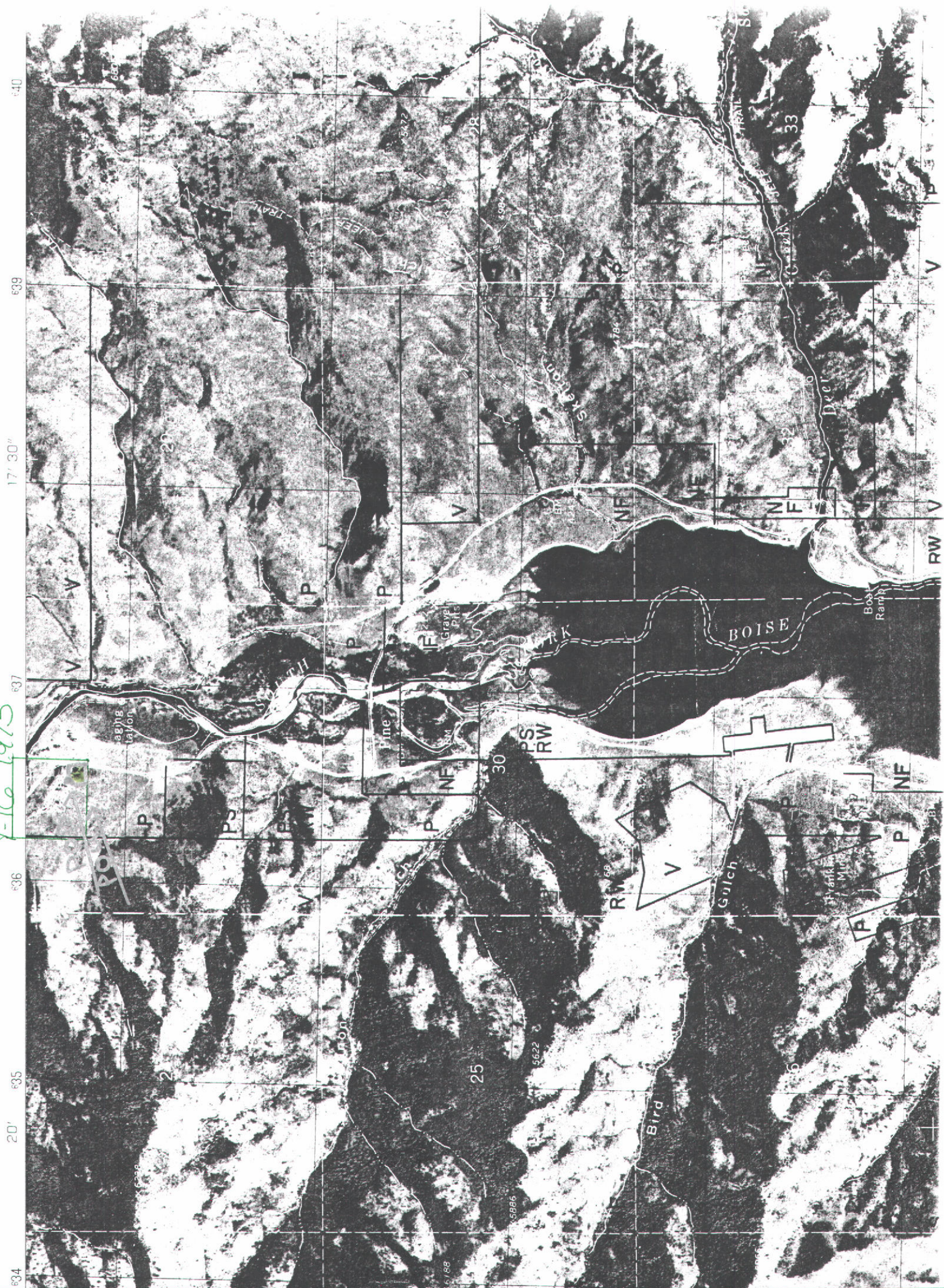


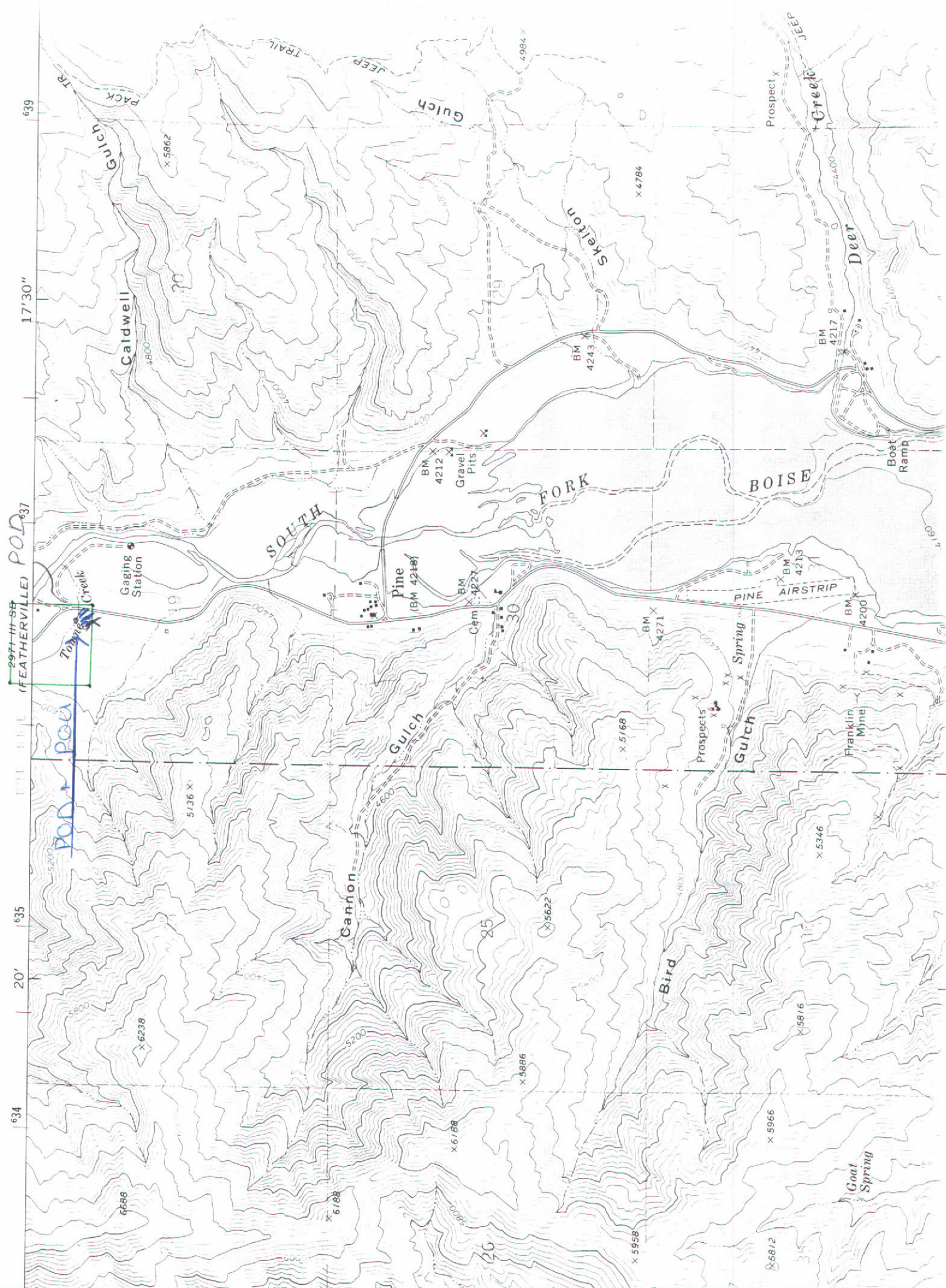
AGB-5163

AGB-5163



TAN, AIOE, S.19
Y-IG-1973

AG3-5163



i

T2N
R10E
Sec. 19
Mont. lot
3

K

K

L



AG3-05163



9-15-94 LRW

Towne Creek diversion. Creek on left, ditch
