

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098



FIRST CLASS

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JAN 24 2007
DEPARTMENT OF
WATER RESOURCES



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ERNEST A BRYSON JR

Director's Report
WR# 67-356 C

SCANNED

JAN 18 2007



05/31/2006

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

RIGHT NUMBER: 67-356A

NAME AND ADDRESS: JEFRI J BALDERSON
2198 MISSMAN RD
COUNCIL ID 83612

JOHN W BALDERSON
2198 MISSMAN RD
COUNCIL ID 83612

SOURCE: MILL CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.103 CFS

PRIORITY DATE: 05/01/1885

POINT OF DIVERSION:

T17N R01W S36 NWSE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.103 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T16N R01W S02 Lot 2 NWNE	9.70	T17N R01W S35	SWSE	3.40
--------------------------	------	---------------	------	------

13.1 ACRES TOTAL

This right is limited to the irrigation of 8.24 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 13.1 acres in a single irrigation season. Combined Right Nos.: 67-356A & 67-4109

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

Idaho Department of Water Resources

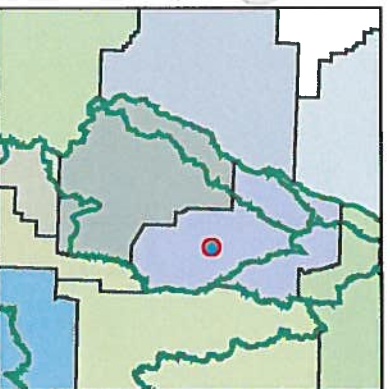


SRBA Recommendation:

