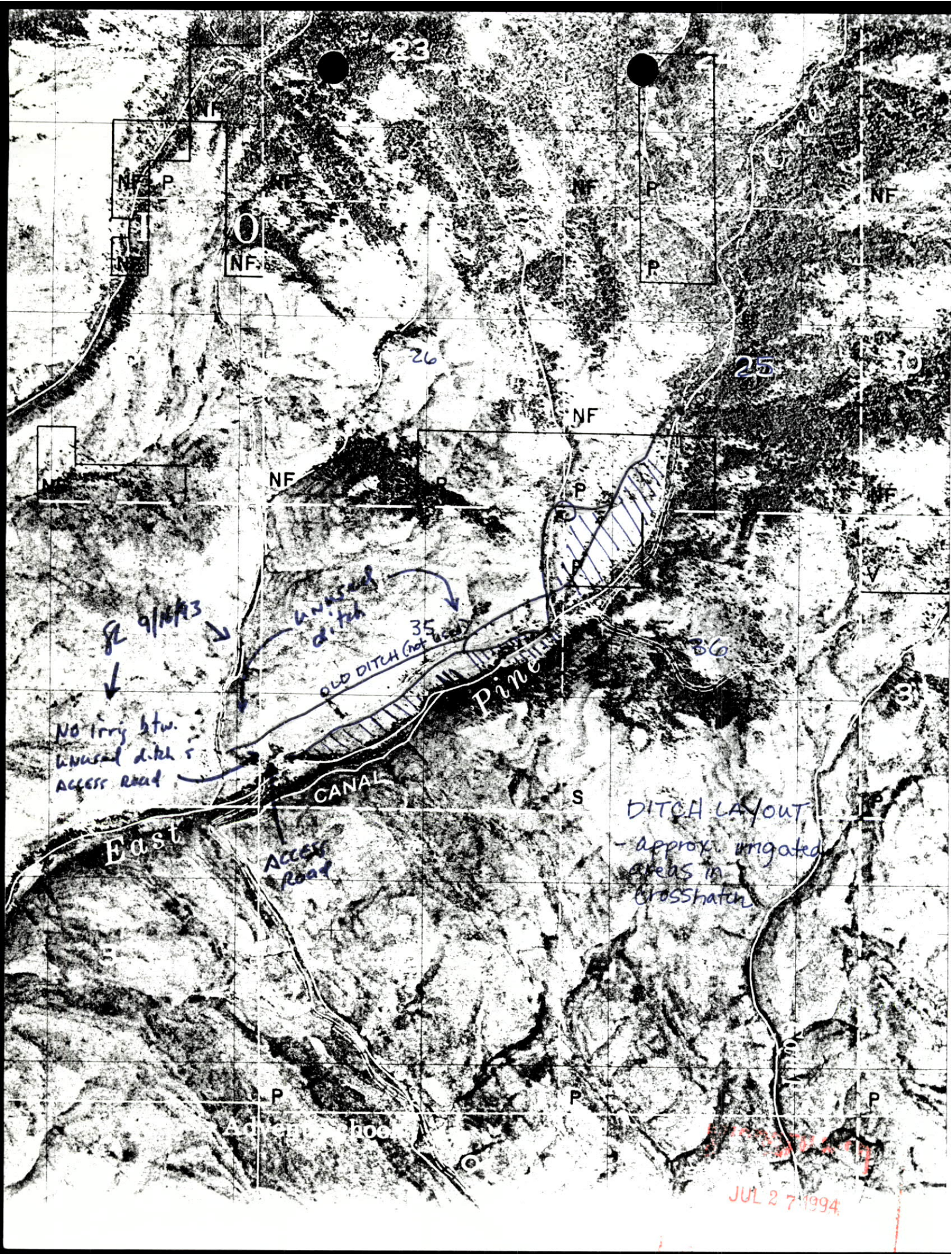

23
26
25
36
35
NF
P
S
gl 9/16/93
unused ditch
OLD DITCH (not used)
Pine
NO Irrig btw. unused ditch & access road
CANAL
East
Access Road
DITCH LAYOUT
- approx. irrigated areas in crosshatch
JUL 2 7 1994

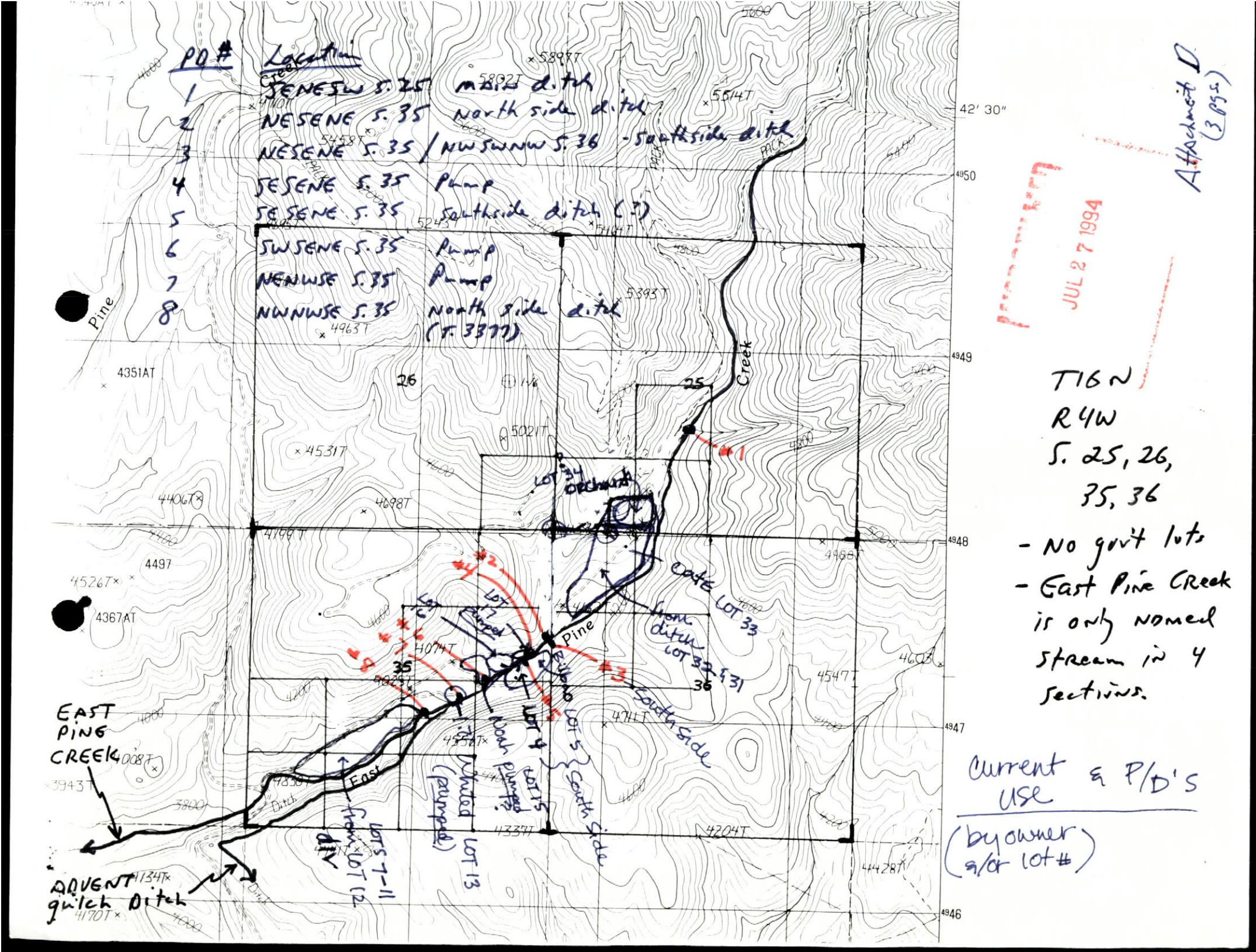


JUL 27 1994

8/ 10/8/93

AS NOTED IN AHAU. 6 →

NOTE: QUESTIONABLE ACRES NOT CREDITED: S. 35 NENE 1, SENE 1; S. 36 NWNW 8


PD #
Location
1 SENESW S. 25
2 NESENE S. 35
3 NESENE S. 35 / NWSWNW S. 36
4 SESENE S. 35
5 SESENE S. 35
6 SWSENE S. 35
7 NENWSE S. 35
8 NWNWSE S. 35
main d. tch
north side d. tch
-southside d. tch
Pump
Southside ditch (-?)
Pump
Pump
North side d. tch
(T. 3377)
Attachment D
(3 pgs.)
JUL 27 1994
T16N
R4W
S. 25, 26,
35, 36
- No govt lots
- East Pine Creek is only named stream in 4 sections.
Current Use & P/D's
(by owner &/or lot #)
Pine
Creek
Orchard
Lot 34
Lot 33
Lot 32
Lot 31
Lot 12
Lot 11
Lot 10
Lot 9
Lot 8
Lot 7
Lot 6
Lot 5
Lot 4
Lot 13
Lot 12
Lots 7-11
EAST PINE CREEK
ADVENT gulch Ditch
Ditch
East
South Side
South Side
Road
Pumped?
Pumped
Diverted
(pumped)
from Lot 12
#1
#2
#3
#4
#5
#6
#7
#8
4351AT
4367AT
4497
4406TX
4526T
4698T
4166T
4531T
5021T
4963T
5393T
5243T
5514T
5898T
5802T
4074T
4334T
4337T
4471T
4547T
4204T
4428T
4603
4488T
4008T
4170T
4134T
3943T
4950
4949
4948
4947
4946
42' 30"

Transfer No. _____

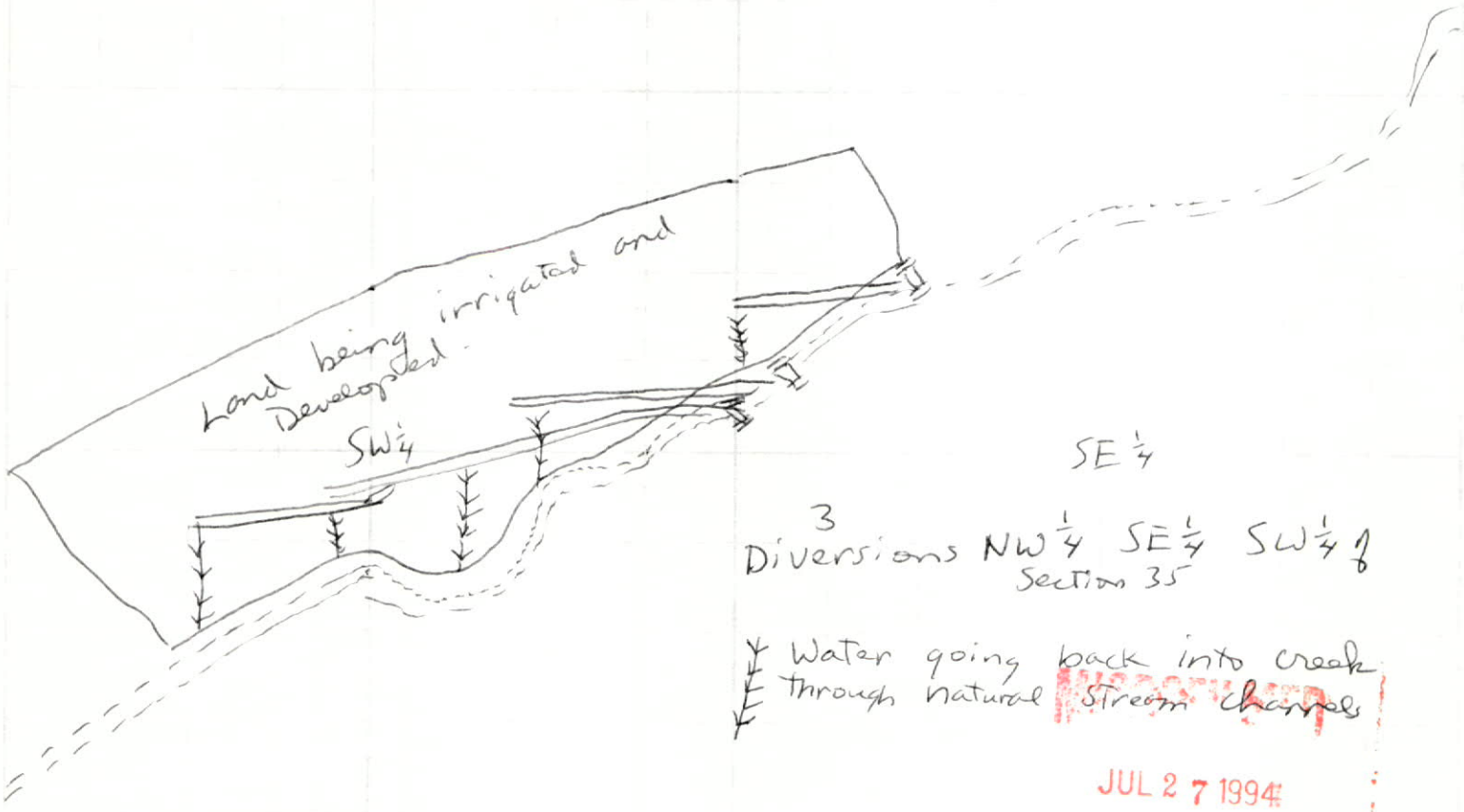
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

Section 35 16N 4W



JUL 27 1994

SCALE: 2 inches equal 1 mile. Draw plan in ink.

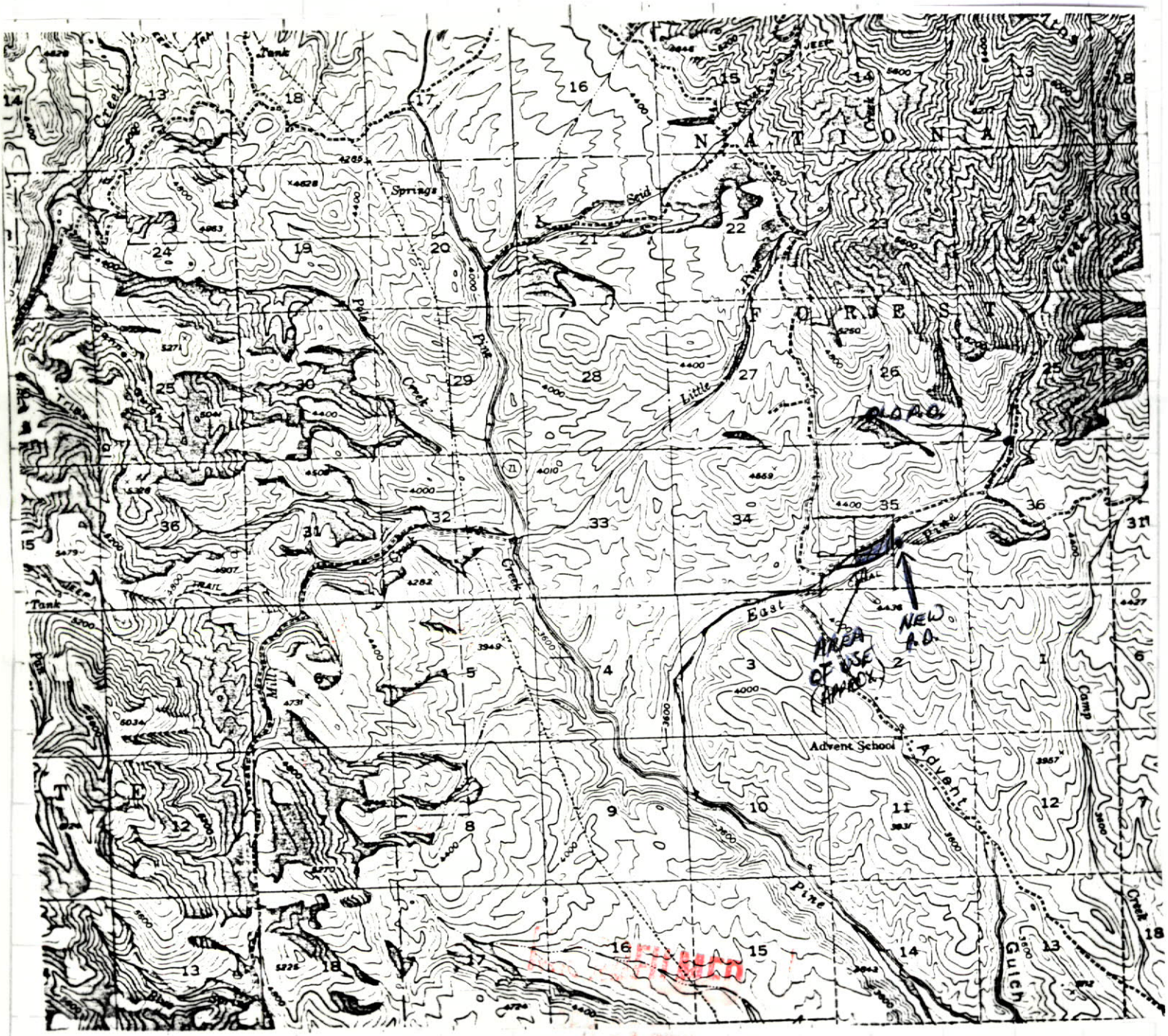
Page _____ of _____ Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

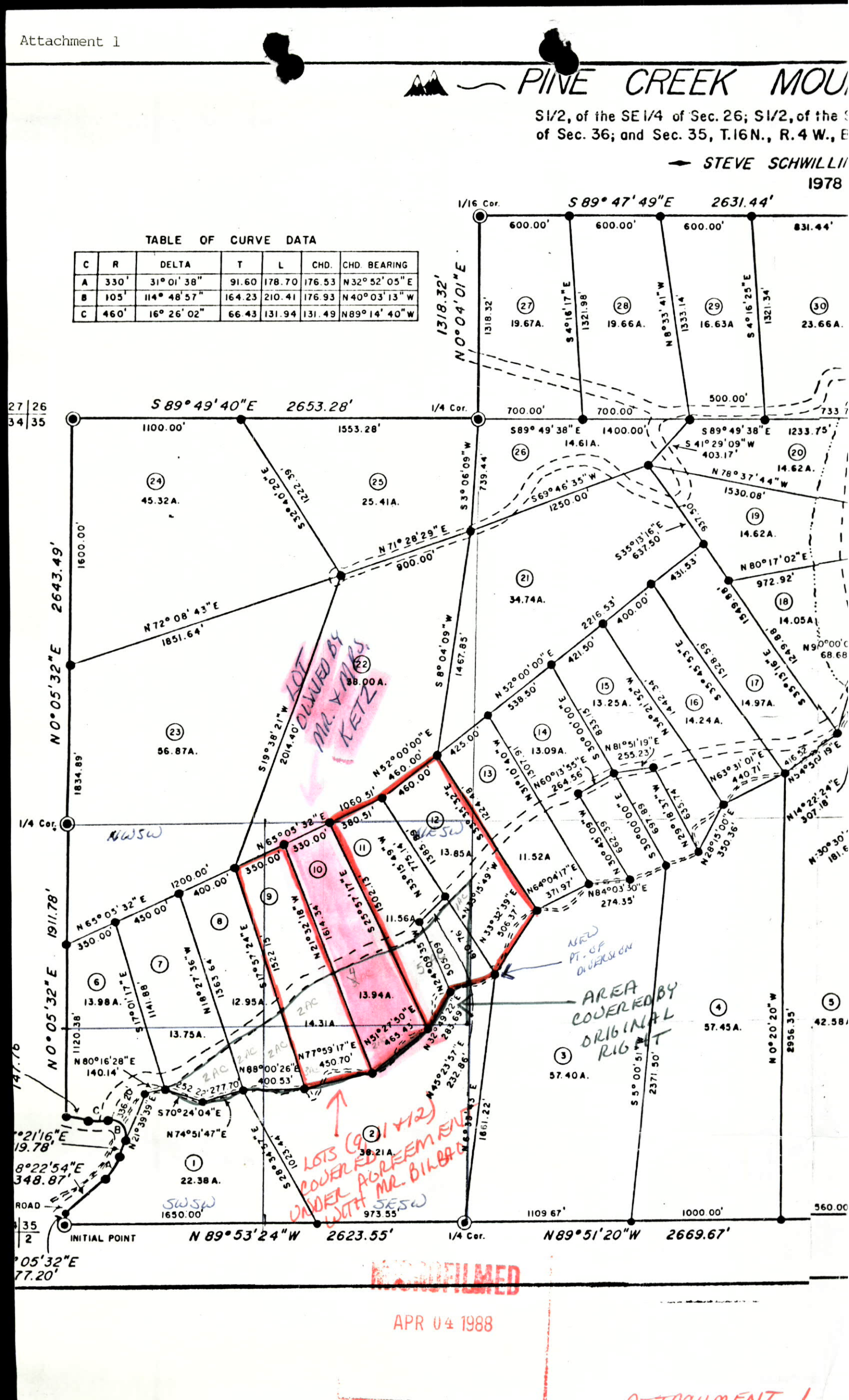
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

Attachment 1



T 16 N R 4 W

1999 ASCS photo K-7-2

red X's indicate assumed SW 1/4 of section 35

NOTE: THE XXX X'S APPEAR TO BE ACCURATE BASED ON COMPARISONS TO ROADS, ETC. ON TOPO MAP. I HAVE MOVED THE SECTION OVER 1/4 MI. JS

AREA COVERED UNDER ORIGINAL RIGHT

LOT 7

LOT 8

LOT 9

LOT 10

LOT 11

LOT 6

LOT 1

LOT 2

OLD PT. OF DIV. STILL ATTACHED TO THESE LANDS

1SAC

2SAC

3SAC

NEW PT. OF DIV.

AREA WHERE NEW PT. OF DIVERSION WILL BE USED

Page _____ of _____

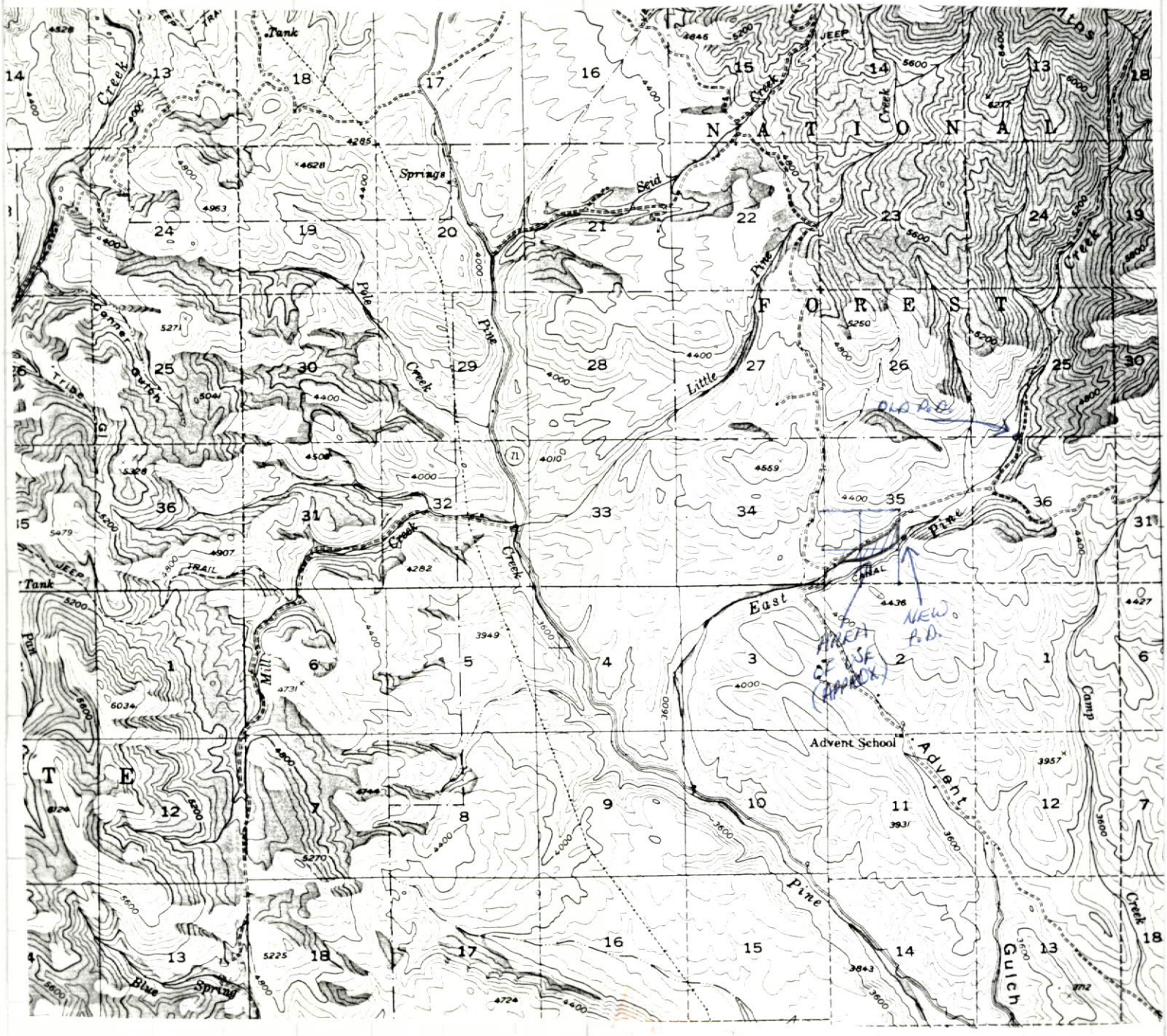
Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

APR 04 1988

Affidavit of Publication:

STATE OF IDAHO
County of Washington } ss.

Stuart Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforsaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began Sept. 17, 1987 and ended Sept. 24, 1987.

Stuart Dopf

Subscribed and sworn to before me this 25th day of September, 1987

Notary Public in and for the State of Idaho, residing at Cambridge, Idaho 83610.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 67-0219 ✓ AP

Notice is hereby given that Vernon E. &/or Pearl J. Ketz of Payette, ID has applied to the Department of Water Resources for a change of point of diversion of the water of Pine Creek.

The right sought to be changed is evidenced by water right No. 67-0219 and is recorded as follows:

Amount: .28 CFS, Priority: 5/1/1901.

Point of Diversion: NENW, Sec. 36, T. 16N., Rge. 4W. The water is used for irrigation purposes within the SW¼, Sec. 35, T. 16N., Rge. 4W.

TO BE CHANGES AS FOLLOWS:

Amount: 0.28 CFS

Point of Diversion: NWSE, Sec. 35, T. 16N., Rge. 4W.

The water will be used for Irrigation purposes within the SW¼, Sec. 35, T. 16N., Rge. 4W.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before October 5, 1987.

R. Keith Higginson,
Director

Published in the Upper Country News-Reporter on September 17, and 24, 1987.

MICROFILMED
APR 04 1988

RECEIVED
SEP 28 1987
Department of Water Resources
Western Regional Office

Affidavit of Publication:

RECEIVED
OCT 26 1987
Department of Water Resources

STATE OF IDAHO
County of Washington } ss.

Stuart Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforsaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began October 15, 1987, 198..

and ended October 22, 1987, 198..

Stuart Dopf

Subscribed and sworn to before me this 22ND day of OCTOBER, 198.7

B. J. Soules

Notary Public in and for the State of Idaho, residing at Cambridge, Idaho 83610.

Public Notices

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
No. 67-0219B

Notice is hereby given that Vernon &/or Pearl J. Ketz of Payette, ID have applied to the Department of Water Resources for a change of point of diversion of the water of Pine Creek.

The right sought to be changed is evidenced by Water Right No. 67-0219 and is recorded as follows:

Amount: .28 cfs Priority: 5/1/1901.

Point of Diversion: NENW, Sec. 36, T. 16N., R. 4W.

The water is used for Irrigation purposes within the SW¼, S. 35 T. 16N., R. 4W, for a total of 22 acres.

TO BE CHANGED AS FOLLOWS:

Amount: .20 cfs.

Point of Diversion: NWSE, Sec. 35, NENW, Sec. 36, T. 16N., R. 4W. the water will be used for Irrigation purposes within the NESW, SESW, Sec. 35, T. 16N., R. 4W., for a total of 16 acres.

Any protest against aproval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before November 2, 1987.

R. Keith Higginson
Director

Published in the Upper country News-Reporter on 10/15 and 10/22/87.

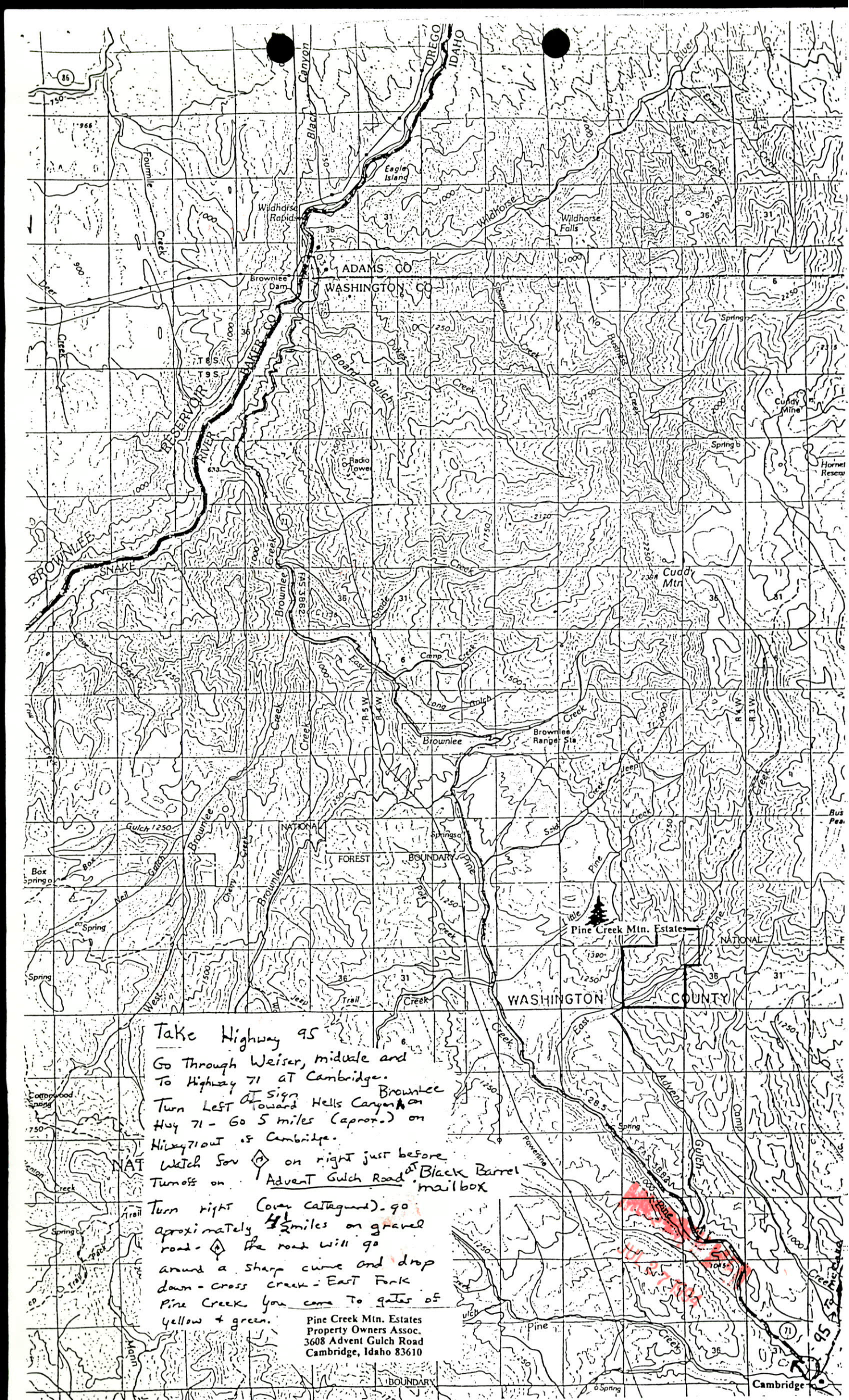
MICROFILMED
APR 04 1988

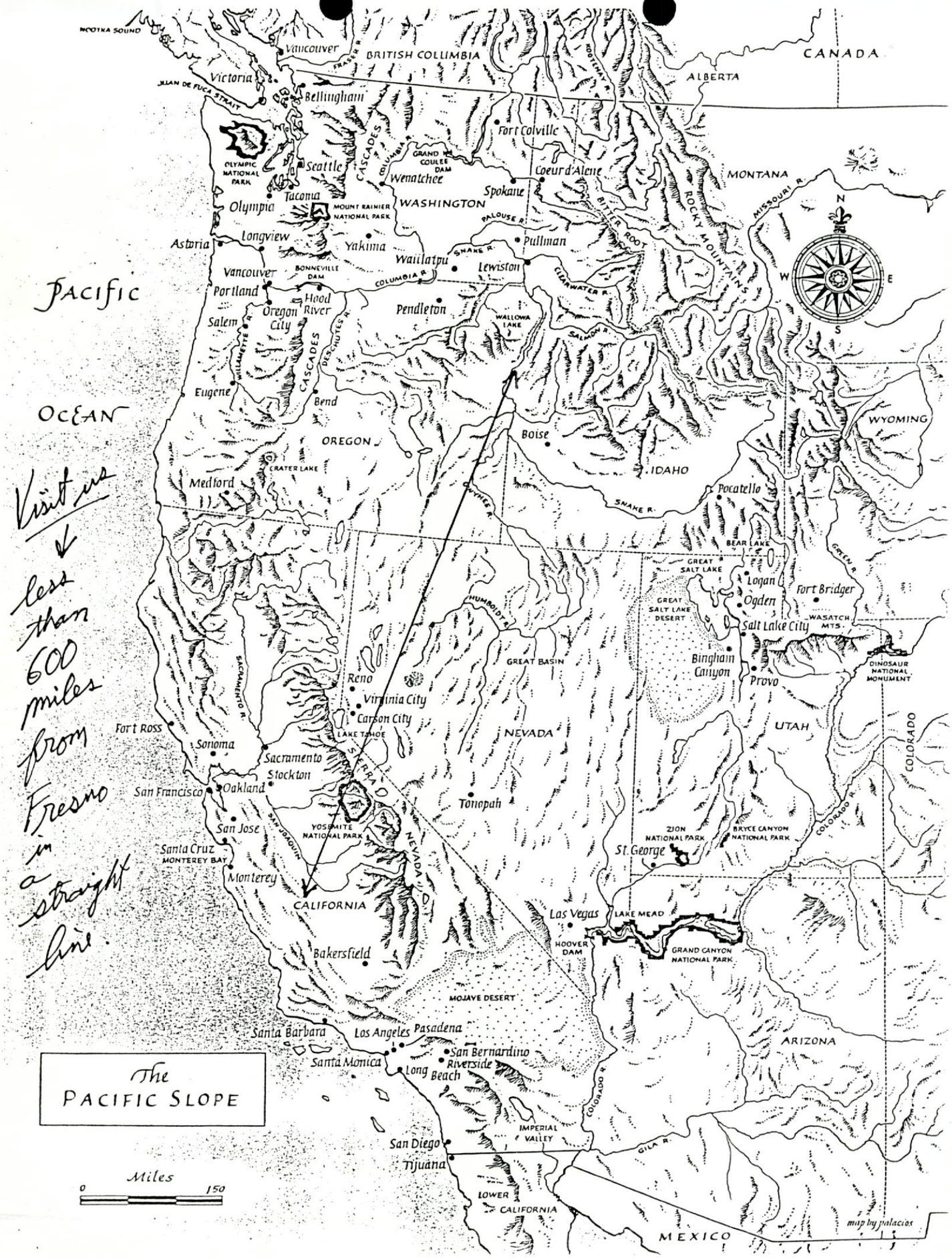
RECEIVED
OCT 27 1987
Department of Water Resources
Western Regional Office








Take Highway 95
Go Through Weiser, midvale and
To Highway 71 at Cambridge.
Turn LEFT at sign Brownlee
Toward Hells Canyon on
Hwy 71 - Go 5 miles (approx.) on
Hiwy 71 out of Cambridge.
Watch for ◇ on right just before
Turnoff on Advent Gulch Road at Black Barrel
mailbox
Turn right (Cove Campground). go
approximately 4½ miles on gravel
road - ◇ the road will go
around a sharp curve and drop
down - cross creek - East Fork
Pine Creek. You come to gates of
yellow & green.
Pine Creek Mtn. Estates
Property Owners Assoc.
3608 Advent Gulch Road
Cambridge, Idaho 83610
Pine Creek Mtn. Estates
WASHINGTON COUNTY
ADAMS CO
WASHINGTON CO
BAKER CO
OREGON
IDAHO
BROWNLEE RESERVOIR
SNAKE RIVER
Brownlee Dam
Eagle Island
Wildhorse Rapids
Wildhorse Falls
Black Canyon
Fourmile Creek
Deer Creek
Board Gulch
Dukes Creek
Stinkpot Creek
No Business Creek
Cuddy Mine
Cuddy Mtn
Radio Tower
Brownlee Ranger Sta
Camp Creek
Long Gulch
Jeep Creek
Box Spring Gulch
Nail Spring
Chew Creek
Pine Creek
Advent Gulch
Powerline
Cottonwood Spring
Cambridge
NATIONAL FOREST BOUNDARY
T9S
R4W
R5W
R3W



PACIFIC OCEAN

Visit us ↓ less than 600 miles from Fresno in a straight line.

The PACIFIC SLOPE

RECEIVED
JUL 27 1994

PINE CREEK MOUNTAIN ESTATES

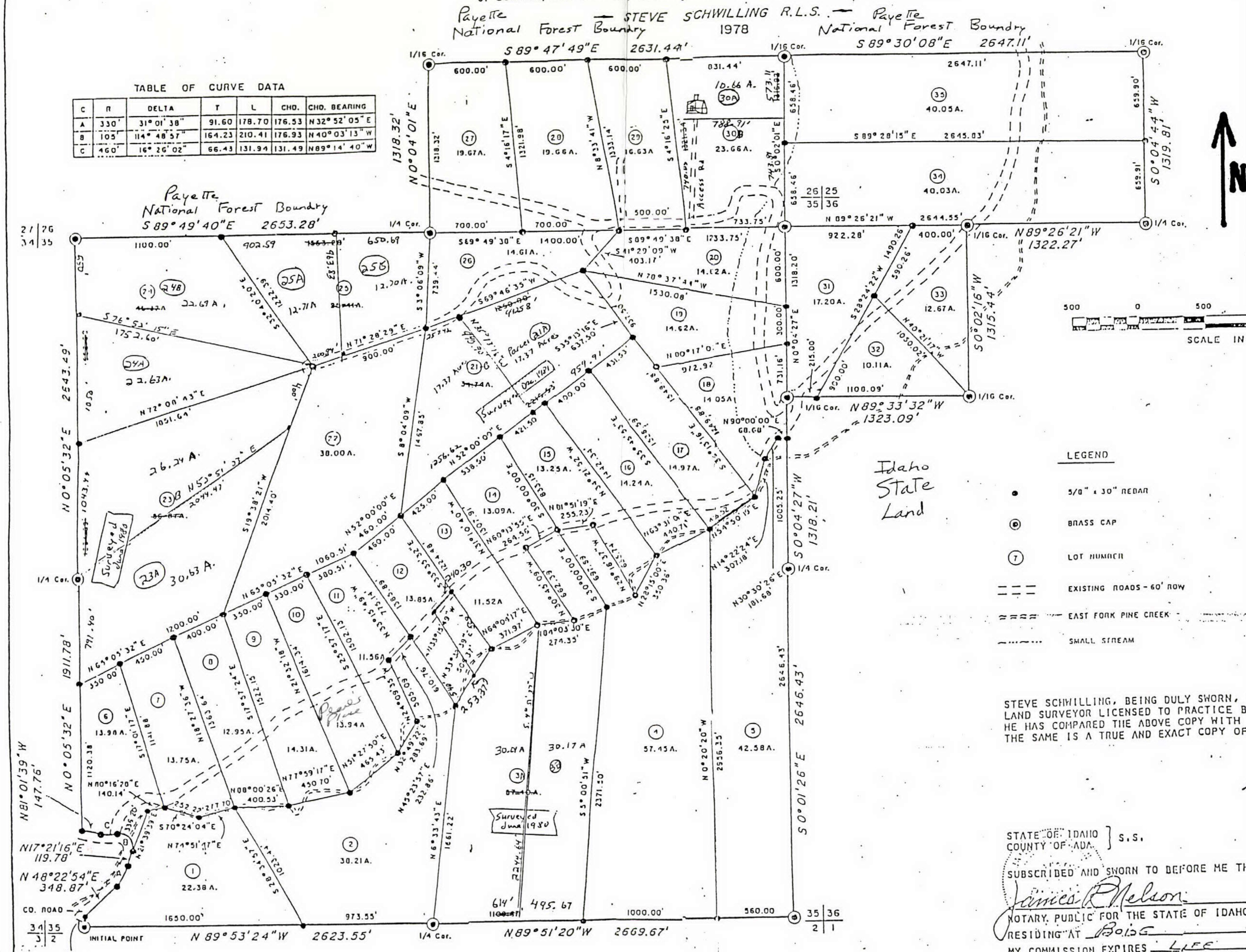
S1/2, of the SE1/4 of Sec. 26; S1/2, of the SW1/4 of Sec. 25; NW1/4, of the NW1/4 of Sec. 36; and Sec. 35, T.16N., R.4 W., B.M., Washington County, Idaho

STEVE SCHWILLING R.L.S.

1978

TABLE OF CURVE DATA

C	R	DELTA	T	L	CHO.	CHO. BEARING
A	330'	31° 01' 38"	91.60	178.70	176.53	N32° 52' 05" E
B	105'	114° 48' 57"	164.23	210.41	176.93	N40° 03' 13" W
C	460'	16° 26' 02"	66.43	131.94	131.49	N89° 14' 40" W



LEGEND

•	5/8" x 30" REBAR
◎	BRASS CAP
⑦	LOT NUMBER
= = =	EXISTING ROADS - 60' ROW
≈≈≈≈	EAST FORK PINE CREEK
—···—···	SMALL STREAM

STEVE SCHWILLING, BEING DULY SWORN, S
LAND SURVEYOR LICENSED TO PRACTICE BY
HE HAS COMPARED THE ABOVE COPY WITH T
THE SAME IS A TRUE AND EXACT COPY OF

STATE OF IDAHO } S.S.
COUNTY OF ADA

SUBSCRIBED AND SWORN TO BEFORE ME TH

James R Nelson

NOTARY PUBLIC FOR THE STATE OF IDAHO

RESIDING AT Boise

MY COMMISSION EXPIRES Life

National Forest

State School Section

36

4400

CANAL

Pine Creek Mtn. Estates
Property Owners Assoc.
3608 Advent Gulch Road
Cambridge, Idaho 83610

Approximate Land Irrigated by Mr. Bill

Ditches

PINE CREEK MOUNTAIN ESTATES

S1/2, of the SE1/4 of Sec. 26; S1/2, of the SW1/4 of Sec. 25; NW1/4, of the NW1/4 of Sec. 36; and Sec. 35, T.16 N., R. 4 W., B.M., Washington County, Idaho

STEVE SCHWILLING R.L.S. — 1978

Payette National Forest Boundry — S 89° 47' 49" E 2631.44' — 1/16 Cor. — 1/16 Cor. — Payette National Forest Boundry S 89° 30' 08" E 2647.11' — 1/16 Cor.

Payette National Forest Boundry S 89° 49' 40" E 2653.28' — 1/4 Cor. — 1/4 Cor. — 1/4 Cor. — N 89° 26' 21" W 1322.27' — 1/16 Cor.

N 0° 04' 01" E 1318.32' — S 0° 04' 44" W 1319.81' — S 0° 02' 16" W 1315.44'

N 0° 05' 32" E 2643.49' — N 0° 05' 32" E 1911.78' — N 0° 05' 32" E 1043.24' — N 0° 05' 32" E 2646.43' — S 0° 01' 26" E 2646.43'

N 81° 01' 39" W 147.76' — N 89° 33' 32" W 1323.09'

N 89° 53' 24" W 2623.[illegible]' — N 89° 51' 20" W 2669.67'

N 48° 22' 54" E 348.87' — N 17° 21' 16" E 119.78'

TABLE OF CURVE DATA

C	R	DELTA	T	L	CHO.	CHO. BEARING
A	330'	31° 01' 38"	91.60	178.70	176.53	N 32° 52' 05" E
B	105'	114° 48' 57"	164.23	210.41	176.93	N 40° 03' 13" W
C	460'	16° 26' 02"	66.43	131.94	131.49	N 89° 14' 40" W

Parcel 21A — 17.37 Acres — Sec. 1691 — Surveyed June 1980

Pearl

Idaho State Land

Landgate data

Millar

Young

SCALE IN 500 0 500

N

LEGEND

- 5/8" x 30" REBAR
- BRASS CAP
- (7) LOT NUMBER
- EXISTING ROADS - 60' ROW
- EAST FORK PINE CREEK
- SMALL STREAM

STEVE SCHWILLING, BEING DULY SWORN, S
LAND SURVEYOR LICENSED TO PRACTICE BY
HE HAS COMPARED THE ABOVE COPY WITH T
THE SAME IS A TRUE AND EXACT COPY OF

STATE OF IDAHO } S.S.
COUNTY OF ADA }

SUBSCRIBED AND SWORN TO BEFORE ME TH

Janice R. Nelson

NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT Boise
MY COMMISSION EXPIRES LIFE

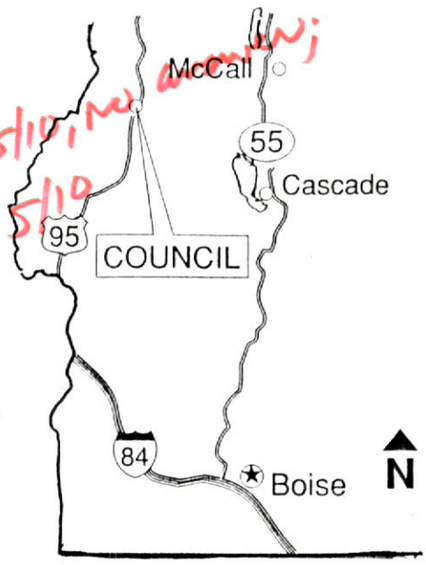
It is to identify the purpose of the division and establish a regulation for the Watershed Protection District. It will facilitate regulation of water uses and many owners. Take out by

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661
1-208-642-2744

HORNET CREEK MOUNTAIN ESTATES
COUNCIL, IDAHO

RECEIVED
MAY 0 9 1994
WATER RESOURCES
WESTERN REGION

5-6-94



Dear Steve,

Concerning the water transfer for Pine Creek Mountain Estates Irrigation Association - Do there any news on the final word yet? An owner is coming up from Calif on the last of may & wants to know the status. of Transfer # 4236

called 5/10, left message
5/10
mailed

Regarding Hornet Creek mountain Estates.

three properties - see maps enclosed - have Creek frontage. they have no irrigation rights. However they are going to build houses & have a horse or cow and wish to know if they can file for domestic use - or instream watering they own to the middle of the Creek. If this is possible Could you send 2 applications for filing for domestic water right to me? Thanks - See legal description.

mailed 5/9

All three pieces - Parcel 4 Parcel 6 & Parcel 2 are in Section 30 - Range 1 W - T 17 N

I owned app

Sincerely

Pearl

JUL 27 199



Our Dream of the Mountain

Pa, let's move on the mountain, and build us a place,
The world's now moving in such a terrible haste,
People are hurrying, scurrying, stressing profits and gains,
Many are driving so nuts in the fast lanes.

Pa, let's move on the mountain, the children are grown,
And we worked our heads off to pay our last loan,
It's time to slow down our living, and throw out the old clock,
Sit on our front porch in our rockers and rock.

Spend more time fishing the creek every day of the week,
And there's no phones a-ringing, and no schedules to keep.
Pa, the moments are now fleeing, and the older we get,
We can sit on our mountain, and watch the world's jets.

Pa, lets move on the mountain, slow down the rhythm of your heart,
You looked so forward to the day there would be no more work,
Where there is no freeways, or highways, no trucks and buses to catch.

So Pa, let's move on the mountain, there's so little time left.
There is no rhyme or reason to continue our tracks.
We can enjoy a new beginning the rest of our days,
And watch each day's dawn arising, with a beautiful horizon the rest of our days.

-NO PREPAYMENT PENALTY - 3700 FT. ELEV. - VIEW LOTS

PAYMENTS INDICATED BY $00

(OWNERS ASSOCIATION DUES $100.00 PER YEAR, MOSTLY FOR ROAD UPKEEP + IMPROVEMENTS)

& 2,500.00 an acre

Owner carries at 12%

& 50.00 Down — "FIRST COME, FIRST SERVE - OTHERS ARE LOOKING!

FAMILIES & FRIENDS CAN GO IN TOGETHER

3 Pieces on Hornet Creek

For information Contact:

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661
1-208-642-2744

THE LAND-GRAB IS ON!

LET THE I.R.S. INTEREST DEDUCTION - FOR SECOND HOME - HELP PAY PAYMENTS

B.L.M. LAND ↑ FOREST

N89°10'09"E

SEC. COR FND. NOTCHED STONE & 5/8" REBAR W/ILLEG CAP (PE L.S. #3227)

N88°56'32"E 183.14'

N88°56'32"E 2593.36'

S47°34'03"E 255.54'

Hornet Creek

S39°50'30"E 627.36'

℄ (THREAD OF THE STREAM) HORNET CREEK

PARCEL 4 17.00 ACRES

S52°04'28"W 40.02'

$435.00 a month or more

SOLD

N36°10'57"W 194.50

S 36°10'57"E 363.10'

N15°02'35"W 152.45'

N61°10'47"E 41.18'

Hornet Cr.

S 38°36'W 1313'

S11°01'45"W 665.57'

Access Rd to Creek (Parcel 6)

N89°10'09"E 1800.00'

N89°10'09"E 1622.21'

N88°57'01"E

561.75'

$200.00 a month

SOLD

$220.00 a month

PARCEL E 8.44 ACRES

SOLD

942.00'

$350.00 month

S74°24'02"W

N12°10'28"W 124.64'

10' UTILITY EASEMENT

C-7 C-4 C-9

S89°17'30"W 723.85' 800'

$320.00 a month

SOLD

PARCEL 5 12.25 ACRES

PARCEL 6 13.43 ACRES

Access Rd

N33°44'08"E 263.41'

N12°28'43"W 91.70'

N4°47'09"E 1041.11'

$200.00 a month

SOLD

LOT 2 6.79 ACRES

408.82'

409.82'

403.14'

N0°15'51"E

S89°17'30"W 723.85'

N 86°30'39"E 1396.46'

864.27'

532.19'

N12°23'43"W 247.57'

PARCEL 2 17.59 ACRES

Property leaves Creek & Goes up the hill

SOLD

PARCEL 1 6.2 ACRES

$200.00 a month

S69°11'30"W 441.77'

S18°40'37"E 79.51'

Access Road

$460.00 or more per month

407.18'

305.93'

N0°03'41"E 319.51'

S89°17'30"W 897.97'

S88°56'47"W 1257.21'

Main Entrance

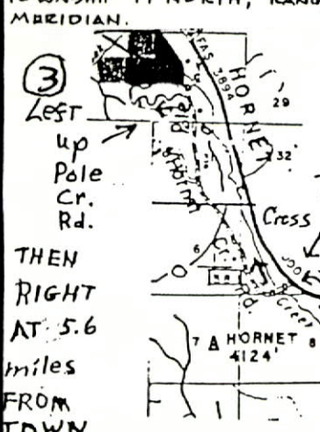
N 45°45'35"E 29.80'

ADAMS COUNTY ID

T. 17 N. R. 1 W. SECTION 30 and 25

1/4 COR BRASS CAP (PE. LS. #3227)

HORNET CREEK MOUNTAIN ESTATES SUBDIVISION, THE OFFICIAL PLAT OF WHICH IS FILED AS INSTRUMENT NUMBER 68851 IN THE OFFICE OF THE RECORDER FOR ADAMS COUNTY, IDAHO; THESE PARCELS ARE SITUATED IN GOV'T LOTS 1 & 2 OF SECTION 30, TOWNSHIP 17 NORTH, RANGE 1 WEST & IN THE SE¼NE¼ OF SECTION 25, TOWNSHIP 17 NORTH, RANGE 2 WEST OF THE BOISE MERIDIAN.



(3) Left up Pole Cr. Rd. THEN RIGHT AT 5.6 miles FROM TOWN

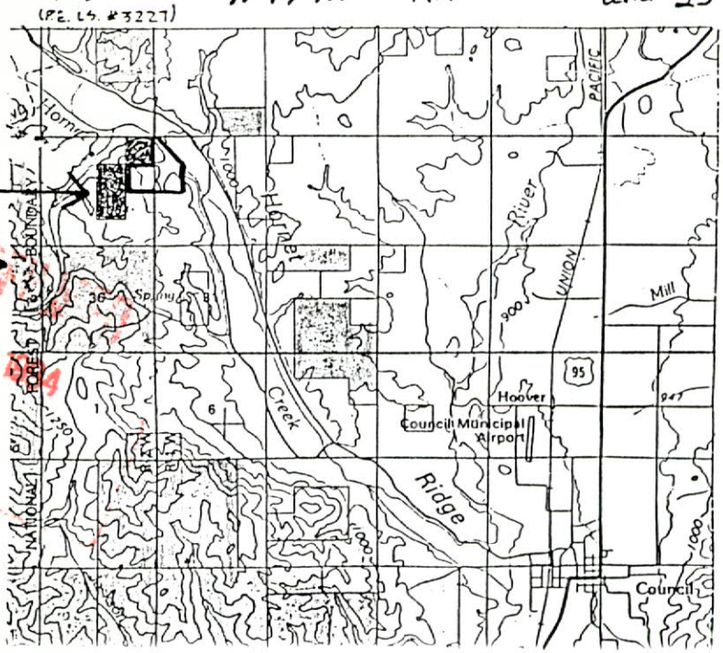
(2) Turn Left Johnson Cr. Rd. Cross Hornet Cr.

Turn Left on Hornet Cr. Rd at SHAVERS STORE

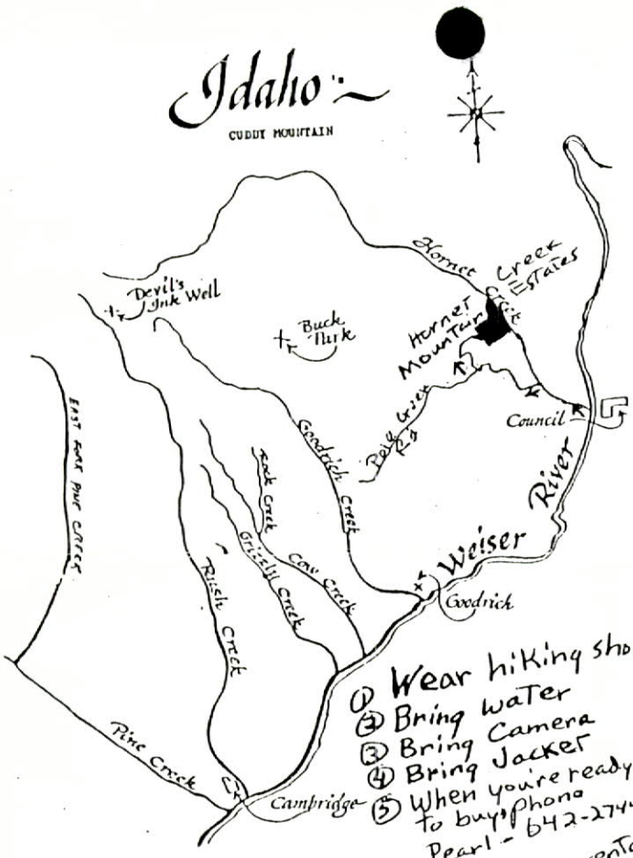
Step (1)

(4) (COVER)

Shaded Areas are B.L.M. and National Forest →



JUL 27 19



EIK - DEER

WILD TURKEY

Views - Fresh Air -

Mountain ATmosphere -

Scattered Pines and grass land. Adjacent BLM Forest. Hornet Creek borders 3 Largest pieces

Individual or Families

Park your camp Trailer - build an outhouse

Pitch your Tent

Set up solar or if you must. electricity is ¼ mile away - you pay -

Drill a well or pack your jugs -

It's all so exciting. Need a Tax break? **Deduct the interest** portion of your payments by spending 2 weekends a year and having a Lockable Trailer or cabin

Always have an advance Holiday Reservation.

to Find Hornet Creek Mountain Estates:

① Turn at Shavers Store in Council, Turning Left on Hornet Creek Road. Go 2.6 miles.

② Watch For Johnsen Creek Park Sign - Turn Left. Cross Creek.

1-208-642-2744	Perennial Acres Arboretum
1-208-257-3258 (Sundays)	Vern & Pearl Kelz 3608 Advent Gulch Road Cambridge, Idaho 83610

③ You will Travel along on a gravel road - you will pass a million dollar house on Left - Watch for Old Hornet Creek Rd - Pole Creek Rd. Intersection and Little sign - Forest Service Rd. #38. Turn Left on Pole Creek Rd and go up hill winding up

④ At 5.6 miles From Town, Turn Right up dirt road bearing right. Turn right in Little Tree Farm - go up hill going .6 miles altogether - Bear Left at 6.2 miles - Cross Cattle Guard [don't worry about Warning sign] Pass Little Farm yard on right going uphill - bear right. you will see sign - Hornet Creek Mt. Estates. White Posts indicate general Lot area - shown below by ▯

Hornet Creek Mountain Estates - Council, Idaho

$2,500.00 an acre

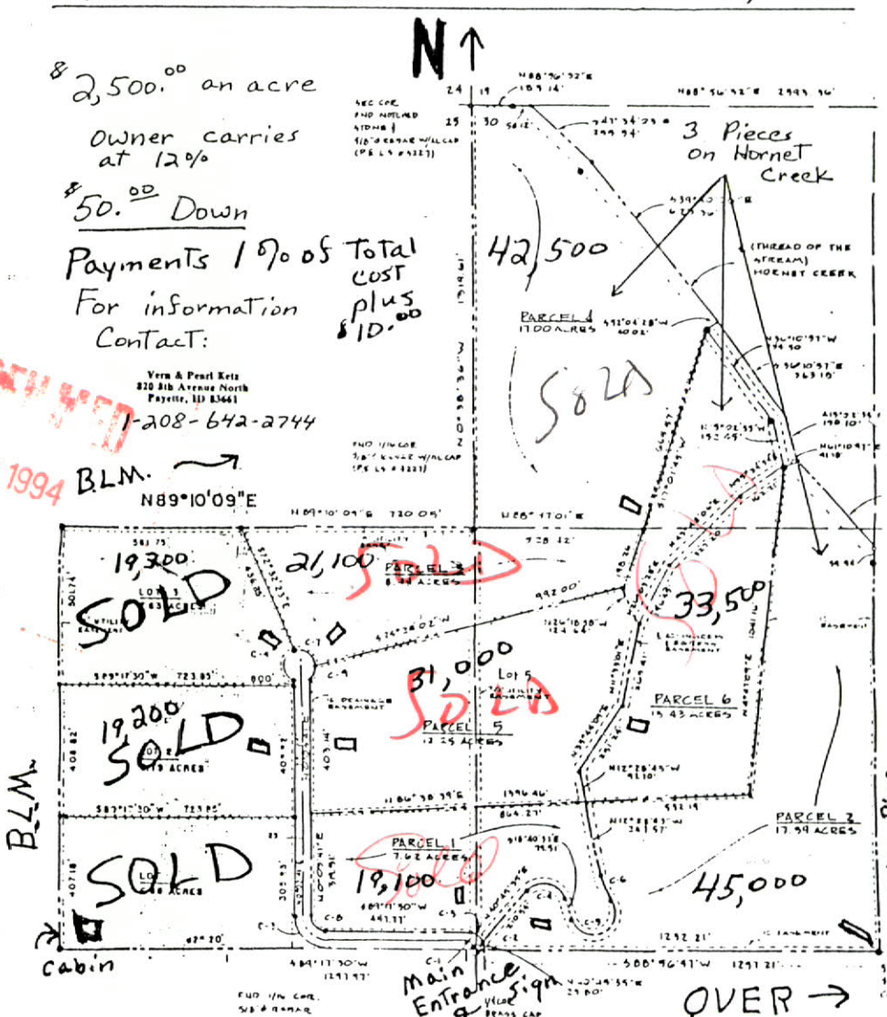
Owner carries at 12%

$50.00 Down

Payments 1% of Total cost plus $10.00

For information Contact:

Vern & Pearl Kelz
820 8th Avenue North
Payette, ID 83661
1-208-642-2744



RECEIVED
JUL 27 1994

OVER →

Affidavit of Publication:

STATE OF IDAHO
County of Washington } ss.

Stuart Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforsaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began Oct. 20, 19 93 and ended Oct. 27, 19 93

Stuart Dopf

Subscribed and sworn to before me this 1st day of November, 19 93

Notary Public in and for the State of Idaho, residing at Cambridge, Idaho 83610.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NOS. 67-00219A, 67-00219B, 67-00220, 67-00226

Notice is hereby given that Pine Creek Property Owners Irrigation Association of Cambridge, Idaho has applied to the Department of Water Resources to change the Point of Diversion of the Following described decreed water rights to be changed pursuant to Section 42-222 of Idaho Code. source for all the rights is Pine Creek tributary to Weiser River, and water is diverted and used for irrigation in T16N, R4W, Washington County as follows.

Right. No.	Priority Date	Amount of Water [CFS]	Point of Diversion	Place of Use
67-00219A	5-1-1901	.205	NENW S. 36	SW¼ S. 35
67-00219B	5-1-1901	.075	NWSE S. 35	NESW & SESW,
			NENW S. 36	S.35
67-00220	5-1-1901	.240	undefined	SWNE, SENE,
				NWSE, SWSE, S. 35
67-00226	5-1-1902	.340	undefined	SWSW & SESW,
				S. 25; SESE S. 26; NENE
			S. 35;	NW¼ S. 36

TO BE CHANGED AS FOLLOWS

All four rights with a total of .86 cfs will use any one or more points of diversion for any acres as follows, all within T16N, R4W:

Diversion Poines; SENESW, S. 25; NESENE (2 points), SESENE (2 points), SWSENE, NENWSE, NWNWSE, S. 35; NWSWNW S. 36 (includes 5 ditches and 3 pumps).

Place of Use: SWSW, SESW, S. 25; SWNE, SENE, NESW, SWSW, SESW, NWSE, S. 35; NENE, NWNW, S. 36 (64 acres total).

Multiple points of diversion for common acres for property owners in Pine Creek Mountain Estates will be used. No additional water or additional acres will be involved before or after this transfer. Source is also known as East Pine Creek.

Any protest against approval of the proposed change of water right appliection must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before November 8, 1993.

R. KEITH HIGGINSON, Director

Pub. in the Upper Country News-Reporter 10/21 & 10/28/93

MICROFILMED
JUL 27 1994

RECEIVED
NOV 0 2 1993
WATER RESOURCES
WESTERN REGION

Lavender
Sec. 35. Lot
-13-14-15-16-17
Weiner
N½ S. Half
SW ¼
Sec.
25

Yellow area approximate place use for Lavender

PINE CREEK MOUNTAIN ESTATES

S1/2, of the SE1/4 of Sec. 26; S1/2, of the SW1/4 of Sec. 25; NW1/4, of the NW1/4 of Sec. 36; and Sec. 35, T.16N., R.4W., B.M., Washington County, Idaho

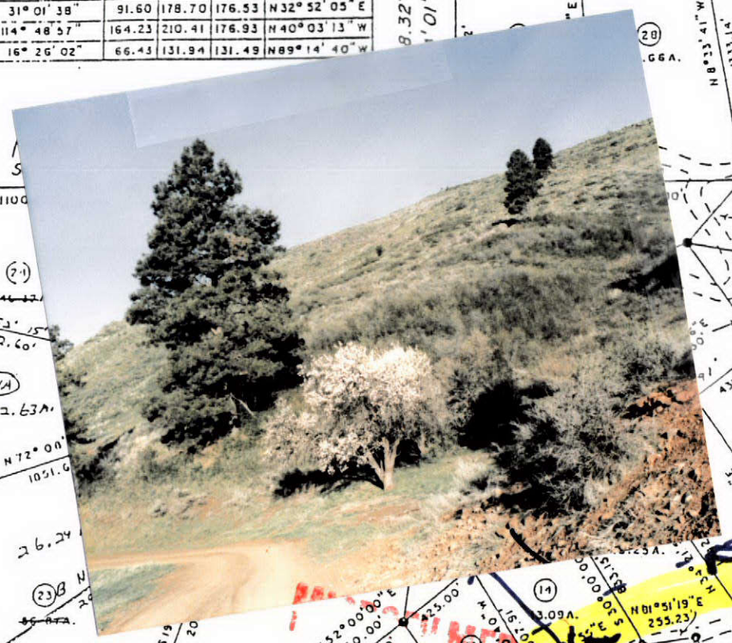
Payette National Forest Boundary — STEVE SCHWILLING R.L.S. — 1978 — Payette National Forest Boundary

Big Ditch
Headgate
top Ditch

Also a ditch here
Mr. Young irrigated out of he said — across creek
We never went over creek to look at this area when you were here

TABLE OF CURVE DATA

C	R	DELTA	T	L	CHD.	CHD. BEARING
A	330'	31° 01' 38"	91.60	178.70	176.53	N 32° 52' 05" E
B	105'	114° 48' 37"	164.23	210.41	176.93	N 40° 03' 13" W
C	460'	16° 26' 02"	66.43	131.94	131.49	N 89° 14' 40" W



pipeline will go under road at culvert

culvert Here

Secondary Ditch

Idaho State

LEGEND

5/8" x 30" REBAR

SCALE IN

K ditch





James R Peterson
NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT Boise
MY COMMISSION EXPIRES Life

old orchard
Prune Trees & Apricot Trees above road

OVER

Pine Creek Mtn. Estates
Property Owners Assoc.
3608 Advent Gulch Road
Cambridge, Idaho 83610

HEARTLAND OF THE WEST!

