

11/28/2006

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

RIGHT NUMBER: 67-49  
NAME AND ADDRESS: WILLIAM R SHORE  
PO BOX 547  
COUNCIL ID 83612  
  
ROBERTA S SHORE  
PO BOX 547  
COUNCIL ID 83612

SOURCE: WEISER RIVER TRIBUTARY: SNAKE RIVER  
QUANTITY: 1.660 CFS

The rights listed below are limited to a total combined diversion rate of 3.80 cfs.  
Combined Right Nos.: 67-46, 67-47, 67-48, and 67-49

PRIORITY DATE: 06/01/1905

POINT OF DIVERSION:

T17N R01W S15 NWSE Within ADAMS County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/15 11/15          | 1.660 CFS       |

PLACE OF USE:

IRRIGATION in ADAMS County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T17N R01W S22 | SWSW | 0.40  | T17N R01W S22 | SESW | 15.00 |
| T17N R01W S22 | SWSE | 20.00 | T17N R01W S27 | NWNE | 8.00  |
| T17N R01W S27 | NENW | 10.00 | T17N R01W S27 | NWNW | 0.20  |
| T17N R01W S27 | SWNW | 4.80  | T17N R01W S27 | SENW | 23.00 |
| T17N R01W S27 | NWSW | 35.00 | T17N R01W S27 | SWSW | 24.00 |
| T17N R01W S28 | SENE | 3.40  | T17N R01W S28 | NESE | 27.00 |
| T17N R01W S28 | SESE | 5.00  | T17N R01W S33 | NENE | 4.20  |
| T17N R01W S34 | NWNW | 6.00  |               |      |       |

186 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 186 acres in a single irrigation season. Combined Right Nos.: 67-46, 67-47, 67-48, and 67-49

This right is limited to the irrigation of 132.8 acres within the place of use described above 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

11/28/2006

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

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This right when combined with all other rights shall provide no more than .02 cfs per acre at the field headgate.

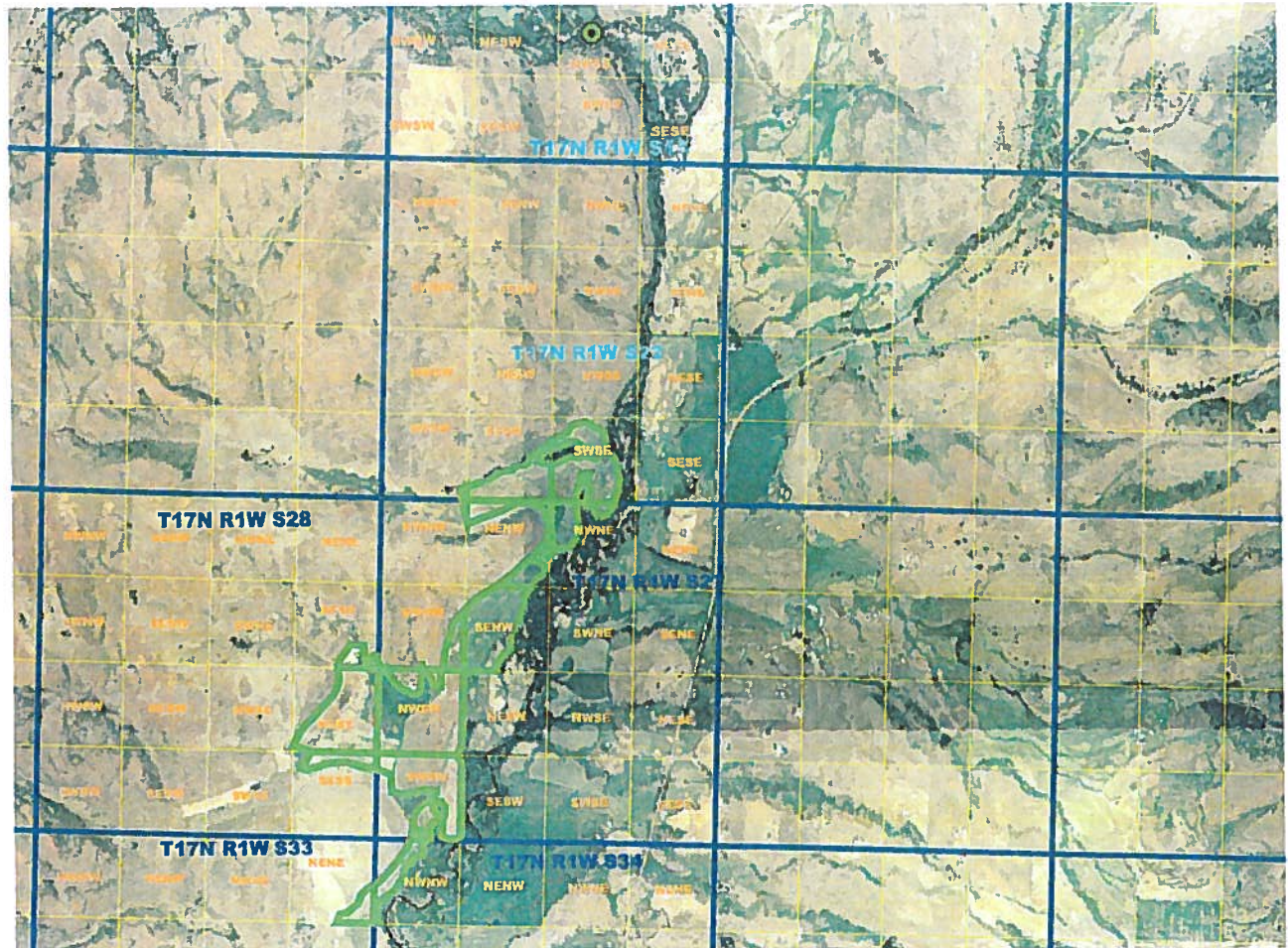
Use of this right is combined with water from Lost Valley Reservoir.

