

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 67-4002
Date Received: 10/2/1989
Receipt No: M004765
Received By:

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

1. Name of Claimant(s)

LYNN A ANDERSON Phone: (208) 549-2679
270 HWY 95
WEISER ID USA 83672

2. Date of Priority: 08/22/1922

3. Source: BUTTERMILK SLOUGH CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10N	05W	15	SE NE SE	WASHINGTON	

5. Description of diverting works:

PUMP IN SLOUGH, 15HP, DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.94	

7. Total Quantity Appropriated is:

0.94 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
10N	05W	14	NW SW	IRRIGATION	2
Section Acres					2

10N

05W 15

SE NE
NE SE

IRRIGATION 15
IRRIGATION 30

Section Acres 45

Total Acres 47

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: Beneficial Use

16. Signature(s)

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: A67-04002
Date Received: 10/02/1989
Receipt No: MO04765
Received By: RB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LYNN A. ANDERSON 208-549-1619
Address: 387 HILL RD.
WEISER, ID 83672
OR
Name: ROSAMOND H. ANDERSON 208-549-1619
Address: 387 HILL RD.
WEISER, ID 83672
2. Date of Priority: AUG 22, 1922
3. Source: BUTTERMILK SLOUGH Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	15	SE	NE	SE		WASHINGTON
5. Description of diverting works:
PUMP IN SLOUGH, 15HP, DITCHES.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.940		
7. Total Quantity Appropriated is:
0.940 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 164.5 Acre Feet Per Annum.
9. Non-irrigation uses:

SCANNED
APR 08 2004

A67-04002

Page 1

Date: 10/02/89

MICROFILMED
OCT 02 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	14	NW	SW		IRR	2.0
					Section Acres		2.0
		15	SE	NE		IRR	15.0
			NE	SE		IRR	30.0
					Section Acres		45.0
					Total Acres		47.0

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:
LOWER PAYETTE IRRIG. DIST.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: 2

For Individuals:

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

Signature of Claimant(s): X Lynn A. Anderson Date: 10-2-89
BPA BRUCE K. ANDERSON Date: _____

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of October 1989

Anna Baunhoff
Notary Public

Seal

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

A67-04002



MICROFILMED
OCT 02 1982

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That We, LYNN A, ANDERSON and ROSAMOND ANDERSON, husband and wife, of Weiser, County of Washington, State of Idaho, have made, constituted and appointed and by these presents do make, constitute, and appoint BRUCE ANDERSON of Weiser, County of Washington, State of Idaho, my true and lawful attorney for and in my name, place and stead, and for my use and benefit, to ask, demand, sue for, recover, collect, and receive all such sums of money, debts, dues, accounts, legacies, bequests, interest, dividends, annuities, and demands whatsoever, as are now or shall hereafter become due, owing, payable, or belonging to me, and have, use, and take all lawful ways and means in my name or otherwise for the recovery thereof, by attachments, arrests, distress or otherwise, and to compromise and agree for the same, and acquittances, or other sufficient discharges for the same, for me and in my name to make, seal, and deliver; to bargain, contract, agree for, purchase, receive, and take lands, tenements, hereditaments, and accept the seisin and possession of all lands, and all deeds and other assurances in the law therefor, and to lease, let, demise, bargain, sell, remise, release, convey, mortgage, and hypothecate lands, tenements, and hereditaments upon such terms and conditions, and under such covenants as he shall think fit. Also, to bargain and agree for, buy, sell, mortgage, hypothecate, and in any and every way and manner deal in and with goods, wares, and merchandise, choses in action, and other property in possession or in action, and to make, do, and transact all and every kind of business of what nature or kind soever, and also for me and in my name and as my act and deed to sign, seal, execute, deliver, and edge such deeds, leases and assignment of leases, covenants, indentures, agreements, mortgages, hypothecations, bottomries, charterparties, bills of lading, bills, bonds, notes, receipts, evidences of debt, releases, and satisfaction of mortgages, judgments and other debts, and such other instruments in writing of whatever kind and nature as may be necessary or proper in the premises.

Giving and granting unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as I might or could do if personally present (with full power of substitution or revocation), hereby ratifying and confirming all that my said attorney (or her substitute or substitutes) shall lawfully do or cause to be done by virtue of these presents.

That this Power of Attorney shall survive any illness, incapacitation or disability, mentally or physically, which Grantor may in the future encounter and shall terminate only by specific declaration to terminate the same by Grantor or upon Grantor's death.

That this Power of Attorney is specifically intended, but not limited to, granting power of attorney for Bruce Anderson to transact business and vote by proxy in regard to all our shares in Feltham Growers, an Idaho Corporation while we are away.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____ day of March, 1989.

GENERAL POWER OF ATTORNEY *Jw*

1
MICROFILMED
OCT 02 1992

Lynn A. Anderson
Lynn A. Anderson

Rosamond Anderson
Rosamond Anderson

STATE OF Colorado)
COUNTY OF Arapahoe) ss.

