

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 67-2212
Date Received: 10/10/1989
Receipt No: M004869
Received By:

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

1. Name of Claimant(s)

CHE ENTERPRISES INC Phone: (208) 257-3491

C/O CAMERON OR BARBARA ERTEL
3054 GOODRICH RD
CAMBRIDGE ID USA 83610

2. Date of Priority: 02/20/1952

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	02W	16	SE SW SW	WASHINGTON	

5. Description of diverting works:

CARRIED IN THE POST-WESTON DITCH, PUMP TO HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.6	

7. Total Quantity Appropriated is:
0.6 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	02W	31	SW SE	IRRIGATION	40
			SE SE	IRRIGATION	40

Section Acres 80
Total Acres 80

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:

14. Remarks:

15. Basis of Claim: License

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.

RECEIVED

AUG 22 2005

Department of Water Resources

C.H.E. Enterprises, Inc.
3054 Goodrich Road
Cambridge, Idaho 83610

Craig L. Saxton
Senior Water Resource Agent
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

August 19, 2005

Dear Mr. Saxton:

Thank you for the documents you sent pertaining to some of our water rights.

We're returning the change of ownership form for Rights 67-36 and 67-2212 and a copy of the Statutory Warranty Deed to back it up, as requested. We're also enclosing the change of address form on the rights you may still have our old postal address for. The ones I know you have the correct address for are not included.

We'll send the paperwork on the Goodrich and Cow Creek rights under separate cover as quickly as possible.

We appreciate all your help in getting these water rights sorted out and finalized.

Sincerely,



Cameron C. Ertel
President
C.H.E. Enterprises, Inc.

SCANNED

AUG 23 2005

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

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
<u>67-36</u>	_____	___	_____	_____	___
<u>67-2212</u>	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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

- A. The appropriate ~~FILING FEE~~. See instructions for fee amounts. NO FEE
- 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) DAVID C. + MARJORIE I. MOONEY
Rte 1 Box 150 CAMBRIDGE, ID. 83610
4. New Owner/Claimant(s) C.H.E. ENTERPRISES, INC.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
C/O CAMERON OR BARBARA ERTEL
3054 GOODRICH RD.
 New Mailing Address
 City, State and ZIP Code CAMBRIDGE, ID 83610
 New Telephone Number (208) 257-3491
5. Date you acquired the property MAY 15, 1996

SCANNED

AUG 23 2005

6. *N/A*

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) C.H.E. Enterprises, Inc.
(include title if applicable) by Barbara A. Eitel, Secretary

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 _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
AUG 23 2005

STATUTORY WARRANTY DEED

For value received, DAVID C. MOONEY and MARJORIE I. MOONEY, husband and wife, Grantors, do hereby grant, bargain, sell and convey unto C.H.E. ENTERPRISE, an Idaho corporation, the Grantee, the following described real property located in Washington County, State of Idaho.

IN WASHINGTON COUNTY, IDAHO:

TOWNSHIP 15 NORTH, RANGE 2 WEST OF THE BOISE MERIDIAN:

Section 31: S $\frac{1}{2}$ SE $\frac{1}{4}$

EXCEPTING OUT the following:

The South 25 feet along the South Boundary of the SE $\frac{1}{4}$,
deeded to the State of Idaho as a roadway;
The West 30 feet of the S $\frac{1}{2}$ SE $\frac{1}{4}$;

AND a strip of property consisting of 5
acres and more particularly described as follows:

BEGINNING at a point 25 feet North of the
Southwest Corner of the SE $\frac{1}{4}$;
Thence 525 feet East to THE TRUE POINT
OF BEGINNING;
Thence 1,452 feet East parallel to the Southern boundary
of the SE $\frac{1}{4}$;
Thence 150 feet North and parallel to the West line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence 1,452 feet West and parallel to the Southern boundary of the SE $\frac{1}{4}$;
Thence 150 feet South along a line parallel to the Western boundary of the
SW $\frac{1}{4}$ SE $\frac{1}{4}$ to The TRUE POINT OF BEGINNING,

Further excepting all structures and water rights which include only 2 shares of
stock in the Cambridge Ditch Company, which shall be appurtenant to and relate
to the five (5) acre tract.