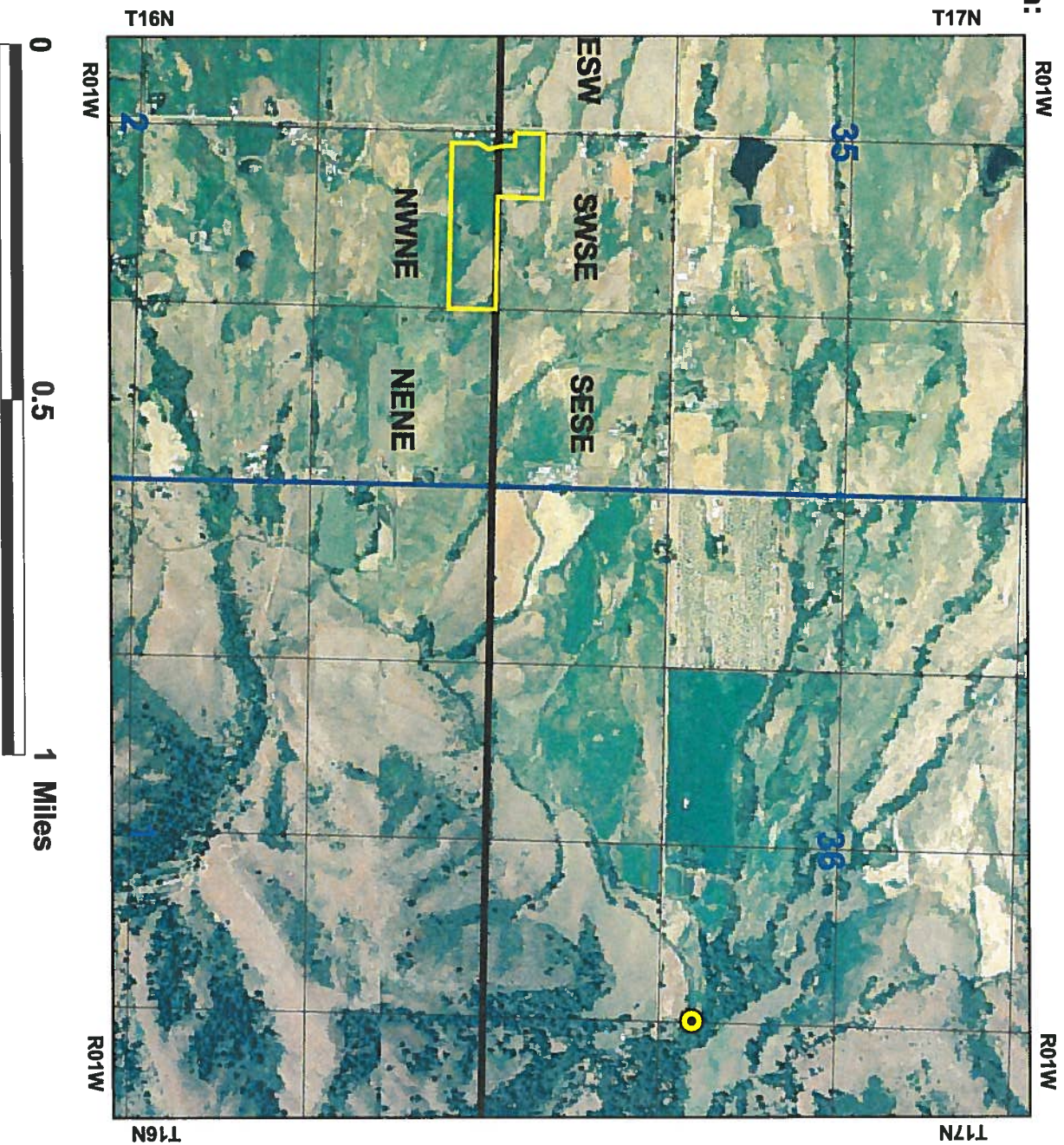
67-356A

Legend

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

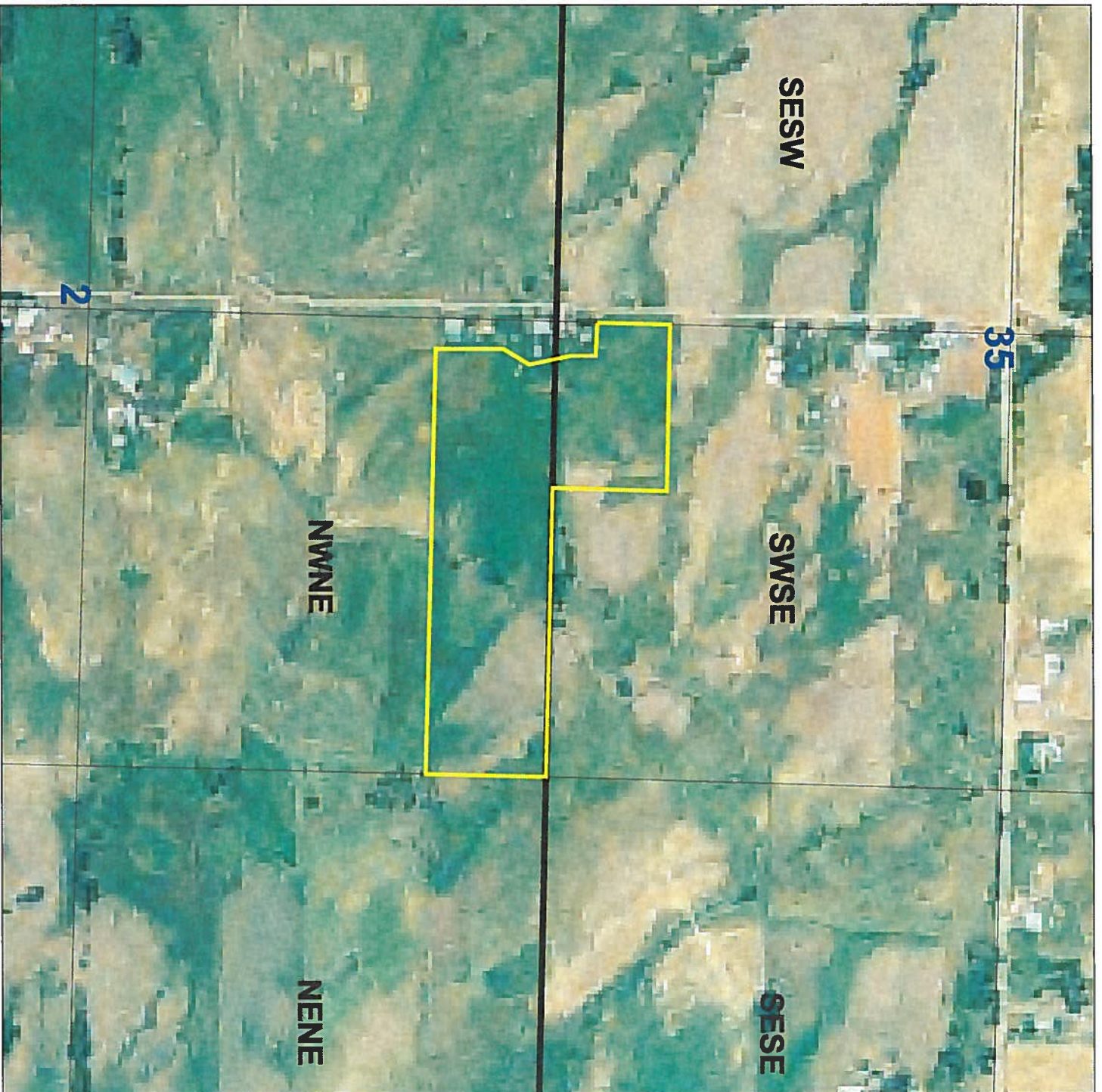
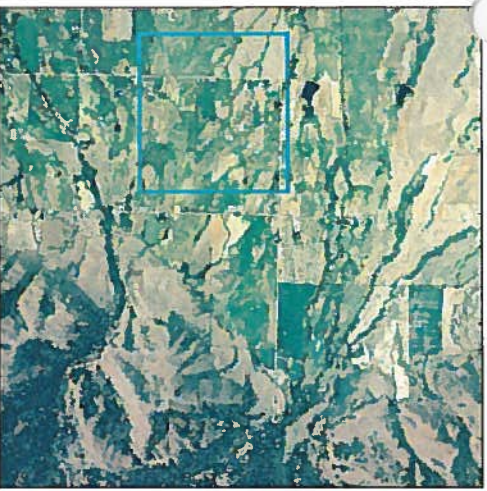


Adams County
IDWR Basin 67



Prepared by C. Saxton
On Wednesday, May 31, 2006
1987/88 Aerial Photography

67-356A



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-356A V1

WATER RIGHT NUMBER: 67-356A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JEFRI J BALDERSON 2198 MISSMAN RD COUNCIL, ID 83612
Original Owner	JANICE L HILL PO BOX 234 COUNCIL, ID 83612 (208)253-4306
Current Owner	JOHN W BALDERSON 2198 MISSMAN RD COUNCIL, ID 83612
Original Owner	THOMAS L HILL PO BOX 234 COUNCIL, ID 83612 (208)253-4306

Priority Date: 05/01/1885

Basis: Decreed

Status: Active

Source

MILL CREEK

Tributary

WEISER RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.103 CFS

Annual VolumeTotal Diversion:

0.103 CFS

Location of Point(s) of Diversion

MILL CREEK

ADAMS County

NW1/4SE1/4

Sec. 36, Twp 17N, Rge 01W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	01W	2		9.7															9.7
				L 2															
17N	01W	35															3.4		3.4

Total Acres: 13.1

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-356A V1

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. K06 This right is limited to the irrigation of 8.24 acres within the place of use described above in a single irrigation season.
3. E56 The rights listed below are limited to the irrigation of a combined total of 13.1 acres in a single irrigation season. Combined Right Nos.: 67-356A & 67-4109

Remarks:Comments:

1. mvinig 3/31/2005 Quantity

Comment: This right has been overclaimed. Still reviewing diversion rate.

2. mvinig 3/31/2005 POD

Comment: POD on early version of claim was listed incorrectly. Per letter from claimant, this was corrected.

3. csaxton 5/31/2006 POD recommendation

Comment: Claimant would not allow field exam. Recommend POD as found by WM. Tag # A0014036. Cannot see how there is a re-diversion points from the natural stream channel.

4. csaxton 5/31/2006 Split Recommendation

Comment: *The WM records are unclear as to who receives delivery of this right. However, it appears that WM records show that it was divided evenly among three users. Two of the users SRBA claims can be identified and will be recommended per WM records which matches their claims (67-356A and 67-356B). Since we cannot determine for sure who has the third right as the name on the claim does not match the tax lot date and I can not match the parcel data, and all claims are within the decreed POU, I will split the last 0.103 cfs between the two remaining claims (61-356C and 67-356D) until additional evidence is submitted showing differently.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number: 67

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	3/31/2005 7:57:56 AM	mvinig			Active
Priority Date	3/31/2005 8:17:45 AM	mvinig			Active
POU	3/31/2005 8:35:52 AM	mvinig			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-356A V1

POD	3/31/2005 8:41:21 AM	mvining	Active
POD	3/31/2005 9:00:54 AM	mvining	Active
Source	3/31/2005 9:01:06 AM	mvining	Active
Use	3/31/2005 9:01:19 AM	mvining	Active
Season	3/31/2005 9:02:11 AM	mvining	Active
Quantity	3/31/2005 9:06:39 AM	mvining	Active
Summary		03/31/2005 mvining	Active
Summary		03/31/2005 mvining	Active
Summary		05/31/2006 csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	3/31/2005 8:58:52 AM	mvining	Edited point location
Summary	3/31/2005 9:12:57 AM	mvining	(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? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 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?
POD	5/31/2006 4:11:58 PM	csaxton	Updated PLS
POU	5/31/2006 4:12:39 PM	csaxton	Updated shape for Active POU
POU	5/31/2006 4:12:49 PM	csaxton	Updated PLS for Active POU
POD	5/31/2006 4:11:49 PM	csaxton	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-356A V1

Summary	5/31/2006 4:35:51 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	3/31/2005 7:57:57 AM	mvining	(No) 1. Do you want to schedule an appointment?
Priority Date	3/31/2005 8:17:45 AM	mvining	Comment for 1: Sufficient data in file (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? (No) 16. Is a Priority Date remark and/or condition required?
POU	3/31/2005 8:35:53 AM	mvining	(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? (No) 14. Is a POU remark and/or condition required?
POD	3/31/2005 9:00:55 AM	mvining	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	3/31/2005 8:35:33 AM	mvining	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-356A V1

POD	3/31/2005 8:41:21 AM	mvining	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD?
Source	3/31/2005 9:01:07 AM	mvining	(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? (No) 11. Is a Source remark and/or condition required?
Use	3/31/2005 9:01:20 AM	mvining	(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? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	3/31/2005 9:02:12 AM	mvining	(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? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	3/31/2005 9:06:40 AM	mvining	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-356A V1

Summary	3/31/2005 9:21:17 AM	mvining	(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? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (No) 10. Would you like to set the verification date?
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Water Supply Bank:

Split history for Decreed Right 67-00356

WM History

Claim History

Split equally % of 160 ac

67-00356	Council Valley
0.3125	cfs
25	ac
0	af

67-00356	Hill
0.31	
14.5	
0	

DIV. RATE=.3125 CFS.

