

RECEIVED

NOV 29 2006

DEPARTMENT
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: 67-14763

CLINTON MCLAUGHLIN
3002 CEMETERY RD
CAMBRIDGE ID 83610
Telephone Number: (208) 257-3960 ✓

JUDY MCLAUGHLIN
3002 CEMETERY RD
CAMBRIDGE ID 83610
Telephone Number: (208) 257-3960 ✓

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 20, 2006

SIGNATURE:

Please print your name:

CLINTON MCLAUGHLIN

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

SCANNED
NOV 30 2006

08/18/2006

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

RIGHT NUMBER: 67-14763

NAME AND ADDRESS: CLINTON MCLAUGHLIN
3002 CEMETERY RD
CAMBRIDGE ID 83610

JUDY MCLAUGHLIN
3002 CEMETERY RD
CAMBRIDGE ID 83610

SOURCE: RUSH CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.026 CFS

This right when combined with other rights from the same point(s) of diversion is limited to a total combined diversion rate of 2.38 cfs.

PRIORITY DATE: 05/23/1903

POINT OF DIVERSION:

T15N R03W S34 SWSW 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	0.026 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T14N R03W S02 Lot 4 NWNW 2.10

2.1 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

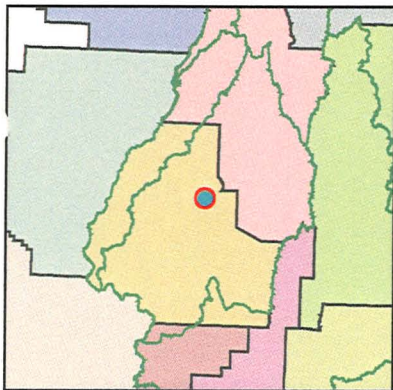
SRBA Recommendation:

67-14763

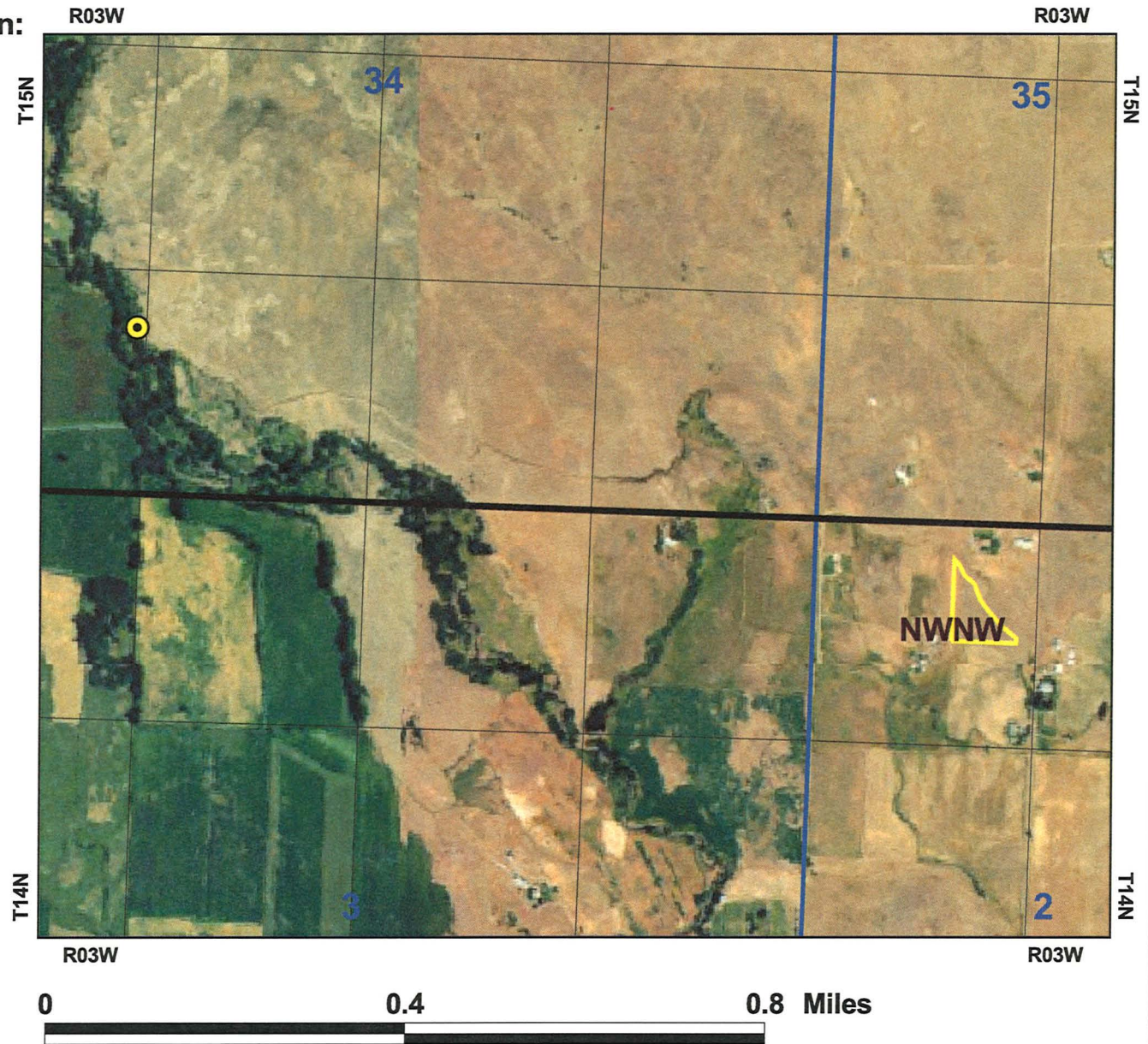
(Irrigation)

