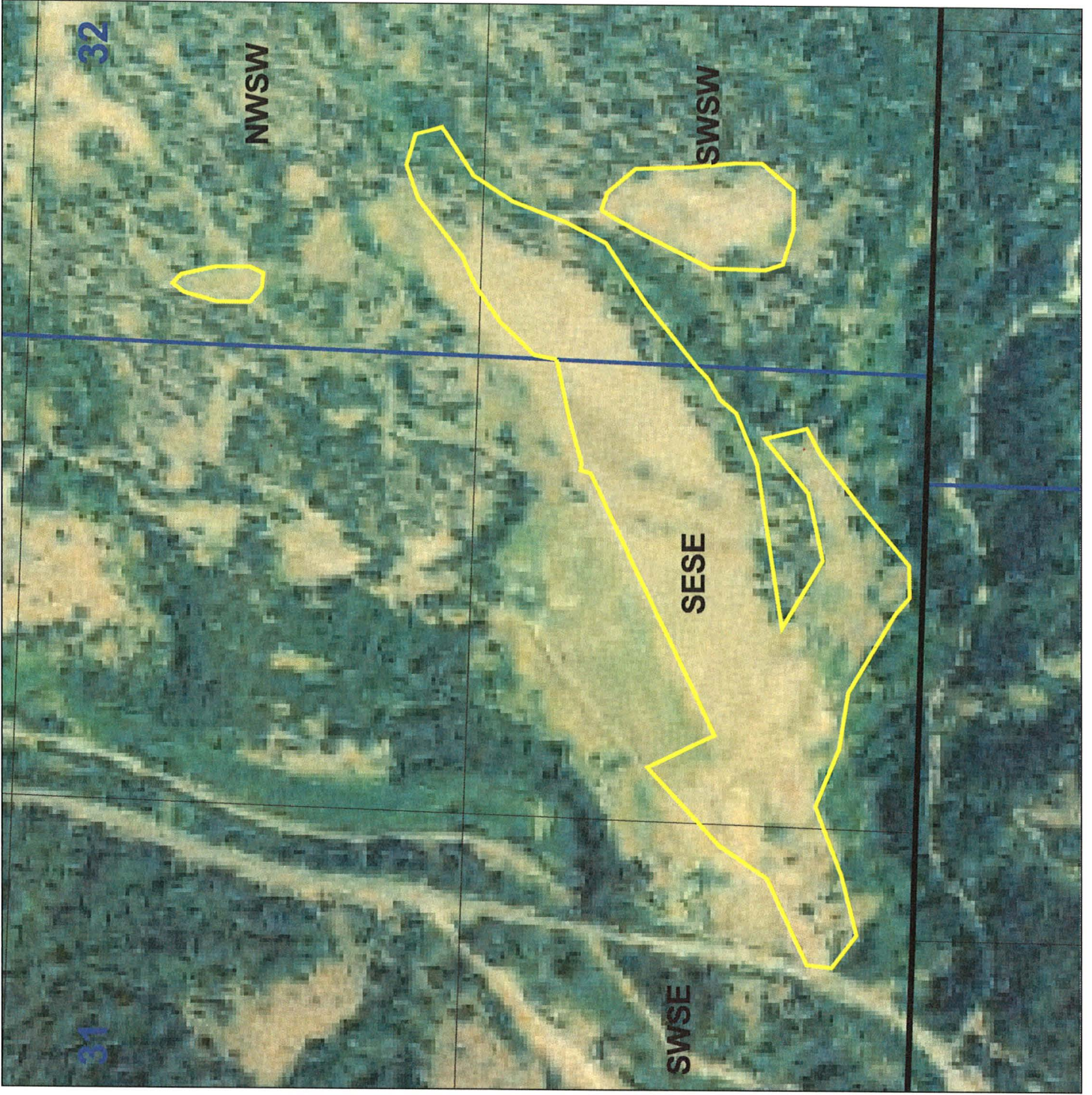
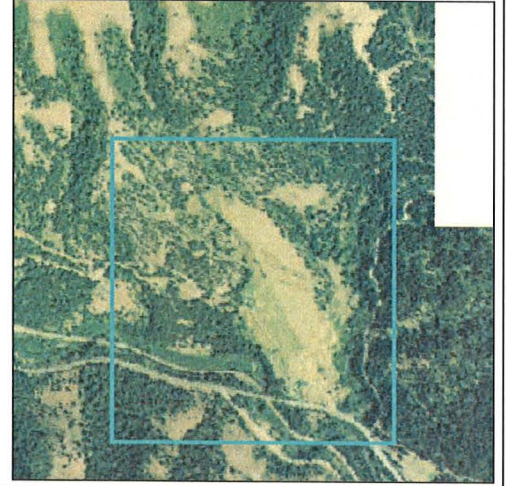


0 0.3 0.6 Miles



Prepared by IDWR State Office
On Wednesday, December 13, 2006
1987/88 Aerial Photography

67-4335



Adjudication Recommendation Report 67-4335 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SIBYL PERKINS HC 64 BOX 3307 COUNCIL, ID 83612 (208)253-4273
Current Owner	WILLARD SURGENER 2809 HWY 95 COUNCIL, ID 83612 (208)253-4273
Original Owner	KENNETH A JOHNSON PO BOX 606 VALE, OR 97918 (503)473-3155
Original Owner	PACIFIC LAND & LIVESTOCK CO INC C/O KENNETH A JOHNSON PRES BOX 606 VALE, OR 97918 (503)473-3155
Current Owner	BILL MAYFIELD 2809 HWY 95 COUNCIL, ID 83612 (208)253-4273
Current Owner	JANET MAYFIELD 2809 HWY 95 COUNCIL, ID 83612 (208)253-4273

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.560 CFS	
STOCKWATER	01/01 to 12/31	0.030 CFS	
	<u>Total Diversion:</u>	0.560 CFS	

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	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4335 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
18N 01E 31															2.1	17.0	19.1
18N 01E 32									1.7	7.2							8.9

Total Acres: 28

STOCKWATER same as IRRIGATIONConditions of Approval:

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

Remarks:Comments:

1. mvanbussum 6/2/2006 Source

Comment: Recommending source as unnamed stream trib to unnamed stream. Spring is about 50m upstream of diversion point, at which point the system is clearly a stream. This stream appears to be trib to another unnamed stream, although it may have a local name, trib to East Fork Weiser River.

2. mvanbussum 12/11/2006 NOE Source

Comment: Per NOE, we are changing source to be Stevens Spring. POD from stream is used to convey spring waters to POU.

3. mvanbussum 12/13/2006 NOE POU

Comment: Per NOE correspondence, increased POU to match claimant map. Claimants said POU is 40 acres. As drawn, in accordance with claimant-provided map, shape is approximately 28 acres. Recommended 28 acres and accordant cfs.

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:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-4335 V1

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	6/2/2006 1:03:34 PM	mvanbussum			Active
Priority Date	6/2/2006 1:04:24 PM	mvanbussum			Active
POD	6/2/2006 1:05:41 PM	mvanbussum			Active
Source	6/2/2006 1:10:27 PM	mvanbussum			Active
POU	6/2/2006 1:10:53 PM	mvanbussum			Active
Use	6/2/2006 1:14:46 PM	mvanbussum			Active
Season	6/2/2006 1:16:06 PM	mvanbussum			Active
Quantity	6/2/2006 1:17:58 PM	mvanbussum			Active
Summary			06/02/2006	mvanbussum	Active
Source	12/11/2006 11:56:43 AM	mvanbussum			Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	12/11/2006 11:56:42 AM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field exam and imagery.
POU	6/2/2006 1:13:55 PM	mvanbussum	Updated shape for Active POU
Quantity	6/2/2006 1:17:59 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - 4 1/4-mile hand lines in use. Per IDWR standard, each hand line has 31 or 32 sprinklers capable of 5 gpm, giving each line 0.36 cfs capacity. With 4 lines, capacity here is 1.44 cfs.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4335 V1

Summary	6/2/2006 1:19:04 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	6/2/2006 1:14:15 PM	mvanbussum	Updated PLS for Active POU
Contacts	6/2/2006 1:03:35 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: FE conducted 5-24-2006.
General	6/2/2006 1:04:25 PM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? Description for Question 12/13 - Written history of Stevens Stage Coach Inn and photo of property in 1883 (photo in backfile of 67-4335).
POD	6/2/2006 1:05:42 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	6/2/2006 1:10:28 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field exam conducted 5-24-2006.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4335 V1

POU	6/2/2006 1:10:54 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Imagery and FE conducted 5-24-2006 confirm POU.
Use	6/2/2006 1:14:47 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Imagery and FE conducted 5-24-2006 confirm purpose of use.
Season	6/2/2006 1:16:07 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	6/2/2006 1:06:16 PM	mvanbussum	Updated shape
POU	12/13/2006 11:59:14 AM	mvanbussum	Updated shape for Active POU
POU	12/13/2006 11:59:24 AM	mvanbussum	Updated PLS for Active POU

Water Supply Bank:

RECEIVED 11/14/2006

NOTICE OF ERROR
REPLY

DEC 12 2006

DEPARTMENT OF
WATER RESOURCES

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: 67-4335

SIBYL PERKINS
HC 64 BOX 3307
COUNCIL ID 83612
Telephone Number: (208)253-4273

WILLARD SURGENER
2809 HWY 95
COUNCIL ID 83612
Telephone Number: (208)253-4273

BILL MAYFIELD
2809 HWY 95
COUNCIL ID 83612
Telephone Number: (208)253-4273

JANET MAYFIELD
2809 HWY 95
COUNCIL ID 83612
Telephone Number: (208)253-4273

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

SOURCE: STEVENS SPRING
ACRES: 40

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

~~ACRES~~
ACRES + SOURCE

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

YOUR MAP DOES NOT SHOW ALL PROP.
additional map enclosed.

