

09/08/2006

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

RIGHT NUMBER: 67-494A

NAME AND ADDRESS: ROBERT W TURNBULL
2946 SALUBRIA RD
CAMBRIDGE ID 83610

CAROL ORGAN TURNBULL
2946 SALUBRIA RD
CAMBRIDGE ID 83610

SOURCE: LITTLE WEISER RIVER TRIBUTARY: WEISER RIVER

QUANTITY: 0.900 CFS

Right Nos. 67-4168, 67-494a, 67-31, and 67-4523a are limited to a total combined diversion rate of 4.5 cfs.

PRIORITY DATE: 05/01/1887

POINT OF DIVERSION:

T14N R02W S17 NENE 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	0.900 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T14N R03W S12	NWSE	33.00	T14N R03W S12	SWSE	39.00
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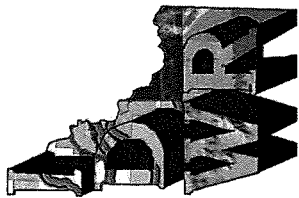
72 ACRES TOTAL

Right Nos. 67-4168, 67-494a, 67-31, and 67-4523a are limited to the irrigation of a combined total of 225 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

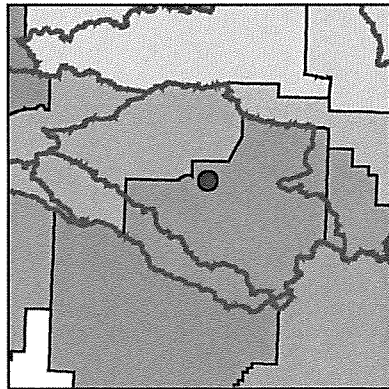
SRBA Recommendation:

67-494A



Legend

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



Washington County
IDWR Basin 67

Prepared by M. Mount
On Friday, September 8, 2006
1987/88 Aerial Photography

67-494A



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: A67-00494A
Date Received: 9/19/1989
Receipt No: W6091
Received By: hw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT W. TURNBULL 208-257-3425
Address: 2946 SALUBRIA RD.
CAMBRIDGE, ID 83610

Name: CAROL ORGAN TURNBULL 208-257-3425
Address: 2946 SALUBRIA RD.
CAMBRIDGE, ID 83610

2. Date of Priority: MAY 01, 1887

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	02W	17	NE	NE			WASHINGTON

5. Description of diverting works:
ROCK & GRAVEL 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	0.975		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

SCANNED
APR 06 2004

MICROFILMED
OCT 01 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	03W	12	NW	SE		IRR	39.0
			SW	SE		IRR	39.0
Section Acres							78.0
Total Acres							78.0

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:
NONE

14. Remarks:

THIS WATER CARRIED IN THE DONART-MARTIN-COX DITCH.
THE DATA BASE DID NOT SHOW THE POINT OF DIVERSION. THIS HAS
BEEN ADDED.
THIS IS A SPLIT OFF OF 67-00494.

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: 2

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): *Robert H. Dymally* Date: 9-22-89
_____ Date: _____

State of Idaho)
County of Ada) SS.

