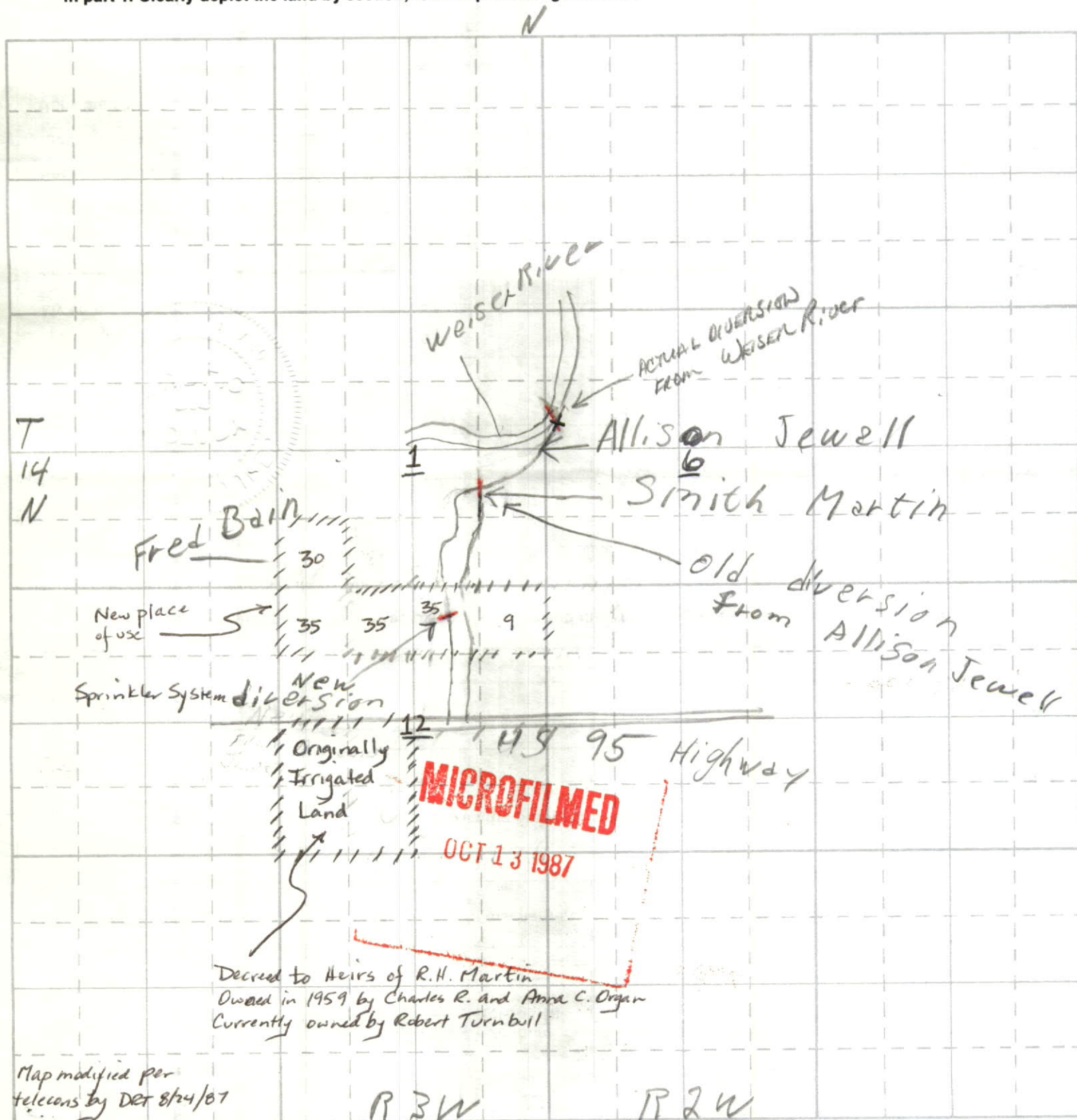


STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



## Affidavit of Publication:

STATE OF IDAHO }  
County of Washington } ss.

Stuart Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for CNE consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began September 3, 1987. and ended September 10, 1987.

Stuart Dopf

Subscribed and sworn to before me  
this 11<sup>th</sup> day of  
September, 1987

B. Soules

Notary Public in and for the State  
of Idaho, residing at Cambridge,  
Idaho 83610.

## Public Notices

### NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 67-0033

Notice is hereby given that Fred Bain of Cambridge, ID Has applied to the Department of Water Resources for a change of place of use of the water of the Weiser River.

The right sought to be changed is evidenced by Water Right No. 67-0033 and is recorded as follows:

Amount: 1.8 cfs.

Priority: July 4, 1886.

Point of Diversion: Lot 5 (SWNW), S. 6, T. 14N., R. 2W. The water is used for Irrigation purposes within the SW<sup>1</sup>/<sub>4</sub>, S. 12, T. 14N., R. 3W. for 144 acres.

### TO BE CHANGED AS FOLLOWS

Amount: 1.8 cfs

Point of Diversion: Lot 5 (SWNW), S. 6, T. 14N., R. 2W.

The water will be used for irrigation purposes within the NENE, NWNE, NENW, NW-NW, S. 12; SWSW, S. 1, T. 14N, R. 3W, B.M. for 144 acres.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before September 21, 1987.

R. Keith Higginson  
Director

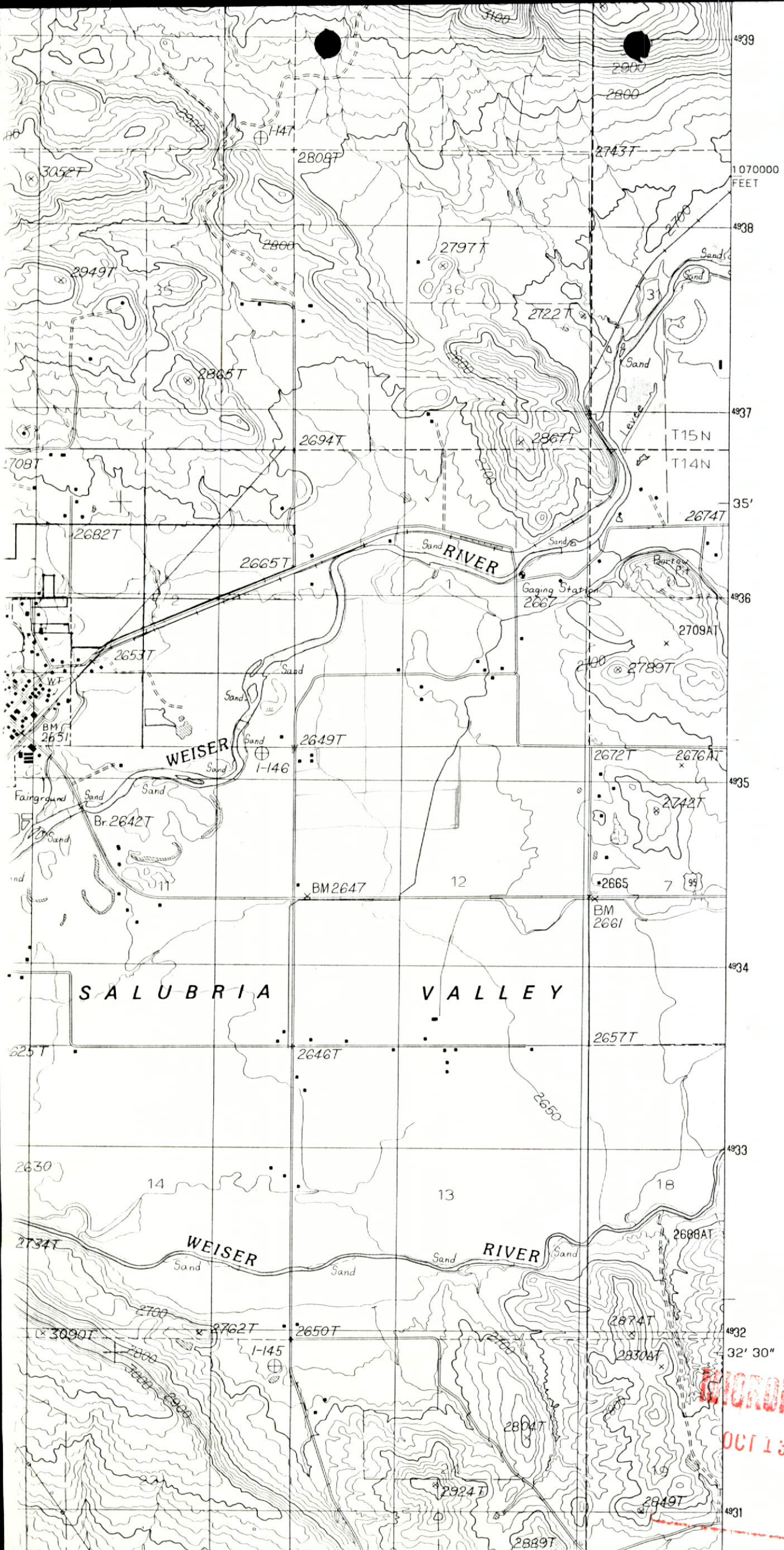
Publish in the Upper Country  
News-Reporter on 9/3 & 9/10/87

