12/19/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-4147

NAME AND ADDRESS: RONALD D JAMES
PO BOX 842
COUNCIL ID 83612

SOURCE: WEISER RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.050 CFS

Right Nos. 67-4095 and 67-4147 are limited to a total combined diversion rate of 0.19 cfs.

PRIORITY DATE: 06/01/1948

POINT OF DIVERSION:

T17N R01E S6 SENW Within ADAMS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.050 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T17N R01E S06 SENW 4.00

4 ACRES TOTAL

Right Nos. 67-4095 and 67-4147 are limited to the irrigation of a combined total of 9.5 acres in a single irrigation season.

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

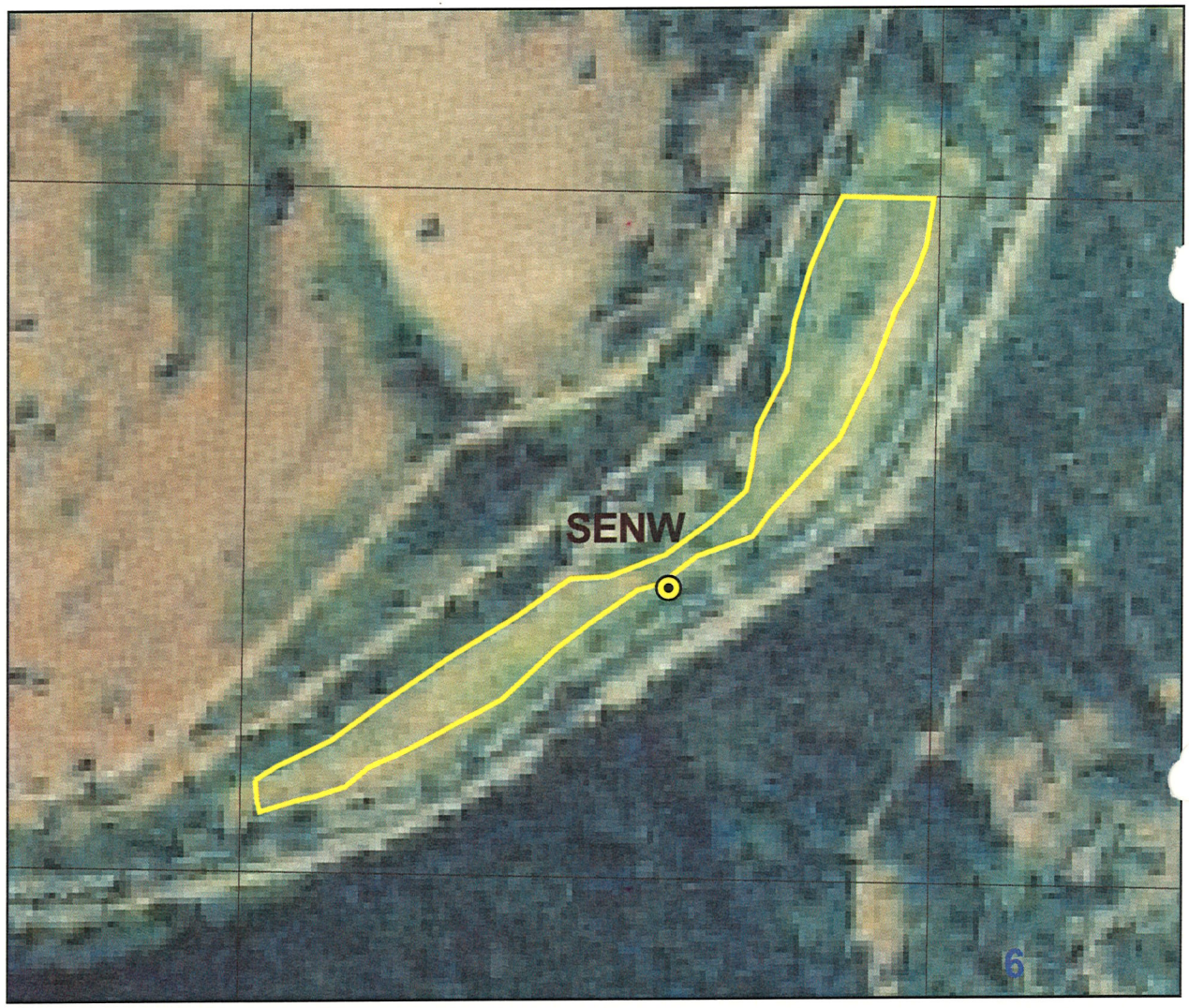
SRBA Recommendation:

67-4147

(Irrigation)

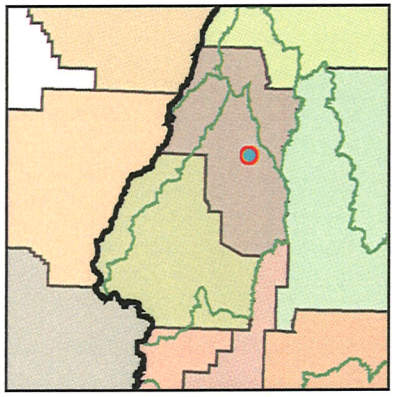
R01E

T17N



Legend

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



Adams County
IDWR Basin 67

N

0 0.1 0.2 Miles

Prepared by M. Van Bussum
On Tuesday, October 31, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4147 V1

WATER RIGHT NUMBER: 67-4147 V1

Owner Type	Name and Address
Original Owner	SALLEY D HAIGHT 2755 HWY 95 BOX 425 COUNCIL, ID 83612 (208)253-4229
Original Owner	CHARLES C HAIGHT BOX 425 COUNCIL, ID 83612 (208)253-4229
Original Owner	OTTO BODNER , ID
Original Owner	AUBA BODNER , ID
Current Owner	RONALD D JAMES PO BOX 842 COUNCIL, ID 83612 (208) 253-4937

Priority Date: 06/01/1948

Basis: Beneficial Use

Status: Active

Source	Tributary
WEISER RIVER	SNAKE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 10/31	0.050 CFS	
	Total Diversion:	0.050 CFS	

Location of Point(s) of Diversion

WEISER RIVER SE1/4NW1/4 Sec. 6, Twp 17N, Rge 01E, B.M.

ADAMS County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01E	6								4.0									4.0

Total Acres: 4

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4147 V1

Conditions of Approval:

1. E51 Right Nos. 67-4095 and 67-4147 are limited to a total combined diversion rate of 0.19 cfs.
2. E55 Right Nos. 67-4095 and 67-4147 are limited to the irrigation of a combined total of 9.5 acres in a single irrigation season.
3. 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. mvanbussum 12/19/2006 Limiting conditions
Comment: With NOE process making 67-4095 an active claim, limiting conditions were applied to 67-4147.

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:

Rate	Volume	Acres
0.19		9.5

Combined Water Rights: 67-4147 , 67-4095

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	10/31/2006 10:23:14 AM	mvanbussum			Active
Priority Date	10/31/2006 10:23:49 AM	mvanbussum			Active
POD	10/31/2006 10:24:06 AM	mvanbussum			Active
Source	10/31/2006 10:30:24 AM	mvanbussum			Active
POU	10/31/2006 10:30:57 AM	mvanbussum			Active
Use	10/31/2006 10:38:01 AM	mvanbussum			Active
Season	10/31/2006 10:38:26 AM	mvanbussum			Active
Quantity	10/31/2006 10:46:30 AM	mvanbussum			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4147 V1

Summary 10/31/2006 mvanbussum Active

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
Contacts	10/31/2006 10:23:52 AM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
General	10/31/2006 10:24:27 AM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit in file speaks of Lost Valley Reservoir water, which is sufficient to establish priority date.
POD	10/31/2006 10:24:44 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	10/31/2006 10:37:57 AM	mvanbussum	Updated shape for Active POU
POU	10/31/2006 10:38:10 AM	mvanbussum	Updated PLS for Active POU
POD	10/31/2006 10:30:06 AM	mvanbussum	Updated shape
Source	10/31/2006 10:31:03 AM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field exam conducted 9-5-2006 and imagery verified source.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4147 V1

POU	10/31/2006 10:31:36 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exxam conducted 9-5-2006 verified POU.
Use	10/31/2006 10:38:41 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field exam conducted 9-6-2005 verified purpose of use.
Season	10/31/2006 10:39:06 AM	mvanbussum	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use 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	10/31/2006 10:47:12 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Per Weiser River Water Master Bosco Bosler, claimant is using aa 1hp pump with a lift of 5 feet at 40 psi, which gives a possible flow of 3 inches, or 0.06 cfs.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4147 V1

Summary	10/31/2006 10:47:41 AM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

Water Supply Bank:

MEMORANDUM

TO: File

FROM: Monica Van Bussum

DATE: December 14, 2006

RE: Abandonment of SRBA claim 67-4095

I met with Valerie Champion and Ron James in my office today about their SRBA claims, 67-4095 and 67-4147. 67-4147 had been recommended as claimed, but 67-4095 had been disallowed with the condition, "Recommended as 67-4147." 67-4095 had been disallowed partially based on a memo from Lori Graves dated 1997 stating the water right had been abandoned sometime between 1976 and 1986 and the old ditch had washed out in the flood of 1997.

Valerie has personal knowledge of the property from the late 1970s and knows someone who worked on the farm in the late 1970s. She will be providing an affidavit of water use on the property between 1976 and 1986.

Valerie and Ron know the former owner and he was irrigating on the property from the old ditch before the 1997 flood. They will be providing an affidavit from the former owner.

These affidavits will establish water use on the property during the time it was thought to be abandoned and should allow us to further review the right as active.

The current POD is in T17N R01E Sec 6 SENW, as GPSed by Bosco Bosler during his field exam September 5, 2006, and as per transfer 5088 for 67-4095. No transfer was filed for the POD for 67-4147. Champion and James will be moving the POD to T17N R01E Sec 6 SWNE in the next year or two, which is closer to the old POD in T17N R01E Sec 6 NENW. The old POD is on Forest Service land and Champion and James do not have an easement to divert water on USFS land. Champion and James may have to file for a transfer to move the POD.

I explained the recommendation on 67-4095 will not change in time for the Director's Report mailing next week, but gave them an objection form. They will file an objection and provide the affidavits after the mailing.

Champion and James have shares in Lost Valley Reservoir. No evidence of priority needed if we re-investigate the claim.