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

DATE: 6/2/06

SIGNATURE: B. Mayfield

Please print your name: BILL J MAYFIELD

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

NOE review - changed source & POA
MVB 12-13-06

SCANNED

DEC 13 2006

11/14/2006

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

RIGHT NUMBER: 67-4335
NAME AND ADDRESS: SIBYL PERKINS
HC 64 BOX 3307
COUNCIL ID 83612

WILLARD SURGENER
2809 HWY 95
COUNCIL ID 83612

BILL MAYFIELD
2809 HWY 95
COUNCIL ID 83612

JANET MAYFIELD
2809 HWY 95
COUNCIL ID 83612

SOURCE: UNNAMED STREAM
QUANTITY: 0.290 CFS
PRIORITY DATE: 01/01/1883
POINT OF DIVERSION:
T18N R01E S32 NESW Within ADAMS County
PURPOSE AND
PERIOD OF USE:

STEVEN'S SPRING
1883
TRIBUTARY: UNNAMED STREAM

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.290 CFS
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T18N R01E S31	SESE	9.00	T18N R01E S32	NWSW	1.30
T18N R01E S32	SWSW	4.20			

STOCKWATER same as IRRIGATION

14.5 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

SCANNED
DEC 13 2006

1-5-68



SCANNED
DEC 13 2006

not on map

Old Property from EAST FORK COUNTY Ad 9 Hwy 95
to (5 ACRES MARSH) and around there



Idaho Department of Water Resources

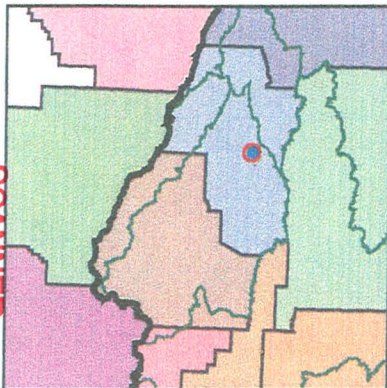
SRBA Recommendation:

67-4335

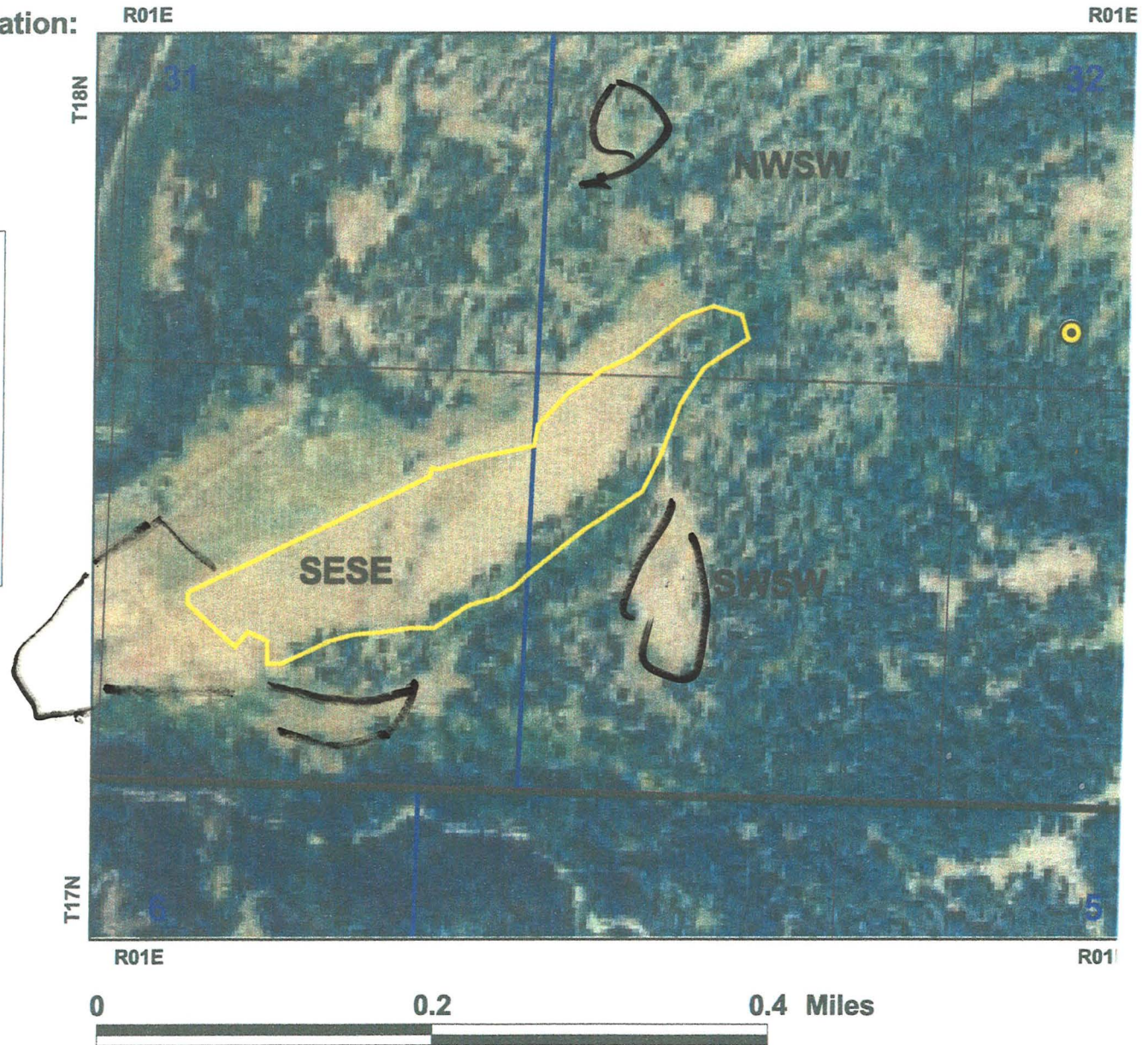
(Irrigation)

