

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

RIGHT NUMBER: 67-461

NAME AND ADDRESS:

WALLACH IX LLC
PO BOX 5667
INCLINE VILLAGE NV 89450

SOURCE:

Source:
LITTLE WEISER RIVER

Tributary:
WEISER RIVER

QUANTITY:

0.460 CFS
0.000 AFY

PRIORITY DATE:

06/01/1891

POINT OF DIVERSION:

~~T14N R01W S4 SWNWSE~~
~~Within ADAMS County~~
T14N R01W S15 SESE
Within ADAMS County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	03/15 10/31	0.460 CFS

PLACE OF USE:

PLACE OF USE:	within ADAMS County
<u>T15N R01W S32 NESE 17.0</u>	~~T15N R01W S32 NESE 20.0~~
<u>T15N R01W S32 SESE 14.0</u>	
<u>T15N R01W S33 SWSW 21.0</u>	~~T15N R01W S33 SWSW 20.0~~
<u>52 ACRES TOTAL</u>	~~40 ACRES TOTAL~~

This right is limited to the irrigation of 36.8 acres within the place of use described above in a single irrigation season.

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

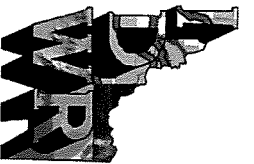
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Use of this right is combined with water from Little Weiser Irrigation District. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

~~Use of this right is combined with water from Little Weiser Irrigation District.~~

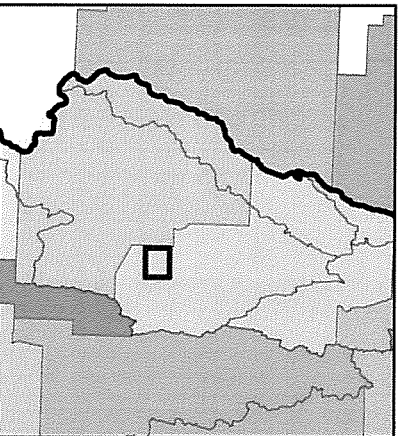
Idaho Department of Water Resources



SRBA Recommendation
67-461
(IRRIGATION)

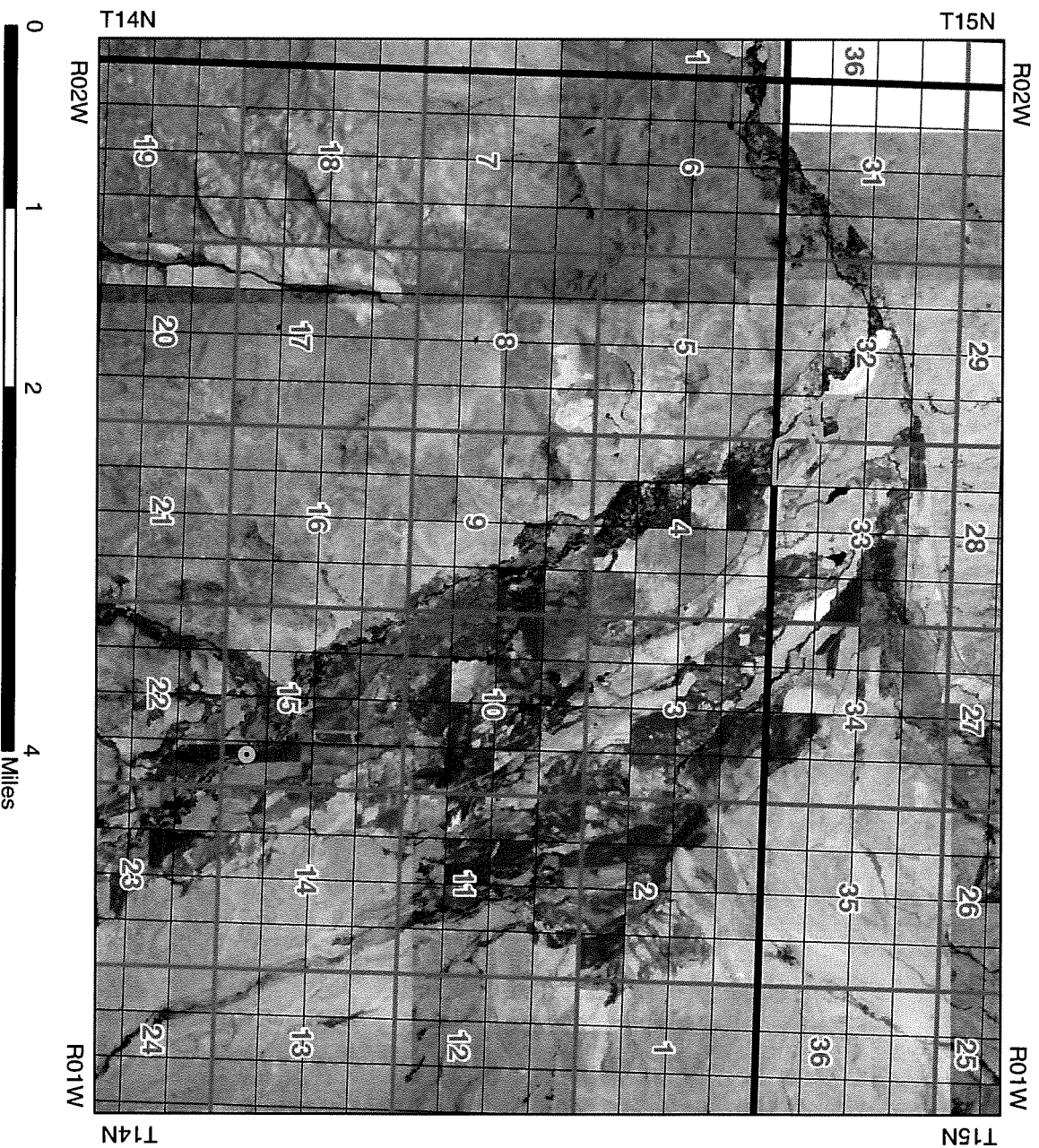
Legend

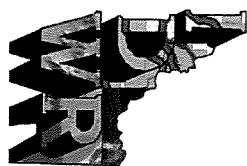
-  Point of Diversion
-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



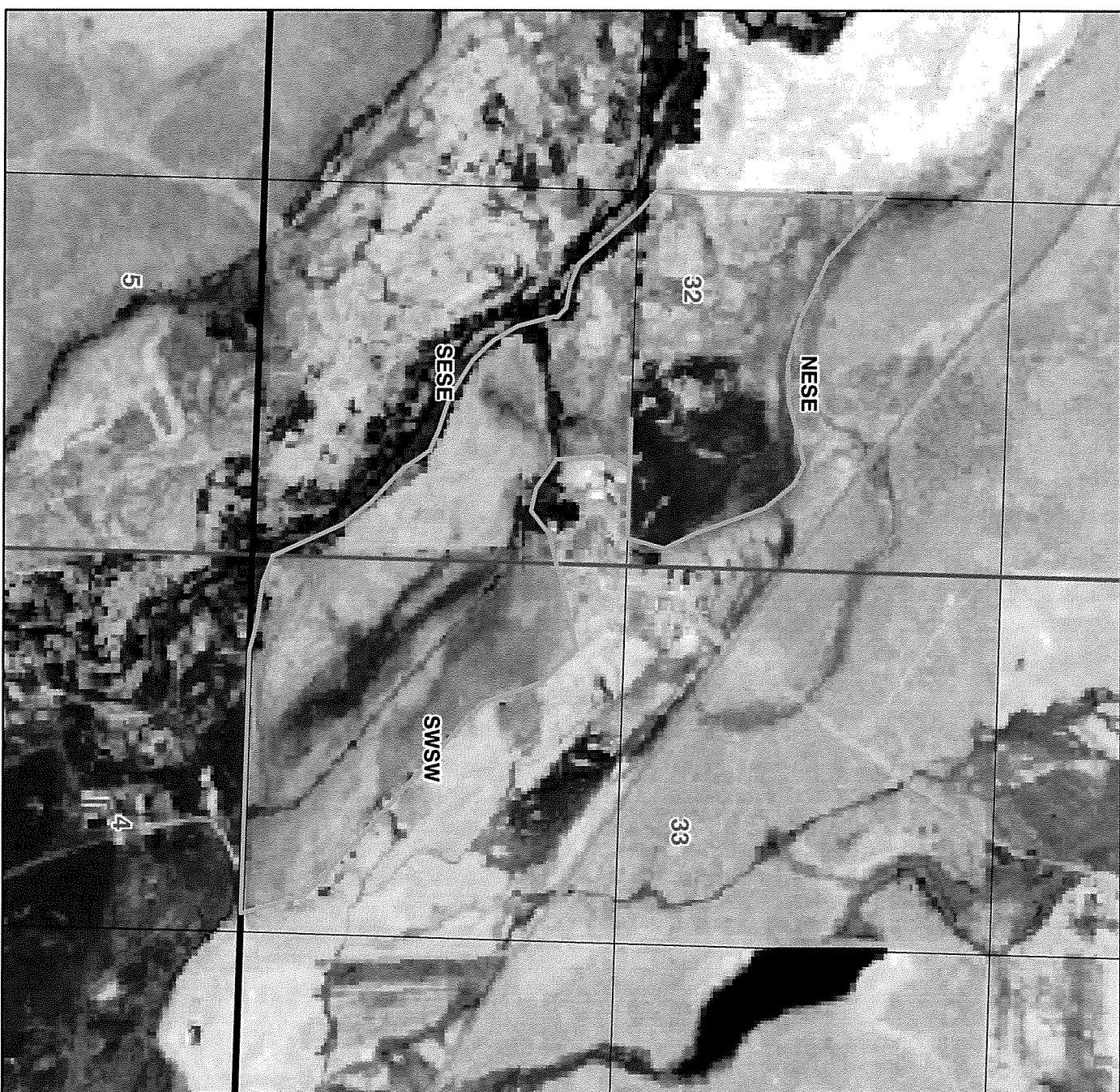
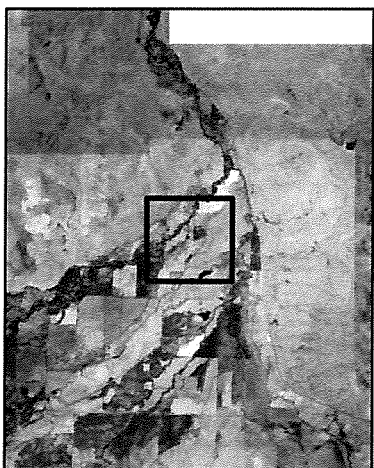
Adams County
IDWR Basin 67

