

12/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-37

NAME AND ADDRESS: CHE ENTERPRISES INC
C/O CAMERON OR BARBARA ERTEL
3054 GOODRICH RD
CAMBRIDGE ID 83610

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 08/27/1910

POINT OF DIVERSION:

T15N R02W S31 SENENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 10/31	1.000 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T15N R02W S31	SWNE	12.00	T15N R02W S31	SENE	28.00
T15N R02W S31	SENE	8.50	T15N R02W S31	NESW	37.00
T15N R02W S31	NESE	40.00	T15N R02W S31	NWSE	39.00

164.5 ACRES TOTAL

This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

Right Nos. 67-37 and 67-4159 are limited to the irrigation of a combined total of 164.5 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Idaho Department of Water Resources



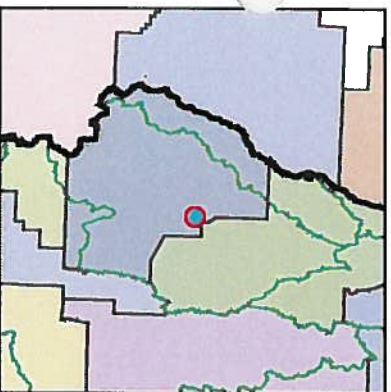
SRBA Recommendation:

67-37

(Irrigation)

Legend

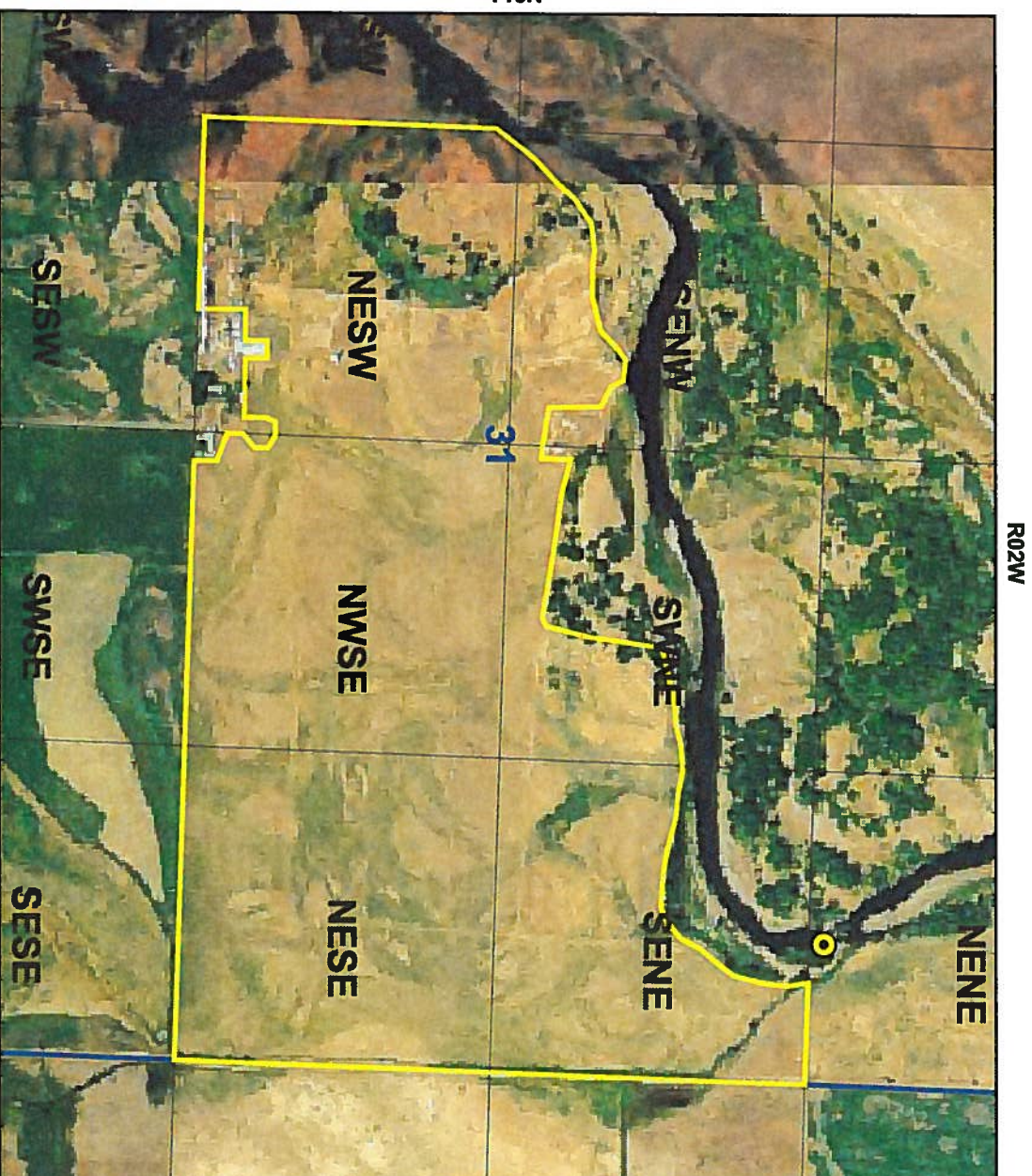
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



