



63-5173

63-5174

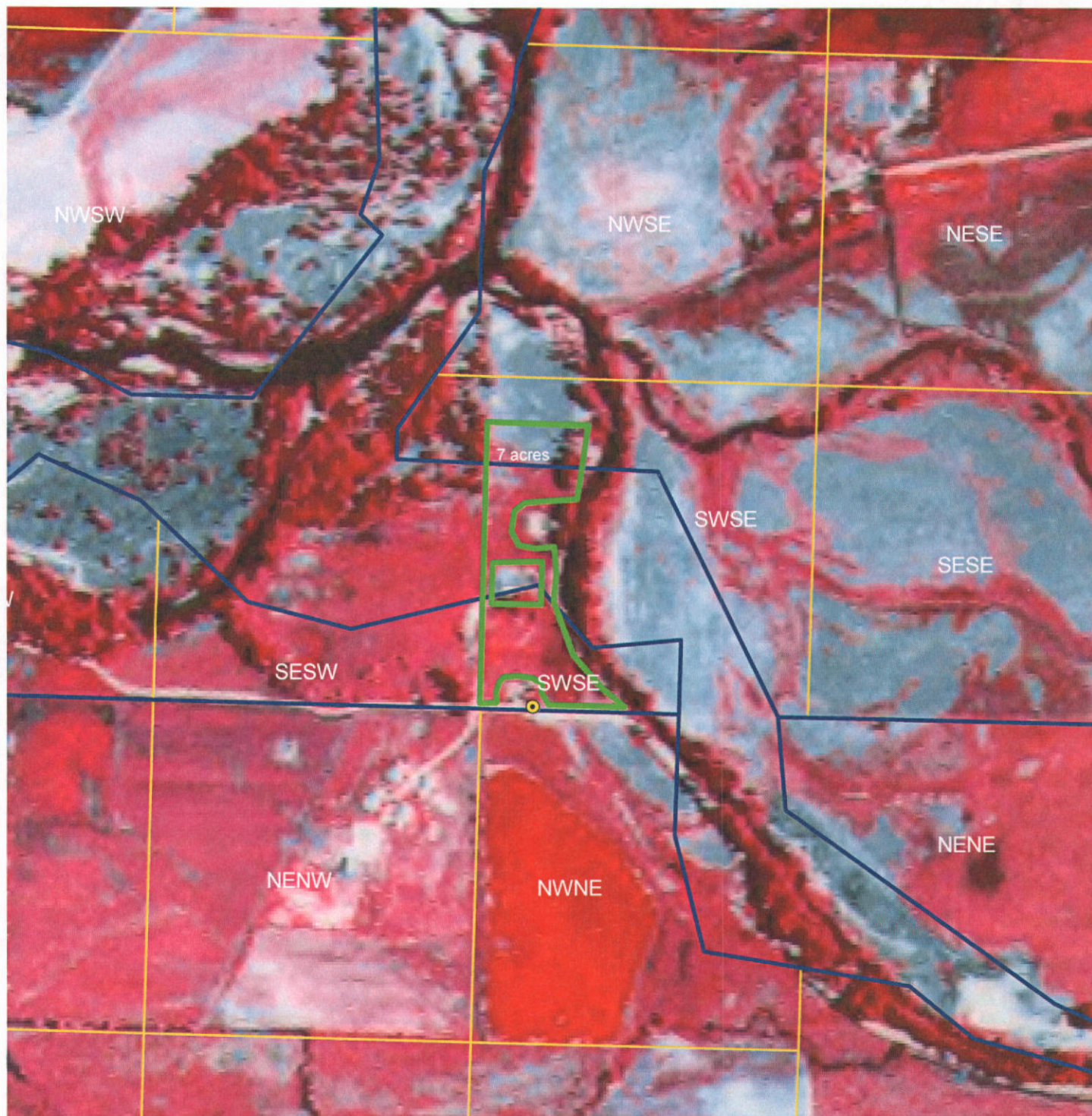
63-5175

63-5175

Idaho Department of Water Resources

63-5174

T04N R01W S14



-  Point of Diversion
-  Place of Use
-  Sections
-  Quarter Quarter



600 0 600 Feet

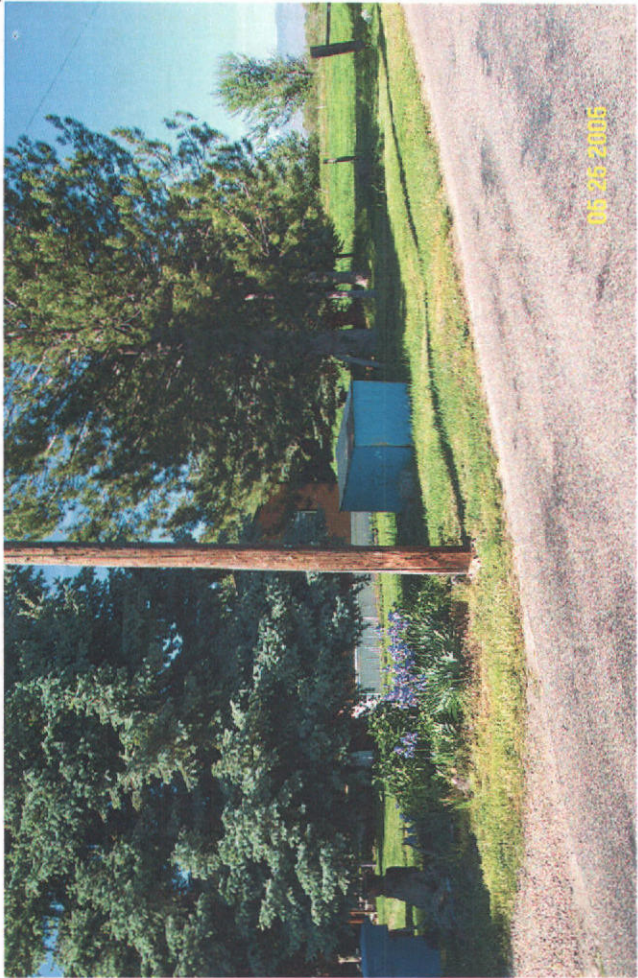


IDWR
Prepared by: Sandy Egbert
Date: 7-27-05
1987 NAPP Photography



P.O.V. (Both Rights)

