

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

67-4097)
)
)

State of Idaho)
County of Adams)

AFFIDAVIT

RECEIVED

SEP 14 2005

Department of Water Resources

_____ being first duly sworn,

~~deposes and says:~~ _____

Sept. 12, 2005

Enclosed is information from Adams Co.
via ("old" Washington County 183?), Ass. Office in
Council Idaho.

If it isn't adequate please
let us know or extend the deadline date
and we will try to acquire more

Malcolm Huey
(Nita Elaine Huey)

(Signature)

Subscribed and sworn to before me this
day _____ of _____, 19____.

SEAL

(Notary Public)

SCANNED

SEP 15 2005

Residing at _____.

My Commission Expires _____.

THIS INDENTURE Made this 17th day of December in the year of our Lord one thousand nine hundred and eight, between James Horne and Annie Horne, his wife, of Indian Valley, County of Washington, State of Idaho, the parties of the first part, and Charles Robert Ludwig of Payette, County of Canyon, State of Idaho, the party of the second part,

Witnesseth That the said parties of the first part, for and in consideration of the sum of Seven Thousand and no/100 Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns, forever, all the following described real estate, situated in Washington County, State of Idaho, to-wit:-

The South 1/2 of the North east 1/4, the North 1/2 of the South east 1/4, the North east 1/4 of the South west 1/4, the South east 1/4 of the North west 1/4 and Lots 2 and 3, all in Section 2, Township 14, North, Range 1 West of Boise Meridian.

TOGETHER with all water and water rights, ditch--, and ditch rights used on or in connection with the above described land, including that water right described in Quit Claim Deed, Dated October 19th, 1899, recorded the 25th day of October 1899, in Book 10 of Deeds, page 228, of the records of County Recorder of Washington County, Idaho, and 200 inches -- Ring Hill Creek, turned into South Grans Creek and taken out below, on the above described land.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity of the said parties of the first part.

TO HAVE AND TO HOLD all and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part and their heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same, shall and will Warrant and by these presents forever Defend.

IN WITNESS WHEREOF The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the

presence of:

Fred E Anderson,

H. E. Bailey

James Horn

Annie Horn

(Seal)

(Seal)

STATE OF IDAHO

County of Washington

SS

SCANNED

SEP 15 2005

On this Nineteenth day of December, 1908, before me, W E Henke, a Justice of the Peace in and for said county, personally appeared James Horne, and Annie Horne, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

W E Henke,
Justice of the Peace in and for
Washington County, Idaho.

Filed for record at request of Ira W Kenward at 9 o'clock A M January 26, 1909

Fees \$1.45

Frank E Smith, Ex-Officio Recorder.

9/13/05
Malcolm Huey

Indian Valley and Gray's Creek Ditch Company. Notice is hereby given that we the undersigned citizens of the United States claim fifteen hundred inches of unappropriated water of the Little Weiser River under a four inch pressure for milling irrigation and other purposes to be taken out at this notice on the North east side of the aforesaid River near E Barbars South line of Rancho and running in a northerly direction and through E Barbars and Michael Ward's Ranchoes thence northerly to Tilford Lindsay's eastern line of Homestead thence northwesterly to the eastern line of A H Huntington's pre-emption on Gray's Creek from thence in a westerly direction to the eastern line of G W Patterson's Homestead thence northwest to J Cornette and Geo Stewart's Ranchoes, thence to W A Wood and Elisabeth Wood Rancho thence in to Gray's Creek. I have this day claimed and located the water and the right of way for its most practable appropriation as provided for by the Statute, this June 18th A D 1883

Tilford Lindsay	1½ shares
G W Patterson	1½ shares
J R Bartmess	1½ shares
E Wood & Bros	2 shares
M D Chaffee	1 share
Michael Ward	1 share
S Haworth	1 share
J C Anderson	1 share
E Barber	1 share

Recorded at the request of G W Patterson June 21st 1883 at 5 o'clock P.M

I M Hart

Recorder

(Water Rights-1-73-)

Notice is hereby given that we the undersigned citizens of the United States have this day taken up and do claim a water right of one thousand inches under a four inch pressure to be taken out of Hornet Creek at a point about one half mile from Stutsman house at what is known as Stutsman dam on the west side or right hand bank to be conveyed in a ditch a distance of three miles more or less for irrigation and other purposes this 17th day of August, A D 1883

Thos. Stutsman

Dow Vincent

Henry E Ohilds.