on right.

AG3-05163



9-15-94 LRW

Place of Use: Lawn & orchard
Area is south of house.
Along west side of highway.



9-15-94 LRW

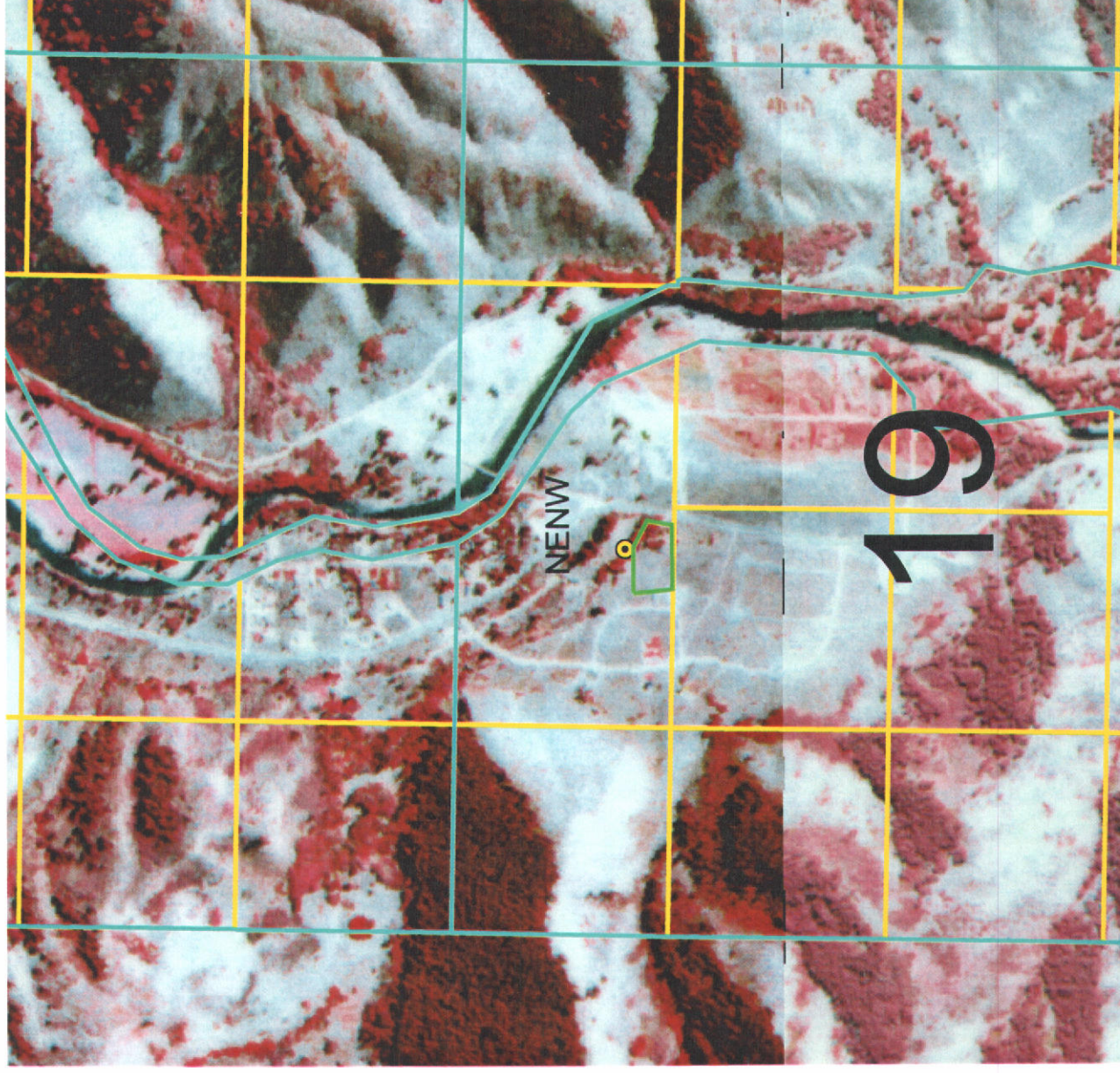
Claim No(s): 63-5163
T02N, R10E, S 1
Prepared by: Sue Bock
Date: 7/09/2001

