

UNITED STATES
02 1
0004389
RECEIVED

FIRST CLASS

RECEIVED
NOV 24 2006
DEPARTMENT OF
WATER RESOURCES

NOE

WR # 67-356C

Unknown
Daff
Owners of
Treat
at
address

ERNEST A BRYSON JR
1047 SUNNYSIDE LP
LENORE ID 83541

☐ Yes ☐ No ☐ Box Office ☐ Returned for Error ☐ Postage Due

SCANNED

FEB 27 2007

06/01/2006

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

RIGHT NUMBER: 67-356C

NAME AND ADDRESS: ERNEST A BRYSON JR
1047 SUNNYSIDE LP
LENORE ID 83541

SOURCE: MILL CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.053 CFS

PRIORITY DATE: 05/01/1885

POINT OF DIVERSION:

T17N R01W S36 SENWSE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.053 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T16N R01W S02 Lot 1 NENE 9.30

9.3 ACRES TOTAL

This right is limited to the irrigation of 4.24 acres within the place of use described above in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

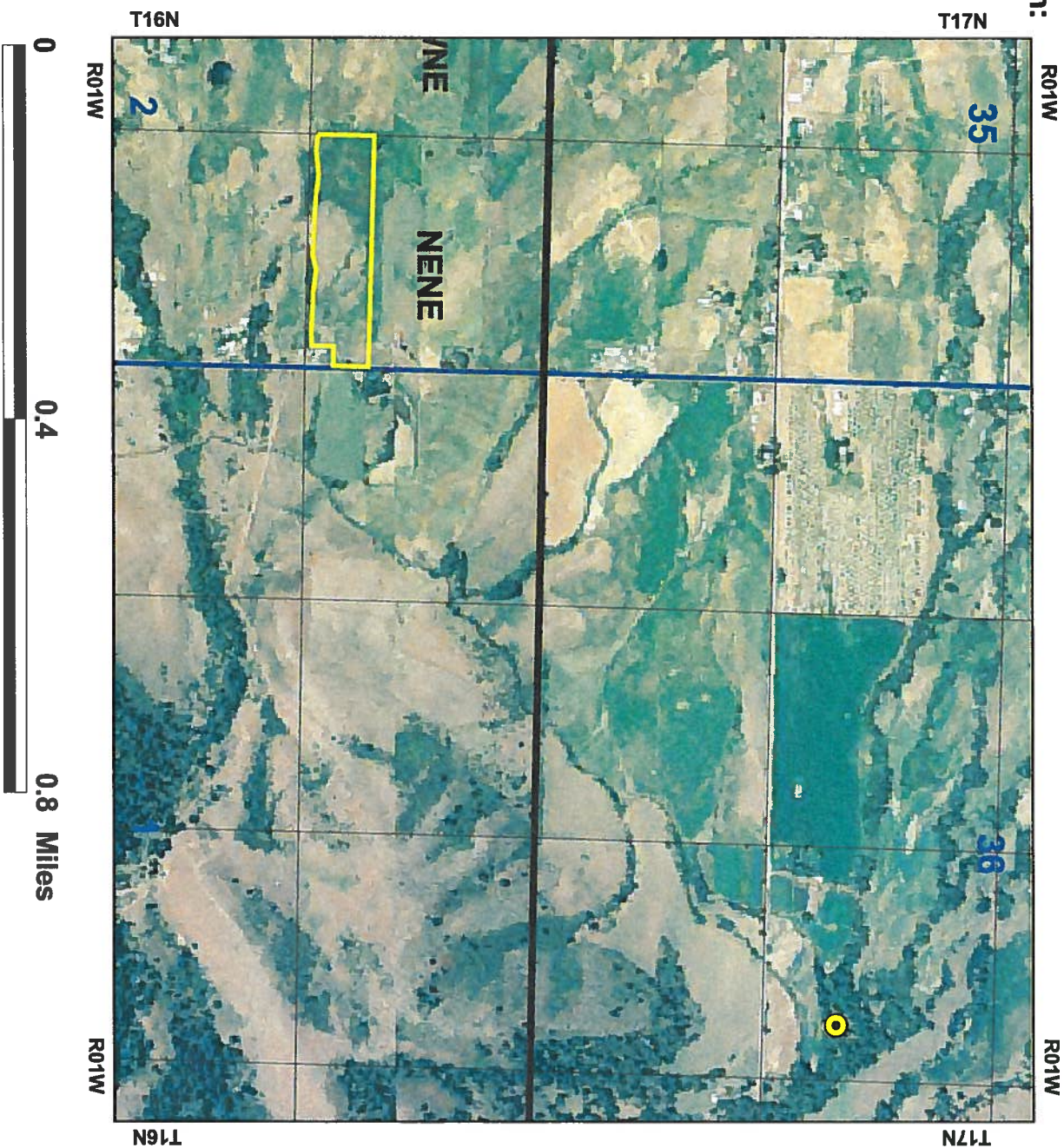
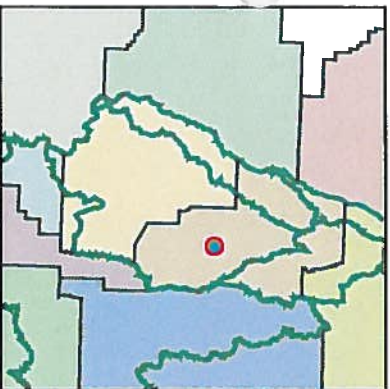


