

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAH
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: A67-04133A
Date Received: 10/ 6/1989
Receipt No: M004853
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: GARRY W POFF
Address: 2319 ORCHARD RD
COUNCIL ID

208-253-4481

83612

AND/OR

Name: SHIRLEY A POFF
Address: 2319 ORCHARD RD
COUNCIL ID

208-253-4481

83612

2. Date of Priority: MAR 1, 1970

3. Source: WEISER RIVER, EAST FORK Trib. to: WEISER RIVER
UNNAMED STREAM WEISER RIVER, EAST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	01W	2	NW	SW			ADAMS

5. Description of diverting works:
DAM - DITCH - PIPED TO FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.090		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:

**SCANNED
APR 08 2004**

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	01W	2	NW SW		IRR	3.0
Section Acres						3.0
Total Acres						3.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A6710657, A67-10658

14. Remarks:
THIS CLAIM IS A SPLIT OF 67-04133 FOR 3 ACRES.
OWNERSHIP CHANGED BY DB 10/19/99.

15. Basis of Claim: BENEFICIAL USE

RECEIVED

APR 21 1999

WATER RESOURCE
WESTERN REGION

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

APR 19 1999

Please print or type. Attach pages with additional information. Instructions are on the back of this page. Department of Water Resources

Incomplete forms will be returned.

Waste Water/Well for House & Garden1. Water Right or Adjudication Claim No(s): #674133A # 67-10657 & # 67-106582. The following **REQUIRED** information must be submitted with this form:A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Viola E. Williams
P.O. Box 912 Riggins, Id. 83549

4. New Owner/Claimant(s) Garry W. Poff and/or Shirley A. Poff
 New Mailing Address 2319 Orchard Rd.
 City, State and ZIP Code Council, Id. 83612
 New Telephone Number (208) 253-4481

5. Date you acquired the property March 27, 1992

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Garry W. Poff
Shirley A. Poff

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

WARRANTY DEED

For Value Received VIOLA F. WILLIAMS, a married woman, as her sole and separate property

the grantor does hereby grant, bargain, sell and convey unto

LESLEY WAYNE POPE and MABLE M. POPE
husband and wife

the grantee whose current address is 2050 Park Avenue, McKinleyville, CA 95521

the following described premises, to Adams County, Idaho, to wit:

See Exhibit A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee that she is the owner in fee simple of said premises; that they are free from all incumbrances

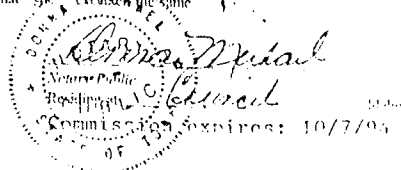
and that she will warrant and defend the same from all lawful claims whatsoever

Dated: March 27, 1992

Viola E. Williams
Viola F. Williams

STATE OF IDAHO
COUNTY OF Adams
On this 27th day of March, in the year 1992, before me, a Notary Public, personally appeared

VIOLA F. WILLIAMS
Known or identified to me to be the person whose name is subscribed in the within instrument, and acknowledged to me that she executed the same



STATE OF IDAHO, COUNTY OF ADAMS

I hereby certify that this instrument was filed for record at the

at 11 o'clock AM on this 27 day of March, 1992, in my office, and duly recorded in Book --- of Deeds at page ---

Sandra J. Wilson
Deputy

Notary Public
My Comm. Expires

INSTRUMENT NO.

81730

INSTRUMENT NO. 81730

INSTRUMENT NO. 91247

INSTRUMENT NO. 91247

her sole and

CA 95521

EXHIBIT A

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho.

Section 2: A tract or parcel of land in the NW1/4SW1/4 described as follows:

Commencing at a point parallel to the County Road right-of-way and 320 feet West of the Northwest corner of Lot 1 of the First Addition to Council Valley Orchards, as said Addition is designated on the official plat on file in the office of the County Recorder of Adams County, Idaho;

thence South, at right angles, 480 feet;

thence West, at right angles, 320 feet;

thence North, at right angles, 480 feet;

thence East 320 feet to the point and place of beginning.

EXEMPTING a tract or parcel of land in the NW1/4SW1/4 of Section 2 in Township 16 North, Range 1 West, Boise Meridian, more particularly described as follows:

Commencing at the NW corner of Lot 1 of the First Addition to Council Valley Orchards as said Addition is designated on the official plat on file in the office of the County Recorder of Adams County, Idaho, which corner is on the south boundary of a County right-of-way known as Orchard Road,

thence 343 feet Westerly on and along such South boundary of such County right-of-way, to the true point and place of beginning;

thence South, at right angles to the South boundary of such right-of-way, 230 feet to a point;

thence West, at right angles, 297 feet to a point;

thence North, at right angles, 230 feet to a point;

thence Easterly on and along such right-of-way, 297 feet more or less, to the point and place of beginning

their
ce that she is the

unable to run
m + b w/ out
sub. plat map.

