

11/14/2006

NOTICE OF ERROR  
REPLY

RECEIVED  
DEC 07 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: 67-487

RUSSELL WILKERSON

~~3251 HWY 95~~ 3265 HWY 95

CAMBRIDGE ID 83610

Telephone Number: (208)257-3756

GORDON WILKERSON

3251 U S HWY 95

CAMBRIDGE ID 83610

Done RDC  
12/14/06

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

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

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

X I AGREE with this proposed recommendation: Address change above  
no changes need to be made.

DATE: 12/6/2006

SIGNATURE: Gordon Wilkerson

Please print your name: Gordon Wilkerson

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

SCANNED

DEC 08 2006

11/14/2006  
RECEIVED  
DEC 07 2006  
DEPARTMENT OF  
WATER RESOURCES

NOTICE OF ERROR  
REPLY

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

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

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

Water right number: 67-487

RUSSELL WILKERSON  
~~3251 HWY 95~~ 3265 Hwy 95  
CAMBRIDGE ID 83610  
Telephone Number: (208)257-3756

GORDON WILKERSON  
3251 U S HWY 95  
CAMBRIDGE ID 83610

Done 12/8/06  
(PSE)

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

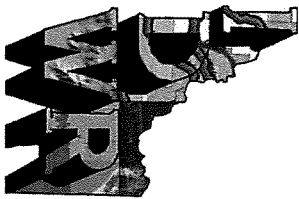
X I AGREE with this proposed recommendation: Address change above  
no changes need to be made.

DATE: 12/6/2006 SIGNATURE: Russell Wilkerson

Please print your name: Russell Wilkerson

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

SCANNED  
DEC 08 2006



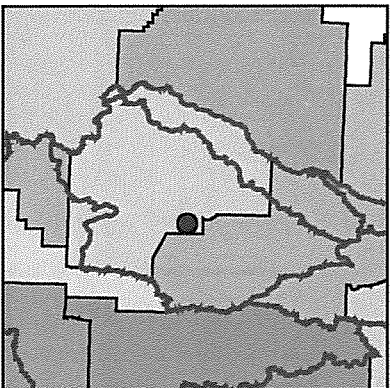
# Idaho Department of Water Resources

SRBA Recommendation:

**67-487**

## Legend

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



Washington County  
IDWR Basin 67



T14N

R02W



Prepared by M. Mount  
On Monday, May 1, 2006  
1987/88 Aerial Photography

67-487



05/01/2006

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

RIGHT NUMBER: 67-487

NAME AND ADDRESS: RUSSELL WILKERSON  
3251 HWY 95  
CAMBRIDGE ID 83610

GORDON WILKERSON  
3251 U S HWY 95  
CAMBRIDGE ID 83610

SOURCE: LITTLE WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 0.240 CFS

Right Nos. 67-7479, 67-488b, 67-487, 67-4498, 67-475, 67-489, and 67-482  
are limited to a total combined diversion rate of 14.84 cfs.

PRIORITY DATE: 05/01/1891

POINT OF DIVERSION:

T14N R02W S10 SENE Within WASHINGTON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/15 10/31          | 0.240 CFS       |

PLACE OF USE: IRRIGATION Within WASHINGTON County

T14N R02W S09 SWSW 17.00

17 ACRES TOTAL

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.

Point of diversion is also known as the Allison Ditch diversion.

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: **A67-00487**  
Date Received: 10/ 5/1989  
Receipt No: M004838  
Received By: \_\_\_\_\_

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

1. Name: GORDON WILKERSON  
Address: 3251 U S HWY 95  
CAMBRIDGE ID

83610

AND

Name: RUSSELL WILKERSON  
Address: 3251 U S HWY 95  
CAMBRIDGE ID

83610

2. Date of Priority: MAY 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 | Lot | County     |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 14N      | 02W   | 10      |        | SE     | NE  |     | WASHINGTON |

5. Description of diverting works:  
DAM, DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.240  |      |        |

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

A.F.A.

