

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 67-4116
Date Received: 1/4/1990
Receipt No: W007395
Received By:

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

1. Name of Claimant(s)

FARMERS CANAL WATER USERS ASSN Phone: (208)253-6121
2325 HIGHWAY 95
COUNCIL ID USA 83612

2. Date of Priority: 06/01/1891

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	01W	10	NE NW SW	ADAMS	

5. Description of diverting works:

CEMENT HEADGATE W/GRAVITY FLOW VIA FARMERS CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	11.43	

7. Total Quantity Appropriated is:
11.43 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
16N	01W	3	NW NW	IRRIGATION	18
			SW NW	IRRIGATION	10

					Section Acres	28
16N	01W	4	SE	NE	IRRIGATION	34
			NE	NE	IRRIGATION	20
			SW	NE	IRRIGATION	2
					Section Acres	56
17N	01W	14	SW	SW	IRRIGATION	22.4
					Section Acres	22.4
17N	01W	15	SE	SE	IRRIGATION	15
					Section Acres	15
17N	01W	22	NE	NE	IRRIGATION	37
			SE	NE	IRRIGATION	38
					Section Acres	75
17N	01W	23	NW	NW	IRRIGATION	5
			SW	NW	IRRIGATION	2
					Section Acres	7
17N	01W	27	SW	NE	IRRIGATION	21
			SE	NE	IRRIGATION	21
			NE	SW	IRRIGATION	2.5
			SE	SW	IRRIGATION	14
			NE	SE	IRRIGATION	23
			NW	SE	IRRIGATION	30.5
			SW	SE	IRRIGATION	31
			SE	SE	IRRIGATION	20
					Section Acres	163
17N	01W	33	NE	SE	IRRIGATION	12
			SE	SE	IRRIGATION	11
					Section Acres	23
17N	01W	34	NE	NE	IRRIGATION	10
			NW	NE	IRRIGATION	17
			SW	NE	IRRIGATION	24
			SE	NE	IRRIGATION	4
			NE	NW	IRRIGATION	32
			NW	NW	IRRIGATION	1
			SW	NW	IRRIGATION	26
			SE	NW	IRRIGATION	20
			NW	SW	IRRIGATION	31
			SW	SW	IRRIGATION	17
					Section Acres	182
					Total Acres	571.4

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS FOR FLOOD WATER IN ADDITION TO ADJUDICATED WATER DELIVERED THROUGH THE FARMERS CANAL. THIS CLAIM COVERS THE 1891 PRIORITY DATE FROM THE ORIG. STATUTORY CLAIM FILED. AN ADDITIONAL DATE OF 1910 IS BEING FILED ON CLAIM NO. A67-11417 AS EXPLAINED IN THE REMARKS OF THAT CLAIM.

15. Basis of Claim: Statutory Claim

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: A67-04116
Date Received: 1/02/1990 1-4-1990
Receipt No: 1007395
Received By: *[Signature]* P.E. *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FARMERS CANAL WATER USERS ASSN. 208-253-6052
Address: HC 62, BOX 1450
COUNCIL, ID 83612
2. Date of Priority: JUN 01, 1891
3. Source: WEISER RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	01W	10	NE	NW	SW		ADAMS
5. Description of diverting works:
CEMENT HEADGATE W/GRAVITY FLOW VIA FARMERS CANAL.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	11.430		
7. Total Quantity Appropriated is:
11.430 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 1714.2 Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION USES.
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	3	NW	NW		IRR	18.0
			SW	NW		IRR	10.0