SRBA Recommendation:

67-356C

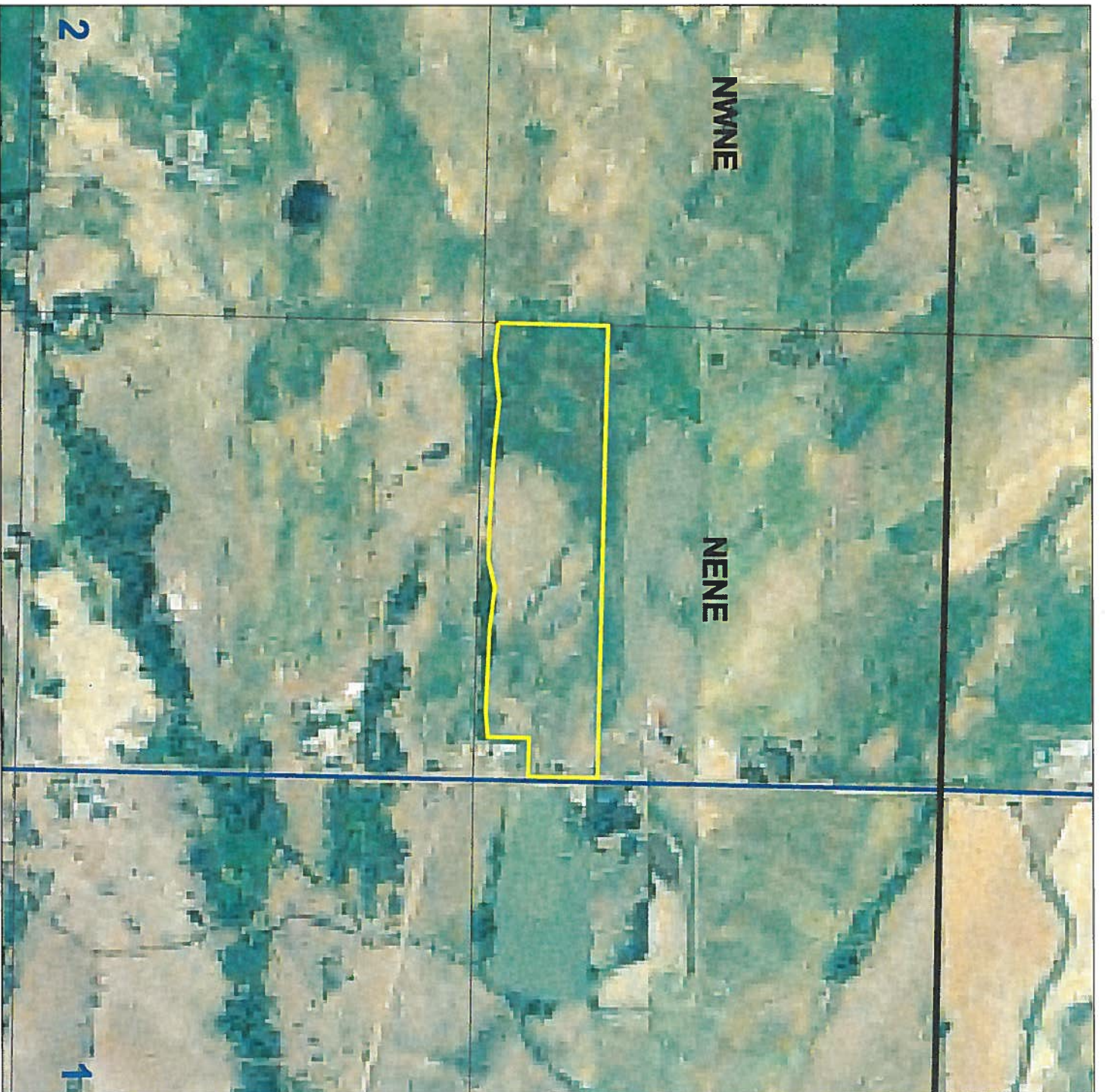
Legend

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



Prepared by C. Saxton
On Thursday, June 1, 2006
1987/88 Aerial Photography

67-356C



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-356C V1

WATER RIGHT NUMBER: 67-356C V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	PATRICIA EDWARDS 2428 ORCHARD RD COUNCIL, ID 83612-5218 (208)253-6998
Original Owner	MARK A EDWARDS 2428 ORCHARD RD COUNCIL, ID 83612-5218 (208)253-6998
Current Owner	ERNEST A BRYSON JR 1047 SUNNYSIDE LP LENORE, ID 83541

Priority Date: 05/01/1885

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.053 CFS	
	<u>Total Diversion:</u>	0.053 CFS	

Location of Point(s) of Diversion

MILL CREEK	SE1/4NW1/4SE1/4	Sec. 36, Twp 17N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	01W	2	9.3																9.3
			L 1																

Total Acres: 9.3

Conditions of Approval:

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 4.24 acres within the place of use described above in a single irrigation season.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-356C V1

Comments:

1. csaxton 6/1/2006 No Flood Water Claim
Comment: No flood water claim was filed on top of this decreed right.
2. csaxton 6/1/2006 POD
Comment: Other splits of this right are delivered through the Hoover ditch. Recommend POD at Hoover ditch.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 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>
Priority Date	7/30/2004 1:27:51 PM	segbert			Active
