

RECEIVED

AUG 23 2007

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576

A. Subcase 67-373B

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: South Ranch Ventures LLC

Address: P.O. Box 44

Council, Idaho 83612

Daytime Phone: 208-253-6023

Name & Address of Attorney, if any:

Michael P. Lawrence

GIVENS PURSLEY LLP

P.O. Box 2720

Boise, Idaho 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Douglas M. Scism

Address: P.O. Box 44

Council, Idaho 83612

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 0.08 cfs
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: 8 acres
10. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** Quantity should be as claimed.
This water right, in combination with other water rights (listed in remark), should have a
172 acre place of use.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Michael P. Lawrence, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

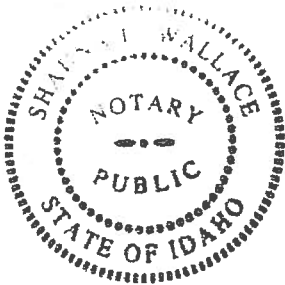
That I am the party/claimant filing this objection as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

31 August 2007



Shauna J. Wallace
Notary Public for Idaho
Residing at: Boise ID
My Commission Expires: 14 Sept 2011

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on August 21, 2007, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original via Federal Express to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Douglas M. Scism
Address: P.O. Box 44
Council, ID 83612

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

06/21/2007

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

RIGHT NUMBER: 67-373B

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

SOURCE: FORT HALL CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.074 CFS

PRIORITY DATE: 05/01/1889

POINT OF
DIVERSION:

T17N R01W S23 NESWNE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.074 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T17N R01W S23 SWNE 5.90

5.9 ACRES TOTAL

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373B V1

WATER RIGHT NUMBER: 67-373B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SOUTH RANCH VENTURES LLC PO BOX 44 COUNCIL, ID 83612 (208)253-6023
Attorney	MICHAEL P LAWRENCE GIVENS PURSLEY LLP 601 W BANNOCK ST PO BOX 2720 BOISE, ID 83701-2720 (208)388-1200
Original Owner	C T HAMILL , ID
Directors Report Owner	DOUGLAS M SCISM PO BOX 44 COUNCIL, ID 83612 (208)253-6023

Priority Date: 05/01/1889

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
FORT HALL 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	0.074 CFS	
	<u>Total Diversion:</u>	0.074 CFS	

Location of Point(s) of Diversion

FORT HALL CREEK	NE1/4SW1/4NE1/4	Sec. 23, 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	
17N	01W	23			5.9														5.9

Total Acres: 5.9

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373B 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. E56 The rights listed below are limited to the irrigation of a combined total of 162.5 acres in a single irrigation season. Combined Right Nos.: 67-55, 67-65, 67-73B, 67-74B, 67-373B, 67-375A, and 67-11304A

Remarks:Comments:

1. csaxton 11/15/2005 Re-numbered

Comment: This right is renumbered from former right 67-373 . This right was renumbered to right 67-373B.

2. csaxton 11/15/2005 From Claim

Comment: THIS WATER RIGHT IS DECREED FROM FORT HALL CREEK, HOWEVER IT IS DELIVERED THROUGH THE FARMERS CANAL. FORT HALL CREEK WATER IS EXCHANGED FOR WEISER RIVER WATER. ADDRESS CHANGED PER CLAIMANT LETTER. 11/17/98 LH

3. csaxton 11/15/2005 Diversion Rate

Comment: Claim 67-373A was found to be a valid claim and claimed 0.006 cfs. Recommend the remainder of the decreed diversion rate under this claim.

4. csaxton 11/15/2005 Acre Limit

Comment: The recommended acres under this right are limited to the number of acres that can be irrigated with the recommended diversion rate at 5/8 inches per acre.

5. csaxton 12/13/2006 NOE

Comment: Recommendation amended per NOE. This water is diverted directly from Fort Hall Creek.