05 25 2005

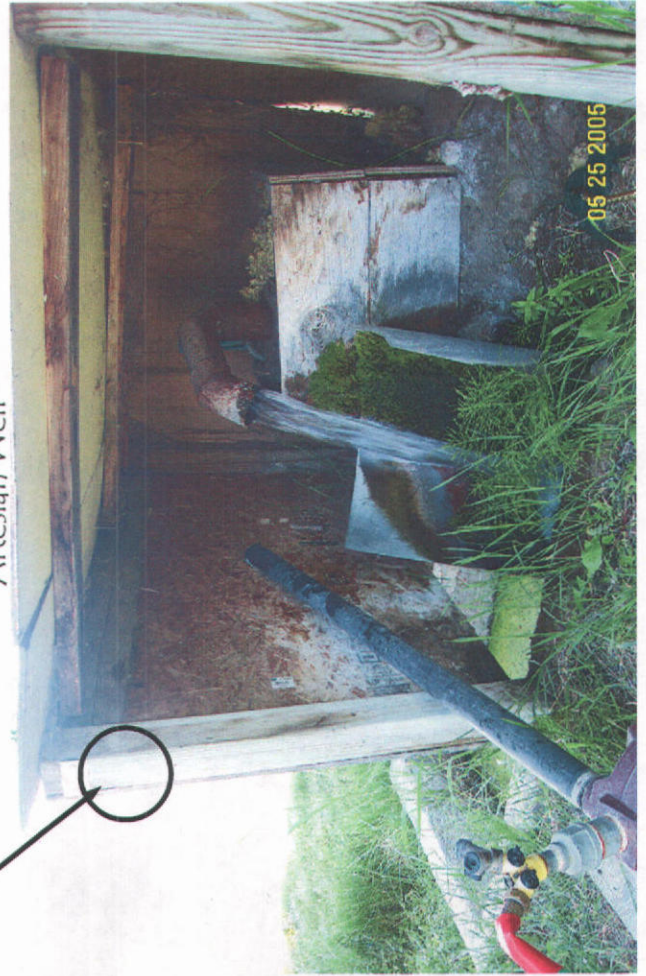


05 25 2005

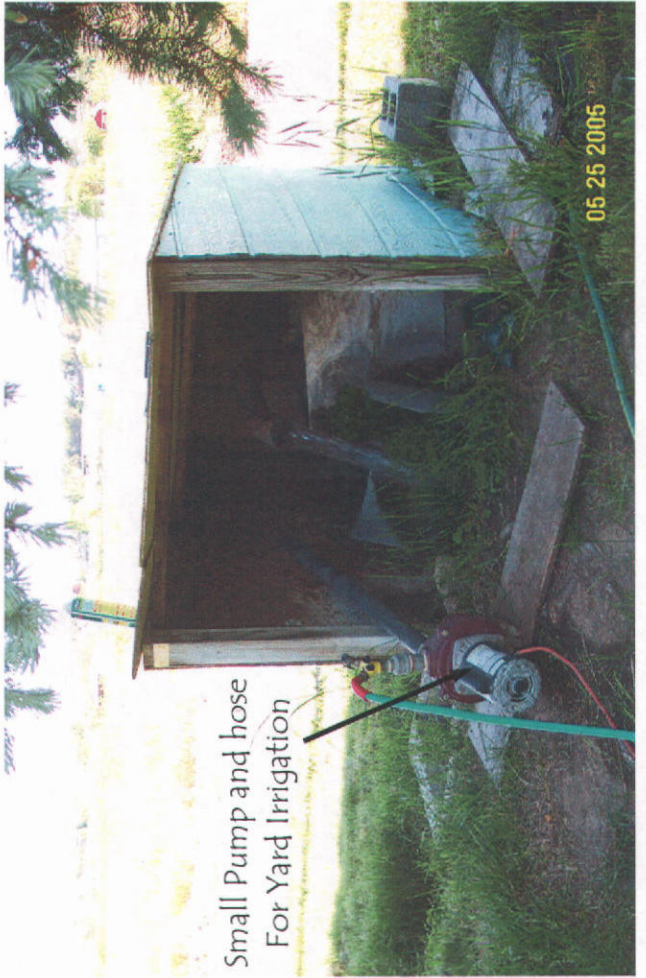
63-5174
Timmons

Site
Tag

Artesian Well



05 25 2005



Small Pump and hose
For Yard Irrigation

05 25 2005

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 63-5174
Date Received: 5/13/2004
Receipt No: W031695
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GERALD W TIMMONS Phone: (208)888-5371
2228 W DUCK ALLEY RD
EAGLE ID USA 83616

LYNNE TIMMONS Phone: (208)888-5371
2228 W DUCK ALLEY RD
EAGLE ID USA 83616

2. Date of Priority: 07/01/1941

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	14	SW SE 8	ADA	

5. Description of diverting works:

Well, gravity irrigation.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.14	
STOCKWATER	01/01	12/31	0.02	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 6 Cows, 4 Horses

Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
04N	01W	14	SW	SE	8	STOCKWATER	
			SW	SE	8	IRRIGATION	5
			NW	SE	10	IRRIGATION	2
			SW	SE	8	DOMESTIC	
						Section Acres	7
						Total Acres	7

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Claimant owns 12.8 acres of Lots 8, 9, 10 plus accretion land with claims 63-5173 and 63-5174.

