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 67-14568
Date Received: 11/12/2006
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LOST VALLEY RESERVOIR CO Phone: (208) 253-0260
C/O AMY SHUMWAY
2440 HWY 95
COUNCIL ID USA 83612

2. Date of Priority: 06/01/1938

3. Source: LOST CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
19N	01W	28	SE NW		ADAMS	

5. Description of diverting works:

Temporary flash boards in spillway used for Lost Creek Reservoir.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION STORAGE	01/01	12/31		835
IRRIGATION FROM STORAGE	03/15	10/31		835

7. Total Quantity Appropriated is:
835 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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

11. Place of use in counties:

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

13. Other Water Rights Used:

14. Remarks:

Place of use is within Adams and Washington counties on lands irrigated by shareholders of Lost Valley Reservoir Company.

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 Organizations:

I do solemnly swear or affirm that I am Secretary (Title) of Lost Valley Reservoir Co (Organization), that I have signed the foregoing document in the space below as Secretary (Title) of Lost Valley Reservoir Co (Organization) and that the statements contained in the foregoing document are true and correct.

Amy L. Shumway
Signature of Authorized Agent

Sec. Lost Valley Reservoir
Title and Organization

12/21/06
Date

State of Idaho)
) SS.
County of Adams)

Subscribed and sworn (or affirmed) before me this 21st of December 2006

Bonnie A Fisk
Notary Public

BONNIE A. FISK
Notary Public
State of Idaho

Residing at Council, Idaho

My commission Expires 11/21/09

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 67-14568
Date Received: 11/12/2006
Receipt No:
Received By:

RECEIVED
JAN 29 2007
DEPARTMENT OF
WATER RESOURCE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LOST VALLEY RESERVOIR CO Phone: (208) 253-0260
C/O AMY SHUMWAY
2440 HWY 95
COUNCIL ID USA 83612

2. Date of Priority: 06/01/1938

3. Source: LOST CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
19N	01W	28	SE NW	ADAMS	

5. Description of diverting works:

Temporary flash boards in spillway used for Lost Creek Reservoir.

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7. Total Quantity Appropriated is:
835 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED
JAN 29 2007

10. Place of use:

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

11. Place of use in counties:

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

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14. Remarks:

Place of use is within Adams and Washington counties on lands irrigated by shareholders of Lost Valley Reservoir Company.

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: _____

SCANNED
JAN 29 2007

RECEIVED
JAN 29 2007
DEPARTMENT OF
WATER RESOURCES

For Organizations:

I do solemnly swear or affirm that I am Amy Shumway of
Title
Lost Valley Reservoir, that I have signed the foregoing
Organization
document in the space below as Sec of
Title
Lost Valley Reservoir and that the statements contained in the
Organization
foregoing document are true and correct. Amy L. Shumway
Signature of Authorized Agent

Sec. Lost Valley Reservoir
Title and Organization

12/21/06
Date

State of Idaho)
) SS.
County of Adams)

Subscribed and sworn (or affirmed) before me this 21st
of December 2006

Bonnie A Fisk
Notary Public

BONNIE A. FISK
Notary Public
State of Idaho

Residing at Council, Idaho

My commission Expires 11/21/09

SCANNED
JAN 29 2007

****
*** TX REPORT ***
****

TRANSMISSION OK

TX/RX NO	4640
CONNECTION TEL	12082876700
CONNECTION ID	
ST. TIME	12/21 17:34
USAGE T	01'39
PGS.	4
RESULT	OK

usbank
Five Star Service Guaranteed

FACSIMILE TRANSMITTAL SHEET

TO:

FROM: Amy Shumway

COMPANY:

DATE: 12/21/06

FAX NUMBER: 287 6700

TOTAL NO. OF PAGES INCLUDING COVER: (4)

PHONE NUMBER:

RE:

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

RECEIVED
JAN 29 2007
DEPARTMENT OF
WATER RESOURCES

SCANNED
JAN 29 2007

a-
anita

Idaho Department of Water Resources Receipt

Receipt ID C082764

Payment Amount	$200.00	**Date Received**	12/5/2006 4:40:58 PM	**Region**	State	Status	
Payment Type	Check	**Check Number**	1130				

Payer LOST VALLEY RESERVOIR

Comment 67-14566 67-14567 67-14568

Fee Detail

Amount	Description	Fund	FD	PCA	SO
$200.00	ADJUDICATION FILING FEE	0337		41503	1155

AMB

Signature Line (Dept. Representative)

12/18/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-14568

NAME AND ADDRESS: LOST VALLEY RESERVOIR CO
C/O AMY SHUMWAY
2440 HWY 95
COUNCIL ID 83612

SOURCE: LOST CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 835.000 AFY

PRIORITY DATE: 06/01/1938

POINT OF DIVERSION:

T19N R01W S28 SENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01/01 12/31	835.00 AFY
IRRIGATION FROM STORAGE	03/15 10/31	835.00 AFY

PLACE OF USE:

Place of use is within Adams County and Washington County on lands irrigated by shareholders of Lost Valley Reservoir Company.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 67-00080A Adj. Flag Translation: Standard Water Right Number Old (D) Number -

Last Name / First Name / Address

*** C - CURRENT OWNER ***
ORCHARDS WATER CO.

1 -
2 -
3 -
City- State- Zip-
Phone -

Priority Date	Region	Stage	Status
09/11/1909	14	D - DECREED	

Source	Tributary
WEISER RIVER, MIDDLE FORK	WEISER RIVER

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION			67.060	

Total Div. Rate	Total Div. Volume	Total Div. Capacity
67.060		

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	01W	8	NE NE			01	IRRIGATION	3 ADAMS
15N	01W	8	NW NE			01	IRRIGATION	3 ADAMS
15N	01W	8	SW NE			01	IRRIGATION	3 ADAMS
15N	01W	8	SE NE			01	IRRIGATION	3 ADAMS
15N	01W	8	NE SW			01	IRRIGATION	3 ADAMS
15N	01W	8	NW SW			01	IRRIGATION	3 ADAMS
15N	01W	8	NE SE			01	IRRIGATION	3 ADAMS
15N	01W	8	NW SE			01	IRRIGATION	3 ADAMS
15N	01W	9	NW NW			01	IRRIGATION	3 ADAMS
15N	01W	9	SW NW			01	IRRIGATION	3 ADAMS
15N	01W	9	NE SW			01	IRRIGATION	3 ADAMS
15N	01W	9	NW SW			01	IRRIGATION	3 ADAMS
15N	01W	9	SW SW			01	IRRIGATION	3 ADAMS
15N	01W	9	SE SW			01	IRRIGATION	3 ADAMS
15N	01W	9	NE SE			01	IRRIGATION	3 ADAMS
15N	01W	9	NW SE			01	IRRIGATION	3 ADAMS
15N	01W	10	NE NE			01	IRRIGATION	3 ADAMS
15N	01W	10	NW NE			01	IRRIGATION	3 ADAMS
15N	01W	10	SW NE			01	IRRIGATION	3 ADAMS
15N	01W	10	SE NE			01	IRRIGATION	3 ADAMS
15N	01W	10	NE NW			01	IRRIGATION	3 ADAMS
15N	01W	10	NW NW			01	IRRIGATION	3 ADAMS

Water right number - 67-00080A Adj. flag translation: Standard Water Right Number

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	01W	10	SW NW			01	IRRIGATION	3 ADAMS
15N	01W	10	SE NW			01	IRRIGATION	3 ADAMS
15N	01W	14	NE SW			01	IRRIGATION	3 ADAMS
15N	01W	14	SE SW			01	IRRIGATION	3 ADAMS
15N	01W	15	NW NE			01	IRRIGATION	3 ADAMS
15N	01W	15	NE NW			01	IRRIGATION	3 ADAMS
15N	01W	15	NW NW			01	IRRIGATION	3 ADAMS
15N	01W	15	NE SW			01	IRRIGATION	3 ADAMS
15N	01W	15	NW SW			01	IRRIGATION	3 ADAMS
15N	01W	15	SW SW			01	IRRIGATION	3 ADAMS
15N	01W	15	SE SW			01	IRRIGATION	3 ADAMS
15N	01W	15	NE SE			01	IRRIGATION	3 ADAMS
15N	01W	16	NE NE			01	IRRIGATION	3 ADAMS
15N	01W	16	NW NE			01	IRRIGATION	3 ADAMS
15N	01W	16	NE NW			01	IRRIGATION	3 ADAMS
15N	01W	16	NW NW			01	IRRIGATION	3 ADAMS
15N	01W	16	NE SW			01	IRRIGATION	3 ADAMS
15N	01W	16	NW SW			01	IRRIGATION	3 ADAMS
15N	01W	16	SW SW			01	IRRIGATION	3 ADAMS
15N	01W	16	SE SW			01	IRRIGATION	3 ADAMS
15N	01W	17	NE NW			01	IRRIGATION	3 ADAMS
15N	01W	17	SW NW			01	IRRIGATION	3 ADAMS
15N	01W	17	SE NW			01	IRRIGATION	3 ADAMS
15N	01W	17	NE SW			01	IRRIGATION	3 ADAMS
15N	01W	17	SE SW			01	IRRIGATION	3 ADAMS
15N	01W	19	NW NE			01	IRRIGATION	3 ADAMS
15N	01W	19	SW NE			01	IRRIGATION	3 ADAMS
15N	01W	19	NW SE			01	IRRIGATION	3 ADAMS
15N	01W	19	SW SE			01	IRRIGATION	3 ADAMS
15N	01W	20	NE NE			01	IRRIGATION	3 ADAMS
15N	01W	20	NW NE			01	IRRIGATION	3 ADAMS
15N	01W	20	SW NE			01	IRRIGATION	3 ADAMS
15N	01W	20	SE NE			01	IRRIGATION	3 ADAMS
15N	01W	20	NE NW			01	IRRIGATION	3 ADAMS
15N	01W	20	NW NW			01	IRRIGATION	3 ADAMS
15N	01W	20	SW NW			01	IRRIGATION	3 ADAMS
15N	01W	20	SE NW			01	IRRIGATION	3 ADAMS
15N	01W	21	NE NE			01	IRRIGATION	3 ADAMS
15N	01W	21	NW NE			01	IRRIGATION	3 ADAMS
15N	01W	21	SW NE			01	IRRIGATION	3 ADAMS
15N	01W	21	SE NE			01	IRRIGATION	3 ADAMS
15N	01W	21	NE NW			01	IRRIGATION	3 ADAMS
15N	01W	21	NW NW			01	IRRIGATION	3 ADAMS
15N	01W	21	SW NW			01	IRRIGATION	3 ADAMS
15N	01W	21	SE NW			01	IRRIGATION	3 ADAMS
15N	01W	22	NE NE			01	IRRIGATION	3 ADAMS
15N	01W	22	NW NE			01	IRRIGATION	3 ADAMS
15N	01W	22	SW NE			01	IRRIGATION	3 ADAMS
15N	01W	22	SE NE			01	IRRIGATION	3 ADAMS

Water right number - 67-00080A Adj. flag translation: Standard Water Right Number

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	01W	22	NE NW			01	IRRIGATION	3 ADAMS
15N	01W	22	NW NW			01	IRRIGATION	3 ADAMS
15N	01W	22	SW NW			01	IRRIGATION	3 ADAMS
15N	01W	22	SE NW			01	IRRIGATION	3 ADAMS
15N	01W	23	NW NW			01	IRRIGATION	3 ADAMS
15N	01W	23	SW NW			01	IRRIGATION	3 ADAMS
15N	02W	14	NE SW			01	IRRIGATION	3 ADAMS
15N	02W	14	NW SW			01	IRRIGATION	3 ADAMS
15N	02W	14	SW SW			01	IRRIGATION	3 ADAMS
15N	02W	14	SE SW			01	IRRIGATION	3 ADAMS
15N	02W	15	NW NE			01	IRRIGATION	3 ADAMS
15N	02W	15	SW NE			01	IRRIGATION	3 ADAMS
15N	02W	15	SE NE			01	IRRIGATION	3 ADAMS
15N	02W	15	NE NW			01	IRRIGATION	3 ADAMS
15N	02W	15	NW NW			01	IRRIGATION	3 ADAMS
15N	02W	15	SW NW			01	IRRIGATION	3 ADAMS
15N	02W	15	SE NW			01	IRRIGATION	3 ADAMS
15N	02W	15	NE SW			01	IRRIGATION	3 ADAMS
15N	02W	22	NE NE			01	IRRIGATION	3 ADAMS
15N	02W	22	NW NE			01	IRRIGATION	3 ADAMS
15N	02W	22	SW NE			01	IRRIGATION	3 ADAMS
15N	02W	22	NE NW			01	IRRIGATION	3 ADAMS
15N	02W	23	NW NW			01	IRRIGATION	3 ADAMS

Total Acres:

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

No Remarks found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
JOHN T. MUIR	WILLIAM ALLISON	06/20/1921

Audit Fields -

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P

Water right number - 67-00080A Adj. flag translation: Standard Water Right Number

Water Rights Dates and Flags Area

Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 67
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 06/20/1921				

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 67-00080B Adj. Flag Translation: Standard Water Right Number Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER *** BACON VALLEY RANCHES INC.		1 - GOODRICH RT. 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-000-0000
*** O - ORIGINAL OWNER *** ORCHARDS WATER CO.		1 - 2 - 3 - City- State- ID Zip- Phone - 208-000-0000

Priority Date	Region	Stage	Status
09/11/1909	14	D - DECREED	

Source	Tributary
WEISER RIVER, MIDDLE FORK	WEISER RIVER

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
15N	02W	11	SE NW		(3)	ADAMS

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION			2.040	

Total Div. Rate	Total Div. Volume	Total Div. Capacity
2.040		

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	02W	15	SW NE		25.0	01	IRRIGATION	(3) ADAMS
15N	02W	15	NW NW		13.0	01	IRRIGATION	(3) ADAMS
15N	02W	15	SW NW		7.0	01	IRRIGATION	(3) ADAMS
15N	02W	15	SE NW		12.0	01	IRRIGATION	(3) ADAMS
15N	02W	15	NE SW		10.0	01	IRRIGATION	(3) ADAMS
15N	02W	15	NW SW		15.0	01	IRRIGATION	(3) ADAMS
15N	02W	15	NW SE		20.0	01	IRRIGATION	(3) ADAMS

Total Acres: 102.0

Diversion Means -

Non-Irrigation Use -

Water right number - 67-00080B   Adj. flag translation: Standard Water Right Number

+ - - Other Rights for Same Use -

+ - - - - - - - - - - Remarks - - - - - - - - - - +

No Remarks found.

+ - - - - - - - - - - Conditions of Approval - - - - - - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
JOHN T. MUIR	WILLIAM ALLISON	06/20/1921

+ - - Audit Fields -

+ - - - - - - - - - - Water Rights Dates and Flags Area - - - - - - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 67
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 06/20/1921				

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 67-00080 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

Last Name | First Name | Address

Priority Date: 00/00/0000 | Region: 14 | Stage | Status

Source | Tributary

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume

Total Div. Rate | Total Div. Volume | Total Div. Capacity

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County

Total Acres:

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

DECREE SPLIT INTO 67-0080A & 67-0080B.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff | Decree Defendant | Decree Date: 00/00/0000

Audit Fields -

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 04/08/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 67-00081 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

Last Name | First Name | Address

Priority Date: 00/00/0000 | Region: 14 | Stage | Status

Source | Tributary

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume

Total Div. Rate | Total Div. Volume | Total Div. Capacity

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County

Total Acres:

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

DECREE SPLIT INTO 67-0081A THRU 67-0081H.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff | Decree Defendant | Decree Date: 00/00/0000

Audit Fields -

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 04/08/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

Total AF
00081 A-H
6250 AF

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 67-00081A Adj. Flag Translation: Standard Water Right Number Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
BALL	EMMA	1 - 2 - 3 - City- MESA State- ID Zip- 83643 Phone -
*** O - ORIGINAL OWNER ***		
ORCHARDS WATER COMPANY		1 - 2 - 3 - City- State- Zip- Phone -

Priority Date	Region	Stage	Status
05/27/1910	14	D - DECREED	

Source	Tributary
LOST VALLEY RESERVOIR	

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
19N	01W	28	SE NW		(3)	ADAMS

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
03	IRRIGATION FROM STORAGE				2375.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity
	2375.00	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	02W	4	NW NW	4		03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	SW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	NW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	SW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	SE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	6	NE NE	1		03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	6	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	6	NE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	6	NW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	6	SW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS

Water right number - 67-00081A Adj. flag translation: Standard Water Right Number

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	02W	6	SE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	NE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	NW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	NE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	NE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	NW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	NE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	NW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	SW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	NW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	NE NW	3		03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	NW NW	4		03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	SW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	SE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	NW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	2	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	2	SE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	2	NE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	2	NW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	2	SW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	2	SE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	3	NE NE	1		03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	3	NW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	3	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	3	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	3	NE NW	3		03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	11	NW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	11	NE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	12	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	12	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	12	SW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	12	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	12	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	12	NW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	12	SW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	12	SE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	13	NW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	13	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS

Water right number - 67-00081A Adj. flag translation: Standard Water Right Number

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	03W	13	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	13	NE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	13	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	13	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	13	NW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	13	SW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	14	NE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	14	NW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	14	SW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	14	SE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	23	NE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	23	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	24	NE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	24	NW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	24	SW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	24	NW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	19	SE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	30	NE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	30	NW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	30	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	30	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	NE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	NW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	NE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	NW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	NW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	SW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	NW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	SW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	SE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	SW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Water right number - 67-00081A Adj. flag translation: Standard Water Right Number

Remarks

THIS WATER WILL BE CHARGED A 2.5% LOSS ON WATER RELEASED FROM THE RESERVOIR. NO MORE THAN 2375.0 AFA CAN BE USED IN ANY ONE SEASON BY THESE WATER USERS. SEE TRANSFER #2102 (67-0081A) FOR LIST OF SHAREHOLDERS AND VARIOUS POINTS OF REDIVERSION.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
JOHN T. MUIR	WILLIAM ALLISON	06/20/1921

Audit Fields -

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 67
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 06/20/1921				

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 67-00081D Adj. Flag Translation: Standard Water Right Number Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
BALL	EMMA	1 - 2 - 3 - City- MESA State- ID Zip- 83643 Phone -
*** O - ORIGINAL OWNER ***		
ORCHARDS WATER CO.		1 - 2 - 3 - City- State- Zip- Phone -

Priority Date	Region	Stage	Status
05/27/1910	14	D - DECREED	

Source: LOST VALLEY RESERVOIR

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
18N	01W	32	SW SE		R (3)	ADAMS
19N	01W	28	SE NW		(3)	ADAMS

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
03	IRRIGATION FROM STORAGE				10.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity
	10.00	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	9	SE NW		20.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	9	NE SW		40.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 60.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Water right number - 67-00081D Adj. flag translation: Standard Water Right Number

Remarks

THIS WATER PURCHASED BY LA DELL MERK AND WILL BE REDIVERTED FROM
THE WEST FORK OF THE WEISER WITH A 1% LOSS CHARGED ON STREAM
CHANNEL CONVEYANCE LOSS.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
JOHN T. MUIR	WILLIAM ALLISON	06/20/1921

Audit Fields -

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 67
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 06/20/1921				

TRANSFER NO.	NAME	AMOUNT	BALANCE	RIGHT NO.
	Amount decreed to Mesa Orchard Water Company 6250.			67-0081
2102	Emma Ball	2375 A. F.	3875	67-0081A
2191	Alvin L. &/or Betty J. Schnell	100 A. F.	3775	67-0081B
2206	Emma Ball (LaDell Merk)	10 A. F.	3765	67-0081D
2205	Emma Ball (John Higgins, Sr.)	45 A. F.	3720	67-0081C
2209	Emma Ball (Glenn D. Horning)	10 A. F.	3710	67-0081E
2099	Emma Ball (Sutton Ranches, Inc.)	1000 A. F.	2710	67-0081F
2179	Emma Ball (Ferrel Crossley)	100 A. F.	2610	67-0081G
	Orchards Water Co.	2610		67-0081 H
		6250 AF		

NOTE! The portion of Water Right No. 67-0081 owned by Emma Ball is 4040 acre-feet as shown by shares of capitol stock in Lost Valley Resevoir Company. Transfers No.'s 2102, 2091, 2205, 2206, and 2209 are portions of the 4040 acre-feet.

Transfer No. 7162

Application No. 67-0081

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and or the Place of Use

Name of applicant Emma Ball Phone 256-4171

Post office address Mesa, Idaho

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
   a. Decree to Orchards Water Co. (Name)
      in case of J. T. Muir vs William Allison
      dated 6/20/1921 in 7th Judicial (Name of court) county of Wash.
   b. License No. _____ issued by the Idaho Department of Water Resources
   c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant
   Purchased Water Right
3. Source of water Lost Cr. (lost Valley Res.) tributary to Weiser River
4. Date of priority 5/27/1910
5. Water is used for the following purposes:
   amount 4040 AF for Irr. purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   amount _____ for _____ purposes from _____ to _____
   (month/day – both dates inclusive)
6. Total amount of water under right: a. _____ cubic feet per second
   &/or
   b. 4040 acre feet per annum
7. Location of original point of diversion is SE ¼ of NW ¼ of Section 28
   Township 19N Range 1W, B.M., in Adams County
   Additional points of diversion, if any _____
8. Lands irrigated or place of use: See Attachment No 1

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

Remarks

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

(Signature of applicant)

Subscribed and sworn to before me this [illegible] day of [illegible], 19[illegible]

(Notary public)

My commission expires [illegible]

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 67-0081, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:
   1. A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works. 2. Use of water under this transfer is subject to control bt the watermaster of State Water District No. 67, Weiser River. 3. No more than 2375 acre-feet can be released in any one irrigation season. 4. 2.5% of the water released from storage is to be charged to stream channel convance losses.

Witness my hand this 15 day of November, 1977.

[signature]

FOR DEPARTMENT USE ONLY

Received by [illegible] Date 5-16-77

Prelim. check by RWH Fee 30.00

Receipted by [illegible] Date 5-17-77

Published in Adams County Leader

Pub. dates June 2 + 9, 1977

Watermaster recommendation requested on June 1, 1977 rec'd.

Protest filed by

Copies of protest forwarded by

Hearing held by Date

Recommended for approval denial by [illegible]

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 67-0081

T 2102 for 2375 AF

Owner	Shares	Point of Rediversion	Place of Use
Heiner	20	NW¼NW¼ Sec 21 T15N-R2W	NW¼SW¼ Sec 5 T14N-R2W
Jaeger	300	NW¼NW¼ Sec 21 T15N-R2W	NE¼NE¼, N½SE¼, S½NE¼, East 60 acres NE¼ Sec 13 T14N-R3W; SE¼NE¼, W½NE¼ E½NW¼ Sec 7 T14N-R2W
Barton	200	NW¼NW¼ Sec 6 T14N-R2W (Allison Ditch)	NE¼SE¼, SW¼SE¼, NE¼SW¼, SE¼SW¼, S½NE¼ Sec 1 T14N-R3W
Butts	300	NW¼NW¼ Sec 21 T15N-R2W	S½SE¼ Sec 32 T15N-R2W; Lot 4 Sec 4; Lot 1, 2, SE¼NE¼ Sec 5 T14N-R2W
Turnbull	140	NW¼NW¼ Sec 6 T14N-R2W (Allison Ditch)	SW¼, W½SE¼ Sec 12 T14N-R3W
Higgins	150	NW¼NW¼ Sec 21 T15N-R2W	SE¼ Sec 14; E½NE¼ Sec 23; N½NW¼ SW¼NW¼, NW¼SW¼ Sec 24 T14N-R3W
Volle	200	NW¼NW¼ Sec 21 T15N-R2W	SE¼ Sec 6; S½NW¼, N½SW¼, NW¼SE¼, SW¼NE¼, SW¼SW¼ Sec 5; NE¼NE¼ Sec 7 T14N-R2W; SE¼SE¼ Sec 19; NE¼ Sec 30 N½NE¼ Sec 31; NW¼NW¼ Sec 32 T15N-R2W
Scott	150	NE¼SE¼ Sec 2 T14N-R3W	SE¼, E½SW¼ Sec 2; NW¼NE¼ Sec 11 T14N-R3W
Dillion	15	NE¼SE¼ Sec 2 T14N-R3W	NE¼NW¼ Sec 11 T14N-R3W
Mink	300	NW¼NW¼ Sec 21 T15N-R2W	S½NW¼, S½NE¼ Sec 12 T14N-R3W; NW¼, S½NE¼ Sec 8; SE¼SW¼, SW¼SE¼ Sec 5 T14N-R2W
WX Ranch	150	NW¼NW¼ Sec 21 T15N-R2W	SE¼ Sec 7; SW¼ Sec 8 T14N-R2W
Leg	50	NW¼NW¼ Sec 21 T15N-R2W	S½SW¼ Sec 13 T14N-R3W
Leg Family	50	NW¼NW¼ Sec 21 T15N-R2W	S½SW¼ Sec 13 T14N-R3W
Rocking S Ranch		NW¼NW¼ Sec 21 T15N-R2W	NE¼SE¼, NW¼SE¼, SE¼NE¼, SW¼NE¼, NE¼SW¼, SE¼NW¼ Sec 31 T15N-R2W
Johnson	100	NW¼NW¼ Sec 21 T15N-R2W	S½NW¼, SW¼ Sec 32 T15N-R2W
Braun		NW¼NW¼ Sec 21 T15N-R2W	S½NW¼, SW¼ Sec 32 T15N-R2W
Bumgarner	100		Lot 3, South 10 acres of Lot 1, SE¼NE¼, W½NE¼ Sec 3 (150acres), Lots 3 & 4, S½NW¼ north of railroad (150acres) Sec 1 T14N-R3W

Dickerson	75	NW¼NW¼ Sec 21 T15N-R2W	No land description
Shaffer	25		Lots 3 & 4 Sec 5; Lot 1, SE¼NE¼ Sec 6 T14N-R2W
Bonzalet	50	NW¼NW¼ Sec 21 T15N-R2W	These shares go on some of the above described land.

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 67-00081B Adj. Flag Translation: Standard Water Right Number Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SCHNELL	ALVIN D.	1 - BOX 31 2 - 3 - BOX 31 City- MIDVALE State- ID Zip- 83645 Phone -
SCHNELL	BETTY J.	1 - BOX 31 2 - 3 - BOX 31 City- MIDVALE State- ID Zip- 83645 Phone -
*** O - ORIGINAL OWNER ***		
ORCHARDS WATER CO.		1 - 2 - 3 - City- State- Zip- Phone -

Priority Date	Region	Stage	Status
05/27/1910	14	D - DECREED	

Source: LOST VALLEY RESERVOIR

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
13N	03W	4	NW NW		(87)	WASHINGTON
13N	03W	5	SE NE		R (87)	WASHINGTON
13N	03W	5	SW SE		R (87)	WASHINGTON

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
03	IRRIGATION FROM STORAGE				100.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity
	100.00	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13N	03W	5	NE NE		3.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	5	SE NE		2.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	5	NE SW		1.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	5	NW SE		36.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	5	SW SE		13.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	5	SE SE		1.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	NW NW	3	3.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	4	SW NW	4	10.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON

Water right number - 67-00081B Adj. flag translation: Standard Water Right Number

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	03W	33	SW SW		4.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
14N	03W	33	SE SW		10.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON

Total Acres: 83.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

THIS WATER WILL BE PUMPED FROM THE NEW POINTS OF DIVERSION.
A 4% LOSS IS TO BE CHARGED AGAINST THE WATER DIVERTED.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff
JOHN T. MUIR

Decree Defendant
WILLIAM ALLISON

Decree Date
06/20/1921

Audit Fields -

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 67
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 06/20/1921				

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 67-00081C Adj. Flag Translation: Standard Water Right Number Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
BALL	EMMA	1 - 2 - 3 - City- MESA State- ID Zip- 83643 Phone -
*** O - ORIGINAL OWNER ***		
ORCHARDS WATER CO.		1 - 2 - 3 - City- State- Zip- Phone -

Priority Date	Region	Stage	Status
05/27/1910	14	D - DECREED	

Source: LOST VALLEY RESERVOIR

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
15N	02W	30	SE SE		R (3)	ADAMS
19N	01W	28	SE NW		(3)	ADAMS

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
03	IRRIGATION FROM STORAGE				45.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity
	45.00	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	02W	5	NE NW	3		03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	NW NW	4		03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	6	NE NE	1		03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	6	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres:

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Water right number - 67-00081C Adj. flag translation: Standard Water Right Number

Remarks

JOHN HIGGINS SR. IS THE NEW OWNER OF THIS WATER THAT IS TO BE DIVERTED INTO THE POST-WESTON DITCH. A 2.5% CONVEYANCE LOSS IS TO BE CHARGED AGAINST THIS WATER.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
JOHN T. MUIR	WILLIAM ALLISON	06/20/1921

Audit Fields -

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 67
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 06/20/1921				

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 67-00081E Adj. Flag Translation: Standard Water Right Number Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER *** BALL	EMMA	1 - 2 - 3 - City- MESA State- ID Zip- 83643 Phone -
*** O - ORIGINAL OWNER *** ORCHARDS WATER CO.		1 - 2 - 3 - City- State- Zip- Phone -

Priority Date	Region	Stage	Status
05/27/1910	14	D - DECREED	

Source: LOST VALLEY RESERVOIR Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
13N	03W	17	SE NW		R	(3) ADAMS
19N	01W	28	SE NW			(3) ADAMS

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
03	IRRIGATION FROM STORAGE				10.00

Total Div. Rate: Total Div. Volume: 10.00 Total Div. Capacity:

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13N	03W	17	SW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
13N	03W	18	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres:

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Water right number - 67-00081E Adj. flag translation: Standard Water Right Number

Remarks

D. HORNING IS THE OWNER OF THIS WATER. IT IS TO BE PUMPED FROM THE WEISER RIVER. 3% OF THE 10 AF RELEASED FROM STORAGE SHALL BE CHARGED TO STREAM CHANNEL CONVEYANCE LOSS.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
JOHN T. MUIR	WILLIAM ALLISON	06/20/1921

Audit Fields

Water Rights Dates and Flags Area

Proof Due Date	00/00/0000	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	00/00/0000	Protested Date	00/00/0000	Swan Falls	-
Proof Made Date	00/00/0000	Hearing Date	00/00/0000	Temporary Right	P
Start Work Date	00/00/0000	Verified Date	00/00/0000	DLE/Carey Act	-
Order Show Cause	00/00/0000	Receipt Number	-	Water District	67
Licensed Date	00/00/0000	Appl Received	00/00/0000	Transfer/Amended	P
Decree Date	06/20/1921				

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 67-00081F Adj. Flag Translation: Standard Water Right Number Old (D) Number -

*** C - CURRENT OWNER ***
BALL EMMA
1 -
2 -
3 -
City- MESA State- ID Zip- 83643
Phone -

*** O - ORIGINAL OWNER ***
ORCHARDS WATER CO.
1 -
2 -
3 -
City- State- Zip-
Phone -

Priority Date: 05/27/1910
Region: 14
Stage: D - DECREED
Status:

Source: LOST VALLEY RESERVOIR
Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
14N	03W	22	SE SW		R (87)	WASHINGTON
14N	03W	22	SW SE		R (87)	WASHINGTON
14N	03W	34	SW SE		R (87)	WASHINGTON
19N	01W	28	SE NW		(87)	WASHINGTON

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
03	IRRIGATION FROM STORAGE				1000.00

Total Div. Rate:
Total Div. Volume: 1000.00
Total Div. Capacity:

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13N	03W	3	NE NE	1	40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	3	NW NE	2	40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	3	SW NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	3	SE NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	3	SW SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	3	SE SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	3	NE SE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	3	NW SE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	10	NE NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	10	NW NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	10	SW NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	10	SE NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON

Water right number - 67-00081F Adj. flag translation: Standard Water Right Number

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13N	03W	10	SE NW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	10	NE SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	10	NW SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	10	NE SE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	11	NW SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	11	SW SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	14	NW NW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	14	SW NW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	15	NE NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	15	NW NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	15	SW NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	15	SE NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	15	NE NW		20.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	15	NW NW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	15	NE SE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	15	NW SE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	16	NE NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON

Total Acres: 1140.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

THIS WATER USED BY SUTTON RANCHES. RELEASED DOWN LOST CREEK TO THE WEISER AND REDIVERTED. 3% OF THE 1000 AF RELEASED FROM STORAGE SHALL BE CHARGED TO STREAM CHANNEL CONVEYANCE LOSS.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
JOHN T. MUIR	WILLIAM ALLISON	06/20/1921

Audit Fields -

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 67
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 06/20/1921				

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 67-00081G Adj. Flag Translation: Standard Water Right Number Old (D) Number -

*** C - CURRENT OWNER ***
BALL EMMA
1 -
2 -
3 -
City- MESA State- ID Zip- 83643
Phone -

*** O - ORIGINAL OWNER ***
ORCHARDS WATER CO.
1 -
2 -
3 -
City- State- Zip-
Phone -

Priority Date: 05/27/1910
Region: 14
Stage: D - DECREED
Status:

Source: LOST VALLEY RESERVOIR
Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
15N	02W	1	SE NW		R (3)	ADAMS
15N	02W	11	NE NE		R (3)	ADAMS
15N	02W	11	SE NW		R (3)	ADAMS
15N	02W	12	NE NW		R (3)	ADAMS
19N	01W	28	SE NW		(3)	ADAMS

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
03	IRRIGATION FROM STORAGE			100.00	

Total Div. Rate:
Total Div. Volume: 100.00
Total Div. Capacity:

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	02W	1	SE NW		6.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	1	NE SW		6.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	1	SW SW		3.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	1	SE SW		4.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	10	NE SE		3.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	10	SW SE		10.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	10	SE SE		5.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	11	NE NE		5.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	11	NW NE		6.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	11	SW NW		8.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	11	SE NW		10.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Water right number - 67-00081G Adj. flag translation: Standard Water Right Number

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	02W	12	NE NW		4.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	12	NW NW		4.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	15	NE NE		2.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	15	NW NE		8.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	15	NE NW		8.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	15	NW NW		9.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	15	SW NW		6.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	15	SE NW		4.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	15	NE SW		9.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	15	NW SW		8.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	16	NE NE		4.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	16	SE NE		8.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	16	NE SE		10.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	16	NW SE		4.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	16	SW SE		8.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	16	SE SE		5.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 167.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

WATER GOES TO BACON VALLEY RANCHES. WATER RELEASED FROM STORAGE CONVEYED DOWN LOST CREEK TO WEISER RIVER TO PLACE OF USE. 2% OF THE 100 AF RELEASED FROM STORAGE SHALL BE CHARGED TO STREAM CHANNEL CONVEYANCE LOSS.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
JOHN T. MUIR	WILLIAM ALLISON	06/20/1921

Audit Fields -

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 67
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 06/20/1921				

Water Right Number - 67-00081H Adj. Flag Translation: Standard Water Right Number Old (D) Number -

Last Name

*** C - CURRENT OWNER ***
ORCHARDS WATER COMPANY

First Name

Address

1 -
2 -
3 -
City- State- Zip-
Phone -

Priority Date	Region	Stage	Status
05/27/1910	14	D - DECREED	

Source: LOST CREEK STORAGE

Tributary

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION				2610.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity
	2610.00	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
15N	01W	8	NE NE			01	IRRIGATION	3	ADAMS
15N	01W	8	NW NE			01	IRRIGATION	3	ADAMS
15N	01W	8	SW NE			01	IRRIGATION	3	ADAMS
15N	01W	8	SE NE			01	IRRIGATION	3	ADAMS
15N	01W	8	NE SW			01	IRRIGATION	3	ADAMS
15N	01W	8	NW SW			01	IRRIGATION	3	ADAMS
15N	01W	8	NE SE			01	IRRIGATION	3	ADAMS
15N	01W	8	NW SE			01	IRRIGATION	3	ADAMS
15N	01W	9	NW NW			01	IRRIGATION	3	ADAMS
15N	01W	9	SW NW			01	IRRIGATION	3	ADAMS
15N	01W	9	SE NW			01	IRRIGATION	3	ADAMS
15N	01W	9	NE SW			01	IRRIGATION	3	ADAMS
15N	01W	9	NW SW			01	IRRIGATION	3	ADAMS
15N	01W	9	SW SW			01	IRRIGATION	3	ADAMS
15N	01W	9	SE SW			01	IRRIGATION	3	ADAMS
15N	01W	9	SE SW			01	IRRIGATION	3	ADAMS
15N	01W	10	SW SW			01	IRRIGATION	3	ADAMS
15N	01W	10	SE SW			01	IRRIGATION	3	ADAMS
15N	01W	10	SW SE			01	IRRIGATION	3	ADAMS
15N	01W	14	NE SW			01	IRRIGATION	3	ADAMS
15N	01W	14	SE SW			01	IRRIGATION	3	ADAMS
15N	01W	15	NW NE			01	IRRIGATION	3	ADAMS

Water right number - 67-00081H Adj. flag translation: Standard Water Right Number

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	01W	15	NE NW			01	IRRIGATION	3 ADAMS
15N	01W	15	NW NW			01	IRRIGATION	3 ADAMS
15N	01W	16	NE NE			01	IRRIGATION	3 ADAMS
15N	01W	16	NW NE			01	IRRIGATION	3 ADAMS
15N	01W	16	NE NW			01	IRRIGATION	3 ADAMS
15N	01W	16	NW NW			01	IRRIGATION	3 ADAMS
15N	01W	17	NE NW			01	IRRIGATION	3 ADAMS
15N	01W	17	SW NW			01	IRRIGATION	3 ADAMS
15N	01W	17	SE NW			01	IRRIGATION	3 ADAMS
15N	01W	17	NE SW			01	IRRIGATION	3 ADAMS
15N	01W	17	SE SW			01	IRRIGATION	3 ADAMS
15N	01W	19	NW NE			01	IRRIGATION	3 ADAMS
15N	01W	19	SW NE			01	IRRIGATION	3 ADAMS
15N	01W	19	NW SE			01	IRRIGATION	3 ADAMS
15N	01W	19	SW SE			01	IRRIGATION	3 ADAMS
15N	01W	20	NE NE			01	IRRIGATION	3 ADAMS
15N	01W	20	NW NE			01	IRRIGATION	3 ADAMS
15N	01W	20	SW NE			01	IRRIGATION	3 ADAMS
15N	01W	20	SE NE			01	IRRIGATION	3 ADAMS
15N	01W	20	NE NW			01	IRRIGATION	3 ADAMS
15N	01W	20	NW NW			01	IRRIGATION	3 ADAMS
15N	01W	20	SW NW			01	IRRIGATION	3 ADAMS
15N	01W	20	SE NW			01	IRRIGATION	3 ADAMS
15N	01W	21	NE NE			01	IRRIGATION	3 ADAMS
15N	01W	21	NW NE			01	IRRIGATION	3 ADAMS
15N	01W	21	SW NE			01	IRRIGATION	3 ADAMS
15N	01W	21	SE NE			01	IRRIGATION	3 ADAMS
15N	01W	21	NE NW			01	IRRIGATION	3 ADAMS
15N	01W	21	NW NW			01	IRRIGATION	3 ADAMS
15N	01W	21	SW NW			01	IRRIGATION	3 ADAMS
15N	01W	21	SE NW			01	IRRIGATION	3 ADAMS
15N	01W	22	NE NE			01	IRRIGATION	3 ADAMS
15N	01W	22	NW NE			01	IRRIGATION	3 ADAMS
15N	01W	22	SW NE			01	IRRIGATION	3 ADAMS
15N	01W	22	SE NE			01	IRRIGATION	3 ADAMS
15N	01W	22	NE NW			01	IRRIGATION	3 ADAMS
15N	01W	22	NW NW			01	IRRIGATION	3 ADAMS
15N	01W	22	SW NW			01	IRRIGATION	3 ADAMS
15N	01W	22	SE NW			01	IRRIGATION	3 ADAMS
15N	01W	23	NW NW			01	IRRIGATION	3 ADAMS
15N	01W	23	SW NW			01	IRRIGATION	3 ADAMS
15N	02W	14	NE SW			01	IRRIGATION	3 ADAMS
15N	02W	14	NW SW			01	IRRIGATION	3 ADAMS
15N	02W	14	SW SW			01	IRRIGATION	3 ADAMS
15N	02W	14	SE SW			01	IRRIGATION	3 ADAMS
15N	02W	15	NW NE			01	IRRIGATION	3 ADAMS
15N	02W	15	SW NE			01	IRRIGATION	3 ADAMS
15N	02W	15	SE NE			01	IRRIGATION	3 ADAMS
15N	02W	15	NE NW			01	IRRIGATION	3 ADAMS

Water right number - 67-00081H Adj. flag translation: Standard Water Right Number

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	02W	15	NW NW			01	IRRIGATION	3 ADAMS
15N	02W	15	SW NW			01	IRRIGATION	3 ADAMS
15N	02W	15	SE NW			01	IRRIGATION	3 ADAMS
15N	02W	15	NE SW			01	IRRIGATION	3 ADAMS
15N	02W	22	NE NE			01	IRRIGATION	3 ADAMS
15N	02W	22	NW NE			01	IRRIGATION	3 ADAMS
15N	02W	22	SW NE			01	IRRIGATION	3 ADAMS
15N	02W	22	NE NW			01	IRRIGATION	3 ADAMS
15N	02W	23	NW NW			01	IRRIGATION	3 ADAMS

Total Acres:

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

RESERVOIR WATER RELEASED TO REPLACE WATER TAKEN FROM MIDDLE FORK OF WEISER RIVER.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
JOHN T. MUIR	WILLIAM ALLISON	06/20/1921

Audit Fields -

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 67
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- P
Decree Date	- 06/20/1921				

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
2102	Emma Ball	2375	1665	67-0081

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APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 67-0081

Owner	Shares	Point of Rediversion	Place of Use
Heiner	20	NW¼NW¼ Sec 21 T15N-R2W	NW¼SW¼ Sec 5 T14N-R2W
Jaeger	300	NW¼NW¼ Sec 21 T15N-R2W	NW¼NE¼, N½SE¼, S½NE¼, East 60 acres NW¼ Sec 13 T14N-R3W; SE¼NE¼, W½NE¼ E½NW¼ Sec 7 T14N-R2W
Barton	200	NW¼NW¼ Sec 6 T14N-R2W (Allison Ditch)	NW¼SE¼, SW¼SE¼, NE¼SW¼, SE¼SW¼, SW¼NE¼ Sec 1 T14N-R3W
Butts	300	NW¼NW¼ Sec 21 T15N-R2W	S½SE¼ Sec 32 T15N-R2W; Lot 4 Sec 4; Lot 1, 2, SE¼NE¼ Sec 5 T14N-R2W
Turnbull	140	NW¼NW¼ Sec 6 T14N-R2W (Allison Ditch)	SW¼, W½SE¼ Sec 12 T14N-R3W
Higgins	150	NW¼NW¼ Sec 21 T15N-R2W	SE¼ Sec 14; E½NE¼ Sec 23; N½NW¼ SW¼NW¼, NW¼SW¼ Sec 24 T14N-R3W
Volle	200	NW¼NW¼ Sec 21 T15N-R2W	SE¼ Sec 6; S½NW¼, N½SW¼, NW¼SE¼, SW¼NE¼, SW¼SW¼ Sec 5; NE¼NE¼ Sec 7 T14N-R2W; SE¼SE¼ Sec 19; NE¼ Sec 30 N½NE¼ Sec 31; NW¼NW¼ Sec 32 T15N-R2W
Scott	150	NE¼SE¼ Sec 2 T14N-R3W	SE¼, E½SW¼ Sec 2; NW¼NE¼ Sec 11 T14N-R3W
Dillion	15	NE¼SE¼ Sec 2 T14N-R3W	NE¼NW¼ Sec 11 T14N-R3W
Mink	300	NW¼NW¼ Sec 21 T15N-R2W	S½NW¼, S½NE¼ Sec 12 T14N-R3W; NW¼, S½NE¼ Sec 8; SE¼SW¼, SW¼SE¼ Sec 5 T14N-R2W
WX Ranch	150	NW¼NW¼ Sec 21 T15N-R2W	SE¼ Sec 7; SW¼ Sec 8 T14N-R2W
Leg	50	NW¼NW¼ Sec 21 T15N-R2W	S½SW¼ Sec 13 T14N-R3W
Leg Family	50	NW¼NW¼ Sec 21 T15N-R2W	N½SW¼ Sec 13 T14N-R3W
Rocking S Ranch		NW¼NW¼ Sec 21 T15N-R2W	NE¼SE¼, NW¼SE¼, SE¼NE¼, SW¼NE¼, NE¼SW¼, SE¼NW¼ Sec 31 T15N-R2W
Johnson	100	NW¼NW¼ Sec 21 T15N-R2W	S½NW¼, SW¼ Sec 32 T15N-R2W
Braun		NW¼NW¼ Sec 21 T15N-R2W	S½NW¼, SW¼ Sec 32 T15N-R2W
Bumgarner	100		Lot 3, South 10 acres of Lot 1, SE¼NE¼, W½NE¼ Sec 3 (150acres), Lots 3 & 4, S½NW¼ north of railroad (150acres) Sec 1 T14N-R3W

Dickerson	75	NW¼NW¼ Sec 21 T15N-R2W	No land description
Shaffer	25		Lots 3 & 4 Sec 5, Lot 1, SE¼NE¼ Sec 6 T14N-R2W
Bonzalet	50	NW¼NW¼ Sec 21 T15N-R2W	These shares go on some of the above described land.

WR0728NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

06/22/89 07:53:19
Page 1

old # 5270

Flow Right

Water Right Number - 67-02039 Adj. Flag Translation: Standard Water Right Number Old (D) Number - 5270

Last Name	First Name	Address
*** C - CURRENT OWNER *** MESA ORCHARDS CO.		1 - 2 - 3 - City- State- Zip- Phone -
*** O - ORIGINAL OWNER *** ALLISON	J. J.	1 - 2 - 3 - City- State- Zip- Phone -

Priority Date	Region	Stage	Status
00/00/0000 August 12, 1909	14		

Source | Tributary

Twn	Rng	Sec	Tract	Lot	RFlg	County

Point of Diversion

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume

Water Use

Total Div. Rate	Total Div. Volume	Total Div. Capacity
39 cfs		

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County

Place of Use

Total Acres:

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

SUPERCEDED BY DECREE; TRANS. #378, SEE RIGHT NO. 67-0080.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Decree June 20, 1921 67-00080 ?
Permit August 12, 1909
Licensed May 10, 1922
Transfer #378

Water right number - 67-02039 Adj. flag translation: Standard Water Right Number

+ - - Audit Fields -

+ - Water Rights Dates and Flags Area - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 06/03/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

4/79

IDAHO DEPARTMENT OF WATER RESOURCES
INVENTORY WORKSHEET – DAMS

FORM NO. 1

Identification No. D 67 - 2053

Name of Dam LØST VALLEY

County ADAMS

River or Stream LØST CREEK

Purpose L (Specify if other)

Location Sec 28 Twnshp 19N Range 01W SE¼ NW¼ - MAP S7 - TAMARACK

FORM NO. 2

Name of Owner LØST VALLEY RESERVØIR CØ

Owner's Phone No. 253 - 4751 (Alternate phone no.)

Address Line 1 C/Ø MRS MARGARET MERK, SEC

FORM NO. 3

Address Line 2

Address Line 3 City FRUITVALE State ID Zip Code 83620

FORM NO. 4

Type of Dam EARTH (Other dam types)

Storage Capacity (ac-ft) , 7 , 100 9610 W/FLASHBOARDS

Height of Dam (ft) 24.0 28 FT W/FLASHBOARDS

DUPLICATE COPY

ABSTRACT OF PERMITS FOR RESA, ORCHARDA

Permit No. 4160
Applicant: J. J. Allison
Amount: 10 acre ft.
Stream: Lost Creek
Date Issued: Wed. Aug. 24, 1966

none

(CONTINUED)

Permit No. 6505 67-2053
Applicant: Weiser Valley Land & Water Co. An interest in this permit was transferred to Orchards Water Co. Oct. 21, 1913.
Amount claimed - 125 sec.ft.
Stream: Lost Creek
Application filed May 27, 1910
Proof of completion of works made by Orchards Water Co. August 24,1915, and certificate of completion of works issued.
Proof of beneficial use of water made by Orchards Water Co. Aug. 23, 1921, License for [illegible] sec.ft. issued May 10, 1922.

(IN GOOD STANDING)

Permit No. 6504 none
Applicant: E. S. Peirce
Transferred to Weiser Valley Land & Water Co. Sept. 24,1910.
Amount : 200 sec.ft.
Stream: Lost Creek Branch of Weiser River
Application filed May 28, 1910
Permit lapsed August 24, 1915, thru failure of holder to make required proof

(CANCELLED NOV. 28, 1922, UNDER PROVISIONS SEC. 5594, C.S.of Idaho)

Permit No. 9921 none
Applicant: D. W. Van Hoesen
Amount: 250 sec.ft. and 40,000 ac.ft. to be stored in Lost Valley Reservoir
Stream: Lost Creek
Application filed October 20, 1913
Permit lapsed January 20, 1919, thru failure of holder to make required proof

(SUBJECT TO CANCELLATION)

Reservoir Permit #5 none
Applicant: D. W. Van Hoesen
Amount: 35,000 ac.ft. (To be stored in Lost Valley Reservoir)
Stream: Lost Creek (Trib. to Weiser River)

(THIS PERMIT WAS RELINQUISHED TO THE STATE FEB. 3,1921)

Use Permit #12009 none
Applicant: D. W. Van Hoesen
Amount: 200 sec.ft. to be taken from Lost Valley Reservoir, under Reservoir Permit #5, above stated.
Application filed February 1,1914.
(This PERMIT WAS ALSO RELINQUISHED TO THE STATE FEB. 3, 1921)

Permit No.12570 none
Applicant: W. G. Swendsen - Transferred to D. W. Van Hoesen Nov. 8,1918.
Amount: 120 sec.ft. to be taken from Lost Valley Reservoir.
Application filed Feb. 21,1918.
Permit lapsed May 24, 1923, thru failure to make proof and permit cancelled.

(CANCELLED)

5270

Reservoir Permit No. 1[illegible] none
Applicant: W. C. Swendsen
Transferred to D. W. Van Hoesen Nov. 8, 1918
Amount: 30,000 ac.ft.
Stream: Lost Creek (CANCELLED)
Application filed February 21, 1918
Required bond filed under Use Permit #15570
Permit lapsed May 24, 1925, and has been cancelled.

Reservoir Permit No. 240 none
Applicant: D. W. Van Hoesen
Amount: 30,000 ac. ft.
Stream: Lost Creek
Application filed May 17, 1920
Required bond filed under Use Permit #14888 (See below)
One-fifth of work required by February 24,1925
Completion of work required by August 24, 1925.

(PERMIT IN GOOD STANDING ON RECORD BOOKS)

USE Permit #14888 none
Applicant: D. W. Van Hoesen
Amount: 120 sec.ft. from Lost Valley Res[illegible]oir (See Res. Permit #240 above)
Application filed May 17, 1920
Required bond filed October 19,1920
One-fifth of work required by February 24, 1925
Completion of work required by August 24, 1925.
(PERMIT IN GOOD STANDING ON RECORD BOOKS)

APPLICATION FOR PERMIT 67-2039

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: J.J.Allison

Postoffice address: 1004 Thatcher St. Boise

County: Ada State: Idaho

67-2039

2. The quantity of water claimed is 70 cubic feet per second

3. Source of water supply: Middle Fork of Weiser River

County of Washington

4. Location of point of diversion: N.19° 30' E. 2060 ft. from the 1/4 section Cor. S. of Sec. 8 T. 15 N.R. 1 E. in NW¼ SE¼ Sec. 8. T. 15 N.R. 1 E.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 5,660 acres

(b) In the following legal subdivisions: See list of lands within

6. Estimated cost of works: $75,000.00

7. Description of works for diversion:

I. Kind of works: Flume, ditch and pipe line

II. Dimensions of works:

(a) Size of headgate: Width (2) 3 ft each foot, height 2½ feet.

(d) Conduit ditch, width at bottom 9 foot, width at water line 14 foot, depth of water 2½ feet, flume 4 ft wide, 3 ft deep. Diameter of pipe: 40 inches. Average grade per mile is 4 foot. Length of conduit is 5½ miles, and it crosses the following quarter sections: See inside list of quarter sections crossed by diversion line and laterals, to land described in 5 I (b) above which is the point of intended use.

8. The time required for the completion of the construction of such work is 5 years.

9. Time required for the complete application of the water to the proposed use is 4 additional years.

BE IT KNOWN, That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

J.J.Allison,

Applicant.

Remarks:

List of lands.

T. 15 N.R. 1 W.

E½ SW¼ Sec. 14,

SW¼ NW¼ Sec. 23 & 20 acres W½ SW¼ NW¼ Sec. 23

All of Sec. 22,

S½ Sec. 10, Also N½ NW¼, S NW¼ NE¼ Sec. 15

S½ SW¼ Sec. 10, & SW¼ SE¼ Sec. 10

N½ Sec. 21 & 20 acres E½ NW¼ SE¼ Sec. 21

S½ Sec. 16, & N½ NE¼ & N½ NW¼ Sec. 16

SW¼ Sec. 9, & S½ SE¼ & W½ NW¼ Sec. 9

E½ Sec. 8, and N½ SW¼ Sec. 8,

E½ Sec. 17, SW¼ Sec. 17, S½ NW¼ Sec. 17, & NE¼ NW¼ Sec. 17

All of Sec. 20

W½ Sec. 19 SE¼ Sec. 19 & W½ NE¼ Sec. 19

T. 15 N.R. 2 W.

W½ SW¼ Sec. 14, NE¼ SW¼ Sec. 14, & 20 acres W½ SE¼ SW¼ Sec. 14

NW¼ NW¼ Sec. 23

N½ NE¼ Sec. 22, & 20 acres N½ SW¼ NE¼ Sec. 22, NE¼ NW¼ Sec. 22

S½ Sec. 15, NW¼ Sec. 15, S½ NE¼ & 20 acres S½ NW¼ NE¼ Sec. 15.

The diversion line crosses the SE¼ &SW¼ of Sec. 8, NW¼ 17, NE¼ Sec. 18, SE¼ & SW¼ Sec. 7, T. 15 N.R. 1 E., also SE¼ Sec. 12, NE¼ NW¼ & SW¼ Sec. 13, NE¼ SE¼ & SW¼ Sec.14, and the NW¼ Sec. 23, T. 15 N.R. 1 W.

The north lateral of the east division crosses the NW¼ Sec. 23, SW¼ Sec. 14, SE¼, NE¼ & NW¼ Sec. 15, NE¼,SE¼ & SW¼ Sec. 16 , and the SE¼ Sec. 17, all in T. 15 N.R. 1 W.

The branch from the north lateral crosses the NE¼ & NW¼ of Sec. 15, NE¼ Sec. 16, SW¼ SE¼ Sec. 9, SE¼ & NE¼ Sec. 8, T. 15 N.R. 1 W.

The south lateral from the east division crosses the NW¼ Sec. 23, NE¼,SE¼ & SW¼ Sec. 22, SE¼,SW¼ & NW¼ Sec. 21, NW¼ Sec. 28, and the NE¼ Sec. 29, SE¼ & SW¼ Sec. 20, SE¼ & SW¼ Sec. 19. T. 15 N.R. 1 W.

The north lateral of the west division crosses the SE¼,SW¼ & NW¼ of Sec. 14, NE¼ & NW¼ Sec. 15, T. 15 N.R. 2 W.

The south lateral of the west division crosses the SE¼ & SW¼ of Sec. 14, SE¼ Sec. 14, NE¼ & NW¼ of sec. 23, the NE¼ & NW¼ of Sec. 22, allin T. 15 N.R. 2 W.

APPROVAL OF STATE ENGINEER

The number of this permit is 5270

Date of first receipt of application: 9.00 a.m. August 12,1909

Returned to applicant for correction: September 11,1909

Corrected application received: October 5,1909

Recorded in Book 15. Page 5270. Approved October 6,1909

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same subject to the following limitations and conditions:

Good and sufficient bond to be filed in the sum of $1,000 on or before December 4,1909

One-fifth of the work above specified to be completed on or before April 5, 1912.
The whole of said work to be completed on or before October 5, 1914.
The time for proof of beneficial use of water appropriated in accordance herewith extended to October 5, 1918.

Witness my hand this fifth day of October, 1909.

Jas. Stephenson, Jr.,
State Engineer.

O--------O

Hon. James Stephenson, Jr.,
State Engineer,
Boise, Idaho.

Dear Sir:-

On August 12th, 1909, I filed in your office Application No. 7276 for seventy (70) cubic feet per second of the waters of the Middle Fork of the Weiser River and designated the point of diversion as North 18° 30' East 2,060 feet from the quarter corner of south line of Section 8, in Twp. 15 N. Range 1 E., and thereafter and on the 5th day of October 1909 said application was approved by your office, and Permit No. 5270 issued to me, based on said application.

I now find that it is impracticable to divert the waters of said Creek at the point designated in said Permit and in said Application, and that the only practicable place for diverting said water is in the SE¼ of the NW¼ of Sec. 9 at a point North 33° 45' East 3,500 feet from the south-west corner of said Sec. 9, Twp. 15 N., Range 1 E.

I attach hereto a blue print of the ditch now partially constructed and by means of which I, and my successors in interest, expect to divert the water of the Middle Fork of Weiser River under said application and permit. Said ditch is now partially completed, and we think will be entirely completed by the 15th of June, 1910.

I find that there are no ditches whatever diverting water between the point of diversion in my application and the point of diversion of the ditch now being constructed and shown on the accompanying map.

I, therefore, pray that my said application and permit be amended by changing the point of diversion as hereinbefore stated, as no one will be injured by such change, and would request that notice from your office advising me that such change of the point of diversion will be approved by your office, be sent to my attorneys, Messrs. Richards, & Haga, of Boise. Idaho.

Dated at Boise, Idaho, this 4th day of February, 1910.

Respectfully,
J. J. Allison.

APPROVED
Date Feb. 8th, 1910.
Jas. Stephenson, Jr.,
State Engineer.

Received and filed for record in the office of the State Engineer at Boise, Idaho at 2 P.M., February 8, 1910.

Jas. Stephenson, Jr.,
State Engineer.

5270

To the Honorable the State Engineer of the
State of Idaho.
Boise, Idaho.

Sir:-

Your petitioner, the Weiser Valley Land & Water Company, respectfully submits that it desires to irrigate under permit No. 5270, issued to J. J. Allison, and by him conveyed to your petitioner as shown by the records of your office, the following described lands in addition to the lands described in said Permit, to-wit; The S½ of the NE¼ of Section 15, and the S½ of the NE¼ of Section 16, Township 15 North, Range 1 West B. M.

And your petitioner prays that the lands above described may be added to the list of lands described in said Permit No. 5270, to be irrigated thereform, and that said Permit may be ammended accordingly and this your petitioner will ever pray.

WEISER VALLEY LAND & WATER COMPANY,
By Richards & Haga,
Its Attorneys.

Approved
Date 6-11-1910
D. C. Martin,
State Engineer.

Received and filed for record in the office of the State Engineer at Boise, Idaho, at 10.00 A. M. June 11, 1910.

D. C. Martin,
State Engineer.

(see transfer recorded under 4160)

THIS INDENTURE, Made this 21st day of October in the year of Our Lord one thousand nine hundred and thirteen, between the WEISER VALLEY LAND & WATER COMPANY, a corporation organized under the laws of the State of Idaho, with its principal place of business at Boise, Ada County, Idaho, the party of the first part, and the ORCHARDS WATER COMPANY, a corporation organized under the laws of the State of Idaho, with its principal place of business at Boise, Ada County, Idaho, the party of the secondpart, WITNESSETH: THAT,

WHEREAS, The said first party by the terms of a certain contract dated the 1st day of February, 1910, for the consideration therein named, undertook to construct according to the terms of such contract, that certain irrigation system therein mentioned, and when so completed to convey and transfer by a good and sufficient quit-claim deed the system therein described, to the said second party upon acceptance of the same by the second party through its President; and,

WHEREAS, the report of the Engineers having such work in charge, dated the 4th day of October, 1913, shows that such system has been fully completed according to the terms of such contract, except as modified, whereby certain pipe lines were substituted in lieu of open canals; and,

WHEREAS, the water right mentioned in such contract covered by Permit No. 4160 was never perfected, while the water right covered by Permit No. 6503 equal in priority and quantity with the said water right covered by Permit No. 4160, has been fully completed; and,

WHEREAS, by resolution of the Board of Directors of said secondparty at a meeting of such Board held on the 4th day of October, 1913, J. H. Richards, President of said second part, was duly authorized to approve and accept the said irrigation system and a conveyance therefor for and on behalf of said second party pursuant to the terms of such contract;

WHEREFORE, the said party of the first part in consideration of the premises and of the sum of One Dollar ($1.00) in lawful money of the United States of America to it in hand paid by the party of the secondpart, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever quitclaim unto the said party of the second part, and to its successors and assigns, all those certain water rights, reservoir rights, rights of way, irrigation system, including dam, main canal, laterals, etc., situated in Adams County, State of Idaho, and more particularly described as follows, to-wit:

An interest in and to the reservoir heretofore constructed by the party of the first part and known as Lost Valley Reservoir to the extent of about six thousand ((6,000) acre feet or so much thereof as may be required by the party of the second part for use during the irrigation season, together with a proportionate interest in all reservoir rights, rights of way, etc., and in Permit No. 6503 (6-2053) to appropriate the waters of Lost Creek, issued and approved by the State Engineer of the State of Idaho under date of August 24th, 1910, all of which said interest is specifically reserved in a deed of said reservoir and reservoir rights by the party of the first part hereto to one D. W. VanHoosen, and filed for record in the office of the County Recorder of Adams County as Instrument No. 2067 on December 18th, 1912, in Book 2 of Deeds at Page 417, et seq.;

All right, title and interest in and to Permit No. 5270 (6-2039) to appropriate the waters of the Middle Fork of Weiser River, issued and approved by the State Engineer of the State of Idaho under date of October 5th, 1909, in favor of one J. J. Allison and by him assigned to the party of the first part hereto;

All right, title and interest in and to that certain canal and flume line constructed to divert water from the Middle Fork of the Weiser River at a point in the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of Section 9, Township 15 North, Range 1 East, B.M., and conveying said water to the lands known as the Council Mesa Orchards and other lands adjacent thereto, together with the diversion dam and headworks for said canal or flume and all rights of way acquired in connection therewith from the Federal Government, State Government, or individuals; also the distribution system for the Council Mesa Orchards and other lands adjacent thereto, including main pipe lines, laterals, ditches, headgates, supply valves and other irrigation works connected with said distribution system;

The said rights, titles and interests hereinabove enumerated being conveyed in accordance with the terms of a certain contract entered into by and between the parties hereto under date of February 1st, 1910, this conveyance being in pursuance and fulfillment of said contract;

TOGETHER, with all and singular the appurtenances thereunto belonging or anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said rights, titles, and interests, together with the appurtenances, unto the said party of the second part and to its successors and assigns forever.

IN WITNESS WHEREOF, the said party of the first part, WEISER VALLEY LAND & WATER COMPANY, has caused its corporate name to be hereunto subscribed by its Vice-President, and its corporate seal affixed, attested by its Secretary, the day and year first above written.

WEISER VALLEY LAND & WATER COMPANY.

By J. P. Gray.
Vice-President.

(Seal)

ATTEST: C.K.Macoy.
Secretary.

STATE OF IDAHO,)
(SS.
COUNTY OF ADAMS.)

On this 21st day of October, in the year 1913, before me, Edward E. Hart, a Notary Public in and for said County and State, personally appeared J. P. Gray, known to me to be the Vice-President of the Weiser Valley Land & Water Company, the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same.

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

Edward E. Hart,

Notary Public (Seal)

The undersigned, J. H. RICHARDS, as President of the party of the second part named in the within deed, the ORCHARDS WATER COMPANY, Pursuant to the authority in him vested by the within mentioned contract dated February 1st, 1910, and by resolution of the Board of Directors of said second party, hereby approves and accepts the irrigation system conveyed in the foregoing instrument and accepts the conveyance of the same by the foregoing instrument, pursuant to the terms of such contract.

Dated this 12th day of November, 1913.

J. H. Richards,

President, Orchards Water Company.

Received and filed for record in the office of the State Engineer at Boise, Idaho, at 10.45 A.M. September 22, 1914.

F. P. King, State Engineer.

5270

Proof of Completion of Works made October 3, 1914.

Report of Engineer received November 2, 1914.

Certificate of completion of works issued December 14, 1914.

PERMIT NO. 5270

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Orchards Water Company, of Boise, County of Ada, and State of Idaho, the holder of Permit No. 5270, issued upon Application No. 7278, bearing date of priority of August 12, 1909, authorizing the diversion of seventy (70) second feet of the waters of Middle Fork of Weiser River, County of Washington, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use seventy (70) second-feet of the waters of Middle Fork of Weiser River; that the point of diversion of said waters is in the SE¼ of NW¼, Sec. 9, T. 15 N., R. 1 E.B.M., at a point N. 33° 45' E. 3500 ft. from S.W. Cor. of said Sec. 9, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: T. 15 N., R. 1 W.B.M.; Sec. 14, E½ of SW¼; Sec. 15, S½ & N½ NW¼ & NW¼ NE¼; Sec. 22; Sec. 23, NW¼ NW¼ & W½ SW¼ NW¼; Sec. 10, S½ SW¼ & SW¼ SE¼; Sec. 21, N½ & E½ NE¼ SE¼; Sec. 16, S½ & N½ NE¼ & W½ NW¼; Sec. 9, SW¼ & S½ SE¼ & W½ NW¼; Sec. 8, E½ & N½ SW¼; Sec. 17, E½ & SW¼ & S½ NW¼ & NE¼ NW¼; Sec. 20; Sec. 19, W½ & SE¼ & W½ NE¼. T. 15 N., R. 2 W.B. M.: Sec. 14, W½ SW¼ & NE¼ SW¼ & W½ SE¼ SW¼; Sec. 23, NW¼ NW¼; Sec. 22, N½ NE¼ & N½ SW¼ NE¼ & NE¼ NW¼; Sec. 15, S½ & NW¼ & S½ of NE¼ & S½ of NW¼ of NE¼; containing 5660 acres.

Witness my hand this 14th day of December, A. D. 1914.

Norbert Wing.

Acting State Engineer of the State of Idaho.

APPLICATION FOR AMENDMENT

TO PERMIT TO APPROPRIATE THE PUBLIC WATERS

OF THE STATE OF IDAHO, NO. 5270.

Comes now ORCHARDS WATER CO. by C. K. Macey, Vice-President, and represents to the State Engineer of the State of Idaho.

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 5270, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: Tp. 15 N., Range 1 W., B. M.: Sec. 9: SW¼, W½SE¼, SE¼SE¼; Sec. 10: SW¼SW¼; Sec. 14: E½SW¼; Sec. 15: S½, S½NE¼, S½ and NW¼NW¼; Sec. 16: All; Sec. 17: SE¼ and NE¼SW¼; Sec. 20: E½ and SW¼NE¼, SE¼NW¼, NE¼SW¼, E½ and NW¼SE¼; Sec. 21: N½, N½SW¼, E½ and NW¼SE¼; Sec. 22: All; Sec. 27: NW¼, W½SW¼; Sec. 28: E½ and SW¼NE¼, E½ and NW¼SE¼, making a total of 3720 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, this 5th day of August, 1918.

ORCHARDS WATER CO.

By C. K. MACEY, Vice-President

Date of receipt at Office of State Engineer August 5th, 1918.

APPROVAL OF STATE ENGINEER

I, FRED A. WILKIE, State Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 5270. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

WITNESS my hand this 5th day of August, 1918.

FRED A. WILKIE
State Engineer

License issued for 39 second feet

Page 2934

S H E R I F F ' S D E E D

THIS INDENTURE, Made this 10th day of September, A. D., 1918, between C. L. HAM, as Sheriff of the County of Adams, State of Idaho, party of the first part, and RAYMOND H. WILTSIE, of Cortland, New York, the party of the second part, WITNESSETH:

WHEREAS, In and by a certain decree rendered by the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Adams, on the 15th day of January, 1918, in a certain action then pending in said Court, wherein Edward D. Howland and Certrude Conzales were plaintiffs, and Weiser Valley Land and Water Company and others, were defendants, it was among other things, ORDERED, ADJUDGED AND DECREED that all and singular the mortgaged premises described in the Amended Complaint in said action, and particularly described in said decree, be sold at public auction, by the Sheriff of the said County of Adams, in the manner required by law, and according to the course and practice of said Court, and that certain of said premises, property, rights and franchises (being the premises and property hereinafter described), be sold without redemption, and that said Sheriff upon the Confirmation of said sale by said Court execute, acknowledge and deliver to the purchaser a deed to the premises and property, real, personal and mixed described in said decree and ordered to be sold without redemption;

AND WHEREAS, A writ in the nature of an order of sale, reciting the material facts of said decree, and directing the said party of the first part, as such Sheriff, to execute the said decree by making the sale and applying the proceeds in conformity therewith, having been to such Sheriff directed and delivered, the said Sheriff did, at the hour of 4 o'clock P.M., on the 19th day of August, 1918, after due public notice had been given, as required by the laws of the State of Idaho, and the course and practice of said Court, duly sell at public auction, in front of the Court House in Council, County of Adams, State of Idaho, agreeably to the said decree and the provisions of law, the premises, property, rights and franchises in said decree mentioned; at which sale the property, rights and franchises hereinafter described, were fairly struck off to the said Raymond H. Wiltsie, for the sum of $10,000.00 (Ten Thousand Dollars) lawful money of the United States, the said Raymond H. Wiltsie being the highest bidder, and that being the highest sum bid for said property;

AND WHEREAS; Said Sheriff of Adams County, Idaho, thereupon made, executed and filed with the Clerk of said Court his Return attached to said order of sale, showing the manner in which the said writ and order of sale had been executed and carried out by said Sheriff, the manner in which the said property had been sold and notice of such sale; and all such other things as were necessary to give said Court full information relative to said sale and the execution of said writ;

AND WHEREAS, The said Court did, on the 7th day of September, 1918, duly confirm said sale by an order made and entered in said cause on said date, after notice to all parties appearing in said cause, in which said order the Court did further order and direct the execution and delivery of this indenture by the said Sheriff to the said Raymond H. Wiltsie, upon the payment of said purchase price, either in cash or bonds, or part cash and part bonds;

AND WHEREAS, the said Raymond H. Wiltsie has paid the said purchase price partly in cash and partly in bonds, in the proportion required by said order of confirmation and decree, and is now entitled to a deed for the property and premises hereinafter described;

NOW, THIS INDENTURE WITNESSETH, That the said party of the first part, the said C. L. Ham, Sheriff of Adams County, State of Idaho, as aforesaid, in order to carry into effect the sale so made by him, as aforesaid, in pursuance of said decree, and in confirmity to the statute, in such cases made and provided, and, also, in consideration of the premises and of the said sum of $10,000.00 so bidden and paid to him, as aforesaid, by the said purchaser, the party of the second part, the receipt whereof is hereby acknowledged, hath granted, bargained, sold and conveyed, and by these presents doth grant, bargain, sell and convey unto the said party of the second part and to his heirs and assigns forever, all property, real, personal and mixed, of the defendant, Weiser Valley Land and Water Company and the rents, issues, interest, income and profits thereof, including the following described property, rights and franchises situate in Adams County, Idaho, to-wit:

RESERVOIR.

That certain reservoir, known as the Lost Valley Reservoir, situated on Lost Creek in Township 19 North, Range 1 West, B. M., Adams County, Idaho, the bearing of the southwest corner of the dam at the lower end of which reservoir is North 76° 8' East 1865 feet from the quarter corner on the west line of Section 28, said township and range.

That certain canal diverting water from the Middle Fork of the Weiser River at a point in the southeast quarter of the northwest quarter of Section 9, Township 15 North, Range 1 East, from whence the section corner common to Sections 8, 9, 16 and 17, said Township and Range bears South 33° 45' West 3,500 feet, and extending thence in a westerly direction on the south side of the Middle Fork of the Weiser River for a distance of about six miles, more or less to a point in the northeast quarter of the southwest quarter of Section 14, Township 15 North, Range 1 West, from whence the quarter corner on the west line of said Section 14 bears North 65° 45' West 1,560 feet, including all branch canals, ditches, laterals, headgates, flumes and other structures forming a part of or used in connection with said irrigation system.

RIGHTS OF WAY

All rights of way, easements, privileges and franchises for said dam and reservoir, canals, ditches, laterals, pipe lines and irrigation system, above described and at any time acquired by said Weiser Valley Land and Water Company or any one for it or in its behalf.

WATER RIGHTS

That certain water permit, issued by the State Engineer of the State of Idaho to one J. J. Allison on November 28, 1908, and known as Permit No. 4160, the same being for seventy (70) cubic feet per second of the waters of Lost Creek; also that certain permit issued by the State Engineer of the State of Idaho to the said J. J. Allison on October 5, 1909, being Permit No. 5270, for seventy (70) cubic feet per second of the waters of the Middle Fork of Weiser River; also all other water rights and water appropriations of whatsoever kind at any time acquired by said Weiser Valley Land and Water Company, or by any one for or in its behalf, or for use in connection with said reservoir, canals and irrigation system.

CONTRACT WITH ORCHARDS WATER COMPANY

All the rights, grants, interests, privileges, easements and franchises acquired or retained by the said Weiser Valley Land and Water Company under that certain contract dated February 1st, 1910, made and entered into between said Company and the Orchards Water Company, and recorded in the office of the County Recorder of Adams County, Idaho, including all the unissued capital stock of said Orchards Water Company authorized to be issued under said contract.

NOTES AND MORTGAGES

All the notes, mortgages, contracts for the sale of water rights or shares of stock in said Orchards Water Company, and the shares of stock of said Orchards Water Company evidencing the water rights for the lands hereinafter described, including:

A certain mortgage from Warren [illegible] Swendsen on Lot 6 of Block 2 of Subdivision No. 1 of the Council Mesa Orchards, securing a note for $3,000.00;

Also mortgage from George L. Swendsen to said Weiser Valley Land and Water Company on Lot 5 of Block 2 of said Subdivision No. 1 of Council Mesa Orchards, securing a note for $3,000.00;

Also mortgage from Hugh W. Mayne to said Weiser Valley Land and Water Company covering Lot 16 of Block 4 of said Subdivision, securing a note for $3,250.00;

Also mortgage from one John C. Griffith to said Weiser Valley Land and Water Company on Lot 13 of Block 4 of said Subdivision, securing a note for $1,237.50;

Also mortgage from Charles E. Miesse to said Weiser Valley Land and Water Company on Lot 6 of Block 8 of said Subdivision, securing a note for $344.00;

Also mortgage from Nemeck & Mohrbacher to said Weiser Valley Land and Water Company on Lots 7 and 8 of Block 9 of said Subdivision, securing a note for $1,025.00;

Also mortgage from F. H. and Edith Bacon to said Weiser Valley Land and Water Company on Lots 18 and 19 of Block 9 of said Subdivision, securing a note for $8,000.00;

Also mortgage from Nellie C. and Garfield E. Hathaway to said Weiser Valley Land and Water Company on Lot 4 of Block 7 of said subdivision, securing a note for $[illegible].

Also mortgage from Percy W. Thompson to said Weiser Valley Land and Water Company covering Lot 10 in Block 6 of said Subdivision, securing a note for $3,000.00;

Also mortgage from John A. Wavle to said Weiser Valley Land and Water Company covering Lot 17 in Block 9, of said Subdivision;

Also all other notes, mortgages, contracts, rights and franchises owned by said Weiser Valley Land and Water Company and water rights appurtenant to the lands and premises covered by the said mortgages, and all rights of whatsoever kind of the said Colonial Trust and Savings Bank and W. F. Van Buskirk, Trustees, as pledgees of the said notes and mortgages, rights and franchises and certificates of stock in said Orchards Water Company.

LANDS.

All those certain lands and pieces and parcels of land, together with the appurtenances and water rights thereto belonging, situated in the State of Idaho (part of which are situated in Adams County and part in Washington County, said State), and more particularly described as follows:

TOWNSHIP 15 NORTH, RANGE 1 WEST, B. M.

Southwest quarter of Section 9; north half, the west half of the southwest quarter, and the west half of the northeast quarter of the southwest quarter of Section 16; southeast quarter and the northeast quarter of the southwest quarter of Section 17; the east half of the east half, the southwest quarter of the northeast quarter, the southeast quarter of the northwest quarter, the northeast quarter of the southwest quarter, and the northwest quarter of the southeast quarter of Section 20; the north half of the southwest quarter, and the southeast quarter of the southeast quarter of Section 21; the north half of the northwest quarter of Section 21, excepting the following described tract: Beginning at a point 1320 feet south and 210 feet east of the northwest corner of said Section 21, thence north 63° 43' east 1039 feet, thence north 69° 46' east 662.7 feet, thence north 77° 43' east 558.4 feet; thence south 65° 46' east 135.3 feet; thence south 81° 42' east 70 feet, thence south 67° 27' east 63.9 feet, thence south 47° 2' east 143.5 feet, thence south 656.6 feet, thence west 2420 feet to the place of beginning, containing 28.96 acres; a part of the southwest quarter of the southwest quarter of Section 22, described as follows: Beginning at a point 48.5 feet east of the southwest corner of said Section 22, thence running north 1326.4 feet, thence east 330 feet, thence south 1326.4 feet, thence west 330 feet to the place of beginning, and sometimes described as Lot 9 of Block 8 of Subdivision No. 1 of Council Mesa Orchards as the same are numbered and designated on the official amended plat of said Council Mesa Orchards now on file and of record in the office of the County Recorder of Adams County, Idaho, containing 9.95 acres, more or less;

A part of the southeast quarter of Section 22, beginning at a point 351.6 feet north of the southeast corner of said Section 22; thence west to the County Road; thence in a Northerly direction along said Country Road to the intersection of the north boundary line of this parcel of land; again commencing at said place of beginning; thence north 848.4 feet; thence west along the northerly line hereinbefore mentioned to the County Road, containing 31 (Thirty One) acres, more or less, and sometimes described as Lots 13, 14 and 15 of Block 9 of said Subdivision No. 1 of Council Mesa Orchards;

NW¼ and the W½ of the SW¼ of Section 27;
E½ of the E½ and the NW¼ of the SE¼ of Section 28.

TOWNSHIP 15 NORTH, RANGE 1 EAST, B. M.

SE¼ of the SE¼ of Section 7;
SW¼ of the SW¼ of Section 8;
S½ of the NE¼, the NW¼ of the NE¼, and N½ of the NW¼ of Section 17;
NE¼ of the NE¼ of Section 18;

TOWNSHIP 15 NORTH, RANGE 2 WEST. B.M.

W½ of the SE¼, the N½ of the SW¼, the SE¼ of the NW¼ and the SW¼ of the NE¼ of Section 15.

Lot 15, Block 5, of Subdivision No. 1 of said Council Mesa Orchards, the record title of which lot stands in the name of the defendant D. W. Van Hoesen, subject to the provisions of said decree;

And also Lots 11 and 12 of Block 9 of Subdivision No. 1 of said Council Mesa Orchards.

Also all other lands and property at any time acquired by said Weiser Valley Land and Water Company and not expressly released from the lien of the mortgage foreclosed in said action, to-wit: that certain mortgage from the Weiser Valley Land and Water Company to the said Colonial Trust and Savings Bank and W. F. Van Buskirk, Trustees, dated January 3, 1910, except the premises described in sub-paragraph (b) of paragraph III of said decree and directed to be sold subject to the right of redemption.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof;

TO HAVE AND TO HOLD, ALL AND SINGULAR, The premises above mentioned and described and hereby conveyed, or intended so to be, together with all appurtenances, unto the said party of the second part, his heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part, Sheriff, as aforesaid, hath hereunto set his hand and seal, the day and year first above written.

C. L. HAM (SEAL)
Sheriff of Adams County, State of Idaho

Signed, sealed and delivered in the presence of

_____

_____

STATE OF IDAHO)
) SS.
County of Adams)

On this 12th day of September, A. D., 1918, before me, Matilda Moser, Clerk of the District Court and ex-officio Auditor and Recorder in and for said County and State, personally appeared C. L. Ham, Sheriff of the County of Adams, State of Idaho, and personally known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he, as such Sheriff, executed the same.

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

(SEAL)

MATILDA MOSER
Clerk of the District Court, and ex-officio Auditor and Recorder, Adams County, Idaho.

Two Dollars ($2.00) of stamps affixed to deed covering property in Washington County.

Received and filed for record in the Department of Reclamation, At Boise, Idaho, at 2.00 P.M. August 17, 1925.

W. C. Swendsen
Commissioner of Reclamation

QUIT CLAIM DEED

THIS INDENTURE, Made the 26th day of February in the year of our Lord one thousand nine hundred and twenty-four between RAYMOND H. WILTSIE and ENID V. H. WILTSIE, his wife, of Cortland, County of Cortland, State of New York, the parties of the first part, and the HEIR or HEIRS OF THE ESTATE OF DAVID W. VAN HOESEN, deceased, who was formerly of Mesa, County of Adams, State of Idaho, the party or parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of ONE DOLLAR lawful money of the United States of America to them in hand paid by the said party or parties of the second part, the receipt whereof is hereby acknowledged, do by these presents remise, release and forever QUITCLAIM, unto the said party or parties of the second part, and to the heirs and assigns of him, her or them forever, all the following described real estate, situated in Adams County, State of Idaho, bounded and particularly described as follows, to-wit:

An undivided three-fourths interest in and to the following: that portion of the south one-half of Lot 12 in Block 7 that lies east of the highway, Lot 15 in Block 5, Lots 9, 10, and 11 in Block 8, Lots 7, 8, 11, 15, 18 and 19 in Block 9, all of Subdivision No. 1 of the Council Mesa Orchards as numbered and designated on the revised official plat of said Subdivision now on file in the office of the County Recorder of said Adams County, the same being a Subdivision or part of Sections 15, 16, 21 and 22, Township 15 North of Range 1 West, B.M.; also the water rights and shares of stock of the Orchards Water Company, and irrigation ditches and interests therein that are appurtenant to said land and required for the proper irrigation thereof.

An undivided three-fourths interest in and to the following lands situate in Township 15 North of Range 1 W.B.M.; the Southwest Quarter of Section 9; the West one-half of the Northeast Quarter of the Southwest Quarter, the West one-half of the Southwest Quarter, the Northeast Quarter and the Northwest Quarter of Section 16; the Southeast Quarter of Section 17; the Northeast Quarter of the Northeast Quarter, the South one-half of the Northeast Quarter, the Southeast Quarter of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter, the North one-half of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 20; the Northeast Quarter of the Northwest Quarter, the Southeast Quarter of the Northwest Quarter, the North one-half of the Southwest Quarter of Section 21; the Northwest Quarter of the Northwest Quarter of Section 21 excepting that portion now of record owned by John M. DenBoer and more particularly described as:

> "That portion of the Northwest Quarter of the Northwest Quarter of said section 21 described as follows: Commencing at a point in the Section line between Sections 20 and 21, 1320 feet South of the Northwest corner of the said Section 21, running thence east on the line between the Northwest Quarter and the Southwest quarter of said Northwest Quarter 210 feet to the real point of beginning; running thence North 63 degrees 45' East 1039 feet; thence North 65 degrees and 46' East 192 feet to the line between the Northwest Quarter of the Northwest Quarter and the Northeast Quarter of the Northwest Quarter of said Section 21, thence South along the last mentioned line 545 feet, more or less, to the South line of the said Northwest Quarter of the Northwest Quarter of said section 21; thence West along said last mentioned line 1110 feet, to the real point of beginning, the said tract containing 6.9 acres more or less.";

the West one-half of the North half of the Northwest Quarter of Northwest Quarter of Section 22 containing 10 acres more or less and being the west one-half of the proposed town site of the Council Mesa Orchards; also all water rights, irrigation ditches and interests therein and shares of water stock of the Orchards Water Company that are appurtenant to all of the above described lands and are required for the proper irrigation of said lands.

A three-fourths interest in and to the following lands situate in Township 15 North of Range 1 East B.M.; the Southeast Quarter of the Southeast Quarter of Section 7, the Southwest Quarter of the Southwest Quarter of Section 8, the South one-half of the Northeast Quarter of Section 17, the Northwest Quarter of the Northeast Quarter, and the North one-half of the Northwest Quarter of Section 17, the Northeast Quarter of the Northeast Quarter of Section 18.

Whole interest in that certain reservoir, known as the Lost Valley Reservoir, situated on Lost Creek in Township 19 North, Range 1 West, B.M., Adams County, Idaho, the bearing of the Southwest corner of the dam at the lower end of which reservoir is North 76 degrees 8' East 1865 feet from the Quarter corner on the west line of Section 28, said Township and range.

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.

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to the heirs and assigns of him, her or them, forever.

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 the presence of

_____ RAYMOND H. WILTSIE (Seal)

_____ ENID V. WILTSIE (Seal)

State of New York)
) ss:
County of Cortland)

On this 26th day of February in the year 1924, before me Marie A. Walsh (Conley) a Notary Public in and for said State, personally appeared RAYMOND H. WILTSIE and ENID V. H. WILTSIE 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)

MARIE A. WALSH (CONLEY)
Notary Public residing at
Cortland, New York.

STATE OF NEW YORK)
) SS
County of Cortland)

I, Charles R. Lord, Clerk of the Supreme Court in and for said County, the same being a Court of Record, Do Hereby Certify that Marie A. Walsh (Conley) whose name is signed to the certificate of the proof or acknowledgement of the annexed instrument, and thereon written, was at the time of taking such proof or acknowledgement, a Notary Public in and for said county and state, dwelling in the said county, duly sworn, and authorized by the laws of said state to take and certify the acknowledgment and proof ofdeeds or conveyances for lands, tenements or hereditaments in said state. And further, that I am well acquainted with his handwriting and verily believe that the signature to said certificate of proof or acknowledgement is genuine. And I further certify that said instrument is executed and acknowledged according to the laws of the State of New York.

In TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said court at _____ this 26th day of Feb., 1924.

CHARLES R. LORD
Clerk.

(SEAL)

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 2.00 P.M. August 17, 1925.

W. C. SWENDSEN
Commissioner of Reclamation

IN THE MATTER OF THE ESTATE OF)
DAVID W. VAN HOESEN)
Deceased)

DECREE OF DISTRIBUTION OF ESTATE.

LIBBIE C. VAN HOESEN, the executrix of the estate of DAVID W. VAN HOESEN, deceased, having on the 6th day of November, 1924, filed in this Court her petition, setting forth, among other matters, that her accounts have been finally settled and said estate is in a condition to be closed, and that a portion of said estate remains to be divided among the heirs of said deceased, said matter coming on regularly to be heard this 17th day of November, 1924, upon proof that due and legal notice of such hearing has been given as directed by the order of this Court heretofore made; the said executrix appearing by L. L. Burtenshaw, counsel, this Court proceeded to the hearing of said petition; and it appearing to the satisfaction of this Court, that the residue of said estate, consisting of the property hereinafter particularly described, is now ready for distribution, and that said estate is now in a condition to be closed:

That the whole of the residue of said estate is community property.

That the said David W. Van Hoesen died in the County of Ada, State of Idaho on the 15th day of January, 1923, and his only heirs at law is Libbie C. Van Hoesen, his surviving widow, and executrix herein.

That all claims against said estate are fully paid; that all taxes due from said estate have been paid; that since the rendition of said final account, the sum of no Dollars has come into the hands of said executrix and the sum of no Dollars has been expended by said executrix as necessary expenses of administration, the vouchers thereof, together with a statement of such receipts and disbursements, are now presented and filed, and the payments are approved by this Court; and that the estimated expenses of closing said estate will amount to the sum of no Dollars.

That the said Libbie C. Van Hoesen entitled to the whole of the residue said estate.

Now, on this, the said 17th day of November, 1924, on motion of L. L. Burtenshaw, Esq., Counsel for said executrix

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, That the residue of said estate, of David W. Van Hoesen, deceased, hereinafter particularly described, and now remaining in the hands of said Libbie C. Van Hoesen and any other property not now known or discovered, which may belong to said estate, or in which the said estate may have an interest, be and the same is hereby distributed as follows, to-wit: to Libbie C. Van Hoesen, surviving wife, and sole heir to the said and hereinafter described property.

The whole of Lot 1 in Block 5 of Subdivision number one of the Council Mesa Orchards as the same are numbered and designated on the revised official plat of said subdivision now on file in the office of the County Recorder of Adams County, Idaho.

An undivided three-fourths interest in and to the following described lands all in subdivision number one of the Council Mesa Orchards as the same are numbered and designated on the revised official plat of said subdivision now on file in the office of the County Recorder of Adams County, Idaho, to-wit: Lots 2 and 3 in Block 2; Lots 9 and 10 in Block 4; Lots 4, 9, 10, 15, 8 and improvements, and the East one-half of 7 in Block 5; Lots 2, 4 and 7 in Block 6; Lots 10, 11, 14, 16, that portion of the South one-half of 12 that lies West of the highway and that portion of the South one-half of 12 that lies East of the highway in Block 7; Lots 1, 2, 5, 9, 10 and 11 in Block 8; Lots 1, 2, 3, 4, 5, 6, 7, 8, 11, 15, 18, 19 and 20 in Block 9.

Also an undivided three fourths interest in and to the following described lands situated in Township 15 North of Range 1 West of Boise Meridian, to-wit: the Southwest quarter, the Northwest quarter of the Southeast quarter and the South one-half of the Southeast quarter of Section 9; the Southwest quarter of the Southwest quarter of Section 10; The Northwest quarter of the Northwest quarter, the South one-half of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section 15; the West one-half of the Northeast quarter of the Southwest quarter, the West one-half of the Southwest quarter, the Northeast quarter and the Northwest quarter of Section 16; the Southeast quarter of Section 17; the Northeast quarter of the Northeast quarter, the South one-half of the Northeast quarter, the Southeast quarter of the Northwest quarter, the Northeast quarter of the Southwest quarter, the North one-half of the Southeast quarter and the Southeast quarter

of the Southeast quarter of Section 20; the Northeast quarter of the Northwest Quarter, the Southeast quarter of the Northwest quarter, the North one-half of the Southwest quarter of Section 21; the Northwest quarter of the Northwest quarter of the Northwest quarter of Section 22 and improvements; the Northwest quarter of the Northwest quarter of Section 21 excepting therefrom that portion now of record owned by one John M. Dejoer which portion is more particularly described as follows: Commencing at a point in the Section line between Sections 20 and 21 and 1320 feet South of the Northwest corner of the said Section 21, running thence East on the line between the Northwest quarter and the Southwest quarter of the said Northwest quarter 210 feet to the real point of beginning, running thence North 63 degrees 45 minutes East 1039 feet, thence North 65 degrees and 46 minutes East 192 feet to the line between the Northwest quarter of the Northwest quarter and the Northeast quarter of the Northwest quarter of said Section 21, thence South along the last mentioned line 545 feet more or less to the South line of the said Northwest quarter of the Northwest quarter of said Section 21, thence West along said last mentioned line 1110 feet to the real point of beginning, the said tract containing 6.9 acres more or less.

Also an undivided three-fourths interest in and to the following described lands situated in Township 15 North of Range 1 East of Boise Meridian, to-wit: The southeast quarter of the Southeast quarter of Section 7; the Southwest quarter of the Southwest quarter of Section 8; The West one-half of the Northeast quarter, the Southeast quarter of the Northeast quarter and the North one-half of the Northwest quarter of Section 17; the Northeast quarter of the Northeast quarter of Section 18.

Also all appurtenances, improvements, ditches, water and water rights, flume lines, shares of stock of the Orchards Water Company, easements, rights of way, rents and profits of, on, belonging or in anywise appertaining to the above described lands in the same proportion as is hereinbefore set forth.

Also an undivided three-fourths interest in and to that certain Aerial Tramway the southern terminal of which is located on the Northwest quarter of the Northwest quarter of the Northwest quarter of Section 22 Township 15 North of Range 1 West of Boise Meridian, and which extends in a northerly direction 3.6 miles more or less to the northern terminal thereof situated on the line of the Pacific and Idaho Northern Railway, including rights of way, easements, leases, storage house at the switch, terminals and equipment, towers, tension stations, wire rope and cables, buckets or baskets complete.

Also an undivided three-fourths interest in and to the following described real, personal or mixed property situated on the Northwest quarter of the Northwest quarter of Section 22, Township 15 North of Range 1 West of Boise Meridan to-wit: The evaporator or dryer and all equipment and machinery therefor; the two wooden frame dwellings; the packing house and all equipment therefor including boiler and boiler house; the air storage houses; the hall and garage and all equipment and machinery therefor; the warehouse, blacksmith shop, well and water distributing system.

The whole interest in and to that certain reservoir known as the Lost Valley Reservoir situated on Lost Creek in Township 19 North of Range 1 West of Boise Meridian, Adams County, Idaho, the bearing of the Southwest corner of the dam at the lower end of which reservoir is North 76 degrees 8 minutes East 1865 feet from the quarter corner on the West line of Section 28 said township and range, excepting therefrom the water and interests in the said Reservoir now of record decreed to The Orchards Water Company, A. L. Freehafer, Freehafer and Pike, and J. A. Carr totaling some 6950 acre feet of water more or less; also all rents, profits, contracts for sale of water, rights of way, easements, privileges, franchises, water permits or rights of or in anywise appertaining to said dam and reservoir or waters of Lost Creek. It is the intention hereby to set forth and describe the entire interest of the deceased in or in anywise appertaining to the Lost Valley Reservoir.

Also the entire interest of the said D. W. Van Hoesen in and to all notes and accounts receivable, mortgages, debts due him, bills receivable, choses in action, stock in trade, merchandise and supplies, farm implements, autos, trucks, tractors, sprayers, wagons, horses, cattle and other live stock, cultivators, discs, plows and all other agricultural implements and implements of husbandry including picking and packing boxes, box shook, box machinery, box trucks, step ladders, picking sacks, pruning tools, fire extinguishers, oil stoves, miscellaneous gas engines and pumps, tools and all other implements, monies, furniture, libraries, bric-a-brac, stocks and bonds and all other personal effects not otherwise designated, that the said D. W. Van Hoesen died siezed or possessed of or of any interes_ therein.

Done in open Court, November 17, 1924.

FRED E. WOOD

STATE OF IDAHO)
) ss.
County of Adams)

I, Fred E. Weed, Judge of the Probate Court of Adams County, State of Idaho, and ex-officio Clerk thereof, do hereby certify that the foregoing is true full and perfect copy of the decree of distribution, rendered and entered in the matter of the estate of David W. Van Hoesen deceased, and the whole thereof, as the same appears of record in my office.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Court, this 17th day of November, 1924.

FRED E. WEED
Judge and ex-officio clerk of the
Probate Court of Adams County, Idaho.

(SEAL)

Received and filed for record in the Department of Reclamation at Boise, Idaho at 2.00 P.M. August 17, 1925.

W. G. SWENDSEN
Commissioner of Reclamation.

Boise, Idaho, February 8, 1910.

STATE OF IDAHO,)
) ss.
COUNTY OF ADA.)

The application of J. J. Allison for permission to change the point of diversion as described in Permit No. 5270 heretofore issued to said J. J. Allison, for the diversion of seventy cubic feet per second of the waters of the Middle Fork of the Weiser River, having been received and filed in this office, and it appearing therefrom and from the records and files in this office that no one will be injured by changing such point of diversion, as prayed in said application, and that no permits have been issued permitting the diversion of water from said river between the point stated in said Permit No. 5270 and the point to which the said J. J. Allison desires to change such point of diversion, the said application to amend is, THEREFORE, APPROVED and ALLOWED, and the canal and diversion works to be constructed under said Permit No. 5270 may be located as shown on the plat filed with said application to amend, and the water authorized to be diverted under said Permit No. 5270 may be diverted from said river at a point in the S.E.¼ of the N.W.¼ of Sec. 9, Twp. 15 N., Range 1 E., B. M., north 53° 45' East 3,500 feet from the southwest corner of said Sec. 9.

Dated this 8th day of February, 1910.

W. W. Dickinson
State Engineer.

3-270

PERMIT No. [illegible]

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. O. E. Macey, age 48, residence Boise, Idaho, occupation [illegible] farm manager, post office [illegible] Idaho Building, Boise, Idaho.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Orchards Water Company, Boise, Idaho, of which I am Vice-President; authority to appear as business manager.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. 5270; date August 12, 1909. Priority Aug. 12, 1909.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Middle Fork of Weiser River. Point of diversion is in Sec. of Net Sec. 9 T. 15 N. R. 1 E. B. M., N. 33° 15' E. 3500' from SW Corner of said Section 9.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Diversion dam of crib work, rock filled, with cement head works and headgates controlling flow into wooden flume conveying water to lands. Capacity of flume 70 second feet, connecting with underground pipe line system distributing water over the lands. Called Middle Fork Flume Line.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation and domestic purposes. Land is partly in orchards, partly in grain and hay crops and partly in natural pasture. About 1400 acres in orchard and clover and [illegible] in grain and alfalfa. See attached list of lands.

Ques. 7. If for other than irrigation purposes, state how applied, amount of horse power generated, etc.

Ans.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 70 second feet.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Ownership of Permit was acquired by deed of conveyance from original Permit holder to Weiser Valley Land & Water Co., and by [illegible]

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. The water has been used to the full amount available since 1910 for the irrigation of the 1400 acres of orchards and for grain and hay crops and pasture and has been used during each irrigation season since that time on the lands listed.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. No other water has been used except that claimed by this Permit, except that the water of the Middle Fork is used by right of substitution in place of water claimed under Permit No. 6503.

(Sign) [signature] Orchards Water Co.

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Council County Adams State of Idaho, on this 5th day of October A. D. 1918.

[signature]

Notary Public

Cert # 5270

July 1, 1925.

Mr. M. G. VanHosen,
Mesa, Idaho.

Dear Mr. VanHosen:

Agreeable to your request, I have analyzed the abstract of water permits covering Mesa Orchards and Lost Valley Reservoir and offer the following suggestions as to further proofs which should be offered.

67-2039

Permit No. 5270 calls for 70 second feet of the flow of Middle Fork of the Weiser River. This permit has ripened into a license for 39 second feet and so far as I can determine no further permits or proofs are necessary so far as the right to the use of Middle Fork is concerned.

67-2053

Permit No. 6[illegible] covers Lost Valley Reservoir. Proof of completion of works under this permit was made in 1915 and a certificate issued for a dam 50 feet high with a storage capacity indicated as approximately 14,000 acre feet.

Subsequently, and under date of August 23, 1921, proof of beneficial use of water was made under this permit and a license granted for 56.451 second feet. In this license and proof the lands described in the attached sheet have water dedicated to them at the rate of 1 inch per acre, which is the maximum that could be allowed under the Statutes.

You will observe that in making proof of completion of works under this permit the certificate of completion of works was issued up to the present maximum capacity of the reservoir and even more. It is my opinion that this is the permit upon which rights in the present reservoir should all rest.

If there are lands entitled to water from the reservoir which are not included in the enclosed list, such lands should be included in a list submitted to the State Reclamation Department with the request that the permit be amended to include the said new list of lands, and subsequent to the amending of such permit, then an additional proof of application of water to beneficial use should be offered and such additional lands by this means included in the permit. Such new lands assume in will of necessity,, so far as the records of this Department are concerned, have to take a later date of priority than the original lands in the permit but such a procedure is not out of harmony with the plans you have outlined to transfer reservoir property to a reservoir operating company.

The records further indicate that the rights to the enlargement of the said reservoir are still in force and effect and are covered by Permits No. R-312 and Use Permit No. 15717. Under the terms and conditions of these permits one-fifth of the work required must be performed on or before September 30, 1925.

5270

NOV #2

It may be that the work already performed may be construed as constituting one-fifth under these permits. There is considerable doubt, however, in the event the permits were intact as to the action the Court might take in this matter. In order to be sure of keeping these rights intact it is my suggestion that new permits be taken out in the comparatively near future, covering the said enlargement rights.

Very truly yours,

Commissioner of Reclamation.

WGS-H
CC-R. W. Katerndahl

5270

STATE OF IDAHO

License and Certificate of Water Right

Trans #378

Water License No. 5270 — Amount 39 sec. ft.

Water District No. 41-0 — Priority 8-12-09.

THIS IS TO CERTIFY that J. J. Allison of Boise, made application for a permit to appropriate the public waters of the State of Idaho, dated August 12, 1909; that Permit No. 5270 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 70 second feet, was issued thereunder on December 14, 1914; showing that said works were completed on the 3rd day of October, 1914; and that on the 5th day of October, 1918, Orchards Water Company of Boise, State of Idaho, made proof to the satisfaction of the State Engineer of Idaho, of a right to the use of the waters of Middle Fork of Weiser River, a tributary of Weiser River, for the purpose of irrigation and domestic use, under Use Permit No. 5270 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 2934, on the 10th day of May, 1922;

The right hereby confirmed dates from August 12, 1909;

The Point of Diversion is located N. 18° 30' E. 2060 ft. from quarter section corner South of Section 8, Twp. 15 N., R. 1 E., and is in the NW¼ of the SE¼ Section 8, Twp. 15 N., R. 1 E., B. M., County of Adams.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 39 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 N.	1 W.	9	NW¼ SW¼	40	20
			SW¼ SW¼	40	17
			NE¼ SW¼	40	3
			SE¼ SW¼	40	2
		14	NE¼ SW¼	40	7
			SE¼ SW¼	40	18
		15	S½	320	320
			S½ NE¼	80	80
			SW¼ NW¼	40	20

67 2039

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 N.	1 W.	16	SE¼	160	160
			S½ SW¼	80	80
			NW¼ SW¼	40	14
			NE¼ SW¼	40	36
			SE¼ NW¼	40	5
		17	SE¼ SE¼	40	20
			SW¼ SE¼	40	20
		20	SE¼ NE¼	40	13
			SW¼ NE¼	40	11
			SE¼ NW¼	40	16
		21	N½	320	320
			NE¼ SW¼	40	40
			NW¼ SE¼	40	40
			NE¼ SE¼	40	40
		22	All	640	640
				Total	1950

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 10th day of May, 1922.

(SEAL)

W. G. SWENDSEN,
Commissioner of Reclamation.

67-21-2039

Transfer 378

S T A T E O F I D A H O
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 378.

This is to certify that the Mesa Orchards Company, of Mesa, County of Adams, State of Idaho, has rights to the use of the waters of the Middle Fork of the Weiser River, and the Lost Valley Reservoir for irrigation and domestic purposes, and that said rights were obtained by virtue of Water Licenses Nos. 5270 and 6503, issued by the Commissioner of Reclamation of the State of Idaho, dated May 10, 1922, said rights bearing dates of priority of August 12, 1909 and May 27, 1910, for the purpose of irrigating the following described lands, in the County of Adams, State of Idaho, to-wit: SW¼ of Section 9, and S½ of Section 21, in Twp. 15 N., Rge. 1 W., B. M.; that the said licenses have been entered in the records of the Department of Reclamation of the State of Idaho, at Boise, in Book 6 of Licenses at Pages 2934 and 2935; that, upon the application of H. J. Woodmansee, President of the Mesa Orchards Company, for a transfer of water rights, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the rights to the use of 1.52 second feet of the waters of the Middle Fork of the Weiser River, and 134 acre feet of the waters of the Lost Valley Reservoir, are hereby abandoned upon the lands above described, and the lands to be irrigated under such rights, and to which the water right hereby confirmed shall by this certificate become appurtenant for irrigation and domestic purposes, are described as follows, to-wit: 92 acres situated in the NW¼ NW¼, Sec. 23, SW¼ SW¼, Sec. 14, and SE¼ SW¼, Sec. 15, all in Twp. 15 N., R. 1 W., B. M.; said right to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amounts, to-wit:

1.52 sec. ft. from the Middle Fork of the Weiser River dated August 12, 1909.

134 acre feet of the Lost Valley Reservoir dated May 27, 1910.

The right to the use of the waters aforesaid, hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of the State of Idaho.

No right to the use of water on the lands herein described exists at the date of this certificate except as herein stated.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, this 23rd day of June, 1926.

W. G. SWENDSEN
Commissioner of Reclamation

By _____ Assistant.

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67-2053

Form 20

Application For Transfer of Water Right

STATE OF IDAHO,
County of Adams } ss.

H. J. Woodmansee, Pres. Mesa Orchards Co., being first duly sworn, deposes and says:

That his name is H. J. Woodmansee, that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Mesa, Idaho

That he is the owner and using a certain water right, bearing date of priority of May 27 19 10, Aug. 12, 1909 for 57.45 and 39. cubic feet per second of the waters of Middle Fork of Weiser River and Lost Valley Reservoir County of Adams, State of Idaho, decreed to Orchards Water Co. by decree of Judge, Ed. L. Bryan of the Seventh Judicial District of the State of Idaho, in and for the County of Washington, in the case of John T. Muir, et al., vs. Wm. Allison, et al., said decree bearing date of June 20, 1921 (or obtained by virtue of License Nos. 5270 and 6503, issued by the State Engineer of the State of Idaho, dated May 10, 19 22, bearing date of priority of Aug. 12, 1909 and May 27, 19 10) for the purpose of irrigating the following described lands situate, lying and being in Water District No. 41-C in the County of Adams and State of Idaho, to-wit:

SW¼ of Sec. 9 and S¼ of Sec. 21, all in T. 15N. R. 1 W. B. M.

and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i. e. By purchase of the land to which water is apertunant as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the See permit maps of Section, Township, Range, B. M., and conducted to the above described lands through Orchards Water Co. Acqueduct, on file in Dept. of Reclamation under the said permits. as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of 134 acre ft. Lost Valley Reservoir 1.52 cubic feet per second from middle fork of Weiser River of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Adams and State of Idaho, to-wit:

A total of 92 acres situated in NW¼ of NW¼ Sec. 23; SW¼ of SW¼ Sec. 14, and SE¼ of NW¼ Sec. 15, all in T. 15 N. R. 1 W. B. M.

That his reasons for desiring to make such transfer are as follows:

That the said water can be used more profitably upon the lands to which it is desired to transfer the same than it can upon the land to which it is now diverted.

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Case 107

That he intends to divert and convey said 1.52 second feet of water to the tract of land last above described in the following manner, to-wit: The aquaduct or system of the Orchards Water Company diverting water from Middle Fork of Weiser River. The same system through which it is now diverted.

as set forth upon the map herewith; and that no one will be injured by such transfer.

WHEREFOR, Affiant and Petitioner prays that the Commissioner of Reclamation of the State of Idaho issue to him the proper certificate authorizing such transfer, in accordance with the provisions of Section 5582 of the Idaho Compiled Statuter.

MESA ORCHARD COMPANY

Applicant

Subscribed and sworn to before me this Fifteenth day of May A. D. 1926.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Middle Fork of Weiser River

Where is the diversion point located? See Permit Map

Through what ditch is it now conducted? Orchards Water Co Aqueduct

How much land is now irrigated by the water sought to be transferred? 92 Acres

Give the description: 42 acres in W½ Sec. 9 and 50 acres in S½ of Sec. 11, T. 15 N. R. 1 W.

What is the total amount of water in inches, or second feet, dedicated to said land? 1.52 sec. ft. 134 Acre ft.

What kind of crops are being raised? Fruit

How much water per acre is now required to irrigate said land? full amount of right

What will be the effect on the land now irrigated, if the use of water on it is discontinued? valuable for pasture and dry farm crops.

Give location of new point of diversion, if change is to be made same as old point

Through what ditch will it be conducted after transfer? Orchards Water Co. aqueduct

How much water will be required per acre to irrigate the land to which this water is transferred? Entire amount for which transfer is requested.

Do you claim any other water right for the land from which you seek to abandon the use of this water? No.

If so, give amount, date and source

Is there now any other water right for the land to which you seek to make this transfer? If so, give amount, date and source. No.

Signed MESA ORCHARD COMPANY

Applicant

NOTE:

Remark: Stored water involved is impounded in Lost Valley Reservoir and released to supply Weiser River Prior Rights and this exchanged for Middle Fork Water.

May 24, 1926.

Re: Transfer Water.

Mr. E. C. Van Hoesen,
Mesa, Idaho.

Dear Sir:-

Referring to the application for transfer of water right by the Mesa Orchards Company, H. J. Woodmansee, president, would say that June 12 has been set as the date for the hearing, at this office, at ten o'clock a.m., and notice for the required two weeks publication has today been mailed to the Adams County Leader, at Council.

It will not be necessary for the applicant to appear at this office on the date set for the hearing, unless a protest is filed, in which case you will be further advised.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

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T-2039
62-1-2053

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

IN THE MATTER OF THE APPLICATION OF MESA ORCHARDS COMPANY FOR TRANSFER OF WATER RIGHT, WATER DISTRICT NO. 41-C; CASE NO. 167.

Hearing was regularly convened at the time and place fixed in the published notice and the following proceedings had:

Mrs. Jane Shaw, R. J. Shaw, Mrs. R. J. Shaw, John Teem, W. B. Wooden, Henry Heimsoth, John H. Shaw, Mrs. John H. Shaw, owners or users of water rights from Middle Fork of the Weiser River, and represented by Wm. M. Morgan, their attorney, appeared to urge protests against the granting of this application for change of place of use of water.

After a lengthy, informal discussion of the matter and explanation, these protestants appearing to be satisfied that no injury would be done them should the said transfer be allowed, left the hearing without lodging a formal protest or making any showing to attempt to prove that injury would be done them should the transfer be granted.

Dated at Boise, Idaho, this 12th day of June, 1926.

Assistant Commissioner
of Reclamation

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67-2039
67-2053

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

IN THE MATTER OF THE APPLICATION OF THE MESA ORCHARDS COMPANY FOR TRANSFER OF WATER RIGHTS; WATER DISTRICT NO. 41-C CASE NO. 167.

ORDER GRANTING TRANSFER

WHEREAS, On the 12th day of June, 1926, at the Department of Reclamation of the State of Idaho, at Boise, the matter of the application of the Mesa Orchards Company for transfer of water rights came regularly on for hearing, pursuant to the published notice; and

WHEREAS, From the evidence submitted at the hearing and from all data accompanying the said application for transfer, it appears that a greater beneficial use can be made of the said water by reason of the transfer and no one would be injured thereby:

IT IS, THEREFORE, Hereby ordered that the said application for transfer be granted and that the certificate of transfer be issued the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office, at Boise, Idaho, this 23rd day of June, 1926.

W. G. SWENDSEN
Commissioner of Reclamation

By _____ Assistant.

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T-2039
T-2053

old # ~~6500~~ 6503

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 67-02053 Adj. Flag Translation: Standard Water Right Number Old (D) Number - 6503

Last Name

First Name

Address

*** C - CURRENT OWNER ***
WEISER VALLEY LAND & WATER COMPANY

1 -
2 -
3 -
City- State- Zip-
Phone -

Priority Date
00/00/0000

Region
14

Stage

Status

Source

Tributary

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume

Total Div. Rate

Total Div. Volume

Total Div. Capacity

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County

Total Acres:

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

SUPERCEDED BY DECREE. SEE RT. 67-0081.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date
00/00/0000

Audit Fields -

Decree June 20, 1921 67-00081 ?
Permit Feb 29, 1916
Licensed May 10th, 1922
Transfer #378 - granted ~~June~~ June 23, 1926

Water right number - 67-02053 Adj. flag translation: Standard Water Right Number

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 06/03/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

old # 6503 No. 8953 New # 67-02053

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: WEISER VALLEY LAND AND WATER COMPANY.

Postoffice address: BOISE,

County: ADA State: IDAHO

I. If applicant is a corporation, give:

(a) Date and place of incorporation: September 29th, 1910, Boise, Idaho.