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	11/15/2005 2:10:03 PM	csaxton			Active
Priority Date	11/15/2005 2:10:34 PM	csaxton			Active
POD	11/15/2005 2:13:16 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373B V1

Source	11/15/2005 2:15:58 PM	csaxton	Active
POU	11/15/2005 2:16:17 PM	csaxton	Active
Use	11/15/2005 2:17:41 PM	csaxton	Active
Season	11/15/2005 2:17:56 PM	csaxton	Active
Quantity	11/15/2005 2:18:22 PM	csaxton	Active
Summary	11/15/2005	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	11/15/2005 2:10:05 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: FE by Melanie Vining 6/14/05.
POD	11/15/2005 2:14:39 PM	csaxton	Updated PLS
POD	11/15/2005 2:14:25 PM	csaxton	Updated shape
POD	11/15/2005 2:15:27 PM	csaxton	Updated shape
Source	11/15/2005 2:15:59 PM	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	11/15/2005 2:16:18 PM	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? (Yes) 14. Is a POU remark and/or condition required?
POU	11/15/2005 2:17:11 PM	csaxton	Updated shape for Active POU
Use	11/15/2005 2:17:42 PM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373B V1

Season	11/15/2005 2:17:56 PM	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?
Quantity	11/15/2005 2:18:22 PM	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	11/15/2005 2:25:06 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?
General	11/15/2005 2:10:36 PM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373B V1

POD	11/15/2005 2:13:18 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (Yes) 10. Is a POD remark and/or condition required? Description for Question 6 - This is claimed as an exchange. Water decreed from Fort Hall Creek is injected into the Weiser River simply by not diverting from Fort Hall Creek, and is taken from the Weiser River through the Farmers canal as an exchange. This practice can only take place when there is sufficient water in Fort Hall Creek to fill the priority of this right.
POD	11/15/2005 2:29:33 PM	csaxton	Updated shape
POU	12/13/2006 8:53:38 AM	csaxton	Updated PLS for Active POU
POD	12/13/2006 8:54:23 AM	csaxton	Updated shape
POD	12/13/2006 8:54:35 AM	csaxton	Updated PLS
POU	12/13/2006 8:53:30 AM	csaxton	Updated shape for Active POU

Water Supply Bank:

12/13/2006

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

RIGHT NUMBER: 67-373B

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

SOURCE: FORT HALL CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.074 CFS

PRIORITY DATE: 05/01/1889

POINT OF DIVERSION:

T17N R01W S23 NESWNE 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	0.074 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T17N R01W S23 SWNE 5.90

5.9 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 163.1 acres in a single irrigation season. Combined Right Nos.: 67-55, 67-65, 67-73B, 67-74B, 67-373B, 67-375A, and 67-11304A

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

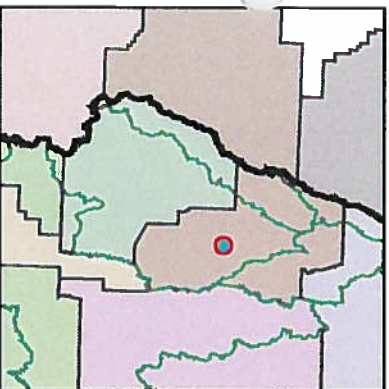


Idaho Department of Water Resources

SRBA Recommendation:
67-373B
(Irrigation)

Legend

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



T17N

R01W



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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373B V1

WATER RIGHT NUMBER: 67-373B V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	MICHAEL P LAWRENCE GIVENS PURSLEY LLP 601 W BANNOCK ST PO BOX 2720 BOISE, ID 83701-2720 (208)388-1200
Original Owner	C T HAMILL
Current Owner	, ID DOUGLAS M SCISM PO BOX 44 COUNCIL, ID 83612 (208)253-6023

Priority Date: 05/01/1889

Basis: Decreed

Status: Active

Source

FORT HALL CREEK

Tributary

WEISER RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.074 CFS

Annual VolumeTotal Diversion:

0.074 CFS

Location of Point(s) of Diversion

FORT HALL CREEK

ADAMS County

NE1/4SW1/4NE1/4

Sec. 23, 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	
17N	01W	23			5.9														5.9

Total Acres: 5.9

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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373B V1

2. E56 The rights listed below are limited to the irrigation of a combined total of 163.1 acres in a single irrigation season. Combined Right Nos.: 67-55, 67-65, 67-73B, 67-74B, 67-373B, 67-375A, and 67-11304A

Remarks:Comments:

1. csaxton 11/15/2005 Re-numbered

Comment: This right is renumbered from former right 67-373 . This right was renumbered to right 67-373B.

