

06/21/2007

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

RIGHT NUMBER: 67-65

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: 04/25/1901

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

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

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

12/13/2006

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

RIGHT NUMBER: 67-65

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

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.900 CFS

PRIORITY DATE: 04/25/1901

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  |               |      |       |

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

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

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

12/13/2006

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

RIGHT NUMBER: 63-32514

NAME AND ADDRESS: PIONEER IRRIGATION DISTRICT  
PO BOX 426  
CALDWELL ID 83605

SOURCE: FIVE MILE CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 35.000 CFS

PRIORITY DATE: 05/01/1935

POINT OF DIVERSION:

T04N R02W S27 SESE Within ADA County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

35.000 CFS

PLACE OF USE:

34204.61 ACRES TOTAL

This right is limited to the irrigation of 34,204.61 acres within the boundary of the Pioneer Irrigation District.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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 - Beneficial Use

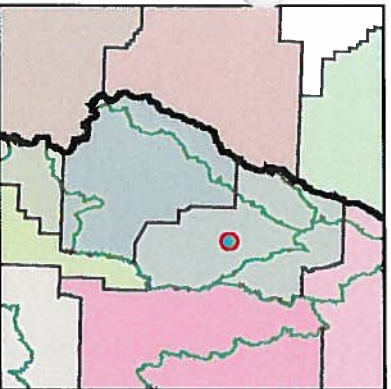
# Idaho Department of Water Resources



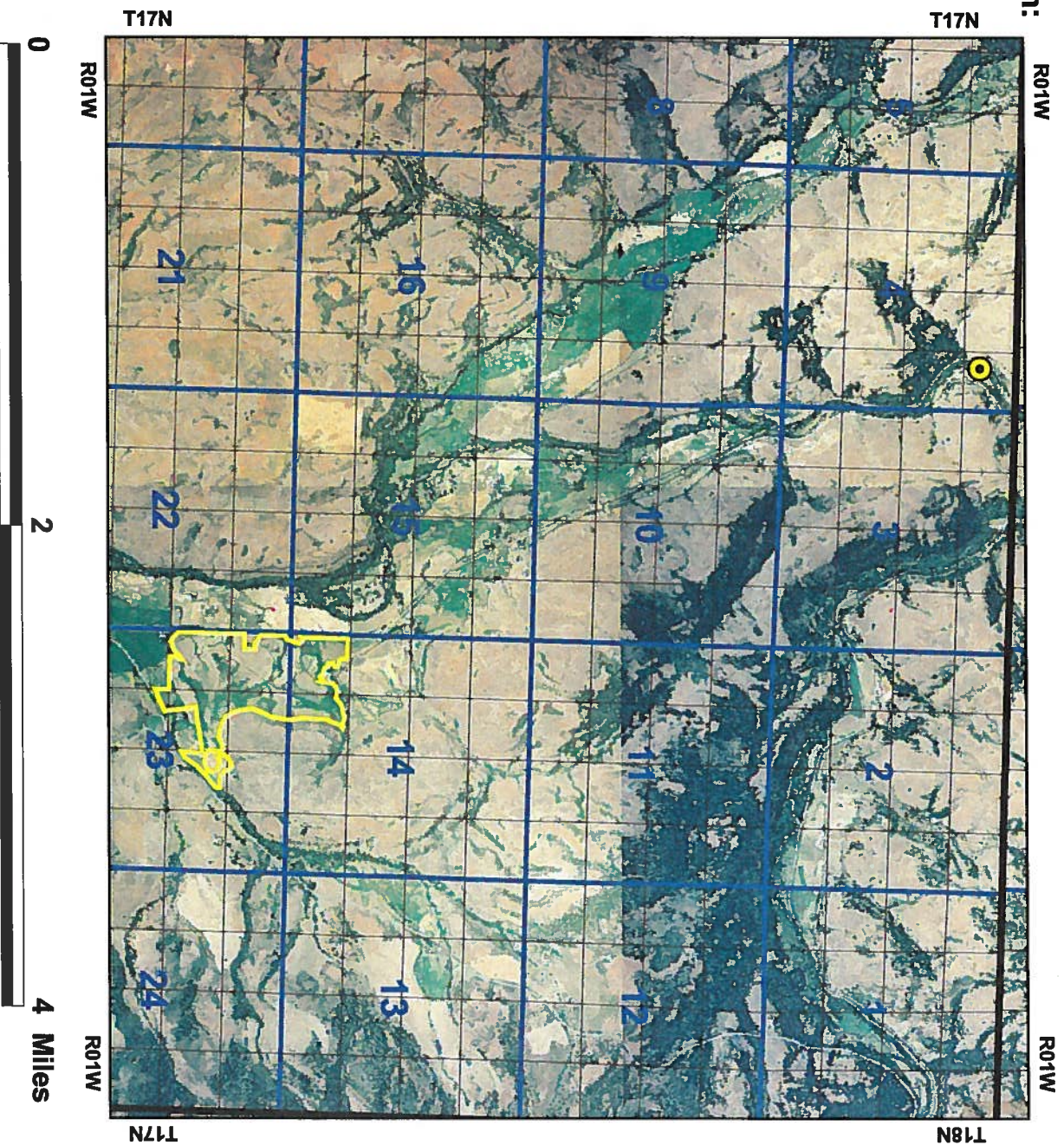
SRBA Recommendation:  
**67-65**  
(Irrigation)