 Place of Use

 Point of Diversion

 Section lines

 1/4 1/4 lines



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: A63-05163

Date Received: 10/12/1989

Receipt No: CPL 102

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN MC COY 208-587-8517
Address: 600 N. 9TH E.
MOUNTAIN HOME, ID 83647
AND/OR
Name: MARLENE J. MC COY 208-587-8517
Address: 600 N. 9TH E.
MOUNTAIN HOME, ID 83647
2. Date of Priority: APR 15, 1949
3. Source: TOWNE CREEK Trib. to: BOISE RIVER, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	10E	19	NE	NW			ELMORE
5. Description of diverting works:
DITCHES & FLOOD IRR.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.160		
7. Total Quantity Appropriated is:
0.160 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 20.0 Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	10E	19	NE	NW		IRR	8.0
Section Acres							8.0
Total Acres							8.0

11. Place of use in counties: ELMORE

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: STATUTORY CLAIM

MICROFILMED
AUG 21 1992

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 ☒ 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): John McCoy Date: 10-12-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of October 19 89

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 10, 1994

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 5, 2002

Water right number: 63-5163

JOHN MC COY

600 N 9TH E

MOUNTAIN HOME ID 83647

Telephone Number: (208)587-8517

MARLENE J MC COY

600 N 9TH E

MOUNTAIN HOME ID 83647

Telephone Number: (208)587-8517

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3-16-02

SIGNATURE:

Marlene J. McCoy

Please print your name:

Marlene J. McCoy

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN MC COY
Current Owner	MARLENE J MC COY
	600 N 9TH E
	MOUNTAIN HOME, ID 83647
	(208)587-8517



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

JOHN MC COY
600 N 9TH E
MOUNTAIN HOME, ID 83647

Re: Claim No(s) 63-5163

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. ~~It is our goal to decree the historical water~~ rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures

AJ5809NP
No. A63-05163

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/01
PAGE: 28

OWNER CODE NAME & ADDRESS
C JOHN MC COY
C MARLENE J MC COY
600 N 9TH E
MOUNTAIN HOME ID 83647
(208) 587-8517

PRIORITY DATE WATER USE
04/15/1949 IRRIGATION

USE PERIOD FROM TO
04-15 10-15

DIVERSION RATE
0.160 CFS

DIVERSION VOLUME
0.160 CFS

TOTAL DIVERSION:
CONSUMPTIVE USE:
20.00 AFA

Water Source: TOWNE CREEK
Tributary to: BOISE RIVER, SOUTH FORK
Stage: STATUTORY CLAIM
ELMORE County

Point(s) of Diversion: T02N R10E S19

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE	
NE	SE	NE	SE	NE	SE	NE	SE
T R S : Lt Ac Lt Ac Lt Ac Lt Ac	NESE NWSE SWSE SESE	T R S : Lt Ac Lt Ac Lt Ac Lt Ac	NESE NWSE SWSE SESE	T R S : Lt Ac Lt Ac Lt Ac Lt Ac	NESE NWSE SWSE SESE	T R S : Lt Ac Lt Ac Lt Ac Lt Ac	NESE NWSE SWSE SESE
02N 10E 19 :	06	02N 10E 19 :	06	02N 10E 19 :	06	02N 10E 19 :	06
TOTAL ACRES		TOTAL ACRES		TOTAL ACRES		TOTAL ACRES	
8.0		8.0		8.0		8.0	

POU County: ELMORE

Other Rights: NONE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

12/10/13
C18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:49:53
09/21/94

PAGE: 15
QUICKLOOK INFORMATION

15
CLAIM NUMBER: A63-05163

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	ELEMENT DOCUMENTED WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		L. Werner					
POINT OF DIV			9-15-94					
SOURCE								
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME				Y				
CONSUMPTIVE USE								
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

Claimant Contact
1. Evidence of priority

BARCODE UPDATED
WHOM/DATE
LRW/10-4-94

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO 1975 IDNR ID NO. Y-16	Y(☒) N(☐)
☒ TOPOGRAPHIC	DATE FIELD CHECKED 1973 IDNR ID NO. Y-16	Y(☒) N(☐)
☒ NAPP	DATE OF PHOTO 8-22-88 IDNR ID NO. Y-16 NE	Y(☐) N(☒)
☐ ASCS AERIAL PHOTO	DATE OF PHOTO	Y(☐) N(☐)
☐ ASCS COLOR SLIDE	DATE OF PHOTO	Y(☐) N(☐)
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO	Y(☐) N(☐)
☒ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY	Y(☒) N(☐)
☐ SCS SOIL SURVEY MAP	DATE ISSUED	Y(☐) N(☐)
☐ SUBDIVISION PLAT MAP	DATE OF MAP	Y(☐) N(☐)
☐ OTHER	DATE	Y(☐) N(☐)
☐ OTHER	DATE	Y(☐) N(☐)
☐ OTHER	DATE	Y(☐) N(☐)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM		
☒ WATER RIGHT ~~EXAM~~ ^{Stat. claim} _{EXAM}	6-29-83	2
☐ IDNR APPROVED TRANSFER		
☐ SYSTEM DESCRIPTION		
☒ PHOTOGRAPHS	9-15-94	2
☐ SPLIT RIGHT REVIEW		
☐ HUBBLE ANALYSIS		
☐ CONVEYANCE LOSS ANALYSIS		
☒ FLOW MEASUREMENT CALCULATIONS	9-15-94	3
☐ OTHER		
☐ OTHER		

CLAIM NUMBER: A63-05163

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN MC COY	04/15/1949	IRRIGATION	04-15 10-15	0.16 CFS	
C	MARLENE J. MC COY 600 N. 9TH E. MOUNTAIN HOME ID 83647 (208) 587-8517			TOTAL DIVERSION: CONSUMPTIVE USE:	0.16 CFS	20.00 AFA

Water Source:	TOWNE CREEK	Tributary to:	BOISE RIVER, SOUTH FORK	Stage:	STATUTORY CLAIM
Point(s) of Diversion:	T02N R10E S19		NENW	ELMORE County	

[illegible]

PQU County: ELMORE

Other Rights: NONE

Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number:	Field Inspection Flag:
		Presumption Flag:

CONTACT PERSON: *John or Marlene McCoy*

DATE OF FIELD EXAM: *2/15/94*

APPOINTMENT MADE: Y() N()

PHONE NUMBER: () - -

TIME: - : - A() P()

PHONE NUMBER: () - -

ACCOMPANIED BY: _____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

8-15-94

No answer @ 1510

8-16-94

No answer @ 0740

8-22- : No ans. @ 0757

No answer @ 1215
" " @ 1505

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

NAME OF CONTACT McCoy

PHONE NUMBER 587-8517 Mtn. Home 653-2339 Featherville
ADJ. AGENT Amela

DATE SET FOR EXAM 10:00 - 9:15

LOCATION/DIRECTIONS Turn r. after Featherville
Turn l. at dredge pile ≈ 100' is a
private road. Trailer house w/ snow
roof.

