

RECEIVED
11/14/2006
DEC 07 2006
DEPARTMENT OF
WATER RESOURCES

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: 67-11287

ROBERT L VOERMANS
PO BOX 57
INDIAN VALLEY ID 83632
Telephone Number: (208)256-4488

WHITNEY L VOERMANS
PO BOX 57
INDIAN VALLEY ID 83632
Telephone Number: (208)256-4488

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 12/5/06 SIGNATURE: *Robert Voermans*
Please print your name: ROBERT L. VOERMANS

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

SCANNED
DEC 08 2006

10/04/2006

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

RIGHT NUMBER: 67-11287

NAME AND ADDRESS: ROBERT L VOERMANS
PO BOX 57
INDIAN VALLEY ID 83632

WHITNEY L VOERMANS
PO BOX 57
INDIAN VALLEY ID 83632

(208) 256-4488

SOURCE: GRAYS CREEK

TRIBUTARY: LITTLE WEISER RIVER

QUANTITY: 0.340 CFS

The rights listed below are limited to a total combined diversion rate of 0.91 cfs. Combined Right Nos.: 67-450, 67-4448, 67-4449, & 67-11287

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/01/1965

POINT OF DIVERSION:

T14N R01W S14 NESENE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.340 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T14N R01W S11	SWSE	1.90	T14N R01W S11	SESE	0.20
T14N R01W S14	NENE	11.00	T14N R01W S14	NWNE	2.40
T14N R01W S14	SENE	1.50			

STOCKWATER same as IRRIGATION

17 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 45.5 acres in a single irrigation season. Combined Right Nos.: 67-450, 67-4448, 67-4449, & 67-11287

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Stockwater use is for 150 sheep.



Idaho Department of Water Resources

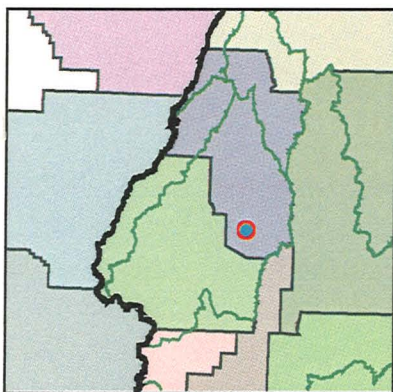
SRBA Recommendation:

67-11287

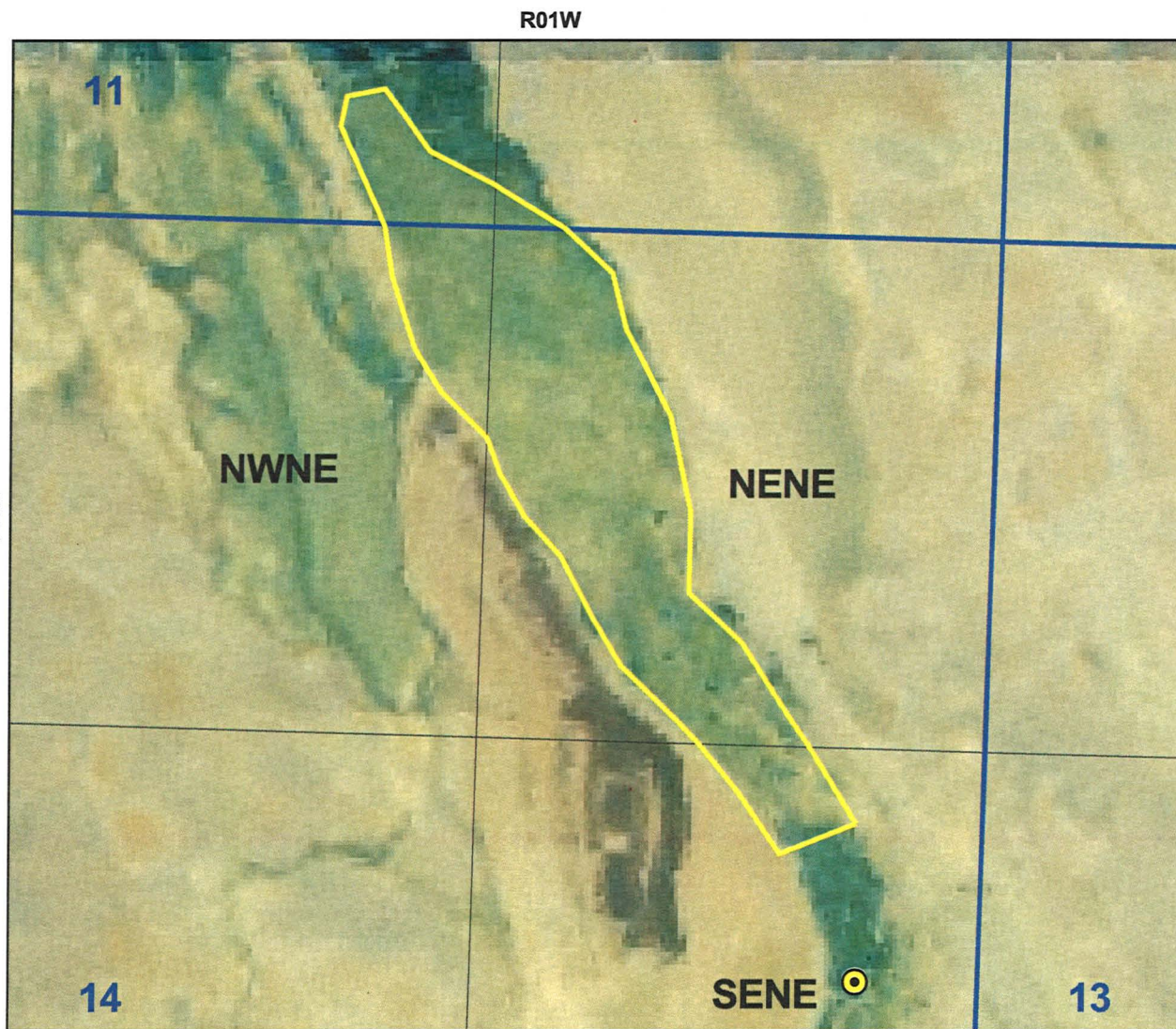
(Irrigation)

Legend

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



Adams County
IDWR Basin 67



0 0.2 0.4 Miles

Prepared by C. Saxton
On Wednesday, October 4, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11287 V1

WATER RIGHT NUMBER: 67-11287 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT L VOERMANS PO BOX 57 INDIAN VALLEY, ID 83632 (208)256-4488
Current Owner	WHITNEY L VOERMANS PO BOX 57 INDIAN VALLEY, ID 83632 (208)256-4488

Priority Date: 07/01/1965

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GRAYS CREEK	LITTLE WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.340 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.340 CFS	

Location of Point(s) of Diversion

GRAYS CREEK	NE1/4SE1/4NE1/4	Sec. 14, Twp 14N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	01W	11															1.9	.2	2.1
14N	01W	14	11.0	2.4		1.5													14.9

Total Acres: 17

STOCKWATER same as IRRIGATIONConditions 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.
2. E56 The rights listed below are limited to the irrigation of a combined total of 62.5 acres in a single irrigation season. Combined Right Nos.: 67-450, 67-4448, 67-4449, & 67-11287

45.5

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11287 V1

3. X02 Stockwater use is for 150 sheep.
4. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
5. E52 The rights listed below are limited to a total combined diversion rate of 1.25 cfs. Combined Right Nos.: 67-450, 67-4448, 67-4449, & 67-11287
6. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

Remarks:Comments:

1. csaxton 10/4/2006 Priority

Comment: The 1965 tax assessment data shows that there was at least 34 acres of irrigated ground in the claimed POU. However, it is unclear if that ground was irrigated from L. Weiser water or Grays creek. Muir v. Allison decreed L. Weiser water to the claimed POU, but not Grays creek water. Grays creek water was not mentioned in the Muir v. Allison. Tax lot records show the property was occupied and irrigated with at least something before 1965 so I think it is safe to assume they used Grays creek water when available. This is the most Jr. priority date claimed on Grays creek so it should not injure anyone.

