

07/18/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-7498

NAME AND ADDRESS: PAUL POORMAN
5230 N BLACKCAT RD
MERIDIAN ID 83646-5012

GAYLE B POORMAN
5230 N BLACKCAT RD
MERIDIAN ID 83646-5012

SOURCE: RUSH CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 1.000 CFS
183.20 AFY

The rights listed below are limited to a total combined diversion rate of 1.42 cfs.
Combined Right Nos.: 67-279, 67-299, and 67-7389

PRIORITY DATE: 06/15/1980

POINT OF
DIVERSION:

T15N R03W S15 SESE Within WASHINGTON County
T15N R03W S22 NENE Within WASHINGTON County
T15N R03W S22 NESE Within WASHINGTON County
T15N R03W S22 SWSE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 07/01	0.030 CFS 1.00 AFY
IRRIGATION	04/01 07/01	1.000 CFS 182.20 AFY

PLACE OF USE: IRRIGATION in WASHINGTON County

T15N R03W S15	SESE	1.00	T15N R03W S22	NENE	8.80
T15N R03W S22	SENE	15.00	T15N R03W S22	NESE	19.00
T15N R03W S22	NWSE	5.00	T15N R03W S22	SWSE	15.00
T15N R03W S22	SESE	6.00	T15N R03W S27	NENE	1.20

STOCKWATER in WASHINGTON County

T15N R03W S15	SESE	T15N R03W S22	NENE
T15N R03W S22	SENE	T15N R03W S22	NESE
T15N R03W S22	NWSE	T15N R03W S22	SWSE
T15N R03W S22	SESE	T15N R03W S27	NENE

71 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 71.0 acres in a single irrigation season. Combined Right Nos.: 67-279, 67-299, and 67-7389

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

Stockwater use is for 75 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7498 V1

WATER RIGHT NUMBER: 67-7498 V1

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	DEBRA R UNDERWOOD 22022 COLUMBIA CREST DR SONORA, CA 95370 (209)588-1391
Directors Report Owner	JAMES P UNDERWOOD 22022 COLUMBIA CREST DR SONORA, CA 95370 (209)588-1391
Original Owner	CARROLL P KEMP PO BOX 111 CAMBRIDGE, ID 83610 (208)257-3885
Current Owner	PAUL POORMAN 5230 N BLACKCAT RD MERIDIAN, ID 83646-5012 (208)888-9210
Current Owner	GAYLE B POORMAN 5230 N BLACKCAT RD MERIDIAN, ID 83646-5012 (208)888-9210

Priority Date: 06/15/1980

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	04/01 to 07/01	0.030 CFS	1.00 AF
IRRIGATION	04/01 to 07/01	1.000 CFS	182.20 AF
	<u>Total Diversion:</u>	1.000 CFS	183.20 AF

Location of Point(s) of Diversion

RUSH CREEK	SE1/4SE1/4	Sec. 15, Twp 15N, Rge 03W, B.M.
WASHINGTON County		
RUSH CREEK	NE1/4NE1/4	Sec. 22, Twp 15N, Rge 03W, B.M.
WASHINGTON County		
RUSH CREEK	NE1/4SE1/4	Sec. 22, Twp 15N, Rge 03W, B.M.
WASHINGTON County		
RUSH CREEK	SW1/4SE1/4	Sec. 22, Twp 15N, Rge 03W, B.M.
WASHINGTON County		

Place of Use

STOCKWATER

IDAHO DEPARTMENT OF WATER RESOURCES
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Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
15N	03W	15																X	
15N	03W	22	X			X									X	X	X	X	
15N	03W	27	X																

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
15N	03W	15																1.0	1.0
15N	03W	22	8.8			15.0									19.0	5.0	15.0	6.0	68.8
15N	03W	27	1.2																1.2

Total Acres: 71

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 71.0 acres in a single irrigation season. Combined Right Nos.: 67-279, 67-299, and 67-7389
2. X02 Stockwater use is for 75 range cattle.
3. 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.
4. E52 The rights listed below are limited to a total combined diversion rate of 1.42 cfs. Combined Right Nos.: 67-279, 67-299, and 67-7389

Remarks:Comments:

1. csaxton 6/13/2006 Recommendation
 Comment: Recommended as licensed.

2. shemenway 7/17/2008 O/C
 Comment: CHANGED OWNERSHIP FROM DEBRA AND JAMES UNDERWOOD TO PAUL AND GAYLE POORMAN.
 VERIFIED WITH WARRANTY DEED AND EXHIBIT A.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-7498 V1

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: 67
 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>
1.42		71