(b) The amount of capital stock: $500,000.00

(c) The amount paid in: $500,000.00

(d) The names and addresses of directors: C. E. Miesse, Chicago, Ill. C. K. Macey, Council, Idaho; J. J. Allison, Boise, Idaho; O. M. Carter, Chicago, Ill. and T. W. Dick, Chicago, Ill.

2. The quantity of water claimed is One Hundred Twenty-five cubic feet per second.

3. Source of water supply: Lost Creek, a tributary of Weiser River,

County of Washington.

4. Location of point of diversion: IN NW¼ of sec. 28, T. 19 N., R 1 W., N. 72° 45 E., 1905' from the NW cor. of the SW¼ of said sec. 28. (See Remarks)

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated 6,400 acres.

(b) In the following legal subdivisions: see appended list.

6. Estimated cost of works. $40,000.00

7. Description of works for diversion:

I. Kind of works: Reservoir, 3 main line diversion canals.

II. Dimensions of works:

(a) Height of dam 30 feet, length of dam at top 200 feet, length of dam at bottom 20 feet. Material used in construction: Concrete earth and stone.

(b) Capacity of reservoir: 10,000 acre feet.

(c) Size of headgate: Width (Mill 4 / Salubria 5 / Midvale 10) feet, height (Mill 3' / Salubria 4' / Midvale 4') feet.

(d) Conduit Ditches, width at bottom (Mill 4 / Salubria 6 / Midvale 8) feet, width at water line (Mill 8 / Salubria 12 / Midvale 16) feet, depth of water (Mill 2 / Salubria 3 / Midvale 3) feet, Diameter of pipe---inches. Average grade per mile is 4 feet, Length of conduit is (Mill 2 / Salubria 3 / Midvale 16) miles and they cross the following quarter sections: See appended list. to land described in 5 I (b) above which is the point of intended use.

8. The time required for the completion of the construction of such work is 5 years.

9. Time required for the complete application of the water to the porposed use is 4 additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

WEISER VALLEY LAND AND WATER COMPANY.

Applicant

By O.O.Haga Agent.

Remarks:(4 Location of pt. of diversion) The water thus stored in the reservoir is to be released as needed and allowed to flow down the natural channel of Lost Creek to West Fork; thence down West Fork to Weiser River; thence down Weiser River to three points of Diversion as follows:-- Point of diversion of Mill Canal, at a point S 24° 15' W 1, 330' from NE cor. sec. 31 N., R. 2 W; Salubria ditch at a point N. 28° 00' E., 1, 145' from ¼ cor. on W. bdy sec. 6 T 14 N., R. 2 W; Midvale Canal, at a point N. 67° 30' W. 2,560' from SE cor, sec. 22, T. 14 N., R. 3 W., B. B. & M.

The water right acquired under this permit is intended to supply existing rights in and to the normal flow of the Weiser River below the mouth of Middle Fork, in lieu of the normal flow of Middle Fork diverted in accordance with Permit No. 5270

LIST OF LANDS TO BE IRRIGATED.

5.

I. (b) In the following legal subdivisions:

Mill Canal.

T. 15 N., R. 2 W.------

SE¼ of	Sec.	31	160
SE¼ of NE¼ of	"	31	40

T. 14 N., R. 2 W.--

N½ of N½ of	Sec.	6	160
SW¼ of NE¼ of	"	6	40
SE¼ of NW¼ of	"	6	40
Total			440 acres.

Salubria Ditch.--

T. 14 N., R 3 W.---

W½ of SE¼ of	Sec.	1	80
S½ of SW¼ of	"	1	80
W½ of	"	12	320
E½ of	"	11	320
SW¼ of	"	11	160
S½ of NW¼ of	"	11	80
All of	"	14	640
W½ of	"	13	320
E½ of	"	15	320
N½ of	"	23	320
E½ of	"	22	320
Total			2,960 acres.

Midvale Ditch.--

T. 14 N., R. 3 W.---

SW¼ of	Sec.	34	160
SE¼ of NW¼ of	"	34	40
NW¼ of SE¼ of	"	34	40
S½ of SE¼ of	"	33	80

(List of lands Continued).

Midvale Ditch.

T. 13 N., R. 3 W.----

NW¼ of	Sec.	3	160
NW¼ of SW¼ of	"	3	40
E½ of	"	4	320
SW¼ of	"	4	160
S½ of NW¼ of	"	4	80
E½ of SE¼ of	"	5	80
SW¼ of SE¼ of	"	5	40
E½ of	"	8	320
E½ of W½ of	"	8	160
All of	"	9	640
NW¼ of	"	16	160
NW¼ of NE¼ of	"	16	40
N½ of SW¼ of	"	16	80
E½ of	"	17	320
E½ of W½ of	"	17	160
NW¼ of	"	20	160
W½ of NE¼ of	"	20	80

Grand Total----6,400 acres.

QUARTER SECTIONS CROSSED.

7.

II. (d) And crosses the following quarter sections,

MILL CANAL

NE and SE¼'s of sec. 31 and the NW and SW¼s of sec. 32 T. 15 N. R 2 W.

All 4 quarters of sec. 6 T. 14 N., R. 2 W.

SALUBRIA DITCH

NW¼ of sec. 6 T 14 N., R. 2 W. NE and SE¼s of sec. 1 E½ and SW¼ of sec. 12 W½ of sec. 13 T. 14 N., R. 3 W.

MIDVALE DITCH.

SE¼ of sec. 22, E½ of sec. 27, E½ and SW¼ of sec. 34 E. 14 N., R. 3 W. W½ of sec. 3, W½ of sec 10, SW¼ of sec. 9, N½ and SW¼ of sec. 16, SE¼ of sec. 17, and the NE¼ of sec. 20 T. 13 N., R. 3 W., M. D. & M.

APPROVAL OF STATE ENGINEER.

The number of this permit is 6503.

Date of first receipt of application 11:00 A.M. May 27, 1910.

Returned to applicant for correction June 26, 1910.

Corrected application received August 17, 1910.

Recorded in Book 19, Page 6503. Approved August 24, 1910.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject tothe following limitations and conditions:

Good and sufficient bond to be filed in the sum of $1,000.00 on or before October 23, 1910.

One-fifth of the work above specified to be completed on or before February 24, 1913.

The whole of said work to be completed on or before August 24, 1915.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to August 24, 1919.

Witness my hand this twenty-fourth day of August, 1910.

D. G. Martin

State Engineer.

See Transfer to the Orchard Water Company, recorded under Permit No. 5270.

F. P. King, State Engineer.

.....

PERMIT No. 6503.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:-

This is to certify that Orchards Water Company, of Boise, County of Ada, State of Idaho, the holder of Permit No. 6503, issued upon Application No. 8953, bearing date of priority of May 27, 1910, authorizing the diversion of one hundred twenty-five (125) second feet of the waters of Lost Creek, County of Adams, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of works of diversion set out and described in said permit; that the reservoir constructed under the terms of said permit has a storage capacity of 14,000 acre-feet and is located in the

NW¼ of Sec. 28, T. 19 N., R. 1 W., B.M.; that the water stored in said reservoir is to be released as needed and allowed to flow down the natural channel of Lost Creek to West Fork; thence down West Fork to Weiser River; thence down Weiser River to the three points of diversion, as follows: Mill Canal; at a point S.24°15' W., 1,330' from the N.E. Cor. of Sec. 31, T. 15 N., R. 2 W., B.M.; Salubria Canal:- at a point N. 28°00' E. 1,445' from W¼ Cor. of Sec. 6., T. 14 N., R. 2 W., B.M.; Midvale Canal: at a point N.67° 30' W. 2,560' from S.E. Cor. of Sec. 22, T. 14 N., R. 3 W., B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

MILL CANAL:

T. 15 N., R. 2 W., B.M.

SE¼ and SE¼ of NE¼, Sec. 31,

T. 14 N., R. 2 W., B.M.

N½ of N½, SW¼ of NE¼ & SE¼ of NW¼ Sec. 6,

SALUBRIA CANAL:

T. 14 N., R. 3 W., B.M.

W½ of SW¼ and S½ of SW¼, Sec. 1; W½ of Sec. 12; E½, SW¼ and S½ of NW¼, Sec. 11; All Sec. 14; W½ of Sec. 13; E½ of Sec. 15; N½ of Sec. 23 and E½ of Sec. 22.

MIDVALE CANAL:

T. 14 N., R. 3 W., B.M.

W½, SE¼ of NW¼ & NW¼ of SE¼ Sec. 34; S½ of SE¼ Sec. 33.

T. 13 N., R. 3 W., B.M.

NW¼ & NW¼ of SW¼, Sec. 3; E½ & SW¼ & S½ of NW¼, Sec. 4; E½ of SE¼ & SW¼ OF SE¼ Sec. 5; E½ & SE¼ of W½ of Sec. 8; All Sec. 9; NW¼, NW¼ of NE¼ & N½ of SW¼, Sec. 16; E½ & E½ of W½ Sec. 17; NW¼ & W½ of NE¼, Sec. 20; making a total of 6,400 acres.

Witness my hand this 8th day of February A.D. 1916.

J.N. SMITH,

STATE ENGINEER.

Upon proper application of the holder of the above numbered permit, I have this 21st day of July, 1919, extended the time thereunder for beneficial use, to the 24th day of August, 1920.

W. G. SWENDSEN
Commissioner of Reclamation
By. S. T. Baer, Deputy

Upon proper application of the holder of the above numbered permit, I have this 2nd day of August, 1920, extended the time for beneficial use proof to the 24th day of August, 1921.

W. G. Swendsen,
Commissioner of Reclamation.
By: S. T. Baer.
Deputy.

Transfer #378

T

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 378.

This is to certify that the Mesa Orchards Company, of Mesa, County of Adams, State of Idaho, has rights to the use of the waters of the Middle Fork of the Weiser River, and the Lost Valley Reservoir for irrigation and domestic purposes, and that said rights were obtained by virtue of Water Licenses Nos. 5270 and 6503, issued by the Commissioner of Reclamation of the State of Idaho, dated May 10, 1922, said rights bearing dates of priority of August 12, 1909 and May 27, 1910, for the purpose of irrigating the following described lands, in the County of Adams, State of Idaho, to-wit: SW¼ of Section 9, and S½ of Section 21, in Twp. 15 N., Rge. 1 W., B. M.; that the said licenses have been entered in the records of the Department of Reclamation of the State of Idaho, at Boise, in Book 6 of Licenses at Pages 2934 and 2935; that, upon the application of M. J. Woodmansee, President of the Mesa Orchards Company, for a transfer of water rights, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the rights to the use of 1.52 second feet of the waters of the Middle Fork of the Weiser River, and 134 acre feet of the waters of the Lost Valley Reservoir, are hereby abandoned upon the lands above described, and the lands to be irrigated under such rights, and to which the water right hereby confirmed shall by this certificate become appurtenant for irrigation and domestic purposes, are described as follows, to-wit: 92 acres situated in the NW¼ NW¼, Sec. 23, SW¼ SW¼, Sec. 14, and SE¼ SW¼, Sec. 15, all in Twp. 15 N., R. 1 W., B. M.; said right to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amounts, to-wit:

1.52 sec. ft. from the Middle Fork of the Weiser River dated August 12, 1909.

134 acre feet of the Lost Valley Reservoir dated May 27, 1910.

The right to the use of the waters aforesaid, hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of the State of Idaho.

No right to the use of water on the lands herein described exists at the date of this certificate except as herein stated.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, this 23rd day of June, 1926.

W. G. SWENDSEN
Commissioner of Reclamation

By _____ Assistant.

T-378
67-2039
67-2053

Form 36

Application For Transfer of Water Right

STATE OF IDAHO, } ss.
County of Adams }

H. J. Woodmansee, Pres. Mesa Orchards Co., being first duly sworn, deposes and says:

That his name is H. J. Woodmansee; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Mesa, Idaho.

That he is the owner and using a certain water right, bearing date of priority of May 27, 1919, Aug. 12, 1909 and May 10, 1922, Middle Fork of Weiser River and Lost Valley Reservoir for 57.45 cubic feet per second of the waters of

County of Adams, State of Idaho, decreed to Orchards Water Co.

by decree of Judge, Ed. L. Bryan of the Seventh Judicial District of the State of Idaho, in and for the County of Washington, in the case of John T. Muir, et al.,

vs. Wm. Allison, et al., said decree bearing date of June 20, 1921

(or obtained by virtue of License Nos. 6503 and 5270, issued by the State Engineer of the State of Idaho, dated May 10, 1922., bearing date of priority of Aug. 12, 1909 and May 27, 1919.)

for the purpose of irrigating the following described lands situate, lying and being in Water District No. 41-C in the County of Adams and State of Idaho, to-wit:

NW¼ of Sec. 9 and S½ of Sec. 21, all in T. 15N. R. 1 W. B. M.

and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i. e. By purchase of the land to which water is appurtenant as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the Mesa permit Maps of Section, Township, Range, B. M., and conducted to the above described lands through Orchards Water Co. Aqueduct, on file in Dept. of Reclamation under the said permits. as per map herewith and of this affidavit made a part;

That affiant and petitioner desires to abandon the use of 1.52 cubic feet per second 134 acre ft. Lost Valley Reservoir from middle fork of Weiser River of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Adams and State of Idaho, to-wit:

A total of 92 acres situated in NW¼ of NW¼ Sec. 23; W½ of SW¼ Sec. 14, and SE¼ of NE¼ Sec. 15, all in T. 15 N. R. 1 W. B. M.

That his reasons for desiring to make such transfer are as follows:

that the said water can be used more profitably upon the lands to which it is desired to transfer the same than it can upon the land to which it is now diverted.

T-38-2039
6-7-2033

Cont. Ind

That he intends to divert and convey said 1.52 second feet of water to the tract of land last above described in the following manner, to-wit: The acqueduct or system of the Orchards Water Company diverting water from Middle Fork of Weiser River; the same system through which it is now diverted.

as set forth upon the map herewith; and that no one will be injured by such transfer.

WHEREFOR, Affiant and Petitioner prays that the Commissioner of Reclamation of the State of Idaho issue to him the proper certificate authorizing such transfer, in accordance with the provisions of Section 5582 of the Idaho Compiled Statutes.

MESA ORCHARD COMPANY

Applicant

Subscribed and sworn to before me this Fifteenth day of May A. D. 1926.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Middle Fork of Weiser River

Where is the diversion point located? See Permit Map

Through what ditch is it now conducted? Orchards Water Co Acqueduct

How much land is now irrigated by the water sought to be transferred? 92 Acres

Give the description: 42 acres in SW¼ Sec. 9 and 50 acres in S½ of Sec. 21, T. 15 E. R. 1 E. 134 Acre ft.

What is the total amount of water in inches, or second feet, dedicated to said land? 1.52 Sec. ft.

What kind of crops are being raised? Fruit

How much water per acre is now required to irrigate said land? full amount of right

What will be the effect on the land now irrigated, if the use of water on it is discontinued? Valuable for pasture and dry farm crops.

Give location of new point of diversion, if change is to be made same as old point

Through what ditch will it be conducted after transfer? Orchards Water Co. acqueduct

How much water will be required per acre to irrigate the land to which this water is transferred? Entire amount for which transfer is requested.

Do you claim any other water right for the land from which you seek to abandon the use of this water? No.

If so, give amount, date and source

Is there now any other water right for the land to which you seek to make this transfer? If so, give amount, date and source No.

Signed MESA ORCHARD COMPANY

Applicant

NOTE:

Remark: Stored water involved is impounded in Lost Valley reservoir and released to supply Weiser River Prior Rights and this exchanged for Middle Fork Water.

STATE OF IDAHO,
County of Adams } ss.

H. L. Brooks and Lon L. Erwin

being first duly sworn, each for himself, and not one for the other, deposes and says: That he is a citizen of the United States and of the State of Idaho, residing at Lesa

that he is a user of water from Middle Fork of Weiser, in Water District No. 41

County of Adams, State of Idaho; that he has read or heard read the foregoing affidavit and petition of H. J. Waggoner Pres. Lesa Orchard Co. and is familiar with its allegations and with the water right and lands therein mentioned and described and is not in any way interested in either, nor in any way related to said petitioner; that the statements and allegations therein made are true of his own knowledge; and that no one will be injured by the granting of the certificate authorizing the transfer therein petitioned.

H. L. Brooks

Lon L. Erwin

Subscribed and sworn to before me this fifteenth day of May

A. D. 1926.

Notary Public

STATE OF IDAHO,
County of Washington } ss.

I, H. E. Talbot, Watermaster of Weiser, Idaho

Water District No. 41, County of Washington, State of Idaho, whose postoffice address is Weiser, Idaho, have read or heard read the foregoing affidavit and petition of H. J. Waggoner Pres., and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the Commissioner of Reclamation issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the following reasons:

Watermaster Dist. No. 41

H. E. Talbot

Dated at Weiser, Idaho, this 18 day of May, 1926.

T-379
T-2039
T-2053

May 24, 1926.

Re: Transfer Water.

Mr. E. C. Van Hoesen,
Mesa, Idaho.

Dear Sir:-

Referring to the application for transfer of water right by the Mesa Orchards Company, H. J. Woodmansee, president, would say that June 12 has been set as the date for the hearing, at this office, at ten o'clock a.m., and notice for the required two weeks publication has today been mailed to the Adams County Leader, at Council.

It will not be necessary for the applicant to appear at this office on the date set for the hearing, unless a protest is filed, in which case you will be further advised.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

T-379
67-2039
67-2053

STATE OF IDAH

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County of.....

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Idaho, in and for

vs. Wm. Allis

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No. 41-C in

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STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

IN THE MATTER OF THE APPLICATION OF MESA ORCHARDS COMPANY FOR TRANSFER OF WATER RIGHT, WATER DISTRICT NO. 41-C; CASE NO. 167.

Hearing was regularly convened at the time and place fixed in the published notice and the following proceedings had:

Mrs. Jane Shaw, E. J. Shaw, Mrs. E. J. Shaw, John Teem, W. B. Wooden, Henry Heimsoth, John M. Shaw, Mrs. John M. Shaw, owners or users of water rights from Middle Fork of the Weiser River, and represented by Wm. M. Morgan, their attorney, appeared to urge protests against the granting of this application for change of place of use of water.

After a lengthy, informal discussion of the matter and explanation, these protestants appearing to be satisfied that no injury would be done them should the said transfer be allowed, left the hearing without lodging a formal protest or making any showing to attempt to prove that injury would be done them should the transfer be granted.

Dated at Boise, Idaho, this 12th day of June, 1926.

Assistant Commissioner
of Reclamation

T-378
67-2039
67-2053

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

IN THE MATTER OF THE APPLICATION OF THE MESA ORCHARDS COMPANY FOR TRANSFER OF WATER RIGHTS; WATER DISTRICT NO. 41-C CASE NO. 167.

ORDER GRANTING TRANSFER

WHEREAS, On the 12th day of June, 1926, at the Department of Reclamation of the State of Idaho, at Boise, the matter of the application of the Mesa Orchards Company for transfer of water rights came regularly on for hearing, pursuant to the published notice; and

WHEREAS, From the evidence submitted at the hearing and from all data accompanying the said application for transfer, it appears that a greater beneficial use can be made of the said water by reason of the transfer and no one would be injured thereby:

IT IS, THEREFORE, Hereby ordered that the said application for transfer be granted and that the certificate of transfer be issued the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office, at Boise, Idaho, this 23rd day of June, 1926.

W. G. SWENDSEN
Commissioner of Reclamation

By_____ Assistant.

T-377
67-2039
67-2033

Trans # 378

STATE OF IDAHO

License and Certificate of Water Right

Water License No. 6503 — Amount 57.451 sec. ft.

Water District No. 41-C — Priority 5-27-10.

THIS IS TO CERTIFY that Weiser Valley Land & Water Company of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 27, 1910; that Permit No. 6503 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 125 second feet, was issued thereunder on February 29, 1916, showing that said works were completed on the 3rd day of October, 1915; and that on the 23rd day of August, 1921, Orchards Water Company of Boise, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of a right to the use of the waters of Lost Creek, a tributary of West Fork of Weiser River, said water to be impounded in Lost Valley Reservoir having a reported capacity of 14,000 acre feet, which water is to be released in lieu of the normal flow of Middle Fork diverted in accordance with terms of Water License No. 5[illegible]70, for the purpose of irrigation and domestic use, under Use Permit No. 6503 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 2935, on the 10th day of May, 1922;

The right hereby confirmed dates from May 27, 1910;

The Point of Diversion from Lost Valley Reservoir is located N. 72° 45' E. 1905 feet from the Northwest Corner of SW¼ of Sec. 28 and is in the NW¼ of Section 28, Twp. 19 N., R. 1 E., B. M., County of Adams.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes and shall not exceed 57.451 cubic feet per second. 7050 A.F (see testimony with this)

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 N.	1 W.	9	NW¼ SW¼	40	38
			NE¼ SW¼	40	3
			SE¼ SW¼	40	2
			SW¼ SW¼	40	17
		15	SE¼ NE¼	40	40
			SW¼ NE¼	40	40
			SW¼ NW¼	40	20
			S½	320	320
		16	SE¼ NW¼	40	5
			SE¼	160	160
			NE¼ SW¼	40	35

67 2053

DUPLICATE COPY

ABSTRACT OF PERMITS FOR MESA ORCHARDS

Permit No. 4160 none
Applicant: J. J. Allison
Amount: 40 sec.ft. (CANCELLED)
Stream: Lost Creek
Application Filed August 24, 1908
Permit lapsed November 28, 1915, thru failure of holder to make required proof, and has been cancelled.

Permit No. 5270 67-2039 - Superceded by A67-00080
Applicant: J. J. Allison
Transferred to the Weiser Valley Land & Water Co., Feb. 12, 1910.
" " Orchards Water Co. Oct. 21, 1912.
Amount: 70 sec.ft.
Stream: Middle Fork Weiser River
Application filed August 12, 1909
Proof of completion of works made by Orchards Water Co. Oct. 5, 1914, and Certificate of Completion of Works issued Dec. 14, 1914.
Proof of beneficial use of water made Oct. 5, 1918.
License for 70 sec.ft. issued May 10, 1922.
(IN GOOD STANDING)

Permit No. 5271 none
Applicant: J. J. Allison
Amount: 83 sec.ft.
Stream: Weiser River
Application filed August 12, 1909
Permit lapsed December 27, 1914, thru failure of holder to make required proof.

(SUBJECT TO CANCELLATION)

Permit No. 5628 none
Applicant: J. J. Allison
Amount: 100 sec.ft.
Stream: Middle Fork Weiser River
Application filed September 28, 1909
Permit lapsed December 27, 1914, thru failure of holder to make required proof

(SUBJECT TO CANCELLATION)

Permit No. 5625 none
Applicant: J. J. Allison
Amount: 300 sec.ft. Lost Creek Branch of Weiser River.
Application filed September 28, 1909
Permit lapsed December 27, 1914, thru failure of holder to make required proof

(SUBJECT TO CANCELLATION)

5271

67-2053 Superseded by 20081

Permit No. 4505
Applicant: Weiser Valley Land & Water Co. An interest in this permit was transferred to Orchards Water Co. Oct. 21, 1915.
Amount claimed - 125 sec.ft.
Stream: Lost Creek
Application filed May 27, 1910
Proof of completion of works made by Orchards Water Co. August 24,1915.
and certificate of completion of works issued.
Proof of beneficial use of water made by Orchards Water Co. Aug. 25, 1921.
License for 81.4 sec.ft. issued May 10, 1922.

(IN GOOD STANDING)

Permit No. 6804 none
Applicant: E. S. Peirce
Transferred to Weiser Valley Land & Water Co. Sept. 24,1910.
Amount : 200 sec.ft.
Stream: Lost Creek Branch of Weiser River
Application filed May 28, 1910
Permit lapsed August 24, 1915, thru failure of holder to make required proof

(CANCELLED NOV. 28, 1922, UNDER PROVISIONS SEC. 5594, C.S. of Idaho)

Permit No. 9221 none
Applicant: D. W. Van Meesen
Amount: 250 sec.ft. and 40,000 ac.ft. to be stored in Lost Valley Reservoir
Stream: Lost Creek
Application filed October 20, 1915
Permit lapsed January 20, 1919, thru failure of holder to make required proof

(SUBJECT TO CANCELLATION)

Reservoir Permit #5 none
Applicant: D. W. Van Meesen
Amount: 38,000 ac.ft. (To be stored in Lost Valley Reservoir)
Stream: Lost Creek (Trib. to Weiser River)

(THIS PERMIT WAS RELINQUISHED TO THE STATE FEB. 3,1921)

Use Permit #12009 none
Applicant: D. W. Van Meesen
Amount: 200 sec.ft. to be taken from Lost Valley Reservoir, under Reservoir Permit #5, above stated.
Application filed February 1,1918.
(This PERMIT WAS ALSO RELINQUISHED TO THE STATE FEB. 3, 1921)

Permit No.12570 none
Applicant: W. G. Swendsen - Transferred to D. W. Van Meesen Nov. 8,1918.
Amount: 120 secft. to be taken from Lost Valley Reservoir.
Application filed Feb. 21,1918.
Permit lapsed May 24, 1923, thru failure to make proof and permit cancelled.

(CANCELLED)

S570

Reservoir Permit No. 120 none
Applicant: W. G. Swendsen
Transferred to D. W. Van Hoesen Nov. 8, 1918
Amount: 30,000 ac.ft.
Stream: Lost Creek (CANCELLED)
Application filed February 21, 1918
Required bond filed under Use Permit #13370
Permit lapsed May 24, 1923, and has been cancelled.

Reservoir Permit No. 240 none
Applicant: D. W. Van Hoesen
Amount: 30,000 ac. ft.
Stream: Lost Creek
Application filed May 17, 1920
Required bond filed under Use Permit #14888 (See below)
One-fifth of work required by February 24,1923
Completion of work required by August 24, 1925.

(PERMIT IN GOOD STANDING ON RECORD BOOKS)

USE Permit #14888 none
Applicant: D. W. Van Hoesen
Amount: 120 sec.ft. from Lost Valley Res- oir (See Res. Permit #240 above)
Application filed May 17, 1920
Required bond filed October 19,1920
One-fifth of work required by February 24, 1923
Completion of work required by August 24, 1925.
(PERMIT IN GOOD STANDING ON RECORD BOOKS)

Copy # 5270

July 1, 1925.

Mr. M. G. VanHosen,
Mesa, Idaho.

Dear Mr. VanHosen:

Agreeable to your request, I have analyzed the abstract of water permits covering Mesa Orchards and Lost Valley Reservoir and offer the following suggestions as to further proofs which should be offered.

Permit No. 5270 calls for 70 second feet of the flow of Middle Fork of the Weiser River. This permit has ripened into a license for 39 second feet and so far as I can determine no further permits or proofs are necessary so far as the right to the use of Middle Fork is concerned.

Permit No. 6503 covers Lost Valley Reservoir. Proof of completion of works under this permit was made in 1915 and a certificate issued for a dam 80 feet high with a storage capacity indicated as approximately 14,000 acre feet.

Subsequently, and under date of August 23, 1921, proof of beneficial use of water was made under this permit and a license granted for 54.451 second feet. In this license and proof the lands described in the attached sheet have water dedicated to them at the rate of 1 inch per acre, which is the maximum that could be allowed under the Statutes.

You will observe that in making proof of completion of works under this permit the certificate of completion of works was issued up to the present maximum capacity of the reservoir and even more. It is my opinion that this is the permit upon which rights in the present reservoir should all rest.

If there are lands entitled to water from the reservoir which are not included in the enclosed list, such lands should be included in a list submitted to the State Reclamation Department with the request that the permit be amended to include the said new list of lands, and subsequent to the amending of such permit, then an additional proof of application of water to beneficial use should be offered and such additional lands by this means included in the permit. Such new lands assume in will of necessity,, so far as the records of this Department are concerned, have to take a later date of priority than the original lands in the permit but such a procedure is not out of harmony with the plans you have outlined to transfer reservoir property to a reservoir operating company.

The records further indicate that the rights to the enlargement of the said reservoir are still in force and effect and are covered by Permits No. R-312 and Use Permit No. 15717. Under the terms and conditions of these permits one-fifth of the work required must be performed on or before September 30, 1925.

5270

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covering

WGS-H
CC-R. W.

MGV #2

It may be that the work already performed may be construed as constituting one-fifth under these permits. There is considerable doubt, however, in the event the permits were intact as to the action the Court might take in this matter. In order to be sure of keeping these rights intact it is my suggestion that new permits be taken out in the comparatively near future, covering the said enlargement rights.

Very truly yours,

Commissioner of Reclamation.

WGS-E
CC-R. W. Katerndahl

5270

Form 16

PERMIT NO. 6503

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. C. Y. Vacey. Age 52. Residence, Boise. Occupation, State Sanitary Inspector. P. O. Address, State House, Boise, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Orchards Water Company, principal place of business, Boise, Idaho. I am Vice-President and as such authorized to act for the company.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. 6503, Date May 27, 1910; date of priority May 27, 1910

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Lost Creek, a tributary of Weiser River. Point of diversion in NW¼ Sec. 28, T. 19 N. R. 1 W., B. M. 720 45' E. 1905' from NW cor. of SW¼ of said Section 28.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. See sheet No. 1 attached.

Ques. 6. State for what purpost water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivate or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Water is used for irrigation. For places of use see attached list.

Ques. 7. If for other than for irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. It is used for no other purpose than irrigation.

Ques. 8. What is the minimum amount of water required for the specified above?

Ans. Two acre feet for the Council Mesa lands, per acre, and a total of 950 acre feet for the remainder of the lands described.

Ques 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. By transfer from the Weiser Valley Land & Water Company, the original permit holder.

6503

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. See sheet No. 2 attached.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and right claimed thereunder.

Ans. The natural flow of the streams hereinbefore mentioned has been used on all of the said described lands, each season, to the extent of 5/8 inch per acre, under said Permit No. 5370 and under said decree described in answer to Question 10.

(Sign) G. K. Macy

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me at my office in Council County of Adams State of Idaho, on this 23rd day of August A. D. 19 21

James A. Stinson

Notary Public

My commission expires June 30, 1922

JAMES A. STINSON NOTARY PUBLIC STATE OF IDAHO

6503

RECEIVED
AUG 3 1921
DEPARTMENT OF PUBLIC WORKS

Question 5 [illegible]

Works of Diversion:

1. Middle Fork Flume, taking water out of the Middle Fork of the Weiser River and conveying it by what is known as the Council Mesa Orchards lands and other lands of the Council Mesa surrounding the orchards. Capacity of Middle Fork flume, 70 second feet. This water is used throughsubstitution under Permit 6503 in connection with Permit 5270, which latter permit authorizes the diversion of the waters of the Middle Fork of the Weiser River, provided it is put into and out of the Lost Valley Reservoir under Permit 6503.

2. East Fork Ditch, taking water out of the East Fork of the Weiser River and conveying it to lands in Townships 16 and 17 North, Range 1 West, in the Council Valley. Capacity of East Fork Ditch 800 inches, as shown by official records. This water is used out of the East Fork Ditch on those certain lands described in Permit 6503, and the waters of Lost Valley Reservoir are substituted to prior rights in place of the East Fork Ditch water.

3. Robertson-Seavy Ditch, taking water out of the Weiser River and conveying it to lands in Townships 16 and 17 North, Range 1 West, in the Council Valley. Capacity of Robertson-Seavy Ditch 500 inches. This water is used out of the Robertson-Seavy Ditch on those certain lands described in Permit 6503, and the waters of Lost Valley Reservoir are substituted to prior rights in place of the Robertson-Seavy Ditch water.

4. Farmers' Canal, taking water out of the Weiser River and conveying it to lands in Townships 16 and 17, North, Range 1 West, in the Council Valley. Capacity of Farmers' Canal, 700 inches. This water is used out of the Farmers' Canal on those certain lands described in Permit 6503 and the waters of Lost Valley Reservoir are substituted to prior rights in place of the Farmers' Canal water.

5. Glenn Ditch, taking water out of the West Fork of the Weiser River and conveying it to lands in Townships 16 and 17 North, Range 1 West, in the Council Valley. Capacity of Glenn Ditch 150 inches.

6. Hahn Ditch, taking water out of the Weiser River and conveying it to lands in Townships 16 and 17 North, Range 1 West, in the Council Valley. Capacity of the Hahn Ditch, 1.35 inches.

6543

No. 2.

Question 10: The water for 1800 acres of the Council Mesa lands was used in 1911 and each subsequent year, and on the balance of the Council Mesa lands in 1918 and each subsequent year.

It was used through substitution for the waters of the Middle Fork of the Weiser River, to the amount of two acre feet per acre during the period from July 15th to October 1st of each year, in connection with Permit No. 5270.

5270

One Hundred Sixty acre feet of said water was used in the year 1919 and each and every year thereafter on the following of said lands, to-wit, S½NW¼ and Lots 3 and 4 of Section 1, Tp. 16 N R 1 W., B M, except five acres thereof; and the S½S½S½ and S½S½NW¼SE¼ Sec 11; and the North 15 acres of the NE¼NE¼ and the North 35 acres of the NW¼NE¼ and the North 30 acres of the SE¼SE¼ Sec. 14, all in Township 16 N R 1 W., B M; and the E½SW¼ Sec. 35, Township 17, N R 1 W., B M, the same being used through substitution of the waters of the East Fork of the Weiser River, and from and during the period from July 15th to October 1st of each of said years, the same being used in connection with water decreed to said lands under decree of the District Court of the Seventh Judicial District of the State of Idaho in and for the County of Washington, entered under date May 9th, 1918 and as affirmed by the Supreme Court of the State of Idaho under decree entered under date June 30th, 1921.

The remaining of said acre feet of water, to-wit, 790 feet thereof, were used in the year 1920 on that portion of said lands described in said permit and not hereinbefore described in this answer ten, as follows, 30 acre feet thereof through substitution of of the waters of the West Fork of the Weiser River and 760 thereof through substitution for the waters of the Weiser River, between the 15th day of July, and the 1st day of October of that year, the same being used in connection with water decreed to said lands under decree of the District Court of the Seventh Judicial District of the State of Idaho in and for the County of Washington, entered under date May 9th, 1918 and as confirmed by the Supreme Court of the State of Idaho under decree entered under date June 30th, 1921

And that all of said water hereinbefore mentioned in this answer to question ten, has been and is being so used through such substitution from said respective rivers and for the respective waters thereof on said lands during the year 1921, such use by substitution being commenced on or about August 1st, 1921.

Mary Kautz

6503

Form 28

REPORT OF ENGINEER

This proof is for Beneficial Use In Water District No. 41-0

1. State name of applicant and number of permit: Orchards Water Co. - 6503
2. State source of water supply: Lost Creek (Lost Valley Reservoir)
3. Location of point of diversion: NW¼ Sec. 28, 19N-1W

4. Describe works as they exist, giving dimensions and capacities of same:
Works not inspected

5. State whether or not water has been turned into works of diversion: Yes

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):
Grand total irrigated acreage = 287.5 as per itemized list attached

7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system?
9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? Snake River
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Remarks: This inspection consisted in checking and examining irrigated areas upon which storage water was applied during the season of 1921

This examination was made on the 31st days of Aug. & Sept. respectively 1921

(Signed) Earl H. Coleman Examiner.

6503

O. R.

Township 15 North, Range 1 West

(Orchards Company)

Sec. 9	NW¼ SW¼	28 acres
	NE¼ SW¼	3
	SE¼ SW¼	2
	SW¼ SW¼	17
Sec. 15	SE¼ NE¼	40
	SW¼ NE¼	40
	SW¼ NW¼	20
	S½	320
Sec. 16	SE¼ NW¼	5
	SE¼	160
	NE¼ SW¼	36
	NW¼ SW¼	14
	S½ SW¼	80
Sec. 17	SE¼ SE¼	20
	SW¼ SE¼	20
Sec. 20	SE¼ NE¼	13
	SW¼ NE¼	11
	SE¼ NW¼	16
Sec. 21	N½	320
	N½ SE¼	80
	NE¼ SW¼	40
Sec. 22	All	640
	Total (Orchards Co.)	1925
Sec. 14	NE¼ SW¼	7
	SE¼ SW¼	18

Township 16 North, Range 1 West

Sec. 1	NE¼ NW¼	35
	NW¼ NE¼	35
	SE¼ NW¼	10
	SW¼ NW¼	20
Sec. 11	SE¼ SE¼	12
	SW¼ SE¼	10
Sec. 14	NW¼ NE¼	20
	NE¼ NW¼	15

Township 17 North, Range 1 West

Sec. 15	NW¼ NW¼	30
Sec. 22	NE¼ SE¼	40
	SE¼ SE¼	30
	NW¼ SE¼	5
	SW¼ SE¼	34
	SE¼ SW¼	18

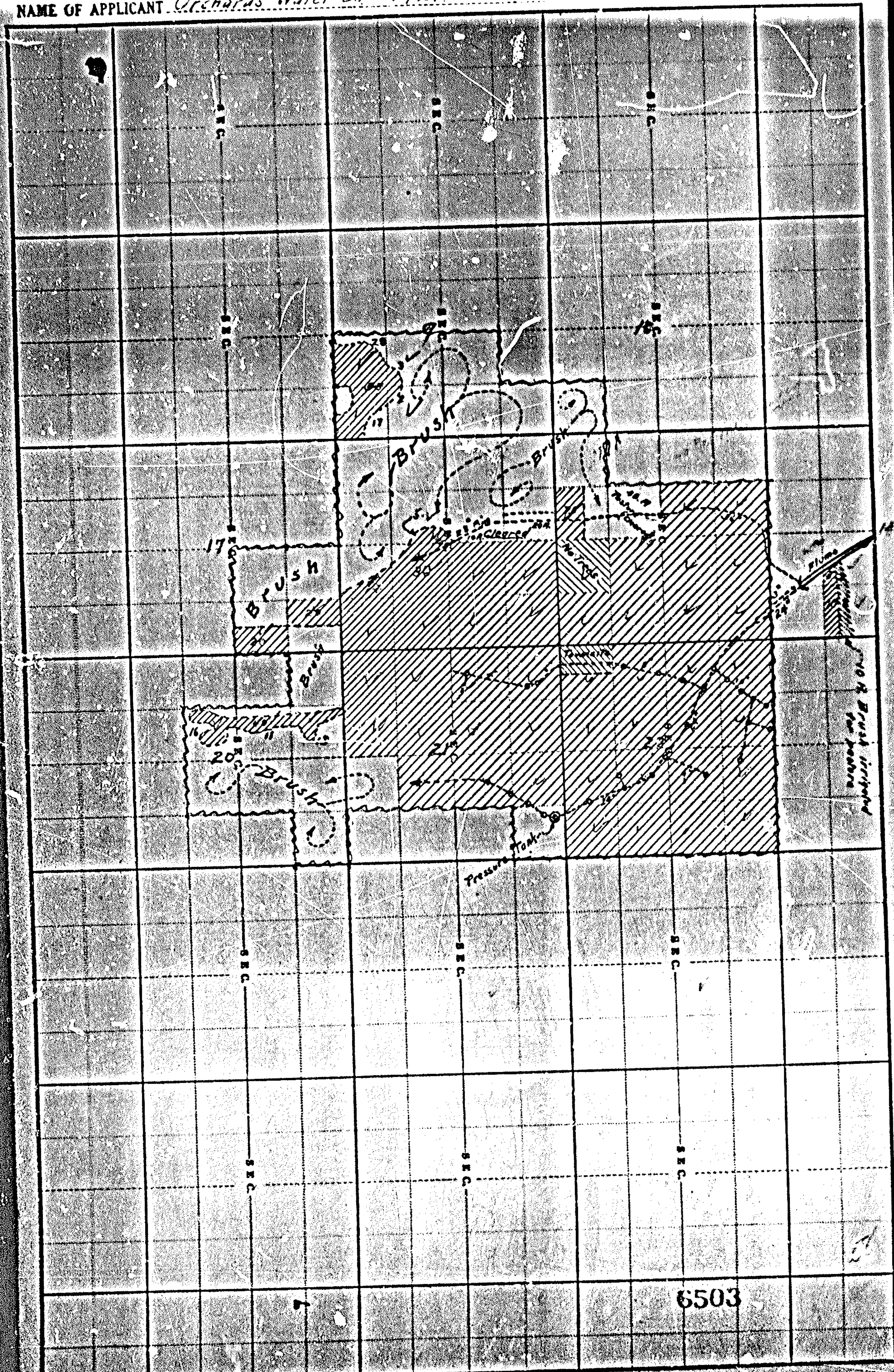
6503

Township 7 North, Range 1 West (cont)

Sec. 23	SE¼	NW¼	39 acres
	SW¼	NW¼	40
	NW¼	SE¼	15
	SW¼	SE¼	18
	NE¼	SW¼	10
	SE¼	SW¼	17
	SW¼	SW¼	4.5
Sec. 27	NE¼	NE¼	30
	NE¼	NW¼	15
	SE¼	NW¼	15
	SE¼	SE¼	10
	SW¼	SE¼	40
	NE¼	SW¼	27
	SE¼	SW¼	16
	SW¼	NW¼	2
	NW¼	SW¼	25
	SW¼	SW¼	15
Sec. 28	SE¼	SE¼	10
Sec. 34	NW¼	NE¼	25
	NE¼	NW¼	30
	SE¼	NW¼	40
	SW¼	NW¼	25
	NW¼	SW¼	30
	SW¼	SW¼	30
Sec. 36	S½	SW¼	80
			947.5
		Grand Total	2872.5

6503

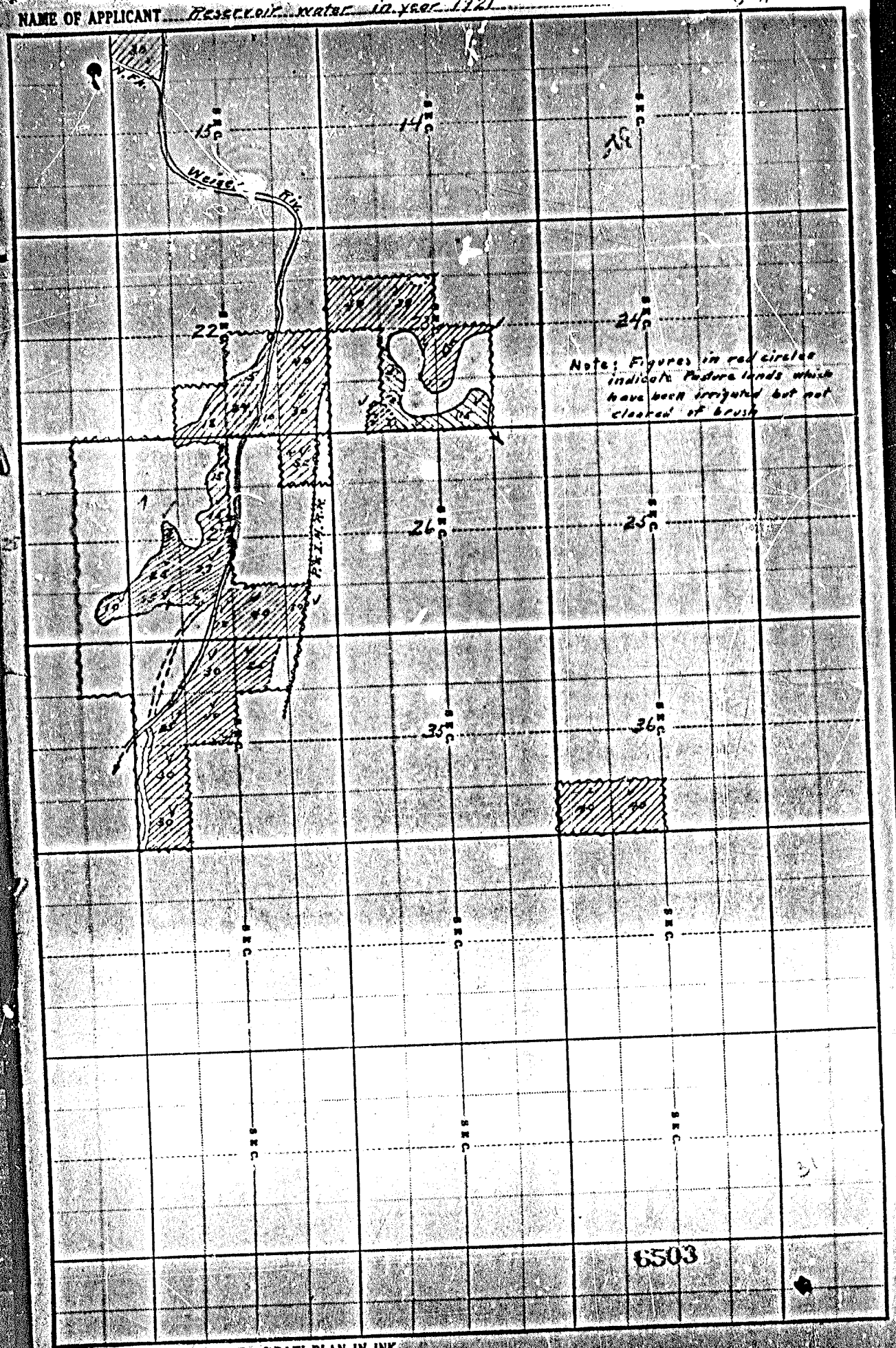
NAME OF APPLICANT *Orchards Water Co 1921*



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

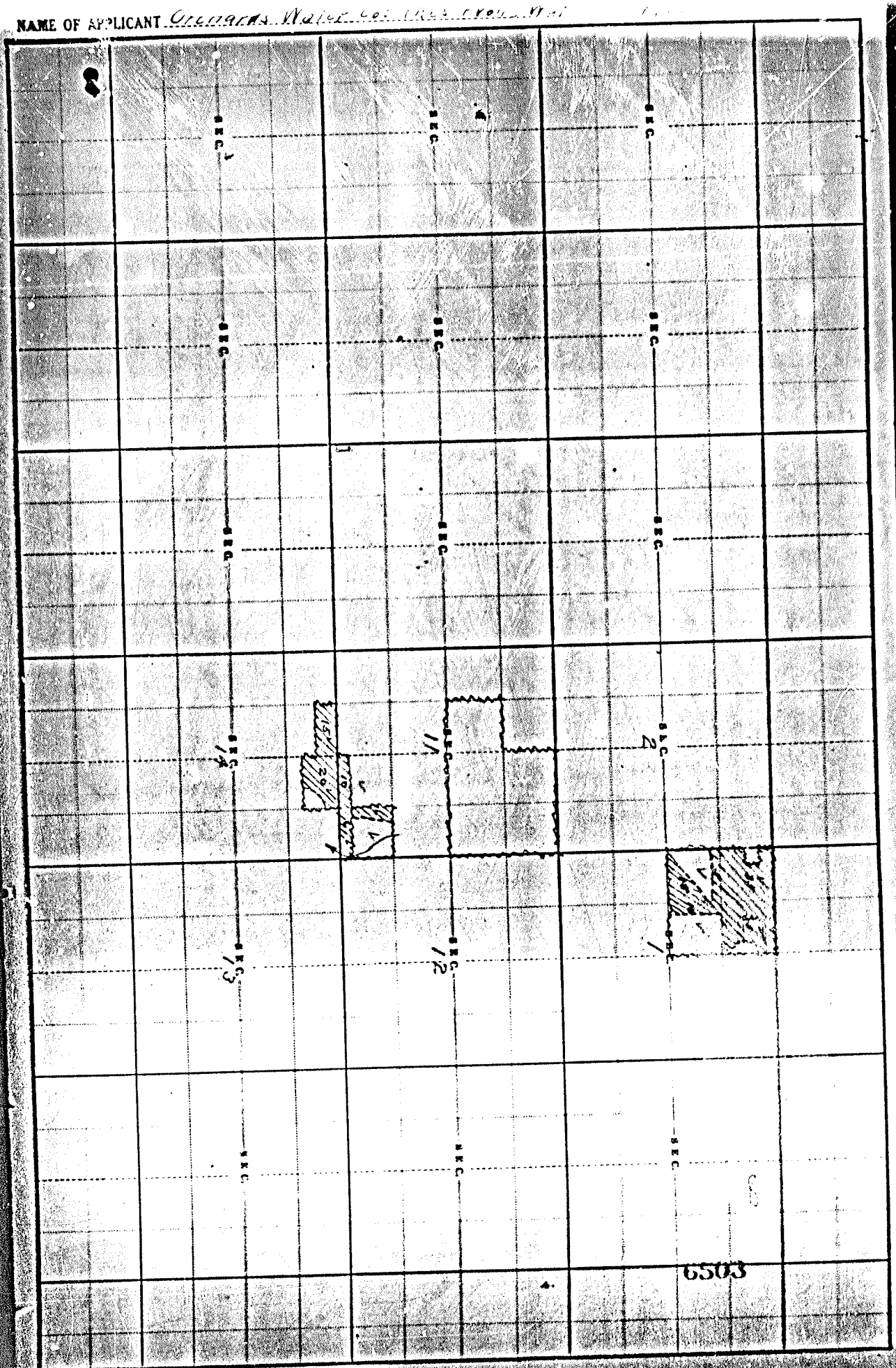
Beneficial use of water

NAME OF APPLICANT Reservoir water in year 1921



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

NAME OF APPLICANT Orchards Water Co. [illegible]



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

Form 23

REPORT OF ENGINEER

1. State name of applicant and number of permit: Orchards Water Co. Permit No. 6503

2. State source of water supply: Lost Creek

3. Location of point of diversion: (From Weiser River) (1) S. 24 deg. 15' W. 1330 ft. from N.E. Cor. Sec. 31 - T. 15 N. - R. 2 W.; (2) N. 28 deg. E. 1145 ft. from W. 1/4 Cor. Sec. 6 T. 14 N. R. 2 W. (3) N. 67° - 30' W. 2560' from S.E. Cor. Sec. 22 T. 14 N. R. 3 W. B.M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes. Also see letter to C.K. Maley, Vice Pres. Orchards Water Co. Boise, Ida. by State Engr. dated 12/18/15.

5. Describe works as they exist, giving dimensions and capacities of same: Earth dam 30' high, (No core wall visible) 20 ft. long at bottom, 250 ft. long at top, forming reservoir of about 14000 ac. ft. capacity.

6. State whether or not water has been turned into works of diversion: Yes.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): See Permit 6503

8. Submit map on enclosed plat, showing location and details of above description. See permit map. #6503.

Remarks: Spillway of dam is approximately 7 ft. in width at bottom and has been carried to a depth in accordance with State Engr's letter to C.K. Maley V.P. Orchards Water Co. under date 10/6-15.

This examination was made on the 7th day of December 1915

(Signed) J. H. [illegible]
Examiner.

6503

OVER

Dec. 18th, 1915.

Mr. C. K. Macey,
Vice Pres. Orchards Water Co.,
Boise, Idaho.

Dear Sir:-

I acknowledge receipt of your letter of the 15th inst enclosing affidavit of Mr. F. C. Horn regarding the condition of spillway of the Lost Creek Reservoir, upon which corrections were required by this Department as specified in my letterto you under date of October 6th; Certificates of Completion of Works under our Permit No. 6503 being withheld until such corrections should be made.

The spillway is not yet in shape that the we would like to see, but its condition at the time it was left by the force engaged in making the enlargment was such that the dam will comply with the terms of the Permit to the extent of providing works sufficient to divert and convey the required amount of water. In view of this fact, it has been decided to issue Certificate of Completion of works under Permit 6503, and in the event further work on the spillway is found necessary, to proceed under the provisions of Section 155.

The certificate will issue within a short time in the regular course.

Very truly yours,

State Engineer.

JES-.LS

6503

FORM 3

STATE OF IDAHO
Department of Reclamation

Permit No. 6503

Application for Extension of Time for Beneficial Use Proof

STATE OF IDAHO)
) ss.
County of ADA)

C. K. Macey of Boise,
Vice-President, Orchards Water Co.

State of Idaho being first duly sworn upon his oath deposes and says:

That he is the owner and holder of Permit to Appproppriate the Public Waters of the State of Idaho, No. 6503

THAT, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by August 24, 1919.

THAT he has heretofore put to beneficial use 50 second feet of water and has irrigated 4000 acres.

THAT, for the following reasons, he is unable to put to beneficial use within the required time, the remainder of the water appropriated under his permit, to-wit: Because of the absence from the State of one of the owners by assignment of an interest in the reservoir, who is away on official business for the State, and is therefore unable to complete the proof papers within the time allowed in the Permit;

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the making of proof of beneficial use under said permit to August 24, 1920

C. K. Macey
Vice-President, Orchards Water Co.

Subscribed and sworn to before me this 19th day of July, 1919

Notary Public for Idaho
Residing at Boise, Idaho

My commission expires February 19, 1921

Date of receipt at office of Department of Reclamation

APPROVAL OF COMMISSIONER OF RECLAMATION

I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the making of proof of beneficial use under Permit to Appropriate the Public Waters of the State of Idaho, No. 6503 to August 24, 1920

Witness my hand this 21st day of July, 1919

6503

W. G. Swendsen
Commissioner of Reclamation.

By [illegible] Deputy

FORM 3

STATE OF IDAHO

Department of Reclamation

Permit No. 6503

Application for Extension of Time for Beneficial Use Proof

STATE OF IDAHO }
County of ADAMS } ss.

C. P. [illegible] of Mesa

State of Idaho being first duly sworn upon his oath deposes and says:

That he is the owner and holder of Permit to Apppropriate the Public Waters of the State of Idaho, No. 6503 Orchard Water Company, of which he is President

THAT, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by August 24, 1919.

THAT he has heretofore put to beneficial use 50 second feet of water and has irrigated 4000 acres.

THAT, for the following reasons, he is unable to put to beneficial use within the required time, the remainder of the water appropriated under his permit, to-wit: It has been impracticable to get all the land in shape for irrigation up to this time, and an additional extension of one year is required to bring all of the land under irrigation (an extension of one year was heretofore granted).

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the making of proof of beneficial use under said permit to August 24, 1921

C. P. [illegible]

Subscribed and sworn to before me this 30th day of July, 1920

[illegible]
Notary Public.

My commission expires 4/17/23.

Date of receipt at office of Department of Reclamation July 30, 1920.

APPROVAL OF COMMISSIONER OF RECLAMATION

I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the making of proof of beneficial use under Permit to Appropriate the Public Waters of the State of Idaho, No. 6503, to August 24, 1921.

Witness my hand this 2nd day of August, 1920.

6503

W. G. Swendsen
Commissioner of Reclamation.

A. FLOURNOY GALLOWAY
CIVIL ENGINEER
HYDROGRAPHER

WEISER, IDAHO April 29, 1922.

Commissioner of Reclamation.
Boise, Idaho.

Dear Sir:

Please send me a list of the 40 acre tracts, together with the number of acres irrigated in each 40 as determined by you in connection with the proof of beneficial use under Permit # 6503, Lost Valley Reservoir, Adams County, Idaho. Some of the owners of these tracts have arranged with the Orchard Water Company for definite amounts of water for their land and we wish to prepare a statment for use in adjusting the distribution of the storage under the license. Also we wish to have the correct area on account of the adjustment of the fees to be paid by each land owner.

Please give me the total amount of fees under Permit #6503 and also under Permit #5270.

Yours truly,

A. Flournoy Galloway

6503 - 95.
5270 - 51
#154

P.S. I do not care about the individual 40's in the Mesa Orchard tracts, simply the total, which I think is 1950 acres.
A.F.G.

RECEIVED
MAY 2 1922
6503

May 12, 1922.

Re: Permit 5270 & 6503.

Mr. A. F. Galloway,
Weiser, Idaho.

Dear Sir:

You will find inclosed Water Licenses 5270 and 6503, issued in the name of Orchards Water Company, which Permits were the subject of your conversation of recent date with the officials of this office.

Trusting you will find them satisfactory, we wish to remain

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

HBW:E

By

6503

Commissioner of

me a copy of lice
to Orchard Water
me to establish
from L. J. Reservo
use of said water
to get a copy whe
Kind enough to
much pleased
Yours

Form 2

REPORT OF ENGINEER

1. State name of applicant and number of permit: Orchard Water Co-Permit 6503.

2. State source of water supply: Lost Creek.

3. Location of point of diversion: (From Weiser River) (1) S.24 deg.15'W.1320' from NE cor.Sec.31-T15N-R.2W.(2) N.28 deg.E.1145' from W 1/4 cor,Sec.6 T.14 N.R.2 W.(3) N.67 deg.30' W.2560' from SE cor.Sec. 22,T.14 N. R. 3W. B. M.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes, except corrections to dam, as per State Engineer's letter 10/6/15 to O. K. Macey, V.Pres. Orchards Water Co. Boise,Idaho.(File 116 Dam and Emb)

5. Describe works as they exist, giving dimensions and capacities of same: Earth dam 30' high, 20' long at bottom, 250' long at top, forming reservoir of about 14,000 ac.-ft. capacity.

6. State whether or not water has been turned into works of diversion: yes.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): See Permit 6503

8. Submit map on enclosed plat, showing location and details of above description. See Permit map, #6503.

Remarks: Spillway of dam is approximately 10' wide with effective depth of about 2', which is inadequate, and should be increased. Downstream slope of dam is to be increased to 2:1 and downstream toe of dam to be protected against scour by flow of water from outlet tunnel. These corrections to be made in accordance with State Engineer's letter to O. K. Macey, 10/6/15, before certificate of completion of works should be issued.

This examination was made on the 3rd day of October, 1915.

(Signed) [signature] Examiner.

over

6503

6503

APPLICATION FOR AMENDMENT

To Permit to Appropriate the Public Waters

of the State of Idaho, No. 6503.

Comes now C. K. Macey, Vice-Pres. Orchards Water Co., and represents to the Commissioner of Reclamation of the State of Idaho,

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 6503, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

Tp. 15 N., Range 1 W. B. M.:
Sec. 9-- SW¼, W½ SE¼, SE¼ SE¼. Sec. 10-- SW¼ SW¼. Sec. 14--E½ SW¼.
Sec. 15-- S½, S½ NE¼, S½ and NW¼ NW¼. Sec. 16-- All. Sec. 17--SE¼ and NE¼ SW¼. Sec. 20--E½ and SW¼ NE¼, SE¼ NW¼, NE¼ SW¼, E½ and NW¼ SE¼.
Sec. 21-- N½, N½ SW¼, E½ and NW¼ SE¼. Sec. 22-All. Sec. 27- NW¼ and W½ SW¼. Sec. 28-E½ and SW¼ NE¼, E½ and NW¼ SE¼. Total 3720 acres under Permit No. 5270 and Permit No. 6503, through substitution of water from Lost Valley Reservoir for water used out of the Middle Fork of Weiser River; also the following:

Tp. 16 N. Range 1 W. B. M.:
Sec. 11-S½ S½, SE¼ SE¼ and S½ S½, SW¼ SE¼ and NE¼ and SE¼ NW¼.
Sec. 14-N.15 acres of NE¼ NW¼, N.25 acres of NW¼ NE¼.
Sec. 11-N.30 acres of SE¼ SE¼.
Sec. 1 -S½ NW¼ and Lots 3 and 4, except 5 acres deeded to F. L. Scholl.

Tp. 17 N. Range 1 W. B. M:
Sec. 22- W½ SE¼ and SE¼ SW¼. Sec. 27-W½ SW¼. Sec. 28- E½ NE¼ and E½ SE¼. Sec. 34- NW¼ NW¼. Sec. 35- NE¼ NE¼.
Sec. 23- NW¼ SE¼, NE¼ SW¼, SW¼ SE¼, SE¼ SW¼ and 4½ acres in SE corner of SW¼ SW¼.
Sec. 15- NW¼ NW¼. Sec. 36- S½ SW¼. Sec. 23-S½ NW¼
Sec. 22- E½ SE¼. Sec. 27- NE¼ NE¼, SE¼ SW¼ and SW¼ SE¼
Sec. 34- NW¼ NE¼; also a tract described as beginning at SW corner of NE¼ of NW¼ of Sec. 34, thence S. 89 deg. 42 min. W. 660 ft., thence N. 14 deg. 8 min. E. 1351.5 ft. to North line of Sec. 34, thence N. 89 deg. 42 min. E. 330 ft. to NW corner of NE¼ of NW¼ of Sec. 34, thence S. 1309 ft. to place of beginning. Also all that part of the NE¼ NE¼ Sec. 34 and SE¼ SE¼ of Sec. 27 lying W. of right of way of I. & I. N. Ry.
Also a tract of land beginning at SE corner of NE¼ of SW¼ of Sec. 27, running thence S. 89 deg. 53 min. W. 269 ft., thence N. 62.7 ft., thence S. 89 deg. 53 min. E. 400 ft., thence S. 62.7 ft., thence S. 89 deg. 53 min. W. 131 ft. to place of beginning, making a total of 5000 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, this 7th day of July, 1921.

C. K. MACEY
Vice-Pres., Orchards Water Co.

Date of receipt at office of Department of Reclamation July 7, 1921.

APPROVAL OF COMMISSIONER OF RECLAMATION

I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 6503. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part and said application is approved only insofar as the rights of others will not be adversely affected thereby.

W. G. SWENDSEN,
Commissioner of Reclamation

By: Geo. B. Archibald

THIS INDENTURE, Made this 27th day of July, in the year of our Lord one thousand nine hundred and twenty-five, between Elizabeth O. Van Hoosen, (a widow), of the Town of Mesa, County of Adams, State of Idaho, the party of the first part, and the Lost Valley Reservoir Company, a corporation organized under the laws of the State of Idaho, with its principal place of business at the Town of Mesa, County of Adams, State of Idaho, the party of the second part, WITNESSETH:

That, WHEREAS, The said party of the first part, by the terms of a certain written proposal dated the 20th day of June, 1925, for the consideration therein named, offered and agreed to transfer and convey unto the said party of the second party, by good and sufficient Quit Claim Deed, an interest in and to that certain reservoir known as the "Lost Valley Reservoir", water rights, rights of way, franchises and dams, situated in Adams County, State of Idaho, and more particularly described as follows, to-wit:

An interest in and to said Lost Valley Reservoir, which is situated on Lost Creek in Township 19 North of Range one West of Boise Meridian, Adams County, Idaho, the outlet of which into Lost Creek being at a point South 39 degrees 30 minutes East 2002 feet from the Northwest corner of Section 28 in said Township and Range, to the extent of about 6050 acre feet, together with a proportionate interest in the present capacity of said reservoir, rights of way, dams, franchises and water permits hereinafter mentioned, but reserving unto said first party all her interest over and above the present capacity of said reservoir, in and to said water permits and right to appropriate, use and dispose of such water under said permits, rights of way, franchises and dams, and the right to enlarge said reservoir and store, own and sell water under said permits that are over and above the present capacity of said reservoir; said water permits above referred are those necessary to the present capacity of said reservoir and in particular Permit No. 6503 to appropriate the water of Lost Creek, under the application filed May 27, 1910, by the Weiser Valley Land and Water Company.

AND WHEREAS, The interests above referred to are those over and above said interests in said reservoir, water rights, rights of way, dams and franchises which have been heretofore conveyed and transferred to certain other parties in said reservoir and up to the present capacity of said reservoir.

AND WHEREAS, By resolution of the stockholders and Board of Directors of the party of the second part at their meetings, the President and Secretary of said second party were duly authorized, empowered and directed to accept this conveyance of the above mentioned and described property for and on behalf of said second party, pursuant to the terms of said written proposal;

WHEREFORE, The said party of the first part, in consideration of the premises aforesaid, and of the sum of One Dollar ($1.00) in lawful money of the United States of America, to her in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever Quitclaim, unto the said party of the second part and to its successors and assigns, an interest in and to that certain reservoir known as the Lost Valley Reservoir, water rights, rights of way, franchises and dams, situated in Adams County, State of Idaho, and more particularly described as follows, to-wit:

An interest in and to said Lost Valley Reservoir, which is situated on Lost Creek in Township 19, North of Range One West of Boise Meridian, Adams County, Idaho, the outlet of which into Lost Creek being at a point South 39 degrees 30 minutes East 2002 feet from the Northwest corner of Section 28 in said Township and Range, to the extent of about 6050 acre feet, together with a proportionate interest in the present capacity of said reservoir rights of way, dams, franchises and the water permits necessary therefore but reserving unto said first party all her interest over and above the present capacity of said reservoir, in and to said water permits and right to appropriate, use and dispose of such water under said permits, rights of way, franchises and dams, and the right to enlarge said reservoir and store, own and sell water under said permits that are over and above the present capacity of said reservoir; said water permits are those necessary to the present capacity of said reservoir and in particular Permit No. 6503 to appropriate the water of Lost Creek, under the application filed May 27, 1910, by the Weiser Valley Land and Water Company.

TOGETHER, WITH all and singular the appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said rights, titles and interests, together with the appurtenances, unto the said party of the second part and to its successors and assigns forever.

IN WITNESS WHEREOF, the said party of the first part, has hereunto set her hand and seal the day and year first above written.

ELIZABETH G. VAN HOESEN

STATE OF IDAHO)
) SS:
County of Adams)

On this 27th day of July, in the year 1925, before me Charles V. Fry, a Notary Public in and for said County, personally appeared Elizabeth G. Van Hoesen, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.

CHARLES V. FRY.
Notary Public for Idaho
Residing at Mesa, Idaho

(SEAL)

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 2.00 P.M. August 17, 1925.

W. G. SWENDSEN
Commissioner of Reclamation

THIS INDENTURE, Made this 27th day of July, in the year of our Lord one thousand nine hundred and twenty-five, between the Orchards Water Company, a corporation organized under the laws of the State of Idaho, with its principal place of business at Boise, Ada County, Idaho, the party of the first part, and the Lost Valley Reservoir Company, a corporation organized under the laws of the State of Idaho, with its principal place of business at the Town of Mesa, County of Adams, State of Idaho, the party of the second part, WITNESSETH:

That, WHEREAS, The said party of the first part, by the terms of a certain written proposal dated the 5th day of July, 1925, for the consideration therein named, offered and agreed to transfer and convey unto the said party of the second part, by good and sufficient Quit Claim Deed, all of its interests as hereinafter stated in and to that certain reservoir known as the Lost Valley Reservoir, water rights, rights of way, franchises and dams, situated in Adams County, State of Idaho.

And, WHEREAS, By resolution of the stockholders and Board of Directors of the party of the first part, at their meetings, the President and Secretary of said first party were duly authorized, empowered and directed to transfer and convey its interests in the property herein stated unto said second party for and on behalf of said first party, pursuant to the terms of said written proposal;

NOW, THEREFORE, The said party of the first part, in consideration of the premises aforesaid, and of the sum of One Dollar ($1.00) in lawful money of the United States of America, to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever Quitclaim, unto the said party of the second part and to its successors and assigns, all its interests in and to that certain reservoir known as the "Lost Valley Reservoir", and the water rights, rights of way, franchises and dams appurtenant thereto, situated in Adams County, State of Idaho, and more particularly described as follows, to-wit:

An interest in and to said Lost Valley Reservoir, which is situated on Lost Creek in Township 19, North of Range One West of Boise Meridian, Adams County, Idaho, the outlet of which into Lost Creek being at a point South 39 degrees 30 minutes East 2002 feet from the Northwest corner of Section 28 in said Township and Range, to the extent of about 6250 acre feet, together with a proportionate interest in the present capacity of said reservoir, rights of way, dams, franchises and the water permits necessary therefore, and particularly that certain permit designated as Permit No. 6503 to appropriate the water of Lost Creek, under the application filed May 27, 1910, by the Weiser Valley Land and Water Company, a corporation, the above interest therein having been transferred to the Orchards Water Company by a deed dated October 21, 1913 and filed for record in Adams County on November 17, 1913 in Book 2 of Deeds at pages 586, 587 and 588.

The said rights, titles and interests hereinbefore enumerated being conveyed to said second party with the understanding and agreement, by said second party, that said second party will deliver and release from said reservoir, to said first party, the above mentioned 6250 acre feet of water whenever said first party demands same.

TOGETHER, With all and singular the appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said rights, titles and interests, together with the appurtenances, unto the said party of the second part and to its successors and assigns forever.

IN WITNESS WHEREOF, the said party of the first part, the Orchards Water Company, has caused its corporate name to be hereunto subscribed by its Vice-President, and its corporate seal affixed, attested by its Secretary, the day and year first above written.

ORCHARDS WATER COMPANY

(SEAL)

By M. C. VAN HOESEN
Vice-President.

ATTEST:

E. C. VAN HOESEN
Secretary.

STATE OF IDAHO)
) SS:
County of Adams)

On this 27th day of July, in the year 1925, before me Charles V. Fry, a Notary Public in and for said County and State, personally appeared M. C. VAN HOESEN, known to me to be the Vice-President of the Orchards Water Company, the Corporation that executed the within instrument and acknowledged to me that such corporation executed the same.

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

CHARLES V. FRY
Notary Public for Idaho,
Residing at Mesa, Idaho.

(SEAL)

Received and filed for record in the Department of Reclamation at Boise, Idaho at 2.00 P.M. August 17, 1925.

W. G. SWENDSEN
Commissioner of Reclamation

FORM 3

STATE OF IDAHO
Department of Reclamation

Permit No. 6503

Application for Extension of Time for Beneficial Use Proof

STATE OF IDAHO }
County of ADA } ss.

C. K. Macey of Boise,
Vice-President, Orchards Water Co.
State of Idaho being first duly sworn upon his oath deposes and says:

That he is the owner and holder of Permit to Appproppriate the Public Waters of the State of Idaho, No. 6503

THAT, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by August 24, 1919.

THAT he has heretofore put to beneficial use 50 second feet of water and has irrigated 4000 acres.

THAT, for the following reasons, he is unable to put to beneficial use within the required time, the remainder of the water appropriated under his permit, to-wit: Because of the absence from the State of one of the owners by assignment of an interest in the reservoir, who is away on official business for the State, and is therefore unable to complete the proof papers within the time allowed in the Permit;

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the making of proof of beneficial use under said permit to August 24, 1920.

C. K. Macey
Vice-President, Orchards Water Co.

Subscribed and sworn to before me this 19th day of July, 1919.

Ella I. Knapp
Notary Public,
for Idaho
Residing at Boise, Idaho

My commission expires February 19, 1921

Date of receipt at office of Department of Reclamation

APPROVAL OF COMMISSIONER OF RECLAMATION

I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the making of proof of beneficial use under Permit to Appropriate the Public Waters of the State of Idaho, No. 6503, to August 24, 1920

Witness my hand this 21st day of July, 1919

6503

W. G. Swendsen
Commissioner of Reclamation.

By [illegible]
Deputy

Boise, Idaho, March 8, 1916.

Re Permit No. 6503.

Mr. C. K. Macey,
Boise, Idaho.

Sir:--

Enclosed you will find certificate of completion of works issued under above permit.

Very truly yours,

J. H. SMITH,
State Engineer.

CCW By_____

6503

Form No. 9

Weiser Valley Lan
Boise, Idaho.

Dear Sir:

I enclose herewith b
Permit No. ---6503---
which you wish to sub
subsequent to that your
date proof should have b

J. A. CARR

REAL ESTATE INSURANCE

BONDS, NOTARY PUBLIC

COUNCIL, IDAHO

July 15, 1921.

RECEIVED

JUL 18 1921

Mr. W. D. Swendsen,

Commissioner Reclamation,

Boise, Idaho.

Dear Mr. Swendsen:-

Last evening I received a letter from Mr. A. L. Freehafer, saying the notice for publication of our Reservoir water would be held in your office until the 16th and that Mr. Macey had only mentioned two canals for carrying these waters and asked me to send you the names of the various ditches to be used for carrying the water to all the farmers who have recently purchased this water from Freehafer, VanHoesen and myself. A few days prior to Mr. Freehafer's letter, I received one from Mr. Macey, saying he had arranged with you for me to make any corrections or additions with the Editor of the Leader here before the notice is published. And then to send you a copy. Now the time is too short for me to get this information into your office before you forward the above notice. So if satisfactory to you I will check over with the Editor the descriptions of the lands, add the names of the canals, when same is received here by the Leader office.

Trusting this will be satisfactory to you, I am,

Yours very truly,

J. A. Carr

6503

Re: Permi

Adams Co
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Mr. Carr

MB
Encl.

8-3-89

Per Killy - there is evidence of an old ditch running to the property which was later replaced by a pipeline.

Killy did field exam on 67-7589 (10 acres) on 8-1-89

Henry Williams

7-31-89

Henry (Jim?, Joe?)
Williams filed on 67-4433
this date. Unn streams &
springs waters 20 acres
part season (snow melt)
Also receives water
through the Glendale ditch
out of Weiser river.
POU & transfer file does
not show any other WR
for his property except
for 67-7589 & 67-7733
which are new rights &
adj. claim unnecessary.
He was under assumption
that WR # 67-00079 (Biggerstaff)
appurtenant to his land.
Unless there's been a transfer
it doesn't. No transfer on
record.
Also. the Glendale ditch

company filing for users. We may be included. Mr. Williams will contact me to give me the secretary of state number. Name is Tim Haas. Will they file? Will his land be included? What numbers will they file from?

Williams also holds 20 shares of East Valley Reserv. which cannot be used on his property. Possible procedure will be to give shares back to E.V. to be used on other properties.

Research for Henry Williams
Lost Valley Res.
P/U: T17N, R1W, Sec. 2: NW¼ & SW¼

67-00079 - Biggerstaff
P/U: 17N. 1W. Sec. 1 S½. SW¼
Sec. 2: S½. SE¼
0.90 cfs priority - 6-1-1890

67-2053 - Weiser Valley Land & Irr,
Incorporated 9-29-1910
125 cfs
For 6400 acres
P/D NW¼, Sec. 28, T19N, R1W
Reservoir capacity is 10,000 AF
Permit no. 6503.

Lost Valley

7-12-89

Williams, Henry

Weiser River irr. 35
well - D/ 1 home w/ lawn
springs - S/ 3 horse
(100 cattle)
T 17N, R 1W, Sec. 2 NW 1/4 & SW 1/4

67-4433, 67-7589, 67-7733
~~67-443~~
(67-4433) (1950)
Unn. Str. & Springs
P/D - 17N, 1W, Sec. 2 SW NW: SE NW: NE SW
NW SW
Irr 1S 7 Ac - NE SW
18 Ac - NW SW
25 Ac

(67-7589) (1982) - No need to file
well -
P/U & P/D - 17N, 1W, Sec. 2: NW SW
Irr 1S/D

(67-7733) No Need to File
Weiser River P/D 17N, 1W, Sec 2: NE SW
Div S - Rec S P/U - NW SW
67-00081 A-H

Also - check Biggerstaff right.
17N, 1W, Sec 2: SE 1/4 + SW 1/4

Also - neighbor downstream is using water from Lost Valley + Mr. Williams using water from Wisbr. They are trading.

1:00 best time to call.
253-4812

State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

June 16, 1983

Vince Ledger
P.O. Box 207
Pine Valley, CA 92062

Dear Mr. Ledger:

I have researched our files for water right covering lands in the SE¼ SE¼, Sec. 2, Twp. 17N, Rge. 1W, and enclosed is a copy of the abstract of those water rights.

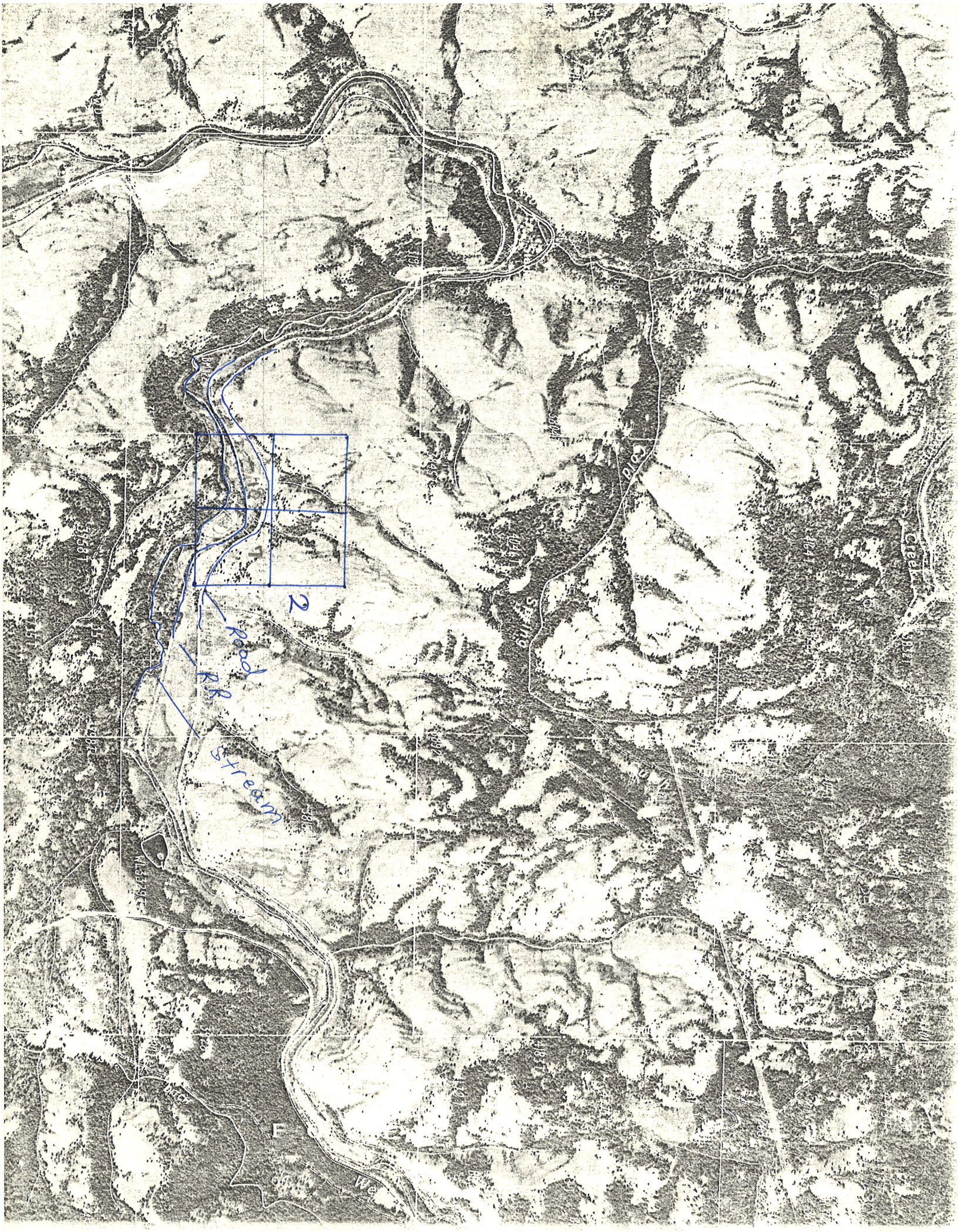
The water right found covering your land description is underlined and was in the name of Biggerstaff. In this decree the water rights were all allotted 2/8 of an inch of water per acre and the number of acres per water right were never listed. Therefore, we take the amount of water which is 0.90 cubic feet per second and convert it into inches. This would be 45 inches of water which at 5/8ths of an inch per acre would be enough to cover 72 acres. The legal description covers the S½SW¼, Sec. 1, which is 80 acres, and the S¼SE¼, Sec. 2, which is also 80 acres for a total of 160 acres. At the time of the decree 72 of the 160 acres were being irrigated and it is those 72 acres that the water right covers. Normally, when trying to figure how many acres were covered in the decree in your quarter-quarter (40-acre tract), you will have to figure which acres could have been irrigated only by a gravity system and flood irrigation at the time of the decree. Your water right has a priority of 6/1/1890 and obviously no pumps or sprinklers were in use at that time. The number of acres you come up with would probably be close to the number the decree covered.

I hope this information helps, but if you have any questions, do not hesitate to contact us.

Sincerely,

JAN GROVER
Senior Water Resource Agent

JG:tw



Road
RR
Stream
2

WR0723NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

07/24/89 12:47:46
Page 1

Water Right Number - 67-00079 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER *** BIGGERSTAFF	T. B.	1 - 2 - 3 - City- State- Zip- Phone -

Priority Date	Region	Stage	Status
06/01/1890	14	D - DECREED	

Source	Tributary
WEISER RIVER	SNAKE RIVER

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION			0.900	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
0.900				

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	1	SW SW			01	IRRIGATION	3 ADAMS
17N	01W	1	SE SW			01	IRRIGATION	3 ADAMS
17N	01W	2	SW SE			01	IRRIGATION	3 ADAMS
17N	01W	2	SE SE			01	IRRIGATION	3 ADAMS

Total Acres:

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

THIS WATER CARRIED IN THE BIGGERSTAFF DITCHES.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
JOHN T. MUIR	WILLIAM ALLISON	06/20/1921

Tim Haas
Glendale Ditch

Water right number - 67-00079 Adj. flag translation: Standard Water Right Number

+ - - Audit Fields - 03/26/85 05/01/88 CONVERT

+ - Water Rights Dates and Flags Area - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 03/26/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 67
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 06/20/1921				

REESE CREEK
HHI RIVER
ESE CREEK
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RINGS
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RINGS
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OUNDWATER
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HHI RIVER

		SW	SE		3.0	01	74-01126	POWERS	C	W	03/07/1944 CRUIKSHANK CREEK
		SW	SE	8	6.0	01,04	74-01119	POWERS	C	D	03/07/1944 WILDCAT CREEK
		SE	SE		13.0	01	74-01126	POWERS	C	D	03/07/1944 CRUIKSHANK CREEK
	34	NE	NW			04	74-07125	POWERS	C	D	03/07/1944 WILDCAT CREEK
		SW	NW			04	74-07125	U.S. DEPT. OF AGRI	C	L	04/16/1981 WILLOW SPRING
		SW	SW		11.0	01	74-01126	U.S. DEPT. OF AGRI	C	L	04/16/1981 WILLOW SPRING
		SE	SW		11.0	01	74-01126	POWERS	C	D	03/07/1944 WILDCAT CREEK
		NE	SE		5.0	01	74-02214	POWERS	C	D	03/07/1944 WILDCAT CREEK
		SW	SE		13.0	01	74-01126	POWERS	C	D	07/22/1916 CRUIKSHANK CREEK
		SE	SE		5.0	01	74-02214	POWERS	C	D	03/07/1944 WILDCAT CREEK
	35	SW	NW		5.0	01	74-02214	POWERS	C	D	07/22/1916 CRUIKSHANK CREEK
		SE	NW		6.0	01	74-02214	POWERS	C	D	07/22/1916 CRUIKSHANK CREEK
		NW	SW		1.0	01	74-02214	POWERS	C	D	07/22/1916 CRUIKSHANK CREEK
	01W 1	SW	NE		3.0	01	67-04162	POWERS	C	D	07/22/1916 CRUIKSHANK CREEK
		SW	NE			43	67-07273	PROBST	C	S	06/01/1890 WEISER RIVER
		SW	NE			43	67-07289	GRAY	C	L	05/26/1976 TRAIL CREEK
									C	P	10/12/1976 UNNAMED STREAM TRAIL CREEK

NI9

No need to file.

DATE: 01/07/89
PAGE: 4558

WATER SOURCE

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WR4001NP
(OD-21)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS MICROFICHE BY PLACE OF USE

DATE: 01/07/89
PAGE: 4573

TWP	RNG	SECT	TRACT 1 4 1 4	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	O C	STG	PRIORITY DATE	WATER SOURCE
17N	01W	1	SW NE		5.0	43,01	67-07425	BEARDSLEY	D	P	12/28/1978	GROUNDWATER
			SE NE			43	67-04140	BEARDSLEY MOXLEY	C	S	04/01/1971	SPRINGS
			SW SW			01	67-00079	MOXLEY BIGGERSTAFF	C	D	06/01/1890	WEISER RIVER
			SE SW			01	67-00079	BIGGERSTAFF	C	D	06/01/1890	WEISER RIVER
			SE SW			43	67-07282	FISHER	C	L	08/03/1976	GROUNDWATER
			SE SW			43	67-07287	FISHER	C	L	06/28/1976	GROUNDWATER
			NW SE		17.0	01	67-04141	OLSON MOXLEY	C	S	06/01/1933	WEISER RIVER
			NW SE		11.0	01	67-04163	MOXLEY PROBST	C	S	06/01/1890	WEISER RIVER
			NW SE			43	67-07061	PROBST	C	L	09/23/1971	SPRINGS
			NW SE		3.0	01	67-07294	PROBST	C	L	12/02/1976	SPRINGS
		2	SW NW			43	67-07690	PROBST FRANCIS	C	P	03/27/1984	SPRING
			NE SW		7.0	01,04	67-04433	WILLIAMS	C	S	06/01/1950	UNNAMED STREAMS SPRINGS
			NW SW		18.0	01,04	67-04433	WILLIAMS	C	S	06/01/1950	UNNAMED STREAMS SPRINGS
			NW SW		10.0	01,04,43	67-07589	WILLIAMS	C	P	04/26/1988	GROUNDWATER
			NW SW			55,47	67-07733	WILLIAMS	C	P	04/13/1988	WEISER RIVER
			NE SE			43	67-07235	HALBESLEBEN HALBESLEBEN	C	L	01/02/1975	GROUNDWATER
			NE SE		7.0	01,43	67-07519	KREIDER	C	P	11/25/1980	GROUNDWATER
			NW SE			43	67-07259	BURCH	C	L	10/17/1975	GROUNDWATER
			SE			43	67-07514	BURCH BOLES	C	P	09/26/1980	GROUNDWATER
								BOLES SALL	C			
			NW SE		3.0	01,43	67-07519	SALL KREIDER	C	P	11/25/1980	GROUNDWATER
			SW SE			01	67-00079	BIGGERSTAFF	C	L	12/17/1890	WEISER RIVER
			SW SE			43	67-07264	GOUEDARE	C	L	01/01/1976	GROUNDWATER
			SW SE			43	67-07288	MOMS	C	L	09/27/1976	GROUNDWATER
			SE SE			01	67-00079	BIGGERSTAFF	C	D	06/01/1890	WEISER RIVER
		3	NW SW		5.0	01	67-04114	ROBERTSON SEAVEY	D	S	05/01/1901	WEISER RIVER
		4	NE NE		10.0	04,01	67-07472	SCISM	C	P	11/02/1979	SPRINGS
			NE NE			04,01	67-07472	SCISM SCISM	C	P	11/02/1979	SPRINGS
			NW NE		10.0	04,01	67-07472	SCISM SCISM	C	P	11/02/1979	SPRINGS
			SW SW		4.0	01	67-04122	SCISM T. J. GLENN DITCH	C	S	05/01/1898	WEISER RIVER, WEST FORK
			SW SW		4.0	01	67-04125	HARRINGTON HARRINGTON	C	S	05/01/1900	WEISER RIVER, WEST FORK
		5	NW NE			01	67-00146	BRIDGEWOOD	C	D	05/01/1900	WEISER RIVER, WEST FORK
			NW NE			01	67-00148	BRIDGEWOOD & RIDDEL	C	D	05/01/1900	WEISER RIVER, WEST FORK

018

DATE: 01/07/89
PAGE: 4559

WATER SOURCE

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TWP	RNG	SECT		TWP	RNG	SECT		TWP	RNG	SECT		TWP	RNG	SECT	
15N	22E	13	B 1	15N	03W	32	J 5	16N	25E	12	C10	17N	03E	10	K14
15N	22E	30	C 1	15N	03W	34	K 5	16N	25E	15	D10	17N	03E	12	L14
15N	22E	31	D 1	15N	03W	34	L 5	16N	25E	17	E10	17N	03E	13	M14
15N	25E	3	E 1	15N	03W	36	M 5	16N	25E	18	F10	17N	03E	15	N14
15N	25E	6	F 1	15N	04W	3	N 5	16N	25E	20	G10	17N	03E	16	O14
15N	25E	10	G 1	15N	04W	11	O 5	16N	25E	21	H10	17N	03E	20	P14
15N	25E	11	I 1	15N	04W	24	P 5	16N	25E	24	I10	17N	03E	20	B15
15N	26E	2	J 1	15N	06W	4	B 6	16N	25E	25	J10				

PHONE MEMO

TO: Linda

DATE: 7/21 TIME: 2:15 AM PM

FROM: Henry William

AREA CODE

NO. 253-4812

OF

EXT.

MESSAGE

Talk to Kelly about his coming to see him. 67-07589 (new well) (35 acres)

A67-04433 Unn Str. + Spring

Call back @ 12:00 - MON

SIGNED NS

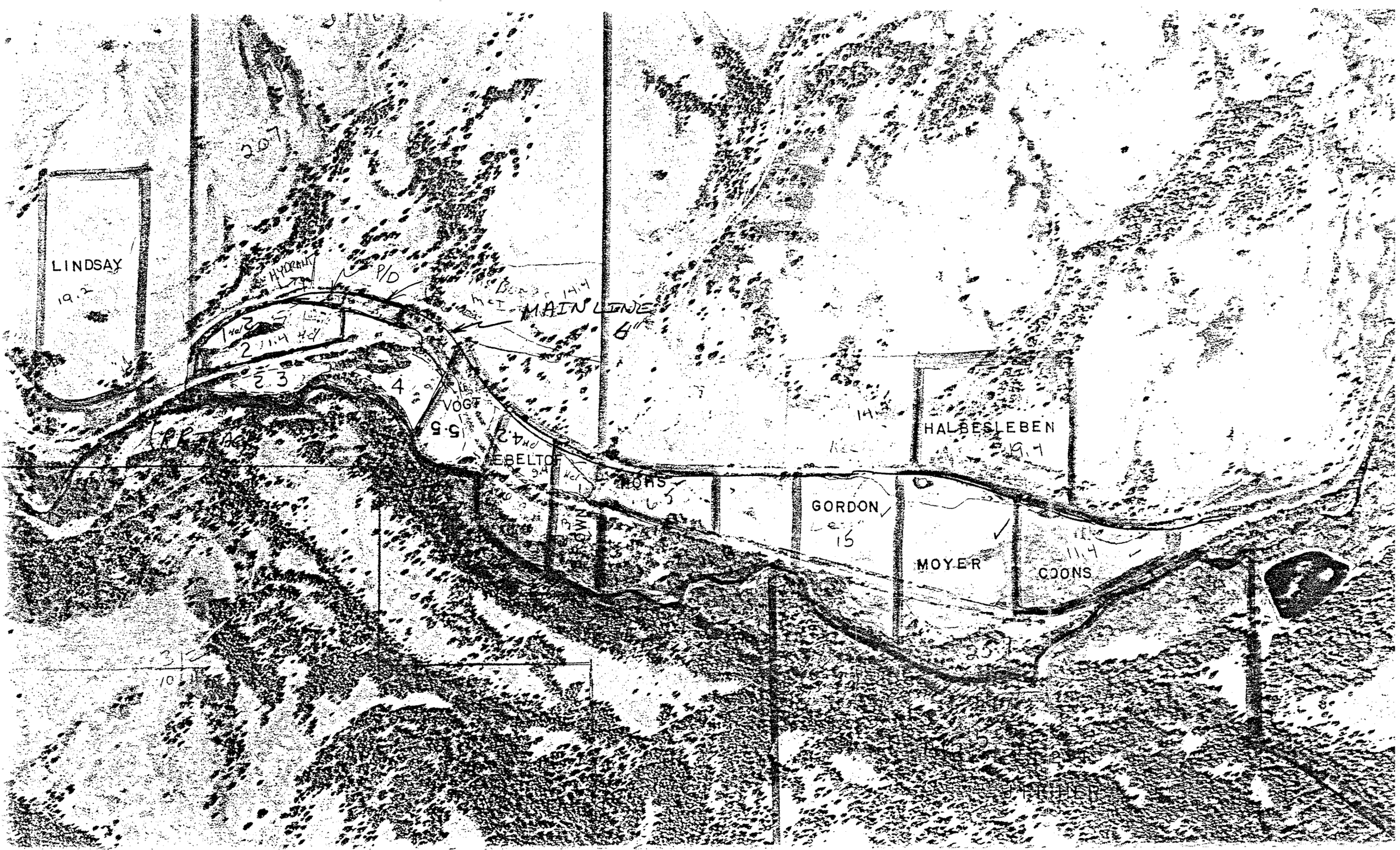
PHONED [X] CALL BACK [X] RETURNED CALL [ ] WANTS TO SEE YOU [ ] WILL CALL AGAIN [ ] WAS IN [ ] URGENT [ ]

Permit - 10 AC

Be there Tues - aft. 10:00

8-1-88

Get description


LINDSAY
19.2
HYDRANT
P/D
MAIN LINE
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VOGT
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EBELTOF
HORS
GORDON
15
MOYER
COONS
11.4
HALBESLEBEN
19.4
14.3
207

Timothy J. Hohs
P.O. Box 52
Fruitvale, ID 83620

Dear Mr. Hohs,

I have received your letter of June 4, indicating the location of your places of use.

Enclosed are two water right proofs which are appurtenant to the lands described. These water rights should be filed by the owner of said lands. In the case of the Biggergstaff right, if you own a portion of this land, we can split the right.

Also enclosed is a listing of water rights held in sections two and three. If any of these individuals were previous owners of land you now own, you may file a claim on these also. A water right claim must be appurtenant to the land where the water is used.

These water rights came from our data base, however, it is the responsibility of the landowner to file a claim on all water rights held.

Enclosed are two forms which you may use to file your claims. Form 42-1409(2)a is for an irrigation right and 42-1409(2)b can be used for your domestic filing. A fee schedule is also enclosed.

If you need further assistance, please feel free to contact me.

Sincerely,

Linda Werner
Senior Water Resources Agent
Adjudication Section

RECEIVED
JUN 6 1989
Department of Water Resources
Western Regional Office

63-2472
67-07288
67-00079
67-4114

Timothy J. Hohs
P.O. Box 52
Fruitvale, Idaho 83620
(208) 253-4324

June 4, 1989

Linda A. Werner
State of Idaho Dept. of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Dear Ms. Werner,

Our ditch co. properties are located in the south ends of Sections 2 and 3 of T17N, R1W. Our water rights are covered under the Biggerstaff decree of June 1, 1890.

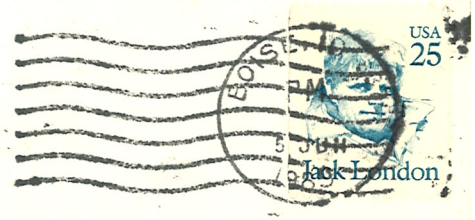
I believe there is only one water right for all of us. If this is not enough information just write me at this address or call me on the weekends at the above phone number and I'll try to give you any other information you need.

Sincerely,

Timothy J. Hohs

Timothy J. Hohs
P.O. Box 52
Fruitvale, Idaho 83620

BOISE, ID 837
PM
5 JUN
1989



Linda A. Werner
State of Idaho Dept. of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

- Can a person sell their share? (Lost Valley Res.)
  ex: Can't get water on place.

- Will a person be restricted to an 1"/acre.

May 23, 1989

Timothy J. Hohs
PO Box 52
Fruitvale, ID 83620

Dear Mr. Hohs;

I am writing in response to your letter of May 19. In answer to your questions:

1. A person may, but is not required, to file a water right in this adjudication if they use less than 13,000 gallons/day for a domestic or stockwater usage. I have enclosed a booklet to explain the advantages to filing.
2. The above uses must be filed separately from irrigation unless both uses were started at the same time and from the same system.
3. The water rights for the ditch company may be filed on one claim if the company holds only one water right. If each individual holds their own water right, then each must file.
4. There will most likely be a mobile unit in that area; however, I am unsure of the date at this time. It will be announced over radio and in the local newspaper.
5. In regard to the Lost Valley Reservoir Company, they will probably file; however, you may want to give them a call to be sure.

If you will give me a legal description of the properties in question, or previous water right number(s), I will be glad to research any water rights and give you more details about what needs to be done. Please contact me if you have any further questions.

Sincerely,

Linda A. Werner
Sr. Water Resources Agent
Adjudication Section

Enclosures

Timothy J. Hohs
P.O. Box 52
Fruitvale, ID 83620
(208)253-4324

RECEIVED
MAY 22 1989
Department of Water Resources
Western Regional Office

May 19, 1989

Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Dear Sirs,

I am the president of the Glendale Ditch Company and it has come to my attention that, once again, the members of our ditch are being asked for money to re-register our water rights.

If you could please send me the proper form and its instructions I will attempt to fill it out. I have heard from other people that the instructions are a tad difficult to understand. If it was difficult for them it will be worse for me so, if I may, I am asking you to answer a few questions personally.

Must a person re-file a claim for domestic and/or stockwater rights from a well and if we don't do we lose those water rights? Must this be done seperately from the re-filing for irrigation rights? What could be the consequences of losing the rights to your wellwater?

Can all eleven of us file one form (as a ditch company) and therefore pay one flat $50 fee? Will your "mobile claims taking office" be traveling through our area? If so, when? If any of the forms must be filed individually please send me eleven forms and I will distribute them among the ditch members.

Also, though we don't get water from it, we all have shares in the Lost Valley Reservoir Company. What should we do about these?

Thank you for any help you can extend.

Sincerely,

Timothy J. Hohs

September 28, 1989

Leon and Arlene Newman
Box 591
Council, ID 83612

Dear Mr. and Mrs. Newman;

This office has received your letter dated September 10, 1989 requesting the necessary forms for filing on the water out of Lost Valley Reservoir.

While Mr. Hohs is taking care of water right filings for water conveyed through the Glendale Ditch it would still be necessary for you as individuals to file on the storage water from Lost Valley Reservoir. Enclosed is a Notice of Claim to a Water Right form with instructions which may be used to make this filing. When filling out this form, please indicate that you have Lost Valley Reservoir shares, the amount and type of shares. Lost Valley has four decreed water rights and one license. In order to determine which water right is applicable to your type of share I must know what type of certificate you hold.

I am enclosing a copy of water right claim 67-02053 which I believe is the license applicable to your certificates. You may use this copy as a guide when filling out your claim form. Also enclosed is a form explaining the fee schedule.

The Lost Valley Reservoir filings present a unique situation in the Snake River Adjudication. Therefore, if you have any questions please contact me. You may wish to file your claim here at the Western Region office. If so, please call to make an appointment with myself.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

Sept. 10, 1989

Gentlemen:

We received a card similar to this one enclosed in May 1989. We discussed it with Timothy Hohs who is the treasurer of the Glendale Ditch Co. to which we belong. At that time, he said he would handle all claim forms for all members in the Ditch Co. I believe there are at least twelve of us.

Anyway, now that we rec'd. this second post card from Mrs. Mirk (enclosed) I'm worried this may not be being taken care of.

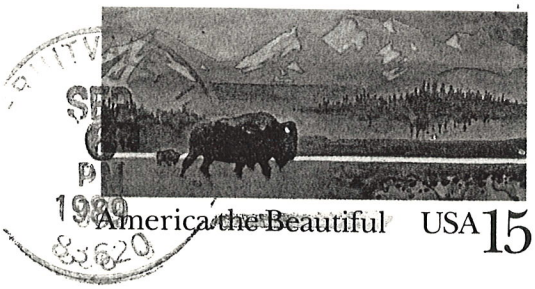
Please send us the necessary claim forms & instructions so we can file on our water rights. We have 3-C-shares and sure don't want to lose them.

Thank you,

Leon & Arlene Newman
Box 591
Council, Idaho 83612
208-253-4553

RECEIVED
SEP 12 1989
Department of Water Resources
Western Regional Office

Lost Valley Res Co
Margaret Merk
Fruitvale Ida



Mr Lean Newman
P.O. Box 591
Council
Ida
83612

© USPS 1988

Yam Ham
3 - C - Shares

I am mailing a reminder that if you have not already filed on your water rights; you need to do so by ~~October 19, 1989~~ JAN. 5 - 1990. Anyone having water in District 67; which includes part of Adams County, must file. You may get claim forms and instructions from the Water Department, 2735 Airport Way, Boise, Idaho 83705.

Margaret Merk,
Sec. Lost Valley Res. Co

Newman
Box 591
Council, Id. 83612

BOISE, ID 83
PM
11 SEP
1989

Water Dept.
2735 Airport Way
Boise, Idaho 83705

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: W003120

Date: 06/06/89
Time: 13:16:14

Received From: LOST VALLEY RESERVOIR CO.

Type of Payment	Program Acct Class	Amount
ADJUDICATION CLAIMS FEE	0410162 9337 6490	$50.00
	Total	$50.00

CHECK 355

Idaho Department of Water Resources

Region: WESTERN

Signature: Maureen M Hell

W MCR 003157

Form No. 42-1409 (2) a 1/88

RECEIVED
JUN 6 1989
Department of Water Resources
Western Regional Office

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 _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Lost Valley Reservoir Company Phone (208) 253-4751

   Mailing Address Margaret Merk, Box IO, Fruitvale, Idaho Zip 83620

2. Date of Priority (Only one (1) per claim) June I8- I925

3. Source of water supply (a) Lost Creek

   which is tributary to (b) Weiser River

4. a. Location of existing point of diversion is: Township I9 N Range I W Section 38,

   S E 1/4 of N W 1/4 of ____ 1/4, Govt. Lot, ____ B.M., County of Adams

   Additional points of diversion if any: _____

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

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

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

   ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

   _____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

   Dam is 32 ft. high earthfill concrete core. was enlarged in I939

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irragation purposes from June I to Oct I5 amount ____ or I0, 000

For ____ purposes from ____ to ____ amount ____ or ____

For ____ purposes from ____ to ____ amount ____ or ____

For ____ purposes from ____ to ____ amount ____ or ____

7. Total quantity claimed (a) ____ (cfs) and/or (b) I0,000 (acre feet)

8. Total consumptive use claimed is 9,600 acre feet per annum.

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

10. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated ____

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

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

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

14. Remarks: I am sending a list of the shareholders of Lost valley as I presently list them.

I am listing them in the area and ditch the water is used when I know it.

Margaret Merk

Enclosed check for $50.00

Last Name Lost Valley Res. Co. Ident No. ____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit X
Decree _____
If applicable provide IDWR Water Right Number 675
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

Signature of Authorized Agent Margaret E Mark

Title and Organization Sec. Lost Valley Res. Co. Date June 1, 1989

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

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

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

Signature _____

Address _____

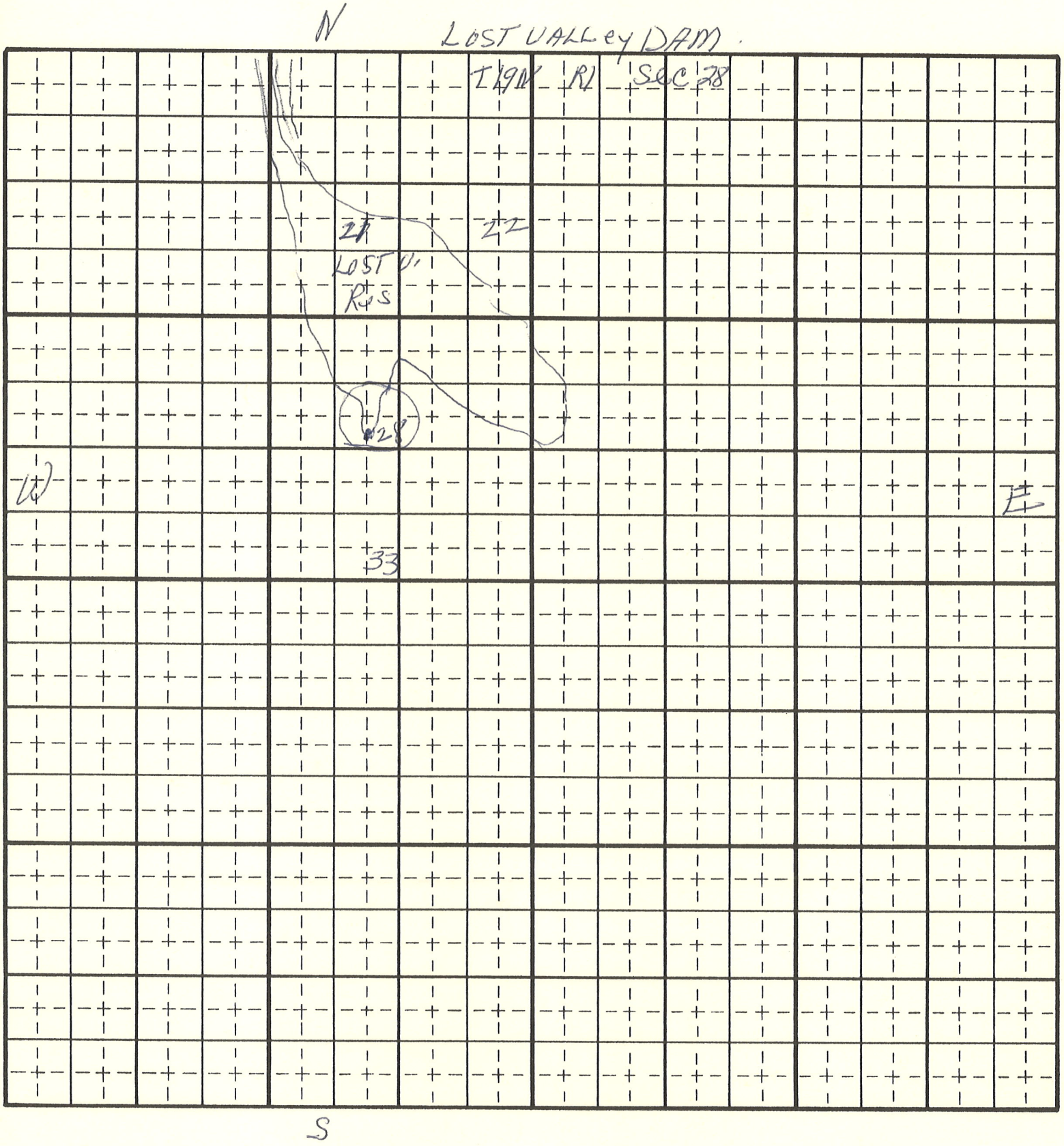
Date _____

Last Name Lost Valley Res. Co. Ident. Number _____

Copies White-State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



Last Name Lost Valley Res. Co. Ident No. _____

Copies: White-State, Yellow-Claimant

R-675

Mr. K. B. Snow, Secretary
Lost Valley Reservoir Company,
Council, Idaho

March 15, 1945

Dear Mr. Snow:

We acknowledge receipt of your letter of February 3rd, in reply to notice of completion of works proof due under Permit No. R-675 on February 26, 1945, and also inquiring as to a permit to the Van Hoesens.

The records of this Department show two permits issued to Anders C. Van Hoesen, under date of March 30, 1923, as follows:

No. R-312, to store 30,000 acre feet of water from Lost Valley Creek. Proof of completion of works was made March 30, 1932, and certificate of completion of works issued for 14,000 acre feet, with priority of February 16, 1923.

No. 15717 was the companion to R-312, and was for 200 cubic feet per second from Lost Valley Reservoir, for the irrigation of 26,639 acres of land. Proof of completion of works was also made on this permit on March 30, 1932, and Mr. Van Hoesen was notified by office letter of March 29, 1933, that a certificate of completion of works would be issued for the 200 second feet upon payment of the statutory fee of $62.00. This was not paid; nor has the beneficial use proof been made, which was due on or before March 30, 1935.

However, the completion of works fee can still be paid, and the certificate of completion of works will be issued; after which the beneficial use proof can be made, although the priority date will have to be set forward the length of time the proof is past due, which would bring it to some time in 1935, if made now, instead of 1923; and the storage figures adjusted to the actual capacity of the reservoir.

There were two later reservoir permits issued to Mr. Van Hoesen, No. R-515 on February 29, 1932, for 30,000 acre feet from Lost Valley Creek, and No. R-630, on June 21, 1937, for 6,200 acre feet from Lost Creek; but both of these have been cancelled for failure to make the necessary proofs.

We understand that your company is now the owner of this reservoir, and if you wish to proceed with this final proof and obtain a license under Permit No. 15717, we will be glad to furnish you the necessary forms, and instructions in regard to making such proof.

As far as Permit No. R-675 is concerned, there have been no other filings on Lost Creek subsequent to this, and our suggestion would be that you file a new application to take the place of this one. If you wish to do this, we will be glad to send you the proper form of application.

Very truly yours,

M. K. R. KULP
State Reclamation Engineer

R-675

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

IN THE MATTER OF CANCELLATION OF PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, No. R-675

ORDER OF CANCELLATION

WHEREAS, Permit No. R-675 lapsed through failure of the holder to make proof of completion of works within the time specified in the Permit, to-wit: February 26, 1945, and

WHEREAS, due notice was given the holder of said Permit that such proof would be due on the date above mentioned, and

WHEREAS, on May 5, 1945, notice was sent to the holder of said Permit to appear before the State Reclamation Engineer on or before 40 days to show cause why such Permit should not be cancelled, and

WHEREAS, the holder of said Permit has failed to comply with the said requirements, and that no showing has been made as to completion of the works under said Permit:

IT IS, THEREFORE, hereby ordered that Permit No. R-675 be and the same is hereby cancelled and held for naught.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 26th day of June, 1945

Mark R Kulp
State Reclamation Engineer.

R-675

ec. 1, 1944

ed and desire to submit

at least 60 days before

26, 1945

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clamation

ar

R-675

Lost Valley Reservoir Company

Council, Idaho

February 3rd 1945.

RECEIVED
FEB 6 1945
Department of Reclamation

State Reclamation Engineer,
Boise, Idaho.

Dear Mr. Kulp:

I am in receipt of your notice Form No. 7 relative to permit No. R - 675.

I am not sure as to the identity of this permit, but presume it refers to a certain filing which I made in the name of the company.

Mr. Stafford understood at the time my motive which I will add was to rather tie that thing up in the interest of the public: in contemplation of the overall program which was being sponsored for the complete coverage of the Weiser River system.

Prior to that time it had been the seemingly, perpetual policy of certain selfish interests to keep filings on every site which might have a value. It was my opinion that such filings and permits might interfere and possibly result in profits for certain individuals, against the best interests of the public.

Needless to say we have constructed no works and have no thought other than to fit in the program of developing this thing for the best interests of the community.

There was a certain permit which I think was along about 1928 to 30, by Van Meesens and which resulted in actually raising the dam, creating what is known as class C stock in the reservoir. It is my understanding that proof of beneficial use of this water has never been made, although the water was all sold and is being used by the purchasers.
We might be interested in completeing this proof.

Very truly yours,

E O Lucas

Secretary Lost Valley Reservoir Company.

R-675

DAHO
LAMATION

F CANCELLATION

failure of the holder to make
Permit to wit:

, and
Permit that such proof would be

was sent to the holder of said
or before 40 days to show cause

with the said requirements,
works under said Permit:

be and

November 15, 1966

Mr. Lee Hamilton,
Box 507,
Council, Idaho.

Dear Mr. Hamilton:

In response to your letter dated November 9th, we have searched our records for a permit issued to Fred Beckman or any other party wishing to file on additional storage water in Lost Valley Reservoir.

We find a filing No. R-1013 which has the same land description as R-675.

It seems that when Mr. Andy Lay was in the office, we found a permit under another name, but our stream index fails to show any such permit. Possibly Mr. Lay could give us the name of the person it was issued to, then we will look again.