On this 3rd day of APRIL 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared LYNN A. ANDERSON and ROSAMOND ANDERSON, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

R. D. Garberding
Notary Public for said State
Residing at 6941 So. University
Littleton CO 80123

My Comm Expires 2-18-90



INSTRUMENT NO. 146968
STATE OF IDAHO, COUNTY OF WASHINGTON ss.
Filed for record at the request of

BRUCE ANDERSON

37 Min. past 8:00 o'clock A. M.
This 17TH day of APRIL 19 89

INDEX TO: POWER OF ATTORNEY
MARY KAUTZ, Recorder. Fee: \$ 6.00

By Carol Taylor Deputy

Bruce Anderson
379 Hill Road
Weiser, Idaho

83672

GENERAL POWER OF ATTORNEY *Jw*

Cmp. Index ✓
Cmp. Rel.
Film ✓
Compare
Card Rel.
Ek. Rel.
Up-date
Return ✓
MICROFILMED
OCT 02 1992

11/14/2006

NOTICE OF ERROR
REPLY

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

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

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

Water right number: 67-4002

LYNN A ANDERSON

270 HWY 95

WEISER ID 83672

Telephone Number: (208) 549-2679

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: _____

SIGNATURE: _____

Lynn Anderson

Please print your name: _____

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

SCANNED
DEC 11 2006

05/08/2006

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

RIGHT NUMBER: 67-4002

NAME AND ADDRESS: LYNN A ANDERSON
270 HWY 95
WEISER ID 83672

SOURCE: BUTTERMILK SLOUGH CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.830 CFS

PRIORITY DATE: 03/01/1928

POINT OF DIVERSION:

T10N R05W S15 SENESE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.830 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County

T10N R05W S14

NWSW

1.40

T10N R05W S15

SENE

27.00

T10N R05W S15

NESE

13.00

41.4 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



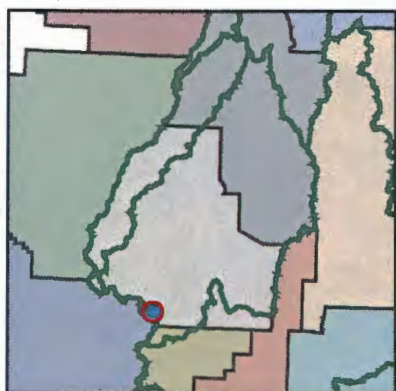
Idaho Department of Water Resources

SRBA Recommendation:

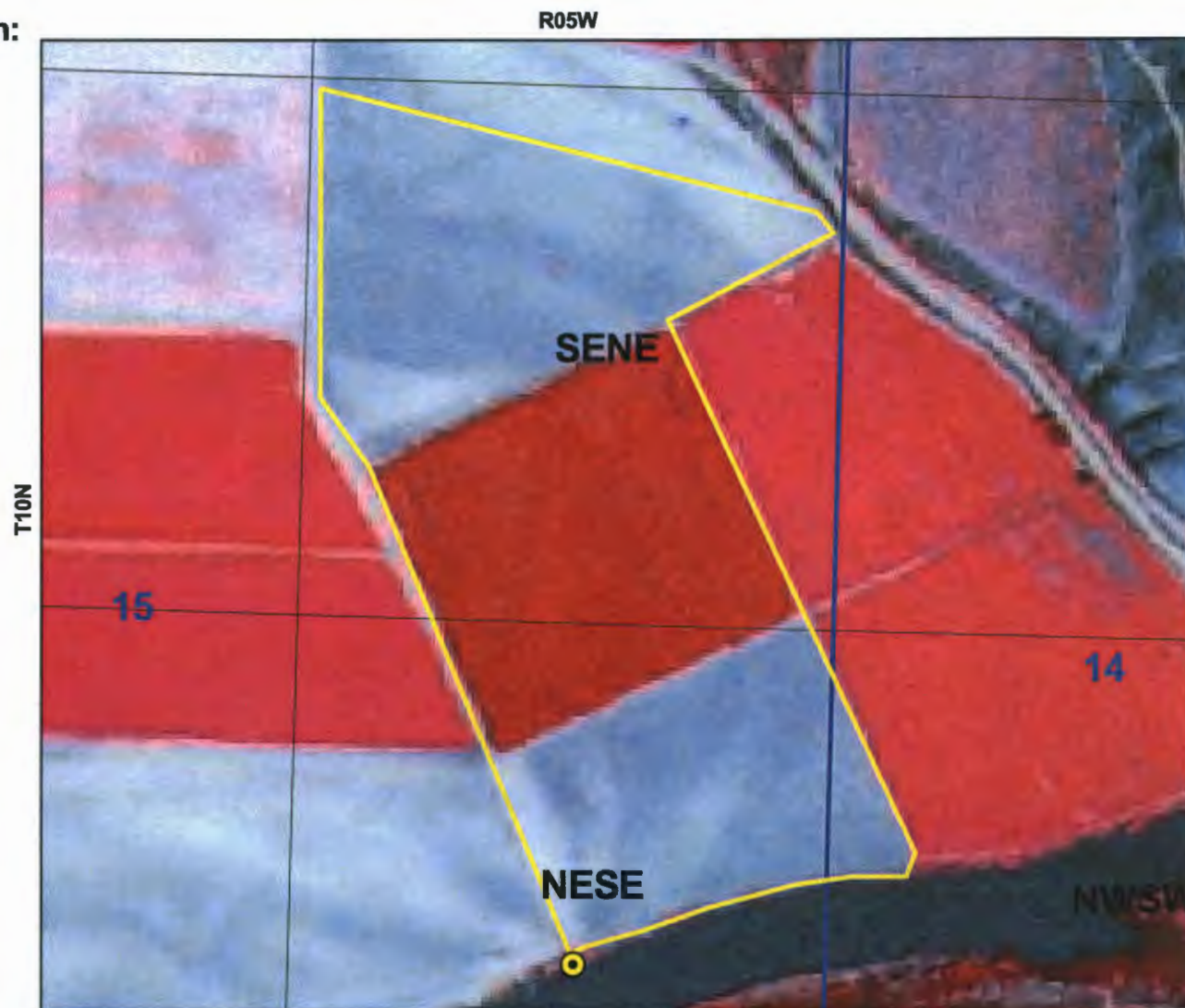
67-4002

Legend

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



Washington County
IDWR Basin 67



0 0.2 0.4 Miles

Prepared by M. Van Bussum
On Monday, May 8, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4002 V1

