

A63-
02769

800,000
FEET

P.O. D. u.
P.O. D. u.

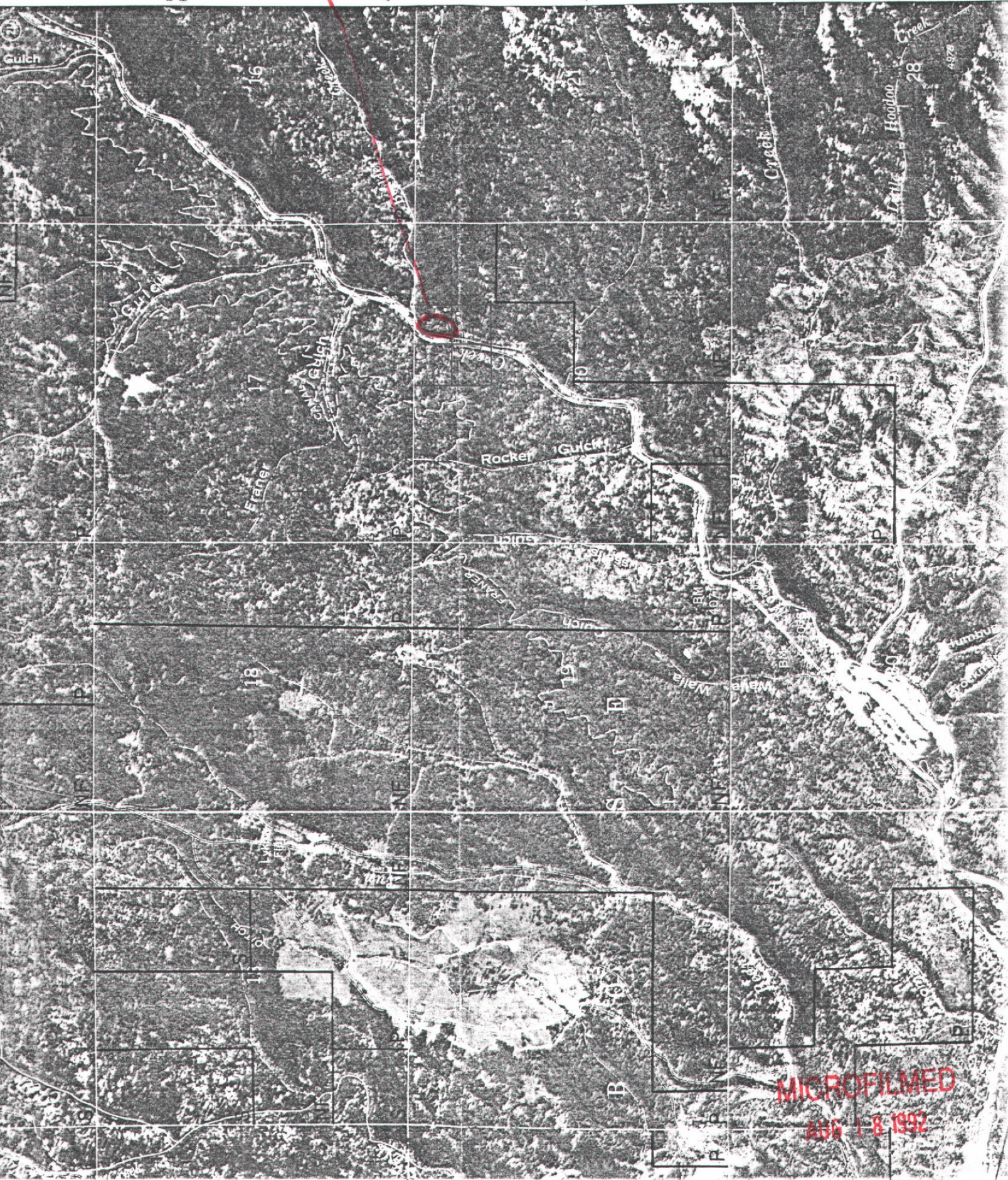
4856

4855

4854

50'

