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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: A67-00482
Date Received: 9/18/1989
Receipt No: W05971
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES RUSSELL WILKERSON 208-257-3756
Address: HC 68, BOX 2500
CAMBRIDGE, ID 83610
OR
Name: J. M. WILKERSON 208-257-3756
Address: HC 68, BOX 2500
CAMBRIDGE, ID 83610
OR
Name: J.D. WILKERSON 208-459-6194
Address: P.O. BOX 63
GREENLEAF, ID 83626
OR
Name: L. K. WILKERSON 208-257-3724
Address: HC 68, BOX 2480
CAMBRIDGE, ID 83610
OR
Name: CAROLYN WILKERSON 208-257-3724
Address: HC 68, BOX 2480
CAMBRIDGE, ID 83610

2. Date of Priority: MAY 01, 1894

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	02W	1	SE	NE	NW		ADAMS
			NE	NE	SW		ADAMS
		9		SE	SW		WASHINGTON
				SW	SE		WASHINGTON

5. Description of diverting works:
SEE REMARKS.

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OCT 01 1992

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATERING.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	02W	9	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	38.0
			SE	SE		IRR	38.0
						Section Acres	156.0
		16	NW	NE		IRR	40.0
						Section Acres	40.0
						Total Acres	196.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
CLAIM NO. A67-00489 AND C. BEN ROSS RES. RTS.

14. Remarks:
DESC. OF DIVERTING WORKS - SMALL DIV. DAMS IN RIVER W/HEADGATES FOR THE MICKEY/WILKERSON DITCH - NENW, SEC. 1, AND THE SCHWENKFELDER DITCH - NESW, SEC. 1; ALSO WATER IS DIVERTED VIA PUMPS IN THE LITTLE WEISER IN THE SWSE AND SESW, SEC. 9. NOTE: PRESENT DIVERSION IS VIA MICKEY-WILKERSON DITCH AND PUMPS, HOWEVER, THE SCHWENKFELDER DITCH MAY ALSO BE USED AT VARIOUS TIMES.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

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JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON

Decree Defendant

vs

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: 0 Map filed in A67-07479

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): Jim Wilkerson Date: 9-18-89
Date:

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of September 19 89 Jan Shurtl
Notary Public

Seal

Residing at Mendocino, CA
My Commission Expires 9-14-94

MEMORANDUM

Steve ✓
Jan ✓
Gary ✓

DATE: 9/12/2002

FROM: Lori Graves

TO: Steve Lester, Jan Shurte, Gary Spackman

RE: Little Weiser Irrigation District Complaint

Isaac Ward, representing the Little Weiser Irrigation District, called to complain that five separate individuals were "spreading" river water on acres that have not been historically irrigated. I met with Isaac at the Indian Creek Store 8/22/02, where he identified the specific acres on associated maps that I had brought. After researching the problem, I found that the landowners had included the additional acres on their decreed rights.

As Isaac pointed out, the expanded acres should not be allowed the same priority as the original decreed acres. Because specific acres were not identified in the Allison/Muir decree, Gary Spackman stated that the PPUs claimed should be limited to the duty of water decreed, which was 5/8ths inch/acre. Jan Shurte stated that at the time of claims taking, listing PPUs was allowed. Now a separate beneficial use claim is required for expanded acres, with the date of priority being the time of the expansion rather than the decree date. This right, when combined with the decreed right, cannot exceed the decreed flow rate for the original acres.

The following is a list of individuals and their associated rights that include expanded acres:

Name	Right	Decreed Inches	Duty of Water (5/8"/ac)
Tom Grossen	67-427	97	155
	67-432	45	72
	67-436B	19.5	<u>31</u>
Totals Acres Decreed			258
Total Acres Claimed			<u>484</u>
Expanded Acres			226
Alvin Legg	67-431	85	136
	67-469	34	54
	67-471	14	<u>22</u>
Total Acres Decreed			212
Total Acres Claimed			<u>238</u>
Expanded Acres			26

Richard Kretten	67-429	35	<u>56</u>
Total Acres Decreed			56
Total Acres Claimed			<u>80</u>
Expanded Acres			24
 David Wells	 67-439	 17	 <u>27</u>
Total Acres Decreed			27
Total Acres Claimed			<u>152</u>
Expanded Acres			125
 Russell Wilkerson	 67-482	 25	 40
	67-489	80	<u>131</u>
Total Acres Decreed			171
Total Acres Claimed			<u>196</u>
Expanded Acres			25

To resolve the Irrigation District's complaint, separate beneficial use claims need to be filed on ~426 expanded acres before the 2003 irrigation season. I will coordinate this claims taking process with SRBA staff ASAP.