POD	7/30/2004 1:28:23 PM	segbert			Active
Source	7/30/2004 1:39:50 PM	segbert			Active
POU	7/30/2004 1:40:25 PM	segbert			Active
Use	7/30/2004 1:42:10 PM	segbert			Active
Season	7/30/2004 1:42:33 PM	segbert			Active
Quantity	7/30/2004 1:42:53 PM	segbert			Active
Contacts	6/1/2006 9:53:20 AM	csaxton			Active
Priority Date	6/1/2006 9:53:34 AM	csaxton			Active
POD	6/1/2006 9:53:43 AM	csaxton			Active
Source	6/1/2006 10:40:48 AM	csaxton			Active
POU	6/1/2006 10:41:01 AM	csaxton			Active
Use	6/1/2006 10:41:49 AM	csaxton			Active
Season	6/1/2006 10:42:03 AM	csaxton			Active
Quantity	6/1/2006 10:42:37 AM	csaxton			Active
Summary			06/01/2006	csaxton	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-356C V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	7/30/2004 1:39:35 PM	segbert	Edited point location
POU	7/30/2004 1:40:55 PM	segbert	Edited shape boundary
Use	7/30/2004 1:42:09 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?
Quantity	7/30/2004 1:42:52 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?
Source	7/30/2004 1:39:49 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?
POU	7/30/2004 1:40:24 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?
Season	7/30/2004 1:42:32 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?
POD	7/30/2004 1:38:42 PM	segbert	Edited point location
Contacts	6/1/2006 9:53:26 AM	csaxton	(No) 1. Do you want to schedule an appointment?
			Comment for 1: Desktop Review
POD	6/1/2006 9:53:49 AM	csaxton	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-356C V1