Legend

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

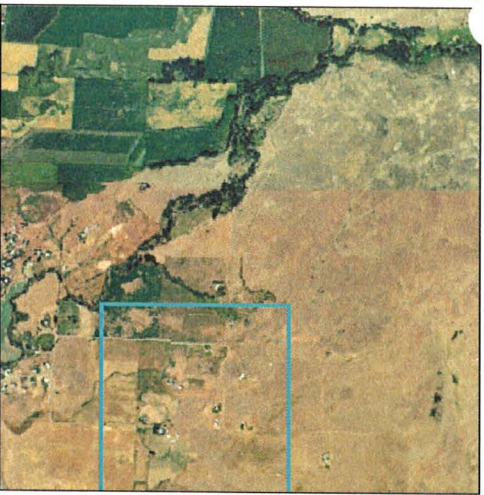


Washington County
IDWR Basin 67



Prepared by C. Saxton
On Friday, August 18, 2006
1987/88 Aerial Photography

67-14763



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14763 V1

WATER RIGHT NUMBER: 67-14763 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CLINTON MCLAUGHLIN 3002 CEMETERY RD CAMBRIDGE, ID 83610 (208) 257-3960
Current Owner	JUDY MCLAUGHLIN 3002 CEMETERY RD CAMBRIDGE, ID 83610 (208) 257-3960

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	0.026 CFS	
	<u>Total Diversion:</u>	0.026 CFS	

Location of Point(s) of Diversion

RUSH CREEK	SW1/4SW1/4	Sec. 34, Twp 15N, Rge 03W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14N	03W	2						2.1											2.1
								L 4											

Total Acres: 2.1

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.
2. 178 This right when combined with other rights from the same point(s) of diversion is limited to a total combined diversion rate of 2.38 cfs.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14763 V1

Comments:

1. csaxton 8/18/2006 Recommendation
 Comment: See review notes and ECVR in claim file 67-14763

2. csaxton 8/18/2006 Copied From Claim (1)
 Comment: This right is a split from former right 67-297A.

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>
Summary			08/18/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	8/18/2006 8:42:09 AM	csaxton	Updated shape for Active POU
Summary	8/18/2006 8:20:42 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? (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?
POD	8/18/2006 8:17:53 AM	csaxton	Updated shape
POU	8/18/2006 8:18:36 AM	csaxton	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14763 V1

POU	8/18/2006 8:42:17 AM	csaxton	Updated PLS for Active POU
POD	8/18/2006 8:18:01 AM	csaxton	Updated PLS
POU	8/18/2006 8:18:44 AM	csaxton	Updated PLS for Active POU

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
	0.012857
67-297B	Pattee
	0.08
	10
67-14727	Kirby
	0.085
	5.9

