

07/24/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-14879

NAME AND ADDRESS: KATHRYN A NOAH
2874 WARFIELD RD
CAMBRIDGE ID 83610

RANDY E NOAH
2874 WARFIELD RD
CAMBRIDGE ID 83610

SOURCE: PINE CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.180 CFS
57.20 AFY

The rights listed below are limited to a total combined diversion rate of 0.38 cfs and to a total combined annual diversion volume of 76.1 AF. Combined Right Nos.: 67-14879, 67-14881, and 67-14883.

PRIORITY DATE: 05/01/1880

POINT OF
DIVERSION:

T14N R03W S5 NENW Lot 3 Within WASHINGTON County
T14N R03W S10 NWNW 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	0.180 CFS 57.20 AFY

PLACE OF USE: IRRIGATION in WASHINGTON County

T14N R03W S03	SWSW	4.00	T14N R03W S03	SESW	15.00
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19 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 19.0 acres in a single irrigation season. Combined Right Nos.: 67-14879, 67-14881, and 67-14883.

This right is limited to the irrigation of 14.3 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

This right when combined with all other rights: 67-14879, 67-14881, and 67-14883, shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Use of water under this water right will be regulated by the watermaster of State Water District No. 67, Weiser River.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.

This right is a split from former right 67-185A.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14879 V1

WATER RIGHT NUMBER: 67-14879 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KATHRYN A NOAH 2874 WARFIELD RD CAMBRIDGE, ID 83610 (208)257-3727
Current Owner	RANDY E NOAH 2874 WARFIELD RD CAMBRIDGE, ID 83610 (208)257-3727
Directors Report Owner	CREED N NOAH 2925 COVE RD CAMBRIDGE, ID 83610 (208) 257-3686
Directors Report Owner	MELISSA A NOAH 2925 COVE RD CAMBRIDGE, ID 83610 (208) 257-3686
Original Owner	NELS BUHL CAMBRIDGE, ID 83610
Original Owner	CAROL P BUMGARNER 2934 HWY 71 CAMBRIDGE, ID 83610 (208)257-3422
Original Owner	JAMES L BUMGARNER 2934 HWY 71 CAMBRIDGE, ID 83610 (208)257-3422

Priority Date: 05/01/1880

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
PINE 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	0.180 CFS	57.20 AF
	<u>Total Diversion:</u>	0.180 CFS	57.20 AF

Location of Point(s) of Diversion

PINE CREEK WASHINGTON County	L3 (NE1/4NW1/4)	Sec. 5, Twp 14N, Rge 03W, B.M.
PINE CREEK WASHINGTON County	NW1/4NW1/4	Sec. 10, Twp 14N, Rge 03W, B.M.

Place of Use

IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 67-14879 V1

Twp	Rge	Sec	NE				NW				SW				SE				Totals
14N	03W	3	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
													4.0	15.0					19.0

Total Acres: 19

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 19.0 acres in a single irrigation season. Combined Right Nos.: 67-14879, 67-14881, and 67-14883.
2. E61 The rights listed below are limited to a total combined diversion rate of 0.38 cfs and to a total combined annual diversion volume of 76.1 AF. Combined Right Nos.: 67-14879, 67-14881, and 67-14883.
3. R64 This right when combined with all other rights: 67-14879, 67-14881, and 67-14883, shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. 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.
5. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 67, Weiser River.
6. K06 This right is limited to the irrigation of 14.3 acres within the place of use described above in a single irrigation season.
7. T18 Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
8. This right is a split from former right 67-185A.

Remarks:

Comments:

1. shemenway 6/28/2007 SPLIT
 Comment: SPLIT 67-185A INTO 67-14879 FOR RANDY AND KATHRYN, AND 67-14880 FOR CREED AND MELISSA NOAH

2. shemenway 7/5/2007 TRANSFER
 Comment: 10/02/2002 TRANSFER WR #68474, FOR 67-185A WAS FOR A TOTAL OF 0.96 CFS 307.2 AF, TO BE DIVIDED BETWEEN 67-14879 AND 67-14880.

3. shemenway 7/23/2007 LIMITED IRRIGATION
 Comment: 67-185A WAS LIMITED TO IRRIGATION OF 76.8 ACRES (PRIOR TO SPLIT) WITHIN THE PLACE OF USE

Water Supply Bank:

Split/Overlap Analysis

Water Right Number: 67-185A

Diversion Rate: 0.96 CFS

Diversion Volume: 307.2 AF

[illegible]

102

67-185A	67-14879 (19.0 ac & 0.18 cfs)
(102.0 ac & 0.96 cfs)	67-14880 (83.0 ac & 0.78 cfs)

per Transfer No. 68474 for 67-1851
the 102 acres is limited
to 76.8 acres irrigation
(Recommendation: irrigation acre limit)

