

Priority date changed
to 5/10/1918 per Notice
of Error and evidence
submitted see
recommendation proof
report comments for
details. Rick William
(claimant's son) is happy
with 5/10/1918 priority
per telecon.

Loi Guane

12/13/2006

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

RIGHT NUMBER: 67-4110

NAME AND ADDRESS: DARLIN J WILLIAMS
PO BOX 111
COUNCIL ID 83612

SOURCE: MILL CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.790 CFS

PRIORITY DATE: 05/10/1918

POINT OF DIVERSION:

T17N R01W S36 SENWSE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.760 CFS
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T17N R01W S36	SWSW	27.00	T17N R01W S36	SESW	11.00
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STOCKWATER same as IRRIGATION

38 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



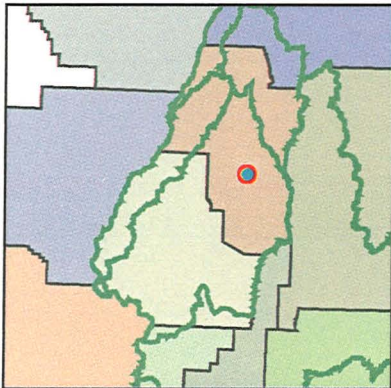
Idaho Department of Water Resources

SRBA Recommendation:

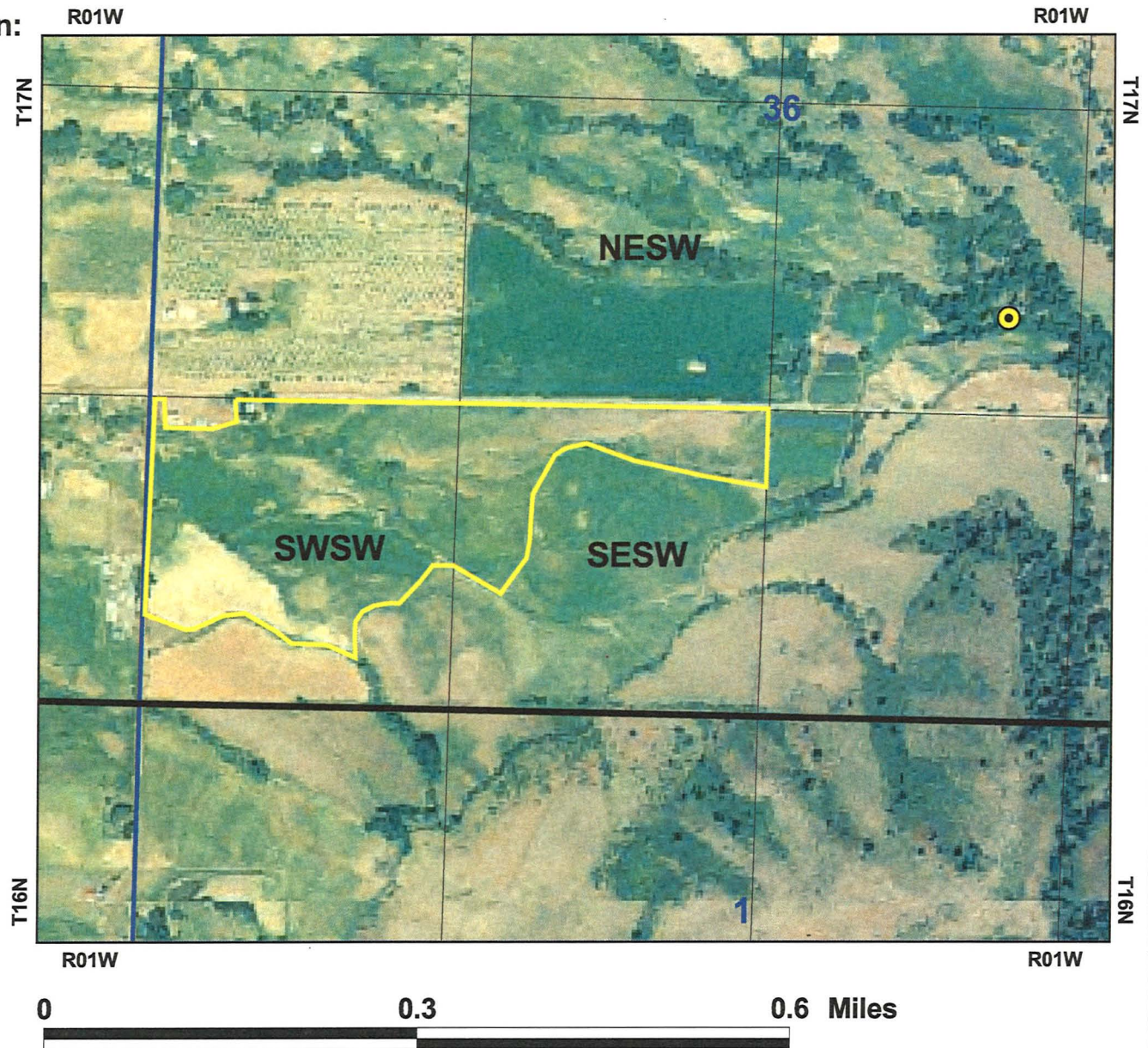
67-4110

Legend

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



Adams County
IDWR Basin 67



Prepared by M. Mount
On Friday, August 11, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4110 V1

WATER RIGHT NUMBER: 67-4110 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RICHARD L WILLIAMS PO BOX 111 COUNCIL, ID 83612
Current Owner	DARLIN J WILLIAMS PO BOX 111 COUNCIL, ID 83612

Priority Date: 05/10/1918

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
MILL CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.760 CFS	
STOCKWATER	01/01 to 12/31	0.030 CFS	
	<u>Total Diversion:</u>	0.790 CFS	

Location of Point(s) of Diversion

MILL CREEK	SE1/4NW1/4SE1/4	Sec. 36, Twp 17N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
17N 01W 36											27.0	11.0					38.0

Total Acres: 38

STOCKWATER same as IRRIGATIONConditions 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 67-4110 V1

Comments:

1. mmount 8/10/2006 Priority

Comment: Claimant provided proof of the land being used for agriculture in 1915 however claimed 1950. Recommended 1950.