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

Encl: Photo copy of
Permit No. R-675
(2nd page)

RWH:pmk

R-675

RECEIVED
Department of the Interior
Western Regional Office

(Form No. 2)

Address all communications to
CLYDE I. RUSH, Secy
P. O. MESA IDAHO

APPLICATION FOR PERMIT

To Construct a Reservoir and Store and Appropriate
The Public Waters of the State of Idaho

Application No. R 26329

Permit No. R 675

1. Name of Applicant: LOST VALLEY RESERVOIR COMPANY

Postoffice address: MESA County ADAMS State IDAHO

I. If applicant is a corporation, give:

(a) Date and place of incorporation: JUNE 18-1925 - Mesa, Idaho

(b) Amount of Capital Stock: $ $2,376.75

(c) Amount paid in: $ 2,376.75

(d) Names and addresses of directors: E. B SNOW, Council Idaho;
CLARENCE CRAIG, Midvale, Idaho;
CLYDE I. RUSH, MESA, Idaho

II. The financial resources of the corporation are:

(a) Cash on hand: $ Jan 1, 1940 - $79.87

(b) Treasury Stock: $

(c) Bonds to be issued: $ None

(d) Other resources:

2. Quantity of water to be stored: 6.200 acre feet per annum.

3. Source of water supply is LOST CREEK (Creek) ~~(River)~~ ~~(Spring)~~, a tributary of WEISER River.

4. The outlet of the proposed reservoir is located S. 39°30" E. 2002 (bearing) feet, distant from the North West corner of Section 28, Township 19 N, Range 1 W., B. M., and is in the S.E. ¼ of NW ¼ of Section 28, Township 19 N, Range 1 W, B. M. County of ADAMS

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of LOST CREEK (Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located — (bearing) — feet, distant from the ..... corner of Section ....., Township ....., Range ....., B. M., and is in the ..... ¼ of ..... ¼ of Section ....., Township ....., Range ..... B. M.; width at bottom ..... feet, width at top ..... feet, depth of water ..... feet; average grade per mile ..... feet; Capacity ..... cubic feet per second.

(b) The reservoir capacity is 15,500 acre feet.

7. Height of reservoir dam 40 feet, length at top 300 feet, length at bottom 100 feet, size of outlet 3 feet by 3 feet. The dam is to be constructed of materials as follows: Earth Fill with Concrete Corewall

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or acqueduct, thence to land to be irrigated ~~without commingling with natural flow of~~ Lost (Creek) (River) and? No will use use natural Channels to convey Water to distributing Canals.

02/16/1940-Applic for Permit
05/05/1945- Held for Cancellation-No Proof of Beneficial Use
06/26/1945 -Order of cancellation

Fruitvale, Ida. June; 1989

Dear Linda,

Lost Valley Res. was first built in 1909 and 1910. I can not find a permit no. for then. In 1925 Mesa Orchard Co. incorporated and took charge of it.

I am sending what I found that may help. The permit issued in 1940 is when it was last enlarged. The no is not real clear. I think it is 675 but may be 673.

Margaret Mick
253-4751

Approval of Commissioner of Reclamation

The number of this permit is R 675

Recorded in book R 3, page 675 Approved [illegible] 1940

This is to certify that I have examined the within application for a permit to construct a reservoir and store and appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitation and conditions:

Bond in the sum of $....., to be filed on or before .....

Work to begin on or before April 26, 1940 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 26, 1942

The whole of said work to be completed on or before February 26, 1945

Beneficial use of water stored in accordance herewith, to be made on or before February 26, 1951

Witness my hand this 26th day of February, 19 40

James Stafford
Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We, C. A. BOTTOLFSEN, Governor of the State of Idaho, and GEO. H. CURTIS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 26th day of February, 1940.

Countersigned:
By Geo. H. Curtis
Secretary of State.

STATE OF IDAHO
By C. A. Bottolfsen
Governor

No. R.....

STORAGE PERMIT

Date of first receipt at office of Commissioner of Reclamation 11:00 A.M. Dec. 22, 1939

Returned to applicant for correction January 29, 1940

Corrected application received Feb 16, 1940

Fees, $ 10 Paid. 11

FILING FEES FOR STORAGE PERMITS: ~~$5.00~~

For the first 250 acre-feet ~~$1.00~~

For each additional 250 acre-feet or fraction thereof ~~$0.10~~ 25

FOR NORMAL FLOW PERMITS: ~~$5.00~~

For the first Second foot ~~$1.00~~

For each additional second foot or fraction thereof ~~$0.10~~ 25

June 19, 1930.

On July 15, 1925, M. C. Van HOESEN obtained PERMITS Nos. 16340 and R-375 for 200 second feet and 80000 acre feet, respectively. The diversion points set up in those permits were the same as those in PERMIT No. 15717 and PERMIT No. R-312 with the exception that the two diversion points in:

Section 30, Township 15 North, Range 2 West of Boise Meridian

and the diversion point in:

Section 27, Township 14 North, Range 3 West of Boise Meridian

were not included nor have any additional points of diversion been added by subsequent amendments.

PERMIT Nos. 16340 and R-375 have been assigned to Mrs. ELIZABETH C. Van HOESEN, administratrix.

It is my understanding that the company has now sold storage water to the above mentioned parties and that they, in turn, desire to obtain a right to divert it through the FARMERS' CANAL and, inasmuch as the FARMERS' CANAL is not mentioned as a point of diversion in either of the permits, desire to obtain such amendment.

In order that the record be properly made in this office the right must be referred to some specific award.

It was my understanding that these rights were not intended to be served from the company's decreed right, and that, inasmuch as PERMITS Nos. 15717 and R-312 are the next rights by priority and are

R-312

Leased 1932

Council Idaho, June 18/25

Commissioner of Reclamation

Dear sir, Please send me a copy of license issued on Lost Valley Reservoir to Orchard Water Co. It may become necessary for me to establish my right to water for my land from L. V. Reservoir. We had to make proof of the use of said water some years ago, & I would like to get a copy showing my proof. If you would be kind enough to send me said proof I would be much pleased & very thankful to you.

Yours very truly Geo. Gould

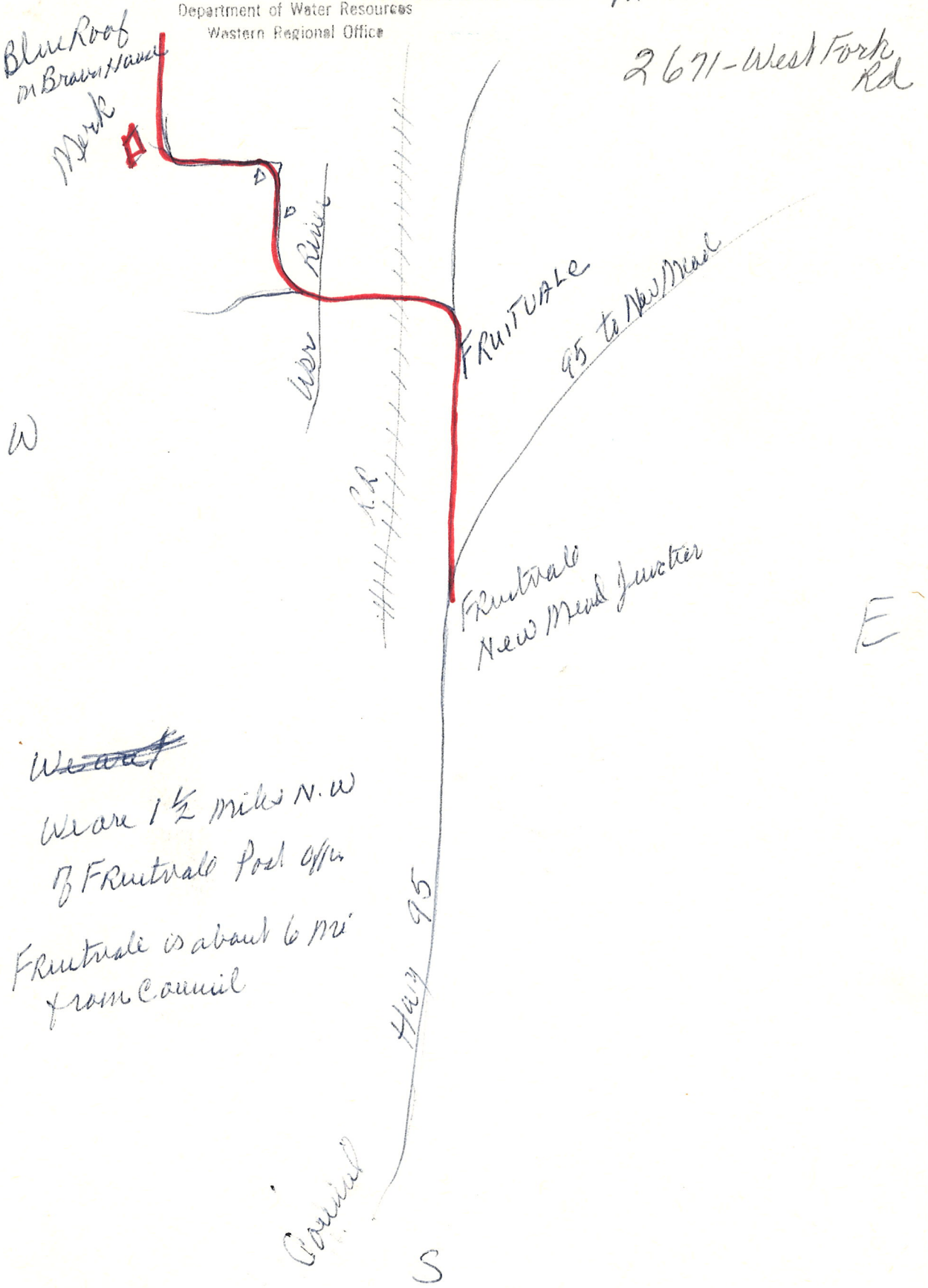
6503

RECEIVED
JUL 9 1991
Department of Water Resources
Western Regional Office

MR. & MRS. LADELL MERK
BOX ~~77~~ 10
FRUITVALE, IDAHO 83620

Ph-253-4751

2671-West Fork Rd



~~We are~~

We are 1½ miles N.W
of Fruitvale Post Office

Fruitvale is about 6 mi
from Council

am. 1933, ch. 193, § 1, p. 382; am. 1945, ch. 63, § 2, p. 102; am. 1947, ch. 246, § 1, p. 79; rep. and reen. 1969, ch. 303, § 2, p. 905.]

Compiler's notes. The names of the department of water administration and the director of the department of water administration (formerly the department of reclamation and the state reclamation engineer) have been changed to the department of water resources and the director of the department of water resources on the authority of S.L. 1974, ch. 286, § 1 and S.L. 1974, ch. 20, § 28 (§ 42-1801a).

Section 1 of S.L. 1943, ch. 53 is compiled herein as § 42-108.

Section 1 of S.L. 1969, ch. 303 is compiled herein as § 42-108.

Section 2 of S.L. 1945, ch. 63 declared an emergency. Approved Feb. 21, 1945.

Sec. to sec. ref. This section is referred to in §§ 42-108, 42-237, 42-1720.

Cited in: Almo Water Co. v. Darrington (1972), 95 Idaho 16, 501 P.2d 700.

ANALYSIS

Abandonment.
Abandonment not favored.
Action to quiet title.
Appeals.
Appurtenancy.
Burden of proof.
Carey Act settlers excluded.
Change of diversion.
Construction.
Estoppel to deny user's right.
Injury.
Liability for bonded indebtedness.
Permissive use.
Persons entitled to change.
Pleadings.
Questions determined in separate action.
Remedy in equity.
Resumption of use.
Reversion to state.
Right acquired by purchaser.
Subsequent appropriators.
Water right decree.

Abandonment.

Abandonment is a question of intention and must be evidenced by a clear and decisive act. Idaho Farms Co. v. North Side Canal Co. (1938), 24 Fed. Supp. 189.

Patentee of land, over which right of way for reservoir had been granted, or his successor in interest, may institute proceedings to declare forfeiture and quiet title in case of abandonment. Carns v. Idaho-Iowa Lateral & Reservoir Co. (1921), 34 Idaho 330, 202 P. 1071; Hurst v. Idaho-Iowa Lateral & Reservoir Co. (1921), 34 Idaho 342, 202 P. 1068.

Where it appeared from testimony of engineers that canal of prior appropriator lacked capacity to carry water decreed to it, and that the excess had been returned to str and used by subsequent appropriators, aba ment resulted against such prior appropriator, a five-year period having elapsed. Albrethsen v. Wood River Land Co. (1924), 40 Idaho 49, 231 P. 418.

An abandonment of a water right must have been continuous for five consecutive years. Carrington v. Crandall (1944), 65 Idaho 525, 147 P.2d 1009.

Only when an appropriator abandons his water by failing to apply it to a beneficial use for the statutory period of five years can it be considered and treated as unappropriated public water of the state. Colthorp v. Mountain Home Irr. Dist. (1945), 66 Idaho 173, 157 P.2d 1005.

Water right was not forfeited even though abandoned for over five years where applicant for transfer resumed use of water prior to filing petition for transfer. Application of Boyer (1952), 73 Idaho 152, 248 P.2d 540.

No forfeiture or abandonment results if the nonuser is prevented from exercising his rights by circumstances over which he has no control. Hodges v. Trail Creek Irr. Co. (1956), 78 Idaho 10, 297 P.2d 524.

Nonpayment of purported upkeep charge by plaintiff did not result in forfeiture or abandonment of plaintiff's water rights where the plaintiff received no notice or demand for payment from defendant irrigation company. Hodges v. Trail Creek Irr. Co. (1956), 78 Idaho 10, 297 P.2d 524.

An appropriator who fails to make beneficial use of his water for the statutory period may forfeit his rights, but title to such water right cannot be acquired by another, where such other claimant was the party who prevented the use. Hodges v. Trail Creek Irr. Co. (1956), 78 Idaho 10, 297 P.2d 524.

Where protestants asserted that water, which applicant had tried to appropriate by his permit, was seepage water to which they had superior rights through prior use and enjoyment, and there was no evidence as to the actual amount of water used by protestants over and above their decreed rights, or amount claimed at point of diversion that had not been adjudicated, the evidence was insufficient to establish that any of the protestants had abandoned any right to the use of their prior decreed rights. Cantlin v. Carter (1964), 88 Idaho 179, 397 P.2d 761.

A senior appropriator did not lose by laches his right to object to a conflicting diversion by a junior appropriator by failure to assert his rights in previous rights where such diversion had not previously interfered with his use of the water to which he was entitled. Martiny v. Wells (1966), 91 Idaho 215, 419 P.2d 470.

If no public interest is forwarded by the abandonment, equity is against declaring a forfeiture. Idaho Farms Co. v. North Side Canal Co. (1938), 24 Fed. Supp. 189.

Abandonment and forfeitures of water rights are not favored, and, even though forfeited and abandoned for five years prior to the time that subsequent appropriators initiated their right, if, subsequent to such five-year period, and prior to such subsequent appropriators' initiation of their right, the first appropriators and their predecessors in interest under claim of right and continuity of interest again began to exercise their water rights, there would be no abandonment which could inure to the benefit of subsequent appropriators. Zezi v. Lightfoot (1937), 57 Idaho 707, 68 P.2d 50.

Forfeiture of water rights is not favored, and all intendments are to be indulged in against a forfeiture. Hodges v. Trail Creek Irr. Co. (1956), 78 Idaho 10, 297 P.2d 524.

Action to Quiet Title.

Where predecessor in title of both plaintiff and defendant had transferred water right from ranch now owned by defendant to ranch now owned by plaintiff, latter could maintain action to quiet title to such water right although predecessor in title had not had statutory authority to make such change. Federal Land Bank v. Union Central Life Ins. Co. (1931), 51 Idaho 490, 6 P.2d 486.

Appeals.

Any party aggrieved by decision of commissioner may either appeal to district court or commence original action in said court. Crockett v. Jones (1926), 42 Idaho 652, 249 P. 483.

Hearing on appeal to district court from reclamation commissioner must be reviewed by Supreme Court on appeal and not by writ of review. State v. Adair (1930), 49 Idaho 271, 287 P. 950.

Proceedings before district court under this section are de novo. First Secur. Bank v. State (1930), 49 Idaho 740, 291 P. 1064.

On appeal from action of department of reclamation (now department of water resources), district court acquires full equitable jurisdiction over entire controversy. In re Rice (1931), 50 Idaho 660, 299 P. 664.

District court acquired full equitable jurisdiction on appeal from reclamation commission order and had full authority to impose reasonable conditions to avoid injury. Beecher v. Cassia Creek Irr. Co. (1944), 66 Idaho 1, 154 P.2d 507.

Appurtenancy.

Water right was not necessarily appurtenant to land on which it was used, and could be separated therefrom. First Secur. Bank v. State (1930), 49 Idaho 740, 291 P. 1064.

received water from a nearby creek was abandoned, such waterline became the property of the state of Idaho and was not included in a deed of land which included in its habendum clause "the appurtenances thereon." Sutton v. Brown (1966), 91 Idaho 396, 422 P.2d 63.

Burden of Proof.

In an action to quiet title, brought by subsequent appropriators on the theory that the former appropriators had abandoned the use of water, the burden of proof was on the subsequent appropriators to show that persons who had used the water by permission used more than that for which they had permission. Zezi v. Lightfoot (1937), 57 Idaho 707, 68 P.2d 50.

Carey Act Settlers Excluded.

This section was not intended to apply to settlers within a Carey Act (U. S. Code [9A, U.S.C.] tit. 43, § 641) project who were not themselves the appropriators of water from public streams of the state. Idaho Farms Co. v. North Side Canal Co. (1938), 24 Fed. Supp. 189.

Change of Diversion.

The owner of a water right had the statutory right to change his point of diversion provided that the rights of others were not injured, and such change did not work a forfeiture or an abandonment of such right. Graham v. Leek (1944), 65 Idaho 279, 144 P.2d 475.

A change in point of use will not be permitted without limitations if the enlarged use in time or amount increases the burden on the stream, or decreases the volume of water in the stream to the injury of appropriators on the stream. Beecher v. Cassia Creek Irr. Co. (1944), 66 Idaho 1, 154 P.2d 507.

Where the original permit incorrectly located the point of diversion, a subsequent petition to correct this designation to conform to the actual point of diversion was not a petition to change the point of diversion. Keller v. Magic Water Co. (1968), 92 Idaho 276, 441 P.2d 725.

It was error for the district court to enjoin landowners from changing the point of diversion of water from a well located on one section of their land to another, where such owners had filed a proper application for such change with the state reclamation engineer (now director of the department of water resources), who declined to hear or process the application. State ex rel. Tappan v. Smith (1968), 92 Idaho 451, 444 P.2d 412.

Construction.

Where one secures permit under this chapter and appropriates water thereunder, it is a statutory appropriation, and to change

42-222

ABSTRACT OF

LOST VALLEY RESERVOIR CO.

by
Eldon L. Roush
Senior Water Resource Agent
Western Region

SHARES (CERTIFICATES) WITHIN LOST VALLEY RESERVOIR CO. ARE ISSUED TO USERS IN THE FOLLOWING MANNER:

* 1 SHARE EQUALS 1 ACRE FOOT OF STORAGE
* SHARES ARE DIVIDED INTO 3 CLASSES:
  - "A"= FIRST PRIORITY
  - "B"= SECOND PRIORITY
  - "C"= THIRD PRIORITY
* SHARES ARE ISSUED BY CERTIFICATES AND EACH CERTIFICATE:
  - LISTS CERTIFICATE NUMBER
  - LISTS CLASS OF STORED WATER
  - LISTS AMOUNT OF SHARES (ACRE FEET)
* ONCE A SHARE HOLDER SELLS ALL OR PART OF THE SHARE, OR WHEN THERE IS A SUCCESSOR IN INTEREST, THE ORIGINAL CERTIFICATE IS RECALLED AND A NEW CERTIFICATE OR CERTIFICATES WITH NEW CERTIFICATE NUMBER(S) ARE ISSUED TO THE CURRENT SHARE HOLDER(S).
  - **note** Reissued certificates are not necessarily appurtenant to the same place of use as originally issued.

LOST VALLEY RESERVOIR STORAGE IS COVERED BY THE FOLLOWING WATER RIGHTS:

DECREES

67-00071
67-00081
67-00082
67-00083

LICENSE

67-02053

NOTE DECREE NUMBERS 67-00071, 67-00082, AND 67-00083 WERE GROUPED TOGETHER BY THE LOST VALLEY RESERVOIR CO. AND CERTIFICATES ISSUED TO 27 SHARE HOLDERS. SINCE THE PLACES OF USE OF THESE SHARE HOLDERS MAY NOT BE THE PLACE OF USE LISTED IN THE DECREES, THESE DECREES HAVE BEEN COMBINED FOR THE SAKE OF FACILITATING THE SRBA CLAIMS TAKING FOR THE INDIVIDUAL SHARE HOLDERS. CLAIM SPLITS HAVE ALREADY BEEN GENERATED AND THE NUMBERS FOR EACH OF THE CLAIMANTS CAN BE FOUND IN THE ATTACHED LISTING AND IN THE WATER RIGHT NUMBERS IN THE HOST TEMPORARY.

NOTE LICENSE NUMBER 67-02053 HAS BEEN LISTED IN THE WATER RIGHTS DATA BASE AS BEING SUPERCEEDED BY DECREE 67-00081. THIS IS

PROBABLY IN ERROR FOR THE FOLLOWING REASONS:

*MUIR -VS- ALLISON DECREE OF MAY 09, 1918 WAS APPEALED TO THE STATE SUPREME COURT.

*THE STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE LOWER COURT THE MAY 09, 1918 DECREE.

*THE LOWER COURT REISSUED THE MUIR -VS- ALLISON DECREE JUNE 20, 1921.

*LICENSE 67-02053 WAS ISSUED MAY 10, 1922 AND TRANSFER # 378 APPROVED JUNE 23, 1926.

A67-02053 HAS BEEN GENERATED AND IS IN THE HOST TEMPORARY AND IS AVAILABLE FOR SPLITS. (SEE ATTACHED INDEX)

DECREES 67-00071, 67-00081, 67-00082, AND 67-00083 COVERS THE CLASS "A" SHARES.

LICENSE 67-02053 COVERS CLASS "B" AND "C" SHARES.

REVISED

ABSTRACT OF

LOST VALLEY RESERVOIR CO.

08/11/1989

LOST VALLEY RESERVOIR CO.

ALPHABETICAL LIST OF SHAREHOLDERS
&
PARENT WATER RIGHT(S)

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
ANDERSON, RICHARD	50	A	81	67-00081
ANDERSON, RICHARD	50	B	60	67-02053
ADAMS, STEVE	2	A	78	67-00083 **USE** (E) SPLIT
BACON VALLEY	20	B	49,53	67-02053
BACON VALLEY OR CROSSLEY	190	A	60,84	67-00081
BALL, ESTATE OF	194	A	87	67-00081
BALL, PATRICK	56	A	88	67-00081
BARRETT, LINDA	1	C	57	67-02053
BARTON RANCHES	200	A	90,91	67-00081
BOISE CASCADE CO.	50	A	16	67-00081
BOISE CASCADE CO.	33	B	31	67-02053
BRAUN, ROY OR ERTEL, PETER	100	A	48	67-00081
BRAUN, ROY OR ERTEL, PETER	30	C	33	67-02053
BUTTS, ART	100	A	94	67-00081
CAPPS, A.V.	102	A	79,76,76,75	67-00083 **USE** (A) SPLIT
CAPPS, A.V.	90	B	59	67-02053
CHADWELL, MICHAEL	2	A	98	67-00081
CROSSLEY, FARRELL	**SEE** BACON VALLEY			
CROSSLEY, OR BACON VALLEY	**SEE** BACON VALLEY			
DILLON, PAULINE	15	A	49	67-00081

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
EAST FORK DITCH CO.	160	B	23	
	500	C	15	
TOTAL	660			67-02053
ERTEL, PETER OR BRAUN, ROY	**SEE** BRAUN, ROY			
FAIRCHILD, DEAN	100	A	57	
	100	A	100	
	200			67-00081
FISK, DICK	7	A	32	67-00081
FISK, DICK	10	B	54	
	10	C	49	
TOTAL	20			67-02053
FISK, DALE	3	A	31	67-00081
FRIEND, THELMA	2	C	41	67-02053
GALLANT, FRED	60	A	89	67-00081
GALLANT, GARY	15	C	51	67-02053
GLEASON, DAVID	5	A	69	67-00071 **USE** (B) SPLIT
GLENN, FRED & AMY	17.5	B	50	67-02053
GOULD, CLARENCE EST.	100	A	NONE	67-00083 **USE** (B) SPLIT
GOULD, CLARENCE EST.	100	B	45	
	12	C	46	
TOTAL	112			67-02053
GOVEDARE, PHILLIP	4	C	53	67-02053
GULIUZZA, CHRIS DIXON	3.5	C	62	67-02053
HAIGHT, CHARLES	12	C	8	67-02053
HARRINGTON, EVERETT	50	B	44	67-02053
HARVEY, LILLIAN	15	A	24	67-00082 **USE** (E) SPLIT
HAWKINS, NANCY	3	C	70	67-02053
HOHS, TIM	3	C	52	67-02053
HENDERSON, REED	90	A	37,NONE	67-00082 **USE** (B) SPLIT
HENDERSON, REED	100	B	56	
	60	C	50	
TOTAL	160			67-02053
HIGGINS, RICHARD	150	A	54	67-00081
HILL, LAMAR	150	A	56	67-00081
HINTON, JACQUE	3	C	69	67-02053
HORNING, MARJORIE	10	A	38	67-00081

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
HUG, JAMES	3	A	85	67-00083 **USE** (J) SPLIT
HUG, JAMES	2	B	62	67-02053
HULIN, SYLVIA	4	A	80	67-00082 **USE** (F) SPLIT
INGEBRETSEN, VERNON	30	B	64	67-02053
IVY, KENNETH	5	A	71	67-00083 **USE** (C) SPLIT
JACOBS, BARR	200	A	92	67-00082 **USE** (C) SPLIT
JAEGER, JERRY	300	A	45	67-00081
JORDAN, JOE	18	A	86,86,86	67-00082 **USE** (A) SPLIT
JORDAN, JOE	8	B	63	67-02053
JOYNER, HOMER	45	A	77	67-00081
JOYNER, HOMER	50	A	52	67-00081
KALMBACK, GARY	3	A	72	67-00083 **USE** (D) SPLIT
LACY, ART	200	A	95	67-00081
LAWRENCE, PAUL	20	A	NONE	67-00083 **USE** (G) SPLIT
LEE, LYNDA	20	A	50	67-00081
LEGER, VINCE	4	C	64	67-02053
LEGG, ALVIN	60	A	55	67-00081
LEGG FAMILY	65	A	51	67-00081
LOST VALLEY RES.	10	A	NONE	67-00083 **USE** (H) SPLIT
LOST VALLEY RES.	38	B	NONE	67-02053
MC ALVIN, DOUG	35	A	67,68,73	67-00071 **USE** (A) SPLIT
MC LAUGHLIN, GLENN	0.5	C	63	67-02053
MENICHETTI, SYLVIA	3	A	80	67-00082 **USE** (G) SPLIT
MERK, LADELL	10	A	36	67-00081
MERK, LADELL	20	C	37	67-02053
MIDDLE VALLEY DITCH	2000	A	7	67-00081
MIDDLE VALLEY DITCH	1000	B	16	67-02053
MINK, KENNETH	155	A	61	67-00081
MINK LAND & LIVESTOCK	220	A	42	67-00081
MINK, T. C.	10	A	NONE	67-00082 **USE** (H) SPLIT
MOYER, JOHN	5	C	55	67-02053
NEWMAN, LEON	3	C	72	67-02053

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
PEEBLES, LAMAR	3	C	36	67-02053
PICKETT, CEDRICK	4	C	38	67-02053
POTTER, INA	5	C	26	67-02053
RAFFETTY, DICK	5	A	74	67-00083 **USE** (E) SPLIT
RINGERING, GARY	5	C	73	67-02053
RYALLS, MELVIN	20	A	20	67-00082 **USE** (D) SPLIT
SCHNELL, ALVIN	100	A	47	67-00081
SCHWARTZ, ANTHONY	100	B	47	67-02053
SCISM, DOUG	17.5	B	61	67-02053
SHUMWAY, STEVE	50	A	97	67-00083 **USE** (F) SPLIT
SHUMWAY, STEVE	98	A	97	67-00081
SHUMWAY, STEVE	100	C	75	67-02053
SMITH, HARRY	1	C	76	67-02053
SUTTON, WAYNE	900	A	99	67-00081
TURNBULL, ROBERT	140	A	58	67-00081
VOLLE, GEORGE	200	A	59	67-00081
WILLIAMS, JIM	20	C	61	67-02053
WOLFORD, JACK	5	C	74	67-02053
WX RANCH	150	A	53	67-00081
TOTAL AF/SHARES	**9610**			
TOTAL RESERV.CAPACITY W/FLASHBOARDS	**9610**			

Lost Valley Creek Syn. w/Lost Creek?

License or Permit #	Date of Applic	cfs/AF	Date of Cancellation or Lapse	Reason	Applicant	Source
67-2039 (L)	05/10/1922 (L) 08/12/1909 (P)	39 cfs 70 cfs			J.J. Allison	M.F. Weiser R.
67-2053 (L)	05/10/1922 (L) 05/27/1910 (P)	57.45 125 cfs			Weiser Valley Land & Water Co - Cases Orchards Water Co	Lost Creek
R-5 (P)		36,000 AF	relinquished 02/03/1921		D.W. Van Hoesen	Lost Creek
R 106 (P)	02/21/1918	30,000 AF	laps. 05/24/1923	No Proof	W.C. Swenden to D.W. Van Hoesen	Lost Creek
R 240 (P)	05/17/1920	30,000 AF	completion due 08/24/1925 Cancelled 06/10/1926	No Proof	D.W. Van Hoesen	Lost Creek
R 675 (P)	02/16/1940	12,000 AF	06/26/45	completed see letter No Proof Ben	←	Lost Valley Reservoir Co. Lost Creek
4160 (P)	08/24/1903	70 cfs	Lapse 11/28/1915	No Proof	J.J. Allison	Lost Creek
5270 (see 67-2039)					J.J. Allison	
5271	08/12/1909	53 cfs	Lapsed 12/27/1914	No Proof	J.J. Allison	Weiser R.
5620	09/28/1909	100 cfs	Lapsed 12/27/1914	No Proof	J.J. Allison	M.F. Weiser R.
5623	09/28/1909	300 cfs	Laps. 12/27/1914	No Proof	J.J. Allison	Lost Creek
6503 (see 67-2053)						
6504	05/20/1910	200 cfs	Cancell. 11/28/1922 Laps. 08/29/1915	No Proof	E.S. Pierce	Lost Creek
6505	08/10/1910 ~~09/01/1927~~	198 cfs 250 cfs	Can 09/01/1927	No Proof	A.O. Huntley	Indian Creek
9921	10/20/1913	40,000 AF	Laps. 01/20/1919	No Proof	D.W. Van Hoesen	Lost Creek
12009 use (P)	02/01/1914	200 cfs	Relinquished 02/03/1921		D.W. Van Hoesen	Lost Crk F.S.
12570	02/21/1918	120 cfs	Laps. 05/24/1923 ~~02/21/1918~~	No Proof.	W.G. Swenden to D.W. Van Hoesen	Lost Crk F.S.
14888 use (P)	05/17/1920	120 cfs	completion due 08/24/1925 Cancelled 06/10/1926	No Proof	D.W. Van Hoesen	Lost Crk F.S.
R 312 Permit to construct	02/16/1923	30,000 AF	06/17/1968	completed see Doc. N Proof of Ben	Enderse G. Van Hoesen	Lost Creek
15717	02/16/1923	200 cfs	06/17/1968	N Proof	Enderse G. Van Hoesen	Lost Creek
R 1013	02/06/1957	15000 AF	07/27/1962	No Proof	Messers, Fredrick, Hamilton, Jacobs, Swartz Trustee of Council Id.	Lost Creek
R 5153 enlarge Permit From 19000 to 30000	02/29/1932	30,000 AF	02/29/1932	12/4/1937	Enderse G. Van Hoesen	Lost Valley Creek Lost Creek
10013	02/13/1914	6.4 cfs	11/06/1927	No Proof	Albert C. Stout ↓	Eighteen Mile Creek
R 375	corrected 08/29/1925 07/15/1925	30,000 ~~50000 AF~~ error of reclam.	07/02/1932	No Proof	Enderse E.G. Van Hoesen	Lost Valley Crk? Lost Creek
16340	08/29/1925 07/15/1925	200 cfs	07/02/1932	No Proof	E.G. Van Hoesen	

4/79

IDAHO DEPARTMENT OF WATER RESOURCES
INVENTORY WORKSHEET – DAMS

FORM NO. 1

Identification No. D 67 - 2053

Name of Dam LOST VALLEY

County ADAMS

River or Stream LOST CREEK

Purpose L (Specify if other)

Location Sec 28 Twnshp 19N Range 01W SE¼ NW¼ - MAP S7 - TAMARACK

FORM NO. 2

Name of Owner LOST VALLEY RESERVOIR CO

Owner's Phone No. 253-4751 (Alternate phone no.)

Address Line 1 C/O MRS MARGARET MERK, SEC

FORM NO. 3

Address Line 2

Address Line 3 City FRUITVALE State ID Zip Code 83620

FORM NO. 4

Type of Dam EARTH (Other dam types)

Storage Capacity (ac-ft) , 7 , 100 9610 W/FLASHBOARDS

Height of Dam (ft) 24.0 28 FT W/FLASHBOARDS

Drain. Area (sq. mi.) 29.3

Res. Surface Area (ac) , 633 711 W/FLASHBOARDS

Year Completed 1910 RAISED IN 1929 (Date enlarged, reconstructed, etc.)

Crest Elev. (M.S.L.) 4 , 777

Crest Length (ft) , 262 (Dike lengths)

Spillway Type RKCHAN W/CONCRETE CREST + FLASHBOARDS (Auxiliary spillways)

Spillway Depth (ft) 7.8 W/O FLASHBOARDS (Aux. spillway depths)

Spillway Capacity (cfs) , 425 ① W/4.5' FREEBOARD

Hazard Classification 2

Region 2

FORM NO. 5

Last Inspection Month 08 Year 87

Approval Expiration Month 11 Year 89

General Condition GD

Q 100 (cfs) 1,095

Outlet Type STEEL 36" DIA. PIPE - 48 IN. GATE

Outlet Capacity (cfs) , 180 ESTIMATE

Problems/Remarks ① SPILLWAY WILL HANDLE Q100 WITH APPROX. 2.7 FT OF FREEBOARD WITH FLASHBOARDS REMOVED

WATER RIGHTS # 67-2053 - LICENSE FOR 51.45 CFS (10,000 AF STORAGE)
Decree 67-00081A - 67-00081H

Margaret Merk 253-4751

P.O.D
T19N R1W
Sec 28
SENW
Lost
Creek
LOST
VALLEY
RESERVOIR
WL 4766
Campground
Picnic
Areas
Boat
Ramp
Cold
Springs
Creek
Gulch

Jan

L Valley REs. Co.
P.O.Box 10,
Fruitvale, Id.83620

July,7-1995

DRT

David R. Tuthill, Jr.P.E.
Manager, Western Region Office
2735 Airport Way, Boise,Idaho 83705

Dear Dave;

Thank you for sending the information. I do not know if it is what the lawyer wants or not; but maybe coming from you he will know we are alive.

I am sending you a copy of a page at the beginning of Lost Valley Dam. IT has some permit numbers on it. It seem number 6503 belongs to us. That is the number I am using for our permit number. On this claim I sent in in 1989 it is down as 675 .I changed it to 6503 on my copy. Also the priority date is August 24, 1910. I did not know what was wanted when I sent the claim in so I put down the date it was formed as a Co. Then the diversion piont is down as Sec. 38 instead of 28.

We have 9582 A.F. out in shares; being used on land. What we thought several years ago, was that since we do not know how much water is realy in the lake we want to keep what is not sold as a way of being sure we have enough to cover the shareholders.

Thank You

MArgaret Merk

Margaret Merk
Sec

RECEIVED
JUL 10 1995
WATER RESOURCES
WESTERN REGION

in consideration of the sum of One Dollar, lawful money of the United States of America, to them in hand paid by the paid party 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 party of the second part, and to his heirs and assigns forever, all the following described property, to-wit,-

Twenty acre feet of water for irrigation and domestic purposes, together with the undivided and proportionate share and interest of said twenty acre feet of water in and to that certain reservoir known as the Lost Valley Reservoir, situated on Lost Creek, in Township Nineteen North of Range One West of Boise Meridian, Idaho, and which said reservoir includes portions of Sections Eight, sixteen, seventeen, twenty-two, twenty-seven and twenty-eight of said Township and Range, the outlet from said reservoir into the said Lost Creek being at a point North 72 degrees and 25' East 1905 feet from the Quarter Corner on the West line of Section Twenty-eight, said Township and Range.

Said reservoir being more particularly described on the maps and in the field notes filed in the United States Land Office at Boise, Idaho, on December 23rd, 1908, in connection with the application of one J. J. Allison for a right-of-way over the Public Domain for the said reservoir, which said application was duly approved by the Department of the Interior acting through Frank Pierce, First Assistant Secretary of the Interior, on November 8th, 1909, and being also described in the application of and E. S. Pierce for an additional right-of-way for said reservior site, and reference is hereby made to said maps and field notes for a full and particular description of said reservoir and allied right-of-way therefor heretofore acquired by the said party of the first part.

And together with the undivided and proportionate share and interest of said twenty acre feet of water in and to those certain permits issued by the State Engineer of the State of Idaho, namely,-

That certain permit issued by the State Engineer of the State of Idaho, to one J. J. Allison on Novermber 28th, 1908, and known as Permit No. 4160, for seventy cubic feet per second of the waters of Lost Creek; also that certain permit issued by the State Engineer of the State of Idaho, to the Weiser Valley Land and Water Company, a corporation, on August 24th, 1910, and known as Permit No. 6503, for One Hundred Twenty-five cubic feet per second of the waters of said Lost Creek; also that certain Permit issued by the State Engineer of the State of Idaho, to one E. S. Pierce, on August 24th, 1910, and known as Permit No. 6504, for two hundred cubic feet per second of the waters of said Lost Creek.

PERMIT NO. 6503 IS WTR RT #67-02053

6504 - CANC.

4160 - CANC.

OTHER RTS ARE IN THE WEISER RIV. DECREE

The said twenty acre feet of water hereby conveyed have been heretofore appurtenant to the following lands, and now are so appurtenant to said lands, located in the County of Adams, State of Idaho, which said lands have on this date been transferred from the first parties herein to the second party herein and which said lands are described as follows, to-wit,-

The Northeast Quarter, and the Southeast Quarter of the Northwest Quarter of Section Eleven, Township Sixteen, North of Range One West of B. M., Excepting one acre heretofore deeded to the Village of Council, Idaho, and being more particularly described in deed now on file in the office of the County Recorder

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 5, 1995

Margaret Merk
P.O. Box 10
Fruitvale, ID 83620

RE: Notice of Claim to a Water Right for Lost Valley Reservoir Company in the Snake River Basin Adjudication

Dear Ms. Merk:

This letter is provided in response to your visit to our office today regarding the above-referenced Claim to a Water Right.

Please find enclosed a copy of the claim that you submitted on June 6, 1989, with a filing fee of $50.00. It is our understanding that the Lost Valley Reservoir Company advised its shareholders to file their own claims on their shares in Lost Valley Reservoir. It is further our understanding that the above-referenced claim is to be left on file to cover storage water that is not claimed by shareholders. Consequently, there are no specific lands identified in your claim, and a water right number has not yet been assigned to the claim. We will not be determining the adequacy of filings on the reservoir until we conduct the Weiser River Basin review, which will be several years from now.

Also enclosed for your information is a listing compiled as of July, 1991 of the individual claimants for Lost Valley Reservoir water.

If you have questions about your adjudication claims, please feel free to contact either Mr. Ron Howerton or myself.

Sincerely,

David R. Tuthill, Jr., P. E.
Manager, Western Region Office

Enclosures

cc: Joe Jordan

RECEIVED
JUN 8 1993
Department of Water Resources
Western Regional Office

Fruitvale, Idaho

June, 7, 1993

Idaho Dept. Water Res.

Mr. Ron Howerton,

Dear Ron,

I am sending this list of Lost Valley Res. Co. Certificate changes; In the last two years. There have been a few more changes in that time, but the certificates were not changed; for different reasons. I thought it might be best to wait until the verification; or when the people do make a change in the certificates to send the changes.

Jim Ball should have filed on the 194 -(A)- shares certificate # 87. Also he should have made a point of diversion change for each person that bought the shares; as they paid off their loan. The ones of us who bought and paid cash for ours from Jim!s mother were given a point of diversion change from the Water Dept. I do not know if he did.

If you think it would help, when people call to make an appointment to file for their water, tell them to contact me first to get the # of the certif. that went with their shares in 1989

Best Wishes

PAGE NO 1

To I.D.W.R. Western Div.

From Lost Valley Res. Co.

RECEIVED
JUN 8 1993
Department of Water Resources
Western Regional Office

PREPARED BY M.Merk

DATE June 1993

Owner and Certif. changes

Previous Owner-- # of shares -- Certif. # --- Present Owner-- # Of shares -- Certif. #

(C) shares

1-- Harry Smith-- one (C) # 76 ---/ Paul Orr -- one (C) ---- # 79

change of ownership, not point of diversion

All the rest are (A) shares

2-- Vic. Capps-- 29 (A) #76---/ Steve Shumway -- 29 (A) ----- # 116

change of ownership, not point of diversion

3-- Frank Hulin-- 4 (A) -# 80----/ Ed. Laughlin --4 (A) ------ # 122

change of ownership , not point of diversion

4--- Syl Menechette -- 3 (A) # 80--/ Syl Menechette --3-(A)-- # 121

change of certif. only

5-- Mike Chadwell -- 2 (A) -# 98 --/ Russell Allen -2(A) ---- # 124

Change of Ownership, not point of diversion

6--- Annette Sheffield-- 90 - (A) -#104 -/ Richard Udell -90 (A) --# 123

change of ownership, not piont of diversion

7--- Wayne Sutton- 900- (A)-#99--/ Sutton Ranches Inc.-450- (A) ---# 135

Wayne Sutton - 900-(A)- #99--/ Sutton Livestock Co.Inc.- 450-(A) # 136

change of ownership, not point of diversion

8 -- Art Butts -- 100 (A) -- # 94 --/ W.X. Ranch --- 100 (A) -- # 114

not sure if ownership or diversion change

9-- Art Fairchild -- 100 (A) --#100--/ Steve Mackey -- 100 (A) --- # 119

not sure if ownership or diversion change

executive®

To I.D.W.R. Western Div.

From Lost Valley REs. CO.

PREPARED BY M. Merk

DATE June 1993

Owner and Certif changes

Previous Owner -- # of shares -- Certif # --Present Owner -- # of shares --- Certif. #

10-- Pat Ball -- 56 (A)--# 88 ---/ Dean Fairchild --- 56 (A) --- # 120

change of diversion

11-- Mink Land & Livestock--220 (A) # 42 --/ Mink Land & L. 220 (A) # 115

change of certif only

12 JIm Ball -- 194 (A)--# 87 --/ John Balderson --20 (A) ------- # 125

change of diversion

13-- Jim Ball --- 194 (A) ---# 87--/ Bayless Manning -20--(A) -- # 126

change of diversion

14-- Jim Ball -- 194 -(A) --# 87 --/ Joe Jordan-- 20 (A) ----- # 129

change of diversion

15--- Jim Ball ---194 (A) --#87 --/ Barton Ranches Inc.- 50- (A)---# 132

Jim Ball ---194 (A) --# 87--/ Barton Ranches INc. -20- (A) -- # 134

change of div.

16--- Jim Ball --- 194 -(A) --#87 ---/ Clinton Yates-- 54 (A) ------# 128

change of diversion

17 -- Jim Ball --194 -(A)--# 87--/ Joe Greenway -- 10 -(A)------ # 133

change of diversion

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JUN 25 1993
Department of Water Resources
Western Regional Office

June 1993
Fruitvale Ida

Dear Ron Hawerton

I have another change - I think they will want to file - or change diversion with you
Newman said they had filed

Previous Owner | Present owner Certif#

NEWMAN - LEON - 3-C-Shares #72 / FRank & BRenda SHIRT Cliff #80
(3-C-Shares)

Point of Div - change

Best Wishes

Margaret Merk - Sec -
Lost Valley Res Co

Dear Lou,

I think these are all of the changes since you were here. If there are any questions give me a call - 253-4751

Margaret

RECEIVED
FEB 11 1992
Department of Water Resources
Western Regional Office

Fruitvale Ida
Feb 6 - 1992

Ownership Changes in Last Valley Res Co. since July 1991

	NEW OWNER	No of SHARES + CLASS	OLD OWNER
1-	STEVE SHUMWAY —	29- A-SHARES —	ALL CAPPS
ADD	HC 62-BX 1435- COUNCIL, IDA		
2-	W.X. RANCH —	100 - A-SHARES —	ART BUTTS
ADD-	HC 68 Bx 3105- CAMBRIDge-IDA		
3	STEPHAN MACKEY -	100 - A - SHARES -	DEAN FAIRCHILD
ADD	2095- SIED-CYRD- CAMBRIDge IDA		
4	DOUG PESCHONG -	3-A-SHARES -	GARY KALMBACK
ADD	P.O. Bx FRUITVALE - IDA-		
5-	DEAN FAIRCHILD -	56 - SHARES - -	PAT BALL
ADD	Bx 125- MIDVALE IDA.		

I believe the 1st 4 changes are just change of ownerships
No-5- would be a change in point of diversion

Margaret Mark
Sec-Last Valley

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

16-Jan-1992 09:11

LOST VALLEY RESERVOIR COMPANY
C/O MARGARET MERK
FRUITVALE ID 83620

REF: **ENLARGING THE RESERVOIR**

Dear Margaret,

I received your letters **Dtd. Aug. 2, 1991** and **Jan. 9, 1992.**

It sounds like you are about to begin the process of enlarging your reservoir. I hope the study will be a success!

As far as I know, the **Ed Woods** Application has not been advertised. It is still being held up at our State office.

Here is 1-set of Instructions and 2-Application forms, as per your request.

The Instructions will probably be adequate for filling out the Application, however, if you have questions, don't hesitate to call this office or myself.

Sincerely,

Ron Howerton
Senior Water Agent
Adjudication Bureau

cc: file

Fruitvale Ida
Aug 1 1991

RECEIVED
AUG 02 1991
Department of Water Resources
Western Regional Office

Dear Ran,

I thought perhaps some of the people at Water Resources may not know Last Valley Res. is a private owned Res. It was built and is maintained with private funds. I don't know if that would help to determine how the permit is filed.

Also on the capacity - When the Res. is full with all the spillway boards in; It is 26 on the gauge - But because of safety and different weather conditions we are not always able to get it that full - There could be times when it would not be up to 19,000 AF With our spillway being too small we have to be very carefel how we time putting the boards in - We need some margine to work with - We would not be able to store all the water Ed wants filed on So we would want to protest his filing - We are wanting to enlarge the Res - but that takes time -

I believe Balls last their juidicated water in the Middle Fork of Weiser; But I understood they sold most of their Res water before the time ran out.

If it would be any help to have a copy of our Bylaws - I would be glad to make copies and send down.

Thanks again for your help and concern

Margaret Merk

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

26-Jul-1991 15:34

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Margaret Merk
Lost Valley Reservoir
Fruitvale, Idaho 83620

Ref: **Lost Creek Storage**

Dear Margaret,

Thankyou, for the reservoir capacity table. This table may be a good reference for basing a claim or for a possible application for permit to appropriate additional water.

I'm sending you an alphabetical list of your **current shareholders**, corresponding to the list you gave me. Also, a second list of the **data entered claims** with their matching adjudication number. The ones not shown may be still waiting to be data entered or possibly still not claimed.

Apparently, there was a court hearing earlier this year that related to an **Ed Woods application 67-07853 for 750AF** of storage water from the reservoir. The application hasn't been advertised yet according to our records.

I will try to get a copy of the results from that court action next week. Maybe this will give you some direction as whether to file an application for permit, to possibly claiming a beneficial use of more storage, or something else.

Sincerely,
Ron Howerton

Ron Howerton
Sr. Water Resource Agent

Encl. 2
cc: File

RECEIVED
JUL 15 1991
Department of Water Resources
Western Regional Office

July 12 - 91

Dear Ron,

I didn't think to give you a copy of the Res. (Capacity Table) while you were here - It Might help you to determine how much water we can store - When we have all the spillway boards in and it is at the top of them the gauge reads 26.00 - It was computed in 1936 I imagine it is still fairly close.

Then I'm sure you will find my subtraction mistake I made when I figured we needed over 600 additional A.F. to bring it up to 10,000 for our storage permit - It would only be 418 I don't know what numbers I was figuring with.

I think I must have put some one down twice or miss numbered - I counted our shareholders again and I only get 78 instead of 79.

Hope you had a nice trip home - Thank you for coming up and for your help -

Best Wishes
Margaret

P.S. - I think if you think we could store more than the 10,000 - with no problem - We just as well file on it now

CAPACITY TABLE FOR LOST VALLEY RESERVOIR

G.H.	Capacity	Diff.	G.H.	Capacity	Diff.	G.H.	Capacity	Diff.	G.H.	Capacity	Diff.	G.H.	Capacity	Diff.
1.0			6.0	224	14	11.0	1752	41	16.0	4169	54	21.0	7066	62
1.1			6.1	239	15	11.1	1793	41	16.1	4223	54	21.1	7128	62
1.2			6.2	255	16	11.2	1835	42	16.2	4277	54	21.2	7190	62
1.3	0		6.3	272	17	11.3	1877	42	16.3	4331	54	21.3	7253	63
1.4	1	1	6.4	290	18	11.4	1919	42	16.4	4385	54	21.4	7316	63
1.5	2	1	6.5	309	19	11.5	1962	43	16.5	4439	54	21.5	7379	63
1.6	3	1	6.6	329	20	11.6	2005	43	16.6	4494	55	21.6	7442	63
1.7	4	1	6.7	350	21	11.7	2048	43	16.7	4549	55	21.7	7505	63
1.8	5	1	6.8	371	21	11.8	2091	43	16.8	4604	55	21.8	7568	63
1.9	6	1	6.9	393	22	11.9	2135	44	16.9	4659	55	21.9	7631	63
2.0	7	1	7.0	416	23	12.0	2179	44	17.0	4714	55	22.0	7695	64
2.1	8	1	7.1	440	24	12.1	2223	44	17.1	4769	55	22.1	7759	64
2.2	9	1	7.2	465	25	12.2	2267	45	17.2	4824	55	22.2	7823	64
2.3	10	1	7.3	490	25	12.3	2312	45	17.3	4880	56	22.3	7887	64
2.4	11	1	7.4	506	26	12.4	2357	45	17.4	4936	56	22.4	7951	64
2.5	12	1	7.5	533	27	12.5	2402	45	17.5	4992	56	22.5	8015	64
2.6	13	1	7.6	560	27	12.6	2447	46	17.6	5048	56	22.6	8079	65
2.7	14	1	7.7	588	28	12.7	2493	46	17.7	5104	56	22.7	8144	65
2.8	15	1	7.8	616	28	12.8	2539	46	17.8	5160	57	22.8	8209	65
2.9	16	1	7.9	645	29	12.9	2585	47	17.9	5217	57	22.9	8274	65
3.0	17	2	8.0	674	29	13.0	2632	47	18.0	5274	57	23.0	8339	65
3.1	19	2	8.1	704	30	13.1	2679	47	18.1	5331	57	23.1	8404	65
3.2	21	2	8.2	734	30	13.2	2726	47	18.2	5388	57	23.2	8469	65
3.3	23	2	8.3	765	31	13.3	2774	48	18.3	5445	58	23.3	8534	65
3.4	25	3	8.4	797	32	13.4	2822	48	18.4	5503	58	23.4	8599	65
3.5	28	3	8.5	829	32	13.5	2870	48	18.5	5561	58	23.5	8664	65
3.6	31	3	8.6	861	32	13.6	2919	49	18.6	5619	58	23.6	8729	66
3.7	34	3	8.7	894	33	13.7	2968	49	18.7	5677	58	23.7	8795	66
3.8	37	3	8.8	927	33	13.8	3017	49	18.8	5735	59	23.8	8861	66
3.9	40	4	8.9	961	34	13.9	3067	50	18.9	5794	59	23.9	8927	66
4.0	44	4	9.0	995	34	14.0	3117	50	19.0	5853	59	24.0	8993	66
4.1	48	4	9.1	1030	35	14.1	3167	50	19.1	5912	59	24.1	9059	66
4.2	52	5	9.2	1065	35	14.2	3217	51	19.2	5971	59	24.2	9125	66
4.3	57	5	9.3	1100	36	14.3	3268	51	19.3	6030	60	24.3	9191	66
4.4	62	6	9.4	1136	36	14.4	3329	51	19.4	6090	60	24.4	9257	66
4.5	68	6	9.5	1172	36	14.5	3380	51	19.5	6150	60	24.5	9323	66
4.6	74	7	9.6	1208	37	14.6	3431	52	19.6	6210	60	24.6	9389	66
4.7	81	8	9.7	1245	37	14.7	3483	52	19.7	6270	60	24.7	9455	66
4.8	89	8	9.8	1282	37	14.8	3535	52	19.8	6330	60	24.8	9521	66
4.9	97	10	9.9	1319	38	14.9	3587	52	19.9	6390	61	24.9	9587	66
5.0	107	10	10.0	1357	38	15.0	3639	52	20.0	6451	61	25.0	9653	67
5.1	117	10	10.1	1395	38	15.1	3691	52	20.1	6512	61	25.1	9720	67
5.2	127	11	10.2	1433	39	15.2	3743	53	20.2	6573	61	25.2	9787	67
5.3	138	11	10.3	1472	39	15.3	3796	53	20.3	6634	61	25.3	9854	67
5.4	149	11	10.4	1511	39	15.4	3849	53	20.4	6695	61	25.4	9921	67
5.5	160	12	10.5	1550	40	15.5	3902	53	20.5	6756	62	25.5	9988	67
5.6	172	12	10.6	1590	40	15.6	3955	53	20.6	6818	62	25.6	10055	67
5.7	184	13	10.7	1630	40	15.7	4008	53	20.7	6880	62	25.7	10122	67
5.8	197	13	10.8	1670	41	15.8	4061	54	20.8	6942	62	25.8	10189	67
5.9	210		10.9	1711		15.9	4115		20.9	7004		25.9	10256	

Note: Capacity Table computed from Survey made by PAUL BERG December 1936 DEPT. OF RECLAMATION. O.D.B.

of the Reservoir for the season of 1938, and that the Lost Valley Reservoir Company will be and is responsible for any monies so borrowed. Motion was seconded by Clyde I.Rush and on being put to vote was unanimously carried.

Ellis Snow then offered the following resolution and moved its adoption.

RESOLUTION

WHEREAS, By accurate measurements of the inflow and outflow of the Reservoir and by actual survey made by Mr.Paul Berg in the fall of 1936 it has been determined to the satisfaction of all parties concerned that the present capacity of the Reservoir is 9288 Acre Feet, and

WHEREAS, Mr. E.G.VanHoesen while having charge of the Reservoir prior to 1937 has sold Class A,B,and C stock in the total amount of 9584 Acre Feet thereby creating a shortage of 296 Acre Feet,and

WHEREAS, It is to the best interests of all stockholders to increase the capacity of the Reservoir to 9584 Acre Feet which can be done by raising the spillway about nine inches,and

WHEREAS, The present amount of freeboard is sufficient to allow such raise and still be within the amount required by law,and

Whereas , The Department of Reclamation has tentatively agreed to approve the raising of the spillway, and

Whereas, Mr.E.G.Van Hoesen has agreed to bear the expense of raising the spillway,

NOW,THEREFORE,BE IT RESOLVED,That the Secretary be and he is hereby authorized and empowered to make any and all arrangements to have the above work done with the understanding that he shall incur no expense whatsoever to the Lost Valley Reservoir Company other than his own time and mileage.

Motion to adopt the above resolution was seconded by C.E.Craig and on being put to vote was carried unanimously.

There being no further business to come before the meeting it was by motion duly made, seconded and unanimously carried adjourned.

E. B. Snow
Vice-President

ATTEST

Clyde I Rush
Secretary

Need this priorty date to file for ~~500~~-A.F. Benifical use water above our 10,000 A.F. of storage water for Shareholders

Sent copy of this to Water Dept
w/ Ron Hawerton - July 9-1990

Prior-ity No.	Name of User	Description of Land				Source of Supply	Priority Date			Priority Inches
129.	A. C. Hatley	NE¼ SE¼	16	14	2W	Little Weiser	5	1	11	19.00
130.	C. E. Roper	E½ SW¼, NW¼ SE¼	12	15	1W	Middle Fork	5	1	11	7.50
130	Ashton Roby	6½ Acres SE¼ NE¼	10	15	2W	Goodrich Creek	5	1	11	4.00
131.	Louis Harp					Fort Hall Creek	6	1	11	11.00
132	Council Valley Orchards					Mill Creek	7	3	11	100.00
133.	C. E. Schmitz					Pine Creek	5	1	12	5.50
133.	Augusta Kinney	S½ SE¼	14	15	4W	Pine Creek	5	1	12	12.50
		2 Acres NW¼ NW¼	23	15	4W					
134.	C. W. Holmes					Mill Creek	5	16	12	10.00
135.	Frank S. Galey	SW¼ NE , NW¼ SE¼	35	17	1W	Mill Creek	3	17	13	20.00
136.	G. T. Hamil					Main Weiser	5	1	16	5.00

MANN CREEK WATER RIGHTS

1	Otto Cornwall	W½ SE¼, E½ SW¼, S½ NW¼, NE¼ NW¼ NW¼ SW¼	12	12	5W		1874			51.695
1	Otto Strobel	W½ SE¼, NE¼ SE¼, SE¼ NE¼, tract in NE¼ NE¼	13	12	5W					61.6
		Lot 3	13	12	4W					
1	J. A. Tarter	SW¼ SE¼	13	12	5W					58.604
		N 30 Acres of NW¼ NE¼	24	12	5W					
		Part SE¼ SW¼, Part SW¼ SW¼	18	12	4W					
		Part SE¼ SE¼	13	12	5W					
		Part NE¼ NE¼	24	12	5W					
1	John Michael	NW¼ NW¼	19	12	4W					10.276
1	John Saling	Lot 3	19	12	4W					28.329
		NE¼ SW¼, E 5Acres NW¼ SE	24	12	5W					
1	D. W. Adams	S½ NE¼	24	12	5W					31.675
		Lot 2	19	12	4W					
1	Mabel Jackson	Lot 4	19	12	4W					32.165
		East 17 Acres SE¼ SE¼	24	12	5W					
1	B. Dick Hartley	N½ NE¼	25	12	5W					32.270
		Lot 1, NE¼ NW¼	30	12	4W					
1	Mary A.Sater	N½ SE¼, SW¼ NE¼, S½ NW¼, E 10 Acres NE¼ SW¼	30	12	4W					30.037
		SE¼ NE¼, NE¼ SE¼	25	12	5W					
1	Al Carlson	N½ SW¼, SW¼, W 30 Acres NE¼ SW¼, NW¼ SW¼	30	12	4W					42.476
1	Jas. A. Gerwick	SW¼ SE¼, S½ S½ SW¼	30	12	4W					52.115
		N 60 Acres of NW¼	31	12	4W					
1	J. T. Call & N. Conts	Tract in NW¼	21	12	4W					22.715
1	E. D. Jewell	S 60 Acres NW¼	21	12	4W					22.470
2	Mary A. Sater						1881			15.0
2	C. E. Gilkinson	N½ SW¼	31	12	4W					33.6
2	M. N. Webb	W½ SE¼	31	12	4W					28.7
2	Harry Wishart	S½ NE¼ Lot 1,NE¼ SE¼	6	11	4W					17.5
		E½ NW¼	5	11	4W					
2	J. P. Ogilvie	SE¼ SW¼	31	12	4W					24.5
2	S. A. Spears & Augusta Spears	Lots 2 and 3	6	11	4W					46.2
2	Jess Morgan & Hollis Matthews	NE¼ SE¼	6	11	4W					17.5
2	Roy Brent	S½ SE¼	7	11	4W					42.0
2	C. V. Brent	N½ SE¼	7	11	4W					14.0
2	C. L. Geer	SE¼ SE¼	6	11	4W					45.5
		NE¼ NE¼	7	11	4W					
2	Chas. H. Bohrer	S½ NE¼	7	11	4W					18.90
3	Thos. M. Higgenbtham						1883			49.882
4	S. W. Spangler						1884			21.154
4	John Michael Admr.						1884			67.596
4	Henry T. Barker						1884			104.4785
4	Ruth Ellen Sater						1884			34.0788
5	J. E. Lolley						1886			24.5
5	Samuel S. Newman						1886			14.0
5	B. L. Bice						1886			10.5
6	S. W. Spangler						1894			10.75
7	A. J. Matthewson						1906			3.85
8	Marshall Brown						1908			4.90

CRANE CREEK WATER RIGHTS

1	J. N. Harris	SW¼ NE¼, SE¼ NW¼, E½ SW¼	14	11	4W					27.85
2	J. K. Martin	SW¼ SW¼	12	11	4W					9.87
		W½ NW¼	13	11	4W					
		SE¼ NE¼	14	11	4W					
2	M. Theurer	SE¼ SW¼	12	11	4W					13.56
		E½ NW¼, SW¼ NE¼	13	11	4W					
3	Wash Hines	SE¼ NW¼, Lots 2 and 3	7	11	3W					9.45
		SE¼ NE¼	12	11	4W					
4	G. W. Tripkow	SE¼ SW¼, NE¼ SW¼, NW¼ SE¼	11	11	4W					41.88
4	Applegate Bros	N½ SW¼	14	11	4W					13.47
4	O. A. Purcell	E½ SE¼, SE¼ NE¼	10	11	4W					42.25
		NW¼ SW¼	11	11	4W					
		NE¼ NE¼	15	11	4W					
5	Ed Wilburn	E½ SE¼	11	11	4W					4.0
		N½ NE¼	14	11	4W					
6	Geo. W. Kiser	S½ NW¼, N½ SW¼	12	11	4W					29.36
7	Ed Wilburn									22.00
8	Crane Creek I. L. & P. Co.	N½ NE?, SE¼ NE¼, NE¼ SE¼								11.76

POWER WATER.

	Isaac McMahan					Main Weiser	7	1	08	400.00

STORAGE WATER

Owner	Supply	Date	Acre Feet
Orchards Water Company	Lost Valley Reservoir	5-27-10	6250.0
A. L. Frechafer	Lost Valley Reservoir	5-27-10	360.0
Frechafer & Pike	Lost Valley Reservoir	5-27-10	40.0
J. A. Carr	Lost Valley Reservoir	5-27-10	300.0
Hornet Creek Water Storage Association	Hornet Creek Reservoir	5-28-09	1250.0
Hornet Creek Water Storage Association	Hornet Creek Reservoir	7-6-09	1250.0

NOTES.

Duty of Water in District.

The Mann Creek Decree fixes the duty at .7 of an inch per acre, the Crane Creek Decree at 1 inch per acre, while the Weiser River Decree fixes the duty at ⅝ of an inch per acre for flood water, which amount is to be reduced as the flow of water decreases until the duty reaches ⅜ of an inch per acre, at which point priority begins.

Decrees on Record.

All water decrees for District 41 are recorded at the Washington or Adams County Recorders' offices and at the office of the State Commissioner of Reclamation at Boise, Idaho.

Extracts from the Weiser River Decree:

Court costs in the suit, including Referee, Reporters, transcript, hall rent, etc., are $5784.08, which make the cost per acre $.21.

Water Allotted to be Appurtenant to and for use upon the Lands Designated.

Headgates and measuring weirs to be constructed and maintained and to be so placed as not to unnecessarily impede the flow of water in the streams.

Water is allotted on basis of ⅝ of an inch per acre for lands irrigated and must not be diverted except for beneficial use, and the Water Master is ordered to shut off all ditches where the water is not put to a beneficial use or where the parties diverting the water permit wastage.

The Water Master shall rotate the water in the ditches whenever he believes the duty and efficiency may be materially increased thereby.

Any questions regarding the water rights of the District should be referred to A. Flournoy Galloway, Water Master, or to W. G. Swensden, Commissioner of Reclamation, at Boise, Idaho.

Weiser, Idaho, April 1, 1919.

DESCRIPTION OF LANDS DEEDED TO WEISER VALLEY LAND AND WATER COMPANY FOR RESERVOIR SITE FOR LOST VALLEY RESERVOIR.

Book 2 deeds page 190 — A. H. Keller, Receiver for the Butterfield Livestock Company, Limited, a corporation to Weiser Valley Land & Water Company, a corporation. Dated 12-9-11 Recorded 12-22-1911

Description: $SW\frac{1}{4}$ of $SW\frac{1}{4}$, Sec. 22; $W\frac{1}{2}$ of $NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, Sec. 27, all in Twp. 19 N., Range 1 West of Boise Meridian.

Book 2 Deeds page 191 — Frank D. Ryan to Weiser Valley Land & Water Company, a corporation. Dated 12-16-11 Recorded Dec. 22, 1911

Description: $SW\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}$ of $SE\frac{1}{4}$, Sec. 21; $NE\frac{1}{4}$ of $NE\frac{1}{4}$, Sec. 28, all in Twp. 19 N., Range 1 West of Boise Meridian.

Book 2 Deeds page 192 — Colonel V. Ryan, by Frank D. Ryan, his attorney in fact, to Weiser Valley Land & Water Company, a corporation, Dated 12-16-11 Rec. 12-22-11

Description: $W\frac{1}{2}$ of $SW\frac{1}{4}$, $NE\frac{1}{4}$ of $SW\frac{1}{4}$, $NW\frac{1}{4}$ $SE\frac{1}{4}$, Sec. 21, Twp. 19 N., Range 1 West of Boise Meridian.

All of the above described lands being situated in Adams County, State of Idaho.

--ooOoo--

claims 24½% int.

SEARCH OF ADAMS COUNTY RECORDS RE RIGHT TO RAISE
DAM OF LOST VALLEY RESERVOIR

1. Book 1 Agmts page 110 Weiser Valley Land & Water Co and Orchards Water Co. Dated 2/1/10 Rec. 3/1/10
W. V. L. & W. Co agrees to convey to O. W. Co. an interest in reservoir, dam, etc., but reserves the right (among other things) to enlarge, improve or extend any of the works therein described and to be constructed by it under the terms of said agreement, all such enlargements and extensions to be at the expense of W.V.L.& W.Co

2. Book 2 Deeds page 417 Weiser Valley Land & Water Co to D. W. Van Hoesen. Dated 7/1/12 Rec. 12/18/12
Conveys all right, title and interest of 1st party in and to the L. V. Reservoir, subject to provisions of contract dated 2/1/10. Provides that O. W. Co may take possession of Reservoir if grantee herein fails to release water therefrom as provided by prior conveyance of water to O. W. Co.

3. Book 4 Deeds page 213 D. W. Van Hoesen and wife to James Gaunt Dated Jan 27, 1913 Rec. Oct 19, 1914
Conveys an undivided one-third int in all the right, title and interest of 1st parties in the L.V.Reservoir and Dam Subject to provisions of Contract of 2/1/10

4. Book 2 Deeds page 586 Weiser Valley Land & Water Co to Orchards Water Co. Dated 10/21/13 Rec. 11/17/13
Conveys an interest in the L. V. Res. to the extent of about 6000 acre feet, said conveyance being in pursuance and fulfillment of contract dated 2/1/10

5. Book 6 Deeds page 624 Sheriff of Adams County, Idaho to Raymond H. Wiltsie. Dated 9/10/18 Rec. 11/11/18
Conveys all property of W. V. L. & W. Co including the following:- Lost Valley Reservoir. Also all rights etc acquired or retained by W. V. L. & W. Co under contract of 2/1/10 with Orchards Water Co.

6. Book 10 Deeds page 256 Raymond H. Wiltsie and wife to Heir or Heirs of Estate of David W. Van Hoesen, deceased Dated 2/26/24 Rec. 11/17/24
Conveys Whole Interest in Lost Valley Reservoir.

7. Book 2 Misc. page 359 Decree of Dist. Est. of D. W. Van Hoesen, decd
Distributes to Libbie G. Van Hoesen (among other things) the Whole Interest of D. W. Van Hoesen in the L.V.Reservoir and dam.

8. Book13 Deeds page 492 Raymond H. Wiltsie to Orchards Water Co. Dated June 19, 1933 Rec. June 23, 1933
Conveys (among other things) all the rights, grants, interests, etc acquired or retained by W. V. L. & W. Co under contract of 2/1/10, including all unissued capital stock of O. W. Co authorized to be issued under said contract.

Re JAMES GAUNT Interest No conveyance of same is of record. See Book 1 of Wills page 25 and Decree of Distribution of Estate recorded Book 2 of Misc. Record page 86.

Fruitvale Ida - 83620
Sept 10, 1990

Dear Ron,

Ladell & I have bought more Last Valley Reservoir water 10 more A shares and 1 B shares. We need to file on. I will need some forms to file on. I wonder if you could mail some to us?

How are things coming with the Storage permits for Last Valley?

I sure hope the Middle East situation will be over soon and you don't have to go.

Thanks & Best Wishes

Margaret Merk
Box 10
Fruitvale
Ida 83620

RECEIVED
SEP 11 1990
Department of Water Resources
Western Regional Office

Updated - July 1991

I

Lost Valley Res. Class A Total 6950

Shareholders from 1925 to 1989

PREPARED BY: M. Merk

DATE: 6/1989

all A Class goes back to 5-27-1910 or 1912

Year	Original Shareholder & shares		Original Certif #	Present owner or user & shares		Related Certi #
1925	Orchards Water Co.	6250	I	Following 9 shareholders		
1937	George Gould	100	2	Steve Shumway	98	97
				Micheal Chadwell	2	98
1937	Fred Lappin	50	3	Richard Anderson	50	81
1937	G. T. Hamil	50	4	Boise Cascade Lo. Co.	50	16
1937	E. F. Fisk	10	5	Dick Fisk	7	32
				Dale Fisk	3	31
1937	Orchards Water Co.	6040	6	start on page 2		
1938	Middle Valley Ditch Co.	2000	7	Middle Valley Ditch Co.	2000	7
1938	Mesa Irrigation Dist.	4040	8	start on page 2		
	Carr, Pike & Freehafer; Deed	to following 27 shareholders				
37 to 39	Eral McMahan	19	no certif	A. V Capps	19	76
1939	Earl McMahan	10	9	A.V. Capps	10	76
37 to 39	S. E. McMahan	6	no certif.	Joe Jordon	6	86
1939	S. E. McMahan	10	10	Joe Jordon	10	86
37 to 39	Roy Benz	5	no certif.	James Hug	3	85
				Joe Jordon	2	86
1939	E. B. Snow	40	11	Reed Henderson	40	37
37 to 39	Mrs. W.P. James	50	no certif.	Reed Henderson	50	no certi
37 to 39	Clarence Gould	100	no certif	Clarence Gould Estate	100	no certi
1939	James Ward	20	12	Melvin Ryalls	20	27
1939	A. L. Freehafer	15	13	Lillian Harvey	15	24
1939	M. X. Hansen	200	14	Barr Jacobs	200	92
37 to 39	F. S. McGinley	30	no certif	~~A. V. Capps~~ MEL RYALLS	30	75

2 Lost Valley Res. Class A Total 6950

Merk 6/1989

Shareholders from 1925 to 1989

All A class Water goes back to 5-27-1910

Year	Original Shareholder & Shares	Original #	certif	Present owner or user & shares		Related certi #
37 to 39	G. T. Hamil	50	no certif.	~~A.v. Capps~~ Doug Lawin	43	~~79~~ 101
				~~Sylvia~~ FRANK Hulin	4	80
				Syl. Menichetti	3	80
937 to 39	Rollie McMahan	35	no certif.	Doug McAlvain	35	67 68 73
937 to 39	C.E. Fredrick	20	no certif.	~~Steve Adams~~ Cunningham Todd III ~~Woodworth~~	2	~~78~~
				David Gleason	5	69
				Kenneth Ivy	5	71
				Gary Kalmback	3	72
				Dick Raffetty	5	74
937 to 39	F.S. Galey	50	no certif.	Steve Shumway	50	97
937 to 39	Ervie Show	IO	no certif.	Paul Lawerence	IO	no certi
37 to 39	Lawerence Trask	IO	no certif	Paul Lawerence	IO	no certi
37 to 39	James Hays	IO	no certif.	T. C. Mink 90 TO Mink	~~IO~~	~~certi~~ no
37 to 39	John Poulson **	IO	no certif	Lost Valley Res. Co. 90 TO Merk	IO	684 certi
1936	Mesa Irragation Dist.	4040	8	Following 28 shareholders		
1967	Emma Ball	4040	26	" " " "		
1975	Emma Ball	4040	26	Homer Joyner	45	77
1976				LaDell Merk	IO	36
1978				Marjorie Horning	IO	38
977				Wayne Sutton	~~IOOO~~ 900	~~40~~ 99
977				Mink Land & Livestock	220 10	42 105
977				Barton Ranches	200 100	91 90/96
977				~~Art Butts~~	~~IOO~~	~~94~~
977				Art Lacy	200	95
977				Jerry Jaeger	300	45
977				Alvin Schnell	IOO	47

3 Lost Valley Res. Co. Class A Total 0950

PREPARED BY M.Merk

DATE 6/ 1989

Shareholders from 1925 to 1989

All A shares go back to 5-27-1910

Year	Original Shareholder & shares		original certif #	Present Owner or user & shares		Related certi #
975	Emma Ball	4040	26	Roy Braun or Peter Ertel	I00	48
977				Pauline Dillon	I5	112 ~~49~~
-977				Lynda Lee	20	50
-977				Legg Family	65	5I
-977				Homer Joyner	50	52
-977				WX Ranch	I50	53
-977				Richard Higgins	I50	54
1977				Alvin Legg	60	55
I977				LaMar Hill	I50	56
I977				Dean Fairchild	100 I00	100 ~~57~~
I977				Robert Turnbull	I40	58
I977				George Volle	200	59
77				Bacon Valley or Crossley	I00	60
77				Kenneth Mink	I55	6I
982				Farrell Crossley	90	84
982				Fred Gallant	60	89
984				Jim Ball- Ball Estate	I94	87
1984				Patrick Ball	56	88
				SHEFFIELD-ANNETTE	90	104
				MERK-LADERK	10	107

** J. Poulson shares were left out in a land transaction around I976. I am sure the water has been used over the years but not kept on record. We will keep the 10 shares as Res. property until we can properly distribute them.

go to Merk

Margaret Merk

Lost Valley Res. Co. Class B Total 1798

Shareholders from 1926 to 1989

UPDATED BY M.Merk

DATE 6/ 1989

All Class B goes back to around 1925 or 26

Year	Original Shareholder & shares	original certif #	Present owner or user & shares		Relate certi #
1926	W. M. Glenn 40	1	A. V. Capps Doug Scism	40	~~59~~ 66
1926	S.E. McMahan 10	2	Joe Jordon	8	63
			James Hug	2	62
1926	John Poulsen 10	3	MERK+MARTIN ~~Lost Valley Res. Co.~~	7+3 ~~10~~	69+68
1926	W. A. Schmid 5	4	Bacon Valley	5	49
1926	A. Schmid 5	5	Bacon Valley	5	49
1926	Lester Thomason 10	6	Bacon Valley	10	53
1926	Estate of Mark Winkler 50	7	Rich Anderson	50	60
1927	J. E. Glenn 10	8	Amy Glenn	10	50
1927	L. F. Fisk 10	9	Dick Fisk 90 to ~~Jerry~~ Fisk LARRY	2 ~~10~~ ~~8~~ 8	70 ~~54~~ 69
1927	George Robertson 25	10	Amy Glenn	7½	50
			Doug Scism	17½	61
1927	W. A. Finn 100	11	~~Anthony Schwartz~~ 90 To Scism alice Royal	~~100~~	~~47~~ 105
1927	W. R. Ingebretsen 30	12	~~Vernon~~ Ingebretsen	30	~~64~~
1928	Lillian Temp 50	13	~~A. V.~~ Capps Doug Scism	50	~~59~~ 66
1928	Finkle Estate 100	14	Reed Henderson	100	56
1929	Mrs. Luna Riddell 50	15	Everett Harrington	50	44
1929	Middle Valley Ditch CO. 1000	16	Middle Valley Ditch Co.	1000	16
1930	George Gould 100	20	Clarence Gould Estate	100	45
1930	East Fork Ditch Co. 160	23	East Fork Ditch Co.	160	23
1930	R. E. Wilson 33	24	Boise Cascade Lo. Co.	33	31

* J. Poulson shares were left out in a land transaction around 1976. I am sure the water has been used over the years but not kept on record. We will keep the 10 shares as Res. property until we can properly distribute them.

90 TO MERK+MARTIN

Margaret Merk

I Lost Valley Res. Co. Class C Total 034 M. Merk

Shareholders from 1930 to 1989 6/ 1989

All Class C goes back to around 1928 or 29

ear	Original Shareholder & Shares		Original Certif #	Present owner or user & shares		Related Certif #
1930	Clarence Smith	12	1	Clarence Gould Estate	12	46
1930	.. F. Fisk	10	2	~~Dick Fisk~~ JOHN FISK	10	~~49~~ 78
-93-	.. A. Lindley	50	3	Jim Williams	20	61
				Tim Hohs	3	52
				Phillip Govedare	4	53
				Vince Leger	4	64
				Linda Barrett	1	57
				Chris Dixon	3½	62
				John Moyer	5	55
				Glenn Mc Laughlin	½	63
				Jacque Hinton	3	69
				Leon Newman	3	72
				Nancy Hawkins	3	70
-93-	.. E. Cox	3	4	Gary Ringering	3	73
193-	.. Arthur Hulse	2	5	Thelma Friend	2	41
93-	.. C. & J. B. Childers	15	6	Gary Gallant	15	51
933	.. L. Over	1	7	~~Harry Smith~~ Drugg Jessup	1	76
1933	Otto Bodmer	12	8	Charles Haight	12	8
1933	Alice Cox	5	9	Cedric Pickett	2	38
				LaMarr Peebles	3	36
934	.rs. Henry Heimsoth	10	10	Reed Henderson	10	50
934	Fred Brandt	5	11	~~Jack Wolford~~ Gary Koskie	5	74
934	.rs. Dora Martin	5	12	~~Ina Potter~~ Bry-Logging	5	26 77
-933	Fred Barton	30	13	~~Roy Braun~~ or Peter Ertel	30	33
-933	John Gould	100	14	Steve Shumway	100	75

2

Lost Valley Res. Co. Class C Total 834
Shareholders from 1930 to 1989

PREPARED BY M. Merk
DATE 6/1989

Bar	Original Shareholder & Shares		original certif #	Present Owner or user & shares		Relate certif #
[illegible]	[illegible] Fork Ditch Co.	500	15	East Fork Ditch Co.	500	15
[illegible]	Lori Crowell	2	16	Cedric Pickett	2	38
[illegible]	[illegible]. F. Burt	2	17	Gary Ringering	2	73
[illegible]	[illegible]. D. Snow	50	18	Heed Henderson	50	50
[illegible]	Middle Valley Ditch Co.	2000	19	Cancelled no date & not in use		
[illegible]	Henretta Caseman	20	20	LaDell Merk	20	37

Council — — Up dated July 1991

I Lost Valley Res. Co. Shareholders

Area; Class; Shares

PREPARED BY M. Mark

DATE 6/ 1989

Area	Name	Class A	Class B	Class C	Total
COUNCIL	Could Clarence Estate	100	100	12	212
"	Chadwell Mike	2			2
"	Anderson Rich	50	50	-	100
"	Fisk Dick	~~7~~ TO L FISK	~~10~~ 2 TO L FISK	~~10~~ TO J. Frank	~~27~~ 2
"	Fisk Dale	3			3
"	Shumway Steve	148		100	248
"	Henderson Reed	90	100	60	250
"	Ryals Melvin	~~20~~ 50			~~20~~ 50
"	Jacobs Barr	200			200
"	Boise Cascade Lo. Co.	50	33		83
"	Glenn Fred- Amy		17.5		17.5
"	Scism Doug	43	17.5 +190		~~17.5~~ 250.5
"	Hulin ~~Sylvia~~ FRANK	4			4
"	Menichetti Syl.	3			3
"	Lawerence P. (Yantis)	20			20
"	Harrington Everett		50		50
"	East Fork Ditch CO .		160	500	660
"	~~Schwartz Anthony~~		~~100~~ to Scism		~~100~~
"	Friend Thelma			2	2
"	Gallant Gary			15	15
"	Gallant Fred	60			60
"	Haight Charles			12	12
"	Houles LaMar			3	3
"	Happs A. V.	~~102~~ ~~72~~ 29	~~90~~ to Scism		~~192~~ 29
"	Mark LaDell	~~10~~ ~~10~~ 20	7	20	~~30~~ 47
	MARTIN - Jerry				3

2 Lost Valley Res. Co. Shareholders M.Merk

Area; Class; Shares 6/1989

Area	Name	Class A	Class B	Class C	Total
Council	Harvey Lillian	15			15
"	Williams Jim			20	20
"	Ohs Tim			3	3
"	Covedare Phillip			4	4
"	Leger Vince			4	4
"	Garrett Linda			1	1
"	Guliuzza Chris			3.5	3.5
"	Moyer John			5	5
"	Gleason Dave	5			5
"	~~Edwards Bob~~ CUNNINGHAM J	2			2
"	Ivey Kenneth	5			5
"	Kalmback Gary	3			3
"	Gaffetty Dick	5			5
"	McAlvain Doug	35			35
"	McLaughlin Glenn			.5	.5
"	Minton Jacque			3	3
"	Newman Leon			3	3
"	Hawkins Nancy			3	3
"	Jordon Joe	18	8		26
"	Hug Jim	3	2		5
"	Ringering Gary			5	5
	Bacon Valley	190	20		210
	FISK - LARRY	7	8		15
	FISK - JOHN			10	10
Mesa	Ball Jim	194			194
"	Ball Patrick	56			56

Cambridge & ~~Mi~~ ~~ale~~

I Lost Valley Res. CO. Shareholders
Area; Class; Shares

M. Merk
6/ 1969

rea	Name	Class A	Class B	Class C	Total
Cambridge	Mink T. C.	~~10~~ to Mink			~~10~~
"	Ingebretsen Vernon Alice + Royal		30		30
"	Smith Harry			I	I
"	Wolford Jack			5	5
"	~~Porter Ina~~ B+G Logging			5	5
"	~~Braun Roy~~ (Ertel)	~~100~~		30	30
"	Joyner Homer	95			95
"	Mink Land & Livestock	~~220~~ 230			~~220~~ 230
"	Barton Ranches	~~200~~			~~200~~ 300
"	Butts Art	~~100~~ to WX			~~100~~
"	Jaeger Jerry	300			300
"	Schnell Alvin	I00			I00
"	Dillon Pauline	I5			I5
"	~~Lee Lynda~~ Snyder-CHAS	20			20
"	~~Legg Family~~ Ogle-Delbert	65			65
"	W X Ranch	150 + 100			~~150~~ 250
"	Higgins Richard	I50			I50
"	Hill LaMar	I50			150
"	Legg Alvin	60			60
"	Turnbull Robert	I40			140
	Volle George	200			200
"	Mink Kenneth to Sheffield	~~155~~ 65			~~155~~ 65
"	Lacy Art	200			200
LAKeFORK-SHeffieLD-ANNeTTe		90			90

Midvale

Lost Valley Res. Co. Shareholders
Area; Class; Shares

PREPARED BY: M. Merk
DATE: 6/ 1989

Area	Name	Class A	Class B	Class C	Total
Midvale	Middle Valley Ditch Co.	2000	1000		3000
"	Morning Margorie	10			10
"	Pickett Cedric			4	4
"	Fairchild Dean	~~100~~ 200			~~100~~ 200
"	Sutton Wayne	~~1000~~ 900			~~1000~~ 980

CONVERSATION MEMORANDUM

DATE 8/20/90

FILE LOST VALLEY RES.

NAME OF PARTY MARGARET MARK

EMPLOYEE RON H

RE: CALLED MARGARET TODAY TO LET HER KNOW THAT I STARTED PUTTING TOGETHER ALL OF THE CLAIMS AND ADDING UP TOTALS CLAIMED TO SEE IF ANY EXTRA WAS NOT CLAIMED FOR HER TO CLAIM. "AT THIS TIME DUE TO NOT ALL CLAIMS HAVE BEEN DE I CAN'T GET AN ACCURATE AMOUNT, AT A LATER DATE I WILL PUT IT TOGETHER AND GET BACK WITH YOU". "IF you want to increase your DAM CAP. to 10,000 AF. you will NEED to FILE APPL AND I will NEED to FIGURE out how much from the amounts you have for AF Amount needed to RAISE to 10,000 AF. "I will TRY to find out what is NEEDED this wk to start your APPL." The 50.00 you put on your 10,000 AF CLAIM CAN BE USED for the AF. LEFT from what EVERYONE ELSE had not claimed.

SOURCE: LOST CREEK
SD-38 STATE

TRIBUTARY: WE. ,R RIVER

RECORDS: 6

WATER RIGHT NO.	NAME LAST, FIRST	OWN	STG	PRIORITY DATE	TOTAL DIVERSION	USE CODE	DESC
A67-00081E	TURNBULL, ROBERT W.	C	J	05/27/1910	140.000	01	IRR
	TURNBULL, CAROL ORGAN	C					
A67-00082B	FREEHAFER, A. L.	O	D	05/27/1910	90.000	02	IRR S
	HENDERSON RANCHES,	C				03	IRR FS
A67-00081K	FAIRCHILD, DEAN D.	C	D	05/27/1910	200.000	03	IRR FS
	FAIRCHILD, VELDA C.	C					
A67-00081C	CAMBRIDGE DITCH CO.,	O	D	05/27/1910	10.000	02	IRR S
	HORNING, MARJORIE A.	C				03	IRR FS
A67-02053Y	EAST FORK DITCH CO., LTD.,	C	D	05/27/1910	660.000	01	IRR
A67-00081Z	CAMBRIDGE DITCH CO.,	C	D	05/27/1910	1640.000	02	IRR S
						03	IRR FS

(ENTER=CONTINUE) (GOLD 7=THIS QUERY) (MENU _____)

SD-34 SOURCE: LOST REEK .SIN: 67 STATE

RECORDS 57

WATER RIGHT NO.	CURRENT OWNER LAST, FIRST	STG	PRIORITY DATE	TRIBUTARY	TOTAL DIVERSION	USE CODE	DESC
A67-00082A	JORDAN, CYNTHIA A., JORDAN, JOSEPH L.	D	05/27/1910	WEISER RIVE	18.000	02	IRR S
						03	IRR FS
A67-02053A	JORDAN, JOSEPH L. JORDAN, CYNTHIA A.	L	05/27/1910	WEISER RIVE	8.000	02	IRR S
						03	IRR FS
A67-00073A	MENICHETTI, SYLVAN MENICHETTI, CAROLYN	D	05/01/1906	WEISER RIVE	0.038	01	IRR
A67-00074A	MENICHETTI, SYLVAN MENICHETTI, CAROLYN	D	05/01/1916	WEISER RIVE	0.370	01	IRR
A67-00082G	MENICHETTI, SYLVAN MENICHETTI, CAROLYN	D	05/27/1910	WEISER RIVE	3.000	02	IRR S
						03	IRR FS
A67-00071	SPLIT RIGHT,		05/27/1910	WEISER RIVE	40.000	02	IRR S
						03	IRR FS
A67-00081A	SPLIT RIGHT,		05/27/1910	WEISER RIVE	2375.000	03	IRR FS
A67-00083	SPLIT RIGHT,		05/27/1910	WEISER RIVE	300.000	02	IRR S
						03	IRR FS
A67-00081F	BARTON RANCH, INC.,	D	05/27/1910	WEISER RIVE	200.000	03	IRR FS

(ENTER=CONTINUE) (GOLD 7=THIS QUERY) (MENU _____)

SD-34 SOURCE: LOST ⟨EEK .SIN: 67 STATE

RECORDS 57

WATER RIGHT NO.	CURRENT OWNER LAST, FIRST	STG	PRIORITY DATE	TRIBUTARY	TOTAL DIVERSION	USE CODE	DESC
A67-00081G	WOODWORTH, ROBERT L WOODWORTH, SUE	D	05/27/1910	WEISER RIVE	2.000	03 02	IRR FS IRR S
A67-00081E	TURNBULL, ROBERT W. TURNBULL, CAROL ORG	J	05/27/1910	WEISER RIVE	140.000	01	IRR
A67-02053C	SCHWARTZ, ANTHONY B SCHWARTZ, EDITH	L	05/27/1910	WEISER RIVE	100.000	02 03	IRR S IRR FS
A67-02053E	HENDERSON RANCHES,	D	05/27/1910	WEISER RIVE	160.000	01 02 03	IRR IRR S IRR FS
A67-00082B	HENDERSON RANCHES,	D	05/27/1910	WEISER RIVE	90.000	02 03	IRR S IRR FS
A67-00071B	GLEASON, DAVID C. GLEASON, CAROLYN S.	D	05/27/1910	WEISER RIVE	5.000	02 03	IRR S IRR FS
A67-00081N	DILLON, PAULINE DILLON, LARRY D.	D	05/27/1910	WEISER RIVE	15.000	02 03	IRR S IRR FS
A67-02053F	PICKET, ALAN M.	L	05/27/1910	WEISER RIVE	4.000	02	IRR S

(ENTER=CONTINUE) (GOLD 7=THIS QUERY) (MENU _____)

SD-34 SOURCE: LOST .EEK .SIN: 67 STATE

RECORDS 57

WATER RIGHT NO.	CURRENT OWNER LAST, FIRST	STG	PRIORITY DATE	TRIBUTARY	TOTAL DIVERSION	USE CODE	DESC
A67-02053F	PICKET, CEDRIC A.	L	05/27/1910	WEISER RIVE	4.000	03	IRR FS
A67-00081K	FAIRCHILD, DEAN D.	D	05/27/1910	WEISER RIVE	200.000	03	IRR FS
	FAIRCHILD, VELDA C.						
A67-02053H	KOSKIE, GARY D.	L	05/27/1910	WEISER RIVE	5.000	02	IRR S
	KOSKIE, BETTY J.					03	IRR FS
A67-00081P	MIDDLE VALLEY DITCH	D	05/27/1910	WEISER RIVE	2000.000	02	IRR S
						03	IRR FS
A67-00081B	SCHNELL, ALVIN D.	D	05/27/1910	WEISER RIVE	100.000	02	IRR S
						03	IRR FS
A67-02053I	MIDDLE VALLEY DITCH	L	05/27/1910	WEISER RIVE	1000.000	02	IRR S
						03	IRR FS
A67-00081C	HORNING, MARJORIE A	D	05/27/1910	WEISER RIVE	10.000	02	IRR S
						03	IRR FS
A67-00081Q	SHEFFIELD, ANNETTE	D	05/27/1910	WEISER RIVE	155.000	02	IRR S
						03	IRR FS
A67-02053K	LEGER, CO-TRUSTEES,	L	05/27/1910	WEISER RIVE	4.000	02	IRR S

(ENTER=CONTINUE) (GOLD 7=THIS QUERY) (MENU _____)

SD-34 SOURCE: LOST EEK SIN: 67 STATE

RECORDS 57

WATER RIGHT NO.	CURRENT OWNER LAST, FIRST	STG	PRIORITY DATE	TRIBUTARY	TOTAL DIVERSION	USE CODE	DESC
A67-02053K		L	05/27/1910	WEISER RIVE	4.000	03	IRR FS
A67-02053L	HAWKINS, NANCY E.	L	05/27/1910	WEISER RIVE	3.000	02	IRR S
						03	IRR FS
A67-00081O	DELETE CLAIM,		05/27/1910	WEISER RIVE	2.000	03	IRR FS
A67-02053	SPLIT RIGHT,		05/27/1910	WEISER RIVE	57.450	01	IRR
						02	IRR S
						03	IRR FS
A67-02053M	WILLIAMS, HENRY J.	L	05/27/1910	WEISER RIVE	20.000	02	IRR S
	WILLIAMS, NORMA					03	IRR FS
A67-02053G	C.H.E. ENTERPRISES,	D	05/27/1910	WEISER RIVE	30.000	02	IRR S
						03	IRR FS
A67-02053N	GLENN, AMY G.	L	05/27/1910	WEISER RIVE	17.500	02	IRR S
						03	IRR FS
A67-02053D	HUG, JAMES T.	D	05/27/1910	WEISER RIVE	2.000	02	IRR S
						03	IRR FS
A67-00081	SUTTON, WAYNE	D	05/27/1910	WEISER RIVE	900.000	02	IRR S

(ENTER=CONTINUE) (GOLD 7=THIS QUERY) (MENU _____)

SD-34 SOURCE: LOST .EEK SIN: 67 STATE

RECORDS 57

WATER RIGHT NO.	CURRENT OWNER LAST, FIRST	STG	PRIORITY DATE	TRIBUTARY	TOTAL DIVERSION	USE CODE	DESC
A67-00081		D	05/27/1910	WEISER RIVE	900.000	03	IRR FS
A67-00081H	SPLIT RIGHT,		05/27/1910	WEISER RIVE	2610.000	01	IRR
A67-00081R	GALLANT, FRED L.	D	05/27/1910	WEISER RIVE	60.000	02	IRR S
	GALLANT, GLENN H.					03	IRR FS
	GALLANT, IDA J.						
A67-02053P	GALLANT, GARY G.	L	05/27/1910	WEISER RIVE	15.000	02	IRR S
	GALLANT, CAROLE M.					03	IRR FS
A67-02053Q	PEEBLES, STEPHEN	D	10/27/1910	WEISER RIVE	3.000	02	IRR S
						03	IRR FS
A67-00081S	FISK, DALE L.	D	05/27/1910	WEISER RIVE	3.000	02	IRR S
	FISK, ANNA M.					03	IRR FS
A67-00083J	SCISM, DOUGLAS M.	D	05/27/1910	WEISER RIVE	43.000	02	IRR S
						03	IRR FS
A67-02053S	SCISM, DOUGLAS M.	L	05/27/1910	WEISER RIVE	17.500	02	IRR S
						03	IRR FS
A67-02053T	SCISM, DOUGLAS M.	L	05/27/1910	WEISER RIVE	90.000	02	IRR S

(ENTER=CONTINUE) (GOLD 7=THIS QUERY) (MENU _____)

SD-34 SOURCE: LOST .EEK .SIN: 67 STATE

RECORDS 57

WATER RIGHT NO.	CURRENT OWNER LAST, FIRST	STG	PRIORITY DATE	TRIBUTARY	TOTAL DIVERSION	USE CODE	DESC
A67-02053T		L	05/27/1910	WEISER RIVE	90.000	03	IRR FS
A67-00081T	BALL, MARTHA	D	05/27/1910	WEISER RIVE	56.000	02	IRR S
	BALL, PATRICK					03	IRR FS
A67-00081U	EMMA BALL ESTATE,	D	05/27/1910	WEISER RIVE	194.000	02	IRR S
						03	IRR FS
A67-02053U	FISK, JOHN F.	L	05/27/1910	WEISER RIVE	10.000	02	IRR S
						03	IRR FS
A67-02053W	HARRINGTON, EVERETT	L	05/27/1910	WEISER RIVE	50.000	02	IRR S
	HARRINGTON, DEAN					03	IRR FS
	HARRINGTON, HAZEL						
A67-00081W	SUTTON, WAYNE	D	05/27/1910	WEISER RIVE	900.000	02	IRR S
						03	IRR FS
A67-00083BB	COMBINED RIGHT, DEL		05/27/1910	WEISER RIVE	50.000	02	IRR S
						03	IRR FS
A67-02053X	BACON VALLEY RANCHE	D	05/27/1910	WEISER RIVE	20.000	01	IRR
A67-02053Y	EAST FORK DITCH CO.	D	05/27/1910	WEISER RIVE	660.000	01	IRR

(ENTER=CONTINUE) (GOLD 7=THIS QUERY) (MENU _____)

SD-34 SOURCE: LOST EEK BIN: 67 STATE

RECORDS 57

WATER RIGHT NO.	CURRENT OWNER LAST, FIRST	STG	PRIORITY DATE	TRIBUTARY	TOTAL DIVERSION	USE CODE	DESC
A67-00081V	SHUMWAY, STEVE	D	05/27/1910	WEISER RIVE	148.000	02	IRR S
						03	IRR FS
A67-02053V	SHUMWAY, STEVE	L	05/27/1910	WEISER RIVE	100.000	02	IRR S
						03	IRR FS
A67-00071A	MCALVAIN, W. DOUGLA	D	05/27/1910	WEISER RIVE	35.000	02	IRR S
	MCALVAIN, SERENA E.					03	IRR FS
A67-11422	NELSON, R. TODD	D	05/27/1910	WEISER RIVE	212.000	02	IRR S
	NELSON, DONNA K.					03	IRR FS
	WHITE, CRYSTAL V.						
	GOULD, ROY E.						
A67-00081X	FISK, LARRY	D	05/27/1910	WEISER RIVE	7.000	02	IRR S
	FISK, PENNY					03	IRR FS
A67-02053AA	FISK, LARRY	L	05/27/1910	WEISER RIVE	8.000	02	IRR S
	FISK, PENNY					03	IRR FS
A67-02053Z	FISK, ALMA L.	L	05/27/1910	WEISER RIVE	2.000	02	IRR S
	FISK, DICK C.					03	IRR FS

(ENTER=CONTINUE) (GOLD 7=THIS QUERY) (MENU _____)

SD-34 SOURCE: LOST EEK .SIN: 67 STATE

RECORDS 57

WATER RIGHT NO.	CURRENT OWNER LAST, FIRST	STG	PRIORITY DATE	TRIBUTARY	TOTAL DIVERSION	USE CODE	DESC
A67-00081Z	CAMBRIDGE DITCH CO.	D	05/27/1910	WEISER RIVE	1640.000	02	IRR S
						03	IRR FS

(ENTER=CONTINUE) (GOLD 7=THIS QUERY) (MENU _____)

RON

CLASS 'A' SHARES — LOST VALLEY RES — 8/20/90

A67-00081	A	NONE FILED	—
	B	SCHNELL	100
	C	HORNING	10
	D	MERK	10
	E	TURNBULL	140
	F	BARTON RANCH INC	200
	G	WOODWORTH	2
	H	NONE FILED	—
	I	NOT CLAIMED	—
	J	HILL	150
	K	FAIRCHILD	200
	L	LEGG	60
	M	LEGG FAM TRUST	65
	N	DILLON	15
	O	CHE ENTERPRISES	2 CFS NO AF
	P	MIDDLE VALLEY DITCH CORP	2000
	Q	SHEFFIELD	155
	R	GALLANT	60
	S	FISK	3
	T	BOISE CAS CORP	— NO REC.
	U	EMMA BALL ESTATE	194
	V	SHUMWAY	148
	W	SUTTON	900
	X	FISK, LARRY	7.0
	Y	BACON VALLEY RANCHES	190.
	Z	CAMBRIDGE DITCH CO	1640.00

6249 AF TOTAL

CLASS 'A'	SHARES	LOST VALLEY RES	RON 8/20/90
A67-00082A	JORDAN	18	
B	HENDERSON RANCHES	90	
C	JACOBS	NO REC OR FILE	
D	RYALLS	20	
E	HARVEY	15	
F	HULIN	NO REC OR FILE	
G	MENICHETTI	3	
H	MINT	~~10~~ NO REC	

C11 8/20/90

SHARES FX Row

LOST VALLEY CLAIMED SHARES

CLASS 'C' SHARES	NAME	CFS	A.F.
A67-02053 A	JORDAN		8.00
B	MERK		20.00
C	SCHWARTZ		100.00
D	HUG		2.00
E	HENDERSON RANCHES	57.45	160.00
F	PICKET		4.00
G	CHE ENTERPRISES		30.00
H	KOSKIE		5.00
I	MIDDLE VALLEY DITCH CORP		1000.00
J	B & G LOGGING INC		5.00
K	LEGER		4.00
L	HAWKINS		3.00
M	WILLIAMS		20.00
N	GLENN		17.50
O	NO RECORD		—
P	GALLANT		15.00
Q	NO RECORD		—
R	RINGERING	.12 cfs	5.00
S	SCISM		17.5
T	SCISM		90.0
U	BOISE CAS. CORP.	(NO REC.)	~~33.0~~
V	SHUMWAY		100.00
W	HARRINGTON		50.00
X	BACON VALLEY RANCHES		20.00
Y	E. Fk. Ditch Co.		660.00
Z	Fisk, Dick		2.00
AA	Fisk, Larry		8.00

2346 AF TOTAL

SD-49 IDA DEPARTMENT OF WATER RESOU ES DATE: 08/20/90
INQUIRY ADJUDICATION NAMES SCREEN TIME: 10:20:50

WATER RIGHT NUMBER: A67-02053 FIRST PAGE

OWNER CODES: O ORIGINAL OWNER P PRESENT OWNER L LIEN HOLDER
C CURRENT OWNER R REPRESENTATIVE A ATTORNEY OF RECORD

LAST: MESA ORCHARDS WATER CO. FIRST:
ADDRESS:

CITY: X
STATE: ID ZIP: O PHONE: (208) -
OWNER CODE: O

NAME CONNECTOR:
LAST: WEISER IRRIGATION & LAND CO. FIRST:
ADDRESS:

CITY: X
STATE: ID ZIP: O PHONE: (208) -
OWNER CODE: O

(GOLD4=PREV SCREEN) (GOLD6=END OF DATA) (ENTER=EXIT)
(GOLD5=NEXT SCREEN) (GOLD8=CANCEL)

SD-49
INQUIRY

IDA. DEPARTMENT OF WATER RESOL ES
ADJUDICATION NAMES SCREEN

DATE: 08/20/90
TIME: 10:20:56

WATER RIGHT NUMBER: A67-02053

OWNER CODES: O ORIGINAL OWNER P PRESENT OWNER L LIEN HOLDER
C CURRENT OWNER R REPRESENTATIVE A ATTORNEY OF RECORD

LAST: SPLIT RIGHT FIRST:
ADDRESS:

CITY: X
STATE: ID ZIP: 0 PHONE: (208) -
OWNER CODE: C

NAME CONNECTOR:

LAST: FIRST:
ADDRESS:

CITY:
STATE: ZIP: PHONE: ( ) -
OWNER CODE:

(GOLD4=PREV SCREEN) (GOLD6=END OF DATA) (ENTER=EXIT)
(GOLD5=NEXT SCREEN) (GOLD8=CANCEL)

SD-14
INQUIRY

IDA DEPARTMENT OF WATER RESOU ES
ADJUDICATION SCREEN 2

DATE: 08/20/90
TIME: 10:21:02

WATER RIGHT NUMBER: A67-02053
2. PRIORITY DATE: 5/27/1910

3. SOURCE: TRIB:

4. POINT OF DIVERSION::

TWP	RANGE	SECT	1/4	1/4	1/4	LOT	POD FLAG	COUNTY CODE	COUNTY NAME

5. DESCRIPTION OF DIVERTING WORKS:
DAM IN CREEK TO CREEK TO DITCHS AND PUMPS

6. WATER USES:

USE CODE	DESCRIPTION	FROM /	TO /	CFS (AND/OR)	AFA

7. TOTAL DIVERSION RATE: 57.450 8. TOTAL DIVERSION VOLUME: 10000.00
9. CONSUMPTIVE USE: KILOWATTS:
(ENTER=EXIT) (GOLD8=CANCEL)

SD-61
INQUIRY

IDA. DEPARTMENT OF WATER RESOU ,ES
ADJUDICATION SOURCE/TRIBUTARY SCREEN

DATE: 08/20/90
TIME: 10:21:08

WATER RIGHT NUMBER: A67-02053

FIRST PAGE

SOURCE: LOST CREEK
SPLIT RIGHT

TRIB: WEISER RIVER, WEST FORK

(GOLD4=PREV SCREEN) (GOLD6=END OF DATA) (ENTER=EXIT)
(GOLD5=NEXT SCREEN) (GOLD8=CANCEL)

SD-50 IDA DEPARTMENT OF WATER RESOU ES DATE: 08/20/90
INQUIRY ADJUDICATION POINTS OF DIVERSION SCREEN TIME: 10:21:19
WATER RIGHT NUMBER: A67-02053 FIRST PAGE

4. POINT OF DIVERSION::

TWP	RNG	SECT	1/4	1/4	1/4	LOT	POD FLAG	COUNTY CODE	COUNTY NAME
19N	01W	28		SE	NW			3	ADAMS

(GOLD4=PREV SCREEN) (GOLD6=END OF DATA) (ENTER=EXIT)
(GOLD5=NEXT SCREEN) (GOLD8=CANCEL)

SD-51
INQUIRY

IDA DEPARTMENT OF WATER RESOU ES
ADJUDICATION WATER USAGE SCREEN

DATE: 08/20/90
TIME: 10:21:31

WATER RIGHT NUMBER: A67-02053

FIRST PAGE

WATER USES:

USE CODE	DESCRIPTION	FROM	TO	CFS	AFA
01	IRR	4/15	10/15	57.450	
02	IRR S	1/ 1	12/31		10000.00
03	IRR FS	4/15	10/15		10000.00

(GOLD4=PREV SCREEN) (GOLD6=END OF DATA) (ENTER=EXIT)
(GOLD5=NEXT SCREEN) (GOLD8=CANCEL)

SD-44 IDA DEPARTMENT OF WATER RESOU ES DATE: 08/20/90
INQUIRY ADJUDICATION SCREEN 3 TIME: 10:21:40

WATER RIGHT NUMBER: A67-02053

9. NON-IRRIGATED USES:

10. PLACES OF USE:

TWP	RNG	SEC	1/4 OF 1/4	LOT	ACRES	USE	DESCR

11. COUNTY

CODE	NAME

12. OTHER RIGHTS: 67-00071, 67-00081, 67-00082, 67-00083

13. REMARKS:

14. BASIS OF CLAIM: STAGE: PRESUMPTION FLAG: OLD RIGHT NUMBER:
DECREE DATE: / /
PLAINTIFF:
DEFENDANT:

(ENTER=EXIT) (GOLD8=CANCEL)

SD-62
INQUIRY

IDA. DEPARTMENT OF WATER RESOU ES
ADJUDICATION REMARKS SCREEN

DATE: 08/20/90
TIME: 10:22:02

WATER RIGHT NUMBER: A67-02053 FIRST PAGE

13. REMARKS: THIS WATER RIGHT HAS BEEN LISTED IN THE WATER RIGHTS BASE AS BEING SUPERCEEDED BY DECREE 67-00081. THIS APPEARS TO BE IN ERROR
APPLICATION FOR PERMIT 6503 (67-02053) DATED MAY 27,1910.
CERTIFICATE OF COMPLETION OF WORKS ISSUED 02/29/1916.
MUIR -VS- ALLISON DECREE OF MAY 09,1918 WHICH INCLUDED 6250 AF STORAGE IN LOST VALLEY RESERVOIR TO ORCHARDS WATER CO., APPEALED TO IDAHO STATE SUPREME COURT.
STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE LOWER COURT THE MAY 09, 1918 DECREE; DATED 06/22/1920.
LOWER COURT ISSUES MUIR -VS- ALLISON DECREE DATED JUNE 20, 1921.
ORCHARD WATER CO. MADE SATISFACTORY PROOF OF BENEFICIAL USE TO DEPT. OF RECLAMATION ON AUGUST 23, 1921.
LICENSE 6503 (67-02053) ISSUED ON MAY 10, 1922.
TRANSFER # 378 FOR 5270 (67-02039) AND 6503 (67-02053) SIGNED AND SEALED JUNE 23, 1926. ELR

****

(GOLD4=PREV SCREEN) (GOLD6=END OF DATA) (ENTER=EXIT)
(GOLD5=NEXT SCREEN) (GOLD8=CANCEL)

SD-60
INQUIRY

IDAHO DEPARTMENT OF WATER RESOURCE
ADJUDICATION SCREEN 4

DATE: 08/20/90
TIME: 10:22:13

WATER RIGHT NUMBER: A67-02053

STAGE/STATUS:	/Z
COURT REPORT FILING DATE:	/ /
OBJECTION FILED DATE:	/ /
RESPONSE FILED DATE:	/ /
CLAIM RECEIVED DATE:	/ /
FIELD INSPECTION DATE:	/ /
VERIFIED DATE:	/ /
WATER DISTRICT NUMBER:	
STATE/FEDERAL INDICATOR:	S
CIVIL CASE NUMBER:	39576
OLD JUDICIAL DISTRICT:	
OLD CASE NUMBER:	
POU OWNERSHIP FLAG:	Y
FIELD INSPECTION FLAG:	
RECEIPT NUMBER:	X777777
TOTAL ACRES:	

(ENTER=EXIT)

(GOLD8=CANCEL)

RECEIVED
JUL 11 1990
Department of Water Resources
Western Regional Office

Fruitvale Ida

July 9-90

Dear Ron Howerton,

Thanks for calling and your efforts for Lost Valley. This is a copy of the Resolution to raise the capacity of the Dam in 1938. That you needed for a priority date to file for the Benifical use of 500 A.F.

Also I'm sending a couple of copies of priority dates that would be the begining of the Lost Valley Res Co. These dates and figures were determined by the Muir Vs Allison court case in early 1900's

Call whenever I can help I'm out of the house a lot - but usually home -

Thanks
Margaret

9582
to 1
SOLD SHARES
AS OF 8-90

This meeting was held Feb 26, 1938 mm

1938

of the Reservoir for the season of 1938, and that the Lost Valley Reservoir Company will be and is responsible for any monies so borrowed. Motion was seconded by Clyde I.Rush and on being put to vote was unanimously carried.

Ellis Snow then offered the following resolution and moved its adoption.

RESOLUTION

WHEREAS, By accurate measurements of the inflow and outflow of the Reservoir and by actual survey made by Mr.Paul Berg in the fall of 1936 it has been determined to the satisfaction of all parties concerned that the present capacity of the Reservoir is 9288 Acre Feet, and

WHEREAS, Mr. E.G.VanHoesen while having charge of the Reservoir prior to 1937 has sold Class A,B,and C stock in the total amount of 9584 Acre Feet thereby creating a shortage of 296 Acre Feet,and

WHEREAS, It is to the best interests of all stockholders to increase the capacity of the Reservoir to 9584 Acre Feet which can be done by raising the spillway about nine inches,and

WHEREAS, The present amount of freeboard is sufficient to allow such raise and still be within the amount required by law,and

Whereas , The Department of Reclamation has tentatively agreed to approve the raising of the spillway, and

Whereas, Mr.E.G.Van Hoesen has agreed to bear the expense of raising the spillway,

NOW,THEREFORE,BE IT RESOLVED,That the Secretary be and he is hereby authorized and empowered to make any and all arrangements to have the above work done with the understanding that he shall incur no expense whatsoever to the Lost Valley Reservoir Company other than his own time and mileage.

Motion to adopt the above resolution was seconded by C.E.Craig and on being put to vote was carried unanimously.

There being no further business to come before the meeting it was by motion duly made, seconded and unanimously carried adjourned.

E. B. Snow
Vice-President

Ron Hawerton
W.D.

ATTEST

July 9-1990 Clyde I Rush
Secretary

I feel this work was probably completed in the fall of 1938 - It would have made it possible to store 10,500 A.F. when all spillway boards are in - Which was probably done most of time since 1939

Margaret Meek (Sec.)

