

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: A67-11168

Date Received: 10/27/1989

Receipt No: 6012568

Received By: RAV

Becky / Chad D / OK
2953 Cambridge Rd

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Cambridge

208-257-3739

83610

3943

1. Name: ROBERT L. BUMGARNER
Address: P.O. BOX 264
CAMBRIDGE, ID

83610

2. Date of Priority: JUN 21, 1921

3. Source: RUSH CREEK

Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot
15N	03W	3	NW	SE	SW	

County
WASHINGTON

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

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

A.F.A.

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	3	✓ NE	NE		IRR	10.0
			✓ NW	NE		IRR	20.0
			✓ SE	NE		IRR	20.0

sold
sold
sold

Section Acres 50.0

SCANNED
APR 09 2004

A67-11168

Page

1

Date: 10/27/89

MICROFILMED
OCT 05 1992

10. Place of Use: Continued

Total Acres 50.0

11. Place of use in counties: WASHINGTON

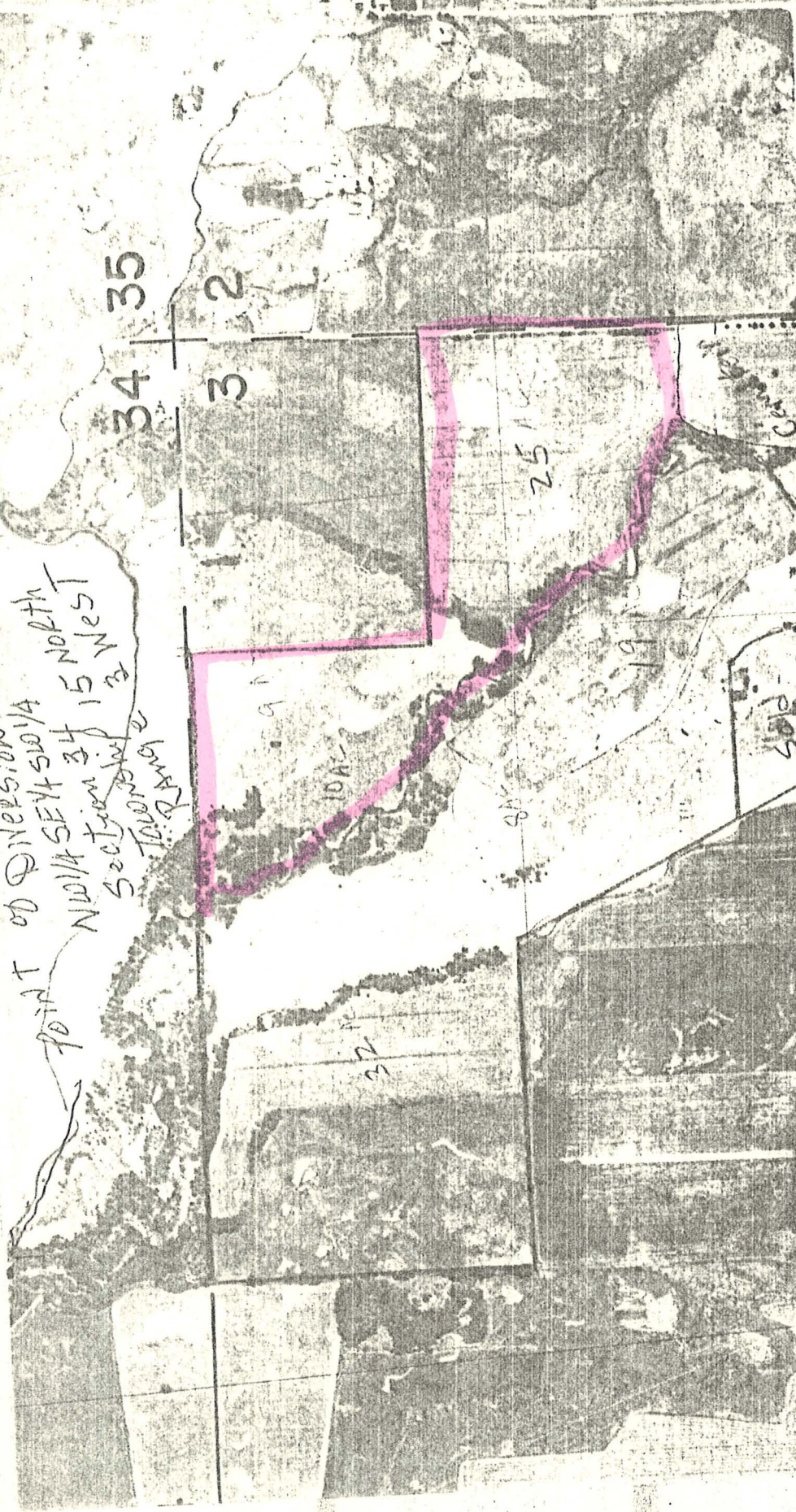
12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A67-11166, A67-00274