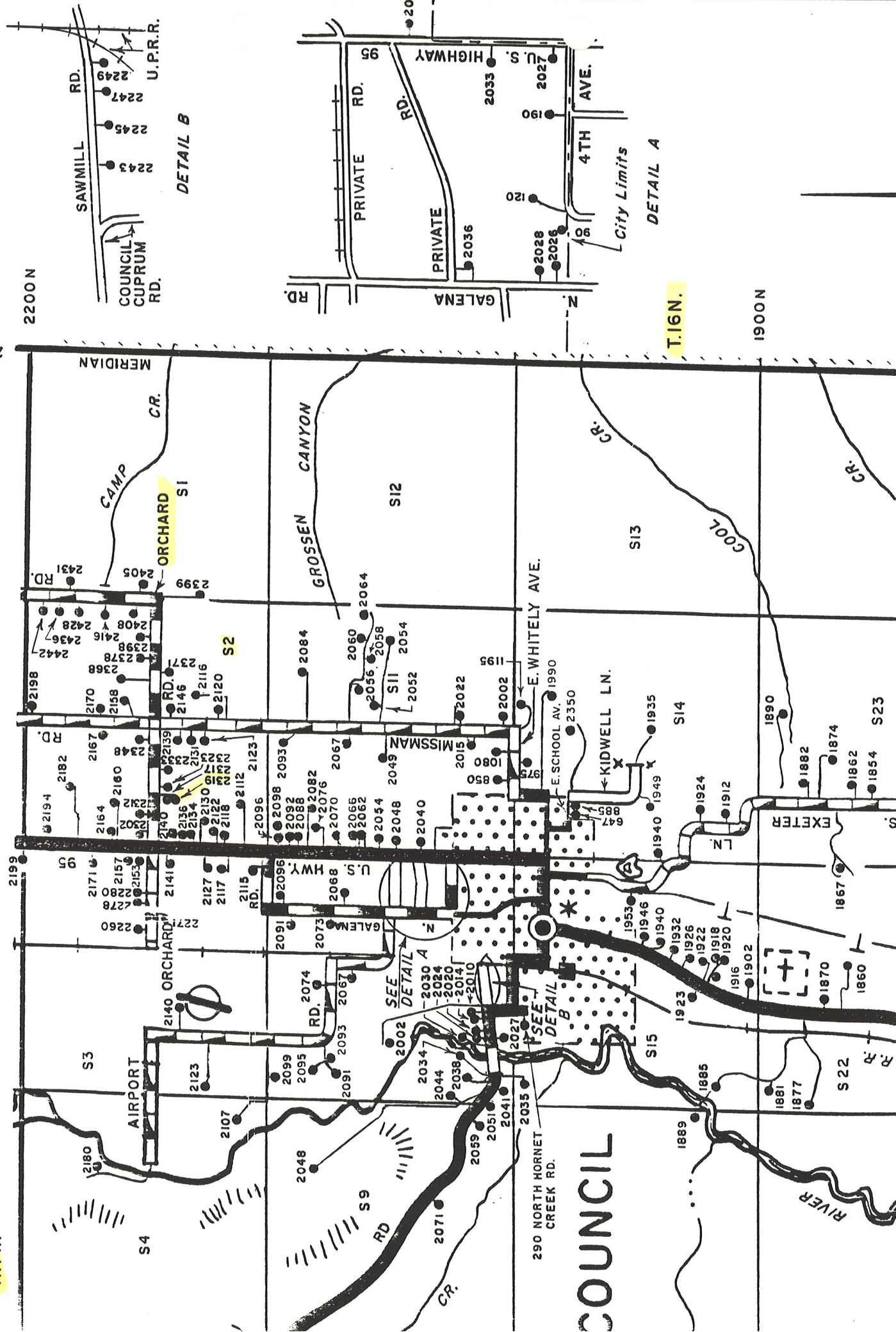
R.I.W.

