

11/14/2006

RECEIVED
DEC 06 2006
DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

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

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

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

Water right number: 67-310

RENEE I GREEN
PO BOX 645
COUNCIL ID 83612
Telephone Number: (208)253-6428

MARK N GREEN
PO BOX 645
COUNCIL ID 83612
Telephone Number: (208)253-6428

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

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

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

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

DATE: 12/01/06

SIGNATURE:

Mark N. Green

Please print your name:

MARK N. Green

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

I do have a question Regarding How the water is distributed to my Head Gate, usually it is dammed off completely allowing little or no water down stream to my Head Gate.

208-253 6428

SCANNED
DEC 08 2006

no change

11/07/2006

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

RIGHT NUMBER: 67-310

NAME AND ADDRESS: RENEE I GREEN
PO BOX 645
COUNCIL ID 83612

MARK N GREEN
PO BOX 645
COUNCIL ID 83612

SOURCE: COTTONWOOD CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.400 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/06/1884

POINT OF DIVERSION:

T16N R01W S34 NENE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.400 CFS
STOCKWATER	1/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T16N R01W S34	SWNE	8.10	T16N R01W S34	NENW	3.90
T16N R01W S34	SENE	13.00			

STOCKWATER same as IRRIGATION

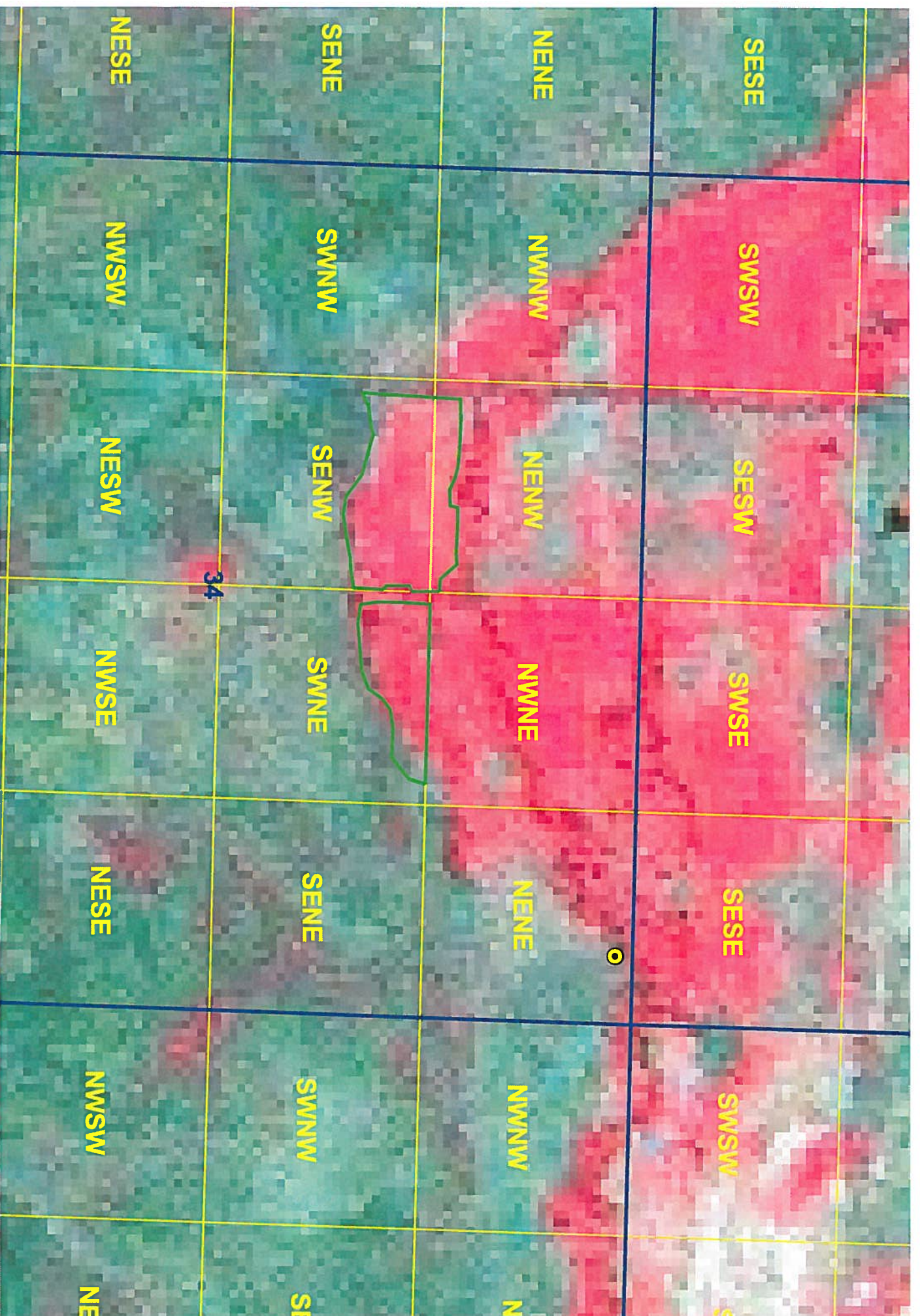
25 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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



LANDSAT 2000 SATELLITE PHOTO # CP42r29_17_20000727_64329.sid

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-310 V1

WATER RIGHT NUMBER: 67-310 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RENEE I GREEN PO BOX 645 COUNCIL, ID 83612 (208)253-6428
Current Owner	MARK N GREEN PO BOX 645 COUNCIL, ID 83612 (208)253-6428
Original Owner	STEPHEN L PEEBLES PO BOX 445 ST ANTHONY, ID 83445 (208)624-7641
Original Owner	MYRNA L PEEBLES PO BOX 445 ST ANTHONY, ID 83445 (208)624-7641
Original Owner	P W HIGGINS , ID

Priority Date: 09/06/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
COTTONWOOD CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.400 CFS	
STOCKWATER	1/01 to 12/31	0.030 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

Location of Point(s) of Diversion

COTTONWOOD CREEK	NE1/4NE1/4	Sec. 34, Twp 16N, Rge 01W, B.M.
ADAMS County		

Place of UseIRRIGATION Within ADAMS County

T16N R01W S34	SWNE	8.1	T16N R01W S34	NENW	3.9
T16N R01W S34	SENW	13.0			

Total Acres: 25

STOCKWATER same as IRRIGATIONConditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-310 V1

1. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
2. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

Comments:

1. segbert 8/4/2004 POD
Comment: Correlated PODID 623566 from SpatialDataID 343011.0000000 to SpatialDataID 342379
2. segbert 8/4/2004 POD
Comment: Correlated PODID 623566 from SpatialDataID 343011.0000000 to SpatialDataID 342379
3. segbert 8/4/2004 POD
Comment: Correlated PODID 623566 from SpatialDataID 343011.0000000 to SpatialDataID 342379
4. segbert 8/4/2004 POD
Comment: Correlated PODID 623566 from SpatialDataID 343011.0000000 to SpatialDataID 342379
5. segbert 8/4/2004 POD
Comment: Correlated PODID 623566 from SpatialDataID 343011.0000000 to SpatialDataID 342379
6. segbert 8/4/2004 POD
Comment: Correlated PODID 623566 from SpatialDataID 343011.0000000 to SpatialDataID 342379
7. segbert 8/4/2004 POD
Comment: Correlated PODID 623566 from SpatialDataID 343011.0000000 to SpatialDataID 342379
8. segbert 8/4/2004 POD
Comment: Correlated PODID 623566 from SpatialDataID 343011.0000000 to SpatialDataID 342379
9. segbert 8/4/2004 POD
Comment: Correlated PODID 623566 from SpatialDataID 343011.0000000 to SpatialDataID 342379
10. segbert 8/4/2004 POD
Comment: Correlated PODID 623566 from SpatialDataID 343011.0000000 to SpatialDataID 342379
11. Vmusic 11/7/2006 OVERLAPS
Comment: NONE
12. Vmusic 11/7/2006 SURFACE RTS
Comment: NO OTHER RIGHTS. NOT IN AN IRR DISTRICT SERVICE AREA

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	7/15/2004 1:58:14 PM	segbert			Active
POD	7/15/2004 1:58:33 PM	segbert			Active
Source	7/15/2004 2:04:19 PM	segbert			Active
POU	7/15/2004 2:04:34 PM	segbert			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-310 V1

Use	7/15/2004 2:16:40 PM	segbert	Active
Season	7/15/2004 2:17:02 PM	segbert	Active
Quantity	7/15/2004 2:17:35 PM	segbert	Active
Summary		11/07/2006	Vmusic Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	11/7/2006 8:31:58 AM	Vmusic	Updated shape
POU	11/7/2006 8:51:10 AM	Vmusic	Updated shape for Active POU
Summary	11/7/2006 9:00:35 AM	Vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Source	7/15/2004 2:04:21 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POD	7/15/2004 2:03:28 PM	segbert	Edited point location
POU	7/15/2004 2:04:36 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	7/15/2004 2:16:42 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-310 V1

Season	7/15/2004 2:17:04 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?
Quantity	7/15/2004 2:17:37 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
POU	7/15/2004 2:16:19 PM	segbert	Edited shape boundary
Priority Date	7/15/2004 1:58:16 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
POD	7/15/2004 1:58:34 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?

Water Supply Bank:



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

February 1, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK N GREEN OR
RENEE I GREEN
PO BOX 645
COUNCIL ID 83612

NOTICE OF CLAIM NO.
A67-00310

Ref: Ownership change

Dear Mark & Renee,

1. Enclosed is a copy of the above referenced claim which reflects the **CHANGE IN OWNERSHIP** of the lands and appurtenant water rights covered by this claim.
2. The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.
3. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Ron Howerton
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

MICROFILMED
OCT 22 1996

COMMUNICATION DOCUMENTATION

Claim No. A67-00310

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Ron Howerton

DATE

February 1, 1996

CUSTOMER

JULIE WILSON TIMBERLINE TITLE
208-253-6886

SUBJECT: A67-00310 OWNERSHIP CHANGE PEEBLES TO GREEN

1. CALLED 1/30/96 AND MESSAGE WAS LEFT FOR JULIE TO RETURN MY CALL.
2. I RECEIVED A RETURN CALL FROM HER AND CALLED HER BACK TODAY.
3. THE SENW DOES BELONG TO THE GREEN'S SHE SAID, AND SHE EXPLAINED THAT THIS CONTRACT HAD TO BE RE-DONE ABOUT 3 TIMES, IT WAS ONE OF THOSE THAT KEPT HAVING A PROBLEM IN WRITING UP.
4. I REQUESTED SHE FAX ME THE CORRECTED VERSION.
5. IT DOESN'T APPEAR TO BE THE CORRECT CONTRACT OF SALE.
5. IT SHOWS SALE BY PEEBLES TO GAMBLIN, NOT PEEBLES TO GREEN.
6. I CALLED JULIE BACK, SHE SAID SHE FAXED ME THE WRONG ONE AND WOULD FAX ME THE CORRECT ONE.
7. I NOW HAVE THE 2ND ONE, IT LOOKS LIKE THE OTHER WITH, BUT WITH THE ADDITION OF THE SENW.
8. I PLOTTED THE EXCEPTION AS DESCRIBED IN THAT $\frac{1}{4}$ FOR THE CEMETERY AND THIS DOESN'T DESCRIBE THE LAND AS CLAIMED FOR IRRIGATION.
9. THE OWNERSHIP CHANGE CAN NOW BE MADE WITH THIS CORRECTED COPY FROM TIMBERLINE TITLE.

MICROFILMED
OCT 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 13, 1988

A22-12529
A67-00310
A67-00321
A67-02653 Q

Mr. Stephen L. Peebles
P. O. Box 445
St. Anthony, ID 83445

Dear Mr. Peebles:

Your adjudication claims and check #1164 for \$100.00 are returned. There are several items that were omitted on these claims.

A critical item of the water right, the date of priority, was left off your claim. This is the date that the water was first placed to beneficial use to the best of your knowledge. If in fact the source is surface water, the priority date must be prior to May 20, 1971. Otherwise an Application for Permit is necessary.

Also you have failed to complete Item #10. Merely listing the number of acres irrigated is not sufficient. We have to know what land is being irrigated. This information is necessary before we can accept these claims.