14. Remarks:
THIS FLOOD WATER IS SUPPLEMENT TO DECREED RIGHTS.

15. Basis of Claim: BENEFICIAL USE

POINT OF DIVERSION
NW 1/4 SE 1/4 SW 1/4
Section 34 15 North
3 West
Twp 15 N
R 10 W



MICROFILMED
OCT 05 1992

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Robert L. Buringamer Date: 10-27-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of October 19 89 Helen Harrington
Notary Public

Seal

Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994
My Commission Expires _____

04/07/2006

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

RIGHT NUMBER: 67-11168

NAME AND ADDRESS: ROBERT L BUMGARNER
PO BOX 264
CAMBRIDGE ID 83610

SOURCE: RUSH CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.280 CFS

PRIORITY DATE: 06/21/1921

POINT OF DIVERSION:

T15N R03W S34 NESWSW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.280 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T14N R03W S03 Lot 1 NENE	7.40	T14N R03W S03 Lot 2 NWNE	12.00
T14N R03W S03	SENE	18.00	

37.4 ACRES TOTAL

Right Nos. 67-11168 and 67-14623 are limited to the irrigation of a combined total of 37.4 acres in a single irrigation season.

Right Nos. 67-11168 and 67-14262 are limited to the irrigation of a combined total of 62.0 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



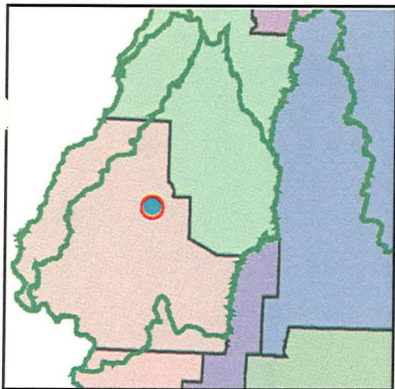
Idaho Department of Water Resources

Adjudication Claim:

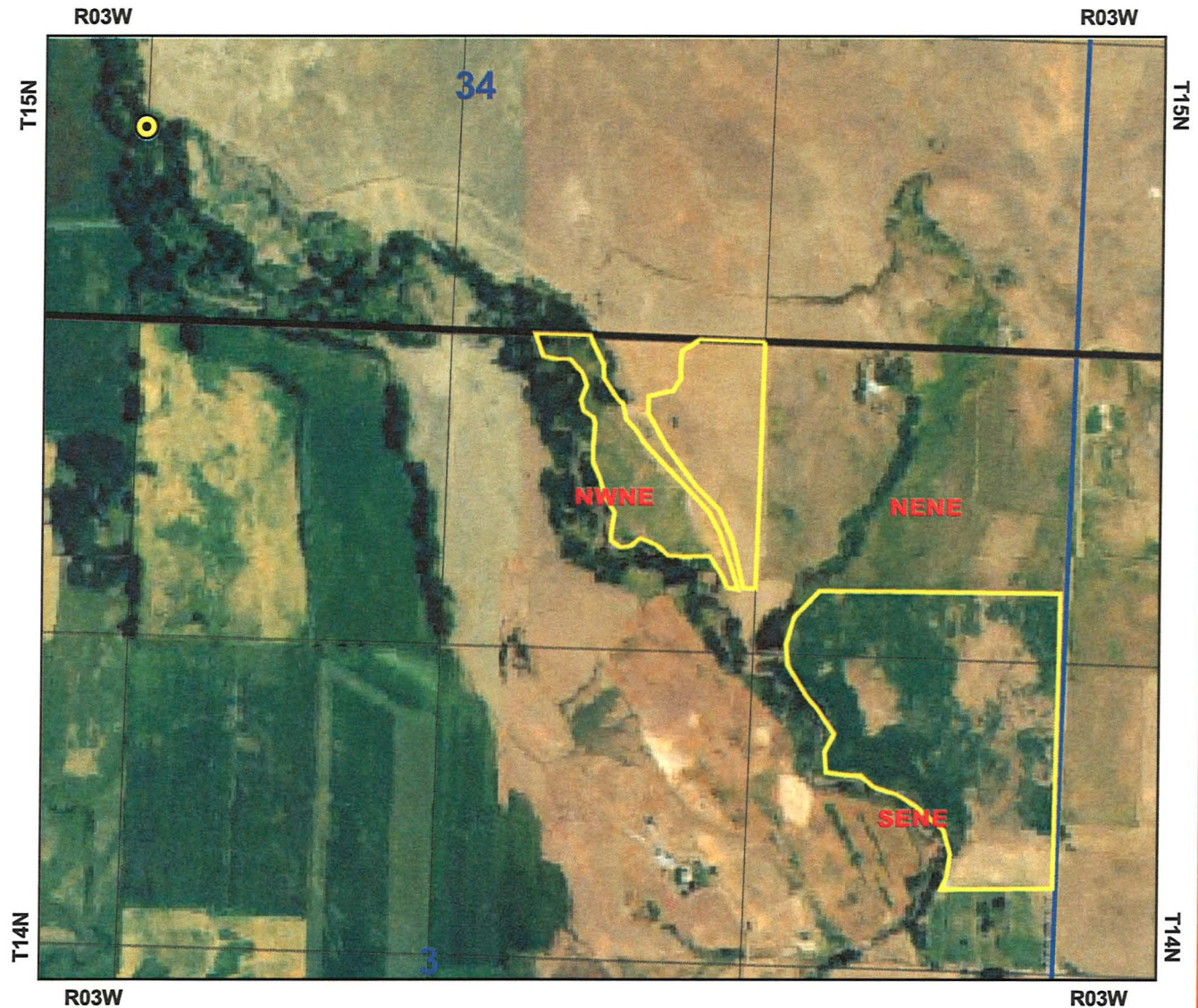
67-11168

Legend

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



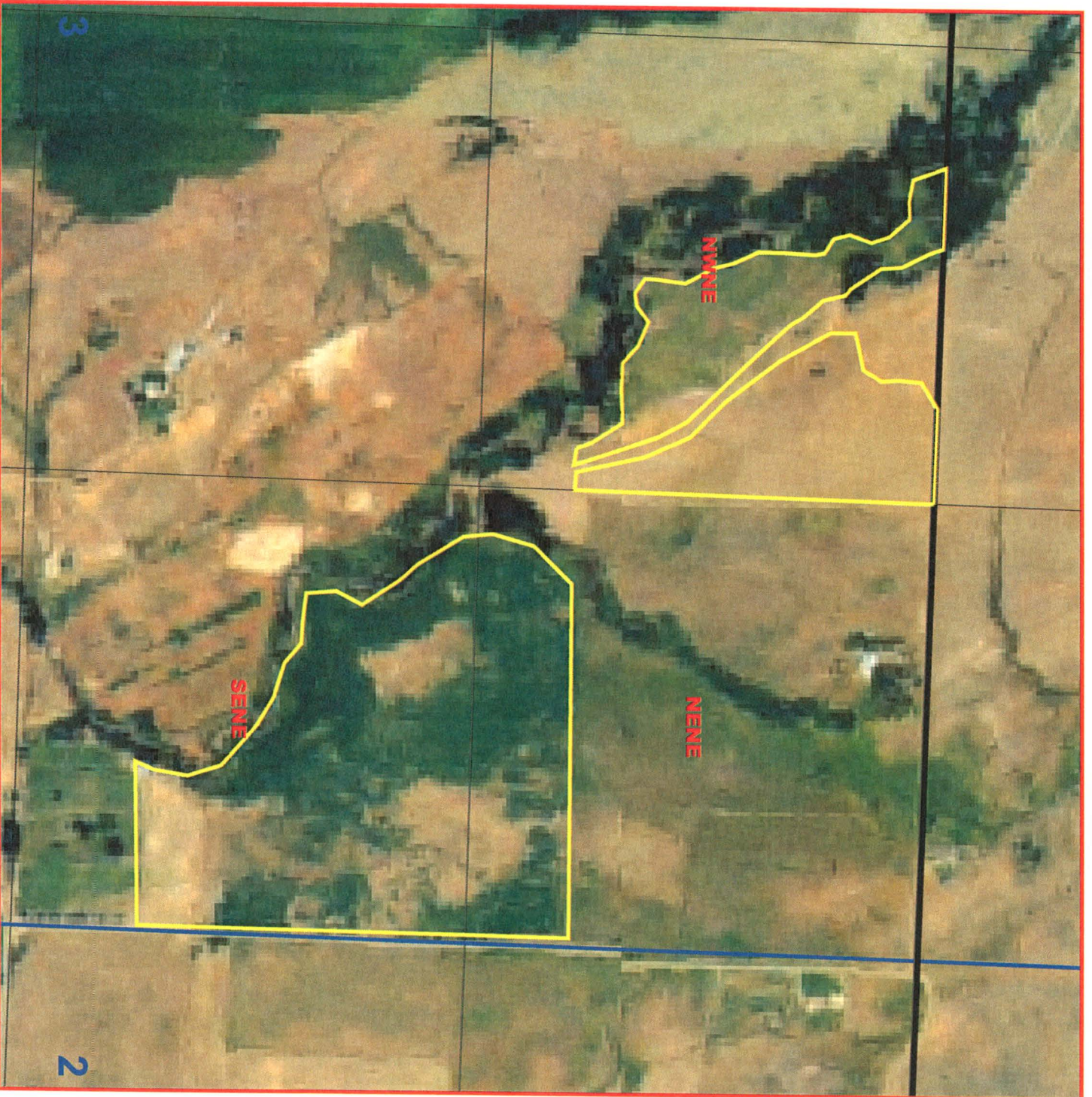
Washington County
IDWR Basin 67



0 0.3 0.6 Miles

Prepared by C. Saxton
On Friday, April 7, 2006
1987/88 Aerial Photography

67-11168



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11168 V1

WATER RIGHT NUMBER: 67-11168 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT L BUMGARNER PO BOX 264 CAMBRIDGE, ID 83610 (208)257-3739

Priority Date: 06/21/1921

Basis: Beneficial Use

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>
IRR GATION	03/15 to 10/31	0.280 CFS	
	<u>Total Diversion:</u>	0.280 CFS	

Location of Point(s) of Diversion

RUSH CREEK	NE1/4SW1/4SW1/4	Sec. 34, Twp 15N, Rge 03W, B.M.
WASHINGTON County		

Place of Use

IRR GATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
14N	03W	3	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			7.4	12.0		18.0													37.4
			L 1	L 2															

Total Acres: 37.4

Conditions 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. E55 Right Nos. 67-11168 and 67-14623 are limited to the irrigation of a combined total of 37.4 acres in a single irrigation season.
3. Right Nos. 67-11168 and 67-14262 are limited to the irrigation of a combined total of 62.0 acres in a single irrigation season.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11168 V1

Comments:

1. csaxton 4/7/2006 Flood Water

Comment: This right is flood water on top of decreed water.

2. csaxton 4/7/2006 C/O

Comment: A change of ownership should be filed on this claim to split the right between new owners.