0.001963125

67-00356A	Balderson
0.103	
14.5	
0	
67-00356B	Christianson
0.103	
10	
0	
67-00356C	Bryson
0.103	
10	
0	
67-00356D	Lawrence/Ford
0.215	
65	
0	

67-00356A	Balderson	0.025
0.103		
8.24		13
67-00356B	Christianson	0.020
0.103		
8.24		10
67-00356C	Bryson	0.018
0.053		
4.24		9.4
67-00356D	Lawrence/Ford	0.117
0.053		
4.24		60

*Last updated 5-30-06 (csaxton)
For digital copy of Excel spreadsheet file: See Craig L. Saxton

Sum CFS =	0.524
Sum Acre=	99.5
Sum Af =	n/a

Sum CFS =	0.312	0.18046875
Sum Acre=	24.96	
Sum Af =	n/a	92.4

Extra CFS =	-0.2115
Extra Acre =	-74.5
Extra AFA =	n/a

Extra CFS =	0.00005
Extra Acre =	0.04
Extra AFA =	n/a

*The WM records are unclear as to who receives delivery of this right. However, it appears that WM records show that it was divided evenly among three users. Since we cannot determine for sure who has the right and who does not, split it up evenly among the 4 that claimed it. If others file late claims, everyone's proportionate share will have to be adjusted.

Page #	Parcel Number	Name	Water In Inches	File #	Original Owner	Priority Date
22	RP000060007003A	BALDERSON,	5.14	356		5/1/95
22	RP0000600010030	CHRISTENSO	5.14			
22	RP000060006001A	PROCKISH, T	5.14			

Priority Date Data Entry Form

Claim Number 67-356A

Claimed Priority Date: 5/1/1885

Claimed Basis: Decreed

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

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date ____

Recommended Basis _____

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

decreed priority date

* claimant opposed to field exam,
meeting, said to "use information
already in file"

Reviewer: MVDate: 5/23/05

Point of Diversion and Source Data Entry Form

Claim Number 67-356A

Claimed Point of Diversion and Source

T16N R01W S2 NENE Rediversion Within ADAMS County Source: MILL CREEK WEISER RIVER

T16N R01W S2 NWNE Rediversion Within ADAMS County Source: MILL CREEK WEISER RIVER

T17N R01E S31 SWSW Within ADAMS County Source: MILL CREEK WEISER 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

Other rights from this POD? _____

Document how the POD and Source were verified:

phone conversation w/ claimant confirmed POD
in sec 31 T17N R01W SW SW -

Reviewer: MWDate: 5/23/05

Place Of Use Data Entry Form

Claim Number 67-356A

Claimed Place Of Use

T16N R01W S02 NWNE 11.0 T17N R01W S35 SWSE 3.5
Total Acres 14.5

☒ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

____ See corrections to claimed POU above

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

Total Acres ____

Document how the POU was verified:

phone conversation w/ claimant - wants to
claim entire 14.5 acres outlined in
change of ownership memo from Craig Saxton

Reviewer: _____



Date: _____

5/23/05

Purpose of Use Data Entry Form

Claim Number 67-356A

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
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Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

phone conversation w/ claimant

Reviewer: Date:

5/23/05

Period of Use and Quantity Data Entry Form

Claim Number 67-356A

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	0.103	

Overall Diversion Rate 0.103

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
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Overall Diversion Rate

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:

check season of use in ArcView layer

Reviewer: MVDate: 5/23/05

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	JANICE L HILL	PO BOX 234	COUNCIL	ID	83612	(208)253-4306
Current Owner	JEFRI J BALDERSON	2198 MISSMAN RD	COUNCIL	ID	83612	
Current Owner	JOHN W BALDERSON	2198 MISSMAN RD	COUNCIL	ID	83612	
Original Owner	THOMAS L HILL	PO BOX 234	COUNCIL	ID	83612	(208)253-4306

Comment for 1: Sufficient data in file

Date of Field Exam: phone conversation
w/ John Balderson Time: 5:00 ~ 5:30 pmAccompanied By: Phone Number: 253-6814Relationship to Claimant: claimant

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

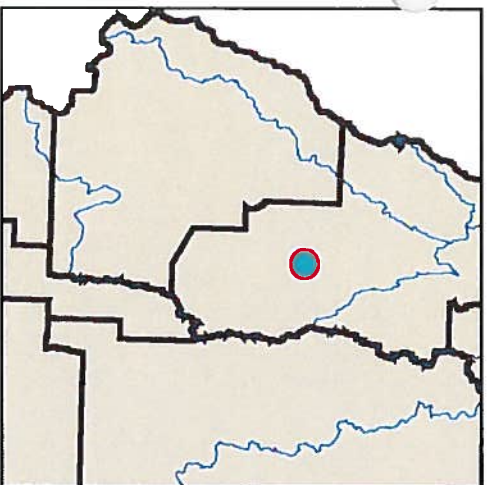
Reviewer: mvDate: 5/23/05

Idaho Department of Water Resources



T16N R01W
T17N R01W

Adjudication Claim Number: **67-356A**



Legend

-  PLS Sections
-  Quarter Quarters



Prepared by D. Narsavage
On Tuesday, May 17, 2005
1987 Aerial Photography

MEMORANDUM

Date: March 18, 2005

To: File

From: Craig L. Saxton

Subject: Change of Ownership request for SRBA claims 67-00356A and 67-04109.

The Problem:

From the deed submitted with the change of ownership, I can confirm a portion of Lot 3, being 3.5 acres as described in Exhibit "A" on the warranty deed submitted, is owned by Jefri and John Balderson. This is also verified using the digital information provided by Adams Co in the form of ArcView Taxlot data. Lot 3 looks good to change.

However, there is no description for Lot 4. No township and range listed. Looking at the claim maps, and the claim itself I can see that the additional acreage claimed is in T16N, R1W, S2, NWNE and is claimed for 11 acres.

Research:

I called the Adams County assessors office at about 10:00 am today. I spoke with Paula Balderson who just happened to be related to Jefri and John Balderson. She confirmed that Jefri and John owned 14 acres:

Lot 3 and 4, Block 7, Council Valley Orchards, Second Addition. The 14 acres (Lot 3 and 4) have been combined into one parcel #: RP00060007003A A

Paula could confirm that this portion of Lot 4 was located in T16N, R1W, S2, but could not confirm a QQ. But according to Paula, the property owned by Jefri and John is one piece and that would fit with the claim.

Conclusion:

I feel confident that Jefri and John Balderson do own the property described by claims 67-00356A and 67-04109. Ok to change ownership on these rights in their entirety.

