



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 4, 2002

JOHN W HOLMES
JULIE ANN HOLMES
914 GRAYS CREEK RD
INDIAN VALLEY ID 83632

RE: Notice of Change of Water Right Ownership No. 67-7406 & 67-13435

Dear Property Owners:

Enclosed is a copy of your Notice of Change of Water Right Ownership form that was recently submitted to our office. However, we cannot continue to process the ownership change due to the following reasons.

According to our records, water right number 67-7406 is on a lapsed permit in the name of USDA Farm Service Agency. A copy of the letter indicating the permit has lapsed is attached for your review. Water right numbers 67-1 and 67-2 have been combined and claimed under water right number 67-13435, in the name of Sunnyside Ditch Company. Sunnyside Ditch Company owns the water rights; therefore we cannot change ownership of entities that provide water to customers.

Thank you for your patience and cooperation, as we have had several ownership changes to process. Feel free to contact our office if you have any questions concerning this letter.

Sincerely,

Adjudication Section
Western Region
(208) 334-2190

DB: db

Enclosures

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

RECEIVED

JAN 16 2002

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) 67-1, 67-2, 67-7406
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) _____

4. New Owner/Claimant(s) John W. Holmes + Julie Ann Holmes
 Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
 New Mailing Address 914 Grays Creek Road, 1
 City, State and ZIP Code Indian Valley Idaho 83632
 New Telephone Number (208) -
5. Date you acquired the property 12/28/01
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) John W. Holmes Jr Date 12-28-01
Julie Ann Holmes Date 12-28-01
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

184724

For Value Received

ROCKY MT. LAND, L.L.C., a Limited Liability Company

does hereby GRANT, BARGAIN, SELL AND CONVEY unto

JOHN W. HOLMES JR. and JULIE ANN HOLMES, husband and wife

whose current address is 914 Grays Creek Road
Indian Valley, Idaho 83632

the following described premises, to-wit:

see attached exhibit "A"

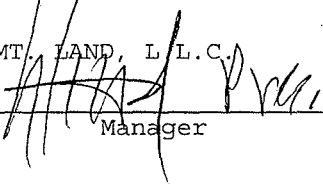
Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

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

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantees, their heirs and assigns forever. And the said grantor do hereby covenant to and with the said grantees that they are the owner in fee simple of said premises; that they are free from all encumbrances, excepting reservations, easements, encumbrances, restrictions and rights of way appearing of record and/or existing and that they will warrant and defend the same from all lawful claims whatsoever.

Dated:

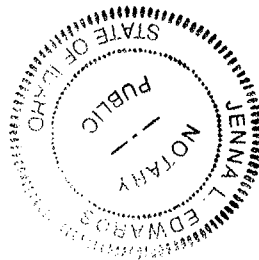
ROCKY MT. LAND, L.L.C.

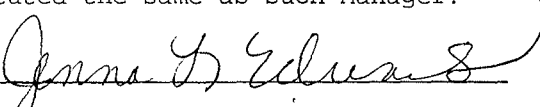

Manager

STATE OF IDAHO, COUNTY OF WASHINGTON

On this 28 day of December, 2001,
before me, a notary public in and for the
said State, personally appeared
Calvin Kinney

known to me to be the person whose name
is subscribed to the within instrument,
as Manager and acknowledged to me that he
executed the same as such Manager.




Notary Public

Residing at Payette, Idaho

Comm. Expires 3/27/03

Instrument # 184724

WEISER, WASHINGTON, IDAHO

2001-12-28 04:42:00 No. of Pages: 4

Recorded for : WEISER VALLEY TITLE

SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 12.00

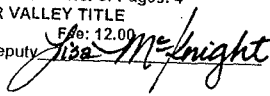


EXHIBIT "A"

FILE NO.:100-01-8284

PARCEL 1:

A tract of land described as follows: Commencing at the West quarter corner of Section 2, Township 10 North, Range 4 West of the Boise Meridian;

Thence N 48°30' East 1577.34 feet to a point on the Southeasterly bank of the Sunnyside Irrigation Canal, being the true point of beginning;

Thence N 59°17' East 104.22 feet;

Thence S 56°28' East 173.55 feet;

Thence N 76°51' East 250.41 feet;

Thence N 4°46' West 217.80 feet;

Thence N 58°13' East 436.56 feet to a point on the Southeasterly bank of said Sunnyside Irrigation Canal;

Thence along said canal in a Southerly and Westerly direction to the true point of beginning;

AND ALSO, that portion of Lot 2 of Section 3, Township 10 North, Range 4 West of the Boise Meridian, lying Southerly of Weiser River, and Easterly and Northerly of a certain drainway from the Sunnyside Ditch as the same traverses said subdivision in a Northerly direction to Weiser River;

AND ALSO, all that part of the following described lands lying between the South bank of Weiser River and the North right-of-way line of Sunnyside Ditch: The W1/2SE1/4 and the SE1/4SW1/4 of Section 35, Township 11 North, Range 4 West of the Boise Meridian, and Lots 2, 3, 4 and the SW1/4NW1/4 of Section 2, and Lot 1 and SE1/4NE1/4 of Section 3, Township 10 North, Range 4 West of the Boise Meridian, EXCEPTING THEREFROM that portion of Lot 1 and that portion of the SE1/4NE1/4 lying Northerly of the Sunnyside Ditch in said Section 3, which are situate Westerly of a certain drainway from the said Sunnyside Ditch as the same traverses said subdivisions in a Northerly direction to Weiser River.