Reservoir Res Co

Priority No.	Name of User	Description of Land				Source of Supply	Priority Date.			Priority Inches
130.	A. C. Hatley	NE¼ SE¼	16	14	2W	Little Weiser	5	1	11	19.00
130.	C. E. Roper	E½ SW¼, NW¼ SE¼	12	15	1W	Middle Fork	5	1	11	7.50
130.	Ashton Roby	6½ Acres SE¼ NE¼	10	15	2W	Goodrich Creek	5	1	11	4.00
131.	Louis Harp					Fort Hall Creek	6	1	11	11.00
132.	Council Valley Orchards					Mill Creek	7	3	11	100.00
133.	C. E. Schmitz					Pine Creek	5	1	12	5.50
133.	Augusta Kinney	S½ SE¼	14	15	4W	Pine Creek	5	1	12	12.50
		2 Acres NW¼ NW¼	23	15	4W					
134.	C. W. Holmes					Mill Creek	5	16	12	10.00
135.	Frank S. Galey	SW¼ NE , NW¼ SE¼	35	17	1W	Mill Creek	3	17	13	20.00
136.	G. T. Hamil					Main Weiser	5	1	16	5.00

MANN CREEK WATER RIGHTS

1	Otto Cornwall	W½ SE¼, E½ SW¼, S½ NW¼, NE¼ NW¼ NW¼ SW¼	12	12	5W	1874			51.695
1	Otto Strobel	W½ SE¼, NE¼ SE¼, SE¼ NE¼, tract in NE¼ NE¼	13	12	5W				61.6
		Lot 3	18	12	4W				
1	J. A. Tarter	SW¼ SE¼	13	12	5W				58.604
		N 30 Acres of NW¼ NE¼	24	12	5W				
		Part SE¼ SW¼, Part SW¼ SW¼	18	12	4W				
		Part SE¼ SE¼	13	12	5W				
		Part NE¼ NE¼	24	12	5W				
1	John Michael	NW¼ NW¼	19	12	4W				10.276
1	John Saling	Lot 3	19	12	4W				28.329
		NE¼ SW¼, E 5Acres NW¼ SE	24	12	5W				
1	D. W. Adams	S½ NE¼	24	12	5W				31.675
		Lot 2	19	12	4W				
1	Mabel Jackson	Lot 4	19	12	4W				32.165
		East 17 Acres SE¼ SE¼	24	12	5W				
1	B. Dick Hartley	N½ NE¼	25	12	5W				32.270
		Lot 1, NE¼ NW¼	30	12	4W				
1	Mary A.Sater	N½ SE¼, SW¼ NE¼, S½ NW¼, E 10 Acres NE¼ SW¼	30	12	4W				30.037
		SE¼ NE¼, NE¼ SE¼	25	12	5W				
1	Al Carlson	N½ SW¼, SW¼, W 30 Acres NE¼ SW¼, NW¼ SW¼	30	12	4W				42.476
1	Jas. A. Gerwick	SW¼ SE¼, S½ S½ SW¼	30	12	4W				52.115
		N 60 Acres of NW¼	31	12	4W				
1	J. T. Call & N. Coats	Tract in NW¼	21	12	4W				22.715
1	E. D. Jewell	S 50 Acres NW¼	21	12	4W				22.470
2	Mary A. Sater					1881			15.0
2	C. E. Gilkinson	N½ SW¼	31	12	4W				33.6
2	M. N. Webb	W½ SE¼	31	12	4W				28.7
2	Harry Wishart	S½ NE¼ Lot 1,NE¼ SE¼	6	11	4W				17.5
		E½ NW¼	5	11	4W				
2	J. P. Ogilvie	SE¼ SW¼	31	12	4W				24.5
2	S. A. Spears & Augusta Spears	Lots 2 and 3	6	11	4W				46.2
2	Jess Morgan & Hollis Matthews	NE¼ SE¼	6	11	4W				17.5
2	Roy Brent	S½ SE¼	7	11	4W				42.0
2	C. V. Brent	N½ SE¼	7	11	4W				14.0
2	C. L. Geer	SE¼ SE¼	6	11	4W				45.5
		NE¼ NE¼	7	11	4W				
2	Chas. H. Bohrer	S½ NE¼	7	11	4W				18.90
3	Thos. M. Higgenbtham					1883			49.882
4	S. W. Spangler					1884			21.154
4	John Michael Adm'r					1884			57.596
4	Henry T. Barker					1884			104.4785
4	Ruth Ellen Sater					1884			34.0788
5	J. E. Lolley					1886			24.5
5	Samuel S. Newman					1886			14.0
5	B. L. Bice					1886			10.5
6	S. W. Spangler					1894			10.75
7	A. J. Matthewson					1906			3.85
8	Marshall Brown					1908			4.90

CRANE CREEK WATER RIGHTS

1	J. N. Harris	SW¼ NE¼, SE¼ NW¼, E½ SW¼	14	11	4W				27.85
2	J. K. Martin	SW¼ SW¼	12	11	4W				9.87
		W½ NW¼	13	11	4W				
		SE¼ NE¼	14	11	4W				
2	M. Theurer	SE¼ SW¼	12	11	4W				13.56
		E½ NW¼, SW¼ NE¼	13	11	4W				
3	Wash Hines	SE¼ NW¼, Lots 2 and 3	7	11	3W				9.45
		SE¼ NE¼	12	11	4W				
4	G. W. Tripkow	SE¼ SW¼, NE¼ SW¼, NW¼ SE¼	11	11	4W				44.88
4	Applegate Bros.	N½ SW¼	14	11	4W				13.47
4	O. A. Purcell	E½ SE¼, SE¼ NE¼	10	11	4W				42.25
		NW¼ SW¼	11	11	4W				
		NE¼ NE¼	15	11	4W				
5	Ed Wilburn	E½ SE¼	11	11	4W				4.0
		N½ NE¼	14	11	4W				
6	Geo. W. Kiser	S½ NW¼, N½ SW¼	12	11	4W				29.36
7	Ed Wilburn								22.00
8	Crane Creek I. L. & P. Co.	N½ NE?, SE¼ NE¼, NE¼ SE¼							11.76

POWER WATER.

	Isaac McMahan					Main Weiser	7	1	08	400.00

STORAGE WATER

Owner	Sapply	Date	Acre Feet
Orchards Water Company	Lost Valley Reservoir	5-27-10	6250.0
A. L. Freehafer	Lost Valley Reservoir	5-27-10	360.0
Freehafer & Pike	Lost Valley Reservoir	5-27-10	40.0
J. A. Carr	Lost Valley Reservoir	5-27-10	300.0
Hornet Creek Water Storage Association	Hornet Creek Reservoir	5-28-09	1250.0
Hornet Creek Water Storage Association	Hornet Creek Reservoir	7-6-09	1250.0

NOTES.

Duty of Water in District.

The Mann Creek Decree fixes the duty at .7 of an inch per acre, the Crane Creek Decree at 1 inch per acre, while the Weiser River Decree fixes the duty at 5/8 of an inch per acre for flood water, which amount is to be reduced as the flow of water decreases until the duty reaches 3/8 of an inch per acre, at which point priority begins.

Decrees on Record.

All water decrees for District 41 are recorded at the Washington or Adams County Recorders' offices and at the office of the State Commissioner of Reclamation at Boise, Idaho.

Extracts from the Weiser River Decree:

Court costs in the suit, including Referee, Reporters, transcript, hall rent, etc., are $5784.08, which make the cost per acre $.21.

Water Allotted to be Appurtenant to and for use upon the Lands Designated.

Headgates and measuring weirs to be constructed and maintained and to be so placed as not to unnecessarily impede the flow of water in the streams.

Water is allotted on basis of 5/8 of an inch per acre for lands irrigated and must not be diverted except for beneficial use, and the Water Master is ordered to shut off all ditches where the water is not put to a beneficial use or where the parties diverting the water permit wastage.

The Water Master shall rotate the water in the ditches whenever he believes the duty and efficiency may be materially increased thereby.

Any questions regarding the water rights of the District should be referred to A. Flournoy Galloway, Water Master, or to W. G. Swensden, Commissioner of Reclamation, at Boise, Idaho.

Weiser, Idaho, April 1, 1919.

Lost Valley Res Co

Goldie Abernathy	50	Aug. 27, 1910
Fred Jewell	50	Aug. 27, 1910
John A Frost	41	March 25, 1911
Farmers Canal.		
Mark Winkler	60	June 1, 1891
Carrie Winkler	19	June 1, 1891
E Hinkle	50	June 1, 1891
	22	Jan 1, 1900
S A Moudy and E Hinkle	19	June 1, 1891
George Gould	82	June 1, 1891
	7	June 1, 1905
Frank Hahn Ditch.		
Frank Hahn	33	June 1, 1902
	38	June 1, 1903
	36	June 1, 1904
	83	June 1, 1905
Glenn McMahan Ditch.		
Isaac McMahan	10	May 31, 1884
	9	May 1, 1901
For Power	400	July 1, 1908
Rollie A McMahan	4	June 1, 1884
Samuel E McMahan	22	June 1, 1884
William M Glenn	45	June 1, 1884
Lester I McMahan	4	May 31, 1884
Robertson Seavey Ditch.		
George Robertson	5	June 1, 1884
	30	June 1, 1887
Lester I McMahan	18	April 1, 1901
Samuel E McMahan	1	April 1, 1901
Rollie A McMahan	22	April 1, 1901
	10	April 1, 1901
Isaac McMahan	4	April 1, 1901
	4	April 1, 1905
Lillian G Spofford	45	April 25, 1901
Fruitvale Townsite Company and its grantees	30	Sept 23, 1901
Phillip Walston	4	May 1, 1906
	4	May 1, 1901
C E Cox	2½	Sept 23, 1901
A L Frechafer and Margaret E Pike	35 inches	June 1, 1902
Lost Creek Res.	40 A Ft	May 27, 1910
S D Goshert	38	May 1, 1906
C T Hamill	25 inches	May 1, 1906
	5 inches	May 1, 1916

Lost Valley Res Co-

Margaret Merk
Lost Valley Rd 6
Fruitvale
Ida 83620

Idaho dept of Water Res Western Reg.
att Mr Ron Hawerton
2735 Airport Way
Boise
Ida
83705

CONVERSATION MEMORANDUM

DATE July 5, 1990

FILE Lost Valley Reservoir

NAME OF PARTY Margaret Merk

EMPLOYEE Ron Houghton

RE: Claims for Storage of Lost Valley Reservoir.

After talking to Margaret today, it appears that Eldon was supposed to make 1) A claim for the storage of Lost Valley Reservoir for 10,000 AF. 2) A permit application for additional 500 AF. that the dam presently holds and has held since approx. 1940.

I advised Margaret that she could claim the 500 AF as a B/u and if she could send me a copy of the minutes in which showed the enlargement of the spillway we could tie it to the date to be claimed. She would get a copy of this to me. In the meantime I will start looking at the file Eldon started.

1) The first priority is to ~~the~~ see if and how much can be claimed back to 1925 or 1926

2) Second is to work up a permit for the 500 AF.

3) The B/u claim for additional AF.

RECEIVED
JUN 18 1990
Department of Water Resources
Western Regional Office

Fruitvale;Idaho 83620

June I4, I990

Ida. Dept. Water Res.
Linda Werner

Dear Linda,

I am writing about the storage permit for Lost Valley Res. Co. I mailed a claim to water res. with a $ 50.00 check June 5, I989. The claim is for iO,000 A. F. of storage; with a total consumptive use of 9,600 A. F. We have a total of 9,582 A. F. shares sold to shareholders. We want to claim the 4I8 A. F. of unsold shares as Lost Valley Res. Co. property to have some water to help insure we have enough water for the 9582 A. F. to reach the shareholders. The breakdown in class would be;

Class A - 6950
Class B - I798
Class C - I252

In I908 to I9IO water permit Nos. 5263 and 6503 and 6504 were issued to Lost Valley by the Reclamation Dept and State enginers for a total of 6950 shares. The names of the users then were Orchards Water Co. ; A. Freehafer; Freehafer and Pike and J. A. Carr.

As near as I can tell the B shares started in 1925 or I926 . The C shares started in I929.

Eldon was going to fix a permit for us when he got it all together and mail it to me. I do not know if he was going to fix one permit or three.

If you need more information to get the permit ready, please write me or call.

Thank You Margaret Merk

Margaret Merk

phone 253-4751
p.o. box IO Fruitvale Ida. 83620

Last Valley Res Co
Margaret Mark
Fruitvale
Ida-83620

FRUITVALE, IDA
JUN
15
PM
1990
83620

Idaho Dept Water Res
att Linda Werner
2735 airport Way
Boise
Ida
83705

Fruitvale, Idaho, 83620

March 20, 1990

Dear Linda,

I am writing concerning our water claims. I trust they are all in order. Eldon Roush was kind to me and processed our claims (five in all); so I would not have to brave the Boise traffic to come down. He processed them last August; then sent them to us to be notorized and returned to him; with a check for $ 150.00. I had sent a check down in June for $ 140.00; with a claim for our adjudicated water in the Osborn Groom ditch and T. J. Glen ditch; and for the acres we irragate; also for our domestic water. I thought at that time that was all we needed to file on. Eldon decieded to file on Lost Valley water by each shareholder filing a claim for each class of water shares they have in Lost valley for a fee of $ 50.00 each. I think it has worked well. The overall cost to the shareholders is less that way than if I had filed as a group at $ I.00 per share.; also I'm sure a lot less mistakes.

We have 10-A- shares and 20-C- shares in Lost Valley and our flood water needed to be filed on so Eldon redone what I had sent down in June along with the rest of our water. I am sending a copy of what he fixed up for us. The reason being; One of our neighors said the claims for our Lost Valley water did not show up on your computer and you thought maybe I had not filed for them. I thought maybe when you have time you could check it out and let us know it is all okay.

The neighbor also seemed to think all you show on the computer for the amount of Acre feet in the Res. is 6950 A. F. Lost Valley has

6950*A- shares-- 1798 * B- shares --- 834 * C- shares

a total of 9582 shares filled on

I imagine you have all this information and all is okay; but I thought I had better check.

Eldon is still working on our permit numbers for Lost Valley I think. He said when he got it all figured out he would let me know.

Enclosed is a copy of the information on the claims and the cancelled checks

Thank you

Margaret Merk

RECEIVED
MAR 22 1990
Department of Water Resources
Western Regional Office

Box 10 Fruitvale

Ph- 253-4751

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

LADELL AND/OR MARGARET MERK
BOX 10
FRUITVALE, ID. 83620

08/17/1989

DEAR CLAIMANTS:

ENCLOSED ARE NOTICE OF CLAIM NUMBERS A67-02053B, A67-00081D, A67-10129, A67-04121, AND A67-10127.

A67-02053B IS FOR THE 20 (C) SHARES OF LOST CREEK RESERVOIR AND REQUIRES YOUR SIGNATURE, NOTARIZATION, AND A FEE OF $50.00.

A67-00081D IS FOR THE 10 (A) SHARES OF LOST VALLEY RESERVOIR AND REQUIRES YOUR SIGNATURE, NOTARIZATION, AND A FEE OF $50.00.

A67-10129 IS FOR 26 MINERS INCHES OF WATER FROM THE WEST FORK OF THE WEISER RIVER AND IS BASED ON DECREES TO C. L. HAM (67-00145 & 67-00147). THE TWO DECREES HAVE BEEN COMBINED IN ORDER TO SAVE YOU AN ADDITIONAL $50.00 FILING FEE IF A CLAIM HAD BEEN FILED ON EACH DECREE. THIS CLAIM REQUIRES YOUR SIGNATURE ON THE AUTHORIZATION TO COMBINE THE TWO WATER RIGHTS INTO ONE CLAIM AND ALSO REQUIRES YOUR SIGNATURE ON THE CLAIM, NOTARIZATION, AND A FEE OF $50.00.

A67-04121 IS A CLAIM FOR FLOOD WATER FROM THE WEST FORK OF THE WEISER RIVER AND REQUIRES YOUR SIGNATURE AND NOTARIZATION. THE FEE HAS ALREADY BEEN PAID (RECEIPT # W003157). ATTACHED IS THE ORIGINAL CLAIM THAT YOU HAD SUBMITTED 06/08/1989 THAT CAN EITHER BE RETAINED OR DESTROYED.

A67-10127 IS A CLAIM FOR THE DOMESTIC/STOCKWATER USES FROM THE GROUNDWATER SOURCE AND REQUIRES YOUR SIGNATURE AND NOTARIZATION. THE FEE HAS ALREADY BEEN PAID (RECEIPT # W003157). ATTACHED IS THE ORIGINAL CLAIM THAT YOU HAD SUBMITTED 06/08/1989 THAT CAN EITHER BE RETAINED OR DESTROYED.

TOTAL FEES DUE= $150.00

FEES CAN BE PAID ON ONE CHECK.

IF YOU HAVE ANY QUESTIONS, FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

ELDON L. ROUSH
SENIOR WATER RESOURCE AGENT

MR. OR MRS. LADELL MERK
BOX 77 253
FRUITVALE, ID 83620

922

June 1 1989

92-1/1241

PAY TO THE ORDER OF State of Idaho Water Resources $ 140 00/100

One hundred & Fourty dollars & no/100 DOLLARS

IDAHO FIRST NATIONAL BANK
COUNCIL OFFICE 16
P.O. Box 8
Council, Idaho 83612

FOR D&S 25 Irrigation Rent $115.00

Mrs LaDell Merk

⑆124100019⑆ 110016410256⑈ 9220 ⑈0000014000⑈

W 3157

FOR DEPOSIT ONLY
TO THE IDAHO STATE
TREASURER'S ACCOUNT
BY Department of Water Resources

West One Bank, Idaho, N.A.
of Award Services
BOISE, IDAHO

JUN - 9 '89

WEST ONE BANK
06/09/89
124100019
16065621

MR. OR MRS. LADELL MERK
BOX 77 253-4751
FRUITVALE, ID 83620

1098

Aug 21 1989

92-1/1241

PAY TO THE ORDER OF Idaho Dept of Water Resources $ 150 00/100

One Hundred & Fifty dollars & 00/100 DOLLARS

IDAHO FIRST NATIONAL BANK
COUNCIL OFFICE 16
P.O. Box 8
Council, Idaho 83612

FOR Water Filing

Mrs LaDell Merk

⑆124100019⑆ 110016410256⑈ 0980 ⑈0000015000⑈

W 4887

For Deposit Only to the
Idaho State Treasurer's Account
by Department of Water Resources

0059 69136

AUG 25 '89

WEST ONE BANK
08/25/89
124100019
16245074

IMPORTANT MESSAGE

FOR Linda

DATE 3/19 TIME 9:45 A.M. P.M.

M Margaret Mork

OF Fruitvale

PHONE 253-4751
AREA CODE NUMBER EXTENSION

TELEPHONED	X	PLEASE CALL	X
CAME TO SEE YOU		WILL CALL AGAIN	
WANTS TO SEE YOU		RUSH	
RETURNED YOUR CALL		SPECIAL ATTENTION	

MESSAGE 9582 = Total # of Lost Valley Res. shares Sent Changes regarding shareholders & certificate no. to Eldons attention. Also, waiting on receipt for $1150 she sent in Aug. 1989.

SIGNED [illegible]

LITHO IN U.S.A.

Everett Pad & Paper No. 79-120

RECEIPT IS FROM THE STAT. FILE
SD-01

IDAHO DEPARTMENT OF WATER RESOURCES
RECEIPT ENTRY SCREEN

DATE 08/20/90
TIME 08:59:27

REC/NO - W003157 AR/NO - _____
FROM: - MERK, MR. OR MRS. LADELL

RECEIPT TYPE - CK DOC/NO - 922
REMARKS -

TYPE OF PAYMENT	PROGRAM	ACCT	CLASS	FEE
ADJUDICATION CLAIM FEES	410162	9337	6490	140.00

TOTAL DUE - 140.00

WR/NO	WR FEE	WR/NO	WR FEE	WR/NO	WR FEE
A6704121	115.00	A6710127	25.00		

(ENTER=INQUIRE) (GOLD1=ADD/PRINT REC) (GOLD2=CHANGE) (GOLD3=VOID)
(GOLD6=2ND/COPY REC) (GOLD7=LASER/COPY REC) (MENU _____)

RECEIPT IS FROM THE STATE FILE
SD-01

IDAHO DEPARTMENT OF WATER RESOURCES
RECEIPT ENTRY SCREEN

DATE 08/20/90
TIME 09:04:44

REC/NO - W004887 AR/NO - _____
FROM: - MERK, MRS. LADELL

RECEIPT TYPE - CK DOC/NO - 1098
REMARKS -

TYPE OF PAYMENT	PROGRAM	ACCT	CLASS	FEE
ADJUDICATION CLAIM FEE	410162	9337	6490	150.00

TOTAL DUE - 150.00

WR/NO	WR FEE	WR/NO	WR FEE	WR/NO	WR FEE
A6710129	25.00	A6702053B	62.00	A6700081D	63.00

(ENTER=INQUIRE) (GOLD1=ADD/PRINT REC) (GOLD2=CHANGE) (GOLD3=VOID)
(GOLD6=2ND/COPY REC) (GOLD7=LASER/COPY REC) (MENU _____)

Margaret Mark
Fruitvale
Ida- 83620

Dept of Water Resources Western Region
att Linda Werner
2735 Airport Way
Boise
Idaho
83705

Fruitvale, Idaho 83620
Aug. 9th 1989

Idaho Water Res.

Mr. Eldon Kouch,

Dear Eldon,

Hope you had a nice vacation. I had to make out two new Certif.

One to Dean Fairchild, Midvale, Id. for 100 shares of A stock certif # 100.

Dean Fairchild still has his 100 A shares with certif # 57

He now has 200 A shares.

The other change is for Wayne Sutton; he sold 100 of his shares to Dean Fairchild. Wayne Sutton now has 900 A shares certif. # 99. his old certif. # 40 has been canceled. Wayne Sutton is also at Midvale.

Also I found two more permit numbers for Lost valley Res. issued around 1925 I think they are # 5263 (Lapsed) and 6503. (67-2053)

Also since I did not fill out claim forms for our Res. water and our flood water; could you send me about 5 more claim forms please and I guess I have to have our forms back I did send in so I can get them notarized.

Has the filling date been extended to Jan? I will be sending a reminder to the Lost Valley shareholders before long; that they need to file for their water; so would like to know if it has been.

Thank You

Margaret Merk
Box 10
Fruitvale

RECEIVED
AUG 10 1989
Department of Water Resources
Western Regional Office

Margaret Merk
Fruitvale Ida
83620
Snake Valley Res Co

Idaho Dept Water Res
Att Mr Eldon Rauch
2735 Airport Way
Boise
Ida
83705

Fruitvale, Idaho
June 26 1989

RECEIVED
JUN 27 1989
Department of Water Resources
Western Regional Office

Idaho Dept. water Res.
Eldon Roush

Dear Eldon,

This is who Lost Valley Res. has on record now. It may change before the summer is over. The certif. no. does not always change when the property changes; that is why I put related certif. no at top of certif column.

We figure as near as we can tell that there is 10,200 A. ft. in the Res. with the normal 3 three ft. boards in and 10,500 with the extra 6" boards we put in to help people out all the way down the river if it is a dry year.

We have put the extra boards in several years. We put them this year.

I hope I have not left any one out or got them in a wrong column.

Best Wishes

Margaret Merk

I am listing the shareholders in the area in which their water is used, along the Weiser River. Also, when I know, the Ditch Co.

Glendale

Haight - Charles
Williams- Jim
Hohs- Tim
Govedare-Phillip
Leger- Vince
Barrett- Linda
Dixon -Chris
Moyer- John
McLaghlin - Glenn
Hinton - Jacque
Hawkins- Nancy
Newman- Leon

West Fork, Weiser River
Osbern Groom Ditch and T. J. Glenn Ditch

Harrington-Evertt
Merk - LaDell
Anthony Schwartz
Dale Fisk
Dick Fisk
Ryalls Melvin

Fruitvale; Robertson Seivy and Farmers Canal

Chadwell- Mike
Glenn Amy
Scism- Doug
Hulin - Sylvia
Menichette- Syl
Friend - Thelma
Capps A. V.
Gleason -Dave
Adams - Steve
Burchfield- Darrell
Kalmback- Gary
Raffetty - Dick
McAlvain - Doug
Jordon -Joe
Hug - Jim
Ringering - Gary

North Of Council; Farmers Canal

Nelsen - Todd
Anderson - Rich
Shumway - Steve
Henderson - Reed
Jacobs - Barr

East Fork Weiser River

East Fork Ditch Co. Council

Meyers- Janet - Sec.

Council

Boise Cascade Corp

South of Council

Cottenwood

Peebles- LaMar

Middle Fork; Weiser River

Yantis-Alvin

Goodrich

Gallant- Gary
Gallant- Fred
Crossley-Farrell

Mesa

Ball-Jim
Ball- Patrick

Midvale Middle Valley Ditch

Horton -Milderd- Sec.

Midvale

Horning-Marjorie
Pickett- Cedric
Sutton- Wayne
Fairchild - Dean

Cambridge

Mink -T. C.
Mink - Kenneth
Ingebretsen- Mrs Vernon
Smith- Harry
Wolford -Jack
Potter -Mrs. Ina
Braun - Roy
Joyner -Homer
Barton- Dale
Butts -Art
Jaeger - Jerry

Schnell -Alvin
Dillon Pauline
Lee Lynda
Legg Alvin
W X Ranch
Higgins- Richard
Hill - LaMar
Turnbull -Robert
Volle- George
Lacey - Art

253-4751

PAGE NO. I

Lost Valley Res. Class A Total 6950

Shareholders from 1925 to 1989

PREPARED BY M.Merk

DATE 6/1989

Year	Original Shareholder & shares		Original Certif #	Present owner or user & shares		Related Certi #
1925	Orchards water Co.	6250	I	Following 9 shareholders		
1937	George Gould	100	2	Steve Shumway	98 ✓	97
				Micheal Chadwell	2 ✓	98
1937	Fred Lappin	50	3	Richard Anderson	50 ✓	81
1937	G. T. Hamil	50	4	Boise Cascade Lo. Co.	50 ✓	16
1937	E. F. Fisk	10	5	Dick Fisk	7 ✓	32
				Dale Fisk	3 ✓	31
1937	Orchards Water Co.	6040	6	start on page 2		
1938	Middle valley Ditch Co.	2000	7	Middle Valley Ditch Co.	2000 ✓	7
1938	Mesa Irrigation Dist.	4040	8	start on page 2		
	Carr, Pike & Freehafer; Deed	to following 27 shareholders				
1937 to 39	Eral McMahan	19	no certif	A. V Capps Foreclosed ? 67-00083A	19 ✓	76
1939	Earl McMahan	10	9	A.V. Capps 67-00083A	10 ✓	76
1937 to 39	S. E. McMahan	6	no certif.	Joe Jordon 67-00082A	6 ✓	86
1939	S. E. McMahan	10	10	Joe Jordon 67-00082A	10 ✓	86
1937 to 39	Roy Benz	5	no certif.	James Hug 67-00083J	3 ✓	85
				Joe Jordon 67-00082A	2 ✓	86
1939	E. B. Snow	40	11	Reed Henderson 67-00082B	40 ✓	37
1937 to 39	Mrs. W.P. James	50	no certif.	Reed Henderson 67-00082B	50 ✓	no certi
1937 to 39	Clarence Gould	100	no certif	Clarence Gould Estate 67-00083B	100 ✓	no certi
1939	James Ward	20	12	Melvin Ryalls 67-00082D	20 ✓	27
1939	A. L. Freehafer	15	13	Lillian Harvey 67-00082E	15 ✓	24
1939	M. X. Hansen	200	14	Barr Jacobs 67-00082C.	200 ✓	92
1937 to 39	F. S. McGinley	30	no certif	A. V. Capps 67-00083A	30 ✓	75
					505	

executive®

Lost Valley Res. Class A Total 6950

Shareholders from 1925 to 1989

PREPARED BY M Merk

DATE 6/1989

Year	Original Shareholder & Shares		Original certif #	Present owner or user & shares		Related certi #
1937 to 39	G. T. Hamil	50	no certif.	A.V. Capps 67-00083A	43 ✓	79
				Sylvia Hulin 67-00082F	4 ✓	80
				Syl. Menichetti 67-00082G	3 ✓	80
1937 to 39	Rollie McMahan	35	no certif.	Doug McAlvain A67-00071A	35 ✓	67 68 73
1937 to 39	C.E. Fredrick	20	no certif.	Steve Adams (Woodworth) A67-00083E	2 ✓	78
				David Gleason A67-00071B	5 ✓	69
				Kenneth Ivy A67-00083C	5 ✓	71
				Gary Kalmback A67-00083D	3 ✓	72
				Dick Raffetty A67-00083E	5 ✓	74
1937 to 39	F.S. Galey	50	no certif.	Steve Shumway 67-00083F	50 ✓	97
1937 to 39	Ervie Show	IO	no certif.	Paul Lawerence A67-00083G	IO ✓	no certi
1937 to 39	Lawerence Trask	IO	no cetif	Paul Lawerence A67-00083G	IO ✓	nO certi
1937 to 39	James Hays	IO	no certif.	T. C. Mink 67-00082H	IO ✓	no certi
1937 to 39	John Poulson **	IO	nO certif	Lost Valley Res. Co. 67-00083H	IO ✓ 700 AF	no certi
1938	Mesa Irragation Dist.	4040	8	Following 28 shareholders		
1967	Emma Ball	4040	26	" " " "		
1975	Emma Ball	4040	26	Homer Joyner	45 ✓	77
1975				LaDell Merk 67-00081D for 10AF	IO ✓	36
1976				Glenn? if so 67-00081E for 10AF Marjorie Horning	IO ✓	38
1977				original Sutton Ranches, Inc 00081F for 1000 AF Wayne Sutton	1000 ✓	40
1977				Mink Land & Livestock	220 ✓	42
1977				Alleson Ditch 67-00081A for 2375AF Barton Ranches split	200 ✓	90 91
1977				original 300AF of 2375AF of 67-00081A Art Butts split	100 ✓	94
1977				Art Lacy	200 ✓	95
1977				original 300 AF of 2375AF of 67-00081A Jerry Jaeger	300 ✓	45
1977				original 67-00081B for 100 AF Alvin Schnell	100 ✓	47

executive®

Lost Valley Res. Co. Class A Total 0950

Shareholders from I925 to I989

PREPARED BY M.Merk

DATE 6/ I989

Year	Original Shareholder & shares		original certif #	Present owner or user & shares		Related certi #
I975	Emma Ball	4040	26	original to Rocking S Ranch Johnson & Braun for 100 AF of 2375 AF 00081A Roy Braun or Peter Ertel original 15 AF of 2375 of 00081A	I00 ✓	48
I977				Pauline Dillon	I5 ✓	49
I977				Lynda Lee	20 ✓	50
I977				original to Legg Family for 50 AF of 2375 AF of 00081A Legg Family	65 ✓	5I
I977				Homer Joyner	50 ✓	52
I977				original 150 AF of 2375 AF of 00081A WX Ranch	I50 ✓	53
I977				original 150 AF of 2375 AF of 00081A Richard Higgins	I50 ✓	54
I977				original to Legg for 50 AF of 2375 AF of 00081A Alvin Legg	60 ✓	55
I977				LaMar Hill original 67-00081A for 2375 AF New A67-00081J for 150 AF	I50 ✓	56
I977				Dean Fairchild	I00 ✓	57
I977				original 140 AF of 2375 AF of 00081A Robert Turnbull	I40 ✓	58
I977				original 200 AF of 2375 AF of 00081A George Volle	200 ✓	59
I977				Bacon Valley or Crossley	I00	60
I977				original 300 AF of 2375 AF of 00081A Kenneth Mink	I55 ✓	6I
I982				Farrell Crossley Original 00081G For 100 AF	90 ✓	84
I982				Fred Gallant	60 ✓	89
I984				Jim Ball- Ball Estate	I94 ✓	87
I987				Patrick Ball	56 ✓	88
					4040	

** J. Poulson shares were left out in a land transaction around I976. I am sure the water has been used over the years but not kept on record. We will keep the 10 shares as Res. property until we can properly distribute them.

Margaret Merk

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Lost Valley Res. Co. Class B Total 1798
Shareholders from 1926 to 1989

PREPARED BY M.Merk
DATE 6/ 1989

Year	Original Shareholder & shares		original certif #	Present owner or user & shares		Relate certi #
1926	W. M. Glenn	40	1	A. V. Capps ✓	40	59
1926	S.E. McMahan	10	2	Joe Jordon ✓	8	63
				James Hug ✓	2	62
** 1926	John Poulsen	10	3	Lost Valley Res. Co.	10	
1926	W. A. Schmid	5	4	Bacon Valley ✓	5	49
1926	A. Schmid	5	5	Bacon Valley ✓	5	49
1926	Lester Thomason	10	6	Bacon Valley ✓	10	53
1927	Estate of Mark Winkler	50	7	Rich Anderson ✓	50	60
1927	J. E. Glenn	10	8	Amy Glenn ✓	10	50
1927	E. F. Fisk	10	9	Dick Fisk ✓	10	54
1927	George Robertson	25	10	Amy Glenn ✓	7½	50
				Doug Scism ✓	17½	61
1927	J. A. Finn	100	11	Anthony Schwartz ✓	100	47
1927	F. R. Ingebretsen	30	12	Vernon Ingebretsen ✓	30	64
1927	Lillian Temp	50	13	A. V. Capps ✓	50	59
1928	Hinkle Estate	100	14	Reed Henderson ✓	100	56
1928	Mrs. Luna Riddell	50	15	Everett Harrington ✓	50	44
1929	Middle Valley Ditch CO.	1000	16	Middle Valley Ditch Co. ✓	1000	16
1936	George Gould	100	20	Clarence Gould Estate	100	45
1936	East Fork Ditch Co.	160	23	East Fork Ditch Co. ✓	160	23
1936	R. E. Wilson	33	24	Boise Cascade Lo. Co. ✓	33	31

** J. Poulson shares were left out in a land transaction around 1976. I am sure the water has been used over the years but not kept on record. We will keep the 10 shares as Res. property until we can properly distribute them.

Margaret Merk

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PAGE NO. I

Lost Valley Res. Co. Class C Total 634

Shareholders from 1930 to 1989

PREPARED BY M. Merk

DATE 6/ 1989

Year	Original Shareholder & Shares		original certif #	Present owner or user & shares		Related certif #
1930	Clarence Smith	12	1	Clarence Gould Estate ✓	12	46
1930	E. F. Fisk	10	2	Dick Fisk ✓	10	49
1930	J. A. Bradley	50	3	Jim Williams ✓	20	61
				Tim Hohs ✓	3	52
				Phillip Govedare ✓	4	53
				Vince Leger ✓	4	64
				Linda Barrett ✓	1	57
				Chris Dixon ✓	3½	62
				John Moyer ✓	5	55
				Glenn Mc Laughlin ✓	½	63
				Jacque Hinton ✓	3	69
				Leon Newman ✓	3	72
				Nancy Hawkins ✓	3	70
1931	C. E. Cox	3	4	Gary Ringering ✓	3	73
1931	Mrs Arthur Hulse	2	5	Thelma Friend ✓	2	41
1931	G. C. & J. B. Childers	15	6	Gary Gallant ✓	15	51
1933	M. L. Over	1	7	Harry Smith ✓	1	76
1933	Otto Bodmer	12	8	Charles Haight ✓	12	8
1933	Alice Cox	5	9	Cedric Pickett	2	38
				LaMarr Peebles ✓	3	36
1934	Mrs. Henry Heimsoth	10	10	Reed Henderson ✓	10	50
1934	Fred Brandt	5	11	Jack Wolford ✓	5	74
1934	Mrs. Dora Martin	5	12	Ina Potter ✓	5	26
1935	Fred Barton	30	13	Roy Braun or Peter Ertel ✓	30	33
1935	John Gould	100	14	Steve Shumway ✓	100	75

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Lost Valley Res. Co. Class C Total 834
Shareholders from 1930 to 1989

PREPARED BY M. Merk
DATE 6/1989

Year	Original Shareholder & Shares		original certif #	Present Owner or user & shares		Relate certif #
1936	East Fork Ditch Co.	500	15	East Fork Ditch Co. ✓	500	15
1936	Lori Crowell	2	16	Cedric Pickett ✓	2	38
1936	C. F. Burt	2	17	Gary Ringering ✓	2	73
1936	E. B. Snow	50	18	Heed Henderson ✓	50	50
1936	Middle Valley Ditch Co.	2000	19	Cancelled no date & not in use		
1936	Henretta Caseman	20	20	LaDell Merk ✓	20	37

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Council

Lost Valley Res. Co. Shareholders

Area; Class; Shares

PREPARED BY M. Merk

DATE 6/ 1989

Area	Name	Class A	Class B	Class C	Total
Council	Gould Clarence Estate	100	100 67-2053	12	212
"	Chadwell Mike	2			2
"	Anderson Rich	50	50 2053		100
"	Fisk Dick	7	10 2053	10	27
"	Fisk Dale	3			3
"	Shumway Steve	148		100 2053D	248
"	Henderson Reed	90	100 2053	60	250
"	Ryals Melvin	20			20
"	Jacobs Barr	200			200
"	Boise Cascade Lo. Co.	50	33 2053		83
"	Glenn Fred- Amy		17.5 2053		17.5
"	Scism Doug		17.5 2053		17.5
"	Hulin Sylvia	4			4
"	Menichetti Syl.	3			3
"	Lawerence P. (Yantis)	20			20
"	Harrington Everett		50 2053		50
"	East Fork Ditch CO .		160 2053	500	660
"	Schwartz Anthony		100 2053		100
"	Friend Thelma			2 2053	2
"	Gallant Gary			15 2053	15
"	Gallant Fred	60			60
"	Haight Charles			12 2053	12
"	Peebles LaMar			3 2053	3
"	Capps A. V.	102	90 2053		192
"	Merk LaDell	10		20 2053	30

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PAGE NO. 2

Council

Lost Valley Res. Co. Shareholders

Area; Class; Shares

PREPARED BY M.Merk

DATE 6/1989

Area	Name	Class A	Class B	Class C	Total
Council	Harvey Lillian	I5			I5
"	Williams Jim			20 2053	20
"	Hohs Tim			3 2053	3
"	Govedare Phillip			4 2053	4
"	Leger Vince			4 2053	4
"	Barrett Linda			I 2053	I
"	Guliuzza Chris			3.5 2053	3.5
"	Moyer John			5 2053	5
"	Gleason Dave	5			5
"	Woodworth Bob	2			2
"	Ivey Kenneth	5			5
"	Kalmback Gary	3			3
"	Raffetty Dick	5			5
"	McAlvain Doug	35			35
"	McLaughlin Glenn	.5		.5 2053	.5
"	Hinton Jacque			3 2053	3
"	Newman Leon			3 2053	3
"	Hawkins Nancy			3 2053	3
"	Jordon Joe	I8	8 2053		26
"	Hug Jim	3	2 2053		5
"	Ringering Gary			5 2053	5
"	Bacon Valley	I90	20 2053		210
Mesa	Ball Jim	I94			I94
"	Ball Patrick	56			56

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Cambridge & [redacted]

Lost Valley Res. CO. Shareholders

Area; Class; Shares

PREPARED BY M. Merk

DATE 6/ 1989

Area	Name	Class A	Class B	Class C	Total
Cambridge	Mink T. C.	IO			IO
"	Ingebretsen Vernon		30 2053 A ✓		30
"	Smith Harry			I 2053 ✓	I
"	Wolford Jack			5 2053 ✓	5
"	Potter Ina			5 2053 ✓	5
"	Braun Roy (Ertel)	I00		30 2053 ✓	I30
"	Joyner Homer	95		[illegible]	95
"	Mink Land & Livestock	220			220
"	Barton Ranches	200			200
"	Butts Art	I00			I00
"	Jaeger Jerry	300			300
"	Schnell Alvin	I00			I00
"	Dillon Pauline	I5			I5
"	Lee Lynda	20			20
"	Legg Family	65			65
"	W X Ranch	I50			I50
"	Higgins Richard	I50			I50
"	Hill LaMar	I50			I50
"	Legg Alvin	60			60
"	Turnbull Robert	I40			I40
"	Volle George	200			200
"	Mink Kenneth	I55			I55
"	Lacy Art	200			200

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PAGE NO 1

Midvale

Lost Valley Res. Co. Shareholders

Area; Class; Shares

PREPARED BY M. Merk

DATE 6/ 1989

Area	Name	Class A	Class B	Class C	Total
Midvale	Middle Valley Ditch Co.	2000	1000 2053 ✓		3000
"	Horning Margorie	IO			IO
"	Pickett Cedric			2053 4 ✓	4
"	Fairchild Dean	IOO			IOO
"	Sutton Wayne	IOOO			IOOO

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Eldon

PAGE NO.

Lost Valley H-Shares Transfered from
Emma Ball - Certif # 26 for 4040 shares

PREPARED BY M. Mark
DATE 6-1989

	Present owner or user	Previous owner or user
1-	Homer Joyner Certif # 77	Duane Shaffer Certif # 36
2	La Dell Mark Certif # 36	
3-	Marjorie Horning Certif # 38	
4-	Wayne Sutton Certif # 40-	on Contract to Balls & Thick
5-	Mink Land & Livestock Certif # 42	" " "
6-	Bartan Ranches - Certif # 90 & 91	" " Certif # 43
7-	Art Butts - Certif # 94	on Contract " & Balls Certif # 44
8	Art Lacy Certif # 95-	on Contract back to Certif # 44
9	Jerry Jaeger — Certif # 45	
10	Alvin Schnell - Certif # 47	
11-	Ray Braun or Estel Certif # 48	
12	Pauline Dillon Certif # 49	
13	Lynda Lee Certif # 50	Lynn Heiner Certif # 50
14	Legg family Certif # 51	
15	Homer Joyner Certif # 52	Gary Bongalet Certif # 52
16	WX Ranch Certif # 53	
17	Richard Higgins Certif # 54	
18	Alvin Legg Certif # 55	
19	La Mar Hill - Certif # 56	Burl Scott Certif # 56
20	Dean Fairchild Certif # 57	Robert Bumgarner # 57
21	Robert Turnbull Certif # 58	
22	George Valla - Certif # 59	
23	Bacon Valley - Certif # 60	
24	Kenneth Mink - Certif # 61	
25	Farrell Crossley - Certif # 84	
26	Fred Galland - Certif # 89	Glen Galland Certif # 83

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27- Jim Ball Certy # 87
28 Pat Ball Certy # 88

Note
Ladell Merk and Duane Shaffer were both issued Certy # 36 by mistake

Margaret Merk

This may help a little

RECEIVED
JUL 04 1989
Department of Water Resources
Western Regional Office

Last Valley Res Co
Margaret Meek
Fruitvale Ida

Ida Dept Water Resources
ATT Eldon Roush
2735 Airport Way
Boise
Ida
83705

27nd June

Dear Eldon

I hope the copies I'm sending help some-

I have a good start on the run down of shares back to begining-

I find We have 10 more A shares and 10 more B shares than I told you we have A- 6950 - shares

B- 1798- shares

C- 834- shares

The shares were acounted for until 1976 I think when some property was changed to several different people and in the transaction the 20 shares were left out - I know the plans and how it should go but I think our directors will have to decid -

Best wishes

Margaret

I should have the run down to you by Wed or Thurs -

RECEIVED
JUN 26 1989
Water Resources

REPORT OF THE SECRETARY-TREASURER OF THE LOST VALLEY

RESERVOIR COMPANY

JANUARY,1,1937 to JANUARY,1,1938

List
Cancelled permits
to search abstr
& cancell @
SO

TO THE STOCKHOLDERS OF THE LOST VALLEY RESERVOI

I hereby submit the following report o
in connection with the Lost Valley Reservoir an
nope to clarify many questions that have been in the minds of the various stockholders, as to present and past control,how was the cost of maintainance met during years prior to 1937, what does it cost to operate the Reservoir for one year, what is its present capacity, what are the classes of stock, how many shares are there in each class, etc.

The Lost Valley Reservoir Company,a corporation, was formed in June,1925 by Elizabeth G.Van Hoesen,M.G.Van Hoesen, and E.G.Van Hoesen. The Articles of Incorporation were executed June,18,1925; Agreement to take one share of stock each,with a par value of $10.00 each was signed by each of the above named persons on June 20th,1925; By-laws were assented to and adopted by the above parties under the date of June 20th,1925, and the company was given a Certificate of Incorporation by the Secretary of State for Idaho under the date of June 19,1925. The amount of authorized capitol stock was fixed at One Hundred and Twenty Thousand Dollars ($120,000.00) divided into twelve thousand (12,000) shares of a par value of Ten Dollars ($10.00) each. $30.00 was actually subscribed.

The original By-laws state that the stock shall be divided into Class A and Class B. That Class A consisting of 6950 shares shall have the first and prior right and that all shares over and above 6950 shall be Class B and have a second right.

The first meeting of the Stockholders and of the Directors was held June 20th,1925 there being present the above named three persons. The second meeting of the Directors was held July 8,1925 at which time 6250 shares of Class A stock was issued to the Orchards Water Company of Mesa,Idaho in exchange for certain rights and privileges held by that Company. There were no meetings of the stockholders or directors held or called from July 8,1925 until September 23rd,1929 and no assessments made, although several hundred acre feet (or shares) of water had been sold. Meetings were held Sept,23rd and 27th, and October 22nd,1929 by the board of directors at which time it was agreed by the three above named persons to raise the dam, sell one thousand acre feet of water to the Middle Valley Ditch Corporation for Ten Thousand Dollars ($10,000.00), limit Class B stock to 1800 shares and make all stock over and above 8750 shares to be classified as Class C stock.

No meetings of the stockholders were ever called or held after the Company was organized in 1925 until eleven years

later,in 1936, when the Orchards Water Company forced a deferred annual meeting to be called on October 31st. At this meeting new directors were elected and on the same day these directors held a meeting and elected officers.

All during 1936 your present Secretary,Clyde I.Rush tried to find out from Mr.E.G.Van Hoesen and from the Weiser River Watermaster how much it cost to operate the Reservoir and who paid this cost but neither of them would or could tell him anything. He did learn that there was some expense and therefore the Board of Directors met April 8th,1937 and levied an assessment of five cents (5¢) per share against all outstanding Class A,B, & C Stock. As a result of this assessment the Secretary- Treasurer books show the following;

Assessments collected from Stockholders--------	$473.25
Paid out from April 8,1937 to Jan.1,1938------	275.32
Balance on hand January,1,1938	$197.93

The above amount paid out is accounted for in the following items:

Harold Fitzgerald, 7 trips to Reservoir @ $3.00 ---	$21.00
James Fitzgerald, 5 trips to Reservoir @ $3.00 ---	15.00
" " , 10 " " " @ $2.00 ---	20.00
Collector of Internal Revenue,Tax ----------	2.00
Adams County Leader--Advertizing Notices ---------	6.30
Adams County Title & Abstract Company	15.00
C.V.Fry, Clearing & burning logs & trash at dam	9.00
O.L.Walton, 2 trips to Reservoir in November	5.00
Secretary of State, Reinstating Charter & Penalty --	13.00
Post Cards -- -- -- -- -- -- -- --	1.55
Secretary's office supplies ----------	4.02
Stamps,Stationary,& Envelopes ----------	4.50
Padlock for Reservoir gate ----------	.45
Mileage for Secretary, 1716 Miles @ 5¢ ----------	85.80
Time for Secretary away from Mesa,173 Hours @ 40¢--	69.20
Telephone calls ----------	3.50
Total Expense for year	$275.32

--- Stock & Assessment Record ---

Class	Amount	Accounted for	Collected	Accounted for but not collected
A	--- 6950	6895	$344.75	$ 0.0
B	--- 1800	1798	87.40	2.50
C	-- - 834	834	41.10	0.60
	9584	9527	$473.25	$ 3.10

An accurate record was kept during 1937 of both the inflow and outflow of the Reservoir and a reading of the Reservoir gauge made each time. The result of these observations shows the following table;

Reservoir Gauge -25.45	Amount stored	9313	Acre Feet.
" " 25.60	" "	9400	" " .
" " 25.90	" "	9650	" " .

Your Secretary found last spring that when the Reservoir was completely full, that is, running over the top of the top flash board, that the gauge reading was 25.54. Therefore when the Reservoir is full it contains less than 9400 Acre Feet.

A complete survey made by Mr. Paul Berg for the Middle Valley Ditch Company in 1936 showed the capacity of the Reservoir to be 9288 and since a survey is the most accurate method this figure has been accepted. The stock in the Reservoir is therefore 296 Acre Feet oversold.

If the top of the spillway were raised about six inches so that another six inch flash board could be put on, the capacity of the Reservoir would be raised to the amount of stock sold. Your Secretary has contacted the State Department of Reclamation on this proposition and feels that they will consent to this being done since there will still be enough free board to conform to the law.

After considerable correspondence and inquiry your Secretary has ascertained that there are about 58 stockholders in the Lost Valley Reservoir Company of which 19 own Class A Stock, 20 own Class B Stock, and 19 own Class C Stock. There are 12 stockholders who own less than 10 shares and 19 who own between 10 and 20 shares. 55 shares of Class A stock have not been accounted for, and two shares of class B stock.

Since closing his books for the fiscal year 1937 the Secretary has learned that a Deputy Watermaster must be recommended by the Company and appointed by the State Department of Reclamation to measure the inflow and outflow of the Reservoir and apportion the water and that the company must pay the Watermaster for this service. No actual figures can be given for this service at this time but it is estimated to be approximately $100.00 . This additional expense will raise the cost of operating the Reservoir to about 4¢ per share per year.

Respectfully submitted

Clyde I. Rush,

Clyde I. Rush
Secretary-Treasurer.

THIS INDENTURE, Made this 29th day of October, 1921, between A. J. GUMP and NANCEY J. GUMP, his wife, of Hood River, Oregon, parties of the first part, and ADDISON C. MISSMAN, of Council, County of Adams, State of Idaho, the party of the second part.

WITNESSETH, That the said parties of the first part for and in consideration of the sum of One Dollar, lawful money of the United States of America, to them in hand paid by the said party 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 party of the second part, and to his heirs and assigns forever, all the following described property, to-wit,-

Twenty acre feet of water for irrigation and domestic purposes, together with the undivided and proportionate share and interest of said twenty acre feet of water in and to that certain reservoir known as the Lost Valley Reservoir, situated on Lost Creek, in Township Nineteen North of Range One West of Boise Meridian, Idaho, and which said reservoir includes portions of Sections Eight, sixteen, seventeen, twenty-two, twenty-seven and twenty-eight of said Township and Range, the outlet from said reservoir into the said Lost Creek being at a point North 72 degrees and 25' East 1905 feet from the Quarter Corner on the West line of Section Twenty-eight, said Township and Range.

Said reservoir being more particularly described on the maps and in the field notes filed in the United States Land Office at Boise, Idaho, on December 23rd, 1908, in connection with the application of one J. J. Allison for a right-of-way over the Public Domain for the said reservoir, which said application was duly approved by the Department of the Interior acting through Frank Pierce, First Assistant Secretary of the Interior, on November 8th, 1909, and being also described in the application of E. S. Pierce for an additional right-of-way for said reservior site, and reference is hereby made to said maps and field notes for a full and particular description of said reservoir and all right-of-way therefor heretofore acquired by the said party of the first part.

And together with the undivided and proportionate share and interest of said twenty acre feet of water in and to those certain permits issued by the State Engineer of the State of Idaho, namely,-

That certain permit issued by the State Engineer of the State of Idaho, to one J. J. Allison on Novermber 28th, 1908, and known as Permit No. 4160 cancelled, for seventy cubic feet per second of the waters of Lost Creek; also that certain permit issued by the State Engineer of the State of Idaho, to the Weiser Valley Land and Water Company, a corporation, on August 24th, 1910, and known as Permit No. 6503 67-2093, for One Hundred Twenty-five cubic feet per second of the waters of said Lost Creek; also that certain Permit issued by the State Engineer of the State of Idaho, to one E. S. Pierce, on August 24th, 1910, and known as Permit No. 6504 cancelled, for two hundred cubic feet per second of the waters of said Lost Creek.

The said twenty acre feet of water hereby conveyed have been heretofore appurtenant to the following lands, and now are so appurtenant to said lands, located in the County of Adams, State of Idaho, which said lands have on this date been

[illegible] VALLEY RESERVOIR ADMINISTRATION BOARD
Lester Gould, Secretary

Report of release and distribution of Lost Valley Reservoir for 1978 Season:

Date	Elevation	A.F.	GUAGE	CFS	Inches
5/12	full	10,256	2.70	228	11,400
5/13	"	"	"	"	"
5/1[illegible]	"	"	"	"	"
5/27	"	"	2.80	258	12,900
6/9	"	"	2.70	228	11,400
6/12	25.90	"	2.80	258	12,900
6/2[illegible]	"	"	2.60	200	10,000
6/30	full & spilling		1.66	30.8	1,540
7/2[illegible]	turned out storage				
7/2[illegible]			1.62	27.6	1,380
7/2[illegible]	25.90	9,653	1.90	55	2,750
8/1	25.1[illegible]	9,720	-	-	-
[illegible]	Shut off about 800"				
8/21	[illegible]	8,599	-	-	-
9/9	[illegible]	8,534	(Shut off all storage)		
10/[illegible]	[illegible]	8,534	-	-	-
[illegible]	[illegible]	8,484	-	-	-

([illegible] trips made to Lost Valley Reservoir to check and/or regulate)

Clell Williamson

Clell Williamson, Watermaster

LOST VALLEY RESERVOIR COMPANY

Treasurer's Report
as of October 31, 1936.

Since the incorporation of the company there have been no receipts or expenditures of monies by the company.

BALANCE SHEET

Assets

The Lost Valley Reservoir, including water rights, permits, licenses, rights-of-way and easements	$120,000.00

Liabilities

Class "A" stock, 6,950 shares authorized 6,250 shares issued, par value $10.00	62,500.00
700 shares reserved for the use of and to be issued at request of Elizabeth G. Van Hoesen par value $10.00	7,000.00
Class "B" stock, 1,800 shares authorized 1,798 shares issued, par value $10.00	17,980.00
2 shares reserved for the use of and to be issued at request of Elizabeth G. Van Hoesen par value $10.00	20.00
Class "C" stock, 3,250 shares authorized 2,834 shares issued, par value $10.00	28,340.00
416 shares reserved for the use of and to be issued at request of Elizabeth G. Van Hoesen par value $10.00	4,160.00
	$120,000.00

I hereby certify that to the best of my knowledge the above report sets forth the true and exact financial condition of the Lost Valley Reservoir Company as of the date hereof.

Wyndham Van Hoesen.

Treasurer.

Dear Eldon
Maybe some of this
Inf will help
Margaret Merk

RECORD OF PROCEEDINGS

100 LEAVES

AMENDMENTS TO BY-Laws.

Article VII Section 2. Amended October 22, 1929 to read as follows:

CLASSES OF STOCK. The capital stock of this Company shall be divided into three classes designated as Class A, Class B and Class C.

Article VII Section 4A. Amendment added to the By-Laws on October 22, 1929 as follows:

AMOUNT OF WATER CLASS C STOCK ENTITLED TO. Each full share of Class C Stock entitles the owner thereof to have the third perpetual right to the use of, and receive, subsequent to, and third in time of use to the first and second rights, as evidenced by Class A Stock and Class B Stock in the said Reservoir of the Company designated as the "Lost Valley Reservoir" at the point of delivery from such reservoir, all deliverable in any one lesser period of time of thirty days or more, upon written reasonable notice to the Corporation, during the iffigation season in each year, one acre foot of water if available and stored in said reservoir, for irrigation and domestic use on the lands using such water, and shall be that proportionate part of the present capacity of said reservoir which is over and above 8750 acre feet if stored and available for distribution by the Company as each share of Class C stock shall bear to the whole number of subsisting and valid class C shares of said stock, representing allof the water over and above 8750 acre feet of water, if stored and available in said reservoir for distribution by the Company from the present capacity of said reservoir; and said Class C shares of stock shall entitle the owner thereof to a proportionate interest in and to said reservoir subsequent to and third in time to Class A and Class B stock which shall be a proportionate interest in the water rights and water appropriations used in storing and impounding water in said reservoir and in that part of the present capacity of said reservoir over and above 8750 acre feet of water capacity, based upon the total number of shares of Class C stock in the capital stock of the Company, and subject to such charges and costs in the operation, maintenance, repairs and replacement of said reservoir and rules and regulations as the Board of Directors may make regarding the distribution and delivery of water from said reservoir as may appear for the best interest of the Company and its stockholders.

The Chairman then announced that the above mentioned said persons were elected as Directors of the Corporation to serve for the ensuing year and until their successors be elected and qualified.

The Chairman then presented a written proposal from Elizabeth G. Van Hoesen offering to transfer and assign to this Company certain interest in what is know as the Lost Valley Reservoir, situated on Lost Creek, in Township 19 North of Range One West of Boise Meridian, Adams County, Idaho, and certain water rights, as mentioned and described in said written proposal, in exchange for 5050 shares of the capital stock of this Company. After due consideration, the said proposal was ordered filed, and the following resolution in relation thereto was offered, and upon motion, duly seconded, the same was unanimously adopted:

"WHEREAS, A proposition has been received from Elizabeth G. Van Hoesen offering to transfer and assign to this Company certain proportions of her interest in and to what is known as the "Lost Valley Reservoir", situated on Lost Creek, in Township 19 North of Range One West of Boise Meridan, Adams County, Idaho and certain proportion of her interest in certain water rights used in connection with the impounding of water in said reservoir as mentioned and described in said written proposal, in exchange and full payment for 5050 shares of the capital stock of this Company; and,

WHEREAS, It appears to the stockholders of this Company, that the said property is desirable for the purposes of the Company, and is reasonablyworth the purchase price thereof;

NOW THEREFORE, BE IT RESOLVED, That the said proposal for the exchange of said property for stock in this Company, to the amount above stated, be and hereby is approved, and the Board of Directors of this Company are hereby authorized empowered and instructed to accept the said proposal, and to cause stock in this Company to be issued to said Elizabeth G. Van Hoesen, or her order and when demanded, not exceeding in the aggregate 5050 shares in accordance with the terms of said proposal, and the President and Secretary of said Company be, and they are hereby, authorized and directed to deliver to the certain person mentioned in said proposal, receipt in full payment of said stock, as aforesaid, subscribed for by them upon the delivery to said Company proper conveyances of said property."

There being no further business before the meeting, on motion of stockholder E. G. Van Hoesen to adjourn, the meeting was, until July 8, 1925 at 2:00 P.M., duly seconded, the Chairman put said motion to a vote, and all persons present having voted in favor thereof, the Chairman declared the same was unanimously carried and so ordered.

W. Van Hoesen
Temporary Chairman

E. G. Van Hoesen
Temporary Secretary.

fully paid. The said proposal was ordered spread in full upon the minutes, and is as follows:

"Mesa, Idaho
June 20, 1925.

Lost Valley Reservoir Company,
Mesa, Idaho.

Gentlemen:

I hereby offer your Company, in exchange and full payment for 5050 shares of Class B stock of the capital stock of your Company, 5050 acre feet capacity in that certain reservoir, the same being a proportionate interest in that certain reservoir known as the "Lost Valley Reservoir", situated on Lost Creek in Township 19 North of Range One West Boise Meridian in Adams County, Idaho, together with 5050 acre feet of water in quantity, to be used in storing and impounding water in said reservoir, of Water Permits Nos. 6270, 6271, 6503, 6625, 0021, issued by the Reclamation Department and by the State Engineer of the State of Idaho.

In the event this proposition is accepted by your Company, it is to be upon the following conditions, namely:

FIRST. Your Company is to incorporate in its By-laws certain provisions to the effect that each stockholder is to be entitled to not less than one acre foot of water, if available, in said reservoir per share, and in the manner and according to the provisions of your By-Laws and certificates of stock, and to be issued upon and for the irrigation of the lands described in the stock certificate evidencing the ownership of such share, and to be made appurtenant to such lands unless forfeited as provided in your By-laws.

SECOND. All classes of stock shall have an equal voting power, and all of the said stock to be hereafter issued by your Company to me, or to those whom I may request, shall have an equal voting power with all other stock of your Company and may be voted by me, either prior to or after such issuance of the same, or by those to whom the same is issued.

THIRD. That the above 5050 shares of stock are to be held by your Company as my stock, and issued either to me or at my request to purchasers from me. All of said shares of stock to be subject to such assessments, charges and costs repair and replacement of said reservoir.

FOURTH. That it is expressly understood that this proposition assigns and transfers to your Company only that part of the undersigned's interests, above referred to, in and to said reservoir and water, and amount of water under said permits, and the undersigned does hereby retain all of the remaining interest she has in and to said water rights and water appropriations held by her from the State of Idaho, and retains her right to enlarge said reservoir at her own cost and expense, and to own and use said increased capacity of said reservoir and remaining water rights to be used in storing and filling said increased capacity of said reservoir, and your Company is to grant such authority and permission as may be necessary, at any time, to me to enlarge said reservoir from its present capacity at my own expense and I to own and have the right to dispose of the same upon me or my assigns paying such enlargement

of said reservoir and my proportionate costs, assessments and charges in operating, maintaining, repairing or replacing said reservoir.

FIFTH. In the event it should be determined that the present total capacity of said reservoir does not amount to 12,000 acre feet water capacity, then I will return to your Company the difference between what the actual present total capacity of said reservoir is and 12,000 acre feet of water capacity, out of my said 5050 shares of stock, the total capacity of said reservoir is to be determined by us within years from this date. In case it becomes necessary for me to return some of the stock to you as outlined above then you will deed back to me the proportionate interests in water rights and permits which the said stock represents.

In the event of your acceptance of this proposition, I will deliver to you proper conveyances of the above interest in said reservoir and water rights, and upon your Company adopting the proper resolutions authorizing the President and Secretary of your Company to issue to me, at this time, the proper instruments showing that I am the owner of said 5050 shares of Class B stock of the capital stock of your Company, to by issued to me at any time I may direct or, upon my order, tothose whom I may direct.

Respectfully,
Elizabeth G. Van Hoesen

The President then presented a resolution of the stockholders approving the said proposal and authorizing and instructing the Directors to accept the same, and to take such action in regard thereto as might be necessary to make such acceptance fully effective.

The following resolution was thereupon moved, seconded and unanimously adopted:

"WHEREAS, Said written proposal having been received from Elizabeth G. Van Hoesen offering to sell, convey, transfer and assign to this Company certain interest of hers in and to that certain reservoir called "Lost Valley Reservoir", situated on Lost Creek, in Township 19 North of Range One West of Boise Meridian, Adams County, Idaho. and certain interest in and to certain water right supplying water to said reservoir, as mentioned and described in said proposal, in exchange for 5050 shares of the capital stock of said Company fully paid and aggregating the par value of the sum mentioned in said proposal, to be issued to the persons mentioned in said proposal in the respective amounts therein mentioned.

AND, WHEREAS, It further appears to and is adjudged by this Board, that the property is desirable and necessary for the purposes of the Company, and is reasonably worth the purchase price thereof, mentioned in said proposal;

MINUTES OF ADJOURNED MEETING OF

THE STOCKHOLDERS OF THE

LOST VALLEY RESERVOIR COMPANY.

Held July 8, 1925.

The adjourned meeting of the stockholders of the Lost Valley Reservoir Company was held pursuant to due adjournment thereof at the office of the Company at Mesa, Idaho, at 2:00 o'clock P.M. on the 8th day of July, 1925.

There were present Stockholders Elizabeth G. Van Hoesen, M. G. Van Hoesen, E. G. Van Hoesen.

Elizabeth G. Van Hoesen acted as Chairman of the meeting and M. G. Van Hoesen as Secretary.

The minutes of the last meeting of the stockholders were read and approved.

The Chairman then presented a written proposal from the Orchards Water Company, a corporation, offering to transfer and assign to this Company a certain interest in what is known as the Lost Valley Reservoir, situated on Lost Creek, in Township 19 North of Range One West Boise Meridian, Adams County, Idaho, and certain water rights as mentioned in said written proposal, in exchange for 6250 shares of Class A stock of the capital stock of this Company. After due consideration, the said proposal was ordered filed, and the following resolution in relation thereto was offered, and upon motion, duly seconded, the same was unanimously adopted:

WHEREAS, A proposition has been received from the Orchards Water Company offering to transfer and assign to this Company a certain interest in and to what is known as the Lost Valley Reservoir, situated on Lost Creek, in Township 19 North of Range One West of Boise Meridian, Adams County, Idaho together with an interest in certain water rights used in connection with the impounding of water in said reservoir as mentioned and described in said proposal, in exchange and full payment for 6250 shares of Class A stock of the Capital stock of this Company; and,

MINUTES OF SPECIAL MEETING OF DIRECTORS

OF

LOST VALLEY RESERVOIR COMPANY

Held: September 27th, 1929.

BE IT REMEMBERED That on the 27th day of September, a Special meeting of the Board of Directors of this corporation was held at its office at Nesa, Idaho, there being present the following directors: E.G.Van Noesen, M.G.Van Noesen.

The minutes of the last meeting of the Board are read and approved.

There is read and considered the following written offer of Mrs. Elizabeth Van Noesen:

"When transferring to your company storage capacity in Lost Valley Reservoir in an amount of 5,050 acre feet capacity in return for 5,050 shares of your class B stock, it was mutually agreed between us that in the event a subsequent measurement of the capacity of Lost Valley Reservoir should determine a lesser capacity than sufficient to justify the issuance of 5050 shares of class B stock, you were to cancel a number of shares equal to the difference between the actual capacity available for class B stock and 5050 shares of stock - each share of stock representing one acre foot capacity - and you were further to deed back to me the reservoir rights etc. representing such cancellation.

It is my understanding that the capacity of the reservoir available for Class B stock has been determined to be 1800 acre feet of water. It is now my desire to have the storage capacity of Lost Valley Reservoir increased and in that event I ask that you incorporate the increased capacity within your company, issuing therefore suitable stock ~~therefore~~ to be determined as Class C stock evidencing reservoir rights created by the enlargement of the reservoir that are over and above the capacity reserved for class A and Class B stock.

It is satisfactory to me that you keep the rights etc. which I have deeded to you and reserve for me 3,250 shares of class C stock.

In the event subsequent measurement of the increased capacity of the reservoir does not warrant the issuance of the above mentioned 3,250 shares of Class C stock then I will refund to you the difference between the actual increased capacity and the 3,250 acre feet represented by the Class C stock, and you are

[illegible] rights etc. evidencing the shares of [illegible] in the event subsequent measurement [illegible] capacity justifies the issuance of more than [illegible] C stock then I will deed to you further [illegible] water rights and [illegible] to increase your [illegible] stock [illegible] for [illegible] additional class C stock [illegible] increased capacity of the reservoir.

[illegible] capacity of the reservoir is being made under [illegible] and the Department [illegible] approved and accepted by them before [illegible] increased capacity in your [illegible].

Yours very truly,
(Signed) Elizabeth G. Van Hoesen.

[illegible] considered a further written offer of Mrs. Elizabeth Van Hoesen, as follows:

"In lieu of issuing to me 1002 shares of Class B Stock in the Lost Valley Reservoir Company, as provided by the terms of my offer, and accepted by the officers of said corporation, I direct that there be issued to me 2 shares of said Class B stock, and that there be issued to the Middle Valley Ditch Company 1000 shares of said Class B stock, and that when the same shall be issued to the said Middle Valley Ditch Company, pursuant to this request, the Lost Valley Reservoir Company will be relieved from any liability or obligation to issue said shares of stock to me.

Yours very truly,
(Signed) Elizabeth Van Hoesen.

After considering said offer and the interests of the said Elizabeth Van Hoesen in the Lost Valley Reservoir Company as appears from the minutes of the meeting of the directors of said corporation held on June 20th, 19[illegible], and as further appears by Section 2, Article 8 of the By-Laws of said corporation, and it appearing therefrom that the offer of the said Elizabeth Van Hoesen is fair and reasonable and the best interests of the Company will be promoted by its acceptance, the following resolution was duly offered and unanimously passed:

"[illegible]: that the capacity of the Lost Valley Reservoir is such that the amount of Class B stock in this Company should be limited to 1800 shares, evidencing the ownership of 1800 feet of water subject to the conditions printed on the face of said Class B shares of stock, that the written offer of the said Elizabeth Van Hoesen be accepted and that there be issued to the said Elizabeth Van Hoesen, or to such person or persons as she may request in writing, 1002 shares of Class B Stock of this cor-

of the Reservoir for the season of 1938, and that the Lost Valley Reservoir Company will be and is responsible for any monies so borrowed. Motion was seconded by Clyde I.Rush and on being put to vote was unanimously carried.

Ellis Snow then offered the following resolution and moved its adoption.

RESOLUTION

WHEREAS, By accurate measurements of the inflow and outflow of the Reservoir and by actual survey made by Mr.Paul Berg in the fall of 1936 it has been determined to the satisfaction of all parties concerned that the present capacity of the Reservoir is 9288 Acre Feet, and

WHEREAS, Mr. E.G.VanHoesen while having charge of the Reservoir prior to 1937 has sold Class A,B,and C stock in the total amount of 9584 Acre Feet thereby creating a shortage of 296 Acre Feet,and

WHEREAS, It is to the best interests of all stockholders to increase the capacity of the Reservoir to 9584 Acre Feet which can be done by raising the spillway about nine inches,and

WHEREAS, The present amount of freeboard is sufficient to allow such raise and still be within the amount required by law,and

Whereas , The Department of Reclamation has tentatively agreed to approve the raising of the spillway, and

Whereas, Mr.E.G.Van Hoesen has agreed to bear the expense of raising the spillway,

NOW,THEREFORE,BE IT RESOLVED,That the Secretary be and he is hereby authorized and empowered to make any and all arrangements to have the above work done with the understanding that he shall incur no expense whatsoever to the Lost Valley Reservoir Company other than his own time and mileage.

Motion to adopt the above resolution was seconded by C.E.Craig and on being put to vote was carried unanimously.

There being no further business to come before the meeting it was by motion duly made, seconded and unanimously carried adjourned.

E. B. Snow
Vice-President

ATTEST

Clyde I.Rush
Secretary

July 15th 1944.

MEMORANDUM FOR INFORMATION OF DIRECTORS

Gentlemen:

Further investigation reveals the fact the the Van Hoesens never made final proof of the beneficial use of the water created by the raising of the dam about the year 1928 and which amounts to 834 acre feet known as "Class C" stock.

This particular proof to which I refer is made with the State Department of Reclamation under Idaho laws and has no relation to matter of easement about which I issued a memorandum on June 10th of this year.

Ver truly yours,

E B Snow

Secretary.

Copy to
C. H. Swanstrom
Horace Youngue

DIRECTORS
CARL H. SWANSTROM, PRESIDENT
HORACE YOUNGUE
E. B. SNOW, SECRETARY

RECEIVED
JUN 21 1989
Department of Water Resources
Western Regional Office

Truckee June 20-89

Dear Eldon

I found a little information - I hope will help some
I found with the A-stock 6250 Shares were issued to
Orchard Water Co in 1925 - there were 700 shares
reserved for Truckee, Carr & Pike - without Certif.
I found in 1945 - Mr. E. B. Swan made notation that Last
Valley had 6545 outstanding stock certificates and 405
deeded stock (A) stock. I now have 6938 A shares out.
if I have added right.

67-2053

I found a permit #3 6503 from Reclamation had been
issued to Elizabeth Van Haesen around 1925 for the
storage of B-stock - there was a 12,000 A.F capacity
talked about then.

In 1938 - Mr Paul Berg determined the capacity was
9288 - there were A-B-+C Shares out totaling 9584 - Mr
E. G. Van Haesen said to have the capacity enlarged -
May be a permit was issued to him.

Elizabeth - M. G. + E. G. Van Haesen formed the Co in 1925.

253-4751

Best Wishes

Margaret Mark

Lost Valley Res Co
Margaret Mark
Fruitvale Ida

Department of Water Resources
att Mr Eldon Roush
2735 Airport Way
Boise
Ida
83705

TO: Adjudication Staff
RE: Lost Valley Reservoir Claims

As of ~~this d~~ 06/22/89, Western Region is in contact with Margaret Merk, Secretary of Lost Valley Reservoir Co. Both she & former Agent Eldon Roash are currently ~~establishing~~ gathering documentation in order to ~~a format~~ for the filing of SRBA Claims by the individual shareholder for the stored water of the reservoir.

All ~~shareholders of~~ individuals holding certificates within the reservoir co. will be filing for their portion of the stored water. Since their ~~is~~ are "A", "B", & "C" certificates issued to individual users, it will be necessary to know which water right to claim against. Each certificate share is ~~a from~~ equall to 1 AF of stored water

the "A" share is 1st priority water
"B" share is 2nd priority
"C" share is 3rd priority

Permit No 6503 . Proof of Application of Water to Beneficial Use .

State of Idaho ss
County of Adams .

Comes now A Flournoy Galloway , of Weiser , Idaho , and on oath deposes and says;

1. That the Orchards Water Company and its successors in interest have proved beneficial use to the water of the Middle Fork of the Weiser River to the amount of 70 second feet ;

2. That certificate of completion of works has been issued , under Permit No 6503 , to the Orchards Water Company , for 14,000 acre feet of storage in the Lost Valley Reservoir ; 67-2053

3. That the Orchards Water Company and its successors in interest have a contract calling for storage in Lost Valley Reservoir to the amount of 2 acre feet for each acre of land in the Mesay Orchards ;

4. That A L Freehafer and J A Carr and their successors in interest have 700 acre feet of Lost Valley Reservoir storage, evidenced by deeds and District Court decree ;

5. That the decree of the Seventh Judicial District Court , State of Idaho , in the case of Muir vs Allison , adjudicated 6250 acre feet of Lost Valley Reservoir storage to the Orchards Water Company and 700 acre feet of Lost Valley Reservoir storage to Freehafer and Carr ;

6. That R H Wiltsie and his successors in interest are the owners, by Sheriff's deed , of all rights under Permit No 6503 , other than those above specified ;

7. That Section 5560 of the Compiled Statutes of the State of Idaho authorize the substitute use of water ;

8. That the Lost Valley Reservoir has been filled to capacity during the years 1920 and 1921 , and that the entire storage has been used during the year 1920 , in the irrigation season , on lands lying in the Weiser River drainage , and is being thus used in this irrigation season of 1921 .

9. That the said A Flournoy Galloway is the authorized agent of the said R H Wiltsie and as such makes this deposition and prays that the Department of Reclamation of the State of Idaho may approve the storage of water in Lost Valley Reservoir in the following amounts ;

Orchards Water Company and its successors in interest, storage capacity to the amount of 6250 acre feet : 67-000 81

Freehafer and Carr and their successors in interest, storage capacity to the amount of 700 acre feet :

R H Wiltsie and his successors in interest , the remaining storage capacity , which is 7050 acre feet as shown by Permit No 6503 . 67-2053

A. Flournoy Galloway

Subscribed and sworn to before me this 23rd day of August . 1921 at Council , Idaho .

James A. Stymon

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

6503

Permit No 6503 . Proof of Application of Water to Beneficial Use .

State of Idaho
County of Adams ss.

Comes now A L Freehafer , of Payette , Idaho , and on oath deposes and says :

1. That the Orchards Water Company and its successors in in interest have proved beneficial use to the water of the Middle Fork of the Weiser River to the amount of 70 second feet ;

2. That certificate of the completion of works has been issued , under Permit No 6503 , to the Orchards Water Company , for 14,000 acre feet of storage in the Lost Valley Reservoir ;

3. That the Orchards Water Company and its successors in interest have a contract calling for the storage in Lost Valley Reservoir to the amount of 2 acre feet per acre for each acre of land in the Meza Orchards ;

4. That A L Freehafer and J A Carr and their successors in interest have 700 acre feet of Lost Valley Reservoir storage , evidenced by deeds and District Court decree ;

5. That the decree of the Seventh Judicial District Court , State of Idaho , in the case of Allison vs Muir , adjudicated 6250 acre feet of Lost Valley Reservoir storage to the Orchards Water Company and 700 acre feet of Lost Valley Reservoir storage to Freehafer and Carr ;

6. That R H Wiltsie is the owner of record , by Sheriff's deed , of al all rights under Permit No 6503 , other than those above specified ;

7. That Section 5560 of the Compiled Statutes of the State of Idaho authorize the substitute use of water ;

8. That the Lost Valley Reservoir has been filled to capacity during the years 1920 amd 1921 , and that the entire amount thus stored was used during the irrigation season of 1920 on lands lying in the Weiser River drainage , and is being thus used in this season of 1921 .

Further deponent sayeth not .

A. L. Freehafer

Subscribed and sworn to before me this 23rd day of August , 1921 .

[illegible] McClure

Notary Public for the State of Idaho , residing at Council , Idaho .

6503

Fruitvale, Idaho
June 8, 1989

RECEIVED
JUN 12 1989
Department of Water Resources
Western Regional Office

Idaho Dept. of Water Res.

Dear Linda,

I thought I should explain the complex situation in regards to my filing for Lost Valley Res. shareholders.

I talked with some water res. people ealier, they said the Res. could file for their sharholders or not which ever we chose, we chose not to file for the shareholders. They have been notified of that.

We have 76 shareholders; Some live as far away as Hawai. Several do not live on the land that the water is being used on. Some do not use the water for irragation. Some own shares but are not using them at present.

The shareholders live from 15 miles north of Council to a few miles south of Midvale about a distance of 50 miles. Several get their water from creeks and exchange it for their Res. shares. Since there would be agreat chance in errors, should I attempt to do the filing for their Lost Valley water; we chose not to file for them. I did not want to put Lost Valley in jeopardy for errors.

Some people have only one share and some 1000 or more. To try to collect the fee as a group would be very difficult. To divide it up would be unfair. Some have already filed and paid.

I will be glad to help the Water Dept. try to locate the areas; but we do not want to be responsible for the fees and filings, as alot of the shareholders have water other than Lost Valley.Some are filing in their ditch co.

I was told Lost Valley needed to file for just the Res. storage again, so that is what I filed for.

Best Wishes

Margaret Merk

Margaret Merk 253-4751

1 share = 1 ac/ft of water

current capacity appr 10,000 aft
9562 - shares

Lena N Vaughn A 377
claims 24½% int.

SEARCH OF ADAMS COUNTY RECORDS RE RIGHT TO RAISE
DAM OF LOST VALLEY RESERVOIR

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1. Book 1 Agmts page 110 Weiser Valley Land & Water Co and Orchards Water Co. Dated 2/1/10 Rec. 3/1/10
W. V. L. & W. Co agrees to convey to O. W. Co. an interest in reservoir, dam, etc., but reserves the right (among other things) to enlarge, improve or extend any of the works therein described and to be constructed by it under the terms of said agreement, all such enlargements and extensions to be at the expense of W.V.L.& W.Co

2. Book 2 Deeds page 417 Weiser Valley Land & Water Co to D. W. Van Hoesen. Dated 7/1/12 Rec. 12/18/12
Conveys all right, title and interest of 1st party in and to the L. V. Reservoir, subject to provisions of contract dated 2/1/10. Provides that O. W. Co may take possession of Reservoir if grantee herein fails to release water therefrom as provided by prior conveyance of water to O. W. Co.

3. Book 4 Deeds page 213 D. W. Van Hoesen and wife to James Gaunt Dated Jan 27, 1913 Rec. Oct 19, 1914
Conveys an undivided one-third int in all the right, title and interest of 1st parties in the L.V.Reservoir and Dam Subject to provisions of Contract of 2/1/10

4. Book 2 Deeds page 586 Weiser Valley Land & Water Co to Orchards Water Co. Dated 10/21/13 Rec. 11/17/13
Conveys an interest in the L. V. Res. to the extent of about 6000 acre feet, said conveyance being in pursuance and fulfillment of contract dated 2/1/10

5. Book 6 Deeds page 624 Sheriff of Adams County, Idaho to Raymond H. Wiltsie. Dated 9/10/18 Rec. 11/11/18
Conveys all property of W. V. L. & W. Co including the following:- Lost Valley Reservoir. Also all rights etc acquired or retained by W. V. L. & W. Co under contract of 2/1/10 with Orchards Water Co.

6. Book 10 Deeds page 256 Raymond H. Wiltsie and wife to Heir or Heirs of Estate of David W. Van Hoesen, deceased. Dated 2/26/24 Rec. 11/17/24
Conveys Whole Interest in Lost Valley Reservoir.

7. Book 2 Misc. page 359 Decree of Dist. Est. of D. W. Van Hoesen, decd

Distributes to Libbie G. Van Hoesen (among other things) the Whole Interest of D. W. Van Hoesen in the L.V.Reservoir and dam.

8. Book13 Deeds page 492 Raymond H. Wiltsie to Orchards Water Co. Dated June 19, 1933 Rec. June 23, 1933
Conveys (among other things) all the rights, grants, interests, etc acquired or retained by W. V. L. & W. Co under contract of 2/1/10, including all unissued capital stock of O. W. Co authorized to be issued under said contract.

Re JAMES GAUNT Interest No conveyance of same is of record. See Book 1 of Wills page 25 and Decree of Distribution of Estate recorded Book 2 of Misc. Record page 86.

DESCRIPTION OF LANDS DEEDED TO WEISER VALLEY LAND AND WATER COMPANY FOR RESERVOIR SITE FOR LOST VALLEY RESERVOIR.

Book 2 Deeds page 190 — A. H. Keller, Receiver for the Butterfield Livestock Company, Limited, a corporation to Weiser Valley Land & Water Company, a corporation. Dated 12-9-11 Recorded 12-22-1911

Description: $SW\frac{1}{4}$ of $SW\frac{1}{4}$, Sec. 22; $N\frac{1}{2}$ of $NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, Sec. 27, all in Twp. 19 N., Range 1 West of Boise Meridian.

Book 2 Deeds page 191 — Frank D. Ryan to Weiser Valley Land & Water Company, a corporation. Dated 12-16-11 Recorded Dec. 22, 1911

Description: $SE\frac{1}{4}SW\frac{1}{4}$, $S\frac{1}{2}$ of $SE\frac{1}{4}$, Sec. 21; $NE\frac{1}{4}$ of $NE\frac{1}{4}$, Sec. 28, all in Twp. 19 N., Range 1 West of Boise Meridian.

Book 2 Deeds page 192 — Colonel W. Ryan, by Frank D. Ryan, his attorney in fact, to Weiser Valley Land & Water Company, a corporation, Dated 12-16-11 Rec. 12-22-11

Description: $N\frac{1}{2}$ of $SW\frac{1}{4}$, $NE\frac{1}{4}$ of $SW\frac{1}{4}$, $NW\frac{1}{4}$ $SE\frac{1}{4}$, Sec. 21, Twp. 19 N., Range 1 West of Boise Meridian.

All of the above described lands being situated in Adams County, State of Idaho.

--ooOoo--

Last Valley Res Co
Margaret Mack
Fruitvale Ida

D dala dept of water Res
att Linda Werner
2735 airport way
Boise
Ida
83705

R-3

October 26, 1946

Mr. Gordon C. Smith
Boise, Idaho

Dear Mr. Smith:

In reply to your inquiry relative to the status of the reservoir permits in Lost Valley, the records in this department show the following:

Permit No. R-312, in the name of Anders Van Hoesen, filed February 15, 1923, for the storage of 30,000 acre feet of water per annum from Lost Creek, for irrigation and domestic purposes.

This permit describes the outlet of the reservoir as being in the Northwest Quarter of Section 28, Twp. 19 North, Range 1 West, B.M. Completion of works proof was made on March 30, 1932, and Certificate of Completion of Works was issued June 13, 1933, showing a capacity of 14,000 acre feet.

Final or beneficial use proof has not been made.

Permit No. R-575, in the name of the Lost Valley Reservoir Company, was filed December 22, 1939, for the storage of 62,000 acre feet per annum. This permit stated that it was supplemental to the existing right, which included a dam 30 feet high and storing approximately 9,000 acre feet, and contemplated raising the dam to 40 feet, and increasing the capacity to 15,500 acre feet.

However, no proofs were made on this permit, and it was accordingly cancelled June 26, 1945.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

A

By
Chief Clerk

P. S. This will require a new filing, but since there are no subsequent filings of record on this stream, nothing will be lost in the way of relative priority.

R-312

STATE OF IDAHO

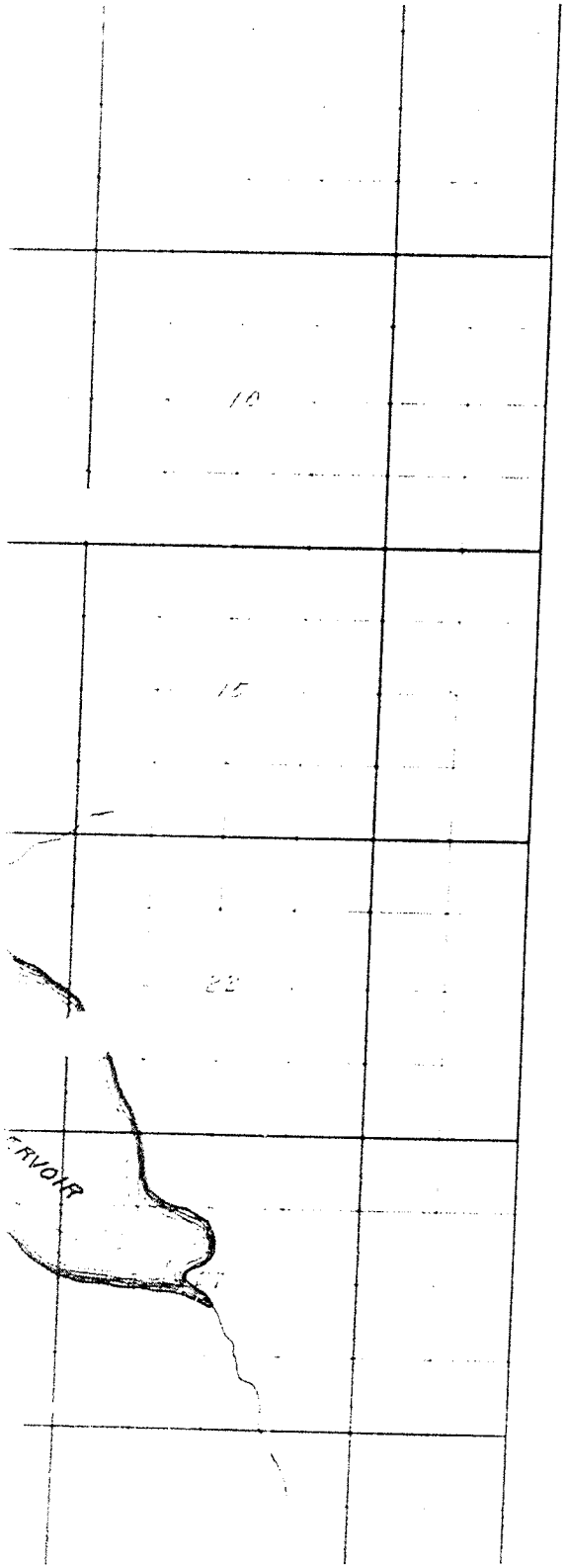
DEPARTMENT OF RECLAMATION

BOISE

REPORT OF ENGINEER

PERMIT NO. R-312

REPORT ON PROOF OF COMPLETION OF WORKS



DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. R-312

This proof is for COMPLETION OF WORKS

In Water District No.

1. Name of applicant Enderse C. Van Hoesen

2. Source of water supply: Lost Valley Creek

3. Location of point of ~~diversion~~ outlet: Is in the S. 39° 30' E. 2002' distant from the NW. Cor. of Section 28

T. 19 N. R. 1 W.B.M. County of Adams

4. Describe works as they exist, giving dimensions and capacities of same: Dam 36 ft. high of earth fill, 12" concrete core wall to 4 ft. below crest elevation. Outlet is 32" welded steel pipe with control valve on ℄ of dam. Spillway crest 21 ft. with max. depth of 8 ft. below crest of dam and min. depth of 5 ft. with flashboards in. Capacity of reservoir 14000. Acre feet.

5. Water is used for: Irrigation & Domestic purposes

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): Total of 26,639 Acres. See permit for description of legal subdivisions.

(Submit map on attached plat, showing location and details of above description)

8. What large stream would the water here appropriated finally reach? Weiser River

Remarks: Present dam represents an enlargement and increase of height of 6 ft. made in 1929

DAM SUMMARY INVENTORY SHEET

LOST VALLEY

67 - 2053

Printed: Aug 08, 2005

Updated: Aug 08, 2005

STATUS	A	
BASIN	67	
DAM_NUMBER	2053	
FEDERAL ID NUMBER	ID00255	
DAM NAME	LOST VALLEY	
COUNTY	ADAMS	
STREAM	LOST CREEK	
REGION	W	
PURPOSE	L	
RISK CATEGORY	2	
SIZE CATEGORY	1	
Q_Q_SECTION	SENW	
SECTION	28	
TOWNSHIP	19N	
RANGE	01W	
LATITUDE DEC	44.9557	
LONGITUDE DEC	116.4655	
DAM TYPE	EARTH	
STORAGE CAPACITY	7100	AcFT
HEIGHT	23	Ft
DRAINAGE AREA	29.3	SqMi
RESERVOIR AREA	633	Ac
YEAR COMPLETED	1910	
CREST ELEVATION	4777	Msl
CREST LENGTH	262	Ft
SPILLWAY TYPE	RKCHAN	
SPILLWAY DEPTH	8.2	Ft
SPILLWAY CAPACITY	505	Cfs
SPILLWAY CONDITION	GD	
SPILLWAY GATE COND	NA	
OUTLET TYPE	STEEL	
OUTLET SIZE	36	In
OUTLET CAPACITY	180	Cfs

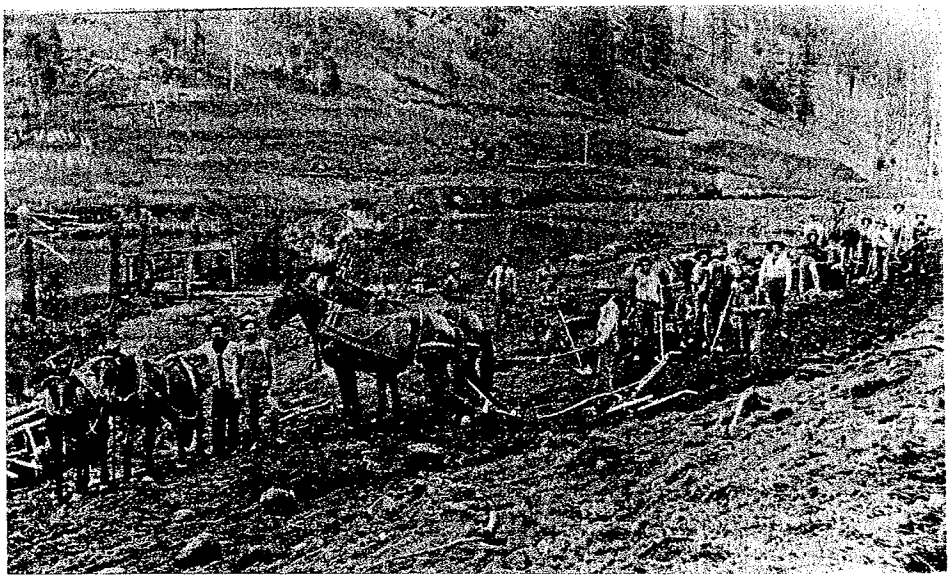
OUTLET CONDITION	FR	
OUTLET GATE CONDITION	FR	
LAST OUTLET EXAM	67-2053-MOUTIN-98	
OUTLET INSP INTERVAL	5	
IDF	0.5 PMF	
IDF MAGNITUDE	5250	Cfs
RELEASE CAPACITY	685	Cfs
OVERALL COND	GD	
MAINTENANCE	ROUTINE	
INSPECTION DATE	6/15/2005	Mo/Yr
CERT ISSUE DATE	1/27/2004	Mo/dd/yr
STORAGE AUTH DATE	08/03/2005	Mo/dd/yr
STORAGE EXP DATE	11/01/2007	Mo/dd/yr
SURVEY DATE	10/26/2000	Mo/dd/yr
CALL UP DATE		Mo/dd/yr
INSP INTERVAL	2	Yr
PHASE 1 INSP DATE	6/19/1980	
OPERATION PLAN	A	
STATIC STABILITY		
SEISMIC STABILITY	N	
RESTRICTED	Y	
BOND	NA	
JOINT INSPECTION	USFS	
QUAD NUMBER	S7	
QUAD NAME	TAMARACK	

DAM OWNER	LOST VALLEY RESERVOIR CO
ADDRESS-1	C/O AMY SHUMWAY, SEC
ADDRESS-2	2440 HWY 95
CITY	COUNCIL
STATE	ID
ZIP CODE	83612
ZIP SUFFIX	
PHONE	2530260
AREA COD	208

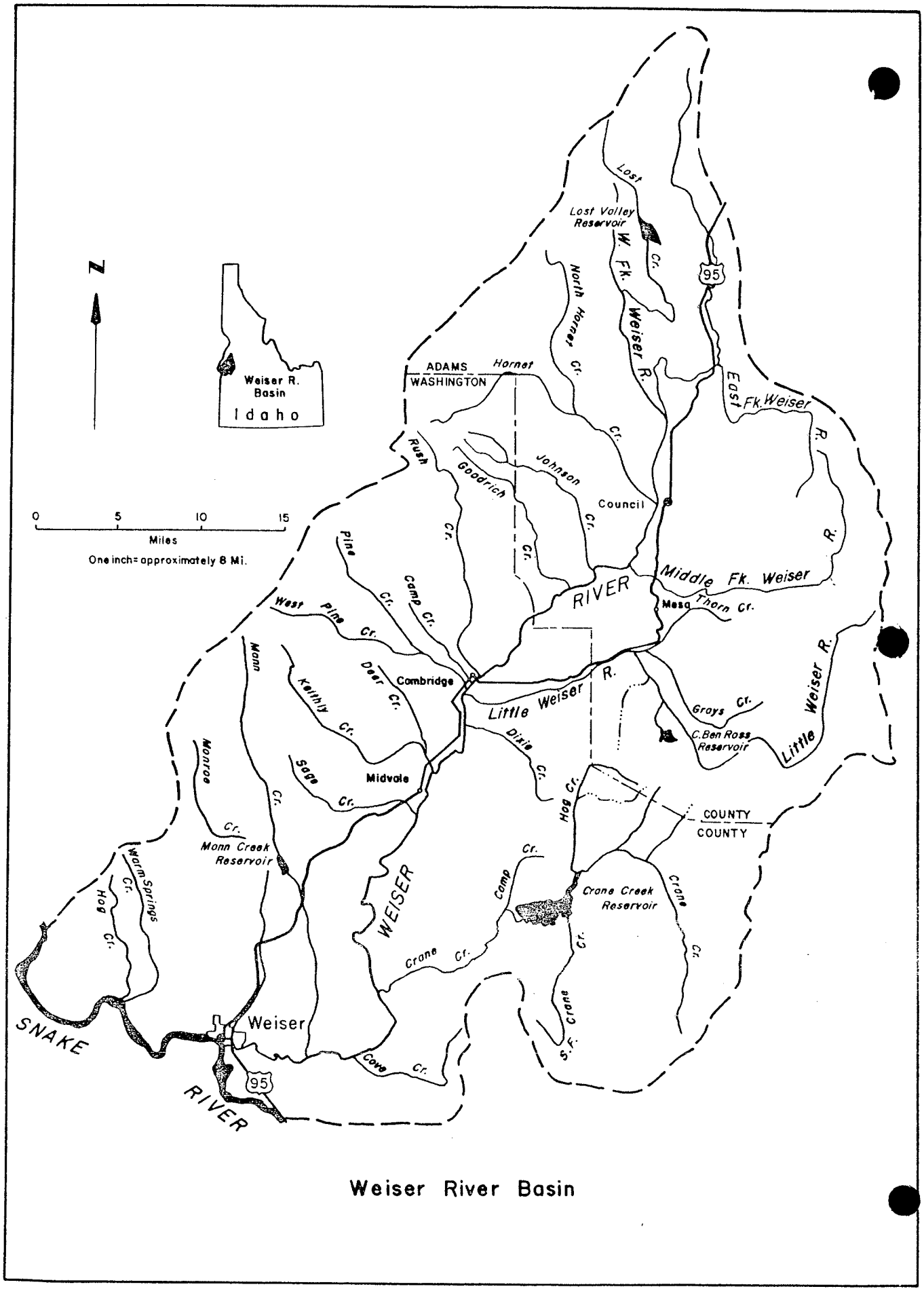
GEN_REMARK	DAM RAISED IN 1929. SPILLWAY HAS CONCRETE CREST FOR FLASHBOARDS. SPILLWAY WILL PASS Q100 = 1095 CFS WITH 3.1' FB & PASS .5 PMF WITH 2.9' FB. EXAMINED OUTLET TUNNEL & PIPE 10/26/00.
TEC_REMARK	WITH FLASHBOARDS: RES AREA = 711 AC, RES CAP = 9610 AC FT, DAM HT = 26'. SPILL DEPTH AND CAP ARE W/O FLASHBOARDS, WITH 4.3' FREEBOARD. OUTLET HAS 48" SLIDE GATE ON UPSTREAM END OF 36" STEEL PIPE THRU ROCK TUNNEL FROM MIDPOINT OF TUNNEL TO EXIT.
RESTRICT	THE DAM AND RESERVOIR SHALL BE OPERATED IN ACCORDANCE WITH THE APPROVED OPERATION PLAN, PARTICULARLY THE INSTALLATION AND USE OF FLASHBOARDS IN THE SPILLWAY.
ALT_CONT	DAM TENDER IS DAN SHUMWAY, 2440 HWY 95, COUNCIL, ID 83612, PHONE NO. 253-0260.
BOND_SUM	

JKV
Joe Jordan
229-0122

THE LOST VALLEY RESERVOIR

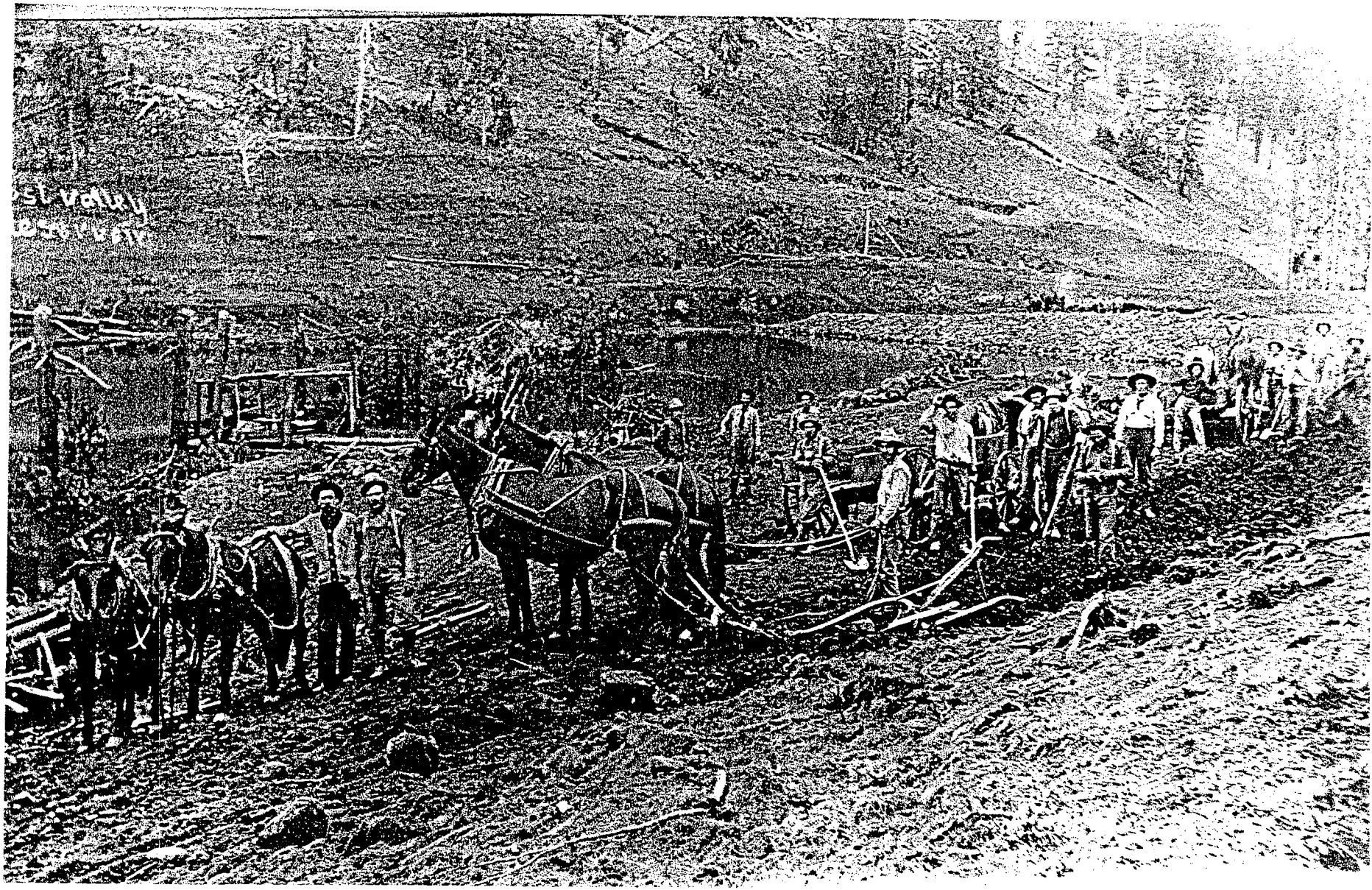


M. Ann Pool
WATR 201
Fall Semester 2001
November 24, 2001



Weiser River Basin

Figure 1



Building the Lost Valley Reservoir dam - 1909

THE LOST VALLEY RESERVOIR

The following is an excerpt from:
Weiser River Basin - Water Project Studies
Idaho Water Resources Board
June 1981

C. Small Projects

1. Lost Valley

a. Location and Description

The existing Lost Valley Dam is located on Lost Creek, a tributary of the West Fork of the Weiser River. The dam is located 8 miles above the mouth of Lost Creek and 16 miles directly north of the town of Council. The existing earthfill dam was built 60 years ago and has been raised at least once to its present height of 34 feet above streambed. The dam is owned by Lost Valley Reservoir Company, a private organization of water users. The reservoir has a capacity of approximately 10,000 acre-feet. It supplies irrigation water for 3,365 acres.

11,000 ±

In researching the history of the Lost Valley Reservoir, I found this project anything but 'small'...

The fruit industry was growing and expanding from its start around 1880 in the Council Valley, north of Weiser Idaho. Orchards, strawberries and grapes were found to be good yielding crops in this area. Apples became the dominant orchard variety and samples of fruits were taking prizes at the Chicago Worlds Fair in 1893. Some fruits were even sent as far away as London and Paris for exhibition.

By 1907, the local orchard growers organized the Council Valley Fruit Growers Association and encouraged the planting and promotion of commercial orchards in the area. The new Growers Association sent an exhibit of apples this same year to the Boise Fair and won 22 first prizes and 8-second prizes, along with 17 additional prizes at the National Horticultural Congress in Council Bluffs. Suddenly the orchard industry became the thing to do and everyone was interested.

Apple, (of which over 6000 known varieties have become extinct since 1900), Peach, Pear, Plum and Cherry trees were being planted by the thousands. Approximately 5000 trees had been planted, both in the fall of 1905 and again in the spring of 1906, in the Council area alone. By 1908 there were approximately 175 acres of young fruit trees and in 1909, another 20,500 trees were shipped and locally planted. The Forest Service even planted an assortment of fruit trees to help determine which varieties were best suited for the local climate and soils.

Orchard growers boasted that the Council Valley was one of the best and safest fruit growing areas in the state. Their claims included lack of insect or frost damage, along with abundant water. Blight, although, was a pathogen taken seriously. Any confirmed blight outbreak resulted in immediately destroying the infected trees or facing stiff legal penalties.

The most adventurous plan in this area was a project named the "Council Mesa Orchards", and later renamed the "Mesa Orchards Company". The goal was nothing less than the biggest orchard in the United States to be planted eight miles south of Council.

The idea of the Mesa Orchards began in 1908, with John J. Allison, who was also one of the organizers of the Weiser Valley Land & Water Company. Once the land in the Mesa area was purchased and an orchard management plan was laid out, the issue of securing water rights and delivering water to the new project became the focus.

A unique plan began to formulate. If a dam was built on Lost Creek, about 25 miles north of the Mesa area, this new reservoir could supply the needed water to trade, share for share, with those rights on the Middle Fork of the Weiser River. This was an unusual plan, but it worked – exchanging water from river to reservoir. In order to take water from the Middle Fork, the orchard owners had to replace it with enough water to insure the people with water rights below them on the Main Weiser River, that there would be enough water to fill their owned shares. (Crops down river on the Main Weiser River near Cambridge and Midvale utilizing these water shares were mostly beans and corn.)

On December 23, 1908, the original reservoir right of way was applied for by, J.J. Allison, within the Weiser National Forest of Idaho with the US Department of Agriculture. The estimated cost of the dam was $50,000, and it was to be 55 feet tall, 40 feet at the bottom by 350 feet at the top, when built. The Lost Valley Reservoir dam construction was completed in November of 1909.

First Lift 11/15/09

But yet another obstacle lay in their way! Diverting the water from the Middle Fork to the Mesa Orchards involved a seven-mile-long, wooden flume, 40-42" in diameter, plus several miles of ditches at the cost of $300,000, which still had to be dug.

To aid in the construction of the flume and delivery of the water, a sawmill on the Middle Fork was built to cut lumber and 100 men were hired to dig ditches. In 1910, the fruit of Council Valley continued to win top prizes. Local growers ordered 300,000 more trees and the following advertisement appeared in the Weiser newspaper:

LARGEST SINGLE ORCHARD TRACT IN THE U.S.

A 10-acre farm in Council Mesa Orchard will provide a living income for life.

72,000 trees planted in the last two months.

Water supply perfect and abundant and a perpetual water right follows the land.

[There is not any proof that the Mesa Orchard was or was not the largest single Orchard in the US! Also, in spite of these claims, irrigation was not adequate that year, and most

of the trees died. Water was hauled in barrels on wagons until the irrigation system was finally completed in 1911.]

In 1911, with the flume in place, potatoes and asparagus were ingeniously grown in between the rows of fruit trees. This revenue off the land aided the Mesa investors, as they had to wait several years for their trees to grow and reach maturity before producing a profitable crop.

In June of 1912, David W. Van Hoesen applied for an easement providing for an enlargement of the reservoir. In 1915, this application was approved by the U.S. Interior Department, but he failed to make the enlargement as applied for.

On June 18, 1925, the Lost Valley Reservoir Company was formed as a non-profit corporation, by the children of David Van Hoesen: Elizabeth G., M.G., and E.G. Van Hoesen. Their main purpose was to provide a continued and adequate water supply to the downstream properties. Apparently there was not any attempt to commercialize this undertaking by selling water to other landowners. (Although, later after the expansion of the Dam in 1929, the reservoir held more water than Mesa Orchard needed to replace, so shares were sold.)

On April 11, 1927, Mrs. Elizabeth Van Hoesen, daughter and administrator of the Estate of D.W. Van Hoesen, amended or supplemented the previous application by her father for the enlargement of the reservoir. On the application, it is noted that both the current

reservoir and the proposed enlargement would be partly on private land. The only improvements that would be effected by the enlargement was a government pasture fence built in 1924 at the cost of $87.31. The timber involved did not have any market value therefore no harvesting fee was to be assessed. Her application was also approved and the USFS issued a free, special-use permit, to construct the expansion of the dam, with an easement to flood the area.

Use 6950 (No of shares issued - more accurate)

This enlargement was completed in 1929 and the reservoir capacity was increased from 7,000 ac-ft to 9,600 ac-ft. In 1938, the reservoir capacity was further increased to its present capacity of 10,100 ac-ft, by the use of temporary flash boards in the spillway.

1929 7,000 to 9,600

Also in 1929, the Mesa Orchards irrigated acreage was just over 1250 acres. Peach, Plum, Cherry, Pear, but mostly Apple trees, now covered the mesa. Mesa Orchards was one of the many Idaho orchards winning Horticulture and national awards for their fruit, which now was being shipped as far away as Norway, Sweden, and Egypt.

In 1930, there were approximately 50 Lost Valley Reservoir water shareholders. Over the years, as the land has been sold and divided, the share holders have increased to around 84. Much of this growth was seen shortly after Mesa was abandoned in 1967, and Lost Valley Reservoir water shares were sold to other shareholders down river.

Flashboard 1938 Raise

This year, 2001, the Lost Valley Reservoir records indicate a total of 9,582 water shares: 6950 A shares, 1798 B shares and 834 C shares, (each share amounts to enough water to cover an acre of ground one foot deep).

Through several unsuccessful attempts to raise the dam over the years, it was decided in 1938 to add temporary flash boards, which permitted the spillway to be raised about 9 inches. This increased storage allowed the reservoir to cover the amount of C shares that had been sold. The stored water in the reservoir today provides irrigation to over 11,000 acres in the Council, Cambridge and Midvale areas.

Recreational activities have made this reservoir a popular spot for fishing, bicycling, horseback riding, camping, hunting, hiking and boating. It also supports an important fishery.

The Lost Valley Reservoir sits at 4,774 feet above sea level and is filled by capturing and storing winter snow melt and rain flows, after the peak of the runoff has occurred. Irrigation releases then are managed to reach the minimum pool level shortly after the irrigation season ends in mid to late-October. In the earlier years of operation (prior to 1950), the reservoir was completely drained annually. This practice was discontinued after the Idaho Department of Fish and Game started stocking the reservoir with perch, catfish, rainbow trout and bass. Scheduled drainages do occur.

During a study period from 1928-1977, Lost Creek runoff averaged 28,700 ac-ft, per year. The present reservoir capacity of 10,100 ac-ft, is only about one-third of the average annual runoff, therefore not fully developing the potential of this area.

Efforts are now under way to show how increasing the capacity of Lost Valley Reservoir from 10,100 ac-ft to 30,000 ac-ft, would more fully suit the water resource of Lost Creek. Using the existing dam in a proposal, an Engineering team has examined various expansion alternatives. They have generally determined the conditions that exist at the Lost Valley Dam site, are conducive to this proposed enlargement of the dam and reservoir. This team also stated that, 'a site with the potential of Lost Valley Reservoir Dam and its reservoir is rarely found.'

Is it possible that this 'small project' that began back in 1908, is yet unfinished?

