

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4110

WATER RIGHT NUMBER: 67-4110

Owner Type Name and Address
Original Owner RICHARD L WILLIAMS
 PO BOX 111
 COUNCIL, ID 83612

Current Owner
 DARLIN J WILLIAMS
 PO BOX 111
 COUNCIL, ID 83612

Priority Date: 06/01/1950

Basis: Statutory Claim

Status: Active

Source Tributary
MILL CREEK WEISER RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/15	to 10/01	0.760 CFS	
STOCKWATER	1/01	to 12/31	0.030 CFS	
	<u>Total Diversion:</u>			0.790 CFS

Location of Point(s) of Diversion

MILL CREEK SE 1/4NW1/4SE1/4 Sec. 36, Twp 17N, Rge 01W, B.M.
ADAMS County

Place of UseIRRIGATION Within ADAMS County

T17N R01W S36	SWSW	30.0	T17N R01W S36	SESW	8.0
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Total Acres: 38

STOCKWATER same as IRRIGATIONConditions of Approval:Remarks:

RECEIVED
SEP 14 2005

Department of Water Resources



Idaho Department of Water Resources

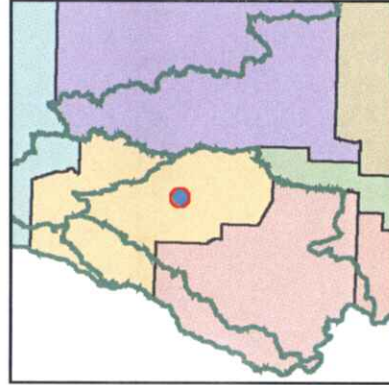
T17N R01W

Adjudication Claim Number: **67-4110**

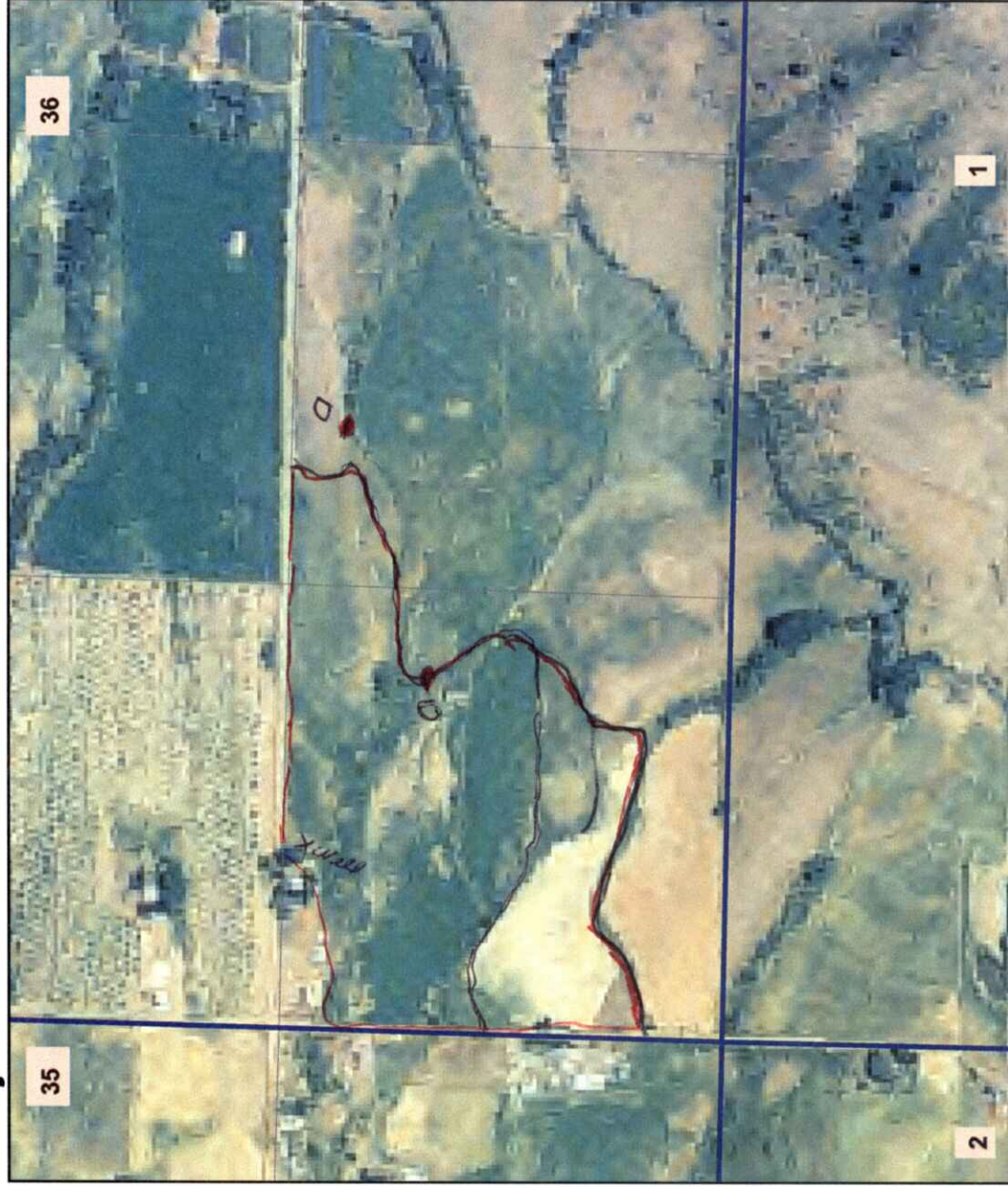
Legend

 PLS Sections

 GCDBQuarter Quarters



Adams County
IDWR Basin 67



Prepared by M. Van Bussum
On Wednesday, August 31, 2005
1987 Aerial Photography

Washington County,
Unnamed Streams or Gulches.
 $\frac{1}{2}$ second-foot
Irrigation
Priority 7/25/10.

STATE OF IDAHO

Water License No. 6415.

WHEREAS, On the 23rd day of July, A. D. 1910, FRANK E. WEYMOUTH, of Boise, County of Ada, State of Idaho, duly made application (No. 9285) to me for a permit to use 1 cubic foot per second of the waters of UNNAMED STREAMS or GULCHES, County of Washington, State of Idaho, for irrigation and domestic purposes, and.

WHEREAS, On the 4th day of August, A. D. 1910, Permit No. 6415 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 4th day of August, A. D. 1911 and for the application to beneficial use of said water on or before the 4th day of August, A. D. 1912, and, WHEREAS, On the 4th day of August, A. D. 1911, FRANK E. WEYMOUTH, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 6415, dated August 24th, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1 cubic foot per second of the waters of UNNAMED STREAMS or GULCHES, with date of priority of July 23rd, 1910 and,