PARCEL 2:

TOWNSHIP 11 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, IN WASHINGTON COUNTY, IDAHO:

Section 35: All that part of the E1/2E1/2 and of the SW1/4NE1/4 and of the W1/2SE1/4 lying East of Weiser River, EXCEPTING that part of the W1/2SE1/4 located between the East bank of said River and the West boundary of the Sunnyside Ditch; AND ALSO, that part of the NE1/4SW1/4 lying Southerly of Weiser River;

CONTINUED

EXHIBIT "A" CONTINUED

FILE NO.: 100-01-8284

TOWNSHIP 10 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, IN WASHINGTON COUNTY, IDAHO:

- Section 2: Lot 1, S1/2NE1/4, N1/2SE1/4, SW1/4SE1/4, SW1/4, and all that part of Lots 2 and 3 and of the S1/2NW1/4 lying Southerly and Easterly of the Sunnyside Ditch, EXCEPT a tract described as follows: Commencing at the West Quarter corner of said Section 2, thence N 48°30' east 1577.34 feet to a point on the Southeasterly bank of said Sunnyside Ditch, being the true point of beginning; thence N 59°17' East 104.22 feet; thence S 56°28' East 173.55 feet; thence N 76°51' East 250.41 feet; thence N 4°46' West 217.80 feet; thence N 58°13' East 436.56 feet to a point on the Southeasterly bank of said Ditch; thence along said Ditch in a Southerly and Westerly direction to the point of beginning;
- Section 3: All that part of the SE1/4NE1/4 lying South of the Sunnyside Ditch;
- Section 11: All that part of the NW1/4 lying Northerly of the right-of-way for Cove Road.

PARCEL 3:

TOWNSHIP 10 NORTH, RANGE 4 WEST OF THE BOISE MERIDIAN, IN WASHINGTON COUNTY, IDAHO:

- Section 1: Lot 4, SW1/4NW1/4, N1/2SW1/4.

PARCEL 4:

Lots 2 and 3, the SW1/4NE1/4, the SE1/4NW1/4, the N1/2SW1/4; the SE1/4SW1/4, the SE1/4, and that portion of Lot 1 and that portion of the SE1/4NE1/4 Northerly of the Sunnyside Ditch, which are situated Westerly of a certain drainway from the Sunnyside Ditch as the same traverses said subdivisions in a Northerly direction to Weiser River; All being situated in Section 3, Township 10 North, Range 4 West of the Boise Meridian, SAVE AND EXCEPT THEREFROM the following:

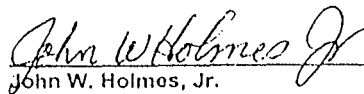
Beginning at the North quarter corner of said Section 3;
Thence East 410 feet;
Thence S 72° W 510 feet;
Thence S 56° 30' W 300 feet;
Thence S 40° 30' W 420 feet;
Thence S 21° 00' W 250 feet;
Thence S 12° 30' W 270 feet;
Thence S 36° 00' W 280 feet;
Thence S 38° 70' W 670 feet;
Thence North 1870 feet;
Thence East 1325 feet, more or less, to the place of beginning;

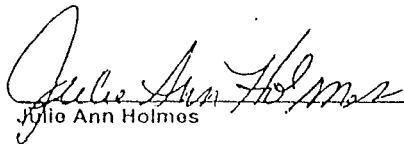
ALSO EXCEPTING all that part of said Lot 2 lying Southerly of Weiser River, an Easterly and Northerly of a certain drainway from the Sunnyside Ditch as the same traverses said subdivision in a Northerly direction to Weiser River.

TOGETHER WITH ALL WATER AND WATER RIGHTS, WELL AND WELL RIGHTS, DITCH AND DITCH RIGHTS

Sunnyside Ditch Company 313.5 acres assessed and Certificate #5 (or as may be reissued) for 35 shares
Crane Creek Reservoir 175 acre feet of primary storage
Crane Creek Reservoir Independent Water Users Company, Inc. Certificate #146 (or as may be reissued) for 150 shares
Weiser Cove Irrigation District 165 acres assessed
Idaho Department of Water Resources Water Right No. 67-1 (or as may be reissued) for 2.25 CFS
Idaho Department of Water Resources Water Right No. 67-2 (or as may be reissued) for 1.25 CFS
Idaho Department of Water Resources Water Right No. 67-7406 (or as may be reissued) for 2.43 CFS

MORTGAGOR/BORROWER:


John W. Holmes, Jr.


Julie Ann Holmes

DRAFT MEMORANDUM

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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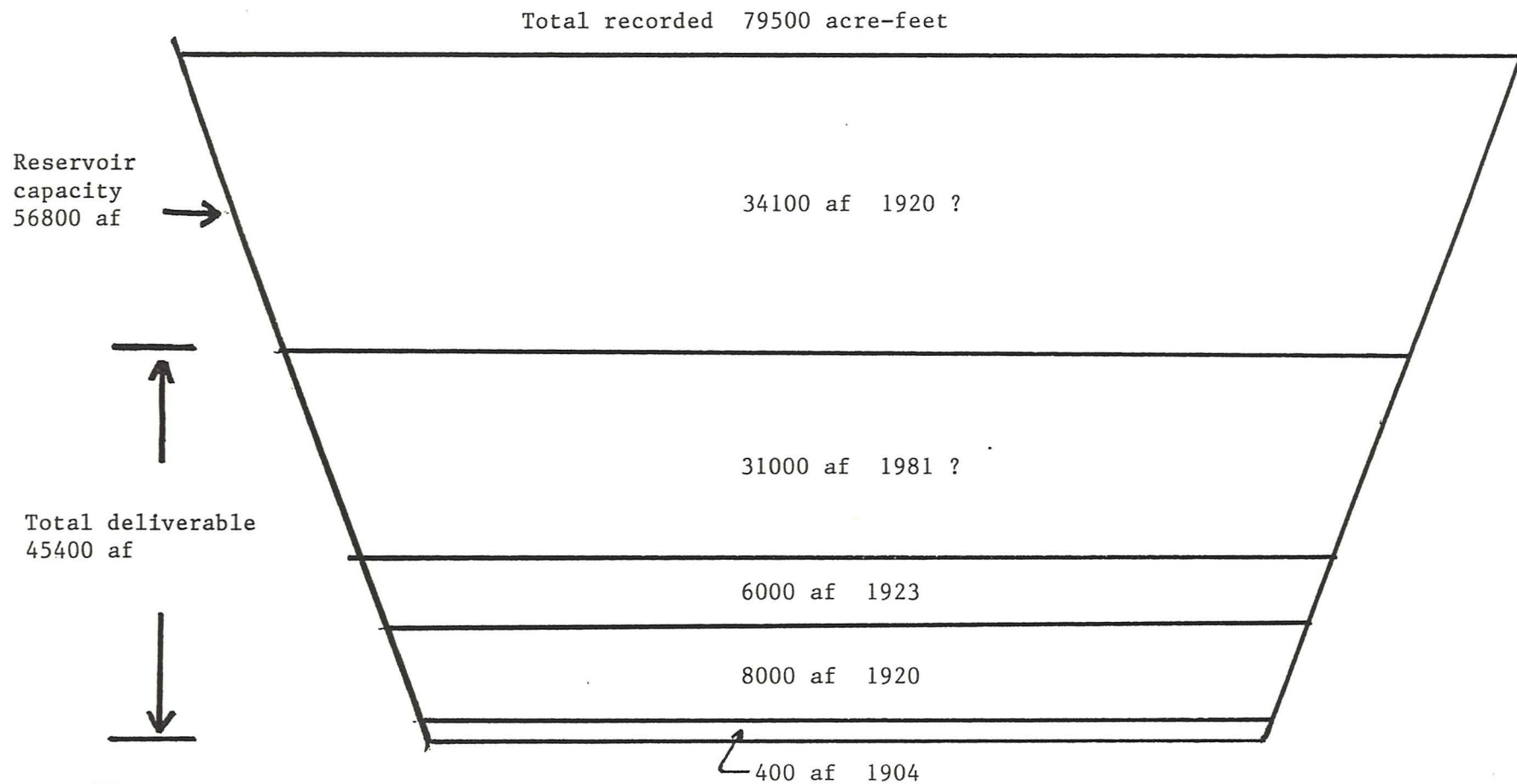
TABLE 3, RESERVOIRS LOCATED UPSTREAM FROM CRANE CREEK RESERVOIR AND WITHIN
CRANE CREEK DRAINAGE (a)