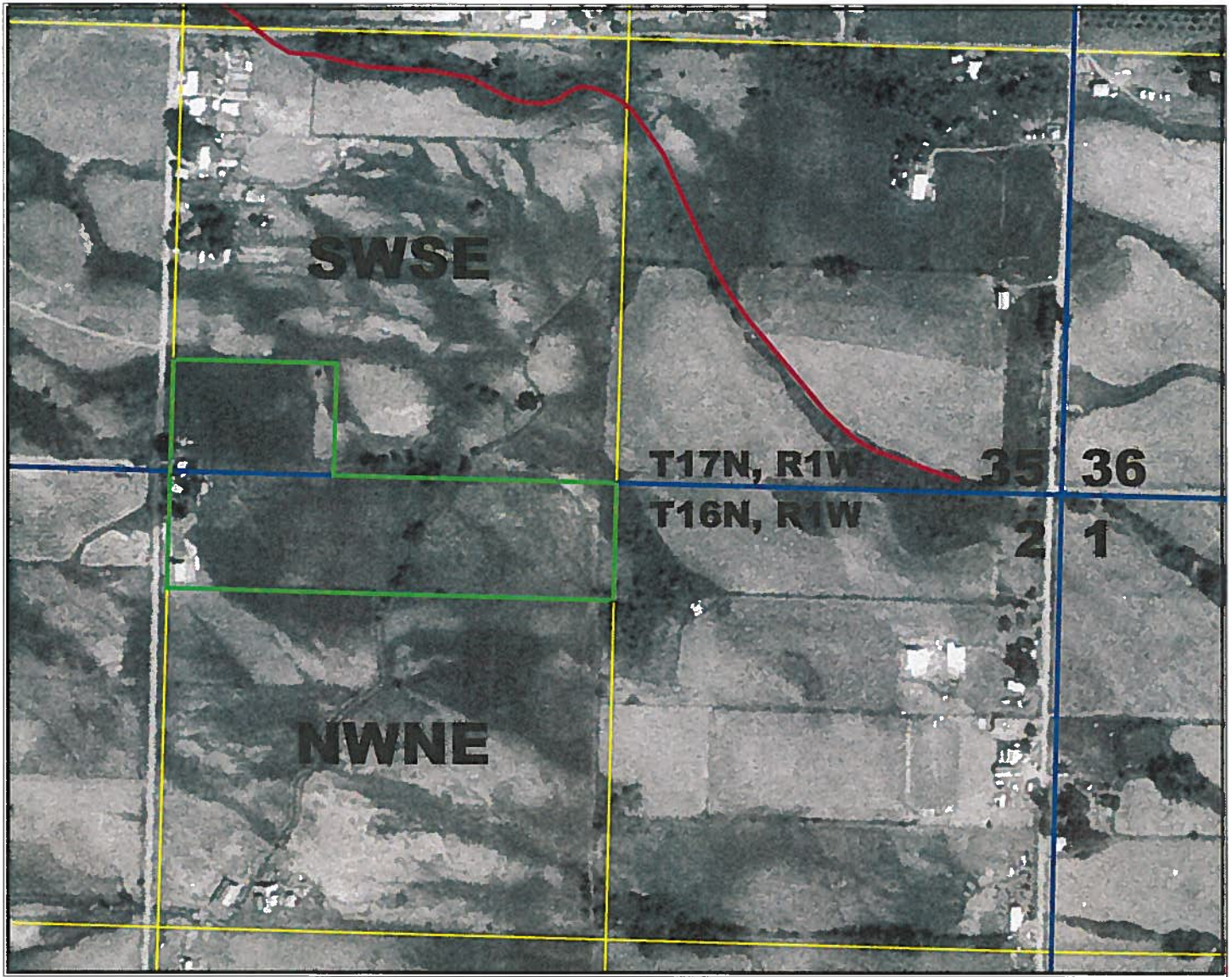


State of Idaho

Change of Ownership

Hill to Balderson

Claim #: 67-00356A & 67-04109



1320 0 1320 Feet

● Point of Diversion

Claimed Irrigated Acres = 14.5

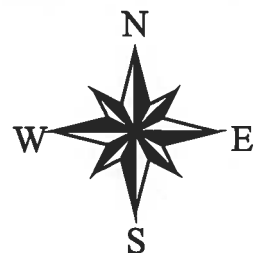
□ Place of Use

▤ N/A

□ Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines



Prepared By: Craig L. Saxton
Date: March 2005

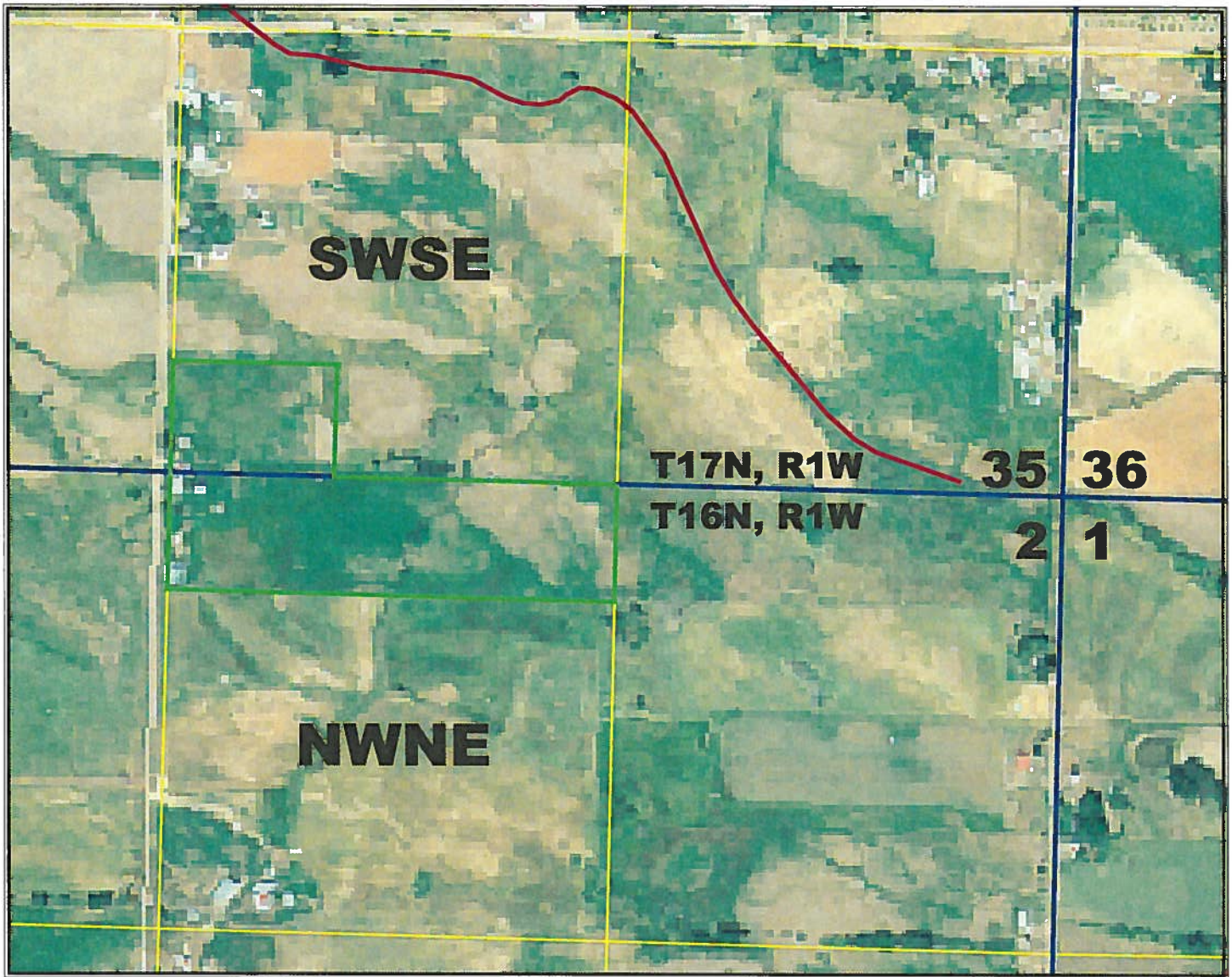


State of Idaho

Change of Ownership

Hill to Balderson

Claim #: 67-00356A & 67-04109



1320

0

1320 Feet



Point of Diversion



Place of Use



N/A



Tax Lot Data

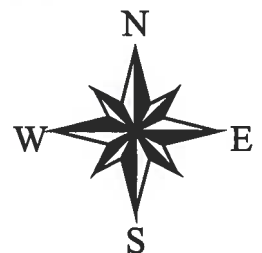


Quarter Quarter Lines



Section Lines

Claimed Irrigated Acres = 14.5



Prepared By: Craig L. Saxton

Date: March 2005

5

File 397

41-1

6.7.8

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF WASHINGTON.

JOHN T MUIR and WILLIAM
MUIR, partners doing
business under the firm name
and style of Muir Brothers,
Plaintiffs,
vs
WILLIAM ALLISON, et al,
Defendants.

AMENDED DECREE

Upon reading and filing the above application, it is hereby made manifest to appear to me that a mistake was made in the writing of the said decree in relation to the Mill Creek rights of the several claimants, and it is hereby ordered, adjudged and decreed and the Court does hereby order, adjudge and decree, that said decree be amended in the following particulars:

J D and John Poyner in the said 1906 decree was awarded 40 miners inches of water to date from May 1, 1889, whereas in the decree in the above entitled action it was made to read from May 1, 1886. In the said decree in the above entitled action there was likewise a mistake in the matter of award of the Council Orchards, as successor in interest of J Marion Young, whereby it was awarded 37 inches of water to date from May 1, 1889, whereas in truth or in fact, the said decree should have read 1899. Also in the decree in the above entitled action, Huston and Spahr was awarded priority from May 1, 1899, whereas in truth or in fact the true date is 1889. Also in the decree of the above entitled action of the Council Orchards, it was awarded 10 ³/₄ inches of water from the right of J Marion Young, to date from 1885, whereas in truth or in fact it should have read 15 ⁵/₈ inches of water. In the matter of the water right of Lappin and Felmlly under the 1906 decree, Charles Lappin and C S Gibbs were as successors in interest of James J Jones, awarded 65 miners inches of water, to date from May 1, 1886, whereas in the decree in the above entitled action, said date was made to read 1896, the decree in the above cause is

SCANNED

JAN 10 2003

JUL 24 1996

hereby amended to conform to the said Mill Creek decree, in the above particulars.

Dated this 21 day of June, 1923.

Ed L Bryan,
District Judge.

STATE OF IDAHO }
