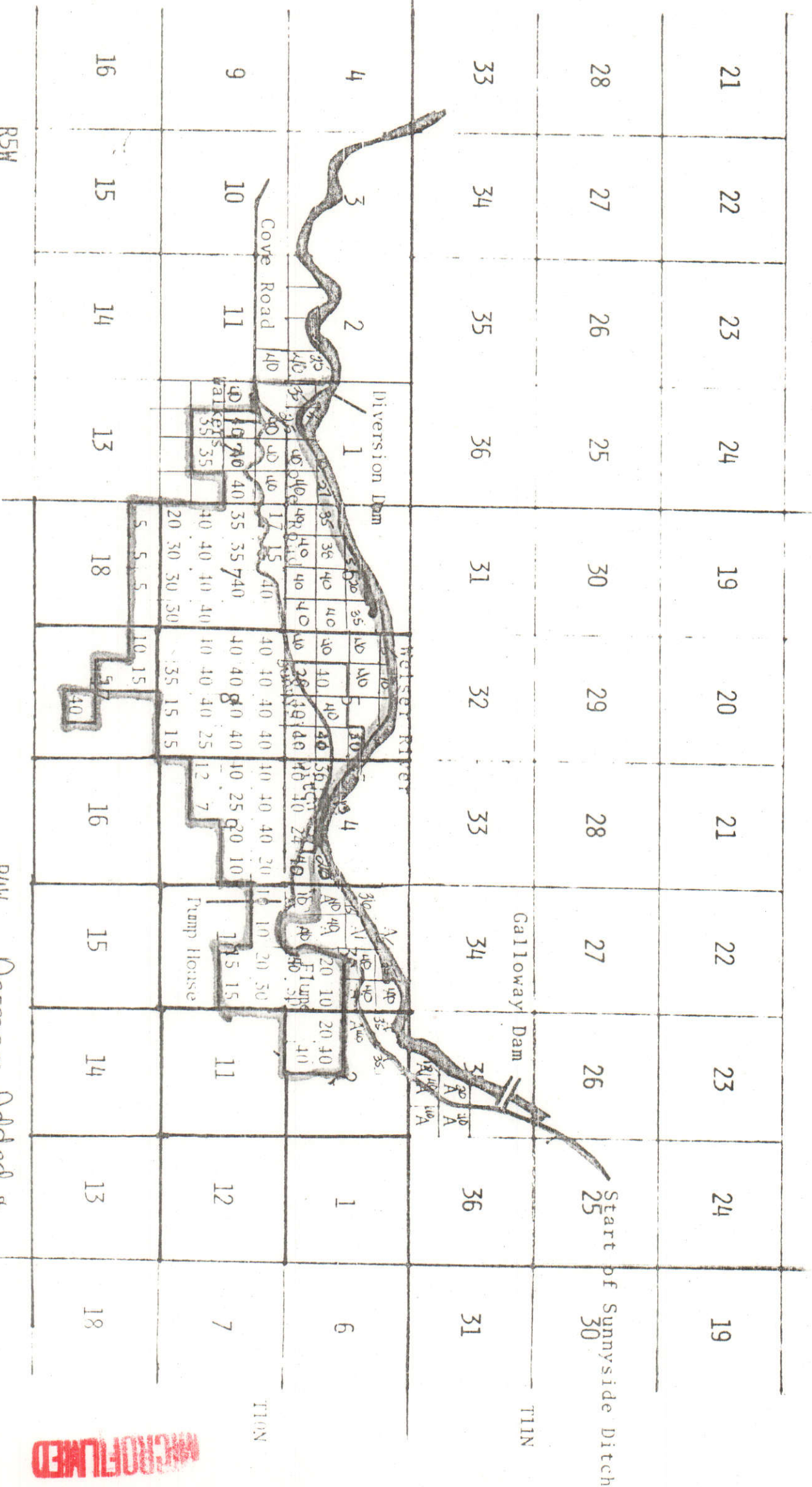




LANDS UNDER SUNNYSIDE DITCH
1979

Acreages Added &
changed per Larry Walker's
letter & land list submitted
2/25/82. js

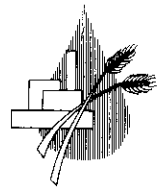
A = Adjudicated water for that quarter section
for Walker's

MICROFILMED



JUL 3 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



Department of Water Resources
Western Regional Office

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that SUNNYSIDE DITCH COMPANY c/o Jacqueline Wray, Secretary
(Name of Claimant) 549-0390 (Office)
Route 2 Box 29, Weiser, Idaho 83672 Telephone No. 549-0682 (Home)
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1942