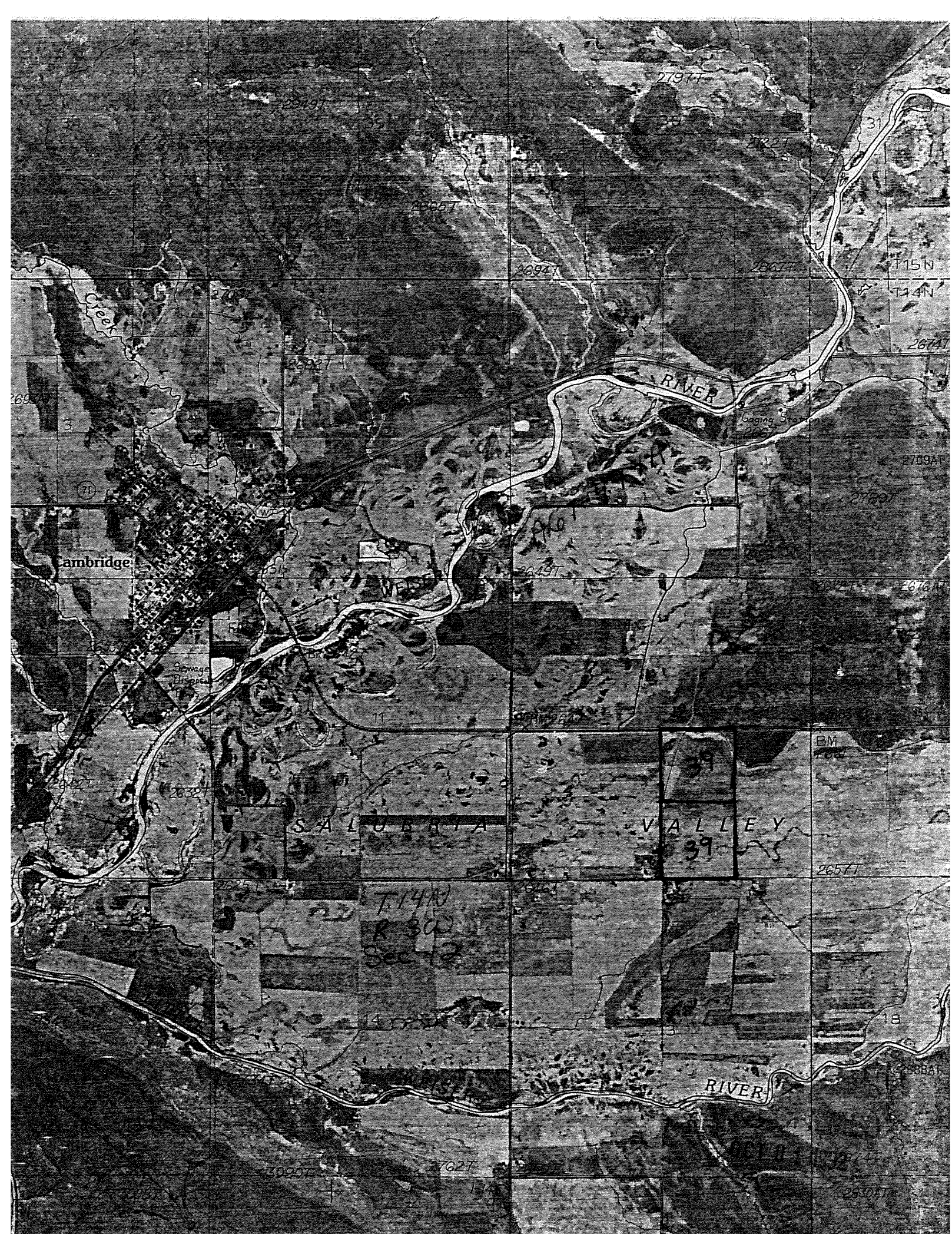
Subscribed and sworn (or affirmed) before me this 22 day

of Sept 19 89

Linda Werner
Notary Public

Seal

Residing at Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994



T14N
R2W
Sec. 17
AG700494A



in the following Sections in Township 13 North, Range 3 West Boise Meridian, east and south of the Weiser River, to wit: Sections 3, 4, 5, 8, 9, 10, 16, 17, 18, 19, 20, 21, 29 and 30, all in Washington County, State of Idaho, and containing a total of 3,300 acres more or less, the same being all the lands in said sections lying between the canal and the river.

ALEXANDER ALLISON. The east half of the southwest quarter ($E\frac{1}{2} SW\frac{1}{4}$) Northwest quarter of the Southwest Quarter ($NW\frac{1}{4} SW\frac{1}{4}$) of Section 11 and all that portion of the Northeast Quarter ($NE\frac{1}{4}$) and the South half of the Northwest Quarter ($S\frac{1}{2} NW\frac{1}{4}$) of Sec. 11, lying east and south of the center line of the Weiser River, all in Township 14 North, Range 3 West Boise Meridian, containing an area of 223 acres.

JOSEPH C ALLISON: All of the Southeast Quarter ($SE\frac{1}{4}$) of Section 11, Township 14 North, Range 3 West Boise Meridian, containing an area of 160 acres.