Recorded at the request of Dow Vincent August 17th A D 1883

I M Hart

Recorder

(Water Rights-1-79-)

SCANNED

SEP 15 2005

9/12/05
Malcolm Huey

WATER RIGHTS IN DISTRICT NO. 41, STATE OF IDAHO, JANUARY 1, 1919

Prior- ity No.	Name of User	Description of Land	Source of Supply	Priority Date	Priority Inches
1.	Weiser Irrigation District	SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	Main Weiser	5 1 88	100.00
2.	Andrew M. Reed	Lot 3, Lot 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$	Keithley Creek	5 15 71	6.25
3.	Andrew Hutchinson	$\frac{1}{4}$ E $\frac{1}{4}$ NE $\frac{1}{4}$	Little Weiser	6 1 73	50.00
4.	Fred Anderson	$\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$	Little Weiser	6 1 75	38.00
4.	America Lindsay	SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$	Little Weiser	6 1 75	40.50
4.	Cora Hutchinson	NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	6 1 75	22.50
5.	Chloe Keithley	E $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$	Keithley Creek	5 15 77	27.50
5.	Sarah S. Keithley, Admr.	NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$	Keithley Creek	5 15 77	200.00
6.	J. I. Linder	E $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	6 1 77	37.50
7.	Christian Larsen Estate	W $\frac{1}{4}$ NE $\frac{1}{4}$	Rush Creek	5 1 78	22.00
7.	James L. & Karl Lewis	E $\frac{1}{4}$ NE $\frac{1}{4}$ (42 A), NW $\frac{1}{4}$ NE $\frac{1}{4}$ (1 A)	Rush Creek	5 1 78	25.00
7.	James L. Lewis	SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$	Rush Creek	5 1 78	7.875
7.	R. E. Wilson	NW $\frac{1}{4}$ NE $\frac{1}{4}$	Rush Creek	5 1 78	8.00
		NE $\frac{1}{4}$ SW $\frac{1}{4}$			
		SW $\frac{1}{4}$ NW $\frac{1}{4}$ (7 $\frac{1}{2}$ A)			
7.	Wm. Winkler et al	SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$	Mill Creek	5 1 78	25.00
8.	C. W. Randleman	E $\frac{1}{4}$ SE $\frac{1}{4}$	Keithley Creek	5 15 79	62.50
		Lot 3, Lot 4, E $\frac{1}{4}$ SW $\frac{1}{4}$			
		Lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$			
8.	Victor L. Hopper	SE $\frac{1}{4}$ NW $\frac{1}{4}$	Keithley Creek	5 15 79	6.50
8.	Allen Seid	SW $\frac{1}{4}$ NE $\frac{1}{4}$	Keithley Creek	5 15 79	2.00
8.	Angus R. McDonald	NE $\frac{1}{4}$	Pine Creek	6 1 79	47.00
		SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ (4 A)			
10.	G. B. Steward	SE $\frac{1}{4}$ SW $\frac{1}{4}$	Little Weiser	3 1 80	57.00
		W $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$			
11.	Nels Buhl	NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$	Pine Creek	5 1 80	90.00
		S $\frac{1}{4}$ SW $\frac{1}{4}$			
		N $\frac{1}{4}$ NW $\frac{1}{4}$			
11.	Thos. J. Stutesman Estate	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Hornet Creek	5 1 80	28.50
		N $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$			
12.	Weiser Mill Ditch	Lands under ditch	Main Weiser	9 1 80	450.00
12.	S. N. York	NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	5 1 81	10.00
		SW $\frac{1}{4}$ SE $\frac{1}{4}$			
13.	J. L. Starr	SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$	Little Weiser	5 1 81	22.50
		E $\frac{1}{4}$ SE $\frac{1}{4}$			
13.	George Vorhees	W $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	5 1 81	35.00
13.	Emma E. Schroyer	N $\frac{1}{4}$ NW $\frac{1}{4}$	Little Weiser	5 1 81	25.00