4853



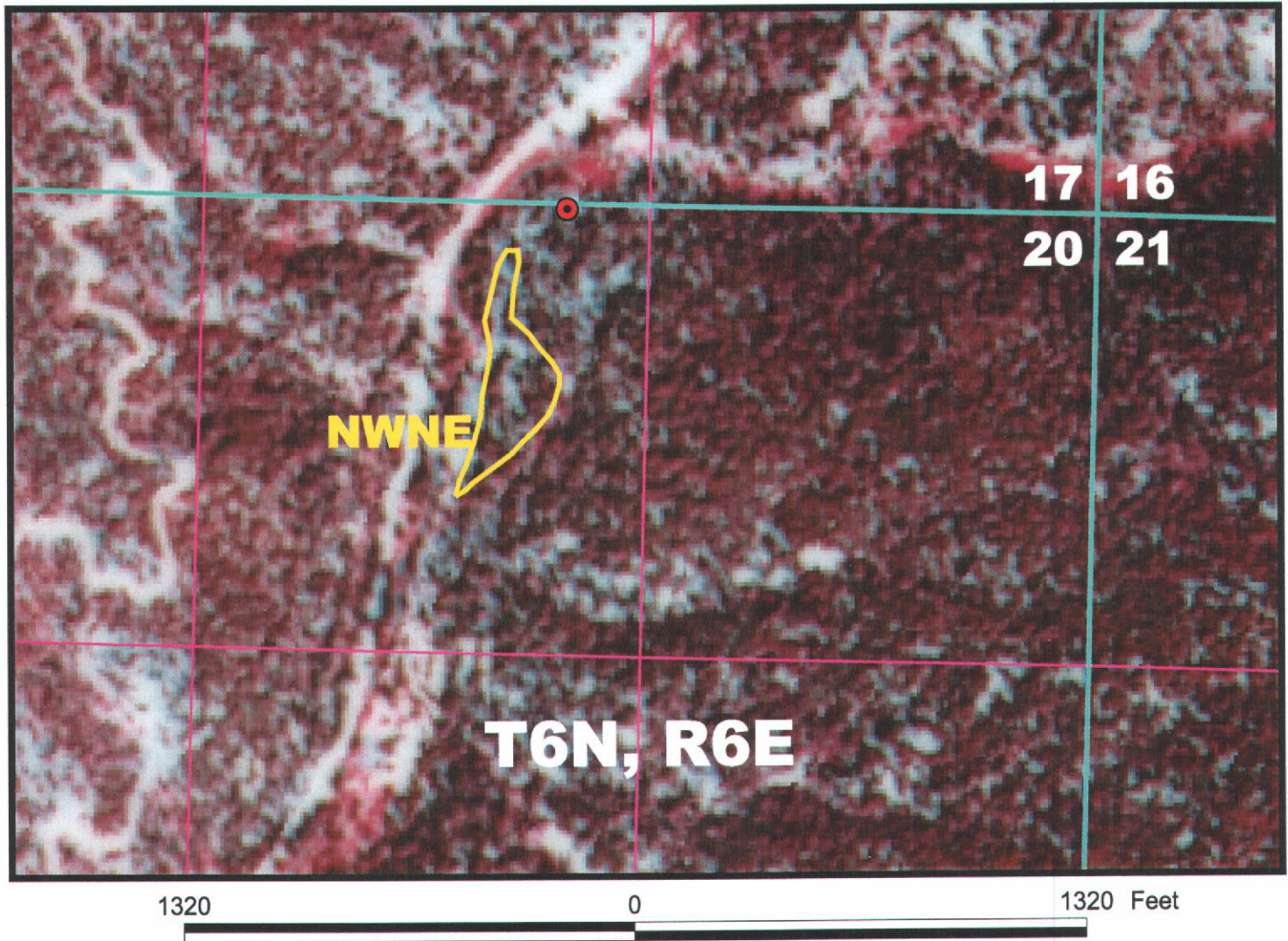
MICROFILMED
AUG 18 1992



STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-02769



Total Irrigated Acres: 2

-  Point(s) of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: January 2002

**Tucker Property
Boundary - Red**

POD

NWNE

POU - Yellow

T6N-LR

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-02769
Date Received: 4/20/1989
Receipt No: W002603
Received By: ER

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NONUS W. TUCKER 503-771-9415
Address: 4935 S.E. 75TH AVE.
PORTLAND, OR 97206

