

10/19/2006

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

RIGHT NUMBER: 67-11737

NAME AND ADDRESS: LARRY O BAILEY
PO BOX 788
COUNCIL ID 83612

SOURCE: GROSSEN CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.320 CFS

PRIORITY DATE: 05/10/1918

POINT OF DIVERSION:

T16N R01W S12 SENWNW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.320 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T16N R01W S11	SWSE	12.00	T16N R01W S11	SESE	3.90
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15.9 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

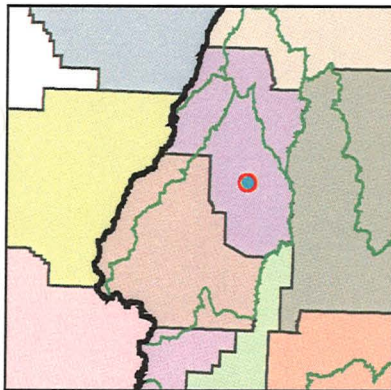
SRBA Recommendation:

67-11737

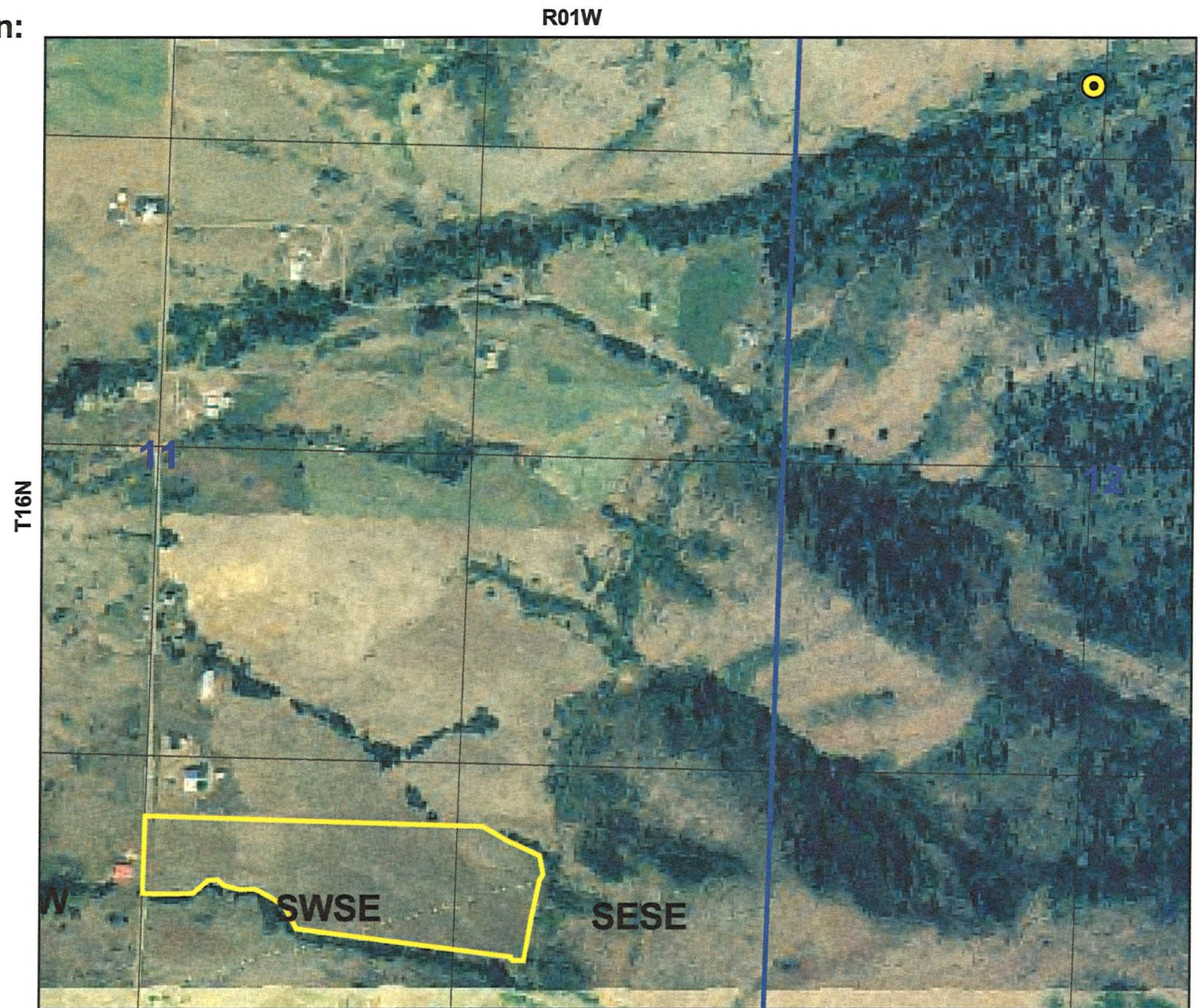
(Irrigation)