Combined Water Rights: 67-7498 , 67-279 , 67-299

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	5/5/2004 10:33:49 AM	awarntje			Active
POD	5/5/2004 10:35:35 AM	awarntje			Active
Source	5/5/2004 10:45:58 AM	awarntje			Active
POU	5/5/2004 10:47:11 AM	awarntje			Active
Use	5/5/2004 10:48:34 AM	awarntje			Active
Season	5/5/2004 10:50:16 AM	awarntje			Active
Quantity	5/5/2004 10:50:46 AM	awarntje			Active
Contacts	6/13/2006 4:02:00 PM	csaxton			Active
Priority Date	6/13/2006 4:02:10 PM	csaxton			Active
Summary			06/13/2006	csaxton	Active
POD	6/13/2006 4:18:45 PM	csaxton			Active
POU	6/13/2006 4:18:46 PM	csaxton			Active
Season	6/13/2006 4:18:47 PM	csaxton			Active
Source	6/13/2006 4:18:47 PM	csaxton			Active
Use	6/13/2006 4:18:47 PM	csaxton			Active
Quantity	6/13/2006 4:18:48 PM	csaxton			Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7498 V1

Contacts	6/13/2006 4:02:06 PM	csaxton	(No) 1. Do you want to schedule an appointment?
			Comment for 1: Desktop Review
General	6/13/2006 4:02:16 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?
POD	6/13/2006 4:04:00 PM	csaxton	Updated shape
POD	6/13/2006 4:05:04 PM	csaxton	Updated PLS
POD	6/13/2006 4:05:59 PM	csaxton	Updated shape
POD	6/13/2006 4:06:56 PM	csaxton	Updated shape
POU	6/13/2006 4:07:44 PM	csaxton	Updated shape for Active POU
POU	6/13/2006 4:08:10 PM	csaxton	Updated shape for Active POU
POU	6/13/2006 4:09:16 PM	csaxton	Updated PLS for Active POU
POU	6/13/2006 4:09:32 PM	csaxton	Updated shape for Active POU
POU	6/13/2006 4:09:43 PM	csaxton	Updated PLS for Active POU
POU	6/13/2006 4:08:23 PM	csaxton	Updated PLS for Active POU
Summary	6/13/2006 4:12:31 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?
POD	6/13/2006 4:04:15 PM	csaxton	Updated PLS
POU	6/13/2006 4:08:57 PM	csaxton	Updated shape for Active POU
POD	6/13/2006 4:04:50 PM	csaxton	Updated shape
POD	6/13/2006 4:07:11 PM	csaxton	Updated PLS
POU	6/13/2006 4:07:56 PM	csaxton	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7498 V1

POD	6/13/2006 4:18:52 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License?
POU	6/13/2006 4:18:53 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License?
Source	6/13/2006 4:18:54 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License?
Use	6/13/2006 4:18:54 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License?
Season	6/13/2006 4:18:54 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License?
Quantity	6/13/2006 4:18:55 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License?
Priority Date	5/5/2004 10:33:49 AM	awarntje	(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? (No) 6. Did the Claimant claim the decreed or licensed Priority Date ?
POD	5/5/2004 10:35:35 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD?
Source	5/5/2004 10:45:58 AM	awarntje	(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	5/5/2004 10:47:11 AM	awarntje	(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? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU?
Use	5/5/2004 10:48:34 AM	awarntje	(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?
Season	5/5/2004 10:50:15 AM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7498 V1

Quantity	5/5/2004 10:50:45 AM	awarntje	(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? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
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Water Supply Bank:

06/13/2006

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

RIGHT NUMBER: 67-7498

NAME AND ADDRESS: DEBRA R UNDERWOOD
22131 COLUMBIA CREST DR
SONORA CA 95370

JAMES P UNDERWOOD
22131 COLUMBIA CREST DR
SONORA CA 95370

SOURCE: RUSH CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 1.000 CFS
183.200 AFY

The rights listed below are limited to a total combined diversion rate of 1.42 cfs.
Combined Right Nos.: 67-279, 67-299, and 67-7389

PRIORITY DATE: 06/15/1980

POINT OF DIVERSION:

T15N R03W S15 SESE Within WASHINGTON County

T15N R03W S22 NENE Within WASHINGTON County

T15N R03W S22 NESE Within WASHINGTON County

T15N R03W S22 SWSE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	04/01 07/01	0.030 CFS 1.00 AFY
IRRIGATION	04/01 07/01	1.000 CFS 182.20 AFY

PLACE OF USE: IRRIGATION Within WASHINGTON County

T15N R03W S15	SESE	1.00	T15N R03W S22	NENE	8.80
T15N R03W S22	SENE	15.00	T15N R03W S22	NESE	19.00
T15N R03W S22	NWSE	5.00	T15N R03W S22	SWSE	15.00
T15N R03W S22	SESE	6.00	T15N R03W S27	NENE	1.20

STOCKWATER Within WASHINGTON County

T15N R03W S15	SESE	T15N R03W S22	NENE
T15N R03W S22	SENE	T15N R03W S22	NESE
T15N R03W S22	NWSE	T15N R03W S22	SWSE
T15N R03W S22	SESE	T15N R03W S27	NENE

71 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 71.0 acres in a single irrigation season. Combined Right Nos.: 67-279, 67-299, and 67-7389

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.

06/13/2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
Stockwater use is for ~~70~~ range cattle.