POD	6/1/2006 10:39:43 AM	csaxton	Updated PLS
General	6/1/2006 9:53:40 AM	csaxton	(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?
Source	6/1/2006 10:40:50 AM	csaxton	(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?
POU	6/1/2006 10:41:02 AM	csaxton	(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?
POU	6/1/2006 10:41:23 AM	csaxton	Updated shape for Active POU
Use	6/1/2006 10:41:51 AM	csaxton	(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	6/1/2006 10:42:04 AM	csaxton	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-356C V1

Quantity	6/1/2006 10:42:39 AM	csaxton	(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?
Summary	6/1/2006 10:44:17 AM	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? (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? (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?
POU	6/1/2006 10:41:31 AM	csaxton	Updated PLS for Active POU
Priority Date	7/30/2004 1:27:50 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	7/30/2004 1:28:22 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?
POD	6/1/2006 10:39:32 AM	csaxton	Updated shape

Water Supply Bank:

Split history for Decreed Right 67-00356

WR History

Claim History

Split equally % of 160 ac

67-00356	Council Valley	67-00356	Hill
0.3125	cfs	0.31	
25	ac	14.5	
0	af	0	

DIV. RATE=.3125 CFS.

0.001953125

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	0.078
	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

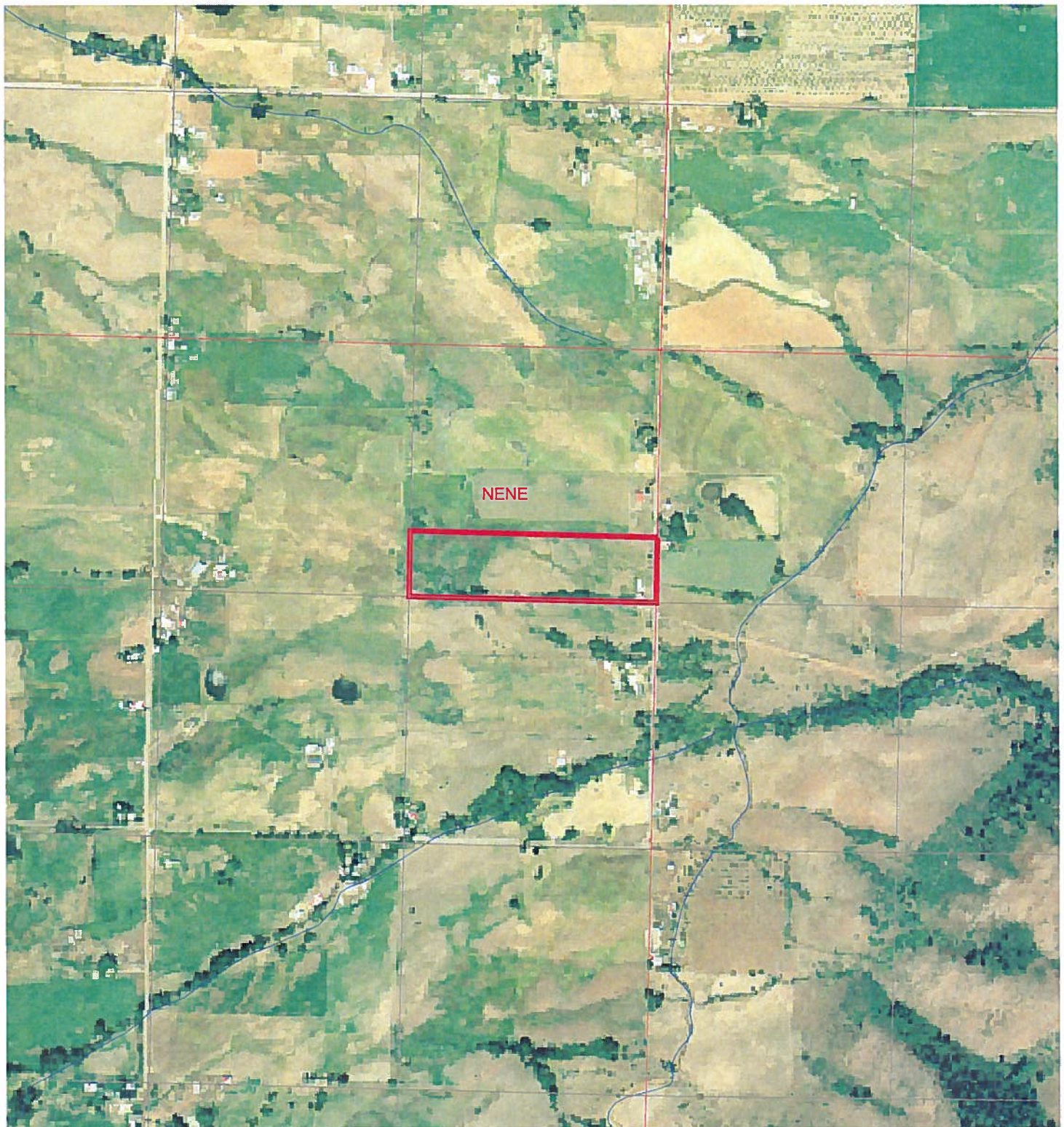
Extra CFS =	0.0005
Extra Acre =	0.04
Extra AFA =	n/a

*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	RP00060007003A	BALDERSON,	5.14	356		5/1/95
22	RP000600010030	CHRISTENSO	5.14			
22	RP00060006001A	PROCKISH, T	5.14			

Idaho Department of Water Resources

67-356C



T16N R01W S2



500 0 500 1000 Feet

A scale bar with markings for 500, 0, 500, and 1000 feet.

Prepared by Sandy Egbert
7-30-04
1987 NAPP Photography

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 67-356C
Date Received: 12/15/1989
Receipt No: W007149
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ERNESTATE A BRYSON JR
1047 SUNNYSIDE LOOP
LENORE ID USA 83541

Phone:

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
17N	01E	31	NE SW SW	ADAMS	
16N	01W	2	NE NE	ADAMS R	

5. Description of diverting works:

GRAVITY DIVERSION INTO OPEN DITCHES FOR FLOOD IRRIGATION.

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:

SCANNED
APR 02 2004

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	01W	2	NE	NE	IRRIGATION	10
					Section Acres	10
					Total Acres	10

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:

Ownership changed by DH 7/1/2002

THIS CLAIM IS A SPLIT FROM THE ORIGINAL DECREED RIGHT FOR 67-00356 - .31 CFS.

