

MAP OF

WEISER

ASHINGTON COUNTY — IDAHO

In Sect 29-30-31-32-33, T 11 N., R. 5 W., B. 1 M

Original Map by L. W. Johnson and Melvin Lewis in 1947

Revised by: Johnson, Underkofler & Briggs

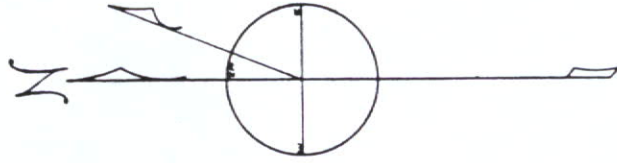
Revised by: G & W Engineering

Revised Map Adopted by City Council as the Official Map of City of Weiser January 21, 1975

Alfred L. Hagg
Clerk

Robert L. Hagg
Mayor

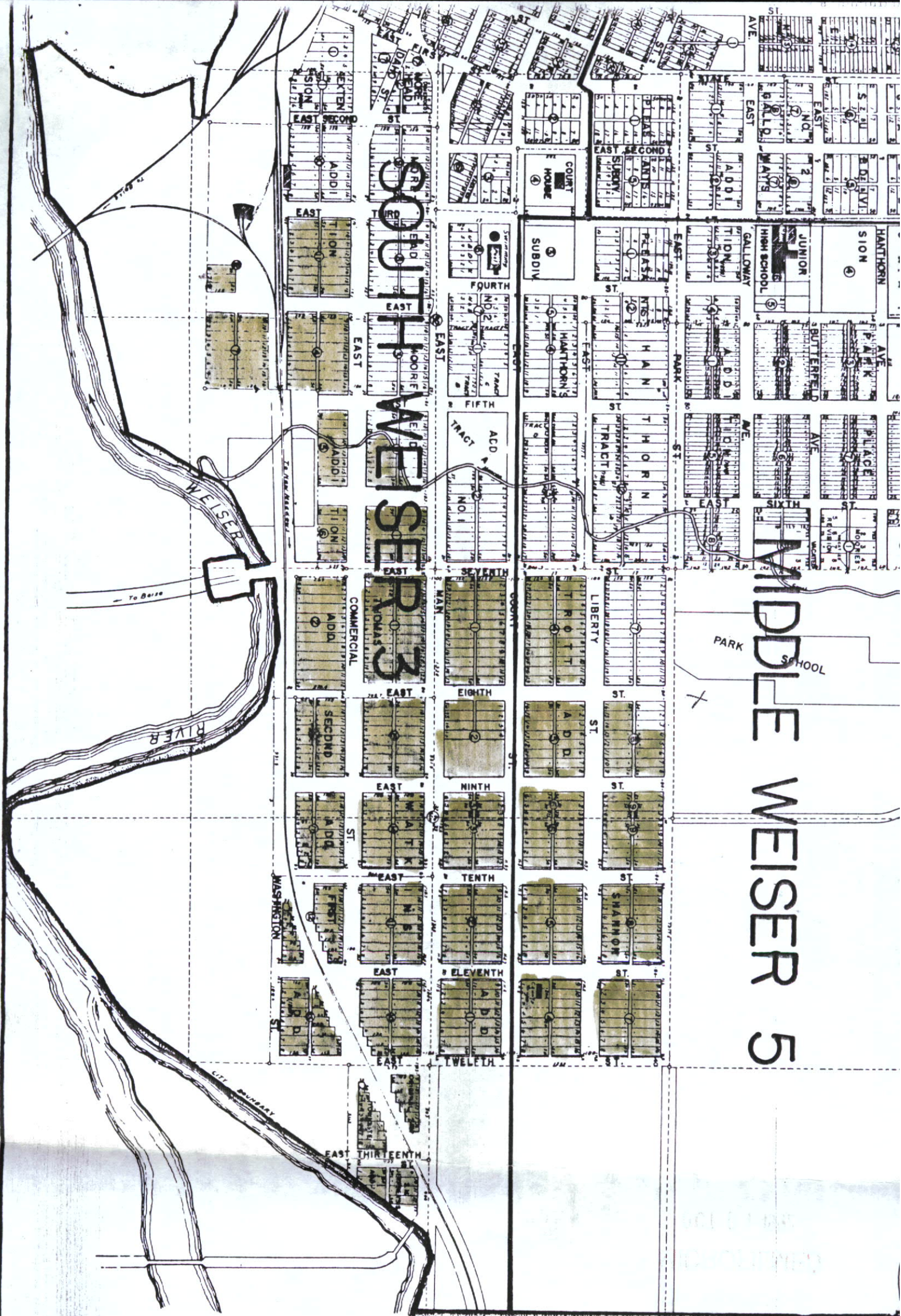
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SE NE	33	AC.
NE SW	13	AC
NW SE	26	AC
NE SE	26	AC
Sec 33	T 11 N	R 5 W
SW NW	40	AC
NW SW	26	AC
NE SW	8	AC

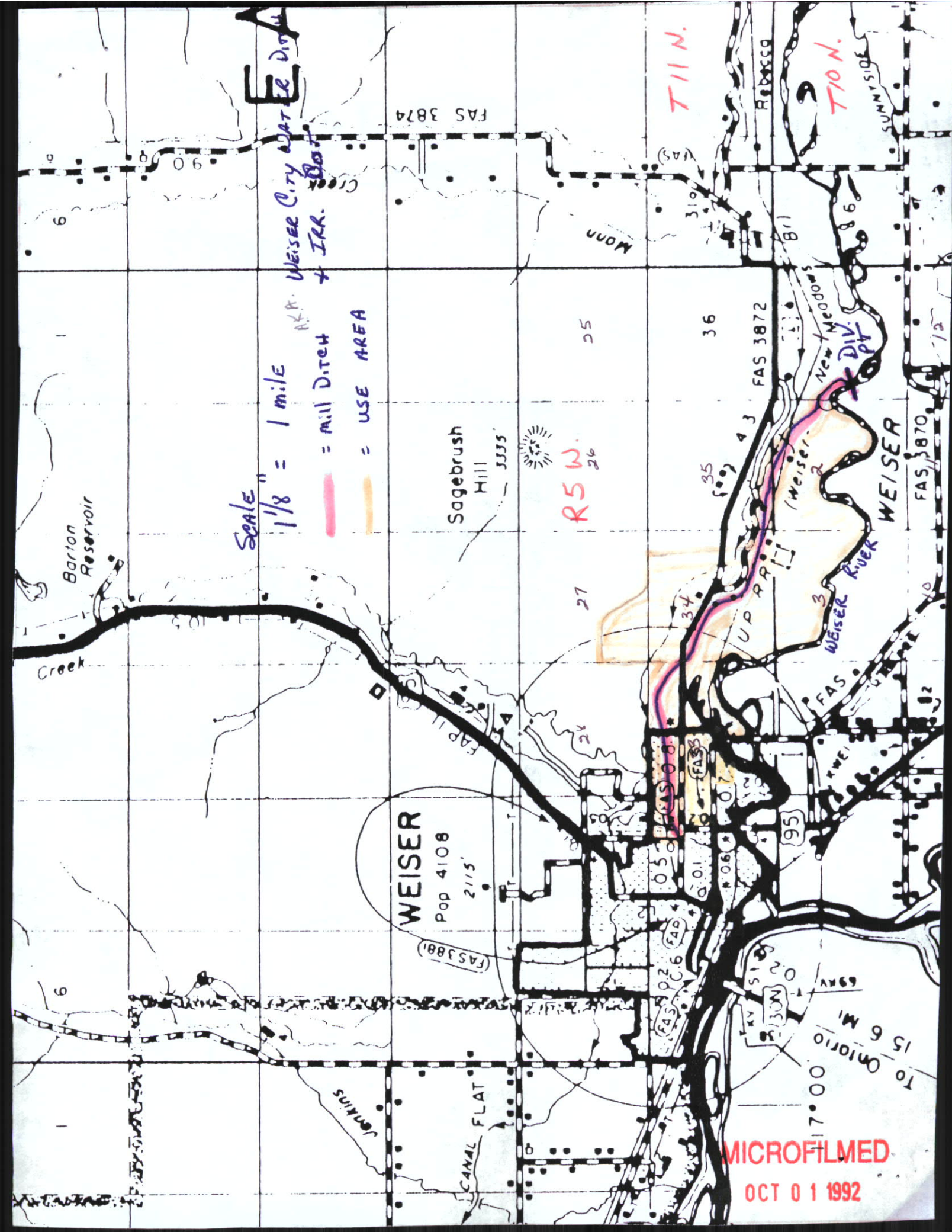


SCALE

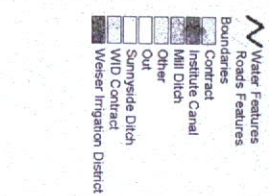
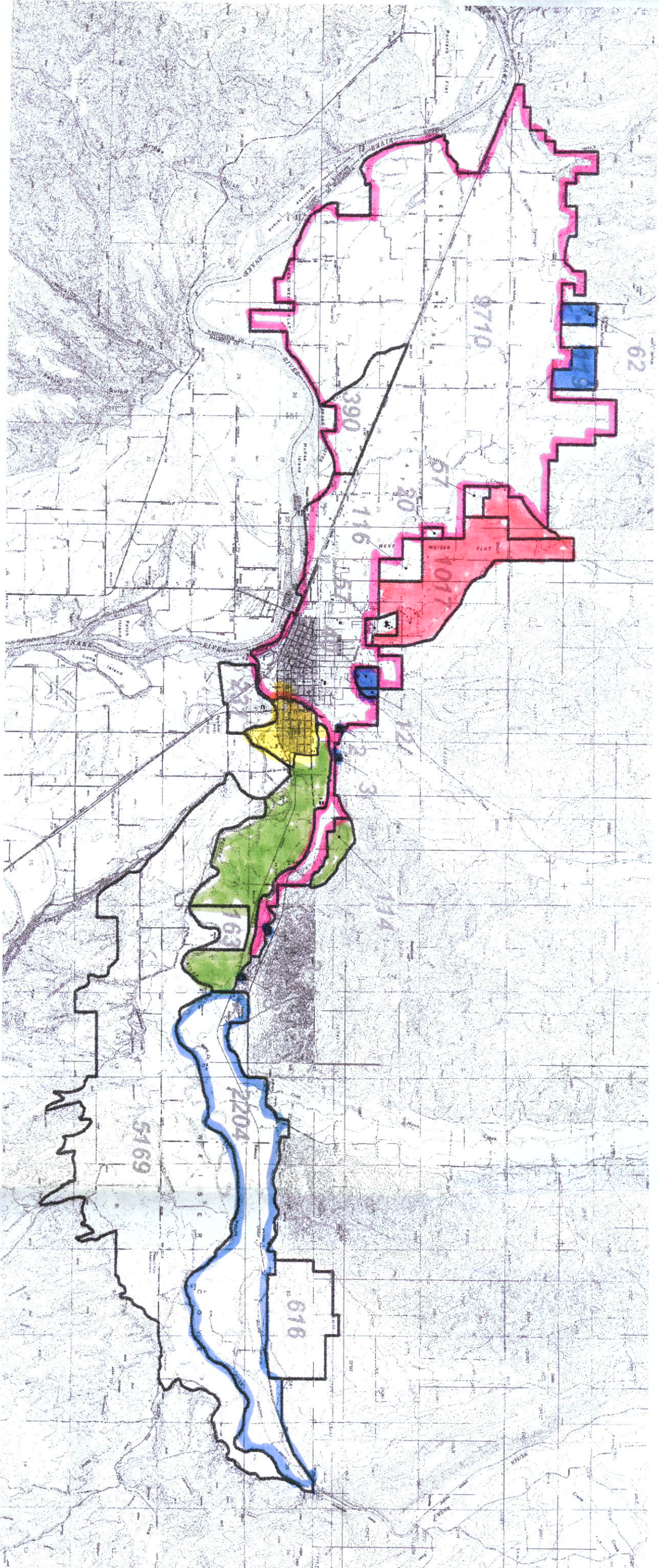
OCT 01 1992

MIDDLE WEISER 5





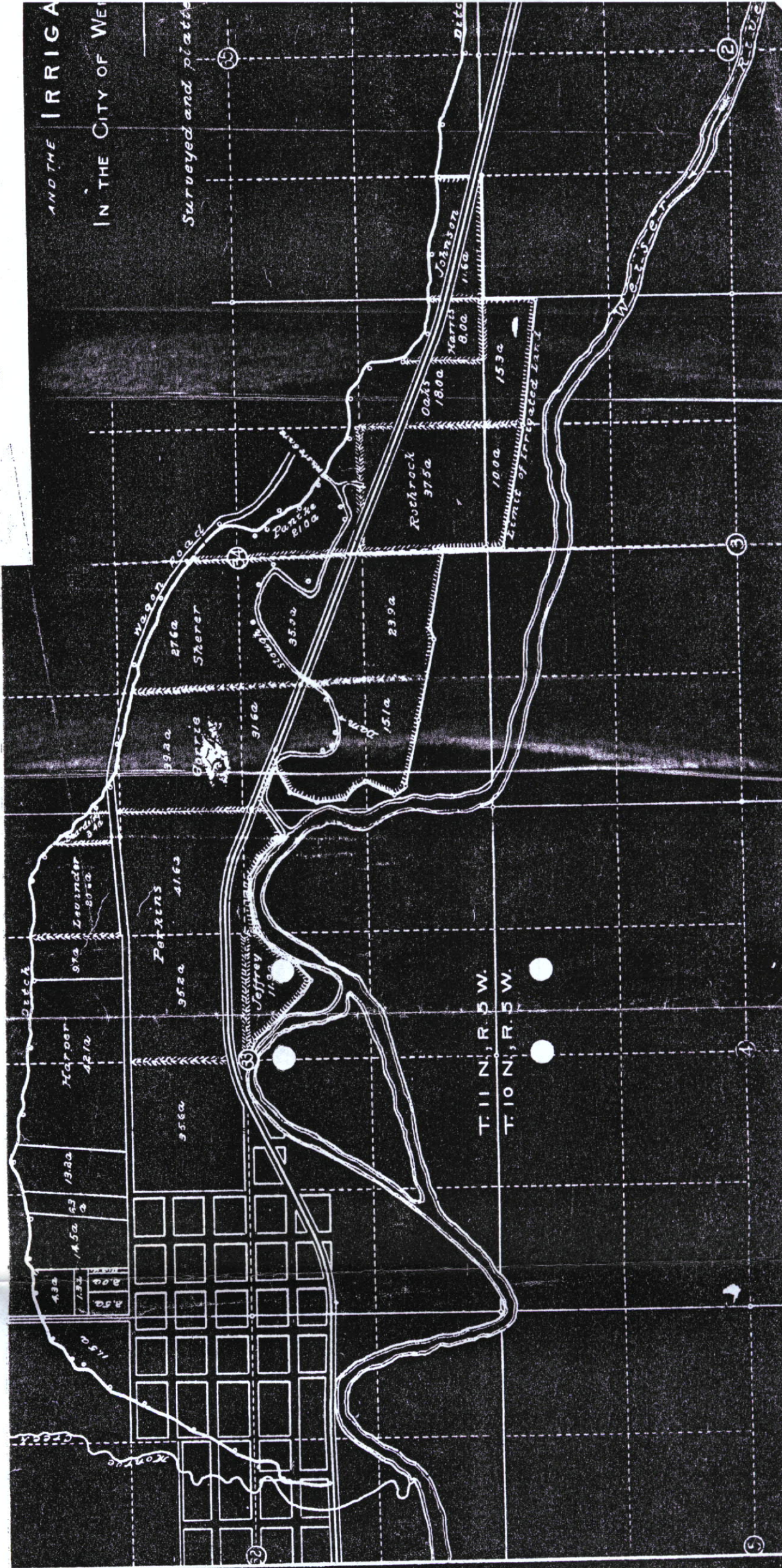
Weiser Irrigation District Lost Valley Diversion Project



