

07/20/2006

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

RIGHT NUMBER: 67-7396

NAME AND ADDRESS: DEAN D FAIRCHILD
2124 DYMOKE LN
PO BOX 125
MIDVALE ID 83645

VELDA C FAIRCHILD
PO BOX 125
MIDVALE ID 83645

SOURCE: WEISER RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 1.250 CFS

PRIORITY DATE: 06/16/1978

POINT OF DIVERSION:

T13N R03W S19 NWNWSE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 07/01	1.250 CFS 225.60 AFY

PLACE OF USE: IRRIGATION Within WASHINGTON County

T13N R03W S19	SESW	13.00	T13N R03W S19	NESW	34.00
T13N R03W S19 Lot 3	NWSW	9.00	T13N R03W S19 Lot 4	SWSW	7.00
T13N R03W S19	SESW	26.00	T13N R03W S19	NWSE	6.00
T13N R03W S19	SWSE	5.00			

100 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 354.3 acres in a single irrigation season. Combined Right Nos.: ~~67-642,~~
67-2210B, 67-2319, 67-2333, 67-7102, and 67-7396

67-14746

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 - License



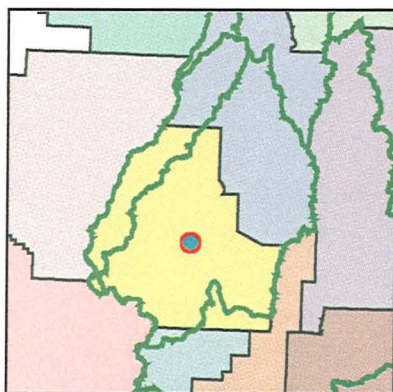
Idaho Department of Water Resources

SRBA Recommendation:

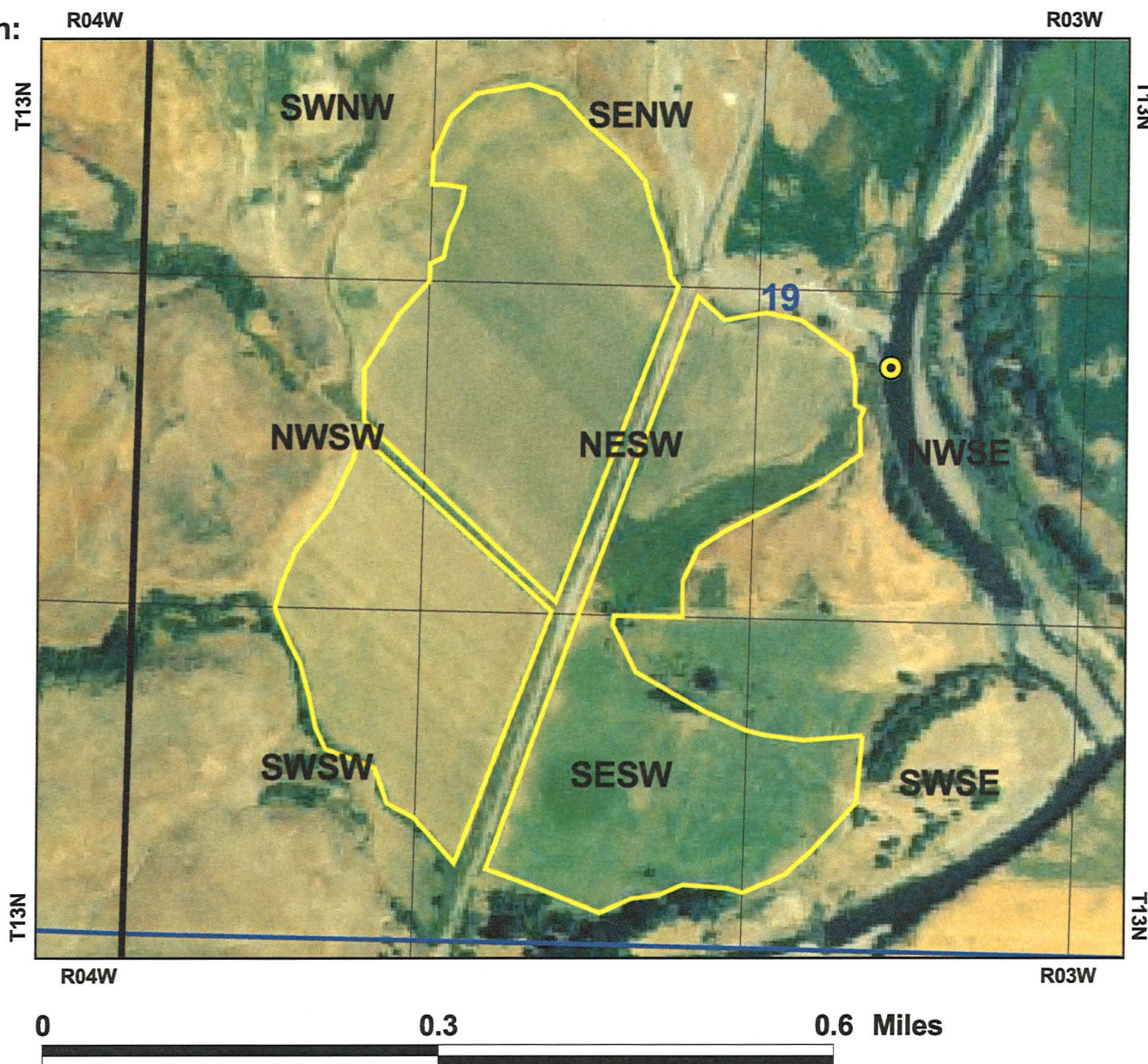
67-7396

Legend

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



Washington County
IDWR Basin 67



Prepared by C. Saxton
On Thursday, July 20, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7396 V1

WATER RIGHT NUMBER: 67-7396 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DEAN D FAIRCHILD 2124 DYMOKE LN PO BOX 125 MIDVALE, ID 83645 (208)355-2277
Current Owner	VELDA C FAIRCHILD PO BOX 125 MIDVALE, ID 83645 (208)355-2277

Priority Date: 06/16/1978

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
WEISER RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 07/01	1.250 CFS	225.60 AF
<u>Total Diversion:</u>		1.250 CFS	

Location of Point(s) of Diversion

WEISER RIVER	NW1/4NW1/4SE1/4	Sec. 19, Twp 13N, Rge 03W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N 03W 19									13.0	34.0	9.0	7.0	26.0		6.0	5.0	100.0
											L 3	L 4					

Total Acres: 100

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 354.3 acres in a single irrigation season. Combined Right Nos.: 67-642, 67-2210B, 67-2319, 67-2333, 67-7102, and 67-7396
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7396 V1

Comments:

1. mcase 6/14/2004 POD

Comment: Updated shape

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: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		354.3

Combined Water Rights: 67-2210B , 67-2319 , 67-2333 , 67-7102 , 67-7396

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>
Priority Date	5/3/2004 1:19:58 PM	mcase			Active
POD	5/3/2004 1:29:50 PM	mcase			Active
Source	5/3/2004 1:30:01 PM	mcase			Active
POU	5/3/2004 1:42:16 PM	mcase			Active
Use	5/3/2004 1:42:31 PM	mcase			Active
Season	5/3/2004 1:43:17 PM	mcase			Active
Quantity	5/3/2004 1:44:11 PM	mcase			Active
Priority Date	7/20/2006 1:28:42 PM	csaxton			Active
POD	7/20/2006 1:29:14 PM	csaxton			Active
Source	7/20/2006 1:29:59 PM	csaxton			Active
POU	7/20/2006 1:30:10 PM	csaxton			Active
Use	7/20/2006 1:31:02 PM	csaxton			Active
Season	7/20/2006 1:31:40 PM	csaxton			Active
Quantity	7/20/2006 1:32:06 PM	csaxton			Active
Summary			07/20/2006	csaxton	Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7396 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	7/20/2006 1:29:14 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	7/20/2006 1:29:26 PM	csaxton	Updated shape
POD	7/20/2006 1:29:39 PM	csaxton	Updated PLS
Source	7/20/2006 1:29:59 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	7/20/2006 1:30:11 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?
Priority Date	5/3/2004 1:19:58 PM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (No) 15. Is the basis of claim coded correctly?
POD	5/3/2004 1:29:07 PM	mcase	Edited point location
POD	5/3/2004 1:29:51 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	5/3/2004 1:30:02 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	5/3/2004 1:40:49 PM	mcase	Created polygon from PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7396 V1

POU	5/3/2004 1:42:17 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Season	5/3/2004 1:43:18 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (No) 5. Can the claimed Period of Use be verified using the water right file? (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?
Quantity	5/3/2004 1:44:12 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? Description for Question 10 - Diversion licensed for 225.5 AF.
Use	5/3/2004 1:42:32 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
General	7/20/2006 1:28:42 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	7/20/2006 1:30:34 PM	csaxton	Updated shape for Active POU
POU	7/20/2006 1:30:42 PM	csaxton	Updated PLS for Active POU
Use	7/20/2006 1:31:03 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7396 V1

Season	7/20/2006 1:31:42 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (No) 5. Can the claimed Period of Use be verified using the water right file? (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? (Yes) 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) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	7/20/2006 1:32:07 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - As licensed.
Summary	7/20/2006 1:34:15 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