Legend

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

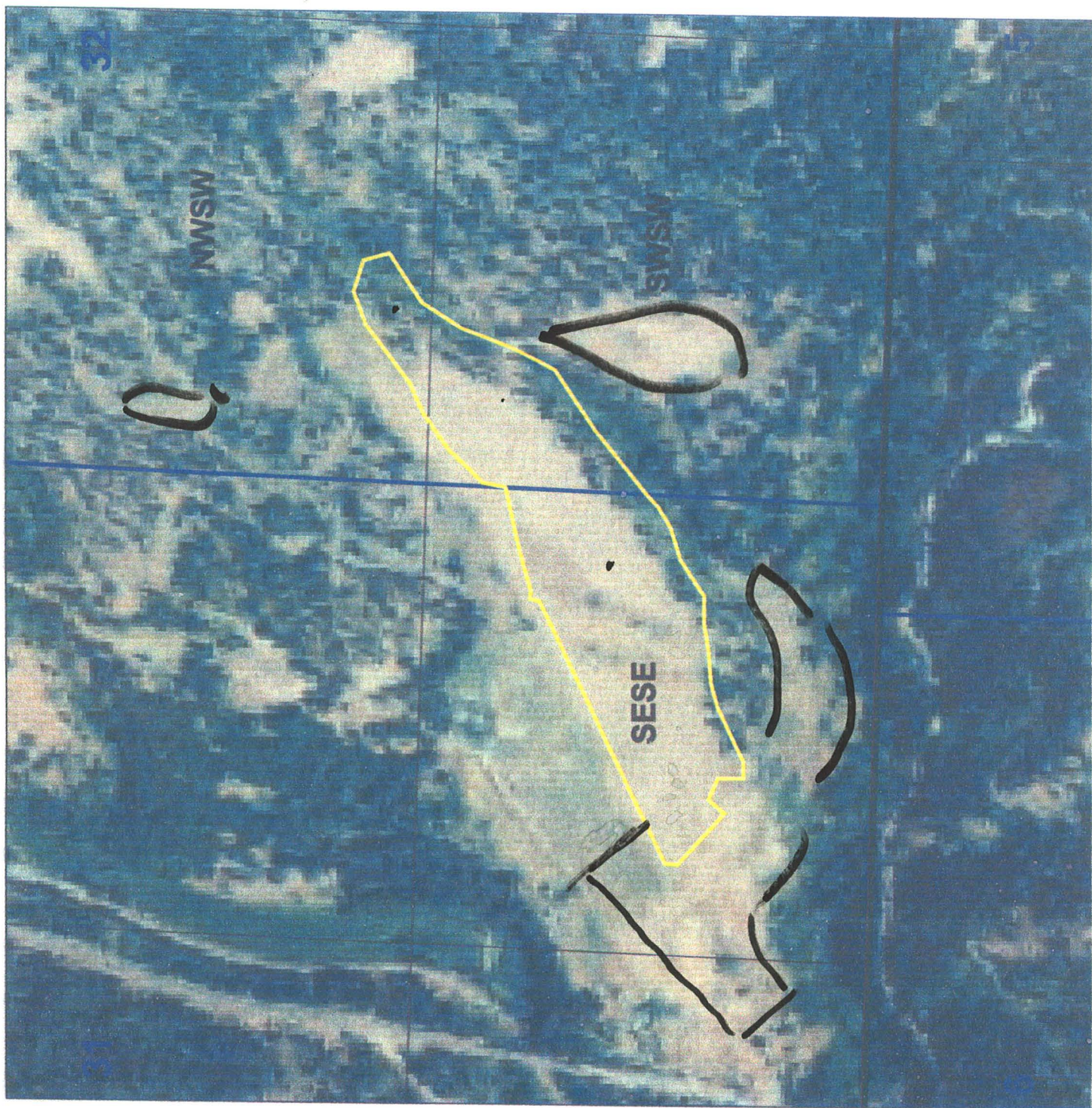


Adams County
IDWR Basin 67

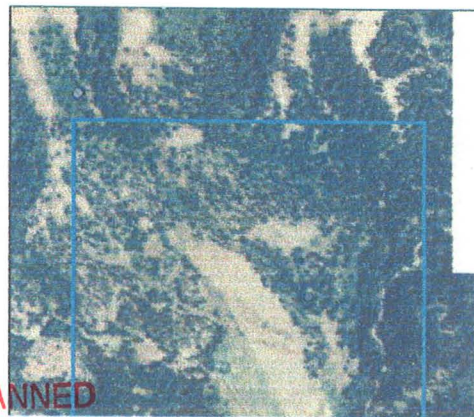


Prepared by IDWR State Office
On Wednesday, November 15, 2006
1987/88 Aerial Photography

SCANNED
DEC 13 2006



7-4335



SCANNED

13 2006

12/11/2006

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

RIGHT NUMBER: 67-4335

NAME AND ADDRESS: SIBYL PERKINS
HC 64 BOX 3307
COUNCIL ID 83612

WILLARD SURGENER
2809 HWY 95
COUNCIL ID 83612

BILL MAYFIELD
2809 HWY 95
COUNCIL ID 83612

JANET MAYFIELD
2809 HWY 95
COUNCIL ID 83612

SOURCE: SPRING TRIBUTARY: EAST FORK WEISER RIVER

QUANTITY: 0.290 CFS

PRIORITY DATE: 01/01/1883

POINT OF DIVERSION:

T18N R01E S32 NESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.290 CFS
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T18N R01E S31	SESE	9.00	T18N R01E S32	NWSW	1.30
T18N R01E S32	SWSW	4.20			

STOCKWATER same as IRRIGATION

14.5 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



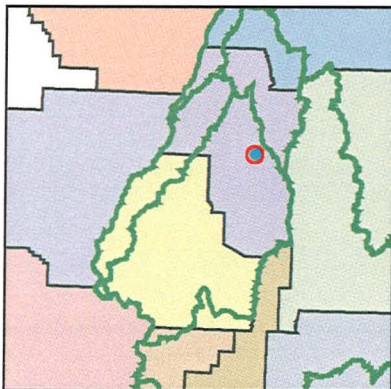
Idaho Department of Water Resources

SRBA Recommendation:

