

04/07/2006

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

RIGHT NUMBER: 67-14239

NAME AND ADDRESS: BRUCE KERNER
1819 WEISER RIVER RD
WEISER ID 83672

JULIE KERNER
1819 WEISER RIVER RD
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.230 CFS
14.000 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1967

POINT OF DIVERSION:

T11N R05W S36 SESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.230 CFS 14.00 AFY

PLACE OF USE: STOCKWATER Within WASHINGTON County

T11N R05W S36 SESW

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Stockwater use is for 1000 range cattle.



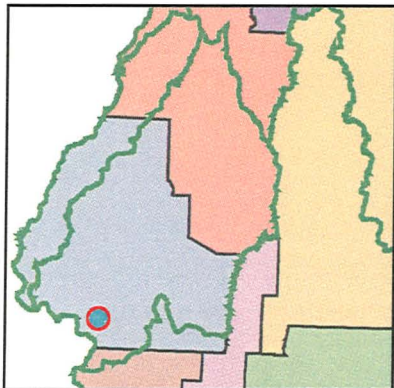
Idaho Department of Water Resources

Adjudication Claim:

67-14239

Legend

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



Washington County
IDWR Basin 67



Prepared by M. Van Bussum
On Thursday, April 13, 2006
1987/88 Aerial Photography

Field exam w/other Kerner claims

03/30/2006

MVR

Contacts: OK - met w/ Bruce & Julie
toured property w/Bruce

Priority Date: 1967 is after mandatory permit
statute, but this is de minimus stock,
so recommend as is

POD: Tag: A0017610
2269645
1452983

2 pumps - 5hp & 10 hp
75ft to water

POU: feedlot - QQ as claimed

Water Use: stock, up to 1000 head cattle

Period of Use: 1/1 - 12/31 - IDWR standard for
stock

Quantity: range cattle

IDWR standard: 901-1000 range cattle
is 0.230 cfs @ 14.0 AFA

Conditions:

X02

N11

N13

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: **A67-14239**
Date Received: 11/ 9/1999
Receipt No: W025900
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: BRUCE KERNER
Address: 1819 WEISER RIVER RD
WEISER ID

208-549-2174

83672

AND

Name: JULIE KERNER
Address: 1819 WEISER RIVER RD
WEISER ID

208-549-2174

83672

2. Date of Priority: DEC 31, 1967

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	05W	36	SW	SW	SW		WASHINGTON

5. Description of diverting works:
WELL W/5 HP SUBMERSIBLE PUMP & 10 HP SUBMERSIBLE PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.240		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 1,000 RANGE CATTLE

SCANNED
APR 12 2004

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	05W	36	SW	SW		STOCK	

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

RECEIVED

NOV 09 1999

WATER RESOURCES
WESTERN REGION

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 Alb 7-14239

Date Received 11/19/99

Receipt Number W025900

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) BRUCE & JULIE KERNER Phone (208) 549-2174

Mailing Address 1819 WEISER RIVER RD Zip 83672

2. Date of Priority (Only one (1) per claim) 1967

3. Source of water supply (a) GROUND WATER WELL
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 11 N Range 5 W Section 36,
SW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of WASHINGTON

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

GROUND WATER WELL W/ ONE 5HP SUBMERCIBLE
PUMP & ONE 10 HP SUBMERCIBLE PUMP

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs) per claimant SB. 11/9/99 (acre feet)

For STOCKWATER purposes from 1/1 to 12/31 amount 7.24 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 7.24 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER: 3000 HEAD MAX BEEF CATTLE
1000 per claimant SB. 11/9/99

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>11N</u>	<u>5W</u>	<u>36</u>											<u>S</u>						

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? WASHINGTON

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks:

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

T	U	N	R	S	W
			SW $\frac{1}{4}$	SW $\frac{1}{4}$	SW $\frac{1}{4}$
			Pipe Divers	• R	
SECTION 36					

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) Bruce Kerner Date 11-8-99

Julie Kerner Date 11-8-99

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of WASHINGTON) SS.

Subscribed and sworn (or affirmed) before me this 8th day of NOVEMBER 19 99

SEAL

Notary Public [Signature]

Residing at WEISER, IDAHO

My Commission Expires 5-10-2002

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant