

20

21

PH

29

28

32

33

Idaho Department of Water Resources

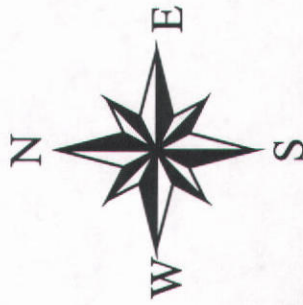
**T04N, R01W,
S28 & S29**

Claim No: 63-05398
Prepared By: Kimberly Brown
Date: May 10, 2004



- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4

Acres Irrigated = 1.5



1987 NAPP

2000 PHOTO

NENE

NWNNW

SENE

SWNNW

S29



Idaho Department of Water Resources

Claim Number: 63-05398
Legal: T04N, R01W, S29

Created/Reviewed By: *Karan Waters*

1987 Napp Photo



● Point of Diversion



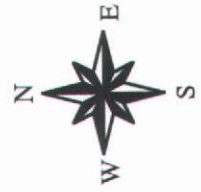
Place of Use



Section Lines



Quarter Quarter Lines



0 0.25 Miles

This layout is based on what was claimed. Unfortunately, there are not 5 acres of irrigation.

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 63-5398
Date Received: 11/19/2001
Receipt No: W028509
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT P JONES Phone: (208)345-0103
3328 SCENIC DR
BOISE ID USA 83703

LE JEANNE JONES Phone: (208)345-0103
3328 SCENIC DR
BOISE ID USA 83703

2. Date of Priority: 08/20/1936

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	28	NE NW NW	ADA	

5. Description of diverting works:

Artesian well, ditches.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.1	
STOCKWATER	01/01	12/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 5 Mules

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	29	NE	NE	STOCKWATER	
			NE	NE	IRRIGATION	5
					Section Acres	5
					Total Acres	5

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: 63-31352, 63-31353

14. Remarks:

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 63-5398
Date Received 11-19-01
Receipt Number W028509

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
NOV 19 2001
WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) ROBERT +/or LeJeanne JONES Phone (208) 345-0103
Mailing Address 3328 Scenic Drive BOISE Zip 83703

2. Date of Priority (Only one (1) per claim) 8/20/1936

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 28
NE 1/4 of NW 1/4 of NW 1/4, Govt. Lot, 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. ARTESIAN WELL, DITCHES

6. Water is claimed for the following purposes:

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

For IRRIGATION purposes from 3/1 to 11/15 amount .10 or _____

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

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .12 (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.) 5 MULES

10. Description of place of use:

- a. If water is for Irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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>29</u>	<u>S</u>																<u>5</u>
			<u>St</u>																

Total number of acres irrigated 5

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 / 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.
2 ACCOMPANYING CLAIMS FOR HOME + STOCK or None ()

14. Remarks:

Last Name _____ Ident No. _____

STATUTORY CLAIM

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.

X Signature of Claimant (s) Robert S. Jones Date 11/18/01

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 (or affirmed) before me this 18th day of Nov 2001

