

06/21/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-55

NAME AND ADDRESS: SOUTH RANCH VENTURES LLC
PO BOX 44
COUNCIL ID 83612

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.900 CFS

PRIORITY DATE: 06/01/1884

POINT OF
DIVERSION:

T17N R01W S4 SWNE Lot 1 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	0.900 CFS
PLACE OF USE:	<u>IRRIGATION in ADAMS County</u>		
	T17N R01W S14 SWSW	28.00	T17N R01W S14 SESW 15.00
	T17N R01W S23 NWNE	0.40	T17N R01W S23 SWNE 6.90
	T17N R01W S23 NENW	14.00	T17N R01W S23 NWNW 36.00
	T17N R01W S23 SWNW	37.00	T17N R01W S23 SENW 23.00
	T17N R01W S23 NESW	2.20	

162.5 ACRES TOTAL

This right is limited to the irrigation of 72.0 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 162.5 acres in a single irrigation season. Combined Right Nos.: 67-55, 67-65, 67-73B, 67-74B, 67-373B, 67-375A, and 67-11304A

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

Use of this right is combined with water from Robertson Sevey Ditch Co.

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

12/13/2006

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

RIGHT NUMBER: 67-55

NAME AND ADDRESS: DOUGLAS M SCISM
PO BOX 44
COUNCIL ID 83612

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.900 CFS

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION:

T17N R01W S4 SWNE Lot 1 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	0.900 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T17N R01W S14	SWSW	28.00	T17N R01W S14	SESW	15.00
T17N R01W S23	NWNE	0.40	T17N R01W S23	SWNE	6.90
T17N R01W S23	NENW	14.00	T17N R01W S23	NWNW	36.00
T17N R01W S23	SWNW	37.00	T17N R01W S23	SENW	23.00
T17N R01W S23	NESW	2.20			

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Idaho Department of Water Resources