2. csaxton 11/15/2005 From Claim

Comment: THIS WATER RIGHT IS DECREEED FROM FORT HALL CREEK, HOWEVER IT IS DELIVERED THROUGH THE FARMERS CANAL. FORT HALL CREEK WATER IS EXCHANGED FOR WEISER RIVER WATER. ADDRESS CHANGED PER CLAIMANT LETTER. 11/17/98 LH

3. csaxton 11/15/2005 Diversion Rate

Comment: Claim 67-373A was found to be a valid claim and claimed 0.006 cfs. Recommend the remainder of the decreed diversion rate under this claim.

4. csaxton 11/15/2005 Acre Limit

Comment: The recommended acres under this right are limited to the number of acres that can be irrigated with the recommended diversion rate at 5/8 inches per acre.

5. csaxton 12/13/2006 NOE

Comment: Recommendation amended per NOE. This water is diverted directly from Fort Hall Creek.

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	11/15/2005 2:10:03 PM	csaxton			Active
Priority Date	11/15/2005 2:10:34 PM	csaxton			Active
POD	11/15/2005 2:13:16 PM	csaxton			Active
Source	11/15/2005 2:15:58 PM	csaxton			Active
POU	11/15/2005 2:16:17 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373B V1

Use	11/15/2005 2:17:41 PM	csaxton	Active
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Quantity	11/15/2005 2:18:22 PM	csaxton	Active
Summary	11/15/2005	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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POD	11/15/2005 2:14:25 PM	csaxton	Updated shape
POD	11/15/2005 2:15:27 PM	csaxton	Updated shape
Source	11/15/2005 2:15:59 PM	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?
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373B V1

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-373B V1

POD	11/15/2005 2:13:18 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (Yes) 10. Is a POD remark and/or condition required? Description for Question 6 - This is claimed as an exchange. Water decreed from Fort Hall Creek is injected into the Weiser River simply by not diverting from Fort Hall Creek, and is taken from the Weiser River through the Farmers canal as an exchange. This practice can only take place when there is sufficient water in Fort Hall Creek to fill the priority of this right.
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POU	12/13/2006 8:53:38 AM	csaxton	Updated PLS for Active POU
POD	12/13/2006 8:54:23 AM	csaxton	Updated shape
POD	12/13/2006 8:54:35 AM	csaxton	Updated PLS
POU	12/13/2006 8:53:30 AM	csaxton	Updated shape for Active POU

Water Supply Bank:

MEMORANDUM

no flow measurement
needed (per watermaster)

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

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

The Problem:

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

Notes:

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

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

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

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

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

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

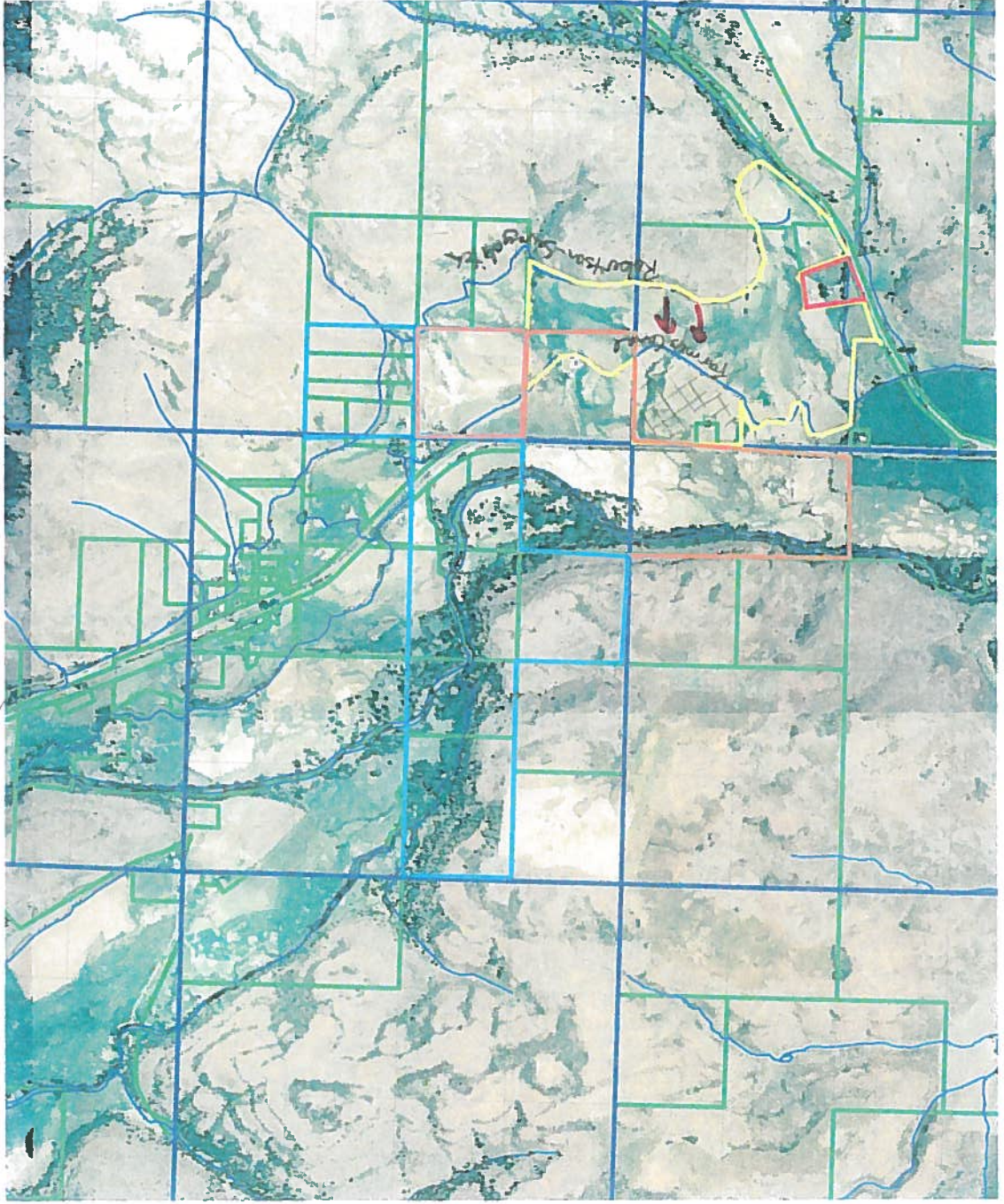
claimant explained that in order to irrigate this land from the Robertson-Sevey ditch, water was allowed to flow into Farmers Canal (see red arrows on map) and then immediately was pumped via a "big squirt" tractor-mounted pump onto the land in question.

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

POB
each
NCHMNE

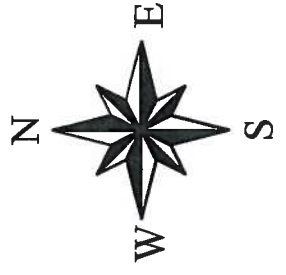
Parent rights: 67-50a, 67-55, 67-11305

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



/// = area irrigated from
Roberts' Survey ditch
using run-off + portable
pump (see memo attached)

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



Split history for Decreed Right 67-00373

WR History

Claim History

Recommendation

67-373	Hammill
0.08	cfs
6.4	ac
0	af

Acres calculated at 5/8 in per acre

67-373	Scism	Re-numbered	67-373B	Scism	Limited to 5.9 ac within X pou
	0.08			0.074	
	8			5.9	
	0				
67-373A	Distler		67-373A	Distler	Limited to 0.5 ac within 5.8 acres
	0.006			0.006	
	6			0.5	
	0				