AND/OR

Name: RHEBA J. TUCKER 503-771-9415
Address: 4935 S.E. 75TH AVE.
PORTLAND, OR 97206

2. Date of Priority: MAY 19, 1949

3. Source: MORES CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	06E	20	NW	NE			BOISE

5. Description of diverting works:
PORTABLE GAS DRIVEN CREEK SIDE PUMP W/PIPELINE TO P.O.U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.060		
DOMESTIC	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	06E	20	NW NW	NE NE	IRR DOMEST	2.0
Section Acres						2.0
Total Acres						2.0

11. Place of use in counties: BOISE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 21068

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): W. Jucker Date: 4-20-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20 day

of April 19 89

Eldon L. Roush
Notary Public

Seal

Residing at _____

My Commission Expires _____

Eldon L. Roush
Residing at Boise, Idaho
My Commission Expires September 8, 1994

A63-
02769

800 000
FEET

D.O.
P.O.
P.O.

4856

4855

4854
50'

4853



07/25/2002

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

RIGHT NUMBER: 63-2769

NAME AND ADDRESS: NONUS W TUCKER
4935 SE 75TH AVE
PORTLAND OR 97206

RHEBA J TUCKER
4935 SE 75TH AVE
PORTLAND OR 97206

SOURCE: MORES CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 05/19/1949

POINT OF DIVERSION:

T06N R06E S20 NENWNE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	0.060 CFS

PLACE OF USE: DOMESTIC Within BOISE County

T06N R06E S20 NWNE

IRRIGATION Within BOISE County

T06N R06E S20 NWNE 2.0

2 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: License

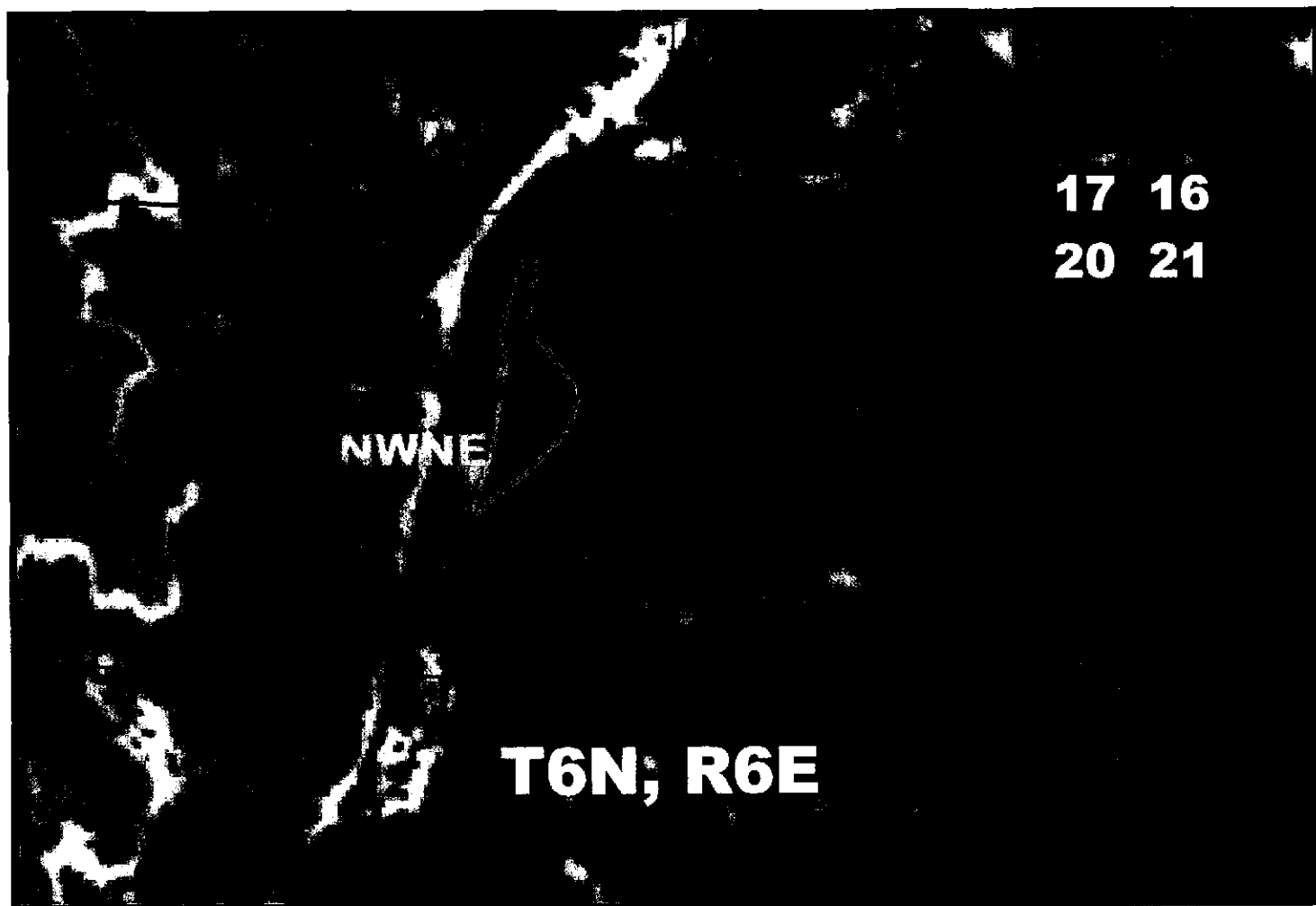
PARCEL #: RP6N6E200355A
DOMESTIC USE 1 HOME



STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-02769



1320 0 1320 Feet

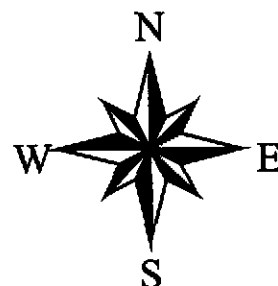
Total Irrigated Acres: 2

● Point(s) of Diversion

□ Place of Use

□ Quarter Quarter Lines

□ Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: January 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2769 V1

WATER RIGHT NUMBER: 63-2769 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NONUS W TUCKER 4935 SE 75TH AVE PORTLAND, OR 97206 (503)771-9415
Current Owner	RHEBA J TUCKER 4935 SE 75TH AVE PORTLAND, OR 97206 (503)771-9415
Original Owner	CHARLES MATHER III 117 STATE ST BOISE, ID 83702

Priority Date: 05/19/1949

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
MORES CREEK	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.020 CFS	
IRRIGATION	04/01 to 10/31	0.060 CFS	
<u>Total Diversion:</u>		0.060 CFS	

Location of Point(s) of Diversion

MORES CREEK	NE1/4NW1/4NE1/4	Sec. 20, Twp 06N, Rge 06E, B.M.
BOISE County		

Place of UseDOMESTIC Within BOISE County

T06N R06E S20 NWNE

IRRIGATION Within BOISE County

T06N R06E S20 NWNE 2.0

Total Acres: 2

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Handwritten:
 DH - printed
 ADD: N12
 Limited to 13,000
 OPD

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2769 V1

1. Explanatory PARCEL #: RP6N6E200355A
2. Explanatory DOMESTIC USE 1 HOME

Comments:

1. csaxton 1/16/2002 POD Location

Comment: Pod location placed 200 feet up stream from POU as described in the licensing exam.

2. csaxton 1/16/2002 POU Location

Comment: Per notes on licensing field exam, POU shape drawn to represent licensing applicants submitted map.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: AND

Water District Number: 63

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES 01/16/2002
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: NONUS W TUCKER
4935 SE 75TH AVE
PORTLAND OR 97206

RHEBA J TUCKER
4935 SE 75TH AVE
PORTLAND OR 97206

SOURCE: MORES CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 0.06 CFS

PRIORITY DATE: 05/19/1949

POINT OF DIVERSION:

T06N R06E S20 NENWNE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	0.060 CFS

PLACE OF USE:

DOMESTIC Within BOISE County

T06N R06E S20 NWNE

IRRIGATION Within BOISE County

T06N R06E S20 NWNE 2.0

2 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: License

PARCEL #: RP6N6E200355A
DOMESTIC USE 1 HOME

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2769 V1

WATER RIGHT NUMBER: 63-2769 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NONUS W TUCKER 4935 SE 75TH AVE PORTLAND, OR 97206 (503)771-9415
Current Owner	RHEBA J TUCKER 4935 SE 75TH AVE PORTLAND, OR 97206 (503)771-9415
Original Owner	CHARLES MATHER III 117 STATE ST BOISE, ID 83702