WATER RIGHT NUMBER: 67-4002 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROSAMOND H ANDERSON 387 HILL RD WEISER, ID 83672 (208)549-1619
Current Owner	LYNN A ANDERSON 270 HWY 95 WEISER, ID 83672 (208) 549-2679

Priority Date: 03/01/1928

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
BUTTERMILK SLOUGH CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.830 CFS	
	<u>Total Diversion:</u>	0.830 CFS	

Location of Point(s) of Diversion

BUTTERMILK SLOUGH CREEK	SE1/4NE1/4SE1/4	Sec. 15, Twp 10N, Rge 05W, 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	
10N	05W	14											1.4						1.4
10N	05W	15				27.0											13.0		40.0

Total Acres: 41.4

Conditions of Approval:

1. 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4002 V1

Comments:

1. mcase 6/15/2004 POD

Comment: Updated shape

2. mcase 6/15/2004 POU

Comment: Updated Shape

3. mcase 6/15/2004 POU

Comment: Updated PLS

4. mcase 6/15/2004 POU

Comment: POU shape created using claim map. I updated the acreage and PLS from this shape because the shape falls into an unclaimed QQ. Total irrigated acreage is equal.

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:

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: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>
Contacts	5/8/2006 2:46:00 PM	mvanbussum			Active
Contacts	5/8/2006 2:46:07 PM	mvanbussum			Active
Priority Date	5/8/2006 2:46:45 PM	mvanbussum			Active
POD	5/8/2006 2:48:43 PM	mvanbussum			Active
Source	5/8/2006 2:49:38 PM	mvanbussum			Active
POU	5/8/2006 2:49:57 PM	mvanbussum			Active
Use	5/8/2006 2:59:33 PM	mvanbussum			Active
Quantity	5/8/2006 2:59:34 PM	mvanbussum			Active
Season	5/8/2006 2:59:34 PM	mvanbussum			Active
POU	5/8/2006 3:05:32 PM	mvanbussum			Active
Use	5/8/2006 3:22:01 PM	mvanbussum			Active
Season	5/8/2006 3:22:28 PM	mvanbussum			Active
Quantity	5/8/2006 3:24:28 PM	mvanbussum			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4002 V1

Summary

05/08/2006

mvanbussum

Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	5/8/2006 2:47:44 PM	mvanbussum	Updated shape
Use	5/8/2006 2:59:24 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License?
Season	5/8/2006 2:59:25 PM	mvanbussum	(No) 1. Is the basis of claim Decree or License?
Quantity	5/8/2006 2:59:25 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License?
POU	5/8/2006 3:05:22 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 - FE conducted 5-3-2006.
POU	5/8/2006 3:20:59 PM	mvanbussum	Updated shape for Active POU
Contacts	5/8/2006 2:45:51 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: FE conducted 5-3-06.
Contacts	5/8/2006 2:45:58 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: FE conducted 5-3-2006.
General	5/8/2006 2:46:36 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 - Affidavit from Lynn Anderson, who moved to the property in 1928. Recommended first day of irrigation season in 1928.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4002 V1

POD	5/8/2006 2:48:34 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 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?
Source	5/8/2006 2:49:29 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 - Field exam conducted 5-3-2006.
POU	5/8/2006 2:49:48 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 5-3-2006.
POU	5/8/2006 3:21:10 PM	mvanbussum	Updated PLS for Active POU
Use	5/8/2006 3:21:51 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 - Field exam conducted 5-3-2006.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4002 V1

Season	5/8/2006 3:22:18 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 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	5/8/2006 3:24:17 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 - Theoretical capacity of pump in pumphouse (older pump) 9 cfs and theoretical capacity of pump in open (newer pump) exceeds 60 cfs.
Summary	5/8/2006 3:25:18 PM	mvanbussum	(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? (No) 5. Does this right have any combined use limits with other rights? (No) 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?

Water Supply Bank:

MEMORANDUM

TO: File

FROM: Monica Van Bussum

DATE: 8 May 2006

RE: Discrepancy in POU for 67-4002 among claim, field exam and recommendation

In reading this memo, it is best to have the 1987 and/or 2004 imagery of this property in hand.

I completed the field exam for 67-4002 on 3 May 2006. According to the 1987 imagery, this taxlot can be divided into five geometric fields – four square-like pieces that form a larger square, and a northern triangle-shaped piece at the top of the property. During the field exam, the claimant Lynn Anderson only showed me the acres adjacent to the river (in other words, the square-shaped pieces) and not the triangle-shaped piece of land at the north of the claimed POU.

2004 imagery shows the four square-shaped parcels are now combined into two rectangular, east-west parcels. During the field exam, Lynn showed me the system and it irrigates the land as two rectangular pieces.

The claim map in 67-4002 shows only the western two square-like parcels and the northern triangle parcel as the claimed POU and omits the eastern two parcels.

From the discrepancy between the 1987 imagery/claim map and the 2004 imagery/field exam, it appears a slightly different system of irrigation was in place in 1987 and the eastern two parcels may not have been irrigated from this system in 1987. Based on that, I am recommending the POU as shown in the 1987 claim map.