2500 E

2200 E

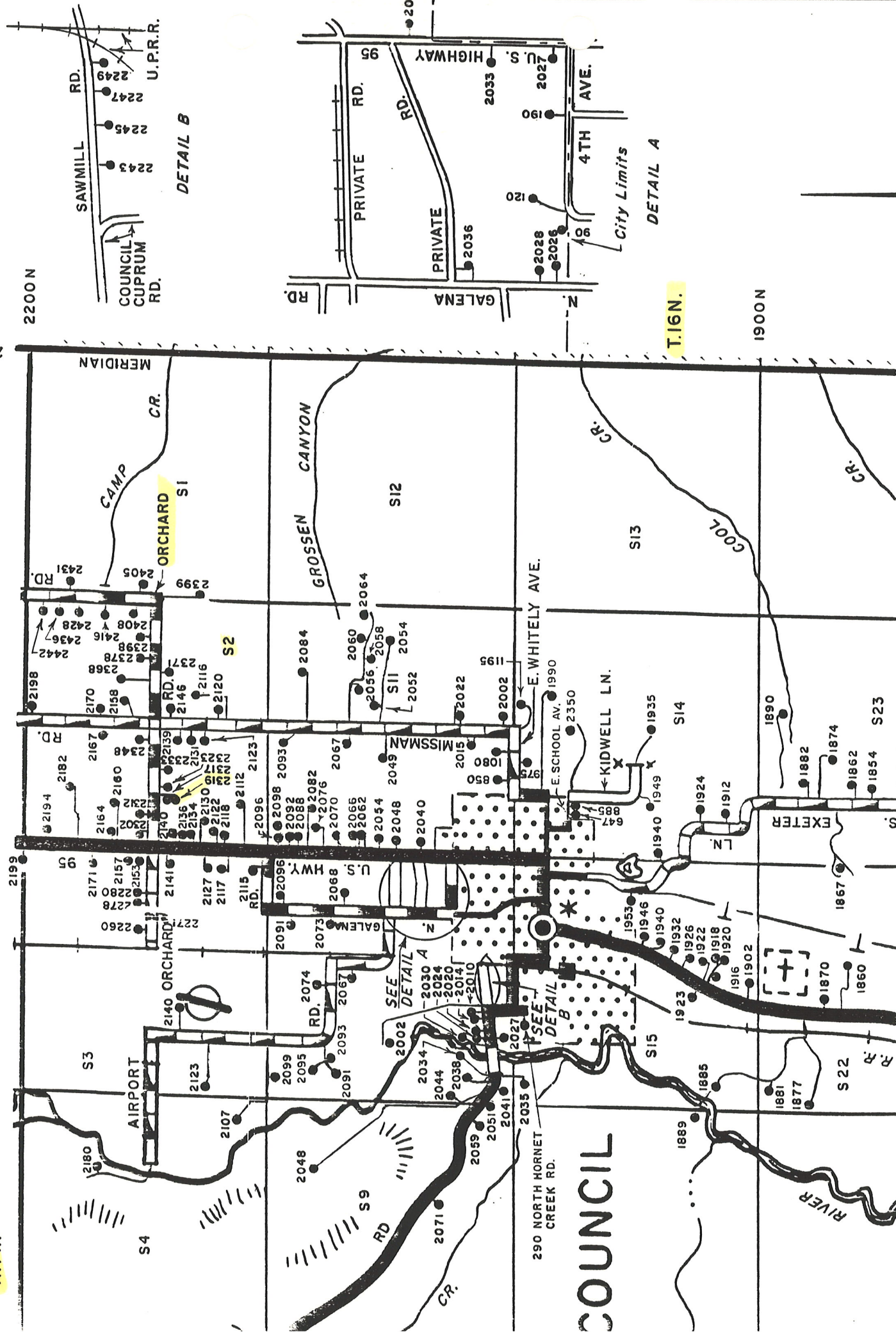
2200 N

1900 N



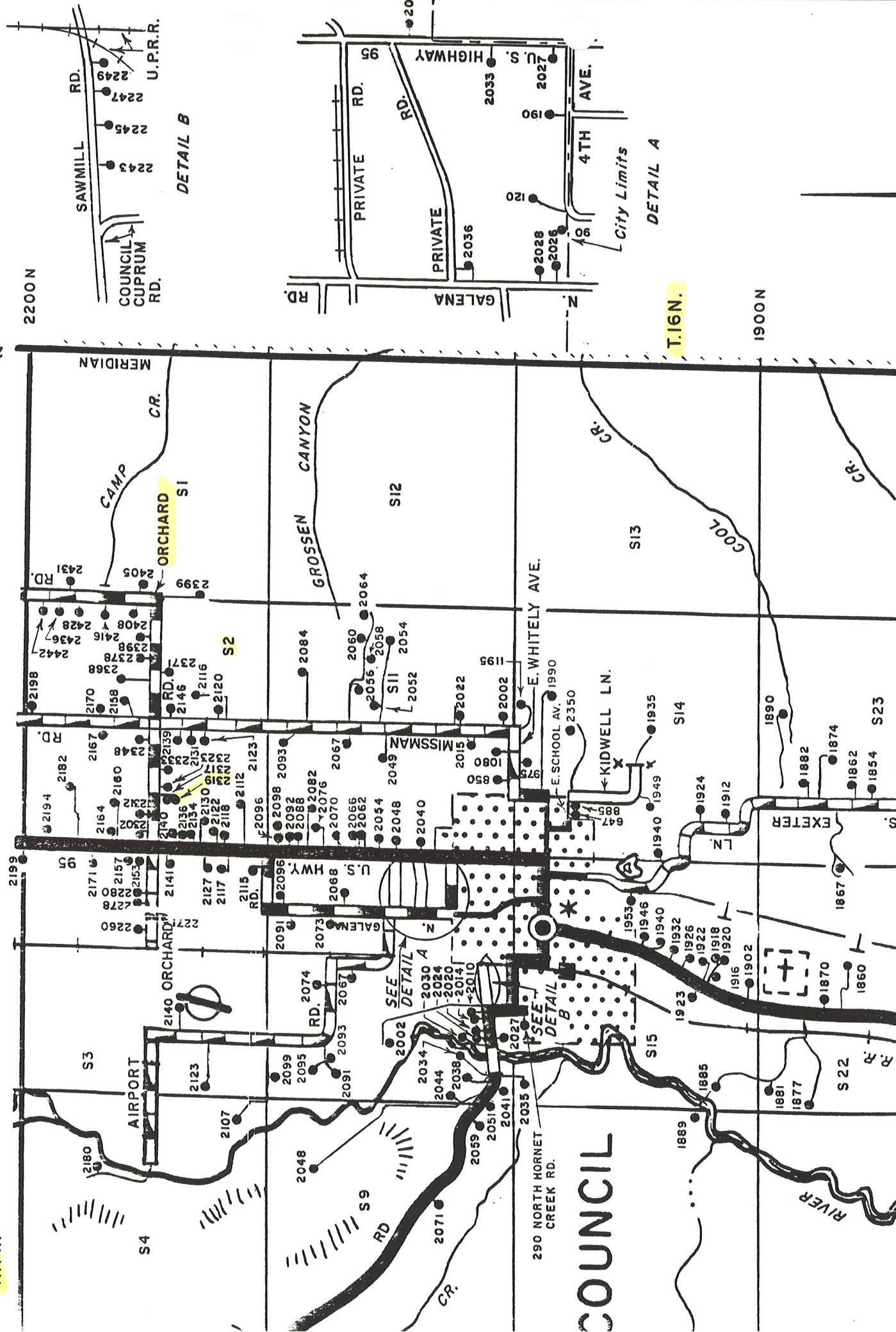
2200 N

1900 N



2200 N

1900 N



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: A67-04133A
Date Received: 10/06/1989
Receipt No: MO04853
Received By: A3

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VIOLA E. WILLIAMS
Address: P.O. BOX 912
RIGGINS, ID 83549
208-628-3923
2. Date of Priority: MAR 01, 1970
3. Source: WEISER RIVER, EAST FORK
UNNAMED STREAM
Trib. to: WEISER RIVER
WEISER RIVER, EAST FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	2	NW	SW			ADAMS
5. Description of diverting works:
DAM - DITCH - PIPED TO FLOOD IRRIG.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.090		
7. Total Quantity Appropriated is:
0.090 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 9.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	2	NW	SW		IRR	3.0
Section Acres							3.0

A67-04133A

Page 1

Date: 10/06/89

MICROFILMED

OCT 02 1992

10. Place of Use: Continued

Total Acres 3.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A6710657, A67-10658

14. Remarks:
THIS CLAIM IS A SPLIT OF 67-04133 FOR 3 ACRES.

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: _____

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): Viola E. Williams Date: 10-6-89

Date: _____

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of October 19 89

Anna Baunhoff
Notary Public

Seal

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

a
11/14/2006

NOTICE OF ERROR
REPLY

RECEIVED
DEC 13 2006

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: 67-4133A

SHIRLEY A POFF
2319 ORCHARD RD
COUNCIL ID 83612
Telephone Number: (208)253-4481

GARRY W POFF
2319 ORCHARD RD
COUNCIL ID 83612
Telephone Number: (208)253-4481

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: 12/14/06 SIGNATURE: Garry W. Poff

Please print your name: GARRY W. POFF

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