County of Washington } ss

I, Frank E Smith, Clerk of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Washington, hereby certify that the within and foregoing is a full, true and complete copy of the Amended Decree rendered and entered in the action entitled John T Muir and William Muir, partners doing business under the firm name and style of Muir Brothers, Plaintiffs, vs William Allison, et al, Defendants, as the same appears of record in Judgment Book F, at page 170, records of said Court.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court this 2nd day of July, 1923.

Frank E. Smith
Clerk of the District Court

RECORDED
JUL 24 1923

RECORDED
JAN 30 2003

File 397

John J. Muir et al

vs.

Wm. Allison et al

Mill Creek

Recorded in Book 4

Page 628

(621-23)

RECEIVED
JUL -6 1923
DEPARTMENT OF RECLAMATION

RECORDED
JUL 9 4 1926

J F Lowe
L J Rhinehart
Loren Rhinehart
Anna Morrow

38 ✓
31 ✓
40 ✓
5 ✓

June 5, 1902 67 0344
June 5, 1902 67 0345
June 5, 1902 67 0346
June 5, 1902 67 0347

Mill Creek.

William Winkler, Lewis Winkler, Mrs F H Hayner,
John Kessler, Jim Kessler, Lewis Kessler, Bettie
Dickerson, Janie Hart, Ida Blanchard, William
Kessler, Elva Young and Rebecca Kessler, suc-
cessors of Alexander Kessler, deceased
Frederick N Watriss, Grantee of Geo M Winkler

25 ✓
16 2/3 ✓
12 1/2 ✓
33 1/3 ✓
20 3/4 ✓

67 0348
May 1, 1878 - Trans 504-517-539-711 ✓
May 1, 1881 67 0349
May 1, 1884 67 0350
May 1, 1893 67 0351
May 1, 1894 67 0352
May 1, 1882 67 0353
May 1, 1891 67 0354
May 1, 1884 Trans 504 67 0355

P H Schaff and F B Galey, Grantees of Samuel Harp
Deseret Sheep Company sub for C A Martin, Grantee
of Margaret Krigbaum

37 1/2 ✓
29 ✓
41 2/3 ✓

Mill Creek (Con)

Council Valley Orchards, Grantee of J Marion
Young

10 3/4 ✓
29 ✓
37 1/2 ✓
21 1/2 ✓
27 1/2 ✓
37 1/2 ✓

May 1, 1885 67 0356
May 1, 1894 67 0357
May 1, 1889 67 0358
May 1, 1886 67 0359
May 1, 1893 67 0360
May 1, 1894 67 0361

J D Poyner and John Poyner

George T Ellis

P H Schaff and Thomas L Watt, Grantees of B F
Middleton

Charles Lappin and A E Felmsley, Grantees of C B
Gibbs

54 ✓

May 1, 1896 67 0362

James A Huston Jr. and William Spahr, Grantees
of John and J D Poyner

16 Trans 384

May 1, 1899 67 0363

B W Turnipseed

18 ✓

May 1, 1903 67 0364

J V Morrison

18 ✓

July 1, 1909 67 0365

C W Holmes

8 1/2 ✓

May 1, 1909 67 0366

Council Valley Orchards

100 ✓

June 1, 1906 67 0367

Unnamed Stream.

Council Valley Orchards

100 ✓

July 3, 1911 67 0368

Frank B Galey

20 ✓

March 17, 1913 67 0369

C W Holmes

10 ✓

May 16, 1912 67 0370

C B McDonald High water 56

34 ✓

July 2, 1892 67 0371

Fort Hall Creek

C T Hamill

4 ✓

May 1, 1882 67 0372

4 ✓

May 1, 1889 67 0373

6 ✓

May 1, 1882 67 0374

21 ✓

June 1, 1911 67 0375

A L Frechafer and Margaret T. Dike

JUL 24 1996

19

MILL CREEK RIGHTS.

