



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 20, 2008

DERRY GOSSARD
PO BOX 969
DONNELLY ID 83615-0969

*Record updated ~~NEAT~~ prepared
11-25-08*

RE: Snake River Basin Adjudication (SRBA)
Water Right #67-14633

Dear Water Right Holder:

Mail sent to you by the SRBA District Court was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by December 5, 2008. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

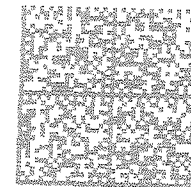
Derry Gossard
Water Right Holder's Signature

208) 325-2616
Telephone No.

SCANNED
NOV 25 2008

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

67-14633



US POSTAGE
\$ 00.42
FIRST CLASS
Mailed From 83301
10/20/2008
031A 0002303159

NAME AND ADDRESS:

DERRY GOSSARD
2615 UPPER DALE RD
COUNCIL, ID 83612

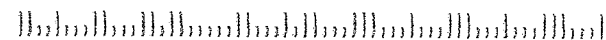
SOURCE:

RIP CREK TRIBUTARY, WEEDS

8361288033 4067
83303@2707

FORWARD X 807 NFE 1 6071 00 10/21/08
GOSSARD TIME EXP RTN TO SEND
NO BOX \$69
DONNELLY ID 83615-0969

RETURN TO SENDER



RECEIVED

NOV 27 2006

DEPARTMENT OF
WATER RESOURCES

11/17/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-14633

DERRY GOSSARD
2615 UPPER DALE RD
COUNCIL ID 83612
Telephone Number: (208) 253-6033

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

24 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-24-06 SIGNATURE: Derry Gossard

Please print your name: Derry Gossard

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
NOV 28 2006

09/26/2006

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

RIGHT NUMBER: 67-14633

NAME AND ADDRESS: DERRY GOSSARD
2615 UPPER DALE RD
COUNCIL ID 83612

SOURCE: FIR CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.410 CFS

PRIORITY DATE: 11/15/1949

POINT OF DIVERSION:

T17N R02W S17 NENWNE 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	0.400 CFS
STOCKWATER	01/01 12/31	0.010 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R02W S08 Lot 7 SESE 8.00 T17N R02W S09 SWSW 12.00

STOCKWATER same as IRRIGATION

20 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

The following rights are diverted through point of diversion described above: 67-14631, 67-14632, 67-14633, 67-14634, & 67-14635.

This right is a split from former right 67-4144.



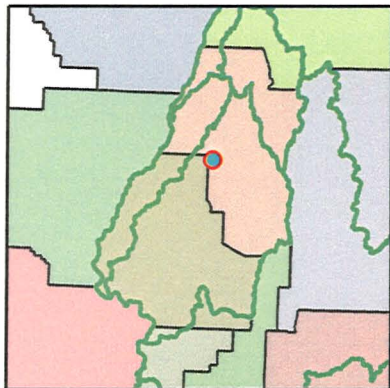
Idaho Department of Water Resources

SRBA Recommendation:

67-14633

Legend

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



Adams County
IDWR Basin 67



0 0.2 0.4 Miles



Prepared by J. Dean
On Tuesday, September 26, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14633 V1

WATER RIGHT NUMBER: 67-14633 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ETHEL GOSSARD C/O WANDA HORTON 2525 N RK HORNET CREEK RD COUNCIL, ID 83612 (208)253-6039
Previous Owner	MAC GOSSARD 2694 UPPER DALE RD COUNCIL, ID 83612-5039 (208)253-4318
Current Owner	DERRY GOSSARD 2615 UPPER DALE RD COUNCIL, ID 83612 (208) 253-6033

Priority Date: 11/15/1949

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
FIR 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	0.400 CFS	
STOCKWATER	01/01 to 12/31	0.010 CFS	
	<u>Total Diversion:</u>	0.410 CFS	

Location of Point(s) of Diversion

FIR CREEK	NE1/4NW1/4NE1/4	Sec. 17, Twp 17N, Rge 02W, 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	
17N	02W	8																8.0	8.0
																		L 7	
17N	02W	9											12.0						12.0

Total Acres: 20

STOCKWATER same as IRRIGATIONConditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14633 V1

1. F06 The following rights are diverted through point of diversion described above: 67-14631, 67-14632, 67-14633, 67-14634, & 67-14635.
2. 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.
3. This right is a split from former right 67-4144.

