

RECEIVED

11/14/2006

DEPT. OF
WATER RESOURCES

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: 67-14727

KEVIN W KIRBY

PO BOX 406

CAMBRIDGE ID 83610

Telephone Number: (661) 733-1043

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: 12-1-06

SIGNATURE: *Kevin Kirby*

Please print your name: KEVIN Kirby

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

SCANNED
DEC - 6 2006

06/01/2006

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

RIGHT NUMBER: 67-14727

NAME AND ADDRESS: KEVIN W KIRBY
PO BOX 406
CAMBRIDGE ID 83610

SOURCE: RUSH CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.085 CFS

PRIORITY DATE: 05/23/1903

POINT OF DIVERSION:

T15N R03W S34 NESWSW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 10/31

0.085 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T14N R03W S02 Lot 4 NWNW 5.90

5.9 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 - Decreed



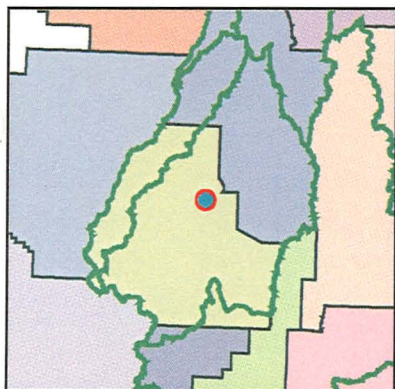
Idaho Department of Water Resources

SRBA Recommendation:

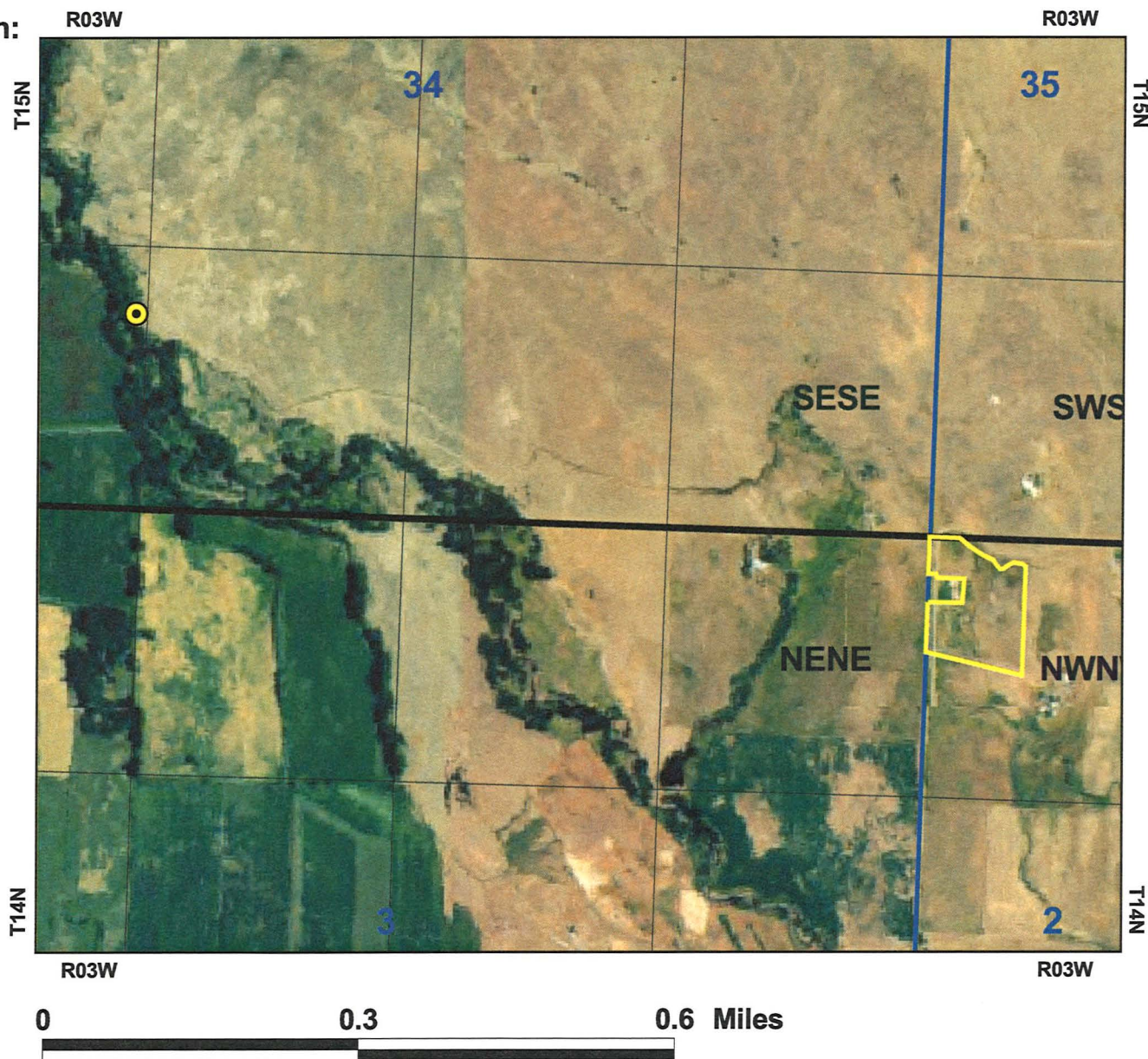
67-14727

Legend

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

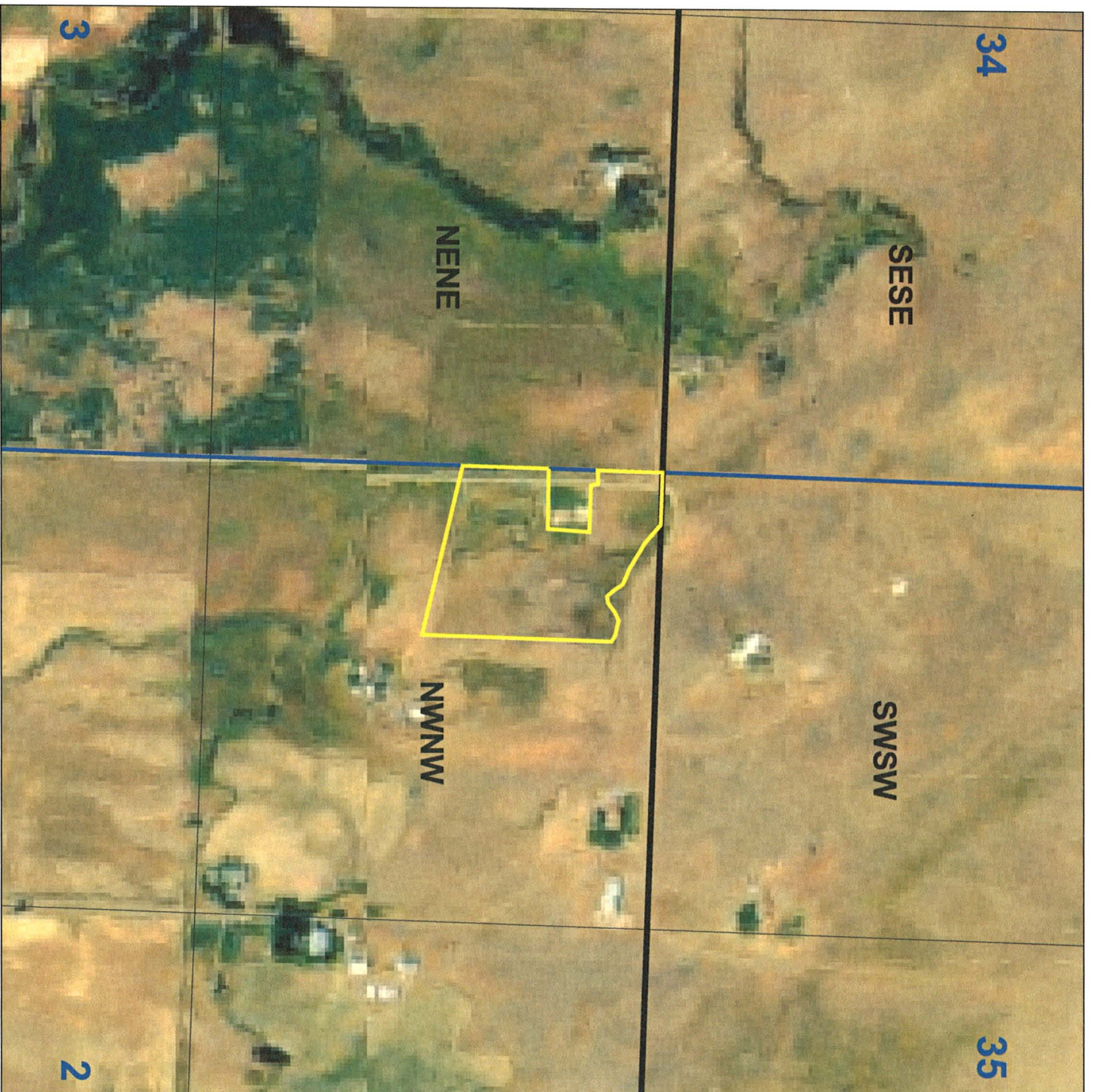


Washington County
IDWR Basin 67



Prepared by C. Saxton
On Thursday, June 1, 2006
1987/88 Aerial Photography

67-14727



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14727 V1

WATER RIGHT NUMBER: 67-14727 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KEVIN W KIRBY PO BOX 406 CAMBRIDGE, ID 83610 (661) 733-1043

Priority Date: 05/23/1903

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	0.085 CFS	
	<u>Total Diversion:</u>	0.085 CFS	

Location of Point(s) of Diversion

RUSH CREEK	NE1/4SW1/4SW1/4	Sec. 34, 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		
14N	03W	2					5.9													5.9
							L 4													

Total Acres: 5.9

Conditions of Approval:

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 6/1/2006 Copied From Claim

Comment: This claim filed to claim a portion of 67-297. Water master delivery records show delivery of 4.25 inches to the claimant so that is what was data entered on the claim. Place of use was determined using aerial photography.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14727 V1

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	6/1/2006 2:22:58 PM	csaxton			Active
Priority Date	6/1/2006 2:58:49 PM	csaxton			Active
POD	6/1/2006 2:59:09 PM	csaxton			Active
Source	6/1/2006 2:59:56 PM	csaxton			Active
POU	6/1/2006 3:00:09 PM	csaxton			Active
Use	6/1/2006 3:00:46 PM	csaxton			Active
Season	6/1/2006 3:01:02 PM	csaxton			Active
Quantity	6/1/2006 3:01:15 PM	csaxton			Active
Summary			06/01/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	6/1/2006 3:00:16 PM	csaxton	Updated shape for Active POU
