

#62⁰⁰

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 67-4095
Date Received: 11/19/2004
Receipt No: W032416
Received By: DB/RW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RONALD D JAMES
PO BOX 842
COUNCIL ID USA 83612

Phone: (208) 253-4937

VALERIE CHAMPION
PO BOX 842
COUNCIL ID USA 83612

Phone: (208) 253-4937

2. Date of Priority: 06/01/1933

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
17N	01E	6	NW	SE	NW	ADAMS	

5. Description of diverting works:

DIVERSION DAM- GRAVITY DITCH TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A.
IRRIGATION	4/01	10/15	0.24	12
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.26 C.F.S. and/or 12 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	01E	6	NE	SW	IRRIGATION STOCKWATER	12
Section Acres						12
Total Acres						12

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

THIS RECORD WAS FOUND ON THE TEMP; THE HAIGHTS HAVE FILED OTHER CLAIMS; NO RECEIPT FOR THIS RECORD

15. Basis of Claim: Statutory Claim

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: _____

For Individuals:

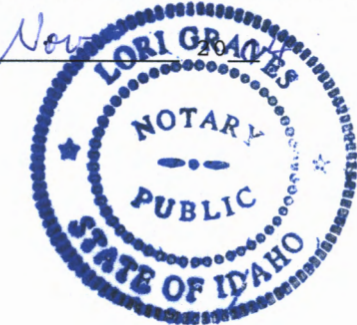
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): X Ronald D. James Date: 11/19/04
X Yolene Grandjean Date: 11/19/04

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this

of



19th
Lori Graces

Notary Public

Residing at Boise

My commission Expires 6/18/10

100' x 200'

Appx 2290'

W



COMPLIMENTS OF
Timberline Title & Escrow
THIS SKETCH IS FURNISHED TO ASSIST IN
PROPERTY LOCATION AND THE COMPANY
DOES NOT GUARANTEE ITS ACCURACY

Railroad R.O.W. in part
of sec 900 x 200' 4.54 ac

County Rd R.O.W.
100' x 200'

Channeled
River Channel

Boise Meridian

N 89° 17' 49" E 1053.53'

N.E. McHenry
a.E. Bairbridge
33m/239 24.95 ac in lot 5

(Lot 5) 360p
31.12 ac

(all that part of Lot 5 lying north of the
R.O.W. of the WPRR' excepting the County Rd.)

Piece in Lot 5 is South
of Railroad + North of River
Hard to locate on the map.

County Road

RR 3450' long, 151' 84" ac
x 200' wide
in sec 1
Scheibe

Balmer to Monkey
22200
that pt of the extreme
westerly corner of Lot 5
by the R.O.W. of WPRR
before 11/15/72

Foght
Field
Forest

McLond
Paul C + Carol Lunn
T# 955
4500

Rail Road

Haight
Charles C
33m/345 630.86

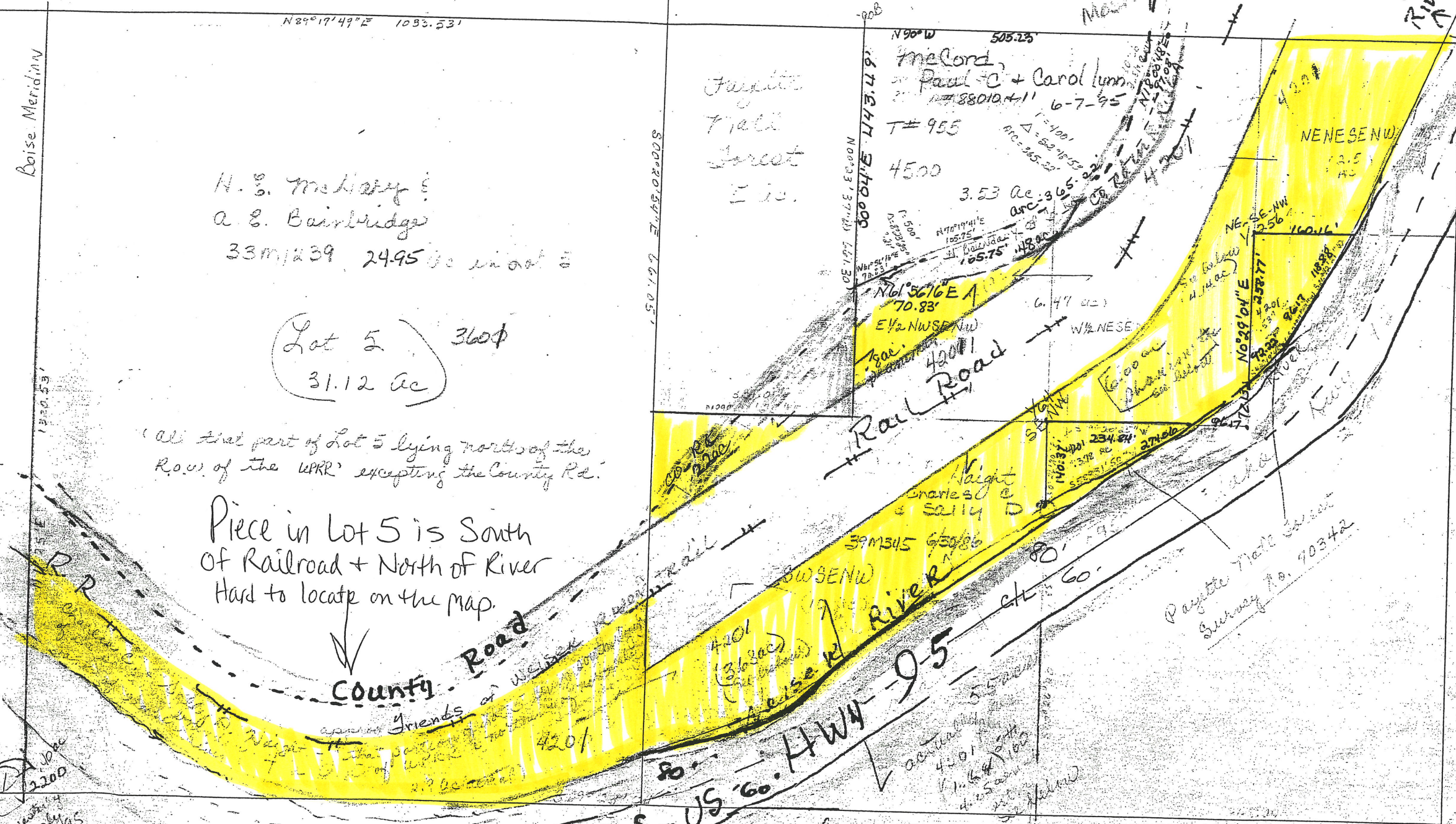
HWY 95

State S-US 60

(4201 Haight Parcel: Cad calculation 12.42 ac 3.04)
(CSRR map in file)

Haight
Survey
86413
USFS
Small tracts

Payette Natl Forest
Survey 10. 70342



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 67-4095
Date Received: 11/19/2004
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

RONALD D JAMES Phone: (208) 253-4937

PO BOX 842
COUNCIL ID USA 83612

VALERIE CHAMPION Phone: (208) 253-4937

PO BOX 842
COUNCIL ID USA 83612

2. Date of Priority: 06/01/1933

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
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8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	01E	6	NE	SW	IRRIGATION STOCKWATER	12
Section Acres						12
Total Acres						12

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:

Fees paid under W032416. Claim set to active (csaxton 7-7-05).

15. Basis of Claim: Statutory Claim

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: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

12/19/2006

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

RIGHT NUMBER: 67-4095

NAME AND ADDRESS: RONALD D JAMES
PO BOX 842
COUNCIL ID 83612

VALERIE CHAMPION
PO BOX 842
COUNCIL ID 83612

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.190 CFS

Right Nos. 67-4095 and 67-4147 are limited to a total combined diversion rate of 0.19 cfs.

PRIORITY DATE: 06/01/1933

POINT OF DIVERSION:

T17N R01E S6 NWSNW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.190 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

IRRIGATION in ADAMS County

T17N R01E S06 Lot 5 SWNW 1.00 T17N R01E S06 SENW 8.50

STOCKWATER in ADAMS County

T17N R01E S06 SWNW T17N R01E S06 SENW

9.5 ACRES TOTAL

Right Nos. 67-4095 and 67-4147 are limited to the irrigation of a combined total of 9.5 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 - Beneficial Use

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



Idaho Department of Water Resources

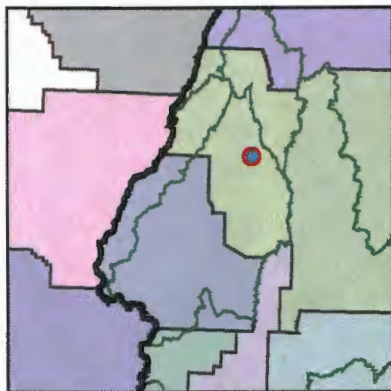
SRBA Recommendation:

67-4095

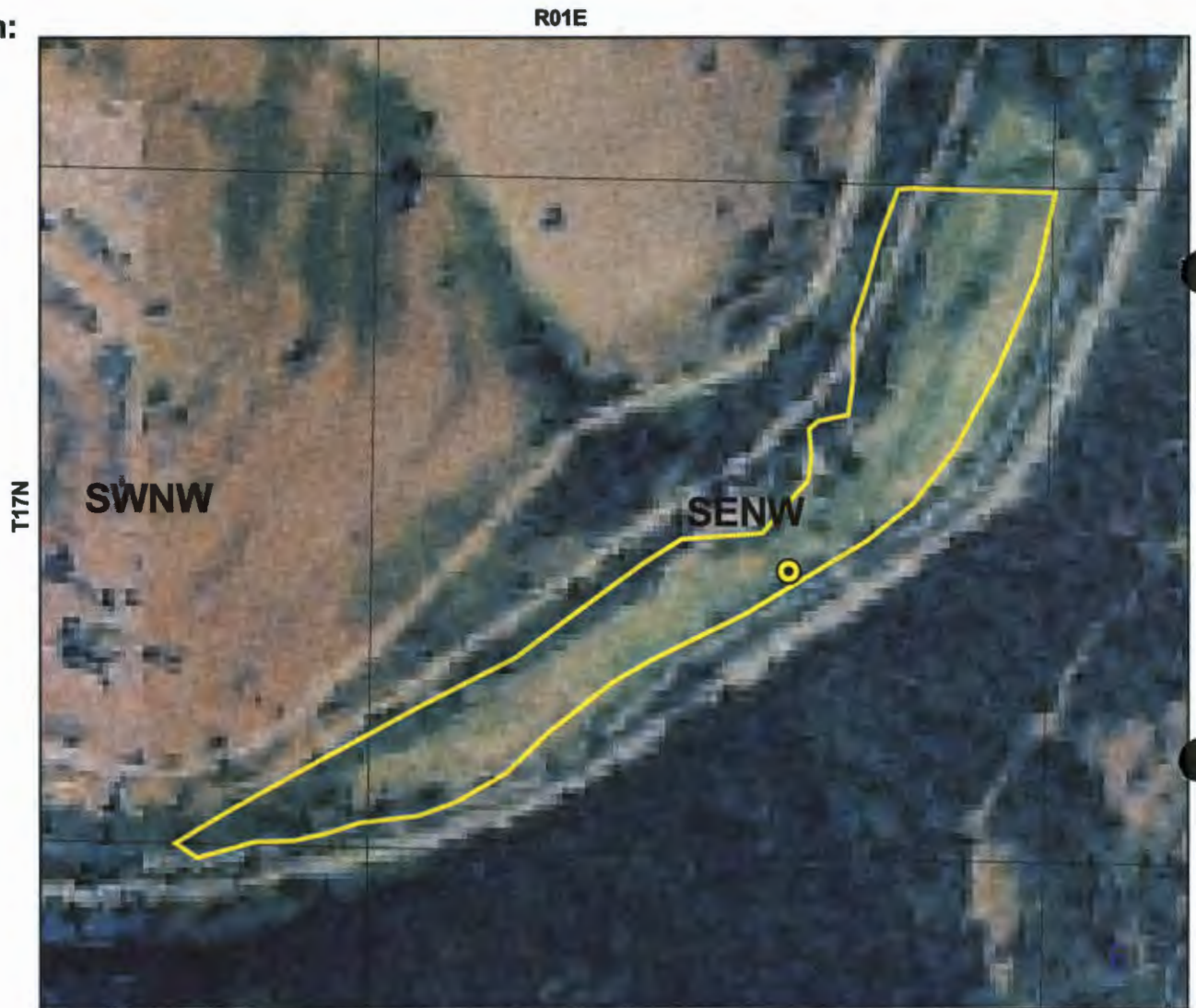
(Irrigation)

Legend

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



Adams County
IDWR Basin 67



0 0.1 0.2 Miles

A scale bar with markings for 0, 0.1, and 0.2 miles.

Prepared by IDWR State Office
On Tuesday, December 19, 2006
1987/88 Aerial Photography

Adjudication Recommendation Report 67-4095 V1

WATER RIGHT NUMBER: 67-4095 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CHARLES C HAIGHT BOX 425 COUNCIL, ID 83712 (208)253-4229
Current Owner	RONALD D JAMES PO BOX 842 COUNCIL, ID 83612 (208) 253-4937
Original Owner	SALLY D HAIGHT BOX 425 COUNCIL, ID 83712 (208)253-4229
Current Owner	VALERIE CHAMPION PO BOX 842 COUNCIL, ID 83612 (208) 253-4937

Priority Date: 06/01/1933

Basis: Beneficial Use

Status: Active

Source

Tributary

WEISER RIVER

SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.190 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
	Total Diversion:	0.190 CFS	

Location of Point(s) of Diversion

WEISER RIVER NW1/4SE1/4NW1/4 Sec. 6, Twp 17N, Rge 01E, B.M.
ADAMS County

Place of Use

IRRIGATION

[illegible]

Total Acres: 9.5

STOCKWATER

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4095 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
17N 01E 6							X	X									

Conditions of Approval:

1. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
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. E51 Right Nos. 67-4095 and 67-4147 are limited to a total combined diversion rate of 0.19 cfs.
4. E55 Right Nos. 67-4095 and 67-4147 are limited to the irrigation of a combined total of 9.5 acres in a single irrigation season.

Remarks:Comments:

1. mvanbussum 12/19/2006 NOE POD

Comment: Per claimant correspondence, this point of diversion was not abandoned. Old headgate was washed out in 1997 and the POD was transferred lower on the property. They will be transferring the POD nearer its original location sometime in 2007 or 2008 and will file a transfer for the POD.

2. mvanbussum 12/19/2006 Stockwater

Comment: No QQ listed for stockwater. Recommended two QQs claimant owns.

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: AND
 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:

Rate	Volume	Acres
0.19		9.5
Combined Water Rights: 67-4147 , 67-4095		

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4095 V1

Contacts	1/6/2006 4:17:41 PM	mvanbussum		Active
Summary			01/06/2006	mvanbussum Active
Contacts	12/19/2006 5:04:47 PM	mvanbussum		Active
Priority Date	12/19/2006 5:05:22 PM	mvanbussum		Active
POD	12/19/2006 5:06:09 PM	mvanbussum		Active
Source	12/19/2006 5:07:46 PM	mvanbussum		Active
POU	12/19/2006 5:08:17 PM	mvanbussum		Active
Use	12/19/2006 5:09:30 PM	mvanbussum		Active
Season	12/19/2006 5:10:23 PM	mvanbussum		Active
Quantity	12/19/2006 5:11:34 PM	mvanbussum		Active
Summary			12/19/2006	mvanbussum Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	12/19/2006 5:09:06 PM	mvanbussum	Updated shape for Active POU
POU	12/19/2006 5:09:13 PM	mvanbussum	Updated PLS for Active POU
Source	12/19/2006 5:08:07 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Imagery and field exam verified source.
POU	12/19/2006 5:08:38 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam conducted by Weiser River Water Master Bosco Bosler for 67-4147.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4095 V1

Use	12/19/2006 5:09:51 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Imagery and field exam.
Season	12/19/2006 5:10:44 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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 administrativly determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	12/19/2006 5:11:55 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (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? Description for Question 7 - Claimant has 12 shares Lost Valley Reservoir Co water. Ditch can convey ample amount for this acreage.
Summary	12/19/2006 5:16:06 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 4. Is any portion of the claim be recommended? (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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4095 V1

Contacts	12/19/2006 5:05:07 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
General	12/19/2006 5:05:42 PM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Claimant has shares in Lost Valley Reservoir Co, which provides evidence of priority.
POD	12/19/2006 5:06:29 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (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 - Per correspondence in file, original headgate was washed out in 1997 and the POD was moved. Claimants will be transferring POD again early 2007 or 2008.
POD	12/19/2006 5:07:38 PM	mvanbussum	Updated shape
Summary	1/6/2006 4:19:46 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (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?
Contacts	1/6/2006 4:17:42 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-4095 V1

Water Supply Bank:

MEMORANDUM

TO: File

FROM: Monica Van Bussum

DATE: December 14, 2006

RE: Abandonment of SRBA claim 67-4095

I met with Valerie Champion and Ron James in my office today about their SRBA claims, 67-4095 and 67-4147. 67-4147 had been recommended as claimed, but 67-4095 had been disallowed with the condition, "Recommended as 67-4147." 67-4095 had been disallowed partially based on a memo from Lori Graves dated 1997 stating the water right had been abandoned sometime between 1976 and 1986 and the old ditch had washed out in the flood of 1997.

Valerie has personal knowledge of the property from the late 1970s and knows someone who worked on the farm in the late 1970s. She will be providing an affidavit of water use on the property between 1976 and 1986.

Valerie and Ron know the former owner and he was irrigating on the property from the old ditch before the 1997 flood. They will be providing an affidavit from the former owner.

These affidavits will establish water use on the property during the time it was thought to be abandoned and should allow us to further review the right as active.

The current POD is in T17N R01E Sec 6 SENW, as GPSed by Bosco Bosler during his field exam September 5, 2006, and as per transfer 5088 for 67-4095. No transfer was filed for the POD for 67-4147. Champion and James will be moving the POD to T17N R01E Sec 6 SWNE in the next year or two, which is closer to the old POD in T17N R01E Sec 6 NENW. The old POD is on Forest Service land and Champion and James do not have an easement to divert water on USFS land. Champion and James may have to file for a transfer to move the POD.

I explained the recommendation on 67-4095 will not change in time for the Director's Report mailing next week, but gave them an objection form. They will file an objection and provide the affidavits after the mailing.

Champion and James have shares in Lost Valley Reservoir. No evidence of priority needed if we re-investigate the claim.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E
Phone: (208)

3720, Boise, ID 83720-0098
Web Site: www.idwr.idaho.gov

file in
67-4085

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 30, 2006

VALERIE CHAMPION
RONALD JAMES
PO BOX 842
COUNCIL ID 83612

RE: Snake River Basin Adjudication (SRBA) claims for Champion and James

Dear Claimants:

Let me reiterate how nice it was to meet both of you at the public meeting in Weiser last night. I appreciated the opportunity to meet you and, hopefully, help with some of your concerns. As promised, I have included Notice of Error reports for all of the claims in your names, whether together or individually.

One packet contains the NOEs for the land in Indian Valley. Valerie, you said last night you do not have claim to that land and want nothing to do with it. I have included the NOEs simply because you are on the list of claimants. You will notice they have been recommended as disallowed. This is because those claims were recommended under the names of Wanna Belle and Dale Coriell, as you know.

The other packet contains the two claims under your names for the other land. You stated that both of you should be on the claimant list for 67-4147. I have included a scanned copy of the change of ownership we received for 67-4147. You will notice it is only Ron's name on the change of ownership form and on the submitted deed. If you wish to change this, please complete another change of ownership form and send it in with a copy of the deed showing transfer of the property to both of you.

Please feel free to call me at (208) 287-4907 with any questions.

Respectfully submitted,

Monica P. Van Bussum
Water Resource Agent/GIS Technician, Adjudication Bureau

7-13-05: Conversation With Sue Foster USFS. In order to Establish
an Easement on Forest Service Ground, had to us water Prior to 1974.
:Vanes Just purchased from Haight (date)

Abandoned B/W 1975-86 Ditch in dis repair

67-4147 Per memo from Lorr Graves in 1997

-In the 1997 Flood it blew out the PDD
and moved it downstream

- Denied the Easement By USFS.

Auto Boomer - Came up w/ 4095 - Letter in Dec
in 1974. (Statement from Sue)

67-4147 7 acres around homestead

67-4095 abandoned

TR 5000 1997 Move PDD

(Busco or Rogers
have title 67-4147)

TR Approved Oct 1997

67-4146 - stockwater with Spring Use.

7-15-05: This claim appears to be Abandoned / Forfeited per
1997 memo from Lorr Graves. Water use covered
under 67-4147 as defined by TR 5000.

- has 12 shares Lost Valley Reservoir - no EOP needed.

REVIEWER'S MEMO

May 12, 1997

TO: Transfer File 67-04147
FROM: Lori Graves

This transfer was filed to fix and update previous records. In a nutshell, 67-04147 originally listed an unnamed stream as the source for irrigation and stockwater use but has used the Weiser River p/d listed for 67-04095 prior to 1986. 67-04095 was abandoned sometime between 1976 and 1986 and discontinued using the p/d. This p/d was then washed out by the 1997 flood. Old records and SRBA claim listed Weiser River, East Fork as the source, which is NE of the washed out p/d. The actual source for this p/d is the Weiser River. The stockwater use a spring source represented by 67-04146. The Weiser River diversion system is not used for stockwater (per telecon with applicant 5/14/97).

Since the p/d washed out, the applicant now wants to re-establish a new p/d closer to home for a more efficient system.

The transfer is based on a statutory claim. A field verification is not necessary due to the sufficient documentation and affidavits submitted. Napp photography supports the irrigation use.

In regards to overlaps, one affidavit mentioned Lost Valley shares also used for the property. This overlap does not show up on IDWR records because the acres have yet to be determined. Otherwise, no other rights are used.

Based on the above information, I recommend this transfer be processed as submitted.

CIND - please follow up
-SC 3/21/97

10 a Wed
3-26-97

CONVERSATION MEMORANDUM

NAME OF PARTY CHARLES HAIGHT
EMPLOYEE: JAN SHURTLE

DATE 3-19-97
FILE 62-84147

RE: App. for Transfer to Charge P.D.

Mr. Haight was in today to inquire concerning ~~an app~~ changing from a gravity ditch to a pump. This ditch dissection (was) washed out in the flood (Weiser River) and he would like to pump, due to the additional expense of repairing the diversion structure - on USFS land & they want a check dam put in. I gave him profile reports of his water right & adjudication claim, top & other maps. I completed the information sheet & circled the bullets on what he needed: to bring in - proof of use within last 5 yrs. I told him someone would call within the next few days to make an appt for him to come in & complete the app. for transfer - per Cindy Hodges. His address and phone # are:

Charles & Sally Haight
2755 Hiway 95 PO Box 425
Council, ID 83612
208-253-4229

also: 4094 - Domestic Spring

← 4095 - Irr. in NESW - NOT CLAIMED? Weiser R. - Yantis Ditch?

4146 - Stockwater; Spring

4147 - Irr, unnamed ~~spring~~ stream

NOV 14 1997

Change of source: "Seep" aka unnamed stream: ~~where?~~
to Weser River, diverted upstream.

When? Verification of flow?

P/D is incorrect as claimed? - change in
source changed P/D location

Pump - Desc. of new system. Limited to old flow rate.

NOV 24 1967

NOV 24 1967



Idaho Department of Water Resources

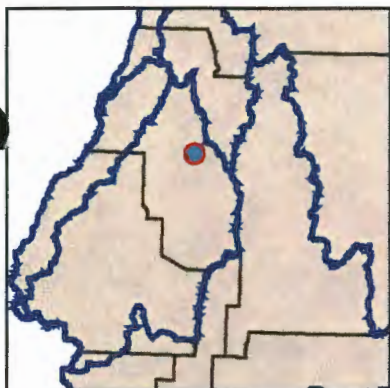
"Best Guess" of POU from Claim Map

Adjudication Claim Number: **67-4095**

T17N R01E
T17N R01W

Legend

- 4095pou.shp
- PLSS Section LinesGcdb_sections.shp
- GCDB17N01E GCDB
- B-67 streams.shp



Adams County
IDWR Basin 67



0 0.2 0.4 Miles

Prepared by M. Van Bussum
On Thursday, July 7, 2005
1987 Aerial Photography



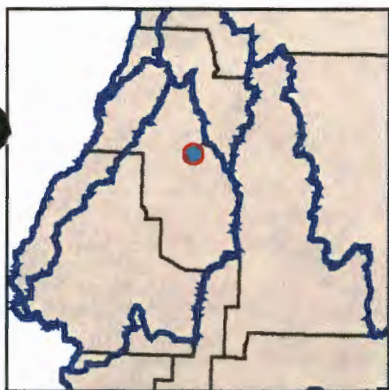
Idaho Department of Water Resources

Adjudication Claim Number: **67-4095**

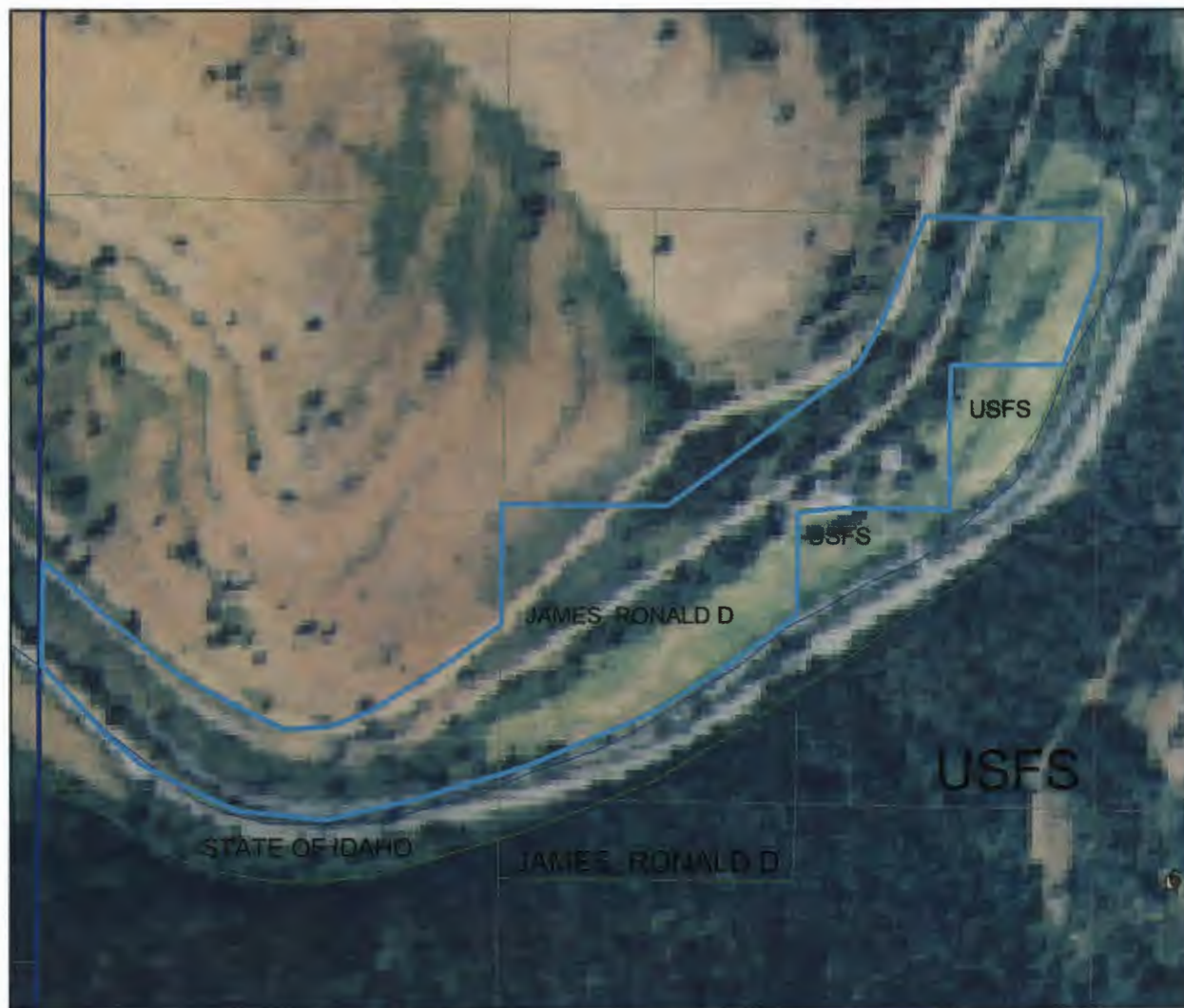
T17N R01E
T17N R01W

Legend

- 4095jamesownershp.shp
- PLSS Section LinesGodb_sections.shp
- Adams taxlots
- GCDB17N01E GCDB
- B-67 streams.shp



Adams County
IDWR Basin 67



0 0.2 0.4 Miles

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On Thursday, July 7, 2005
1987 Aerial Photography



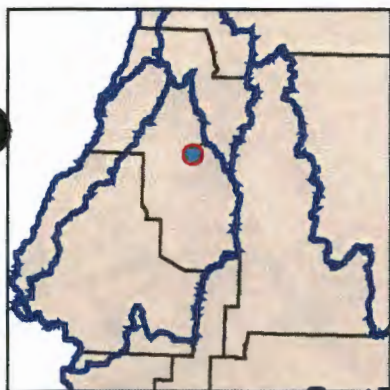
Idaho Department of Water Resources

Adjudication Claim Number: **67-4095**

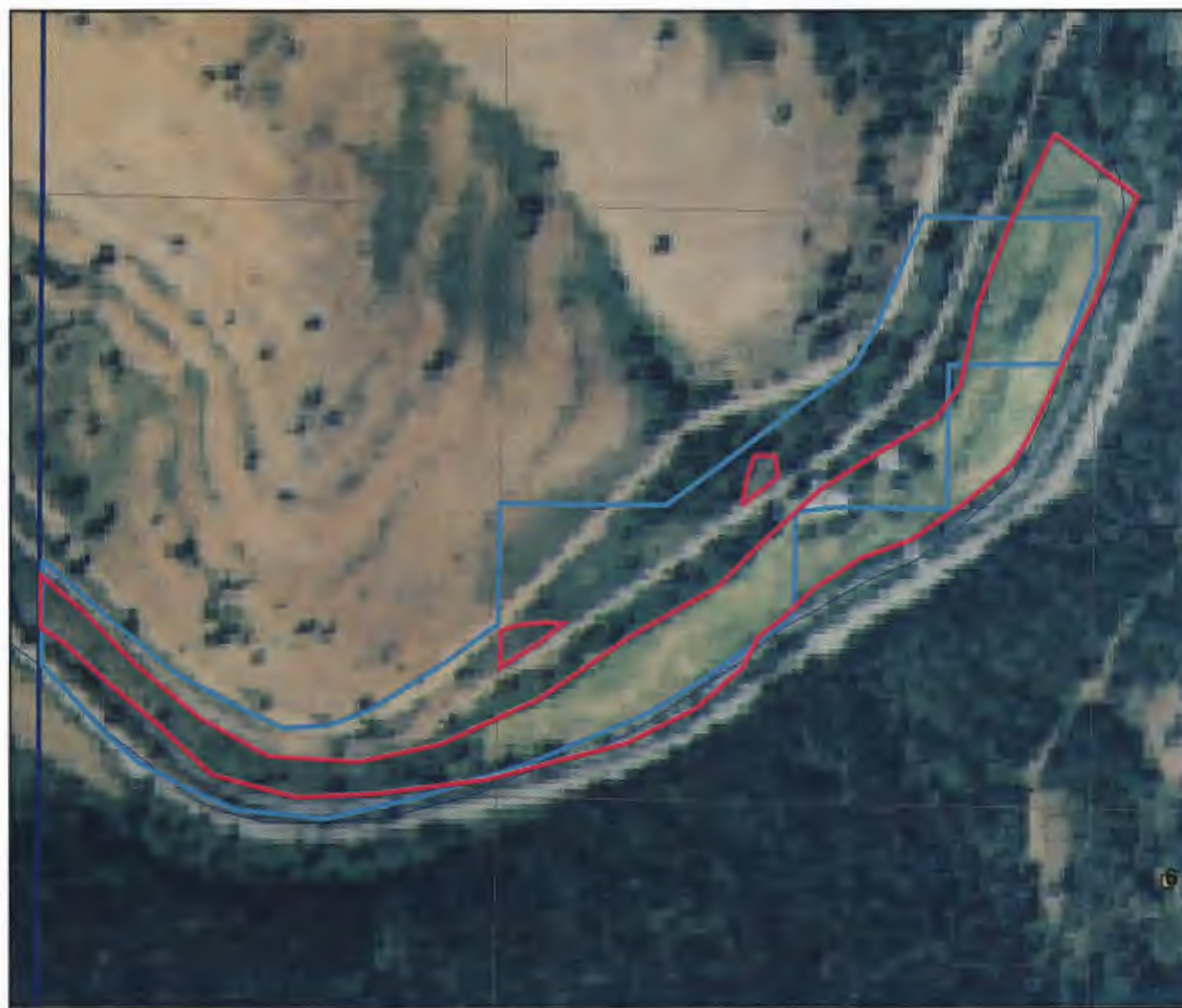
T17N R01E
T17N R01W

Legend

- 4095pou.shp
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- PLSS Section LinesGodb_sections.shp
- GCDB17N01E GCDB
- B-67 streams.shp



Adams County
IDWR Basin 67



0 0.2 0.4 Miles

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Otto Bodmer (name of claimant)
of Council Id. 93612, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Weiser River
_____, tributary to, _____

- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>.24 cfs.</u>	Use	<u>Irr.</u>	Period of Use:	From	<u>April 1</u>	To	<u>Oct. 15</u>
Amount	<u>.02 cfs</u>	Use	<u>Stock</u>	Period of Use:	From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount		Use		Period of Use:	From		To	
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 26 cubic feet per second, or 12 acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 1933

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SE ¼ NW ¼, Sec. 16 Twp. 17N Rge. 1E B. M. County of Adams
 Additional points of diversion:

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. ditch

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

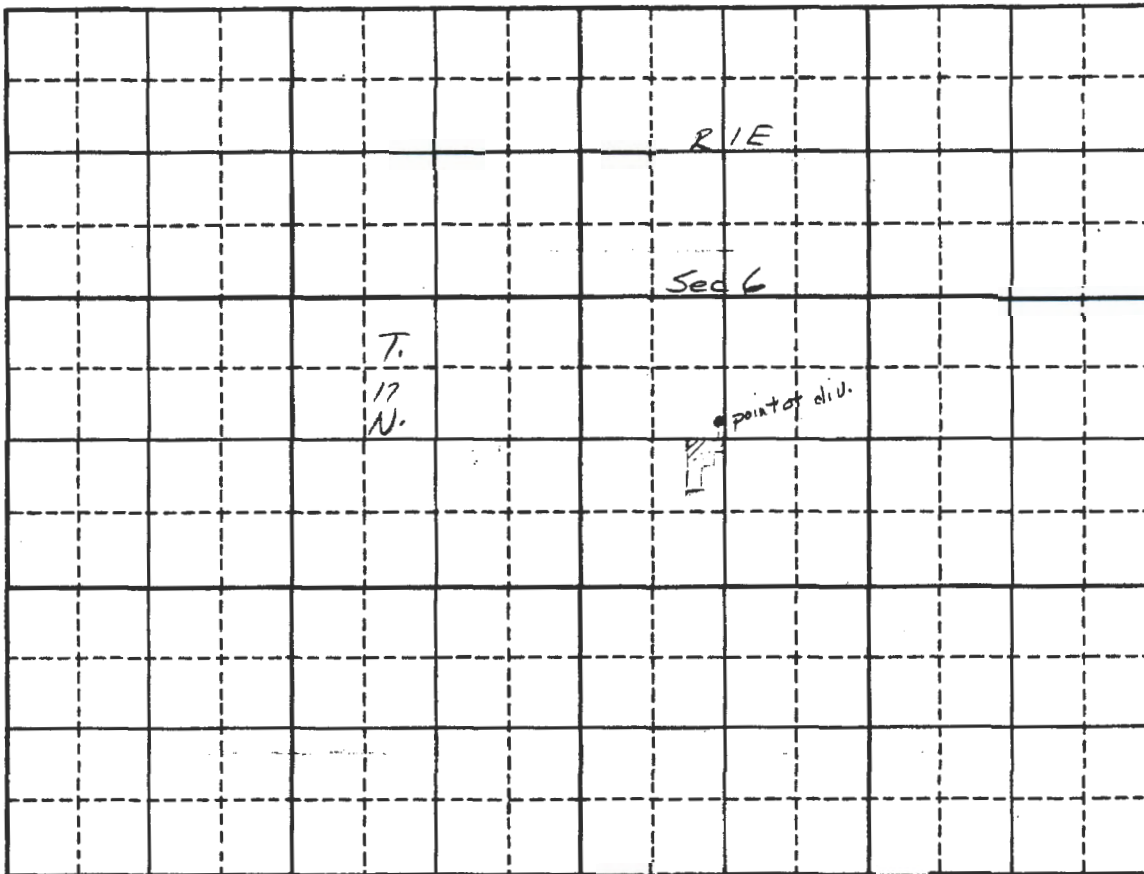
[illegible]

Total No. of acres 102

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of ADAMS) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

x Altha Bodmer
(Claimant)

Sworn to before me this 21ST day of OCTOBER, 1974.

Paul Johnson
Notary Public
Residing at COUNCIL IDAHO

My commission expires 6-22-76

For Department Use Only

Received by <u>ej</u>	Date <u>11-04-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>CB</u>	Date <u>11/5/74</u>		claimant by:	
\$10.00 fee received by <u>Ca</u>	Date <u>11-5-74</u>	<u>Receipt #15304</u>		
Approved for publication by <u>Ca</u>	Date <u>12-2-74</u>	<u>DR</u>		
Published in <u>Adams County Leader</u>				
Dates <u>Nov. 14 & 21</u>				

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse Annex 2
Boise, Idaho 83707
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

November 6, 1974

RECEIVED
MAY 1 1975

RECEIVED
MAR 11 1987

Otto Bodmer
Council, ID 83612

Department of Water Resources
Western Regional Office

Department of Water Resources

Dear Mr. Bodmer:

Enclosed is your Receipt No. 15304 in the amount of \$ 10.00 for
Claim to a Water Right No. 67-4095 which was received in this office
on Nov. 6, 1974.

Sincerely,

Cathy L. Atkinson
CATHY L. ATKINSON
Stenographer

CLA:c

Enclosure

March 9, 1987

Dear Sirs:

I bought this property and water right from Mrs. Otto Bodmer
in June of 1986. (The transaction has been recorded in Adams County.

Please transfer this water right to the name of **FILED**
Charles C. and Sally D. Haight
27605 SE 40th

APR 14 1987

Enumelaw, Wa. 98022

Phone 825-5708

If there are any fees due, please mail us the amount to be paid.

Sincerely yours, *Charles Haight*