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>
Contacts	10/4/2006 2:27:15 PM	csaxton			Active
Priority Date	10/4/2006 2:28:20 PM	csaxton			Active
Priority Date	10/4/2006 2:28:26 PM	csaxton			Active
POD	10/4/2006 2:32:04 PM	csaxton			Active
Source	10/4/2006 2:33:39 PM	csaxton			Active
POU	10/4/2006 2:34:06 PM	csaxton			Active
Use	10/4/2006 2:35:33 PM	csaxton			Active
Season	10/4/2006 2:35:45 PM	csaxton			Active
Quantity	10/4/2006 2:36:34 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11287 V1

Summary

10/04/2006

csaxton

Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	10/4/2006 2:25:07 PM	csaxton	Updated shape for Active POU
POD	10/4/2006 2:26:41 PM	csaxton	Updated shape
Contacts	10/4/2006 2:27:41 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
POD	10/4/2006 2:27:02 PM	csaxton	Updated PLS
General	10/4/2006 2:28:47 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? Description for Question 12/13 - Tax assessment data shows that there were more than the claimed acreage irrigated on the claimed POU.
General	10/4/2006 2:28:53 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Tax assessment data shows that there were more than the claimed acreage irrigated on the claimed POU.
POD	10/4/2006 2:32:32 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11287 V1

Use	10/4/2006 2:36:01 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Desktop Review
Season	10/4/2006 2:36:13 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	10/4/2006 2:37:02 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - See notes in file
Summary	10/4/2006 2:50:54 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (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	10/4/2006 2:25:16 PM	csaxton	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-11287 V1

Source	10/4/2006 2:34:07 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (No) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Desktop Review
POU	10/4/2006 2:34:34 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 13 - Aerial photography

Water Supply Bank:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A67-11287Owner: Robert L or Whitney L. Voermans Phone No. (208) 256-4488Current Address: PO Box 57 Indian Valley, Id 83632

- ☐ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☐ No change Address mailing address is same as above,
- ☐ NEW ADDRESS physical address is 2336 Indian Valley Rd,
- ☒ How long owned property? 26 yrs. Indian Valley

Accompanied by: Robert Voermans

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 7/1/1965(If priority date, based on your exam, seems questionable, explain below.)

_____Source: Grays Creek Tributary to Little Weiser River

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☐ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

Please
confirm
w/ GPS
corred.

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
								Wash.	2308248
									1486211
									N 44° 33.101', W 116° 24.850'

Description of diverting works

Grays Creek, earthen dam, diversion ditch**OVERLAP REVIEW**Other water rights with the same point of diversion: None

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

—**WATER USES**

- ☐ No change
- ☐ Different Uses

Use Irrigation From _____ To _____ Amount _____ CFS _____ AFA _____

Use Stockwater From _____ To _____ Amount _____ CFS _____ AFA _____

Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

TOTAL VOLUME – Groundwater onlyN/A

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____
- ☐ Changes found, the new total is, Amount _____ CFS _____ AFA _____
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☐ No change same cfs value
- ☒ Changes Exam found: Domestic # of homes _____ Stock # _____
- Types _____ Additional comments: previously 150 head sheep

PLACE OF USE:

- ☒ No Change
- ☐ Changes shown below:

= 0.02 cfs Exh. 15A

currently rotate w/ sheep +

presently 30 steers + 6 pr. cows

= 0.02 cfs Exh 15 A

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Same																			

Overlap with other water rights: None

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative: diversion ditch, 16" culvert under road to ditch, dirt ditches running south to north with branches running west to east. Gravity flow south to north.

gravity flow system

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Supplemental water: none

Some water seeps out onto Poff from the field to the west, which is irrigated by the Little Weiser. Subsiding out from this field contributes to an extended flow for Grays Creek. Grays Creek is dry 2-3 months, & continues flowing in November. Mr. Voermans stated that if you dug down in the river bed when it's dry above, you would hit water running through it.

At the time of inspection, the Grays Creek was dry, but Mr. Voermans stated when it was running, there was more than the full capacity for the 16" culvert (evidence of debris in surrounding bushes indicated high flow 3-4" above the top of the pipe level).

Directions: I84, through Weiser + Cambridge, North of Cambridge, after Jake's Cafe, turn right on West Indian Valley Rd. merges with N. Indian Valley Rd + becomes Indian Valley Rd. Turn at the dirt road on left side just before the white church + go 3/4 mile to 2336 Indian Valley Rd.

POU: follow drive south of barn + house along side of fence line (SE of house + barn)

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

POD: continue till fence runs east + west, walk 155' SE.

DATE EXAM CONDUCTED: 10/31/2006

FIELD EXAMINER: Sandy Hernerway

A 67-11287 Voermans

Date of Inspection: 10/26/2006

Inspector: Sandy Hemenway

Mr. Voerman measured low flow at 400-500 gpm

$$400 \times 0.00223 = 0.89 \text{ cfs}$$

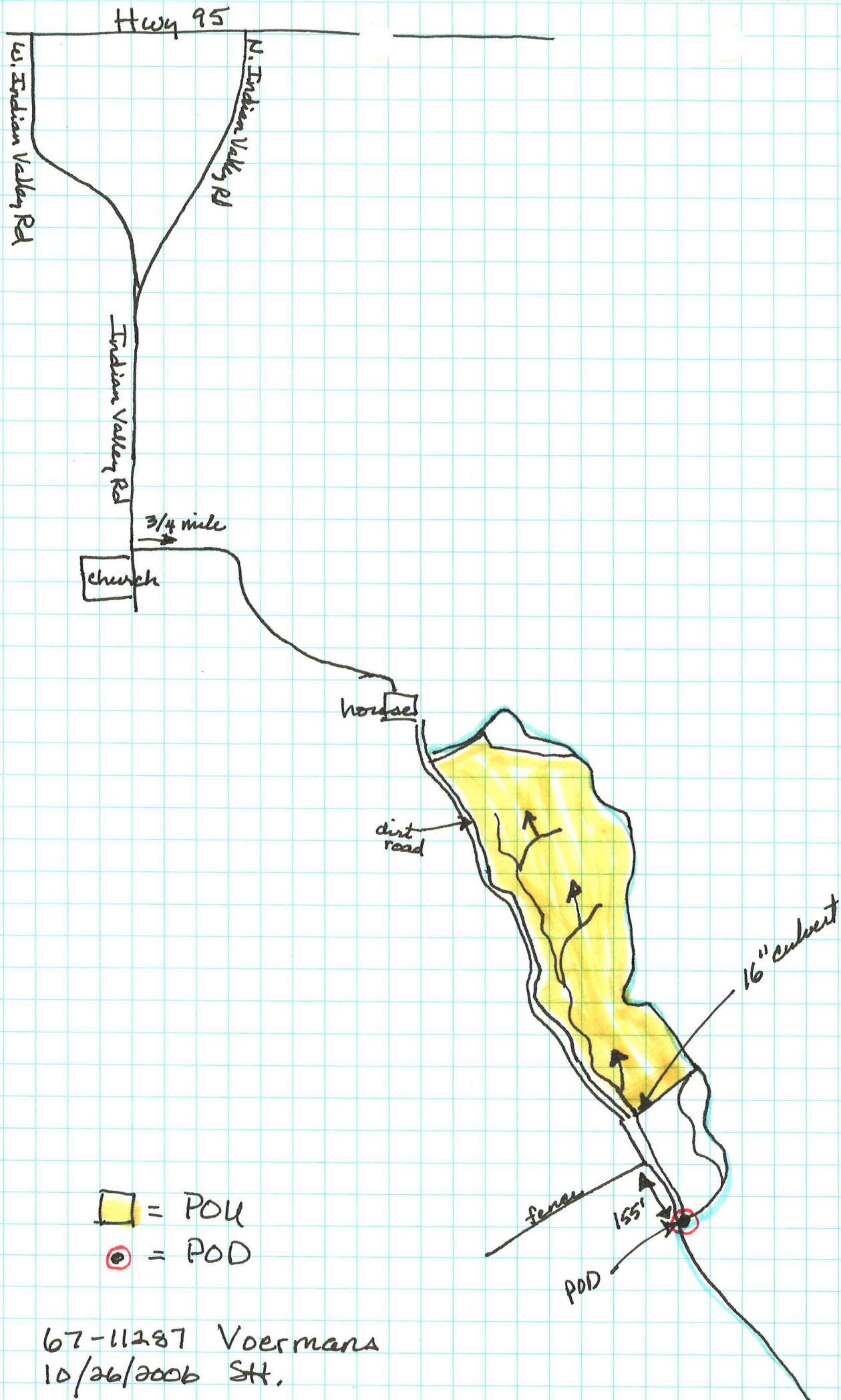
$$500 \times 0.00223 = 1.115 = 1.12 \text{ cfs}$$