POD	6/1/2006 2:59:01 PM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14727 V1

General	6/1/2006 2:58:41 PM	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?
POD	6/1/2006 2:59:25 PM	csaxton	Updated PLS
Source	6/1/2006 2:59:47 PM	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?
POU	6/1/2006 3:00:01 PM	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? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	6/1/2006 3:00:38 PM	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?
Contacts	6/1/2006 2:23:44 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
POD	6/1/2006 2:59:13 PM	csaxton	Updated shape
Season	6/1/2006 3:00:53 PM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14727 V1

Quantity	6/1/2006 3:01:07 PM	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?
Summary	6/1/2006 3:01:54 PM	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? (No) 5. Does this right have any combined use limits with other rights? (No) 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?

Water Supply Bank:

Split History for 67-297

WR History

67-297	Thelen
0.25	cfs
20	ac
	afa

*Calculated @ 5/8 " per acre

Claim History

67-297	Thelen
0.25	
20	

67-297A	Cutler	0.09
		7
67-297B	Pattee	0.08
		10
67-14727	Kirby	0.085
		5.9

Should be claimed = 67-? McLaughlin
0.085
6.8

Sum CFS =	0.34
Sum Ac =	29.7

Extra CFS =	-0.09
Extra Ac =	-9.7

Recommendation

67-297A	Cutler	(Dorf)
	0.085	
	6.8	5.4

67-297B	Pattee
	0.08
	6.4

67-14727	Kirby		
		0.085	
		6.8	5.9

67-? McLaughlin
0
0

Sum CFS =	0.25
Sum Ac =	20

Extra CFS =	0
Extra Ac =	0

Page #	Parcel Number	Name	Water in Inches	File #	Original Owner	Priority Date
32	14N03W02306	MCLAUGHLIN, C	4.25	297	Wm Thelan	5/3/1903
31	14N03W02304	BERT PATEE	4.00	297	Wm Thelan	5/23/1903
31	14N03W02322	KIRBY, KEVIN W	4.25	297	Wm Thelan	5/23/1903