AND THE IRRIGATION

IN THE CITY OF WASHINGTON

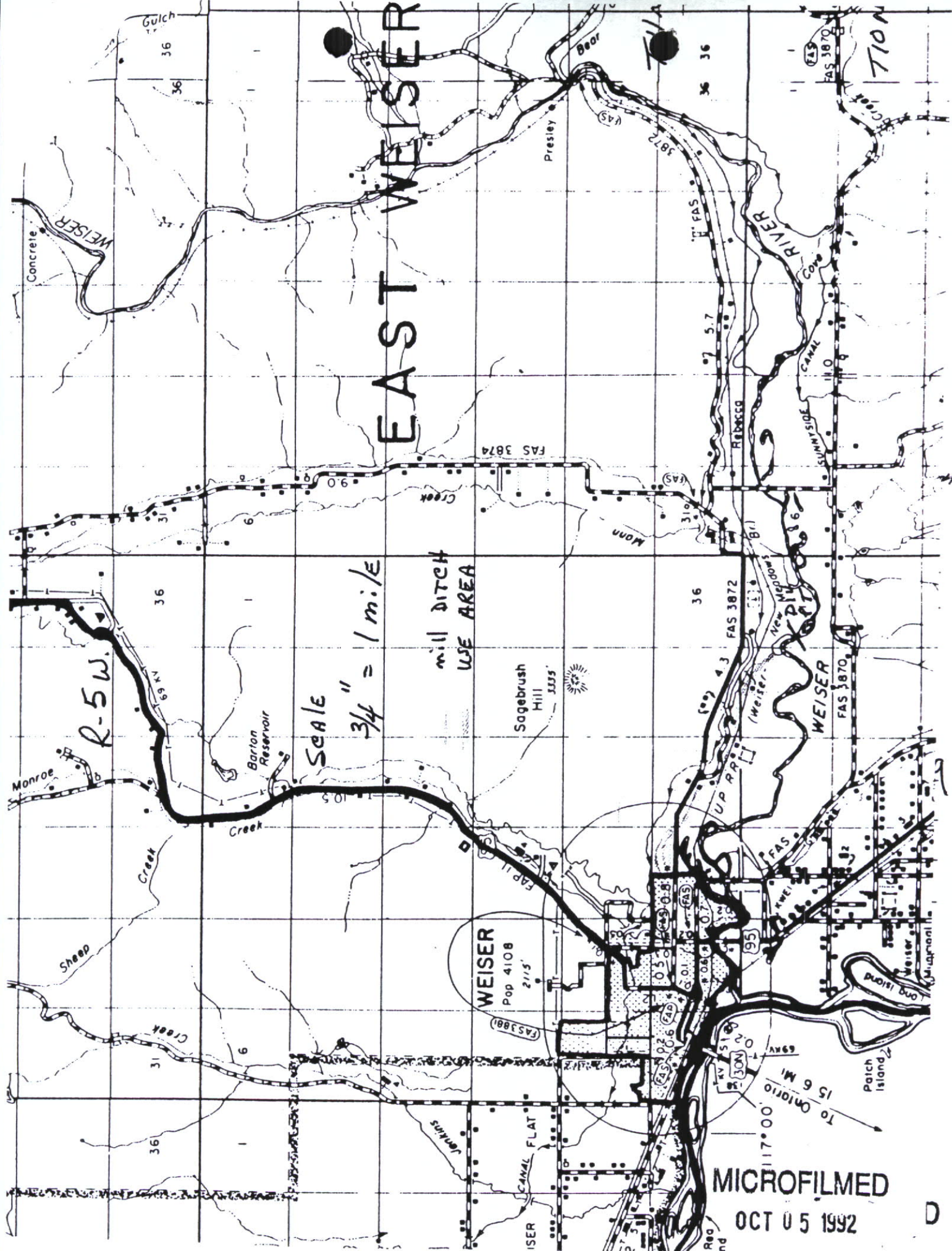
Surveyed and plotted



T. 11 N., R. 5 W.

T. 10 N., R. 5 W.





EAST WEISER

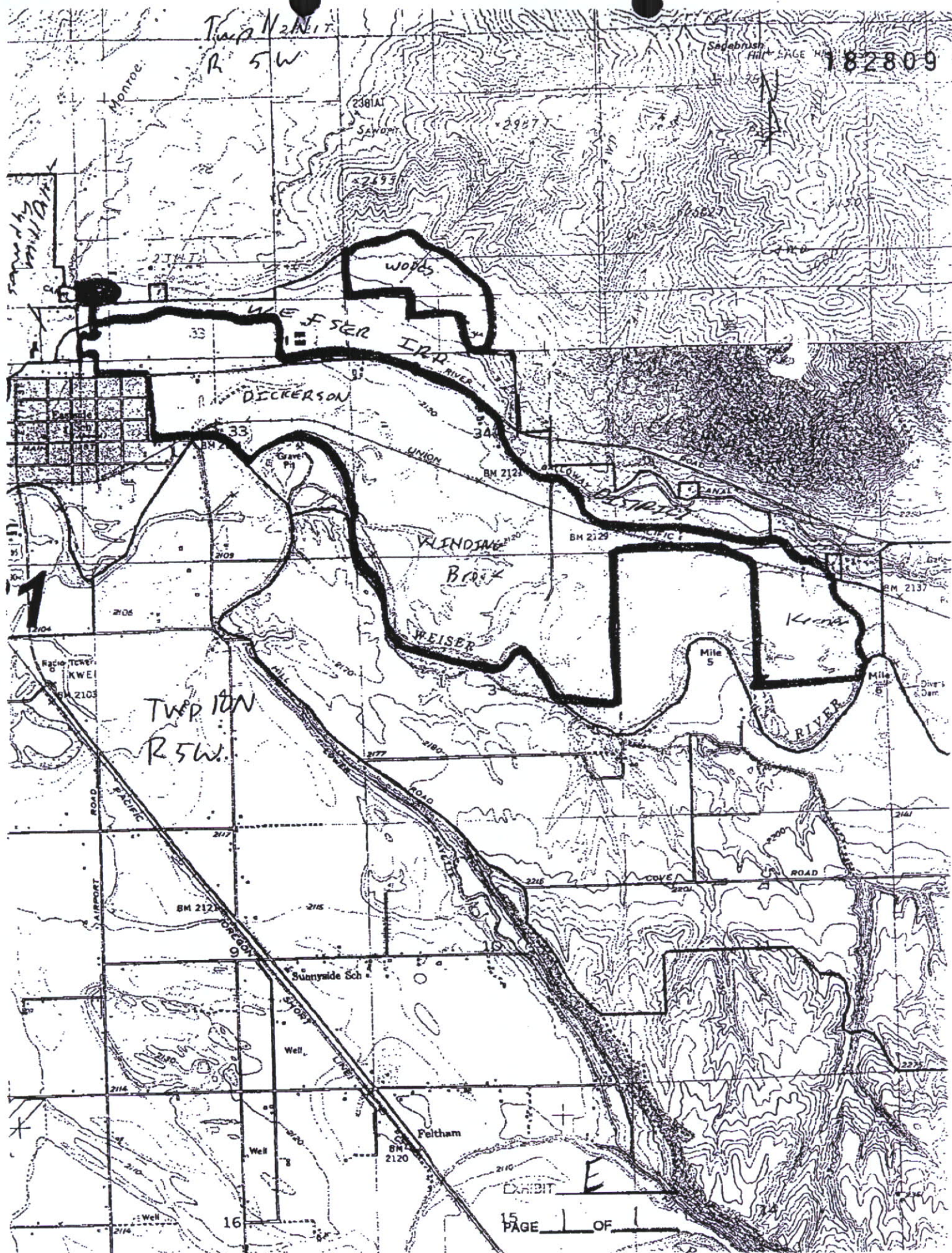
SCALE
3/4" = 1 mile

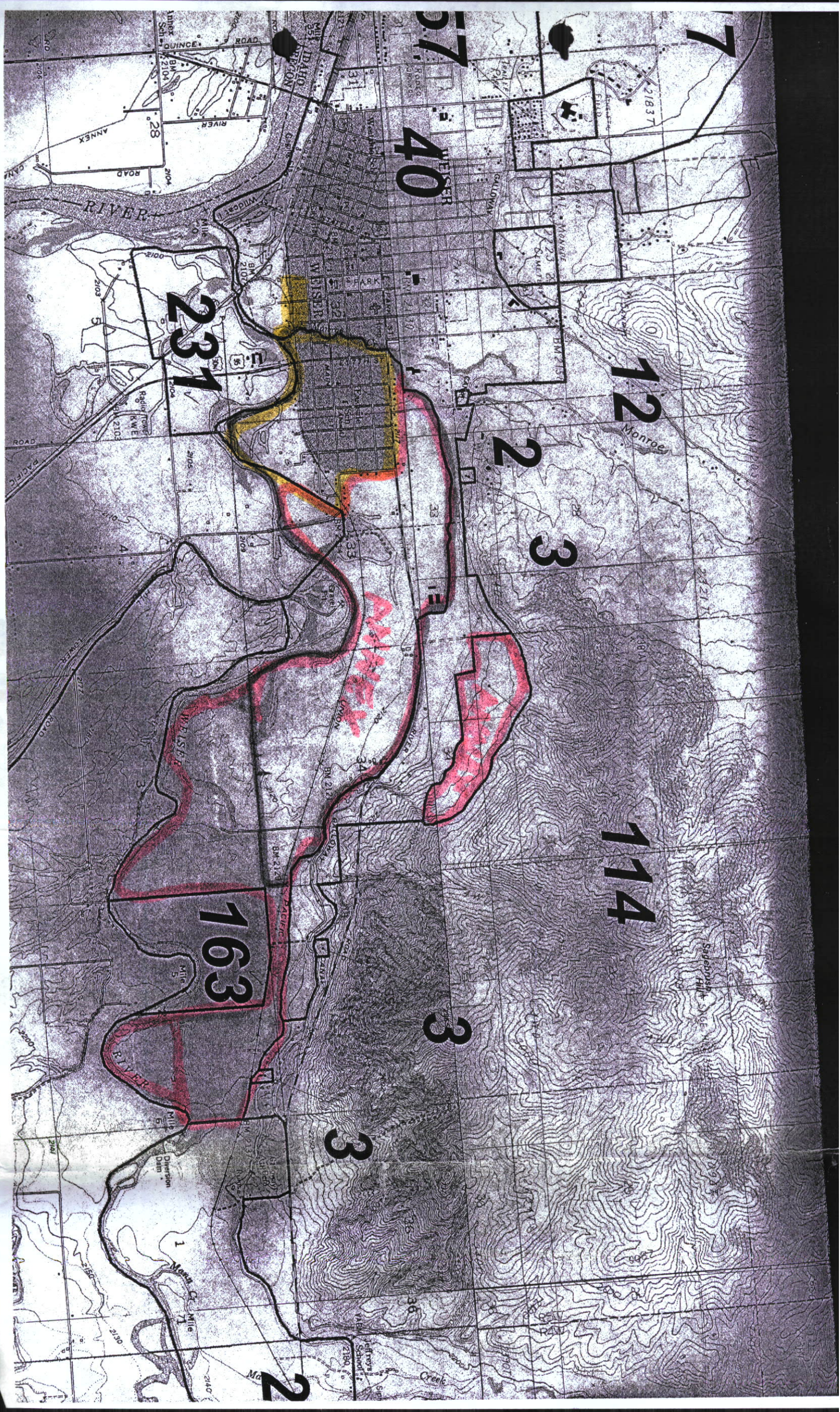
mill DITCH
WE AREA

WEISER
Pop 4108
2115'

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OCT 05 1992

D

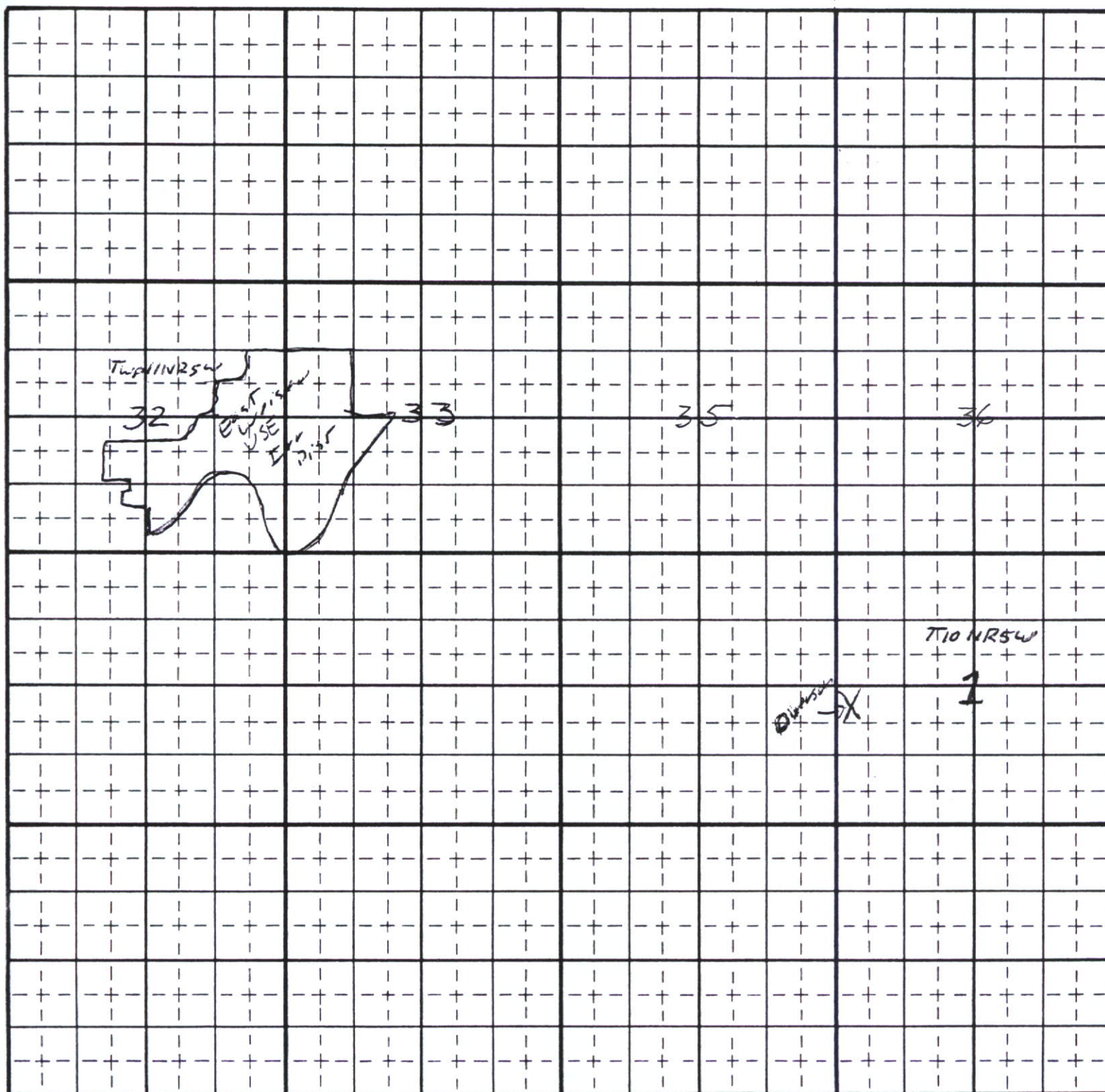




Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

POOR ORIGINAL



Last Name _____ Ident No. _____

MICROFILMED
89 2 2 1996
Copies: White-State, Yellow-Claimant

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: A67-00007
Date Received: 10/18/1989
Receipt No: W006376
Received By: DE 114

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WEISER CITY DITCH & IRRIG. CO. 208-549-0975
Address: EAST WEISER IRRIG. DISTRICT
P.O. BOX 671
WEISER, ID 83672
2. Date of Priority: SEP 01, 1880
3. Source: WEISER RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|------------|
| 10N | 05W | 1 | NW | NW | SW | | WASHINGTON |
5. Description of diverting works:
WATER IS DIVERTED FORM WEISER RIVER BY GRAVITY FLOW.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 9.000 | | |
7. Total Quantity Appropriated is:
9.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10N	05W	2	NW	NE		IRR	32.0
			SW	NE		IRR	38.0
			SE	NE		IRR	19.0

A67-00007

Page 1

Date: 10/24/89

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OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	05W	2	NE		NW		IRR	32.0
			NW		NW		IRR	40.0
			SW		NW		IRR	35.0
			SE		NW		IRR	18.0
			NW		SW		IRR	10.0
			NE		SE		IRR	6.0
			NW		SE		IRR	23.0
							Section Acres	253.0
		3	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	32.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			SW		NW		IRR	4.0
			SE		NW		IRR	18.0
			NE		SE		IRR	17.0
							Section Acres	231.0
11N	05W	27	SW		SW		IRR	36.0
			SE		SW		IRR	20.0
							Section Acres	56.0
		32	NE		NE		IRR	18.0
			SE		NE		IRR	33.0
			NE		SW		IRR	13.0
			NE		SE		IRR	26.0
			NW		SE		IRR	26.0
							Section Acres	116.0
		33	NE		NE		IRR	6.0
			NW		NE		IRR	32.0
			SW		NE		IRR	38.0
			SE		NE		IRR	26.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	28.0
			NE		SW		IRR	15.0
			SW		SW		IRR	26.0
			NE		SE		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	05W	33	NW	SE		IRR	16.0
						Section Acres	317.0
		34	NW	NE		IRR	32.0
			SW	NE		IRR	18.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	31.0
			SE	SW		IRR	40.0
			NW	SE		IRR	38.0
			SW	SE		IRR	40.0
			SE	SE		IRR	28.0
						Section Acres	467.0
		35	SW	SW		IRR	8.0
			SE	SW		IRR	9.0
						Section Acres	17.0
40N	05W	3	NW	NW		IRR	18.0
						Section Acres	18.0
						Total Acres	1475.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS FILING IS FOR WEISER CITY DITCH & IRRIG. CO. AND EAST
WEISER IRRIG. DISTRICT. GRAVEL DAM IS USED TO DIVERT WATER.