Prepared by Craig Saxton
On November 25, 2008
1987/88 Aerial Photography





67-461



Attorneys for Wallach IX, LLC

Scott L. Campbell, ISB No. 2251

Dylan B. Lawrence, ISB No. 7136

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

101 S. Capitol Blvd., 10th Floor

Post Office Box 829

Boise, Idaho 83701

Telephone (208) 345-2000

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slc@moffatt.com

dbl@moffatt.com

23058.0000

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

Subcase No. 67-00461

AFFIDAVIT OF TOM L. GROSSEN

STATE OF IDAHO)
) ss.
County of Adams)

TOM L. GROSSEN, having been duly sworn upon oath, deposes and states as follows:

1. I reside at 2245 OGLE LANE, Indian Valley, Idaho 83632. I make this affidavit in support of a water right objection filed by Wallach IX, LLC ("Wallach IX") in the Snake River Basin Adjudication to the point of diversion recommended by

the Idaho Department of Water Resources ("IDWR") for water right 67-00461. I make this affidavit based upon my own personal knowledge.

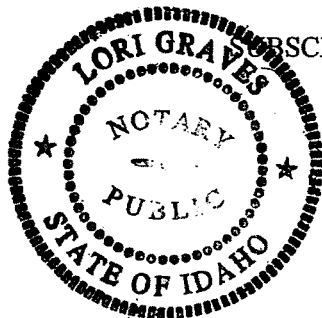
2. I have been farming in the Indian Valley area of Idaho since I moved back in the fall of 1976. Since that time, I have become familiar with the various diversions from the Little Weiser River. Currently, I not only farm my own land in the Indian Valley area, but I also farm land owned by Wallach IX in the area. This includes Wallach IX's land on the east side of the Little Weiser River, which is irrigated with water right 67-00461.

3. For as long as I can remember, and certainly prior to November 19, 1987, farms on the east side of the Little Weiser River, including Wallach IX's property, have shared a point of diversion located in the SESE, Section 15, T14N, R1W. Water diverted at this point is then delivered to the farms on the east side of the river, including Wallach IX's property, through the Steward Ditch.

4. I understand that IDWR recommended the point of diversion for water right 67-00461 as being located in the NWSE, Section 4, T14N, R1W. To my knowledge, that point of diversion is used only to divert and deliver water to Wallach IX's property on the west side of the Little Weiser River, which I also farm, under water right 67-00460.

Further your affiant sayeth naught.


Tom L. Grossen



SUBSCRIBED AND SWORN to before me this 31 day of October, 2008.


NOTARY PUBLIC FOR IDAHO
Residing at Boise
My Commission Expires 6/18/2010

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20th day of November, 2008, I caused a true and correct copy of the foregoing **AFFIDAVIT OF TOM L. GROSSEN** to be served by the method indicated below, and addressed to the following:

Director
Idaho Department of Water Resources
322 E. Front St., 6th Floor
P.O. Box 83720
Boise, ID 83720-0098
Fax: (208) 287-6700

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

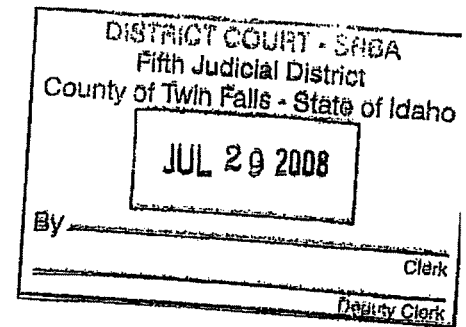


Dylan B. Lawrence

RECEIVED

JUL 31 2008

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

Subcase: 67-00460 and 67-00461

NOTICE VACATING INITIAL HEARING

NOTICE IS GIVEN THAT the Initial Hearing set for 2:30 p.m. on August 6, 2008, in the
above subcases is **vacated**.

DATED July 29, 2008.

Deputy Clerk
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE VACATING INITIAL HEARING was mailed on July 30, 2008, with sufficient first-class postage to the following:

WALLACH IX LLC

Represented by:

SCOTT L CAMPBELL

101 S CAPITOL BLVD 10TH FLOOR

PO BOX 829

BOISE, ID 83701-0829

Phone: 208-345-2000

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

Saxton, Craig

From: Saxton, Craig
Sent: Tuesday, July 08, 2008 3:44 PM
To: 'Dylan Lawrence'
Cc: King, Scott; Bromley, Chris
Subject: 67-461 Point of Diversion Location
Attachments: 1989 Water Master Records.PDF

Hello Dylan,

I received your July 3, 2008 letter addressing the objections filed for 67-460 and 67-461 (Wallach IX, LLC).

I am struggling with the point of diversion location for 67-461 being located at T14N, R1W, **S15**, SESE (Steward Ditch). My issue isn't the location or existence of a POD at that location, but why if it was claimed in T14N, R1W, **S4**, NWSE are they now saying it is diverted from **Sec 15**? It appears that there might have been a change in point of diversion between 1990 when the claim was filed and now.

I did contact Scott King and he told me he conducted the investigation with Tom Grossen. I asked Scott if in his discussions with Tom Grossen if they discussed at all a possible change in point of diversion location between when the claim was filed in 1990 and now or if it sounded like the POD for 67-461 had been diverted through Steward ditch for a long time. Scott said his notes tend to indicate, but do not confirm, that the current POD location has been used for a long time.

I want to list a couple of points so know what my evidence is indicating:

- 1989 water master records indicate that water diverted for both 67-460 and 67-461 was identified as the "Underwood" ditch (attached)

- On July 11, 2005, the POD originally recommended for 67-461 was identified by the former water master, Roger Meyer, as the diversion point for the North Ogle ditch (not Underwood ditch) – 14N, 01W, **S4**, NWSE

- On July 11, 2005, the POD originally recommended for 67-460 was identified by the former water master, Roger Meyer, as the diversion point for the Underwood Ditch. – 14N, 01W, **S4**, NESW

- In 1990, the claimed POD for 67-461 was identified as being located at 14N, 01W, **S4**, NWSE but is described as Steward Ditch

- The map submitted with the claim in 1990 shows the POD in 14N, 01W, **S4**

- The original decree states that both 67-460 and 67-461 are diverted through the Underwood ditch, which best evidence indicates is located in **Sec. 4**

Almost all the evidence except for the description of the ditch on the original claim, and Scott Kings field exam indicate that the historical POD for 67-461 was located at 14N, 01W, **S4**, NWSE.

We know now that the water under 67-461 is diverted out of 14N, 01W, **S15**, SESE. In order for me to be able to recommend the POD for 67-461 in **S15**, I need some evidence that the POD has existed at that location since prior to the commencement of the SRBA (November 19, 1987). Perhaps an affidavit from someone with direct knowledge that could verify that the current POD has been used since prior to November 19, 1987 and that the water master records are wrong? Otherwise, I will have to recommend the POD at its historical location, and a transfer will need to be filed to officially move it.

Let me know what think or contact me if you have any questions.

