

FIRST CLAS

Change of address?
According to taxlots, address is:
Thomas J Weller
1236 Devils Elbow Rd.
Weiser ID 83672
comment in Quicklook
mub 6/15/2007


 NO POSTAGE
 NECESSARY
 IF MAILED
 IN THE
 UNITED STATES

Not Mailable As Addressed
 Insufficient Address
 Return to Post Office
 No Such Street
 Number

BONNIE WELLER
 404 East 54th St
 New York 17, N.Y.

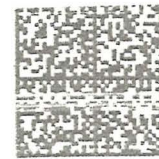
THOMAS WELLER
 PO BOX 97255
 ST HELENS OR 97031

NOE
WR # 67-7361

FEB 27 2007

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



UNITED STATES POSTAL SERVICE
\$ 00.970
0004389393 JAN 19 2007
MAILED FROM ZIP CODE 83712

RECEIVED

JAN 23 2007

DEPARTMENT OF
WATER RESOURCES

Director's Report
WR # 67-7361

- ☒ Not Deliverable As Addressed
☐ Unable To Forward
☐ Insufficient Address
☐ Moved, Left No Address
☐ Unclaimed
☐ Attempted - Not Known
☐ No Such Street
☐ Variant
☐ No Mail Receptacle
☐ Box Closed - No Order
☐ Returned For Better Address
☐ Postage Due
- Number

BOONIE WELLER

THOMAS WELLER
PO BOX 455
ST HELENS OR 97051

SCANNED
MAR 13 2007

09/22/2006

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

RIGHT NUMBER: 67-7361

NAME AND ADDRESS: BONNIE WELLER
PO BOX 455
ST HELENS OR 97051

THOMAS WELLER
PO BOX 455
ST HELENS OR 97051

SOURCE: UNNAMED STREAM

TRIBUTARY: MONROE CREEK

QUANTITY: 0.280 CFS
15.700 AFY

PRIORITY DATE: 10/17/1977

POINT OF DIVERSION:

T12N R05W S34 SENESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01/01 12/31	5.00 AFY
STOCKWATER STORAGE	01/01 12/31	0.70 AFY
STOCKWATER FROM STORAGE	01/01 12/31	0.70 AFY
IRRIGATION FROM STORAGE	03/15 11/15	5.00 AFY
IRRIGATION	03/15 11/15	0.280 CFS 15.00 AFY

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

PLACE OF USE: IRRIGATION Within WASHINGTON County

T12N R05W S34 NESW 14.00

IRRIGATION STORAGE Within WASHINGTON County

T12N R05W S34 NESW

IRRIGATION FROM STORAGE Within WASHINGTON County

T12N R05W S34 NESW 14.00

STOCKWATER STORAGE Within WASHINGTON County

T12N R05W S34 NESW

STOCKWATER FROM STORAGE Within WASHINGTON County

T12N R05W S34 NESW

14 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



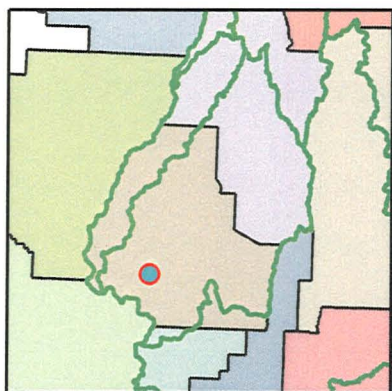
Idaho Department of Water Resources

SRBA Recommendation:

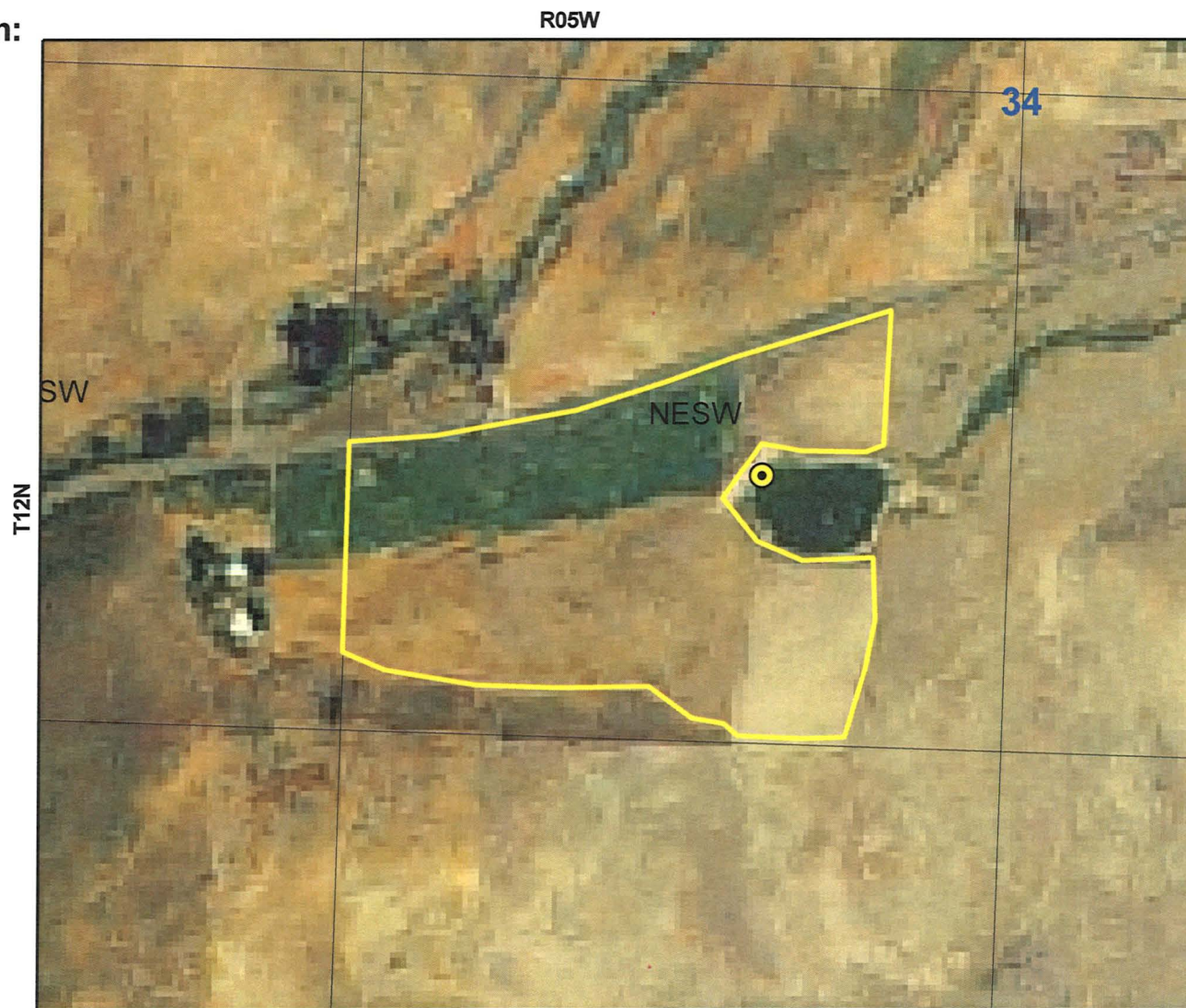
67-7361

Legend

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



Washington County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by J. Dean
On Friday, September 22, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7361 V1