15. Basis of Claim: DECREED

Case Number:
Court :

Decree date:

Decree Plaintiff

vs

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: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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 A 67-00007Date Received 10/18/89Receipt Number W006376

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) WEISER CITY Ditch and IRRIGATION Co. and
EAST WEISER Irrigation District Phone (208) 549-0975

Mailing Address PO BOX 671 WEISER IDAHO Zip 83672

2. Date of Priority (Only one (1) per claim) 9/01/1880

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 10 N Range 5 W Section 1,
NW 1/4 of NW 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.

WATER IS diverted from WEISER RIVER
by gravity flow, except when RIVER flow
lowers. Then a gravel dam is used to
divert water

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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 9.000 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 9.000 (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:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	27											36	20					56
11N	5W	34		32	18		40	40	40	40	40	40	31	40		38	40	28	467
11N	5W	33	6	32	38	26	40	40	40	28	15		26		10	16			317
11N	5W	35											8	9					17
11N	5W	32	18			33					13				26	26			116
10N	5W	2		32	38	19	32	40	35	18		10			6	23			253
10N	5W	3	40	40	32	40	40	18	4	18					17				249

Total number of acres irrigated

1475

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? Yes _____ No X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

THIS FILING IS FOR WEISER CITY DITCH & IRR. CO and EAST WEISER IRR DIST.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None ()

14. Remarks:

Last Nar

Remarks

ALL OF BLOCKS 7,8,9,6,5,4,3,2,1, SHANNON ADDITION TO CITY OF WEISER. ALL BLOCKS 9,8,6,5,4,3,2,1, EXCEPT LOTS 1,2,& 3, BLOCK 8, TROTT ADDITION. ALL THESE LANDS SOUTH OF DITCH & NORTH OF RIVER. LOTS 1,2,3, JEFFERIES ADDITION TO CITY OF WEISER. ALL LANDS IN ORIGINAL TOWNSITE. ALL BLOCKS 10,11,12,13,14,15,16,17, WATKINS ADDITION, CITY OF WEISER. ALL BLOCKS 1,6,5,4,11,7, & LOTS 5,6,7, & 8, OF BLOCK 12 & ALL LOTS 6,7,8, & PART OF LOTS 16,15,14,4,5, SAID BLOCK 2, EAST OF MONROE CREEK. ALL MOREHEAD ADDITION TO CITY OF WEISER. ALL BLOCKS 1 & 2, THOMAS ADDITION TO CITY OF WEISER. THIS WATER CARRIED IN THE WEISER MILL DITCH.

EAST WEISER IRR. DIST

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aimant

OCT 01 1966

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.

MAP OF

WEISER

WASHINGTON COUNTY — IDAHO

In Sections 29-30-31-32-33, T. 11 N., R. 5 W., B. 1 M.

Original Map by L. W. Johnson and Melvin Lewis in 1947

Revised by: Johnson, Understaller & Briggs

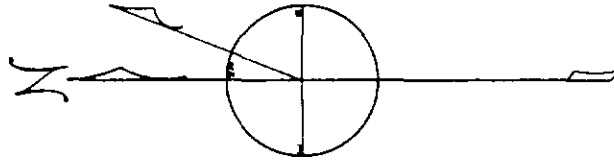
Revised by: B. B. W. Engineering

Revised Map Adopted by City Council as the Official Map of the City of Weiser January 4, 1975

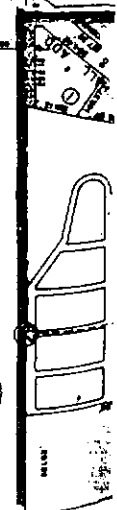
Robert L. Hays
Clerk

John H. Hays
Mayor

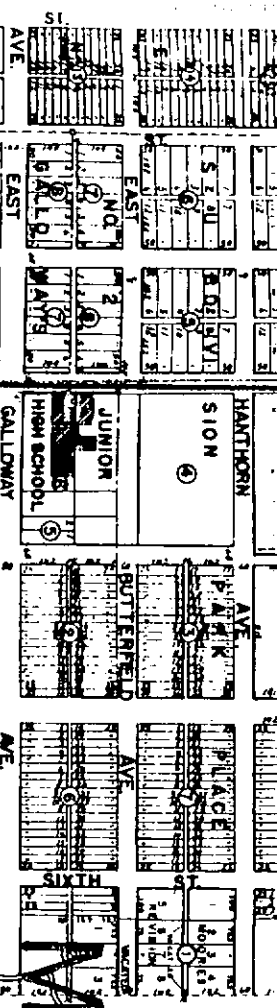
S 32	T 11 N	R 5 W
SE NE	33	AC
NE SW	13	AC
NW SE	26	AC
NE SE	26	AC
SEC 33	T 11 N	R 5 W
SW NW	40	AC
NW SW	26	AC
NE SW	8	AC



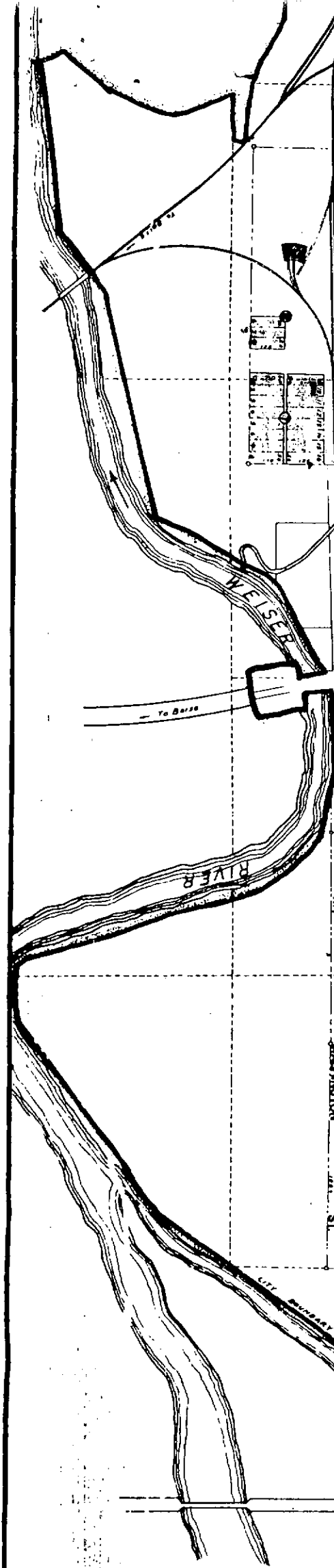
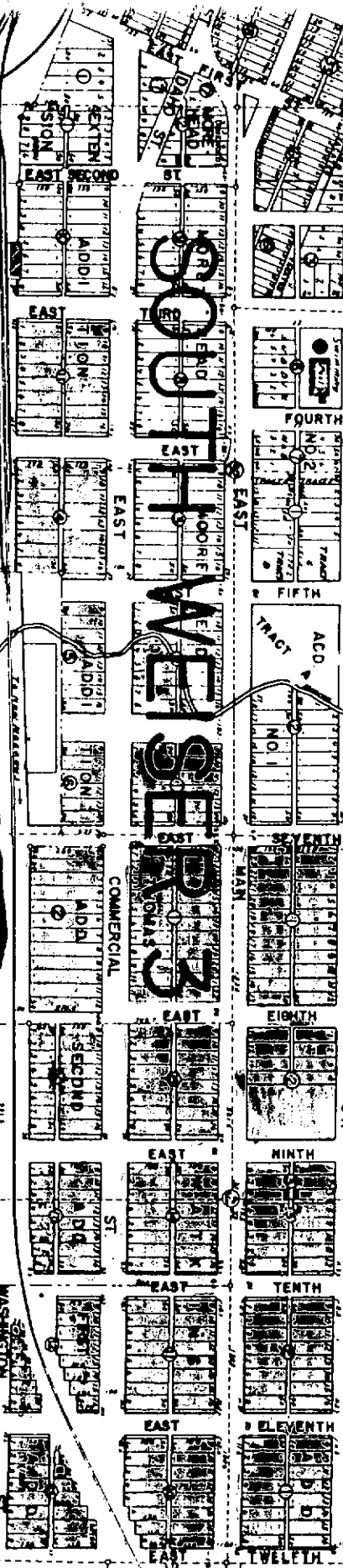
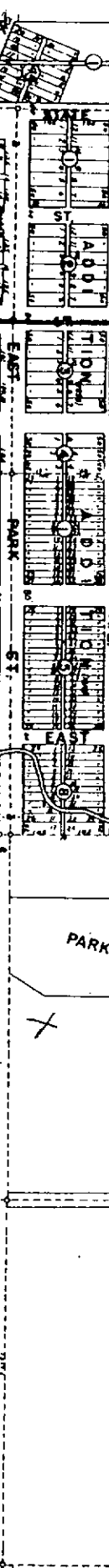
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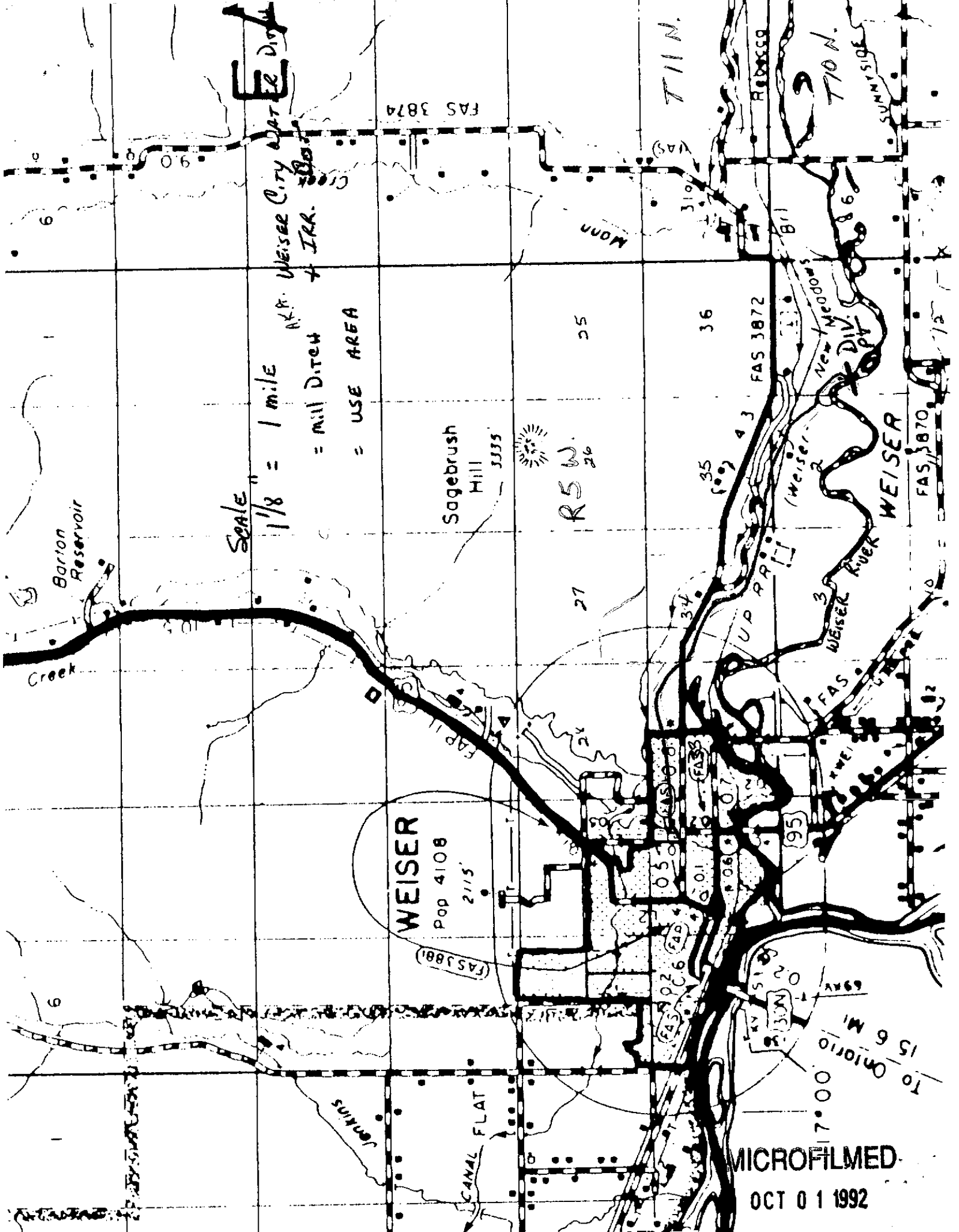


OCT 01 1992



MIDDLE WEISER 5





E

N.P. WEISER CITY WATER DIV. & IRR.

SCALE 1 1/8" = 1 mile

= MILL DITCH
= USE AREA

WEISER
Pop 4108
2115'

Sagebrush Hill
3335'

R5 W. 26

T11N.

T10N.

TO Ontario
15.6 MI

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OCT 01 1992

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

Decree X

If applicable provide IDWR Water Right Number 67-00007

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 X 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 Weiser City Ditch and Irrigation Co. Organization

document in the space below as President Title of Weiser City Ditch + Irrigation Co. Organization

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

Signature of Authorized Agent Thomas A. Swer

Title and Organization President Weiser City Ditch + Irrigation Co. Date 10-18-89

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

Subscribed and sworn (or affirmed) before me this 18th day of Oct 19 89

SEAL

Notary Public Ron Howerton

Residing at Ron Howerton

My Commission Expires Residing at Boise, Idaho

Please Print Name _____ My Commission Expires December 8, 1994

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 _____

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Copies White-State, Yellow-Claimant
OCT 01 1992

Weiser Irrigation District
P.O. Box 591
Weiser, Idaho 8372
208-413-1792
Fax 208-414-1792

October 26, 2002

Lori Graves
Sr. Water Resource Agent
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

OCT 31 2002

WATER RESOURCES
WESTERN REGION

RE: statement of water conditions Weiser Irrigation District

Dear Lori:

In 1940 the Weiser Irrigation District provided water to 8,937.51 assessed acres within the District. An additional 400 acres were within the City limits. Since then the irrigated lands have been expanded. Some land was added by annexation, while others were under contract and finally land was added due to sprinkler and pump application outside the District.

West Ridge - Snake River 390 acres 6.30 cfs permit no. 03-07005

Mill Ditch lateral to the Weiser Irrigation District 1256 acres 5.0 cfs 67-0007
And A67-10968 25.72cfs

Water delivered by the Galloway Dam through the Galloway Canal

Weiser Irrigation District 9710 acres (current boundary)

Institute Canal Co. 1017 acres

WID Contracts 2446 acres

East Weiser Irrigation Dt 200 acres

Total 13,373 acres

Muir vs Allison 5/8 inch per acre 67-8 - 67-22	6,798 inches	136 cfs (acres at time of decree)
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WID 1936 enlargement 67-02169	6,000 inches	120cfs
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E. Coulter 67-02169	50 inches	1cfs
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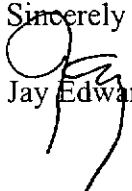
Shoesmith/Smith License 17813	299 inches	5.98cfs
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East Weiser 67-0007	200 inches	4.0cfs
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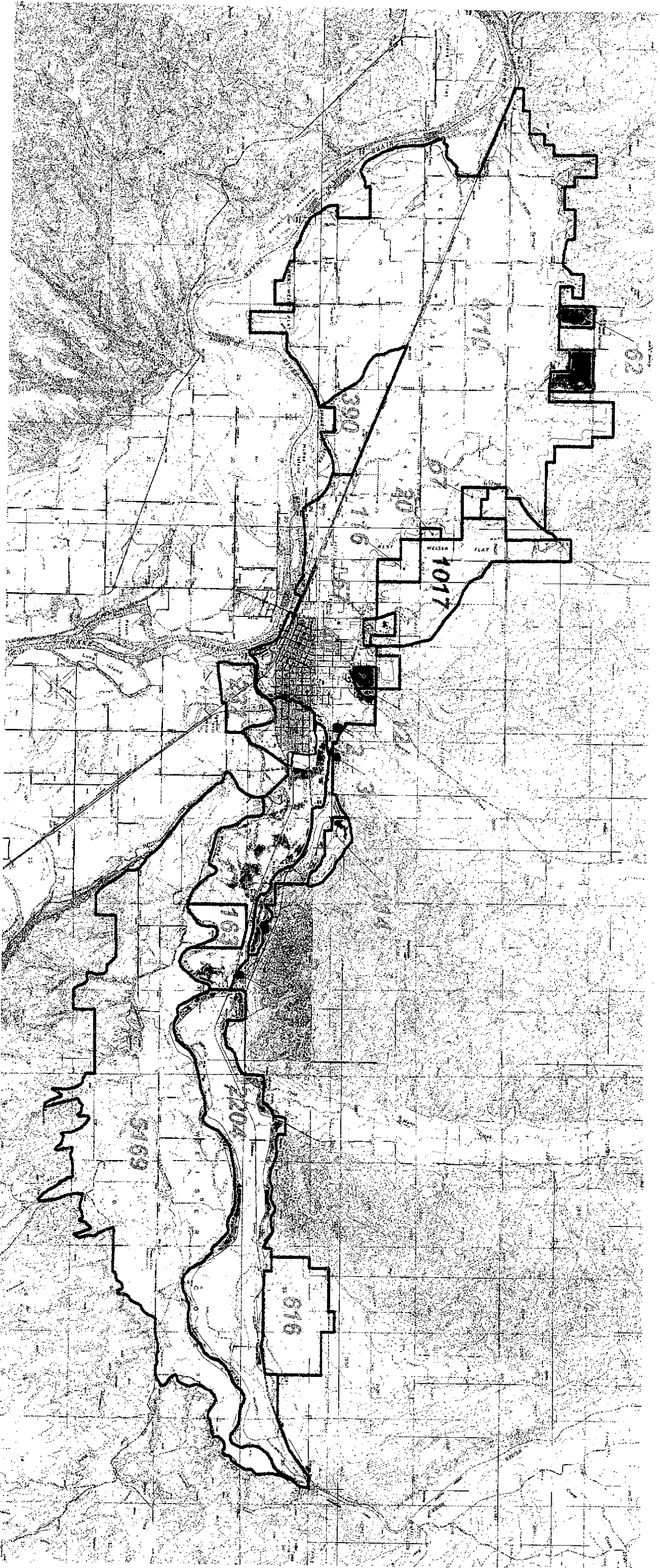
Total	13,347inches	266.98cfs
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Most of the contracts dealt with delivery of Crane Creek Storage water and the owners own water. In most cases no new water was applied for. It is our contention that any water diverted by the Galloway Dam is in fact water under our existing decreed and licensed water.