## Legend

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

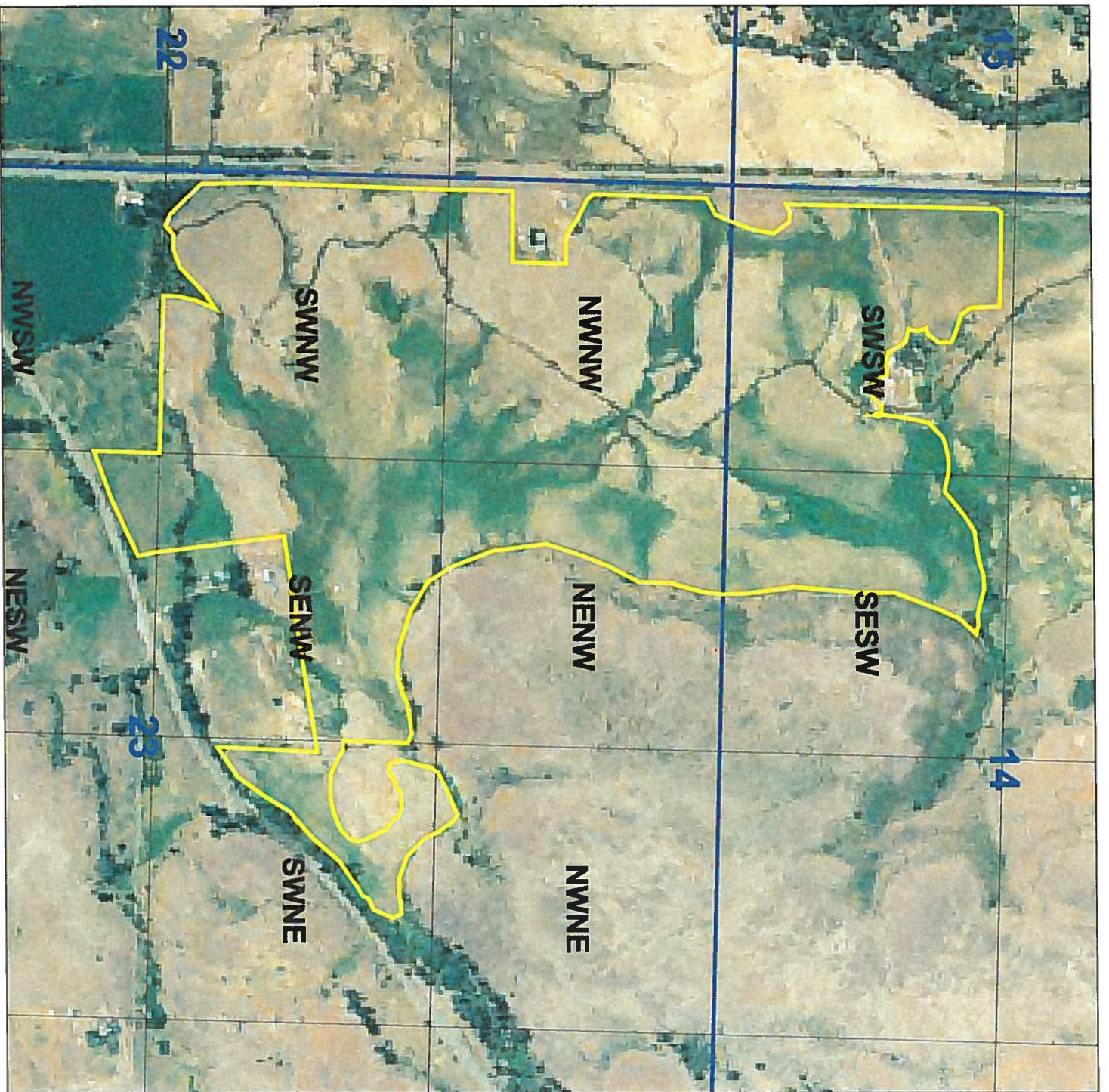
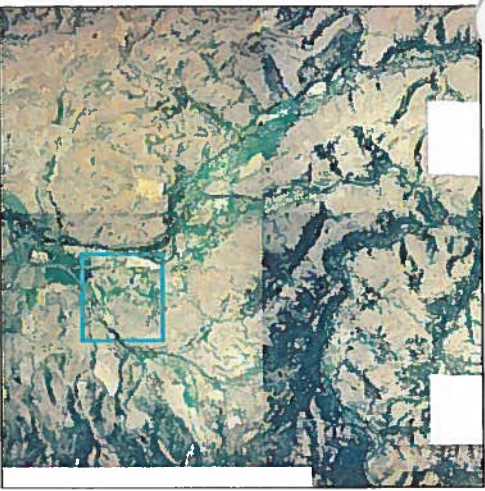