Thanks Dylan,

7/8/2008

Craig
287-4916

7/8/2008

67-430	A. Veselka	.50	5.00	6-01-1883	Grays Creek Ditch	NE 1/4, Sec. 26, 14N, 1W SE 1/4, E 1/2 SW 1/4, Sec. 23 14N, 1W
67-421	H. Johnson	.10	5.00	6-01-1883	Woods-Lindsay Ditch	NE 1/4, Sec. 23, 14N, 1W
67-421	L. Atkins	.50	5.00	6-01-1883	Grays Creek Ditch	NE 1/4, Sec. 23 14N, 1W
67-441	S. Davison	.16	5.00	6-01-1885	Woods-Lindsay Ditch	SE 1/4, Sec. 23 14N, 1W
67-425	J. Shaffer	.50	5.00	6-01-1883	Grays Creek Ditch	SE 1/4, Sec. 26, 14N, 1W
67-442	J. Shaffer	.25	5.00	6-01-1885	Woods-Lindsay Ditch	SE 1/4, Sec. 26, 14N, 1W
67-415	J. Shaffer	.16	5.00	6-01-1895	Anderson-Lindsay	NE 1/4, Sec. 35, 14N, 1W
67-427	J. Shaffer	3.50	5.00	1-01-1953	Linder-Correll	NE 1/4, Sec. 35 14N, 1W
67-426	R. Yantis	.50	5.00	6-01-1883	Grays Creek Ditch	NE 1/4, Sec. 35, 14N, 1W
67-411	R. Yantis	.53	5.00	6-01-1885	Anderson-Lindsay-Linder	NE 1/4, Sec. 35, 14N, 1W
67-443	R. Yantis	.92	5.00	6-01-1885	Woods-Lindsay Ditch	NE 1/4, Sec. 35, 14N, 1W
67-7487	R. Yantis	.15	5.00	3-05-1980	Grays Creek Ditch	NE 1/4, Sec. 35, 14N, 1W
67-427	T. Grossen	1.94	5.00	6-01-1883	Hall-Hunday Ditch	NE 1/4, Sec. 35, 14N, 1W
67-453	T. Grossen	.38	5.00	6-01-1889	Grays Creek Ditch	NE 1/4, Sec. 35, 14N, 1W
67-7524	T. Grossen	7.24	5.00	3-24-1981	Grays Creek Ditch	NE 1/4, Sec. 35, 14N, 1W
67-463	I. Grossen	.64	5.00	6-01-1887	Grays Creek Ditch	NE 1/4, Sec. 35, 14N, 1W
67-7525	I. Grossen	.56	5.00	6-01-1887	Grays Creek Ditch	NE 1/4, Sec. 35, 14N, 1W
67-429	R. Kretten	.70	5.00	1-1883	Grays Creek Ditch	NE 1/4, Sec. 35, 14N, 1W
67-7488	R. Kretten	2.00	5.00	3-05-1980	Grays Creek Ditch	NE 1/4, Sec. 35, 14N, 1W
67-459	A. Ellis	.38	5.00	6-01-1890	Bailey Hutchinson Ditch	NE 1/4, Sec. 35, 14N, 1W
67-7612	R. Wilbur	.30	5.00	3-01-1983	Anderson Creek Ditch	NE 1/4, Sec. 35, 14N, 1W
67-461	J. Huff	.46	5.00	6-01-1891	Anderson Creek Ditch	NE 1/4, Sec. 35, 14N, 1W
67-460	J. Huff	.30	5.00	6-01-1892	Anderson Creek Ditch	NE 1/4, Sec. 35, 14N, 1W
67-413	W. Branch	.62	5.00	6-01-1895	Anderson-Lindsay	NE 1/4, Sec. 35, 14N, 1W
67-414	W. Branch	.84	5.00	6-01-1895	Anderson-Lindsay	NE 1/4, Sec. 35, 14N, 1W
67-2009	W. Branch	2.40	5.00	2-24-1905	Anderson-Lindsay	NE 1/4, Sec. 35, 14N, 1W

8197.46
2458
370.00

TOTAL - 267.46

NESW, 1/4, 1E

Pg 2 of 2

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Boise
Idaho Falls
Pocatello
Twin Falls

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
John S. Simko
John C. Ward
D. James Manning
David B. Lincoln
Gary T. Dance
Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell
Robert B. Burns

Michael E. Thomas
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Andrew J. Waldera
Tyler J. Anderson
Dylan B. Lawrence
Benjamin C. Ritchie
Rebecca A. Rainey
Nathan R. Starnes
Andrew J. Snook

Robert E. Bakes, *of counsel*

Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

July 3, 2008

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

RECEIVED

JUL 07 2008

DEPARTMENT OF
WATER RESOURCES

Craig L. Saxton
Water Rights Supervisor, Adjudication Bureau
Idaho Department of Water Resources
322 East Front Street
PO Box 83720
Boise, ID 83720-0098

**Re: Settlement Proposal for 67-460 and 67-461
(Wallach IX, LLC)**
MTBR&F File No. 23058.0000

Dear Craig:

I am writing in response to your letter to Scott Campbell of June 11, 2008, in the above-referenced matter. Scott has asked me to review your letter and respond on behalf of Wallach IX, LLC. For ease of reference, I will discuss the issues in the same order as you presented them in your letter.

67-460

- 1) Name and address: Because the change of ownership has been processed, Wallach IX will withdraw this objection.
- 2) Point of diversion: Wallach IX agrees that removing the reference to the 10-acre tract is appropriate and that the point of diversion should be designated as T14N, R1W, S4, NESW, as reflected in the draft recommendation attached to your letter.
- 3) Place of use: Wallach IX agrees to the permissible place of use and acreage limitation reflected in the draft recommendation attached to your letter.
- 4) Explanatory material: Because this has been corrected to refer to the Little Weiser Irrigation District, Wallach IX will withdraw this objection.

SCANNED

Client:947279.1

JUL - 7 2008

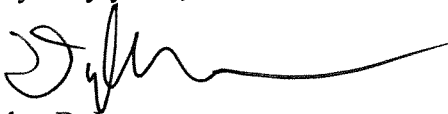
67-461

- 1) Name and address: Because the change of ownership has been processed, Wallach IX will withdraw this objection.
- 2) Point of diversion: I agree that the point of diversion in the recommendation matches the point of diversion in Wallach IX's objection. However, upon further research, that point of diversion appears to be incorrect. After purchasing the property to which this water right is appurtenant, Wallach IX hired Scott King of SPF Water Engineering, LLC to conduct a survey of all of Wallach IX's water rights. During a site visit, Mr. King determined that the point of diversion for this right is in reality located in T14N, R1W, S15, SESE -- over three miles upstream of the point of diversion specified in the recommendation (S4, SWNWSE). My suspicion is that the reference to the recommended point of diversion in the objection was a clerical error. Therefore, please consider this information and correct the point of diversion if you agree. Also, please feel free to contact Scott King directly if you need additional information regarding his identification of the point of diversion.
- 3) Place of use: Wallach IX agrees to the permissible place of use and acreage limitation reflected in the draft recommendation attached to your letter.
- 4) Explanatory material: Because this has been corrected to refer to the Little Weiser Irrigation District, Wallach IX will withdraw this objection.

Wallach IX is certainly interested in pursuing settlement of its objections prior to the initial hearing. Based on the above, it appears that the only issue left to resolve is the point of diversion for 67-461. If you agree with the point of diversion identified by Scott King, then please go ahead and prepare the SF5 and revised recommendations as you suggested in your letter.

Please do not hesitate to contact me with any questions or to discuss this matter further. Thank you for your attention to this matter.

Very truly yours,



Dylan B. Lawrence

DBL/llw

cc: Bob Elias
Scott King
Scott L. Campbell

SCANNED

JUL - 7 2008

Client:947279.1



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

June 11, 2008

SCOTT L CAMPBELL
MOFFATT THOMAS BARRETT ROCK & FIELDS
PO BOX 829
BOISE ID 83701-0829

Re: Objection to Snake River Basin Adjudication (SRBA) claims 67-460 and 67-461
(Wallach IX, LLC)

Dear Mr. Campbell,

Initial hearings for objections filed in Basin 67 are tentatively scheduled for August 2008. I have been reviewing objections filed for SRBA recommendations in Basin 67. After reviewing the objections filed on behalf of your client to recommendations made for 67-460 and 67-461, it appears there are some initial steps that could be taken to save time at the initial hearings, if not reach an agreement that would result in resolving the objection through an SF5.

67-460:

The objection filed for 67-460 pointed out 4 main issues:

1) Name and address:

Should be: Wallach IX, LLC, Attn: Bob Elias, P.O. Box 5667, Incline Village, NV 89450

A completed change of ownership form was received on June 22, 2007 requesting the ownership to be changed to:

Wallach IX, LLC
P.O. Box 5667
Incline Village, NV 89450

IDWR processed the change and submitted an NCAP to the court. Substitution of party was processed on 8-13-2007.

2) Point(s) of Diversion:

Should be: T14N, R1W, S4, SWNESW

The recommended POD reflected a different 10 acre tract than was claimed: T14N, R1W, S4, SENESW

The point of diversion location recommended for 67-460 was recorded using a GPS on 6/11/05. This put the location of the point of diversion in the SENESW.

IDWR could remove the 10 acre designation on the recommended POD.

3) Place of Use:

Should be: *T15N, R1W, Section 32, SWSE – 18 acres*
 T15N, R1W, Section 32, SESE – 16 acres

67-460 was originally described in the Muir v. Allison decree. The Muir v. Allison decree described the duty of water to be 5/8 inch per acre.