WHEREAS, On the 4th day of August, A. D. 1911, FRANK E. WEYMOUTH, the holder of said permit, duly made proof of the application to beneficial use of $\frac{1}{2}$ of one cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to FRANK E. WEYMOUTH, of Boise, County of Ada, State of Idaho, the holder and owner of said Permit No. 6415, a perpetual right, dating from July 23rd, 1910, to the use of $\frac{1}{2}$ of one cubic foot per second of the waters of UNNAMED STREAMS or GULCHES, in the County of Washington and State of Idaho, or so much thereof as may be necessary for the purposes hereinafter mentioned, to be diverted at a point in the South half of the Southwest quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$), Section 36, Township 17 North, Range 1, West of the Boise Meridian, and conducted to and upon (25 acres in the East half of the South half of the Southwest quarter (E $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$), Section 36, Township 17 North, Range 1, West of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS my hand and the seal of my office at Boise, Idaho, this 24th day of August,

A. D. Nineteen hundred and twelve.

A. E. Robirson,

State Engineer.

(SEAL)

THIS INDENTURE, made this 21st day of October, in the year One Thousand Nine Hundred Thirty-eight, between F. E. WEYMOUTH, a widower, of the County of Los Angeles, State of California, Party of the First Part, and FRANK S. GALEY, of the County of Adams, State of Idaho, Party of the Second Part,

W I T N E S S E T H : That

The said Party of the First Part, for and in consideration of the sum of Ten Dollars (\$10) lawful money of the United States of America, to him in hand paid by said Party of the Second Part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, ^{and} sell, convey and confirm unto the said Party of the Second Part, and to his heirs and assigns forever, all the following described real estate situated in Adams County, State of Idaho, to wit:

The South half (S $\frac{1}{2}$) of the Southwest quarter (SW-1/4) of Section Thirty-six (36), Township Seventeen (17) North, Range One (1) West, of the Boise Meridian, in Idaho, containing eighty (80) acres more or less;

Also all water rights, ditches, dams, flumes and irrigating works of whatever nature, used upon or in any wise appertaining to said lands, including, without limiting the generality of the foregoing, the right evidenced by sixty-seven (67) shares of stock in the East Fork Ditch Company, Ltd;