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

(a) from IDWR dam safety and water right files

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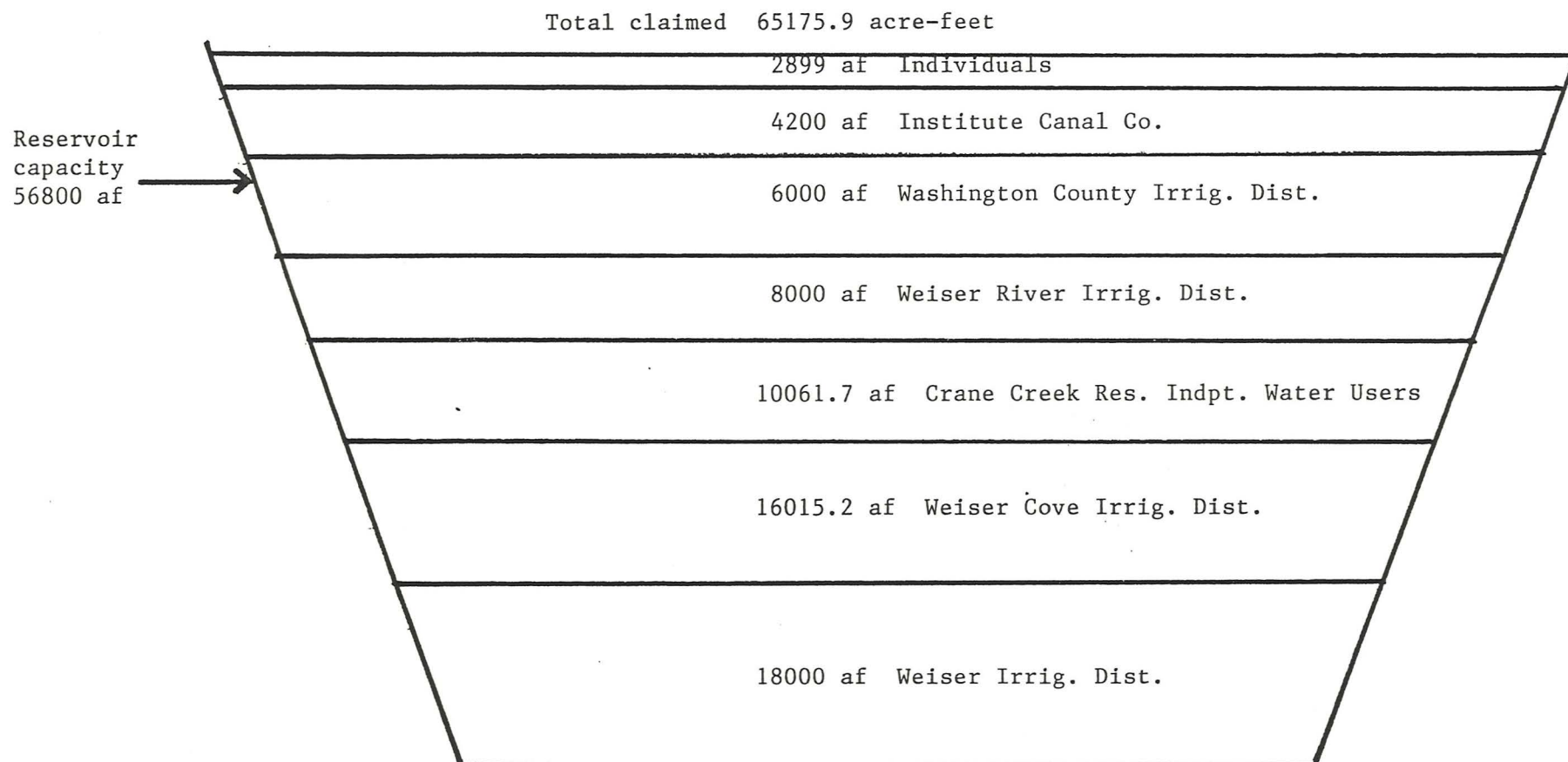
Figure 1, Crane Creek Reservoir storage water based on rights recorded prior to the SRBA.



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79500 af recorded
56800 af capacity
22700 af excess

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



65175.9 af claimed
 56800 af capacity
 8375.9 af excess

Arrangement is by amount claimed
 and does not imply priority.