Sincerely yours,


Jay Edwards

Weiser Irrigation District Lost Valley Diversion Project



- Water Features
- Roads Features
- Boundaries
- Contract
- Institute Canal
- Mill Ditch
- Other
- Out
- Sunnyside Ditch
- WID Contract
- Weiser Irrigation District

Ownership	Acreage
Institute Canal	851
Mill Ditch	1456
Other	1566
Out	292
Sunnyside Ditch	5169
WID Contract	246
Weiser Irrigation District	9710

Ownership Boundaries

Acreages are in black



Weiser Irrigation District
P.O. Box 591
Weiser, Idaho 8372
208-413-1792
Fax 208-414-1792

RECEIVED
OCT 31 2002
WATER RESOURCES
WESTERN REGION

October 26, 2002

Lori Graves
Sr. Water Resource Agent
2735 Airport Way
Boise, Idaho 83705-5082

RE: 67-0007 A67-10968 Weiser Mill Ditch

Dear Lori:

In Muir vs Allison a 450 inch water right was granted the Weiser City Water & Ditch Irrigating Company under 67-0007. I have outlined the original in purple and have also included a survey map of its original boundaries. Water was delivered to a grist mill located at the Weiser River Highway 95 bridge. This entity appears to have been split in 1945 to the East Weiser Irrigation District and the Weiser City Ditch and Irrigation Company. The land in yellow is the East Weiser Irrigation District.. At the end of Mill Ditch water was supplied to an underground pipe line. for East Weiser.

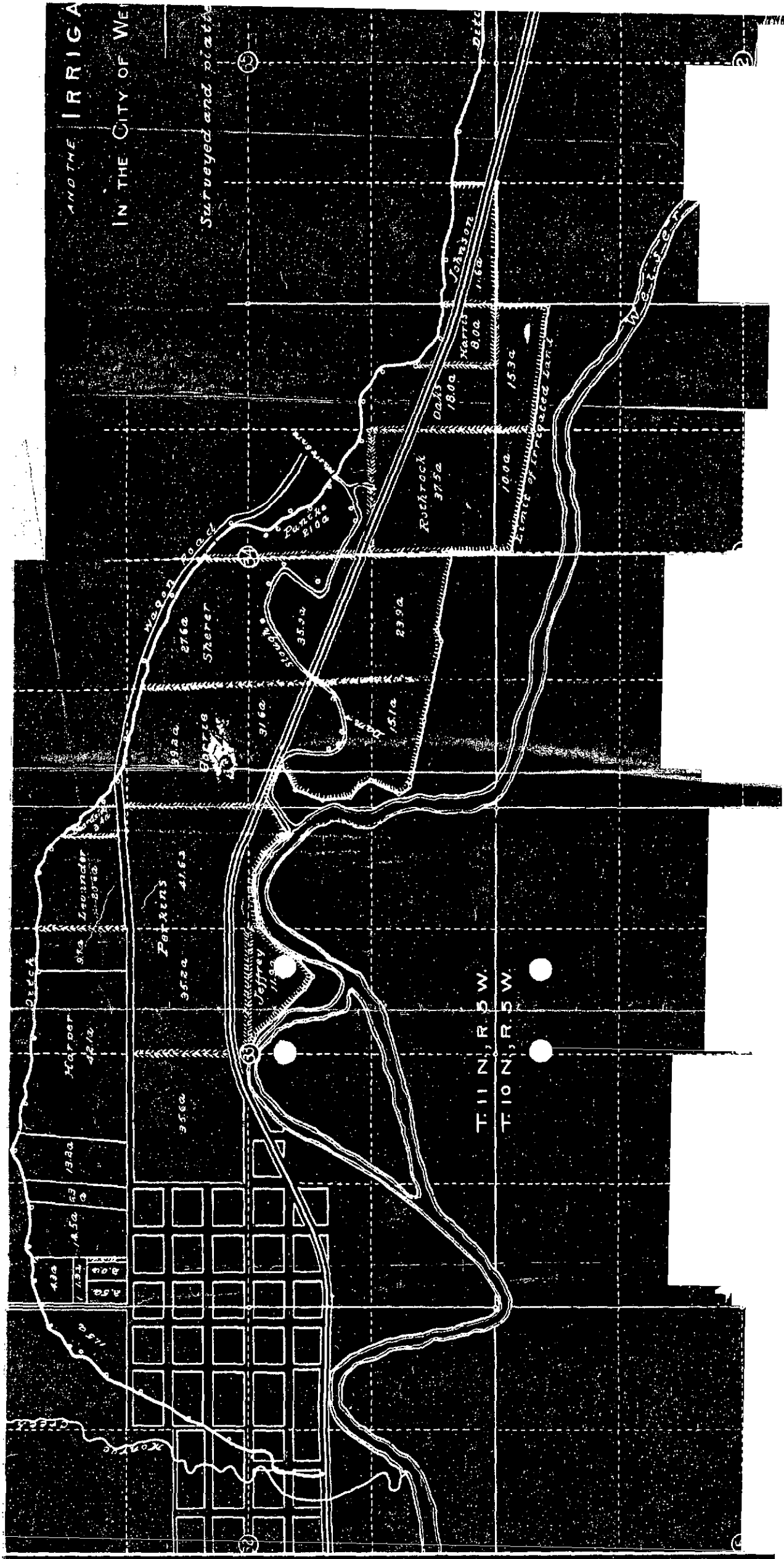
Virgil Sweet the large land owner took over the Ditch in agreement recorded as Instrument No. 85571. With stock still being issued in the Company. Virgil maintained the system for many years and filed A67-10968 as he expanded the irrigation on to adjacent land as shown by the green color on the map. When Sweet sold the farm, it became chaos.

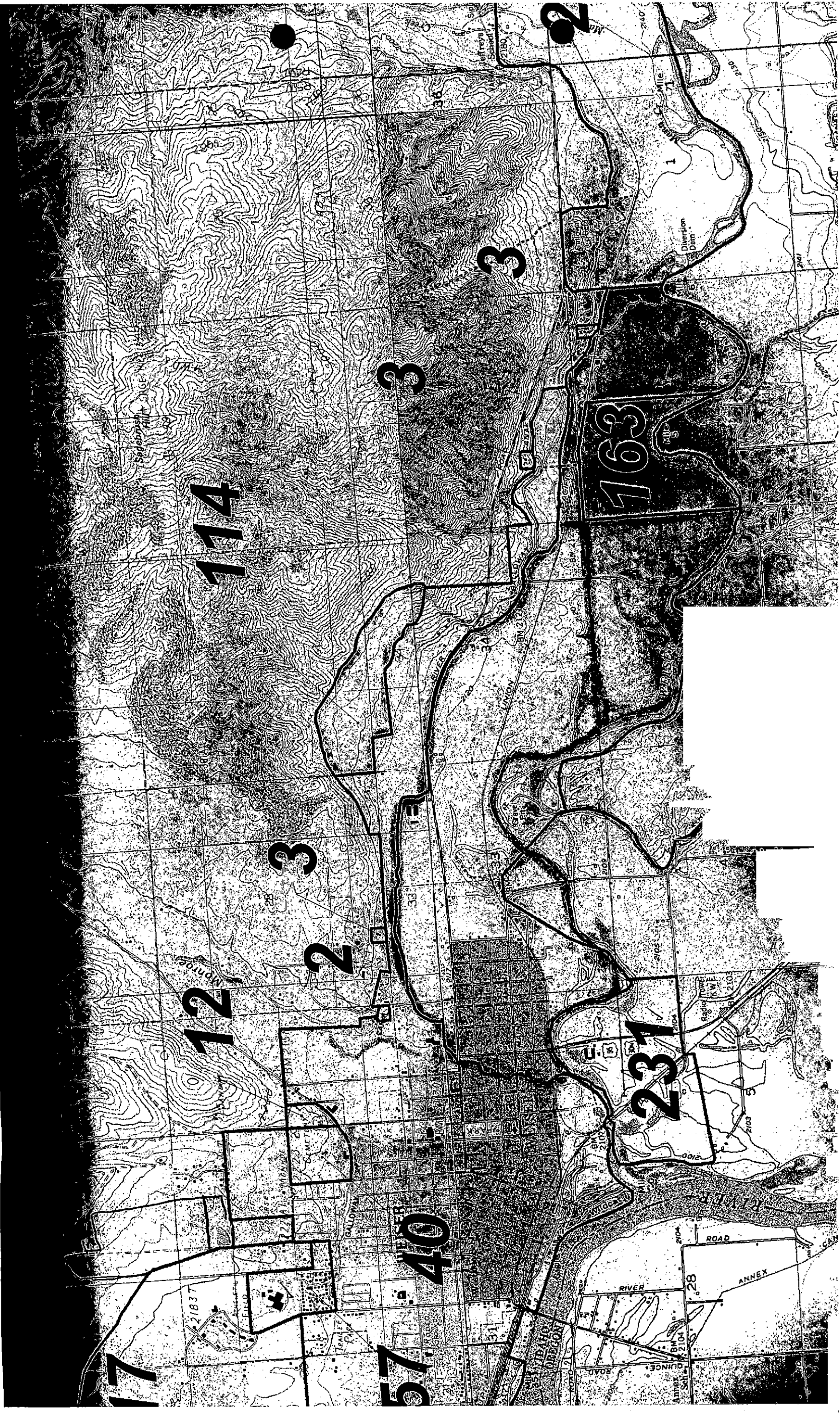
In 1999 the East Weiser Irrigation District entered into an agreement with the Weiser Irrigation District to transport their water through the Galloway Canal. At East 9th Street a 24 inch pipeline was constructed from the Galloway Canal to the head of the East Weiser Irrigation District. East Weiser abandoned the use of the Mill Ditch and transferred 200 inches of 67-0007 to be taken out of the Weiser River by the Galloway Canal. A new point of diversion was our Galloway Dam. Please send me the material to change the point of diversion.

In May 2001, the Weiser Irrigation District annexed all the land with in the Mill Ditch-Weiser City Ditch and Irrigation Company. See attached map and recorded order fee No. 182809. Please send me any forms to correct the water filings.

Sincerely your's

Jay Edwards
enc.





Miner vs. A 11.30

Anna Galloway Dickerson, Frances H Galloway, Guy Galloway, Catherine Galloway, J W Galloway and Thomas C Galloway, Jr.: The Southwest quarter of Section 1, the South-east Quarter of Section 1, and Township 10 North Range 5 West of the Boise Meridian.

J ~~Norton~~ and Bessie Wingfield: The East half of the Southeast Quarter of the Southeast Quarter of Section 2, Township 10 North Range 5 West of the Boise Meridian.

Weiser City Water Ditch & Irrigating Company: All that part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35, lying south of said ditch; all that part of the east half of the SE $\frac{1}{4}$ of Section 34, lying south of said ditch; the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 34; all that part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 34, lying south and west of said ditch, the SW $\frac{1}{4}$ of Section 34, all that part of the South half of the NW $\frac{1}{4}$ of Section 34, lying south of said ditch, the South half of the NE $\frac{1}{4}$ of Section 33, all that part of the south half of Section 33, lying north of the north bank of said Weiser River; all that part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 34, lying south of said ditch; all that part of the South half of the NE $\frac{1}{4}$ of Section 33, lying south of said ditch; the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 33; all that part of the North half of the NW $\frac{1}{4}$ of Section 33, lying south of said ditch; all that part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32, lying South of said ditch; all that part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 33, lying north of the north bank of said Weiser River; all that part of the West half of the SW $\frac{1}{4}$ of Section 33, lying north of the north bank of said Weiser River; all that part of the South half of Section 32, lying north of said Weiser River; all of blocks 7, 8, 9, 6, 5, 4, 3, 2 and 1 of Shannon Addition to the City of Weiser, Idaho, as the same appear on the Official Plat of said Addition now found in the Office of the County Recorder of Washington County, Idaho.

All of blocks 9, 8, 6, 5, 4, 3, 2 and 1, except Lots 1, 2 and 3 of block 8, of Trott Addition to the City of Weiser, Idaho, as the same appears on the Official Plat of said Addition now on file in the Office of the County Recorder of Washington County, Idaho.

All of the lands and parcels of land included in the original townsite and Lots 1, 2 and 3 of Jefferys Addition to the City of Weiser as the same appear on the Official Plat of the same now on file in the office of the County Recorder of Washington County, Idaho.

All of blocks 10, 11, 12, 13, 14, 15, 16 and 17 of Watkins Addition to the City of Weiser, Idaho, as the same appear on the Official Plat of said Addition now on file in the Office of the County Recorder of Washington County, Idaho.

All of blocks 1, 6, 5, 4, 11, 7 and Lots 5, 6, 7 and 8 of block 12 and all of Lots 6, 7, 8 and all that part of Lots 16, 15, 14, 4 and 5 of said block 2 lying East of Monroe Creek, all of Morehead Addition to said City of Weiser as the same appear on the Official Plat of said addition now on file in the Office of the County Recorder of Washington County, Idaho.

All of blocks 1 and 2 of Thomas Addition to the City of Weiser, Idaho, as the same appear on the Official Plat of said Addition now on file in the Office of the County Recorder of Washington County, Idaho.

WEISER IRRIGATION DITCH.

Beginning at a point whence the southeast corner of Section 29 in Township 11 North of Range 5 West of Boise Meridian in Idaho, in Washington County, State of Idaho, bears East 660 feet; thence east 5250 ft; thence North 660 feet; thence east 660 feet intersecting east line of Sec. 28 at a point 660 feet North of Southeast corner of said Section thence south 660 feet to the corners of Sections 27, 28, 33 and 34; thence East 1320 feet; thence South 660 feet; thence East 1320 ft; thence South 660 ft; thence East 660 ft;

Now vs Allison

Martin and William H Woods, C E McDonald,
Defendants.

It is ordered, adjudged and decreed that the waters of the Weiser River and all of its tributaries be and the same are hereby decreed to the plaintiffs herein and to the various defendants and cross-complainants hereinafter named, in the following amounts and from the dates and in the order of priority hereinafter stated each inch of water as hereinafter stated being the equivalent of one fiftieth of a cubic second foot flow, said waters to be diverted from the said Weiser River and its tributaries by the plaintiffs and defendants and cross-complainants hereinafter named and through the ditches and from the various tributaries of the said Weiser River hereinafter named:

WATER ALLOTMENTS CONTAINING NAMES OF PARTIES, AMOUNTS ALLOTTED IN
INCHES WITH DATES OF PRIORITY.