3. csaxton 4/7/2006 Priority

Comment: This is flood water that directly overlaps decreed water. Can recommend as claimed without EOP (which was not submitted).

4. csaxton 4/7/2006 POD

Comment: Typo in POD description. It lists section 3 but clearly should be section 34.

5. csaxton 4/7/2006 Copied From Claim (1)

Comment: THIS FLOOD WATER IS SUPPLEMENT TO DECREED RIGHTS.

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:

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	4/7/2006 4:20:45 PM	csaxton			Active
Priority Date	4/7/2006 4:22:08 PM	csaxton			Active
POD	4/7/2006 4:22:27 PM	csaxton			Active
Source	4/7/2006 4:24:25 PM	csaxton			Active
POU	4/7/2006 4:24:44 PM	csaxton			Active
Use	4/7/2006 4:26:32 PM	csaxton			Active
Season	4/7/2006 4:26:48 PM	csaxton			Active
Quantity	4/7/2006 4:28:17 PM	csaxton			Active
Summary			04/07/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11168 V1

Contacts	4/7/2006 4:20:53 PM	csaxton	(No) 1. Do you want to schedule an appointment?
General	4/7/2006 4:22:16 PM	csaxton	Comment for 1: FE by Roger Meyer on 6/13/06. (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? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - This is flood water that directly overlaps decreed water. Can recommend as claimed without EOP (which was not submitted).
POD	4/7/2006 4:22:35 PM	csaxton	(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?
POD	4/7/2006 4:22:53 PM	csaxton	Updated shape
Source	4/7/2006 4:24:34 PM	csaxton	(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 - FE by Roger Meyer on 6/13/06.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11168 V1