SCANNED
DEC 13 2006

09/25/2006

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

RIGHT NUMBER: 67-4133A

NAME AND ADDRESS: SHIRLEY A POFF
2319 ORCHARD RD
COUNCIL ID 83612

GARRY W POFF
2319 ORCHARD RD
COUNCIL ID 83612

SOURCE: WASTE WATER

TRIBUTARY: UNNAMED STREAM

QUANTITY: 0.045 CFS

PRIORITY DATE: 03/15/1970

POINT OF DIVERSION:

T16N R01W S2 SWNW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.045 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T16N R01W S02 NWSW 1.50

1.5 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

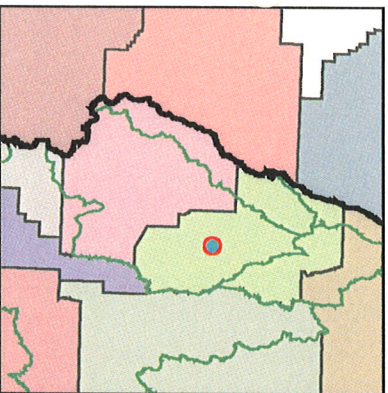
Idaho Department of Water Resources



SRBA Recommendation:
67-4133A
(Irrigation)

Legend

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



Adams County
IDWR Basin 67



T16N



Prepared by C. Saxton
On Monday, September 25, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4133A V1

WATER RIGHT NUMBER: 67-4133A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	VIOLA E WILLIAMS PO BOX 912 RIGGINS, ID 83549 (208)628-3923
Current Owner	SHIRLEY A POFF 2319 ORCHARD RD COUNCIL, ID 83612 (208)253-4481
Current Owner	GARRY W POFF 2319 ORCHARD RD COUNCIL, ID 83612 (208)253-4481
Original Owner	IVA M CASHER STAR RT COUNCIL, ID 83612
Original Owner	JAMES F CASNER STAR RT COUNCIL, ID 83612

Priority Date: 03/15/1970

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	UNNAMED STREAM

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.045 CFS	
	<u>Total Diversion:</u>	0.045 CFS	

Location of Point(s) of Diversion

WASTE WATER	SW1/4NW1/4	Sec. 2,	Twp 16N,	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	
16N	01W	2																	1.5

Total Acres: 1.5

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4133A V1

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:Comments:

1. csaxton 9/25/2006 Source

Comment: Per Field Exam by Bosco Bosler on 8-30-06, source is waste water from a drain ditch.