**MICROFILMED**

**OCT 13 1987**

**RECEIVED**  
SEP 15 1987

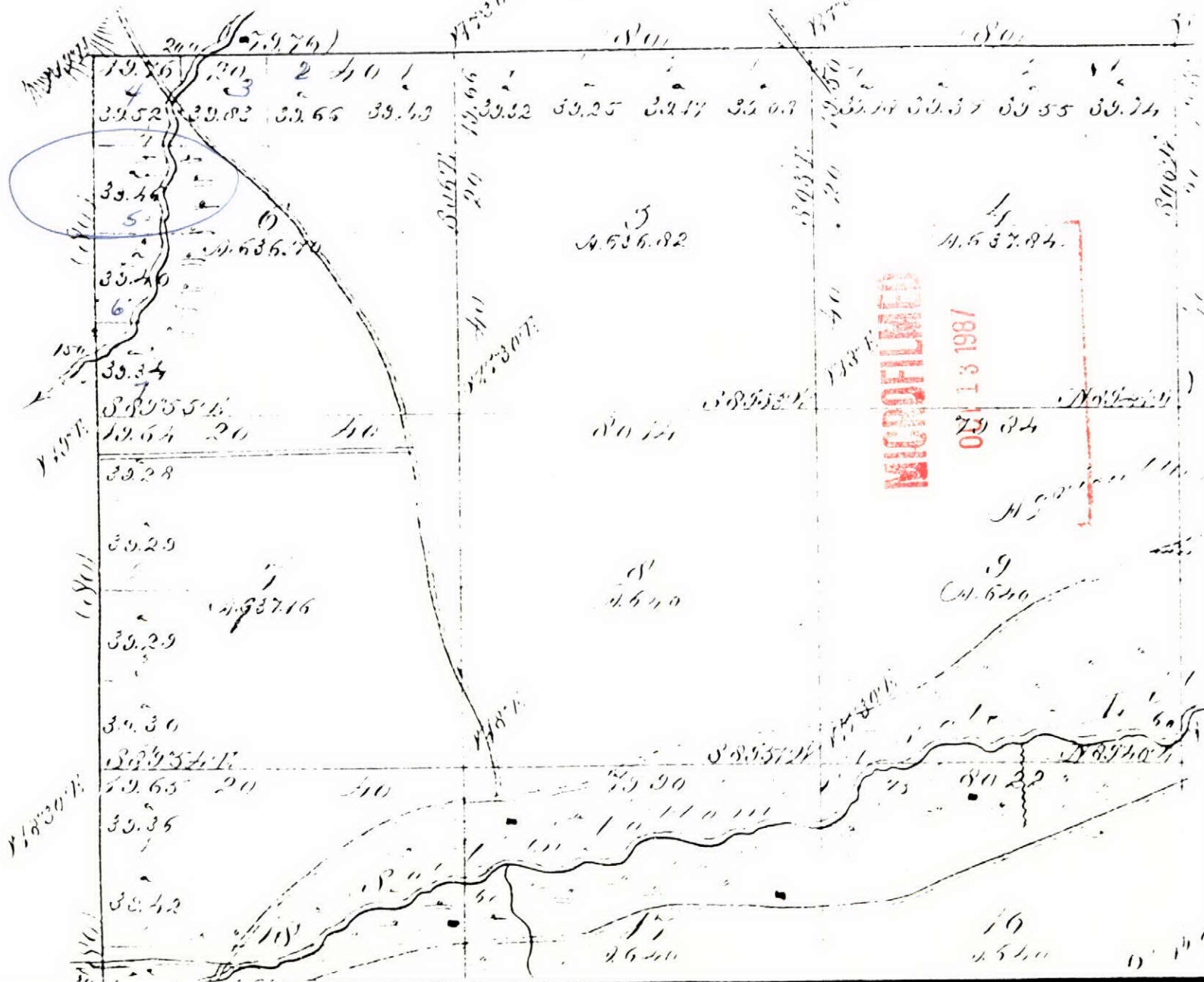
Department of Water Resources  
Western Regional Office



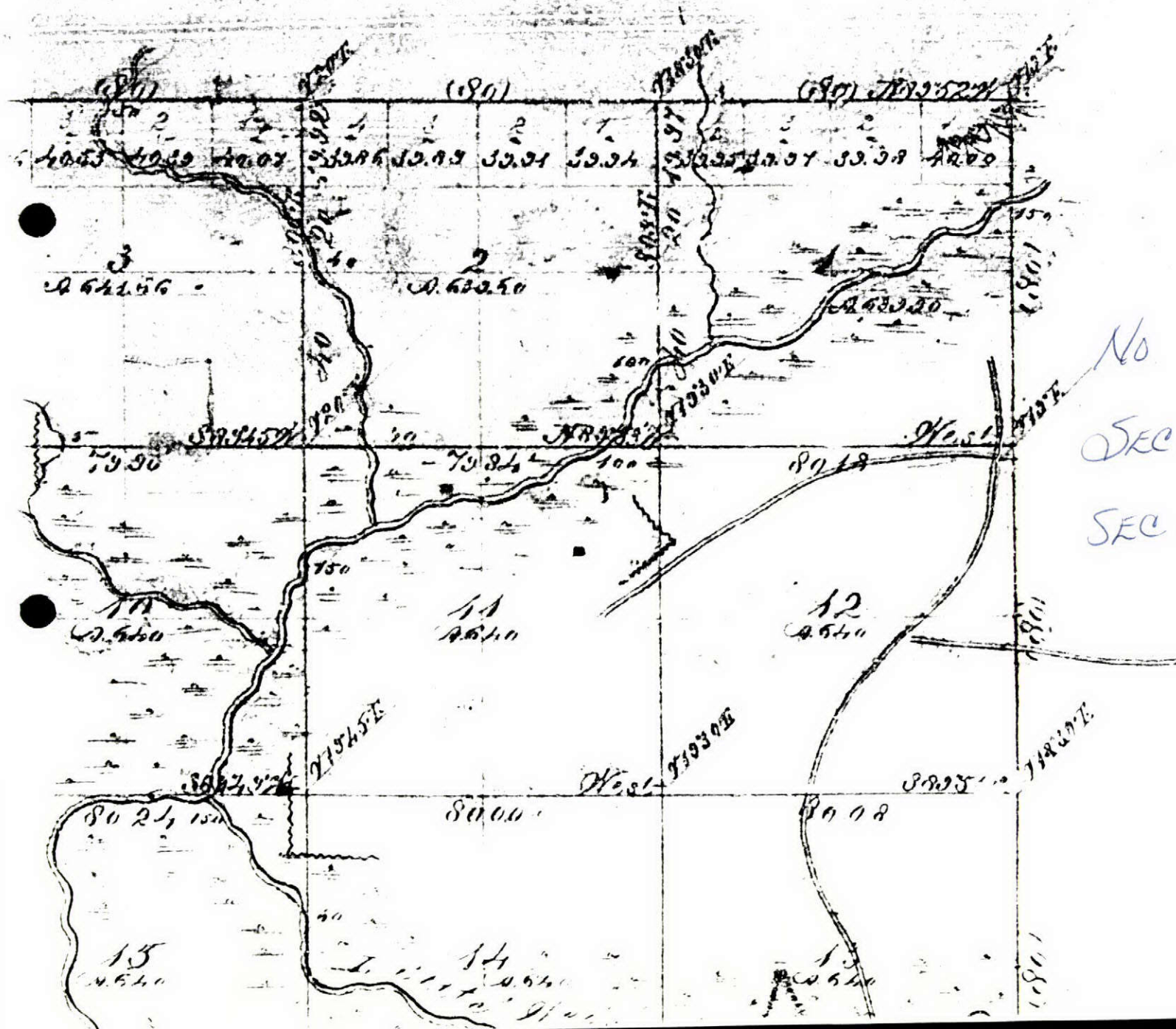
**MICROFILMED**  
**OCT 13 1987**

Township 14 N

2W



# 103 West Boise Meridian.



RECORDED

1901 OCT 11

No LOTS IN  
SEC. 1 (SWSW) OR  
SEC. 12  
14N 3W

RECEIVED

Page 1 of 6

STATE OF IDAHO JUL 21 1987

Transfer No. 67-0033

## DEPARTMENT OF WATER RESOURCES

# 3342

## APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 1

APPROVED

Name of applicant Fred Bain Phone 257-3838Post Office address RR 1 Cambridge, Idaho 83610

## A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
2. Describe the reason for the proposed changes 90 inches of water purchased from Ernest & Charles Olson in 1959 was not transferred and recorded with Dept. of Water Resources. (see Attached Warranty Deed)

## B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 67-0033 Priority 4-Jul-1886 Amount (cfs/ac-ft) 1.800 Nature of Use Irrigation Period of Use April 1, to Nov 1
2. Total amount of water being transferred 1.8 (90 inches) cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.
3. Source of water Weiser River tributary to Snake River
4. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

5. Lands irrigated or place of use: (see descript. on attached Warranty Deed)

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 14 N | 3 W  | 12   | 9      | 35     |        |        | 35     | 35     |        |        |        |        | 30     |        |        |        |        |        | 114    |
|      |      | 1    |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 30     |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Acres added per telecon with Dale Barton, renter and prospective buyer of the Fred Bain property, on 8/24/1987.

Total acres 144

**PART 1**

**6. General Information:**

a. Description of diversion system Allison Jewell diversion dam on Weiser River conveyed by Allison Jewell canal to property then diverted to Bain private ditch.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. 67-0033

And said application is hereby APPROVED, subject to the following limitations and conditions:

RECEIVED

OCT 13 1987

Witness my hand this 30<sup>th</sup> day of September, 19 87

J. M. Saylor  
Chief, Operations Bureau

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. 67-0033 Decreed to HEIRS OF R.H. MARTIN  
in case of Muir vs. Allison  
dated June 20, 1921 in Dist Court (7<sup>th</sup> Dist) county of Washington
- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☒ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Weiser River tributary to Snake River

4. Date or priority 4 July 1886

5. Water is used for the following purpose:

amount 1.8 cfs for Irrigation purposes from April 1 to Nov 1  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right 1.8 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County     | Local name for diversion |
|-----|-----|-----|-----|------|------|------|------------|--------------------------|
| 5   |     | SW  | NW  | 06   | 14N  | 02W  | Washington | Allison Jewell Ditch     |
|     |     |     |     |      |      |      |            |                          |
|     |     |     |     |      |      |      |            |                          |

8. Lands irrigated or place of use: (see attach Warranty Deed.)

| Twp. | Rge. | Sec. | NE 1/4                                                                                                                                                                                                                                                                                   |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4                                                                                                                                                                                                                                                                                   | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 14N  | 3W   | 12   |                                                                                                                                                                                                                                                                                          |        |        |        |        |        |        |        | X      | X      | X      | X      |        |        |        |        | 144    |
|      |      |      | This place of use is described in the decree. The number of acres irrigated is not specified in the decree but was computed by dividing the 90 miners inches decreed by 5/8ths of a miners inch per acre, which is the amount of irrigation water allowed in the Muir v. Allison decree. |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      | DRT 8/24/1987                                                                                                                                                                                                                                                                            |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 144