The amount of the fees is also incorrect based upon the number of acres that you are claiming. In one claim you have claimed twenty-five acres to be irrigated. The fee on this would be \$75.00: \$50.00 filing fee and \$1.00 for each irrigated acre. The second claim is for ten irrigated acres. The fee for this claim would be \$60.00: \$50.00 filing fee and \$1.00 for each irrigated acre.

In addition, the legal description you provided for the property leads me to believe that the land in question is in the Weiser River drainage. There has been an appeal filed to exempt this drainage from the SRBA. That appeal is currently before the Idaho Supreme Court. If we accept and process these claims and the Court rules that the Weiser River should be exempted from the adjudication, we will not be able to return your money. We are giving you this opportunity to defer filing these claims.

MICROFILMED

AUG 05 1994

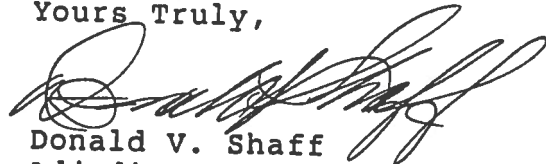
Mr. Stephen Peebles
June 13, 1988
Page 2

If the Court rules that the Weiser River must be included in the adjudication, you will receive a Commencement Notice from this office. At that time, you will have 90 days to resubmit these claims, providing the date of priority is before 1971.

I have enclosed copies of the licenses and other information we have in our files that may pertain to your property. If you feel you do want to file an adjudication claim at this time, please make the changes noted and return the claims to this office. We will be happy to process your claim when these changes are made.

If the Weiser River is included in the adjudication, you can get excellent help in filing these claims by taking all of these materials to our Eastern Region staff in Idaho Falls.

Yours Truly,



Donald V. Shaff
Adjudication Section Supervisor

DVS:db
Enclosures

MICROFILMED
AUG 05 1994

DAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-310 V1

WATER RIGHT NUMBER: 67-310 V1

Owner Type
Current Owner

Name and Address
RENEE J GREEN
PO BOX 645
COUNCIL, ID 83612
(208)253-6428

Current Owner

MARK N GREEN
PO BOX 645
COUNCIL, ID 83612
(208)253-6428

Original Owner

STEPHEN L PEEBLES
PO BOX 445
ST ANTHONY, ID 83445
(208)624-7641

Original Owner

MYRNA L PEEBLES
PO BOX 445
ST ANTHONY, ID 83445
(208)624-7641

Original Owner

P W HIGGINS
ID

Priority Date: 09/08/1884

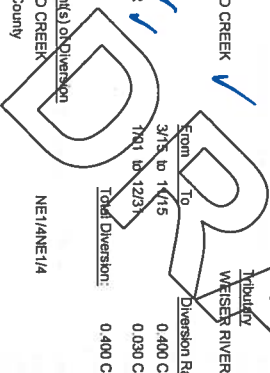
Status: Deceased

Source: COTTONWOOD CREEK

Beneficial Use: IRRIGATION

Stockwater: STOCKWATER

Location of Point(s) of Diversion: COTTONWOOD CREEK
ADAMS County
NE1/4NE1/4 Sec. 34, Twp 16N, Rge 01W, B.M.



Twp	Rge	Sec	NE	NW	SE	SW	Total
16N	01W	34	NE	NW	SE	SW	25.0
Total Acres: 25							
STOCKWATER same as IRRIGATION							

(20th deeded) (L. 625) = 32.0 acres deeded @ 5/9" per ac.

Council SW 44 3730N 116300W
R-2 42-24.

own photograph is 87, landset 2000 CP42-29-4-20000727, 64329.51

DAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-310 V1

Conditions of Approval

Remarks

Comments

Dates and Other Information

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: S
State or Federal: S
Owner Name: Renee J Green
Water District Number: 67
Genetic Max Rate Per Acre:
Genetic Max Volume Per Acre:
Sven Falls Trust or Nontrust:
Sven Falls Dismissed:
DLE Act Number:
Carry Act Number:
Mitigation Plan: False
Combined Use Limits:

Element Reviewed/Verified Dates

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	7/15/2004 1:58:14 PM	segbert			
POD	7/15/2004 1:58:33 PM	segbert			
Source	7/15/2004 2:04:19 PM	segbert			
POU	7/15/2004 2:04:34 PM	segbert			
Use	7/15/2004 2:16:40 PM	segbert			
Season	7/15/2004 2:17:02 PM	segbert			
Quantity	7/15/2004 2:17:35 PM	segbert			

