

11/21/2006

NOTICE OF ERROR  
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-10786

KYLA DICKERSON  
1500 E MAIN  
WEISER ID 83672  
Telephone Number: (208)549-1735

DOUG DICKERSON  
1500 E MAIN  
WEISER ID 83672  
Telephone Number: (208)549-1735

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

*DISALLOWAL*

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

*AFFIDAVIT FOR EVIDENCE OF PRIORITY WILL  
BE SUBMITTED.*

\_\_\_\_ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-29-06 SIGNATURE: *Douglas R Dickerson*

Please print your name: Douglas R Dickerson

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

SCANNED  
DEC - 4 2006

12/11/2006

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

RIGHT NUMBER: 67-10786  
NAME AND ADDRESS: KYLA DICKERSON  
1500 E MAIN  
WEISER ID 83672  
  
DOUG DICKERSON  
1500 E MAIN  
WEISER ID 83672

SOURCE: UNNAMED SLOUGH                      TRIBUTARY: WEISER RIVER  
QUANTITY: 0.580 CFS  
PRIORITY DATE: 03/15/1969  
POINT OF DIVERSION:

T11N R05W S33 NWSE Within WASHINGTON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/01 11/15          | 0.580 CFS       |

PLACE OF USE: IRRIGATION in WASHINGTON County

|               |      |       |               |      |      |
|---------------|------|-------|---------------|------|------|
| T11N R05W S33 | NESW | 16.00 | T11N R05W S33 | SESW | 6.00 |
| T11N R05W S33 | NWSE | 7.10  |               |      |      |

29.1 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



# Idaho Department of Water Resources

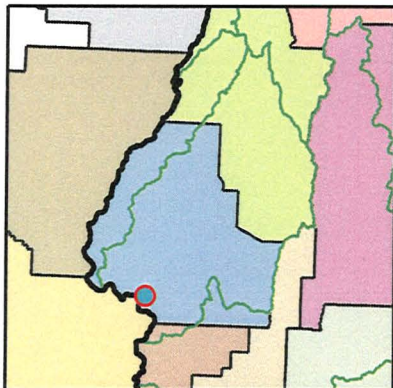
SRBA Recommendation:

**67-10786**

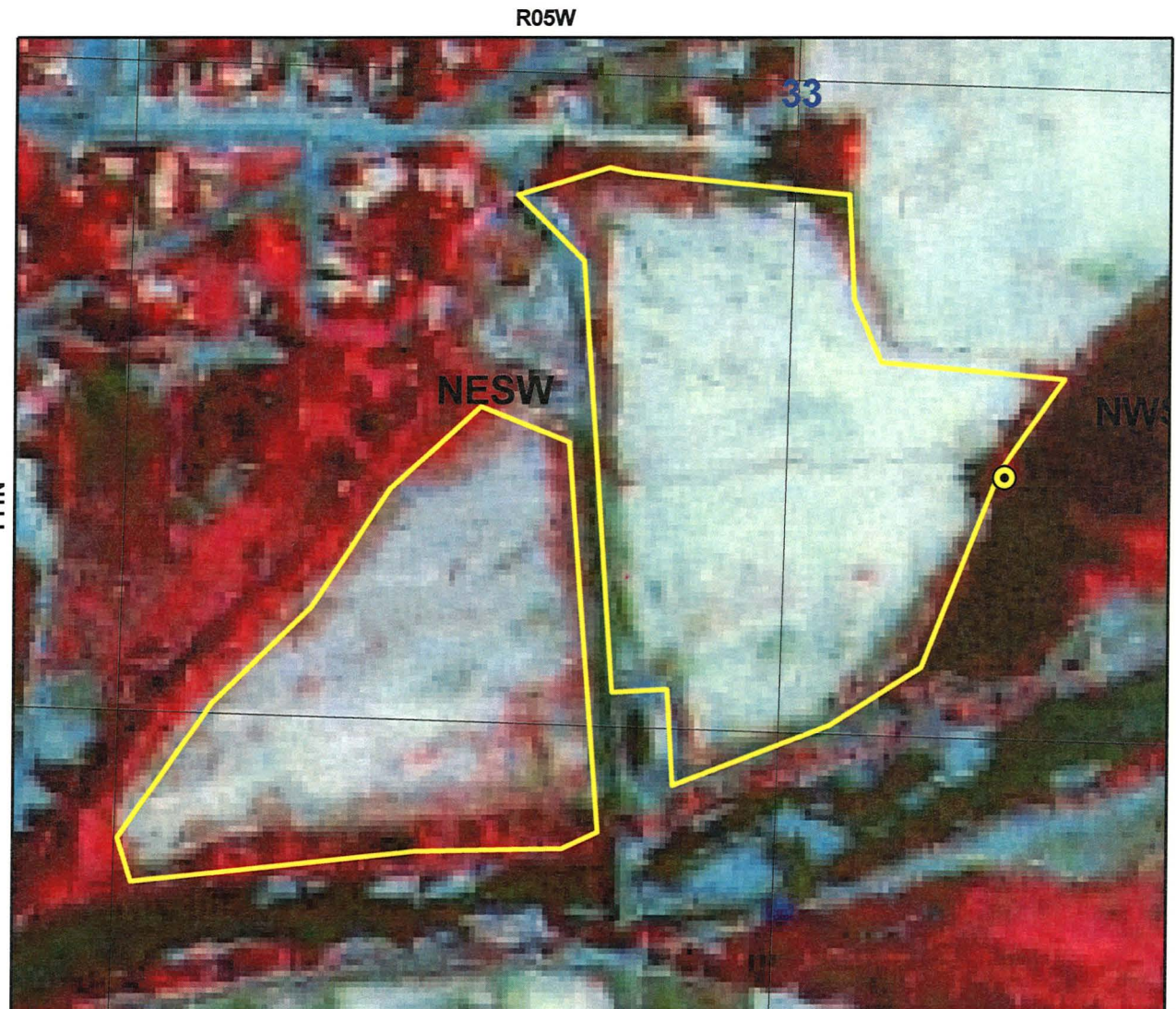
(Irrigation)