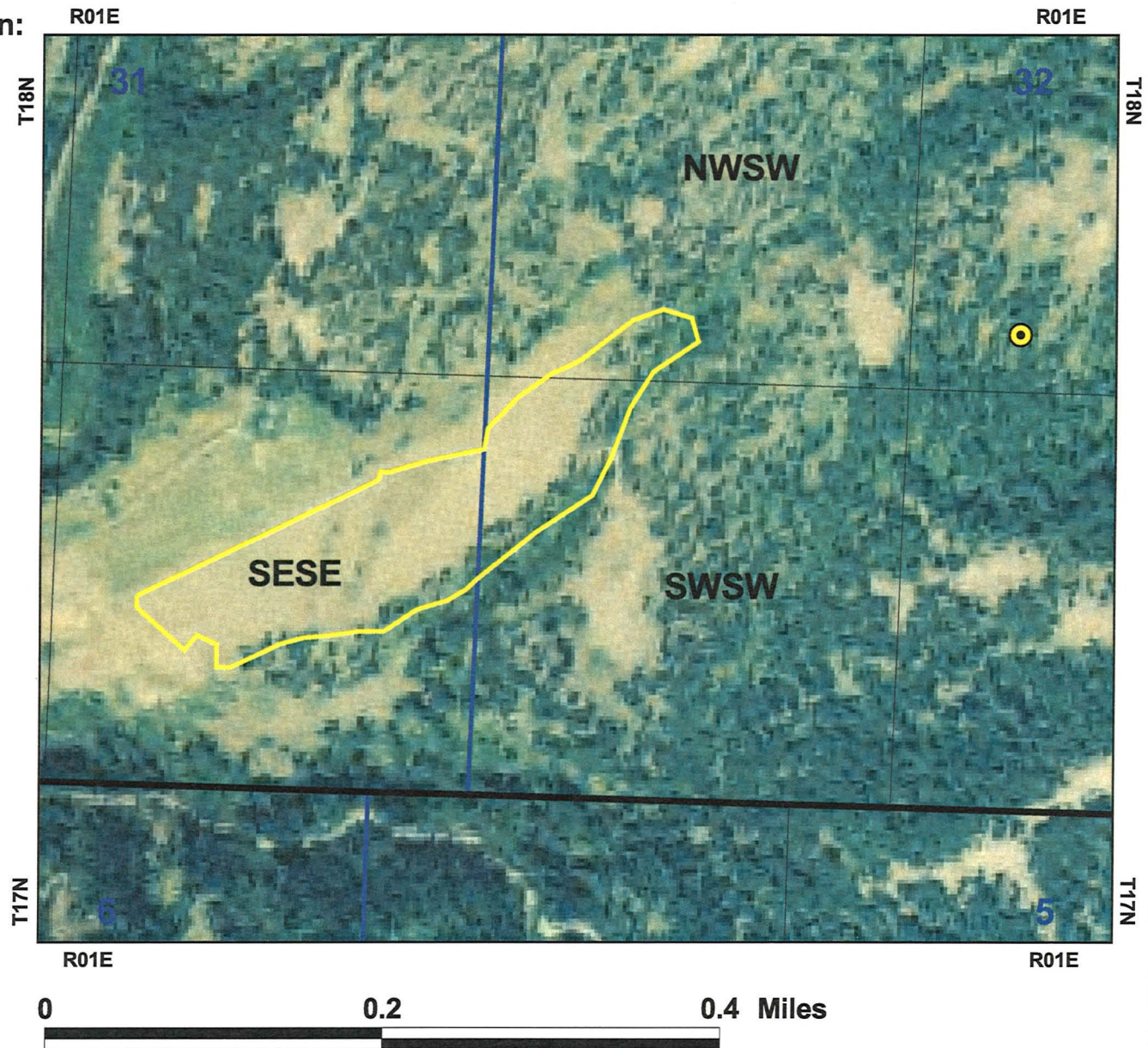
67-4335

Legend

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

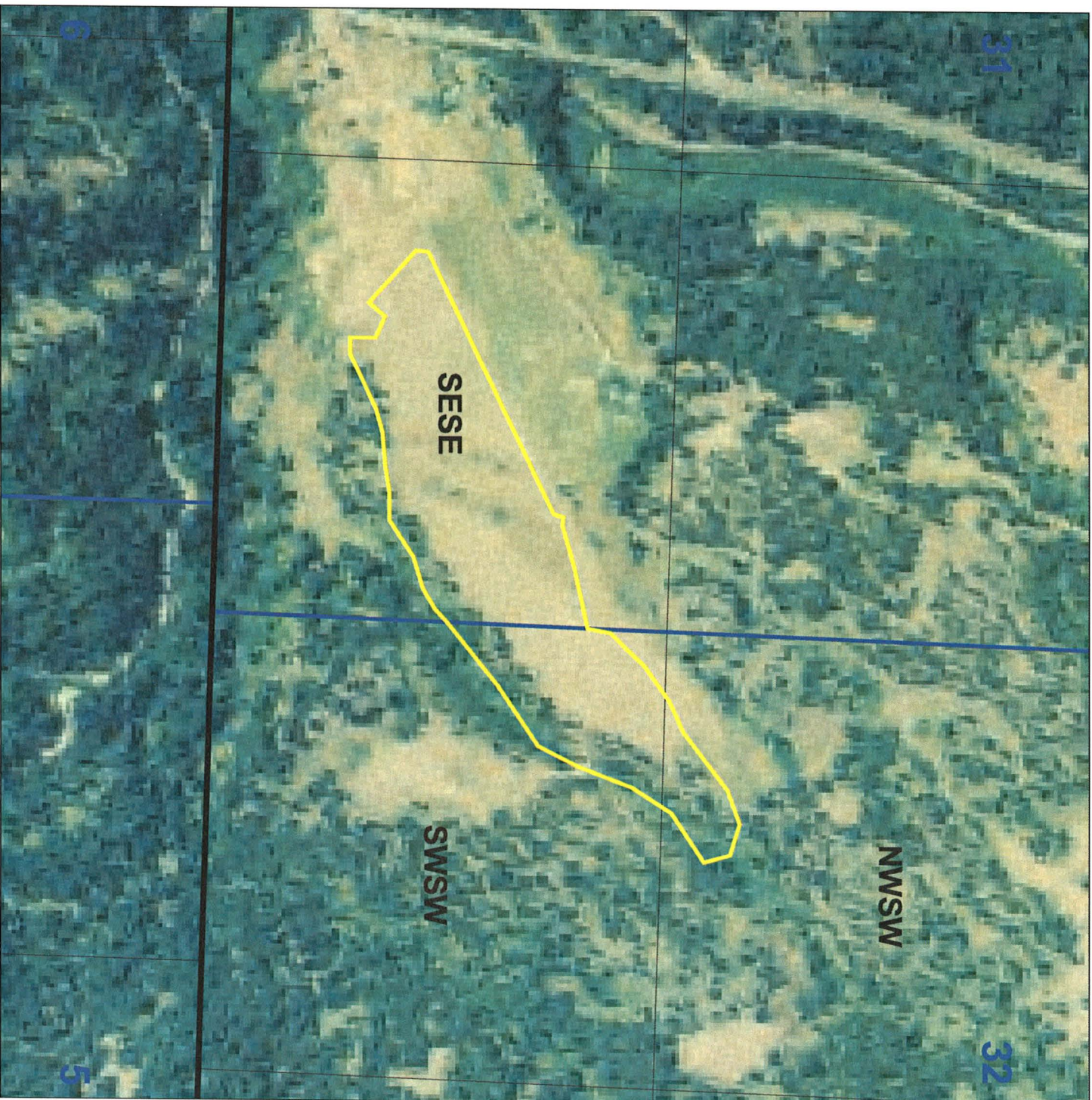
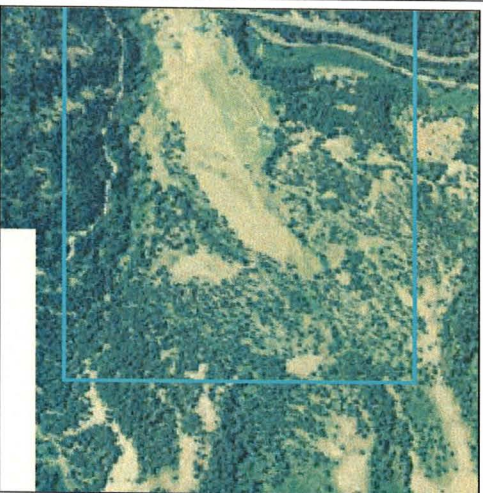


Adams County
IDWR Basin 67



Prepared by M. Van Bussum
On Thursday, June 15, 2006
1987/88 Aerial Photography

67-4335



Adjudication Recommendation Report 67-4335 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SIBYL PERKINS HC 64 BOX 3307 COUNCIL, ID 83612 (208)253-4273
Current Owner	WILLARD SURGENER 2809 HWY 95 COUNCIL, ID 83612 (208)253-4273
Original Owner	KENNETH A JOHNSON PO BOX 606 VALE, OR 97918 (503)473-3155
Original Owner	PACIFIC LAND & LIVESTOCK CO INC C/O KENNETH A JOHNSON PRES BOX 606 VALE, OR 97918 (503)473-3155
Current Owner	BILL MAYFIELD 2809 HWY 95 COUNCIL, ID 83612 (208)253-4273
Current Owner	JANET MAYFIELD 2809 HWY 95 COUNCIL, ID 83612 (208)253-4273

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	EAST FORK WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.290 CFS	
STOCKWATER	01/01 to 12/31	0.030 CFS	
	Total Diversion:	0.290 CFS	

Location of Point(s) of Diversion

SPRING NE1/4SW1/4 Sec. 32, Twp 18N, Rge 01E, B.M.

ADAMS 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	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4335 V1

			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
18N 01E 31																		9.0	9.0
18N 01E 32													1.3	4.2					5.5

Total Acres: 14.5

STOCKWATER same as IRRIGATIONConditions of Approval:

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

Remarks:Comments:

1. mvanbussum 6/2/2006 Source

Comment: Recommending source as unnamed stream trib to unnamed stream. Spring is about 50m upstream of diversion point, at which point the system is clearly a stream. This stream appears to be trib to another unnamed stream, although it may have a local name, trib to East Fork Weiser River.

2. mvanbussum 12/11/2006 NOE Source

Comment: Per NOE, we are changing source to be Surgener Spring. POD from stream is used to convey spring waters to POU.

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:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	6/2/2006 1:03:34 PM	mvanbussum			Active
Priority Date	6/2/2006 1:04:24 PM	mvanbussum			Active
POD	6/2/2006 1:05:41 PM	mvanbussum			Active
Source	6/2/2006 1:10:27 PM	mvanbussum			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4335 V1

POU	6/2/2006 1:10:53 PM	mvanbussum	Active
Use	6/2/2006 1:14:46 PM	mvanbussum	Active
Season	6/2/2006 1:16:06 PM	mvanbussum	Active
Quantity	6/2/2006 1:17:58 PM	mvanbussum	Active
Summary		06/02/2006 mvanbussum	Active
Source	12/11/2006 11:56:43 AM	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	12/11/2006 11:56:42 AM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field exam and imagery.
POU	6/2/2006 1:13:55 PM	mvanbussum	Updated shape for Active POU
Quantity	6/2/2006 1:17:59 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - 4 1/4-mile hand lines in use. Per IDWR standard, each hand line has 31 or 32 sprinklers capable of 5 gpm, giving each line 0.36 cfs capacity. With 4 lines, capacity here is 1.44 cfs.
Summary	6/2/2006 1:19:04 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4335 V1

POU	6/2/2006 1:14:15 PM	mvanbussum	Updated PLS for Active POU
Contacts	6/2/2006 1:03:35 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: FE conducted 5-24-2006.
General	6/2/2006 1:04:25 PM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? Description for Question 12/13 - Written history of Stevens Stage Coach Inn and photo of property in 1883 (photo in backfile of 67-4335).
POD	6/2/2006 1:05:42 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	6/2/2006 1:10:28 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field exam conducted 5-24-2006.
POU	6/2/2006 1:10:54 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Imagery and FE conducted 5-24-2006 confirm POU.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4335 V1

Use	6/2/2006 1:14:47 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Imagery and FE conducted 5-24-2006 confirm purpose of use.
Season	6/2/2006 1:16:07 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	6/2/2006 1:06:16 PM	mvanbussum	Updated shape

Water Supply Bank:

Priority Date Data Entry Form

Claim Number 67-4335

Claimed Priority Date: 1/1/1872

Claimed Basis: Statutory Claim

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 1/1/1883

Water Right Basis: Statutory Claim

Recommended Priority Date _____

Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

History of Stevens Stage Coach Inn in file (good to 1883)

Photo of property in 1883 in backfile of 67-4335

Reviewer: MVBDate: 5-22-06

Claim Number 67-4335

T18N R01E S32 NESW Within ADAMS County Source: SPRING WEISER RIVER

T18N R01E S32 NESW Within ADAMS County

Tributary To

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Document how the POD and Source were verified:

Document how the POD and Source were verified: point is about 50 yd downstream of spring b/c of poor satellite reception for GPS
A0017645 - 3 pictures

see layout in 67-14368 for layout of
ditches

#his pipeline goes underneath a ditch -

McBride/Vogt/Pearce all take off
the ditch - source is same for all (4335
*parent 4323)

POD is off the un-named stream (~~location of GPs~~)
 ↳ now, not spring — spring flows into un-named stream & is only source for stream