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

November 30, 2006

VALERIE CHAMPION
RONALD JAMES
PO BOX 842
COUNCIL ID 83612

RE: Snake River Basin Adjudication (SRBA) claims for Champion and James

Dear Claimants:

Let me reiterate how nice it was to m g in Weiser last night. I appreciated the opportunity to meet y f your concerns. As promised, I have included Notice of Error reports whether together or individually.

file in 67-4147

One packet contains the NOEs for the said last night you do not have claim to that land and want nothing to s simply because you are on the list of claimants. You will notice they ed. This is because those claims were recommended under the na ll, as you know.

The other packet contains the two claims under your names for the other land. You stated that both of you should be on the claimant list for 67-4147. I have included a scanned copy of the change of ownership we received for 67-4147. You will notice it is only Ron's name on the change of ownership form and on the submitted deed. If you wish to change this, please complete another change of ownership form and send it in with a copy of the deed showing transfer of the property to both of you.

Please feel free to call me at (208) 287-4907 with any questions.

Respectfully submitted,

Monica P. Van Bussum
Water Resource Agent/GIS Technician, Adjudication Bureau

67-4147 2534937

~~Double Up Card Paul Brooks~~
~~5492731~~

Ron Jones

Up Top end of Glendale Rd.

POD + POU

Priority affidavit

Address ?

67-4095

12 acres .26

POU Change NE SW
SE NW 2 ac

4"

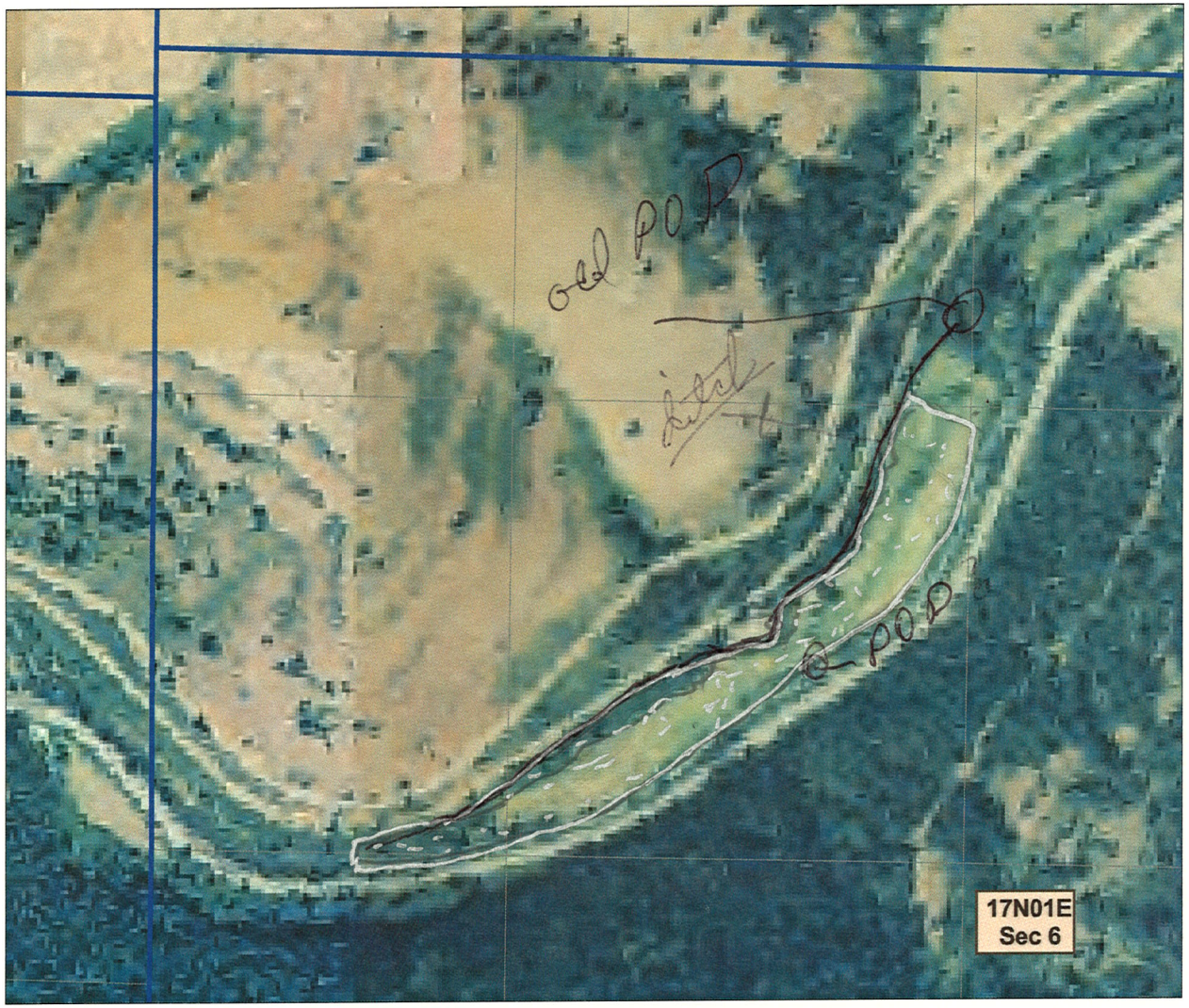
1 HP Pump = 3"
Lift 5
PSI 40

Idaho Department of Water Resources

Adjudication Claim Number: **67-4147**



N



Legend

- Section Lines
- GCDB18N01W GCDB
- GCDB18N01E GCDB
- GCDB17N01W GCDB
- GCDB17N01E GCDB

0 0.2 0.4 Miles

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

IDWR Field Exam Form 04/15/2005

Place Of Use Data Entry Form

Claim Number 67-4147

Claimed Place Of Use

T17N R01E S06 SENW 4.0

Total Acres 4

__ **Use Claimed POU as Recommended POU**

Water Right Place Of Use

T17N R01E S06 SENW 4.0

Total Acres 4

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:

Small pump 1 HP + hose pumped up hill
At this time is watering trees. Old irrigated land
is on map.

Reviewer: Bmc

Date: 9/5/06

Purpose of Use Data Entry Form

Claim Number 67-4147

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

✓ **Use Claimed Purpose of Use as Recommended Purpose of Use**

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Reviewer: Bosca

Date: 9/5/06

IDWR Field Exam Form 04/15/2005

Period of Use and Quantity Data Entry Form

Claim Number 67-4147

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	10/31	0.05	16

Overall Diversion Rate 0.05 Overall Diversion Volume

✓ **Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity**

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	10/31	0.05	16

Overall Diversion Rate 0.05 Overall Diversion Volume 16

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 5' 90 psi
= 3". Pumping uphill in Rose
Towers this quantity realistically.

Reviewer: Bosco

Date: 9/5/06

IDWR Field Exam Form 04/15/2005

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	SALLEY D HAIGHT	2755 HWY 95 BOX 425	COUNCIL	ID	83612	(208)253-4229
Original Owner	CHARLES C HAIGHT	BOX 425	COUNCIL	ID	83612	(208)253-4229
Original Owner	OTTO BODNER			ID		
Original Owner	AUBA BODNER			ID		
Current Owner	RONALD D JAMES	PO BOX 842	COUNCIL	ID	83612	(208) 253-4937

Date of Field Exam: 9/1/04 Time: 9:00AM

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

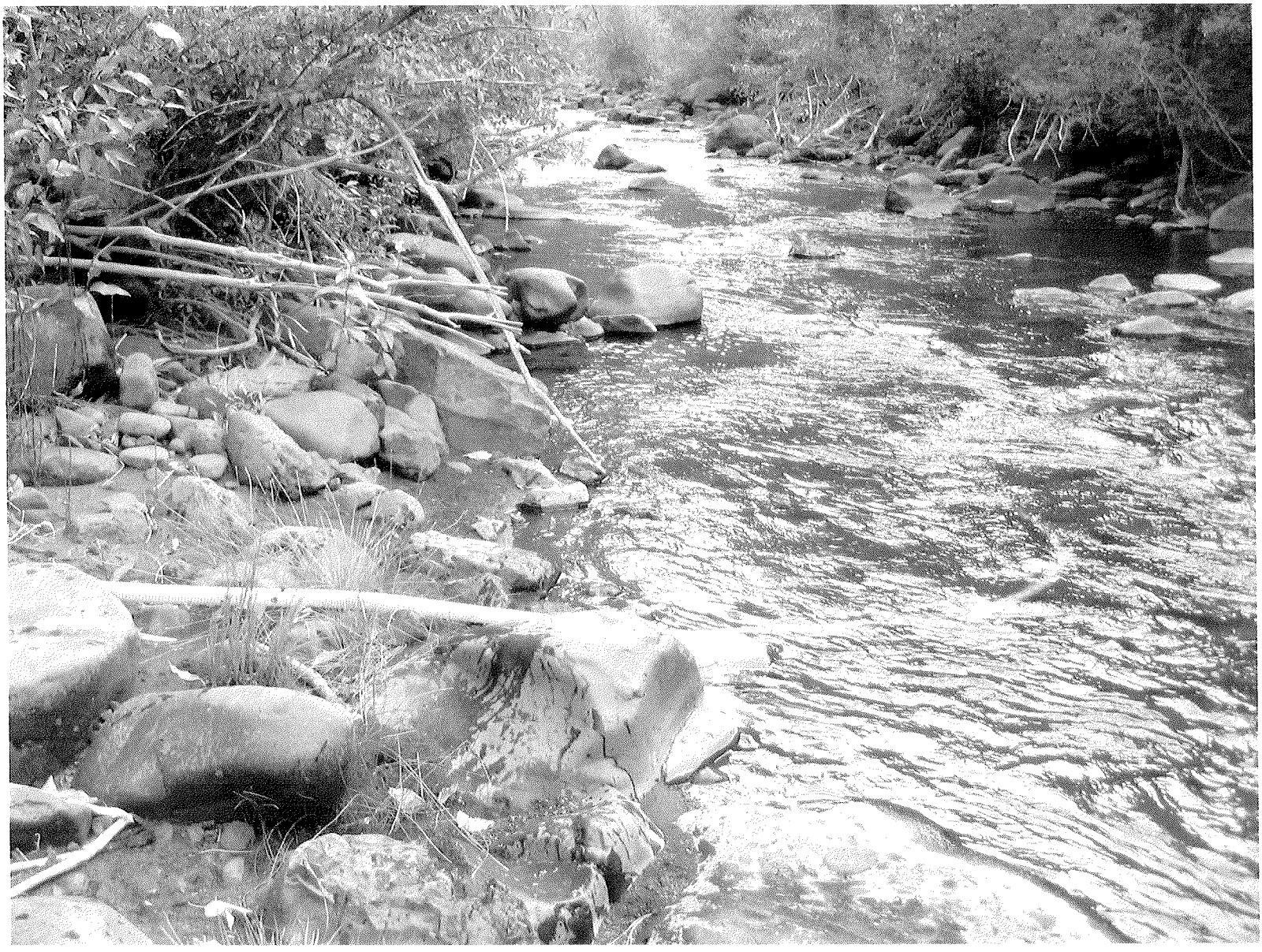
Directions to Property (if different from above) and/or update owner information:

Fruitvale - Glendale Rd from N. and Second bend to Rt. Cabin on ~~left~~ Rt. drive on left
~~3194~~ 3194 Fruitvale - Glendale Rd.

