

07/25/2005

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

RIGHT NUMBER: 67-4415

NAME AND ADDRESS: SUNNYSIDE DITCH CO
C/O JAQUELINE WRAY
PO BOX 829
WEISER ID 83672

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 32.000 CFS

PRIORITY DATE: 04/01/1922

POINT OF DIVERSION:

T11N R04W S25 SWSNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/25 7/20	32.000 CFS

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 25 and after July 20 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

3313 ACRES TOTAL

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

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 - Statutory Claim

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4415 V1

WATER RIGHT NUMBER: 67-4415 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SUNNYSIDE DITCH CO C/O JAQUELINE WRAY PO BOX 829 WEISER, ID 83672 (208)549-0611

Priority Date: 04/01/1922
Basis: Statutory Claim
Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/25 to 7/20	32.000 CFS	
	<u>Total Diversion:</u>	32.000 CFS	

Location of Point(s) of Diversion

WEISER RIVER SW1/4SE1/4NW1/4 Sec. 25, Twp 11N, Rge 04W, B.M.
WASHINGTON 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	
10N	04W	2		X L 2			X L 3	X L 4	X	X	X	X	X		X	X	X		
10N	04W	3	X L 1	X L 2	X	X L 3		X	X	X	X	X	X	X	X	X	X		
10N	04W	4						X		X	X	X	X	X	X	X	X		
10N	04W	5	X L 1	X L 2	X	X L 3	X L 4	X	X	X	X	X	X	X	X	X	X		
10N	04W	6	X L 1		X					X	X L 6	X L 7	X	X	X	X	X		
10N	04W	7	X	X	X	X	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X		
10N	04W	8	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
10N	04W	9	X	X	X		X	X	X	X	X				X				

Adjudication Recommendation Report 67-4415 V1

Total Acres: 3313

1. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 25 and after July 20 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-4415 V1

Dates and Other Information:

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

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	7/25/2005 10:50:45 AM	awarntje			Active
Priority Date	7/25/2005 10:57:04 AM	awarntje			Active
POU	7/25/2005 11:05:43 AM	awarntje			Active
POD	7/25/2005 11:06:01 AM	awarntje			Active
Source	7/25/2005 11:06:32 AM	awarntje			Active
Use	7/25/2005 11:06:59 AM	awarntje			Active
Season	7/25/2005 11:08:49 AM	awarntje			Active
Quantity	7/25/2005 11:09:11 AM	awarntje			Active
Summary			07/25/2005	awarntje	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	7/22/2005 10:03:16 AM	awarntje	Updated shape
POD	7/25/2005 11:06:02 AM	awarntje	(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	7/25/2005 11:05:25 AM	awarntje	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4415 V1

General	7/25/2005 10:57:05 AM	awarntje	(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 - Sunnyside Irrig. Dist. assessment book of Lands year 1923
Quantity	7/25/2005 11:09:11 AM	awarntje	(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?
Summary	7/25/2005 11:10:21 AM	awarntje	(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:

ASSESSMENT BOOK OF LANDS IN SUNNYSIDE IRRIGATION DISTRICT

YEAR 1923

SUNNYSIDE CO. PRINTERS & BINDERS, BOX 74534

	NAME OF OWNER OR CLAIMANT OR PARTY IN POSSESSION OR CONTROL	ADDRESS	DESCRIPTION OF PROPERTY				ACRES APPOR- TIONED	APPORTION- MENT 1922 BENEFITS	AMOUNT OF ASSESSMENT			TOTAL ASSESSMENT	SPECIAL ASSESSMENTS PAID				Current Receipt No.
			SUBDIVISION OF SEC.	Sec.	Tp.	R. & W.			INTEREST 1922 BONDS	MAINTEN- ANCE	1923 Special Taxes		Mo.	Day	Year	AMOUNT	
1	Lafferty, Zella	Deeded to Wash. Co. 1926	SE 1/4 SE 1/4	33	11	S	30.	1493.25	89.60	90.00	90.00	179.60					1
2																	
3																	
4																	
5	Williams, Alice L. R. S. Williams	R. S. Williams Del. 1923 1924 1925	NE 1/4 NE 1/4	4	10	S	40.	2000.00	120.00	120.00	120.00	240.00				105.00	2
6																	
7																	
8																	
9	Neely, John C.	all paid	TN 2 - NW 1/4 NE 1/4 TN 4 - SW 1/4 NE 1/4	4	10	S	22	1100.00	66.00	66.00	66.00	132.00				15.00	3
10																	
11																	
12																	
13	Williams, R. S.	Del. 1923 1924 1925	TN 3 - SW 1/4 NE 1/4 SE 1/4 NE 1/4	4	10	S	10	500.00	30.00	30.00	30.00	60.00				30.00	4
14																	
15																	
16																	
17	Lafferty, Zella	all paid	N 1/2 NE 1/4 SE 1/4	4	10	S	10.5	915.77	54.95	55.50	55.50	110.45	3	24	24	9.75	5
18																	
19																	
20																	
21																	
22																	
23																	
24																	
25	~~Lafferty, Zella~~ C. W. Ford	C. W. Ford & P. Co. Deeded to Wash. Co. 1926	TN 11 - S 1/2 NE 1/4 SE 1/4	4	10	S	6.5	325.00	19.50	19.50	19.50	39.00					6
26																	
27		Olga C Rantach all paid	TN 12														
28																	
29	Owens		SW 1/4 NE 1/4	3	10	S	.7	3500	210	210	210	420					7
30																	
31	Wash. Co. Deeded to Wash. Co. 1926																
32																	
Total									5139.5	515.10	515.10	1029.05					

E. L. Owens owned tract of NW 1/4 NE 1/4 - 3-10-S (TN 8) Now owned by W. Garrison. Paid - 22 - 23 - 24 - 25

CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that

(Name of Claimant)

c/o Jacqueline Wray, Rt. 2 Cove Rd. Weiser, ID 83453 Telephone No. 549-0682

(Mailing Address)

(Zip Code)

Telephone No. 549-0682

follows:

chgd per telecon

- w/Jackie b1h

2/13/8

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Weiser River/Flood Water tributary to Snake River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Mo., Day)		(Mo., Day)	
				Period of Use From		To	
Quantity	32 cfs	Use	irrigation	Period of Use From	Apr 25.	To	Jul 20
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	

- (4) 32 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE ¼ NW ¼, Sec. 25 Twp. 11N Rge. 4 West B.M., County of Washington

Additional points of diversion:

- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Diversior Dam in Weiser River - Diversion Wier capable of diverting 46 cfs.

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

- SEE ATTACHED MAP & LAND LIST -

[illegible]

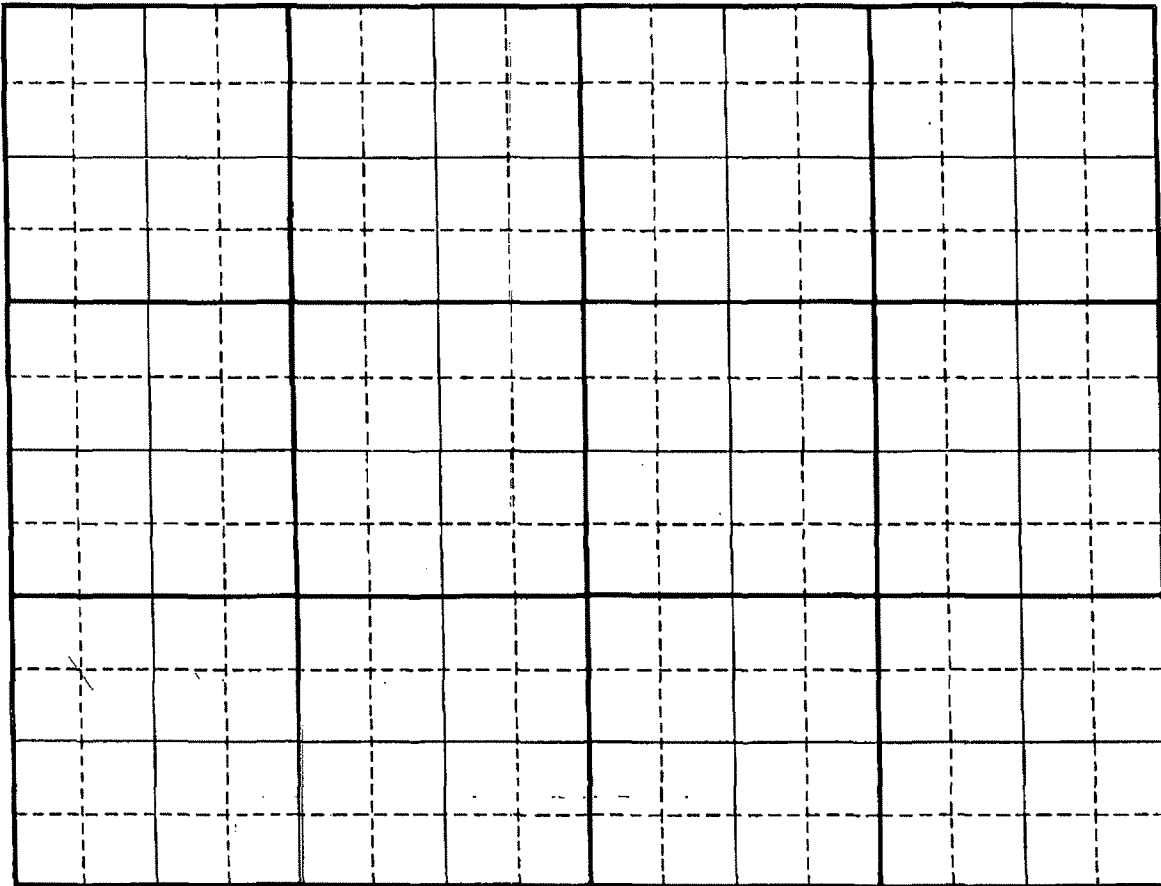
No. of acres 3892

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

NOTE: Include here the type and number of stock watered:

If you are claiming water as a member of an organization, list name of organization:

(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)
County of Washington) ss.

