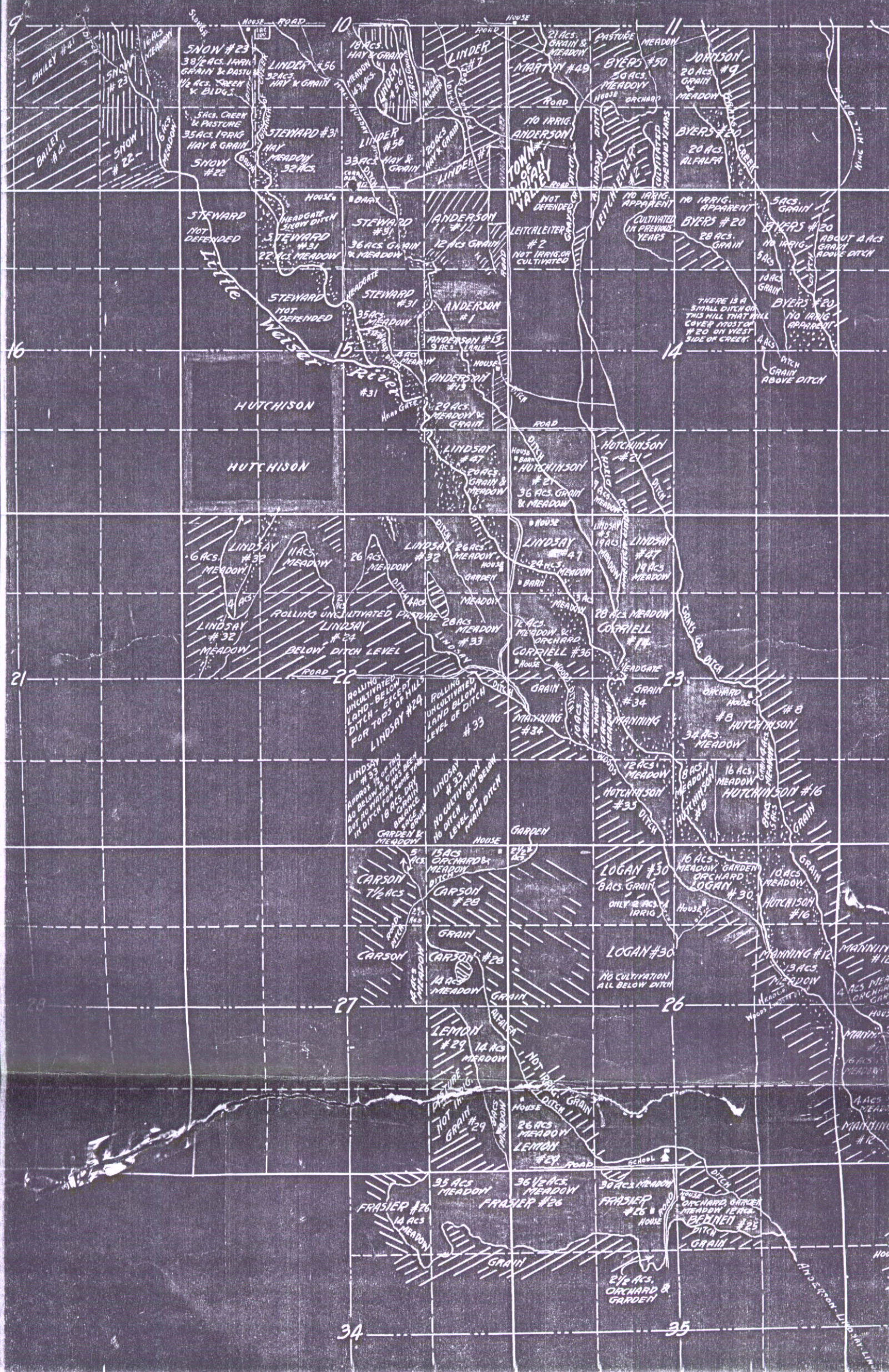




"NOT TO SCALE"

Use
place

MICROFILMED

OCT 01 1992

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: A67-00424
Date Received: 12/01/1989
Receipt No: C013190
Received By: DE JN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VIVIAN L. BUCHANAN 208-256-4320
Address: BOX 14
INDIAN VALLEY, ID 83632

OR

Name: ALLEN M. BUCHANAN 208-256-4320
Address: BOX 14
INDIAN VALLEY, ID 83632

2. Date of Priority: JUN 01, 1883

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	01W	15	NE	SE			ADAMS
		23	SE	SW			ADAMS

5. Description of diverting works:
HEADGATE, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.340		

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

8. Total consumptive use is 162.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	01W	10	NE	SE		IRR	30.0
			SE	SE		IRR	24.0
Section Acres							54.0
Total Acres							54.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A67-00449, A67-00452, A67-04303.