Section Acres 28.0

A67-04116

Page 1

Date: 01/02/90

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16N	01W	4	NE		NE		IRR	20.0
			SW		NE		IRR	2.0
			SE		NE		IRR	34.0
			Section Acres					56.0
17N	01W	14	SW		SW		IRR	22.4
			Section Acres					22.4
		15	SE		SE		IRR	15.0
			Section Acres					15.0
		22	NE		NE		IRR	37.0
			SE		NE		IRR	38.0
			Section Acres					75.0
		23	NW		NW		IRR	5.0
			SW		NW		IRR	2.0
			Section Acres					7.0
		27	SW		NE		IRR	21.0
			SE		NE		IRR	21.0
			NE		SW		IRR	2.5
			SE		SW		IRR	14.0
			NE		SE		IRR	23.0
			NW		SE		IRR	30.5
			SW		SE		IRR	31.0
			SE		SE		IRR	20.0
			Section Acres					163.0
		33	NE		SE		IRR	12.0
			SE		SE		IRR	11.0
			Section Acres					23.0
		34	NE		NE		IRR	10.0
			NW		NE		IRR	17.0
			SW		NE		IRR	24.0
			SE		NE		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
17N	01W	34	NE		NW		IRR	32.0
			NW		NW		IRR	1.0
			SW		NW		IRR	26.0
			SE		NW		IRR	20.0
			NW		SW		IRR	31.0
			SW		SW		IRR	17.0

Section Acres 182.0

Total Acres 571.4

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. A67-11417-ADD.FLD.WTR., ALSO VARIOUS DECREED RTS.

14. Remarks:

THIS CLAIM IS FOR FLOOD WATER IN ADDITION TO ADJUDICATED WATER DELIVERED THROUGH THE FARMERS CANAL. THIS CLAIM COVERS THE 1891 PRIORITY DATE FROM THE ORIG. STATUTORY CLAIM FILED. AN ADDITIONAL DATE OF 1910 IS BEING FILED ON CLAIM NO. A67-11417 AS EXPLAINED IN THE REMARKS OF THAT CLAIM.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: 7

For Organizations:

I do solemnly swear or affirm that I am Sec. Tres. of
Title
Farmers Cncl, that I have signed the foregoing
Organization
document in the space below as Sec - Tres of
Title
Farmers Cncl and that the statements contained in the
Organization
foregoing document are true and correct.

R. Todd Nelson
Signature of Authorized Agent
Sec-Tres of Farmers Cncl
Title and Organization
1-02-90
Date

State of Idaho)
County of ADA) SS.

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

of January 19 90

Seal

Jan Shurtz
Notary Public

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

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: A67-11304
Date Received: 12/13/1989
Receipt No: C013473
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOUGLAS M. SCISM
Address: P.O. BOX 99
FRUITVALE, ID 83620
208-253-6023

2. Date of Priority: MAY 01, 1882

3. Source: FORT HALL CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01W	10	NE	NW	SW	R	ADAMS
		23	NW	NW	SW		ADAMS

5. Description of diverting works:
FARMERS CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		

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

8. Total consumptive use is 477.3 Acre Feet Per Annum.

9. Non-irrigation uses:
250 HEAD CATTLE AND 10 HEAD HORSES WATER FORM DITCHES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
17N	01W	14	SW	SW		IRR	22.4

Section Acres 22.4

A67-11304

Page 1

Date: 01/02/90

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	15	SE	SE		IRR	~~33.3~~ 15
							Section Acres ~~33.3~~ 37.4
		22	NE	NE		IRR	37.0
			SE	NE		IRR	38.0
							Section Acres 75.0
		23	NW	NW		IRR	~~21.4~~ 5
			SW	NW		IRR	~~7.0~~ 2
							Section Acres ~~28.4~~ 7
							Total Acres ~~159.1~~ 119.4

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:

67-00373, A67-00375, LOST VALLEY RES.

14. Remarks:

THIS CLAIM IS BASED ON A COMBINATION OF WATER RIGHTS 67-00372 AND 67-00374. 67-00372 = 0.08 CFS AND 67-00374 = 0.12 CFS

THIS WATER RIGHT IS DECREED FROM FORT HALL CREEK, HOWEVER IT IS DELIVERED THROUGH THE FARMERS CANAL. FORT HALL CREEK WATER IS EXCHANGED FOR WEISER RIVER WATER.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LISTING OF WATER RIGHTS