2. mmount 8/10/2006 pod

Comment: Mill Creek tag A0014037

3. lgraves 12/13/2006 Notice of Error

Comment: License 67-2051 with a 1910 priority date for 25 acres from an unnamed stream overlaps claimants p/u. Claimant did not file on this right. The licensing field report conducted in 1912 indicates the source as as a slough fed by irrigation ditches. The slough is north of claimants property. Rick Williams (claimants son) stated in a telecon 12/13/2006 that his father does not divert from the slough. Decree 67-124 also overlaps the claimed acres and was filed under right 67-11413 in the name of East Fork Ditch Company, which the claimant is a shareholder. Claimant also provided assessment information dated 1915 indicating irrigation of 76 acres in the S1/2SW S36. Obviously, the property was irrigated prior to the 1950 priority date listed on the claim. Because Mill Creek was included as a source in the Muir vs. Allison decree, a priority date of 5/10/1918 (day after decree was signed) can be recommended for this beneficial use claim based on the evidence provided.

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:

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:Water Supply Bank:

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: 67-4110

DARLIN J WILLIAMS
PO BOX 111
COUNCIL ID 83612

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Priority date

2. Describe the changes you wish to make in the proposed recommendation:

*claim shows 1950 priority date -
information since shows 1910 priority date.*

3. Give a brief explanation as to why you disagree with these portions:

*Spoke with agent Ivan Nelson
he said it may be part of Muir vs Allison decree
need to search for decree right.*

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

DATE:

11-29-06

SIGNATURE:

Darlin Williams

Please print your name:

DARLIN WILLIAMS

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

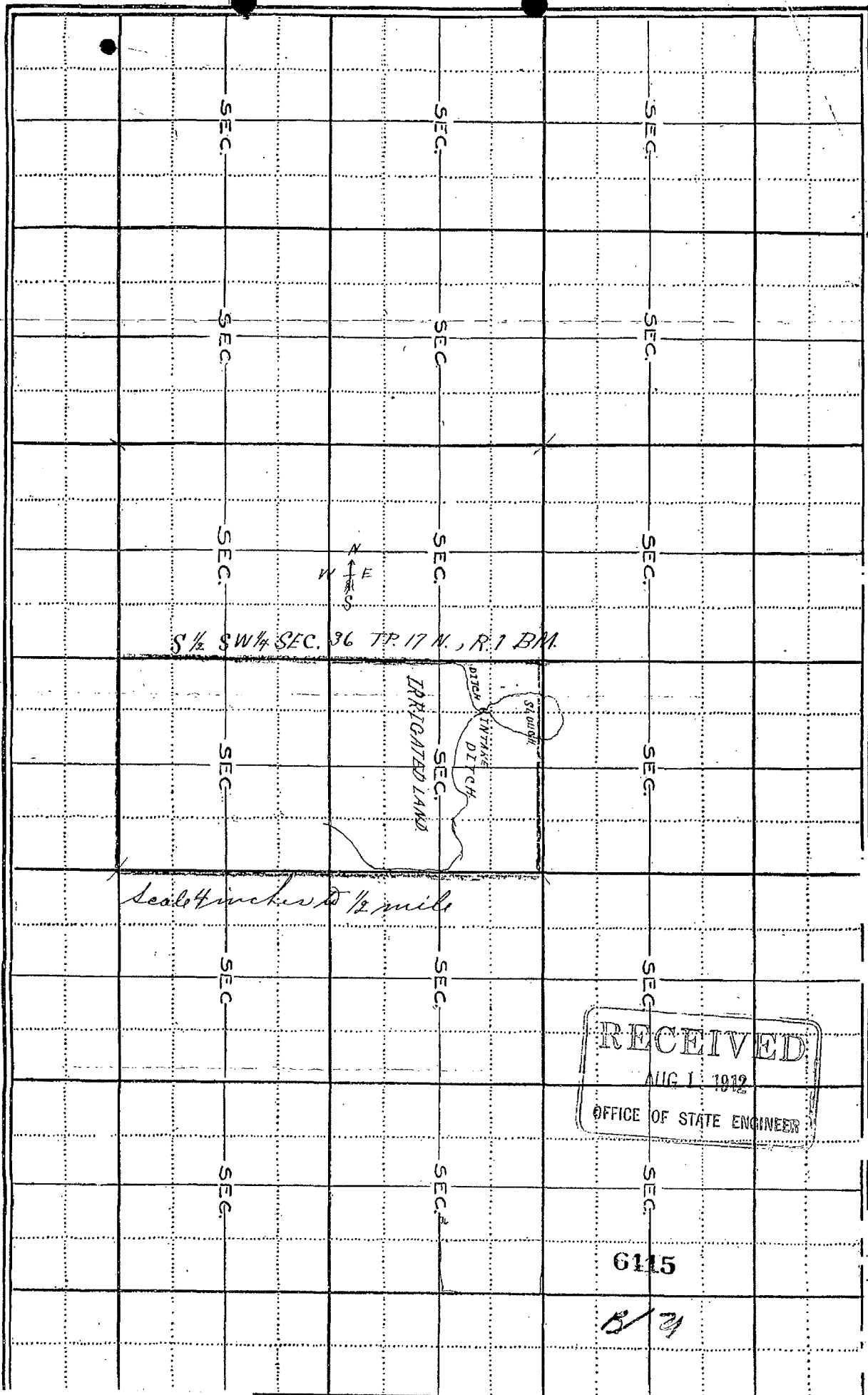
SCANNED
DEC 08 2006

Cap 2.1

- Remarks: The source of this supply is a slough indicated on plat. It seems to be fed by irrigation ditches on land lying above slough.

62

Name of Applicant



08/10/2006

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

RIGHT NUMBER: 67-4110

NAME AND ADDRESS: DARLIN J WILLIAMS
PO BOX 111
COUNCIL ID 83612

SOURCE: MILL CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.790 CFS

PRIORITY DATE: 06/01/1950

POINT OF DIVERSION:

T17N R01W S36 SENWSE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.760 CFS
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R01W S36 SWSW 27.00 T17N R01W S36 SESW 11.00

STOCKWATER same as IRRIGATION

38 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

9-12-05

Mr. Sexton

This is what I came up
with in the Adams County
Court house. All the
previous owners are dead.