REFERENCES:

1. Weiser River Basin
   Water Project Studies
   June 1981 – Idaho Water Resource Board

2. Margaret Merk
   Secretary, Lost Valley Reservoir
   Council Museum
   Council, Idaho

3. Joe Jordan
   State of Idaho, Chairman
   Idaho Water Resource Board
   Fruitvale, Idaho

4. Dale Fisk,
   Landmarks – A General History of the Council, Idaho Area
   Profitable Publishing, Inc
   Local Historian
   Council, Idaho

5. Joe Hinson
   Consultant
   Northwest Natural Resource Group – LLC
   Weiser, Idaho

6. Our Rivers: Total Use for Greater Wealth
   House Document 473 81st Congress, 2nd Session
   THE COLUMBIA RIVER
   United States Department of the Interior
   Oscar L. Chapman Secretary
   Bureau of Reclamation
   Michael W. Straus, Commissioner

7. Stipulation
   J.J. Allison and the US Dept. of Agriculture, Forest Service
   January 1, 1909

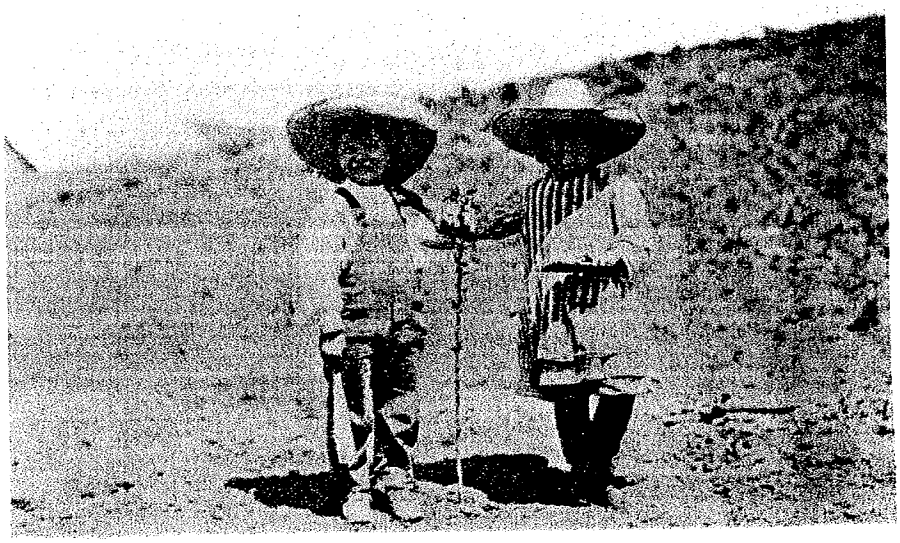
8. October 2001: Personal conversations, various documents, letters, maps, and pictures from above references: 2, 3, 4, 5,

PICTURE COPIES

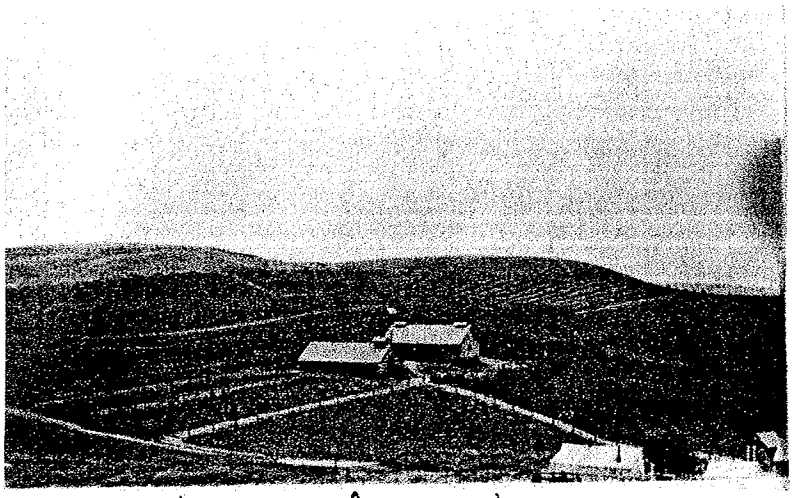
COURTESY OF

COUNCIL MUSEUM

COUNCIL, IDAHO

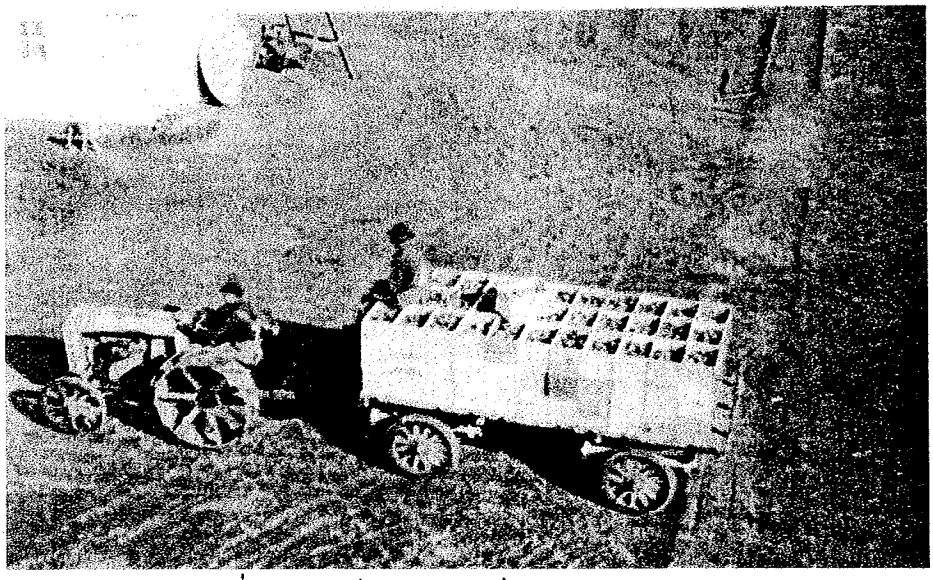


the nursery!



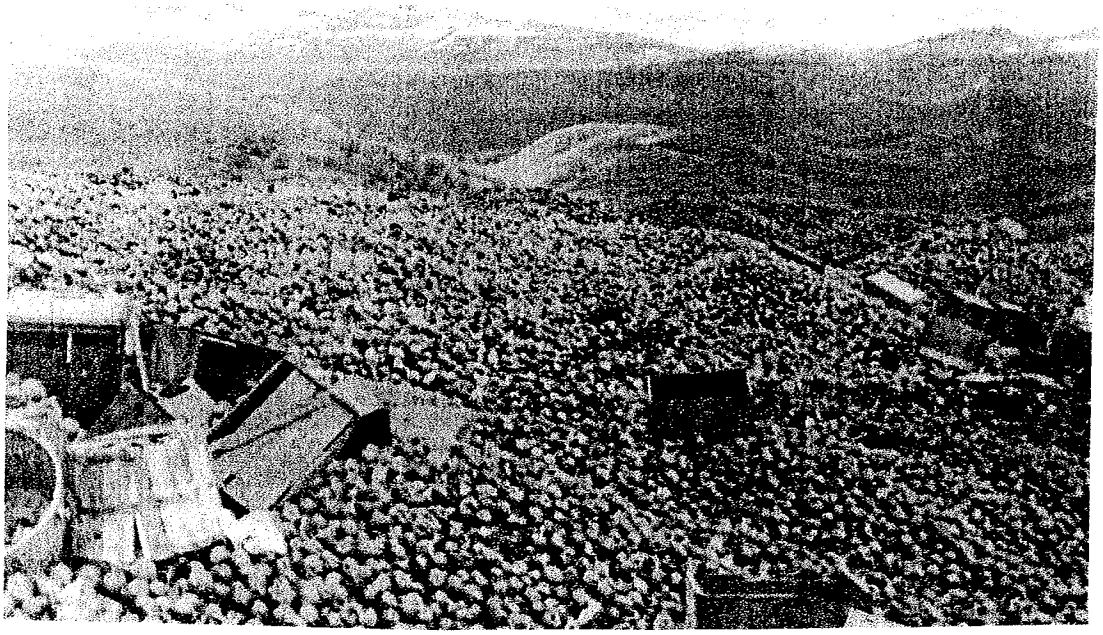
barn ? for livestock

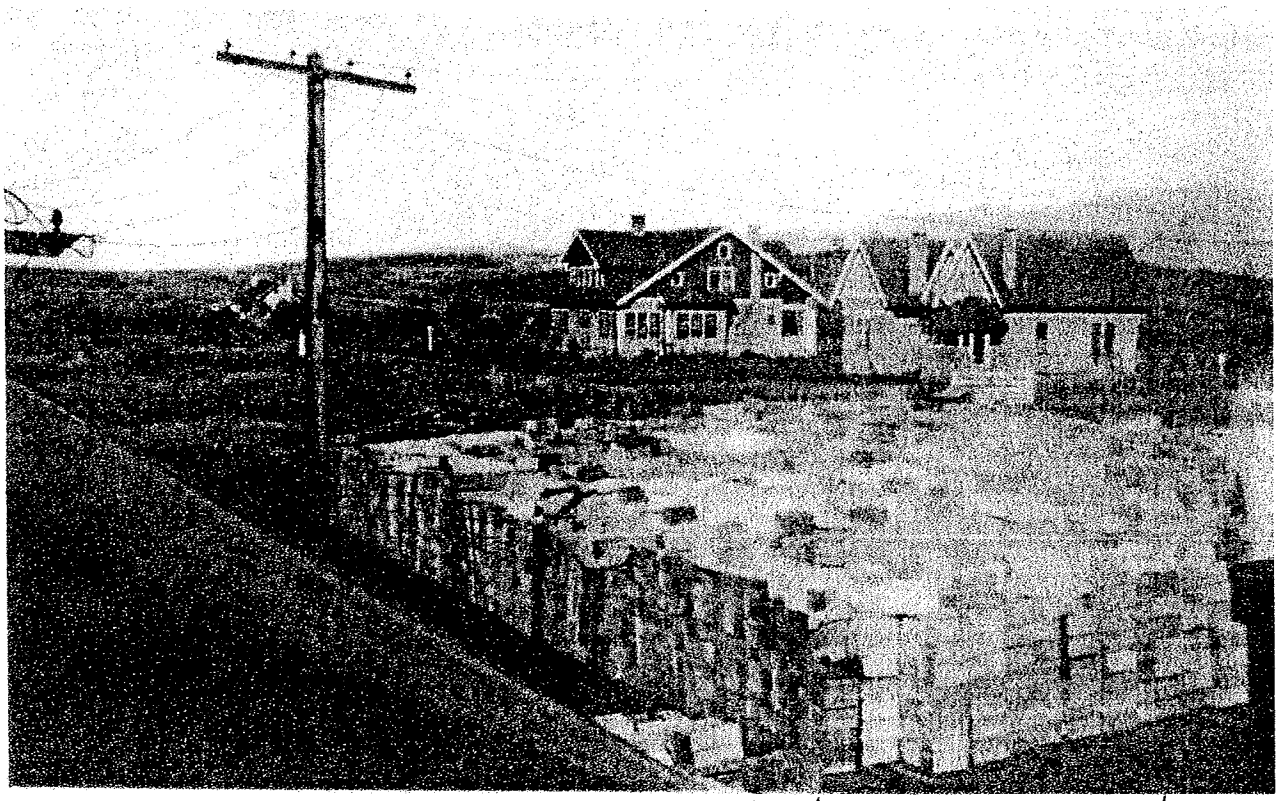
Let's move to Mesa!



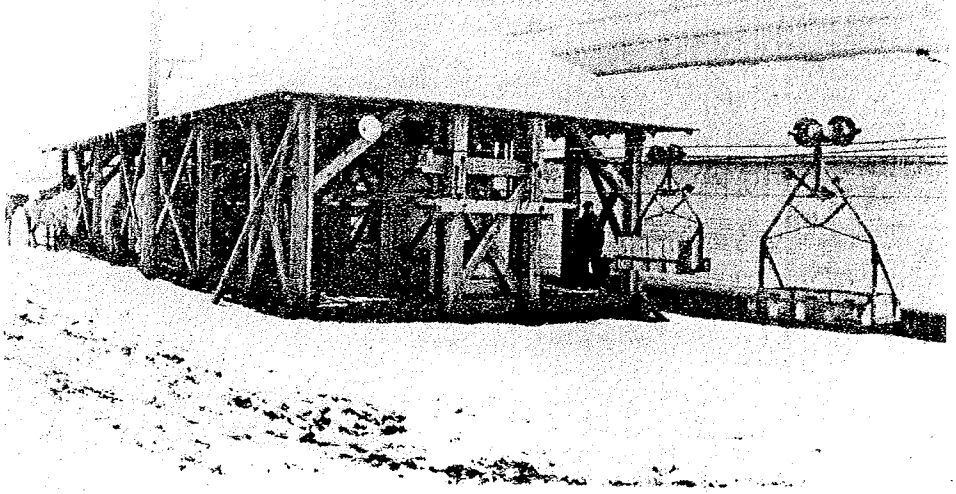
transporting apples

irrigation ditches at orchard

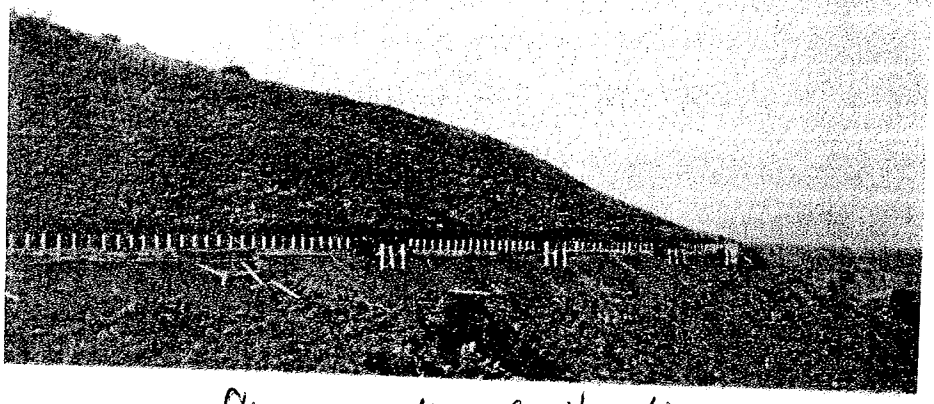




boxed apples at Mesa - Van Hoesen + Seymour homes

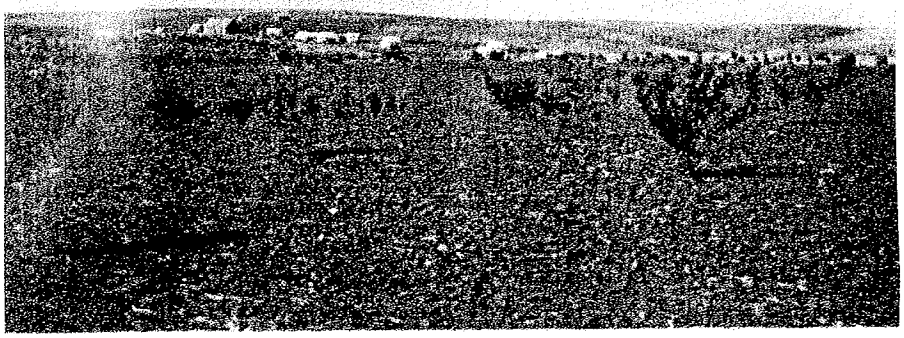


tram system to move boxed apples ~ 3 miles to RR

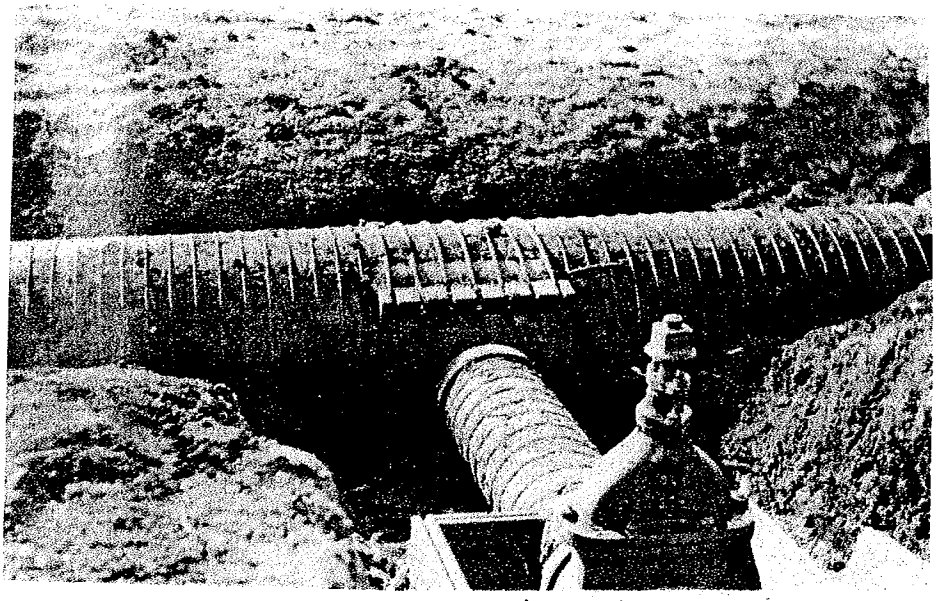


flume under construction

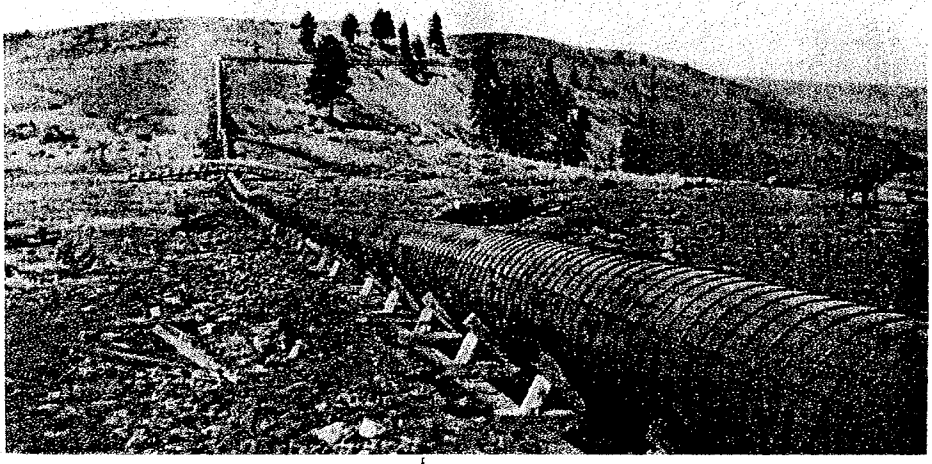
part of block 9



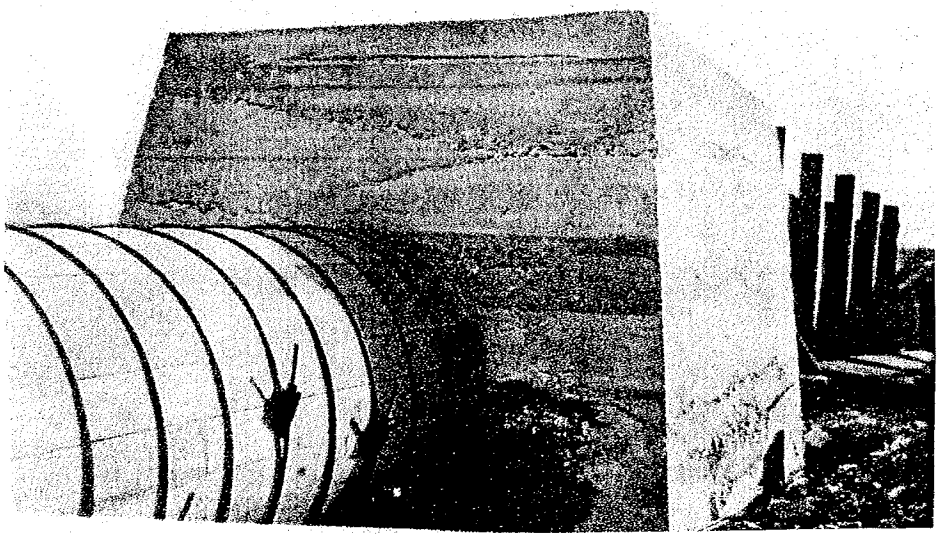
early Mesa



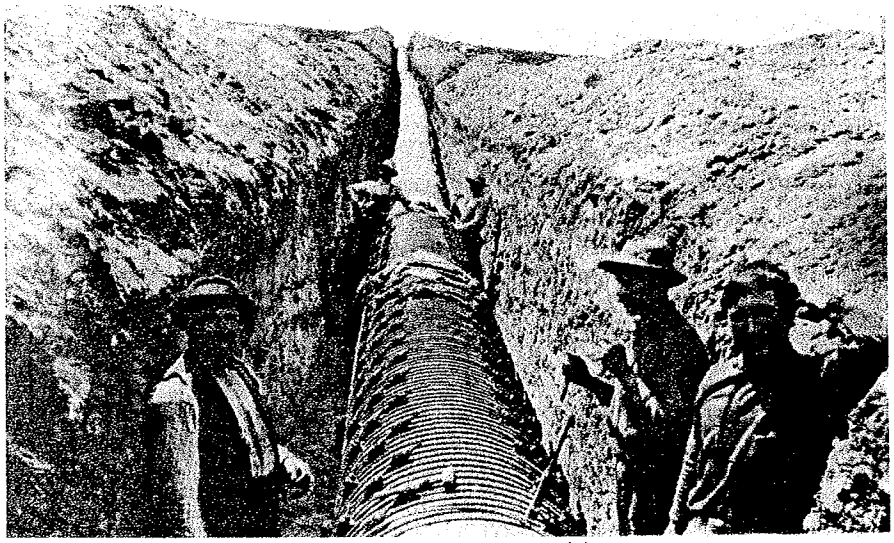
diversion point in flume



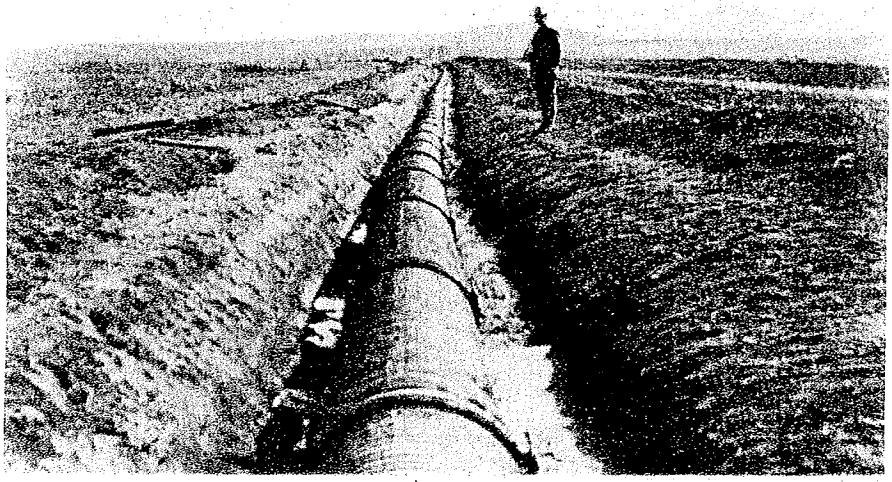
upper syphon



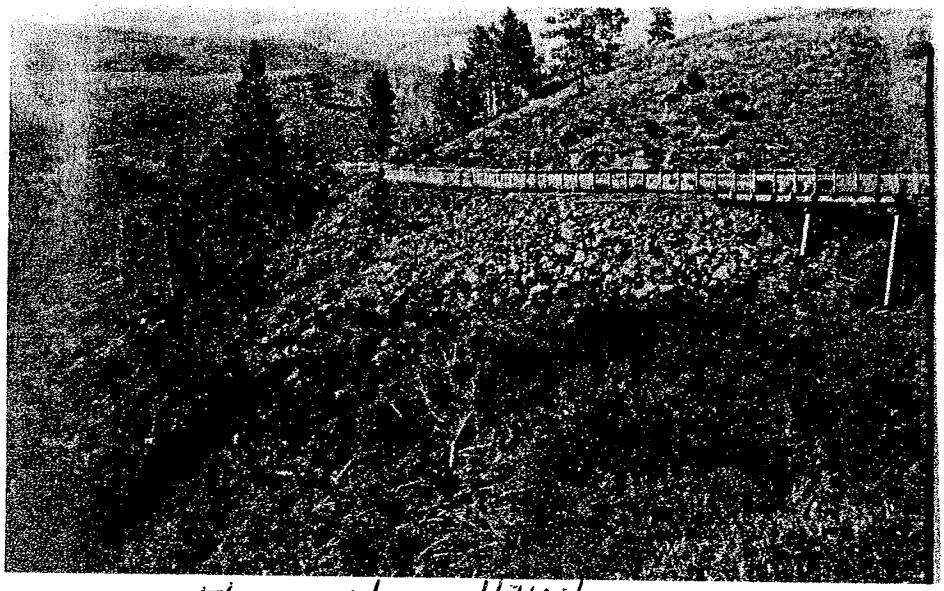
showing method of construction



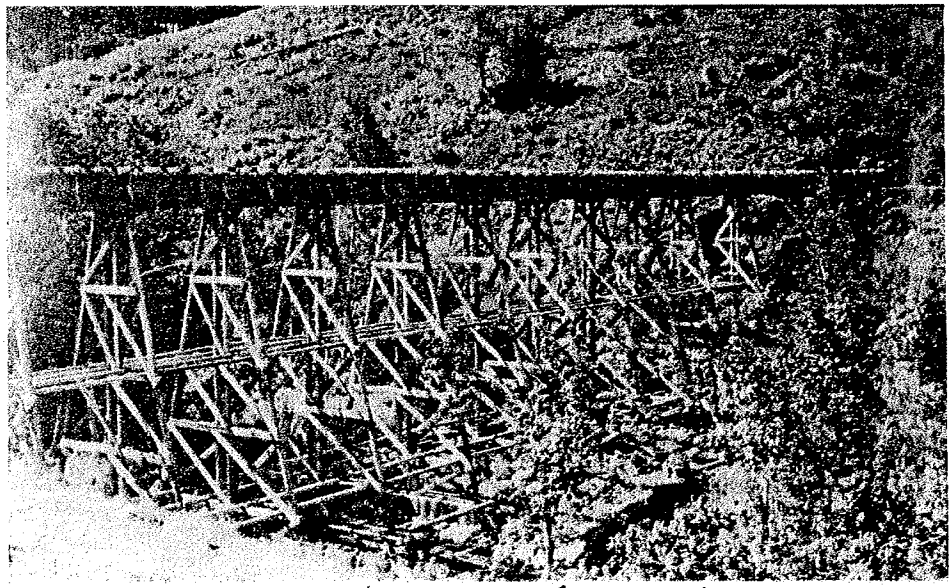
Constructing pipeline



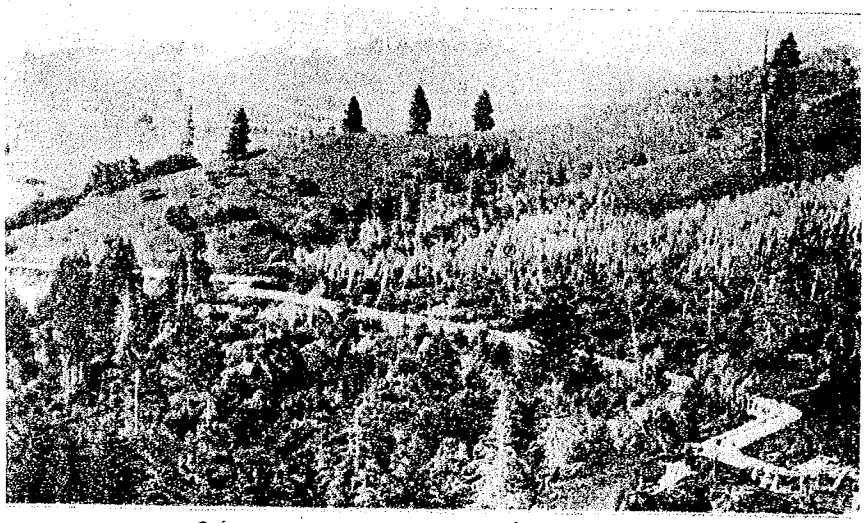
24" machine banded pipe



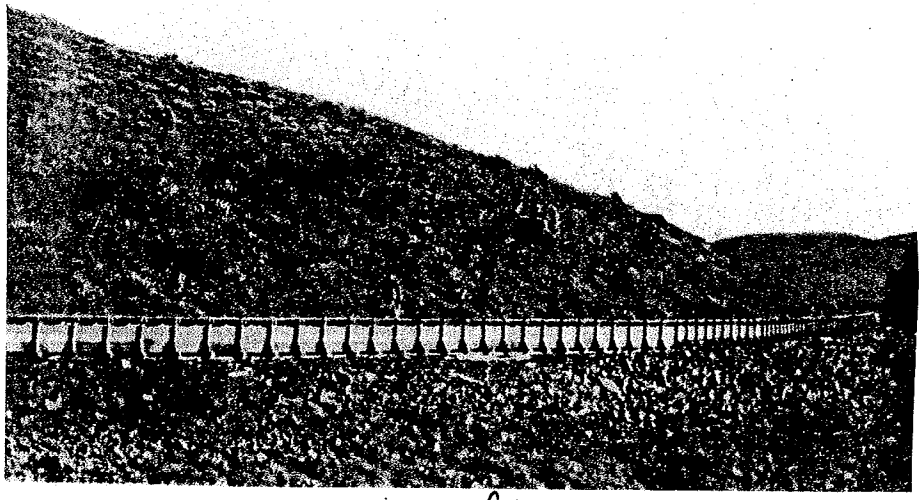
Flume along Hillside



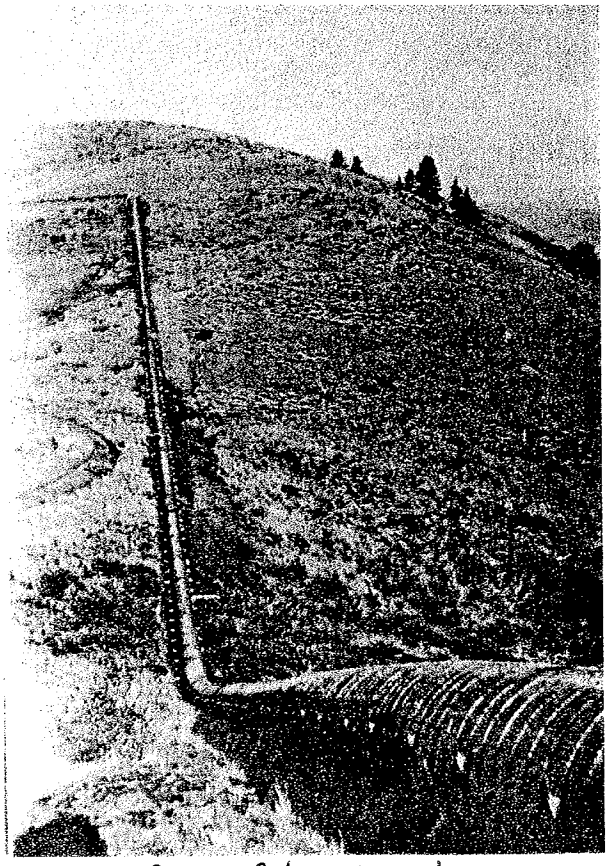
Flume trestle over Fall Creek



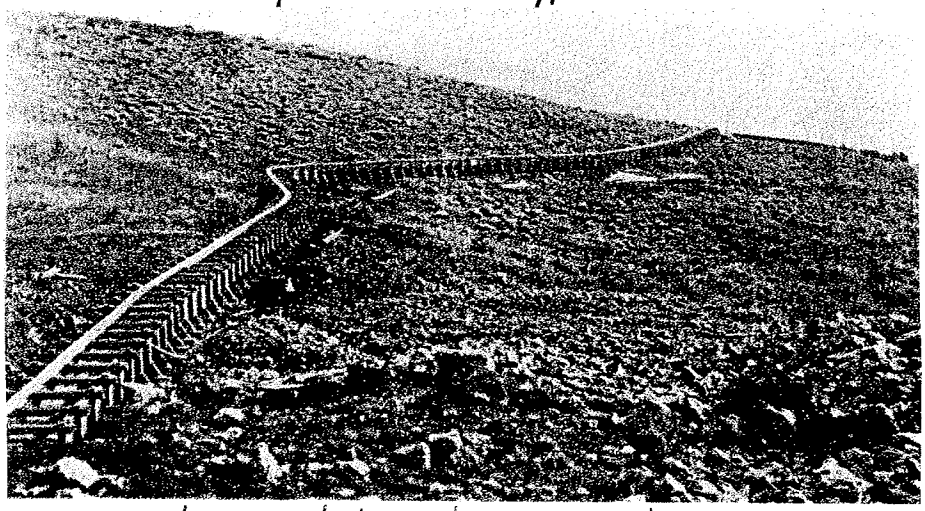
Flume through hills



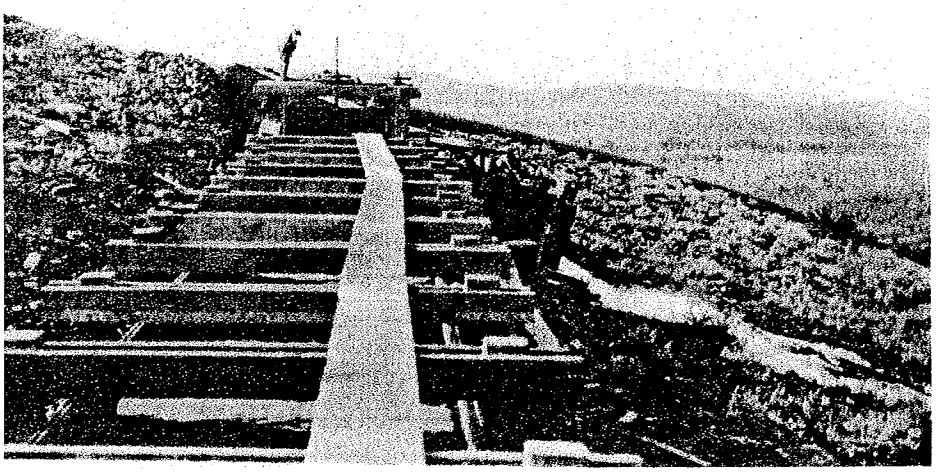
Completed flume



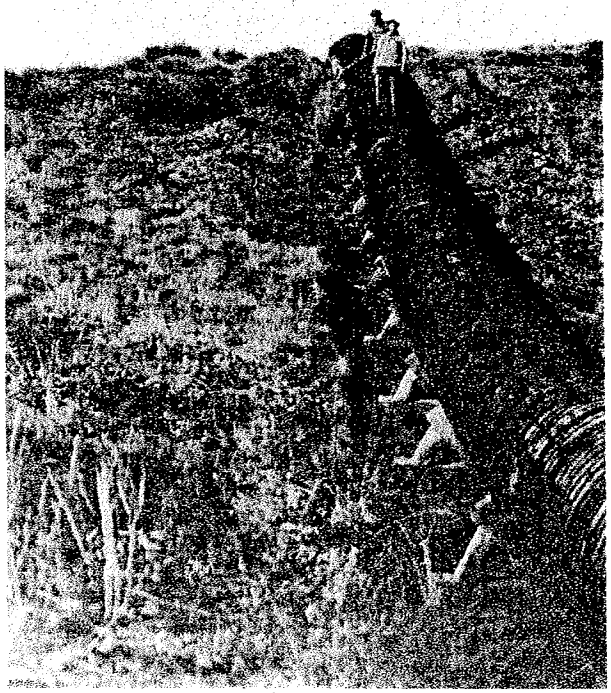
part of lower syphon



Flume below lower syphon

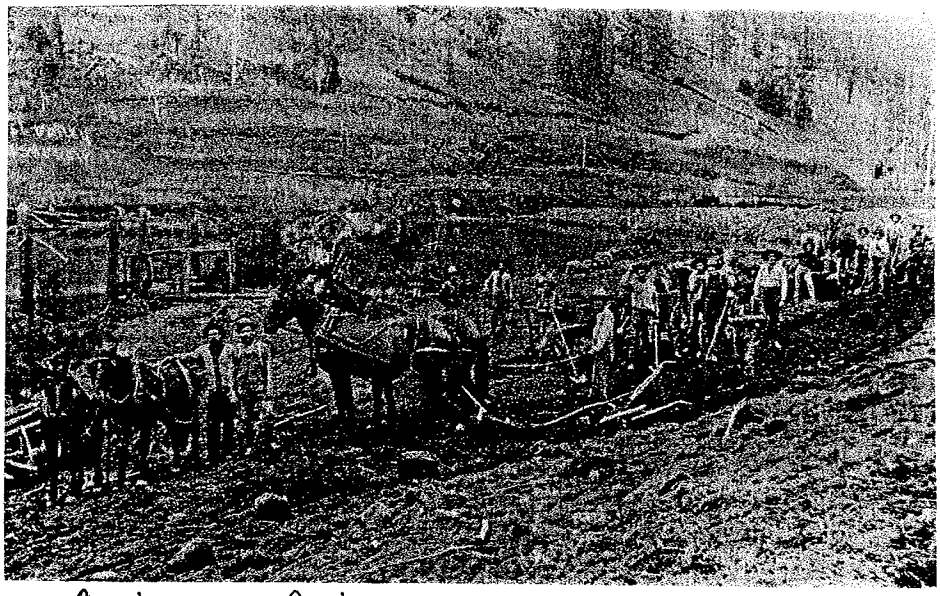


spillway at lower syphon

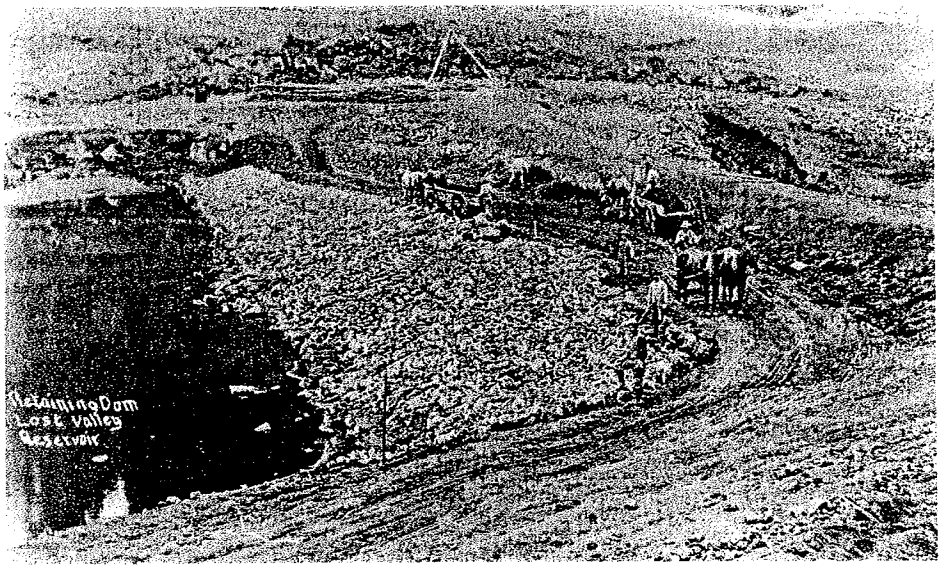


walking the syphon

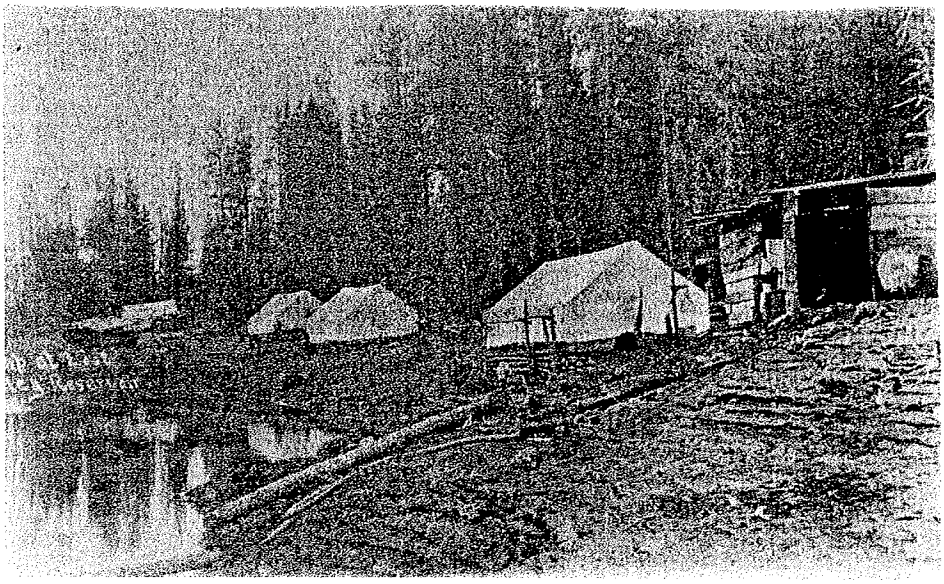
view of spillway + lower syphon



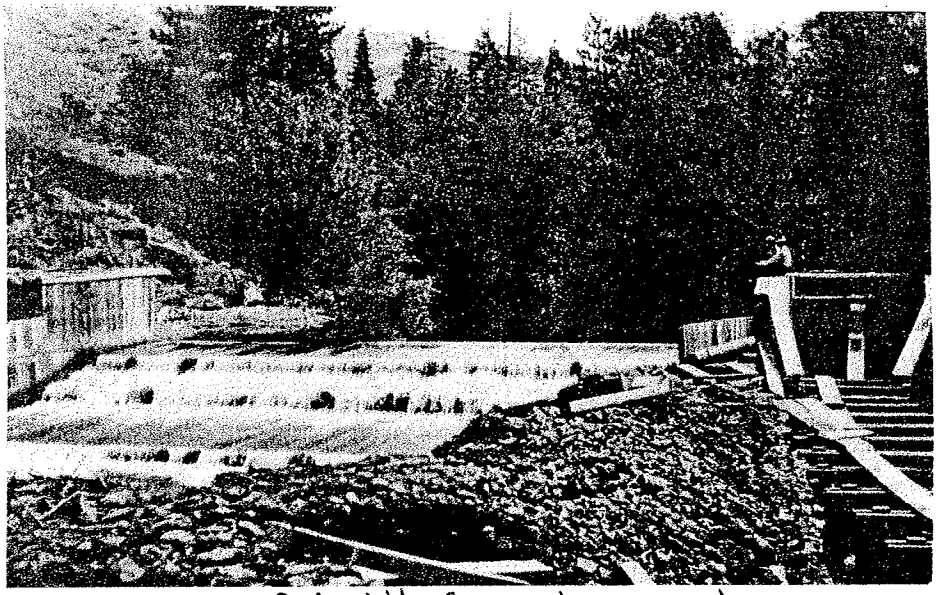
Construction of the reservoir/dam 1909



Construction of the dam



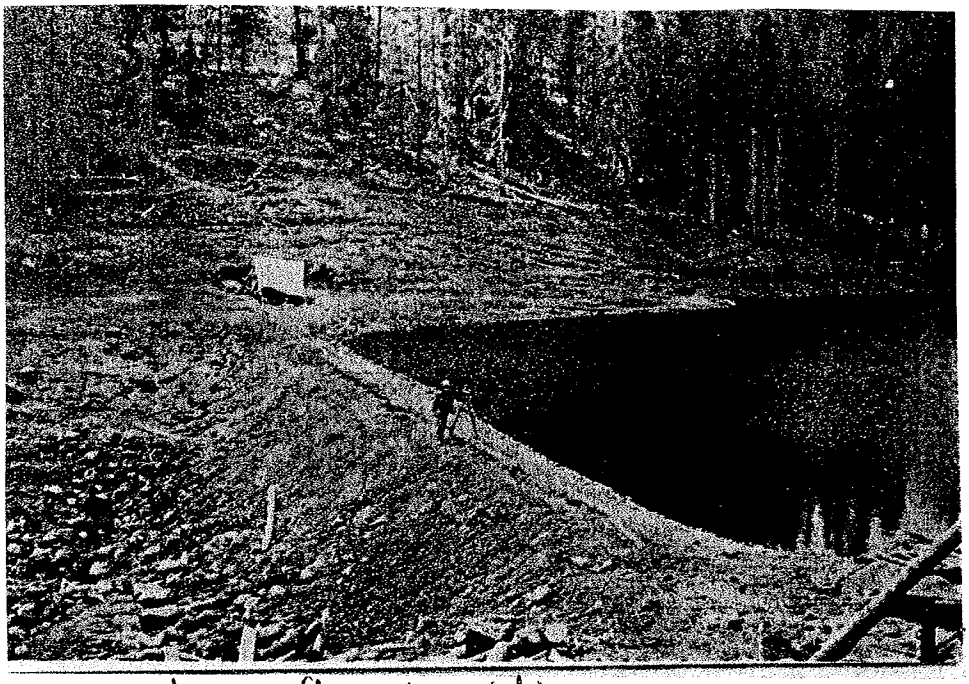
Construction camp at reservoir/dam 1909



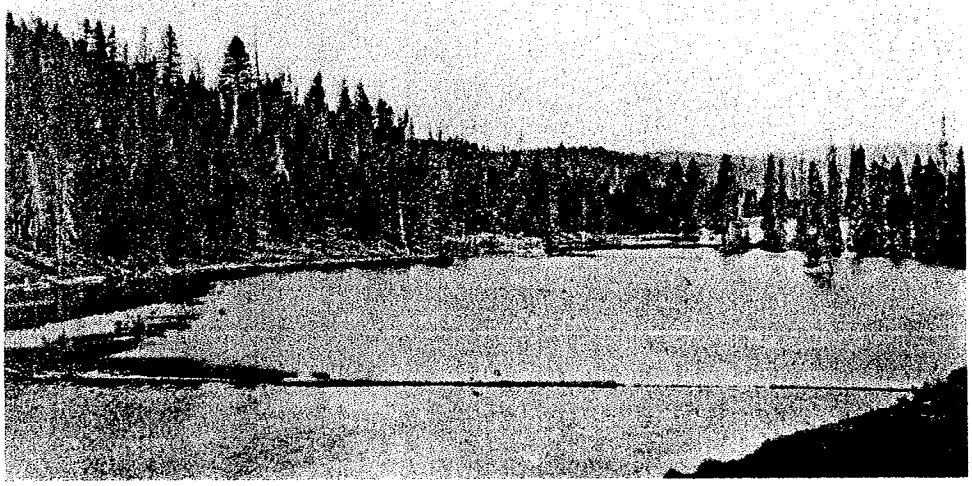
Spring view of Middle Fork diversion dam

Middle Fork lumber Mill

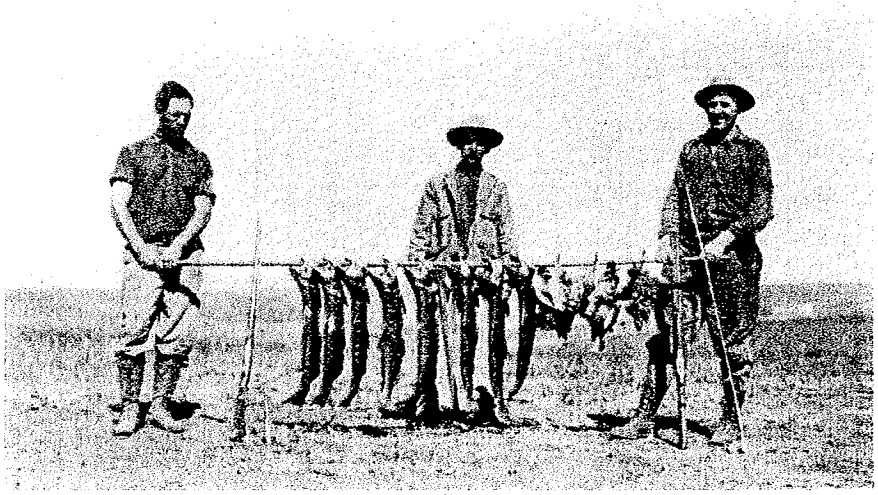
Construction camp at Middle Fork



dam after completion



just North of the dam - flooding the reservoir



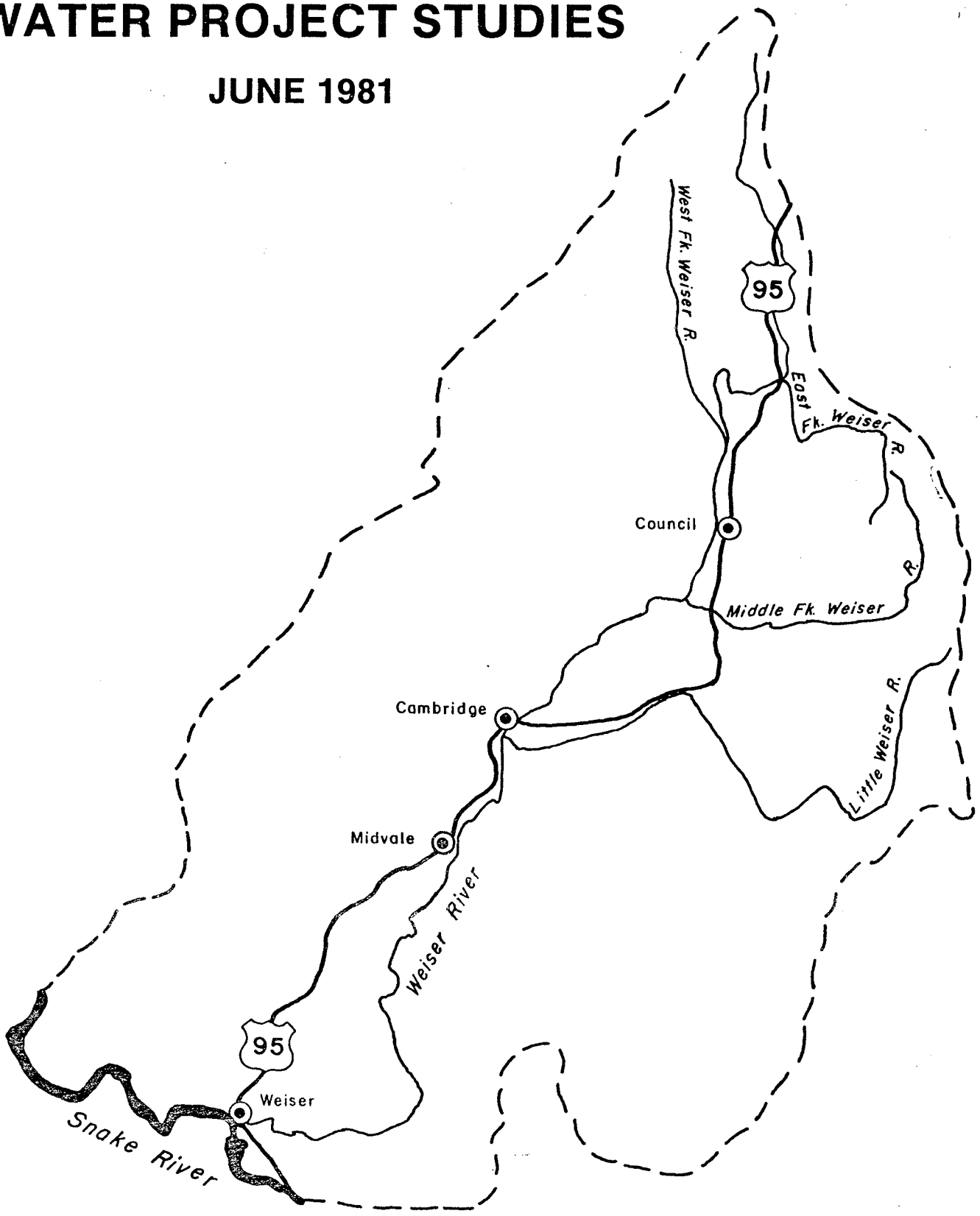
a day off!

Building the Lost Valley Reservoir dam - 1909

EXERPT (2)

WEISER RIVER BASIN WATER PROJECT STUDIES

JUNE 1981



IDAHO WATER RESOURCE BOARD

POTENTIAL WATER DEVELOPMENT SITES IN THE WEISER RIVER BASIN

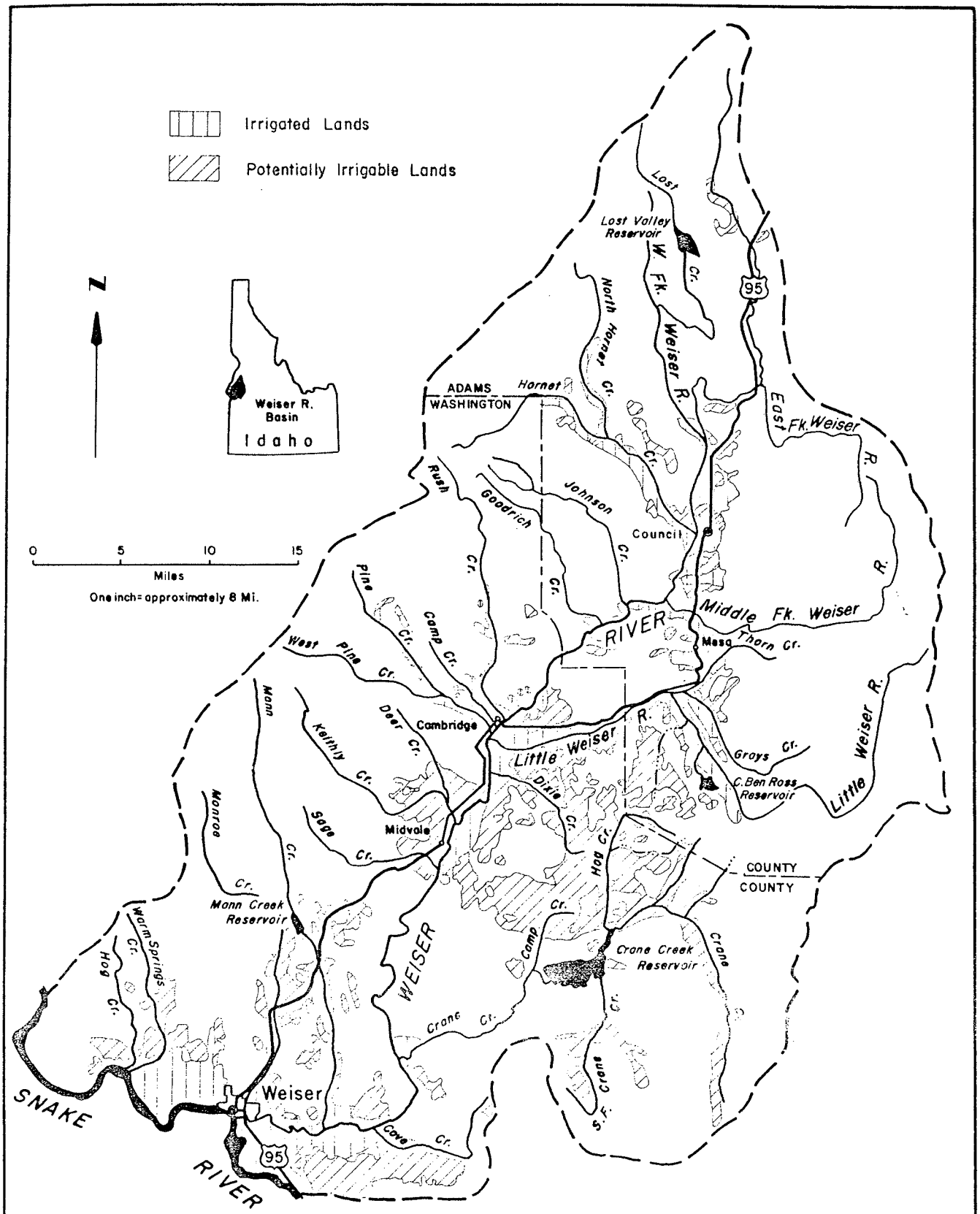
JUNE 1981

Idaho Water Resource Board

Prepared by:

Verl G. King
Lotwick I. Reese
Murland R. Packer

Idaho Department of Water Resources



Weiser River Basin

Land Resources

Figure 3

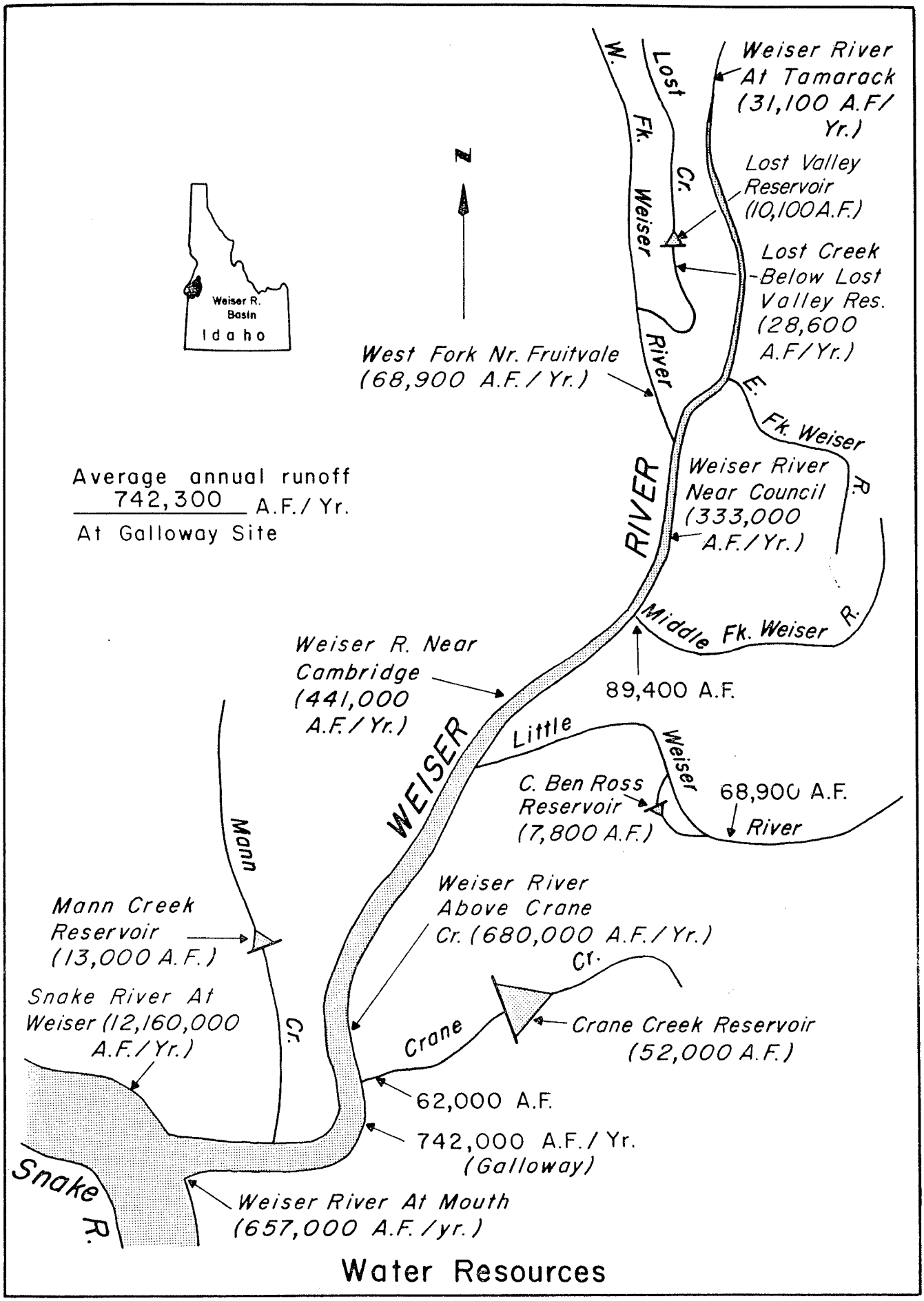

Weiser R. Basin
Idaho
N
Weiser River At Tamarack (31,100 A.F/ Yr.)
W. Fk. Weiser
Lost Cr.
Lost Valley Reservoir (10,100A.F.)
Lost Creek -Below Lost Valley Res. (28,600 A.F/Yr.)
West Fork Nr. Fruitvale (68,900 A.F./Yr.)
River
E. Fk. Weiser R.
Weiser River Near Council (333,000 A.F./Yr.)
RIVER
Average annual runoff
742,300 A.F./Yr.
At Galloway Site
Middle Fk. Weiser R.
89,400 A.F.
Weiser R. Near Cambridge (441,000 A.F./Yr.)
WEISER
Little Weiser River
C. Ben Ross Reservoir (7,800 A.F.)
68,900 A.F.
River
Mann Cr.
Mann Creek Reservoir (13,000 A.F.)
Weiser River Above Crane Cr. (680,000 A.F./Yr.)
Snake River At Weiser (12,160,000 A.F./Yr.)
Crane Cr.
Crane Creek Reservoir (52,000 A.F.)
62,000 A.F.
742,000 A.F./Yr. (Galloway)
Snake R.
Weiser River At Mouth (657,000 A.F./yr.)
Water Resources

Figure 2

Creek, Dixie Creek, Monroe Creek, Pine Creek, and Bedrock Flats.

C. Small Projects

1. Lost Valley

a. Location and Description

The existing Lost Valley Dam is located on Lost Creek, a tributary of the West Fork of the Weiser River. The dam is located 8 miles above the mouth of Lost Creek and 16 miles directly north of the town of Council (see Figure 4). The existing earthfill dam was built 60 years ago and has been raised at least once to its present height of 34 feet above streambed. The dam is owned by Lost Valley Reservoir Company, a private organization of water users. The reservoir has a capacity of approximately 10,000 acre-feet. It supplies irrigation water for 3,365 acres.

b. Water Supply

Lost Valley Reservoir, with an existing capacity of 10,100 acre-feet, does not fully develop the runoff of Lost Creek, a tributary of the West Fork of the Weiser River. Lost Creek runoff averaged 28,700 acre-feet per year during the study period 1928 through 1977, ranging from a minimum of 13,700 acre-feet to a maximum of 57,700 acre-feet.

Increasing the capacity of Lost Valley Reservoir from 10,100 to 30,000 acre-feet would more fully use the water resource of Lost Creek.

New storage in the enlarged Lost Valley Reservoir would - 1) provide irrigation water to Council area lands, 2) generate hydropower, and 3) provide flood control, fishery, and recreational benefits. Council area irrigators now own a small amount of storage in Lost Valley Reservoir. This stored water is not now directly usable on the Council area lands; it is exchanged for natural flows from other streams which would otherwise be required to fill water rights downstream.

c. Enlargement Potential

The existing dam site is very suitable for a larger dam. The existing 34 ft. dam would need to be increased to a height of 64 ft. to triple the storage capacity of the reservoir to 30,000 acre-feet. A reservoir of this volume would essentially fully control the runoff from the watershed above. The existing dam could be used in the upstream portion of the new dam, and a stable spillway could be constructed into the hillside around the left abutment. The 750 acre surface area of the existing reservoir would be increased to 1000 acres, providing additional high quality recreational opportunity.

d. Project Benefits

Enlargement of the Lost Valley Reservoir could provide for increased irrigation, recreation, and Fish & Wildlife benefits. The installation of hydropower

facilities at the damsite was considered but determined not to be practical. However, the opportunity does exist for using reservoir releases downstream for hydropower development by diverting these flows across a divide into Warm Springs Creek. Further discussion of each of these benefits follows:

1) Irrigation

Existing agricultural lands and new lands (previously studied by the Bureau of Reclamation) capable of being irrigated in the Council area could benefit from new storage in the Lost Valley Reservoir. Even though the routing of water from Lost Valley Reservoir would be changed from the plan proposed by the Bureau, it would still serve the same lands. After the water passes through the proposed power facilities in Warm Springs Creek, discussed below, it would be siphoned across Weiser River and connected into the proposed Lost Valley-Council Canal to serve the Council agricultural lands (see Figure 5). The previous studies by the Bureau of Reclamation identified and classified lands in this area (see Figure 6). These were again reviewed in this study and it was determined that the land classification data in the Bureau's wrap-up report of March 1972 reflects, with reasonable accuracy, the current potential for irrigation development

LOST VALLEY Irrigation Facilities

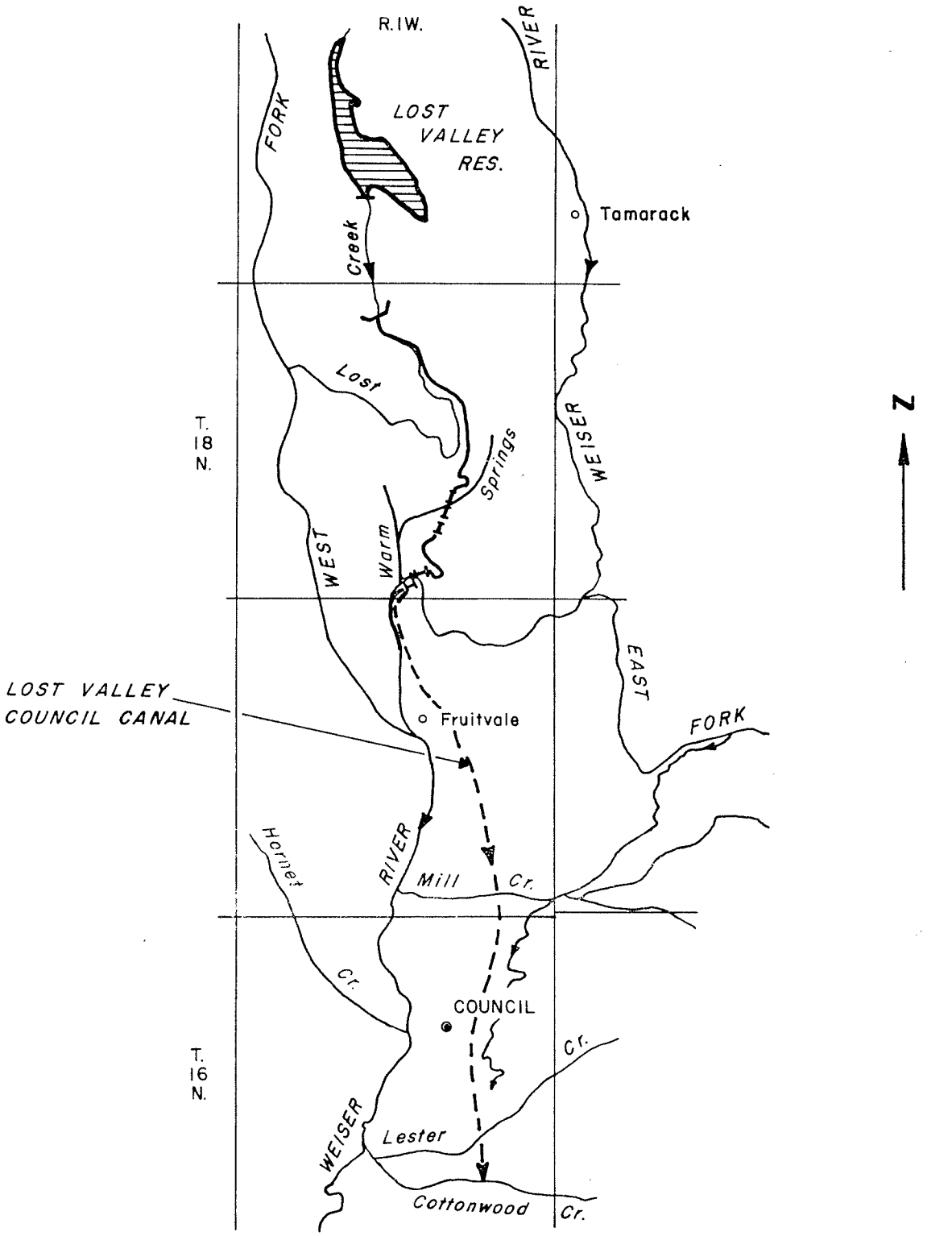
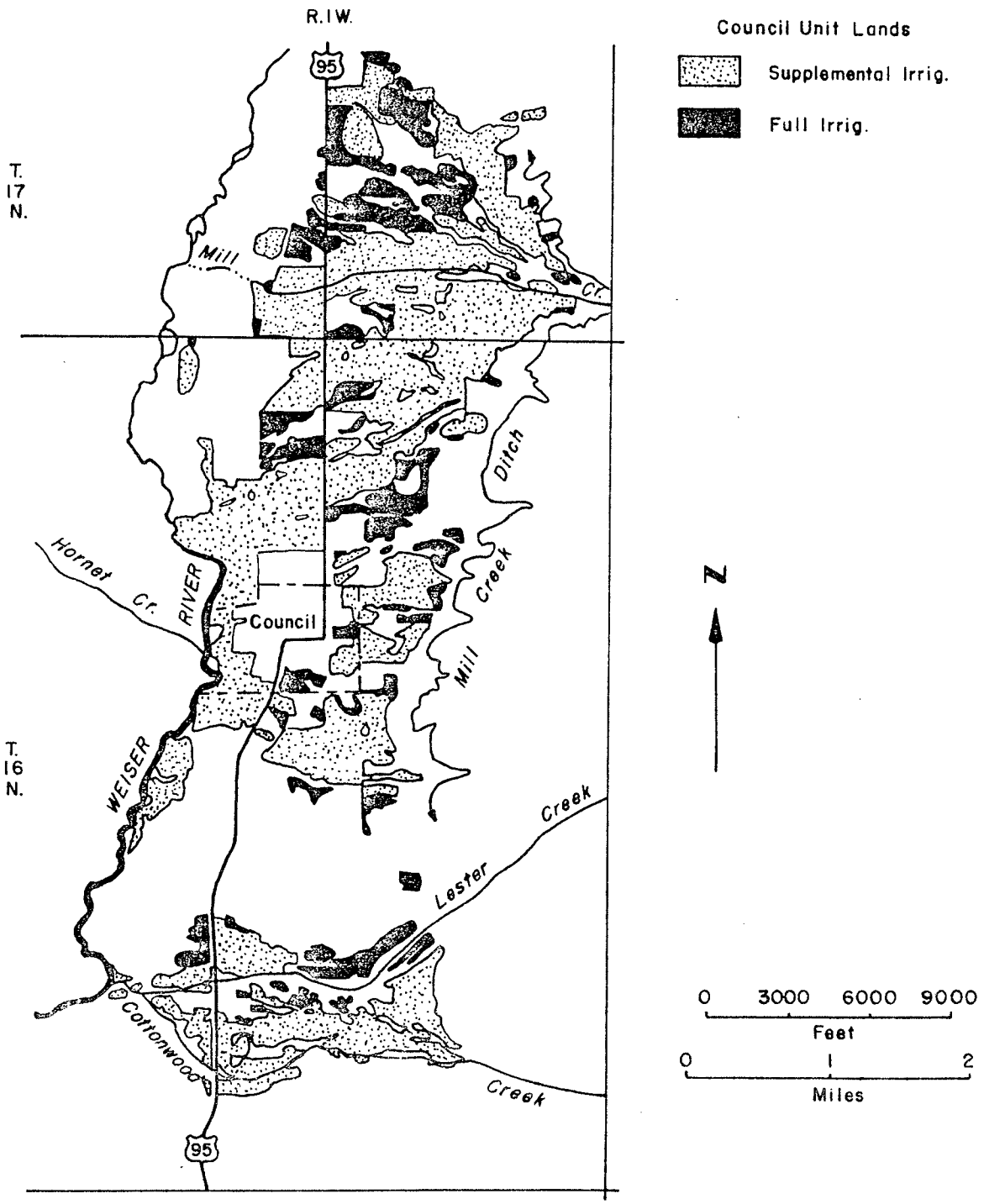


Figure 5



COUNCIL - Irrigation Service Area

Figure 6

within the Council area.

No significant changes have occurred in the crops grown or the irrigation practices or methods since the Bureau studies were completed in the 1960's. Agriculture in the Council area is characterized by small farms, many of which are part-time operations. Hay, pasture, and small grains produced on the irrigated lands support the livestock industry that has developed in the upper Weiser Basin. Nearby rangelands, both public and private, provide summer pasture for the beef herds that are found on full-time farms. The small, part-time farms do not have summer range, and livestock are kept on the irrigated lands throughout the year. Most part-time farmers work in the lumber industry, either in the woods or at Boise Cascade Lumber Mill, located in Council.

It is not likely that provision of supplemental water for presently irrigated lands or a full supply for new lands will change the established agricultural economy. Small, part-time farms will still be dominant. For this analysis, it is assumed that irrigated lands will continue to produce feed and forage in support of livestock production. Agricultural benefits are based on the production of alfalfa hay and barley

11

and treated as cash crops. This alfalfa hay-feed grain cash crop approach serves as a proxy for the potential small livestock operation with hay, pasture and feed grains in support of the livestock enterprise.

The estimate is based on 1979 price levels. The prospect of a commercial apple industry being reintroduced into the area with an adequate water supply does exist on those lands having good air drainage and relatively free of subsurface drainage problems. However, it appears that the acreage within the Council area that would meet these criteria would be limited. The total agricultural benefits could be increased if highly intensive fruit orchard enterprises are included in the determination of benefits. The prospects of fruit production to the south of Council in the Mesa appear to be much better. Considering alfalfa and barley as the major crops grown, the crop irrigation requirement for this area is 1.6 AF/acre. Under project development it was assumed that sprinkler irrigation would be used. An on-farm efficiency of 65 percent was allowed and a 20 percent conveyance loss estimated. The unit water requirements are summarized as follows:

Irrigation water requirements are:

Crop irrigation requirement		1.6 AF/acre
Farm efficiency	65 percent	
Farm delivery requirement		2.46 AF/acre
Conveyance efficiency	80 percent	
Diversion requirement		3.08
Use		3.1

The monthly pattern for irrigation use is as follows:

Month	Percent	Month	Percent
April	4	August	22
May	13	Sept.	13
June	20	Oct.	3
July	25		

Assuming that the irrigation needs for the months of April and May would be met by inflow to the stream below the reservoirs, the normal storage release would be approximated by:

Month	Percent	Month	Percent
June	25	Sept.	15
July	30	Oct.	5
Aug.	25		

WEISER RIVER BASIN

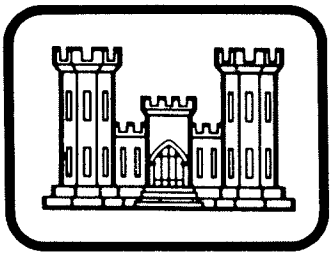
LOST VALLEY DAM

ADAMS COUNTY, IDAHO

FEDERAL NUMBER ID 255

STATE NUMBER D67-2053

PHASE I INSPECTION REPORT
NATIONAL DAM SAFETY PROGRAM



Prepared by:

STATE OF IDAHO, DEPARTMENT WATER RESOURCES

For:

U.S. ARMY ENGINEER DISTRICT, WALLA WALLA

CORPS OF ENGINEERS

JANUARY 1981

outflow away from the toe of the dam, and deepen, widen, and improve the spillway.

A consulting engineer reported on the condition of the dam after his inspection of April 20, 1925. His report stated that the dam and gate were in good condition and the spillway was deemed adequate for all flows except an "unprecedented cloudburst."

The file contains as-built plans for additional construction in November of 1929, but they do not represent the current structure. These plans indicate 35 feet of fill height and extensive enlargement of the spillway. The existing maximum fill height is near 32 feet and the spillway is smaller than the as-built plans indicate. Reports indicate that some additional fill was placed in 1929. Refer to Appendix II for a sketch of the dam cross-section as estimated at the time of the inspection by comments from the dam owners and the information in IDWR files.

A reservoir and site survey was made by Mr. Paul Berg in December, 1936.

The owners requested approval for a 9-inch rise in height of piers in the spillway in April, 1938. Approval was granted. An inspection on May 26, 1939 noted an 8-inch rise on the piers and noted that the tops of the piers were now at gage 25.90 with approximately 3.5 feet of freeboard.

Gate controls for the conduit were replaced as reported by the owners in a letter of November 26, 1955. The owners reported that they raised the dam 2 feet in the fall of 1968. It is believed that the crest was actually regraded to conform to other features of the dam and to correct historical settlement.

A summary of inspections is located in Appendix V.

E. Operating History

The reservoir level reaches gage 25.9, and sometimes higher, in June of each year. In many years, the reservoir has been near empty in October.

Flashboards are placed in the spillway after the threat of spring flood flows has diminished. The time of placement of flashboards is based on observations made by the present operator and is not controlled by a statistical projection of runoff or written operation schedule. Water is allowed to rise above the flashboards and run through the spillway.

The gate is controlled by the dam operator. He and the Directors have keys to the lock. Releases through the conduit are normally made from June through September for irrigation needs and at various times as necessary during the winter in order to control reservoir levels. The gate controls are accessible during a flood, either from the footbridge across the spillway, or from the right abutment.

The present operator has kept his own personal set of records which are available for review. This data includes reservoir gage readings, dates of installation and removal of flashboards, outflow estimates, and other pertinent data which he collected on his trips to the dam.

The seepage at the dam has not been monitored but reportedly has occurred since the original construction. The operator stated that seepage has not changed from its original amount and is not affected by reservoir level.

Section of Tunnel @ Gate & Gate Well

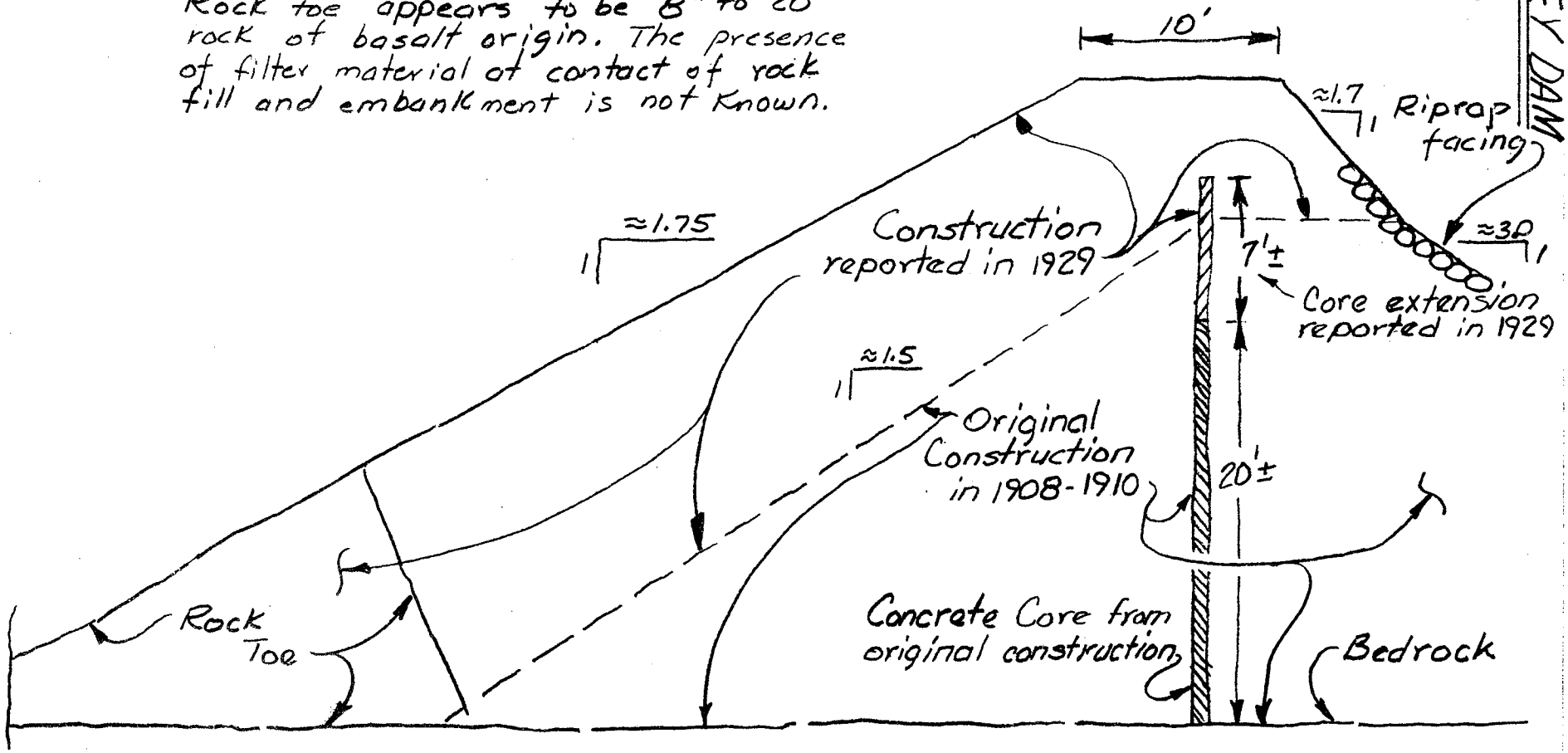
L R Fox 6/20/80

LOST VALLEY DAM

LRFox 11/10/80

Note:
Embankment materials estimated to be clayey silt.

Rock toe appears to be 8" to 20" rock of basalt origin. The presence of filter material at contact of rock fill and embankment is not known.



Sketch of dam Cr

information by owners and IDWR files

LOST VALLEY DAM

ENLARGEMENT FEASIBILITY REPORT

FOR

LOST VALLEY RESERVOIR COMPANY

FEBRUARY 1993

PREPARED BY

A & B ENGINEERING

BOISE, IDAHO

ASSISTED BY

U.S. DEPARTMENT OF AGRICULTURE

SOIL CONSERVATION SERVICE

IN COOPERATION WITH THE

WEST CENTRAL HIGHLANDS

RESOURCE CONSERVATION &

DEVELOPMENT COUNCIL

Basin	Sequence	Suff	Basis	Priority Dat	Rate(c	Volume(	Source	Water Use(s)	Owner(s)	Source Table
67	71		Decreed	5/27/1910		40	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	FREEHAFER, A L (Current); PIKE	wrWaterRight
67	71	A	Decreed	5/27/1910		35	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	MC ALVAIN, SERENA E (Current)	wrAdjudicationClaim
67	71	B	Decreed	5/27/1910		5	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	GLEASON, CAROLYN S (Current	wrAdjudicationClaim
67	73	A	Decreed	5/1/1906	0.04		LOST CREEK	IRRIGATION	DISTLER, MICHAEL D (Current);	wrAdjudicationClaim
67	74	A	Decreed	5/1/1916		0.37	LOST CREEK	IRRIGATION	DISTLER, MICHAEL D (Current);	wrAdjudicationClaim
67	81	A	Decreed	5/27/1910		2375	LOST CREEK	IRRIGATION FROM STORAGE	BALL, EMMA (Current)	wrWaterRight
67	81	A		5/27/1910		2375	LOST CREEK	IRRIGATION FROM STORAGE		xrFromAdjClaimList
67	81	AA	Decreed	5/27/1910		100	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	BARTON RANCH INC (Current)	wrAdjudicationClaim
67	81	AB	Decreed	5/27/1910		50	LOST CREEK	INDUSTRIAL FROM STORAGE, INDU	BOISE CASCADE CORP (Current	wrAdjudicationClaim
67	81	AC	Decreed	5/27/1910	0.04	2610	LOST CREEK	IRRIGATION, STOCKWATER	CAROLA HOLDINGS (Current)	wrAdjudicationClaim
67	81	AD	Decreed	5/27/1910		20	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	JORDAN, CYNTHIA A (Current);	wrAdjudicationClaim
67	81	AD		5/27/1910		20	LOST CREEK	IRRIGATION FROM STORAGE, IRRIGATION STORAGE		xrFromAdjClaimList
67	81	AD		5/27/1910		20	LOST CREEK	IRRIGATION FROM STORAGE, IRRIGATION STORAGE		xrToAdjClaimList
67	81	AE	Decreed	5/27/1910		100	LOST CREEK	IRRIGATION FROM STORAGE	FAIRCHILD, DEAN D (Current); F	wrAdjudicationClaim
67	81	AF	Decreed	5/27/1910		100	LOST CREEK	IRRIGATION FROM STORAGE	MACKEY, RUTH (Current); MACK	wrAdjudicationClaim
67	81	AG	Decreed	5/27/1910		1	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	SMITH, SHIRLEY F (Current)	wrAdjudicationClaim
67	81	B	Decreed	5/27/1910		100	LOST CREEK	IRRIGATION FROM STORAGE	SCHNELL, ALVIN D (Current); SC	wrWaterRight
67	81	C	Decreed	5/27/1910		10	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	JORDAN, LAURA L (Current); JOI	wrAdjudicationClaim
67	81	C	Decreed	5/27/1910		45	LOST CREEK	IRRIGATION FROM STORAGE	BALL, EMMA (Current)	wrWaterRight
67	81	D	Decreed	5/27/1910		10	LOST CREEK , L	IRRIGATION FROM STORAGE, IRRI(	MERK, LADELL (Current); MERK,	wrAdjudicationClaim
67	81	D	Decreed	5/27/1910		10	LOST CREEK	IRRIGATION FROM STORAGE	BALL, EMMA (Current)	wrWaterRight
67	81	E	Beneficial I	5/27/1910		140	LOST CREEK , V	IRRIGATION	TURNBULL, CAROL ORGAN (Cu	wrAdjudicationClaim
67	81	E	Decreed	5/27/1910		10	LOST CREEK	IRRIGATION FROM STORAGE	BALL, EMMA (Current)	wrWaterRight
67	81	F	Decreed	5/27/1910		200	LOST CREEK	IRRIGATION FROM STORAGE	BARTON RANCH INC (Current)	wrAdjudicationClaim
67	81	F	Decreed	5/27/1910		1000	LOST CREEK	IRRIGATION FROM STORAGE	BALL, EMMA (Current)	wrWaterRight
67	81	G	Decreed	5/27/1910		2	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	WOODWORTH, ROBERT L (Curr	wrAdjudicationClaim
67	81	G	Decreed	5/27/1910		100	LOST CREEK	IRRIGATION FROM STORAGE	BALL, EMMA (Current)	wrWaterRight
67	81	H	Decreed	5/27/1910		2610	LOST CREEK	IRRIGATION	ORCHARDS WATER CO (Curren	wrWaterRight
67	81	H		5/27/1910		2610	LOST CREEK	IRRIGATION		xrFromAdjClaimList
67	81	H		5/27/1910		2610	LOST CREEK	IRRIGATION FROM STORAGE, IRRIGATION STORAGE		xrToAdjClaimList
67	81	J		5/27/1910		2275	LOST CREEK	IRRIGATION FROM STORAGE		xrToAdjClaimList
67	81	K		5/27/1910		100	LOST CREEK	IRRIGATION FROM STORAGE, IRRIGATION STORAGE		xrToAdjClaimList
67	81	N	Decreed	5/27/1910		15	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	DILLON, LARRY D (Current); DILL	wrAdjudicationClaim
67	81	P	Decreed	5/27/1910		2000	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	MIDDLE VALLEY DITCH CORP ((	wrAdjudicationClaim
67	81	Q	Decreed	5/27/1910		155	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	SHEFFIELD, ANNETTE (Current)	wrAdjudicationClaim
67	81	R	Decreed	5/27/1910		60	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	GALLANT, FRED L (Current); GAI	wrAdjudicationClaim
67	81	S	Decreed	5/27/1910		3	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	FISK, ANNA M (Current); FISK, D	wrAdjudicationClaim
67	81	T	Decreed	5/27/1910		56	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	FAIRCHILD, DEAN E (Current); F	wrAdjudicationClaim

67	81	U	Decreed	5/27/1910		194	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	ESTATE OF EMMA BALL (Curren	wrAdjudicationClaim
67	81	V	Decreed	5/27/1910		148	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	SHUMWAY, STEVEN R (Current)	wrAdjudicationClaim
67	81	W	Decreed	5/27/1910		900	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	SUTTON, WAYNE (Current)	wrAdjudicationClaim
67	81	X	Decreed	5/27/1910		7	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	FISK, LARRY (Current); FISK, PE	wrAdjudicationClaim
67	81	Z	Decreed	5/27/1910		1640	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	CAMBRIDGE DITCH CO (Current	wrAdjudicationClaim
67	82		Decreed	5/27/1910		360	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	FREEHAFER, A L (Current)	wrWaterRight
67	82	A	Decreed	5/27/1910		18	LOST CREEK , L	IRRIGATION FROM STORAGE, IRRI(	JORDAN, CYNTHIA A (Current);	wrAdjudicationClaim
67	82	B	Decreed	5/27/1910		90	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	HENDERSON RANCHES (Curren	wrAdjudicationClaim
67	82	G	Decreed	5/27/1910		3	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	DISTLER, MICHAEL D (Current);	wrAdjudicationClaim
67	83		Decreed	5/27/1910		300	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	CARR, J A (Current)	wrWaterRight
67	83			5/27/1910		300	LOST CREEK	IRRIGATION FROM STORAGE, IRRIGATION STORAGE		xrFromAdjClaimList
67	83	A	Decreed	5/27/1910		29	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	CAPPS, ALONZO V (Current)	wrAdjudicationClaim
67	83	B		5/27/1910		43	LOST CREEK	IRRIGATION FROM STORAGE, IRRIGATION STORAGE		xrToAdjClaimList
67	83	C	Decreed	5/27/1910		8	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	IVY, KENNETH D (Current); KALM	wrAdjudicationClaim
67	83	E	Decreed	5/27/1910		5	LOST CREEK , L	IRRIGATION FROM STORAGE, IRRI(	MC ALVAIN, SERENA (Current); I	wrAdjudicationClaim
67	83	I	Decreed	5/27/1910		3	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	HUG, JAMES T (Current)	wrAdjudicationClaim
67	83	J	Decreed	5/27/1910		43	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	SCISM, DOUGLAS M (Current)	wrAdjudicationClaim
67	2053	A	License	5/27/1910		8	LOST CREEK , L	IRRIGATION FROM STORAGE, IRRI(	JORDAN, CYNTHIA A (Current);	wrAdjudicationClaim
67	2053	AA	License	5/27/1910		8	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	FISK, LARRY (Current); FISK, PE	wrAdjudicationClaim
67	2053	AB	License	5/27/1910		33	LOST CREEK	INDUSTRIAL FROM STORAGE, INDU	BOISE CASCADE CORP (Current	wrAdjudicationClaim
67	2053	AH	Decreed	5/27/1910		200	LOST CREEK	IRRIGATION, IRRIGATION STORAGE	SHORE, ROBERTA S (Current); S	wrAdjudicationClaim
67	2053	AL	License	12/31/1930		2	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	FRIEND, THELMA A (Current)	wrAdjudicationClaim
67	2053	AM	License	2/3/1927	1.62		LOST CREEK	IRRIGATION, STOCKWATER	INGEBRETSEN, ALICE SOPHIA (	wrAdjudicationClaim
67	2053	B	License	5/27/1910		20	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	MERK, LADELL (Current); MERK,	wrAdjudicationClaim
67	2053	C	License	5/27/1910		100	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	SCHWARTZ, ANTHONY B (Curre	wrAdjudicationClaim
67	2053	D	Decreed	5/27/1910		2	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	HUG, JAMES T (Current)	wrAdjudicationClaim
67	2053	E	Decreed	5/27/1910		160	LOST CREEK	IRRIGATION, IRRIGATION FROM ST	HENDERSON RANCHES (Curren	wrAdjudicationClaim
67	2053	F	License	5/27/1910		4	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	PICKETT, ALAN M (Current); PIC	wrAdjudicationClaim
67	2053	G	Decreed	5/27/1910		30	LOST CREEK , L	IRRIGATION FROM STORAGE, IRRI(	CHE ENTERPRISES INC (Curren	wrAdjudicationClaim
67	2053	H	License	5/27/1910		5	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	KOSKIE, BETTY J (Current); KOS	wrAdjudicationClaim
67	2053	I	License	5/27/1910		1000	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	MIDDLE VALLEY DITCH CORP ((	wrAdjudicationClaim
67	2053	K	License	5/27/1910		4	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	VINCENT D & ESTHER A LEGER	wrAdjudicationClaim
67	2053	L	License	5/27/1910		3	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	HAWKINS, NANCY E (Current)	wrAdjudicationClaim
67	2053	M	License	5/27/1910		20	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	JEPSEN, ROBERT MICHAEL (Cu	wrAdjudicationClaim
67	2053	N	License	5/27/1910		17.5	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	GLENN, AMY G (Current)	wrAdjudicationClaim
67	2053	P	License	5/27/1910		15	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	GALLANT, CAROLE M (Current);	wrAdjudicationClaim
67	2053	Q	Decreed	10/27/1910		3	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	PEEBLES, MYRNA L (Current); P	wrAdjudicationClaim
67	2053	R	License	5/27/1910	0.12	5	LOST CREEK	IRRIGATION	RINGERING, CHERYL (Current);	wrAdjudicationClaim
67	2053	S	License	5/27/1910		17.5	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	SCISM, DOUGLAS M (Current)	wrAdjudicationClaim

67	2053	U	License	5/27/1910		10	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	FISK, JOHN F (Current)		wrAdjudicationClaim
67	2053	V	License	5/27/1910		100	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	SHUMWAY, STEVEN R (Current)		wrAdjudicationClaim
67	2053	W	License	5/27/1910		50	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	HARRINGTON, DEAN (Current); I		wrAdjudicationClaim
67	2053	Y	Decreed	5/27/1910		660	LOST CREEK	IRRIGATION STORAGE	EAST FORK DITCH CO LTD (Cur		wrAdjudicationClaim
67	2053	Z	License	5/27/1910		2	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	FISK, ALMA L (Current); FISK, DI(		wrAdjudicationClaim
67	11422		Decreed	5/27/1910		212	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	GOULD, ROY E (Current); NELSC		wrAdjudicationClaim
67	11818		Decreed	1883-06-01	0.02		LOST CREEK	STOCKWATER	UNITED STATES OF AMERICA A		wrWaterRight
67	11819		Decreed	1883-06-01	0.02		LOST CREEK EA	STOCKWATER	UNITED STATES OF AMERICA A		wrWaterRight
67	11822		Decreed	1883-06-01	0.02		LOST CREEK	STOCKWATER	UNITED STATES OF AMERICA A		wrWaterRight
67	11823		Decreed	1883-06-01	0.02		LOST CREEK EA	STOCKWATER	UNITED STATES OF AMERICA A		wrWaterRight
67	12319		Beneficial l	5/27/1910		90	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	SCISM, DOUGLAS M (Current)		wrAdjudicationClaim
67	12319			5/27/1910		90	LOST CREEK	IRRIGATION FROM STORAGE, IRRIGATION STORAGE			xrFromAdjClaimList
67	12319			5/27/1910		90	LOST CREEK	IRRIGATION FROM STORAGE, IRRIGATION STORAGE			xrToAdjClaimList
67	13349	AC	Beneficial l	11/1/1929	0.22	3	LOST CREEK	IRRIGATION, IRRIGATION FROM ST	SHIRTCLIFF, BRENDA S (Curren		wrAdjudicationClaim
67	13349	AC		11/1/1929	0.22	3	LOST CREEK	IRRIGATION, IRRIGATION FROM STORAGE, IRRIGATION STORAGE			xrToAdjClaimList
67	13349	AC		11/1/1929	0.22	3	LOST CREEK	IRRIGATION, IRRIGATION FROM STORAGE, IRRIGATION STORAGE			xrFromAdjClaimList
67	14286		Decreed	5/27/1910		0.8	LOST CREEK	IRRIGATION	BACON VALLEY RANCHES INC		wrAdjudicationClaim
67	14288		Decreed	5/27/1910		18.8	LOST CREEK	IRRIGATION	WILDERNESS WEST LLC (Curre		wrAdjudicationClaim
67	14289		Decreed	5/27/1910		0.4	LOST CREEK	IRRIGATION	SCHULTZ, LONNIE L (Current); S		wrAdjudicationClaim
67	14362		Decreed	5/27/1910		49.4	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	BLENDU, BETTY M (Current); BL		wrAdjudicationClaim
67	14363		Decreed	5/27/1910		50.6	LOST CREEK	IRRIGATION FROM STORAGE, IRRI(	JENSON, MARLISE (Current)		wrAdjudicationClaim

Basin	Sequenc	Suffix	Basis	Priority Da	Rate(c	Volum	Source	Water Use(s)	Owner(s)	Source Table
67	81	AH	Decreed	5/27/1910		7	LOST VALLEY RESERVOIR	IRRIGATION	BACON VALLEY RANCHES	wrAdjudicationClaim
67	81	D	Decreed	5/27/1910		10	LOST CREEK , LOST VALLEY R	IRRIGATION FROM S	MERK, LADELL (Current); M	wrAdjudicationClaim
67	81	J	Decreed	5/27/1910		150	LOST VALLEY CREEK	IRRIGATION FROM S	HILL, ERNESTINE (Current	wrAdjudicationClaim
67	81	L	Decreed	5/27/1910		60	LOST VALLEY RESERVOIR	IRRIGATION FROM S	LEGG, ALVIN Y (Current); L	wrAdjudicationClaim
67	82	A	Decreed	5/27/1910		18	LOST CREEK , LOST VALLEY R	IRRIGATION FROM S	JORDAN, CYNTHIA A (Curr	wrAdjudicationClaim
67	82	D	Decreed	5/27/1910		20	LOST VALLEY RESERVOIR	IRRIGATION FROM S	NICHOLS, MAXINE J (Curre	wrAdjudicationClaim
67	82	E	Decreed	5/27/1910		15	LOST VALLEY CREEK	IRRIGATION FROM S	HARVEY, DONALD E (Curr	wrAdjudicationClaim
67	83	AA	Decreed	5/27/1910		30	LOST VALLEY RESERVOIR	IRRIGATION FROM S	ELSBERRY, JOHN E (Curre	wrAdjudicationClaim
67	83	E	Decreed	5/27/1910		5	LOST CREEK , LOST VALLEY R	IRRIGATION FROM S	MC ALVAIN, SERENA (Curr	wrAdjudicationClaim
67	11798		Beneficial U	1883-06-0'	0.02		LOST VALLEY RESERVOIR	STOCKWATER	UNITED STATES OF AMEF	wrAdjudicationClaim
67	14284		Decreed	5/27/1910		174.5	LOST VALLEY RESERVOIR	IRRIGATION	WILDERNESS WEST LLC (	wrAdjudicationClaim
67	14285		Decreed	5/27/1910		8.5	LOST VALLEY RESERVOIR	IRRIGATION	SCHULTZ, LONNIE L (Curr	wrAdjudicationClaim
67	83	A		5/27/1910		257	LOST VALLEY RESERVOIR	IRRIGATION FROM STORAGE, IRRIGATION ST		xrToAdjClaimList

Notes by D. Tuthill 3/25/05

Lost Valley Reservoir

Per Margaret Merk 6/22/1989

Class A stock 6950 shares
" B " 1798 "
" C " 834 shares
9582 shares

Per letter to stockholders Jan 1, 1938:
Survey by Paul Berg in 1936 showed a capacity of 9288 AF

Per Margaret Merk in a letter dated June 26, 1989, the reservoir contains 10,500 AF with 6" boards in the spillway

Per margaret Merk in a letter dated 6/14/1990

Class A 6950 shares
" B 1798 "
" C 1252 "
10,000 shares

Per Muir v allison decree

5/27/1910 6250 - ~~Do~~ Orchards Water Co
360 - A. L. Freehafer
40 - Freehafer & Pike
300 - J. A. Carr
6950 AF - Lost Valley Res Co

Joe Jordan 229-0122

Lostvalley

Chairman - Cambridge - Dale Barto 257-3466

Dan Shumway - Dan Tender

Amy Shumway - Secy

Margaret Merle - Past Secy

rchards Water -
% Emma Ball -

Per Phone Conversation w/ Margaret Mark 06/19&20/89

A - ~~6938~~ ~~6940~~ 6950 includes Freehafer Carr & Pike

shares B - ~~1788~~ 1798 -

C - ~~836~~ 834

~~9562~~ present minutes
9582

Minutes of Co.

1938 9584 - AF raised dam to accomodat
short 296 AF

Original Certificate issued by orchards water co.

1925 6250 share A stock

Questions

67-00081 for 6250 AF
total shares in Co. 9562
@ 1af/share
total af to be 3312
claimed as benef. use

Shares in co. are "A" & "B"

~~How~~

What differentiates "A" & "B". "C"
If "A" is for early priority & "B" is second priority - How many "A" shares ____
How many "B" shares ____

"A" shares can be claimed against 67-00081
"B" shares can be claimed as benefic. use with P.D. 06/27/1945 - date of (day after) cancellation of Permit #675 for no beneficial use.

67-00080 - ,00 cfs

1971 - request for extension of time to avoid
↓ Forfeiture approved
1975 2nd request denied
↓ → forfeited ?
1977 received & approved transfer # 2076 for 2.97 cfs.

67-00081 6250 AF

transfers -
67-00081 A, B, C, D, E, F, G, H

Permit # 675 - 6200 AF

~~Applic 02-16-1990~~
[redacted]
02/16/1990 - Applic for Permit
05/05/1995 - letter from Dept holding Applic for cancellation - no proof of benef.
June 26, 1995 - order of cancellation

8/20/90 JS & RDH

NOTES from REVIEW

5-27-10 6,920 AF under 0081 & 0071
0082
0083 A Shares

B/U 1,798 AF - B/U st.
6-20-1925 ~~or 1926~~ B Shares

10-22-1929 - 834 C shares
B/U

TOTAL - 9,582 af

4/1938 - 9,288 of raised to 9,584 to cover shares already sold ~~or~~ but not enough storage.
D STOCK? 296 AF.

~~00080~~ ~~for~~ ~~[illegible]~~ 8/20/90

~~[illegible]~~ /

* 00080 cfs for Lost Valley cfs

2053 was supperceeded by decree from all info we have read today

* needs to be filed on by lost valley res. from Weiser river (cfs)

App. for Permit -

9,582 shares sold

10,000 af cap.

418 af to apply for.

Lost Valley
Info. from
license
microfiche

Permit No 6503 . Proof of Application of Water to Beneficial Use .

State of Idaho
ss
County of Adams .

Comes now A Flournoy Galloway , of Weiser , Idaho , and on oath deposes and says;

1. That the Orchards Water Company and its successors in interest have proved beneficial use to the water of the Middle Fork of the Weiser River to the amount of 70 second feet ; → 00080

2. That certificate of completion of works has been issued , under Permit No 6503 , to the Orchards Water Company , for 14,000 acre feet of storage in the Lost Valley Reservoir ;

3. That the Orchards Water Company and its successors in interest have a contract calling for storage in Lost Valley Reservoir to the amount of 2 acre feet for each acre of land in the Mesay Orchards ; 00082 00013

4. That A L Freehafer and J A Carr and their successors in interest have 700 acre feet of Lost Valley Reservoir storage, evidenced by deeds and District Court decree ;

5. That the decree of the Seventh Judicial District Court , State of Idaho , in the case of Muir vs Allison , adjudicated 6250 acre feet of Lost Valley Reservoir storage to the Orchards Water Company and 700 acre feet of Lost Valley Reservoir storage to Freehafer and Carr ; = 00081

6. That R H Wiltsie and his successors in interest are the owners, by Sheriff's deed , of all rights under Permit No 6503 , other than those above specified ; → 67-02053

7. That Section 5560 of the Compiled Statutes of the State of Idaho authorize the substitute use of water ;

8. That the Lost Valley Reservoir has been filled to capacity during the years 1920 and 1921 , and that the entire storage has been used during the year 1920 , in the irrigation season , on lands lying in the Weiser River drainage , and is being thus used in this irrigation season of 1921 .

9. That the said A Flournoy Galloway is the authorized agent of the said R H Wiltsie and as such makes this deposition and prays that the Department of Reclamation of the State of Idaho may approve the storage of water in Lost Valley Reservoir in the following amounts ;

Orchards Water Company and its successors in interest, storage capacity to the amount of 6250 acre feet :

Freehafer and Carr and their successors in interest, storage capacity to the amount of 700 acre feet :

R H Wiltsie and his successors in interest , the remaining storage capacity , which is 7050 acre feet as shown by Permit No 6503 .

BASED ON 14,000 AF
9610 AF PRESENTLY

A. Flournoy Galloway

Subscribed and sworn to before me this 23rd day of August , at Council , Idaho .

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

6503

9610
- 6250
- 700
2140 AF

PERMIT NO. 6503

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. C. K. Macey. Age 58, Residence, Boise, Occupation, State Sanitary Inspector. P. O. Address, State House, Boise, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Orchards Water Company principal place of business Boise, Idaho I am Vice-President and as such authorized to act for the company.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. 6503, Date May 27, 1910; date of priority May 27, 1910

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Lost Creek, a tributary of Weiser River. Point of diversion in NW¼ Sec. 28, T. 19 N. R. 1 W., N. 72° 45' E. 1905' from NW cor. of said Section 28.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conveyed to such place of use.

Ans. See sheet No. 1 attached.

Ques. 6. State for what purpost water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivate or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Water is used for Irrigation. For places of use see attached plat.

Ques. 7. If for other than for irrigation purposes, state how applied, amount of horse power developed, etc.

Ans. It is used for no other purpose than irrigation.

Ques. 8. What is the minimum amount of water required for the specified above?

Ans. Two acre feet for the Council Mesa [illegible] total of 350 acre feet for the remainder [illegible]

Ques 9. If you are not the person or representative of the corporation to whom above [illegible] was originally issued, please state how ownership was acquired by present holder.

Ans. By transfer from the Weiser Valley [illegible] Water [illegible] original permit holder.

Ques. 10. State when, how, in what amount and to what extent the water diverted under aforesaid licensed permit has been used.

Ans. Reference No. 2 attached.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and right claimed thereunder.

Ans. The natural flow of the streams hereinbefore mentioned has been used on all of the said described lands, each season, to the extent of 5/8 inch per acre, under said Permit No. 5870 and under said decree described in answer to Question 10.

(Sig.)

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me at my office in Council County of Adams State of Idaho, on this 27th day of August A. D. 19

JAMES A. STINSON
NOTARY PUBLIC
STATE OF IDAHO

My commission expires June 30, 1922

RECEIVED
AUG
DEPARTMENT

No. 1.

Works of Diversion:

1. Middle Fork Flume, taking water out of the Middle Fork of the Weiser River and conveying it to what is known as the Council Mesa Orchards lands and other lands on the Council Mesa surrounding the orchards. Capacity of Middle Fork flume, 70 second feet. This water is used throughsubstitution under Permit 6503 in connection with Permit 5270, which latter permit authorizes the diversion of the waters of the Middle Fork of the Weiser River, provided it is substituted out of the Lost Valley Reservoir under Permit 6503.

2. East Fork Ditch, taking water out of the East Fork of the Weiser River and conveying it to lands in Townships 16 and 17 North, Range 1 West, in the Council Valley. Capacity of East Fork Ditch 800 inches, as shown by official records. This water is used out of the East Fork Ditch on those certain lands described in Permit 6503, and the waters of Lost Valley Reservoir are substituted to prior rights in place of the East Fork Ditch water.

3 - Robertson-Seavy Ditch, taking water out of the Weiser River and conveying it to lands in Townships 16 and 17 North, Range 1 West, in the Council Valley. Capacity of Robertson-Seavy Ditch 500 inches. This water is used out of the Robertson-Seavy Ditch on those certain lands described in Permit 6503, and the waters of Lost Valley Reservoir are substituted to prior rights in place of the Robertson-Seavy Ditch water.

4. Farmers' Canal, taking water out of the Weiser River and conveying it to lands in Townships 16 and 17, North, Range 1 West, in the Council Valley. Capacity of Farmers' Canal, 700 inches. This water is used out of the Farmers' Canal on those certain lands described in Permit 6503 and the waters of Lost Valley Reservoir are substituted to prior rights in place of the Farmers' Canal water.

5. Glenn Ditch, taking water out of the West Fork of the Weiser River and conveying it to lands in Townships 16 and 17 North, Range 1 West, in the Council Valley. Capacity of Glenn Ditch 150 inches.

6. Hahn Ditch, taking water out of the Weiser River and conveying it to lands in Townships 16 and 17 North, Range 1 West, in the Council Valley. Capacity of the Hahn Ditch, 3.25 inches.

6503

No. 2.

Question 10: The water for 1800 acres of the Council Mesa lands was used in 1911 and each subsequent year, and on the balance of the Council Mesa lands in 1918 and each subsequent year.

It was used through substitution for the waters of the Middle Fork of the Weiser River, to the amount of two acre feet per acre during the period from July 15th to October 1st of each year, in connection with Permit No. 5270.

One Hundred Sixty acre feet of said water was used in the year 1919 and each and every year thereafter on the following of said lands, to-wit,- S½NW¼ and Lots 3 and 4 of Section 1, Tp 16 N R 1 W., B M, except five acres thereof; and the S½S½SE¼SE¼ and S½S½SW¼SE¼ Sec 11; and the North 15 acres of the NE¼NW¼ and the North 25 acres of the NW¼NE¼ and the North 30 acres of the SE¼SE¼ Sec. 14, all in Township 16 N R 1 W., B M; and the S½SW¼ Sec 36, Township 17, N R 1 W., B M, the same being used through substitution of the waters of the East Fork of the Weiser River, and from and during the period from July 15th to October 1st of each of said years, the same being used in connection with water decreed to said lands under decree of the District Court of the Seventh Judicial District of the State of Idaho in and for the County of Washington, entered under date May 9th, 1918 and as affirmed by the Supreme Court of the State of Idaho under decree entered under date June 20th, 1921.

The remaining of said acre feet of water, to-wit, 790 feet thereof, were used in the year 1920 on that portion of said lands described in said permit and not hereinbefore described in this answer ten, as follows, 30 acre feet thereof through substitution of of the waters of the waters of the West Fork of the Weiser River and 760 thereof through substitution for the waters of the Weiser River, between the 15th day of July, and the 1st day of October of that year, the same being used in connection with water decreed to said lands under decree of the District Court of the Seventh Judicial District of the State of Idaho in and for the County of Washington, entered under date May 9th, 1918 and as confirmed by the Supreme Court of the State of Idaho under decree entered under date June 20th, 1921

And that all of said water hereinbefore mentioned in this answer to question ten, has been and is being so used through such substitution from said respective rivers and for the respective waters thereof on said lands during the year 1921, such use by substitution being commenced on or about August 1st, 1921.

DRAFT IDEA.
LICENSE SHOULD HAVE BEEN FOR 790 AF (B SHARES) ?
THEN, WHEN DAM RAISED IN 1929, ANOTHER 1870 AF (C SHARES) ?
ADDED (MAYBE) TO TOTAL 2660 AF + DECREED RTS OF 00081, 82 + 83 FOR 6,950 AF = 9610 AF - PRESENT CAPACITY.

6503

Form 28

REPORT OF ENGINEER

This proof is for Beneficial Use In Water District No. 41-C

1. State name of applicant and number of permit: Orchards Water Co. - 6503
2. State source of water supply: Lost Creek (Lost Valley Reservoir)
3. Location of point of diversion: NW¼ Sec. 28, 19N-1W

4. Describe works as they exist, giving dimensions and capacities of same:
Works not inspected

5. State whether or not water has been turned into works of diversion: Yes

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):
Grand total irrigated acreage = 2872.5 as per itemized list attached

LICENSE ISSUED AT 1" PER ACRE FOR 2872.5 ACRES OR 57.451 CFS

7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system?
9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach? Snake River
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Remarks: This inspection consisted in checking and examining irrigated areas upon which storage water was applied during the season of 1921.

This examination was made on the 31st 1st days of Aug & Sept respectively 1921.

(Signed) Fred H. Colman Examiner.

6503

OVER

Trans #378

STATE OF IDAHO

License and Certificate of Water Right

Water License No. 6503 — Amount 57.451 sec. ft.

Water District No. 41-C — Priority 5-27-10.