		S $\frac{1}{4}$ SW $\frac{1}{4}$			
13.	W. H. Thomason	S $\frac{1}{4}$ SW $\frac{1}{4}$	Little Weiser	5 1 81	32.00
		SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$			
		NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$			
13.	Frederick M. Watris	S $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$	Mill Creek	5 1 81	16.70
14.	O. L. Byers	N $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$	Little Weiser	6 1 81	22.00
		SW $\frac{1}{4}$ SE $\frac{1}{4}$			
14.	Mark C. Fuller	E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$	Hornet Creek	6 1 81	40.00
		W $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{4}$ SW $\frac{1}{4}$			
14.	Frank Richardson	S $\frac{1}{4}$ SE $\frac{1}{4}$	Hornet Creek	6 1 81	22.00
14.	A. J. Duffus	SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$	Hornet Creek	6 1 81	32.00
14.	E. E. & Ed Shannon	E $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$	Hornet Creek	6 1 81	25.00
14.	P. H. Schaff & F. S. Galay	S $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$	Mill Creek	5 1 82	37.50
15.	G. T. Hamil	S $\frac{1}{4}$ NW $\frac{1}{4}$	Fort Hall Creek	5 1 82	4.00
15.	Louis Harp	E $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$	Fort Hall Creek	5 1 82	6.00
		SE $\frac{1}{4}$ SE $\frac{1}{4}$			
16.	Charles T. Reavis	W $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$	Keithley Creek	5 15 82	20.00
17.	A. S. Byers	S $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	5 1 82	15.00
17.	W. H. Baler	S $\frac{1}{4}$ SE $\frac{1}{4}$	Cottonwood Creek	6 1 82	58.00
		N $\frac{1}{4}$ NE $\frac{1}{4}$			
18.	Alexander Allison	N $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$	Main Weiser	7 4 82	68.00
		Part NE $\frac{1}{4}$, Part NW $\frac{1}{4}$			
18.	Joseph Allison	SE $\frac{1}{4}$	Main Weiser	7 4 82	100.00
18.	Eugene Looney	NE $\frac{1}{4}$	Main Weiser	7 4 82	100.00
18.	Harry Coon	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Main Weiser	7 4 82	165.00
		NE $\frac{1}{4}$, N $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$			
		NW $\frac{1}{4}$ SW $\frac{1}{4}$			
19.	L. Etta Wilson	Part SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$	Rush Creek	5 1 83	2.00
19.	Margaret Haller	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Rush Creek	5 1 83	59.00
		Part NW $\frac{1}{4}$ NW $\frac{1}{4}$			
19.	Moses H. Hopper	Part NE $\frac{1}{4}$ SW $\frac{1}{4}$	Rush Creek	5 1 83	8.00
19.	Geo. W. Hall	Land in Hopper Reserve			
		W $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$	Rush Creek	5 1 83	7.50
		NW $\frac{1}{4}$ NW $\frac{1}{4}$			
20.	C. T. Reavis	E $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$	Keithley Creek	5 15 83	48.75
20.	W. F. Seid	Part NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$	Keithley Creek	5 15 83	45.75
20.	W. S. Potter	NW $\frac{1}{4}$ NE $\frac{1}{4}$	Keithley Creek	5 15 83	2.00
21.	Rebecca Wilson	NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$	Hornet Creek	5 30 83	62.50
21.	Ellis Hartley	E $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$	Hornet Creek	5 30 83	47.00
		E $\frac{1}{4}$ NE $\frac{1}{4}$			
22.	Thomas Hutchinson	SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$	Little Weiser	6 1 83	25.00
		NE $\frac{1}{4}$ NE $\frac{1}{4}$			