75



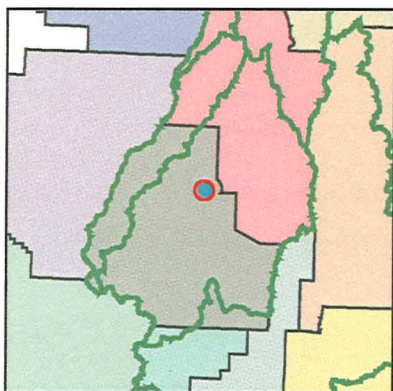
Idaho Department of Water Resources

SRBA Recommendation:

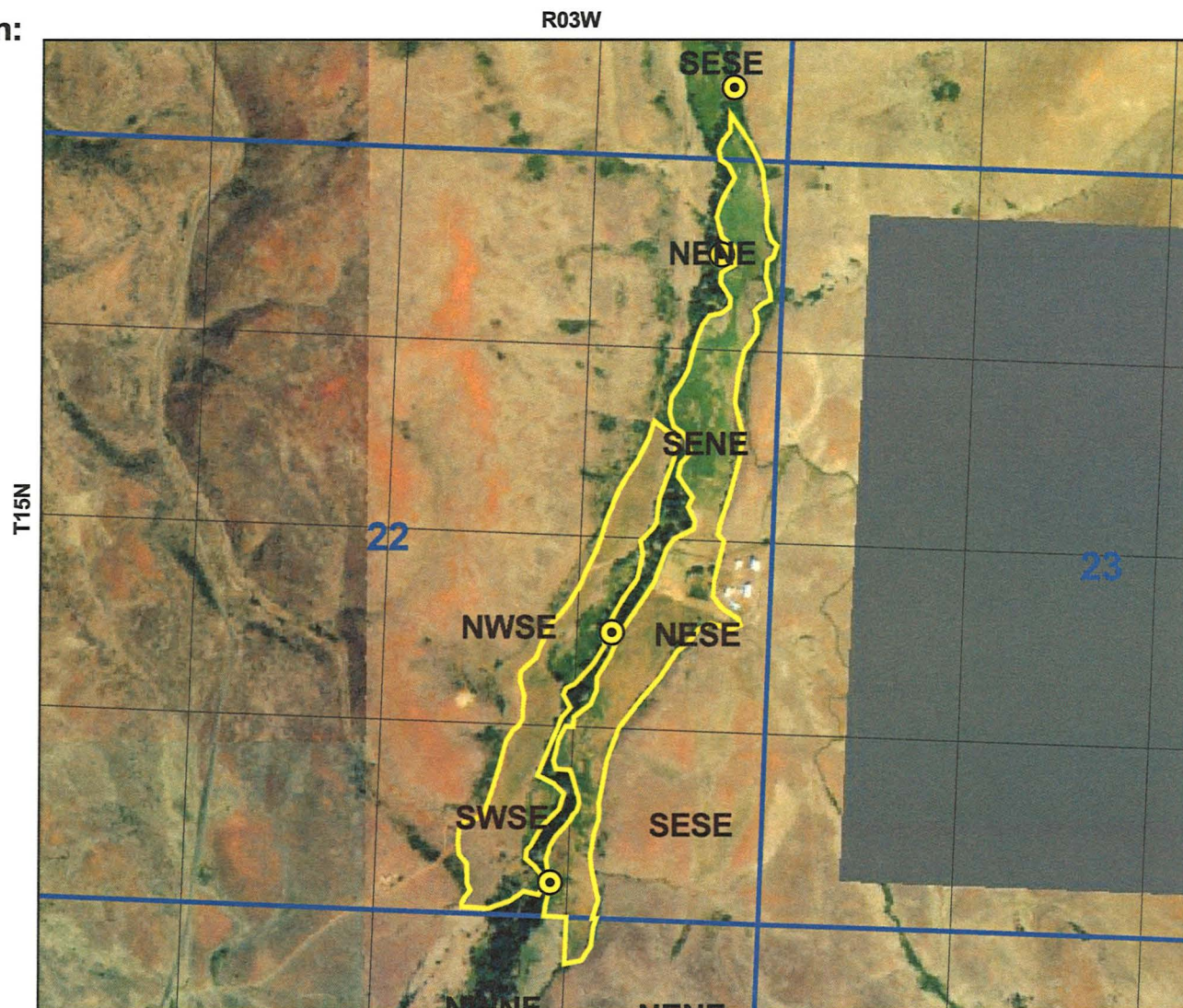
67-7498

Legend

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



Washington County
IDWR Basin 67



0 0.5 1 Miles



Prepared by C. Saxton
On Tuesday, June 13, 2006
1987/88 Aerial Photography

Adjudication Recommendation Report 67-7498 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DEBRA R UNDERWOOD 22131 COLUMBIA CREST DR SONORA, CA 95370 (209)588-1391
Current Owner	JAMES P UNDERWOOD 22131 COLUMBIA CREST DR SONORA, CA 95370 (209)588-1391
Original Owner	CARROLL P KEMP PO BOX 111 CAMBRIDGE, ID 83610 (208)257-3885

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	04/01 to 07/01	0.030 CFS	1.00 AF
IRRIGATION	04/01 to 07/01	1.000 CFS	182.20 AF
	<u>Total Diversion:</u>	1.000 CFS	183.20 AF

RUSH CREEK WASHINGTON County	SE1/4SE1/4	Sec. 15, Twp 15N, Rge 03W, B.M.
RUSH CREEK WASHINGTON County	NE1/4NE1/4	Sec. 22, Twp 15N, Rge 03W, B.M.
RUSH CREEK WASHINGTON County	NE1/4SE1/4	Sec. 22, Twp 15N, Rge 03W, B.M.
RUSH CREEK WASHINGTON County	SW1/4SE1/4	Sec. 22, Twp 15N, Rge 03W, B.M.