SCANNED

APR 06 2004

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

MICROFILMED

AUG 05 1994

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 14N      | 02W   | 9       | SW     | SW  |     | IRR | 17.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 17.0  |
|          |       |         |            |     | Total Acres   | 17.0  |

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:  
A67-04498

14. Remarks:  
THIS WATER CARRIED IN THE ALLISON DITCH.  
67-00487 DID NOT INDICATE NUMBER OF ACRES.  
OWNERSHIP CHANGED BY LH 5/13/94.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

|                     |                        |
|---------------------|------------------------|
| <u>JOHN T. MUIR</u> | <u>WILLIAM ALLISON</u> |
| Decree Plaintiff    | vs Decree Defendant    |

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ Date: **MICROFILMED**  
\_\_\_\_\_ Date: **AUG 05 1994**

State of Idaho )  
 ) SS.  
County of \_\_\_\_\_ )

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

MAY 09 1994

WATER RESOURCES  
WESTERN REGIONDATE OF CLOSING: 4/29/94

LEGAL DESCRIPTION OF PROPERTY: Township 14 NORTH Range 2 WEST  
 Section 9, 1/4 of 1/4 of 1/4, Govt. Lot       , BM.  
 Lot       , Block       , Subdivision/Townsite       .  
 If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)  
Assigned by IDWR: A67-00487, A67-04498
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):  
DONALD SNYDER BEIGH  
C/O THEODORE E. DEMING, P.R.  
2695 MARCEY ROAD, ARLINGTON, VA 22207
- ☐ New Owner/Claimant (Purchaser):  
GORDON WILKERSON & RUSSELL WILKERSON
- ☐ New Mailing Address:  
3251 U.S. HWY 95  
CAMBRIDGE, ID 83610
- ☐ New Telephone Number: (    )        -
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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 PERSONAL REPRESENTATIVE'S 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): Russell Wilkerson Date 4-29-94  
Gordon Wilkerson Date 4-29-94
- ☐ 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: 5-13-94 By: JD

Further Action Needed:

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: 5-13-94 By: JD

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

**PERSONAL REPRESENTATIVE'S DEED**

FOR VALUE RECEIVED, in accordance with the laws of the State of Idaho, THEODORE E. DEMING, Personal Representative of the Estate of DONALD SNYDER BEIGH, aka DONALD F. BEIGH, Deceased, whose Letters Testamentary as such Personal Representatives were issued on the 29th day of November, 1993, under Washington County Probate Case No. SP 93 00578. In the Matter of the Estate of Donald Snyder Beigh, as Grantor, do hereby grant, bargain, sell and convey unto GORDON WILKERSON and RUSSELL WILKERSON, the following described real estate situated in the County of Washington, State of Idaho, to wit:

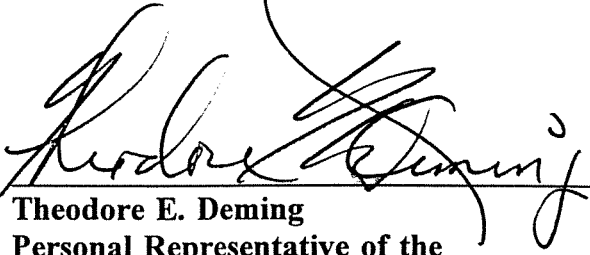
IN WASHINGTON COUNTY, IDAHO:

A parcel of land situated within the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 9 Township 14 North, Range 2 West, Boise Meridian, Washington County, Idaho, and more particularly described as follows:

Commencing at the Southwest corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$  and running thence East 56.57 rods, thence North 56.57 rods, thence West 56.57, thence South 56.57 rods, to the said corner and place of beginning.

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 the Estate of Donald Snyder Beigh, is the owner in fee simple of said premises, and that said premises are free from all encumbrances, and that Theodore E. Deming as Personal Representative of the Estate of Donald Snyder Beigh, will WARRANT and DEFEND the same from all lawful claims whatsoever.

DATED this 2<sup>nd</sup> day of May, 1994.