Names.	Amounts in inches	Dates
Main Weiser River.		
Sunnyside Ditch.		
John T Muir and William H Muir	112½	June 1, 1887 7000 67-0001
George F Smith, John L Smith and Minnie B Smith and Chester A Smith	62½	June 1, 1887 67 001
Sunnyside Ditch Company	100 436	May 1, 1899 67 001 May 1, 1900 67 000
Kelly Anderson Ditch.		
Anna Galloway Dickerson, Frances H Galloway, Guy Galloway, Catherine Galloway, J W Galloway and Thomas O Galloway, Jr.	70	June 1, 1889 67 000
J Newton and Bessie Wingfield	15	June 1, 1889 67 000
Weiser Mill Ditch.		
Weiser City Water Ditch & Irrigating Company	450	Sept. 1, 1880 67 000
Weiser Irrigation Ditch.		
Weiser Irrigation District	100 1500 250	May 1, 1868 67 0005 Aug. 29, 1883 67 000 May 1, 1887 67 0010
Weiser Irrigation District (Con)	250 300 200 200 150 200 150 150 150 250 2000	May 1, 1888 67 0011 May 1, 1889 67 0012 May 1, 1890 67 0013 May 1, 1891 67 0014 May 1, 1892 67 0015 May 1, 1893 67 0016 May 1, 1894 67 0017 May 1, 1895 67 0018 May 1, 1896 67 0019 May 1, 1897 67 0020 May 1, 1898 67 0021 May 1, 1904 67 0022

A G R E E M E N T

THIS AGREEMENT, Made and entered into at Weiser, Idaho, this 24th day of October, 1960, by and between WEISER CITY DITCH AND IRRIGATION DISTRICT, INC., a quasi-municipal corporation, organized and existing under and by virtue of the laws of the State of Idaho, party of the first part, and VIRGIL SWEET of Weiser, Idaho, party of the second part;

WITNESSETH: That the party of the first part is the owner of a canal generally known as the Old Mill Ditch leading from a point on the North side of the Weiser River to East Park Street in the City of Weiser; that the party of the second part now has a water right or ditch right authorizing him to carry water through said ditch in a limited amount and it is the desire of the parties hereto to authorize the party of the second part to cause to be conducted through said ditch annually additional water in the amount of at least five hundred (500) miners inches per year, continuous flow, during the irrigation season of each year, a portion of which water shall be natural flow of the Weiser River and the residue shall be water taken from the Crane Creek Reservoir by virtue of a storage right therein owned by the party of the second part and to carry out the purposes and intention of the parties it is hereby COVENANTED and AGREED as follows:

That the party of the second part shall, at his own expense, enlarge the canal now owned by the party of the first part from the spillway situate on the Wayne Mathis place about one and one-half miles below the head of said canal to the point of the junction of said canal and the Weiser River sufficiently to enable said canal to carry at least five hundred (500) miners inches of water in addition to its present carrying capacity; that thereafter the party of the second part shall pay annually an undivided one-ninth (1/9th) portion of the cost of maintenance repair or reconstruction of said canal so owned by the party of the first part, payments to be made annually at the time when assessments are levied by said District upon the other water users taking water from said canal, which payments the second party agrees to make promptly upon being informed and advised as to the amounts thereof.

In consideration of the promises and agreements of the party of the second part as herein contained the party of the first part hereby grants to the party of the second part the right to conduct through said canal so owned by the party of the first part from the point where the same leads from the Weiser River to the spillway above mentioned which is about one and one-half miles below the head of said ditch five hundred (500) miners inches of the waters of the Weiser River or waters owned by the party of the second part and stored in the Crane Creek Reservoir for use in the irrigation of the lands now owned or which may hereafter be acquired by the party of the second part, which lands now owned by the party of the second part are described as follows:

The East Half of the Northeast Quarter; the Northeast Quarter of the Southeast Quarter of Section Thirty-four (34); the Northwest Quarter of the Southwest Quarter of Section Thirty-five (35), all in Township Eleven (11) North of Range Five (5) West of the Boise Meridian.

East Half of the Southwest Quarter of Section Thirty-four (34), Township Eleven (11) North, Range Five (5) West of the Boise Meridian and also such part of the Southeast Quarter of the Northwest Quarter of Section Thirty-four (34) in said Township and Range as lies South of the County Public Highway, and is more particularly described as being such part of the Southeast Quarter of the Northwest Quarter of said Section Thirty-four (34) as lies South of the following described line, to-wit: Beginning at a point on the South side of said Public Highway South 0° 05' West 1378 feet and South 89° 53' East 1328.8 feet from the Northwest corner of said Section Thirty-four (34); thence run along said South side of said Highway 73° 29' East 245.6 feet; thence run south 67° 27' East 660 feet; thence run South 57° 27' East 500 feet; thence run South 41° 09' East 100 feet to a point 0° 05' West 2066.3 feet from the Northwest corner of said Section Thirty-four (34).

The Southeast Quarter of the Northeast Quarter of Section Three (3), Township Ten (10) North of Range Five (5) West of the Boise Meridian.

The West Half of the West Half of Section Thirty-four (34) in Township Eleven (11) North of Range Five (5) West of the Boise Meridian.

Lots One (1) and Two (2) and the Southwest Quarter of the Northeast Quarter of Section Three (3) in Township Ten (10) North of Range Five (5) West of

Tax Numbers Two (2), Three (3) and Eighteen (18) and the Southeast Quarter of the Southeast Quarter of Section Thirty-four (34) in Township Eleven (11) North of Range Five (5) West of the Boise Meridian.

All that part of the Northwest Quarter of Section Three (3), Township Ten (10) North of Range Five (5) West of the Boise Meridian lying North and East of the Weiser River.

The Southwest Quarter of the Southwest Quarter; the Southeast Quarter of the Southwest Quarter, and the Southwest Quarter of the Southwest Quarter of the Southeast Quarter, all in Section Twenty-seven (27) Township Eleven (11) North, Range Five (5) West of Boise Meridian.

Also, the North Half of the Northeast Quarter of the Northwest Quarter, and all that part of the East Half of the Northwest Quarter of Section Thirty-four (34), Township Eleven (11) North of Range Five (5) West of Boise Meridian, lying North of the public highway running through said Section Thirty-four (34) and described as follows, to-wit:

Beginning at a point on the North line of said Section Thirty-four (34) 1328.8 feet East of the Northwest corner of said Section; thence South $0^{\circ} 5'$ West 1326 feet to the North line of the Public Highway running through said Section Thirty-four (34); thence along the North side of said Highway South $73^{\circ} 29'$ East 245.6 feet; thence South $67^{\circ} 27'$ East 660 feet; thence South $57^{\circ} 27'$ East 500 feet; thence South $41^{\circ} 9'$ East to a point 63.13 feet West of the East line of the Northwest Quarter of said Section Thirty-four (34); thence North $0^{\circ} 5'$ East to the South line of the right-of-way of the canal of the Weiser Irrigation District; thence East 63.13 feet to the East line of said Northwest Quarter of said Section Thirty-four (34); thence North $0^{\circ} 5'$ East 1300.5 feet more or less to the Northeast corner of the said Northwest Quarter of said Section Thirty-four (34); thence West 1328.8 feet along the North line of said Section Thirty-four (34) to the place of beginning, containing 47.8 acres, more or less.

The South Half of the Northwest Quarter; the North Half of the Southwest Quarter of Section Twenty-six (26) and the South Half of the Northeast Quarter; the Southeast Quarter of the Northwest Quarter; the North Half of the Southwest Quarter; the North Half of the Southeast Quarter; and the Southeast Quarter of the Southeast Quarter of Section Twenty-seven (27) all in Township Eleven (11) North of Range Five (5) West of the Boise Meridian.

In addition to the foregoing lands the second party shall have the right to use said water for the irrigation of such other lands as he may hereafter acquire in the vicinity thereof and which can be irrigated from said canal.

By the term "natural flow of the Weiser River" is meant any right the party of the second part may have to the flood waters of said River or any water right he may have to the normal flow of the Weiser River and which is or may become appurtenant to the above described lands and lands hereafter to be acquired by the second party.

The party of the first part shall be entitled to the management and control of the operation of said canal and shall have the right to determine what maintenance work, repair work or new construction shall be performed with respect to said canal at all times during the life of this agreement.

This agreement shall run with the above described lands and shall be binding upon the parties hereto, their successors, heirs, executors, administrators and assigns.

This instrument is given to correct a certain instrument dated June 1st, 1960, recorded in Book 6 of Miscellaneous Instruments at Page 424 in the Office of the County Recorder of Washington County, Idaho, on the 10th day of October, 1960, wherein Virgil Sweet is party of the second part and the party of the first part is erroneously designated as East Weiser Irrigation District when in truth and in fact said first party should have been the said Weiser City Ditch and Irrigation District, Inc.

IN WITNESS WHEREOF, The party of the first part has caused this instrument to be subscribed in its corporate name by its President and attested by its Secretary and its corporate seal to be hereunto impressed and the party of the second part has hereunto set his hand and seal the day and year first above written.

WEISER CITY DITCH AND IRRIGATION DISTRICT, INC.

By: Tom Dickerson, President.

ATTEST: Fred Korup, Secretary

Party of the First Part:

Virgil Sweet (SEAL)
Party of the Second Part.

STATE OF IDAHO)
County of Washington) ss.

On this 24th day of October, 1960, before me, the undersigned, a Notary Public in and for said State, personally appeared VIRGIL SWEET known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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

SEAL	Charles E. Jackson
(Charles E. Jackson - Notary)	Notary Public
(Public - State of Idaho)	Residing at Weiser, Idaho

STATE OF IDAHO)
County of Washington) ss.

On this 24th day of October, 1960, before me, the undersigned, a Notary Public in and for said State, personally appeared TOM DICKERSON and FRED KORUP known to me to be the President and Secretary, respectively, of Weiser City Ditch and Irrigation District, Inc., the quasi-municipal corporation that executed the foregoing instrument and acknowledged to me that they executed the same as such, or the persons who executed the instrument on behalf of said Weiser City Ditch and Irrigation District, Inc., and acknowledged to me that such Weiser City Ditch and Irrigation District, Inc. executed the same.

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

SEAL	Charles E. Jackson
(Charles E. Jackson - Notary)	Notary Public
(Public - State of Idaho)	Residing at Weiser, Idaho

Filed for record at request of Charles Jackson at 1:30 P. M. November 28, 1960

Fee \$2.70

Helen Linck, Recorder
By: Betty Billstone, Deputy

BB-5

AGREEMENT TO DELIVER WATER

THIS AGREEMENT made and entered into this 15th day of November, 1999, by and between WEISER IRRIGATION DISTRICT ("District") and EAST WEISER IRRIGATION DISTRICT ("East Weiser").

W I T N E S S E T H:

WHEREAS, the District owns a canal commonly referred to as the "Galloway Canal" which brings water from the Weiser River to the properties within the District boundaries. East Weiser is an organized irrigation district whose confines and boundaries of property irrigated adjoin the east boundaries of the Weiser Irrigation District but is organized as a separate entity which delivers water from its present existing mill ditch canal to its water users in the east end of the City of Weiser.

WHEREAS, East Weiser is desirous to change its point of diversion and method of carrying water from the mill ditch to the Galloway Canal which carries water ultimately to approximately the same location as the termination of the mill ditch presently exists within the City of Weiser with higher elevation for more water pressure and better delivery.

WHEREAS, the parties are desirous to have Weiser Irrigation District deliver its water in exchange for East Weiser paying an assessment for such delivery thereby saving the delivery costs and maintenance expenses that they presently incur by using the mill ditch.

NOW, THEREFORE, the parties hereto, in consideration of the mutual benefits, hereby agree as follows:

1. DELIVERY OF WATER. The District hereby agrees to divert from Weiser River at

their Galloway Diversion Works and carry down their canal, water from time to time requested by East Weiser for purposes of providing water to the landowners within the East Weiser District totaling approximately 200 miners inches with the understanding the set 200 miners inches shall be carried in the Galloway Canal to be diverted from the canal at the times and places hereinafter established by East Weiser.

2. ASSESSMENT. East Weiser agrees to pay an amount equal to that which the District assesses and in the same method as prescribed in the Stipulated Judgment entered in the case of Vaughn W. Kelley, et al. v. Weiser Irrigation District, Case No. CV-98-00496 incorporated herein by reference though not specifically attached. East Weiser specifically acknowledges to be aware of the amount assessed for the delivery of 200 miners inches of water.

3. DIVERSION WORKS. The parties specifically understand and agree that East Weiser shall be fully responsible for all costs, expense and maintenance of installing, maintaining and operating a Diversion Works from the Galloway Canal to East Weiser's existing headgate located at the north end of East Weiser Irrigation District's property. East Weiser further agrees that said Diversion Works shall be installed in compliance with and subject to approval of the standards set by Weiser Irrigation District and any experts they deem necessary in order to protect the integrity of their canal and delivery system. Said Works shall be installed at a time and in a method so as not to interfere with the irrigation season or to interfere with the cleaning of the canal and so as not to impair, impede or retard the flow of water through the Galloway Canal.

4. AMOUNT OF WATER DELIVERED. East Weiser specifically understands and agrees that the water to be delivered pursuant to this Agreement consists only of the water which is already owned and being delivered to the constituents within the East Weiser Irrigation District

boundaries. East Weiser shall request the District to deliver water which requests shall be limited only to those seasons of the year when the District is carrying water in the canal. East Weiser owns early priority water rights out of Weiser River, but owns no storage water in Crane Creek Reservoir. THE DISTRICT SHALL NOT BE OBLIGATED TO FURNISH TO EAST WEISER ANY WATER AT ANY TIME OF THE SEASON, WITH EXCEPTION OF THE WATER WHICH THEY OWN IN THE EVENT THERE IS ANY SHORTAGE OF ANY USER WHO OWNS PRIOR WATER RIGHTS.

5. RIGHTS OF DISTRICT MEMBERS. East Weiser specifically understands and agrees that this Agreement to furnish water to East Weiser shall be carried out, administered and applied in such a manner so as not to deteriorate, dilute, diminish, restrict or hinder any water rights owned by any District member entitled to water through the Diversion Works and the canal belonging to the District. This Agreement to furnish water is for the convenience of East Weiser and anticipated to be carried out in a manner so as not to effect any existing water rights of the District members. The District therefore retains the right upon giving written notice to direct East Weiser to shut off the Diversion Works owned by East Weiser when there is no water available through the District from East Weiser's water rights.

6. WAIVER OF ANY CLAIM OF DAMAGES. East Weiser specifically agrees that this contract to carry water is for the convenience of East Weiser and shall not accrue to a right which would adversely effect District members or their water rights in any way. East Weiser further agrees that in the event the District is required to give notice to turn off the water, the District shall not be subject to, liable for, or responsible for any damages of any kind for the District shutting off the water so long as it is in compliance with the terms of this Agreement. The District specifically agrees that it will not require East Weiser to shut off as long as East

Weiser has water available based on East Weiser water rights and can be delivered without adverse effects to District users.

7. EXISTING LITIGATION. East Weiser acknowledges that the District is involved in litigation under the Snake River Basis Adjudication which may affect the water from the District. East Weiser agrees that in the event the outcome of the litigation affects the rights, terms or conditions of this contract, the parties agree to mutually amend the contract in form with the court findings of such litigation to the extent necessary for the District to comply with any such court order.

8. VOTING RIGHTS. East Weiser acknowledges that this contract agreement does not authorize them to become a member of the District nor do they acquire any right to vote as to District affairs.

9. RECORDING OF AGREEMENT. The parties hereto specifically understand that this Agreement may be recorded at East Weiser's option so that the terms, conditions and provisions of this Agreement can become appurtenant to and affixed to the real property owned by East Weiser. The parties further acknowledge that such recording shall give notice to any subsequent purchasers of the terms, conditions, limitations and restrictions provided in this Agreement.

10. CHANGE AND POINT OF DIVERSION. East Weiser Irrigation District shall remain fully responsible for taking any and all action that it deems necessary through the Department of Water Administration or other procedures to obtain the right and the authority to change its point of diversion and manner of delivery of water to its constituents. The parties hereto specifically agree that if East Weiser Irrigation District is unable to legally obtain such rights and is thus unable to use benefits of this contract, they shall be relieved of the same. They

By: Walter J. Hopper

By: Dale Hopper

ATTEST:

Janet Edwards
Secretary

STATE OF IDAHO)
)
) :SS
County of Washington)

On This 15th day of November, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared VERNON E. LOLLEY, GAIL VAN TASSELL and A.G. SALFEN, known to me to be the Directors of Weiser Irrigation District, and acknowledged to me that they executed the same in their official capacity.

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

Notary Public for Idaho
Residing at:
My Commission Expires:

shall, however, pay all costs of delivery for the time water has been delivered as above agreed.

11. ATTORNEY'S FEES FOR DRAFTING CONTRACT. The District will pay the fee for preparation of this Agreement to Attorney Lary C. Walker. East Weiser further acknowledges that Lary C. Walker represents the District and East Weiser is free to seek independent counsel at his own choosing if he so desires. However, he agrees to reimburse the District \$170.00 for the costs and preparation of this Agreement.

IN WITNESS WHEREOF, the parties have hereunto set our hand and seal this 15th day of November, 1999.