67-460 was decreed for 0.30 cfs: 0.30 cfs @ 5/8 in per acre = 24 acres

Since this water is used in conjunction with water supplied by the Little Weiser Irrigation District, the recommended place of use could be changed to reflect the POU described in the objection, with the addition of a remark limiting the use of this right to the original 24 acres that was decreed.

4) Explanatory language on the director's report inaccurately refer to the Weiser Irrigation District. It should refer to the Little Weiser Irrigation District.

Agreed – This change can be made.

67-461:

The objection filed for 67-461 pointed out 4 main issues:

1) Name and address:

Should be: Wallach IX, LLC, Attn: Bob Elias, P.O. Box 5667, Incline Village, NV 89450

A completed change of ownership form was received on June 22, 2007 requesting the ownership to be changed to:

Wallach IX, LLC
P.O. Box 5667

Incline Village, NV 89450

IDWR processed the change and submitted an NCAP to the court. Substitution of party was processed on 8-13-2007.

2) Point(s) of Diversion:

Should be: T14N, R1W, S4, SWNWSE

IDWR records indicate that the recommended POD location is the same as requested in the objection and therefore there is no discrepancy and no need to make changes to the recommended POD.

3) Place of Use:

Should be: T15N, R1W, Section 32, SESE – 20 acres
 T15N, R1W, Section 32, NESE – 20 acres
 T15N, R1W, Section 33, SWSW – 20 acres

67-461 was originally described in the Muir v. Allison decree. The Muir v. Allison decree described the duty of water to be 5/8 inch per acre.

67-461 was decreed for 0.46 cfs: $0.46 \text{ cfs} @ 5/8 \text{ in per acre} = 36.8 \text{ acres}$

I reviewed the 1987 aerial photography and according to the photography I found what appears to be 53 irrigated acres within the claimed POU:

T15N, R1W, Section 32, SESE – 14 acres
T15N, R1W, Section 32, NESE – 17 acres
T15N, R1W, Section 33, SWSW – 21 acres

Without further evidence supporting additional irrigated ground, I could support amending the recommended POU to reflect 52 acres of irrigation as described above, and limiting the irrigation under this right to the 36.8 acres originally decreed to this right.

4) Explanatory language on the director's report inaccurately refer to the Weiser Irrigation District. It should refer to the Little Weiser Irrigation District.

Agreed – This change can be made.

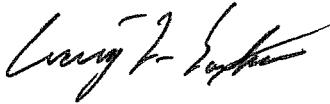
For your convenience I am enclosing draft copies of what the recommendations would look like if they were to reflect the changes discussed above.

If these changes are acceptable to your client and you are interested in pursuing settlement prior to the upcoming initial hearings, please contact me and I will prepare an SF5 for your review.

Or if there is additional information you would like me to review prior to initial hearings in August, I would be more than happy to look over anything submitted.

Please feel free to contact me with any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig L. Saxton". The signature is fluid and cursive, with a long horizontal stroke at the end.

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau
craig.saxton@idwr.idaho.gov

Enclosure(s)

irrigated from LWID. I would need to add an accomplished change in POU remark.

Point 4:

67-460: They objected to the POD location we recommended.

Claimed: T14N, R1W, S4, SWNESW

Recommended: T14N, R1W, S4, **SE**NESW

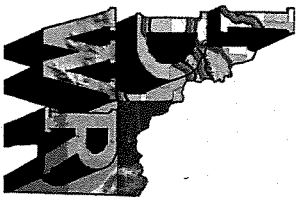
The recommended POD was taken using a GPS on July 11, 2005. The claimed POD location is wrong. However, I would be willing to drop the 10 acre designation completely.

67-461: We recommended the exactly what they claimed so there is no need to change anything on the POD for this right.

Additional information:

67-460: Decreed for 0.30 cfs: @ 5/8 in per acre = 24.0 acres

67-461: Decreed for 0.46 cfs: @ 5/8 in per acre = 36.8 acres



Idaho Department of Water Resources

SRBA Recommendation:

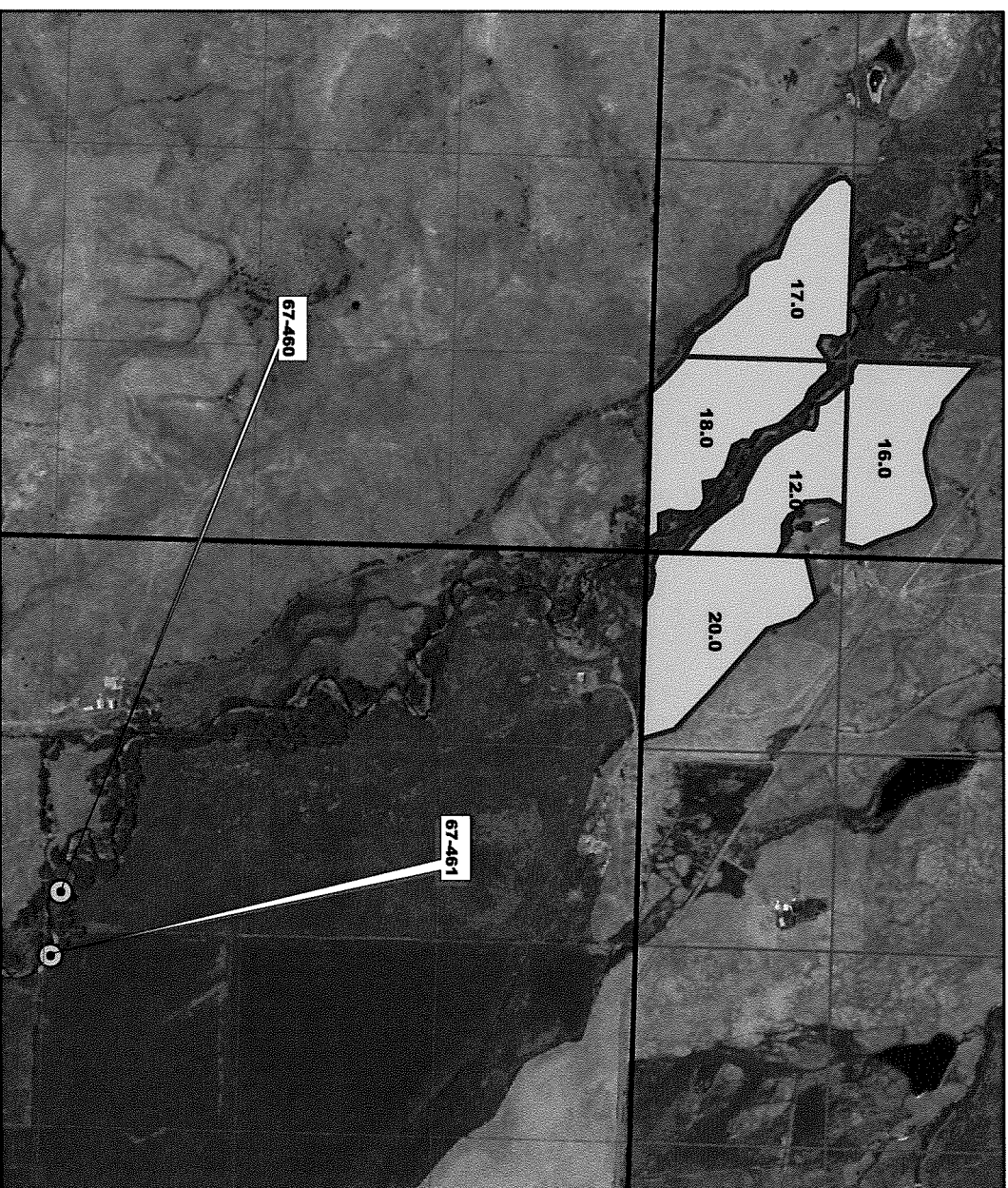
67-460

67-461

(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Tax Lots
-  Sections
-  Quarter Quarter



1320 0 1320 Feet

Proposed POU to settle objection

Prepared by C. Saxton
February 2008
2004 Aerial Photography

Memo

Date: February 22, 2008

To: Chris Bromley

From: Craig L. Saxton

Subject: Objection review for 67-460 and 67-461

The claimant is represented by Scott Campbell and I wanted to discuss the possibility of soliciting a SF5

67-460 and 67-461 were both objected to by the claimant. There are 4 main points to the objections:

Point 1:

Ownership: We have fixed that. *Done*

Point 2:

Remark identified that water was combine with water from the Weiser Irrigation District. It should read the **Little** Weiser Irrigation District. I agree and this has been changed.
Done

Point 3:

They are objecting to the fact that on both rights, we have recommended less acreage than was claimed. The reason for this is that both rights were decreed in Muir v Allison and they claim and irrigate more acres that were decreed under each right.

No flood water claims were filed. If they were, the practice was to disallow these rights unless they could show the flood water didn't belong to Little Weiser Irrigation District (LWID).