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Weiser River tributary to Snake River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>19.62 cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>4/25</u>	To <u>7/20</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 NW 1/4, Sec. 25 Twp. 11N Rge. 4W. B.M., County of Washington
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Diversion Dam in Weiser River - Diversion Weir capable of diverting 78 cfs. or more.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

See Attached Map & Land List

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	

No. of acres 3,892

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

RECORDED

(8) Remarks _____

[illegible]

12/27/84
FOR DEPARTMENT USE ONLY

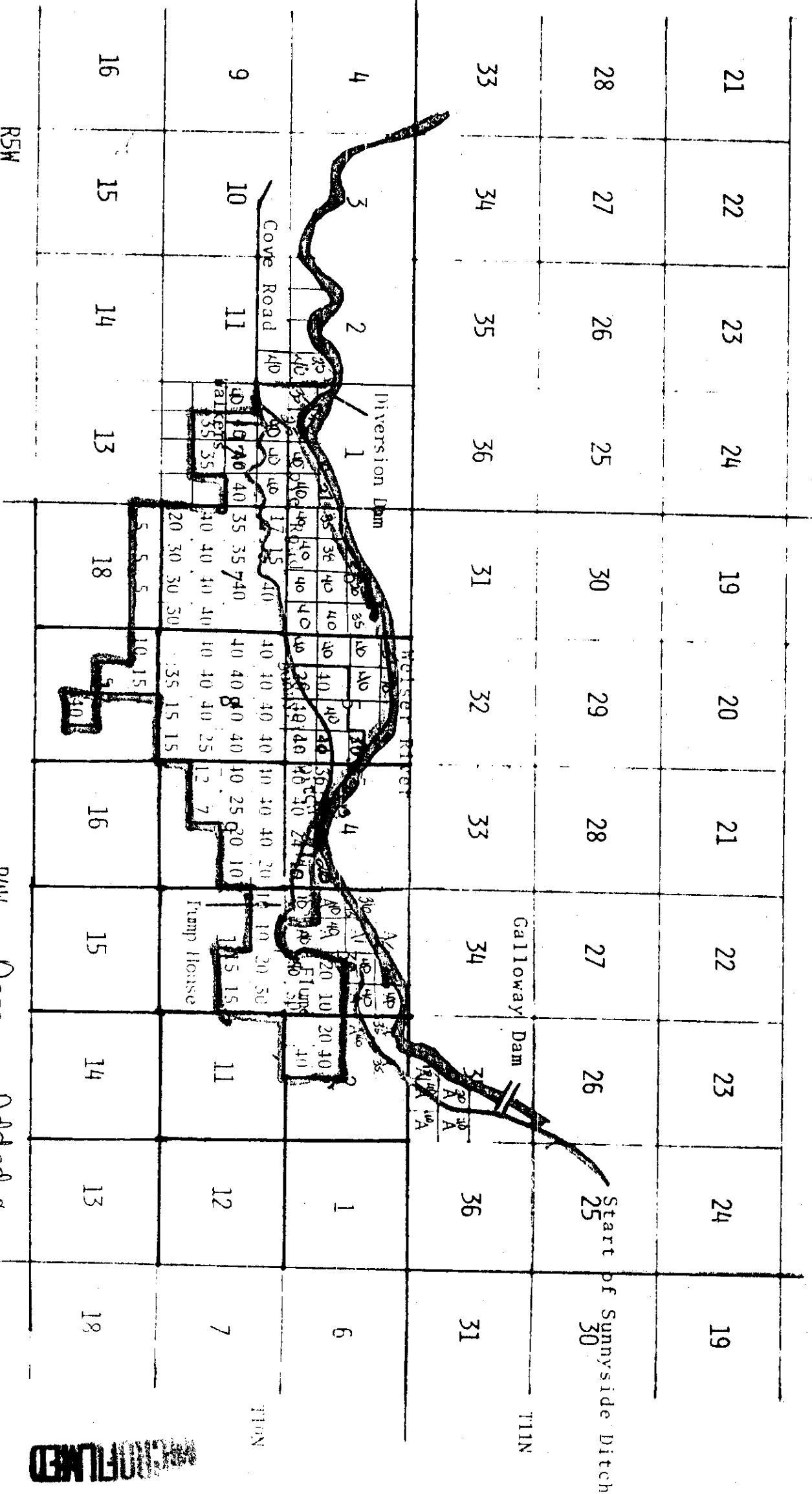
Received by JP Date 7-6-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JP Date _____
\$30.00 fee received by JP Date 7-6-83 32351
Published in Washed Signal
Dates 2/23 & 3/1/84

Department of the Interior
Western Regional Office

Department of the Interior
Western Regional Office

AKC KUT LUMU

Total number of acres irrigated 3,892



LANDS UNDER SUNNYSIDE DITCH
1979

Acreages Added &
changed per Larry Walker's
letter & land list submitted
2/25/82. js

A = Adjusted water for that unit's section

RECEIVED

MICROFILMED
1987

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Washington } ss.