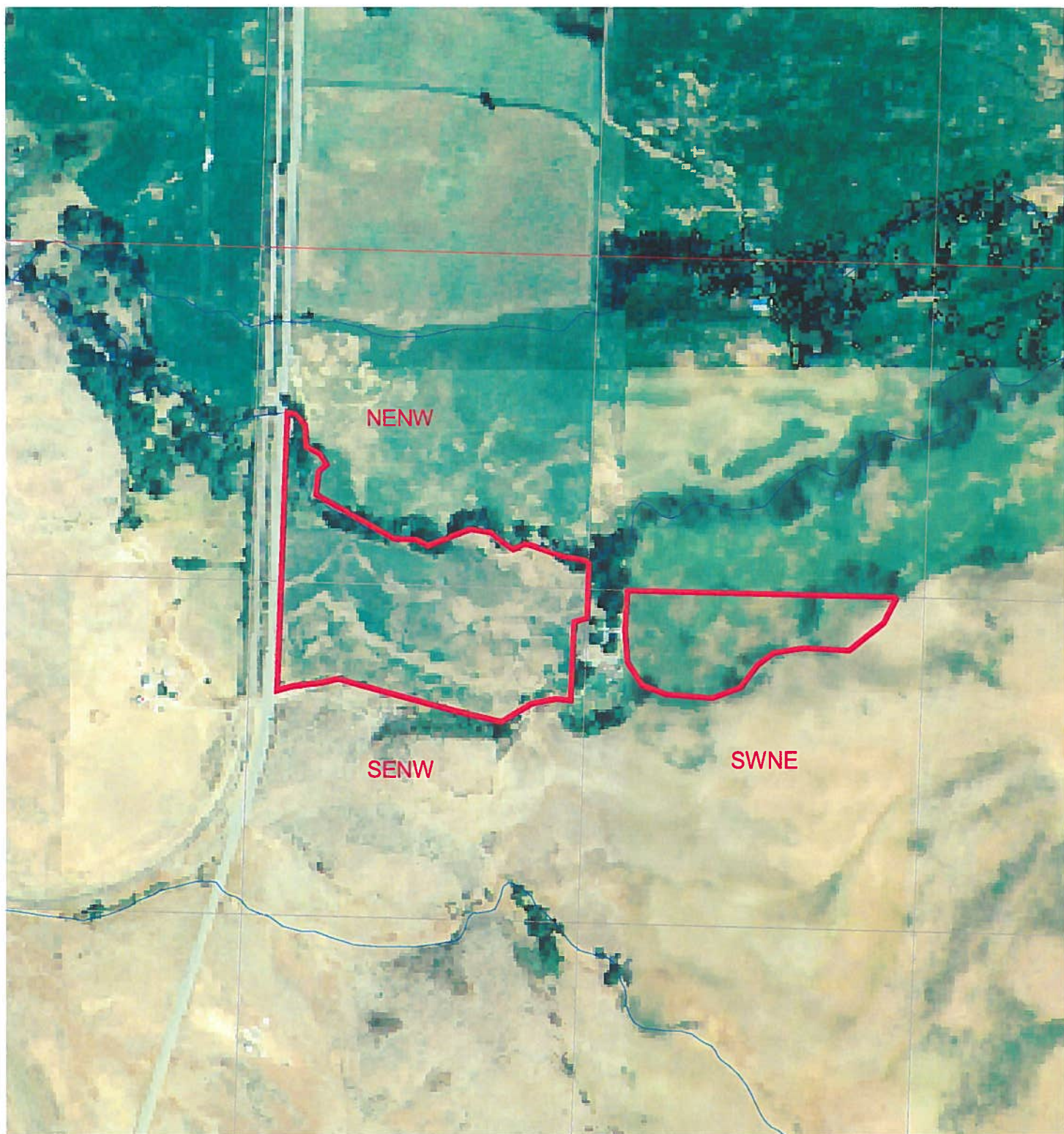
Verification Log:

Element	Date Time Stamp	Reviewer	Log text
Source	7/15/2004 2:04:21 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? Edited point location
POD	7/15/2004 2:03:28 PM	segbert	

NO⁵ Q for SW 7 13 & 66³
NO⁴ Q for SW not a det of his b

Idaho Department of Water Resources

67-310



T16N R01W S34

500 0 500 1000 Feet



Prepared by Sandy Egbert
7-15-04
1987 NAPP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-310

WATER RIGHT NUMBER: 67-310

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RENEE I GREEN PO BOX 645 COUNCIL, ID 83612 (208)253-6428
Current Owner	MARK N GREEN PO BOX 645 COUNCIL, ID 83612 (208)253-6428
Original Owner	STEPHEN L PEEBLES PO BOX 445 ST ANTHONY, ID 83445 (208)624-7641
Original Owner	MYRNA L PEEBLES PO BOX 445 ST ANTHONY, ID 83445 (208)624-7641
Original Owner	P W HIGGINS , ID

Priority Date: 09/06/1884

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
COTTONWOOD CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.400 CFS	
STOCKWATER	1/01 to 12/31	0.030 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

Location of Point(s) of Diversion

COTTONWOOD CREEK	NE1/4NE1/4	Sec. 34, Twp 16N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
16N	01W	34	9.0	3.0	13.0		25.0

Total Acres: 25

STOCKWATER same as IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-310

Conditions of Approval:

1. OWNERSHIP CHANGED BY RDH ON 2-1-96.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:

Comments:

1. segbert 8/4/2004 POD
Comment: Correlated PODID 186613 from SpatialDataID 343011.0000000 to SpatialDataID 58200
2. segbert 8/4/2004 POD
Comment: Correlated PODID 186613 from SpatialDataID 343011.0000000 to SpatialDataID 58200
3. segbert 8/4/2004 POD
Comment: Correlated PODID 186613 from SpatialDataID 343011.0000000 to SpatialDataID 58200
4. segbert 8/4/2004 POD
Comment: Correlated PODID 186613 from SpatialDataID 343011.0000000 to SpatialDataID 58200

Water Supply Bank:

Cow Creek.

American Falls Development Company, sub for
W H Philbrick and R B Greenwood

Goodrich Creek.

J P Ogilvie

Ashton Roby

Cottonwood Creek.

F W Baier

P W Higgins

Edgar Moser

William Phipps

I A Whiteley sub for I A Whiteley and J D Neale

G W Phipps

James H McGinley

Cottonwood Creek (Con)

Mary R Houston

A W Peebles

R B Kincaid

Grant Moore

North Fork Cottonwood Creek.

Gifford-Borenson Ditch.

M P Gifford

Elisa Borenson

James L Stewart and William F Smith

B D Piper

Mrs J T Root sub for M Rhinehart

Emma Cool, sub for Fred Cool

J A Carr

Gladwell Commercial Bank

A L Freshafer

Emma Arrington

Washington County Land & Development Co.

Frank E Brown

Winkler & Weid

Crystal Foust

Robert Wafler

First National Bank of Vale

North Fork Cottonwood Creek (Con)