Reviewer: Bruce Date: _____

WR 67-4147

Tag # A0016631



GPS

2311475

1518365

IDWR Field Exam Form 04/15/2005

Point of Diversion and Source Data Entry Form

Claim Number 67-4147

Claimed Point of Diversion and Source

T17N R01E S6 SENW Within ADAMS County Source: WEISER RIVER SNAKE RIVER

__ **Use Claimed POD and Source as Recommended POD and Source**

Water Right Point of Diversion and Source

T17N R01E S6 SENW Within ADAMS County

Recommended Point of Diversion and Source

Source Information

Source	Tributary To

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

Other rights from this POD? _____

Document how the POD and Source were verified:

Old pod is upstream & claimants want to go back to that POD. POD was being used in GPS 2311475 1518365 Tag 4001631

Reviewer: Bosco

Date: 4/5/06

IDWR Field Exam Form 04/15/2005

Priority Date Data Entry Form

Claim Number 67-4147

Claimed Priority Date: 6/1/1948 Claimed Basis: Statutory Claim

☑ **Use Claimed Priority Date and Basis as Recommended Priority Date and Basis**

Water Right Priority Date: 6/1/1948 Water Right Basis: Statutory Claim

Recommended Priority Date ___ ___ _____ Recommended Basis _____

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

Affidavit in file

Reviewer: Bosco Date: 9/5/06

12 AF for 12 ac
right ov
1 ac right
(3AF + 4 = 12 AF)
Seems more plausible

RECEIVED
APR 24 1997
WATER RESOURCES
WESTERN REGION

April 8, 1997

Otto (Ruth) Bodmer - moved on this place. 1st crop of Mar. 1934 Otto had made down payment on the place 1933. We were married Dec. 19. 1933.

When we moved there our papers - Water Carey. We were told - there was 12 Acre feet of water - went with the place.

It came out of - Last Valley Division. At 1st we paid $7. an acre - they told us - That went To pay the ditch rider - It increased - I am not sure what we were paying - Last few years, it wasn't very much.

We bought - from the Dam - down to where the river made turn After he - way was changed. There was put the field at Forest Lodge also field at foot of East Hall Hill (Right).

This is about all - I can see you - & hope this helps - If more ??? - Get in Touch - maybe I can remember or - make - my daughter & sons might remember some thing

NOV 9 4 1997

D3

I do remember - there was - what they called it at Court House - 12 square feet - winter height, with the place that was - We had plenty of water -

From early 50's till we ele 50's we hauled blue berries for market.

Hope this helps

Lucia Badmer,
16600 95th Ave N.E
#3
Arlington, Wash
98223

NOV 04 1987

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 67-4147
Date Received: 6/21/1989
Receipt No: W003322
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RONALD D JAMES Phone: (208) 253-4937

PO BOX 842
COUNCIL ID USA 83612

2. Date of Priority: 06/01/1948

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	01E	6	SE	NW	ADAMS	

5. Description of diverting works:

DAM, PIPELINE, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.05	16

7. Total Quantity Appropriated is:
0.05 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
17N	01E	6	SE	NW		IRRIGATION	4
						Section Acres	4
						Total Acres	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:

CHANGE OF OWNERSHIP 11/22/04

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

CLAIM AMENDED PER TRANSFER NO. 5088 APPROVED 29 SEP 1997.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 5088 IN FILE.
APPROVAL OF TRANSFER NO. 5088 DOES NOT CONFIRM CLAIMED RIGHT NO. 67-04147.
THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

15. Basis of Claim: Statutory Claim

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

RECEIVED
OCT 27 2004
WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
67-4094		no			
67-4147		no			
67-4146		no			

RECEIVED
NOV 19 2004
WATER RESOURCES
WESTERN REGION

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s): Charles C. & Sally D. Haight
P.O. Box 425, Council, ID 83612

4. New Owner/Claimant(s): Ronald D. James
Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address: P.O. Box 842

City, State and ZIP Code: Council, ID 83612

New Telephone Number: (208) 741-9437

5. Date you acquired the property: August 19, 2004

SCANNED
NOV 01 2004

INSTRUMENT NO. 106966 WARRANTY DEED

PAGE 1 OF 3

COPY

For Value Received, CHARLES C. HAIGHT and SALLY D. HAIGHT, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto
RONALD D. JAMES, an unmarried man

the grantee, whose current address is P.O. Box 842, Council, ID 83612

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

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: AUGUST 19, 2004

Charles C. Haight
CHARLES C. HAIGHT

Sally D. Haight
SALLY D. HAIGHT

Instrument # 106966
COUNCIL, ADAMS, IDAHO
2004-08-30 02:21:44 No. of Pages: 3
Recorded for : TIMBERLINE TITLE & ESCROW
MICHAEL FISK Fee: 9.00
Ex-Officio Recorder Deputy
Index to: DEED

RDT

STATE OF IDAHO)
: ss
COUNTY OF ADAMS)

On this 19th day of AUGUST, in the year of 2004, before me, a Notary Public in and for said State, personally appeared CHARLES C. HAIGHT and SALLY D. HAIGHT known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same.

Karen L Amidon
Notary Public
Residing at: Cambridge, ID
Commission expires: 6/26/2009

KAREN L. AMIDON NOTARY PUBLIC STATE OF IDAHO

#04-661

EXHIBIT 'A'

Township 17 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 6: The SW1/4SE1/4NW1/4, E1/2NW1/4SE1/4NW1/4, W1/2NE1/4SE1/4NW1/4, and the NE1/4NE1/4SE1/4NW1/4, and all that portion of Lot 5 in Section 6, T17NR1EBM lying Southerly of the Southerly line of the right-of-way of the Union Pacific Railroad Company, now known as the Friends of the Weiser River Trail, and Northerly of the Northerly bank of the Weiser River, at said railroad right-of-way and the channel of said river, as the same was relocated and constructed in connection with the construction of the portion of the North and South Highway (U.S. Highway 95) under FAP No. 104-E, are now situated and located upon, over and across the said Lot 5.

AND

Township 17 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 6: All that part of the SE1/4NE1/4SE1/4NW1/4 and the E1/2SE1/4SE1/4NW1/4 lying North and West of the Weiser River as now established. Said parcels are also referred to as Tracts 1 and 2 in a Quit Claim Deed recorded January 29, 1991 as Instr. No. 79684.

EXCEPTING THEREFROM a parcel described as commencing at the Northwest corner of the NE1/4NW1/4SE1/4NW1/4, the 1/256 section corner for Section 6, T17NR1EBM which is a brass cap and is the Real Point of Beginning;
Thence S 00° 04' E 443.49 feet to a point on the North boundary of the county road right-of-way;
Thence continuing along the North boundary of said county road right-of-way bearing N 61° 56'16" E 70.83 feet to a point;
Thence on a curve to the right with a radius of 500 feet and a central angle of 08° 23'25", an arc distance of 73.21 feet to a point;
Thence N 70° 19'41" E 105.75 feet to a point;
Thence on a curve to the left with a radius of 400 feet and a central angle of 52° 18'53", an arc distance of 365.22 feet to a point;
Thence N 18° 00'48" E 97.08 feet to a point;
Thence N 90° West 505.23 feet more or less to the Real Point of Beginning.

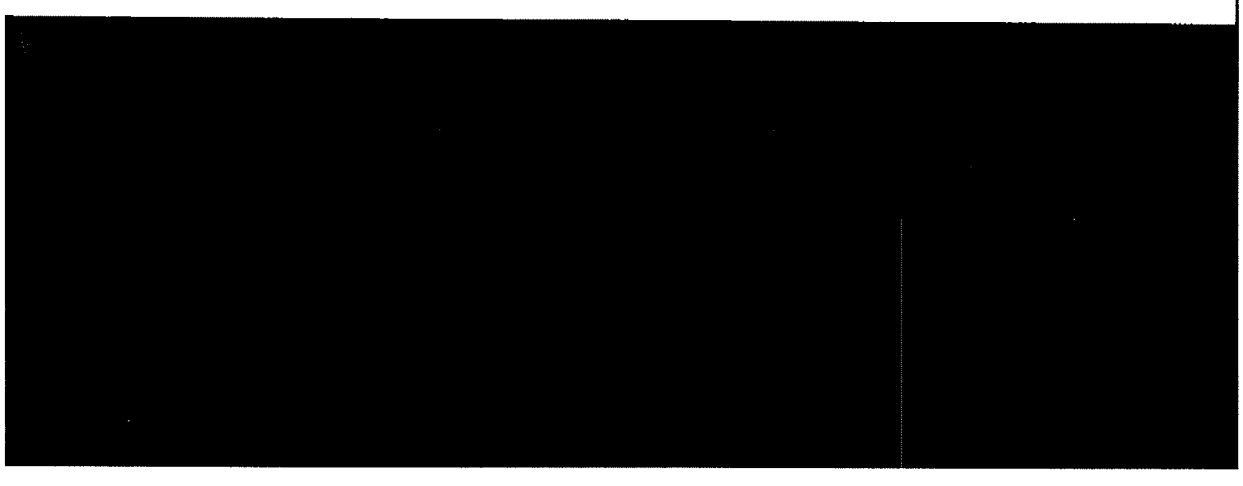
ALSO EXCEPTING THEREFROM a strip of land for right-of-way purposes as surveyed and shown on the official plat of the North and South (FAP 104-E(1)) Highway Survey on file in the office of the Department of Public Works, State of Idaho, and as particularly described by Record Right of Way Deed recorded September 21, 1938 in Book 15 Deeds pages 547-548.