Dorothy A. Beeth, being duly sworn,
deposes and says:

That he is the Clerk of
THE WEISER SIGNAL, 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 pub-
lished in said newspaper once a week for 2 consecu-
tive weeks in the regular and entire issue of said paper dur-
ing 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
Feb. 23, 1984 and ending
with the issue of March 1, 1984
Dorothy A. Beeth
Fees, \$ 39.50

Subscribed and sworn to before me this 1
day of March, 1984
Ken Dunn
Notary Public, Residing at Weiser, Idaho.
My Commission Expires 5-1, 1985

No. 850

NOTICE OF CLAIMS TO WATER RIGHTS

The following claims have been filed on water rights created by
diversion and beneficial use:

AMENDED

67-4313

WINEGAR, REX M.
RT. 1 BOX 279, WEISER, ID 83672
Source: WARM SPRINGS CREEK trib. to SNAKE RIVER
Priority Date: 09/01/1956
Diversion Pt: SENE Sec 16 T 11N R 06W
Use: IRRIGATION (1.40 CFS)
In: SESE Sec 09 T11N R 06W NENE SENE Sec 16 T 11N R 06W
NWNW SWNW Sec 15 T 11N R 06W FOR 120 ACRES

67-4563

EDMONDSON, JAMES L. &/or CAROLYN V.
590 PIONEER RD., WEISER, ID 83672
Source: GROUNDWATER
Priority Date: 01/01/1900
Diversion Pt: SESE Sec 30 T 11N R 05W
Use: IRRIGATION (0.03 CFS)
In: SESE Sec 30 T 11N R 05W FOR 1 ACRES

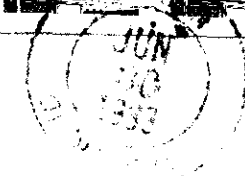
67-4564

SUNNYSIDE DITCH CO.
JACQUELINE WRAY, SECRETARY, RT. 2 BOX 29, WEISER, ID
83672
Source: WEISER RIVER trib. to SNAKE RIVER
Priority Date: 04/25/1942
Diversion Pt: SENW Sec 25 T 11N R 04W
Use: IRRIGATION (19.62 CFS)
P/U: Within the lands of the Sunnyside Ditch Co. (Ac)
Irr. = 389Z.

Exceptions to a claim may be filed with the Director, Dept. of
Water Resources, Western Region, Statehouse, Boise, Idaho 83720.
KEN DUNN, Dir.
Published 02/23 & 3/01/84.

102-2s

RECEIVED



From

WALKER & LINDQUIST

ATTORNEYS AT LAW
232 EAST MAIN STREET
POST OFFICE BOX 828
WEISER, IDAHO 83672

To

State of Idaho
Department of Water Resources
Western Region
92 South Cole Road
Boise, Idaho 83709

WAT 92 94056271 07/05/83
STATE-OF-IDA-WAT-RES
450 W STATE ST
BOISE ID 83702

MAILED

WRR100
67-4564

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
20-NOV-1985 11:50:12

01 WATER RIGHT NUMBER - 67-4564 02 OLD (D) NUMBER -

LAST NAME
03001 - SUNNYSIDE DITCH CO. ✓

FIRST NAME
04001 -

ORIG. OWNER
05001 - C

06 ADD LINE 1 - JACQUELINE WRAY, SECRETARY ✓

07 ADD LINE 2 - RT. 2 BOX 29 ✓

08 ADD LINE 3 -

09 CITY - WEISER ✓

10 STATE - ID 11 ZIP - 83672

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

SOURCE
14001 - WEISER RIVER ✓

TRIBUTARY OF
15001 - SNAKE RIVER ✓

16 DIVERSION MEANS - DIVERSION DAM & DIVERSION WEIR ✓

17 COUNTY - 87 WASHINGTON

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 19.620 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

