

RECEIVED

NOV 29 2006

DEPARTMENT OF
WATER RESOURCES

11/14/2006

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: 67-14647

DONALD F DRISCOLL FAMILY TRUST

PO BOX 1669

MC CALL ID 83638

Telephone Number: (208) 634-1812

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:

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

DATE: NOV 27 2006

SIGNATURE: *Donald F Driscoll*

Please print your name: Donald F Driscoll Family Trust

By Donald F Driscoll

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

SCANNED

NOV 30 2006

06/21/2006

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

RIGHT NUMBER: 67-14647

NAME AND ADDRESS: DONALD F DRISCOLL FAMILY TRUST
PO BOX 1669
MC CALL ID 83638

SOURCE: RUSH CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.450 CFS

PRIORITY DATE: 05/01/1904

POINT OF DIVERSION:

T15N R03W S15 NESE 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	0.450 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T15N R03W S25	SWSW	18.00	T15N R03W S26	SESE	12.00
T15N R03W S35	NENE	2.60	T15N R03W S36	NWNE	5.90
T15N R03W S36	SWNE	24.00	T15N R03W S36	SENE	23.00
T15N R03W S36	NENW	25.00	T15N R03W S36	NWNW	30.00
T15N R03W S36	SWNW	1.50	T15N R03W S36	SENW	25.00

167 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 167.0 acres in a single irrigation season. Combined Right Nos.: 67-14643, 67-14645, & 67-14647

This right is limited to the irrigation of 36.0 acres within the place of use described above 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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



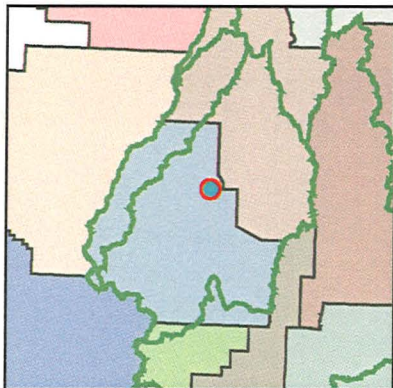
Idaho Department of Water Resources

SRBA Recommendation:

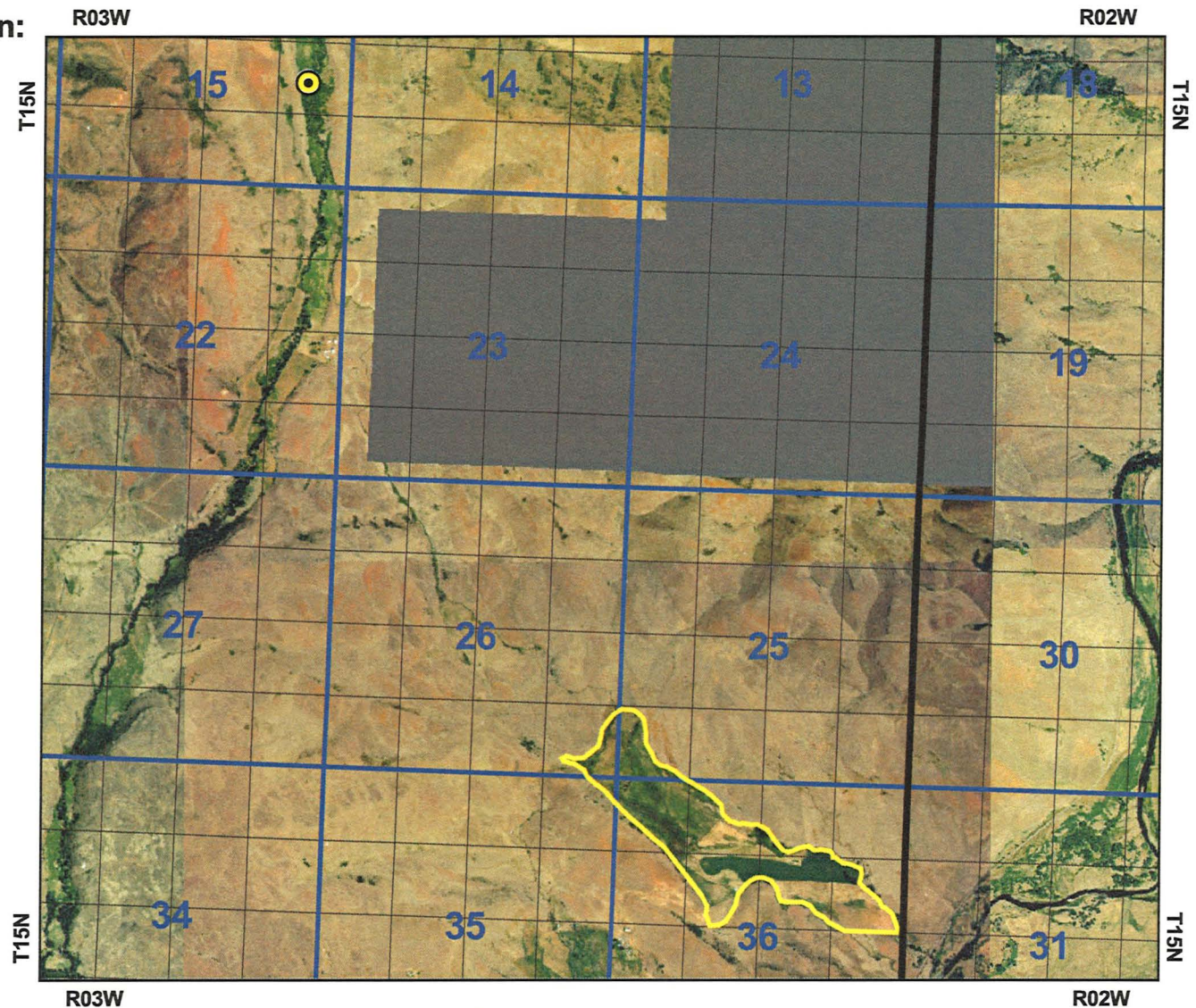
67-14647

Legend

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



Washington County
IDWR Basin 67

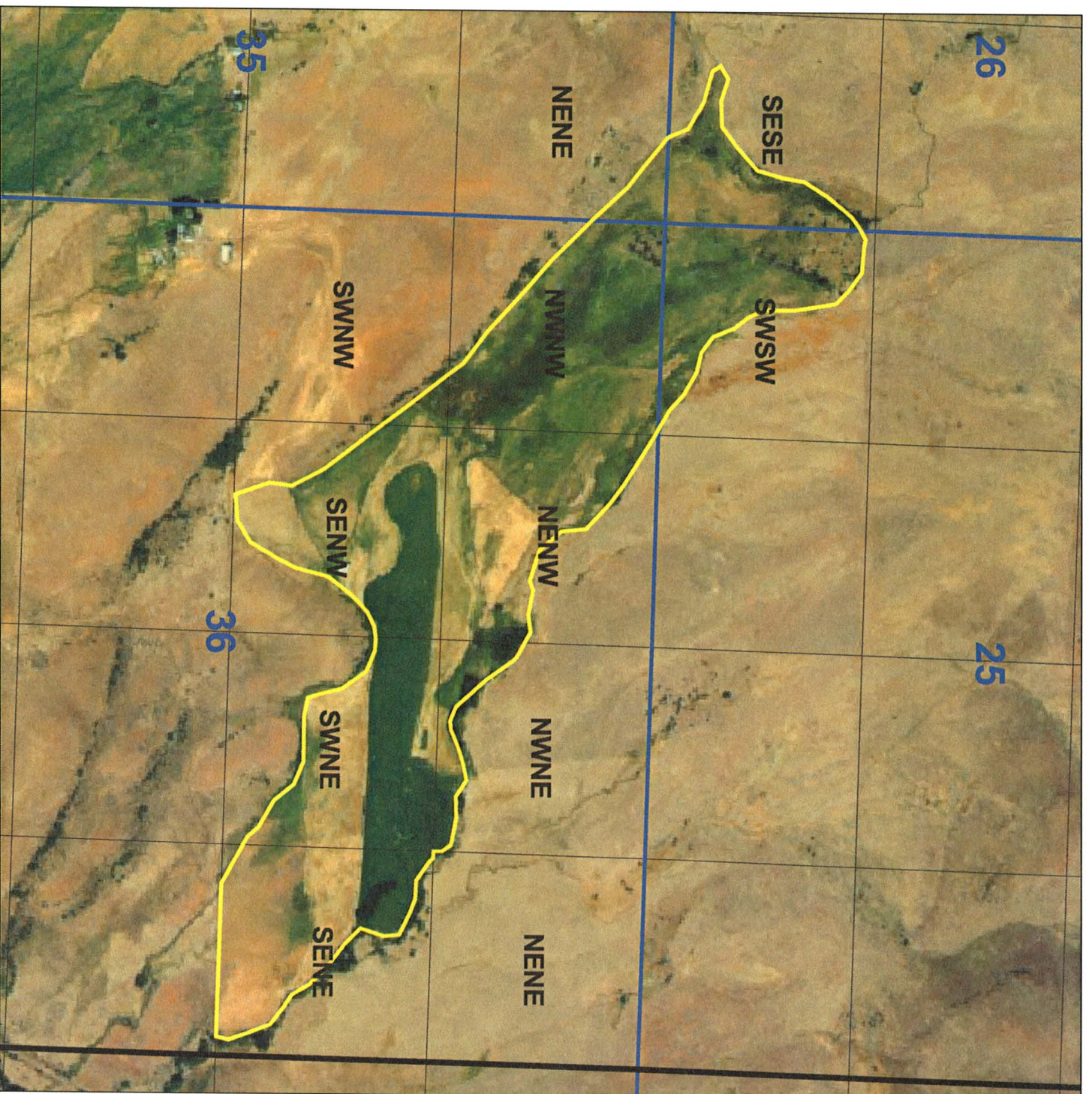


0 1 2 Miles



Prepared by M. Van Bussum
On Thursday, June 22, 2006
1987/88 Aerial Photography

67-14647



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14647 V1

WATER RIGHT NUMBER: 67-14647 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	EDWARD E LORTON
	CAMBRIDGE, ID
Original Owner	THOMAS H HUBBARD
	PO BOX 28
	CAMBRIDGE, ID 83610
	(208)257-3820
Original Owner	DORIS H HUBBARD
	PO BOX 28
	CAMBRIDGE, ID 83610
	(208)257-3820
Current Owner	DONALD F DRISCOLL FAMILY TRUST
	PO BOX 1669
	MC CALL, ID 83638
	(208) 634-1812

Priority Date: 05/01/1904

Basis: Decreed

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>
IRRIGATION	03/15 to 10/31	0.450 CFS	
	<u>Total Diversion:</u>	0.450 CFS	

Location of Point(s) of Diversion

RUSH CREEK	NE1/4SE1/4	Sec. 15, Twp 15N, Rge 03W, B.M.
WASHINGTON 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	
15N	03W	25											18.0						18.0
15N	03W	26															12.0		12.0
15N	03W	35	2.6																2.6
15N	03W	36		5.9	24.0	23.0	25.0	30.0	1.5	25.0									134.4

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14647 V1

Total Acres: 167