McLaughlin was notified in second round service but has not filed a claim yet

File No. and Original Owner	File Date	Present Owner	Land Description	Amount of Water	Actual Charge 1987	Proposed Charge 1988	Notes
67-263 George Hall	5-1-96	Jim Bumgarner	# 4788	11.5"	1.10	1/10	7.50
67-291 A.M. Hinshaw	5-1-96	Hubert Ward	# 5347	19"	7.50	1/10	12.40
67-292 James L. Warren	5-1-97	Ford Ranch Inc.	# 5145	75"	7.50	1/10	48.80
67-293 John Garrick	5-1-99 ~~5-1-99~~	Gary Farrens	# 5173	32"	7.50	7/10	20.80
67-294 E.W. Hinshaw	5-1-99	Hubert Ward	# 5347	18.5"	1.80	2/10	12.00
67-248 R.E. Wilson	6-1-99	Morris McCoy	# 4786	22"	2.20	2/10	14.30
67-244 James L. Lewis	6-1-99	Jim Bumgarner	# 4788	23.5"	2.40	2/10	15.30
67-249 R.E. Wilson	6-1-00	Morris McCoy	# 4794	19"	1.90	2/10	12.40
67-245 James L. Lewis	6-1-00 ~~6-1-00~~	Jim Bumgarner	# 4788	19"	1.90	1/2/10	12.40
67-295 Philbrick & Greenwood	6-1-00	Hubert Ward	# 5347	3"	.30	1/10	2.00
67-264 George W. Hall	5-1-01	Jim Bumgarner	# 4788	6.5"	.60	1/10	4.20
67-296 Walter E. Ford	5-1-02	Hubert Ward	# 5347	4"	.40	1/10	2.60
67-297 Wm. Thelan	5-23-03	Bert Pattee	# 4780	4"	7.50	7/10	7.50
67-297 Wm. Thelan	5-23-03	James R. Warren	# 4780-5	4.25	7.50	7/10	7.50
TOTAL							

DATE 12/09/91
TIME 11:02:08

UNIFORM ASSESSMENT DEVELOPMENT
SOFTWARE SYSTEMS
SUMMARY PROPERTY LISTING
ALPHA ROLL
PMB101

PAGE 509

** PARCEL KEY **
TYPE PARCEL NO. STATUS
CODE OLD PARCEL NO.
MAP NUMBER
DEED #-NEW

NAME/ADDRESS

LEGAL DESCRIPTION

CAT QUANTITY UNIT

VALUE

REVIEW
YEAR

149921		WEISER ID 83672	OLD OFFICE							
	LOCATION: 3030	PROPERTY ADDRESS: 141	E 2ND	83672	**		\$31,250	***		
RP 002941	A	PARSONS, ROBERT A	TN-2 TN-4 REVISED	1	72.630	AC	61,445	87		
43-00		P O BOX 588	S19T11R5; 74.09 ACRES	19	1.460	AC		87		
		WEISER ID 83672		32			5,066	87		
506/103	LOCATION: 5074	PROPERTY ADDRESS:	JENKINS CREEK RD	83672	74.090	**	\$66,511	***		
RP 002945	A	PARSONS, ROBERT A	LOT 4 S19T11R5	1	39.000	AC	32,994	87		
43-00		P O BOX 588	40.60 ACRES	19	1.600	AC		87		
	LOCATION: 5074				40.600	**	\$32,994	***		
RP 000701	A	PARSONS, ROBERT A ETUX	LOT 3 BLK 1	20			4,500	91		
1-00		P O BOX 588	MOREHEAD EXTENSION	41			14,125	91		
		WEISER ID 83672								
152398	LOCATION: 3030	PROPERTY ADDRESS: 167	E COMMERCIAL	83672	**		\$18,625	***		
RP 004304-03	A	PARTIN, NICHOLAS L ETUX	N1/2N1/2NENW; S21T13R3	3	10.000	AC	830	90		
9-00		RT 1 BOX 30A	10 ACRES							
		MIDVALE ID 83645								
440/103	LOCATION: 5071				10.000	**	\$830	***		
RP 001595	A	PATCH, PAUL E ETUX	TN-2 BLK 8	20			4,250	87		
2-00		P O BOX 163	HALLERS DIV	41			18,522	87		
C7320		CAMBRIDGE ID 83610								
149501	LOCATION: 1001	PROPERTY ADDRESS: 60	E WASHINGTON AV	83610	**		\$22,772	***	*HO*	
RP 004780	A	KINCAID, GERALD P	E 10A OF W 25A OF	12	10.000	AC	15,935	87		
7-00		% PATTEE, BERT	LOT 4 S2T14R3	32			3,268	87		
		P O BOX 84	10 ACRES	34			4,796	87		
		CAMBRIDGE ID 83610								
	LOCATION: 5068	PROPERTY ADDRESS: 2986	CEMETERY RD	83610	10.000	**	\$23,999	***	*HO*	
RP 000884	A	PATTERSON, ALAN S ETUX	LOT 5 BLK 2	20			4,500	91		
1-00		638 E 4TH	PLEASANTS 2ND SUB	41			30,340	91		
W1900		WEISER ID 83672								
596/103	LOCATION: 3036	PROPERTY ADDRESS: 638	E 4TH	83672	**		\$34,840	***	*HO*	
RP 000930	A	PATTERSON, DONALD D	TN-6, PORTIONS OF	20			9,452	89		
1-00		1011 W GALLOWAY	BLKS 3,4,5,6,7	41			28,812	87		