OCT 13 1987

9. Describe any other water rights used for the same purpose as described above \_\_\_\_\_

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED** N/A

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change) N/A

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

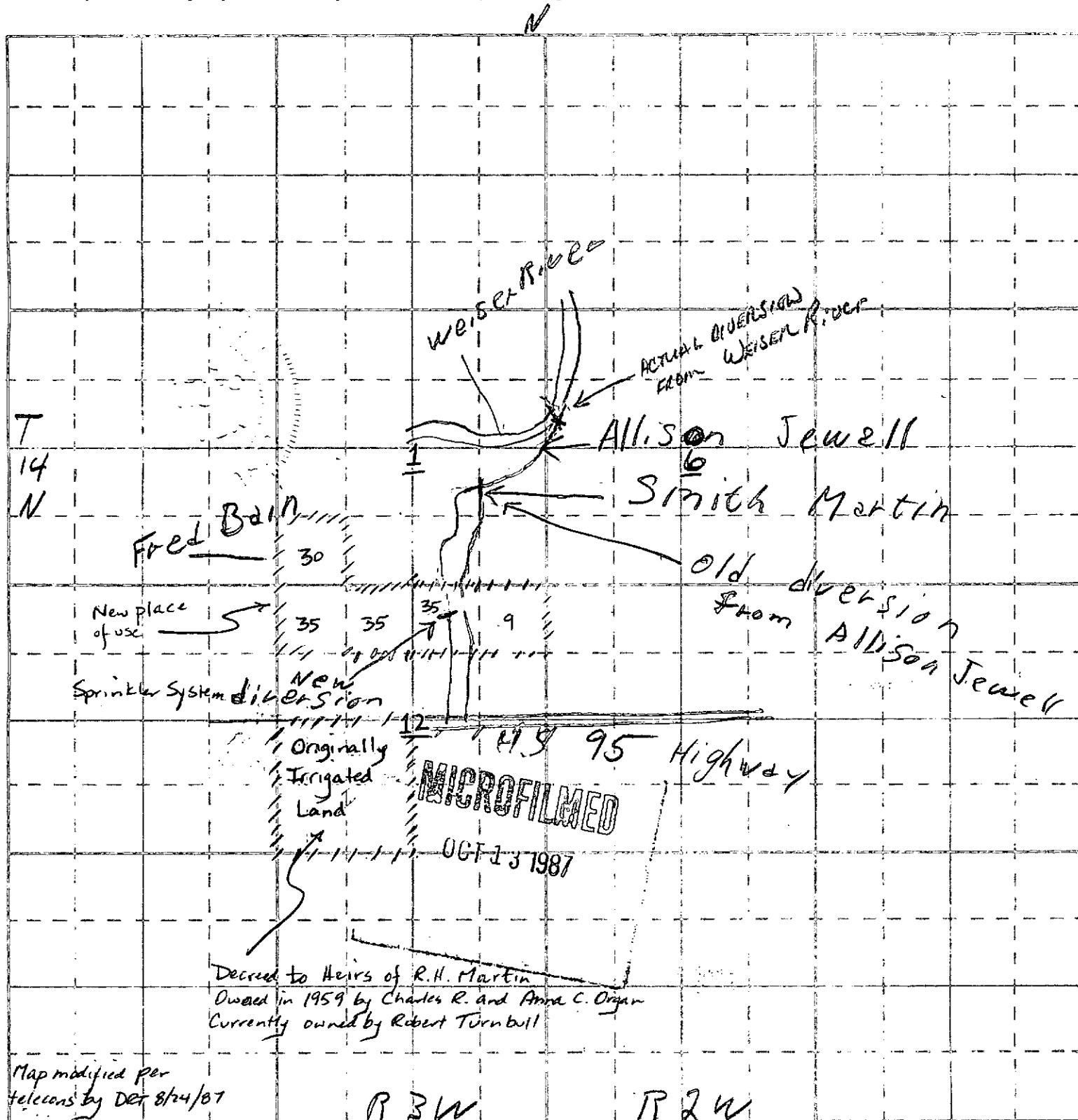
3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



Map modified per  
 telecons by DWT 8/24/07

**PART 3****B. CHANGES IN NATURE OF USE**

- | 1. | New Nature of Use | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use  |
|----|-------------------|-----------------------|-----------------|----------------|
|    |                   |                       |                 | _____ to _____ |
|    |                   |                       |                 | _____ to _____ |
2. Quantity and quality of return flows and location of discharge:  
\_\_\_\_\_  
\_\_\_\_\_
3. Describe effects on other water uses resulting from the proposed change:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby assert that no one will be injured by such change and that 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.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 20<sup>TH</sup> day of JULY, 19 87.

Fred Bain  
(Signature of Applicant)

B. G. Soules  
(Notary Public)

My commission expires 8-21-91

**FOR DEPARTMENT USE ONLY**

Transfer contains 6 pages and 5 attachments

Received by ml Date 7-23-87 Protest filed by \_\_\_\_\_

Prelim. check by [Signature] Fee 50.00 # 43899

Receipted by [Signature] Date 7-25-87

Published in Water County News Reporter Copies of protest forwarded by \_\_\_\_\_

Pub. dates 9/3 & 9/10/87 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on 9/2/87 Recommended for ☒ approval ☐ denial

\_\_\_\_\_ rec'd. 9/11/87 by DET J. [Signature]

Copy of transfer sent to lien holder \_\_\_\_\_

**MICROFILMED**

OCT 15 1987

## Affidavit of Publication:

STATE OF IDAHO }  
County of Washington } ss.

Stuart Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for ONE consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began September 3, 1987, and ended September 10, 1987.

*Stuart Dopf*

Subscribed and sworn to before me  
this 11<sup>th</sup> day of  
September, 1987.

*B. Soules*  
Notary Public in and for the State  
of Idaho, residing at Cambridge,  
Idaho 83610.

## Public Notices

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Priority: July 4, 1886.

Point of Diversion: Lot 5 (SWNW), S. 6, T. 14N., R. 2W. The water is used for Irrigation purposes within the SW $\frac{1}{4}$ , S. 12, T. 14N., R. 3W. for 144 acres.

### TO BE CHANGED AS FOLLOWS

Amount: Amount: 1.8 cfs

Point of Diversion: Lot 5 (SWNW), S. 6, T. 14N., R. 2W.

The water will be used for irrigation purposes within the NENE, NWNE, NENW, NW-NW, S. 12; SWSW, S. 1, T. 14N, R. 3W, B.M. for 144 acres.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before September 21, 1987.

R. Keith Higginson  
Director

Publish in the Upper Country  
News-Reporter on 9/3 & 9/10/87

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OCT 13 1987

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SEP 15 1987

Department of Water Resources  
Western Regional Office

**Middle Valley Ditch.**  
**Middle Valley Irrigating Ditch Company**

**Allison Jewell Ditch.**

Alexander Allison

William A. McChesney

Joseph Allison

Eugene Looney

Harry Coon

William F. Scofield

**Smith-Janes-Martin Ditch**

B. F. Janes

William F. Scofield

Marion Smith

Heirs of R H Martin

**Post-Weston Ditch.**

J Emmett Frost

Grace Everest

Goldie Abernathy

Fred Jewell

John A Frost

1000 July 7, 1886 67 0023  
 700 Nov. 1, 1887 67 0024  
 500 May 1, 1889 67 0025

68 July 4, 1882 67 0026

54 May 1, 1902 67 0027

100 July 4, 1882 67 0028

100 July 4, 1882 67 0029

165 July 4, 1882 67 0030

10 July 4, 1886 67 0031

90 July 4, 1886 67 0032

90 July 4, 1886 67 0033

125 May 6, 1884 67 0034

25 May 6, 1884 67 0035

50 Aug. 27, 1910 67 0036

50 Aug. 27, 1910 67 0037

41 March 25, 1911 67 0038

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR  
THE COUNTY OF WASHINGTON.

(Knowlton)  
D E C R E E .

(6-20-21)

John T Muir and Wm H Muir, Partners doing business under firm name of Muir Brothers,  
Plaintiffs,

vs.

William Allison, Joseph Allison, Alex Allison, Ruhama Allison, Joseph Allison, William  
Allison and Alex Allison, as executors of the last will and testament of W B Allison, de-  
ceased, Albert Adams, J M Atwell, Harry Abornathy, C A Amadon, Asa Adams, Reilly Atkinson,  
H W Anderson, Jeff Anderson, Fred Anderson, Preston Anderson, D W Bradshaw, L T Braden,  
S M Burns, C G Burt, Newton Adamson, F L Adamson, J A Adamson, Jake Ader, Eva Barber,  
Stella Beigh, Mrs E F Barker, William Beeson, \_\_\_\_\_ Beeson, whose first name is unknown,  
A L Barclay, Fannie E Barker, Nelson Buhl, Enoch Bloomstrom, O L Byers, L L Burtenshaw,  
W F E Brown, G H Bliss, W P Briggs, Otto Brewer, James O Brunt, \_\_\_\_\_ Brunt and \_\_\_\_\_  
Jenkins, whose first names are unknown, a partnership doing business under the firm name  
and style of Brunt & Jenkins, Charles Barber, E W Beier, Thomas Book, Carrie Clayton,  
T B Biggerstaff, Mrs Lydia Brauer, Irvin Cox, Andy Combs, Fanny F Carrick, Jerome B Cox,  
W L Craddock, D H Clare, Riley Cox, H M Coon, Frank Courtwright, James H Grull, B F

OCT 13 1927



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

October 5, 1987

RE: Transfer of Water Right No. 67-0033

Fred Bain  
Rt. 1  
Cambridge, ID 83610

Dear Mr. Bain:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3342).

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

cc: Farm Credit Services

RECORDED  
OCT 13 1987

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: Jan Shurtl

1. Right number 67-0033 Applicant Fred Bair
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Other \_\_\_\_\_
4. Check:
  - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
  - b. ☒ Description of original point of diversion. NO LOTS
  - c. ☒ Description of original place of use. NO LOTS
5. Amount of land &/or water transferred:
  - a. ☒ All of right.
  - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
  - c. ☒ Check description of point(s) of diversion. NO LOTS
  - d. ☒ Check description of place of use. NO LOTS
  - e. ☒ Check map (shows p.d. and p.u. after transfer).
  - f. ☒ Check for correct signature, notarization, and fee → will be sent asap
  - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
  - h. ☒ Check for expansion in use of right. Comments 63-0656 is for same ground for a g.w. source - No expansion
  - i. ☒ Check for existing water rights from same source, on land water is being transferred to.  
Right number(s) ← 67
  - j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No  
If yes, what district? 67

FINAL PROCESSING REVIEW BY: \_\_\_\_\_

1. Watermaster recommendation requested on 9/2/87 Received on 9/11/87
2. Is transfer published correctly? ☒ Yes ☐ No Upper County News Reporter  
9/3 & 9/10/87
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions\* \_\_\_\_\_

MICROFILMED

OCT 13 1987

RECEIVED

4. By DBT

Date

9/21/87

SEP 22 1987

Department of Water Resources

Jim 9-25-87

\* All uses within Watermaster Districts require special conditions.

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 67-0033

RECEIVED  
SEP 11 1987

RECOMMENDATION OF WATERMASTER Department of Water Resources  
Western Regional Office

I, Lauron Howland, watermaster of Wasser River,  
of Water District No. 67, County of Washington & Adams, State of Idaho,  
whose address is HC 68 Box 2510 Cambridge, Idaho 83610  
have read the attached copy of the application for transfer of water right for \_\_\_\_\_  
Ariel Bain, and to the best of my knowledge believe the  
(name)  
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend  
that the Director of the Department of Water Resources approve the transfer subject to  
the following conditions: OK. No problem

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-  
quested for the following reasons: \_\_\_\_\_

Dated at Cambridge, Idaho, this 9 day of September 1987.