22.	Anna Hutchinson	Part SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	6 1 83	30.00
22.	J. W. Correll	SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	6 1 83	18.00
22.	America Lindsay	S $\frac{1}{4}$ NW $\frac{1}{4}$	Little Weiser	6 1 83	12.00
22.	J. I. Linder		Little Weiser	6 1 83	17.00
22.	Edward Manning	SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{4}$ SW $\frac{1}{4}$	Little Weiser	6 1 83	25.00
		SE $\frac{1}{4}$ NE $\frac{1}{4}$			
22.	Elizabeth Anderson	Part SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	6 1 83	25.00
22.	G. W. Lewis	W $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$	Little Weiser	6 1 83	97.00
22.	Cora Hutchinson	N $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	6 1 83	4.50
22.	Ellis Imler	E $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	6 1 83	35.00
22.	Georgine Ludwig	W $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$	Little Weiser	6 1 83	50.00
		NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$			
23.	L. A. Thompson	SW $\frac{1}{4}$	Little Weiser	6 1 83	85.00
		N $\frac{1}{4}$ NW $\frac{1}{4}$			
23.	A. L. Hutchinson	SE $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	6 1 83	45.00
		E $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$			
23.	Richard Johnson	SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	6 1 83	100.00
		W $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$			
23.	John H. Kilgore	SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$	Little Weiser	6 1 83	50.00
23.	Robert Cornett	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	6 1 83	22.50
23.	William Hutchinson	W $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	6 1 83	28.00
23.	May Burcer	SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$	Little Weiser	6 1 83	19.00
23.	Matilda Snow	SE $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	6 1 83	26.00
		SW $\frac{1}{4}$ SW $\frac{1}{4}$			
23.	Ellis Snow	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	6 1 83	29.00
		NW $\frac{1}{4}$ SW $\frac{1}{4}$			
23.	Joseph Hutchings	W $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$	Little Weiser	6 1 83	45.00
		NE $\frac{1}{4}$ NW $\frac{1}{4}$			
23.	Samuel Woods	SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$	Fall Creek	6 1 83	93.00
		SW $\frac{1}{4}$ NW $\frac{1}{4}$			
23.	S. E. & Florence C. Dare	SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	Hornet Creek	6 30 83	56.50
		Part NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$			
24.	J. E. Donart	N $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$	Little Weiser	7 1 83	76.00
		NE $\frac{1}{4}$ NE $\frac{1}{4}$			
24.	James Harrell	SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	Fall Creek	7 1 83	120.00
		N $\frac{1}{4}$ NW $\frac{1}{4}$			
24.	Jacob Cornett	SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$	Fall Creek	7 1 83	90.00
24.	William M. Woods	SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	Fall Creek	7 1 83	17.50
25.	Middle Valley Irrig. Ditch Co.	Lands under ditch	Main Weiser	7 7 83	1000.00
26.	R. E. Wilson		Rush Creek	8 23 83	4.00
26.	Louis Robson	E $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$	Rush Creek	8 23 83	2.875
26.	James Parke	7 $\frac{1}{2}$ Acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$	Rush Creek	8 23 83	4.00

