



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 67-14246
Date Received: 1/18/01
Receipt No: W027296
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s): DOUBLE C & J LAND CO INC
990 JENKINS CREEK RD
WEISER ID USA 83672

Phone: (208)549-1232

2. Date of Priority: 03/01/1905

3. Source: UNNAMED STREAM Trib. to: JENKINS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
11N	06W	6	NW NE SW	WASHINGTON

5. Description of diverting works:

Canvas dams, 12 inch and 24 inch headgates, ditch.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	9.06	

7. Total Quantity Appropriated is:
9.06 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
11N	05W	6	NE SW		IRRIGATION	5
			SW SW		IRRIGATION	6
			SE SW		IRRIGATION	30
					Section Acres	41
11N	05W	7	NE NW		IRRIGATION	32
			NW NW		IRRIGATION	6
			SE NW		IRRIGATION	35
			NE SW		IRRIGATION	37
			NW SW		IRRIGATION	10
			SW SW		IRRIGATION	15
			SE SW		IRRIGATION	37
			NW SE		IRRIGATION	18
			SW SE		IRRIGATION	1
					Section Acres	191
11N	05W	18	NE NW		IRRIGATION	20
			NW NW		IRRIGATION	34
			SW NW		IRRIGATION	39
			SE NW		IRRIGATION	15
			NE SW		IRRIGATION	4
			NW SW		IRRIGATION	38
			SW SW		IRRIGATION	37
			SE SW		IRRIGATION	34
					Section Acres	221
					Total Acres	453

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:

14. Remarks:

Source locally known as Tar Gulch.

15. Basis of Claim: Beneficial Use

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CIVIL CASE NUMBER: 39576Ident. Number A62-14246Date Received 1/18/01Receipt Number W027296

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) DOUBLE C & J LAND CO INC Phone (208) 549-1232Mailing Address 990 JENKINS CR RD WEISER Zip 836722. Date of Priority (Only one (1) per claim) 3/1/19053. Source of water supply (a) UNNAMED STREAM
which is tributary to (b) JENKINS CREEK4. a. Location of existing point of diversion is: Township 17N Range 6W Section 6,
NW 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of WASHINGTON

Additional points of diversion if any: _____

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. CANVAS DAMS, 12" + 24"HEADGATES, DITCH

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3/15 to 11/15 amount 9.06 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 9.06 (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	
11N	5W	6									5		6	30					41
		7					32	6		35	37	10	15	37		18	1		191
		18					20	34	39	15	4	38	37	34					221

Total number of acres irrigated 453

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

12. Do you own the property listed above as place of use? 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.
A67-02097 A + B, A67-02044 or None ()

14. Remarks: SOURCE LOCALLY KNOWN AS TAR GULCH

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 _____

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

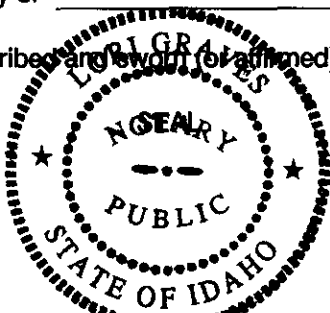
Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President
Title
of DOUBLE C+J LAND CO INC, that I have signed the foregoing
Organization
document in the space below as President of DOUBLE C+J LAND
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent John D. Hoff
Title and Organization President Date 1/18/01

State of Idaho/or _____)
County of _____) SS.

Subscribed and sworn to (or affirmed) before me this 18th day of Jan 2001



Notary Public Lon Gummer

Residing at Bonne

My Commission Expires 6/18/04

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.