All right, title and interest to water and water rights derived by grantor herein under those certain quitclaim deeds from Washington County Land and Development company, a Corporation, to the grantor herein, dated December 2, 1909, and recorded in Book 23 of Deeds, County of Washington, State of Idaho, at pages 541 and 542, respectively;

All interest of grantor herein, derived under that certain quitclaim deed from William H. Camp, as grantor, to F. E. Weymouth, said deed being recorded in Book 26 of Deeds, at page 297, in the office of the Recorder of the County of Washington, State of Idaho;

All water rights derived under Water License No. 6415 dated August 24, 1912, issued over the signature of A. E. Robinson, State Engineer, State of Idaho;

Also all right, title and interest of the grantor herein under that certain deed dated December 13, 1919, made by J. A. Carr and Harriet A. Carr, his wife, as grantors, to F. E. Weymouth, recorded in Book 7 of Deeds, at page 594, in the office of the Recorder of the County of Adams, State of Idaho;

Also all right, title and interest derived by grantor herein under that certain deed dated February 12, 1926, from J. S. Graves and Jennie R. Graves, his wife, grantors, to F. E. Weymouth, grantor herein, said date being recorded in Book 10 of Deeds, at page 597, in the office of the Recorder of the County of Adams, State of Idaho;

Also all right, title and interest of grantor herein in that certain warehouse situated at the City of Council, in the County of Adams, State of Idaho, upon lands of the Union Pacific Railroad Company, described as follows:

Commencing at a point twenty (20) feet North of the land leased by the Council Lumber Company, and eight (8) feet East of the center of said track of said rail way at said point, running thence Northerly on a line parallel to the East line of the right of way of said railway one hundred (100) feet; thence

East fifty (50) feet, at right angles, to the East line of the right of way of said railway; thence south along the East line of right of way of said railway one hundred (100) feet; thence West in a straight line to point of beginning;

together with any leasehold or easement now vested in grantor herein, under which such warehouse is maintained upon said lands.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, 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 Party of the First Part. To have and to hold, all and singular the above mentioned and described premises, together with the appurtenances, unto the Party of the Second Part, and to his heirs and assigns forever. And the said Party of the First Part, and his heirs, the said premises in the quiet and peaceable possession of the said Party of the Second Part, his heirs and assigns, against the said Party of the First Part, and his heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

All properties herein conveyed are subject to taxes for the year 1938, and any dues or charges for water unpaid at the date hereof.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his hand and seal the day and year first above written.

F. E. Weymouth

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.

On this 21st day of October, 1938, before me Ruth K. Thiers, a Notary Public in and for said County, personally appeared F. E. WEYMOUTH, known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

(NOTARIAL SEAL)

Ruth K. Thiers
Notary Public in and for said County
and State.

STATE OF CALIFORNIA)
County of Los Angeles) ss.

I, L. E. LAMPTON, County Clerk and Clerk of the Superior Court of the State of California, in and for said County, the same being a court of record of the aforesaid County, having by law a seal, do hereby certify that Ruth K. Thiers, whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, Notary Public in and for Los Angeles County, duly commissioned and sworn and residing in said County, and was, as such, an officer of said State, duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his official acts; that the impression of his official seal is not required by law to be filed in the office of the County Clerk; I further certify that I am well acquainted with his handwriting and verily believe that the signature to the attached certificate is his genuine signature, and further that the annexed instrument is executed and acknowledged according to the laws of the State of California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Superior Court this 21 day of Oct., 1938.

(OFFICIAL SEAL)

L. E. LAMPTON, County Clerk and Clerk of the
Superior Court of the State of California, in
and for the County of Los Angeles.
By John Frankl. Deputy

Recorded at request of Frank S. Galey at 10:20 o'clock A. M., Oct. 26, 1938.
Fee \$2.60