T15N



Prepared by IDWR State Office
On Tuesday, December 19, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-37 V1

WATER RIGHT NUMBER: 67-37 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHE ENTERPRISES INC C/O CAMERON OR BARBARA ERTEL 3054 GOODRICH RD CAMBRIDGE, ID 83610 (208) 257-3491
Original Owner	FRED JEWELL

, ID

Priority Date: 08/27/1910

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WEISER RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 10/31	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

WEISER RIVER	SE1/4NE1/4NE1/4	Sec. 31, Twp 15N, Rge 02W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
15N	02W	31			12.0	28.0				8.5				37.0				40.0	39.0	164.5

Total Acres: 164.5

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. K06 This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
3. E55 Right Nos. 67-37 and 67-4159 are limited to the irrigation of a combined total of 164.5 acres in a single irrigation season.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-37 V1

Comments:

1. awarntje 7/9/2004 Water Use

Comment: Decree does not list water use for this right

2. csaxton 8/30/2005 POD

Comment: Only one POD in use.

3. csaxton 9/23/2005 POU

Comment: 2 acres added NE of the ditch per conversation with claimant. Property has been irrigated through seepage. Diversion through the ditch irrigates the ground through seepage. Without diversion through the ditch, that acreage would not receive seepage water. I feel this is beneficial use of the water. Three years ago sprinklers were added to that piece and irrigated.

4. csaxton 9/23/2005 Diversion Rate

Comment: Per conversation with Don Shaff, flood water claims on top of decreed Muir vs. Allison water, should not be limited to one inch per acre, rather the diversion rate for the flood water should be recommended for the amount of water that is equivalent to 1 inch per acre, minus the recommended diversion rate for the decreed water. Thus the total diversion of the overlapping rights will not exceed one inch per acre so no limiting remarks need to be added.

5. csaxton 12/19/2006 NOE

Comment: Recommended POU amended per NOE.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number: 67

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	7/9/2004 1:42:02 PM	awarntje			Active
Source	7/9/2004 1:42:20 PM	awarntje			Active
POU	7/9/2004 1:45:19 PM	awarntje			Active
Use	7/9/2004 1:45:36 PM	awarntje			Active
Season	7/9/2004 1:45:53 PM	awarntje			Active
Quantity	7/9/2004 1:46:59 PM	awarntje			Active
Contacts	8/30/2005 3:47:37 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-37 V1

Summary 08/30/2005 csaxton Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	12/19/2006 10:40:28 AM	csaxton	Updated shape for Active POU
POU	12/19/2006 10:40:42 AM	csaxton	Updated PLS for Active POU
Summary	8/30/2005 3:52:00 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	11/5/2006 8:26:03 AM	csaxton	Updated shape for Active POU
Contacts	8/30/2005 3:47:38 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
POU	8/30/2005 3:48:46 PM	csaxton	Updated PLS for Active POU
POD	8/30/2005 3:48:20 PM	csaxton	Updated PLS
POU	8/30/2005 3:48:36 PM	csaxton	Updated shape for Active POU
POD	8/30/2005 3:48:07 PM	csaxton	Updated shape
POU	9/23/2005 7:53:17 AM	csaxton	Updated shape for Active POU
POU	9/23/2005 7:53:35 AM	csaxton	Updated PLS for Active POU
Priority Date	7/9/2004 1:42:03 PM	awarntje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
Source	7/9/2004 1:42:21 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	7/9/2004 1:44:52 PM	awarntje	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-37 V1

POU	7/9/2004 1:45:20 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU?
Use	7/9/2004 1:45:37 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a Purpose of Use? (No) 6. Is there evidence that there has been a change in the Purpose of Use?
Season	7/9/2004 1:45:53 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use?
Quantity	7/9/2004 1:46:59 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?
POU	7/9/2004 1:46:33 PM	awarntje	Edited Season Of Use
POU	11/5/2006 8:22:29 AM	csaxton	Updated shape for Active POU

Water Supply Bank:

11/14/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-37

CHE ENTERPRISES INC
C/O CAMERON OR BARBARA ERTEL
3054 GOODRICH RD
CAMBRIDGE ID 83610
Telephone Number: (208) 257-3491

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

*see PDU changes on layout 67-4159
(PDU for 67-37 & 67-4159) - change*

3. Give a brief explanation as to why you disagree with these portions:

*quantities
if needed
& possible*

 I AGREE with this proposed recommendation: no changes need to be made.