## 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 Monday, December 11, 2006  
1987/88 Aerial Photography

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-10786 V1

WATER RIGHT NUMBER: 67-10786 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                               |
|-------------------|-----------------------------------------------------------------------|
| Current Owner     | KYLA DICKERSON<br>1500 E MAIN<br>WEISER, ID 83672<br>(208)549-1735    |
| Original Owner    | RHONDA D EDMISTON<br>606 COVE RD<br>WEISER, ID 83672<br>(208)549-0898 |
| Current Owner     | DOUG DICKERSON<br>1500 E MAIN<br>WEISER, ID 83672<br>(208)549-1735    |
| Original Owner    | FRED L EDMISTON<br>606 COVE RD<br>WEISER, ID 83672<br>(208)549-0898   |

Priority Date: 03/15/1969

Basis: Beneficial Use

Status: Active

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| UNNAMED SLOUGH | WEISER RIVER     |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 03/01 to 11/15          | 0.580 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.580 CFS             |                      |

Location of Point(s) of Diversion

|                   |            |                                 |
|-------------------|------------|---------------------------------|
| UNNAMED SLOUGH    | NW1/4SE1/4 | Sec. 33, Twp 11N, Rge 05W, 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 |        |
| 11N | 05W | 33  |    |    |    |    |    |    |    |    | 16.0 |    |    | 6.0 |    |    | 7.1 |    | 29.1   |

Total Acres: 29.1

Conditions of Approval:

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-10786 V1

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

Remarks:Comments:

1. mmount 8/29/2006 Priority  
Comment: Requested eop on July 27 2006. Yet to recieve.
2. mmount 8/29/2006 Amended claims  
Comment: Sent out amended claims to be signed and returned during the last week of July 06. Still waiting for their return. The amended claims reflect different acres and pod
3. jdean 11/16/2006 Disallowed  
Comment: Evidence of Priority requested. No EOP received. Disallowed.
4. jdean 11/16/2006 From Claim  
Comment: ORIGINAL POD WAS UPSTREAM IN THE NW1/4 OF THE SE1/4 OF SEC. 33. IN 1986 ONLY THE LANDS LISTED ON THIS CLAIM WERE PURCHASED BY CLAIMANT. TO IRRIGATE THESE LANDS THE POD WAS MOVED TO ITS PRESENT LOCATION.  
OWNERSHIP CHANGED BY RDH 2/1/96.
5. jdean 11/16/2006 Conditions  
Comment: This claim was originally conditioned with C02 and C03. Check on adding these conditions for a BU claim if EOP is received and this claim is recommended.
6. jdean 12/11/2006 NOE  
Comment: During the NOE period evidence of priority was received and so the recommendation was completed based on the amended claim.

Dates and Other Information:

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

Combined Use Limits:Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| POD            | 8/29/2006 11:43:22 AM     | mmount          |                           |                 | Active        |
| Source         | 8/29/2006 11:46:24 AM     | mmount          |                           |                 | Active        |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-10786 V1

|               |                       |                  |        |
|---------------|-----------------------|------------------|--------|
| Contacts      | 8/29/2006 11:46:56 AM | mmount           | Active |
| Use           | 8/29/2006 11:47:37 AM | mmount           | Active |
| Quantity      | 8/29/2006 11:49:46 AM | mmount           | Active |
| Season        | 8/29/2006 11:50:11 AM | mmount           | Active |
| POU           | 10/5/2006 4:47:54 PM  | mmount           | Active |
| Summary       |                       | 11/16/2006 jdean | Active |
| Priority Date | 12/11/2006 2:01:36 PM | jdean            | Active |
| Summary       |                       | 12/11/2006 jdean | Active |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------|------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU            | 8/1/2006 4:10:52 PM    | mmount          | Updated PLS for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| POU            | 10/5/2006 4:47:54 PM   | mmount          | (No) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2b. Is the POU required?<br>(No) 3. Is the basis of claim a Application or Permit?<br>(No) 7. Is there evidence that there has been a change in the POU?<br>(Yes) 13. Does the file contain all the necessary information to verify the POU?<br>(No) 14. Is a POU remark and/or condition required?<br>Description for Question 13 - Field exam, aerial photo                                                                                                                                                                                                                                                                                                                                                                                                 |
| General        | 12/11/2006 2:01:37 PM  | jdean           | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(No) 4. Is the basis of claim decree or license?<br>(No) 7. Is the basis of claim a Application or Permit?<br>(No) 8. Is the basis of claim a posted notice?<br>(No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use?<br>(Yes) 12. Does the claim file contain sufficient evidence of Priority Date?<br>(Yes) 15. Is the basis of claim coded correctly?<br>(No) 16. Is a Priority Date remark and/or condition required?<br>Description for Question 12/13 - Affidavit of Roy E Dickerson asserts personal knowledge of the pump being put in place in the late 50s or early 60s. This is sufficient to recommend the claimed priority date. |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-10786 V1