DATE 12/09/91
TIME 11:02:08

UNIFORM ASSESSMENT DEVELOPMENT
SOFTWARE SYSTEMS
SUMMARY PROPERTY LISTING
ALPHA ROLL
PMB101

PAGE 748

** PARCEL KEY **
TYPE PARCEL NO. STATUS
CODE OLD PARCEL NO.
MAP NUMBER
DEED #-NEW

NAME/ADDRESS

LEGAL DESCRIPTION

CAT QUANTITY UNIT

VALUE

REVIEW
YEAR

92417

LOCATION: 2009

**

\$385 ***

RP 001872 A WARFIELD, DAN L TN-24 S8T13R3 20 1,805 88
3-00 2041 WIDNER RD MIDVALE
1530 MIDVALE ID 83645
2417

LOCATION: 2009

**

\$1,805 ***

RP 004272 A WARFIELD, DAN L TN-7 S17T13R3 10 .750 AC 3,900 91
9-00 2041 WIDNER RD .75 ACRES
MIDVALE ID 83645

LOCATION: 5071

.750 **

\$3,900 ***

RP 004298 A WARFIELD, DAN L N1/2NWNW S20T13R3 1 19.000 AC 10,328 91
9-00 RP004298 A 2041 WIDNER RD 20 ACRES .250 AC 1,300 91
MIDVALE ID 83645 MH009712 19 .750 AC 880 91
31 3,666 91
32 \$16,174 *** *HO*

LOCATION: 5071 PROPERTY ADDRESS: 2041

WIDNER RD

83645

20.000 **

\$16,174 ***

HO

RP 001223-01 A WARNECKE, MICHAEL DUANE LOT 5 BLK 14 20 4,500 90
1-01 RP001223-01 A 918 E COMMERCIAL A B WATKINS 2ND ADD 41 2,714 90
WEISER ID 83672 MH009592

151283

LOCATION: 3054 PROPERTY ADDRESS: 918

E COMMERCIAL

83672

**

\$7,214 ***

HO

RP 000802 A WARR, ANNA MAE LOTS 10 & 11 BLK 5 20 5,000 91
1-00 2005 N E 16TH ST PARK PLACE 41 15,973 91
1700 PAYETTE ID 83661

LOCATION: 3037 PROPERTY ADDRESS: 526

E PARK

83672

**

\$20,973 ***

HO

RP 004780-02 A KINCAID, GERALD TN-66 S2T14R3 12 14.000 AC 12,300 87
7-00 % WARREN, JAMES R 14 ACRES
146168 P O BOX 103
CAMBRIDGE ID 83610

LOCATION: 5068

14.000 **

\$12,300 ***

RP 004780-05 A WARREN, JAMES R ETUX TN-67 S2T14R3 1 AC 12 1.000 AC 6,917 87
7-00 P O BOX 103 34 35,937 87
CAMBRIDGE ID 83610