Claim												
Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Volume(af)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	81	AE	Decreed	Active	5/27/1910		100		LOST CREEK	IRRIGATION FROM S	FAIRCHILD, DEAN	Claim
67	81	T	Decreed	Active	5/27/1910		56		LOST CREEK	IRRIGATION FROM S	FAIRCHILD, DEAN	Claim
67	14746		Decreed	Active	6/1/1914	0.56		100	SAGE CREEK	IRRIGATION	FAIRCHILD, DEAN	Claim
67	2210	B	License	Active	1/8/1952	0.62		50	WASTE WATER	IRRIGATION	FAIRCHILD, DEAN	Claim
67	2319		License	Active	10/17/1963	0.5		25	UNNAMED STF	IRRIGATION, STOCK	FAIRCHILD, DEAN	Claim
67	2333		License	Active	5/17/1965	1	201.2	50.3	GROUND WAT	IRRIGATION	FAIRCHILD, DEAN	Claim
67	7102		License	Active	5/5/1972	2	404	461	WEISER RIVER	IRRIGATION	FAIRCHILD, DEAN	Claim
67	7396		License	Active	6/16/1978	1.25	225.6	100	WEISER RIVER	IRRIGATION	FAIRCHILD, DEAN	Claim
67	10073		Beneficial Use	Active	3/15/1971	2		461		IRRIGATION	FAIRCHILD, DEAN	Claim
67	10077		Beneficial Use	Active	3/15/1930	0.5		25	UNNAMED STF	IRRIGATION	FAIRCHILD, DEAN	Claim

Recommendation												
Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Volume(af)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	81	AE	Decreed	Disallowed	5/27/1910		100		LOST CREEK	IRRIGATION FROM S	FAIRCHILD, DEAN	Recommendation
67	81	T	Decreed	Disallowed	5/27/1910		56		LOST CREEK	IRRIGATION FROM S	FAIRCHILD, DEAN	Recommendation
67	14746		Decreed	Active	6/1/1914	0.56		28	SAGE CREEK	IRRIGATION	FAIRCHILD, DEAN	Recommendation
67	2210	B	License	Active	1/8/1952	0.62		50	WASTE WATER	IRRIGATION	FAIRCHILD, DEAN	Recommendation
67	2319		License	Active	10/17/1963	0.5		25	UNNAMED ST	IRRIGATION, STOCK	FAIRCHILD, DEAN	Recommendation
67	2333		License	Active	5/17/1965	1	201.2	50.3	GROUND WAT	IRRIGATION	FAIRCHILD, DEAN	Recommendation
67	7102		License	Active	5/5/1972	2	404	101	WEISER RIVER	IRRIGATION	FAIRCHILD, DEAN	Recommendation
67	7396		License	Active	6/16/1978	1.25		100	WEISER RIVER	IRRIGATION	FAIRCHILD, DEAN	Recommendation
67	10073		Beneficial Use	In progress	3/15/1971	2		461		IRRIGATION	FAIRCHILD, DEAN	Recommendation
67	10077		Beneficial Use	In progress	3/15/1930	0.5		25	UNNAMED ST	IRRIGATION	FAIRCHILD, DEAN	Recommendation
						5.93	605.2	354.3				
						@ 1 inch per acre = 7.086						

WR												
Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Volume(af)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	4455		Statutory Claim	Active	1/1/1955	0.32			SPRINGS	STOCKWATER	FAIRCHILD, DEAN	wrWaterRight
67	7765		License	Active	7/18/1989	0.5	212.2		UNNAMED DR	IRRIGATION	FAIRCHILD, DEAN	wrWaterRight
67	10074		Decreed	Active	6/1/1900	0.13			GROUND WAT	DOMESTIC, STOCKV	FAIRCHILD, DEAN	wrWaterRight
67	10075		Decreed	Active	6/1/1900	0.07			GROUND WAT	DOMESTIC, STOCKV	FAIRCHILD, DEAN	wrWaterRight
67	10076		Decreed	Active	6/1/1948	0.09			GROUND WAT	DOMESTIC, STOCKV	FAIRCHILD, DEAN	wrWaterRight

Permit												
Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Volume(af)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	7669			Lapsed							FAIRCHILD, DEAN	wrWaterPermit
67	7956			Lapsed							FAIRCHILD, DEAN	wrWaterPermit

Non active status
Partially Decreed
Do not need to file on in the SRBA

Water Master Records

Page #	Parcel #	Name	Inches	File #	Original Owner	Priority Date
33	13N04W147300	FAIRCHILD TREETOP RANCH	5.00	641	Belle Dymoke	6/1/1911
33	13N04W147300	FAIRCHILD TREETOP RANCH	5.00	646	John Warren	6/1/1911
33	13N04W147300	FAIRCHILD TREETOP RANCH	8.00	642	Belle Dymoke	6/1/1914
33	13N04W147300	FAIRCHILD TREETOP RANCH	15.00	653	Frank Meir	6/1/1913
33	13N04W147300	FAIRCHILD TREETOP RANCH	15.00	647	John Warren	6/1/1913
33	13N04W147300	FAIRCHILD TREETOP RANCH	15.00	645	John Warren	6/1/1906
33	13N04W147300	FAIRCHILD TREETOP RANCH	15.00	644	John Warren	6/1/1905
33	13N04W147300	FAIRCHILD TREETOP RANCH	15.00	640	Belle Dymoke	6/1/1897
33	13N04W147300	FAIRCHILD TREETOP RANCH	25.00	643	Belle Dymoke	6/1/1909
33	13N04W147300	FAIRCHILD TREETOP RANCH	25.00	650	H J Sloan	6/1/1913
33	13N04W147300	FAIRCHILD TREETOP RANCH	28.00	648	John Warren	6/1/1914
33	13N04W147300	FAIRCHILD TREETOP RANCH	35.00	651	Mary Morris	6/1/1906
33	13N04W147300	FAIRCHILD TREETOP RANCH	35.00	652	R E Timpke	6/1/1908
33	13N04W147300	FAIRCHILD TREETOP RANCH	40.00	638	Ben Fairchild	6/1/1888
33	13N04W147300	FAIRCHILD TREETOP RANCH	15.00	649	H J Sloan	6/1/1911
33	13N04W147300	FAIRCHILD TREETOP RANCH	52.00	639	Ben Fairchild	6/1/1917