Dates and Other Information:

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

Combined Use Limits: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	9/25/2006 3:47:41 PM	csaxton			Active
Priority Date	9/25/2006 3:48:27 PM	csaxton			Active
POD	9/25/2006 3:48:42 PM	csaxton			Active
Source	9/25/2006 3:51:46 PM	csaxton			Active
POU	9/25/2006 3:55:55 PM	csaxton			Active
Use	9/25/2006 3:56:03 PM	csaxton			Active
Season	9/25/2006 3:56:12 PM	csaxton			Active
Quantity	9/25/2006 3:57:16 PM	csaxton			Active
Summary			09/25/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	9/25/2006 3:47:53 PM	csaxton	(No) 1. Do you want to schedule an appointment?

Comment for 1: Field Exam by Bosco Bosler on 8-30-06.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4133A V1

POD	9/25/2006 3:50:33 PM	csaxton	Updated shape
POD	9/25/2006 3:51:02 PM	csaxton	Updated PLS
Source	9/25/2006 3:51:59 PM	csaxton	(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 by Bosco Bosler on 8-30-06.
POU	9/25/2006 3:55:53 PM	csaxton	Updated PLS for Active POU
General	9/25/2006 3:48:40 PM	csaxton	(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 previous owner.
POD	9/25/2006 3:48:54 PM	csaxton	(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?
POU	9/25/2006 3:55:43 PM	csaxton	Updated shape for Active POU
POU	9/25/2006 3:56:09 PM	csaxton	(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 by Bosco Bosler on 8-30-06.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4133A V1

Use	9/25/2006 3:56:17 PM	csaxton	(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 by Bosco Bosler on 8-30-06.
Season	9/25/2006 3:56:26 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	9/25/2006 3:57:30 PM	csaxton	(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 - Recommendations for 0.20 cfs or less do not require measurement.
Summary	9/25/2006 3:57:56 PM	csaxton	(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:

Dear Sir.

JUL 23 1975

This is a Protest again the following claims to water rights as, this water feeds in to camp creek. This water has been used on our place for 80 year or more. ~~New~~ New people moving in on land are trying to burn our crops by taking this water from the valley =

Protest against claims to water Right
No-674133 -

James F. and or Dora M Casner
Star route Council Idaho

- Also -

Protest against Claim No 676134 -
Chester and or Clara Allen
Council Idaho

Please advise me of Proceeds
to follow

Yours Truly,
Jack L St Germain
Star route. Council Idaho

in a small pond to, pump
out of when no one is irrigating
in the middle of traying season.
Then we pump into our garden, lawn
& shade trees & few fruit trees.

We use a small ditch to carry the
water & irrigate on our $3\frac{1}{2}$ acres.
The water is already on our ground
so we use it. We take turns with
other neighbors using this so that
all of us get the use of this overflow
& waste.

I hope this answers your questions.
Some of this waste is simply rain
water & springs which drains down
through our place & has run here
for many years before ~~the~~ we
bought the ground. Our pond is
about 22' in diameter & is
and a boat's' deep in the
deepest part.

Yrs M. Garner
James B. Garner

11
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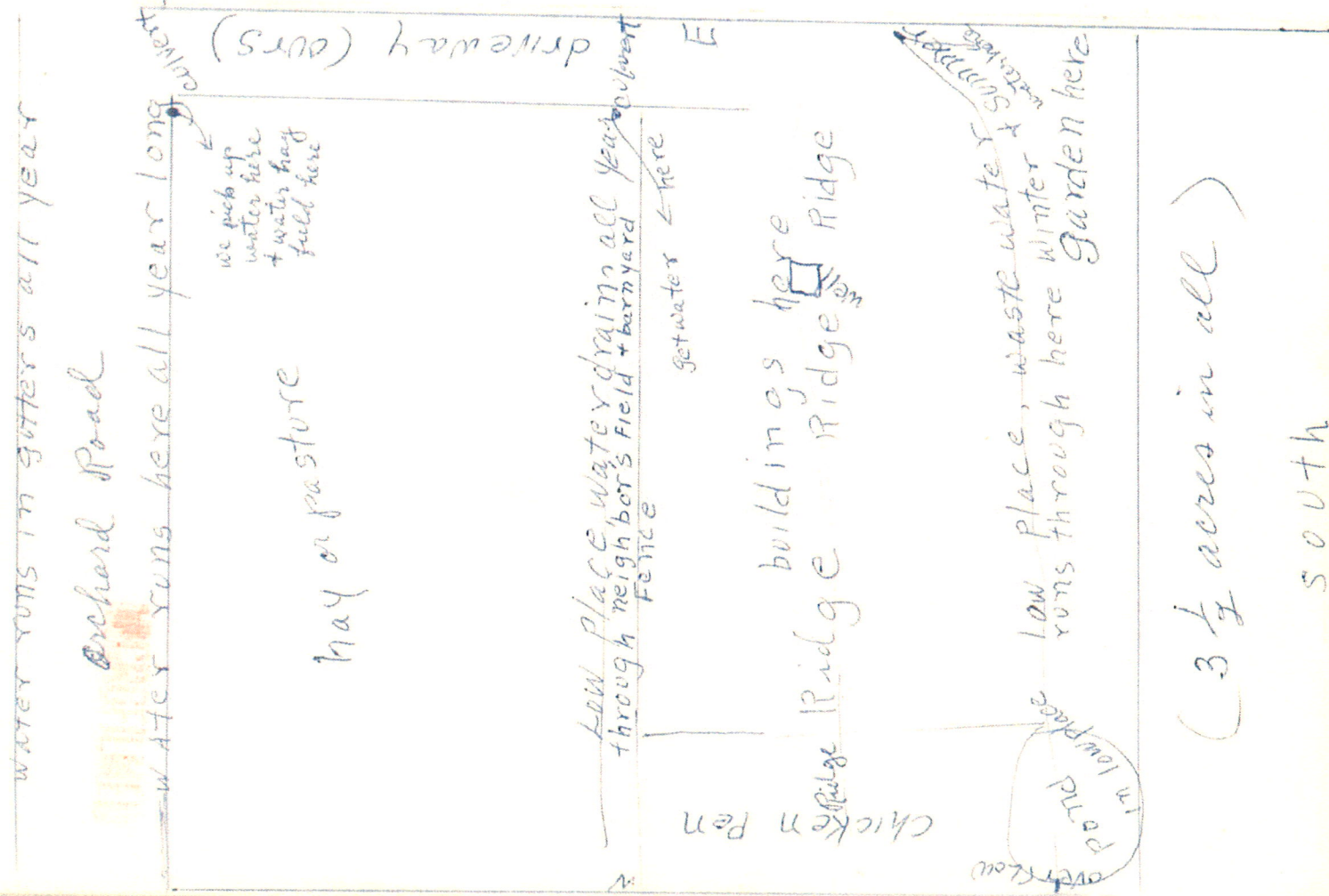
Council, DAHO
June 7, 1976