Deseret Sheep Company, substituted for C. A. Martin,
Grantee of Margaret Krigbaum,

41 2/3 May 1, 1884

William Winkler, Lewis Winkler,
Mrs. F. H. Hayner, John Kessler,
Jim Kessler, Lewis Kessler,
Bettie Dickerson, Janie Hart
Ida Blanchard, William Kessler,
Elva Young and Rebecca Kessler,
Successors of Alexander
Kessler, deceased,

25

" " 1878

Charles Lappin and A. E.
Felmley, Grantee of C. S. Gibbs,

54

" " 1896

J. D. Poynor and John Poynor,

21 1/2

" " 1886

B. W. Turnipseed,

18

" " 1903

Frederick M. Watriss,
Grantee of Geo. M.
Winkler,

16 2/3
12 1/2
33 1/3
20 3/4

" " 1881
" " 1884
" " 1893
" "

P. H. Schaff and
F. S. Galey, Grantees
Samuel Hark

37 1/2
29

" " 1882
" " 1891

Council Valley Orchards
Grantee J. Marion Young

10 3/4
29
37 1/2

" " 1885
" " 1894
" " 1889

James A. Huston and William
Spahr, Grantees of John and
J. D. Poynor,

16

" " 1899

P. H. Schaff and Thomas L.
Watt, Grantees of B. F.
Middleton,

37 1/2

" " 1894

George T. Ellis

27 1/2

" " 1893

J. V. Morrison,

16

July 1 1909

C. W. Holmes

8 1/2

May 1 1909

RECORDED

JUL 24 1899

WILLIAM WINKLER, LEWIS WINKLER, MISS F H HAYNER, JOHN KESSLER, JIM KESSLER, LEWIS KESSLER, BETTIE DICKERSON, JANIE HART, IDA BLANCHARD, WILLIAM KESSLER, ELVA YOUNG AND REBECCA KESSLER, successors of Alexander Kessler, deceased: The Southwest Quarter of the Northeast Quarter, Section 10, the East half of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 10 in Township 16 North, Range 1 West Boise Meridian.

FREDERICK N WATKINS: The South half of the Northwest Quarter and the North half of the Southwest Quarter, Section 35, Township 17 North Range 1 West Boise Meridian.

P H SCHAFF AND F S GALEY: The South half of the Northeast Quarter and the North half of the Southeast Quarter Section 35, Township 17 North, Range 1, West Boise Meridian.

DESIGNET SHARP COMPANY: The Southeast Quarter of Section 34, Township 17 North, Range 1 West Boise Meridian.

COUNCIL VALLEY ORCHARDS: The South half of the Southeast Quarter, Section 35, Township 17 North, Range 1 West Boise Meridian and the North half of the Northeast Quarter, Section 2, Township 16 North, Range 1 West Boise Meridian.

J D POYNTER AND JOHN POYNTER: The North half of the Southwest Quarter and the West half of the Northwest Quarter of Section 36, Township 17 North, Range 1 West Boise Meridian.

GEORGE T WELLIS: The Southeast Quarter of the Southeast Quarter, Section 4, the Southwest Quarter of the Northwest Quarter, Section 3, and a tract bounded as follows, commencing at the Southwest corner of lot 1, said Section 4, thence north along the west side of said lot 20 rods, thence east 80 rods, thence south 20 rods, thence west 80 rods to the place of beginning, all in Township 16 North, Range 1 West Boise Meridian.

P H SCHAFF AND THOMAS L WATT: The North half of the Northwest Quarter Section 35, and 70 acres east of the right of way of the P & I N Ry. in the Southeast Quarter of the Southeast Quarter Section 27, and the Northeast Quarter of the Northeast Quarter Section 34, all in Township 17 North, Range 1 West Boise Meridian.

see chub CHARLES LAPPIN AND A E FREMLEY: The West half of the Southwest Quarter of Section 25, and the east half of the southeast Quarter of Section 26, Township 17 North, Range 1, West Boise Meridian.

JAMES A HUSTON, JR. and WM H SPAHR: The West half of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter, Section 36, Township 17 North, Range 1 West Boise Meridian.

B W TURNIPSEED: Lot 4, the Southeast Quarter of the Southwest Quarter, and the South half of the Southeast Quarter Section 31, Township 17 North, Range 1 West Boise Meridian.

J V MORRISON: The Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 4, Township 16 North, Range 1 West Boise Meridian.

O W HOLMES: The Northwest Quarter of the Southwest Quarter Section 3, Township 16 North, Range 1 West Boise Meridian.

FRANK S GALEY: Northwest Quarter Southeast Quarter and Northeast Quarter Southeast Quarter Section 35, Township 17 North, Range 1 West Boise Meridian.

LOUIS HARP: The South half of the Northeast Quarter, and the Northeast Quarter of the Northeast Quarter, Section 23, and the Southeast Quarter of the Southeast Quarter Section 14, Township 17 North, Range 1 West Boise Meridian.

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 heretofore 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 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

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 67-356A
Date Received: 1/2/1990
Receipt No: W006521
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JEFRI J BALDERSON Phone:

2198 MISSMAN RD
COUNCIL ID USA 83612

JOHN W BALDERSON Phone:

253-6814

2198 MISSMAN RD
COUNCIL ID USA 83612

2. Date of Priority: 05/01/1885

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	01W	2	NW NE	ADAMS	R
16N	01W	2	NE NE	ADAMS	R
17N	01E	31	SW SW	ADAMS	

5. Description of diverting works:

GRAVITY DIVERSION INTO OPEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.103	

7. Total Quantity Appropriated is:

0.103 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	01W	2	NW	NE	IRRIGATION	11
					Section Acres	11
17N	01W	35	SW	SE	IRRIGATION	3.5
					Section Acres	3.5
					Total Acres	14.5

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:

14. Remarks:

2 P/D IN NENE, S2, T16N, R1W.
THIS CLAIM HAS BEEN SPLIT INTO A, ETC.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 21, 2005

JEFRI J BALDERSON
JOHN W BALDERSON
2198/ MISSMAN RD
COUNCIL ID 83612

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #67-356A and 67-4109
and Decree #67-11110

Dear Claimants:

We have processed your change in ownership of the Notices of Claim referenced above. Thank you for your patience.

Enclosed are copies of your Notices of Claim for your file. Please refer to these record numbers in any future inquiries or correspondence.

A copy of your ownership change form has been given to our Water Allocations Bureau. That bureau will be in contact with you concerning the ownership change of your decreed right and the fee due.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claims.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures:

Copies of Notices of Claim Referenced Above
cc: Water Allocations

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

AUG 23 2002

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
P.D. 67-11110		NO			
67-356A		NO			
67-4109		NO			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Janice L. Hill / Thomas L. Hill
HC 62, Box 1360, Council, ID 83612
4. New Owner/Claimant(s) Jeffrey J. Balderson / John W. Balderson
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 2198 Missman Road
- City, State and ZIP Code Council, ID 83612
- New Telephone Number () _____
5. Date you acquired the property 7-30-02

cc: W.A 3-11-05

SCANNED
MAR 21 2005

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) ☒ John W. Bakerson
(include title if applicable) ☒ Christa Bakerson

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by DH Date 8-23-02 Fee _____
Receipted by 2 Date _____ Receipt No. _____
Processed by Doherty AJ Date 3-21-05 WR _____ Date _____

OK to Change C-Section
3-18-05

SCANNED
MAR 21 2005

COPY

For Value Received, THOMAS L. HILL and JANICE L. HILL, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto
JEFRI J. BALDERSON and JOHN W. BALDERSON, wife and husband

the grantees, whose current address is 2195 Massman Rd, Council, ID 83612
~~2731 W. Fork Rd., Fruitvale, ID 83620~~

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: July 30, 2002

Thomas L. Hill
THOMAS L. HILL

Janice L. Hill
JANICE L. HILL

Instrument # 102049

COUNCIL, ADAMS, IDAHO

2002-07-31

03:33:42 No. of Pages: 2

Recorded for : TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: DEED

STATE OF Idaho)
COUNTY OF Adams)
: ss

On this 30 day of July in the year of 2002, before me, a Notary Public in and for said State, personally appeared

THOMAS L. HILL and JANICE L. HILL

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.