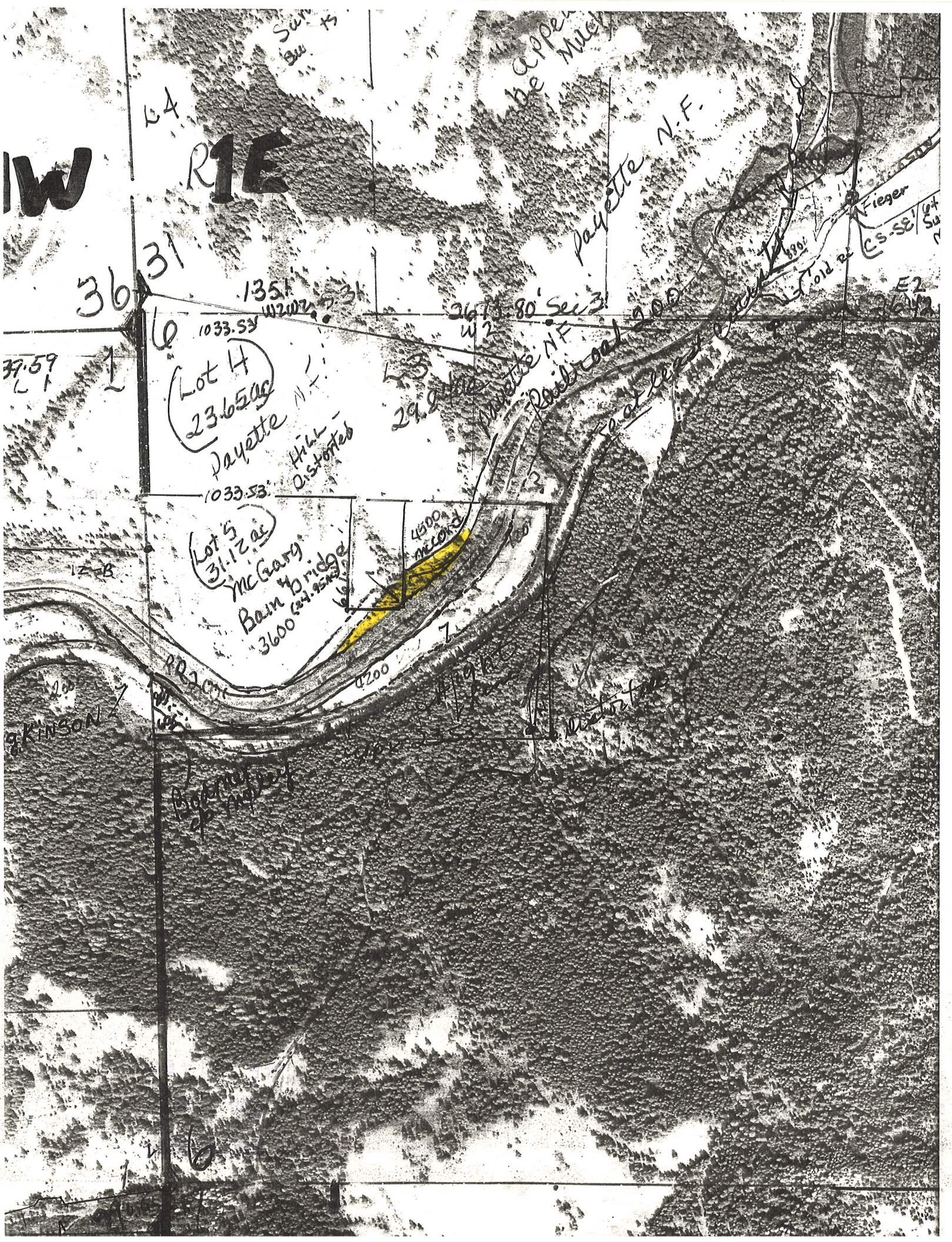
[redacted]

CONTINUED EXHIBIT 'A'

ALSO EXCEPTING THEREFROM that part of the extreme Southwest corner of Lot 5 in Section 6, T17NR1EBM lying Westerly and Southerly from the Westerly side of the right-of-way of said U.S. Highway 95, as established on or before November 15, 1972, over and across said Lot 5.

ALSO EXCEPTING THEREFROM the Weiser River as now established.
ALSO EXCEPTING THEREFROM the right-of-way of the county road.
ALSO EXCEPTING THEREFROM the right-of-way of U.S. Highway 95.
ALSO EXCEPTING THEREFROM the right-of-way of the Union Pacific Railroad, nka Friends of the Weiser River Trail.




R1E
36
31
1351'
1033.53'
(Lot 4
23.65ac)
Payette N.F.
1033.53'
(Lot 5
31.12 ac)
McCarty
Barn
3600
4500' recorded
Railroad
Fieger
CS-SE
Payette N.F.
Payette N.F.
Told at
E2
R2W
Basement
Hill
distorted

COMPLIMENTS OF
Timberline Title & Escrow
THIS SKETCH IS FURNISHED TO ASSIST IN
PROPERTY LOCATION AND THE COMPANY
DOES NOT GUARANTEE ITS ACCURACY

N

W

Approx 2290'

N89°19'49"E 1093.53'

Boise Meridian

N.S. Mallory &
A.S. Bainbridge
33m/239 24.95

Lot 5
31.12 ac
360?

All that part of Lot 5 lying north of the R.O.W. of the UPRR' excepting the County Rd.

Piece in Lot 5 is South
Of Railroad + North of River
Hard to locate on the map.

C. & Sally D. Haight
Lying Southerly of Southerly
& Northerly of Northerly

RR 3450 linear feet, approx
X200' wide 15.84 ac
In Sec 1
Schaebe

Balmer-Clo Mallory

Lot 5 360?
(All that part of Lot 5 lying north of the R.O.W. of the UPRR' excepting the County Rd.

State - US 60 - Hwy - 95

Friends

County Road

Railroad

Boise River

Charles D. Haight
Sally D.
39M345 650/86

Payette Tract Canal
Survey No. 70342

Farallon Field Forest Ln.

N90°W 505.25'

McCord,
Paul C + Carol Lynn
#88010411 6-7-95

T=955

4500

3.53 Ac 365.

N61°56'16"E 70.83'

E½ NW SE NW

1ac

6.47 ac

W½ NE SE

NE NE SE NW

S00°04'E 1143.49'

N78°08'E 1324.20'

N00°29'04"E 928.77'

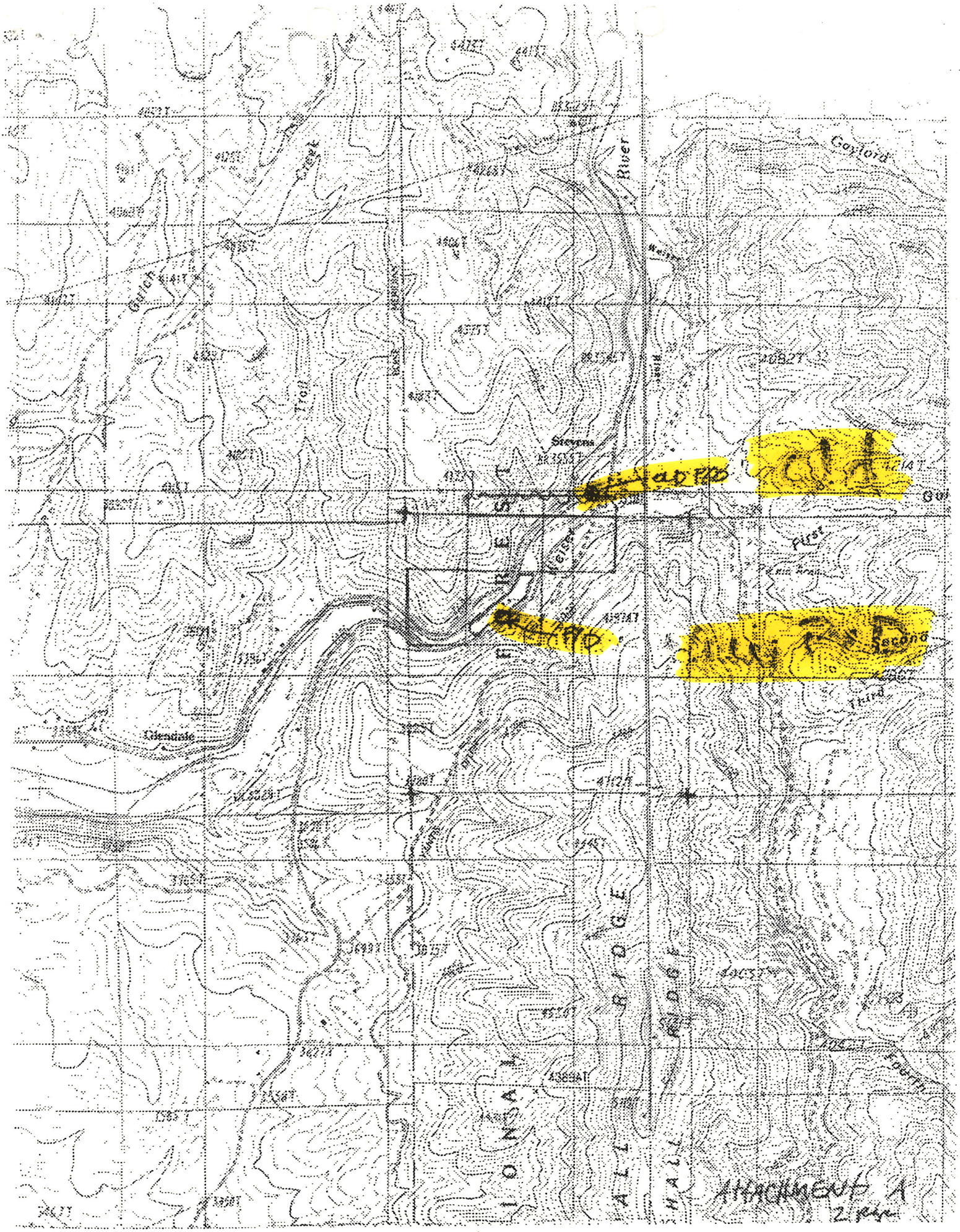
160.46'