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre	Volume
67-185A	0.96	102 (76.8)	0.009	307.2
67-14879	0.18	19 (14.3)	0.009	57.2
67-14880	0.78	83 (62.5)	0.009	250.0

$$\frac{307.2 \text{ AF}}{76.8 \text{ acres}} = 4 \frac{\text{AF}}{\text{acre}}$$

$$\frac{(19 \text{ acres})(76.8)}{102} = 14.3 \text{ acres}$$

$$\frac{(83 \text{ acres})(76.8)}{102} = 62.5 \text{ acres}$$

$$14.3 \text{ acres} \times 4 \text{ AF std} = 57.2 \text{ AF}$$

$$62.5 \text{ acres} \times 4 \text{ AF std} = 250.0 \text{ AF}$$

SCANNED

JUL 24 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68474

This is to certify that: JAMES L BUMGARNER
2934 HWY 71
CAMBRIDGE ID 83610
(208)257-3422

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
67-185A	AJC/	05/01/1880	0.96 cfs			102.0	PINE CREEK
67-186A	AJC/	06/01/1884	0.32 cfs			102.0	PINE CREEK
67-4070	AJC/Statutory Claim	05/05/1880	2.66 cfs			102.0	PINE CREEK

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
67-185A	NO	NO	NO	YES	NO	NO
67-186A	NO	NO	NO	YES	NO	NO
67-4070	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
67-185A	67-185A	0.96 cfs	307.2 af	76.8	102.0		N/A	N/A	N/A	N/A
67-186A	67-186A	0.32 cfs	100.8 af	25.6	102.0		N/A	N/A	N/A	N/A
67-4070	67-4070	0.76 cfs	N/A	N/A	102.0		N/A	N/A	N/A	N/A
TOTALS		2.04 cfs	408.0 af	N/A	102.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 27th day of August, 2002


Chief, Water Allocation Bureau

MICROFILMED

AUG 9 2002

WATER RIGHT NO. 67-185A
As Modified by Transfer No. 68474

In accordance with the approval of Transfer No. 68474, Water Right No. 67-185A is now described as follows.

Right Holder: JAMES L BUMGARNER AND
 CAROL P BUMGARNER
 2934 HWY 71
 CAMBRIDGE ID 83610

Priority Date: 05/01/1880

Source: PINE CREEK

Tributary: WEISER RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 10/31		0.96 CFS	307.2 AF
			0.96 CFS	307.2 AF

LOCATION OF POINT(S) OF DIVERSION:

PINE CREEK Lot 3 NENW Sec. 5 Twp 14N Rge 03W WASHINGTON
 County

PINE CREEK NWNW Sec. 10 Twp 14N Rge 03W 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	3											35.0	27.0					62.0
14N	03W	10					30.0	10.0											40.0

Total Acres: 102

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 76.8 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 67-185A, 67-186A and 67-4070 shall not exceed 2.04 cfs, nor total combined annual volume of 408.0 af for the irrigation 102.0 total acres.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 67, Weiser River.

MICROFILMED

OCT 02 2002

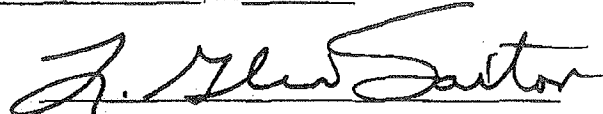
WATER RIGHT NO. 67-185A
As Modified by Transfer No. 68474

CONDITIONS OF APPROVAL

4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 27th day of August, 2002


Chief, Water Allocation Bureau

MICROFILMED

SEP 2 2002



Idaho Department of Water Resources

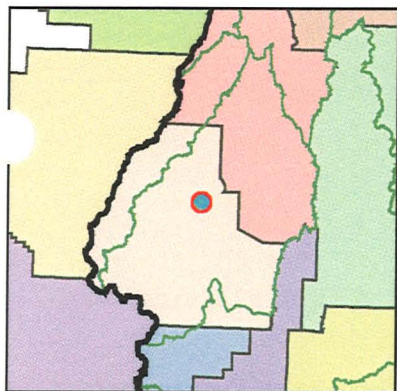
SRBA Recommendation:

67-14879

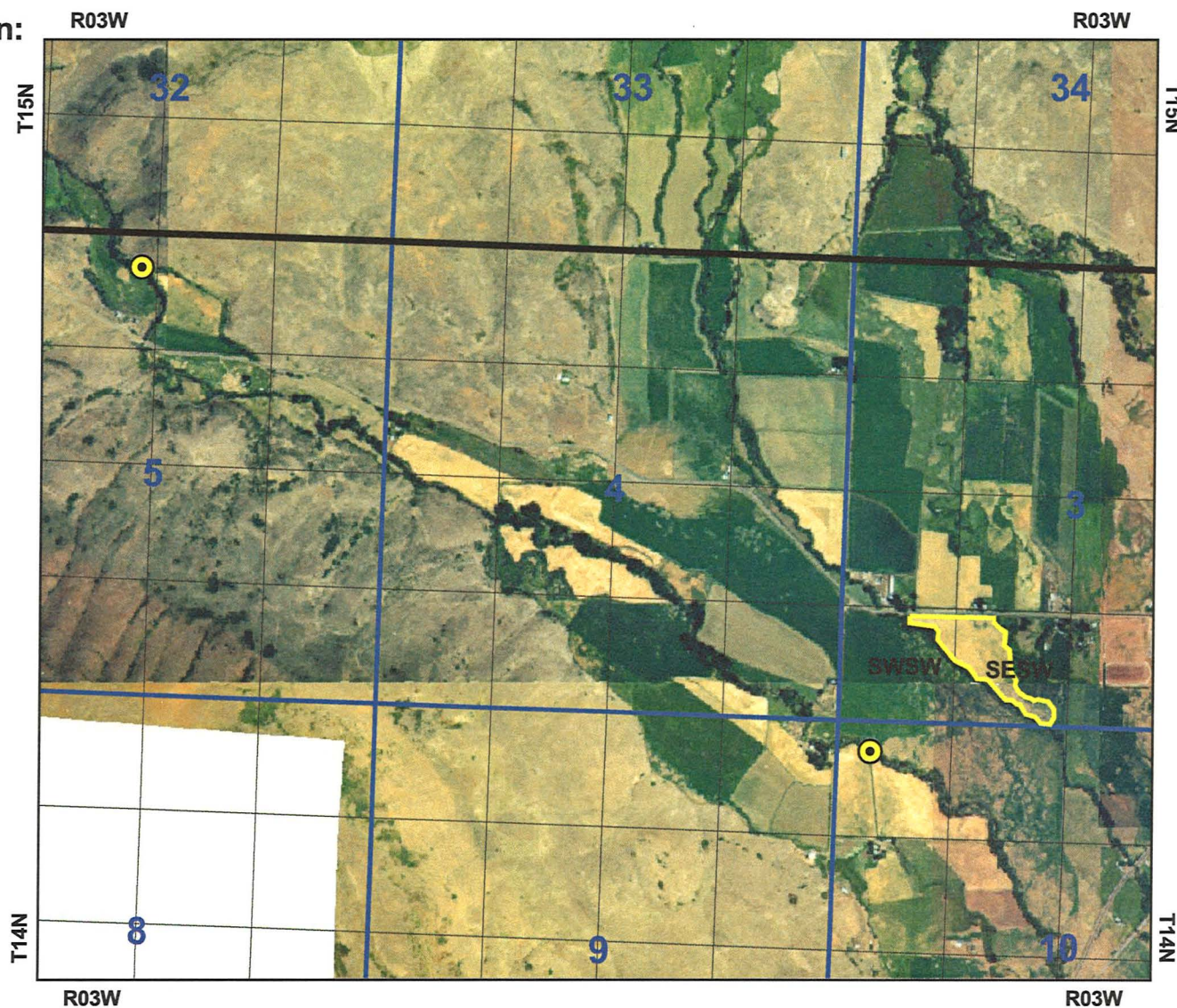
(Irrigation)

Legend

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



Washington County
IDWR Basin 67



0 0.8 1.6 Miles

Prepared by IDWR State Office
On Monday, July 2, 2007
1987/88 Aerial Photography

7-16-07 SH.

PARENT WR	CFS	AF	IRRIGATED ACRES	SPLIT WR
67-185A	0.96	307.2	98.1	
	0.15	47.6	15.2	67-14879
	0.81	260	82.9	67-14880
67-186A	0.32	100.8	98.1	
	0.05	15.6	15.2	67-14881
	0.27	85.2	82.9	67-14882
67-4070	0.76	N/A	98.1	
	0.12	N/A	15.2	67-14883
	0.64	N/A	82.9	67-14884

Combined {
67-14879
67-14881
+
67-14883

System Capacity:
0.15 47.6 ✓
0.05 15.6
0.12 NA
0.32 63.2 cfs

0.81 260
0.27 85.2
0.64 NA
1.72 AF

Allowed total:
15.2 ^{acres} X 0.02 cfs = 0.304 cfs
15.2 X 4 = 60.8 = 61.0 AF
_{irr. reg.}

Combined {
67-14880,
67-14882
+
67-14884

System Capacity:
0.81 260.0
0.27 85.2
0.12 NA
1.2 cfs
345.2

Allowed total:
82.9 acres X 0.02 = 1.658 = 1.66 cfs
82.9 X 4.0 irr. reg. = 331.6 = 332.0 AF

SCANNED
JUL 17 2007