Water is delivered through Hahn Ditch.



State of Idaho  
Idaho Department of Water Resources  
Western Region

**T17N R2W SECTION(S) 15, 22, 27, 28, 33, & 34**  
**WATER RIGHT(S) : 67-46, 67-47, 67-48, & 67-49**



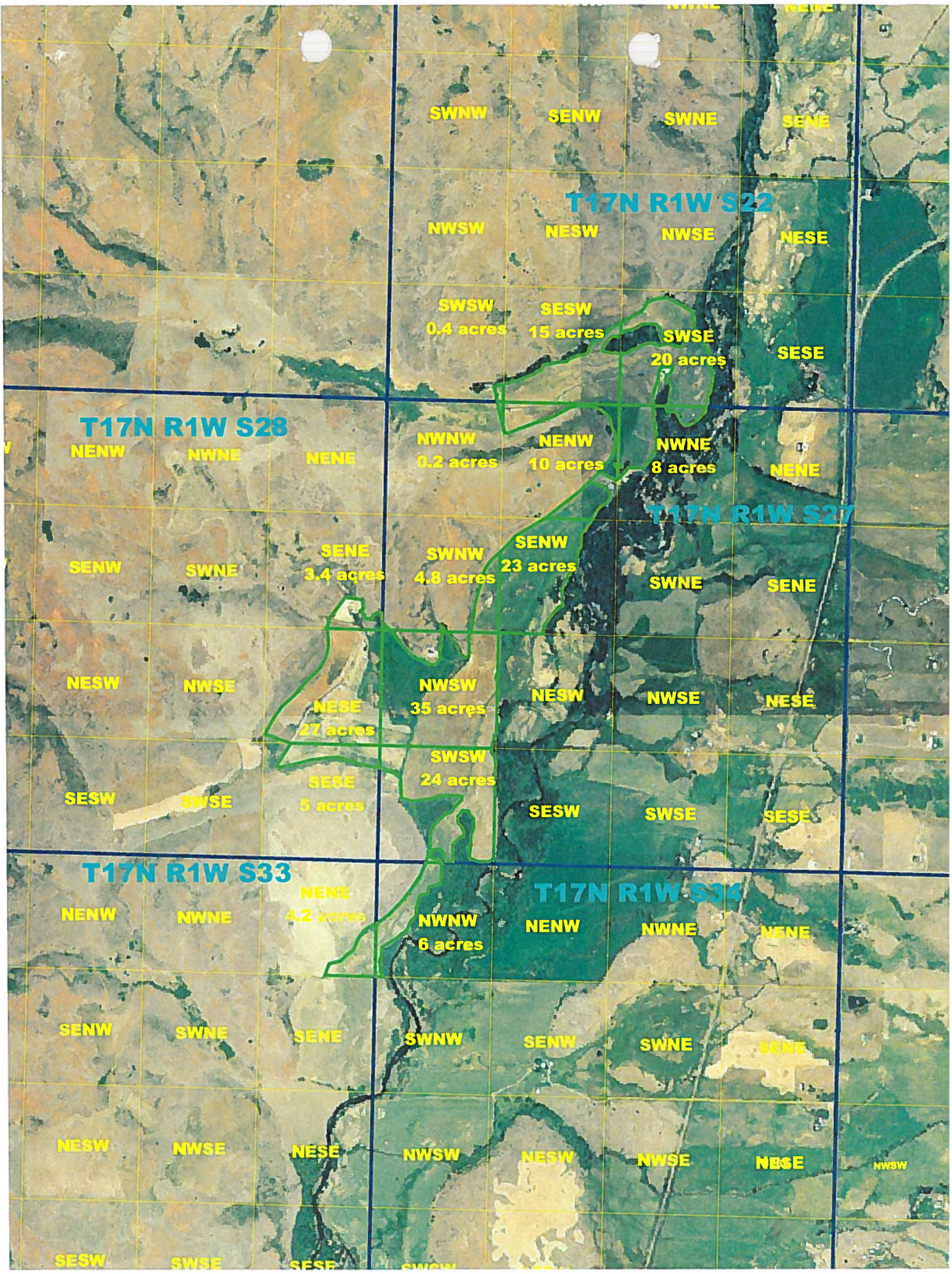
0.5 0 0.5 1 Miles

Total Irrigated Acres = 186 acre permissible place of use.