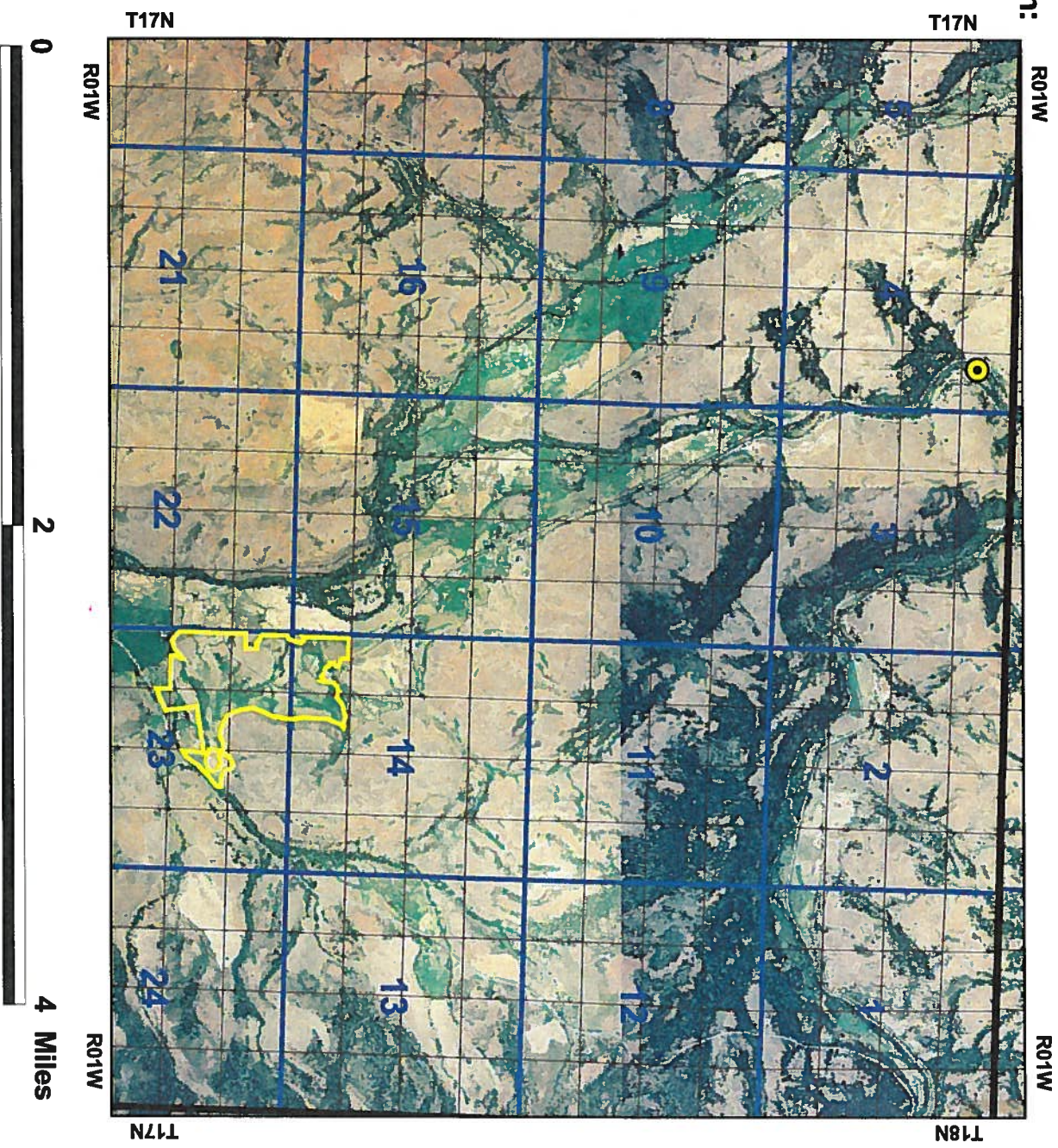
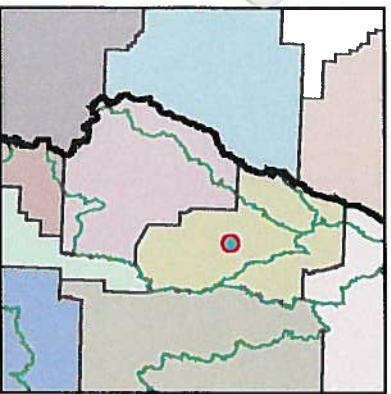
SRBA Recommendation:

67-55

(Irrigation)