Department of Water Resources

Mr. Kenneth H. Fair P.E.

Dear Sir: We put off writing because we do not understand how to draw a map of our $3\frac{1}{2}$ acres, nor do we know how to draw up a statement of fact, must we hire a lawyer to do this for us?

to do this for us.
one tenth acre of this ground is called
waste ground. All that we can say
is that we have watered garden, trees,
fields and garden since 1970. We began
using the waste water as early as March,
1970 to water a row of shade trees
and 2 apple trees and a small garden
that Summer. - years 1971 through to
June 1976 we've watered 2 big
gardens and more fruit trees, shade
trees and little hay field. We use
our well for house, lawn, hedge,
etc. - Must we come in to see



you to find out how to do this? What proof do we have except our word and the word of our neighbors that this water was running here long before we came here & that we have used it ever since we moved here - It does not look like anyone ever farmed this ~~accage~~ before us as it was all rocks & sage brush when we bought it.

We would surely be unable to save our gardens in July & August without the little pond we made to hold some of the run off because then the ranchers turn the water out of the ditch to keep it off their hay fields, then turn it back in to water ^{the} ~~the~~ ^{old} ~~old~~ When they water, much water runs down this slope, also much snow water, rain & springs cause the water to flow through here all the rest of the year. It is nature which put most of the water here.

Sincerely, Mrs James Casner

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	VIOLA E WILLIAMS	PO BOX 912	RIGGINS	ID	83549	(208)628-3923
Current Owner	SHIRLEY A POFF	2319 ORCHARD RD	COUNCIL	ID	83612	(208)253-4481
Current Owner	GARRY W POFF	2319 ORCHARD RD	COUNCIL	ID	83612	(208)253-4481
Original Owner	IVA M CASHER	STAR RT	COUNCIL	ID	83612	
Original Owner	JAMES F CASNER	STAR RT	COUNCIL	ID	83612	

Date of Field Exam: 8/29/06 Time: 11:00 AM

Accompanied By: Claimant Phone Number: Same

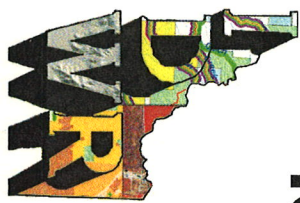
Relationship to Claimant: _____

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

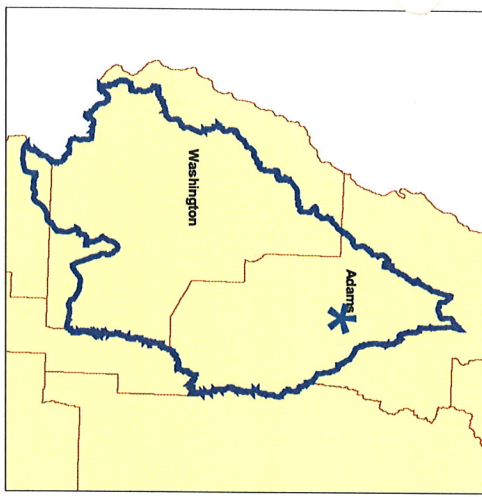
Reviewer: P. Rose

Date: 8/30/06

Idaho Department of Water Resources



Adjudication Claim Number: **67-4133 A**



Legend

- Section Lines
- GCDB17N01W GCDB
- GCDB16N01W GCDB



Prepared by D. Narsavage
On Wednesday, April 13, 2005
1987/88 Adjudication True Color Imagery