EUGENE LOONEY: The Northeast Quarter ($NE\frac{1}{4}$) of Section 14 in Township 14 North, Range 3 West Boise Meridian, containing 160 acres.

HARRY M. COON: The Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4} SW\frac{1}{4}$) of Section 11; Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4} SE\frac{1}{4}$) Section 15, the North half of the Northwest Quarter ($N\frac{1}{2} NW\frac{1}{4}$) the Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4} NW\frac{1}{4}$), and the Northeast Quarter ($NE\frac{1}{4}$) and the Northeast Quarter of the Southeast ($NE\frac{1}{4} SE\frac{1}{4}$) of Section 15, and the Northwest Quarter ($NW\frac{1}{4}$) and the Southwest Quarter of Section 14 all in Township 14 North, Range 3 West, containing 720 acres.

B F JAMES: The following described lands lying in the Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4} SW\frac{1}{4}$) of Section 12, Township 14 North, Range 3 West Boise Meridian to-wit:

Commencing at a point 280' North from the Southwest corner of the Southwest Quarter of Section 12, Township 14 North, Range 3 West and running thence East 180' thence South 100' thence East 227'; thence North 100' thence East 167' thence South 50' thence East 210'; thence North 150' thence East 317' thence south 150' thence East 149'; thence South 240'; thence East 110' more or less, to the southeast corner of the Southwest Quarter of the Southwest Quarter of Section 12, Township 14 North, Range 3 West Boise Meridian; thence due North 490' thence West 506'; thence North 168' thence West 814' more or less, to the section line, thence due South along the section line 378' more or less, to the place of beginning, containing an area of 15 acres.

MARION SMITH: The East half ($E\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) and sixty acres out of the West Half ($W\frac{1}{2}$) of said Northwest Quarter of Section 13, Township 14 North Range 3 West Boise Meridian, containing 140 acres.

HEIRS OF R H MARTIN: The Southwest Quarter of Section 12, Township 14 North, Range 3 West Boise Meridian; excepting therefrom fifteen (15) acres above described as the property of B F James.

J RUSSETT FOST: The Southeast Quarter of the Southwest Quarter of Section 31, Township 15 North, Range 2 West Boise Meridian and the West half of the Northeast Quarter, the East half of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter Section 31, Township 14 North, Range 2 West Boise Meridian.

GRACE EVERETT: Lots 3 and 4 Section 31, Township 15 North, Range 2 West Boise Meridian, containing 119.74 acres.

GOLDIE ABBINATHY: The South half of the Southeast Quarter of Section 31, Town-

from the said funds now in his hands and from the costs to be collected from the other parties in this case as herein provided; that the costs so taxed against the several parties are upon a total basis of twenty-two and seven tenths cents (22.7¢) per miners inch and for each fraction of a miners inch of water herein allotted and decreed and as itemized in this decree and that there be paid out of the proceeds of said collection to be made by the Clerk from said parties the further sum of \$55.00 to pay the expenses of drafting these findings and this decree, as follows to wit:

NAMES.	INCHES.	AMT.	PD.	BAL. DUE	OVER PD.
John T Muir	113	\$25.65	\$25.50	.15	
Smiths et al	63	14.30	29.00		\$14.70
Sunnyside Ditch Co.	536	121.67	135.00		13.33
Anna Galloway et al	70	15.89	14.70	1.19	
Wingfields	15	3.41	3.15	.26	
Weiser Mill Ditch	450	102.15	100.00	2.15	
Weiser Irrigation Dist.		102.00			
Butterfield Live Stock Co.	45	45.00	45.00		
Middle Valley Irrigation Ditch Co.	2200	499.40	416.00	83.40	
Alexander Allison	122	27.69	25.62	2.07	
Joseph Allison	148	33.60	31.00	2.52	
Eugene Leoney	100	22.70	21.00	1.70	
Harry Coon	165	37.46	34.65	2.81	
B F Jones	10	2.27	2.10	.17	
Marion Smith	90	20.43	18.90	1.53	
Heire of R H Martin	90	20.43	18.90	1.53	
J Munett Frost	125	28.38	20.00	8.38	
Grace Everett	25	5.68	5.25	.43	
Goddie Abernathy	50	11.35	10.50	.85	
Fred Jewell	50	11.35	10.50	.85	
John A Frost	41	9.31	8.61	.70	
Mark Winkler	60	13.62	12.60	1.02	
Carrie Winkler	19	4.31	3.99	.32	
E Hinkle	82	18.61	17.22	1.39	
B A Moudy & E Hinkle	19	4.31		4.31	
George Gould	89	20.20	18.69	1.51	
Frank Hahn	190	43.13	40.00	3.13	
Ienac McMahon	27	6.13	5.67	.46	
Rollie A McMahon	36	8.17	7.56	.61	
Samuel E McMahon	23	5.22	4.83	.39	
Lester I McMahon	22	4.99	4.62	.37	
William M Glenn	45	10.22	9.45	.77	
George Robertson	35	7.95	7.35	.60	
William G Spofford	45	10.22	9.45	.77	
Fruitvale Townsite Co	30	6.81		6.81	
Phillip Walston	8	1.82	2.00		.18
C E Cox	2 1/2	.67		.67	
A L Freehafer and	25				

JUL 24 1996

TITLE
OF
CASE

John W. Weiser et al
vs
William Allison, et al

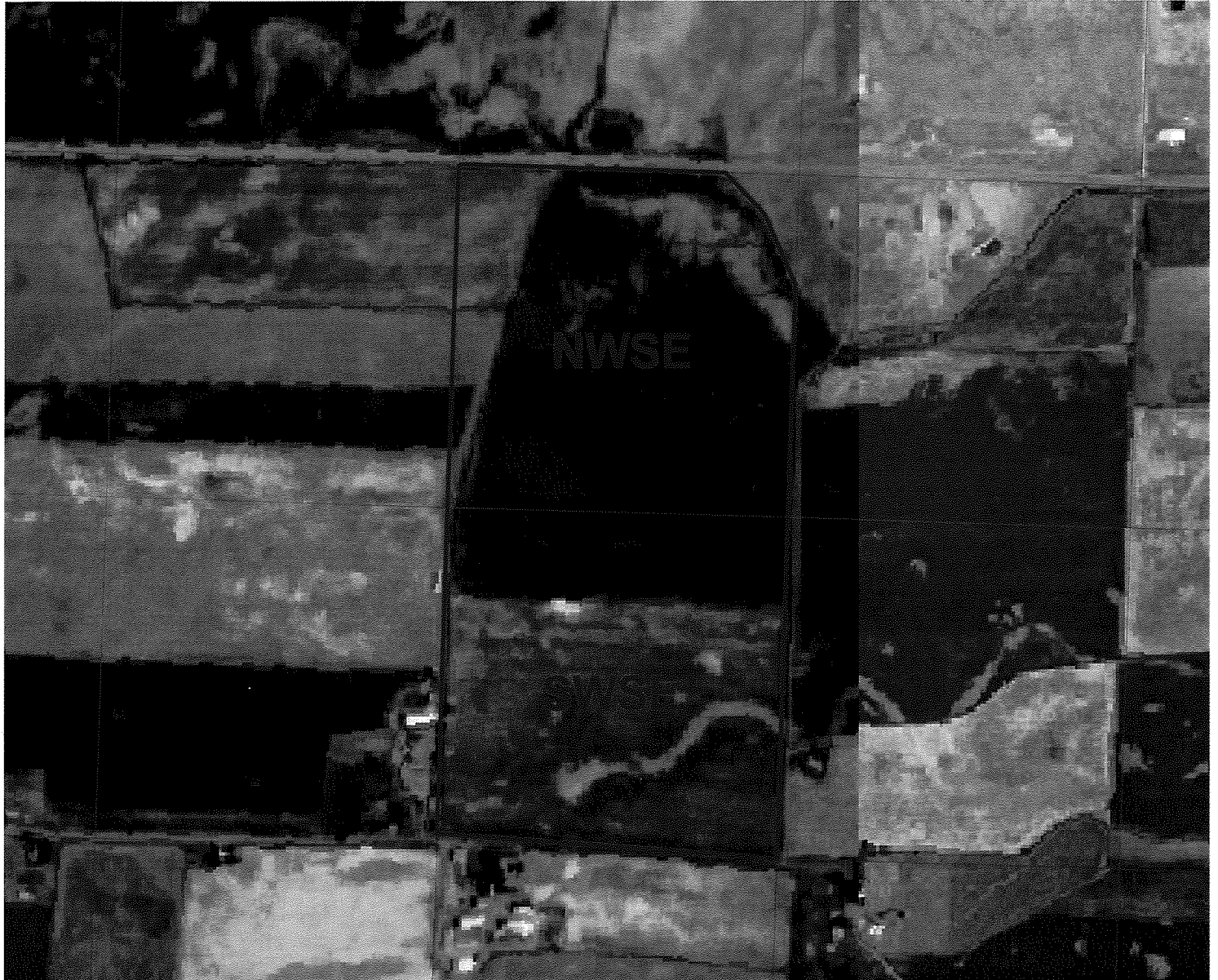
COURSE Little Weiser River
WATER DIST 67-A
COUNTY Adams
JUDICIAL DIST
DATE OF DECREE 6-20-21
JUDGE Ed L. Bryan
RECORDED IN BOOK NO. AT PAGE NO. FILE NO. 42-1