WEISER IRRIGATION DISTRICT

By: Vernon E. Lolley

VERNON E. LOLLEY

By: Gail Van Tassell

GAIL VAN TASSELL

By: _____

A.G. SALFEN

ATTEST:

Janet Edwards
Secretary

EAST WEISER IRRIGATION
DISTRICT

By: Joseph R. Aubrey

STATE OF IDAHO

)

:ss

County of Washington

)

On This 15th day of November, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Joseph Aubrey, Walter Hopper and Delbert O'Hara, known to me to be the Directors of East Weiser Irrigation District, and acknowledged to me that they executed the same in their official capacity.

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



Notary Public for Idaho

Residing at:

My Commission Expires:

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

467-10968

Date Received

10/18/89

Receipt Number

W006376

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

Please type or print clearly

1. Name of Claimant (s) WEISER CITY Ditch and IRRIGATION Co. and
EAST WEISER IRRIGATION DISTRICT Phone (208) 549-0975

Mailing Address PO BOX 671 WEISER, IDAHO Zip 83672

2. Date of Priority (Only one (1) per claim) June 21, 1921

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 10 N Range 5 W Section 1,
NW 1/4 of NW 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.

Water is diverted from Weiser River
by a dam.

MICROFILMED

OCT 05 1992

er is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3-20 to 7-20 amount 25.72 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 25.72 (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	27											36	20					56
11N	5W	34		32	18		40	40	40	40	40	40	31	40		38	40	28	467
11N	5W	33	6	32	38	26	40	40	40	28	15		26		10	16			317
11N	5W	35												9					9
11N	5W	32	18			33					13				26	26			116
10N	5W	2		32	38	19													89
10N	5W	3	40	40	32	40	40	18	4	18									232

Total number of acres irrigated 1286

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? Yes _____ No X
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. THIS FILING IS FOR WEISER CITY DITCH & IRRIGATION CO. and EAST WEISER IRRIGATION DIST.

or None ()

14. Remarks:

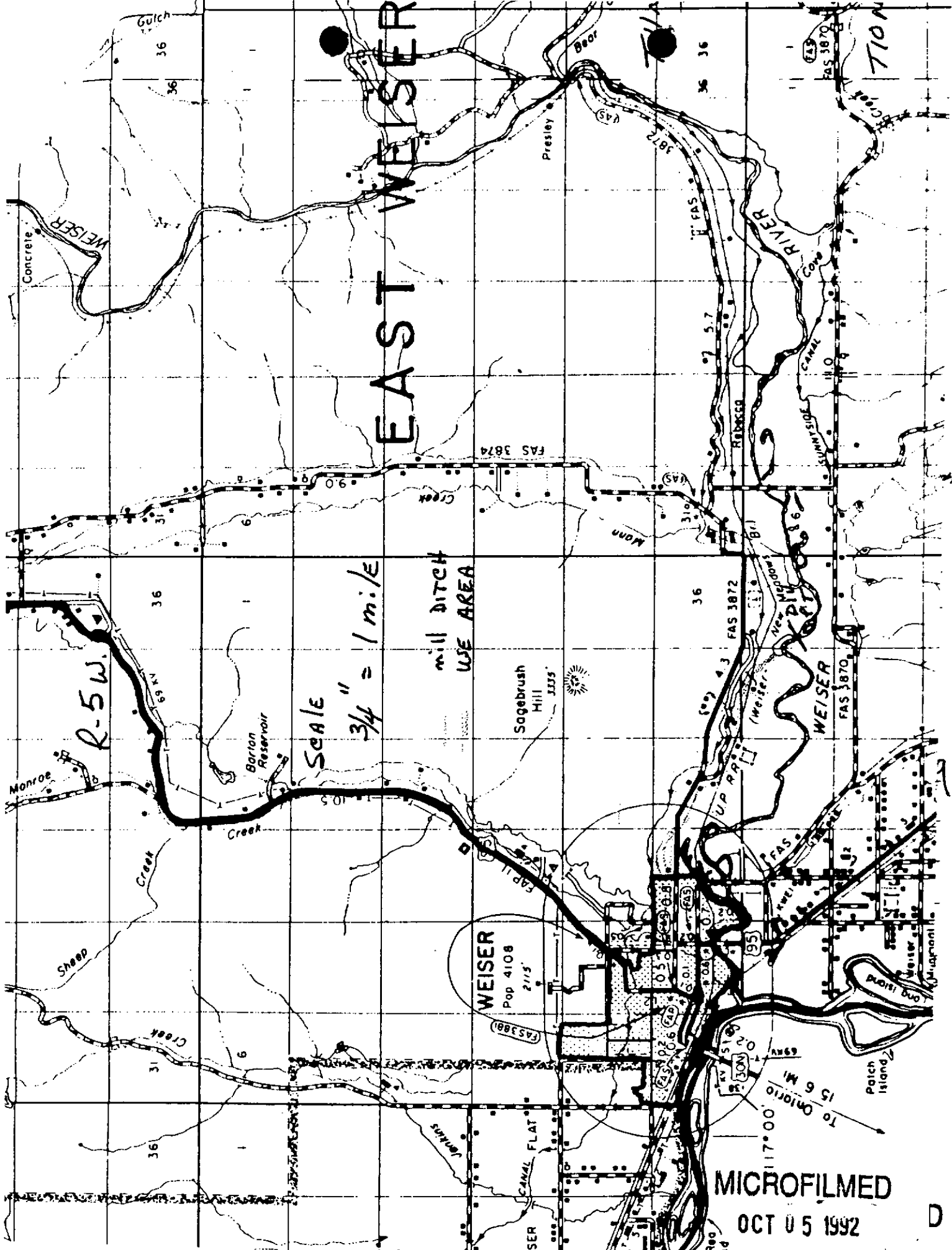
ALL OF BLOCKS 7,8,9,6,5,4,3,2,1, SHANNON ADDITION TO CITY OF WEISER. ALL BLOCKS 9,8,6,5,4,3,2,1, EXCEPT LOTS 1,2,& 3, BLOCK 8, TROTT ADDITION. ALL THESE LANDS SOUTH OF DITCH & NORTH OF RIVER. LOTS 1,2,3, JEFFERIES ADDITION TO CITY OF WEISER. ALL LANDS IN ORIGINAL TOWNSITE. ALL BLOCKS 10,11,12,13,14,15,16,17, WATKINS ADDITION, CITY OF WEISER. ALL BLOCKS 1,6,5,4,11,7, & LOTS 5,6,7, & 8, OF BLOCK 12 & ALL LOTS 6,7,8, & PART OF LOTS 16,15,14,4,5, SAID BLOCK 2, EAST OF MONROE CREEK. ALL MOREHEAD ADDITION TO CITY OF WEISER. ALL BLOCKS 1 & 2, THOMAS ADDITION TO CITY OF WEISER. THIS WATER CARRIED IN THE WEISER MILL DITCH. EAST WEISER IRRIGATION District

Last name _____ Conditions of Approval _____

Ident No. _____

Copies: WHITMAN **MICROFILMED**

OCT 05 1992



EAST WEISER

Scale
3/4" = 1 mile

mill ditch
USE AREA

WEISER
Pop 4108
2115'

MICROFILMED
OCT 05 1992

D

asis 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 Weiser City Ditch and Irrigation Co. _____, that I have signed the foregoing Organization _____

document in the space below as President _____ of Weiser City Ditch & Irrigation Co. Title _____ Organization _____

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

Signature of Authorized Agent Thomas H. Sweet _____

Title and Organization President Weiser City Ditch & Irrigation Co. Date 10-18-89

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

Subscribed and sworn (or affirmed) before me this 18th day of Oct 19 89

SEAL

Notary Public Ron Howerton _____

Residing at _____ Ron Howerton

My Commission Expires _____ Residing at Boise, Idaho

Please Print Name

My Commission Expires December 8, 1994

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 _____

MICROFILMED
Copies White-State, Yellow-Claimant
OCT 05 1992

ORDER APPROVING PETITION TO ANNEX LAND

A petition to annex land into the WID having been filed by Winding Brook and C. Robert Woods to annex a total of 1,015.796 acres of land of which all but 87 is irrigated. The above petition having been supported by the following:

1. Letters from various landowners requesting that the annexation be approved.
2. Petitioners having represented that water rights appurtenant to those lands would be assigned to WID for purposes of delivering water to the annexed land through the Mill Ditch.
3. Notice of Petition was published, consistent with Idaho Code §43-1003 in the form attached hereto as Exhibit "A".
4. The matter was set for hearing on January 2nd, at 7:30 p.m. at the District Office and no objections were received.
5. The Board determined that annexing the land would benefit the district with no adverse affects on the existing District landowners, water rights, or water conveyance system.

Based on the facts and evidence presented it is ordered as follows:

1. The petition of the annexation will be approved, consistent with the petition attached as Exhibit "B", which contains the three page legal description of the Mill Ditch land.
2. The land owned by C. Robert Woods attached as Exhibit "C"
3. A south portion of Chicken Hill attached as Exhibit "D"

Said legal descriptions are plotted onto a map attached hereto, all of which are incorporated in this order as if set out in full, setting forth the land hereby annexed under what is known as the Mill Ditch Annexation attached as Exhibit "E"

It is further ordered that consistent with the petition, the Mill Ditch will carry the water relating to most of the land being annexed, but under the supervision and control of Weiser Irrigation District so as to deliver water to the lands of the various owners within the annexed portion without any adverse affect on the Irrigation Districts water rights and conveyance system.

It is further ordered that pursuant to I.C. §43-1006, the Board finds that it is in the best interest of the District to annex the property, and to assess the landowners within the annexed property the costs necessary to defray the expenses incurred in delivering water to the lands within the annexed area, as well as having the river flow and storage water available for use by Weiser Irrigation District if there is any excess water.

It is further ordered that all costs related to management, supervision, and delivery of water to the lands in the annexed portion, will be paid by the landowners within the annexed portion so that there is no adverse costs or delivery of water problems created by this annexation to the other water users within WID.

It is further ordered that if there is no petition for election to determine the change or the annexation within a 90 period as is set forth in § Idaho Code 43-1008, this order annexing the property and the water rights shall be recorded in Washington County records as prescribed in §43-1010.

Dated this 6th day of February, 2001.

Instrument # 182809

WEISER, WASHINGTON, IDAHO
2001-05-25 02:28:00 No. of Pages: 13
Recorded for: WEISER VALLEY TITLE
SHARON WIDNER Fee: 39.00
Ex-Officio Recorder Deputy
Index to: MSC RECORDING

Gail VanTassell
Gail VanTassell, Chairman

Vern Lolley
Vern Lolley, Boardmember

A.G. Salfen
A.G. Salfen, Boardmember

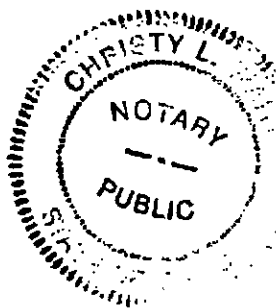
certified: Jenne K Edwards, Secretary

STATE OF IDAHO)
) ss.
COUNTY OF WASHINGTON)

On this 6TH day of FEBRUARY, in the year 2001, before
me, the undersigned, a Notary Public in and for said State,
personally appeared JENNA L. EDWARDS, SECRETARY OF THE WEISER
IRRIGATION DISTRICT

known or identified to me to be the person whose name is subscribed
to the within instrument as SECRETARY and
acknowledged to me that he executed the same as such SECRETARY

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



Christy L. Edwards
Notary Public for Idaho
Residing at WEISER, IDAHO
My Commission Expires: 11/4/2003

PETITION TO ANNEX LAND IN THE WIESER IRRIGATION DISTRICT

COMES NOW, the undersigned, being holders of real property located in Washington County, adjacent to and bordering the present existing Weiser Irrigation District boundaries. Said petitioners hereby petition to have the following lands described in Exhibit 1 entitled to Mill Ditch Annexation annexed into Weiser Irrigation District. Petitioners further represent that said land consists of lands being presently irrigated under the Mill Ditch lateral south portion consisting of:

South portion	844.296 irrigated acres
North portion	82 irrigated acres
61/2 city lots	2.5 irrigated acres
Dry land below canal	87 Acres

Total	1,015.796
-------	-----------

Petitioners further represent that accompanying this annexation would be a transfer of water rights presently owned by Mill Ditch lateral and its water users to Weiser Irrigation District the following water rights:

WATER RECEIVED

200 inches Muir vs. Allison
25.72 cfs 1988 water claim A67-10968

1,159.1 Crane Creek shares from Winding Brook
220 Crane Creek shares from Robert Woods.

Petitioners further represent that part of the property located on what is commonly known as Chicken Hill south property, was originally owned by Weiser Irrigation District but was sold with an accompanying 11.65 acres water rights. Said land has been billed and assessed by Weiser Irrigation District for the 11.65 acres since that date, and those assessments have been paid. Said rights will be transferred to Weiser Irrigation District.

Petitioners further represent that the land, the water rights, and the Mill Ditch being annexed hereto, would continue to be irrigated in the same method which has been carried out in the past, but would be under the supervision, ownership, and direction of Weiser Irrigation District with the assistance of the water master to monitor delivery of water to the various land owners in their proportionate share. Said annexation will not interfere with, deplete, or in any way jeopardize the existing water rights of the users of Weiser Irrigation District.

EXHIBIT

A

PAGE

1

OF

4

Petitioners further represent that they hold title to more than one half on the above lands being annexed by this petition.

Petitioners request that annexation be accomplished pursuant to Idaho Code §43-1001 *et. seq.* That the secretary publish a notice in the standard manner in which the District publishes notices for special elections notice of this petition to annex as is required under Idaho Code §43-1003. Said notices would contain the following:

1. Names of Petitioners.
2. Legal description of the land to be annexed.
3. Notify all interested parties that may be affected by the change of boundaries of the district.
4. Must register all objections in writing why the land should not be annexed.
5. Give notice of time and place for hearing before the Board.
6. Right to appear before the Board and be heard on their objections.

Petitioners further represent that they have advanced to the secretary sufficient funds to pay the costs and expense associated with the annexation and all procedures related to annexation under Idaho Code in the estimated amount set forth by the record.

Petitioner's further request the Board hear this petition pursuant to the notice and/or continue the same from time to time as may be necessary to answer any or all objections to said petition.

Dated this _____ day of October 2000.

Winding Brook

Robert Woods

EXHIBIT A
PAGE 2 OF 4

182809

BAD COPY

Nº 1343

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Washington

} ss.

Sarah Boles, being duly sworn,
deposes and says:

That he/she is the clerk of
THE WEISER SIGNAL AMERICAN, a bi-weekly news-
paper 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 three 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 estab-
lished 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 20, 2000, and ending
with the issue of January 3, 2001

Fees \$ 316.22 Sarah Boles

Subscribed and sworn to before me this 3
day of January, 2001

Judith A. Brown
Notary Public, residing at Weiser, Idaho

My commission expires 2, 02

No. 1343
NOTICE OF HEARNOTICE OF FILING TO PETITION
LAND FOR WEISER IRRIGA

Winding Brook, C. Robert, Wo
Patty Shearer, Doug Dickerson
and Kyla Dickerson, all own
irrigated out of Mill Ditch eas
filed a petition with Weiser
seeking to have their lands a
present Weiser Irrigation Distri
annexed to the Weiser
The boundaries which are des
all located in Washington Cou

The above land contains 1,015
includes:

6 1/2 city lots - 2.5 irrigated acre
South portion - 844.296 irrigat
North portion - 82 irrigated ac
Dry land below canal - 87 acre

The petitioners propose to trans
fer the water right from the
Mill Ditch out of the Weiser Ri
25.72 c.f.s. with the 1983 prior
no. A67-10968 and Winding I
shares in Crane Creek Resery
Woods has 220 shares in Crane
which will be used to supply
property being annexed along
owned by all of the other peti

The petition proposes that W.I
assess these lands for all co
associated with the main can
ter, the water right, as well
as the water right associated
with the Mill Ditch at the Mill D
continue with the only change
same under W.I. District and
further representing that there
any of the water right for
the costs to the existing Weiser
members. A copy of the petition
at Weiser Valley Title for more

All interested persons in this an
be affected by such change of
District are hereby notified th
object to this annexation they
a notice of any objections whi
ing specific grounds for opposi
associated with the annexation
with the District prior to the
the annexation for January 2

At the time of the hearing, ar
will have the right to express
written objections and to make
statements they desire within the
allotted concerning the petition
ing the hearing the Board of I
the matter under advisement
sion as to whether or not the a
best interest of the District or

These proceedings will be co
with Idaho Code §43-101 that's
annexation of lands to Districts
shall be filed with the Secretary
Valley Title on or before the d
A FORMAL HEARING ON THIS
BE HELD JANUARY 2, 2001

EXHIBIT

PAGE

A

3 of 4

182809

BAD COPY

No. 1343
NOTICE OF HEARINGNOTICE OF FILING TO PETITION TO ANNEX
LAND FOR WEISER IRRIGATION DISTRICT

Winding Brook, C. Robert Woods, A.G. Salfen, Patty Shearer, Doug Dickerson, Allen Woods, and Kyla Dickerson, all owners of land being irrigated out of Mill Ditch east of Weiser have filed a petition with Weiser Irrigation District seeking to have their lands annexed in to the present Weiser Irrigation District. The lands to be annexed lie east of the Weiser Irrigation District. The boundaries which are described as follows, all located in Washington County, to wit:

The above land contains 1,015.759 acres, which includes:

6 1/2 city lots - 2.5 irrigated acres
South portion - 844.296 irrigated acres
North portion - 82 irrigated acres
Dry land below canal - 87 acres

The petitioners propose to transfer to W.I.D. 200 inches of river flow water obtained and held by Mill Ditch out of the Weiser River. An additional 25.72 c.f.s. with the 1958 priority right under claim no. A67-10968 and Winding Brook has 1,159.1 shares in Crane Creek Reservoir and C. Robert Woods has 220 shares in Crane Creek Reservoir which will be used to supply the water for the property being annexed along with water rights owned by all of the other petitioners.