DATE:

11-29-06

SIGNATURE:

[Signature]

Please print your name:

Cameron C. Erte

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

*12-12-06
Agreed:
Done
[Signature]*

SCANNED

DEC 08 2006

09/23/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-37

NAME AND ADDRESS: CHE ENTERPRISES INC
C/O CAMERON OR BARBARA ERTEL
3054 GOODRICH RD
CAMBRIDGE ID 83610

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 08/27/1910

POINT OF DIVERSION:

T15N R02W S31 SENENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 10/31	1.000 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T15N R02W S31	SWNE	11.0	T15N R02W S31	SENE	28.0
T15N R02W S31	SENE	9.3	T15N R02W S31	NESW	36.0
T15N R02W S31	NESE	40.0	T15N R02W S31	NWSE	39.0

163.3 ACRES TOTAL

This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.

Right Nos. 67-37 and 67-4159 are limited to the irrigation of a combined total of 163.3 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

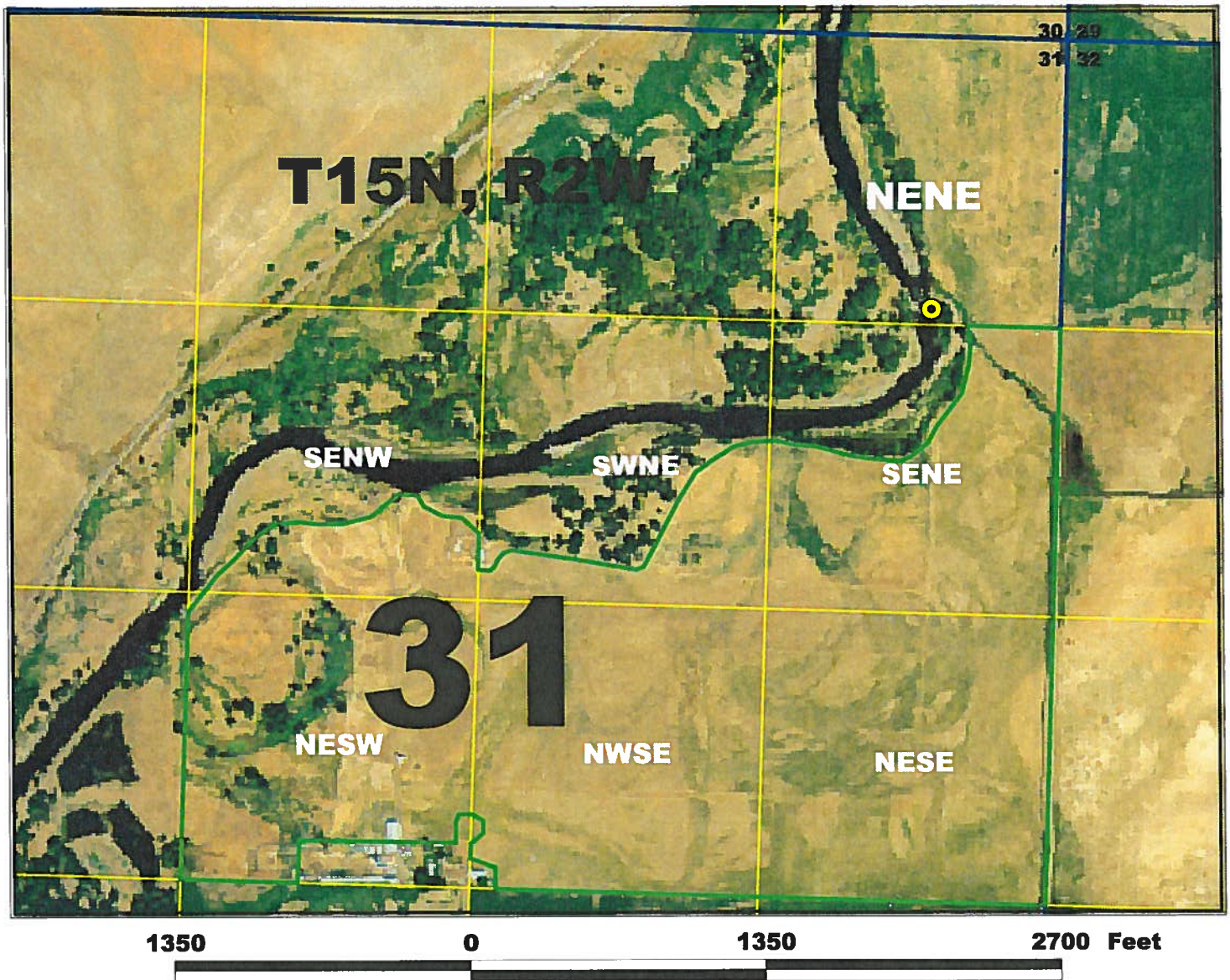
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