LOCATION: 5068 PROPERTY ADDRESS: 2992

CEMETERY RD

83610

1.000 **

\$42,854 ***

HO

RP 004774 A WARREN, JAN C TN-63 S2T14R3 12 3.900 AC 15,968 91
7-00 P O BOX 85 34 55,845 91
CAMBRIDGE ID 83610

LOCATION: 5068 PROPERTY ADDRESS: 575

CEMETERY RD

83610

3.900 **

\$71,813 ***

HO



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

May 11, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

KEVIN W KIRBY
PO BOX 406
CAMBRIDGE ID 83610

RE: New Snake River Basin Adjudication (SRBA) claim 67-14727

Dear Mr. Kirby,

Per our conversation today, I am sending you a completed claim for your review. There are a couple of things to note.

- 1) The acreage I put on the claim is the acreage that I found using GIS. This is shown on the map accompanying the claim
- 2) The diversion rate I put on the claim is the same amount that is shown to be delivered to you on the water master records.

This is your claim and you can claim whatever you want. So look over the claim and initial any changes you wish to make. When satisfied, sign the claim in front of a notary and return it to me **ASAP** with the filing fee of \$56.00.

Fee breakdown is \$50.00 per claim, and \$1 per acre.

Please feel free to contact me if you have any questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure(s)

2nd request
& my 2nd mailing
THANKS CRAIG

SCANNED

MAY 25 2006

Receipt Verification Report

Region: STATE Date: 5/18/2006 1:03:13 PM

Payment Type	Receipt #	Date Received	User ID	Check #	Payer	Amount	Total
Cash	C081266	5/17/2006	mmcmikle		RAPP JOHN	\$4.00	
						\$4.00	Total Cash
Check	C081267	5/17/2006	kwood	40525	RACINE, OLSON, BUDGE & BAILEY, CHARTERED	\$25.00	
	C081271	5/18/2006	kwood	1	AMERICAN CLASSIC DEVELOPMENT, LLC	\$25.00	
	C081268	5/18/2006	CWILSON	3263	DIMOND DEAN T	\$8,462.73	
	C081269	5/18/2006	CWILSON	4688	BOWMAN, KATHLEEN M	\$47.88	
	C081270	5/18/2006	CWILSON	2664	WHEELER, DENNIS B	\$62.73	
	C081272	5/18/2006	CWILSON	8850	REYNOLDS, JEANETTE & STEVE	\$42.82	
	C081273	5/18/2006	kwood	0001196310	IDAHO POWER COMPANY	\$50.00	
	C081274	5/18/2006	kwood	4481	HYDRO LOGIC, INC.	\$50.00	
	C081275	5/18/2006	kwood	7583	VANBUSKIRK, CASEY R.	\$10.00	
	C081276	5/18/2006	kwood	542	OLEARY, MICHAEL	\$100.00	
	C081277	5/18/2006	kwood	1781	KIRBY KEVIN W	\$56.00	
	C081278	5/18/2006	kwood	8833	YORGASON J. RAMON AND MARILYN	\$150.00	
	C081279	5/18/2006	kwood	6278	BROWN ROBERT B.	\$25.00	
	C081280	5/18/2006	kwood	6279	BROWN ROBERT B.	\$325.00	
	C081281	5/18/2006	kwood	22664	LAND TITLE & ESCROW, INC.	\$50.00	
						\$9,482.16	Total Check
						\$9,486.16	Final Total

67-1 4727
Cragg
pls
this
claim.
to

Mr. Sal
5-22-06

Info for Kevin Kirby
Notice of Claim
Proof of Payment

Receipt # C081277

OF IDAHO
DEPARTMENT OF WATER RESOURCES
522 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

PRESORTED
FIRST CLASS



UNITED STATES POSTAGE
PITNEY BOWES
02 1A
0004389390
\$ 00.29³
MAY 22 2006
MAILED FROM ZIP CODE 83702

ATTN CRAIG SEXTON

STATE OF IDAHO
D.W.R.
PO - BOX 83720-
BOISE, ID 83720-0098

KEVIN W KIRBY
PO BOX 406
CAMBRIDGE ID 83610

CAMBRIDGE 83610



K. Kirby

P.O. 406

Cambridge, ID 83610



BOISE ID 83720

24 MAY 2006 PM 3



ATTN: CRAIG SAXTON
STATE OF IDAHO DWR
P.O. BOX 83720
BOISE, ID. 83720-0098

RECEIVED

MAY 25 2006

DEPARTMENT OF
WATER RESOURCES





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

May 23, 2006

KEVIN W KIRBY
PO BOX 406
CAMBRIDGE ID 83610

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #67-14727

Dear Mr. Kirby:

Following my early telephone call to you this morning, enclosed is a duplicate Notice of Claim #67-14727 for you to sign in front of a Notary Public and return to me.