COLUMBIA RIVER
LOWER MONUMENTAL DAM
ICE HARBOR DAM
LITTLE GOOSE DAM
LOWER GRANITE DAM
PULLMAN
MOSCOW
CLARKSTON
LEWISTON
N.FK. CLEARWATER RIVER
DWORSHAK DAM
CLEARWATER RIVER
LOWELL
LOCHSA RIVER
LOLO PASS
MISSOULA
MONTANA
IDAHO
SELWAY RIVER
SNAKE RIVER
SALMON RIVER
GRANGEVILLE
PASCO
WALLA WALLA
WASHINGTON
OREGON
McNARY DAM
GRAND RONDE RIVER
HELL'S CANYON NAT'L. REC. AREA
ENTERPRISE
LA GRANDE
IMNAHA RIVER
WALLOWA MTS.
HELL'S CANYON DAM
RIGGINS
S.FK.SALMON
MID. FK. SALMON RIVER
SALMON RIVER
HALFWAY
OXBOW DAM
McCALL
BAKER
BROWNLEE DAM
CHALLIS
Pine Creek Mtn. Estates
Cambridge, Idaho 83610
PAYETTE RIVER
S. FK. PAYETTE RIVER
BANKS
STANLEY
SAWTOOTH MOUNTAINS
BOISE RIVER
BOISE
KETCHUM
NAMPA
ARROW ROCK DAM
OWYHEE DAM
BIRDS OF PREY NATURAL AREA
SWAN FALLS DAM
GLENNS FERRY
KING HILL
GRAND VIEW
MALAD RIVER
C.J. STRIKE DAM
BLISS DAM
HAGERMAN
LOWER SALMON FALLS DAM
THOUSAND SPRINGS
UPPER SALMON FALLS DAM
TWIN FALLS
SHOSHONE FALLS
OWYHEE RIVER
BRUNEAU RIVER
SALMON FALLS CREEK
IDAHO
NEVADA
OREGON
SNAKE RIVER BASIN BOUNDARY

ADVENTURE TERRITORY
The 13 Western states including Alaska, Hawaii, Western Canada and Western Mexico

Pine Creek Mtn. Estates
Property Owners Assoc.
3608 Advent Gulch Road
Cambridge, Idaho 83610

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

1-208-642-2744

RECEIVED
OCT 25 1993
WATER RESOURCES
WESTERN REGION

JUL 27 1994

WHITEWATER RAFTING
Hells Canyon Dam
HELLS CANYON NATIONAL RECREATION AREA
Kinney Point Scenic View of Hells Canyon
Sportsman's Park RV's
CUPRUM
Klamsmith Grade Scenic Drive
HOMESTEAD
INDIAN CREEK
Bear
Copperfield Park RV's
Oxbow Dam
To Baker, Ore.
OXBOW RESERVOIR
WILD HORSE RIVER
McCormick Park RV's
Brownlee Dam
BOATING & CAMPING
CUDDY MOUNTAIN
CROSS-COUNTRY SKIING
Woodhead Park RV's
FISHING
Brownlee Campground
SNOWMOBILING
Pine Creek
BIG GAME HUNTING
Estates
HITT MOUNTAIN
CUDDY MOUNTAIN
PINE CR.
Mill Creek Scenic Drive
PINE CREEK
U.S. 71 Scenic Drive
Galena Gulch Rd.
BROWNLEE RESERVOIR
HORNET CREEK
GOODRICH CREEK
Goodrich
WEISER RIVER
MESA
Middle Fork Weiser River
Scenic Drive
CAMBRIDGE
Salubria
LITTLE WEISER RIVER
Spangler Reservoir
MIDVALE
INDIAN VALLEY
Snake River
INTERSTATE 84
To Portland, Ore.
U.S. 95
C. Ben Ross Reservoir
Crane Creek Reservoir
WEISER County Seat
Payette
ONTARIO
CALDWELL
NAMPA
BOISE
COUNCIL
White Lick Hot Springs Camping & Soaking
Zim's Hot Springs Swimming Pool & Camping
Brundage Mtn Ski Resort
NEW MEADOWS
U.S. 95
U.S. 55 To McCALL
McCall & Payette Lakes 50 Miles From Cambridge
DOWNHILL SKIING
Tamarack
LOST VALLEY RESERVOIR
Starkey
Fruitvale
HORNET CREEK
WEST FORK WEISER RIVER

Sportsman's Paradise

The mapped area depicts most of Washington and Adams Counties included in a region of Idaho termed "The Heartland". The area abounds with lakes, reservoirs, streams, high mountains, and deep canyons. Fishing, hunting, camping, boating, cycle touring, hiking, whitewater rafting; You name it! This Sportsman's Paradise offers it all!

If you need specific information concerning the area, just indulge at any of the friendly businesses in Cambridge or the Cambridge Museum located at the corner of Superior Street and Highway 71.

Turn Left at Museum to 5 miles - Turn right on Advent Gulch Rd - Go 3 more miles to Pearl's Place - Pine Creek Estates

PINE CREEK MOUNTAIN ESTATES
PROPERTY OWNERS ASSOCIATION

PEARL J. KETZ
PRESIDENT

1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Idaho 83610

RECEIVED
OCT 25 1993
WATER RESOURCES
WESTERN REGION

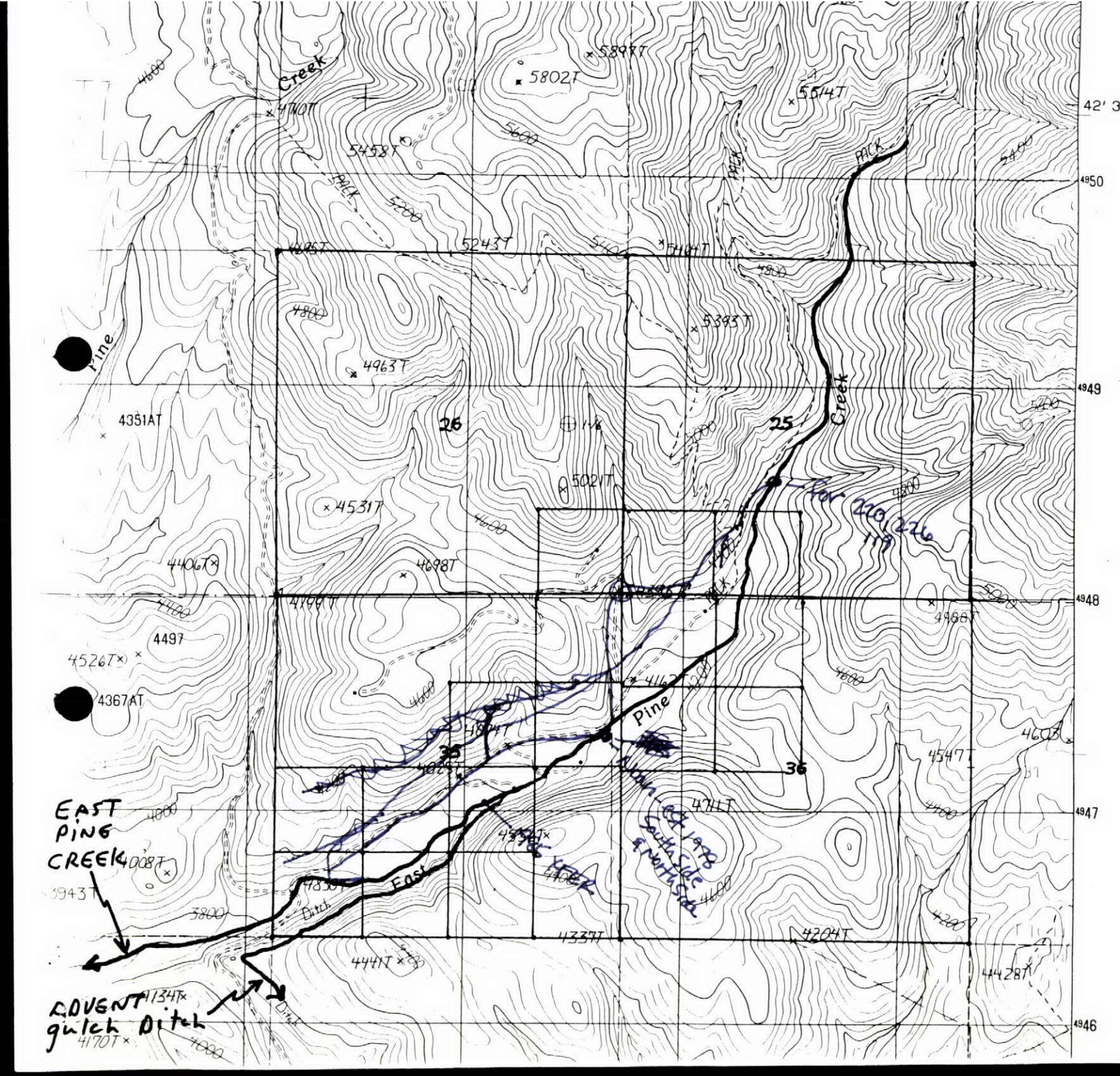
#1

Pictures of Vern at our new Tree plantings above the road on # 11
Nothing was ever said about use of water on # 11 above the road in the old meeting - only # 10





JUL 27 1994



JUL 27 1994

P/D's in use

T16N
R4W
S. 25, 26, 35, 36

No govt lots

East Pine Creek is only named stream in 4 sections.

Decreed use - below ditch

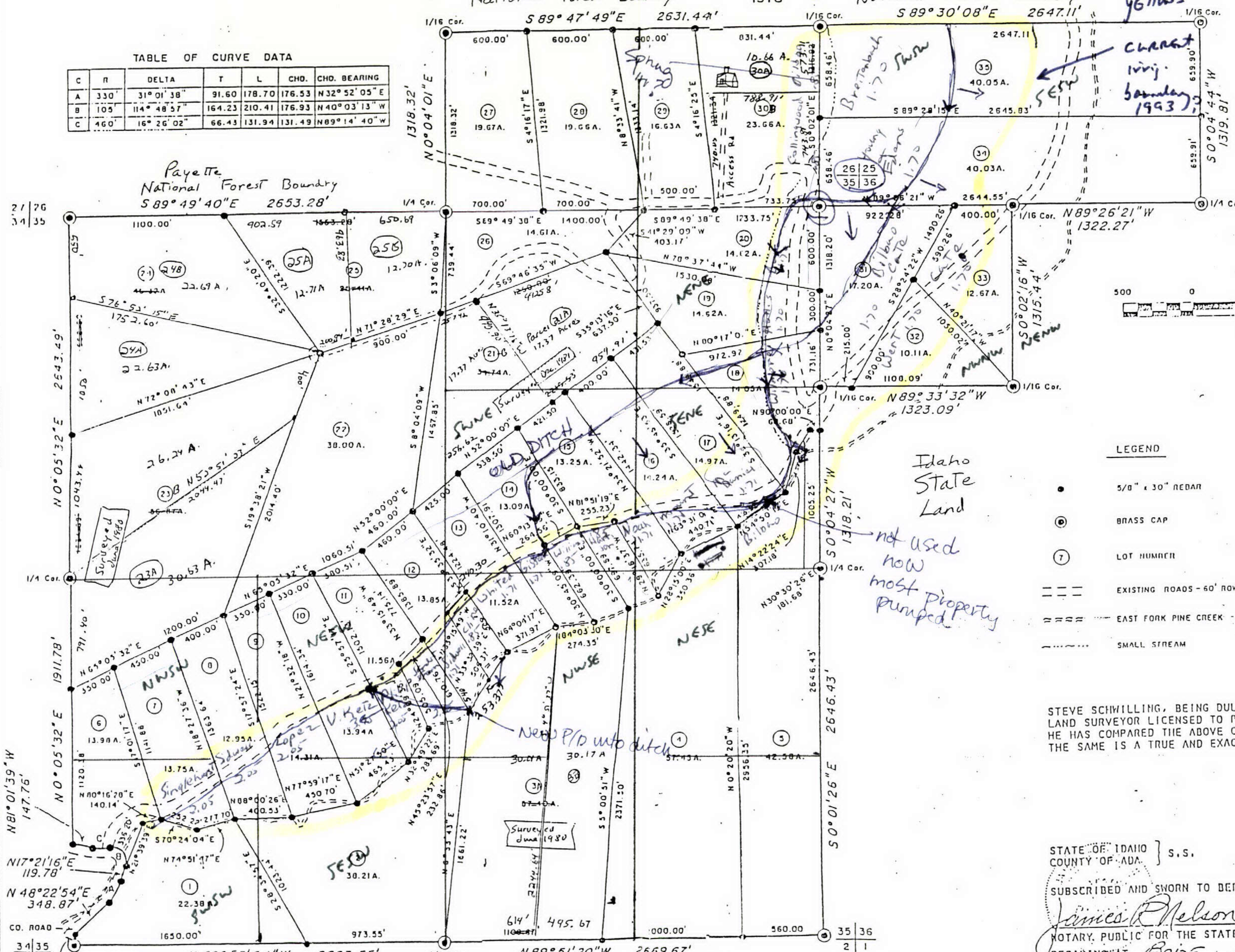
PINE CREEK MOUNTAIN ESTATES

S1/2, of the SE1/4 of Sec. 26; S1/2, of the SW1/4 of Sec. 25; NW[illegible], of the NW1/4 of Sec. 36; and Sec. 35, T.16N., R.4W., B.M., Washington County, Idaho

STEVE SCHWILLING R.L.S.
1978

TABLE OF CURVE DATA

C	R	DELTA	T	L	CHD.	CHD. BEARING
A	330'	31° 01' 38"	91.60	178.70	176.53	N 32° 52' 05" E
B	105'	114° 48' 57"	164.23	210.41	176.93	N 40° 03' 13" W
C	460'	16° 26' 02"	66.43	131.94	131.49	N 89° 14' 40" W



LEGEND

- 5/8" x 30" REBAR
- BRASS CAP
- LOT NUMBER
- EXISTING ROADS - 60' ROW
- EAST FORK PINE CREEK
- SMALL STREAM

STEVE SCHWILLING, BEING DULY SWORN, S
LAND SURVEYOR LICENSED TO PRACTICE BY
HE HAS COMPARED THE ABOVE COPY WITH T
THE SAME IS A TRUE AND EXACT COPY OF

STATE OF IDAHO } S.S.
COUNTY OF ADA }

SUBSCRIBED AND SWORN TO BEFORE ME TH

James R Nelson
NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT *Boise*
MY COMMISSION EXPIRES *LIFE*

Current information 5/93

Yellow line ~~note~~ not totally accurate

Lots 6-14 have land btw. old unused ditch & road

Pine Creek Estates
5/20/93 CJH



1.-2.
Main Forest Service (Sec 25) headgate. Shown closed & at ½ open.



JUL 27 1994

Pine Creek Estates
5/20/93 CJ4



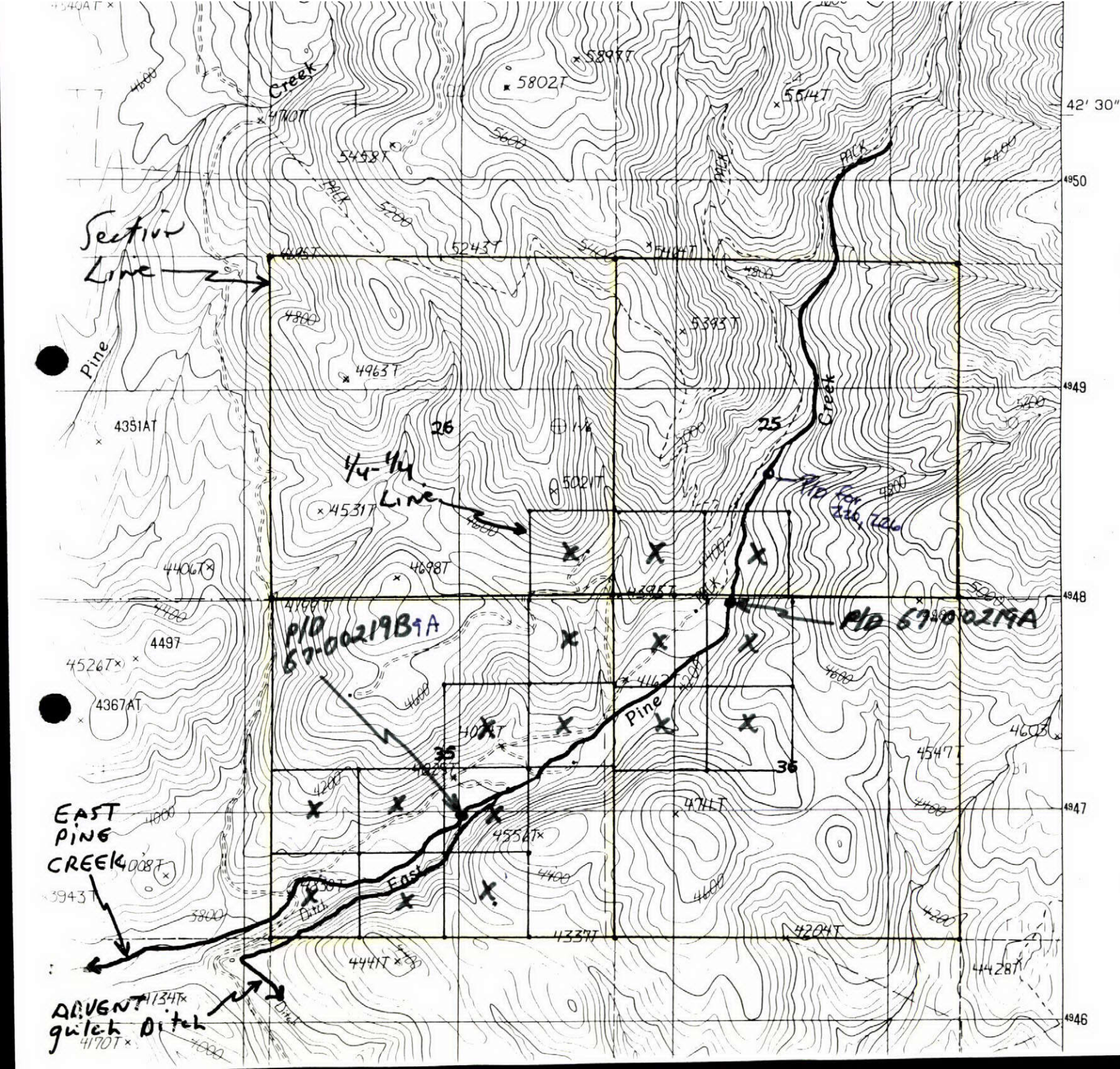
3. Typical irrigated P/u (SW Sec 35). Ketz property to right of photo



4. Old ditch line on hill above main road. No use on acres between ditch & road.

- Photo 4 shows part of area where irrig. cannot occur per T3377 condition of approval JR 11/1/93

JUL 27 1994



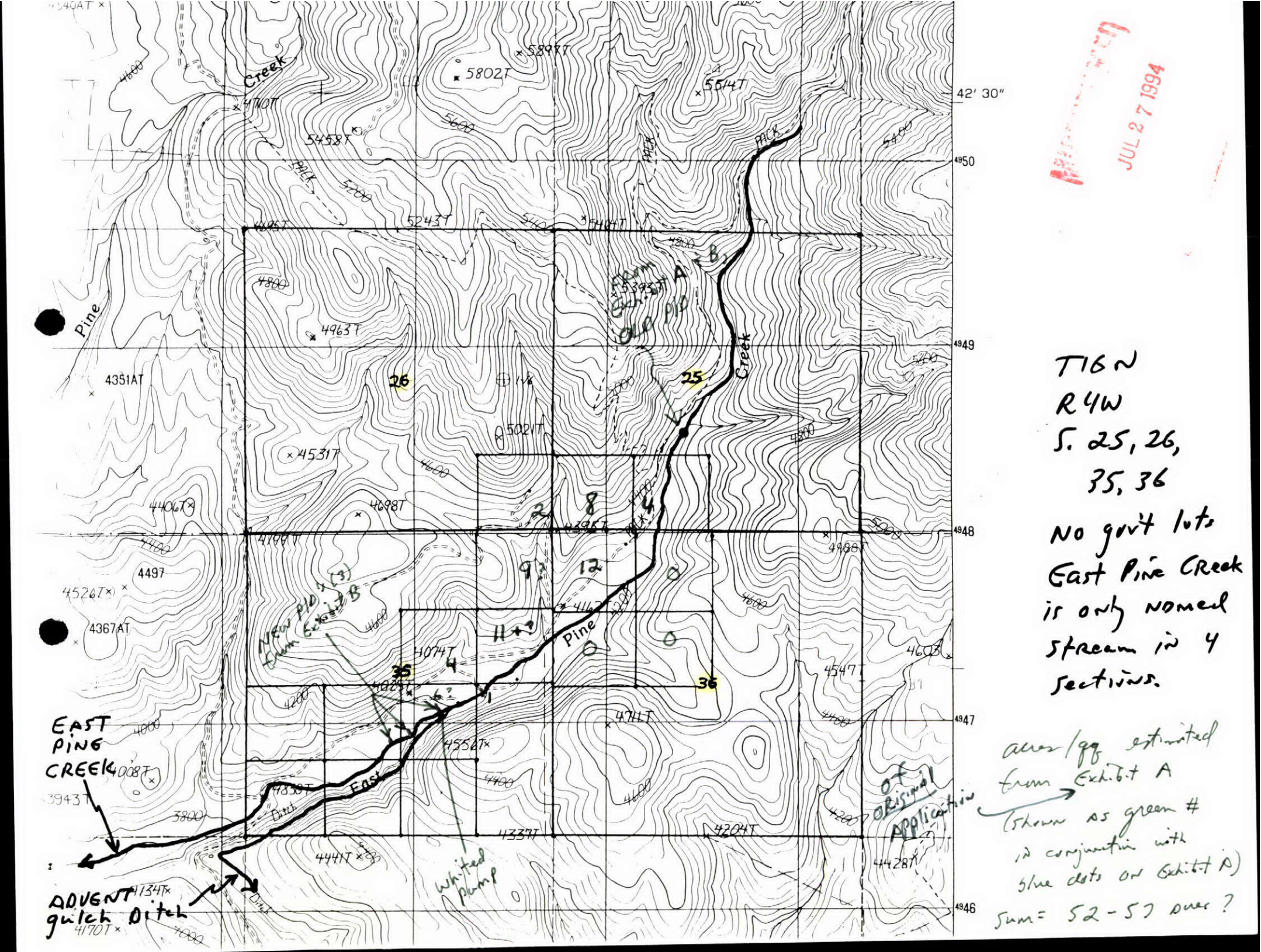
X = 4/4-4/4 P/U for rights before transfer application 1992

Attached pg. lists Rights & 4/4-4/4's.

T16N
R4W
S. 25, 26,
35, 36

- No govt lots
- East Pine Creek is only named stream in 4 sections.

Blue = Cindy's 5/20/93 site visit info


JUL 27 1994
42' 30"
4950
4949
4948
4947
4946
T16N
R4W
S. 25, 26,
35, 36
No govt lots
East Pine Creek
is only named
stream in 4
sections.
acres/qq estimated
from Exhibit A
(shown as green #
in conjunction with
blue dots on Exhibit A)
Sum = 52 - 57 acres?
of original
Application
EAST
PINE
CREEK
ADVENT
gulch Ditch
East
Ditch
Pine
Creek
PACK
Old pipe
New pipe
from Exhibit B
Stream
Cut
Exhibit A
Exhibit B
whited
pump
25
26
35
36

A-293
RANEY BROS
DEAN FAIRCHILD

A-2
WILLIAM PUGH

A-233
VELLS

STATE
16

7

15

14
U.S.

13

A-274
LAWRENCE FORD
SOUTH

U.S.

NORMAN HENRY HANSEN
A-30

A-2
WILLIAM PUGH

MOUNTAIN MEADOWS RANCH

A-2

20
U.S.

21

22

23

24

A-301
R.R.
HOWLAND

U.S.

Point of Diversion in national Forest

X

JOHN F. MOUNT
A-88

A-274
FORD RANCH, INC.

29

28

27

26

25

ENNETH
OWNEY

A-306
DALE HOWELL

KEITH FORD

A-87

U.S.

U.S.

A-265
CUDDY MTN.
RANCH

STATE
36

32

33

34

35

A-6
HAROLD GIBSON

ERNEST HORN EST.
A-95

RONALD H. HOWLAND
A-5

A-7
ALVIN LEGG

RONALD HOWLAND
A-5

A-265
CUDDY MTN. RA.

A-265
CUDDY MTN.
RANCH

Dan Sloan

A-285
JAMES L.
BAMGARNER

A-301

4
U.S.

A-23
P.A.
LEGG
EST.

3

2
MINK LAND & LIVESTOCK

1

A-253

CUDDY
MTN.
RANCH
A-265

A-251

RONALD R. HOWLAND
A-301

A-8
EVERETT
KEITH

RANDY NOAH
A-272

FRANK
SHIRTS

VAN
FOSSEN

9

10

11

12

A-106
ELSIE
CLURE

ADVENT GULCH ROAD

PINE CREEK ROAD

A-105

A-105

A-253
MINK LAND &
LIVESTOCK

U.S.

13

A-253
MINK LAND &
LIVESTOCK

JOHN A. BARINAGA

16

15

14

A-105

A-272
RANDY
NOAH

JOHN A.
BARINAGA

A-265
CUDDY MTN.
RANCH

A-265

A-105

MINK LAND &
LIVESTOCK

A-251

21

22

23

24

Hand Drawn in early 70's
Use this To find Ranch on Forest map and o enclose map made i 1980.
R4W

PINE CREEK MOUNTAIN ESTATES

S1/2, of the SE1/4 of Sec. 26; S1/2, of the SW1/4 of Sec. 25; NW1/4, of the NW1/4 of Sec. 36; and Sec. 35, T.16N., R.4 W., B.M., Washington County, Idaho

— STEVE SCHWILLING R.L.S. —
1978

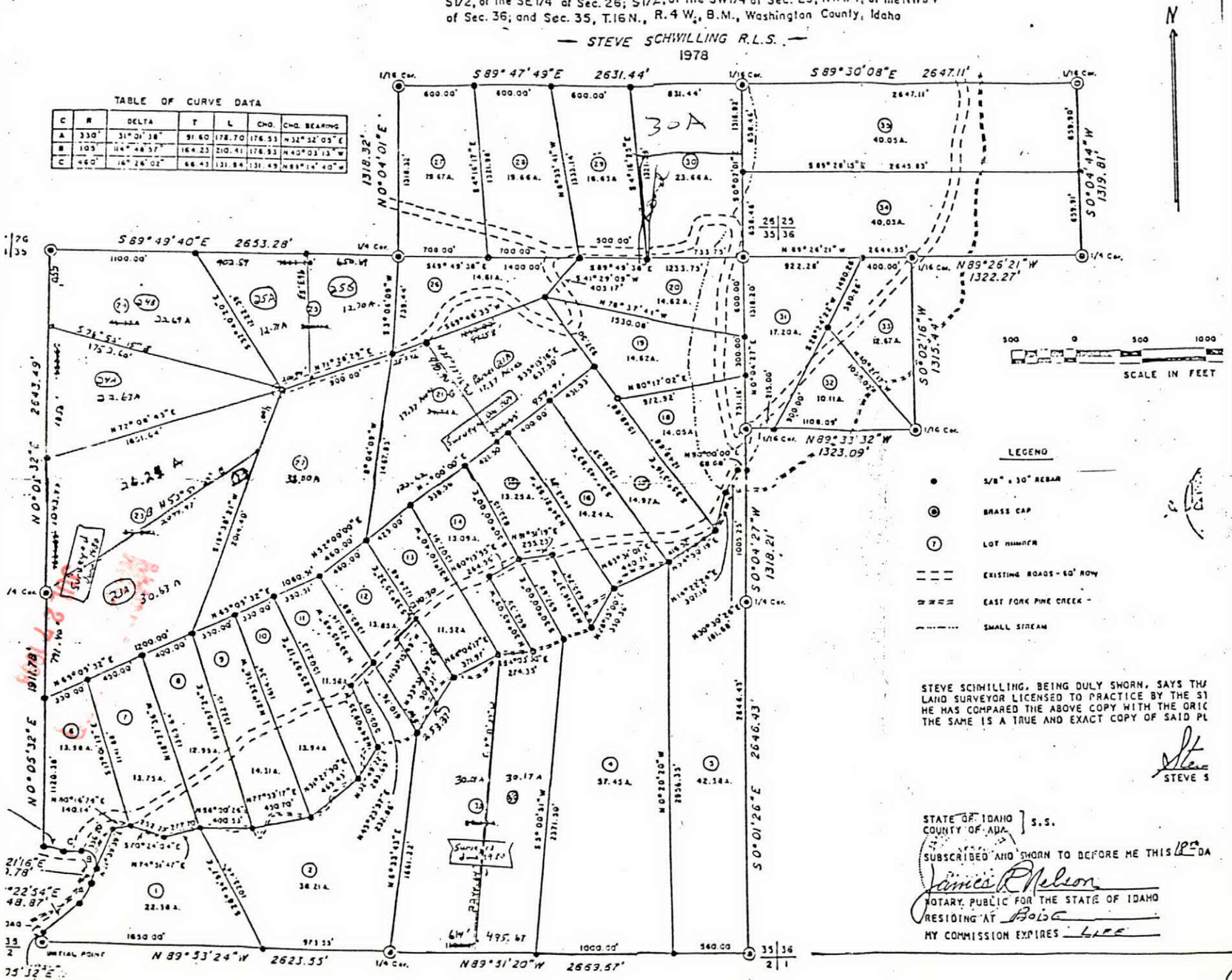


TABLE OF CURVE DATA

C	R	DELTA	T	L	CHD.	CHD. BEARING
A	330'	31° 01' 38"	91.60	178.70	176.53	N 32° 32' 03" E
B	305'	34° 48' 57"	164.23	210.41	176.93	N 40° 03' 13" W
C	460'	16° 26' 02"	66.43	131.84	131.45	N 89° 14' 40" W

LEGEND

- 5/8" x 30" REBAR
- BRASS CAP
- LOT NUMBER
- EXISTING ROADS - 60' ROW
- EAST FORK PINE CREEK
- SMALL STREAM

STEVE SCHWILLING, BEING DULY SWORN, SAYS THA
LAND SURVEYOR LICENSED TO PRACTICE BY THE ST
HE HAS COMPARED THE ABOVE COPY WITH THE ORIG
THE SAME IS A TRUE AND EXACT COPY OF SAID PL

STEVE S

STATE OF IDAHO] S.S.
COUNTY OF ADA]

SUBSCRIBED AND SWORN TO BEFORE ME THIS 18th DA

Janice R Nelson
NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT Boise
MY COMMISSION EXPIRES LIFE

To see general area:

Take Highway 95 out of Payette
Go Through Weiser, midvale and
To Highway 71 at Cambridge.
Turn Left Toward Hells Canyon on
Hwy 71 - Go 5 miles (approx.) on
Hiway 71 out of Cambridge.
Watch for ◇ on right just before
Turnoff on Advent Gulch Road. Black Barrel mail Box #3608
Turn right (over Cattleguard). go [redacted] approximately 2 miles on graved County road. ◇ the road will go around a sharp curve and drop down - cross creek - East Fork Pine Creek. You come to gates of yellow & green. Sign.

For further information and to see properties call around 6 pm,
Pearl Kelly 1-208-642-2444
820 8th Ave N.
Payette, Id. 83661

Current properties Available - 12% int. Acres in Each

#	Price	Tin Bldg.	Approx. Payments - monthly		
23A	$39,000.00		$325.00	View hill top	30.63
[redacted] B	2[redacted].00		$ 235.00		26.24
24A	18,100.00		200.00	Few Trees	22.63
24B	21,000.00		235.00		22.69
29	19,000.00		200.00	Spring Trees	16.63
21B	14,000.00		180.00	Lots of Trees	17.37
5	42,000.00		450.00	Lots of Trees + creek	42.58
~~30A~~ As of 12-12-95	20,000.00		225.00	Sizable cabin	10.000 14.97
17	21,000.00		220.00	Creek Trees	

Owner carries all paperwork $200.00 will get you in.

~~31 21,000~~ 225.00 Lots of Trees 17.20

(over for map)

Pearl Ketz President
Pine Creek Mtn. Estates

Pine Creek Mtn. Estates
Property Owners Assoc.
3608 Advent Gulch Road
Cambridge, Idaho 83610

CUDDY MTN.

take Left Turn
Hiway 71
out of
Cambridge
Toward
Brownlee Dam

Turn right
on Advent Gulch Rd.

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661











JUL 27 1994



RELEASED
JUL 27 1994

JUL 27 1994

JUL 27 1994

JUL 27 1994







Page _____ of _____

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

Transfer No. _____

(b)

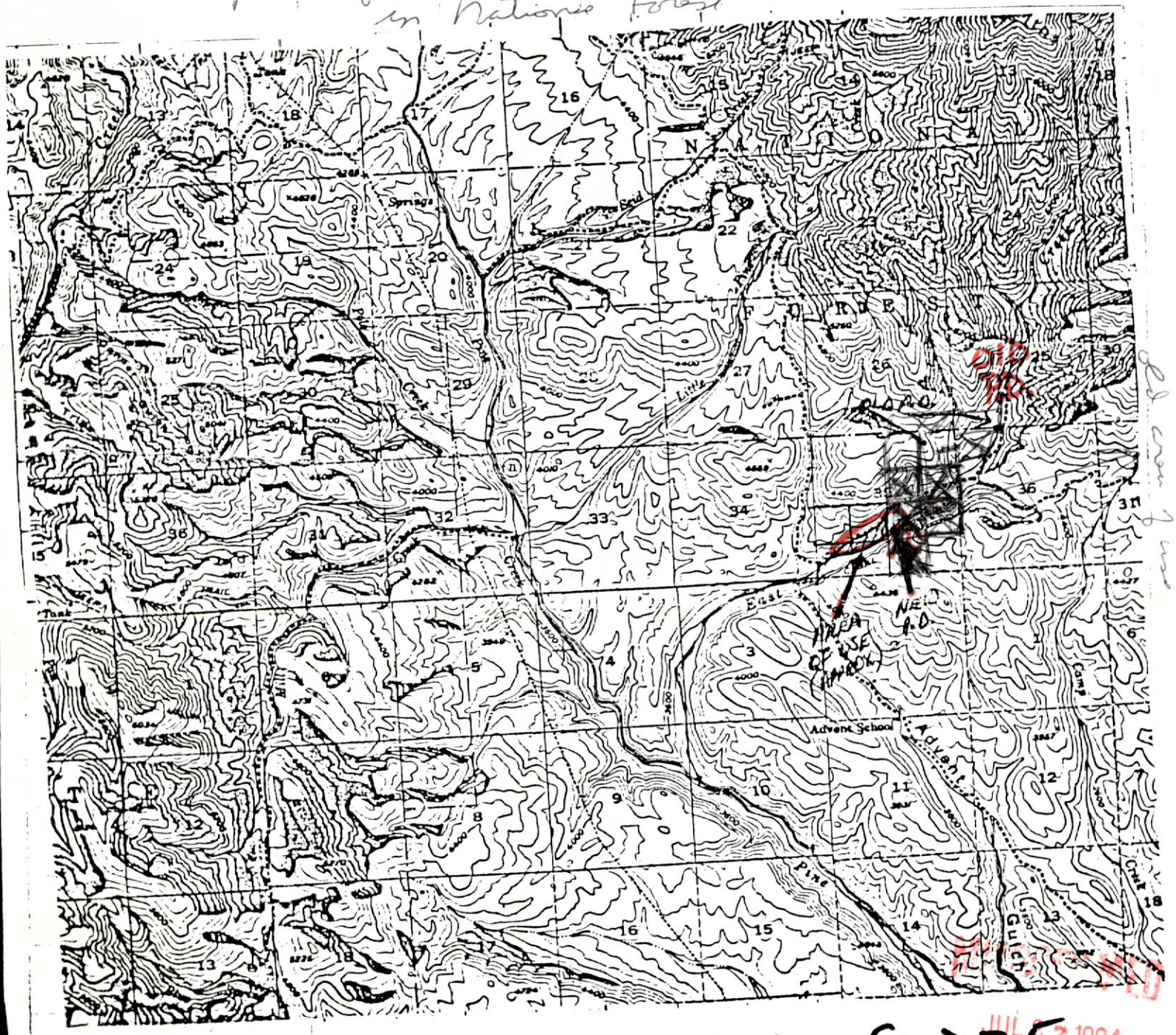
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

Old point of Diversion shown SW Cor. Sec. 25 in National Forest



16N 04W Sec. 35

JUL 27 1994

SCALE: 2 inches equal 1 mile. Draw plan in ink.



AUTUMN LANDSCAPE (detail)

Tiffany Studios, New York City, 1923
Stained glass

THE METROPOLITAN MUSEUM OF ART

Gift of Robert W. de Forest, 1925 (25.173)
(K) 11-08142-9



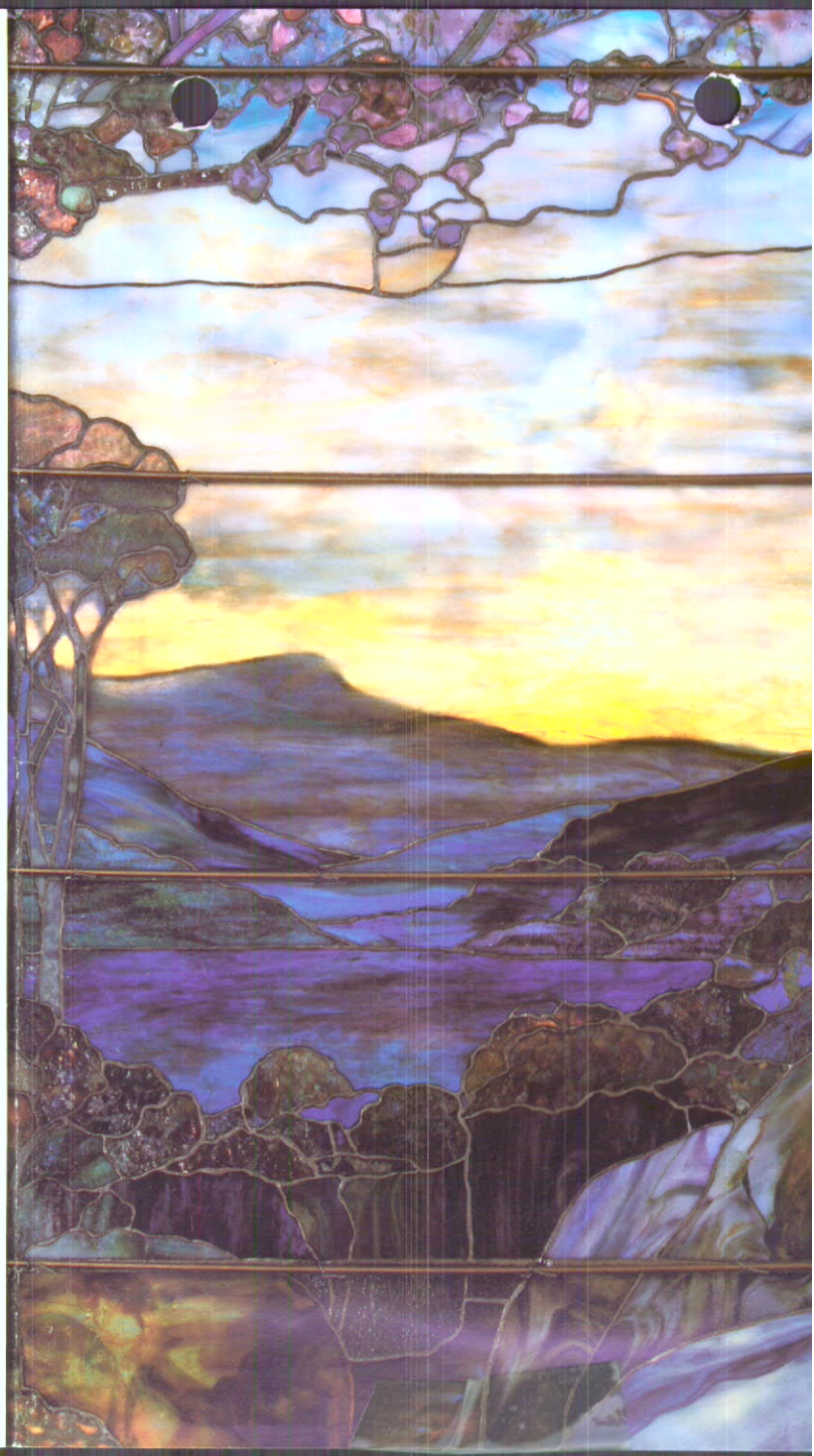
RECEIVED
JAN 4 1988
Department of Water Resources
Western Regional Office

AUTUMN LANDSCAPE (detail)

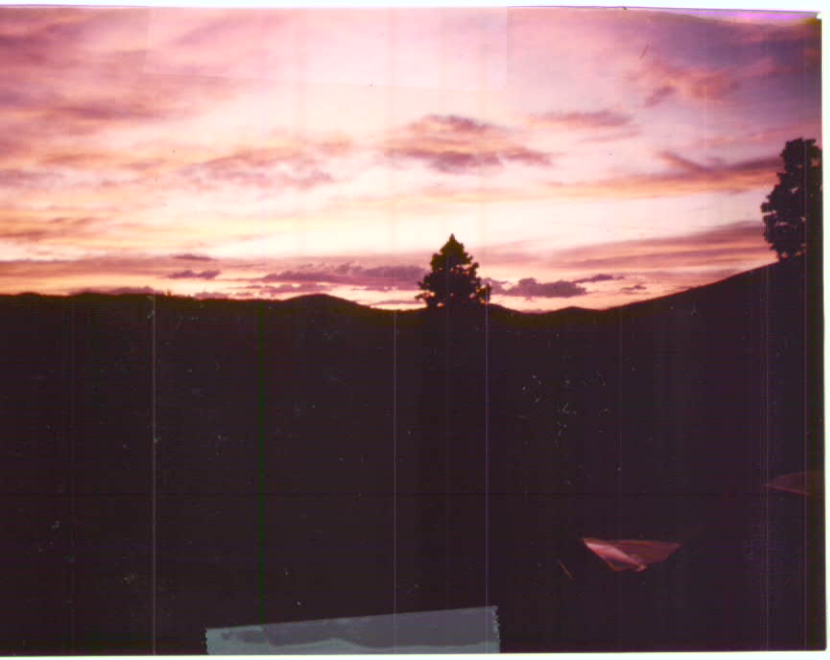
Tiffany Studios, New York City, 1923
Stained glass

THE METROPOLITAN MUSEUM OF ART

Gift of Robert W. de Forest, 1925 (25.173)
(K) 11-08142-9



Oh the beautiful sunsets we see at Pine Creek while out talking to our Trees. Perhaps our labors may one day be the source from which the weary and worn, or the burdened with affairs may derive a few moments of rest and refreshment. What a powerful motive for pressing on in our quest for water to beautify and preserve places that are lovely to behold.



1-1-88

Dear Mr. Tuthill,

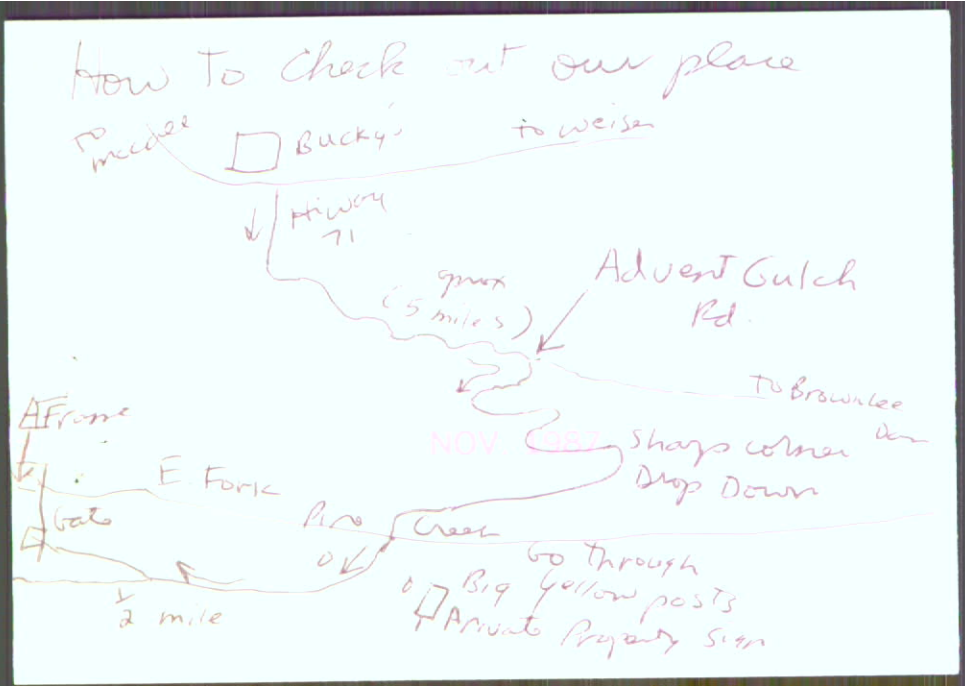
Thank you for changing the meeting place.

We did not know it but Mr. Bilboa one of the three partners in Pine Creek Mtn. Estates & former owner & irrigator of water right in question would not have come to Bucky's either. He called Last night to say so. & I was glad to tell him meeting had been changed to Weiser.

Makes you wonder. Well, thanks again and maybe some day you will be able to really appreciate the fact of how your kind help encourages us that "people really care about the little guy" in important offices.

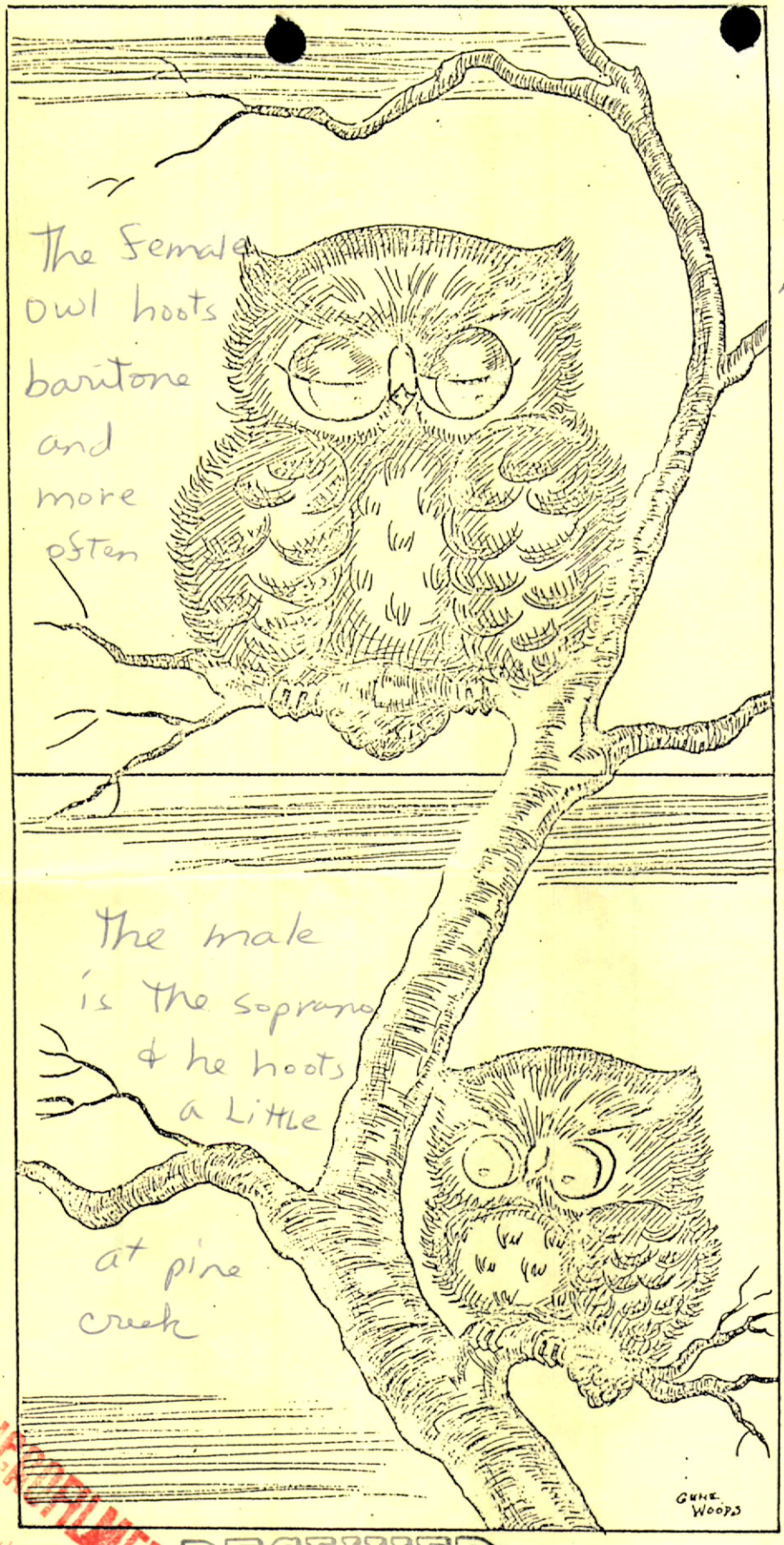
Pearl Kot




How To Check out our place
To Weiser
Bucky's
Hiway 71
(5 miles)
Advent Gulch Rd.
To Brownlee
A Frame
E. Fork
Gate
Creek
Shaps corner
Drop Down
Go through
Big Yellow posts
Private Property Sign
½ mile

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

12-16-87



Dear Mr. Tuthill,

Thank you for arranging the hearing on a Friday.

One more favor. I am allergic to cigarette smoke. Would it be possible to have "no smoking" during the hearing?

Thank you again and Looking forward to getting this matter resolved.

Sincerely

Pearl Ketz

Gene Woods

RECEIVED
DEC 17 1987
Department of Water Resources
Western Regional Office

RECEIVED
Ark U.S. 1988

OWLS

RECEIVED
NOV 19 1987
Department of Water Resources
Western Regional Office

MICROFILMED
APR 04 1988

AUTUMN LANDSCAPE (detail)

Tiffany Studios, New York City, 1923
Stained glass

THE METROPOLITAN MUSEUM OF ART

Gift of Robert W. de Forest, 1925 (25.173)
(K) 11-08142-9



11-18-87

Dear David Tuthill & Dan Shirts,

In studying over the laws etc. on water hearings - I note that hearings must be held within 60 days from the date of protest.

Since Mr. Mink's protest was dated Oct 1, 1987 we will Look for the hearing by Dec 1, 1987. (See enclosure)

Please give us every consideration possible. We have a Limited time when we can get into the creek to install the gate. The creek turns into a raging torrent in Spring.



give it a drink. Please help. May dave come The hearing!

This tree is depending on you to help us

RECEIVED
NOV 23 1987
ARM

V. KETZ
820 8TH AVE. N.
PAYETTE, ID. 83661



WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Decree	67-00219	Elizabeth Webber	0.28
SPLIT INTO PARTS A & B BY TRANSFER #3377			
Partial Assignment	67-00219A	Elizabeth Webber	0.20
Partial Assignment	67-00219B	Vernon E Ketz Pearl J Ketz	0.07
PARTS A & B COMBINED INTO PART C AS A RESULT OF TRANSFER #4236			
Full Assignment	67-00219C	Pine Creek Property Owners Irrigation Association	0.28

RECEIVED
JUL 27 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4236
WATER RIGHT NO(S). 67-00219C/67-00220/67-00226/67-00229

This is to certify that: **PINE CREEK PROPERTY OWNERS IRR ASSN**
C/O PEARL J KETZ
3608 ADVENT GULCH RD
CAMBRIDGE ID 83610

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 67-00219C :			
IRRIGATION	04/01 to 10/31	0.28 CFS	56.0 AF
Priority: 05/01/1901			
Right No. 67-00220 :			
IRRIGATION	04/01 to 10/31	0.24 CFS	48.0 AF
Priority: 05/01/1901			
Right No. 67-00226 :			
IRRIGATION	04/01 to 10/31	0.34 CFS	68.0 AF
Priority: 05/01/1902			
Right No. 67-00229 :			
IRRIGATION	04/01 to 10/31	0.42 CFS	84.0 AF
Priority: 05/01/1908			
	TOTAL:	**1.28 CFS**	**256.0 AF**

SOURCE	TRIBUTARY OF
EAST PINE CREEK	PINE CREEK

LOCATION OF POINT(S) OF DIVERSION:
NESW , Sec. 25, Township 16N, Range 04W
SENE , Sec. 35, Township 16N, Range 04W
NWSE , Sec. 35, Township 16N, Range 04W
SWNW , Sec. 36, Township 16N, Range 04W
WASHINGTON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
16N	04W	25	SWSW	5	SESW	8			13
		35	SWNE	2	SENE	10	NESW	8	
			SWSW	3	SESW	3	NWSE	4	30
		36	NENW	1	NWNW	20			21
					Total number of acres irrigated:				64

Approved

JUL 27 1994

TRANSFER NO. 4236
WATER RIGHT NO(S). 67-00219C/67-00220/67-00226/67-00229

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4236 shall not exceed 1.28 cfs.
8. Right No. 67-00219C is limited to the irrigation of 14.0 acres in the place of use described above in a single irrigation season.
9. Right No. 67-00220 is limited to the irrigation of 12.0 acres in the place of use described above in a single irrigation season.
10. Right No. 67-00226 is limited to the irrigation of 17.0 acres in the place of use described above in a single irrigation season.
11. Right No. 67-00229 is limited to the irrigation of 21.0 acres in the place of use described above in a single irrigation season.
12. Right No. 67-00229 has been reduced by 0.40 cfs that has been lost through non-use.
13. Irrigated acres described in S35, T16N, R04W, are located south of the access road.
14. Four (4) points of diversion are located within SENE, and two (2) points of diversion are located within NWSE, S35, T16N, R04W. A single point of diversion is located on or near the line between SENE, S35 and SWNW, S36, T16N, R04W. The system has a total of eight (8) points of diversion.

Dated this 22nd day of June, 1994.

L. Glen Saxton
Chief, Water Alloc. Bureau

APPROVED
JUL 27 1994

Form 1-222
12-92

RECEIVED
FEB 09 1994
Department of Water Resources

RECEIVED
DEC 02 1993
WATER RESOURCES
WESTERN REGION

Page 1 of 14

Transfer No. 4236

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

CHANGES ON pgs. 1 & 2 plus addition of pgs. 11 & 12 Approved by President PK initials 12-1-93 date

Name of applicant Pine Creek Property Owners Irrigation Assoc. Phone 642-2744

Post Office address c/o Pearl J. Katz, President 3608 Advent Gulch Rd. Cambridge ID. 83610

A. PURPOSE OF TRANSFER

1. ☑ Change point of diversion ☑ Add diversion point(s) ☐ Change place of use
   ☐ Change nature of use ☐ Change period of use ☑ Other – CREATE "PERMISSABLE PLACE OF USE"
2. Describe the reason for the proposed changes Consolidate water right use in Pine Creek Mountain Estates. Provide a clear record of all ACRES irrigated & all points of diversion used. Clarify Records-keeping for Watermaster Jerry Myers & owner Cecil Bilbao. SEE Memo (Attachment A) of Explanation.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
67-00219A } C	5/1/1901	.205	Irrigation	4-1 ~~3/15~~ to 10-31 ~~11/15~~	
67-00219B } C	5/1/1901	.075/.028	"	" to "	
67-00220	5/1/1901	.24	"	" to "	
67-00226	5/1/1902	.34 ~~.82~~	"	" to "	
67-00229	5/1/1908		"	" to "	

2. Total amount of water being transferred ~~.82~~ 1.68 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water East Pine Creek tributary to Pine Creek (SEE Attachment A)
4. Point(s) of Diversion:

RECEIVED
FEB 08 1994
Department of Water Resources

Lot	¼	Sec.	Twp.	Rge.	County	Local name for diversion
					SEE Attachment B for list of points	
					of diversion	

5. Lands irrigated or place of use: Common Acreage for all 5 Rights

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	25											5	8					13
		35			2	10					8		3	3		4			30
		36					1	20											21

RECEIVED
JUL 27 1994
Department of Water Resources

These are the acres listed on 1st pg. of Attach. E – questionable acres ARE not included.

Total acres 64

PART 1

6. General Information:

a. Description of diversion system 8 diversions include several ditches and several pumping sites for various irrigation uses throughout acreage.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

No new lands put into production & no old lands taken out of production. Transfer seeks to codify uses that have been in place for at least last 5 year period.

d. Remarks: per Transfer 3377 and 5/20/93 Exam

Land below the old unused ditch but above the access road from Lots 6 through 14 will not be irrigated under this transfer. In the event of priority cuts, water use will be limited as follows based on 5/8" per acre as decreed: #226 27 acres, #220 19 acres, #219B 6 acres, #219A 16 acres. *

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 ____.

_____

RECEIVED
JUL 27 1994

* have been rounded up (27.2, 19.2, 6, 16.4)

Page _____ of _____ TRANS NO. 4236

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **67-00219A**

STAGE: **DECREED**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	to	0.20 CFS

SOURCE	TRIBUTARY OF
PINE CREEK	WEISER RIVER

Priority: 05/01/1901

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

RECEIVED
JUL 27 1994

Transfer No. 4236

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right) SEE SRBA claims A67-00219 through 00219G

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 67-00219A Decreed to Elizabeth Webber
   in case of Muir vs. Allison
   dated 6/20/1921 in 7th Jud. Dist. county of Washington
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. 3377 which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below: – Attachment C
   ☐ Tax Notice ☑ Warranty Deed ☐ Other _____
3. Source of water Pine Creek tributary to Weiser River
4. Date or priority 5/1/1901
5. Water is used for the following purpose:
   amount .205 cfs (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right .205 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	36	16N	4W	Washington	"Basque Spring Creek" per transfer 3377 – see Part 2C2
								of " "

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	35									X	X	X	X					16

RECEIVED JUL 27 1994

Total acres 16

9. Describe any other water rights used for the same purpose as described above NONE
from T. 3377

PART 2

Transfer No. 4236

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.) N/A

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)* N/A

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

RECD
JUL 27 1994

Total acres _____

Page _____ of _____ TRANS NO. 4236

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. **67-00219B**

STAGE: **DECREED**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	to	0.07 CFS

SOURCE	TRIBUTARY OF
PINE CREEK	WEISER RIVER

Priority: 05/01/1901

LOCATION OF POINT(S) OF DIVERSION: NWSE , Sec. 35, Township 16N, Range 04W
NENW , Sec. 36, Township 16N, Range 04W
WASHINGTON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES	ACRES	TOTAL
16N	04W	35	NESW	4	SESW	2		6
					Total number of acres irrigated:			6

CONDITIONS/REMARKS:

1. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
3. THE P/U OF THIS WATER IS LIMITED TO LAND SOUTH OF THE ROAD THAT TRANSECTS THE KETZ PROPERTY, LOT 10, PINE CREEK MTN. ESTATES. TRANS. 3377.

AMENDED
JUL 27 1994

Transfer No. 4236

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

SEE SRBA claims 67-00219 Through 00219G

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 67-00219B Decreed to Elizabeth Webber
      in case of Muir vs. Allison
      dated 6/20/1921 in 7th Jud. Dist. county of Washington
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. 3377 which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
   ☐ Tax Notice ☑ Warranty Deed ☐ Other _____
3. Source of water Pine Creek tributary to Weiser River
4. Date or priority 5/1/1901
5. Water is used for the following purpose:
   amount .075 cfs (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right .075 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	35	16N	4W	Washington	
		NE	NW	36	16N	4W	"	"Basque Spring Creek" per Transfer 3377

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	35									4			2					6

JUL 27 1994

Total acres 6

9. Describe any other water rights used for the same purpose as described above NONE from T. 3377

PART 2

Transfer No. 4236

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.) N/A

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*. N/A

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

JUL 2 1994

Total acres _____

Page _____ of _____ TRANS NO. 4236

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 67-00220

STAGE: **DECREED**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	to	0.24 CFS

SOURCE	TRIBUTARY OF
PINE CREEK	WEISER RIVER

Priority: 05/01/1901

WASHINGTON County

PLACE OF USE: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
16N 04W 35	SWNE SWSE	SENE	NWSE	

Total number of acres irrigated: -

CONDITIONS/REMARKS:

RECEIVED
JUL 27 1994

 Transfer No. 4236

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

SEE SRBA claims A67-00220 through 00220B

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 67-00220 Decreed to Roy O. Howland
      in case of Muir vs. Allison
      dated 6/20/1921 in 7th Jud. Dist. county of Washington
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
   ☐ Tax Notice ☑ Warranty Deed ☐ Other _____
3. Source of water Pine Creek tributary to Weiser River
4. Date or priority 5/1/1901
5. Water is used for the following purpose:
   amount .24 cfs (cfs/ac-ft) for Irrigation purposes from not specified in decree but Assume 3/15 to 11/15 per
   amount _____ (cfs/ac-ft) for _____ purposes from Standard to SEASON
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right .24 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
								Not specified in decree

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	35			X	X											X		19 *

JUL 27 1994

Total acres 19

9. Describe any other water rights used for the same purpose as described above NONE

* .24 cfs / .0125 cfs/acre ≈ 19 acres implied in decree; acres per ¼-¼ not specified in decree

PART 2

Transfer No. 4236

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.) N/A

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)* N/A

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

JUL 2 7 199

Total acres _____

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 67-00226

STAGE: DECREED

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	to	0.34 CFS

SOURCE	TRIBUTARY OF
PINE CREEK	WEISER RIVER

Priority: 05/01/1902

WASHINGTON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
16N	04W	25	SWSW	SESW		
		26	SESE			
		35	NENE			
		36	NENW	NWNW	SWNW	
			SENW			

Total number of acres irrigated: -

CONDITIONS/REMARKS:

ABANDONED
JUL 27 1994

Form 1-222

Page 9 of 1X14

Transfer No. 4236

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

SEE SRBA claims 67-00226 through 00226B

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 67-00226 Decreed to S. M. Rutledge
   in case of Main vs. Allison
   dated 6/20/1921 in 7th Jud. Dist. county of Washington
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
   ☐ Tax Notice ☑ Warranty Deed ☐ Other _____
3. Source of water Pine Creek tributary to Weiser River
4. Date or priority 5/1/1902
5. Water is used for the following purpose:
   amount .34 cfs for Irrigation purposes from assumed 3/15 to 11/15 (cfs/ac-ft) — not specified in decree but
   amount _____ for _____ purposes from _____ to _____ (cfs/ac-ft)
   amount _____ for _____ purposes from _____ to _____ (cfs/ac-ft)
6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
								not specified in decree

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	25											x	x					
		26																x	27 *
		35	x																
		36					x	x	x	x									

JUL 27 1994

Total acres 27

9. Describe any other water rights used for the same purpose as described above NONE

* .34 cfs / .0125 cfs/acre ≈ 27 acres implied in decree; acres per ¼-¼ not specified in decree.

PART 2

Transfer No. 4236

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.) N/A

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)* N/A

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

JUL 27 1994

Total acres: _____

Page _____ of _____ TRANS NO. 4236

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 67-00229

STAGE: DECREED

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	to	0.82 CFS

SOURCE	TRIBUTARY OF
PINE CREEK	WEISER RIVER

Priority: 05/01/1908

WASHINGTON County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. P/U NOT GIVEN IN DECREE.

MICROFILMED
JUL 27 1994

Page 11 of _____ Transfer No. 4236

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

SEE SRBA Claim
A67-00229

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 67-00229 Decreed to Joel W. Weimer
   in case of Muir vs. Allison
   dated 6/20/1921 in 7th Jud. Dist. county of Washington
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below: Attachment C
   ☐ Tax Notice ☑ Warranty Deed ☐ Other _____
3. Source of water Pine Creek tributary to Weiser River
4. Date or priority 5/1/1908
5. Water is used for the following purpose:
   amount .82 cfs (cfs/ac-ft) for Irrigation purposes from 3/15 (assume) to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   Not specified in decree but
6. Total amount of water under right .82 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
							Washington	Point of diversion not specified in decree

8. Lands irrigated or place of use: NOT GIVEN IN DECREE

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

WATER RIGHT APPROVED
JUL 27 1994

Total acres _____

9. Describe any other water rights used for the same purpose as described above UNKNOWN

PART 2

Transfer No. 4236

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED — N/A

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)* — N/A

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

JUL 27 1994

Transfer No. 4236

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SEE Attachment D

3 maps per 5/20/93 site visit:

* topo showing 8 points of diversion
* orthophoto showing estimated acres (questionable acres not included in total - see Attachment G)
* orthophoto showing ditch layout

RECEIVED
JUL 27 1994

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE N/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Paul Kent President
(Signature of Applicant) AND TITLE

Subscribed and sworn to before me this 20th day of September, 19 93.

Notarial Seal

Maxine J. Nichols
residing at: Fruitvale (Notary Public)

My commission expires 5/24/94

FOR DEPARTMENT USE ONLY

Transfer contains 17 14 pages and 6 attachments (A through F)

Received by SL Date 9/27/93 Protest filed by

Prelim. check by SL Fee $50 + $20

Receipted by VJH Date 3/24/92 # W014363

Published in Upper County News Reporter 12-2-93 W016995 (AMENDED) Copies of protest forwarded by

Pub. dates Oct. 21 & 28, 1993 Hearing held by Date

Watermaster recommendation requested on Recommended for ☒ approval ☐ denial

rec'd. by DM

Copy of transfer sent to lien holder

RECEIVED
JUL 27 1994

Original filed 3/24/92 - this is Revised version based on field exam by CJH on 5/20/93.