SCANNED

SEP 15 2005

RECEIVED

OCT 02 1996

WATER RESOURCES
WESTERN REGION

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: **A67-04097**
Date Received: 12/ 8/1989
Receipt No: W007040
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: MALCOLM H HUEY 208-256-4458
Address: 928 GRAYS CREEK RD
INDIAN VALLEY ID 83632

OR

Name: NITA J HUEY 208-256-4458
Address: 928 GRAYS CREEK RD
INDIAN VALLEY ID 83632

2. Date of Priority: JUN 1, 1873

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	01W	23	SW	SE	NW		ADAMS

5. Description of diverting works:
DIV. VIA GRAY'S CK. DITCH W/PUMP FOR SPRINKLER IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.700		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/50 RANGE.

SCANNED
MAY 10 2004

MICROFILMED
OCT 25 1996

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14N	01W	2	SW		NE		IRR	20.0
			NE		NW		IRR	15.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NW		SW		IRR	20.0
							Section Acres	135.0
							Total Acres	135.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
CLAIM NO. A67-00434.

14. Remarks:
ADDRESS CHANGE BY CLAIMANT LETTER.

15. Basis of Claim: STATUTORY CLAIM

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: A67-04097
Date Received: 12/08/1989
Receipt No: 4007840
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MALCOLM H. HUEY 208-256-4458
Address: HC 68, BOX 2380
CAMBRIDGE, ID 83610

OR

Name: NITA J. HUEY 208-256-4458
Address: HC 68, BOX 2380
CAMBRIDGE, ID 83610

2. Date of Priority: JUN 01, 1873

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
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IRRIGATION	03/15	11/15	2.700		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/50 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	01W	2	SW	NE		IRR	20.0
			NE	NW		IRR	15.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NW	SW		IRR	20.0
					Section Acres		135.0
					Total Acres		135.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
CLAIM NO. A67-00434.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
OCT 02 1992

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Malcolm H. Huey Date: 12-8-89
_____ Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of December 19 89 Jan Shurt
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94

$$\begin{array}{r} 34 \overline{) 35} \\ \underline{34} \\ 10 \end{array}$$

Ilmes

42

F#15
T-208
M-HUEY

6116

DEEN-MORTIZ

~~C-56~~

SALE

10

PEA-30
C-130

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SHAW

MICROFILMED
OCT 02 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

SEP 19 1996

Department of Water Resources

AJ only

September 5, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MALCOLM H OR NITA J HUEY
929 GRAYS CREEK RD
INDIAN VALLEY ID 83632-5010

Re: Snake River Basin Adjudication (SRBA)
Notices of Claim No. A67-00434 & A67-04097
Change of Address

Dear Claimants,

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claims can be sent only to the address on your claim or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure that you receive future notices about SRBA matters.

If the ownership of the property to which the water right referenced above apply has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

#####

The address is correct as shown above or as otherwise changed.

Malcolm H Huey
Claimant Signature

MICROFILMED

OCT 25 1996

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS**

In Re Snake River Basin Adjudication Case
No. 39576

Notice of Filing Director's Report and Supplemental
Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

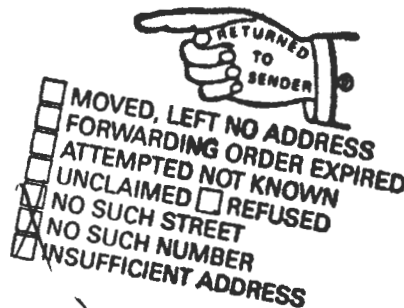
THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH
THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT.
THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PRO-
CEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

**THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

42706
Idaho Department of water Resources
Statehouse Mail
Boise, Idaho 83720

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1



**RECEIVED
APR 19 1995**

Department of Water Resources

MALCOLM H HUEY
NITA J HUEY
HC 68 BOX 2380
CAMBRIDGE ID 83610

Correction
929 Grays Creek Rd
Indian Valley, Id 83632

AG7-00434
V-04097

**MICROFILMED
OCT 25 1996**

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4097 V1

WATER RIGHT NUMBER: 67-4097 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NITA J HUEY 929 GRAYS CREEK RD INDIAN VALLEY, ID 83632 (208) 741-1255
Current Owner	MALCOLM H HUEY 928 GRAYS CREEK RD INDIAN VALLEY, ID 83632 (208)256-4458