Matilda Moser

Recorder



Priority No.	Name of User	Description of Land	Source of Supply	Priority Date	Priority Index
62.	G. T. Hamill	SW 1/4	Fort Hall Creek	5 1 89	4.00
63.	Wm. S. Potter	20 Acres in SE 1/4 SW 1/4	Kathley Creek	5 15 89	2.25
64.	J. W. Galloway	SE 1/4 NW 1/4	Main Weiser	6 1 89	70.00
65.	J. Newton & Bessie Winesfield	SE 1/4 NW 1/4	Main Weiser	6 1 89	15.00
66.	Albert McDowell	N 1/2 NW 1/4	Little Weiser	6 1 89	39.00
67.	G. W. Phipps	N 1/2 SW 1/4, N 1/2 SE 1/4, SE 1/4 SW 1/4	Cottonwood Creek	6 1 89	47.50
68.	James H. McGlinchey	NE 1/4 NW 1/4	Cottonwood Creek	6 1 89	8.00
69.	A. Kampeter	SW 1/4 SW 1/4	Hornet Creek	12 31 89	35.50
70.	Village of Cambridge	N 1/2 NW 1/4	Rush Creek	4 80 88	20.00
71.	Moses H. Hopper	10 Acres in NW 1/4 SW 1/4	Rush Creek	4 30 90	1.00
72.	Nels C. Nelson	SW 1/4 NW 1/4	Rush Creek	4 30 90	12.50
73.	George W. Hall	SW 1/4 NW 1/4	Rush Creek	5 1 90	12.50
74.	Eva Barber	SE 1/4 NW 1/4, N 1/2 SW 1/4, SW 1/4 SE 1/4	Rush Creek	5 1 90	12.375
75.	Jerome B. Cox	NE 1/4 NW 1/4, SW 1/4 NW 1/4, E 1/2 NW 1/4	Rush Creek	5 1 90	19.00
76.	Waiser Irrigation District	NW 1/4 NW 1/4, SW 1/4 NW 1/4, E 1/2 NW 1/4	Main Weiser	5 1 90	200.00
77.	James W. Thidell	SW 1/4 NW 1/4	Pine Creek	5 1 90	32.50
78.	Jacob Ader	SW 1/4 NW 1/4	Wetley Creek	5 15 90	20.00
79.	E. M. Stewart	SE 1/4 NW 1/4, SW 1/4 NW 1/4	Kathley Creek	5 15 90	26.25
80.	James Keithley	E 1/2 NW 1/4	Little Weiser	6 1 90	19.00
81.	D. W. Hutchinson	SW 1/4 NW 1/4, NW 1/4 SW 1/4	Main Weiser	6 1 90	45.00
82.	T. B. Biggerstaff	SW 1/4 NW 1/4	Pine Creek	6 3 90	47.50
83.	Michael Ward	E 1/2 NW 1/4, SW 1/4 NW 1/4, SE 1/4 NW 1/4	Cottonwood Creek	7 1 90	72.00
84.	James H. McGlinchey	SW 1/4 NW 1/4, SE 1/4 NW 1/4, N 1/2 NW 1/4	Main Weiser	7 2 90	25.00
85.	Mary E. Houston	SW 1/4 NW 1/4, SE 1/4 NW 1/4, N 1/2 NW 1/4	Pine Creek	5 1 91	200.00
86.	Waiser Irrigation District	SW 1/4 NW 1/4	Pine Creek	5 1 91	165.00
87.	E. E. Edwards	SW 1/4 NW 1/4	Pine Creek	5 1 91	6.00
88.	Fannie E. Baker	SW 1/4 NW 1/4	Pine Creek	5 1 91	16.00
89.	R. E. Wilson and Edwin J. Hill	SW 1/4 NW 1/4	Pine Creek	5 1 91	85.00
90.	Henry Mosman	SW 1/4 NW 1/4	Little Weiser	5 1 91	12.00
91.	Stella Belch	SW 1/4 NW 1/4	Little Weiser	5 1 91	66.80
92.	H. L. Snyder	SW 1/4 NW 1/4	Little Weiser	5 1 91	82.00
93.	M. C. Wilkerson	SW 1/4 NW 1/4	Middle Fork	5 1 91	14.00
94.	W. M. Baccus	SW 1/4 NW 1/4	Middle Fork	5 1 91	21.00
95.	Catharine Austin	SW 1/4 NW 1/4	Mill Creek	5 1 91	29.00
96.	P. H. Schaff and F. S. Galey	SW 1/4 NW 1/4	Little Weiser	6 1 91	23.00
97.	Mattie E. Gray	SW 1/4 NW 1/4	Pine Creek	6 1 91	15.00
98.	Denbrae Sheep Co.	SW 1/4 NW 1/4	Main Weiser	6 1 91	60.80
99.	Mark Winkler	SW 1/4 NW 1/4	Main Weiser	6 1 91	10.00
100.	Carrie Winkler	SW 1/4 NW 1/4	Main Weiser	6 1 91	50.00
101.	E. Hinkle	SW 1/4 NW 1/4	Main Weiser	6 1 91	19.00
102.	S. A. Moudy and E. Hinkle	SW 1/4 NW 1/4, Part SE 1/4 SW 1/4, Part SE 1/4 NW 1/4	forrest Creek	12 31 91	12.00
103.	John Schwetckfelder	SW 1/4 NW 1/4	Hornet Creek	12 31 91	16.4
104.	Mattie M. Keyes	SW 1/4 NW 1/4	Little Weiser	5 1 92	150.00
105.	Waiser Irrigation District	SW 1/4 NW 1/4	Little Weiser	5 1 92	146.00
106.	John Schwetckfelder	SW 1/4 NW 1/4	Little Weiser	5 1 92	49.00
107.	Jacob Moritz	SW 1/4 NW 1/4	Little Weiser	5 1 92	95.00