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
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. E56 The rights listed below are limited to the irrigation of a combined total of 167.0 acres in a single irrigation season. Combined Right Nos.: 67-14643, 67-14645, & 67-14647
4. K06 This right is limited to the irrigation of 36.0 acres within the place of use described above in a single irrigation season.

Remarks:

Comments:

1. csaxton 6/21/2006 Ditch Loss

Comment: Ditch loss was calculated to be 1.62 cfs which is enough to allow recommending the full decreed diversion rate for rights 67-14642 thru 67-14647. No limiting remarks.

2. csaxton 6/21/2006 c/o split

Comment: In the sale of the property from Hubbard to Driscoll, there is nothing in the file that indicates that Hubbard retained right 67-281 as indicated on the change of ownership. Originally, 67-281, 67-298, and 67-14094 were claimed as a PPU. They will be recommended as such.

3. csaxton 6/21/2006 PPU

Comment: Recommended as PPU with 67-14642, 67-14644, 67-14646 (parent rights 67-281, 67-282, 67-298, 67-300, & 67-302)

4. csaxton 6/21/2006 Copied From Claim (1)

Comment: DITCH LOSS WILL NEED TO BE FIGURED TO SHOW AMOUNT THAT THE ACRES NEED IN ORDER TO IRRIGATE LANDS.

| ADDRESS CHANGE, ROUTE AND BOX TO GRID 5/14/99 SS.