STOCKWATER

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7498 V1

15N 03W 22	X	X				X	X	X	X	
15N 03W 27	X									

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
15N 03W 15																1.0	1.0
15N 03W 22	8.8			15.0									19.0	5.0	15.0	6.0	68.8
15N 03W 27	1.2																1.2

Total Acres: 71

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 71.0 acres in a single irrigation season. Combined Right Nos.: 67-279, 67-299, and 67-7389
2. X02 Stockwater use is for 70 range cattle.
3. 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. csaxton 6/13/2006 Recommendation
Comment: Recommended as licensed.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7498 V1

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: 67
 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>
Priority Date	5/5/2004 10:33:49 AM	awarntje			Active
POD	5/5/2004 10:35:35 AM	awarntje			Active
Source	5/5/2004 10:45:58 AM	awarntje			Active
POU	5/5/2004 10:47:11 AM	awarntje			Active
Use	5/5/2004 10:48:34 AM	awarntje			Active
Season	5/5/2004 10:50:16 AM	awarntje			Active
Quantity	5/5/2004 10:50:46 AM	awarntje			Active
Contacts	6/13/2006 4:02:00 PM	csaxton			Active
Priority Date	6/13/2006 4:02:10 PM	csaxton			Active
Summary			06/13/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	6/13/2006 4:02:06 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
General	6/13/2006 4:02:16 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7498 V1

POD	6/13/2006 4:04:00 PM	csaxton	Updated shape
POD	6/13/2006 4:05:04 PM	csaxton	Updated PLS
POD	6/13/2006 4:05:59 PM	csaxton	Updated shape
POD	6/13/2006 4:06:56 PM	csaxton	Updated shape
POU	6/13/2006 4:07:44 PM	csaxton	Updated shape for Active POU
POU	6/13/2006 4:08:10 PM	csaxton	Updated shape for Active POU
POU	6/13/2006 4:09:16 PM	csaxton	Updated PLS for Active POU
POU	6/13/2006 4:09:32 PM	csaxton	Updated shape for Active POU
POU	6/13/2006 4:09:43 PM	csaxton	Updated PLS for Active POU
POU	6/13/2006 4:08:23 PM	csaxton	Updated PLS for Active POU
Summary	6/13/2006 4:12:31 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?
POD	6/13/2006 4:04:15 PM	csaxton	Updated PLS
POU	6/13/2006 4:08:57 PM	csaxton	Updated shape for Active POU
POD	6/13/2006 4:04:50 PM	csaxton	Updated shape
POD	6/13/2006 4:07:11 PM	csaxton	Updated PLS
POU	6/13/2006 4:07:56 PM	csaxton	Updated PLS for Active POU
Priority Date	5/5/2004 10:33:49 AM	awarntje	(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? (No) 6. Did the Claimant claim the decreed or licensed Priority Date ?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7498 V1

POD	5/5/2004 10:35:35 AM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD?
Source	5/5/2004 10:45:58 AM	awarntje	(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	5/5/2004 10:47:11 AM	awarntje	(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? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU?
Use	5/5/2004 10:48:34 AM	awarntje	(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?
Season	5/5/2004 10:50:15 AM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use?
Quantity	5/5/2004 10:50:45 AM	awarntje	(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? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file?

Water Supply Bank:

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07498

Priority: June 15, 1980

Maximum Diversion Rate: 1.00 CFS

Maximum Diversion Volume: 183.2 AF

This is to certify, that CARROLL P KEMP

PO BOX 111

CAMBRIDGE ID 83610

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 5, 1980; and has submitted Proof of Beneficial Use on June 25, 1985. An examination indicates that the works have a diversion capacity of 1.100 cfs of water from:

RUSH CREEK

tributary to WEISER 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	1.00 CFS	182.2 AF
STOCKWATER	04/01 to 07/01	0.03 CFS	1.0 AF
Totals		1.00 CFS	183.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 15, Township 15N, Range 03W
NENE , Sec. 22, Township 15N, Range 03W
NESE , Sec. 22, Township 15N, Range 03W
SWSE , Sec. 22, Township 15N, 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>
15N	03W	15	SESE 2			2
		22	NENE 9	SENE 16	NESE 17	
			NWSE 5	SWSE 15	SESE 6	68
		27	NENE 1			1

Total number of acres irrigated: 71

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

CONDITIONS OF APPROVAL AND 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 is limited to the amount that can actually be beneficially 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.

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NOV 04 1997

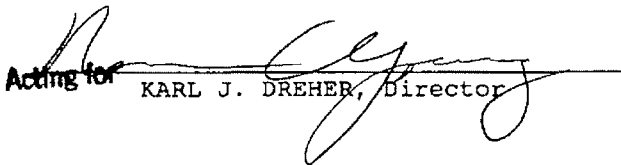
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 67-07498

CONDITIONS OF APPROVAL AND REMARKS

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. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
7. 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 irrigation of 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 17th
day of OCTOBER, 1992.