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration  
1987 NAPP Photography  
Prepared by: Dan Nelson  
Date: November 2006





PLACE OF USE GRID  
67-46,67-47,67-48, & 67-49

[illegible]

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Claim Report 67-49

WATER RIGHT NUMBER: 67-49

| <u>Owner Type</u> | <u>Name and Address</u>                                                                     |
|-------------------|---------------------------------------------------------------------------------------------|
| Original Owner    | BARR S JACOBS<br>C/O LOIS POYNOR<br>1266 W 1ST ST<br>WEISER, ID 83672-1522<br>(208)549-4854 |
| Current Owner     | WILLIAM R SHORE<br>PO BOX 547<br>COUNCIL, ID 83612<br>(208)256-4565                         |
| Original Owner    | FRANK A HAHN<br>295 S 1500 E<br>JEROME, ID 83338<br>(208)825-5041                           |
| Current Owner     | ROBERTA S SHORE<br>PO BOX 547<br>COUNCIL, ID 83612<br>(208)256-4565                         |

Priority Date: 06/01/1905

Basis: Decreed

Status: Active

Source

WEISER RIVER

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

From To

5/15 to 10/15

Diversion Rate

0.830 CFS

Annual VolumeTotal Diversion: 0.830 CFS

Should  
be  
83 inches  
166 CFS

Location of Point(s) of Diversion

WEISER RIVER

SE1/4SE1/4SE1/4

Sec. 15, Twp 17N, Rge 01W, B.M.

ADAMS County

Place of Use

IRRIGATION

| Twp Rge Sec | NE |     |    |     | NW   |    |      |      | SW   |      |    |    | SE  |    |     |    | Totals |
|-------------|----|-----|----|-----|------|----|------|------|------|------|----|----|-----|----|-----|----|--------|
| 17N 01W 22  | NE | NW  | SW | SE  | NE   | NW | SW   | SE   | NE   | NW   | SW | SE | NE  | NW | SW  | SE | 50.0   |
| 17N 01W 27  |    | 7.0 |    |     | 11.0 |    | 12.0 | 13.0 | 26.0 | 14.0 |    |    |     |    |     |    | 83.0   |
| 17N 01W 28  |    |     |    | 5.0 |      |    |      |      |      |      |    |    | 9.0 |    | 5.0 |    | 19.0   |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Water Right Report 67-49

WATER RIGHT NUMBER: 67-49

|                   |                                                                   |
|-------------------|-------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                           |
| Current Owner     | FRANK A HAHN<br>295 S 1500 E<br>JEROME, ID 83338<br>(208)825-5041 |

Priority Date: 06/01/1905

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            | / to /                  | 1.660 CFS             |                      |
|                       | <u>Total Diversion:</u> | 1.660 CFS             |                      |

Location of Point(s) of Diversion

WEISER RIVER

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 |        |
| 17N 01W 22  |    |    |    |    |    |    |    |    |    |    |    | X  |    | X  | X  |    |        |
| 17N 01W 27  |    | X  |    |    | X  |    | X  | X  |    | X  | X  |    |    |    |    |    |        |
| 17N 01W 28  |    |    |    | X  |    |    |    |    |    |    |    |    | X  |    |    | X  |        |
| 17N 01W 33  | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 17N 01W 34  |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |

Conditions of Approval:

1. THIS WATER CARRIED IN THE FRANK HAHN DITCH.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report 67-49

|            |  |      |  |      |  |  |  |      |
|------------|--|------|--|------|--|--|--|------|
| 17N 01W 33 |  | 10.0 |  |      |  |  |  | 10.0 |
| 17N 01W 34 |  |      |  | 24.0 |  |  |  | 24.0 |

Total Acres: 186

Conditions of Approval:

1. ADDRESS CHANGED PER CLAIMANT LETTER. 11/17/98 LH OWNERSHIP CHANGED BY DB 8/24/2000.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 8/24/1989  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
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:Water Supply Bank:



# Middle Valley Ditch.

## Middle Valley Irrigating Ditch Company

1000/ July 7, 1885 67 0023  
700/ Nov. 1, 1887 67 0024  
500/ May 1, 1889 67 0025

# Allison Jewell Ditch.

Alexander Allison

68/ July 4, 1882 67 0026  
54/ May 1, 1902 67 0027  
100/ July 4, 1882 67 0028  
100/ July 4, 1882 67 0029  
165/ July 4, 1882 67 0030

Joseph Allison

Eugene Looney

Harry Coon

# Smith-Janes-Martin Ditch

B. F. Janes

Marion Smith

Heirs of R H Martin

10/ July 4, 1886 67 0031  
90/ July 4, 1886 67 0032  
90/ July 4, 1886 67 0033

# Post-Weston Ditch.

J Emmett Pfost

Grace Everest

Goldie Abernathy

Fred Jewell

John A Pfost

125/ May 6, 1884 67 0034  
25/ May 6, 1884 67 0035  
50/ Aug. 27, 1910 67 0036  
50/ Aug. 27, 1910 67 0037  
41/ March 25, 1911 67 0038

# Farmers Canal.

Mark Winkler

Carrie Winkler

E Hinkle

S A Moudy and E Hinkle

George Gould

60/ June 1, 1891 67 0039  
19/ June 1, 1891 67 0040  
50/ June 1, 1891 67 0041  
32/ Jan 1, 1900 67 0042  
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

For Power

Hollie A. McMahon

Samuel E McMahon

William M Glenn

Lester I McMahon

10/ May 31, 1884 67 0050  
9/ May 1, 1901 67 0051  
400/ July 1, 1908 67 0052  
4/ June 1, 1884 67 0053  
22/ June 1, 1884 67 0054  
45/ June 1, 1884 67 0055  
4/ May 31, 1884 67 0056

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.

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

MARC 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.