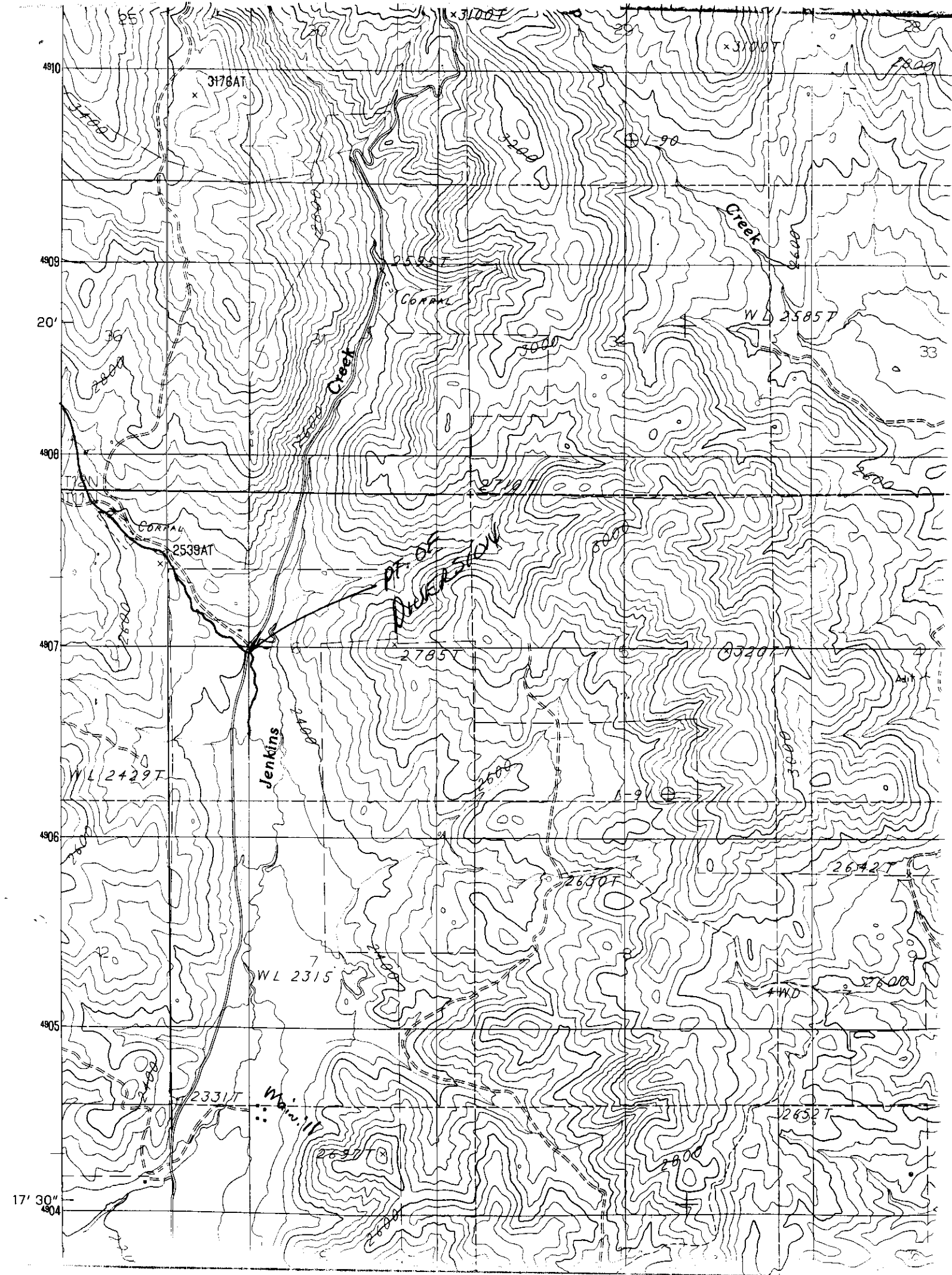
Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



FEBRUARY 19, 1992

WE, JOHN & GRACE MAINVIL, DO HEREBY PROTEST APPLICATION FOR PERMIT NO. 67-07886 IN THE NAME OF JAMES L. &/OR NELLIE R. ECKHARDT. THIS APPLICATION PROPOSES TO DIVERT 1.0 CFS OF WATER FROM JENKINS CREEK FOR THE IRRIGATION OF 50 ACRES.

WATER RIGHT NO.'S 67-02097A & 67-02097B ARE OUR WATER RIGHTS FROM JENKINS CREEK DATING BACK TO 1914. THESE RIGHTS COVER BOTH OUR STORAGE RIGHT AND LIVEFLOW DIVERSION RIGHT WHICH HAVE BEEN CONTINUOUSLY USED SINCE 1914 WITH NO EXCESS WATER AVAILABLE TO ANY ADDITIONAL ACRES. WE HAVE EVEN BEEN LIMITED ON THE TYPE OF CROPS RAISED DUE TO LACK OF WATER. ALSO, THE DIVERSION POINT SHOWN ON THE APPLICATION IS THE SAME DIVERSION POINT AND DITCH WE HAVE USED AND THAT HAS BEEN USED SINCE 1914 TO DELIVER OUR RIGHTS.

WE FEEL THAT APPROVAL OF THIS APPLICATION WOULD INJURE OUR USE OF THE HISTORICAL RIGHTS FROM JENKINS CREEK DUE TO THE FACT THAT THERE IS NOT ENOUGH WATER AVAILABLE FOR NEW APPROPRIATION EVEN IN NORMAL WATER YEARS AND ESPECIALLY IN THE RECENT DROUGHT YEARS.

John Mainvil *Grace Mainvil*
JOHN MAINVIL & GRACE MAINVIL
FEBRUARY 19, 1992

John Mainvil
990 Jenkins C. Rd
Waver, IL 83672

BEFORE THE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 67-7886 IN THE NAME OF)
JAMES L. &/OR NELLIE R. ECKHARDT)

ORDER VOIDING
APPLICATION

This matter having come before the Idaho Department of Water Resources (Department) pursuant to a Notice of Pending Order Rejecting Application, the Department Finds, Concludes, and Orders as follows:

FINDINGS OF FACT

1. On January 8, 1992, James L. &/or Nellie R. Eckhardt filed with the Department application no. 67-7886 to appropriate water within Sec. 24 T12N, R6W, Washington County, Idaho. The water was proposed to be used for irrigation purposes.