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EXHIBIT "A"

SUNNYSIDE DITCH

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

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

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

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

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

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

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

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EXHIBIT "A"

SUNNYSIDE DITCH

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

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

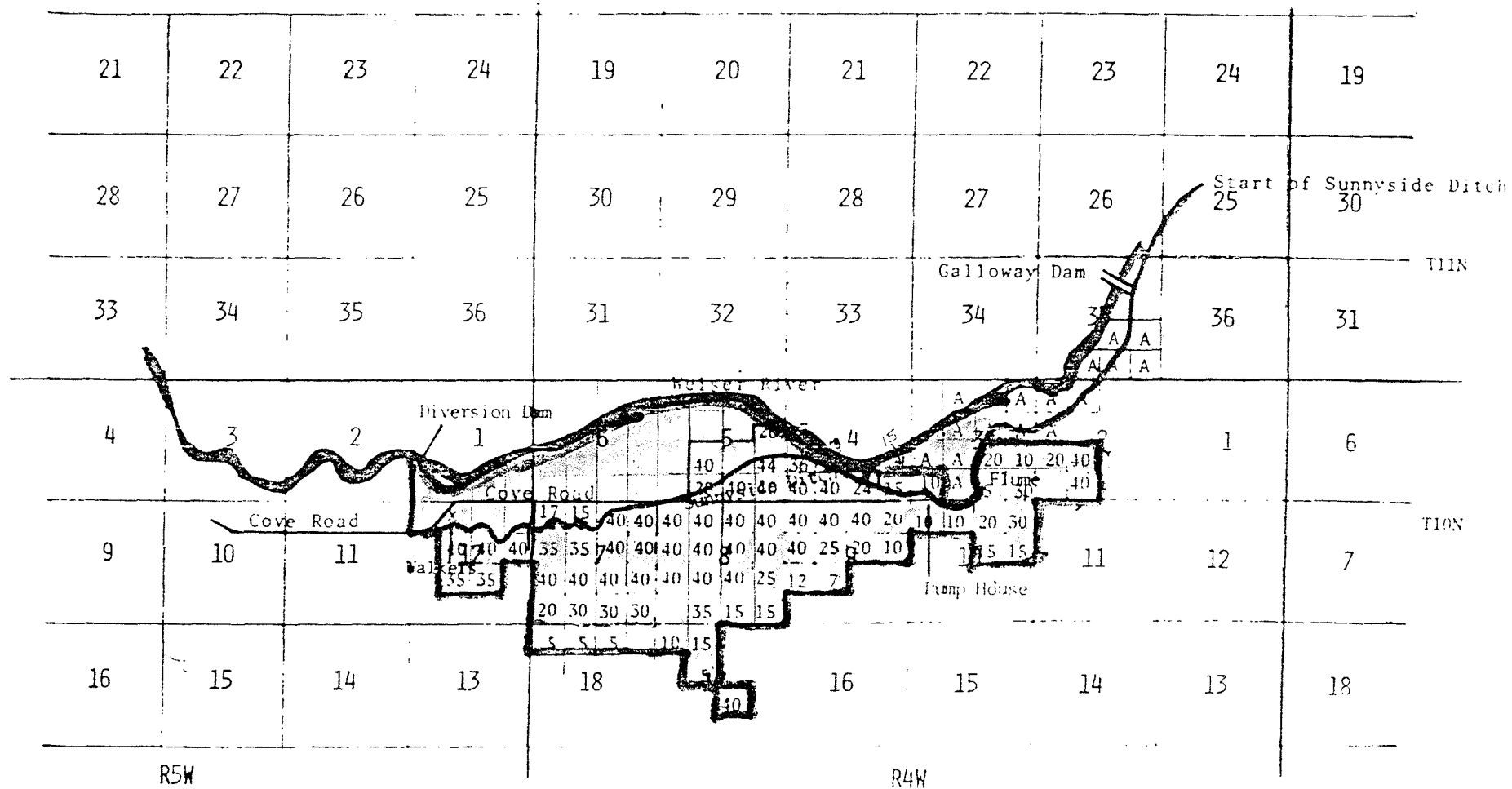
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CRANE CREEK RESERVOIR INDEPENDENT WATER USERS COMPANY, INC. - This is another type of Crane Creek Reservoir storage water that is used on the same lands as included in this filing. Ownership of this water is by way of stock certificates and the water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

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

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

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LANDS UNDER SUNNYSIDE DITCH

A = Allotment water for that quarter section

CRANE CREEK RESERVOIR STORAGE
1987 SEASON

* * * * *

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

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

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

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

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CRANE CREEK RESERVOIR STORAGE
1987 SEASON

* * * * *

THERE IS ABSOLUTELY NO CLASS B STORAGE FOR 1987

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

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

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OCT 23 1996

Free (FMHA)

Graham, Gregory

Green, Henry

Gurnsey, Vern

Hawkins, Ron

Haxton, Richard

Hickey, Cheryl

Hickey, Claude

Hill, Glenn

Just Rite Farms

Kirk, Clair

Kerner, Milton

Kelly, Vaughn

LDS Church

Lyle, Ralph

Maddox, Dwight

Marvin, Darrall

Panike, Rodney

Roberts, Lloyd

Routson, Bob

Seid, Kenneth

Shaw, Ervie

Sinden, Don

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

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OCT 23 1996

00, Kenneth
(Morgan)

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

With, Clyde

245 Shares	CCIWU	107.8	2,695	
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With, Dan

82 Shares	CCIWU	36	900	Sunnyside
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With Land & Cattle

624 Shares	CCIWU	274.56	6,864	
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oulen Livestock

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

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

wain, Dan

145 Acres	Cove	299.86	7,496.5	Sunnyside
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weet, Virgil

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

allent, R.J.

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

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

106.5 Shares	CCIWU	46.86	1,171.5	Reservoir
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alker, Lary

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

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

alker, W. H. (Sr.)