PAGE 1
01/26/88

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
67-0039	WINKLER, MARK	06-01-1891	IRRIGATION	- -	1.20 CFS	DEGREE
SOURCE: WEISER RIVER TRIBUTARY: SNAKE RIVER REMARKS: THIS WATER CARRIED IN THE FARMERS CANAL.						
PLACE OF USE: IRRIGATION T17N R01W S27 SNE NESW MSE						
67-0040	WINKLER, CARLIE	06-01-1891	IRRIGATION	- -	.38 CFS	DEGREE
SOURCE: WEISER RIVER TRIBUTARY: SNAKE RIVER REMARKS: THIS WATER CARRIED IN THE FARMERS CANAL.						
PLACE OF USE: IRRIGATION T17N R01W S27 NESE						
67-0041	HINKLE, E.	06-01-1891	IRRIGATION	- -	1.00 CFS	DEGREE
SOURCE: WEISER RIVER TRIBUTARY: SNAKE RIVER REMARKS: THIS WATER CARRIED IN THE FARMERS CANAL.						
PLACE OF USE: IRRIGATION T16N R01W S04 LT01(NENE) T17N R01W S33 SENE SENE S34 SNW SNW MSW SMSW						
67-0042	HINKLE, E.	01-01-1900	IRRIGATION	- -	.64 CFS	DEGREE
SOURCE: WEISER RIVER TRIBUTARY: SNAKE RIVER REMARKS: THIS WATER CARRIED IN THE FARMERS CANAL.						
PLACE OF USE: IRRIGATION T16N R01W S04 LT01(NENE) T17N R01W S33 SENE SENE S34 SNW SNW MSW SMSW						

H. WERSON

WERNERSON

001 0 5 1885
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LISTING OF WATER RIGHTS

WATER RIGHTS AS THE CANAL CO.
WATER RIGHTS AS THE CANAL CO.
SEES 7TH ENA (WATERMASTER REPORT SHOWS 67-0055 FOR ROBERTSON/SEAWAY DITCH

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
Nelson - 67-0043	MODY, S. A. HINKLE, E.	06-01-1891	IRRIGATION	- -	.38 CFS	DEGREE
SOURCE: WEISER RIVER						
TRIBUTARY: SNAKE RIVER						
REMARKS: THIS WATER CARRIED IN THE FARMERS CANAL.						
PLACE OF USE: IRRIGATION						
T17N R01W S34 SENE						
Nelson - 67-0044	GOULD, GEORGE	06-01-1891	IRRIGATION	- -	1.64 CFS	DEGREE
SOURCE: WEISER RIVER						
TRIBUTARY: SNAKE RIVER						
REMARKS: THIS WATER CARRIED IN THE FARMERS CANAL.						
PLACE OF USE: IRRIGATION						
T17N R01W S27 SENE						
S34 NENE						
Humway - 67-0045	GOULD, GEORGE	06-01-1905	IRRIGATION	- -	.14 CFS	DEGREE
SOURCE: WEISER RIVER						
TRIBUTARY: SNAKE RIVER						
REMARKS: THIS WATER CARRIED IN THE FARMERS CANAL.						
PLACE OF USE: IRRIGATION						
T17N R01W S27 SENE						
S34 NENE						
Scism - 67-0055	GLENN, WILLIAM	06-01-1884	IRRIGATION	- -	.90 CFS	DEGREE
SOURCE: WEISER RIVER						
TRIBUTARY: SNAKE RIVER						
REMARKS: THIS WATER CARRIED IN THE GLEN MC MAHAN DITCH.						
PLACE OF USE: IRRIGATION						
T17N R01W S14 SENE						
S15 NENE						
S22 SENE						

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NOTE: CLAIM FILED UNDER ROBERTSON - SEAWAY RATHER THAN FARMERS CANAL.

Doug Scism 6023
 Rock Anderson 6015
 Mike Chadwell - 6874

T 17N, R01W Sec. 27

SW NE — 21 Acres

SE NE 21 —

NE SW 2 —

NE SE 23 —

NW SE 30 —

97 Acres

A67-00039

Carter Fritzelley - has all of it (info 4/4#)
 for Doug Scism

1. file Bacon Gulch pond
2. file Flood water upper Erie County & upper 2x4
3. Ask: is it to our advantage for Hendersons' to be granted
 irrig water instead of stock water by Airport?
4. file - Farmers Canal Flood water - 3 parts (1st)
5. Canal #1 17N 1W sec 34 NE 4
 NE 4 - 1076

"B"

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Nelson/Gould Lost Valley Water - flood water same

17 NW SEC 27 NE SW .5 for Farmers

SE SW 14 Canal

NW SE .5

SW SE 31

SE SE 20

Sec 34

NE NE 10

NW NE 17

SW NE 24

SE NE 4

NE NW 32

NW NW 1

153

154

"C"

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OCT 02 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

January 2, 2007

FARMERS CANAL WATER USERS ASSN
ATTN: DIANNA ANDERSON
2325 HIGHWAY 95
COUNCIL ID 83612

RE: Notice of Error Reply for Snake River Basin Adjudication (SRBA) recommendation 67-4116

Dear Ms. Anderson,

The Idaho Department of Water Resources received your Notice of Error (NOE) reply on December 13, 2006.