Priority Date Data Entry Form

Claim Number 67-4002

Claimed Priority Date: 8/22/1922

Claimed Basis: Beneficial Use

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

Water Right Priority Date: 8/22/1922

Water Right Basis: Statutory Claim

Recommended Priority Date Recommended Basis

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

EOP good to 1928.- affidavit from Lynn
Anderson

Reviewer: MMBDate: 5-3-06

Point of Diversion and Source Data Entry Form

Claim Number 67-4002

Claimed Point of Diversion and Source

T10N R05W S15 SENESE Within WASHINGTON County Source: BUTTERMILK SLOUGH CREEK SNAKE RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T10N R05W S15 NESE Within WASHINGTON County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? ☒

Document how the POD and Source were verified:

A0017631 - 2 pumping stations (see POA) - 2 pictures

2267117

1448486

pump in pumphouse ^{was} used when they gravity ~~fed~~
pump w/o cover is used when they run sprinklers
(they were having trouble w/ pump in pumphouse &
then installed the pump in the open, which is
better when they're using sprinklers)

Reviewer: MUB

Date 5-3-06

Place Of Use Data Entry Form

Claim Number 67-4002

Claimed Place Of Use

T10N R05W S14	NWSW	2.00	T10N R05W S15	SENE	15.00
T10N R05W S15	NESE	30.00			

Total Acres 47

___ Use Claimed POU as Recommended POU

Water Right Place Of Use

T10N R05W S14	SWNW	5.00	T10N R05W S14	NWSW	20.00
T10N R05W S15	NENE	2.00	T10N R05W S15	SENE	34.00
T10N R05W S15	NESE	26.00			

Total Acres 87

Recommended Place of Use

___ See corrections to claimed POU above

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

See attached map for acreage — see attached memo
for explanation

Total Acres ___

Document how the POU was verified:

two pumping stations off Creek — one has not been
working well — they are currently using the one
that is in the open

Open: 50hp USElectrical Motors
5ft lift ID: R-1742-08-620 MM

In house: GE 7½ hp ??
5ft lift

MLB

5-3-06

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number 67-4002

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

Document how the Purpose of Use was verified:

FE & imagery verify purpose of use

Reviewer: MVBDate: 5-3-06

Period of Use and Quantity Data Entry Form

Claim Number 67-4002

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	0.94	

Overall Diversion Rate 0.94

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	3/15	10/31	1.9	

Overall Diversion Rate 1.9

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

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

Open pump: 50hp US Electrical Motors
 5ft lift ID: R-1742-08-620 NM

Covered pump: GE 7.5hp (no serial/ID #)
 5ft lift plate has corroded away)

see attached calculation of theoretical capacity
 of each system — ample capacity either way

no diversion volume limit — not groundwater

Reviewer: MJBDate: 5-3-06

Contacts Data Entry Form

Claim Number: 67-4002

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	ROSAMOND H ANDERSON	387 HILL RD	WEISER	ID	83672	(208)549-1619
Current Owner	LYNN A ANDERSON	270 HWY 95	WEISER	ID	83672	(208) 549-2679

Date of Field Exam: 5-3-06 Time: 4:00pmAccompanied By: Lynn Anderson Phone Number: 549-2679Relationship to Claimant: claimant

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

Reviewer: MLBDate: 5-3-06



Idaho Department of Water Resources

— = pipe
--- = ditches
common system;
can run either
way.