WATER RIGHT NUMBER: 67-7361 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WILLIAM T PALLIS 1240 MONROE CREEK RD WEISER, ID 83672 (208)549-2180
Original Owner	BARBARA ANN ALLEN 1240 MONROE CREEK RD WEISER, ID 83672
Current Owner	BONNIE WELLER PO BOX 455 ST HELENS, OR 97051 (503)397-1405
Original Owner	BUDDY R ALLEN 1240 MONROE CREEK RD WEISER, ID 83672
Original Owner	JOSEPH W SUMRALL SR 1240 MONROE CREEK RD WEISER, ID 83672 (208)549-2664
Current Owner	THOMAS WELLER PO BOX 455 ST HELENS, OR 97051 (503)397-1405

Priority Date: 10/17/1977

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	MONROE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	01/01 to 12/31		5.00 AF
STOCKWATER STORAGE	01/01 to 12/31		0.70 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		0.70 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		5.00 AF
IRRIGATION	03/15 to 11/15	0.280 CFS	15.00 AF
	<u>Total Diversion:</u>	0.280 CFS	15.70 AF

Location of Point(s) of Diversion

UNNAMED STREAM	SE1/4NE1/4SW1/4	Sec. 34, Twp 12N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION STORAGE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7361 V1

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	05W	34									X								

Total Acres: 14

STOCKWATER STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	05W	34									X								

STOCKWATER FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	05W	34									X								

IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	05W	34									14.0								14.0

Total Acres: 14

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	
12N	05W	34									14.0								14.0

Total Acres: 14

Conditions of Approval:

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

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7361 V1

Comments:

1. mcase 5/12/2004 Water Use and Quantity

Comment: License has Irrigation with .28 cfs and 15 AF. annual diversion, Irrigation to and from storage for 5 AF. Claim has irrigation to storage 5 AF and Irrigation from storage 15 AF.

2. mcase 5/12/2004 Period of Use

Comment: Licensed Period of Use is shorter than standard Period of Use. Recommend shoulder remark.

3. jdean 9/22/2006 Recommended as licensed

Comment: This claim was recommended as licensed because there was no evidence that the changes proposed in the claim had taken place. Will wait on claimant to prove that the changes should take place. Additionally, there was a protest to the original permit that was withdrawn based on changes made to the permit. Because of the potential conflict over this claim, it was recommended as licensed rather than as claimed.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number: 67

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/2/2004 1:12:38 PM	segbert			Active
Priority Date	4/2/2004 1:12:51 PM	segbert			Active
POD	4/2/2004 1:14:39 PM	segbert			Active
Source	4/2/2004 1:15:40 PM	segbert			Active
POU	4/2/2004 1:16:14 PM	segbert			Active
Use	4/2/2004 1:18:02 PM	segbert			Active
Season	4/2/2004 1:20:00 PM	segbert			Active
Quantity	4/2/2004 1:22:00 PM	segbert			Active
Season	5/12/2004 4:16:38 PM	mcase			Active
Summary			09/22/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7361 V1

Season	5/12/2004 4:16:40 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?
POD	9/22/2006 12:59:15 PM	jdean	Updated shape
POU	9/22/2006 1:02:31 PM	jdean	Updated shape for Active POU
POU	9/22/2006 1:06:31 PM	jdean	Updated PLS for Active POU
POU	9/22/2006 1:03:38 PM	jdean	Updated PLS for Active POU
POD	9/22/2006 12:59:33 PM	jdean	Updated PLS
POU	9/22/2006 1:01:50 PM	jdean	Updated shape for Active POU
POU	9/22/2006 1:02:39 PM	jdean	Updated PLS for Active POU
POU	9/22/2006 1:03:29 PM	jdean	Updated shape for Active POU
POU	9/22/2006 1:06:51 PM	jdean	Updated shape for Active POU
POU	9/22/2006 1:06:59 PM	jdean	Updated PLS for Active POU
Summary	9/22/2006 1:46:48 PM	jdean	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (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?
POU	9/22/2006 1:02:00 PM	jdean	Updated PLS for Active POU
POU	9/22/2006 1:06:23 PM	jdean	Updated shape for Active POU
POU	3/15/2004 10:34:36 AM	awarntje	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7361 V1

Priority Date	4/2/2004 1:12:39 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?
POU	4/2/2004 1:40:34 PM	segbert	Edited shape boundary
Priority Date	4/2/2004 1:12:52 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
Season	4/2/2004 1:20:01 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
Quantity	4/2/2004 1:22:01 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use?
POD	4/2/2004 1:28:32 PM	segbert	Edited point location
POD	4/2/2004 1:14:40 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/2/2004 1:15:42 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7361 V1

POU	4/2/2004 1:16:15 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/2/2004 1:18:04 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?

Water Supply Bank:

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07361

Priority: October 17, 1977

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.28 CFS
15.7 AF

This is to certify, that JOSEPH W. SUMRALL, SR.
1240 MONROE CREEK RD.
WEISER, ID 83672

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated October 17, 1977; and
has submitted Proof of Beneficial Use on March 10, 1983. An examination indicates
that the works have a diversion capacity of .280 cfs of water from:

UNNAMED STREAM

tributary to MONROE CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.28 CFS	15.0 AF
IRRIGATION STORAGE	01/01 to 12/31		5.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		5.0 AF
STOCKWATER STORAGE	01/01 to 12/31		0.7 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		0.7 AF
Totals		0.28 CFS	15.7 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 34, Township 12N, Range 05W
WASHINGTON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12N	05W	34	NESW	14		14

Total number of acres irrigated: 14

PLACE OF USE: IRRIGATION STORAGE, same as IRRIGATION use
PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use
PLACE OF USE: STOCKWATER STORAGE, same as IRRIGATION use
PLACE OF USE: STOCKWATER FROM STORAGE, same as IRRIGATION use

MICROFILMED

SEP 19 1990

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

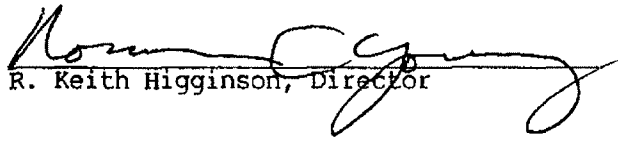
WATER RIGHT NO. 67-07361

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 67
6. 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 for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 24th day of AUGUST, 19 90.