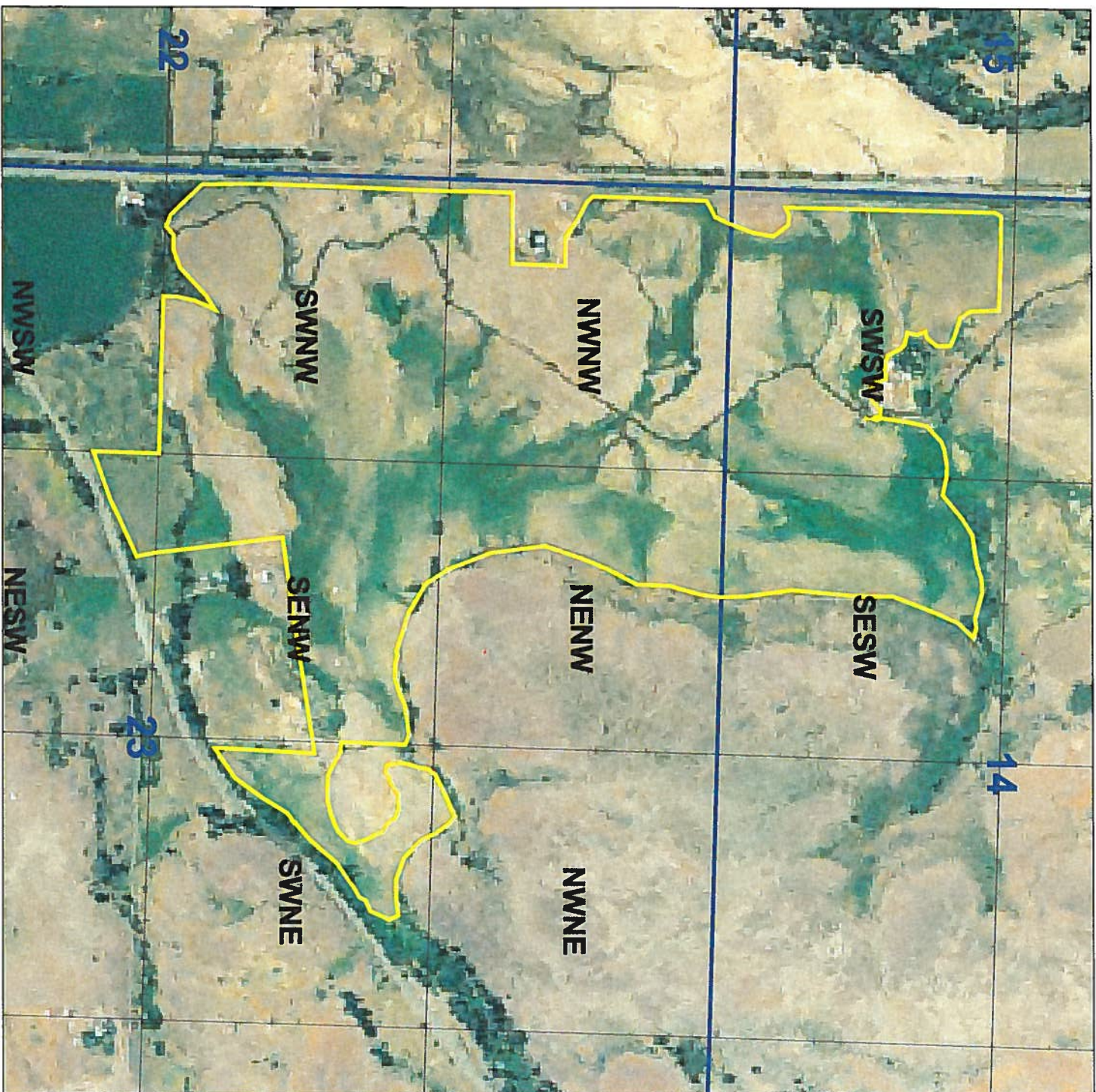
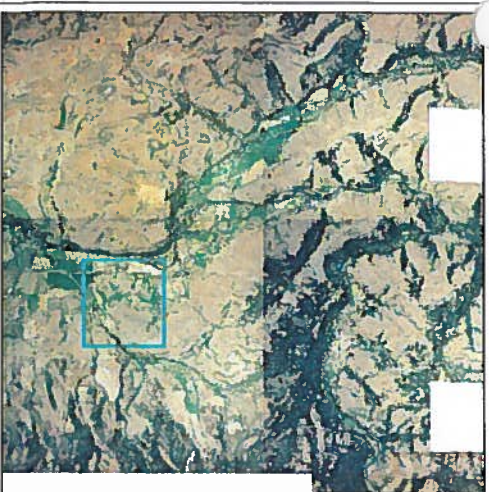
Legend

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



Prepared by IDWR State Office
On Wednesday, December 13, 2006
1987/88 Aerial Photography

67-55



Contacts Data Entry Form

Claim Number: 67-55

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	WILLIAM M GLENN			ID		
Current Owner	DOUGLAS M SCISM	PO BOX 44	COUNCIL	ID	83612	(208)253-6023

Date of Field Exam: 6-14-05 Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

FE By Melanie Winney

Reviewer: C. E. [Signature]Date: 11-10-05

Claim Number 67-55

Claimed Basis: Decreed

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Basis: Decreed

Recommended Priority Date _____ Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

As Decreed

Reviewer: E. E. E. E. E.