WATER RIGHTS AND SNAKE RIVER ADJUDICATION

The parties hereto acknowledge and understand that all water rights related to the
property involved in this transaction are subject to present review and readjudication under the
pending Snake River Basin Adjudication.

The parties further acknowledge that the active segment of the adjudication has not yet
taken place relating to this land, and therefore Buyer hereby specifically agrees to the following

conditions:

A. To pursue to the reasonable extent necessary to protect and preserve the water rights relating to the above property by monitoring the litigation to the extent necessary to ensure that the water rights are fully set forth and involved in the litigation proceedings.

B. Work with the Department of Water Administration, and/or retain legal counsel independently or in concert with other water users similarly situated and defend against any adverse claims or activities or actions which would diminish, deteriorate or undermine the present status of the water rights.

C. Pay all costs and expense necessary and associated with such litigation for protection of the water rights.

SELLER'S OBLIGATION WITH WATER RIGHTS

The Seller shall furnish to the Buyer at the time of closing or a reasonable time thereafter all information which the Seller has relating to the nature, the extent of use, the amount of water, the diversion information and any existing water rights relating to the pending issues to facilitate and assist the Buyer in protecting the water rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises, free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals on this 15th day of May, 1996.

David C. Mooney
DAVID C. MOONEY

Marjorie I. Mooney
MARJORIE I. MOONEY

Grantee's address: 3054 Goodrich Road, Cambridge, ID 83610

After recording, return to Grantee at above address.

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: A67-02212
Date Received: 10/10/1989
Receipt No: MOO4869
Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID C. MOONEY 208-257-3293
Address: RT. 1 BOX 150
CAMBRIDGE, ID 83610

OR

Name: MARJORIE I. MOONEY 208-257-3293
Address: RT. 1 BOX 150
CAMBRIDGE, ID 83610

2. Date of Priority: FEB 20, 1952

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	02W	16	SE	SW	SW		WASHINGTON

5. Description of diverting works:
CARRIED IN THE POST-WESTON DITCH, PUMP TO HANDLINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		

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

8. Total consumptive use is 240.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A67-02212

Page 1

Date: 10/10/89

SCANNED
MAY 17 2004

MICROFILMED
OCT 01 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	02W	31	SW	SE		IRR	40.0
			SE	SE		IRR	40.0
Section Acres							80.0
Total Acres							80.0

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:
A67-00036; A67-02055A

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 22612

16. Signature(s)

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

Number of attachments: 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): Mayoria J. Mooney Date: Oct 10, 1989