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: 9th day of February

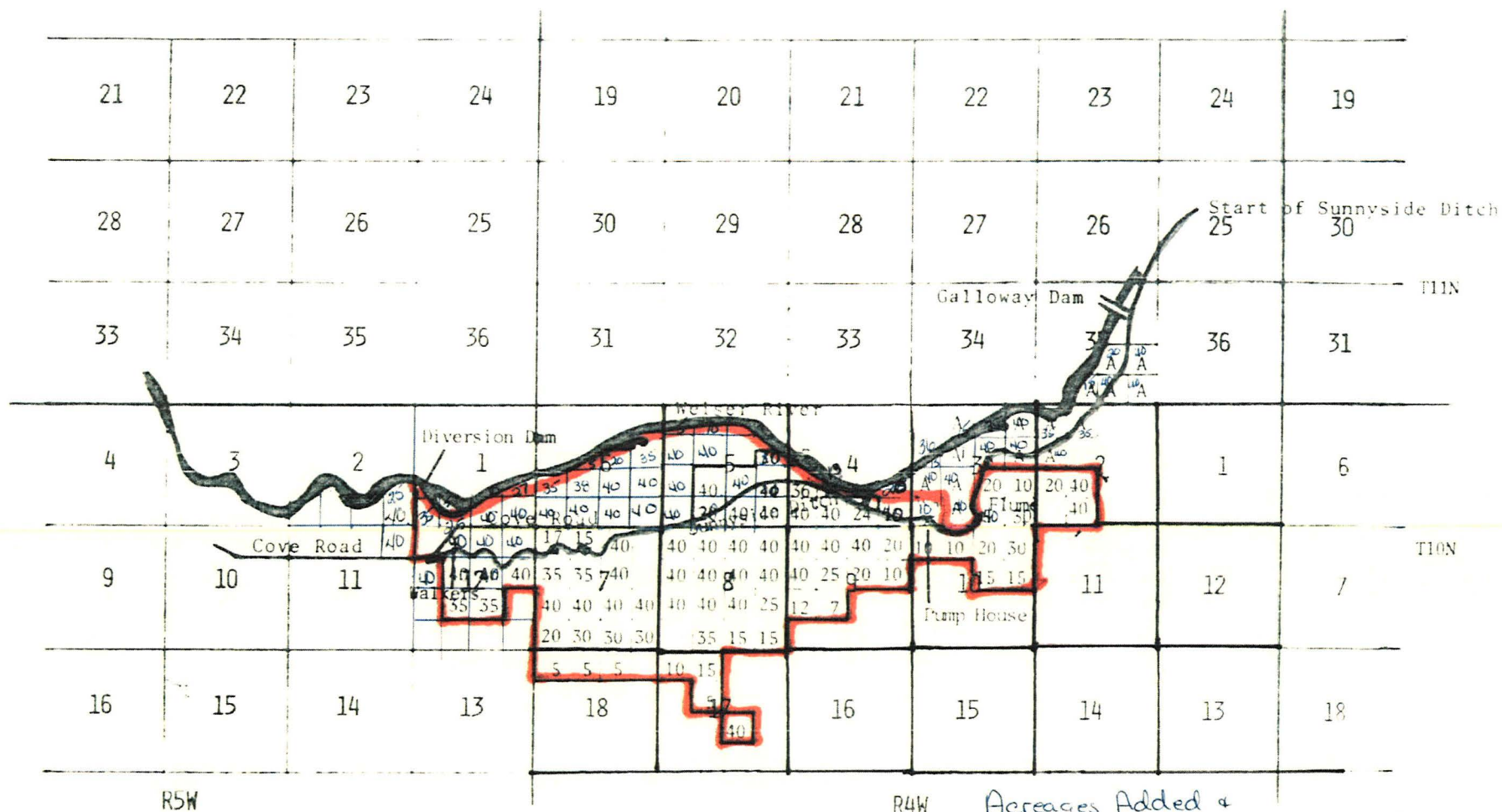
Sunny Side Ditch Co -
by Larry C. Walker att.
(Claimant)

J. J. Gray
Notary Public
Residing at Weiser, Idaho

My commission expires June 23, 1984

FOR DEPARTMENT USE ONLY

Received by hcl Date 2/12/81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by hcl Date 2/24/81
\$20.00 fee received by hcl Date 2/20/81 #17308
Published in the Signal _____
Dates 3/11 & 3/18/82



LANDS UNDER SUNNYSIDE DITCH
1979

Acreages Added &
changed per Larry Walker's
letter & land list submitted
2/25/82. js

MICROFILMED

A F F I D A V I T

STATE OF IDAHO)
)SS.
County of Washington)

WALLACE E. AVERETT, being first duly sworn, deposes and
says:

That he is and has been familiar with the Sunnyside Ditch
Companies water-diversion works, canal and irrigation facilities
which supply water to numerous users and that he has been familiar
with said facilities for many years.

That Affiant recalls, according to his best recollection,
that in 1917 he first rode the Ditch as a substitute ditchrider
and of his personal knowledge is acquainted with the diversion
works and knows them to be the same as of the date of this
Affidavit as they were in 1917, with the exception that the
works were enlarged in 1967. Affiant knows that the diversion
works and the ditch were located in the same location as at
present with virtually no changes other than the enlargement
of the system.

Affiant further recollects that he was hired as the ditch-
rider for the Sunnyside Ditch Company starting in 1968 and continu-
ing through 1976 on an annual basis.

That each day, during the irrigation season, he personally
inspected the diversion weir and made a record as to the amount
of water being diverted through the Sunnyside System, which record
was turned over to Clell Williamson, the appointed Water Master
for the Weiser River Water Shed.

RECORDED
INDEXED
JUN 11 1980

That to the best of Affiant's recollection, the readings on the weir guage were examined each day during the irrigation season and were observed to read between the numbers 13 and 17 on said weir and to the best of Affiant's recollection said reading would be an approximate average of 15½ on the weir guage. Although Affiant has no knowledge of how many actual second feet of water was diverted, those records were communicated and delivered to Clell Williamson who has maintained those records and is able to calculate the number of second feet of water diverted through that system during the years of 1968 to 1976.

Affiant also during the above period of time traversed the entire ditch system of Sunnyside Ditch Company and of the extension ditch which is at the end of the Sunnyside Ditch Company ditch which delivers water to parties on both sides of the ditch. Said water has been delivered on both sides of the ditch on a continuous basis during the irrigation season from 1917 to date with the only changes being for the enlargement made by the ditch company from time to time over the past years. The last enlargement, made by the Ditch Company, to the best of Affiant's recollection, was in 1967.

Affiant knows that the water has been applied to lands commonly known as "The Cove Area" on the south side of the Weiser River and East of Weiser. Said lands being so irrigated are those lands which are owned by shareholders of Sunnyside Ditch Company and the water was and has been delivered to those Shareholders, of record, to the best of Affiant's knowledge during all of the time he has been acquainted with this system and Affiant knows that when he became acquainted with the system in 1917, the system evidenced having been used for a number of years prior thereto.

DATED this 11th day of February, 1980.


Wallace E. Averett

Mail to:
Law office of
Lary C. Walker
P.O.Box 828
Weiser, Idaho

INSTRUMENT NO. 122751
STATE OF IDAHO, COUNTY OF WASHINGTON ss.
Filed for record at the request of

Law Office of Lary C. Walker

25 May at 2:00 o'clock P. M.

This 7th day of April 19 81

BK 10 OF Misc PG 202

MARY KAUTZ, Recorder. Fee: \$4.00

By Sherley J. Jany Deputy

AFFIDAVIT

STATE OF IDAHO)
: ss.
COUNTY OF WASHINGTON)

CLAIR KIRK, being first duly sworn, deposes and says:

That he is and has been a landowner under the Sunnyside Ditch Company since 1944, and has lived in the area and been acquainted with the ditch, its flow, size, repairs and maintenance since 1917.

That during the time between 1917 and the date of this Affidavit, affiant has made many trips up and down the Sunnyside Ditch including trips to the diversion works located on the Weiser River above the Galloway Dam, and has witnessed the flow of the ditch, the amount of water diverted and the diversion works and has been familiar with them during that period of time.

That affiant to the best recollection recalls that in approximately 1942, the Sunnyside Ditch was enlarged to approximately its present capacity and has been filled to the capacity of the ditch each year prior to 1944 to affiant's recollection and each year thereafter with the exception of the 1977 year.

That during the above period of time, affiant has served as a member of the Board of Directors of the Sunnyside Ditch Company for a period of years and during that time was involved with the management and operation of the company's diversion facilities. That since the enlargement of the ditch in 1942, the number of irrigated acres being serviced by Sunnyside Ditch Company have been approximately the same and the amount and flow of water furnished through Sunnyside

1 Ditch has maintained approximately that same capacity.

2 That affiant is further personally knowledgeable of
3 the fact that the diversion works at the head of Sunnyside
4 Ditch carry an amount of water necessary to service the land
5 which is irrigated under this system and that the water flows
6 through the ditch system and down to the end of the ditch and
7 through a lateral ditch connected to the end of the Sunnyside
8 Ditch, which lateral ditch terminates on the property pre-
9 sently known as the Wendell Walker Ranch. Any water not used
10 during the irrigation season by the users is spilled back
11 into the Weiser River at the end of the lateral ditch on the
12 Walker farm or at a few other locations along the ditch pro-
13 vided for spilling excess water on occasions when the same is
14 not being used. Affiant has a clear recollection of the fact
15 that the ditch has flowed at its capacity at all times with
16 the exception of the 1977 draught year in order to maintain a
17 reasonable flow through the entire ditch system with the
18 further facilities to spill off excess water through the var-
19 ious outlets only at the intervals when the water is not
20 needed through this system.