|          |                       |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------|-----------------------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Summary  | 12/11/2006 2:12:09 PM | jdean  | <p>(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?</p> <p>(No) 5. Does this right have any combined use limits with other rights?</p> <p>(No) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(No) 8. Is this a split or combined right?</p> <p>(No) 9. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 10. Would you like to set the verification date?</p>                                                                                                                                                                                                                                                        |
| POD      | 8/29/2006 11:43:22 AM | mmount | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(Yes) 6. Is there evidence that there has been a change in the POD?</p> <p>(Yes) 7. Can the change be verified as an accomplished transfer?</p> <p>(Yes) 9. Does the file contain all the necessary information to verify the POD?</p> <p>(No) 10. Is a POD remark and/or condition required?</p> <p>Description for Question 6 - Pump was moved from the main channel of the Wieser River (in the SESW) to an unnamed slough (in the NWSE) of which was historically part of the Weiser River channel and is now fed by wastewater from surrounding lands and water which probably subs from the Weiser River channel. The change occurred in 1980 according to claimant who bought the place in 1979.</p>                               |
| Source   | 8/29/2006 11:46:24 AM | mmount | <p>(No) 1. Is the basis of claim Decree or License?</p> <p>(No) 2. Is the basis of claim an Application or Permit?</p> <p>(No) 6. Is the basis of claim a Posted Notice?</p> <p>(Yes) 7. Is there evidence that there has been a change in the source?</p> <p>(Yes) 8. Can the change be verified as an accomplished transfer?</p> <p>(Yes) 10. Does the file contain all the necessary information to verify the source?</p> <p>(No) 11. Is a Source remark and/or condition required?</p> <p>Description for Question 8 - The original source was the main Wieser River channel the new source is an unnamed slough which was historically part of the main Weiser River channel before the put in the Weiser River walkway and added several dirt roads which blocked off part of the channel and created a slough. Slough is fed by wastewater from surrounding lands.</p> |
| Contacts | 8/29/2006 11:46:56 AM | mmount | <p>(No) 1. Do you want to schedule an appointment?</p> <p>Comment for 1: office review</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-10786 V1

|          |                       |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|-----------------------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use      | 8/29/2006 11:47:37 AM | mmount | (No) 1. Is the basis of this claim a Decree or License?<br>(No) 2. Is the basis of this claim a Application or Permit?<br>(No) 6. Is there evidence that there has been a change in the Purpose of Use?<br>(Yes) 11. Does the file contain all the necessary information to verify the Water Use?<br>(No) 13. Is a Purpose of Use remark and/or condition required?<br>Description for Question 10,11,12 - Field exam                                                                                                                                                   |
| Quantity | 8/29/2006 11:49:47 AM | mmount | (No) 1. Is the basis of this claim a Decree or License?<br>(No) 2. Is the basis of this claim a Application or Permit?<br>(No) 6. Is the basis of claim a posted notice?<br>(Yes) 7. Is a flow measurement required?<br>(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?<br>(No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?<br>(No) 12. Is a Quantity remark or condition required?                                                                          |
| Season   | 8/29/2006 11:50:12 AM | mmount | (No) 1. Is the basis of claim Decree or License?<br>(No) 2. Is the basis of claim a Application or Permit?<br>(No) 6. Is there evidence that there has been a change in the Period of Use?<br>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?<br>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined?<br>(Yes) 15. Is irrigation claimed as a Purpose of Use?<br>(No) 18. Is a Period of Use remark and/or condition required? |
| POU      | 8/1/2006 4:10:26 PM   | mmount | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| POD      | 8/1/2006 5:07:38 PM   | mmount | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Summary  | 11/16/2006 6:40:17 PM | jdean  | (No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 3. Is the water being used for all of the purposes claimed and to the extent claimed?<br>(No) 4. Is any portion of the claim be recommended?<br>(No) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(No) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date?         |

Water Supply Bank:

RECEIVED  
DEC 05 2006  
DEPARTMENT OF  
LAND & MINES

AFFIDAVIT

Re: Claim No. 67-10786

STATE OF IDAHO                     )  
                                              : ss.  
COUNTY OF WASHINGTON        )

COMES NOW, ROY E. DICKERSON, under oath, depose and state as follows:

That I am the father of the claimant Douglas R. Dickerson, That the property contiguous to the above referenced claim is now owned by Douglas R. Dickerson has continuously been in the Dickerson family since 1889. The property subject to the above claim was purchased by my son in the early 1980's.