Proposed solution:

67-460: I propose recommending irrigation of 24 acres within a ³⁴~~35~~ acre POU that I calculated using ArcView. The additional acreage would assume to be irrigated from LWID. Normally I would add an accomplished change in POU remark to this as well. There could be some flexibility since we haven't changed the 40 acre tracts the decree spoke about.

67-461: I propose recommending irrigation of 36.8 acres within a 48 acre POU tat I calculated using ArcView. The additional acreage would assume to be

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-461 V1

WATER RIGHT NUMBER: 67-461 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	M L HUFF BOX 100 CAMBRIDGE, ID 83610 (208)257-3421
Original Owner	JACK W HUFF BOX 100 CAMBRIDGE, ID 83610 (208)257-3421
Original Owner	MATTIE GRAY , ID
Original Owner	ARMAND R BANKHEAD JR PO BOX 1085 FALLON, NV 89406
Original Owner	LAURIE V BANKHEAD PO BOX 1085 FALLON, NV 89406
Directors Report Owner	GROVER A MYERS PO BOX 573 BUFFALO, WY 82834 (307)684-5463
Directors Report Owner	PATRICIA LARKIN MYERS PO BOX 573 BUFFALO, WY 82834 (307)684-5463
Current Owner	WALLACH IX LLC PO BOX 5667 INCLINE VILLAGE, NV 89450 (775)831-3797

Priority Date: 06/01/1891

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE WEISER RIVER	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.460 CFS	
	<u>Total Diversion:</u>	0.460 CFS	

Location of Point(s) of Diversion

LITTLE WEISER RIVER	SW1/4NW1/4SE1/4	Sec. 4, Twp 14N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-461 V1

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	01W	32													20.0				20.0
15N	01W	33										20.0							20.0

Total Acres: 40

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 36.8 acres within the place of use described above in a single irrigation season.
3. W01 Use of this right is combined with water from Little Weiser Irrigation District.

Remarks:Comments:

1. mcase 7/23/2004 POD

Comment: Updated shape

2. mcase 7/23/2004 POU

Comment: Updated Shape

3. mcase 7/23/2004 POU

Comment: POU shape created from claim map. Decreed for 37 acres. Claimed 60 acres. Claimed POU extends into non-decreed QQ.

4. mmount 3/3/2006 Comment

Comment: Also serviced by the Weiser Irrigation District

5. mmount 3/3/2006 POD

Comment: Claim states that pod is from the Steward Ditch, but according to aerial photo and attached map in the claim file the pod appears to be in the SWNWSE at a point taken by Roger called the South Ogle POD.

6. mvanbussum 12/16/2006 NOE POU

Comment: Per NOE process, reviewed claimed POU. POU claimed for 20 ac NESE Sec 32 and 20 ac SWSW Sec 33, which was in decreed POU. Also claimed for SESE Sec 32, which is in decreed POU for 67-460. 15 acres was recommended in SESE Sec 32 for 67-460, so not recommending acreage in SESE Sec 32 under 67-461. Changed recommended shape for 67-461 to 40 ac, but put limiting condition on acreage at 36.8, which is how much was decreed at 5/8 inch per acre. 23 inches = 36.8 acres under Muir v. Allison.

7. mvanbussum 8/29/2007 Irrigation District

Comment: Changed name of irrigation district in recommendation from Weiser Irrigation District to Little Weiser Irrigation District.

RECEIVED
AUG 22 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 67-461
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Wallach IX, LLC Attn: Bob Elias
Address: P.O. Box 5667
Incline Village, NV 89450
Daytime Phone: 775-831-3797

Name & Address of Attorney, if any:

Scott L. Campbell
Moffatt Thomas Barrett Rock & Fields
P.O. Box 829, Boise, ID 83701-0829

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

Name: Please see Item E. - Subsequent to the issuance of the Director's
Address: Report Wallach IX, LLC filed a Notice of Change of Water Right
Ownership.

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: Wallach IX, LLC, Attn: Bob Elias, P.O. Box 5667, Incline Village, NV 89450
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point(s) of Diversion**
Should be: T 14 N, R 1 W, Section 4, SW, NW, SE
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: T 14 N, R 1 W, Section 32, SESE - 20 acres
T 14 N, R 1 W, Section 32, NESE - 20 acres
T 14 N, R 1 W, Section 33, SWSW - 20 acres

11. 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):** The place of use has been irrigated under
this water right since 1921. The point of diversion was inaccurately described by the Director.
Also, the explanatory language should refer to the Little Weiser Irrigation District. Additionally,
a Notice of Change of Water Right Ownership was filed with IDWR on June 20, 2007.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Scott L. Campbell, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

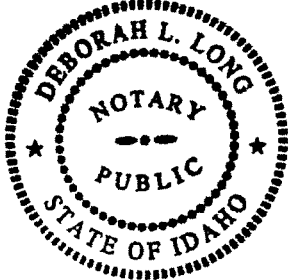
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Scott L. Campbell

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: August 21st, 2007



Deborah L. Long
Notary Public for Idaho

Residing at: Boise, Idaho

My Commission Expires: 10/10/07

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 21st, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original 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:

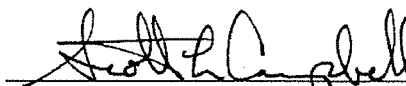
Name: Wallach IX, LLC
Address: Attn: Bob Elias. P.O. Box 5667
Incline Village, NV 89450

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 and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of objector or attorney
mailing on Objector's behalf

07/30/2007

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

RIGHT NUMBER: 67-461

NAME AND ADDRESS: WALLACH IX LLC
PO BOX 5667
INCLINE VILLAGE NV 89450

SOURCE: LITTLE WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 0.460 CFS

PRIORITY DATE: 06/01/1891

POINT OF
DIVERSION:

T14N R01W S4 SWNWSE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/15 10/31	0.460 CFS
PLACE OF USE:	<u>IRRIGATION in ADAMS County</u>		
	T15N R01W S32 NESE 20.00	T15N R01W S33 SWSW 20.00	
	40 ACRES TOTAL		

This right is limited to the irrigation of 36.8 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

Use of this right is combined with water from Weiser Irrigation District.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-461 V1

WATER RIGHT NUMBER: 67-461 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	M L HUFF BOX 100 CAMBRIDGE, ID 83610 (208)257-3421
Original Owner	JACK W HUFF BOX 100 CAMBRIDGE, ID 83610 (208)257-3421
Original Owner	MATTIE GRAY , ID
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Original Owner	LAURIE V BANKHEAD PO BOX 1085 FALLON, NV 89406
Directors Report Owner	GROVER A MYERS PO BOX 573 BUFFALO, WY 82834 (307)684-5463
Directors Report Owner	PATRICIA LARKIN MYERS PO BOX 573 BUFFALO, WY 82834 (307)684-5463
Current Owner	WALLACH IX LLC PO BOX 5667 INCLINE VILLAGE, NV 89450 (775)831-3797

Priority Date: 06/01/1891

Basis: Decreed

Status: Active

Source

LITTLE WEISER RIVER

Tributary

WEISER RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 10/31

Diversion Rate

0.460 CFS

Annual VolumeTotal Diversion:

0.460 CFS

Location of Point(s) of Diversion

LITTLE WEISER RIVER

SW1/4NW1/4SE1/4

Sec. 4, Twp 14N, Rge 01W, B.M.

ADAMS County

Place of Use

IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-461 V1

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N 01W 32													20.0				20.0
15N 01W 33									20.0								20.0

Total Acres: 40

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 36.8 acres within the place of use described above in a single irrigation season.
3. W01 Use of this right is combined with water from Weiser Irrigation District.

Remarks:Comments:

1. mcase 7/23/2004 POD

Comment: Updated shape

2. mcase 7/23/2004 POU

Comment: Updated Shape

3. mcase 7/23/2004 POU

Comment: POU shape created from claim map. Decreed for 37 acres. Claimed 60 acres. Claimed POU extends into non-decreed QQ.

4. mmount 3/3/2006 Comment

Comment: Also serviced by the Weiser Irrigation District

5. mmount 3/3/2006 POD

Comment: Claim states that pod is from the Steward Ditch, but according to aerial photo and attached map in the claim file the pod appears to be in the SWNWSE at a point taken by Roger called the South Ogle POD.

6. mvanbussum 12/16/2006 NOE POU

Comment: Per NOE process, reviewed claimed POU. POU claimed for 20 ac NESE Sec 32 and 20 ac SWSW Sec 33, which was in decreed POU. Also claimed for SESE Sec 32, which is in decreed POU for 67-460. 15 acres was recommended in SESE Sec 32 for 67-460, so not recommending acreage in SESE Sec 32 under 67-461. Changed recommended shape for 67-461 to 40 ac, but put limiting condition on acreage at 36.8, which is how much was decreed at 5/8 inch per acre. 23 inches = 36.8 acres under Muir v. Allison.