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

illiams, Glenn

175 Acres	Cove	361.90	9,047.5	River
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od, Norm

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

odland, Hazel & Rod

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

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

37.5 Shares	CCIWU	16.5	412.5	Galloway
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ungblood, Kenneth

37.5 Shares	CCIWU	16.5	412.5	Galloway
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REMARKS CANNOT BE COPIED TO COMMENTS UNLESS THE PREFIX FOR THE CLAIM IS "R" OR B
SD-62 Idaho Department of Water Resources Date: 02/02/94
MODIFY CLAIM Adjudication Remarks Screen Time: 08:12:50

Water Right Number: A67-00002

FIRST PAGE

13. Remarks: THIS WATER CARRIED IN THE SUNNYSIDE DITCH.
LAND LIST ALSO DESCRIBED BY METES AND BOUNDS IN DECREE.
AC. IRR.=370.

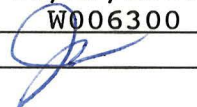
(GOLD2=Update) (GOLD4=Prev Screen) (GOLD6=End of Data) (Enter=Exit)
(GOLD3=Add Std Rmk) (GOLD5=Next Screen) (GOLD7=Copy to Comments) (GOLD8=Cancel)

MICROFILMED
OCT 23 1996

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: A67-13435
Date Received: 10/17/1989
Receipt No: W006300
Received By: 

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

1. Name: SUNNYSIDE DITCH CO 208-549-0611
Address: C/O JAQUELINE WRAY
PO BOX 829
WEISER ID 83672
2. Date of Priority: JUN 1, 1887
3. Source: WEISER RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|------------|
| 11N | 04W | 25 | SW | SE | NW | | WASHINGTON |
5. Description of diverting works:
DIVERSION DAM IN RIVER, DIV. WEIR CAPABLE OF DIVERTING 46 CFS.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 3.500 | | |
7. Total Quantity Appropriated is:
3.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10N	04W	2	NE	NW		IRR	35.0
			NW	NW		IRR	35.0
			SW	NW		IRR	40.0
			NE	SW		IRR	20.0

APR 12 2004
SCANNED

10. Place of Use: Continued

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

10. Place of Use: Continued

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

10. Place of Use: Continued

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

10. Place of Use: Continued

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

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

A67-00003/00004/04415/CRANE CREEK STORAGE RIGHTS.

14. Remarks:

THIS IS COMBINATION OF RIGHT NOS. 67-00001 & 67-00002.

15. Basis of Claim: DECREEED

Case Number:

Decree date: / /

VS

16. Signature(s)

Number of attachments: _____

Signature of Claimant(s): Jacque Mraz, Inc. Treas. Date: 10-3-95
Date:

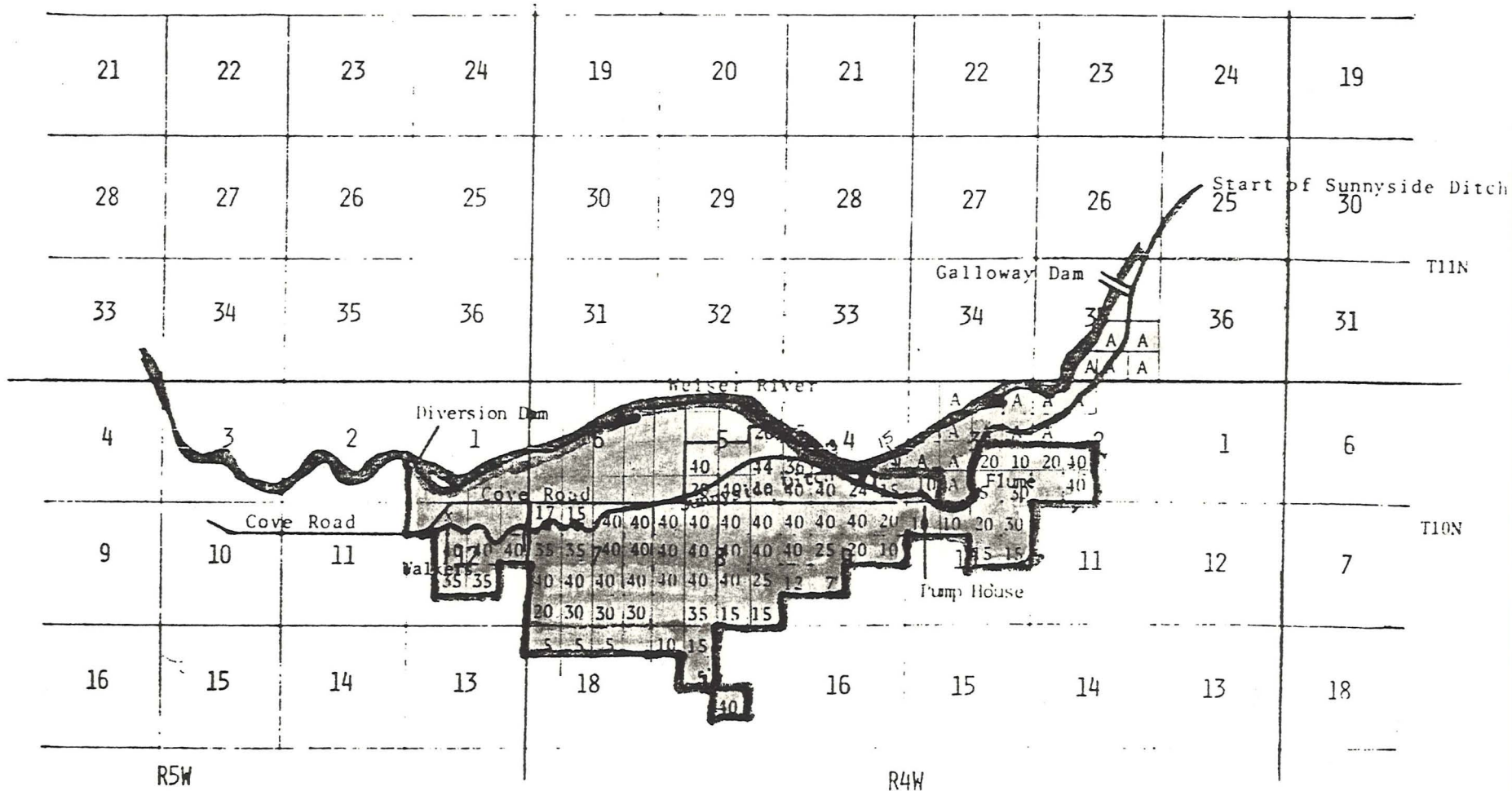
State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of Oct. 19 95 San

e this 3rd day
Jan D Hunter
Notary Public

Residing at Mendenhall St
My Commission Expires 9-14-2000

02/01/94
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OCT 23 1996



LANDS UNDER SUNNYSIDE DITCH

A = Adjudicated water for that quarter section

EXHIBIT "A"

