

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84118**

This is to certify that: EAST WEISER IRRIGATION DISTRICT
PO BOX 831
WEISER, ID 83672-0831

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
67-7	WR/DECREED	9/1/1880	9.000 cfs	N/A	N/A	925.0	WEISER RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
67-7	NO	YES	NO	NO	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
67-7	67-7	9.000 cfs	N/A	925.0	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		9.000 cfs	N/A	925.0	N/A		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 16th day of December, 2020.

Patricia Kelly
for, Chief, Water Allocation Bureau

Transfer No. 84118

WATER RIGHT NO. 67-7

As Modified by Transfer No. 84118

In accordance with the approval of Transfer No. 84118, Water Right No. 67-7 is now described as follows:

Right Holder: WEISER CITY DITCH & IRRIGATION CO
PO BOX 671
WEISER, ID 83672

EAST WEISER IRRIGATION DISTRICT
PO BOX 831
WEISER, ID 83672-0831

Priority Date: 9/1/1880

Source: WEISER RIVER

Tributary: SNAKE RIVER

BENEFICIAL USE

IRRIGATION

From

03/01

to

To

11/15

Diversion Rate

9,000 cfs

9,000 cfs

LOCATION OF POINT(S) OF DIVERSION

WEISER RIVER
WEISER RIVER

NWSW
NENE

Sec 1 Twp 10N Rge 05W WASHINGTON County
Sec 35 Twp 11N Rge 04E WASHINGTON County

CONDITIONS OF APPROVAL

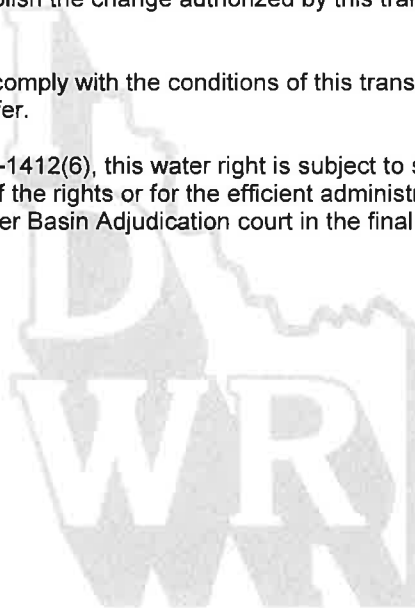
1. This right is limited to the irrigation of 925 acres within the authorized place of use in a single irrigation season.
2. The boundary encompassing the place of use for this water right is described with a digital boundary as authorized by Idaho law. The data comprising the digital boundary are stored in the electronic document management system of the Department and are incorporated into this approval by this reference. A map depicting the place of use is attached to this approval document to illustrate the place of use described by the digital boundary.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
4. The amount of water diverted under this right at NENE 1/4 1/4 Sec 35 Twp 11N Rge 04W is limited to 4.00 cfs.
5. Rights 67-7 and 67-10968 when combined shall not exceed a total irrigation of 925 acres.
6. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Transfer No. 84118

WATER RIGHT NO. 67-7
As Modified by Transfer No. 84118

CONDITIONS OF APPROVAL

7. Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No.67.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.



Attachment to Water Right Transfer 84118

67-7

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

December 16, 2020

EAST WEISER IRRIGATION DISTRICT
PO BOX 831
WEISER ID 83672-0831

RE: Transfer No: 84118
Water Right No(s): 67-7

Transfer Approval Notice

Dear Water Right Holder (and other Interested Persons):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the

Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions concerning the enclosed information, please contact me at (208) 334-2190.