Water Supply Bank:

Adjudication Recommendation Report 67-461 V1

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Current Owner	PATRICIA LARKIN MYERS PO BOX 573 BUFFALO, WY 82834 (307)684-5463

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.460 CFS	
	Total Diversion:	0.460 CFS	

Place of Use
IRRIGATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-461 V1

15N 01W 32					20.0		20.0
15N 01W 33				20.0			20.0
Total Acres: 40							

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.
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-461 V1

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	7/23/2004 8:54:56 AM	mcase			Active
POD	7/23/2004 9:01:10 AM	mcase			Active
Source	7/23/2004 9:01:17 AM	mcase			Active
POU	7/23/2004 9:11:17 AM	mcase			Active
Use	7/23/2004 9:11:23 AM	mcase			Active
Season	7/23/2004 9:11:46 AM	mcase			Active
Quantity	7/23/2004 9:11:55 AM	mcase			Active
Contacts	3/3/2006 12:44:55 PM	mmount			Active
Priority Date	3/3/2006 12:45:35 PM	mmount			Active
POD	3/3/2006 12:45:53 PM	mmount			Active
Source	3/3/2006 12:46:02 PM	mmount			Active
POU	3/3/2006 12:46:16 PM	mmount			Active
Use	3/3/2006 12:46:47 PM	mmount			Active
Season	3/3/2006 12:47:32 PM	mmount			Active
Quantity	3/3/2006 12:48:07 PM	mmount			Active
Summary			03/03/2006	mmount	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-461 V1

POU	7/23/2004 9:11:18 AM	mcase	(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? (No) 6. Can the claimed POU be verified using the water right file?
Use	7/23/2004 9:11:24 AM	mcase	(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?
POD	7/23/2004 9:01:11 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file?
Source	7/23/2004 9:01:18 AM	mcase	(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?
Season	7/23/2004 9:11:47 AM	mcase	(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?
Priority Date	7/23/2004 8:54:56 AM	mcase	(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 67-461 V1

Quantity	7/23/2004 9:11:55 AM	mcase	(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?
POD	3/1/2006 4:08:04 PM	mmount	Updated shape
POD	3/10/2006 10:55:29 AM	mmount	Updated shape
POU	12/16/2006 3:32:25 PM	mvanbussum	Updated shape for Active POU
POU	12/16/2006 3:32:35 PM	mvanbussum	Updated PLS for Active POU
POU	3/1/2006 4:12:08 PM	mmount	Updated shape for Active POU
POD	3/3/2006 12:45:53 PM	mmount	(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? (No) 10. Is a POD remark and/or condition required?
POU	3/3/2006 12:46:16 PM	mmount	(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?
Contacts	3/3/2006 12:44:55 PM	mmount	(No) 1. Do you want to schedule an appointment? Comment for 1: desk review
Source	3/3/2006 12:46:02 PM	mmount	(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	3/3/2006 12:46:48 PM	mmount	(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?

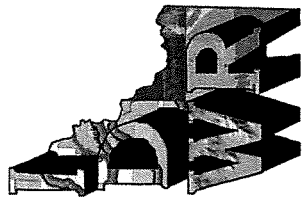
IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-461 V1

POD	3/9/2006 2:51:32 PM	mmount	Updated shape
General	3/3/2006 12:45:36 PM	mmount	(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?
Quantity	3/3/2006 12:48:07 PM	mmount	(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	3/3/2006 12:49:15 PM	mmount	(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? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Season	3/3/2006 12:47:32 PM	mmount	(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 67-461 V1

Water Supply Bank:



Idaho Department of Water Resources

SRBA Recommendation:

67-461

(Irrigation)

Legend

● Point of Diversion



□ Place of Use



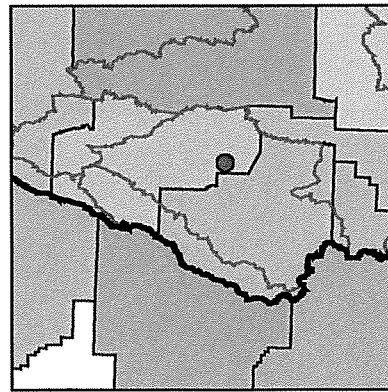
□ Townships



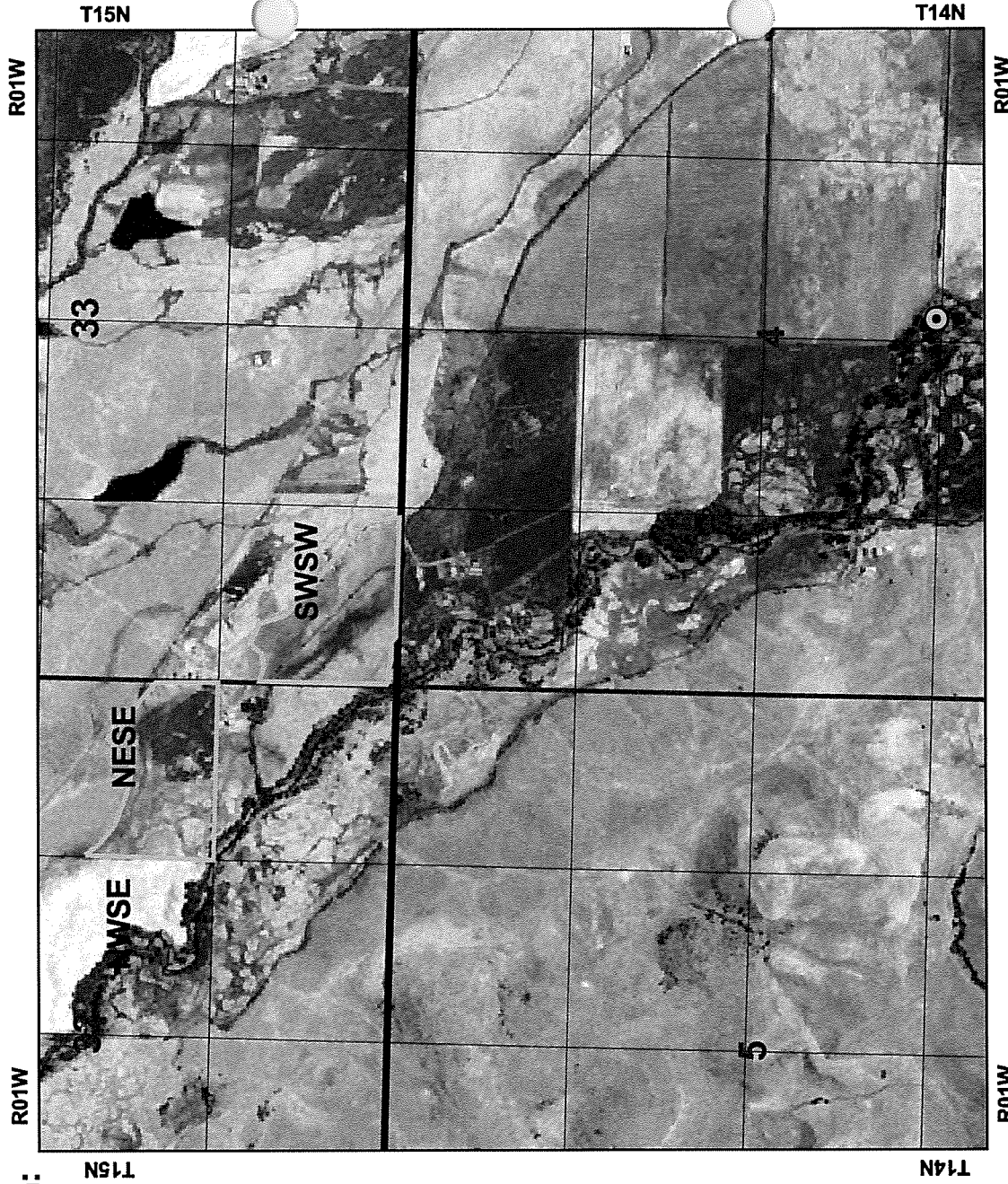
□ PLS Sections



□ Quarter Quarters



Adams County
IDWR Basin 67



0 0.5 1 Miles

Prepared by IDWR State Office
On Saturday, December 16, 2006
1987/88 Aerial Photography

67-461



11/14/2006

NOTICE OF ERROR
REPLY

RECEIVE

DEC 12 2006

DEPARTMENT OF
WATER RESOURCES

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

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

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

Water right number: 67-461

GROVER A MYERS

PO BOX 573

BUFFALO WY 82834

Telephone Number: (307) 684-5463

PATRICIA LARKIN MYERS

PO BOX 573

BUFFALO WY 82834

Telephone Number: (307) 684-5463

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

PLACE OF USE — TOTAL ACRES

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

*T15N R01N S32 SESE 20 ACRES
THIS AREA IS A PORTION OF ALLOTTED WATER RIGHTS
AND SHOULD CONTINUE TO BE INCLUDED IN THE
TOTAL ACRES DESCRIBED IN THE PRELIMINARY RECOMMENDATION*

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

*BECAUSE THE DESCRIBED LOCATION WAS ALLOTTED TO BE
IRRIGATED UNDER W.R. 67-461 SINCE 6-1-1891 AND HAS
BEEN SUBSEQUENTLY UNDER IRRIGATION BY VARIOUS OWNERS
THROUGH THE YEARS SINCE.*

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

DATE: 12-4-06

SIGNATURE:

Grover A. Myers Patricia Larkin Myers

Please print your name: GROVER A. MYERS PATRICIA LARKIN MYERS

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

SCANNED

FEB 13 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 17, 2002

GROVER A MYERS
PATRICIA LARKIN MYERS
PO BOX 573
BUFFALO WY 82834

Re: Notice of Claim to a Water Right No. 67-460, 67-461 & 67-11423

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

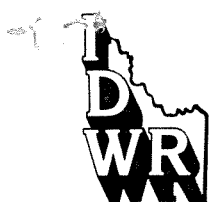
Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure

SCANNED
APR 06 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 30, 1993

RE: Notice of Claims to Water Right Nos. A67-00460, A67-00461 and
A67-11423

Armand R. Bankhead, Jr. and
Laurie V. Bankhead
P.O. Box 1085
Fallon, NV 89406

Dear Mr. and Mrs. Bankhead:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the lands and appurtenant water rights covered under the original filings, which were claimed by Jack and M. L. Huff.