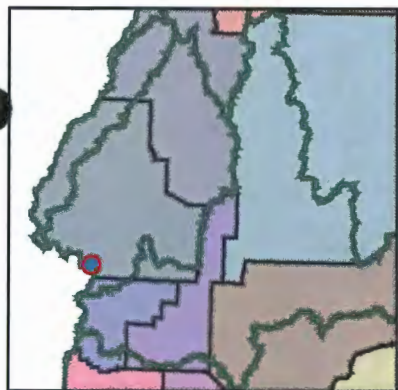
Can flood or
sprinkle

can go through
pipe or ditches

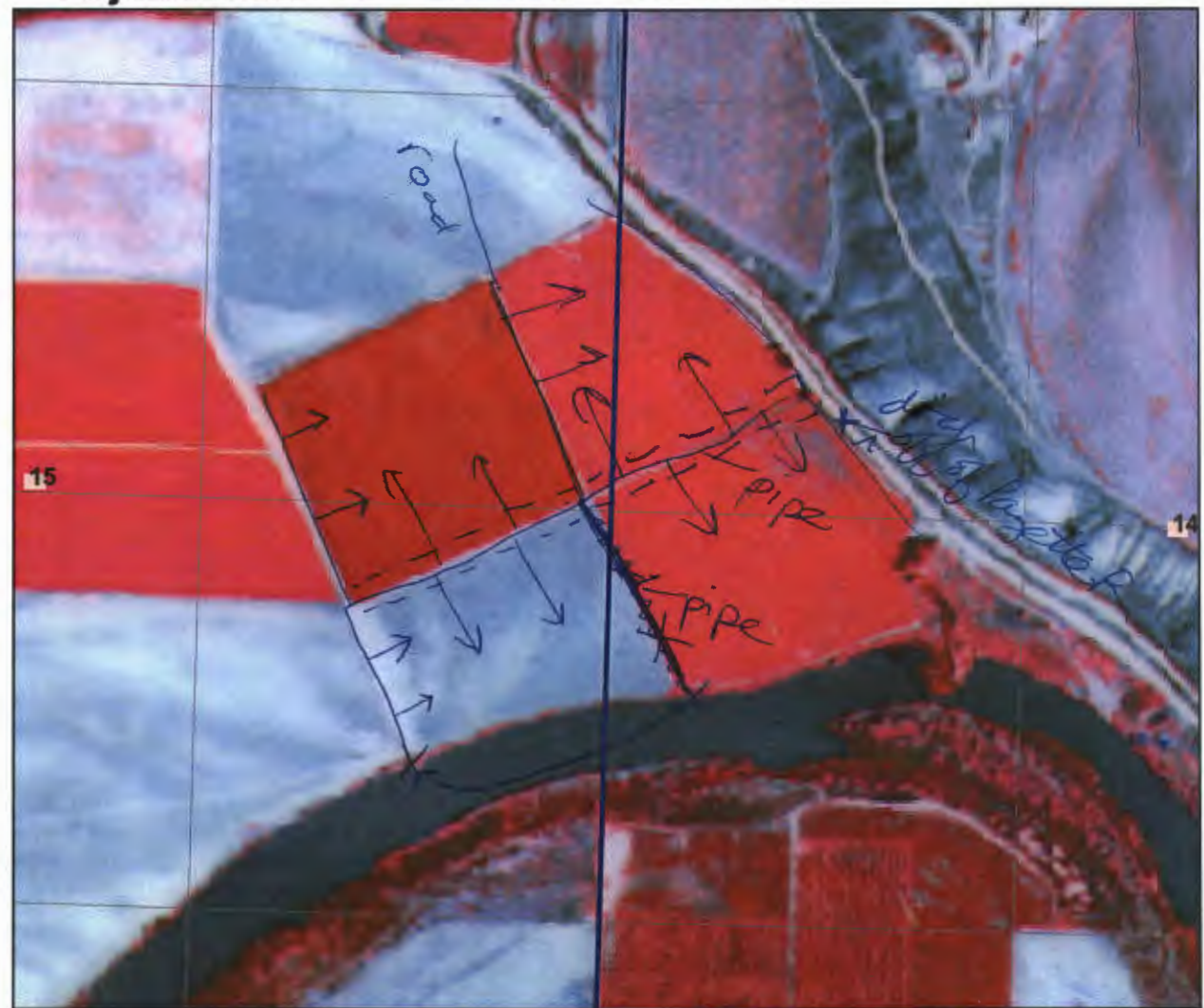
Adjudication Claim Number: **67-4002**

Legend

- PLSS Section Lines Gcdb_sections.shp
- GCDB10N05W GCDB
- B-67 streams.shp



Payette County
IDWR Basin 67



Prepared by M. Van Bussum
On Tuesday, May 2, 2006
1987/88 Aerial Photography

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 67-4002
 Examiner: Monica Van Bussum
 Date of Field Exam: 5/3/2006

P/D No.:	Open Pump	Pump in House	Pump #3
PUMP HORSEPOWER	50	7.5	0
BOOSTER HORSEPOWER	0	0	0
PUMPING LEVEL	5	5	0
DISCHARGE PRESSURE	0	0	0
RATE OF FLOW (cfs)	61.60	9.24	#DIV/0! #####

The above calculates the formula =

$$Q = \frac{8.8 * (\text{Efficiency}) * \text{hp}}{\text{depth to water} + 2.31 * (\text{psi}) + \text{friction}}$$

Assumptions: %70 efficiency.
 No Friction

Examiners Notes:

10-20-05: Needs FE

= All I need is pump info and system description:

- How many sprinkler lines / heads - he rents property - renters would know
- Pump HP

- lift

- is this open discharge and Flood int?

: GPS and Tag POU

: Verify POU.

Note: 67-10481 POU
67-10482 POU

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
67-4002)
_____)
_____)

AFFIDAVIT

RECEIVED
OCT 25 2005
DEPARTMENT OF
WATER RESOURCES

State of Idaho)
County of Washington)

Lynn R. Anderson being first duly sworn,
deposes and says: I still own this Property
and have done for over 20 years. I first
came to this country in 1928 and have
known this property has been irrigated
since 1928.

my current address is 270 Hwy 95
Weiser, Idaho and would like my Water
Claim to be changed to that address.

My wife is deceased and would like to
take her name off the claim. I am
sending her death certificate

(Signature)

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

SEAL

(Notary Public)

Residing at _____

My Commission Expires _____

SCANNED

OCT 25 2005

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

CERTIFICATE OF DEATH

DATE FILED: SEPTEMBER 01, 2000

STATE FILE NUMBER: 00-06074

DECEDENT: ROSAMOND HANNAH ANDERSON

DATE OF DEATH: AUG. 25, 2000

PLACE OF DEATH: WEISER, IDAHO

TIME OF DEATH: 1:00 P.M.

DATE OF BIRTH: FEB. 06, 1917

PLACE OF BIRTH: ALBERTA

AGE: 83 YEARS

SEX: FEMALE

VETERAN? NO

MARITAL STATUS: MARRIED

SURVIVING SPOUSE: LYNN ANDERSON

SOCIAL SECURITY NUMBER: [REDACTED]

RESIDENCE: WEISER, IDAHO

FATHER: DAVID FRANK

FATHERS BIRTHPLACE: UTAH

MOTHER (MAIDEN): AMY A. STANSFIELD

MOTHERS BIRTHPLACE: UTAH

MORTUARY: THOMASON FUNERAL HOME, INC.

MORTICIAN: ROBERT E. THOMASON

WEISER, IDAHO

DISPOSITION: BURIAL

CERTIFYING PHYSICIAN: BRYAN L. DRAKE, D.O.

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

DEMENTIA: MULTINFARCT

YEARS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

ADVANCED AGE

MANNER OF DEATH: NATURAL

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY

DATE ISSUED: SEPTEMBER 12, 2000

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

Jane S. Smith

JANE S. SMITH, REGISTERED
STATE REGISTRAR

OCT 25 2000



Contact Information

Last Name ANDERSON
First name LYNN
Street Address 270 HWY 95
City WEISER
State ID
ZIP 83672
Home Phone (208)549-2679
Date Changed 1/7/2003
User Name kgale
Reason Well Construction
Location UPDATE

Applicant for WC Application ID = 875080, Applicant for WC Application ID = 875148, Applicant for WC Permit ID = 789804, Applicant for WC Permit ID = 790127, Applicant for WC Well ID = 360819, Applicant for WC Well ID = 361135,

Close

3-3-06: Address updated in 2003 when Charmant
filed for Well Construction permit. I
updated SRBA Contact.