Remarks:Comments:

1. jdean 9/26/2006 Season of use

Comment: The season of use for this particular claim was determined based upon the lower portion of Hornet Creek. This maintains consistency with other users along Hornet Creek.

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	9/26/2006 12:48:13 PM	jdean			Active
Priority Date	9/26/2006 12:51:07 PM	jdean			Active
POD	9/26/2006 12:56:44 PM	jdean			Active
Source	9/26/2006 12:57:33 PM	jdean			Active
POU	9/26/2006 1:04:03 PM	jdean			Active
Use	9/26/2006 1:10:42 PM	jdean			Active
Season	9/26/2006 1:12:47 PM	jdean			Active
Quantity	9/26/2006 1:19:04 PM	jdean			Active
Summary			09/26/2006	jdean	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 67-14633 V1

Contacts	9/26/2006 12:48:14 PM	jdean	(No) 1. Do you want to schedule an appointment? Comment for 1: Field exam completed by contractor.
POD	9/26/2006 12:53:26 PM	jdean	Updated shape
POD	9/26/2006 12:54:10 PM	jdean	Updated shape
POD	9/26/2006 12:56:11 PM	jdean	Updated PLS
POD	9/26/2006 12:56:45 PM	jdean	(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	9/26/2006 1:01:00 PM	jdean	Updated shape for Active POU
General	9/26/2006 12:51:08 PM	jdean	(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 - Priority date based on affidavits of Derry Gossard (second hand knowledge) and April Kampter who lived there in 1949.
Quantity	9/26/2006 1:19:05 PM	jdean	(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 - Watermaster (Bosco Bosler) states that ditch is more than capable of serving all water users full duty of water.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14633 V1

Source	9/26/2006 12:57:33 PM	jdean	(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 - Source was verified as per field exam.
POU	9/26/2006 1:04:04 PM	jdean	(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 - POU was verified as per aerial photography, field exam, claimant contact.
Use	9/26/2006 1:10:42 PM	jdean	(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 - Purpose was verified as per field exam.
POU	9/26/2006 1:01:30 PM	jdean	Updated PLS for Active POU
Season	9/26/2006 1:12:47 PM	jdean	(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 67-14633 V1

Summary	9/26/2006 1:22:20 PM	jdean	(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? (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?
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Water Supply Bank:

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

67-14633)
)
)
)
)

State of Idaho)
County of Adams)

AFFIDAVIT

RECEIVED
SEP 25 2006
Department of Water Resources
Adjudication Bureau

Derry Gossard being first duly sworn,
deposes and says: This water right has been
irrigating Pasture and Hay field from the Head Gate
in Fir Creek for over 70 years. Bill Kampeter April's
husband was born on the Ranch. Bill died in 1998 he
was 83 years old. In 1949 Bill and April built the
House we now live in and are still irrigating from Fir
Creek. April said they were irrigating the field
in 1949 as well.

Derry Gossard
(Signature)

Subscribed and sworn to before me this
day 11 of September, 19 2006.

Bonnie A Fisk
(Notary Public)

Residing at Council, Idaho.

My Commission Expires

MY COMMISSION EXPIRES
November 21, 2009



SCANNED

SEP 25 2006

9/17/06

El April Kampeter
moved on the Fir Creek
Ranch in 1949. We irrigated
25 acres for pasture
and hay from the
head gate in Fir
Creek.

April Kampeter

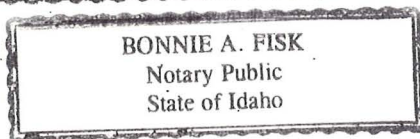
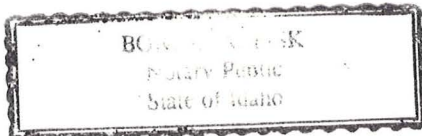


Council Branch
Post Office Box 8
Council, ID 93612-0008
208 253-4245

STATE of IDAHO

COUNTY of ADAMS, ss.