  
Theodore E. Deming  
Personal Representative of the  
Estate of Donald Snyder Beigh  
Deceased

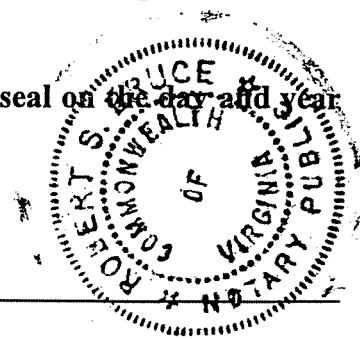
MICROFILMED  
AUG 05 1994

STATE OF ~~IDAHO~~ Virginia )  
Arlington :ss  
COUNTY OF ~~WASHINGTON~~ )

On this the 2nd day of May, 1994, before me a Notary Public in and for said State, personally appeared Theodore E. Deming, Personal Representative of the Estate of Donald Snyder Beigh, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same for and in behalf of the Estate of Donald Snyder Beigh.

IN WITNESS WHEREOF I hereby set my hand and affixed my official seal on the day and year first above written.

Robert S. Bruce  
Notary Public for said State  
Residing at 620 Fst NE #2 WASH, DC 20002  
My Commission Expires My Commission Expires August 31, 1997



INSTRUMENT NO. 160071  
STATE OF IDAHO, COUNTY OF WASHINGTON ss.  
Filed for record at the request of

WEISER VALLEY TITLE  
20 Min. past FIFTEEN o'clock P. M.  
This 4TH day of MAY 19 94

INDEX TO DEEDS  
MARY KALITZ Recorder. Fee: \$6.00  
By J. McKnight Deputy

WEISER VALLEY TITLE

☒ Emp. Index  
☒ Emp. Rel.  
☒ Film  
☒ Compare  
☒ Card Rel.  
☒ Bk. Rel.  
☒ Up-date  
☒ Return  
☒ Copy

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: A67-00487  
Date Received: 10/05/1989  
Receipt No: M004838  
Received By: Ca

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: ~~STELLA~~ BEIGH  
Address: ~~O, ID~~

0

Name: DONALD S. BEIGH  
Address: RT 1, BOX 138  
CAMBRIDGE, ID

83610

208-257-3545

2. Date of Priority: MAY 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     |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 14N      | 02W   | 10      | SE     | NE     |     |     | WASHINGTON |

5. Description of diverting works:  
DAM, DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.240  |      |        |

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

A67-00487

Page 1

Date: 10/05/89

MICROFILMED  
OCT 01 1992

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 14N           | 02W   | 9       | SW     | SW  |     | IRR | 17.0  |
| Section Acres |       |         |        |     |     |     | 17.0  |
| Total Acres   |       |         |        |     |     |     | 17.0  |

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:  
A67-04498

14. Remarks:

THIS WATER CARRIED IN THE ALLISON DITCH.  
67-00487 DID NOT INDICATE NUMBER OF ACRES.

15. Basis of Claim: DECREED

Case Number:  
Court :  
Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

Decree Defendant

(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.

MICROFILMED  
OCT 01 1992

T14N

R2W

Sec. 10

AG7-0487

ORDER  
# 2862

OLD FENCE

WEISER

ALLEY

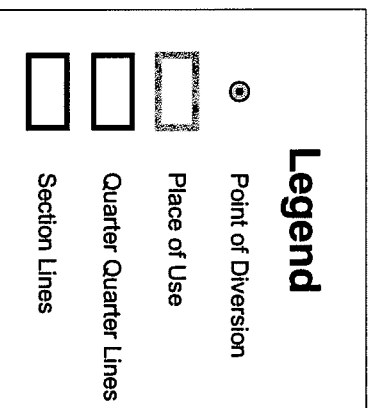
SALUBRIA



# Idaho Department of Water Resources

T14N, R02W S9

Water Right No: 67-487



# Idaho Department of Water Resources

T14N, R02W S10  
Water Right No: 67-487

| Legend                                                                            |                       |
|-----------------------------------------------------------------------------------|-----------------------|
|  | Point of Diversion    |
|  | Place of Use          |
|  | Quarter Quarter Lines |
|  | Section Lines         |







**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

May 13, 1994

Re: Notice of Claim to a Water Right No. A67-00487, A67-04498

Gordon Wilkerson  
Russell Wilkerson  
3251 U.S. Hwy. 95  
Cambridge, ID 83610

Claimant(s):

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any 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 this office.

Sincerely,

Adjudication Staff  
Department of Water Resources  
Western Region Office  
(208) 334-2190

LH:1

cc: Estate of Donald Beigh

**MICROFILMED**

**AUG 05 1994**