Sincerely,

Alynne Evans
Lynne EVANS

for: Patrick Kelly
Water Rights Supervisor

Enclosure(s)

CC:

WEISER CITY DITCH & IRRIGATION CO
PO BOX 671
WEISER ID 83672

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

CERTIFICATE OF SERVICE

I hereby certify that on December 16, 2020 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 84118

Water Right No(s): 67-7

EAST WEISER IRRIGATION DISTRICT
PO BOX 831
WEISER ID 83672-0831

WEISER CITY DITCH & IRRIGATION CO
PO BOX 671
WEISER ID 83672



Lynne Evans
Office Specialist II

MEMORANDUM

TO: Transfer No. 84118

FROM: Kate Huelse

DATE: 11/17/20

RE: Evaluation of Application

Summary of Information Submitted:

Weiser Irrigation District is an irrigation water provider for the Weiser area in southern Washington County. The company filed transfer no. 84118 to move the point of diversion upstream to Galloway Dam for the delivery of 4.00 CFS for delivery to the East Weiser Irrigation District headgate. East Weiser Irrigation District encompasses 925 acres within Washington County, the place of use for this transfer is described with a digital boundary.

Jay Edwards of Weiser Irrigation District, is the representative for the Transfer. Mr. Edwards can be reached at (208) 550-2034.

Authority to File:

The application was filed in the name of East Weiser River Irrigation District. Weiser City Ditch & Irrigation Company and East Weiser Irrigation District are listed as the current water right owners for water right no 67-7 and associated water right no 67-10968. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by the I.C. Section 42-202(B) within Washington County. The application was signed by Jonathon Edwards (Jay Edwards). The attached letter depicts Jay Edwards as the secretary of East Weiser Irrigation District, therefore Mr. Edwards has the proper authority to sign on behalf of the company.

The Idaho Secretary of State website depicts Weiser City Ditch and Irrigation Company as inactive and dissolved. According to Jay Edwards Weiser City Ditch and Irrigation Company was previously a shareholder company that delivered irrigation water through the Mill Ditch, shareholders within Weiser City and Ditch desired to be annexed and Weiser Irrigation Company became its successor in interest. Multiple attempts were made to clarify authority of water right 67-7 and 67-10968, however there is no solid evidence that Weiser Irrigation Company is the current successor in interest. Therefore the Department has decided to move forward with both Weiser City Ditch and Irrigation Company and Weiser Irrigation District on the Transfer as the change in use does not take away or effect current owners.

The recorded annexation order provided in the application confirms Weiser Irrigation District as the successor and partial owner of water rights 67-7 and 67-10968.

Water Right Validity:

These rights are presumed to be valid since beneficial use has occurred within the last five years. Beneficial use confirmed by department aerial imagery, landsat images, google earth images, or other evidence. Evidence of beneficial use does not need to be added to the file it is an IDWR product available to other staff.

Injury to Other Water Rights:

The transfer application proposes to move 4.00 cfs upstream with water users in-between. However, the applicant's water right no. 67-7 carries an 1880 priority date and is senior to other Weiser River rights in between. Comment letters were sent to these water right holders but correspondence was not received from them.

Enlargement of Use:

This transfer application will result in a changing the POU under the current water right, and therefore enlargement should not be of concern. The transfer proposes to move 4.00 cfs to be delivered through the Galloway canal per a 1999 agreement. The POD is being moved approximately $\frac{3}{4}$ miles upstream and telemetry has been installed at the original POD.

Local Public Interest:

No information has been made available to suggest a conflict with public interest. The watermaster as well as the water rights that are upstream of applicants original POU and downstream of the Galloway Dam will receive a comment letter regarding this application and will state if they believe it is not in the local public interest.

Beneficial Use/Conservation of Water Resources:

The application proposes beneficial use consistent with conservation of water resources in Idaho.

The application is consistent with criteria of I. C. § 42-222 and should be processed.

WEISER IRRIGATION DISTRICT
P.O. Box 831
Weiser, Idaho 83672
November 16, 2020

Kate Hulse
Idaho Department of Water Resources

Re: Weiser City Ditch & Irrigation Company

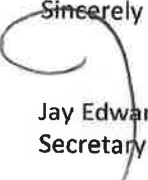
Dear Kate:

The Weiser City Ditch & Irrigation Company's was a share holder company that delivered irrigation water through the Mill Ditch. Their last meeting was held in 1998 which I have sent the minutes in another email. The Weiser Irrigation District was approached by the Company to take over the Mill Ditch operation. The share holders were contacted with all desiring annexation. The two largest share holders were used in the annexation order. In 2000 the District took over the Mill Ditch. The Weiser City Ditch & Irrigation Company ceased and the Weiser Irrigation District became it's successor in interest.