Amended per 10-22-93 letter from Applicant. - SL 11/30/93

ATTACHMENT B - LIST OF POINTS OF DIVERSION

ALL POINTS FOR ALL 5 4 RIGHTS

P/D #	Location	Remarks
1	SENESW S.25 ①	MAIN ditch - north side
2	NESENE S.35	NORTH side ditch
3	NESENE S.35 OR NWSWNW S.36 ③ ④	South side ditch ON/NEAR section line (Single point)
4	SESENE S.35	pump
5	SESENE S.35	southside ditch (?)
6	SWSENE S.35	pump
7	NENWSE S.35 ②	pump
8	NWNWSE S.35	North side ditch - per T.3377

4 P/DS Descriptions

(points verified 5/20/93 by CJH's EXAM)

ALL points within Washington County.
" " " T16N R4W.

RECEIVED
JUL 27 1994

Attachment B
(1 pg)

WARRANTY DEED

1978

For Value Received CUDDY MOUNTAIN RANCH, INC., an Idaho Corporation,

the grantor, does **hereby grant, bargain, sell and convey unto** PINE CREEK MOUNTAIN ESTATES, a partnership, consisting of CECIL BILBAO, a married man whose address is Cambridge, Idaho; BILL E NOAH, a married man, whose address is Cambridge, Idaho; L.J. MILLER, a married man whose address is 12522 E.27th, Spokane, Washington, and JOHN R. YOUNG, a married man whose address is 925 NE 115st Ave., Portland, Ore. 97230 **the grantee**, **the following described real estate situated in** WASHINGTON **County, State of Idaho, to-wit:**

Lots 1-35, PINE CREEK MOUNTAIN ESTATES SUBDIVISION, as the same is shown on the official plat thereof on file in the office of the County Recorder of Washington County, Idaho; said PINE CREEK MOUNTAIN ESTATES SUBDIVISION being a parcel of land situated in the S½SE¼ of Section 26; the S½SW¼ of Section 25; the NW¼NW¼ of Section 36 and all of Section 35, in TOWNSHIP 16 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN.

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

QC for current p/n 67-00219A & B
67-00220
67-00226

JR 9/16/93

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 17th day of August, 1978.

CUDDY MOUNTAIN RANCH, INC., an Idaho Corporation

John R. Young, Secretary

Cecil Bilbao, President

STATE OF IDAHO, COUNTY OF WASHINGTON

On this 17th day of August, 1978, before me, a notary public in and for said State, personally appeared Cecil Bilbao & John R. Young, known to me to be the President & Secretary, respectively, of CUDDY MOUNTAIN RANCH, INC., an Idaho Corporation,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same, on behalf of said Corporation.

Notary Public

Residing at Weiser, Idaho, Idaho

Comm. Expires 5/17/82

STATE OF IDAHO, COUNTY OF Washington

I hereby certify that this instrument was filed for record at the request of Cecil Bilbao

at 22 minutes past 3:00 o'clock P.m., this 6th day of April 19 79 in my office, and duly recorded in Book 99 of Deeds at page 974

INSTRUMENT No. 127157

Mary Kautz
Ex-Officio Recorder

JUL 27 1994

By Shirley Toney Deputy.

Fees $ 1.00

Mail to:
Cecil Bilbao
Rt 1 Box 212
Cambridge, Id.

C

STATE OF IDAHO)
: ss.
County of Washington)

On this 10th day of ~~January~~ April, 1968, , before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared RALPH O. JONES and GRACE M. JONES, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

NOTARY PUBLIC STATE OF IDAHO

Notary Republic
Residing at

My commission expires , 1972

116565

Cecil Bilbao
20 3:00 P
6th April 79
99 Deeds 972
$3.00
Shirley Toney

Return to:
Cecil Bilboa
Rt. 1 Box 212
Cambridge, Id.

Indexed

LAW OFFICES
DONART & DONART
WEISER, IDAHO

RECORDED
JUL 2 7-19

TOWNSHIP 16 NORTH, RANGE 3 WEST OF BOISE MERIDIAN:
Section 31: Lots 2, 3, 4, NE¼, SE¼ NW¼, E½ SW¼, N½ SE¼, SW¼ SE¼;
Section 32: That part of NW¼ described as follows: Beginning 1074 ft. W of NE cor of NW¼; thence S 16° 17' W 944 ft; thence S 44° 39' W 525 ft; thence S 32° W 130 ft; thence SW'erly to SW cor of NW¼; thence N to NW COR OF NW¼; thence E to place of beginning;

TOWNSHIP 16 NORTH, RANGE 4 WEST OF BOISE MERIDIAN:
Section 25: S½ SW¼; Section 26: S½ SE¼;
Section 35: All; Section 36: NW¼ NW¼.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity of the said parties of the first part:

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part their heirs and assigns against the said parties of the first part, and their heirs and against all and every person or persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first written.

J Paige Donart (SEAL)

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

RECORDED

JUL 27 1994

LAW OFFICES
DONART & DONART
WEISER, IDAHO

99 972

WARRANTY DEED 1967 116565

THIS INDENTURE, Made this 29th day of December , in the year 1967 between RALPH O. JONES and GRACE M. JONES, husband and wife,

of Weiser , County of Washington , State of Idaho the parties of the first part, and CECIL BILBAO and BETTY LEE BILBAO, husband and wife,

of Cambridge , County of Washington , State of Idaho , the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One Dollar and Other Good and Valuable Consideration ---------- DOLLARS lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate situated in Washington County, State of Idaho, to-wit:

TOWNSHIP 15 NORTH, RANGE 3 WEST OF BOISE MERIDIAN:
Section 6: Lots 3 and 4; Section 7: Lots 2, 3 and 4:
Section 18: Lots 1, 2, 3, E½ SW¼, W½SE¼ and SE¼ SE¼; Section 19:
Lot 2, E½ NE¼ and SE¼ NW¼; Section 20: NW¼ NW¼;
Section 29: SW¼ NE¼; S½ NW¼ and NW¼ SW¼;

TOWNSHIP 15 NORTH, RANGE 4 WEST OF BOISE MERIDIAN:
Section 1: Lots 1, 2, S½ NE¼ and SE¼; Section 2: Lots 1, 2 and 4; Section 3: Lot 1 lying NE'erly of County Road;
Section 12: E½; Section 13: NE¼ NE¼, W½ NE¼, SE¼ NW¼, SW¼ and SW¼ SE¼; Section 24: NE¼, E½ NW¼ and NW¼ NW¼;

WASHINGTON CO.
JUL 27 1994

LAW OFFICES
DONART & DONART
WEISER, IDAHO

(B)

TOWNSHIP 16 NORTH, RANGE 3 WEST OF BOISE MERIDIAN:
Section 31: Lots 2, 3, 4, NE¼, SE¼NW¼, E½SW¼, N½SE¼, SW¼SE¼
Section 32: That part of NW¼ described as follows: Beginning 1074 feet W of NE cor of NW¼, thence S 16°17' W 944 ft; thence S 44° 39' W 525 ft; thence S 32° W 130 ft; thence SW'ly to SW cor of NW¼, thence N to NW cor of NW¼, thence E to place of beginning.

TOWNSHIP 16 NORTH, RANGE 4 WEST OF BOISE MERIDIAN:
Section 25: S½SW¼
Section 26: S½SE¼
Section 35: All
Section 36: NW¼NW¼

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof;

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the party of the second part, and to its heirs and assigns forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

_____(SEAL)

_____(SEAL)

STATE OF IDAHO :
: ss.
County of Washington :

On this ____ day of December, 19__, before me, the undersigned, a Notary Public in and for said State, personally appeared Cecil J. Bilbao and wife Betty Lee Bilbao, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this the day and year in this my certificate first above written.

_____
Notary Public for Idaho,
Residing at Weiser, Idaho.

116566

Cecil Bilbao
21 3:00 P
6th April 79
99 Deeds 973
$2.00
Shirley Toney

Return to:
Cecil Bilbao
Rt.1 Box 212
Cambridge, Id.

JUL 27 199

Attachment C = 3 parts

A = 1960's

B = 1960's

→ C = 1978 - most current, shows all QQ 99 973

for plan is QUIT CLAIM DEED 116566

the rights 1966 or 1968

9/16/93

THIS INDENTURE, Made this 30th day of JUNE, 1966, BETWEEN CECIL J. BILBOA and BETTY LEE BILBOA, husband and wife, of Cambridge, Washington County, State of Idaho, the parties of the first part, and CUDDY MOUNTAINS RANCH, INC. a corporation organized and Route 1 Box 212 Cambridge, Id. existing under and by virtue of the laws of the State of Idaho, of Cambridge, Washington County, State of Idaho, the party of the second part,

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Ten Dollars and other good and valuable considerations ($10.00) ----------DOLLARS, lawful money of the United States of America, to them in hand paid by said party of the second part, the receipt whereof is hereby acknowledged, have remised, released, and forever quit-claimed, and by these presents do remise, release and forever quit-claim unto the said party of the second part and its heirs and assigns forever, all the following described real estate situated in the County of Washington, State of Idaho, and bounded and particularly described as follows, to-wit:

TOWNSHIP 15 NORTH, RANGE 3 WEST OF BOISE MERIDIAN:
Section 6: Lots 3 and 4
Section 7: Lots 2, 3 and 4.
Section 18: Lots 1, 2, 3, E½SW¼, W½SE¼, SE¼SE¼
Section 19: Lot 2, E½NE¼, SE¼NW¼
Section 20: NW¼NW¼
Section 29: SW¼NE¼, S½NW¼ and NW¼SW¼

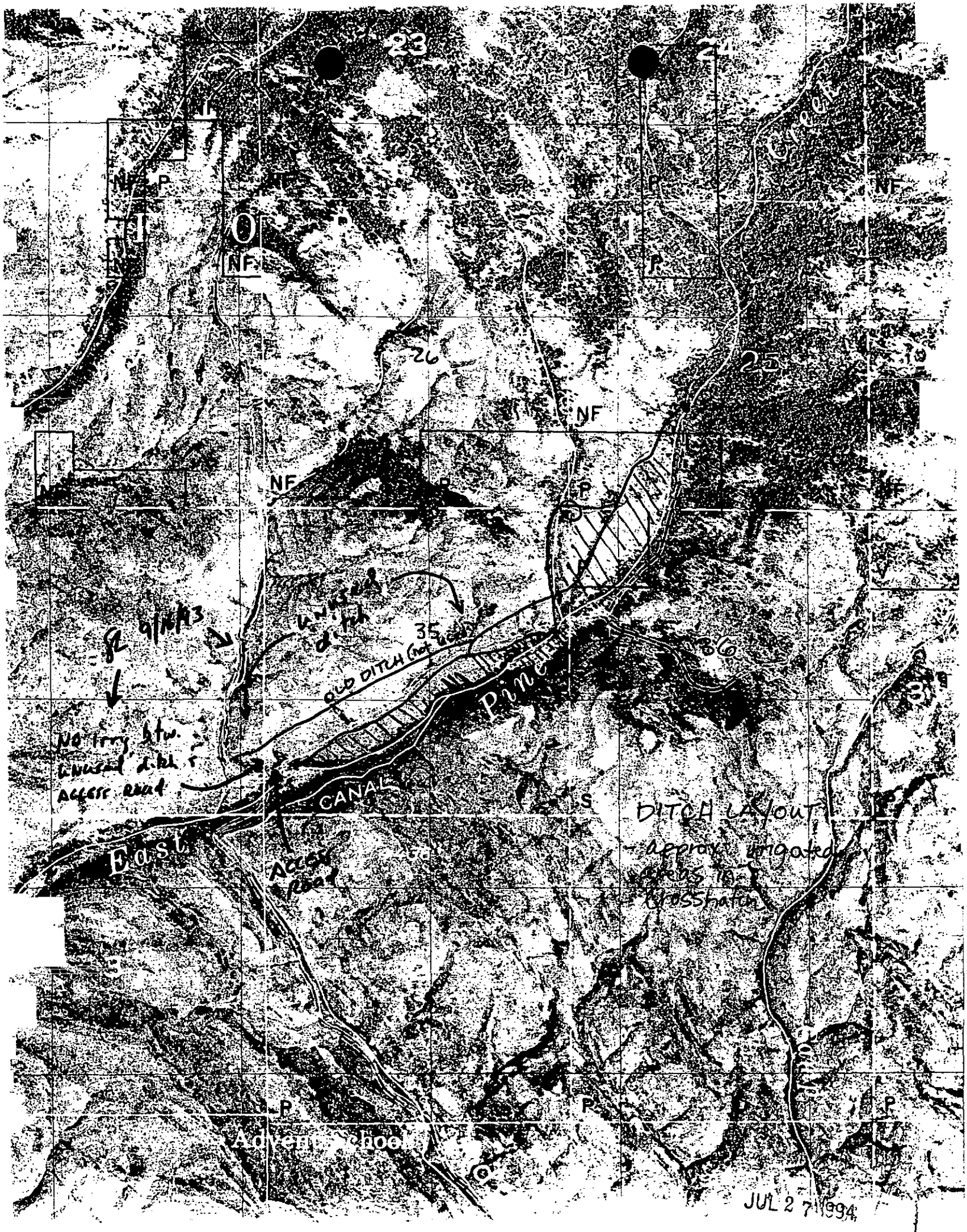
TOWNSHIP 15 NORTH, RANGE 4 WEST OF BOISE MERIDIAN:
Section 1: Lots 1, 2, S½NE¼ and SE¼
Section 2: Lots 1, 2 and 4
Section 3: Lot 1 lying NE'ly of County Road
Section 12: E½
Section 13: NE¼NE¼, W½NE¼, SE¼, S½SW¼ and SW¼SE¼
Section 24: NE¼, E½NW¼ and NW¼NW¼

RECORDED JUL 27 1994

(A)

OWNERSHIP DOCUMENTS

Attachment C (6 pgs.)

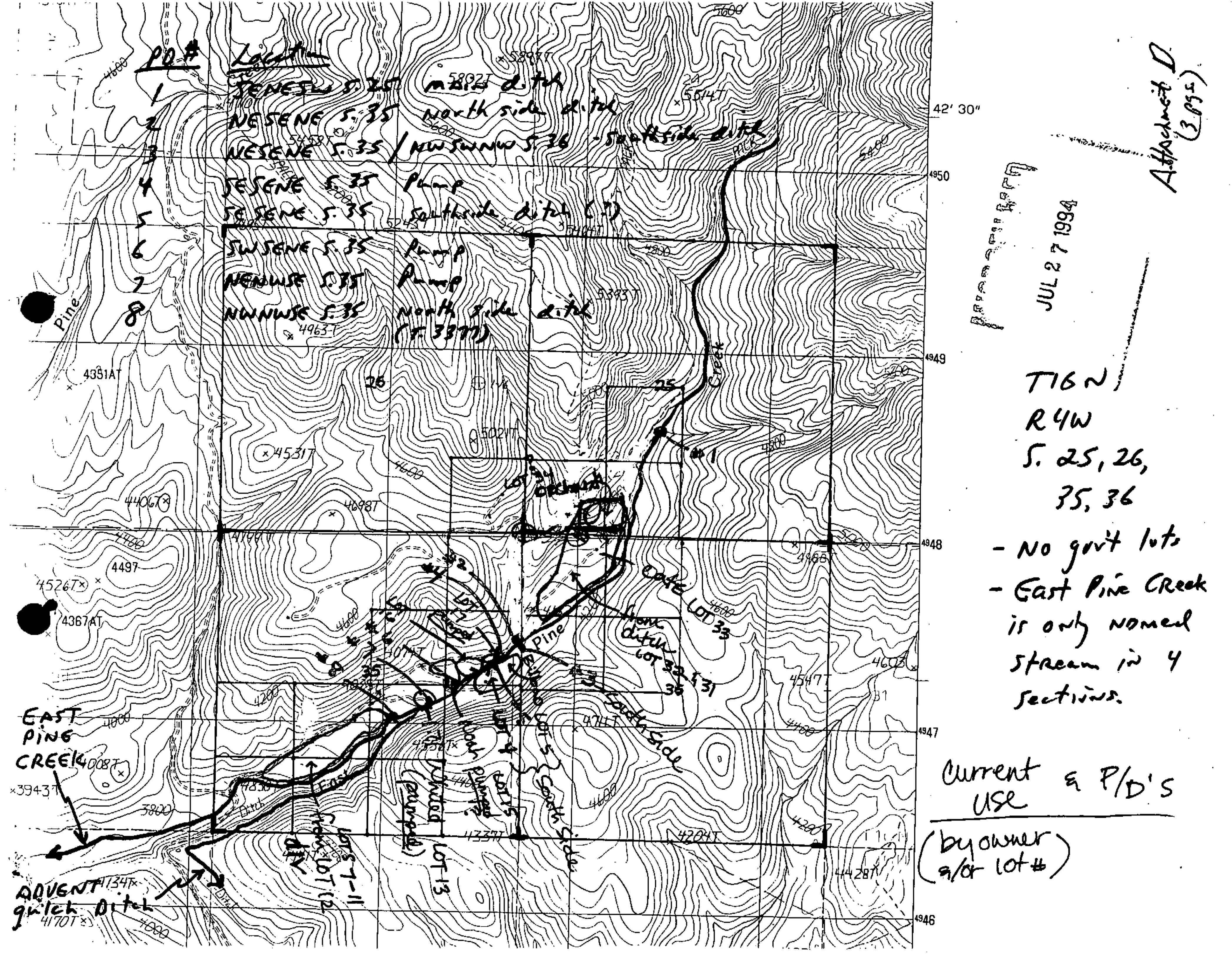

23
24
25
26
35
36
NF
P
T
O
CANAL
East
Access Road
JUL 2 7 1994



BV 10/8/93 As noted in Attn. G →

NOTE: QUESTIONABLE ACRES NOT CREDITED:
S. 35 NENE 1, SENE 1; S. 36 NWNW 8

JULY 7 1994


PD #
Location
1 SENESW S. 25 main ditch
2 NESENE S. 35 north side ditch
3 NESENE S. 35 / NWSWNW S. 36 - southside ditch
4 SESENE S. 35 Pump
5 SESENE S. 35 southside ditch (?)
6 SWSENE S. 35 Pump
7 NENWSE S. 35 Pump
8 NWNWSE S. 35 north side ditch (T-3377)
Pine
Creek
East
EAST PINE CREEK
ADVENT gulch Ditch
LOT 13
LOTS 7-11
Cate LOT 33
LOT 32 & 31
South side
orchard
42' 30"
4950
4949
4948
4947
4946
T16N
R4W
S. 25, 26, 35, 36
- No govt lots
- East Pine Creek is only named stream in 4 sections.
Current Use & P/D's
(by owner &/or lot #)
JUL 27 1994
Attachment D (3 pgs)

Form 222
1-87

RECEIVED
MAR 24 1992
Department of Water Resources
Western Regional Office

Page 1 of 14

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

RECEIVED
FEB 0 9 1994
Department of Water Resources

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Pine Creek Irrigation Assoc (Property owners) Pearl Ketz Pres. Phone Work 1-503-889-9133 Home 1-208-642-7744

Post Office address 3608 Advent Gulch Rd. Cambridge, Id. 83610

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
   ☒ Change nature of use ☐ Change period of use ☒ Other _____
2. Describe the reason for the proposed changes The formation of Pine Creek (Property owners) Irrigation Assoc. Company. To consolidate water right use in Pine Creek mountain Estates. To continue use of previously transferred and used total water by proper paperwork and for Jerry meyers & Cecil Bilbao owner

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
67-219 all	May/01/1901	.28	irrigation of pasture and trees	3-15 to 11-15
67-220	May/01/1902	.17	establish orchards & trees &	3-15 to 11-15
67-226	May/01/1902	.30	pasture for Pine Creek	3-15 to 11-15
67-226			mtn. Estates Property Owners.	3-15 to 11-15

2. Total amount of water being transferred .75 cubic feet per second and/or _____ acre-feet per annum

RECEIVED
FEB 0 8 1994
Department of Water Resources

3. Source of water East Fork Pine Creek tributary to _____

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
10				35	16N	4W	Washington	Headgate #1
2				35	16N	4W	Washington	Headgate #2
12				35	16N	4W	Washington	Headgate #3

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	35		T#43[illegible]							10		4	8		6			28
16N	4W	35																	

REPLACED AMENDED VERSION

JUL 27 1994

ORIGINAL Application - SEE REVISED VERSION of 9/27/93

Total acres 28

PART 1

6. General Information:

a. Description of diversion system Removable Dams of Plywood + Plastic Connected to -4" Aluminum Pipelines and Connecting hoses - And Lockable Headgates + - 3 H.p Pump

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The 100 year old apple orchards are now self sustaining on natural Springs - The ditch has been filled in by roads + ATV Paths. The fields are being built upon by owners.

d. Remarks:

An arboretum, park, horse pasture and Fruit + Shade Trees + New Apple orchards are being established in the lower estates for the use and pleasure of Pine Creek Mtn. Estates Property Owners Assoc. members.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 ____.

JUL 2 7 1994

 Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 67-00219 Decreed to Webber
      in case of Muir vs. Allison
      dated 6-20-1921 in Washington county of Idaho
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. _____ which produced this right. Pearl Kate Elastad Providence by 000 Property Owners
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
   ☐ Tax Notice ☐ Warranty Deed ☒ Other Cecil Bilboo owner- Retained all water rights until paid in full 1-208-257-3583
3. Source of water East Fork Pine Creek tributary to _____
4. Date or priority May-01/1901
5. Water is used for the following purpose:
   amount 14 inches (cfs/ac-ft) for irrigation purposes from 3-15 to 11-15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right 14 inches . 28 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
10	NW	SE	SW	35	16N	4W	Washington	Headgate #1
2	NW	SE	SW	35	16N	4W	Washington	Headgate #2
12	NW	SE	SW	35	16N	4W	Washington	Headgate #3

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	35									10		4	8					22
16N	4W	35																	
															JUL	27	1994		
																			22

Total acres 22

9. Describe any other water rights used for the same purpose as described above _____

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B.and C.).

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

RECEIVED
JUL 27 1994

Total acres _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 67-220 Decreed to Howland
      in case of Muir vs. Allison
      dated 6-20-1921 in _____ county of Washington
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
   ☐ Tax Notice ☐ Warranty Deed ☒ Other Instruction by owner Carl Bilboa
3. Source of water East Fork Pine Creek tributary to Retained all water
4. Date or priority May/01/1902 Rights until paid in full
   Call 1-208-257-3583
5. Water is used for the following purpose:
   amount (cfs/ac-ft) 120 for Irrigation purposes from 3-15 to 11-15
   amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
   amount (cfs/ac-ft) _____ for _____ purposes from _____ to _____
6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion: None decreed

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use: See Jerry Meyers Readout

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	04W																		
16N	04W																		
16N	04W	35				X										X			

JUL 27 1994

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

no If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .17 (cfs/ac-ft) for irrigation purposes from 3-15 to 11-15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount 1.71 (cfs/ac-ft) for irrigation purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
								5399-43
								Bill Noah

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

JUL 27 1994

Total acres _____

 Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 67-00226 Decreed to Rutledge
      in case of Muir vs. Allison
      dated 6-20-1921 in Washington county of Idaho
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. _____ which produced this right. Elected President by all Pearl Ket Property owners 1991
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below: Instruction by owner
   ☐ Tax Notice ☐ Warranty Deed ☒ Other Cecil Bilbao -
3. Source of water East Fork Pine Creek tributary to _____ Retained all water rights until put in use
4. Date or priority May/01/1902 1-208-557-3583
5. Water is used for the following purpose:
   amount .34.00 (cfs/ac-ft) for irrigation purposes from 3-15 to 11-15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right 0.340 cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion: not recorded

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use: See enclosed readout

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	25											X				X	X	
16N	4W	26																	
16N	4W	35	X	X				X	X	X									
																JUL 27 1994			

Total acres _____

9. Describe any other water rights used for the same purpose as described above

See Enclosures

PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

no If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 30 (cfs/ac-ft) for irrigation purposes from 3-15 to 11-15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
10				35	16N	4W	Washington	Headgate #1
2				35	16N	4W	Washington	Headgate #2
12				35	16N	4W	Washington	Headgate #3

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount 1.70 (cfs/ac-ft) for irrigation purposes from 3-15 to 11-15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion: National Forest Sec. 26

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
							Wash.	Old Headgate & ditch

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	35									X								
16N	4W			X		X					X								

JUL 27 1994

Total acres _____

Transfer of Circled Rights Requested to control of Pine Creek Irrigation Co. Pearl Ketz President

Stream or Ditch Pine Creek Mtn. Est. Pine Creek **County** Washington

File No. and Original Owner	File Date	Present Owner	Land Description	Amount of Water	Actual Charge 198	Proposed Charge 198	Notes
67- 219 Webber	5-1-01	Ray Sandstrom	#5399-2	2.5"	7.50	7.50	
67- 220 R. Howland	5-1-01	Loyd Williams	#5399-3	1.71"	1.05	7.50	
67- 226 S. Rutledge	5-1-02	Robert Harrison	Tn-2 of lot 4 #5399-4	.85"	7.50	7.50	
67- 226 S. Rutledge	"	Cecil Bilboa	#5399-5	.85"	.50	7.50	
67- 219 Webber	5-1-01	CECIL BILBOA	#5399-7	2.05"	7.50	1.14	
67- 219 Webber	5-1-01	Albert Tomek	#5399-8	2.05"	7.50	7.50	
67- 219 Webber	5-1-01	H.Lopez	#5399-9	2.05"	1.25	7.50	
67- 219 Webber	"	Vernon Ketz	#5399-10	3.75"	7.50	7.50	
67- 219 Webber	"	Vernon Ketz	#5399-11	2.05"	1.25	1.14	
67- 220 R. Howland	"	" "	#5399-12	1.71"	1.05	.94	
67- 220 R. Howland	"	Michael Whited	#5399-13	1.71"	7.50	7.50	
67- 220 R. Howland	"	Ted Gifford	#5399-14	1.71"	7.50	7.50	
67- 220 R. Howland	"	Bill Noah	#5399-43	1.71"	1.05	7.50	
67- 220 R. Howland	"	John F. Mount	#5399-16	1.71"	7.50	7.50	
TOTALS				25.74			

Will not participate pumps out only NOT

Page 14 of 9

JUL 2 7 1994

Stream or Ditch Pine Creek Mtn. Est. Pine Creek County Washington Page 2-B

File No. and Original Owner	File Date	Present Owner	Land Description	Amount of Water	Actual Charge 198	Proposed Charge 198	Notes
67- 220 R. Howland	5-1-01	Elden Yelm	#5399-17	1.71"	1.05	7.50	
67- 226 S. Rutledge	5-1-02	Cecil Bilbea	#5399-18	1.70"	1.05	.94	
67- 226 S. Rutledge	"	Berry Hallis	#5399-19	1.70"	7.50	7.50	
67- 226 Rutledge	"	Rodger Box	#5399-20	1.70"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Ron Collingwood	Parcel 1 of Lot 30 #5399-30	.85"	7.50	7.50	
67- 226 S. Rutledge	"	Jack Chapman	Parcel 1 of Lot 30 #5399-40	.85"	.50	7.50	
67- 226 S. Rutledge	"	Howard Gilbert	#5399-31	1.70"	1.05	7.50	
67- 226 S. Rutledge	"	Kathryn Wert	#5399-32	1.70"	7.50	7.50	
67- 226 S. Rutledge	" NOT	Merl Cate	#5399-33	1.70"	7.50	7.50	
67- 226 S. Rutledge	"	Laura Young	#5399-34	1.70"	7.50	7.50	
67- 226 S. Rutledge	"	Lamar Miller	#5399-35	1.70"	7.50	7.50	
67-			Here is what I have on pine creek Estates Jerry Myers				
67-							
67-							
TOTALS				17.01"	56.15	75.94	

irrigates out of old diversion

Transfer of these also by owners per mission

JUL 27 1994

Page 10 of 14

7/19/87

Page 11 of 14

Refer to Pine Creek Mountain Estates water Rights - Permission is Granted to Paul Kutz Lot 10 of Pine Creek Mountain Estates to use the water Rights of the following Property until the Lots are sold or this Letter Revoked. Lot 9, 11, 12, 35, 34

Permission is also granted for an additional Point of diversion to be constructed on Lot 12 to provide for the above usage of water. The Original point of diversion will still be used for the balance of water.

JUL 27 1994

Pine Creek Mtn Estates

C Bellis

Hours/days/year Page 12.9.14

3-23-92

This is a note of explanation for #3 Part B

We all work weekdays & most Saturdays
So most of our high volume water
use is on Sundays only. We will arrange to
get off if necessary to meet watermaster.
We do Leave one pipeline running
to feed into all the systems and
to a holding pond as already indicated
on Lot #10 that feeds 7 hoses and
one 1 inch Line that crosses Lot
#9 8, & 7 to drip systems, and then
feeds back into creek.
We don't waste water - but need
to Keep new Trees well soaked.
We have River Birch, Burr Oak -
Swamp oak - and many Trees that need
Constant moisture.

RECEIVED
JUL 27 1994

Also we can not put in our dams until
after runoff - (sometimes late June) so have only
sporatic use between march 15 - June 30th
& if it freezes in Oct - No water use after then.
& one hose gets Constant disturbance And is reset Sundays

Transfer No. _____

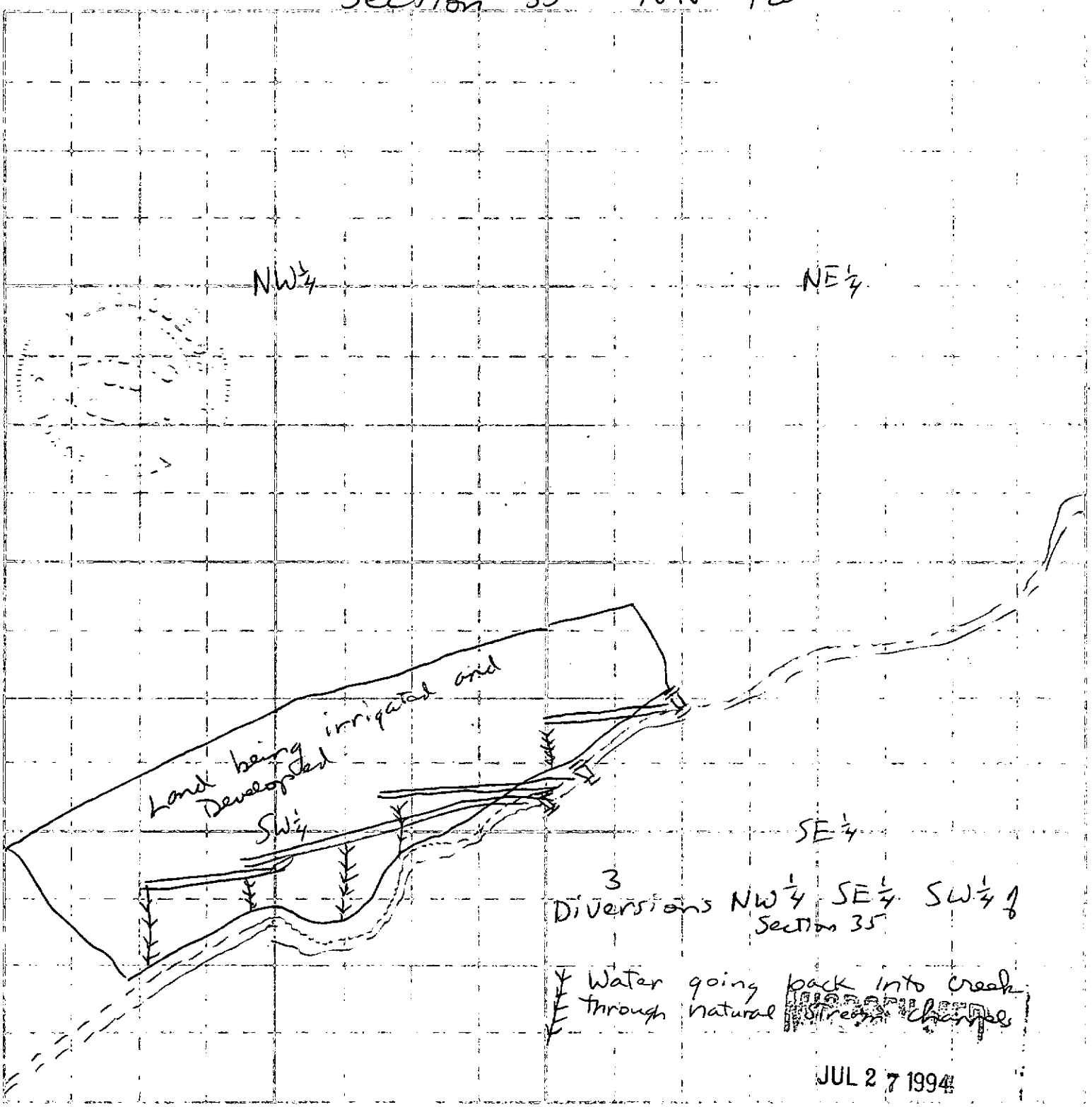
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

Section 35 16N 4W



JUL 27 1994

SCALE: 2 inches equal 1 mile. Draw plan in ink.

Transfer No. _____

PART 3

☆ See Explanation

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	✱ Hours/days/year	Period of Use
	To establish Arboretum - Park ~~Horse Pasture, and~~	39.36	1 Pipe Systems run 24 hrs per day - Pipe lines feed to Drip system	3-15 to 11-16
	Orchards for Pine Creek mtn. Estates owners total	.64	pumping ½ day Sunday, 3 hrs.	3-15 to 11-15

outlines changed from once a season to another daily - weekly

2. Quantity and quality of return flows and location of discharge:
75 % of Diverted water is flowing back ^ Pure into Creek. It is filtered Through gravel + granite of underground channels each

3. Describe effects on other water uses resulting from the proposed change:
There will be no effect on other water uses resulting from This proposed change - Pipelines are a more efficient use of water. Old Ditch used to break out and waste more water. (Advent Creek Canal had such a recent breakout + destroyed County + Private Property)

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Pearl J. Zell President Pine Creek mountain Estates Property owners assoc.
(Signature of Applicant)

Subscribed and sworn to before me this 23 day of March, 1992.

Joyce Durtschi Notary State of Oregon
(Notary Public)
Residing @ Payette, Id.

My commission expires 06-15-93

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by SL Date 3/24/92 Protest filed by _____

Prelim. check by SL Fee $50.00

Receipted by VJH Date 3/24/92 #W014363

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

JUL 27 1994

Form 222
1-87

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3377

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT

AMENDED

APPROVED

PART 1

Name of applicant Vernon E. &/or Pearl J. Ketz Phone 642-2744

Post Office address 820 8th Ave. North, Payette, ID 83661

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes The ditch from the original point of diversion has been covered in and a new point for the applicant's portion of the right is proposed at a point more efficient for gravity irrigation on the applicant's property.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
67-0219B	5/1/1901	~~.20~~ .075 cfs VK 1-15-88	Irrigation	3/15	to 11/15
					to
					to
		~~0.075 cfs~~ VK 1-15-88			to

2. Total amount of water being transferred ~~.20~~ cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Pine Creek tributary to Weiser River
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	35	16N	4W	Washington	
		NE	NW	36	16N	4W	"	Basque Spring Creek

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	35									~~4~~ 1	VK 1-14-88		~~2~~ 5	VK 1-14-88				~~6~~ 16

RECEIVED
APR 04 1988

VK 1-15-88

Total acres 16

Page _____ of _____ Transfer No. _____

PART 1

6. General Information:

a. Description of diversion system Headgate in creek with pipeline to place of use. Drip irrigation system will be installed.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ___X___ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

The 22 acres of land were derived by using the amount of the water right - .28 cfs and computing at 5/8ths of an inche per acre. The acres would actually be 22.4 ac. The 6 acres of land described are owned by the Ketz's. VK 1-15-88

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 67-0219B

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion. 2. The place of use of this water is limited to land south of the road that transects the Ketz property, Lot 10, Pine Creek Mountain Estates. 3. Use of water under this right is subject to control by the watermaster of State Water District No. 67, Weiser River.

RECEIVED
APR 04 1988

Witness my hand this 30th day of March, 19 88

L. Glen Saxton
Chief, Operations Bureau

Page _____ of _____ Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

   a. Decree No. 67-0219 Decreed to Elizabeth Webber

   in case of Muir vs. Allison

   dated 6/20/1921 in the 7th Judicial Dist. county of Washington

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

   ☐ Tax Notice ☐ Warranty Deed ☐ Other See Attachment A

3. Source of water Pine Creek tributary to Weiser River

4. Date or priority 5/1/1901

5. Water is used for the following purpose:

   amount .28 cfs (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right .28 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	36	16N	4W	Washington	Basque Spring Creek

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	35									X	X	X	X					22

MICROFILMED

APR 04 1988

Total acres 22

9. Describe any other water rights used for the same purpose as described above None

Page _____ of _____ **PART 2** Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No
_____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.075 ~~20~~ cfs VK 1-15-88 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	35	16N	4W	Washington	
		NE	NW	36	16N	4W	"	Basque Spring Creek

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	35									~~4~~ 1	VK 1-15-88		~~2~~ 5	VK 1-15-88				~~6~~ 10 VK 1-15-88

Total acres ~~6~~ 10 VK 1-15-88

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount ~~.08~~ 0.205 (cfs/ac-ft) for Irrigation purposes from 3/15 to 11/15
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	36	16N	4W	Washington	Basque Spring Creek

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	35											~~4~~	~~2~~					~~6~~
											X	X	X	X					16 VK 1-15-88

APR 04 1988

Total acres 16 VK 1-15-88

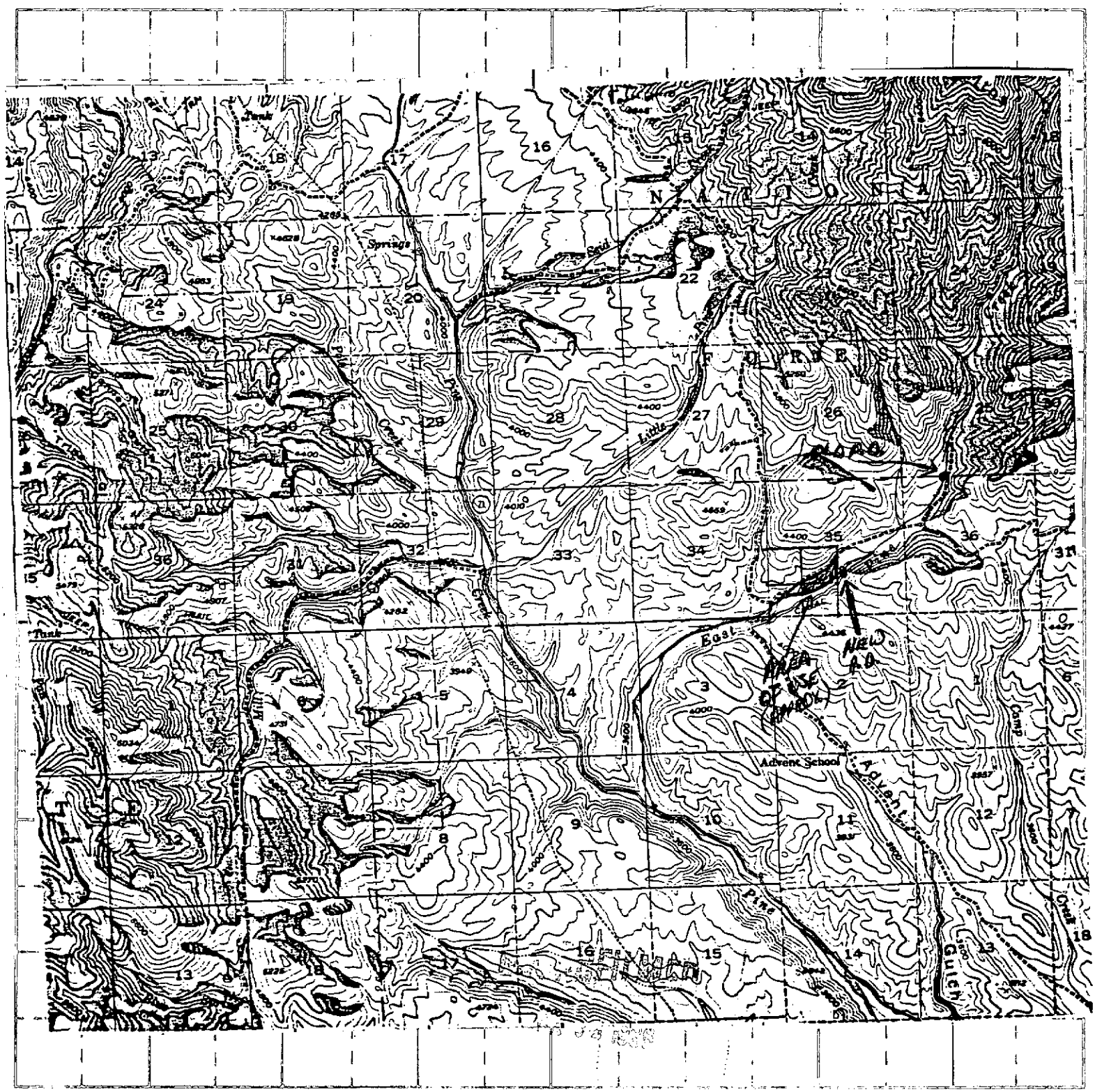
Page _____ of _____ Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

Page _____ of _____ Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
			_____ to _____
			_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Vernon E. Kelly Rea Kelly
(Signature of Applicant)

Subscribed and sworn to before me this 1 day of October, 19 87.

Joan Bentz
(Notary Public)

My commission expires 6-14-91

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments 10-7-87 ← AMENDED APP. REC'D

Received by _____ Date 8/11/87 Protest filed by Roy Mink (Withdrawn)

Prelim. check by _____ Fee $50 # 43867

Receipted by _____ Date 8/11/87

Published in Upper County News Copies of protest forwarded by JP

Pub. dates 10/15 & 10/22/87 Hearing held by DRT/BDF Date 1/15/1988

Watermaster recommendation requested on 10/7/87 Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by DRT

Copy of transfer sent to lien holder _____

MICROFILMED
APR 04 1988

Attachment 1

RECEIVED

APR 04 1988

Attachment 3

7/29/87

Refer to pine Creek Mountain Estates water Rights - permission is granted to Paul Kutz Lot 10 of pine Creek Mountain Estates to use the water Rights of the following Property until the Lots are sold or this Letter Revoked. Lot 9, 11, 12, 35, 34
Permission is also granted for an additional Point of diversion to be constructed on Lot 12 to provide for the above usage of water. The Original point of diversion will still be used for the balance of water.

MICROFILMED
APR 04 1988

Pine Creek Mtn Estates
C Bilboa

Note of Explanation: Mr Cecil Bilboa originally had the additional point of diversion as #10. In Talking To Mr. Bilboa on the phone, we explained that we wanted to have gravity flow as our principal source as well as limited amount of pumping on #10. Mr. Bilboa said we could Lay our 4" pipeline along the edge of the creek and go up the creek as far as necessary to get the pressure needed. We have decided on the SW Corner of #12 as the Location for the benefit of the watermaster to regulate the headgate. Mr. Bilboa gave us two additional names to contact for addional water is necessary. Mr. Bilboa wants to retain the original point of diversion for the water rights for other properties above #12 - changes will include #9, 10, 11, 12.

ATTACHMENT 3

Stream or Ditch Pine Creek Mtn. Est. Pine Creek County Washington

File No. and Original Owner	File Date	Present Owner	Land Description	Amount of Water	Actual Charge 1986	Proposed Charge 1987	Notes
67- 219 Webber	5-1-01	Ed Gallagher	# 5399-1	1.75"	7.50	7.50	
67- 219 Webber	5-1-01	Ray Sandstrom	# 5399-2	1.75"	7.50	7.50	
67- 220 R. Howland	5-1-01	Cecil Bilboa	# 5399-3	1.71"	7.50	.10	
67- 226 S. Rutledge	5-1-02	Robt. Harrison	Tn-2 of Lot 4 # 5399-4	.85"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Cecil Bilboa	# 5399-5	.85"	.10	.10	
67- 219 Webber	5-1-01	David Westmark	# 5399-6	1.75"	7.50	7.50	
67- 219 Webber	5-1-01	Arden Steiniker	# 5399-7	1.75"	7.50	7.50	
67- 219 Webber	5-1-01	Albert Tomek	# 5399-8	1.75"	7.50	7.50	
67- 219 Webber	5-1-01	Nina Hawkins	# 5399-9	1.75"	7.50	7.50	
67- 219 Webber	5-1-01	Vernon Ketz	# 5399-10	1.75"	7.50	7.50	
67- 219 Webber	5-1-01	Cecil Bilboa	# 5399-11	1.75"	.10	.10	
67- 220 R. Howland	5-1-01	Cecil Bilboa	# 5399-12	1 1.75"	7.50	.10	
67- 220 R. Howland	5-1-01	Michael Whited	# 5399-13	1 1.75"	7.50	7.50	
67- 220 R. Howland	5-1-01	Ted Gifford	# 5399-14	1.71	7.50	7.50	

RECEIVED APR 04 1988

This is a copy of Dawson's record for billing of water in the Pine Creek Mtn. Estates Sub. for 1987 + 1986.

Stream or Ditch Pine Creek Mtn. Est.
Pine Creek

County Washington

File No. and Original Owner	File Date	Present Owner	Land Description	Amount of Water	Actual Charge 1986	Proposed Charge 1987	Not
67- 220 R. Howland	5-1-01	John F. Moynt	# 5399-16	1.71"	7.50	7.50	
67- 220 R. Howland	5-1-01	Cecil Bilboa	# 5399-17	1.71"	.10	.10	
67- 226 S. Rutledge	5-1-02	Cecil Bilboa	# 5399-18	1.70"	7.50	.10	
67- 226 S. Rutledge	5-1-02	Jerrol McFarland	# 5399-19	1.70"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Rodger Box	# 5399-20	1.70	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Ron Collingwood	Parcel 2 of Lot 30 # 5399-30	.85"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Cecil Bilboa	Parcel 1 of Lot 30 # 5399-40	.85"	.10	.10	
67- 226 S. rutledge	5-1-02	Dennis Kirk	# 5399-31	1.70"	7.50	7.50	
67- 226 Sam Rutledge	5-1-02	Kathryn Wert	# 5399-32	1.70"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Verl Cate	# 5399-33	1.70"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Laura Young	# 5399-34	1.70"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Lamar Miller	# 5399-35	1.70"	7.50	7.50	
67-							
67-							

RECEIVED APR 04 1988

Area X = Indicates
Assumed Sw 1/4 of
Section 35. DO NOT
Note: The Area X Appears
to be Adjacent and
Contiguous to Road
Improvements to Road
Shown on Topo Map.
Topo Mapped 1979
1979 ASCS photo #-9

T-16-N R-14-E

Area Likely Used
for Dispersed
Camping

Road Constructed during
Oct. Nov. 1978

67-0219 - SW 1/4, SEC. 35 (WHERE KETZ'S LOT IS LOCATED)
(14 INCHES)

67-0220 - ALSO A PART OF THE PINE CREEK MOUNTAIN SUBDIVISION, BUT NOT APPURTENANT TO THE LAND INVOLVED IN THIS TRANSFER. (S1/2 NE, W1/2 SE, S. 35)
(12 INCHES)

[redacted] 67-0226 - ALSO A PART OF THE PINE CREEK MOUNTAIN SUB., BUT NOT APPURTENANT TO THE LAND INVOLVED IN THIS TRANSFER. (S1/2 SW, SEC. 25, SESE, S. 26, NENE S. 35, NW 1/4, S. 36)
(17 INCHES)

MICROFILMED
APR 04 1988

TOTAL WATER RIGHT FOR PINE CK. MTN. EST. IS 43 INCHES.

36, Township 15 North, Range 4 West Boise Meridian and Lot 3 Section 6, Township 14 North, Range 3 West Boise Meridian.

212 E R FUL[illegible]: The Southwest Quarter of the Northwest Quarter and Northeast Quarter of the Southwest Quarter of Section 2, Township 15 North, Range 4 West Boise Meridian.

213 JOHN D FORSYTH: The East half of the Northeast Quarter and the East half of the Southeast Quarter, Section 11, Township 15 North, Range 4 West Boise Meridian.

214 JAMES N DAVIS: The Southwest Quarter of the Northeast Quarter, the South half of the Northwest Quarter, and the Northwest Quarter of the Northwest Quarter, Section 11, Township 15 North, Range 4 West Boise Meridian.

215 216 CHARLES A HAGOOD: The West half of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter, Section 12; the Northeast Quarter of the Northwest Quarter, the North half of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter of Section 13, Township 15 North, Range 4 West Boise Meridian, and Lot 4, Section 18, Township 15 North, Range 3 West Boise Meridian.

217 JOHN W GIBSON: The Southwest Quarter of the Southeast Quarter and the South half of the Southwest Quarter, Section 2, and the Northwest Quarter of the Northeast Quarter Section 11, Township 15 North, Range 4 West Boise Meridian.

218 WILLIAM A McKENZIE: Lots 2 and 3 Section 3, Township 15 North, Range 4 West Boise Meridian and the South half of the Southeast Quarter Section 34, Township 16 North, Range 4 West Boise Meridian.

219 ELIZABETH WEBBER: The Southwest Quarter Section 35, Township 16 North, Range 4 West Boise Meridian.

220 ROY O HOWLAND: The South half of the Northeast Quarter, and the West half of the Southeast Quarter Section 35, Township 16 North, Range 4 West Boise Meridian.

221 222 C E AMIDON: The West half of the Southeast Section 33, Township 16 North, Range 4 West, and Lots 1 and 2 Section 4 Township 15 North, Range 4 West Boise Meridian.

223 224 FRED C KNUCK: The Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter Section 4, and the West half of the Northeast Quarter, Section 9, Township 15 North, Range 4 West Boise Meridian.

225 THOMAS RAY: The East half of the East half of the Southeast Quarter of the Northwest Quarter, Section 10, Township 14 North, Range 3 West Boise Meridian.

226 S A RUTLEDGE: The South half of the Southwest Quarter of Section 25; the Southeast Quarter of the Southeast Quarter of Section 26, the Northeast Quarter of the Northeast Quarter of Section 35, and the Northwest Quarter of Section 36; all in Township 16 North, Range 4 West Boise Meridian.

227 JAMES CRICH: The Northwest Quarter of the Southeast Quarter Section 29, Township 16 North, Range 4 West Boise Meridian.

228 WILLIAM TOOKE: The Northeast Quarter of the Southeast Quarter Section 4, Township 15 North, Range 4 West Boise Meridian.

230 HENRY HAASH AND OLGA HAASH: The Northwest Quarter of the Northwest Quarter, Section 13, Township 15 North, Range 4 West Boise Meridian.

231 FRANK C [illegible]: The Northwest Quarter of the Southeast Quarter, and Lots 6 and 7 Section 3, and Lot 1 Section 10, Township 15 North, Range 4 West Boise Meridian.

FILED
APR 04 1988

		13	June 1, 1905
Nels Buhl		90	May 1, 1880 67 0193
		30	June 1, 1884 67 0194
James H Phillips		17½	June 5, 1884 67 0195
C E Schmitz		5	May 1, 1884 67 0196
		12	May 1, 1904 67 0197
		5½	May 1, 1912 67 0198
O S Hulet		31½	June 1, 1886 67 0191
Enoch Bloomstrom		12½	May 1, 1886 67 0199
		22½	May 1, 1889 67 0200
Harold E Kinney		35	Aug 15, 1888 67 0201
Nathaniel H Wells		31	Aug 15, 1888 67 0192
William W Allison	Little Pine	12	June 26, 1888 67 0193
[redacted]	[redacted]	62½	May 6, 1899 67 0187
[redacted]	[redacted]	18	June 26, 1888 67 0188
	Little Pine	30	May 1, 1906 67 0189
James W Tindell		32½	May 1, 1890 67 0200
Michael Ward		47½	June 3, 1890 67 0201
E E Edwards		123	May 1, 1891 67 0202
		42	May 1, 1891 67 0203
Fannie E Baker		6	May 1, 1891 67 0204
		29	May 1, 1900 67 0205
Denbree Sheep Company		15	June 1, 1891 67 0206
William Niemeyer		7	May 1, 1892 67 0207
		6½	May 1, 1897 67 0208
Mary Marquess		5	——— 67 0209
		21	May 1, 1892 67 0210
		20	May 1, 1893 67 0211
E H Fuller		32	May 1, 1900 67 0212
John D Forsyth		45	May 1, 1900 67 0213
James M Davis		35	May 1, 1900 67 0214
Charles A Haycock		25	May 1, 1900 67 0215
		25	May 1, 1902 67 0216
John W Gibson		27½	May 1, 1900 67 0217
William A McKenzie		19	May 1, 1900 67 0218
Elizabeth Zebker for life		14	May 1, 1901 67 0219

MICROFILMED
APR 04 1988

Roy O Howland		12	May 1, 1901
C E Amidon		21	May 1, 1901
		11	May 1, 1905 67 0222
Fred C Kruck	Little Pine Creek	2	May 1, 1902 67 0223
	Pine Creek	10	May 1, 1904 67 0224
Thomas Ray		6¼	May 1, 1902 67 0225
S M Rutledge		17	May 1, 1902 67 0226
James Orton		6¼	June 30, 1905 67 0227
William Toors		7½	May 1, 1906 67 0228
Joel W Weimer		41	May 1, 1908 67 0229
Henry Harsh and Orman Harsh		13½	May 1, 1909 67 0230
Frank C Downs		5	June 1, 1910 67 0231
Andrew Schweinfurter		2	May 1, 1910 67 0232
Arthur Hoon		5	May 1, 1910 67 0233
Auguste Kinney		12½	May 1, 1912 67 0234
	Spring Creek.		
Thomas Ray		12½	Aug 11, 1906 67 0235
Frank Courtright		1	Aug 11, 1906 67 0236
G W Lattig sub for W Beeson		10	Aug 11, 1906 67 0237
James C Tuttle		10	Aug 11, 1906 67 0238
Andrew Miller		9	Aug 11, 1906 67 0239
G W Rowley		5	Aug 11, 1906 67 0240
	Rush Creek		
Estate of Christian Larson		22	May 1, 1878 67 0241
James L and Karl Lewis		25	May 1, 1878 67 0242
James L Lewis		7 7/8	May 1, 1878 67 0243
		23½	June 1, 1899 67 0244
		19	June 1, 1900 67 0245
	Rush Creek (Con)		
R E Wilson		8	May 1, 1878 67 0246
		4	Aug 23, 1883 67 0247
		22	June 1, 1899 67 0248
		19	June 1, 1900 67 0249
		20	Oct 29, 1908 67 0250
L Etta Wilson		22	May 1, 1883 67 0251
		8	May 1, 1907 67 0252
James Parke		4	Aug 23, 1883 67 0253
Village of Cambridge		2 7/8	Aug 23, 1883 67 0254
		20	April 30, 1890 67 0255
		12-1/8	May 1, 1895 67 0256
Margaret Haller		39	May 1, 1883 67 0257
LeRoy T Brader		2½	Aug 23, 1883 67 0258

MICROFILMED
APR 04 1988

CONTRACT OF SALE

THIS AGREEMENT AND CONTRACT OF SALE, Made and entered into on this the _____ day of June, 1984, by and between PINE CREEK MOUNTAIN ESTATES, a partnership, consisting of CECIL BILBAO, a married man; JOHN R. YOUNG, a married man; BILL E. NOAH, a married man; and L. J. MILLER, a married man, hereinafter collectively and/or singularly referred to as Seller, and VERNON EDWARD KETZ and PEARL JANE KETZ, husband and wife, hereinafter collectively and/or singularly referred to as Buyer.

WITNESSETH: That for and in consideration of the sum of TWENTY THOUSAND and NO/100 DOLLARS ($20,000.00), to be paid by Buyer to Seller at the times and in the manner as hereinafter set forth, Seller does hereby agree to sell to Buyer and Buyer does hereby agree to purchase from Seller upon the terms and conditions hereinafter set forth, certain real property situate in the County of Washington, State of Idaho, and more particularly described as follows, to-wit:

> Lot 10 of Pine Creek Mountain Estates, as the same is shown on the official plat thereof on file in the office of the County Recorder of Washington County, Idaho.
>
> Together with all water and water rights used thereon or appurtenant thereto.
>
> Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

POSSESSION: The Buyer shall be entitled to immediate possession of said premises, and shall remain in the quiet and peaceful possession thereof, for so long as the terms and conditions of this Agreement shall remain unbroken.

PAYMENT OF PURCHASE PRICE: The aforesaid total consideration in the sum of $20,000.00 shall be paid from Buyer to Seller in the following manner:

> The Buyer shall pay on even date herewith the sum of $50.00 cash down, receipt of whereof by Seller is hereby acknowledged.

MICROFILMED
APR 04 1988

RECEIVED
OCT 6 1987
Department of Water Resources
Western Regional Office

RECEIVED
OCT 05 1987
Department of Water Resources

10-1-87

Water users!

Subject: If possible I wish to protest the proposed water right by a Mr. Ketz of Cambridge. Being a water user on east pine creek, Mr Ketz is not entitled to 14" of water as he is only a part owner of that water right.

Sorry this is late, but please try to take note of the protest

RECEIVED
APR 04 1988

Roy Mink 257-3829
Cambridge
257-3893

Form 222
1-87

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant VERNON E. &/OR PEARL J. KETZ Phone 642-2744

Post Office address 820 8TH AVE. NORTH, PAYETTE, ID 83661

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes WOULD LIKE TO CLARIFY THE POINT OF DIVERSION AS IT IS NOW BEING DIVERTED. THE DECREE DOES NOT IDENTIFY A POINT, HOWEVER, THERE HAS BEEN A CHANGE IN ORIGINAL POINT USED.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
67-0219	5/1/1901	.28 CFS	IRRIGATION	3/15 to 11/15
				to
				to
				to

2. Total amount of water being transferred .28 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water PINE CREEK tributary to WEISER RIVER
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	35	16N	4W	WASHINGTON	

5. Lands irrigated or place of use: NO CHANGE

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	35									X	X	X	X					22

RECEIVED
APR 14 1988

Total acres 22

Page _____ of _____ Transfer No. _____

PART 1

6. General Information:

a. Description of diversion system HEADGATE IN CREEK WITH PIPELINE TO PLACE OF USE. DRIP IRRIGATION SYSTEM WILL BE INSTALLED.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

THE 22 ACRES OF IRRIGATION WERE DERIVED BY USING 5/8 THS INCH/ACRE AS DECREED IN THE MUIR VS ALLISON DECREE. FOR .28 CFS THE NUMBER OF ACRES THAT COULD BE IRRIGATED AT 5/8 THS INCH/ACRE IS 22.4 AC.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

RECORDED
APR 04 1988

Witness my hand this _____ day of _____, 19 ____.

Page _____ of _____ Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree No. 67-0219 Decreed to ELIZABETH WEBBER
   in case of MUIR US vs. ALLISON
   dated 6/20/1921 in 7TH JUDICIAL DIST. county of WASHINGTON
   b. License No. _____ issued by the Idaho Department of Water Resources.
   c. Claim No. _____ on file with the Idaho Department of Water Resources.
   d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water PINE CREEK tributary to WEISER RIVER
4. Date or priority 5/1/1901
5. Water is used for the following purpose:
   amount .28 CFS (cfs/ac-ft) for IRRIGATION purposes from 3/15 to 11/15
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.
7. Point(s) of Diversion: NONE LISTED, BUT ACTUAL POINT WAS

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	36	16N	4W	WASHINGTON	BASQUE SPRING CREEK

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
16N	4W	35									X	X	X	X					22

RECEIVED
APR 04 1988

Total acres 22

9. Describe any other water rights used for the same purpose as described above NONE

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

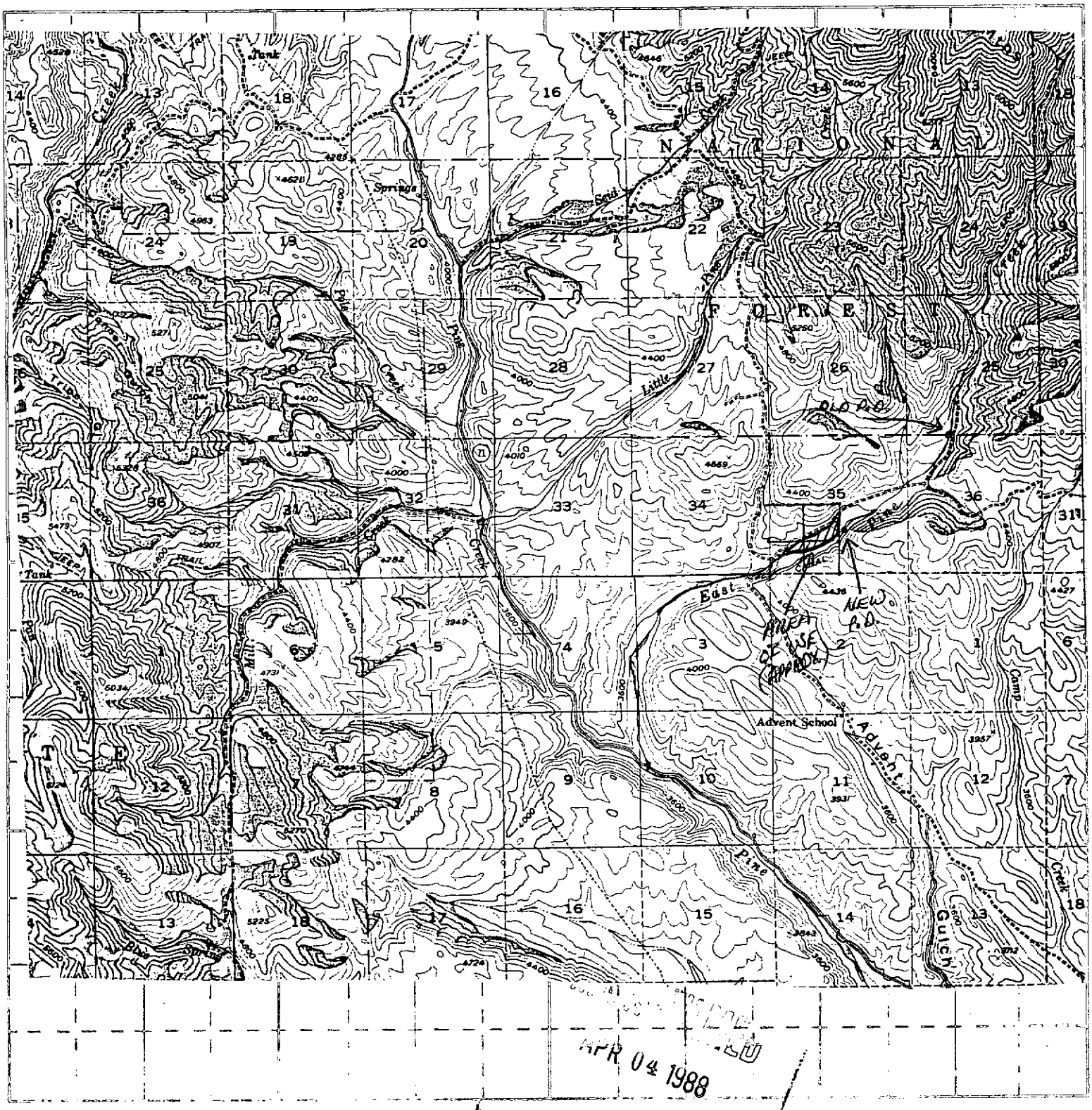
Total acres _____

Page _____ of _____

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

Page _____ of _____ Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE NONE

1. New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
			_____ to _____
			_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Vernon E. Pratt Pearl Pratt
(Signature of Applicant)

Subscribed and sworn to before me this 11th day of August, 1987.

Nancy M. Lindgren
(Notary Public)

My commission expires 1-7-1988

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by _____ Date 8/11/87 Protest filed by _____

Prelim. check by _____ Fee $50 #43867 _____

Receipted by _____ Date 8/11/87 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MICROFILMED
APR 04 1988

Affidavit of Publication:

STATE OF IDAHO
County of Washington } ss.

Stuart Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforsaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began Sept. 17, 1987 and ended Sept. 24, 1987.

Stuart Dopf

Subscribed and sworn to before me this 25th day of September, 1987

Notary Public in and for the State of Idaho, residing at Cambridge, Idaho 83610.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 67-0219

Notice is hereby given that Vernon E. &/or Pearl J. Ketz of Payette, ID has applied to the Department of Water Resources for a change of point of diversion of the water of Pine Creek.

The right sought to be changed is evidenced by water right No. 67-0219 and is recorded as follows:

Amount: .28 CFS, Priority: 5/1/1901.

Point of Diversion: NENW, Sec. 36, T. 16N., Rge. 4W.

The water is used for irrigation purposes within the SW¼, Sec. 35, T. 16N., Rge. 4W.

TO BE CHANGES AS FOLLOWS:

Amount: 0.28 CFS

Point of Diversion: NWSE, Sec. 35, T. 16N., Rge. 4W.

The water will be used for Irrigation purposes within the SW¼, Sec. 35, T. 16N., Rge. 4W.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before October 5, 1987.

R. Keith Higginson,
Director

Published in the Upper Country News-Reporter on September 17, and 24, 1987.

MICROFILMED
APR 04 1988

RECEIVED
SEP 28 1987
Department of Water Resources
Western Regional Office

Affidavit of Publication:

RECEIVED
OCT 26 1987
Department of Water Resources

STATE OF IDAHO
County of Washington } ss.