Date: _____

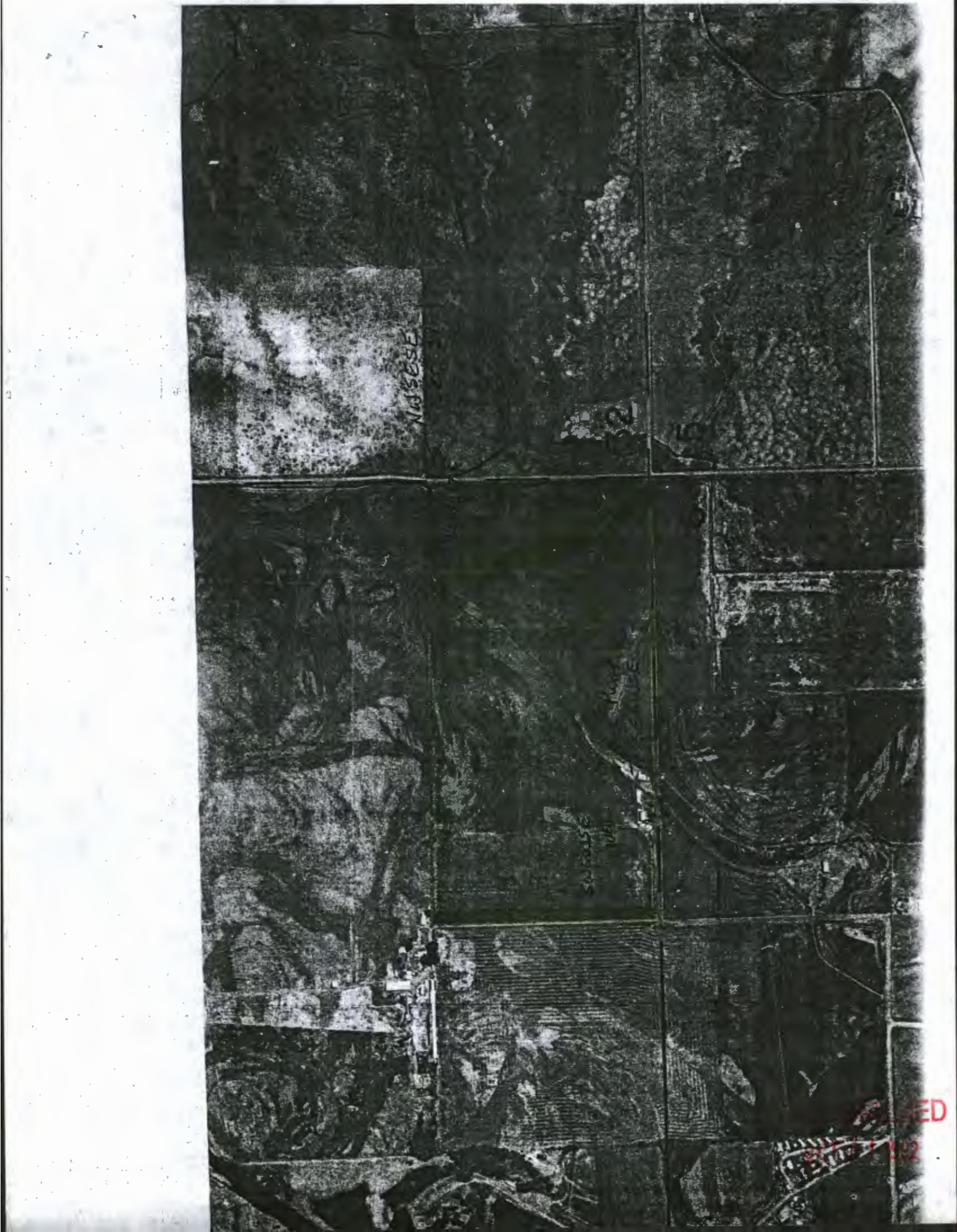
State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of October 19 89

Notary Public

Seal

Residing at Anna Baunhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994



Old (D) Number - 22612

+ - - - - - Address - - - - - +

State-	ID	Zip-
--------	----	------

Phone -

+ - - - Status - - - - +

+ - - - - - Tributary - - - - - +
SNAKE RIVER

OCT 01 1992

Water right number - 67-02212

Adj. flag translation: Standard Water Right Number

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 03/12/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 67
Licensed Date	- 01/30/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

MICROFILMED

OCT 0 1 1992

11/14/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 06 2006

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: 67-2212

CHE ENTERPRISES INC
C/O CAMERON OR BARBARA ERTEL
3054 GOODRICH RD
CAMBRIDGE ID 83610
Telephone Number: (208) 257-3491

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:

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

DATE:

12-4-06

SIGNATURE:

Cameron C Ertel

Please print your name:

Cameron C Ertel

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

SCANNED

DEC 07 2006

08/30/2005

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

RIGHT NUMBER: 67-2212

NAME AND ADDRESS: CHE ENTERPRISES INC
C/O CAMERON OR BARBARA ERTEL
3054 GOODRICH RD
CAMBRIDGE ID 83610

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 02/20/1952

POINT OF DIVERSION:

T15N R02W S16 SESESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 10/31

0.600 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T15N R02W S31

SWSE

40.0

T15N R02W S31

SESE

40.0

80 ACRES TOTAL

Right Nos. 67-00036 and 67-02212 are limited to the irrigation of a combined total of 80.0 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 - License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

08/03/2005

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

RIGHT NUMBER: 67-2212

NAME AND ADDRESS: MARJORIE I MOONEY
RT 1 BOX 150
CAMBRIDGE ID 83610

DAVID C MOONEY
RT 1 BOX 150
CAMBRIDGE ID 83610

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 02/20/1952

POINT OF DIVERSION:

T15N R02W S16 SESESW 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	0.600 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T15N R02W S31	SWSE	40.0	T15N R02W S31	SESE	40.0
---------------	------	------	---------------	------	------

80 ACRES TOTAL

Right Nos. 67-00036 and 67-02212 are limited to the irrigation of a combined total of 80.0 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 - License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



STATE OF IDAHO

Department of Water Resources

Point of Diversion

Water Right(s): 67-02212



1320

0

1320 Feet



Point(s) of Diversion



Place of Use



Quarter Quarter Lines



Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: August 2005

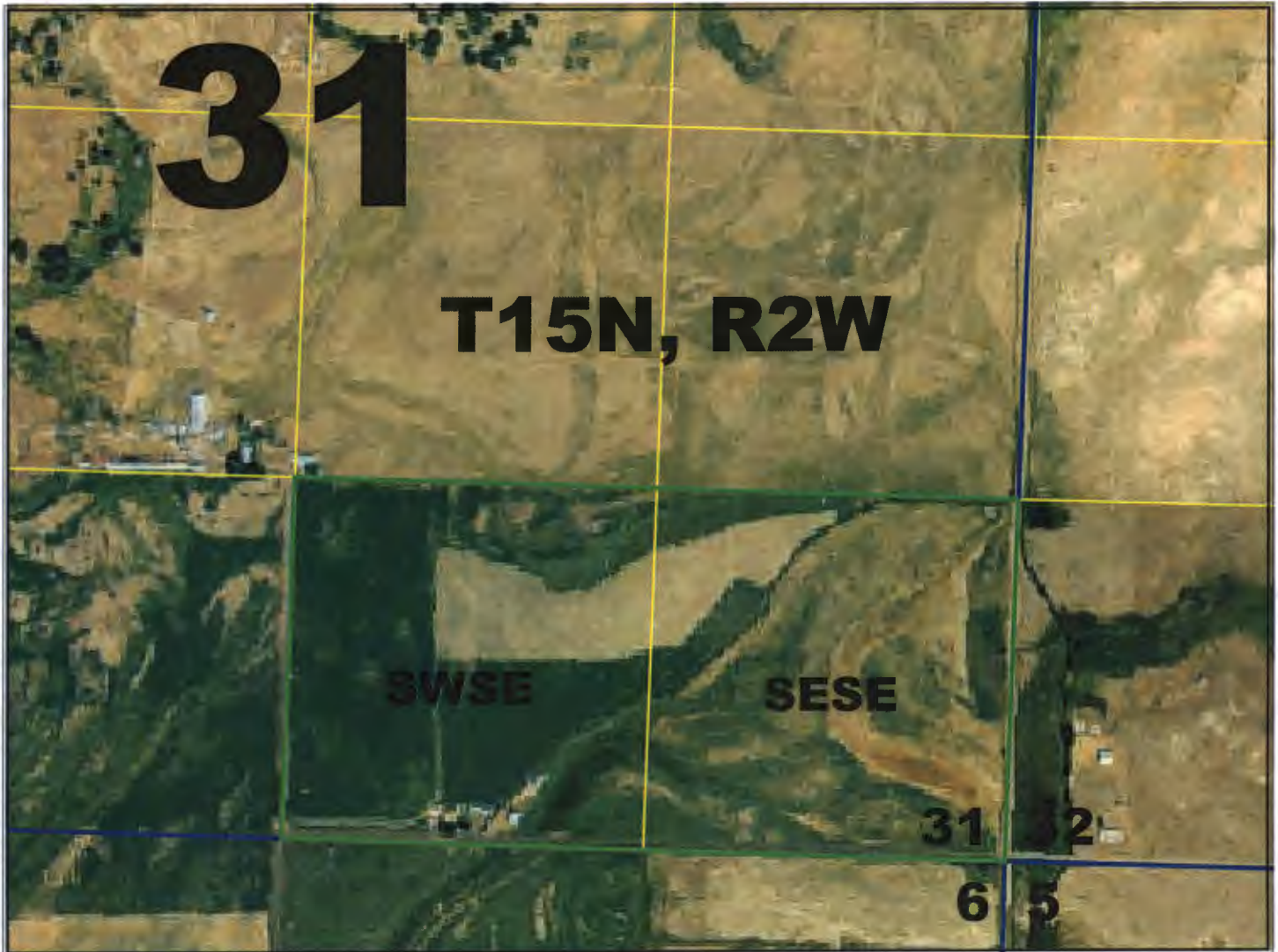


STATE OF IDAHO

Department of Water Resources

Place of Use

Water Right(s): 67-02212



1320

0

1320 Feet

● Point(s) of Diversion

□ Place of Use

□ Quarter Quarter Lines

□ Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: August 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2212 V1

WATER RIGHT NUMBER: 67-2212 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JAMES M THOMASON
Current Owner	CAMBRIDGE, ID MARJORIE I MOONEY RT 1 BOX 150 CAMBRIDGE, ID 83610 (208)257-3293
Current Owner	DAVID C MOONEY RT 1 BOX 150 CAMBRIDGE, ID 83610 (208)257-3293

Priority Date: 02/20/1952

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
WEISER RIVER	SNAKE 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	0.600 CFS	
	<u>Total Diversion:</u>	0.600 CFS	

Location of Point(s) of Diversion

WEISER RIVER	SE1/4SE1/4SW1/4	Sec. 16, Twp 15N, Rge 02W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	02W	31															40.0	40.0	80.0

Total Acres: 80

Conditions of Approval:

1. E55 Right Nos. 67-00036 and 67-02212 are limited to the irrigation of a combined total of 80.0 acres in a single irrigation season.
2. 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.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2212 V1

Remarks:Comments:

1. awarntje 4/29/2004 Period of Use
 Comment: License does not have a period of use

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: 67
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POD	4/29/2004 1:01:38 PM	awarntje			Active
Source	4/29/2004 1:04:34 PM	awarntje			Active
Source	4/29/2004 1:07:27 PM	awarntje			Active
POU	4/29/2004 1:19:08 PM	awarntje			Active
Use	4/29/2004 1:19:32 PM	awarntje			Active
Season	4/29/2004 1:19:52 PM	awarntje			Active
Quantity	4/29/2004 1:21:03 PM	awarntje			Active
Priority Date	4/29/2004 1:24:27 PM	awarntje			Active
Priority Date	4/29/2004 1:26:14 PM	awarntje			Active
POD	4/29/2004 1:26:20 PM	awarntje			Active
POU	4/29/2004 1:26:22 PM	awarntje			Active
Source	4/29/2004 1:26:23 PM	awarntje			Active
Use	4/29/2004 1:26:27 PM	awarntje			Active
Season	4/29/2004 1:26:28 PM	awarntje			Active
Quantity	4/29/2004 1:26:29 PM	awarntje			Active
Contacts	8/3/2005 12:18:01 PM	csaxton			Active
Priority Date	8/3/2005 12:18:24 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2212 V1

POD	8/3/2005 12:19:03 PM	csaxton	Active
Source	8/3/2005 12:20:03 PM	csaxton	Active
POU	8/3/2005 12:20:13 PM	csaxton	Active
Use	8/3/2005 12:21:11 PM	csaxton	Active
Season	8/3/2005 12:21:32 PM	csaxton	Active
Quantity	8/3/2005 12:22:08 PM	csaxton	Active
Summary		08/03/2005 csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	8/3/2005 12:18:02 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
Source	8/3/2005 12:20:04 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	8/3/2005 12:20:14 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	8/3/2005 12:20:58 PM	csaxton	Updated PLS for Active POU
Use	8/3/2005 12:21:12 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
General	8/3/2005 12:18:25 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2212 V1

POD	8/3/2005 12:19:05 PM	csaxton	(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? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - Changed prior to 1987 when Chambridge Ditch Company was created.
POD	8/3/2005 12:19:36 PM	csaxton	Updated shape
POD	8/3/2005 12:19:50 PM	csaxton	Updated PLS
Season	8/3/2005 12:21:33 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	8/3/2005 12:22:10 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
POU	8/3/2005 12:20:48 PM	csaxton	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2212 V1

Summary	8/3/2005 12:26:14 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (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?
Source	4/29/2004 1:04:35 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (No) 5. Can the claimed source be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the source?
POU	4/29/2004 1:19:09 PM	awarntje	(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?
Use	4/29/2004 1:19:33 PM	awarntje	(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?
Priority Date	4/29/2004 1:24:28 PM	awarntje	(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?
Priority Date	4/29/2004 1:26:15 PM	awarntje	(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? (No) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
POD	4/29/2004 1:26:21 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License?
POU	4/29/2004 1:26:23 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License?
Source	4/29/2004 1:26:24 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2212 V1

Use	4/29/2004 1:26:28 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License?
Season	4/29/2004 1:26:29 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License?
Quantity	4/29/2004 1:26:30 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License?
POU	1/14/2004 10:42:34 AM	awarntje	Edited shape boundary
POD	4/29/2004 1:01:39 PM	awarntje	(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? (Yes) 6. Is there evidence that there has been a change in the POD?
Source	4/29/2004 1:07:27 PM	awarntje	(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) 7. Is there evidence that there has been a change in the source?
POD	4/29/2004 1:13:04 PM	awarntje	Edited point location
POD	4/29/2004 1:16:38 PM	awarntje	Edited PLS
Season	4/29/2004 1:19:53 PM	awarntje	(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?
Quantity	4/29/2004 1:21:04 PM	awarntje	(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? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? Description for Question 10 - .6 cfs

Water Supply Bank:

Contacts Data Entry Form

Claim Number: 67-2212

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	JAMES M THOMASON		CAMBRIDGE	ID		
Current Owner	MARJORIE I MOONEY	RT 1 BOX 150	CAMBRIDGE	ID	83610	(208)257-3293
Current Owner	DAVID C MOONEY	RT 1 BOX 150	CAMBRIDGE	ID	83610	(208)257-3293

Date of Field Exam: N/A Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Info Needed: CHE Enterprise
3045 Goodrich Rd
Cambridge ID 83610

Reviewer: C. SartoriusDate: 8-3-05

Priority Date Data Entry Form

Claim Number 67-2212

Claimed Priority Date: 2/20/1952

Claimed Basis: License

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 2/20/1952

Water Right Basis: License

Recommended Priority Date _____ Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Reviewer:

[Handwritten signature]

Date:

8-3-05

Point of Diversion and Source Data Entry Form

Claim Number 67-2212

Claimed Point of Diversion and Source

T15N R02W S16 SESWSW Within WASHINGTON County Source: WEISER RIVER SNAKE RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T15N R02W S31 NENE Within WASHINGTON County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Weiser River Snake

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
<u>15N</u>	<u>2W</u>	<u>16</u>		<u>SESESW</u>	<u>Adams</u>	<u>Weiser</u>

Other rights from this POD? Many: 67-00036

Document how the POD and Source were verified:

GPS pt from Rosco Bosler 7-7-04

A0014003

Add CD3 - changed prior to 1987 when Cambridge
Ditch Co was established.

Reviewer: C. BoslerDate: 8-3-05

Place Of Use Data Entry Form

Claim Number 67-2212

Claimed Place Of Use

T15N R02W S31 SWSE 40.0 T15N R02W S31 SESE 40.0

Total Acres 80

☒ Use Claimed POU as Recommended POU

Water Right Place Of Use

T15N R02W S31 SWSE 40.0 T15N R02W S31 SESE 40.0

Total Acres 80

Recommended Place of Use

See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres 80

Document how the POU was verified:

Aerial Photography and License 67-02212

• This Right and 67-00036 limited to 80 ac

Reviewer:



Date:

8-3-05

Purpose of Use Data Entry Form

Claim Number 67-2212

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

Irr			80	

Document how the Purpose of Use was verified:

license 67-02212

Reviewer:



Date:

8-3-05

Period of Use and Quantity Data Entry Form

Claim Number 67-2212

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	0.6	

Overall Diversion Rate 0.6 Overall Diversion Volume

 Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	/	/	0.6	

Overall Diversion Rate 0.6 Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRR	3-15	10-31	0.6	N/A

Overall Diversion Rate 0.6 Overall Diversion Volume N/A

Document how the Period of Use and/or Diversion Rate were verified:

License 67-2212

SOU - IDWR standard for area

No Vol on surface water

Reviewer: C. Sanborn

Date: 8-3-06

5-11-05 : Same POU as 67-36 + 67-2055A

: licensed for Flood Water.

: Need C/O to CHE Enterprises

Idaho Department of Water Resources
67-2212 & 67-36



1000 0 1000 2000 3000 Feet

T15N, R02W, S31



Prepared by Anita L. Warntjes
March 30, 2004
1993/94 True Color Photo

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2212 V1

WATER RIGHT NUMBER: 67-2212 V1

Owner Type Name and Address
Original Owner JAMES M THOMASON

Current Owner CAMBRIDGE, ID
MARJORIE I MOONEY
RT 1 BOX 150
CAMBRIDGE, ID 83610
(208)257-3293

Current Owner DAVID C MOONEY
RT 1 BOX 150
CAMBRIDGE, ID 83610
(208)257-3293

Priority Date: 02/20/1952

Basis: License

Status:

Source
WEISER RIVER

Tributary
SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.600 CFS	
	<u>Total Diversion:</u>	0.600 CFS	

Location of Point(s) of Diversion

WEISER RIVER SE1/4SW1/4SW1/4 Sec. 16, Twp 15N, Rge 02W, B.M.
WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
15N	02W	31					80.0

Total Acres: 80

Conditions of Approval:Remarks:

Draft

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2212 V1

Comments:

1. awarntje 4/29/2004 POD
Comment: POD claimed is in SWSW, Sec 16, T15N, R2W; and POD licensed is in SWSE, Sec 23, T10N, R5W. POD has been put in ArcView as claimed.

2. awarntje 4/29/2004 Period of Use
Comment: Licensee does not have a period of use

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: 67
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POD	4/29/2004 1:01:38 PM	awarntje			
Source	4/29/2004 1:04:34 PM	awarntje			
Source	4/29/2004 1:07:27 PM	awarntje			
POU	4/29/2004 1:19:08 PM	awarntje			
Use	4/29/2004 1:19:32 PM	awarntje			
Season	4/29/2004 1:19:52 PM	awarntje			
Quantity	4/29/2004 1:21:03 PM	awarntje			

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>
Source	4/29/2004 1:04:35 PM	awarntje

(Yes) 1. Is the basis of claim Decree or License?
(Yes) 4. Does the Decree or License have a source?
(No) 5. Can the claimed source be verified using the water right file?
(Yes) 7. Is there evidence that there has been a change in the source?

DO NOT SCAN

04/29/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 87-2212 V1

POU	4/29/2004 1:19:09 PM	awarntje	(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?
Use	4/29/2004 1:19:33 PM	awarntje	(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?
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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

MAY 26 1999

WATER RESOURCES
WESTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 12, 1999

DICK AND COLEEN REID
2054 GOODRICH RD
CAMBRIDGE ID 83610

RE: Snake River Basin Adjudication (SRBA)
Water Rights #67-10689, A67-00036, A67-02055A & A67-02212

Dear Water Right Holders:

We have been advised you may be the current owner of the property and water rights shown above. Before we can modify our records to reflect your ownership of the property and water rights, we need Form 42-248/42-1409(6) completed and returned. I have enclosed this form for your use.

Please send the completed form with warranty deed copy and map to our Boise Region office by June 4, 1999.

Idaho Department of Water Resources
Adjudication Bureau
2735 Airport Way
Boise, ID 83705-5082

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Form 42-248/42-1409(6)

cc: Former Owner

State of Idaho

License and Certificate of Water Right

Water License No. 23612Amount 0.6 second foot

Water District No. _____

Priority February 20, 1952THIS IS TO CERTIFY that **JAMES M. THOMASON**

of **Cambridge, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **February 20**, 19 **52**; that Permit No. **23612** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **1.6** second feet, was issued thereunder on **January 6**, 19 **53**, showing that said works were completed on the **22nd** day of **August**, 19 **52**, and that on the **22nd** day of **August**, 19 **52**,

JAMES M. THOMASON

of **Cambridge**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of **Main** **Weiser River**, ~~EXPANSION~~, for the purpose of **irrigation**

, under Use Permit No. **23612** of the **Department of Reclamation** and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

8 of Licenses at page **5043**, on the **6th** day of **January**, 19 **53**;

The right hereby confirmed dates from **February 20**, 19 **52**;

The Point of Diversion is located

in the **NE 1/4 NE 1/4**, Sec. **31**, Tp. **15 N**, R. **2 W**, B. M. **Washington County**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **0.6** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 N	2 W	31	SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
			Number of Acres Actually Irrigated/		80

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

6th day of **January**, 19 **53**.