THIS IS TO CERTIFY that Weiser Valley Land & Water Company of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 27, 1910; that Permit No. 6503 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 125 second feet, was issued thereunder on February 29, 1916, showing that said works were completed on the 3rd day of October, 1915; and that on the 23rd day of August, 1921, Orchards Water Company of Boise, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of a right to the use of the waters of Lost Creek, a tributary of West Fork of Weiser River, said water to be impounded in Lost Valley Reservoir having a reported capacity of 14,000 acre feet, which water is to be released in lieu of the normal flow of Middle Fork diverted in accordance with terms of Water License No. 5470, for the purpose of irrigation and domestic use, under Use Permit No. 6503 of the State Engineer, and that said Right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 2935, on the 10th day of May, 1922;

The right hereby confirmed dates from May 27, 1910;

The Point of Diversion from Lost Valley Reservoir is located N. 72° 45' E. 1905 feet from the Northwest Corner of SW¼ of Sec. 28 and is in the NW¼ of Section 28, Twp. 19 N., R. 1 W., B. M., County of Adams.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes and shall not exceed 57.451 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 N.	1 W.	9	NW¼ SW¼	40	28
			NE¼ SW¼	40	3
			SE¼ SW¼	40	2
			SW¼ SW¼	40	17
		15	SE¼ NE¼	40	40
			SW¼ NE¼	40	40
			SW¼ NW¼	40	20
			S½	320	320
		16	SE¼ NW¼	40	5
			SE¼	160	160
			NE¼ SW¼	40	33

67 2053

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 N.	R. 1 W.	16	NW¼ SW¼	40	14
			S½ SW¼	80	80
		17	SE¼ SE¼	40	20
			SW¼ SE¼	40	20
		20	SE¼ NE¼	40	13
			SW¼ NE¼	40	11
			SE¼ NW¼	40	16
		21	N½	320	320
			N½ SE¼	80	80
			NE¼ SW¼	40	40
		22	All	640	640
		14	NE¼ SW¼	40	7
			SE¼ SW¼	40	18
16 N.	1 W.	1	NE¼ NW¼	40	35
			NW¼ NW¼	40	35
			SE¼ NW¼	40	10
			SW¼ NW¼	40	20
		11	SE¼ SE¼	40	12
			SW¼ SE¼	40	10
		14	NW¼ NE¼	40	20
			NE¼ NW¼	40	15
17 N.	1 W.	15	NW¼ NW¼	40	30
		22	NE¼ SE¼	40	40
			SE¼ SE¼	40	30
			NW¼ SE¼	40	5
			SW¼ SE¼	40	34
			SE¼ SW¼	40	18
		23	SE¼ NW¼	40	39
			SW¼ NW¼	40	40
			NW¼ SE¼	40	15
			SW¼ SE¼	40	18
			NE¼ SW¼	40	10
			SE¼ SW¼	40	17
			SW¼ SW¼	40	4.5
		27	NE¼ NE¼	40	30
			NE¼ NW¼	40	15
			SE¼ NW¼	40	15
			SE¼ SE¼	40	10
			SW¼ SE¼	40	40
			NE¼ SW¼	40	27
			SE¼ SW¼	40	15
			SW¼ NW¼	40	2
			NW¼ SW¼	40	25
			SW¼ SW¼	40	15
		28	SE¼ SE¼	40	10
		34	NW¼ NE¼	40	25
			NE¼ NW¼	40	30
			SE¼ NW¼	40	40
			SW¼ NW¼	40	25
			NW¼ SW¼	40	30
			SW¼ SW¼	40	30
		36	S½ SW¼	80	80
			Total		2872.5

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 10th day of May, 1922.

(SEAL)

W. G. Swendsen,
Commissioner of Reclamation.

Township 15 North, Range 1 West

(Orchards Company)

Sec. 9	NW¼ SW¼	28 acres
	NE¼ SW¼	3
	SE¼ SW¼	2
	SW¼ SW¼	17
Sec. 15	SE¼ NE¼	40
	SW¼ NE¼	40
	SW¼ NW¼	20
	S½	320
Sec. 16	SE¼ NW¼	5
	SE¼	160
	NE¼ SW¼	36
	NW¼ SW¼	14
	S½ SW¼	80
Sec. 17	SE¼ SE¼	20
	SW¼ SE¼	20
Sec. 20	SE¼ NE¼	13
	SW¼ NE¼	11
	SE¼ NW¼	16
Sec. 21	N½	320
	N½ SE¼	80
	NE¼ SW¼	40
Sec. 22	All	640
	Total (Orchards Co.)	1925
Sec. 14	NE¼ SW¼	7
	SE¼ SW¼	18

Township 16 North, Range 1 West

Sec. 1	NE¼ NW¼	35
	NW¼ NW¼	35
	SE¼ NW¼	10
	SW¼ NW¼	20
Sec. 11	SE¼ SE¼	12
	SW¼ SE¼	10
Sec. 14	NW¼ NE¼	20
	NE¼ NW¼	15

Township 17 North, Range 1 West

Sec. 15	NW¼ NW¼	30
Sec. 22	NE¼ SE¼	40
	SE¼ SE¼	30
	NW¼ SE¼	5
	SW¼ SE¼	34
	SE¼ SW¼	18

6503

Township 17 North, Range 1 West (cont)

Sec. 23	SE¼ NW¼	39	acres
	SW¼ NW¼	40	
	NW¼ SE¼	15	
	SW¼ SE¼	18	
	NE¼ SW¼	10	
	SE¼ SW¼	17	
	SW¼ SW¼	4.5	
Sec. 27	NE¼ NE¼	30	
	NE¼ NW¼	15	
	SE¼ NW¼	15	
	SE¼ SE¼	10	
	SW¼ SE¼	40	
	NE¼ SW¼	27	
	SE¼ SW¼	16	
	SW¼ NW¼	2	
	NW¼ SW¼	25	
	SW¼ SW¼	15	
Sec. 28	SE¼ SE¼	10	
Sec. 34	NW¼ NE¼	25	
	NE¼ NW¼	30	
	SE¼ NW¼	40	
	SW¼ NW¼	25	
	NW¼ SW¼	30	
	SW¼ SW¼	30	
Sec. 36	S½ SW¼	80	947
	Grand Total		28

INTER-DEPARTMENT MEMO

TO: Steve

FROM: Jan

SUBJECT: 67-02053

DATE: 10-12-93

Here is a copy of the memo Eldon wrote that tells why we (I agreed with him) felt that 67-02053 shouldn't have been listed as superceded. Usually, the licenses that were superceded were ones issued prior to the decree being completed & signed by the Judge. Also, another right was supposed to have been found - 67-00081 etc. were what Moore based the superceding on. Since the license wasn't completed until later & transfers filed & approved after the decree it seems like Mike thought it was good?

( ) For your information

( ) Response required

signature

ABSTRACT OF

LOST VALLEY RESERVOIR CO.

by
Eldon L. Roush
Senior Water Resource Agent
Western Region

SHARES (CERTIFICATES) WITHIN LOST VALLEY RESERVOIR CO. ARE ISSUED TO USERS IN THE FOLLOWING MANNER:

* 1 SHARE EQUALS 1 ACRE FOOT OF STORAGE
* SHARES ARE DIVIDED INTO 3 CLASSES:
  - "A"= FIRST PRIORITY
  - "B"= SECOND PRIORITY
  - "C"= THIRD PRIORITY
* SHARES ARE ISSUED BY CERTIFICATES AND EACH CERTIFICATE:
  - LISTS CERTIFICATE NUMBER
  - LISTS CLASS OF STORED WATER
  - LISTS AMOUNT OF SHARES (ACRE FEET)
* ONCE A SHARE HOLDER SELLS ALL OR PART OF THE SHARE, OR WHEN THERE IS A SUCCESSOR IN INTEREST, THE ORIGINAL CERTIFICATE IS RECALLED AND A NEW CERTIFICATE OR CERTIFICATES WITH NEW CERTIFICATE NUMBER(S) ARE ISSUED TO THE CURRENT SHARE HOLDER(S).
  - **note** Reissued certificates are not necessarily appurtenant to the same place of use as originally issued.

LOST VALLEY RESERVOIR STORAGE IS COVERED BY THE FOLLOWING WATER RIGHTS:

DECREES

	WRS	
67-00071	40 AF	6950 AF
67-00081	6250 AF	
67-00082	360 AF	
67-00083	300 AF	

LICENSE

67-02053 57.451 cfs

NOTE DECREE NUMBERS 67-00071, 67-00082, AND 67-00083 WERE GROUPED TOGETHER BY THE LOST VALLEY RESERVOIR CO. AND CERTIFICATES ISSUED TO 27 SHARE HOLDERS. SINCE THE PLACES OF USE OF THESE SHARE HOLDERS MAY NOT BE THE PLACE OF USE LISTED IN THE DECREES, THESE DECREES HAVE BEEN COMBINED FOR THE SAKE OF FACILITATING THE SRBA CLAIMS TAKING FOR THE INDIVIDUAL SHARE HOLDERS. CLAIM SPLITS HAVE ALREADY BEEN GENERATED AND THE NUMBERS FOR EACH OF THE CLAIMANTS CAN BE FOUND IN THE ATTACHED LISTING AND IN THE WATER RIGHT NUMBERS IN THE HOST TEMPORARY.

NOTE LICENSE NUMBER 67-02053 HAS BEEN LISTED IN THE WATER RIGHTS DATA BASE AS BEING SUPERCEEDED BY DECREE 67-00081. THIS IS

PROBABLY IN ERROR FOR THE FOLLOWING REASONS:

*MUIR -VS- ALLISON DECREE OF MAY 09, 1918 WAS APPEALED TO THE STATE SUPREME COURT.

*THE STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE LOWER COURT THE MAY 09, 1918 DECREE.

*THE LOWER COURT REISSUED THE MUIR -VS- ALLISON DECREE JUNE 20, 1921.

*LICENSE 67-02053 WAS ISSUED MAY 10, 1922 AND TRANSFER # 378 APPROVED JUNE 23, 1926.

A67-02053 HAS BEEN GENERATED AND IS IN THE HOST TEMPORARY AND IS AVAILABLE FOR SPLITS. (SEE ATTACHED INDEX)

DECREES 67-00071, 67-00081, 67-00082, AND 67-00083 COVERS THE CLASS "A" SHARES.

LICENSE 67-02053 COVERS CLASS "B" AND "C" SHARES.

Jan 2

ABSTRACT OF

LOST VALLEY RESERVOIR CO.

by
Eldon L. Roush
Senior Water Resource Agent
Western Region

SHARES (CERTIFICATES) WITHIN LOST VALLEY RESERVOIR CO. ARE ISSUED TO USERS IN THE FOLLOWING MANNER:

* 1 SHARE EQUALS 1 ACRE FOOT OF STORAGE
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  - LISTS CERTIFICATE NUMBER
  - LISTS CLASS OF STORED WATER
  - LISTS AMOUNT OF SHARES (ACRE FEET)
* ONCE A SHARE HOLDER SELLS ALL OR PART OF THE SHARE, OR WHEN THERE IS A SUCCESSOR IN INTEREST, THE ORIGINAL CERTIFICATE IS RECALLED AND A NEW CERTIFICATE OR CERTIFICATES WITH NEW CERTIFICATE NUMBER(S) ARE ISSUED TO THE CURRENT SHARE HOLDER(S).
  - **note** Reissued certificates are not necessarily appurtenant to the same place of use as originally issued.

LOST VALLEY RESERVOIR STORAGE IS COVERED BY THE FOLLOWING WATER RIGHTS:

DECREES

67-00071
67-00081
67-00082
67-00083

LICENSE

67-02053

NOTE DECREE NUMBERS 67-00071, 67-00082, AND 67-00083 WERE GROUPED TOGETHER BY THE LOST VALLEY RESERVOIR CO. AND CERTIFICATES ISSUED TO 27 SHARE HOLDERS. SINCE THE PLACES OF USE OF THESE SHARE HOLDERS MAY NOT BE THE PLACE OF USE LISTED IN THE DECREES, THESE DECREES HAVE BEEN COMBINED FOR THE SAKE OF FACILITATING THE SRBA CLAIMS TAKING FOR THE INDIVIDUAL SHARE HOLDERS. CLAIM SPLITS HAVE ALREADY BEEN GENERATED AND THE NUMBERS FOR EACH OF THE CLAIMANTS CAN BE FOUND IN THE ATTACHED LISTING AND IN THE WATER RIGHT NUMBERS IN THE HOST TEMPORARY.

NOTE LICENSE NUMBER 67-02053 HAS BEEN LISTED IN THE WATER RIGHTS DATA BASE AS BEING SUPERCEEDED BY DECREE 67-00081. THIS IS

PROBABLY IN ERROR FOR THE FOLLOWING REASONS:

*MUIR -VS- ALLISON DECREE OF MAY 09, 1918 WAS APPEALED TO THE STATE SUPREME COURT.

*THE STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE LOWER COURT THE MAY 09, 1918 DECREE.

*THE LOWER COURT REISSUED THE MUIR -VS- ALLISON DECREE JUNE 20, 1921.

*LICENSE 67-02053 WAS ISSUED MAY 10, 1922 AND TRANSFER # 378 APPROVED JUNE 23, 1926.

A67-02053 HAS BEEN GENERATED AND IS IN THE HOST TEMPORARY AND IS AVAILABLE FOR SPLITS. (SEE ATTACHED INDEX)

DECREES 67-00071, 67-00081, 67-00082, AND 67-00083 COVERS THE CLASS "A" SHARES.

LICENSE 67-02053 COVERS CLASS "B" AND "C" SHARES.

14. Remarks:

THIS WATER RIGHT HAS BEEN LISTED IN THE WATER RIGHTS BASE AS BEING SUPERCEEDED BY DECREE 67-00081. THIS APPEARS TO BE IN ERROR
APPLICATION FOR PERMIT 6503 (67-02053) DATED MAY 27,1910.
CERTIFICATE OF COMPLETION OF WORKS ISSUED 02/29/1916.
MUIR -VS- ALLISON DECREE OF MAY 09,1918 WHICH INCLUDED 6250 AF STORAGE IN LOST VALLEY RESERVOIR TO ORCHARDS WATER CO., APPEALED TO IDAHO STATE SUPREME COURT.
STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE LOWER COURT THE MAY 09, 1918 DECREE; DATED 06/22/1920.
LOWER COURT ISSUES MUIR -VS- ALLISON DECREE DATED JUNE 20, 1921.
ORCHARD WATER CO. MADE SATISFACTORY PROOF OF BENEFICIAL USE TO DEPT. OF RECLAMATION ON AUGUST 23, 1921.
LICENSE 6503 (67-02053) ISSUED ON MAY 10, 1922.
TRANSFER # 378 FOR 5270 (67-02039) AND 6503 (67-02053) SIGNED AND SEALED JUNE 23, 1926. ELR

****

THIS CLAIM IS A SPLIT OF 67-02053.

15. Basis of Claim: LICENSE

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: **A67-02053**
Date Received: 7/05/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

2. Date of Priority: MAY 27, 1910

3. Source: LOST CREEK Trib. to: WEISER RIVER, WEST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
19N	01W	28	SE NW		ADAMS

5. Description of diverting works:
DAM IN CREEK TO CREEK TO DITCHS AND PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
IRRIGATION	04/15	10/15	57.450	
IRRIGATION STORAGE	01/01	12/31		10000.00
IRRIGATION FROM STORAGE	04/15	10/15		10000.00

7. Total Quantity Appropriated is:
57.450 C.F.S. (and/or) 10000.00 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	Lot	Use	Acres

11. Place of use in counties:

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

13. Other Water Rights Used:
67-00071, 67-00081, 67-00082, 67-00083

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
16N	01W	14	NE	NW		IRR	15.0
			SW	SE		IRR	10.0
						Section Acres	50.0
						Total Acres	80.0

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:

14. Remarks:
SOURCE REFERED TO AS LOST CK. STORAGE.
****
THIS IS A SPLIT OF 67-00083.
67-00071, 67-00082, AND 67-00083 HAVE BEEN COMBINED IN THE SRBA IN ORDER TO FACILITATE CLAIMS TAKING OF THE INDIVIDUAL SHARE HOLDERS WITHIN LOST VALLEY RESERVOIR CO..
THE FOLLOWING ARE THE SHARE HOLDERS WITH THEIR APPROPRIATE SPLITS OF 67-00083.

A67-00083A	CAPPS, A. V.	043 ACRE FEET		CERT. # 79
	CAPPS, A. V.	10 ACRE FEET		CERT. # 76
	CAPPS, A. V.	19 ACRE FEET		CERT. # 76
	CAPPS, A. V.	30 ACRE FEET		CERT. # 75
	TOTAL	102 ACRE FEET		
A67-00083B	GOULD, CLARENCE	100 ACRE FEET		CERT. # NONE
A67-00083C	IVY, KENNETH	5 ACRE FEET		CERT. # 71
A67-00083D	KALMBACK, GARY	3 ACRE FEET		CERT. # 72
A67-00083E	RAFFETTY, DICK	5 ACRE FEET		CERT. # 74
A67-00083F	SHUMWAY, STEVE	50 ACRE FEET		CERT. # 97
A67-00083G	LAWRENCE, PAUL	10 ACRE FEET		CERT. # NONE
	LAWRENCE, PAUL	10 ACRE FEET		CERT. # NONE
	TOTAL	20 ACRE FEET		
A67-00083H	LOST VALLEY RES. CO.	10 ACRE FEET		CERT. # NONE
	TOTAL ALL SPLITS	300 ACRE FEET		

IT IS PROBABLE THAT THESE CLAIMS REPRESENT TRANSFERS OF THE POINT OF DIVERSION AND/OR THE PLACE OF USE LISTED IN DECREE 67-00083 TO THOSE LISTED IN THE SRBA SPLIT CLAIMS. ELR **********

15. Basis of Claim: DECREED
Case Number:
Court :

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: A67-00083
Date Received: 7/03/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. A. CARR *****SPLIT CLAIM*****
   Address: *****SEE REMARKS*****
   X, ID 0

2. Date of Priority: MAY 27, 1910

3. Source: LOST VALLEY RESERVOIR Trib. to: LOST CREEK

4. Point of Diversion:

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

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE					300.00
IRRIGATION FROM STORAGE					300.00

7. Total Quantity Appropriated is:
   C.F.S. (and/or) 300.00 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	Lot	Use	Acres
16N	01W	11	SE SE		IRR	30.0
				Section Acres		30.0
		14	NW NE		IRR	25.0

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:

14. Remarks:
SOURCE REFERED TO AS LOST CK. STORAGE.
****
THIS IS A SPLIT OF 67-00082.
67-00071, 67-00082, AND 67-00083 HAVE BEEN COMBINED IN THE SRBA IN ORDER TO FACILITATE CLAIMS TAKING OF THE INDIVIDUAL SHARE HOLDERS WITHIN LOST VALLEY RESERVOIR CO..
THE FOLLOWING ARE THE SHAREHOLDERS WITH THEIR APPROPRIATE SPLITS OF 67-00082:

A67-00082A	JORDAN, JOE	006 ACRE FEET	CERT.#	86
	JORDAN, JOE	10		86
	JORDAN, JOE	2		86
	TOTAL	18 ACRE FEET		
A67-00082B	HENDERSON, REED	40 ACRE FEET	CERT.#	37
	HENDERSON, REED	50		NONE
	TOTAL	90 ACRE FEET		
A67-00082C	JACOBS, BARR	200 ACRE FEET	CERT. #	92
A67-00082D	RYALLS, MELVIN	20 ACRE FEET	CERT. #	27
A67-00082E	HARVEY, LILLIAN	15 ACRE FEET	CERT. #	24
A67-00082F	HULIN, SYLVIA	4 ACRE FEET	CERT. #	80
A67-00082G	MENICHETTI, SYLVIA	3 ACRE FEET	CERT. #	80
	Note The above two claimants may combine their claim if agreeable to both parties.			
A67-00082H	MINK, T. C.	10 ACRE FEET	CERT. #	NONE
	TOTAL ALL CLAIMS	360 ACRE FEET		

IT IS PROBABLE THAT THESE CLAIMS REPRESENT TRANSFERS OF THE POINT OF DIVERSION AND/OR THE PLACE OF USE LISTED IN DECREE 67-00082 TO THOSE LISTED IN THE SRBA SPLIT CLAIMS. ELR **********

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

JOHN T. MUIR
Decree Plaintiff

vs

WILLIAM ALLISON
Decree Defendant

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: A67-00082
Date Received: 7/03/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: A. L. FREEHAFER *****SPLIT CLAIM*****
   Address: *****SEE REMARKS*****
   X, ID 0

2. Date of Priority: MAY 27, 1910

3. Source: LOST VALLEY RESERVOIR Trib. to: LOST CREEK

4. Point of Diversion:

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

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE					360.00
IRRIGATION FROM STORAGE					360.00

7. Total Quantity Appropriated is:
   C.F.S. (and/or) 360.00 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	Lot	Use	Acres
17N	01W	23	NW SW		IRR	
			SW SW		IRR	
			NW SE		IRR	
			SW SE		IRR	

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
17N	01W	23	NW	SW		IRR S	
			SW	SW		IRR S	
			NW	SE		IRR S	
			SW	SE		IRR S	

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:

14. Remarks:
THIS WATER CARRIED IN THE ROBERTSON-SEAVEY DITCH.
SOURCE FORMERLY KNOWN AS LOST CREEK RES.
****
THIS IS A SPLIT OF 67-00071.
67-00071, 67-00082, AND 67-00083 HAVE BEEN COMBINED IN THE SRBA IN ORDER TO FACILITATE CLAIMS TAKING OF THE INDIVIDUAL SHARE HOLDERS WITHIN LOST VALLEY RESERVOIR CO..
THE FOLLOWING ARE THE SHAREHOLDERS WITH THEIR APPROPRIATE SPLITS OF 67-00071.

A67-00071A MC ALVAIN, DOUG	35 ACRE FEET	CERT. # 67
		CERT. # 68
		CERT. # 73
A67-00071B GLEASON, DAVID	5 ACRE FEET	CERT. # 69
TOTAL ALL CLAIMS	40 ACRE FEET	

IT IS PROBABLE THAT THESE CLAIMS REPRESENT TRANSFERS OF THE POINT OF DIVERSION AND/OR THE PLACE OF USE LISTED IN DECREE 67-00071 TO THOSE LISTED IN THE SRBA SPLIT CLAIMS. ELR **********

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

JOHN T. MUIR
Decree Plaintiff

vs

WILLIAM ALLISON
Decree Defendant

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: A67-00071
Date Received: 7/03/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A. L. FREEHAFER *****SPLIT CLAIM*****
   Address: *****SEE REMARKS****
   X, ID 0

   Name: MARGARET E. PIKE
   Address:
   X, ID 0

2. Date of Priority: MAY 27, 1910

3. Source: LOST VALLEY RESERVOIR Trib. to: LOST CREEK

4. Point of Diversion:

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

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE					40.00
IRRIGATION FROM STORAGE					40.00

7. Total Quantity Appropriated is:
   C.F.S. (and/or) 40.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

Sept 12-89

Dear Eldan

Sorry I have a couple of more changes. People want to get their changes through before they file.

One isn't really a change; just in the name - to get an estate settled.

1- Vernon Ingebretsen (Cambridge Ida)
30 shares of B- stock Certy # 64
Is now Alice Ingebretsen Certy # 65

2- Dena Potter (Cambridge Ida)
5 shares of C-Class certy # 26
is now B & G- Logging Co. Inc. Certy # 77

Hope I don't have to do any more till all are filed

Best wishes
Margaret Mark

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SEP 12 1989
Department of Water Resources
Western Regional Office

RECEIVED
NOV 17 1989
Department of Water Resources
Western Regional Office

Fruitvale Ida-83620
Nov 16-1989

Water Dept-

Dear Eldon,

There has been a property change. Mr Doug Scism has bought some property from Mr A.V. Capps. In the A shares Certif # 79 for 43 A shares - now goes to Doug Scism the new certif # is 101 for 43 A shares.

In the B-shares Certif # 59 for 90 shares now goes to Doug Scism - the new certif # is 66 for 90-B-shares

Doug Scism now has
17.5 - B-shares Certif # 61
90 - B - shares Certif # 66
43 - A - shares - Certif # 101

A.V. Capps now has
29 - A - Shares - Certif # 76

Best Wishes
Margaret Merk

Ron

BASIN 67

DECREES AND JUDGEMENTS

BY

ELDON L. ROUSH
SENIOR WATER RESOURCE AGENT
WESTERN REGION

CORNETT-WOODS DITCH	67-E	I
CORRIELL-ANDERSON-LINDSAY-LINDER DITCH	67-A	I
COTTONWOOD CREEK	67-A	I,X,XIII
COTTONWOOD CREEK	67-O	I,II
COTTONWOOD CREEK, NORTH	67-O	II
COTTONWOOD CREEK, NORTH FORK	67-A	I,VIII,X
COW CREEK	67-A	I,X
COW CREEK	67-AX-2	I
COW CREEK	67-C	I
COW CREEK, EAST FORK	67-C	I
COX-MARTIN-DONART DITCH	67-A	I
CRANE CREEK	67-D	I,II,IV,V
CRANE CREEK RESERVOIR	67-D	I,II
CRONWALL, OTTO WEST SIDE DITCH	67-G	I
CROUTER-SMITH-MOREY DITCH	67-A	I
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DEER CREEK	67-AX-2	III
DITCH SPRING	67-O	I,II
DONART-MARTIN-COX DITCH	67-A	I
DRAPER DITCH	67-AX-2	II
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EAST FORK COW CREEK	67-C	I
EAST FORK DITCH	67-A	I,VIII,X
EAST FORK FALL CREEK	67-E	I
EAST FORK WEISER RIVER	67-A	I
EAST FORK WARM SPRING CREEK	67-B	I
EAST JENSEN CREEK	67-P	I
EVANS-WISEHART-SHINKLE DITCH	67-G	I
FALL CREEK	67-A	I,X
FALL CREEK	67-E	I
FALL CREEK, EAST FORK	67-E	I
FALL CREEK, MIDDLE FORK	67-A	X
FALL CREEK, WEST FORK	67-E	I
FARMERS CANAL	67-A	I,X
FORT HALL CREEK	67-A	I,X
FORT HALL CREEK	67-AX-2	I
FRANK HAHN DITCH	67-A	I,X
GIFFORD-SORENSON DITCH	67-A	I,VIII
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GILDEROY-SARETTA DITCH	67-G	I
GLADHART DITCH	67-A	I
GLENN MCHAHAN DITCH	67-A	I,X
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		67-JW	I
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HARRINGTON DITCH		67-AX-2	II
HIGGENBOTHAM DITCH		67-G	I
HILL-KING DITCH		67-A	I
HOPPER CREEK		67-F	I
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HORNET CREEK		67-AX-2	II
HUTCHINSON ANDREW DITCH		67-A	I
HUTCHINSON-BAILEY DITCH		67-A	I
INDIAN VALLEY GRAYS CREEK DITCH		67-A	I
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KEITHLY CREEK, BIG		67-A	I,X
KEITHLY CREEK, LITTLE		67-A	I,VI,X
KEITHLY CREEK, LITTLE		67-F	I
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MATHEWSON DITCH	67-G	I
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MCHAHAN, GLENN DITCH	67-A	I,X
MICKEY-WILDERSON DITCH	67-A	I
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MIDDLE FORK FALL CREEK	67-A	X
MIDDLE FORK WEISER RIVER ?	67-A	X
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NORTH FORK GRAYS CREEK	67-E	I
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OTTO CRONWALL WEST SIDE DITCH	67-G	I
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SCHWENKFELDER DITCH	67-A	I
SEAVY-ROBERTSON DITCH	67-A	I,X
SHAW DITCH	67-H	I,II
SHEARER DITCH	67-AX-2	II
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SHINKLE-WISEHART-EVANS DITCH	67-G	I
SMITH-CROUTER-MOREY DITCH	67-A	I
SMITH-JANES-MARTIN DITCH	67-A	I,X
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SOUTH SIDE DITCH	67-A	I
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DECREES AND JUDGEMENTS

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LOST VALLEY RESERVOIR CO.

ALPHABETICAL LIST OF SHAREHOLDERS
&
PARENT WATER RIGHT(S)

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
ANDERSON, RICHARD	50	A	81	67-00081
ANDERSON, RICHARD	50	B	60	67-02053
ADAMS, STEVE	2	A	78	67-00083 **USE** (E) SPLIT
BACON VALLEY	20	B	49,53	67-02053
BACON VALLEY OR CROSSLEY	190	A	60,84	67-00081
BALL, ESTATE OF	194	A	87	67-00081
~~BALL, PATRICK~~	56	A	~~88~~ #120	67-00081
BARRETT, LINDA	1	C	57	67-02053
BARTON RANCHES	200	A	90,91	67-00081
BOISE CASCADE CO.	50	A	16	67-00081
BOISE CASCADE CO.	33	B	31	67-02053
BRAUN, ROY OR ERTEL, PETER	100	A	48	67-00081
BRAUN, ROY OR ERTEL, PETER	30	C	33	67-02053
BUTTS, ART	100	A	94	67-00081
CAPPS, A.V.	~~102~~ 29	A	~~79~~,76,~~76~~,75	67-00083 **USE** (A) SPLIT
~~CAPPS, A.V.~~	~~90~~	~~B~~	~~59~~	~~67-02053~~
CHADWELL, MICHAEL	2	A	98	67-00081
CROSSLEY, FARRELL	**SEE** BACON VALLEY			
CROSSLEY, OR BACON VALLEY	**SEE** BACON VALLEY			
DILLON, PAULINE	15	A	49	67-00081

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
EAST FORK DITCH CO.	160	B	23	
	500	C	15	
TOTAL	660			67-02053
ERTEL, PETER OR BRAUN, ROY	**SEE** BRAUN, ROY			
FAIRCHILD, DEAN	100	A	57	
	100	A	100	
	200			67-00081
FISK, DICK	7	A	32	67-00081
FISK, DICK	10	B	54	
	10	C	49	
TOTAL	20			67-02053
FISK, DALE	3	A	31	67-00081
FRIEND, THELMA	2	C	41	67-02053
GALLANT, FRED	60	A	89	67-00081
GALLANT, GARY	15	C	51	67-02053
GLEASON, DAVID	5	A	69	67-00071 **USE** (B) SPLIT
GLENN, FRED & AMY	17.5	B	50	67-02053
GOULD, CLARENCE EST.	100	A	NONE	67-00083 **USE** (B) SPLIT
GOULD, CLARENCE EST.	100	B	45	
	12	C	46	
TOTAL	112			67-02053
GOVEDARE, PHILLIP	4	C	53	67-02053
GULIUZZA, CHRIS DIXON	3.5	C	62	67-02053
HAIGHT, CHARLES	12	C	8	67-02053
HARRINGTON, EVERETT	50	B	44	67-02053
HARVEY, LILLIAN	15	A	24	67-00082 **USE** (E) SPLIT
HAWKINS, NANCY	3	C	70	67-02053
HOHS, TIM	3	C	52	67-02053
HENDERSON, REED	90	A	37,NONE	67-00082 **USE** (B) SPLIT
HENDERSON, REED	100	B	56	
	60	C	50	
TOTAL	160			67-02053
HIGGINS, RICHARD	150	A	54	67-00081
HILL, LAMAR	150	A	56	67-00081
HINTON, JACQUE	3	C	69	67-02053
HORNING, MARJORIE	10	A	38	67-00081

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
HUG, JAMES	3	A	85	67-00083 **USE** (J) SPLIT
HUG, JAMES	2	B	62	67-02053
HULIN, SYLVIA	4	A	80	67-00082 **USE** (F) SPLIT
INGEBRETSEN, ~~VERNON~~ ALICE 4-2005	30	B	64/65 SEE ATTACHED FROM PAPA PUTT	67-02053
IVY, KENNETH	5	A	71	67-00083 **USE** (C) SPLIT
JACOBS, BARR	200	A	92	67-00082 **USE** (C) SPLIT
JAEGER, JERRY	300	A	45	67-00081
JORDAN, JOE	18	A	86,86,86	67-00082 **USE** (A) SPLIT
JORDAN, JOE	8	B	63	67-02053
JOYNER, HOMER	45	A	77	67-00081
JOYNER, HOMER	50	A	52	67-00081
KALMBACK, GARY	3	A	72	67-00083 **USE** (D) SPLIT
LACY, ART	200	A	95	67-00081
LAWRENCE, PAUL	20	A	NONE	67-00083 **USE** (G) SPLIT
LEE, LYNDA	20	A	50	67-00081
LEGER, VINCE	4	C	64	67-02053
LEGG, ALVIN	60	A	55	67-00081
LEGG FAMILY	65	A	51	67-00081
LOST VALLEY RES.	10	A	NONE	67-00083 **USE** (H) SPLIT
LOST VALLEY RES.	38	B	NONE	67-02053
MC ALVIN, DOUG	35	A	67,68,73	67-00071 **USE** (A) SPLIT
MC LAUGHLIN, GLENN	0.5	C	63	67-02053
MENICHETTI, SYLVIA	3	A	80	67-00082 **USE** (G) SPLIT
MERK, LADELL	10	A	36	67-00081
MERK, LADELL	20	C	37	67-02053
MIDDLE VALLEY DITCH	2000	A	7	67-00081
MIDDLE VALLEY DITCH	1000	B	16	67-02053
MINK, KENNETH	155	A	61	67-00081
MINK LAND & LIVESTOCK	220	A	42	67-00081
MINK, T. C.	10	A	NONE	67-00082 **USE** (H) SPLIT
MOYER, JOHN	5	C	55	67-02053
NEWMAN, LEON	3	C	72	67-02053

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
PEEBLES, LAMAR	3	C	36	67-02053
PICKETT, CEDRICK	4	C	38	67-02053
~~POTTER, INA~~ B & G LOGGING Co. INC.	5	C	~~26~~ 77	67-02053
RAFFETTY, DICK	5	A	74	67-00083 **USE** (E) SPLIT
RINGERING, GARY	5	C	73	67-02053
RYALLS, MELVIN	20	A	20	67-00082 **USE** (D) SPLIT
SCHNELL, ALVIN	100	A	47	67-00081
SCHWARTZ, ANTHONY	100	B	47	67-02053
SCISM, DOUG	17.5	B	61	67-02053
" "	43	A	79	67-00083
SHUMWAY, STEVE	50	A	97	67-00083 **USE** (F) SPLIT
SHUMWAY, STEVE	98	A	97	67-00081
SHUMWAY, STEVE	100	C	75	67-02053
SMITH, HARRY	1	C	76	67-02053
SUTTON, WAYNE	900	A	99	67-00081
TURNBULL, ROBERT	140	A	58	67-00081
VOLLE, GEORGE	200	A	59	67-00081
WILLIAMS, JIM	20	C	61	67-02053
WOLFORD, JACK	5	C	74	67-02053
WX RANCH	150	A	53	67-00081
TOTAL AF/SHARES	**9610**			
TOTAL RESERV.CAPACITY W/FLASHBOARDS	**9610**			

Scism, Doug 90 B #66 67-02053

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right No. 378.

This is to certify that the Mesa Orchards Company, of Mesa, County of Adams, State of Idaho, has rights to the use of the waters of the Middle Fork of the Weiser River, and the Lost Valley Reservoir for irrigation and domestic purposes, and that said rights were obtained by virtue of Water Licenses Nos. 5270 and 6503, issued by the Commissioner of Reclamation of the State of Idaho, dated May 10, 1922, said rights bearing dates of priority of August 12, 1909 and May 27, 1910, for the purpose of irrigating the following described lands, in the County of Adams, State of Idaho, to-wit: SW¼ of Section 9, and S½ of Section 21, in Twp. 15 N., Rge. 1 W., B. M.; that the said licenses have been entered in the records of the Department of Reclamation of the State of Idaho, at Boise, in Book 6 of Licenses at Pages 2934 and 2935; that, upon the application of M. J. Woodmansee, President of the Mesa Orchards Company, for a transfer of water rights, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the rights to the use of 1.52 second feet of the waters of the Middle Fork of the Weiser River, and 134 acre feet of the waters of the Lost Valley Reservoir, are hereby abandoned upon the lands above described, and the lands to be irrigated under such rights, and to which the water right hereby confirmed shall by this certificate become appurtenant for irrigation and domestic purposes, are described as follows, to-wit: 92 acres situated in the NW¼ NW¼, Sec. 23, SW¼ SW¼, Sec. 14, and SE¼ SW¼, Sec. 15, all in Twp. 15 N., R. 1 W., B. M.; said right to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amounts, to-wit:

1.52 sec. ft. from the Middle Fork of the Weiser River dated August 12, 1909.

134 acre feet of the Lost Valley Reservoir dated May 27, 1910.

The right to the use of the waters aforesaid, hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of the State of Idaho.

No right to the use of water on the lands herein described exists at the date of this certificate except as herein stated.

WITNESS, The seal and signature of the Commissioner of Reclamation of the State of Idaho, affixed at Boise, this 23rd day of June, 1926.

W. G. SWENDSEN
Commissioner of Reclamation

By_____
Assistant.

T-378
67-2039
67-2053

Doree # 67-0081

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

IN THE MATTER OF THE APPLICATION OF THE MESA ORCHARDS COMPANY FOR TRANSFER OF WATER RIGHTS; WATER DISTRICT NO. 41-C CASE NO. 167.

ORDER GRANTING TRANSFER

WHEREAS, On the 12th day of June, 1926, at the Department of Reclamation of the State of Idaho, at Boise, the matter of the application of the Mesa Orchards Company for transfer of water rights came regularly on for hearing, pursuant to the published notice; and

WHEREAS, From the evidence submitted at the hearing and from all data accompanying the said application for transfer, it appears that a greater beneficial use can be made of the said water by reason of the transfer and no one would be injured thereby:

IT IS, THEREFORE, Hereby ordered that the said application for transfer be granted and that the certificate of transfer be issued the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of my office, at Boise, Idaho, this 23rd day of June, 1926.

W. G. SWENDSEN
Commissioner of Reclamation

By_____
Assistant.

T-311
67-3039
67-3053

Trans^{pt} 378

STATE OF IDAHO

License and Certificate of Water Right

Water License No. 6503 — Amount 57.451 sec. ft.

Water District No. 41-0 — Priority 5-27-10.

THIS IS TO CERTIFY that Weiser Valley Land & Water Company of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 27, 1910; that Permit No. 6503 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 125 second feet, was issued thereunder on February 29, 1916, showing that said works were completed on the 3rd day of October, 1915; and that on the 23rd day of August, 1921, Orchards Water Company of Boise, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of a right to the use of the waters of Lost Creek, a tributary of West Fork of Weiser River, said water to be impounded in Lost Valley Reservoir having a reported capacity of 14,000 acre feet, which water is to be released in lieu of the normal flow of Middle Fork diverted in accordance with terms of Water License No. 5270, for the purpose of irrigation and domestic use, under Use Permit No. 6503 of the State Engineer, and that said Right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 2935, on the 10th day of May, 1922;

The right hereby confirmed dates from May 27, 1910;

The Point of Diversion from Lost Valley Reservoir is located N. 72° 45' E. 1905 feet from the Northwest Corner of SW¼ of Sec. 28 and is in the NW¼ of Section 28, Twp. 19 N., R. 1 W., B. M., County of Adams.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes and shall not exceed 57.451 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 N.	1 W.	9	NW¼ SW¼	40	28
			NE¼ SW¼	40	3
			SE¼ SW¼	40	2
			SW¼ SW¼	40	17
		15	SE¼ NE¼	40	40
			SW¼ NE¼	40	40
			SW¼ NW¼	40	20
			S½	320	320
		16	SE¼ NW¼	40	5
			SE¼	160	160
			NE¼ SW¼	40	36

67 2053

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 N.	R. 1 W.	16	NW¼ SW¼	40	14
			S½ SW¼	80	80
		17	SE¼ SE¼	40	20
			SW¼ SE¼	40	20
		20	SE¼ NE¼	40	13
			SW¼ NE¼	40	11
			SE¼ NW¼	40	16
		21	N½	320	320
			N½ SE¼	80	80
			NE¼ SW¼	40	40
		22	All	640	640
		14	NE¼ SW¼	40	7
			SE¼ SW¼	40	18
16 N.	1 W.	1	NE¼ NW¼	40	35
			NW¼ NW¼	40	35
			SE¼ NW¼	40	10
			SW¼ NW¼	40	20
		11	SE¼ SE¼	40	12
			SW¼ SE¼	40	10
		14	NW¼ NE¼	40	20
			NE¼ NW¼	40	15
17 N.	1 W.	15	NW¼ NW¼	40	30
		22	NE¼ SE¼	40	40
			SE¼ SE¼	40	30
			NW¼ SE¼	40	5
			SW¼ SE¼	40	34
			SE¼ SW¼	40	18
		23	SE¼ NW¼	40	39
			SW¼ NW¼	40	40
			NW¼ SE¼	40	15
			SW¼ SE¼	40	18
			NE¼ SW¼	40	10
			SE¼ SW¼	40	17
			SW¼ SW¼	40	4.5
		27	NE¼ NE¼	40	30
			NE¼ NW¼	40	15
			SE¼ NW¼	40	15
			SE¼ SE¼	40	10
			SW¼ SE¼	40	40
			NE¼ SW¼	40	27
			SE¼ SW¼	40	16
			SW¼ NW¼	40	2
			NW¼ SW¼	40	25
			SW¼ SW¼	40	15
		28	SE¼ SE¼	40	10
		34	NW¼ NE¼	40	25
			NE¼ NW¼	40	30
			SE¼ NW¼	40	40
			SW¼ NW¼	40	25
			NW¼ SW¼	40	30
			SW¼ SW¼	40	30
		36	S½ SW¼	80	80
				Total	2872.5

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 10th day of May. 1922.

(SEAL)

W. G. Swendsen,
Commissioner of Reclamation.

COPY

MAY 21 1991

FILED

DEC 31 1990

10:45 A.M. P.M.

MICHAEL FISK

CLERK

RECEIVED

JAN 03 1991

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADAMS

ADAMS COUNTY, IDAHO, a political Subdivision of the State of Idaho,

Plaintiff,

CASE NO. 2654

vs.

JAMES L. BALL, as Personal Representative of the Estate of EMMA BALL, deceased; EDWARD H. WOODS, and ELAINE M. WOODS, husband and wife; PATRICK BALL and MARTHA BALL, husband and wife; PATRICK WALSH and J. K. WALSH, husband and wife;

Defendants.

FINDINGS OF FACT CONCLUSIONS OF LAW AND JUDGMENT

INTRODUCTION:

This district judge held a two day court trial on November 27 and 28, 1990, on the water rights claims of Edward H. Woods and Elaine M. Woods (Woods) against James L. Ball, as Personal Representative of the Estate of Emma Ball, deceased, (Ball Estate), and Patrick Ball and Martha Ball, (P&M Ball). Mr. Lary C. Walker, attorney at law, Weiser, Idaho, represented Woods, and Mr. Louie Gorrono, attorney at law, Emmett, Idaho represented the Ball Estate and P&M Ball. The controversy between the parties relating to an

sement and the right to open and close a gate was settled by stipulation of the parties.

Woods originally filed a cross-claim on December 20, 1989, seeking an order to transfer water rights or, in the alternative, for damages of $10,000.00. The Ball Estate and P&M Ball admitted Emma Ball, deceased, sold property to Woods, and that the property was conveyed to Woods by warranty deed, but denied the rest of Woods' claim. They raised as affirmative defenses the Statute of Limitations, in I.C. 15-3-801 to 15-3-804, and in I.C. 5-216, 5-217, and 5-218, the failure of Woods to file a claim against the Ball Estate, the defense of laches, and the defense of estoppel. The pre-trial conference order provided that Woods' amended cross-claim was deemed filed as of May 7, 1990. Woods' amended claim asserts they were conveyed all water rights appurtenant to the property, that they checked with the Idaho Department of Water Administration and was specifically advised that waters in the Lost Valley reservoir were stored water and not subject to being lost by nonuse, that the failure of Emma Ball to transfer the stock for the water rights was fraudulent and a breach of contract, and that Woods had acquired from Defendants Patrick Walsh and J. K. Walsh (Walshes) additional property which had the same water right claim. The Ball Estate and P&M Ball asserted the same admissions, denials and defenses, as to both the Woods' original claim, and the claim acquired from the Walshes.

This district judge, after considering all the evidence, makes these findings of fact, conclusions of law, and judgment:

FINDINGS OF FACT:

1. Woods contracted to buy certain property (Parcel 1) in the Mesa Orchards, in Adams County, Idaho, from Emma Ball (EB) about October 16, 1975; the contract in part provided:

> "Said property is also being purchased 'as is', in connection with existing irrigation ditches and there are no representations or warranties as to delivery of irrigation water, as aforesaid.
>
> It is specifically understood, calculated on an acre basis, the pro-rata share of water rights connected with the acreage being sold herein is included in this contract, but seller disclaims any representations or warranties, expressed or implied, as to delivery of water, by any form of conveyance to the property sold. The delivery or conveyance of water to the property being sold, if the delivery should ever come to pass, is the sole responsibility and obligation of the buyer.
>
> There are no covenants or representations as to availability or delivery of irrigation or domestic water, in connection with said premises being sold." (See pl. ex. 4)

2. About May 29, 1979, Woods recorded with the Adams County Recorder a warranty deed for Parcel 1 from EB, which deed included this language: "TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever." (See pl. ex. 5)

3. About August 30, 1975, Walshes contracted to buy certain property (Parcel 2) in Mesa Orchards, Adams County, Idaho, from EB; the contract contained the last two paragraphs listed in Finding No.1 and a general "as is" provision. (See pl. ex. 3)

4. About September 24, 1985, Walshes had recorded with the Adams County Recorder a warranty deed for Parcel 2 from EB; the deed contained the same language listed in Finding No. 2. (See pl. ex. 6)

5. In April, 1990, Walshes contracted to sell Parcel 2 and to assign to the Woods "any right that they may have to bring action relating to the water rights" and "all lawsuit rights against the Balls concerning representations relating to ... the water rights to property..., the contract contained the same water rights language contained the Ball to Walshes contract. (See pl. ex. 8)

6. About April 5, 1990, Woods had recorded with the Adams County Recorder a warranty deed for Parcel 2 from Walshes,; the deed contained the same language listed in Finding No. 2. (See pl. ex. 7)

7. At the time EB contracted to sell Parcel 1 to Woods and Parcel 2 to Walshes, two separate water rights were appurtenant to those parcels: Water Right 67-0081, for water stored as shown by 4040 shares of capitol stock (1 share equaled 1 acre foot of water, if available) in Lost Valley Reservoir Company (LVRC) with a priority date of May 27, 1910; Water Right 67-0080, for water from the natural flow of the Middle Fork Weiser River with a priority date of Sept. 11, 1909. Both of these water rights were decreed originally to the Orchard Water Company by virtue of the decree in MUIR v. ALLISON dated June 20, 1921.

8. In 1971 EB applied for and was granted by the Department of Water Administration (DWA) an extension of time to avoid forfeiture of both water rights. About December 10, 1975, EB applied for but was denied by the DWA a second extension of time. In 1977 EB applied for and was granted by DWA transfers of about

3540 acre feet of water represented by capital stock in Lost Valley Reservoir, under Permit No. 67-0081. EB during her lifetime did not transfer to Woods nor Walshes any shares of capitol stock in LVRC.

9. EB during 1974 to 1977 contracted to sell various other parcels of land in Mesa Orchards, Adams County, to buyers, using the same "as is" and water rights provisions found in the Woods and Walshes contracts. (See defs. ex. E) EB did reserve the right to certain reservoir water on Bacon Creek in one contract in 1974, (See defs. ex. E-1) but did not specifically reserve any reservoir rights in Lost Valley Reservoir in any contract.

10. EB died on January 15, 1981; James L. Ball (JLB) was appointed Personal Representative of the Estate of EB on February 9, 1981, and still serves in that capacity. JLB published notice to creditors starting on February 19, 1981, and ending on March 5, 1981. Woods and Walshes have not presented any claim for breach of contract to the Ball Estate at anytime.

11. Woods knew in 1975 that part of the water rights for Parcel 1 included water stored in Lost Valley Reservoir, but did not discover until 1988 that such water was represented by capitol stock shares in LVRC. Woods in 1989 made demand on JLB of the Ball Estate to transfer capitol stock shares to Woods for Parcel 1, but JLB refused to do so.

12. When the deeds from EB to Woods and Walshes were delivered and recorded, all water rights appurtenant to Parcels 1 and 2 were conveyed to each set of respective grantees. The "as is" and water

rights provisions in the Woods and Walshes contracts are not ambiguous. These provisions clearly show the parties intended that the pro-rata share of all water rights appurtenant to the parcel were included, but that buyers had the sole responsibility to deliver the water so that it could be put to beneficial use.

13. By clear and convincing proof, the evidence shows from 1975 to the present: Woods and Walshes have not applied these appurtenant water rights to the beneficial use for which they were appropriated or to any beneficial use whatsoever; Woods and Walshes have not been billed nor paid any annual assessments of LVRC.

14. Woods has failed to show P&M Ball has any control over the Ball Estates' remaining shares of capitol stock in LVRC. Woods have not presented clear and convincing evidence that EB made any fraudulent representations to mislead Woods or Walshes about the water rights to the parcels Woods or Walshes purchased from EB. Woods have presented clear and convincing evidence that a mistake was made when EB conveyed to Woods and Walshes the water rights for Parcels 1 and 2 in that no capitol stock in LVRC was included.

15. However, Woods and Walshes did not act with due diligence from 1975 to 1988 to discover if any mistake was made in the conveyance to them of any water rights appurtenant to the Parcels. The "as is" and water rights provisions would alert a reasonable person to make inquiry to the DWA to ascertain the nature, extent and validity of any water rights appurtenant to the Parcels. That inquiry would have led to discovery of the mistake by EB who failed to transfer shares of stock in LVRC with the Parcels.

CONCLUSIONS OF LAW:

1. Jurisdiction is not vested in this district judge to determine as to all other water users if Woods and Walshes have valid water rights claims appurtenant to their land and the date of priority of such claims. Jurisdiction is vested in the district court in the case entitled: "In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System," Twin Falls County District Court Civil No. 39576.

2. Jurisdiction is vested in this district judge to determine if Woods and Walshes have a valid claim against the Ball Estate and P&M Ball for damages or for specific performance to have about 44 shares of capitol stock in LVRC transferred to them.

3. P&M Ball were parties to the controversy over the easement and gate, which controversy was settled at the trial. Woods at trial did not assert any water rights claim against P&M Ball. P&M Ball are not a prevailing party and are not entitled to any attorneys fees nor court costs.

4. The Muir v. Allison decree confirmed both water rights so that they became appurtenant to Parcels 1 and 2. When EB conveyed the Parcels to Woods and Walshes, both water rights passed as an appurtenance to the Parcels. "...all rights to water confirmed under the provisions of this chapter, or by any decree of court, shall become appurtenant to, and shall pass with a conveyance of, the land for which the right of use is granted." Idaho Code Section 42-220; Russell v. Irish, 20 Idaho 194, 118 P. 501 (1911).

5. When Woods and Walshes failed to put the appurtenant water rights to use for a period of five (5) years, those rights were forfeited. Those rights reverted to the state and became subject again to appropriation. Idaho Code Section 42-222; Jenkins v. State Department of Water Resources, 103 Idaho 384, 647 P.2d 1256 (1982). This forfeiture was established by clear and convincing proof. See Crow v. Carlson, 107 Idaho 461, 690 P.2d 916 (1984).

6. Woods have the right to apply to the Department of Water Resources (DWR) to appropriate such forfeited water rights. "The policy of the law of this State is to secure the maximum use and benefit, and least wasteful use, of its water resources." Poole v. Olaveson, 82 Idaho 496, 356 P.2d 61 (1960).

7. Woods are not entitled to any relief for damages or specific performance against the Ball Estate based upon breach of the covenants in the deed. Woods have failed to prove any breach occurred, because EB did convey all water rights appurtenant to the parcels. Woods failed to prove any damages, if a breach had taken place. Woods are not entitled to specific performance, because the water rights were forfeited and have reverted to the State.

8. Woods are not entitled to any relief against the Ball Estate based on fraud, because Woods have failed to show by clear and convincing evidence any fraud occurred or any alleged fraud proximately caused any damage to Woods. See Faw v. Greenwood, 101 Idaho 387, 613 P.2d 1338 (1980).

9. Woods are not entitled to any relief against the Ball Estate based on mistake. Woods' claim for mistake was not pled,

but this district judge rules Woods' trial motion to conform the pleadings to the proof should be granted. The Ball Estate should be allowed to raise any defense to this claim, including the statute of limitations and the issue of Woods' due diligence to discover the mistake. The evidence is clear and convincing that EB made a mistake when she failed to transfer a pro-rata portion of the LVRC capitol stock to Woods and Walshes . However, Woods and Walshes have failed to show this mistake proximately caused them any damages. Also the water rights have reverted to the State, so any remedy to rectify the mistake is not needed. In the alternative, Woods and Walshes could have discovered EB's mistake by due diligence in 1975, so that any claim based on mistake is barred by Idaho Code Section 5-218. See Aitken v. Gill, 108 Idaho 900, 702 P.2d 1360 (Ct. App. 1985).

10. The Ball Estate is a prevailing party in this action and is entitled to court costs but not attorneys fees. This district judge concludes this was not an action to enforce the terms of the Woods and Walshes contracts, but rather an action to enforce the covenants of the deed that conveyed the appurtenant water rights. Acceptance of a deed is generally considered as a merger of the agreements of the underlying contract into the terms of the deed. Any claim for relief must be based on the covenants contained in the deed and not the agreements contained in the prior agreement. See Jolley v. Idaho Securities, Inc., 90 Idaho 373, 414 P.2d 879 (1966).

JUDGMENT:

IT IS HEREBY ADJUDGED AND DECREED:

1. WOODS are not entitled to any relief on their cross-claim for water rights against the Ball Estate or against Patrick Ball and Martha Ball.

2. The Ball Estate is entitled to recover its court costs but not any attorneys fees, and Patrick and Martha Ball are not entitled to recover any court costs or attorneys fees.

3. The parties have settled any controversy regarding the easement and the use of the gate. (Counsel for the Ball Estate and P&M Ball is requested to submit a proposed order.)

4. Adams County is dismissed as a party to this action, pursuant to the written stipulation of the parties filed on November 26, 1990.

Dated this 11 day of December, 1990.

Wayne P. Fuller

Wayne P. Fuller
District Judge

I

LOST VALLEY RES. SHAREHOLDERS - July 1991

CAMBRIDGE 58244

Some SHAREHOLDERS ARE SLOW TO INFORM ME OF CHANGES - SO There MAY Be SOME CHANGES

	Initials	Date
Prepared By		
Approved By		

	SHARE HOLDER	CLASS A	CLASS B	CLASS C	TOTAL
		1	2	3	4
1	1- GOULD - CLARENCE ESTATE	100	100	12	212
2	CERTIF # THAT RELATES TO SHA-				
3	ACOVEN - no Certif				
4	# 45 - # 46				
5	ADD HC-62-Bx 1450- COUNCIL-83612				
6	2- CHAD WELL - MICHAEL	2			2
7	Certif # 98				
8	ADD P.O Box 182 - COUNCIL - 83612				
9					
10					
11	3- HUDEMAN (ANDERSON-RICH)	50	50		100
12	CERTIF #S 81 + 60				
13	" HC 62 - COUNCIL - 83612				
14					
15					
16	4- FISK - DICK		2		2
17	CERTIF # 70				
18	" FRUITDALE 83620				
19					
20					
21	5- FISK - DALE	3			3
22	CERTIF # 108				
23	" COUNCIL IDA 83612				
24					
25					
26	6- SHUMWAY - STEVE	148		100	248
27	CERTIF #S 97 + 75				
28	" HC 62 - Bx 1435				
29					
30					
31	7- MIDDLE VALLEY DITCH CO	2000	1000		3000
32	CERTIF #S 7 + 16				
33	" % MILDRED HORTON				
34	" MIDVALE - 83645				
35					
36	8- HORNING - MARJORIE	10			10
37	CERTIF # 38				
38					
39	Note - Several holders are paying through escrow - So Certif may be in				
40	an other name - The Certif # relates to the Shareholder though				

IV

LOST VALLEY RES. SHAREHOLDERS July 1991

CAMBRIDGE 58244

	Initials	Date
Prepared By		
Approved By		

	SHAREHOLDER	CLASS A	CLASS B	CLASS C	TOTAL
9-	HENDERSON-REED	90	100	60	250
	CERTIF# A-Cover+37				
	56+50				
ADD-	P.O.Box 475- COUNCIL-83612				
10-	RYALS-MELVIN	50			50
	CERTIF#S 27+102				
ADD-	HC 67-Bx2220-Council 83612				
11-	JACOBS-BARR	200			200
	CERTIF# 92				
"	HC62-Bx1440				
12	Boise CASCADE	50	33		83
	CERTIF#S 16+31				
ADD	Council ID- 83612				
13	GLENN-AMY (FRED)		17½		17½
	CERTIF# 50				
"	FRUITVALE 83620				
14	SCISM-Doug	43	207½		250½
	CERTIF#S 61-66-101+47				
"	FRUITVALE 83620				
15	HULIN-FRANK	4			4
	CERTIF# 80				
"	Council-83612				
16-	MENICHETTI-Syl	3			3
	CERTIF# 80				
	FRUITVALE 83620				

III

CAMBRIDGE 58244

LOST VALLEY RES. SHAREHOLDERS July 1991

	Initials	Date
Prepared By		
Approved By		

		SHAREHOLDER	CLASS A	CLASS B	CLASS C	TOTAL
			1	2	3	4
1	17	LAWERENCE - PAUL (YANTIS)	20			20
2		No Certs - A-Com of Book-				
3	ADD	YANTIS - HC 62 - Bx 1770				
4		COUNCIL - 83612				
5						
6	18 -	HARRINGTON - HARVEY (EVERETT)		50		50
7		Certs # 44				
8	"	HC 67 - Bx 2325 - COUNCIL - 83612				
9						
10						
11	19	EAST FORK DITCH Co.		160	500	660
12		CERTIF#S 23 & 15				
13	ADD	TO JANET MEYERS - BOX 390				
14		COUNCIL - 83617				
15						
16	20	INGEBRETSEN - ALICE & ROYAL		30		30
17		CERTIF - 65				
18	ADD	WEST 327 - BRITA AVE				
19		SPOKANE - WASH - 99208				
20						
21	21 -	FRIEND - THELMA			2	2
22		CERTIF # 41				
23	"	FRUITVALE - 83620				
24						
25						
26	22 -	GALLANT GARY			15	15
27		CERTIF # 51				
28	"	HC 62 Bx 1677 - COUNCIL 83612				
29						
30						
31	23 -	HAIGHT - CHARLES			12	12
32		CERTF # 8				
33		POBox 425 - COUNCIL 83612				
34						
35						
36	24 -	PICKETT - CEDRIC			4	4
37		CERTIF # 38				
38		RT 1 Bx 51 - MIDVALE 83645				
39						
40						

IV

LOST VALLEY RES - SHAREHOLDERS - July 1991

CAMBRIDGE 58244

	Initials	Date
Prepared By		
Approved By		

		SHAREHOLDER	CLASS A	CLASS B	CLASS C	TOTAL
1	25	PEEBLES - LAMAR			3	3
2		CERTIF # 36				
3	ADD	Box 445. ST ANTHONY - 83445				
4						
5						
6	26	CAPPS - A. V.	29			29
7		CERTIF # 76				
8	"	29821 - Circle R Ruk Ln				
9		Escandido Calif - 92026				
10						
11	27 ~~30~~	KOSKIE - GARY			5	5
12		Certif # 74				
13	"	Box 106 - CAMBRIDGE 83610				
14						
15						
16	28 ~~31~~	B & G - Logging			5	5
17		Certif # 77				
18	"	Bx 207 - CAMBRIDGE 83610				
19						
20						
21	29 ~~32~~	ERTEL - Peter			30	30
22		Certif # 33				
23	"	RT 1 Bx 152 - CAMBRIDGE 83610				
24						
25						
26	30 ~~33~~	MERK - LADELL	20	7	20	47
27		Certif #s 36-107-67 & 37				
28	"	Box 10 - FRUITVALE - 83620				
29						
30						
31	31 ~~34~~	HARVEY - LILLIAN - (DON)	15			15
32		Certif # 24				
33	"	HC 62 - Box 1393 - Council 83612				
34						
35						
36	32 ~~35~~	JOYNER - Homer	95			95
37		CERTIF # 77 & 52				
38		RT 1 - Box 144 - CAMBRIDGE 83610				
39						
40						

V

LOST VALLEY RES - SHAREHOLDERS - July 1991

CAMBRIDGE 58244

	Initials	Date
Prepared By		
Approved By		

		SHAREHOLDER	1 CLASS A	2 CLASS B	3 CLASS C	4 TOTAL
1	33 -	WILLIAMS - JIM			20	20
2		CERTIF # 61				
3	ADD -	FRUITVALE - 83620				
4						
5						
6	34 -	HOHS				
7		CERTIF # 52			3	3
8	"	FRUITVALE 83620				
9						
10						
11	35 -	QUEDARE - PHILLIP			4	4
12		CERTIF # 53				
13	"	2301 - BLACK OAK WAY				
14		ASHLAND - ORE - 97520				
15						
16	36 -	LEGER - VINCE			4	4
17		CERTIF # 64				
18	"	FRUITVALE 83620				
19						
20						
21	37 -	BARRETT - LINDA			1	1
22		CERTIF # 57				
23	"	FRUITVALE 83620				
24						
25						
26	38 -	GULIUZZA - CHRIS			3½	3½
27		CERTIF # 62				
28	"	FRUITVALE 83620				
29						
30						
31	39 -	MOYER - JOHN			5	5
32		CERTIF # 55				
33	"	FRUITVALE - 83620				
34						
35						
36	40 -	SUTTON - WAYNE	900			900
37		CERTIF # 99				
38	"	BOX 142 - RT1 - MIDVALE 83645				
39						
40						

VI

LOST VALLEY-RES - SHAREHOLDERS - July 1991

CAMBRIDGE 58244

	Initials	Date
Prepared By		
Approved By		

		SHAREHOLDER	1 CLASS A	2 CLASS B	3 CLASS C	4 TOTAL
1	41 -	MINK-LAND & LIVESTOCK	230			230
2		Certif # 42 & 105				
3	ADD	Hc 68 - CAMBRIDGE 83610				
4						
5						
6	42 -	BARTON-RANCHES	300			300
7		Certif # 90-91-106				
8	"	RR 1 Bx 168 - CAMBRIDGE 83610				
9						
10						
11	43 -	JAEGER - Jerry	300			300
12		CERTIF # 45				
13	"	Hc 68 - CAMBRIDGE 83610				
14						
15						
16	44 -	SCHNELL - ALVIN - DDS	100			100
17		Certif # 47				
18	"	1417 SKIMBALL				
19		CALDWELL - 83605				
20						
21	45 -	BACON VALLEY (CROSSLEY)	190	20		210
22		CERTIF # 60-84 + 49				
23	"	Hc 62 - Bx 1840 - COUNCIL ~~83611~~				
24		83621				
25						
26	46 -	DILLON - PAULINE	15			15
27		CERT # 112				
28	"	Box 153 - CAMBRIDGE 83610				
29						
30						
31	47 -	SNYDER - CHARLES	20			20
32		Certif # 113				
33	"	P.O. Box 147 - COLTON WASH				
34		99113				
35						
36	48 -	OGLE - DELBERT	65			65
37		Certif # 110				
38	"	Hc 68 - Bx 2450 - CAMBRIDGE 83610				
39						
40						

VII

LOST VALLEY RES SHAREHOLDERS July 1991

CAMBRIDGE 58244

	Initials	Date
Prepared By		
Approved By		

		SHAREHOLDER	1 CLASS A	2 CLASS B	3 CLASS C	4 TOTAL
1	49 -	W.X. RANCH	250			250
2		Certif # 53 + 114				
3	add	Hc 68 Bx 3105 - CAMBRIDGE 83610				
4						
5						
6	50 -	HIGGINS - RICHARD	150			150
7		Certif # 54				
8	"	R.1 - By 84 - CAMBRidge 83610				
9						
10						
11	51	HILL - LAMAR	150			150
12	"	Certif # 56				
13	add	755 SW BRENT Ave				
14		JOHN DAY Ore - 97845				
15						
16	52	Legg - ALVIN	60			60
17		Certy # 55				
18	"	Box 118 - CAMBRidge 83610				
19						
20						
21	53 -	FAIRCHILD - DEAN	200			200
22		Certif # 57 + 100				
23	"	Box 125 - MIDVALE 83645				
24						
25						
26	54	TURNBULL - ROBERT	140			140
27		Certy # 58				
28	"	R1 / By 60 - CAMBRidge 83610				
29						
30						
31	55	VOLLE George	200			200
32		Certif # 59				
33		Box 67 - CAMBRidge 83610				
34						
35						
36	56	MINK - Kenneth	65			65
37		Certif # 103				
38		HC 68 - CAMBRidge 83610				
39						
40						

VIII

CAMBRIDGE 58244

LOST VALLEY RES SHAREHOLDERS July 1991

	Initials	Date
Prepared By		
Approved By		

	SHAREHOLDER	CLASS A	CLASS B	CLASS C	TOTAL
57 -	SHEFFIELD - ANNETTE	90			90
	Certif # 104				
add	Box 722 - Lakefork - 83635				
58 -	BALL - JAMES	194			194
	Certif # 87				
add	MESA - 83643				
59 -	GLEASON - DAVE	5			5
	Certif # 69				
"	Fruitvale 83620				
60 -	CUNNINGHAM - JOHN	2			2
	Certif # 111				
"	2386 N Refugio - Santa Ynez Calif 93460				
61 -	IVEY - KENNETH	5			5
	Certif # 71				
"	Box 662 - Council 83612				
62 -	PALMBACK - GARY	3			3
	Certif # 72				
"	Box 494 - Council 83612				
63 -	RAFFETTY - DICK	5			5
	Certif # 74				
"	Fruitvale 83620				
64	MCALLVAIN Doug	35			35
	CERTIF # 67-73-68				
add	5805 El Blanco Dr Boise - 83709				

TX

CAMBRIDGE 58244

LOST VALLEY RES SHAREHOLDERS July 1991

Prepared By	Initials	Date
Approved By		

		SHAREHOLDERS	1 CLASS A	2 CLASS B	3 CLASS C	4 TOTAL
1	65	GALLANT FRED	60			60
2		Certif # 89				
3	add	HC 62 - Box 1820 - Council - 83612				
4						
5						
6	66 -	McLAUGHLIN - Glenn	½		½	1
7		Certif # 63				
8	"	P.O. Box 487 - McCall - 83638				
9						
10						
11	67 -	HINTON - Jacque			3	3
12		Certif # 69				
13	"	152 F Casintine St F				
14		SALINAS CALIF. 93907				
15						
16	68	NEWMAN - Leon			3	3
17		Certif # 72				
18		Box 591 - Council - 83612				
19						
20						
21	69 -	HAWKINS - NANCY			3	3
22		Certif # 70				
23	"	Box 624 - Pine Valley - CALIF				
24		92062				
25						
26	70 -	BALL - PAT	56			56
27		Certif # 88				
28	"	MESA 83643				
29						
30						
31	71 -	JORDON - Joe	18	8		26
32		Certif # 86 + 63				
33	"	Fruitvale 83620				
34						
35						
36	72 -	Hug - Jim	3	2		5
37		Certif # 85 + 62				
38	"	1554 - MELROSE WAY				
39		VISTA - CALIF. 92083				
40						

X

LOST VALLEY RES - SHAREHOLDERS - July 1991

CAMBRIDGE 58244

	Initials	Date
Prepared By		
Approved By		

	SHAREHOLDERS	1 CLASS A	2 CLASS B	3 CLASS C	4 TOTAL
1	73- RINGERING - GARY			5	5
2	CERTIF # 73				
3	add Box 669 - Council 83612				
4					
5					
6	74- LACY - ART	200			200
7	CERTIF # 95				
8	" RR1 Box 149 - CAMBRIDGE				
9	83610				
10					
11	75- MARTIN Jerry		3		3
12	CERTIF # 68				
13	" FRUITVALE 83620				
14					
15					
16	76- FISK - LARRY	7	8		15
17	CERTIF # 109 + 69				
18	" FRUITVALE 83620				
19					
20					
21	77- FISK - JOHN			10	10
22	CERTIF # 78				
23	" Box 239 - COUNCIL - 83612				
24					
25					
26	78 JESSUP - DR1995			1	1
27	Certif # 76				
28	" 2921 - Salubria Rd				
29	Cambridge - 83610				
30					
31	79 KOSKIC - GARY & BETTY			5	5
32	Certif # 74				
33	" Box 106				
34	Cambridge 83610				
35					
36					
37					
38					
39					
40					

Ron
2

ABSTRACT OF

LOST VALLEY RESERVOIR CO.

by
Eldon L. Roush
Senior Water Resource Agent
Western Region

SHARES (CERTIFICATES) WITHIN LOST VALLEY RESERVOIR CO. ARE ISSUED TO USERS IN THE FOLLOWING MANNER:

* 1 SHARE EQUALS 1 ACRE FOOT OF STORAGE
* SHARES ARE DIVIDED INTO 3 CLASSES:
  - "A"= FIRST PRIORITY
  - "B"= SECOND PRIORITY
  - "C"= THIRD PRIORITY
* SHARES ARE ISSUED BY CERTIFICATES AND EACH CERTIFICATE:
  - LISTS CERTIFICATE NUMBER
  - LISTS CLASS OF STORED WATER
  - LISTS AMOUNT OF SHARES (ACRE FEET)
* ONCE A SHARE HOLDER SELLS ALL OR PART OF THE SHARE, OR WHEN THERE IS A SUCCESSOR IN INTEREST, THE ORIGINAL CERTIFICATE IS RECALLED AND A NEW CERTIFICATE OR CERTIFICATES WITH NEW CERTIFICATE NUMBER(S) ARE ISSUED TO THE CURRENT SHARE HOLDER(S).
  - **note** Reissued certificates are not necessarily appurtenant to the same place of use as originally issued.

LOST VALLEY RESERVOIR STORAGE IS COVERED BY THE FOLLOWING WATER RIGHTS:

DECREES

67-00071
67-00081
67-00082
67-00083

LICENSE

67-02053

NOTE DECREE NUMBERS 67-00071, 67-00082, AND 67-00083 WERE GROUPED TOGETHER BY THE LOST VALLEY RESERVOIR CO. AND CERTIFICATES ISSUED TO 27 SHARE HOLDERS. SINCE THE PLACES OF USE OF THESE SHARE HOLDERS MAY NOT BE THE PLACE OF USE LISTED IN THE DECREES, THESE DECREES HAVE BEEN COMBINED FOR THE SAKE OF FACILITATING THE SRBA CLAIMS TAKING FOR THE INDIVIDUAL SHARE HOLDERS. CLAIM SPLITS HAVE ALREADY BEEN GENERATED AND THE NUMBERS FOR EACH OF THE CLAIMANTS CAN BE FOUND IN THE ATTACHED LISTING AND IN THE WATER RIGHT NUMBERS IN THE HOST TEMPORARY.

NOTE LICENSE NUMBER 67-02053 HAS BEEN LISTED IN THE WATER RIGHTS DATA BASE AS BEING SUPERCEEDED BY DECREE 67-00081. THIS IS

PROBABLY IN ERROR FOR THE FOLLOWING REASONS:

*MUIR -VS- ALLISON DECREE OF MAY 09, 1918 WAS APPEALED TO THE STATE SUPREME COURT.

*THE STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE LOWER COURT THE MAY 09, 1918 DECREE.

*THE LOWER COURT REISSUED THE MUIR -VS- ALLISON DECREE JUNE 20, 1921.

*LICENSE 67-02053 WAS ISSUED MAY 10, 1922 AND TRANSFER # 378 APPROVED JUNE 23, 1926.

A67-02053 HAS BEEN GENERATED AND IS IN THE HOST TEMPORARY AND IS AVAILABLE FOR SPLITS. (SEE ATTACHED INDEX)

DECREES 67-00071, 67-00081, 67-00082, AND 67-00083 COVERS THE CLASS "A" SHARES.

LICENSE 67-02053 COVERS CLASS "B" AND "C" SHARES.

LOST VALLEY RESERVOIR CO.

ALPHABETICAL LIST OF SHAREHOLDERS
&
PARENT WATER RIGHT(S)

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
ANDERSON, RICHARD	50	A	81	67-00081
ANDERSON, RICHARD	50	B	60	67-02053
ADAMS, STEVE	2	A	78	67-00083 **USE** (E) SPLIT
BACON VALLEY	20	B	49,53	67-02053
BACON VALLEY OR CROSSLEY	190	A	60,84	67-00081
BALL, ESTATE OF	194	A	87	67-00081
BALL, PATRICK	56	A	88	67-00081
BARRETT, LINDA	1	C	57	67-02053
BARTON RANCHES	200	A	90,91	67-00081
BOISE CASCADE CO.	50	A	16	67-00081
BOISE CASCADE CO.	33	B	31	67-02053
BRAUN, ROY OR ERTEL, PETER	100	A	48	67-00081
BRAUN, ROY OR ERTEL, PETER	30	C	33	67-02053
BUTTS, ART	100	A	94	67-00081
CAPPS, A.V.	102	A	79,76,76,75	67-00083 **USE** (A) SPLIT
CAPPS, A.V.	90	B	59	67-02053
CHADWELL, MICHAEL	2	A	98	67-00081
CROSSLEY, FARRELL	**SEE** BACON VALLEY			
CROSSLEY, OR BACON VALLEY	**SEE** BACON VALLEY			
DILLON, PAULINE	15	A	49	67-00081

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
EAST FORK DITCH CO.	160	B	23	
	500	C	15	
TOTAL	660			67-02053
ERTEL, PETER OR BRAUN, ROY	**SEE** BRAUN, ROY			
FAIRCHILD, DEAN	100	A	57	
	100	A	100	
	200			67-00081
FISK, DICK	7	A	32	67-00081
FISK, DICK	10	B	54	
	10	C	49	
TOTAL	20			67-02053
FISK, DALE	3	A	31	67-00081
FRIEND, THELMA	2	C	41	67-02053
GALLANT, FRED	60	A	89	67-00081
GALLANT, GARY	15	C	51	67-02053
GLEASON, DAVID	5	A	69	67-00071 **USE** (B) SPLIT
GLENN, FRED & AMY	17.5	B	50	67-02053
GOULD, CLARENCE EST.	100	A	NONE	67-00083 **USE** (B) SPLIT
GOULD, CLARENCE EST.	100	B	45	
	12	C	46	
TOTAL	112			67-02053
GOVEDARE, PHILLIP	4	C	53	67-02053
GULIUZZA, CHRIS DIXON	3.5	C	62	67-02053
HAIGHT, CHARLES	12	C	8	67-02053
HARRINGTON, EVERETT	50	B	44	67-02053
HARVEY, LILLIAN	15	A	24	67-00082 **USE** (E) SPLIT
HAWKINS, NANCY	3	C	70	67-02053
HOHS, TIM	3	C	52	67-02053
HENDERSON, REED	90	A	37,NONE	67-00082 **USE** (B) SPLIT
HENDERSON, REED	100	B	56	
	60	C	50	
TOTAL	160			67-02053
HIGGINS, RICHARD	150	A	54	67-00081
HILL, LAMAR	150	A	56	67-00081
HINTON, JACQUE	3	C	69	67-02053
HORNING, MARJORIE	10	A	38	67-00081

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
HUG, JAMES	3	A	85	67-00083 **USE** (J) SPLIT
HUG, JAMES	2	B	62	67-02053
HULIN, SYLVIA	4	A	80	67-00082 **USE** (F) SPLIT
INGEBRETSEN, VERNON	30	B	64	67-02053
IVY, KENNETH	5	A	71	67-00083 **USE** (C) SPLIT
JACOBS, BARR	200	A	92	67-00082 **USE** (C) SPLIT
JAEGER, JERRY	300	A	45	67-00081
JORDAN, JOE	18	A	86,86,86	67-00082 **USE** (A) SPLIT
JORDAN, JOE	8	B	63	67-02053
JOYNER, HOMER	45	A	77	67-00081
JOYNER, HOMER	50	A	52	67-00081
KALMBACK, GARY	3	A	72	67-00083 **USE** (D) SPLIT
LACY, ART	200	A	95	67-00081
LAWRENCE, PAUL	20	A	NONE	67-00083 **USE** (G) SPLIT
LEE, LYNDA	20	A	50	67-00081
LEGER, VINCE	4	C	64	67-02053
LEGG, ALVIN	60	A	55	67-00081
LEGG FAMILY	65	A	51	67-00081
LOST VALLEY RES.	10	A	NONE	67-00083 **USE** (H) SPLIT
LOST VALLEY RES.	38	B	NONE	67-02053
MC ALVIN, DOUG	35	A	67,68,73	67-00071 **USE** (A) SPLIT
MC LAUGHLIN, GLENN	0.5	C	63	67-02053
MENICHETTI, SYLVIA	3	A	80	67-00082 **USE** (G) SPLIT
MERK, LADELL	10	A	36	67-00081
MERK, LADELL	20	C	37	67-02053
MIDDLE VALLEY DITCH	2000	A	7	67-00081
MIDDLE VALLEY DITCH	1000	B	16	67-02053
MINK, KENNETH	155	A	61	67-00081
MINK LAND & LIVESTOCK	220	A	42	67-00081
MINK, T. C.	10	A	NONE	67-00082 **USE** (H) SPLIT
MOYER, JOHN	5	C	55	67-02053
NEWMAN, LEON	3	C	72	67-02053

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
PEEBLES, LAMAR	3	C	36	67-02053
PICKETT, CEDRICK	4	C	38	67-02053
POTTER, INA	5	C	26	67-02053
RAFFETTY, DICK	5	A	74	67-00083 **USE** (E) SPLIT
RINGERING, GARY	5	C	73	67-02053
RYALLS, MELVIN	20	A	20	67-00082 **USE** (D) SPLIT
SCHNELL, ALVIN	100	A	47	67-00081
SCHWARTZ, ANTHONY	100	B	47	67-02053
SCISM, DOUG	17.5	B	61	67-02053
SHUMWAY, STEVE	50	A	97	67-00083 **USE** (F) SPLIT
SHUMWAY, STEVE	98	A	97	67-00081
SHUMWAY, STEVE	100	C	75	67-02053
SMITH, HARRY	1	C	76	67-02053
SUTTON, WAYNE	900	A	99	67-00081
TURNBULL, ROBERT	140	A	58	67-00081
VOLLE, GEORGE	200	A	59	67-00081
WILLIAMS, JIM	20	C	61	67-02053
WOLFORD, JACK	5	C	74	67-02053
WX RANCH	150	A	53	67-00081
TOTAL AF/SHARES	**9610**			
TOTAL RESERV.CAPACITY W/FLASHBOARDS	**9610**			

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: A67-00071
Date Received: 7/03/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: A. L. FREEHAFER *****SPLIT CLAIM*****
   Address: *****SEE REMARKS****
   X, ID 0

   Name: MARGARET E. PIKE
   Address:
   X, ID 0

2. Date of Priority: MAY 27, 1910

3. Source: ~~LOST VALLEY RESERVOIR~~ LOST CREEK Trib. to: ~~LOST CREEK~~ SNAKE RIVER

4. Point of Diversion: IS AT DAM & REDIVERSION AT RIVER

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
19N	1W	28	SE NW		

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE					40.00
IRRIGATION FROM STORAGE			Show only AFA no cfs on stored water.		40.00

7. Total Quantity Appropriated is:
   C.F.S. (and/or) 40.00 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	Lot	Use	Acres
17N	01W	23	NW SW		IRR S	
			SW SW		IRR S	
			NW SE		IRR S	
			SW SE		IRR S	

SHOW ACRES FROM STANDARDS

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:

14. Remarks:
THIS WATER CARRIED IN THE ROBERTSON-SEAVEY DITCH.
SOURCE FORMERLY KNOWN AS LOST CREEK RES.
****
THIS IS A SPLIT OF 67-00071.
67-00071, 67-00082, AND 67-00083 HAVE BEEN COMBINED IN THE SRBA IN ORDER TO FACILITATE CLAIMS TAKING OF THE INDIVIDUAL SHARE HOLDERS WITHIN LOST VALLEY RESERVOIR CO..
THE FOLLOWING ARE THE SHAREHOLDERS WITH THEIR APPROPRIATE SPLITS OF 67-00071.

A67-00071A MC ALVAIN, DOUG	35 ACRE FEET	CERT. # 67
		CERT. # 68
		CERT. # 73
A67-00071B GLEASON, DAVID	5 ACRE FEET	CERT. # 69
TOTAL ALL CLAIMS	40 ACRE FEET	

IT IS PROBABLE THAT THESE CLAIMS REPRESENT TRANSFERS OF THE POINT OF DIVERSION AND/OR THE PLACE OF USE LISTED IN DECREE 67-00071 TO THOSE LISTED IN THE SRBA SPLIT CLAIMS. ELR **********

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

JOHN T. MUIR
Decree Plaintiff

vs

WILLIAM ALLISON
Decree Defendant

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: **A67-00082**
Date Received: 7/03/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: A. L. FREEHAFER *****SPLIT CLAIM*****
   Address: *****SEE REMARKS*****
   X, ID 0

2. Date of Priority: MAY 27, 1910

3. Source: LOST VALLEY RESERVOIR Trib. to: LOST CREEK

4. Point of Diversion:

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

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE					360.00
IRRIGATION FROM STORAGE					360.00

7. Total Quantity Appropriated is:
   C.F.S. (and/or) 360.00 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	Lot	Use	Acres
17N	01W	23	NW SW		IRR	
			SW SW		IRR	
			NW SE		IRR	
			SW SE		IRR	

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:

14. Remarks:
SOURCE REFERED TO AS LOST CK. STORAGE.
****
THIS IS A SPLIT OF 67-00082.
67-00071, 67-00082, AND 67-00083 HAVE BEEN COMBINED IN THE SRBA IN ORDER TO FACILITATE CLAIMS TAKING OF THE INDIVIDUAL SHARE HOLDERS WITHIN LOST VALLEY RESERVOIR CO..
THE FOLLOWING ARE THE SHAREHOLDERS WITH THEIR APPROPRIATE SPLITS OF 67-00082:

A67-00082A	JORDAN, JOE	006 ACRE FEET	CERT.#	86
	JORDAN, JOE	10		86
	JORDAN, JOE	2		86
	TOTAL	18 ACRE FEET		
A67-00082B	HENDERSON, REED	40 ACRE FEET	CERT.#	37
	HENDERSON, REED	50		NONE
	TOTAL	90 ACRE FEET		
A67-00082C	JACOBS, BARR	200 ACRE FEET	CERT. #	92
A67-00082D	RYALLS, MELVIN	20 ACRE FEET	CERT. #	27
A67-00082E	HARVEY, LILLIAN	15 ACRE FEET	CERT. #	24
A67-00082F	HULIN, SYLVIA	4 ACRE FEET	CERT. #	80
A67-00082G	MENICHETTI, SYLVIA	3 ACRE FEET	CERT. #	80
	Note The above two claimants may combine their claim if agreeable to both parties.			
A67-00082H	MINK, T. C.	10 ACRE FEET	CERT. #	NONE
	TOTAL ALL CLAIMS	360 ACRE FEET		

IT IS PROBABLE THAT THESE CLAIMS REPRESENT TRANSFERS OF THE POINT OF DIVERSION AND/OR THE PLACE OF USE LISTED IN DECREE 67-00082 TO THOSE LISTED IN THE SRBA SPLIT CLAIMS. ELR **********

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

JOHN T. MUIR
Decree Plaintiff

vs

WILLIAM ALLISON
Decree Defendant

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: A67-00083
Date Received: 7/03/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: J. A. CARR *****SPLIT CLAIM*****
   Address: *****SEE REMARKS*****
   X, ID 0

2. Date of Priority: MAY 27, 1910

3. Source: LOST VALLEY RESERVOIR Trib. to: LOST CREEK

4. Point of Diversion:

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

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE					300.00
IRRIGATION FROM STORAGE					300.00

7. Total Quantity Appropriated is:
   C.F.S. (and/or) 300.00 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	Lot	Use	Acres
16N	01W	11	SE SE		IRR	30.0
				Section Acres		30.0
		14	NW NE		IRR	25.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
16N	01W	14	NE	NW		IRR	15.0
			SW	SE		IRR	10.0
						Section Acres	50.0
						Total Acres	80.0

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:

14. Remarks:
SOURCE REFERED TO AS LOST CK. STORAGE.
****
THIS IS A SPLIT OF 67-00083.
67-00071, 67-00082, AND 67-00083 HAVE BEEN COMBINED IN THE SRBA IN ORDER TO FACILITATE CLAIMS TAKING OF THE INDIVIDUAL SHARE HOLDERS WITHIN LOST VALLEY RESERVOIR CO..
THE FOLLOWING ARE THE SHARE HOLDERS WITH THEIR APPROPRIATE SPLITS OF 67-00083.

A67-00083A	CAPPS, A. V.	043 ACRE FEET		CERT. # 79
	CAPPS, A. V.	10 ACRE FEET		CERT. # 76
	CAPPS, A. V.	19 ACRE FEET		CERT. # 76
	CAPPS, A. V.	30 ACRE FEET		CERT. # 75
	TOTAL	102 ACRE FEET		
A67-00083B	GOULD, CLARENCE	100 ACRE FEET		CERT. # NONE
A67-00083C	IVY, KENNETH	5 ACRE FEET		CERT. # 71
A67-00083D	KALMBACK, GARY	3 ACRE FEET		CERT. # 72
A67-00083E	RAFFETTY, DICK	5 ACRE FEET		CERT. # 74
A67-00083F	SHUMWAY, STEVE	50 ACRE FEET		CERT. # 97
A67-00083G	LAWRENCE, PAUL	10 ACRE FEET		CERT. # NONE
	LAWRENCE, PAUL	10 ACRE FEET		CERT. # NONE
	TOTAL	20 ACRE FEET		
A67-00083H	LOST VALLEY RES. CO.	10 ACRE FEET		CERT. # NONE
	TOTAL ALL SPLITS	300 ACRE FEET		

IT IS PROBABLE THAT THESE CLAIMS REPRESENT TRANSFERS OF THE POINT OF DIVERSION AND/OR THE PLACE OF USE LISTED IN DECREE 67-00083 TO THOSE LISTED IN THE SRBA SPLIT CLAIMS. ELR **********

15. Basis of Claim: DECREED
Case Number:
Court :

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: **A67-02053**
Date Received: 7/05/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

2. Date of Priority: MAY 27, 1910

3. Source: LOST CREEK Trib. to: WEISER RIVER, WEST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
19N	01W	28	SE NW		ADAMS

5. Description of diverting works:
DAM IN CREEK TO CREEK TO DITCHS AND PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
IRRIGATION	04/15	10/15	57.450	
IRRIGATION STORAGE	01/01	12/31		10000.00
IRRIGATION FROM STORAGE	04/15	10/15		10000.00

7. Total Quantity Appropriated is:
57.450 C.F.S. (and/or) 10000.00 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	Lot	Use	Acres

11. Place of use in counties:

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

13. Other Water Rights Used:
67-00071, 67-00081, 67-00082, 67-00083

14. Remarks:

THIS WATER RIGHT HAS BEEN LISTED IN THE WATER RIGHTS BASE AS BEING SUPERCEEDED BY DECREE 67-00081. THIS APPEARS TO BE IN ERROR
APPLICATION FOR PERMIT 6503 (67-02053) DATED MAY 27,1910.
CERTIFICATE OF COMPLETION OF WORKS ISSUED 02/29/1916.
MUIR -VS- ALLISON DECREE OF MAY 09,1918 WHICH INCLUDED 6250 AF STORAGE IN LOST VALLEY RESERVOIR TO ORCHARDS WATER CO., APPEALED TO IDAHO STATE SUPREME COURT.
STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE LOWER COURT THE MAY 09, 1918 DECREE; DATED 06/22/1920.
LOWER COURT ISSUES MUIR -VS- ALLISON DECREE DATED JUNE 20, 1921.
ORCHARD WATER CO. MADE SATISFACTORY PROOF OF BENEFICIAL USE TO DEPT. OF RECLAMATION ON AUGUST 23, 1921.
LICENSE 6503 (67-02053) ISSUED ON MAY 10, 1922.
TRANSFER # 378 FOR 5270 (67-02039) AND 6503 (67-02053) SIGNED AND SEALED JUNE 23, 1926. ELR

****

THIS CLAIM IS A SPLIT OF 67-02053.

15. Basis of Claim: LICENSE

MEETING WITH : MARGARET MERK July 19, 1991
REF : LOST VALLEY RESERVOIR

1. WOULD LIKE TO FILE FOR SHARES STORED IN RESERVOIR OF 10,000 MINUS THE SHARES NOW HELD BY HOLDERS.

This can be found by adding all of the shares now held by the holders and COMPARED to claimed shares equals 10,000 minus x Shares equals unclaimed shares that MARGARET MERK would like to claim for additional new shares.

2. If claimed shares can be claimed in the adjudication, will claim all additional.
b. If cannot, then would like an application to appropiate the remaining AF shares.

---

1. EXCESSIVE FLOWS FORM needs to be filled out because of Ditch lost and sent to M. MERK. (HAS 2 Ditches approx 2½ MILES EA.)
2. JERRY MARTIN HAS USED LOST VALLEY'S RESERVOIRS WATER SINCE APPROX. 1978, but WAS never a Share holder. (He could claim ben. use) 3 OR 4 ACRES.
3. Look-up old permit 6503. FIRST Dam Built in 1910. ck RECEIPT # W003120. (may be permit).
4. WRAP-UP-REPORT HAS Lost VALLEY RESERVOIR AT 10,100 AF (ACTIVE CAPACITY) PG. 5 (MAR. 1972) (SEE RECORD OF PROCEEDINGS) 1938 - 1940

Ron

REVISED

ABSTRACT OF

LOST VALLEY RESERVOIR CO.

08/11/1989

*This receipt was made to cover any acre ft. of storage not claimed or/and for amount of actual storage above the share total.

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 07/26/91
Time: 08:58:29

:/No - W003120 AR/No -
From: - LOST VALLEY RESERVOIR CO.

Receipt Type - CK Doc/No - 355
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 06/06/1989

Type Of Payment	Program	Acct	Class	Fee
ADJUDICATION CLAIMS FEE	410162	9337	6490	50.00

Total Due - 50.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
	50.00				

(ENTER=CONTINUE) (GOLD7=SELECTION SCREEN) (GOLD8=CANCEL)

* This List was updated at my July 12th meeting with M. Merk. (1991) RDH

ok

NOTES: THE PENCILED CHANGES REFLECT NEW OWNERS.

LOST VALLEY RESERVOIR CO.

ALPHABETICAL LIST OF SHAREHOLDERS & PARENT WATER RIGHT(S)

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
ANDERSON, RICHARD	50	A	81	67-00081
ANDERSON, RICHARD	50	B	60	67-02053
~~ADAMS, STEVE~~ #60	2	A	78	67-00083 USE (E) SPLIT
BACON VALLEY	20	B	49,53	67-02053
BACON VALLEY OR CROSSLEY	190	A	60,84	67-00081
BALL, ESTATE OF	194	A	87	67-00081
BALL, PATRICK	56	A	88	67-00081
BARRETT, LINDA	1	C	57	67-02053
BARTON RANCHES	200	A	90,91	67-00081
BOISE CASCADE CO.	50	A	16	67-00081
BOISE CASCADE CO.	33	B	31	67-02053
BRAUN, ROY OR ERTEL, PETER	100	A	48	67-00081
BRAUN, ROY OR ERTEL, PETER	30	C	33	67-02053
BUTTS, ART	100	A	94	67-00081
CAPPS, A.V.	~~102~~ 29	A	~~79~~,76,~~76~~,~~75~~	67-00083 USE (A) SPLIT
~~CAPPS, A.V.~~	~~90~~	~~B~~	~~59~~	~~67-02053~~
CHADWELL, MICHAEL	2	A	98	67-00081
CROSSLEY, FARRELL	SEE BACON VALLEY			
CROSSLEY, OR BACON VALLEY	SEE BACON VALLEY			
DILLON, PAULINE	15	A	49 # 112	67-00081

ok

did no file transfer?

ADDED NEW LANDS BOUGHT

TO WX

ok

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
EAST FORK DITCH CO.	160	B	23	
	500	C	15	
TOTAL	660			67-02053
~~ERTEL, PETER OR~~				
~~BRAUN, ROY SEE BRAUN, ROY~~				
FAIRCHILD, DEAN	100	A	57	
	100	A	100	
	200			67-00081
FISK, DICK	7	A	32	67-00081
FISK, DICK	10	B	54	
	10	C	49	
TOTAL	20			67-02053
FISK, DALE	3	A	31	67-00081
FRIEND, THELMA	2	C	41	67-02053
GALLANT, FRED	60	A	89	67-00081
GALLANT, GARY	15	C	51	67-02053
GLEASON, DAVID	5	A	69	67-00071 **USE** (B) SPLIT
GLENN, FRED & AMY	17.5	B	50	67-02053
GOULD, CLARENCE EST.	100	A	NONE	67-00083 **USE** (B) SPLIT
GOULD, CLARENCE EST.	100	B	45	
	12	C	46	
TOTAL	112			67-02053
GOVEDARE, PHILLIP	4	C	53	67-02053
GULIUZZA, CHRIS DIXON	3.5	C	62	67-02053
HAIGHT, CHARLES	12	C	8	67-02053
HARRINGTON, EVERETT	50	B	44	67-02053
HARVEY, LILLIAN	15	A	24	67-00082 **USE** (E) SPLIT
HAWKINS, NANCY	3	C	70	67-02053
HOHS, TIM	3	C	52	67-02053
HENDERSON, REED	90	A	37,NONE	67-00082 **USE** (B) SPLIT
HENDERSON, REED	100	B	56	
	60	C	50	
TOTAL	160			67-02053
HIGGINS, RICHARD	150	A	54	67-00081
HILL, LAMAR	150	A	56	67-00081
HINTON, JACQUE	3	C	69	67-02053
HORNING, MARJORIE	10	A	38	67-00081

DATA FILE 990

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
HUG, JAMES	3	A	85	67-00083 USE (J) SPLIT
HUG, JAMES	2	B	62	67-02053
HULIN, SYLVIA FRANK #15 LOOK AT	4	A	80	67-00082 USE (F) SPLIT
INGEBRETSEN, VERNON	30	B	64	67-02053
IVY, KENNETH	5	A	71	67-00083 USE (C) SPLIT
JACOBS, BARR	200	A	92	67-00082 USE (C) SPLIT
JAEGER, JERRY	300	A	45	67-00081
JORDAN, JOE	18	A	86,86,86	67-00082 USE (A) SPLIT
JORDAN, JOE	8	B	63	67-02053
JOYNER, HOMER	45	A	77	67-00081
JOYNER, HOMER	50	A	52	67-00081
KALMBACK, GARY	3	A	72	67-00083 USE (D) SPLIT
LACY, ART	200	A	95	67-00081
LAWRENCE, PAUL	20	A	NONE	67-00083 USE (G) SPLIT
LEE, LYNDA 47	20	A	50	67-00081
LEGER, VINCE	4	C	64	67-02053
LEGG, ALVIN	60	A	55	67-00081
LEGG FAMILY 48	65	A	51 110	67-00081
LOST VALLEY RES.	10	A	NONE	67-00083 USE (H) SPLIT
LOST VALLEY RES.	7 38 ~~10~~	B	NONE	67-02053
	* 3 JERRY MARTIN			
MC ALVIN, DOUG	35	A	67,68,73	67-00071 USE (A) SPLIT
MC LAUGHLIN, GLENN	0.5	C	63	67-02053
MENICHETTI, SYLVIA	3 OK	A	80	67-00082 USE (G) SPLIT
MERK, LADELL	10	A	36	67-00081
MERK, LADELL	20	C	37	67-02053
MIDDLE VALLEY DITCH #7	2000	A	7	67-00081
MIDDLE VALLEY DITCH	1000	B	16	67-02053
MINK, KENNETH	155 65	A	61	67-00081
MINK LAND & LIVESTOCK	220	A	42	67-00081
MINK, T. C.	10	A	NONE	67-00082 USE (H) SPLIT
MOYER, JOHN	5	C	55	67-02053
NEWMAN, LEON	3	C	72	67-02053

#57 WIFE

90A'S

ALL UNDER SAME NAME

SOLD But Can't Know Who is NOW OWNER

NAME	1 AF SHARES	CLASS	CERTIFICATE #	PARENT WATER RIGHT(S)
PEEBLES, LAMAR	3	C	36	67-02053
PICKETT, CEDRICK	4	C	38	67-02053
~~POTTER, INA~~ B & G LOGGING Co. INC.	5	C	~~26~~ 77	67-02053
RAFFETTY, DICK	5	A	74	67-00083 USE (E) SPLIT
RINGERING, GARY	5	C	73	67-02053
RYALLS, MELVIN	20	A	20	67-00082 USE (D) SPLIT
CK ON SMEL FILING ON THE 30 SHARES	30 WAS CAPS		BUT DON'T KNOW WHO NEW OWNER IS THE LAND IS ALL SAME (CHG OF OWNERSHIP)	
SCHNELL, ALVIN	100	A	47	67-00081
#14 SCHWARTZ, ANTHONY	100	B	47	67-02053
SCISM, DOUG	17.5	B	61	67-02053
" " NOW SCISMS	43	A	79	67-00083
SHUMWAY, STEVE	50	A	97	67-00083 USE (F) SPLIT
SHUMWAY, STEVE	98	A	97	67-00081
SHUMWAY, STEVE	100	C	75	67-02053
SMITH, HARRY #78 Driggs	1	C	76	67-02053
SUTTON, WAYNE	900	A	99	67-00081
TURNBULL, ROBERT	140	A	58	67-00081
VOLLE, GEORGE	200	A	59	67-00081
WILLIAMS, JIM	20	C	61	67-02053
WOLFORD, JACK #79	5	C	74	67-02053
WX RANCH	150	A	53	67-00081
NEW OWNER	100	A (from ART BUTTS)		
	250			
TOTAL AF/SHARES	9610	ck Bought this spring wx		
TOTAL RESERV.CAPACITY W/FLASHBOARDS	9610			

Scism, Doug 90 B #66 67-02053

B-17.5 Shares from Glenn D. Eastlick Bought (Same LANDS) Just Change of ownership

Change of ownership

B-90 from Glenn (Dif) caps to Scism

A-43 Shares Hamil to Dopp to Capps to Scism

B-100 Shares from Schwartz

PREP. BY: RON HOWELTON
DATE: July 20, 1991

LOST CR. (LOST VALLEY RESERVOIR)

CURRENT CLAIMANT(S) "A" SHARES PG (1)

A6. 000 81 AA BARTON RANCH INC. / 100 AF
81 AB BOISE CASCADE CORP. / 50 AF
81 B SCHNELL, ALVIN D. / 100 AF
81 C HORNING, MARJORIE, A / 10 AF
81 E TURNBULL, ROBERT W. / 140 AF
81 F BARTON RANCH, INC. / 200 AF
81 G WOODWORTH, ROBERT L. / 2 AF
81 K FAIRCHILD, DEANE. / 200 AF
81 L LEGG, ALVIN Y / 60 AF
81 M LEGG FAMILY TRUST / 65 AF
81 N DILLON, PAULINE / 15 AF
81 P MIDDLE VALLEY DITCH CORP / 2000 AF
81 Q SHEFFIELD, ANNETTE / 155 AF
81 R GALLANT, FRED, GLEN, IDA / 60 AF
81 S FISK, DALE L. / 3 AF
81 T BALL, MARTHA / 56 AF
81 U EMMA BALL ESTATE / 194 AF
81 V SHUMWAY, STEVE / 148 AF
81 W SUTTON, WAYNE / 900 AF
81 X FISK, PENNY & LARRY / 7 AF
81 Y BACON VALLEY RANCHES / 190 AF

82 A JORDAN, CYNTHIA A. / 18 AF
82 B HENDERSON RANCHES / 90 AF
82 D RYALLS, M / 20 AF
82 G MENICHETTI, SYLVAN / 3 AF

4786 AF

A67-00083AA RYALS, MELVIN D. / 30 AF

83J SCISM, DOUGLAS M. / 43 AF

"B" AND "C" SHARES.

A67-02053A JORDAN, JOSEPH L. / 8 AF

AA FISK, LARRY & PENNY / 8 AF

AB BOISE CASCADE CORP / 33 AF

C SCHWARTZ, ANTHONY B. / 100 AF

D HUG, JAMES T. / 2 AF

E HENDERSON RANCHES / 160 AF

F PICKET, ALAN M. & CEDRIC A. / 4 AF

G CHE ENTERPRISES / 30 AF

H KOSKIE, GARY D. & BETTY J. / 5 AF

I MIDDLE VALLEY PITCH CORP / 1000 AF

K LEGER, CO-TRUSTEES VINCENT D. & ESTHER A. / 4 AF

L. HAWKINS, NANCY E / 3 AF

M WILLIAMS, HENRY J. & NORMA / 20 AF

N GLENN, AMY G. / 17.5 AF

P GALLANT, GARY G. & CAROLE M. / 15 AF

Q PEEBLES, STEPHEN / 3 AF

S SCISM, DOUGLAS M. / 17.5 AF

T SCISM, DOUGLAS M. / 90 AF

U FISK, JOHN F. / 10 AF

V SHUMWAY, STEVE / 100 AF

W HARRINGTON, EVERETT & DEAN & HAZEL / 50 AF

X BACON VALLEY RANCHES, INC. / 20 AF

Z FISK, DICK C. & ALMA L. / 2 AF

561 AF

11.7-11422 (COMBINED RIGHT)

A67-00083 & 2053 / 212 AF

NELSON, R. TODD (6773 AF) CLAIMED

NELSON, DONNA K.

WHITE, CRYSTAL V.

GOULD, ROY E.

("UNKNOWN SHARES")

? A67-00074A MENICHETTI, SYLVAN & CAROLYN / 1.87 AF

A67-00074A " " " / 0.37 AF

SD-34 Source: LOST VALLEY RESERVOIR Basin: 67 STATE

Records 8

	Water Right No.	Current Owner Last, First	ST G	Priority Date	Tributary	Total Diversion	Use Code	Desc
R	A67-00082A	JORDAN, CYNTHIA A., JORDAN, JOSEPH L.	D	05/27/1910	LOST CREEK	18.000	02 03	IRR S IRR FS
R	A67-00081L	LEGG, ALVIN Y. LEGG, KATHLEEN L.	D	05/27/1910		60.000	02 03	IRR S IRR FS
R	A67-00081M	LEGG FAMILY TRUST,		05/27/1910		65.000	02 03	IRR S IRR FS
—	A67-00082	SPLIT RIGHT,		05/27/1910	LOST CREEK	360.000	02 03	IRR S IRR FS
R	A67-00082D	RYALLS, MELVIN	D	05/27/1910	LOST CREEK	20.000	02 03	IRR S IRR FS
R	A67-00083AA	RYALS, MELVIN D.	D	05/27/1910	LOST CREEK	30.000	02 03	IRR S IRR FS
R	A67-00083B	COMBINED RIGHT,		05/27/1910	LOST CREEK	100.000	02 03	IRR S IRR FS
R	A67-00081Y	BACON VALLEY RANCHE	D	05/27/1910	WEISER RIVE	190.000	01	IRR

(Enter=Continue) (GOLD7=This Query) (MENU _____)

AJ5811NP
SELECTION FILE: RON_LOST

IDAHO DEPARTMENT OF WATER RESOURCES
SELECTION CONTENTS

DATE: 07/18/91
TIME: 13:27:13
PAGE: 1

A29-00333	A47-14717	A67-00071	A67-00071A	A67-00071B	A67-00073A	A67-00074A	A67-00081	A67-00081A	A67-00081AA
A67-00081AB	A67-00081B	A67-00081C	A67-00081E	A67-00081F	A67-00081G	A67-00081H	A67-00081K	A67-00081N	A67-00081O
A67-00081P	A67-00081Q	A67-00081R	A67-00081S	A67-00081T	A67-00081U	A67-00081V	A67-00081W	A67-00081X	A67-00081Z
A67-00082A	A67-00082B	A67-00082G	A67-00083	A67-00083BB	A67-00083J	A67-02053	A67-02053A	A67-02053AA	A67-02053AB
A67-02053C	A67-02053D	A67-02053E	A67-02053F	A67-02053G	A67-02053H	A67-02053I	A67-02053K	A67-02053L	A67-02053M
A67-02053N	A67-02053P	A67-02053Q	A67-02053S	A67-02053T	A67-02053U	A67-02053V	A67-02053W	A67-02053X	A67-02053Y
A67-02053Z	A67-11422	A71-02074	A71-10103	A75-04147					

TOTAL RECORDS IN SELECTION FILE: 65

RON_LOST (NOT SAME SOURCE)

RON_LOST2

(SOURCE) LOST VALLEY RESERVOIR & LOST CR.

67-000 81L
81M
82D
83AA
83B
81Y
82A

A67-00081AA (1)
81C (2)
81E (3)
81K (4)
81N (5)
81P (6)
82B (7)
2053E (8)

A67-00071	A67-00071A	A67-00071B	A67-00073A	A67-00074A	A67-00081	A67-00081A	A67-00081AB	A67-00081B	A67-00081F
A67-00081G	A67-00081H	A67-00081O	A67-00081Q	A67-00081R	A67-00081S	A67-00081T	A67-00081U	A67-00081V	A67-00081W
A67-00081X	A67-00082A	A67-00082G	A67-00083	A67-00083BB	A67-00083J	A67-02053	A67-02053A	A67-02053AA	A67-02053AB
A67-02053C	A67-02053D	A67-02053F	A67-02053G	A67-02053H	A67-02053I	A67-02053K	A67-02053L	A67-02053M	A67-02053N
A67-02053P	A67-02053Q	A67-02053S	A67-02053T	A67-02053U	A67-02053V	A67-02053W	A67-02053X	A67-02053Z	A67-11422

TOTAL RECORDS IN SELECTION FILE: 50

Water Right Number - A67-00071 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SPLIT RIGHT		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
*** O - ORIGINAL OWNER ***		
FREEHAFER	A. L.	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
PIKE	MARGARET E.	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN		Z - SEE REMARKS

Source	Tributary
LOST CREEK SPLIT RIGHT	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		40.00
03	IRRIGATION FROM STORAGE	04/01	11/01		40.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	40.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	23	NW SW			02	IRRIGATION STORAGE	(3) ADAMS
17N	01W	23	SW SW			02	IRRIGATION STORAGE	(3) ADAMS
17N	01W	23	NW SE			02	IRRIGATION STORAGE	(3) ADAMS
17N	01W	23	SW SE			02	IRRIGATION STORAGE	(3) ADAMS

Diversion Means -

Non-Irrigation Use -

Water right number - A67-00071 Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use -

+ - - - - - - - - - - Remarks - - - - - - - - - - +

THIS WATER CARRIED IN THE ROBERTSON-SEAVEY DITCH.
SOURCE FORMERLY KNOWN AS LOST CREEK RES.
****
THIS IS A SPLIT OF 67-00071.
67-00071, 67-00082, AND 67-00083 HAVE BEEN COMBINED IN THE SRBA
IN ORDER TO FACILITATE CLAIMS TAKING OF THE INDIVIDUAL SHARE
HOLDERS WITHIN LOST VALLEY RESERVOIR CO..
THE FOLLOWING ARE THE SHAREHOLDERS WITH THEIR APPROPRIATE SPLITS
OF 67-00071.

A67-00071A MC ALVAIN, DOUG	35 ACRE FEET	CERT. # 67
		CERT. # 68
		CERT. # 73
A67-00071B GLEASON, DAVID	5 ACRE FEET	CERT. # 69
TOTAL ALL CLAIMS	40 ACRE FEET	

IT IS PROBABLE THAT THESE CLAIMS REPRESENT TRANSFERS OF THE POINT
OF DIVERSION AND/OR THE PLACE OF USE LISTED IN DECREE 67-00071 TO
THOSE LISTED IN THE SRBA SPLIT CLAIMS. ELR *******************

+ - - - - - - - - - - Old Water Right Numbers - - - - - - - - - - +

A6700071

+ - - - - - - - - - - Conditions of Approval - - - - - - - - - - +

No Conditions of Approval found.

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

+ - - Audit Fields - 09/22/89 FRITSCHL 01/02/90 SCHULD

+ - - - - - - - - - - -Comments- - - - - - - - - - - +

No Comments Found

+ - - - - - - - - - - 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	- 04/01/1985	Old Judicial District	-
Claim Received Date	- 00/00/0000	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-00071A Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
MCALVAIN	W. DOUGLAS	1 - P.O. BOX 87 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-323-7978
MCALVAIN	SERENA E.	1 - P.O. BOX 87 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-323-7978
*** O - ORIGINAL OWNER ***		
FREEHAFER	A.L.	1 - 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-000-0000
PIKE	MARGARET	1 - 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
17N	01W	4	NE NE NE		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		35.00
03	IRRIGATION FROM STORAGE	04/01	11/01		35.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	35.00		35.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	14	NE SW		8.4	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	14	NW SW		39.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 47.4

Water right number - A67-00071A   Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - HEADGATE AND DITCH

+ - - Non-Irrigation Use - STOCKWATER INCIDENTAL TO IRRIGATION

+ - - Other Rights for Same Use - WEISER RIVER DECREED RIGHTS.

+ - - - - - - - - - - - - - - - Remarks - - - - - - - - - - - - - - - +

THIS WATER CARRIED IN THE ROBERTSON-SEVEY DITCH.
THE STORAGE WATER CLAIMED IS EXCHANGED FOR A DIRECT FLOW FROM THE
WEISER RIVER. THIS CLAIM IS BASED ON CERTIFICATES 67, 68 AND 73.

+ - - - - - - - - - - - - - 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

+ - - Audit Fields - 01/03/90 LUTHY

+ - - - - - - - - - - - - - - - -Comments- - - - - - - - - - - - - - - - +

No Comments Found

+ - - - - - - - - - - - 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	- 04/01/1985	Old Judicial District	-
Claim Received Date	- 01/03/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- C013805	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND		

Water Right Number - A67-00071B Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
GLEASON	DAVID C.	1 - P.O. BOX 9 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-6465
GLEASON	CAROLYN S.	1 - P.O. BOX 9 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-6465
*** O - ORIGINAL OWNER ***		
FREEHAFER	A. L.	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
PIKE	MARGARET E.	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
17N	01W	4	NE NE NE		R	(3) ADAMS	
19N	01W	28	SW SE NW			(3) ADAMS	
19N	01W	28	SW SE NW		I	(3) ADAMS	
19N	01W	28	SE SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		5.00
03	IRRIGATION FROM STORAGE	04/01	11/01		5.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	5.00		5.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	14	NE SW		15.0	02	IRRIGATION STORAGE	(3) ADAMS

Total Acres: 15.0

Water right number - A67-00071B Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - LOST VALLEY RESERVOIR

+ - - Non-Irrigation Use - STOCKWATER FOR 4 HORSES AND 4 CATTLE DURING THE IRRIGATION SEASON

+ - - Other Rights for Same Use - 67-04114

+ - Remarks - +
THIS WATER CARRIED IN THE ROBERTSON-SEAVEY DITCH.

+ - 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

+ - - Audit Fields - 10/03/89 MOBILE2

+ -Comments- +
No Comments Found

+ - 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	- 04/01/1985	Old Judicial District	-
Claim Received Date	- 10/03/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- M004779	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND/OR		

Water Right Number - A67-00081 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER *** SPLIT CLAIM		1 - 2 - 3 - City- X State- ID Zip- X Phone - 208-000-0000
*** O - ORIGINAL OWNER *** ORCHARDS WATER CO.		1 - 2 - 3 - City- CAMBRIDGE State- ID Zip- 83610 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN		Z - SEE REMARKS

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
65N	46E	36			(99)	SUBSCRIPTION	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		6250.00
03	IRRIGATION FROM STORAGE	03/15	11/15		6250.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	6250.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County

Diversion Means -

Non-Irrigation Use - NONE

Other Rights for Same Use - N/A

Remarks

THIS CLAIM HAS BEEN SPLIT SEVERAL TIMES. AS OF 8-23-90 IT IS
UP TO A67-00081 . ORIGINAL WATER RIGHT SPLIT ONLY FROM A-H AND
DOES NOT CORRESPOND WITH ADJ. CLAIM NO.'S. JS

Old Water Right Numbers

No Old Water Right Numbers found.