Stuart Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforsaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began October 15, 1987, 198..
and ended October 22, 1987, 198..

Stuart Dopf

Subscribed and sworn to before me this 22 ND day of OCTOBER, 1987

B. J. Soules

Notary Public in and for the State of Idaho, residing at Cambridge, Idaho 83610.

Public Notices

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
No. 67-0219B

Notice is hereby given that Vernon &/or Pearl J. Ketz of Payette, ID have applied to the Department of Water Resources for a change of point of diversion of the water of Pine Creek.

The right sought to be changed is evidenced by Water Right No. 67-0219 and is recorded as follows:

Amount: .28 cfs Priority: 5/1/1901.
Point of Diversion: NENW, Sec. 36, T. 16N., R. 4W.
The water is used for Irrigation purposes within the SW¼, S. 35 T. 16N., R. 4W, for a total of 22 acres.

TO BE CHANGED AS FOLLOWS:

Amount: .20 cfs.
Point of Diversion: NWSE, Sec. 35, NENW, Sec. 36, T. 16N., R. 4W. the water will be used for Irrigation purposes within the NESW, SESW, Sec. 35, T. 16N., R. 4W., for a total of 16 acres.

Any protest against aproval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before November 2, 1987.

R. Keith Higginson
Director

Published in the Upper country News-Reporter on 10/15 and 10/22/87.

MICROFILMED
APR 04 1988

RECEIVED
OCT 27 1987
Department of Water Resources
Western Regional Office

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 23, 1994

PINE CREEK PROPERTY OWNERS IRR ASSN
C/O PEARL J KETZ
3608 ADVENT GULCH RD
CAMBRIDGE ID 83610

RE: Transfer of Water Right Nos. 67-00219C/67-00220/67-00226 and 67-00229

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4236). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

JUL 27 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 8, 1994

Pine Creek Property Owners Irrigation Assn.
C/O Pearl J. Ketz
3608 Advent Gulch Rd.
Cambridge, ID 83610

RE: Transfer No. 4236

Dear Pearl:

Following the phone calls between Mr. Bilboa and Jim Johnson, Water Right Supervisor, I have prepared a draft of the transfer approval form that reflects the adjusted rights. The summary shown below will provide you an opportunity to review the changes.

As explained to Mr. Bilboa, the rate of diversion for the 64 acres has been adjusted upward to one (1) inch per acre (64 acres x 0.02 cfs = 1.28 cfs). The rate of diversion under these rights provides the total diversion volume of 4.0 acre feet per annum for each acre.

Since there were four (4) decreed water rights for the subdivision, and the decree did not list the acres, I have also identified how many acres are irrigated with each right.

67-00219C	0.28 cfs	14 acres	56.0 afa
(67-0219 Parts A & B combined into Part C)			
67-00220	0.24 cfs	12 acres	48.0 afa
67-00226	0.34 cfs	17 acres	68.0 afa
67-00229	0.42 cfs	21 acres	84.0 afa
TOTALS	**1.28 cfs**	**64 acres**	**256.0 afa**

I hope this explanation clarifies how the different components of each right has been determined and answers any questions you may have. However, if something is unclear to you, please call me directly at 327-7943 and I will be happy to assist you.

I will withhold the transfer from further processing for 10 days to allow for any response, then the transfer will be prepared for approval and proceed with normal processing.

Sincerely,

Pamela Skaggs

PAMELA SKAGGS
Water Resource Agent

RECEIVED
JUL 27 1994

MEMORANDUM

TO: FILES 67-00219C/220/226 & 229

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4236

DATE: June 8, 1994

==========

Transfer No. 4236 was filed to update five (5) decreed water rights to reflect the way the water is currently used. The rights have been consolidated and are used to irrigate parcels of land along Pine Creek from multiple diversion points.

A field exam was conducted to confirm existing uses under these vaguely described decreed rights. 64 Acres were confirmed as irrigated and eight (8) points of diversion identified. The application was amended to reflect the field exam results and to include the fifth right found to be part of this system.

The region recommendations included a conveyance loss using the original full ditch system, but the addition of multiple points of diversion from Pine Creek adjacent to irrigated parcels negates the need to calculate ditch losses.

The decree does not identify the specific number of acres under each right, but using 5/8" rate per acre as defined in the decree, 1.68 cfs could represent 134 original acres or more. Since the field exam identified a reduced number of irrigated acres the rate of diversion also needed to be adjusted. The rate of flow for the remaining acres is the standard 0.02 cfs per acre or 64 acres times 0.02 cfs equals 1.28 cfs.

All but the most junior right can be recommended with full rate of diversion and a specific number of acres identified. The junior right will be adjusted to reflect the changes in acres and rate.

67-00219C	0.28 cfs	14 acres	56.0 afa
(67-0219 Parts A & B combined into Part C)			
67-00220	0.24 cfs	12 acres	48.0 afa
67-00226	0.34 cfs	17 acres	68.0 afa
Subtotals	0.86 cfs	43 acres	172.0 afa

Total Rate - Senior Rights = Remaining Rate
1.28 cfs - 0.86 cfs = 0.42 cfs

0.82 cfs under 67-00229 adjusted to 0.42 cfs

67-00229	0.42 cfs	21 acres	84.0 afa
TOTALS	**1.28 cfs**	**64 acres**	**256.0 afa**

RECEIVED
JUL 27 1994

Recommended conditions include a condition from a previous transfer regarding limiting irrigated acres to south of the access road in Section 35, permissible place of use remarks for each right, watermaster control, multiple points of diversion/measuring devices, irrigation overlap and standard transfer conditions.

JUL 27 1

Copy -

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED
JUN 07 1994
Department of Water Resources

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 25, 1994

Pine Creek Property Owners Irrigation Assn.
C/O Pearl J. Ketz
3608 Advent Gulch Rd.
Cambridge, ID 83610

RE: Transfer No. 4236
Right Nos. 67-00219A/219B/220/226 & 229.

Dear Mrs. Ketz:

I am currently reviewing the above referenced transfer that was forwarded from our Western Region office.

Your transfer application identifies five old decreed water rights totaling 1.68 cfs that are diverted through several points of diversion, and changes the place of use to identify 64 acres irrigated under these rights.

The 64 acres as shown on the transfer are apparently what is left from the original number of acres that were once irrigated. Normally, a corresponding reduction in the rate of diversion would be shown to reflect the reduced irrigation. On the transfer approval, I propose to adjust the diversion rate to 0.02 cfs or an inch per acre, which is the standard maximum rate per acre for irrigation.

Not acceptable

I will withhold the transfer from further processing for 15 days to allow you to respond. I hope I have answered all your questions regarding this matter. If you require any further assistance, please contact me directly at 327-7943 and I will be happy to help you.

Sincerely,

Pamela Skaggs

PAMELA SKAGGS
Water Resource Agent

Am mailing you this - in case forget to bring one tues.

WESTERN REGION
JUL 27 1994

6-4-94

RECEIVED
JUN 0 7 1994
Department of Water Resources

Dear Pamela -

We have been through meetings with Tuthill - You name it - with Howard (Watermaster) & Myers

We have dealt with more different agents & spent many hours drawing maps filling out papers - forms on phone calls yes to your office etc -

So please understand our frustrations limitations - Enclosing map + directions

JUL 27 1994

PEARL J KETZ
VERNON E KETZ

& see for yourself - Come
Will be at Pine Crest -

· Enclosed Pictures of our place so you can find us — & Creek · taken May 30th

PINE CREEK MOUNTAIN ESTATES

IRRIGATION ASSOCIATION

VERN KETZ, DIRECTOR

3608 ADVENT GULCH RD.
CAMBRIDGE, IDAHO 83610

RECEIVED
JUN 07 1994
Department of Water Resources

6-4-94

Dear Pamela Skaggs,

I met with Mr. Bilbao - Wed - June 1st. the copy of your letter he looked over is enclosed -

As you can see - he told me to send it back to you & on it he simply wrote - "Not Acceptable" -

I told him you'd hold further action pending more investigation -

We'll be out of town at Pine creek & Hoyt Creek June - 5 — 12 -

Pearl Ketz

BY-LAWS

Each original lot owns one (1) share in Basque Spring Water (1/35) development.

The irrigatable land in Pine Creek Mountain Estates lies within the East Fork Pine Creek drainage so that all water used recharges the aquifers that flow into the creek.

Purposes and benefits of the Pine Creek Mountain Estates Irrigation Association:

Participating owners have been issued one hundred (100) shares per inch of water or a part inch thereof as listed in the official prorated list.

JUL 27 1994

The shares must remain with the land.

All major issues will be decided by popular vote under the auspices of the Pine Creek Mountain Estates Property Owners' Association.

All property owners must cooperate fully with the President of the Irrigation Association and the Watermaster.

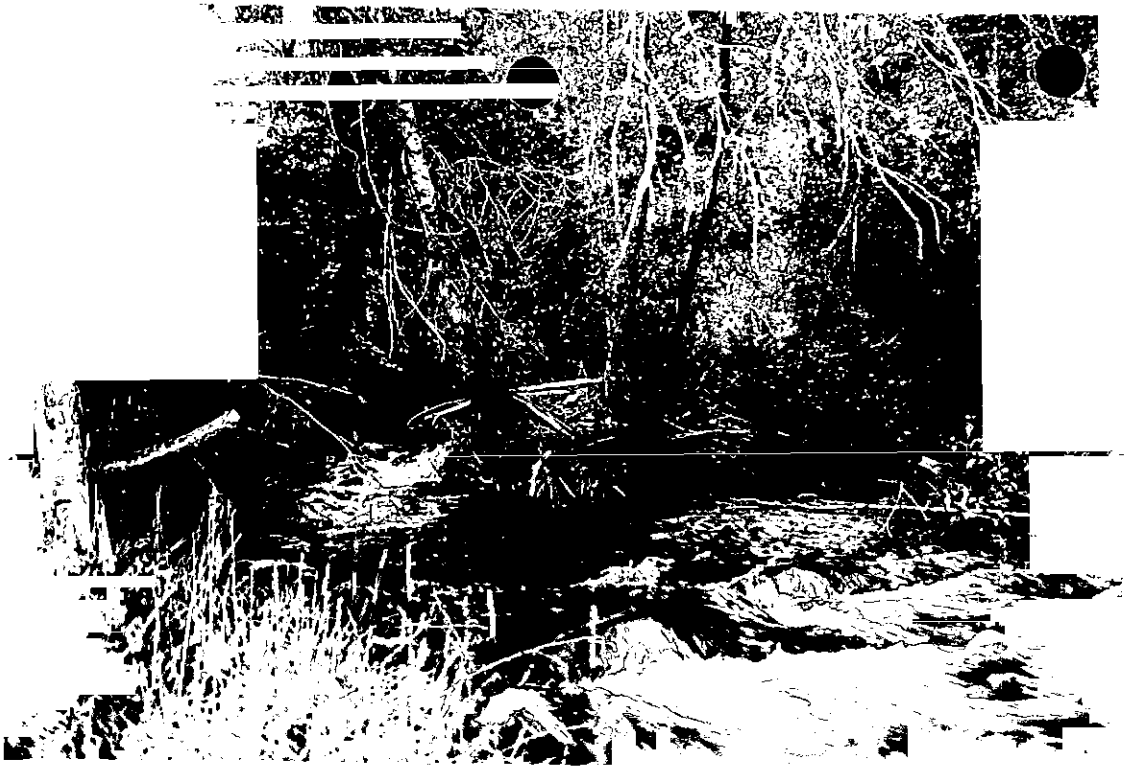
Water will be beneficially applied to each irrigatable portion at least once every five (5) years according to the original water rights of Rutledge, Howland, and Webber, overseen by the Association. Plus ones in. Bilbao added #229

All water use is in constant development and process according to season and need.

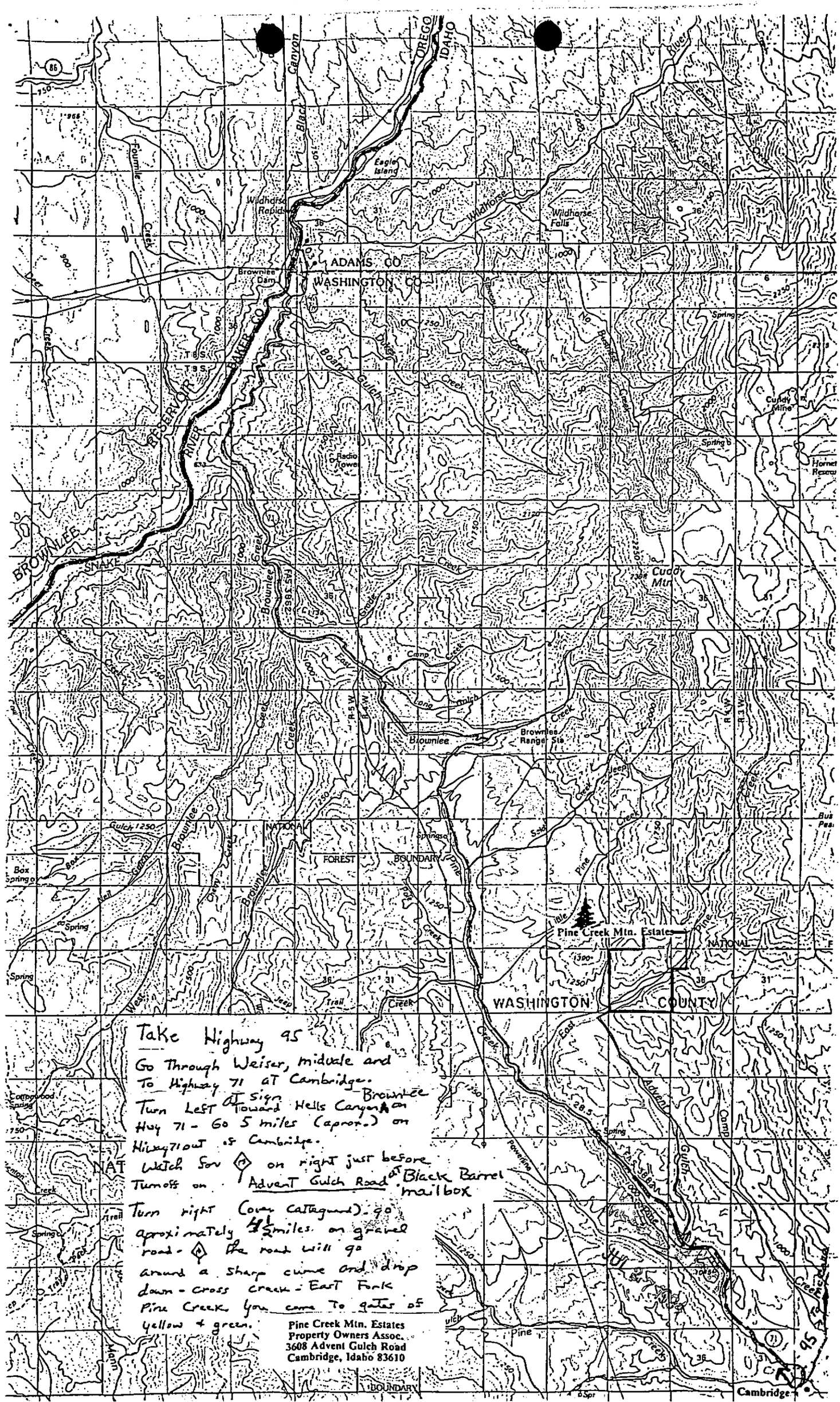
The Association is in favor of pipe lines as compared to ditches, and in favor of drip system instead of sprinkers when and where this is possible.

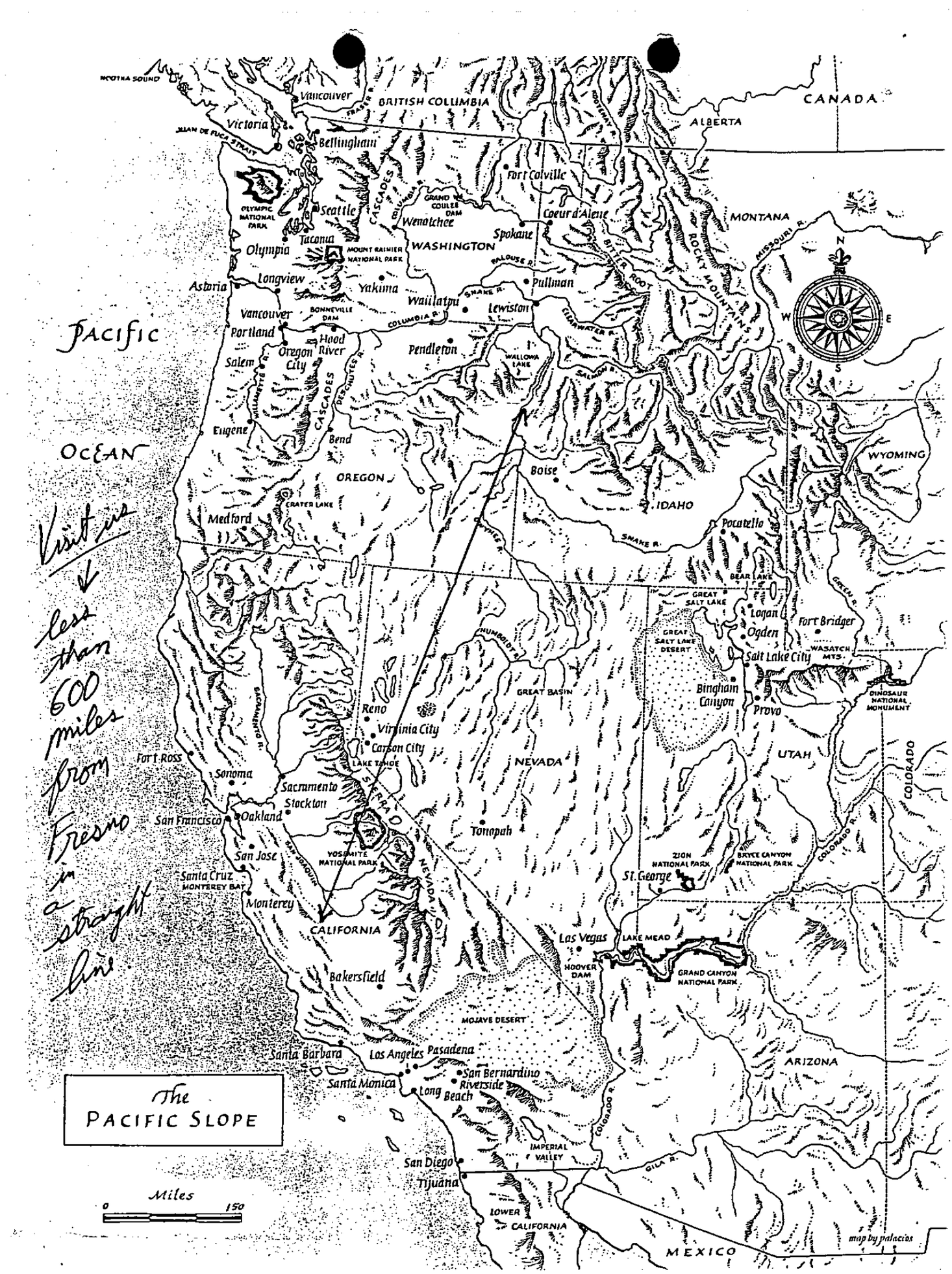
The Association President will serve until he resigns or until a majority of owners vote to elect another officer. Pearl Ketz will serve as Secretary








Take Highway 95
Go Through Weiser, midvale and
To Highway 71 at Cambridge.
Turn LEFT at sign Toward Hells Canyon on Brownlee
Hwy 71 - Go 5 miles (approx.) on
Hiway 71 out of Cambridge.
Watch for ◇ on right just before
Turnoff on Advent Gulch Road at Black Barrel mailbox
Turn right (Cross Cattleguard) - go
approximately 4½ miles on gravel
road - ◇ the road will go
around a sharp curve and drop
down - cross creek - East Fork
Pine Creek You come to gates of
yellow + green.
Pine Creek Mtn. Estates
Property Owners Assoc.
3608 Advent Gulch Road
Cambridge, Idaho 83610
OREGON
IDAHO
ADAMS CO.
WASHINGTON CO.
BAKER CO.
Brownlee Dam
Eagle Island
Wildhorse Rapids
Wildhorse Falls
Black Canyon
Fourmile Creek
Deer Creek
Pine Creek
Boarding Gulch
Radio Tower
RESERVOIR
RIVER
BROWNLEE
SNAKE
Brownlee Creek
Camp Creek
Long Gulch
Brownlee
Brownlee Ranger Sta.
Jeep Creek
Box Spring
Nail Spring
Spring
Pine Creek Mtn. Estates
NATIONAL FOREST BOUNDARY
WASHINGTON COUNTY
Advent Gulch
Powerline
Cuddy Mine
Cuddy Mtn.
Cambridge
T.9 S.
R.5 W.
R.4 W.
R.3 W.



Visit us
↓
less than 600 miles from Fresno in a straight line.

The PACIFIC SLOPE

RECEIVED
JUL 7 1994

PINE CREEK MOUNTAIN ESTATES

S1/2, of the SE1/4 of Sec. 26; S1/2, of the SW1/4 of Sec. 25; NW1/4, of the NW1/4 of Sec. 36; and Sec. 35, T.16N., R.4W., B.M., Washington County, Idaho

Payette National Forest Boundry — STEVE SCHWILLING R.L.S. 1978 — Payette National Forest Boundry

TABLE OF CURVE DATA

C	R	DELTA	T	L	CHD.	CHD. BEARING
A	330'	31° 01' 38"	91.60	178.70	176.53	N 32° 52' 05" E
B	105'	114° 48' 57"	164.23	210.41	176.93	N 40° 03' 13" W
C	460'	16° 26' 02"	66.43	131.94	131.49	N 89° 14' 40" W

S 89° 47' 49" E 2631.44' — S 89° 30' 08" E 2647.11'

N 0° 04' 01" E 1318.32' — S 0° 04' 44" W 1319.81'

Payette National Forest Boundry S 89° 49' 40" E 2653.28'

N 0° 05' 32" E 2643.49' — N 0° 05' 32" E 1911.78' — N 81° 01' 39" W 147.76' — N 0° 05' 32" E 1043.94'

N 89° 26' 21" W 1322.27' — S 0° 02' 16" W 1315.44' — N 89° 33' 32" W 1323.09' — S 0° 04' 27" W 1318.21' — S 0° 01' 26" E 2646.43'

N 89° 53' 24" W 2623.55' — N 89° 51' 20" W 2669.67'

Idaho State Land

SCALE IN 500 0 500

LEGEND

- 5/8" x 30" REBAR
- BRASS CAP
- (7) LOT NUMBER
- EXISTING ROADS - 60' ROW
- EAST FORK PINE CREEK
- SMALL STREAM

STEVE SCHWILLING, BEING DULY SWORN, S
LAND SURVEYOR LICENSED TO PRACTICE BY
HE HAS COMPARED THE ABOVE COPY WITH T
THE SAME IS A TRUE AND EXACT COPY OF

STATE OF IDAHO } S.S.
COUNTY OF ADA }

SUBSCRIBED AND SWORN TO BEFORE ME TH

James R Nelson

NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT Boise
MY COMMISSION EXPIRES LIFE

National Forest

STATE School Section

36

CANAL

Pine Creek Mtn. Estates
Property Owners Assoc.
3608 Advent Gulch Road
Cambridge, Idaho 83610

Approximate Land - Irrigated by Mr. Bird

Ditches

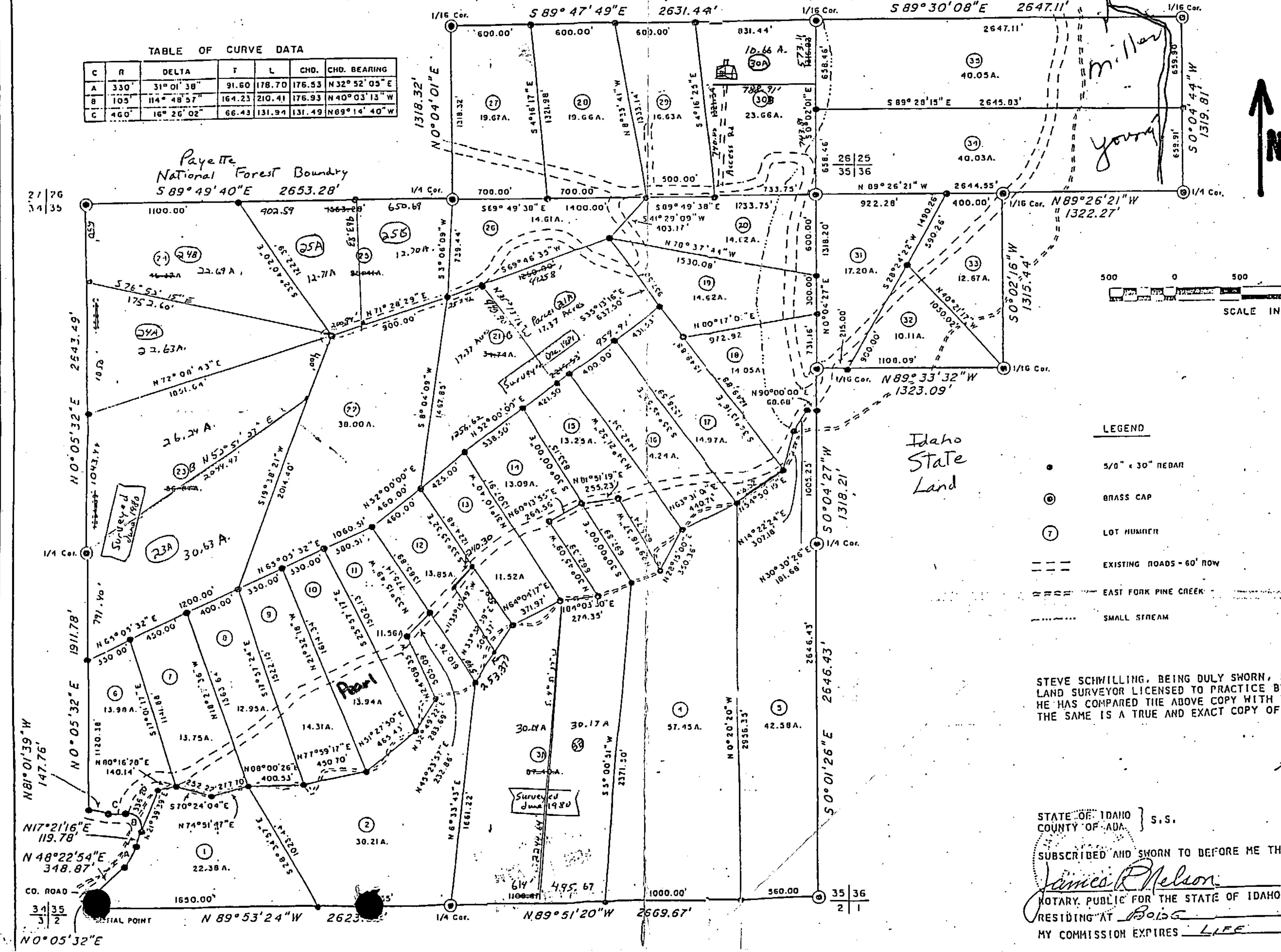
PINE CREEK MOUNTAIN ESTATES

S1/2, of the SE1/4 of Sec. 26; S1/2, of the SW1/4 of Sec. 25; NW1/4, of the NW1/4 of Sec. 36; and Sec. 35, T.16N., R.4 W., B.M., Washington County, Idaho

STEVE SCHWILLING R.L.S. 1978

TABLE OF CURVE DATA

C	R	DELTA	T	L	CHD.	CHD. BEARING
A	330'	31° 01' 38"	91.60	178.70	176.53	N 32° 52' 05" E
B	105'	114° 48' 57"	164.23	210.41	176.93	N 40° 03' 13" W
C	460'	16° 26' 02"	66.43	131.94	131.49	N 69° 14' 40" W



STEVE SCHWILLING, BEING DULY SWORN, S
LAND SURVEYOR LICENSED TO PRACTICE BY
HE HAS COMPARED THE ABOVE COPY WITH T
THE SAME IS A TRUE AND EXACT COPY OF

STATE OF IDAHO } S.S.
COUNTY OF ADA

SUBSCRIBED AND SWORN TO BEFORE ME TH

James R Nelson
NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT Boise
MY COMMISSION EXPIRES Life

The purpose of the transfer is to identify the points of diversion presently used and establish a regulation system for the watermaster. It will facilitate regulation by ... We ... water ...

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 25, 1994

Pine Creek Property Owners Irrigation Assn.
C/O Pearl J. Ketz
3608 Advent Gulch Rd.
Cambridge, ID 83610

RE: Transfer No. 4236
Right Nos. 67-00219A/219B/220/226 & 229.

Dear Mrs. Ketz:

I am currently reviewing the above referenced transfer that was forwarded from our Western Region office.

Your transfer application identifies five old decreed water rights totaling 1.68 cfs that are diverted through several points of diversion, and changes the place of use to identify 64 acres irrigated under these rights.

The 64 acres as shown on the transfer are apparently what is left from the original number of acres that were once irrigated. Normally, a corresponding reduction in the rate of diversion would be shown to reflect the reduced irrigation. On the transfer approval, I propose to adjust the diversion rate to 0.02 cfs or an inch per acre, which is the standard maximum rate per acre for irrigation.

I will withhold the transfer from further processing for 15 days to allow you to respond. I hope I have answered all your questions regarding this matter. If you require any further assistance, please contact me directly at 327-7943 and I will be happy to help you.

Sincerely,

Pamela Skaggs

PAMELA SKAGGS
Water Resource Agent

MICROFILMED

JUL 27 1994

TRANSFER REVIEW SHEET

Transfer # 4236 **Date Reviewed** 5-16-94 C28

Right(s) 67-00219A, 67-00219B > C; 67-00226, 67-00229; 67-00220

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U (J)Add P/D & Change P/U

Proof of Ownership Warranty Deeds / Bilbao Statement of release to P.C. Assoc

Transfer ✓ **All of Right** ____ **Portion of Right (Part B____)**

Resulting Split(s) None Combine 219A+B into Part C

Check Transfer Against Right

C/4.0

(1) ✓ **Priority** (2) ✓ **Use** (3) ___ **Season** (4) ✓ **Rate** (5) ___ **Volume**

(6) ___ **Source** (7) ___ **P/D** (8) ___ **P/U** (9) ✓ **Proof/Owner** (10) ✓ **Map**

(11) 67 **Water District** (12) Yes (219B) **Pertinent Conditions** (13) NO **Expansion**

Reduced Acres/Rate

(3) No Season on Decreed Rts - Standard 4-1 to 10-31
(5) No Vol on Decrees - Use Standard All rts $V_{DR} > V_{IR}$
(6) All rts diverted from East Pine Creek per USGS map - Correct Database
(7) Reflect 4 QQ's - 8 total P/Ds (8) Show P/U 64 Acres

219=	.28 cfs	1.28 cfs	14 Acres	56 afa (VIR)	256 afa
220=	.24 "	.86 cfs	12 "	48 " "	
226=	.34 "	.42 cfs	17 "	68 " "	
229=	.82 "Reduced to	.42 cfs	21 "	84 " "	

(4) Total Rate 1.68 cfs - 64 Acres x .02 = 1.28 cfs 1.68 - 1.28 = .40 cfs Reduction

Conveyance loss not relevent with new P/Ds adjacent to property/parcels of land.
IRR acres S. of Access Rd Sec 35.

Transfer Remarks P/D remarks for SENE/4 + NWSE/2 P/P/U Remarks WB4

Conditions R04, R31, T07, T08, T09, T17

Database/Processing Notes T Files ✓ 219C, 220, 226, 229
Clear 219A+B w/remark when approved / Edit 219C to single rt remarks
Database Updated 6-23-94 C28

~~Pinecreek.liz~~

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	PINE CREEK PROPERTY OWNERS IRR ASSN C/O PEARL J KETZ 3608 ADVENT GULCH RD CAMBRIDGE ID 83610 (208) 642-2766	05/01/1901	IRRIGATION	04-01	10-31	0.28 CFS	56.00 AFA
				TOTAL DIVERSION:		0.28 CFS	56.00 AFA

Water Source: EAST PINE CREEK Tributary to: PINE CREEK Stage: DECREED

Point(s) of Diversion:

T16N R04W	S25	NESW		WASHINGTON County
	S35	SENE	NWSE	WASHINGTON County
	S36	SWNW		WASHINGTON County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
16N	04W	25											05 08						13.0
16N	04W	35			02	10					08		03 03			04			30.0
16N	04W	36					01	20											21.0
																TOTAL ACRES			64.0

Pou County: WASHINGTON

Other Water Rights with Same Point(s) of Diversion and Source:
T67-00220 T67-00226 T67-00229

Other Water Rights Listing Overlapping Place(s) of use:
67-00219B 67-00220 67-00226 T67-00220 T67-00226 T67-00229

Conditions of Approval:

R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 67.

R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks: The total instantaneous diversion of water from all points of diversion under Transfer No. 4236 shall not exceed 1.28 cfs.

Remarks: Right No. 67-00219C is limited to the irrigation of 14.0 acres in the place of use described above in a single irrigation season.
~~Right No. 67-00220 is limited to the irrigation of 12.0 acres in the place of use described above in a single irrigation season.~~
~~Right No. 67-00226 is limited to the irrigation of 17.0 acres in the place of use described above in a single irrigation season.~~
~~Right No. 67-00229 is limited to the irrigation of 21.0 acres in the place of use described above in a single irrigation season.~~
Irrigated acres described in S35, T16N, R04W, are located south of the access road.
Four (4) points of diversion are located within SENE, and two (2) points of diversion are located within NWSE, S35, T16N, R04W. A single point of diversion is located on or near the line between SENE, S35 and SWNW, S36, T16N, R04W. The system has a total of eight (8) points of diversion.

Dates:

App. Received:		Priority Date:	05/01/1901
Proof Due Date:		Proof Made Date:	
Exam Made Date:		Exam Sent to S.O.:	
Licensed Date:			

Misc: Water District Number: 67 Field Exam Fee:

Comments: Date: 10/25/1993 User-ID: TAYLOR Subject: TRANSFER NO. 4236
Transfer No. 4236 was filed to add diversion points and change the place of use under Right Nos. 67-00219A/219B/220/226 and 229. The transfer reflects a combined system with a permissible place of use and will recombine part A and B of 67-00219 into part C.

Audit: 05/16/94 SKAGGS 05/17/94 SKAGGS 06/08/94 SKAGGS

WR0725NP
(OD-725)

IDAHO DEPARTMENT OF WATER RESOURCES
T-R-S PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 05/17/94
PAGE: 1

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE NE Lt	NE NE Ac	NE NW Lt	NE NW Ac	NE SW Lt	NE SW Ac	NE SE Lt	NE SE Ac	NW NE Lt	NW NE Ac	NW NW Lt	NW NW Ac	NW SW Lt	NW SW Ac	NW SE Lt	NW SE Ac	SW NE Lt	SW NE Ac	SW NW Lt	SW NW Ac	SW SW Lt	SW SW Ac	SW SE Lt	SW SE Ac	SE NE Lt	SE NE Ac	SE NW Lt	SE NW Ac	SE SW Lt	SE SW Ac	SE SE Lt	SE SE Ac	SUM
T16N R04W S25																																		
T6700219C	EAST PINE																																	13
6700226	PINE CREEK																					I	I											
A6700226	PINE CREEK																					03	03											6
~~T6700226~~	~~PINE CREEK~~																					I	I											
A6700226B	PINE CREEK																					03	03											6
	NO MAPPING INFO AVAILABLE																																	
T16N R04W S26																																		
6700226	PINE CREEK																									I								
A6700226	PINE CREEK																									04								4
~~T6700226~~	~~PINE CREEK~~																									I								
	NO MAPPING INFO AVAILABLE																																	
T16N R04W S35																																		
A6700219	PINE CREEK																	09		06		03		04										22
6700219B	PINE CREEK																	04						02										6
A6700219B	PINE CREEK																	04						02										6
A6700219C	PINE CREEK																	03																3
T6700219C	EAST PINE							02	10									08				03		03				04						30
A6700219D	PINE CREEK																	03						03										6
A6700219E	PINE CREEK																	01																1
A6700219F	PINE CREEK																	04																4
A6700219G	PINE CREEK																					0												
6700220	PINE CREEK							I	I																			I	I					
A6700220	PINE CREEK							I	I																			I	I					
~~T6700220~~	~~PINE CREEK~~							I	I																			I	I					
A6700220A	PINE CREEK								06																									6
A6700220B	PINE CREEK								03																									3
6700226	PINE CREEK		I																															
A6700226	PINE CREEK		03																															3
~~T6700226~~	~~PINE CREEK~~		I																															
A6700229	PINE CREEK																	10				10				11		10						41
	NO MAPPING INFO AVAILABLE																																	
T16N R04W S36																																		
T6700219C	EAST PINE										01		20																					21
6700226	PINE CREEK										I		I		I		I																	
A6700226	PINE CREEK										03		04		05		02																	14
~~T6700226~~	~~PINE CREEK~~										I		I		I		I																	
A6700226A	PINE CREEK												02																					2
	NO MAPPING INFO AVAILABLE																																	

Transfer P/U

WR original P/U
P/U not given in Decree for 65-00229 (No data entry)

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RECEIVED
MAY 11 1994
Department of Water Resources

May 10, 1994

Pearl Ketz
820 8th Avenue North
Payette, ID 83661

Re: Transfer No. 4236

Dear Pearl:

I sent several water right applications to you yesterday per your recent request but forgot to include any word on the transfer application for Pine Creek Mountain Estates. The transfer is at our State Office here in Boise and being reviewed for final action.

I hope it won't be too long until a department decision is made regarding the application but don't have any way to predict the time frame for you. It depends on the work load at the main office. You are welcome to check with me again sometime soon.

Sincerely,

Steve Lester
Water Rights Supervisor

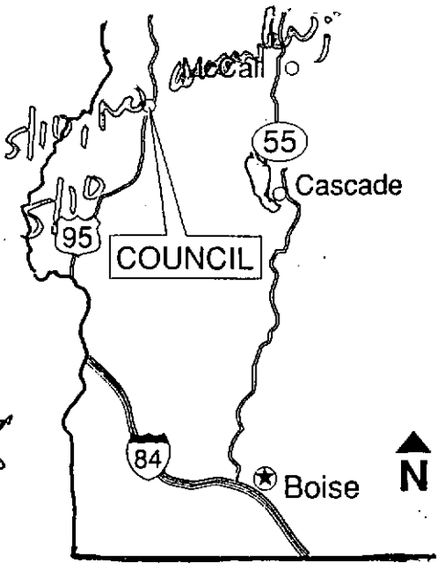
ABSTRACTED
JUL 27 1994

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661
1-208-642-2744

HORNET CREEK MOUNTAIN ESTATES
COUNCIL, IDAHO

5-6-94

RECEIVED
MAY 09 1994
WATER RESOURCES
WESTERN REGION



Dear Steve,

Concerning the water transfer for called Pine Creek Mountain Estates ✓ mailed Irrigation Association - Do there any news on the final word yet? An owner is coming up from Calif on the last of may & wants to know the status of Transfer # 4236

Regarding Hornet Creek mountain Estates.

three properties - see map enclosed - have creek frontage. they have no irrigation rights. However they are going to build houses & have a horse or cow and wish to know if they can file for domestic use - or instream watering ✓ mailed 5/9 they own to the middle of the creek. If this is possible could you send 2 applications for filing for domestic water right to me? thanks - See legal description.

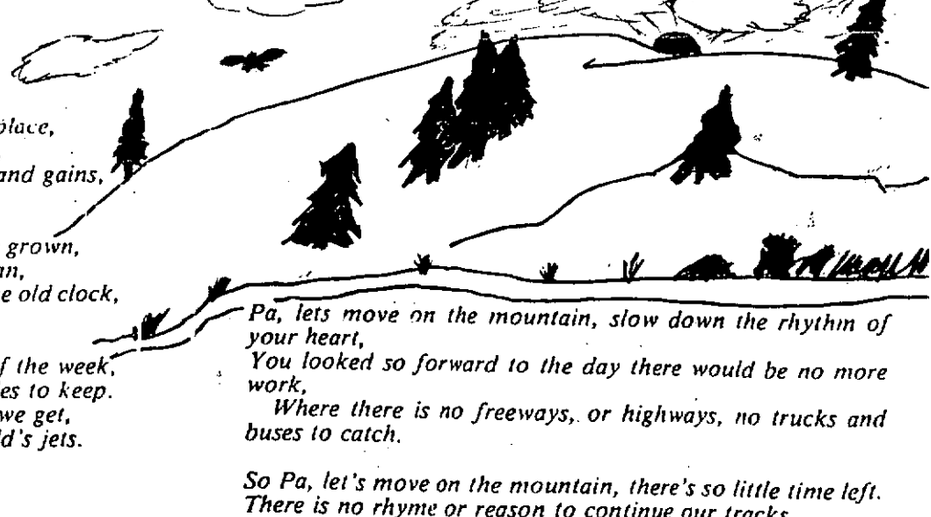
All three pieces - Parcel 4 Parcel 6 & Parcel 2 are in Section 30 - Range 1 W - T 17 N

I owned app

Sincerely

Pearl

JUL 27 199



Our Dream of the Mountain

Pa, let's move on the mountain, and build us a place,
The world's now moving in such a terrible haste,
People are hurrying, scurrying, stressing profits and gains,
Many are driving so nuts in the fast lanes.

Pa, let's move on the mountain, the children are grown,
And we worked our heads off to pay our last loan,
It's time to slow down our living, and throw out the old clock,
Sit on our front porch in our rockers and rock.

Spend more time fishing the creek every day of the week,
And there's no phones a-ringing, and no schedules to keep.
Pa, the moments are now fleeing, and the older we get,
We can sit on our mountain, and watch the world's jets.

Pa, lets move on the mountain, slow down the rhythm of your heart,
You looked so forward to the day there would be no more work,
Where there is no freeways, or highways, no trucks and buses to catch.

So Pa, let's move on the mountain, there's so little time left.
There is no rhyme or reason to continue our tracks.
We can enjoy a new beginning the rest of our days,
And watch each day's dawn arising, with a beautiful horizon the rest of our days

Winter months

Kets
820 8th Ave. North
Payette 83661
(642-2744)

-NO PREPAYMENT PENALTY- 3700 FT. ELEV. - VIEW LOTS

PAYMENTS INDICATED BY (OWNERS ASSOCIATION DUES $100.00 PER YEAR, MOSTLY FOR ROAD UPKEEP & IMPROVEMENTS)

$2,500.00 an acre

Owner carries at 12%

$50.00 Down — "FIRST COME, FIRST SERVE - OTHERS ARE LOOKING!

FAMILIES & FRIENDS CAN GO IN TOGETHER

For information Contact:

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661
1-208-642-2744

THE LAND-GRAB IS ON!

LET THE I.R.S. INTEREST DEDUCTION - FOR SECOND HOME - HELP PAY PAYMENTS

3 Pieces on Hornet Creek

B.L.M. LAND & FOREST →

N89°10'09"E

SEC. COR FND. NOTCHED STONE | 5/8"ø REBAR W/AL CAP (PE & LS #3227)

N88°56'32"E 2593.36'

N88°56'32"E 183.14'

S47°34'03"E 299.54'

Hornet Creek

(THREAD OF THE STREAM) HORNET CREEK

PARCEL 4 17.00 ACRES

$435.00 a month or more

SOLD

$200.00 a month SOLD

$220.00 a month SOLD

PARCEL 5 12.25 ACRES

$320.00 a month SOLD

$200.00 a month SOLD

PARCEL 6 13.43 ACRES

$350.00 month

PARCEL 2 17.59 ACRES

$460.00 or more per month

PARCEL 1 6.2 ACRES

$200.00 a month

SOLD

Property leaves Creek & Goes up the hill

Access Rd

Access

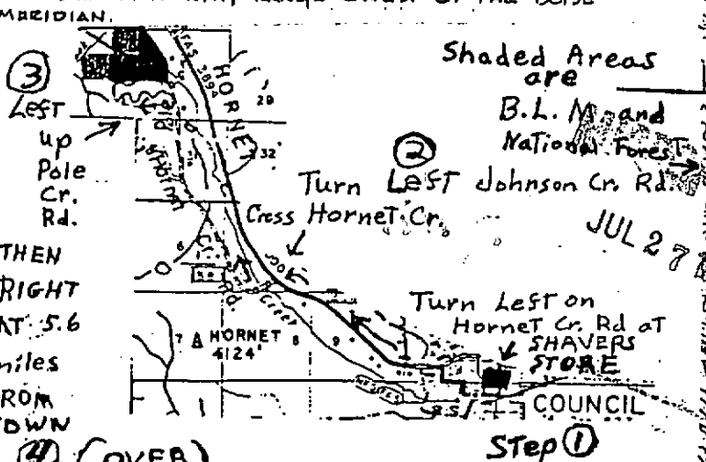
HORNET CREEK MOUNTAIN ESTATES SUBDIVISION, THE OFFICIAL PLAT OF WHICH IS FILED AS INSTRUMENT NUMBER 68851 IN THE OFFICE OF THE RECORDER FOR ADAMS COUNTY, IDAHO; THESE PARCELS ARE SITUATED IN GOV'T LOTS 1 & 2 OF SECTION 30, TOWNSHIP 17 NORTH, RANGE 1 WEST & IN THE SE1/4NE1/4 OF SECTION 25, TOWNSHIP 17 NORTH, RANGE 2 WEST OF THE BOISE MERIDIAN.

Main Entrance

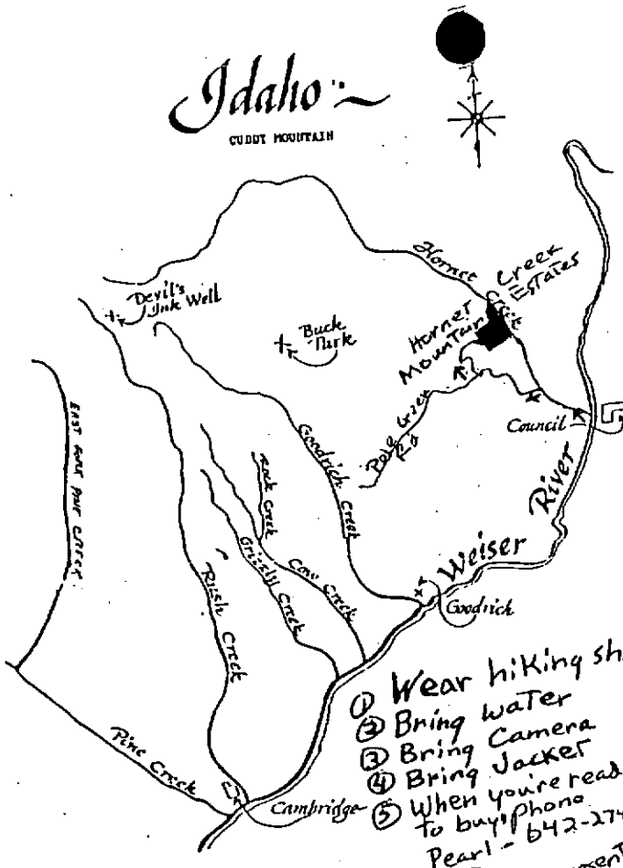
1/4 COR BRASS CAP (PE. LS. #3227)

T. 17 N. R. 1 W. SECTION 30 and 25

ADAMS COUNTY ID



(4) (COVER)



① Wear hiking shoes
② Bring water
③ Bring Camera
④ Bring Jacket
⑤ When you're ready to buy! phone Pearl - 642-2744 Hetz Assoc. Representative

EIK - DEER
WILD TURKEY
Views - Fresh Air -
Mountain ATmosphere -
Scattered Pines and grassland. Adjacent BLM Forest. Hornet Creek borders 3 Largest pieces
Individual or Families
Park your camp Trailer - build an outhouse
Pitch your Tent
Set up solar or if you must. electricity is ¼ mile away - You pay -
Drill a well or pack your jugs -
It's all so exciting -
Need a Tax break?
Deduct the interest portion of your payments by spending 2 weekends a year and having a Lockable Trailer or cabin
Always have an advance Holiday Reservation.

To Find Hornet Creek Mountain Estates:

① Turn at Shavers Store in Council, Turning Left on Hornet Creek Road. Go 2.6 miles.

② Watch For Johnson Creek Park Sign. Turn Left. Cross Creek.

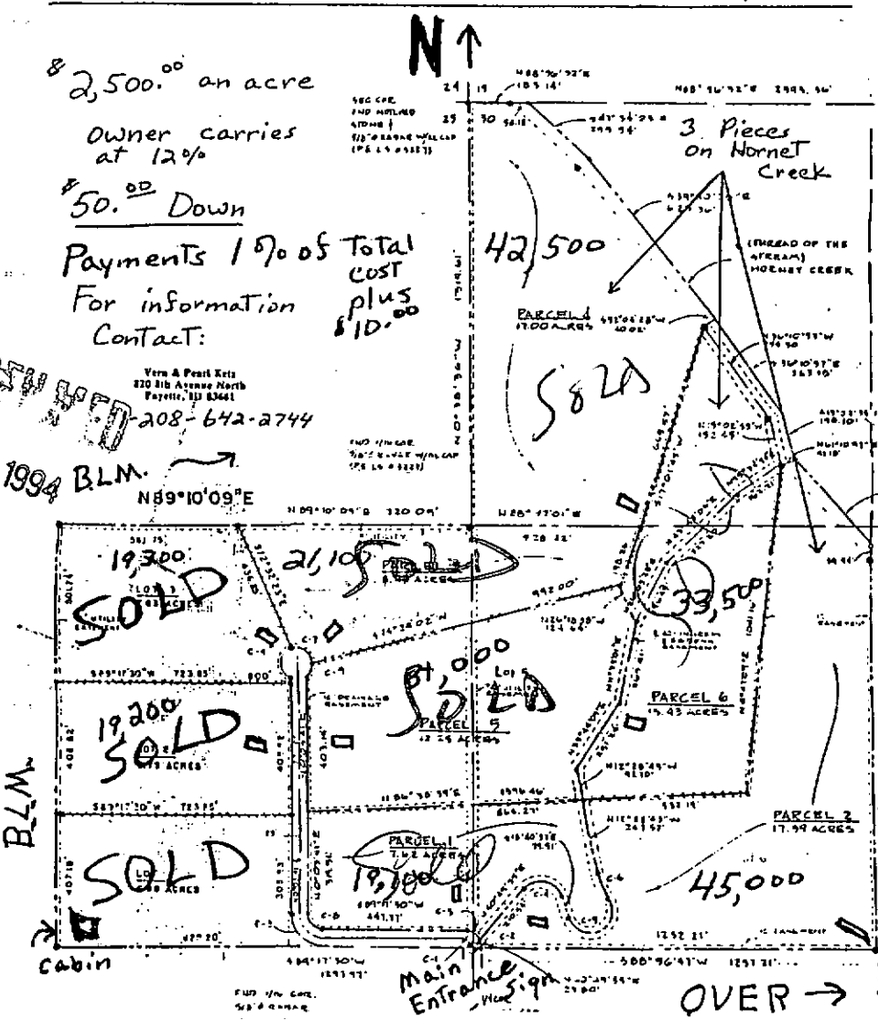
1-208-642-2744	Perennial Acres Arboretum
1-208-257-3258 (Sundays)	Vern & Pearl Ketz 3608 Advent Gulch Road Cambridge, Idaho 83610

③ You will Travel along on a gravel road - you will pass a million dollar house on Left - Watch for old Hornet Creek Rd - Pole Creek Rd. Intersection and Little sign - Forest Service Rd. # 38. Turn Left on Pole Creek Rd and go up hill winding up

④ At 5.6 miles From Town, Turn Right up dirt road bearing right. Turn right in Little Tree Farm - go up hill going .6 miles altogether - Bear Left at 6.2 miles - Cross Cattle Guard [don't worry about Warning sign] Pass Little Farm yard on right going uphill - bear right. You will see sign - Hornet Creek Mt. Estates. White Posts indicate general LOT area - shown below by ▯

Hornet Creek Mountain Estates - Council, Idaho

$2,500.00 an acre
Owner carries at 12%
$50.00 Down
Payments 1% of Total cost plus $10.00
For information Contact:
Vern & Pearl Ketz
220 8th Avenue North
Payette, ID 83661
208-642-2744



OVER →

FORM 222a

6/93

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Watermaster Comment letter

AMENDED TO A00 67-00229

TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: SL APPLICANT Pine Creek Property Owners Irrig. Assn. c/o Paul Ketz

1. Right number 67-00219 A & B 67-00220 67-00226 67-00229
2. Type of right: ☑ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☑ Change of point of diversion ☑ Add diversion point(s) ☐ Change of place of use
   ☐ Change nature of use ☑ Other create P.P.U.
4. Check:
   a. ☑ Source ☑ Priority ☑ Amount ☑ Purpose ☑ Period of use ☑ SRBA claim - Prov reports in file
   b. ☑ Description of original point of diversion.
   c. ☑ Description of original place of use.
5. Amount of land &/or water transferred:
   a. ☑ All of right.
   b. ☐ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   c. ☑ Check description of point(s) of diversion.
   d. ☑ Check description of place of use.
   e. ☑ Check map (shows p.d. and p.u. after transfer).
   f. ☑ Check for correct signature, notarization, and fee.
   g. ☑ Check proof of ownership of right &/or land from which water is transferred. - ownership retained under Bilbao et al per warranty Deed C in Attach. C.
   h. ☑ Check for expansion in use of right. Comments Reduce volume for forfeited acres but not rate of flow (conveyance losses). Do not allow irrig. btw old lowered ditch & access Rd (per map & T. 3377). * — SEE ATTACH. A in Appl.
   i. ☑ Check for existing water rights from same source, on land water is being transferred to.
      Right number(s) no other rights
   j. ☑ SRBA claim. Comments Claimed as A67-00219 through 002196, A67-00220 through 00220B, A67-00226 through 00226B - too numerous to include in advertising. Claims essentially cover the uses by a number of individual users now forming irrig. association. — plus A67-00229
   k. ☑ Is use within Water District? ☑ Yes ☐ No
      If yes, what district? 67 Comment letter sent ☑ Yes ☐ No for Amended Appl. ☑ Yes

FINAL PROCESSING REVIEW BY: DMT

1. Watermaster recommendation requested on 1/26/94 Received on 1/31/94
2. Is transfer published correctly? ☑ Yes ☐ No
3. Protest received? ☐ Yes ☑ No

RECEIVED
FEB 0 8 1994
Department of Water Resources

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* _____
4. By _____ Date JUL 2 7 1994

*All uses within Water Districts require special conditions.

* See photo #4 in CJH's Exam of 5/20/93 = Attachment E

RECEIVED

JAN 3 1 1994

WATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 67-00219 A&B 67-00220 67-00226 67-00229

RECOMMENDATION OF WATERMASTER

I, Gerald K. Myers, watermaster of _____,

of Water District No. 67, County of Washington & Adams, State of Idaho,

whose address is HC 70 Box 2010 Midvale Idaho 83645

have read the attached copy of the application for transfer of water right for Pine Creek Property Owners Irrigation Assoc, and to the best of my knowledge believe the application to be true.

(name)

A. I hereby endorse the above numbered Application for Transfer and recommend that the Director of the Department of Water Resources approve the transfer subject to the following conditions: None

OR

B. I do not endorse approval of the above numbered Application for Transfer as requested for the following reasons: _____

Dated at Midvale, Idaho, this 29 day of January 1994.

X Gerald K. Myers
(signature)

RECEIVED

JUL 27 1994

Please use reverse side if needed.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 26, 1994

GERALD MYERS
HC 70 BOX 2010
MIDVALE ID 83654

Re: Amended Application for Transfer of Water Right No. 67-219 A & B, 67-220, 67-226 and 67-229 in the Name of Pine Creek Property Owners Irrigation Assoc.

Dear Watermaster:

Enclosed is an application(s) for transfer of a water right(s) within your water district. Also enclosed is a form for your recommendation concerning this application.

Please review the application and return the enclosed recommendation form within two weeks. If you have questions or need information, feel free to contact this office.

Sincerely,

Steve Lester for

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Enclosure: Copy of Application
Recommendation of Watermaster Form
Copy of Advertising of Amended Change

RECEIVED
JUL 27 1994

RECEIVED
JAN 19 1994
WATER RESOURCES
WESTERN REGION

PINE CREEK MOUNTAIN ESTATES

IRRIGATION ASSOCIATION

VERN KETZ, DIRECTOR

3608 ADVENT GULCH RD. P.O. Box 190
CAMBRIDGE, IDAHO 83610

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

1-18-94

Dear Steve,

In order to plan effectively for the upcoming year, and to begin laying in a new pipeline, it would be very very helpful if your office could send me a copy of our completed water right readout as it stands in the computer. Something condensed enough to send out to all our irrigation members. We have completed the paper work as far as we know and have received no further correspondence from you.

Perhaps something on the order of the add which appeared in the paper without the extra statements regarding protests etc.

Whatever is convenient would be greatly appreciated.

We read with great interest the news report about some talk of "Throwing in the Towel" on the adjudication. We feel this would be a great tragedy. Will there be any public input solicited? Perhaps Idahoans would be willing to bear some additional cost to see it through.

Thanks for all your dedication - Vern Ketz

BY-LAWS

Each original lot owns one (1) share in Basque Spring Water (1/35) development.

The irrigatable land in Pine Creek Mountain Estates lies within the East Fork Pine Creek drainage so that all water used recharges the aquifers that flow into the creek.

Purposes and benefits of the Pine Creek Mountain Estates Irrigation Association:

Participating owners have been issued one hundred (100) shares per inch of water or a part inch thereof as listed in the official prorated list.

The shares must remain with the land.

WATER RIGHT
JUL 27 1994

All major issues will be decided by popular vote under the auspices of the Pine Creek Mountain Estates Property Owners' Association.

All property owners must cooperate fully with the President of the Irrigation Association and the Watermaster.

Water will be beneficially applied to each irrigatable portion at least once every five (5) years according to the original water rights of Rutledge, Howland, Weimer and Webber, overseen by the Association.

All water use is in constant development and process according to season and need.

The Association is in favor of pipe lines as compared to ditches, and in favor of drip system instead of sprinkers when and where this is possible.

The Association President will serve until he resigns or until a majority of owners vote to elect another officer. Pearl Ketz will serve as Secretary.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 13, 1993

GERALD MYERS
HC 70 BOX 2010
MIDVALE ID 83654

Re: Application for Transfer of Water Right No. 67-219 A & B, 67-220 and 67-226 in the Name of Pine Creek Property Owners Irrigation Assoc.

Dear Watermaster:

Enclosed is an application(s) for transfer of a water right(s) within your water district. Also enclosed is a form for your recommendation concerning this application.

Please review the application and return the enclosed recommendation form within two weeks. If you have questions or need information, feel free to contact this office.

Sincerely,

David R. Tuthill, Jr.

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Enclosure: Copy of Application
Recommendation of Watermaster Form

JUL 27 1994

RECEIVED
NOV 2 3 1993
WATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 67-00220 & 67-00226

RECOMMENDATION OF WATERMASTER

I, Gerald K. Myers, watermaster of _____,
of Water District No. 67, County of Washington, State of Idaho,
whose address is HC 70 Box 2010 Midvale Id. 83645
have read the attached copy of the application for transfer of water right for Pine Creek Property Owners Irrigation Assoc., (name) and to the best of my knowledge believe the application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend that the Director of the Department of Water Resources approve the transfer subject to the following conditions: _____

_____

_____

OR

B. I do not endorse approval of the above numbered Application for Transfer as requested for the following reasons: _____

_____

_____

_____

Dated at _____, Idaho, this _____ day of _____ 19 ___.

Need completed form for Amended Appl.

_____
(signature)

JUL 2 7 1994

Please use reverse side if needed.

№ 262

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, County of Washington } ss.

Sarah Boles, being duly sworn, deposes and says:

That she is the Clerk of THE WEISER SIGNAL, a weekly newspaper published at Weiser, in the County of Washington and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Weiser; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not in a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with December 15, 1993, and ending with the issue of December 22, 1993.

Sarah Boles

Fees, $ 100.58

Subscribed and sworn to before me this 15 day of December, 1993.

Notary Public, Residing at Weiser, Idaho.

My Commission Expires 1-2, 1999

No. 262
NOTICE OF AMENDED PROPOSED CHANGE OF WATER RIGHT NOS. 67-00219A&B, 67-00220, 67-00226, & 67-00229

Notice is hereby given that a proposed change of Decreed right Nos. 67-00219A&B, -00220, & -00226 for Pine Creek Property Owners Irrigation Assoc. of Cambridge, Idaho, was advertised on 10-21 & 10-28-93 for changes in Point of Diversion. The previous notice included .86 cfs of Pine Creek water tributary to Weiser River, with priority dates 5-1-1901 & 5-1-1902. The rights included diversion points in S. 35 & 36 to irrigate land in S. 25, 26, 35, & 36, T16N, R4W, Washington County.

Decreed Right No. 67-00229 for .82 cfs with a 5-1-1908 priority date for Pine Creek water is now added to the proposed change. The decree did not specify a point of diversion or place of use of this right. The right is claimed in the Snake River Basin Adjudication as Claim No. A67-00229 (Cecil Bilboa) for .82 cfs, 5-1-1908, Pine Creek, with a diversion point in SWNE S. 25 to irrigate 41 acres in NESW, SWSW, NESE, NWSE, s. 35, T16N, R4W. Basis of the Claim is the decreed right.

TO BE CHANGED AS FOLLOWS

All five rights with a total 1.68 cfs will use one or more of the following diversion points for any acres as follows, all in T16N, R4W:

Diversion Points: SENESW S. 25; NESENE (2 points), SESENE (2 points) SWSENE, NENWSE, NWNWSE, S. 35; NWSWNW S. 36; includes 5 ditches & 3 pumps.

Place of Use: SWSW, SESW, S. 25, SWNE, SENE, NESW, SWSW, SESW, NWSE, S. 35; NENW, NWNW S. 36 (64 acres total).

Multiple diversion points for common acres for association members in Pine Creek Estates will be used. No additional water or acres will be involved before or after the change. Source is also known as East Pine Creek.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before Jan. 3, 1994.

R. Keith Higginson
Director

86-2S

JUL 27 1994

Affidavit of Publication

STATE OF IDAHO
County of Washington } ss.

Stuart Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforsaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began December 15, 1993 and ended December 22, 1993

Stuart Dopf

Subscribed and sworn to before me this 28th day of December, 1993

B. Jo Soules

Notary Public in and for the State of Idaho, residing at Cambridge, Idaho 83610.

NOTICE OF AMENDED PROPOSED CHANGE OF WATER RIGHT NOS. 67-00219A&B, 67-00220, 67-00226, & 67-00229

Notice is hereby given that a proposed change of Decreed Right No. 67-00219A&B, -00220, & -00226 for Pine Creek Property Owners Irrigation Assoc. of Cambridge, Idaho was advertised on 10-21 & 10-28-93 for changes in Point of Diversion. The previous notice included .86 cfs of Pine Creek water tributary to Weiser River, with priority dates 5-1-1901 & 5-1-1902. The rights included diversion points in S. 35 & 36 to irrigate land in S. 25, 26, 35, & 36, T16N. R4W, Washington County.

Decreed Right No. 67-00229 for .82 cfs with a 5-1-1908 priority date for Pine Creek water is now added to the proposed change. The decree did not specify a point of diversion or place of use of this right. The right is claimed in the Snake River Basin Adjudication as Claim No. A67-00229 (Cecil Bilboa) for .82 cfs, 5-1-1908, Pine Creek, with a diversion point in SWNE S. 25 to irrigate 41 acres in NESW, SWSW, NESE, NWSE, S. 35, T16N. R4W. Basis of the Claim is the decreed right.

TO BE CHANGED AS FOLLOWS

All five rights with a total 1.68 cfs will use one or more of the following diversion points for any acres as follows, all in T16N, R4W:

Diversion Points: SENESW S. 25; NESENE (2 points), SESENE (2 points), SWSENE, NENWSE, NWNWSE, S. 35; NWSWNW S. 36; includes 5 ditches & 3 pumps.

Place of Use: SWSW, SESW, S. 25, SWNE, SENE, NESW, SWSW, SESW, NWSE, S. 35; NENW, NWNW S. 36 (64 acres total).

Multiple diversion points for common acres for association members in Pine Creek Estates will be used. No additional water or acres will be involved before or after the change. Source is also known as East Pine Creek.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before January 3, 1994.

R. Keith Higginson
Director

Published in the Upper Country News Reporter and The Weiser Signal on December 15 and 22, 1993.

JUL 27 1994

NOTICE OF AMENDED PROPOSED CHANGE
OF WATER RIGHT NOS. 67-00219A&B,
67-00220, 67-00226, & 67-00229

Notice is hereby given that a proposed change of Decreed Right Nos. 67-00219A&B, -00220, & -00226 for Pine Creek Property Owners Irrigation Assoc. of Cambridge, Idaho was advertised on 10-21 & 10-28-93 for changes in Point of Diversion. The previous notice included .86 cfs of Pine Creek water tributary to Weiser River, with priority dates 5-1-1901 & 5-1-1902. The rights included diversion points in S. 35 & 36 to irrigate land in S. 25, 26, 35, & 36, T16N, R4W, Washington County.

Decreed Right No. 67-00229 for .82 cfs with a 5-1-1908 priority date for Pine Creek water is now added to the proposed change. The decree did not specify a point of diversion or place of use of this right. The right is claimed in the Snake River Basin Adjudication as Claim No. A67-00229 (Cecil Bilboa) for .82 cfs, 5-1-1908, Pine Creek, with a diversion point in SWNE S. 25 to irrigate 41 acres in NESW, SWSW, NESE, NWSE, S. 35, T16N, R4W. Basis of the Claim is the decreed right.