14. Remarks:

THIS WATER CARRIED IN THE LINDSAY-ANDERSON DITCH.
POD IN SECTION 23 IS NOW CALLED GRAYS CREEK DITCH. POD IN
SECTION 15 IS CARRIED THROUGH THE STEWARD DITCH.
PER MAP OF APPROX. 1919 (COPY ATTACHED) THE HALL-MUNDAY AND
AMERICAN LINDSAY DITCH CONFLUENCE IS LOCATED IN SEC. 23, SE 1/4
NW 1/4, T 14N, R 1W. THE HEADGATE IN THE RIVER IS LOCATED IN THE
S 1/2, SE 1/4, NW 1/4 OF SEC. 23. GRAYS CREEK HEADGATE LOCATED
IN SEC 36, NE 1/4, NW 1/4, SAME TOWNSHIP AND RANGE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

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 AG7-00424
Date Received 12-1-89
Receipt Number C13190

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

- Name of Claimant (s) Vivian L. or Allen M. Buchanan Phone (208) 256-4320
Mailing Address Box 14, Indian Valley, ID Zip 83630
- Date of Priority (Only one (1) per claim) June 1, 1883
- Source of water supply (a) Little Weiser River
which is tributary to (b) Weiser River
- a. Location of existing point of diversion is: Township 14 N Range 1 W Section 23,
1/4 of SE 1/4 of SW 1/4, Govt. Lot, B.M., County of Adams
Additional points of diversion if any: Sec 15, NE 1/4, SE 1/4
- 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
- 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. headgate, ditches

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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 0.34 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.34 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 162 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	
14N	11W	10													30			24	54

Total number of acres irrigated 54

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

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

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

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

A67-00449, A67-00452 & A67-04303 or None ()

14. Remarks: POD in Section 23 is now called Grays Creek Ditch. POD in Section 15 is carried through the Steward Ditch.

Per map of approx. 1919 [copy attached] the Hall-Munday American Lindsay ditch confluence is located in Sec NW 1/4, T 14 N, R 11 W.

OCT 01 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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

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

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

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

Scale: 2 inches equals 1 mile

[illegible]

OCT 01 1992

Last Name Ident No.

Copies: White-State, Yellow-Claimant

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

Decree X

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant Muir vs Allison

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled

"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Claimant (s) Allen M. Buchanan Date 12-1-89

Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 1 day of Dec. 19 89

SEAL

Notary Public Linda Werner

Residing at _____ Linda A. Werner

Residing at Boise, Idaho

My Commission Expires 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 _____

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Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

AG7-00424

Remarks - Cont'D - The headgate in the river is located in the S $\frac{1}{2}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$ of Sec 23. Grays creek headgate located in Sec 36; NE $\frac{1}{4}$, NW $\frac{1}{4}$, same township & range.