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

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

B. A. MOUDY AND R. 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 ( $SE\frac{1}{4}SW\frac{1}{4}$ ) the Southwest Quarter of the Southeast Quarter ( $SW\frac{1}{4}SE\frac{1}{4}$ ) of Section 27, and the Northeast Quarter of the Northwest Quarter ( $NE\frac{1}{4}NW\frac{1}{4}$ ) and the Northwest Quarter of the Northeast Quarter ( $NW\frac{1}{4}NE\frac{1}{4}$ ) of Section 34, and that part of the Northeast Quarter of the Northeast Quarter ( $NE\frac{1}{4}NE\frac{1}{4}$ ) of Section 34 and the Southeast Quarter of the Southeast Quarter ( $SE\frac{1}{4}SE\frac{1}{4}$ ) 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.

ISRAAC 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.

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

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

WILLIAM K. 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.

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from the said funds now in his hands and from the costs to be collected from the other parties in this case as herein provided; that the costs be taxed against the several parties are upon a total basis of twenty-two and seven tenths cents (22.7%) per miners inch and for each fraction of a miners inch of water herein allotted and decreed and as itemized in this decree and that there be paid out of the proceeds of said collection to be made by the Clerk from said parties the further sum of \$55.00 to pay the expenses of drafting these findings and this decree, as follows to wit:

| NAMES.                             | INCHES. | AMT.    | PD.     | BAL. DUE | OVER PD. |
|------------------------------------|---------|---------|---------|----------|----------|
| John T Muir                        | 113     | \$25.65 | \$25.50 | .15      |          |
| Smiths et al                       | 63      | 14.30   | 29.00   |          | \$14.70  |
| Sunnyside Ditch Co.                | 536     | 131.67  | 135.00  |          | 13.33    |
| Anna Galloway et al                | 70      | 15.89   | 14.70   | 1.19     |          |
| Wingfields                         | 15      | 3.41    | 3.15    | .26      |          |
| Weiser Mill Ditch                  | 450     | 102.15  | 100.00  | 2.15     |          |
| Weiser Irrigation Dist.            |         | 102.00  |         |          |          |
| Butterfield Live Stock Co.         | 45      | 45.00   | 45.00   |          |          |
| Middle Valley Irrigation Ditch Co. | 2200    | 499.40  | 416.00  | 83.40    |          |
| Alexander Allison                  | 122     | 27.69   | 25.62   | 2.07     |          |
| Joseph Allison                     | 148     | 33.60   | 31.00   | 2.52     |          |
| Eugene Leoney                      | 100     | 22.70   | 21.00   | 1.70     |          |
| Harry Coon                         | 165     | 37.46   | 34.65   | 2.81     |          |
| B F Jones                          | 10      | 2.27    | 2.10    | .17      |          |
| Marion Smith                       | 90      | 20.43   | 18.90   | 1.53     |          |
| Heire of R H Martin                | 90      | 20.43   | 18.90   | 1.53     |          |
| J Russell Frost                    | 125     | 28.38   | 20.00   | 8.38     |          |
| Grace Everest                      | 25      | 5.60    | 5.25    | .43      |          |
| Gaydie Abernathy                   | 50      | 11.35   | 10.50   | .85      |          |
| Fred Jewell                        | 50      | 11.35   | 10.50   | .85      |          |
| John A Frost                       | 41      | 9.31    | 8.61    | .70      |          |
| Mark Winkler                       | 60      | 13.62   | 12.60   | 1.02     |          |
| Carrie Winkler                     | 19      | 4.31    | 3.99    | .32      |          |
| E Hinkle                           | 82      | 10.61   | 17.22   | 1.39     |          |
| B A Moudy & B Hinkle               | 19      | 4.31    |         | 4.31     |          |
| George Gould                       | 89      | 20.20   | 10.69   | 1.51     |          |
| Frank Hahn                         | 190     | 43.13   | 40.00   | 3.13     |          |
| Isaac McMahon                      | 27      | 6.13    | 5.67    | .46      |          |
| Rollie A McMahon                   | 36      | 8.17    | 7.56    | .61      |          |
| Samuel E McMahon                   | 23      | 5.22    | 4.83    | .39      |          |
| Lester I McMahon                   | 22      | 4.99    | 4.62    | .37      |          |
| William H Glenn                    | 45      | 10.22   | 9.45    | .77      |          |
| George Robertson                   | 35      | 7.95    | 7.35    | .60      |          |
| William G Spofford                 | 45      | 10.22   | 9.45    | .77      |          |
| Fruitvale Townsite Co              | 30      | 6.81    |         | 6.81     |          |
| Phillip Walston                    | 8       | 1.82    | 2.00    |          | .18      |
| G B Cox                            | 24      | .67     |         | .67      |          |
| A L Freehafer and                  | 25      |         |         |          |          |

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# POST WESTON DITCH

J. Emmett Pfost  
John A. Pfost  
Goldie Abernathy  
Fred Jewell  
Grace Everest

125  
41  
50  
50  
25

May 6, 1884  
March 25, 1911  
Aug 27, 1910  
" " "  
May 6, 1884

# MIDDLE FORK AND LOST CREEK

Orchards Water Company Middle Fork  
Lost Creek Reservoir

3500  
6250

Sept. 11, 1909  
May 27, 1910

A. L. Freshafer  
J. A. Carr

360 A ft.  
300 A ft.

" " "  
" " "

# MIDDLE FORK

W. M. Baccus  
Catherine Austin

14  
24  
24

May 1, 1891  
" " "  
" " 1901  
" " 1894

Ben Wooden  
Henry Heimsoth  
George Shaw

30  
13  
21  
44

" " 1900  
" " "  
" " 1903

William B. Shaw  
Dave Duree  
C. E. Roper  
John Sweringen

5  
7½  
6

" " 1905  
" " 1911  
" " 1903

# FARMERS' CANAL

Mark Winkler  
Carrie Winkler  
E. Hinkle  
S. A. Moudy and E. Hinkle  
George Gould