Date: 11-10-05

Point of Diversion and Source Data Entry Form

Claim Number 67-55

Claimed Point of Diversion and Source

T17N R01W S4 NENENE Within ADAMS 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

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
17N	1W	4	1	SW NE NE	Adams	Weiser

Other rights from this POD? 67-65, 67-73B, 67-74B

Document how the POD and Source were verified:

Basco Baker GPS - A0014008

Reviewer: C. S. [Signature]Date: 11-10-05

Place Of Use Data Entry Form

Claim Number 67-55

Claimed Place Of Use

T17N R01W S14	SWSW	10.0	T17N R01W S14	SESW	15.1
T17N R01W S23	NWNE	0.5	T17N R01W S23	SWNE	4.5
T17N R01W S23	NENW	14.0	T17N R01W S23	NWNW	34.0
T17N R01W S23	SWNW	30.3	T17N R01W S23	SENW	24.0
T17N R01W S23	NESW	2.4			

Total Acres 134.8

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T17N R01W S14	SWSW	T17N R01W S15	SESE
T17N R01W S22	NENE	T17N R01W S22	SENE

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:

limited to 72 ac @ 5/8 inches Per acre
PPU / CFS

see Attachment for Acreage Breakdown/Distribution

Reviewer:

C. Gault

Date:

11-10-05

Split/Overlap Analysis

Water Right Number: Scism

Diversion Rate: **CFS**

[illegible]

Purpose of Use Data Entry Form

Claim Number 67-55

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

--	--	--	--	--

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Document how the Purpose of Use was verified:

As Decreed

Reviewer:

C. Gump

Date:

11-10-05

Period of Use and Quantity Data Entry Form

Claim Number 67-55

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	0.9	

Overall Diversion Rate 0.9

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	/	/	0.9	

Overall Diversion Rate 0.9

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

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

As Deeded

Reviewer: C. GaudinDate: 11-10-05

WR History

67-00055	Scism
	0.9
	72

Extra CFS =	0
Extra Acre =	0
Extra AFA =	n/a

For digital copy of Excel spreadsheet file: See Craig L. Saxton

Page #	Parcel Number	Name	New Charge 2005	New Charge 2003	Water in Inches	Original Owner	Priority Date	Source
27	7N01W14E	SCISM, DOUGLAS	\$ 36.00	\$31.50	45	W GLENN	6/1/84	Robertson Sevey D

MEMORANDUM

no flow measurement
needed (per watermas)

To: File
From: Melanie Vining, contract field examiner, Basin 67
Date: June 14, 2005

Re: Water rights 67-14532, 67-14534, 67-14542

The Problem:

The water rights listed above originated with decreed water rights 67-50a, 67-55, and 67-11305 (combined from 67-61 and 67-62). These rights were all subject to the Muir vs. Allison decree; however, the place of use for each was different than is currently claimed. I met with Mr. Scism, the current owner, on 6/14/05.

Notes:

The decreed place of use for 67-14532 was originally to the northwest of the claimed POU, in T17N, R01W, Section 15 NESW, NWSW, NWSE, NESE, SWSE, and Section 14 SWNW. This ground lies upstream on the Weiser River.

The decreed place of use for 67-14534 was originally to the west of the claimed POU, in T17N, R01W, Section 15 SESE, Section 22 NENE and SENE, and Section 14 SWSW (this QQ is included in claimed POU).

The decreed place of use for 67-14542 was originally to the north of the claimed POU, in T17N, R01W, Section 14, NWSW.

Mr. Scism bought the property in question in 1979. He said that all of the water rights currently used came with the land and were in use when he purchased it. It does not appear that there are any competing claims on this water. He also stated that he was told that originally, there were several small ditches in the area and that at some point in time their waters were combined and added to the Robertson-Sevey ditch, from which all of these claims are delivered. This MAY explain the change in POU, but Mr. Scism was not aware of any further history.

I visited the claimed POU with Mr. Scism, and the lay of the land supports the delivery of water from the Robertson-Sevey ditch (see attached map and notes). Geography supports that this water could have been transferred from the decreed POUs to the claimed POU, as all of the lands in question lie downhill from the Robertson-Sevey ditch, and downstream from the POD (T17N R01W, Section 4, NENENE).

The west half of Section 23 NWNW in the claimed POU lies on the west side of Farmer's canal, which cuts through the claimed POU (see attached map). Mr. Scism said that in some years, this land could be irrigated with Farmer's canal water. However, the

claimant explained that in order to irrigate this land from the Robertson-Sevey ditch, water was allowed to flow into Farmers Canal (see red arrows on map) and then immediately was pumped via a "big squirt" tractor-mounted pump onto the land in question.