Note: Domestic and stockwater use have been used and were inadvertently left off of original filing.

15. Basis of Claim: Beneficial Use

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 63-5174
Date Received 5-13-04
Receipt Number W031695

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Gerald W + Lynn Timmons Phone 208, 888-5371
Mailing Address 2228 W Duck Alley Rd Eagle Id Zip 83616

2. Date of Priority (Only one (1) per claim) 7-1-41

3. Source of water supply (a) ground water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 4N Range 1W Section 14,
SW 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, 8 B.M., County of Ada

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed Instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. gravity irrigation - well-

SCANNED

JUN 04 2004

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.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For IRRIGATION purposes from 3/15 to 11/15 amount .14 or _____

For DOMESTIC purposes from 1/1 to 12/31 amount .04 or _____

For STOCKWATER purposes from 1/1 to 12/31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .20 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) DOMESTIC USE - 1 HOME, STOCKWATER - ~~20 COWS~~

6 COWS, 4 HORSES

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>4N</u>	<u>1W</u>	<u>14</u>														<u>2</u>	<u>5</u>		<u>7</u>
																<u>1.10</u>	<u>18.9</u>		
																	<u>0</u>		
																	<u>5</u>		

Total number of acres irrigated 7

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.
_____ or None ()

14. Remarks: We own 1285 acres Parts of gov Lots 8, 9, 10 plus
accretion land. we have claims 63-5173 63-5174 +
filing for 63-187 for the acres we own. NOTE: DOMESTIC & STOCK
WATER USE HAVE BEEN USED & WERE INADVERTENTLY
LEFT OFF OF ORIGINAL FILING.

Last Name Timmons Ident No. 63-5174

SCANNED

JUN 04 2004 Copies: White -State, Yellow-Claimant

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.

Scale: 2 inches equals 1 mile

[illegible]

JUN 04 2004

Copies: White-State, Yellow-Claimant



SCANNED
JUN 04 2004

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) Gerald W. Tension Date May 13-2004

_____ Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

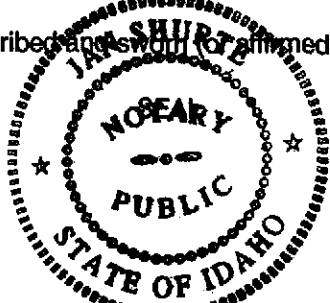
Title and Organization _____ Date _____

State of Idaho/or _____)

County of ADA)

SS.