Diverting at full rates? No

Type of measuring devices? _____

Places to make measurements? _____

Type of System? (pipelines, ditches) Well-

How many laterals are used? _____

Length and size of mainline? _____

Size of motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler heads? _____

COMMENTS Subdivision - all lots are sold
T's for hook-ups

A. AJ CLAIM: # A63-05163 PRIORITY DATE: 04-15-1949 STAGE: S

B. WR RECORD: # 63-05163 PRIORITY DATE: 04-15-1949 STAGE: S

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

FIELD EXAM COMPLETED

FIELD EXAM SENT TO STATE OFFICE

LICENSE ISSUED

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

NOTES:

The area irrigated is the piece beside the house consisting of a large lawn area & a section containing the orchard. Orchard consists of from 10-20 trees. John McLoy said the area behind the orchard used to be irrigated but that hasn't occurred in many years. More than 5 years. At the time of exam I gave McLoy a "Evidence of Priority" pamphlet & explained submittal requirements. McLoy 10-4-94

RECOMMENDED PRIORITY DATE:

REVIEWED BY

DATE

POINT OF DIVERSION REVIEW SHEET

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A63-05163	02N	10E	19	NE	NW					ELMORE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
A63-03470
A63-07746

WR RECORDS IN SAME 40 ACRE TRACT

63-03470 - McCoy's Dis well
63-07746
63-07856

SOURCE: TOWNE CREEK

TRIB: BOISE RIVER, SOUTH FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
63-05163	02N	10E	19	NE	NW					ELMORE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

63-03470
63-07746
63-07856

A63-03470 NONE
A63-07746

SOURCE: TOWNE CREEK

TRIB: BOISE RIVER, SOUTH FORK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

1. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM N/A) Y() N()
AJ FIELD EXAM (DATE OF FIELD EXAM 9-15-94 NAME OF EXAMINER Linda Werner) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
02N	10E	19	SE	NE	NW	3			ELMORE		

SOURCE: TOWNE CREEK TRIB: BOISE RIVER, SOUTH FORK

REVIEWED BY: Linda Werner DATE: 9-15-94
SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()
Dirt, rock & log dam. Ditch (dirt) to P.O.C., Flood irrigation.

AGB-5163

Y-16-1975

20, 635

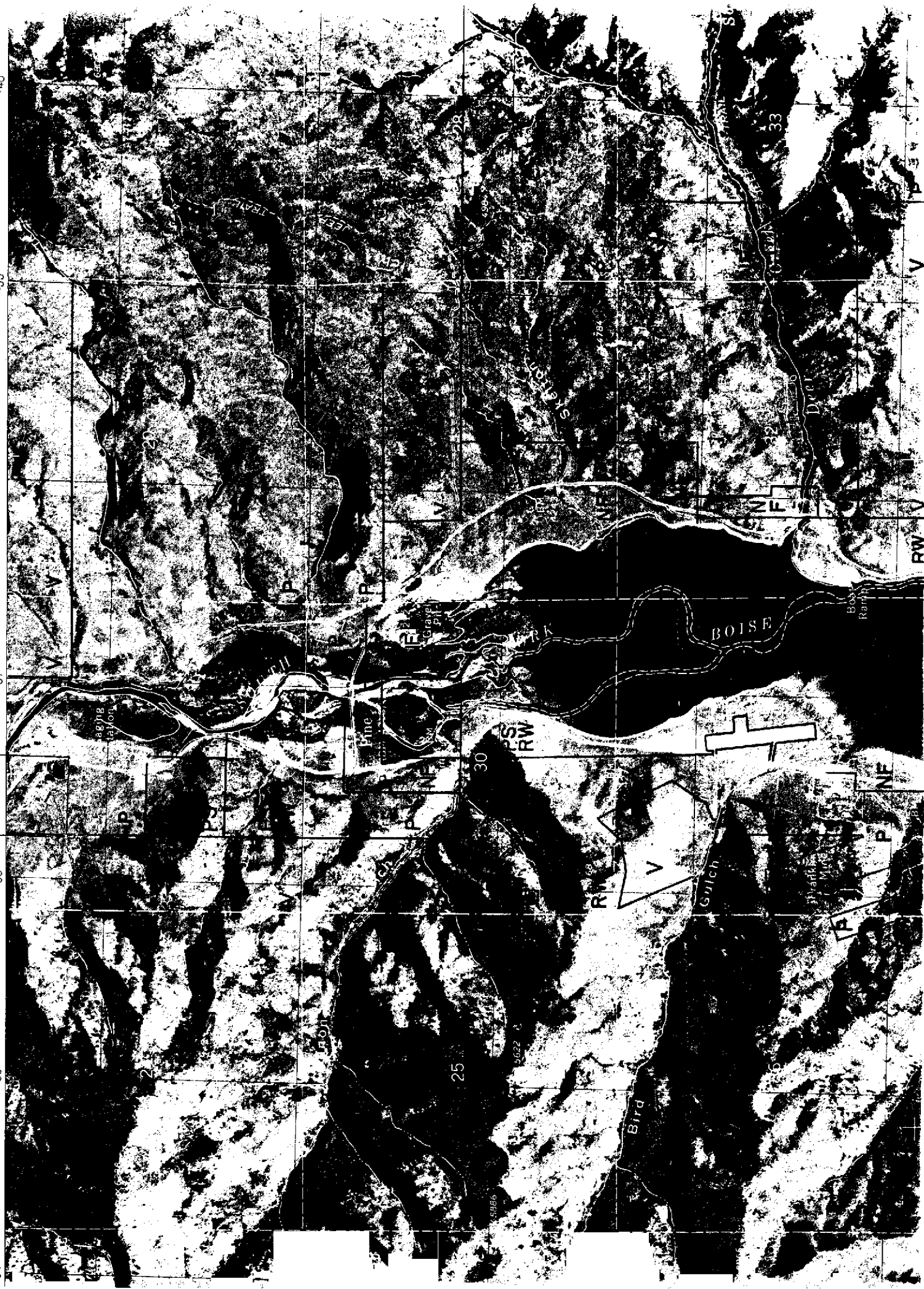
33

237

17' 30"