Priority Date Data Entry Form

Claim Number 67-4133A

Claimed Priority Date: 3/1/1970

Claimed Basis: Beneficial Use

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

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date ____

Recommended Basis _____

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

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number 67-4133A

Claimed Point of Diversion and Source

T16N R01W S2 NWSW Within ADAMS County Source: UNNAMED STREAM WEISER RIVER

T16N R01W S2 NWSW Within ADAMS County Source: WEISER RIVER WEISER RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

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:

_____	SPS
_____	2307769
_____	1508551

Reviewer: BoscoDate: 8/30/04

Place Of Use Data Entry Form

Claim Number 67-4133A

Claimed Place Of Use

T16N R01W S02 NWSW 3.0

Total Acres 3

☒ Use Claimed POU as Recommended POU

Water Right Place Of Use

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: Barco

Date: 8/30/06

Purpose of Use Data Entry Form

Claim Number 67-4133A

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

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 67-4133A

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	0.09	

Overall Diversion Rate 0.09 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
-----------	-------	-----	------	--------

Overall Diversion Rate 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:

This is gravity feed in a 1/2" ABS pipe to property. Lucky to carry 2" of water.

Reviewer:

Bosco

Date:

8/30/04

WR # 67-413's.A

Tag# A0016629



MPS

2307769

1508551

67-4133A

2534481

Garry Poff

POD + POU

Priority Affidavit in file

Behind Albed

IDAHO DEPARTMENT OF WATER RESOURCES

WESTERN REGION

2735 Airport Way

Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

RECEIVED

OCT 29 1999

WATER RESOURCES
WESTERN REGION

★ ★ ★
110
9452 \$ 00.550
2215 MAILED FROM BOISE ID 83705
PB8594393
OCT 22 99

67-10657, 67-10658, 67-D4133A

GARRY W POFF
SHIRLEY A POFF
2319 ORCHARD RD
COUNCIL ID 83612

17

POFF319 T836122221 1A99 05 10/27/99
RETURN TO SENDER
POFF GARRY W
TEMPORARILY AWAY
RETURN TO SENDER

83612-5

82

|||||

SCANNED
APR 08 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

October 22, 1999

DIRK KEMPTHORNE
GOVERNOR

RE: Water Right No. 67-10657 and 67-10658

KARL J. DREHER
DIRECTOR

GARRY W POFF
SHIRLEY A POFF
2319 ORCHARD RD
COUNCIL ID 83612

Dear Property Owners:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Please note, the ownership has also been changed on claim number **A67-04133A.**

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

cc: Viola E Williams

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

Scale: 2 inches equal 1 mile.

State of Idaho)
) ss.
County of ADAMS)

Sworn to before me this 16TH day of

James F. Casner
(Claimant)
June 19 75.

Notary Public
Residing at Council Bluffs

My commission expires 6-22-76

Received by JCS Date 6-17-75 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JCS Date 7-1-75 claimant by: _____
\$10.00 fee received by _____ Date _____
Approved for publication by _____
Published in Adams County Leader _____
Dates July 10 & 17 _____

Dear Sir.

JUL 23 1975

This is a Protest again the following claims to water rights as, this water feeds in to camp creek, This water has been used on our place for 80 year or more. ~~New people~~ moving in on land are trying to burn our crops by taking this water from the valley =

Protest against claims to water Right
No-674133 -

James F. and or Mrs M Casner
Star route Council Idaho
- Also -

Protest against Claim No 676134 =
Chester and or Clara Allen
Council Idaho

Please advise me of Proceeds
to follow

Yours Truly,
Jack L St Germain
Star route. Council Idaho

Carlisle, Idaho

June 27, 1975

Idaho Dept of Water Resources:

Our Assessor just told me that the source of ^{Department's} ~~Department's~~ waste water comes from the irrigation ditch coming out of East Fork of Boise River. As you know we only use the waste water after it is used on farmers fields & pastures and runs off down hill. The Assessor believed that the water comes from Township 17 2 E Sec 15 but you can see that in your records.

This ~~water~~ runs between the County road & our field, also comes through our ground in 2 low places as it drains off of the neighbors fields & pastures. We pick it up on our ground & store some

in a small pond to, pump
out of when no one is irrigating
in the middle of haying season.
Then we pump into our garden, lawn
& shade trees & few fruit trees.

We use a small ditch to carry the
water everywhere on our $3\frac{1}{2}$ acres.
The water is already on our ground
so we use it. We take turns with
other neighbors using this so that
all of us get the use of this overflow
& waste.

I hope this answers your questions.
Some of this waste is simply rain
water & springs which drains down
through our place & has run here
for many years before ~~the~~ we
bought the ground. Our pond is
about 50' in diameter & is
and about 6' deep in the
deepest part.