Subscribed and sworn to (or affirmed) before me this 13th day of May 2004



Notary Public Jan Shurtz

Residing at Mendocino, ID

My Commission Expires 9-14-2006

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

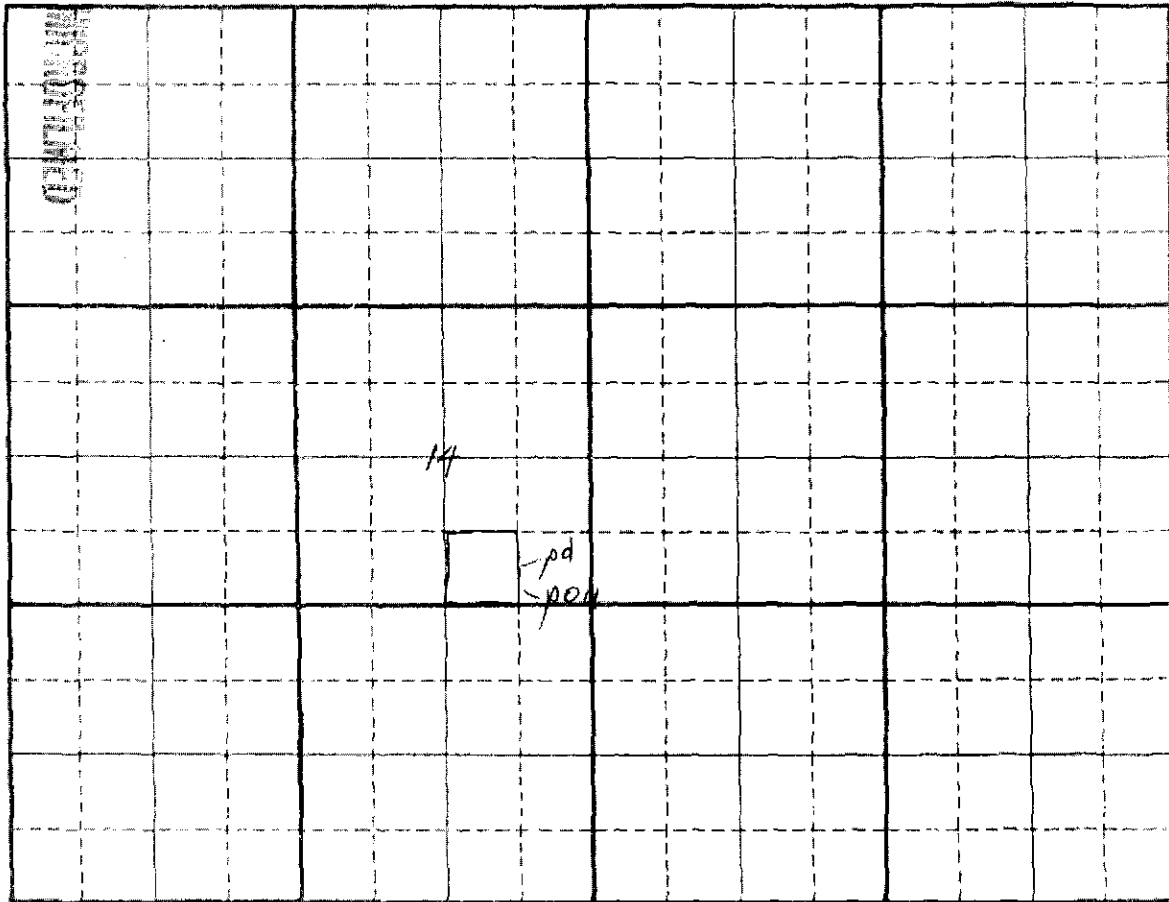
SCANNED

JUN 04 2004

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

(8) Remarks Artesian well; 3" casing



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 22 day of June, 1985.

Guell W. Timmons
(Claimant)

Nancy M. Hathway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by JKV Date 6/22/85 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by GWS Date 11/7/85 claimant by: _____
\$30.00 fee received by JKV Date 6/22/85 #31120
Published in Idaho Star-Journal
Dates 11/24 & 12/1/85

Form 42-1409(10)-1
-6/89

Date Received 5-13-04

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED

MAY 18 2004

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

GERARD W. TIMMONS 208 888-5371
Name of Claimant Phone Number
2228 W Duck Alley Rd. Eagle ID 836016
Mailing Address City State Zip
ADA

County(s) where place of use is located 63-5173 + 63-5174 Date claim originally due
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

UNDELIVERABLE AT THE TIME OF FIRST MAILING
TO ROUTE #1, EAGLE, ID.

Claimant requests an extension to 5-13-04 '19

Gerard W. Timmons 5-13-04 '19
Signature Date of request

OWNER
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

Acceptable reason provided.

and if granted the filing deadline is extended to June 30, 2004 '19

Signed this 19th day of May '19 2004

David R. Tuttle
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

SCANNED
JUN 04 2004

07/27/2005

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

RIGHT NUMBER: 63-5174

NAME AND ADDRESS: GERALD W TIMMONS
2228 W DUCK ALLEY RD
EAGLE ID 83616

LYNNE TIMMONS
2228 W DUCK ALLEY RD
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.200 CFS
10.100 AFY

Right Nos. 63-5173 and 63-5174 are limited to a total combined diversion rate of .20 cfs.

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/01/1941

POINT OF DIVERSION:

T04N R01W S14 SWSE Lot 8 Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	03/01 11/15	0.140 CFS 10.10 AFY
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S14 Lot 8 SWSE 7.0

STOCKWATER Within ADA County

T04N R01W S14 Lot 8 SWSE

DOMESTIC Within ADA County

T04N R01W S14 Lot 8 SWSE

7 ACRES TOTAL

Right Nos. 63-5173 and 63-5174 are limited to the irrigation of a combined total of 7 acres in a single irrigation season.

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

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

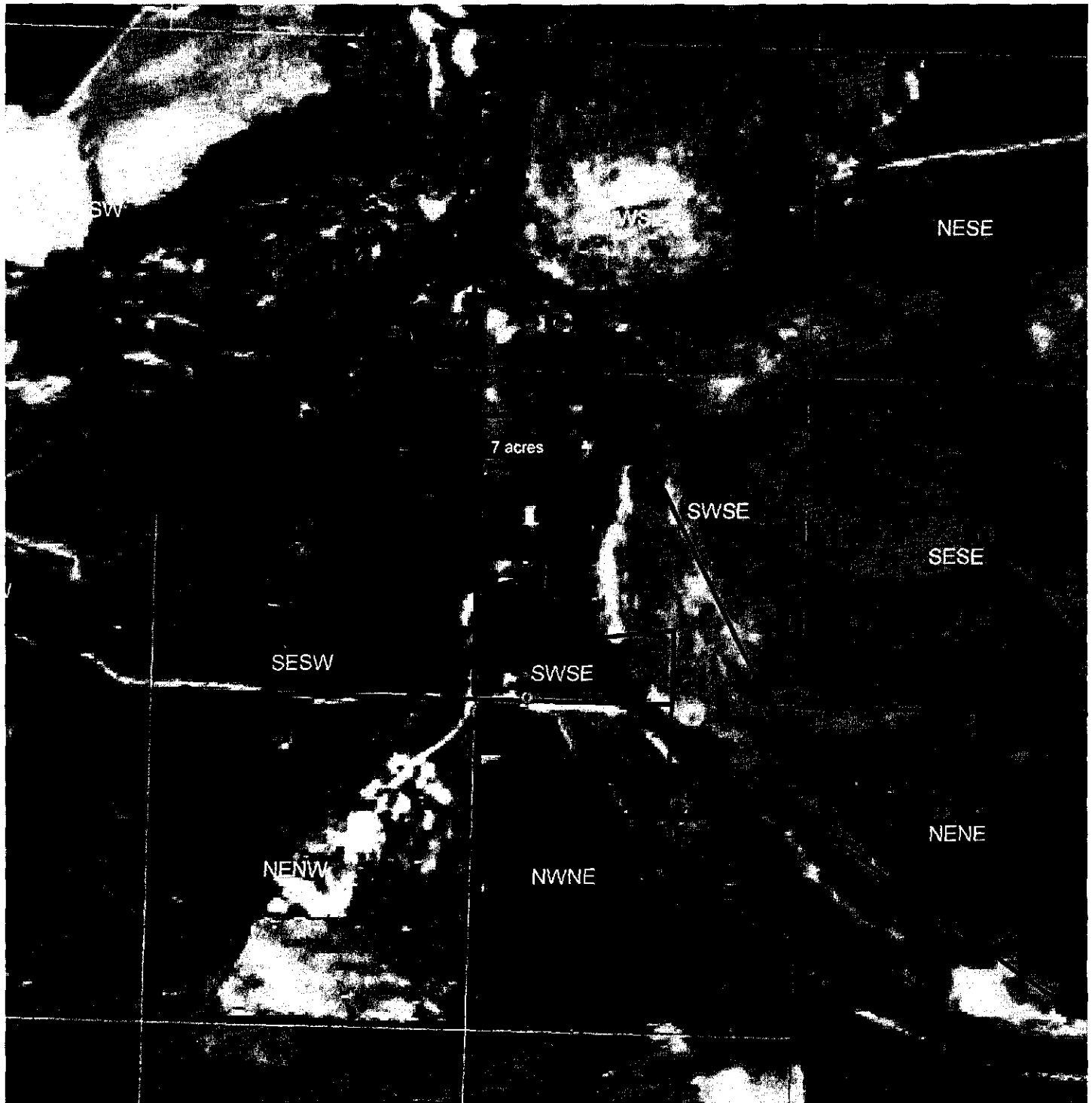
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
Parcel Nos. S0414438500, S0414427800

