

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 67-4133B
Date Received: 10/6/1989
Receipt No: M004854
Received By:

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

1. Name of Claimant(s)

RETA M ALLRED Phone: (208)253-6452

2317 ORCHARD RD
COUNCIL ID USA 83612

DONALD R ALLRED Phone: (208)253-6452

2317 ORCHARD RD
COUNCIL ID USA 83612

2. Date of Priority: 03/01/1970

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	01W	2	NW SW	ADAMS	
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	4/01	11/01	0.045	

7. Total Quantity Appropriated is:
0.045 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	2	NW	SW	IRRIGATION	1.5
					Section Acres	1.5
					Total Acres	1.5

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 A SPLIT OF 67-04133 FOR 1.5 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.

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Water Right Number(s): 67-4133 B

Previous Mailing Address: Donald R or Reta M. Allred
HC 62 Box 1384
Council Id 83612

New Mailing Address: Donald R. or Reta M Allred
2317 Orchard Road
Council Idaho 83612

Telephone Number: (208) 253-6452

Signature of all Claimant(s): Donald R Allred Reta M Allred
Please print your name below your signature.
Donald R Allred
Reta M Allred

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701

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: A67-04133B

Date Received: 10/06/1989

Receipt No: MO04854

Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD R. ALLRED
Address: HC 62 BOX 1386
COUNCIL, ID 83612
OR
Name: RETA M. ALLRED
Address: HC 62 BOX 1386
COINCIL, ID 83612
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 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	0.045		
7. Total Quantity Appropriated is:
0.045 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 4.5 Acre Feet Per Annum.
9. Non-irrigation uses:

A67-04133B

Page 1

Date: 10/06/89

MICROFILMED

OCT 02 1992

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	1.5
Section Acres						1.5
Total Acres						1.5

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:
A67-10660

14. Remarks:
THIS CLAIM IS A SPLIT OF 67-04133 FOR 1.5 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: 0

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): Reta M. Allred Date: 10/6/89

Date: _____

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of October 1989

[Signature]
Notary Public

Seal

Residing at _____
My Commission Expires _____

RECEIVED

11/14/2006

NOV 22 2006

NOTICE OF ERROR
REPLY

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: 67-4133B

RETA M ALLRED
2317 ORCHARD RD
COUNCIL ID 83612
Telephone Number: (208)253-6452

DONALD R ALLRED
2317 ORCHARD RD
COUNCIL ID 83612
Telephone Number: (208)253-6452

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:

11/18/06

SIGNATURE:

Donald R. Allred

Please print your name:

Donald R. Allred

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

SCANNED

NOV 27 2006

09/25/2006

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

RIGHT NUMBER: 67-4133B

NAME AND ADDRESS: RETA M ALLRED
2317 ORCHARD RD
COUNCIL ID 83612

DONALD R ALLRED
2317 ORCHARD RD
COUNCIL ID 83612

SOURCE: WASTE WATER

TRIBUTARY: UNNAMED STREAM

QUANTITY: 0.042 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

0.042 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T16N R01W S02 NWSW 1.40

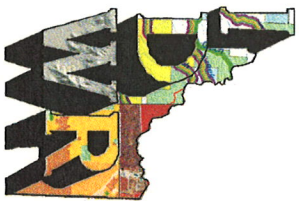
1.4 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

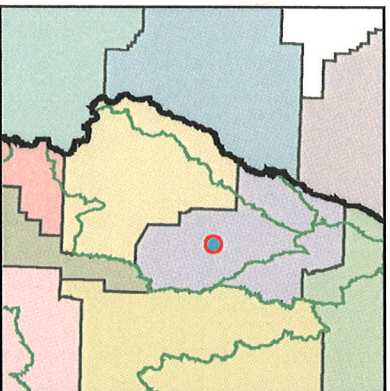
Idaho Department of Water Resources



SRBA Recommendation:
67-4133B
(Irrigation)

Legend

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



Adams County
IDWR Basin 67



T16N



R01W

0 0.1 0.2 Miles

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4133B V1

WATER RIGHT NUMBER: 67-4133B V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	IVA M CASHER STAR RT COUNCIL, ID 83612
Current Owner	RETA M ALLRED 2317 ORCHARD RD COUNCIL, ID 83612 (208)253-6452
Original Owner	JAMES F CASNER STAR RT COUNCIL, ID 83612
Current Owner	DONALD R ALLRED 2317 ORCHARD RD COUNCIL, ID 83612 (208)253-6452

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	0.042 CFS	
	<u>Total Diversion:</u>	0.042 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				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
16N	01W	2																	1.4

Total Acres: 1.4

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-4133B V1

Remarks:Comments:

1. csaxton 9/25/2006 Diversion Rate

Comment: Recommended diversion rate is at 1.5 inches per acre.

