

No Color
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 67-10
Date Received: 10/8/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WEISER IRRIGATION DISTRICT Phone: (208)414-1792
C/O JAY EDWARDS
PO BOX 591
WEISER ID USA 83672

2. Date of Priority: 05/01/1887

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
11N	06W	35	NW	NW	1	WASHINGTON	
11N	04W	35	SW	NE	NE	WASHINGTON	

5. Description of diverting works:

Integrated surface water delivery system within the boundaries of Weiser Irrigation District.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	5	

7. Total Quantity Appropriated is:
5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

11. Place of use in counties:

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used: 67-8 through 67-22, 67- 2169, 67-10279

14. Remarks:

Place of use is located within the boundaries of Weiser Irrigation District.
For additional remarks see attachment A.

15. Basis of Claim: Decreed

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 67-10

Date Received

Receipt Number

RECEIVED

OCT 08 2002

WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (a) WEISER IRRIGATION DISTRICT Phone (208) 414-1792

Mailing Address C/O JAY EDWARDS PO BOX 591 WEISER ID Zip 83672

2. Date of Priority (Only one (1) per claim) 5/1/1887

3. Source of water supply (a) WEISER RIVER

which is tributary to (b) SNAKE RIVER

4. a. Location of existing point of diversion is: Township 11N Range 6W Section 35,
1/4 of NW 1/4 of NW 1/4, Govt. Lot, 1 B.M., County of WASHINGTON

Additional points of diversion if any: SWNE S35 11N 4W

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc).
Including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. INTEGRATED SURFACE WATER DELIVERY SYSTEM
WITHIN THE BOUNDARIES OF WEISER IRRIGATION DISTRICT.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3/1 to 11/15 amount 5.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 5.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? WASHINGTON

12. Do you own the property listed above as place of use? N/A Yes _____ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
67-8 THROUGH 67-22, 67-2169, 67-10279 or None ()

14. Remarks:
SEE ATTACHMENT A.

Last Name _____ Ident No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree X

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date 6/20/1921

Plaintiff vs Defendant MUIR -VS- ALLISON

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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Secretary _____ Title

of Weiser Irrigation District _____, that I have signed the foregoing Organization

document in the space below as Secretary _____ of Weiser Irrigation District Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

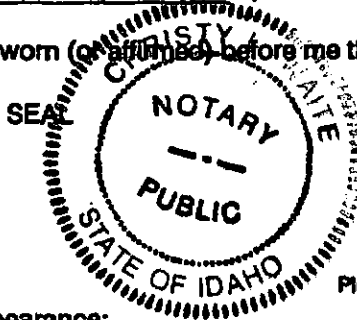
Title and Organization Sec. Weiser Irrigation District Date 10-3-02

State of Idaho/or _____)

County of Washington)

SS.

Subscribed and sworn (or affirmed) before me this 3rd day of Oct 2002



Notary Public [Signature]

Residing at Weiser, Idaho

My Commission Expires 11/4/2003

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

WEISER IRRIGATION DISTRICT
CLAIM SUMMARY

Vincent Derig, with Weiser Irrigation District, combined all the District's decreed and licensed rights from the Weiser River on SRBA beneficial use claim 67-10280. He used the earliest decreed priority date as the claim's priority date. The District now wishes to "uncombine" the claim and file separate claims on their decreed and licensed rights to properly preserve the integrity of their rights.

Mr. Derig also filed claim 67-10279 for 18,000 af of Crane Creek Reservoir water. I talked to Jackie Ray, Secretary of the Reservoir Co. (549-0765), and she stated that Weiser Irrigation District has 15,100 af (shares) of primary water and 2800 af (shares) of secondary water for a total of 17,900 af of storage water. Jackie stated that the Reservoir Co. did not file for all its shareholders because some folks with historical storage rights refused to participate as shareholders. As a result, the total deliverable storage water in Crane Creek Reservoir is divided and claimed as follows:

Institute Canal Co.:	4200.0 af (A67-10557, A67-10558)
Crane Creek Reservoir	
Independent Water Users:	10061.7 af (A67-10894)
Weiser Irrigation Dist.:	17900.0 af (A67-10279)
Weiser Cove Irrig. Dist:	16015.3 af (A67-10895)
Non-participants:	<u>3823.0 af (various claims, see file -10894)</u>
Total active (deliverable) af:	52000.0 af

(Total reservoir capacity is 56800 af per John Westra)

The District's primary and secondary shares have a common priority date of 4/9/1920. Claim A67-10279 will be amended to correct the priority date and total af the District owns in Crane Creek Reservoir. The District's A & B share proportions will be designated in the claim remarks.

Note: the District's outstanding permit 67-2129 is part of license 67-2384A and should be relinquished. License 67-2384A is included in claim A67-10279.

Mr. Derig also filed claim A03-7005 on the District's Snake River license 3-7005. This claim appears to be acceptable.

Weiser Irrigation District paid a total of \$9,788.57 for claims A67-10279, A67-10280 and A67-03-7005 and 9,522.5 acres of irrigation. Jay Edwards, with Weiser Irrigation District, is currently working with Mark Larson to establish an accurate District boundary. Additional fees for additional acres may be required, depending on the end result. Fees should not be required for the District's late claim filings. Once the District's PPU has been established, balance paid -vs- balance due can then be determined.