21 Affiant makes this Affidavit in support of the water
22 rights claimed by Sunnyside Ditch Company for all users
23 within said system.

24 Dated this 1st day of April, 1981.

25
26 Clair Kirk
27 Clair Kirk

28 Subscribed and sworn to before me on the day and
29 year first above written.

30 J. J. Gray
31 Notary Public for Idaho
32 Residing at Weiser, Idaho.

SUBSCRIBED and Sworn to before me this 11th day of February, 1980.

Larry C. Walker
Notary Public for said State
Residing at: Weiser, Idaho
My Commission expires:

RECEIVED
FEB 11 1980

/tib
2/5/80

DRAFT MEMORANDUM

TO: INTERESTED PARTIES, CRANE CREEK RESERVOIR MEETING OF 2-7-91
FROM: STEVE LESTER
DATE: FEBRUARY 7, 1991
SUBJECT: CRANE CREEK RESERVOIR STORAGE WATER RIGHTS

The information presented today is an outline of the storage water rights for Crane Creek Reservoir. This is not intended as a final and complete picture of all of the rights and related information due to adjudication and other questions, but the summary serves the purposes related to today's meeting regarding Crane Creek Reservoir and upstream storage at several other reservoirs.

Three data tables are presented. The first one lists the water rights recorded prior to the Snake River Basin Adjudication (SRBA) and shows those rights that may be delivered by the Watermaster of District 67. The second table lists the SRBA claims that could be identified at this time. Possibly, other claims were filed or may be filed for storage water in the reservoir. I think the list is quite complete but cannot absolutely state that no other SRBA claims have been filed to date. The last table summarizes the known reservoirs upstream from Crane Creek Reservoir and within the Crane Creek drainage.

Two figures are included. Figure 1 illustrates the storage water in Table 1 and also shows the amount of water that the Watermaster can deliver. Figure 2 portrays the water claimed in the SRBA claims.

Note that water right no. 67-02384, originally numbered R228, was split into three parts. Part A was licensed for 8000 acre-feet (af), part B was licensed for 400 af, and part C remains a permit for 31,000 af. A preliminary license for part C was prepared for 4000 af for the Weiser Bench Canal Co., but the license was not issued due to complications including but not limited to SRBA questions.

Permit 67-02384 required that completion of works occur by 8-2-1925 and proof of beneficial use occur by 8-2-1929. No extension of time for proof of beneficial use was applied for or approved. A license was issued for 8400 af, which was subsequently split into part A for 8000 af for the Weiser River Irrigation District and part B for 400 af for Mr. Fairchild. Part B has a 5-1-1904 date of priority due to an approved exchange of water via the Weiser River. Part C or the remaining 31,000 af has been losing priority since 8-2-1929, or about 61.5 years. Therefore, permit 67-02384C has a priority date of approximately 10-9-1981. No SRBA claim for part C was filed and may not be necessary.

The Watermaster can deliver decreed, licensed, or permitted rights based on dates of priority, lockable diversion works, and proper measuring devices. Adjudication claims and statutory claims cannot be delivered.

According to the department inventory of dams, Crane Creek Reservoir can store 56,800 af (3-28-90 data per files D67-02384 A1 and A2).

SCANNED
APR 14 2004

TABLE 1, CRANE CREEK RESERVOIR RIGHTS RECORDED PRIOR TO THE SRBA

<u>Right No.</u>	<u>Stage</u>	<u>Ac-Ft Amount</u>	<u>Priority</u>	<u>Remarks</u>
67-02129	considered licensed under 67-02384			
67-02384A	license	8000	4-9-1920	Weiser River Irrig. Dist.
67-02384B	license	400	5-1-1904	Fairchild per agreement with Weiser Irrig. Dist.
67-02384C	permit	31000	10-9-1981	Crane Ck. Res. Admin. Board? Priority is approximate.
67-04594	statutory claim	34100	4-9-1920	Crane Ck. Res. Admin. Board.
67-00676	decree	<u>6000</u>	4-18-1923	Washington Co. Irrig. Dist.
Total recorded rights		79500		
Total deliverable		45400		

(bold type indicates amounts deliverable by Watermaster; reservoir capacity is 56800 af).

TABLE 2, CRANE CREEK RESERVOIR RIGHTS RECORDED IN THE SRBA (a)

<u>Claim no.</u>	<u>Basis</u>	<u>Ac-Ft Amount</u>	<u>Priority</u>	<u>Remarks</u>
A67-02384A	license	8000	4-9-1920	Weiser River Irrig. Dist.
A67-02384B	license	400	4-9-1920	Fairchild
A67-04594	beneficial	300	4-9-1920	Skow, 3 claims with same #,
"	use (b.u.)	212	"	portions of 67-04594? (b,c)
"		200	"	
A67-10279	b.u.	18000	5-9-1910	Weiser Irrig. Dist.
A67-10321	b.u.	100	4-9-1920	Kelly via Galloway Canal, portion of 67-04594? (b)
A67-10378	b.u.	650	4-9-1920	Woods, portions of 67-04594, 67-02384A, 67-00676? (b)
A67-10380	b.u.	650	4-9-1920	Panike, see remarks in Woods
A67-10410	b.u.	337	4-9-1920	Routson Ranch, portion of 67-04594? (b)
A67-10557	b.u.	4000	4-9-1920	Institute Canal Co., portion of 67-04594?
A67-10558	b.u.	200	4-9-1920	Institute Canal Co., portion of 67-04594?
A67-10893	b.u.	50	4-9-1920	Hickey (b,c)
A67-10894	b.u.	9278.5	4-9-1920	Crane Ck. Res. Indpdt. Water Users Co. Inc., portion of 67-04594? (c)
no # yet	b.u.	783.2	4-9-1920	same remarks A67-10894, (c)
A67-10895	b.u.	15179.4	4-9-1920	Weiser Cove Irrig. Dist., portion of 67-04594? (c)
no # yet	b.u.	835.8	4-9-1920	see remarks A67-10895, (c)
A67-00676	decree	<u>6000</u>	4-18-1923	Washington Co. Irrig. Dist.
Total claimed		65175.9		Reservoir capacity 56800 af

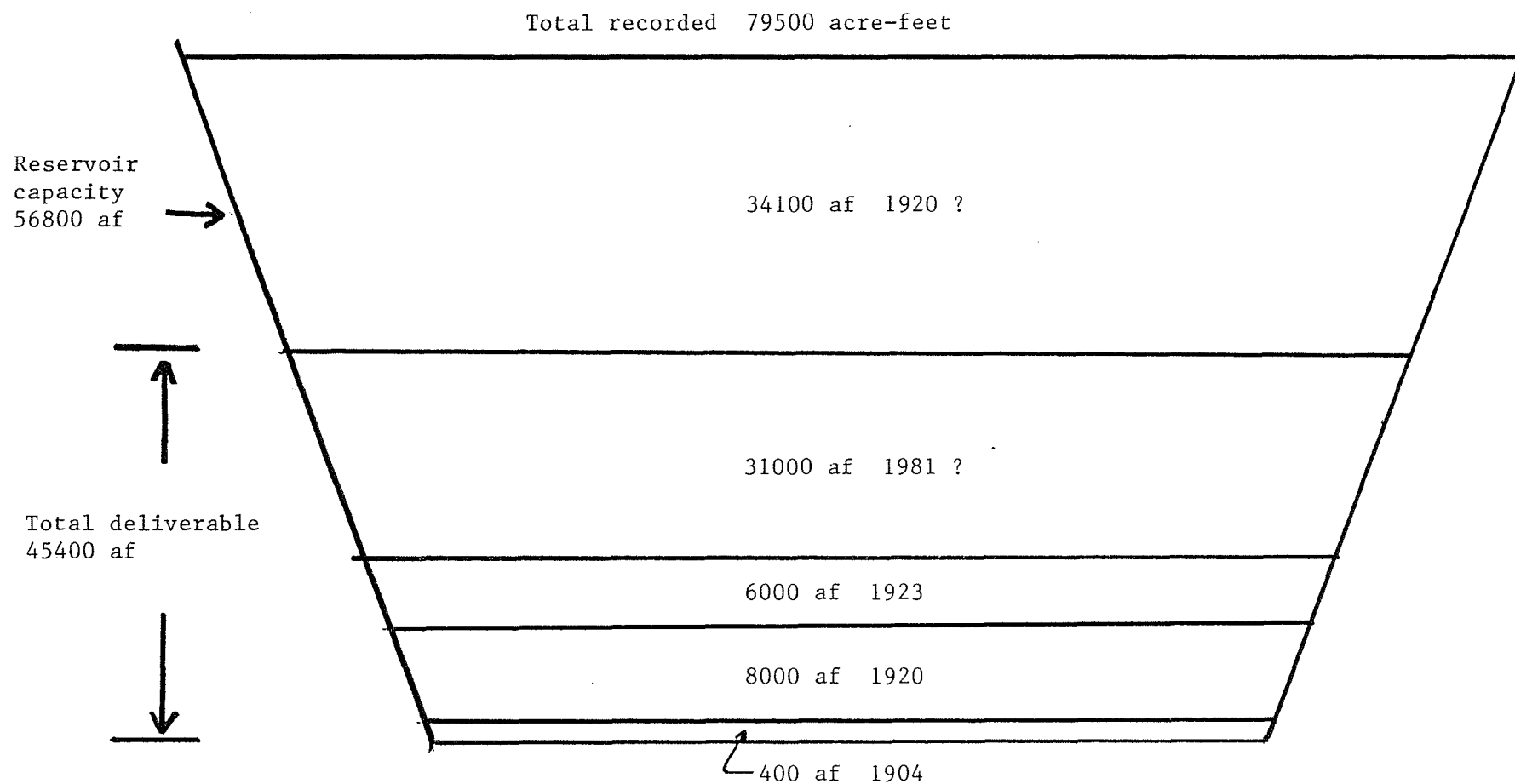
(a) possibly are or will be other claims filed
(b) listed as a name in Independent Independents
(c) no data entry yet