Ben Houston

A Grossen

Hans Grossen

47

10

4

58

20

22 1/2

50

20

3

31 3/8

15 5/8

37 1/2

3

72

25

4

4 T 880

3 T 184

5

107

62

20

10

96

10

25

58

5

5

25

2 1/2

23 3/4

5

2 1/2

16

3

10

5

June 1, 1886 67 0306

May 1, 1892 67 0307

May 1, 1911 67 0308

June 1, 1882 67 0309

Sept 6, 1884 67 0310

Sept 6, 1884 67 0311

June 1, 1884 67 0312

June 1, 1889 67 0313X

June 1, 1894 67 0314

June 1, 1887 67 0315

June 1, 1888 67 0316

June 1, 1889 67 0317

May 1, 1889 67 0318

July 1, 1896 67 0319

July 2, 1890 67 0320

April 1, 1896 67 0321

April 1, 1896 67 0322

May 1, 1900 67 0322

May 1, 1900 67 0324

June 5, 1902 67 0325

June 5, 1902 67 0326

June 5, 1902 67 0327

June 5, 1902 67 0328

June 5, 1902 67 0329

June 5, 1902 67 0330

June 5, 1902 67 0331

June 5, 1902 67 0332

June 5, 1902 67 0333

June 5, 1902 67 0334

June 5, 1902 67 0335

June 5, 1902 67 0336

June 5, 1902 67 0337

June 5, 1902 67 0338

June 5, 1902 67 0339

June 5, 1902 67 0340

June 5, 1902 67 0341

June 5, 1902 67 0342

June 5, 1902 67 0343

JUL 2 4 1935

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A67-00310**
Date Received: 11/27/1989
Receipt No: E011205
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: MARK N GREEN 208-253-6428
Address: PO BOX 645
COUNCIL ID 83612
OR
Name: RENEE I GREEN 208-253-6428
Address: PO BOX 645
COUNCIL ID 83612

2. Date of Priority: SEP 6, 1884

3. Source: COTTONWOOD CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	34		NE	NE		ADAMS

5. Description of diverting works:
DIVERSION DAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 RANGE CATTLE

SCANNED
MAY 10 2004

MICROFILMED
OCT 22 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	34	SW	NE		IRR	9.0
			NE	NW		IRR	3.0
			SE	NW		IRR	13.0
						Section Acres	25.0
						Total Acres	25.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGED BY RDH ON 2-1-96.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/20/1921

JOHN T. MUIR
Decree Plaintiff

WILLIAM ALLISON
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

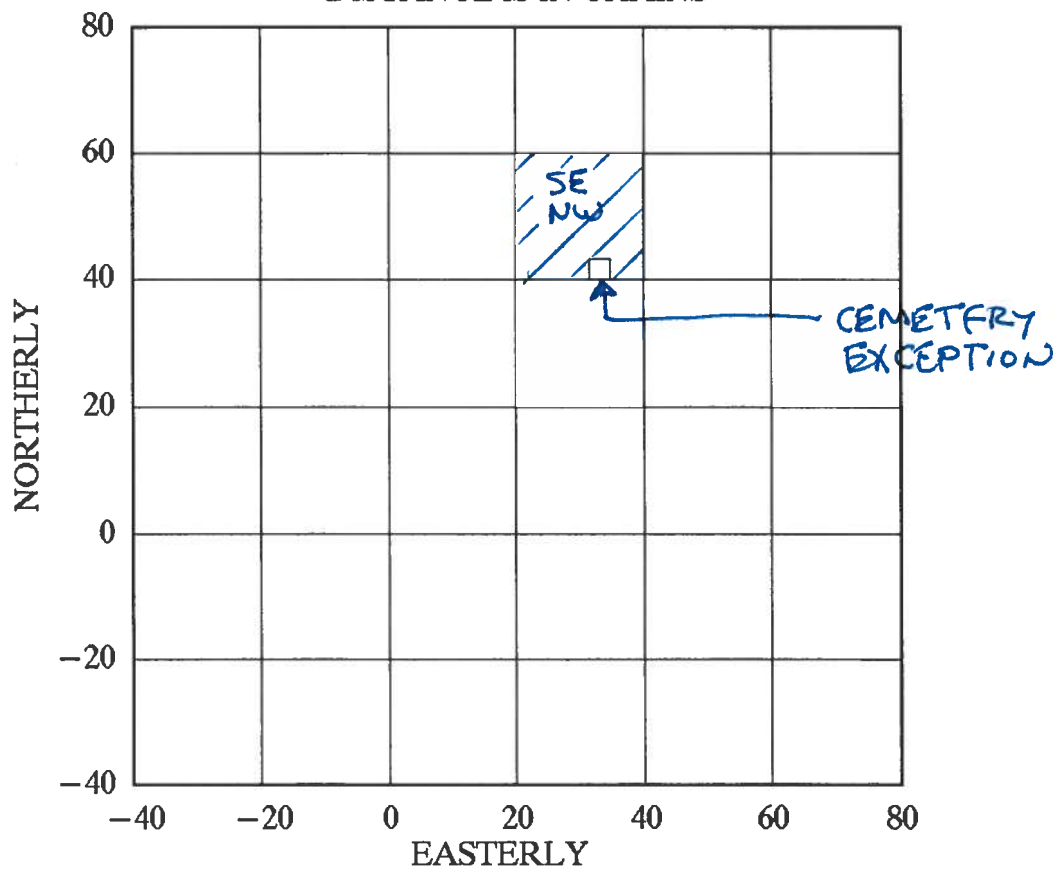
Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



MICROFILMED
OCT 22 1996

INSTRUMENT NO. 86312 INSTRUMENT NO. 86312

POOR ORIGINAL

INSTRUMENT NO. 86312

NOTICE OF CONTRACT OF SALE

NOTICE IS HEREBY GIVEN that Stephen L. Peebles and Myrna Peebles, husband and wife, of 448 North 2400 East, St. Anthony, Idaho 83445, hereinafter called "Seller," are selling on written Contract of Sale of this same date, to Mark H. Green and Renee L. Green, husband and wife, of P. O. Box 645, Council, Idaho 83612, hereinafter called "Buyer," the following described real property situated in Adams County, to-wit:

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho, Section 34, Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter

AND a tract of land in the Northeast Quarter of the Northwest Quarter of Section 34 more fully described as follows:

Commencing at the Southeast corner of the Northeast Quarter of the Northwest Quarter; thence West 80 rods; thence North 10 rods; thence East 80 rods; thence South 10 rods to the POINT AND PLACE OF BEGINNING.

AND all that part of the Southwest Quarter of the NW 1/4 of the Northwest Quarter, the North One-Half of the Southwest Quarter lying East of U.S. Highway 95 right-of-way

EXCEPTING THEREFROM a parcel of land located in said section, township and range described as follows:

Commencing at the Quarter corner common to Sections 33 and 34 of said township; thence North 76°59'04" East 1367.18 feet to the REAL POINT OF BEGINNING; thence South 15°13'39" West 928.95 feet along the East right-of-way boundary of U.S. Highway 95 to a point from which the section corner common to Sections 33 and 34 of Township 16 North, Range 1 West, and Sections 3 and 4 of Township 15 North, Range 1 West bears South 27°58'06" West 2323.56 feet; thence South 62°18'30" East 880.67 feet; thence North 01°27'11" West 1029.35 feet; thence North 77°25'22" West 409.22 feet; thence South 62°55'11" West 228.28 feet to the REAL POINT OF BEGINNING.