Dates and Other Information:

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

Combined Use Limits: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	9/25/2006 3:34:08 PM	csaxton			Active
POD	9/25/2006 3:34:18 PM	csaxton			Active
Source	9/25/2006 3:38:04 PM	csaxton			Active
POU	9/25/2006 3:38:16 PM	csaxton			Active
Use	9/25/2006 3:40:13 PM	csaxton			Active
Season	9/25/2006 3:40:21 PM	csaxton			Active
Quantity	9/25/2006 3:43:32 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>
POD	9/25/2006 3:36:47 PM	csaxton	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4133B V1

Source	9/25/2006 3:38:15 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 3:38:27 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.
POU	9/25/2006 3:40:07 PM	csaxton	Updated PLS for Active POU
General	9/25/2006 3:34:18 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 owners
POD	9/25/2006 3:34:28 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?
POD	9/25/2006 3:35:36 PM	csaxton	Updated shape
POU	9/25/2006 3:39:58 PM	csaxton	Updated shape for Active POU
POD	9/25/2006 3:37:39 PM	csaxton	Updated PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4133B V1

Use	9/25/2006 3:40:24 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 3:40:32 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 administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	9/25/2006 3:43:44 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 3:44:28 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? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 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:

07- 4133B
Donald Alfred
2317 Orchard Rd

25-3 0452

PO D + PO U
Address Change

Priority Date Affidavit

$$\frac{6.16}{24.4} = .06 = 3''$$

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	IVA M CASHER	STAR RT	COUNCIL	ID	83612	
Current Owner	RETA M ALLRED	2317 ORCHARD RD	COUNCIL	ID	83612	(208)253-6452
Original Owner	JAMES F CASNER	STAR RT	COUNCIL	ID	83612	
Current Owner	DONALD R ALLRED	2317 ORCHARD RD	COUNCIL	ID	83612	(208)253-6452

Date of Field Exam: 8/29 Time: 10:30

Accompanied By: Claimant Phone Number: 2536452

Relationship to Claimant: _____

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

Just west of Allen on Orchard

Reviewer: Bosco

Date: 8/29/06

Priority Date Data Entry Form

Claim Number 67-4133B

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:

Affidavit in file

Reviewer:

Borco

Date:

8/30/00

Point of Diversion and Source Data Entry Form

Claim Number 67-4133B

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:

GPS

2307699

1508555

Reviewer:

Baker

Date:

8/30/06

WR# 67-4133B
Tag # A0016630



APS
2307699
1503555

Place Of Use Data Entry Form

Claim Number 67-4133B

Claimed Place Of Use

T16N R01W S02 NSW 1.5

Total Acres 1.5

☒ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

_____ See corrections to claimed POU above

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

Total Acres _____

Document how the POU was verified:

Reviewer:

Borco

Date:

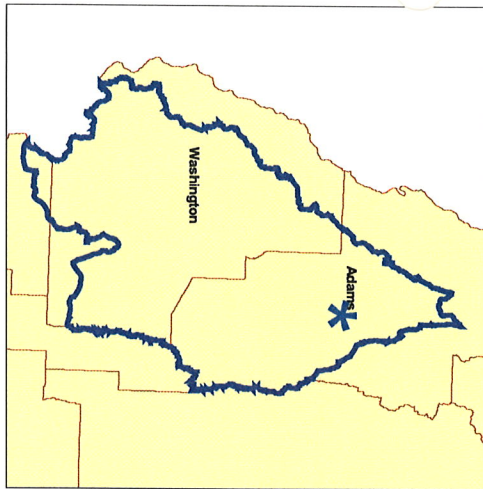
8/30/06

Idaho Department of Water Resources



90-11-8

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



Legend

	Section Lines
	GCDB17N01W GCDB
	GCDB16N01W GCDB



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

Purpose of Use Data Entry Form

Claim Number 67-4133B

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:

Borco

Date:

8/30/06

Period of Use and Quantity Data Entry Form

Claim Number 67-4133B

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	0.045	

Overall Diversion Rate 0.045

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:

1 HP Pump Lift 2' PSI 40' = 3"

$\frac{6.16}{94.4} = .06 \text{ cfs} = 3"$

I'm sure this pump + garden hose is not efficient enough to pump 27 gal/min.

Reviewer:

Borco

Date:

8/30/05

*cc: W.A.
12-2000
67-4133B
67-166600 B.O.
Records Modified
8-12-04*

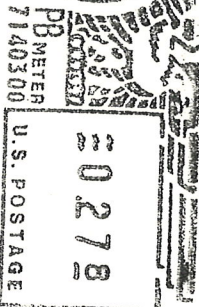
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

~~Return to sender if no return address~~

ADDRESS SERVICE
REQUESTED

PRESORTED
FIRST CLASS

DONALD R ALLRED
RETA M ALLRED
HC 62 BOX 1386
COUNCIL ID 83612



2317 Orchard Rd.

COUNCIL ID 83612

SCANNED

AUG 13 2004

CLAIM TO A WATER RIGHT

Notice is hereby given that James F. & Iva M. Casher
(name of claimant)

The extent and nature of said claim is as follows:

- | | | | | | | | | |
|--------|----------------------|-----|-------------------------------|----------------|------|-----------------|----|------------------------|
| Amount | <u>Five</u> | Use | <u>Irrigation</u> | Period of Use: | From | <u>April 15</u> | To | <u>Oct 15</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) |

- 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.