Acting for 
KARL J. DREHER, Director

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 12 1996

Department of Water Resources

A. GENERAL INFORMATION

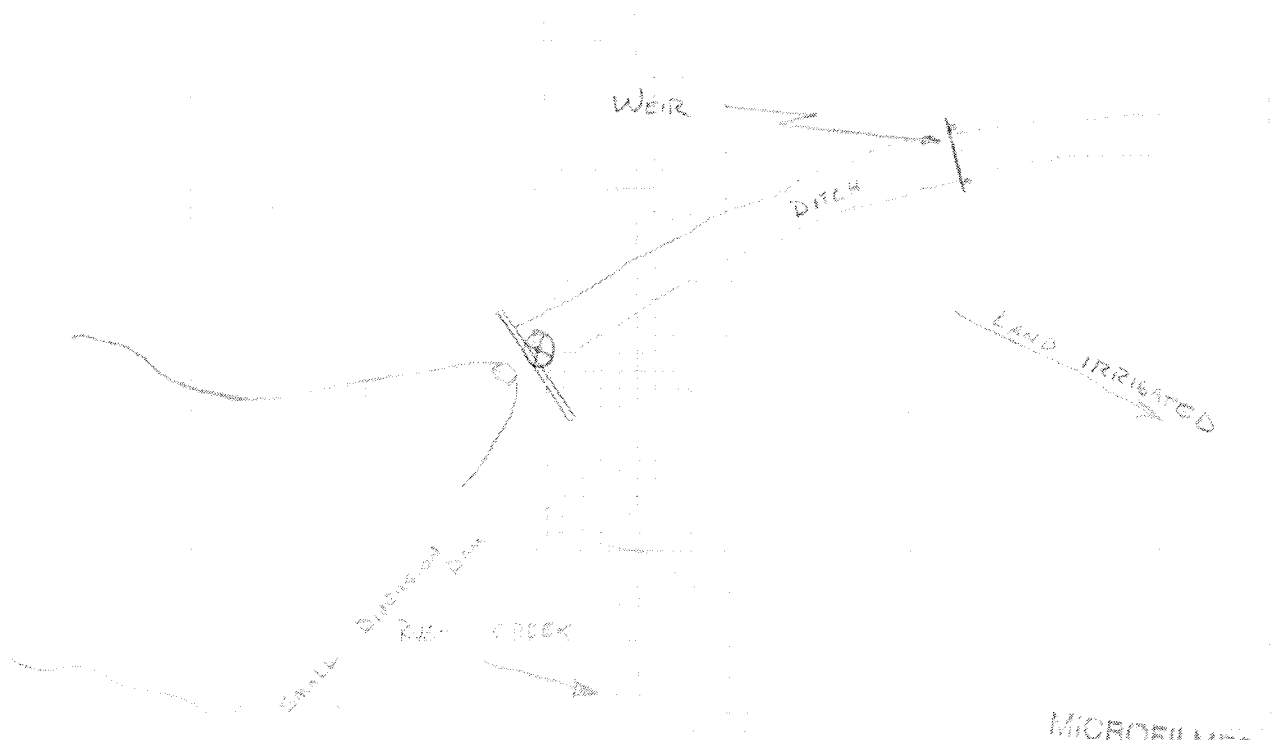
- Permit No. 67-7498
Phone No. 207-3385
1. Owner: Carroll P. Smith
Current Address: Box 100, Grangeville, ID 22542
2. Accompanied by: Same EXAM. DATE: 7/20/85
Address: _____ Phone No. _____
Relationship to Permit Holder: Owner
3. Source: Rice Creek tributary to White River

B. OVERLAP REVIEW

1. Other water rights with same place of use: 67-7387 (Irrigation from same pond)
67-0299 Decreed Pump T. Rice Creek. ☐ Copies Attached
2. Other water rights with same point of diversion: 67-0299 used same P.D.
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