DEC 1964

WATER RIGHT NO. 67-07396

Priority: June 16, 1978

Maximum Diversion Rate:
Maximum Diversion Volume:

1.25 CFS
225.6 AF

This is to certify, that DEAN FAIRCHILD
PO BOX 125

MIDVALE ID 83645

MIDVALE ID 83645 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 19, 1978; and has submitted Proof of Beneficial Use on June 29, 1983. An examination indicates that the works have a diversion capacity of 1.380 cfs of water from:

WEISER RIVER

tributary to SNAKE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 07/01	1.25 CFS	225.6 AF

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 19, Township 13N, Range 03W
WASHINGTON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
13N	03W	19		SENW 13		NESW 36	Lot 3(NWSW) 7		
			Lot 4(SWSW)	7		SESW 19	NWSE 13		
			SWSE	5					100

Total number of acres irrigated: 100

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.

SCANNED
APR 14 2004

MICROFILMED
AUG 05 1994

State of Idaho
Department of Water Resources

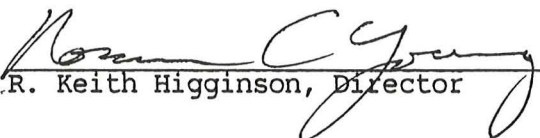
WATER RIGHT LICENSE

WATER RIGHT NO. 67-07396

CONDITIONS/REMARKS:

6. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
7. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 18th day of DECEMBER, 1992.


Acting for R. Keith Higginson, Director

MICROFILMED

AUG 05 1994

RECEIVED

NOV 23 1992

Department of Water Resources

State of Idaho
Department of Water ResourcesAPPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 67-07396

APPROVED

Date of Priority: June 16, 1978

Maximum Diversion Rate: 1.25 CFS
Maximum Diversion Volume: 225.6 AFComes now
PO BOX 125
MIDVALE ID 83645

DEAN FAIRCHILD

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 67-07396, and requests that the permit be changed as follows:

Source: WEISER RIVER

tributary to SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 07/01	1.25 CFS	225.6 AF

LOCATION OF POINT(S) OF DIVERSION:NWSE, Sec. 19, Township 13N, Range 03W
WASHINGTON County

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
13N	03W	19	SENW 13	NESW 36	Lot 3(NWSW) 7 NWSE 13
			Lot 4(SWSW) 7	SESW 19	
			SWSE 5		
Total number of acres irrigated:					100

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Midvale, Idaho, this 20th day of November, 1992.

Dean Fairchild
(Signature)

MICROFILMED

AUG 05 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 67-07396

FOR DEPARTMENT USE ONLY

Preliminary check by CS Fee = \$20.00 Receipted by [Signature] # 0026106 Date 11-24-92

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 67-07396 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
7. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

Witness my hand this 18TH day of DECEMBER, 1992

[Signature]
Acting for R. Keith Higginson, Director

MICROFILMED
AUG 05 1994

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 67-7396
Date Received: 10/6/1989
Receipt No: W006175
Received By:

Claim Amended to reflect license (issued on 12-18-92)

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DEAN D FAIRCHILD Phone: (208)355-2277

2124 DYMOKE LN
PO BOX 125
MIDVALE ID USA 83645

VELDA C FAIRCHILD Phone: (208)355-2277

PO BOX 125
MIDVALE ID USA 83645

2. Date of Priority: 06/16/1978

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13N	03W	19	NW SE	WASHINGTON	

5. Description of diverting works:

ELECTRIC PUMPS WITH SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	07/01	1.25	

7. Total Quantity Appropriated is:

1.25 C.F.S. and/or 225.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
13N	03W	19	SE	NW	IRRIGATION	13	
			NE	SW	IRRIGATION	36	
			NW	SW	3	IRRIGATION	7
			SW	SW	4	IRRIGATION	7
			NW	SE	IRRIGATION	13	
			SW	SE	IRRIGATION	5	
			SE	SW	IRRIGATION	19	
					Section Acres	100	
					Total Acres	100	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

Use of water under this right is subject to control by the watermaster of State Water District No. &DISTRICT.

See remarks for additional conditions of approval.