Yrs M. Casner
James H. Casner

RECEIVED

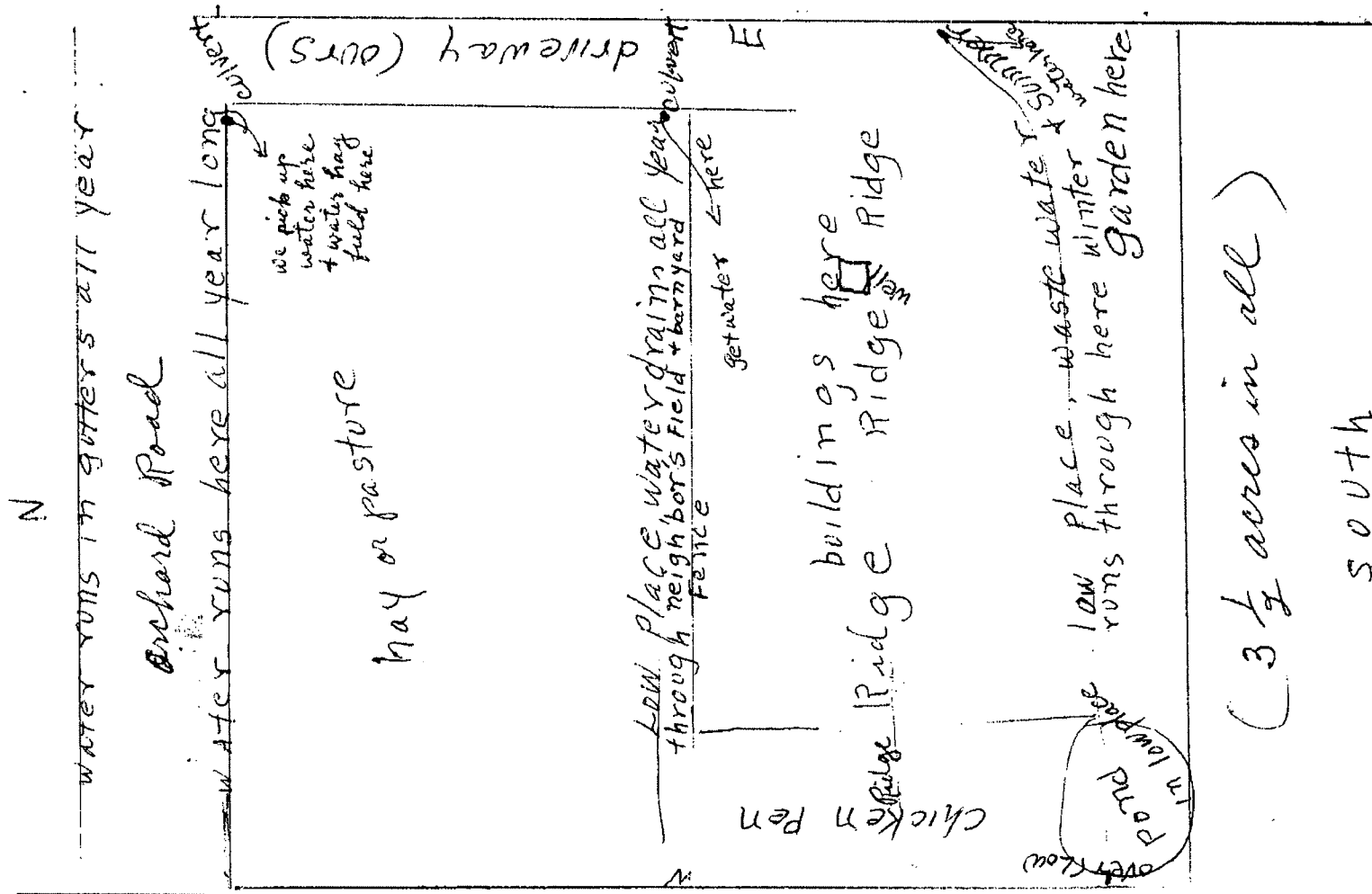
Council, IDAHO
June 7, 1976

Department of Water Resources

Mr. Kenneth H. Jait P.E.

Dear Sir: We put off writing because we do not understand how to draw a map of our $3\frac{1}{2}$ acres, nor do we know how to draw up a statement of fact. Must we hire a lawyer to do this for us?

One tenth acre of this ground is called waste ground. All that we can say is that we have watered garden, trees, fields and garden since 1970. We began using the waste water as early as March, 1970 to water a row of shade trees and 2 apple trees and a small garden that summer. - years 1971 through to June 1976 we've watered 2 big gardens and more fruit trees, shade trees and little hay field. We use our well for house, lawn, hedges etc. - Must we come in to see



($3\frac{1}{2}$ acres in all)

SOUTH

you to find out how to do
this? What proof do we have
except our word and the word
of our neighbors that this water was
running here long before we came
here & that we have used it ever
since we moved here - It does
not look like anyone ever farmed
this ~~acage~~ before us as it was all
rocks & sage brush when we bought it.

We would surely be unable to save
our gardens in July & August without the
little pond we made to hold some of
the run off because then the ranchers
turn the water out of the ditch to keep
it off their hay fields, then turn it back
in to water ~~the fields~~. When they water, much
water runs down this slope, also
much snow water, rain & springs cause
the water to flow through here all the
rest of the year. It is nature which
put most of the water here.

Sincerely, Mrs James Casner