60  
19  
{ 50  
32-  
19  
82  
7

June 1, 1891  
" " "  
" " "  
Jan. 1, 1900  
June 1, 1891  
" " "  
" " 1905

# FRANK HAHN DITCH

FRANK HAHN

383  
33  
38  
36  
60

June 1, 1902  
" " 1903  
" " 1904  
" " 1905

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said water, impounded as aforesaid, is intended by the said Orchards Water Company to substitute, at the mouth of the said Middle Fork, for and to take the place of water diverted from the Middle Fork by said Orchards Water Company, which prior appropriators below the mouth of the said Middle Fork are entitled to during the low water period.

XX.

Your Referee further finds and reports, that there is yet a large amount of work to do in adjusting the costs of this proceeding and checking entry of defaults, so that it will be impossible to report final findings and decree before the 1st of September next, and for that reason it is necessary and in the interest of justice, and the plaintiffs and defendants in this cause, that a temporary decree should be forthwith entered herein, thereby putting the aforesaid allotments into effect during the present season.

I further report that, from the evidence taken at Weiser on August 3d, as aforesaid, it appeared that the Weiser Irrigation District was receiving on August 1st, 1917, only 2,087 inches, and other ditches along the main Weiser river, the following amounts:

|                                     |       |        |
|-------------------------------------|-------|--------|
| Sunnyaside Ditch,                   | 896   | inches |
| Middle Valley Ditch,                | 1,414 | "      |
| Allison-Jewell "                    | 1,356 | "      |
| Orchards Water Company ditch        | 1,373 | "      |
| East Fork Ditch,                    | 337   | "      |
| Frank Hahn "                        | 131   | "      |
| Farmers Canal,                      | 205   | "      |
| Glenn-McMahan ditch                 | 346   | "      |
| Robertson-Sevey "                   | 235   | "      |
| Glenn West Fork "                   | 374   | "      |
| Grooms, Addington, West Fork ditch, | 103   | "      |

It further appeared from said evidence that the Orchards Water Company was and is delivering, or attempting to deliver, storage water from the Lost Creek Reservoir, at the mouth of ~~Full~~ <sup>Lost</sup> Creek, but that

OLYMPIA, WASH. COMMISSIONER OF THE LAND OFFICE  
SAY: That the water of the said river was being diverted from the river and used by and through other ditches before the same reached the mouth of the said Middle Fork.

XXI.

For the reasons last aforesaid, as Referee, I hereby recommend the immediate entry of a temporary decree, thereby subjecting the administration of the waters of said river to the State Engineer for allotment and distribution under the decree accompanying these findings and report.

I further certify and report that I have given personal notice to each and all of the Attorneys in this cause for whose clients allotments have been made, that this report will be presented to this Court at 2 o'clock P. M. on Monday August 6th, 1917, and that as such Referee, I would ask for the confirmation of said report in behalf of all parties to the case and for an immediate entry of a temporary decree in accordance with said report.

Respectfully submitted, this 6th day of August, 1917.

Fremont Wood,

Referee.

State of Idaho,  
County of Washington.

I, Frank W. Smith, Clerk of the District Court in and for the County of Washington, State of Idaho, hereby certify that the within and foregoing is a true and complete copy of the findings and report of Referee in the above entitled case, filed in said Clerk's office on the 6th day of August, 1917.

WITNESS my hand and the seal of said Court, this 6th day of August, 1917.

*Frank W. Smith*  
Clerk of said Court.

[illegible]

BLUE SHAPE IS ORIGINAL  
DECREE LAND DESCRIPTION.

GREEN SHAPE IS  
RECOMMENDED PLACE OF USE.

### T17N R1W S28

NENW      NWNE      NENE

SENW      SWNE

NESW      NWSE

SESW      SWSE

### T17N R1W S33

NENW      NWNE

SENW      SWNE

NESW      NWSE

SESW      SWSE

SWNW

SENW

SWNE

SENE

NWSW

NESW

NWSE

NESE

SWSW  
0.4 acres

SESW  
15 acres

SWSE  
20 acres

NWNW  
0.2 acres

NENW  
10 acres

NWNE  
8 acres

### T17N R1W S27

SENE  
3.4 acres

SWNW  
4.8 acres

SENW  
23 acres

NESE  
27 acres

NWSW  
25 acres

SWSW  
24 acres

SESE  
5 acres

NESW

NWSE

NESE

SESW

SWSE

SESE

### T17N R1W S34

NENW

NWNE

NENE

SENW

SWNE

SENE

NESW

NWSE

NESE

NWSW

SWSW

SESW

NWSW

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-2053AH V1

WATER RIGHT NUMBER: 67-2053AH V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                                     |
|-------------------|---------------------------------------------------------------------------------------------|
| Original Owner    | BARR S JACOBS<br>C/O LOIS POYNOR<br>1266 W 1ST ST<br>WEISER, ID 83672-1522<br>(208)549-4854 |
| Current Owner     | WILLIAM R SHORE<br>PO BOX 547<br>COUNCIL, ID 83612<br>(208)256-4565                         |
| Current Owner     | ROBERTA S SHORE<br>PO BOX 547<br>COUNCIL, ID 83612<br>(208)256-4565                         |

Priority Date: 05/27/1910

Basis: Decreed

Status: Disallowed

Source

LOST CREEK

Tributary

WEISER RIVER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION STORAGE    | 1/01 to 12/31           |                       | 200.00 AF            |
| STOCKWATER            | 6/15 to 11/01           |                       | 200.00 AF            |
| IRRIGATION            | 6/15 to 11/01           |                       | 200.00 AF            |
|                       | <u>Total Diversion:</u> |                       | 200.00 AF            |

Location of Point(s) of Diversion

LOST CREEK

SE1/4NW1/4

Sec. 28, Twp 19N, Rge 01W, B.M.