5. csaxton 6/21/2006 Copied From Claim (2)

Comment: This right is a split from former right 67-298.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14647 V1

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: OR
 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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		167

Combined Water Rights: 67-14643 , 67-14645 , 67-14647

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	6/21/2006 7:59:31 AM	csaxton			Active
Priority Date	6/21/2006 7:59:45 AM	csaxton			Active
POD	6/21/2006 7:59:53 AM	csaxton			Active
Source	6/21/2006 8:02:25 AM	csaxton			Active
POU	6/21/2006 8:02:54 AM	csaxton			Active
Use	6/21/2006 8:05:03 AM	csaxton			Active
Season	6/21/2006 8:05:13 AM	csaxton			Active
Quantity	6/21/2006 8:05:24 AM	csaxton			Active
Summary			06/21/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Use	6/21/2006 8:05:04 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POD	6/21/2006 8:01:11 AM	csaxton	Updated PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14647 V1

Season	6/21/2006 8:05:14 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (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?
Summary	6/21/2006 8:08:59 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (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?
General	6/21/2006 7:59:46 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Source	6/21/2006 8:02:25 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14647 V1

POU	6/21/2006 8:02:54 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (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 8 - Recommended as PPU with 67-14642, 67-14644, 67-14646 (parent rights 67-281, 67-282, 67-298, 67-300, & 67-302) Description for Question 13 - Desktop Review
POU	6/21/2006 8:03:15 AM	csaxton	Updated shape for Active POU
Quantity	6/21/2006 8:05:25 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (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?
POD	6/21/2006 8:00:56 AM	csaxton	Updated shape
POU	6/21/2006 8:03:25 AM	csaxton	Updated PLS for Active POU
Contacts	6/21/2006 7:59:32 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
POD	6/21/2006 7:59:54 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (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?

Water Supply Bank:

Claim

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	14642		Decreed	10/29/1908	0.42	18	RUSH CREEK	IRRIGATION	HUBBARD, D	Claim
67	14643		Decreed	10/29/1908	3.94	167	RUSH CREEK	IRRIGATION	DONALD F D	Claim
67	14644		Decreed	1891-05-01	0.03	18	RUSH CREEK	IRRIGATION	HUBBARD, D	Claim
67	14645		Decreed	1891-05-01	0.29	167	RUSH CREEK	IRRIGATION	DONALD F D	Claim
67	14646		Decreed	5/1/1904	0.05	18	RUSH CREEK	IRRIGATION	HUBBARD, D	Claim
67	14647		Decreed	5/1/1904	0.45	167	RUSH CREEK	IRRIGATION	DONALD F D	Claim

Recommendation

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table	
67	14642		Decreed	10/29/1908	0.42	33.6	RUSH CREEK	IRRIGATION	HUBBARD, D	Recommendation	67-10494 (282, 300, 302)
67	14644		Decreed	1891-05-01	0.03	2.4	RUSH CREEK	IRRIGATION	HUBBARD, D	Recommendation	67-281
67	14646		Decreed	5/1/1904	0.05	4	RUSH CREEK	IRRIGATION	HUBBARD, D	Recommendation	67-298
					Total =	0.5	18	0.36 = one inch per acre			
					0.14 = ditch loss						
67	14643		Decreed	10/29/1908	3.94	315.2	RUSH CREEK	IRRIGATION	DONALD F D	Recommendation	67-10494 (282, 300, 302)
67	14645		Decreed	1891-05-01	0.29	23.2	RUSH CREEK	IRRIGATION	DONALD F D	Recommendation	67-281
67	14647		Decreed	5/1/1904	0.45	36	RUSH CREEK	IRRIGATION	DONALD F D	Recommendation	67-298
					Total =	4.68	167	3.34 = one inch per acre			
					1.34 = ditch loss						
					1.48 = total ditch loss						