STATE OF IDAHO

Department of Water Resources

Water Right(s): 67-37 & 67-4159

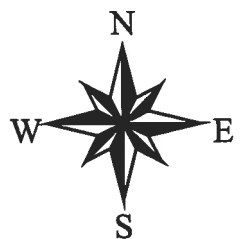


 Point(s) of Diversion

 Place of Use

 Quarter Quarter Lines

 Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photoograp
Prepared by: C. Saxton
Date: September 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-37 V1

WATER RIGHT NUMBER: 67-37 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHE ENTERPRISES INC C/O CAMERON OR BARBARA ERTEL 3054 GOODRICH RD CAMBRIDGE, ID 83610 (208) 257-3491
Original Owner	FRED JEWELL , ID

Priority Date: 08/27/1910

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WEISER RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 10/31	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

WEISER RIVER	SE1/4NE1/4NE1/4	Sec. 31, Twp 15N, Rge 02W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	02W	31			11.0	28.0				9.3	36.0					40.0	39.0		163.3

Total Acres: 163.3

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. K06 This right is limited to the irrigation of 80 acres within the place of use described above in a single irrigation season.
3. E55 Right Nos. 67-37 and 67-4159 are limited to the irrigation of a combined total of 163.3 acres in a single irrigation season.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-37 V1

Comments:

1. awarntje 7/9/2004 Water Use

Comment: Decree does not list water use for this right

2. csaxton 8/30/2005 POD

Comment: Only one POD in use.

3. csaxton 9/23/2005 POU

Comment: 2 acres added NE of the ditch per conversation with claimant. Property has been irrigated through seepage. Diversion through the ditch irrigates the ground through seepage. Without diversion through the ditch, that acreage would not receive seepage water. I feel this is beneficial use of the water. Three years ago sprinklers were added to that piece and irrigated.

4. csaxton 9/23/2005 Diversion Rate

Comment: Per conversation with Don Shaff, flood water claims on top of decreed Muir vs. Allison water, should not be limited to one inch per acre, rather the diversion rate for the flood water should be recommended for the amount of water that is equivalent to 1 inch per acre, minus the recommended diversion rate for the decreed water. Thus the total diversion of the overlapping rights will not exceed one inch per acre so no limiting remarks need to be added.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number: 67

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	7/9/2004 1:42:02 PM	awarntje			Active
Source	7/9/2004 1:42:20 PM	awarntje			Active
POU	7/9/2004 1:45:19 PM	awarntje			Active
Use	7/9/2004 1:45:36 PM	awarntje			Active
Season	7/9/2004 1:45:53 PM	awarntje			Active
Quantity	7/9/2004 1:46:59 PM	awarntje			Active
Contacts	8/30/2005 3:47:37 PM	csaxton			Active
Summary			08/30/2005	csaxton	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-37 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	8/30/2005 3:52:00 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	8/30/2005 3:47:38 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
POU	8/30/2005 3:48:46 PM	csaxton	Updated PLS for Active POU
POD	8/30/2005 3:48:20 PM	csaxton	Updated PLS
POU	8/30/2005 3:48:36 PM	csaxton	Updated shape for Active POU
POD	8/30/2005 3:48:07 PM	csaxton	Updated shape
POU	9/23/2005 7:53:17 AM	csaxton	Updated shape for Active POU
POU	9/23/2005 7:53:35 AM	csaxton	Updated PLS for Active POU
Priority Date	7/9/2004 1:42:03 PM	awarntje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
Source	7/9/2004 1:42:21 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	7/9/2004 1:44:52 PM	awarntje	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-37 V1

POU	7/9/2004 1:45:20 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU?
Use	7/9/2004 1:45:37 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a Purpose of Use? (No) 6. Is there evidence that there has been a change in the Purpose of Use?
Season	7/9/2004 1:45:53 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use?
Quantity	7/9/2004 1:46:59 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?
POU	7/9/2004 1:46:33 PM	awarntje	Edited Season Of Use

Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 22, 2005

CHE ENTERPRISES INC
C/O CAMERON OR BARBARA ERTEL
3054 GOODRICH RD
CAMBRIDGE ID 83610

Re: Application for permit and seepage

Dear Mr. Ertel,

Enclosed are two copies of the application for permit with instructions per your request.