----- DIVERSION POINTS -----														
TRACT	SEC	TWN	RNG	LOT	RFLG	S T R E A M I N D E X F I E L D S								
22001 - SENW	23001 - 25	24001 - 11N	25001 - 04W	26001 -	27001 -									
			28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0.0

29 NON-IRRIGATION USE -

----- PLACE OF USE -----						
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 -	31001 -	32001 -	33001 -	34001 -	35001 -	36001 -
						TOTAL ACRES: 0

----- WATER USE -----				
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0425 ✓	38001 - 0720 ✓	39001 - 01 IRRIGATION ✓	40001 - 19.620 ✓	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 - P/U WITHIN THE LANDS OF THE SUNNYSIDE DITCH CO. ✓
44002 - AC. IRR. = 3892. ✓

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S -----		----- D A T E S -----		----- F L A G S -----	
47 PRIORITY	- 25-APR-1942 ✓	55 LICENSE	-	63 TRANSFER/AMENDED	-
48 PROOF DUF	-	56 APPL RECEIVED	-	64 DLE/CAREY ACT	-
49 PROOF MADE	-	57 FIELD EXAM MADE	-	65 FLAG_1	-
50 APPROVE/DENIED	-	58 DECREE	-	66 FLAG_2	-
51 PROTESTED	-	59 START WORK	-	67 FLAG_3	-
52 HEARING	-	60 ORDER SHOW CAUSE	-		
53 VERIFIED	-	61 DATE_1	-		

WRR100
67-4564

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
20-NOV-1985 11:50:12

----- D A T E S ----- D A T E S ----- F L A G S -----

54 LAST UPDATE - 27-FEB-1984

62 DATE-2

12/11/85
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan Fowler

Right Number 67-4564 Applicant Sunnyside

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

POSTMARKED 6/30/83

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 4/3/84
- ☒ Claim published correctly. Witness Signed 2/23 & 3/1/84
- ☒ Exceptions processed. * 32351

By DBS Date 1/10/85

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 1/10/85

MICROFILMED

RECEIVED
JAN 10 1985

Department of Water Resources

January 9, 1985

Sunnyside Ditch Co.
C/O Jacqueline Wray, Secretary
Rt. #2, Box 29
Weiser, ID 83672

Dear Ms. Wray:

We have received the Claims for Sunnyside Ditch Co.; however, as stated in my letter of June 14, 1984, (copy enclosed), the claim with a priority date of 1982 is not acceptable. In the letter mentioned above we stated a refund was being mailed to you. A Claim cannot be filed for a surface water source with a priority date later than May 20, 1971.

Therefore, if you still would like to file a water right on this use, an Application for Permit is the correct form to complete. Enclosed, is a form, along with a set of instructions. We will continue to process the other claim submitted as it shows a 1942 priority date.

If you have any questions concerning this matter, please contact me.

Sincerely,

Jan Grover
Sr. Water Resource Agent

JG/pma

Enclosures

RECEIVED



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

October 26, 1984

Sunnyside Ditch Co.
c/o Jaqueline Wray, Sec.
Rt. 2, Box 29
Weiser, ID 83672

Dear Ms. Wray:

On April 16, 1984, I returned a claim to you for 19.62 cubic feet per second to be notarized and returned. As of this date we have not yet received the completed claim.

If we do not receive the notarized claim within 30 days, your \$30 filing fee will be refunded and the claim removed from our records.

If you have any questions concerning this matter, please contact us.

Sincerely,

JAN GROVER
Senior Water Resource Agent

JG/ljs

MICROFILMED

Call-up - Dec. 1, 1984

*PHONED 12/4/84 + JACKIE WRAY
STATED CLAIM WOULD BE RETURNED
ASAP. JG*

August 31, 1984

Sunnyside Ditch Co.
c/o Jaqueline Wray, Sec.
Rt, 2, Box 29
Weiser, ID 83672

Dear Ms. Wray:

On April 16, 1984, I returned a claim to you that needed your signature notarized before processing could begin. On June 14, 1984, I sent another letter reminding you that this claim had not been received which was necessary in order for it to remain in good standing. As of this date the claim has not been returned. Until we receive the notarized claim, this water right is considered non-valid.

If you have any questions, please contact us.