WR

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	668		Decreed	5/25/1954			EAST JENSEN	IRRIGATION	HUBBARD, S	wrWaterRight
67	4418		Statutory Cl	5/1/1924	0.7		SPRING	IRRIGATION	HUBBARD, C	wrWaterRight
67	10207		Decreed	5/1/1904	0.06		SPRING	DOMESTIC, S	HUBBARD, D	wrWaterRight
67	10208		Decreed	5/1/1904	0.02		SPRING	STOCKWATE	DONALD F D	wrWaterRight

Page #	Parcel #	Name	ater in Inch	File #	Original Ov	Priority Date
32	15N03W3600	DRISCOL	19.00	300	Daniel W B	10/29/1908
32	15N03W3600	DRISCOL	25.00	298	E E Lorton	5/1/1904
32	15N03W3600	DRISCOL	63.00	302	E E Lorton	10/29/1908
32	15N03W3600	DRISCOL	136.00	282	Wilson & H	10/29/1908
30	15N03W3600	HUBBARD	16.00	281	Wilson and	5/1/1891

ESTIMATING CONVEYANCE LOSS

FIELD EXAMINER: Craig L. Saxton
 FIELD EXAM DATE: 6/20/2006
 FOR CLAIM(S) 67-14642 thru 67-14647

FORMULA: $S = (W)(i)(0.0667)$

i TABLE:

S = Loss in CFS per Mile
 W = The top width of the high water mark in feet
 i = The loss rate in feet per day (see table)
 0.0667 is a factor used to convert to CFS per mile

Type of Soil	Loss Rate i (Ft/Day)
Medium clay loam.....	0.5 to 1.5
Impervious clay.....	0.5
Medium soils.....	1
Somewhat pervious soils.....	1.5 to 2.0
Gravel.....	2.5 to 5.0

WORK SHEET

W = 6 FT
 i = 1.3 FT/DAY
 S = 0.5203 CFS/MILE

CONVEYANCE LOSS = (S) (LENGTH OF DITCH IN MILES)

CONVEYANCE LOSS = (CFS/MILE)(MILE)

LENGTH OF DITCH IN MILES = FT / 5280 ft

Measured feet = 16470.91
 Miles = 3.12

CONVEYANCE LOSS = 1.62295 CFS

TOP OF DITCH = W

Section 1 = 6
 Section 2 = 0
 Section 3 = 0
 Total.... = 6
 /2or 3... = 6 =W feet

MAP MEASUREMENT
Length in Inches = _____ = A
Map Scale: _____ In. = 1 Mile = B
A/X: B/5,280 = Ft./5,280 = Mile

Notes: Ditch can be seen on aerial photography so it is probably wider than 6 feet across, however, a similar ditch in the area that can be seen in aerial photography was measured to be 6 feet across on average.
 * i value was assumed.

KEY
Data Entry Cells
Ditch Loss in CFS

George W. Hall (cont.)

Fred M Suiter and Grace Z Suiter

C E Schmitz

John Tinsley

Elizabeth Norton

John Norton

Louis Robson

C W Tuttle

George A Jefferson

Hattie Macey

Rush Creek (Con)

J M Atwell

Edward Byers, sub for William Cope

Eva Barber

✓ Jerome B Cox

Hels C Nelson

R E Wilson and Edwin J Hill

" " " "

Hub B Poyner

✓ W H Gibson

✓ Minta Dugger

J Edward Wicks

Charles F Hulet

A H Nunnallee

A L Kingsbury

A Milton Hinshaw

James L Warren

John Carriek

Elihu W Hinshaw, sub for Devaney & Carter

Philbrick & Greenwood

Walter E Ford

William Thelen

E E Lorton

Marion C Potter

Daniel W Brndshaw

Bilas L Craddock

Edward E Lorton

Rush Creek (Con)

Charles R Edwards

E E Edwards admin of David G Edwards Katate

Joseph Hutchings (Beaver Creek)