Pipe Capacity

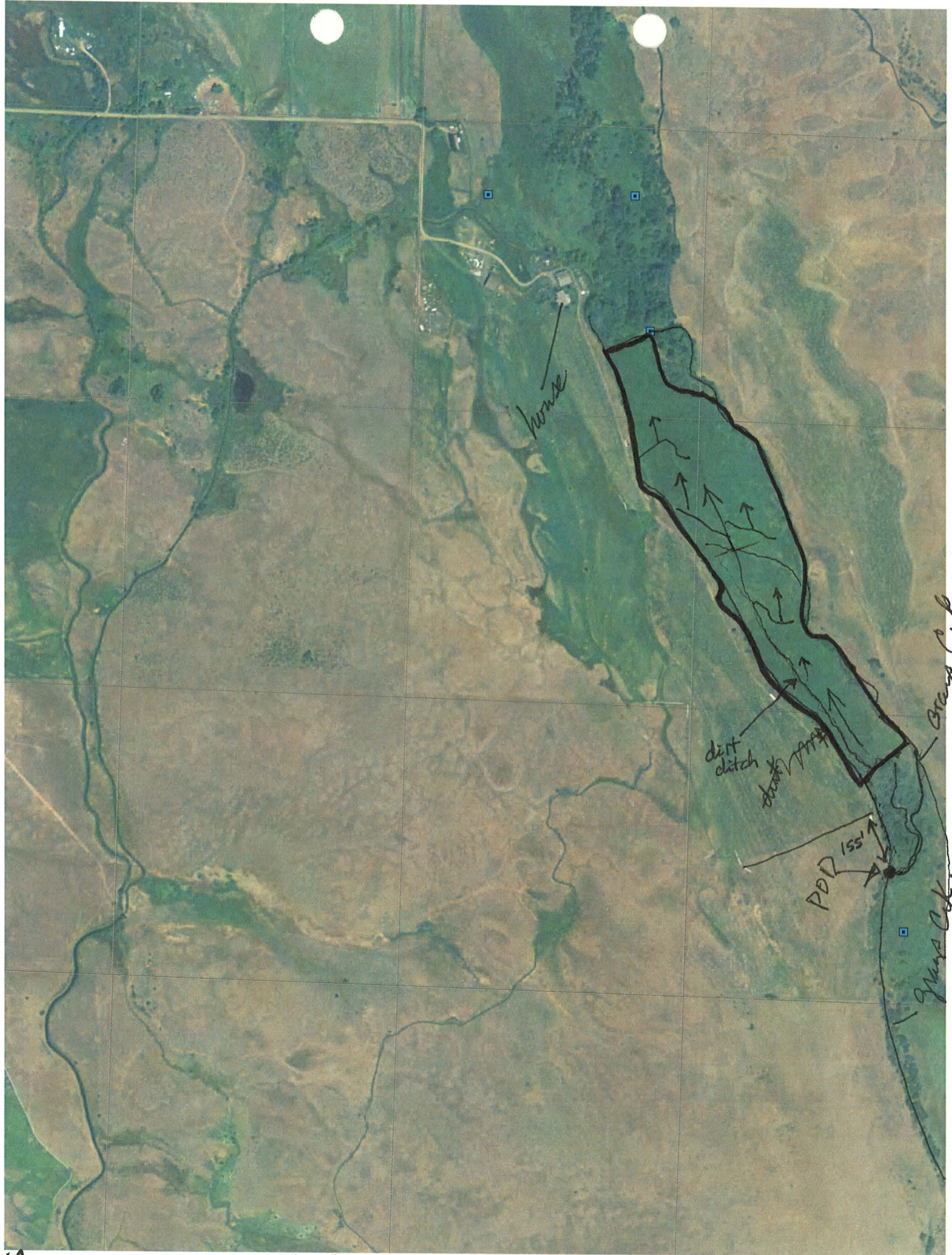
$$16" \text{ Culvert} = 6.98 \text{ cfs}$$

Note: evidence that flow runs higher than bank by 3-4" (debris in bushes)

Grays ~~for~~ Creek is dry at surface level for 2-3 months, then begins flowing again in November.



67-11287 Voermans
10/26/2006 SH.



N↑ NAIP 2004 10/26/2006 SA 67-11287 Voermans

located
155'
south
of the
SE
corner
of POU
for the
field west
of 67-11287



average
9'x8"
Grays
Creek.

POD

Voermans
calculated
400-500gpm
during
low flow

10/26/2006



diversion
ditch:
7"x16"
ditch
through
bush +
onto the
field

10/26/2006

67-11287 Voermans
10/26/2006 SH



POU
dirt ditches
gravity flow
south to north



16" culvert

A67-11287 Voermans
10/26/2006 SH



POU

dirt
ditches
(gravity
flow
south to
north)