TO BE CHANGED AS FOLLOWS

All five rights with a total 1.68 cfs will use one or more of the following diversion points for any acres as follows, all in T16N, R4W:

Diversion Points: SENESW S. 25; NESENE (2 points), SESENE (2 points), SWSENE, NENWSE, NWNWSE, S. 35; NWSWNW S. 36; includes 5 ditches & 3 pumps.

Place of Use: SWSW, SESW, S. 25, SWNE, SENE, NESW, SWSW, SESW, NWSE, S. 35; NENW, NWNW S. 36 (64 acres total).

Multiple diversion points for common acres for association members in Pine Creek Estates will be used. No additional water or acres will be involved before or after the change. Source is also known as East Pine Creek.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before Jan. 3, 1994.

R. Keith Higginson
Director

Published in the Upper County News Reporter & The Weiser Signal on December 16 and 23, 1993

RECEIVED
JUL 27 1994

God Bless Your Day

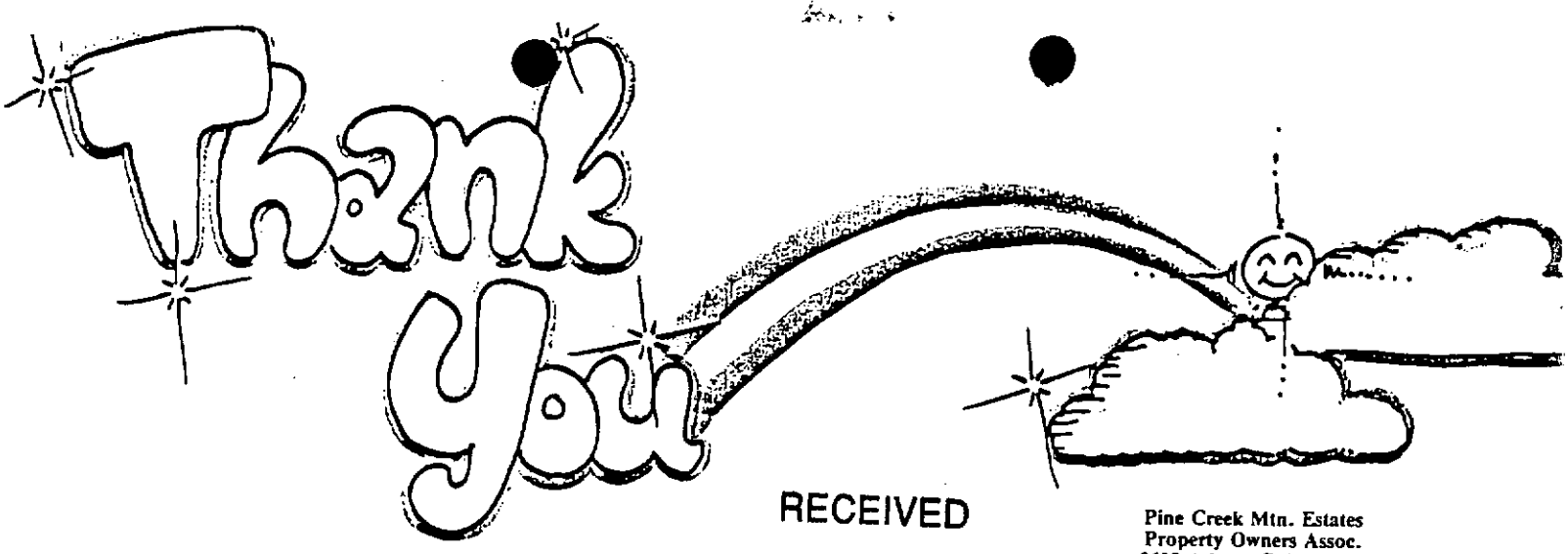
Pearl Ketz

Representative

Pine Creek Mountain EstateS

Hornet Creek Mountain EstateS

(208) 642-2744



RECEIVED
DEC 0 6 1993
WATER RESOURCES
WESTERN REGION

Pine Creek Mtn. Estates
Property Owners Assoc.
3608 Advent Gulch Road
Cambridge, Idaho 83610

12-2-93

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

Dear Steve -

I wanted to haste in returning the Transfer to you with my initials.

However - I did want to follow-up with a thank you for the good letter showing your effort.

It certainly puzzles me how the other areas fit in - however Mr. Bilbao seems to own more land each time I Turn around. [Hornet Creek for instance]

RECEIVED
JUL 27 1994



I presume you intend to add the right #67-00229 to the front page of the Transfer under Item B - At Least I couldn't find the change.

(over)

Your amended application indicates "changes on page 1 & 2" but the copy you sent doesn't appear to have anything changed as yet.

I presume you intend to add 67-00229 to the List A Right number - the priority date & amount to the amount & water — .86 + (.82)?

and the change in acreages watered. To totals. I presume the computer does this.

I really don't understand how the total amts add up. I'm trusting you totally to put it right. thanks

RECEIVED
JUL 27 1994

Sincerely Paul Kay

889- E 515

Steve —

Was This to be included?

67-00225 } other land
A67-00225 }

67-02096 } other land but
A67-02096 } old wid area
of concern

67-00229 } add to P.P.U.
A67-00229 } but just seems a
little loss

RECEIVED
DEC 0 2 1993
WATER RESOURCES
WESTERN REGION

Receipt #
W006278

10/16/1989

PINE CREEK MOUNTAIN EST.

ADJUDICATION CLAIM FEE

410162 9337 6490 386.00

already part of transfer # 4236

$386.00

CHECK 1095

Adjudication Claim #'s → A67-00219 A67-00229 ~~Water Right Numbers~~ A67-00220 A67-00226 A67-02096

Region: WESTERN Signature: _____

"Weimer"
1908
Pine Ck. water for land in S. 35 so appears to be used by Association members, add to Transfer # 4236

"Levander"
1915
Pine Ck. water but for land in T15N R3W S. 18-20 so not applicable to Transfer # 4236

RECEIVED
JUL 27 1994

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: W016995

Date: 12/ 2/1993
Time: 12:48:32

Received
From: PINE CREEK MTN ESTATES

Type of Payment	Program Acct	Amount
APP FOR TRNSFR OF WATER RIGHT # 4236 62105	229 21 1155	20.00
	Total	$20.00

CHECK 1024

Region: WESTERN Signature: D Buffington

RECEIVED
JUL 27 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 30, 1993

Pearl J. Ketz, President
Pine Creek Property Owners Irrigation Assoc.
820 8th. Avenue North
Payette, 83661

Re: Transfer No. 4236 for Pine Creek Water Rights

Dear Pearl:

I did receive your earlier letter sent to Cindy Hodges and me along with your letter of 11-27-93 inquiring about the transfer application for the Pine Creek water rights used by the association members. Please excuse the delay in responding. The field season has finally slowed down enough to allow me to focus on your situation.

In your letter of 10-22-93 you referred to other Pine Creek rights that perhaps should be included in the transfer. Specifically, you mentioned receipt no. W006278 and rights 67-00225 plus 67-02096. As you can see from the attached copy of the receipt, five rights are listed. Rights 67-00219, 220, and 226 are already part of the transfer as advertised.

Right 67-02096 (the Levander 1915 right) concerns Pine Creek water but is used on other land in T15N, R3W, Sec. 18-20 according to the license and the adjudication claim filed by Mr. Bilboa to protect the license. Right 67-00225 does not relate to this situation but to land in T14N, R3W, Sec. 10. These two rights should not be included in, and are not affected by, the transfer.

You probably meant to refer to 67-00229 instead of 225. Right 229 does appear to concern the association. The decree does not list the location of the point of diversion or the place of use for this Weimer right. Adjudication claim A67-00229 filed by Mr. Bilboa lists the diversion in Sec. 25 for irrigation of land in Sec. 35, all within T16N, R4W. This is the area associated with the advertised rights in the transfer application. It does appear that this right should be included in the transfer.

I prepared an amended application for your review and approval. All that was changed in the application was to add right no. 67-00229 to page 1, clarify remarks on page 2, and include another two-sided insert page for the right (pages 11 and 12). Please review the enclosed amended application and, if acceptable, initial and date it at the top of page 1 in the indicated spot. I did not include the numerous attachments in this mailing; they remain in the file at this office if you need to review them. The amended application and $20 fee should be returned to me as soon as possible for re-advertising.

JUL 27 1994

Your October letter mentioned possible confusion or miscommunication between all of the parties involved in this process. It is understandable how easily that could occur. To minimize any problems along those lines, I suggest that Mr. Bilboa deal directly with this office if he has any questions or concerns regarding his water rights since none of our interests are served by second and third-hand information. I will be glad to assist Mr. Bilboa if he would like any water right issues to be clarified.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure: Receipt No. W006278 (copy)
Amended Application for Transfer (original document)

CC: C. Bilboa
C. Hodges, IDWR Western Region

RECEIVED
JUL 27 1994

God Bless Your Day

Pearl Ketz

Representative

Pine Creek Mountain EstateS
Hornet Creek Mountain EstateS
(208) 642-2744



Pine Creek Mtn. Estates
Property Owners Assoc.
3608 Advent Gulch Road
Cambridge, Idaho 83610

CUDDY

11-27-93

RECEIVED
NOV 29 1993
WATER RESOURCES
WESTERN REGION

Dear Steve,

We haven't received any word regarding our transfer advertisement - Could any mail have been Lost?

Perhaps it would be best over the winter months to send any important Communication to our home address -

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

and to ⇒ Call 1-208-642-2744

Once our mailbox got Covered with 4½ feet of snow!

RECEIVED
JUL 27 1994

Sincerely,
Pearl K



Affidavit of Publication:

STATE OF IDAHO
County of Washington } ss.

Stuart Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforsaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began Oct. 20, 19 93 and ended Oct. 27, 19 93

Stuart Dopf

Subscribed and sworn to before me this 1st day of November, 1993

Notary Public in and for the State of Idaho, residing at Cambridge, Idaho 83610.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NOS. 67-00219A, 67-00219B, 67-00220, 67-00226

Notice is hereby given that Pine Creek Property Owners Irrigation Association of Cambridge, Idaho has applied to the Department of Water Resources to change the Point of Diversion of the Following described decreed water rights to be changed pursuant to Section 42-222 of Idaho Code. source for all the rights is Pine Creek tributary to Weiser River, and water is diverted and used for irrigation in T16N, R4W, Washington County as follows.

Right. No.	Priority Date	Amount of Water [CFS]	Point of Diversion	Place of Use
67-00219A	5-1-1901	.205	NENW S. 36	SW¼ S. 35
67-00219B	5-1-1901	.075	NWSE S. 35 NENW S. 36	NESW & SESW, S.35
67-00220	5-1-1901	.240	undefined	SWNE, SENE, NWSE, SWSE, S. 35
67-00226	5-1-1902	.340	undefined	SWSW & SESW, S. 25; SESE S. 26; NENE S. 35; NW¼ S. 36

TO BE CHANGED AS FOLLOWS

All four rights with a total of .86 cfs will use any one or more points of diversion for any acres as follows, all within T16N, R4W:

Diversion Poines; SENESW, S. 25; NESENE (2 points), SESENE (2 points), SWSENE, NENWSE, NWNWSE, S. 35; NWSWNW S. 36 (includes 5 ditches and 3 pumps).

Place of Use: SWSW, SESW, S. 25; SWNE, SENE, NESW, SWSW, SESW, NWSE, S. 35; NENE, NWNW, S. 36 (64 acres total).

Multiple points of diversion for common acres for property owners in Pine Creek Mountain Estates will be used. No additional water or additional acres will be involved before or after this transfer. Source is also known as East Pine Creek.

Any protest against approval of the proposed change of water right appliection must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before November 8, 1993.

R. KEITH HIGGINSON, Director

Pub. in the Upper Country News-Reporter 10/21 & 10/28/93

RECEIVED
NOV 0 2 1993
WATER RESOURCES
WESTERN REGION

JUL 2 7 1994

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NOS.
67-00219A, 67-00219B, 67-00220, 67-00226

Notice is hereby given that Pine Creek Property Owners Irrigation Association of Cambridge, Idaho has applied to the Department of Water Resources to change the Point of Diversion of the following described decreed water right(s) to be changed pursuant to Section 42-222 of Idaho Code. Source for all the rights is Pine Creek tributary to Weiser River, and water is diverted and used for irrigation in T16N, R04W, Washington County as follows:

Right No.	Priority Date	Amount of Water (CFS)	Point of Diversion	Place of Use
67-00219A	5-1-1901	.205	NENW S. 36	SW 1/4 S. 35
67-00219B	5-1-1901	.075	NWSE S. 35 NENW S. 36	NESW & SESW, S. 35
67-00220	5-1-1901	.240	undefined	SWNE, SENE, NWSE, SWSE, S. 35
67-00226	5-1-1902	.340	undefined	SWSW & SESW, S. 25; SESE S. 26; NENE S. 35; NW 1/4 S. 36

TO BE CHANGED AS FOLLOWS

All four rights with a total of .86 cfs will use any one or more points of diversion for any acres as follows, all within T16N, R04W:

Diversion Points: SENESW S. 25; NESENE (2 points), SESENE (2 points), SWSENE, NENWSE, NWNWSE, S. 35; NWSWNW S. 36 (includes 5 ditches and 3 pumps)

Place of Use: SWSW, SESW, S. 25; SWNE, SENE, NESW, SWSW, SESW, NWSE, S. 35; NENW, NWNW, S. 36 (64 acres total).

Multiple points of diversion for common acres for property owners in Pine Creek Mountain Estates will be used. No additional water or additional acres will be involved before or after this transfer. Source is also known as East Pine Creek.

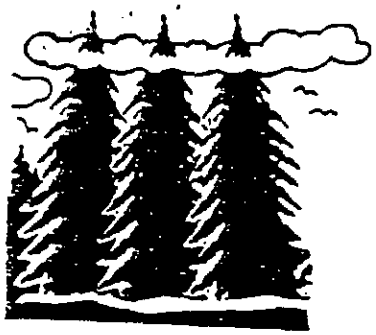
Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before November 8, 1993.

R. Keith Higginson
Director

Published in the Upper County News Reporter
on 10-21 and 10-28-93

RECEIVED
JUL 27 1994

ORIGINAL Ad.



PINE CREEK MOUNTAIN ESTATES
PROPERTY OWNERS ASSOCIATION

PEARL J. KETZ
PRESIDENT

RECEIVED
OCT 25 1993
WATER RESOURCES
WESTERN REGION

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

Home 1-208-642-2744
Work 1-503-889-9133
DON'T call work phone per previous
1-208-257-3258 NOT from Pearl

3608 Advent Gulch Rd.
Cambridge, Idaho 83610

-82
10/26/93

October 22, 1993

Dear Cindy & Steve,

Mr. Bilbao called me yesterday and said in reviewing the add for the transfer that you ran in the Cambridge paper on the 20th--there seems to be 2 Water Right Numbers missing, along with the inches of water aloted to them.

It seems that the mystery that puzzled Cindy as well as Vern & I has been solved finally. We knew all along that there was the ditch above the road, but since this land had belonged to Mr. Bilbao all this time since we have owned--we never paid much attention to how he was irrigating the upper part.

The reason we never included his other numbers is because we didn't realize that they refered to that area. And in his previous permission he did not mention these numbers.

He said he has irrigated out of the big main ditch the area marked in yellow, with the auxiallary ditch coming off the main ditch. And he will not give up the water from these rights.

He said you accepted his money for the adjudication on these rights, and he owns and uses these rights. Just because Vern & I didn't know it. He also said at the ditch the proof of the pudding is in the old orchard that is still bearing on lot 14 above the road. I am including photos to explain what he is saying.

He thought I was including these rights in the transfer and he doesn't care how you word it as long as these rights are transfered and the inches included in the Irrigation association transfer.

229?

Water right Number 67-00225 and 67-02096 Receipt # W006278 , dated 10-16-89 paid by Mr. Bilbao. He paid for 5 water rights for Pine Creek Mts. Estates. The priority date on Lavender right is 1-30-1915 and Weimer. His total inches are Webber-28 ;Howland - 24; Rutledge 34;

229

Weimer .82; and Lavender 1 inch aprox.

He says that it makes sense that you advertized for just a change of point of diversion for the .86 as it would be coming out of the secondary diversion--and nothing said about the rest coming out of the old diversion of which there is no change--AS LONG AS YOU ARE AWARE THAT HE OWNS AND CLAIMS USE OF THESE TWO RIGHTS AND THE INCHES ACCORDINGLY.

OCT 27 1994

He said to tell you he doesn't care how you state this and he doesn't feel another transfer is necessary. He just wants to be sure that he has not lost these rights or the inches and wants them all transfered.

Pearl J. Ketz

RECEIVED
OCT 25 1993
WATER RESOURCES
WESTERN REGION

Pine Creek Irrigation Association
% Pearl Ketz, President
Pine Creek Mountain Estates Property Owners Assoc.
820 8th Ave. N.
Payette, Id. 83661 1-208-642-2744

October 22, 199

Dear Cindy & Steve,

In thinking about the package of papers I mailed you this morning, I really believe Mr. Bilbao blames me for not getting it right. Because of this, I am willing to pay another $50.00 and fill out a transfer for the two other water rights and get this thing settled.

Perhaps, in case there are protests, and we have a meeting, we will finally get Mr. Bilbao to come and speak for himself.

I tried several times to have him review the papers, as well as read all the documents and discuss Cindy's visit and report--but he said he didn't have the time.

We do want to have everything honest and above board. If you decide that another transfer is in order, please send me the appropriate forms, and I will do my best to fill them out correctly.

If another field visit is in order, we will do our best to cooperate--although winter is fast approaching.

Mr. Bilbao is still the owner of all the land in question and the water rights are his to certify and transfer. I have tried to honestly answer all your questions--even though I wondered about taking away the upper few places, since Jerry Meyers had them on the list that Mr. Bilbao and Mr. Howland had worked out so carefully and checked.

I so hoped that we were finished with the transfer. I really think that Mr. Bilbao would accept a written explanation of how you figured his water rights. He really felt that since you only advertised for a Change of Diversion on three rights, that you had put the other two rights along with the other inches of water in the category of rights present but not changed. If this were the case--he said that's fine. As long as there was somewhere in the record that these also had been transferred to the Irrigation Association, He does not wish to be involved in the Pine Creek Irrigation Process any longer-but neither does he want to lose anything....He has worked so hard over the years to maintain these rights, traveling clear to Washington D.C.

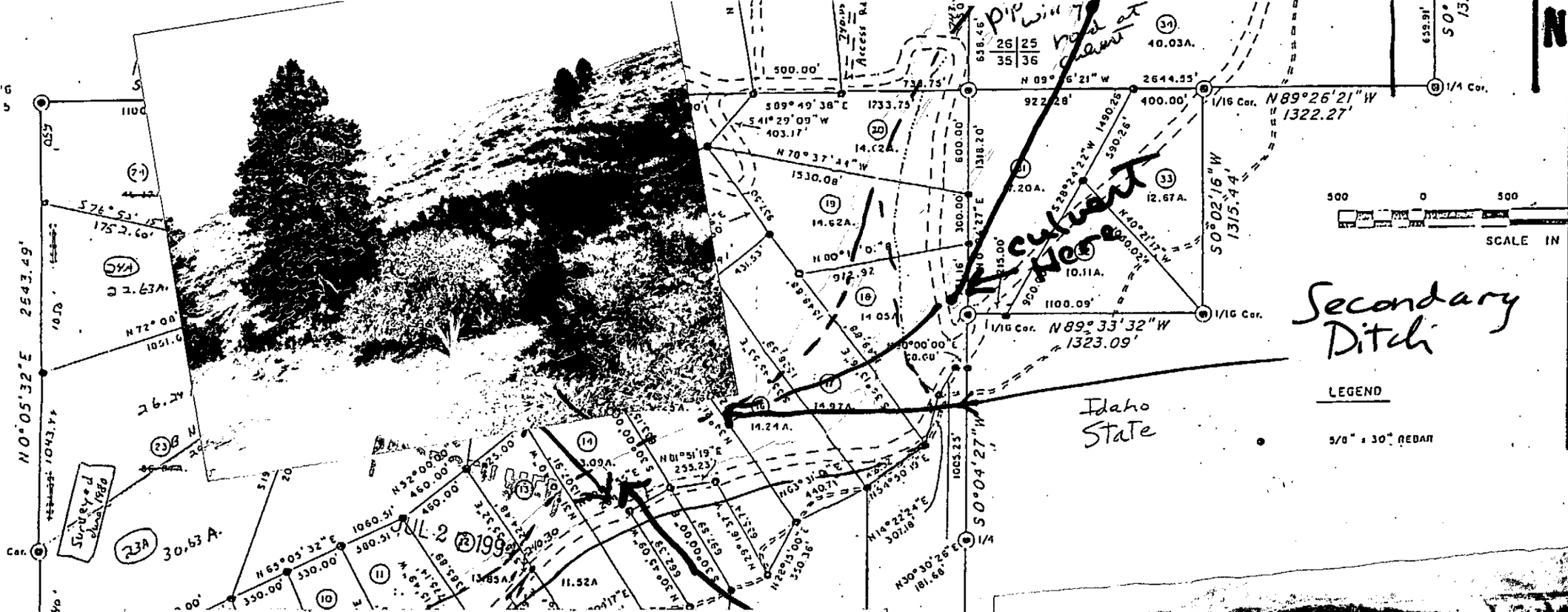
I hope you can resolve this to his satisfaction without too much trouble. We really appreciate all you have done to try to get this resolved.

JUL 27 1994

Sincerely,

Pearl J. Ketz, President
Pine Creek & Hornet Creek Property Owners Assoc.

P.S. Aren't we glad Hornet Creek Mountain Estates has no water rights!


Mr. Young irrigated out of the said — across creek We never went over creek to look at this area what you were here
current flow
Secondary Ditch
Idaho State
LEGEND
5/8" x 30" REBAR
SCALE IN
N89°26'21"W 1322.27'
N89°33'32"W 1323.09'
S0°04'27"W
S0°02'16"W 1315.44'
N0°05'32"E 2643.49'
N0°05'32"E 1911.78'
S0°01'26"E 2646.43'
JUL 2 1990
INITIAL POINT
road
K ditch
old orchard
Prune Trees & Apricot Trees above road
NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT Boise
MY COMMISSION EXPIRES LIFE

Pine Creek Mtn. Estates
Property Owners Assoc.
3608 Advent Gulch Road
Cambridge, Idaho 83610

HEARTLAND OF THE WEST!

COLUMBIA RIVER
LOWER MONUMENTAL DAM
ICE HARBOR DAM
LITTLE GOOSE DAM
LOWER GRANITE DAM
PULLMAN
MOSCOW
MISSOULA
N.FK. CLEARWATER RIVER
DWORSHAK DAM
CLEARWATER RIVER
LOLO PASS
LOCHSA RIVER
LOWELL
SELWAY RIVER
IDAHO
MONTANA
CLARKSTON
LEWISTON
SNAKE RIVER
SALMON RIVER
GRANGEVILLE
PASCO
WALLA WALLA
WASHINGTON
OREGON
McNARY DAM
GRAND RONDE RIVER
HELL'S CANYON NAT'L. REC. AREA
ENTERPRISE
RIGGINS
IMNAHA RIVER
HELL'S CANYON DAM
LA GRANDE
WALLOWA MTS.
S.FK.SALMON
MID. FK. SALMON RIVER
SALMON RIVER
HALFWAY
BAKER
OXBOW DAM
McCALL
BROWNLEE DAM
CHALLIS
Pine Creek Mtn. Estates
Cambridge, Idaho 83610
PAYETTE RIVER
BANKS
S. FK. PAYETTE RIVER
STANLEY
SAWTOOTH MOUNTAINS
BOISE RIVER
BOISE
KETCHUM
ARROW ROCK DAM
NAMPA
OWYHEE DAM
BIRDS OF PREY NATURAL AREA
SWAN FALLS DAM
GLENNS FERRY
KING HILL
GRAND VIEW
MALAD RIVER
C.J. STRIKE DAM
BUSS DAM
HAGERMAN
LOWER SALMON FALLS DAM
THOUSAND SPRINGS
UPPER SALMON FALLS DAM
TWIN FALLS
OWYHEE RIVER

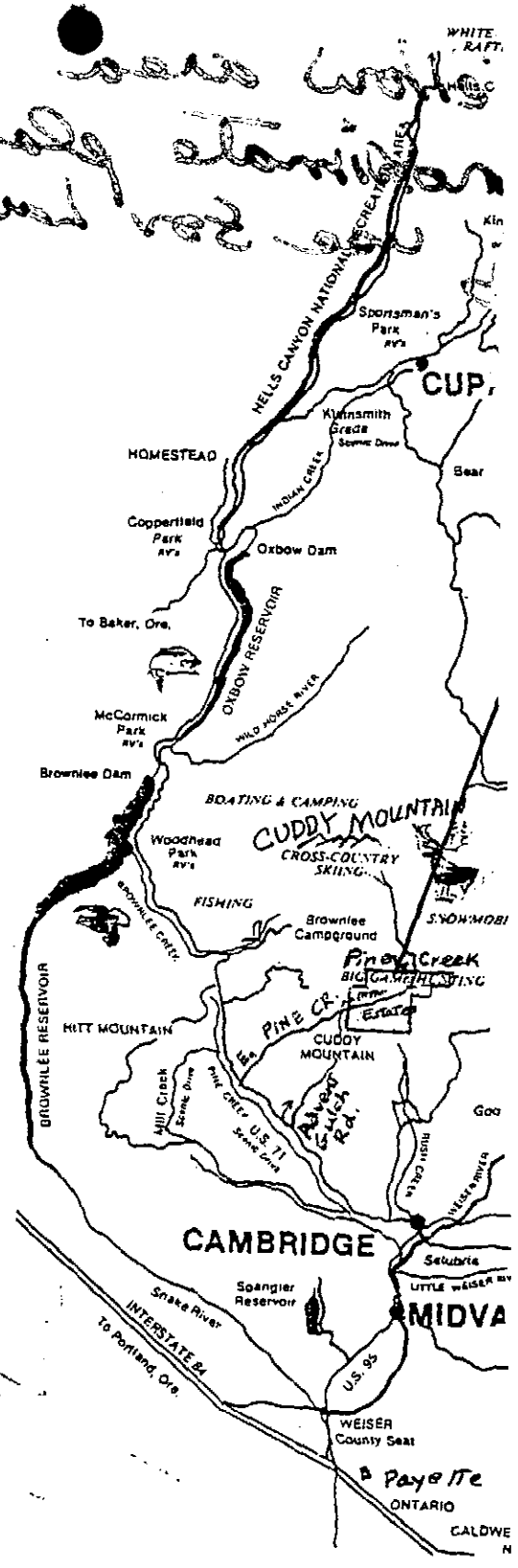
ADVENTURE TERRITORY
The 13 Western states including Alaska, Hawaii, Western Canada and Western Mexico.

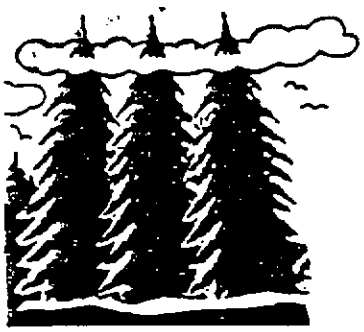
Pine Creek Mtn. Estates
Property Owners Assoc.
3608 Advent Gulch Road
Cambridge, Idaho 83610

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

1-208-642-2744

RECEIVED
OCT 25 1993
WATER RESOURCES
WESTERN REGION





PINE CREEK MOUNTAIN ESTATES
PROPERTY OWNERS ASSOCIATION

PEARL J. KETZ
PRESIDENT

1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Idaho 83610

RECEIVED
OCT 25 1993
WATER RESOURCES
WESTERN REGION

10-22-93

Dear Cindy,

Vern & I have watered Trees above the road with jugs that we packed up by truck & with Creek Water.

We never understood that the ditch is not cut off by the road but goes under the road at the top spring culvert. You never drove up the top road because we gave you the wrong steer

(over)

JUL 27 1994

We are very sorry
for any Trouble this
may cause -

Remember when we talked we
thought the road had
filled in the top ditch.
It is plain to see the
top ditches in the picture
and how he irrigated - now
that he finally explains it
better (sigh)

RECEIVED
JUL 27 1994

Come back up to verify this if
you need to - It's a beautiful fall.

Pearl + Vern Kelz

PINE CREEK MOUNTAIN ESTATES
PROPERTY OWNERS ASSOCIATION

PEARL J. KETZ
PRESIDENT

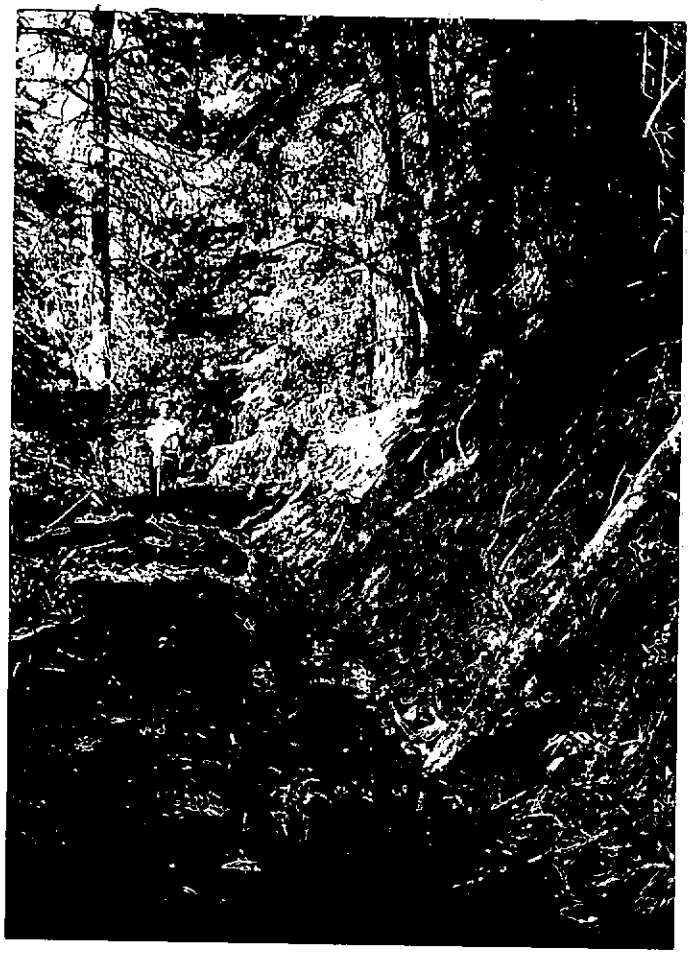
RECEIVED
OCT 25 1993
WATER RESOURCES
WESTERN REGION

1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Idaho 83610

#1

Pictures of Vern at our new tree plantings above the road on # 11
Nothing was ever said about use of water on #11 above the road in the old meeting - only #10



no water



JUL 27 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 14, 1993

GERALD MYERS
HC 70 BOX 2010
MIDVALE ID 83654

Re: Application for Transfer of Water Rights Nos. 67-00219A & B, 67-00220 and 67-00226 in the Name of Pine Creek Property Owners Irrigation Association

Dear Watermaster:

Enclosed is an application(s) for transfer of a water right(s) within your water district. Also enclosed is a form for your recommendation concerning this application.

Please review the application and return the enclosed recommendation form within two weeks. If you have questions or need information, feel free to contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

Enclosure: Copy of Application
Recommendation of Watermaster Form

RECEIVED
JUL 27 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 14, 1993

PEARL KETZ PRES
PINE CREEK PROPERTY OWNERS IRRIG ASSN
3608 ADVENT GULCH RD
CAMBRIDGE ID 83610

Re: Application for Transfer of Water Right Nos. 67-00219A & B, 67-00220 and 67-00226

Dear Ms. Ketz:

Enclosed is a copy of the advertising of the above-referenced transfer application.

If you have any questions please call this office.

Sincerely,

Sue Taylor

Sue Taylor
Secretary, Office Coordinator

Encl.

RECEIVED
JUL 27 1994

MEMORANDUM

TO: TRANSFER FILE NO. 4236

FROM: STEVE LESTER

DATE: DECEMBER 7, 1993

RE: AMENDED TRANSFER APPLICATION FOR RIGHTS 67-00219A & B, 67-00220, 67-00226, AND 67-00029

****

The original transfer application was received on 3-24-92. Considerable correspondence and telephone calls were involved in 1992 in an attempt to clarify the application for advertising and additional processing. It became apparent that a field exam would be needed to accomplish this. Due to unavoidable circumstances, an exam was not conducted until 5-20-93 by Senior Agent Cindy Hodges. Because the beginning of the 1993 irrigation season is essentially the same as the end of the 1992 season for verification purposes, the 1993 exam can be considered the best available information to verify existing uses as of 1992.

AMENDMENT After the transfer was advertised for rights 219A&B, 220, and 226, the applicant sent additional information provided by the owner, Cecil Bilboa, that right 67-00229 has been used by the association members. This right was not discovered in review since the decree does not define the P/D or P/U for 229. However, SRBA claim A67-00229 for C. Bilboa does show a diversion in SWNE S.25 for 41 acres in south 1/2 S.35, which is within the area in question. The transfer was amended to include this right and re-advertised. The effect of the change was to add .82 cfs of 1908 water to the common P/D and P/U proposal.

FORFEITURE AND PERMISSABLE PLACE OF USE Right 219 was split by transfer no. 3377 (1988), and all of the rights have been used for some time as a more or less common system for a number of users within Pine Creek Mountain Estates according to the applicant's information and SRBA claims. The current transfer application seeks to codify the existing uses and to allow a number of diversion points as needed by the users. It is possible that the users may utilize only one or several key diversion points at some later date, but meanwhile up to eight diversion points are needed as found by Cindy's thorough examination. No new place of use quarter-quarters (QQ) are found in use when compared to decree and T.3377 files, but some acres per QQ seem to have been changed over time.

Note that T.3377 showed that land below the old ditch and above the access road was not irrigated and should not be irrigated (see Remarks in current application). This is an area of forfeiture as outlined on the subdivision plat attached to this memo. That map represents approximate boundaries within QQ's but is not intended to be an exact irrigation boundary with respect to subdivision lot boundaries - the key point of the map is to show irrigated acres/qq, approximate irrigated sites in QQ's, and the lack of use north of the access road within S.35.

JUL 27 1994

Attachment A (7 pgs.)

The Region was unable to obtain adequate photographic material to verify acres irrigated in the last five years prior to the transfer application. No NAPP or newer ASCS photos are available to depict the past five year period. For this reason, Cindy's exam serves as the best available method to quantify irrigated acres as of 1992 and in the last five years. The previous transfer and decreed water right information imply that approximately 134 acres were served by the five rights (total cfs divided by 5/8" per acre from decree implies irrigated land under the rights: 1.68 cfs / .0125 cfs/acre = 134 acres). Currently, 64 acres can be verified. Seventy acres are considered forfeited.

Attachment F is a copy of the Watermaster (WM) delivery record (District 67) for the users in the subdivision. Note that total WM delivery equals .86 cfs for 219-226 and .82 cfs for 229. The WM record implies a lump sum of water delivered to numerous users of rights 219-226, which in turn suggests that a permissable place of use (PPU) was developed over time for these water rights. The priority dates of the rights are either identical or very close in time, strengthening the PPU practice.

RATE OF FLOW AND CONVEYANCE LOSS It is not clear from WM records if right 229 was used in the subdivision, but the SRBA claim implies that such use did occur. The role of this junior right can be seen after calculating ditch loss and determining which rights provide full irrigation coverage to the 64 verified acres.

The amount of water required for 64 acres at the decreed duty of .0125 cfs/ac (5/8 inch/acre) is .80 cfs. By comparing acres implied per right to priority dates, it can be seen in the next paragraph that 1901 water covers about 42 acres with the remaining acres within the total place of use covered by 1902 water. Thus, if 1902 water is cut, 42 acres within the 64 acre parcel can be irrigated. However, it seems unlikely, although theoretically possible, that 1901 water could be delivered but 1902 water could not.

By dividing the rate of flow by the decreed duty of water, the number of acres covered per right is obtained. The idea is to use senior rights first before proceeding to junior rights. The results are shown below:

#219A	1901 water	.205 cfs / .0125 cfs/ac =	16.4 acres
#219B	1901 water	.075 cfs / .0125 cfs/ac =	6.0 acres
#220	1901 water	.24 cfs / .0125 cfs/ac =	19.2 acres
			41.6 acres

64 acres - 41.6 acres = 22.4 acres remaining.

#226 1902 water .34 cfs / .0125 cfs/ac = 27.2 acres but only 22.4 remain to be covered; 22.4 ac x .0125 cfs/ac = .28 cfs and rest of water can be applied to ditch loss.

JUL 2 7 1994

Thus, full irrigation use is supplied by 1901 and 1902 water, with a portion of 1902 and 1908 water providing ditch loss. To calculate conveyance loss, the Moritz program is used (see attached). Estimated loss is 41%, and to provide the full duty of water, or .80 cfs, the loss is added to the required rate as follows: 1.41 x .80 cfs = 1.128 = 1.13 cfs. Table 1 summarizes the recommended rates, acres and uses per right.

Table 1. Recommendations Based on Field Exam and Analysis.

Right No.	Priority Date	Irrigation Cfs	Irrigation Acres	Ditch Loss (Cfs)	
67-00219A	1901	.205	16.4	0	Part C
67-00219B	1901	.075	6	0	Part C
67-00220	1901	.24	19.2	0	
67-00226	1902	.28	22.4	0	
67-00226	1902	0	0	0.06	
67-00229	1908	0	0	0.27	(balance of loss)
67-00229	1908	0	0	0	(.82 - .27 = .55 cfs lost due to non-use)
	Total	.80	64.0	0.33	

VOLUME OF WATER A volume component needs to be included in the transfer approval process. The field headgate volume requirement for the area is 4 afa/ac, and there are 214 days in the irrigation season based on current standards. Compare the volume requirement to volume diverted and use the lesser value.

Volume Required: 64 acres x 4 afa/ac = 256 afa

Volume Diverted
with ditch loss: 1.13 cfs x 214 days x 1.9835 factor = 479.6 afa

without loss: .80 x 214 x 1.9835 = 339.6 afa

The recommended diversion volume is 256 afa, thus implying 192 afa consumptive use volume (64 x 3).

JUL 27 1994

Clarification of Source Names - Transfer No. 3377 lists Basque Spring Creek as one of two source names. The decree and previous transfer identify Pine Creek as a source name. In the current transfer, the source and tributary are clarified based on the topographic map. The source is, and always has been according to the topographic map, East Pine Creek (not East Fork) tributary to Pine Creek and should be recorded as such in the new transfer unless this presents an unnecessary complication for Watermaster records-keeping at this time. If that is the case, the proper name and tributary can be recorded during SRBA review, in which case Pine Creek tributary to Weiser River should be shown on page 1 of the application at this time.

SUMMARY Rights 219A&B, 220, and 226 are recommended with eight P/D's for .80 cfs with a diversion volume of 256 afa and consumptive use volume of 192 afa from 4/1 through 10/31 to irrigate 64 acres in a PPU. Conveyance loss of .33 cfs is provided via portions of rights 226 and 229. The balance of right 229, or .55 cfs, appears forfeited due to non-use.

CC: Cindy Hodges

JUL 2 7 1994

PINE CREEK MOUNTAIN ESTATES

WITHIN

SECTIONS 25, 26, 35, & 36 OF T.16N., R.4W., B.M.

2200 E | 2300 E | 2350 E

3725 N | 3700 N | 3600 N

S27 S26 / S34 S35 | S26 S25 / S35 S36 | S2 S1 / S3 S2

T.16N. | T.15N.

SWSW | SESW | NENE | SENE | SWNE | NESW | NWSE | SESW | SWSW | NWNW | NENW

QUESTIONABLE ACRES NOT INCLUDED

8 AC. | 5 AC. | 8 AC. | 1 AC. | 20 AC. | 1 AC.? | ½ AC.?

PRIVATE ROAD NO. 2 | PRIVATE ROAD NO. 3 | PRIVATE

Residence #

NO verified irrig. in this area found above Road in 17/18

Approx. QQ lines

VERIFIED ACREAGE* PER 5/20/93 EXAM

ACRES/QQ

exam found 8S acres this qq - land south of creek. Ortho shows treated land by creek, then range land in south part of qq.

NO acres south of creek this qq.

SW¼: Acres found North of creek & south of access road only.

ACCESS Road

ADVENT GULCH RD.

Subd Lot #

VERIFIED irrig & # acres

QUESTIONABLE acres & # acres NOT credited in transfer

* Boundaries from CJH's exam maps transposed 11/16/93. These boundaries are not meant to represent accurate lines within subd. lots - just trying to show relative location of verified acres within QQ's.

Note that verified irrig is found below ROAD in lots 6/7 through 17/18; NO irrigation above Roads until get into Section 36 & 25.

0 300 600 1200

SCALE IN FEET

DETAIL N-1 OF N

N N N

N N

K K K

12/07/93 S.M.L.

```
*********************************************
* MACALLISTER'S MODIFICATION OF MORITZ       *
* LOSS CALCULATION FOR                       *
* THE PINE CREEK IRRIG ASSOC                 *
* WATER RIGHT NO. 67-00219A                  *
*********************************************
```

intermediate value used

Q DIVERTED: 1.13
Q DELIVERED: 0.80
PERCENTAGE LOSS: 41.17

TYPE OF SOIL: CLAY LOAM AND SILT
SOIL CONSTANT= 1.00 (FEET/DAY)
LENGTH OF HEAD OF DITCH: 0.23
LENGTH OF DELIVERY SECTION: 1.75

TOTAL ditch Length ≈ 2 miles
from CJH exam maps

LOSS TABLE FOR HEAD OF DITCH

MILE	Q (CFS)	LOSS (CFS)
0.23	1.09	0.04

LOSS TABLE FOR DELIVERY

MILE	Q (CFS)	LOSS (CFS)	Q DELIVERED (CFS)
1.00	0.44	0.19	0.46
1.75	0.01	0.09	0.34

C 41% ditch loss

(1.41)(.80 cfs) = 1.128 = 1.13 cfs

.80 cfs irrig
.33 cfs conveyance loss

JUL 27 1994

Ditch Loss

Acreage Worksheet from CJH field work & W.R. database

LAND LIST ATTACHMENT

NO New QQ found with irrigation when compared to decreed plat & T. 3377.

Description and location of place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
		25											5	8					13
		26																	0
		35	☆		2	10*					8		3	3		4			30
		36					1	20*											21
																			64

Total Irrig. Acres found 5/20/93 site visit

Permissable Place of Use

RIGHTS AS P.P.U.

219A (found in plat QQ from T. 3377 5/20/93)

.205 cfs
16 acres

		35									4	0	3	1					8

found 8 acres less

219B (Found in plat QQ from T. 3377 5/20/93)

.075 cfs
6 acres

		35									4			2					6

No change

220 (Per decree QQ found 5/20/93)

.24 cfs
19.2 acres (implied)

		35			2	10										4	0		16

found 3.2 acres less

226 (Per decree QQ found 5/20/93)

.34 cfs
27.2 acres (implied)

		25											5	8					13
		26																0	0
		35	☆																10
		36					1	20*	0	0									21
																			34

found 6.8 acres more

JUL 27 1994

Total number of acres irrigated _____

☆ also found questionable acres not credited:
5.75 NENE (1) SENE (1)
5.36 NWNW (8)
10 total questionable acres not credited.

CURRENT RIGHTS IF NOT P.P.U.

all rates are 5/8" per acre (.0125 cfs)

Comparing PPU (top) to traditional acres/right method (bottom). Preferred alternative is PPU.

Pine Creek Ranch

P/D's

#1 SENESW Main Ditch. May deliver all rights 219, 220, 226

#2 NESENE (North side) Not currently used, but may divert into ditch which runs below road (219, 220)

#3 NESENE (South side) Both #2 & #3 established by Noah ~1978. #3 used to irrigate lot 5 (Bilbao) South of creek

#4 SESENE Pumping site for LOT 17

#5 SESENE (South side) Private diversion (gravity) for Lot 4

#6 SWSENE Pumping site for LOT 15 (Noah)

#7 NENWSE Pumping site for LOT 13 (White)

#8 NWNWSE Gravity diversion established by 1985 XFER. May divert flows for all of 219 & (possibly) part of 220

P/U

Sec 25 SWSW 5 } * "orchard-area" which I suspicion
SESW 8 } was not included in its entirety in decree. Many of the "homestead" areas along creek have not been irrigated for some time. Accomplished XFER? * * (See below)

Sec 26 NONE

Sec 35 NENE 1 * questionable

SWNE 2

SENE 11 * 1 is questionable

NESW 8

SWSW 3

SESW 3

NWSE 4

Attachment E (8 pgs.)
5/20/93 field exam
by CJH

Sec 36 NENW 1

NWNW 28 * 8 are questionable

74

-10 questionable

64

(6 7/8 implied by decree)

RECEIVED
JUL 27 1994

* * Also, a condition in the 1985 transfer states that irrigation from #8 diversion shall only be below the road. There is a ditch some distance above the road which was originally used—this implies a forfeiture of all lands between road & upper ditch.

CONVERSATION MEMORANDUM

DATE 5/11/93

FILE Pine Ck Transfer File

NAME OF PARTY Vern Ketz 642-2744

EMPLOYEE Steve Lester

RE: APPT. Thurs. 5/20/93 ≈ 9:30 – 10:00

≈ 2 hrs from Boise

- From Cambridge go ≈ 5 miles on Hwy 71 (towards Brownlee Reservoir)
- Turn Right on Advent Guleh Rd & go ≈ 4½ miles to gate (green with yellow posts)
- Go ≈ ½ mile past gate to 1st populated area
- Look for upstream ~~trailer~~ & turn/leads on Right (driveway will lead down towards creek).
- Ketz = 3608 Advent Guleh Rd but may not be any #'s ~~on~~ posted.

Will be present at site

(Vern Ketz - Pres. Pineveich Property Owners Irrig Assoc.
Cecil Bilbao - holds contracts on property
Gerry Myers - Watermaster (67) 355-2345

Site visit to determine info to [redacted] transfer appl. to be revised:
pld, plan - before
pld, plan - after

JUL 27 1994

Linda Werner may be interested in going since she was involved in claims taking.

Short term plans: maintain water rights as dictated,

Long - install pipeline from headgate, following ditch down from spring to below main road to service all lots (via private taps) which are presently irrigated.

? Change Plu & P/D to include acreage in LOTS 4 & 5 on South Side of creek.

Identify P/D's which may be used on a permanent basis

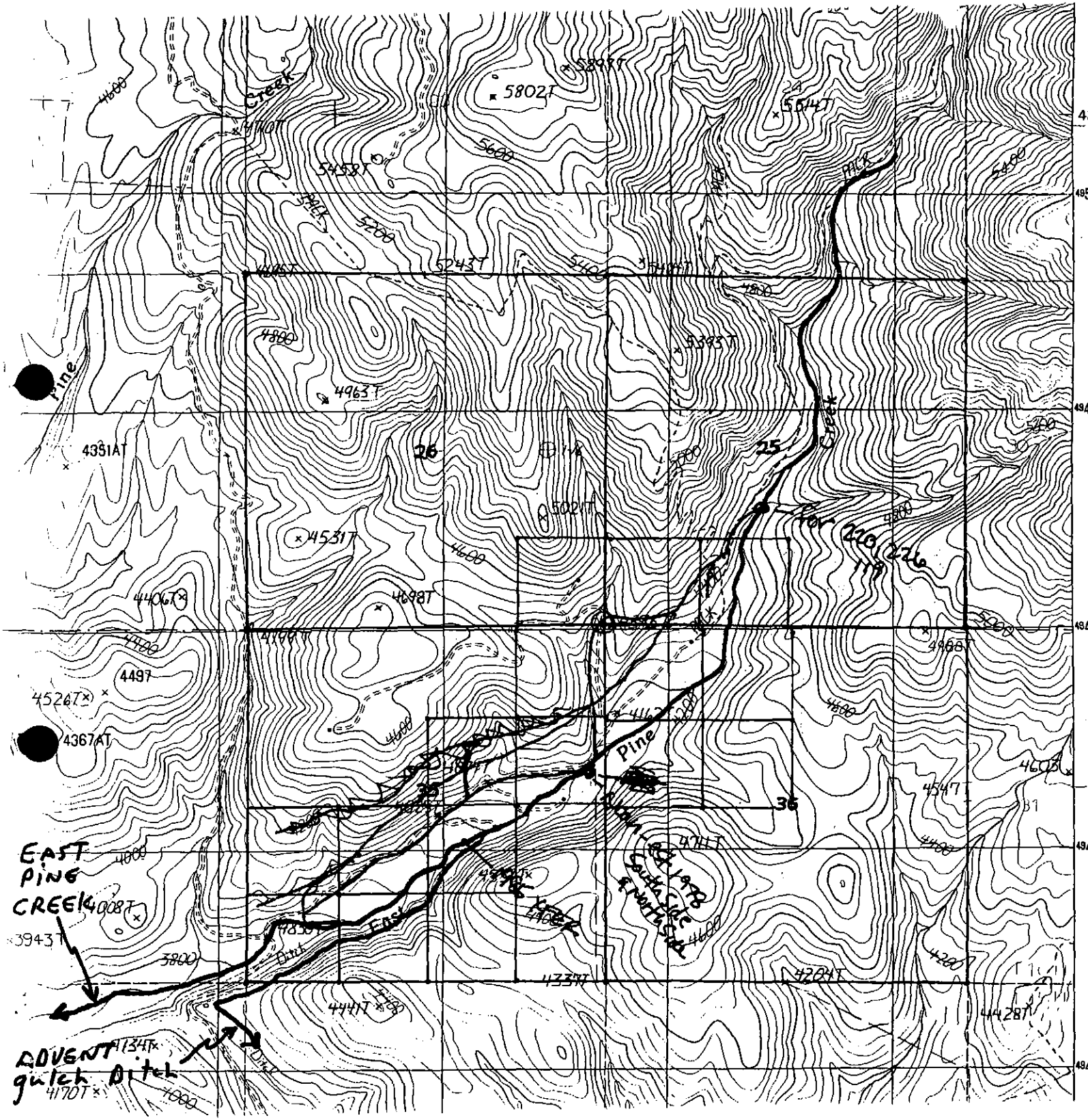
Identify P/D's which will be used until pipeline is established (whited, etc) then dropped?

Go to permissable Plu? implies Soin note from Bilbao

** All owners will be included (new info)

- I would guess Bilbao can insist on this because he is carrying lien on all notes at this time.

JUL 27 1994



JUL 27 1994

P/D's in use

T16N
R4W
S. 25, 26,
35, 36

No govt lots

East Pine Creek is only named stream in 4 sections.

Decreed use - below ditch

PINE CREEK MOUNTAIN ESTATES

S1/2, of the SE1/4 of Sec. 26; S1/2, of the SW1/4 of Sec. 25; NW, of the NW1/4 of Sec. 36; and Sec. 35, T.16N., R.4W., B.M., Washington County, Idaho

— STEVE SCHWILLING R.L.S. — 1978

TABLE OF CURVE DATA

C	R	DELTA	T	L	CHO.	CHO. BEARING
A	330'	31° 01' 38"	91.60	178.70	176.53	N 32° 52' 05" E
B	105'	114° 48' 57"	164.23	210.41	176.93	N 40° 03' 13" W
C	460'	16° 26' 02"	66.45	131.94	131.49	N 89° 14' 40" W

Payette National Forest Boundry S 89° 47' 49" E 2631.44' — 1/16 Cor. — S 89° 30' 08" E 2647.11' — 1/16 Cor. — Payette National Forest Boundry

Yellow line

CURRENT INFORMATION 5/93

CURRENT Surv. Boundary 1993?

Payette National Forest Boundry S 89° 49' 40" E 2653.28' — 1/4 Cor. — S 89° 49' 38" E 1400.00' — S 89° 49' 38" E 1733.75' — S 89° 26' 21" W 2644.55' — 1/4 Cor. — N 89° 26' 21" W 1322.27'

N 0° 04' 01" E 1318.32' — N 0° 04' 44" W 1319.81' — S 0° 04' 44" W 1319.81'

N 0° 05' 32" E 2643.49' — N 0° 05' 32" E 1911.78' — N 0° 05' 32" E 1315.44' — S 0° 02' 16" W 1315.44' — S 0° 01' 26" E 2646.43'

N 89° 01' 39" W 147.76' — N 89° 33' 32" W 1323.09'

N 89° 53' 24" W 2623.55' — N 89° 51' 20" W 2669.67'

INITIAL POINT — CO. ROAD — 1/4 Cor. — 1/16 Cor.

Idaho State Land

not used now most Property pumped

Lots 6-14 have land btw. old unused ditch & road

Yellow line not totally accurate

LEGEND

- 5/8" x 30" REBAR
- BRASS CAP
- (7) LOT NUMBER
- EXISTING ROADS - 60' ROW
- EAST FORK PINE CREEK
- SMALL STREAM

SCALE IN 500 0 500

STEVE SCHWILLING, BEING DULY SWORN, S
LAND SURVEYOR LICENSED TO PRACTICE BY
HE HAS COMPARED THE ABOVE COPY WITH T
THE SAME IS A TRUE AND EXACT COPY OF

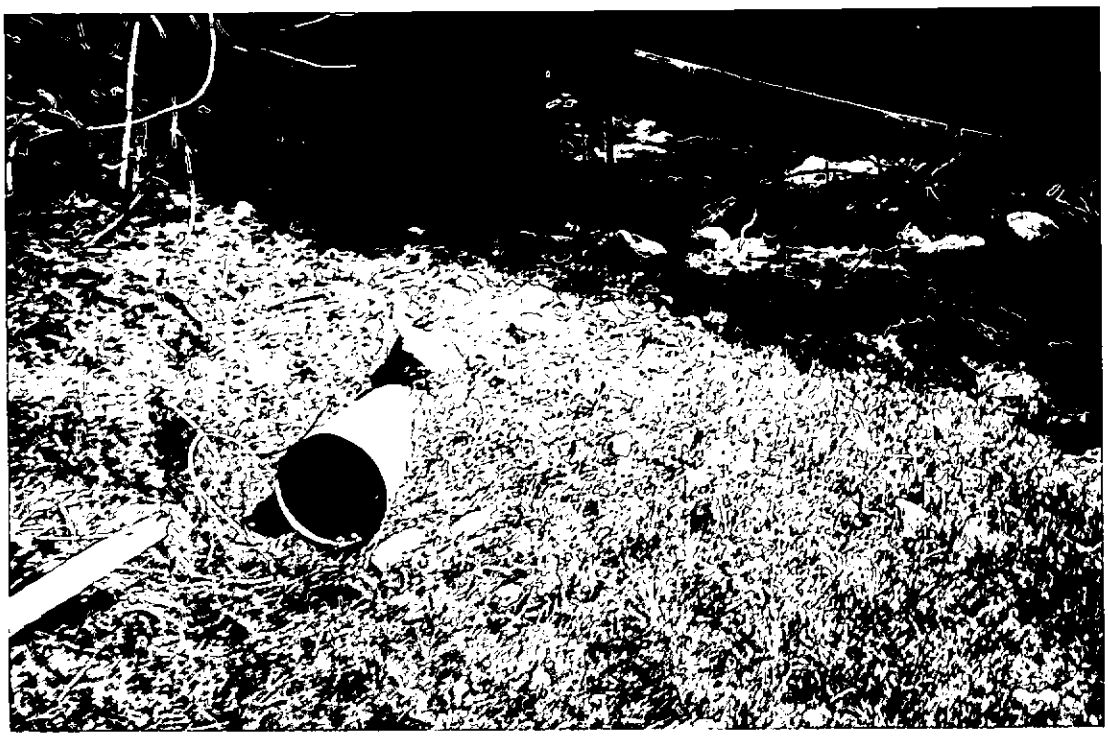
STATE OF IDAHO } S.S.
COUNTY OF ADA }

SUBSCRIBED AND SWORN TO BEFORE ME TH

James R Nelson

NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT Boise
MY COMMISSION EXPIRES LIFE

Pine Creek Estates
5/20/93 CJH



1.-2.
Main Forest Service (Sec 25) headgate. Shown closed & at ½ open.

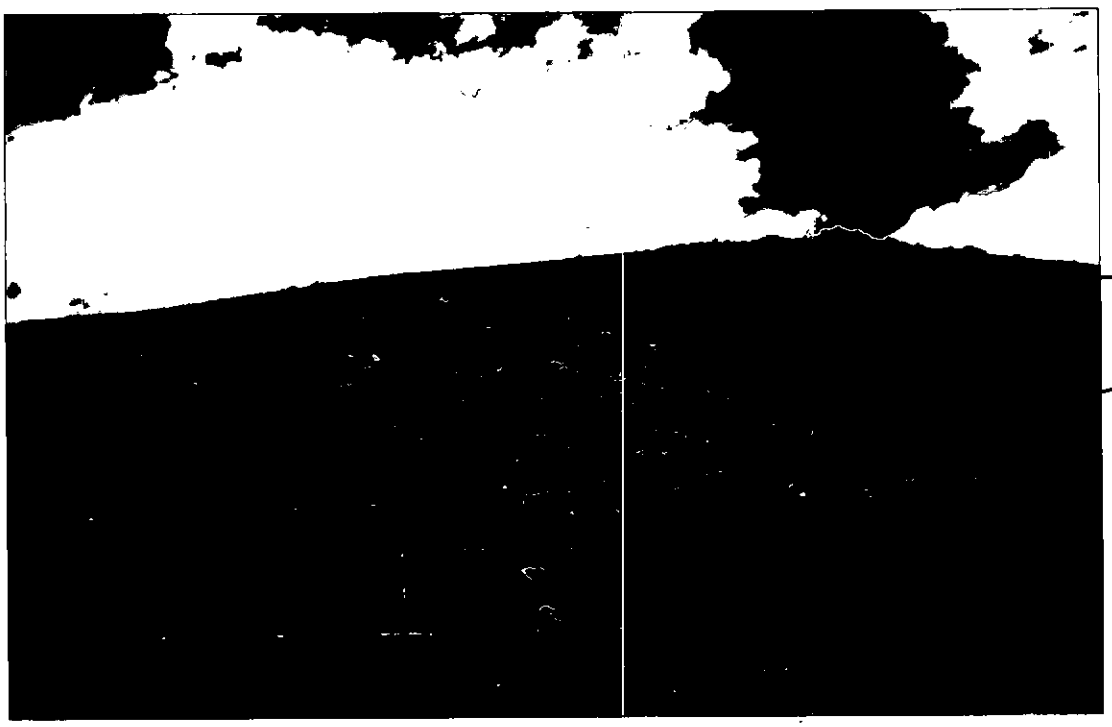


JUL 27 1994

Pine Creek Estates
5/20/93 CJ4



3. Typical irrigated P/u (SW Sec 35). Ketz property to right of photo



4. Old ditch line on hill above main road. No use on acres between ditch & road.

- Photo 4 shows part of area where irrig. cannot occur per T3377 condition of approval JL 11/1/93

RECEIVED
JUL 27 1994

PINE CREEK MOUNTAIN ESTATES IRRIGATION ASSOCIATION

Each original lot owns one (1) share in Basque Spring Water (1/35) development.

The irrigatable land in Pine Creek Mountain Estates lies within the East Fork Pine Creek drainage so that all water used recharges the aquifers that flow into the creek.

Purposes and benefits of the Pine Creek Mountain Estates Irrigation Association:

Participating owners have been issued one hundred (100) shares per inch of water or a part inch thereof as listed in the official prorated list.

The shares must remain with the land.

All major issues will be decided by popular vote under the auspices of the Pine Creek Mountain Estates Property Owners' Association.

All property owners must cooperate fully with the President of the Irrigation Association and the Watermaster.

Water will be beneficially applied to each irrigatable portion at least once every five (5) years according to the original water rights of Rutledge, Howland, and Webber, overseen by the Association.

All water use is in constant development and process according to season and need.

The Association is in favor of pipe lines as compared to ditches, and in favor of drip system instead of sprinkers when and where this is possible.

The Association President will serve until he resigns or until a majority of owners vote to elect another officer. Pearl Ketz will serve as Secretary.

The total inches of water under the direction of the President according to the decreed water rights is Forty-three and forty-two one hundreds (43.42)

JUL 2 7 1994

Received from Pearl Ketz 5/20/93 CJ4

Statement for the May 20, 1993 meeting with the Idaho State Water Board officials, Jerry Meyers, Watermaster, Vern Ketz—President of Pine Creek Mountain Estates Irrigation Association and Pearl Ketz, President of Pine Creek Mountain Estates Property Owners Association, 3608 Advent Gulch Road, Cambridge, Idaho 83610:

I, Cecil Bilbao, unable to attend the meeting because of an emergency duty with my cattle, do hereby authorize Pearl Ketz by phone to represent me and present my statements as given to her over the phone:

I have personally requested the transfer of Pine Creek Mountain Estates Water rights to the Irrigation Association to be overseen by Pearl & Vern Ketz for the benefit of the entire Pine Creek Mountain Estates Subdivision.

I have in my possession signed Affidavits that the ditch and right of way in the National Forest was deeded by the Dept. of Interior to the Family of the States in 1890 before the Payette National Forest was ever established in 1906. I have personally used this ditch, installed the proper headgates, and irrigated all the land as listed in the prorated list made up personally by the Watermaster and myself as presented to Linda Werner, Senior Agent of the Idaho State Dept. of Water Resources.

I have personally used all the amounts of water shown in the estates on a continuing and rotating bases since the 1960's in a beneficial use as sworn on my Adjudication application statement. In 1985, I wrote out a transfer and permission to Pearl Ketz to use all the water rights amounts and spread it over all the land that she controlled to establish a new orchard and park for the beautification of the Estates and to assist other owners in the same. The one exception being the upper rights, reserving the original point of diversion in the National Forest at that time. I gave permission for Pearl to create an additional point of diversion on lot No. 12 and on lot No. 10.

The Ketz's filed for these uses and after due consideration and a specially State called meeting, attended by myself, the use and purpose was registered. This use has been regulated by Jerry Meyers, Watermaster over the past few years.

Even though we are using the water on the lower acreages right now to establish orchards, parks and grassland, as well as to water 100 year old fruit trees, the total acreage as shown on the Pine Creek Mountain Estates prorated list can be watered at any time and may be watered at anytime by the Irrigation Association including opening all the former ditches above and below the road, which 60 foot wide row has been reserved by myself as a right-of-way for utilities, and irrigation pipes or ditches. Furthermore, I now have requested that the <u>entire water rights for the estates be transferred</u> to said Irrigation Association, who has agreed to use all points of diversion as becomes necessary to protect and beneficially use them.

which would be contrary to KFEK condition T. 3317

I, Pearl J. Ketz, do solemnly swear that the above facts are a true representation of the conversations had with Cecil Bilbao over the phone.

Pearl J. Ketz

Pearl J. Ketz, President
Pine Creek Property Owner's Association

SWITZER ... PUBLIC ... STATE OF OREGON

Pearl Ketz appeared before me on May 12, 1993 and signed this document.