In addition, I did inquire about seepage as being considered a valid form of putting water to beneficial use. After a discussion with another agent, I found that ground irrigated by seepage has been recognized as valid irrigable ground in the past. I feel that based on the lay of the land and that you told me that the property has been irrigated through seepage from the ditch when water is being diverted through the ditch, I can add that acreage as recommended irrigated ground under claims 67-37 and 67-4159. That change will be reflected on the next mailing you receive.

Please feel free to contact me with any questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure(s)

Claim Number: 67-37

Date: 8-30-05

Claim Number 67-37

Claimed Basis: Decreed

Water Right Basis: Decreed

as Decreed

Date: 8-30-05

Point of Diversion and Source Data Entry Form

Claim Number 67-37

Claimed Point of Diversion and Source

T15N R02W S16 SESESW Within ADAMS County Source: WEISER RIVER SNAKE RIVER

T15N R02W S31 NWSENE Within WASHINGTON County Source: WEISER RIVER SNAKE RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Weiser Snake

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
15N	2W	31		SENESE	WA	Weiser

Other rights from this POD? 67-1159

Document how the POD and Source were verified:

Aerial Photography

Reviewer: C. GustDate: 8-30-05

Place Of Use Data Entry Form

Claim Number 67-37

Claimed Place Of Use

T15N R02W S31	SWNE	40.0	T15N R02W S31	SENE	40.0
T15N R02W S31	SENE	40.0	T15N R02W S31	NESW	40.0
T15N R02W S31	NESE	40.0	T15N R02W S31	NWSE	40.0

Total Acres 240

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T15N R02W S31	NESW	T15N R02W S31	NWSE
---------------	------	---------------	------

Total Acres

Recommended Place of Use

_____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

See attached map

This Right and 67-4159 limited to 161.3 acres.