ALSO EXCEPTING from the Southeast Quarter of the Northwest Quarter a tract of land described as follows:

MICROFILMED

OCT 22 1990

1/4 ADDED that was missing on original copy

R.I.G.
M.N.G.

R.I.G. M.N.G.
and the SE 1/4 of the NW 1/4

INSTRUMENT NO 86730INSTRUMENT NO 86340 INSTRUMENT NO 86464

Commencing at a point 46 rods 9 feet East and 32 rods 1 foot 8 inches North of the Southwest corner of the Southeast Quarter of the Northwest Quarter; running thence East 208.7 feet; thence North 208.7 feet; thence West 208.7 feet; thence South 208.7 feet to the POINT AND PLACE OF BEGINNING, and conveyed for cemetery purposes only.

ALSO EXCEPTING THEREFROM roads as now established, R.I.G.
M.M.G. and County Roads as now established, 1/5-3 1/2 1/4
Subject to easements, if any, of record or in existence for roads, streets, ditches, canals, pipelines and utilities.

Subject to restrictive covenants, if any, on record.

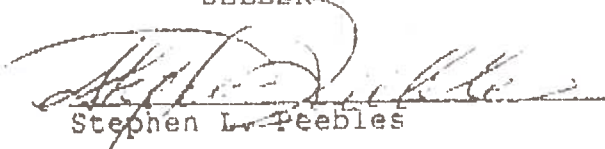
Together with any and all water and water rights, ditch and ditch rights appurtenant thereto.

The Contract of Sale is payable over a period of 20 years and is payable to Timberline Title and Escrow, at Council, Idaho 83512. Buyer has possession, but the deed shall not be delivered until the Contract is fully paid, and Seller retains remedies in the event of default, all of which are fully set forth in the Contract of Sale.

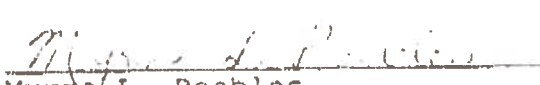
DATED This 12th day of July, 1994.

"SELLER"

"BUYER"


Stephen L. Peebles


Mark N. Green


Myrna L. Peebles


Renee I. Green

INSTRUMENT NO. 86720 INSTRUMENT NO. 86342 INSTRUMENT NO. 86464

STATE OF IDAHO)

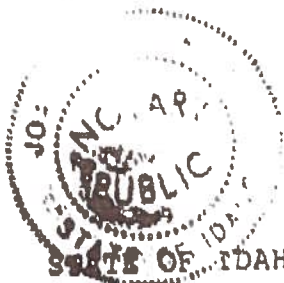
ss.

County of _____)

POOR ORIGINAL

On this _____ day of July, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Stephen L. Peebles and Myrna L. Peebles, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



STATE OF IDAHO)

ss.

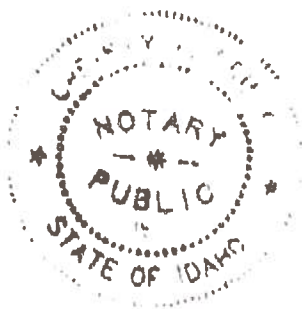
County of Adams)

[Signature]
Notary Public for Idaho

Residing at: [Address]My Commission expires: 12/31/98

On this 12th day of July, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Mark N. Green and Renee I. Green, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
Notary Public for Idaho

Residing at: [Address]My Commission expires: 8/4/98

NOTICE OF CONTRACT OF SALE - Page 3
Peebles.not

INSTRUMENT NO. 86342

State of Idaho)

County of Adams) ss.

Filed for record at the request of

Timberline Title & Escrow47 min. past 3 o'clock P.M.this 18th day of July, 1994

MICHAEL FISK, RECORDER

by [Signature]

Deputy

Fee \$ 9.00

MICROFILMED

OCT 22 1996

INSTRUMENT NO. 86720INSTRUMENT NO. 86464

STATE OF IDAHO

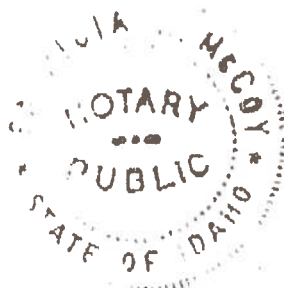
County of Fremont

) ss

POOR ORIGINAL

On this 20th day of October, 1993, before me, a Notary Public in and for said State, personally appeared STEPHEN L. PEEBLES AND MYRNA L. PEEBLES, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Kathleen K. [Signature]
 Notary Public for Idaho
 Residing at: St. Anthony
 Commission expires: 1/28/2000

INSTRUMENT NO. 86464

State of Idaho

) ss

County of Adams

Filed for record at the request of
Timberline Title & Escrow
19 min. past 3 o'clock P.M.
the 5th day of August, 1994
MICHAEL FISK, RECORDER
 by [Signature] Deputy

STATE OF IDAHO

County of ADAMS

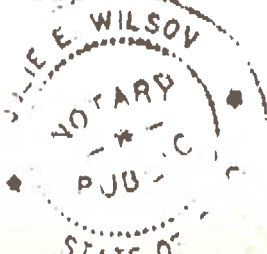
) ss

Fee \$12.00

Return to: Timberline Title & Escrow

On this 6th day of August, 1994, before me, a Notary Public in and for said State, personally appeared MARK N. GREEN AND RENEE I. GREEN, known or identified to me to be the person whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
 Notary Public for Idaho
 Residing at: Council
 Commission expires: 5-20-98

MICROFILMED

INSTRUMENT NO. 817210

POOR ORIGINAL

STATE OF IDAHO

County of FRENCH

on this 26th day of September, 1996, before me, a Notary Public in and for said State, personally appeared STEPHEN L. PEEBLES and MYRNA L. PEEBLES, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Patricia R. McCoy
 Notary Public for Idaho
 Residing at: St. Anthony
 Commission Expires

STATE OF IDAHO

County of ADAMS

on this 26th day of September, in the year of 1996, before me, the undersigned, a Notary Public in and for the said State, personally appeared MARK N. GREEN AND RENEE I. GREEN

known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Julie E. Wilcox
 Notary Public for Idaho
 Residing at: Council
 Commission Expires

MICROFILMED

OCT 22 1996

INSTRUMENT NO. 36720

State of Idaho)

County of Adams) ss.