Adams County  
IDWR Basin 67



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

67-65



**Contacts Data Entry Form****Claim Number: 67-65**

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

Comment for 1: FE by Melanie Vining 6/14/05.

Date of Field Exam: \_\_\_\_\_ Time: \_\_\_\_\_

Accompanied By: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Relationship to Claimant: \_\_\_\_\_

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

Contacts Info Good

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reviewer: Date: 11-10-05

## Priority Date Data Entry Form

Claim Number 67-65

Claimed Priority Date: 4/25/1901

Claimed Basis: Decreed

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

Water Right Priority Date: 4/25/1901

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

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Reviewer: L. GantnerDate: 10-10-05

## Point of Diversion and Source Data Entry Form

Claim Number 67-65

## 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

WEISER

Tributary To

Snake

| Twp         | Rge         | Sec       | Gov Lot | QQQ of QQ of Q  | County       | Source        |
|-------------|-------------|-----------|---------|-----------------|--------------|---------------|
| <u>T17N</u> | <u>R01W</u> | <u>S4</u> |         | <u>SW NE NE</u> | <u>Adams</u> | <u>Weiser</u> |
|             |             |           |         |                 |              |               |
|             |             |           |         |                 |              |               |

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

Document how the POD and Source were verified:

GPS B-1 BPSD BPSL A0014008

Reviewer:

C. Engler

Date:

11-10-06

## Place Of Use Data Entry Form

Claim Number 67-65

## 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 | SESW | T17N R01W S23 | NENW |
| T17N R01W S23 | NWNW |               |      |