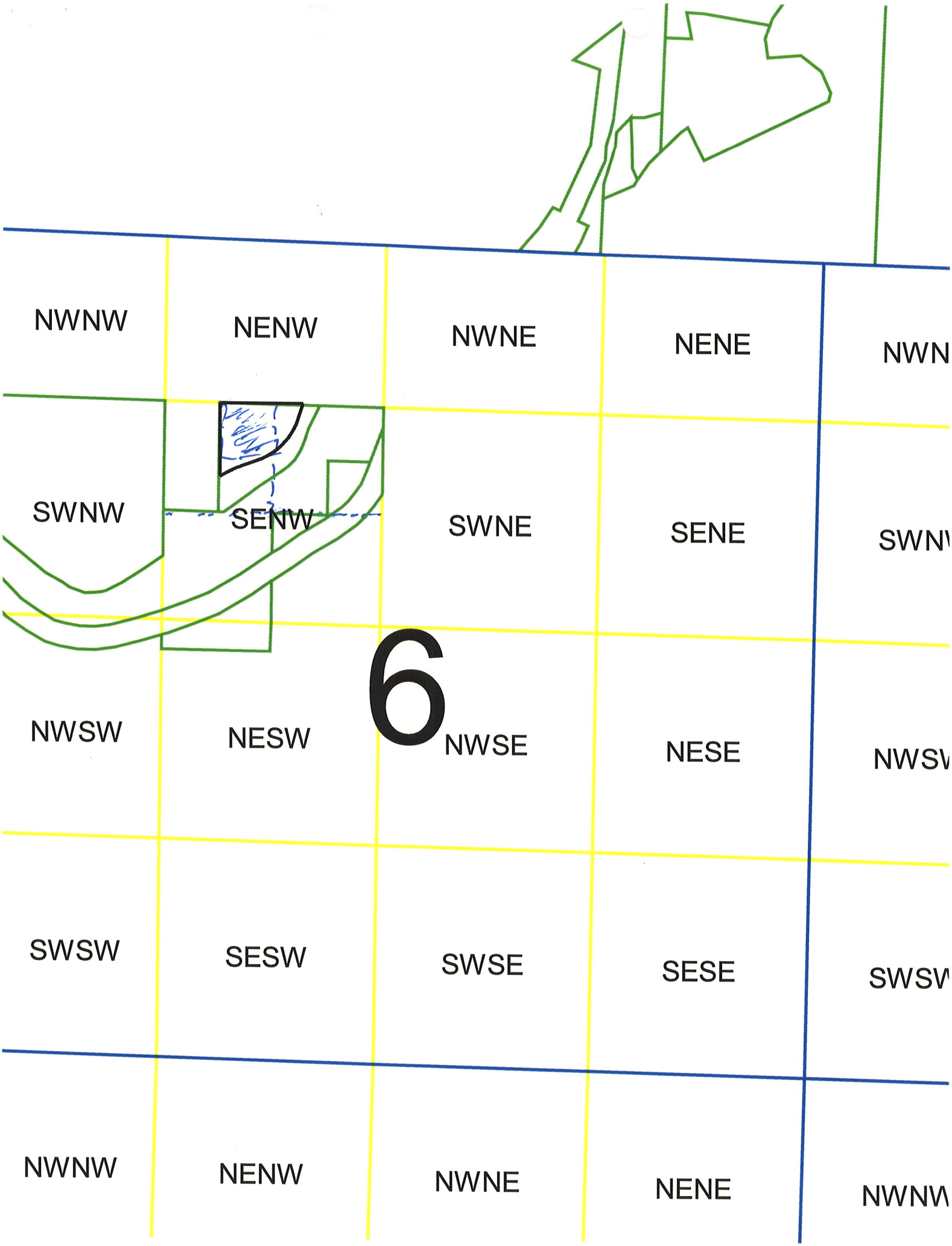
1838'

Haight
RP4200
Survey
#8641B
USFS
Small tracts

(4201 Haight Parcel: Cad calculation 12.42 AC ± 3.04
CSBR map in file)

www.timberlinetitle.com


Coxford
Trail
Stevens
Glendale
First
Second
Third
Fourth
MAIN RIDGE
MAIN RIDGE
ATTACHMENT A
2 of 2


NWNW
NENW
NWNE
NENE
NWN
SWNW
SENW
SWNE
SENE
SWN
6
NWSW
NESW
NWSE
NESE
NWSW
SWSW
SESW
SWSE
SESE
SWSW
NWNW
NENW
NWNE
NENE
NWNW

SRBA
SUBCASE SUMMARY REPORT 67-04094

Return to SRBA Home Page

SRBA SUBCASE SUMMARY REPORT HTML12
10-27-2004

SUBCASE: 67-04094 FILE#: 00000
CLAIMANT: HAIGHT, SALLY D
PO BOX 425

COUNCIL ID 83612
STATUS: PD ISSUED SPECIAL MASTER:
WATER SOURCE: SPRING TRIBUTARY: SINKS

****** PARTIES INVOLVED ******

SALLY D HAIGHT C PRO SE
CHARLES C HAIGHT C PRO SE

****** ROA ENTRIES ******

12-08-2000 PARTIAL DECREE FILED 12-08-2000

Return to SRBA Home Page

SRBA
SUBCASE SUMMARY REPORT 67-04146

Return to SRBA Home Page

SRBA SUBCASE SUMMARY REPORT HTML12
10-27-2004

SUBCASE: 67-04146 FILE#: 00000
CLAIMANT: HAIGHT, CHARLES C
PO BOX 425

COUNCIL ID 83612
STATUS: PD ISSUED SPECIAL MASTER:
WATER SOURCE: SPRING TRIBUTARY: WEISER RIVER, EAST FORK

****** PARTIES INVOLVED ******

CHARLES C HAIGHT C PRO SE
SALLY D HAIGHT C PRO SE

****** ROA ENTRIES ******

12-08-2000 PARTIAL DECREE FILED 12-08-2000

Return to SRBA Home Page

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: **A67-04147**
Date Received: 6/21/1989
Receipt No: W003322
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES C HAIGHT 208-253-4229
   Address: 2755 HWY 95
   BOX 425
   COUNCIL ID 83612

   Name: SALLEY D HAIGHT 208-253-4229
   Address: 2755 HWY 95
   BOX 425
   COUNCIL ID 83612

2. Date of Priority: JUN 1, 1948

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	01E	6	SE NW		ADAMS

5. Description of diverting works:
   DAM, PIPELINE, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.050		16.00

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

SCANNED
APR 0 8 2004

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	01E	6	SE NW		IRR	4.0
				Section Acres		4.0
				Total Acres		4.0

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:
NONE

14. Remarks:
CLAIM AMENDED PER TRANSFER NO. 5088 APPROVED 29 SEP 1997.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 5088 IN FILE.
APPROVAL OF TRANSFER NO. 5088 DOES NOT CONFIRM CLAIMED RIGHT NO. 67-04147.
THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES C HAIGHT	06/01/1948	IRRIGATION	04/01	10/31	0.050 CFS	16.00 AFA
C	SALLEY D HAIGHT						
	2755 HWY 95			TOTAL DIVERSION:		0.050 CFS	16.00 AFA
	BOX 425						
	COUNCIL ID 83612						
	(208) 253-4229						

Water Source: WEISER RIVER Tributary to: SNAKE RIVER Stage: STATUTORY CLAIM

Point(s) of Diversion: T17N R01E S06 SENW ADAMS County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
17N	01E	6								04									4.0
																		TOTAL ACRES	4.0

Pou County: ADAMS

Conditions of Approval:

R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 67.

R02 - A lockable device subject to the approval of the Department
- shall be maintained on the diverting works in a manner that will
- provide the watermaster suitable control of the diversion.

T07 - The right holder shall accomplish the change authorized by this
- transfer within one (1) year of the date of this approval.

T08 - Failure of the right holder to comply with the conditions of this
- transfer is cause for the Director to rescind approval of the
- transfer.

T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.

Remarks: GEN Approval of Transfer No. 5088 does not confirm Claimed Right No. 67-04147.
This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Dates: App. Received: Priority Date: 06/01/1948
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 67 Field Exam Fee:

Comments: Date: 09/19/1997 User-ID: PSKAGGS Subject: TRANSFER NO. 5088
Transfer No. 5088 changes the source under Right No. 67-04147.

Audit: 02/11/85 05/01/88 CONVERT 05/30/97 STAYLOR 09/19/97 PSKAGGS
09/19/97 PSKAGGS 09/29/97 PSKAGGS

Western AJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT - 1 1997
WATER RESOURCES
WESTERN REGION

TRANSFER OF WATER RIGHT

TRANSFER NO. 5088
WATER RIGHT NO. 67-04147

This is to certify that: **CHARLES C HAIGHT**
SALLEY D HAIGHT
2755 HWY 95
BOX 425
COUNCIL ID 83612

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	0.05 CFS	16.0 AF

SOURCE	TRIBUTARY OF
WEISER RIVER	SNAKE RIVER

Priority: 06/01/1948

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 6, Township 17N, Range 01E
ADAMS County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
17N	01E	6	SENW	4			4
					Total number of acres irrigated:		4

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
2. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

TRANSFER NO. 5088
WATER RIGHT NO. 67-04147

CONDITIONS OF APPROVAL AND REMARKS

6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Approval of Transfer No. 5088 does not confirm Claimed Right No. 67-04147.

Dated this 29th day of September, 1997.

L. Glenn Saxton
Chief, Water Allocation Bureau

Comment letter to
for Mayfield, Reference
Lost Valley Shares

FORM 222a
1/97

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

APPLICANT Haights TRANSFER NO. 5088

INITIAL ALLOCATION REVIEW BY [illegible] DATE 5/12/97
SRBA SUPERVISOR REVIEW BY _____ DATE _____

1. Right number(s) 67-04147

2. Type of right
___ Decree ___ License ✓ Statutory Claim
___ SRBA Beneficial Use Claim

3. Purpose of transfer
✓ Change P/D ___ Add P/D ___ Change P/U
___ Change N/U ___ Change Source ___ Split Right
✓ Other: Clarify + Change Source

4. **Check Existing Right:**
✓ Source ✓ Priority ✓ Amount ✓ Purpose
✓ Period ✓ SRBA Claim
✓ Description of original point(s) of diversion
✓ Description of original place of use
✓ Overlapping rights on original place of use

5. **Check Proposed Right for amount of land &/or water transferred:**

✓ **Also see attached memo for more analysis information**

a. ✓ All of right

b. N/A Part of right (***NOTE! Part B should be filled in only if part of right is owned by the applicant***)

c. ✓ Description of point(s) of diversion

d. ✓ Description of place of use

e. ✓ Map showing P/D & P/U after transfer

f. ✓ Correct notarized signature and $100 fee

g. ✓ Proof of ownership of right &/or land from which water is transferred

h. N/A Expansion in use of right - Comments: _____

RECEIVED
AUG 07 1997
Department of Water Resources

Form 272
2-97

Page 1 of 4

Transfer No. 5088

RECEIVED
AUG 07 1997
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of Applicant Charles C. &/or Salley D. Haight Phone 208-253-4229

Postal address 2755 Hwy 95 Box 425 City Council St ID Zip 83612

A. PURPOSE OF THE TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Change/clarify source

2. Describe reason for the proposed changes: Move point of diversion from ditch to pump Station. Codify a source change which occurred prior to 1987.

