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Documents
In File

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A67-00713
Date Received: 10/04/1989
Receipt No: 100 4930
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHARON K. DRIESSEN 208-549-3113
Address: 1564 MONROE CREEK ROAD
WEISER, ID 83672

2. Date of Priority: APR 01, 1880

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	05W	10	SW	NW	NE		WASHINGTON

5. Description of diverting works:
DIVERSION DAM IN CREEK WITH GRAVITY DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		11.00
STOCKWATER	01/01	12/31	0.040		2.70
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) 14.90 A.F.A.

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 RANGE, DOMESTIC LAWN & GARDEN IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	05W	14	SW	NW		IRR	2.0
Section Acres							2.0

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10. Place of Use: Continued

Total Acres 2.0

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
67-00717

14. Remarks:

AC. IRR. = 2.5. FILING IS BASED UPON ATTACHED DECREE COPY.
CLAIMANT NOW OWNS BOTH RANCHES THAT WERE INVOLVED ON THE DECREE
ISSUED IN 1903 WHICH SPLIT THE ENTIRE WATERS OF MONROE CREEK
EQUALLY TO THE TWO PARTIES. TO DATE THERE HAS BEEN NO OTHER
FILING ON RECORD WHICH SUBSTANTIATES ANY RIGHTS PRIOR TO OR EQUAL
TO THIS RIGHT. AN AFFADAVIT FROM DON DANIELS IS ATTACHED REGARD-
HOW THESE RIGHTS HAVE BEEN USED HISTORICALLY.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

MONROE CREEK IRRIGATION DISTRI
Decree Plaintiff

vs

DON DICKERSON, ET AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 4

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Sharon L. Lissen Date: 10/12/89
Date:

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of Oct 19 89 Bruce A. Schmid
Notary Public



Residing at BRUCE A. SCHMID, NOTARY PUBLIC
My Commission Expires RENEWING AT BOISE, IDAHO
MY COMMISSION EXPIRES APRIL 11, 1995

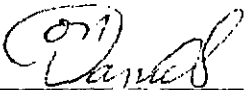
AFFIDAVIT OF WATER USE

Dated this 3rd day of Oct., 1989

I, Don Daniels, previously owned the property that now belongs to Sharon Driessen. During the entire time that I was in possession of that property, from 11/64 to 2/77, I blocked off all of Monroe Creek, before it left my property and I used the water for irrigation. I did this in accordance with the Decreed Water Right that is filed and dated March 16, 1903.

According to the Decree attached, I had use of "all" of the water in Monroe Creek, and as did the owners prior to me, I blocked the water off and used it all.

There is not enough water in Monroe Creek to satisfy all of the Affidavits that were submitted when the Water Resource Board came in and started to adjudicate. The only Decreed water right on that end of the Creek takes precedence over any Affidavit submitted and it is my belief that because of the attached Decree, all of the water legally belongs to what is now the Sharon Driessen property.


Don D Daniels

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Mark Parker

Plaintiff

-vs-

Elizabeth D. Yardley, Administra-
trix of the Estate of Thomas
L. Yardley, deceased.

Defendant.

Judgment by the Court.

See 41128-1 for land desc.

This cause came on regularly for trial on the 11th day of March, 1903, Lot L. Feltham appearing as Counsel for the Plaintiff and Frank Harris, appearing as Counsel for the Defendant.

Whereupon witnesses on the part of the Plaintiff and Defendant were duly sworn and examined and the evidence being closed the cause was submitted to the Court for consideration and decision and after due deliberation thereon, findings of fact and conclusions of law being waived by the ~~respective~~ respective parties orally in open Court, the Court orders that Judgment be entered herein that the waters flowing in Monroe Creek at the point where the Yardley Ditch taps the same shall be divided equally between the Plaintiff and the defendant and each party shall pay his own costs.

Wherefore, by reason of the law and the premises aforesaid, it is ordered, adjudged and decreed that the plaintiff and defendant shall each be entitled to and shall receive one half of the flow of water in Monroe Creek, in Washington County, State of Idaho, at the point on said Creek where the ditch leading to the Thomas L. Yardley farm taps said Monroe Creek and said water flow shall at said point be ^{divided} ~~divided~~ equally between the parties in this case by suitable appliance, the plaintiff receiving his share to be again turned into said Monroe Creek and the Defendant receiving her share in her said ditch, and that each party shall pay all costs by him incurred in this case.

Judgment rendered this 16th day of March, 1903.

Geo. H. Stewart,
Judge.

Filed March 16th, 1903.

Frank E. Smith, Clerk.

Book "B" Page 245.

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Notice is hereby given that I the undersigned citizen of the United States have this day Located and taken up a water right of four hundred inches under a four inch pressure and to be taken out at a certain point on Monroe Creek Just above the foot of the grade where Harri Palmer and Perino is hawling wood from being on the east side of said Monroe Creek or left hand bank to be conveyed in a ditch a distance of two miles and to be used for Irrigation purposes this 31st day of Decem 1883

Thomas L Yardley

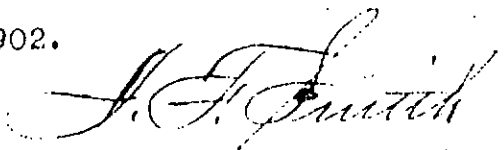
Recorded at the request of T L Yardley December 31st A D 1883

I. M. Hart
Recorder.

STATE OF IDAHO, ss.
County of Washington.

I, I. F. Smith, Ex-officio Recorder in and for the County of Washington, in the State of Idaho, and as such the custodian of the records of said county, do hereby certify that the annexed and foregoing is a full, true and correct copy of the record of the claim of water right of T. L. Yardley dated the 31st. day of Decembe 1883 and filed for record on that day, as the same appears in Book one of Water Rights, at Page 95, Records of said County.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said office, at Weiser, the seat of said County, this 2nd. day of August, A. D. 1902.


Ex-officio County Recorder.

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DITCH NOTICE

To all whom it may concern

Notice is hereby given that I Mark Parker of Washington County Idaho Territory do Record the following water right said water ditch to be taken out of Monroe Creek about one half mile above the old Shaw or Verbeck place on Said creek with a capacity of One hundred inches said ditch will be about onexmiix and one half feet on the bottom and one foot in depth

Weiser City Idaho Sept 11th 1883

Mark Parker

Recorded at the request of M Parker Sept 11th 1883 at 3 o'clock P M

I. M. Hart

Recorder.

STATE OF IDAHO,

ss.

County of Washington.

I, I. F. Smith, Ex-officio Recorder in and for the County of Washington, in the State of Idaho, and as such the ~~xxx~~ custodian of the records of said county, do hereby certify that the above and foregoing is a full, true and correct copy of the record of the water claim of Mark Parker, dated the and filed for record Sept. 11th A. D. 1883, as the same appears in Book one of Water Rights, at Page 84, of the records of said County.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said office, at Weiser, the seat of said County, this second day of August, A. D. 1902.

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OCT 1 1992

Ex-officio County Recorder.