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 attachment

CØ5

## Split/Overlap Analysis

**Water Right Number: Scism**

Diversion Rate: CFS

| Twp | Rng | Sec | Q-Q  | Lot | Parent | From Robertson Sevey |       |  |  |  |
|-----|-----|-----|------|-----|--------|----------------------|-------|--|--|--|
|     |     |     |      |     | Scism  | Actual               | Scism |  |  |  |
| 17N | 1W  | 14  | SWSW |     | 10     | 8                    | 8     |  |  |  |
|     |     |     | SESW |     | 15.1   | 15                   | 15    |  |  |  |
|     |     | 23  | NWNE |     | 0.5    | 0.4                  | 0.4   |  |  |  |
|     |     |     | SWNE |     | 4.5    | 6.9                  | 6.9   |  |  |  |
|     |     |     | NENW |     | 14     | 14                   | 14    |  |  |  |
|     |     |     | NWNW |     | 34     | 35                   | 35    |  |  |  |
|     |     |     | SWNW |     | 30.3   | 30                   | 30    |  |  |  |
|     |     |     | SENW |     | 24     | 23                   | 23    |  |  |  |
|     |     |     | NESW |     | 2.4    | 2.5                  | 2.5   |  |  |  |
|     |     |     |      |     |        |                      |       |  |  |  |
|     |     |     |      |     |        |                      |       |  |  |  |
|     |     |     |      |     |        |                      |       |  |  |  |
|     |     |     |      |     |        |                      |       |  |  |  |
|     |     |     |      |     |        |                      |       |  |  |  |
|     |     |     |      |     |        |                      |       |  |  |  |
|     |     |     |      |     |        |                      |       |  |  |  |
|     |     |     |      |     |        |                      |       |  |  |  |
|     |     |     |      |     |        |                      |       |  |  |  |
|     |     |     |      |     | 134.8  | 134.8                | 0     |  |  |  |

Reviewer: L. Gault

Date: 11-10-05

## Purpose of Use Data Entry Form

Claim Number 67-65

## 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:

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Reviewer:



Date:

01-10-05

## Period of Use and Quantity Data Entry Form

Claim Number 67-65

## 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:

SOLL: IDWR StandardDiversion Rate: as DecreedNO VOLReviewer: C. GundersDate: 11-10-05

# Split history for Decreed Right 67-00065

Recommendation

WR History

Claim History

| 67-00065 |     | 67-00065 |       | 67-14536 |       | Combine |       | 67-00065 |       |
|----------|-----|----------|-------|----------|-------|---------|-------|----------|-------|
| 0.9      | cfs | 0.9      | Scism | 0.855    | Scism | 128.1   | Scism | 0.9      | Scism |
| 72       | ac  | 134.8    |       | 0        |       | 0       |       | 134.8    |       |
| 0        | af  | 0        |       |          |       |         |       | 0        |       |
|          |     |          |       | 67-14535 |       | Cole    |       |          |       |
|          |     |          |       |          |       | 0.045   |       |          |       |
|          |     |          |       |          |       | 6.7     |       |          |       |
|          |     |          |       |          |       | 0       |       |          |       |

|          |       |
|----------|-------|
| 67-00065 | Scism |
| 0.9      | 0.9   |
| 134.8    | 134.8 |

Acreage calculated at 5/8 in per acre as decreed.

|            |       |
|------------|-------|
| Sum CFS =  | 0.900 |
| Sum Acre = | 72    |
| Sum AF =   | n/a   |

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

|            |       |
|------------|-------|
| Sum CFS =  | 0.900 |
| Sum Acre = | 134.8 |
| Sum AF =   | n/a   |

|                     |     |
|---------------------|-----|
| Un-accounted CFS =  | 0   |
| Un-accounted Acre = | 0   |
| Un-accounted AFA =  | n/a |

\*Last updated 11-4-05 (csaxton)

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

| Page # | Parcel Number | Name        | New Charge 2005 | New Charge 2003 | Water in Inches | File # | Original Owner | Priority Date | Source                |
|--------|---------------|-------------|-----------------|-----------------|-----------------|--------|----------------|---------------|-----------------------|
| 25     | 7N01W23       | SCISM, DOUG | \$ 36.00        | \$31.50         | 45              | 65     | L SPOFFORD     | 4/25/01       | Robertson Sevey Ditch |

## MEMORANDUM

no flow measurement  
needed (per watermaster)