ADAMS 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   |        |      |
| 17N | 01W | 22  |      |     |    |     |      |    |      |      |      |      |    | 24.0 |     |    | 10.0 | 16.0 |        | 50.0 |
| 17N | 01W | 27  |      | 7.0 |    |     | 11.0 |    | 12.0 | 13.0 | 26.0 | 14.0 |    |      |     |    |      |      |        | 83.0 |
| 17N | 01W | 28  |      |     |    | 5.0 |      |    |      |      |      |      |    |      | 9.0 |    |      | 5.0  |        | 19.0 |
| 17N | 01W | 33  | 10.0 |     |    |     |      |    |      |      |      |      |    |      |     |    |      |      |        | 10.0 |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-2053AH V1

|            |  |  |  |      |  |  |  |  |  |      |
|------------|--|--|--|------|--|--|--|--|--|------|
| 17N 01W 34 |  |  |  | 24.0 |  |  |  |  |  | 24.0 |
|------------|--|--|--|------|--|--|--|--|--|------|

Total Acres: 186

STOCKWATER same as IRRIGATIONConditions of Approval:

1. P16 RECOMMENDED AS RIGHT NO. \_\_\_\_\_: This is included for a claim that is PROPOSED to be disallowed because the right claimed is recommended pursuant to another right. The remark indicates the water right number of the OTHER right that is proposed to be recommended. If you are not mailed a notice of the recommendation of the OTHER right, then the OTHER right is recommended in another claimant's name.
2. P06 Recommended as Rights Nos. 67-14566, 67-14567 and 67-14568.

Remarks:Comments:

1. enorques 5/4/2005 Disallow  
Comment: Recommend in name of Lost Valley Reservoir Co.
2. csaxton 5/3/2006 Copied From Claim  
Comment: ADDRESS CHANGED PER CLAIMANT LETTER. 11/17/98 LH  
OWNERSHIP CHANGED BY DB 8/24/2000.

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:Water Supply Bank:

[illegible]

# Idaho Dept. of Water Resources Place of Use Comparison Report

[illegible]