Pauline Williams

Claim 67-4110

SCANNED

SEP 15 2005

72	230.1	8	0209167213	430.50	718.29	719.00
					25	25

Washington County,
Unnamed Streams or Gulches,
 $\frac{1}{2}$ second-foot
Irrigation
Priority 7/23/10.

STATE OF IDAHO
Water License No. 6415.

Claim
67-4110

67-2051
25 ACRES

WHEREAS, On the 23rd day of July, A. D. 1910, FRANK E. WEYMOUTH, of Boise, County of Ada, State of Idaho, duly made application (No. 9285) to me for a permit to use 1 cubic foot per second of the waters of UNNAMED STREAMS or GULCHES, County of Washington, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 4th day of August, A. D. 1910, Permit No. 6415 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 4th day of August, A. D. 1911 and for the application to beneficial use of said water on or before the 4th day of August, A. D. 1912, and,

WHEREAS, On the 4th day of August, A. D. 1911, FRANK E. WEYMOUTH, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 6415, dated August 24th, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1 cubic foot per second of the waters of UNNAMED STREAMS or GULCHES, with date of priority of July 23rd, 1910 and,

WHEREAS, On the 4th day of August, A. D. 1911, FRANK E. WEYMOUTH, the holder of said permit, duly made proof of the application to beneficial use of $\frac{1}{2}$ of one cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to FRANK E. WEYMOUTH, of Boise, County of Ada, State of Idaho, the holder and owner of said Permit No. 6415, a perpetual right, dating from July 23rd, 1910, to the use of $\frac{1}{2}$ of one cubic foot per second of the waters of UNNAMED STREAMS or GULCHES, in the County of Washington and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the South half of the Southwest quarter ($S\frac{1}{2}$ SW $\frac{1}{4}$), Section 36, Township 17 North, Range 1, West of the Boise Meridian, and conducted to and upon 25 acres in the East half of the South half of the Southwest quarter ($E\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$), Section 36, Township 17 North, Range 1, West of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 24th day of August, A. D. Nineteen hundred and twelve.

(SEAL)

A. E. Robinson,
State Engineer.

claim 67-4110

-D-E-E-D-

15-569

THIS INDENTURE, made this 21st day of October, in the year One Thousand Nine Hundred Thirty-eight, between F. E. WEYMOUTH, a widower, of the County of Los Angeles, State of California, Party of the First Part, and FRANK S. GALEY, of the County of Adams, State of Idaho, Party of the Second Part,

W I T N E S S E T H : That

The said Party of the First Part, for and in consideration of the sum of Ten Dollars (\$10) lawful money of the United States of America, to him in hand paid by said Party of the Second Part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, ^{and} 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 Adams County, State of Idaho, to wit:

The South half ($S\frac{1}{2}$) of the Southwest quarter (SW-1/4) of Section Thirty-six (36), Township Seventeen (17) North, Range One (1) West, of the Boise Meridian, in Idaho, containing eighty (80) acres more or less;

Also all water rights, ditches, dams, flumes and irrigating works of whatever nature, used upon or in any wise appertaining to said lands, including, without limiting the generality of the foregoing, the right evidenced by sixty-seven (67) shares of stock in the East Fork Ditch Company, Ltd;

All right, title and interest to water and water rights derived by grantor herein under those certain quitclaim deeds from Washington County Land and Development company, a Corporation, to the grantor herein, dated December 2, 1909, and recorded in Book 23 of Deeds, County of Washington, State of Idaho, at pages 541 and 542, respectively;

All interest of grantor herein, derived under that certain quitclaim deed from William H. Camp, as grantor, to F. E. Weymouth, said deed being recorded in Book 26 of Deeds, at page 297, in the office of the Recorder of the County of Washington, State of Idaho;

All water rights derived under Water License No. 6415 dated August 24, 1912, issued over the signature of A. E. Robinson, State Engineer, State of Idaho;

Also all right, title and interest of the grantor herein under that certain deed dated December 13, 1919, made by J. A. Carr and Harriet A. Carr, his wife, as grantors, to F. E. Weymouth, recorded in Book 7 of Deeds, at page 594, in the office of the Recorder of the County of Adams, State of Idaho;

Also all right, title and interest derived by grantor herein under that certain deed dated February 12, 1926, from J. S. Graves and Jennie R. Graves, his wife, grantors, to F. E. Weymouth, grantor herein, said date being recorded in Book 10 of Deeds, at page 597, in the office of the Recorder of the County of Adams, State of Idaho;

Also all right, title and interest of grantor herein in that certain warehouse situated at the City of Council, in the County of Adams, State of Idaho, upon lands of the Union Pacific Railroad Company, described as follows:

Commencing at a point twenty (20) feet North of the land leased by the Council Lumber Company, and eight (8) feet East of the center of said track of said rail way at said point, running thence Northerly on a line parallel to the East line of the right of way of said railway one hundred (100) feet; thence

SCANNED

SEP 15 2005

East fifty (50) feet, at right angles, to the East line of the right of way of said railway; thence south along the East line of right of way of said railway one hundred (100) feet; thence West in a straight line to point of beginning; together with any leasehold or easement now vested in grantor herein, under which such warehouse is maintained upon said lands.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, 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 Party 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 Party of the First Part, and his 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 Party of the First Part, and his 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.

All properties herein conveyed are subject to taxes for the year 1938, and any dues or charges for water unpaid at the date hereof.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his hand and seal the day and year first above written.

F. E. Weymouth

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

On this 21st day of October, 1938, before me Ruth K. Thiers, a Notary Public in and for said County, personally appeared F. E. WEYMOUTH, known to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

(NOTARIAL SEAL)

Ruth K. Thiers
Notary Public in and for said County
and State.

STATE OF CALIFORNIA)
County of Los Angeles) ss.