The recorded annexation order confirms that the Weiser Irrigation District as successor is a partial owner of Water rights #67-7 and 67-10968.

The Weiser Irrigation District as successor to the Weiser City Ditch & Irrigation Company agrees to transfer 200cfs of water right 67-7 to the Galloway Dam to be delivered through the Galloway Canal to provide water to the East Weiser Irrigation District delivery system.

Sincerely yours;



Jay Edwards
Secretary

ORDER APPROVING PETITION TO ANNEX LAND

A petition to annex land into the WID having been filed by Winding Brook and C. Robert Woods to annex a total of 1,015.796 acres of land of which all but 87 is irrigated. The above petition having been supported by the following:

1. Letters from various landowners requesting that the annexation be approved.
2. Petitioners having represented that water rights appurtenant to those lands would be assigned to WID for purposes of delivering water to the annexed land through the Mill Ditch.
3. Notice of Petition was published, consistent with Idaho Code §43-1003 in the form attached hereto as Exhibit "A".
4. The matter was set for hearing on January 2nd, at 7:30 p.m. at the District Office and no objections were received.
5. The Board determined that annexing the land would benefit the district with no adverse affects on the existing District landowners, water rights, or water conveyance system.

Based on the facts and evidence presented it is ordered as follows:

1. The petition of the annexation will be approved, consistent with the petition attached as Exhibit "B", which contains the three page legal description of the Mill Ditch land.
2. The land owned by C. Robert Woods attached as Exhibit "C"
3. A south portion of Chicken Hill attached as Exhibit "D"

Said legal descriptions are plotted onto a map attached hereto, all of which are incorporated in this order as if set out in full, setting forth the land hereby annexed under what is known as the Mill Ditch Annexation attached as Exhibit "E"

It is further ordered that consistent with the petition, the Mill Ditch will carry the water relating to most of the land being annexed, but under the supervision and control of Weiser Irrigation District so as to deliver water to the lands of the various owners within the annexed portion without any adverse affect on the Irrigation Districts water rights and conveyance system.

It is further ordered that pursuant to I.C. §43-1006, the Board finds that it is in the best interest of the District to annex the property, and to assess the landowners within the annexed property the costs necessary to defray the expenses incurred in delivering water to the lands within the annexed area, as well as having the river flow and storage water available for use by Weiser Irrigation District if there is any excess water.

It is further ordered that all costs related to management, supervision, and delivery of water to the lands in the annexed portion, will be paid by the landowners within the annexed portion so that there is no adverse costs or delivery of water problems created by this annexation to the other water users within WID.

It is further ordered that if there is no petition for election to determine the change or the annexation within a 90 period as is set forth in § Idaho Code 43-1008, this order annexing the property and the water rights shall be recorded in Washington County records as prescribed in §43-1010.

Dated this 6th day of February, 2001.

Instrument # 182809

WEISER, WASHINGTON, IDAHO

2001-05-25 02:28:00 No. of Pages: 13

Recorded for: WEISER VALLEY TITLE

SHARON WIDNER

Fee: 39.00

Ex-Officio Recorder Deputy

Index to: MISC RECORDING

Joan M. Knight

Gail VanTassell
Gail VanTassell, Chairman

Vern E. Lolley
Vern Lolley, Boardmember

A.G. Salfen
A.G. Salfen, Boardmember

certified: *Jenne K. Edwards*, Secretary

182809

STATE OF IDAHO)
) ss.
COUNTY OF WASHINGTON)

On this 6TH day of FEBRUARY, in the year 2001, before
me, the undersigned, a Notary Public in and for said State,
personally appeared JENNA L. EDWARDS, SECRETARY OF THE WEISER
IRRIGATION DISTRICT
known or identified to me to be the person whose name is subscribed
to the within instrument as SECRETARY and
acknowledged to me that he executed the same as such SECRETARY

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



Christy L. Edwards
Notary Public for Idaho
Residing at WEISER, IDAHO
My Commission Expires: 11/4/2003