Joyce Swartzw, Notary, State of Oregon
My commission expires 06-15-93

RECEIVED
JUL 27 1994

Str... Pine Creek Irr. Dist. County Washington

Pine Creek

File No. and Original Owner	File Date	Present Owner	Land Description	Amount of Water	Actual Charge 198	Proposed Charge 198	Note:
67- 219 Webber	5-1-01	Ray Sandstrom	#5399-2	2.5"	7.50	7.50	
67- 220 R. Howland	5-1-01	Loyd Williams	#5399-3	1.71"	1.05	7.50	
67- 226 S. Rutledge	5-1-02	Robert Harrison	Tn-2 of lot 4 #5399-4	.85"	7.50	7.50	
67- 226 S. Rutledge	"	Cecil Bilboa	#5399-5	.85"	.50	7.50	
67- 219 Webber	5-1-01	M. Singlehurst	#5399-7	2.05"	7.50	1.14	
67- 219 Webber	5-1-01	Myrtle Sidwell	#5399-8	2.05"	7.50	7.50	
67- 219 Webber	5-1-01	H.Lopez	#5399-9	2.05"	1.25	7.50	
67- 219 Webber	"	Vernon Ketz	#5399-10	3.75"	7.50	7.50	
67- 219 Webber	"	Philip Ketz	#5399-11	2.05"	1.25	1.14	
67- 220 R. Howland	"	Myrtle Sidwell	#5399-12	1.71"	1.05	.94	
67- 220 R. Howland	"	Michael Whited	#5399-13	1.71"	7.50	7.50	
67- 220 R. Howland	"	Ted Gifford	#5399-14	1.71"	7.50	7.50	
67- 220 R. Howland	"	Bill Noah	#5399-43	1.71"	1.05	7.50	
67- 220 R. Howland	"	John F. Mount	#5399-16	1.71"	7.50	7.50	
TOTALS				26.41	88.65	85.72	

3 (2 pgs.) Attachment F

JUL 7 1994

watermaster delivery records

Stream or Ditch Pine Creek Mtn. Est. Pine Creek County Washington Page 7-B

File No. and Original Owner	File Date	Present Owner	Land Description	Amount of Water	Actual Charge 198	Proposed Charge 198	Notes
67- 220 R. Howland	5-1-01	R. McDaniel	#5399-17	1.71"	1.05	7.50	
67- 226 S. Rutledge	5-1-02	William Wilmore	#5399-18	1.70"	1.05	.94	
67- 226 S. Rutledge	"	Don Hollis	#5399-19	1.70"	7.50	7.50	
67- 226 Rutledge	"	Rodger Box	#5399-20	1.70"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Ron Collingwood	Parcel 1 of Lot 30 #5399-30	.85"	7.50	7.50	JUL 27 1994
67- 226 S. Rutledge	"	Bilbao	Parcel 1 of Lot 30 #5399-40	.85"	.50	7.50	
67- 226 S. Rutledge	"	Bilbao	#5399-31	1.70"	1.05	7.50	
67- 226 S. Rutledge	"	Kathryn Wert	#5399-32	1.70"	7.50	7.50	
67- 226 S. Rutledge	"	Verl Cate	#5399-33	1.70"	7.50	7.50	
67- 226 S. Rutledge	"	Kathryn Young Laura Edens	#5399-34	1.70"	7.50	7.50	
67- 226 S. Rutledge	"	Sherry Breitenbach	#5399-35	1.70"	7.50	7.50	
67-			Here is what I have		NOTE		
67-	TOTAL inches	26.41 17.01	on pine creek Estates Jerry Myers		NOT SURE WHAT YEAR THIS is BUT 1991 RECORD SHOWS 42.77 inches		
67-		43.42 x .02 = .86 cfs which is total of Rights			FOR PINE CK. MTN ESTATES — FROM #67 (1992) District FILE.		
TOTALS		219A+B, 220, 226 JL 9/14/93		17.01"	56.15	75.94	

Stream or Ditch Pine Creek **County** Washington **Page** 25

File No. and Original Owner	File Date	Present Owner	Land Description	Amount of Water	Actual Charge 1991	Proposed Charge 1992	Notes
67- 217 ADV J. Gibson	5-1-00	Mink L&L	#5250	27.5"	15.12	13.75	
67- 229 J. Weimer	5-1-08	B&L Land & Cattle Co.	#5124-2	41"	22.56	20.50	
67- 201 HF M.Ward	6-30-90	Bernice Armacost	#5205	47.5"	26.12	23.75	
67- 202-203 HF E.E.Edwards	5-1-91	Elmo Edwards	#5210	82.5"	45.38	41.25	
67- 202-203 HF E.E.Edwards	"	Kellar Trust	%5209	82.5"	45.38	41.25	
67- 183 A.McDonald	6-1-79	Randy Noah	#5237-1	47"	25.86	23.50	
67- 209 M.Marquess	5-1-92	Bill Noah	#5203	5"	2.74	2.50	
67- 211 M.Marquess	5-1-93	" "	"	20"	11.00	10.00	
67- 210 M.Marquess	5-1-92	" "	"	21"	11.56	10.50	
67- 191 O. Hulet	6-1-86	Randy Noah	#5237-1	31.5"	17.32	15.75	
67- 185 N.Buhl	5-1-80	Jim Bumgarner	#4789	90"	49.50	45.00	
67- 186 N. Buhl	6-1-84	Norman Hansen	#4810	30"	16.50	15.00	
67- 188 C.Schmitz	5-1-84	" "	#4815	5"	2.76	2.50	
67- 189 C.Schmitz	5-1-04	" " 12/7/93	Right 229 41" (.82 cfs) 1997 WIM Record	12"	6.60	6.00	

JUL 27 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 16, 1993

Pearl Ketz, President
Pine Creek Property Owners Irrigation Assoc.
3608 Advent Gulch Road
Cambridge, ID 83610

Re: Transfer of Right Nos. 67-00219A & B, 67-00220, and 67-00226

Dear Pearl:

I finally had time to work on the transfer application for the association. Cindy Hodges provided lots of good information from her 5-20-93 field visit to the site.

Enclosed is a revised application for the water rights used by the homeowners in Pine Creek Mountain Estates. The revision describes the maximum amount of verifiable use that could be found based on the 1993 examination by Cindy. The new application has been drafted to capture the type of use that has occurred in recent times - the combined use of several rights upon a common set of acres used by the homeowners. This is known as the "permissable place of use" concept. The transfer shows that all rights can use any of eight diversion points for up to 64 acres within the described land list. This provides maximum flexibility for the users while retaining the integrity of the individual rights to the extent possible.

The application describes the use that Cindy found earlier this year. Please review the document. If it looks satisfactory, a notarized signature (with title) is needed on page 12. No fee is needed because it was already paid in the original 1992 filing. Please return the signed application to me as soon as possible. If you have any questions, please contact me at your convenience.

Sincerely,

Steve Lester

Steve Lester
Water Rights Supervisor

Enclosure

RECEIVED
JUL 27 1994

(1)

FIELD VISIT 5/20/93

Prepared by SL

INFO NEEDED

1) Basically, need before & after info so I can prepare revised transfer application.
2) Need to verify acres irrigated under current definition of rights so can see what can be transferred.
3) NO NAPP available this area.
4) ASCS photos " " " ? partial or all of area?
   - was some coverage: 1979 photos in T. 3373 (copy is in file of new transfer).
5) Appl. Exh. A & B (photos in map tube) may be helpful in mapping existing & proposed systems.
6) Try to map " " " (pld & pln) on copies of topo provided.

Review notes

- Mtr in Allison @ 5/8" acre = .0125 cfs/ac.
- Applicant wants common pld & delivery system for portions of rights?
- Original pld retained for balance of rights?
- Add'l. pld's in Lots 2, 10, 12 of subd.?
- pln proposed = 28 acres (28 x .0125 = .35 cfs assumed).
- 67 00219 actually = 219A & 219B per T. 3373
- Use will remain as irrigation, if splits or pln changes

JUL 27 1994

Portions to be changed

00219 all from pg 1 of transfer appl

T. 3373

↓

219A .205 cfs → implies 16 AC. SW¼ 5.35

p/u - see T. File (T. 3373)

219B .075 cfs → 4 ac NESW 5.35

2 ac SESW 5.35

p/u NWSE 5.35

NENW 5.36

Total = .28 cfs ≈ 22 acres

p/u change from NWSW to NWSE 5.35 ?

p/u " for 219B - addition or just change

" " " 219A? - see T. appl

00220 All except North's 1.71" (.0342 cfs)

define p/u

.24 cfs → 19 acres

split? (A) leave North's .03 cfs ≈ 2.7 acres implied

(B) transfer .24 - .03 ≈ .21 cfs ≈ 16.4 " "

≈ 19.1

00226 All except Cate's 1.70" (.034 cfs)

define p/u

.34 cfs → 27 acres

split? (A) leave Cate's .034 cfs → 2.7 acres implied

(B) transfer .34 - .034 ≈ .306 cfs ≈ 24.5 " "

≈ 27.2

JUL 27 1994

IDWR info

WR #		WR	AJ
00219	T. 8373 →	219A Webber	all of 219 Bilbao
			split: C Ketz
			D Lupes
			E Sidwell + Ketz
			F Sandstrom
			G Sisk Lumber
transfer all of 219A + B		219B Ketz	Ketz
00220		Howland	all of 220 Bilbao & Whitehead
			220A Hilliard
transfer all of 220 but NOAH's (claimed as 220B)			220B NOAH
00226		Rutledge	all of 226 = Bilbao
			226A = Cate
			226B = Young
transfer all of 226 but Cate's (claimed as 226A)			

RECEIVED
JUL 27 1994

INFO FROM WATERMASTER (pgs. 9 & 10 of transfer)

219

2.5" Sandstrom
2.05" Bilboa
2.05" Tomek
2.05" Lutz
3.75" Ketz = 219B * .075 cfs
2.05" Ketz

14.45"

.289 cfs

* Balance = 219A
10.7" = .214 cfs
but 219A = .205 cfs

219A = .205 cfs
219B = .075 cfs for 6 acres
TOTAL = .280 cfs

JUL 27 1994

220

1.71" Williams
1.71" Ketz
1.71" Whitsel } pumps? old pld. or new or other?
1.71" Gifford }
1.71" Mount
1.71" Yelm

10.26"

.2052 cfs

(Add Note ① 1.71" = .0342 cfs
.2052
.2394 cfs
Sum = total of Right)

226

.85" Horrion TN-2 of Lot 30
.85" Bilboa
1.70" "
1.70" Hollis
1.70" Box
.85" Collingwood } Parcel 1 of Lot 30
.85" Chapman }
1.70" Gilbert
1.70" West
1.70" Young
1.70 Miller

15.3"

.306 cfs

(Add Note ② 1.70" = .034 cfs
.306 cfs
.340 cfs
Sum = total of Right)

NOTES

① 220 - Noah 1.71" old pld? Not in transfer

② 226 - CATE 1.70" uses old pld, Not in transfer

RIGHTS BEFORE 1992 TRANSFER APPLICATION

RIGHT NO.	Section	1/4 - 1/4	COMMENT
67-00219A	35	NESW ~~4 Acs.~~	.205 cfs implies 16 acres at 5/8" per acre.
	Not for any land Above Road per T. 3377	~~NWSW~~ NWSW	
		~~SESW~~ SWSW	
		SE SW ~~2 Acs.~~	
67-00219B	35	NESW - 4 acres	.075 cfs for 6 acres. NOTE: A & B created per Transfer #3377 approved 3/30/1988.
		SESW - 2 acres	
67-00220	35	SWNE	.24 cfs implies 19 acres at 5/8" per acre.
		SENE	
		NWSE	
		SWSE	
67-00226	25	SWSW	.34 cfs implies 27 acres at 5/8" per acre.
	25	SESW	
	26	SESE	
	35	NENE	
	36	NENW	
	36	NWNW	
	36	SWNW	
	36	SENW	

JUL 2 7 1994

KNOWN: point of diversion and place of use for 67-00219A & 67-00219B.

NEED: ① 67-00219A: identify # acres per ¼-¼ in SW¼ S. 35 (acres = 16 total)

SEE Transfer 3373, attached maps

② 67-00220: identify location of pld.
identify # acres per ¼-¼, in S½NE¼ & W½SE¼ (acres = 19 total).
~~which is Noah's that will not be transferred? where is Noah's pld?~~
~~Noah: see A67-00220B~~

~~will become split rights~~ All owners will be included per 5/93 info from county's from field exam

③ 67-00226: identify location of pld.
identify # acres per ¼-¼ in S½SW¼ S. 25, SESE S. 26, NENE S. 35, NW¼ S. 36 (acres = 27 total).
~~which is Cate's that will not be transferred? where is Cate's pld?~~
~~Cate: see A67-00226A~~

④ CONSENT is proof of ownership of land where will be Removing water to use on 28 acres in:

S. 35	NESW	10
	SWSW	4
	SESW	8
	NWSE	6

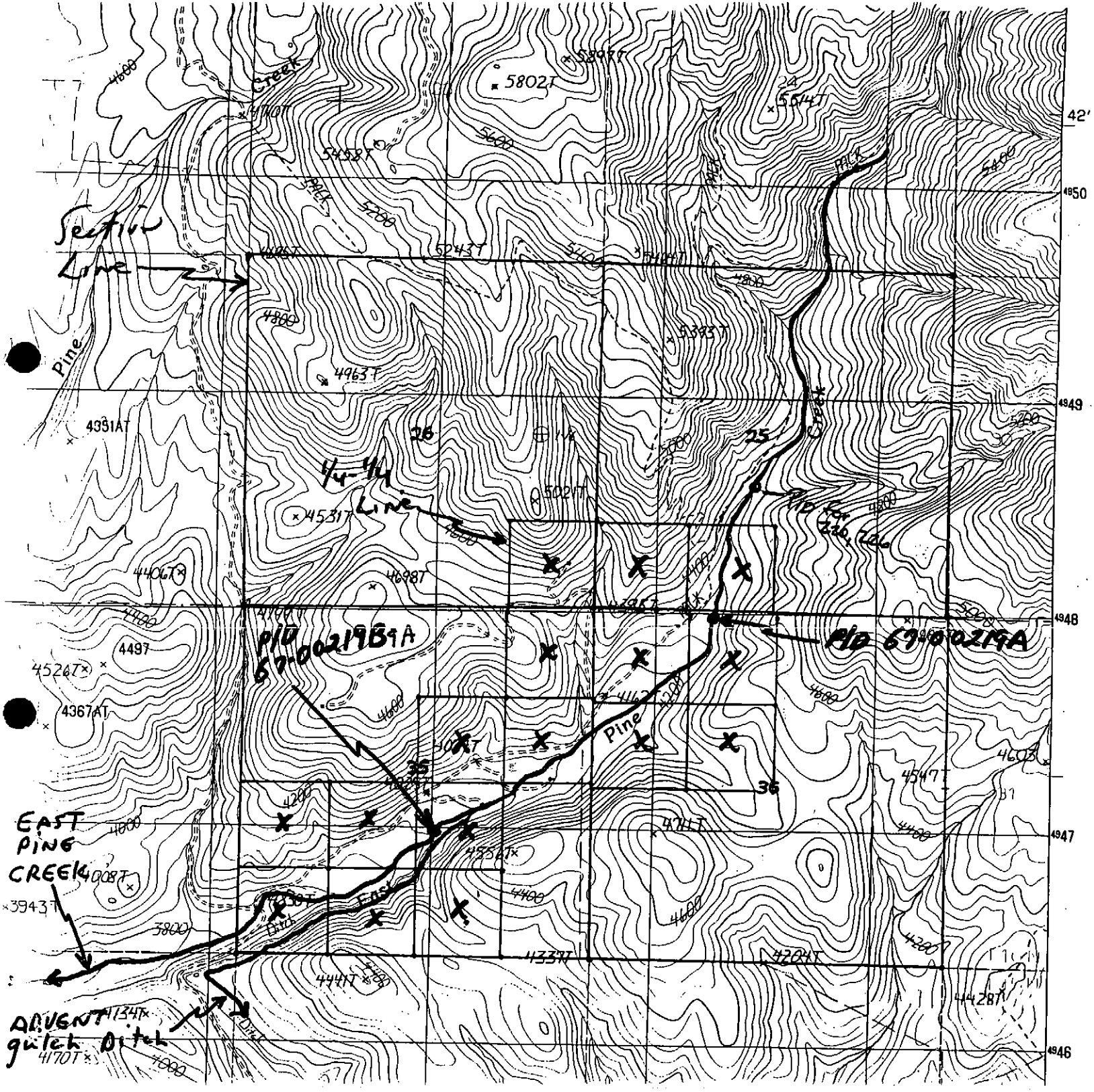
JUL 2 7 1994

⑤ verification of acres irrigated - AS-1's info with sections marked so can i.d. ¼-¼'s. Not available for whole area?

past 9 years - ~25% of rights used any given year

prior to that - Bilbao irrigated all

JUL 2 7 1994



X = 4-4 p/u for rights before transfer application 1992

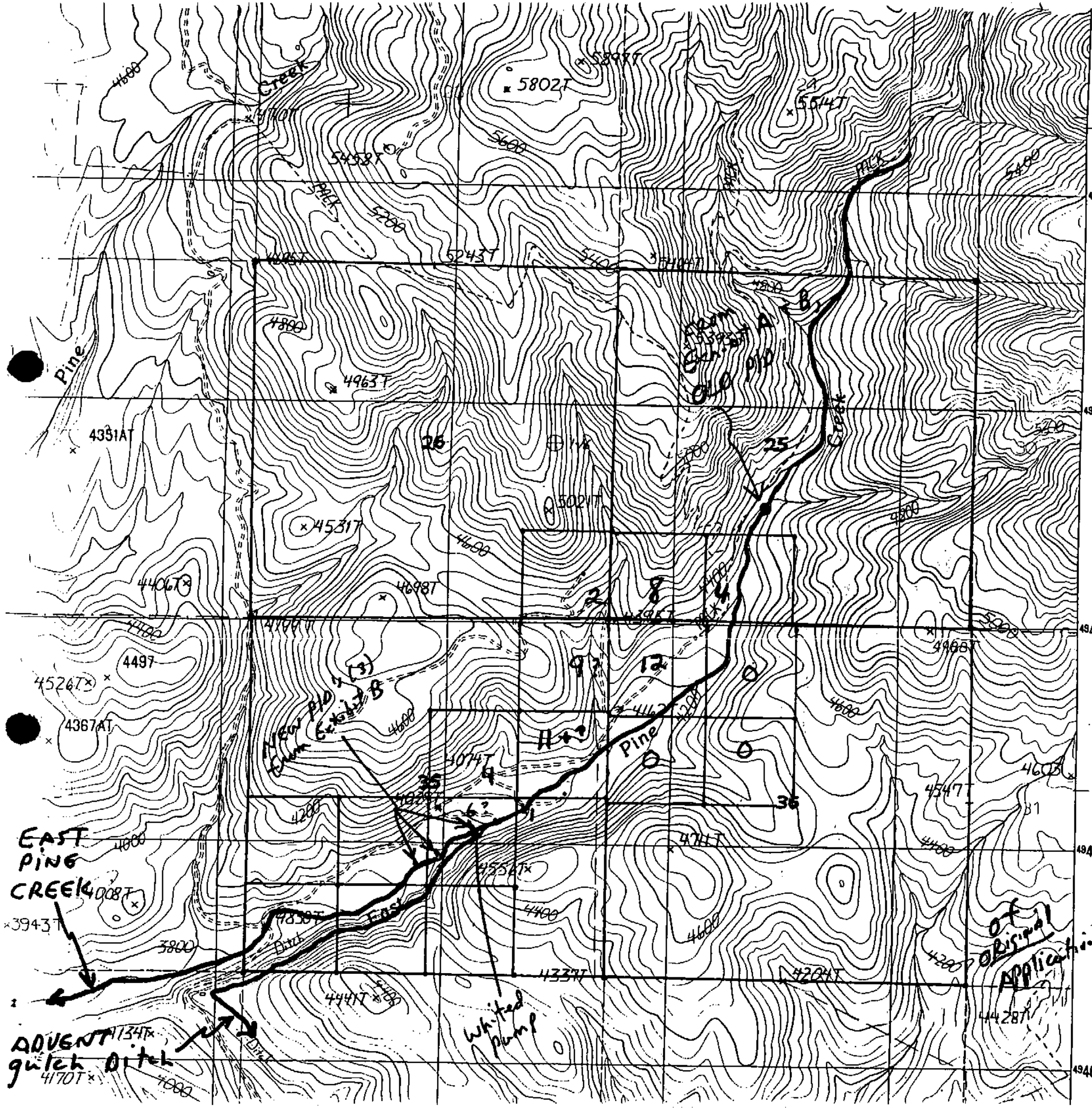
Attached pg. lists Rights i 4-4's.

JUL 27 1994

T16N
R4W
S. 25, 26, 35, 36

- No govt lots
- East Pine Creek is only named stream in 4 sections.

P/u = Cindy's 5/20/93 site visit info



JUL 27 1994

T16N
R4W
S. 25, 26,
35, 36
No gov't lots
East Pine Creek
is only named
stream in 4
sections.

acres/qq estimated
from Exhibit A
(shown as green #
in conjunction with
blue dots on Exhibit A)
sum = 52-57 acres?

EXHIBIT A

RECORDED JUL 8 7 1994

PINE CREEK MOUNTAIN ESTATES

S1/2, of the SE1/4 of Sec. 26; S1/2, of the SW1/4 of Sec. 25; NW1/4, of the NW1/4 of Sec. 36; and Sec. 35, T.16N., R.4W., B.M., Washington County, Idaho

STEVE SCHWILLING R.L.S.
1978

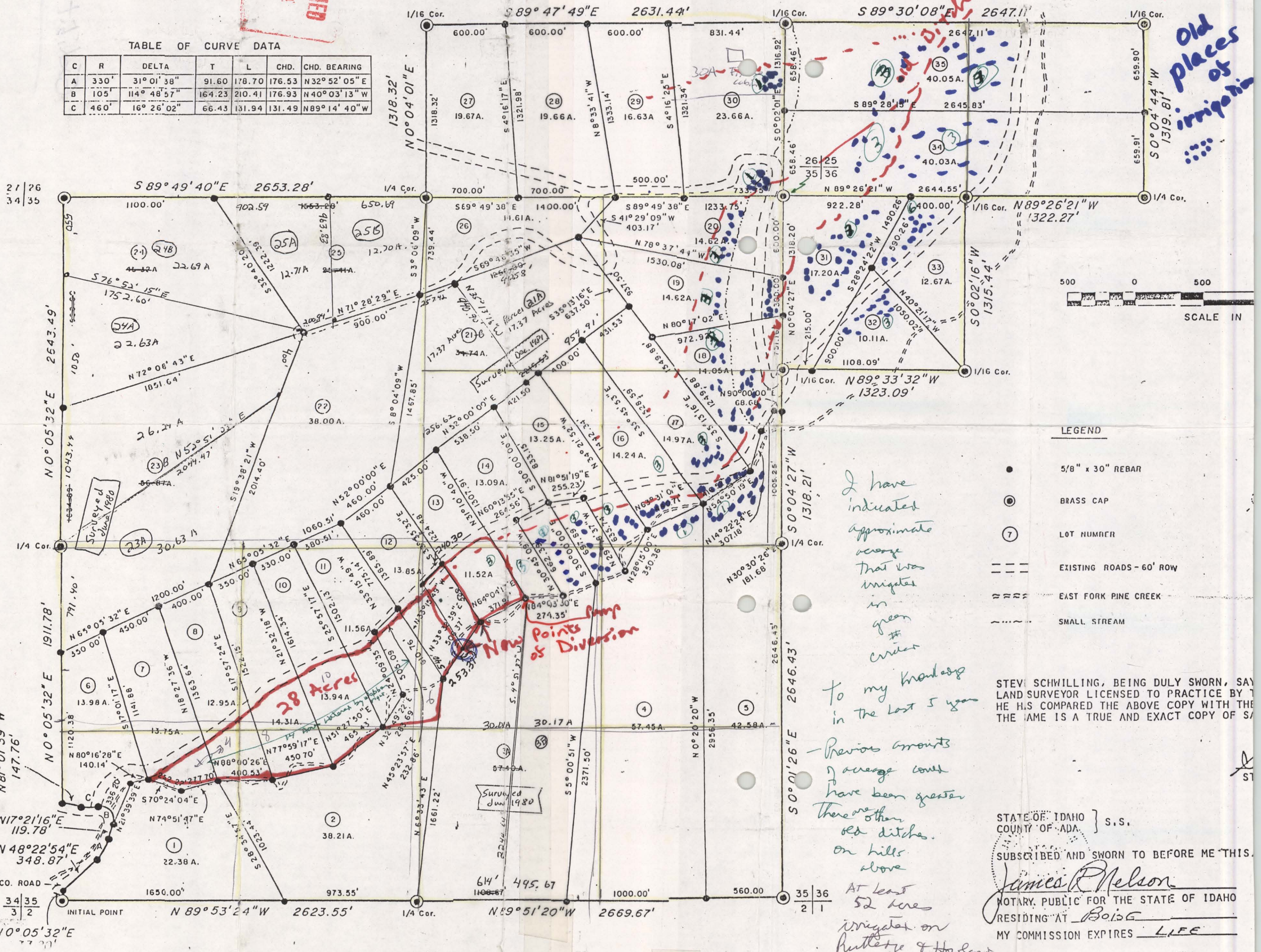
50 yrds. N of old point of diversion in National Forest

Old ditches

Old places of irrigation

TABLE OF CURVE DATA

C	R	DELTA	T	L	CHD.	CHD. BEARING
A	330'	31° 01' 38"	91.60	178.70	176.53	N 32° 52' 05" E
B	105'	114° 48' 57"	164.23	210.41	176.93	N 40° 03' 13" W
C	460'	16° 26' 02"	66.43	131.94	131.49	N 89° 14' 40" W



LEGEND

- 5/8" x 30" REBAR
- BRASS CAP
- (7) LOT NUMBER
- EXISTING ROADS - 60' ROW
- EAST FORK PINE CREEK
- SMALL STREAM

I have indicated approximate acreage that was irrigated in green # circles

To my knowledge in the last 5 years

- Previous amounts of acreage could have been greater There are other old ditches on hills above

At least 52 acres irrigated on Rutledge & Howland

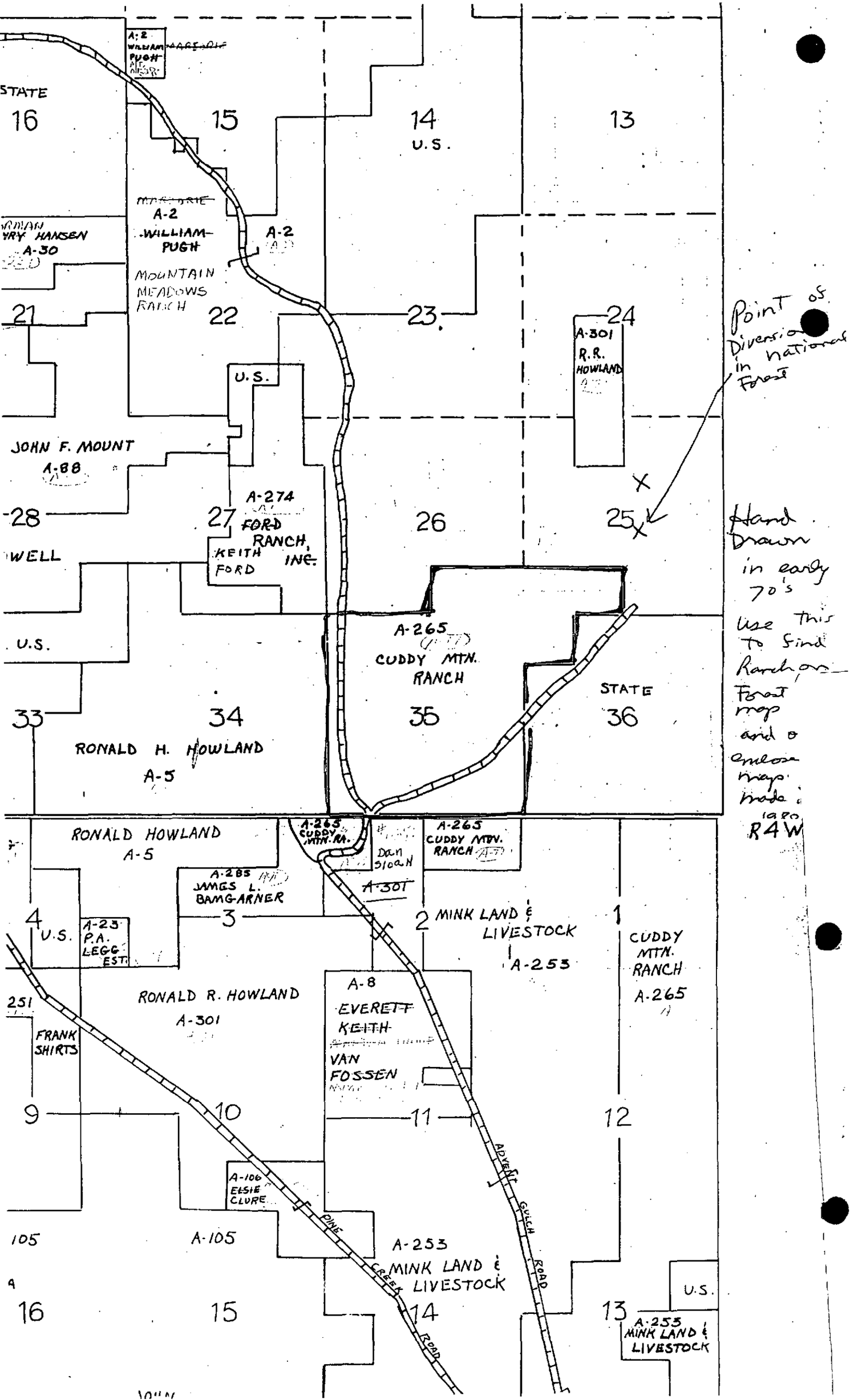
STEVE SCHWILLING, BEING DULY SWORN, SAY
LAND SURVEYOR LICENSED TO PRACTICE BY T
HE HAS COMPARED THE ABOVE COPY WITH THE
THE SAME IS A TRUE AND EXACT COPY OF SA

ST

STATE OF IDAHO } S.S.
COUNTY OF ADA }

SUBSCRIBED AND SWORN TO BEFORE ME THIS.

James R Nelson
NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT Boise
MY COMMISSION EXPIRES LIFE


STATE
16
15
14
U.S.
13
A-2
WILLIAM PUGH
A-2
MOUNTAIN MEADOWS RANCH
A-30
21
22
23
24
A-301
R.R.
HOWLAND
U.S.
JOHN F. MOUNT
A-88
28
27
A-274
FORD RANCH,
KEITH FORD INC.
26
25
Point of Diversion in national Forest
WELL
U.S.
A-265
CUDDY MTN. RANCH
STATE
33
34
35
36
RONALD H. HOWLAND
A-5
Hand Drawn in early 70's
Use this To find Ranchos Forest map and o[illegible] maps made [illegible]
R4W
RONALD HOWLAND
A-5
A-265
CUDDY MTN.
A-265
CUDDY MTN. RANCH
Dan Sloan
A-301
A-285
JAMES L. BAMGARNER
4
3
2
MINK LAND & LIVESTOCK
A-253
1
U.S.
A-23
P.A. LEGG EST.
CUDDY MTN. RANCH
A-265
251
RONALD R. HOWLAND
A-301
A-8
EVERETT KEITH
VAN FOSSEN
FRANK SHIRTS
9
10
11
12
A-106
ELSIE CLURE
ADVENT GULCH ROAD
105
A-105
PINE CREEK ROAD
A-253
MINK LAND & LIVESTOCK
16
15
14
13
U.S.
A-253
MINK LAND & LIVESTOCK

CONVERSATION MEMORANDUM

DATE 4-30-93

FILE Pine Ck. Transfer

NAME OF PARTY Cecil Bilbao 257-3583

EMPLOYEE Steve Lester

RE: RESPONSE TO MY 4/27/93 LETTER

Called to say that, as far as he knows, still interested in transfer. Too snowy & muddy now to do anything. He s/b Paul Ketz will contact me as soon as it's feasible to get across to sites.

I will contact them by late May if don't hear from them.

Possible:

Assign to Cindy H., Linda W. might also be interested.

Coordinate field visit with watermaster.

BRIDGEPORT

JUL 27 1994

PINE CREEK MOUNTAIN ESTATES
PROPERTY OWNERS IRRIGATION
1992

DOTTED LINES RUTLEDGE

APROXIMATE AREA OF PREVIOUS USE

VERL CATEL USE REMAINS

NATIONAL FOREST

OLD POINT OF DIVERSION

DITCH

NEW ROAD PROPOSED WITH PIPELINE HERE

OLD ROAD

VERL CATEL

(WEBBER PREVIOUS USE) AND RUTLEDGE & HOWLAND NEW ADDITIONAL USE

HOWLAND PREVIOUS & PRESENT USE

BILL NOAH

THE AREA BELOW ROAD TO CREEK

PUMP WHITED

proposed plan

NEW POINTS OF DIVERSION FOR RUTLEDGE Etc.

ADVENT GULCH CANAL

PIPELINES + WATER GATES + PUMP

75% OF WATER FLOWS BACK INTO CREEK

Exhibit B

16N 4W 7

JUL 27 1994

Taken in 1988

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 27, 1993

Pine Creek Property Owners Irrig. Assoc.
Attn: Pearl Ketz, President
3608 Advent Gulch Road
Cambridge, ID 83610

Re: Application for Transfer of Water Right Nos. 67-00219, 67-00220, and 67-00226

Dear Applicant:

As agreed in our last correspondence dated 11/17/92, this office was to contact you this spring to arrange a field visit to your area to clarify information relating to the transfer application of the above-referenced water rights from the East Fork of Pine Creek.

I am writing you to see if you still want to pursue the application, and, if so, to make arrangements with you and/or Mr. Bilbao for a field visit in the next few weeks. Please write or call (334-2190) me within the next week to discuss this matter.

Sincerely,

Steve Lester
Water Rights Supervisor

CC: Mr. Cecil Bilbao

Abandoned
JUL 27 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 17, 1992

Pine Creek Water Users Association
Attn: Pearl Ketz, President
3608 Advent Gulch Road
Cambridge, ID 83610

RE: Application for Transfer of Water Right

Dear Ms. Ketz:

In response to my Notice of Pending Order Rejecting Application in the above-referenced matter dated September 30, 1992, Mr. Cecil Bilbao called me on October 6, 1992. We agreed that the Department would place this matter on hold until the spring of 1993, at which time Mr. Lester would conduct the field examination that needs to take place before we take further action regarding the application.

Please contact either Mr. Lester or myself if you have questions regarding this process.

Sincerely,

David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

cc: Cecil Bilbao
(Rt. 1 Box 212
Cambridge 83610
257-3583)

JUL 27 1994

CONVERSATION MEMORANDUM

DATE 10/6/1992

FILE ~~App for Trans~~

NAME OF PARTY Cecil Bilbao 257-3583

EMPLOYEE Dave Tuthill

RE: ~~App for Transfer~~ 67-00219, 67-00220, 67-00226

Cecil requested that we ~~make~~ the field exam next ~~fall~~ Spring when the water diversion system is again operational.

I agreed to wait until then for the field exam, to be conducted by Steve Lester.

Dar

JUL 27 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 30, 1992

PEARL KETZ PRESIDENT
PINE CREEK PROPERTY OWNERS IRRIG ASSOC
3608 ADVENT GULCH RD
CAMBRIDGE ID 83610

Re: Application For Transfer of Water Rights Nos. 67-00219, 67-00220 and 67-00226

Dear Applicant:

NOTICE OF PENDING ORDER REJECTING APPLICATION

On March 24, 1992, you filed with the Department of Water Resources an application to transfer water rights nos. 67-00219, 67-00220 and 67-00226 with point of diversion located within Sec. 35, T16N, R4W, lots 10, 2 and 12.

The application was properly filed but required a field examination to clarify some of the information. The Department has tried to obtain the necessary information but has received no further communication from you.

The purpose of this letter is to request that you withdraw your application or explain why the Department should not reject your application. Enclosed is a withdrawal form that should be signed and returned to me, unless you have an explanation that would prevent the Department from rejecting your application.

If you fail to respond to this inquiry within thirty (30) days from the date of this letter, the Department will act to reject your application. The application will be rejected on the grounds that it is speculative in that you have not responded to requests for information.

Sincerely,

David R. Tuthill

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:st

JUL 27 1994

I hereby certify that on this _____ day of _____, 1991, I sent the original copy of this letter, postage prepaid, to the person and address listed above.

Sincerely,

Sue Taylor
Secretary

RECEIVED
JUL 27 1991

OUR GOLDMINE IS



Pervernal Acres Arboretum
Vern & Pearl Ketz
3608 Advent Gulch Road
Cambridge, Idaho 83610

RECEIVED
SEP - 8 19
Department of Water Resources
Western Regional Office

Dear Sirs.
Please be advised that as of August 10th our mailing address for correspondence on all water right records should be changed from

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

to

phone 1-208-257-3258

This change is to be permanent. Pearl Ketz

Our Dream of the Mountain

Pa, let's move on the mountain, and build us a place,
The world's now moving in such a terrible haste,
People are hurrying, scurrying, stressing profits and gains,
Many are driving so nuts in the fast lanes.

Pa, let's move on the mountain, the children are grown,
And we worked our heads off to pay our last loan,
It's time to slow down our living, and throw out the old clock,
Sit on our front porch in our rockers and rock.

Spend more time fishing the creek every day of the week,
And there's no phones a-ringing, and no schedules to keep.
Pa, the moments are now fleeing, and the older we get,
We can sit on our mountain, and watch the world's jets.

Pa, lets move on the mountain, slow down the rhythm of your heart,
You looked so forward to the day there would be no more work,
Where there is no freeways, or highways, no trucks and buses to catch.

So Pa, let's move on the mountain, there's so little time left.
There is no rhyme or reason to continue our tracks.
We can enjoy a new beginning the rest of our days,
And watch each day's dawn arising, with a beautiful horizon the rest of our days.

Killer Frosts August 24-25

Official low temperatures in Cambridge probably set an all-time record both Monday and Tuesday when early morning temperatures dropped to 32.7.

Unprotected gardens in this area were blackened, and just as gardens were bringing forth their best. But everything this year has been several weeks early.

WEATHER

Date	Hi	Lo	Prec
Wed., Aug. 19	100	56	.00
Thu., Aug. 20	96	66	.00
Fri., Aug. 21	92	58	.00
Sat., Aug. 22	74	58	.00
Sun., Aug. 23	67	42	.00
Mon., Aug. 24	73	33	.00
Tus., Aug. 25	75	33	.00

Another Killer Frost Tues. a.m.

We
Celebrate life
In Idaho

JUL 27 1994

Wed. 26 > 32° Thurs. 25 > 36

New mailing address - received this after 8/17/92.
-R

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 17, 1992

Pearl Ketz, President
Pine Creek Mtn. Estates Property Owners Assoc.
3608 Advent Gulch Road
Cambridge, ID. 83610

Re: Transfer Application Related to Property Owners Association

Dear Mrs. Ketz:

I regret that I did not have any time to visit with you when you were here on 8/10/92. It was a very hectic day and I had to prepare for an urgent meeting in Caldwell and could not spare a few moments. From your last letter, it appears that Cindy was able to help you.

Your letter dated 8/4/92 discussing "Water Use Permits" issued by individuals is troubling. Please be advised that Idaho law does not recognize water right changes of decreed rights such as No. 67-00226 or adjudication claims such as No. A67-00226B unless the changes occur through this department via the "Transfer" process defined in Section 42-222, Idaho Code.

On behalf of the association, you properly filed a transfer application in March, 1992 to change several water rights. This is the only legal method to change the rights in question. "Water Use Permits" issued by individuals do not provide legal protection for the water rights.

The last contact I had to clarify the transfer application was a telephone conversation with Mr. Cecil Bilbao on 6/2/92. He told me that he would call me to arrange a field visit date, but I have not heard from him since early June. We need to move forward with the transfer application if the changes are still desired.

Please make arrangements with me, or have someone else who is familiar with the situation do so, to allow a field visit to be made before September 11. I will be unavailable from September 2 through September 7. The application must be considered void if progress cannot be made.

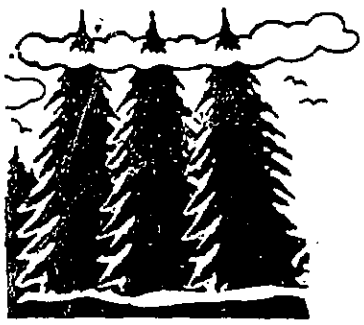
I hope to hear from you soon.

Sincerely,

Steve Lester

Steve Lester
Water Rights Supervisor

ARCHIVED
JUL 27 1994



[redacted] CREEK MOUNTAIN ESTATES
PROPERTY OWNERS ASSOCIATION

PEARL J. KETZ
PRESIDENT

1-208-642-2744
1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Idaho 83610

RECEIVED
AUG 05 1992
Department of Water Resources
Western Regional Office

8-4-92

Dear Mr. Foster;

I am enclosing a copy for your files of a Water use Permit executed by the owners of Lot #34. There will be others & all will be filed with the Watermaster. & you.

I am wondering if this "use" can take the place of the word "Transfer" as Folks felt it constituted permanent "Transfer" out of their name & they would thereby lose out forever.

RECEIVED
JUL 27 1994

This is not so!! We all are working together To preserve our beautiful valley.

Cecil Bilbao has been very busy - but perhaps you have made contact with him.

(over)

I trust you can put all the documents that will come to you in some sort of pkg. under

Pine Creek Mtn Estates
Property owners Irrigation
Association.

You will be getting different forms. #2's will spell out how we use his water to water his Trees and have pipelines over his land.

You see it's hard to squash all people into your paperwork — words — & meanings differ.

But let me assure you — You'll never be bored at Pine Creek —

— Pearl Ketz

MAILED FROM ZIP
JUL 27 1994

RECEIVED
AUG 05 1992
Department of Water Resources
Western Regional Office

W A T E R U S E P E R M I T

This Water Use Permit is issued by Laura A. Young and Kathryn A. Young (Issuer) to Vern and Pearl Ketz (Permitees), Lot 10, Pine Creek Mtn. Estates, Washington County, Idaho which entitle them to the deeded and claimed water rights under Idaho State Law in the name of Laura A. Young or Kathryn A. Young, 212 Calle Florecita Dr., Escondido, CA 92029, Identification Number A67-00226B, a copy of which is attached hereto and thereby made a part of this use permit, for a period not to exceed one year commencing March 15, 1992 for the purpose of irrigation of the aforementioned property consistent with the rights described therein, or as modified or set forth by applicable authority.

This Permit will automaticallly renew for successive one year periods, and may be modified or cancelled by the issuer in writing without further notice.

This permit is not transferable, and is for the exclusive use of the named permitees only. This Permit is null and void upon its assignment or transfer in any fashion, or for any reason, and all rights conferred herein will thereby terminate.

Permitees, by their use, assume full liability for the diversion and use of the water covered by this permit, and agree to hold the Issuer harmless from the direct and indirect consequences of their diversion and use hereunder.

Issuer does not express or imply any warranty as to the intended use of the water herein, nor guarantee the rate or flow thereof, and Permitees assumes full risk for the quality and quantity of water covered by this permit.

DATE: 7/28/92

ISSSUER:

Laura A. Young

Kathryn A. Young

DATE; 8/3/92

PERMITEES:

Vern Ketz

Pearl Ketz

JUL 27 1994

ACKNOWLEDGEMENT - INDIVIDUAL

STATE OF CALIFORNIA
COUNTY OF San Diego } SS.

On 7/20/92, before me, the undersigned Notary Public, personally appeared Laura A. Young
Kathryn A. Young
(personally known to me) or (proved to me on the basis of satisfactory evidence) to be the person s whose name s subscribed to the within instrument and acknowledged that he/she executed the same.

(SEAL)

OFFICIAL SEAL
V.S. HRNJAK
NOTARY PUBLIC-CALIFORNIA
SAN DIEGO COUNTY
MY COMMISSION EXPIRES
NOVEMBER 24, 1995

n the

V. S. Hrnjak

HomeFedBank

PERMITEES: (Ketz/Ketz)

We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

State of ~~Idaho~~ OREGON)
) SS.
County of Malheur)

Subscribed and sworn (or affirmed) before me this 3rd day of August, 1992.

Joyce Durtschi
Notary Public
Residing at Payette
My Commission expires 06-15-93

(seal)

Recorded at Washington County Courthouse 8-4-92

JUL 27 1994

PINE CREEK MOUNTAIN ESTATES

S1/2, of the SE1/4 of Sec. 26; S1/2, of the SW1/4 of Sec. 25; NW1/4, of the NW1/4 of Sec. 36; and Sec. 35, T.16N., R.4 W., B.M., Washington County, Idaho

— STEVE SCHWILLING R.L.S. —
1978

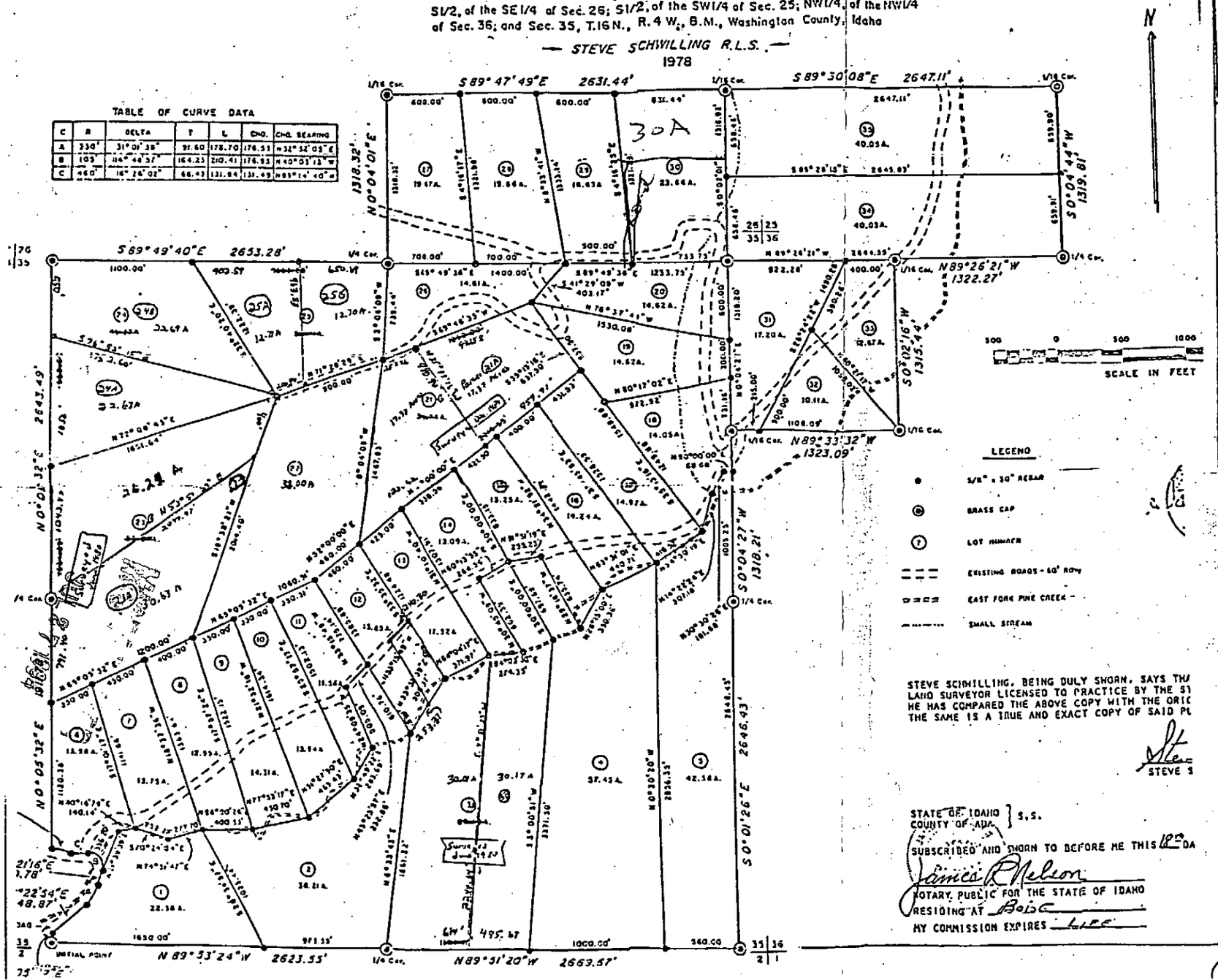


TABLE OF CURVE DATA

C	R	DELTA	T	L	CHD.	CHD. BEARING
A	330'	31° 01' 38"	91.60	178.70	176.53	N 32° 32' 03" E
B	103'	116° 48' 37"	164.23	210.41	176.93	N 40° 03' 13" W
C	460'	16° 26' 02"	66.43	131.84	131.45	N 89° 19' 40" W

LEGEND

- 5/8" x 30" REBAR
- BRASS CAP
- (7) LOT NUMBER
- EXISTING ROADS - 60' ROW
- EAST FORK PINE CREEK
- SMALL STREAM

STEVE SCHWILLING, BEING DULY SWORN, SAYS THA
LAND SURVEYOR LICENSED TO PRACTICE BY THE ST
HE HAS COMPARED THE ABOVE COPY WITH THE ORIG
THE SAME IS A TRUE AND EXACT COPY OF SAID PL

STEVE S

STATE OF IDAHO } S.S.
COUNTY OF ADA }

SUBSCRIBED AND SWORN TO BEFORE ME THIS 12TH DA

James R Nelson
NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT Boise
MY COMMISSION EXPIRES Life

To see general area:

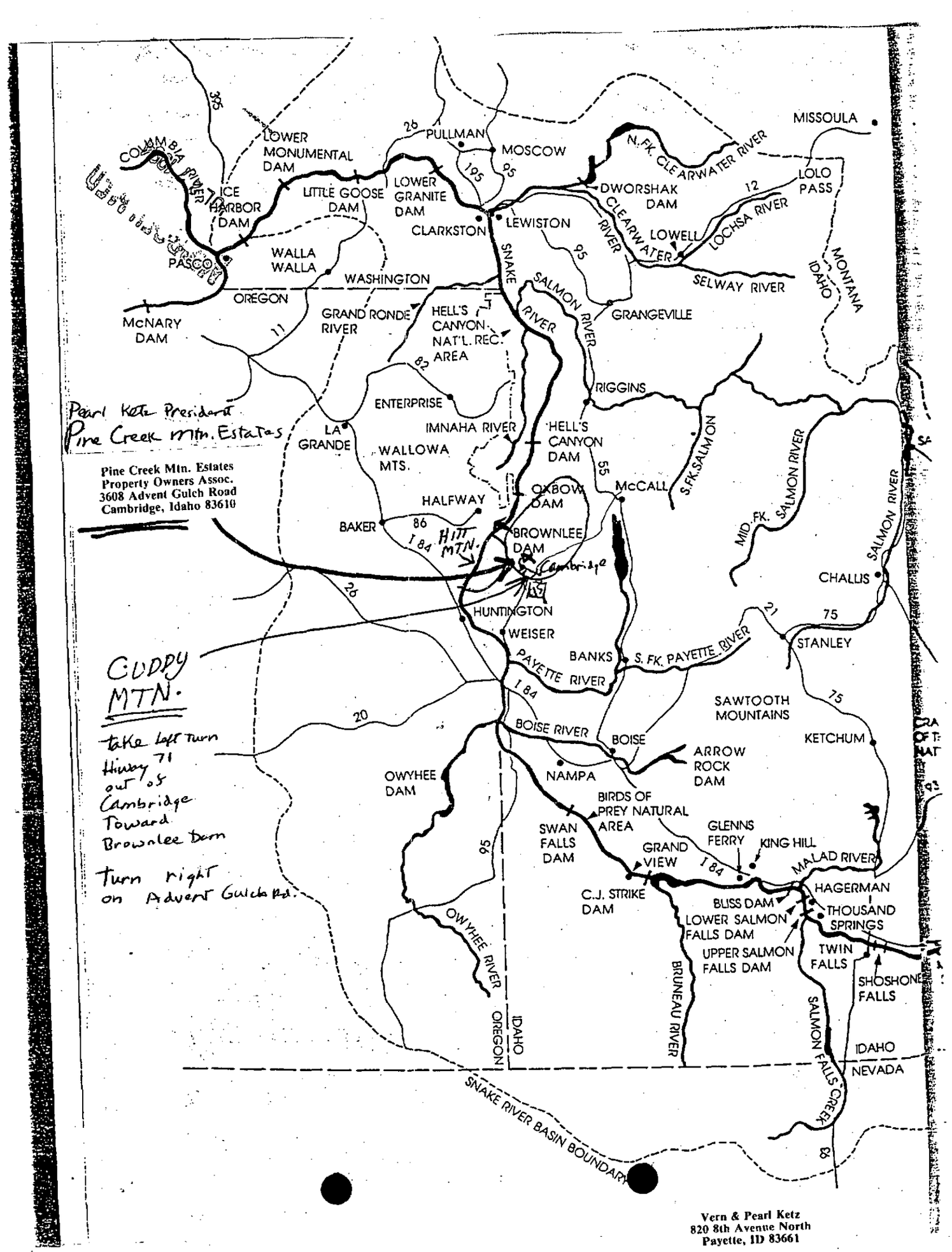
Take Highway 95 out of Payette
Go Through Weiser, midvale and
To Highway 71 at Cambridge.
Turn Left Toward Hells Canyon on
Hwy 71 - Go 5 miles (approx.) on
Hiway 71 out of Cambridge.
Watch for ◇ on right just before
Turnoff on Advent Gulch Road - Black Barrel mail Box #3608
Turn right (over cattleguard). go approximately 2 miles on gravel County road. ◇ the road will go around a sharp curve and drop down - cross creek - East Fork Pine Creek. You come to gates of yellow & green. Sign.

For further information and to see properties, call around 6 pm.
Pearl Kotz 1-208-642-2244
820 8th Ave N.
Payette, Id. 83661

Current properties Available - 12% int.

	Price	Min Bldg.	Payments - monthly Approx.		Acres in Each
#23A	$39,000.00		$325.00	View Hill top	30.63
[redacted] B	2[redacted]00.00		$235.00		26.24
24A	18,000.00		200.00	Few Trees	22.63
24B	21,000.00		235.00		22.69
29	19,000.00		200.00	Spring Trees	16.63
21B	14,000.00		180.00	Lots of Trees	17.37
5	42,000.00		450.00	Lots of Trees + creek	42.58
~~30A~~ ~~A5 of 24-12-92~~	~~20,000.00~~		~~215.00~~	Sizable cabin	10.00
17	21,000.00		220.00	Creek Trees	14.92
Owner carries all paperwork $200.00 will get you in.					
~~31~~	~~21,000.00~~		225.00	Lots of trees	17.20

(over for map)



Pearl Ketz President
Pine Creek Mtn. Estates

Pine Creek Mtn. Estates
Property Owners Assoc.
3608 Advent Gulch Road
Cambridge, Idaho 83610

CUDDY MTN.

take Left Turn
Hiway 71
out of
Cambridge
Toward
Brownlee Dam

Turn right
on Advent Gulch Rd.

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

CONVERSATION MEMORANDUM

DATE 6/2/92

Cecil B. Ilbao - Assoc.

FILE 67-00219 A & B
00220
00226

NAME OF PARTY Gerry Mayers - WM

EMPLOYEE Steve Lester

RE: CONTACT PERSON FOR MEETING:

Watermaster Gerry Mayers 355-2345

Association Cecil B. Ilbao (per Pearl Kelly 5/27/92 letter)
257-3583

cannot meet next week, needs time to work on some other pressing business.

He will contact me ASAP to arrange mtg. date.

For Gerry - most km of Nancy's cafe in Middleton - ≈ 2 hrs. from Boise

JUL 27 1994



PINE CREEK MOUNTAIN ESTATES
PROPERTY OWNERS ASSOCIATION

PEARL J. KETZ
PRESIDENT

1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Idaho 83610

RECEIVED
MAY 29 1992
Department of Water Resources
Western Regional Office

5-27-92

Dear Mr. Lester,

By now you will have heard from Jerry Meyers regarding Pine Creek Irigation.

Mr. Cecil Bilbao - owner of all the water rights in question for the past 30 years has said he wants to be the one to meet with you up at Pine Creek.

His knowledge of the past & present situation is unparalled -

JUL 27 1994

Mr. Bilbao will meet you & Jerry. Just let him know in advance - Jerry has phone # & address - Sincerely Pearl Ketz

5-21-93

RECEIVED
MAY 24 1993
Department of Water Resources
Western Regional Office

Dear Cindy

Again, Thank you for coming!!

Cecil Bilbao called me for a full report. I tried to explain everything — He said He would rather not "Pooling" all rights into one - Better use least language like "manage" all 3 rights. He wants the integrity of all 3 rights by name - but agrees to the principal of using water as the other thing he will want is for the list

JUL 27 1994

(Page 2)

Pine Creek Mtn. Est. — Pine Creek — County Arlington — Page 1-B

File No. and Original Owner	File Date	Present Owner	Land Description	Amount of Water	Actual Charge 198	Proposed Charge 198	Notes
67- 220 R. Howland	5-1-01	R. McDaniel	#5399-17	1.71"	1.05	7.50	
67- 226 S. Rutledge	5-1-02	William Wilmore	#5399-18	1.70"	1.05	7.50	
67- 226 S. Rutledge	"	Don Hollis	#5399-19	1.70"	7.50	7.50	
67- 226 [illegible]utledge	"	Rodger Box	#5399-20	1.70"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Ron Collingwood	Parcel 1 of Lot 30 #5399-30	.85"	7.50	7.50	
67- 226 S. Rutledge	"	Bilbao	Parcel 1 of Lot 30 #5399-40	.85"	.50	7.50	
67- 226 S. Rutledge	"	Bilbao	#5399-31	1.70"	1.05	7.50	
67- 226 S. Rutledge	"	Kathryn Wert	#5399-32	1.70"	7.50	7.50	
67- 226 S. Rutledge	"	Verl Cate	#5399-33	1.70"	7.50	7.50	
226 S. Rutledge	"	Kathryn Young Laura Edens	#5399-34	1.70"	7.50	7.50	
67- 226 S. Rutledge	"	Sherry Breitenbach	#5399-35	1.70"	7.50	7.50	
67-			Here is what I have on pine creek Estates Jerry Myers (Watermaster #67)				
67-							
67-							
TOTALS				17.01"	56.15	75.94	

JUL 2 1998

showing each property owner's inches or part / Basically as exactly on the lists I gave you — as this note is written → Barb soon on — included in the official Transfer

Hope you can read this can be Lot #'s only — names change

JUL 27 1994

P.S. Come up anytime - will help you get a place in our Heaven if any left. Sold 3 after we saw you # 29 still left.

See Pictures ☺ Pearl

File No. and Original Owner	File Date	Present Owner	Land Description	Amount of Water	Actual Charge 198	Proposed Charge 198	Notes
67- 219 Webber	5-1-01	Ray Sandstrom	#5399-2	2.5"	7.50	7.50	
67- 220 R. Howland	5-1-01	Loyd Williams	#5399-3	1.71"	1.05	7.50	JUL 27 1994
67- 226 S. Rutledge	5-1-02	Robert Harrison	Tn-2 of lot 4 #5399-4	.85"	7.50	7.50	
67- 226 S. Rutledge	"	Cecil Bilboa	#5399-5	.85"	.50	7.50	
67- 219 Webber	5-1-01	M. Singlehurst	#5399-7	2.05"	7.50	1.14	
67- 219 Webber	5-1-01	Myrtle Sidwell	#5399-8	2.05"	7.50	7.50	
67- 219 Webber	5-1-01	H.Lopez	#5399-9	2.05"	1.25	7.50	
67- 219 Webber	"	Vernon Ketz	#5399-10	3.75"	7.50	7.50	
67- 219 Webber	"	Philip Ketz	#5399-11	2.05"	1.25	1.14	
67- 220 R. Howland	"	Myrtle Sidwell	#5399-12	1.71"	1.05	.94	
67- 220 R. Howland	"	Michael Whited	#5399-13	1.71"	7.50	7.50	
67- 220 R. Howland	"	Ted Gifford	#5399-14	1.71"	7.50	7.50	
67- 220 R. Howland	"	Bill Noah	#5399-43	1.71"	1.05	7.50	
67- 220 R. Howland	"	John F. Mount	#5399-16	1.71"	7.50	7.50	
TOTALS				26.41	68.65	85.72	

Pine Creek with Estates

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

5-8-92

Dear Steve Slater -

I Trust you received enough maps - forms - Cecil Bilbao said I Shouldn't have sent any money - so he said "Linda Warner said there would be no extra charges for Transfer of water in the estates" once Bilbao pd. his - initial fees. Now I'm enclosing [illegible] interest about Oregon Water - with questions - I'm going to expect an (over)

JUL 27 1994

Answer soon on our
Transfer appn. or a progress report.

Sincerely

Peace Kol

RECEIVED
MAY 11 1992
Department of Water Resources
Regional Office

RECEIVED
JUL 27 1994

ley are, but they
e. Bland denials that there's no problem that can't
but cutting harmless fat from state government are
ot nearly enough fat.
vave of reports is the responsible first step in
the state budget for the next two-year period.
are answering Gov. Barbara Roberts' question of
would meet a 20 percent shortfall in funds needed
ue current levels of services -- services that include
ells and juvenile - corrections beds among all the
vernment does. It's responsible because the budget
should be based on money available under current
on money hoped for.
ets can be adjusted. The governor or Legislature might
s here, more there -- but "there" doesn't offer freedom
in, just a shift in who feels the pain.
be, though, you think "there" should be administration -
anagement of the Corrections Department, for instance.
whole administration costs less than half the amount
ions would need to cut even if you took it all.
t these dire forecasts show is that the prudent answer
asure 5 is neither denying its effect nor letting these
ome about. Rather, it's replacing the bulk of the
e-tax money Measure 5 diverts from the state general
That doesn't mean a tax increase overall, but paying for
operty tax relief voters already have approved.
ing isn't fun, but neither is watching prisons close

-Portland Oregonian

Letters to editor

Citizens should take steps to protect ground water rights

To the Citizens of Oregon:

On March 13, 1992, the Oregon Water Resources Commission adopted new well standards for approximately 28 square miles of this state that will result in:

A. Major additional expense to landowners drilling a new well or altering an existing well in any way, including deepening. (An estimate provided to the Commission was that the average domestic well would double in price.)

B. Drastic reduction in the water production capability of each new or altered well that is constructed to the new standards. (It is very doubtful that adequate domestic supply will be obtained from many wells constructed to the new standards.)

C. Permanent damage to, and reduced recharge of, the groundwater reservoir(s) caused by the extensive cement sealing requirements of the new standards.

The Water Resources Department would like to see these standards statewide! The Commission adopted these standards even after being advised of the local cost impact and a statewide basalt reservoir impact of $10 billion dollars.

These standards were adopted without official notice or hearing; accordingly, little or no input from the industry, technical experts or landowners was received regarding these standards.

At the same meeting, the Commission also adopted the first ever withdrawal of Ground Water from all uses, including domestic. This action was taken even against Water Resources Department staff recommendations and an overwhelming (over 75%) opposition to the withdrawal.

We, as citizens, must act now to prevent the Water Resources Commission from a.) permanently damaging the ground water reservoirs of this state, b.) irresponsibly creating more consumer expense with no positive return for the cost, and c.) taking away our rights to the ground water of this state without substantial scientific evidence to support the necessity of such action.

Contact your senator and representative now. Support legislation that will require a more representative makeup of the commission. Require science and economics be put back into all government decision making.

The Oregon Ground Water Association supports the promotion of the maximum beneficial use of ground water without waste or contamination. If waste or contamination is scientifically a known problem, we support appropriate action. For more information, contact: Ted Pulliam 665-3353; Doug Delano 538-4422; Ron McConnell 654-2890; Steve Schneider 633-2666; Roy Jannsen 649-5563; Ken Robertson 982-9106; or write to OGWA at: 11179 SW Beaverton Hwy; Suite 3030, Beaverton 97005.

Stephen J. Schneider
President
Oregon Ground Water Assn.

The Malheur Enterprise
G. Auyer, Publisher

EARLY SUBSCRIPTION
---------RATES----------
in county
serviceman.....$15.00
ars.....25.00
ar in county
eniors.....13.00
ars.....21.00
ar out of county
includes seniors).....20.00
dent.....12.00
wsstand 50 cents per copy.

The Malheur Enterprise
ublication No. 0464-7734) is
olished weekly by The
alheur Enterprise, 263 A St.
, Vale, OR 97918. Second class
stage paid at Vale, Oregon.
nd address changes to The
alheur Enterprise, P.O. Box
0, Vale, OR 97918.
Member of Oregon Newspa-
r Publishers Association.

Letters to the Editor policy

Letters to the editor policy: Letters to the editor are welcome. Please list your complete rural or city address including your telephone number. Letters must be signed. We ask that you be as brief as possible in your letters. We reserve the right to not publish your letter because of illegibility or unsuitable content; and to edit your letter for space reasons and readability. We also reserve the right to make changes in your letter if we determine the changes are necessary for publication. Unpublished letters will not be returned..... W.G. Auyer, Publisher, Malheur Enterprise.

ELECT

JIM JC

MALHEUR (
JUDC

JIM

•Fiscal Responsi
•Stronger Ag Ecc

If you have any qu
phone 889-5165

Authorized and Paid for by the C
Treasurer, 16 N.W. 16th Street, (



Christian church
by Pauline Shunn
Paul Ratzlaff, minister, 473-3395.
Do we ever stop and realize

NEWS by Velma Wood

This is in Oregon —
What do we have in Idaho about
This?

RECEIVED
JUL 27 1994

	1,064,187	1,102,805
	294,200	301,900
	20,000	20,000
	56,913	59,559
	1,435,300	1,484,264
	1,435,300	1,484,264

	Adopted Budget This Year 1991-92	Approved Budget Next Year 1992-93
	3,410	1,050
	3,410	1,050
	3,410	1,050

	Adopted Budget This Year 1991-92	Approved Budget Next Year 1992-93
	66,000	67,900
	66,000	67,900
	66,000	67,900

	Adopted Budget This Year 1991-92	Approved Budget Next Year 1992-93
	10,446	10,780
	10,446	10,780
	10,446	10,780

ERTY TAX TO BE LEVIED

0-91	Adopted Budget This Year 1991-92	Approved Budget Next Year 1992-93
	57,750	55,250
	57,750	55,250
	8,524	8,488
	49,226	46,762
	8,014	7,612
	57,240	54,374
	57,240	54,374

struck out 2 and walked 5. Bates finished the game, gave up 5 runs on 4 hits, struck out 2 and walked 5.

(2nd), Johnson (4th) & Payne.

Transferring of water rights

In the fall of 1991, Governor Barbara Roberts declared Malheur County and several other Eastern Oregon counties drought emergency areas. In a drought emergency area, irrigation district water users have the opportunity to move water from one location to another with the permission of the irrigation district. For example, it is possible to lease farm ground and apply the water rights on the leased ground to other property within the district.

The Vale Oregon Irrigation District is accepting applications from district patrons to temporarily transfer water within the district. District patrons who are interested in taking advantage of this opportunity should contact District Manager Ron Jacobs as soon as possible. Jacobs will approve the water transfer if the transfer can be done without interfering with the delivery of water to other users. If Jacobs does not approve the transfer, the water user may bring the proposal to the irrigation district board, which meets on the second Thursday of each month.

The irrigation district must provide a number of documents to the State Water Resources Department before allowing the transfer of water, including a copy of the agreement between the water users to transfer the water, a map showing where the water is to be used, and an affidavit from the holder of the water right showing that the water right has not been abandoned. Under the state drought emergency law, temporarily transferring a water right off a parcel of property will not cause an abandonment of the water right.