Reviewer: C. EganDate: 8-30-05

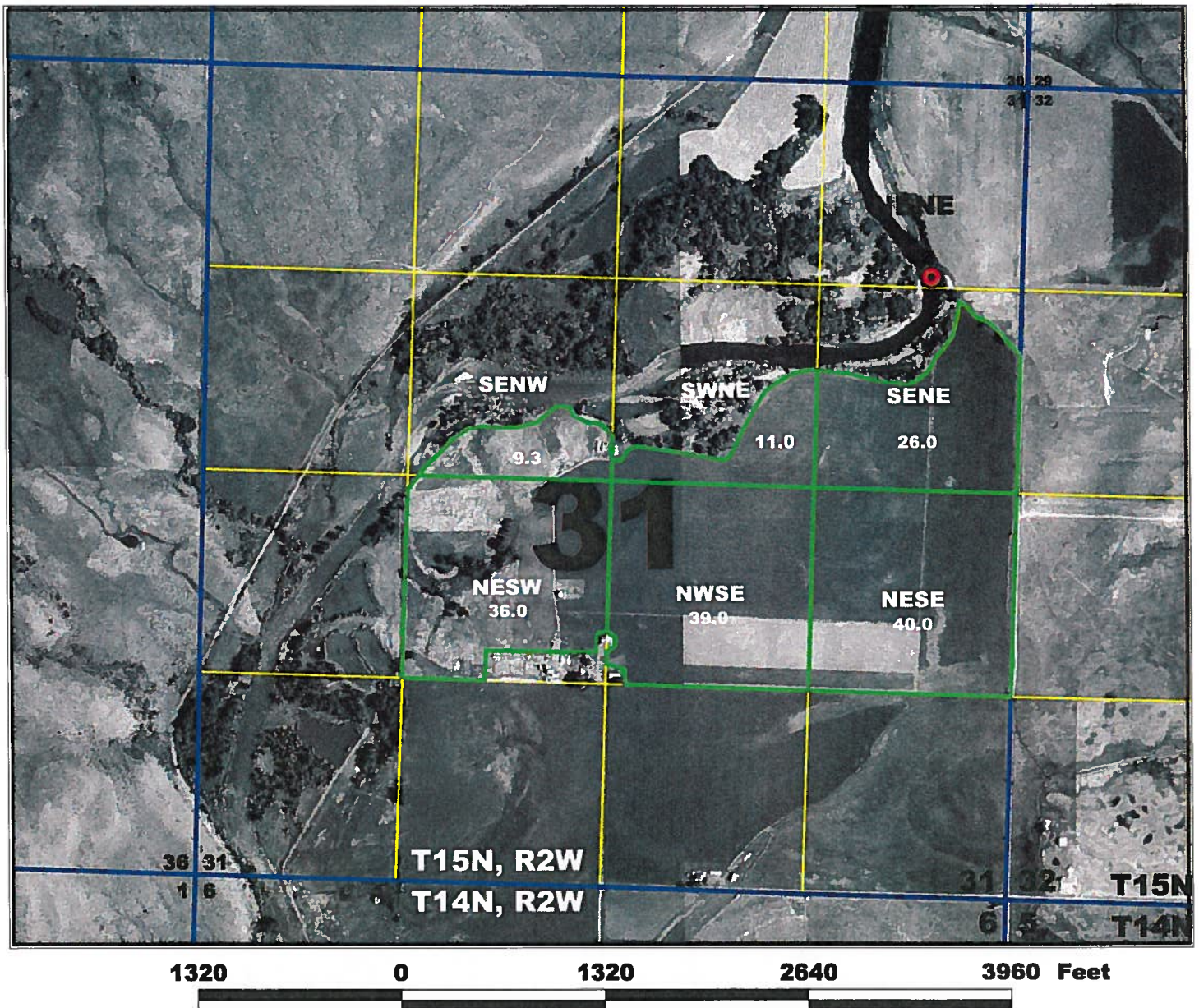


State of Idaho

Map Source: 1998 DOQQ

Claim #(s): 67-37 & 67-4159

Reference Map



● Point of Diversion

□ Claimed Place of Use

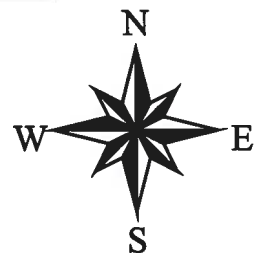
□ Tax Lot Property Bndy

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: 240

Initial Acres Found: 161.3



Prepared By: Craig L. Saxton

Date: August 2005

Purpose of Use Data Entry Form

Claim Number 67-37

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

IRR			80	

Document how the Purpose of Use was verified:

claimant contactReviewer: C. EnderDate: 8-30-05

Period of Use and Quantity Data Entry Form

Claim Number 67-37

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	10/31	1	

Overall Diversion Rate 1 Overall Diversion Volume

 Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	/	/	1	

Overall Diversion Rate 1 Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irr	3-15	10-31	1.0	

Overall Diversion Rate 1.0 Overall Diversion Volume

Document how the Period of Use and/or Diversion Rate were verified:

This Right and 67-4159 Limited to 3.23 cfs

Reviewer: C. SmithDate: 8-30-05

5-10-05: Acreage is overclaimed.