If you have any questions, please call me at 287-4922.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sally Sherman', is written over a horizontal line.

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

SCANNED

MAY 23 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 67-14727
Date Received: 5/11/2006
Receipt No: C081277
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KEVIN W KIRBY Phone: (661) 733-1043

PO BOX 406
CAMBRIDGE ID USA 83610

2. Date of Priority: 05/23/1903

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	34	NE SW SW	WASHINGTON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	10/31	0.085	

7. Total Quantity Appropriated is:
0.085 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	
14N	03W	2	NW	NW	4	IRRIGATION	5.9
Section Acres							5.9
Total Acres							5.9

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:

This claim filed to claim a portion of 67-297. Water master delivery records show delivery of 4.25 inches to the claimant so that is what was data entered on the claim. Place of use was determined using aerial photography.

Claim set to temporary status until returned with notarized signature and appropriate filing fee (csaxton 5-11-06).

15. Basis of Claim: Decreed

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

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____



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

May 11, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

KEVIN W KIRBY
PO BOX 406
CAMBRIDGE ID 83610

2nd request

RE: New Snake River Basin Adjudication (SRBA) claim 67-14727

Dear Mr. Kirby,

Per our conversation today, I am sending you a completed claim for your review. There are a couple of things to note.

- 1) The acreage I put on the claim is the acreage that I found using GIS. This is shown on the map accompanying the claim
- 2) The diversion rate I put on the claim is the same amount that is shown to be delivered to you on the water master records.

This is your claim and you can claim whatever you want. So look over the claim and initial any changes you wish to make. When satisfied, sign the claim in front of a notary and return it to me **ASAP** with the filing fee of \$56.00.

Fee breakdown is \$50.00 per claim, and \$1 per acre.

Please feel free to contact me if you have any questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure(s)

SCANNED
MAY 19 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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May 11, 2006

KEVIN W KIRBY
PO BOX 406
CAMBRIDGE ID 83610

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Sr. Water Resource Agent
Adjudication Bureau

Enclosure(s)

SCANNED
MAY 19 2006

George W. Hall (cont.)

Fred M Suiter and Grace Z Suiter

C E Schmitt

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

Nels 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 Carriok

Nlihu W Hinshaw, sub for Devaney & Carter

Philbrick & Greenwood

Walter E Ford

William Thelen

E E Lorton

Marion C Potter

Daniel W Bradshaw

Silas L Craddock

Edward E Lorton

Rush Creek (Con)

Charles R Edwards

E E Edwards admin of David G Edwards Estate

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 696

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 # 1955

May 1, 1890 ✓ 67 0273 T # 1955

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 2 4 1995

A I. 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 THELLEN: 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 1936

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	30, 1890
~~Erwin Lichter~~			
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	9 3/8	"	" "

JUL 24 1996

RECEIVED

MAY 18 2006

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

DEPT OF IDAHO
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 67-14727
Date Received: 5/11/2006
Receipt No:
Received By:

New Claim

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

New Claim

1. Name of Claimant(s)

KEVIN W KIRBY Phone: (661) 733-1043

PO BOX 406
CAMBRIDGE ID USA 83610

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

4. Point of Diversion:

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8. Total consumptive use:

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Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
14N	03W	2	NW NW 4	IRRIGATION	5.9
Section Acres					5.9
Total Acres					5.9

SCANNED

MAY 19 2006

SCANNED

MAY 25 2006

11. Place of use in counties: WASHINGTON

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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): Kw J Date: 5-17-06

Date: _____

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 17th
of May 2006 Ann Hanson

Notary Public

Residing at Cambridge
My commission Expires 3-31-10



SCANNED
MAY 19 2006