Lauron Howland  
(signature)

RECEIVED

OCT 13 1987

Lawson Howland  
HC 68 Box 2570  
Cambridge, Id. 83610

OCT 13 1987

RECEIVED

ATT

Dave Tutthill



State of Idaho  
Department of Water Resources  
Western Region  
2735 Airport Way  
Boise, Idaho 83705



Cedl D. Andrus  
Governor

State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
Western Region

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

September 2, 1987

Lawson Howland  
HC 68 Box 2510  
Cambridge, ID 83610

Re: Transfer of Water Right No. 67-0033 in the Name of Fred Bain

Dear Mr. Howland:

Enclosed is an application for transfer of a water right within your water district. Also enclosed is a form for your recommendation concerning this application for transfer.

Please review the transfer and return your recommendation before the protest date of September 21, 1987. This will allow the Department to consider your concerns in its evaluation of the transfer application.

If you have questions or need more information, feel free to contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P.E.  
Manager, Western Regional Office

DRT:jp

Enclosure

MICROFILMED

OCT 13 1987



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
Western Region

Cecil D. Andrus  
Governor

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

August 24, 1987

Dale Barton  
Rt. 1, Box 168  
Cambridge, ID 83610

Fred Bain  
Rt. 1  
Cambridge, ID 83610

Re: Application for Transfer of Water Right No. 67-0033

Gentlemen:

Pursuant to our telephone conversations of this date, I have modified the application for transfer to conform with the information that is available in our file. Enclosed, please find a copy of the modified application.

The primary changes that I have made on the application are on items B5 on page 1, A8 on page 3, and the map on page 5. Note that changes on the map included moving the tracts irrigated to the left, to conform with property ownership information provided by the tax notice submitted to this office, and by the Washington County Assessor.

Please be advised that we are preparing advertising for this application for transfer, and by the time you receive this letter we will be finalizing these preparations. Review the application, and if you have any changes please notify this office telephonically as soon as possible. Meanwhile, we will continue to expedite our processing of the application.

Sincerely,

A handwritten signature in cursive script, reading "David R. Tuthill, Jr.", is positioned above the typed name.

DAVID R. TUTHILL, JR, P. E.  
Manager, Western Regional Office

DRT:jp

Enclosure

**RECORDED**

OCT 13 1987

CONVERSATION MEMORANDUM

DATE 8/24/1987

FILE Fred Bain Transfer

NAME OF PARTY Washington Co Assessors Office (Mary Jo) 549-2000

EMPLOYEE Dave Tutwill

RE: Land Ownership

Fred Bain:

NWNW, Part NENW, NWNE, NENE Sec 12;

SUSW, part NWSW (Tax Parcel 13), Sec 1, T14N R3W

Robert Turnbull: (was Charles R. Organ)

SW 1/4 Sec 12, T14N R3W

DW

**RECORDED**

OCT 13 1987

## CONVERSATION MEMORANDUM

DATE 8/12/87FILE 67-0033

NAME OF PARTY

Mrs. Robert Turnbull

EMPLOYEE

Jan Shute

RE:

Transfer of Water Right No. 67-0033

I spoke with Mrs. Turnbull on this date and informed her of the transfer filed transferring the water off of their land to Fred Bain's property. Mrs. Turnbull is the present owner of the SW $\frac{1}{4}$ , Sec. 12, Twp. 14N, Rge. 3W. She is also the daughter of Mr. & Mrs. Organ who owned the property and granted the right of transfer to Mr. Fred Bain as evidenced by a copy of the Warranty Deed in the file. Mrs. Turnbull stated they are aware of the transfer and have been using ditch water rights they purchased and not the decreed right spoken of in 67-0033. She said the transfer took place back in 1959 and they've been aware of it since then. However, there has never been an official transfer filed until now.

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OCT 13 1987

Dear Jan,

Here is the certified copy of warranty deed which  
you requested a few minutes ago.

I hope that it is indeed the one that you needed  
and solves the problem for you.

Have a good day.

Shirlëy

RECEIVED  
AUG 17 1987

Department of Water Resources  
Western Regional Office

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OCT 13 1987

INSTRUMENT NO. 84485

RECEIVED

AUG 17 1987

## WARRANTY DEED

Department of Water Resources  
Western Regional Office

THIS INDENTURE, Made this 29th day of May, in the year 1959, between CHARLES R. ORGAN and ANNA C. ORGAN, husband and wife, and ERNEST F. ORGAN and FRIEDA ORGAN, husband and wife, of \_\_\_\_\_, County of Washington, State of Idaho, the parties of the first part, and FRED BAIN and FERN BAIN, husband and wife, of \_\_\_\_\_, County of Washington, State of Idaho, the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of --- ONE DOLLAR AND OTHER VALUABLE CONSIDERATIONS DOLLARS lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate situated in Washington County, State of Idaho, to-wit:

That certain water right, consisting of a right to divert from the Weiser River and use upon the Southwest Quarter of Section 12, Township 14 North of Range 3 West of the Boise Meridian, Ninety (90) miner's inches of the waters of the Weiser River with a priority dating from July 4, 1886, as shown by the decree of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Washington, made and entered in said Court in the case of Muir v. Allison, dated June 20, 1921, together with the ditch right and all of the right, title and interest of the parties of the first part in the irrigating ditch sometimes known as the Martin-Smith-Janes Ditch through which said water is diverted from the Weiser River to the above described lands, and together with the rights-of-way through, over and across the lands upon which said ditch has been constructed and maintained.

The parties of the first part warrant and guarantee that neither said ditch right nor water right has been abandoned, and that the parties of the first part have on the date of the execution of this instrument a lawful and valid right to appropriate and divert from the Weiser River ninety (90) miners inches of water and convey the same through said ditch to the lands above described and use the same thereon for irrigating purposes, subject to the limitations imposed in the case of Muir v. Allison with respect to priority.

The parties of the first part consent that the parties of the second part may transfer said water right so purchased from the lands above mentioned to the following described lands now owned by the parties of the second part or any other lands which the parties of the second part may acquire and which can be irrigated from said ditch:

Beginning at the northwest corner of the northwest quarter of the northwest quarter of Section Twelve (12) of Township Fourteen (14) North of Range Three (3) West of the Boise Meridian, and running South along the Section line a distance of 355 feet, thence East a distance of 368.1 feet, thence North a distance of 355 feet, thence West a distance of 368.1 feet, to the point and place of beginning, containing Three (3) acres;

North Half of the Northwest Quarter of the Northwest Quarter of Section twelve (12) Township fourteen (14) North, Range Three (3) West of Boise Meridian, SAVE AND EXCEPT therefrom approximately three (3) acres heretofore deeded to said FRED BAIN and FERN BAIN, his wife;

The southwest quarter of the southwest quarter, and that part of the north quarter of the southwest quarter described as follows, to-wit: Beginning at the southeast corner of the said northwest quarter of the southwest quarter; thence north 1155 feet; thence west to the west line of said subdivision; thence south

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OCT 13 1987

All in Section One (1) in Township Fourteen (14) North of Range Three (3) West of the Boise Meridian, subject to an easement consisting of right of way for highway purposes heretofore granted to Washington County, Idaho; North Half of the Northeast Quarter of the Northwest Quarter of Section Twelve (12), Township Fourteen (14) North of Range Three (3) West of the Boise Meridian;

The South Half of the Northwest Quarter of the Northwest Quarter of Section Twelve (12) in Township Fourteen (14) North of Range Three (3) West of Boise Meridian.

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

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

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

Signed, sealed and delivered  
in the presence of:

Charles R. Organ (SEAL)  
Anna C. Organ (SEAL)  
Ernest F. Organ (SEAL)  
Frieda S. Organ (SEAL)  
Frieda Organ

STATE OF IDAHO, )  
County of Washington ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 1959, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared CHARLES R. ORGAN and ANNA C. ORGAN, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

( May Collins, Notary Public )  
( State Of Idaho )

May Collins, Notary Public.  
Residing at Cambridge, Idaho  
My commission expires June 3, 1961.

STATE OF OREGON, )  
County of Grant ) ss.

On this 11th day of June, 1959, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared ERNEST F. ORGAN and FRIEDA ORGAN, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

( Audrey Badley, Notary Public )  
( State Of Oregon )

Audrey Badley, Notary Public  
My commission expires 1/12/61

Filed for record at request of Fred Bain at 10:15 O'clock A.M. August 14th, 1959.  
Fee \$3.30

STATE OF IDAHO }  
County of Washington } ss

I do hereby certify that the foregoing is a full, true and correct copy of the original thereof, on file in my office.

Witness my hand and seal this

13th day of Aug 1959  
MARY KAUTZ - CLERK DISTRICT COURT

By: *Belva Jones* Deputy

Helen Linck, Recorder

By: Belva Jones, Deputy

RECORDED

OCT 13 1959

RECEIVED JUL 21 1987 RECEIVED JUL 08 1987

RECEIVED  
F.C.S. - ONTARIO  
JUL 1987

Department of Water Resources  
STATE OF IDAHO, } ss. Department of Water Resources  
County of Washington }

On this ..... day of ....., 19.59., before me, the undersigned,  
a Notary Public in and for the State of Idaho, personally appeared CHARLES R. ORGAN  
and ANNA C. ORGAN, husband and wife,

known to me to be the persons whose names ..... are ..... subscribed to the within instru-  
ment and acknowledged to me that ..... the ..... 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.

.....  
Notary Public.

My commission expires ..... 19.....  
Residing at ..... Weiser, Idaho

STATE OF OREGON, )  
: ss.  
County of Grant. )

On this 11th day of June, 1959, before me, the undersigned, a Notary  
Public in and for the State of Oregon, personally appeared ERNEST F. ORGAN  
and FRIEDA ORGAN, husband and wife, known to me to be the persons whose  
names are subscribed to the within instrument and acknowledged to me that  
they executed the same.

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

INSTRUMENT NO. 24485  
WARRANTY DEED  
Charles R. & Anna C. Organ  
and  
Ernest F. & Frieda Organ  
TO  
Fred & Fern Bain  
Dated 5-29-59, 19.....  
STATE OF IDAHO, } ss.  
County of Washington }  
I hereby certify that this instrument was  
filed for record at the request of  
Fred Bain  
at 15 minutes past 10  
o'clock A. M., the 14 day  
of August A. D. 19 59  
in my office, and duly recorded in book  
78 of Deeds at page 606.  
Helen Linck Recorder.  
By Helen Jones Deputy.  
Fees, \$3.30  
My Commission Expires: 1/12/61

This was originally sent  
w/ transcripts. No  
signatures were  
on these forms, so a  
certified copy of  
the entire Warranty  
deed was  
requested  
on 8/2/87

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OCT 13 1987

That certain water right, consisting of a right to divert from the Weiser River and use upon the Southwest Quarter of Section 12, Township 14 North of Range 3 West of the Boise Meridian, Ninety (90) miner's inches of the waters of the Weiser River with a priority dating from July 4, 1886, as shown by the decree of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Washington, made and entered in said Court in the case of Muir v. Allison, dated June 20, 1921, together with the ditch right and all of the right, title and interest of the parties of the first part in the irrigating ditch sometimes known as the Martin-Smith-Janes Ditch through which said water is diverted from the Weiser River to the above described lands, and together with the rights-of-way through, over and across the lands upon which said ditch has been constructed and maintained.