ON THIS 17th DAY OF September, IN THE YEAR OF 2006,
BEFORE ME BONNIE A Fisk PERSONALLY APPEARED April Kampeter
KNOWN OR IDENTIFIED TO ME (OR PROVED TO ME ON THE OATH OF
_____), TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN
INSTRUMENT, AND ACKNOWLEDGED TO ME THAT (HE SHE THEY) EXECUTED THE SAME.



Bonnie A Fisk
NOTARY PUBLIC

MY COMMISSION EXPIRES
November 21, 2009
BONDED THRU NOTARY PUBLIC UNDERWRITERS

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

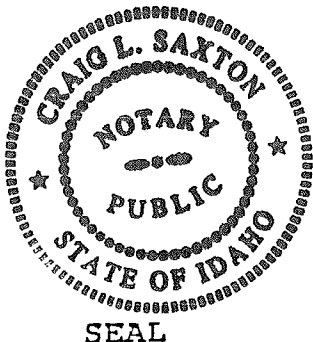
AFFIDAVIT

State of Idaho)
County of _____)

David M Gossard being first duly sworn,

deposes and says: In The late 1960's, I Believe 1968,

I was on this property helping the Then owner Bill
Kampeter gather and work his cattle. I was 13 years
old. My father bought this property in 1970: Moving to
This property and working (Farming-irrigating) This place
I can state that all accis listed were in use at the
Time I first saw saw the property. It was in June and
irrigation water was running and the fields were almost
ready to harvest.



David M Gossard
(Signature)

Subscribed and sworn to before me this
day 11th of September, 2006.

Craig L. Saxton
(Notary Public)

Residing at Ada Co.

My Commission Expires 8/14/07.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

JAMES E. RISCH
Governor

KARL J. DREHER
Director

September 1, 2006

DERRY GOSSARD
2615 UPPER DALE RD
COUNCIL ID 83612

RESPONSE DEADLINE
SEPTEMBER 15, 2006

67-14633

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed. **Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.**

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit. A form is provided for your convenience. A map of the general area stated in your claim is also enclosed. Please outline the place of use (i.e. irrigated lands) based on your claim, as well as mark the location where you divert water from the Snake River. Please submit the completed map along with your evidence of priority. This will assist me in making a more accurate recommendation of your claim(s).

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. If you wish to call, our toll free number is 1-800-451-4129.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the Adjudication.

Sincerely,

Jennifer Dean
Engineer in Training
Adjudication Bureau

Enclosures

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 67-14633
Date Received: 10/27/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DERRY GOSSARD Phone: (208) 253-6033

2615 UPPER DALE RD
COUNCIL ID USA 83612

2. Date of Priority: 12/31/1889

3. Source: FIR CREEK , HORNET CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
17N	02W	8	SE	SW	SE	ADAMS	
17N	02W	5	SE	SE	SE	ADAMS	
17N	02W	5	NE	SE	SW	ADAMS	

5. Description of diverting works:

HEADGATE AND DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	07/15	0.59	
STOCKWATER	01/01	12/31	0.01	

7. Total Quantity Appropriated is:
0.59 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
17N	02W	8	SE	SE	IRRIGATION	18
					Section Acres	18
17N	02W	9	SW	SW	IRRIGATION	21
					Section Acres	21
					Total Acres	39

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:

AC. IRR.=141.
SOURCES ARE HORNET CK. & FIR CK., TRIB. WEISER R.

This right is a split from former right 67-4144.

15. Basis of Claim: Statutory Claim



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 28, 2005

DERRY GOSSARD
2615 UPPER DALE RD
COUNCIL ID 83612

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #67-14633

Dear Claimant:

As a result of obtaining a portion of the property and water rights from Mac and Ethel Gossard, the identification number to your water right has been changed as follows:

From
67-4144

To
67-14633

Please use the new number in future inquiries or correspondence you may have with our Department.

Enclosed is a copy of your water right. Please retain this copy for your file.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claim.

Thank you for your patience and cooperation. We have had several water right changes to process. Please call me at 1/800-451-4129 if you have any questions or concerns.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Notice of Claim to a Water Right Referenced Above

SCANNED
OCT 28 2005