In your reply you requested that the users of the Farmers Canal would like to have a meeting in Council the last week of March 2007 regarding concerns of the map sent with the NOE reply as well as to discuss the notice of NOE reply that was sent back.

At this time the preliminary recommendations have been submitted to the SRBA court. In order to make any changes to the recommendations, an objection will need to be filed with the court. Within the month, Farmers Canal Water Users Assn will be mailed another copy of the recommendations for their water rights. This copy will reflect what was sent to the court. As I do not believe any changes were made to the recommendations for the Farmers Canal Water Users Assn's rights, the recommendations should look the same as was sent to you during the Notice of Error period. However, in this mailing you will be instructed as how to object to your recommendations.

If you disagree with the recommendations, you will need to file an objection. It is at that time when I think it would be an opportune time to set up a meeting at which time we could discuss the concerns of the Farmers Canal Water users.

Please talk it over with the other users and if you still feel an appointment is necessary for the last week of March 2007, please contact me to set up an appointment.

As always, I will be happy to answer any specific questions I can over the phone or in writing any time I can.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Users of the farmers canal
would like to have a meeting
here in Council the last week
of March 07 if possible.

Regarding concerns of the
map sent with notice of
error reply. and also
discuss notice of error reply
that was sent back.

Thank you
Dianna Anderson
12/10/06

11/14/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 13 2006

DEPARTMENT OF
WATER RESOURCES

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: 67-4116

FARMERS CANAL WATER USERS ASSN

2325 HIGHWAY 95

COUNCIL ID 83612

Telephone Number: (208)253-6121

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

See accompanying IDWR paper dated May 5, 1975 for basis of disagreement.

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

New descriptions ought to conform to original ones from 1975 documents.

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

These new descriptions and acreage totals do not match those of 1975.

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

DATE: 12-10-06

SIGNATURE:

Dianna Anderson

Please print your name:

Dianna Anderson

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

SCANNED
DEC 13 2006



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

May 5, 1975

RECEIVED

DEC 13 2006

DEPARTMENT OF
WATER RESOURCES

Farmers Canal Water Users Assn.
Council, ID
83612

Re: Claim to a Water Right No. 67-4116

Gentlemen:

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of further assistance, please feel free to call upon us.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:

SCANNED

DEC 13 2006

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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

Notice is hereby given that Farmers Canal Water Users Assn
(name of claimant)
of Council, ID
(mailing address), claims a right to the diversion and beneficial use of
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Weiser River
_____, tributary to, Snake River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|--------------------|----------------------------|--|
| Amount <u>11.2</u> | Use <u>Irrigation</u> | Period of Use: From <u>May 1</u> To <u>Oct. 31</u> |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| (cfs, gpm or a/f) | (dom., irri., stock, etc.) | (both dates inclusive) |
- (3) Total quantity of water claimed: 11.2 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute. 8.5 cfs 1.2 cfs 1.5 cfs
- (4) Priority claimed: (the date water was first applied to beneficial use) 6-1-1891 1-1-1900 5-1-1906

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

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 3 Twp. 17 N Rge. 1 W B. M. County of Adams
Additional points of diversion: _____
- B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Gravity diversion into open ditch

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	1W	4	X																
17N	1W	23										X	X						
"	"	26						X											
"	"	27			X	X					X			X	X	X	X	X	
"	"	33				X			X	X				X				X	
"	"	34	X	X	X	X	X		X	X		X	X						

Total No. of acres 720

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

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

(8) Remarks

T. 17 N

23

X

X

X

X X

27

26

X X X

X X X

X

X X X

X

33

X X X X X X

34

X X

X X

X

T. 16 N

4

R. 1 W B.M.

Scale: 2 inches equal 1 mile.

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

State of Idaho)

) ss.