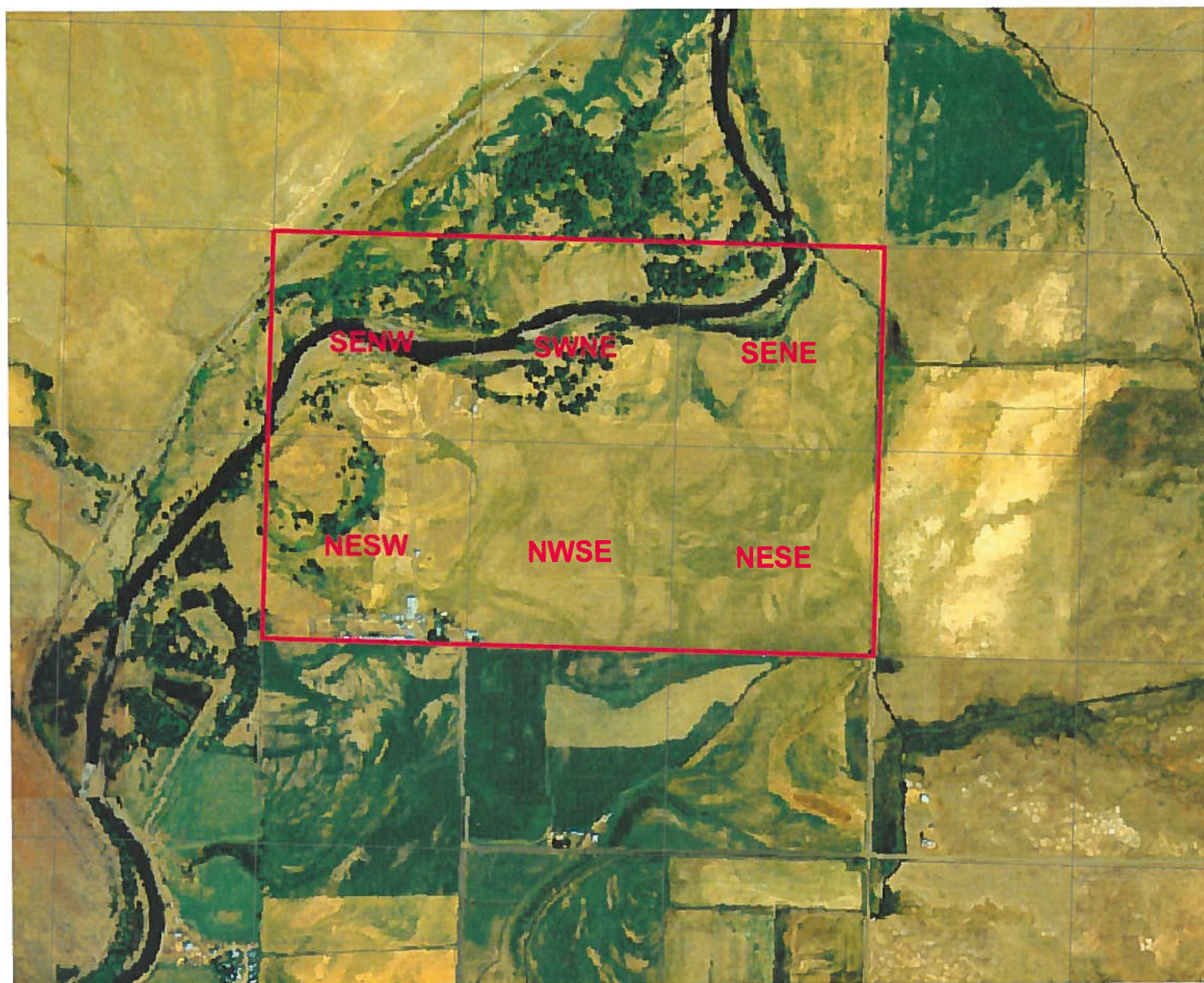
: POB?

: limit to 80 ac in N/ESW 31 As decreed
NWSE 31

8-29-05: total acres is 161.3 limit this to 80 acres w/in 161.3.

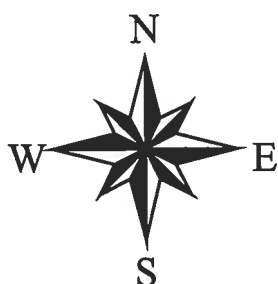
Idaho Department of Water Resources

67-37



1000 0 1000 2000 3000 4000 5000 Feet

T15N, R02W, S31



Prepared by Anita L. Warntjes
March 30, 2004
1993/94 True Color Photo

Middle Valley Ditch.

Middle Valley Irrigating Ditch Company

1000/ July 7, 1886 67 0023
700/ Nov. 1, 1887 67 0024
500/ May 1, 1889 67 0025

Allison Jewell Ditch.

Alexander Allison

60/ July 4, 1882 67 0026

Joseph Allison

54/ May 1, 1902 67 0027

Eugene Looney

100/ July 4, 1882 67 0028

Harry Coon

100/ July 4, 1882 67 0029

165/ July 4, 1882 67 0030

Smith-Janes-Martin Ditch

B. F. Janes

10/ July 4, 1886 67 0031

Marion Smith

90/ July 4, 1886 67 0032

Heirs of R H Martin

90/ July 4, 1886 67 0033

Post-Weston Ditch.

J Emmett Pfost

125/ May 6, 1884 67 0034

Grace Everest

25/ May 6, 1884 67 0035

Goldie Abernathy

50/ Aug. 27, 1910 67 0036

Fred Jewell

50/ Aug. 27, 1910 67 0037

John A Pfost

41/ March 25, 1911 67 0038

Farmers Canal.

Mark Winkler

60/ June 1, 1891 67 0039

Carrie Winkler

19/ June 1, 1891 67 0040

E Hinkle

50/ June 1, 1891 67 0041

S A Moudy and E Hinkle

32/ Jan 1, 1900 67 0042

George Gould

19/ June 1, 1891 67 0043

82/ June 1, 1891 67 0044

7/ June 1, 1905 67 0045

Frank Hahn Ditch.

Frank Hahn

33/ June 1, 1902 67 0046

38/ June 1, 1903 67 0047

36/ June 1, 1904 67 0048

83/ June 1, 1905 67 0049

Glenn McMahon Ditch.