B. DESCRIPTION OF RIGHT(S), OR PORTIONS THEREOF, AFTER THE REQUESTED CHANGE (or ☐ see Attachment ____)

1. Right No.	Priority	Amount (cfs, ac-ft)	Nature of use	Period of Use
67-04147	6-1-1948	.05 cfs	IRRIGATION	4-1 to 10-31
				to
				to
				to

2. Total diversion rate/volume being transferred: .05 cfs and/or ____ ac-ft per annum

3. Source of water: Weiser River, tributary to: Snake River (or ☐ see Attachment ____)

4. Points of diversion (or ☐ see Attachment ____):

Twp.	Rge.	Sec.	1/4	1/4	1/4	Lot	County	Local diversion name / Local landmark
17N	1E	6		SE	NW		Adams	

5. Lands irrigated or place of use (or ☐ see Attachment ____):

Twp	Rge	Sec	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	1E	6								4									4

Total acres 4

☐ Permissible place of use, actual acreage irrigated not to exceed ____ acres per year.

Transfer No. _____

PART 1, CONTINUED

6. General information:

a. Description of new diversion system (or ☐ see Attachment ____): 5-10 HP Berkeley pump, 200' lift into flex hoses or into existing ditches for irrigation. ↳ for sprinklers

b. Remarks (or ☐ see Attachment ____): Present ditch diversion on USFS land has washed out. Applicant plans to establish a pump site on his property and abandon ditch. See historical narrative of use, attached.

PLEASE READ THIS SECTION CAREFULLY

Is there a current lien, mortgage or deed of trust on the property? \ Yes ____ No *N/A - point of diversion only
If yes, please complete Part 2, item 6.

Has any portion of this right(s) undergone a period of 5 or more consecutive years of non-use? ____ Yes \ No
If yes, please attach an explanation of circumstances and label it as noted in Part 2, item 9(g).

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the right(s), and that the information contained in this application is true to the best of my knowledge. I understand that I am responsible for the accuracy and completeness of the application even though I may have been assisted in the preparation of the application.

I understand that any willful misrepresentation made in this application may result in voiding the transfer approval.

x Charles D. Haight
(Signature and Title of Applicant)

Subscribed and sworn before me on this 26 day of March, 19 97.

LORI GRAVES NOTARY (seal) PUBLIC STATE OF IDAHO

Lori Graves
(Signature of Notary Public)

My commission expires: 6/18/98

FOR DEPARTMENT USE ONLY

Transfer contains 4 pages and 5 attachments

Received by CH Date 3/26/97 Fee 100

Receipted by CH Date 3/26/97 # W022711

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: **A67-04147**
Date Received: 6/21/1989
Receipt No: W003322
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES C. HAIGHT 208-253-4229
   Address: BOX 425
   COUNCIL, ID 83612
   OR
   Name: SALLEY D. HAIGHT 208-253-4229
   Address: BOX 425
   COUNCIL, ID 83612

2. Date of Priority: JUN 01, 1948

3. Source: WEISER RIVER, E. FORK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
17N	01E	6	SE NW		ADAMS

5. Description of diverting works:
   DAM, PIPELINE, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/31	0.050		
STOCKWATER	04/01	11/31			

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   STOCK DRINK OUT OF DITCH

MICROFILMED
OCT U 2 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	01E	6	SE NW		IRR	4.0
				Section Acres		4.0
				Total Acres		4.0

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:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
OCT 02 1992

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: 1

For Individuals:

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

Signature of Claimant(s): x Charles D. Wright Date: x June 21, 1989

_____ Date: _____

State of Idaho)
) SS.
County of Ada)

Subscribed and sworn (or affirmed) before me this 21 day of June 19 89

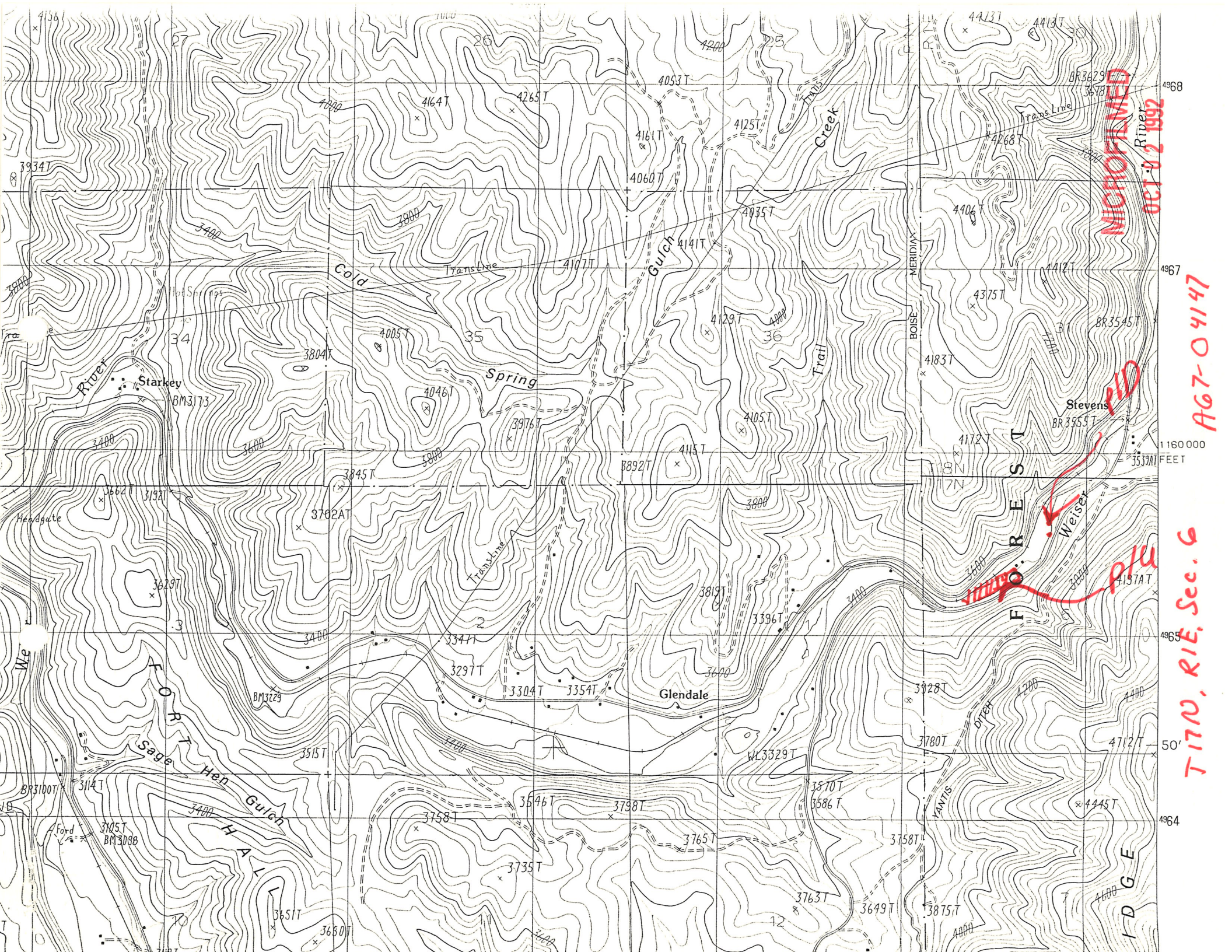
Linda A Werner
Notary Public

Seal

Residing at Linda A. Werner
~~Residing at Boise, Idaho~~
My Commission Expires December 8, 1994

My Commission Expires _____

MICROFILMED
OCT 0 2 1992


Cold Gulch
Spring
Trail
Creek
Starkey
Stevens
Glendale
Headgate
Sage Hen Gulch
HALL
FORT
BOISE
MERIDIAN
WEISER
RIVER
FOREST
Trans Line
ditch
YANTIS
BM3173
BM3229
BM3098
BR3629
BR3545
BR3555
WL3329
T18N
R7W
T17N
R6W
MICROFILMED
OCT 2 1992
A67-04147
T17N, R6E, Sec. 6
pld
pld

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 22, 2004

Ronald D. James
PO Box 842
Council ID 83612

Re: Notice of Claim to a Water Right No. 63-4828 & 63-4053

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

Liberty Gagnon

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 15, 2004

Ronald D. James
P.O. Box 842
Council, ID 83612

RE: Notice of Claim To A Water Right

Dear Mr. James:

This office has reviewed the Notice of Claim to a Water Right that you have recently submitted. However, we cannot continue to process this claim and are returning it to you for additional information. In order to complete this claim, we need a plat map indicating to exact location of your property. Please indicate the location of your property on the map provided, and we will be able to complete this process.

If you have any questions regarding this matter, feel free to contact our office at (208) 334-2190.

Sincerely,

Liberty Gagnon

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region

LG: lg

Enclosure

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

RECEIVED
OCT 27 2004
WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
67-4094		no			
67-4147		no			
67-4146		no			

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s): Charles C. & Sally D. Haight
P.O. Box 425, Council, ID 83612

4. New Owner/Claimant(s): Ronald D. James
Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address: P.O. Box 842

City, State and ZIP Code: Council, ID 83612

New Telephone Number: (208) 741-9437

5. Date you acquired the property: August 19, 2004

SCANNED
NOV 0 1 2004

INSTRUMENT NO. 106966 WARRANTY DEED

PAGE 1 OF 3

For Value Received, CHARLES C. HAIGHT and SALLY D. HAIGHT, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto
RONALD D. JAMES, an unmarried man

the grantee, whose current address is P.O. Box 842, Council, ID 83612

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

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: AUGUST 19, 2004

Charles C. Haight
CHARLES C. HAIGHT

Sally D. Haight
SALLY D. HAIGHT

Instrument # 106966
COUNCIL, ADAMS, IDAHO
2004-08-30 02:21:44 No. of Pages: 3
Recorded for : TIMBERLINE TITLE & ESCROW
MICHAEL FISK Fee: 9.00
Ex-Officio Recorder Deputy
Index to: DEED

RDJ

STATE OF IDAHO)
: ss
COUNTY OF ADAMS)

On this 19th day of AUGUST, in the year of 2004, before me, a Notary Public in and for said State, personally appeared CHARLES C. HAIGHT and SALLY D. HAIGHT known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same.