PETITION TO ANNEX LAND IN THE WIESER IRRIGATION DISTRICT

COMES NOW, the undersigned, being holders of real property located in Washington County, adjacent to and bordering the present existing Weiser Irrigation District boundaries. Said petitioners hereby petition to have the following lands described in Exhibit 1 entitled to Mill Ditch Annexation annexed into Weiser Irrigation District. Petitioners further represent that said land consists of lands being presently irrigated under the Mill Ditch lateral south portion consisting of:

South portion	844.296 irrigated acres
North portion	82 irrigated acres
61/2 city lots	2.5 irrigated acres
Dry land below canal	87 Acres

Total	1,015.796
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Petitioners further represent that accompanying this annexation would be a transfer of water rights presently owned by Mill Ditch lateral and its water users to Weiser Irrigation District the following water rights:

WATER RECEIVED

200 inches Muir vs. Allison
25.72 cfs 1988 water claim A67-10968

1,159.1 Crane Creek shares from Winding Brook
220 Crane Creek shares from Robert Woods.

Petitioners further represent that part of the property located on what is commonly known as Chicken Hill south property, was originally owned by Weiser Irrigation District but was sold with an accompanying 11.65 acres water rights. Said land has been billed and assessed by Weiser Irrigation District for the 11.65 acres since that date, and those assessments have been paid. Said rights will be transferred to Weiser Irrigation District.

Petitioners further represent that the land, the water rights, and the Mill Ditch being annexed hereto, would continue to be irrigated in the same method which has been carried out in the past, but would be under the supervision, ownership, and direction of Weiser Irrigation District with the assistance of the water master to monitor delivery of water to the various land owners in their proportionate share. Said annexation will not interfere with, deplete, or in any way jeopardize the existing water rights of the users of Weiser Irrigation District.

EXHIBIT

A

PAGE

1

OF

4

Petitioners further represent that they hold title to more than one half on the above lands being annexed by this petition.

Petitioners request that annexation be accomplished pursuant to Idaho Code §43-1001 *et. seq.* That the secretary publish a notice in the standard manner in which the District publishes notices for special elections notice of this petition to annex as is required under Idaho Code §43-1003. Said notices would contain the following:

1. Names of Petitioners.
2. Legal description of the land to be annexed.
3. Notify all interested parties that may be affected by the change of boundaries of the district.
4. Must register all objections in writing why the land should not be annexed.
5. Give notice of time and place for hearing before the Board.
6. Right to appear before the Board and be heard on their objections.

Petitioners further represent that they have advanced to the secretary sufficient funds to pay the costs and expense associated with the annexation and all procedures related to annexation under Idaho Code in the estimated amount set forth by the record.

Petitioner's further request the Board hear this petition pursuant to the notice and/or continue the same from time to time as may be necessary to answer any or all objections to said petition.

Dated this _____ day of October 2000.

Winding Brook

Robert Woods

EXHIBIT A
PAGE 2 OF 4

182809

BAD COPY

Nº 1343

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
County of Washington) ss.Sarah Boles, being duly sworn,
deposes and says:

That he/she is the Clerk of
THE WEISER SIGNAL AMERICAN, a bi-weekly news-
paper published at Weiser, in the County of Washington
and State of Idaho; that said paper has been and is in
general circulation in the county aforesaid, and in the
vicinity of Weiser, that the advertisement, a copy of which
is attached hereto, was published in said newspaper once a
week for three consecutive weeks in the regular and
entire issue of said paper during the period and time of
publication, and was published in the newspaper proper
and not in a supplement; that said paper has been estab-
lished and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of
said advertisement.