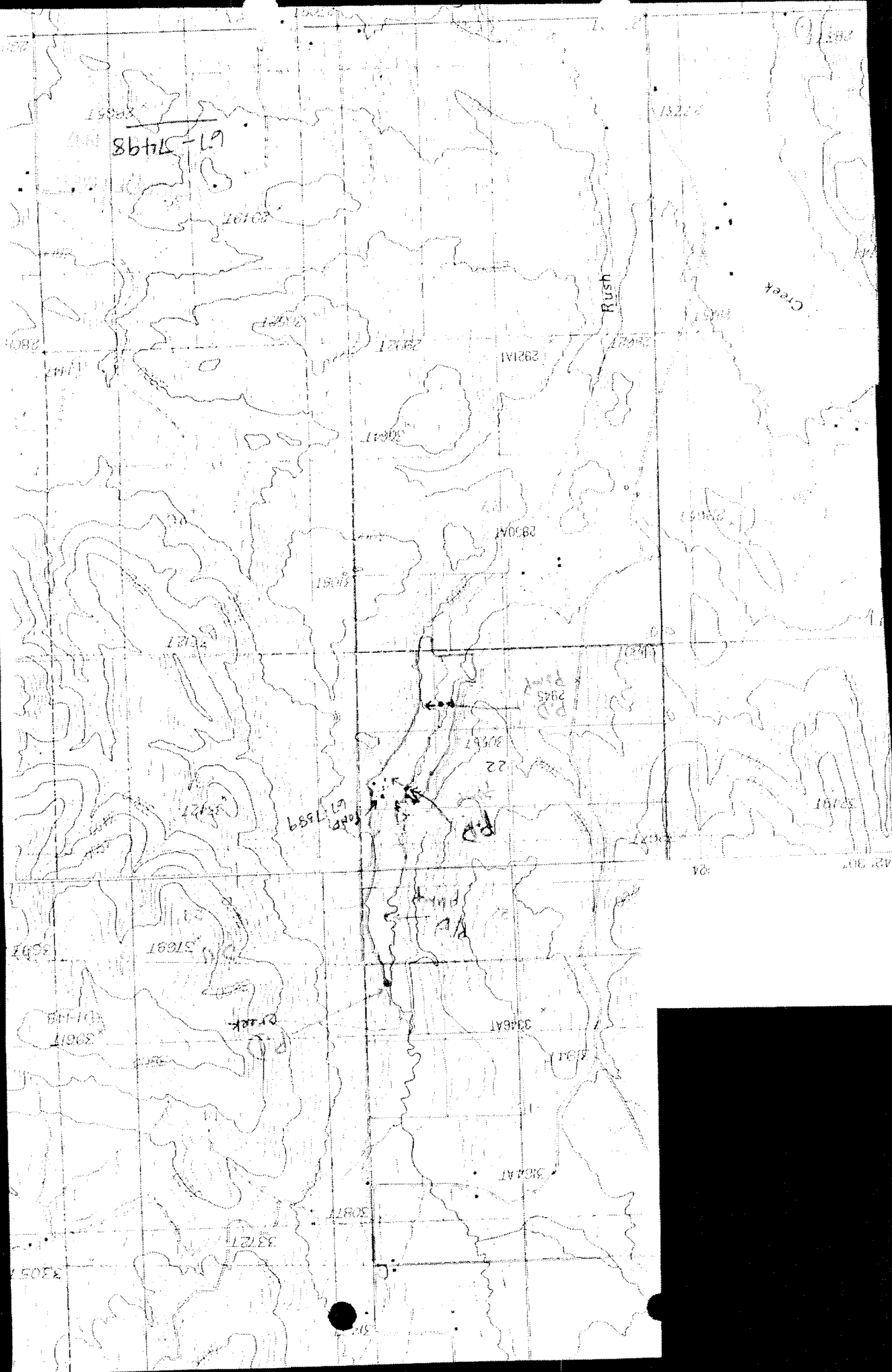
Scale: 1" = 100 feet

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.)

(See photo of pump)

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NOV 04 1997



7-7498

P/D.

15 14
22 23

7-224
T1202

P/D.

P.D.
PORTABLE
PUMP

P/D.