That the pump in question was placed in the "unknown slough" in the late 1950's or early 1960's and has been in use continuously since that time by the previous and current owners of the property..

Dated this 1st day of December, 2006.

Roy E. Dickerson  
Roy E. Dickerson

SUBSCRIBED AND SWORN to before me, this \_\_\_\_\_ day of December, 2006.

\_\_\_\_\_  
Notary Public  
Residing at Weiser, Idaho  
My commission expires \_\_\_\_\_

SCANNED  
DEC - 6 2006

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-10786 V1

WATER RIGHT NUMBER: 67-10786 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                               |
|-------------------|-----------------------------------------------------------------------|
| Current Owner     | KYLA DICKERSON<br>1500 E MAIN<br>WEISER, ID 83672<br>(208)549-1735    |
| Original Owner    | RHONDA D EDMISTON<br>606 COVE RD<br>WEISER, ID 83672<br>(208)549-0898 |
| Current Owner     | DOUG DICKERSON<br>1500 E MAIN<br>WEISER, ID 83672<br>(208)549-1735    |
| Original Owner    | FRED L EDMISTON<br>606 COVE RD<br>WEISER, ID 83672<br>(208)549-0898   |

Priority Date: 03/15/1969

Basis: Beneficial Use

Status: **Disallowed**

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| UNNAMED SLOUGH | WEISER RIVER     |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 03/01 to 11/15          | 0.580 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.580 CFS             |                      |

Location of Point(s) of Diversion

|                   |            |                                 |
|-------------------|------------|---------------------------------|
| UNNAMED SLOUGH    | NW1/4SE1/4 | Sec. 33, Twp 11N, Rge 05W, 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  |        |      |
| 11N | 05W | 33  |    |    |    |    |    |    |    |    | 16.0 |    |    |    | 6.0 |    |    | 7.1 |        | 29.1 |

Total Acres: 29.1

Conditions of Approval:

1. P01 No lawful appropriation shown.

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-10786 V1

2. P11 No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

Remarks:Comments:

1. mmount 8/29/2006 Priority

Comment: Requested eop on July 27 2006. Yet to recieve.

2. mmount 8/29/2006 Amended claims

Comment: Sent out amended claims to be signed and returned during the last week of July 06. Still waiting for their return. The amended claims reflect different acres and pod

3. jdean 11/16/2006 Disallowed

Comment: Evidence of Priority requested. No EOP received. Disallowed.

4. jdean 11/16/2006 From Claim

Comment: ORIGINAL POD WAS UPSTREAM IN THE NW1/4 OF THE SE1/4 OF SEC. 33. IN 1986 ONLY THE LANDS LISTED ON THIS CLAIM WERE PURCHASED BY CLAIMANT. TO IRRIGATE THESE LANDS THE POD WAS MOVED TO ITS PRESENT LOCATION.

OWNERSHIP CHANGED BY RDH 2/1/96.

5. jdean 11/16/2006 Conditions

Comment: This claim was originally conditioned with C02 and C03. Check on adding these conditions for a BU claim if EOP is received and this claim is recommended.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| POD            | 8/29/2006 11:43:22 AM     | mmount          |                           |                 | Disallowed    |
| Source         | 8/29/2006 11:46:24 AM     | mmount          |                           |                 | Disallowed    |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-10786 V1

|          |                       |        |            |
|----------|-----------------------|--------|------------|
| Contacts | 8/29/2006 11:46:56 AM | mmount | Disallowed |
| Use      | 8/29/2006 11:47:37 AM | mmount | Disallowed |
| Quantity | 8/29/2006 11:49:46 AM | mmount | Disallowed |
| Season   | 8/29/2006 11:50:11 AM | mmount | Disallowed |
| POU      | 10/5/2006 4:47:54 PM  | mmount | Disallowed |
| Summary  | 11/16/2006            | jdean  | Disallowed |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------|------------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU            | 8/1/2006 4:10:52 PM    | mmount          | Updated PLS for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| POU            | 10/5/2006 4:47:54 PM   | mmount          | (No) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2b. Is the POU required?<br>(No) 3. Is the basis of claim a Application or Permit?<br>(No) 7. Is there evidence that there has been a change in the POU?<br>(Yes) 13. Does the file contain all the necessary information to verify the POU?<br>(No) 14. Is a POU remark and/or condition required?<br>Description for Question 13 - Field exam, aerial photo                                                                                                                                                                                                                                                                                                                                                                                    |
| POD            | 8/29/2006 11:43:22 AM  | mmount          | (No) 1. Is the basis of this claim a Decree or License?<br>(No) 2. Is the basis of this claim a Application or Permit?<br>(Yes) 6. Is there evidence that there has been a change in the POD?<br>(Yes) 7. Can the change be verified as an accomplished transfer?<br>(Yes) 9. Does the file contain all the necessary information to verify the POD?<br>(No) 10. Is a POD remark and/or condition required?<br>Description for Question 6 - Pump was moved from the main channel of the Wieser River (in the SESW) to an unnamed slough (in the NWSE) of which was historically part of the Weiser River channel and is now fed by wastewater from surrounding lands and water which probably subs from the Weiser River channel. The change occurred in 1980 according to claimant who bought the place in 1979. |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-10786 V1