Priority Date: 05/19/1949

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
MORES CREEK	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.020 CFS	
IRRIGATION	04/01 to 10/31	0.060 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

MORES CREEK	NE1/4NW1/4NE1/4	Sec. 20, Twp 06N, Rge 06E, B.M.
BOISE County		

Place of UseDOMESTIC Within BOISE County

T06N R06E S20 NWNE

IRRIGATION Within BOISE County

T06N R06E S20 NWNE 2.0

Total Acres: 2

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2769 V1

1. Explanatory PARCEL #: RP6N6E200355A
2. Explanatory DOMESTIC USE 1 HOME

Comments:

1. csaxton 1/16/2002 POD Location

Comment: Pod location placed 200 feet up stream from POU as described in the licensing exam.

2. csaxton 1/16/2002 POU Location

Comment: Per notes on licensing field exam, POU shape drawn to represent licensing applicants submitted map.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: AND

Water District Number: 63

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	1/16/2002 11:16:31 AM	csaxton			Active
POD	1/16/2002 11:18:31 AM	csaxton			Active
Source	1/16/2002 11:22:10 AM	csaxton			Active
POU	1/16/2002 11:22:35 AM	csaxton			Active
Use	1/16/2002 11:23:38 AM	csaxton			Active
Season	1/16/2002 11:27:36 AM	csaxton			Active
Quantity	1/16/2002 11:28:46 AM	csaxton			Active
Summary	1/16/2002 11:32:46 AM	csaxton	1/16/2002 11:32:46 AM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	1/16/2002 11:18:52 AM	csaxton	Edited point location
POD	1/16/2002 11:19:06 AM	csaxton	Edited PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2769 V1

Priority Date	1/16/2002 11:16:31 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	1/16/2002 11:18:31 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	1/16/2002 11:22:10 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	1/16/2002 11:22:35 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	1/16/2002 11:22:57 AM	csaxton	Edited shape boundary
Use	1/16/2002 11:23:38 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	1/16/2002 11:27:36 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2769 V1

POD	1/16/2002 11:28:46 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	1/16/2002 11:32:46 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
Contacts	1/16/2002 11:13:17 AM	csaxton	(No) 1. Do you want to schedule an appointment?

Comment for 1: Desktop Review

1-14-01 : Called Assessor's office and confirmed that
Parcel RP06N06E000655A Belongs to the claimant.

: Per notes on Licensing Field Exam, POU shape
drawn to represent Licensing Applicants submitted
map.

: POD Placed 200 upstream from POU as described
in Licensing Exam

50 SHEETS
22-141 100 SHEETS
22-142 200 SHEETS
22-144



C18
N code - QNT
Parent #: RP6W6F200655A
Domestic use 1 Home

**Tucker Property
Boundary - Red**

POD

NWNE

POU - Yellow

T6N. R

State of Idaho

License and Certificate of Water Right

Water License No. 21068

Amount 0.08 second foot

Water District No.

Priority May 19, 1949

THIS IS TO CERTIFY that CHARLES MATHER 3rd,

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 19, 1949, that Permit No. 21068 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.08 second feet, was issued thereunder on April 10, 1951, showing that said works were completed on the 10th day of April, 1951; and that on the 5th day of May, 1951,

CHARLES MATHER 3rd

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of More's

Creek, a tributary of Boise River, for the purpose of irrigation and domestic use, under Use Permit No. 21068 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

8 of Licenses at page 4930, on the 19th day of June, 1949;

The right hereby confirmed dates from May 19, 1949;

The Point of Diversion is located

in the NW 1/4 NE 1/4 Sec. 20, Twp. 6 N., R. 6 E., B.M. Boise County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.08 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N.	6 E.	20	NE 1/4 NE 1/4	4	2

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

19th day of June, 1952.

MARK R. KULP

State Reclamation Engineer

(SEAL)

63 2769

MICROFILMED

AUG 18 1992

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 21068

This proof is for Beneficial use

In Water District No.

