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In File

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: A63-04670
Date Received: 8/16/1989
Receipt No: W004553
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: OTIS E MC CUTCHEON
Address: 3415 HAWTHORNE DRIVE
BOISE ID

83703

Name: VIRGINIA MC CUTCHEON
Address: 3415 HAWTHORNE DRIVE
BOISE ID

83703

2. Date of Priority: JAN 1, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	02E	29		SE	SW		ADA

5. Description of diverting works:
WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02E	29	SE	SW		DOMEST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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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

Identification No. 123-4670
Date Received 8-16-89
Receipt Number W004553

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

AUG 16 1989

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Department of Water Resources
Western Regional Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Otis E. & Virginia McCutcheon Phone (208) 342 8283

Mailing Address 3415 Hawthorne Drv. Zip 83703

2. Date of Priority (Only one per claim) 7/1/1950 Month/Day/Year

3. Source of water supply (Check one) (x) Groundwater or Other () (a) _____
Name or kind of source
which is tributary to (b) _____

4. Location of point of diversion is: Township 4N 2E Range 2E

Section 29, SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot _____, BM.,

County of Ada

Additional points of diversion if any: None

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 40 ft., 12" casing, 3/4 HP above ground pump

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1/1 to 12/31 amount .04 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 Household. Household pets.

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 4N Range 2E

Section 29 , SW 1/4 of SE 1/4, Govt. Lot _____, B.M.,

County of Ada for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any None

11. In which county (ies) are lands listed above as place of use located? Ada

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. None (X)

14. Remarks: Sycamore subdivision 3. Lot 12

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

By signing I/We acknowledge reading the notice on the back of this claim form.

I/We wish to receive for a small annual fee monthly copies of the docket sheet.

YES _____ NO _____

16. Signature (s)

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

Otis B McCutcheon

Date

8/16/89

Virginia B McCutcheon

Date

8/16/89

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____ }
County of Ada } SS.

Subscribed and sworn (or affirmed) before me this 16 day of August 19 89

SEAL

Notary Public

Lori Harris

Residing at

Boise, Idaho

My Commission Expires

12-8-94

Last Name _____

Ident No. _____

Copies: White-State, Yellow-Claimant

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It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Water Right Number - 63-04670 Prefix Translation: WATER RIGHT Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
MC CUTCHEON

OTIS E.
1 - 3415 HAWTHORNE DRIVE
2 -
3 -
City- BOISE State- ID Zip- 83703
Phone -
1 - 3415 HAWTHORNE DRIVE
2 -
3 -
City- BOISE State- ID Zip- 83703
Phone -

MC CUTCHEON VIRGINIA

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/01/1950 14 WESTERN S - STATUTORY CLAIM

+ - - - - Source - - - - + + - - - - Tributary - - - - - +

GROUNDWATER

+ - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +

| TwN | Rng | Sec | Tract | Lot | Rflg | County |
|-----|-----|-----|-------|-------|------|--------|
| 04N | 02E | 29 | SW SE | (1) | ADA | |

+ - - - - Description Period From Period To Water Use Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.040

+ - - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.040

| TwN | Rng | Sec | Tract | Lot | Acres | Place of Use | Description | County |
|-----|-----|-----|-------|-----|-------|--------------|-------------|-----------|
| 04N | 02E | 29 | SW SE | | | 43 DOMESTIC | | (1) ADA |

+ - - Diversion Means - WELL

+ - - Non-Irrigation Use - 1 FAMILY

+ - - Other Rights for Same Use -

+ - - - - - - - - - Remarks - - - - - Remarks found.

+ - - - - - - - - - Old Water Right Numbers - - - - - No Old Water Right Numbers found.

+ - - - - - - - - - Conditions of Approval - - - - - No Conditions of Approval found.