I, L. E. LAMPTON, County Clerk and Clerk of the Superior Court of the State of California, in and for said County, the same being a court of record of the aforesaid County, having by law a seal, do hereby certify that Ruth K. Thiers, whose name is subscribed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking said acknowledgment, proof or affidavit, a Notary Public in and for Los Angeles County, duly commissioned and sworn and residing in said County, and was, as such, an officer of said State, duly authorized by the laws thereof to take and certify the same, as well as to take and certify the proof and acknowledgment of deeds and other instruments in writing to be recorded in said State, and that full faith and credit are and ought to be given to his official acts; that the impression of his official seal is not required by law to be filed in the office of the County Clerk; I further certify that I am well acquainted with his handwriting and verily believe that the signature to the attached certificate is his genuine signature, and further that the annexed instrument is executed and acknowledged according to the laws of the State of California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Superior Court this 21 day of Oct., 1938.

(OFFICIAL SEAL)

L. E. LAMPTON, County Clerk and Clerk of the
Superior Court of the State of California, in
and for the County of Los Angeles.
By John Frankl, Deputy

Recorded at request of Frank S. Galey at 10:20 o'clock A. M., Oct. 26, 1938.

Fee \$2.60

Matilda Moser

Recorder

SCANNED

SEP 15 2005

claim
67-4110

3

Priority No.	Name of User	Description of Land	Source of Supply	Priority Date	Priority Inches
52.	G. T. Hamill		Fort Hall Creek	5 1 89	4.00
53.	Wm. S. Potter		Keithley Creek	5 15 89	2.25
54.	J. W. Galloway	SW $\frac{1}{4}$	Main Weiser	6 1 89	70.00
54.	J. Newton & Besse Wingfield	20 Acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$	Main Weiser	6 1 89	15.00
54.	Albert McDowell	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Little Weiser	6 1 89	19.00
54.	G. W. Phipps	N $\frac{1}{2}$ NW $\frac{1}{4}$	Cottonwood Creek	6 1 89	37.50
54.	James H. McGinley	N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$	Cottonwood Creek	6 1 89	8.00
		NE $\frac{1}{4}$ NE $\frac{1}{4}$			
55.	A. Kampeter	S $\frac{1}{2}$ SE $\frac{1}{4}$	Hornet Creek	12 31 89	35.00
		SW $\frac{1}{4}$ SW $\frac{1}{4}$			
		NW $\frac{1}{4}$ NW $\frac{1}{4}$			
56.	Village of Cambridge		Rush Creek	4 30 90	20.00
56.	Moses H. Hopper		Rush Creek	4 30 90	1.00
56.	Nels C. Nelson	N $\frac{1}{2}$ NE $\frac{1}{4}$	Rush Creek	4 30 90	12.50
		10 Acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$			
57.	George W. Hall		Rush Creek	5 1 90	12.50
57.	George A. Jefferson		Rush Creek	5 1 90	12.375
57.	Eva Barber	S $\frac{1}{2}$ NE $\frac{1}{4}$	Rush Creek	5 1 90	16.00
57.	Jerome B. Cox	SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	Rush Creek	5 1 90	19.00
57.	Weiser Irrigation District		Main Weiser	5 1 90	200.00
57.	James W. Tindell	NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$	Pine Creek	5 1 90	32.50
58.	Jacob Ader	NW $\frac{1}{4}$ SE $\frac{1}{4}$	Keithley Creek	5 15 90	20.00
58.	E. M. Stewart	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Keithley Creek	5 15 90	4.00
58.	James Keithley	SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	Keithley Creek	5 15 90	26.25
59.	D. W. Hutchinson	E $\frac{1}{2}$ NE $\frac{1}{4}$	Little Weiser	6 1 90	19.00
		SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$			
59.	T. B. Biggerstaff	S $\frac{1}{2}$ SE $\frac{1}{4}$	Main Weiser	6 1 90	45.00
		S $\frac{1}{2}$ SW $\frac{1}{4}$			
		NE $\frac{1}{4}$			
60.	Michael Ward		Pine Creek	6 3 90	47.50
61.	Jas. H. McGinley		Cottonwood Creek	7 1 90	72.00
62.	Mary E. Houston	E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$	Cottonwood Creek	7 2 90	25.00
63.	Weiser Irrigation District		Main Weiser	5 1 91	200.00
63.	E. D. Edwards	W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$	Pine Creek	5 1 91	165.00
		SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$			
		S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$			
63.	Fannie E. Baker	E $\frac{1}{2}$ NE $\frac{1}{4}$	Pine Creek	5 1 91	6.00
		SW $\frac{1}{4}$ NW $\frac{1}{4}$			
		SE $\frac{1}{4}$ SE $\frac{1}{4}$			
63.	R. E. Wilson and Edwin J. Hill	E $\frac{1}{2}$ SE $\frac{1}{4}$	Rush Creek	5 1 91	16.00
		S $\frac{1}{2}$ SW $\frac{1}{4}$			
		NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$			
63.	Henry Mosman	SE $\frac{1}{4}$	Little Weiser	5 1 91	85.00
63.	Stella Beigh	17 Acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$	Little Weiser	5 1 91	12.00
63.	H. L. Snyder	20 Acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$	Little Weiser	5 1 91	66.00
63.	M. C. Wilkerson	SE $\frac{1}{4}$	Little Weiser	5 1 91	82.00
		NW $\frac{1}{4}$ NE $\frac{1}{4}$			
63.	W. M. Baccus	S $\frac{1}{2}$ SE $\frac{1}{4}$	Middle Fork	5 1 91	14.00
63.	Catherine Austin	SW $\frac{1}{4}$	Middle Fork	5 1 91	24.00
		NE $\frac{1}{4}$ SE $\frac{1}{4}$			
63.	P. H. Schaff and F. S. Galey	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Mill Creek	5 1 91	29.00
64.	Mattie E. Gray	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Little Weiser	6 1 91	23.00
		SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$			
64.	Denbrae Sheep Co.	NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$	Pine Creek	6 1 91	15.00