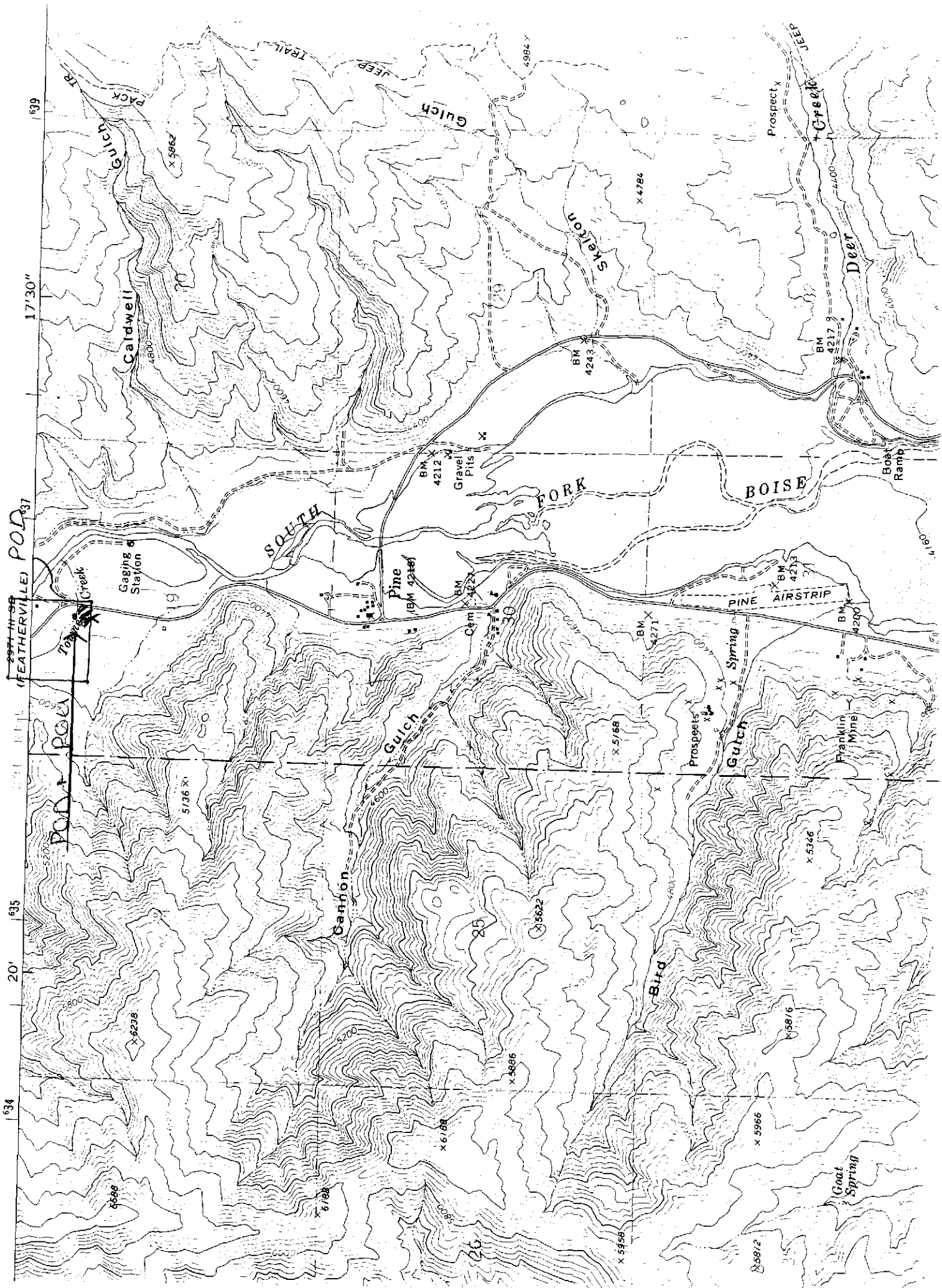
b2b

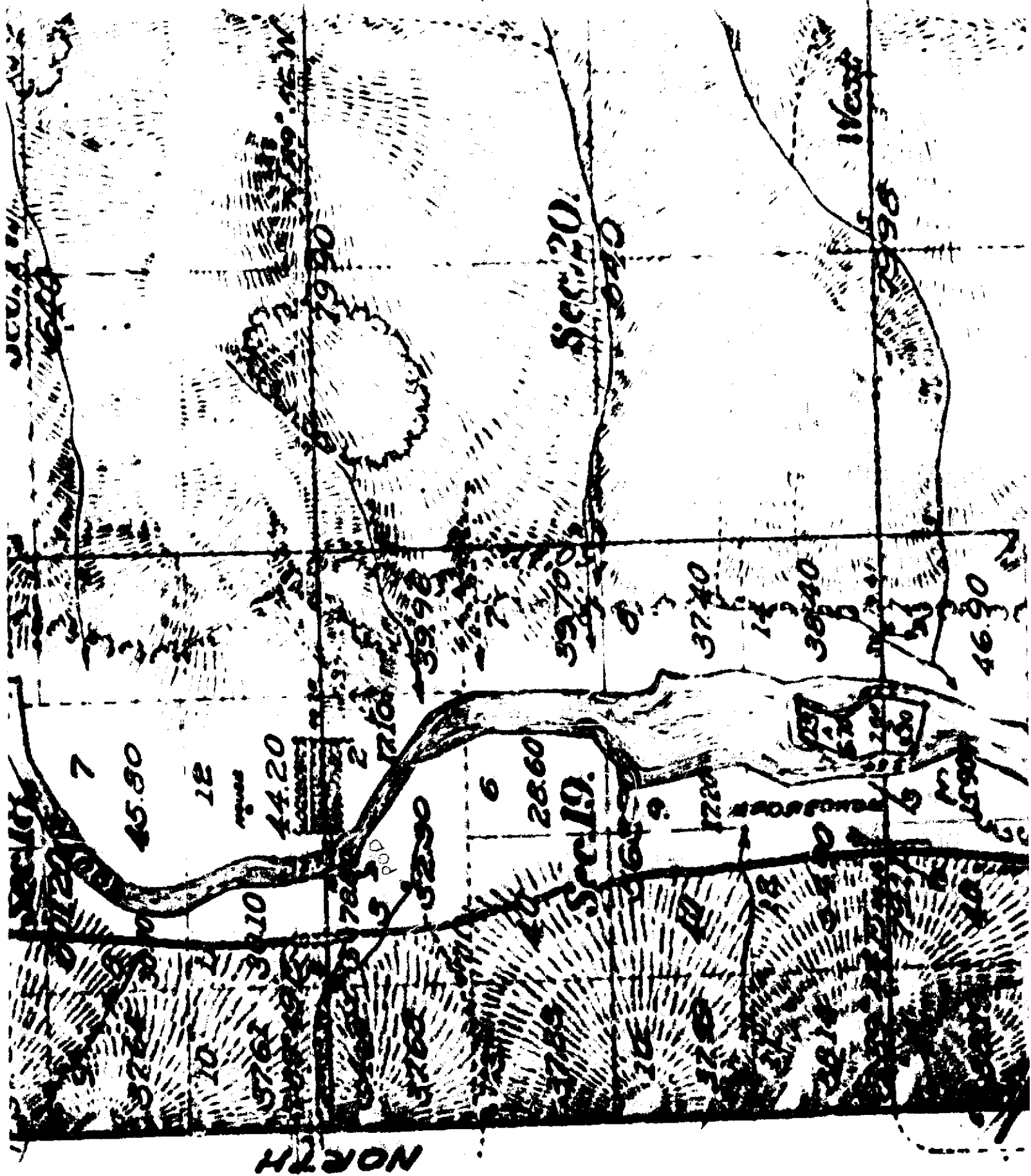
10



T2N, R10E, S.19
Y-1G-1973

AG3-5163





A. ROOT WATER RIGHT NUMBERS: A63-05163

B. POU LISTING					LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
TWP	RNG	SEC	1/4	LOT			
02N	10E	19	NE	NW	MC COY, JOHN		
			NE	NW	ANDERSON, RICHARD M.		
			NE	NW	AULBACH, LOUIS P.		
			NE	NW	ELSWOOD, MERRILL C.		
			NE	NW	ELSWOOD, MERRILL C.		
			NE	NW	MC COY, JOHN		
			NE	NW	3 HALL, LEWIS C.		
			NE	NW	3 RIVERVIEW SUBDIVISION WATER AS		
			NE	NW	3 ALPINE MEADOWS HOMEOWNERS ASSN		

ADDITIONAL POU FOUND					LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
TWP	RNG	SEC	1/4	LOT			
					MC COY, JOHN		
					ANDERSON, RICHARD M.		
					AULBACH, LOUIS P.		
					ELSWOOD, MERRILL C.		
					ELSWOOD, MERRILL C.		
					MC COY, JOHN		
					3 HALL, LEWIS C.		
					3 RIVERVIEW SUBDIVISION WATER AS		
					3 ALPINE MEADOWS HOMEOWNERS ASSN		

TOTAL ACRES	A63-05163	8.00	8.00	2	2	2
POU COUNTY: ELMORE						

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?
* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:					Y () N ()		
NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE							
LIST OF ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION:							
CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME		
A63-19732	DOMESTIC	ANDERSON, RICHARD M.	FROM 01-01 TO 12-31	.040 CFS			
A63-07746	DOMESTIC	AULBACH, LOUIS P.	FROM 01-01 TO 12-31	.040 CFS			
A63-19708	DOMESTIC	ELSWOOD, MERRILL C.	FROM 01-01 TO 12-31	.040 CFS			
A63-19709	DOMESTIC	ELSWOOD, MERRILL C.	FROM 01-01 TO 12-31	.040 CFS			
A63-03470	DOMESTIC	MC COY, JOHN	FROM 01-01 TO 12-31	.020 CFS			

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N(☒)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(☒) N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y(☒) N()

CHECK DOCUMENTS USED TO VERIFY POI: ☒ ORTHOPHOTOQUAD, IDWR NO. _____; ☒ TOPOGRAPHIC QUAD, IDWR NO. _____;
☒ NAAPP, IDWR NO. _____; ☐ ASCS PHOTO; ☐ OTHER _____