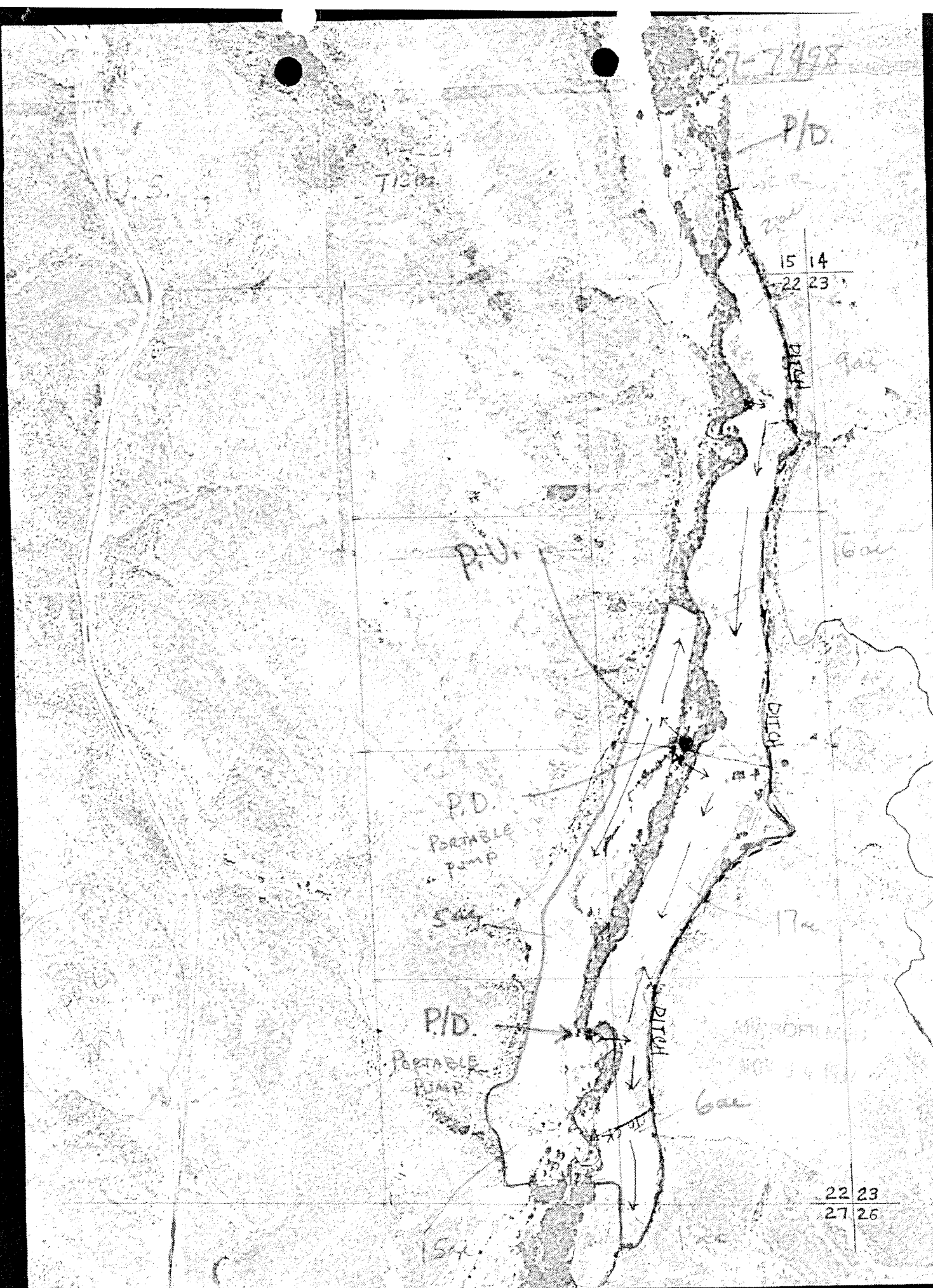
PORTABLE
PUMP

17a

6a

22 23
27 26

15a



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 67-7498
Date Received: 9/26/1989
Receipt No: M004693
Received By:

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

1. Name of Claimant(s)

DEBRA R UNDERWOOD Phone: (209)588-1391

22131 COLUMBIA CREST DR
SONORA CA USA 95370

JAMES P UNDERWOOD Phone: (209)588-1391

22131 COLUMBIA CREST DR
SONORA CA USA 95370

2. Date of Priority: 06/15/1980

3. Source: RUSH CREEK , RUSH CREEK , RUSH CREEK , RUSH CREEK Trib. to: WEISER
RIVER , WEISER RIVER , WEISER RIVER , WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	03W	22	NE NE	WASHINGTON	
15N	03W	15	SE SE	WASHINGTON	
15N	03W	22	SW SE	WASHINGTON	
15N	03W	22	NE SE	WASHINGTON	

5. Description of diverting works:

DAM, HEADGATE AND DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	07/01	1	182.2
STOCKWATER	04/01	07/01	0.03	1

7. Total Quantity Appropriated is:
1 C.F.S. and/or 183.2 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 75

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
15N	03W	15	SE	SE		STOCKWATER	
			SE	SE		IRRIGATION	2
						Section Acres	2
15N	03W	22	NE	NE		IRRIGATION	9
			SE	NE		IRRIGATION	16
			NE	SE		IRRIGATION	17
			NW	SE		IRRIGATION	5
			SW	SE		IRRIGATION	15
			SE	SE		IRRIGATION	6
			NE	NE		STOCKWATER	
			SE	NE		STOCKWATER	
			NE	SE		STOCKWATER	
			NW	SE		STOCKWATER	
			SW	SE		STOCKWATER	
			SE	SE		STOCKWATER	
						Section Acres	68
15N	03W	27	NE	NE		STOCKWATER	
			NE	NE		IRRIGATION	1
						Section Acres	1
						Total Acres	71

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

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 irrigation of the lands above.

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

15. Basis of Claim: License

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 67-7498
Date Received: 9/26/1989
Receipt No: M004693
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DEBRA R UNDERWOOD Phone: (209)588-1391

21061 DIABLO CT
SONORA CA USA 95370

JAMES P UNDERWOOD Phone: (209)588-1391

21061 DIABLO CT
SONORA CA USA 95370

2. Date of Priority: 05/29/1980

3. Source: RUSH CREEK , RUSH CREEK , RUSH CREEK , RUSH CREEK , RUSH CREEK , RUSH
CREEK Trib. to: WEISER RIVER , WEISER RIVER , WEISER RIVER , WEISER RIVER , WEISER
RIVER , WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	03W	22	NE NE	WASHINGTON	
15N	03W	22	SE SE	WASHINGTON	
15N	03W	22	SE NE	WASHINGTON	
15N	03W	15	SE SE	WASHINGTON	
15N	03W	27	NE NE	WASHINGTON	
15N	03W	22	NE SE	WASHINGTON	

5. Description of diverting works:

DAM, HEADGATE AND DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	7/01	1.01	
STOCKWATER	4/01	7/01	0.03	

7. Total Quantity Appropriated is:
1.01 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15N	03W	15	SE	SE	STOCKWATER	
			SE	SE	IRRIGATION	10
					Section Acres	10
15N	03W	22	NE	NE	IRRIGATION	10
			SE	NE	IRRIGATION	10
			NE	SE	IRRIGATION	10
			SE	SE	IRRIGATION	10
			NE	NE	STOCKWATER	
			SE	NE	STOCKWATER	
			NE	SE	STOCKWATER	
			SE	SE	STOCKWATER	
					Section Acres	40
15N	03W	27	NE	NE	STOCKWATER	
			NE	NE	IRRIGATION	10
					Section Acres	10
					Total Acres	60

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? No

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.