**TABLE 3, RESERVOIRS LOCATED UPSTREAM FROM CRANE CREEK RESERVOIR AND WITHIN
CRANE CREEK DRAINAGE (a)**

<u>Right no.</u>	<u>Ac-Ft Amount</u>	<u>Priority</u>	<u>Remarks</u>
67-02383	280	8-29-1918	Irrig., considered licensed under 67-02382
67-02382	N/A	10-29-1918	Irrig., license 2.54 cfs (127")
A67-10013	630	12-31-1935	Irrig., adjudication claim to be settled at future date, refer to dam safety file D67-XX06A1 & A2
67-02387	13.1	10-15-1962	Stock, license
67-02388	25	6-13-1963	Stock, license
67-04521	2.4	10-16-1969	Stock, stat. claim, refer to dam safety file D67-XX07
67-07082	0.93	6-16-1972	Stock, license
67-07112	100	10-10-1972	Permit, irrigation
67-07281	75	7-23-1976	Permit, irrigation and stock
67-07292	95	10-18-1976	Permit, irrigation
67-07333	68	5-31-1977	License, irrigation
67-07451	500	7-18-1979	Permit, irrigation
67-07672	1.5	8-26-1983	Stock, license
67-07671	7.5	9-16-1983	Stock, license
?	<u>70</u>	?	Irrig.?, no water right or adjudication claim found, refer to dam safety file D67-XX08
Total AF	1868.43		

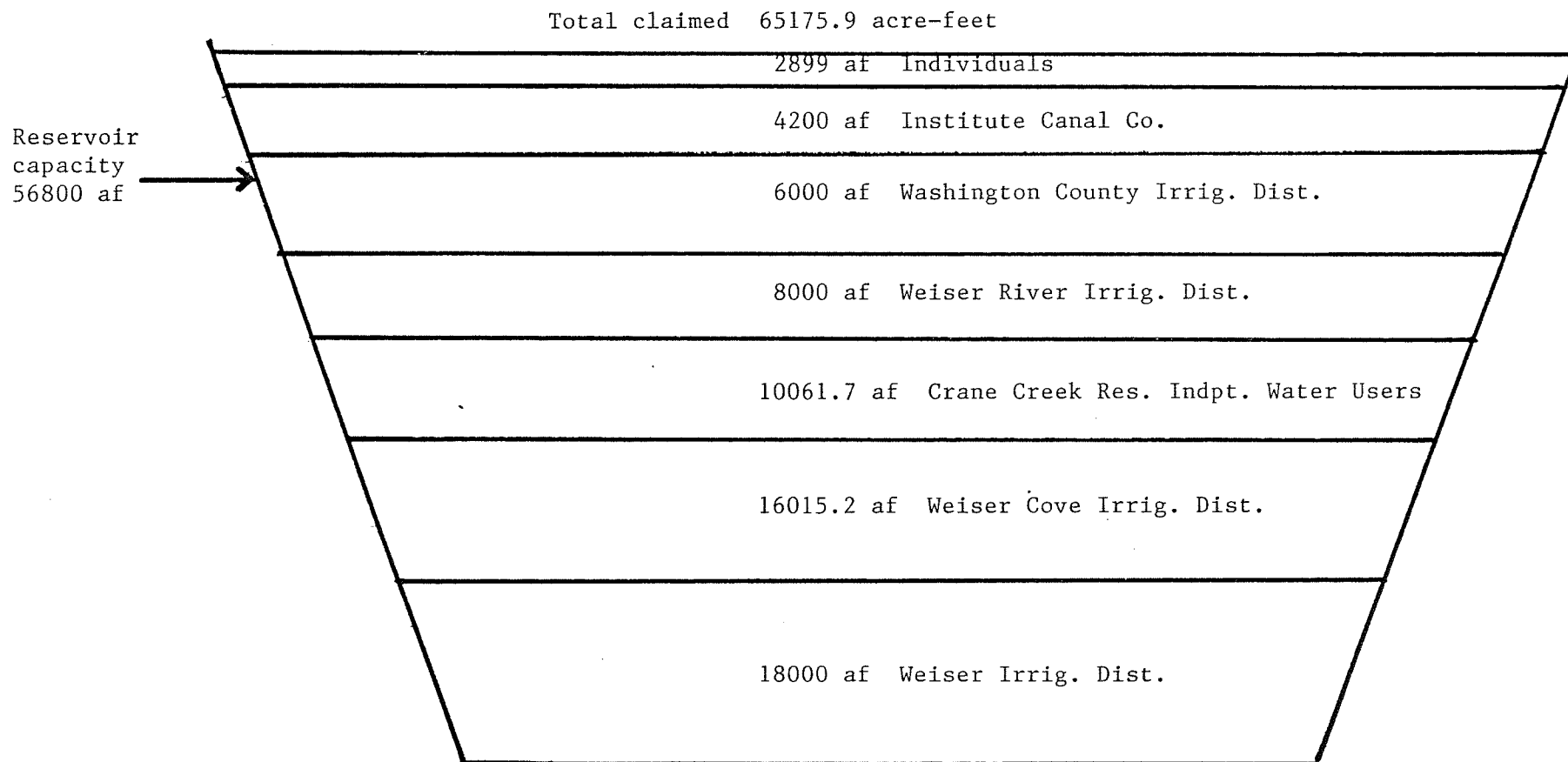
(a) from IDWR dam safety and water right files

Figure 1, Crane Creek Reservoir storage water based on rights recorded prior to the SRBA.



79500 af recorded
56800 af capacity
22700 af excess

Figure 2, Crane Creek Reservoir storage water claimed in the SRBA.



65175.9 af claimed
56800 af capacity
8375.9 af excess

Arrangement is by amount claimed
and does not imply priority.

EXHIBIT "A"

SUNNYSIDE DITCH

<u>Right</u>	<u>Priority Date</u>	<u>Inches</u>
67-0001	6/1/1887	112.5
67-0002	6/1/1887	62.5
67-0003	5/1/1899	100.0
67-0004	5/1/1900	436.0

KELLY ANDERSON DITCH (This ditch no longer exists and the water is carried to the appurtenant land via the Sunnyside Ditch.)

67-0005	6/1/1889	70.0
67-0006	6/1/1889	15.0

WEISER COVE IRRIGATION DISTRICT - A majority of the acres under the Weiser Cove Irrigation District are the same acres as indicated under the Sunnyside Ditch Company. Other than flood water and some early adjudications, Sunnyside Ditch is only a means by which other types of water are delivered to the lands under the ditch. Weiser Cove water is storage water in Crane Creek Reservoir. Every acre in the Weiser Cove Irrigation District is the holder of 4.7 acre feet of Class A storage and .3 acre feet of Class B storage.

CRANE CREEK RESERVOIR INDEPENDENT WATER USERS COMPANY, INC. - This is another type of Crane Creek Reservoir storage water that is used on the same lands as included in this filing. Ownership of this water is by way of stock certificates and the water is not tied to the specific acres it is presently being used upon and may be sold off as desired by the holder of the certificate: The present owners of stock presently diverting and receiving this water through Sunnyside Ditch are as follows:

<u>Name</u>	<u>Certificate #</u>	<u># of Shares*</u>	<u>Class</u>
Correia, Arthur A.	73	100	A
Frei, David	97	150	A
Hawkins, Ron	104	238	A
	71	19	B
Hickey, Rosalind A.	34	460	A
Kirk, Clair	2	59.5	A
Routson, Mike	114	22	A
	78	2	B
Sawyer, Darrell P. and/or	79	19	B
Lorraine A.	115	238	A
	120	90	A
	83	16	B
Shaw, Ervie	82	30	A
	88	20	A
	89	40	A

* One share is equal to one acre foot of storage in Crane Creek Reservoir.