NOTES:

See notes regarding total acquisition on priority date page.

RECOMMENDATIONS:

* TOTAL ACRES: 2 W/A()

REVIEWED BY: David W. Dwyer DATE: 10-4-94

* Recommendation subject to submittal of evidence of priority.

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A63-05163 IRRIGATION	FROM 04-15 TO 10-15	.160 CFS	
TOTAL DIVERSION RATE/VOLUME		.160 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
63-05163 IRRIGATION	FROM 04-15 TO 10-15	.160 CFS	
TOTAL DIVERSION RATE/VOLUME		.160 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☐)F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☐)J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☐)

AJ CLAIM TOTAL DIVERSION RATE: 0.160 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.160 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD Manning's dry ditch, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 2 x 0.02 CFS/ACRE = 0.04 CFS ^{1b. CALCULATIONS} Recommend 0.04 @ 0.03 cfs / acre because average is 2.5 total
(Taken from pou review)
IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 20.0 AF/A
ACRES 2 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =
TOTAL CONSUMPTIVE USE 5.0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES 2 x DIVERSION VOL. AF/A FOR AREA 2.5 =
TOTAL DIVERSION VOLUME 5.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

MANNING EQUATION CHANNEL CAPACITY RESULTS

10-04-1994

File Number: A63-05163

Claimant: MCCOY

Channel measured: TOWNE CREEK DITCH

Date of measurement: 9/15/94

Measurement location:

Calculation prepared by: LINDA WERNER

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 195 feet.

The upstream and downstream rod readings are 3.93 and 5.09 feet.

The channel cross section is 0.77 ft-sq.

The wetted perimeter is 3.22 feet.

The hydraulic radius is 0.24 feet.

The slope is 0.0059

The roughness coefficient is 0.0450

The flow velocity is 0.980 ft/sec.

The rate of flow is 0.75 cfs.