Reviewer: MUB 8-inch pipe in stream goes to ditch

Date: 5-24-06

Place Of Use Data Entry Form

Claim Number 67-4335

Claimed Place Of Use

T18N R01E S31	SESE	20.0	T18N R01E S32	NWSW	10.0
T18N R01E S32	SWSW	20.0			

Total Acres 50

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T18N R01E S31	SESE	20.0	T18N R01E S32	NWSW	10.0
T18N R01E S32	SWSW	20.0			

Total Acres 50

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

See layout in ~~17-14368~~ this file
 acreage confirmed by claimant

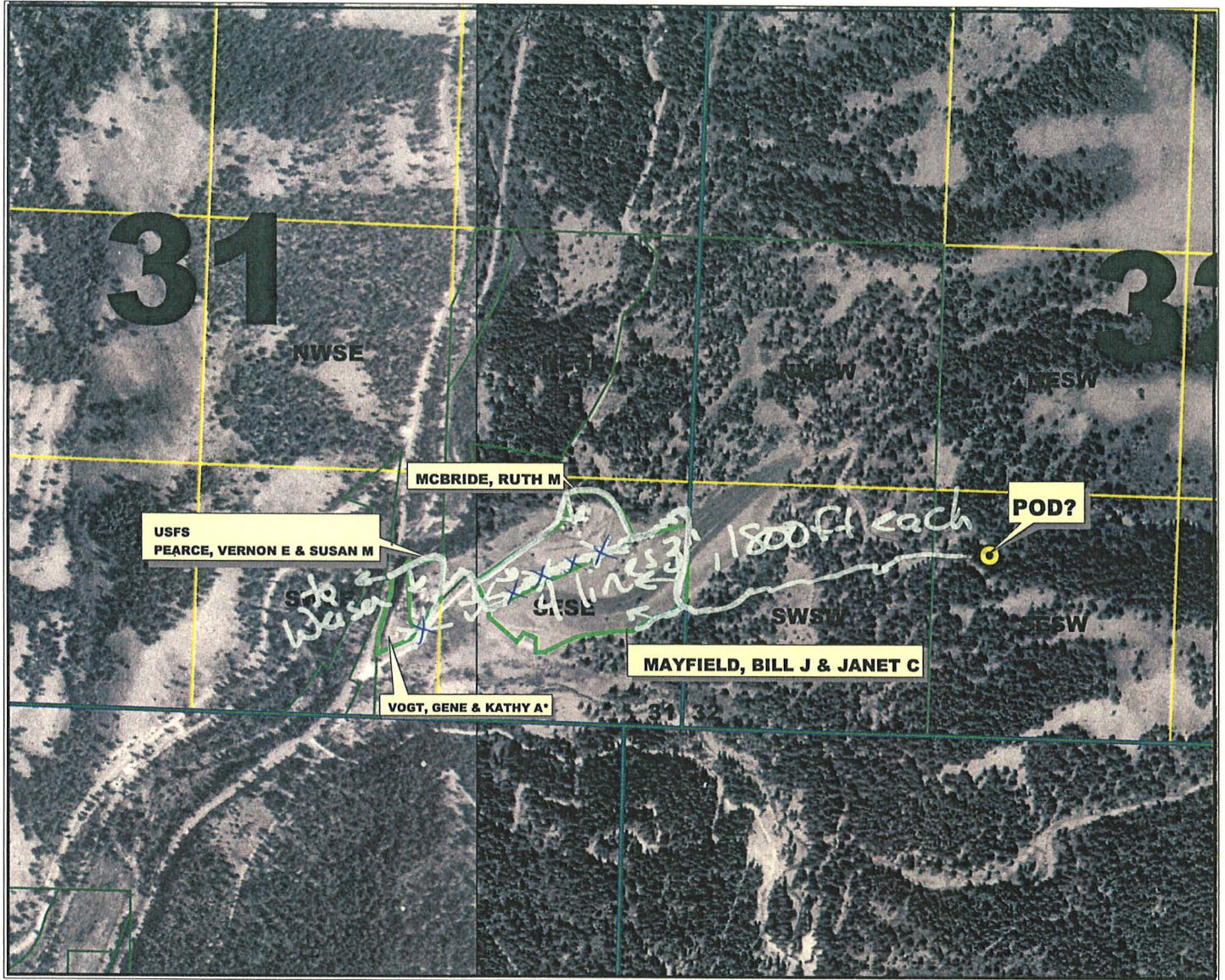
Reviewer: MVBDate: 5-24-06



State of Idaho

Location Map
Claim Stage Coach Springs
Map Source: USGS DOQQ

pipeline is under ditch



1320 0 1320 Feet

● Point of Diversion

□ Irrigated Place of Use

□ State Land

□ Quarter Quarter Lines

□ Section Lines

X means out - correct line to the north

Claimed Irrigated Acres:
Initial Acres Found:



Prepared By: Craig L. Saxton
Date: July 2005

Purpose of Use Data Entry Form

Claim Number 67-4335

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			
STOCKWATER			

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			
STOCKWATER			

Recommended Purpose of Use

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

Document how the Purpose of Use was verified:

FE confirms purpose of use - stock &
irrigation noticeable on property

Reviewer:

MVB

Date:

5-24-06

Period of Use and Quantity Data Entry Form

Claim Number 67-4335

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	0.8	
STOCKWATER	1/01	12/31	0.03	
Overall Diversion Rate	0.8	Overall Diversion Volume		

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	0.4	
STOCKWATER	1/01	12/31	0.4	
Overall Diversion Rate	0.4	Overall Diversion Volume		

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

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

recommend IDWR standard season of use

Per field examiner, ditch can carry at least
10 cfs. - see pictures of springs

Claimant says ~~each~~ springs puts out 300 gpm.

Claimant uses 4 1/4 mi hand lines.

Per IDWR standards

1 line has 31 or 32 sprinklers

1 sprinkler $\approx$ 5 gpm

$$32 \text{ sprinklers} \times \frac{5 \text{ gpm}}{\text{sprinkler}} \times \frac{1 \text{ cfs}}{44883 \text{ gpm}} = 0.36 \text{ cfs} \times 4 \text{ lines} = 1.44 \text{ cfs}$$

plenty of capacity

Reviewer: MVB

Date: 5-24-06

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	SIBYL PERKINS	HC 64 BOX 3307	COUNCIL	ID	83612	(208)253-4273
Current Owner	WILLARD SURGENER	2809 HWY 95	COUNCIL	ID	83612	(208)253-4273
Original Owner	KENNETH A JOHNSON	PO BOX 606	VALE	OR	97918	(503)473-3155
Original Owner	PACIFIC LAND & LIVESTOCK CO INC	C/O KENNETH A JOHNSON PRES BOX 606	VALE	OR	97918	(503)473-3155
Current Owner	BILL MAYFIELD	2809 HWY 95	COUNCIL	ID	83612	(208)253-4273
Current Owner	JANET MAYFIELD	2809 HWY 95	COUNCIL	ID	83612	(208)253-4273

Date of Field Exam: 5-24-06 Time: 4pm

Accompanied By: Bill Phone Number: 253-4273

Relationship to Claimant: claimant

Directions to Property (if different from above) and/or update owner information:

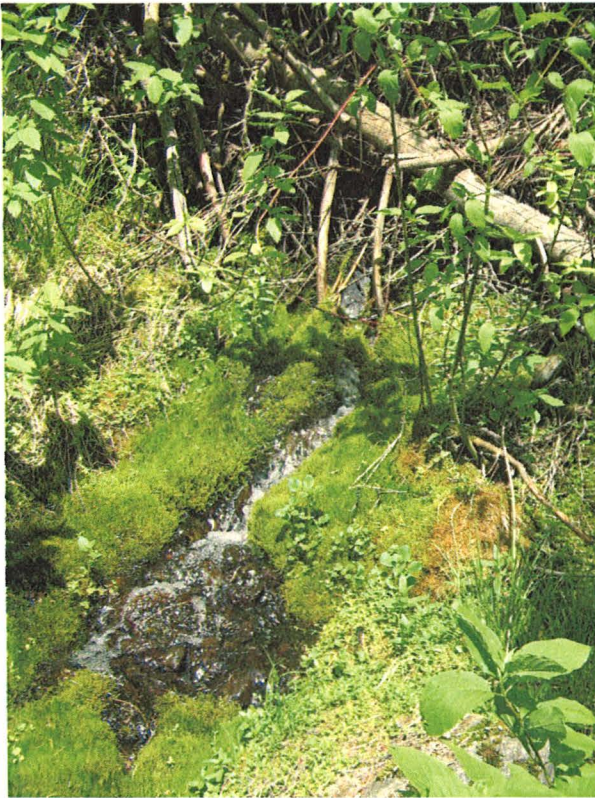
left c/o to remove Surgener & Perkins

Reviewer: MVB

Date: 5-24-06



A0017645. GPS is about 50 feet downstream of this point because of poor satellite reception. Springs in previous pictures are uphill to the right. This pipe continues underground to the Mayfield property (67-4335) and can also be divided to a ditch feeding the other properties (67-14366, 67-14367 and 67-14368).