The parties of the first part warrant and guarantee that neither said ditch right nor water right has been abandoned, and that the parties of the first part have on the date of the execution of this instrument a lawful and valid right to appropriate and divert from the Weiser River ninety (90) miners inches of water and convey the same through said ditch to the lands above described and use the same thereon for irrigating purposes, subject to the limitations imposed in the case of Muir v. Allison with respect to priority.

The parties of the first part consent that the parties of the second part may transfer said water right so purchased from the lands above mentioned to the following described lands now owned by the parties of the second part or any other lands which the parties of the second part may acquire and which can be irrigated from said ditch:

Beginning at the northwest corner of the northwest quarter of the northwest quarter of Section Twelve (12) of Township Fourteen (14) North of Range Three (3) West of Boise Meridian, and running South along the Section line a distance of 355 feet, thence East a distance of 368.1 feet, thence North a distance of 355 feet, thence West a distance of 368.1 feet, to the point and place of beginning, containing Three (3) acres;

North Half of the Northwest Quarter of the Northwest Quarter of Section twelve (12) Township fourteen (14) North, Range Three (3) West of Boise Meridian, SAVE AND EXCEPT therefrom approximately three (3) acres heretofore deeded to said Fred Bain and Fern Bain, his wife;

The southwest quarter of the southwest quarter, and that part of the northwest quarter of the southwest quarter described as follows, to-wit; Beginning at the southeast corner of the said northwest quarter of the southwest quarter; thence north 1155 feet; thence west to the west line of said subdivision; thence south to the southwest corner of said subdivision; thence east to the place of beginning. All in Section One (1) in Township Fourteen (14) North of Range Three (3) West of the Boise Meridian, subject to an easement consisting of right of way for highway purposes heretofore granted to Washington County, Idaho;

North Half of the Northeast Quarter of the Northwest Quarter of Section Twelve (12), Township Fourteen (14) North of Range Three (3) West of the Boise Meridian;

The South Half of the Northwest Quarter of the Northwest Quarter of Section Twelve (12) in Township Fourteen (14) North of Range Three (3) West of Boise Meridian.

Bain  
described

NW 1/4  
S. 12  
14N  
3W

NW 1/4  
S. 12

NW 1/4 SW  
S. 1  
14N  
3W

NW 1/4  
S. 12  
14N

NW 1/4  
S. 12  
14N  
3W

MICROFILMED

OCT 13 1987

**CONSOLIDATED TAX NOTICE AND RECEIPT**  
**WASHINGTON COUNTY TAX COLLECTOR 1986**  
**IRENE E GOINS**  
**WEISER ID 83672 REAL PROPERTY**

| MARKET VALUE | TAX CODE AREA | PARCEL NUMBER | BILL NUMBER |
|--------------|---------------|---------------|-------------|
| 33,497       | 7-00          | RP004766-02 A | 5666        |
| 33,497L      |               |               |             |

REVISED TN-13; SIT14R3  
 58.48 ACRES

AC 58.480 BAIN, FRED  
 CAMBRIDGE ID 83610

DELINQUENT CERT.

| TAXING DISTRICT | RATE    | AMOUNT | RECEIPT         |
|-----------------|---------|--------|-----------------|
| STATE           |         |        | FULL PAYMENT    |
| COUNTY          | .003101 | 103.88 | TAX 313.82      |
| CAMB SCH 432    | .004528 | 151.68 | PEN.            |
| ROAD & BRIDGE   | .000837 | 28.04  | SUB TOT.        |
| SPECIAL BRIDGE  | .000101 | 3.38   | INT.            |
| ROAD & BR TORT  | .000169 | 5.66   | TOT.            |
| SALUBRIA CEM    | .000239 | 8.02   | 1ST INSTALLMENT |
| CAMBRIDGE FIRE  | .000163 | 5.46   | TAX 156.91      |
| CAMBRIDGE LIBR  | .000150 | 5.02   | PEN.            |
| FLOOD           | .000080 | 2.68   | SUB TOT.        |
|                 |         |        | INT.            |
|                 |         |        | TOT.            |
|                 |         |        | 2ND INSTALLMENT |
|                 |         |        | TAX 156.91      |
|                 |         |        | PEN.            |
|                 |         |        | SUB TOT.        |
|                 |         |        | INT.            |
|                 |         |        | TOT.            |
| TOTAL           | .009368 | 313.82 |                 |

**YOUR CANCELLED CHECK IS YOUR RECEIPT**

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1986 RP004766-02 A  
 BAIN, FRED  
 CAMBRIDGE ID 83610 5666

| SPECIAL CODE | TAX | CODE | AREA | TAX    | 2ND INSTALLMENT |
|--------------|-----|------|------|--------|-----------------|
|              |     |      |      | 156.91 | 156.91          |
|              |     |      |      |        | PEN.            |
|              |     |      |      |        | SUB TOT.        |
|              |     |      |      |        | INT.            |
|              |     |      |      |        | TOT.            |

7-00  
 2nd  
 W

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE  
 MAKE CHECKS PAYABLE TO

IRENE E GOINS  
 TAX COLLECTOR  
 256 E COURT  
 WEISER ID 83672

DELINQUENT IF NOT PAID ON OR BEFORE JUNE 20, 1987

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1986 RP004766-02 A  
 BAIN, FRED  
 CAMBRIDGE ID 83610 5666

| SPECIAL CODE | TAX | CODE | AREA | TAX    | TOTAL TAX       |
|--------------|-----|------|------|--------|-----------------|
|              |     |      |      | 313.82 | 313.82          |
|              |     |      |      |        | PEN.            |
|              |     |      |      |        | SUB TOT.        |
|              |     |      |      |        | INT.            |
|              |     |      |      |        | TOT.            |
|              |     |      |      |        | 1ST INSTALLMENT |
|              |     |      |      | 156.91 | 156.91          |
|              |     |      |      |        | PEN.            |
|              |     |      |      |        | SUB TOT.        |
|              |     |      |      |        | INT.            |
|              |     |      |      |        | TOT.            |

7-00  
 FULL  
 W  
 1st  
 W

OCT 13 1987

DELINQUENT IF NOT PAID ON OR BEFORE

DECEMBER 20, 1986



## CONVERSATION MEMORANDUM

DATE 8/6/87FILE 67-0033

NAME OF PARTY

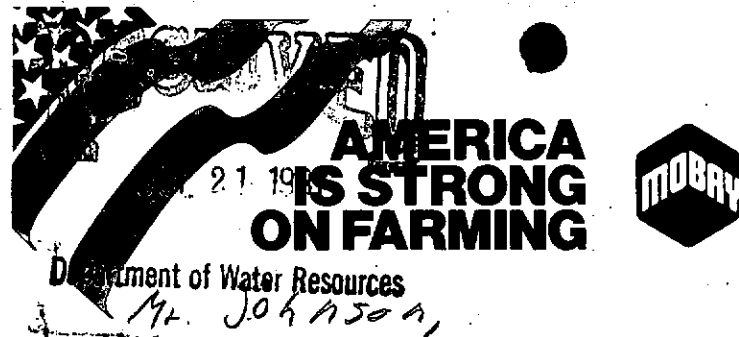
Phil Rassin

EMPLOYEE

Jan Thurt

RE:

I spoke w/Phil concerning the pages of ownership for this transfer. The copy of the page dealing with the sale of the water rights from the SW 1/4, Sec. 12, Twp 14N, Rge. 3W, was sent, however, no signatures are on the page etc. Then in the meantime the land that the water right was attached to has been sold to another owner. Phil advised me to first get a certified, signed copy of the Warranty Deed. Then find out the new owners of the land the water is being transferred off of & phone them to notify them of the transfer and make sure they are not using this water.



This is the application  
for transfer requested  
by Joe Ramos of FLO.  
I am the party buying  
the property and have  
filled out the forms for  
Fred Bdin. Any questions  
Call me at 257-3466

over Dale Barton

You may have to correct  
some legal description.

Department of Natural Resources

To Jan *phoned & told him problems*  
Date 7-31-87 Time 3:50

WHILE YOU WERE OUT

of Joe Ramos FHB Ontario  
Phone (503) 889-6462

|                   |                                     |                    |                                     |
|-------------------|-------------------------------------|--------------------|-------------------------------------|
| Telephoned        | <input checked="" type="checkbox"/> | Please call        | <input checked="" type="checkbox"/> |
| Called to see you | <input type="checkbox"/>            | Will call again    | <input type="checkbox"/>            |
| Wants to see you  | <input type="checkbox"/>            | Returned your call | <input type="checkbox"/>            |

Message Wants to know if the  
transfer of 67-0033  
was sent here or to  
the S.O. Dale Barton  
sent it in the right  
is decreed to R.H. Martin  
Operator

INTER-DEPARTMENT MEMO — 1

FROM JIM

DATE 7-21-87

TO DAVE T. *DT* → *Jan* —

SUBJECT This transfer application was sent to me  
in follow-up to a telephone conversation.