Water right number - A67-00081 Prefix Translation: ADJUDICATION CLAIM

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
MUIR	ALLISON	06/20/1910

Audit Fields - 10/27/89 HARRINGT 11/20/89 HARRIS 08/23/90 SHURTE

Comments

No Comments Found

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	- 00/00/0000	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-00081A Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SPLIT RIGHT		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
*** O - ORIGINAL OWNER ***		
ORCHARDS WATER COMPANY		1 - 2 - 3 - City- XX State- ID Zip- 00 Phone - 208-000-0000
BALL	EMMA	1 - 2 - 3 - City- MESA State- ID Zip- 83643 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN		Z - SEE REMARKS

Source	Tributary
LOST CREEK SPLIT RIGHT	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
03	IRRIGATION FROM STORAGE				2375.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	2375.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	02W	4	NW NW	4		03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	SW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	NW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	SW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	5	SE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	6	NE NE	1		03	IRRIGATION FROM STORAGE	(3) ADAMS

Water right number - A67-00081A Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	02W	6	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	6	NE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	6	NW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	6	SW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	6	SE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	NE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	NW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	NE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	NE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	7	NW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	NE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	NW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	SW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	02W	8	NW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	NE NW	3		03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	NW NW	4		03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	SW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	SE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	1	NW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	2	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	2	SE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	2	NE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	2	NW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	2	SW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	2	SE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	3	NE NE	1		03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	3	NW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	3	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	3	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	3	NE NW	3		03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	11	NW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	11	NE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	12	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	12	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	12	SW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	12	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	12	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	12	NW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	12	SW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS

Water right number - A67-00081A Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	03W	12	SE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	13	NW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	13	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	13	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	13	NE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	13	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	13	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	13	NW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	13	SW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	14	NE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	14	NW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	14	SW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	14	SE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	23	NE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	23	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	24	NE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	24	NW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	24	SW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
14N	03W	24	NW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	19	SE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	30	NE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	30	NW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	30	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	30	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	NE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	NW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	SW NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	SE NE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	NE SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	31	NW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	NW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	SW NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	SE NW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	NE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	NW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	SW SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	SE SW			03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	32	SW SE			03	IRRIGATION FROM STORAGE	(3) ADAMS

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Water right number - A67-00081A   Prefix Translation: ADJUDICATION CLAIM

\+ - Remarks - +

THIS WATER WILL BE CHARGED A 2.5% LOSS ON WATER RELEASED FROM THE
RESERVOIR. NO MORE THAN 2375.0 AFA CAN BE USED IN ANY ONE SEASON
BY THESE WATER USERS. SEE TRANSFER #2102 (67-0081A) FOR LIST OF
SHAREHOLDERS AND VARIOUS POINTS OF REDIVERSION.
****

THIS RIGHT HAS BEEN SPLIT AS FOLLOWS:
A67-00081J 150 AF TO LAMAR HILL BY ELR
A67-00081X, 7.0 AF TO LARRY FISK
A67-
A67-
A67-

\+ - 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

\+ - - Audit Fields - 09/22/89 FRITSCHL 04/05/90 WERNER

\+ -Comments- +

No Comments Found

\+ - 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	- 06/28/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- X999999	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

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: **A67-00081AA**
Date Received: 10/17/1989
Receipt No: W012679
Received By: DW

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: BARTON RANCH, INC.. 208-257-3466
   Address: C/O DALE BARTON
   RT. 1, BOX 168
   CAMBRIDGE, ID 83610

2. Date of Priority: MAY 27, 1910

3. Source: LOST CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
19N	01W	28	SW	SE	NW		ADAMS

5. Description of diverting works:
   DAM, LOST CREEK, WEISER RIVER. (LOST VALLEY RESERVOIR).

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			100.00
IRRIGATION FROM STORAGE	03/15	11/15			100.00

7. Total Quantity Appropriated is:
   C.F.S. (and/or) 100.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   NONE.

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
15N	02W	32	SW	NW		IRR S	40.0
			SE	NW		IRR S	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
15N	02W	32	NE	SW		IRR S	40.0
			NW	SW		IRR S	40.0
			SW	SW		IRR S	40.0
			SE	SW		IRR S	40.0
					Section Acres		240.0
					Total Acres		240.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
VARIOUS

14. Remarks:
ON THE DAY THIS CLAIM IS FILED, AN APPLICATION FRO TRANSFER IS AL SO BEING FILED TO CHANGE THE PLACE OF USE TO THE PRESENT LOCATION ON THE BARTON RANCH.
LATE FEE NOT REQUIRED AS CLAIMANT PURCHASED THIS WATER AFTER THE CLAIM FILING DEADLINE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/20/1910

MUIR, ET AL
Decree Plaintiff

vs

ALLISON, ET AL
Decree Defendant

16. Signature(s)

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

Number of attachments: —

Water Right Number - A67-00081AB Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name | First Name | Address

*** C - CURRENT OWNER ***
BOISE CASCADE CORPORATION

1 - C/O JOE MUNSON
2 - P.O. BOX 50
3 -
City- BOISE State- ID Zip- 83728
Phone - 208-365-4431

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
16N	01W	10	SW NE SW		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
08	INDUSTRIAL STORAGE	01/01	12/31		50.00
09	INDUSTRIAL FROM STORAGE	01/01	12/31		50.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	50.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
16N	01W	10	NE SE			09	INDUSTRIAL FROM STORAGE	(3) ADAMS
16N	01W	10	NW SE			09	INDUSTRIAL FROM STORAGE	(3) ADAMS
16N	01W	10	SW SE			09	INDUSTRIAL FROM STORAGE	(3) ADAMS

Diversion Means - LOST VALLEY RESERVOIR, PUMPED FROM WEISER RIVER

Non-Irrigation Use - I/SAWMILL USE, SPRINKLING LOG DECKS, FIRE PROTECTION

Other Rights for Same Use - A67-02053AB

Remarks

CLAIM NO. A67-00081T WAS PREVIOUSLY ASSIGNED TO THIS CLAIM AND ANOTHER CLAIM IN THE NAME OF PATRICK OR MARTHA BALL. THIS CLAIM HAS BEEN RENUMBERED DUE TO THIS DUPLICATE ASSIGNMENT OF NUMBERS.
KW 6/14/1991

Old Water Right Numbers

A6700081

Water right number - A67-00081AB Prefix Translation: ADJUDICATION CLAIM

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date - 00/00/0000

Audit Fields - 06/14/91 WALKER

Comments

No Comments Found

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	- 12/29/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C013730	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	- C
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-00081B Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SCHNELL	ALVIN D.	1 - 1417 S. KIMBALL 2 - 3 - City- CALDWELL State- ID Zip- 83605 Phone - 208-459-9466
*** O - ORIGINAL OWNER ***		
SCHNELL	BETTY J.	1 - BOX 31 2 - 3 - City- MIDVALE State- ID Zip- 83645 Phone - 208-000-0000
ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
13N	03W	4	NW NW		R	(87) WASHINGTON	
13N	03W	5	SE NE		R	(87) WASHINGTON	
13N	03W	5	NE SE		R	(87) WASHINGTON	
19N	01W	28	SE NW			(87) WASHINGTON	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		100.00
03	IRRIGATION FROM STORAGE	03/15	11/15		100.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	100.00		831.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13N	03W	4	NE NW		2.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	4	NW NW		23.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	5	NE NE		35.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	5	NW NE		10.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	5	SW NE		25.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	5	SE NE		10.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	5	SE NW		18.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON

Water right number - A67-00081B Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13N	03W	5	NE SW		14.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	5	SW SW		3.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	5	SE SW		16.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	5	NW SE		29.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
13N	03W	5	SW SE		14.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
14N	03W	33	NE SW		27.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
14N	03W	33	NW SW		3.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
14N	03W	33	SW SW		27.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
14N	03W	33	SE SW		17.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
14N	03W	33	NE SE		2.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
14N	03W	33	NW SE		22.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
14N	03W	33	SW SE		3.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON

Total Acres: 300.0

Diversion Means - DAM, PUMPS, SPRINKLERS, WHEELINES AND HANDLINES

Non-Irrigation Use -

Other Rights for Same Use - A67-07206, A67-02177, A67-07280, A67-00149

Remarks

THIS WATER WILL BE PUMPED FROM THE NEW POINTS OF DIVERSION.
A 4% LOSS IS TO BE CHARGED AGAINST THE WATER DIVERTED.
CLAIM REPRESENTS A CHANGE IN NUMBER OF IRRIGATED ACRES.
THIS IS A SPLIT OFF OF A67-00081. CLAIMANT OWNS 100 SHARES OF
CLASS A CERTIFICATES FROM LOST VALLEY RESERVOIR.

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

Audit Fields - 10/13/89 WERNER

Comments

No Comments Found

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	- Y	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/13/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67

Water right number - A67-00081B Prefix Translation: ADJUDICATION CLAIM

+ - Adjudication Rights Dates and Flags Area - +

Licensed Date	- 00/00/0000	Receipt Number	-	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	- D
Fee Exempt Flag	-	Name Connector	-		

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: A67-00081C
Date Received: 10/19/1989
Receipt No: W006447
Received By:

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: MARJORIE A. HORNING 208-355-2287
   Address: RT. 1 BOX 82
   MIDVALE, ID 83645

2. Date of Priority: MAY 27, 1910

3. Source: LOST CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
13N	02W	17	NE SW NW		WASHINGTON
19N	01W	28	SW SE NW		ADAMS

5. Description of diverting works:
   8" TILE LINE FROM RIVER TO HOLDING POND.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			10.00
IRRIGATION FROM STORAGE	03/15	11/15			10.00

7. Total Quantity Appropriated is:
   C.F.S. (and/or) 10.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	03W	17	SW NW		IRR	22.0
				Section Acres		22.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	03W	18	SE NE		IRR	19.0
				Section Acres		19.0
				Total Acres		41.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
A67-02250

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

MUIR (Decree Plaintiff) vs ALLISON (Decree Defendant)

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: A67-00081E
Date Received: 9/19/1989
Receipt No: 141207
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ROBERT W. TURNBULL 208-257-3425
   Address: 2946 SALUBRIA RD.
   CAMBRIDGE, ID 83610
   OR
   Name: CAROL ORGAN TURNBULL 208-257-3425
   Address: 2946 SALUBRIA RD.
   CAMBRIDGE, ID 83610

2. Date of Priority: MAY 27, 1910

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

. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	02W	6	SW	NW		R	WASHINGTON
19N	01W	28	SE	NW			WASHINGTON

5. Description of diverting works:
   EARTH, ROCK & GRAVEL DAM, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15			140.00

7. Total Quantity Appropriated is:
   C.F.S. (and/or) 140.00 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		Lot	Use	Acres
14N	03W	12	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	36.0
			SE	SW		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
					Section Acres		236.0
					Total Acres		236.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS IS A SPLIT OFF OF 67-00081. MR. TURNBULL OWNS 140 SHARES OF CLASS A STOCKS FROM LOST VALLEY RESERVOIR. THE 4 ACRES NOT INCLUDED ARE LOTS OF WHAT USED TO BE THE SALUBRIA TOWN SITE IN SECTION 12, SW1/4,SW1/4.
ON 10/2/89 AMENDED CLAIM TO SHOW POD FROM LOST VALLEY RESERVOIR L.W.

15. Basis of Claim: BENEFICIAL USE

Water Right Number - A67-00081F Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
BARTON RANCH, INC.		1 - C/O DALE BARTON 2 - RT 1, BOX 168 3 - City- CAMBRIDGE State- ID Zip- 83610 Phone - 208-257-3466
*** O - ORIGINAL OWNER ***		
ORCHARDS WATER COMPANY		1 - 2 - 3 - City- XX State- ID Zip- 00 Phone - 208-000-0000
BALL	EMMA	1 - 2 - 3 - City- MESA State- ID Zip- 83643 Phone - 208-000-0000
SPLIT RIGHT		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
14N	02W	6	SW NW		R	(87) WASHINGTON	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
03	IRRIGATION FROM STORAGE	03/15	11/15		200.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	200.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	03W	1	SW NE		14.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	1	NE SW		40.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	1	SE SW		40.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	1	NW SE		40.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	1	SW SE		40.0	01	IRRIGATION	(87) WASHINGTON

Water right number - A67-00081F Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County

Total Acres: 174.0

Diversion Means - DAM, WEISER RIVER; REDIVERSION-DAM, HEADGATE, WEIR

Non-Irrigation Use -

Other Rights for Same Use - A67-04512

Remarks

THIS WATER WILL BE CHARGED A 2.5% LOSS ON WATER RELEASED FROM THE RESERVOIR. NO MORE THAN 2375.0 AFA CAN BE USED IN ANY ONE SEASON BY THESE WATER USERS. SEE TRANSFER #2102 (67-0081A) FOR LIST OF SHAREHOLDERS AND VARIOUS POINTS OF REDIVERSION.
****
THE ABOVE INFORMATION WAS CARRIED OVER FROM THE WATER RIGHTS DATA BASE. THIS IS A SPLIT OFF OFF 67-00081A.
ADDED ACREAGE IN THE SW1/4,SE1/4, SECTION 1, T14N, R03W; 40 AC.
THIS HAS BEEN IRRIGATED FROM LOST VALLEY RESERVOIR SINCE 1977.
POINT OF REDIVERSION TO ALLISON-JEWELL DITCH.

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

Audit Fields - 09/25/89 WERNER

Comments

No Comments Found

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	- 09/25/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- W006041	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	- C
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-00081G Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
WOODWORTH	ROBERT L.	1 - BOX 70 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4521
WOODWORTH	SUE	1 - BOX 70 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-453-4521
*** O - ORIGINAL OWNER ***		
ORCHARDS WATER COMPANY		1 - 2 - 3 - City- XX State- ID Zip- 00 Phone - 208-000-0000
BALL	EMMA	1 - 2 - 3 - City- MESA State- ID Zip- 83643 Phone - 208-000-0000
SPLIT RIGHT		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
17N	01W	14	SE NW		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
03	IRRIGATION FROM STORAGE	03/15	11/15		2.00
02	IRRIGATION STORAGE	01/01	12/31		2.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	2.00		0.0	

Water right number - A67-00081G Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	14	SE NW		2.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 2.0

Diversion Means - DAM, DITCH

Non-Irrigation Use -

Other Rights for Same Use - NONE

Remarks

THIS WATER WILL BE CHARGED A 2.5% LOSS ON WATER RELEASED FROM THE RESERVOIR. NO MORE THAN 2375.0 AFA CAN BE USED IN ANY ONE SEASON BY THESE WATER USERS. SEE TRANSFER #2102 (67-0081A) FOR LIST OF SHAREHOLDERS AND VARIOUS POINTS OF REDIVERSION.
****
THIS RIGHT HAS BEEN SPLIT AS FOLLOWS:
A67-00081J 150 AF TO LAMAR HILL BY ELR
A67-
A67-
A67-
A67-
THIS IS A SPLIT OFF OF 67-00081A.
MR. WOODWORTH OWNS 2 SHARES OF CLASS A STOCK IN LOST VALLEY RESERVOIR.

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

Audit Fields - 09/28/89 WERNER

Comments

No Comments Found

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	- 09/28/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- W006059	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-

Water right number - A67-00081G Prefix Translation: ADJUDICATION CLAIM

+ - Adjudication Rights Dates and Flags Area - +

Fee Exempt Flag - Name Connector -

Water Right Number - A67-00081H Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER *** SPLIT RIGHT		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
*** O - ORIGINAL OWNER *** ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN		Z - SEE REMARKS

Source	Tributary
LOST CREEK SPLIT RIGHT	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
65N	46E	36			(99)	SUBSCRIPTION	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION				2610.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	2610.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	01W	8	NE NE			01	IRRIGATION	(3) ADAMS
15N	01W	8	NW NE			01	IRRIGATION	(3) ADAMS
15N	01W	8	SW NE			01	IRRIGATION	(3) ADAMS
15N	01W	8	SE NE			01	IRRIGATION	(3) ADAMS
15N	01W	8	NE SW			01	IRRIGATION	(3) ADAMS
15N	01W	8	NW SW			01	IRRIGATION	(3) ADAMS
15N	01W	8	NE SE			01	IRRIGATION	(3) ADAMS
15N	01W	8	NW SE			01	IRRIGATION	(3) ADAMS
15N	01W	9	NW NW			01	IRRIGATION	(3) ADAMS
15N	01W	9	SW NW			01	IRRIGATION	(3) ADAMS
15N	01W	9	SE NW			01	IRRIGATION	(3) ADAMS
15N	01W	9	NE SW			01	IRRIGATION	(3) ADAMS
15N	01W	9	NW SW			01	IRRIGATION	(3) ADAMS
15N	01W	9	SW SW			01	IRRIGATION	(3) ADAMS
15N	01W	9	SE SW			01	IRRIGATION	(3) ADAMS

Water right number - A67-00081H Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	01W	9	SE SW			01	IRRIGATION	(3) ADAMS
15N	01W	10	SW SW			01	IRRIGATION	(3) ADAMS
15N	01W	10	SE SW			01	IRRIGATION	(3) ADAMS
15N	01W	10	SW SE			01	IRRIGATION	(3) ADAMS
15N	01W	14	NE SW			01	IRRIGATION	(3) ADAMS
15N	01W	14	SE SW			01	IRRIGATION	(3) ADAMS
15N	01W	15	NW NE			01	IRRIGATION	(3) ADAMS
15N	01W	15	NE NW			01	IRRIGATION	(3) ADAMS
15N	01W	15	NW NW			01	IRRIGATION	(3) ADAMS
15N	01W	16	NE NE			01	IRRIGATION	(3) ADAMS
15N	01W	16	NW NE			01	IRRIGATION	(3) ADAMS
15N	01W	16	NE NW			01	IRRIGATION	(3) ADAMS
15N	01W	16	NW NW			01	IRRIGATION	(3) ADAMS
15N	01W	17	NE NW			01	IRRIGATION	(3) ADAMS
15N	01W	17	SW NW			01	IRRIGATION	(3) ADAMS
15N	01W	17	SE NW			01	IRRIGATION	(3) ADAMS
15N	01W	17	NE SW			01	IRRIGATION	(3) ADAMS
15N	01W	17	SE SW			01	IRRIGATION	(3) ADAMS
15N	01W	19	NW NE			01	IRRIGATION	(3) ADAMS
15N	01W	19	SW NE			01	IRRIGATION	(3) ADAMS
15N	01W	19	NW SE			01	IRRIGATION	(3) ADAMS
15N	01W	19	SW SE			01	IRRIGATION	(3) ADAMS
15N	01W	20	NE NE			01	IRRIGATION	(3) ADAMS
15N	01W	20	NW NE			01	IRRIGATION	(3) ADAMS
15N	01W	20	SW NE			01	IRRIGATION	(3) ADAMS
15N	01W	20	SE NE			01	IRRIGATION	(3) ADAMS
15N	01W	20	NE NW			01	IRRIGATION	(3) ADAMS
15N	01W	20	NW NW			01	IRRIGATION	(3) ADAMS
15N	01W	20	SW NW			01	IRRIGATION	(3) ADAMS
15N	01W	20	SE NW			01	IRRIGATION	(3) ADAMS
15N	01W	21	NE NE			01	IRRIGATION	(3) ADAMS
15N	01W	21	NW NE			01	IRRIGATION	(3) ADAMS
15N	01W	21	SW NE			01	IRRIGATION	(3) ADAMS
15N	01W	21	SE NE			01	IRRIGATION	(3) ADAMS
15N	01W	21	NE NW			01	IRRIGATION	(3) ADAMS
15N	01W	21	NW NW			01	IRRIGATION	(3) ADAMS
15N	01W	21	SW NW			01	IRRIGATION	(3) ADAMS
15N	01W	21	SE NW			01	IRRIGATION	(3) ADAMS
15N	01W	22	NE NE			01	IRRIGATION	(3) ADAMS
15N	01W	22	NW NE			01	IRRIGATION	(3) ADAMS
15N	01W	22	SW NE			01	IRRIGATION	(3) ADAMS
15N	01W	22	SE NE			01	IRRIGATION	(3) ADAMS
15N	01W	22	NE NW			01	IRRIGATION	(3) ADAMS
15N	01W	22	NW NW			01	IRRIGATION	(3) ADAMS
15N	01W	22	SW NW			01	IRRIGATION	(3) ADAMS
15N	01W	22	SE NW			01	IRRIGATION	(3) ADAMS
15N	01W	23	NW NW			01	IRRIGATION	(3) ADAMS
15N	01W	23	SW NW			01	IRRIGATION	(3) ADAMS
15N	02W	14	NE SW			01	IRRIGATION	(3) ADAMS

Water right number - A67-00081H Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	02W	14	NW SW			01	IRRIGATION	(3) ADAMS
15N	02W	14	SW SW			01	IRRIGATION	(3) ADAMS
15N	02W	14	SE SW			01	IRRIGATION	(3) ADAMS
15N	02W	15	NW NE			01	IRRIGATION	(3) ADAMS
15N	02W	15	SW NE			01	IRRIGATION	(3) ADAMS
15N	02W	15	SE NE			01	IRRIGATION	(3) ADAMS
15N	02W	15	NE NW			01	IRRIGATION	(3) ADAMS
15N	02W	15	NW NW			01	IRRIGATION	(3) ADAMS
15N	02W	15	SW NW			01	IRRIGATION	(3) ADAMS
15N	02W	15	SE NW			01	IRRIGATION	(3) ADAMS
15N	02W	15	NE SW			01	IRRIGATION	(3) ADAMS
15N	02W	22	NE NE			01	IRRIGATION	(3) ADAMS
15N	02W	22	NW NE			01	IRRIGATION	(3) ADAMS
15N	02W	22	SW NE			01	IRRIGATION	(3) ADAMS
15N	02W	22	NE NW			01	IRRIGATION	(3) ADAMS
15N	02W	23	NW NW			01	IRRIGATION	(3) ADAMS

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks

RESERVOIR WATER RELEASED TO REPLACE WATER TAKEN FROM MIDDLE FORK
OF WEISER RIVER.
|
THIS WATER RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:
A67-00081R; 60.0 AFA BY FRED L., GLENN H. OR IDA J. GALLANT

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

Audit Fields - 11/21/89 FRITSCHL

Comments

No Comments Found

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	-

Water right number - A67-00081H Prefix Translation: ADJUDICATION CLAIM

Adjudication Rights Dates and Flags Area

Claim Received Date	- 11/20/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

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: A67-00081K
Date Received: ~~7/18/1989~~ 10-6-89
Receipt No: 0006175
Received By:

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: DEAN E. FAIRCHILD 208-355-2277
   Address: BOX 125
   MIDVALE, ID 83645
   OR
   Name: VELDA C. FAIRCHILD 208-355-2277
   Address: BOX 125
   MIDVALE, ID 83645

2. Date of Priority: MAY 27, 1910

3. Source: LOST CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
13N	03W	17	SW SW	R	ADAMS
		19	NW NE	R	ADAMS
			NW SE	R	ADAMS
14N	03W	34	SE SW	R	ADAMS
19N	01E	28	SE NW		ADAMS

5. Description of diverting works:
   DAM IN CREEK FOR RESERVOIR, PUMPS IN WEISER RIVER FOR REDIVERSION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION FROM STORAGE	03/15	11/15			200.00

7. Total Quantity Appropriated is:
   C.F.S. (and/or) 200.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   NONE.

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
13N	03W	3	SE	NW		IRR	32.0
			NE	SW		IRR	40.0
			NW	SW		IRR	28.0
					Section Acres		100.0
		18	NE	SW		IRR	34.0
			NW	SW	3	IRR	10.0
			SE	SW		IRR	40.0
			SW	SE		IRR	30.0
			SE	SE		IRR	19.0
					Section Acres		133.0
		19	NW	NE		IRR	20.0
			SW	NE		IRR	30.0
			NE	NW		IRR	25.0
			NW	NW	1	IRR	35.0
			SW	NW	2	IRR	35.0
			SE	NW		IRR	25.0
			NE	SW		IRR	40.0
			NW	SW	3	IRR	10.0
			SW	SW	4	IRR	10.0
			SE	SW		IRR	40.0
			NW	SE		IRR	23.0
			SW	SE		IRR	35.0
					Section Acres		328.0
					Total Acres		561.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
A67-02210B, 02333, 02319, 07396, 02384B, 07102, 02258, 00640-43.

14. Remarks:
CRANE CREEK STORAGE RIGHTS ARE ALSO USED ON THE PROPERTY IN SEC. 18 & 19. FILED UNDER WATER RIGHT #67-02384B. THIS CLAIM IS FILED FOR LOST VALLEY RESERVOIR "A" SHARES WHICH ARE RE-DIVERTED AT THE POINTS SHOWN.

15. Basis of Claim: DECREED

Water Right Number - A67-00081L Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
LEGG	ALVIN Y.	1 - P.O. BOX 118 2 - 3 - City- CAMBRIDGE State- ID Zip- 83610 Phone - 208-257-3547
LEGG	KATHLEEN L.	1 - P.O. BOX 118 2 - 3 - City- CAMBRIDGE State- ID Zip- 83610 Phone - 208-257-3547

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source: LOST VALLEY RESERVOIR

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
15N	02W	16	SE SE SW		R (3)	ADAMS
19N	01W	28	SW SE NW		(3)	ADAMS

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		60.00
03	IRRIGATION FROM STORAGE	03/15	11/15		60.00

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
	60.00	180.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	03W	13	SW SW		38.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
14N	03W	13	SE SW		22.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON

Total Acres: 60.0

Diversion Means - DAM, LOST CREEK, WEISER RIVER

Non-Irrigation Use - NONE

Other Rights for Same Use - A67-02227

Water right number - A67-00081L Prefix Translation: ADJUDICATION CLAIM

Remarks

POINT OF REDIVERSION FROM WEISER RIVER IS LOCATED IN 15N 02W 16
THIS CLAIM IS A SPLIT FROM RIGHT NO. 67-00081A

Old Water Right Numbers

A6700081A

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments

No Comments Found

Audit Fields
00/00/00

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	- 09/12/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C011572	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-

Water Right Number - A67-00081M Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

*** C - CURRENT OWNER ***
LEGG FAMILY TRUST

1 - P.O. BOX 118
2 -
3 -
City- CAMBRIDGE State- ID Zip- 83610
Phone - 208-257-3547

Priority Date: 05/27/1910
Region: 14 WESTERN
Stage:
Status: W - WITHDRAWN

Source: LOST VALLEY RESERVOIR
Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
15N	02W	16	SE SE SW		R (3)	ADAMS
19N	01W	28	SW SE NW		(3)	ADAMS

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		65.00
03	IRRIGATION FROM STORAGE	03/15	11/15		65.00

Total Div. Rate:
Total Div. Volume: 65.00
Total Consumptive Use: 240.0
KW Usage:

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	03W	13	NE SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
14N	03W	13	NW SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON

Total Acres: 80.0

Diversion Means - DAM, LOST CREEK, WEISER RIVER

Non-Irrigation Use - NONE

Other Rights for Same Use - NONE

Remarks

POINT OF REDIVERSION FROM WEISER RIVER IS LOCATED IN 15N 02W 16
THIS CLAIM IS A SPLIT FROM RIGHT NO. 67-00081A

Old Water Right Numbers

A6700081A

Water right number - A67-00081M Prefix Translation: ADJUDICATION CLAIM

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments

No Comments Found

Audit Fields
00/00/00

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	- 09/12/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C011571	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-

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: **A67-00081N**
Date Received: 10/04/1989
Receipt No: M004803
Received By:

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: PAULINE DILLON 208-257-3452
   Address: P.O. BOX 153
   CAMBRIDGE, ID 83610
   OR
   Name: LARRY D. DILLON 208-257-3452
   Address: P.O. BOX 153
   CAMBRIDGE, ID 83610

2. Date of Priority: MAY 27, 1910

3. Source: LOST CREEK Trib. to: WEISER RIVER,WEST FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
19N	01W	28	SE	NW	ADAMS

5. Description of diverting works:
   STORED IN LOST VALLEY RESERVOIR,THEN PUMPED FROM RIVER

6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:
   C.F.S. (and/or) 15.00 A.F.A.

8. Total consumptive use is 45.0 Acre Feet Per Annum.

9. Non-irrigation uses:
   STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
14N	03W	11	NE	NW		IRR FS	15.0
						Section Acres	15.0
						Total Acres	15.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
FLOOD WATER RIGHT FROM WEISER RIVER, A67-04532

14. Remarks:
POINT OF RE-DIVERSION FROM WEISER RIVER IS NENENW, SEC.11,T14N, R03W

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff vs Decree Defendant

Water Right Number - A67-000810 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
DELETE CLAIM		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
*** O - ORIGINAL OWNER ***		
C.H.E. ENTERPRISES INC.		1 - C/O PETER H. ERTEL 2 - COW CREEK RANCH 3 - RT 1 BOX 152 City- CAMBRIDGE State- ID Zip- 83610 Phone - 208-257-3491
ORCHARDS WATER COMPANY		1 - 2 - 3 - City- XX State- ID Zip- 00 Phone - 208-000-0000
BALL	EMMA	1 - 2 - 3 - City- MESA State- ID Zip- 83643 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN		Z - SEE REMARKS

Source	Tributary
LOST CREEK DELETE CLAIM	WEISER RIVER, WEST FORK SEE A67-00081

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW		(3)	ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
03	IRRIGATION FROM STORAGE	03/15	11/15	2.000	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
2.000			1510.3	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	02W	31	SW NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	31	SE NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	31	SE NW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	31	NE SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	31	NE SE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON

Water right number - A67-000810 Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	02W	31	NW SE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	32	SW NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	32	SW NW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	32	SE NW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	32	NE SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	32	NW SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	32	SW SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	32	SE SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	32	NW SE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON

Total Acres: 560.0

Diversion Means - FLOOD AND SUB. IRR.

Non-Irrigation Use - NA

Other Rights for Same Use - A67-2053

Remarks

THIS WATER WILL BE CHARGED A 2.5% LOSS ON WATER RELEASED FROM THE RESERVOIR. NO MORE THAN 2375.0 AFA CAN BE USED IN ANY ONE SEASON BY THESE WATER USERS. SEE TRANSFER #2102 (67-0081A) FOR LIST OF SHAREHOLDERS AND VARIOUS POINTS OF REDIVERSION.
****
THIS CLAIM WILL NOT BE SUBMITTED; THIS PORTION OF THE RIGHT WILL BE INCORPORATED INTO A67-00081, SUBMITTED BY CAMBRIDGE DITCH CO. PER CONVERSATION WITH BARBARA ERTEL, VP, CH.E. ENTERPRISES AND J. JAEGER, SEC. CAMBRIDGE DITCH CO.
HLHT 10-30-89
****
****

Old Water Right Numbers

A6700081

Conditions of Approval

No Conditions of Approval found.

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

Audit Fields - 10/30/89 HARRINGT

Comments

No Comments Found

Water right number - A67-000810 Prefix Translation: ADJUDICATION CLAIM

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	- 06/28/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- OR		

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: **A67-00081P**
Date Received: 10/12/1989
Receipt No: M004919
Received By: LJ + JS

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: MIDDLE VALLEY DITCH CORP. 208-355-2380
   Address: C/O MILDRED HORTON, SEC.
   RT 1, BOX 12
   MIDVALE, ID 83645

2. Date of Priority: MAY 27, 1910

3. Source: LOST CREEK Trib. to: WEISER RIVER, W. FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
19N	01W	28	SE NW		ADAMS

Description of diverting works:
DIVERSION DAM W/DITCH, HEADGATES, ETC.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			2000.00
IRRIGATION FROM STORAGE	03/15	11/15			2000.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 2000.00 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	Lot	Use	Acres
13N	03W	3	NE NW		IRR FS	25.0
			NW NW		IRR FS	40.0

Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	03W	3	SW NW		IRR FS	40.0
			SE NW		IRR FS	10.0
			NE SW		IRR FS	25.0
				Section Acres		140.0
		4	NE NE		IRR FS	40.0
			NW NE		IRR FS	40.0
			SW NE		IRR FS	40.0
			SE NE		IRR FS	40.0
			NE NW		IRR FS	40.0
			NW NW		IRR FS	20.0
			SW NW		IRR FS	40.0
			SE NW		IRR FS	40.0
			NE SW		IRR FS	40.0
			NW SW		IRR FS	40.0
			SW SW		IRR FS	40.0
			SE SW		IRR FS	40.0
			NE SE		IRR FS	40.0
			NW SE		IRR FS	40.0
			SW SE		IRR FS	40.0
			SE SE		IRR FS	40.0
				Section Acres		620.0
		5	SE NE		IRR FS	7.0
			NE SE		IRR FS	10.0
			SE SE		IRR FS	10.0
				Section Acres		27.0
		8	NE NE		IRR FS	40.0
			NW NE		IRR FS	35.0
			SW NE		IRR FS	40.0
			SE NE		IRR FS	40.0
			NE NW		IRR FS	40.0
			NW NW		IRR FS	25.0
			SW NW		IRR FS	30.0
			SE NW		IRR FS	40.0
			NE SW		IRR FS	40.0
			NW SW		IRR FS	20.0
			SW SW		IRR FS	30.0
			SE SW		IRR FS	40.0
			NE SE		IRR FS	40.0
			NW SE		IRR FS	40.0

Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	03W	8	SW SE		IRR FS	40.0
			SE SE		IRR FS	40.0
				Section Acres		580.0
		9	NE NE		IRR FS	40.0
			NW NE		IRR FS	40.0
			SW NE		IRR FS	40.0
			SE NE		IRR FS	40.0
			NE NW		IRR FS	40.0
			NW NW		IRR FS	40.0
			SW NW		IRR FS	40.0
			SE NW		IRR FS	40.0
			NE SW		IRR FS	40.0
			NW SW		IRR FS	40.0
			SW SW		IRR FS	40.0
			SE SW		IRR FS	40.0
			NE SE		IRR FS	40.0
			NW SE		IRR FS	40.0
			SW SE		IRR FS	40.0
			SE SE		IRR FS	20.0
				Section Acres		620.0
		10	NW NW		IRR FS	12.0
			SW NW		IRR FS	12.0
				Section Acres		24.0
		16	NE NE		IRR FS	40.0
			NW NE		IRR FS	40.0
			SW NE		IRR FS	40.0
			SE NE		IRR FS	40.0
			NE NW		IRR FS	40.0
			NW NW		IRR FS	40.0
			SW NW		IRR FS	40.0
			SE NW		IRR FS	40.0
			NE SW		IRR FS	30.0
			NW SW		IRR FS	40.0
			SW SW		IRR FS	5.0
			SE SW		IRR FS	30.0
			NW SE		IRR FS	20.0
				Section Acres		445.0
		17	NE NE		IRR FS	40.0

J. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
13N	03W	17	NW	NE		IRR FS	40.0
			SW	NE		IRR FS	40.0
			SE	NE		IRR FS	40.0
			NE	NW		IRR FS	40.0
			NW	NW		IRR FS	20.0
			SE	NW		IRR FS	20.0
			NE	SW		IRR FS	5.0
			NW	SW		IRR FS	30.0
			SW	SW		IRR FS	25.0
			SE	SW		IRR FS	40.0
			NE	SE		IRR FS	40.0
			NW	SE		IRR FS	40.0
			SW	SE		IRR FS	40.0
			SE	SE		IRR FS	40.0
					Section Acres		500.0
		18	SE	SE		IRR FS	20.0
					Section Acres		20.0
		19	NE	NE		IRR FS	40.0
			NW	NE		IRR FS	40.0
			SW	NE		IRR FS	40.0
			SE	NE		IRR FS	40.0
			NE	SE		IRR FS	40.0
			SE	SE		IRR FS	20.0
					Section Acres		220.0
		20	NW	NE		IRR FS	30.0
			SW	NE		IRR FS	20.0
			NE	NW		IRR FS	40.0
			NW	NW		IRR FS	40.0
			SW	NW		IRR FS	40.0
			SE	NW		IRR FS	40.0
			NE	SW		IRR FS	10.0
			NW	SW		IRR FS	35.0
			SW	SW		IRR FS	15.0
			NW	SE		IRR FS	10.0
					Section Acres		280.0
		21	NW	NW		IRR FS	10.0
					Section Acres		10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
13N	03W	29	NW	NW		IRR FS	10.0
					Section Acres		10.0
		30	NE	NW		IRR FS	40.0
					Section Acres		40.0
14N	03W	33	NE	SW		IRR FS	35.0
			SE	SW		IRR FS	10.0
			NW	SE		IRR FS	5.0
			SW	SE		IRR FS	30.0
			SE	SE		IRR FS	30.0
					Section Acres		110.0
		34	NW	NE		IRR FS	5.0
			SW	NE		IRR FS	10.0
			SE	SW		IRR FS	5.0
			NW	SE		IRR FS	30.0
			SW	SE		IRR FS	15.0
					Section Acres		65.0
					Total Acres		3711.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
A67-02053

14. Remarks:
THIS CLAIM IS A SPLIT OF WATER RIGHT NO. 67-00081 AND COVERS 2000 SHARES OF A STOCK IN THE LOST VALLEY RESERVOIR

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

MUIR
Decree Plaintiff

vs

ALLISON
Decree Defendant

Water Right Number - A67-00081Q Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SHEFFIELD	ANNETTE	1 - P.O. BOX 722 2 - 3 - City- LAKE FORK State- ID Zip- 83635 Phone - 208-634-7534

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		155.00
03	IRRIGATION FROM STORAGE	03/15	11/15		155.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	155.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	03W	12	SW NE		40.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	12	SE NE		35.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	12	SW NW		40.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	12	SE NW		40.0	01	IRRIGATION	(87) WASHINGTON

Total Acres: 155.0

Diversion Means - DIV. FROM WEISER R. VIA ALLISON-JEWELL DITCH, PUMP & SPRINKLERS.

Non-Irrigation Use - NONE.

Other Rights for Same Use - NONE.

Remarks

THIS RIGHT IS A SPLIT OFF OF 67-00081 FOR 155 SHARES OF STOCK
IN THE LOST VALLEY RESERVOIR.

Old Water Right Numbers

No Old Water Right Numbers found.

Water right number - A67-00081Q Prefix Translation: ADJUDICATION CLAIM

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date - 00/00/0000

Audit Fields - 10/19/89 SHURTE 12/11/89 SHURTE

Comments

No Comments Found

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	- 10/19/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W006394	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-00081R Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
GALLANT	FRED L.	1 - HC 62 BOX 1820 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4897
GALLANT	GLENN H.	1 - HC 62 BOX 1820 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4818
GALLANT	IDA J.	1 - HC 62 BOX 1820 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4818
*** O - ORIGINAL OWNER ***		
ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW		(3)	ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		60.00
03	IRRIGATION FROM STORAGE	03/15	11/15		60.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	60.00		60.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	02W	14	NE SW		10.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	14	SW SW		6.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	14	SE SW		17.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	14	NE SE		3.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	14	NW SE		5.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Water right number - A67-00081R Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	02W	23	NE NW		12.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	23	NW NW		4.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 57.0

Diversion Means - LOST VALLEY RESERVOIR

Non-Irrigation Use -

Other Rights for Same Use - 67-04421, 67-04422, 67-04423

Remarks

THIS WATER HAS BEEN LEASED, HOWEVER THE OWNERSHIP OF THE WATER
RIGHT REMAINS WITH THE CLAIMANTS.

Old Water Right Numbers

A6700081H

Conditions of Approval

No Conditions of Approval found.

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

Audit Fields - 11/21/89 FRITSCHL

Comments

No Comments Found

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	- 11/20/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- C012932	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	- C
Fee Exempt Flag	-	Name Connector	- OR		

Water Right Number - A67-00081S Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
FISK	DALE L.	1 - PO BOX 252 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4582
FISK	ANNA M.	1 - PO BOX 252 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4582
*** O - ORIGINAL OWNER ***		
CAMBRIDGE DITCH CO.		1 - C/O JERRY JAEGER, SEC. 2 - RT. 1 BOX 63 3 - City- CAMBRIDGE State- ID Zip- 83610 Phone - 208-257-3713
SUTTON	WAYNE	1 - DBA SUTTON RANCHES, INC. 2 - ROUTE 1 BOX 42 3 - City- MIDVALE State- ID Zip- 83645 Phone - 208-355-2442

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
18N	01W	32	SW SE		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		3.00
03	IRRIGATION FROM STORAGE	03/15	11/15		3.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	3.00		5.9	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	10	SW SW		2.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 2.0

Water right number - A67-00081S Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - RESERVOIR, DITCH, GRAVITY FLOW

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - A67-00144A

+ - - - - - - - Remarks - - - - - - - +

THIS IS A SPLIT OFF OF A67-00081. MR. FISK OWNS 3 SHARES OF
CLASS A STOCK FROM LOST VALLEY RESERVOIR.
ACTUAL IRR. ACREAGE =1.97

+ - - - - - - - Old Water Right Numbers - - - - - - - +

No Old Water Right Numbers found.

+ - - - - - - - Conditions of Approval - - - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
MUIR	ALLISON	00/00/0000

+ - - Audit Fields - 12/08/89 WERNER

+ - - - - - - - Comments- - - - - - - - +

No Comments Found

+ - - - - - - - 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	- 12/08/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- W006985	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- OR		

Water Right Number - A67-00081T Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
BALL	MARTHA	1 - P.O. BOX 42 2 - 3 - City- MESA State- ID Zip- 83643 Phone - 208-256-4428
BALL	PATRICK	1 - P.O. BOX 42 2 - 3 - City- MESA State- ID Zip- 83643 Phone - 208-256-4428
*** O - ORIGINAL OWNER ***		
SUTTON	WAYNE	1 - DBA SUTTON RANCHES, INC. 2 - ROUTE 1 BOX 42 3 - City- MIDVALE State- ID Zip- 83645 Phone - 208-355-2442
CAMBRIDGE DITCH CO.		1 - C/O JERRY JAEGER, SEC. 2 - RT. 1 BOX 63 3 - City- CAMBRIDGE State- ID Zip- 83610 Phone - 208-257-3713

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW		(3)	ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		56.00
03	IRRIGATION FROM STORAGE	03/15	11/15		56.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	56.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	01W	22	NE NE		10.0	02	IRRIGATION STORAGE	(3) ADAMS
15N	01W	22	NW NE		36.0	02	IRRIGATION STORAGE	(3) ADAMS
15N	01W	22	NW SW		10.0	02	IRRIGATION STORAGE	(3) ADAMS

Total Acres: 56.0

Water right number - A67-00081T   Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - EARTH DAM CONC SPILLWAY, AT LOST VALLEY NO DIVERSION TO PROPERTY

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

+ - Remarks - +

THE LAND IS NOT IRRIGATED AT THIS TIME BUT IS STORED.
HE WILL PROBABLEY TRANSFER HIS SHARES TO LAND HE CAN
GET WATER ON.

+ - Old Water Right Numbers - +

No Old Water Right Numbers found.

+ - Conditions of Approval - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
MUIR	ALLISON	00/00/0000

+ - - Audit Fields - 12/15/89 HOWERTON

+ -Comments- +

No Comments Found

+ - 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	- 12/15/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- W007151	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- OR		

Water Right Number - A67-00081U Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
EMMA BALL ESTATE		1 - C/O JAMES BALL 2 - P.O. BOX 62 3 - City- MESA State- ID Zip- 83643 Phone - 208-256-4422
*** O - ORIGINAL OWNER ***		
CAMBRIDGE DITCH CO.		1 - C/O JERRY JAEGER, SEC. 2 - RT. 1 BOX 63 3 - City- CAMBRIDGE State- ID Zip- 83610 Phone - 208-257-3713
SUTTON	WAYNE	1 - DBA SUTTON RANCHES, INC. 2 - ROUTE 1 BOX 42 3 - City- MIDVALE State- ID Zip- 83645 Phone - 208-355-2442

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		194.00
03	IRRIGATION FROM STORAGE	03/15	11/15		194.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	194.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	01W	15	SW SW		24.0	02	IRRIGATION STORAGE	(3) ADAMS
15N	01W	16	SW SE		40.0	02	IRRIGATION STORAGE	(3) ADAMS
15N	01W	16	SE SE		40.0	02	IRRIGATION STORAGE	(3) ADAMS
15N	01W	21	NE NE		10.0	02	IRRIGATION STORAGE	(3) ADAMS
15N	01W	21	NW NE		40.0	02	IRRIGATION STORAGE	(3) ADAMS
15N	01W	21	SW NE		40.0	02	IRRIGATION STORAGE	(3) ADAMS

Total Acres: 194.0

Diversion Means - EARTH DAM AT SPILLWAY, AT LOST VALLEY, NO DIVERSION TO PROPERTY

Water right number - A67-00081U Prefix Translation: ADJUDICATION CLAIM

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

+ - Remarks - +

THE LAND IS NOT IRRIGATED AT THIS TIME BUT IS STORED.
THE SHARES MAY BE SOLD OR TRANSFERED FOR FUTURE USES.

+ - Old Water Right Numbers - +

No Old Water Right Numbers found.

+ - Conditions of Approval - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - - +	+ - - - - Decree Defendant - - - - +	+ - Decree Date - +
MUIR	ALLISON	00/00/0000

+ - - Audit Fields - 12/15/89 HOWERTON

+ -Comments- +

No Comments Found

+ - 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	- 12/15/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- W007154	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-00081V Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SHUMWAY	STEVE	1 - HWY 95 BOX 2405 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4409

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
17N	01W	10	NE NW SW		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		148.00
03	IRRIGATION FROM STORAGE	04/15	10/15		148.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	148.00		148.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	22	NE SE		40.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	22	SE SE		40.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	SW SW		33.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	26	NE NW		25.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	26	NW NW		35.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	27	NE NE		40.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 213.0

Diversion Means - EARTH DAM AT SPILLWAY ON LOST VALLEY RESERVOIR

Non-Irrigation Use -

Other Rights for Same Use - 67-02053V,

Remarks

THIS WATER IS DELIVERED THROUGH THE FARMERS' CANAL
STORAGE WATER IS EXCHANGED FOR A DIRECT FLOW FROM THE WEISER
RIVER. THIS CLAIM IS BASED ON148.0 SHARES OF STOCK
THIS IS A COMBINED RIGHT BASED ON PORTIONS OF 67-00081 AND

Water right number - A67-00081V Prefix Translation: ADJUDICATION CLAIM

Remarks

67-00083

Old Water Right Numbers

A6700081
A6700083

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff | Decree Defendant | Decree Date

00/00/0000

Audit Fields - 01/02/90 SCHULD

Comments

No Comments Found

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	- 01/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W007328	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-00081W Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SUTTON	WAYNE	1 - DBA SUTTON RANCHES, INC. 2 - ROUTE 1 BOX 42 3 - City- MIDVALE State- ID Zip- 83645 Phone - 208-355-2442
*** O - ORIGINAL OWNER ***		
CAMBRIDGE DITCH CO.		1 - C/O JERRY JAEGER, SEC. 2 - RT. 1 BOX 63 3 - City- CAMBRIDGE State- ID Zip- 83610 Phone - 208-257-3713

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
14N	03W	34	NW NW SE		(3)	ADAMS	
19N	01W	28	SE NW		(3)	ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		900.00
03	IRRIGATION FROM STORAGE	03/15	11/15		900.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	900.00		900.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13N	03W	2	NE NE		4.5	01	IRRIGATION	(87) WASHINGTON
13N	03W	2	SW NW		8.5	01	IRRIGATION	(87) WASHINGTON
13N	03W	3	NE NE		37.5	01	IRRIGATION	(87) WASHINGTON
13N	03W	3	NW NE		39.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	3	SW NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	3	SE NE		39.5	01	IRRIGATION	(87) WASHINGTON
13N	03W	3	SW SW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	3	SE SW		39.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	3	NE SE		23.5	01	IRRIGATION	(87) WASHINGTON
13N	03W	3	NW SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	3	SW SE		18.5	01	IRRIGATION	(87) WASHINGTON
13N	03W	3	SE SE		7.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	10	NE NE		23.7	01	IRRIGATION	(87) WASHINGTON
13N	03W	10	NW NE		38.5	01	IRRIGATION	(87) WASHINGTON

Water right number - A67-00081W Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13N	03W	10	SW NE		38.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	10	SE NE		37.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	10	SE NW		24.3	01	IRRIGATION	(87) WASHINGTON
13N	03W	10	NE SE		12.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	10	NW SE		7.5	01	IRRIGATION	(87) WASHINGTON

Total Acres: 518.0

+ - - Diversion Means - PUMPED FROM RIVER TO TANK, THEN TO MAINLINE FOR SPRINKLER, 150 HP

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - WR 67-07271

Remarks

No Remarks found.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
MUIR	ALLISON	00/00/0000

+ - - Audit Fields - 00/00/00 HOWERTON 05/07/90 HOWERTON

Comments

No Comments Found

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	- 11/17/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- W006729	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-00081X Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
FISK	PENNY	1 - 2193 RIDGE RD. 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-6073
FISK	LARRY	1 - 2193 RIDGE RD. 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-6073
*** O - ORIGINAL OWNER ***		
FISK	DICK C.	1 - BOX 14 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4852
CAMBRIDGE DITCH CO.		1 - C/O JERRY JAEGER, SEC. 2 - RT. 1 BOX 63 3 - City- CAMBRIDGE State- ID Zip- 83610 Phone - 208-257-3713
SUTTON	WAYNE	1 - DBA SUTTON RANCHES, INC. 2 - ROUTE 1 BOX 42 3 - City- MIDVALE State- ID Zip- 83645 Phone - 208-355-2442
FISK	ALMA L.	1 - BOX 14 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4852

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
18N	01W	32	SW SE		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		7.00
03	IRRIGATION FROM STORAGE	03/15	11/15		7.00

Water right number - A67-00081X Prefix Translation: ADJUDICATION CLAIM

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	7.00		24.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County

Diversion Means - RESERVOIR, DITCH, GRAVITY FLOW

Non-Irrigation Use - STOCKWATER INCIDENTAL TO IRRIGATION

Other Rights for Same Use - NONE

Remarks

THIS RIGHT IS CLAIMED FOR A SPLIT OF 67-00081 FOR 7 CLASS "A" SHARES OF LOST VALLEY RESERVOIR WATER FOR THE IRRIGATION OF 8 ACRES IN NENE, SECTION 16, T 17N, R 1 W., CERTIFICATE #32. CERTIFICATE REISSUED WHEN PROPERTY CHANGED HANDS AND NOW IS NUMBER 109.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
MUIR	ALLISON	00/00/0000

Audit Fields - 04/19/90 WERNER 12/10/90 SMITH

Comments

No Comments Found

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	12/19/1989	Last Amended Date	00/00/0000	Temporary Right	P
Proof Due Date	00/00/0000	Proof Made Date	00/00/0000	Water District	67
Licensed Date	00/00/0000	Receipt Number	W007196	Federal/State Indicator	S
Claims Tape Error Flg		POU Ownership Flag	Y	Presumption Flag	
Fee Exempt Flag		Name Connector	OR		

Water Right Number - A67-00081Y Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

*** C - CURRENT OWNER ***
BACON VALLEY RANCHES

1 - HC 62, BOX 1840
2 -
3 -
City- COUNCIL State- ID Zip- 83612
Phone - 208-253-4728

*** O - ORIGINAL OWNER ***
CAMBRIDGE DITCH CO.

1 - C/O JERRY JAEGER, SEC.
2 - RT. 1 BOX 63
3 -
City- CAMBRIDGE State- ID Zip- 83610
Phone - 208-257-3713

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST VALLEY RESERVOIR	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
15N	02W	1	SW NW		(3)	ADAMS
15N	02W	12	NE NW		(3)	ADAMS
15N	02W	15	NE NW		(3)	ADAMS
19N	01W	28	SE NW		(3)	ADAMS

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/01	11/01		190.00

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
	190.00	190.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	02W	1	SW SW		4.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	1	SE SW		4.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	10	NE SE		4.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	10	SW SE		12.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	10	SE SE		5.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	11	SW NW		8.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	11	SE NW		10.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	12	NE NW		7.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	12	NW NW		7.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	15	NW NE		26.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	15	SW NE		16.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	15	NW NW		11.0	01	IRRIGATION	(87) WASHINGTON

Water right number - A67-00081Y Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	02W	15	SW NW		16.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	15	SE NW		6.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	15	NW SW		25.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	15	SW SE		50.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	16	NE NE		4.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	16	SE NE		17.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	16	NE SE		28.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	16	SW SE		20.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	16	SE SE		16.0	01	IRRIGATION	(87) WASHINGTON
15N	02W	21	NW NE		4.0	01	IRRIGATION	(87) WASHINGTON

Total Acres: 300.0

Diversion Means - PUMPED FROM RIVER TO TANK, THEN TO MAINLINE FOR SPRINKLER, 150 HP

Non-Irrigation Use - NONE

Other Rights for Same Use - A67-04258, A67-00080B, A67-02053X

Remarks

No Remarks found.

Old Water Right Numbers

No Old Water Right Numbers Found

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
MUIR	ALLISON	00/00/0000

Comments

No Comments Found

Audit Fields
00/00/00

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	- 12/29/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- W007300	Water District	- 67
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-

Water Right Number - A67-00082A Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
JORDAN, CYNTHIA A.		1 - 410 FALL DRIVE 2 - 3 - City- BOISE State- ID Zip- 83706 Phone - 303-831-8200
JORDAN	JOSEPH L.	1 - 410 FALL DRIVE 2 - 3 - City- BOISE State- ID Zip- 83706 Phone - 303-831-8200
*** O - ORIGINAL OWNER ***		
FREEHAFER	A. L.	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK
LOST VALLEY RESERVOIR	LOST CREEK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW		(3)	ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		18.00
03	IRRIGATION FROM STORAGE	04/01	11/01		18.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	18.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	15	SW NE		33.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 33.0

- Diversion Means - DAM IN RIVER TO DITCH TO FLOOD IRRIG.

- Non-Irrigation Use - S/VARIABLE AMOUNTS AND BREEDS

- Other Rights for Same Use - 67-00054, 00060, 02053

Water right number - A67-00082A Prefix Translation: ADJUDICATION CLAIM

Remarks

SOURCE REFERED TO AS LOST CK. STORAGE.
****
THIS IS A SPLIT OF 67-00082.
67-00071, 67-00082, AND 67-00083 HAVE BEEN COMBINED IN THE SRBA
IN ORDER TO FACILITATE CLAIMS TAKING OF THE INDIVIDUAL SHARE
HOLDERS WITHIN LOST VALLEY RESERVOIR CO..
THE FOLLOWING ARE THE SHAREHOLDERS WITH THEIR APPROPRIATE SPLITS
OF 67-00082:

67-00082A	JORDAN, JOE	006 ACRE FEET	CERT.#	86
	JORDAN, JOE	10		86
	JORDAN, JOE	2		86
	TOTAL	18 ACRE FEET		
67-00082B	HENDERSON, REED	40 ACRE FEET	CERT.#	37
	HENDERSON, REED	50		NONE
	TOTAL	90 ACRE FEET		
67-00082C	JACOBS, BARR	200 ACRE FEET	CERT. #	92
67-00082D	RYALLS, MELVIN	20 ACRE FEET	CERT. #	27
67-00082E	HARVEY, LILLIAN	15 ACRE FEET	CERT. #	24
67-00082F	HULIN, SYLVIA	4 ACRE FEET	CERT. #	80
	MENICHETTI, SYLVIA	3 ACRE FEET	CERT. #	80

Note The above two claimants may combine their claim if agreeable to both parties.

67-00082G	MINK, T. C.	10 ACRE FEET	CERT. #	NONE
	TOTAL ALL CLAIMS	360 ACRE FEET		

IT IS PROBABLE THAT THESE CLAIMS REPRESENT TRANSFERS OF THE POINT
OF DIVERSION AND/OR THE PLACE OF USE LISTED IN DECREE 67-00082 TO
THOSE LISTED IN THE SRBA SPLIT CLAIMS. ELR **********
CLASS "A" SHARE # 86.

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

Audit Fields - 08/07/89 ROUSH 09/22/89 FRITSCHL

Comments

No Comments Found

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	04/16/1985	Old Judicial District	
Claim Received Date	08/07/1989	Last Amended Date	00/00/0000	Temporary Right	P
Proof Due Date	00/00/0000	Proof Made Date	00/00/0000	Water District	67
Licensed Date	00/00/0000	Receipt Number	W004079	Federal/State Indicator	S

Water right number - A67-00082A Prefix Translation: ADJUDICATION CLAIM

+ - Adjudication Rights Dates and Flags Area - +

Claims Tape Error Flg -	POU Ownership Flag - Y	Presumption Flag -
Fee Exempt Flag -	Name Connector - AND/OR	

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: A67-00082B
Date Received: 10/03/1989
Receipt No: W6134
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: HENDERSON RANCHES 208-253-4559
   Address: BOX 475
   COUNCIL, ID 83612

2. Date of Priority: MAY 27, 1910

3. Source: LOST CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot		County
17N	01W	10	NW SW		R	ADAMS
		34	SE NW			ADAMS
19N	01W	28	SE NW			ADAMS

5. Description of diverting works:
   CEMENT DAM, GRAVITY FLOW, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			90.00
IRRIGATION FROM STORAGE	04/01	11/01			90.00

7. Total Quantity Appropriated is:
   C.F.S. (and/or) 90.00 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	Lot	Use	Acres
16N	01W	3	NW NW		IRR	18.0

11. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
16N	01W	3	SW	NW		IRR	10.0
					Section Acres		28.0
		4	NE	NE	1	IRR	20.0
			SW	NE		IRR	2.0
			SE	NE		IRR	34.0
					Section Acres		56.0
17N	01W	33	NE	SE		IRR	12.0
			SE	SE		IRR	11.0
					Section Acres		23.0
		34	SW	NW		IRR	26.0
			SE	NW		IRR	20.0
			NW	SW		IRR	31.0
			SW	SW		IRR	17.0
					Section Acres		94.0
					Total Acres		201.0

12. Place of use in counties: ADAMS

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

14. Other Water Rights Used:
A67-00041, A67-00042

15. Remarks:
SOURCE REFERED TO AS LOST CK. STORAGE.
****
THIS IS A SPLIT OF 67-00082.
67-00071, 67-00082, AND 67-00083 HAVE BEEN COMBINED IN THE SRBA IN ORDER TO FACILITATE CLAIMS TAKING OF THE INDIVIDUAL SHARE HOLDERS WITHIN LOST VALLEY RESERVOIR CO..
THE FOLLOWING ARE THE SHAREHOLDERS WITH THEIR APPROPRIATE SPLITS OF 67-00082:

67-00082A	JORDAN, JOE	006 ACRE FEET	CERT.#	86
	JORDAN, JOE	10		86
	JORDAN, JOE	2		86
	TOTAL	18 ACRE FEET		
67-00082B	HENDERSON, REED	40 ACRE FEET	CERT.#	37

Water Right Number - A67-00082D Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
RYALLS	MELVIN	1 - HC 67, BOX 2220 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4753
*** O - ORIGINAL OWNER ***		
FREEHAFER	A. L.	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST VALLEY RESERVOIR	LOST CREEK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
17N	01W	4	NE NE		R	(3) ADAMS
19N	01W	28	SE NW			(3) ADAMS

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		20.00
03	IRRIGATION FROM STORAGE	04/01	11/01		20.00

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
	20.00	0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	10	SW SW		14.6	01	IRRIGATION	(3) ADAMS
17N	01W	10	SE SW		9.0	01	IRRIGATION	(3) ADAMS

Total Acres: 23.6

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Water right number - A67-00082D Prefix Translation: ADJUDICATION CLAIM

Remarks

SOURCE REFERED TO AS LOST CK. STORAGE.
****
THIS IS A SPLIT OF 67-00082.
67-00071, 67-00082, AND 67-00083 HAVE BEEN COMBINED IN THE SRBA
IN ORDER TO FACILITATE CLAIMS TAKING OF THE INDIVIDUAL SHARE
HOLDERS WITHIN LOST VALLEY RESERVOIR CO..
THE FOLLOWING ARE THE SHAREHOLDERS WITH THEIR APPROPRIATE SPLITS
OF 67-00082:

67-00082A	JORDAN, JOE	006 ACRE FEET	CERT.# 86
	JORDAN, JOE	10	86
	JORDAN, JOE	2	86
	TOTAL	18 ACRE FEET	
67-00082B	HENDERSON, REED	40 ACRE FEET	CERT.# 37
	HENDERSON, REED	50	NONE
	TOTAL	90 ACRE FEET	
67-00082C	JACOBS, BARR	200 ACRE FEET	CERT. # 92
67-00082D	RYALLS, MELVIN	20 ACRE FEET	CERT. # 27
67-00082E	HARVEY, LILLIAN	15 ACRE FEET	CERT. # 24
67-00082F	HULIN, SYLVIA	4 ACRE FEET	CERT. # 80
	MENICHETTI, SYLVIA	3 ACRE FEET	CERT. # 80
	Note The above two claimants may combine their claim if agreeable to both parties.		
67-00082G	MINK, T. C.	10 ACRE FEET	CERT. # NONE
	TOTAL ALL CLAIMS	360 ACRE FEET	

IT IS PROBABLE THAT THESE CLAIMS REPRESENT TRANSFERS OF THE POINT
OF DIVERSION AND/OR THE PLACE OF USE LISTED IN DECREE 67-00082 TO
THOSE LISTED IN THE SRBA SPLIT CLAIMS. ELR **********
THIS CLAIM REPRESENTS A CHANGE IN PLACE OF USE. WATER CONVEYED
THROUGH ROBERTSON-SEVEY DITCH.
20 SHARES OF CLASS A STOCK CERTIFICATES NUMBER 27.

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
00/00/00

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	-

Water right number - A67-00082D Prefix Translation: ADJUDICATION CLAIM

Adjudication Rights Dates and Flags Area

Response Filed Date	- 00/00/0000	Verified Date	- 04/16/1985	Old Judicial District	-
Claim Received Date	- 12/14/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- W007121	Water District	- 67
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-

Water Right Number - A67-00082G Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
MENICHETTI	SYLVAN	1 - P.O. BOX 44 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-252-4760
MENICHETTI	CAROLYN	1 - P.O. BOX 44 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4760
*** O - ORIGINAL OWNER ***		
FREEHAFER	A. L.	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW		(3)	ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		3.00
03	IRRIGATION FROM STORAGE	04/01	11/01		3.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	3.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	23	SE NW		6.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 6.0

- Diversion Means - DAM IN CREEK TO DITCH TO P.O.U.

- Non-Irrigation Use - S/50 HEAD SHEEP AND 2 HEAD HORSES

- Other Rights for Same Use - 67-00072, 00073, 00372, 00373

Water right number - A67-00082G Prefix Translation: ADJUDICATION CLAIM

Remarks

SOURCE REFERED TO AS LOST CK. STORAGE.
****
THIS IS A SPLIT OF 67-00082.
67-00071, 67-00082, AND 67-00083 HAVE BEEN COMBINED IN THE SRBA
IN ORDER TO FACILITATE CLAIMS TAKING OF THE INDIVIDUAL SHARE
HOLDERS WITHIN LOST VALLEY RESERVOIR CO..
THE FOLLOWING ARE THE SHAREHOLDERS WITH THEIR APPROPRIATE SPLITS
OF 67-00082:

67-00082A	JORDAN, JOE	006 ACRE FEET	CERT.# 86
	JORDAN, JOE	10	86
	JORDAN, JOE	2	86
	TOTAL	18 ACRE FEET	
67-00082B	HENDERSON, REED	40 ACRE FEET	CERT.# 37
	HENDERSON, REED	50	NONE
	TOTAL	90 ACRE FEET	
67-00082C	JACOBS, BARR	200 ACRE FEET	CERT. # 92
67-00082D	RYALLS, MELVIN	20 ACRE FEET	CERT. # 27
67-00082E	HARVEY, LILLIAN	15 ACRE FEET	CERT. # 24
67-00082F	HULIN, SYLVIA	4 ACRE FEET	CERT. # 80
67-00082G	MENICHETTI, SYLVAN	3 ACRE FEET	CERT. # 80
	Note The above two claimants may combine their claim if agreeable to both parties.		
67-00082H	MINK, T. C.	10 ACRE FEET	CERT. # NONE
	TOTAL ALL CLAIMS	360 ACRE FEET	

IT IS PROBABLE THAT THESE CLAIMS REPRESENT TRANSFERS OF THE POINT
OF DIVERSION AND/OR THE PLACE OF USE LISTED IN DECREE 67-00082 TO
THOSE LISTED IN THE SRBA SPLIT CLAIMS. ELR **********
VARIABLE FEE OVERLAP W/A67-10136.

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

Audit Fields - 08/22/89 ROUSH

Comments

No Comments Found

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	- 04/16/1985	Old Judicial District	-
Claim Received Date	- 08/22/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- W004833	Federal/State Indicator	- S

Water right number - A67-00082G Prefix Translation: ADJUDICATION CLAIM

+ - Adjudication Rights Dates and Flags Area - +

Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND/OR		

Water Right Number - A67-00083 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SPLIT RIGHT		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
*** O - ORIGINAL OWNER ***		
CARR	J. A.	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN		Z - SEE REMARKS

Source	Tributary
LOST CREEK SPLIT RIGHT	WEISER RIVER, WEST FORK SEE REMARKS

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		300.00
03	IRRIGATION FROM STORAGE	04/01	11/01		300.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	300.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
16N	01W	11	SE SE		30.0	01	IRRIGATION	(3) ADAMS
16N	01W	14	NW NE		25.0	01	IRRIGATION	(3) ADAMS
16N	01W	14	NE NW		15.0	01	IRRIGATION	(3) ADAMS
16N	01W	14	SW SE		10.0	01	IRRIGATION	(3) ADAMS

Total Acres: 80.0

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Water right number - A67-00083 Prefix Translation: ADJUDICATION CLAIM

\+ - Remarks - +

SOURCE REFERED TO AS LOST CK. STORAGE.
****
THIS IS A SPLIT OF 67-00083.
67-00071, 67-00082, AND 67-00083 HAVE BEEN COMBINED IN THE SRBA IN ORDER TO FACILITATE CLAIMS TAKING OF THE INDIVIDUAL SHARE HOLDERS WITHIN LOST VALLEY RESERVOIR CO..
THE FOLLOWING ARE THE SHARE HOLDERS WITH THEIR APPROPRIATE SPLITS OF 67-00083.

A67-00083A	CAPPS, A. V.________	043 ACRE FEET	CERT. # 79
	CAPPS, A. V.__________	10 ACRE FEET	CERT. # 76
	CAPPS, A. V.__________	19 ACRE FEET	CERT. # 76
	CAPPS, A. V.__________	30 ACRE FEET	CERT. # 75
	_____TOTAL	102 ACRE FEET	
A67-00083B	GOULD, CLARENCE_____	100 ACRE FEET	CERT. # NONE
A67-00083C	IVY, KENNETH__________	5 ACRE FEET	CERT. # 71
A67-00083D	KALMBACK, GARY_________	3 ACRE FEET	CERT. # 72
A67-00083E	RAFFETTY, DICK_________	5 ACRE FEET	CERT. # 74
A67-00083F	SHUMWAY, STEVE________	50 ACRE FEET	CERT. # 97
A67-00083G	LAWRENCE, PAUL________	10 ACRE FEET	CERT. # NONE
	LAWRENCE, PAUL________	10 ACRE FEET	CERT. # NONE
	_____TOTAL	20 ACRE FEET	
A67-00083H	LOST VALLEY RES. CO.__	10 ACRE FEET	CERT. # NONE
	TOTAL ALL SPLITS	300 ACRE FEET	

IT IS PROBABLE THAT THESE CLAIMS REPRESENT TRANSFERS OF THE POINT OF DIVERSION AND/OR THE PLACE OF USE LISTED IN DECREE 67-00083 TO THOSE LISTED IN THE SRBA SPLIT CLAIMS. ELR *********************
NOTE: A67-00083B(100 A SHARES) HAS BEEN COMBINED WITH A67-02053-100 B SHARES & 12 C SHARES) ON CLAIM NO. A67-11422, 1-4-90, JS.
A67-00083J; 43.0 AF CLAIMED BY DOUG SCISM

\+ - - - - - - - - - - - - - - - - - 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

\+ - - Audit Fields - 09/22/89 FRITSCHL 01/04/90 SHURTE 07/26/90 FRITSCHL

\+ -Comments- +

No Comments Found

\+ - - - - - - - - - - - - - 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	- 00/00/0000	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67

Water right number - A67-00083 Prefix Translation: ADJUDICATION CLAIM

+ - Adjudication Rights Dates and Flags Area - +

Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- OR		

Water Right Number - A67-00083AA Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
RYALS	MELVIN D.	1 - HC 67, BOX 2220 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4753
*** O - ORIGINAL OWNER ***		
CAPPS	A. V.	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
CARR	J. A.	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST VALLEY RESERVOIR	LOST CREEK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
17N	01W	15	NW NW		R	(3) ADAMS
18N	01W	32	SW SE		R	(3) ADAMS
19N	01W	28	SE NW			(3) ADAMS

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		30.00
03	IRRIGATION FROM STORAGE	04/01	11/01		30.00

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
	30.00	134.7	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	15	NW NW		19.0	01	IRRIGATION	(3) ADAMS
17N	01W	15	SW NW		25.9	01	IRRIGATION	(3) ADAMS

Total Acres: 44.9

Diversion Means - HEADGATE, DITCHES

Water right number - A67-00083AA Prefix Translation: ADJUDICATION CLAIM

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - YES

+ - Remarks - +

SOURCE REFERED TO AS LOST CK. STORAGE.
****
THIS IS A SPLIT OF 67-00083.
67-00071, 67-00082, AND 67-00083 HAVE BEEN COMBINED IN THE SRBA
IN ORDER TO FACILITATE CLAIMS TAKING OF THE INDIVIDUAL SHARE
HOLDERS WITHIN LOST VALLEY RESERVOIR CO..
THE FOLLOWING ARE THE SHARE HOLDERS WITH THEIR APPROPRIATE SPLITS
OF 67-00083.

67-00083A	CAPPS, A. V.	043 ACRE FEET	CERT. # 79
	CAPPS, A. V.	10 ACRE FEET	CERT. # 76
	CAPPS, A. V.	19 ACRE FEET	CERT. # 76
	CAPPS, A. V.	30 ACRE FEET	CERT. # 75
	TOTAL	102 ACRE FEET	
67-00083B	GOULD, CLARENCE	100 ACRE FEET	CERT. # NONE
67-00083C	IVY, KENNETH	5 ACRE FEET	CERT. # 71
67-00083D	KALMBACK, GARY	3 ACRE FEET	CERT. # 72
67-00083E	RAFFETTY, DICK	5 ACRE FEET	CERT. # 74
67-00083F	SHUMWAY, STEVE	50 ACRE FEET	CERT. # 97
67-00083G	LAWRENCE, PAUL	10 ACRE FEET	CERT. # NONE
	LAWRENCE, PAUL	10 ACRE FEET	CERT. # NONE
	TOTAL	20 ACRE FEET	
67-00083H	LOST VALLEY RES. CO.	10 ACRE FEET	CERT. # NONE
	TOTAL ALL SPLITS	300 ACRE FEET	

IT IS PROBABLE THAT THESE CLAIMS REPRESENT TRANSFERS OF THE POINT
OF DIVERSION AND/OR THE PLACE OF USE LISTED IN DECREE 67-00083 TO
THOSE LISTED IN THE SRBA SPLIT CLAIMS. ELR **********
****
FOR WATER RIGHT A67-00083AA: IN REGARD TO THE INFORMATION SHOWN
ABOVE FOR 67-00083A. THESE PROPERTIES HAVE BEEN SOLD IN A
FORECLOSURE WHICH HAS RESULTED IN A SPLIT OF SHARES. THE
CLAIMANT, MR. RYALS, NOW OWNS 30 SHARES OF CLASS A STOCK, NUMBER
75, PREVIOUSLY BELONGING TO ALONZO CAPPS. TO BE CONSISTENT WITH
THE WORK DONE BY ELDON ROUSH-I HAVE SPLIT THE A PORTION OF THIS
RIGHT TO AA WHICH WILL ALLOW THE REMAINDING SHARES OF THE 102
SHARES OF A STOCK TO STILL BE FILED PURSUANT TO 67-00083A.
FOR OTHER CLAIMANTS WHO MAY BE FILING ON A67-00083A, FILING THE
CLAIMS BY NUMBERING (EXAMPLE) A67-00083AB, A67-00083AC,
A67-00083AD WILL LEAVE A TRAIL LEADING BACK TO THE A67-00083A
SPLIT. L.R.W.-12/14/89

+ - Old Water Right Numbers - +

No Old Water Right Numbers Found

+ - Conditions of Approval - +

No Conditions of Approval found.

Water right number - A67-00083AA Prefix Translation: ADJUDICATION CLAIM

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

-Comments-
No Comments Found

Audit Fields
00/00/00

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	- 04/16/1985	Old Judicial District	-
Claim Received Date	- 12/14/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- W007121	Water District	- 67
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C

Water Right Number - A67-00083B Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
COMBINED RIGHT		1 - 2 - 3 - City- XXXXX State- ID Zip- XXXXX Phone - 208-000-0000
*** O - ORIGINAL OWNER ***		
GOULD	CLARENCE ESTATE OF	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
CARR	J. A.	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN		Z - SEE REMARKS

Source	Tributary
LOST VALLEY RESERVOIR COMBINED RIGHT	LOST CREEK SEE REMARKS

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
65N	46E	36	SE NW		(99)	SUBSCRIPTION

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		100.00
03	IRRIGATION FROM STORAGE	04/01	11/01		100.00

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
	100.00	0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
16N	01W	11	SE SE		30.0	01	IRRIGATION	(3) ADAMS
16N	01W	14	NW NE		25.0	01	IRRIGATION	(3) ADAMS
16N	01W	14	NE NW		15.0	01	IRRIGATION	(3) ADAMS
16N	01W	14	SW SE		10.0	01	IRRIGATION	(3) ADAMS

Total Acres: 80.0

Water right number - A67-00083B   Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - - - Remarks - - - - - - - - - - - - - - - +

THIS RIGHT & 100 B SHARES & 12 C SHARES UNDER A PORTION OF 67-02053 HAVE BEEN COMBINED ON CLAIM NO. A67-11422. 1-4-90, JS.
THIS IS A SPLIT OF 67-00083.
67-00071, 67-00082, AND 67-00083 HAVE BEEN COMBINED IN THE SRBA IN ORDER TO FACILITATE CLAIMS TAKING OF THE INDIVIDUAL SHARE HOLDERS WITHIN LOST VALLEY RESERVOIR CO..
THE FOLLOWING ARE THE SHARE HOLDERS WITH THEIR APPROPRIATE SPLITS OF 67-00083.

67-00083A	CAPPS, A. V.________	043 ACRE FEET	CERT. # 79
	CAPPS, A. V.________	10 ACRE FEET	CERT. # 76
	CAPPS, A. V.________	19 ACRE FEET	CERT. # 76
	CAPPS, A. V.________	30 ACRE FEET	CERT. # 75
	_____TOTAL	102 ACRE FEET	
67-00083B	GOULD, CLARENCE_____	100 ACRE FEET	CERT. # NONE
67-00083C	IVY, KENNETH________	5 ACRE FEET	CERT. # 71
67-00083D	KALMBACK, GARY________	3 ACRE FEET	CERT. # 72
67-00083E	RAFFETTY, DICK________	5 ACRE FEET	CERT. # 74
67-00083F	SHUMWAY, STEVE________	50 ACRE FEET	CERT. # 97
67-00083G	LAWRENCE, PAUL________	10 ACRE FEET	CERT. # NONE
	LAWRENCE, PAUL________	10 ACRE FEET	CERT. # NONE
	_____TOTAL	20 ACRE FEET	
67-00083H	LOST VALLEY RES. CO.__	10 ACRE FEET	CERT. # NONE
	TOTAL ALL SPLITS	300 ACRE FEET	

IT IS PROBABLE THAT THESE CLAIMS REPRESENT TRANSFERS OF THE POINT OF DIVERSION AND/OR THE PLACE OF USE LISTED IN DECREE 67-00083 TO THOSE LISTED IN THE SRBA SPLIT CLAIMS. ELR **********************

+ - - - - - - - - - - - - - - Old Water Right Numbers - - - - - - - - - - - - - - +

A6711422

+ - - - - - - - - - - - - - - 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 - - +

00/00/00

Water right number - A67-00083B Prefix Translation: ADJUDICATION CLAIM

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	- 04/16/1985	Old Judicial District	-
Claim Received Date	- 00/00/0000	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	-

Water Right Number - A67-00083BB Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER *** COMBINED RIGHT	DELETE	1 - HWY 95 BOX 2405 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4409

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN		Z - SEE REMARKS

Source	Tributary
LOST CREEK COMBINED RIGHT	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
17N	01W	10	NE NW SW		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		50.00
03	IRRIGATION FROM STORAGE	04/15	10/15		50.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	50.00		50.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	22	NE SE		40.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	22	SE SE		40.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	NE SW		38.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	NW SW		39.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	SW SW		40.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	SE SW		40.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	NW SE		40.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	SW SE		40.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 317.0

Diversion Means - DIVERSION DAM, HEADGATE, APPROX. 5 MILES OF DITCH

Non-Irrigation Use -

Other Rights for Same Use - 67-00081V,_67-02053V,

Water right number - A67-00083BB Prefix Translation: ADJUDICATION CLAIM

Remarks

THIS RIGHT IS DELIVERED THROUGH THE FARMERS' CANAL
THIS RIGHT HAS BEEN COMBINED INTO A6700081V B.A.S. 1/2/90

Old Water Right Numbers

A6700083

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date - 00/00/0000

Audit Fields - 01/02/90 SCHULD

Comments

No Comments Found

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	- 12/18/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-00083J Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SCISM	DOUGLAS M.	1 - P.O. BOX 99 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-6023

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
17N	01W	4	NE NE NE		R	(3) ADAMS	
17N	01W	10	NE NW SW		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		43.00
03	IRRIGATION FROM STORAGE	03/15	11/15		43.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	43.00		43.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	14	SW SW		32.4	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	14	SE SW		15.1	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	15	SE SE		33.3	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	22	NE NE		37.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	22	SE NE		38.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	NW NE		0.5	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	SW NE		4.5	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	NE NW		14.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	NW NW		34.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	SW NW		37.3	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	SE NW		24.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	NE SW		2.4	03	IRRIGATION FROM STORAGE	(3) ADAMS
			Total Acres:		272.5			

Diversion Means - LOST VALLEY RESERVOIR

Non-Irrigation Use -

Water right number - A67-00083J   Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - 67-00050/55/65/73/74/11305/373/375/11304/02058

+ - - - - - - - - - - - - Remarks - - - - - - - - - - - - +

THIS CLAIM IS FOR LOST VALLEY STORAGE WATER DELIVERED THROUGH
THE ROBERTSON SEVEY DITCH AND FARMERS CANAL.

+ - - - - - - - - - - - - Old Water Right Numbers - - - - - - - - - - - - +

No Old Water Right Numbers found.

+ - - - - - - - - - - - - Conditions of Approval - - - - - - - - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +   + - - - - Decree Defendant - - - +   + - Decree Date - +
00/00/0000

+ - - Audit Fields - 12/14/89 FRITSCHL

+ - - - - - - - - - - - - -Comments- - - - - - - - - - - - - +

No Comments Found

+ - - - - - - - - - - - - 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	- 12/13/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C013473	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-02053 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SPLIT RIGHT		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
*** O - ORIGINAL OWNER ***		
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
WEISER IRRIGATION & LAND CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN		Z - SEE REMARKS

Source	Tributary
LOST CREEK SPLIT RIGHT	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW		(3)	ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	57.450	
02	IRRIGATION STORAGE	01/01	12/31		10000.00
03	IRRIGATION FROM STORAGE	04/15	10/15		10000.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
57.450	10000.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County

Diversion Means - DAM IN CREEK TO CREEK TO DITCHS AND PUMPS

Non-Irrigation Use -

Other Rights for Same Use - 67-00071, 67-00081, 67-00082, 67-00083

Water right number - A67-02053 Prefix Translation: ADJUDICATION CLAIM

Remarks

THIS WATER RIGHT HAS BEEN LISTED IN THE WATER RIGHTS BASE AS
BEING SUPERCEEDED BY DECREE 67-00081. THIS APPEARS TO BE IN ERROR
APPLICATION FOR PERMIT 6503 (67-02053) DATED MAY 27,1910.
CERTIFICATE OF COMPLETION OF WORKS ISSUED 02/29/1916.
MUIR -VS- ALLISON DECREE OF MAY 09,1918 WHICH INCLUDED 6250 AF
STORAGE IN LOST VALLEY RESERVOIR TO ORCHARDS WATER CO., APPEALED
TO IDAHO STATE SUPREME COURT.
STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE
LOWER COURT THE MAY 09, 1918 DECREE; DATED 06/22/1920.
LOWER COURT ISSUES MUIR -VS- ALLISON DECREE DATED JUNE 20, 1921.
ORCHARD WATER CO. MADE SATISFACTORY PROOF OF BENEFICIAL USE TO
DEPT. OF RECLAMATION ON AUGUST 23, 1921.
LICENSE 6503 (67-02053) ISSUED ON MAY 10, 1922.
TRANSFER # 378 FOR 5270 (67-02039) AND 6503 (67-02053) SIGNED AND
SEALED JUNE 23, 1926. ELR

****

THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:
A67-02053A,
A67-02053B,
A67-02053C,
A67-02053D,
A67-02053E,
A67-02053F,
A67-02053G,
A67-02053H,
A67-02053J,
A67-02053K,
A67-02053L, 3 AF BY NANCY HAWKINS
A67-02053M, 20 AF BY HENRY AND/OR NORMA WILLIAMS
A67-02053N, 17.5 AF BY AMY G. GLENN
A67-02053S; 17.5 AF BY DOUGLAS M. SCISM
A67-02053T; 90.0 AF BY DOUGLAS M. SCISM
A6702053U, 10 AF BY JOHN F. FISK
A6702053W, 50 AF BY DEAN & EVERETT HARRINGTON
A67020532, 2 AF BY DICK FISK
A6702053AA, 8 AF BY LARRY FISK

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date
00/00/0000

Audit Fields - 10/30/89 FRITSCHL 11/09/89 FRITSCHL 12/15/89 FRITSCHL 12/15/89 GIBSON 12/19/89 SHAFF
04/05/90 WERNER 07/26/90 FRITSCHL

Water right number - A67-02053 Prefix Translation: ADJUDICATION CLAIM

-Comments-

No Comments Found

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	- 00/00/0000	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-02053A Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
JORDAN	JOSEPH L.	1 - 410 FALL DRIVE 2 - 3 - City- BOISE State- ID Zip- 83706 Phone - 303-831-8200
JORDAN	CYNTHIA A.	1 - 410 FALL DRIVE 2 - 3 - City- BOISE State- ID Zip- 83706 Phone - 303-831-8200
*** O - ORIGINAL OWNER ***		
*****SPLIT CLAIM**SEE REMARKS*****		1 - WEISER IRRIGATION & LAND CO. 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK
LOST CREEK RESERVOIR	LOST CREEK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW		(3)	ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		8.00
03	IRRIGATION FROM STORAGE	03/15	11/15		8.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	8.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	15	SW NE		33.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 33.0

Water right number - A67-02053A   Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - DAM IN CREEK TO CREEK TO DITCHS AND PUMPS

+ - - Non-Irrigation Use - S/VARIABLE AMOUNTS AND BREEDS

+ - - Other Rights for Same Use - 67-00054, 67-00060,

+ - Remarks - +

THIS WATER RIGHT HAS BEEN LISTED IN THE WATER RIGHTS BASE AS
BEING SUPERCEEDED BY DECREE 67-00081. THIS APPEARS TO BE IN ERROR
APPLICATION FOR PERMIT 6503 (67-02053) DATED MAY 27,1910.
CERTIFICATE OF COMPLETION OF WORKS ISSUED 02/29/1916.
MUIR -VS- ALLISON DECREE OF MAY 09,1918 WHICH INCLUDED 6250 AF
STORAGE IN LOST VALLEY RESERVOIR TO ORCHARDS WATER CO., APPEALED
TO IDAHO STATE SUPREME COURT.
STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE
LOWER COURT THE MAY 09, 1918 DECREE; DATED 06/22/1920.
LOWER COURT ISSUES MUIR -VS- ALLISON DECREE DATED JUNE 20, 1921.
ORCHARD WATER CO. MADE SATISFACTORY PROOF OF BENEFICIAL USE TO
DEPT. OF RECLAMATION ON AUGUST 23, 1921.
LICENSE 6503 (67-02053) ISSUED ON MAY 10, 1922.
TRANSFER # 378 FOR 5270 (67-02039) AND 6503 (67-02053) SIGNED AND
SEALED JUNE 23, 1926.   ELR
****

THIS CLAIM IS A SPLIT OF 67-02053.
CLASS "B" SHARE CERTIFICATE # 63.

+ - Old Water Right Numbers - +

No Old Water Right Numbers found.

+ - Conditions of Approval - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +   + - - - - Decree Defendant - - - +   + - Decree Date - +
00/00/0000

+ - - Audit Fields - 08/07/89 ROUSH

+ -Comments- +

No Comments Found

+ - - - - - - - - - - - - - - - - - - - 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	- 08/07/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W004079	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- N	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND/OR		

Water Right Number - A67-02053AA Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
FISK	LARRY	1 - 2193 RIDGE RD 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-6073
FISK	PENNY	1 - 2193 RIDGE RD 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-6073
*** O - ORIGINAL OWNER ***		
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
WEISER IRRIGATION & LAND CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
FISK	DICK C.	1 - BOX 14 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4852
FISK	ALMA L.	1 - BOX 14 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4852

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
18N	01W	32	SW SE		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		8.00
03	IRRIGATION FROM STORAGE	04/15	10/15		8.00

Water right number - A67-02053AA Prefix Translation: ADJUDICATION CLAIM

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	8.00		24.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	16	NE NE		8.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 8.0

- Diversion Means - RESERVOIR, DITCH, GRAVITY FLOW

- Non-Irrigation Use -

- Other Rights for Same Use - 67-00071, 67-00081, 67-00082, 67-00083

Remarks

THIS WATER RIGHT HAS BEEN LISTED IN THE WATER RIGHTS BASE AS
BEING SUPERCEEDED BY DECREE 67-00081. THIS APPEARS TO BE IN ERROR
APPLICATION FOR PERMIT 6503 (67-02053) DATED MAY 27,1910.
CERTIFICATE OF COMPLETION OF WORKS ISSUED 02/29/1916.
MUIR -VS- ALLISON DECREE OF MAY 09,1918 WHICH INCLUDED 6250 AF
STORAGE IN LOST VALLEY RESERVOIR TO ORCHARDS WATER CO., APPEALED
TO IDAHO STATE SUPREME COURT.
STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE
LOWER COURT THE MAY 09, 1918 DECREE; DATED 06/22/1920.
LOWER COURT ISSUES MUIR -VS- ALLISON DECREE DATED JUNE 20, 1921.
ORCHARD WATER CO. MADE SATISFACTORY PROOF OF BENEFICIAL USE TO
DEPT. OF RECLAMATION ON AUGUST 23, 1921.
LICENSE 6503 (67-02053) ISSUED ON MAY 10, 1922.
TRANSFER # 378 FOR 5270 (67-02039) AND 6503 (67-02053) SIGNED AND
SEALED JUNE 23, 1926. ELR
****
THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:
A67-02053A,
A67-02053B,
A67-02053C,
A67-02053D,
A67-02053E,
A67-02053F,
A67-02053G,
A67-02053H,
A67-02053J,
A67-02053K,
A67-02053L, 3 AF BY NANCY HAWKINS
A67-02053M, 20 AF BY HENRY AND/OR NORMA WILLIAMS
A67-02053N, 17.5 AF BY AMY G. GLENN
A6702053U, 10 AF BY JOHN F. FISK
A6702053W, 50 AF BY DEAN & EVERETT HARRINGTON
**A67-02053Z-THIS WATER RIGHT WAS INITIALLY CLAIMED BY DICK FISK
FOR 10 AF OF LOST VALLEY RESERVOIR. SINCE THAT TIME, THIS
PROPERTY HAS BEEN SOLD TO LARRY & PENNY FISK. IN THE SALE OF

Water right number - A67-02053AA Prefix Translation: ADJUDICATION CLAIM

Remarks

THIS PROPERTY, DICK FISK RETAINED 2 AF SHARES FROM THE LOST VALLEY RES. THIS CLAIM, THEREFORE, REFLECTS THOSE 2 SHARES. A67-02053AA REFLECTS THE REMAINDING 8 SHARES NOW BELONGING TO LARRY FISK. ALSO-IT APPEARS THAT DICK FISK HAS RETAINED THE 2 SHARES FOR THE USAGE AROUND HIS HOME. LARRY FISK BOUGHT THE 8 ACRES; HOWEVER, DUE TO A LACK OF INFORMATION FROM DICK FISK REGARDING THIS I LEFT THE ACRES ON THIS CLAIM AT 8 ACRES. A FIELD EXAM MAY BE NECESSARY. ONE MORE THING-THIS CLAIM ORIGINALLY INDICATED A FLOW RIGHT, DICK FISK'S FILING DID NOT INCLUDE A FLOW AMOUNT. 4/5/90-L.R.W.**********
A67-02053AA REPRESENTS 8 SHARES OF CLASS B STOCK IN LOST VALLEY RESERVOIR, CERTIFICATE NO. 69.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date - 00/00/0000

Audit Fields - 04/19/90 WERNER

Comments

No Comments Found

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	- 12/19/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W007196	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	- C
Fee Exempt Flag	-	Name Connector	- OR		

Water Right Number - A67-02053AB Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
BOISE CASCADE CORPORATION		1 - C/O JOE MUNSON 2 - P.O. BOX 50 3 - City- BOISE State- ID Zip- 83728 Phone - 208-365-4431
*** O - ORIGINAL OWNER ***		
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
WEISER IRRIGATION & LAND CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
16N	01W	10	SW NE SW		(3)	ADAMS	
19N	01W	28	SE NW		(3)	ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
08	INDUSTRIAL STORAGE	01/01	12/31		33.00
09	INDUSTRIAL FROM STORAGE	01/01	12/31		33.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	33.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
16N	01W	10	NE SE			09	INDUSTRIAL FROM STORAGE	(3) ADAMS
16N	01W	10	NW SE			09	INDUSTRIAL FROM STORAGE	(3) ADAMS
16N	01W	10	SW SE			09	INDUSTRIAL FROM STORAGE	(3) ADAMS

- Diversion Means - LOST VALLEY RESERVOIR, PUMPED FROM WEISER RIVER

- Non-Irrigation Use - I/SAWMILL USE, SPRINKLING LOG DECKS, FIRE PROTECTION

- Other Rights for Same Use - A67-00081AB

Water right number - A67-02053AB Prefix Translation: ADJUDICATION CLAIM

Remarks

THIS WATER RIGHT HAS BEEN LISTED IN THE WATER RIGHTS BASE AS
BEING SUPERCEEDED BY DECREE 67-00081. THIS APPEARS TO BE IN ERROR
APPLICATION FOR PERMIT 6503 (67-02053) DATED MAY 27,1910.
CERTIFICATE OF COMPLETION OF WORKS ISSUED 02/29/1916.
MUIR -VS- ALLISON DECREE OF MAY 09,1918 WHICH INCLUDED 6250 AF
STORAGE IN LOST VALLEY RESERVOIR TO ORCHARDS WATER CO., APPEALED
TO IDAHO STATE SUPREME COURT.
STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE
LOWER COURT THE MAY 09, 1918 DECREE; DATED 06/22/1920.
LOWER COURT ISSUES MUIR -VS- ALLISON DECREE DATED JUNE 20, 1921.
ORCHARD WATER CO. MADE SATISFACTORY PROOF OF BENEFICIAL USE TO
DEPT. OF RECLAMATION ON AUGUST 23, 1921.
LICENSE 6503 (67-02053) ISSUED ON MAY 10, 1922.
TRANSFER # 378 FOR 5270 (67-02039) AND 6503 (67-02053) SIGNED AND
SEALED JUNE 23, 1926.
CLAIM NO. A67-02053U WAS PREVIOUSLY ASSIGNED TO THIS CLAIM AND
ANOTHER CLAIM IN THE NAME OF JOHN F. FISK. THIS CLAIM HAS BEEN
RENUMBERED DUE TO THIS DUPLICATE ASSIGNMENT OF NUMBERS. KW
6/14/1991

Old Water Right Numbers

A6702053

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff | Decree Defendant | Decree Date
00/00/0000

Audit Fields - 06/14/91 WALKER

Comments

No Comments Found

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	12/29/1989	Last Amended Date	00/00/0000	Temporary Right	P
Proof Due Date	00/00/0000	Proof Made Date	00/00/0000	Water District	
Licensed Date	00/00/0000	Receipt Number	C013730	Federal/State Indicator	S
Claims Tape Error Flg		POU Ownership Flag	Y	Presumption Flag	C
Fee Exempt Flag		Name Connector			

Water Right Number - A67-02053C Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SCHWARTZ	ANTHONY B.	1 - P.O. BOX 58 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4802
SCHWARTZ	EDITH	1 - P.O. BOX 58 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4802
*** O - ORIGINAL OWNER ***		
*****SPLIT CLAIM**SEE REMARKS*****		1 - WEISER IRRIGATION & LAND CO. 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
18N	01W	32	SW SE		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		100.00
03	IRRIGATION FROM STORAGE	04/15	10/15		100.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	100.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	9	NW SW		5.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	9	SE SW		6.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	9	NE SE		8.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	9	NW SE		39.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Water right number - A67-02053C Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	9	SW SE		20.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	9	SE SE		18.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 96.0

Diversion Means - DAM IN CREEK TO CREEK TO DITCHS AND PUMPS

Non-Irrigation Use - INSTREAM STOCKWATER

Other Rights for Same Use - A67-00143, A67-04124

Remarks

THIS WATER RIGHT HAS BEEN LISTED IN THE WATER RIGHTS BASE AS
BEING SUPERCEEDED BY DECREE 67-00081. THIS APPEARS TO BE IN ERROR
APPLICATION FOR PERMIT 6503 (67-02053) DATED MAY 27,1910.
CERTIFICATE OF COMPLETION OF WORKS ISSUED 02/29/1916.
MUIR -VS- ALLISON DECREE OF MAY 09,1918 WHICH INCLUDED 6250 AF
STORAGE IN LOST VALLEY RESERVOIR TO ORCHARDS WATER CO., APPEALED
TO IDAHO STATE SUPREME COURT.
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LOWER COURT THE MAY 09, 1918 DECREE; DATED 06/22/1920.
LOWER COURT ISSUES MUIR -VS- ALLISON DECREE DATED JUNE 20, 1921.
ORCHARD WATER CO. MADE SATISFACTORY PROOF OF BENEFICIAL USE TO
DEPT. OF RECLAMATION ON AUGUST 23, 1921.
LICENSE 6503 (67-02053) ISSUED ON MAY 10, 1922.
TRANSFER # 378 FOR 5270 (67-02039) AND 6503 (67-02053) SIGNED AND
SEALED JUNE 23, 1926. ELR
****
THIS CLAIM IS A SPLIT OF 67-02053.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date - 00/00/0000

Audit Fields - 10/02/89 HOWERTON

Comments

No Comments Found

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	-

Water right number - A67-02053C Prefix Translation: ADJUDICATION CLAIM

+ - Adjudication Rights Dates and Flags Area - +

Claim Received Date	- 10/02/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W006116	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- OR		

Water Right Number - A67-02053D Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
HUG	JAMES T.	1 - 1554 MELROSE WAY 2 - 3 - City- VISTA State- CA Zip- 92083 Phone - 619-726-2715
*** O - ORIGINAL OWNER ***		
*****SPLIT CLAIM**SEE REMARKS*****		1 - WEISER IRRIGATION & LAND CO. 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	15	NW NE		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		2.00
03	IRRIGATION FROM STORAGE	04/15	10/15		2.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	2.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	15	NW NE		5.6	01	IRRIGATION	(3) ADAMS
17N	01W	15	NE NW		4.0	01	IRRIGATION	(3) ADAMS

Total Acres: 9.6

Diversion Means - DAM IN CREEK TO CREEK TO DITCHS AND PUMPS

Non-Irrigation Use - NONE

Water right number - A67-02053D   Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - A67-00069,A67-00066C,A67-00083I

+ - Remarks - +

THIS WATER RIGHT HAS BEEN LISTED IN THE WATER RIGHTS BASE AS BEING SUPERCEEDED BY DECREE 67-00081. THIS APPEARS TO BE IN ERROR
APPLICATION FOR PERMIT 6503 (67-02053) DATED MAY 27,1910.
CERTIFICATE OF COMPLETION OF WORKS ISSUED 02/29/1916.
MUIR -VS- ALLISON DECREE OF MAY 09,1918 WHICH INCLUDED 6250 AF STORAGE IN LOST VALLEY RESERVOIR TO ORCHARDS WATER CO., APPEALED TO IDAHO STATE SUPREME COURT.
STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE LOWER COURT THE MAY 09, 1918 DECREE; DATED 06/22/1920.
LOWER COURT ISSUES MUIR -VS- ALLISON DECREE DATED JUNE 20, 1921.
ORCHARD WATER CO. MADE SATISFACTORY PROOF OF BENEFICIAL USE TO DEPT. OF RECLAMATION ON AUGUST 23, 1921.
LICENSE 6503 (67-02053) ISSUED ON MAY 10, 1922.
TRANSFER # 378 FOR 5270 (67-02039) AND 6503 (67-02053) SIGNED AND SEALED JUNE 23, 1926. ELR
****
THIS CLAIM IS A SPLIT OF 67-02053.

+ - Old Water Right Numbers - +

No Old Water Right Numbers found.

+ - Conditions of Approval - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +   + - - - - Decree Defendant - - - +   + - Decree Date - +
00/00/0000

+ - - Audit Fields - 10/03/89 HOWERTON

+ -Comments- +

No Comments Found

+ - 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	- 11/16/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W006720	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- N	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

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: A67-02053E
Date Received: 10/03/1989
Receipt No: W6134
Received By: BW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HENDERSON RANCHES 208-253-4559
   Address: BOX 475
   COUNCIL, ID 83612

2. Date of Priority: MAY 27, 1910

3. Source: LOST CREEK Trib. to: WEISER RIVER, W. FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	01W	10		NW	SW	R	ADAMS
		34		SE	NW		ADAMS
19N	01W	28		SE	NW		ADAMS

5. Description of diverting works:
   CEMENT DAM, GRAVITY FLOW, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
IRRIGATION	04/15	10/15	57.450	
IRRIGATION STORAGE	01/01	12/31		160.00
IRRIGATION FROM STORAGE	04/15	10/15		160.00

7. Total Quantity Appropriated is:
   C.F.S. (and/or) 160.00 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		Lot	Use	Acres
16N	01W	3	NW	NW		IRR FS	18.0
			SW	NW		IRR FS	10.0
					Section Acres		28.0
		4	NE	NE	1	IRR FS	20.0
			SW	NE		IRR FS	2.0
			SE	NE		IRR FS	34.0
					Section Acres		56.0
17N	01W	33	NE	SE		IRR FS	12.0
			SE	SE		IRR FS	11.0
					Section Acres		23.0
		34	SW	NW		IRR FS	26.0
			SE	NW		IRR FS	20.0
			NW	SW		IRR FS	31.0
			SW	SW		IRR FS	17.0
					Section Acres		94.0
					Total Acres		201.0

. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A67-00081B, A67-00041, A67-00042

14. Remarks:
THIS IS A SPLIT OFF OF A67-02053. THE CFS AMOUNT OF 57.45 WAS CARRIED ACROSS FROM THE WATER RIGHTS BASE. ACCURATE DATA IS NOT AVAILABLE AS TO NUMBERS OF IRRIGATED ACRES AND ADDITIONAL SPLITS FROM THIS RIGHT; THEREFORE, I DID NOT PRORATE THE CFS AMOUNT OUT.
THE DIVERSION POINT IN SECTION 10 IS THE REDIVERSION FROM THE WEISER RIVER AND THE DIVERSION IN SECTION 34 IS THE DIVERSION TO THE HENDERSON PROPERTY. L.W. 10/3/89
****
THIS WATER RIGHT HAS BEEN LISTED IN THE WATER RIGHTS BASE AS BEING SUPERCEEDED BY DECREE 67-00081. THIS APPEARS TO BE IN ERROR. APPLICATION FOR PERMIT 6503 (67-02053) DATED MAY 27, 1910
CERTIFICATE OF COMPLETION OF WORKS ISSUED 2/29/1916.
MUIR -VS- ALLISON DECREE OF MAY 9, 1918 WHICH INCLUDED 6250 AF

Water Right Number - A67-02053F Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
PICKET	ALAN M.	1 - RT. 1 BOX 50 2 - 3 - City- MIDVALE State- ID Zip- 83645 Phone - 208-355-2635
PICKET	CEDRIC A.	1 - RT. 1 BOX 51 2 - 3 - City- MIDVALE State- ID Zip- 83645 Phone - 208-355-2390

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
14N	03W	22	NE SE SW		R	(3) ADAMS	
19N	01W	28	SW SE NW			(3) ADAMS	
19N	01W	28	SE SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		4.00
03	IRRIGATION FROM STORAGE	03/15	11/15		4.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	4.00		36.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	03W	27	NE NW		12.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON

Total Acres: 12.0

Diversion Means - LOST VALLEY RES. DOWN WEISER, MIDDLE VALLEY DITCH FROM RIVER.

Non-Irrigation Use - NONE

Other Rights for Same Use - NONE

Remarks

THIS RIGHT IS A SPLIT FO A67-02053 WHICH IS SUPERCEEDED
BY 67-00081. 4 C SHARES IN LOST VALLEY RES. CO.

Water right number - A67-02053F Prefix Translation: ADJUDICATION CLAIM

+ - Old Water Right Numbers - +

+ - Old Water Right Numbers - +
No Old Water Right Numbers found.

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

+ - - - - Decree Plaintiff - - - - + + - - - - Decree Defendant - - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 10/03/89 CARLSON 11/20/89 CARLSON

+ -Comments- +
No Comments Found

+ - 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	- 10/03/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- M004783	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND/OR		

Water Right Number - A67-02053G Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
C.H.E. ENTERPRISES		1 - C/O PETER H. ERTEL 2 - COW CREEK RANCH 3 - RT 1 BOX 152 City- CAMBRIDGE State- ID Zip- 83610 Phone - 208-257-3491
*** O - ORIGINAL OWNER ***		
WEISER IRR. & LAND CO.		1 - WEISER IRRIGATION & LAND CO. 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK
LOST CREEK RESERVOIR	LOST CREEK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW		(3)	ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		30.00
03	IRRIGATION FROM STORAGE	03/15	11/15		30.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	30.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	02W	31	SW NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	31	SE NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	31	SE NW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	31	NE SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	31	NE SE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	31	NW SE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	32	SW NE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	32	SW NW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	32	SE NW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON

Water right number - A67-02053G Prefix Translation: ADJUDICATION CLAIM

+ - Place of Use - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	02W	32	NE SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	32	NW SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	32	SW SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	32	SE SW		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON
15N	02W	32	NW SE		40.0	03	IRRIGATION FROM STORAGE	(87) WASHINGTON

Total Acres: 560.0

+ - - Diversion Means - DAM IN CREEK TO CREEK TO DITCHS AND PUMPS

+ - - Non-Irrigation Use - NA

+ - - Other Rights for Same Use - A67-000810

+ - Remarks - +

THIS WATER RIGHT HAS BEEN LISTED IN THE WATER RIGHTS BASE AS
BEING SUPERCEEDED BY DECREE 67-00081. THIS APPEARS TO BE IN ERROR
APPLICATION FOR PERMIT 6503 (67-02053) DATED MAY 27,1910.
CERTIFICATE OF COMPLETION OF WORKS ISSUED 02/29/1916.
MUIR -VS- ALLISON DECREE OF MAY 09,1918 WHICH INCLUDED 6250 AF
STORAGE IN LOST VALLEY RESERVOIR TO ORCHARDS WATER CO., APPEALED
TO IDAHO STATE SUPREME COURT.
STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE
LOWER COURT THE MAY 09, 1918 DECREE; DATED 06/22/1920.
LOWER COURT ISSUES MUIR -VS- ALLISON DECREE DATED JUNE 20, 1921.
ORCHARD WATER CO. MADE SATISFACTORY PROOF OF BENEFICIAL USE TO
DEPT. OF RECLAMATION ON AUGUST 23, 1921.
LICENSE 6503 (67-02053) ISSUED ON MAY 10, 1922.
TRANSFER # 378 FOR 5270 (67-02039) AND 6503 (67-02053) SIGNED AND
SEALED JUNE 23, 1926. ELR
****
THIS CLAIM IS A SPLIT OF 67-02053.
CLASS "B" SHARE CERTIFICATE # 63.

+ - Old Water Right Numbers - +

A6702053

+ - Conditions of Approval - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - - + + - - - - Decree Defendant - - - - + + - Decree Date - +

00/00/0000

+ - - Audit Fields - 11/02/89 HARRINGT

+ -Comments- +

No Comments Found

Water right number - A67-02053G Prefix Translation: ADJUDICATION CLAIM

+ - 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	- 10/23/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C012451	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND/OR		

Water Right Number - A67-02053H Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
KOSKIE	GARY D.	1 - P.O. BOX 106 2 - 3 - City- CAMBRIDGE State- ID Zip- 83610 Phone - 208-257-3507
KOSKIE	BETTY J.	1 - P.O. BOX 106 2 - 3 - City- CAMBRIDGE State- ID Zip- 83610 Phone - 208-257-3507

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
14N	03W	10	SE NE		R	(87) WASHINGTON	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		5.00
03	IRRIGATION FROM STORAGE	04/15	10/15		5.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	5.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
14N	03W	10	NE NE		7.0	02	IRRIGATION STORAGE	(87) WASHINGTON
14N	03W	10	SE NE		17.0	02	IRRIGATION STORAGE	(87) WASHINGTON

Total Acres: 24.0

Diversion Means - DAM IN CREEK TO CREEK TO DITCHS AND PUMPS

Non-Irrigation Use - NONE

Other Rights for Same Use - A67-00238

Remarks

THIS WATER RIGHT HAS BEEN LISTED IN THE WATER RIGHTS BASE AS
BEING SUPERCEEDED BY DECREE 67-00081. THIS APPEARS TO BE IN ERROR
APPLICATION FOR PERMIT 6503 (67-02053) DATED MAY 27,1910.

Water right number - A67-02053H Prefix Translation: ADJUDICATION CLAIM

Remarks

CERTIFICATE OF COMPLETION OF WORKS ISSUED 02/29/1916.
MUIR -VS- ALLISON DECREE OF MAY 09,1918 WHICH INCLUDED 6250 AF STORAGE IN LOST VALLEY RESERVOIR TO ORCHARDS WATER CO., APPEALED TO IDAHO STATE SUPREME COURT.
STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE LOWER COURT THE MAY 09, 1918 DECREE; DATED 06/22/1920.
LOWER COURT ISSUES MUIR -VS- ALLISON DECREE DATED JUNE 20, 1921.
ORCHARD WATER CO. MADE SATISFACTORY PROOF OF BENEFICIAL USE TO DEPT. OF RECLAMATION ON AUGUST 23, 1921.
LICENSE 6503 (67-02053) ISSUED ON MAY 10, 1922.
TRANSFER # 378 FOR 5270 (67-02039) AND 6503 (67-02053) SIGNED AND SEALED JUNE 23, 1926. ELR
****
THIS CLAIM IS A SPLIT OF 67-02053.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff | Decree Defendant | Decree Date
00/00/0000

Audit Fields - 10/06/89 MOBILE3

Comments

No Comments Found

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	10/06/1989	Last Amended Date	00/00/0000	Temporary Right	P
Proof Due Date	00/00/0000	Proof Made Date	00/00/0000	Water District	
Licensed Date	00/00/0000	Receipt Number	M004842	Federal/State Indicator	S
Claims Tape Error Flg		POU Ownership Flag	Y	Presumption Flag	
Fee Exempt Flag		Name Connector	OR		

Water Right Number - A67-02053I Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

*** C - CURRENT OWNER ***
MIDDLE VALLEY DITCH CORP.

1 - C/O MILDRED HORTON, SEC.
2 - RT. 1, BOX 12
3 -
City- MIDVALE State- ID Zip- 83645
Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source: LOST CREEK

Tributary: WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW		(3)	ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		1000.00
03	IRRIGATION FROM STORAGE	03/15	11/15		1000.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	1000.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13N	03W	3	NE NW		25.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	3	NW NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	3	SW NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	3	SE NW		10.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	3	NE SW		25.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	NE NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	NW NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	SW NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	SE NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	NE NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	NW NW		20.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	SW NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	SE NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	NE SW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	NW SW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	SW SW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	SE SW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	NE SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	NW SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	SW SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	4	SE SE		40.0	01	IRRIGATION	(87) WASHINGTON

Water right number - A67-02053I Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13N	03W	5	SE NE		7.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	5	NE SE		10.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	5	SE SE		10.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	NE NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	NW NE		35.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	SW NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	SE NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	NE NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	NW NW		25.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	SW NW		30.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	SE NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	NE SW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	NW SW		20.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	SW SW		30.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	SE SW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	NE SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	NW SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	SW SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	8	SE SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	NE NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	NW NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	SW NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	SE NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	NE NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	NW NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	SW NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	SE NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	NE SW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	NW SW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	SW SW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	SE SW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	NE SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	NW SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	SW SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	9	SE SE		20.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	10	NW NW		12.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	10	SW NW		12.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	16	NE NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	16	NW NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	16	SW NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	16	SE NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	16	NE NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	16	NW NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	16	SW NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	16	SE NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	16	NE SW		30.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	16	NW SW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	16	SW SW		5.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	16	SE SW		30.0	01	IRRIGATION	(87) WASHINGTON

Water right number - A67-02053I Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13N	03W	16	NW SE		20.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	17	NE NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	17	NW NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	17	SW NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	17	SE NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	17	NE NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	17	NW NW		20.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	17	SE NW		20.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	17	NE SW		5.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	17	NW SW		30.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	17	SW SW		25.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	17	SE SW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	17	NE SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	17	NW SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	17	SW SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	17	SE SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	18	SE SE		20.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	19	NE NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	19	NW NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	19	SW NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	19	SE NE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	19	NE SE		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	19	SE SE		20.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	20	NW NE		30.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	20	SW NE		20.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	20	NE NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	20	NW NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	20	SW NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	20	SE NW		40.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	20	NE SW		10.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	20	NW SW		35.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	20	SW SW		15.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	20	NW SE		10.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	21	NW NW		10.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	29	NW NW		10.0	01	IRRIGATION	(87) WASHINGTON
13N	03W	30	NE NW		40.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	33	SE SW		10.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	33	NE SE		35.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	33	NW SE		5.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	33	SW SE		30.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	33	SE SE		30.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	34	NW NE		5.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	34	SW NE		10.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	34	SE SW		5.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	34	NW SE		30.0	01	IRRIGATION	(87) WASHINGTON
14N	03W	34	SW SE		15.0	01	IRRIGATION	(87) WASHINGTON

Total Acres: 3711.0

Water right number - A67-02053I   Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - DIVERSION DAM, DITCH, HEADGATES, ETC.

+ - - Non-Irrigation Use - NONE.

+ - - Other Rights for Same Use - CLAIM NO. A67-00081P.

+ - Remarks - +

THIS CLAIM IS A SPLIT FROM WATER RIGHT NO. 67-02053 AND IS FILED
FOR 1000 SHARES OF B STOCK IN THE LOST VALLEY RESERVOIR.