11 1/2

6 1/2

12 1/2

4 3/8

- 13 5/8

- 2 3/8

- 4 3/4

- 2 3/8

- 2 3/8

3 1/8

12 3/8

19

9 1/2

12 1/2

7 1/2

16 T 6 7/8

19

12 1/2

16

136

16

6

2 1/2

1 1/2

19

31 1/2

14

7 1/2

19

75

32

18 1/2

3 1/8

3 3/4

12 1/2

25

9 3/8

19

23

63

27

20

45

May 1, 1896 ✓ 67 0263

May 1, 1901 ✓ 67 0264

Aug. 23, 1883 ✓ 67 0265 T #3106

Aug 23 1883 ✓ 67 0266

Aug 23, 1883 ✓ 67 0267 T 1765

Aug 23, 1883 ✓ 67 0268 T 1765

Aug 23, 1883 ✓ 67 0269 T 1765

Aug 23, 1883 ✓ 67 0270 T 1765

Aug 23, 1883 ✓ 67 0271 T 1765

May 1, 1884 ✓ 67 0272 T # 1953

May 1, 1890 ✓ 67 0273 T # 1953

May 1, 1887 ✓ 67 0274

May 1, 1888 ✓ 67 0275

May 1, 1889 ✓ 67 0276

May 1, 1892 ✓ 67 0277

May 1, 1890 ✓ 67 0278

May 1, 1890 ✓ 67 0279 sec memo

April 30, 1890 ✓ 67 0280

May 1, 1891 ✓ 67 0281

Oct 29, 1908 ✓ 67 0282

May 1, 1892 ✓ 67 0283

May 1, 1894 ✓ 67 0284

May 1, 1894 ✓ 67 0285

May 1, 1894 ✓ 67 0286

May 1, 1895 ✓ 67 0287

May 1, 1895 ✓ 67 0288

May 1, 1895 ✓ 67 0289

May 1, 1895 ✓ 67 0290

May 1, 1896 ✓ 67 0291

May 1, 1897 ✓ 67 0292

May 1, 1899 ✓ 67 0293

May 1, 1899 ✓ 67 0294

June 1, 1900 ✓ 67 0295

May 1, 1902 ✓ 67 0296

May 23, 1903 ✓ 67 0297

May 1, 1904 ✓ 67 0298

May 1, 1904 ✓ 67 0299

Oct 29, 1908 ✓ 67 0300

Oct 29, 1908 ✓ 67 0301

Oct 29, 1908 ✓ 67 0302

March 20, 1911 ✓ 67 0303 T 222

March 20, 1911 ✓ 67 0304

June 1, 1883 ✓ 67 0305

JUL 24 1995

A L KINGSBURY: The North half of Lot 2, and the North half of the South half of said Lot 2 Section 3, Township 14 North, Range 3 West Boise Meridian.

A MILTON HINSHAW: The Southwest Quarter of Section 3, and the Northwest Quarter of Section 10 all in Township 15 North, Range 3 West Boise Meridian.

JAMES L WARREN: The Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 9, Township 15 North, Range 3 West Boise Meridian.

JOHN CARRICK: The West half of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter, and the Northeast Quarter of the Southeast Quarter of Section 15, Township 15 North, Range 3 West Boise Meridian.

ELIHU W HINSHAW: The West half of the Northwest Quarter, the Southeast Quarter of the Northeast Quarter and the Northwest Quarter of the Southwest Quarter Section 34, Township 16 North, Range 3 West Boise Meridian.

PHILBRICK & GREENWOOD: The West half of the Southeast Quarter, and the East half of the Southwest Quarter Section 34, Township 16 North, Range 3 West Boise Meridian.

WALTER E FORD: The Northwest Quarter of the Northwest Quarter and the South half of the Northwest Quarter of Section 3, Township 15 North, Range 3 West Boise Meridian.

WILLIAM THIELLEN: Lot 4 Section 2, Township 14 North, Range 3 West Boise Meridian.

E E LORTON: The Southwest Quarter of the Southwest Quarter, Section 36, Township 15 North, Range 3 West Boise Meridian.

MARION C POTTER: The South half of the Southeast Quarter Section 15, and the North half of the Northeast Quarter Section 22, Township 15 North, Range 3 West Boise Meridian.

DANIEL W BRADSHAW: The Southeast Quarter of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter, and the West half of the Southeast Quarter of Section 36, Township 15 North, Range 3 West Boise Meridian.

SILAS A CRADDOCK: The Southeast Quarter of the Southwest Quarter of Section 36, Township 15 North, Range 3 West Boise Meridian.