PL. DN.	DECREED OWNER	NAME	PRESENT OWNER	INCHESD ANT. SEC. FID	PRIORITY	DIVERSION SUBDIV. SEC. TWR	REMARKS, LAND TO BE IRRIGATED, ETC.	CT.
67 455	Ludwig, Georgine	King Hill Creek		1.74	6-1-85	King Hill Ditch	Lots 283, SENECA, NWSEK, SESEK, NENEK, -2, 14N-14	
67 456	Johnson, Richard	"	"	0.14	"	"	SESEK, SESEK-2; SENECA, SESEK, NWSEK-11	
67 457	Bailey, J. D.	"	"	0.30	"	Bailey-Hutchinson Ditch	SESEK, SESEK-4; 14N-14	
67 485	Thomson, W. H.	"	"	0.83	5-1-86	South Side Ditch	SESEK-2; NWK, NWSEK-11; SESEK, NWSEK-10	
67 464	Jevaney, Edith K., & Carter, Ella Mae	"	"	0.45	5-1-86	Gladhart Ditch	NWSEK, NWSEK-18; NWSEK-17, 14N-24	
67 444	Corriell, J. W.	"	"	0.16	6-1-86	Wood's Lindsay Ditch	SESEK, SESEK-2; 14N-14	
67 470	Shearer, W. C.	"	"	0.02	6-1-86	Marksbury Ditch	SESEK-31; 15N-14	
67 471	Zenney, C. F.	"	"	0.28	"	"	NWSEK-32; NWSEK, SESEK-31; 15N-14	
67 490	Smith Marion	"	"	1.84	5-1-87	Morey-Smith Crouder Ditch	Lots 3 & 4, SESEK, -7; 14N-24	
67 491	Morey, W. D.	"	"	3.25	"	"	NWSEK-17; SEK-8; SEK-7; NWK-15; 14N-24	
67 492	Cruter, Margaret A.	"	"	1.30	"	"	SESEK, NWSEK-18, 14N-24	
67 494	Heirs of R. H. Martin, deceased	"	"	1.8	"	Donar-Martin Box Ditch	SEK-12; 14N-34	
67 495	Kentzer, Samuel A.	"	"	1.88	"	"	NWSEK, SESEK, NWSEK-13; 14N-34	
67 452	Linder, J. I.	"	"	1.0	6-1-87	Hall Hunday Ditch	SESEK-10; 14N-14	
67 454	Joslin, H. L.	"	"	0.34	"	Joslin Ditch	NWSEK-10; 14N-14	
67 463	Ware, Mrs. H. L.	"	"	0.64	"	Ware Ditch	SESEK-10; SESEK-9; 14N-14	
67 467	Steward, G. E.	"	"	0.50	6-1-88	Steward Ditch	SESEK-10; NWSEK, NWSEK-15, 14N-14	
67 453	McLowell, Albert	"	"	0.38	6-1-89	Hall Hunday Ditch	SESEK-4; 14N-14	
67 459	Eutichison, B. J.	"	"	0.33	6-1-90	Bailey-Hutchinson Ditch	Lot 1; SESEK-5; SESEK, NWSEK-4; 14N-14	
67 486	Lossman, Henry	"	"	1.70	5-1-91	Allison Ditch	SEK-8; 14N-24	
67 481	Feigon, Stella	"	"	0.24	"	"	Lot 3; SESEK-9, 14N-24 (17 a.)	