Filed for record at the request of

Timberline Title & Escrow10 min. past 11 o'clock A.M.in the 17th day of Sept. 1994

MICHAEL FISK, RECORDER

by George Fisk

Deputy

Fee \$15.00

Return to: Timberline Title & Escrow
In Person

POOR ORIGINAL



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

AUG 16 1994

DATE OF CLOSING: 7/12/94

LEGAL DESCRIPTION OF PROPERTY: Township 16N Range 01W L.
Section 34, SW 1/4 of NE 1/4 of NW 1/4, Govt. Lot 145, BM.
Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

RECEIVED

AUG 17 1994

WATER RESOURCES
WESTERN REGION

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR: A67-00 310

[] Name and Address of Former Owner/Claimant(s)(Seller): Stephen L. or Myran L. Peebles
P.O. Box 445

[] New Owner/Claimant (Purchaser):

St Anthony, ID 83445
Mark N. or Renee I. Green

[] New Mailing Address:

P.O. Box 645
Council, ID 83612

[] New Telephone Number:

(208) 253-6428

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached:

copy of recorded Notice of Contract of Sale
Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s)

Mark N. Green
Renee I. Green

Date 07-12-94Date 07-12-94

[] Signature of Former Owner/Claimant(s)

Stephen L. Peebles
Myran L. Peebles

Date 7-15-94Date 7/15/94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

MICROFILMED

OCT 22 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED
OCT 22 1996

Commencing at a point 46 rods 9 feet East and 32 rods 1 foot 8 inches North of the Southwest corner of the Southeast Quarter of the Northwest Quarter; running thence East 208.7 feet; thence North 208.7 feet; thence West 208.7 feet; thence South 208.7 feet to the POINT AND PLACE OF BEGINNING, and conveyed for cemetery purposes only.

ALSO EXCEPTING THEREFROM roads as now established, ^{R.I.G.} and County Roads as Now established ^{MLP} Subject to easements, if any, of record or in existence for roads, streets, ditches, canals, pipelines and utilities.

Subject to restrictive covenants, if any, or record.

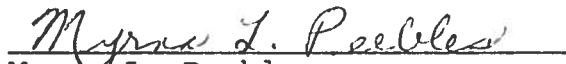
Together with any and all water and water rights, ditch and ditch rights appurtenant thereto.

The Contract of Sale is payable over a period of 20 years and is payable to Timberline Title and Escrow, at Council, Idaho 83512. Buyer has possession, but the deed shall not be delivered until the Contract is fully paid, and Seller retains remedies in the event of default, all of which are fully set forth in the Contract of Sale.

DATED This 12th day of July, 1994.

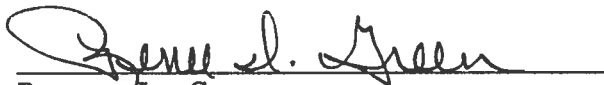
"SELLER"


Stephen L. Peebles


Myrna L. Peebles

"BUYER"


Mark N. Green


Renee T. Green

INSTRUMENT NO. 86342INSTRUMENT NO. 86464

STATE OF IDAHO)
) ss.
 County of Premont .)

On this 15th day of July, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Stephen L. Peebles and Myrna L. Peebles, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

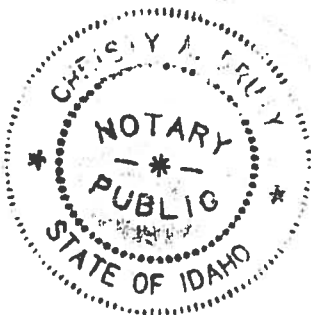


James W. Hickey
 Notary Public for Idaho
 Residing at: Ashton, Idaho
 My Commission expires: 2/10/2000

STATE OF IDAHO)
) ss.
 County of Adams .)

On this 12th day of July, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Mark N. Green and Renee I. Green, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Christy A. Amey
 Notary Public for Idaho
 Residing at: Franklin, Idaho
 My Commission expires: 8/4/98

INSTRUMENT NO. 86342

State of Idaho)
 County of Adams) ss.

Filed for record at the request of

Timberline Title & Escrow

47 min. past 3 o'clock P.M.

this 18th day of July, 1994

MICHAEL FISK, RECORDER

by Deputy Deputy Deputy

Fee \$ 9.00

OCT 22 1996

INSTRUMENT NO. 86464

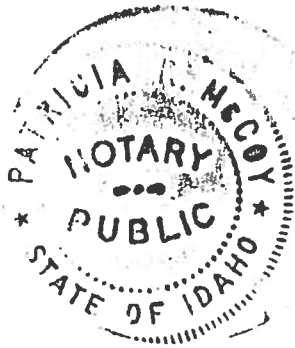
STATE OF IDAHO

County of Fremont

)
) ss

On this 2nd August, 1994 day of October, 1993, before me, a Notary Public in and for said State, personally appeared STEPHEN L. PEEBLES AND MYRNA L. PEEBLES, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Patricia R. McCoy
Notary Public for Idaho
Residing at: St. Anthony
Commission expires: 6/28/2000

INSTRUMENT NO. 86464

State of Idaho)
County of Adams) ss.