Priority Date: 06/21/1921

Basis: Statutory Claim

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	
IRRIGATION	03/15 to 10/31	2.320 CFS	
	<u>Total Diversion:</u>	2.320 CFS	

Location of Point(s) of Diversion

LITTLE WEISER RIVER	SW1/4SE1/4NW1/4	Sec. 23, Twp 14N, Rge 01W, B.M.
ADAMS 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	
14N	01W	2			19.0		12.0		30.0	40.0			15.0						116.0
							L 3												

Total Acres: 116

STOCKWATER same as IRRIGATIONConditions of Approval:

1. E55 Right Nos. 67-434 and 67-4097 are limited to the irrigation of a combined total of 116 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. E62 This right when combined with Right No. 67-434 shall provide no more than .02 cfs per acre.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-4097 V1

Comments:

1. dnarsavage 8/30/2006 Priority & Source

Comment: In the deed (1908) submitted submitted by the claimant in partial fulfillment of the need for priority evidence, there is mentioned irrigation from King Hill Creek. This is above and beyond the irrigation recorded from this source in Muir v Allison. Also, the survey maps by S.M. French, dated at latest 1932, record irrigation on this claimed ground. Although the Little Weiser is claimed as the source of this water, it is fair to say that, since water from King Hill Creek is comingled with Little Weiser water in the Grays Creek Ditch, the source of water for this right could easily have been mistaken. As such, I will recommend this rights source as claimed, and give it a priority of one day after the MvA decree.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
2.32		116

Combined Water Rights: 67-434 , 67-4097

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	8/30/2006 10:28:47 AM	dnarsavage			Active
POD	8/30/2006 10:29:38 AM	dnarsavage			Active
Source	8/30/2006 10:36:35 AM	dnarsavage			Active
POU	8/30/2006 10:36:58 AM	dnarsavage			Active
Use	8/30/2006 10:38:15 AM	dnarsavage			Active
Season	8/30/2006 10:38:37 AM	dnarsavage			Active
Quantity	8/30/2006 10:40:07 AM	dnarsavage			Active
Summary			08/30/2006	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4097 V1

General	8/30/2006 10:28:48 AM	dnarsavage	(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 - EOP in file
POD	8/30/2006 10:29:39 AM	dnarsavage	(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 POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	8/30/2006 10:30:41 AM	dnarsavage	Updated shape
Source	8/30/2006 10:36:36 AM	dnarsavage	(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 - EOP in file
POU	8/30/2006 10:36:58 AM	dnarsavage	(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 - EOP in file
POU	8/30/2006 10:37:13 AM	dnarsavage	Updated shape for Active POU
POU	8/30/2006 10:37:36 AM	dnarsavage	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4097 V1

Summary	8/30/2006 10:41:55 AM	dnarsavage	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (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?
Use	8/30/2006 10:38:16 AM	dnarsavage	(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 - EOP in file
Season	8/30/2006 10:38:37 AM	dnarsavage	(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 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	8/30/2006 10:40:07 AM	dnarsavage	(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? (No) 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 - Watermaster records indicate that this ditch can carry all water claimed to run through it
POU	8/30/2006 10:37:27 AM	dnarsavage	Edited Season Of Use

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-4097 V1



Idaho Department of Water Resources

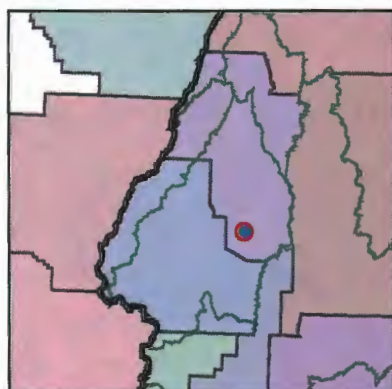
SRBA Recommendation:

67-4097

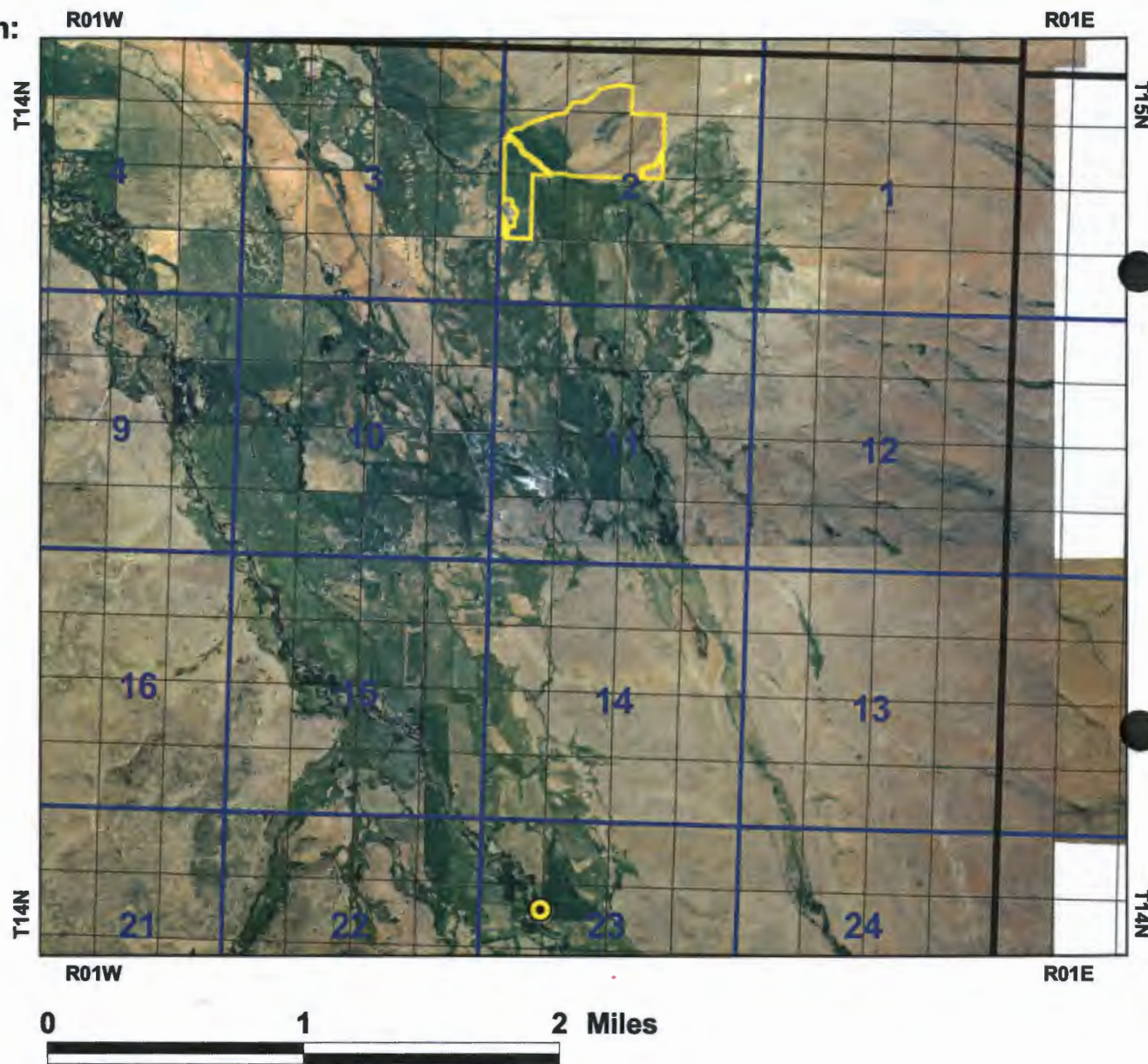
(Irrigation)

Legend

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



Adams County
IDWR Basin 67



Prepared by D. Narsavage
On Wednesday, August 30, 2006
1987/88 Aerial Photography

67-4097