2. The application was protested by John &/or Grace Mainvil. A conference was scheduled in April but was cancelled and the applicant agreed telephonically to withdraw the application.

3. On May 14, 1992, a Notice of Pending Order Rejecting Application for Permit was sent to the applicant. A withdrawal form was sent on May 22, 1992, per the applicants' request. There has been no response from the applicants.

ORDER VOIDING APPLICATION

- 1 -

CONCLUSIONS OF LAW

1. Pursuant to the provisions of Section 42-204, Idaho Code, the Director of the Department of Water Resources is empowered to void an application for which requested information is not received within thirty (30) days.

2. The applicants, James L. &/or Nellie R. Eckhardt have failed or refused to respond to requests from the Department to supply necessary information.

ORDER

IT IS HEREBY ORDERED that Application for Permit No. 67-7886 in the name of James L. &/or Nellie R. Eckhardt be VOIDED.

Dated this 27th day of October 1992.

L. Glen Saxton
L. GLEN SAXTON
Chief, Water Allocation Bureau

CERTIFICATE OF MAILING

I hereby certify that on this the 30th day of October, 1992, I mailed a true and correct copy, postage prepaid, of the Order Voiding Application to the applicant listed above.

Cindy Zimmerman

Ident. No. 67-07886

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JAMES L ECKHARDT
Address: 247 THORNWOOD
MERIDIAN ID 83642

208-888-4734

AND/OR
Name: NELLIE R ECKHARDT
Address: 247 THORNWOOD
MERIDIAN ID 83642

208-888-4734

2. Source: JENKINS CREEK

3. Location of Point of Diversion:

Trib. to: SNAKE RIVER

SENE Sec. 24, Township 12N, Range 06W
WASHINGTON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	1.000		

5. Total quantity to be appropriated is:
1.000 CFS (and/or)

AF

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.
DITCH TO PUMPS TO HANDLINES

b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.

c. Proposed wall diameter is inches; proposed depth of wall is
feet.

d. Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 2 years.

8. Description of proposed uses:
IRRIGATION

Ident. No. 67-07886
Page 2

9. Place of Use: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
12N	05W	19	Lot 3 (NWSW)	8	Lot 4 (SWSW)	2			10
	06W	24	SESE	40					40

Total number of acres irrigated: 50

10. Describe any other water rights used for the same purposes.

11. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

12. Remarks:

13. Map of proposed point of diversion and place of use attached? [X]

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

James L. Colburn
Applicant

Received by GH Date 1/8/92 Time 11:15 Preliminary check by GH

Fee \$ 45.00 Receipted by GH # W013990 Date 1/8/92

Publication prepared by GG Date 1-29-92 Published in Weiser Signal

Publication approved AT Date 3-5-92

* DATE RECD W013990 1/10/92 92

THE INTERMOUNTAIN INSTITUTE

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WEISER, IDAHO

Nov. 28th

5043

Mr. George H. Foster, Chairman of the Institute,
Chicago;

Dear Sir:

I beg to thank you for the copy of the report of the Inter-Mountain Institute for the year 1900. I have just received it and find it very interesting and valuable. I am sure it will be of great help to the people of the West in their efforts to improve their condition. I am sure it will be of great help to the people of the West in their efforts to improve their condition. I am sure it will be of great help to the people of the West in their efforts to improve their condition.

2.) From every day which was expected to have all experience for
tutors, about noon, light etc. The difficult which money was
on the school press - was saved by begging. 1000 Large front of
every year spent collecting money from the friends of
collections in all parts of the country. Reducing that a large
series would furnish work for the students and in other
ways help support the school - a large tract of dry land
was secured, the large bank grabbed it and spread it out
we soon found that by digging it would not dig we
much improved the school and the spirit much - which
had a water supply in the school. But the school was not
water enough to support the school - kept during the school week
each in the spring! The order to save the school water was
abolished later we tried on a reservoir and the school water at
the school bank for 1905. The following year we completed a ditch
the water on the school bank the school water to the reservoir at a
cost of not less than 1000 and the ditch was made large enough to
carry more water. The school received. We also began the construction of
the reservoir during the fall. We now could be found for the work.
We have it now about done. Although we had the water. We have
the water here used the improved water a part of each irrigation

[illegible]

4) Follows with into the Bench. We now have about
1000 lines under investigation but the summing plant cost
a lot of money and the expense of summing is about \$1.00
per line. Had we just the money we paid out for the summing
plant to the completion of the necessary we could now have
much investigation. We could not invest so much and first
we would need money! You cannot ignore the long observation
explanation - but I want you to know our exact situation
that some more independent business delay in completing our
electronic we the expedite you asked for have been sent to
your office and I secured a copy of the priority of publication
from the American office which I understand had been
sent to your office - five years ago and more!
Very truly yours in the world's work -

Col. Macdonald,