Such notice was published in the issue beginning with
December 20, 2000, and ending
with the issue of January 3, 2001

Fees \$ 316.22 Sarah Boles

Subscribed and sworn to before me this 3

day of January, 2001

Judith A. Brown
Notary Public, residing at Weiser, Idaho

My commission expires 2, 02

No. 1343
NOTICE OF HEARNOTICE OF FILING TO PETITION
LAND FOR WEISER IRRIGA

Winding Brook, C. Robert Wo
Patty Shearer, Doug Dickerson
and Kyla Dickerson, all owners
irrigated out of Mill Ditch east
filed a petition with Weiser
seeking to have their lands a
present Weiser Irrigation District
annexed lie east of the Weiser
The boundaries which are des
all located in Washington Cou

The above land contains 1,015
includes:

6 1/2 city lots - 2.5 irrigated acre
South portion - 844.296 irrigat
North portion - 82 irrigated ac
Dry land below canal - 87 acre

The petitioners propose to trans
inches of river flow water obt
Mill Ditch out of the Weiser Ri
25.72 c.f.s. with the 1988 priorit
no. A67-10968 and Winding I
shares in Crane Creek Reservoir
Woods has 220 shares in Cran
which will be used to supply
property being annexed along
owned by all of the other peti

The petition proposes that W.I
assess these lands for all co
associated with the managemer
ter, the watermaster posts, a
neous expenses associated with
the Mill Ditch and the Mill Ditch
continue with the only change
same under W.I.D. managemer
further represent that there will
any of the water rights, the cor
the costs to the existing Weiser
members. A copy of the petiti
at Weiser Valley Title for more

All interested persons in this an
be affected by such change of
District, are hereby notified th
object to this annexation they r
a notice of any objections whi
ing specific grounds, the reas
associated with the annexation
with the District prior to a hea
the annexation set for January 2

At the time of the hearing, ar
will have the right to express
written objections and to make
tations they desire within th
allotted concerning the petition
ing the hearing, the Board of I
the matter under advisement
sion as to whether or not the a
best interest of the District or

These proceedings will be co
with Idaho Code §43-101 et. s
nexus of lands to District
shall be filed with the Secretary
Valley Title on or before the d
A FORMAL HEARING ON THIS
BE HELD JANUARY 2, 2001 /

EXHIBIT

A

PAGE

3

OF 4

182809

BAD COPY

No. 1343
NOTICE OF HEARINGNOTICE OF FILING TO PETITION TO ANNEX
LAND FOR WEISER IRRIGATION DISTRICT

Winding Brook, C. Robert Woods, A.G. Salfen, Patty Shearer, Doug Dickerson, Allen Woods, and Kyla Dickerson, all owners of land being irrigated out of Mill Ditch east of Weiser have filed a petition with Weiser Irrigation District seeking to have their lands annexed in to the present Weiser Irrigation District. The lands to be annexed lie east of the Weiser Irrigation District. The boundaries which are described as follows, all located in Washington County, to wit:

The above land contains 1,015.759 acres, which includes:

6 1/2 city lots - 2.5 irrigated acres
South portion - 844.296 irrigated acres
North portion - 82 irrigated acres
Dry land below canal - 87 acres

The petitioners propose to transfer to W.I.D. 200 inches of river flow water obtained and held by Mill Ditch out of the Weiser River. An additional 25.72 c.f.s. with the 1988 priority right under claim no. A67-10968 and Winding Brook has 1,159.1 shares in Crane Creek Reservoir and C. Robert Woods has 220 shares in Crane Creek Reservoir which will be used to supply the water for the property being annexed along with water rights owned by all of the other petitioners.

The petition proposes that W.I.D. take over and assess these lands for all costs and expenses associated with the management, delivery of water, the water master costs, and other miscellaneous expenses associated with the operation of the Mill Ditch as the Mill Ditch operation would continue with the only change being to place the same under W.I.D. management. The petitioners further represent that there will be no jeopardy to any of the water rights, the conveyance rights, or the costs to the existing Weiser Irrigation District members. A copy of the petition can be obtained at Weiser Valley Title for more details.

All interested persons in this annexation who may be affected by such change of boundaries to the District, are hereby notified that if they intend to object to this annexation they must file in writing a notice of any objections which they have stating specific grounds, the reasons, and problems associated with the annexation and file the same with the District prior to a hearing to be held on the annexation set for January 2, 2001 at 7:30 p.m.

At the time of the hearing, any interested party will have the right to express to the board their written objections and to make any oral representations they desire within the reasonable time allotted concerning the petition to annex. Following the hearing, the Board of Directors will take the matter under advisement and render a decision as to whether or not the annexation is in the best interest of the District or to reject the same.