EXHIBIT "A"

SUNNYSIDE DITCH

<u>Right</u>	<u>Priority Date</u>	<u>Inches</u>
67-0001	6/1/1887	112.5
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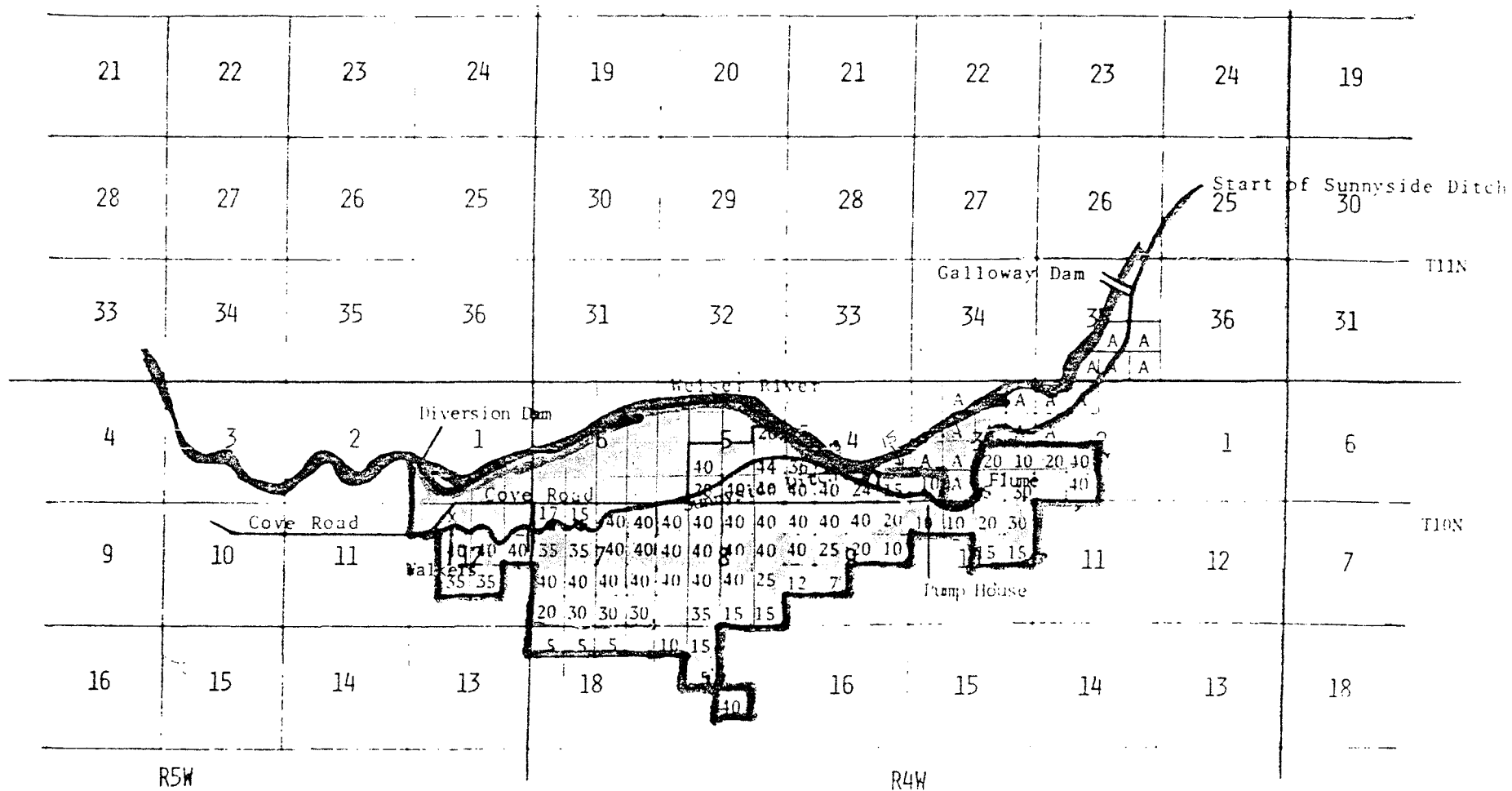
67-0005	6/1/1889	70.0
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WEISER COVE IRRIGATION DISTRICT - A majority of the acres under the Weiser Cove Irrigation District are the same acres as indicated under the Sunnyside Ditch Company. Other than flood water and some early adjudications, Sunnyside Ditch is only a means by which other types of water are delivered to the lands under the ditch. Weiser Cove water is storage water in Crane Creek Reservoir. Every acre in the Weiser Cove Irrigation District is the holder of 4.7 acre feet of Class A storage and .3 acre feet of Class B storage.

CRANE CREEK RESERVOIR INDEPENDENT WATER USERS COMPANY, INC. - This is another type of Crane Creek Reservoir storage water that is used on the same lands as included in this filing. Ownership of this water is by way of stock certificates and the water is not tied to the specific acres it is presently being used upon and may be sold off as desired by the holder of the certificate: The present owners of stock presently diverting and receiving this water through Sunnyside Ditch are as follows:

<u>Name</u>	<u>Certificate #</u>	<u># of Shares*</u>	<u>Class</u>
Correia, Arthur A.	73	100	A
Frei, David	97	150	A
Hawkins, Ron	104	238	A
	71	19	B
Hickey, Rosalind A.	34	460	A
Kirk, Clair	2	59.5	A
Routson, Mike	114	22	A
	78	2	B
Sawyer, Darrell P. and/or	79	19	B
Lorraine A.	115	238	A
	120	90	A
	83	16	B
Shaw, Ervie	82	30	A
	88	20	A
	89	40	A

* One share is equal to one acre foot of storage in Crane Creek Reservoir.



LANDS UNDER SUNNYSIDE DITCH

A = Allotment water for that quarter section

CRANE CREEK RESERVOIR STORAGE
1987 SEASON

* * * * *

	Primary	% Total Primary	Secondary	Total
Weiser Irr. Dst.	15,100	33.26%	2,800	17,900
Weiser Cove Irr. Dst.	15,179.4	33.43%	835.8	16,015.3
Institute Canal Co.	4,000	8.81%	200	4,200
C.C.I.W.U.Co.	9,278.5	20.44%	783.2	10,061.7
Indpt. Indpt.	1,842	4.06%	1,981	3,823
TOTALS	45,400	100 %	6,600	52,000

Based on 20,043 acre feet of water available for the 1987 irrigation season or 501,075 inches (1 acre foot = 25 inches running 24 hours), the following is a breakdown of water available to individual organizations and users:

	Acre Feet	Inches
Weiser Irrigation District	6,644	166,100
Weiser Cove Irrigation District	6,679	166,975
Institute Canal Company	1,760	44,000
Crane Creek Independent Water Users, Co.	4,082.5	102,062.5
Independent-Independents	810.5	20,262.5
TOTALS	19,976	499,400

PERCENTAGE OF TOTAL WATER TO BE RECEIVED FOR 1987 IRRIGATION SEASON FOR ALL USERS IS 44% (PRIMARY WATER ONLY - NO SECONDARY WATER IS AVAILABLE)

CRANE CREEK RESERVOIR STORAGE
1987 SEASON

* * * * *

THERE IS ABSOLUTELY NO CLASS B STORAGE FOR 1987

Name	Amount Owned	Type Water	1987 Actual Acre Feet	1987 Actual Inches	Point of Diversion
Aldrich, Eugene	122 Acres	Cove	252.3	6,307.5	River
Baker Brothers	315 A.F.	I.I.	138.6	3,465	Galloway
Bar 7X Ranch	125 Acres	Cove	258.5	6,462.5	Sunnyside
Bar 11 Ranch	259 Acres	Cove	535.6	13,390	Sunnyside
Bridge, Larry	125 Acres	Cove	258.5	5,462.5	Sunnyside
Booth, Clayton	22 Shares	CCIWU	9.68	242	Galloway
Branch, Milton	50 Shares	CCIWU	22	550	Reservoir
Branch, Weldon	85 Shares	CCIWU	37.4	935	Reservoir
(Brummett) SBA	125 Shares	CCIWU	55	1,375	River
Carnefix, Warren	90 Shares	CCIWU	39.6	990	
Cheney Brothers	80 Acres	Cove	165.44	4,136	Sunnyside
Chrestesen, Clarence	22.5 Shares	CCIWU	9.9	247.5	L. Crane
Chrestesen, Martha	45 Shares	CCIWU	19.8	495	L. Crane
Purcell, et al	22.5 Shares	CCIWU	9.9	247.5	L. Crane
Clapp, Darrell	210 Shares	CCIWU	92.4	2,310	L. Crane
Correia, Arthur	226 Shares	CCIWU	99.44	2,310	Sunnyside and Galloway
Courter, Gary	80 Acres	Cove	165.44	4,136	Sunnyside
Craig, V. & L.	100 Shares	CCIWU	44	1,100	Reservoir
Dickerson, Nancy	80 Acres	Cove	165.44	4,136	Sunnyside
Fairchild, Dean	334.3 Shares	CCIWU	147	3,677.3	

I.I.	Independent	Independents
CCIWU	Crane Creek Reservoir	Independent Water Users Company
Cove	Weiser Cove	Irrigation District

FREI (FMHA)

Graham, Gregory

Green, Henry

Gurnsey, Vern

Hawkins, Ron

Haxton, Richard

Hickey, Cheryl

Hickey, Claude

Hill, Glenn

Just Rite Farms

Kirk, Clair

Kerner, Milton

Kelly, Vaughn

LDS Church

Lyle, Ralph

Maddox, Dwight

Marvin, Darrall

Panike, Rodney

Roberts, Lloyd

Routson, Bob

Seid, Kenneth

Shaw, Ervie

Sinden, Don

175 A.F.	I.I.	77	1,925	Sunnyside
150 Shares	CCIWU	66	1,650	Sunnyside
110 Acres	Cove	227.48	5,687	Sunnyside
90 Shares	CCIWU	39.6	990	L. Crane
420 Shares	CCIWU	184.8	4,620	Galloway
181 Acres	Cove	374.3	9,357.5	Sunnyside
84 Shares	CCIWU	36.96	924	Sunnyside
68 Acres	Cove	147.66	3,691.5	Sunnyside
55 Acres	Cove	113.74	2,843.5	Sunnyside
3 Shares	CCIWU	1.32	33	Galloway
470 Shares	CCIWU	206.8	5,170	Sunnyside
50 Shares	I.I.	22	550	Sunnyside
166 Shares	CCIWU	73.04	1,826	Galloway
562 Acres	Cove	1,162.22	29,055	River
59.5 Shares	CCIWU	26.18	654.5	Sunnyside
25 Acres	Cove	51.7	1,312.5	Sunnyside
325 Shares	CCIWU	143	3,575	Galloway
100 Shares	CCIWU	44	1,100	Galloway
38 Shares	CCIWU	16.72	415.9	Sunnyside
100 Shares	CCIWU	44	1,100	Galloway
265 Shares	CCIWU	116.6	2,915	L. Crane
385 A.F.	I.I.	169.4	4,235	River
190 Shares	CCIWU	83.6	2,090	River
250 Acres	Cove	517	12,925	River
331 Acres	Cove	584.5	17,112.5	Sunnyside
337 A.F.	I.I.	148.28	3,707	Sunnyside
225 A.F.	I.I.	99	2,475	
90 Shares	CCIWU	39.6	990	Sunnyside
199 A.F.	I.I.	44	1,100	Galloway