C. Gaylor

CONVERSATIONAL MEMORANDUM

Date: October 19, 2005

To: File 67-4002

From: Craig L. Saxton

Subject: Phone Call - Evidence of Priority

Spoke with Lynn Anderson. He had questions about a change of ownership and change of address letter we sent. I explained it to him and he is going to complete the change of address form and submit it with a copy of the death certificate of his wife and request that she be removed from the claim. He is also going to submit an affidavit from himself supporting a 1928 priority date which is the date he moved to the property and new the ground was being irrigated.

In addition, if the EOP doesn't come in, there is EOP in the statutory file supporting 1935 from Otto Eisenbarth. In my conversation with Lynn Anderson, he mentioned that he purchased the property from Otto Eisenbarth, so I do question the 1928 priority date. Perhaps when I receive the affidavit, it will make sense. Either way, we can support 1935 and do not need further EOP.

Lastly, I informed Mr. Anderson that I would be sending someone out to conduct a field exam to get a measurement.

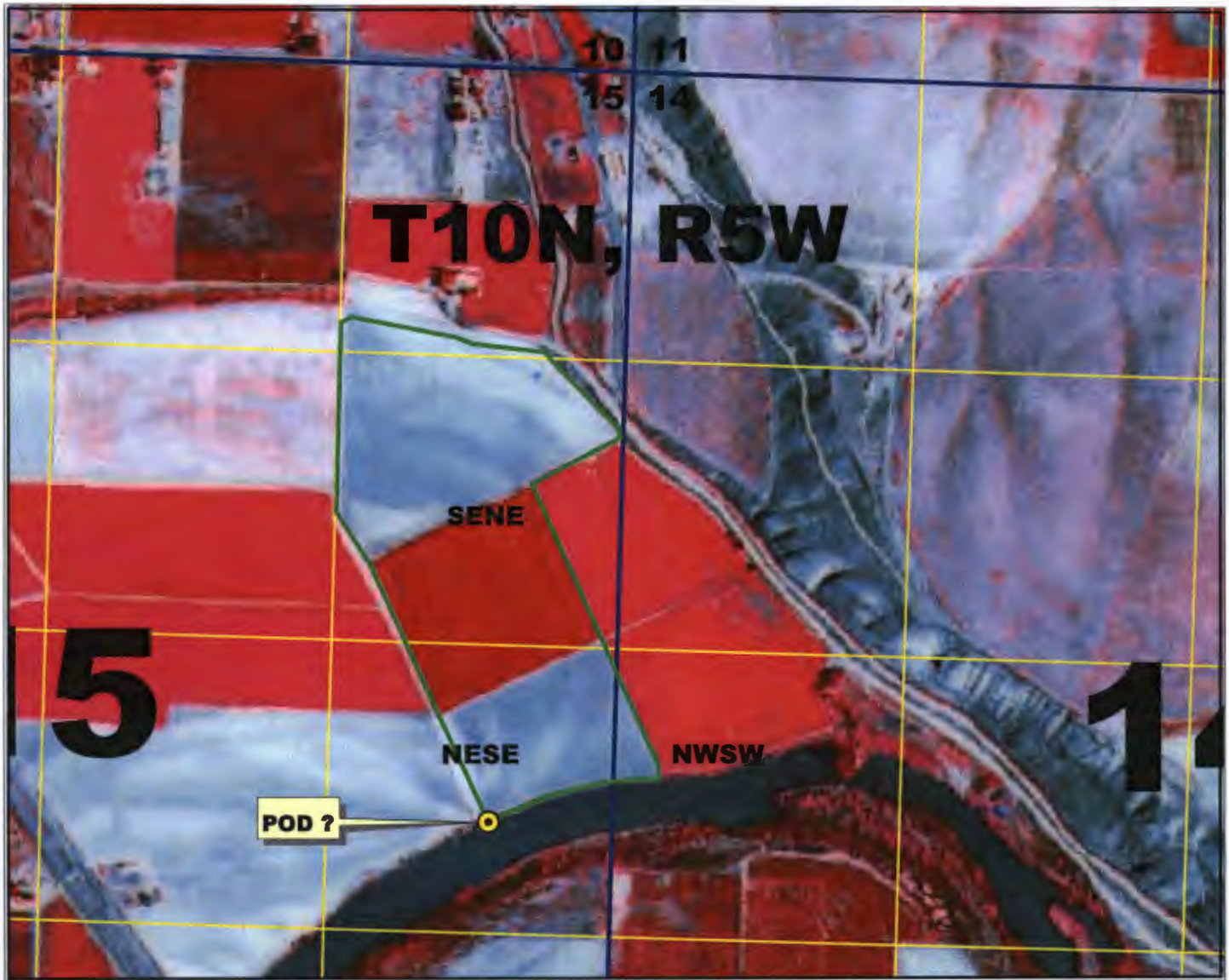


State of Idaho

Map Source: 1987 NAPP

Claim #(s): 67-4002

Reference Map



1320 0 1320 Feet

● Point of Diversion

Claimed Place of Use

Tax Lot Property Bndy

Quarter Quarter Lines

Section Lines

Claimed Irrigated Acres: 47.0

Initial Acres Found: 47.0



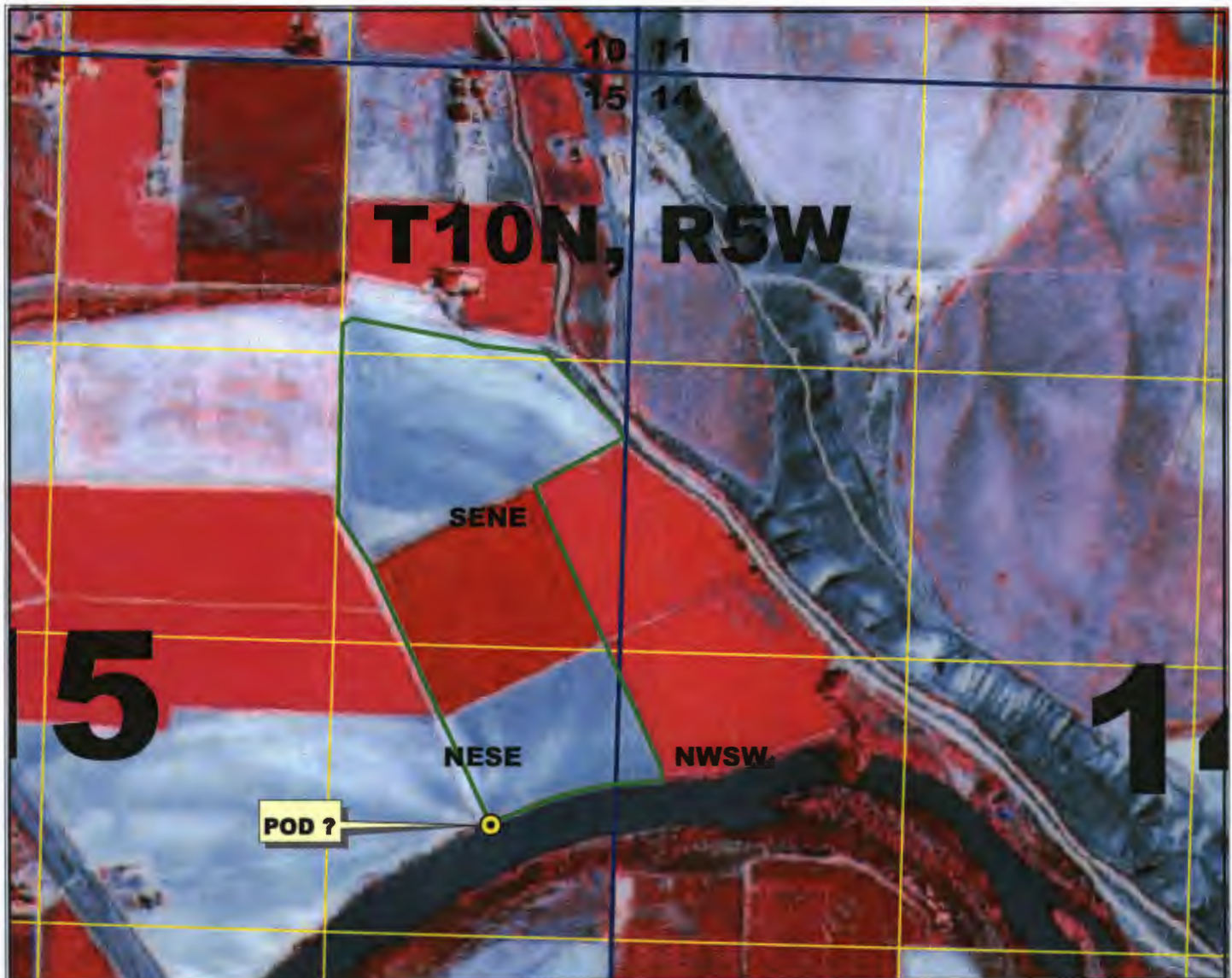
Prepared By: Craig L. Saxton

Date: October 2005



State of Idaho

Map Source: 1987 NAPP
Claim #(s): 67-4002
Reference Map



1320 0 1320 Feet

● Point of Diversion

Claimed Place of Use

Tax Lot Property Bndy

Quarter Quarter Lines

Section Lines

Claimed Irrigated Acres: 47.0
Initial Acres Found: 47.0



Prepared By: Craig L. Saxton
Date: October 2005

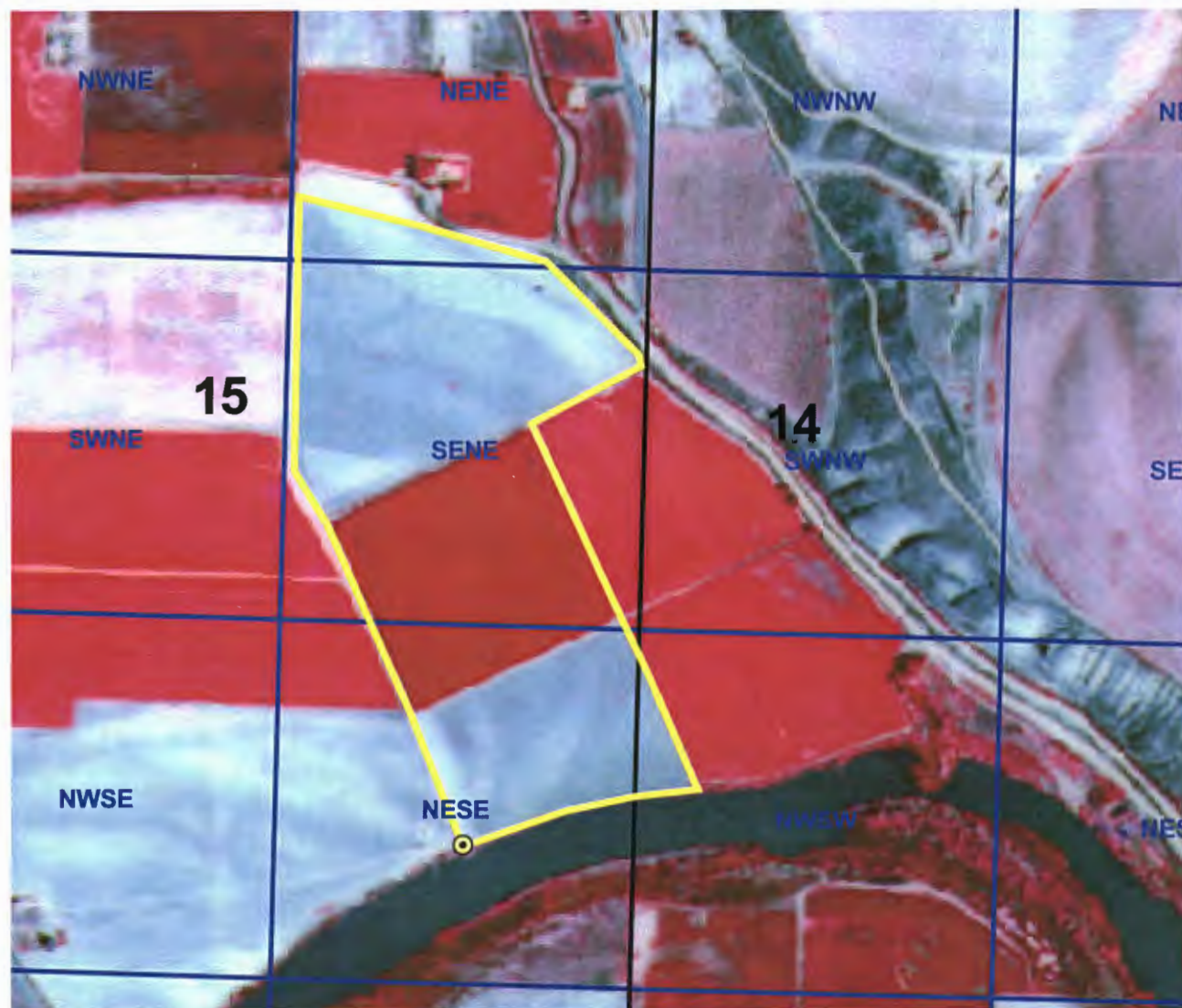
Idaho Department of Water Resources

T10N, R05W, S14&15

Water Right No: 67-4002

Legend

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



0.1 0 0.1 0.2 0.3 0.4 Miles

Prepared by Morgan Case
June 15, 2004
1987/1988 NAPP

Contacts Data Entry Form

Claim Number: 67-4002