+ - Old Water Right Numbers - +

A6702053

+ - Conditions of Approval - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +   + - - - - Decree Defendant - - - +   + - Decree Date - +
00/00/0000

+ - - Audit Fields - 10/11/89 SHURTE 04/11/90 WERNER

+ -Comments- +

No Comments Found

+ - 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	- 01/17/1986	Old Judicial District	-
Claim Received Date	- 10/11/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- M004919	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-02053K Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
LEGER, CO-TRUSTEES	VINCENT D.& ESTHER A	1 - UNDER DECLARATION OF TRUST 2 - DATED AUGUST 21,1978 3 - P.O. BOX 75 City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-6074
*** O - ORIGINAL OWNER ***		
*****SPLIT CLAIM**SEE REMARKS*****		1 - WEISER IRRIGATION & LAND CO. 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
*** K - ALSO KNOWN AS ***		
LEGER	VINCENT	1 - P.O. BOX 75 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-6074
LEGER	ESTHER A.	1 - P.O. BOX 75 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-6074

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW		(3)	ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		4.00
03	IRRIGATION FROM STORAGE	03/15	11/15		4.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	4.00		0.0	

Water right number - A67-02053K Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	2	SE SE		12.2	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 12.2

Diversion Means - DAM IN CREEK TO CREEK TO DITCHS AND PUMPS

Non-Irrigation Use -

Other Rights for Same Use - 67-00079A

Remarks

CLASS "C" SHARE CERTIFICATE # 64.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff | Decree Defendant | Decree Date - 00/00/0000

Audit Fields - 10/20/89 SHAFF

Comments

No Comments Found

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	- 10/20/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C012449	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND/OR		

Water Right Number - A67-02053L Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
HAWKINS	NANCY E.	1 - P.O. BOX 624 2 - 3 - City- PINE VALLEY State- CA Zip- 92062 Phone - 619-473-9776
*** O - ORIGINAL OWNER ***		
WEISER IRRIGATION & LAND CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		3.00
03	IRRIGATION FROM STORAGE	03/01	12/01		3.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	3.00		3.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	2	SE SW		7.5	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 7.5

Diversion Means - DAM, HEADGATE, PIPELINE, AND DITCH

Non-Irrigation Use -

Other Rights for Same Use - 67-00079

Water right number - A67-02053L Prefix Translation: ADJUDICATION CLAIM

Remarks

THIS CLAIM IS FOR WATER STORED IN LOST VALLEY RESERVOIR THAT
IS EXCHANGED FOR A DIRECT FLOW FROM THE WEISER RIVER.
THIS CLAIM IS BASED ON 3 SHARES OF CLASS C STOCK, CERT. # 70.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date - 00/00/0000

Audit Fields - 10/26/89 FRITSCHL

Comments

No Comments Found

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	- 10/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C012547	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-02053M Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
WILLIAMS	HENRY J.	1 - P.O. BOX 39 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4812
WILLIAMS	NORMA	1 - P.O. BOX 39 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4812
*** O - ORIGINAL OWNER ***		
WEISER IRRIGATION & LAND CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
17N	01W	1	SW SW SW		R	(3) ADAMS	
17N	01W	1	NE SE SW		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		20.00
03	IRRIGATION FROM STORAGE	04/15	10/15		20.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	20.00		20.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	2	NE SW		11.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	2	NW SW		24.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 35.0

Water right number - A67-02053M Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - DAM, HEADGATE, PIPELINE, AND DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 67-00079, 67-04433, 67-07589

+ - Remarks - +

THIS CLAIM IS FOR WATER STORED IN LOST VALLEY RESERVOIR THAT IS
EXCHANGED FOR A DIRECT FLOW FROM THE WEISER RIVER.
THIS CLAIM IS BASED ON 20 SHARES OF CLASS C STOCK, CERT. # 61.

+ - Old Water Right Numbers - +

No Old Water Right Numbers found.

+ - Conditions of Approval - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 10/30/89 FRITSCHL

+ -Comments- +

No Comments Found

+ - 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	- 10/30/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C012584	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	- C
Fee Exempt Flag	-	Name Connector	- AND/OR		

Water Right Number - A67-02053N Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
GLENN	AMY G.	1 - P.O. BOX 5 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4863
*** O - ORIGINAL OWNER ***		
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
WEISER IRRIGATION & LAND CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
17N	01W	4	NE NE		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		17.50
03	IRRIGATION FROM STORAGE	04/15	10/15		17.50

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	17.50		17.5	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	10	NE SW		10.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	10	NW SW		8.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	10	SE SW		15.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 33.0

Diversion Means - DIVERSION DAM, HEADGATE, APPROX. 5 MILES OF DITCH

Non-Irrigation Use -

Water right number - A67-02053N   Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - 67-00057, 67-00058, 67-00060, 67-04117

+ - - - - - - - - - - Remarks - - - - - - - - - - +

THIS WATER IS DELIVERED THROUGH THE ROBERTSON-SEVEY DITCH.
STORAGE WATER IS EXCHANGED FOR A DIRECT FLOW FROM THE WEISER
RIVER. THIS CLAIM IS BASED ON 17.5 SHARES OF STOCK, CERT. # 50.

+ - - - - - - - - - - Old Water Right Numbers - - - - - - - - - - +

No Old Water Right Numbers found.

+ - - - - - - - - - - Conditions of Approval - - - - - - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +   + - - - - Decree Defendant - - - +   + - Decree Date - +
00/00/0000

+ - - Audit Fields - 11/09/89 FRITSCHL

+ - - - - - - - - - - -Comments- - - - - - - - - - - +

No Comments Found

+ - - - - - - - - - - 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	- 11/09/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C012772	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-02053P Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
GALLANT	GARY G.	1 - 1677 GOODRICH ROAD 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4586
GALLANT	CAROLE M.	1 - 1677 GOODRICH ROAD 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4586
*** O - ORIGINAL OWNER ***		
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
WEISER IRRIGATION & LAND CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW		(3)	ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		15.00
03	IRRIGATION FROM STORAGE	03/15	11/15		15.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	15.00		15.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
19N	01W	28	SE NW			02	IRRIGATION STORAGE	(3) ADAMS
15N	02W	5	NE SW		25.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	5	SE SW		12.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	5	NW SE		13.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
15N	02W	5	SW SE		1.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Water right number - A67-02053P Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County

Total Acres: 51.0

Diversion Means - DAM IN CREEK TO CREEK TO DITCHES AND PUMPS

Non-Irrigation Use - STOCKWATER INCIDENTAL TO IRRIGATION FROM STORAGE

Other Rights for Same Use - N/A

Remarks

****

THIS CLAIM IS A67-02053P FOR GARY & CAROLE GALLANT FOR 15 CLASS "C" SHARES WHICH ARE USED ON THE LANDS DESCRIBED ON THE P/U FOR THIS CLAIM. THE WATER FROM STORAGE IN THE RESERVOIR IS RELEASED INTO THE WEISER RIVER AND THE CLAIMANT PICKS UP A LIKE AMOUNT FROM GOODRICH CREEK IN EXCHANGE.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff Decree Defendant Decree Date - 00/00/0000

Audit Fields - 11/20/89 LUTHY

Comments

No Comments Found

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	- 11/20/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C012933	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- OR		

Water Right Number - A67-02053Q Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER *** PEEBLES	STEPHEN	1 - P.O. BOX 445 2 - 3 - City- ST. ANTHONY State- ID Zip- 83445 Phone - 208-000-0000

Priority Date	Region	Stage	Status
10/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW			(39) ELMORE	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		3.00
03	IRRIGATION FROM STORAGE	04/15	10/15		3.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	3.00		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County

Diversion Means - DAM FOR LOST VALLEY RES. W/RE-DIV. FROM RIVER TO IRRIGATED LANDS.

Non-Irrigation Use - NONE.

Other Rights for Same Use - NONE.

Remarks

THIS CLAIM IS FOR 3.0 SHARES OF C STOCK IN THE LOST VALLEY RESERVOIR CO.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Audit Fields - 11/29/89 SHURTE

Water right number - A67-02053Q Prefix Translation: ADJUDICATION CLAIM

-Comments-

No Comments Found

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	- 12/07/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W006902	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-02053S Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER *** SCISM	DOUGLAS M.	1 - P.O. BOX 99 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-6023

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source - LOST CREEK

Tributary - WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
17N	01W	4	NE NE NE		R	(3) ADAMS	
17N	01W	10	NE NW SW		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		17.50
03	IRRIGATION FROM STORAGE	03/15	11/15		17.50

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	17.50		17.5	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	10	NW NW		5.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	10	SW NW		21.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	10	SE NW		1.5	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 27.5

Diversion Means - LOST VALLEY RESERVOIR

Non-Irrigation Use -

Other Rights for Same Use - A67-00057, A67-00058, ROBERTSON SEVEY DITCH

Remarks

THIS CLAIM IS FOR LOST VALLEY STORAGE WATER DELIVERED THROUGH
THE ROBERTSON SEVEY DITCH.

Old Water Right Numbers

No Old Water Right Numbers found.

Water right number - A67-02053S Prefix Translation: ADJUDICATION CLAIM

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 12/13/89 FRITSCHL

+ -Comments- +
No Comments Found

+ - 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	- 12/13/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C013473	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-02053T Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SCISM	DOUGLAS M.	1 - P.O. BOX 99 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-6023

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
17N	01W	4	NE NE NE		R	(3) ADAMS	
17N	01W	10	NE NW SW		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		90.00
03	IRRIGATION FROM STORAGE	03/15	11/15		90.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	90.00		90.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	14	SW SW		32.4	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	14	SE SW		15.1	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	15	SE SE		33.3	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	22	NE NE		37.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	22	SE NE		38.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	NW NE		0.5	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	SW NE		4.5	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	NE NW		14.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	NW NW		34.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	SW NW		37.3	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	SE NW		24.0	03	IRRIGATION FROM STORAGE	(3) ADAMS
17N	01W	23	NE SW		2.4	03	IRRIGATION FROM STORAGE	(3) ADAMS
			Total Acres:		272.5			

Diversion Means - LOST VALLEY RESERVOIR

Non-Irrigation Use -

Water right number - A67-02053T   Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - 67-00050/55/65/73/74/11305/373/375/11304/00083

+ - Remarks - +

THIS CLAIM IS FOR LOST VALLEY STORAGE WATER DELIVERED THROUGH
THE ROBERTSON SEVEY DITCH AND FARMERS CANAL.

+ - Old Water Right Numbers - +

No Old Water Right Numbers found.

+ - Conditions of Approval - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +   + - - - - Decree Defendant - - - +   + - Decree Date - +
00/00/0000

+ - - Audit Fields - 12/13/89 FRITSCHL

+ -Comments- +

No Comments Found

+ - 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	- 12/13/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C013473	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-02053U Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER *** FISK	JOHN F.	1 - PO BOX 239 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4320

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		10.00
03	IRRIGATION FROM STORAGE	03/15	11/15		10.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	10.00		15.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	9	SE SE		5.0	01	IRRIGATION	(3) ADAMS

Total Acres: 5.0

Diversion Means - DAM, HEADGATE, DITCH,

Non-Irrigation Use - NONE

Other Rights for Same Use - A67-00144B

Remarks

THIS IS A SPLIT FROM 67-2053

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Water right number - A67-02053U Prefix Translation: ADJUDICATION CLAIM

+ - - Audit Fields - 12/18/89 GIBSON

-Comments-

No Comments Found

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	- 12/15/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W007155	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-02053V Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
SHUMWAY	STEVE	1 - HWY 95 BOX 2405 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4409
*** O - ORIGINAL OWNER ***		
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
WEISER IRRIGATION & LAND CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
17N	01W	4	NE NE		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		100.00
03	IRRIGATION FROM STORAGE	04/15	10/15		100.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	100.00		100.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	23	NW SW		35.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 35.0

Diversion Means - DIVERSION DAM, HEADGATE, APPROX. 5 MILES OF DITCH

Non-Irrigation Use -

Other Rights for Same Use - NONE

Water right number - A67-02053V Prefix Translation: ADJUDICATION CLAIM

Remarks

THIS WATER IS DELIVERED THROUGH THE ROBERTSON-SEVEY DITCH.
STORAGE WATER IS EXCHANGED FOR A DIRECT FLOW FROM THE WEISER
RIVER. THIS CLAIM IS BASED ON 100 SHARES OF STOCK

Old Water Right Numbers

A6702053

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff | Decree Defendant | Decree Date
00/00/0000

Audit Fields - 01/02/90 SCHULD

Comments

No Comments Found

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	- 01/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W007328	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-02053W Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
HARRINGTON	EVERETT	1 - HC 67 BOX 2325 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4836
HARRINGTON	DEAN	1 - HC 67 BOX 2325 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4836
HARRINGTON	HAZEL	1 - HC 67 BOX 2325 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4836
*** O - ORIGINAL OWNER ***		
WEISER IRRIGATION & LAND CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW		(3)	ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		50.00
03	IRRIGATION FROM STORAGE	04/15	10/15		50.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	50.00		50.0	

Water right number - A67-02053W Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	4	SW SW		4.0	01	IRRIGATION	(3) ADAMS
17N	01W	5	NW NE		11.0	01	IRRIGATION	(3) ADAMS
17N	01W	5	SW NE		5.0	01	IRRIGATION	(3) ADAMS
17N	01W	5	NW SE		4.5	01	IRRIGATION	(3) ADAMS
17N	01W	5	SW SE		7.0	01	IRRIGATION	(3) ADAMS
17N	01W	5	SE SE		30.0	01	IRRIGATION	(3) ADAMS
17N	01W	8	NE NE		10.0	01	IRRIGATION	(3) ADAMS
17N	01W	9	NW NW		6.5	01	IRRIGATION	(3) ADAMS
17N	01W	9	SW NW		22.0	01	IRRIGATION	(3) ADAMS
18N	01W	32	SW SE		15.0	01	IRRIGATION	(3) ADAMS

Total Acres: 115.0

Diversion Means - DAM IN CREEK TO CREEK TO DITCHS AND PUMPS

Non-Irrigation Use -

Other Rights for Same Use - 67-04125

Remarks

SHARES REPRESENTED BY CERTIFICATE NO. 44.
PART OF THIS WATER MAY BE DIVERTED THROUGH THE T.J. GLENN DITCH AND/OR THE OSBORN-GROOMS DITCH.

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff Decree Defendant Decree Date - 00/00/0000

Audit Fields - 12/19/89 SHAFF 02/26/90 WERNER 12/10/90 SMITH

Comments

No Comments Found

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	- 12/19/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C013591	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND/OR		

Water Right Number - A67-02053X Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
BACON VALLEY RANCHES, INC.		1 - HC 62 BOX 1840 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-4728
*** O - ORIGINAL OWNER ***		
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
WEISER IRRIGATION & LAND CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
15N	02W	12	NE NW			(3) ADAMS	
15N	02W	15	NE NW			(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/01	11/01		20.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	20.00		20.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	02W	1	SW SW		4.0	01	IRRIGATION	(3) ADAMS
15N	02W	1	SE SW		4.0	01	IRRIGATION	(3) ADAMS
15N	02W	10	NE SE		4.0	01	IRRIGATION	(3) ADAMS
15N	02W	10	SW SE		12.0	01	IRRIGATION	(3) ADAMS
15N	02W	10	SE SE		5.0	01	IRRIGATION	(3) ADAMS
15N	02W	11	SW NW		8.0	01	IRRIGATION	(3) ADAMS
15N	02W	11	SE NW		10.0	01	IRRIGATION	(3) ADAMS
15N	02W	12	NE NW		7.0	01	IRRIGATION	(3) ADAMS
15N	02W	12	NW NW		7.0	01	IRRIGATION	(3) ADAMS

Water right number - A67-02053X Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
15N	02W	15	NW NE		26.0	01	IRRIGATION	(3) ADAMS
15N	02W	15	SW NE		16.0	01	IRRIGATION	(3) ADAMS
15N	02W	15	NE NW		11.0	01	IRRIGATION	(3) ADAMS
15N	02W	15	NW NW		16.0	01	IRRIGATION	(3) ADAMS
15N	02W	15	SW NW		6.0	01	IRRIGATION	(3) ADAMS
15N	02W	15	NE SW		25.0	01	IRRIGATION	(3) ADAMS
15N	02W	15	SW SE		50.0	01	IRRIGATION	(3) ADAMS
15N	02W	16	NE NE		4.0	01	IRRIGATION	(3) ADAMS
15N	02W	16	SE NE		17.0	01	IRRIGATION	(3) ADAMS
15N	02W	16	NE SE		28.0	01	IRRIGATION	(3) ADAMS
15N	02W	16	SW SE		20.0	01	IRRIGATION	(3) ADAMS
15N	02W	16	SE SE		16.0	01	IRRIGATION	(3) ADAMS
15N	02W	21	NW NE		4.0	01	IRRIGATION	(3) ADAMS

Total Acres: 300.0

+ - - Diversion Means - DIKE IN RIVER, DITCHES, SLOUGH, SPRINKLER SYSTEM.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 67-00081Y, 67-4258, 67-00080B

Remarks

THIS WATER RIGHT HAS BEEN LISTED IN THE WATER RIGHTS BASE AS
BEING SUPERCEEDED BY DECREE 67-00081. THIS APPEARS TO BE IN ERROR
APPLICATION FOR PERMIT 6503 (67-02053) DATED MAY 27,1910.
CERTIFICATE OF COMPLETION OF WORKS ISSUED 02/29/1916.
MUIR -VS- ALLISON DECREE OF MAY 09,1918 WHICH INCLUDED 6250 AF
STORAGE IN LOST VALLEY RESERVOIR TO ORCHARDS WATER CO., APPEALED
TO IDAHO STATE SUPREME COURT.
STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE
LOWER COURT THE MAY 09, 1918 DECREE; DATED 06/22/1920.
LOWER COURT ISSUES MUIR -VS- ALLISON DECREE DATED JUNE 20, 1921.
ORCHARD WATER CO. MADE SATISFACTORY PROOF OF BENEFICIAL USE TO
DEPT. OF RECLAMATION ON AUGUST 23, 1921.
LICENSE 6503 (67-02053) ISSUED ON MAY 10, 1922.
TRANSFER # 378 FOR 5270 (67-02039) AND 6503 (67-02053) SIGNED AND
SEALED JUNE 23, 1926. ELR
****
THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:
A67-02053A,
A67-02053B,
A67-02053C,
A67-02053D,
A67-02053E,
A67-02053F,
A67-02053G,
A67-02053H,
A67-02053J,

Water right number - A67-02053X Prefix Translation: ADJUDICATION CLAIM

Remarks

A67-02053K,
A67-02053L, 3 AF BY NANCY HAWKINS
A67-02053M, 20 AF BY HENRY AND/OR NORMA WILLIAMS
A67-02053N, 17.5 AF BY AMY G. GLENN
A6702053U, 10 AF BY JOHN F. FISK
A6702053W, 50 AF BY DEAN & EVERETT HARRINGTON

Old Water Right Numbers

No Old Water Right Numbers found.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date
00/00/0000

Audit Fields - 00/00/00 HOWERTON 05/07/90 HOWERTON

Comments

No Comments Found

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	- 12/29/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W007300	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	-		

Water Right Number - A67-02053Z Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
FISK	ALMA L.	1 - BOX 14 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4852
FISK	DICK C.	1 - BOX 14 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4852
*** O - ORIGINAL OWNER ***		
MESA ORCHARDS WATER CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000
WEISER IRRIGATION & LAND CO.		1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	L - LICENSE	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
18N	01W	32	SW SE		R	(3) ADAMS	
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		2.00
03	IRRIGATION FROM STORAGE	04/15	10/15		2.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	2.00		24.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	16	NE NE		8.0	03	IRRIGATION FROM STORAGE	(3) ADAMS

Total Acres: 8.0

Water right number - A67-02053Z Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - DAM IN CREEK TO CREEK TO DITCHS AND PUMPS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 67-00071, 67-00081, 67-00082, 67-00083

+ - Remarks - +

THIS WATER RIGHT HAS BEEN LISTED IN THE WATER RIGHTS BASE AS
BEING SUPERCEEDED BY DECREE 67-00081. THIS APPEARS TO BE IN ERROR
APPLICATION FOR PERMIT 6503 (67-02053) DATED MAY 27,1910.
CERTIFICATE OF COMPLETION OF WORKS ISSUED 02/29/1916.
MUIR -VS- ALLISON DECREE OF MAY 09,1918 WHICH INCLUDED 6250 AF
STORAGE IN LOST VALLEY RESERVOIR TO ORCHARDS WATER CO., APPEALED
TO IDAHO STATE SUPREME COURT.
STATE SUPREME COURT REVERSED IN PART AND REMANDED BACK TO THE
LOWER COURT THE MAY 09, 1918 DECREE; DATED 06/22/1920.
LOWER COURT ISSUES MUIR -VS- ALLISON DECREE DATED JUNE 20, 1921.
ORCHARD WATER CO. MADE SATISFACTORY PROOF OF BENEFICIAL USE TO
DEPT. OF RECLAMATION ON AUGUST 23, 1921.
LICENSE 6503 (67-02053) ISSUED ON MAY 10, 1922.
TRANSFER # 378 FOR 5270 (67-02039) AND 6503 (67-02053) SIGNED AND
SEALED JUNE 23, 1926. ELR
****
THIS RIGHT HAS BEEN SPLIT AND CLAIMED AS FOLLOWS:
A67-02053A,
A67-02053B,
A67-02053C,
A67-02053D,
A67-02053E,
A67-02053F,
A67-02053G,
A67-02053H,
A67-02053J,
A67-02053K,
A67-02053L, 3 AF BY NANCY HAWKINS
A67-02053M, 20 AF BY HENRY AND/OR NORMA WILLIAMS
A67-02053N, 17.5 AF BY AMY G. GLENN
A6702053U, 10 AF BY JOHN F. FISK
A6702053W, 50 AF BY DEAN & EVERETT HARRINGTON
**A67-02053Z-THIS WATER RIGHT WAS INITIALLY CLAIMED BY DICK FISK
FOR 10 AF OF LOST VALLEY RESERVOIR. SINCE THAT TIME, THIS
PROPERTY HAS BEEN SOLD TO LARRY & PENNY FISK. IN THE SALE OF
THIS PROPERTY, DICK FISK RETAINED 2 AF SHARES FROM THE LOST
VALLEY RES. THIS CLAIM, THEREFORE, REFLECTS THOSE 2 SHARES.
A67-02053AA REFLECTS THE REMAINDING 8 SHARES NOW BELONGING TO
LARRY FISK. ALSO-IT APPEARS THAT DICK FISK HAS RETAINED THE 2
SHARES FOR THE USAGE AROUND HIS HOME. LARRY FISK BOUGHT THE 8
ACRES; HOWEVER, DUE TO A LACK OF INFORMATION FROM DICK FISK
REGARDING THIS I LEFT THE ACRES ON THIS CLAIM AT 8 ACRES. A
FIELD EXAM MAY BE NECESSARY. ONE MORE THING-THIS CLAIM
ORIGINALLY INDICATED A FLOW RIGHT, DICK FISK'S FILING DID NOT
INCLUDE A FLOW AMOUNT. 4/5/90-L.R.W.**********

Water right number - A67-02053Z Prefix Translation: ADJUDICATION CLAIM

+ - Old Water Right Numbers - +

+ - Old Water Right Numbers - +
No Old Water Right Numbers found.

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

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 04/19/90 WERNER 08/08/90 SCHULD

+ -Comments- +
No Comments Found

+ - 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	- 12/19/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W007196	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	- C
Fee Exempt Flag	-	Name Connector	- OR		

Water Right Number - A67-11422 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
NELSON	R. TODD	1 - HC 62, BOX 1450 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-6052
NELSON	DONNA K.	1 - HC 62, BOX 1450 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-6052
WHITE	CRYSTAL V.	1 - HC 62, BOX 1450 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-6052
GOULD	ROY E.	1 - HC 62, BOX 1450 2 - 3 - City- COUNCIL State- ID Zip- 83612 Phone - 208-253-6052

Priority Date	Region	Stage	Status
05/27/1910	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
17N	01W	10	NW SW		(3)	ADAMS	
19N	01W	28	SE NW		(3)	ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
02	IRRIGATION STORAGE	01/01	12/31		212.00
03	IRRIGATION FROM STORAGE	03/15	11/15		212.00

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	212.00		459.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	27	NE SW		0.5	01	IRRIGATION	(27) CANYON
17N	01W	27	SE SW		14.0	01	IRRIGATION	(27) CANYON
17N	01W	27	NW SE		0.5	01	IRRIGATION	(27) CANYON
17N	01W	27	SW SE		31.0	01	IRRIGATION	(27) CANYON
17N	01W	27	SE SE		20.0	01	IRRIGATION	(27) CANYON

Water right number - A67-11422 Prefix Translation: ADJUDICATION CLAIM

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	34	NE NE		10.0	01	IRRIGATION	(27) CANYON
17N	01W	34	NW NE		17.0	01	IRRIGATION	(27) CANYON
17N	01W	34	SW NE		24.0	01	IRRIGATION	(27) CANYON
17N	01W	34	SE NE		4.0	01	IRRIGATION	(27) CANYON
17N	01W	34	NE NW		31.0	01	IRRIGATION	(27) CANYON
17N	01W	34	NW NW		1.0	01	IRRIGATION	(27) CANYON
			Total Acres:		153.0			

Diversion Means - SEE REMARKS

Non-Irrigation Use - N/A

Other Rights for Same Use - CLAIM NO. A67-11419

Remarks

DESCRIP. OF DIVERTING WORKS: DAM IN LOST CREEK FOR LOST VALLEY RESERVOIR WITH RE-DIVERSION FROM THE WEISER RIVER VIA CANAL. (FARMERS CANAL).

Old Water Right Numbers

A6700083
A6702053

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date - 00/00/0000

Audit Fields - 04/11/90 HARRIS

Comments

No Comments Found

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	- 01/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- W007329	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- OR		

Water Right Number - A67-00073A Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
MENICHETTI	SYLVAN	1 - P.O. BOX 44 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4760
MENICHETTI	CAROLYN	1 - P.O. BOX 44 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4760
*** O - ORIGINAL OWNER ***		
HAMILL	G. T.	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/01/1906	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15		1.87

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
0.038			0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	23	SE NW		6.0	01	IRRIGATION	(3) ADAMS

Total Acres: 6.0

Diversion Means - DAM IN CREEK TO DITCH TO PUMP AND/OR GRAVITY IRRIG.

Non-Irrigation Use - S/50 SHEEP 2 HORSES

Other Rights for Same Use - 67-00074, 00373, 00372, 00082

Water right number - A67-00073A Prefix Translation: ADJUDICATION CLAIM

Remarks

THIS WATER CARRIED IN THE ROBERTSON-SEAVEY DITCH.
****
WATER RIGHT DATA BASE LISTS DECREED RIGHT AS A FLOW RIGHT. THIS
SHOULD BE A STORAGE RIGHT. CHANGED ACCORDINGLY. ELR
****
THIS IS A SPLIT OF 67-00073.
VARIABLE FEE OVERLAP W/A67-10136.

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

Audit Fields - 08/22/89 ROUSH

Comments

No Comments Found

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	- 03/26/1985	Old Judicial District	-
Claim Received Date	- 08/22/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- W004833	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND/OR		

Water Right Number - A67-00074A Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
MENICHETTI	SYLVAN	1 - P.O. BOX 44 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4760
MENICHETTI	CAROLYN	1 - P.O. BOX 44 2 - 3 - City- FRUITVALE State- ID Zip- 83620 Phone - 208-253-4760
*** O - ORIGINAL OWNER ***		
HAMILL	G. T.	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
05/01/1916	14 WESTERN	D - DECREED	

Source	Tributary
LOST CREEK	WEISER RIVER, WEST FORK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
19N	01W	28	SE NW			(3) ADAMS	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15		0.37

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
	0.37		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	23	SE NW		6.0	01	IRRIGATION	(3) ADAMS

Total Acres: 6.0

+ - - Diversion Means - DAM IN CREEK TO DITCH TO PUMP AND/OR GRAVITY IRRIG.

+ - - Non-Irrigation Use - S/50 SHEEP 2 HEAD HORSES

+ - - Other Rights for Same Use - 67-00073,00082,00372,00373

Water right number - A67-00074A Prefix Translation: ADJUDICATION CLAIM

Remarks

THIS WATER CARRIED IN THE ROBERTSON-SEAVEY DITCH.
****
WATER RIGHTS DATA BASE LISTS DECREE AS A FLOW RIGHT. SHOULD BE
ACRE FEET. CHANGED ACCORDINGLY. ELR **********
THIS IS A SPLIT OF 67-00074
VARIABLE FEE OVERLAP W/A67-10136.

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

Audit Fields - 08/22/89 ROUSH

Comments

No Comments Found

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	- 04/01/1985	Old Judicial District	-
Claim Received Date	- 08/22/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 67
Licensed Date	- 00/00/0000	Receipt Number	- W004833	Federal/State Indicator	- S
Claims Tape Error Flg	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND/OR		

Idaho Secretary of State
Viewing Business Entity

[New Search] [Back to Summary]

LOST VALLEY RESERVOIR COMPANY

Type of Business: CORPORATION, WATER USERS ASSOCIATION

Status: EXPIRED 19 Jun 1975

State of Origin: IDAHO

Date of Origination/Authorization: 19 Jun 1925

Registered Agent: N/A

Organizational ID / Filing Number: C15110

Number of Authorized Stock Shares: N/A

Date of Last Annual Report: N/A

not established as a perpetual company and bylaws/art. incorp. were never amended to make perpetual

Amendments:

Amendment 0 filed 19 Jun 1925	INCORPORATION
Amendment 2 filed 30 Dec 1937	REINSTATEMENT
Amendment 1 filed 24 May 1979	OTHER - RA

Idaho Secretary of State's Main Page

State of Idaho Home Page

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

Bylaws attached

Idaho Secretary of State
Viewing Business Entity

[New Search] [Back to Summary]
[Get a certificate of existence for LOST VALLEY RESERVOIR COMPANY]

LOST VALLEY RESERVOIR COMPANY

2440 HWY 95
COUNCIL, ID 83612

Type of Business: CORPORATION, WATER USERS ASSOCIATION
Status: GOODSTANDING, ANREPT SENT 05 Jan 2004
State of Origin: IDAHO
Date of Origination/Authorization: 11 Mar 1987
Current Registered Agent: AMY L SHUMWAY
2671 WEST FORK RD
FRUITVALE, ID 83620
Organizational ID / Filing Number: C83374
Number of Authorized Stock Shares: N/A
Date of Last Annual Report: 12 Mar 2003

Amendments:

Amendment 0 filed 11 Mar 1987	INCORPORATION	View Document Online Download (TIFF format)

Annual Reports:

Report for year 1987	ANNUAL REPORT	View Document Online Download (TIFF format)
Report for year 1988	ANNUAL REPORT	View Document Online Download (TIFF format)
Report for year 1989	ANNUAL REPORT	View Document Online Download (TIFF format)
Report for year 1990	ANNUAL REPORT	View Document Online Download (TIFF format)
Report for year 1991	ANNUAL REPORT	View Document Online Download (TIFF format)
Report for year 1992	ANNUAL REPORT	View Document Online Download (TIFF format)
Report for year 1993	ANNUAL REPORT	View Document Online Download (TIFF format)
Report for year 1994	ANNUAL REPORT	View Document Online Download (TIFF format)
Report for year 1995	ANNUAL REPORT	View Document Online Download (TIFF format)

Report for year 1996 ANNUAL REPORT	View Document Online Download (TIFF format)
Report for year 1997 ANNUAL REPORT	View Document Online Download (TIFF format)
Report for year 1998 ANNUAL REPORT	View Document Online Download (TIFF format)
Report for year 1999 ANNUAL REPORT	View Document Online Download (TIFF format)
Report for year 2001 ANNUAL REPORT	View Document Online Download (TIFF format)
Report for year 2002 ANNUAL REPORT	View Document Online Download (TIFF format)
Report for year 2002 CHANGE ADDRESS	View Document Online Download (TIFF format)
Report for year 2003 ANNUAL REPORT	View Document Online Download (TIFF format)

Idaho Secretary of State's Main Page

State of Idaho Home Page

Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

State of Idaho

Department of State.

CERTIFICATE OF INCORPORATION
OF

LOST VALLEY RESERVOIR COMPANY

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of Articles of Incorporation for the incorporation of LOST VALLEY RESERVOIR COMPANY duly signed pursuant to the provisions of the Idaho Nonprofit Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Incorporation and attach hereto a duplicate original of the Articles of Incorporation.

Dated March 11, 19 87.

GREAT SEAL OF THE STATE OF IDAHO — ESTO PERPETUA

Pete T. Cenarrusa
SECRETARY OF STATE

Corporation Clerk

Fruitvale, Ida. 83620; March,9,1987

Articles Of Incorporation Of Lost Valley Reservoir Company

First

The name of this corporation is and shall be Lost Valley Reservoir Company

Second

That Lost Valley Reservoir Company is a nonprofit corporation

Third

That the time of duration for this corporation shall be perpetual.

Fourth — Purpose and Powers

That the purposes for which this corporation is formed are;

Maintain reservoir

(a) To purchase, acquire, own, hold, sell, manage, control, maintain, operate, repair and replace all or any proportionate part of that certain reservoir known as the Lost Valley Reservoir situated on Lost Creek in Township 19 North of Range One West of Boise Meridian, Adams County, Idaho, the outlet from said reservoir into Lost Creek being at a point South 39 degrees 30 minutes East 2002 feet from the Northwest corner of Section 28, said Township and range; that the powers of this corporation shall be limited to the operation of said reservoir at cost of operati and repair and replacement, and the distribution of water therefrom, and not to make, declare or pay dividends or profits.

Duty to hold water rights in the Res.

authority to say Comp. required to hold rights in its name and distribute?

(b) To purchase, acquire, own, hold, and maintain such water rights, permits, licenses, rights-of-way and easements that are appurtenant to, belong to or in anywise appertain to such proportionate interest in the said Lost Valley Reservoir that may be purchased, acquired or owned by this corporation.

Physical duty to deliver water

distribution of water based on stock

(c) To deliver or have delivered from the reservoir into Lost Creeck or distributed to the stockholders in such manner as the Board of Directors of said Company may direct such stored water which the Company may own or to which it may be entitled as and when the stockholders of this Company shall desire and direct and in the total amount to which the said stockholders may each be entitled.

assessments due to Co. based on # of stock

(d) To fix, charge and collect from the stockholders of said Company assessment for operation and maintenance charges, and for repairing and replacing of said reservoir, based upon the number of shares of stock held by each person or stockholder; and to impose and collect such fines and penalties as may be imposed from time to time by the Board of Directors of the Company for the failure of its stockholders to pay the said operation, maintenance and repair and replacement charges when the same become due; andin addition to such fines and penalties, the Board of Directors of the Company may direct and order that no water shall be furnished or delivered to any delinquent stockholder until all such operation, maintenance and repair and replacement charges, fines, and penalties have been fully paid.

(e) To borrow or raise money for any purposes of its incorporation and secure such obligation by pledge or mortgage, or otherwise, of or upon the whole or any part of the property at any time held by the corporation.

catch-all provision

(f) To do all and everything necessary, suitable, convenient or proper for the accomplishment of any of the purposes, or the attainment of any one or more of the objects herin enumerated or incidental to the powers herein named, or which shall at any time appear conducive or expedient for the protection or benefi of the corporation, and this to the same extent and as fully as natural persons might or could do.

Fifth

That the corporate powers of this corporation shall be vested in a board of three Directors.

Articles Of Incorporation Of Lost Valley Reservoir Company

Sixth

That the place where the principal business of this corporation shall be transacted is in Fruitvale, Idaho; 83620; Adams County, State of Idaho. The registered agent;being the Secretary-Treasurer; Margaret Merk,is located there. The address of the registered office is P.O.box 77, Fruitvale, Idaho, 83620.

Seventh

Names and address of directors

I- - Philip Horton-- President- Midvale, Idaho, 83645

2-- Anthony Schwartz - - vice pres. Fruitvale, Idaho, 83620

3- - Dale Barton - director - Cambrige, Idaho, 836IO

Eighth

The name of incorporator; creating a successor corporation ; is Margaret Merk - - Fruitvale Idaho. 83620 - P.O. Box 77

Enclosed,Filing fee $ 20.00

Date of filing for successor corporation; March 9,1987

Margaret Merk

Sec. Treas Lost Valley Res. Co.

B Y - L A W S

OF

LOST VALLEY RESERVOIR COMPANY.

ARTICLE I.

STOCKHOLDER'S MEETINGS.

Section 1. PLACE OF MEETING. All meetings of the stockholders of this Company shall be held at the principal office or place of business of this Corporation at Mesa, Adams County, Idaho.

Section 2. ANNUAL MEETING. The annual meeting of the stockholders shall be held on the first Monday in January in each year at two o'clock P.M., at which time there shall be chosen three persons, each of whom shall own at least one share of stock in the Corporation, to be Directors of said Corporation for the ensuing year. Notice of such meeting shall be given by publication thereof at least once a week for two weeks in a newspaper of general circulation published in Adams County, Idaho, and in case there should be no news paper published in said Adams County, then said notice to be published in a newspaper in the nearest county to its said place of business, and also such notice of said meeting shall be given in writing to each stockholder at least ten days befor e said meeting; provided, however, that such written notice and the publication thereof may be waived and consent given to hold such meeting without notice in writing, or publication, provided all stockholders of the Corporation sign said waiver and consent.

Section 3. DEFERRED ANNUAL MEETING. If for any reason the annual meeting of the stockholders shall not be held as hereinbefore provided, such annual meetings shall be called by the President or by the Board of Directors as soon as it conveniently may be. It shall be the duty of the Secretary, on the request

of the stockholders holding not less than 25 per cent of the issued stock, if the election for Directors has not been held as hereinbefore provided, to call a meeting of the stockholders, as provided in Section 2, for the election of Directors.

Section 4. SPECIAL MEETINGS. Special meetings of the stockholders may be called at any time by the President or the Board of Directors, and it shall be the duty of the President to do so whenever so requested in writing by stockholders owning 25 per cent of the issued stock. If the President, on such request, neglects for five days to call such special meeting, then the stockholders making the request may call such special meeting. Notice of such special meeting shall be given in writing to each stockholder at least ten days before said meeting; provided, however, that such written notice of such special meeting may be waived and consent givento hold such special meeting without notice in writing upon all of the stockholders of said Corporation signing said waiver and consent, and such notice in addition to stating the time and place at which said meeting shall be held, shall briefly state the objects of said meeting.

Section 5. QUORUM. At all stockholder's meetings stockholders holding at least a majority of the issued capital stock of the Corporation shall be necessary to constitute a quorum, but the stockholders present at any meeting less than a quorum may adjourn the meeting to some other day.

Section 6. OFFICERS. The President or Vice-President, or in the absence of both, the Secretary, shall preside at such stockholder's meetings, and they shall constitute a committee to pass upon the authenticity of all proxies.

ARTICLE II.

DIRECTORS.

Section 1. MANAGEMENT OF AFFAIRS. The affairs of this

Corporation shall be managed by a Board of three Directors, and each Director shall own and hold at least one share of stock in the Company.

Section 2. POWERS. The Directors shall have full power and authority to carry on any business and to exercise any and all of the powers conferred upon the Corporation by its Articles of Incorporation, and without any further or special direction or authority from the stockholders.

Section 3. ELECTION OF OFFICERS. The Directors shall elect all other officers of the Corporation, and such election shall be held annually, as soon as possible after the annual stockholder's meeting.

VACANCIES. Vacancies in the Board of Directors may be filled by the election by the remaining members of the Board at any regular meeting or at any special meeting called for such purpose.

Section 4. ANNUAL MEETING. The regular meetings of the Board of Directors shall be held annually on the first Monday in January in each year at three o'clock P.M. at the principal office or place of business of the Corporation in the Town of Mesa, Adams County, State of Idaho.

Section 5. SPECIAL MEETINGS. Special meetings of the Board of Directors may be held whenever called by the President, or by two of the Directors for the time being in office. The Secretary shall give notice of any special meeting by mailing or telegraphing or personal notice of the same at least five days before the meeting, to each Director, but such notice may be waived by any Director. At any meeting at which any Director shall be present, even though without any notice, any business may be transacted.

Section 6. QUORUM. A majority of the Board of Directors shall constitute a quorum for the transaction of business, but

if at any meeting of the Board of Directors there be less than a quorum present, a majority of those present may adjourn the meeting from time to time.

ARTICLE III.

ORDER OF BUSINESS OF STOCKHOLDER'S MEETING.

Section 1. ORDER OF BUSINESS. At all meetings of the stockholders the following order of business shall be observed, as far as consistent with the purpose of the meeting, viz.:

Reading of minutes of preceding meeting and action thereon.

Report of President.

Report of Treasurer.

Report of Secretary.

Report of any committee.

Election of Directors.

Unfinished business.

New Business.

ARTICLE IV.

ORDER OF BUSINESS OF DIRECTORS' MEETING.

Section 1. ORDER OF BUSINESS. At all meetings of Directors the following order of business shall be observed, as far as consistent with the purpose of the meeting, viz.:

Reading of minutes of preceding meeting and action thereon.

Report of President.

Report of S ecretary.

Report of Treasurer.

Report of any Committee.

Unfinished business.

New business.

ARTICLE V.

OFFICERS

Section 1. EXECUTIVE OFFICERS. The executive officers of this corporation shall consist of a President, Vice-President, Secretary and Treasurer, chosen by the Board of Directors. The offices of Secretary and Treasurer may be held by one and the same person. They shall be elected by the Directors as soon as practical after the election of Directors and shall hold office for one year and until their successors are elected and qualified, and shall perform the duties pertaining to their respective offices, and shall perform such other duties as from time to time may be ordered by the Board of Directors.

Section 2. ADDITIONAL OFFICERS AND AGENTS. The Board of Directors may appoint such other officers or agents as they shall deem necessary, who shall perform such duties as from time to time would be prescribed by the Board of Directors, and the Board may vest the power to appoint such subordinate officers or agents in the President of the Company, or in any other officer of the company.

Section 3. REMOVAL. All officers, agents and employees, other than the executive officers elected by the Board of Directors, shall be subject to removal at any time by an affirmative vote of a majority of the Board of Directors. All officers, agents and employees, other than officers appointed by the Board of Directors, shall hold office at the discretion of the officer appointing them, and shall be subject to removal at any time by such appointing officer.

Section 4. COMPENSATION OF OFFICERS AND AGENTS. Compensation of all officers, agents and employees, appointed or elected by the stockholders or Board of Directors, shall be fixed by the Board of Directors. The compensation of all other officers, agents, and employees shall be fixed by the person who

has been designated by the Board of Directors to employ such officers, agents and employees.

ARTICLE VI

DUTIES OF OFFICERS

Section 1. PRESIDENT. The President shall be the chief executive officer and head of the Company, and in the recess of the Board of Directors shall have general control and management of its business and affairs. He shall preside at all meetings of the Board of Directors and stockholders, and shall, with the Secretary, sign all certificates of stock; he shall sign contracts and other instruments of the corporation, and shall perform such other duties as from time to time may be required by the Board of Directors or By-Laws of the Corporation.

Section 2. VICE-PRESIDENT. The Vice-President shall be vested with all the powers and shall perform all the duties of the President in his absence, or in the event of his inability to serve.

Section 3. SECRETARY. The Se cretary shall act as the Clerk of the Board of Directors and all stockholders' meetings, and shall record all votes and the minutes of all proceedings in a book to be kept for that purpose. He shall keep a record of all stock issued and transferred by the Corporation, and shall be the custodian of the seal and stock and stock books of the Corporation, He shall with the President sign all certificates of stock; and shall affix the seal of the Corporation to all instruments required to be authenticated therewith, and shall perform such other duties as may be required of him by the By-laws of the Corporation or by the Board of Directors. He shall also have authority to sign and issue orders upon the Treasurer for the pay ment of money.

Section 4. TREASURER. The Treasurer shall keep full and accurate accounts of all receipts and disbursements in books belonging to the Corporation, and shall deposit all moneys received in the name and to the credit of the Corporation, in such depositories as may be designated by the Board of Directors. No money shall be paid out by the Treasurer except upon orders drawn on him and signed by either the President or Secretary. He shall render annually, and at any time called for by the President, an account of all moneys received and expended, and he shall, by order of the Board of Directors, and at the annual meeting of the stockholders and whenever they may require it, render an account of the financial affairs of the Corporation. He shall discharge such other duties pertaining to his office as shall be prescribed by the Board of Directors.

Section 5. OFFICIAL BONDS. The Directors may, by resolution require any or all of the officers of the Corporation to give bond with sufficient security, conditioned for the faithful performance of the duties of their respective offices, and may provide, if they desire, for the payment of the premium out of the funds of the Company.

Section 6. ABSENCE OF OFFICERS. In case of the absence of any officer of the Corporation, or for any other reason that may seem sufficient to the Board, the Board of Directors may delegate his powers and duties for the time being to any other officer or to any Director.

Section 7. NO INDEBTEDNESS TO BE INCURRED WITHOUT AUTHORIZATION OF BOARD OF DIRECTORS. No money shall be borrowed, nor shall the credit of the Corporation be pledged for any period without direct authorization from the Board of Directors. No officers, agents nor employees shall have the power to borrow money for the Corporation or to pledge the credit of the Corporation for any period, without such direct authorization from the Board of Directors.

ARTICLE VII

STOCK.

Section 1. CERTIFICATE OF STOCK. Certificates of stock of the Corporation shall be of such form and device as the Board of Directors may direct, conformable to the laws of this State, and such certificates shall be signed by the President and Secretary and express on their face their number, date of issuance, class, number of shares belonging to any such person or persons. The certificate books shall contain a margin on which shall be entered the number, date, number of shares, class and name or names of the person expressed in the corresponding certificate. The records of the Company and each and every certificate of stock issued, under which water shall be delivered for the irrigation of land, shall contain a description of the lands to be irrigated and to which such shares and water rights shall be appurtenant, and the shares and water rights represented by Class "A" stock shall be inseparably appurtenant to the lands described in the stock certificate, unless such shares of either class of stock and rights and interests created thereunder or accruing by reason of the ownership thereof shall become forfeited through a failure of the owner or holder thereof to pay assessments, or costs of repairs or replacement of said reservoir, against such stock, or unless such stock shall be forfeited under the provisions of these By-laws for failure of the holderthereof to comply with such By-laws and the rules and regulations of the Company. The shares of stock and water rights represented by Class "B" stock may be transferred to other lands than those described in the certificate of stock upon proper transfer of the stock certificate on the books of this Company in so far as the said transfer is not inconsistent with the laws of the State of Idaho.

amended

SECTION 2 AMENDED OCTOBER 23/1929 SEE PAGE 18A

Section 2. CLASSES OF STOCK. The capital stock of this Company shall be divided into two classes designated as Class A and Class B.

Section 3. AMOUNT OF WATER CLASS A STOCK ENTITLED TO. Each full share of Class A stock entitles the owner thereof to have the first and prior perpetual right to the use of, and receive during

n as much as class A stock has been transfered from land
ssued too; over a period of years, without objection.
herefore be it resolved that class A stock may be transfered
to land other than described on the Certificate; In order to
respond with class B. and C.

Be it resolved that the buyer and seller shall bear the
burden of proff of the ownership of their water shares.

Margaret Myrk
Sec. Treas Lost Valley Res Co

the irrigation season in each year, one acre foot of water if available and stored in the reservoir designated as the "Lost Valley Reservoir", situated on Lost Creek in Township 19 North of Range One West Boise Meridian in Adams County, Idaho, at the point of delivery from such reservoir, all deliverable in any one lesser period of time of thirty days or more, upon written reasonable notice to the corporation, for irrigation and domestic uses on the lands using such water, and shall be that proportionate part of 6950 acre feet of water if available and stored for distribution by the Company from the present capacity of said reservoir of the Company, as each share of Class A stock shall bear to the whole number of valid and subsisting Class A shares of stock representing all of said 6950 acre feet of storage water, if available and stored for distribution by the Company from the present capacity of said reservoir; and said Class A shares of stock shall also entitle the owner thereof to a proportionate interest in 6950 acre feet capacity of said reservoir and in the water rights and water appropriations used in storing 6950 acre feet of water in said reservoir, based upon 6950 shares of Class A reservoir stock of the capital stock of the Company, and subject to such charges and costs in the operation, maintenance, repairs and replacement of said reservoir, and rules and regulations as the Board of Directors may make regarding the distribution and delivery of water from said reservoir as may appear for the best interest of the Company and its stockholders.

Section 4. AMOUNT OF WATER CLASS B STOCK ENTITLED TO. Each full share of Class B stock entitles the owner thereof to have the second perpetual right to the use of, and receive, subsequent to, and second in time of use to the first right, evidenced by Class A stock in the said reservoir of the Company, designated as Class A stock in the said reservoir of the Company, designated as "Lost Valley Reservoir", at the point of delivery from such reservoir, all deliverable in any one lesser period of time of

thirty days or more, upon written reasonable notice to the Corporation, during the irrigation season in each year, one acre foot of water if available and stored in said reservoir, for irrigation and domestic uses on the lands using such water, and shall be that proportionate part of the present capacity of said reservoir which is over and above 6950 acre feet if stored and available for distribution by the Company, as each share of Class B stock shall bear to the whole number of subsisting and valid Class B shares of said stock, representing all of the water over and above 6950 acre feet of water, if stored and available in said re servoir for distribution by the Company from the present capacity of said reservoir; and said Class B shares of stock shall entitle the owner thereof to a proportionate interest in and to said reservoir subsequent to and second in time to Class A stock which shall be a proportionate interest in the water rights and water appropriations used in storing and impounding water in said reservoir and in that part of the present capacity of said reservoir over and above 6950 acre feet of water capacity, based upon the total number of shares of Class B stock of the capital stock of the Company, and subject to such charges and costs in the operation, maintenance, repairs and replacement of said reservoir, and rules and regulations as the Board of Directors may make regarding the distribution and delivery of water from said reservoir as may appear for the best interest of the Company and its stockholders.

SECTION 4A ADDED OCTOBER 22, 1929 SEE PAGE 18A

Section 5. VOTING POWER OF STOCK. All classes of stock of this Company shall have equal voting power, and that stock of Class "B" to be hereafter issued and delivered to Elizabeth G. Van Hoesen or at her request to purchasers of water from said reservoir, shall have equal voting power with all other stock of this Company.

Section 6. UNISSUED STOCK. The unissued stock of this Corporation shall be held subject to the order of Elizabeth G.

Van Hoesen, and shall be issued to and at the request of the said Elizabeth G. Van Hoesen, to be delivered to purchasers of such stock from the said Elizabeth G. Van Hoesen, and made appurtenant to land, as provided in the written proposal of the said Elizabeth G. Van Hoesen to the Company, when in transferring to the Company as payment for such shares of stock, that part of her interest in the present capacity of said reservoir and that part of the water rights necessary in storing water to fill the present capacity of said reservoir. Such stock shall have equal voting power with all other stock of the Company, and may be voted by the said Elizabeth G. Van Hoesen or by those to whom she may sell the same, and shall be subject to all assessments, charges, and costs made or levied by this Corporation, the same as all other stock of the Company.

Section 7. EXPENSE OF MAINTENANCE AND REPLACEMENT OF RESERVOIR. For the purpose of defraying the expenses of the Company in operating, managing, repairing and replacing the reservoir of the Company, the Board of Directors of the Company are authorized, empowered, and directed to levy such tax or taxes, charge or charges, assessment or assessments, as in the judgment of the Board may appear necessary or proper to raise the money or revenue required. All such expenses, taxes, costs and charges to be apportioned among all the stock issued and said shares of stock to be issued to Elizabeth G. Van Hoesen above referred to in Section 6.

The taxes and assessments herein provided for, shall be levied against the owners of shares of stock regardless of whether water has been used for irrigation purposes by the holder of said stock, and against said shares of stock owned by Elizabeth G. Van Hoesen above referred to.

The Directors shall give notice by publication in a newspaper for a period of two weeks, of the amount of said charge, tax or assessment required against each share of stock, and of

the time and place of payment thereof. Upon the failure to pay such charge, tax or assessment for a period of fifteen days after the same falls due, the Board of Directors may refuse to deliver water to the holder of such stock or to the land described in such stock certificate, until such charge, tax or assessment, with any fines or penalties imposed by the Board of Directors, or by the rules and regulations of the Company, have been fully paid.

The Board of Directors may at any time after the first of January of each year, make an estimate of the amount of money necessary for the maintenance, repair, control and operation of the Company's reservoir and other necessary expenses of the Corporation, and at such meeting or at a subsequent meeting, may levy the tax, assessment or charge hereinbefore referred to, and may make such other and subsequent levies as the needs of the Company may from time to time require, and may provide that such taxes, charges and assessments may be paid in installments.

Section 10. ADDITIONAL RULES AND REGULATIONS. The Board of Directors shall have power and authority to make all such rules and regulations as they may deem expedient, concerning the issue, transfer and registration of certificates of the shares of the capital stock of the Company.

ARTICLE VIII.

MISCELLANEOUS.

Section 1. FINES AND PENALTIES. The Board of Directors are hereby authorized and empowered to impose such fines and penalties as they deem proper, for the failure of the stockholders to pay their assessments as they become due, or for violating any regulations adopted for the management of the reservoir.

Section 2. ELIZABETH G. VAN HOESEN RETAINS RIGHT TO INCREASE CAPACITY OF RESERVOIR. As Elizabeth G. Van Hoesen has only conveyed and transferred to this Company that part of her

interest in the present capacity of the reservoir designated as "Lost Valley Reservoir", situated on Lost Creek in Township 19 North of Range One West of Boise Meridian, Adams County, Idaho, the outlet from said reservoir into Lost Creek being at a point South 39 degrees 30 minutes East 2002 feet from the Northwest corner of Section 28, said Township and range, and that part of her interest in the water rights and water appropriations necessary to be used in storing and filling said reservoir to its present capacity, and retaining the remaining interest she has in the water rights and water appropriations now evidenced by certain water permits and water rights, held by her, from the State of Idaho, and retains her right to enlarge said reservoir at her own cost and expense, and to own and use said increased capacity of said reservoir and remaining water rights to be used in storing and filling the same, it is understood and agreed by this company with her, that she or her assigns shall have authority and permission from this Company at any time to enlarge said reservoir from its present capacity and to own and dispose of, if she desires, all of such increased capacity in said reservoir and her remaining water rights and appropriations to be used in filling and storing such increased capacity of said reservoir, upon her or her assigns paying their proportionate part of all costs and charges in operating said reservoir.

Section 3. SEAL. The Board of Directors shall provide a suitable seal, with the name of the Company in circular form about the outer edge and the words "Lost Valley Reservoir Company, Corporate Seal" in the center thereof, so mounted as to be capable of impressing said words on paper in raised letters, which seal shall be in charge of the Secretary.

Section 4. FISCAL YEAR. The fiscal or business year of the Company shall begin on the first day of January of each year and end on the 31st day of December following.

AMENDMENTS TO BY-Laws.

Article VII Section 2. Amended October 22, 1929 to read as follows:

CLASSES OF STOCK. The capital stock of this Company shall be divided into three classes designated as Class A, Class B and Class C.

Article VII Section 4A. Amendment added to the By-Laws on October 22, 1929 as follows:

AMOUNT OF WATER CLASS C STOCK ENTITLED TO. Each full share of Class C Stock entitles the owner thereof to have the third perpetual right to the use of, and receive, subsequent to, and third in time of use to the first and second rights, as evidenced by Class A Stock and Class B Stock in the said Reservoir of the Company designated as the "Lost Valley Reservoir" at the point of delivery from such reservoir, all deliverable in any one lesser period of time of thirty days or more, upon written reasonable notice to the Corporation, during the iffigation season in each year, one acre foot of water if available and stored in said reservoir, for irrigation and domestic use on the lands using such water, and shall be that proportionate part of the present capacity of said reservoir which is over and above 8750 acre feet if stored and available for distribution by the Company as each share of Class C stock shall bear to the whole number of subsisting and valid Class C shares of said stock, representing allof the water over and above 8750 acre feet of water, if stored and available in said reservoir for distribution by the Company from the present capacity of said reservoir; and said Class C shares of Stock shall entitle the owner thereof to a proportionate interest in and to said reservoir subsequent to and third in time to Class A and Class B Stock which shall be a proportionate interest in the water rights and water appropriations used in storing and impounding water in said reservoir and in that part of the present capacity of said reservoir over and above 8750 acre feet of water capacity, based upon the total number of shares of Class C stock of the capital stock of the Company, and subject to such charges and costs in the operation, maintenance, repairs and replacement of said reservoir and rules and regulations as the Board of Directors may make regarding the distribution and delivery of water from said reservoir as may appear for the best interest of the Company and its stockholders.

ARTICLE IX.

AMENDMENTS.

Section 1, These By-laws may be altered, amended, repealed, or new By-laws made and enacted at any annual or special meeting for that purpose of the stockholders, and the Board of Directors shall have power to amend, alter or repeal the same and to make additional By-laws by vote of a majority of all the Directors at any regular or special meeting of the Board ; provided, however, that notice of the intention to make, amend, alter or repeal any By-law or By-laws in whole or in part, or to make new By-laws shall be given to the members of said Board for at least five days before such meeting.

ARTICLE X.

Section 1. These By-laws shall at all times remain in the possession of the Secretary at the office of the Corporation in the State of Idaho.

WE, the undersigned stockholders of the Lost Valley Reservoir Company, owning and holding in our names all of the subscribed capital stock of said Corporation, having read and fully considered the foregoing draft of a Code of By-laws for said Corporation, hereby assent to and adopt the same as the By-laws of the Lost Valley Reservoir Company.

Witness our hands this 20th day of June, 1925.

NAMES	SHARES OF STOCK
Elizabeth G. Van Hoesen	ONE
M. G. Van Hoesen	ONE
E. G. Van Hoesen	ONE.

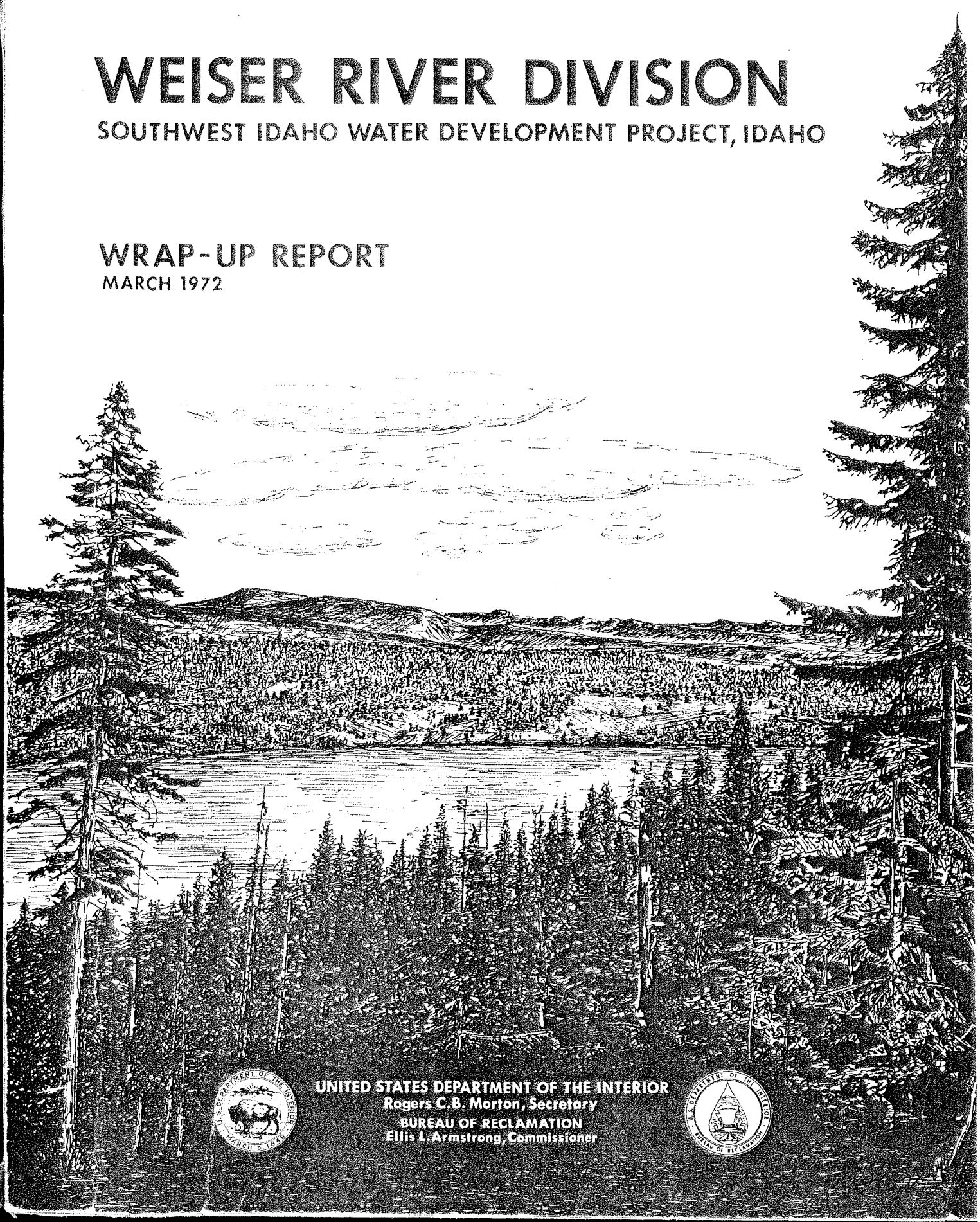
646.
USDI

WEISER RIVER DIVISION

SOUTHWEST IDAHO WATER DEVELOPMENT PROJECT, IDAHO

WRAP-UP REPORT

MARCH 1972



UNITED STATES DEPARTMENT OF THE INTERIOR
Rogers C.B. Morton, Secretary
BUREAU OF RECLAMATION
Ellis L. Armstrong, Commissioner

CHAPTER 11

PLANS AND ESTIMATES

This chapter presents information on the Council Unit's facilities, construction costs, and operating costs and plans.

FACILITIES

The facilities of the Council Unit plan include Lost Valley Dam Enlargement; West Fork Diversion Dam; West Fork-Council Canal; and project operating, recreational, and fishery facilities. Existing distribution and drainage facilities would be used.

Lost Valley Dam Enlargement

The existing Lost Valley Dam is located on Lost Creek, a tributary of the West Fork of the Weiser River. The dam is located 8 miles above the mouth of Lost Creek and 16 miles directly north of the town of Council. The existing earthfill dam was built some 60 years ago and has been raised at least once since then to its present height of 34 feet above streambed. The dam is owned by Lost Valley Reservoir Company, a private organization of water users.

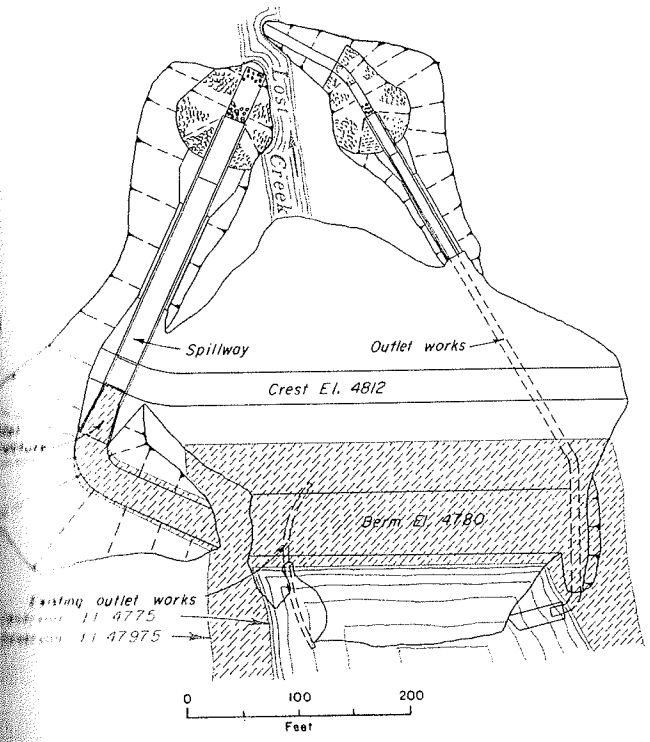
The existing dam would be used in the upstream portion of the new dam. The enlarged Lost Valley Dam would be an earthfill structure 64 feet in height above streambed, with a crest length of 500 feet. The design of the dam is shown on the next page.

Outlet Works and Spillway

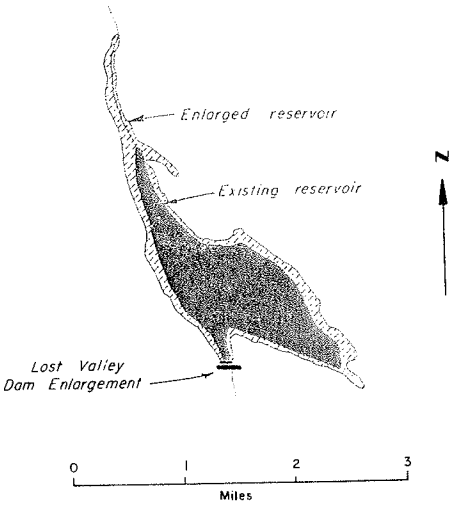
The outlet works would be located in the right abutment (looking downstream). The outlet works would have a maximum capacity of 250 cubic feet per second and would discharge into Lost Creek below the dam.

The spillway would be an uncontrolled concrete chute located on the left abutment of the dam. The crest of the spillway would be at elevation 4797.5, the normal water surface of the reservoir.

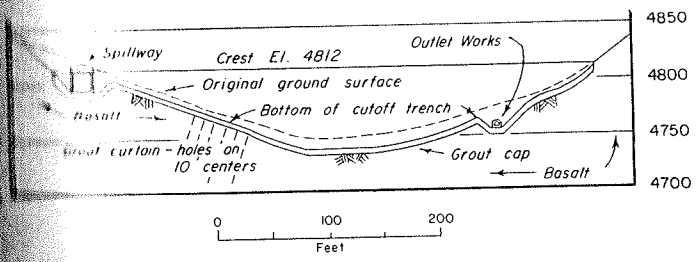
A surcharge of 8,300 acre-feet (up to maximum water-surface elevation 4805.5 feet) in combination with the maximum spillway discharge of 1,680 cubic feet per second and the maximum outlet



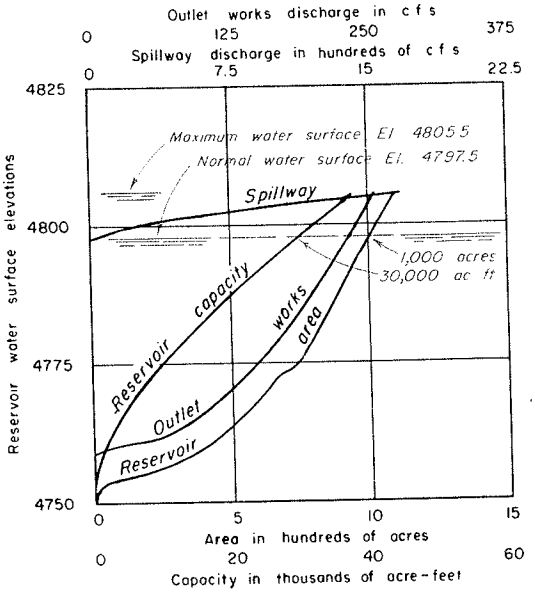
Plan – Lost Valley Dam Enlargement



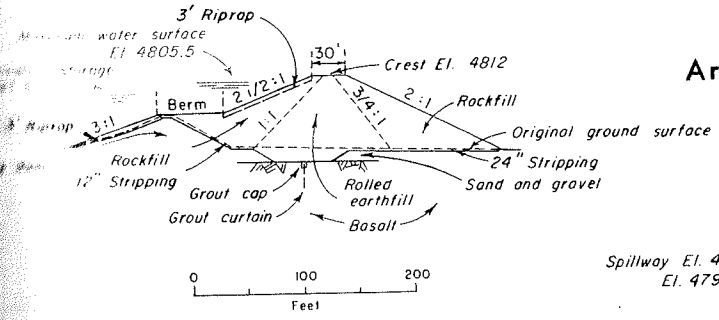
Lost Valley Reservoir



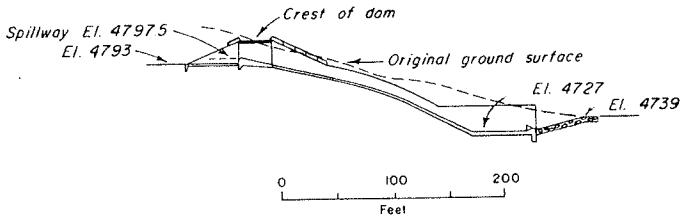
Profile – Dam



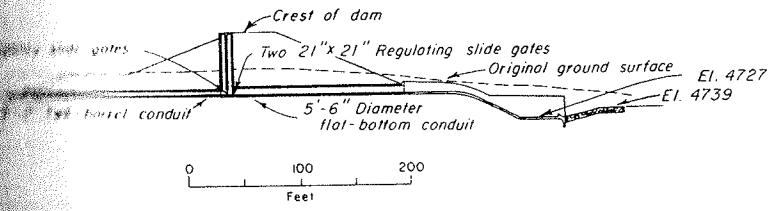
Area – capacity – discharge Curves



Maximum Section – Dam



Profile – Spillway



Profile – Outlet Works

Council Unit

works discharge would protect against the inflow design flood, the most severe flood considered reasonably possible at this site. The inflow design flood has a peak flow of 5,100 cubic feet per second and a 5-day volume of 13,900 acre-feet.

Damsite Geology

Geologic studies indicate that Lost Valley Dam can be enlarged safely as outlined in this report. Along the foundation of the proposed dam, competent bedrock--basaltic lava--occurs near the ground surface. Some grouting would be required in the basalt to prevent leakage through the foundation. Overburden in the stream channel consists of sand, gravel, and boulders; the remainder of the damsite is covered by loose and weathered rock and a shallow layer of topsoil.

Construction Materials

Embankment materials and rock for riprap are available near the damsite, and sand and gravel for concrete aggregate can be obtained within a reasonable distance of the site.

Lost Valley Reservoir Enlargement

The enlarged Lost Valley Reservoir would have a total storage capacity of 30,000 acre-feet at normal water-surface elevation 4797.5. By raising the water surface of the reservoir 22½ feet, enlargement would nearly triple the capacity of the existing 10,100-acre-foot reservoir. The existing and the enlarged Lost Valley Reservoirs are shown on the map on the next page.

Reservoir Geology

The reservoir basin was formed by erosion which cut into a thick series of nearly horizontal basaltic lavas. An enlarged Lost Valley Reservoir would not leak because the reservoir basin is covered in most places by a relatively impervious soil mantle which assures a reasonably water-tight reservoir. In addition, the springs and seeps in the area indicate that the local water table would be tributary to an enlarged reservoir. The area around the proposed reservoir contains no potential landslide conditions.

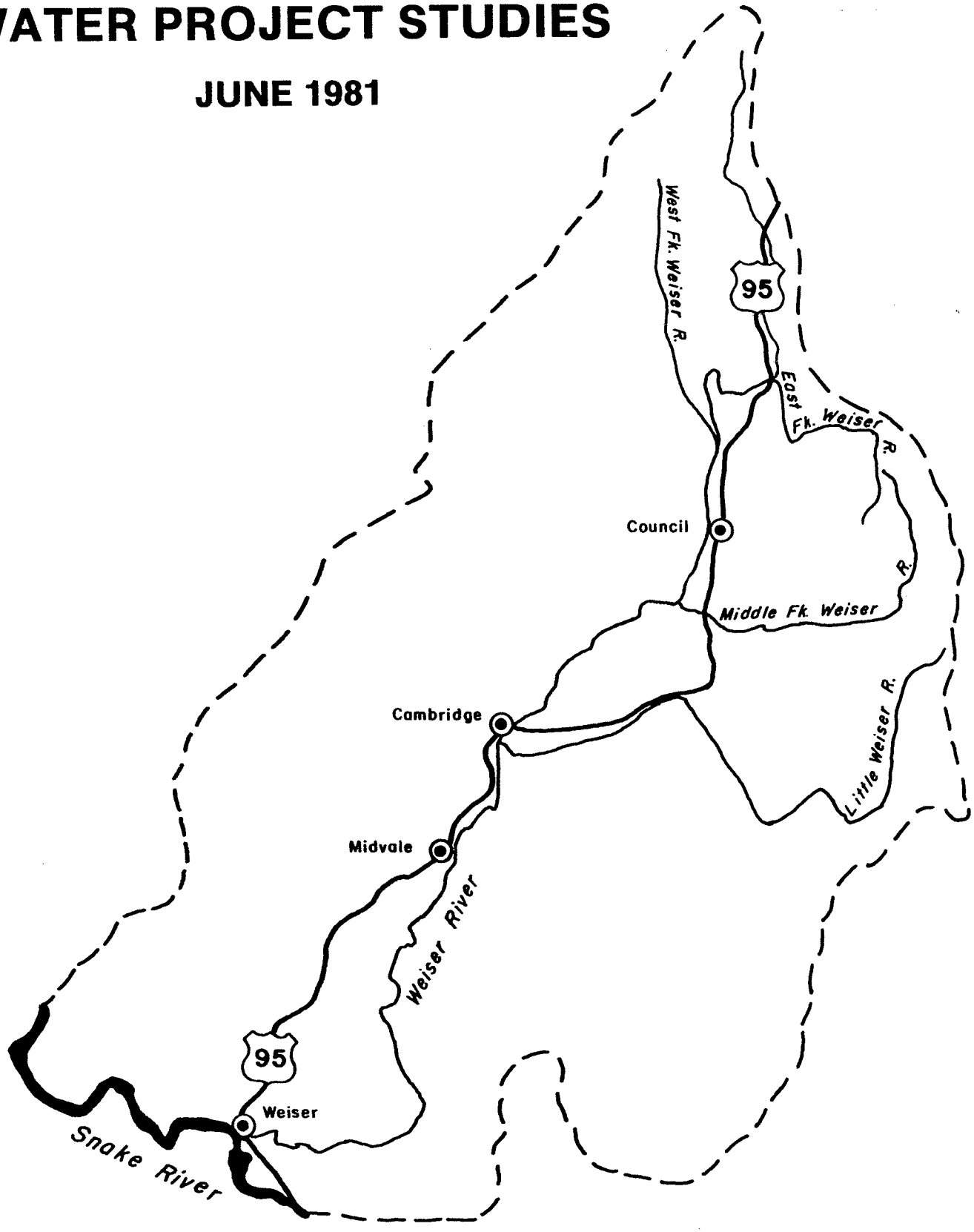
Right-of-Way

The Lost Valley Reservoir Company owns the existing dam and has rights to much of the present reservoir area. The U.S. Government would obtain these rights and in turn would provide the present spaceholders with an equal amount of storage space in an enlarged reservoir. Most of the land required for the reservoir enlargement

HAAS

WEISER RIVER BASIN
WATER PROJECT STUDIES

JUNE 1981



IDAHO WATER RESOURCE BOARD

Creek, Dixie Creek, Monroe Creek, Pine Creek, and Bedrock Flats.

C. Small Projects

1. Lost Valley

a. Location and Description

The existing Lost Valley Dam is located on Lost Creek, a tributary of the West Fork of the Weiser River. The dam is located 8 miles above the mouth of Lost Creek and 16 miles directly north of the town of Council (see Figure 4). The existing earthfill dam was built 60 years ago and has been raised at least once to its present height of 34 feet above streambed. The dam is owned by Lost Valley Reservoir Company, a private organization of water users. The reservoir has a capacity of approximately 10,000 acre-feet. It supplies irrigation water for 3,365 acres.

b. Water Supply

Lost Valley Reservoir, with an existing capacity of 10,100 acre-feet, does not fully develop the runoff of Lost Creek, a tributary of the West Fork of the Weiser River. Lost Creek runoff averaged 28,700 acre-feet per year during the study period 1928 through 1977, ranging from a minimum of 13,700 acre-feet to a maximum of 57,700 acre-feet.

Increasing the capacity of Lost Valley Reservoir from 10,100 to 30,000 acre-feet would more fully use the water resource of Lost Creek.

New storage in the enlarged Lost Valley Reservoir would - 1) provide irrigation water to Council area lands, 2) generate hydropower, and 3) provide flood control, fishery, and recreational benefits. Council area irrigators now own a small amount of storage in Lost Valley Reservoir. This stored water is not now directly usable on the Council area lands; it is exchanged for natural flows from other streams which would otherwise be required to fill water rights downstream.

c. Enlargement Potential

The existing dam site is very suitable for a larger dam. The existing 34 ft. dam would need to be increased to a height of 64 ft. to triple the storage capacity of the reservoir to 30,000 acre-feet. A reservoir of this volume would essentially fully control the runoff from the watershed above. The existing dam could be used in the upstream portion of the new dam, and a stable spillway could be constructed into the hillside around the left abutment. The 750 acre surface area of the existing reservoir would be increased to 1000 acres, providing additional high quality recreational opportunity.

d. Project Benefits

Enlargement of the Lost Valley Reservoir could provide for increased irrigation, recreation, and Fish & Wildlife benefits. The installation of hydropower

facilities at the damsite was considered but determined not to be practical. However, the opportunity does exist for using reservoir releases downstream for hydropower development by diverting these flows across a divide into Warm Springs Creek. Further discussion of each of these benefits follows:

1) Irrigation

Existing agricultural lands and new lands (previously studied by the Bureau of Reclamation) capable of being irrigated in the Council area could benefit from new storage in the Lost Valley Reservoir. Even though the routing of water from Lost Valley Reservoir would be changed from the plan proposed by the Bureau, it would still serve the same lands. After the water passes through the proposed power facilities in Warm Springs Creek, discussed below, it would be siphoned across Weiser River and connected into the proposed Lost Valley-Council Canal to serve the Council agricultural lands (see Figure 5). The previous studies by the Bureau of Reclamation identified and classified lands in this area (see Figure 6). These were again reviewed in this study and it was determined that the land classification data in the Bureau's wrap-up report of March 1972 reflects, with reasonable accuracy, the current potential for irrigation development

LOST VALLEY Irrigation Facilities

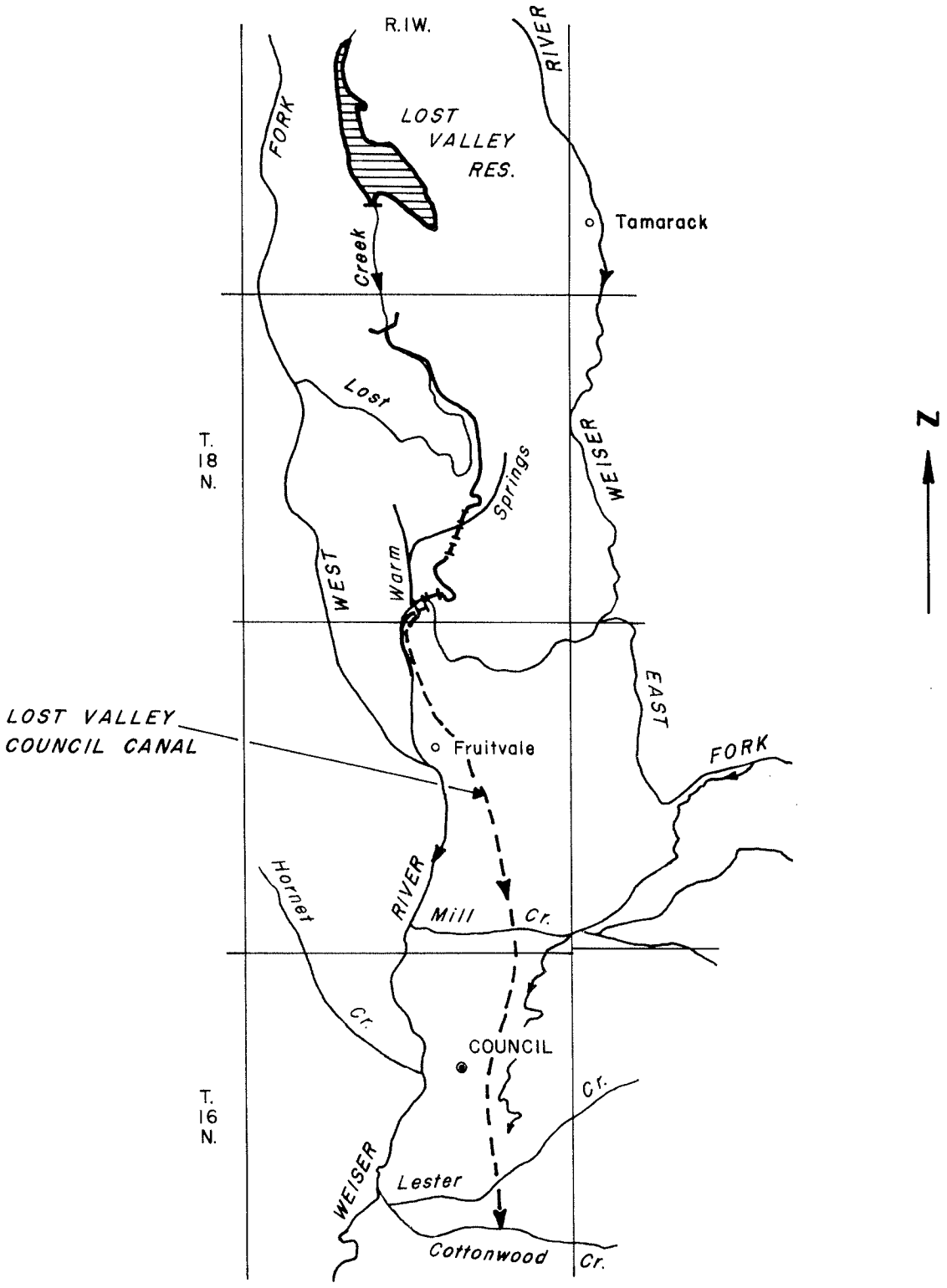
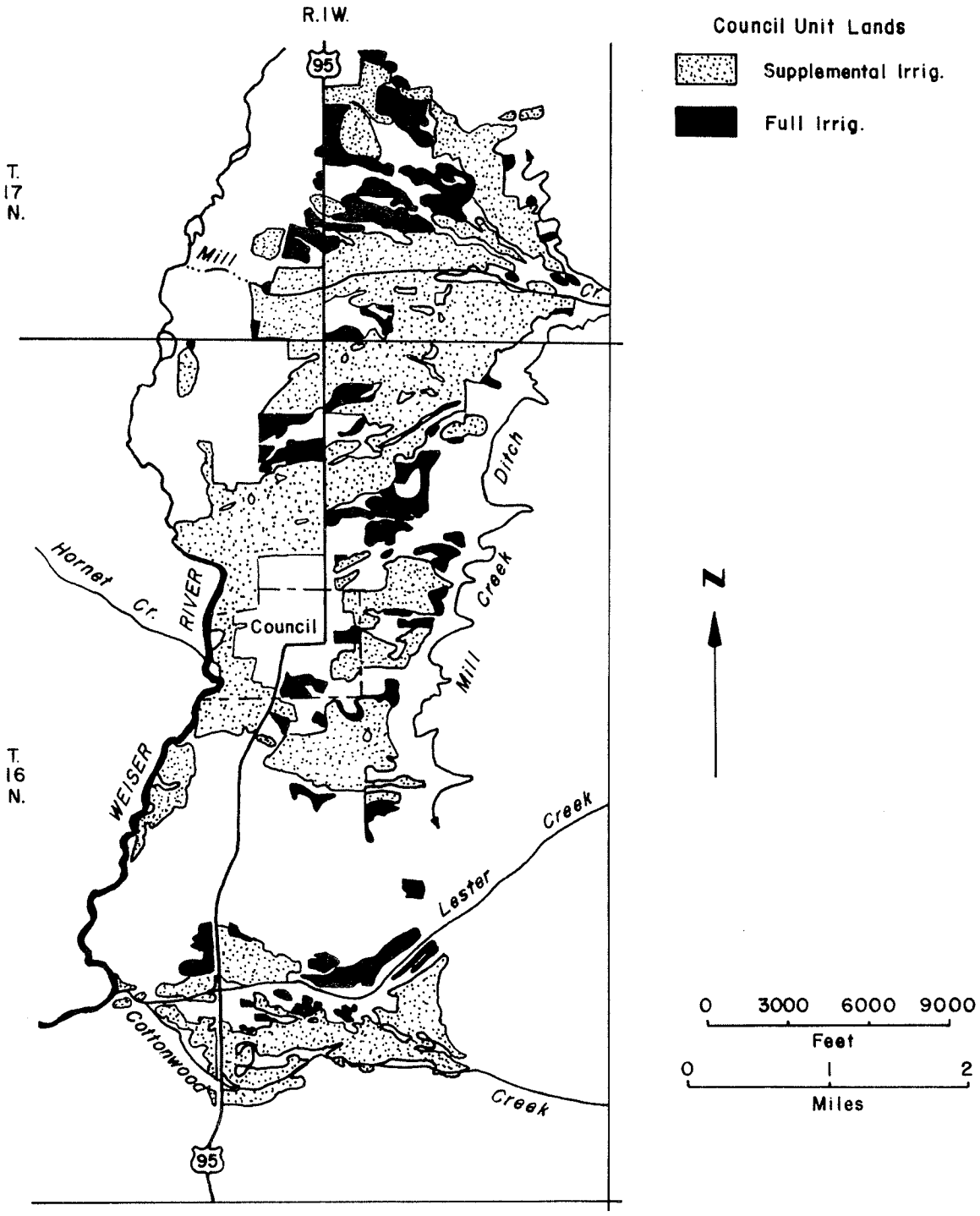


Figure 5



COUNCIL - Irrigation Service Area

Figure 6

within the Council area.

No significant changes have occurred in the crops grown or the irrigation practices or methods since the Bureau studies were completed in the 1960's. Agriculture in the Council area is characterized by small farms, many of which are part-time operations. Hay, pasture, and small grains produced on the irrigated lands support the livestock industry that has developed in the upper Weiser Basin. Nearby rangelands, both public and private, provide summer pasture for the beef herds that are found on full-time farms. The small, part-time farms do not have summer range, and livestock are kept on the irrigated lands throughout the year. Most part-time farmers work in the lumber industry, either in the woods or at Boise Cascade Lumber Mill, located in Council.

It is not likely that provision of supplemental water for presently irrigated lands or a full supply for new lands will change the established agricultural economy. Small, part-time farms will still be dominant. For this analysis, it is assumed that irrigated lands will continue to produce feed and forage in support of livestock production. Agricultural benefits are based on the production of alfalfa hay and barley

and treated as cash crops. This alfalfa hay-feed grain cash crop approach serves as a proxy for the potential small livestock operation with hay, pasture and feed grains in support of the livestock enterprise.

The estimate is based on 1979 price levels. The prospect of a commercial apple industry being reintroduced into the area with an adequate water supply does exist on those lands having good air drainage and relatively free of subsurface drainage problems. However, it appears that the acreage within the Council area that would meet these criteria would be limited. The total agricultural benefits could be increased if highly intensive fruit orchard enterprises are included in the determination of benefits. The prospects of fruit production to the south of Council in the Mesa appear to be much better. Considering alfalfa and barley as the major crops grown, the crop irrigation requirement for this area is 1.6 AF/acre. Under project development it was assumed that sprinkler irrigation would be used. An on-farm efficiency of 65 percent was allowed and a 20 percent conveyance loss estimated. The unit water requirements are summarized as follows:

Irrigation water requirements are:

Crop irrigation requirement		1.6 AF/acre
Farm efficiency	65 percent	
Farm delivery requirement		2.46 AF/acre
Conveyance efficiency	80 percent	
Diversion requirement		3.08
Use		3.1

The monthly pattern for irrigation use is as follows:

Month	Percent	Month	Percent
April	4	August	22
May	13	Sept.	13
June	20	Oct.	3
July	25		

Assuming that the irrigation needs for the months of April and May would be met by inflow to the stream below the reservoirs, the normal storage release would be approximated by:

Month	Percent	Month	Percent
June	25	Sept.	15
July	30	Oct.	5
Aug.	25		

Irrigation benefits were determined for a full irrigation service for new lands and for supplemental irrigation for those lands which are not now getting a full supply. Benefits were determined on an acre-foot basis. Direct irrigation benefits associated with delivery of irrigation water to irrigable lands in the Council area of the Weiser Basin were estimated to be $93 per acre for full irrigation service or $30 per acre-foot of water delivered to the farm turnout. The $30 per acre-foot is also applicable to supplemental irrigation service to be applied to additional water provided with project development. Although this appraisal level benefit value has been determined specifically for the Council area, it can also be used for appraisals in other water-short areas in the basin.

The total available water under the enlarged reservoir is 24,100 acre-feet annually, which provides for 14,000 acre-feet of new storage. Based on 20% delivery system loss, 11,200 acre-feet would be delivered to the farm headgate. There are presently 3490 acres of irrigated land in the Council area receiving a 60% full irrigation supply. Using the diversion requirement under sprinkler of 3.1 acre-feet per acre, these lands

will require 4,328 acre-feet of additional irrigation water annually. The remaining 6,873 acre-feet of new storage would be used to serve 2,217 acres of new land. Irrigation benefits from the project would be:

2,217 ac full irrigation ($93/ac)	= $206,181.00
3,490 ac supplemental ($93/ac x .40)	= 129,828.00
Total Benefits	$336,009.00

2) Recreation

Recreational benefits for this project were assessed by the National Park Service and the U.S. Forest Service as part of the previous studies done by the Bureau. The enlarged Lost Valley Reservoir would be a good recreational lake.

In considering the enlargement of Lost Valley Reservoir, the Service stated that:

> The quiet seclusion of Lost Valley, combined with the ease of access from U.S. Highway 95, has established the area as a good recreation spot and it should continue to provide the same benefits to the public after enlargement of the reservoir . . .

They determined that due to increasing recreational demands and the superior environment of the area, initial use of the reservoir would total 10,000

recreation days annually (in addition to 7,000 days of existing use). Annual recreational use of the reservoir was estimated to reach an optimum additional level of 48,000 days over current use about 40 years after construction of the new dam.

The estimated recreational day values were updated to reflect those guideline values (willingness to pay) in the Rules & Regulations published December 14, 1979 in the Federal Register, Vol. 44 #242. Since a variety of recreational activities are associated with the Lost Valley Reservoir, an average value of $5.00 per recreational day was used. The gross annual increased recreational benefits for the Council Unit could therefore range from $85,000 for new initial use to a total of $240,000 for optimum use. Since some of these benefits would not be realized until many years in the future, the benefits were converted to annual equivalent amounts over a 100-year period at 7 3/8 percent interest. The net benefit credited to the Council Unit plan, $218,665, was then derived by deducting from the total annual equivalent benefits annual equivalent costs of the future year's recreational facilities. This method reserves benefits to justify the future recreational developments which would be built as needed by the Forest Service.

3) Fish and Wildlife

Lost Valley Reservoir provides excellent fishing. Trout are the principal game fish found in the upper basin. The enlargement of Lost Valley Reservoir would enhance the fishing. Two management measures recommended for the reservoir are eradication and fish stocking. The Fish and Wildlife Service estimated that the fishery enhancement program for the enlarged Lost Valley Reservoir would increase angler use by an average of 10,000 days annually. At an estimated value of $6.25 per fisherman-day, fishery enhancement benefits would be $62,500 annually.

4) Hydropower

An analysis of hydropower facilities at the dam determined that it would not be feasible to install facilities at this site. However, by diverting water released from the reservoir at a point downstream from Lost Creek, it can be conveyed by canal along the hillside to a point where it will cross over the ridge and drop into Warm Springs Creek. The drop is 780 ft. (see Figure 7). A power facility at this location could generate 20,000,000 kwh annually with an installed plant capacity of 8.43 mw. The water from the tailrace of this plant could again be carried along the side of the hill above Warm

LOST VALLEY PROJECT - Power Facilities

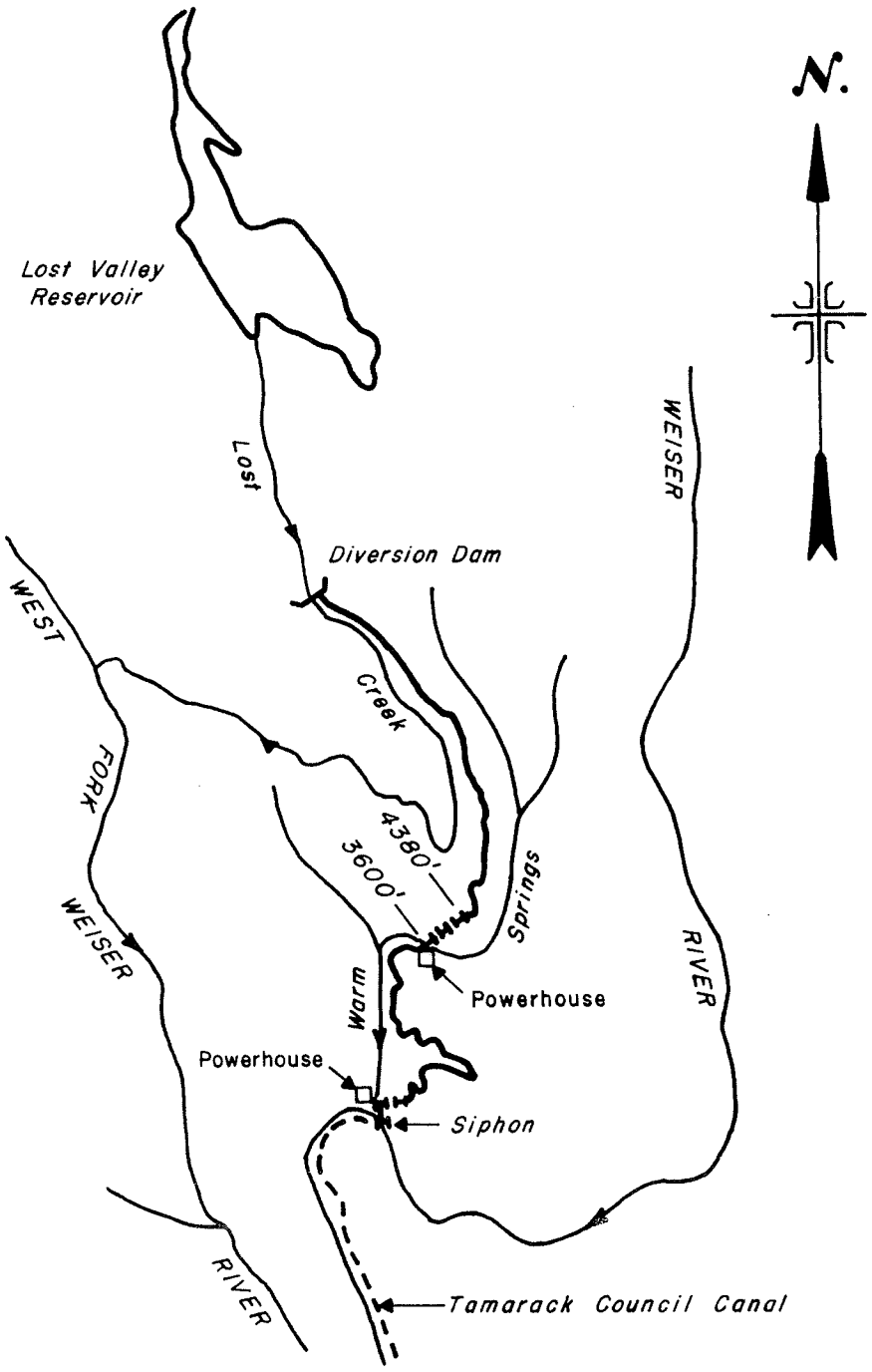


Figure 7

Springs Creek and dropped back again into Warm Springs Creek just above Starkey. The drop at this site would be 420 ft. (see Figure 7). This hydropower plant could generate 10,750,000 kwh of electricity annually. In order to maintain elevation to siphon water across the Weiser River to a new irrigation canal along the east side of Council Valley, the drop at this second site would be limited to 350 ft. The power output would then be 8,975,000 kwh.

Power values were determined by using the voidance cost as defined by PURPA and established by the Idaho Public Utilities Commission.

The hydropower benefits of diverting flows under present conditions without enlarging the present reservoir was also considered. It was determined that 15,048,000 kwh of energy could be generated from plant No. 1 with an installed capacity of 6.74 mw.

Plant No. 2 would generate 8,102,750 kwh with an installed capacity of 3.63 mw without allowing for head for siphoning water to a new irrigation canal. With the new canal, the energy generated would be 6,752,300 kwh using an installed capacity of 3.02 mw.

5) Total Annual Benefits

Agriculture benefits are maximized in the above alternative. Therefore, values determined for hydropower during the five month operation period using the PUC formula were as follows:

June	26.6 miles	September	31.6 miles
July	35.9 miles	October	16.3 miles
August	38.6 miles		

(enlarged reservoir)

Irrigation (with new irr. canal)	$ 336,000
Recreation (net)	218,600
Fish and wildlife (net)	62,500
Hydropower #1	652,800
Hydropower #2	292,800
Total	$ 1,562,700

A preliminary evaluation of the power benefits that would be obtained from a hydropower development without enlarging the reservoir was made. The values determined are shown below:

Total Annual Hydropower Benefits
(present conditions-no enlargement of reservoir)

Hydropower #1	$ 490,939
Hydropower #2	264,350
Total	$ 755,289

e. Project Costs

1) Construction Costs

Dam and reservoir enlargement	$ 3,250,000
Irrigation facilities	5,010,000
Fishery enhancement	10,000
Hydropower #1	6,288,000
Hydropower #2	3,000,000
Bond Costs	526,000
	$18,084,000

2) Annual Costs

(based on 30 yrs. @ 9 1/2%)

Dam and reservoir enlargement	$ 330,500
Irrigation	509,400
Fish enhancement	1,000
Hydropower #1	639,300
Hydropower #2	305,000
Bond Costs	53,500
Total	$ 1,838,700

f. Benefits vs. Costs

Total annual benefits as shown above are $1,562,700 as compared to annual costs of $1,838,700. This gives a B:C ratio of:

$$\frac{1,562,700}{1,838,700} = 0.85$$

g. Alternative Development

Under this alternative, only 4,328 acre-feet of the new storage would be used to supply supplemental water to existing irrigated lands. This alternative would permit a maximizing of the power benefits from the project with less installed capacity (2.5 & 1.5 mw). Under this alternative, the benefits and costs would be as follows:

1) Benefits (Annual)

Irrigation (4,328 x $30)	$ 129,840
Recreation (net)	218,600
Fish and wildlife (net)	62,500
Hydropower (60.53 Mil) #1	1,210,600
Hydropower (60.53 Mil) #2	650,700
Total	$ 2,272,240

2) Costs (Annual)

Dam and reservoir enlargement	330,500
Fish enhancement	1,000
Hydropower #1	500,000
Hydropower #2	250,000
Bond Costs	33,000
Total	$ 1,114,50

3) Benefits vs. Cost

$$\frac{2,272,240}{1,114,500} = 2.04$$

h. Recommendations

The Lost Valley dam and reservoir enlargement, including the proposed diversion of water into Warm Springs Creek for hydropower development, should be studied in more detail. The favorable B:C ratio shown by this preliminary study indicates that a feasible project may be developed. Federal participation in a project to provide funding of the public benefits would increase the viability of the project. Also, federal funding of project cost may provide a lower interest rate and longer pay-out period, thereby increasing the B:C ratio.

It is recommended that a detailed feasibility study be made on this project. The study should address project feasibility under state financing, federal financing, and joint state and federal financing.

2. Tamarack Valley

a. Location and Description

This site is located on the Weiser River at the confluence of Mosquito Creek approximately two miles above Tamarack, Idaho (see Figure 4). The reservoir will store 30,000 acre-feet of water. About 17,500 acre-feet of this storage will be active and used to irrigate 5,645 acres of project lands in the Council area. The remaining 12,500 acre-feet is proposed as inactive storage for scenic, recreation, and fish and

LOST VALLEY STORAGE RESERVOIR NON-USE CASE

FILED
DEC 3 1 1990
10:45 A.M. _____ P.M.
MICHAEL FISK
Sonda Lawrence CLERK

COPY

MAY 2 1 1991

RECEIVED
JAN 0 3 1991

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADAMS

ADAMS COUNTY, IDAHO, a political Subdivision of the State of Idaho,

Plaintiff,

CASE NO. 2654

vs.

JAMES L. BALL, as Personal Representative of the Estate of EMMA BALL, deceased; EDWARD H. WOODS, and ELAINE M. WOODS, husband and wife; PATRICK BALL and MARTHA BALL, husband and wife; PATRICK WALSH and J. K. WALSH, husband and wife;

Defendants.

FINDINGS OF FACT CONCLUSIONS OF LAW AND JUDGMENT

INTRODUCTION:

This district judge held a two day court trial on November 27 and 28, 1990, on the water rights claims of Edward H. Woods and Elaine M. Woods (Woods) against James L. Ball, as Personal Representative of the Estate of Emma Ball, deceased, (Ball Estate), and Patrick Ball and Martha Ball, (P&M Ball). Mr. Lary C. Walker, attorney at law, Weiser, Idaho, represented Woods, and Mr. Louie Gorrono, attorney at law, Emmett, Idaho represented the Ball Estate and P&M Ball. The controversy between the parties relating to an

easement and the right to open and close a gate was settled by stipulation of the parties.

Woods originally filed a cross-claim on December 20, 1989, seeking an order to transfer water rights or, in the alternative, for damages of $10,000.00. The Ball Estate and P&M Ball admitted Emma Ball, deceased, sold property to Woods, and that the property was conveyed to Woods by warranty deed, but denied the rest of Woods' claim. They raised as affirmative defenses the Statute of Limitations, in I.C. 15-3-801 to 15-3-804, and in I.C. 5-216, 5-217, and 5-218, the failure of Woods to file a claim against the Ball Estate, the defense of laches, and the defense of estoppel. The pre-trial conference order provided that Woods' amended cross-claim was deemed filed as of May 7, 1990. Woods' amended claim asserts they were conveyed all water rights appurtenant to the property, that they checked with the Idaho Department of Water Administration and was specifically advised that waters in the Lost Valley reservoir were stored water and not subject to being lost by nonuse, that the failure of Emma Ball to transfer the stock for the water rights was fraudulent and a breach of contract, and that Woods had acquired from Defendants Patrick Walsh and J. K. Walsh (Walshes) additional property which had the same water right claim. The Ball Estate and P&M Ball asserted the same admissions, denials and defenses, as to both the Woods' original claim, and the claim acquired from the Walshes.

This district judge, after considering all the evidence, makes these findings of fact, conclusions of law, and judgment:

FINDINGS OF FACT:

1. Woods contracted to buy certain property (Parcel 1) in the Mesa Orchards, in Adams County, Idaho, from Emma Ball (EB) about October 16, 1975; the contract in part provided:

"Said property is also being purchased 'as is', in connection with existing irrigation ditches and there are no representations or warranties as to delivery of irrigation water, as aforesaid.

It is specifically understood, calculated on an acre basis, the pro-rata share of water rights connected with the acreage being sold herein is included in this contract, but seller disclaims any representations or warranties, expressed or implied, as to delivery of water, by any form of conveyance to the property sold. The delivery or conveyance of water to the property being sold, if the delivery should ever come to pass, is the sole responsibility and obligation of the buyer.

There are no covenants or representations as to availability or delivery of irrigation or domestic water, in connection with said premises being sold." (See pl. ex. 4)

2. About May 29, 1979, Woods recorded with the Adams County Recorder a warranty deed for Parcel 1 from EB, which deed included this language: "TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever." (See pl. ex. 5)

3. About August 30, 1975, Walshes contracted to buy certain property (Parcel 2) in Mesa Orchards, Adams County, Idaho, from EB; the contract contained the last two paragraphs listed in Finding No.1 and a general "as is" provision. (See pl. ex. 3)

4. About September 24, 1985, Walshes had recorded with the Adams County Recorder a warranty deed for Parcel 2 from EB; the deed contained the same language listed in Finding No. 2. (See pl. ex. 6)

5. In April, 1990, Walshes contracted to sell Parcel 2 and to assign to the Woods "any right that they may have to bring action relating to the water rights" and "all lawsuit rights against the Balls concerning representations relating to ... the water rights to property..., the contract contained the same water rights language contained the Ball to Walshes contract. (See pl. ex. 8)

6. About April 5, 1990, Woods had recorded with the Adams County Recorder a warranty deed for Parcel 2 from Walshes,; the deed contained the same language listed in Finding No. 2. (See pl. ex. 7)

7. At the time EB contracted to sell Parcel 1 to Woods and Parcel 2 to Walshes, two separate water rights were appurtenant to those parcels: Water Right 67-0081, for water stored as shown by 4040 shares of capitol stock (1 share equaled 1 acre foot of water, if available) in Lost Valley Reservoir Company (LVRC) with a priority date of May 27, 1910; Water Right 67-0080, for water from the natural flow of the Middle Fork Weiser River with a priority date of Sept. 11, 1909. Both of these water rights were decreed originally to the Orchard Water Company by virtue of the decree in MUIR v. ALLISON dated June 20, 1921.

8. In 1971 EB applied for and was granted by the Department of Water Administration (DWA) an extension of time to avoid forfeiture of both water rights. About December 10, 1975, EB applied for but was denied by the DWA a second extension of time. In 1977 EB applied for and was granted by DWA transfers of about

3540 acre feet of water represented by capital stock in Lost Valley Reservoir, under Permit No. 67-0081. EB during her lifetime did not transfer to Woods nor Walshes any shares of capitol stock in LVRC.

9. EB during 1974 to 1977 contracted to sell various other parcels of land in Mesa Orchards, Adams County, to buyers, using the same "as is" and water rights provisions found in the Woods and Walshes contracts. (See defs. ex. E) EB did reserve the right to certain reservoir water on Bacon Creek in one contract in 1974, (See defs. ex. E-1) but did not specifically reserve any reservoir rights in Lost Valley Reservoir in any contract.

10. EB died on January 15, 1981; James L. Ball (JLB) was appointed Personal Representative of the Estate of EB on February 9, 1981, and still serves in that capacity. JLB published notice to creditors starting on February 19, 1981, and ending on March 5, 1981. Woods and Walshes have not presented any claim for breach of contract to the Ball Estate at anytime.

11. Woods knew in 1975 that part of the water rights for Parcel 1 included water stored in Lost Valley Reservoir, but did not discover until 1988 that such water was represented by capitol stock shares in LVRC. Woods in 1989 made demand on JLB of the Ball Estate to transfer capitol stock shares to Woods for Parcel 1, but JLB refused to do so.

12. When the deeds from EB to Woods and Walshes were delivered and recorded, all water rights appurtenant to Parcels 1 and 2 were conveyed to each set of respective grantees. The "as is" and water

rights provisions in the Woods and Walshes contracts are not ambiguous. These provisions clearly show the parties intended that the pro-rata share of all water rights appurtenant to the parcel were included, but that buyers had the sole responsibility to deliver the water so that it could be put to beneficial use.

13. By clear and convincing proof, the evidence shows from 1975 to the present: Woods and Walshes have not applied these appurtenant water rights to the beneficial use for which they were appropriated or to any beneficial use whatsoever; Woods and Walshes have not been billed nor paid any annual assessments of LVRC.

14. Woods has failed to show P&M Ball has any control over the Ball Estates' remaining shares of capitol stock in LVRC. Woods have not presented clear and convincing evidence that EB made any fraudulent representations to mislead Woods or Walshes about the water rights to the parcels Woods or Walshes purchased from EB. Woods have presented clear and convincing evidence that a mistake was made when EB conveyed to Woods and Walshes the water rights for Parcels 1 and 2 in that no capitol stock in LVRC was included.

15. However, Woods and Walshes did not act with due diligence from 1975 to 1988 to discover if any mistake was made in the conveyance to them of any water rights appurtenant to the Parcels. The "as is" and water rights provisions would alert a reasonable person to make inquiry to the DWA to ascertain the nature, extent and validity of any water rights appurtenant to the Parcels. That inquiry would have led to discovery of the mistake by EB who failed to transfer shares of stock in LVRC with the Parcels.

CONCLUSIONS OF LAW:

1. Jurisdiction is not vested in this district judge to determine as to all other water users if Woods and Walshes have valid water rights claims appurtenant to their land and the date of priority of such claims. Jurisdiction is vested in the district court in the case entitled: "In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System," Twin Falls County District Court Civil No. 39576.

2. Jurisdiction is vested in this district judge to determine if Woods and Walshes have a valid claim against the Ball Estate and P&M Ball for damages or for specific performance to have about 44 shares of capitol stock in LVRC transferred to them.

3. P&M Ball were parties to the controversy over the easement and gate, which controversy was settled at the trial. Woods at trial did not assert any water rights claim against P&M Ball. P&M Ball are not a prevailing party and are not entitled to any attorneys fees nor court costs.

4. The Muir v. Allison decree confirmed both water rights so that they became appurtenant to Parcels 1 and 2. When EB conveyed the Parcels to Woods and Walshes, both water rights passed as an appurtenance to the Parcels. "...all rights to water confirmed under the provisions of this chapter, or by any decree of court, shall become appurtenant to, and shall pass with a conveyance of, the land for which the right of use is granted." Idaho Code Section 42-220; Russell v. Irish, 20 Idaho 194, 118 P. 501 (1911).

5. When Woods and Walshes failed to put the appurtenant water rights to use for a period of five (5) years, those rights were forfeited. Those rights reverted to the state and became subject again to appropriation. Idaho Code Section 42-222; Jenkins v. State Department of Water Resources, 103 Idaho 384, 647 P.2d 1256 (1982). This forfeiture was established by clear and convincing proof. See Crow v. Carlson, 107 Idaho 461, 690 P.2d 916 (1984).

6. Woods have the right to apply to the Department of Water Resources (DWR) to appropriate such forfeited water rights. "The policy of the law of this State is to secure the maximum use and benefit, and least wasteful use, of its water resources." Poole v. Olaveson, 82 Idaho 496, 356 P.2d 61 (1960).

7. Woods are not entitled to any relief for damages or specific performance against the Ball Estate based upon breach of the covenants in the deed. Woods have failed to prove any breach occurred, because EB did convey all water rights appurtenant to the parcels. Woods failed to prove any damages, if a breach had taken place. Woods are not entitled to specific performance, because the water rights were forfeited and have reverted to the State.

8. Woods are not entitled to any relief against the Ball Estate based on fraud, because Woods have failed to show by clear and convincing evidence any fraud occurred or any alleged fraud proximately caused any damage to Woods. See Faw v. Greenwood, 101 Idaho 387, 613 P.2d 1338 (1980).

9. Woods are not entitled to any relief against the Ball Estate based on mistake. Woods' claim for mistake was not pled,

but this district judge rules Woods' trial motion to conform the pleadings to the proof should be granted. The Ball Estate should be allowed to raise any defense to this claim, including the statute of limitations and the issue of Woods' due diligence to discover the mistake. The evidence is clear and convincing that EB made a mistake when she failed to transfer a pro-rata portion of the LVRC capitol stock to Woods and Walshes . However, Woods and Walshes have failed to show this mistake proximately caused them any damages. Also the water rights have reverted to the State, so any remedy to rectify the mistake is not needed. In the alternative, Woods and Walshes could have discovered EB's mistake by due diligence in 1975, so that any claim based on mistake is barred by Idaho Code Section 5-218. See Aitken v. Gill, 108 Idaho 900, 702 P.2d 1360 (Ct. App. 1985).

10. The Ball Estate is a prevailing party in this action and is entitled to court costs but not attorneys fees. This district judge concludes this was not an action to enforce the terms of the Woods and Walshes contracts, but rather an action to enforce the covenants of the deed that conveyed the appurtenant water rights. Acceptance of a deed is generally considered as a merger of the agreements of the underlying contract into the terms of the deed. Any claim for relief must be based on the covenants contained in the deed and not the agreements contained in the prior agreement. See Jolley v. Idaho Securities, Inc., 90 Idaho 373, 414 P.2d 879 (1966).

JUDGMENT:

IT IS HEREBY ADJUDGED AND DECREED:

1. WOODS are not entitled to any relief on their cross-claim for water rights against the Ball Estate or against Patrick Ball and Martha Ball.

2. The Ball Estate is entitled to recover its court costs but not any attorneys fees, and Patrick and Martha Ball are not entitled to recover any court costs or attorneys fees.

3. The parties have settled any controversy regarding the easement and the use of the gate. (Counsel for the Ball Estate and P&M Ball is requested to submit a proposed order.)

4. Adams County is dismissed as a party to this action, pursuant to the written stipulation of the parties filed on November 26, 1990.

Dated this 11 day of December, 1990.

Wayne P. Fuller

Wayne P. Fuller
District Judge