Acting for


R. Keith Higginson, Director

SEP 13 1990

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: A67-07361
Date Received: 10/17/1989
Receipt No: C012313
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS WELLER
Address: PO BOX 455
ST HELENS OR 97051

OR

Name: BONNIE WELLER
Address: PO BOX 455
ST HELENS OR 97051

2. Date of Priority: OCT 17, 1977

3. Source: UNNAMED STREAM Trib. to: MONROE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	05W	34	SE	NE	SW		WASHINGTON

5. Description of diverting works:
EARTH-FILL DAM, APPROX. 1 SURFACE ACRE, 10 A.F. CAPACITY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			5.00
IRRIGATION FROM STORAGE	03/15	11/15			15.00
STOCKWATER STORAGE	01/01	12/31			0.70
STOCKWATER FROM STORAGE	01/01	12/31			0.70

7. Total Quantity Appropriated is:
0.280 C.F.S. (and/or) 15.70 A.F.A.

8. Total consumptive use is 49.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 50 RANGE

SCANNED
APR 19 2004

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12N	05W	34	NE SW		IRR FS	14.0
Section Acres						14.0
Total Acres						14.0

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:
NONE

14. Remarks:

WASTEWATER FROM CLAUDE GANN PLACE ABOVE AND SEEPAGE ARE TRIBUTARY
TO RESERVOIR.
OWNERSHIP CHANGED BY LH 6/27/94.
CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 9/23/94.

15. Basis of Claim: LICENSE

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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

SEP 14 1994

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block, _____, Subdivision/Townsite _____.
 If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: AG7-7361
- ☐ Name and Address of Former
Owner/Claimant(s)(Seller): _____

- ☐ New Owner/Claimant
(Purchaser): _____

- ☐ New Mailing Address: _____

- ☐ New Telephone Number: () _____ - _____
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of
ownership, describe
proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New
Owner/Claimant(s) Thomas J. Weller. Date 9-9-94
 _____ Date _____
- ☐ Signature of Former
Owner/Claimant(s): _____ Date _____
 _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

OCT 23 1994

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: **A67-07361**
Date Received: 10/17/1989
Receipt No: C012313
Received By: _____

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

1. Name: WILLIAM T PALLIS 208-549-2180
Address: 1240 MONROE CREEK ROAD
WEISER ID 83672

2. Date of Priority: OCT 17, 1977

3. Source: UNNAMED STREAM Trib. to: MONROE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	05W	34	SE	NE	SW		WASHINGTON

5. Description of diverting works:
EARTH-FILL DAM, APPROX. 1 SURFACE ACRE, 10 A.F. CAPACITY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			5.00
IRRIGATION FROM STORAGE	03/15	11/15			15.00
STOCKWATER STORAGE	01/01	12/31			0.70
STOCKWATER FROM STORAGE	01/01	12/31			0.70

7. Total Quantity Appropriated is:
0.280 C.F.S. (and/or) 15.70 A.F.A.

8. Total consumptive use is 49.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 50 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	05W	34	NE	SW		IRR FS	14.0

MICROFILMED
AUG 05 1994

10. Place of Use: Continued

Section Acres 14.0

Total Acres 14.0

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:

NONE

14. Remarks:

WASTEWATER FROM CLAUDE GANN PLACE ABOVE AND SEEPAGE ARE TRIBUTARY
TO RESERVOIR.

OWNERSHIP CHANGED BY LH 6/27/94.

15. Basis of Claim: LICENSE

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: _____

MICROFILMED
AUG 05 1994

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 05 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 8-20-93

RECEIVED

MAY 19 1994

LEGAL DESCRIPTION OF PROPERTY: Township 12 NORTH Range 5 WEST
Section 34, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

WATER RESOURCES
WESTERN REGION

RECEIVED

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) JUN 24 1994

WATER RESOURCES
WESTERN REGION

[x] Water Right Number(s) Assigned by IDWR: A67-00720 A67-00721 A67-07361

[] Name and Address of Former Owner/Claimant(s)(Seller): BUDDY R. + BARBARA A. ALLEN

1240 MONROE CRR. RD

WEISER, ID 83672

[] New Owner/Claimant (Purchaser):

WILLIAM T. PALLIS

[] New Mailing Address:

1240 MONROE CRR. RD.

WEISER, ID 83672

[] New Telephone Number: (208) 549-2180

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached: RECORDED WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s): William T. Pallis Date 8-20-93

Date

[] Signature of Former Owner/Claimant(s): _____ Date _____

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 6-27-94 By: JDL

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 6-27-94 By: JDL

Claim Numbers of Split, if any:

MICROFILMED

AUG 05 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

For Value Received BUDDY R. ALLEN AND BARBARA ANN ALLEN,
HUSBAND AND WIFE

The grantors , do hereby grant, bargain, sell and convey unto
WILLIAM T. PALLIS, A SINGLE PERSON
the grantee , whose current address is 1240 MONROE CREEK ROAD, WEISER, ID 83672
the following described premises, in WASHINGTON County Idaho, to-wit:

IN TOWNSHIP 12 NORTH, RANGE 5 WEST, BOISE

SECTION 34: All that part of the South 25 acres of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and
all that part of the South 25 acres of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying Easterly
of Monroe Creek Road; and all that part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ lying
Southeasterly of Monroe Creek Road and Northerly of Devil's Elbow
Road (formerly U.S. Highway 95); and all that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$
lying Northerly of Devil's Elbow Road (formerly U.S. Highway 95).

ALSO IN SECTION 34: All that part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ lying Northerly
of Devil's Elbow Road (formerly U.S. Highway 95) and Easterly of
Monroe Creek Road as the same now cross said NW $\frac{1}{4}$ SW $\frac{1}{4}$.

TOGETHER WITH ALL WATER, WATER RIGHTS, DITCHES AND DITCH RIGHTS
APPURTENANT THERETO AND IN ANYWISE BELONGING.

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

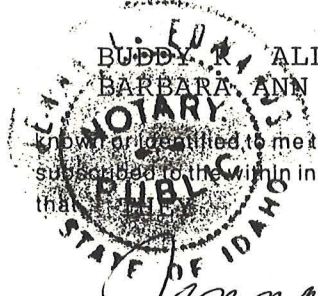
and that t he y will warrant and defend the same from all lawful claims whatsoever.

Dated: AUGUST 20, 1993


BUDDY R. ALLEN


BARBARA ANN ALLEN

STATE OF IDAHO, COUNTY OF WASHINGTON
On this 20TH day of AUGUST , 19 93,
before me, a notary public in and for the said State, personally
appeared



BUDDY R. ALLEN AND
BARBARA ANN ALLEN

known and identified to me to be the person s whose names s
subscribed to the within instrument, and acknowledged to me
that they executed the same.