The issuance of this right does not grant any right-of-way or easement across the land of another.

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

15. Basis of Claim: License

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

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: A67-07396

Date Received: ~~7/18/1989~~ 10/6/89

Receipt No: W006175

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DEAN D. FAIRCHILD 208-355-2277
Address: BOX 125
MIDVALE, ID 83645

OR

Name: VELDA C. FAIRCHILD 208-355-2277
Address: P.O. BOX 125
MIDVALE, ID 83645

2. Date of Priority: JUN 16, 1978

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	03W	19	NW	NW	SE		WASHINGTON

5. Description of diverting works:
ELECTRIC PUMPS WITH SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	07/01	1.250		

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

8. Total consumptive use is 300.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL WITH IRRIGATION

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13N	03W	19	NE		SW		IRR	30.0
			NW		SW	3	IRR	20.0
			SW		SW	4	IRR	20.0
			NW		SE		IRR	30.0
Section Acres								100.0
Total Acres								100.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
67-2384

14. Remarks:

15. Basis of Claim: PERMIT

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: 8

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): Dean D. Fairchild Date: 10/6/89
Velda C. Fairchild Date: 10/6/89

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of October 19 89
Jan Shute
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94

WATER RIGHT SPLIT
SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	67-7396	Robert L. &/or Elizabeth A. Bumgarner	1.25 cfs
Full Assignment	67-7396	Dean Fairchild	1.25 cfs

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MAR 15 1988

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OCT 02 1992

STATE OF IDAHO

Permit No. 67-7396

AUG 21 1987

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now DEAN FAIRCHILD Phone 355-2277

of (address) Box 125 MIDVALE, ID 83645, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 67-7396, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 SE 1/4, Section 19, Township 13N, Range 3W, B.M.,
County of WASHINGTON. Other points of diversion: 3 POINTS OF DIVERSION

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 1.25 for IRRIGATION purposes from 3/15 to 7/1 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13N	3W	19									30	20	20			30			100*
13N	4W	24													25	20			45

Total number of acres to be irrigated = 100*
150

4. a. Who owns the property at the point of diversion? APPLICANT
b. Who owns the land to be irrigated or the place of use? APPLICANT
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

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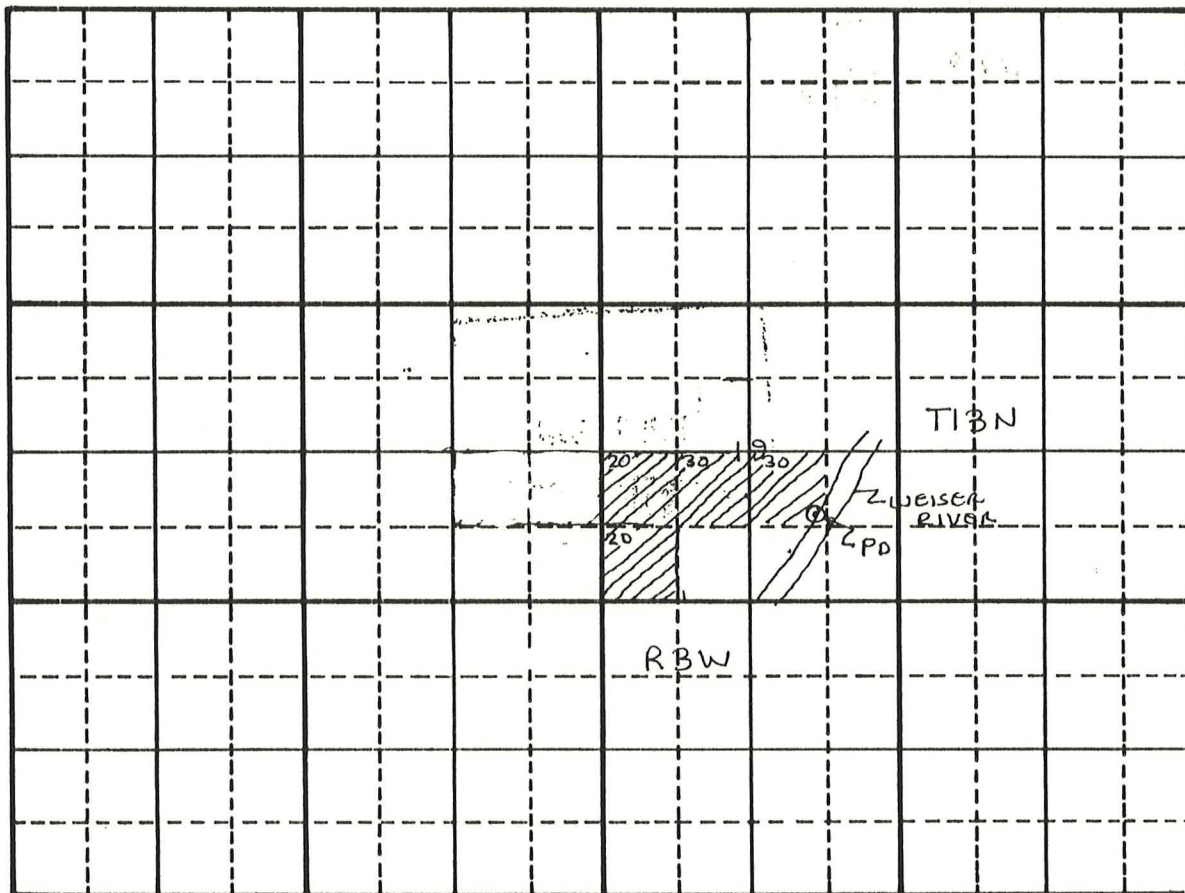
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* PER PHONE CONVERSATION W/ DEAN FAIRCHILD ON 5/20/87 JS