A0017645 is just downstream of this point. These are the springs that feed the stream the claimants divert from. These springs supply claims 67-4335, 67-14366, 67-14367 and 67-14368.

Idaho Department of Water Resources



McBride used to be Fieger

spring 100 yds from FS tax lots

Adjudication Claim Number: **67-4335**



Legend

- Section Lines
- GCDB17N01E GCDB
- GCDB18N01W GCDB
- GCDB18N01E GCDB
- GCDB17N01W GCDB



0 0.3 0.6 Miles

Prepared by D. Narsavage
On Wednesday, April 13, 2005
1987/88 Adjudication True Color Imagery

Notes

8/8/08

-253-0067

Called Harry Decker (Ruth McBride's son, 67-14367)
He said that his ditch & source were unchanged
by 1997 flood - source is still spring (see F.S.
photos). This applies to all splits from 67-4323.
He referred me to Bill Mayfield as person to contact
for F.E.
253-4273

Called Bill & Janet ~~McB~~ Mayfield, Bill not
home, but Janet said that their ditch and
Pod are also same as prior to 1997 flood,
to her knowledge. Same source as 67-4323.
They all named the spring as the source.
I asked if I could come GPS the spring and
she said the F.S. should have the
location. I told her I didn't think they
did but she (politely) disagreed, so I told
her I would double check and someone
would call her back (Craig?) if we needed
it. She said they did not have time to
meet this week, but was very
polite, as was Mr. Decker and would
probably be open to a future meeting.

MEMORANDUM

Date: July 25, 2005

To: File

From: Craig L. Saxton

RE: Meeting with Jill Kemp and Sue Foster of the Forest Service on Friday July 22, 2005

Discussion concerning claims

→ **67-4335**, Mayfield (Surgner)

→ **67-4323** (parent), then split into:

67-14366, Fieger (Fieger does not own property anymore, should be Vogt)

67-14367, McBride (Fieger – original owner)

67-14368, Pearce (Fieger – original owner)

Questions:

Is the source for 67-4335 the same as the source for 67-4323? Is it a spring, un-named stream, are there two springs. They claim different legals, is there an error?

What is the location of the source for each right?

Forest service notes state that after the 1997 flooding, Willard Surgener, now passed, cut a road up to the source and changed the system. IDWR for the most part does not care about this short of if the POD location changed which in turn changed the source from Spring to Un-named stream. I think it is an un-named stream now. If it was originally diverted directly from the spring, we need to know the location of the spring.

If all of the above mentioned parties use the same ditch for irrigation, we need to know that. If not, we need to know how each system works and if the water co-mingles.

Need to know the capacity of the ditch. Can the ditch carry 50 inches? About 48 inches is what is claimed between the four claims.

It is not clear whether the POD was ever located on the spring itself or the new irrigation system changed it from the spring to the ditch.

There is also a question whether the source from 67-4335 and parent right 67-4323 were/are from the same source. 67-4335 and 67-4323(parent) claim the POD location to be in different legal descriptions.

HISTORY OF STEVEN'S STAGE COACH INN - OUR PLACE

The first people, of course, who inhabited this area were the fierce Nez Pierce and Shoshone Indians. They were short, well-proportioned, similar in appearance to the midwest tribes. Their skin ranged from light yellow to dark reddish. There were also many forts in the area, one only a mile south of here.

The first white settlers in the area were both young and fantastically energetic.

This house was built in the year 1872 or 1873 as a stage coach stop, and was named Steven's Stage Station. The first living room was the bar, the second living room was the dining room, and the upstairs was lined with bunks for overnight guests. At a later date, the kitchen girls doubled for the upstairs girls. Steven's daughter married Ketchup Bptile Tommy (Tommy Estes). It is not known what happened to the other members of the family. The bar was a favorite spot for travelers, local cattle and sheep herders, and the loggers who worked in the nearby woods. Solo was the most popular card game played in the bar room.

Steven's Stage Station was the only stop between Council and New Meadows. The stage coach started in Weiser, Idaho, and ended in New Meadows in the 1800's. The Indians were very troublesome to the settlers and travelers, many of the white people were killed including women and children.

Mr. and Mrs. Bert Gilmore bought this place, which was then 40 acres, in 1917 for \$ 350.⁰⁰. They proceeded to repair existing irrigation ditches and build more to irrigate their crops. They planted a large garden and some fruit trees, with their field crops of grain, potatoes and some pasture. The former farmer and Doubleday Sheep Company owned the back 80 acres. Later on the Gilmore's bought the other 80 acres and proceeded to build more ditches to irrigate the back fields. Many of the original ditches are still in use today, doing a remarkable engineering layout.

Later on the Gilmores built a log cabin, at the time Steven's Station house was almost 50 years old, which has been gone for some 25 years now while Steven's Station is still inhabited.

Mrs. Gilmores parents moved to the Council area in 1883 when she was three years old, later buying what is now known as Zim's Hot Springs. At the time there was no North or South roads, only a trail used by all and crossing the Weiser River 75 time between Council and New Meadows. At the age of 89 and living in Payette, Mrs. Gilmore still recalls how rough it was when the coach wheels hit the rocks.

The railroad was built to Steven's Station in 1890, where passengers stayed overnight and went on by coach to New Meadows and points North.

We bought this property from Art Capps in 1965. This history was compiled and written in 1966, one year later. Mrs. Gilmore was our main source, but we talked to several other pioneers, including an elderly gentleman at the Old Soldiers Home in Boise, who worked for the Doubleday Sheep Company and frequented Steven's Station.

Mrs. Gilmore also gave us the original photograph of Steven's Station which was taken in 1882 or 1883.

This document was given to the Forest Service by Villard Surgever

COMMUNICATION DOCUMENTATION

Claim No. A67-04335

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JAN SHURTE Date 10-18-94Contact Person(s) WILLARD JURGENERNature of Contact Office visit to amend amount of water claimed under above claim.

Substance of Communication Mr. Jurgener brought in an affidavit on this date from Kenneth A. Johnson to amend the above claim to 40 inches from the 20 inches originally claimed under the existing statutory claim. Mr. Johnson was the original claimant (Pacific Food & Livestock) and he told Mr. Jurgener the reason he only filed for .40 cfs (20") is because he thought that .40 cfs was 40 inches rather than 20 inches. His affidavit states he has used 40 inches, when available, from 1966 to 1990.

MICROFILMED

OCT 23 1996

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
_____)
_____)
_____)
_____)
State of Idaho)
County of _____)

AFFIDAVIT

RECEIVED

OCT 18 1994

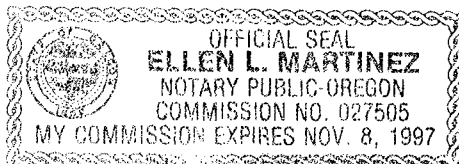
WATER RESOURCES
WESTERN REGION

Kenneth A. Johnson

being first duly sworn,

deposes and says: During the time I owned the "Stevens Stage Station farm", 10 miles north of Council, Idaho, from 1966 to 1990 I irrigated the 50 acres of pasture land using "what was represented to me to be" 40 minors inches of water from "Stevens Spring". The pasture was rented during the grazing season for cattle grazing and the renter agreed to irrigate the pasture during the grazing season.

Kenneth A. Johnson
(Signature)



SEAL

Subscribed and sworn to before me this
day 17th of OCTOBER, 1994.

Ellen L. Martinez
(Notary Public)

Residing at Vale, Oregon.

My Commission Expires Nov 8, 1997

MICROFILMED

OCT 28 1996

1000 E. Park St.
Emmett ID 83617
August 29, 1994

To whom it may concern:

I have been requested to provide information about water use on the land owned by Ken and Clarisse Johnson of Pacific Land and Livestock, Inc. just East and north of the confluence of the East Fork of the Weiser River and the Main Weiser River in T18 N R1E Sections 31 and 32.

During the time my parents, Viola and Ennis White, lived in that area from 1955 to 1979 the land owned by Johnsons was irrigated with water from the Stevens Spring part of every year.

Yours truly,
Lucille White

RECEIVED
AUG 29 1994

WATER RESOURCES
WESTERN REGION

MICROFILM

OCT 23



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 13, 1990

Bill Mayfield
HC 64 Box 3307
Council, ID 83612

RE: Snake River Basin Adjudication (SRBA)
Adams County - Notice of Claim A67-04335

RECEIVED
AUG 14 1990

Department of Water Resources
Western Regional Office

Dear Mr. Mayfield:

Enclosed is a copy of Notice of Claim A67-04335, reflecting the change of ownership. Please review the form to assure that this Notice of Claim describes your water right. If you feel that the Claim is correct, please keep this copy for your files.

During your phone conversation with Anna Baumhoff on July 26, 1990, you indicated you might need to change some items on the Claim. The procedures to amend the Claim are as follows. Write "Amended" across the top of the form, then make the changes on the form, initialing each change, then have all claimants sign the form before a notary public. I have also enclosed a map for your possible use in this matter. If you increase the number of irrigated acres, please submit the additional filing fee of \$1.00 per acre. You might want to make a copy of the amended Claim for your records, then return the signed, amended Claim to:

Western Region Office
2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

Do not hesitate to contact this office or the Western Regional office if you have any questions or concerns.