Notary Public
Residing at WEISER, Idaho
Comm. Expires 3/27/97

STATE OF IDAHO, COUNTY OF WASHINGTON
I hereby certify that this instrument was filed for record at the
request of WEISER VALLEY TITLE

at 42 minutes past 14:00 o'clock P M.,
this 23RD day of AUGUST
19 93, in my office, and duly recorded in ~~XXX~~
~~DEEDS # 157750~~ DEEDS # 157750

MARY KAUTZ
Ex-Officio Recorder
By 
Deputy.
Fees \$ 3.00
Mail to: WEISER VALLEY TITLE

Cmp. Index
Cmp. Rel.
Film
Compare
Card Rel.
Bk. Rel.
Up-date
Return

INSTRUMENT NO.

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: **A67-07361**
Date Received: 10/17/1989
Receipt No: C012313
Received By: _____

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

1. Name: BUDDY R ALLEN
Address: 1240 MONROE CREEK RD
WEISER ID 83672

AND

Name: BARBARA ANN ALLEN
Address: 1240 MONROE CREEK RD
WEISER ID 83672

2. Date of Priority: OCT 17, 1977

3. Source: UNNAMED STREAM Trib. to: MONROE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	05W	34	SE	NE	SW		WASHINGTON

5. Description of diverting works:
EARTH-FILL DAM, APPROX. 1 SURFACE ACRE, 10 A.F. CAPACITY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			5.00
IRRIGATION FROM STORAGE	03/15	11/15			15.00
STOCKWATER STORAGE	01/01	12/31			0.70
STOCKWATER FROM STORAGE	01/01	12/31			0.70

7. Total Quantity Appropriated is:
0.280 C.F.S. (and/or) 15.70 A.F.A.

8. Total consumptive use is 49.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR UP TO 50 HEAD/RANGE

MICROFILMED
AUG 05 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	05W	34	NE	SW		IRR	14.0
Section Acres							14.0
Total Acres							14.0

*corrected to
irrig. from
Storage 5/9/94.
KW*

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:
NONE

14. Remarks:
WASTEWATER FROM CLAUDE GANN PLACE ABOVE AND SEEPAGE ARE TRIBUTARY
TO RESERVOIR.

15. Basis of Claim: LICENSE

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: _____

MICROFILMED
AUG 05 1994

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 05 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
SEP 1 1992

DATE OF CLOSING: 7/10/92

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: _____

Department of Water Resources
Western Regional Office

☐ Name and Address of Former Owner/Claimant(s)(Seller): JOSEPH W. SUMRALL, SR.

☐ New Owner/Claimant (Purchaser):

BUDDY R. & BARBARA ANN ALLEN

☐ New Mailing Address:

1240 MONROE CREEK RD.
WEISER, ID 83672

☐ New Telephone Number: () _____ - _____

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: RECORD WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): Barbara A. Allen Date 7-10-92

☐ Signature of Former Owner/Claimant(s): Joseph W. Sumrall Sr. Date 7-10-92

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

AUG 05 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

For Value Received

JOSEPH W. SUMRALL, SR, a single person

RECEIVED

SEP 1 1992

Department of Water Resources

The grantor, do es hereby grant, bargain, sell and convey unto

BUDDY R. ALLEN AND BARBARA ANN ALLEN, husband and wife

the grantees, whose current address is

1240 MONROE CREEK RD., WEISER, ID 83672

the following described premises, in

WASHINGTON

County Idaho, to-wit:

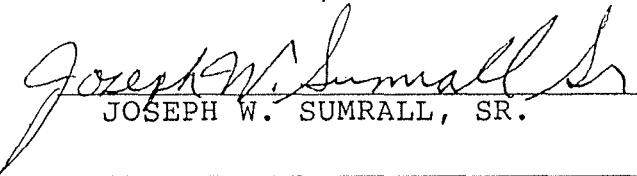
IN TOWNSHIP 12 NORTH, RANGE 5 WEST, BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

SECTION 34: All that part of the South 25 acres of the SE1/4NW1/4 and all that part of the South 25 acres of the SW1/4NE1/4 lying Easterly of Monroe Creek Road; and all that part of the NE1/4SW1/4 lying Southeasterly of Monroe Creek Road and Northerly of Devil's Elbow Road (formerly U. S. Highway 95); and all that part of the NW1/4SE1/4 lying Northerly of Devil's Elbow Road (formerly U.S. Highway 95).

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

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

Dated: JULY 10, 1992


 JOSEPH W. SUMRALL, SR.

STATE OF IDAHO, COUNTY OF WASHINGTON
On this 10TH day of JULY, 1992,
before me, a notary public in and for the said State, personally
appeared

JOSEPH W. SUMRALL, SR.

known or identified to me to be the person whose name
subscribed to the within instrument, and acknowledged to me
that he executed the same.

Notary Public

Residing at
Comm. ExpiresWEISER
3/27/97

Idaho

STATE OF IDAHO, COUNTY OF WASHINGTON
I hereby certify that this instrument was filed for record at the
request of WEISER VALLEY TITLE

at 20 minutes past 15:00 o'clock P. M.,
this 13TH day of JULY
19 92, in my office, and duly recorded in Book
of Deeds at Book # 154928

MARY KAUTZ

Ex-Officio Recorder

By

Fees \$3.00

Mail to: WEISER VALLEY TITLE

Deputy

Comp. to
Comp. to
File
Copy to
Card to
Index
Up to
Return

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: A67-07361
Date Received: 10/17/1989
Receipt No: C012313
Received By: _____

RECEIVED
APR 02 1991

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOSEPH W. SUMRALL, SR. 208-549-2664
Address: 1240 MONROE CREEK RD.
WEISER, ID 83672

2. Date of Priority: OCT 17, 1977

3. Source: UNNAMED STREAM Trib. to: MONROE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	05W	34	SE	NE	SW		WASHINGTON

5. Description of diverting works:
EARTH-FILL DAM, APPROX. 1 SURFACE ACRE, 10 A.F. CAPACITY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			5.00
IRRIGATION FROM STORAGE	03/15	11/15			15.00
STOCKWATER STORAGE	01/01	12/31			0.70
STOCKWATER FROM STORAGE	01/01	12/31			0.70

7. Total Quantity Appropriated is:
0.280 C.F.S. (and/or) 15.70 A.F.A.

8. Total consumptive use is 49.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR UP TO 50 HEAD/RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	05W	34	NE	SW		IRR	14.0

A67-07361

Page 1

Date: 04/01/91

MICROFILMED
AUG 05 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	14.0
					Total Acres	14.0