Legend

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



Adams County
IDWR Basin 67

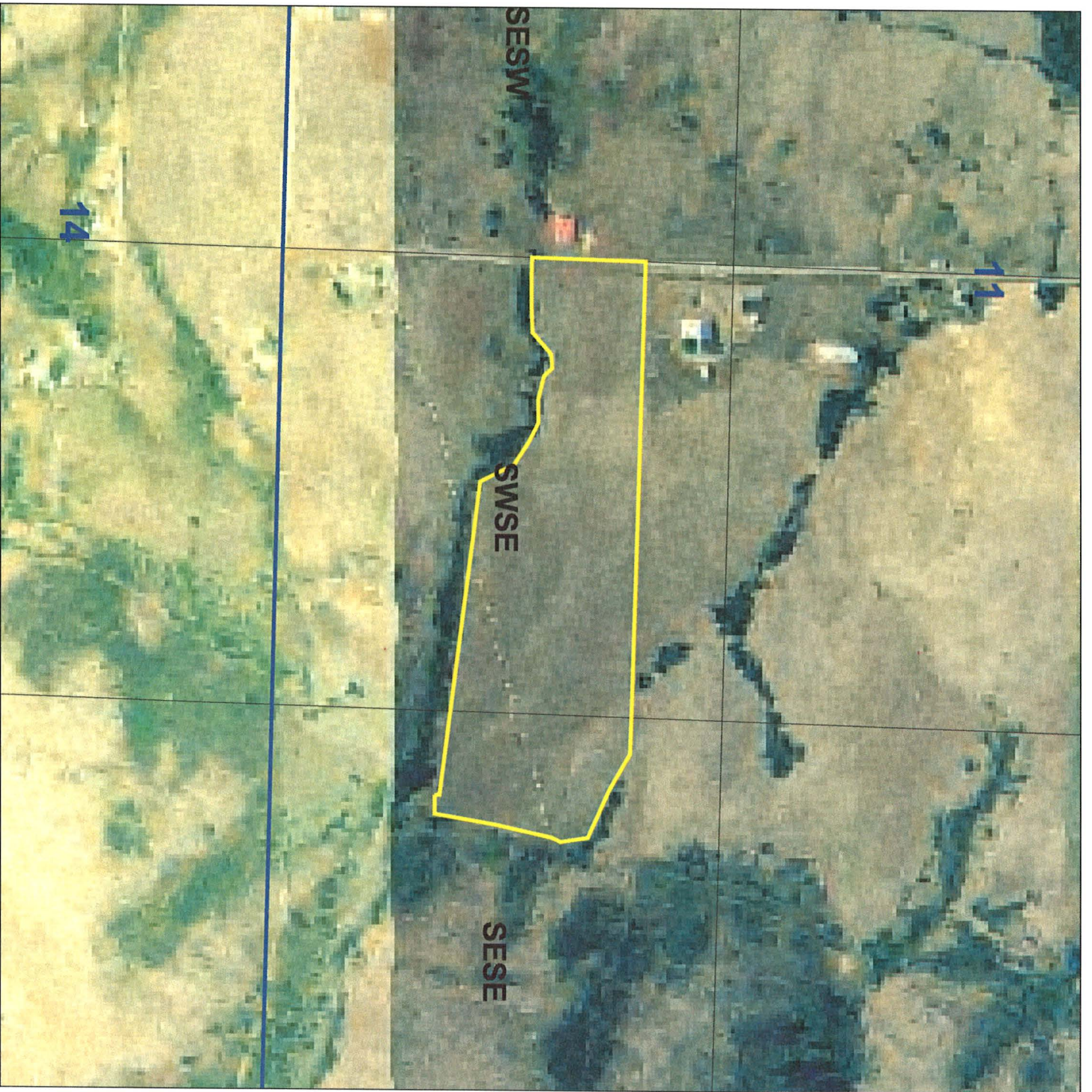


0 0.3 0.6 Miles



Prepared by C. Saxton
On Thursday, October 19, 2006
1987/88 Aerial Photography

67-11737



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11737 V1

WATER RIGHT NUMBER: 67-11737 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	IMA JEAN BAILEY PO BOX 788 COUNCIL, ID 83612 (208) 253-0288
Current Owner	LARRY O BAILEY PO BOX 788 COUNCIL, ID 83612 (208) 253-0288
Original Owner	JAMES L KITZHABER 60 STEVEN'S CIRCLE BOX 4701 PAGOSA SPRINGS, CO 81157 (303)731-2278
Original Owner	RAE B KITZHABER 60 STEVEN'S CIRCLE BOX 4701 PAGOSA SPRINGS, CO 81157 (303)731-2278

Priority Date: 05/10/1918

Basis: Beneficial Use

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.320 CFS	
	<u>Total Diversion:</u>	0.320 CFS	

Location of Point(s) of Diversion

GROSSEN CREEK	SE1/4NW1/4NW1/4	Sec. 12, Twp 16N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	01W	11															12.0	3.9	15.9

Total Acres: 15.9

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11737 V1

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

Remarks:Comments:

1. csaxton 10/19/2006 Field Exam

Comment: Field Exam by Bosco Bosler on 9-27-06.

2. csaxton 10/19/2006 Priority

Comment: This right is for early flood waters that flow from Grossen Creek that are diverted before Sorenson-Rinehart Ditch company turns diverts water into Grossen Creek and uses Grossen Creek as a means of conveyance. Once Sorenson-Rinehart Ditch starts diverting water, then the water diverted from Grossen Creek is considered Sorenson-Rinehart water. Muir v. Allison Decreed water was decreed for the claimed POU and is delivered by Sorenson-Rinehart Ditch. Since water was decreed to the claimed POU, we know that the irrigation system was in place at that time. Thus, not unlike flood water used on other decreed rights, we can assume that when water was available, they used it if needed. However, since it was not decreed in Muir v. Allison and there is no additional EOP provided such as a posted notice, recommend one day after the decree.