		N $\frac{1}{2}$ NW $\frac{1}{4}$			
64.	Mark Winkler	S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$	Main Weiser	6 1 91	60.00
64.	Carrie Winkler	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Main Weiser	6 1 91	10.00
64.	E. Hinkle	S $\frac{1}{2}$ NW $\frac{1}{4}$ W $\frac{1}{2}$ SW $\frac{1}{4}$	Main Weiser	6 1 91	50.00
		SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$			
		NE $\frac{1}{4}$ NE $\frac{1}{4}$			
64.	S. A. Moudy and E. Hinkle	S $\frac{1}{2}$ NE $\frac{1}{4}$	Main Weiser	6 1 91	19.00
64.	George Gault	SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Part SE $\frac{1}{4}$ SE $\frac{1}{4}$	Main Weiser	6 1 91	82.00
		NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Part NE $\frac{1}{4}$ NE $\frac{1}{4}$			
65.	William Hanson	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Hornet Creek	12 31 91	12.00
		NW $\frac{1}{4}$ NW $\frac{1}{4}$			
65.	Mattie M. Keyes	N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$	Hornet Creek	12 31 91	16.00
66.	Weiser Irrigation District		Main Weiser	5 1 92	150.00
66.	John Schwenkfelder	NW $\frac{1}{4}$	Little Weiser	5 1 92	145.00
		E $\frac{1}{2}$ NE $\frac{1}{4}$			
66.	Jacob Moritz	S $\frac{1}{2}$ NE $\frac{1}{4}$	Little Weiser	5 1 92	49.00
		NW $\frac{1}{4}$ SE $\frac{1}{4}$			
66.	Leslie Johnson	N $\frac{1}{2}$ NE $\frac{1}{4}$	Little Weiser	5 1 92	95.00
		S $\frac{1}{2}$ SE $\frac{1}{4}$			
66.	S. N. York		Little Weiser	5 1 92	25.00
66.	William Niemeyer	W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$	Pine Creek	5 1 92	7.00
		E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$			
		N $\frac{1}{2}$ NW $\frac{1}{4}$			
66.	Mary Marquis	NW $\frac{1}{4}$ SW $\frac{1}{4}$	Pine Creek	5 1 92	21.00
		SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$			
		SE $\frac{1}{4}$ SE $\frac{1}{4}$			
		NE $\frac{1}{4}$ NW $\frac{1}{4}$			
66.	Edward Byers		Rush Creek	5 1 92	7.50
66.	Hub B. Poyner	NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$	Rush Creek	5 1 92	16.00
66.	J. P. Ogilvie	S $\frac{1}{2}$ NW $\frac{1}{4}$	Goodrich Creek	5 1 92	10.00
		SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$			
67.	William Phipps		Cottonwood Creek	6 1 92	3.00
68.	C. E. McDonald	SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$	Main Weiser	7 2 92	56.00
		SW $\frac{1}{4}$ SW $\frac{1}{4}$			
69.	Weiser Irrigation District		Main Weiser	5 1 93	200.00
69.	Mary Marquis		Pine Creek	5 1 93	25.00
69.	F. M. Watris		Mill Creek	5 1 93	33.33
69.	George T. Ellis	SW $\frac{1}{4}$ NW $\frac{1}{4}$	Mill Creek	5 1 93	27.50
		10 Acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$			
69.	W. J. Wilson	N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$	Hornet Creek	5 1 93	47.00
		SE $\frac{1}{4}$ NE $\frac{1}{4}$			
70.	A. L. Freehafer & Margaret Pike	E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Part SW $\frac{1}{4}$ SW $\frac{1}{4}$	Fort Hall Creek	7 1 93	47.00
71.	Weiser Irrigation District		Main Weiser	5 1 94	150.00
71.	M. C. Wilkerson		Little Weiser	5 1 94	25.00
71.	Albert Moritz	S $\frac{1}{2}$ SE $\frac{1}{4}$	Little Weiser	5 1 94	35.00
		N $\frac{1}{2}$ NE $\frac{1}{4}$			
71.	Ben Woden	NE $\frac{1}{4}$ N $\frac{1}{2}$ NW $\frac{1}{4}$	Middle Fork	5 1 94	30.00
		N $\frac{1}{2}$ NE $\frac{1}{4}$			
71.	Council Valley Orchards		Mill Creek	5 1 94	29.00
71.	P. H. Schaff & Thos. L. Watt	N $\frac{1}{2}$ NW $\frac{1}{4}$	Mill Creek	5 1 94	37.50
		SE $\frac{1}{4}$ SE $\frac{1}{4}$			
		NE $\frac{1}{4}$ NE $\frac{1}{4}$			
71.	F. M. Watris		Mill Creek	5 1 94	20.75
71.	H. B. Poyner		Rush Creek	5 1 94	6.00
71.	W. H. Gibson	W $\frac{1}{2}$ NE $\frac{1}{4}$	Rush Creek	5 1 94	2.50
71.	Minta Duggar	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Rush Creek	5 1 94	1.50
72.	Walter Benson	SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	Little Weiser	6 1 94	6.00
73.	P. H. Miller	SE $\frac{1}{4}$ SW $\frac{1}{4}$	Hornet Creek	4 2 95	38.50
		E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$			
74.	P. H. Miller		Hornet Creek	4 30 95	25.00
75.	Weiser Irrigation District		Main Weiser	5 1 95	150.00
75.	Village of Cambridge		Rush Creek	5 1 95	2.135
75.	J. Edward Wicks	W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$	Rush Creek	5 1 95	19.00
		NE $\frac{1}{4}$ NE $\frac{1}{4}$			
75.	Chas. F. Hulet		Rush Creek	5 1 95	31.25
75.	A. H. Nunnallee	30 Acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$	Rush Creek	5 1 95	14.00
75.	A. L. Kingsbury	30 Acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$	Rush Creek	5 1 95	7.50
76.	Jesse Buzzard	S $\frac{1}{2}$ SE $\frac{1}{4}$	Fall Creek	6 1 95	26.00
		N $\frac{1}{2}$ NE $\frac{1}{4}$			
76.	Annie Carson	NE $\frac{1}{4}$	Little Weiser	6 1 95	35.00
76.	J. W. Frasier	N $\frac{1}{2}$ NE $\frac{1}{4}$	Little Weiser	6 1 95	31.00
76.	Willette L. Frasier	N $\frac{1}{2}$ NW $\frac{1}{4}$	Little Weiser	6 1 95	42.00
76.	Chris Behnen	NW $\frac{1}{4}$ NE $\frac{1}{4}$	Little Weiser	6 1 95	8.00
76.	S. T. Logan	NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$	Little Weiser	6 1 95	17.00
77.	Frank Peck	SE $\frac{1}{4}$ NW $\frac{1}{4}$	Hornet Creek	6 30 95	14.00

The lady at Clerk's office gave me this
but no land description. Frank Galey
owned my place, but I don't know anything about Schaff.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 67-4110

Owner: Darlin Williams Phone No. 253-4786 or call Rick (son) @ 253-4523

Current Address: 2409 Mill Cr. Rd.