These proceedings will be conducted constant with Idaho Code §43-101 et. seq. relating to annexation of lands to District. Written objections shall be filed with the Secretary District at Weiser Valley Title on or before the date of the hearing.

A FORMAL HEARING ON THIS PETITION SHALL BE HELD JANUARY 2, 2001 AT 7:30 P.M.

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EXHIBIT

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OF

4

MILL DITCH ANNEXATION

Beginning at a point 660 feet South of the Northeast corner of Section 32, Township 11 North, Range 5 West, Boise Meridian, Washington County, Idaho;

thence South 226.5 feet;

thence East 250 feet;

thence South 433.5 feet to the South line of the Northwest quarter of the Northwest quarter of Section 33;

thence East 1070 feet to the Southeast corner of said Northwest quarter of the Northwest quarter;

thence South 1320 feet to the Southwest corner of the Southeast quarter of the Northwest quarter;

thence East along the South line of said Southeast quarter of the Northwest quarter a distance of 560 feet to the Northerly right of way of the PIN Railroad;

thence Easterly along the said Northerly right of way to the East line of the Southeast quarter of the Northwest quarter;

thence South along the East-West center to the North line of the Weiser Slough;

thence Easterly along the Northerly bank of the Weiser Slough and the Weiser River to the West line of the Northeast quarter of the Southeast quarter of Section 3, Township 10 North, Range 5 West, Boise Meridian;

thence North to the North line of said Northeast quarter of the Southeast quarter;

thence East 1320 feet to the Northeast corner of said Northeast quarter of the Southeast quarter;

thence North to the Northwest corner of Section 2, Township 10 North, Range 5 West, Boise Meridian;

thence North along the West line of the Southwest quarter of the Southwest quarter of Section 35, Township 11 North, Range 5 West to the South line of the right-of-way of the IDAHO NORTHERN and PACIFIC RAILROAD;

CONTINUED

EXHIBIT

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OF

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MILL DITCH ANNEXATION

Page 2

thence Southeasterly along said right-of-way line to the South line of said Section 35;

thence East to the Northeast corner of the Northeast quarter of the Northwest quarter of Section 2, Township 10 North, Range 5 West;

thence South 2640 feet to the center of Section 2;

thence East to the Northerly bank of the Weiser River;

thence Northeasterly along the North bank of the Weiser River to the mouth of the Mill Ditch;

thence Westerly along the Southerly line of Mill Ditch to the East line of Section 34, Township 11 North, Range 5 West;

thence North to a point 660 feet North of the Southeast corner of said Section 34;

thence West along the existing Weiser Irrigation District boundary 660 feet;

thence North 660 feet;

thence West 660 feet;

thence North to the South line of Sand Road;

thence Westerly along the South line of Sand Road and Weiser River Road to a East-West center line of the Southeast quarter of the Northwest quarter of Section 34;

thence North along said center line to the North line of said Southeast quarter of the Northwest quarter;

thence West 660 feet to the Northwest corner of said Southeast quarter of the Northwest quarter;

thence continuing West to the South line of the Weiser River Road;

thence West along the South line of Weiser River Road to the West line of the Northwest quarter of the Northwest quarter of Section 34;

CONTINUED

EXHIBIT

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OF

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MILL DITCH ANNEXATION

Page 3

thence South along the West line of the Northwest quarter of the Northwest quarter of Section 34 to the Southeast corner of the Northeast quarter of the Northeast quarter of Section 33, Township 11 North, Range 5 West, Boise Meridian;

thence West 330 feet;

thence North 49.5 feet to a point 1270.5 feet South of the North line of the Northeast quarter of the Northeast quarter of Section 33;

thence West 1270.5 feet;

thence North 610.5 feet;

thence West to the West line of said Northeast quarter to a point 660 feet South of the Northwest corner of said Northeast quarter;

thence North to the South line of the Mill Ditch;

thence Westerly along the South line of Mill Ditch to a point 580 feet East of the West line of Section 33;

thence South to a point 660 feet South of the North line of Section 33;

thence West 580 feet to the East line of Section 32 to the TRUE POINT OF BEGINNING.