3. csaxton 10/19/2006 Quantity

Comment: Note from water master and Field Examiner state that claimant can divert 20 ditch shares onto the POU. Assuming 1 share is an inch or close to it, we can recommend on inch per acre for this right.

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	10/19/2006 7:27:45 AM	csaxton			Active
Priority Date	10/19/2006 7:49:20 AM	csaxton			Active
POD	10/19/2006 7:49:38 AM	csaxton			Active
Source	10/19/2006 7:54:23 AM	csaxton			Active
POU	10/19/2006 7:55:19 AM	csaxton			Active
Use	10/19/2006 7:56:14 AM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11737 V1

Season	10/19/2006 7:59:09 AM	csaxton	Active
Quantity	10/19/2006 8:00:26 AM	csaxton	Active
Summary	10/19/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	10/19/2006 7:52:04 AM	csaxton	Updated shape
POD	10/19/2006 7:53:03 AM	csaxton	Updated PLS
POU	10/19/2006 7:55:33 AM	csaxton	Updated shape for Active POU
POU	10/19/2006 7:55:44 AM	csaxton	Updated PLS for Active POU
Season	10/19/2006 7:59:07 AM	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?
Quantity	10/19/2006 8:00:24 AM	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 - Note from water master and Field Examiner state that claimant can divert 20 ditch shares onto the POU. Assuming 1 share is an inch or close to it, we can recommend on inch per acre for this right.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11737 V1

Summary	10/19/2006 8:02:10 AM	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? (No) 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?
Contacts	10/19/2006 7:27:45 AM	csaxton	(No) 1. Do you want to schedule an appointment?
General	10/19/2006 7:49:18 AM	csaxton	Comment for 1: Desktop Review (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 right is for early flood waters that flow from Grossen Creek that are diverted before Sorenson-Rinehart Ditch company turns diverts water into Grossen Creek and uses Grossen Creek as a means of conveyance. Once Sorenson-Rinehart Ditch starts diverting water, then the water diverted from Grossen Creek is considered Sorenson-Rinehart water. Muir v. Allison Decreed water was decreed for the claimed POU and is delivered by Sorenson-Rinehart Ditch. Since water was decreed to the claimed POU, we know that the irrigation system was in place at that time. Thus, not unlike flood water used on other decreed rights, we can assume that when water was available, they used it if needed. However, since it was not decreed in Muir v. Allison and there is no additional EOP provided such as a posted notice, recommend one day after the decree.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11737 V1

POD	10/19/2006 7:49:36 AM	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?
Source	10/19/2006 7:54:21 AM	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 - Field Exam by Bosco Bosler on 9-27-06.
POU	10/19/2006 7:55:17 AM	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? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field Exam by Bosco Bosler on 9-27-06.
Use	10/19/2006 7:56:13 AM	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 - Field Exam by Bosco Bosler on 9-27-06.

Water Supply Bank:

Baily

253 0288

POD + POU

Address change taken off Ima Jean
Died

affidavit (

Ima Jean died (mother) &
he owns now.

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	IMA JEAN BAILEY	24464 EUCALYPTUS	MORENO VALLEY	CA	92553	
Current Owner	LARRY O BAILEY	24464 EUCALYPTUS	MORENO VALLEY	CA	92553	
Original Owner	JAMES L KITZHABER	60 STEVEN'S CIRCLE BOX 4701	PAGOSA SPRINGS	CO	81157	(303)731-2278
Original Owner	RAE B KITZHABER	60 STEVEN'S CIRCLE BOX 4701	PAGOSA SPRINGS	CO	81157	(303)731-2278

Date of Field Exam: 9/28/06 Time: 10:30

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

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

2008 Mission Rd
PO Box 788
83612

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number 67-11737

Claimed Priority Date: 6/5/1902

Claimed Basis: Beneficial Use

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

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date ____

Recommended Basis _____

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

Reviewer: Baso

Date: 9/27/06

Point of Diversion and Source Data Entry Form

Claim Number 67-11737

Claimed Point of Diversion and Source

T16N R02W S12 SENWNW Within ADAMS County Source: GROSSEN 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

Other rights from this POD? _____

Document how the POD and Source were verified:

*out of Grossen Creek in Sorensen -
Rinehart ditch.*
Tag # A0014092

Reviewer: BoscoDate: 9/27/06

Place Of Use Data Entry Form

Claim Number 67-11737

Claimed Place Of Use

T16N R01W S11 SWSE 10.0 T16N R01W S11 SESE 11.0
Total Acres 21

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

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

Total Acres _____

Document how the POU was verified:

*Doesn't match Water Right. Total
looks close to*

Reviewer: BosserDate: 9/27/06

Idaho Department of Water Resources



Adjudication Claim Number: **67-11737**



Legend

- Section Lines
- GCDB16N01W GCDB



0 0.2 0.4 Miles

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

Purpose of Use Data Entry Form

Claim Number 67-11737

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
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Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
		5 horses	21	

Document how the Purpose of Use was verified:

Reviewer:

B. B. B.

Date:

8/27/06

Period of Use and Quantity Data Entry Form

Claim Number 67-11737

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	0.42	

Overall Diversion Rate 0.42 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
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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:

*Period is Okay until water runs out
but quantity impossible to gauge. No
water to his diversion Box only gives him
20 shares of ditch water*