Sincerely,

John D. Carlson
John D. Carlson
Adjudication Supervisor

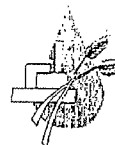
JDC:ALB:state:sf:west
Enclosures:

Copy of A67-04335
Photocopy ortho-photo map
Long Form Instructions Only

MICROFILMED
OCT 02 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Pacific Land & Livestock Company, Inc.

Box 606, Vale, Oregon 97918

(Name of Claimant)

Telephone No. 503-473-3155

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1883

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spring tributary to Weiser River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed.

 $\cdot \{cfs, gpd, A \neq A\}$

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)
(Mo., Day) (Mo., Day)

Quantity .40 cfs Use Irrigation Period of Use From 4/1 To 11/1

Quantity .40 Use Stockwater Period of Use From 1/1 To 12/31

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity _____ Use _____ Period of Use From _____ To _____

(4) .40 TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

NE ¼ SW ¼ Sec. 32 Twp. 18N Rge. 1E B.M., County of Adams

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. Describe any changes in the system and give the date of the change. Springbox of 40 inch capacity coupled to pipe and ditch system.

No changes to system.

(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.

[illegible]

No. of acres 50

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Stock. The number of stock has varied substantially through the years. The full
20 miners inches has been used consistently for irrigation and stock watering.

NOTE: Include here the type and number of stock watered: Varies substantially

(7) If you are claiming water as a member of an organization, list name of organization:

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: 6LS

Right Number 107-4335 Applicant Pacific Land & Livestock Co. Inc.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW: wa

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By 6LS Date 1/26/81

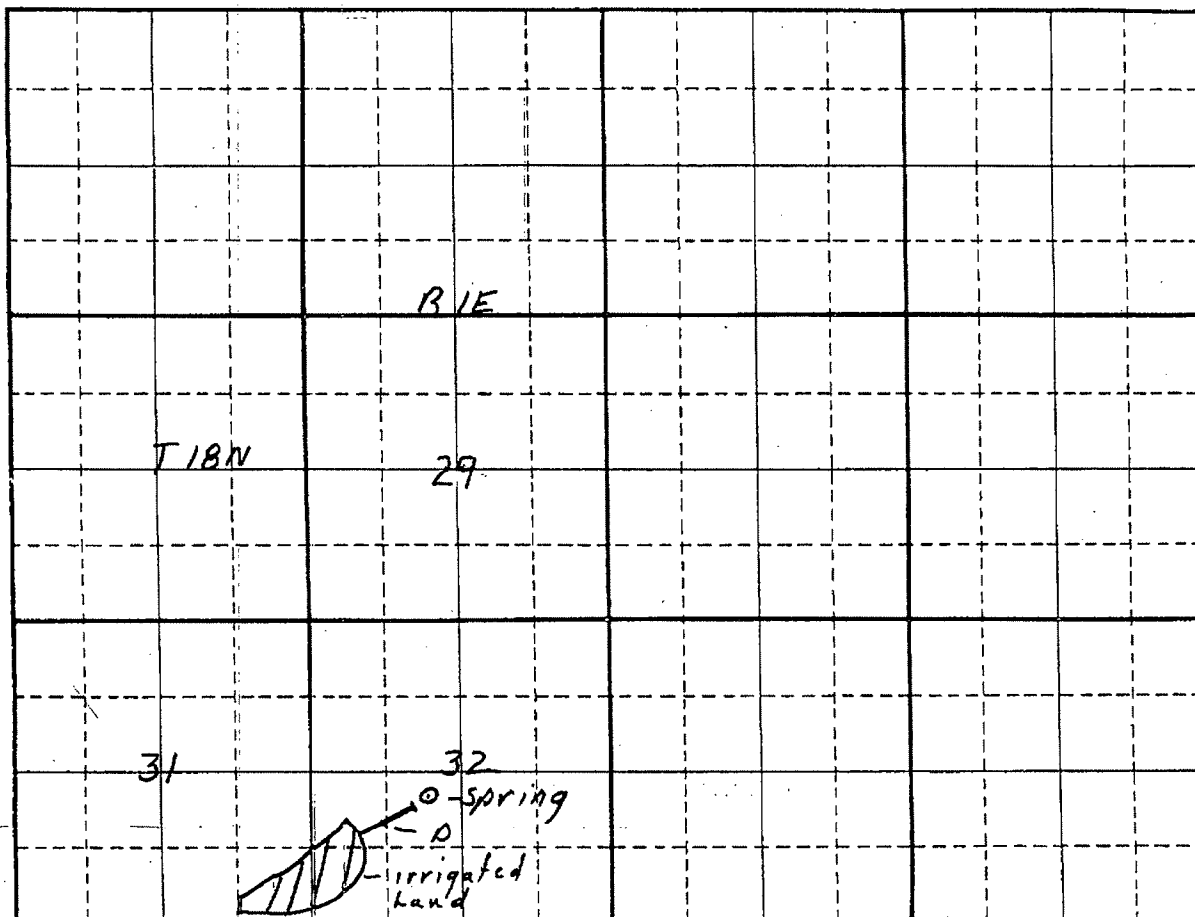
STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Hansen Date 1/27/81

MICROFILMED

- (8) Remarks Sketched below in appr. area irrigated by water from spring. Spring is
located on Forest Service land. Property known as Steven's Stage Station,
originally the land was used to raise feed for stagecoach teams.



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~~ OREGON)
) ss.
County of Malheur)

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 affiant's knowledge:

The Pacific Land and Livestock Co. Inc.

Herbert A. Johnson, Pres.
(Claimant)

Sworn to before me this 29 day of December, 1980.



Maria Bender
Notary Public
Residing at Wale, OR 97918

My commission expires 9-29-84

FOR DEPARTMENT USE ONLY

Received by hch Date 12/30/80 Exception filed by: _____ Date _____
Prelim. check by CKS Date 12/30/80
\$30.00 fee received by hch Date 12/30/80
Published in Adams Co. Herald hch 1/26/81
Dates 1-8/15-80

MEMORANDUM

Date: July 25, 2005

To: File

From: Craig L. Saxton

RE: Meeting with Jill Kemp and Sue Foster of the Forest Service on Friday July 22, 2005

Discussion concerning claims

67-4335, Mayfield (Surgner)

67-4323 (parent), then split into:

67-14366, Fieger (Fieger does not own property anymore, should be Vogt)

67-14367, McBride (Fieger – original owner)

67-14368, Pearce (Fieger – original owner)

Questions:

Is the source for 67-4335 the same as the source for 67-4323? Is it a spring, un-named stream, ~~are there two springs~~. They claim different legals, is the an error?

What is the location of the source for each right?

Forest service notes state that after the 1997 flooding, Willard Surgener, now passed, cut a road up to the source and changed the system. IDWR for the most part does not care about this short of if the POD location changed which in turn changed the source from Spring to Un-named stream. I think it is an un-named stream now. If it was originally diverted directly from the spring, we need to know the location of the spring.

If all of the above mentioned parties use the same ditch for irrigation, we need to know that. If not, we need to know how each system works and if the water co-mingles.

Need to know the capacity of the ditch. Can the ditch carry 50 inches? About 48 inches is what is claimed between the four claims.

It is not clear weather the POD was ever located on the spring itself or the new irrigation system changed it from the spring to the ditch.

There is also a question weather the source from 67-4335 and parent right 67-4323 were/are from the same source. 67-4335 and 67-4323(parent) claim the POD location to be in different legal descriptions.

all share same source

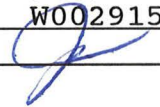
for all 4323, source is a spring



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: **A67-04335**
Date Received: 5/19/1989
Receipt No: W002915
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: WILLARD SURGENER 208-253-4273
Address: HC 64 BOX 3307
COUNCIL ID 83612
AND/OR
Name: SIBYL PERKINS 208-253-4273
Address: HC 64 BOX 3307
COUNCIL ID 83612
AND/OR
Name: BILL MAYFIELD 208-253-4273
Address: HC 64 BOX 3307
COUNCIL ID 83612
AND/OR
Name: JANET MAYFIELD 208-253-4273
Address: HC 64 BOX 3307
COUNCIL ID 83612

2. Date of Priority: JAN 1, 1872

3. Source: SPRING Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	01E	32		NE	SW		ADAMS

5. Description of diverting works:
SPRINGBOX, PIPE & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		
STOCKWATER	01/01	12/31	0.030		

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

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of October 19 94

Jan Thunte
Notary Public

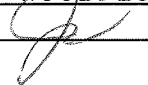
Seal

Residing at Meridian ID
My Commission Expires 9-14-2000

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
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AMENDED