CROSS SECTION NUMBER 1

For File Number A63-05163 for the TOWNE CREEK DITCH

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.18	0.18	0.40
3	0.30	0.30	1.00
4	0.38	0.38	1.50
5	0.38	0.38	2.00
6	0.17	0.17	2.70
7	0.00	0.00	3.10

The area for this cross section is 0.77 square feet
and the wetted perimeter is 3.22 feet.

MANNING EQUATION - DATA COLLECTION

Claim Number(s): AG3-05163

Name of Claimant(s): Maloy

Name of Ditch, Canal, or Stream: Trounch ditch

Date of Measurement: 9-15 Data Collected By: LRW

Measurement Location: NE 1/4 NW 1/4 Section 19 T2N R10E

Cross Section Data

Basis: high water mark ☒ maximum capacity()

Note: minimum of five depth or rod readings; first and last must be equal or zero

depth or rod reading	distance from initial point	depth or rod reading	distance from initial point
1. <u>RED 0</u>	<u>0</u>	7. <u>0</u>	<u>3.1</u>
2. <u>0.18</u>	<u>0.4</u>	8. <u> </u>	<u> </u>
3. <u>0.30</u>	<u>1.0</u>	9. <u> </u>	<u> </u>
4. <u>0.38</u>	<u>1.5</u>	10. <u> </u>	<u> </u>
5. <u>0.38</u>	<u>2.0</u>	11. <u> </u>	<u> </u>
6. <u>0.17</u>	<u>2.7</u>	12. <u> </u>	<u> </u>

Slope Data

Basis: high water mark() channel bottom() land surface()

Level Readings:	upstream	downstream	
upper stadia	<u>4.41</u>	<u>5.58</u>	
center	<u>3.93</u>	<u>5.09</u>	
lower stadia	<u>3.44</u>	<u>4.60</u>	channel length
stadia difference	<u>(9.7' + 98') x 100 = 195 ft.</u>		

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes()

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	/	(1)	negligible	.000		(1)
rock	.025		(2)	minor	.010	/	(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000		(1)	low	.005		(1)
minor	.005	/	(2)		.010	/	(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000	/	(1)	minor	1.00	/	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

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WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS. USE	
		DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	04-15 10-15	0.160	0.00			20.0	5.0
TOTAL FOR THIS RIGHT		0.160	0.00			20.0	5.0

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: Anda C. Danner DATE: 10-4-94

FLAG:

STANDARD CONDITIONS (CODE): Approval Condition 009? Forfeited / Abandoned

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A63 05163



9-15-94 LRW

Towne Creek diversion. Creek on left, ditch
on right.

AG3-05163



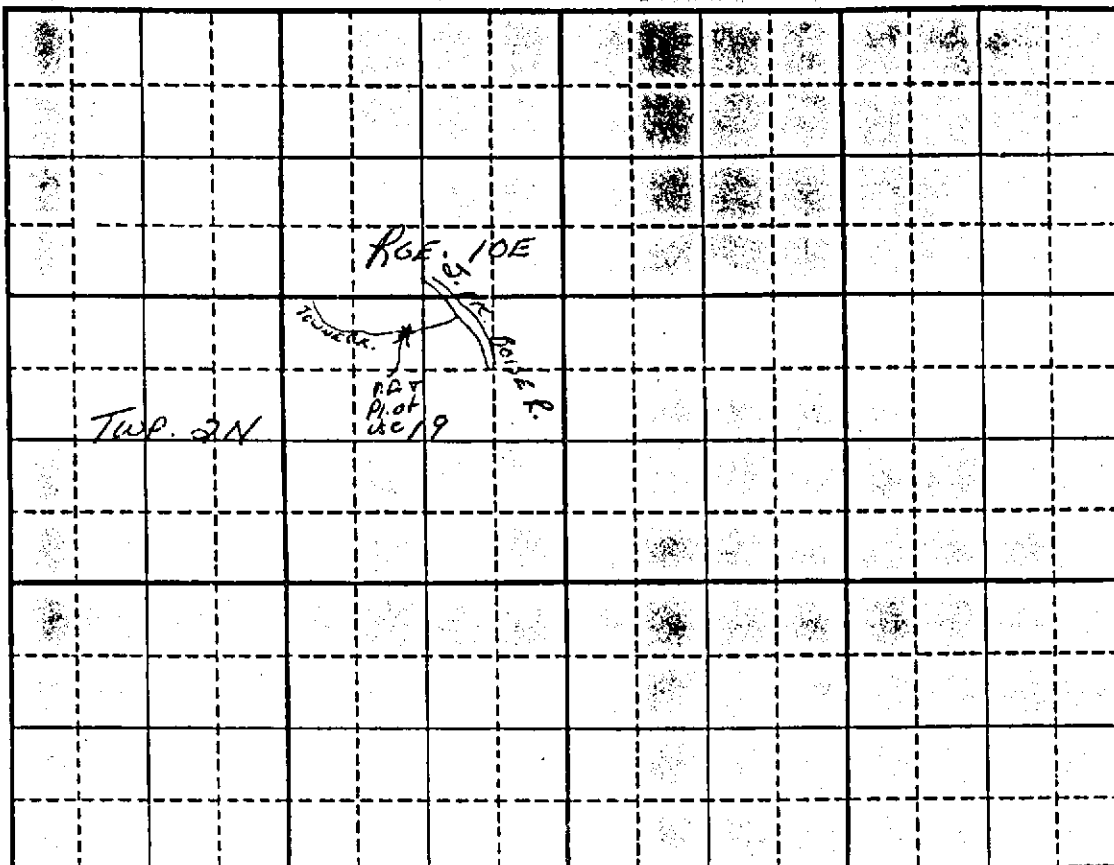
9-15-94 LRW

Place of Cise Lawn + orchard
Area is south of house.
Along west side of highway.



9-15-94 LRW

Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of

Ada

ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this

29

day of

June

1983.

John M. Gey

(Claimant)

Nancy M. Northway

Notary Public

Residing at

Boise

My commission expires

Life

FOR DEPARTMENT USE ONLY

Received by

JS

Date

6/24/83

Exception filed by:

Recorded to

Date

Prelim. check by

JS

Date

6/30/83

\$30.00 fee received by

JS

Date

6/24/83 #31145

claimant by:

Published in

mta Home News

Dates

9/29 & 10/16/83

Pg. 2 of 2

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
(X)
()
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NEEDS
REVIEW
()
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B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 63-05163
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.160

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A63-05163	0.160	-		63-05163	0.160
TOTAL CFS		0.160				0.160

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT()?