Sincerely,

JAN GROVER
Senior Water Resource Agent

JG:ls

UNRECORDED

INTER-DEPARTMENT MEMO — 1

FROM

Jan Grover

TO

Hance Sanders

SUBJECT

Refund

DATE

6/13/84

Please refund the Sunnyside Ditch Co. their \$30 filing fee submitted as they have not re-submitted the app. for permit it applies to after several notices. Mary

RECEIVED

Jan Grover
SIGNATURE

June 14, 1984

SUNNYSIDE DITCH CO.
C/O JAQUELINE WRAY SEC
RT #2 BOX 29
WEISER ID 83672

Dear Ms. Wray:

On April 16, 1984, I sent Claim No. 67-4564 to you in order that your signature could be notarized. As of this date, we have not received this claim back in our office. Please check your records and submit the notarized claim as soon as possible.

In my last letter I also mentioned that if you still wanted to file the application for permit for the claim which had listed the 1982 priority date that it needed to be submitted within two weeks or the \$30.00 would be refunded. In checking our records we have not yet received this application, therefore, as soon as the paperwork is completed you will be receiving the \$30.00 filing fee.

The notarized claim also needs to be received as soon as possible in order for the claim to remain in good standing.

If you have any questions, please don't hesitate to contact us.

Sincerely,

Jan Grover
Senior Water Resource Agent

JG/pma



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

April 16, 1984

Sunnyside Ditch Co.
c/o Jaqueline Wray, Sec.
Rt. #2, Box 29
Weiser, ID 83672

Dear Ms. Wray:

In the final review of the Claim to a Water Right submitted for Weiser River water with a priority date of 1942 it was noted that your signature had not been notarized. Therefore, we are returning the claim to you for notarization.

On December 29, 1983, I sent a letter suggesting you file an application for permit rather than the claim with a 1982 priority date, since the use was begun after May 20, 1971. As of this date, we have no record of receiving this application from you. If we do not hear from you within 2 weeks regarding this matter, your previously submitted \$30 fee will be refunded. Enclosed is the claim form for your reference in completing the application for permit.

Please complete the forms as requested and return them to our office as soon as possible. If you have any questions, do not hesitate to contact us.

Sincerely,

JAN GROVER
Senior Water Resource Agent

JG:ns

Enclosure

RECEIVED

67-4564

December 29, 1983

Sunnyside Ditch Co.
c/o Jacqueline Wray
Rt. 2, Box 29
Weiser, ID 83672

Dear Ms. Wray:

Enclosed is the claim to a water right that we discussed on the phone. Also enclosed is an application for permit form to be completed in lieu of the claim form which cannot be filed for a water right with a priority date later than May 20, 1971, for a surface water source.

we noted that on the claim form you stated the capacity of the system was 78 cubic feet per second (cfs). The Sunnyside Ditch Co. has two decreed water rights for 2.0 cfs and 8.72 cfs and one claim to a water right for 32 cfs. The other claim filed with the 1942 priority date claims 19.62 cfs. This brings the total amount filed on up to 62.34 cfs which leaves 15.66 cfs to be filed for on your application for permit. We can transfer the \$30.00 filing fee to the application fee, however, the application fee is based on the cfs applied for. For example 15.66 cfs is a \$345.00 filing fee. We will continue to process the other claim submitted and await the return of the application to apply the \$30.00 refund.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Jan Grover
Senior Water Resource Agent

JG:cjk
Enclosures

RECEIVED

WALKER & LINDQUIST

ATTORNEYS AT LAW

232 EAST MAIN STREET

POST OFFICE BOX 828

WEISER, IDAHO 83672



Ms. Jan Grover
Senior Water Resource Agent
Department of Water Resources
450 West State Street
Statehouse
Boise, Idaho 83720

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

MARCH 14, 1984

SUNNYSIDE DITCH CO.
JACQUELINE WRAY, SECRETARY
RT. 2 BOX 29
WEISER

ID 83672

RE: Claim No. 67-4564

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

ENCLOSURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

FEBRUARY 16, 1984

The Weiser Signal
Box 709
Weiser, ID 83672

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 12, 1984.

Yours truly,

JUDY FENSE
Secretary

Encl.

RECEIVED

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720.

KEN DUNN, Dir.

Published 02/23 & 03/01/84.



62-4564-

SUNNYSIDE DITCH CO.

JACQUELINE WRAY, SECRETARY, RT. 2 BOX 29, WEISER, ID 83672

Source: WEISER RIVER trib. to SNAKE RIVER

Priority Date: 04/25/1942

Diversion Pt: SENW Sec 25 T 11N R 04W

Use: IRRIGATION (19.62 CFS)

P/U: Within the lands of the Sunnyside Ditch Co. Ac. Irr. = 3892.

CONFIDENTIAL

3/83

IDENT. NO. 67-4564

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG[illegible]