NOTE: This memo may also be pertinent to 67-14533, 14531, and 14541, as they are the other parts of the splits off of the parent rights. These claims are all in the name of Karl and Judit Cole. See attached map for location of property.

POB
Sec 5
NENE IN

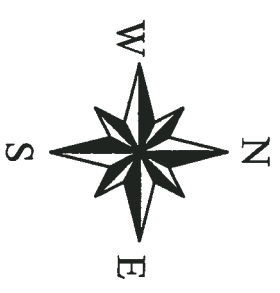
Parent rights: 67-50a, 67-55, 67-11305

Current rights: 67-14531, 14532, 67-14533, 14534, 67-14541, 14542



= Area irrigated from
Robertson-Seymour ditch
using runoff + well water
pump (see memo attached)

- 67-11305_parentto_14542_14541.shp
- 67-50a_parentto_14532_14531.shp
- 67-55_parentto_14533_14534.shp
- 67-14533_14531_14541.shp
- 67-14534_14532_14542.shp
- Streams.shp
- T_r_sections.shp
- Quarterquarters.shp
- Parcels.shp



CONVERSATIONAL MEMORANDUM

Date: September 14, 2005

To: File 67-372 and 67-373

From: Craig L. Saxton

Subject: Evidence of priority

Spoke with Judith Cole. She feels that she should have water rights out of Fort Hall Creek. She said there is a system in place that could only been used for Fort Hall water, but Scism has claimed all of it and one of his neighbors.

After a long discussion, I told her that if she felt she should have a water right out of Fort Hall Creek, she should file a claim and we will look into it. I could be disallowed, or we could recommend it, but the only way to guarantee that we will look into it is to file a claim.

Notes

67-14534

field exam 6/14/05:

See memo + map re: 67-14532, 14534, 14542

Notes

67-14533

parent right: 67-055

* no flow measurement needed (< 200 cfs)

confirm POW, acreage - need evidence of accomplished transfer.
confirm POW POW in original decree is
different from claimed POW

Middle Valley Ditch.

Middle Valley Irrigating Ditch Company

Allison Jewell Ditch.

Alexander Allison

Joseph Allison

Eugene Looney

Harry Coon

Smith-Janes-Martin Ditch

B. F. Janes

Marion Smith

Heirs of R H Martin

Post-Weston Ditch.

J Emmett Pfost

Grace Everest

Goldie Abernathy

Fred Jewell

John A Pfost

Farmers Canal.

Mark Winkler

Carrie Winkler

E Hinkle

S A Moudy and E Hinkle

George Gould

Frank Hahn Ditch.

Frank Hahn

Glenn McMahon Ditch.

Isaac McMahon

For Power

Hollie A. McMahon

Samuel E McMahon

William M Glenn

Lester I McMahon

1000	July 7, 1885	67	0023
700	Nov. 1, 1887	67	0024
500	May 1, 1889	67	0025
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
10	July 4, 1885	67	0031
90	July 4, 1886	67	0032
90	July 4, 1886	67	0033
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
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
33	June 1, 1902	67	0046
38	June 1, 1903	67	0047
36	June 1, 1904	67	0048
83	June 1, 1905	67	0049
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, 1885	67	0054
45	June 1, 1884	67	0055
4	May 31, 1884	67	0056

FRED M JIMMEL: 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.

MARK 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 ($SE\frac{1}{4}NW\frac{1}{4}$) 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.

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 ($SE\frac{1}{4}SW\frac{1}{4}$) 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.

HOLLIE 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 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.