POU	4/7/2006 4:24:52 PM	csaxton	(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? (Yes) 14. Is a POU remark and/or condition required? Description for Question 13 - FE by Roger Meyer on 6/13/06.
POU	4/7/2006 4:25:27 PM	csaxton	Updated shape for Active POU
Summary	4/7/2006 4:35:37 PM	csaxton	(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? (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? (Yes) 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	4/7/2006 4:23:27 PM	csaxton	Updated PLS
POU	4/7/2006 4:25:42 PM	csaxton	Updated PLS for Active POU
Use	4/7/2006 4:26:40 PM	csaxton	(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 - Directo overlap with decreed water so this has same use.
Season	4/7/2006 4:26:56 PM	csaxton	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11168 V1

Quantity	4/7/2006 4:28:26 PM	csaxton	(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? (No) 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 - Recommended at 3/8 inches per acre as flood water. Diversion system has the capacity to diver the recommended rate.
----------	---------------------	---------	---

Water Supply Bank:

Robert L. Bumgarner POD



GPS'd by Bosco Bosler on 7/20/04. Tag #: A0014014

Claim

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Acres</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	274		Decreed	Active	1887-05-01	0.38	40	RUSH CREEK	IRRIGATION	BUMGARNER, I	Claim
67	11166		Decreed	Parent	1895-05-01	0.78		RUSH CREEK	IRRIGATION		Claim
67	11167		Beneficial	Active	6/21/1921	1.8	90	RUSH CREEK	IRRIGATION	BUMGARNER, I	Claim
67	11168		Beneficial	Active	6/21/1921	1		RUSH CREEK	IRRIGATION	BUMGARNER, I	Claim
67	14262		Decreed	Active	1895-05-01	0.625	81	RUSH CREEK	IRRIGATION	BUMGARNER, I	Claim
67	14263		Decreed	Active	1895-05-01	0.15	19	RUSH CREEK	IRRIGATION	ZUNDEL, LELAI	Claim

Recommendation

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Acres</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	274		Decreed		1887-05-01	0.38	30.4	RUSH CREEK	IRRIGATION	BUMGARNER, I	Recommendation
67	14262		Decreed		1895-05-01	0.625	50	RUSH CREEK	IRRIGATION	BUMGARNER, I	Recommendation
67	14263		Decreed		1895-05-01	0.15	12	RUSH CREEK	IRRIGATION	ZUNDEL, LELAI	Recommendation
67	11167		B-use		6/21/1921	0.41	55	RUSH CREEK	IRRIGATION	BUMGARNER, I	Recommendation
3/8" per ac											
67	11168		B-use		6/21/1921	0.28	37.4	RUSH CREEK	IRRIGATION	BUMGARNER, I	Recommendation
3/8" per ac											

WR

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Acres</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	274		Decreed	Active	1887-05-01	0.38		RUSH CREEK	IRRIGATION	MACEY, HATTII	wrWaterRight



Water Master



INDIAN VALLEY WATER DISTRICT 67A

Roger Meyer
3035 Cemetery Rd.
Cambridge, Idaho 83610
Phone (208) 257-3418
Cell (208) 741-0859
E-mail rjmeyer@ctcweb.net

June 14, 2005

Craig

Water Right Files 67-00274, 11167, 14262, 11168 and 14263 all Belonged to Robert Bumgarner. Over the years he has sold off different pieces of this property and has given up his junior water right with them. At one time he took water from the Ridenour Ditch # A0014016 and he still takes water from the Cambridge or Bumgarner Ditch depending on who you talk to #A0014014 .Bosco has tagged all the headgates on Rush Creek. In selling off most of this property roads were built and ditches were destroyed. The water that should come from the Ridenour Ditch can no longer get to the Chandler place water right #67-11168. Their water right is a junior right 6-21-1921 this was a flood right that was added to Water Right #67-00274. The location of the Chandlers property just south of the NW corner of their property in the center of Rush Creek (14N03W3SENE). They have installed a 1.5HP pump with a 2" suction and a 1.5" discharge they use for flood irrigation. They have about a 10 foot lift. Due to the rain they haven't installed it this year. I informed them that they could take water out of the Creek as long as there was water available. The Bumgarner ditch is the last dam in Rush Creek and can shut off all the water. They can take water until he puts his dam in he has a senior right and can shut off their water.