108.	Leslie Johnson	SW 1/4 NW 1/4	Little Weiser	5 1 92	25.00
109.	S. N. York	SW 1/4 NW 1/4	Little Weiser	5 1 92	7.00
110.	William Niemeier	SW 1/4 NW 1/4	Pine Creek	5 1 92	21.00
111.	Mary Marquis	SW 1/4 NW 1/4	Pine Creek	5 1 92	7.50
112.	Edward Byers	SW 1/4 NW 1/4	Rush Creek	5 1 92	16.00
113.	Hub B. Poyner	SW 1/4 NW 1/4	Rush Creek	5 1 92	10.00
114.	J. P. Oglevie	SW 1/4 NW 1/4	Goodrich Creek	5 1 92	3.00
115.	William Phipps	SW 1/4 NW 1/4	Cottonwood Creek	6 1 92	56.00
116.	C. E. McDonald	SW 1/4 NW 1/4	Main Weiser	7 2 92	200.00
117.	Waiser Irrigation District	SW 1/4 NW 1/4	Main Weiser	5 1 93	25.00
118.	Mary Marquis	SW 1/4 NW 1/4	Mill Creek	5 1 93	27.50
119.	R. M. Wais	SW 1/4 NW 1/4	Mill Creek	5 1 93	27.50
120.	George T. Ellis	SW 1/4 NW 1/4	Mill Creek	5 1 93	27.50
121.	W. J. Wilson	SW 1/4 NW 1/4	Mill Creek	5 1 93	27.50
122.	A. L. Frechafer & Margarc' N'ie.	10 Acres in NE 1/4 NW 1/4, SE 1/4 NW 1/4	Hornet Creek	5 1 93	47.00
123.	Waiser Irrigation District	NE 1/4 NW 1/4, SW 1/4 NW 1/4	Fort Hall Creek	7 1 93	47.00
124.	M. C. Wilkerson	E 1/2 SW 1/4, W 1/2 SE 1/4, Part SW 1/4 SW 1/4	Main Weiser	5 1 94	150.00
125.	Albert Moritz	SW 1/4 NW 1/4	Little Weiser	5 1 94	25.00
126.	Ben Worden	SW 1/4 NW 1/4	Little Weiser	5 1 94	35.00
127.	Council Valley Orchards	SW 1/4 NW 1/4	Middle Fork	5 1 94	30.00
128.	P. H. Schaff & Thos. L. Walt	SW 1/4 NW 1/4	Mill Creek	5 1 94	29.00
129.	F. M. Watris	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
130.	H. B. Poyner	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
131.	W. H. Gibson	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
132.	Minta Dugear	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
133.	Walter Benson	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
134.	P. H. Miller	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
135.	P. H. Miller	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
136.	Waiser Irrigation District	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
137.	Village of Cambridge	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
138.	J. Edward Wicks	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
139.	Chas. F. Hulet	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
140.	A. H. Nunnalee	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
141.	A. L. Kingsbury	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
142.	Jesse Buzzard	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
143.	Annie Carson	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
144.	J. W. Fraser	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
145.	Walter L. Frasier	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
146.	Chris Belton	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
147.	S. T. Logan	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50
148.	Frank Peck	SW 1/4 NW 1/4	Mill Creek	5 1 94	37.50

the lady at Chicago offered me one. This
but no land descriptions. Got one Yale
around my place, but I don't know anything about Solways.

9-12-05

Mr. Sutton

This is what I came up
with in the Adams County
Cock houses. All the
previous owners are dead.

Wm. Williams

Claim 67-4110

claim
67-4110

ASSESSMENT ROLL FOR THE YEAR 1915

REAL PROPERTY

PRINTED IN ADAMS COUNTY BY THE COUNCIL LEADER

[illegible]