|          |                       |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------|-----------------------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Source   | 8/29/2006 11:46:24 AM | mmount | <p>(No) 1. Is the basis of claim Decree or License?</p> <p>(No) 2. Is the basis of claim an Application or Permit?</p> <p>(No) 6. Is the basis of claim a Posted Notice?</p> <p>(Yes) 7. Is there evidence that there has been a change in the source?</p> <p>(Yes) 8. Can the change be verified as an accomplished transfer?</p> <p>(Yes) 10. Does the file contain all the necessary information to verify the source?</p> <p>(No) 11. Is a Source remark and/or condition required?</p> <p>Description for Question 8 - The original source was the main Wieser River channel the new source is an unnamed slough which was historically part of the main Weiser River channel before the put in the Weiser River walkway and added several dirt roads which blocked off part of the channel and created a slough. Slough is fed by wastewater from surrounding lands.</p> |
| Contacts | 8/29/2006 11:46:56 AM | mmount | <p>(No) 1. Do you want to schedule an appointment?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Use      | 8/29/2006 11:47:37 AM | mmount | <p>Comment for 1: office review</p> <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is there evidence that there has been a change in the Purpose of Use?</p> <p>(Yes) 11. Does the file contain all the necessary information to verify the Water Use?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p> <p>Description for Question 10,11,12 - Field exam</p>                                                                                                                                                                                                                                                                                                                                                                                           |
| Quantity | 8/29/2006 11:49:47 AM | mmount | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(No) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 6. Is the basis of claim a posted notice?</p> <p>(Yes) 7. Is a flow measurement required?</p> <p>(No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit?</p> <p>(No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use?</p> <p>(No) 12. Is a Quantity remark or condition required?</p>                                                                                                                                                                                                                                                                                                                                                  |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-10786 V1

|         |                       |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------|-----------------------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Season  | 8/29/2006 11:50:12 AM | mmount | (No) 1. Is the basis of claim Decree or License?<br>(No) 2. Is the basis of claim a Application or Permit?<br>(No) 6. Is there evidence that there has been a change in the Period of Use?<br>(Yes) 12. Does the file contain all the necessary information to verify the Period of Use?<br>(No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined?<br>(Yes) 15. Is irrigation claimed as a Purpose of Use?<br>(No) 18. Is a Period of Use remark and/or condition required? |
| POU     | 8/1/2006 4:10:26 PM   | mmount | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| POD     | 8/1/2006 5:07:38 PM   | mmount | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Summary | 11/16/2006 6:40:17 PM | jdean  | (No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 3. Is the water being used for all of the purposes claimed and to the extent claimed?<br>(No) 4. Is any portion of the claim be recommended?<br>(No) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(No) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date?          |

Water Supply Bank:

11/16/2006

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

---

RIGHT NUMBER: 67-10786  
NAME AND ADDRESS: KYLA DICKERSON  
1500 E MAIN  
WEISER ID 83672  
  
DOUG DICKERSON  
1500 E MAIN  
WEISER ID 83672

SOURCE:

TRIBUTARY:

QUANTITY:

PRIORITY DATE:

POINT OF DIVERSION:

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

PLACE OF USE: IRRIGATION in WASHINGTON County

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

No lawful appropriation shown.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

RECEIVED

AUG 30 2006

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

DEPARTMENT OF  
WATER RESOURCES

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 67-10786  
Date Received: 10/12/1989  
Receipt No: M004907  
Received By:

AMENDED CLAIM

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KYLA DICKERSON Phone: (208)549-1735

1500 E MAIN  
WEISER ID USA 83672

DOUG DICKERSON Phone: (208)549-1735

1500 E MAIN  
WEISER ID USA 83672

2. Date of Priority: 03/15/1969

3. Source: UNNAMED SLOUGH Trib. to: WEISER RIVER

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot

11N 05W 33

NW SE

WASHINGTON

5. Description of diverting works:

5 HP PUMP

6. Water is used for the following purposes:

Purpose  
IRRIGATION

From To C.F.S.  
03/01 11/15 0.58

(or) A.F.A

7. Total Quantity Appropriated is:  
0.58 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Sent out  
Amended Claims  
waiting...  
received 8/31/06  
Still need EOP  
for both claims  
  
talked w/ on  
7/27/06

| Township    | Range | Section | 1/4 of 1/4    | Lot | Use        | Acres |
|-------------|-------|---------|---------------|-----|------------|-------|
| 11N         | 05W   | 33      | NE            | SW  | IRRIGATION | 16    |
|             |       |         | SE            | SW  | IRRIGATION | 6     |
|             |       |         | NW            | SE  | IRRIGATION | 7.1   |
|             |       |         | Section Acres |     |            |       |
| Total Acres |       |         |               |     |            | 29.1  |

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:

14. Remarks:

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

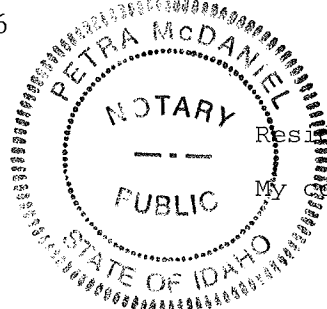
Signature of Claimant(s): *Cynthia R. Oakman* Date: 8-28-06

\_\_\_\_\_  
Date:

State of Idaho )  
County of Washington ) SS.