Idaho Department of Water Resources

63-5174

T04N R01W S14



- ⊙ Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter



IDWR
Prepared by: Sandy Egbert
Date: 7-27-05
1987 NAPP Photography

600 0 600 Feet

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5174 V1

WATER RIGHT NUMBER: 63-5174 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GERALD W TIMMONS 2228 W DUCK ALLEY RD EAGLE, ID 83616 (208)888-5371
Current Owner	LYNNE TIMMONS 2228 W DUCK ALLEY RD EAGLE, ID 83616 (208)888-5371

Priority Date: 07/01/1941

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	
IRRIGATION	03/01 to 11/15	0.140 CFS	10.10 AF
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.200 CFS	10.10 AF

Location of Point(s) of Diversion

GROUND WATER	L8 (SW1/4SE1/4)	Sec. 14, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	14															X		
																	L 8		

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	14															7.0		7.0
																	L 8		

Total Acres: 7

DOMESTIC

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-5174 V1

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	14															X		
																	L 8		

Conditions of Approval:

1. N09 The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.
2. 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.
3. E51 Right Nos. 63-5173 and 63-5174 are limited to a total combined diversion rate of .20 cfs.
4. N14 The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.
5. Parcel Nos. S0414438500, S0414427800
6. E55 Right Nos. 63-5173 and 63-5174 are limited to the irrigation of a combined total of 7 acres in a single irrigation season.

Remarks:Comments:

1. segbert 7/27/2005 POU

Comment: Place of use has not changed. Field exam found the irrigated acres to be only in the SWSE

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:
 Owner Name Connector:
 Water District Number:
 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

Combined Use Limits:

Rate	Volume	Acres
0.2		7
Combined Water Rights: 63-5173 , 63-5174		

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-5174 V1

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>
Summary			03/17/2005	lharris	Active
Priority Date	7/27/2005 9:15:11 AM	segbert			Active
POD	7/27/2005 9:15:42 AM	segbert			Active
Source	7/27/2005 9:19:23 AM	segbert			Active
POU	7/27/2005 9:19:51 AM	segbert			Active
Use	7/27/2005 9:22:50 AM	segbert			Active
Season	7/27/2005 9:25:21 AM	segbert			Active
Quantity	7/27/2005 9:27:21 AM	segbert			Active
Summary			07/27/2005	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	4/12/2005 2:53:53 PM	segbert	Created polygon from PLS
POU	4/12/2005 2:56:15 PM	segbert	Edited shape boundary
Summary	3/17/2005 12:07:13 PM	lharris	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?
General	7/27/2005 9:15:11 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - affidavits in file
POD	7/27/2005 9:15:43 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5174 V1

Source	7/27/2005 9:19:23 AM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - field exam
POU	7/27/2005 9:19:52 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
POU	7/27/2005 9:22:02 AM	segbert	Updated shape for Active POU
POU	7/27/2005 9:22:13 AM	segbert	Updated shape for Active POU
Use	7/27/2005 9:22:50 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
POD	7/27/2005 9:16:19 AM	segbert	Updated shape
Season	7/27/2005 9:25:21 AM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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 63-5174 V1

Quantity	7/27/2005 9:27:22 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - .14 x 1.9835 x 260 days
Summary	7/27/2005 9:33:06 AM	segbert	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	7/27/2005 9:21:16 AM	segbert	Updated shape for Active POU
POU	4/12/2005 7:50:47 AM	segbert	Created polygon from PLS
POU	4/12/2005 7:53:27 AM	segbert	Edited shape boundary
POU	4/12/2005 7:56:36 AM	segbert	Created polygon from PLS
POU	4/12/2005 8:01:05 AM	segbert	Edited shape boundary

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5174

WATER RIGHT NUMBER: 63-5174

Owner Type Name and Address
 Current Owner GERALD W TIMMONS ✓
 2228 W DUCK ALLEY RD
 EAGLE, ID 83616
 (208)888-5371
 Current Owner LYNNE TIMMONS ✓
 2228 W DUCK ALLEY RD
 EAGLE, ID 83616
 (208)888-5371