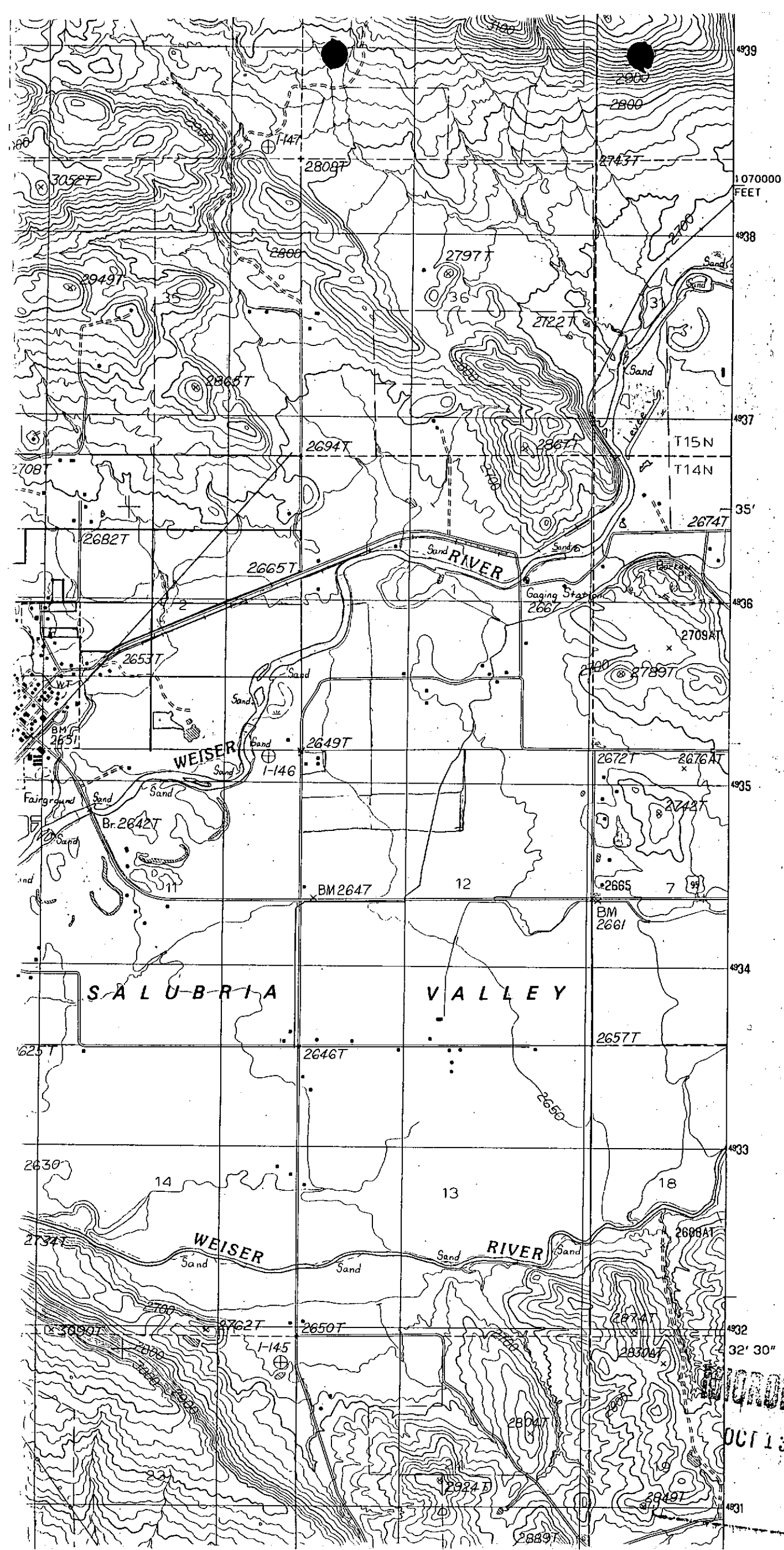
I have not reviewed it and am  
forwarding it to you for processing and  
necessary follow-up.

RECEIVED

JUL 23 1987

Department of Water Resources  
Western Regional Office

SIGNATURE



100' thence East 227'; thence North 100' thence East 157' thence South 20' thence East 210'; thence North 150' thence East 317' thence South 150' thence East 149'; thence South 240'; thence East 110' more or less, to the southeast corner of the Southwest Quarter of the Southwest Quarter of Section 12, Township 14 North, Range 3 West Boise Meridian; thence due North 490' thence West 506'; thence North 168' thence West 814' more or less, to the section line, thence due South along the section line 378' more or less, to the place of beginning, containing an area of 15 acres.

32 HARRISON SMITH: The East half (E $\frac{1}{2}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) and sixty acres out of the West Half (W $\frac{1}{2}$ ) of said Northwest Quarter of Section 13, Township 14 North Range 3 West Boise Meridian, containing 140 acres.

67 - 0033 HEIRS OF R H MARTIN: The Southwest Quarter of Section 12, Township 14 North, Range 3 West Boise Meridian; excepting therefrom fifteen (15) acres above described as the property of B F Jones.

34 J ELLIOTT FOSTER: The Southeast quarter of the Southwest Quarter of Section 31, Township 15 North, Range 2 West Boise Meridian and the West half of the Northeast Quarter, the East half of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter Section 31 Township 14 North, Range 2 West Boise Meridian.

35 GRACE EVEREST: Lots 3 and 4 Section 31, Township 15 North, Range 2 West Boise Meridian, containing 119.74 acres.

36 GOLDIE ABERNATHY: The North half of the Southwest Quarter of Section 31, Township 15 North, Range 2 West Boise Meridian, containing 80.56 acres.

|                |     |              |         |
|----------------|-----|--------------|---------|
| Joseph Allison | 100 | July 4, 1882 | 67 0028 |
| Eugene Looney  | 100 | July 4, 1882 | 67 0029 |
| Harry Coon     | 165 | July 4, 1882 | 67 0030 |

#### Smith-Janes-Martin Ditch

|                     |    |              |         |
|---------------------|----|--------------|---------|
| B. F. Janes         | 10 | July 4, 1886 | 67 0031 |
| Marion Smith        | 90 | July 4, 1886 | 67 0032 |
| Heirs of R H Martin | 90 | July 4, 1886 | 67 0033 |

#### Post-Weston Ditch.

|                  |     |                |         |
|------------------|-----|----------------|---------|
| J Emmett Post    | 125 | May 6, 1884    | 67 0034 |
| Grace Everest    | 25  | May 6, 1884    | 67 0035 |
| Goldie Abernathy | 50  | Aug. 27, 1910  | 67 0036 |
| Fred Jewell      | 50  | Aug. 27, 1910  | 67 0037 |
| John A Post      | 41  | March 25, 1911 | 67 0038 |

#### Farmers Canal.

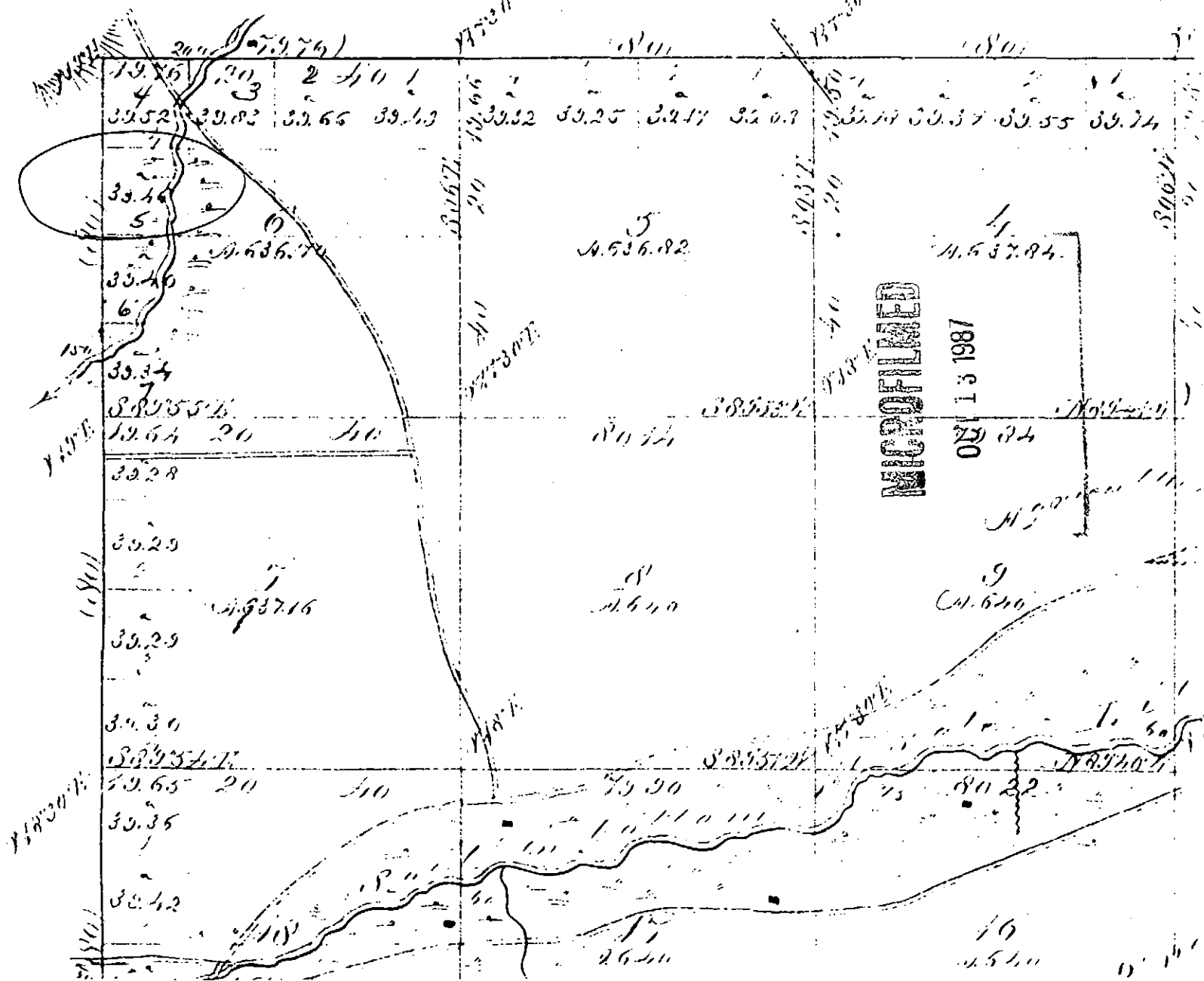
|                        |    |              |         |
|------------------------|----|--------------|---------|
| Mark Winkler           | 60 | June 1, 1891 | 67 0039 |
| Carrie Winkler         | 19 | June 1, 1891 | 67 0040 |
| E Hinkle               | 50 | June 1, 1891 | 67 0041 |
|                        | 32 | Jan 1, 1900  | 67 0042 |
| S A Loudy and E Hinkle | 19 | June 1, 1891 | 67 0043 |
| George Gould           | 82 | June 1, 1891 | 67 0044 |
|                        | 7  | June 1, 1905 | 67 0045 |

#### Frank Hahn Ditch.

|            |    |              |         |
|------------|----|--------------|---------|
| Frank Hahn | 33 | June 1, 1902 | 67 0046 |
|------------|----|--------------|---------|