Christy A. Ward
Notary Public
Residing at: Indian Valley
Commission expires: 9-17-04

INSTRUMENT NO. 102049

PAGE 2 OF 2

EXHIBIT 'A'

Lot 4 of Block 7, Council Valley Orchards, Second Addition; AND a tract of land in Lot 3 of Block 7, Council Valley Orchards, Second Addition, more particularly described as follows:

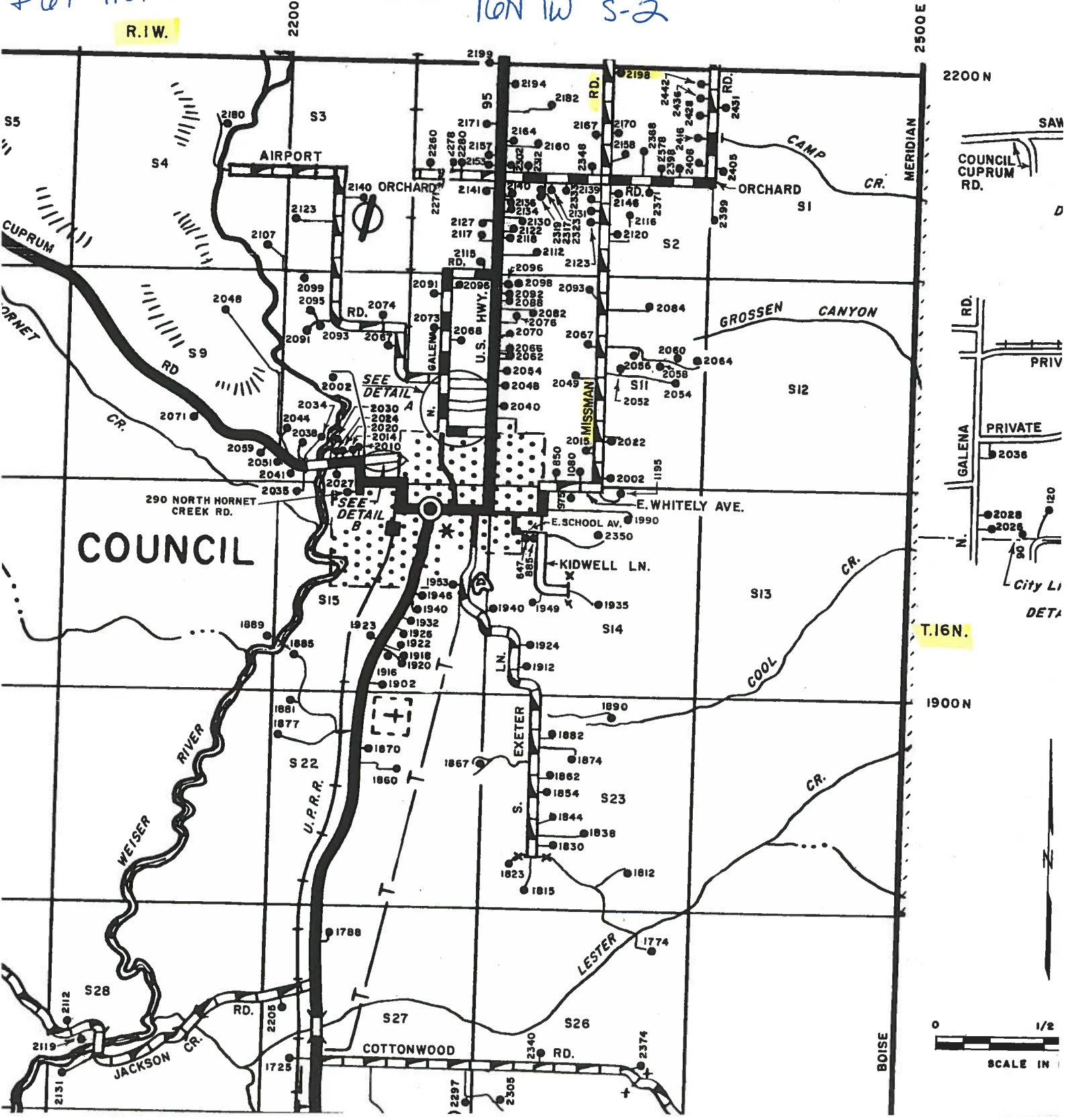
**Commencing, therefore, at the Southwest corner of said Lot 3;
Thence North on the West line of said Lot 3, a distance of 330 feet to the northwest corner of Lot 3;
Thence East on the north line of said Lot 3, a distance of 462 feet;
Thence South and parallel to the west line of Lot 3, a distance of 330 feet;
Thence West on the south line of said Lot 3, a distance of 462 feet to the Point of Beginning.**

All as said Lots and Blocks are numbered and designated on the official Plat of said Second Addition to Council Valley Orchards on file in the office of the Adams County Recorder.