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

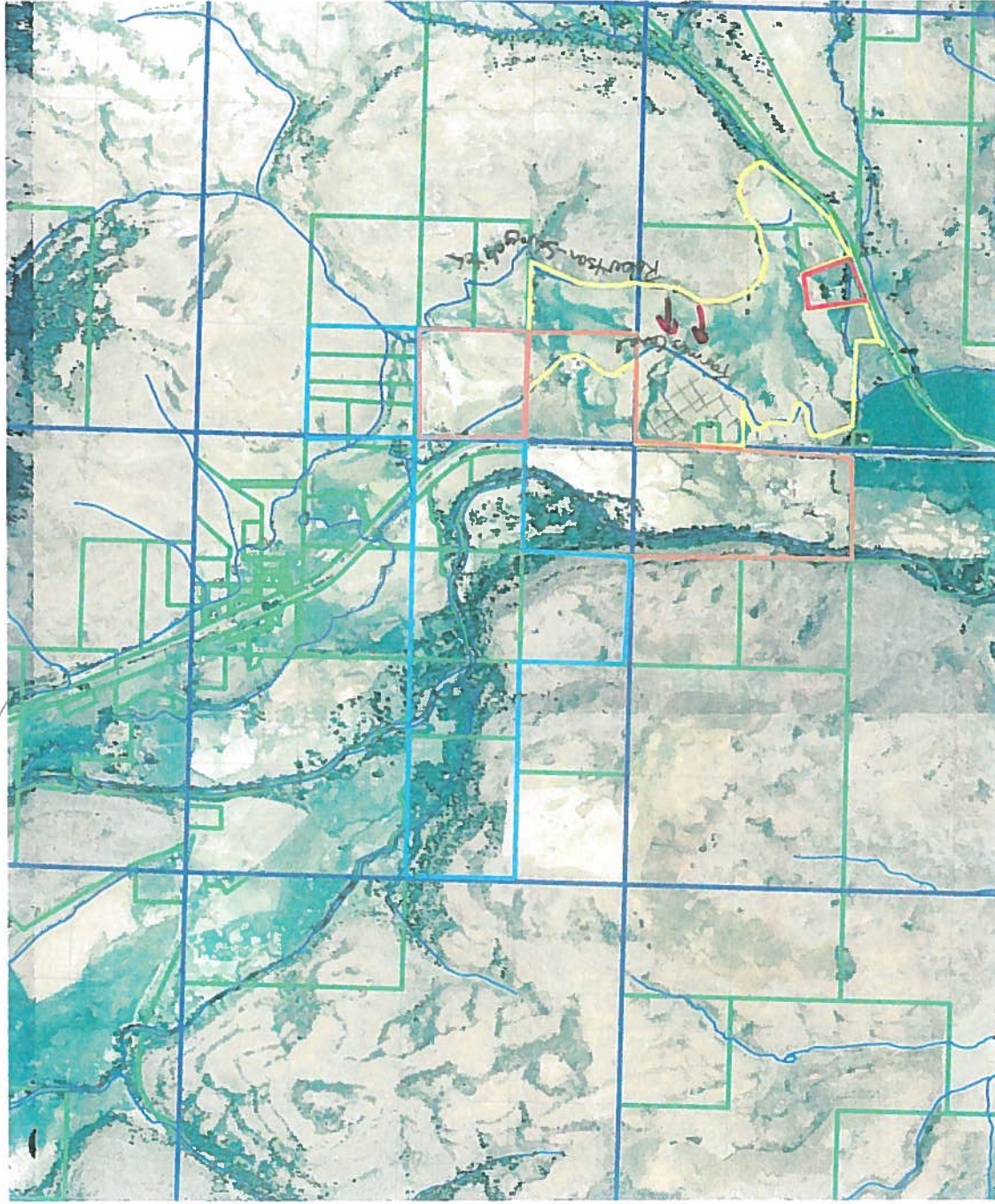
claimant explained that in order to irrigate this land from the Robertson-Sevey ditch, water was allowed to flow into Farmers Canal (see red arrows on map) and then immediately was pumped via a "big squirt" tractor-mounted pump onto the land in question.

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  
Section  
NE 1/4

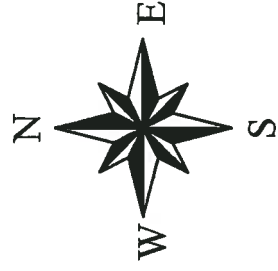
Parent rights: 67-50a, 67-55, 67-11305

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



/// = Area irrigated from  
Robertson-Spring ditch  
Using run-off + water  
from (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



Robertson Seavey Ditch.

George Robertson

Lester I McMahan

Samuel E McMahan

Rollie A McMahan

Isaac McMahan

Lillian G Spofford

Fruitvale Townsite Company and its grantees

Phillip Walstom

G E Cox

A L Freehafer and Margaret E Pike  
Lost Creek Res.

S D Goshert

G T Hamill

E R Windes

First Bank of Council

J J Jones

Biggerstaff Ditches.