While reviewing the Notice of Change of Ownership form, I found that there is an error on the place of use description on Claim No. A67-11423. In order to correct this error, I have enclosed an "Amended" Notice of Claim to a Water Right No. A67-11423. Once you sign this form in the presence of a notary public and return it to my attention, I can correct the township description on the place of use within Section 5 of this claim.

The Department will contact you in the future concerning any other requirements that may be needed in order to process these claims for final court decree. If you have any questions concerning the enclosed claims, please feel free to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

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 67-461
Date Received: 1/3/1990
Receipt No: W007362
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WALLACH IX LLC Phone: (775)831-3797

PO BOX 5667
INCLINE VILLAGE NV USA 89450

2. Date of Priority: 06/01/1891

3. Source: LITTLE WEISER RIVER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
14N	01W	4	SW	NW	SE	ADAMS	

5. Description of diverting works:

HEADGATE AND LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	10/15	0.46	

7. Total Quantity Appropriated is:
0.46 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
15N	01W	32	NE	SE	IRRIGATION	20
			SE	SE	IRRIGATION	20
					Section Acres	40
15N	01W	33	SW	SW	IRRIGATION	20
					Section Acres	20
					Total Acres	60

11. Place of use in counties: ADAMS

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 7/16/2002

THIS WATER CARRIED IN THE STEWART DITCH OWNERSHIP CHANGED BY KW 12/30/1993.

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.

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 67-461
Date Received: 1/3/1990
Receipt No: W007362
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GROVER A MYERS
PO BOX 573
BUFFALO WY USA 82834

Phone: (307) 684-5463

PATRICIA LARKIN MYERS
PO BOX 573
BUFFALO WY USA 82834

Phone: (307) 684-5463

2. Date of Priority: 06/01/1891

3. Source: LITTLE WEISER RIVER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
14N	01W	4	SW	NW	SE	ADAMS	

5. Description of diverting works:

HEADGATE AND LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	10/15	0.46	

7. Total Quantity Appropriated is:
0.46 C.F.S.

SCANNED
APR 06 2004

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15N	01W	32	NE	SE	IRRIGATION	20
			SE	SE	IRRIGATION	20
					Section Acres	40
15N	01W	33	SW	SW	IRRIGATION	20
					Section Acres	20
					Total Acres	60

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 7/16/2002

THIS WATER CARRIED IN THE STEWART DITCH OWNERSHIP CHANGED BY KW 12/30/1993.

15. Basis of Claim: Decreed

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

RECEIVED
JUN 20 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
	A67-00460	<u>NO</u>			
	A67-00461	<u>NO</u>			
	A67-11423	<u>NO</u>			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- 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) Laurie V. Bankhead or Armand R. Bankhead Jr.
P.O. Box 1085, Fallon, NV 89406
4. New Owner/Claimant(s) Grover A Myers or Patricia Larkin Myers
Name Connector (Check one): ☐ and ☒ or, ☐ and/or
- New Mailing Address P.O. Box 573
- City, State and ZIP Code Buffalo, WY 82834
- New Telephone Number (307) 684-5463
5. Date you acquired the property June 10, 2002

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 Right and/or Adjudication Claim Number _____

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 Right and/or Adjudication Claim Number _____

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) _____
(include title if applicable)

Gordon G. Myers
Patricia Larkin Myers

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 SK Date 6/20/02 Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

INSTRUMENT NO. **101017**
PAGE 1 OF 1

WARRANTY DEED

Instrument # **101717**

CO. ADAMS, IDAHO
2002-06-07 03:30:00 No. of Pages: 1
Recorded for: TIMBERLINE TITLE & ESCROW
MICHAEL FISK Fee: 3.00
Ex-Officio Recorder Deputy *Heagy Pinkal*
Index to: DEED

For Value Received, LAURIE V. BANKHEAD, a widow

the grantor, does hereby grant, bargain, sell and convey unto
GROVER A. MYERS and PATRICIA LARKIN MYERS, husband and wife

the grantees, whose current address is P.O. Box 573, Buffalo, WY 82834

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

Township 14 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 5: Lots 2, 3, 4, SW1/4NE1/4, S1/2NW1/4
Section 6: S1/2NE1/4, NE1/4SE1/4

Township 15 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 32: S1/2SE1/4, SW1/4SW1/4, all that part of the
SE1/4NE1/4, NE1/4SE1/4 lying South of West Indian Valley Road
Section 33: All that part of the W1/2SW1/4 lying South of West
Indian Valley Road

TOGETHER WITH eighty-eight (88) shares of Little Weiser Irrigation District
water and all other appurtenant water rights.

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

Date: June 7, 2002

Laurie V. Bankhead

LAURIE V. BANKHEAD

STATE OF Idaho)
COUNTY OF Adams)
: ss

On this 7th day of June in the year of 2002, before me, a Notary Public in and for said State, personally appeared

LAURIE V. BANKHEAD

known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged
to me that she executed the same.



Sharon M. Stippich

Notary Public
Residing at: *Indian Valley*
Commission expires: *7-5-07*

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: **A67-00461**
Date Received: 1/ 3/1990
Receipt No: W007362
Received By: _____

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

1. Name: ARMAND R BANKHEAD JR
Address: PO BOX 1085
FALLON NV 89406

AND

Name: LAURIE V BANKHEAD
Address: PO BOX 1085
FALLON NV 89406

2. Date of Priority: JUN 1, 1891

3. Source: LITTLE WEISER RIVER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	01W	4	SW	NW	SE		ADAMS

5. Description of diverting works:
HEADGATE AND LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/15	0.460		

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

8. Total consumptive use is 180.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

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AUG 05 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	01W	32	NE	SE		IRR	20.0
			SE	SE		IRR	20.0
						Section Acres	40.0
		33	SW	SW		IRR	20.0
						Section Acres	20.0
						Total Acres	60.0

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:
LITTLE WEISER IRR. DIST. SHARES 50

14. Remarks:
THIS WATER CARRIED IN THE STEWART DITCH
OWNERSHIP CHANGED BY KW 12/30/1993.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

MICROFILMED

AUG 05 1994

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 05 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

MAR 9 1993

Department of Water Resources

DATE OF CLOSING: 2/22/93

LEGAL DESCRIPTION OF PROPERTY: Township 14+15 Range 1W
Section 5+6, 32+33 1/4 of 1/4 of 1/4 of 1/4, Govt. Lot , B.M.
Lot , Block, , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

RECEIVED
MAR 11 1993

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

[] Water Right Number(s)
Assigned by IDWR: A67-11423

[] Name and Address of Former Owner/Claimant(s)(Seller): Jack W. Huff + M. L. Huff

P.O. Box 100

Cambridge, ID 83610

[] New Owner/Claimant (Purchaser):

Armand R. Bankhead, Jr. + Laurie V. Bankhead

[] New Mailing Address:

P.O. Box 1085

Fallon, NV 89406

[] New Telephone Number: () -

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

[] Attach proof of ownership, describe proof attached: Recorded Copy of Warranty Deed

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

[] Signature of New Owner/Claimant(s) Armand R. Bankhead Date 2-23-93

Laurie V. Bankhead

Date 2-23-93

[] Signature of Former Owner/Claimant(s): Date

Date

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12-30-93 By: KW

Further Action Needed:

amend p/u on A67-11423

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

MICROFILMED

AUG 05 1994

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

WARRANTY DEED

83627
INSTRUMENT NO

For Value Received JACK W. HUFF and M.L. HUFF, husband and wife

the grantors , do hereby grant, bargain, sell and convey unto
ARMAND R. BANKHEAD, JR. and LAURIE V. BANKHEAD, husband and wife

the grantees, whose current address is, P.O. Box 1085, Fallon, NV 89406

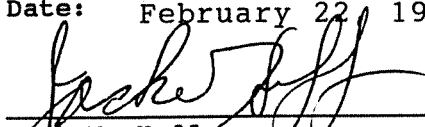
the following described premises, in Adams County, Idaho, to-wit:

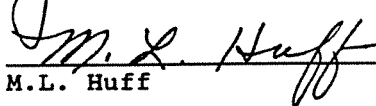
SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

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 owner in fee simple of said premises; that
they are free from all incumbrances
excepting for all easements of record, rights of way, matters visible, and all matters of
record and title.

and that they will warranty and defend the same from all lawful claims whatsoever.