Subscribed and sworn (or affirmed) before me this 28th  
of August 2006

*Petra McDaniel*  
Notary Public  
Residing at WEiser, Idaho  
My Commission Expires 11-02-2006



BOISE ID 837

29 AUG 2006 PM 1 L

NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

ADJ claim # 07-10786

Attn: Misty Mount

**BUSINESS REPLY MAIL**

FIRST-CLASS MAIL

PERMIT NO. 1148

BOISE ID

POSTAGE WILL BE PAID BY ADDRESSEE

SRBA

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES  
PO BOX 83720  
BOISE ID 83707-9815



is this piece  
also irrig. by the  
same pond? NO! ~~conclusion~~

[NE SW]

[NW SE]

67-10786

[SE SW]

SCANNED

AUG 3 1 2006

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 67-10786  
Examiner: Misty R. Mount  
Date of Field Exam: 7/27/2006

P/D No.:

|                    |      |
|--------------------|------|
| PUMP HORSEPOWER    | 5    |
| BOOSTER HORSEPOWER | 0    |
| PUMPING LEVEL      | 6    |
| DISCHARGE PRESSURE | 0    |
| RATE OF FLOW (cfs) | 5.13 |

The above calculates the formula =

$$Q = \frac{8.8 * (\text{Efficiency}) * \text{hp}}{\text{depth to water} + 2.31 * (\text{psi}) + \text{friction}}$$

Assumptions: %70 efficiency.  
No Friction

**Examiners Notes:**

Water is pumped into an open ditch, so there is no discharge pressure.

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: **A67-10786**  
Date Received: 10/12/1989  
Receipt No: M004907  
Received By: \_\_\_\_\_

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

1. Name: DOUG DICKERSON 208-549-1735  
Address: 1500 E MAIN  
WEISER ID 83672

OR

Name: KYLA DICKERSON 208-549-1735  
Address: 1500 E MAIN  
WEISER ID 83672

2. Date of Priority: MAR 15, 1969

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      | 05W   | 33      | NE     | SE     | SW     |     | WASHINGTON |

5. Description of diverting works:  
5 HP PUMP IN RIVER INTO OPEN DITCH FLOOD IRRIG.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.300 |      |        |

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

8. Total consumptive use is 52.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

SCANNED  
APR 09 2004  
MICROFILMED  
OCT 22 1996

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 11N           | 05W   | 33      | NE     | SW  |     | IRR | 10.0  |
|               |       |         | SE     | SW  |     | IRR | 5.0   |
| Section Acres |       |         |        |     |     |     | 15.0  |
| Total Acres   |       |         |        |     |     |     | 15.0  |

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:

ORIGINAL POD WAS UPSTREAM IN THE NW1/4 OF THE SE1/4 OF SEC. 33.  
IN 1986 ONLY THE LANDS LISTED ON THIS CLAIM WERE PURCHASED BY  
CLAIMANT. TO IRRIGATE THESE LANDS THE POD WAS MOVED TO ITS  
PRESENT LOCATION.

OWNERSHIP CHANGED BY RDH 2/1/96.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

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 \_\_\_\_\_

SECRET



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

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.

RECEIVED

JAN 29 1996

WATER RESOURCES  
WESTERN REGION

- ☐ 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: A67-10786
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): FRED & RHONDA EDMISTON  
606 COVE ROAD  
WEISER ID 83672
- ☐ New Owner/Claimant (Purchaser): DOUG DICKERSON OR *Kyle Dickerson*
- ☐ New Mailing Address: 1500 E MAIN  
WEISER ID 83672
- ☐ New Telephone Number: (208) 549 - 1735
- ☐ 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 COPY OF WARRANTY DEED  
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) *Kyle Dickerson* Date ☒ 1-25-96  
*Kyle Dickerson* Date 1-25-96
- ☐ 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 22 1996

## WARRANTY DEED

For Value Received

RHONDA D. EDMISTON, a single person

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

DOUGLAS R. DICKERSON AND KYLA DICKERSON, husband and wife

the grantees, whose current address is

1500 EAST MAIN, WEISER, ID 83672

the following described premises, in

WASHINGTON

County Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations nad mineral conveyances of record.

SUBJECT TO AND INCLUDING:

MUTUAL GRANT OF EASEMENTS AND JOINT USE AGREEMENT DATED JUNE 2, 1992 EXECUTED BY RHONDA D. EDMISTON AND FREDRICK L. EDMISTON, BOTH SINGLE PERSONS. RECORDED JUNE 17, 1992 AS INSTRUMENT NUMBER 154702.