1. Name of applicant Charles Mather, 3rd, 117 State St., Boise, Idaho2. Source of water supply: Mora's Creek3. Location of point of diversion: Is in the NE 1/4 NE 1/4 of Section 20T. 6 N. R. 6 E. County of Boise

4. Describe works as they exist, giving dimensions and capacities of same: A new diversion dam is put in the stream each year. There is a small flume 12 in. cross-section that leads from the stream. There is approximately 200 yds of ditch and flume. Ditch is 6 in. wide in the bottom. Water is conducted across the ditch through a stone pipe flume. Water is used only for irrigation of lawn and parkings.

5. Water is used for: Irrigation and domestic purposes.6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Four acres in NE 1/4 NE 1/4 Section 20, Twp. 6 North, Range 6 East, B. M.

Area irrigated is approximately 2 acres.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Boise RiverRemarks: This is irrigation for a private summer home.

Mr. Mather is an Eng. for Boise Payette Lumber Co. Stated that the map filed with his permit is very accurate.

MICROFILMED

AUG 16 1932

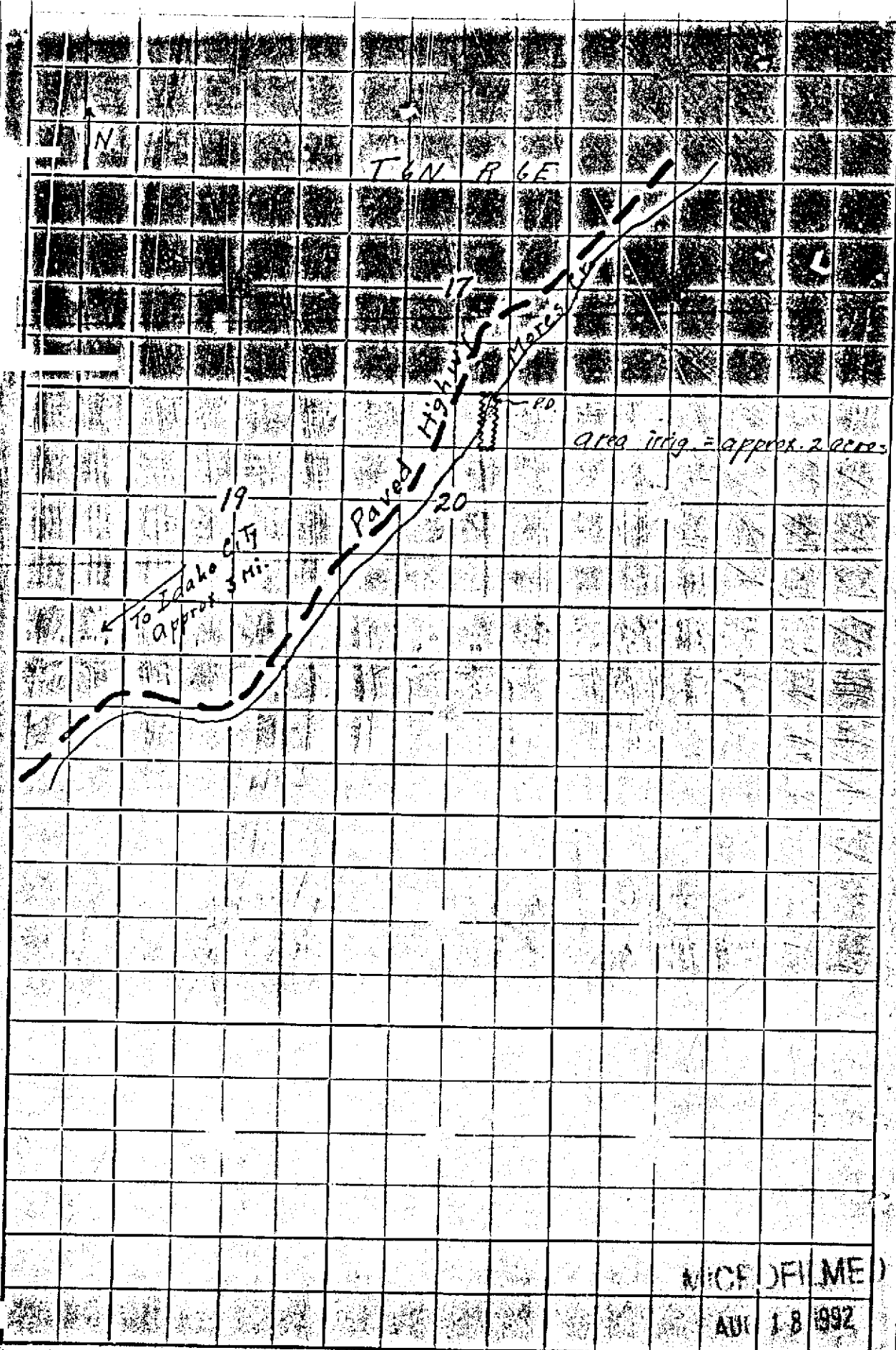
This examination was made on the 24th day of May, 1932