15. Basis of Claim: Decreed

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 03 1998

WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): A67-04215 & A67-00356C
Adjudication Claim No(s): _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Mark A. Edwards
HC 62 Box 1290, Council, ID 83612
4. New Owner/Claimant(s) Ernest A. Bryson, Jr.
Name Connector (Check one): ☐ and ☐ or ☐ and/or
New Mailing Address 1047 Sunnyside Loop
City, State and ZIP Code Lenore, ID 83541
New Telephone Number () _____
5. Date you acquired the property October 25, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Ernest A. Bryson 10/25/98
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

COPY

WARRANTY DEED

INSTRUMENT NO. 94941
PAGE 1 OF 1

For Value Received, MARK A. EDWARDS, an unmarried man
the grantor, does hereby grant, bargain, sell and convey unto
ERNEST A. BRYSON, a single person

the grantee, whose current address is: 2428 Orchard Rd, Council, ID 83612
the following described premises, in Adams County, Idaho, to-wit:

Lot 1, Block 1, Council Valley Orchards, Adams County, Idaho, as designated
on the official plat thereof in Book 1 Plats page 16 in the Adams County
Recorder's Office.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee,
his heirs and assigns forever. And the said Grantor does hereby covenant to and with the
said Grantee, that he is the owner 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 he will warrant and defend the same from all lawful claims whatsoever.

Date: October 23, 1998


MARK A. EDWARDS

STATE OF Idaho)
COUNTY OF Adams) ss

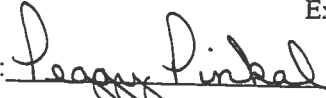
On this 23rd day of Oct, in the year of 1998, before me
a Notary Public, personally appeared
MARK A. EDWARDS
known or identified to me to be the person whose name
is subscribed to the within instrument, and acknowledged
to me that he executed the same.

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow

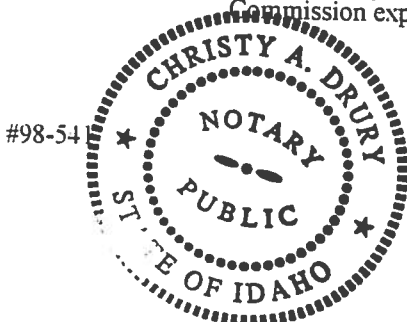
at 53 minutes past 1 o'clock PM.
this 23 day of Oct, 1998, in my
office, and duly recorded in Book
of Deeds at page


Notary Public
Residing at Fruitvale, Idaho
Commission expires: 3/4/04

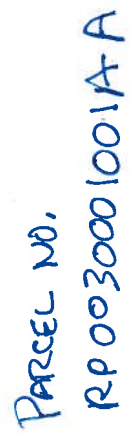
MICHAEL FISK
Ex-Officio Recorder

By: 
Deputy

Fees \$ 3.00
Mail to: Timberline Title & Escrow



16N 1W
S-2 NENE

$$\begin{array}{r} 162 \\ 123 \\ 222 \\ \hline \end{array}$$


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: A67-00356C
Date Received: 10/23/1989
Receipt No: W007149
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARK A. EDWARDS 208-253-6998
Address: HC 62, BOX 1290
COUNCIL, ID 83612
OR
Name: PATRICIA EDWARDS 208-253-6998
Address: HC 62, BOX 1290
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	NE	R	ADAMS
17N	01E	31	NE	SW	SW		ADAMS

5. Description of diverting works:
GRAVITY DIVERSION INTO OPEN 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	0.103		

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:
STOCKWATER INCIDENTAL TO IRRIGATION.

A67-00356C

Page 1

Date: 12/15/89

MICROFILMED
OCT 01 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	01W	2	NE NE		IRR	10.0
Section Acres						10.0
Total Acres						10.0

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:

CLAIM NO. A67-04215 - DOMESTIC WELL.

14. Remarks:

THIS CLAIM IS A SPLIT FROM THE ORIGINAL DECREED RIGHT FOR
67-00356 - .31 CFS.