EXHIBIT

B

PAGE

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OF

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C. Robert Woods

Beginning at the SW corner of Section 27, Twp. 11 N., R. 5 W., B.M.
Thence N 0°30'54"E along the Weiser Irrigation District existing boundary and along the West
line of SW1/4SW1/4 a distance of 1319.06 feet;
Thence S 85°41'30"E a distance of 1088.60 feet;
Thence S 54°25'25"E a distance of 1122.50 feet;
Thence S 59°28'36" E a distance of 480.16 feet;
Thence S 49°31'38"E 500.49 feet to the South line of the SW1/4SE1/4 of Sec. 27;
Thence South 1320 feet to the South line of the NW1/4NE1/4 of Sec. 34, Twp. 11 N., R. 5 W.,
B.M. to a point on the Weiser Irrigation District existing boundary;
Thence West 165 feet to the SW corner of the NW1/4NE1/4 of Sec. 34;
Thence North 660 feet;
Thence West 1320 feet;
Thence North 660 feet to the NE corner of the NW1/4NE1/4 of Sec. 34;
thence West along the North line of said NW1/4NW1/4 a distance of 1320 feet to the Point of
Beginning.

AND

All that portion of the S1/2NW1/4 of Section 34, Twp. 11 N., R. 5 W., B.M. lying north of Mill
Ditch.

EXHIBIT

C

PAGE

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OF

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182809

SOUTH PORTION OF CHICKEN HILL

Beginning at the Southwest corner of Section 28, Township 11 North, Range 5 West, Boise Meridian;

thence North along the West line of the Southwest quarter of the Southwest quarter a distance of 379.81 feet;

thence South $89^{\circ}53'18''$ West, a distance of 1324.82 feet to a point on the East line of said Southwest quarter of the Southwest quarter;

thence South $0^{\circ}08'11''$ West along the East line of said Southwest quarter of the Southwest quarter a distance of 385.81 feet to the Southeast corner of said Southwest quarter of the Southwest quarter to a point on the Weiser Irrigation District boundary;

thence South $89^{\circ}53'18''$ West a distance of 1324.97 feet to the TRUE POINT OF BEGINNING.