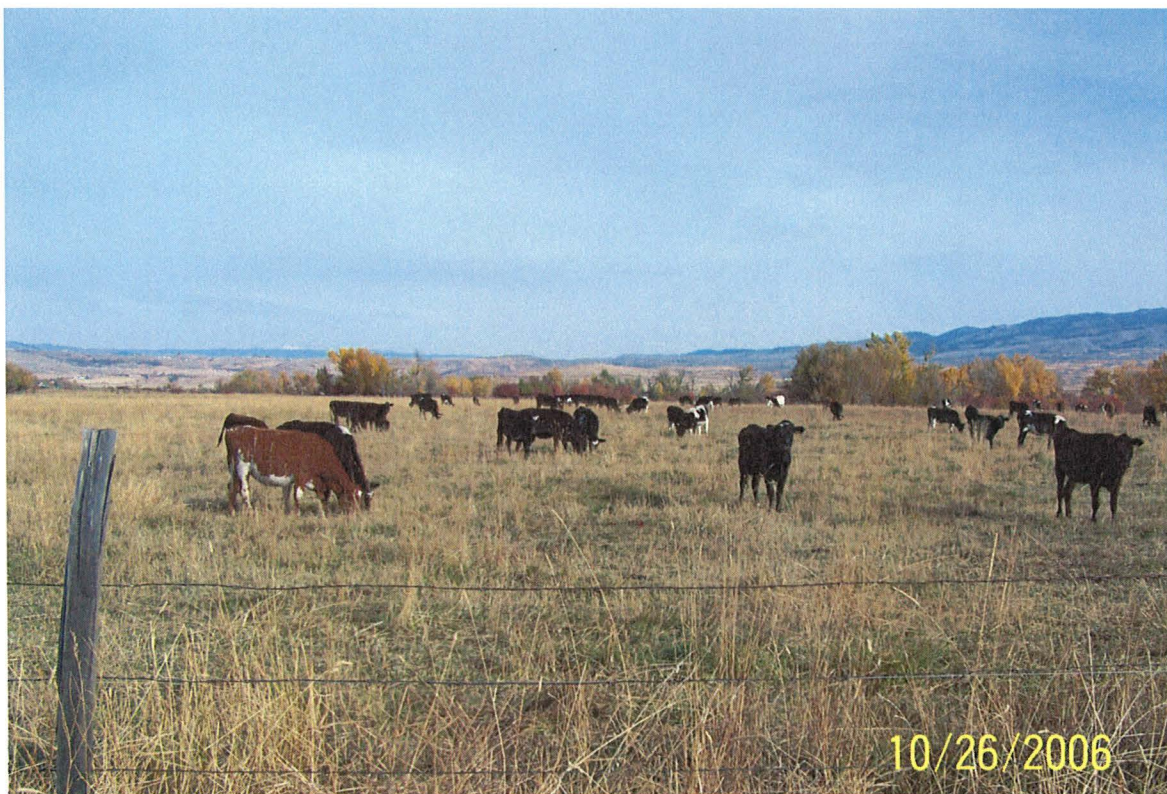
10/26/2006



POU
organic
grass -
hay

10/26/2006

A67-11287 Voermana
10/26/2006 SH



Previously
150 head
sheep,
Currently
30 steers
+ 6 pr. cows

A67-11287 Voermans
10/26/2006 SHT

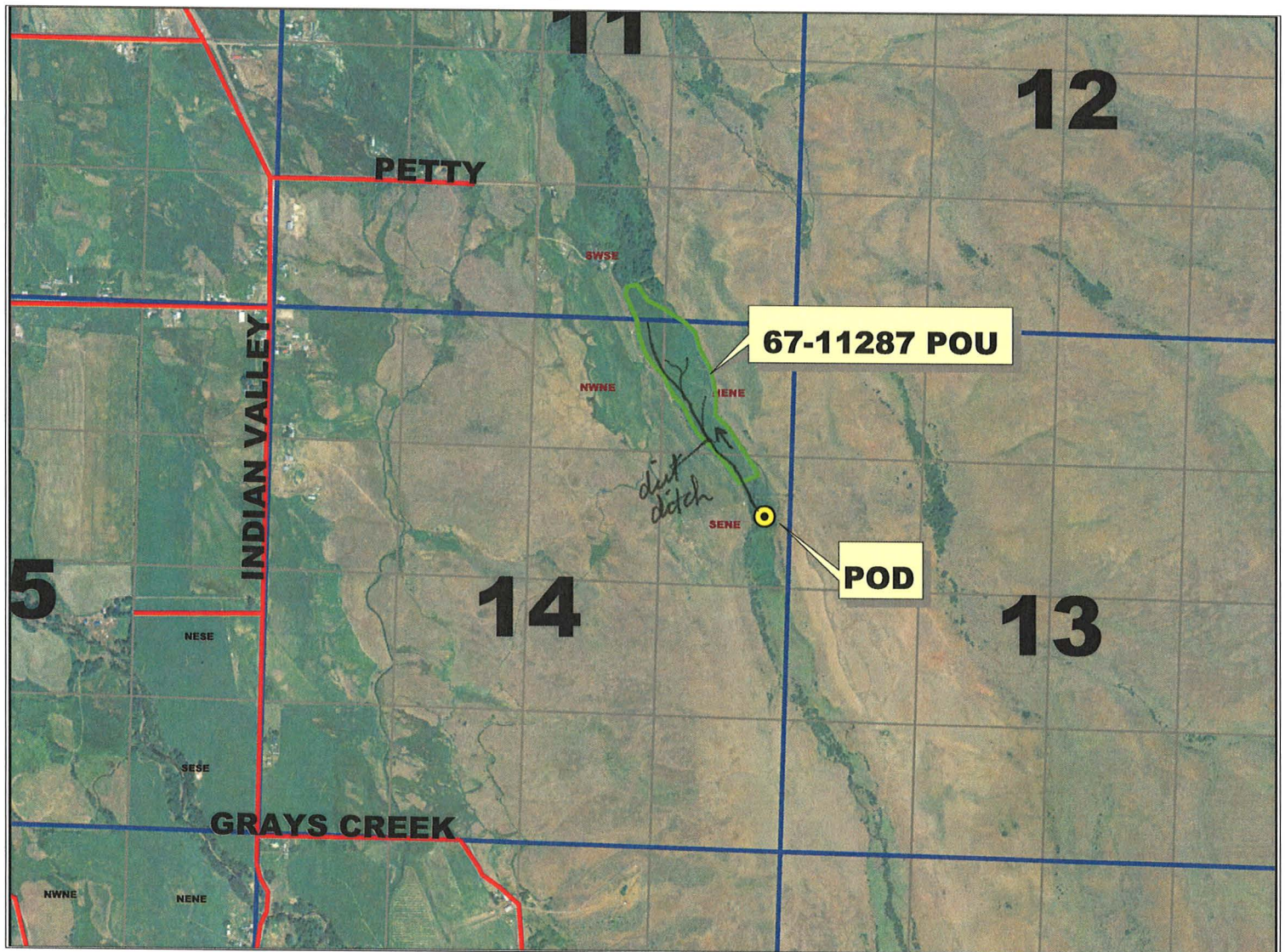


State Of Idaho

Reference Map

Photo Source: 2004 SID

Water Right #: 67-11287



1320 0 1320 2640 3960 Feet

⊙ Claimed Point(s) of Diversion

□ Place of Use

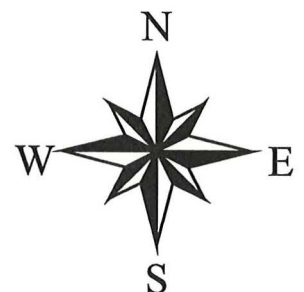
Streets

□ Tax Lot Data

□ Sections

□ Quarter Quarter

Total Acres:



Prepared by: Craig L. Saxton
Date: October 2006

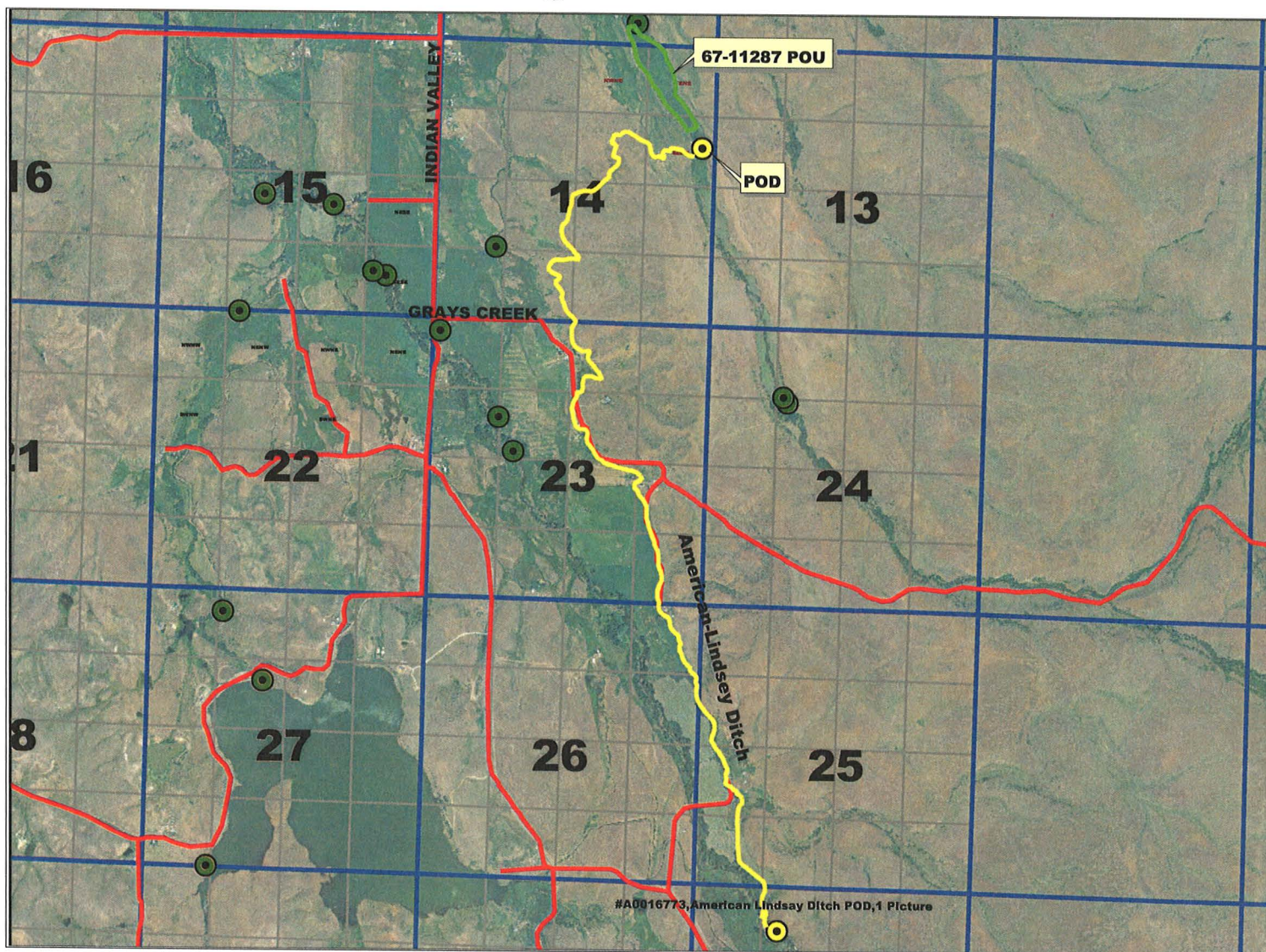


State Of Idaho

Reference Map

Photo Source: 2004 SID

Water Right #: 67-11287



1320 0 1320 2640 3960 Feet



⊙ Claimed Point(s) of Diversion

Place of Use

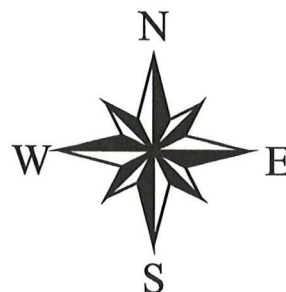
Streets

Tax Lot Data

Sections

Quarter Quarter

Total Acres:



Prepared by: Craig L. Saxton
Date: October 2006

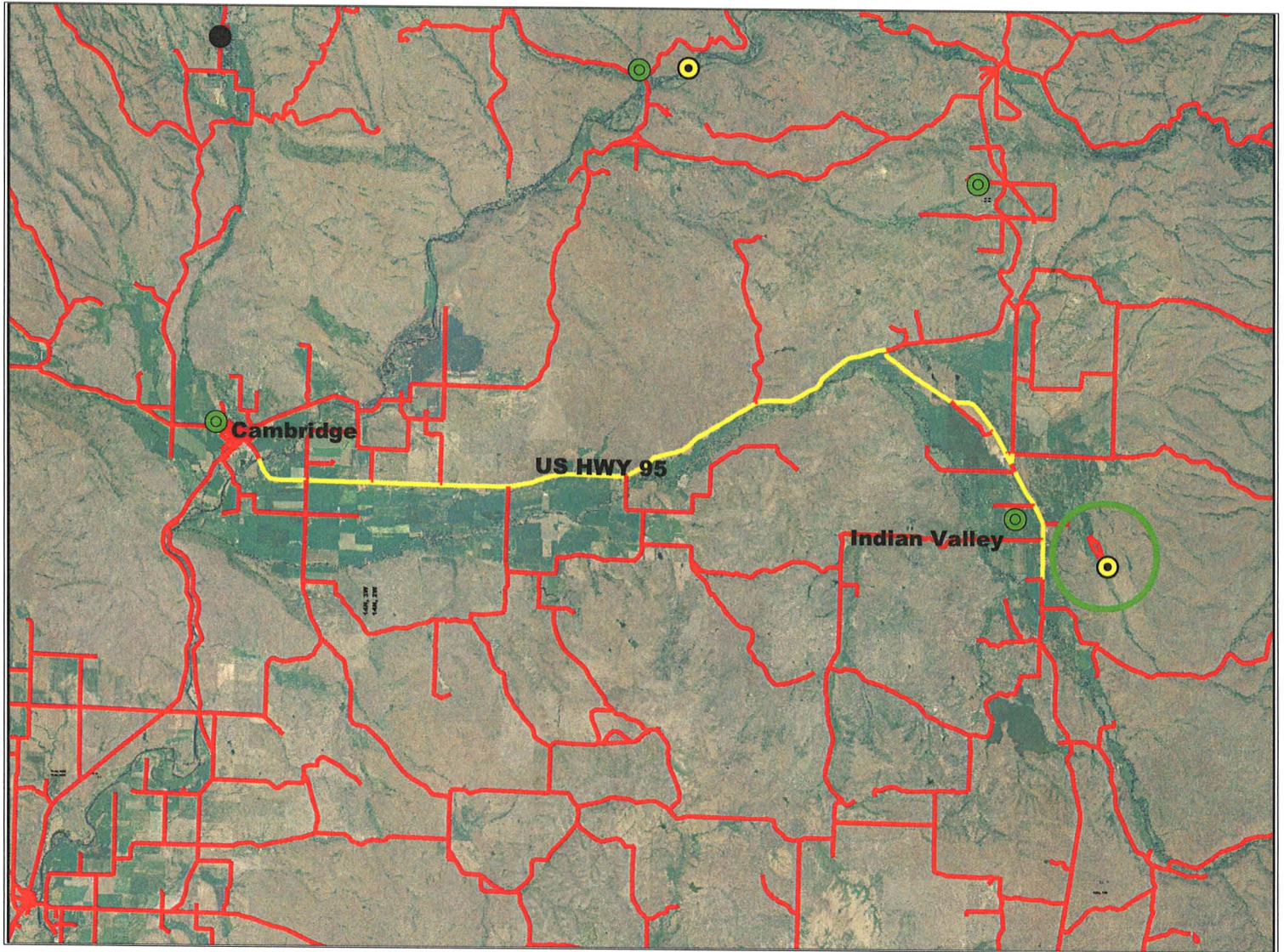


State Of Idaho

Reference Map

Photo Source: 2004 SID

Water Right #: 67-11287



1320320 Feet



⊙ Claimed Point(s) of Diversion

□ Area of Interest

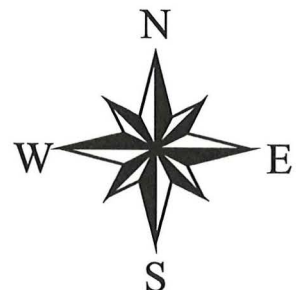
Streets

□ Tax Lot Data

□ Sections

□ Quarter Quarter

Total Acres:



Prepared by: Craig L. Saxton
Date: October 2006

Memorandum

Date: October 18, 2006

To: Sandy Hemenway

From: Craig L. Saxton

Subject: Measurement from Grays Creek for claim 67-11287

The Voermans filed 5 claims. I have prepared a recommendation for basically all 5 of them, however, I don't have a measurement on 67-11287.