- 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. ditch entirely on our property.
about 400' long & dug by hand. Ditch is about 12" deep x 12" wide.
1 ditch is about 300' long & about same size as above.

- [illegible]

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 _____

T16N R14W

[illegible]

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 affiant's knowledge.

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

For Department Use Only

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 Eva M. Carner
Star route Council Idaho

- Also -

Protest against Claim No 674134 =
Chester and or Clara Allen
Council Idaho

Please advise me of Proceeds
to follow

Yours Truly,

Jack L. St Germain
Star route. Council Idaho

Carl - oil plates

June 27, 1975

Utah Dept of Water Resources:

Our Assessor just told me that the source of ^{Department's} waste water comes from the irrigation ditch coming out of East Fork of Heiser 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 grain 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 ~~we~~ we
bought the ground. Our pond is
about 50' in diameter. Sincerely
and about 6' deep in the
deepest part.

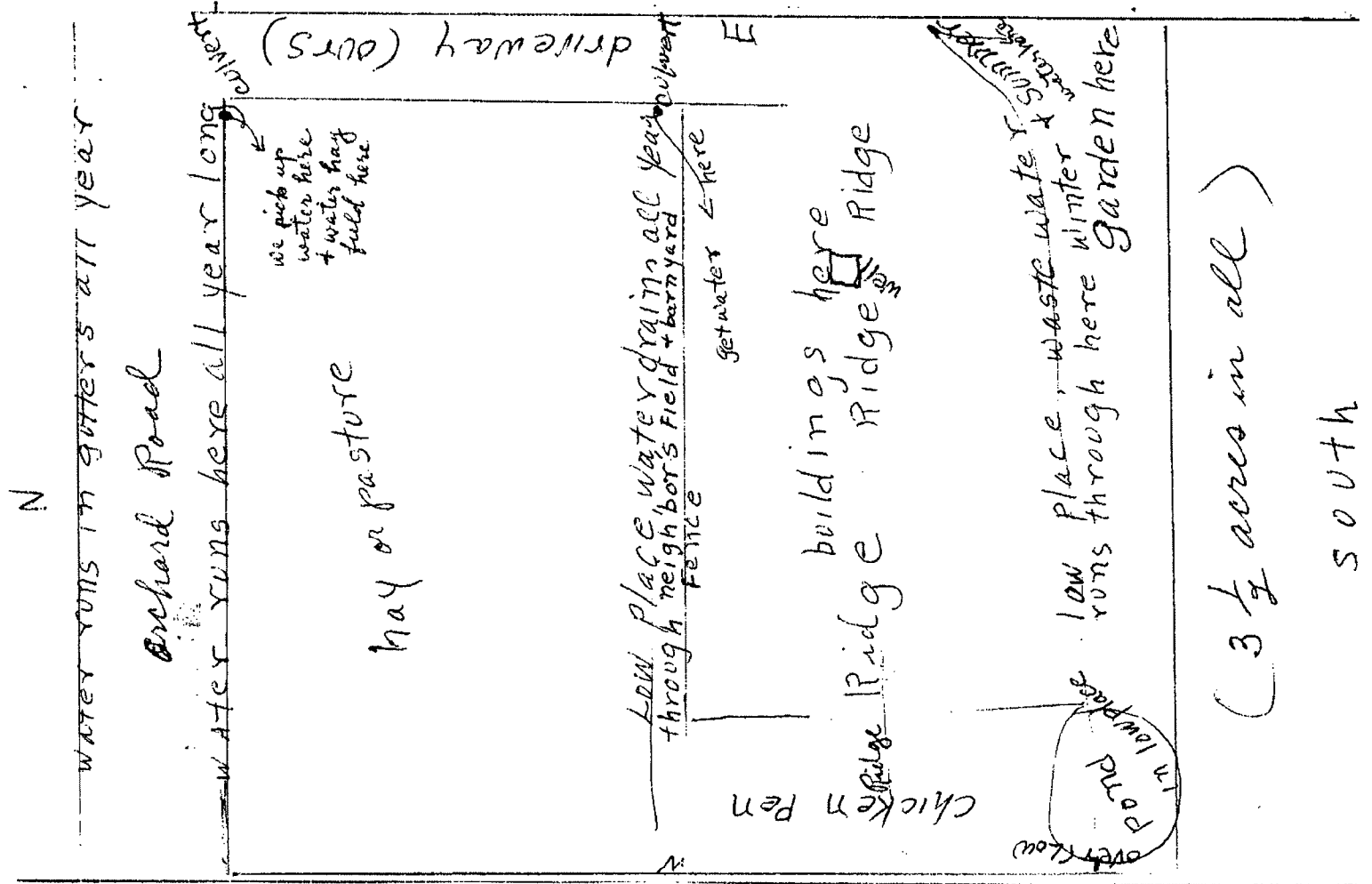
Yrs M. Casner
James H. Casner

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Mr Kenneth H. Zeit P.E.

to do this far as
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
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



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