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☐ No change Address
- ☒ NEW ADDRESS
- ☐ How long owned property? _____

Accompanied by: Darlin + Rick

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 1950

(If priority date, based on your exam, seems questionable, explain below.)

Source: ~~C. Fork Ditch~~ Mill Creek Tributary to Weigen R.

- ☒ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

POD fr. Mill Cr. Tag # A0014037 - previously tagged
~~POD fr. East Fork of Mill Cr. - AFA~~

OVERLAP REVIEWOther water rights with the same point of diversion: 67-348C, E, 356B, C, D, 357, 358, 367A

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

No**WATER USES**☒ No change☐ Different Uses

Use irr From 3/15 To 11/15 Amount .76 CFS AFA
 Use stock From 1/01 To 12/31 Amount .03 CFS AFA
 Use From To Amount CFS AFA

TOTAL VOLUME – Groundwater only☐ Incomplete on claim, the total is, Amount CFS AFA☐ Changes found, the new total is, Amount CFS AFA☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☐ No change☐ Changes Exam found: Domestic # of homes Stock # Types Additional comments: **PLACE OF USE:**☐ No Change☒ Changes shown below:



← BAD
photo 1

67-4110 Mill Cr. diversion A0014037.JPG
7/19/2006 2:34:32 AM



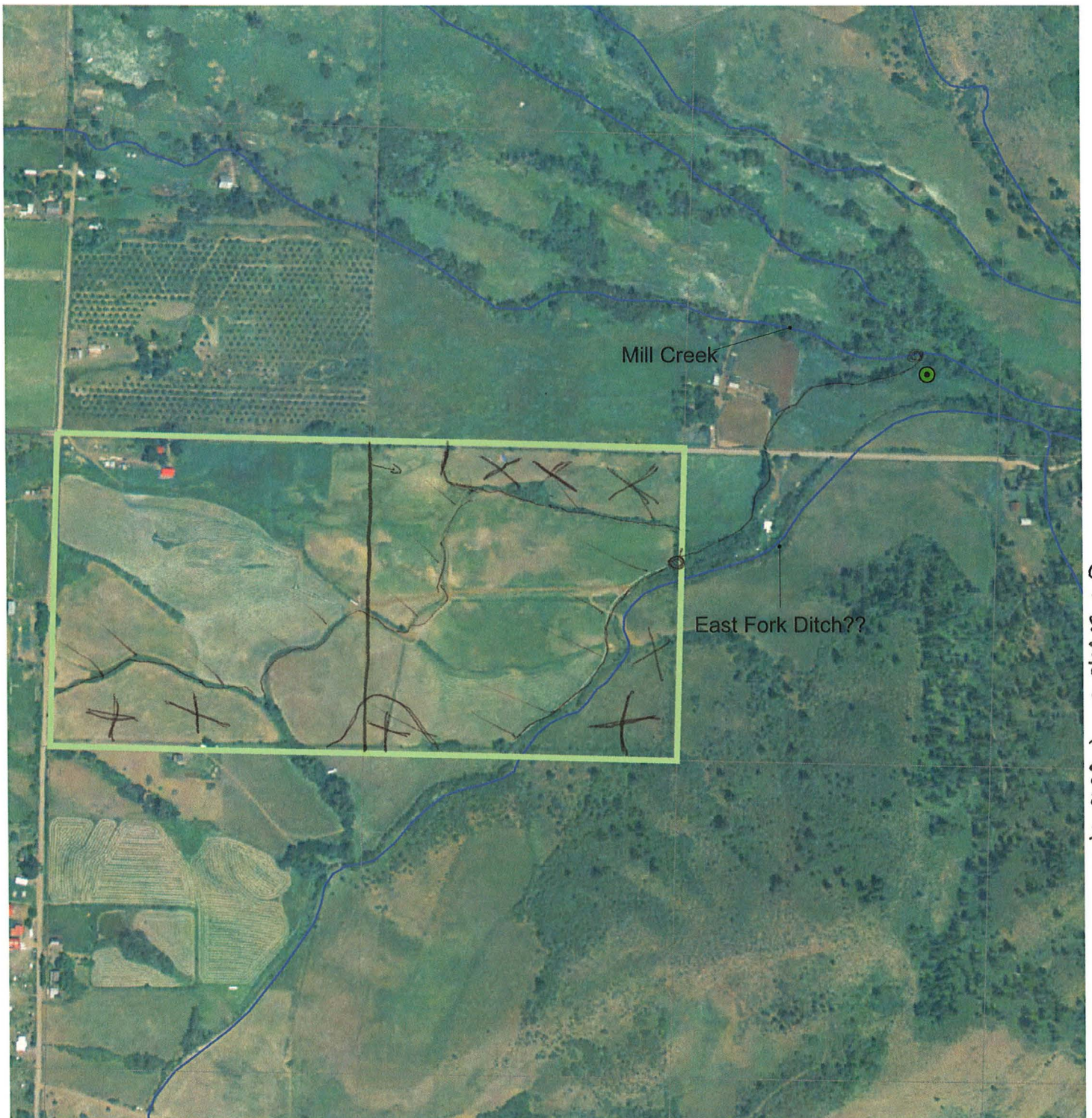
Mill Cr.
flow →

Diversion flow
→

67-4110 Mill Cr. diversion tag# A0014037.JPG
7/19/2006 6:08:34 AM

Idaho Department of Water Resources

2004 Imagery



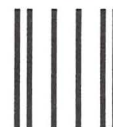
67-4110 Williams
verify pou and pod

67_4110_claim_pod.shp
67_4110_claim_pou.shp
GCDB17N01W GCDB
GCDB17N01E GCDB
GCDB16N01W GCDB
GCDB16N01E GCDB
B-67streams.shp