County of ADAMS)

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

Sworn to before me this 4TH day of April

Red Henderson Pres.
(Claimant)

1975

Notary Public

Residing at Council Bluffs

My commission expires 6-22-76

For Department Use Only

Received by et Date 4-27-75 Exception filed by: Forwarded to Date
Prelim. check by SWH Date 4-7-75 claimant by:
\$10.00 fee received by ca Date 4-7-75 #478
Approved for publication by _____
Published in Adams County Times _____
Dates April 17 & 24 _____

Adjudication Recommendation Report 67-4116 V1

WATER RIGHT NUMBER: 67-4116 V1

Priority Date: 05/10/1918
Basis: Beneficial Use
Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	3.770 CFS	
	Total Diversion:	3.770 CFS	

Location of Point(s) of Diversion

WEISER RIVER NW1/4SW1/4 Sec. 10, Twp 17N, Rge 01W, B.M.
ADAMS County

Place of Use

IRRIGATION

Twp	Rge	Sec	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</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>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
16N	01W	3						X L 4	X										
16N	01W	4	X L 1		X	X													
17N	01W	14											X						
17N	01W	15																X	
17N	01W	22	X			X									X			X	
17N	01W	23						X	X			X	X						
17N	01W	26					X	X											
17N	01W	27	X		X	X					X			X	X	X	X	X	

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17N 01W 33															X			X	
17N 01W 34		X	X	X	X	X	X	X	X	X	X	X	X						

Total Acres: 503

Conditions of Approval:

1. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
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. K06 This right is limited to the irrigation of 503 acres within the place of use described above in a single irrigation season.

Remarks:Comments:

1. dfavreau 11/9/2006 Priority Date
Comment: Priority Date 1 day after Muir v. Allison because applied to ground covered by decreed rights.
2. dfavreau 11/9/2006 POU
Comment: The following decreed rights are conveyed through the Farmers Canal: 67-41, 67-42, 67-45, 67-373B, 67-375A,B,C, 67-11304A,B,C, 67-11419, 67-14091.
3. dfavreau 11/9/2006 POU
Comment: 67-376 is not conveyed through the Farmers Canal.
4. dfavreau 11/9/2006 POU
Comment: 67-11330 is not part of Farmers Canal POU although it is conveyed through the Farmers Canal.
5. dfavreau 11/9/2006 POU
Comment: 67-2117 is a license that is conveyed through the Farmers Canal. Not part of flood water.

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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>
Priority Date	11/9/2006 5:53:16 PM	dfavreau			Active
POD	11/9/2006 6:04:41 PM	dfavreau			Active
Source	11/9/2006 6:07:24 PM	dfavreau			Active
POU	11/9/2006 6:08:35 PM	dfavreau			Active
Use	11/9/2006 6:10:26 PM	dfavreau			Active
Season	11/9/2006 6:10:51 PM	dfavreau			Active
Quantity	11/9/2006 6:14:58 PM	dfavreau			Active
Summary			11/09/2006	dfavreau	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
General	11/9/2006 5:53:17 PM	dfavreau	(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 - Priority Date 1 day after Muir v. Allison because applied to ground covered by decreed rights.

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POU	11/9/2006 6:07:47 PM	dfavreau	Updated shape for Active POU
POU	11/9/2006 6:08:00 PM	dfavreau	Updated PLS for Active POU
POD	11/9/2006 6:04:42 PM	dfavreau	(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	11/9/2006 6:06:14 PM	dfavreau	Updated shape
POU	11/9/2006 6:08:36 PM	dfavreau	(No) 1. Is the basis of this claim a Decree or License? (No) 2b. Is the POU required? (Yes) 14. Is a POU remark and/or condition required?
Use	11/9/2006 6:10:27 PM	dfavreau	(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 - flood water for decreed rights.
Season	11/9/2006 6:10:52 PM	dfavreau	(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? (No) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	11/9/2006 6:06:24 PM	dfavreau	Updated PLS

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Source	11/9/2006 6:07:24 PM	dfavreau	(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 - flood water from decreed rights
Quantity	11/9/2006 6:14:58 PM	dfavreau	(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 - flood water. 503 acres at 3/8 inch per acre equals 3.77 cfs
Summary	11/9/2006 6:15:49 PM	dfavreau	(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:

Div Rate Calculation (C. Sutton)

503 ac div @ $5/8$ " / ac

$$= 503 \times 0.02 \times 0.625$$

$$= 6.29 \text{ cfs on } 503 \text{ ac}$$

@ $5/8$ "

SO Flood =

$$(503 \times 0.02) - 6.29 = 3.77 \text{ cfs}$$

↓
@ $3/8$ " per
acre

Van Bussum, Monica

From: Van Bussum, Monica
Sent: Tuesday, August 29, 2006 1:07 PM
To: Favreau, Danielle
Cc: Saxton, Craig
Subject: RSDC notes



67-14091.jpg



67-14091_POU.jpg



57-14091 Anderson (1-19-06).do...



67-11421 Nelson (8-16-05).doc

Hi Danielle,

This note is to give you the latest with those wacky claims we talked about this morning.

67-78 was sent 2nd round service. The owners are Greg and Cynthia Hulin at PO Box 647 in Council. The letter was sent by mistake to PO Box 547, but the postmaster caught the mistake and delivered it to PO Box 647. Cynthia Hulin's signature is on it. I put a copy of this on your desk. I think we can safely say we no longer have to worry about 67-78. It's lost in time, so to speak.

We were interested in 67-11419 (Nelson/Gould/White) and 67-14091 (Anderson). I did speak to Todd Nelson last year. I've included a copy of the memorandum. Unfortunately, that was about a claim other than the two we're interested in, but I do know he works for the school in Council and can be reached there. The home phone number in the file is a correct one. I wrote a recommendation for 67-14091 (Anderson) earlier this year. I have included the documentation for that. 67-11419 was recommended on 25 July 2006 by Craig.

67-14091 and 67-11419 were based on decreed rights 67-39, 40, 43 and 44. The comments in those decreed claims reflect that they have been combined and renumbered.

We also looked at the splits of 67-4114 (67-4114B is RSDC). 67-4114A and 67-4114C have been disallowed with P06/P16 that they would be recommended under 67-4114B (RSDC). 67-4114D has been renumbered to 67-58D. That was one of the ones where I had the individual amend the claim. 67-4114D should be set to See Remarks and 67-58D should be the active claim for that. The name is Helen F Litchfield Glidden. Recommendation is complete for 67-58D. I think that clears your way there.

This is everything on my list. Let me know if you need anything else.

Monica

Monica Van Bussum



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 22, 2005

Mr. Todd Nelson
Farmers Canal Water Users Assn
2301 Hwy 95
Council, ID 83612

RE: Adjudication Claim Nos. 67-4116 & 67-11417

Dear Mr. Nelson:

I have been reviewing the claims filed in the name of Farmers Canal Water Users Assn and several questions have arisen on the claims. Your name is the signature name on the claim as the authorized agent and Sec-Tres of the water users association. It appears that we need to meet with representatives of the company in order to make proper recommendations of these claims, 67-4116 and 67-11417.

Please contact me at your earliest convenience to initiate a meeting in this regard. My email is david.tuthill@idaho.gov and I can be reached by phone at 287-4800.