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	ROASMOND H ANDERSON	387 HILL RD	WEISER	ID	83672	(208)549-1619
Current Owner	LYNN A ANDERSON	387 HILL RD	WEISER	ID	83672	(208)549-1619

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

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

Mr Anderson is sending a change of address and
a request to remove Roasmond with a death
certificate.

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number 67-4002

Claimed Priority Date: 8/22/1922

Claimed Basis: Beneficial Use

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

Water Right Priority Date: 8/22/1922

Water Right Basis: Statutory Claim

Recommended Priority Date Recommended Basis

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

At his time Evidence supports 1836, but huan is
going to send me some other stuff

Reviewer: Date:

Point of Diversion and Source Data Entry Form

Claim Number 67-4002

Claimed Point of Diversion and Source

T10N R05W S15 SENESE Within WASHINGTON County Source: BUTTERMILK SLOUGH CREEK SNAKE RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T10N R05W S15 NESE Within WASHINGTON County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number 67-4002

Claimed Place Of Use

T10N R05W S14	NWSW	2.0	T10N R05W S15	SENE	15.0
T10N R05W S15	NESE	30.0			

Total Acres 47

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T10N R05W S14	SWNW	5.0	T10N R05W S14	NWSW	20.0
T10N R05W S15	NENE	2.0	T10N R05W S15	SENE	34.0
T10N R05W S15	NESE	26.0			

Total Acres 87

Recommended Place of Use

☐ See corrections to claimed POU above

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

Total Acres _____

Document how the POU was verified:

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number 67-4002

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

Document how the Purpose of Use was verified:

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number 67-4002

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	0.94	

Overall Diversion Rate 0.94 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	3/15	10/31	1.9	

Overall Diversion Rate 1.9 Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate Overall Diversion Volume