SUNNYSIDE DITCH

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

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

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

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

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

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

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

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EXHIBIT "A"

SUNNYSIDE DITCH

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

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

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OCT 23 1996

Water Right Number - A67-00001 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
COMBINED RIGHT

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000

*** O - ORIGINAL OWNER ***
MUIR JOHN T.

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000

MUIR WILLIAM H.

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1887 14 WESTERN Z - SEE REMARKS

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
WEISER RIVER SNAKE RIVER
COMBINED RIGHT SEE REMARKS

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
11N 04W 25 SW SE NW (87) WASHINGTON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 2.250

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.250 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
10N 04W 3 NW NE 2 01 IRRIGATION (87) WASHINGTON
10N 04W 3 SW NE 01 IRRIGATION (87) WASHINGTON
10N 04W 3 NE NW 3 01 IRRIGATION (87) WASHINGTON
10N 04W 3 SE NW 01 IRRIGATION (87) WASHINGTON
10N 04W 3 NE SW 01 IRRIGATION (87) WASHINGTON
10N 04W 3 NW SW 01 IRRIGATION (87) WASHINGTON
10N 04W 3 SE SW 01 IRRIGATION (87) WASHINGTON

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OCT 23 1996

Water right number - A67-00001

Prefix Translation: ADJUDICATION CLAIM

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
-----	-----	-----	-------	-----	-------	-------------------	-------------	--------

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Remarks
THIS RIGHT AND RIGHT NO. 67-00002 HAVE BEEN COMBINED AND ARE CLAIMED UNDER RIGHT NO. A67-13435.

Old Water Right Numbers
No Old Water Right Numbers Found

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
JOHN T. MUIR	WILLIAM ALLISON	00/00/0000

Comments
No Comments Found

Audit Fields
02/02/94 SHURTE

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/17/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	- 67
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
OCT 23 1996

SD-62
MODIFY CLAIM

Idaho Department of Water Resources
Adjudication Remarks Screen

```
Date: 02/02/94
Time: 10:41:10
```

Water Right Number: A67-00001

FIRST PAGE

13. Remarks: THIS WATER CARRIED IN THE SUNNYSIDE DITCH. _____
AC. IRR.=251.

(GOLD2=Update) (GOLD4=Prev Screen) (GOLD6=End of Data) (Enter=Exit)
(GOLD3=Add Std Rmk) (GOLD5=Next Screen) (GOLD7=Copy to Comments) (GOLD8=Cancel)

MICROFILMED
OCT 23 1996

Water Right Number - A67-00002 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
COMBINED RIGHT

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000

*** O - ORIGINAL OWNER ***

SMITH GEORGE F.

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000

SMITH JOHN L.

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000

SMITH MINNIE B.

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000

SMITH CHESTER A.

1 -
2 -
3 -
City- X State- ID Zip- X
Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1887 14 WESTERN Z - SEE REMARKS

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
WEISER RIVER SNAKE RIVER
COMBINED RIGHT SEE REMARKS

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

11N 04W 25 SW SE NW (87) WASHINGTON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 1.250

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.250 0.0

MICROFILMED
OCT 23 1996

Water right number - A67-00002

Prefix Translation: ADJUDICATION CLAIM

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
10N	04W	2	NE NW	3		01	IRRIGATION	(87) WASHINGTON
10N	04W	2	NW NW	4		01	IRRIGATION	(87) WASHINGTON
10N	04W	2	SW NW			01	IRRIGATION	(87) WASHINGTON
10N	04W	3	NE NE	1		01	IRRIGATION	(87) WASHINGTON
10N	04W	3	SE NE			01	IRRIGATION	(87) WASHINGTON
11N	04W	35	NE SW			01	IRRIGATION	(87) WASHINGTON
11N	04W	35	SE SW			01	IRRIGATION	(87) WASHINGTON
11N	04W	35	NW SE			01	IRRIGATION	(87) WASHINGTON
11N	04W	35	SW SE			01	IRRIGATION	(87) WASHINGTON

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
THIS RIGHT AND RIGHT NO. 67-00001 HAVE BEEN COMBINED AND ARE
CLAIMED UNDER CLAIM NO. A67-13435.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +	+ - - - Decree Defendant - - - +	+ - Decree Date - +
JOHN T. MUIR	WILLIAM ALLISON	00/00/0000

+ - - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - - +
02/02/94 SHURTE

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing - 00/00/0000	Field Inspection Made - 00/00/0000	Civil Case Number - 39576
Objection Filed Date - 00/00/0000	Field Inspection Flag -	Old Case Number -
Response Filed Date - 00/00/0000	Verified Date - 00/00/0000	Old Judicial District -
Claim Received Date - 10/17/1989	Last Amended Date - 00/00/0000	Temporary Right - P
	Receipt Number - X777777	Water District - 67
	POU Ownership Flag - Y	Federal/State Indicator - S
	Name Connector -	Presumption Flag -
		Notice of Error Flag -

MICROFILMED
OCT 23 1996

07/25/2005

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

RIGHT NUMBER: 67-13435

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

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 3.500 CFS

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION:

T11N R04W S25 SWSNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	3.500 CFS

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

3313 ACRES TOTAL

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

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

THIS IS COMBINATION OF RIGHT NOS. 67-00001 & 67-00002.