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:
NONE

14. Remarks:
WASTEWATER FROM CLAUDE GANN PLACE ABOVE AND SEEPAGE ARE TRIBUTARY
TO RESERVOIR.

15. Basis of Claim: LICENSE

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 A67-07361
Date Received 10-17-89
Receipt Number CO12313

NOTICE OF CLAIM
TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) SUMRALL, SR. JOSEPH W. Phone (208) 549-2664
Mailing Address 1240 MONROE CK. RD., WEISER, ID Zip 83672

2. Date of Priority (Only one (1) per claim) 10/17/1977

3. Source of water supply (a) UNNAMED STREAM (SEEPAGE & RUN-OFF)
which is tributary to (b) MONROE CREEK

4. a. Location of existing point of diversion is: Township 12N Range 5W Section 34,
SE 1/4 of NE 1/4 of SW 1/4, Govt. Lot, WASHINGTON 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. EARTH-FILL DAM, APPROX 1 SURFACE
ACRE, 10 AF. CAPACITY, GLORY-HOLE & GRASS-WATERWAY SPILLWAYS.

MICROFILMED

AUG 05 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION STORAGE purposes from 01/01 to 12/31 amount _____ or 5.0

For IRRIGATION FROM STORAGE purposes from 3/15 to 11/15 amount _____ or 15.0 AF

For STOCKWATER STORAGE purposes from 01/01 to 12/31 amount _____ or 0.70 AF

For STOCKWATER FROM STORAGE purposes from 01/01 to 12/31 amount _____ or 0.70 AF

7. Total quantity claimed (a) _____ (cfs) and/or (b) 15.70 (acre feet)

8. Total consumptive use claimed is 49.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER FOR UP TO 50 HEAD / RANGE

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	
12N	5W	34									140								14.0

Total number of acres irrigated 14.0

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 X 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 (X)

14. Remarks: WASTEWATER FROM CLAUDE GANN PLACE ABOVE & SEEPAGE ARE TRIBUTARY TO RESERVOIR.

MICROFILMED

AUG 05 1994

Last Name SUMRALL Ident No. A67-07361

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit ☒
 Decree _____
 If applicable provide IDWR Water Right Number 67-07361
 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) Joseph W. Sumrall Jr. Date 10/13/89
 _____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
 of _____, that I have signed the foregoing
 Organization _____
 document in the space below as _____ of _____
 Title _____ Organization _____
 and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
 Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 13th day of OCTOBER 1989

SEAL

Notary Public Shirley D. Smith

Residing at BOISE, ID

My Commission Expires 11/08/1994

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 _____

SUMRALL

Last Name 67-07361 Ident. Number _____

MICROFILMED
 AUG 05 1994

Copies White-State, Yellow-Claimant

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Sumrall

CLAIM IDENT. NO.

A67-07361

DATE RECEIVED

10/17/89

CK #

C012313

AMOUNT \$

5400

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A ☐ NO *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A ☐ NO *
- Is the consumptive use correct? ☒ YES ☐ NO N/A ☐ NO *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A ☐ NO *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A ☐ NO *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A ☐ NO *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt ☐ NO *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A ☐ NO *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by:

J

Date:

5/22/90

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments: 10 ACRES OVERLAPS AND PD. ON A67-00721.

MICROFILMED

AUG 05 1994

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-7361 V1

WATER RIGHT NUMBER: 67-7361 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WILLIAM T PALLIS 1240 MONROE CREEK RD WEISER, ID 83672 (208)549-2180
Original Owner	BARBARA ANN ALLEN 1240 MONROE CREEK RD WEISER, ID 83672
Current Owner	BONNIE WELLER PO BOX 455 ST HELENS, OR 97051 (503)397-1405
Original Owner	BUDDY R ALLEN 1240 MONROE CREEK RD WEISER, ID 83672
Original Owner	JOSEPH W SUMRALL SR 1240 MONROE CREEK RD WEISER, ID 83672 (208)549-2664
Current Owner	THOMAS WELLER PO BOX 455 ST HELENS, OR 97051 (503)397-1405

Priority Date: 10/17/1977

Basis: License

Status:

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	MONROE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	01/01 to 12/31		5.00 AF
STOCKWATER STORAGE	01/01 to 12/31		0.70 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		0.70 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		15.00 AF
	<u>Total Diversion:</u>	0.280 CFS	15.70 AF

Location of Point(s) of Diversion

UNNAMED STREAM SE1/4NE1/4SW1/4 Sec. 34, Twp 12N, Rge 05W, B.M.
WASHINGTON County

Place of Use

IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	Totals
			NE	NW	SW	SE	Totals

DRAFT
DO NOT
SCAN

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7361 V1											
12N	05W	34	NE	NW	SW	SE	NE	NW	SW	SE	Totals
											14.0

Total Acres: 14

STOCKWATER FROM STORAGE same as IRRIGATION FROM STORAGE

Conditions of Approval:

Remarks:

Comments:

1. mcase 5/12/2004 Water Use and Quantity
Comment: License has Irrigation with .28 cfs and 15 AF. annual diversion, Irrigation to and from storage for 5 AF. Claim has irrigation to storage 5 AF and Irrigation from storage 15 AF.

2. mcase 5/12/2004 Period of Use
Comment: Licensed Period of Use is shorter than standard Period of Use. Recommend shoulder remark.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number: 67
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/2/2004 1:12:38 PM	segbert			
Priority Date	4/2/2004 1:12:51 PM	segbert			
POD	4/2/2004 1:14:39 PM	segbert			
Source	4/2/2004 1:15:40 PM	segbert			
POU	4/2/2004 1:16:14 PM	segbert			
Use	4/2/2004 1:18:02 PM	segbert			
Season	4/2/2004 1:20:00 PM	segbert			
Quantity	4/2/2004 1:22:00 PM	segbert			

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7361 V1

Season	5/12/2004 4:16:38 PM	mcase	
<u>Verification Log:</u>			
<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Season	5/12/2004 4:16:40 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?
POU	3/15/2004 10:34:36 AM	awarntje	Edited shape boundary
Priority Date	4/2/2004 1:12:39 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?
POU	4/2/2004 1:40:34 PM	segbert	Edited shape boundary
Priority Date	4/2/2004 1:12:52 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
Season	4/2/2004 1:20:01 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
Quantity	4/2/2004 1:22:01 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7361 V1

POD	4/2/2004 1:28:32 PM	segbert	Edited point location
POD	4/2/2004 1:14:40 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/2/2004 1:15:42 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	4/2/2004 1:16:15 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/2/2004 1:18:04 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?

Idaho Department of Water Resources
67-7361



T12N R05W S34



500 0 500 1000 Feet

A scale bar with four segments, labeled 500, 0, 500, and 1000 Feet.