00, Kenneth
(Morgan)

300 Shares	CCIWU	132	3,300	L. Crane
200 A.F.	I.I.	88	2,200	L. Crane
180 A.F.	I.I.	79.2	1,980	L. Crane

With, Clyde

245 Shares	CCIWU	107.8	2,695	
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With, Dan

82 Shares	CCIWU	36	900	Sunnyside
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With Land & Cattle

624 Shares	CCIWU	274.56	6,864	
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ullen Livestock

584.45 Sh.	CCIWU	257.16	6,429	Reservoir
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tout, Glenn

25 Acres	Cove	51.7	1,292.5	Sunnyside
238 Shares	CCIWU	104.72	2,618	Sunnyside

wain, Dan

145 Acres	Cove	299.86	7,496.5	Sunnyside
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weet, Virgil

965 Shares	CCIWU	424.6	10,615	Mill D.
730.25 "	CCIWU	321.31	8,032.75	Mill D.

allent, R.J.

700 Shares	CCIWU	308	7,700	L. Crane
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errell, Stan

20 Acres	Cove	41.36	1,034	
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hrig, Ken & Glenn

106.5 Shares	CCIWU	46.86	1,171.5	Reservoir
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alker, Lary

112 Shares	CCIWU	49.28	1,232	Sunnyside
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alker, W. F. (Jr.)

87.5 Shares	CCIWU	38.5	962.5	Sunnyside
120 Acres	Cove	248.16	6,204	Sunnyside

alker, W. H. (Sr.)

106 Shares	CCIWU	46.64	1,166	Sunnyside
40 Acres	Cove	82.72	2,068	Sunnyside

illiams, Glenn

175 Acres	Cove	361.90	9,047.5	River
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ood, Norm

70 Shares	CCIWU	30.80	770	Sunnyside
40 Acres	Cove	82.72	2,068	Sunnyside

oodland, Hazel & Rod

480 Shares	CCIWU	211.2	5,280	L. Crane
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ungberg, Vaughn

200 Acres	Cove	413.6	10,340	Sunnyside
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ungblood, Billy Joe

37.5 Shares	CCIWU	16.5	412.5	Galloway
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ungblood, Kenneth

37.5 Shares	CCIWU	16.5	412.5	Galloway
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Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 02/03/94
Time: 15:57:11

Rec/No - W006300 AR/No -
From: - SUNNYSIDE DITCH CO.

Receipt Type - CK Doc/No - 000001
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 10/17/1989

Type Of Payment
ADJUDICATION CLAIM FEES

Fund	FD	PCA	Obj	Subsid	Fee
9337		410162	6490		3417.00

Total Due - 3417.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6713435	3217.00	A6700003	50.00	A6700004	50.00
A6713442	50.00	A6704415	50.00		

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

*Acres paid under
other filings*

Acres 3,972.00 +
Kirk 83.00 -
Sawyer 164.00 -
Routson 331.00 -
Pedroza 80.00 -

3,314.00 + T
147.00

Hickey R.
PAID BY
RECT# W006289
3,167

Acres 3,314.00 +
Fee - A (A67-04415) 50.00 +
~~Fee - B (A67-04415) 50.00 +~~
Fee-0001 *A67-13435* 50.00 +
Fee-0002 50.00 +
Fee-0003 50.00 +
Fee-0004 50.00 +
Fee-0005 *A67-13442* 50.00 +
Fee-0006 50.00 +

Total 3,734.00 FT
Sunnyside Ditch

3417.00

*HOW FEES WERE
CALCULATED*

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: **A67-04415**
Date Received: 10/17/1989
Receipt No: W006300
Received By: _____

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

1. Name: SUNNYSIDE DITCH CO INC 208-549-0611
Address: C/O JACQUE WRAY
PO BOX 829
WEISER ID 83672

2. Date of Priority: JAN 1, 1917

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	04W	25	SW	SE	NW		WASHINGTON

5. Description of diverting works:
DIVERSION DAM IN RIVER, DIV. WEIR CAPABLE OF DIVERTING 46 CFS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/25	07/20	32.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10N	04W	2	NE	NW		IRR	35.0
			NW	NW		IRR	35.0
			SW	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	04W	2	NE		SW		IRR	20.0
			NW		SW		IRR	40.0
			SE		SW		IRR	40.0
							Section Acres	210.0
		3	NE		NE		IRR	40.0
			NW		NE		IRR	35.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	15.0
			NW		NW		IRR	36.0
			SW		NW		IRR	15.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	10.0
			SE		SW		IRR	40.0
			NE		SE		IRR	10.0
			NW		SE		IRR	20.0
			SW		SE		IRR	40.0
			SE		SE		IRR	30.0
							Section Acres	451.0
		4	SW		NW		IRR	7.0
			NE		SW		IRR	13.0
			NW		SW		IRR	36.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	20.0
			SW		SE		IRR	24.0
			SE		SE		IRR	40.0
							Section Acres	220.0
		5	SE		NE		IRR	30.0
			NE		NW		IRR	10.0
			NW		NW		IRR	5.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	20.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
						Section Acres	425.0
		6	SW	NE		IRR	20.0
			SE	NE		IRR	35.0
			SE	NW		IRR	5.0
			NE	SW		IRR	38.0
			NW	SW		IRR	35.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	373.0
		7	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	NW		IRR	15.0
			NW	NW		IRR	17.0
			SW	NW		IRR	35.0
			SE	NW		IRR	35.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	20.0
			SE	SW		IRR	30.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	30.0
			SE	SE		IRR	30.0
						Section Acres	532.0
		8	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SE	SW		IRR	35.0
			NE	SE		IRR	25.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	04W	8	NW		SE		IRR	40.0
			SW		SE		IRR	15.0
			SE		SE		IRR	15.0
							Section Acres	530.0
		9	NE		NE		IRR	20.0
			NW		NE		IRR	40.0
			SW		NE		IRR	20.0
			SE		NE		IRR	10.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	25.0
			NE		SW		IRR	7.0
			NW		SW		IRR	12.0
							Section Acres	254.0
		10	NE		NE		IRR	30.0
			NW		NE		IRR	20.0
			SW		NE		IRR	15.0
			SE		NE		IRR	15.0
			NE		NW		IRR	10.0
			NW		NW		IRR	10.0
							Section Acres	100.0
		17	NE		NW		IRR	15.0
			NW		NW		IRR	10.0
			SE		NW		IRR	5.0
			NW		SE		IRR	40.0
							Section Acres	70.0
		18	NW		NE		IRR	5.0
			NE		NW		IRR	5.0
			NW		NW		IRR	5.0
							Section Acres	15.0
	05W	1	NW		SW		IRR	5.0
			SW		SW		IRR	35.0
			SE		SW		IRR	25.0
			NE		SE		IRR	27.0
			NW		SE		IRR	10.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	182.0
		2	NE	SE		IRR	25.0
			SE	SE		IRR	40.0
						Section Acres	65.0
		11	NE	NE		IRR	40.0
						Section Acres	40.0
		12	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	35.0
			NW	SE		IRR	35.0
						Section Acres	350.0
11N	04W	35	SE	SW		IRR	15.0
			NE	SE		IRR	40.0
			NW	SE		IRR	20.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	155.0
						Total Acres	3972.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

67-00003/00004/04564/13435/13442 & CRANE CK STORAGE WATER.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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 A67-04415Date Received 10-17-89Receipt Number W006300

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

Please type or print clearly

1. Name of Claimant (s) SUNNYSIDE DITCH COMPANY, INC. Phone (208) 549-0611
c/o Jacque Wray
Mailing Address Post Office Box 829, Weiser, Idaho Zip 83672

2. Date of Priority (Only one (1) per claim) 1917

3. Source of water supply (a) Weiser River flood water
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 1N Range 4 Section 25,
SW 1/4 of SE 1/4 of NW 1/4, Govt. Lot, W B.M., County of Washington

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Diversion dam in Weiser River --
Diversion weir capable of diverting 46 cfs.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/25 to 5/30 amount 20 or _____

For irrigation purposes from 5/30 to 7/20 amount 32 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 32cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10N	4W	2					35	35	40		20	40		40					210
10N	4W	3	40	35	40	40	15	36	15		40	40	10	40	10	20	40	30	451
10N	4W	4							7		13	36	40	40	20		24	40	220
10N	4W	5				30	10	5	40	40	40	40	40	20	40	40	40	40	425
10N	4W	7	40	40	40	40	15	17	35	35	40	40	20	30	40	40	30	30	532
10N	4W	8	40	40	40	40	40	40	40	40	40	40		35	25	40	15	15	530
10N	4W	9	20	40	20	10	40	40	40	25	7	12							254

Total number of acres irrigated _____ Continued _____

11. In which county (ies) are lands listed above as place of use located? Washington

12. Do you own the property listed above as place of use? Yes _____ No X

If your answer is No, describe in Remarks below the authority you have to claim this water right. Real property is owned by the shareholders of the Company.