All of the water that the Voermans claimed is from the Little Weiser River and is delivered through the American-Lindsey Ditch. I have a capacity of the American-Lindsey ditch from the watermaster so I was able to make those recommendations.

But... 67-11287 claims a source from **Grays Creek** and I do not have any measurement information from this POD. To recommend 1" per acre we need to verify that the POD from Grays Creek can divert 0.60 cfs or 30 inches.

If you look through the file you will see that it is pretty much recommended. I just don't have any data in there backing up why I would recommend 0.60 cfs. So if you find that they don't have the capacity to divert that, I can easily change the recommendation.

I am giving you all the Voerman files so you have them if there are any questions about their other water rights.

Thanks

Claim

Basin	Sequence	Suffix	Basis	Status	Priority D ₂	Rate(cfs)	Acres	Source	Water Use	Owner(s)	Source Table
67	450		Decreed	Active	1881-06-01	0.44	45	LITTLE W ~~E~~ IRRIGATIC VOERMAN	Claim		
67	4448		Beneficial I	Active	5/1/1953	0.47		LITTLE W ~~E~~ IRRIGATIC VOERMAN	Claim		
67	4449		Statutory C	Active	7/1/1965	0.34		LITTLE W ~~E~~ IRRIGATIC VOERMAN	Claim		
67	4457			<i>Not Claimed</i>	1881-01-01	0.83		LITTLE W ~~E~~ IRRIGATION, STOCK	Claim		
67	11287		Beneficial I	Active	7/1/1965	0.34		GRAYS CF IRRIGATIC VOERMAN	Claim		
67	11302		Beneficial I	Active	6/20/1921	0.8		LITTLE W ~~E~~ IRRIGATIC VOERMAN	Claim		

Recommendation

Basin	Sequence	Suffix	Basis	Status	Priority D ₂	Rate(cfs)	Acres	Source	Water Use	Owner(s)	Source Table
67	450		Decreed	Active	1881-06-01	0.44	35.2	LITTLE W ~~E~~ IRRIGATIC VOERMAN	Recommendation		
67	4448		B-use	Active	5/1/1953	0.47	45.5	LITTLE W ~~E~~ IRRIGATIC VOERMAN	Recommendation		
67	4449		B-use	Disallowed	7/1/1965	0	0	LITTLE W ~~E~~ IRRIGATIC VOERMAN	Recommendation		
67	11287		B-use	Active	7/1/1965	0.34	17	GRAYS CF IRRIGATIC VOERMAN	Recommendation		
67	11302		Beneficial I	Active	6/20/1921	0.6	30	LITTLE W ~~E~~ IRRIGATIC VOERMAN	Recommendation		

WR

Basin	Sequence	Suffix	Basis	Status	Priority D ₂	Rate(cfs)	Volume(ac)	Source	Water Use	Owner(s)	Source Table
67	450		Decreed	Active	1881-06-01	0.44		LITTLE W ~~E~~ IRRIGATIC BYERS, O	wrWaterRight		
67	4448		Statutory C	Active	5/1/1953	0.08		LITTLE W ~~E~~ IRRIGATIC VOERMAN	wrWaterRight		
67	4449		Statutory C	Active	7/1/1965	0.34		LITTLE W ~~E~~ IRRIGATIC VOERMAN	wrWaterRight		
67	4457		Statutory C	Active	1881-01-01	0.83		LITTLE W ~~E~~ IRRIGATIC VOERMAN	wrWaterRight		
67	7896		License	Active	5/20/1992	0.04	1.2	GROUND ' DOMESTIC VOERMAN	wrWaterRight		
67	11289		Decreed	Active	11/1/1983	0.07		GROUND ' DOMESTIC VOERMAN	wrWaterRight		
67	11290		Decreed	Active	11/1/1988	0.02		GROUND ' STOCKW ~~A~~ VOERMAN	wrWaterRight		

RECEIVED

OCT 24 2005

DEPARTMENT OF
WATER RESOURCES

Oct 17, 2005

Box 57

Indian Valley T
83630

Idaho Dept of Water Resources
P.O. Box 83720
Boise, Id. 83707-9815

Mr. Saxton,

Enclosed are the maps that go with our Beneficial / Statutory water claims. We've marked the ditches and areas irrigated for each right. To support our claims we have enclosed tax assessments from 1953 and 1968 which so the land was classified as irrigated ground.

We've also enclosed deeds to so line of ownership from 1910 to present.

Please let us know if there is any other information needed.

67-11287
P.D. 7-1-1965
Thanks,
Bob & Whitney Voerman

SCANNED

OCT 24 2005

DEPARTMENT OF
WATER RESOURCES

OCT 24 2005

EXHIBIT A
PETTY to VOERMANS
Contract of Sale of Real Property

A parcel of land lying and situated in Township 14 North, Range 1 West of the Boise Meridian, and consisting of the following:

The NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14

The SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11.

The SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11 (the same being that portion of the said SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying and situated south and west of a diagonal line joining the Northwest corner of the said SE $\frac{1}{4}$ SE $\frac{1}{4}$ to the Southeast corner thereof. This parcel may also be described as being a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11 of the said Township and Range, more particularly described as follows: Commencing at the Northwest corner of the said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence South on and along the West line thereof to the Southwest corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence East along the South line thereof to the Southeast corner of the said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence Northwest to the POINT AND PLACE OF BEGINNING.)

TOGETHER WITH a full use easement and right-of-way, 26 feet in width, on and along the entire south side of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, Township 14 North, Range 1 West of the Boise Meridian, and specifically including the right to use any existing road traversing any portion of the south boundary of the said NE $\frac{1}{4}$ SW $\frac{1}{4}$.

SUBJECT TO that certain easement dated June 3, 1940, executed by Amos E. Byers and Ethel E. Byers, husband and wife, to Ben Johnson, Frank Johnson, H. C. Ludwig, Edith Jackson, and others for an irrigation canal across the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 11, Township 14 North, Range 1 West of the Boise Meridian, which easement was recorded on the 23rd day of July, 1940, in Book 4 of Miscellaneous, at page 111 thereof of the records of Adams County, Idaho.

TOGETHER WITH WATER RIGHTS: The parties agree that the Buyers shall receive, with the subject premises, the following water rights:

- A. A decreed and adjudicated water right in the amount of 22 inches from the Little Weiser River; and
- B. Floodwater rights for approximately 160 acres from the Little Weiser River.

Francis E. Petty
FRANCIS E. PETTY

ROBERT LOUIS VOERMANS

Zelma G. Petty
ZELMA G. PETTY

WHITNEY LADD VOERMANS

INSTRUMENT NO. 81806
State of Idaho)
County of Adams) ss.

Filed for record at the request of
Robert & Whitney Voermans
05 min. past 2 o'clock P. M.
this 6 day of April, 1902

MICHAEL FISK, RECORDER
by *Sarah J. Wilson*
Deputy

Fee \$ 6.00

SCANNED

OCT 24 2005

RECEIVED

DEED RECORD

RECEIVED

OCT 24 2005
DEPARTMENT OF
WATER RESOURCES

This Indenture, made this sixth day of October in the year of our Lord, One Thousand Nine Hundred and Ten, between John G. York and Dortha York, his wife, of Indian Valley, County of Washington, State of Idaho, the parties of the first part and Orin L. Byers, Amos E. Byers and Everett E. Byers, of Indian Valley, County of Washington State of Idaho the parties of the second part.