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COUNCIL ID 83612
AND
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Address: HC 64 BOX 3307
COUNCIL ID 83612
AND
Name: BILL MAYFIELD 208-253-4273
Address: HC 64 BOX 3307
COUNCIL ID 83612
AND
Name: JANET MAYFIELD 208-253-4273
Address: HC 64 BOX 3307
COUNCIL ID 83612

2. Date of Priority: JAN 1, 1872

3. Source: SPRING Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
18N	01E	32		NE	SW		ADAMS

5. Description of diverting works:
SPRINGBOX, PIPE & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER , RANGE UP TO 100 HD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	01E	31	SE	SE		IRR	20.0
						Section Acres	20.0
		32	NW	SW		IRR	10.0
			SW	SW		IRR	20.0
						Section Acres	30.0
						Total Acres	50.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

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: _____

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): W C Surgeon Date: 8-24-94

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 24th day

of August 19 94

Seal

Jan D. Hunte
Notary Public

Residing at Meridian ID

My Commission Expires 9-14-2000

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: A67-04335
Date Received: 5/19/1989
Receipt No: W002915
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLARD SURGENER 208-253-4273
Address: HC 64 BOX 3307
COUNCIL, ID 83612
AND
Name: SIBYL PERKINS 208-253-4273
Address: HC 64 BOX 3307
COUNCIL, ID 83612
AND
Name: BILL MAYFIELD 208-253-4273
Address: HC 64 BOX 3307
COUNCIL, ID 83612
AND
Name: JANET MAYFIELD 208-253-4273
Address: HC 64 BOX 3307
COUNCIL, ID 83612

2. Date of Priority: JAN 01, 1883

3. Source: SPRING Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	01E	32	NE	SW			ADAMS

5. Description of diverting works:
SPRINGBOX, PIPE & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	01/01	12/31	0.030		

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

A67-04335

Page 1

Date: 08/06/90

MICROFILMED
OCT 02 1992

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER , RANGE UP TO 100 HD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	01E	31	SE	SE		IRR	20.0
						Section Acres	20.0
		32	NW	SW		IRR	10.0
			SW	SW		IRR	20.0
						Section Acres	30.0
						Total Acres	50.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

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 _____ 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): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM

AUG 2 1990

☒ Water Right Number(s): A67-04335

Department of Water Resources

☒ Name and Address of
Former Claimant: Kenneth A. Johnson
P.O. Box 606
Vale OR 97918

☐ New Claimant(s): WILLARD SURGENER Sibyl PERKINS
BILL Mayfield JANET Mayfield

☐ New Mailing Address: HC 64 Box 3307
COUNCIL, Id. 83612

New Telephone Number: (208) 253-4273

☒ Does the change in ownership result in a splitting of the
water right claimed? yes X no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

ALL

☐ Attach proof of ownership

Describe proof attached: DEED

☐ Signature of New Claimant(s): Willard Surgener Bill Mayfield
Janet Mayfield Sibyl Perkins

Date: 7/30/90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 8/8/90

By: AS

Further Action Needed: no

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

MICROFILMED

OCT 02 1992

RECEIVED
AUG 2 1990

WARRANTY DEED

For Value Received

Department of Water Resources

KENNETH A. JOHNSON and CLARICE O. JOHNSON, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto

BILL J. MAYFIELD and JANET C. MAYFIELD, husband and wife, and WILLARD E.

SURGENER, a single man, and SIBYL H. PERKINS, a single woman,

as joint tenants with rights of survivorship

the grantees, whose current address is: 800 Angus Lane, Oildale, CA 93308

the following described premises, to-wit:

See Exhibit A

TOGETHER WITH all water, water rights, ditch, and ditch rights, timber and timber rights, and mineral rights, if any, appurtenant thereto or in anywise appurtenanting.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owner in fee simple of said premises; that they are free from all encumbrances except that certain unrecorded 1990 Pasture Season Lease, and that they will warrant and defend the same from all lawful claims whatsoever.

MICROFILMED
OCT 02 1992

Exhibit A
Johnson property description

Township 18 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 31: A parcel of land in the SE $\frac{1}{4}$ described as follows:

Beginning at the $\frac{1}{4}$ corner common to Sections 31 and 32;

thence North 89°54'36" West 334.684 feet;

thence South 49°30'21" East 160.096 feet;

thence South 13°31'48" West 179.958 feet;

thence South 42°16'56" West 206.644 feet;

thence South 08°37'09" West 339.032 feet;

thence South 27°41'39" West 252.109 feet;

thence South 31°58'54" West 225.403 feet;

thence South 17°42'54" West 125.015 feet;

thence South 12°08'19" East 124.894 feet;

thence North 83°02'31" East 192.957 feet;

thence South 55°11'36" East 152.200 feet;

thence South 28°16'22" East 145.406 feet;

thence South 17°28'04" West 55.452 feet;

thence South 61°42'19" West 842.486 feet;

thence North 28°30'28" West 220.383 feet;

thence South 53°56'28" West 54.627 feet;

thence South 43°48'55" West 278.888 feet;

MICROFILMED

OCT 02 1992

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: A67-04335
Date Received: 5/19/1989
Receipt No: W002915
Received By: DE MHE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH A. JOHNSON 503-473-3155
Address: P.O. BOX 606
VALE, OR 97918

2. Date of Priority: JAN 01, 1883

3. Source: SPRING Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	01E	32	NE	SW			ADAMS

5. Description of diverting works:
SPRINGBOX, PIPE & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER , RANGE UP TO 100 HD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	01E	31	SE	SE		IRR	20.0
Section Acres							20.0

A67-04335

Page 1

Date: 06/07/89

MICROFILMED
OCT 02 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	01E	32	NW	SW		IRR	10.0
			SW	SW		IRR	20.0
						Section Acres	30.0
						Total Acres	50.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

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 _____ 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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: A67-04335

Date Received:

Receipt No: _____

Received By: _____

Department of Water Resources
Vernal Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH A. JOHNSON 503-473-3155
Address: P.O. BOX 606
VALE, OR 97918

2. Date of Priority: JAN 01, 1883

3. Source: SPRING Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	01E	32	NE	SW			ADAMS

5. Description of diverting works:
SPRINGBOX, PIPE & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER , RANGE UP TO 100 HD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	01E	31	SE	SE		IRR	20.0
Section Acres							20.0

A67-04335

Page 1

Date: 05/16/89

MICROFILMED
OCT 02 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	01E	32	NW	SW		IRR	10.0
			SW	SW		IRR	20.0
					Section Acres		30.0
					Total Acres		50.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

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 > _____ 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): Kenneth Johnson Date: 5-18-89

Date: _____

State of ~~Idaho~~ OREGON)
County of Malheur) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of May 19 89

Maria Bender
Notary Public

Seal

Residing at Vale, OR 97918
My Commission Expires 9-29-92

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Johnson, Kenneth

CLAIM IDENT. NO.

A67-4335

DATE RECEIVED

5-19-89

CK #

17366

AMOUNT \$

100

YES

NO

Regu
In
*

1. Is the name and address complete with zip code?

☒☐☐

2. Is a priority date entered?

☒☐☐

Is the priority date acceptable in view of mandatory filing dates?

☒☐☐

3. (a) Is a source entered?

☒☐☐

(b) Is a tributary to entered? (if required) N/A

☒☐☐

4. Is the legal description of the p.d. sufficient?

☒☐☐

5. Is there a description of the diverting works?

☒☐☐

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.

☒☐☐

Is the period of use included?

☒☐☐

Is a quantity claimed for each use?

☒☐☐

7. Is a total quantity claimed entered?

☒☐☐

8. If required is a consumptive use entered?

N/A

☒☐☐

Is the consumptive use correct?

N/A

☒☐☐

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.

N/A

☒☐☐

10. Is (are) the place(s) of use and purpose(s) indicated?

☒☐☐

11. Is (are) the county(ies) entered?

☒☐☐

12. Is the ownership of p.u. checked?

☒☐☐

13. Are other water rights listed or "none" indicated?

☒☐☐

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)

N/A

☒☐☐

15. Is the basis of the claim indicated?

☒☐☐

16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.)

☒☐☐

17. Is the claim signed by the claimant, and is the signature appropriate?

☒☐☐

18. Has the claim been signed, sealed, and dated by a notary?

☒☐☐

19. Was this claim filed on time, or was an extension granted?

☒☐☐

20. Is the fee enclosed correct? Exempt

☒☐☐

21. If this claim is based on an existing water right, has the identification number been entered?

N/A

☒☐☐

22. Should this claim be receipted and data entered?

☒☐☐

Claim checked by:

LA

Date:

6-6-89

Claim must be returned to claimant: (Yes) (No)

☐ (Yes) ☐ (No)

Claimant must be sent a copy of amended claim for approval: (Yes) (No)

☐ (Yes) ☐ (No)

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Checked by:

Date:

Sent to claimant by:

Date:

Comments:

MICROFILMED

OCT 02 1992