180
105
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308
50
OCT 01 1992

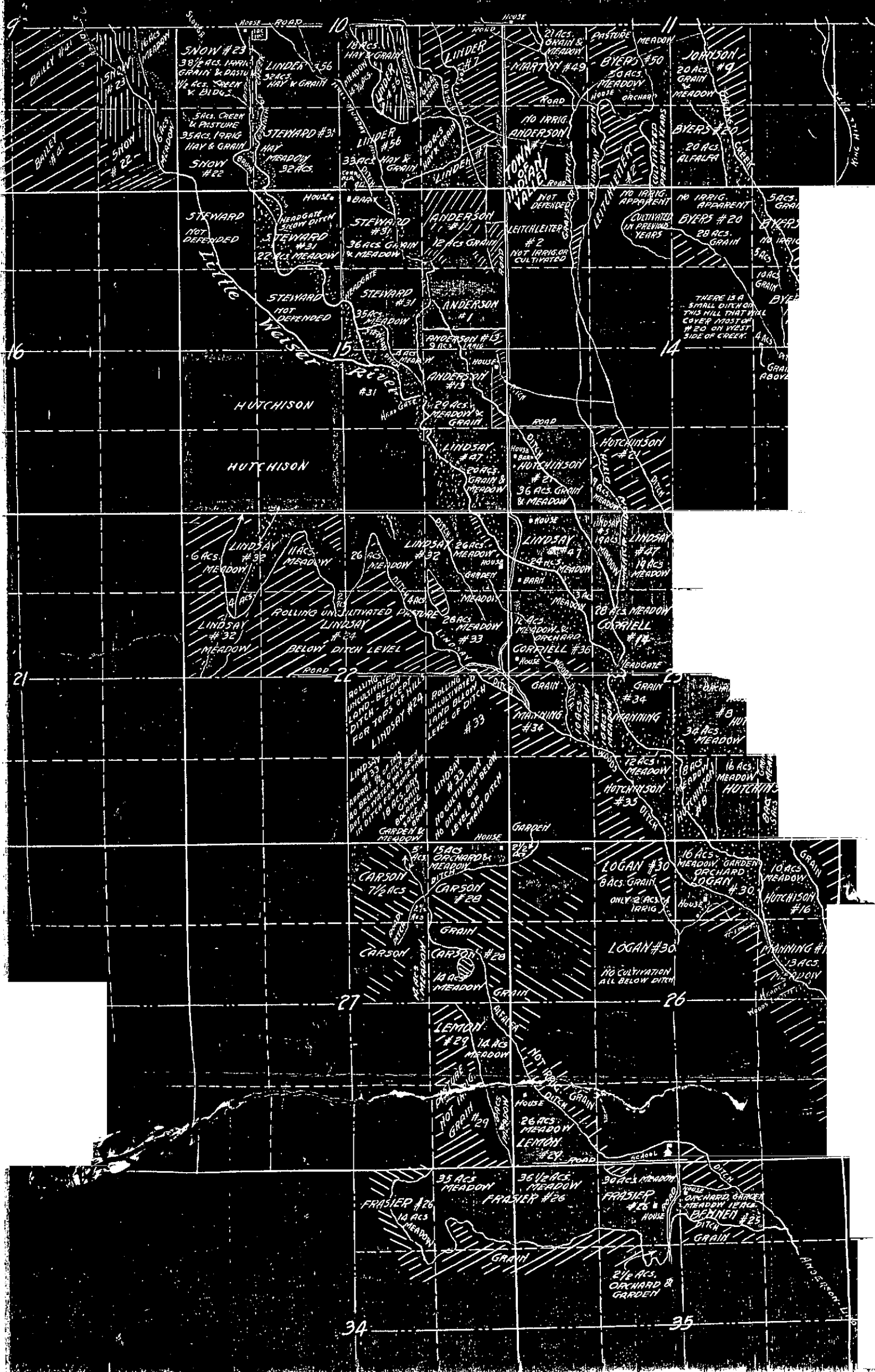


No. 1
OF
IN OF
VALLEY
IDAHO
Officers of the
IRRIGATORS ASSOCIATION

T.14 N. R. 1 W. B. M.
T.13 N. R. 1 W. B. M.

JP

irrigated Land
from
lands



STATE OF IDAHO

OFFICE OF THE STATE ENGINEER

Certificate of Water Right

WATER DISTRICT No. 41^F

THIS IS TO CERTIFY, That J. I. Linder
of Indian Valley, State of Idaho, has a right to
the use of the waters of Water Dist. No. 41, for irrigation and domestic purposes, and that
said right has been confirmed by decree of the District Court of the Seventh Judicial District of the
State of Idaho, in and for the County of Adams, in the case of John T. Muir,
et al, plaintiffs, vs. William Allison, et al, defendants, dated the 9th day of May, 1918, by Ed. L. Bryan,
Judge, wherein 0.34 second feet of the waters of Little Weiser River, in
Water District No. 41^F, were dedicated to the lands described in the following table; the said decree
being entered of record at Boise, Idaho, in the records of the State Engineer, in Volume 4 of Decrees,
pages 61 to 141, inclusive.

The point of diversion is located in the Indian Valley Grays Creek Ditch
which heads in the NW¹ of the NW¹ Sec. 36 T. 14 N. R. 1W. BM.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes and shall not
exceed:

FLOOD WATER SEASON

0.34 sec. ft. dated June 1, 1883

LOW WATER SEASON

*The decree fixes low water duty at 3/8 inch per
acre, at which point priorities begin to take effect.*

Twp.	Range	Sec.	NE ¹ 4				NW ¹ 4				SW ¹ 4				SE ¹ 4				TOTAL
			NE ¹ 4	NW ¹ 4	SW ¹ 4	SE ¹ 4	NE ¹ 4	NW ¹ 4	SW ¹ 4	SE ¹ 4	NE ¹ 4	NW ¹ 4	SW ¹ 4	SE ¹ 4	NE ¹ 4	NW ¹ 4	SW ¹ 4	SE ¹ 4	
14	1W	10													40			40	80

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or
place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Engineer of the State of Idaho, affixed at Boise,
Idaho, this 13th day of March, 1919.

Recorded in Water Dist. No. 41^F

By Jewell H. Chapman
3-20-19

Ed. L. Bryan
State Engineer.

Whenever this water right is assigned in whole or in part this certificate must be returned to the State Engineer for record

FOR VALUE RECEIVED, I [we] hereby grant, bargain, sell, convey, transfer and assign, the water right evidenced by the within and foregoing certificate, to Samuel D. Richards

his [their] heirs, executors, administrators and assigns.

James I. Linder

Flora E. Linder

(If executed by married persons, husband or wife should join, and the relationship should be indicated after the signature.)

STATE OF IDAHO,
County of Adams } ss.