Karen L Amidon
Notary Public
Residing at: Cambridge, ID
Commission expires: 6/26/2009

KAREN L. AMIDON NOTARY PUBLIC STATE OF IDAHO

#04-661

EXHIBIT 'A'

Township 17 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 6: The SW1/4SE1/4NW1/4, E1/2NW1/4SE1/4NW1/4, W1/2NE1/4SE1/4NW1/4, and the NE1/4NE1/4SE1/4NW1/4, and all that portion of Lot 5 in Section 6, T17NR1EBM lying Southerly of the Southerly line of the right-of-way of the Union Pacific Railroad Company, now known as the Friends of the Weiser River Trail, and Northerly of the Northerly bank of the Weiser River, at said railroad right-of-way and the channel of said river, as the same was relocated and constructed in connection with the construction of the portion of the North and South Highway (U.S. Highway 95) under FAP No. 104-E, are now situated and located upon, over and across the said Lot 5.

AND

Township 17 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 6: All that part of the SE1/4NE1/4SE1/4NW1/4 and the E1/2SE1/4SE1/4NW1/4 lying North and West of the Weiser River as now established. Said parcels are also referred to as Tracts 1 and 2 in a Quit Claim Deed recorded January 29, 1991 as Instr. No. 79684.

EXCEPTING THEREFROM a parcel described as commencing at the Northwest corner of the NE1/4NW1/4SE1/4NW1/4, the 1/256 section corner for Section 6, T17NR1EBM which is a brass cap and is the Real Point of Beginning;
Thence S 00° 04' E 443.49 feet to a point on the North boundary of the county road right-of-way;
Thence continuing along the North boundary of said county road right-of-way bearing N 61° 56'16" E 70.83 feet to a point;
Thence on a curve to the right with a radius of 500 feet and a central angle of 08° 23'25", an arc distance of 73.21 feet to a point;
Thence N 70° 19'41" E 105.75 feet to a point;
Thence on a curve to the left with a radius of 400 feet and a central angle of 52° 18'53", an arc distance of 365.22 feet to a point;
Thence N 18° 00'48" E 97.08 feet to a point;
Thence N 90° West 505.23 feet more or less to the Real Point of Beginning.

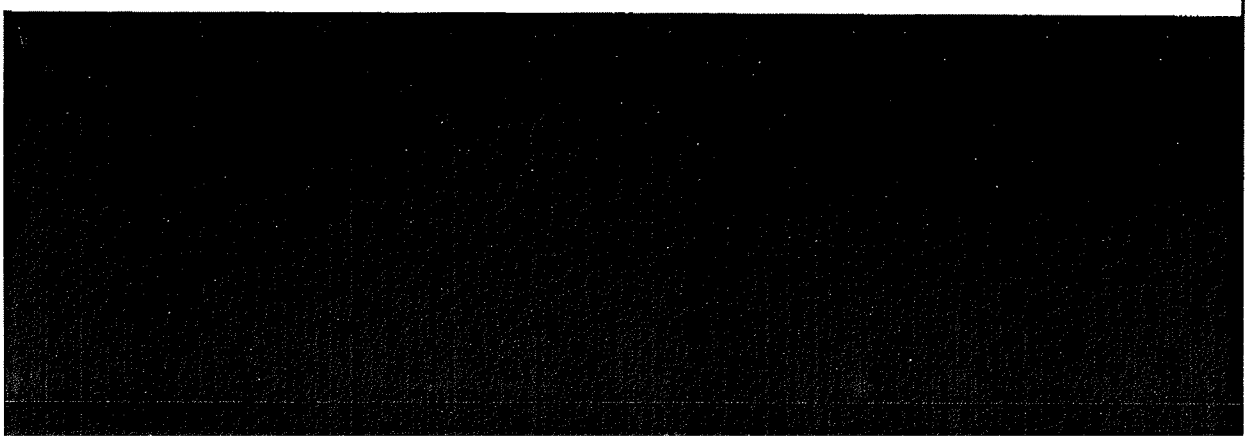
ALSO EXCEPTING THEREFROM a strip of land for right-of-way purposes as surveyed and shown on the official plat of the North and South (FAP 104-E(1)) Highway Survey on file in the office of the Department of Public Works, State of Idaho, and as particularly described by Record Right of Way Deed recorded September 21, 1938 in Book 15 Deeds pages 547-548.



CONTINUED EXHIBIT 'A'

ALSO EXCEPTING THEREFROM that part of the extreme Southwest corner of Lot 5 in Section 6, T17NR1EBM lying Westerly and Southerly from the Westerly side of the right-of-way of said U.S. Highway 95, as established on or before November 15, 1972, over and across said Lot 5.

ALSO EXCEPTING THEREFROM the Weiser River as now established.
ALSO EXCEPTING THEREFROM the right-of-way of the county road.
ALSO EXCEPTING THEREFROM the right-of-way of U.S. Highway 95.
ALSO EXCEPTING THEREFROM the right-of-way of the Union Pacific Railroad, nka Friends of the Weiser River Trail.



MEMORANDUM

TO: FILE NO. 67-04147

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 5088

DATE: September 19, 1997

==========

Transfer No. 5088 changes the source under Right No. 67-04147 from unnamed stream to the tributary Weiser River, reflecting a change from the originally claimed source. The change occurred prior to 1987 and the SRBA Claim identifies the Weiser River also.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include non-confirmation of claim, watermaster control, lockable device, irrigation overlap and standard transfer conditions.

SCANNED
APR 0 8 2004

REVIEWER'S MEMO

RECEIVED
NOV 14 1997
WATER RESOURCES
WESTERN REGION

May 12, 1997

TO: Transfer File 67-04147
FROM: Lori Graves

This transfer was filed to fix and update previous records. In a nutshell, 67-04147 originally listed an unnamed stream as the source for irrigation and stockwater use but has used the Weiser River p/d listed for 67-04095 prior to 1986. 67-04095 was abandoned sometime between 1976 and 1986 and discontinued using the p/d. This p/d was then washed out by the 1997 flood. Old records and SRBA claim listed Weiser River, East Fork as the source, which is NE of the washed out p/d. The actual source for this p/d is the Weiser River. The stockwater use a spring source represented by 67-04146. The Weiser River diversion system is not used for stockwater (per telecon with applicant 5/14/97).

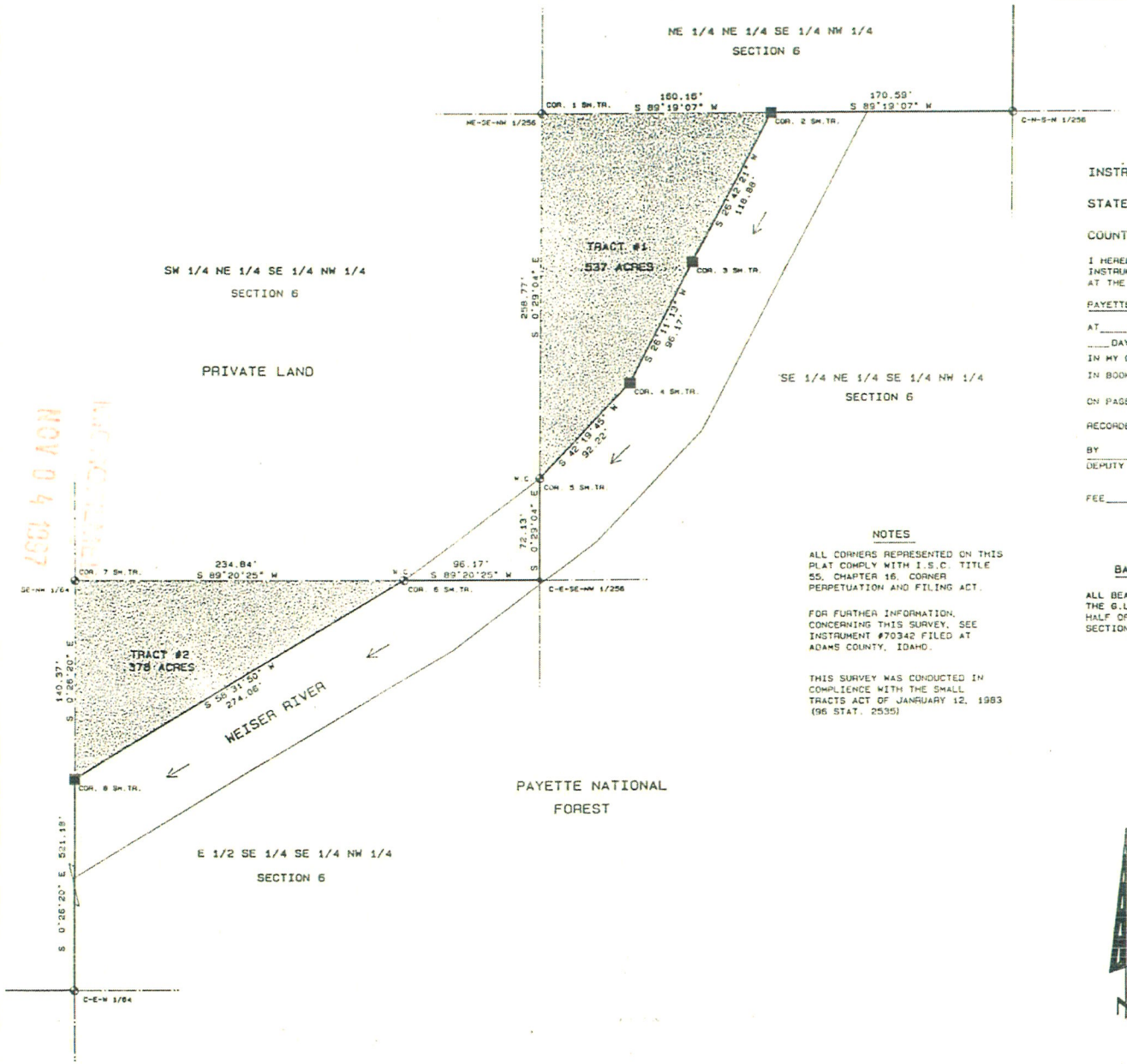
Since the p/d washed out, the applicant now wants to re-establish a new p/d closer to home for a more efficient system.

The transfer is based on a statutory claim. A field verification is not necessary due to the sufficient documentation and affidavits submitted. Napp photography supports the irrigation use.

In regards to overlaps, one affidavit mentioned Lost Valley shares also used for the property. This overlap does not show up on IDWR records because the acres have yet to be determined. Otherwise, no other rights are used.

Based on the above information, I recommend this transfer be processed as submitted.