A0016754

IDWR Field Exam Form

05/17/2005

Contacts Data Entry Form

Claim Number: 67-11168

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	ROBERT L BUMGARNER	PO BOX 264	CAMBRIDGE	ID	83610	(208)257-3739
	BECKY CHANDLER	2953 Cemetery Rd,	CAMBRIDGE	ID	83610	

Date of Field Exam: 6/10/13-05 Time: 1600

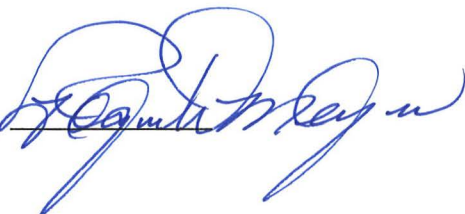
Accompanied By: Becky Chandler Phone Number: 208-257-3943

Relationship to Claimant: OWNER

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

See Attachment.

Reviewer:



Date:

6-13-05

Claim Number 67-11168

Claimed Basis: Beneficial Use

Water Right Basis:

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

Affidavit Requested

Regina M. Lopez

Date: 6-13-05

Point of Diversion and Source Data Entry Form

Claim Number 67-11168

Claimed Point of Diversion and Source

T15N R03W S3 NWSESW Within WASHINGTON County Source: RUSH CREEK WEISER RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

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

1	Pump	1.5HP	HA0016754	POD		2287192 1490216
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	See map.	_____	_____

Other rights from this POD? n/a

Document how the POD and Source were verified:

See Attachment

Reviewer:



Date:

6-13-05

Place Of Use Data Entry Form

Claim Number 67-11168

Claimed Place Of Use

T14N R03W S03 ~~NENE~~ 10.0 T14N R03W S03 ~~NWNE~~ 20.0

T14N R03W S03 SENE 20.0 15

Total Acres 50

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

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

Total Acres 15

Document how the POU was verified:

Reviewer:



Date: 6-13-05

Purpose of Use Data Entry Form

Claim Number 67-11168

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

☐ 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
-----------	-----------------	-----------------	------------

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
IRR	0	3	15	
		HOBES'S		

Document how the Purpose of Use was verified:

Reviewer:



Date:

6-13-05

Period of Use and Quantity Data Entry Form

Claim Number 67-11168

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	1	

Overall Diversion Rate 1 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
-----------	-------	-----	------	--------

Overall Diversion Rate 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:

Reviewer:



Date:

6-13-05



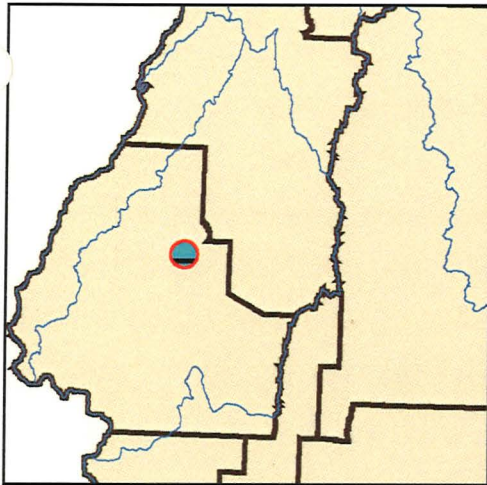
#A0016754 Chandler POD.JPG

Idaho Department of Water Resources



T14N R03W

File
Adjudication Claim Number: *Widok* **67-11168** *County Rd.*



Legend

- PLS Sections
 - Quarter Quarters
- Widok*
County Rd.