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Boise, this 15TH day of MAY, 1987.

Dean Fairchild
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by AND Fee = \$20.00 Received by AND Date 5/15/87 #44847
Publication prepared by RL Date 6/10/87 Published in THE WEISER SIGNAL
Publication dates 6/18 & 6/25/87 6/18 & 6/25/87

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby
Approve the above referenced Application for Amendment provided the conditions as set
forth in Permit No. 67-7396 are met.

Witness my hand this 14th day of October, 1987

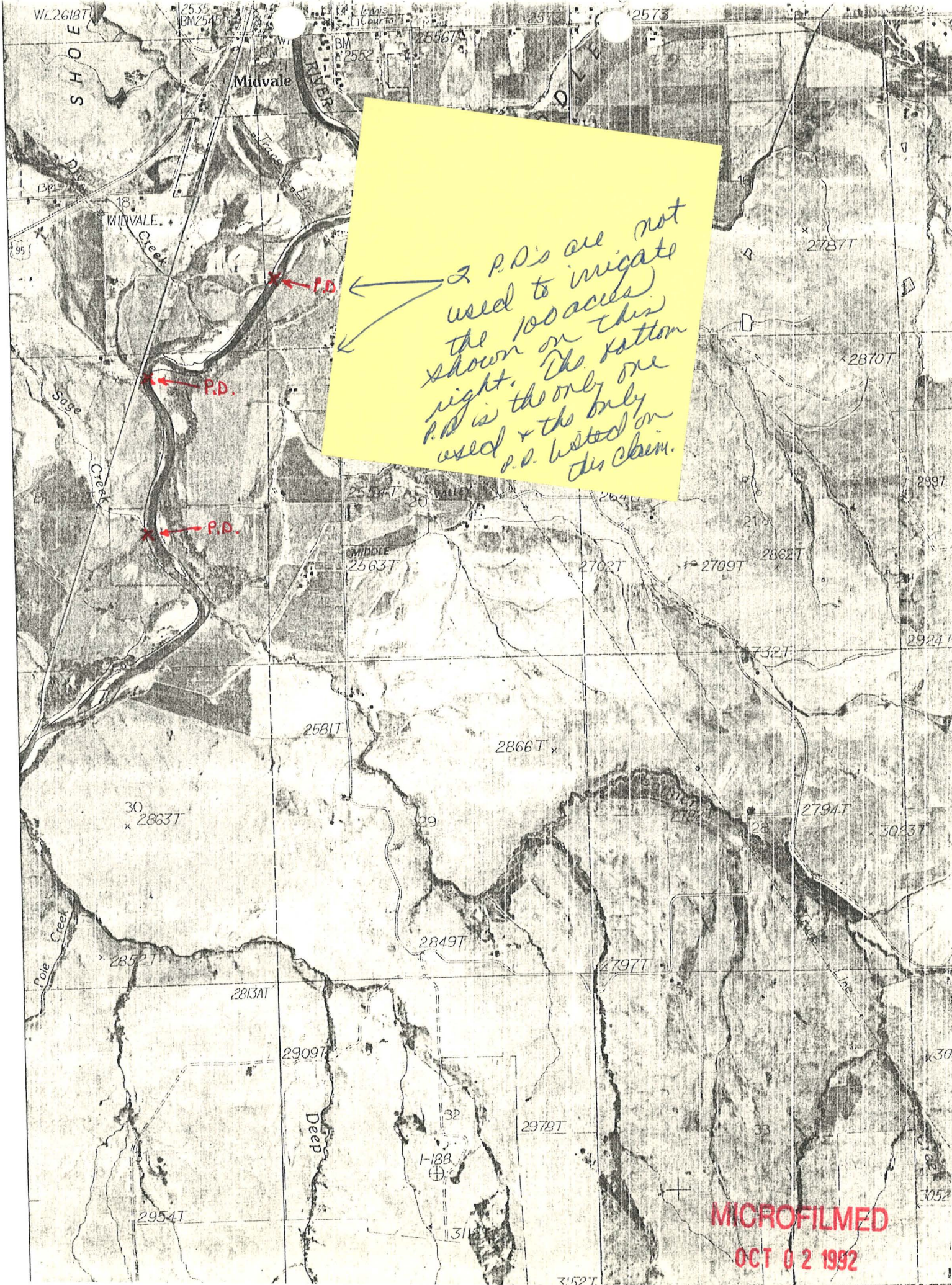
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MAR 15 1988