Reviewer: Bono

Date: 9/27/06



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 12, 1993

Re: Notice of Claim to a Water Right No. A67-11737

Larry O. Bailey
Ima Jean Bailey
24464 Eucalyptus
Moreno Valley, CA 92553

Mr. & Mrs. Bailey:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Also you had listed Water Right No. A67-11487 for ownership change. This claim is in the name of Sorenson-Rinehart Ditch Co. and we cannot change this information. You need to contact the ditch company directly and have them change their records for this property to your name.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:l
Enclosure

cc: James & Rae Kitzhaber

SCANNED
APR 12 2004

MICROFILMED
AUG 22 1994

September 12, 1990

James Kitzhaber
1907 W. Flamingo
Space 70
Nampa, ID 83651

Dear Mr. Kitzhaber:

Enclosed are two copies of the Notice of Claim to a Water Right No. A67-11737 which covers your flood water right filing for Grossen Creek per our discussions.

Please review this claim and if you agree, sign on page 2 of the claim form, and have your signature notarized on page 3. Keep the copy stamped in red for your records and return the other copy with the required \$50 flat fee. The \$1 per acre charge is not be assessed since those same acres were paid for previously when the ditch company made their filing.

If you have any questions concerning this filing, please feel free to contact me. Note: The memo attached to the claim about no late fee charge helps to explain the filing.

Sincerely,

JAN SHURTE
Adjudications Supervisor
Western Region

JS:j
Enclosures

MICROFILMED
OCT 05 1992

DATE: 5-8-90 & 9-11-90(A67-11737)

TO: CLAIM FILES FOR NO. A67-11488, A67-11489, A67-11491,
A67-11493, A67-11495, & A67-11737

FROM: JAN SHURTE

SUBJECT: REASON FOR NO LATE FEE

THE ABOVE CLAIMS WERE FILED AFTER THE DEADLINE FOR ADAMS CO. FOR FLOOD WATER RIGHTS ON COOL CREEK AND GROSSEN CREEK. I DID NOT CHARGE A LATE FEE BECAUSE ALL OF THE CLAIMANTS ALSO HAVE SORENSON-RINEHART DITCH CO. RIGHTS WHICH WERE FILED TIMELY AND UNTIL I SPOKE WITH THEM ABOUT THOSE DITCH RIGHTS WAS IT DISCOVERED THEY SHOULD HAVE FILED ON THEIR FLOOD RIGHTS ALSO.

NORMALLY, THE SORENSON RINEHART DITCH CO. DIVERTS WATER FROM THE NO. FORK COTTONWOOD CREEK AND DUMPS IT INTO BOTH COOL CK. AND GROSSEN CK. AS A MEANS OF CONVEYANCE. CLAIMANTS THOUGHT WHAT THEY WERE DIVERTING, EVEN DURING THE FLOOD SEASON, WOULD THEN BE SORENSON RINEHART DITCH CO. RIGHTS. HOWEVER, THROUGH CONVERSATION WITH THE DITCH CO. OFFICIALS, I FOUND THAT THEY DO NOT DIVERT DURING THE EARLY SPRING FROM N. FORK COTTONWOOD BECAUSE THERE IS STILL ICE IN THE DITCH, SINCE THE NO. FORK IS FURTHER UP LAND FROM GROSSEN OR COOL CK. BUT, DURING THE EARLY SPRING SOME OF THE WATERUSERS BEGIN DIVERTING FROM GROSSEN OR COOL CK. BEFORE THE DITCH CO. DIVERTS FROM COTTONWOOD CK. THEREFORE, THEY ARE DIVERTING FLOOD WATERS WHICH ORIGINATE IN GROSSEN & COOL CK. AND NEEDED A FILING FOR THAT TIME PERIOD. THEY CONTINUE TO DIVERT ALL THROUGH THE SUMMER, AND SINCE IT WOULD BE IMPOSSIBLE TO TELL WHEN GROSSEN OR COOL CK. WATER IS GONE AND ONLY THE DITCH WATER FROM NO. FORK COTTONWOOD CK. IS RUNNING IN THESE TWO CREEKS, I HAVE PUT THE SEASON OF USE FOR THE ENTIRE IRRIG. SEASON.

BECAUSE THIS IS SUCH A COMPLICATED FLOOD WATER SITUATION, I FELT THESE CLAIMANTS SHOULD NOT BE CHARGED A LATE FEE FOR THESE FLOOD WATER CLAIMS SINCE THEY HAD BELIEVED ALL THEY NEEDED TO FILE WAS THEIR DITCH CO. RIGHTS AND THOSE WERE FILED TIMELY.

MICROFILMED

OCT 05 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 67-11737
Date Received: 9/27/1990
Receipt No: W012747
Received By:

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

1. Name of Claimant(s)

LARRY O BAILEY Phone: (208) 253-0288

PO BOX 788
COUNCIL ID USA 83612

2. Date of Priority: 06/05/1902

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	02W	12	SE NW NW	ADAMS	

5. Description of diverting works:

DIV. VIA GRAVITY FLOW THRU DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.42	

7. Total Quantity Appropriated is:
0.42 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
16N	01W	11	SW SE	IRRIGATION	10
			SE SE	IRRIGATION	11

Section Acres	21
Total Acres	21

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS FOR FLOOD WATER USED PRIMARILY BEFORE THE SORENSON- RINEHART DITCH CO. BEGINS DIVERTING WATER FROM THE N. FORK COTTONWOOD CK. INTO GROSSEN CK. IN THE SPRING. HOWEVER, IF FLOOD WATER IS STILL AVAILABLE AFTER THE DITCH CO. BEGINS DIVERTING, THEN GROSSEN CREEK FLOOD WATER IS USED IN ADDITION TO THE DITCH CO. WATER.