Darlin Williams
Box 111
Council, Idaho ID 83612



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL

FIRST-CLASS MAIL

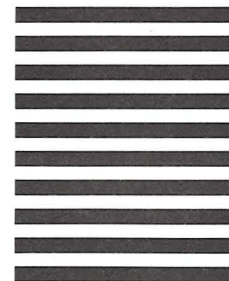
PERMIT NO. 1148

BOISE ID

POSTAGE WILL BE PAID BY ADDRESSEE

SRBA

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
PO BOX 83720
BOISE ID 83707-9815



Attn: Misty Mount 67-4110



Idaho Department of Water Resources

2004 Imagery



67-4110 Williams
verify pou

GCDB16N01E GCDB
B-67streams.shp





Idaho Department of Water Resources

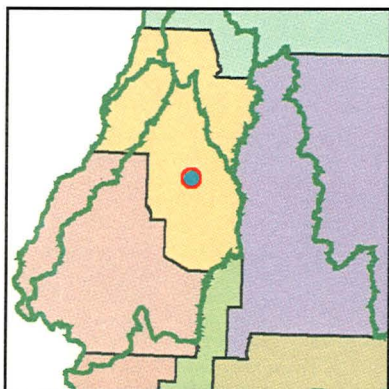
Adjudication Claim Number: **67-4110**

T17N R01W

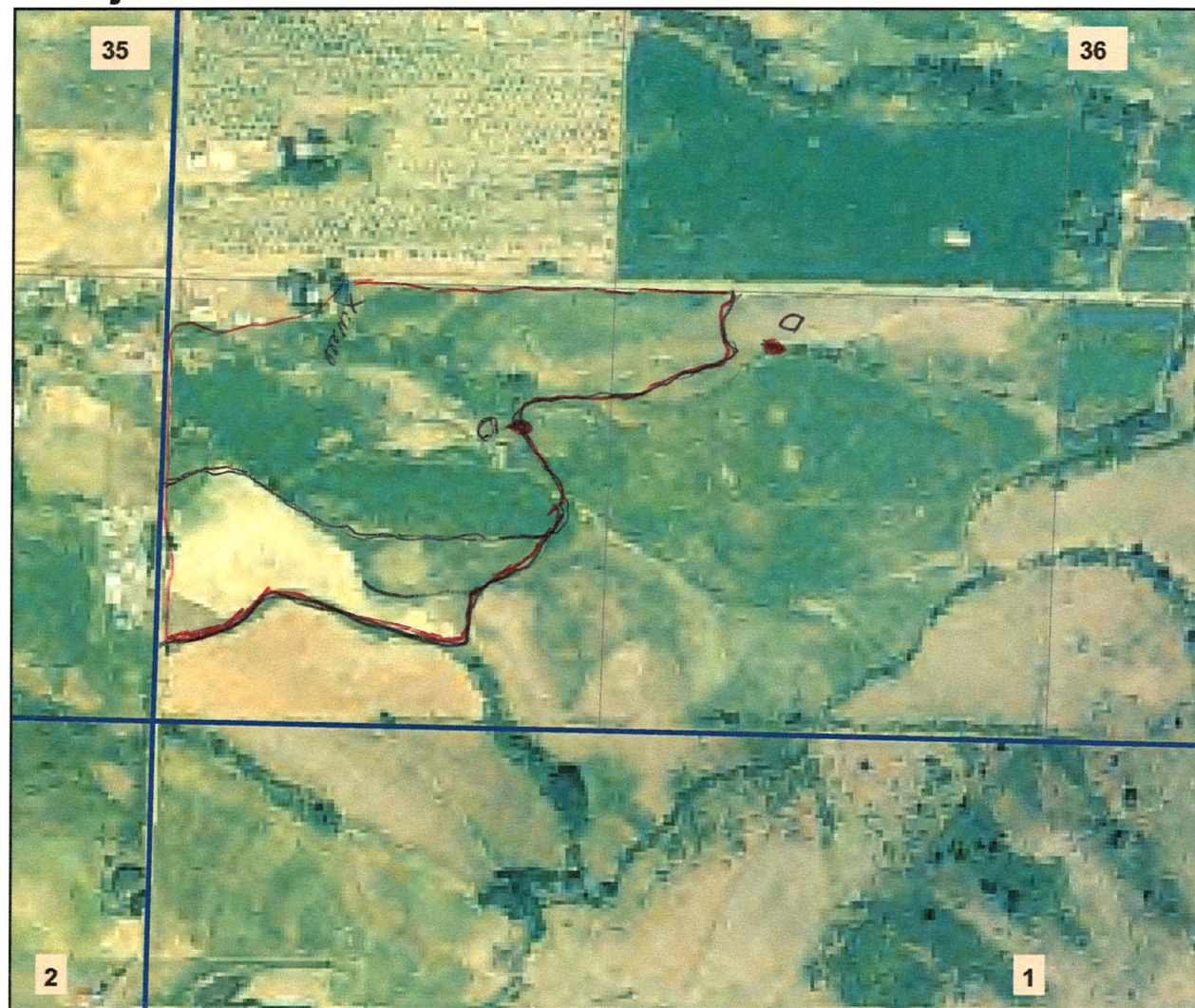
Legend

SEP 15 2005
SCANNED

PLS Sections
GCDBQuarter Quarters



Adams County
IDWR Basin 67



0 0.2 0.4 Miles

Prepared by M. Van Bussum
On Wednesday, August 31, 2005
1987 Aerial Photography

RECEIVED

AUG 09 2006

DEPARTMENT OF
WATER RESOURCES

Misty

I hope this is what you want.

the red line is Mill Creek
X is where we take water out of Mill Creek.
the yellow field is the one that was
irrigated years ago, and we are working
on getting water on it.

(777) - this is my ditch just below
Mill Creek.

Pink line is East Fork

Everything below Mill Creek is irrigated
with Mill Creek

If there is anything else just let
me know. He will get this yet.

