

11/14/2006

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

RIGHT NUMBER: 67-14616

NAME AND ADDRESS: RITA BALDERSON
2605 UPPER DALE
COUNCIL ID 83612

SOURCE: SPRING

TRIBUTARY: HORNET CREEK

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 12/31/1947

POINT OF DIVERSION:

T17N R02W S9 NWNWNW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC in ADAMS County

T17N R02W S09 NWNW

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 for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14616 V1

WATER RIGHT NUMBER: 67-14616 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RITA BALDERSON 2605 UPPER DALE COUNCIL, ID 83612 (208)253-6974

Priority Date: 12/31/1947

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	HORNET CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

SPRING	NW1/4NW1/4NW1/4	Sec. 9,	Twp 17N,	Rge 02W, B.M.
ADAMS County				

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	02W	9						X											

Conditions of Approval:

1. X01 Domestic use is for 1 home.
2. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
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. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14616 V1

Comments:

1. dnelson 11/14/2006 Claim Review

Comment: These are standard domestic and stock claims, and will be recommended as claimed with basic n code conditions.

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:
 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	11/14/2006 8:22:19 AM	dnelson			Active
Priority Date	11/14/2006 8:23:06 AM	dnelson			Active
POD	11/14/2006 8:23:34 AM	dnelson			Active
Source	11/14/2006 8:38:33 AM	dnelson			Active
POU	11/14/2006 8:40:12 AM	dnelson			Active
Use	11/14/2006 8:40:36 AM	dnelson			Active
Use	11/14/2006 8:41:06 AM	dnelson			Active
Season	11/14/2006 8:41:23 AM	dnelson			Active
Quantity	11/14/2006 8:41:46 AM	dnelson			Active
Summary			11/14/2006	dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	11/13/2006 2:13:50 PM	cfritsch	Bulk Copy
Contacts	11/14/2006 8:22:19 AM	dnelson	(No) 1. Do you want to schedule an appointment?

Comment for 1: Standard domestic use subject to 42-111, no verification needed.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14616 V1

POD	11/14/2006 8:23:35 AM	dnelson	(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?
POU	11/14/2006 8:40:13 AM	dnelson	(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 - Standard domestic use subject to 42-111, no verification needed.
General	11/14/2006 8:23:06 AM	dnelson	(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 - Standard domestic use subject to 42-111, no verification needed.
Source	11/14/2006 8:38:33 AM	dnelson	(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 - Standard domestic use subject to 42-111, no verification needed.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14616 V1

Use	11/14/2006 8:40:36 AM	dnelson	(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 - Standard domestic use subject to 42-111, no verification needed.
Use	11/14/2006 8:41:07 AM	dnelson	(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? (Yes) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Standard domestic use subject to 42-111, no verification needed.
Season	11/14/2006 8:41:24 AM	dnelson	(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? (No) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required? Description for Question 15 - Standard domestic use subject to 42-111, no verification needed.
Quantity	11/14/2006 8:41:47 AM	dnelson	(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? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Standard domestic use subject to 42-111, no verification needed.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14616 V1

Summary	11/14/2006 8:42:35 AM	dnelson	(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?
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Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-14616

WATER RIGHT NUMBER: 67-14616

Owner Type Name and Address
 Current Owner RITA BALDERSON
 2605 UPPER DALE
 COUNCIL, ID 83612
 (208)253-6974

Priority Date: 12/31/1947

Basis: Beneficial Use

Status: Active

Source Tributary
 SPRING HORNET CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
<u>Total Diversion:</u>		0.040 CFS	

Location of Point(s) of Diversion

SPRING NW NW1/4NW1/4 Sec. 9, Twp 17N, Rge 02W, B.M.
 ADAMS County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
17N	02W	9						X											

Conditions of Approval:Remarks:Comments:Dates and Other Information:

X01 - one Home
 N - -
 N 13 -

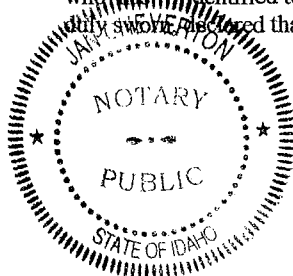
I know that the spring
that provides water
for the house on the
Gassard family ranch
was in use in 1947.

