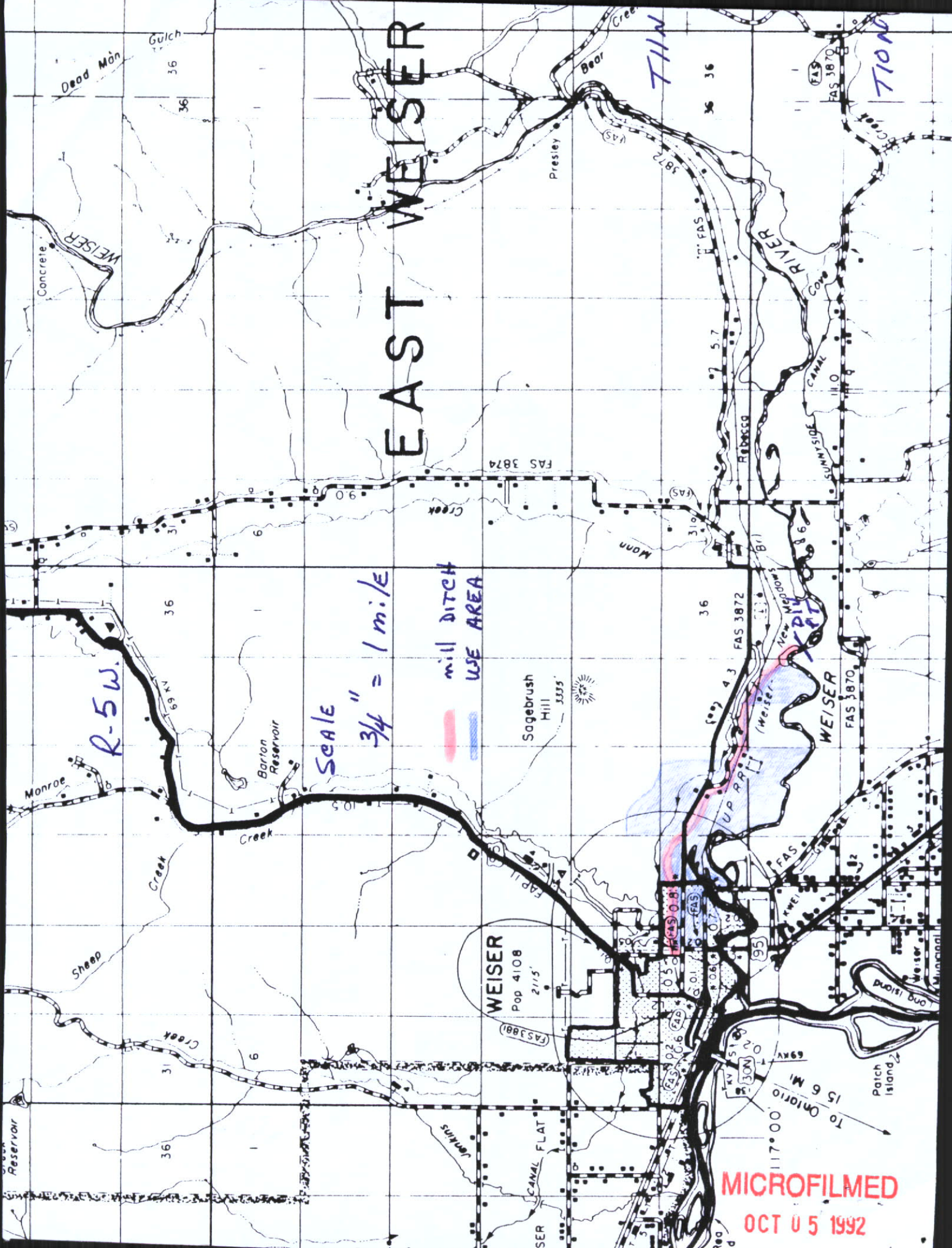


EAST WEISER



WEISER
Pop 4108
2115'

MICROFILMED
OCT 05 1992

⁶⁷⁻¹⁰⁹⁶⁸
Note to reviewer

see info. from
Weiser Irrig Dist.
in file 67-00007

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: A67-10968
Date Received: 10/18/1989
Receipt No: W006376
Received By: DE [initials]

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: JUN 21, 1921
3. Source: WEISER RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	1	NW	NW	SW		WASHINGTON
5. Description of diverting works:
WATER IS DIVERTED FROM WEISER RIVER BY A DAM.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/20	07/20	25.720		
7. Total Quantity Appropriated is:
25.720 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	Lot	Use	Acres
10N	05W	2	NW	NE		IRR	32.0
			SW	NE		IRR	38.0
			SE	NE		IRR	19.0

Section Acres 89.0

A67-10968

Page 1

Date: 10/24/89

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	05W	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
			NW		NW		IRR	18.0
			SW		NW		IRR	4.0
			SE		NW		IRR	18.0
							Section Acres	232.0
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
			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

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11N	05W	34	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	SE		SW		IRR	9.0
							Section Acres	9.0
							Total Acres	1286.0

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. COMPANY AND EAST
WEISER IRRIG. DISTRICT.

15. Basis of Claim: BENEFICIAL USE

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 A67-10968Date Received 10/18/09Receipt 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) 549-0925

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.

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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 3-20 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:

- 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												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.

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

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

Last Name _____ Conditions of Approval _____ Ident No. _____

Copies: White Stamp Yellow Stamp

OCT 05 1992

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

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

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

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

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

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

Title

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

Organization

document in the space below as President _____ of Weiser City Ditch and 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 Ren Howerton _____

Residing at _____

Ren Howerton _____

My Commission Expires _____

Residing at Boise, Idaho

My Commission Expires December 8, 1994 _____

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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Copies White-State, Yellow-Claimant

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