What's Considered a Nuisance in Your Home May Be a Luxury In Another's! Classified ads...473-3377

VALE HIGH SCHOOL ACTIVITY SCHEDULE MAY 1992

May 7	Track	Nyssa	4 p.m.
May 7	Tennis	Nyssa	4 p.m.
May 7	Spring band concert	Cafeteria	8 p.m.
May 8	Bench for bounty	Gym	1:15-3:05 p.m.
May 8	Student council dance	Cafeteria	7:30 p.m.
May 9	Tennis (Burns)	Vale	10 a.m.
May 9	JV baseball (New Ply.)	Vale	12 p.m.
May 9	Varsity baseball (2)	Prairie City	2 p.m.
May 11	Awards Assembly	Cafeteria	1:45-3:05 p.m.
May 11	Jazz Band Concert	Cafeteria	8 p.m.
May 12	Varsity baseball (2)	Elgin	1 p.m.
May 14	Varsity baseball	Nyssa	4:30 p.m.
May 14	JV baseball (Nyssa)	Vale	4:30 p.m.
May 15	District Tennis	Ontario	8:30 a.m.
May 15	State trouble shooting	Salem	TBA
May 16	District tennis	Ontario	8:30 a.m.
May 16	State trouble shooting	Salem	TBA
May 16	District Track	Grant Un.	11 a.m.
May 16	Baseball marathon	Vale	10 a.m.
May 18	Graduation	Gym	8:15 p.m.
May 21-23	State tennis (boys)	Tualatin Hills Tennis crts	TBA
May 21-23	State tennis (girls)	Mt. Hood/ Tualatin Tennis crts	TBA
May 22-23	State track meet	WOSC	TBA
May 23	District baseball	LaGrande	TBA

November remained in 1978, when t to Siletz. In Prineville, wh and operated Park. She wa business and operations.

Survivors Verlin White children, Jane White, both Jack Linville James Linvill Katherine Stu both of Vale several niece uncle, four cousins. She by her paren

Memoria made to th Society, Croo Box 394, Pri

MAR

Mary Ko way, formerl day, May 4 way. Service Lienkaemper

JACOB

Jacob Sch died Sunday a be conducted at the Nyss Burial will Cemetery, un Lienkaemper

Announcements

To Lucia Rogersville, A William Clabo 1992, at Eli Hospital, Flore seven pounds, 19 1/2 inche are Wayne Harper, and Claborn, Cou grandparents Harper, and H land, Ala.

To Angel Nyssa, a boy, born April 27, Medical Cente pounds, eight 1/4 inches lor Jesse and Lou and Delores L

SUMTHIN' NEW, SUM SUMTHIN' Malheur Ent 473-3377.

FREE Glass of Wine for all h...

How does the above compare with our transfer app.?

JUL 27 1994

RECEIVED
MAY 4 1993
Department of Water Resources
Western Regional Office

PINECREEK PROPERTY OWNERS

IRRIGATION ASSOCIATION

Vernon E. Ketz, President

1-208-642-2744
1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Id. 83610

Re: Application for Transfer of Water Right Nos. 67-00219, 67-00220, and 67-00226

Dear Steve Lester,

Yes, we definately still want to pursue the application, and we would prefer to meet with you during the week of May 17-21 - alternate week May 24-28. Our pick day would be May 17, as these two weeks are our vacation at Pine Creek with lots to do. Both Pearl and I intend to be present, along with Cecil Bilbao (if he is able schedule wise to be there). Please confirm the above date by return mail or alternate one.

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

I have been appointed as the President of our Association to direct all functions and have also a wide background in the history of Idaho Water Use. I also attended the hearing set up by your department to answer the protest lodged by Roy Mink against our application for our water right. With many important people taking off time and distance traveled, the meeting was proved to be unnecessary and the application was approved. We trust your coming will be a pleasant experience for you. A visit to our beautiful valley is a never-to-be-forgetten experience, and you will be impressed.

We have cooperated fully with Jerry Meyers our watermaster in every way and will do everything we can to be fair and yet we know our water use is according to the policies of your department as much as lies within our power. We do intend to continue to protect the rights that Mr. Cecil Bilbao traveled all the way to Washington D.C. to insure and that we have been faithfully using over these past many years since Mr. Bilbao turned the use and responsibility over to us. I'm sending this letter to Cecil.

Looking forward to our meeting.

Vern Vern Ketz

RECEIVED
JUL 27 1994



P● CREEK MOUNTAIN ESTATES
PROPERTY OWNERS ASSOCIATION

PEARL J. KETZ
PRESIDENT

RECEIVED
APR - 7 1992
Department of Water Resources
Western Regional Office

1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Idaho 83610

Pictures Enclosed - See backer for Explanation

4-4-92

Dear Mr. Lester,

Regarding your phone call of April 2, 1992, I believe is you contact the Watermaster for Wash. County. Jerry Meyers - he will be able to confirm that we indeed have been using the water during the Last 5 years - (and shut us off Last year to allow the Noah's to water their corn.) He shut off Two #4 inch pipes and also the pumps This water usage has been well documented over the Last 5 years. It was verbally affirmed by Mr. Bilbao at the march 1992 recent meeting that we are using The total 39.36 water inches owned by Him in the Estates, ~~plus~~ including The original inches granted us at the original meeting in Jan. 1988 (at which time Mr. Mink withdrew his protest.)

JUL 27 1994

Mr. Bilbao has transferred the water to the 1988-92 use in the lower valley by us and today again affirmed the Transfer. "He said everything is on file." per phone 4-4-92 -

Please confirm receipt of our application of Transfer by mail and enclosed documents.

Sincerely
Pearl Ketz

Please Add to Application For Transfer.



PINE CREEK MOUNTAIN ESTATES
PROPERTY OWNERS ASSOCIATION

PEARL J. KETZ
PRESIDENT

1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Idaho 83610

4-5-92

Pine Creek Mountain Estates
Property Owners Irrigation Assoc. Formed 1992
Consists of the following members: (See Address List Enclosed)

Lot # ID only	Name	Water Right #
2	Ray Sandstrom	A67-219
5	Cecil Bilbao	A67-219A; A67-220; A67-00226
7	M. Singlehurst	A67-00219G
8	Myrtle Sidwell	A67-00219E
9	Andrea Lopez	A67-00219D
10	Vern Ketz	A67-00219B
11	Philip Ketz	A67-00219C
12	Pearl Ketz (Easement To Irrigation Co.)	A67-00219E, 67220
13	Mitch Whited	67-220
34	Young	A67-00226B
35	(Miller) Bilbao	A67-00226A

JUL 27 1994

Each of the above members owns one share and, jointly owns the right to use the total amount of 39.36 by right of use water as Listed by Jerry Meyers For Pine Creek. on the over 28 acres shown on the Application for Transfer - Vern Cate & Bill Noah being the only 2 irrigators not included, (No others are irrigating)

PINE CREEK MOUNTAIN ESTATES MAILING LIST 1991

1. EDWARD J. GALLAGHER
   P.O. BOX 1551, WRIGHTWOOD, CA 92370
   619-249-4896

2. RAYMOND SANDSTROM
   25022 GRISSOM RD. LAGUNA HILLS, CA 92653
   714-581-0101

3a. DAVID CLINE (SUSAN)
   6568 W. AUTUMNWOOD, BOISE, ID 83702
   208-939-2177

3b. LOYD WILLIAMS
   21217 BENEDICT ST. RIVERDALE, CA 93656

4. BOB AND MARY HARRISON
   P.O. BOX 7245, BROOKINGS, OR 91745
   503-469-1966

5. UNSOLD – Bilbao

6. PEARL AND VERN KETZ
   820 8TH. AVE. N., PAYETTE, ID 83661
   208-642-2744

7. MIKE AND MARLENE SINGLEHURST
   P.O. BOX 2114, KAHULUI, HI 96732
   808-877-6541

8. MYRTLE SIDWELL
   613 NORTH KIMBALL, CALDWELL, ID 83605
   208-454-2285

9. ANDREA LOPEZ
   575 N.W. 34TH. ST., ONTARIO, OR 97914

JUL 27 1994

10. PEARL AND VERN KETZ
820 8TH. AVE. N., PAYETTE, ID 83661
208-642-2744

11. PHILIP KETZ
110 MISSION DRIVE, EAST PALO ALTO, CA.94303
415-326-7571

12. MYRTLE AND EUGENE SIDWELL & Pearl Ketz
613 NORTH. KIMBALL, CALDWELL, IDAHO 83605
208-454-2285

13. MITCH WHITED
2719 N. 29TH. ST., BOISE, ID 83703

14. TED GIFFORD
206 TAMPICO CIRCLE, DUNCANVILLE, TX 75116

15. LLOYD NOAH
2490 W. PINE ROAD. CAMBRIDGE, ID 83610

16. JOHN MOUNT
10235 IOWA AVE. PAYETTE, ID 83661

17. UNSOLD

18. WILLIAM W. WILMORE
P.O. BOX 337, KAHULUI, HAWAII, 96732
808-579-9420

19. DON AND KAREN HOLLIS
401 S. 9TH. ST., PAYETTE, ID 83661
208-642-4602

20. RODGER BOX
13342 DOUGLAS RANCH DR., PINE, CO 80470

21a. WARREN SMITH
4316 HOOVER ST. , BOISE, ID 83705

JUL 27 1994

21b. UNSOLD

22. RALPH GOLAN
7020 18TH. AVE. N.E., SEATTLE, WA 98115

23a., 23b., 24a., 24b., - UNSOLD.
CECIL BILBAO, OWNER AND FOUNDER OF PINE CREEK MTN. ESTATES.
3597 COWCREEK ROAD, CAMBRIDGE, ID.83610

25a. VIRGINIA CHAPMAN
P.O. BOX 942, NEW PLYMOUTH, ID 83655

25b. JERRY PETERSON
2819 GREENTREE WAY, EUGENE, OR 97405

26. JOHN YOUNG
1760 AVENIDA DEL MUNDO #902, CORONADO, CA 92118

27. ROD ANDERSON
BOX 1272 S. ARAMCO, DHAHRAN, SAUDI ARABIA 31311

28. LONNIE JOHNSON
694 W. GALLOWAY, WEISER, ID 83672

29. ~~CRAIG KRAUSE, JR.~~
P.O. ~~BOX~~ 15842, ~~LONG~~ BEACH, CA. 90815

30a. UNSOLD

30b. RON COLLINGWOOD
211 7TH. AVE. NORTH, PAYETTE, ID 83661

31. HOWARD GILBERT
713 E. IDAHO, P.O. BOX 641, NEW PLYMOUTH, ID 83655

32. CY WERT

JUL 27 1994

P.O. BOX 272, CAMBRIDGE, ID 83610

33. VERL CATE
P.O. BOX 91, CAMBRIDGE, ID 83610

34. LAURA AND KATHRYN YOUNG
1760 AVENIDA DEL MUNDO #902, CORONADO, CA. 92118

35. SHERRY MILLER
11989 SHERWOOD CT., HAYDEN LAKE, ID 83835

JUL 27 1994

Taken 1991 (2)

One of 3 cords

used to feed

drip lines from.

Compare with

photo # 1

when we first

began planting - 1983

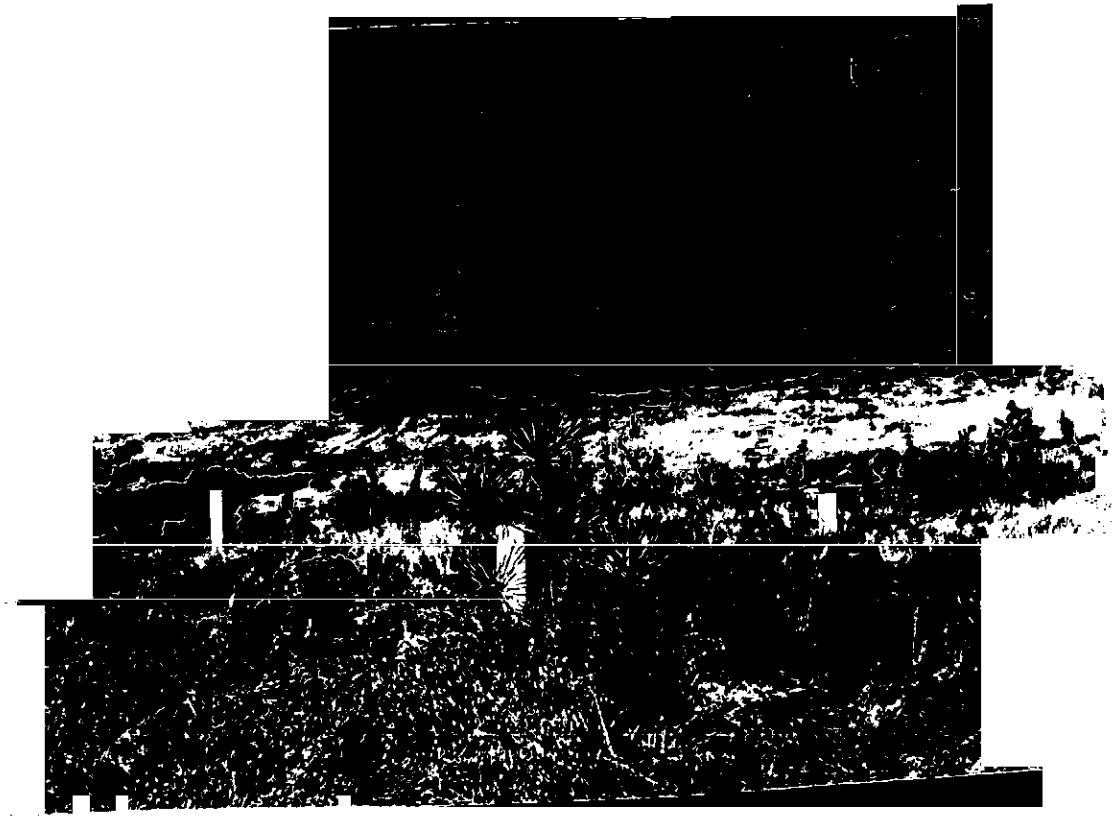
Golf cart has

not been moved.

(2) Same big Tree

from groats side

of Golf cart



(1) Lot # 10 late fall

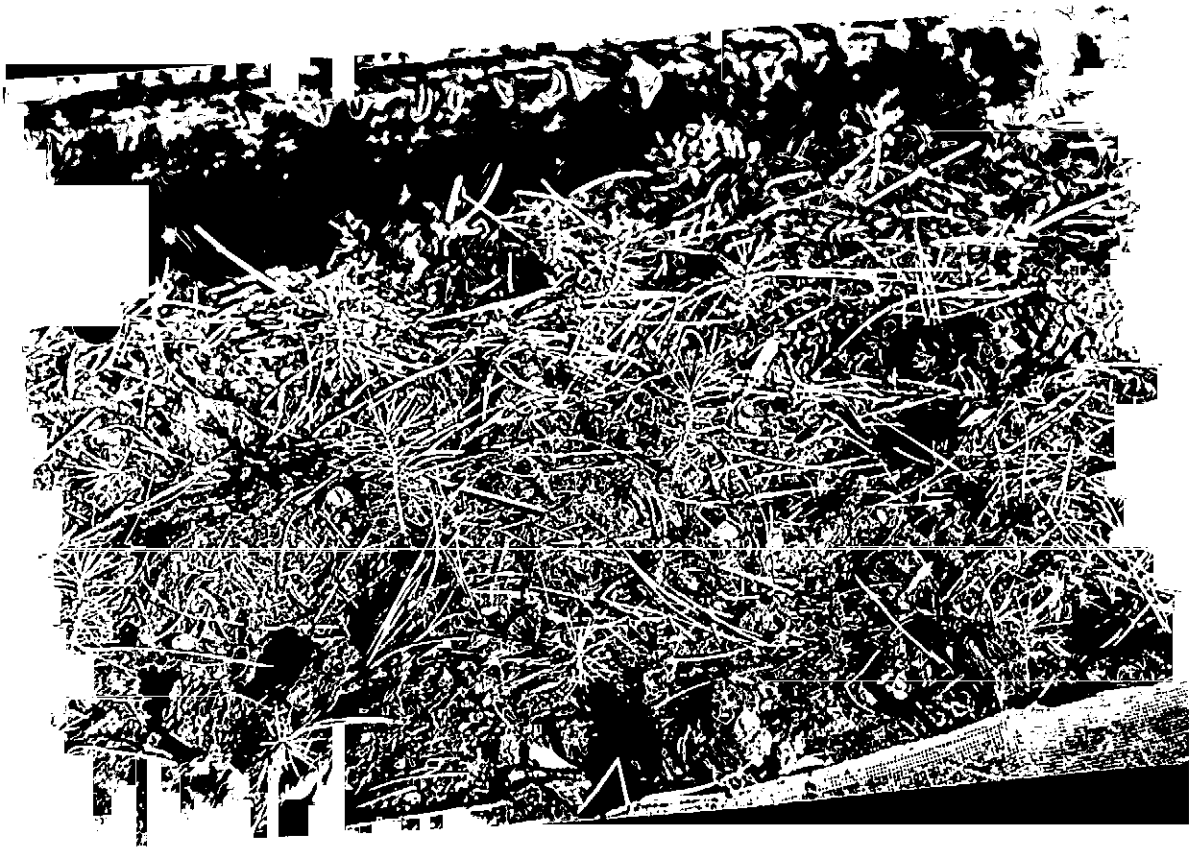
1983

Note upper Ditch +

Lower Ditch - Estates formed 1979

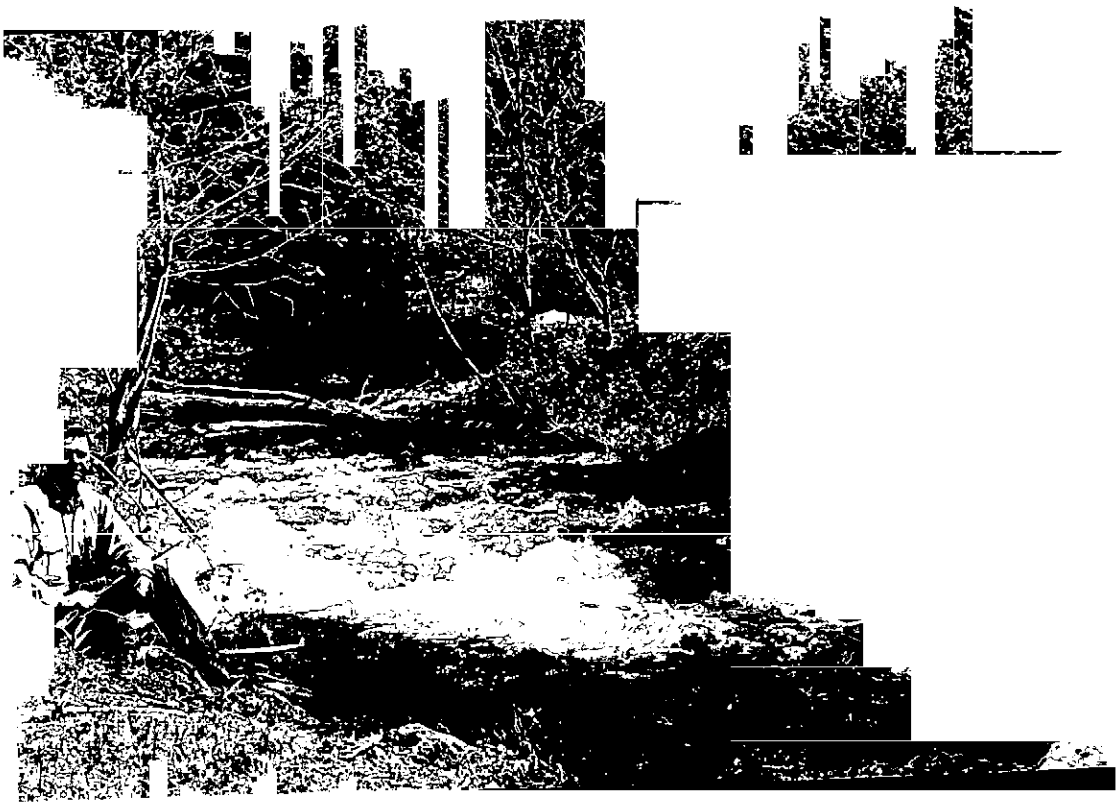
before then - a crop of hay was raised by flood irrigation by Bilbao - each year

JUL 2 7 1994



Little Trees Like These (3)
don't show up on
aerial photos

JUL 27 1994



Ray Sandstrom #2 (4)

on #12 near
headgate

JUL 27 1994



7.16

(5)

Standing on north hill #10

Log 1 Land 7, 8, 9, north

We planted little Trees

Growing on hill

Carry water to them by [illegible]

JUL. 27 1994

Roy Sandstrom #2 (4)

on #12 near
headgate

7.16

(5)

Standing on north hill #10
Log & Land 7, 8, 9, [illegible]

We planted little Trees
showing on hill

Carry water to them by jug

(3)

Little Tree Like These
don't show up on
aerial photos

Taken 1991 (2) 7.16
One of 3 ponds
used to feed
drip lines from.

Compare with
photo # 1
when we first
began planting - 1983.
Golf cart has
not been moved.

(2) Some big Trees
from grass side
of Golf cart

(1) Lot #10 lots full

1983

Note upper Ditch +
Lower Ditch - Estates formed 1979
before then - a crop of hay was raised by
flood irrigation by Bilbao each year

JUL 27 1994

RECEIVED 4-3-92

APR - 7 1992

Department of Water Resources
Western Regional Office

Mr. Steve Lester,

Paul Ketz asked me to send you these aerial photo's of their Pine Inton Estates area.

The flight line diagram is as follows:

1287-236
|
1287-237 — 1287-160
|
1287-238 — 1287-161

Hope this helps. If we can help further our number is 549-2420.

Sincerely

Michael Stuyton
Forester

Weiser Range District
275 E. 7th
Weiser, ID 83672

RECEIVED
JUL 27 1994



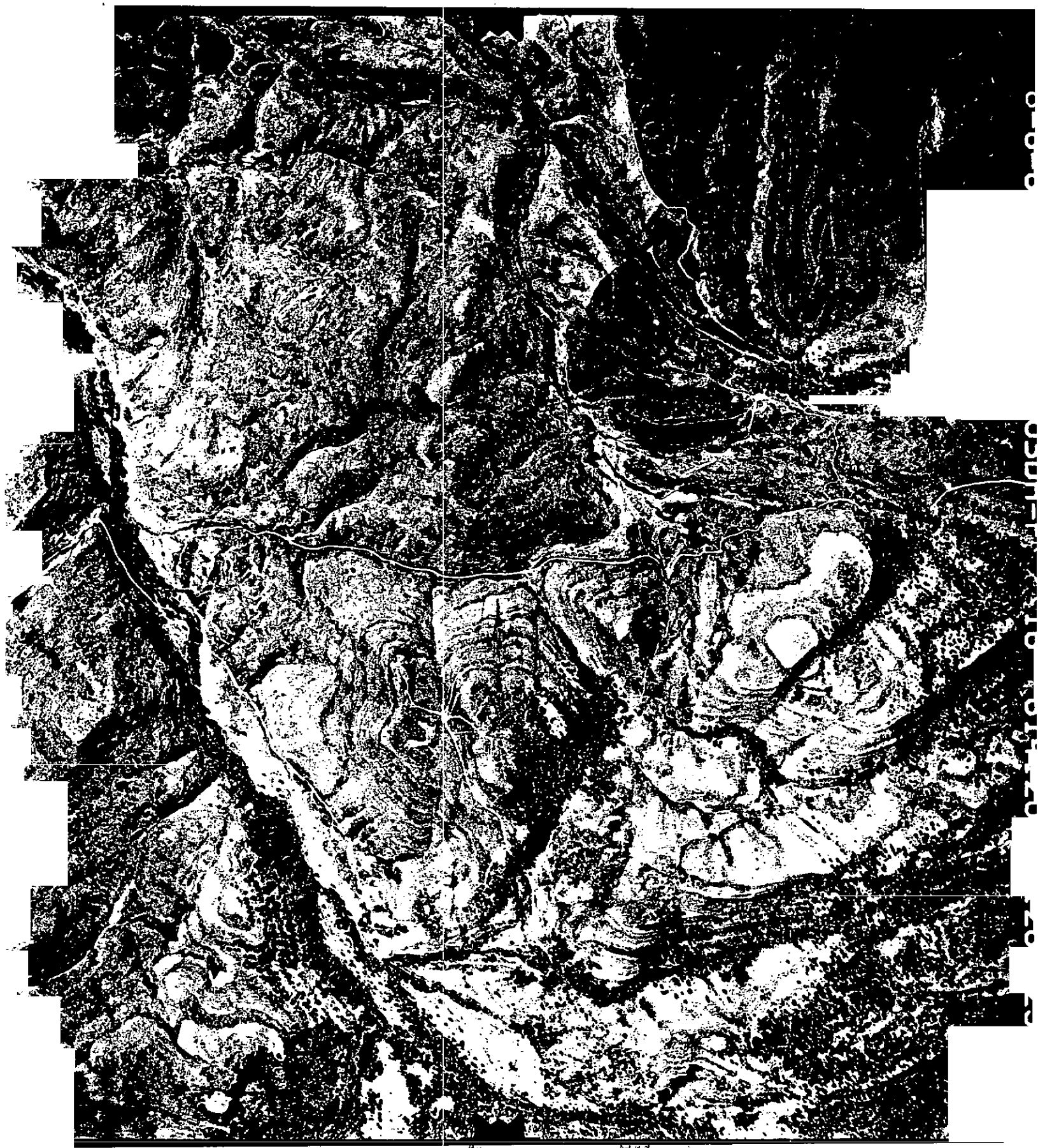
JUL 2 7 1994

8-8-87

JUL 27 1994



JUL 2 7 1994



JUL 2 7 1994

JUL 2 7 1994

WASHINGTON COUNTY CLERK
P.O. Box 670 P[redacted] 549-2092
Weiser, Idaho 83672

03[redacted]473

DATE 4-3 19 92

RECEIVED FROM Paul Kitzmiller

THE SUM OF Six and 00/100 JUL 27 1994 DOLLARS $ 6.00

☐ CASH ☑ CHECK ☐ M.O. ☐ CREDIT CARD

FOR Copies

AMOUNT OF ACCOUNT ..... $ 6.00

AMOUNT PAID ..... $ 6.00 THANK YOU!

BALANCE DUE ..... $ —

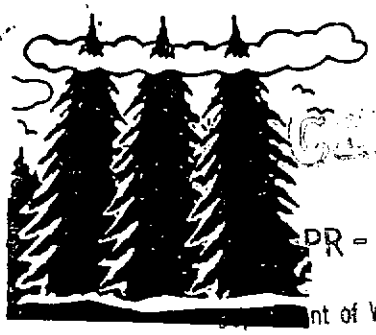
BY Carol Hylland

4-3-92

Received of Pine Creek Estates Prop. Owner Assoc. Mr. Paul Kelly, Pres.
Ten dollars and 50/100 for Copies
$ 10.50

Lynn Wiggins Wash Co Ass't
Carolyn Petty, Deputy

RECEIVED
JUL 27 1994 APR - 6 1992
Department of Water Resources
Western Regional Office



PINE CREEK MOUNTAIN ESTATES
PROPERTY OWNERS ASSOCIATION

(1)

RECEIVED
APR - 6 1992
Department of Water Resources
Western Regional Office

PEARL J. KETZ
PRESIDENT

1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Idaho 83610

4-4-92

Dear Mr. Lester,

I have spent a great deal of time money and effort on furnishing you with those maps.

Please be aware that Light will damage this ariel photo.

Enclosed you will find - Copies of Mr. Bilbao's deed & Quit Claim Deed.

He has instructed me to tell you that as President of Pine Creek Mountain Estates Property owners association I am duly authorized by him to affect this Transfer as per his verbal instructions.

JUL 27 1992

If you desire further proof you

(over)

must write to him: (2)

Cecil Bilbao
3597 Cow Creek Rd.
Cambridge, Id. 83610
ph. 1-257-3583

I have filed with the application of Transfer the written statement Dated 9-19-87 Signed by Mr. Bilbao indication his permission to use certain waters of The Rutledge + Howard rights and to establish an additional point of Diversion on #12

I have been using those water rights on the [redacted]22 acres of the Webber Right to establish an arboretum and park and horse pasture for the use of Pine Creek owners during the Last 5 years. Those Rights are preserved.

RECEIVED
JUL 27 1995



E CREEK MOUNTAIN ESTATES
PROPERTY OWNERS ASSOCIATION

PEARL J. KETZ
PRESIDENT

1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Idaho 83610

(3)

Now Mr. Young has also given me permission to use the water as well as Mr. Miller.

Together - Those 3 gentlemen have the authority as Listed by the Warranty Deed enclosed to Transfer these rights -

---

Now - To explain the ditch - 84" & water flowed down this ditch To water the whole valley - Mr. Bilbao tried to preserve these rights for the (over)

JUL 27 1994

use of the estates. He made a Trip to Wash. D.C. to fight for the right to maintain his headgate on the national Forest.

Now the ditch can still serve a Limited portion of the Estates - Verl Cate - & miller & young - However - because - Verl Cate built his house in the middle of the platted road - see photo -

We have proposed the new road necessitating the termination of the ditch there. A new ditch below the road could be used - but it is not nearly as effective as the pipeline we use - It breaks out & wastes wate. We have documented that 75% of the diverted water flows back into the creek - see application -

JUL 27 1994

PINE CREEK MOUNTAIN ESTATES
PROPERTY OWNERS ASSOCIATION

PEARL J. KETZ
PRESIDENT

1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Idaho 83610

(5)

And the majority of the Land owners that wish to continue irrigate~~ok~~ are Located in the lower end of the valley. The pipelines have been mutually purchased & maintained. Therefore the Formation of Pine Creek Mountain Estates Property Owners ~~&~~ Irrigation Association - will also remain and develop the estates arboretum & park & picnic grounds

The Watermaster - Jerry Meyer has personally inspected this whole area -

As far as legal permission - Only one owner that has pd. for

(over)

JUL 27 1994

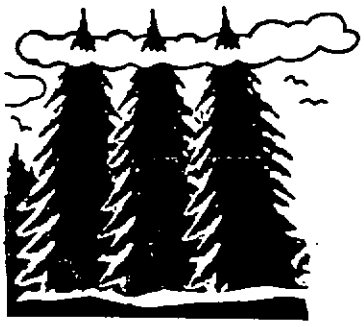
his land free & clear and has had opportunity to irrigate in the last 5 years - has not chosen to do so.

If you desire any further information or proof - please put it in writing & I will try my best -

Ray J. Kay

President

JUL 27 1994



PINE CREEK MOUNTAIN ESTATES
PROPERTY OWNERS IRRIGATION
ASSOCIATION

VERN KETZ - DIRECTOR

1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Id. 83610

Well - we Tried 4-3-92

1st Stop - ASCS - 8:00 am

Dear Steve -

(8am) the ASCS has no maps but the enclosed - made in the early 70's no aerial ? Pine Creek property

Next Stop: GIH says - "We can't do that" Forest Service I said - send it directly -

(8:30) Mike Stayton - will send you either copy aerial photos or order blanks.

Wash. County Courthouse previous owns.
John Stringer
Ralph O Jones.

Key map 1 in. 660' -

(9am) You now have - 1988 aerial map costs me 5.00 of Pine Creek with Ext

+10.50

$15.50 for maps

See we're Trying to cooperate

JUL 27 1994

(over)

Vern & I agree

The map doesn't

show anything as far as

our pipelines are.

We are sending you the leads

& the maps under separate cover.

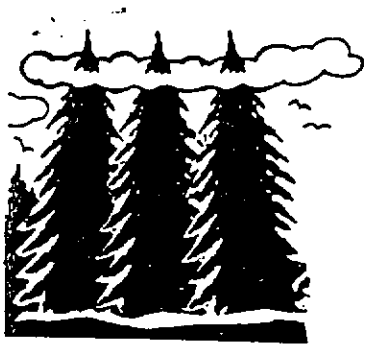
Please Be careful —

The aerial photo is

Light sensitive!

RECEIVED
APR - 6 1992
Department of Water Resources
Western Regional Office

RECEIVED
JUL 27 1994



P[redacted] CREEK MOUNTAIN ESTATES
PROPERTY OWNERS ASSOCIATION

PEARL J. KETZ
PRESIDENT

1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Idaho 83610

4-2-92

Dear Mr. Lester,

Upon returning home I examined all my copies of the applications and I believe I gave you all the information you requested.

Except - the plat map here-in enclosed

And as for the tax records they will prove nothing as the contract buyers are listed. [illegible] deeds to the properties lie in Bilbao's name. He can produce deeds if you request them - He owns the water rights in question

(over)

JUL 27 1994

and has filed as such
and can transfer them as an owner.

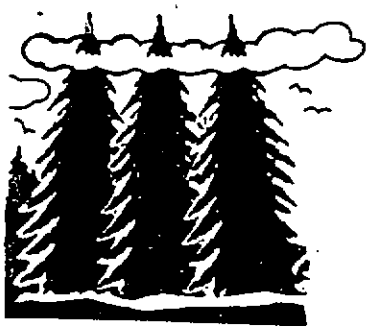
I have asked him for a
further letter - He will
submit one similar to the
one he gave me which
I already submitted - I will
send it to you.

We will go to Weisen tomorrow
and send what maps we can -

As for calling my work - I
guess its not best - as my boss
remarked. So call me at
home - 4:30 - 5 pm daily,
or write me.

Sincerely
Paul Katz

JUL 2 7 1994



PINE CREEK MOUNTAIN ESTATES
PROPERTY OWNERS ASSOCIATION

PEARL J. KETZ
PRESIDENT

1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Idaho 83610

RECEIVED
APR - 6 1992
Department of Water Resources
Western Regional Office

4-3-92

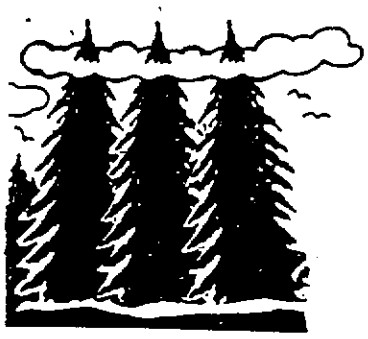
Dear Steve -

After sealing up your letter I decided I needed to write you another letter.

My first question is. How come you are handling this? Linda Werner knows alot about this and alot about Bilbao & personally helped him file on all the Pine Creek Estates papers.

Now if you will study all the application carefully I sent you you will see that in effort we have been using much of this water already with permission to establish new trees & park. The 5/8 inch is not enough - that originally watered

JUL 27 1994



P[illegible] CREEK MOUNTAIN ESTATES
PROPERTY OWNERS ASSOCIATION

PEARL J. KETZ
PRESIDENT

1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Idaho 83610

The Webber hay field Twice a year or so. Some Trees need much more.

For instance - Today we are planting 300 Trees that need 18" a year to establish.

So the amount of acreage to be watered will not correspond with the old acreage. To have a watered park takes much more water. & to establish new orchards.

Now about Bilbao - He will not send fancy letters - to show you I am enclosing one of his few notes regarding the access to the canal - Advent Gulch Canal is still without legal access to it by Mink & Bumgardners

JUL 27 1994

(over)

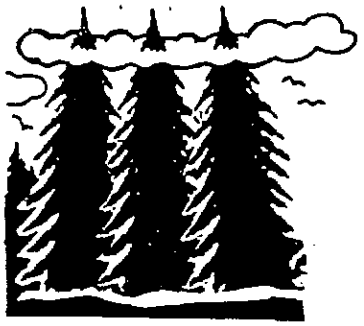
We will not close them off if they will not try to grab the estate water which they have threatened to do before —

Of course we expect Mink to talk — & object. He objected so far to just about everything — Even the big guys — get Mink's wrath. Randy Noah — for instance —

So don't worry about that part — Cecil Bilbao owns the water rights and he will fight to do whatever he wishes with them — He will want to talk to you — if you can't work it out — 1-257-3583 JUL 27 1994

Enclosed pictures in case you want to buy a piano. I find buyers too.

Sincerely Pearl



E CREEK MOUNTAIN ESTATES
PROPERTY OWNERS IRRIGATION
ASSOCIATION

VERN KETZ - DIRECTOR

1-208-257-3258

3608 Advent Gulch Rd.
Cambridge, Id. 83610

4-2-92

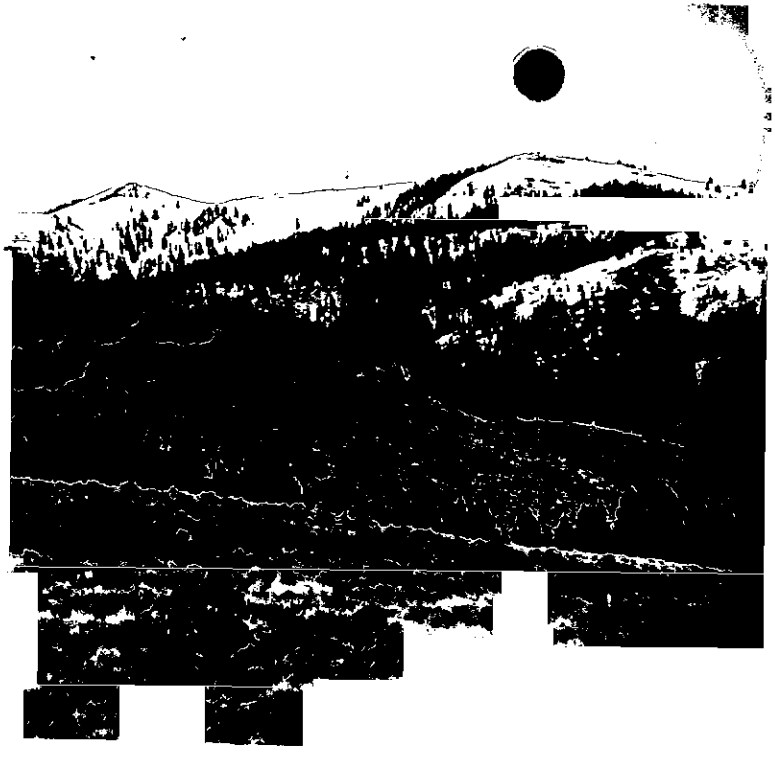
My husband wishes to add:

"At the meeting it was established that - you don't have to cover all your acreage every year with all your water to maintain your water right - I personally have used the Rutledge & Howland water rights on the Land in question -

But that doesn't mean your ariel photos will Tell you much - Pine Creek is not Like the Snake River Plain -

JUL 27 1994







our own
elk herd

JUL 2 7 1994

Keep sheriffs delivery notice in your Files

Regarding Bumgardners Comments on Road access and The courts views.

" His wishing does not make IT SO "

In 1978 when I subdivided I Told Them They had TO pick OUT one LOT and get a written easement. There Lawyer (Linguist in person) Called me and said They were Looking at No 12. I told him I Couldn't help them with 12 because IT was Sold under contract I heard nothing more. when I got 12 back I heard nothing. Then you told me that They had an easement with Mitch, Now You say They are using LOT JLB 24 1994 wonder what agreement They have with JA. I have owned that Property Longer Than any OF them. They didn't have an easement ther and still don't.

Page _____ of _____

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

Transfer No. _____

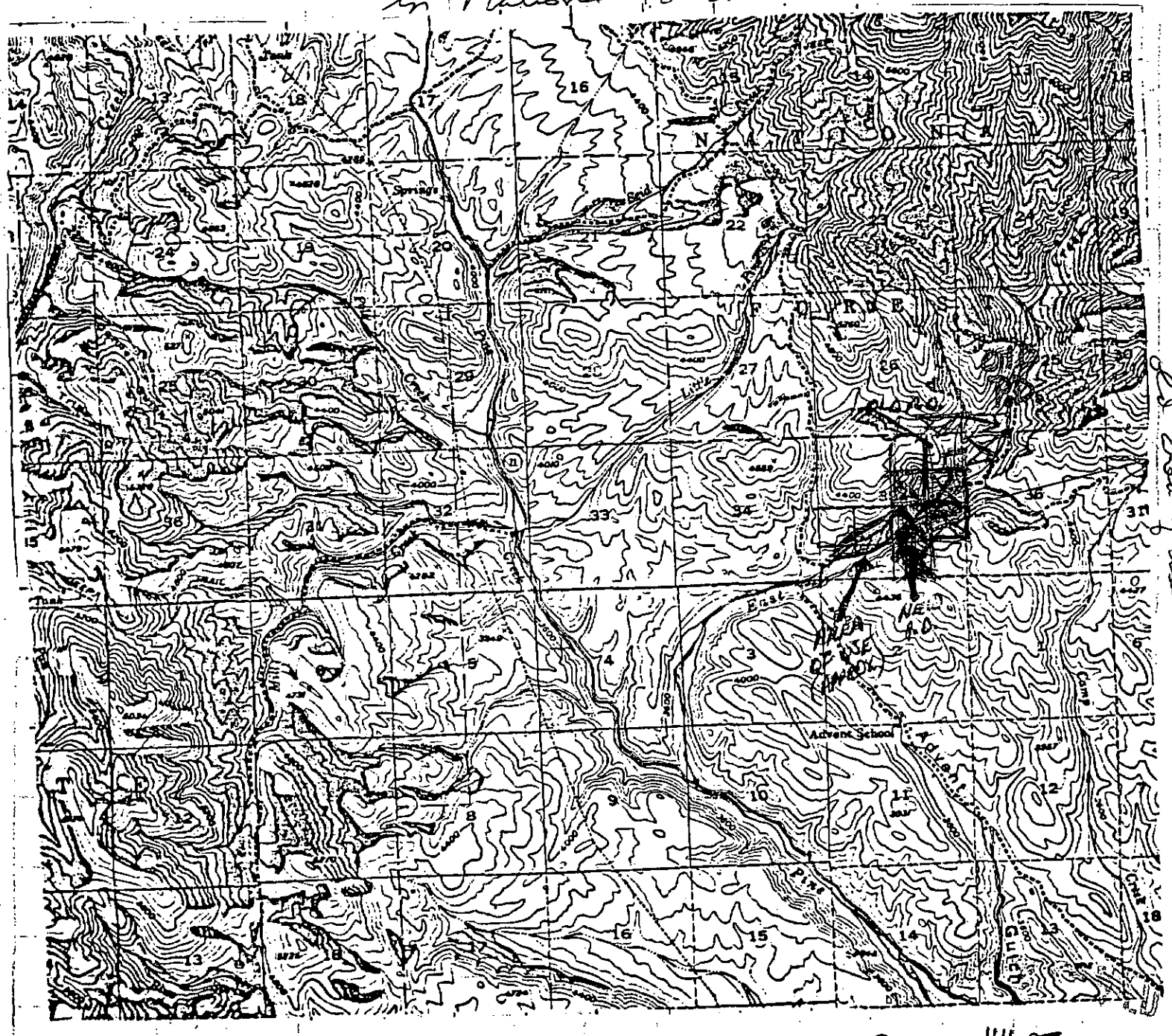
(6)

RECEIVED
APR - 6 1992
Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

Old point of Diversion shown SW Q. Sec. 25 in National Forest



16N 04W Sec. 35

JUL 7 1994

SCALE: 2 inches equal 1 mile. Draw plan in ink.

CONVERSATION MEMORANDUM

DATE 4/2/92

FILE 67-00219A & B
-00220
-00226

NAME OF PARTY Pearl Ketz, President

EMPLOYEE Steve Lester

RE: INFO NEEDED FOR TRANSFER:

To prepare corrected transfer application, need:

(1) Proof of ownership & consent of owners

(2) verification of acres irrigated per QQ for each right - within last 5 yrs.

(3) location of all pld's before transfer.

(4) irrigated acres / QQ after transfer.

(5) location of all pld's after transfer.

Want to map #2-5 - suggest that get ASCS photo to show irrigation. Subd. plat with owners shown will also be helpful.

(6) Did discuss this with protestant (Ray Mintle) of Transf 3377 (split of 219 into A & B portions)? Could help to avoid ~~transfer~~ protests in this new transfer.

RECEIVED
JUL 27 1994

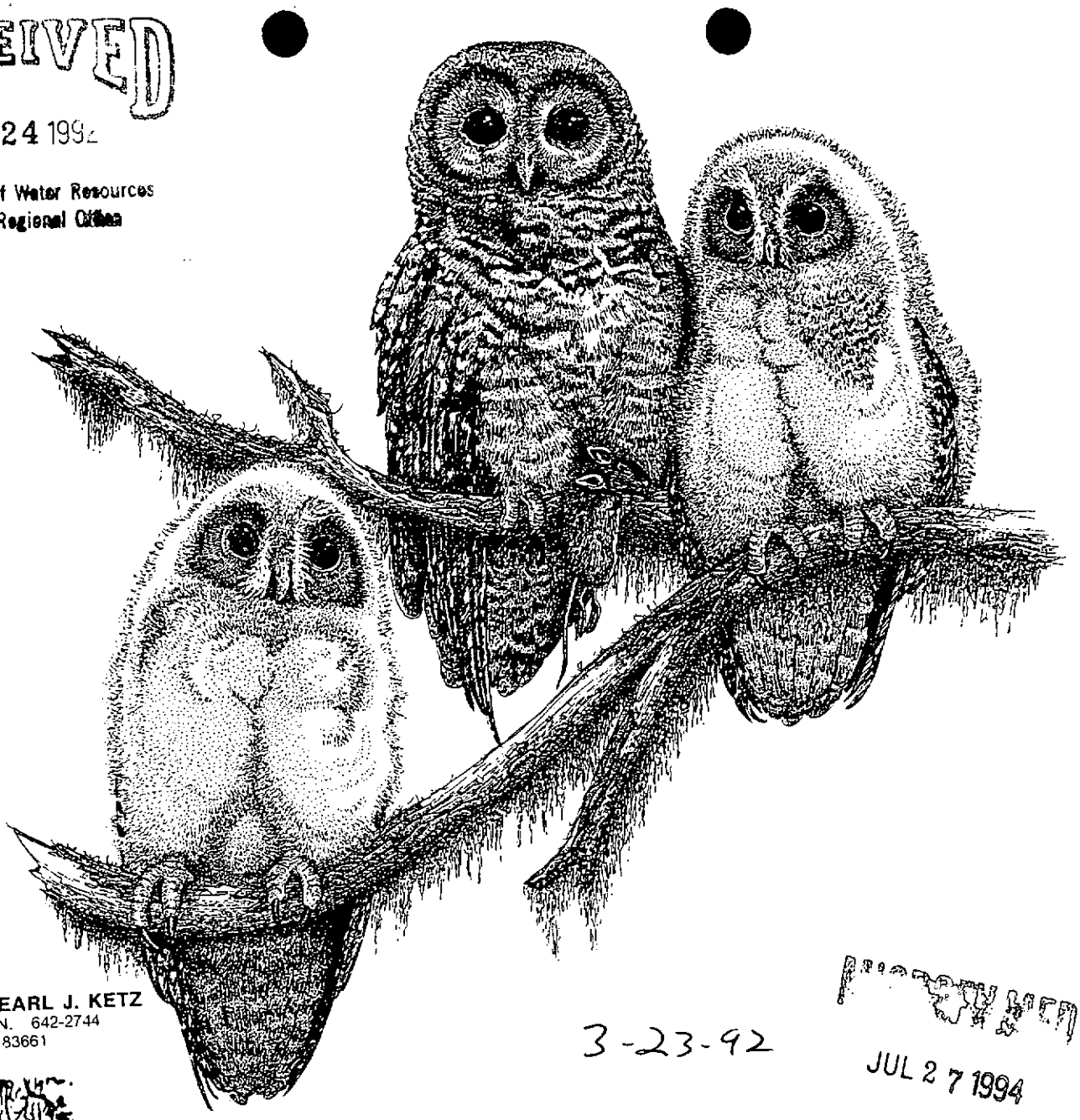
The official name is

Pine Creek Mountain Estates
Property owners Association - Irrigation Dist. Dept.

Pearl V. Ketz
President

JUL 27 1994

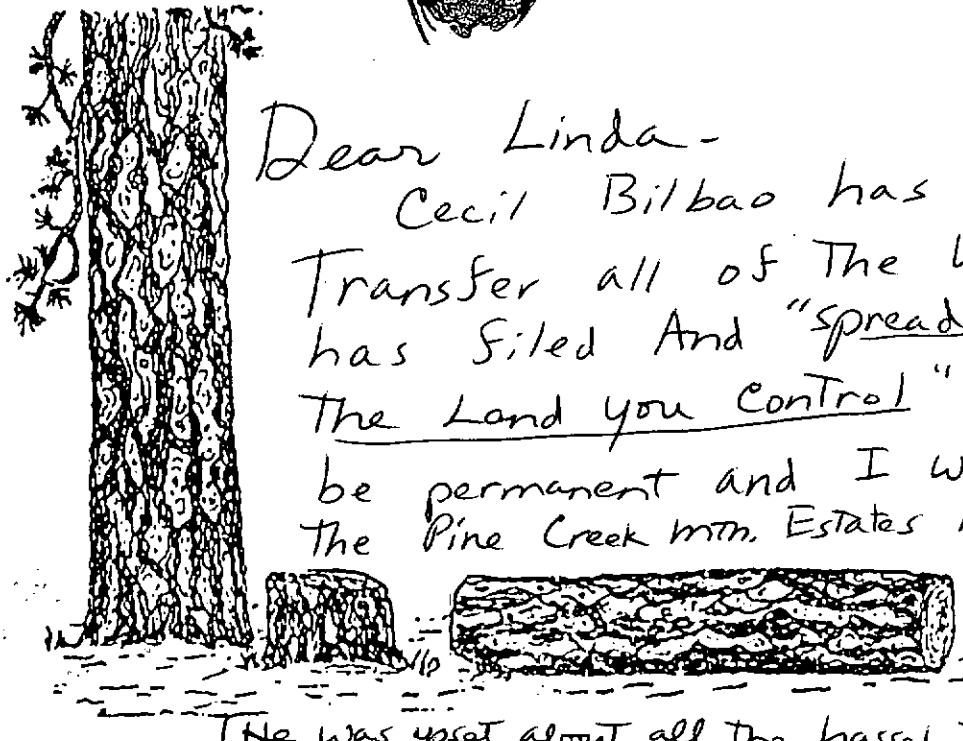
RECEIVED
MAR 24 199
Department of Water Resources
Western Regional Office



VERN OR PEARL J. KETZ
820 8TH AVE. N. 642-2744
PAYETTE, ID 83661

3-23-92

RECEIVED
JUL 27 1994



Dear Linda-
Cecil Bilbao has instructed me To Transfer all of The Water Rights he has filed And "spread it out over all The Land you control" This Transfer will be permanent and I will be in charge of The Pine Creek mtn. Estates irrigation company of sorts - deciding how to allot amt between The Lots. (over)

[He was upset about all the hassel The youngs went through)

Due to the upcoming water drought year:
Mr. Bilbao has contacted Jerry Meyers 3/23/92
Watermaster and instructed him to
Contact me and That I will Cooperated
With him fully in every way. Individual rights
will be coordinated into one irrigation delivery system.
The Point of Diversion for all
of The rights will be changed
To The Advent Gulch Canal Location
on #12 - up & down between #10 &
12 - as has been The case for the last 8 years —
3-4 inch pipes - out of headgates total used on 7 8 9 10 11 12 & 2
And The water usage will be spread
out between & over Lots 7, 8, 9, 10, 11, 12,
& #2 To establish young orchards & Trees.
For the subdivision owners. Mr. Bilbao said you
promised him There would be no charge. for additional takers of
Mr. Jerry Meyers has given me The List Cimarron 50
of water division as he had it previously -
Now all but those not circled will be transferred -
A copy of This will be filed with The Watermaster
Per - The meeting with Irrigators recently held by the
water board in Cambridge. If you have any
questions - for Mr. Bilbao - Call 1-257-3583 Sincerely
& Pearl Katz work 1-503-889-9133 Pearl Katz
home 1-208-642-2744

March 16, 1992

Pearl Ketz
820 8th Ave. North
Payette, ID 83661

Dear Mrs. Ketz;

I am writing in regard to your letter of February 25. Enclosed you will find some forms which will need to be completed for transferring the water rights in question.

I have enclosed copies of both rights showing the way they were originally decreed and how they were claimed in the SRBA. You will need this information when completing the transfer forms. The transfers will be necessary because the usage will have changed after the cutoff date of the SRBA which was November 19, 1987.

If you have questions regarding the above be sure and contact me.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures: Application for transfer w/instructions (2)
Copies of A67-00219E and A67-00226
Water right proofs of 67-00219A and B and 67-00226

RECEIVED
JUL 27 1994

RECEIVED
FEB 26 1992
Department of Water Resources
Western Regional Office

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

2-25-92

Dear Linda,

8 of Pine Creek Mtn. Estates has been officially Transferred to Myrtle Sidwell by Terry Tomek - Since Mr. Tomek died Last Summer - I'm not sure if he filed a water Transfer - before Myrtle Sidwell Transfered use of her her one acre right water to #8 from #12 - you did it remember? The water master has # 8 67-219 File date 5-1-1901 # 5399-8 2.05 amt of water - This should now be added to Sidwell #8 water right - total use on #8 If she needs to file additional papers please send -

RECEIVED
JUL 27 1994

Thanks
Pearl Ketz

67-00226

P.S. Mr. Young filed for 3 acres I heard - He said he'll give me a Transfer of usage to use this summer. Please send papers - Thanks

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: W014363

Date: 3/24/1992
Time: 12:23:11

Received
From: PINE CREEK MTN. ESTATES

Type of Payment	Program Acct	Amount
APPLICATION FROM TRANSFER	520199 1238 6390	50.00
	Total	$50.00

CHECK 1005

Region: WESTERN Signature: Valerie J Holt

JUL 27 1994

OUR GOLDMINE IS



Pervernal Acres Arboretum
Vern & Pearl Ketz
3608 Advent Gulch Road
Cambridge, Idaho 83610

RECEIVED
SEP - 8 1994
Department of Water Resources
Western Regional Office

Dear Sirs.
Please be advised that as of August 10th our mailing address for correspondence on all water right records should be changed from

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

to

phone
1-208-257-3258

This change is to be permanent.
Pearl Ketz

Our Dream of the Mountain

Pa, let's move on the mountain, and build us a place,
The world's now moving in such a terrible haste,
People are hurrying, scurrying, stressing profits and gains,
Many are driving so nuts in the fast lanes.

Pa, let's move on the mountain, the children are grown,
And we worked our heads off to pay our last loan,
It's time to slow down our living, and throw out the old clock,
Sit on our front porch in our rockers and rock.

Spend more time fishing the creek every day of the week,
And there's no phones a-ringing, and no schedules to keep.
Pa, the moments are now fleeing, and the older we get,
We can sit on our mountain, and watch the world's jets.

Pa, lets move on the mountain, slow down the rhythm of your heart,
You looked so forward to the day there would be no more work,
Where there is no freeways, or highways, no trucks and buses to catch.

So Pa, let's move on the mountain, there's so little time left.
There is no rhyme or reason to continue our tracks.
We can enjoy a new beginning the rest of our days,
And watch each day's dawn arising, with a beautiful horizon the rest of our days.

AUG 27 1994

We
Celebrate life
In Idaho

Killer Frosts August 24-25

Official low temperatures in Cambridge probably set an all-time record both Monday and Tuesday when early morning temperatures dropped to 32.7.

Unprotected gardens in this area were blackened, and just as gardens were bringing forth their best. But everything this year has been several weeks early.

WEATHER

Date	Hi	Lo	Prec
Wed., Aug. 19	100	56	.00
Thu., Aug. 20	96	66	.00
Fri., Aug. 21	92	58	.00
Sat., Aug. 22	74	58	.00
Sun., Aug. 23	67	42	.00
Mon., Aug. 24	73	33	.00
Tus., Aug. 25	75	33	.00

Another Killer Frost Tues. a.m.

Wed 26th was 32° Thurs 27th 36

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVENOR
R. KEITH HIGGINSON
DIRECTOR

March 31, 1988

RE: Transfer of Water Right No. 67-0219B

Vernon E. &/or Pearl J. Ketz
820 8th Ave. N.
Payette, ID 83661

Dear Mr. and Mrs. Ketz:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3377). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

SPLIT PARTS A + B

RECEIVED
APR 04 1988

Form 222a
6/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: Jan Thuente Amended App.

1. Right number 67-02196 Applicant Vernon + Pearl Key
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
   ☐ Other _____
4. Check:
   a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
   b. ☒ Description of original point of diversion.
   c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
   a. ☐ All of right.
   b. ☒ Part of right *(NOTE! Part B should be filled in only if part of the right is owned by the applicant).*
   c. ☒ Check description of point(s) of diversion.
   d. ☒ Check description of place of use.
   e. ☒ Check map (shows p.d. and p.u. after transfer).
   f. ☒ Check for correct signature, notarization, and fee.
   g. ☒ Check proof of ownership of right &/or land from which water is transferred.
   h. ☒ Check for expansion in use of right. Comments NONE
   i. ☒ Check for existing water rights from same source, on land water is being transferred to.
      Right number(s) NONE
   j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No
      If yes, what district? 67-## - LAWSON HOWLAND

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on 10/7/87 Received on 10/21/87
2. Is transfer published correctly? ☑ Yes ☐ No Upper Country News 10/15 & 10/22/87
3. Protest received? ☑ Yes ☐ No Withdrawn $50/#43867

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* 12d (1) Subject to control by Watermaster, W.D. 67, Weiser R. & Trib's, 12d (2) lockable headgate & meas. device req'd. (3) The place of use of this water is limited to land South of the road that traverses the property, Lot 10, Pine Creek Mountain Estates.
4. By DRT Date 1/22/1988

RECEIVED
JAN

Jim 3-29-88

* *All uses within Watermaster Districts require special conditions.*

Department of Water Resources

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

January 20, 1988

Roy Mink
HC 69 Box 3500
Cambridge, ID 83610

Re: Application for Transfer No. 67-0219, in the Name of Vernon E. /or Pearl J. Ketz

Dear Mr. Mink:

This office acknowledges receipt of the withdrawal of protest against the above-mentioned application for transfer.

This office now will continue to process the application for transfer.

Sincerely

D R.T Tuthill Jr

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

c.c. Vernon E. &/or Pearl J. Ketz

MICROFILMED
APR 04 1988

In the matter of Transfer of)
Water Right No. 67-0219 in) Withdrawal of Protest
the name of Vernon E. &/or)
Pearl J. Ketz)

I hereby withdraw my protest based upon the changes made in the application for transfer and following the discussion that took place at the conference held in Weiser on January 15, 1988.

This withdrawal is based on the understanding that the place of use is the portion of the decreed place of use owned by the applicant.

Signed at Weiser this 15th day of January, 1988.

Roy Kunkel

MICROFILMED
APR 04 1988

Hearing Officer : D. Tuthill
Assisted by: B. Fleenor

Application for Transfer No. 67-0219
Vernon E. &/or Pearl J. Ketz
Weiser, Id 83661 Co Courthouse 1/15/88 1:00 pm

Applicant: Vernon Ketz Present

Protestant: Roy Mink Present
Marv Perkins - Horse flat Ditch
Also present: Lawson Howland - Ex watermaster WD. 67
Gerald Meyers - New watermaster " "
Cecil Bilbao - Represent at of state owners
Bill Noah - Sold property to Vern

Mr. Ketz
- Wants to move trees from stream side to dry ground
- Plans to divert only on the weekends normally, starting with flood irrigation & ending with drip irrigation. Does not want ponds.
- Ketz's own 14 acres - 7 above road & 7 below road
old ir ditch goes.

Roy Mink -
- Is this the correct acreage?
- This is an enlargement of acreage

MICROFILMED
APR 04 1988

Ketz - Plans to pump water, only below the road.

Bilbao - 1976 looked at water rights & prorated water to each lot based on use.
App reduced & Protest withdrawn

Re: Application for Transfer No. 67-0219 - Vernon E. &/or Pearl J. Ketz

Place: District Court Room, Washington County Courthouse, Weiser, ID

Date: 1:00 p.m., Friday, January 15, 1988

Hearing conducted by: Dave Tuthill & Bob Fleenor

ROSTER OF ATTENDANCE

Name	Address	Representing
Vernon E Ketz	820 EIGHTH AVE. N, Payette	my wife Pearl Ketz & myself
Kay Wright	HC 69 Box 3500 Cambridge	Mink Land & Livestock
Vernon Rowland	HC 68 Box 2910 Cambridge	Self
Gerald Myers	HC 70 Box 2010 Midvale	Self
Warren Robbins	HC 69 Box 3100 Cambridge Idaho	Burnt Timber Ranch
[illegible]	RT 1 Box 212 Cambridge ID	Pine Creek Ranch Cattle Co.
Gale G. Nook	HC 69 Bx 3390 Camb.	Self
[illegible] Nook	HC 69 Box 3390	Self
[illegible] Cunningham	R1 Box 182 Cambridge	Self
Norman Hansen	HC 69 Box 3380 "	"

RECEIVED
APR 04 1988

CONVERSATION MEMORANDUM

DATE 1/13/88

FILE 67-0219

NAME OF PARTY Pearl Ketz

EMPLOYEE Dave Tuth.II

RE: Upcoming Hearing

In response to Jan's note below I called Mrs. Ketz at the Weiser hospital (889-5331) to determine if we should delay the hearing. She stated that her husband planned to read a statement that she has prepared, and it will not be necessary to delay the hearing.

DMT

MICROFILMED
APR 04 1988

DAVE - 1/11/88 PEARL KETZ CALLED & SHE WON'T BE ABLE TO ATTEND THE HEARING DUE TO A FALL THIS MORNING WHICH REQUIRED SURGERY. SHE WONDERED IF IT IS OK THAT JUST HER HUSBAND ATTENDS. I TOLD HER IT WAS OK. SHE CALLED FROM THE HOSPITAL JUST BEFORE THEY WERE TO KNOCK HER OUT. JAN



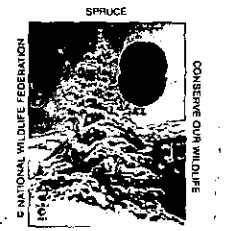
AUTUMN LANDSCAPE (detail)

Tiffany Studios, New York City, 1923
Stained glass

THE METROPOLITAN MUSEUM OF ART

Gift of Robert W. de Forest, 1925 (25.173)
(K) 11-08142-9

Re: 67-0219



Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

12-18-87

Dear Mr. Tuthill,

It was just that the change of place surprised us. Did our asking for Friday change the place somehow? I'm sorry.

We will be at Bucky's of course. Just in case of extreme weather we'll start early. Could Bill Noah come? Police Protection?

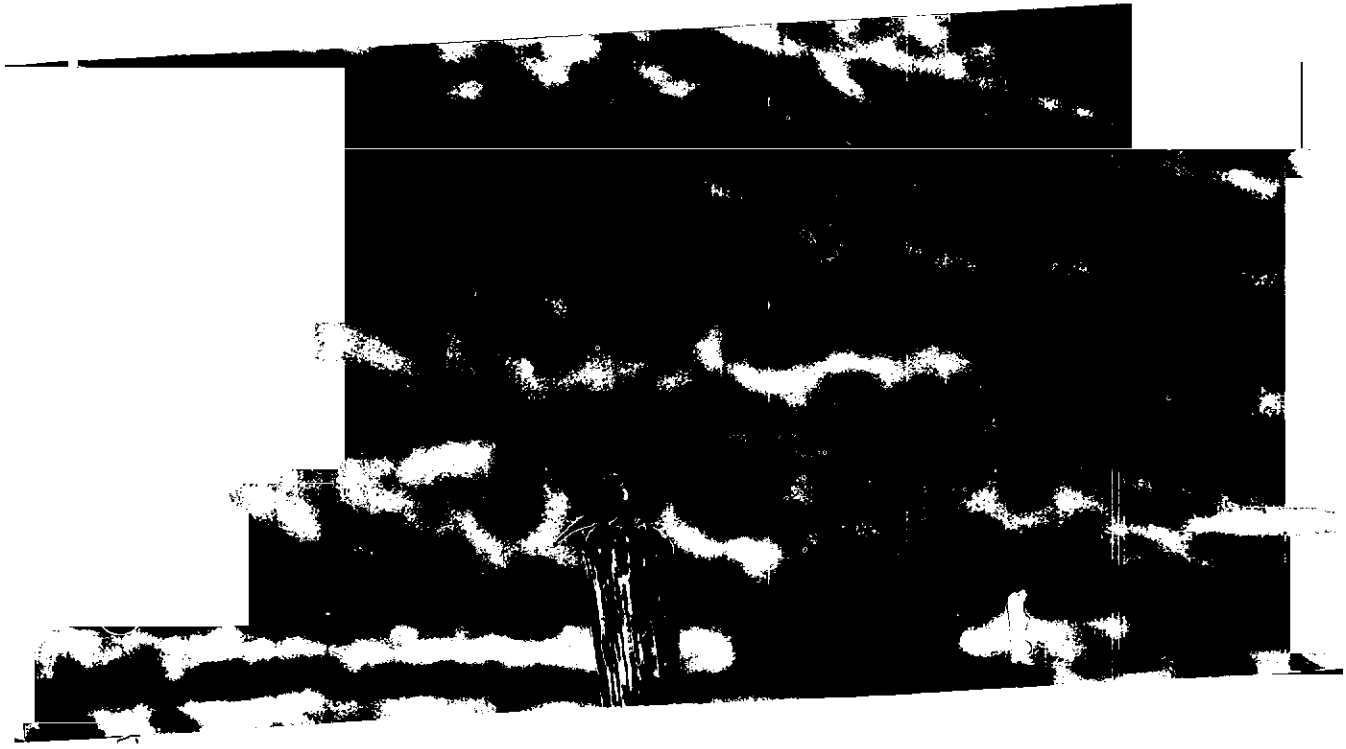
In re-reading Mr. Mink's protest, his reason is "Ketz is only part-owner of the property." Does he mean we don't own #9 & #11? We have an "option to buy" these pieces & have permission to water.

Please don't be discouraged & write soon.