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 Grantee s that she the owner in fee simple of said premises; that they are free  
 from all incumbrances

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

Dated: APRIL 23, 1993

*Rhonda D. Edmiston*

RHONDA D. EDMISTON

Comp. Index  
 Cmt. Rel.  
 Film  
 Engrave  
 Card Rel.  
 Ex. Rel.  
 Update  
 Return

STATE OF IDAHO, COUNTY OF WASHINGTON  
 On this 23RD day of APRIL, 19 93.  
 before me, a notary public in and for the said State, personally  
 appeared

RHONDA D. EDMISTON

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

*J. D. Edmiston*

Notary Public

Residing at  
Comm. Expires

WEISER

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 57 minutes past 15 o'clock P. M.,  
 this 26TH day of APRIL  
 1993, in my office, and duly recorded in ~~BOOK~~  
 of Deeds at Page INDEX TO DEEDS

MARY KAUTZ, RECORDER

Ex-Officio Recorder

By

Fees \$ 6.00

Mail to: WEISER VALLEY TITLE

Deputy.

Beginning at a point 58 rods East of the southwest corner of Lot 3, Section 4, Township 10 North, Range 5 West of the Boise Meridian; thence East to the southeast corner of said Lot 3; thence North to the northeast corner of Lot 3; thence West 18 rods; thence southerly to the place of beginning; EXCEPTING THEREFROM a tract described as follows: Beginning at the southeast corner of said Lot 3; thence run North along the East line of said Lot 3 a distance of 275 feet; thence due West to the intersection of a line drawn from a point 18 rods West of the northeast corner of said Lot 3 to a point 22 rods West of the southeast corner of said Lot; from thence run southerly along said line drawn as aforesaid to a point on the South line of said Lot 3, 22 rods West of the southeast corner of said Lot 3; thence run East along the south line of said Lot 3, 22 rods, more or less, to the place of beginning (said excepted tract being the identical lands conveyed to Floyd V. Brown, under that certain deed recorded in Book 66, page 76 of Deeds of Washington County, Idaho); AND ALSO

Beginning at a point 275 feet North of the southwest corner of Lot 2, Section 4, Township 10 North, Range 5 West of the Boise Meridian; thence N 64° 20' E 385 feet; thence N 56° 45' E 515 feet; thence N 41° 05' E 390 feet; thence N 33° 05' E 362 feet; thence West 1229 feet to the northwest corner of said Lot 2; thence South 1044 feet, more or less, to the place of beginning; SAVE AND EXCEPT a strip of land off the North side of said Lot 2 heretofore conveyed to C. T. Williams for road purposes; AND ALSO

All that part of the W1/2SE1/4 and the E1/2SW1/4 of Section 33, Township 11 North, Range 5 West of the Boise Meridian, lying South of the Weiser River and East of the County Road known as Cove Road; EXCEPTING THEREFROM a tract described as follows: Beginning on the township line at the Southwest corner of the SE1/4SW1/4 of said Section 33; thence East 62 rods; thence North 40 feet; thence West 62 rods; thence South 40 feet to the place of beginning; AND ALSO

All that part of the E1/2SW1/4 of Section 33, Township 11 North, Range 5 West of the Boise Meridian, lying North of the center of Weiser River and South of the Weiser Slough and West of the County Road as the same now crosses the above described land; EXCEPTING THEREFROM the following tract heretofore deeded to A. L. Case, to-wit: Beginning at a point where the South bank of Weiser Slough intersects the West boundary of the County Road; running thence along said westerly boundary of the County Road in a southeasterly direction 164 feet; thence in a southerly direction along the said County Road 286 feet; thence northwesterly 320 feet to the South bank of the Weiser Slough; thence northeasterly along the south bank of the Weiser Slough 286 feet to the place of beginning.

EXCEPT that certain ditch right of way deeded to Second Extension Ditch Co., under that certain deed recorder in Book 55, page 261 of Deeds of Washington County, Idaho and SUBJECT TO right of way for existing County Road.

EXCEPTING THEREFROM the following tract deeded to Fredrick L. Edmiston to-wit: That parcel of land in Section 33, Township 11 North, Range 5 west of the Boise Meridian more particularly described as follows;

Beginning at the point of intersection of the east line of Cove Road and the south line of SE1/4SE1/4SW1/4 Section 33, Township 11 North, Range 5 West of the Boise Meridian;

Thence east along the said south line of Section 33, 400 feet;

Thence north parallel to the west line of the SW1/4SW1/4SE1/4 of said Section 33, to a point on the north line of the SW1/4SW1/4SE1/4 of said Section 33;

Thence west along said line to the easterly right-of-way of Cove Road;

Thence south along said easterly right-of-way of Cove Road to the point of beginning.