This property belonged
to my husband's parents
Osgood & Mary Kampeter
in 1947 when I moved
to Council.

April Kampeter
102 N. Hornum St
Council, Idaho
83612

STATE OF IDAHO
COUNTY OF ADAMS

On this 20 day of July, in the year of 2005, before me a Notary Public, personally appeared April Kampeter who has identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, he declared that the statements therein are true and acknowledged to me the he/she executed the same.



Term Expires
Residing at

Notary
Council, Idaho

11-4-05



RITA BALDERSON - 8-25-05



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 30, 2005

Rita Balderson
2605 Upper Dale
Council ID 83612

Dear Rita:

Per our phone conversation, enclosed is the **Notice of Claim to a Water Right** for the domestic use you are claiming. Please sign, notarize and return the claim to our office with the \$25.00 filing fee. Also enclosed is the **Application for Permit** and instructions that would be required to file for the stockwater use. I am also returning the original claims that you filed with your check for \$100.00.

If you have any questions regarding these forms, please feel free to contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH:l
Enclosures

Receipt Details for ID W033429

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/15/2005 11:34:08 AM	9/15/2005 3:22:04 PM	WESTERN	\$125.00	Check
Payer		BALDERSON, RITA		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
96			
Card Expiration Date	Credit Card Transaction #		

Comment Application for Permit - \$100.00
Adjudication Claim 67-14616 - \$25.00

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	PERMITS	62103	0229	21		1155
\$25.00	ADJUDICATION FILING FEE	42503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
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[Print Report](#)

RECEIVED

SEP 16 2005

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO
IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources

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 67-14616
Date Received: 8/26/2005 9-15-05
Receipt No: W033429
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

SEP 15 2005

WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

RITA BALDERSON Phone: (208)253-6974
2605 UPPER DALE
COUNCIL ID USA 83612

2. Date of Priority: 12/31/1947

3. Source: SPRING Trib. to: HORNET CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	02W	9	NW NW	ADAMS	

5. Description of diverting works:

Pipeline to tank to house, 500 gallon tank, 1 inch pipe.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

RECEIVED
JAN 31 2007
DEPARTMENT OF
WATER RESOURCES

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that

Rita BALDERSON
(Name of Claimant)
2605 UPPER Dale Council Idaho Telephone No: 208 253 6974
(Mailing Address) (Zip Code) 83612

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) 1947
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spring tributary to Hornet Creek

3. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs or af)		(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD) (MM/DD)	
Quantity	<u>1 gallon per minute</u>	Use <u>Domestic</u>	Period of Use From	<u>01/01</u> to <u>12/31</u>
Quantity	_____	Use _____	Period of Use From	_____ to _____
Quantity	_____	Use _____	Period of Use From	_____ to _____
Quantity	_____	Use _____	Period of Use From	_____ to _____

4. _____ TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 9 Township 17N Range 2W B.M., Adams County; additional points of diversion, if any: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

pipe line to tank to house
500 gallon tank
1" pipe



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Council ID 83612

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JAN 31 2007

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WATER RESOURCES

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Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH:l
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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2605 Upper Dale
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JAN 31 2007

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WATER RESOURCES

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Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

LH:l
Enclosures

RITA BALDERSON
WANDA HORTON
DAVID GOSSARD OR LISA A OLSON
2605 UPPER DALE RD
COUNCIL ID 83612-5039

96

PAY TO THE
ORDER OF

Sept 2005
DATE
Idaho Dept of Water Resources \$ 125⁰⁰
One Hundred Twenty Five and 00/100 DOLLARS



www.usbank.com

FOR (2) SPRING WATER FEES \$100⁰⁰ 25⁰⁰

Rita Balderson MP

⑆123103729⑆ 153352305806⑈0096

HARLAND 2001

\$25 FEE - Claim to a water Right
Domestic Use

OUR ORIGINAL CLAIM had been sent back and
we didn't realize we needed to get it
back to you.

Do we need to start all over -- or
can we just re-claim it now. (The Domestic
water?)

you can contact

Wanda Horton - 253-~~6033~~
6039

or

Rita Balderson cell# 739-6769