Prepared by Sandy Egbert
4-2-04
1993/94 True Color Aerial Photo



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Date SEPTEMBER 23, 1994

[
THOMAS OR BONNIE WELLER
PO BOX 455
ST HELENS OR 97051
]

Notice of Claim No.(s) A67-07361

Dear Claimant:

Enclosed is **your** copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

SCANNED
APR 19 2004

MICROFILMED
OCT 23 1996

Sept 12, 1994

Dear Linda Warner,

Thank you for your quick response to my questions.

Enclosed are Deed of Reconveyance & Notice of Change of Water Right Ownership signed by Mfr. Weller. Also information from 1992 inquiries we made.

We feel confident Water Right #67-07361 belongs to our property but unsure of any water right from Monroe Creek through diversion.

Please advise your findings, & any more information you need.

RECEIVED

SEP 14 1994

WATER RESOURCES
WESTERN REGION

MICROFILMED

OCT 23 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 6, 1994

THOMAS OR BONNIE WELLER
PO BOX 455
ST HELENS OR 97051

Dear Mrs. Weller;

In response to your phone call of this morning, Tuesday, I am enclosing some forms which will assist in the determination of which water rights are appurtenant to the property purchased from Mr. Sumrall.

Enclosed are three profile reports which show water rights for lands in the NE1/4SW1/4, Section 34, T12N, R5W. The key is in determining which rights are appurtenant to which lands. I have also enclosed a map of the area.

Please review this information. If you think any, or all, of these rights are for the land you now own, you may want to file a Notice of Claim to a Water Right on them. In the meantime, I will enclose the change of ownership form for claim number A67-07361.

Sincerely,

A handwritten signature in cursive script that reads "Linda A. Werner".

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

MICROFILMED
OCT 23 1996

POOR ORIGINAL

Order No. 100-91-3281 Twp. 12 N. R. 5 W B.M. Sec. 34 NESW

INSTRUMENT NO. 156369
PAGE 1 OF 1

RECEIVED

SEP 14 1994

WATER RESOURCES
WESTERN REGION

DEED OF RECONVEYANCE

WEISER VALLEY TITLE, INC., an Idaho Corporation, as
in the deed of trust executed by THOMAS J. WELLER, a single person

Trustee

Volume n/a at page n/a, Instrument No. 153734 recorded February 10, 1992 in
County, Idaho, pursuant to the written request of the beneficiary, does hereby GRANT and RECONVEY unto
the PARTIES ENTITLED THERETO, Mortgage records of Washington

without warranty, all the estate and interest derived to it by or through said Deed of Trust, in the lands therein described.

The corporate name subscribed by its President, and the seal affixed by its Secretary,
is pursuant to a resolution authorizing the execution of this reconveyance duly adopted by its Board of Directors.

Dated: February 17, 1993

WEISER VALLEY TITLE, INC., TRUSTEE

Jonathan P. Edwards President.

Jenna L. Edwards Secretary.

STATE OF IDAHO

COUNTY OF Washington } ss.

On this 17th day of February in the
year 1993, before me, a Notary Public in and for said
State, personally appeared Jenna L. Edwards
known to me to be the secretary of the corpora-
tion that executed the within instrument or the person who
executed the instrument on behalf of said corporation, and
acknowledged to me that such corporation executed the
same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this certificate
first above written.

Notary Public for the State of Idaho,
Residing at Weiser, Idaho.

Comm Exp. 11/4/97

STATE OF IDAHO, COUNTY OF WASHINGTON

I Hereby Certify that this instrument was filed for record at
the request of WEISER VALLEY TITLE

at 41 minutes past 14:00 o'clock P.M.,
this 23RD day of FEBRUARY
1993, in my office, and duly recorded in Book
of Satisfaction ~~XXXXX~~ OF MORTGAGE

MARY KAUTZ

By *[Signature]* Ex-Officio Recorder

Fees \$ 3.00

Mail to: WEISER VALLEY TITLE

INSTRUMENT No.

Comp. Index
Comp. Rec.
Film
Compare
Card Rec.
Deputy
Ex. Rel.
Up-date
Return

OCT 23 1996

RECORDED

67-77501

N ↑

CRP-86-173.2

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State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 27, 1994

Re: Notice of Claim to a Water Right No. A67-00720, A67-00721, A67-07361

William T. Pallis
1240 Monroe Creek Rd.
Weiser, ID 83672

Mr. Pallis:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1

MICROFILMED
AUG 05 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

MAY 25, 1994

CECIL D. ANDRUS
GOVERNOR

WILLIAM T. PALLIS
1240 MONROE CREEK RD.
WEISER ID 83672

R. KEITH HIGGINSON
DIRECTOR

Dear Wateruser(s):

This office has reviewed the **Notice of Change of Water Right Ownership** form submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to **COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S)**.

There is no existing water right in our records either under the former owner's name or for the legal description given. If, after contacting the former owner, you find more information concerning a water right, please contact us.

Legal description of property. Please complete showing the legal description by 1/41/4 (40-acre tract), section, township and range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat map.

It appears you receive your water from an irrigation district, ditch company, municipality or community water company. If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.

Name and address of former owner (seller). This will clarify the original owner of the water right.

Name, address and phone number of new owner (purchaser).

This change in ownership appears to result in a splitting of the water right. A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by 1/4 1/4 with the number of acres in each 1/41/4 (if applicable) and the point of diversion by 1/41/4, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion.
Enclosed is a computer copy of this right for your review.

Proof of ownership is needed. This proof can be a copy of the warranty deed, sales contract or tax assessment in your name which includes a description of this property by 1/41/4, Section, Township and Range. See page 2 "Other"

MICROFILMED

AUG 05 1994

____ signature of new owner (purchaser) is needed on this form.

X other: We need to have a copy of the Warranty
Deed conveying the property from Buddy & Barbara
Allen to yourself. The attached deed between Sumral
and Allen is not needed for our files.

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed(if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:l
Enclosures

MICROFILMED
AUG 05 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

MAY 19 1994

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: 8-20-93

LEGAL DESCRIPTION OF PROPERTY: Township 12 NORTH Range 5 WEST
Section 34, 1/4 of 1/4 of 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s) Assigned by IDWR: A67-00720 A67-00721 A67-07361

☐ Name and Address of Former Owner/Claimant(s)(Seller): BUDDY R. + BARBARA A. ALLEN
1240 MONROE CRK. RD

☐ New Owner/Claimant (Purchaser): WEISER, ED 83672
WILLIAM T. PAULS

☐ New Mailing Address: 1240 MONROE CRK. RD.
WEISER, ID 83672

☐ New Telephone Number: (208) 549-2180

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: RECORDED WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) William T. Pauls Date 8-20-93

☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

AUG 05 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 14, 1992

THOMAS J WELLER
PO BOX 223
ST HELENS OR 97051

RE: Water Rights applicable to NESW Sec. 34, Twp. 12N, Rng. 5W,
Joseph W Sumrall, Owner.