MARK E. KULP

State Reclamation Engineer

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 22612

REPORT ON PROOF OF Completion of works
and Beneficial use

JAMES M. THOMASON, Cambridge, Idaho

.6 cfs
1.0 cfs

app. 1.6 cfs.

50 acres

2-40's

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 22612This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant James M. Thomason, Cambridge, Idaho
2. Source of water supply: Weiser River
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31
T. 15 N. R. 2 W. County of Washington
4. Describe works as they exist, giving dimensions and capacities of same: Rock and gravel dam 5' wide, 4' high, and 100' long. The east half of dam is of placed rock. The west half of the dam is bulldozed gravel. A shaped post jacks support 2" x 12" planks for regulating water level into the ditch. Ditch leads off to the east side of the dam then turns south. Cross-section of ditch is 8" deep, 8" wide on the bottom, and 15' wide on top. 120' from the head of the ditch is a 4' dia. pipe 15' long with a private road over it. Regulation of water in ditch is accomplished by placing boards across the upper end of the 4' pipe. First user is approx. $\frac{1}{4}$ mile down the ditch from the point of diversion.
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 31, Township 15 North, Range 2 West, B. M.See Map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Weiser River

Remarks: The same dam and ditch are used for decreed right and have been for many years. This permit is intended to supplement the decree. Ditch and works are of sufficient size and capacity to carry the amount of water filed on.

This examination was made on the 24th day of September, 1952

(Signed)

Alfred D. Larson

Examiner.

22612

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

James W. Thomason
Cambridge, Idaho
Permit No. 22612

Examination for Completion of Works
and Beneficial Use
County Washington

S 31-15N-2W

Q = 1.6 cfs

S = Main Weir River

P.D. = NE. NE. Sec 31, T. 15N. R. 2W.

Use - Irrigation

Priority = Feb. 25, 1952
Due - Aug. 25, 1952

Rock and gravel dam 5' wide
4' high and approx 100' long.
The east half is placed round
the west half is built by gravel.
A shaped post-yach support
12' plank facing.

Ditch takes off to the west
side and runs south. 2' deep
8' wide on bottom and 12' wide
on top. 100' of ditch to
temporary head gate. #

4' pipe 10' long. 2' control valve
mounted by removable handle
placed to the left of the pipe. Pipe
is also used as control for head.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 23 1952
Department of Reclamation

Permit No. _____

Proof of Application of Water to Beneficial Use
and Completion of Work

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. James M. Thomason, age 44, farmer, Cambridge, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 22612, Approved Feb. 25, 1952, Priority date of Feb. 25, 1952

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Weiser River. In the ne $\frac{1}{2}$ ne $\frac{1}{2}$, about 500 ft W from the se
corner thereof; in Sec. 31, Twp. 15 N. R. 2 W. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. Dam in River, headgate, capable of 500 or more inches.

Name- Post-Weston Ditch. Open ditch to place of use.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation. 40 A in the sw $\frac{1}{4}$ se $\frac{1}{4}$
40 A in the se $\frac{1}{4}$ se $\frac{1}{4}$. Sec. 31, Twp. 15 N. R. 2 W. B. M.
cultivated lands.

22612

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. none

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. _____

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used:

Ans. Water has been applied on the lands since before 1910, in amounts varying from 50 to 200 inches. Flood water has been used annually by me since 1940.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Water under the right of No. 127-dated 8-27-1910 has been used annually on the place since date of filing, together with additional flood waters when required and when available.

(Sign) James W. Johnson

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Cambridge, County of Washington, State of Idaho, on this 22nd day of August, A. D. 1952,

Arthur Wilson

My commission expires Nov. 17, 1953

32612