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

See remarks for additional conditions of approval.

DIVERSION OF WATER UNDER THIS PERMIT SHALL END ON OR BEFORE JULY 1 OF EACH YR.
MAXIMUM RATE OF DIVERSION ALLOWED UNDER THIS PERMIT SHALL NOT EXCEED 4.51 CFS.
REINSTATED 7/18/85.

15. Basis of Claim: Permit

MIGHT CHK. WEST FILES
FOR SIGNER COPY
OF THIS CLAIM.
ESJ

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: A67-07498
Date Received: 9/26/1989
Receipt No: MDD4693
Received By: BRUCE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARROLL P. KEMP 208-257-3885
Address: P.O. BOX 111
CAMBRIDGE, ID 83610

2. Date of Priority: MAY 29, 1980

3. Source: RUSH CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	03W	15		SE	SE		WASHINGTON
		22		NE	NE		WASHINGTON
				SE	NE		WASHINGTON
				NE	SE		WASHINGTON
				SE	SE		WASHINGTON
		27		NE	NE		WASHINGTON

5. Description of diverting works:
DAM, HEADGATE AND DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	07/01	1.010		
STOCKWATER	04/01	07/01	0.030		

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

8. Total consumptive use is 210.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/75 RANGE.

A67-07498

Page 1

Date: 09/26/89

SCANNED
APR 14 2004

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OCT 02 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	03W	15	SE	SE		IRR	10.0
			SE	SE		STOCK	
			Section Acres				10.0
		22	NE	NE		IRR	10.0
			NE	NE		STOCK	
			SE	NE		IRR	10.0
			SE	NE		STOCK	
			NE	SE		IRR	10.0
			NE	SE		STOCK	
			SE	SE		IRR	10.0
			SE	SE		STOCK	
			Section Acres				40.0
		27	NE	NE		IRR	10.0
			NE	NE		STOCK	
			Section Acres				10.0
			Total Acres				60.0

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:
67-0299, 67-7389

14. Remarks:
DIVERSION OF WATER UNDER THIS PERMIT SHALL END ON OR BEFORE
JULY 1 OF EACH YR.
MAXIMUM RATE OF DIVERSION ALLOWED UNDER THIS PERMIT SHALL NOT
EXCEED 4.51 CFS.
REINSTATED 7/18/85.

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 _____ 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 _____

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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: A67-07498

Date Received: 9/26/1989

Receipt No: 11004693

Received By: BAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARROLL P. KEMP 208-257-3885
Address: P.O. BOX 111
CAMBRIDGE, ID 83610

2. Date of Priority: MAY 29, 1980

3. Source: RUSH CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
15N	03W	15		SE	SE		WASHINGTON
		22		NE	NE		WASHINGTON
				SE	NE		WASHINGTON
				NE	SE		WASHINGTON
				SE	SE		WASHINGTON
		27		NE	NE		WASHINGTON

5. Description of diverting works:
DAM, HEADGATE AND DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	07/01	1.010		
STOCKWATER	04/01	07/01	0.030		

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

8. Total consumptive use is 210.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/75 RANGE.

A67-07498

Page 1

Date: 09/26/89

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OCT 02 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	03W	15	SE	SE		IRR	10.0
			SE	SE		STOCK	
			Section Acres				10.0
		22	NE	NE		IRR	10.0
			NE	NE		STOCK	
			SE	NE		IRR	10.0
			SE	NE		STOCK	
			NE	SE		IRR	10.0
			NE	SE		STOCK	
			SE	SE		IRR	10.0
			SE	SE		STOCK	
			Section Acres				40.0
		27	NE	NE		IRR	10.0
			NE	NE		STOCK	
			Section Acres				10.0
			Total Acres				60.0

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:
67-0299, 67-7389

14. Remarks:
DIVERSION OF WATER UNDER THIS PERMIT SHALL END ON OR BEFORE
JULY 1 OF EACH YR.
MAXIMUM RATE OF DIVERSION ALLOWED UNDER THIS PERMIT SHALL NOT
EXCEED 4.51 CFS.
REINSTATED 7/18/85.

15. Basis of Claim: PERMIT

MICROFILMED
OCT 02 1992

(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.

For Individuals:

Signature of Claimant(s): James King Date: 26 Sep 89
Date:

State of Idaho)
County of *Washington*) SS.

Subscribed and sworn (or affirmed) before me this 20 day
of Sept 19 86 James A. [Signature]
Notary Public

Residing at _____
My Commission Expires _____