(Signed)

E. H. Humphrey

Examiner

21068



APCF OFI ME)

AUG 18 1992

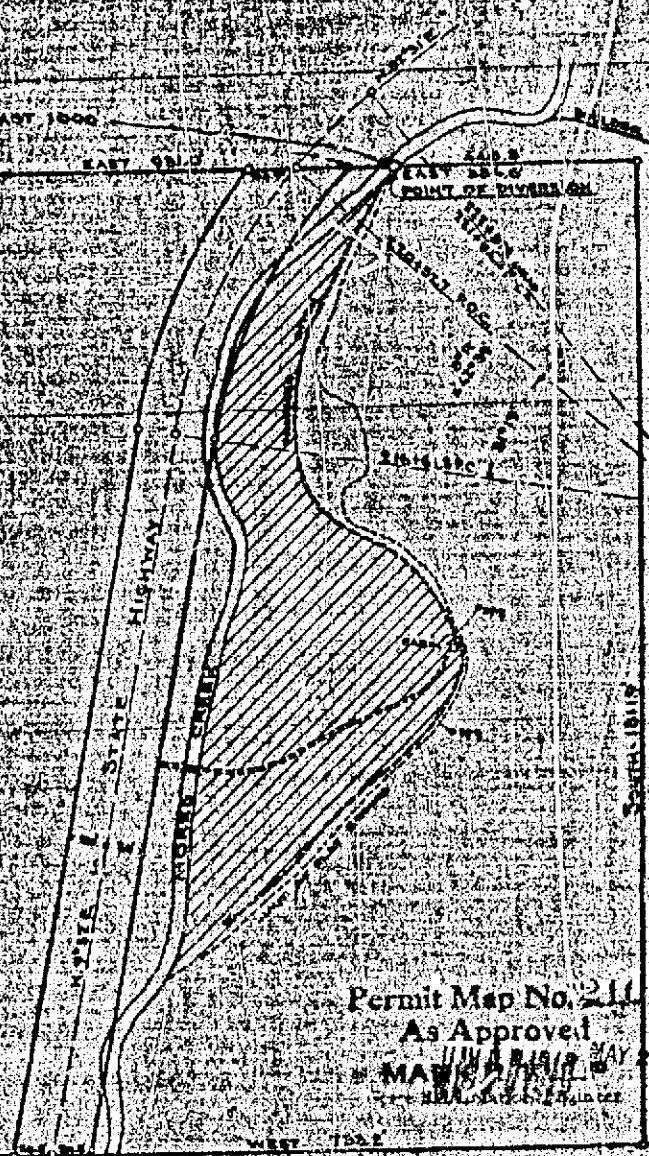
Scale: 2 Inches Equals 1 Mile. Draw Map in Ink.

21068

Sec. 17

Sec. 20

NW¹ NE⁴
Sec. 20
T.6N-R.6E
SCALE 1"=100'



Permit Map No. 21068
As Approved

MAY 27 1968
MADEIRA

21068

Chow

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

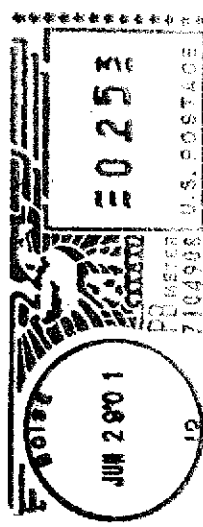
63-2769

*D - Boise County
Assessor*

NONUS W TUCKER
4935 SE 75TH AVE
PORTLAND, OR 97206

CHP

PRESORTED
FIRST CLASS



RECEIVED

JUL 16 2001

WATER RES. IN
WESTERN REGION