T B Biggerstaff

Middle Fork Weiser River.

Oreheads Water Company

Lost Creek Storage

A L Freehafer Lost Creek Storage

J A Carr Lost Creek Storage

W M Baccus

Catherine Austin

Ben Wooden

Henry Heimsöth

George Shaw

William B Shaw

John Sweringen

Dave Durfee

C E Roper

Full Creek.

James Harrell (Steward Ditch)

Jacob Cornett (Steward Ditch)

John Cornett

Oscar Gilbert (Steward Ditch)

5'

30'

18'

1'

22'

10'

4'

4'

45'

30'

4'

4'

24'

35'

40 A Ft

38'

25'

5'

135'

20'

5'

8'

45'

3500 7 1077

6250 7 1077

360 A Ft

300 A Ft

14'

24'

24'

30'

13'

21'

44'

6'

5'

74'

120 7 1064

90'

58'

40'

June 1, 1884 67 0057

June 1, 1887 67 0058

April 1, 1901 67 0059

April 1, 1901 67 0060

April 1, 1901 67 0061

April 1, 1901 67 0062

April 1, 1901 67 0063

April 1, 1905 67 0064

April 25, 1901 67 0065

Sept 23, 1901 67 0066

May 1, 1906 67 0067

May 1, 1901 67 0068

Sept 23, 1901 67 0069

June 1, 1902 67 0070

May 27, 1910 67 0071

May 1, 1906 67 0072

May 1, 1906 67 0073

May 1, 1916 67 0074

May 1, 1908 67 0075

May 18, 1910 67 0076

May 18, 1910 67 0077

May 25, 1910 67 0078

June 1, 1890 67 0079

Sept 11, 1909 67 0080

May 27, 1910 67 0081

May 27, 1910 67 0082

May 27, 1910 67 0083

May 1, 1891 67 0084

May 1, 1891 67 0085

May 1, 1901 67 0086

May 1, 1894 67 0087

May 1, 1900 67 0088

May 1, 1900 67 0089

May 1, 1903 67 0090

May 1, 1903 67 0091

May 1, 1905 67 0092

May 1, 1911 67 0093

July 1, 1883 67 0094

July 1, 1883 67 0095

Dec 30, 1907 67 0096

May 1, 1899 67 0097

LESTER I McMAHAN: The Southeast Quarter of the Northeast Quarter of Section 15, Township 17 North, Range 1 West Boise Meridian.

GEORGE ROBERTSON: The East half of the Southwest Quarter, the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 10, Township 17 North, Range 1 West Boise Meridian.

LILLIAN G SPOFFORD: The North half of the Northwest Quarter of Section 23 and the Southeast Quarter of the Southwest Quarter of Section 14, Township 17 North, Range 1 West Boise Meridian.

523 NE NW  
NW NW 514 SE SW

FRUITVALE TOWNSITE COMPANY: The North half of the Northeast Quarter of Section 15, Township 17 North, Range 1 West Boise Meridian.

PHILIP WALSTON: The Southwest Quarter of the Southeast Quarter of Section 10, Township 17 North, Range 1 West Boise Meridian.

O E COX: A tract of four acres in the Northeast corner of the Fruitvale town-site, in Section 15, Township 17 North, Range 1 West Boise Meridian.

A L FREEHAVER and MARGARET E PIKE: The West half of the Southeast Quarter and a strip of land in the West half of the Southwest Quarter adjoining lands above described, all in Section 23, Township 17 North, Range 1 West Boise Meridian.

S D GOSHERT: The West half of the Southwest Quarter of Section 23, and the Northwest Quarter of the Northwest Quarter of Section 26, Township 17 North, Range 1 West.

G T HAMILL: The South half of the Northwest Quarter of Section 23, Township 17 North, Range 1 West Boise Meridian.

E R WINDES: The West half of the Northeast quarter, the East half of the Northwest Quarter, the Southwest Quarter of the Northwest Quarter, the North half of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 26, Township 17 North, Range 1 West Boise Meridian.

FIRST BANK OF COUNCIL: The East half of the West half of the Southeast Quarter of the Southwest Quarter of Section 26, Township 17 North, Range 1 West Boise Meridian.