Priority Date: 07/01/1941 ✓

Basis: Beneficial Use ✓

Status: Active ✓

Source Tributary
 GROUND WATER ✓

Beneficial Use	From	To	Diversion Rate	Annual Volume
STOCKWATER	01/01	12/31	0.020 CFS	<i>12</i>
IRRIGATION	<i>3-1</i> 03/15	11/15	0.140 CFS	<i>10.1</i>
DOMESTIC	01/01	12/31	0.040 CFS	
<u>Total Diversion:</u>			0.200 CFS	<i>10.1</i>

Location of Point(s) of Diversion

GROUND WATER L8 (SW1/4SE1/4) Sec. 14, Twp 04N, Rge 01W, B.M.
 ADA County

Place of Use

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 01W 14															X		
															L 8		

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 01W 14															<i>2.0</i>	<i>8.0</i>	7.0
															L 8		

Total Acres: 7

DOMESTIC

54/5
 Domestic Flow
 6 cows, 4 horses
 parcel 50414438500
 27 800

Combined with 63-5173
 limit 120 CFS & 7 acres
 well tag # A0002499

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5174

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	14															X		
																	L 8		

Conditions of Approval:Remarks:

- Explanatory Claimant owns 12.8 acres of Lots 8, 9, 10 plus accretion land with claims 63-5173 and 63-5174.
Note: Domestic and stockwater use have been used and were inadvertently left off of original filing.

Comments:Dates and Other Information:

Claim Received Date: 5/13/2004
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 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

Combined Use Limits: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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid 107.00 (incl. 63.5173)
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-5174 CDL 631-6451
 Owner: GERALD + LYNNE TIMMONS Phone No. 888-5371
 Current Address: 222B W. DUCK VALLEY RD, EAGLE ID 83616

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☒ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?
house built in 1910 1939 photography shows 1 house

Priority date, per claimant, is: 7/1/58 - HE WILL MAIL

(If priority date, based on your exam, seems questionable, explain below.)

Source: BOISE RIVER Tributary to SNAKE RIVER

- ☐ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

GPS = 2304689 #82
1389122

DIVERSION AND DELIVERY SYSTEM

SHEETAG A0002499

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
2		SW	SW	SE	14	4N	1W	ADA	GPS & NAPP PHOTO

Description of diverting works

4" DIA - ARTESIAN WELL WITH DISCHARGE INTO IRRIGATION DITCH
A CONNECTION CAN BE MADE TO OPERATE A SMALL PRESSURE PUMP TO
OVERLAP REVIEW IRRIGATE YARD AROUND HOUSE.

Other water rights with the same point of diversion:

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

WATER USES

- ☐ No change
- ☐ Different Uses

Use STOCKWATER From 1/1 To 12/31 Amount .02 CFS AFA
Use IRRIGATION From 3/15 To 11/15 Amount 0.14 CFS AFA
Use DOMESTIC From 1/1 To 12/31 Amount .04 CFS AFA

TOTAL VOLUME - Groundwater only

- ☒ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
- ☐ Changes found, the new total is, Amount _____ CFS _____ AFA
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

Stockwater - based on claim .2 AFA
min - 4.5 x 7 acres 31.5 cu .14 x 1.9835 x 260 days - 10.11

NON-IRRIGATION USES:

- ☐ No change
- ☐ Changes Exam found: Domestic # of homes 2 Stock # 10 HEAD CATTLE
Types BEEF CATTLE Additional comments: DOMESTIC FOR 2 HOMES
BACK-UP ONLY

PLACE OF USE:

- ☒ No Change
- ☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4N	1W	14															7.2		
STOCK WATER																	X		
DOMESTIC																	2		

Overlap with other water rights: 63-5173

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

IT TAKES BOTH SOURCES TO IRRIGATE THIS PLACE

Delivery System Narrative: ARTESIAN WELL DISCHARGES INTO IRRIGATION DITCH AND SURFACE FLOODS THE PASTURES, THIS WATER CAN CO-MINGLE WITH BOISE RIVER WATER (63-5173) PLACE OF USE IS THE SAME FOR BOTH RIGHTS

ARTESIAN WELL - NO PUMPING

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS: - NO WAY TO MEASURE FLOW - FARMER ESTIMATED 30 GPM

HE SAY'S THIS RATE DOWN TO ABOUT 1/2 IN THE LAST 10-15 YRS. I BELIEVE THE FLOW RATE COULD BE

NARRATIVE/REMARKS/COMMENTS ABOUT 35 TO 40 GPM.

THIS WATER IS CO-MINGLED WITH THE BOISE RIVER WATER AT TIMES. THEY NORMALLY USE THIS WELL TO IRRIGATE THE SOUTH PORTION OF THE PLACE BUT CAN MIX IT WITH THE RIVER WATER AND DISTRIBUTE IT ANYWHERE ON THE PLACE.

THE CATTLE CAN DRINK FROM THE DITCHS BOTH WINTER & SUMMER

THE DOMESTIC USE IS GENERALLY FOR BACKUP TO THEIR COLD WATER DOMESTIC WELLS.

RECEIVED

JUN 07 2005

WATER RESOURCES
WESTERN REGION

Attention
Sandy Egbert

From Lyn Timmons
888-5371

Please use these to go back as
far as you can.