| Type  | WR #      | Owner                                                        | Source       | TRS      | NENE | NWNE | SWNE | SENE | NENW | WNW | SWNW | NWSW | NESW | SESW | NESE | NWSE | SWSE | SESE Total |
|-------|-----------|--------------------------------------------------------------|--------------|----------|------|------|------|------|------|-----|------|------|------|------|------|------|------|------------|
| Claim | 67 2053AH | WILLIAM R SHORE, ROBERTA S SHORE,                            | LOST CREEK   | 17N01W27 |      |      | 7    |      | 11   |     |      | 28   |      | 14   |      |      |      | 83         |
| Right | 67 361    | PHILIP H SCHAFF, THOMAS L WATT,                              | MILL CREEK   | 17N01W27 |      |      |      |      |      |     |      |      |      |      |      |      | X    | 0          |
| Claim | 67 11242  | ROBERTSON SEVEY DITCH CO.                                    | WEISER RIVER | 17N01W27 | 6    |      |      |      |      |     |      |      |      |      |      |      |      | 6          |
| Claim | 67 11243  | ROBERTSON SEVEY DITCH CO.                                    | WEISER RIVER | 17N01W27 | 6    |      |      |      |      |     |      |      |      |      |      |      |      | 6          |
| Claim | 67 11417  | FARMERS CANAL WATER USERS ASSN,                              | WEISER RIVER | 17N01W27 | 37   |      |      |      |      |     |      |      |      |      |      |      |      | 37         |
| Claim | 67 11419  | CRYSTAL V WHITE, ROY E GOULD, R TODD NELSON, DONNA K NELSON, | WEISER RIVER | 17N01W27 |      |      |      |      |      |     |      |      | 0.5  |      | 14   | 0.5  | 31   | 10         |
| Claim | 67 14091  | DIANNA ANDERSON, KELLY ANDERSON,                             | WEISER RIVER | 17N01W27 |      |      | 21   | 21   |      |     |      | 2    |      |      | 23   | 30   |      | 97         |
| Claim | 67 2117   | STEVEN R SHUMWAY                                             | WEISER RIVER | 17N01W27 | 37   |      |      |      |      |     |      |      |      |      |      |      |      | 37         |
| Claim | 67 4114B  | ROBERTSON SEVEY DITCH CO.                                    | WEISER RIVER | 17N01W27 | 6    |      |      |      |      |     |      |      | 2.5  |      | 14   | 23   | 30.5 | 20         |
| Claim | 67 4116   | FARMERS CANAL WATER USERS ASSN,                              | WEISER RIVER | 17N01W27 |      |      | 21   | 21   |      |     |      |      |      |      |      |      |      | 163        |
| Claim | 67 45     | STEVEN R SHUMWAY, ELSIE B SHUMWAY,                           | WEISER RIVER | 17N01W27 |      |      |      |      |      |     |      | 28   |      |      |      |      |      | 7          |
| Claim | 67 46     | WILLIAM R SHORE, ROBERTA S SHORE,                            | WEISER RIVER | 17N01W27 |      |      | 7    |      | 11   |     | 12   | 13   |      |      |      |      |      | 83         |
| Claim | 67 47     | WILLIAM R SHORE, ROBERTA S SHORE,                            | WEISER RIVER | 17N01W27 |      |      | 7    |      | 11   |     | 12   | 13   |      |      |      |      |      | 83         |
| Claim | 67 48     | WILLIAM R SHORE, ROBERTA S SHORE,                            | WEISER RIVER | 17N01W27 |      |      | 7    |      | 11   |     | 12   | 13   |      |      |      |      |      | 83         |
| Claim | 67 49     | WILLIAM R SHORE, ROBERTA S SHORE,                            | WEISER RIVER | 17N01W27 |      |      | 7    |      | 11   |     | 12   | 13   |      |      |      |      |      | 83         |
| Claim | 67 75     | ROBERTSON SEVEY DITCH CO.                                    | WEISER RIVER | 17N01W27 | 6    |      |      |      |      |     |      | 28   |      | 14   |      |      |      | 6          |
| Bec   | 67 11243  | ROBERTSON SEVEY DITCH CO.                                    | WEISER RIVER | 17N01W27 | X    |      |      |      |      |     |      |      |      |      |      |      |      | 0          |
| Bec   | 67 11419  | CRYSTAL V WHITE, ROY E GOULD, R TODD NELSON, DONNA K NELSON, | WEISER RIVER | 17N01W27 |      |      |      |      |      |     |      |      | 2.4  | 22   | 22   | 0.3  | 28   | 7.2        |
| Bec   | 67 14091  | DIANNA ANDERSON, KELLY ANDERSON,                             | WEISER RIVER | 17N01W27 |      |      | 26   | 22   |      |     |      |      | 2    |      |      |      |      | 87         |
| Bec   | 67 2117   | STEVEN R SHUMWAY,                                            | WEISER RIVER | 17N01W27 | 35   |      |      |      |      |     |      |      |      |      |      |      |      | 35         |
| Bec   | 67 4114B  | ROBERTSON SEVEY DITCH CO.                                    | WEISER RIVER | 17N01W27 | X    |      |      |      |      |     |      |      |      |      |      |      |      | 0          |
| Bec   | 67 4116   | FARMERS CANAL WATER USERS ASSN                               | WEISER RIVER | 17N01W27 | X    |      | X    | X    |      |     |      |      | X    | X    | X    | X    | X    | 0          |
| Bec   | 67 45     | STEVEN R SHUMWAY, ELSIE B SHUMWAY,                           | WEISER RIVER | 17N01W27 | X    |      |      |      |      |     |      |      |      |      |      |      |      | 7          |
| Bec   | 67 75     | ROBERTSON SEVEY DITCH CO.                                    | WEISER RIVER | 17N01W27 | X    |      |      |      |      |     |      |      |      |      |      |      |      | 0          |
| Right | 67 2117   | GEORGE GOULD,                                                | WEISER RIVER | 17N01W27 | 37   |      |      |      |      |     |      |      |      |      |      |      |      | 37         |
| Right | 67 39     | MARK WINKLER,                                                | WEISER RIVER | 17N01W27 |      |      | X    | X    |      |     |      |      | X    |      | X    |      |      | 0          |
| Right | 67 40     | CARRIE WINKLER,                                              | WEISER RIVER | 17N01W27 |      |      |      |      |      |     |      |      |      |      |      |      |      | 0          |
| Right | 67 4114   | ROBERTSON SEAVEY DITCH CO.                                   | WEISER RIVER | 17N01W27 | 6    |      |      |      |      |     |      |      |      |      |      |      |      | 6          |
| Right | 67 4116   | FARMERS CANAL WATER USERS ASSN,                              | WEISER RIVER | 17N01W27 |      |      | X    | X    |      |     |      |      | X    | X    | X    | X    | X    | 0          |
| Right | 67 44     | GEORGE GOULD,                                                | WEISER RIVER | 17N01W27 |      |      |      |      |      |     |      |      |      |      |      |      |      | 0          |
| Right | 67 45     | GEORGE GOULD,                                                | WEISER RIVER | 17N01W27 |      |      |      |      |      |     |      |      |      |      |      |      |      | 0          |
| Right | 67 46     | FRANK A HAHN,                                                | WEISER RIVER | 17N01W27 |      |      |      | X    |      |     |      | X    |      |      |      |      |      | 0          |
| Right | 67 47     | FRANK A HAHN,                                                | WEISER RIVER | 17N01W27 |      |      | X    | X    |      |     |      | X    |      |      |      |      |      | 0          |
| Right | 67 48     | FRANK A HAHN,                                                | WEISER RIVER | 17N01W27 |      |      | X    | X    |      |     |      | X    |      |      |      |      |      | 0          |
| Right | 67 49     | FRANK A HAHN,                                                | WEISER RIVER | 17N01W27 |      |      | X    | X    |      |     |      | X    |      |      |      |      |      | 0          |

## Page 1

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

November 22, 2006

WILLIAM AND ROBERTA SHORE  
PO BOX 547  
COUNCIL ID 83612

**RE: EVIDENCE OF PRIORITY**

Snake River Basin Adjudication Claim No(s): A67-46, 67-47, 67-48, & 67-49

Dear Claimants,

I have been asked to review the above claims you filed in the Snake River Basin Adjudication (SRBA). In my review I discovered that an error was made when you filed water right 67-49. The original water right of 67-49 was for 83 inches or 1.66 cfs. On your SRBA claim, you listed the diversion rate as 0.83 cfs or 41.5 inches. I believe this was just an unconscious error on your part, and I would like to get it fixed before I recommend all of your water rights.