15. Basis of Claim: Beneficial Use

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Water Right Number(s): 67-1173 ~~6~~ 7 *c. Gutten 10-18-06*

Previous Mailing Address: LARRY O + Ima Jean Bailey
24464 Eucalyptus
MORENO Valley Ca 92553

New Mailing Address: LARRY O. Bailey
P.O. Box 788
Council Idaho 83612

Telephone Number: (208) 253 0288

Signature of all Claimant(s): Larry O. Bailey
Please print your name below your signature.
LARRY O. BAILEY

Please mail or FAX this completed form to the office nearest you:

**Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454**

**Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348**

**Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037**

**Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177**

**Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701**

White out SS#

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

CERTIFICATE OF DEATH

STATE OF CALIFORNIA

USE BLACK INK ONLY/NO ERASURES, WHITEOUTS OR ALTERATIONS

VS-11 (REV. 7/97)

STATE FILE NUMBER		LOCAL REGISTRATION NUMBER	
1. NAME OF DECEDENT—FIRST (GIVEN) Ima Jean		3. LAST (FAMILY) Bailey	
4. DATE OF BIRTH M/M/DD/CCYY 02/28/1920		5. AGE YRS. 77	
6. SEX F		7. DATE OF DEATH M/M/DD/CCYY 01/30/1998	
8. H. HOUR 0520			
9. STATE OF BIRTH AR		10. SOCIAL SECURITY NO.	
11. MILITARY SERVICE ☐ YES ☒ NO ☐ UNK		12. MARITAL STATUS Widowed	
13. EDUCATION—YEARS COMPLETED 8			
14. RACE Cauc		15. USUAL EMPLOYER Sunnymead School District	
16. OCCUPATION Cafeteria Manager		17. KIND OF BUSINESS Public Education	
18. YEARS IN OCCUPATION 20			
20. RESIDENCE—(STREET AND NUMBER OR LOCATION) 24464 Eucalyptus Ave			
21. CITY Moreno Valley		22. COUNTY Riverside	
23. ZIP CODE 92553		24. YRS IN COUNTY 57	
25. STATE OR FOREIGN COUNTRY CA			
26. NAME, RELATIONSHIP Larry Bailey - Son			
27. MAILING ADDRESS (STREET AND NUMBER OR RURAL ROUTE NUMBER, CITY OR TOWN, STATE, ZIP) 24464 Eucalyptus Ave; Moreno Valley, CA 92553			
28. NAME OF SURVIVING SPOUSE—FIRST —			
29. MIDDLE —			
30. LAST (MAIDEN NAME) —			
31. NAME OF FATHER—FIRST Claude			
32. MIDDLE —			
33. LAST Sanders			
34. BIRTH STATE AR			
35. NAME OF MOTHER—FIRST Maude			
36. MIDDLE —			
37. LAST (MAIDEN) Francis			
38. BIRTH STATE AR			
39. DATE M/M/DD/CCYY 02/04/1998			
40. PLACE OF FINAL DISPOSITION Olivewood Cemetery; 3300 Central Ave; Riverside, CA 92506			
41. TYPE OF DISPOSITION(S) BU			
42. SIGNATURE OF EMBALMER Not embalmed			
43. LICENSE NO. —			
44. NAME OF FUNERAL DIRECTOR Moreno Valley Mortuary			
45. LICENSE NO. FD 1540			
46. SIGNATURE OF LOCAL REGISTRAR Gary Feldman MD LA			
47. DATE M/M/DD/CCYY 02/02/1998			
101. PLACE OF DEATH Residence		102. IF HOSPITAL, SPECIFY ONE: ☐ IP ☐ ER/OP ☐ DOA	
103. FACILITY OTHER THAN HOSPITAL: ☐ CONV. HOSP. ☐ RES. CARE ☐ OTHER		104. COUNTY Riverside	
105. STREET ADDRESS—(STREET AND NUMBER OR LOCATION) 24464 Eucalyptus Ave		106. CITY Moreno Valley	
107. DEATH WAS CAUSED BY: (ENTER ONLY ONE CAUSE PER LINE FOR A, B, C, AND D) IMMEDIATE CAUSE (A) Congestive Heart Failure		TIME INTERVAL BETWEEN ONSET AND DEATH yrs. 980745	
DUE TO (B) Atrial Fibrillation		yrs. 980745	
DUE TO (C) Mitral Insufficiency		yrs. 980745	
DUE TO (D)		yrs. 980745	
108. DEATH REPORTED TO CORONER ☒ YES ☐ NO			
109. BIOPSY PERFORMED ☐ YES ☒ NO			
110. AUTOPSY PERFORMED ☐ YES ☒ NO			
111. USED IN DETERMINING CAUSE ☐ YES ☐ NO			
112. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO CAUSE GIVEN IN 107 Advanced Alzheimer's/ Parkinson's Disease			
113. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 107 OR 112? IF YES, LIST TYPE OF OPERATION AND DATE. No			
114. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED FROM THE CAUSES STATED. DECEDENT ATTENDED SINCE M/M/DD/CCYY 07/15/1994		115. SIGNATURE AND TITLE OF PHYSICIAN Jeffrey A. Smith, MD	
DECEDENT LAST SEEN ALIVE M/M/DD/CCYY 01/21/1998		116. LICENSE NO. C40820	
117. DATE M/M/DD/CCYY 01/30/1998		118. PHYSICIAN'S NAME, MAILING ADDRESS, ZIP Jeffrey A. Smith, MD; 3727 Camino del Rio South; San Diego, CA 92108	
119. I CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED FROM THE CAUSES STATED.		120. INJURY AT WORK ☐ YES ☐ NO	
121. INJURY DATE M/M/DD/CCYY		122. HOUR	
123. PLACE OF INJURY		124. DESCRIBE HOW INJURY OCCURRED (EVENTS WHICH RESULTED IN INJURY)	
125. LOCATION (STREET AND NUMBER OR LOCATION AND CITY, ZIP)			
126. SIGNATURE OF CORONER OR DEPUTY CORONER		127. DATE M/M/DD/CCYY	
128. TYPED NAME, TITLE OF CORONER OR DEPUTY CORONER			