Department of Water Resources

2735 Airport Way, Boise, Idaho 83705

ATTN: SANDY EGBERT

BURKE H SCHOLER
PHONE (208) 922-4019

FIELD EXAMINER
WESTERN REGION
(208) 334-2190

Sandy over

Jandy the patent for lot 8 I believe was
1916 for the lot & Al Aldope remembers this
well in the early 1900's he thought it was on the
neighbors but as you can see the neighbor
Mr McFadden said it was our well they all used
until 1936 or abouts.

I hope this helps.

Mrs Timmons.

RECEIVED

JUN 07 2005

WATER RESOURCES
WESTERN REGION

WELL
IN THE MATTER OF)
NOTICE OF CLAIM TO) 7/1/41
A WATER RIGHT NO.(S))
63-5774)

AFFIDAVIT

State of Idaho)
County of Ada)

Lyn Timmons being first duly sworn,

deposes and says: I talked at length with Bernard McFadden. He said his father moved to Duck Alley in 1929 next to us & their family used the well on our property then The Simpson/Ferguson place for drinking water. He said it was used to irrigate gardens & pasture for sheep. He also said that they were told it was used many years before for watering cattle & irrigating pasture for cows brought out of hills. He also said his aunt and brother could state this also,

Mr McFadden can be reached at 208-888-2541

Mrs Gerald W Timmons
(Signature)

208-888-5371

RECEIVED

JUN 07 2005

WATER RESOURCES
WESTERN REGION

WELL
IN THE MATTER OF)
NOTICE OF CLAIM TO) 7/1/4/
A WATER RIGHT NO.(S))
63-5174)
_____)
_____)
_____)
State of Idaho)
County of Ada)

AFFIDAVIT

Bernard McFadden being first duly sworn,
deposes and says: In July 1929 my father moved in near
last to this well & got the dripping water out of
it till about 1936 when they got a well on the
place they moved on.

Bernard McFadden 5-28-05
(Signature)

Bernard McFadden 888-2541
2635 W Forecast
Meridian, Id. 83642



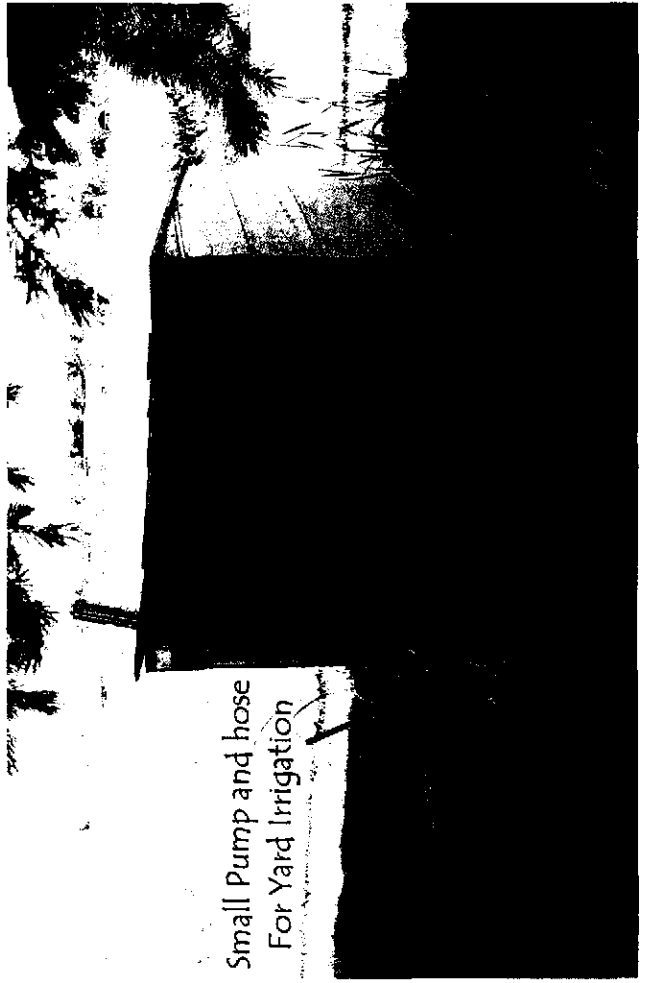
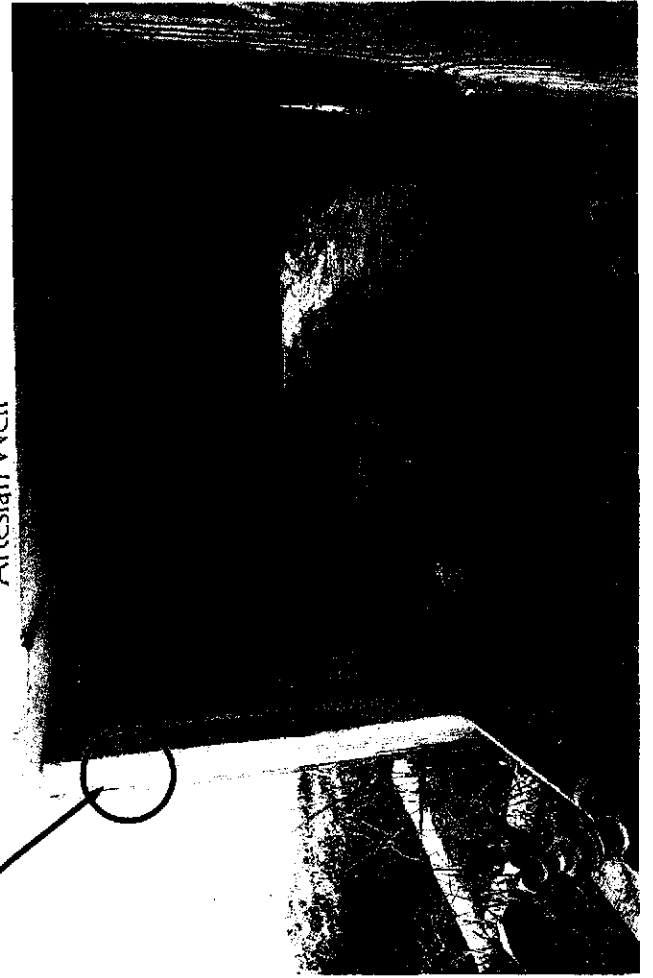
P.O.V. (Both Rights)