Sum CFS =	0.086
Sum Acre =	14
Sum Af =	n/a

Sum CFS =	0.08
Sum Acre =	6.4
Sum Af =	n/a

Un-accounted CFS =	-0.006
Un-accounted Acre =	-7.6
Un-accounted AFA =	n/a

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

***Last updated 11-1-05 (csaxton)**

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

Page #	Parcel Number	Name	New Charge 2005	New Charge 2003	Water in Inches	File #	Original Owner	Priority Date	Source
12	17N01W146	SCISM, DOUG	\$ 3.20	\$2.80	4	373	CT HAMILL	5/1/89	Farmers Canal

*This right is delivered in full to Scism, but Distler actually takes water from the decreed source.

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

25 ✓

Frederick N Watrous, Grantee of Geo M Winkler-----16 2/3 ✓

12 1/2 ✓

33 1/3 ✓

20 3/4 ✓

P H Schaff and F S Galey, Grantees of Samuel Harp 37 1/2 ✓

29 ✓

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

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 ✓

J D Poyner and John Poyner

George T Ellis

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

37 1/2 ✓

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

54 ✓

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

16 ✓ Trans 884

18 ✓

18 ✓

8 1/2 ✓

100 ✓

B W Turnipseed

J V Morrison

C W Holmes

Council Valley Orchards

Unnamed Stream.

Council Valley Orchards

100 ✓

Frank S Galey

20 ✓

C W Holmes

10 ✓

C B McDonald High water 56

34 ✓

Fort Hall Creek

C T Hamill

4 ✓

4 ✓

6 ✓

11 ✓

Louis Harp

A L Frechafer and Margaret P. Rife

67 0348
May 1, 1878 * Trans 504-517-539-711 ✓
May 1, 1881 67 0349
May 1, 1884 * 67 0350 (not in)
May 1, 1893 * 67 0351
May 1, 1894 * 67 0352
May 1, 1882 * 67 0353 7-8048
May 1, 1891 * 67 0354
May 1, 1884 * Trans 884 67 0355

May 1, 1885 * 67 0356
May 1, 1894 * 67 0357
May 1, 1889 * 67 0358
May 1, 1886 * 67 0359 (not in)
May 1, 1893 * 67 0360
May 1, 1894 * 67 0361
May 1, 1896 * 67 0362 (not in)

May 1, 1899 * 67 0363
May 1, 1903 * 67 0364
July 1, 1909 * 67 0365
May 1, 1909 * 67 0366
June 1, 1906 * 67 0367

July 3, 1911 * 67 0368
March 17, 1913 67 0369
May 16, 1912 * 67 0370
July 2, 1892 * 67 0371 (not in)

May 1, 1882 * 67 0372
May 1, 1889 * 67 0373
May 1, 1882 * 67 0374
June 1, 1911 * 67 0375

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Trans #1077

JUL 24 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 67-373B
Date Received: 11/15/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

DOUGLAS M SCISM Phone: (208)253-6023

PO BOX 44
COUNCIL ID USA 83612

2. Date of Priority: 05/01/1889

3. Source: FORT HALL CREEK , FORT HALL CREEK Trib. to: WEISER RIVER , WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	01W	10	NE NW SW	ADAMS R	
17N	01W	23	NW NW SW	ADAMS	

5. Description of diverting works:

FARMERS CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.08	

7. Total Quantity Appropriated is:
0.08 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
17N	01W	23	SW NW	IRRIGATION	4

SE	NW	IRRIGATION	4
		Section Acres	8
		Total Acres	8

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:

THIS WATER RIGHT IS DECREED FROM FORT HALL CREEK, HOWEVER IT IS DELIVERED THROUGH THE FARMERS CANAL. FORT HALL CREEK WATER IS EXCHANGED FOR WEISER RIVER WATER.

ADDRESS CHANGED PER CLAIMANT LETTER. 11/17/98 LH

This right is renumbered from former right 67-373 .

This right was renumbered to right 67-373B.

15. Basis of Claim: Decreed

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.