Pearl Ketz

P.S. Please see note on back of picture

RECEIVED
APR 04 1988



CONSERVE OUR WILDLIFE

By planting and watering trees we have attracted the endangered mountain Blue Bird. Last year we had six pairs return & nest. (4 were babies of 1st pair) We have provided nests and of course fencing out the cows provides unspoiled areas of creek side for insect gathering. This also improved life for the fish finding refuge & eating Larvae hiding under Leaves. Also native grasses are returning that were grazed to near extinction. A little water does so much



Oh the beautiful sunsets we see at Pine Creek while out talking to our Trees. Perhaps our labors may one day be the source from which the weary and worn, or the burdened with affairs may derive a few moments of rest and refreshment. What a powerful motive for pressing on in our quest for water to beautify and preserve places that are lovely to behold.



1-1-88

Dear Mr. Tuthill,

Thank you for changing the meeting place.

We did not know it but Mr. Bilboa one of the three partners in Pine Creek mtn. Estates & former owner & irrigator of water right in quest would not have come to Bucky's either. He called Last night to say so. & I was glad to Tell him meeting had been changed to Weiser.

Makes you wonder. Well, thanks again and maybe some day you will be able to really appreciate the fact of how your kind help encourages us that "people really care about the Little guy" in important offices.

Pearl Kat

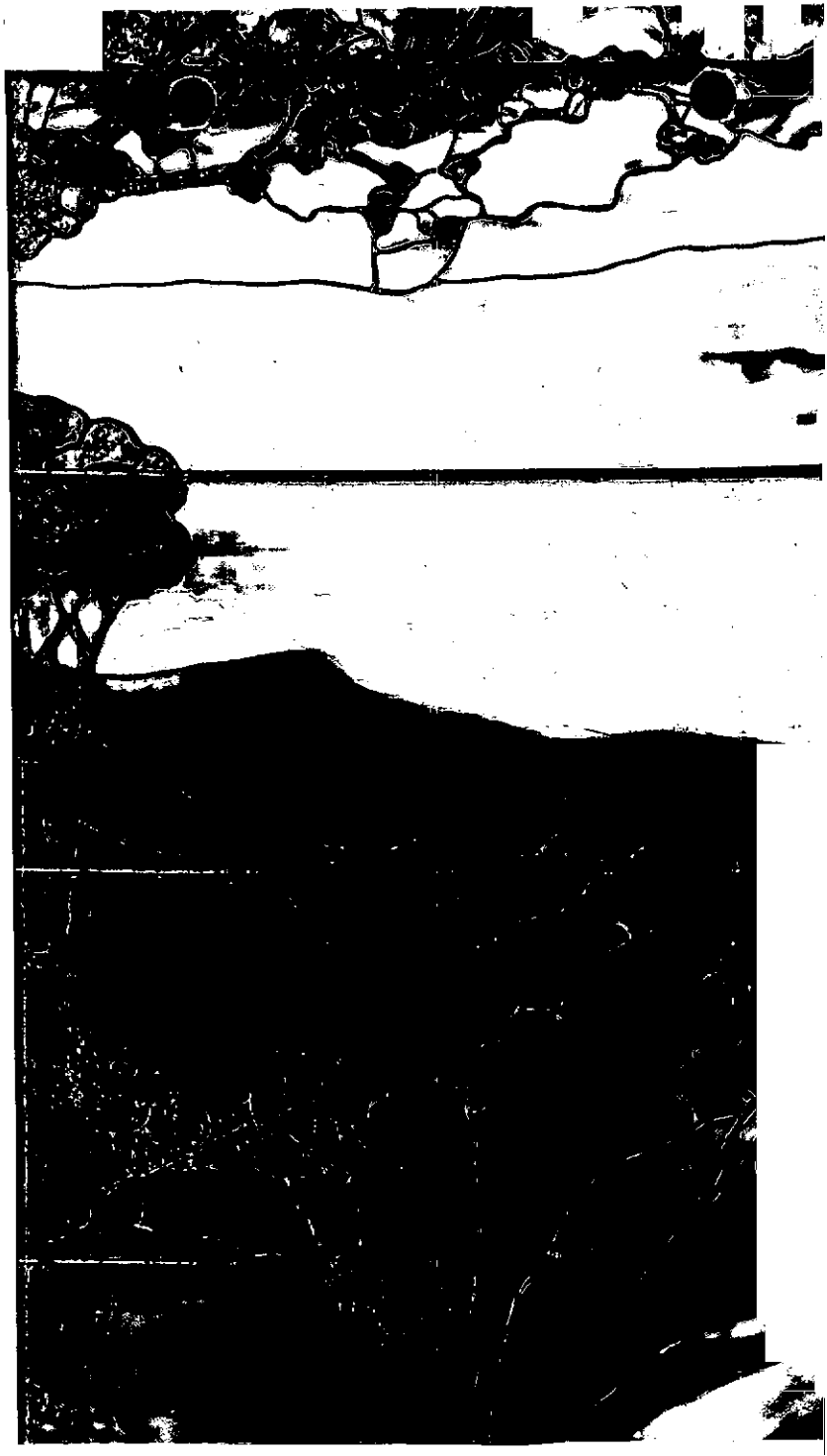
RECEIVED
JAN 4 1988
Department of Water Resources
Western Regional Office

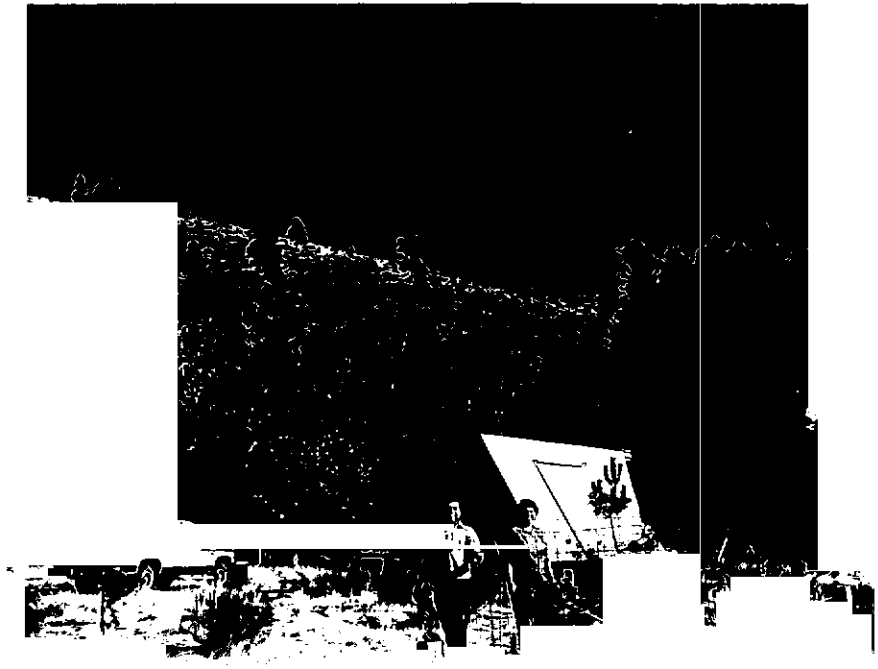
AUTUMN LANDSCAPE (detail)

Tiffany Studios, New York City, 1923
Stained glass

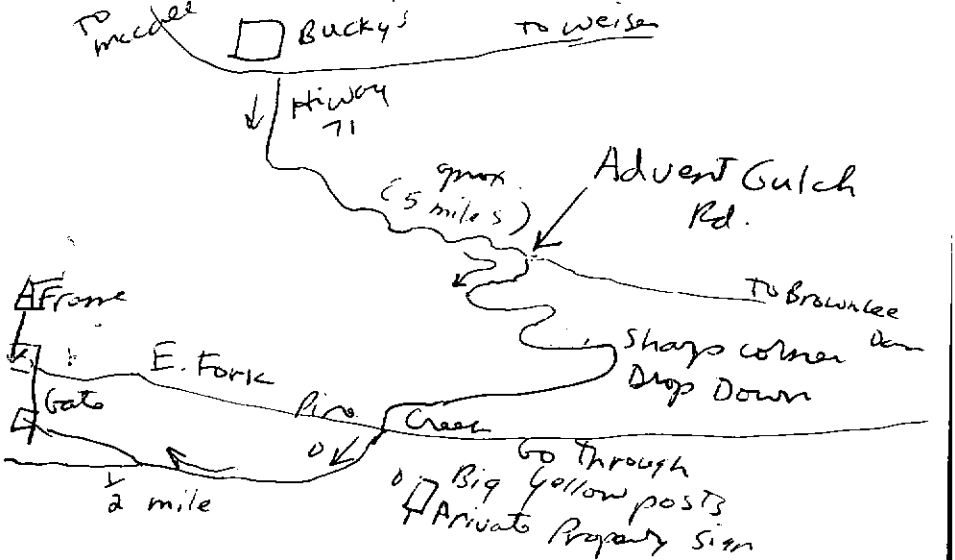
THE METROPOLITAN MUSEUM OF ART

Gift of Robert W. de Forest, 1925 (25.173)
(K) 11-08142-9





How To Check out our place





Johnny Appleseed Was a Pioneer Planter.

APPLESEED, JOHNNY (1774-1847), was the name given JOHN CHAPMAN, a pioneer who has become a legendary figure in American history. He was a strange mixture of plant nurseryman, herb doctor, minor military hero, and religious enthusiast. At the beginning of the 1800's, he appeared along the Ohio River and became known to his frontier neighbors as "Johnny Appleseed" because of the ardent way he distributed apple seeds and sprouts in central and northern Ohio. He accepted almost any object or amount of money in payment for his seeds and sprouts.

Chapman was also religious, and he preached the teachings of Emanuel Swedenborg with force (see SWEDENBORGIANS). To the Ohio frontiersmen, he seemed like an American version of a Hebrew prophet wandering in the wilderness. He combined the services of herb doctor and botanist with his religious sayings. He also distributed herbs and medicinal plants, and served as a frontier messenger during the War of 1812.

By the time of his death, Chapman had become part of the Ohio Valley legend. He defied religious and social customs. His apple trees strengthened the economy of the rich farming areas of northern Ohio and Indiana. He was born in Massachusetts. THOMAS D. CLARK

John Chapman was Pearl's great, great, great, great uncle.

DRK

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

12-20-87

Dear Friend,

I was wondering if any of your field officers had been out to see our place.

Here's a map (on back of our picture) if you get a chance.

Hopefully some of the Trees will be showing through the snow.

Merry Christmas

Pearl Ketz



Holiday Greetings

APR 04 1988

Pearl * Vern Ketz
820 8th Ave. North
Payette, Id. 83610

David Tuthill, Manager
Idaho Water Resources Dept
2735 Airport Way
Boise, Id. 83705

Dear Sirs,

Your letter was not clear as to whether we could bring witnesses or statements written by such parties.

In thinking over our position, it came to our attention that Mr. Bill Noah, who sold us the property, had made certain statements and representations about the water rights, etc.

We would ask him to come and testify on our behalf. However, on a previous occasion when we were going to hold a community affair, we approached Bucky's Cafe about the event. The owner informed us that Mr. Bill Noah was not welcome on his premises under any circumstances. We assured him we only wished to use the basement conference room. There was no bending in his position. He swore and said vehemently that if Mr. Bill Noah ever stepped foot on his premises he would take a gun and shoot him, repeating his position with swearing and very angry looks.

So, whether or not Mr. Noah will make any statements that we could use as evidence remains to be seen.

Sincerely,

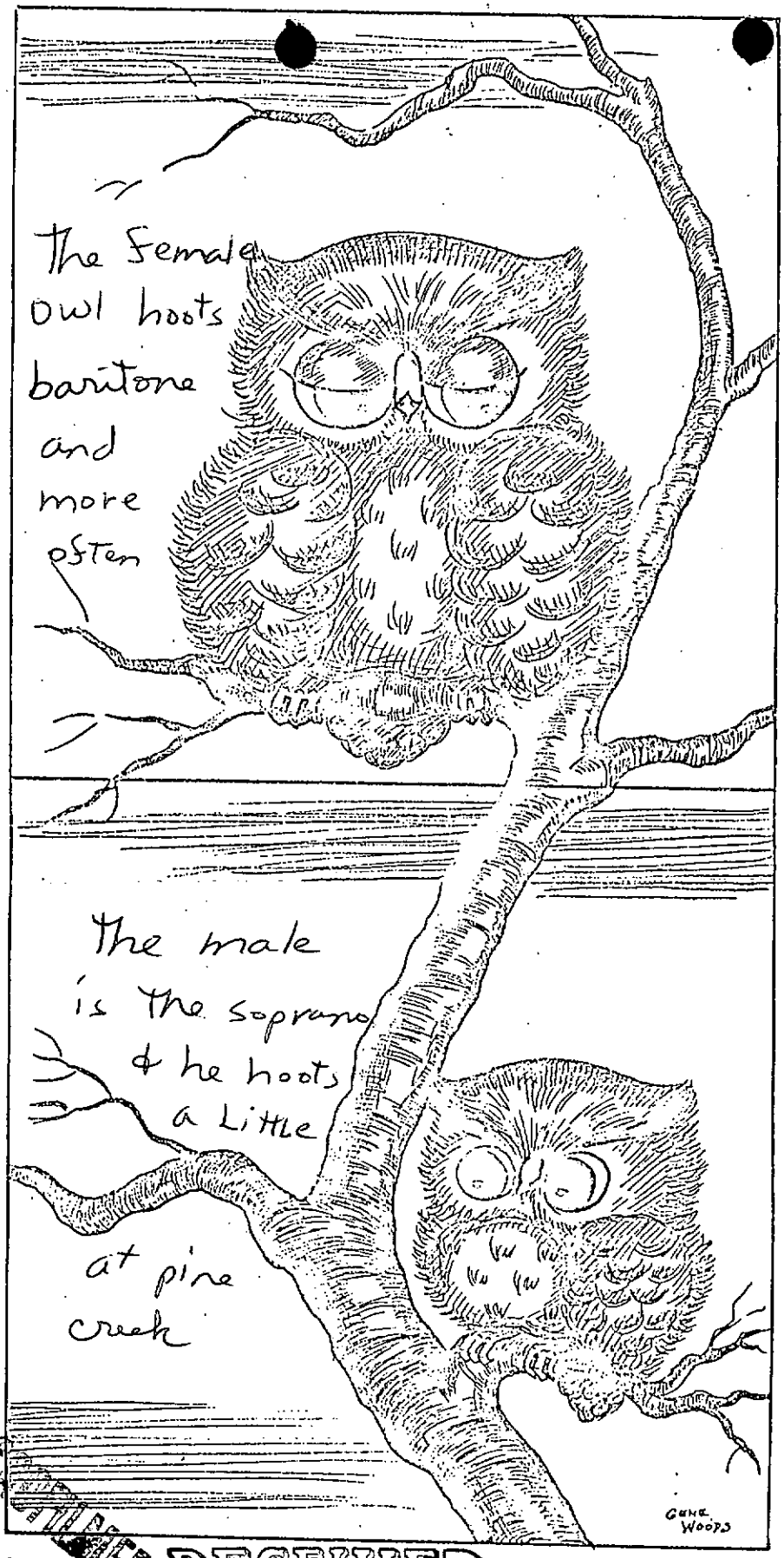
Pearl Ketz

Pearl & Vern Ketz

P.S. WE ENDED UP HAVING OUR MEETING AT KAY'S CAFE, ONE BLOCK DOWN THE STREET, AND FOR FREE. AND MR. BILL NOAH WAS WELCOME AND ATTENDED

MICROFILMED
APR 04 1988

RECEIVED
DEC 18 1987
Department of Water Resources
Western Regional Office



Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

12-16-87

Dear Mr. Tuthill,

Thank you for arranging the hearing on a Friday.

One more favor. I am allergic to cigarette smoke Would it be possible to have "no smoking" during the hearing?

Thank you again and Looking forward to getting this matter resolved.

Sincerely

Pearl Ketz

RECEIVED
DEC 17 1987
Department of Water Resources
Western Regional Office

RECEIVED
APR 06 1988
ARK U.S. OWLS

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER)	MODIFICATION OF TIME AND
OF WATER RIGHT NO. 67-0219 IN THE NAME OF)	LOCATION FOR HEARING
VERNON E. &/OR PEARL J. KETZ)	AND/OR CONFERENCE

On August 11, 1987, Vernon E. &/or Pearl J. Ketz filed with the Department of Water Resources for a change of the point of diversion of the waters of Pine Creek. The right sought to be changed is evidenced by the above water right. On October 5, 1987, the Department received a protest against approval of said application for transfer from Roy Mink.

The Department originally set the matter of protest for hearing for Friday, January 15, 1988, at 11:00 a.m. at Bucky's Cafe in Cambridge. However, the applicant has advised this office of a potential conflict with the proposed location. Thus, the hearing location and time have been modified to 1:00 p.m. on the same date in the District Court Room, Third Floor, Washington County Courthouse, 256 E. Court St., Weiser, Idaho, 83672. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of

MICROFILMED

APR 0- 1988

Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held at the above set time and prior to the hearing.

Dated this 23rd day of December, 1987.

David R. Tuthill

DAVID R. TUTHILL, JR., P.E.

Manager, Western Regional Office

RECEIVED

APR 04 1988

December 23, 1987

FOR PROTESTED APPLICATION FOR TRANSFER

NO. 67-0219, IN THE NAME OF KETZ, VERNON E. &/OR PEARL J.

CERTIFIED MAIL

Vernon E. &/or Pearl J. Ketz
820 8th Ave. North
Payette, ID 83661

Roy Mink
Cambridge, ID 83610

NON-CERTIFIED MAIL

Lawson Howland
Watermaster
HC 68 Box 2510
Cambridge, ID 83610

MICROFILMED
APR 0 2 1988

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER)
OF WATER RIGHT NO. 67-0219 IN THE NAME OF) NOTICE OF HEARING
VERNON E. &/OR PEARL J. KETZ) AND/OR CONFERENCE

On August 11, 1987, Vernon E. &/or Pearl J. Ketz filed with the Department of Water Resources for a change of the point of diversion of the waters of Pine Creek. The right sought to be changed is evidenced by the above water right. On October 5, 1987, the Department received a protest against approval of said application for transfer from Roy Mink.

The Department has set the matter of protest for hearing for Friday, January 15, 1988, at 11:00 a.m. in the Basement Conference Room, Bucky's Cafe, Highway 95 and 71, Cambridge, Idaho, 83610. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held at the above set time and prior to the hearing.

Dated this 10th day of December, 1987.

David R. Tuthill Jr.

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

MICROFILMED
APR 04 1988

CONFERENCE AND HEARING INFORMATION
IN THE MATTER OF APPROVAL OF A WATER RIGHT TRANSFER APPLICATION

In accordance with Idaho Code, Section 42-222, the following issues are involved in the consideration of the application and protest(s):

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Is the change in the local public interest?

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties may be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by Idaho Code, Section 42-1701A.

The parties by written stipulation may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the Director's review of a party's evidence and arguments. However, such a waiver will shorten the decision-making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to Rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the district court.

Under the provisions of Idaho Code, Sections 42-1701A and 67-5215, any court review of the Department's decision on appeal shall be confined to the record created before the Department.

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

MICROFILMED
APR 04 1988

CONVERSATION MEMORANDUM

DATE 12/7/1987

FILE 67-0219

NAME OF PARTY Roy Mink of Cambridge 257-3829

EMPLOYEE Dave Tuthill

RE: PRotested App for Transfer # 67-0219

Talked with Mrs. Mink and advised her that we are considering moving the hearing date to Friday in Cambridge. She said that the change would likely be OK and that Mr. Mink would call within a day if it is not.

Dnt

MICROFILMED

APR 04 1988

CONVERSATION MEMORANDUM

DATE 11/25/87

FILE 67-0219

NAME OF PARTY Pearl Ketz

EMPLOYEE Dave Tuthill

RE: Hearing Date

Mrs. Ketz requested that we move the hearing date to Friday. I responded that we would accommodate her if possible.

DRT

MICROFILMED
APR 04 1988

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

November 19, 1987

Vernon E. &/or Pearl J. Ketz
820 8th Ave. North
Payette, ID 83661

Re: Application for Transfer of Water Right No. 67-0219, in the Name of Vernon E. &/or Pearl J. Ketz

Dear Applicant:

As you have previously been notified, the above-referenced transfer water right application has been protested. A hearing for this matter has been tentatively scheduled for: Wednesday, January 13, 1988, at 11:00 a.m., in Weiser.

The purpose of this letter is to advise you of this schedule and to provide you with an opportunity to notify this office if the scheduled time is not acceptable or if there is another reason the hearing should not be held at this time. Similar letters are being sent to other parties interested in this water right.

Please telephone this office no later than Thursday, December 10, 1987, at (208) 334-2190 if you desire to make a change to the schedule. If the hearing is to proceed as scheduled, we will prepare final arrangements the following week, and you will be notified accordingly.

Sincerely,

David R. Tuthill, Jr.

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:jp

MICROFILMED
APR 04 1988

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

November 19, 1987

Roy Mink
Cambridge
IDAHO 83610

Re: Application for Transfer of Water Right No. 67-0219, in the Name of Vernon E. &/or Pearl J. Ketz

Dear Mr. Mink:

Because the protest you filed on the above-referenced water right application has been not yet been resolved, a hearing for this matter has tentatively been scheduled for: Wednesday, January 13, 1988, at 11:00 a.m., in Weiser.

The purpose of this letter is to advise you of this schedule and to provide you with an opportunity to notify this office if the scheduled time is not acceptable or if there is another reason the hearing should not be held at this time. Similar letters are being sent to other parties interested in this water right.

Please telephone this office no later than Thursday, December 10, 1987, at (208) 334-2190 if you desire to make a change to the schedule. If the hearing is to proceed as scheduled, we will prepare final arrangements the following week, and you will be notified accordingly.

Sincerely,

Brad E. Dingel

for DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:jp

MICROFILMED
APR 04 1988

11-18-87

Dear David Tuthill & Jan Shinta,

In studying over the Laws etc. on water hearings - I note that hearings must be held within 60 days from the date of protest.

Since Mr. Mink's protest was dated Oct 1, 1987 we will Look for the hearing by Dec 1, 1987. (See enclosure)

Please give us every consideration possible. We have a Limited time when we can get into the creek to install the [illegible] the creek turns into a raging torrent in Spring.

V. KETZ
820 8 TH AVE. N.
PAYETTE, ID. 83661



This tree is depending on you to help us give it a drink. Please help. May days come The hearing?

ECEIVED
NOV 19 1987
Department of Water Resources
Western Regional Office

RECEIVED
APR 04 1988



AUTUMN LANDSCAPE (detail)

Tiffany Studios, New York City, 1923
Stained glass

THE METROPOLITAN MUSEUM OF ART

Gift of Robert W. de Forest, 1925 (25.173)
(K) 11-08142-9

Public Notices

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
No. 67-0219B

Notice is hereby given that Vernon &/or Pearl J. Ketz of Payette, ID have applied to the Department of Water Resources for a change of point of diversion of the water of Pine Creek.

The right sought to be changed is evidenced by Water Right No. 67-0219 and is recorded as follows:

Amount: .28 cfs Priority: 5/1/1901.

Point of Diversion: NENW, Sec. 36, T. 16N., R. 4W.

The water is used for Irrigation purposes within the SW¼, S. 35 T. 16N., R. 4W, for a total of 22 acres.

TO BE CHANGED AS FOLLOWS:

Amount: .20 cfs.

Point of Diversion: NWSE, Sec. 35, NENW, Sec. 36, T. 16N., R. 4W. the water will be used for Irrigation purposes within the NESW, SESW, Sec. 35, T. 16N., R. 4W., for a total of 16 acres.

Any protest against aproval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before November 2, 1987.

R. Keith Higginson
Director

Published in the Upper country News-Reporter on 10/15 and 10/22/87.

Is this filed before our amended publication? the ammended declaration reduced our water request grant. Mr. Mink refers to 14" of water. Did he protest to our changed request for 20? How when notice had not been published on 10-1-87

RECEIVED
NOV 19 1987
Department of Water Resources
Western Regional Office

RECEIVED
OCT 6 1987
Department of Water Resources
Western Regional Office

RECEIVED
OCT 05 1987
Department of Water Resources

10-1-87

Water users:

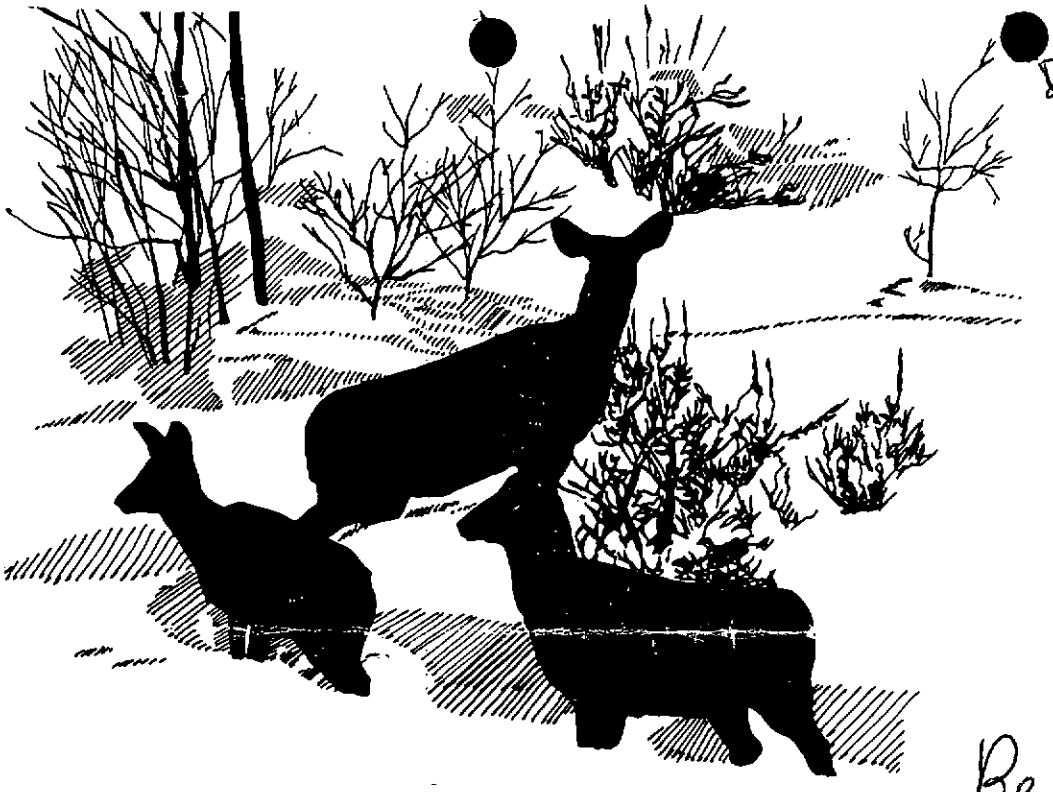
Subject: If possible I wish to protect the proposed water right by a Mr. Katz of Cambridge. Being a water user on East pine creek, Mr Katz is not entitled to 14" of water as he is only a part owner of that water right.

Sorry this is late, but please try to take note of this protest

Roy Mink 257-38?
Cambridge
257-3893

MICROFILMED
APR 06 1988

Mr. Bilboa called us & referred to Mr. Minks protest as unfounded. He went on to say. "Mr. Mink hates the subdivision. He hates the people in the subdivision. He Loves the free grass his cows get when they regularly break through the forest service boundry fence and eat the grass in the estates MINK wishs it could be the way it was 20 years ago. Mr. Bilboa said



RECEIVED
NOV 13 1987
Department of Water Resources
Western Regional Office

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

11-11-87

Re: Transfer # 67-0219

Dear David Tuthill, Jr. P.E.,

Thank you for your letter. I am enclosing a copy of the letter I wrote to Ms. Mink before we received your copy of his protest. According to the date his protest was before we filed an ammended notice. We came into your office not Knowing anything about your procedure or the amount of water. all we had were figures for the pressure needs of our proposed drip system. Your agent decided on the amount. We in no way wish to injure any other water rights; Ms. Bilboa who previously watered said he had 74 inches for the whole valley & wanted

UNPROTESTED
APR 18 1988

(over)

② to give us water rights for #34 and 34 also - see his note!

However we only desire to have the amount we need to develop #9-10-11 & 12 into a reforestation program, as we have been negotiating to buy those pieces also

3. In our several years at Pine Creek - interestingly enough during drought conditions. We have never seen the creek drop enough to endanger wildlife - fish - or the dipper who relies on fast flowing streams for food. In Sept - the water was so swift + deep where our proposed point of diversion was that I feel down & was covered to my waist! that is while the canoe Mr. Mink was was very full also

We propose to protect the environment

However we are not environmentalists per se - but ordinary folks. How can keeping a piece of land beautiful conflict with public interest?

Yours for a beautiful Idaho

RECEIVED
APR 4 1988

We cannot afford an attorney. Perhaps Don Pinkerton should come & [illegible]

RECEIVED
NOV 13 1987
Department of Water Resources
Western Regional Office

Pine Creek Mountain Estates
Vern & Pearl Ketz
% 820 8th Ave. N.
Payette, Idaho 83661 642-2744

TO THE MINK FAMILY:

November 5, 1987

We have received word that a "Mr. Mink" has filed a protest against our request for transfer of water right # 67-0219 having asked why we need the water. Since we do not know the proper name, we are addressing this request to explain to all the Minks listed in the Cambridge directory as well as copies to Lawson Howland, Cecil Bilboa, Bill Noah, and Jan Shirte, Idaho Water Resources Board. We would appreciate the opportunity to explain our side before the formal hearing. We really do understand the needs others have for water and also want you folks to know we are conservation-minded and are planning to go to a great deal of expense to install drip irrigation in the final stage of our plantings. This letter is not intended to intimidate or threaten in any way--just a friendly attempt to help us understand each other since we would like to be long-term friendly neighbors. We plan on retiring at Pine Creek in approximately 5 years and since this reforestation project is partially funded (tax credits) by the Federal Government, we feel we must carry through as we are allowed 10 years by the IRS to complete the writeoff.

We have approximately 2,000 hardwood and conifer trees that are now planted in the moist soils along the creek and since the plantings are about 2 feet apart they need to be transplanted out to the open ground soon. We also have a vineyard of 72 grapes and a small orchard of about 50 fruit trees that need adequate irrigation along with 50 thornless raspberry bushes, blueberry patches that will form our home orchard and garden.

As far as the baby tree seedlings (800 seeds planted in beds--up about 3 inches high) these will be planted next spring along side over 60 Junipers that measure 6 feet or more tall, serving as a wind break for the home we hope to build over the next few years.

We have received permission from Mr. Cecil Bilboa to use the water rights of adjoining properties until such time as they are sold (hopefully to us). We plan on planting a portion of these trees as cover for wildlife in the perimeter areas of these properties that adjoin #10. Now we hope that by the time we move to Cambridge permanently, we will have a lovely spot to call home.

There have been discouraging moments as range cows have broken through our fences and trampled baby trees, etc., but we have continued to replant and bear this cost ourselves. We hope those who use grazing privileges will confine their cattle to the forest where they belong, and stop the overgrazing and damage to the riparian area along our East Pine Creek Valley that is private property belonging to the association.

We bought our property with these intentions to grow trees and were assured by Mr. Bill Noah of irrigation rights. Also Mr. Lawson Howland requested that we install a water gate and proper point of diversion, thus we have applied for this legal transfer to accomplish his wishes as Watermaster.

We hope that by the time we both retire from our heavy schedules, our trees will be of sufficient size to afford a modest living through small-scale sales of thinned trees to nearby nursery folk as well as leaving a beautiful living area.

Please consider that we are directly on the creek and any extra ground water that is not taken up by plants and trees is fed back through underground aquafirs back

RECEIVED
APR 04 1988

into the creek. We are [redacted]tely aware of the need to limi[redacted]hemical sprays and do not pollute the runoff water. Much of our water can be supplied to trees and then find its way back to the creek supply for other water users. It does not get lost. Also trees attract rainfall and act as an airconditioning unit to the valley.

We'd like to point out a few facts regarding why we need the water and in what quanties. To quote Dr. Alex Shigo, professor of Botany and researcher for the U.S. Forest service for 26 years, "A little can go a long way when the ingredient is essential for life...and it is the proper concentrations of each that are essential." We, Vern and Pearl Ketz, pledge to you, the Mink family, that we will strive to use only the proper amount for healthy tree and plant development.

According to the Bear Creek Nursery experts, planting an apple orchard, for instance, can improve the value of your land and surrounding lands by many thousand dollars. But money is not the only concern. We love trees and enjoy growing them. In most cases, the pleasure far and away outweighs the pain (when trees get damaged it's like one of your own children being hurt). Mr. Herb Grundell, in his recent book, Rocky Mountain Gardening, states: "the amounts of water needed by a small evergreen tree can be 5 to 10 gallons a day; 30 to 35 gallons a day for a medium shade tree, or as much as 300 gallons a day for a very large tree. However, once they are established, they can fend for themselves and can live on 10 or more inches of natural precipitation. Engleman Spruce (of which we have planted over 500) prefer plenty of soil moisture and we have these planted near the creek.

So you see what we are really saying is we do understand the importance of water.

We also plan on a pasture for a few animals and perhaps an acre or two of wheat. And of course a good vegetable garden needs at least 1 inch of water per week to produce.

As far as importance of water to healthy trees, the locust borer, for example cannot make inroads on well-watered trees, but can destroy drought-stricken ones. Ponderosa Pine trees can resist forest fires if their cells are full of water. And the beauty of trees is hardly to be compared to any living thing on earth. As Joyce Kilmer, famous Idaho poet once wrote, "I think that I shall never see a poem as lovely as a tree...and continues his poem with beautiful references to the wildlife who find shelter.

Watering trees needs to be done in phases. You must water transplants heavily to prevent shock. Hardly anything is worse for plants than light infrequent watering. The second phase of watering is to switch to a gentle drip system for the most effecient use of water. You need 300 to 600 gallons per hour of pressure to supply an ordinary garden drip system. And for our final needs it's partly the pressure on the gravity flow through a pipe that will be required to be great enough to run the system. That doesn't mean that all of that water just flows out into emply space. It goes right to the tree roots—less evaporation—less waste.

We are endeavoring to improve our soil with aged sawdust and compost and always try to apply at least 3 inches of mulch which greatly reduces transpiration. As I mentioned, our windbreak of junipers will help keep the wind from robbing the soil of moisture.

What more can we say? Each of us as human beings has our ultimate goal for a happy life. Our ultimate dream (as retired ministers) would be to have a small chapel surrounded by romatic woods and lovely wildflowers, etc., to be an inspiration to passing folks who are civilization-weary and to be a stopping place for tree lovers who could study in an arboretum of marked trails and labelled species.

Sincerely,

Pearl and Vern Ketz

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

November 9, 1987

RE: Application for Transfer of Water Right No. 67-0219

Vernon E. &/or Pearl J. Ketz
820 8th Ave. North
Payette, ID 83661

Dear Mr. & Mrs. Ketz:

Enclosed please find a copy of the protest filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed change conflict with the local public interest?

You will be notified at a later date as to the time and place set for the conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney on your behalf.

If we may be of any assistance, please contact us.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:js

Enclosure

MICROFILMED
APR 04 1988

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

November 9, 1987

RE: App. for Transfer No. 67-0219
Vernon E. &/or Pearl J. Ketz

Roy Mink
Cambridge,
Idaho 83610

Dear Mr. Mink:

This office acknowledges receipt of your protest against issuance of a water right pursuant to the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?

2. Does the change constitute an enlargement in the use of the original right?

3. Will the proposed change conflict with the local public interest?

You will be notified at a later date as to the time and place set for the conference and/or hearing to discuss the matters of the protest. If we may be of further assistance, please contact us.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

DRT:js

MICROFILMED
APR 04 1988

Mink Land & Livestock
Cambridge Idaho.
Box 2060. 83610

RECEIVED
NOV 5 1987
Department of Water Resources
Western Regional Office

11-3-87

Water Board
Boise
Re # 67-0219

After conversation with Jan Shirt on the above date I'm sending this letter for informational purposes.
The property subject to irrigation has not been irrigated from the access ditch from at least the late sixties.
I can also say that at no time from 1959 to 1963 was the access ditch used. There was a period of time from 1965 to 1969 I was not involved in ranching in that area.
Hoping this information will result in keeping the records simple I remain

MICROFILMED
APR 04 1988

Roy Mink
Cambridge Id
83610
257-3829

RECEIVED
NOV 6 1987
Department of Water Resources
Western Regional Office

Pine Creek Mountain Estates
Vern & Pearl Ketz
% 820 8th Ave. N.
Payette, Idaho 83661 642-2744

TO THE MINK FAMILY:

November 5, 1987

We have received word that a "Mr. Mink" has filed a protest against our request for transfer of water right # 67-0219 having asked why we need the water. Since we do not know the proper name, we are addressing this request to explain to all the Minks listed in the Cambridge directory as well as copies to Lawson Howland, Cecil Bilboa, Bill Noah, and Jan Shirte, Idaho Water Resources Board. We would appreciate the opportunity to explain our side before the formal hearing. We really do understand the needs others have for water and also want you folks to know we are conservation-minded and are planning to go to a great deal of expense to install drip irrigation in the final stage of our plantings. This letter is not intended to intimidate or threaten in any way—just a friendly attempt to help us understand each other since we would like to be long-term friendly neighbors. We plan on retiring at Pine Creek in approximately 5 years and since this reforestation project is partially funded (tax credits) by the Federal Government, we feel we must carry through as we are allowed 10 years by the IRS to complete the writeoff.

We have approximately 2,000 hardwood and conifer trees that are now planted in the moist soils along the creek and since the plantings are about 2 feet apart they need to be transplanted out to the open ground soon. We also have a vineyard of 72 grapes and a small orchard of about 50 fruit trees that need adequate irrigation along with 50 thornless raspberry bushes, blueberry patches that will form our home orchard and garden.

As far as the baby tree seedlings (800 seeds planted in beds—up about 3 inches high) these will be planted next spring along side over 60 Junipers that measure 6 feet or more tall, serving as a wind break for the home we hope to build over the next few years.

We have received permission from Mr. Cecil Bilboa to use the water rights of adjoining properties until such time as they are sold (hopefully to us). We plan on planting a portion of these trees as cover for wildlife in the perimeter areas of these properties that adjoin #10. Now we hope that by the time we move to Cambridge permanently, we will have a lovely spot to call home.

There have been discouraging moments as range cows have broken through our fences and trampled baby trees, etc., but we have continued to replant and bear this cost ourselves. We hope those who use grazing privileges will confine their cattle to the forest where they belong, and stop the overgrazing and damage to the riparian area along our East Pine Creek Valley that is private property belonging to the association.

We bought our property with these intentions to grow trees and were assured by Mr. Bill Noah of irrigation rights. Also Mr. Lawson Howland requested that we install a water gate and proper point of diversion, thus we have applied for this legal transfer to accomplish his wishes as Watermaster.

We hope that by the time we both retire from our heavy schedules, our trees will be of sufficient size to afford a modest living through small-scale sales of thinned trees to nearby nursery folk as well as leaving a beautiful living area.

MICROFILMED
APR 04 1988

Please consider that we are directly on the creek and any extra groundwater that is not taken up by plants and trees is fed back through underground aquafirs back

into the creek. We are acutely aware of the need to limit chemical sprays and do not pollute the runoff water. Much of our water can be supplied to trees and then find its way back to the creek supply for other water users. It does not get lost. Also trees attract rainfall and act as an airconditioning unit to the valley.

We'd like to point out a few facts regarding why we need the water and in what quanties. To quote Dr. Alex Shigo, professor of Botany and researcher for the U.S. Forest service for 26 years, "A little can go a long way when the ingredient is essential for life...and it is the proper concentrations of each that are essential." We, Vern and Pearl Ketz, pledge to you, the Mink family, that we will strive to use only the proper amount for healthy tree and plant development.

According to the Bear Creek Nursery experts, planting an apple orchard, for instance, can improve the value of your land and surrounding lands by many thousand dollars. But money is not the only concern. We love trees and enjoy growing them. In most cases, the pleasure far and away outweighs the pain (when trees get damaged it's like one of your own children being hurt). Mr. Herb Grundell, in his recent book, Rocky Mountain Gardening, states: "the amounts of water needed by a small evergreen tree can be 5 to 10 gallons a day; 30 to 35 gallons a day for a medium shade tree, or as much as 300 gallons a day for a very large tree. However, once they are established, they can fend for themselves and can live on 10 or more inches of natural precipitation. Engleman Spruce (of which we have planted over 500) prefer plenty of soil moisture and we have these planted near the creek.

So you see what we are really saying is we do understand the importance of water.

We also plan on a pasture for a few animals and perhaps an acre or two of wheat. And of course a good vegetable garden needs at least 1 inch of water per week to produce.

As far as importance of water to healthy trees, the locust borer, for example cannot make inroads on well-watered trees, but can destroy drought-stricken ones. Ponderosa Pine trees can resist forest fires if their cells are full of water. And the beauty of trees is hardly to be compared to any living thing on earth. As Joyce Kilmer, famous Idaho poet once wrote, "I think that I shall never see a poem as lovely as a tree...and continues his poem with beautiful references to the wildlife who find shelter.

Watering trees needs to be done in phases. You must water transplants heavily to prevent shock. Hardly anything is worse for plants than light infrequent watering. The second phase of watering is to switch to a gentle drip system for the most effecient use of water. You need 300 to 600 gallons per hour of pressure to supply an ordinary garden drip system. And for our final needs it's partly the pressure on the gravity flow through a pipe that will be required to be great enough to run the system. That doesn't mean that all of that water just flows out into emply space. It goes right to the tree roots—less evaporation—less waste.

We are endeavoring to improve our soil with aged sawdust and compost and always try to apply at least 3 inches of mulch which greatly reduces transpiration. As I mentioned, our windbreak of junipers will help keep the wind from robbing the soil of moisture.

What more can we say? Each of us as human beings has our ultimate goal for a happy life. Our ultimate dream (as retired ministers) would be to have a small chapel surrounded by romatic woods and lovely wildflowers, etc., to be an inspiration to passing folks who are civilization-weary and to be a stopping place for tree lovers who could study in an arboretum of marked trails and labelled species.

Sincerely,

Pearl and Vern Ketz

MEMORANDUM

TO: APP. FOR TRANSFER NO. 67-0219

FROM: Jan Shurte 11/3/87

SUBJECT: Protest received 10/5/87 from Roy Mink

On October 5, 1987, a protest against application for transfer no. 67-0219 was received from Roy Mink of Cambridge. At that time I checked the calendar and decided the protest was not received in time and was, in fact, one day late. I informed the Ketz's and Mr. Mink per telephone that the protest was too late. At that time the Ketz's had filed an amended transfer application which transferred 10 inches of the water right rather than 14 inches previously applied to transfer. The reason for this amendment was due to the fact that they could not transfer all of the water right to the new point of diversion without owning all of the land the right covered. The old ditch, however, has been covered and cannot be used. But, it is still up to the present landowners as to whether they want to transfer the point of diversion or not. The 10 inches of water came from the water right attached to the Ketz's lot plus an agreement they have with the owner of Lots 9, 11 and 12, Mr. Bilbao, to use his right also. When I spoke with Mr. Mink concerning his protest, I also told him about the amended transfer where they transferred 10 inches rather than 14 inches and based on the agreement with Mr. Bilbao. This made Mr. Mink feel a little better. The amended transfer was filed on 10/2/87. Then, after the amended transfer was filed and ready for review, I began writing a memo to document the letter of protest received from Mr. Mink in case of any questions in the future. During the writing of this memo, I checked the dates for the last day protests could be received and discovered I had made an error in thinking the protest was late. Actually, the last day for protest was October 5, 1987, and Mr. Mink's protest was received at our state office on that day. So, I phoned Mr. & Mrs. Ketz and Mr. Mink and informed them the protest was valid and that an acknowledement would be sent and a conference and/or hearing held later. They were both very nice about my oversight and are willing to talk the matter over.

RECEIVED
APR 04 1988

RECEIVED
OCT 21 1987
Department of Water Resources
Western Regional Office

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 67-0219

RECOMMENDATION OF WATERMASTER

I, Lawson Hoagland, watermaster of Weiser River, of Water District No. 67, County of Washington - Adams, State of Idaho, whose address is HC68 Box 1510 Cambridge, Id 83610 have read the attached copy of the application for transfer of water right for Vernon Kelly (name), and to the best of my knowledge believe the application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend that the Director of the Department of Water Resources approve the transfer subject to the following conditions: OK

OR

B. I do not endorse approval of the above numbered Application for Transfer as requested for the following reasons: _____

Dated at Cambridge, Id, Idaho, this 20 day of Oct 1987.

Lawson Hoagland
(signature)

MICROFILMED
APR 04 1988

Please use reverse side if needed.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

October 7, 1987

Lawson Howland
Watermaster
HC 68 Box 2510
Cambridge, ID 83610

Re: Transfer No. 67-02198 in the Name of Vernon &/or Pearl J. Ketz

Dear Mr. Howland:

Enclosed is an application for transfer of a water right within your water district. Also enclosed is a form for your recommendation concerning this application for transfer.

Please review the transfer and return your recommendation within two weeks. This will allow the Department to consider your concerns in its evaluation of the transfer application.

If you have questions or need more information, feel free to contact this office.

Yours truly,

for DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

Enclosure

RECEIVED
APR 04 1988

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 67-02198

Notice is hereby given that Vernon &/or Pearl J. Ketz of Payette, ID have applied to the Department of Water Resources for a change of point of diversion of the water of Pine Creek.

The right sought to be changed is evidenced by Water Right No. 67-0219 and is recorded as follows:

Amount: .28 cfs Priority: 5/1/1901

Point(s) of Diversion: NENW, Sec. 36, T. 16N., R. 4W.

The water is used for Irrigation purposes within the SW1/4, S. 35 T. 16N., R. 4W. for a total of 22 acres.

TO BE CHANGED AS FOLLOWS

Amount: .20 cfs

Point(s) of Diversion: NWSE, Sec. 35, NENW, Sec. 36, T. 16N., R. 4W.

The water will be used for Irrigation purposes within the NESW, SESW, Sec. 35, T. 16N., R. 4W., for a total of 16 acres.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before November 2, 1987

R. Keith Higginson
Director

Published in the Upper County News Reporter on 10/15 & 10/22/87

MICROFILMED
APR 04 1988

10-1-87

RECEIVED
OCT 2 1987
Department of Water Resources
Western Regional Office

Dear Jan,

Thank you so much for your prompt help!

Enclosed are the papers signed & notarized -

The form mentions 2 enclosures. I presume you wanted the map back. Would the other one be Mr. Bilboas statement? We did not get a copy of that - but we have one already.

MICROFILMED
APR 04 1988

We will leave it up to you to include those ~~Pearl~~ Pearl

CONVERSATION MEMORANDUM

DATE 9/30/87

FILE 67-0219B

NAME OF PARTY Lawson Howland

EMPLOYEE Jan Thurtt

RE: Proposed transfer

I spoke with Lawson who called in response to my letter of 9/29/87. He said the transfer sounds OK to him now and as long as it is subject to Mr. Gilbar's agreement that when the land is sold it reverts back, he think its ok.

MICROFILMED

APR 04 1988

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

Setpember 29, 1987

Vernon E. &/or Pearl J. Ketz
820 8th Ave. North
Payette, ID 83661

Dear Mr. & Mrs. Ketz:

Enclosed is an amended application for transfer of water right 67-0219 based on all the information submitted. This transfers only your portion of this water right along with that portion given you by Mr. Bilbao.

In looking at the aerial photo of the property in question(copy enclosed), it appears that 16 acres of the 22 acres covered under this right lie within Lots 9, 10, 11 and 12. The remaining 6 acres are within Lots 7 and 8. This is based on what could have been irrigated in the SW¼, Sec. 35, Twp. 16N, Rge. 4W, by Mr. Bilbao and his predecessors. The amount of water that can be transferred for these lots, based on the 5/8ths inch per acre under the decree, is .20 cfs or 10 inches of water. This leaves .08 cfs, or 4 inches, for the other two lots at the old point of diversion. The transfer will have a special condition based on your agreement with Mr. Bilbao dated 9/19/87.

In one of your letters you have asked the question concerning why you have to get permission to add a point of diversion if it was never specified in the first place. We discussed this when you were in my office, and I had said it would be a good idea to avoid problems with the watermaster for that area. It is also required by state law that when a point of diversion is changed from what was previously used, it must be in the records of the Department before the right is attached to that point. A great many old decrees never do mention points of diversion or how many acres in each quarter-quarter were actually irrigated. It is my error that we transferred the entire .28 cfs to the new point of diversion, and I am sorry if that caused you needless worry. The enclosed amended application will correct this problem. I am also writing Lawson Howland, Watermaster, to be sure he is aware of the situation.

Please sign the enclosed applicatin, have your signature notarized and return the application to this office. We will re-advertise at our expense, since it was my error. Hopefully, you can purchase and install your pipeline now based on the 10 inches of water. I have shown your file to the Western Regional Supervisor and he agrees that 10 inches is the correct amount to transfer for Lots 9, 10, 11 and 12. Please feel free to call or come in if you have any questions and thank you for all the assistance you have given in helping to resolve this matter. Great pictures!

Sincerely,

MICROFILMED
APR 04 1988

JAN SHURTE
Sr. Water Resource Agent

JS:j
Encl.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

September 29, 1987

Lawson Howland
HC 68, Box 2510
Cambridge, ID 83610

Dear Lawson:

We have received your letter concerning Application for Transfer No. 67-0219.

This transfer was not correctly completed and we have sent Mr. & Mrs. Ketz an amended transfer appllcation to sign and return. This transfer will change the point of diversion for their portion of the right only. The remainder of the right will still be attached to the old point of diversion. It is the portion of the right that they will be transferring that I need to tell you about.

In computing how much of this right they can transfer I used an aerial photo and the subdivision map showing the layout of the lots. Mr. Bilbao and the Ketz's have come to an agreement(copy enclosed), where he has given them the right to use his portion of the water right for Lots 9, 11, and 12 along with their portion of the right for Lot 10. We can only count the area in the SW¼, of Sec. 35 that could have been irrigated under this right by Mr. Bilbao and his predecessors. You can clearly see on the aerial photo that the 22 acres between the road and the creek is where irrigation could have taken place, since hillsides surround on every other side. Then the lots were plotted on the aerial photo according to the subdivision map and it appears that 16 of the 22 acres lie within Lots 9, 10, 11 and 12 of which the Ketz's now have a right to. Since the Weiser River decree is 5/8ths of an inche per acre, this will give the Ketz's .20 cfs to transfer for the 16 acres.

In your letter you stated and it is evidenced on your assessments, that Mr. Bilbao had told you to split 67-0219 into 8 parts with 1.75 inches for each. You incorporated that into your assessment, which was most efficient, as long as nobody had actually taken ownership of that right. I'm sure you are aware that the right would only cover the land that had been historically irrigated by the water from Pine Creek. The 8 lots Mr. Bilbao had you divide the water right among, however, covered areas that had never been irrigated with this water.. Mr. Bilbao, to make a permanent change, could have transferred the right to cover these lots, but the transfer was never filed. Now, it appears he is willing to allow that portion of the right still attached to Lots 9, 11, and 12, which is the majority of the right, to be transferred to a new point of diversion. The place of use will remain the same. This same problem with dividing the water right equally among the lots, including ones that were never irrigated, without filing a transfer has most likely

RECEIVED
APR 04 1988

occurred under water right no.'s 67-0220 and 67-0226. We may be able to clear it up if the Weiser River is re-adjudicated.

It was incorrect to transfer all of 67-0219 to a new point of diversion and the amended application will take care of that. In the file you were to have received a comment letter, however, it appears you did not. Just in case, I'm sending you a copy of the amended application for transfer now, and if you have comments, please send them in.

Lawson, please feel free to call me with any questions you have, because after reading this letter I'm sure you'll have many.

Sincerely,

JAN SHURTE
Sr. Water Resource Agent

JS:j
Encl.

MICROFILMED
APR 0 5 1988

Copied from annual license fee.

Stream or Ditch Pine Creek Mtn. Est. Pine Creek County Washington

File No. and Original Owner	File Date	Present Owner	Land Description	Amount of Water	Actual Charge 1986	Proposed Charge 1987	Note
67- 219 Webber	5-1-01	Ed Gallagher	# 5399-1	1.75"	7.50	7.50	
67- 219 Webber	5-1-01	Ray Sandstrom	# 5399-2	1.75"	7.50	7.50	
67- 220 R. Howland	5-1-01	Cecil Bilboa	# 5399-3	1.71"	7.50	.10	
67- 226 S. Rutledge	5-1-02	Robt. Harrison	Tn-2 of Lot 4 # 5399-4	.85"	7.50	7.50	
67- 226 S. Rutledge	5-1-02	Cecil Bilboa	# 5399-5	.85"	.10	.10	
67- 219 Webber	5-1-01	David Westmark	# 5399-6	1.75"	7.50	7.50	
67- 219 Webber	5-1-01	Arden Steiniker	# 5399-7	1.75"	7.50	7.50	
67- 219 Webber	5-1-01	Albert Tomek	# 5399-8	1.75"	7.50	7.50	
67- 219 Webber	5-1-01	Nina Hawkins	# 5399-9	1.75"	7.50	7.50	
67- 219 Webber	5-1-01	Vernon Ketz	# 5399-10	1.75"	7.50	7.50	
67- 219 Webber	5-1-01	Cecil Bilboa	# 5399-11	1.75"	.10	.10	
67- 220 R. Howland	5-1-01	Cecil Bilboa	# 5399-12	1.75"	7.50	.10	
67- 220 R. Howland	5-1-01	Michael Whited	# 5399-13	1.75"	7.50	7.50	
67- 220 R. Howland	5-1-01	Ted Gifford	# 5399-14	1.71	7.50	7.50	

RECEIVED APR 04 1988

257-3729

September 28, 1987

Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Gentlemen:

This letter is in regards to the notice of change of diversion for water right No. 67-0219 belonging to Vernon Ketz of Payette. This notice was published in the Cambridge News-Reporter September 17th and 24th.

In the late 1970s Cecil Bilboa of Cambridge sub-divided some 800 plus acres of land on upper Pine creek. This was called Pine Creek Mountain Estates. Within the boundrys of this sub-division are three water rights. 67-0219, 67-0220, and 67-0226. You will find them on pages 293 and 294 in the big blue book.

Two years ago I took a copy of the sub-division plat to the home of Mr. Bilboa. He Marked off on the plat the 8 lots under the Webber right No 67-0219, also the lots of the other two water rights. He requested the water be divided equally among the lots under each water right. The last two years I have done it that way on my assessment sheets. Mike Stubblefield has a copy of my assessments. Check pages 27A and 27B. I divided the 14 inches of water belonging to water right 67-0219 by 8 ~~ft~~ and come up with the figure of 1.75 inches. I can see no way where Mr. Ketz can be entitled to the full 14 inches water right transferred to his point of divirsion. As I see it 1.75 inches of water is all he is entitled to have transferred from right 67-0219.

If I read the plat right his lot has 13.94 acres. If this water right comes under the Muir vs Allison decree its my understanding five-eights of an inch per acre is the limit he would be entitled to even if it wasn't divided in 8 lots.

I haven't been asked for my recommendation on this matter, but if asked will not be able to recommend faborably until this discrepancy is resovled.

Very truly yours,

Lawson Howland

Lawson Howland
Watermaster
Weiser River water district #67

RECEIVED
SEP 29 1987
Department of Water Resources
Western Regional Office

MICROFILMED
APR 04 1988

Please let us know how many inches we may use so as to get right size of pipe.
Thank you!

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

RECEIVED
SEP 24 1987
Department of Water Resources
Western Regional Office

9-23, 1987

Dear Jan,

Here is the letter of permission you requested. We made a copy for our files. Actually we're keeping original ok?

Mr. Bilboa mentions the point of diversion as being different from what we said - that is until you look on the map (over)

MICROFILMED
APR 04 1988

and see that (2)

The N.E. Corner of #2
is The same as the
S.W. Corner of #12.

Mr. Bilboa owns #11 & #12
so Thereby gives us
permission in that
Language to avoid any
misunderstanding.

MICROFILMED
APR 04 1988

Also he mentions that
he does not want to give
up pt of diversion for ~~future~~ properties
near the national forest. Well - this should do it
huh!! Fine Ok. Please write us back! (3)
Good Kay

To the Idaho Water Resource Board:

We have paid our fee and requested prompt solution to our request for clarification of our water rights, amount of allowed water and change of point of diversion and are awaiting the notification.

We are willing to work within the system. If legalities prevent permanent Transfer of all water, We will go along with Transfer of water rights for #10 permanently - specifically #10 and permission to use additional water until such time as Mr. Bilboa notifies Watermaster.

MICROFILMED
APR 04 1988

Sincerely,

Vernon & Pearl Kelk

642-2744

9-23-87

9-22-87

This is to notify The Water Resources Board that permission has been granted by

Ray Sandstrom
P.O. Box 3395
Long Beach, Ca.
90803

for a right of way for irrigation across the creek portion of #2: where it Lies between # as a right of way.

MICROFILMED
APR 04 1988

Said permission given to Mr. Bilboa in the inherent rights of irrigation per contract stipulation to all properties

How much, I wonder, would it be worth
To smell the good, brown, fragr[redacted]
earth
In spring? The miracle of birth—
How much do you think people would pay
For a baby's laugh at the close of day?
Suppose God charged us for them, I say!

Suppose we paid to look at the hills,
For the rippling mountain rills,
Or the mating song of the whippoorwills,
Or curving breakers of the sea,
For grace, and beauty, and majesty?
And all these things He gives us free!

(1)

Here is our association representatives name
Ron Collingwood
2012 4th Ave S.
Payette, Id. 83661 1-208-642-2346

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

but his view is Leave it a wilderness. don't plant - don't put in a phone. don't farm. Visit Twice a year. That's all - doesn't care what we do.

RECEIVED
SEP 22 1987
Department of Water Resources
Western Regional Office

9-21-87

Dear Jan

We just planted $500.00 worth of Trees that we had previously ordered. Now more than ever we need to get this water line put in.

I hope you received a letter from Mr. Bilboa. You see nobody really cares - but us - Nobody visits our valley but us it seem. We come every weekend!! and We've never in 3 years seen Anyone Camping - Visiting - planting - Walking of # 1, 2, 6, 7, 8, 9, [redacted], 11. Ever. No

MICROFILMED
APR 04 1988

(over)

Seems to care about the whole place. (2)
Farmer let their cows run all over -
beat down the grass - Certainly none
of the ground has been improved at all.
The watermaster said usually
there is more than enough water - never gets
low enough to harm the environment
or the creek. This year was very
unusual & it's still got plenty.

I Trust that you will be
able to see by our photos
that # 1 & 2 & 6 should not be
included any the water irrigation.
7, 8 & 9 maybe - & our road goes right
through these - we've never seen one sove
watering or planting or carerng. We intend to buy #9 &
11 soon. hopefully - but we have ran of
The Land & our under -
Mrs. Bill Nash Who leased us the property explained us to use it well -
(Randy's Dad) HC 69 Box 3390, Cambridge 83610 257 3847 - please

Suppose God charged us for the rain,
Or put a price on a song-bird's strain
Of music—the dawn—mist on the plain.
How much would autumn landscapes cost,
Or a window etched with winter's frost,
And the rainbow's glory so quickly lost?

Suppose that people had to pay
To see the sunset's crimson play
And the magic stars of the Milky Way.
Suppose it was fifty cents a night
To watch the pale moon's silvery light
Or watch a gull in graceful flight.

MICROFILMED
APR 04 1988

How much, I wonder, would it be worth
To smell the good, brown, fragr[redacted]
earth
In spring? The miracle of birth—
How much do you think people would pay
For a baby's laugh at the close of day?
Suppose God charged us for them, I say!

Suppose we paid to look at the hills,
For the rippling mountain rills,
Or the mating song of the whippoorwills,
Or curving breakers of the sea,
For grace, and beauty, and majesty?
And all these things He gives us free!

We're Trying to follow (3)
Their rules. We could just
water - But we hope to
cooperate with you &
Watermaster.

So - we have decided to
ask for an OK to Lay our
pipeline & install headgate -
which the watermaster can
shut down anytime anyway -
I feel that 22" of water divided
by 8, 9, 10, 11 at 5¼ inches
each - is fair. That's 5¼ ones each
- And since Mr. Bilboa said
he would give us permission to
(over)

MICROFILMED
APR 04 1988

Use 9 & 11's water and (4)

Since Noore ~~our~~ advertises or makes any attempt to sell those properties any more and we have already been negotiating with Mr. Bilboa to buy #11 for $15,000 & We would request you grant us. 14 inches or so of water (with a clause that it can be cut To 5¼ inches at anytime we fail to have permission of #9 & 11 if necessary) to water our Trees (which is a different use than just pasture Land. Trees need more at 1st & can get along with Less later (5¼)

Suppose God charged us for the rain,
Or put a price on a song-bird's strain
Of music—the dawn—mist on the plain.
How much would autumn landscapes cost,
Or a window etched with winter's frost,
And the rainbow's glory so quickly lost?

We have planted Trees #11 & would beautify #9 also if we could be sure of water. After I've will retire in 5 yrs. & love to see beauty. Pearl Kay

Suppose that people had to pay
To see the sunset's crimson play
And the magic stars of the Milky Way.
Suppose it was fifty cents a night
To watch the pale moon's silvery light,
Or watch a gull in graceful flight.

MICROFILMED
APR 04 1988



RECEIVED
SEP 21 1987
Department of Water Resources
Western Regional Office

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

9-18

You can keep pictures if necessary

Dear Jan,

Thank you for all your help. Believe me we're not Trying to push any thing wrong or bad. Just Trying to get all our Trees watered & preserve the beauty of Pine Creek.

I looked through my

(over)

MICROFILMED
APR 04 1988

pictures & maybe you can tell from those - I don't know how to mark those but

#1 is #10

#2 Looking down the Valley Lot #9 is behind fence.

#3 is Lot #1

#4 is Lot #2

#5 shows little irrigated meadow surrounded by mountains looking down the valley

MICROFILMED APR 04 1988

Please Try to help us -

Here's Cecil Bilboa's Telephone Cambridge, Id. 83610

1-208-257-3583 thanks Pauline

RECEIVED
SEP 2 1 1987
Department of Water Resources
Western Regional Office

Question —

If we never had to have a point of diversion specified in the 1st place why do we have to get permission to change it??

MICROFILMED
APR 04 1988

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

SEPTEMBER 9, 1987

Upper County News Reporter
Box 98
Cambridge, ID 83610

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before OCTOBER 5, 1987.

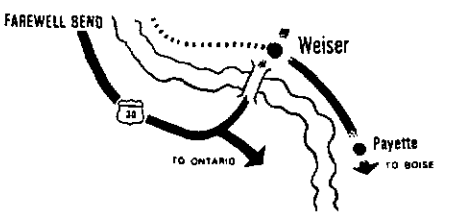
Yours truly,

JUDY PENSE
Secretary

Encl.

MICROFILMED
APR 04 1988





642-2744

Vern & Pearl Ketz
820 8th Avenue North
Payette, ID 83661

RECEIVED
AUG 13 1987

Department of Water Resources
Western Regional Office

Hi

Here's our Tax notice -

MICROFILMED
APR 04 1988

We were so glad to meet you. Enclosed a picture for you. ☺

Pearl Ketz

For the latest information on water levels, boat ramps and park conditions at Brownlee, Oxbow and Hells Canyon reservoirs and river flows in the Snake below Hells Canyon Dam, call toll free 24 hours a day, seven days a week.

IN IDAHO
1-800-422-3143
IN OREGON, WASHINGTON AND OTHER ADJACENT STATES
1-800-521-9102

Clip and Save

ok

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 67-0219

Notice is hereby given that Vernon E. &/or Pearl J. Ketz of Payette, ID has applied to the Department of Water Resources for a change of point of diversion of the water of Pine Creek.

The right sought to be changed is evidenced by water right no. 67-0219 and is recorded as follows:

Amount: .28 CFS Priority: 5/1/1901

Point(s) of Diversion: NENW, Sec. 36, T. 16N., Rge. 4W.

The water is used for irrigation purposes within the SW1/4, Sec. 35, T. 16N., Rge. 4W.

TO BE CHANGED AS FOLLOWS

Amount: 0.28 CFS

Point(s) of Diversion: NWSE, Sec. 35, T. 16N., Rge. 4W.

The water will be used for Irrigation purposes within the SW1/4, Sec. 35, T. 16N., Rge. 4W.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before October 5, 1987

R. Keith Higginson, Director

Published in the Upper County News Reporter on September 17, and 24, 1987.

MICROFILMED

APR 0 5 1988

OK

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 67-0219

Notice is hereby given that Vernon E. &/or Pearl J. Ketz of Payette, ID has applied to the Department of Water Resources for a change of point of diversion of the water of Pine Creek.

The right sought to be changed is evidenced by water right no. 67-0219 and is recorded as follows:

Amount: .28 CFS Priority: 5/1/1901

Point(s) of Diversion: NENW, Sec. 36, T. 16N., Rge. 4W.

The water is used for irrigation purposes within the SW1/4, Sec. 35, T. 16N., Rge. 4W.

TO BE CHANGED AS FOLLOWS

Amount: 0.28 CFS

Point(s) of Diversion: NWSE, Sec. 35, T. 16N., Rge. 4W.

The water will be used for Irrigation purposes within the SW1/4, Sec. 35, T. 16N., Rge. 4W.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before September 8, 1987

R. Keith Higginson, Director

Published in the Owyhee Avalanche on 8/19 and 8/26/87

MICROFILMED

APR 04 1988

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

AUGUST 12, 1987

OWYHEE AVALANCHE
P.O. Box 97
HOMEDALE, ID 83628

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 9, 1987.

Yours truly,

JUDY PENSE
Secretary

Encl.

MICROFILMED
APR 04 1988