DATABASE
Y

FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION

SIGNATURE: Linda Werner DATE: 10-4-94
NAME OF FIELD EXAMINER: Linda Werner TITLE: Sr. WR Agent



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

August 21, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JOHN OR MARLENE MCCOY
600 N 9 E
MOUNTAIN HOME ID 83647

RE: Claim(s) filed in the Snake River Basin Adjudication.

Dear Mr. or Mrs. McCoy;

We will be conducting beneficial use water right claim exams in your area. An exam is needed to verify your water use in order to issue a water right license and/or decree.

Information on your claim which may need to be verified includes source of water, type of usage, amount of water used, number of acres irrigated, and legal descriptions of the point of diversion and/or place of use.

In order to expedite these field examinations, which need to be completed this season, we request that you contact our office at 334-2190 within one week to make an appointment at a time convenient for you. The amount of time required to conduct these exams depends on the number of water rights you have filed. An approximate time can be given when you call for an appointment.

Although it is not mandatory that you accompany the field examiner, it does insure that an accurate description of your system will be made. If either yourself, or someone familiar with the system, could accompany the examiner it would be beneficial.

To make an appointment, or if you have any questions or problems with scheduling the exam verification, please contact me as soon as possible.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

RECEIVED

OCT 25 1994

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

AFFIDAVIT

State of Idaho)
County of Elmore)

ROBERT E. SCHRAFFT being first duly sworn,
deposes and says: I WAS BORN IN PINE IDAHO FEB.
21, 1920 & LIVED THERE UNTILL 1931, AT
WHICH TIME WE MOVED TO ATLANTA. I REM-
EMBER THE APPLE ORCHARD ON WHAT WAS
THEN THE GOLDB RANCH. I AM REASONABLY
SURE THE ORCHARD WAS IRRIGATED, AS WAS
THE HAY FIELD, BUT I DON'T KNOW WHERE
THE WATER CAME FROM. I ASSUMED IT
CAME FROM THE LARGE DITCH FROM DOG
CREEK. I REMEMBER THAT DITCH FROM THE
TIMES WE USED TO PICK CHOCHECHERRIES ON
THE FLAT ABOVE NEWT NICHOLS HILL.

Robert E. Schrafft
(Signature)

Subscribed and sworn to before me this
day 6th of Oct., 19 94.

Patricia Kester
(Notary Public)

Residing at Pine, Idaho.

My Commission Expires 1/22/98.

SEAL

The Dog Creek ditch
mentioned in each
of these affidavits
empties into Towne
Creek before our
point of diversion

RECEIVED

OCT 25 1994

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

AFFIDAVIT

State of Idaho)
County of Elmore)

HOWARD M. SCHRAFT being first duly sworn,
deposes and says: I was born in Pine, Idaho
July 25, 1916. When I was a boy, between
the age of 9 and 12 we used to pick
apples in the orchard just north of the
Mountain Home Highway District. (First orchard
out of Pine going toward Featherville). I
remember a hay field on the flat across
the road from the orchard. The orchard
and hay field were irrigated but I do
not know where the water came from.
There was a big ditch that came from
dog creek. I assumed the water came
from there

Howard M. Schraft
(Signature)

Subscribed and sworn to before me this
day 6th of Oct., 1994.

Patricia Kuster
(Notary Public)

Residing at Pine, Idaho.

My Commission Expires 1/22/98.

SEAL

RECEIVED

OCT 25 1994

WATER RESOURCES
WESTERN REGION

To Whom it may Concern:

I first came to the Featherville area in 1937 and have lived here every summer and several winters since. In our first years here my husband brought home apples from the orchard about 1/2 mile north

Linda, I looked for you to come up the 18th as planned, but as it your schedule must have changed. So using I am sending these through the years to you before time gets away from me. - orchard

came -
Marlene McCoy 2 first
produced
an abundant crop then and has kept producing.

Sincerely,

Mita M. Baker

Before me appeared:
Mita M. Baker 10/17/94
Tatiana L. Kuster
Pine Idaho
Elmore County
Comm. exp 11/22/98

RECEIVED

OCT 25 1994

WATER RESOURCES
WESTERN REGION

To Whom it may Concern:

I first came to the Batherville area in 1937 and have lived here every summer and several winters since. In our first years here my husband brought home apples from the orchard, about a mile north of Pine, on what is now known as the McCoy Place. I have continued using apples from there through the years. I am sure the orchard was irrigated when I first came in 1937 as it produced an abundant crop then and has kept producing.

Sincerely,

Mita M. Baker

Before me appeared:
Mita M. Baker, 10/17/94
Leticia L. Kuster
Pine Bluffs
Elmore County
Comm. exp 11/5/98

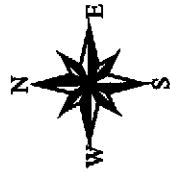
Claim No(s): 63-5163
T02N, R10E, S 1
Prepared by: Sue Bock
Date: 7/09/2001

☐ Place of Use

● Point of Diversion

☐ Section lines

☐ 1/4 1/4 lines



1987 NAPP Photo

RECEIVED

OCT 12 2001

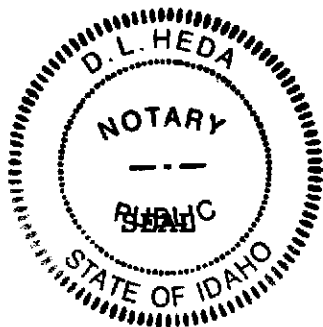
WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
63-5163)
_____)
_____))

AFFIDAVIT

State of Idaho)
County of Elmore)

Nita Baker being first duly sworn,
deposes and says: I have lived at Featherville
every summer and several of the
winters since 1937. The McCoy family
moved into Pine in 1949. At that
time and for many years after I
observed their use of Towne Creek
for irrigation purposes.



Nita Baker
(Signature)

Subscribed and sworn to before me this
day 10 of OCT, 192001.

DRW. ess
(Notary Public)

Residing at FEATHERVILLE, ID.
My Commission Expires 06/04/2004.