The petition proposes that W.I.D. take over and assess these lands for all costs and expenses associated with the management, delivery of water, the water master costs, and other miscellaneous expenses associated with the operation of the Mill Ditch as the Mill Ditch operation would continue with the only change being to place the same under W.I.D. management. The petitioners further represent that there will be no jeopardy to any of the water rights, the conveyance rights, or the form to the existing Weiser Irrigation District members. A copy of the petition can be obtained at Weiser Valley Title for more details.

All interested persons in this annexation who may be affected by such change of boundaries to the District, are hereby notified that if they intend to object to this annexation they must file in writing a notice of any objections which they have stating specific grounds, the reasons, and problems associated with the annexation and file the same with the District prior to a hearing to be held on the annexation set for January 2, 2001 at 7:30 p.m.

At the time of the hearing, any interested party will have the right to express to the board their written objections and to make any oral representations they desire within the reasonable time allotted concerning the petition to annex. Following the hearing, the Board of Directors will take the matter under advisement and render a decision as to whether or not the annexation is in the best interest of the District or to reject the same.

These proceedings will be conducted constant with Idaho Code §43-101 et seq. relating to annexation of lands to District. Written objections shall be filed with the Secretary District at Weiser Valley Title on or before the date of the hearing.

A FORMAL HEARING ON THIS PETITION SHALL BE HELD JANUARY 2, 2001 AT 7:30 P.M.

90-35

TION

ing duly sworn,

_____ of
i-weekly news-
of Washington
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aid. and in the
a copy of which
wspaper once a

the regular and
od and time of
wspaper proper
has been estab-
n seventy-eight
t publication of

beginning with

_____, and ending

_____, 2001

Wes
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Weiser, Idaho

02

EXHIBIT

PAGE

4

OF

4

MILL DITCH ANNEXATION

Beginning at a point 660 feet South of the Northeast corner of Section 32, Township 11 North, Range 5 West, Boise Meridian, Washington County, Idaho;

thence South 226.5 feet;

thence East 250 feet;

thence South 433.5 feet to the South line of the Northwest quarter of the Northwest quarter of Section 33;

thence East 1070 feet to the Southeast corner of said Northwest quarter of the Northwest quarter;

thence South 1320 feet to the Southwest corner of the Southeast quarter of the Northwest quarter;

thence East along the South line of said Southeast quarter of the Northwest quarter a distance of 560 feet to the Northerly right of way of the PIN Railroad;

thence Easterly along the said Northerly right of way to the East line of the Southeast quarter of the Northwest quarter;

thence South along the East-West center to the North line of the Weiser Slough;

thence Easterly along the Northerly bank of the Weiser Slough and the Weiser River to the West line of the Northeast quarter of the Southeast quarter of Section 3, Township 10 North, Range 5 West, Boise Meridian;

thence North to the North line of said Northeast quarter of the Southeast quarter;

thence East 1320 feet to the Northeast corner of said Northeast quarter of the Southeast quarter;

thence North to the Northwest corner of Section 2, Township 10 North, Range 5 West, Boise Meridian;

thence North along the West line of the Southwest quarter of the Southwest quarter of Section 35, Township 11 North, Range 5 West to the South line of the right-of-way of the IDAHO NORTHERN and PACIFIC RAILROAD;

CONTINUED

EXHIBIT

3

PAGE

1

OF

3

MILL DITCH ANNEXATION

Page 2

thence Southeasterly along said right-of-way line to the South line of said Section 35;

thence East to the Northeast corner of the Northeast quarter of the Northwest quarter of Section 2, Township 10 North, Range 5 West;

thence South 2640 feet to the center of Section 2;

thence East to the Northerly bank of the Weiser River;

thence Northeasterly along the North bank of the Weiser River to the mouth of the Mill Ditch;

thence Westerly along the Southerly line of Mill Ditch to the East line of Section 34, Township 11 North, Range 5 West;

thence North to a point 660 feet North of the Southeast corner of said Section 34;

thence West along the existing Weiser Irrigation District boundary 660 feet;

thence North 660 feet;

thence West 660 feet;

thence North to the South line of Sand Road;

thence Westerly along the South line of Sand Road and Weiser River Road to a East-West center line of the Southeast quarter of the Northwest quarter of Section 34;

thence North along said center line to the North line of said Southeast quarter of the Northwest quarter;

thence West 660 feet to the Northwest corner of said Southeast quarter of the Northwest quarter;

thence continuing West to the South line of the Weiser River Road;

thence West along the South line of Weiser River Road to the West line of the Northwest quarter of the Northwest quarter of Section 34;

CONTINUED

MILL DITCH ANNEXATION

Page 3

thence South along the West line of the Northwest quarter of the Northwest quarter of Section 34 to the Southeast corner of the Northeast quarter of the Northeast quarter of Section 33, Township 11 North, Range 5 West, Boise Meridian;

thence West 330 feet;

thence North 49.5 feet to a point 1270.5 feet South of the North line of the Northeast quarter of the Northeast quarter of Section 33;

thence West 1270.5 feet;

thence North 610.5 feet;

thence West to the West line of said Northeast quarter to a point 660 feet South of the Northwest corner of said Northeast quarter;

thence North to the South line of the Mill Ditch;

thence Westerly along the South line of Mill Ditch to a point 580 feet East of the West line of Section 33;

thence South to a point 660 feet South of the North line of Section 33;

thence West 580 feet to the East line of Section 32 to the TRUE POINT OF BEGINNING.

C. Robert Woods

Beginning at the SW corner of Section 27, Twp. 11 N., R. 5 W., B.M.
Thence N 0°30'54"E along the Weiser Irrigation District existing boundary and along the West line of SW1/4SW1/4 a distance of 1319.06 feet;
Thence S 85°41'30"E a distance of 1088.60 feet;
Thence S 54°25'25"E a distance of 1122.50 feet;
Thence S 59°28'36" E a distance of 480.16 feet;
Thence S 49°31'38"E 500.49 feet to the South line of the SW1/4SE1/4 of Sec. 27;
Thence South 1320 feet to the South line of the NW1/4NE1/4 of Sec. 34, Twp. 11 N., R. 5 W., B.M. to a point on the Weiser Irrigation District existing boundary;
Thence West 165 feet to the SW corner of the NW1/4NE1/4 of Sec. 34;
Thence North 660 feet;
Thence West 1320 feet;
Thence North 660 feet to the NE corner of the NW1/4NE1/4 of Sec. 34;
thence West along the North line of said NW1/4NW1/4 a distance of 1320 feet to the Point of Beginning.

AND

All that portion of the S1/2NW1/4 of Section 34, Twp. 11 N., R. 5 W., B.M. lying north of Mill Ditch.

EXHIBIT C

PAGE 1 OF 1

SOUTH PORTION OF CHICKEN HILL

Beginning at the Southwest corner of Section 28, Township 11 North, Range 5 West, Boise Meridian;

thence North along the West line of the Southwest quarter of the Southwest quarter a distance of 379.81 feet;

thence South $89^{\circ}53'18''$ West, a distance of 1324.82 feet to a point on the East line of said Southwest quarter of the Southwest quarter;

thence South $0^{\circ}08'11''$ West along the East line of said Southwest quarter of the Southwest quarter a distance of 385.81 feet to the Southeast corner of said Southwest quarter of the Southwest quarter to a point on the Weiser Irrigation District boundary;

thence South $89^{\circ}53'18''$ West a distance of 1324.97 feet to the TRUE POINT OF BEGINNING.

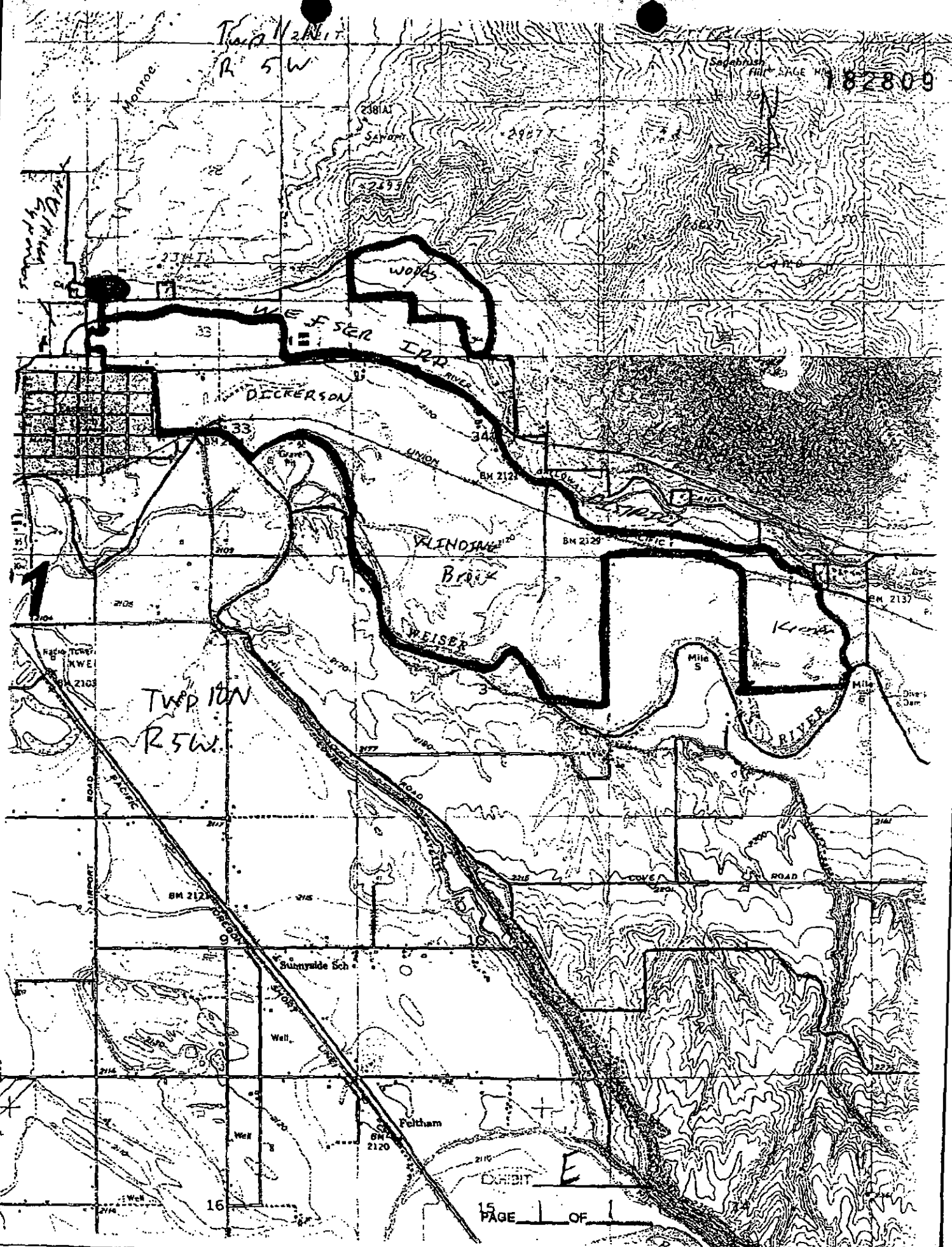
EXHIBIT D
PAGE 1 OF 1

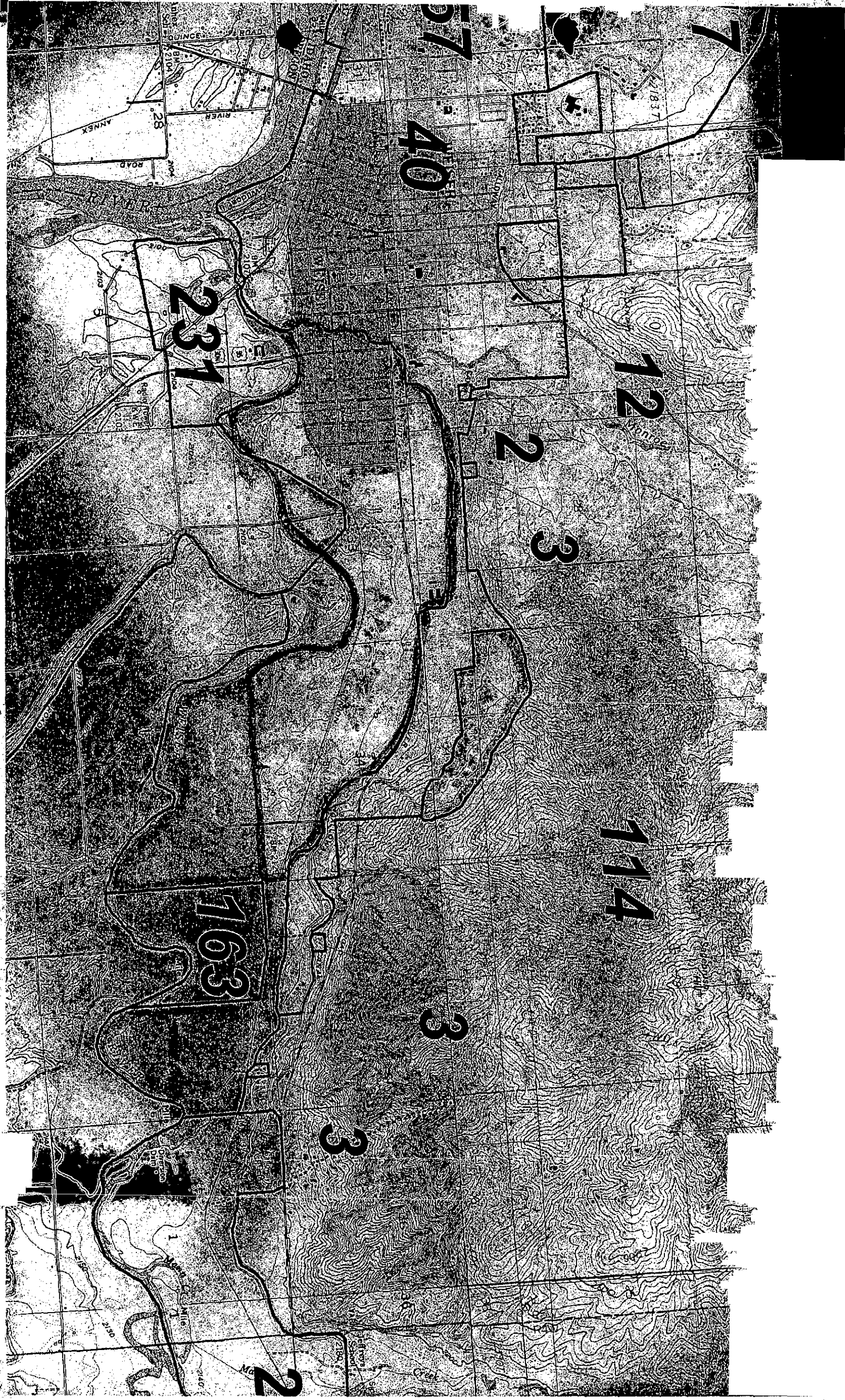
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Assessed

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Twp 10N
R 5W

182809





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MEMORANDUM

To: File #A67-00007
From: Roxanne McCarthy
Re: ownership of right
Date: May 11, 1995

RECEIVED

MAY 25 1995

WATER RESOURCES
WESTERN REGION

=====

This right was claimed in the name of the Weiser City Ditch **and** the East Weiser Irrigation District. A day later, a claim was submitted in the name of the East Weiser Irrigation District. I wrote to the claimant and explained that one claim was sufficient and ownership could be determined at a later date. The representative I then spoke to on the telephone seemed to understand and I sent a Request for Withdrawal form.

The attached letter represents a different point of view, but subsequent phone calls have not resulted in a return of the original claim. At this time, I would recommend storing this correspondence in the file with the original, conflicting claim. If the second claim is eventually returned to IDWR, a split can be made. Until then, it would appear that the right is completely claimed.