Dear Mr. Weller:

Per Mrs. Weller's telephone request this date for water rights applicable to the above referenced legal description, enclosed you will find summary reports representing database information. Also enclosed are photocopies of the license and from the field exam on Water Right No. 67-07361.

As I told Mrs. Weller, we cannot define through the database which of the smaller acreages within the quarter/quarter (40 acres) covered under any water right applies to your 22 acres. You may recognize through the maps, etc., which water right, or portions thereof, may apply to you. You may wish to consult with Mr. Sumrall as to which water rights, or portions thereof, apply to your land.

If I can be of further assistance, please feel free to call our offices.

Sincerely,

A handwritten signature in blue ink that reads "Cindy Zimmerman".

CINDY ZIMMERMAN
Clerical Specialist

Enclosures

MICROFILMED
OCT 23 1996

WARRANTY DEED

For Value Received

JOSEPH W. SUMRALL, SR, a single person

The grantor, do es hereby grant, bargain, sell and convey unto

BUDDY R. ALLEN AND BARBARA ANN ALLEN, husband and wife

the grantees, whose current address is

1240 MONROE CREEK RD., WEISER, ID 83672

the following described premises, in

WASHINGTON

County Idaho, to-wit:

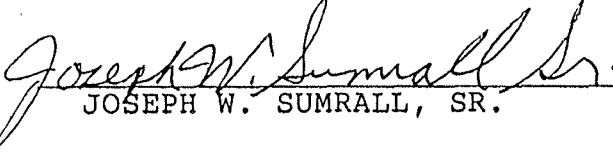
IN TOWNSHIP 12 NORTH, RANGE 5 WEST, BOISE MERIDIAN, WASHINGTON COUNTY, IDAHO:

SECTION 34: All that part of the South 25 acres of the SE1/4NW1/4 and all that part of the South 25 acres of the SW1/4NE1/4 lying Easterly of Monroe Creek Road; and all that part of the NE1/4SW1/4 lying Southeasterly of Monroe Creek Road and Northerly of Devil's Elbow Road (formerly U. S. Highway 95); and all that part of the NW1/4SE1/4 lying Northerly of Devil's Elbow Road (formerly U.S. Highway 95).

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

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

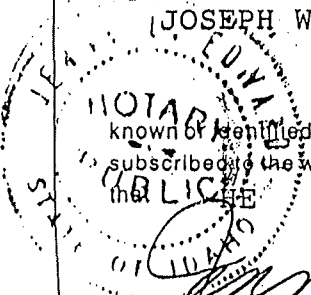
Dated: JULY 10, 1992


 JOSEPH W. SUMRALL, SR.

STATE OF IDAHO, COUNTY OF WASHINGTON
On this 10TH day of JULY, 1992,
before me, a notary public in and for the said State, personally
appeared

JOSEPH W. SUMRALL, SR.

known or identified to me to be the person whose name
subscribed to the within instrument, and acknowledged to me
that he executed the same.


 Notary Public

 Residing at
Comm. Expires

 WEISER
3/27/97

STATE OF IDAHO, COUNTY OF WASHINGTON
I hereby certify that this instrument was filed for record at the
request of WEISER VALLEY TITLE

at 20 minutes past 15:00 o'clock P. M.,
this 13TH day of JULY
19 92, in my office, and duly recorded in Book
of Deeds at ~~BOOK~~ # 154928

MARY KAUTZ

Ex-Officio Recorder

 By 
 Fees \$3.00

Mail to: WEISER VALLEY TITLE

Comp. In
Deputy. Comp. R
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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 21, 1992

Re: Notices of Claim to a Water Right No.'s A67-00720, A67-00721 & A67-07361

Buddy R. Allen
Barbara Ann Allen
1240 Monroe Creek Rd.
Weiser, ID 83672

Mr. & Mrs. Allen:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

Jan Shurte by JS

JAN SHURTE
WATER RIGHT SUPERVISOR
ADJUDICATION SECTION

JS:lh
Enclosure

MICROFILMED
AUG 05 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

EXHIBIT "A"

January 30, 1992

Joseph W. Sumrall
Route 2, Box 149
Weiser, ID 83672

RE: Sumrall Dam

D67-7361

Dear Mr. Sumrall:

In reference to our recent meeting and inspection of your dam, The Department has re-evaluated the risk below the dam. Our inspection on January 21st revealed that the dam poses little, if any hazard; and therefore the risk of the dam has been lowered from significant to low. In accordance with the attached order, the dam is too small for the Department's jurisdiction and will be taken off the active inventory.

Approximately every five (5) years the Department will re-examine the site to determine whether the downstream risk has changed, or the size of the dam has increased such that the dam again falls under the jurisdiction of the Department. Please notify the Department if there is further development of the area below the dam, or if you propose to raise the dam to increase its storage capacity.

We recommend that you continue to maintain the structure to assure safe operation in the future. Routine maintenance should include removing large growth, controlling rodent activity and filling in large burrows, and repairing eroded areas on the dam as necessary. Also, as discussed with you on January 21st, the earth channel spillway will be enlarged slightly by increasing the base width to 10 feet, and deepening the channel approximately one foot, so that the crest of the earth channel spillway is approximately 0.5 ft above the gloryhole spillway.

When the sale of the property is finalized, please inform the Department of the name, address and phone number of the new owner.

If you have any questions, please contact me (phone 327-7952) at the State Office, Dam Safety Section, or contact John Westra (phone 334-2190) in our Western Regional Office in Boise.

Sincerely,

A. Michael Stubblefield, P.E.
Dam Safety Section

cc: IDWR - Western Region
✓ Sharon Harp, Century 21

MICROFILMED
OCT 23 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVING SUMRALL)
DAM FROM THE INVENTORY OF DAMS)
AS DESIGNATED BY IDAHO CODE,)
TITLE 42, CHAPTER 17.)

ORDER

The Department of Water Resources (Department), being charged with the duties related to dams and reservoirs and enforcing specific statutes of the State of Idaho relating to water storage dams. Field investigations by the Department revealed that a water storage dam owned by Joseph Sumrall is too small for jurisdiction by the Department. Based upon the investigations and understanding of the law, the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Sumrall Dam, located in Section 34, Township 12 North, Range 5 West, B.M., in Washington County, Idaho is 12.5 feet in height and stores approximately 8 acre-feet of water.
2. An investigation and inspection of the area on January 17, 1992, revealed the dam is located in a low risk area.
3. Section 42-1711, Idaho Code states in part, ". . . The following are not considered dams for the purposes of Sections 42-1710 through 42-1721, Idaho Code: (2) Barriers constructed in low risk areas as determined by the director, which impound ten (10) acre-feet or less at maximum water storage elevation, regardless of height. . .".