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: 1

For Individuals:

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

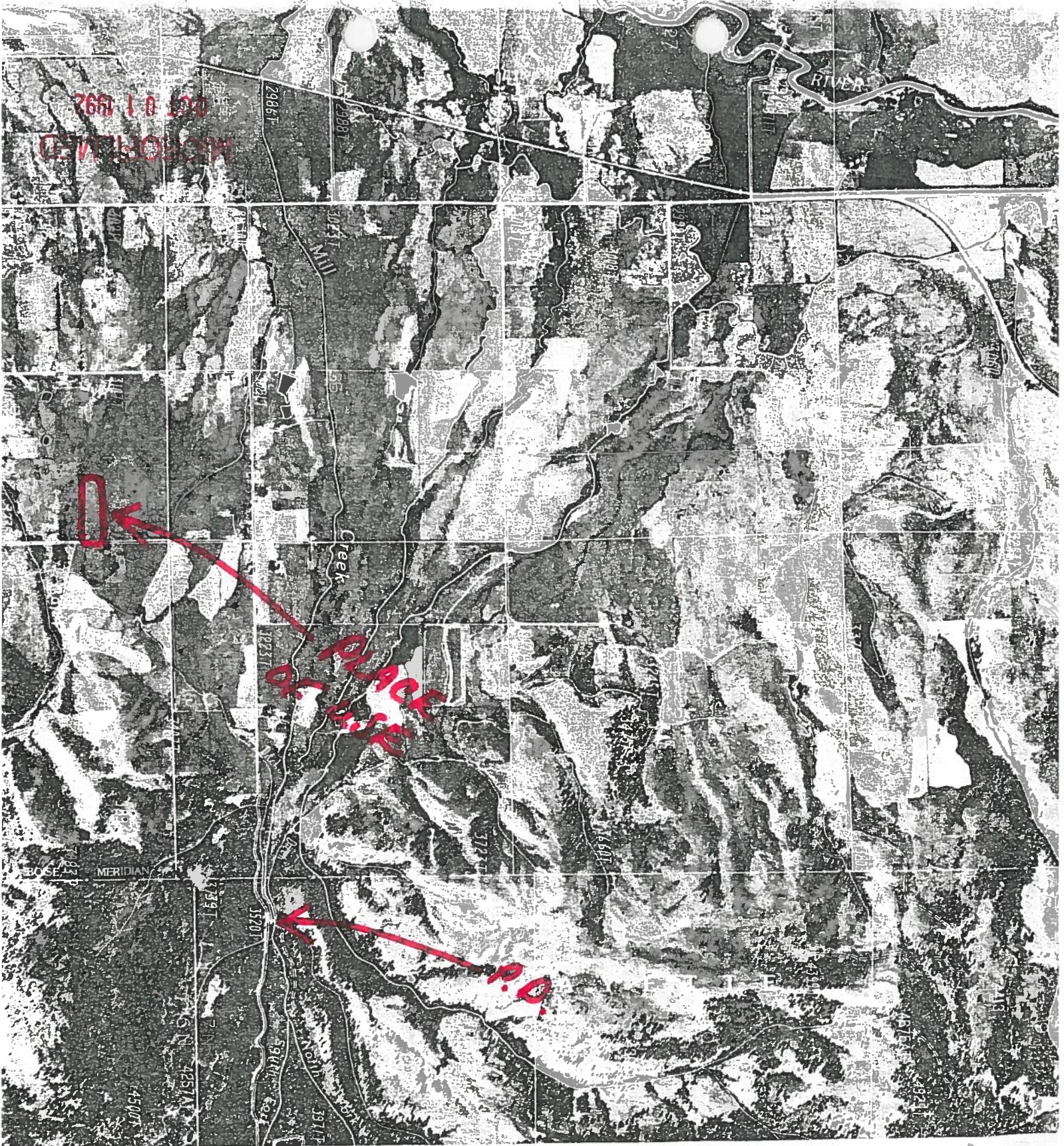
Signature of Claimant(s): *Patricia L. Edwards* Date: 12/15/89
Patricia L. Edwards Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of December 19 89 *Jan Skute*
Notary Public

Seal

Residing at *Meridian ID*
My Commission Expires 9-14-94



265 1 0 100
001 0 1 1992
MICROFILMED

R. PLACE

T 17 N
T 16 N

4956 0000 N