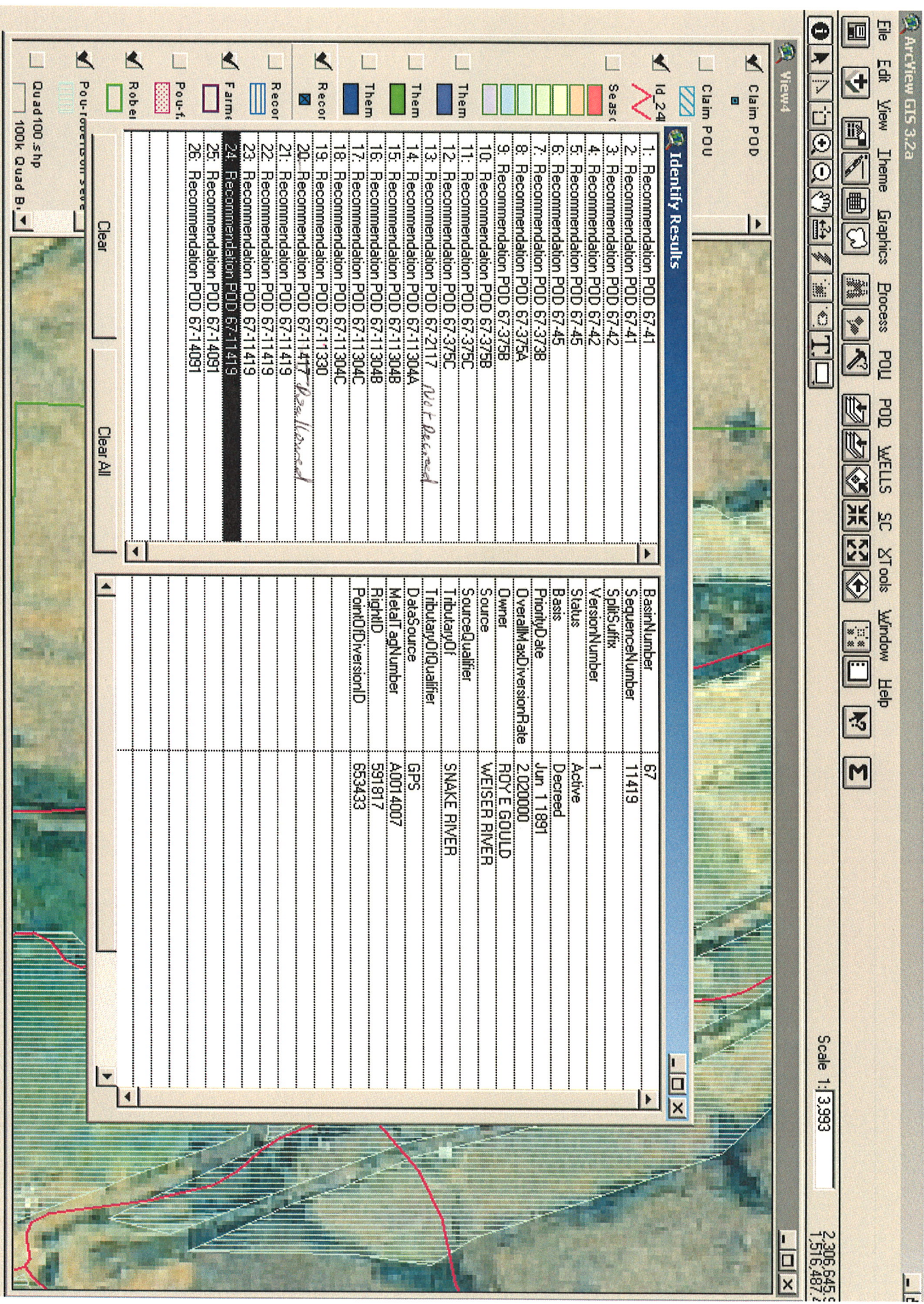
Sincerely,

DAVID R. TUTHILL, JR. P.E.
Administrator
Water Administration Division

DRT:alw
cc: Dianna Anderson

Legend

67-11304 - combination of 67-312 & 67-374
 67-14091 - combination of 67-39 & 67-40
 67-11419 - combination of 67-43 & 67-44
 67-11330 = not part of Flood Hazard POU



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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

Notice is hereby given that Farmers Canal Water Users Assn
(name of claimant)
of Council, ID, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Weiser River
_____, tributary to, Snake River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | |
|--------|----------------------|-----|-------------------------------|---------------------|--------------|----|------------------------|
| Amount | <u>11.2</u> | Use | <u>Irrigation</u> | Period of Use: From | <u>May 1</u> | To | <u>Oct. 31</u> |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
| | (cfs, gpm
or a/f) | | (dom., irri.,
stock, etc.) | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: 11.2 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute. 8.5 cfs 1.2 cfs 1.5 cfs
- (4) Priority claimed: (the date water was first applied to beneficial use) 6-1-1891 1-1-1900 5-1-1906

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

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3 Twp. 17 N Rge. 1 W B. M. County of Adams
 Additional points of diversion:

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

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

[illegible]

Total No. of acres 720

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

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

Received by ef Date 4-07-75 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by NEW H Date 4-7-75 claimant by: _____
\$10.00 fee received by Be Date 4-7-75 #478
Approved for publication by _____
Published in Adams County Leader _____
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