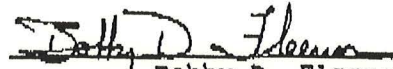
CONCLUSIONS OF LAW

1. The dam and reservoir as presently exist are too small for jurisdiction of the Department under the Dam Safety Statutes of the State of Idaho.

ORDER

IT IS, THEREFORE, HEREBY ORDERED, that Sumrall Dam be removed from jurisdiction of the Department under the Dam Safety Statutes of the State of Idaho.

Dated this 30th day of January, 1992.


Bobby D. Fleener
Chief, Resource Protection Bureau

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07361

Priority: October 17, 1977

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.28 CFS
15.7 AF

This is to certify, that JOSEPH W. SUMRALL, SR.
1240 MONROE CREEK RD.
WEISER, ID 83672

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated October 17, 1977; and
has submitted Proof of Beneficial Use on March 10, 1983. An examination indicates
that the works have a diversion capacity of .280 cfs of water from:

UNNAMED STREAM

tributary to MONROE CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.28 CFS	15.0 AF
IRRIGATION STORAGE	01/01 to 12/31		5.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		5.0 AF
STOCKWATER STORAGE	01/01 to 12/31		0.7 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		0.7 AF
Totals		0.28 CFS	15.7 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 34, Township 12N, Range 05W
WASHINGTON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12N	05W	34	NESW	14		14

Total number of acres irrigated: 14

PLACE OF USE: IRRIGATION STORAGE, same as IRRIGATION use
PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use
PLACE OF USE: STOCKWATER STORAGE, same as IRRIGATION use
PLACE OF USE: STOCKWATER FROM STORAGE, same as IRRIGATION use

RECEIVED

SEP 14 1994

WATER RESOURCES
WESTERN REGION

MICROFILMED

SEP 19 1990

MICROFILMED

OCT 23 1996

AJ0729NP
No. A67-11574

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/14/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH W. SUMRALL, SR. 1240 MONROE CREEK RD. WEISER ID 83672 (208) 549-2664	06/01/1935	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T12N R05W S34

NWNESW

WASHINGTON County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
12N	05W	34	:																

POU County: WASHINGTON

Non-Irrigation Uses: DOMESTIC, 1 HOUSE.

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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OCT 23 1996

WR5809NP
No. 67-07361

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/14/92
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH W. SUMRALL, SR. 1240 MONROE CREEK RD. WEISER ID 83672	10/17/1977	IRRIGATION	03-15 11-15	0.28 CFS	15.0 AFA
			IRRIGATION STORAGE	01-01 12-31		5.0 AFA
			IRRIGATION FROM STORAGE	03-15 11-15		5.0 AFA
			STOCKWATER STORAGE	01-01 12-31		0.7 AFA
			STOCKWATER FROM STORAGE	01-01 12-31		0.7 AFA
TOTAL DIVERSION:					0.28 CFS	15.7 AFA

Water Source: UNNAMED STREAM

Tributary to: MONROE CREEK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.28 CFS

Point(s) of Diversion: T12N R05W S34 NE SW

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
12N	05W	34	:																	:	14.0
TOTAL ACRES																				:	14.0

Place of use location for IRRIGATION FROM STORAGE is the same location as described for: IRRIGATION

Place of use location for STOCKWATER FROM STORAGE is the same location as described for: IRRIGATION

Pou County: WASHINGTON

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. .
R31 - 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 for the
- lands above.

Dates:	App. Received:	10/17/1977	Priority Date:	10/17/1977
	Proof Due Date:	04/01/1983	Proof Made Date:	03/10/1983
	Exam Made Date:	06/23/1988	Exam Sent to S.O.:	
	Licensed Date:	08/24/1990		

Misc: Water District Number: 67 Field Exam Fee: R (Received)

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OCT 23 1996

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH W. SUMRALL, SR. 1240 MONROE CREEK RD. WEISER ID 83672 (208) 549-2664	10/17/1977	IRRIGATION STORAGE IRRIGATION FROM STORAGE STOCKWATER STORAGE STOCKWATER FROM STORAGE	01-01 12-31 03-15 11-15 01-01 12-31 01-01 12-31		5.0 AFA 15.0 AFA 0.7 AFA 0.7 AFA
TOTAL DIVERSION:					0.28 CFS	15.7 AFA
CONSUMPTIVE USE:						49.0 AFA

Water Source: UNNAMED STREAM

Tributary to: MONROE CREEK

Stage: LICENSE

Point(s) of Diversion: T12N R05W S34

SENESEW

WASHINGTON County

POU County:

Non-Irrigation Uses: STOCKWATER FOR UP TO 50 HEAD/RANGE

Other Rights: NONE

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. .
- R31 - 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 for the lands above.

Remarks: WASTEWATER FROM CLAUDE GANN PLACE ABOVE AND SEEPAGE ARE TRIBUTARY TO RESERVOIR.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 67

Field Inspection Flag:
Presumption Flag:

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SD-0604-2 Township: 12N Range: 05W Section: 34 Tract: NESW Lot: 21

S	L	STATE	O	S	Max #	Records	21			
E	O	Water	Name	W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
---	---	---	---	---	---	---	---	---	---	---
---	NESW	---	67-00720	SUMRALL, SR., JOSEPH W	C	10	D	04/01/1888	01	IRR
---	NESW	---	67-00721	SUMRALL, SR., JOSEPH W	C	10	D	04/01/1880	01	IRR
---	NESW	---	67-07361	SUMRALL, SR., JOSEPH W	C	14	L	10/17/1977	02	IRR S
---									03	IRR FS
---									04	STOCK
---									05	STOC S
---									06	STO FS
---									01	IRR

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

MICROFILMED
OCT 23 1996

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH W. SUMRALL, SR. 1240 MONROE CREEK ROAD WEISER ID 83672 (208) 549-2664	04/01/1888	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.62 CFS 0.04 CFS	140.0 AFA 0.7 AFA
TOTAL DIVERSION:					0.66 CFS	140.7 AFA
CONSUMPTIVE USE:						108.5 AFA

Water Source: MONROE CREEK

Tributary to: WEISER RIVER

Stage: DECREED

Point(s) of Diversion: T12N R05W S22 SESW WASHINGTON County
S34 SENW WASHINGTON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
12N	05W	34	:				18	:				03	:	10				:					:	31.0
TOTAL ACRES																							31.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: WASHINGTON

Non-Irrigation Uses: S/50 RANGE.

Other Rights: 67-00721, 67-07361

Remarks: THE TOTAL AMOUNT OF WATER DIVERTED USING THIS RT. AND RT.
67-0721 SHALL NOT EXCEED 0.8 CFS OR 180 AF/YR.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

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OCT 23 1996

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