STATE OF CALIFORNIA }
COUNTY OF RIVERSIDE } SS
CERTIFIED COPY OF VITAL RECORDS
FAX AUTH. # 668858
CENSUS TRACT

This is a true and exact reproduction of the document officially registered and placed on file in the office of County of Riverside, Department of Health.

DATE ISSUED 02/09/1998

This copy not valid unless prepared on engraved border displaying seal and signature of Registrar.

Gary Feldman M.D.
Local Registrar
RIVERSIDE COUNTY, CALIFORNIA

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

2
RECEIVED

MAY 24 2006

DEPARTMENT OF
WATER RESOURCES

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number(s):

67-11737, C₂-25-06

[] Claimant Name(s):

LARRY BAILEY

[] Old Mailing Address:

24464 Eucalyptus
MORENO VALLEY CA

[] New Mailing Address:

P.O. BOX 788
Council ID 83612

Telephone Number:

(208) 253-0288

[] Signature of Claimant(s):

Larry O. Bailey

Date:

5-19-06

SCANNED

MAY 25 2006

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: **A67-11737**
Date Received: 9/27/1990
Receipt No: W012747
Received By: _____

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

1. Name: LARRY O BAILEY
Address: 24464 EUCALYPTUS
MORENO VALLEY CA 92553
AND
Name: IMA JEAN BAILEY
Address: 24464 EUCALYPTUS
MORENO VALLEY CA 92553
2. Date of Priority: JUN 5, 1902
3. Source: GROSSEN CREEK Trib. to: WEISER RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	02W	12	SE	NW	NW		ADAMS
5. Description of diverting works:
DIV. VIA GRAVITY FLOW THRU DITCHES FOR FLOOD IRRIGATION.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.420		
7. Total Quantity Appropriated is:
0.420 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 63.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE.

MICROFILMED
AUG 22 1994

SCANNED
APR 12 2004

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	11	SW	SE		IRR	10.0
			SE	SE		IRR	11.0
						Section Acres	21.0
						Total Acres	21.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

SORENSEN-RINEHART DITCH RTS. FROM UNDER CLAIM NO. A67-11487.

14. Remarks:

THIS CLAIM IS FOR FLOOD WATER USED PRIMARILY BEFORE THE SORENSON-RINEHART DITCH CO. BEGINS DIVERTING WATER FROM THE N. FORK COTTONWOOD CK. INTO GROSSEN CK. IN THE SPRING. HOWEVER, IF FLOOD WATER IS STILL AVAILABLE AFTER THE DITCH CO. BEGINS DIVERTING, THEN GROSSEN CREEK FLOOD WATER IS USED IN ADDITION TO THE DITCH CO. WATER.

15. Basis of Claim: BENEFICIAL USE

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: _____

MICROFILMED
AUG 22 1994

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 22 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

AUG 03 1993

Department of Water Resources

DATE OF CLOSING: 7/20/93

LEGAL DESCRIPTION OF PROPERTY: Township 16N Range 1W
 Section 11, 1/4 of 1/4 of 1/4 Govt. Lot , BM.
 Lot , Block , Subdivision/Townsite .
 If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: A67-11737 & A67-11487
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): James L. Kitzhaber & Rae B. Kitzhaber
60 Stevens Circle Box 4701
Pagosa Springs, CO 81157-4701
- ☐ New Owner/Claimant (Purchaser): Larry O. Bailey & Ima Jean Bailey
- ☐ New Mailing Address: 24464 Eucalyptus
Moreno, Valley, CA 92553
- ☐ New Telephone Number: () -

- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
- _____
- _____
- _____

- ☐ Attach proof of ownership, describe proof attached: copy of recorded Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Larry O. Bailey Date 7-16-93
Ima Jean Bailey Date 7-16-93
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
 _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10-1-93 By: JKD

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 10-1-93 By: JKD

Claim Numbers of Split, if any:

MICROFILMED

AUG 22 1994

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

WARRANTY DEED

INSTRUMENT NO. _____

For Value Received JAMES L. KITZHABER and RAE B. KITZHABER, husband and wife

the grantors , do hereby grant, bargain, sell and convey unto LARRY O. BAILEY, an unmarried man, and IMA JEAN BAILEY, an unmarried woman

the grantees, whose current address is, 24464 Eucalyptus, Moreno Valley, CA 92553

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees , that they are the owners in fee simple of said premises; that they are free from all incumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title.

and that he will warranty and defend the same from all lawful claims whatsoever.