Filed for record at the request of
Timberline Title & Escrow
19 min. past 3 o'clock P.M.
this 5th day of August, 1994
MICHAEL FISK, RECORDER
by Leagor Timberline
Deputy

STATE OF IDAHO

County of ADAMS

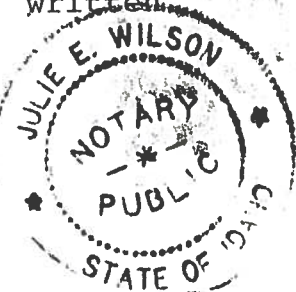
)
) ss

Fee \$12.00

Return to: Timberline Title & Escrow

On this 6th day of August, 1994, before me, a Notary Public in and for said State, personally appeared MARK N. GREEN AND RENEE I. GREEN, known or identified to me to be the person whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Julie E. Wilson
Notary Public for Idaho
Residing at: Council
Commission expires: 5-20-98

MICROFILMED
OCT 22 1996

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A67-00310
Date Received: 11/27/1989
Receipt No: E011205
Received By: Kuo

RECEIVED
NOV 29 1989

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEPHEN L PEEBLES 208-624-7641
Address: P.O. BOX 445
ST ANTHONY, ID 83445

OR

Name: MYRNA L. PEEBLES 208-624-7641
Address: P.O. BOX 445
ST ANTHONY, ID 83445

2. Date of Priority: SEP 06, 1884

3. Source: COTTONWOOD CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	34	NE	NE			ADAMS

5. Description of diverting works:
DIVERSION DAM TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is 75.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16N	01W	34	SW		NE		IRR	9.0
			NE		NW		IRR	3.0
			SE		NW		IRR	13.0
							Section Acres	25.0
							Total Acres	25.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 6/20/1921

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Stephen Deakle Date: 11/27/89

Date: _____

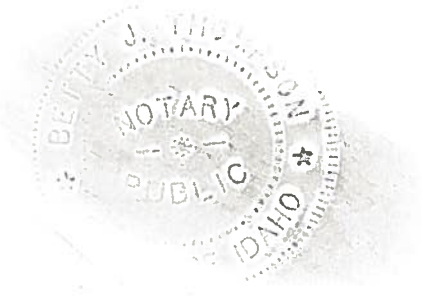
State of Idaho)
County of Bonneville) SS.

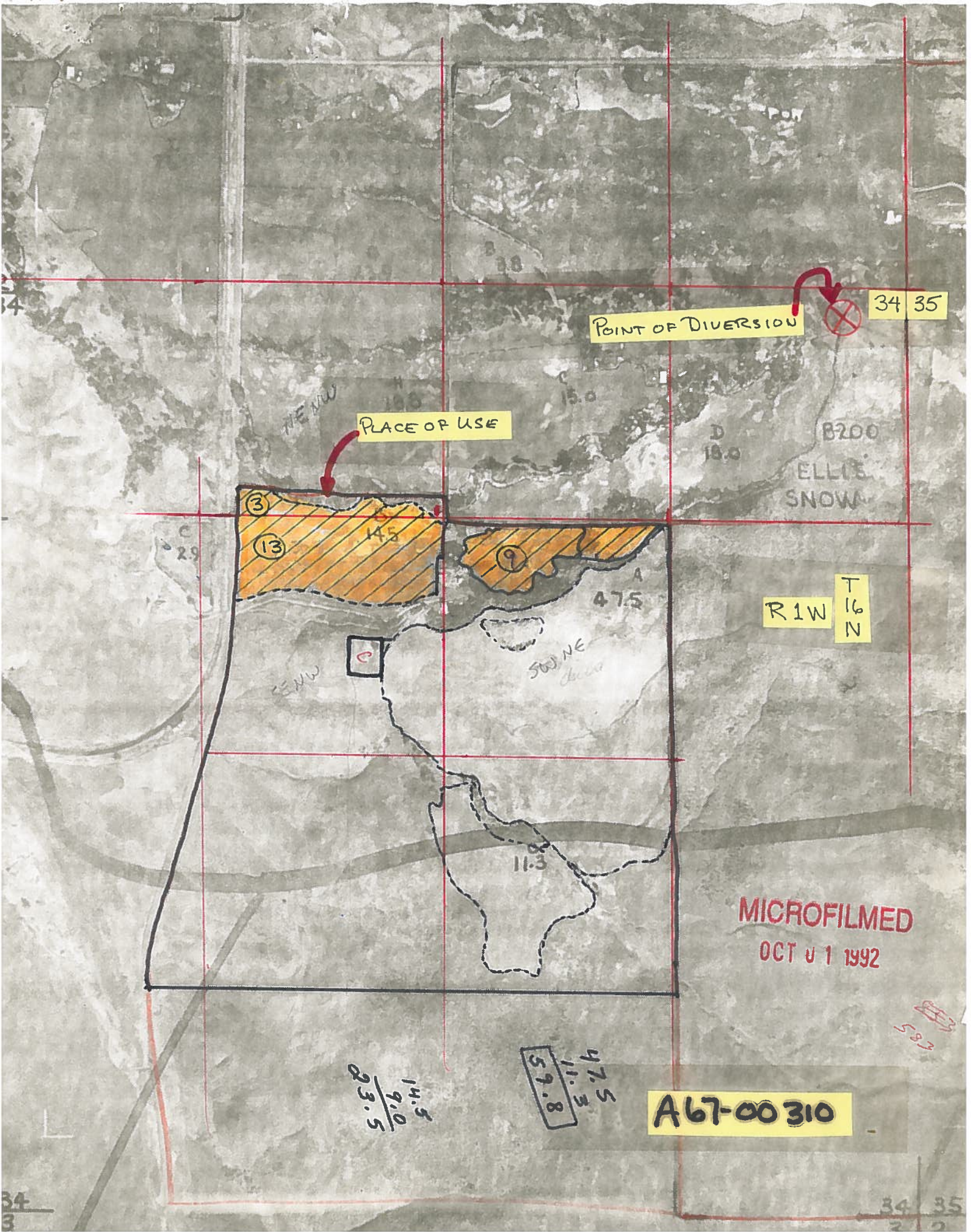
Subscribed and sworn (or affirmed) before me this 27 day
of Nov 19 89

Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94





POINT OF DIVERSION

PLACE OF USE

34 35

R1W T16N

MICROFILMED
OCT 11 1992

A67-00310

14.5
9.0
23.5

47.5
11.3
59.8

Receipt Details for ID E011205

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
11/27/1989 3:46:41 PM	11/27/1989	Eastern	\$135.00	Check
Payer	PEEBLES, STEPHEN L.			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1967			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$135.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
67	310		\$75.00	Claim
67	321		\$60.00	Claim

Print Report