MICROFILMED

OCT 22 1996

RECEIVED

FEB 06 1995

EAST WEISER IRRIGATION DISTRICT

Department of Water Resources

RECEIVED

MAY 05 1995

WATER RESOURCES
WESTERN REGION

Secretary

Jenna L. Edwards
128 East Main Street
Weiser, Idaho 83672
(208) 549-1792

JANUARY 25, 1995

ROXANNE MCCARTHY
SR. WATER RESOURCE AGENT, ADJUDICATION BUREAU
1301 N. ORCHARD ST. - STATE HOUSE MAIL
BOISE, IDAHO 83720-9000

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA)
WASHINGTON COUNTY - CLAIM #A67-00007

DEAR MS. MCCARTHY:

WE DO NOT WISH TO WITHDRAW OUR REQUEST AT THIS TIME. WHEN WE, (EAST WEISER IRRIGATION DISTRICT) RECEIVED YOUR LAST LETTER SAYING THERE WAS ALREADY A CLAIM FILED, I CALLED YOUR OFFICE AND ADVISED YOU THAT TOM SWEET DIDN'T HAVE ANYTHING TO DO WITH OUR DISTRICT. YOU ADVISED ME THAT WHEN THEY WENT OVER THE APPLICATION THE RIGHTFUL OWNER WOULD BE FILED FOR THIS DISTRICT.

I'M AT A LOSS AS TO WHAT IS HAPPENING HERE, AND OUR DISTRICT WOULD LIKE A CLARIFICATION IN WRITING. OUR DISTRICT IS RUN BY A BOARD OF DIRECTORS THAT CONSISTED OF:

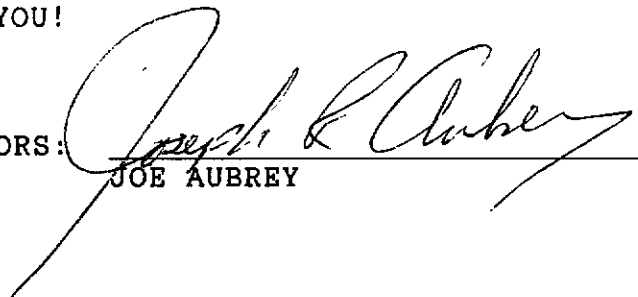
MEL MANSFIELD - DECEASED
BILL SIPE - DECEASED
JOE AUBREY
DELBERT O'HARRA

A NUMBER OF YEARS AGO OUR DISTRICT BORROWED \$100,000 FROM THE STATE AND WE WORKED WITH MR. VERL KING. AT THAT TIME WE WERE AND STILL ARE A LEGAL IRRIGATION DISTRICT. IT APPEARS TOM SWEET HAS TAKEN IT UPON HIMSELF TO FILE A CLAIM ON THE EAST WEISER IRRIGATION WATER RIGHT. MR. SWEET MAY HAVE SOMETHING TO DO WITH THE WEISER CITY DITCH, BUT NOT EAST WEISER IRRIGATION DISTRICT.

PLEASE SET THE RECORDS STRAIGHT AND ADVISE ME SO.

THANK YOU!

DIRECTORS:


JOE AUBREY


DELBERT O'HARRA

MICROFILMED

OCT 22 1996



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

January 9, 1995

EAST WEISER IRRIGATION DISTRICT
PO BOX 591
WEISER ID 83672

Re: Snake River Basin Adjudication (SRBA)
Washington County - Claim No.: A67-00007

Dear Claimant,

We previously returned the claim noted above. We assume that the District does not wish to file the claim at this time.

Please complete the enclosed "Request for Withdrawal" if you wish to request a refund of your filing fee. Note that you must attach an explanation to the request.

If you have any questions, please feel free to contact me at (208)327-7925 in Boise.

Sincerely,

A handwritten signature in cursive script that reads "Roxanne McCarthy".

Roxanne McCarthy
Senior Water Resource Agent
Adjudication Bureau

RM:r:state:tf
Enclosures:
withdrawal form

MICROFILMED

OCT 22 1996

AJ5809NP
No. A67-00007

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/09/95
PAGE: 1

OWNER CODE : C
NAME & ADDRESS : WEISER CITY DITCH & IRRIG. CO.
EAST WEISER IRRIG. DISTRICT
P.O. BOX 671
WEISER ID 83672
(208) 549-0975

PRIORITY DATE : 09/01/1980
WATER USE : IRRIGATION
USE PERIOD FROM TO : 03-15 11-15
DIVERSION RATE : 9.00 CFS
DIVERSION VOLUME : 9.00 CFS

TOTAL DIVERSION:

Water Source: WEISER RIVER
Tributary to: SNAKE RIVER
Stage: DECREED
WASHINGTON County

Point(s) of Diversion: T10N R05W S01 NW1/4SW

Place of Use Legal Description for: IRRIGATION									
NE									
NW									
SW									
SE									
SUM									
T	R	S	NE	NW	SW	SE	NE	NW	SW
Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt
10N	05W	2	32	38	19	32	40	35	18
10N	05W	3	40	40	32	40	04	18	
11N	05W	27							
11N	05W	32	18	33					
11N	05W	33	06	32	38	26	40	40	28
11N	05W	34		32	18		40	40	40
11N	05W	35							
40N	05W	3					18		
TOTAL ACRES									
1475.0									

POU County: WASHINGTON

Other Rights: NONE

Remarks: THIS FILING IS FOR WEISER CITY DITCH & IRRIG. CO. AND EAST WEISER IRRIG. DISTRICT. GRAVEL DAM IS USED TO DIVERT WATER.

NOTE TO FILE: BY THEIR REQUEST, PLEASE SEND A COPY OF ANY CORRESPONDENCE CONCERNING THIS CLAIM DIRECTLY TO THE EAST WEISER IRRIGATION DISTRICT, PO BOX 591 IN WEISER. RMC

Dates: Exam Made Date: Verified Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:



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

December 5, 1994

1-9-95
+ response.
J. Shuman

EAST WEISER IRRIGATION DISTRICT
PO BOX 591
WEISER ID 83672

Re: Snake River Basin Adjudication (SRBA)
Washington County - Claim No(s). A67-00007

Dear Claimants,

We are returning your Notice of Claim to a Water Right filed for the irrigation district. We are also enclosing Receipt No. W006434 in the amount of \$221.00, for the filing fees. Please retain the receipt for your records. The claim you have filed is confusing; we need further information before processing the claim.

On the day previous to the date this claim was filed, a claim was filed under the same number and name. We have enclosed the information from that claim for your reference. Is the returned claim a duplication of that effort, or a conflicting claim? If you wish to file a conflicting claim, please call for advice because there are several errors on this claim.

Please contact this office before January 7, 1995. If we do not hear from you by that date, we will assume you do not wish to continue the filing process and will begin the refund process of your filing fees. Do not hesitate to contact this office if you have any questions.

Sincerely,

Roxanne McCarthy

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:r:state:tf

Enclosures:

Claim No. A67-00007

Receipt No. W006434

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OCT 22 1996

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 01/09/95
Time: 15:18:22

Rec/No - W006434 AR/No -
From: - EAST WEISER IRRIG. DIST.

Receipt Type - CK Doc/No - 1352
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 10/19/1989

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION CLAIM FEE	9337		410162	6490		221.00

Total Due - 221.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6700007	221.00				

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

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OCT 22 1996

POOR ORIGINAL

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

A67-00007

Date Received

12-19-89

Receipt Number

W0006434

RECEIVED

OCT 19 1989

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) East Weiser Irrigation District Phone (208) 549-1792
Mailing Address P. O. Box 591, Weiser, Idaho Zip 83672
2. Date of Priority (Only one (1) per claim) _____
3. Source of water supply (a) MILL DITCH
which is tributary to (b) WEISER RIVER
4. a. Location of existing point of diversion is: Township 10 N. Range 5 W. Section 1,
NW 1/4 of NW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of WASHINGTON
Additional points of diversion if any: SEE ITEM #14
- 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 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.
TEMPORARY (SEASONAL) DIVERSION DAM IN WEISER RIVER
WITH SPILL GATE TO REGULATE FLOW

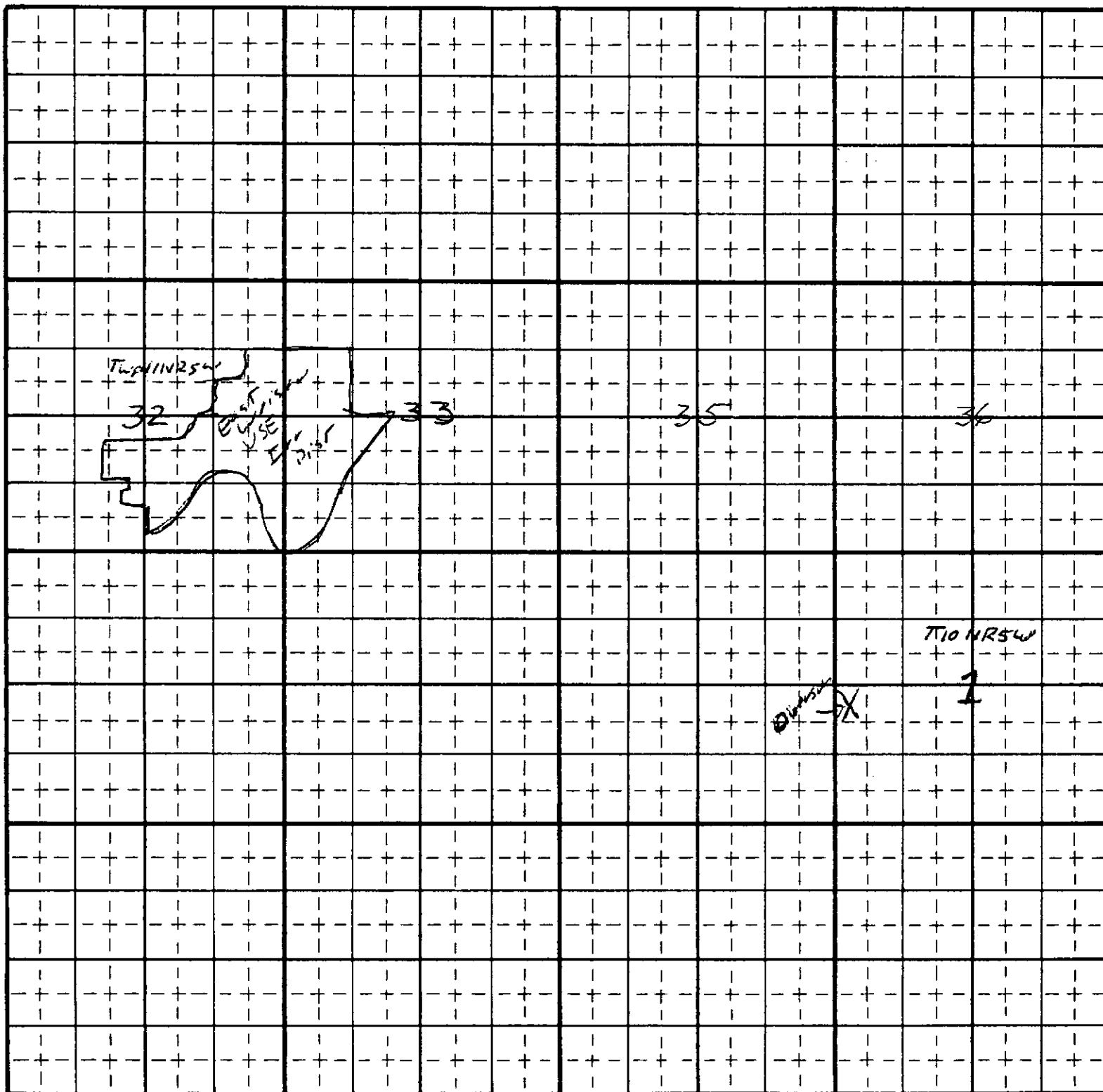
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Map of Rröject: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

POOR ORIGINAL



Last Name _____ Ident No. _____

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Copies: White-State Yellow-Claims
1996

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4-1 to 10-31 amount 9.000 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 9.000 (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	32	SEE ATTACHED LEGAL DESCRIPT. of USEAGE IN CITY of WEISER - PLATTED LOTS & BLKS																

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? WASHINGTON12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.
EAST WEISER IRR. DIST.13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()14. Remarks: WATER for EAST WEISER IRR. DIST. IS REDIRECTED
from mill DITCH by SPILLGATE INTO UNDERGROUND LINES
T11N R5W SEC 32 SW1/4 NE1/4 NE1/4
24" MAINLINE w/ LATERAL PIPES 2", WITH APPROX
600 1/2" RESIDENTIAL OUTLETS

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OCT 22 1996

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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

If applicable provide IDWR Water Right Number 67-00007

Court _____ Case Number _____ Decree Date 6/20/21

Plaintiff vs Defendant John Muir vs Wm 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 1

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 /we are DIRECTORS
 Title

of EAST WEISER IRRIGATION DISTRICT, that I have signed the foregoing
 Organization

document in the space below as DIRECTORS of East 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 Directors, East Weiser Irrigation Date Sept. 18, 1989

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

Subscribed and sworn (or affirmed) before me this 18th day of September 1989

SEAL

Notary Public [Signature]

Residing at Weiser

My Commission Expires March 26, 1991

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 _____

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OCT 22 1996
 Copies White-State, Yellow-Claimant

Water right number - 67-00007

Adj. flag translation: Standard Water Right Number

Town	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
11N	05W	34	NW NW				01	IRRIGATION	87 WASHINGTON
11N	05W	34	SW NW				01	IRRIGATION	87 WASHINGTON
11N	05W	34	SE NW				01	IRRIGATION	87 WASHINGTON
11N	05W	34	NE SW				01	IRRIGATION	87 WASHINGTON
11N	05W	34	NW SW				01	IRRIGATION	87 WASHINGTON
11N	05W	34	SW SW				01	IRRIGATION	87 WASHINGTON
11N	05W	34	SE SW				01	IRRIGATION	87 WASHINGTON
11N	05W	34	NE SE				01	IRRIGATION	87 WASHINGTON
11N	05W	34	NW SE				01	IRRIGATION	87 WASHINGTON
11N	05W	34	SE SE				01	IRRIGATION	87 WASHINGTON
11N	05W	35	SW SW				01	IRRIGATION	87 WASHINGTON

POOR ORIGINAL

Total Acres:

221

F. WEISER
LRR DIST
LEGAL USE

ALL OF BLOCKS 7, 8, 9, 6, 5, 4, 3, 2, 1, SHANNON ADDITION TO CITY OF WEISER. ALL BLOCKS 9, 8, 6, 5, 4, 3, 2, 1, EXCEPT LOTS 1, 2, 3, BLOCK 8, TROT ADDITION. ALL THESE LANDS SOUTH OF DITCH & NORTH OF RIVER. LOTS 1, 2, 3, JEFFERIES ADDITION TO CITY OF WEISER. ALL LANDS IN ORIGINAL TOWNSITE. ALL BLOCKS 10, 11, 12, 13, 14, 15, 16, 17, WATKINS ADDITION, CITY OF WEISER. ALL BLOCKS 1, 6, 5, 4, 11, 7, & LOTS 5, 6, 7, 8, OF BLOCK 12 & ALL LOTS 6, 7, 8, & PART OF LOTS 16, 15, 14, 4, 5, SAID BLOCK 2, EAST OF MONROE CREEK. ALL MOREHEAD ADDITION TO CITY OF WEISER. ALL BLOCKS 1 & 2, THOMAS ADDITION TO CITY OF WEISER. THIS WATER CARRIED IN THE WEISER MILL DITCH.

Conditions of Approval - No Conditions of Approval found.

Decree Plaintiff - JOHN T. MUIR

Decree Defendant - WILLIAM ALLISON

Decree Date - 06/20/1921

Audit fields - 04/01/85

05/01/88 CONVERT

Water Rights Dates and Flags Area

Proof Due Date - 00/00/0000 Field Exam Made - 00/00/0000 Field Exam Fee -
 Approved/Denied - 00/00/0000 Protested Date - 00/00/0000 Swan Falls -
 Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P
 Start Work Date - 00/00/0000 Verified Date - 04/01/1985 DLE/Carey Act -
 Order Show Cause - 00/00/0000 Receipt Number - Water District - 67

MICROFILMED OCT 22 1996

07/15/94

COMMUNICATION DOCUMENTATION

Claim No.: A67-00007

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent: Roxanne McCarthy

Date: 12-9-94

Contact Person(s): East Weiser Irrigation representative

Nature of Contact: telephone call

Substance of Communication: Representative wanted information concerning the claim for this right that was previously filed. I discussed the claim with him and he asked that correspondence concerning the right also be sent to the post office box of the irrigation district. I added that address in a remark to the computer record (copy attached). The representative said that the district would return the "conflicting" claim if they decided to file it. The claim was not returned.

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OCT 22 1996