On this 6 day of March, in the year 1920, before me

P. H. Ware

a notary public in and for the State of Idaho, residing at Indian Valley, in the county of Adams

Idaho, personally appeared James I. Linder and Flora Linder, his wife known to me to be the person[s] whose name[s] is [are] subscribed to the within instrument, and acknowledged to me that he [she, they] executed the same

P. H. Ware

Notary Public in and for the State of Idaho,

My Comm. Expires Jan 24, 1924

Residing at Indian Valley, County of Adams, Idaho.

(This acknowledgment is not suitable for a corporation or for attorney-in-fact. Such acknowledgment should follow Sec. 3132 or 3133, Compiled Laws.)

STATE OF IDAHO

OFFICE OF STATE ENGINEER

Certificate of Water Right

WATER DISTRICT NO. 41

Name J. I. Linder

Description of Land:

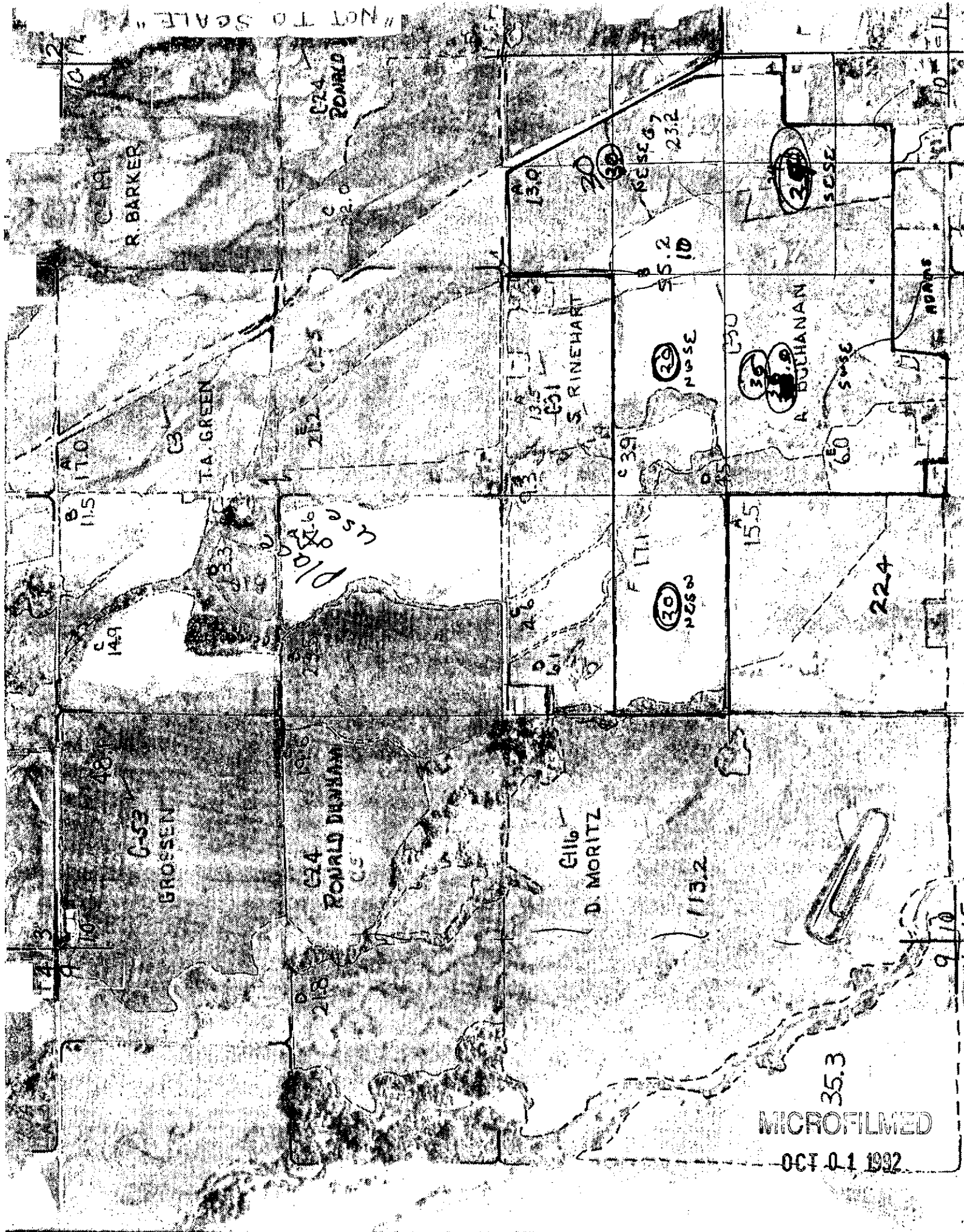
Amount of Right:

High water

Low water

Priority:

Recorded in Water District No. 41



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