J J JONES: The East half of the Southwest Quarter of Section 22 and the Northeast Quarter of the Northeast Quarter of Section 27, Township 17 North, Range 1 West Boise Meridian.

T B BIGGERSTAFF: The Southwest Quarter of the Southwest Quarter, the Southeast Quarter of the Southwest Quarter of Section 1, the South half of the Southeast Quarter of Section 2, Township 17 North, Range 1 West Boise Meridian.

ORCHARDS WATER COMPANY: The East half of the Southwest Quarter of Section 14, the Northwest Quarter of the Northwest Quarter of Section (23) and 20 acres in the West half of the Southwest Quarter of the Northwest Quarter of Section (23); all Sec. 22; the South half the North half of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 15; the South half of the Southwest Quarter, and the Southwest Quarter of the Southeast Quarter of Section 10; the North half and the East half of the Northeast Quarter of the Southeast Quarter of Section 21, the South half the North half of the Northeast Quarter and the North half of the Northwest Quarter of Section 16, the Southwest Quarter, the South half and the West half of the Northwest Quarter of Section 9; the East half; the North half of the Southwest Quarter of Section 8; the east half of the Southwest Quarter, the South half of the Northwest Quarter and the Northeast Quarter of the Northwest Quarter of Section 17; all of Section 20; the West half of the Southeast Quarter and the West half of the Northeast Quarter of Section 19; all in Township 17 North, Range 1 West Boise Meridian.

JUL 24 1936

John V. Blower

1st Engineer Blower

PORT ANGELES DITCH

Record Sp. 1887

May 9, 1887

# GLENN McMAHON DITCH

|                   |                          |
|-------------------|--------------------------|
| Isaac McMahon     | 10<br>9<br>for power 400 |
| Relie A. McMahon  | 4                        |
| Samuel E. McMahon | 22                       |
| W. M. Glenn       | 45                       |
| Lester I McMahon  | 4                        |

|         |          |
|---------|----------|
| May     | 31, 1884 |
| "       | 1, 1901  |
| July    | 1, 1908  |
| June    | 1, 1884  |
| "       | " "      |
| "       | " "      |
| May 31, | "        |

# ROBERTSON SEAVEY DITCH

|                   |                 |
|-------------------|-----------------|
| George Robertson  | 30 <sup>5</sup> |
| S. D. Goshert     | 38              |
| Lester I. McMahon | 18              |
| G. T. Hamill      | 25 <sup>5</sup> |
| Samuel E. McMahon | 1               |
| Relie A. McMahon  | 22<br>10        |
| Isaac McMahon     | 4<br>4          |

|       |         |
|-------|---------|
| June  | 1, 1884 |
| "     | " 1887  |
| May   | 1, 1906 |
| April | 1, 1901 |
| May   | 1, 1906 |
| "     | " 1916  |
| April | 1, 1901 |
| "     | " "     |
| "     | " "     |
| "     | " 1905  |
| "     | " 1901  |
| "     | 25, "   |

|                                           |           |
|-------------------------------------------|-----------|
| Lillian G. Spefford                       | 45        |
| E. R. Windes                              | 135<br>20 |
| First Bank of Council                     | 10        |
| J. J. Jones                               | 8         |
| Fruitvale Townsite Company & its Grantees | 30        |
| Phillip Walstrom                          | 4<br>4    |
| C. E. Cox                                 | 21        |

|      |          |
|------|----------|
| May  | 1, 1908  |
| "    | 18, 1910 |
| "    | " "      |
| "    | 25, "    |
| Sept | 23, 1901 |
| May  | 1, 1906  |
| "    | 1, 1901  |
| Sept | 23, 1901 |

# DOMLINSON YANTIS DITCH

|                   |    |
|-------------------|----|
| Mary E. Tomlinson | 50 |
| R. W. Tomlinson   | 55 |
| Sarah Yantis      | 40 |
| L. A. Spira       | 10 |
| Ralph Yantis      | 8  |

|          |      |
|----------|------|
| June 13, | 1905 |
| "        | " "  |
| "        | " "  |
| "        | " "  |
| 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 ( $5/8$ ) 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 ( $5/8$ ) 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 ( $5/8$ ) 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 ( $5/8$ ) 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 as 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