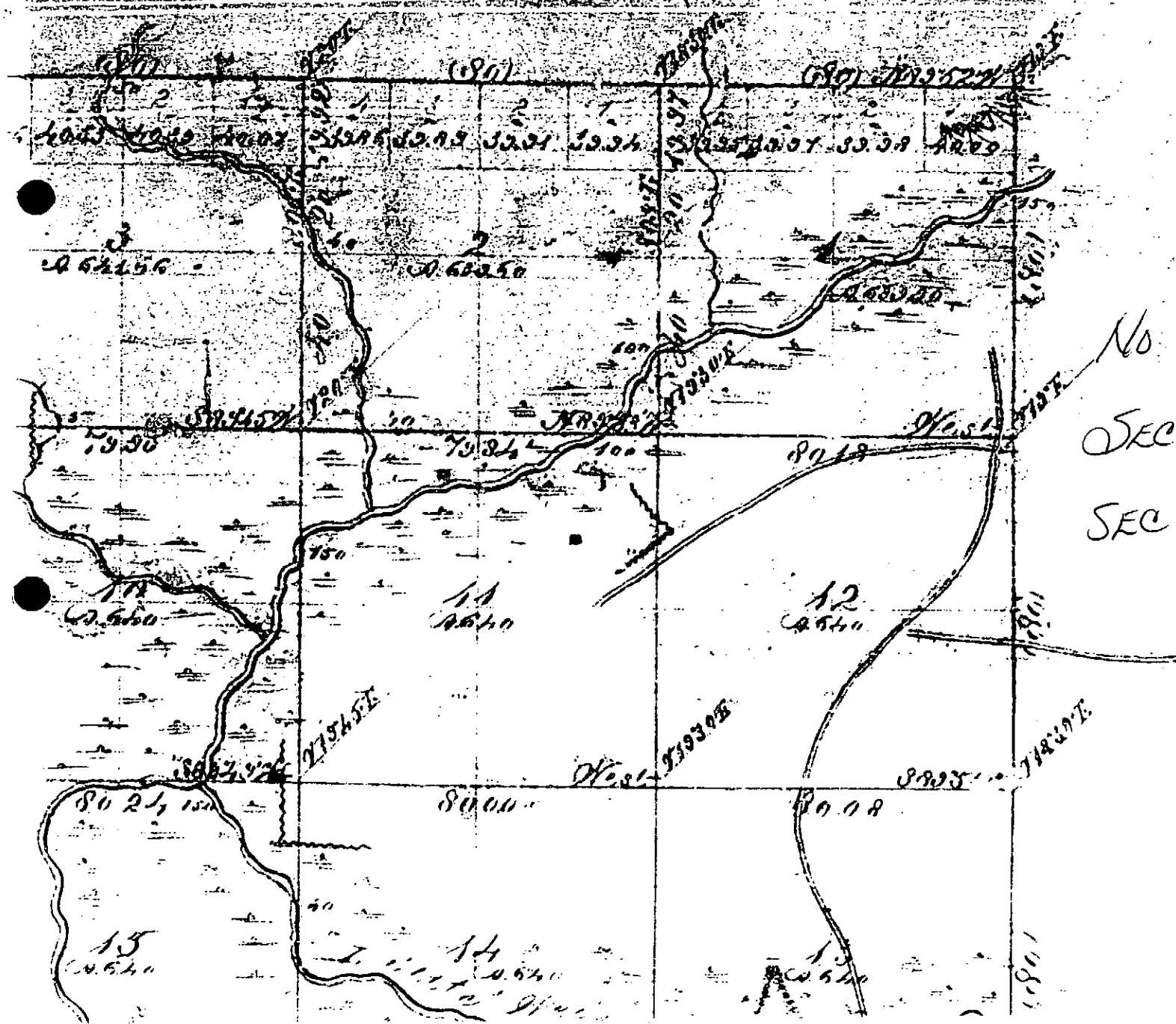
# Township North Range 20

## 14 N



SECRET

OCT 13 1981



No LOTS IN  
SEC. 1 (SWSW) OR  
SEC. 12  
14N 3W



CITY \_\_\_\_\_ SOURCE OF WATER \_\_\_\_\_

1884 LITTLE MEISER R. FLOODWATER

1887 LITTLE MEISER RIVER  
1887 LITTLE MEISER RIVER  
1887 LITTLE MEISER RIVER  
1934 LITTLE MEISER RIVER

1987 LITTLE MEISER RIVER  
1987 LITTLE MEISER RIVER  
1934 LITTLE MEISER RIVER

1887 LITTLE MEISER RIVER  
1980 LITTLE MEISER RIVER  
1887 LITTLE MEISER RIVER  
1934 LITTLE MEISER RIVER

~~1934 LITTLE WEISER RIVER~~  
~~1883 LITTLE WEISER RIVER~~  
~~1934 LITTLE WEISER RIVER~~

~~1893 LITTLE MEISER RIVER~~  
~~1887 LITTLE MEISER RIVER~~  
~~1934 LITTLE MEISER RIVER~~

-1875 LITTLE MEISER RIVER  
-1934 LITTLE MEISER RIVER  
-1924 LITTLE MEISER RIVER

1883 LITTLE MEISER RIVER  
1886 LITTLE MEISER RIVER

~~1894 LITTLE WEISER RIVER~~

~~1892 LITTLE MEISER RIVER~~  
1980 LITTLE MEISER RIVER  
~~1985 LITTLE MEISER RIVER~~

-1934 LITTLE MEISER RIVER  
-1892 LITTLE MEISER RIVER  
-1934 LITTLE MEISER RIVER

1980 LITTLE ROCK ARIZONA

CITY \_\_\_\_\_ SOURCE OF WATER \_\_\_\_\_

1980 LITTLE MEISER RIVER

1900 LITTLE MEISER RIVER  
1900 LITTLE MEISER RIVER

1980 LITTLE MEISER RIVER  
1980 LITTLE MEISER RIVER  
1980 LITTLE MEISER RIVER

1980 LITTLE MEISER RIVER

1480 LITTLE MEISER RIVER  
1910 SPRINGS

1980 LITTLE MEISER RIVER  
~~1980 LITTLE MEISER RIVER~~  
1980 LITTLE MEISER RIVER

1980 LITTLE MEISER RIVER  
1980 LITTLE MEISER RIVER  
1980 LITTLE MEISER RIVER

1980 LITTLE MEISER RIVER  
1980 LITTLE MEISER RIVER

1980 LITTLE MEISER RIVER  
1980 LITTLE MEISER RIVER  
1980 LITTLE MEISER RIVER

1980 LITTLE MEISER RIVER  
1950 SPRING

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| THWSP | RNG | SEC | TRACT | ACRES | USES        | WATER RIGHT NUMBER | LAST NAME                    | OWNER | STAGE | PRIORITY   | SOURCE OF WATER       |
|-------|-----|-----|-------|-------|-------------|--------------------|------------------------------|-------|-------|------------|-----------------------|
| 14N   | 03W | 11  | SUSE  | 40    | 01          | 67-0523            | ALLISON JEWELL DIT           |       | S     | 03-25-1911 | WEISER RIVER          |
|       |     |     | SESE  |       | 01          | 67-0020            | ALLISON                      |       | D     | 07-04-1886 | WEISER RIVER          |
|       |     |     | SESA  | 40    | 01          | 67-0523            | ALLISON JEWELL DIT           |       | S     | 03-25-1911 | WEISER RIVER          |
|       |     |     | NENE  |       | 01,04       | 67-0656            | BAIN                         |       | D     | 09-25-1960 | GROUNDWATER           |
|       |     |     | NENE  | 40    | 02.03,20,21 | 67-7590            | BAIN                         |       | D     | 07-09-1902 | WEISER RIVER          |
|       |     |     | NENE  |       | 01,04       | 67-0656            | BAIN                         |       | D     | 09-25-1960 | GROUNDWATER           |
|       |     |     | NENE  | 40    | 02.03,20,21 | 67-7590            | STATE OF IDAHO               |       | A     | 07-09-1902 | WEISER RIVER          |
|       |     |     | NENE  |       | 03          | 67-0081A           | ORCHARDS WATER COM           |       | D     | 05-27-1910 | LOST VALLEY RESERVOIR |
|       |     |     | SUNE  | 40    | 01          | 67-0051            | BALL                         |       | S     | 06-01-1924 | WEISER RIVER          |
|       |     |     | SUNE  | 40    | 02.03,20,21 | 67-7590            | STATE OF IDAHO               |       | A     | 07-09-1902 | WEISER RIVER          |
|       |     |     | SENE  |       | 03          | 67-0081A           | ORCHARDS WATER COM           |       | D     | 05-27-1910 | LOST VALLEY RESERVOIR |
|       |     |     | SENE  | 35    | 01          | 67-0051            | BALL                         |       | S     | 06-01-1924 | WEISER RIVER          |
|       |     |     | SENE  | 40    | 02.03,20,21 | 67-7590            | STATE OF IDAHO               |       | A     | 07-09-1902 | WEISER RIVER          |
|       |     |     | NENH  |       | 01,04       | 67-0656            | BAIN                         |       | D     | 09-25-1960 | GROUNDWATER           |
|       |     |     | NENH  |       | 01,04       | 67-0656            | BAIN                         |       | D     | 09-25-1960 | GROUNDWATER           |
|       |     |     | SUNH  |       | 03          | 67-0081A           | ORCHARDS WATER COM           |       | D     | 05-27-1910 | LOST VALLEY RESERVOIR |
|       |     |     | SUNH  | 40    | 01          | 67-0051            | BALL                         |       | S     | 06-01-1924 | WEISER RIVER          |
|       |     |     | SENH  |       | 03          | 67-0081A           | ORCHARDS WATER COM           |       | D     | 05-27-1910 | LOST VALLEY RESERVOIR |
|       |     |     | SENH  | 40    | 01          | 67-0051            | BALL                         |       | S     | 06-01-1924 | WEISER RIVER          |
|       |     |     | NESH  |       | 03          | 67-0033            | HARTIN                       |       | D     | 07-04-1886 | WEISER RIVER          |
|       |     |     | NESH  |       | 03          | 67-0081A           | ORCHARDS WATER COM           |       | D     | 05-27-1910 | LOST VALLEY RESERVOIR |
|       |     |     | NESH  | 36    | 02.03       | 67-2385            | SNOW                         |       | L     | 12-31-1934 | LITTLE WEISER RIVER   |
|       |     |     | NESH  | 35    | 01          | 67-0160            | LITTLE WEISER TRACT TURNBULL |       | S     | 07-01-1883 | LITTLE WEISER RIVER   |
|       |     |     | NESH  | 40    | 01          | 67-0523            | ALLISON JEWELL DIT           |       | S     | 03-25-1911 | WEISER RIVER          |
|       |     |     | NHSH  |       | 01          | 67-0033            | HARTIN                       |       | D     | 07-04-1886 | WEISER RIVER          |
|       |     |     | NHSH  |       | 03          | 67-0081A           | ORCHARDS WATER COM           |       | D     | 05-27-1910 | LOST VALLEY RESERVOIR |
|       |     |     | NHSH  | 36    | 02.03       | 67-2385            | SNOW                         |       | L     | 12-31-1934 | LITTLE WEISER RIVER   |
|       |     |     | NHSH  | 35    | 01          | 67-0160            | LITTLE WEISER TRACT TURNBULL |       | S     | 07-01-1883 | LITTLE WEISER RIVER   |
|       |     |     | NHSH  | 40    | 01          | 67-0523            | ALLISON JEWELL DIT           |       | S     | 03-25-1911 | WEISER RIVER          |
|       |     |     | SHSH  |       | 01          | 67-0033            | JAMES                        |       | D     | 07-04-1886 | WEISER RIVER          |
|       |     |     | SHSH  |       | 03          | 67-0081A           | ORCHARDS WATER COM           |       | D     | 05-27-1910 | LOST VALLEY RESERVOIR |
|       |     |     | SHSH  |       | 03          | 67-0081A           | BALL                         |       | D     | 05-27-1910 | LOST VALLEY RESERVOIR |
|       |     |     | SHSH  | 1.2   | 02.03       | 67-2385            | SNOW                         |       | L     | 12-31-1934 | LITTLE WEISER RIVER   |
|       |     |     | SHSH  | 35    | 01          | 67-0160            | LITTLE WEISER TRACT TURNBULL |       | S     | 07-01-1883 | LITTLE WEISER RIVER   |