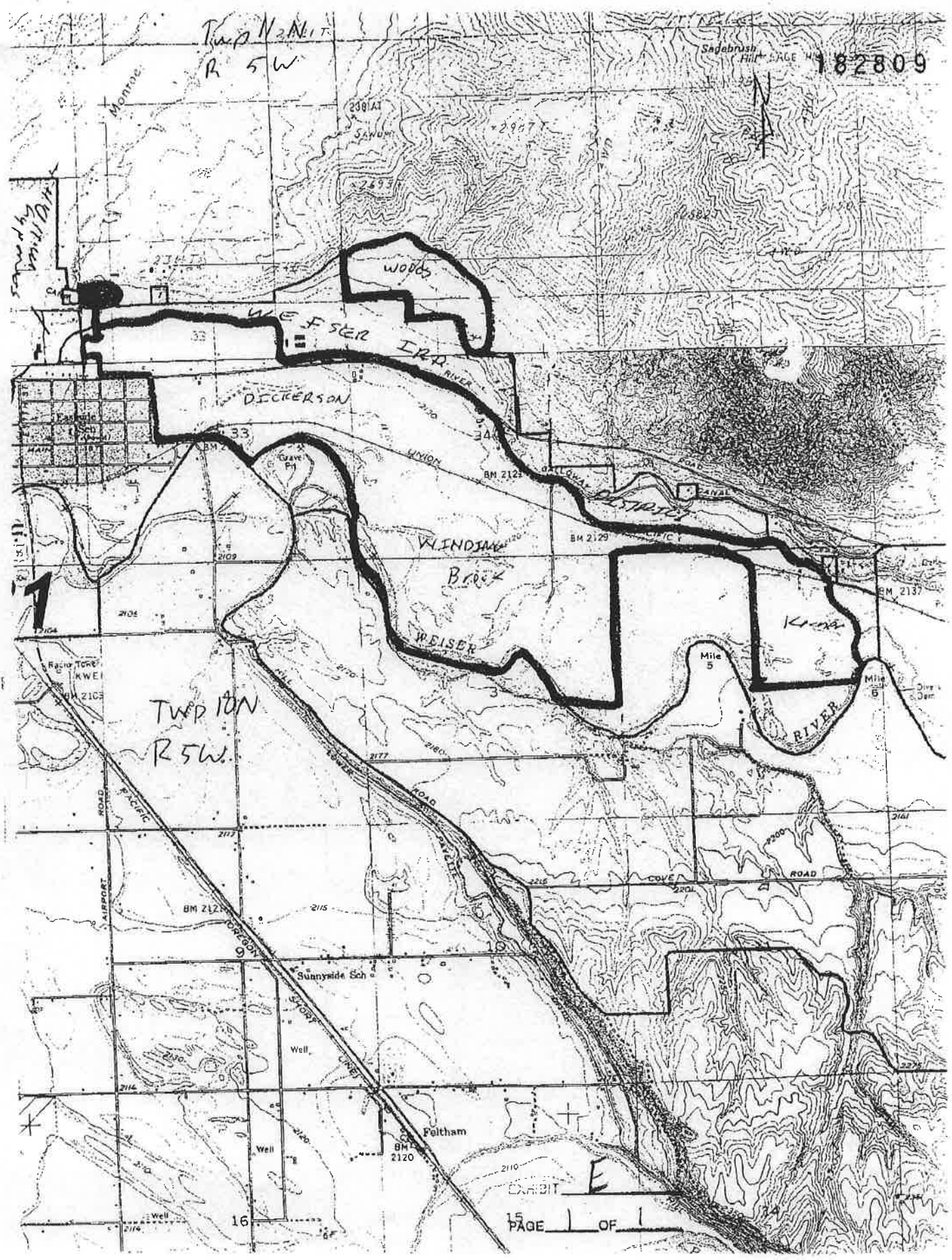
EXHIBIT D
PAGE 1 OF 1

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AUG 03 2020

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
County of Washington) ss.Sarah Boles, being duly sworn,
deposes and says:That she is the Clerk of
THE WEISER SIGNAL AMERICAN, a weekly newspaper
published at Weiser, in the County of Washington and State of
Idaho; that said paper has been and is in general circulation in
the county aforesaid, and in the vicinity of Weiser; that the ad-
vertisement, a copy of which is attached hereto, was published insaid newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not in a supplement; that said paper has been established
and regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

July 15, 2020 and endingwith the issue of July 22, 2020
Sarah BolesFees, \$ 107.38Subscribed and sworn to before me this 22date of July 2020Judith Parsons
Notary Public, residing at Weiser, Idaho.My commission expires 2-12-26NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 84118EAST WEISER IRRIGATION DISTRICT, PO BOX 831,
WEISER, ID 83672 has filed Application No. 84118 for
changes to the following water rights within WASHINGTON
County(s): Right No(s). 67-7; to see a full description of these
rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The pur-
pose of the transfer is to change a portion of the above rights
as follows: The purpose of the transfer is to move the point of
diversion from the NWSW, Sec 1, Twp 10N, Rge 5W, to the
Galloway Dam NENE Sec 35, 11N, 4W, B.M., Washington
County. East Weiser Irrigation District will deliver 4.00 cfs to
the East Weiser headgate (Mill Ditch) through the Galloway
Canal per the 1999 agreement. Water will be used within the
East Weiser Irrigation District service boundary.For additional information concerning the property loca-
tion, contact Western Region office at (208)334-2190. Pro-
tests may be submitted based on the criteria of Idaho Code
Sec. 42-222. Any protest against the proposed change must
be filed with the Department of Water Resources, Western
Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 to-
gether with a protest fee of \$25.00 for each application on or
before 8/3/2020. The protestant must also send a copy of the
protest to the applicant.GARY SPACKMAN, Director
Published on 7/15/2020 and 7/22/2020

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