EDWARD E LORTON: The Northwest Quarter of the Southwest Quarter, the South half of the Northeast Quarter, and the Southeast Quarter of the Northwest Quarter Section 35, Township 15 North, Range 3 West Boise Meridian.

CHARLES R EDWARDS: The Southeast Quarter of the Northwest Quarter, the Southwest Quarter of the Northeast Quarter, and the Northwest Quarter of the Southeast Quarter, Section 28, Township 15 North, Range 3 West Boise Meridian. #227

E E EDWARDS, ADMIN.: The Northeast Quarter of the Southeast Quarter Section 29; and the North half of the Southwest Quarter and the Southwest Quarter of the Northwest Quarter Section 28, Township 15 North, Range 3 West Boise Meridian.

JOSEPH HUTCHINGS: The West half of the Southwest Quarter of Section 10, the Southeast Quarter of the Southwest Quarter of Section 10, and the Northeast Quarter of the Northwest Quarter of Section 15, Township 15 North, Range 3 West Boise Meridian.

AMERICAN FALLS DEVELOPMENT COMPANY: The West half of the Southeast Quarter and the East half of the Southwest Quarter, Section 34, Township 16 North, Range 3 West Boise Meridian.

J P OGILVIE: The South half of the Northwest Quarter of Section 11, and the

JUL 24 1906

RUSH CREEK

RUSH CREEK (CON.)

J. M. Atwell	9½	May	1, 1888
Walter E. Ford	3½	"	" 1902
George A. Jefferson	3 1/8 12 3/8	"	" 1884
		"	" 1890
The Estate of Christian Larson	22	"	" 1878
Hattie Macey	19	"	" 1887
Moses H. Hopper	8 1	"	" 1883
		April	39, 1890
~~Erwin L. Litcher~~			
James L. & Karl Lewis	25	May	1, 1878
James L. Lewis	7 7/8	"	" "
George W. Hall	7½ 12½ 11½ 6½	"	" 1883
		"	" 1890
		"	" 1896
		"	" 1901
James L. Lewis	23½	June	1, 1899
Fred M. Suiter and Grace Z. Suiter	12½	Aug	23, 1883
C. E. Schmitz	4 3/8	"	" "
John Tinsley	13 5/8	"	" "
Elizabeth Norton	2 3/8	"	" "
John Norton	4 ¾	"	" "
Louis Robson	2 3/8	"	" "
C. W. Tuttle	2 3/8	"	" "
A. L. Kingsbury	7½	May	1, 1895
Elihu W. Hinshaw sub. for Devaney & Carter	18½	"	" 1899
Philbrick & Greenwood	3 1/8	June	1, 1900
William Thelen	12½	May	23, 1903
E. E. Lorton	25	"	" 1, 1904
Marion C. Potter	2 3/8	"	" "

JUL 2 4 1996

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 67-14647
Date Received: 11/9/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

DONALD F DRISCOLL FAMILY TRUST Phone: (208) 634-1812

PO BOX 1669
MC CALL ID USA 83638

2. Date of Priority: 05/01/1904

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	03W	15	NE SE	WASHINGTON	

5. Description of diverting works:

DAM, HEADGATE, WEIR, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.45	

7. Total Quantity Appropriated is:
0.45 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
15N	03W	25	SW SW	IRRIGATION	16
				Section Acres	16

15N	03W	26	SE	SE	IRRIGATION	8
					Section Acres	8
15N	03W	35	NE	NE	IRRIGATION	4
					Section Acres	4
15N	03W	36	NW	NE	IRRIGATION	8
			SW	NE	IRRIGATION	24
			SE	NE	IRRIGATION	25
			NE	NW	IRRIGATION	27
			NW	NW	IRRIGATION	27
			SW	NW	IRRIGATION	2
			SE	NW	IRRIGATION	26
					Section Acres	139
					Total Acres	167

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:

14. Remarks:

DITCH LOSS WILL NEED TO BE FIGURED TO SHOW AMOUNT THAT THE ACRES NEED IN ORDER TO IRRIGATE LANDS.

| ADDRESS CHANGE, ROUTE AND BOX TO GRID 5/14/99 SS.

This right is a split from former right 67-298.

15. Basis of Claim: Decreed