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AUG 20 1992

| | | | | | |
|-------------------|--------------|------------------|--------------|------------------|-----|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - P |
| Exam to S.O. Date | 00/00/0000 | Verified Date | - 01/17/1986 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - |
| Licensed Date | - 00/00/0000 | Appl Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 00/00/0000 | Presumption Flag | - | | |

MICROFILMED
AUG 20 1992

4-3-91

CLAIMANT'S NAME Mc Cutcherson, Otis E. Virginia CLAIM IDENT. NO. AL3-04670DATE RECEIVED 8-16-89 RECEIPT # W004553 AMOUNT \$ 25.00

| | YES | NO | Require Info |
|---|-------------------------------------|--------------------------|--------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) N/A ☒ | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? N/A ☒ | ☒ | ☐ | |
| Is the consumptive use correct? N/A ☒ | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4 N/A ☒ | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated?
(See Item No.'s 16 & 17 for checking other water rights) | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the basis of claim is shown as license, permit, or decrees is the existing water rt. no. listed? N/A ☒
(Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim) | ☒ | ☐ | * |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? N/A ☒
(If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed. | ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ | ☒ | ☐ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 22. Is the fee enclosed correct? MICROFILMED Exempt ☒ | ☒ | ☐ | * |

AUG 20 1992

23. Should this claim be data entered?

~~YES~~

NO

Claim reviewed by:

791

Date

12-20-91

Claim data entered by:

Date

Claim is being returned to claimant:

(Yes)

~~(No)~~

Claimant is being notified of modifications:

~~(Yes)~~

(No)

Comments:

Proof report attached. Modify POD, probably
turned around 1/4 1/4

DATE: 09/09/98
PAGE: 1

Audit: 09/09/98 L HARRIS

DATE: 08/21/98
PAGE: 1

DIVERSION RATE DIVERSION VOLUME

| | |
|------------------|----------|
| 01-01 12-31 | 0.04 CFS |
| ----- | |
| TOTAL DIVERSION: | 0.04 CFS |

Stage: BENEFICIAL USE

ADA County

五

| | NESE | NWSE | SWSE | SESE |
|-------|-------|-------|-------|-------|
| Lt AC | Lt AC | Lt AC | Lt AC | Lt AC |
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20/2/22

PARCEL NO. R8266020111

Objection Filed Date:

Field Inspection Flag:

1 03/30/95 POST-STD

| Cond. Codes | N11 | N13 |
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IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

WR5809NP
No. 63-04670

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|------------------|----------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C | OTIS E. MC CUTCHEON | 01/01/1950 | DOMESTIC | 01/01 12/31 | 0.040 CFS | |
| C | VIRGINIA MC CUTCHEON | | | | | |
| | 3415 HAYTHORNE DRIVE | | | | | |
| | BOISE ID 83703 | | | | | |
| TOTAL DIVERSION: | | | | | 0.040 CFS | |

Water Source: GROUNDWATER

Tributary to:

ADA County

T04N R02E S29

Point(s) of Diversion:

Place of use Legal Description for: DOMESTIC

| NE | | NW | | SW | | SE | |
|-----|-----|----|----|----|----|----|----|
| T | R | S | Lt | Ac | Lt | Ac | Lt |
| 04N | 02E | 29 | | | | | |
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CERTIFICATE OF OWNERSHIP.

[illegible]

STATE OF IDAHO } 551

COUNTY OF ADAMS
On this 22nd day of April, 1946, Before me, Herbert H. Berke, a Notary Public in and for said State, before me personally appeared, R. H. Davidson and Rita M. Davidson, 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. *H. H. Berke*