13. Describe any other water rights used at the same place and for the same purposes as described above.

See attached Exhibit "A" or None ()

14. Remarks:

Last Name Sunnyside Ditch Ident No. _____
Company, Inc.

Copies: White -State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10N	4W	10	30	20	15	15	10	10											100
10N	4W	17					15	10		5						40			70
10N	4W	18		5			5	5											15
10N	5W	12	40	40	40	40	40		40	40	35					35			350
10N	5W	1										5	35	25	27	10	40	40	182
10N	5W	2													25			40	65
10N	5W	11	40																40

Total number of acres irrigated Continued

11. In which county (ies) are lands listed above as place of use located? _____

12. Do you own the property listed above as place of use? Yes _____ No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None ()

14. Remarks:

Last Name Sunnyside Ditch Ident No. _____
Company, Inc.

Copies: White -State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10N	4W	6			20	35				5	38	35	40	40	40	40	40	40	373
11N	4W	35											15	40	20	40	40	40	155

Total number of acres irrigated 3,972

11. In which county (ies) are lands listed above as place of use located? _____

12. Do you own the property listed above as place of use? Yes _____ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks:

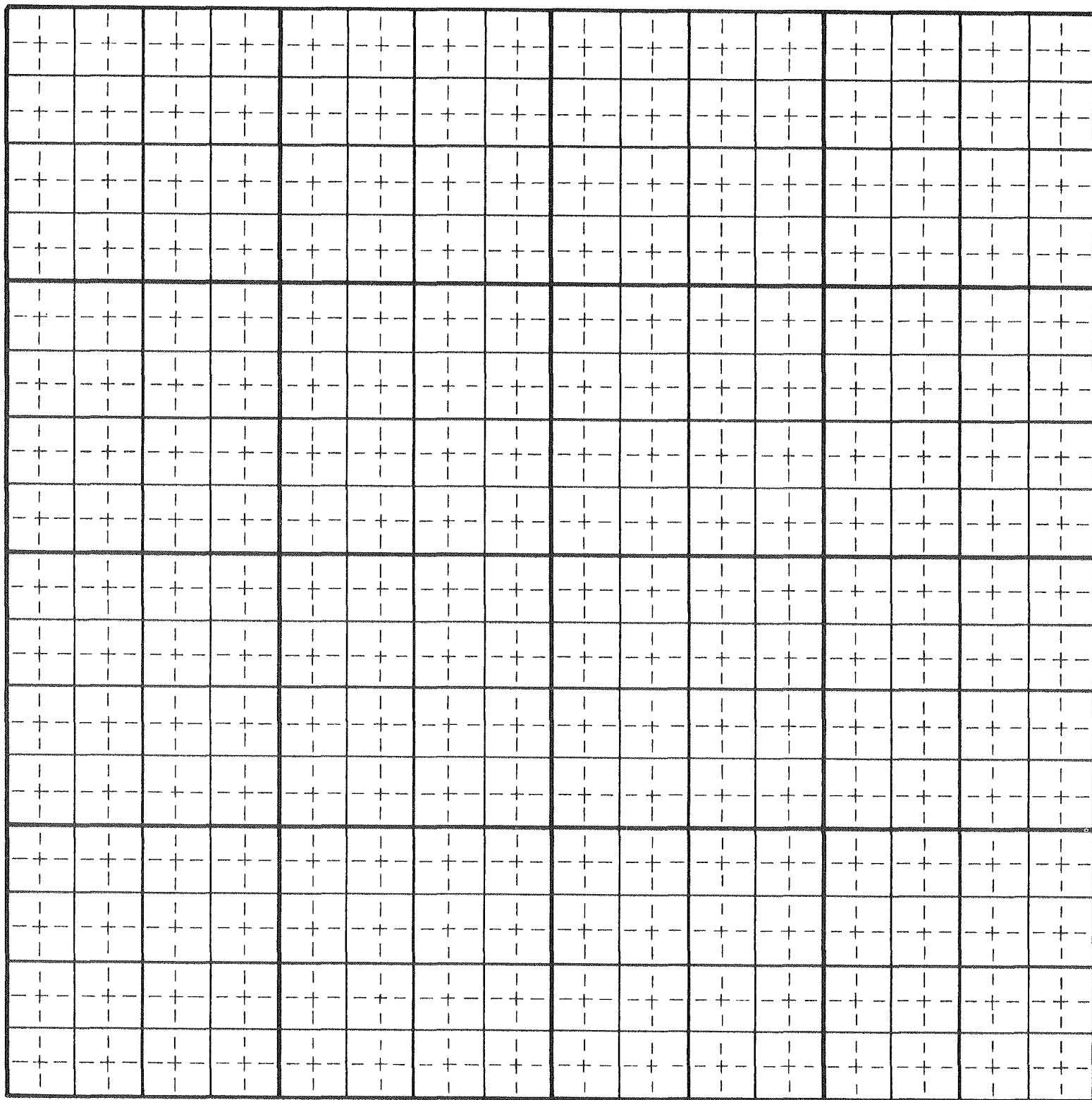
Last Name Sunnyside Ditch Ident No. _____
Company, Inc.

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

See Attached Exhibit "B"



Last Name Sunnyside Ditch
Company, Inc.

Ident No. _____

Copies: White-State, Yellow-Claimant

CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as
chgd per 1-1-60
v/Jackie hhh

Describe the source of water (surface or stream, lake, spring, etc.) or ground water.
Weiser River Flood Water. Tributary to Snake River.

Irrigation		Period of Use From	
Quantity	Unit	Period of Use From	Period of Use To
Quantity	Unit	Period of Use From	Period of Use To
Quantity	Unit	Period of Use From	Period of Use To
Quantity	Unit	Period of Use From	Period of Use To
Quantity	Unit	Period of Use From	Period of Use To

SE 1 NW 1 Sec 25 T4N R4W West P.M., County of Washington

Diversion Dam in Weiser River - Diversion Wier capable of diverting 46 cfs.

g) An accurate location of the property number of irrigated acres within each 40 acre tract in appropriate box. If not out for irrigation place in "X" or appropriate box to show location.

- SEE ATTACHED MAP & LAND LIST -

[illegible]

14-00000 3212

$\mathbf{y}_i = \mathbf{y}_i^{\text{obs}}$ for $i \in \mathcal{O}$ and for $i \in \mathcal{I}$ the imputation, fully describing that case, being as detailed as possible

 $N(III)$ include note the type and number of stock entered; $\bar{N}(IV)$ include the composition list.

2) If you are claiming status as a member of an organization, list name of organization:

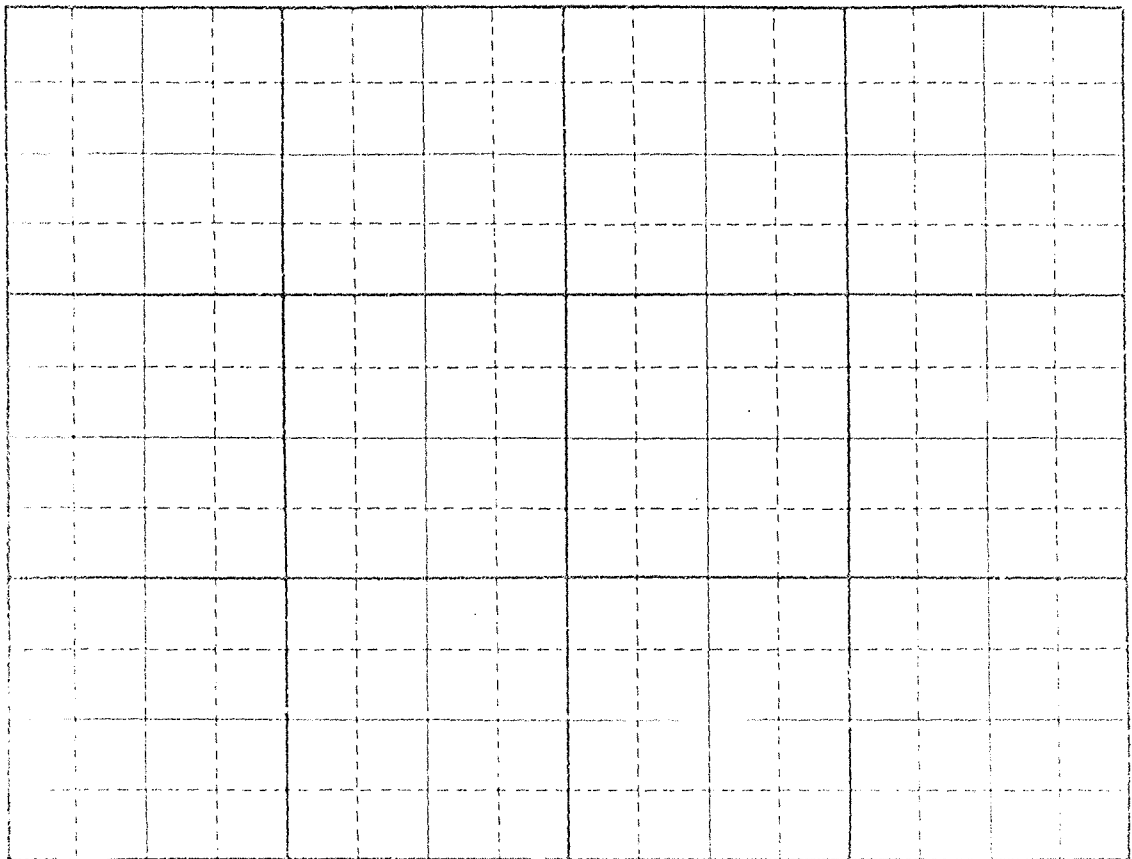
LAND LIST ATTACHMENT

Description and location of place of use

TWP.	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10N	4W	2					35	35	40		20	40	40						210
		3	40	35	40	40	15	35	15		40	40	10	40	10	20	40	30	453
		4							7		13	36	40	40	20		24	40	220
		5					35	10	1	40	40	40	40	20	40	40	40	40	425
		7		40	40		15	17	35	35	40	40	20	30	40	40	30	30	452
		8	40	40	40	40	40	40	40	40	40	40		35	25	40	15	15	530
		9	20	40	20	10	40	40	40	25	7	12							254
		10	30	20	15	15	10	10											100
		17					15	10		5						40			70
		18		5			5	5											15
10N	5W	12			40	40	40		40	40	35					35			250
10N	5W	1										5	35	25	17	10	40	40	180
		2														25		40	65
		11																	40
11N	4W	5			25	40				5	35	35	40	40	40	40	40	40	370
11N	4W	35												15	40	20	40	40	110