0 0.2 0.4 Miles

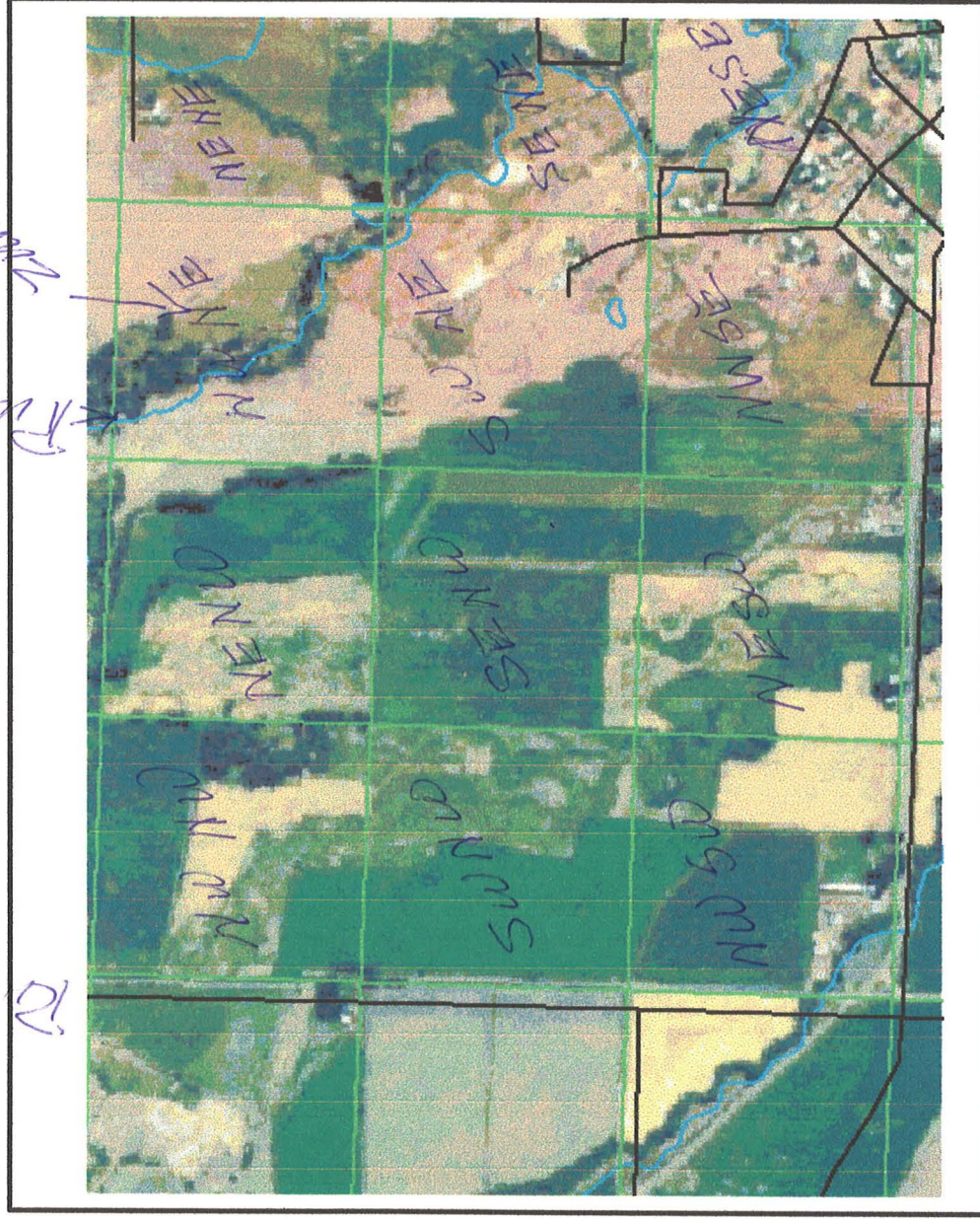
Prepared by D. Narsavage
On Tuesday, May 17, 2005
1987 Aerial Photography

Adj67-11168



ESRI ArcExplorer 2.0

Robert



- Roads
- Quarter Quarters
- Streams & Canals
- Basin Outlines

Thursday, Jun 9 2005

Becky Chandler

67-11168 ~~Robert Bunnagano~~ 208-257-~~3739~~ 3943
2953 Cemetery Rd. Cambridge ID 83610

POD

~~Find #A00 #016 KIDNAPERS~~ ←

USE
THIS
CS
6-18-08

#A0016754

#057

2287192

1480216

POU. See map.

PR/date.

6-21-1921

Stock

Cows

Horses

Sheep

3

~~AC 80~~ 15.

AL67-00274
02263
11166
11167
11168
11169
07243CLAIMANT'S NAME: Robert L. Bumgarner

DATE:

EMPLOYEE: Wela H-T

10/27/89

RE: ~~Received~~

This claims are not late; Mr. Bumgarner
filed incomplete claims postmarked on
10/19/89.

He ~~then~~ made an appointment and was
in on this date and filed complete
claims.

MICROFILMED

OCT 05 1992