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

Reviewer: _____

Date: _____

State of Idaho
County of Washington

RECEIVED
MAR 19 1923
Department of Reclamation
first duly sworn,

being first duly sworn,

deposes and says: from my own knowledge I know that water has been
pumped and used from the Buttermilk Slough since January 10, 1936.
My brother Fred and I purchased this farm in August 1935 and
farmed it and used water from the Slough continually since.

P. H. Emberts
(signature)

Subscribed and sworn to before me this 14th day of March 19 68.


(Notary Public)

Residing at Weiser
My commission expires 9-12-70

17.4002

Identification No. 67-4002

Claim No. 42375

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Lynn A. Anderson
post office address Route 3, Weiser, Idaho

2. The point of diversion is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 15 Township 10N
Range 5W B.M. located on Buttermilk Slough
(name of source)

tributary to Snake River in Wash. County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

Aug. 22, 1922 amount: 1.9 c.f.s. or _____ acre feet

_____ amount: _____ c.f.s. or _____ acre feet

_____ amount: _____ c.f.s. or _____ acre feet

Total claimed _____ c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use irrigation period of use from March 15 to Oct 31 (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____

_____ ; length is _____ feet; height is _____ feet;

width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. ~~Underground~~ water diverting works: is well flowing or pumped pumped ; depth of ~~well~~ 11 ft is

5 feet; diameter of well is _____ inches; type of pump is turbine

capacity of pump is 150 Inq.p.m.; name and address of well driller is _____

18
89

67-4002

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

Received by ef Date: 5-19-68 Exception filed by: _____ Forwarded to claimant by: _____ Date: _____

Prelim. check by AP Date: 3/19/68 _____

Fee received by ef Date: 3-19-68 Fee \$ 10.00 _____

Approved for publication by BS 3-29-68 _____

Published in 2Dugan Dates 4-4/ _____

Journal