L. Glen Saxton
Chief, Operations Bureau

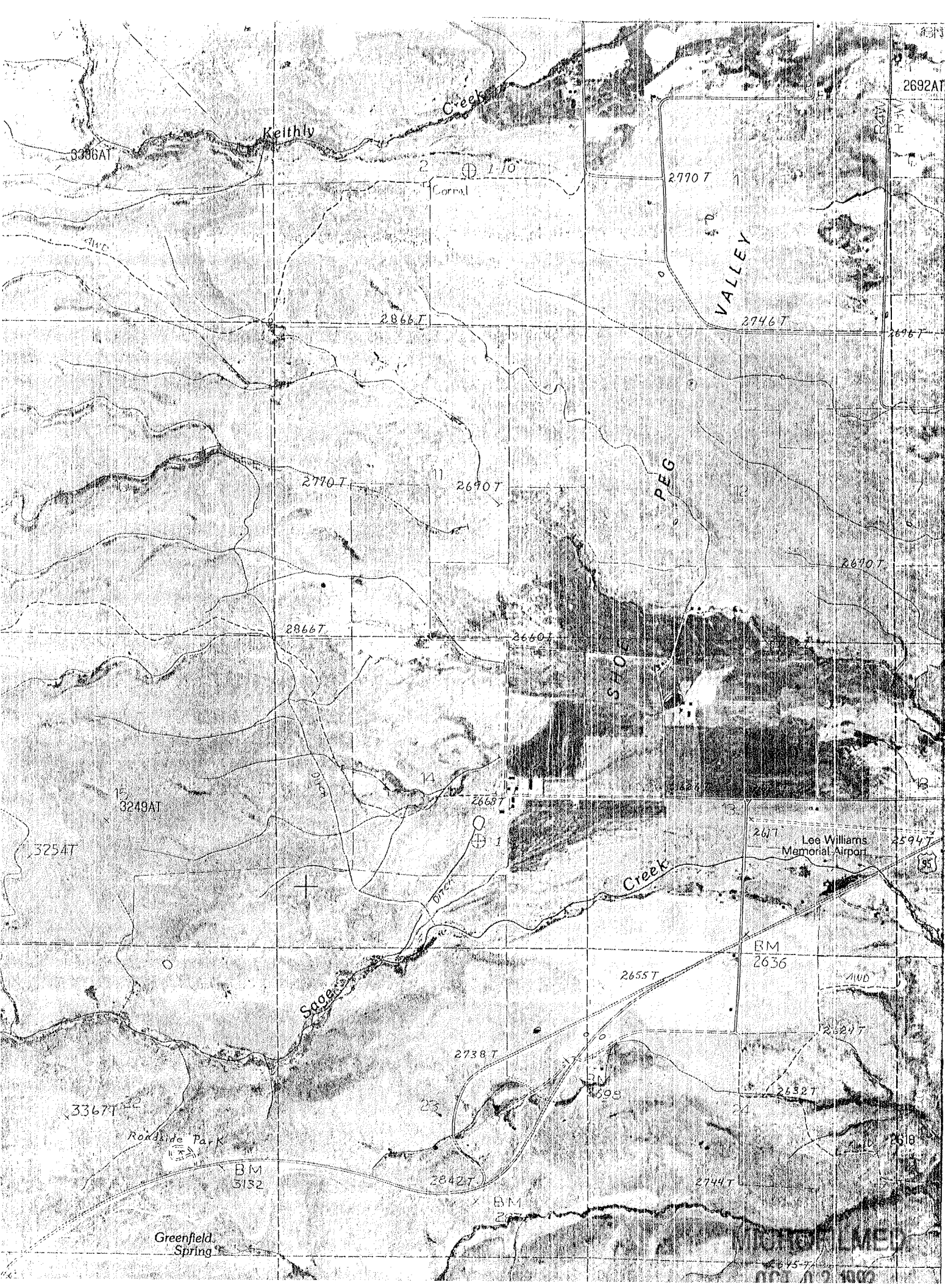
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2 P.D.'s are not
used to irrigate
the 100 acres
shown on this
right. The station
P.D. is the only one
used & the only
P.D. listed on
this claim.