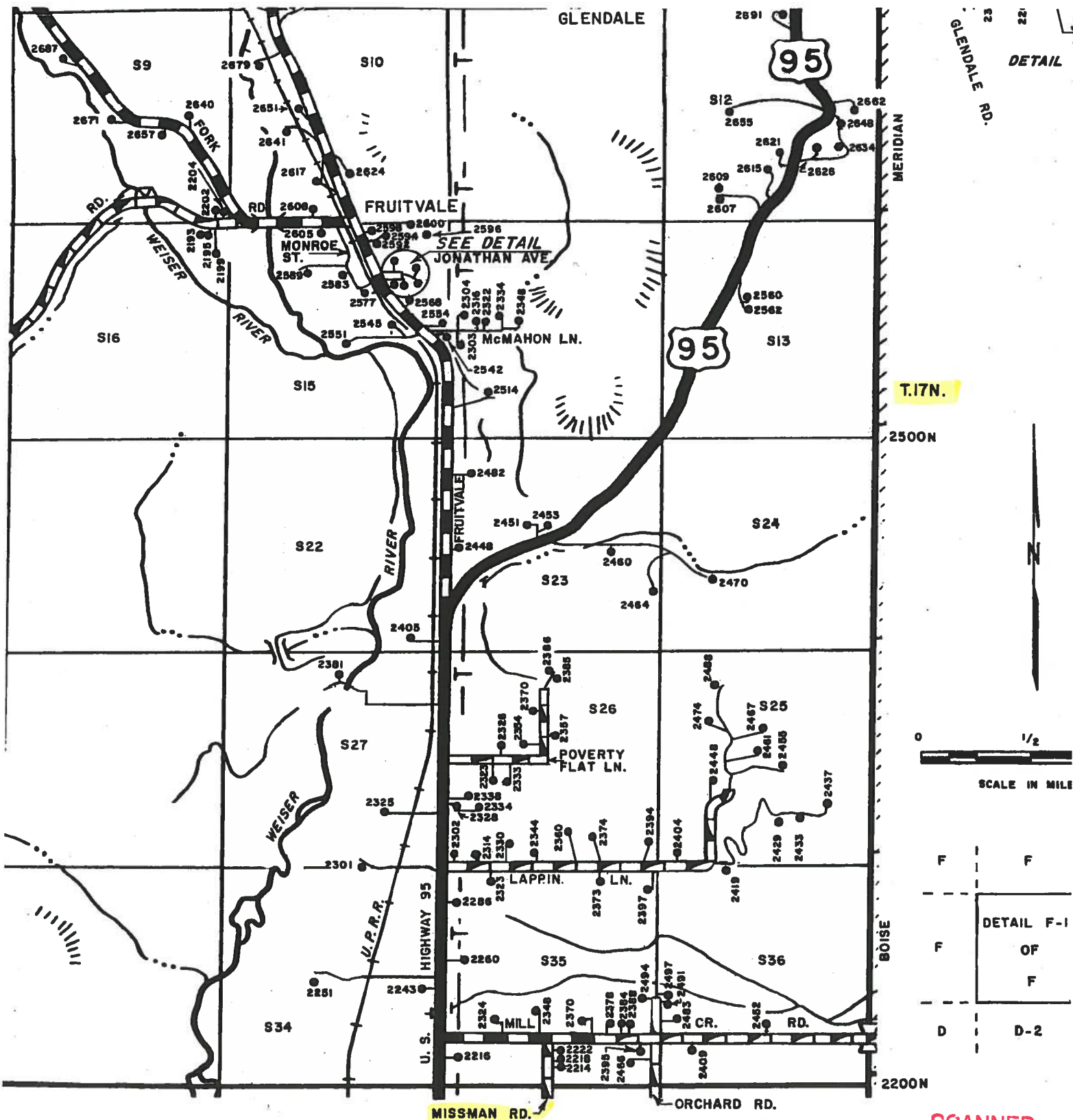
SCANNED

MAR 21 2005

67-3560A } → Map for 2198 Missman Rd
+ 67-4109 } 16N 1W S-2



Map for 7N 1W S-35 Missman Rd -
Associated w/ 67-356A + 67-4109



NOTE: ADDRESSES 2900 THROUGH 3200 ON FRUITVALE - GLENDALE ROAD
DO NOT CONFORM TO GRID SYSTEM.

SCANNED
MAR 21 2005

17N 1W
S-35

SWSE

SESE

3.5 ac
"Hill"

16N 1W
S-2

NWNE

NENE

Land in NWNE not
shown on tax lot data

SCANNED
MAR 2 1 2006

17N 1W
S-35

SWSE

SESE

3.5 ac

"Hill"

16N 1W
S-2

NWNE

NENE

Land in NWNE not
shown on tax lot data

SCANNED
MAR 21 2015

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: A67-00356A
Date Received: 1/ 2/1990
Receipt No: W006521
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: THOMAS L HILL
Address: HC 62 BOX 1360
COUNCIL ID

208-253-4306

83612

OR

Name: JANICE L HILL
Address: HC 62 BOX 1360
COUNCIL ID

208-253-4306

83612

2. Date of Priority: MAY 1, 1885

3. Source: MILL CREEK

Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	2	NE	NE		R	ADAMS
			NW	NE		R	ADAMS
17N	01E	31	SW	SW			ADAMS

5. Description of diverting works:
GRAVITY DIVERSION INTO OPEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.103		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	2	NW	NE		IRR	11.0
						Section Acres	11.0
17N	01W	35	SW	SE		IRR	3.5
						Section Acres	3.5
						Total Acres	14.5

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:
A67-04109

14. Remarks:
2 P/D IN NENE, S2, T16N, R1W.
THIS CLAIM HAS BEEN SPLIT INTO A, ETC.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

vs WILLIAM ALLISON
Decree Defendant

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: A67-00356A
Date Received: 10/23/1989
Receipt No: W006521
Received By:

RECEIVED
JAN 02 1990

Department of Water Resources
AMENDED
Western Regional Office

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

AMENDED

1. Name: THOMAS L. HILL 208-253-4306
Address: HC 62, BOX 1360
COUNCIL, ID 83612
OR
Name: JANICE L. HILL 208-253-4306
Address: HC 62, BOX 1360
COUNCIL, ID 83612

2. Date of Priority: MAY 01, 1885

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	01W	2	NE	NE		R	ADAMS
			NW	NE		R	ADAMS
17N	01E	31	SW	SW			ADAMS

5. Description of diverting works:
GRAVITY DIVERSION INTO OPEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.103		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A67-00356A

Page 1

Date: 12/15/89

MICROFILMED
AUG 05 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	2	NW	NE		IRR	11.0
						Section Acres	11.0
17N	01W	35	SW	SE		IRR	3.5
						Section Acres	3.5
						Total Acres	14.5

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:
A67-04109

14. Remarks:
2 P/D IN NENE, S2, T16N, R1W.
THIS CLAIM HAS BEEN SPLIT INTO A, ETC.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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 X 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): Janice L. Hill Date: 12-26-89

Date: _____

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of December 19 89
Patricia Wilson
Notary Public

Seal

Residing at Council
My Commission Expires 10-23-93

POOR ORIGINAL

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MICROFILMED
AUG 05 1994

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: A67-00356A
Date Received: 10/23/1989
Receipt No: W006521
Received By: RLH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS L. HILL 208-253-4306
Address: HC 62, BOX 1360
COUNCIL, ID 83612
OR
Name: JANICE L. HILL 208-253-4306
Address: HC 62, BOX 1360
COUNCIL, ID 83612

2. Date of Priority: MAY 01, 1885

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	2	NE	NE		R	ADAMS
			NW	NE		R	ADAMS
17N	01E	25	SW	SW			ADAMS

5. Description of diverting works:
GRAVITY DIVERSION INTO OPEN DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.103		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	2	NW	NE		IRR	11.0
						Section Acres	11.0
17N	01W	35	SW	SE		IRR	3.5
						Section Acres	3.5
						Total Acres	14.5

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:
A67-04109

14. Remarks:
2 P/D IN NENE, S2, T16N, R1W.
THIS CLAIM HAS BEEN SPLIT INTO A, ETC.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

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 X 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): Thomas L. Hill Date: 10-23-89

Date: _____

State of Idaho)
County of ADA) ss.

Subscribed and sworn (or affirmed) before me this 23 day
of Oct 19 89 Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1994



RECEIVED

THE HILLS

JAN 02 1990

H.C. 62 BOX 1360
COUNCIL, IDAHO 83612



Department of Water Resources
Western Regional Office

Dec. 29, 1989

Dear Sir:

I am sending my \$50⁰⁰ filing fee for water right #A67-00362. The East Fork Ditch Co. secretary, Janet Meyer, is to be in your office Jan. 2, 1990 to pay for the acreage on this parcel of land.

I have, also, enclosed an amended water right #A67-00356A.

The third enclosure is water right #A67-04109 which needs amended. The point of diversion needs amended to read as follows:

17N 01E 31 SW SW ADAMS

It has the section wrong. It is to read the same as #A67-00356A. He didn't notice the mistake until our neighbor found it when he was down there for his filing.

I realize you all are very busy just now so when you get to this it will be appreciated.

Sincerely,
(Mrs) Thomas Hill

Enc: \$50⁰⁰ check
#A67-00362
#A67-00356A
#A67-04109 (copy)

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AUG 05 1994