Unfortunately, we will be submitting these claims to SRBA court very soon, so our time to fix this error without going through the courts is very limited. **If you cannot come to my office and amend this claim by 12/1/2006, I will be forced to recommend this water right for the 0.83 cfs claimed or half of the original water right.**

Please contact me at the above address as soon as possible.

Respectfully,

Daniel A. Nelson  
Senior Agent  
Western Region Office – IDWR

**IMMEDIATE RESPONSE IS REQUIRED!**



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

April 9, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

William R. and Roberta Shore  
P.O. Box 547  
Bancroft, ID 83612

**RECEIVED**

**APR 20 2001**

WATER RESOURCES  
WESTERN REGION

RE: Snake River Basin Adjudication (SRBA)  
Address Change Request  
Water Rights #67-14073, 67-46, 67-47, 67-48, 67-49, 67-2053AH  
and 29-586

Dear Mr. & Mrs. Shore:

I have modified our records as you requested to reflect your new address on the water rights listed above.

Water right #29-586 was not in your note, Mrs. Shore, but it has your old address on Ivins Rd., so I changed that right also to reflect your current address. If you have sold the property and water right #29-586, the new owner must contact us before we can remove your names.

If you have any questions, please give me a call at 208/327-7862.

Sincerely,

Sally Sherman  
Technical Records Specialist  
Adjudication Bureau  
208/327-7862  
[ssherman@idwr.state.id.us](mailto:ssherman@idwr.state.id.us)

SS:region

A note from

Mrs. Bobbie Shore

RECEIVED

STATE OF IDAHO  
DEPT. OF WATER RESOURCES APR - 6 2001  
P.O. BOX 83720  
BOISE, ID. 83720-0098 Department of Water Resources

GENTLEMEN:

PLEASE CHANGE OUR ADDRESS FROM:

WILLIAM R. + ROBERTA SHORE  
2055 IVINS RD.  
BANCROFT, ID. 83217

TO:

WILLIAM R. + ROBERTA SHORE  
P.O. BOX 547  
BANCROFT, ID. 83612

- WATER RIGHTS -  
#67-14073, A67-00046,  
A67-00047, A67-00048,  
A67-00049, + A67-02053AH

Thanks,  
Roberta Shore

Mrs. Shore  
called me  
4-16-01 +  
told me they  
sold 29-506  
and the men  
is Council, not  
Bancroft.

I changed  
all records  
to Council +  
did an NCAP.

ss  
4-16-01

+ changed ph.#  
to Council #

200/256-4565

records modified 4-6-01.  
ss  
Mrs. Shore didn't realize  
she'd put Bancroft as old  
and new address.



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

August 24, 2000

ROBERTA S SHORE  
WILLIAM R SHORE  
2055 IVINS RD  
BANCROFT ID 83217

RE: Water Right No. 67-14073

Dear Property Owners:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Please note, the ownership has also been changed on claim numbers A67-00046, A67-00047, A67-00048, A67-00049 and A67-02053AH, and copies are enclosed.

Thank you for your patience and cooperation, as we have had several ownership changes to process and complete. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington  
Office Specialist I  
Adjudication Section  
Western Region

DB:db

Enclosures

cc: Barr S Jacobs, c/o Lois Poynor



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098  
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

JUL 30 1998

July 20, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

ESTATE OF BARR S JACOBS  
C/O LOIS PAYNOR  
1266 W 1 ST  
WEISER ID 83672-1522

- *Paynor*

RE: Snake River Basin Adjudication (SRBA)  
Notice of Claims A67-14073, A67-00046, A67-00047, A67-00048, A67-00049, A67-02053AH  
Change of Address

Dear Ms. Paynor:

The Department has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water rights or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter. Please return the letter by August 31, 1998. Thank you for your help.

**If your mail delivery address changes in any form, please contact us in writing so we can update our records.**

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Anita L. Warntjes  
Administrative Assistant  
Adjudication Bureau

ALW  
CC:region

#####

The address is correct as shown above or as otherwise changed.

\_\_\_\_\_  
Claimant Signature

State- Zip-

MICROFILMED  
OCT 22 1996

|                   |   |            |                 |   |            |                    |    |
|-------------------|---|------------|-----------------|---|------------|--------------------|----|
| 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  |
| Exam to S.O. Date | - | 00/00/0000 | Verified Date   | - | 03/26/1985 | DLE/Carey Act      | -  |
| Order Show Cause  | - | 00/00/0000 | Receipt Number  | - |            | Water District     | 67 |
| Licensed Date     | - | 00/00/0000 | Appl Received   | - | 00/00/0000 | Transfer/Amended   | -  |
| Decree Date       | - | 06/20/1921 | Name Connector  | - |            | POU Ownership Flag | -  |
| Presumption Flag  | - |            |                 |   |            |                    |    |

**MICROFILMED**  
**OCT 22 1996**