My Commission expires
 Nov. 1, 1910

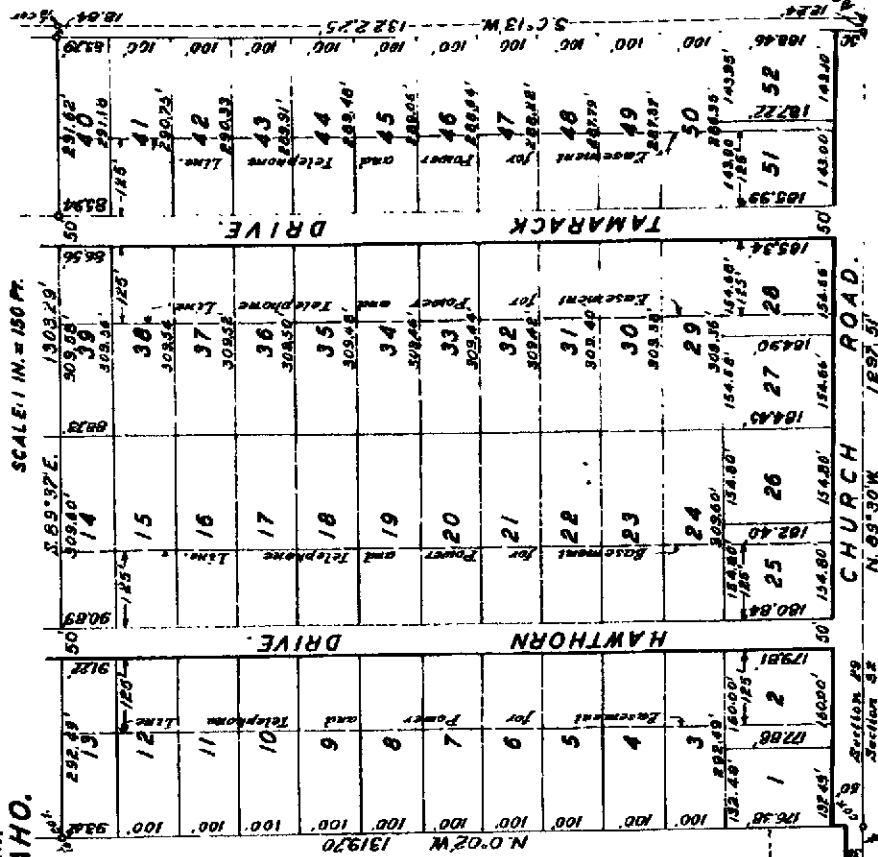
CERTIFICATE OF SURVEY
J. Henry Manning, a licensed Civil Engineer, do hereby certify that this plot of
SYCAMORE DRIVE NUMBER THREE, to which this certificate is attached and described
in the Owners' certificate above, has been prepared from notes of an actual
survey made by me or under my direction on the ground and said survey
and this plot thereof are correct.
Witness my hand and seal of office this 24th day of May, 1924.
J. Henry Manning
Engineer

Approved by the
 Licensee of the
 State of Idaho.

STATE OF IDAHO, ss:
COUNTY OF ADAMS

I hereby certify that this instrument was filed for record at the request of
COUNTY OF ADAMS
R. M. Davidson which is this 2nd day of Feb 1966, in my office and duly re-
cords in Book of Plats No. --- at page ---

Memorandum (P. 20)
Date 8-27-2024
Page 88380



WATER RIGHT NUMBER - A63-04670
PREFIX TRANSLATION: ADJUDICATION CLAIM
OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +
+ - - - - FIRST NAME - - - - +
+ - - - - ADDRESS - - - - -

*** C - CURRENT OWNER ***
MC CUTCHEON
OTIS E
1 - 3415 HAWTHORNE DRIVE
2 -
3 -
CITY- BOISE
PHONE - 208-000-0000
STATE- ID ZIP- 83703
1 - 3415 HAWTHORNE DRIVE
2 -
3 -
CITY- BOISE
PHONE - 208-000-0000
STATE- ID ZIP- 83703

MC CUTCHEON
VIRGINIA

+ - - - - PRIORITY DATE - - - - +
01/01/1950
14 WESTERN
+ - - - - REGION - - - - +
+ - - - - STATUTORY CLAIM
+ - - - - TRIBUTARY - - - - -

+ - - - - SOURCE - - - - -
GROUNDWATER

+ - - - - TRACT - - - - -
LOT
RFLG
COUNTY
POINT OF DIVERSION - - - - -
STREAM INDEX (BLANK IF NO INDEX CODE)
DIVERSION RATE
DIVERSION VOLUME

04N 02E 29 SE SW
(1) ADA
WATER USE - - - - -
PERIOD FROM
PERIOD TO
01/01 12/31
0.040

+ - - - - TOTAL DIV. RATE - - - - +
0.040
+ - - - - TOTAL DIV. VOLUME - - - - +
+ - - - - TOTAL CONSUMPTIVE USE - - - - +
0.0
+ - - - - PLACE OF USE - - - - -
COUNTY

04N 02E 29 SE SW
43 DOMESTIC
(1) ADA

+ - - - - DIVERSION MEANS - WELL
+ - - - - NON-IRRIGATION USE - DOMESTIC, 1 HOME
+ - - - - OTHER RIGHTS FOR SAME USE -

+ - - - - REMARKS - - - - -
NO REMARKS FOUND.
+ - - - - OLD WATER RIGHT NUMBERS - - - - -
NO OLD WATER RIGHT NUMBERS FOUND.
+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

Sycamore Sub 3 lot 12

MICROFILMED
OCT 07 1998