Sum CFS =	0.255
Sum Ac =	22.9

Extra CFS =	-0.005
Extra Ac =	-2.9

Claim History

67-14762	Cutler
	0.062
	4.8
67-14763	McLaughlin
	0.028
	2.2
67-297B	Pattee
	0.08
	10
67-14727	Kirby
	0.085
	5.9

Sum CFS =	0.255
Sum Ac =	22.9

Extra CFS =	-0.005
Extra Ac =	14.1

Recommendation

67-14762	Cutler
	0.059
	4.7
67-297A	Cutler
	0.085
	6.8
	0.0125
67-14763	McLaughlin
	0.026
	2.1
67-297B	Pattee
	0.08
	6.4
67-14727	Kirby
	0.085
	6.8

Sum CFS =	0.25
Sum Ac =	20

Extra CFS =	0
Extra Ac =	0

Sum CFS =	0.250
Sum Ac =	20

Extra CFS =	0.000
Extra Ac =	0

Page #	Parcel #	Name	Inches	File #	Original Owner	Priority
32	14N03W02	MCLAUGHLIN,	4.25	297	Wm Thelan	5/3/1903
31	14N03W02	BERT PATEE	4.00	297	Wm Thelan	5/23/1903
31	14N03W02	KIRBY, KEVIN	4.25	297	Wm Thelan	5/23/1903

d round service but has not filed a claim yet

Split/Overlap Analysis - Recommendation

Water Right Number: 67-297A

Diversion Rate: 0.085 CFS

[illegible]

67-297A (6.8 ac & 0.09 cfs)	Cutler (2.1 ac & 0.03 cfs)
	McLaughlin (4.7 ac & 0.06 cfs)

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre
67-297A	0.085	6.8	0.013
Cutler	0.03	2.1	0.013
McLaughlin	0.06	4.7	0.013

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 67-14763
Date Received: 9/27/1989
Receipt No:
Received By:

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

1. Name of Claimant(s)

JUDY MCLAUGHLIN Phone: (208) 257-3960

3002 CEMETERY RD
CAMBRIDGE ID USA 83610

CLINTON MCLAUGHLIN Phone: (208) 257-3960

3002 CEMETERY RD
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	SE SW	WASHINGTON	

5. Description of diverting works:

DIV. THRU DITCHES BY GRAVITY FLOW FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.028	

7. Total Quantity Appropriated is:
0.028 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
						2.2
						Section Acres
						2.2
						Total Acres
						2.2

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 IS A SPLIT OF WATER RIGHT NO. A67-00297 WHICH COVERED 20 ACRES OF IRRIGATION FOR 12.5". THE WATERMASTER RECORDS SHOW THAT THE CUTLER FAMILY HAS BEEN RECEIVING 4.25" OF WATER UNDER THIS RIGHT FOR THIS PROPERTY. SINCE THE MUIR-ALLISON DECREE WAS ISSUED AT 5/8THS OF AN INCH PER ACRE THIS WOULD BE ENOUGH FOR 7.0 ACRES OF IRRIGATION. LICENSE NO. 67-02000 APPEARS TO BE SUPERCEDED BY THIS DECREE.

It appears that receipt number W006225 is associated with this claim. However that receipt is for \$145. Fees for this claim would be \$57.

This right is a split from former right 67-297A.

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.



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.

August 18, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

JUDY MCLAUGHLIN
CLINTON MCLAUGHLIN
3002 CEMETERY RD
CAMBRIDGE ID 83610

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #67-14763

Dear Claimants:

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

From
67-297A

To
67-14763

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,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

SS:region

Enclosure:

Notice of Claim to a Water Right Referenced Above

Memorandum

Date: August 18, 2006

To: File 67-297A, 67-14762, and 67-14763

From: Craig L. Saxton

Change of ownership was submitted by McLaughlin but the signature page was not signed. However, along with the change of ownership, a completed change of address form was submitted with signatures of both Clinton and Judy McLaughlin. Consider the signatures on the change of address form applicable to the change of ownership and process the change.

Split/Overlap Analysis - CLAIM

Water Right Number: 67-297A

Diversion Rate: 0.09 CFS

[illegible]

67-297A (7.0 ac & 0.09 cfs)	Cutler (2.2 ac & 0.03 cfs)
	McLaughlin (4.8 ac & 0.06 cfs)

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre
67-297A	0.09	7	0.013
Cutler	0.03	2.2	0.013
McLaughlin	0.06	4.8	0.013