Date: February 22, 1993



Jack W. Huff


M.L. Huff

STATE OF IDAHO)
) ss
COUNTY OF ADAMS)

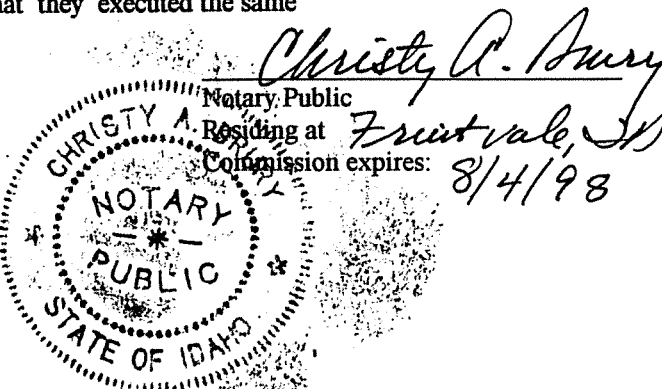
STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow

On this ^{22nd} day of Feb, in the year of 1993, before me
a Notary Public, personally appeared
JACK W. HUFF & M.L. HUFF

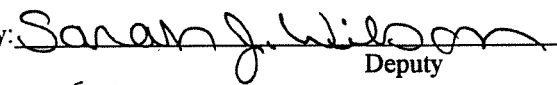
at 35 minutes past 1 o'clock P.M.
this 26 day of February, 1993, in my
office, and duly recorded in Book----

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

of Deeds at page ----



Michael Fisk

Ex-Officio Recorder
By: 

Deputy

Fees \$ 6.00
Mail to:

Indexed

MICROFILMED
AUG 05 1994

EXHIBIT "A"

Township 14 North, Range 1 West, Boise, Meridian, Adams County, Idaho.
Section 5: Lot 2, 3, 4, SW1/4NE1/4, S1/2NW1/4
Section 6: S1/2NE1/4, NE1/4SE1/4

Township 15 North, Range 1 West, Boise Meridian, Adams County, Idaho.
Section 32: S1/2SE1/4, SW1/4SW1/4

Township 15 North, Range 1 West, Boise Meridian, Adams County, Idaho.
Section 32: SE1/4NE1/4, NE1/4SE1/4
Section 33: W1/2SW1/4

TOGETHER with all existing water rights and shares.

SUBJECT TO THE FOLLOWING:

AN EASEMENT for the purpose of public utilities and rights incidental thereto as set forth in a document granted to Idaho Power Company, a corporation (no representation is made as to the present ownership of said easement), recorded June 13, 1947 as Instrument No. 31104 in Book 4 M of Misc., at page 504. Affects S1/2SE1/4 Section 32, T 15 N, R 1 W.

AN EASEMENT for the purpose of public utilities and rights incidental thereto as set forth in a document granted to Idaho Power Company, a corporation (no representation is made as to the present ownership of said easement), recorded January 27, 1981 as Instrument No. 61860 in Book 10 M of Misc., at page 365. Affects the SW1/4 of Section 33, Township 15 North, Range 1 West.

AN EASEMENT with terms and conditions granted to the State of Idaho, acting by and through the Board of Highway Directors, recorded June 6, 1973 as Instrument No. 51621 in Book 7 M of Misc., at page 474. Affects SE1/4NE1/4 of Section 32, Township 15 North, Range 1 West.

SUBJECT TO ANY AND ALL EASEMENTS, both visible or of record and in particular any roadways traversing said property.

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: A67-00461
Date Received: 1/03/1990
Receipt No: W007362
Received By: BAJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JACK W. HUFF 208-257-3421
Address: BOX 100
CAMBRIDGE, ID 83610

OR

Name: M. L. HUFF 208-257-3421
Address: BOX 100
CAMBRIDGE, ID 83610

2. Date of Priority: JUN 01, 1891

3. Source: LITTLE WEISER RIVER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	01W	4	SW	NW	SE		ADAMS

5. Description of diverting works:
HEADGATE AND LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/15	0.460		

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

8. Total consumptive use is 180.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15N	01W	32	NE		SE		IRR	20.0
			SE		SE		IRR	20.0
							Section Acres	40.0
		33	SW		SW		IRR	20.0
							Section Acres	20.0
							Total Acres	60.0

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:

LITTLE WEISER IRR. DIST. SHARES 50

14. Remarks:

THIS WATER CARRIED IN THE STEWART DITCH

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 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):

[Handwritten signature]

Date:

Jan 3 1990

Date:

State of Idaho

County of

Ada

)
) SS.
)

Subscribed and sworn (or affirmed) before me this 3 day

of

January

19

89

[Handwritten signature]
Notary Public

Seal

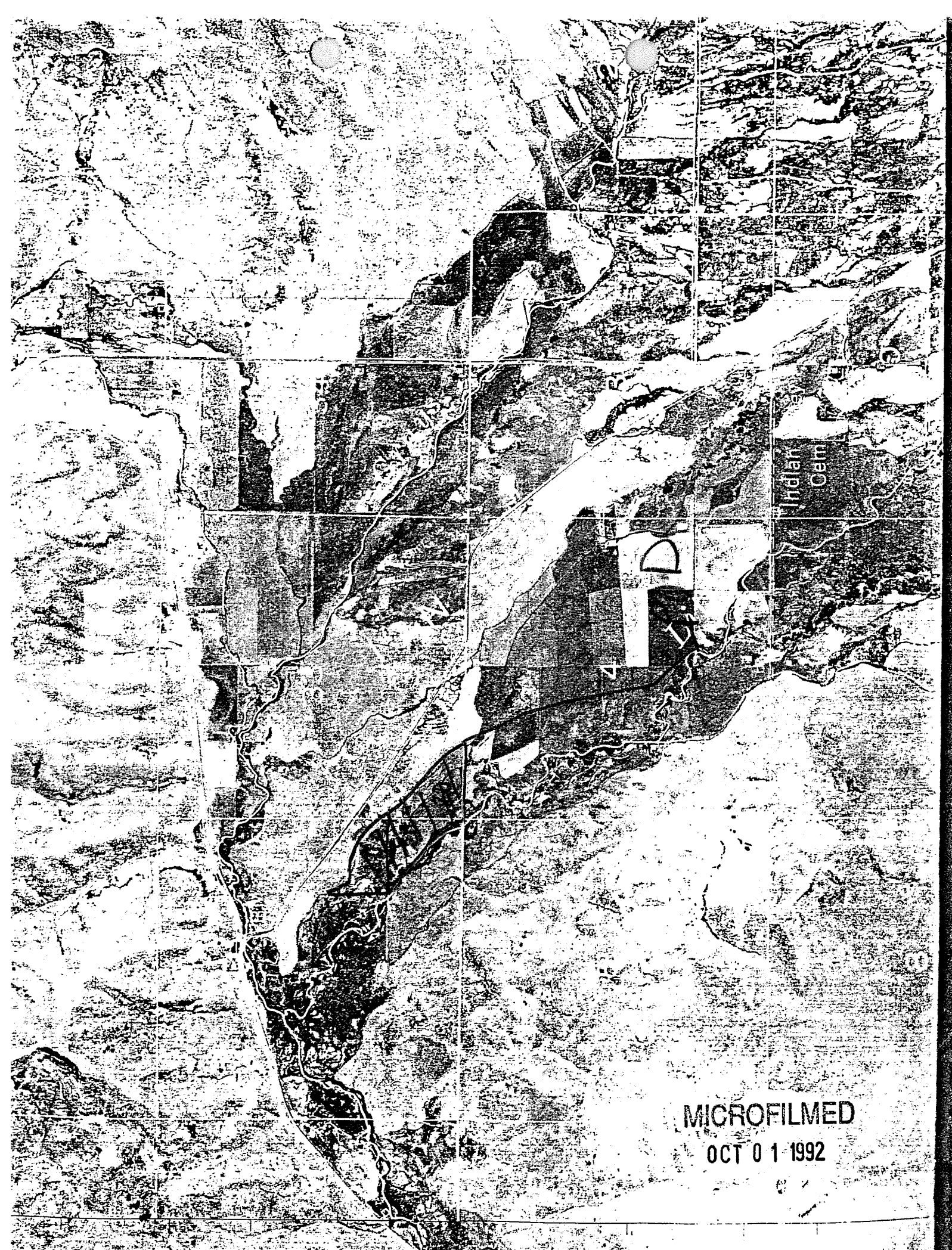
BRUCE A. SCHULD, NOTARY PUBLIC

Residing at

RESIDING AT BOISE, IDAHO

My Commission Expires

MY COMMISSION EXPIRES APRIL 12, 1995



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