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 - Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-13435 V1

10N 04W 3	X L 1	X L 2	X	X	X L 3		X	X	X	X	X	X	X	X	X	X	X
10N 04W 4							X		X	X	X	X	X	X	X	X	X
10N 04W 5	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X	X	X	X	X	X
10N 04W 6	X L 1		X	X					X	X L 6	X L 7	X	X	X	X	X	X
10N 04W 7	X	X	X	X	X	X L 1	X L 2	X	X	X L 3	X L 4	X	X	X	X	X	X
10N 04W 8	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
10N 04W 9	X	X	X		X	X	X	X	X	X				X			
10N 04W 10		X															
10N 04W 17			X		X	X		X					X	X		X	
10N 04W 18	X	X			X	X L 1											
10N 05W 1										X	X	X	X	X	X	X	X
10N 05W 2													X			X	
10N 05W 11	X			X									X			X	
10N 05W 12	X	X	X	X	X	X	X	X	X	X	X			X			
11N 04W 35									X			X		X	X		

Total Acres: 3313

Conditions of Approval:

1. 135 The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
2. THIS IS COMBINATION OF RIGHT NOS. 67-00001 & 67-00002.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-13435 V1

3. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. 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: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	7/25/2005 12:37:49 PM	awarntje			Active
Priority Date	7/25/2005 12:38:34 PM	awarntje			Active
POU	7/25/2005 12:40:31 PM	awarntje			Active
POD	7/25/2005 12:40:53 PM	awarntje			Active
Source	7/25/2005 12:41:17 PM	awarntje			Active
Use	7/25/2005 12:41:42 PM	awarntje			Active
Season	7/25/2005 12:43:21 PM	awarntje			Active
Quantity	7/25/2005 12:44:17 PM	awarntje			Active
Summary			07/25/2005	awarntje	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	7/22/2005 11:48:12 AM	awarntje	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-13435 V1

Contacts	7/25/2005 12:37:49 PM	awarntje	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient info in file
POU	7/25/2005 12:40:32 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (No) 2a. Is the POU required? (Yes) 14. Is a POU remark and/or condition required?
Source	7/25/2005 12:41:18 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POD	7/25/2005 12:40:54 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (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?
Use	7/25/2005 12:41:43 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
General	7/25/2005 12:38:34 PM	awarntje	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-13435 V1

Season	7/25/2005 12:43:21 PM	awarntje	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (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? (Yes) 18. Is a Period of Use remark and/or condition required?
Summary	7/25/2005 12:45:18 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Quantity	7/25/2005 12:44:17 PM	awarntje	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

Water Supply Bank:

Martin and William M Woods, C E McDonald,
Defendants.

It is ordered, adjudged and decreed that the waters of the Weiser River and all of its tributaries be and the same are hereby decreed to the plaintiffs herein and to the various defendants and cross-complainants hereinafter named, in the following amounts and from the dates and in the order of priority hereinafter stated each inch of water as hereinafter stated being the equivalent of one fiftieth of a cubic second footflow, said waters to be diverted from the said Weiser River and its tributaries by the plaintiffs and defendants and cross-complainants hereinafter named and through the ditches and from the various tributaries of the said Weiser River hereinafter named:

WATER ALLOTMENTS CONTAINING NAMES OF PARTIES, AMOUNTS ALLOTTED IN INCHES WITH DATES OF PRIORITY.

Names.	Amounts in Inches	Dates
Main Weiser River.		
Sunnyside Ditch.		
John T Muir and William H Muir	112 1/2	June 1, 1887 1000 29
George F Smith, John L Smith and Minnie B Smith and		67 000 000
Chester A Smith	62 1/2	June 1, 1887 67 000 002
Sunnyside Ditch Company	100	May 1, 1899 67 000 003
	436	May 1, 1900 67 000 004
Kelly Anderson Ditch.		
Anna Galloway Dickerson, Frances H Galloway, Guy Galloway, Catherine Galloway, J W Galloway and Thomas O Galloway, Jr.	70	June 1, 1889 67 000 005
J Newton and Bessie Wingfield	15	June 1, 1889 67 000 006
Weiser Mill Ditch.		
Weiser City Water Ditch & Irrigating Company	450	Sept. 1, 1880 67 000 007
Weiser Irrigation Ditch.		
Weiser Irrigation District	100	May 1, 1868 67 000 008
	1500	Aug. 29, 1883 67 000 009
	250	May 1, 1882 67 000 010
Weiser Irrigation District (Con)	250	May 1, 1888 67 000 011
	300	May 1, 1889 67 000 012
	200	May 1, 1890 67 000 013
	200	May 1, 1891 67 000 014
	150	May 1, 1892 67 000 015
	200	May 1, 1893 67 000 016
	150	May 1, 1894 67 000 017
	150	May 1, 1895 67 000 018
	150	May 1, 1896 67 000 019
	150	May 1, 1897 67 000 020
	250	May 1, 1898 67 000 021
	2000	May 1, 1899 67 000 022

from the said funds now in his hands and from the costs to be collected from the other parties in this case as herein provided; that the costs so taxed against the several parties are upon a total basis of twenty-two and seven tenths cents (22.7%) per miners inch and for each fraction of a miners inch of water herein allotted and decreed and as itemized in this decree and that there be paid out of the proceeds of said collection to be made by the Clerk from said parties the further sum of \$55.00 to pay the expenses of drafting these findings and this decree, as follows to wit:

NAMES.	INCHES.	AMT.	PD.	BAL. DUE	OVER PD.
John T Muir	113	\$25.65	\$25.50	.15	
Smiths et al	63	14.30	29.00		\$14.70
Sunnyside Ditch Co.	536	121.67	135.00		13.33
Anna Galloway et al	70	15.89	14.70	1.19	
Wingfields	15	3.41	3.15	.26	
Weiser Mill Ditch	450	102.15	100.00	2.15	
Weiser Irrigation Dist.		102.00			
Butterfield Live Stock Co.	45	45.00	45.00		
Middle Valley Irrigation Ditch Co.	2200	499.40	416.00	83.40	
Alexander Allison	122	27.69	25.62	2.07	
Joseph Allison	148	33.60	31.08	2.52	
Eugene Leoney	100	22.70	21.00	1.70	
Harry Coon	165	37.46	34.65	2.81	
B F Janes	10	2.27	2.10	.17	
Marion Smith	90	20.43	18.90	1.53	
Heire of R H Martin	90	20.43	18.90	1.53	
J Emmett Frost	125	28.38	20.00	8.38	
Grace Everest	25	5.68	5.25	.43	
Gouldie Abernathy	50	11.35	10.50	.85	
Fred Jewell	50	11.35	10.50	.85	
John A Frost	41	9.31	8.61	.70	
Mark Winkler	60	13.62	12.60	1.02	
Carrie Winkler	19	4.31	3.99	.32	
E Hinkle	82	18.61	17.22	1.39	
B A Moudy & E Hinkle	19	4.31		4.31	
George Gould	89	20.20	18.69	1.51	
Frank Hahn	190	43.13	40.00	3.13	
Isaac McMahan	27	6.13	5.67	.46	
Rollie A McMahan	36	8.17	7.56	.61	
Samuel E McMahan	23	5.22	4.83	.39	
Lester I McMahan	22	4.99	4.62	.37	
William M Glenn	45	10.22	9.45	.77	
George Robertson	35	7.95	7.35	.60	
Lillian G Spofford	45	10.22	9.45	.77	
Fruitvale Townsite Co	30	6.81		6.81	
Phillip Walston	8	1.82	2.00		.18
C E Cox	24	.67		.67	
A J. Freehafer and	25				

JUL 24 1996

Morey-Smith-Crouter Ditch.

Marion Smith	92	May 1, 1887	67	0490
W D Morey	162 1/2	May 1, 1887	67	0491
Mrs Margaret A Crouter	65	May 1, 1887	67	0492

Donart-Martin-Cox Ditch.

J E Donart	76	July 1, 1883	67	0493
Heirs of R H Martin, deceased	90	May 1, 1887	67	0494
Samuel A. Mentzer, sub for Riley Cox	94	May 1, 1887	67	0495
C E McDonald	56 High Water	34 Low water	July 2, 1892	67 0496

The said water allotted and decreed as aforesaid is for use upon the several tracts of land hereinafter set forth following the name of the party to whom such allotment is made.

John T Muir and William H Muir: The South West quarter of the North East quarter, the South East Quarter of the North West Quarter, and the North Half of the South West Quarter and the South East Quarter of the South West Quarter and Lots 2 and 3 all in Section 3 in Township 10 North of Range 4, West of the Boise Meridian, being 251 acres more or less, in area.

George F Smith, John L Smith and Minnie B Smith: The South East Quarter (SE 1/4) of the Northeast Quarter of Section 3; and the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section 2 township 10 North of Range 4 West of Boise Meridian, containing 80 acres of land. Also the following described tract of land.

Beginning at the Southwest corner of Lot 1, Section 3 Township 10 North of Range four (4) West of the Boise Meridian, and running thence North to the Middle of the main channel of the Weiser River; thence up the middle of the main channel of the Weiser River to a point on the north side line of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of Section 35, Township 11 North Range 4 West Boise Meridian, thence running East along said line to the Northeast corner of the said Northwest Quarter of the Southeast Quarter of said Section 35, thence running south to the south east corner of the Southwest Quarter of the Southeast Quarter of said Section 35, thence West to the Northeast corner of Lot 3 in Section 2 Township 10 North Range 4 West of the Boise Meridian, thence running South to the Southeast corner of said Lot 3, thence running West to the place of beginning this last described tract of land consisting of Lot One of Section Three and Lots three and four of Section Two Township Ten North and all that land lying and being situated south and east of the present course of the Weiser River in the West half of the Southeast Quarter and the East half of the Southwest Quarter of Section 35 in Township 11 North all of Range 4 West Boise Meridian containing a total acreage of two hundred and ninety acres more or less.

Sunnyside Ditch Company: All those lands lying west of the lands of the plaintiffs hereinbefore described and bounded on the south by the Sunnyside Ditch, on the north by the Weiser River and the Kelley-Anderson Ditch and extending westerly and bounded on the west by the north and south line between Sections 11 and 12 Township 10 North Range 5 West Boise Meridian, also the Northeast Quarter of Section 4, Township 11 North Range 5 West Boise Meridian, and the Southeast Quarter of the Southeast Quarter of Section 33 Township 11 North Range 5 West Boise Meridian.

WEISER RIVER PRIORITY SUIT.

WATER ALLOTMENTS AND DATES OF PRIORITY.

NAMES	AMOUNTS IN INCHES.	DATES.
SUNNYSIDE DITCH.		
John T. Muir and William H. Muir	112½	June 1, 1887
George F. Smith, John L. Smith and Minnie B. Smith	62½	" " "
Sunny Side Ditch Company	100	May 1, 1899
	436	" " 1900
KELLEY ANDERSON DITCH		
Anna Galloway Dickerson, Frances A. Galloway, Guy Galloway, Catherine Galloway, J. W. Galloway and Thomas C. Galloway Jr.	70	June 1, 1889
J. Newton and Bessie Wingfield	15	" " "
<i>Weaver Mill Ditch</i>	480	Sept 1, 1880
WEISER IRRIGATION DISTRICT	100	May 1, 1868
	1500	Aug 29, 1883
	250	May 1, 1887
	250	" " 1888
	300	" " 1889
	200	" " 1890
	200	" " 1891
	150	" " 1892
	200	" " 1893
	150	" " 1894
	150	" " 1895
	150	" " 1896
	150	" " 1897
	250	" " 1898
	2000	" " 1904
MIDDLE VALLEY DITCH COMPANY		
	1000	July 7, 1883
	700	Nov. 1, 1887
	500	May 1, 1889
ALLISON JEWELL DITCH		
Alexander Allison	68	July 4, 1882
	54	May 1, 1902
Joseph Allison	100	July 4, 1882
Eugene Looney	100	" " "
Harry Coon	165	" " "
SMITH-JANES-MARTIN DITCH		
B. F. Janes	10	July 4, 1886
Marion Smith	90	" " "
Heirs of R. H. Martin	90	" " "

JUL 24 1996