67-7590 is  
for the Lebanon  
project

Bain's  
for g. w. only

123456789101112131415161718192021222324252627282930313233343536373839404142434445464748495051525354555657585960616263646566676869707172737475767778798081828384858687888990919293949596979899100

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| THRESH | ORG | SEC | TRACT | LOT  | ACRES    | USE   | WATER RIGHT<br>NUMBER | LAST NAME          | OWNER STAGE | PRIORITY | DATE       | SOURCE OF WATER       |
|--------|-----|-----|-------|------|----------|-------|-----------------------|--------------------|-------------|----------|------------|-----------------------|
| 14N    | 03N | 12  | SESH  | 40   | 01       |       | 67-4523               | ALLISON JEWELL DIT | C           | S        | 03-25-1911 | WEISER RIVER          |
|        |     |     | SESH  |      | 01       |       | 67-0033               | MARTIN             | C           | D        | 07-04-1886 | WEISER RIVER          |
|        |     |     | SESH  |      | 03       |       | 67-0081A              | ORCHARDS WATER COM | C           | D        | 05-27-1910 | LOST VALLEY RESERVOIR |
|        |     |     |       |      |          |       |                       | BALL               | C           |          |            |                       |
|        |     |     | SESH  | 39   | 02.03    |       | 67-2305               | SNOW               | C           | L        | 12-31-1934 | LITTLE WEISER RIVER   |
|        |     |     |       |      |          |       |                       | LITTLE WEISER IRR1 | C           |          |            |                       |
|        |     |     | SESH  |      | 04.43    |       | 67-4167               | TURNBULL           | C           | S        | 06-01-1930 | GROUNDWATER           |
|        |     |     | SESH  | 35   | 01       |       | 67-4160               | TURNBULL           | C           | S        | 07-01-1883 | LITTLE WEISER RIVER   |
|        |     |     |       |      |          |       |                       | TURNBULL           | C           |          |            |                       |
|        |     |     | SESH  |      | 01       |       | 67-4523               | ALLISON JEWELL DIT | C           | S        | 03-25-1911 | WEISER RIVER          |
|        |     |     | WESE  |      | 01       |       | 67-0494               | MARTIN             | C           | D        | 05-01-1887 | LITTLE WEISER RIVER   |
|        |     |     | WESE  | 30   | 02.03    |       | 67-2305               | SNOW               | C           | L        | 12-31-1934 | LITTLE WEISER RIVER   |
|        |     |     |       |      |          |       |                       | LITTLE WEISER IRR1 | C           |          |            |                       |
|        |     |     | NAISE |      | 01       |       | 67-0494               | MARTIN             | C           | D        | 05-01-1887 | LITTLE WEISER RIVER   |
|        |     |     | NAISE | 39   | 02.03    |       | 67-2305               | SNOW               | C           | L        | 12-31-1934 | LITTLE WEISER RIVER   |
|        |     |     |       |      |          |       |                       | LITTLE WEISER IRR1 | C           |          |            |                       |
|        |     |     | NAISE | 40   | 01       |       | 67-4160               | TURNBULL           | C           | S        | 07-01-1883 | LITTLE WEISER RIVER   |
|        |     |     |       |      |          |       |                       | TURNBULL           | C           |          |            |                       |
|        |     |     | SHSE  |      | 01       |       | 67-0494               | MARTIN             | C           | D        | 05-01-1887 | LITTLE WEISER RIVER   |
|        |     |     | SHSE  | 39   | 02.03    |       | 67-2305               | SNOW               | C           | L        | 12-31-1934 | LITTLE WEISER RIVER   |
|        |     |     |       |      |          |       |                       | LITTLE WEISER IRR1 | C           |          |            |                       |
|        |     |     | SHSE  | 40   | 01       |       | 67-4160               | TURNBULL           | C           | S        | 07-01-1883 | LITTLE WEISER RIVER   |
|        |     |     |       |      |          |       |                       | TURNBULL           | C           |          |            |                       |
|        |     |     | SESE  |      | 01       |       | 67-0494               | MARTIN             | C           | D        | 05-01-1887 | LITTLE WEISER RIVER   |
|        |     |     | SESE  | 38   | 02.03    |       | 67-2305               | SNOW               | C           | L        | 12-31-1934 | LITTLE WEISER RIVER   |
|        |     |     |       |      |          |       |                       | LITTLE WEISER IRR1 | C           |          |            |                       |
|        |     |     |       |      |          |       |                       | SNOW               | C           |          |            |                       |
|        |     |     | 13    | NAME | 01       |       | 67-0493               | DONART             | C           | D        | 07-01-1883 | LITTLE WEISER RIVER   |
|        |     |     |       | NAME | 39       | 02.03 | 67-2305               | SNOW               | C           | L        | 12-31-1934 | LITTLE WEISER RIVER   |
|        |     |     |       |      |          |       |                       | LITTLE WEISER IRR1 | C           |          |            |                       |
|        |     |     | NAME  |      | 03       |       | 67-0081A              | ORCHARDS WATER COM | C           | D        | 05-27-1910 | LOST VALLEY RESERVOIR |
|        |     |     | NAME  |      | 01       |       | 67-0495               | BALL               | C           | D        | 05-01-1887 | LITTLE WEISER RIVER   |
|        |     |     |       |      |          |       |                       | COX                | C           |          |            |                       |
|        |     |     | NAME  | 39   | 02.03    |       | 67-2305               | SNOW               | C           | L        | 12-31-1934 | LITTLE WEISER RIVER   |
|        |     |     |       |      |          |       |                       | LITTLE WEISER IRR1 | C           |          |            |                       |
|        |     |     | NAME  |      | 04.07.43 |       | 67-7045               | JAEGER             | C           | L        | 04-20-1970 | GROUNDWATER           |
|        |     |     | NAME  | 40   | 01       |       | 67-7376               | CAMBRIDGE DITCH CO | C           | P        | 03-14-1978 | WEISER RIVER          |
|        |     |     | NAME  |      | 03       |       | 67-0081A              | ORCHARDS WATER COM | C           | D        | 05-27-1910 | LOST VALLEY RESERVOIR |
|        |     |     |       |      |          |       |                       | BALL               | C           |          |            |                       |
|        |     |     | NAME  |      | 01       |       | 67-0495               | MENTZER            | C           | D        | 05-01-1887 | LITTLE WEISER RIVER   |
|        |     |     |       |      |          |       |                       | COX                | C           |          |            |                       |
|        |     |     | NAME  | 05   | 01       |       | 67-2375               | JAEGER             | C           | L        | 01-27-1967 | LITTLE WEISER RIVER   |
|        |     |     | NAME  | 40   | 02.03    |       | 67-2305               | SNOW               | C           | L        | 12-31-1934 | LITTLE WEISER RIVER   |
|        |     |     |       |      |          |       |                       | LITTLE WEISER IRR1 | C           |          |            |                       |

# IDAHO DEPARTMENT OF WATER RESOURCES WATER RIGHTS BY PLACE OF USE

| TOWNSHIP | RNG | SEC | TRACT | LOT | ACRES | USES        | WATER RIGHT | NUMBER | LAST NAME      | OWNER |
|----------|-----|-----|-------|-----|-------|-------------|-------------|--------|----------------|-------|
| 14N      | 04E | 36  | NAHE  |     | 40    | 02.03.20.21 | 67-7590     |        | STATE OF IDAHO |       |
|          |     |     | SLANE |     |       | 01          | 67-0182     |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     | SLANE |     | 40    | 02.03.20.21 | 67-7590     |        | STATE OF IDAHO |       |
|          |     |     | SENE  |     | 40    | 02.03.20.21 | 67-7590     |        | STATE OF IDAHO |       |
|          |     |     | SENE  | 21  | 01.04 |             | 67-7609     |        | REBRAW         |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     | NEHA  |     | 01    |             | 67-0182     |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     | NEHA  |     | 40    | 02.03.20.21 | 67-7590     |        | STATE OF IDAHO |       |
|          |     |     | NAHA  |     | 01    |             | 67-0182     |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     | NEHA  |     | 40    | 02.03.20.21 | 67-7590     |        | STATE OF IDAHO |       |
|          |     |     | SLANE |     | 01    |             | 67-0182     |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     | SLANE |     | 40    | 02.03.20.21 | 67-7590     |        | STATE OF IDAHO |       |
|          |     |     | SENA  |     | 01    |             | 67-0182     |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     | SENA  |     | 40    | 02.03.20.21 | 67-7590     |        | STATE OF IDAHO |       |
|          |     |     | NESE  |     | 01    |             | 67-0182     |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     | NESE  |     | 40    | 02.03.20.21 | 67-7590     |        | STATE OF IDAHO |       |
|          |     |     | NAHE  |     | 01    |             | 67-0182     |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     | NAHE  |     | 40    | 02.03.20.21 | 67-7590     |        | STATE OF IDAHO |       |
|          |     |     | SHSH  |     | 01    |             | 67-0170     |        | HOPPER         |       |
|          |     |     |       |     |       |             |             |        | STATE OF IDAHO |       |
|          |     |     | SESH  |     | 40    | 02.03.20.21 | 67-7590     |        | KEITHLEY       |       |
|          |     |     |       |     |       |             |             |        | KEITHLEY       |       |
|          |     |     | SESH  |     | 40    | 02.03.20.21 | 67-7590     |        | STATE OF IDAHO |       |
|          |     |     | NESE  |     | 01    |             | 67-0151     |        | KEITHLEY       |       |

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 67-0033

Notice is hereby given that Fred Bain of Cambridge, ID has applied to the Department of Water Resources for a change of place of use of the water of the Weiser River.

The right sought to be changed is evidenced by Water Right No. 67-0033 and is recorded as follows:

Amount: 1.8 cfs                      Priority: July 4, 1886

Point(s) of Diversion: Lot 5 (SWNW), S. 6, T. 14N., R. 2W.

The water is used for Irrigation purposes within the SW1/4, S. 12, T. 14N., R. 3W. for 144 acres.

TO BE CHANGED AS FOLLOWS

Amount: 1.8 cfs

Point(s) of Diversion: Lot 5 (SWNW), S. 6, T. 14N., R. 2W.

The water will be used for Irrigation purposes within the NENE, NWNE, NENW, NWNW, S. 12; SWSW, S. 1, T. 14N., R. 3W, B.M. for 144 acres.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before September 21, 1987

R. Keith Higginson  
Director

Published in the Upper County News Reporter on 9/3 & 9/10/87

**MICROFILMED**

OCT 13 1987