RECORDED
JUL 2 1921

Idaho Department of Water Resources

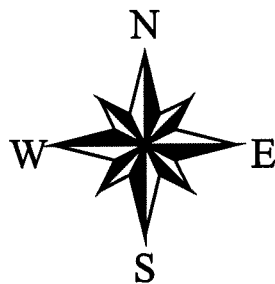
67-494A



600 0 600 1200 1800 2400 3000 Feet

A horizontal scale bar with alternating black and white segments, corresponding to the numerical values above it.

T14N, R03W, S12



**Prepared by Anita L. Warntjes
June 24, 2004
Adj 1987 True Color Photo**

Morey-Smith-Crouter Ditch.

Marion Smith	92	May 1, 1887	67 0490
W D Morey	162 1/2	May 1, 1887	67 0491
Mrs Margaret A Crouter	65	May 1, 1887	67 0492

Donart-Martin-Cox Ditch.

J E Donart	76	July 1, 1883	67 0493
Heirs of R H Martin, deceased	144 Ac — 90	May 1, 1887	67 0494
Samuel A. Mentzer, sub for Riley Cox	94	May 1, 1887	67 0495
C E McDonald	56 High Water	34 Low water July 2, 1892	67 0496

The said water allotted and decreed as aforesaid is for use upon the several tracts of land hereinafter set forth following the name of the party to whom such allotment is made.

John T Muir and William H Muir: The South West quarter of the North East quarter, the South East Quarter of the North West Quarter, and the North Half of the South West Quarter and the South East Quarter of the South West Quarter and Lots 2 and 3 all in Section 3 in Township 10 North of Range 4, West of the Boise Meridian, being 251 acres more or less, in aren.

George F Smith, John L Smith and Minnie B Smith: The South East Quarter (SE 1/4) of the Northeast Quarter of Section 3; and the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section 2 township 10 North of Range 4 West of Boise Meridian, containing 80 acres of land. Also the following described tract of land.

Beginning at the Southwest corner of Lot 1, Section 3 Township 10 North of Range four (4) West of the Boise Meridian, and running thence North to the Middle of the main channel of the Weiser River; thence up the middle of the main channel of the Weiser River to a point on the north side line of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section 35, Township 11 North Range 4 West Boise Meridian, thence running East along said line to the Northeast corner of the said Northwest Quarter of the Southeast Quarter of said Section 35, thence running south to the south east corner of the Southwest Quarter of the Southeast Quarter of said Section 35, thence West to the Northeast corner of Lot 3 in Section 2 Township 10 North Range 4 West of the Boise Meridian, thence running South to the Southeast corner of said Lot 3, thence running West to the place of beginning this last described tract of land consisting of Lot One of Section Three and Lots three and four of Section Two Township Ten North and all that land lying and being situated south and east of the present course of the Weiser River in the West half of the Southeast Quarter and the East half of the Southwest Quarter of Section 35 in Township 11 North all of Range 4 West Boise Meridian containing a total acreage of two hundred and ninety acres more or less.

Sunnyside Ditch Company: All those lands lying west of the lands of the plaintiffs hereinbefore described and bounded on the south by the Sunnyside Ditch, on the north by the Weiser River and the Kelley-Anderson Ditch and extending westerly and bounded on the west by the north and south line between Sections 11 and 12 Township 10 North Range 5 West Boise Meridian, also the Northeast Quarter of Section 4, Township 11 North Range 5 West Boise Meridian, and the Southeast Quarter of the Southeast Quarter of Section 33 Township 11 North Range 5 West Boise Meridian.

JUL 24 1896