Sincerely

Carl Williams

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 67-4110
Date Received: 8/14/2003
Receipt No: W030834
Received By: mga

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DARLIN J WILLIAMS
PO BOX 111
COUNCIL ID USA 83612

Phone: (208) 253-4786

or Rick 253-4523

2. Date of Priority: 06/01/1950

3. Source: MILL CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
17N	01W	36	SE	NW	SE	ADAMS	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/15	10/01	0.76	
STOCKWATER	1/01	12/31	0.03	

7. Total Quantity Appropriated is:
0.79 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED
MAY 10 2004

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	01W	36	SW	SW	IRRIGATION	30
			SE	SW	IRRIGATION	8
					Section Acres	38
					Total Acres	38

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:

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): *Melvin Gene Gibson* Date: 8-14-03

Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this
of 14th August 2003

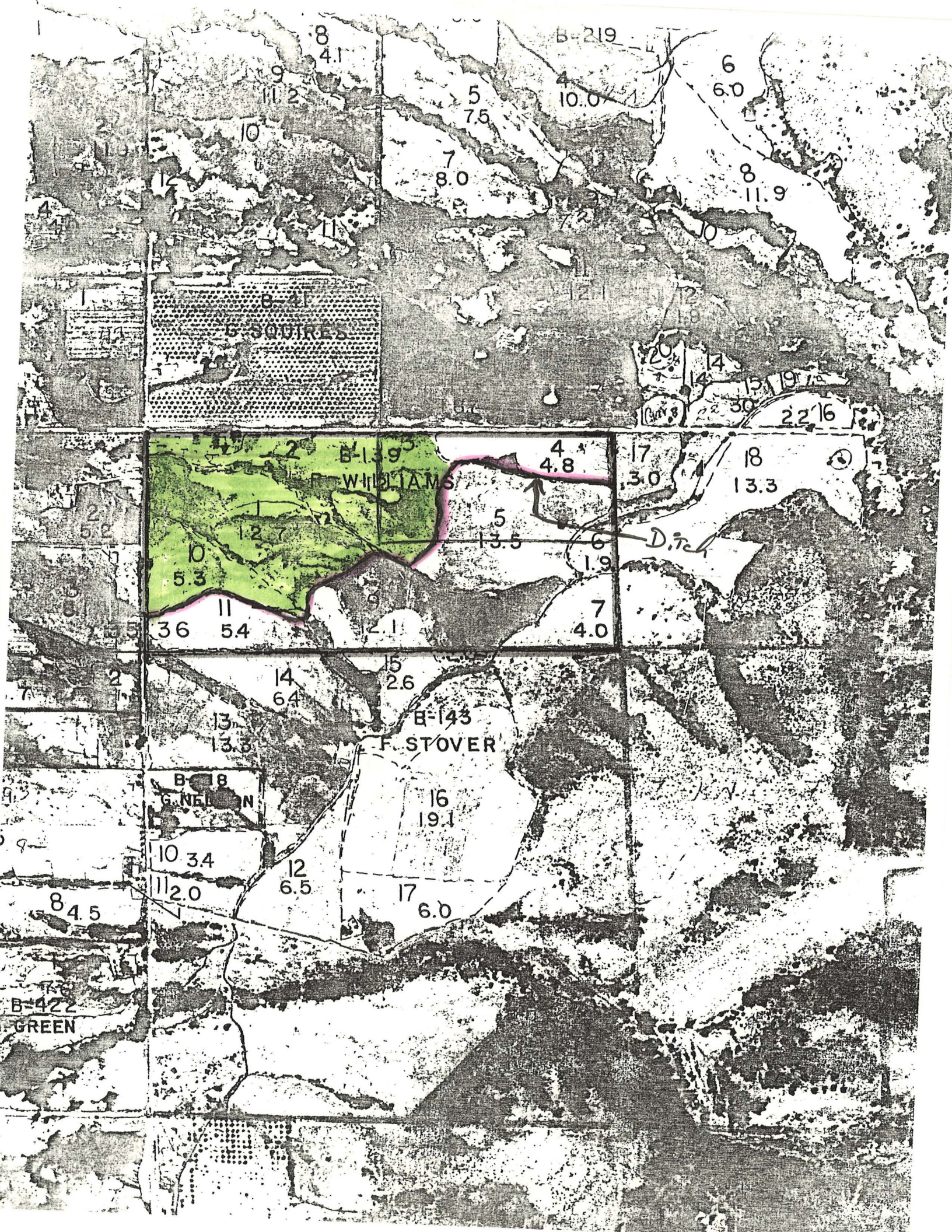
Melvin Gene Gibson

Notary Public

Residing at _____
Melvin Gene Gibson, Notary Public

My commission Expires _____
Residing at Boise, Idaho
My Commission Expires September 23, 2006





IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-4110

WATER RIGHT NUMBER: 67-4110

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DARLIN J WILLIAMS PO BOX 111 COUNCIL, ID 83612
Current Owner	RICHARD L WILLIAMS PO BOX 111 COUNCIL, ID 83612

Priority Date: 06/01/1950

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
MILL CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/15 to 10/01	0.760 CFS	
STOCKWATER	1/01 to 12/31	0.030 CFS	
	<u>Total Diversion:</u>	0.790 CFS	

Location of Point(s) of Diversion

MILL CREEK	NW1/4SE1/4	Sec. 36, Twp 17N, 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	
17N 01W 36											30.0	8.0					38.0

Total Acres: 38

STOCKWATER same as IRRIGATIONConditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-4110

Dates and Other Information:

Licensed Date:
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4110

WATER RIGHT NUMBER: 67-4110

RECEIVED
SEP 14 2005

Department of Water Resources

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RICHARD L WILLIAMS PO BOX 111 COUNCIL, ID 83612
Current Owner	DARLIN J WILLIAMS PO BOX 111 COUNCIL, ID 83612

Priority Date: 06/01/1950
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
MILL CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/15 to 10/01	0.760 CFS	
STOCKWATER	1/01 to 12/31	0.030 CFS	
	<u>Total Diversion:</u>	0.790 CFS	

Location of Point(s) of Diversion

MILL CREEK	SE1/4NW1/4SE1/4	Sec. 36, Twp 17N, Rge 01W, B.M.
ADAMS County		

Place of UseIRRIGATION Within ADAMS County

T17N R01W S36 SWSW 30.0 T17N R01W S36 SESW 8.0

Total Acres: 38

STOCKWATER same as IRRIGATIONConditions of Approval:Remarks:

SCANNED

SEP 15 2005