Witnesseth, That the said parties of the first part for and in consideration of the sum of Twenty Five Hundred and No/100 Dollars, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged have granted, bargained and sold and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part and to their heirs and assigns forever, all the following described real estate situated in said Washington County, State of Idaho to wit:

The East One Half ($\frac{1}{2}$) of the North East Quarter ($\frac{1}{4}$) the North West Quarter ($\frac{1}{4}$) of the North East Quarter ($\frac{1}{4}$) of Section Fourteen (14) the South West Quarter ($\frac{1}{4}$) of the South East Quarter ($\frac{1}{4}$) of Section Eleven (11) all in Township Fourteen (14) North of Range One (1) West of the Boise Meridian containing one hundred sixty (160) acres of land, together with all of the right, title and interest of the said first parties in and to that certain ditch and water right as located by Sylvester Haworth and others on June 18, 1883 and recorded in the Records office of said County on June 21, 1883 appropriating the the waters of the Little Weiser River.

The said interest so conveyed being one (1) share or 124 miner's inches, said ditch known as "Gray's Creek and Indian Valley Ditch and Water Right".

Together with all of the water, water rights and ditches used, connected with or appurtenant to the above described premises.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof and all estate, right, title and interest in and to the said property as well in law as in equity of the said parties of the first part.

To Have and to Hold all and singular the above mentioned and described premises together with the appurtenances unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part and their heirs the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns against the said parties of the first part and their heirs and against all and every person and persons whomsoever lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

In Witness Whereof the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered

John G. York (Seal)

In the presence of

Dortha York (Seal)

R. E. Wilson

State of Idaho }
County of Washington } ss

On this 8th day of October in the year 1910 before me R. E. Wilson a Notary Public in and for said County, personally appeared John G. York and Dortha York his wife known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they 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.

Seal
(R. E. Wilson Notary Public)
(Washington County Idaho)

R. E. Wilson
Notary Public

Filed for record at request of O. M. Harvey at 2:40, o'clock P. M. October 27, 1910.

Frank E. Smith

Recorder

By Harriet Smith

Deputy

Fees \$1.40

(Deeds 28 - 369)

SCANNED

OCT 24 2005

INSTRUMENT NO. 42908

WARRANTY DEED

THIS INDENTURE, Made this 28th day of May in the year of our Lord one thousand nine hundred and Fifth three, between EVERETT EARL BYERS and NELLIE E. BYERS, husband and wife, of Indian Valley, County of Adams, State of Idaho, the parties of the first part, and FRANCIS PETTY and ZELMA PETTY, husband and wife, of Council, County of Adams, State of Idaho, the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of SIXTEEN THOUSAND AND NO/100 DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate, situated in the County of Adams, State of Idaho, to-wit:

In Township 14 North, Range 1 West, Boise Meridian:

In Section Eleven (11): The Northeast Quarter of the Southwest Quarter, the Southwest Quarter of the Southeast Quarter and a tract in the Southeast Quarter of the Southeast Quarter described as follows: Commencing therefor at the Northwest corner of the Southeast Quarter of the Southeast Quarter and running thence South on the West line thereof to the Southwest corner of said Southeast Quarter of the Southeast Quarter; thence East along the South line thereof to the Southeast corner of said Southeast Quarter of the Southeast Quarter; thence Northwest to the point and place of beginning:

In Section Fourteen (14): The North Half of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter:

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

INTERNAL REVENUE STAMPS ATTACHED AND CANCELLED: \$ 17.70

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Everett Earl Byers (SEAL)

Nellie E. Byers (SEAL)

STATE OF IDAHO) ss.
County of ADAMS)

On this 28th day of May in the year 1953, before me the undersigned, a Notary Public in and for said State, personally appeared EVERETT EARL BYERS and NELLIE E. BYERS, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

(NOTARIAL SEAL)

Carl H. Swanstrom
Notary Public for the State of Idaho
Residing at Council, Idaho

Recorded at the request of the Adams County Abstract Company at 20 minutes past 10 o'clock A.M., the 8th day of October, 1963.

SCANNED

OCT 24 2005



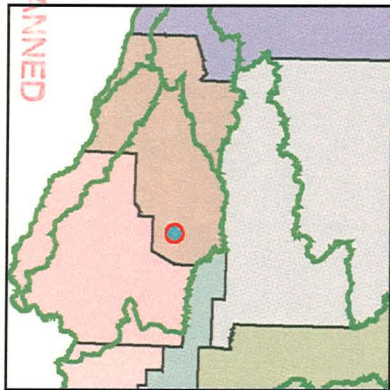
Idaho Department of Water Resources

Adjudication Claim Number: **67-11287**

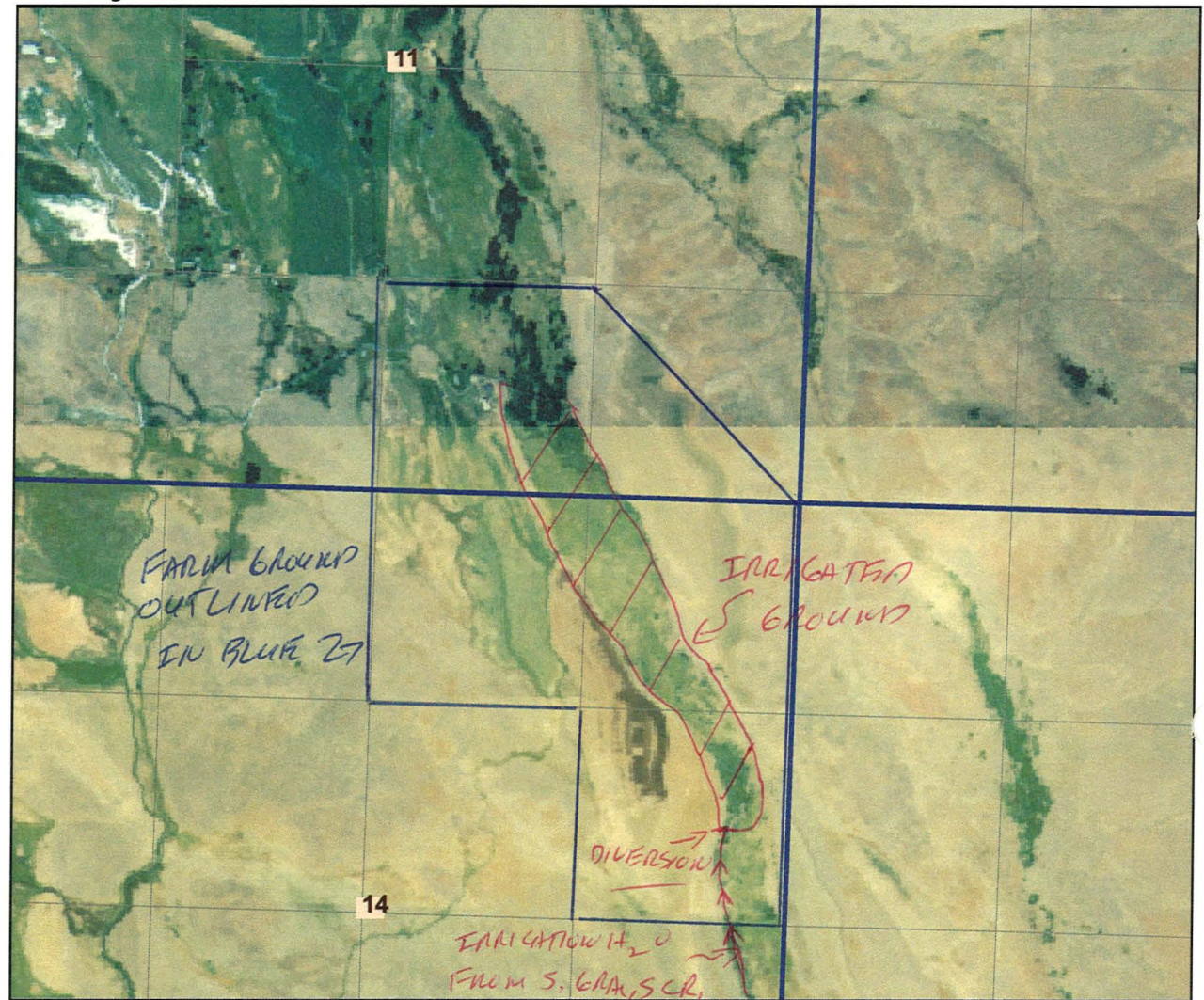
T14N R01W

Legend

PLSS Section Lines Gcdb_sections.shp
GCDB14N01W GCDB



Adams County
IDWR Basin 67



0 0.5 1 Miles

Prepared by M. Van Bussum
On Friday, September 2, 2005
1987 Aerial Photography

OCT 24 2005

The real property described on this sheet is situate in Adams County, Idaho,
in Township 14, Range, 1 W, B Meridian