JUL 24 1996

S 14 SW SW
S 15 SE SE
S 22 NE NE
SE NE

John V. Hower

1. Hower's Block

Post Andrew Dixon

43

100

Step 31 1884

31 1884

GLENN McMAHON DITCH

Isaac McMahon	10 9 for power 400	May 31, 1884 " 1, 1901 July 1, 1908
Relie A. McMahon	4	June 1, 1884
Samuel E. McMahon	22	" " "
W. M. Glenn	45	" " "
Lester I McMahon	4	May 31, "

ROBERTSON SHAVEY DITCH

George Robertson	5 30	June 1, 1884 " " 1887
S. D. Goshert	38	May 1, 1906
Lester I. McMahon	18	April 1, 1901
G. T. Hamill	25 5	May 1, 1906 " " 1916
Samuel E. McMahon	1	April 1, 1901
Relie A. McMahon	22 10	" " " " " " " "
Isaac McMahon	4 4	" " 1905 " " 1901
Lillian G. Spefford	45	" 25, "
E. R. Windes	135 20	May 1, 1908 " 18, 1910
First Bank of Council	10	" " "
J. J. Jones	8	" 25, "
Fruitvale Townsite Company & its Grantees	30	Sept 23, 1901
Phillip Walstrom	4 4	May 1, 1906 " 1, 1901
C. E. Cox	24	Sept 23, 1901

DOMLINSON YANTIS DITCH

Mary E. Tomlinson	50	June 13, 1905
E. W. Tomlinson	55	" " "
Sarah Yantis	40	" " "
L. A. Spira	10	" " "
Ralph Yantis	8	Dec. 31, 1908

JUL 24 1996

the direction of the water commissioner or other officers charged by law with the execution of this decree and the waters of the said Hornet Creek Reservoir are to be distributed by the said water commissioner or other officers to the stockholders of the said Hornet Creek Water Storage Association according to their respective rights of said stockholders as the same shall appear by notice given said water commissioner for said water storage association at the commencement of each irrigation season.

It is further ordered, adjudged and decreed that the said Weiser Irrigation District may divert all of the waters flowing in said river during the low water period at the head of its canal upon delivery to the said Weiser City Water Ditch & Irrigating Company 450 inches of water, said delivery to be made at the gate or diversion point now connecting the two canals and where water has heretofore been diverted from the canal of the said Weiser Irrigation District into the canal of the said Weiser City Water Ditch and Irrigating Company.

As used in this decree the high water period shall include all that portion of the irrigation season when the river and its tributaries discharge sufficient water to supply all the allotments herein decreed on the basis of five-eighths ($\frac{5}{8}$) of an inch to the acre and the low water period shall consist of all that portion of the irrigation season when the discharge of the river and its tributaries is insufficient to supply the last named amount of water, and the foregoing allotments are made upon the basis of five-eighths ($\frac{5}{8}$) of an inch per acre, or its equivalent in irrigation heads, during the low water period, which is the maximum duty of water for said lands from said river and its tributaries, and whenever the commissioner, or other officer charged with the execution of this decree, finds the water in said river insufficient to supply the allotments as heretofore made on the basis of five-eighths ($\frac{5}{8}$) of an inch per acre, measured at the various diversion points, then and in that event the last appropriator in point of time shall be denied the use of said water.

Whenever the water flow in said river and tributaries shall be insufficient to supply the allotments as hereinbefore made, on the basis of five-eighths ($\frac{5}{8}$) of one miners' inch or its equivalent in irrigation heads, then and in that event the latest appropriator in order of time shall be denied the use of said water, and so on up the line of latest appropriators, dropping them out in chronological order, of the use of said water flow, so that the supply of water to said prior users shall be maintained in the distributing heads to five-eighths of a miners' inch per acre to the prior appropriators in the order of their priority, and the water commissioner having control of the distribution of said waters under this decree shall enforce the foregoing mentioned system and shall require measuring devices to be constructed at the various diversion points by the said appropriators so the water commissioner may be enabled to determine the measurement of the flow at such distributing points at all times.

It is further ordered, adjudged and decreed, that each of the parties hereto to whom water is allotted and decreed are hereby required to provide for the diversion of water from the said Weiser River and its tributaries in irrigating heads during the low water period, which said irrigating heads shall be the equivalent of five-eighths of a miners' inch to the acre continuous flow, and it is hereby decreed, and declared to be the duty of the water commissioner, or such other officer as is charged with the execution of this decree, to make or cause to be made necessary rules and regulations for the distribution of said water in irrigating heads during the low water period and to shut off said water supply from all ditches diverting the same whenever and wherever the parties