98

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: A67-10786  
Date Received: 10/12/1989  
Receipt No: M004907  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: FRED L. EDMISTON 208-549-0898  
Address: 606 COVE RD.  
WEISER, ID 83672

OR  
Name: RHONDA D. EDMISTON 208-549-0898  
Address: 606 COVE RD.  
WEISER, ID 83672

2. Date of Priority: MAR 15, 1969

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      | 05W   | 33      | NE     | SE     | SW     |     | WASHINGTON |

5. Description of diverting works:  
5 HP PUMP IN RIVER INTO OPEN DITCH FLOOD IRRIG.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.300  |      |        |

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

8. Total consumptive use is 52.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 11N      | 05W   | 33      | NE     | SW  |     | IRR           | 10.0  |
|          |       |         | SE     | SW  |     | IRR           | 5.0   |
|          |       |         |        |     |     | Section Acres | 15.0  |
|          |       |         |        |     |     | Total Acres   | 15.0  |

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:  
ORIGINAL POD WAS UPSTREAM IN THE NW1/4 OF THE SE1/4 OF SEC. 33.  
IN 1986 ONLY THE LANDS LISTED ON THIS CLAIM WERE PURCHASED BY  
CLAIMANT. TO IRRIGATE THESE LANDS THE POD WAS MOVED TO ITS  
PRESENT LOCATION.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ 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 \_\_\_\_\_

MICROFILMED  
OCT 05 1992

6500

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

A67-10786

Date Received

10-12-89 CT

Receipt Number

M004907

NOTICE OF CLAIM  
TO A  
WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Fred L. or Rhonda D. Edmiston Phone (208) 549-0898

Mailing Address 606 Cove Rd. Weiser, Idaho Zip 83672

2. Date of Priority (Only one (1) per claim) Mar 15, 1969

3. Source of water supply (a) WEISER RIVER  
which is tributary to (b) SNAKE RIVER

4. a. Location of existing point of diversion is: Township 11N Range 5W Section 33,  
NE 1/4 of SE 1/4 of SW 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of \_\_\_\_\_

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.

5 hp pump in river into  
open ditch. flood irrigation

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3/15 to 11/15 amount 0.30 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.30 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 52.5 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 |           |
| <u>11N</u> | <u>5W</u> | <u>33</u> |        |       |       |       |        |       |       |       | <u>10</u> |       |       | <u>5</u> |        |       |       |       | <u>15</u> |
|            |           |           |        |       |       |       |        |       |       |       |           |       |       |          |        |       |       |       |           |
|            |           |           |        |       |       |       |        |       |       |       |           |       |       |          |        |       |       |       |           |
|            |           |           |        |       |       |       |        |       |       |       |           |       |       |          |        |       |       |       |           |
|            |           |           |        |       |       |       |        |       |       |       |           |       |       |          |        |       |       |       |           |
|            |           |           |        |       |       |       |        |       |       |       |           |       |       |          |        |       |       |       |           |
|            |           |           |        |       |       |       |        |       |       |       |           |       |       |          |        |       |       |       |           |

Total number of acres irrigated 15

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: original pod was up stream in the NW 1/4 of the SE 1/4 of sect. 33. in 1986 only the lands listed on this claim were purchased by claimant. and to irrigate these lands the pod was moved to its present location.

Last Name EDMISTON Ident No. A67-10786

Copies: White -State, Yellow -Claimant

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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 1

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

Signature of Claimant (s) *Fred L Edmiston* Date Oct 12, 1989  
\_\_\_\_\_  
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 12<sup>th</sup> day of October 1989

SEAL

Notary Public *Anna Baunhoff*

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

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 EDMISTON Ident. Number A67-10786

Copies White-State, Yellow-Claimant

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OCT 05 1992

T 11 N R 5 W

55'





## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 2, 1996

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

DOUG DICKERSON OR  
KYLA DICKERSON  
1500 E MAIN  
WEISER ID 83672

NOTICE OF CLAIM NO.  
A67-10786

Ref: Ownership change

Dear Doug and Kyla,

1. Enclosed is a copy of the above referenced claim which reflects the CHANGE IN OWNERSHIP of the lands and appurtenant water rights covered by this claim.
2. The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.
3. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Ron Howerton  
ADJUDICATION BUREAU  
Department of Water Resources  
Western Region Office  
(208) 334-2190

SCANNED  
APR 09 2004

MICROFILMED  
OCT 22 1996



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

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

January 17, 1996

**PHILIP E. BATT**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

Doug Dickerson  
1500 E Main  
Weiser ID 83672

MAILING : January 17, 1996  
RESPONSE DATE: January 26, 1996

RE: NOTICE OF CLAIM NO [S]: A67-10786 and a portion of A63-02377

Dear Doug Dickerson:

We are currently preparing the Notices of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in the ownership for the above claim number(s) referenced above. IDWR records currently show the following name and address for the owner of the claims listed:

Fred L. Edmiston or  
Rhonda D. Edmiston  
606 Cove Road  
Weiser ID 83672

If, however, you own the property and the water rights on the property, please complete the enclosed Change in Ownership to correct our records. A copy of this letter has been mailed without the Change of Ownership the apparent former owner shown in the middle of this letter.

Your response must be received in this office by the Response Date indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown on the middle of this letter. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact our Western Region Office listed below.

Sincerely,

Ron Howerton  
ADJUDICATION BUREAU  
Department of Water Resources  
Western Region Office  
(208) 334-2190

Attachments: 2-Change of Ownership forms & ASCS MAP

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**OCT 22 1996**