ASSESSMENT ROLL FOR THE YEAR 1953
RANCH PROPERTY

ASSESSMENT ROLL FOR THE YEAR 1953																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
Line No.	Tax- payer's State- ment No.	Tax Receipt No.	OWNER OR REPUTED OWNER'S NAME AND ADDRESS	Subdivision	Sec.	Tax No.	Total Acres	CLASSIFICATION OF LANDS										Improve- ments on Land	TOTAL VALUE OF REAL PROPERTY	CATTLE										HORSES AND MULES				SHEEP AND GOATS			HOGS			LUMBER AND LOGS			Machinery Owned Separate from Bldgs. and Tractors, Threshing Machines, Engines, Etc.			Merchan- dise	Furniture and Fixt- ure and Store Equipm't	House- hold Goods	NOT OTHERWISE CLASSIFIED			Line No.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
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ASSESSMENT ROLL FOR THE YEAR 1965
RANCH PROPERTY

[illegible]

ASSESSMENT ROLL FOR THE YEAR 1965

[illegible]

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: A67-11287
Date Received: 12/01/1989
Receipt No: C013135
Received By: Ret

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

1. Name: WHITNEY L. VOERMANS 208-256-4488
Address: P.O. BOX 57
INDIAN VALLEY, ID 83632
OR
Name: ROBERT L. VOERMANS 208-256-4488
Address: P.O. BOX 57
INDIAN VALLEY, ID 83632
2. Date of Priority: JUL 01, 1965
3. Source: GRAYS CREEK Trib. to: LITTLE WEISER RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14N	01W	14	SE	SE	NE		ADAMS
5. Description of diverting works:
DAM, DITCH
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.340		
STOCKWATER	01/01	12/31	0.020		
7. Total Quantity Appropriated is:
0.340 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 21.0 Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER FOR APPROX. 150 HEAD SHEEP

A67-11287

Page 1

Date: 12/01/89

SCANNED
MAY 10 2004

MICROFILMED

OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	01W	11	SW	SE		IRR	1.0
						Section Acres	1.0
		14	NE	NE		IRR	12.0
			NW	NE		IRR	2.0
			SE	NE		IRR	2.0
						Section Acres	16.0
						Total Acres	17.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A67-04449

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: _____

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: A67-11287
Date Received: 12/01/1989
Receipt No: CO13135
Received By: Ret

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ACQUIRED UNDER STATE LAW

1. Name: WHITNEY L. VOERMANS 208-256-4488
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OR
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INDIAN VALLEY, ID 83632

2. Date of Priority: JUL 01, 1965

3. Source: GRAYS CREEK Trib. to: LITTLE WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	01W	14	SE	SE	NE		ADAMS

5. Description of diverting works:
DAM, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.340		
Stockwater	01/01	12/31	.02	Ret	

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

8. Total consumptive use is 21.0 Acre Feet Per Annum.

9. Non-irrigation uses:
Stockwater for approx. 150 head sheep. Ret

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	01W	11	SW	SE		IRR	1.0
						Section Acres	1.0
		14	NE	NE		IRR	12.0
			NW	NE		IRR	2.0
			SE	NE		IRR	2.0
						Section Acres	16.0
						Total Acres	17.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A67-04449

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): X Robert Hermann Date: X 12-1-89

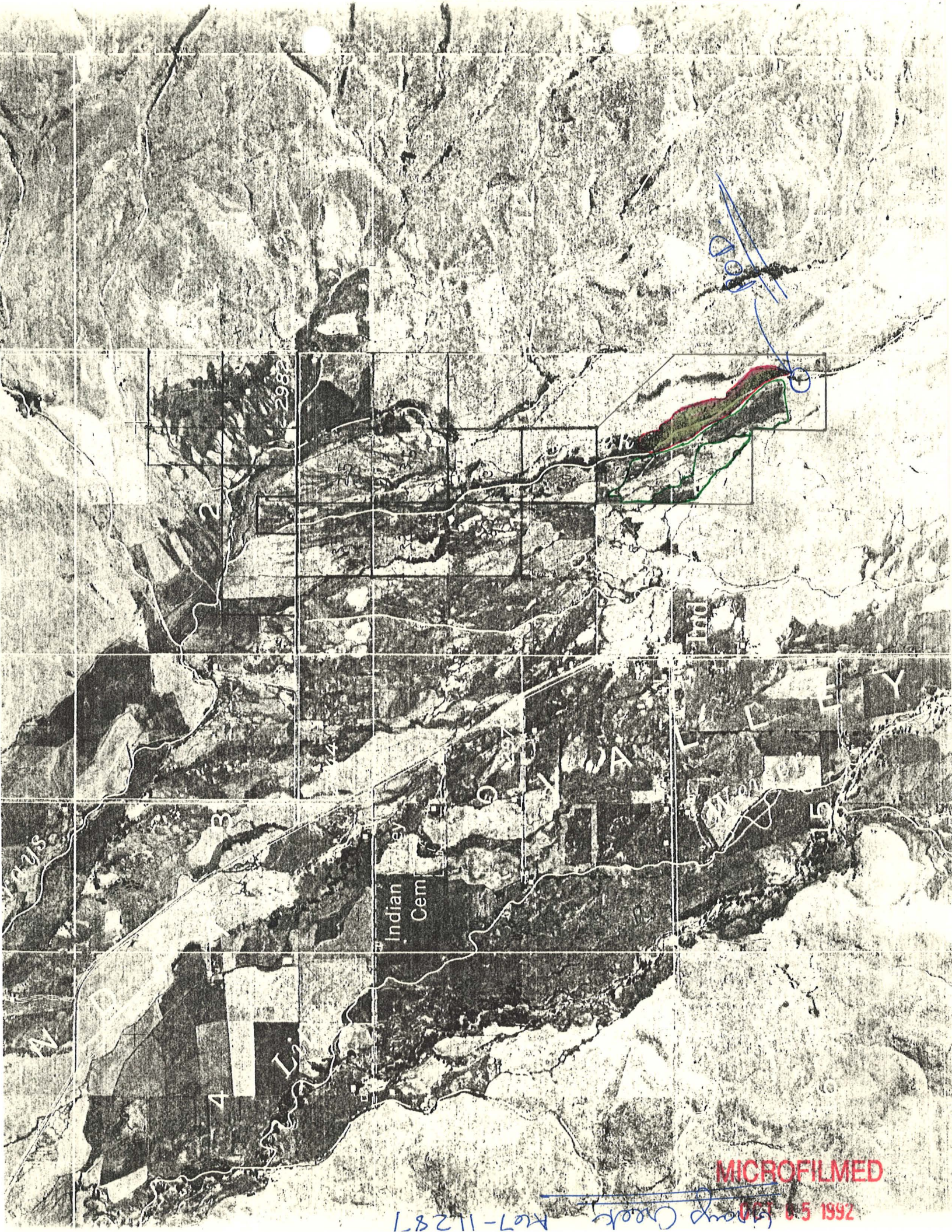
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of December 19 89 Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994



MICROFILMED

Group Creek No 7-11281

261 5 3 1992