Total number of acres irrigated 3,852

Depot 104
10/10/00



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

County of *Washington*

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they substantiated 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 *9th* day of *February*

Sammy Dale Welch, Jr.
by Harry C. Walker att.
(Claimant)

19 *81*

J. J. Gray
Notary Public
Residing at *Weiser, Idaho*

My commission expires

June 23, 1984

FOR DEPARTMENT USE ONLY

Received by

Date

Exception filed by

Forwarded to

Date

Insurance check by

Date

120.00 fee received by

Date

Transmitted in

Date

claimant's

EXHIBIT "A"

SUNNYSIDE DITCH

<u>Right</u>	<u>Priority Date</u>	<u>Inches</u>
67-0001	6/1/1887	112.5
67-0002	6/1/1887	62.5
67-0003	5/1/1899	100.0
67-0004	5/1/1900	436.0

KELLY ANDERSON DITCH (This ditch no longer exists and the water is carried to the appurtenant land via the Sunnyside Ditch.)

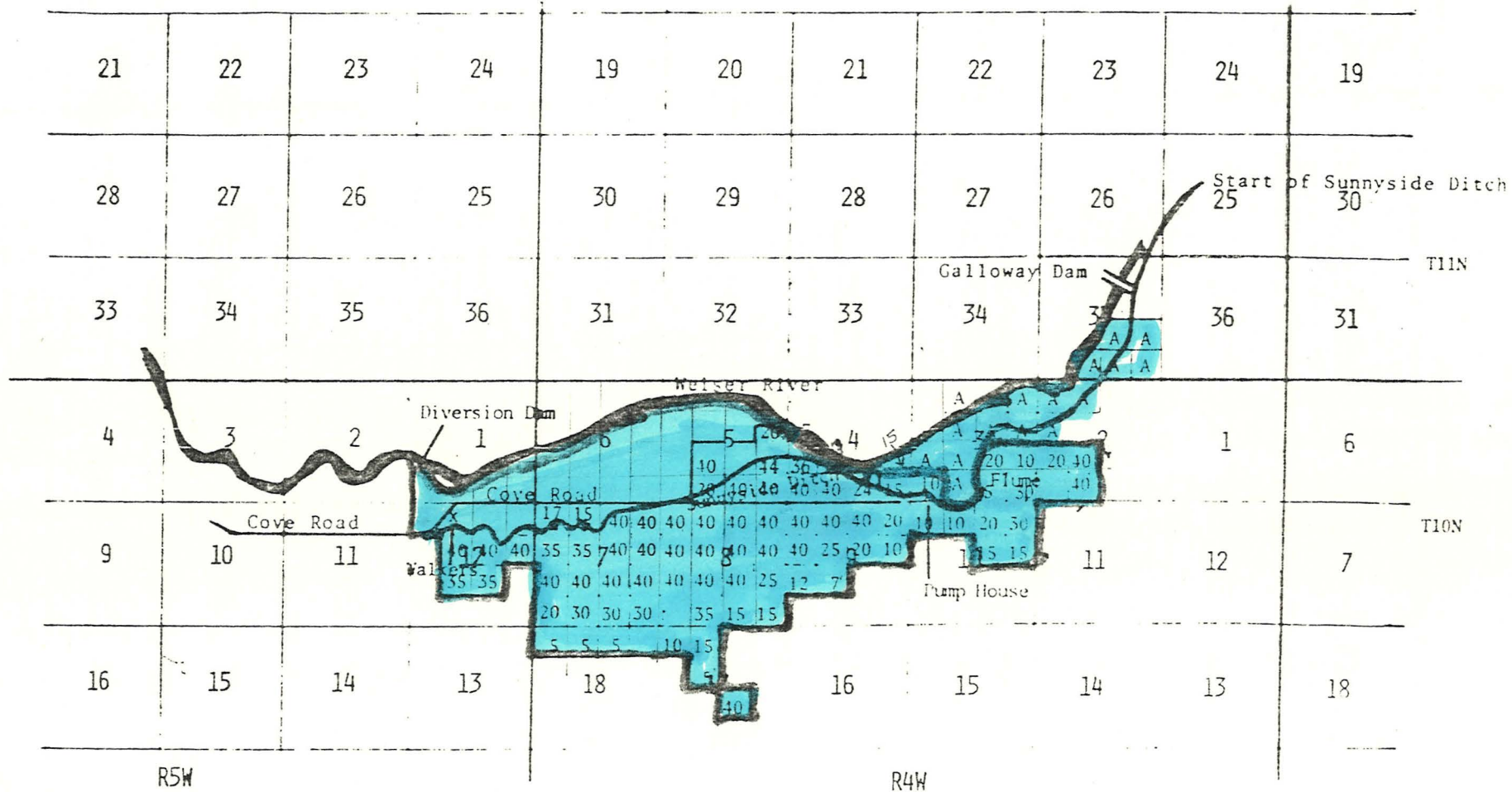
67-0005	6/1/1889	70.0
67-0006	6/1/1889	15.0

WEISER COVE IRRIGATION DISTRICT - A majority of the acres under the Weiser Cove Irrigation District are the same acres as indicated under the Sunnyside Ditch Company. Other than flood water and some early adjudications, Sunnyside Ditch is only a means by which other types of water are delivered to the lands under the ditch. Weiser Cove water is storage water in Crane Creek Reservoir. Every acre in the Weiser Cove Irrigation District is the holder of 4.7 acre feet of Class A storage and .3 acre feet of Class B storage.

CRANE CREEK RESERVOIR INDEPENDENT WATER USERS COMPANY, INC. - This is another type of Crane Creek Reservoir storage water that is used on the same lands as included in this filing. Ownership of this water is by way of stock certificates and the water is not tied to the specific acres it is presently being used upon and may be sold off as desired by the holder of the certificate: The present owners of stock presently diverting and receiving this water through Sunnyside Ditch are as follows:

<u>Name</u>	<u>Certificate #</u>	<u># of Shares*</u>	<u>Class</u>
Correia, Arthur A.	73	100	A
Frei, David	97	150	A
Hawkins, Ron	104	238	A
	71	19	B
Hickey, Rosalind A.	34	460	A
Kirk, Clair	2	59.5	A
Routson, Mike	114	22	A
	78	2	B
Sawyer, Darrell P. and/or	79	19	B
Lorraine A.	115	238	A
	120	90	A
	83	16	B
Shaw, Ervie	82	30	A
	88	20	A
	89	40	A

* One share is equal to one acre foot of storage in Crane Creek Reservoir.



LANDS UNDER SUNNYSIDE DITCH

A = Adjudicated water for that quarter section
 1 = Number of acres in that quarter section

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Secretary/Treasurer
Title

of _____ Sunnyside Ditch Company, Inc. _____, that I have signed the foregoing
Organization

document in the space below as _____ Secretary/Treasurer _____ of _____ Sunnyside Ditch Company, Inc. _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Jacque Wray

Title and Organization _____ Secretary/Treasurer, Sunnyside Ditch Company, Inc. _____ Date 10-16-89

State of Idaho/or _____)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 16 day of October 19 89

SEAL

Notary Public _____

Tracie J. Patterson

Residing at _____ Weiser, Idaho _____

My Commission Expires _____ June, 1994 _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Sunnyside Ditch Company, Inc. Ident. Number _____

Copies White-State, Yellow-Claimant



State of Idaho

REC'D FEB 13 1980

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

February 12, 1980

Lary Walker
Walker and Sanders
232 E. Main
Weiser, ID 83672

Dear Lary,

The brush fires finally cooled down to a point where I could get at the Sunnyside Ditch research. I checked the water rights that are below or near the canal and that are recorded with the Department. The decreed water rights are abstracted below. A printout is enclosed, but I'll leave the final review on it to you. I have indicated on the printout one water right that apparently does not apply to Sunnyside or its shareholders.

SUNNYSIDE DITCH

<u>Right</u>	<u>Priority Date</u>	<u>Inches</u>
67-0001	6/1/1887	112.5
67-0002	6/1/1887	62.5
67-0003	5/1/1899	100.0
67-0004	5/1/1900	436.0

KELLY ANDERSON DITCH

67-0005	6/1/1889	70.0
67-0006	6/1/1889	15.0

I am sure you will be able to discard any superfluous information with which I was not familiar. If you need more information or help, let me know. I will see you on March 26th.

Sincerely,

DONALD V. SHAFF
Adjudication Section Supervisor

DVS:aje

Enclosure