TOWNSHIP 17 NORTH, RANGE 1 EAST, BOISE MERIDIAN, IDAHO.
SECTION 6
DEPENDENT SMALL TRACTS ACT SURVEY



INSTRUMENT No. _____

STATE OF IDAHO

COUNTY OF ADAMS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF

PAYETTE NATIONAL FOREST

AT _____ MINUTES PAST _____ M

____ DAY OF _____, 19 ____

IN MY OFFICE AND DULY RECORDED

IN BOOK _____ OF _____

ON PAGE _____

RECORDER _____

BY _____

DEPUTY

FEE _____

NOTES

ALL CORNERS REPRESENTED ON THIS PLAT COMPLY WITH I.S.C. TITLE 55, CHAPTER 16, CORNER PERPETUATION AND FILING ACT.

FOR FURTHER INFORMATION, CONCERNING THIS SURVEY, SEE INSTRUMENT #70342 FILED AT ADAMS COUNTY, IDAHO.

THIS SURVEY WAS CONDUCTED IN COMPLIENCE WITH THE SMALL TRACTS ACT OF JANRUARY 12, 1983 (96 STAT. 2535)

BASIS OF BEARING

ALL BEARINGS SHOWN ARE BASED ON THE G.L.O. RECORD FOR THE SOUTH HALF OF THE WEST MILE OF SECTION 7, T.17 N., R.1 E., B.M.

LEGEND

- NATIONAL FOREST BOUNDARIES SURVEYED AND POSTED
- FOREST SERVICE SUBDIVISION CORNER 1984
- CALCULATED POSITION FOR CORNER WHICH FALLS IN WEISER RIVER
- SMALL TRACT BOUNDARY CORNER
- AREA INCLUDED IN SMALL TRACTS 0.915 ACRES, MORE OR LESS

CERTIFICATE OF SURVEY

I, THOMAS K. BETZOLD, L.S. NO. 6047 STATE OF IDAHO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED ON THIS PLAT WAS PERFORMED BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO, AS AN AGENT OF AND FOR THE EXCLUSIVE USE OF THE U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE.

PROFESSIONAL LAND SURVEYOR REGISTERED 6047 STATE OF IDAHO THOMAS K. BETZOLD

SCALE IN FEET

50 25 0 50 100

N

HAIGHT SMALL TRACT

U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE

REGION 4 PAYETTE NATIONAL FOREST

SURVEY
NATIONAL FOREST BOUNDARIES
TOWNSHIP 17 NORTH, RANGE 1 EAST, B.M.
SECTION 6
ADAMS COUNTY, IDAHO

SURVEYED BY T.BETZOLD 11-87.

DRAWN HP 7580 6
C.ARTHUR

APPROVED BY

Veto J LaSalle

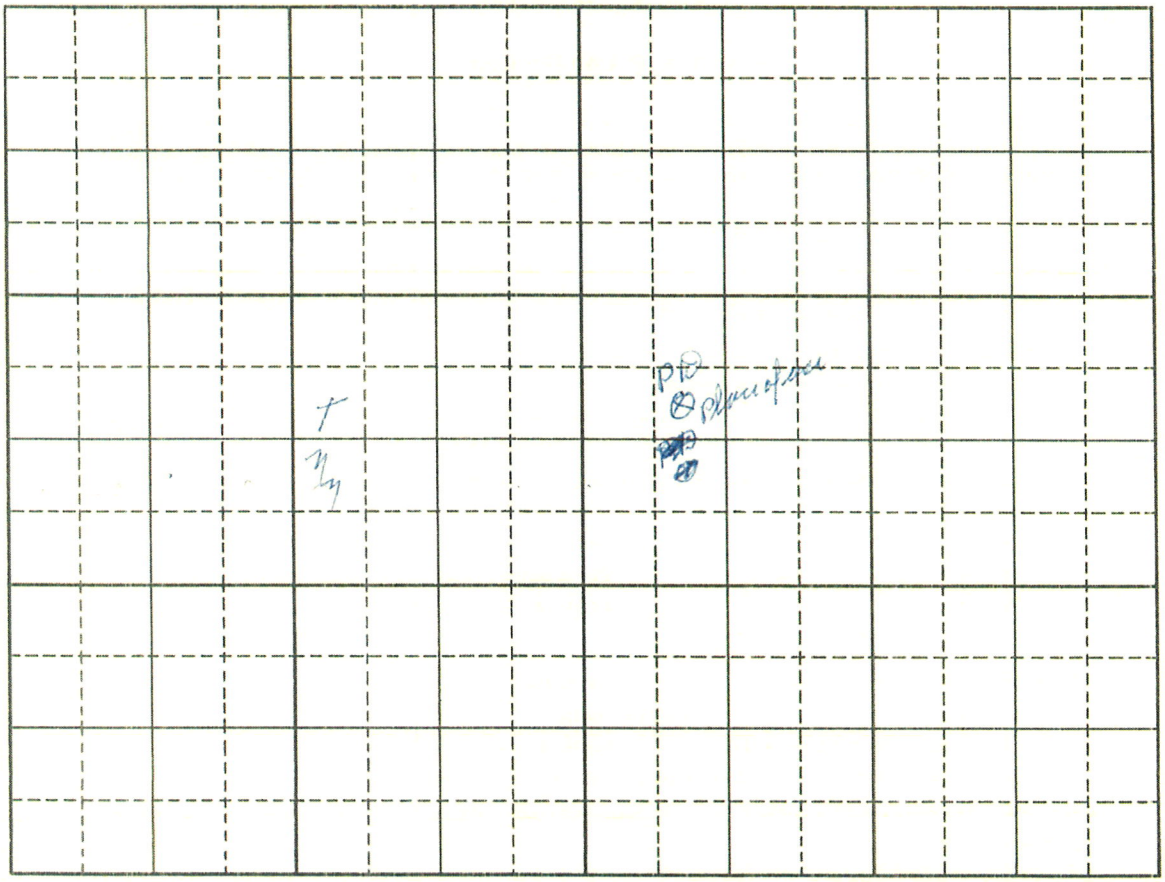
Veto J LaSalle FOREST SUPERVISOR

CHECKED BY VB

SHEET 1 OF 1

DATE 11/20/90

(8) Remarks _____



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.

Otto Bodmer
(Claimant)

Sworn to before me this 2 day of September, 19 75.

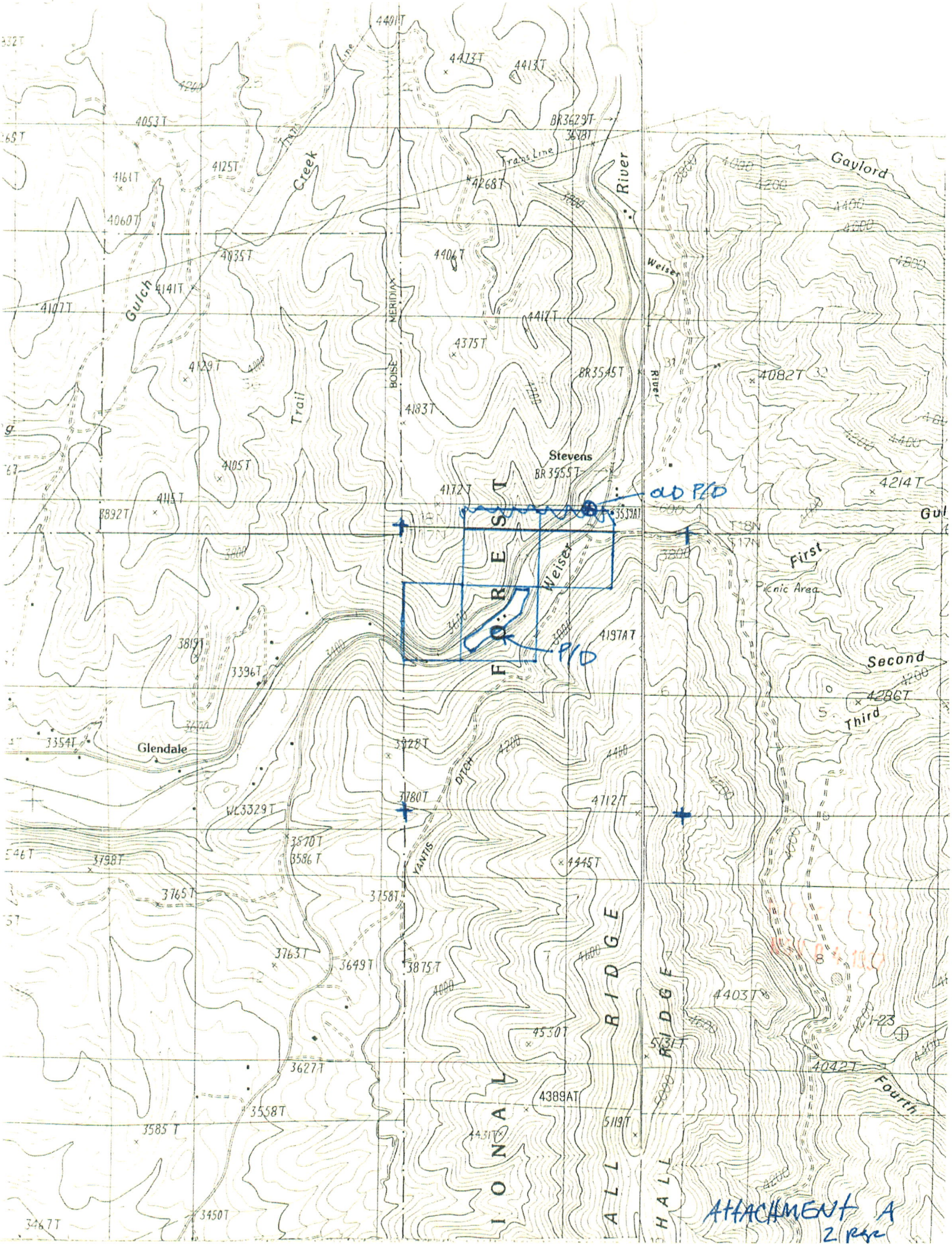
Paul Braun
Notary Public
Residing at Council Idaho

My commission expires 6-22-76

For Department Use Only

Received by C/S	Date 9/4/75	Exception filed by:	Forwarded to claimant by:	Date	
Prelim. check by PJC	Date 9/4/75				
$10.00 fee received by C/S	Date 9/4/75 #1301				
Approved for publication by C/S OK	9/8/75				
Published in Adams County Leader					
Dates Sept 18 & 25					


U. SAND
2
NOV 0 4 1937
BODM
42



ATTACHMENT A
2 Pgs