Date: July 12, 1993

James L. Kitzhaber
James L. Kitzhaber
Rae B. Kitzhaber
Rae B. Kitzhaber

STATE OF COLORADO)
) ss
COUNTY OF Archuleta)

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow
Ratliff

On this 16 day of July, in the year of 1993, before me John Ratliff at 19 minutes past 3 o'clock P. M.
a Notary Public, personally appeared JAMES L. KITZHABER this 19 day of July, 19 93 in my
& RAE B. KITZHABER office, and duly recorded in Book ----
known or identified to me to be the persons whose names are of Deeds at page ----
subscribed to the within instrument, and acknowledged to me
that they executed the same

John Ratliff
Notary Public
Residing at PO Box 1027
Commission expires: Pagosa Springs, CO
12-5-94

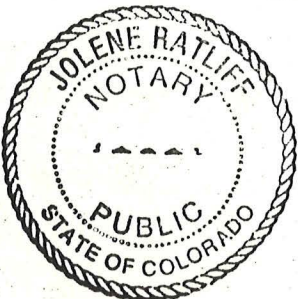
Michael Fisk

Ex-Officio Recorder

By: Sarah J. Wilson
Deputy

Fees \$ 6.00
Mail to:

Indexed



MICROFILMED
AUG 22 1994

6-1

EXHIBIT "A"

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 11: A tract of land located in the S1/2SE1/4, more particularly described as follows:

Commencing at the Section corner common to Sections 11, 12, 13 and 14 of said Township and Range, thence North 0 degrees 27'14" West (formerly N. 0 degrees 26'16" West) on and along the Easterly boundary of the said Section 11, a distance of 330.00 feet to the TRUE POINT OF BEGINNING;
thence continuing North 0 degrees 27'14" West along the Easterly boundary of said Section 11, a distance of 733.34 (formerly N. 0 degrees 26'16" West, 733.40);
thence North 89 degrees 45'33" West a distance of 2,627.70 feet, (formerly N. 89 degrees 44'35");
thence South 0 degrees 21'07" East a distance of 403.65 feet, (formerly S. 0 degrees 23'38" East);
thence South 83 degrees 44'44" East a distance of 1,582.02 feet;
thence South 0 degrees 21'07" East a distance of 164.36 feet;
thence South 89 degrees 46'58" East (formerly S. 89 degrees 46'00" East) a distance of 1,057.40 feet, more or less to the TRUE POINT OF BEGINNING.
EXCEPTING the right of way of the County road as now established.

INCLUDING 21 shares of Sorenson-Rinehart Ditch water.

SUBJECT TO THE FOLLOWING:

THE RESERVATIONS AND EXCEPTIONS as set forth in a document recorded June 19, 1979 as Instrument No. 59162, records of Adams County, Idaho

THE MATTERS DISCLOSED in a Record of Survey Entitled "Jim Kitzhaber", recorded April 9, 1985 as Instrument No. 70143, records of Adams County, Idaho.

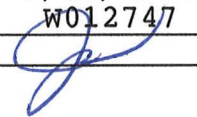
LIENS FOR ANY TAXES DEFERRED by virtue of the designation of the insured property, or any portion thereof, as Forest Lands as provided in Section 63-1701, et. seq., Idaho Code.

MICROFILMED
AUG 22 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: A67-11737
Date Received: 9/27/1990
Receipt No: W012747
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES L. KITZHABER 303-731-2278
Address: 60 STEVEN'S CIRCLE
BOX 4701
PAGOSA SPRINGS, CO 81157
OR
Name: RAE B. KITZHABER 303-731-2278
Address: 60 STEVEN'S CIRCLE
BOX 4701
PAGOSA SPRINGS, CO 81157

2. Date of Priority: JUN 05, 1902

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	02W	12	SE	NW	NW		ADAMS

5. Description of diverting works:
DIV. VIA GRAVITY FLOW THRU DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.420		

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

8. Total consumptive use is 63.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	11	SW	SE		IRR	10.0
			SE	SE		IRR	11.0
Section Acres							21.0
Total Acres							21.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

SORENSEN-RINEHART DITCH RTS. FROM UNDER CLAIM NO. A67-11487.

14. Remarks:

THIS CLAIM IS FOR FLOOD WATER USED PRIMARILY BEFORE THE SORENSON-RINEHART DITCH CO. BEGINS DIVERTING WATER FROM THE N. FORK COTTONWOOD CK. INTO GROSSEN CK. IN THE SPRING. HOWEVER, IF FLOOD WATER IS STILL AVAILABLE AFTER THE DITCH CO. BEGINS DIVERTING, THEN GROSSEN CREEK FLOOD WATER IS USED IN ADDITION TO THE DITCH CO. WATER.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A67-11737
Date Received: 9/12/1990
Receipt No: W012747
Received By: _____

RECEIVED
SEP 27 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES KITZHABER
Address: 1907 W. FLAMINGO

~~208-465-0990~~
303-731-2278

OR
Name:
Address:

JAMES L & RAE B KITZHABER
60 STEVEN'S CIRCLE, BOX 4701
PAGOSA SPRINGS, CO 81157
~~SILVERCREST MOBILE HOME ESTATE~~
~~SPACE 70~~
NAMPA, ID 83651

~~208-465-0990~~
303-731-2278

2. Date of Priority: JUN 05, 1902

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	02W	12	SE	NW	NW		ADAMS

5. Description of diverting works:
DIV. VIA GRAVITY FLOW THRU DITCHES FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.420		

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

8. Total consumptive use is 63.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

A67-11737

Page 1

Date: 09/12/90

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OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	11	SW	SE		IRR	10.0
			SE	SE		IRR	11.0
Section Acres							21.0
Total Acres							21.0

11. Place of use in counties: ADAMS

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13. Other Water Rights Used:

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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): Jayne B. Kitzhaber Date: 9/25/90
Rae B. Kitzhaber Date: 9/25/90

State of ~~Idaho~~ COLORADO)
County of Archuleta) SS.

Subscribed and sworn (or affirmed) before me this 25 day

of September 19 90

Patricia Ann McClure
Notary Public

Seal

Residing at 4430 W Hwy 160

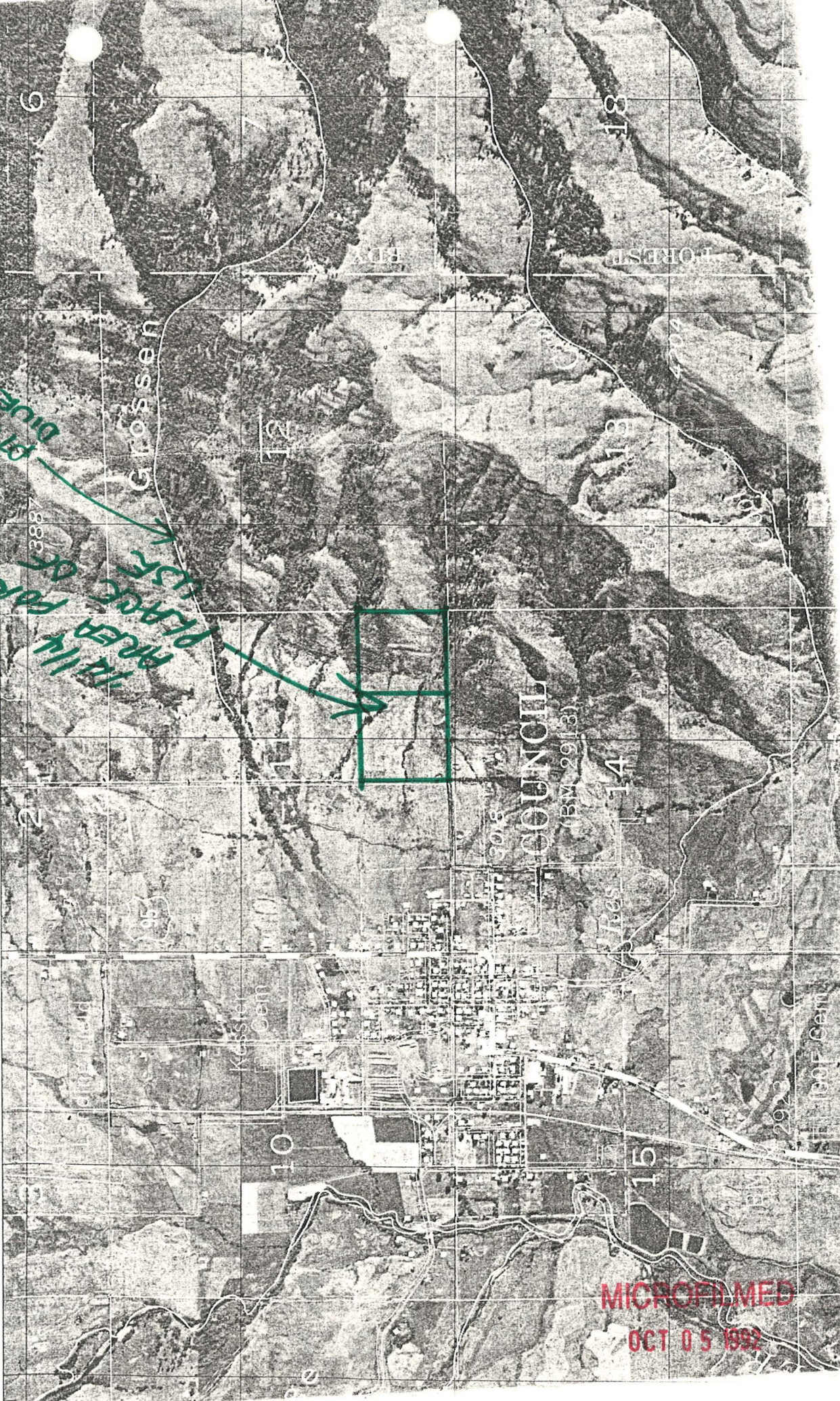
My Commission Expires 12-15-90

COUNCIL NW ORTHOPHOTOGRAPH
IDAHO

R. I. W. R. I. E.

PT. OF
BUREAU OF
LAND
MANAGEMENT
PLATE OF
11/14 FOR
USF

544 545 546 548 549 330 000 FEET 116° 30' 116° 15' 116° 00'



MICROFILMED
OCT 05 1992