63-5174
Timmons

Site
Tag

Artesian Well



Small Pump and hose
For Yard Irrigation

**Land Records**
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Property Details for Parcel S0414438500

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General Information

Property Acres: 8.470
Zone Code: RR
Primary Code Area: 105 Tax Districts
Group Type: SECT
Subdivision: 4N 1W 14
Section: 4N1W14

Property Description

PAR #8500 OF LOT 8 & OF
 ACCRETION LAND
 SEC 14 4N 1W
 #433550-B

Property Address

2228 W DUCK ALLEY RD
 EAGLE, ID 83616


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Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	100-HOMESITE ON AG	4.000	\$75,000	MARKET
Primary	310-RES IMPROVEMENT	0.000	\$6,000	COST
Primary	10-IRRIGATED AG	4.470	\$6,200	INCOME
Total Assessed Value:			\$87,200	

Parcel Valuation History

Assessed value for year 2004 \$87,200
Assessed value for year 2003 \$115,000
Assessed value for year 2002 \$111,200
Assessed value for year 2001 \$103,800
Assessed value for year 2000 \$36,000

Ada County Links

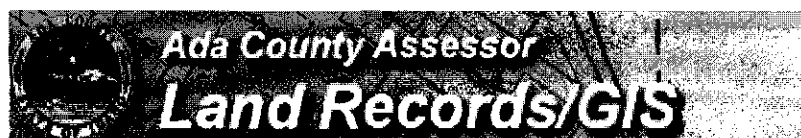
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Residential Characteristics 1 for Parcel "S0414438500"

Occupancy Date:	No Date Available
Year Built:	1910
Year Remodel:	0
Effective Age:	0
Construction Class:	3
Number of Bedrooms:	2
Number Bathrooms:	0.5
Number of Fireplaces:	0
Air Conditioning:	N
Car Storage Sq Ft #1:	0
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	0
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	0
Patio Covered:	N
Pool Sq Ft:	0
Total Sq Ft:	840
Main Floor Sq Ft:	840
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

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**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-5174**

03/17/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-134	Claim	04N	01W	14	NW	SE		IRRIGATION	10/843	HART-DAVIS DITCH CO INC
-187	Water Right	04N	01W	14	NW	SE		IRRIGATION		ED HART
134A	Claim	04N	01W	14	NW	SE	10	IRRIGATION	42.8/174	RON SALI
186A	Claim	04N	01W	14	NW	SE	10	IRRIGATION	42.8/174	RON SALI
5173	Claim	04N	01W	14	NW	SE	10	IRRIGATION	2/7	GERALD W TIMMONS
5174	Claim	04N	01W	14	NW	SE	10	IRRIGATION	2/7	GERALD W TIMMONS
-187	Water Right	04N	01W	14	NW	SE	10	IRRIGATION		ED HART
5173	Water Right	04N	01W	14	NW	SE	10	IRRIGATION	8/16	GERALD W TIMMONS
26995	Claim	04N	01W	14	NW	SE	10	STOCKWATER		RON SALI
26994	Water Right	04N	01W	14	NW	SE	10	DOMESTIC		RON SALI
-145	Claim	04N	01W	14	SW	SE		IRRIGATION	5/1826	EUREKA WATER CO
16383	Claim	04N	01W	14	SW	SE		IRRIGATION	5/1826	EUREKA WATER CO
5174	Claim	04N	01W	14	SW	SE	8	IRRIGATION	5/7	GERALD W TIMMONS
5174	Water Right	04N	01W	14	SW	SE	8	IRRIGATION	7/7	GERALD W TIMMONS
5174	Claim	04N	01W	14	SW	SE	8	STOCKWATER		GERALD W TIMMONS
5174	Claim	04N	01W	14	SW	SE	8	DOMESTIC		GERALD W TIMMONS
134B	Claim	04N	01W	14	SW	SE	9	IRRIGATION	22.6/60.6	RON SALI PROPERTIES INC
186B	Claim	04N	01W	14	SW	SE	9	IRRIGATION	22.6/60.6	RON SALI PROPERTIES INC
5173	Claim	04N	01W	14	SW	SE	9	IRRIGATION	5/7	GERALD W TIMMONS
-187	Water Right	04N	01W	14	SW	SE	9	IRRIGATION		ED HART
5173	Water Right	04N	01W	14	SW	SE	9	IRRIGATION	8/16	GERALD W TIMMONS
11381	Water Right	04N	01W	14	SW	SE	9	IRRIGATION	18/51.2	RON SALI PROPERTIES INC

Receipt Details for ID W031695

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
5/13/2004 3:41:29 PM	5/14/2004 2:44:00 PM	WESTERN	\$107.00	Check
Payer		GERALD TIMMONS		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
6425			
Card Expiration Date	Credit Card Transaction #		

Comment Claim fee for Claim Nos. 63-5173 & 63-5174

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$107.00	ADJUDICATION FILING FEE	42503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
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Print Report