Isaac McMahon

10/ May 31, 1884 67 0050

9/ May 1, 1901 67 0051

For Power

400/ July 1, 1908 67 0052

Hollie A McMahon

4/ June 1, 1884 67 0053

Samuel E McMahon

22/ June 1, 1884 67 0054

William M Glenn

45/ June 1, 1884 67 0055

Lester I McMahon

4/ May 31, 1884 67 0056

POST WESTON DITCH

J. Emmett Pfost	125	May 6, 1884
John A. Pfost	41	March 25, 1911
Goldie Abernathy	50	Aug 27, 1910
Fred Jewell	50	" " "
Grace Everest	25	May 6, 1884

MIDDLE FORK AND LOST CREEK

Orchards Water Company Middle Fork	3500	Sept. 11, 1909
Lost Creek Reservoir	6250	May 27, 1910
A. L. Freehafer	360 A ft.	" " "
J. A. Carr	300 A ft.	" " "

MIDDLE FORK

W. M. Baccus	14	May 1, 1891
Catherine Austin	24	" " "
	24	" " 1901
Ben Wooden	30	" " 1894
Henry Helmsoth	13	" " 1900
George Shaw	21	" " "
William B. Shaw	44	" " 1903
Dave Dures	5	" " 1905
C. E. Roper	7 1/2	" " 1911
John Sweringen	6	" " 1903

FARMERS' CANAL

Mark Winkler	60	June 1, 1891
Carrie Winkler	19	" " "
E. Hinkle	(50	" " "
	(32-	Jan. 1, 1900
	19	June 1, 1891
S. A. Moudy and E. Hinkle	82	" " "
George Gould	7	" " 1905

FRANK HAHN DITCH

FRANK HAHN

383	June 1, 1902
33	" " 1903
38	" " 1904
36	" " 1905
60	

JUL 2 4 1996

FRED M. JEWELL: The Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter of Section 31, Township 15 North, Range 2 West Boise Meridian, containing 80 acres.

NW 1/4 SE 31
NE 1/4 SW 31

JOHN A. FOST: The East half of the Southeast Quarter, of Section 1, Township 14 North, Range 3 West Boise Meridian.

MAHC WINKLER: The South half of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter of Section 27, Township 17 North, Range 1 West Boise Meridian.

CARRIE WINKLER: The Northeast Quarter of the Southeast Quarter of Section 27, Township 17 North, Range 1 West Boise Meridian.

E. HINKLE: The South half of the Northwest Quarter (S 1/2 NW 1/4) of Section 34, and the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) and the Northeast Quarter of the Southeast Quarter (NE 1/4 SE 1/4) of Section 33 in Township 17 North, Range 1 West Boise Meridian, containing 160 acres, also the West half of the Southwest Quarter (W 1/2 SW 1/4) of Section 34, the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 33, Township 17 North, Range 1 West; Lot one of Section 4, Township 16 North, Range 1 West Boise Meridian.

S. A. MOUDY AND E. HINKLE: The South half of the Northeast Quarter of Section 34, Township 17 North, Range 1 West Boise Meridian.

GEORGE GOULD: The Southeast quarter of the Southwest Quarter (SE 1/4 SW 1/4) the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4) of Section 27, and the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) and the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section 34, and that part of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section 34 and the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 27 lying west of the right-of-way of the P & I N Railroad track, all situated in Township 17 North, Range 1 West Boise Meridian.

FRANK HAHN: The West half of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 22; the Northwest Quarter of the Northeast Quarter and the East half of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter, and the West half of the Southwest Quarter all in Section 27; the Southeast Quarter of the Northeast Quarter, and the East half of the Southeast Quarter of Section 28; the Northeast Quarter of the Northeast Quarter of Section 33; and the Northwest Quarter of the Northwest Quarter of Section 34, all in Township 17 North, Range 1 West Boise Meridian.

ISRAEL McMAHAN: The North half of the Southwest Quarter the West half of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 15, and the Southwest Quarter of the Northwest Quarter of Section 14, Township 17 North, Range 1 West Boise Meridian.

HOLLIS A. McMAHAN: The Northwest Quarter of the Southwest Quarter of Section 14, Township 17 North, Range 1 West Boise Meridian.

SAMUEL E. McMAHAN: The Southwest Quarter of the Northeast Quarter of Section 15 Township 17 North, Range 1 West Boise Meridian.

WILLIAM E. GLENN: The Southwest Quarter of the Southwest Quarter of Section 14 and the Southeast Quarter of the Southeast Quarter of Section 15, and the East half of the Northeast Quarter of Section 22, Township 17 North, Range 1 West Boise Meridian.