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2692AT

3386AT

Keithly

Creek

2 1.10

Corral

2770 T

VALLEY

2866T

2746T

2696T

2770T

2690T

PEG

2866T

2660T

2690T

3249AT

3254T

2668T

1

267T

Lee Williams Memorial Airport

2594T

Creek

BM 2636

2655T

2629T

2632T

2618

3367T

Roadside Park

BM 3132

2738T

BM 2698

2842T

BM 2698

2744T

Greenfield Spring

NOT FILMED

OCT 02 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Robert L. &/or Elizabeth A. Bumgarner Phone 257-3739
Post office address Box 248, Cambridge, ID 83610

2. Source of water supply Weiser River which is a tributary of Snake River

3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 1 Township 14N
Range 3W B.M. Washington County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

ALLOW 1.25 cfs

Amount -2.0- for Irrigation purposes from Mar. 15 to July 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

ALLOW 1.25 cfs

a. -2.0- cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. P.T.O. pump & sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

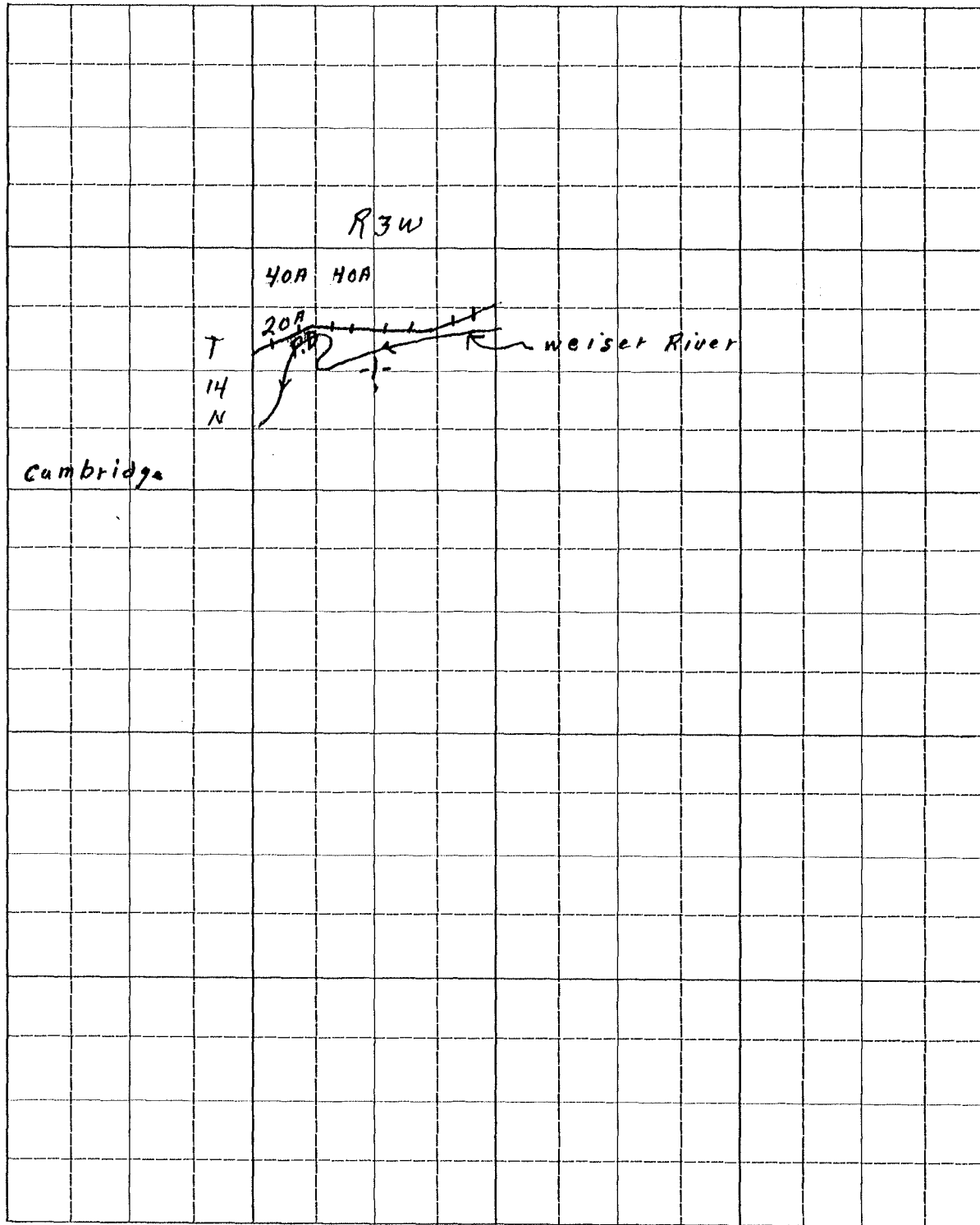
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[illegible]

10. Remarks

Oct 2 1962

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Robert L. Bungamer
(Applicant)

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OCT 02 1992

Proposed Priority 5/19/78
Received by RKN Date 5/19/78 Time 4 PM
Preliminary check by RWH Fee \$ 35 # 11094
Received by JKN Date 5-19-78
Publication prepared by if Date 5-25-78
Published in Signal American
Publication dates June 1 & 8, 1978
Publication approved alu Date 6-19-78
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DBS jc YH

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 67-7396, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 83.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

Use of water under this permit is subject to control by the watermaster of State Water District No. 67, Weiser River.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

The maximum rate of diversion shall not exceed 1.25 cubic feet per second.
Witness my hand this 27TH day of June, 1978.

Norman C. Young
Administrator

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