Notary Public Ken G. Gannon

Residing at Boise

My Commission Expires 6/18/04

Please Print Name

17. Notice of Appearance.

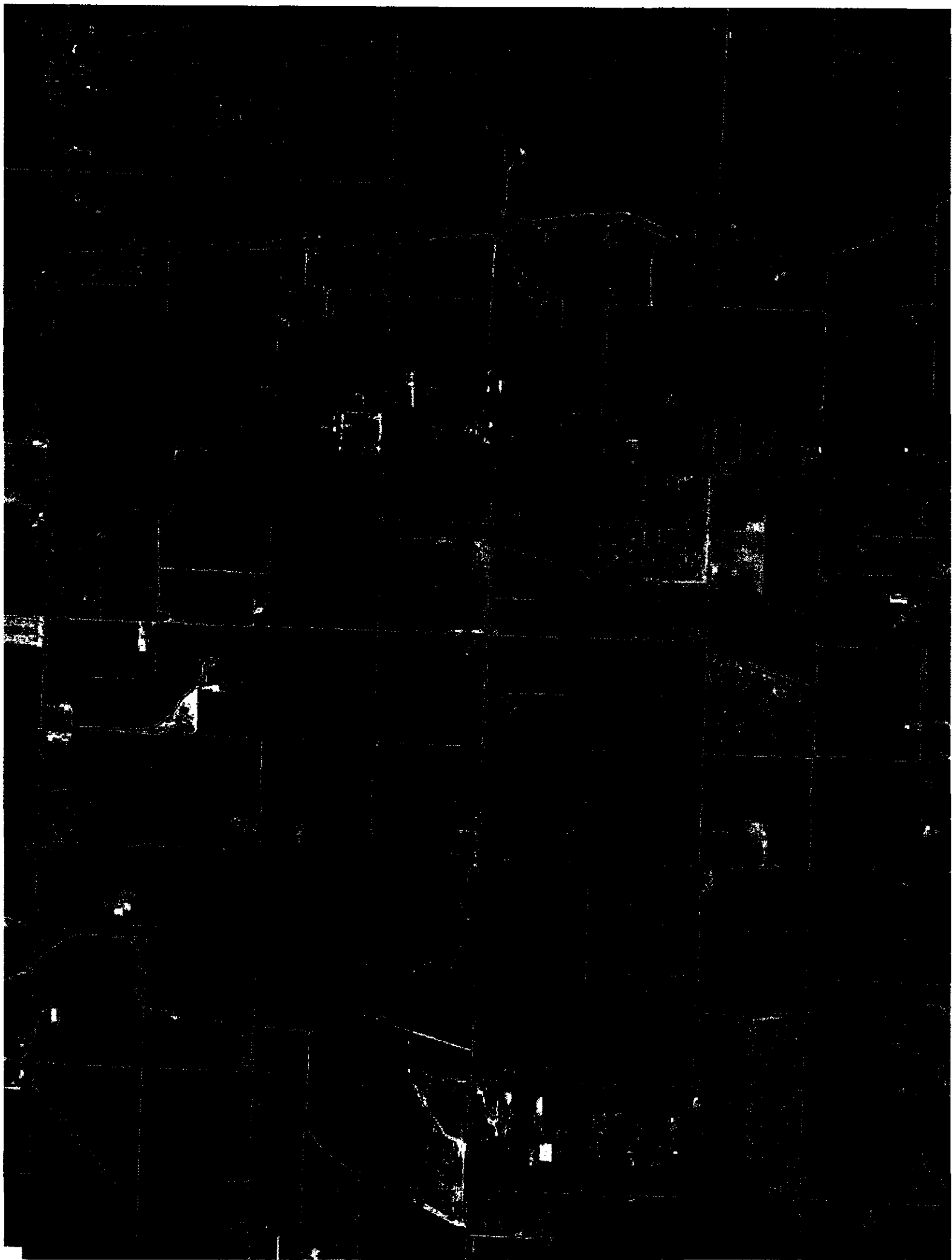
Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____



05/21/2004

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

RIGHT NUMBER: 63-5398

NAME AND ADDRESS: ROBERT P JONES
3328 SCENIC DR
BOISE ID 83703

LE JEANNE JONES
3328 SCENIC DR
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.070 CFS
6.800 AFY

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

PRIORITY DATE: 08/20/1936

POINT OF DIVERSION:

T04N R01W S28 NENWNW 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	0.050 CFS 6.80 AFY

Stockwater use is for 5 mules.

PLACE OF USE: STOCKWATER Within ADA County

T04N R01W S29 NENE

IRRIGATION Within ADA County

T04N R01W S29 NENE 1.5

1.5 ACRES TOTAL

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

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

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

EXPLANATORY MATERIAL: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5398 V1

WATER RIGHT NUMBER: 63-5398 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT P JONES 3328 SCENIC DR BOISE, ID 83703 (208)345-0103
Original Owner	PETE COPE 6505 W CHINDEN BLVD MERIDIAN, ID 83642
Current Owner	LE JEANNE JONES 3328 SCENIC DR BOISE, ID 83703 (208)345-0103

Priority Date: 08/20/1936

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	0.050 CFS	6.80 AF
	<u>Total Diversion:</u>	0.070 CFS	6.80 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4NW1/4	Sec. 28, 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	29	X																

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	29	1.5																1.5

Total Acres: 1.5

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-5398 V1

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
4. X02 Stockwater use is for 5 mules.

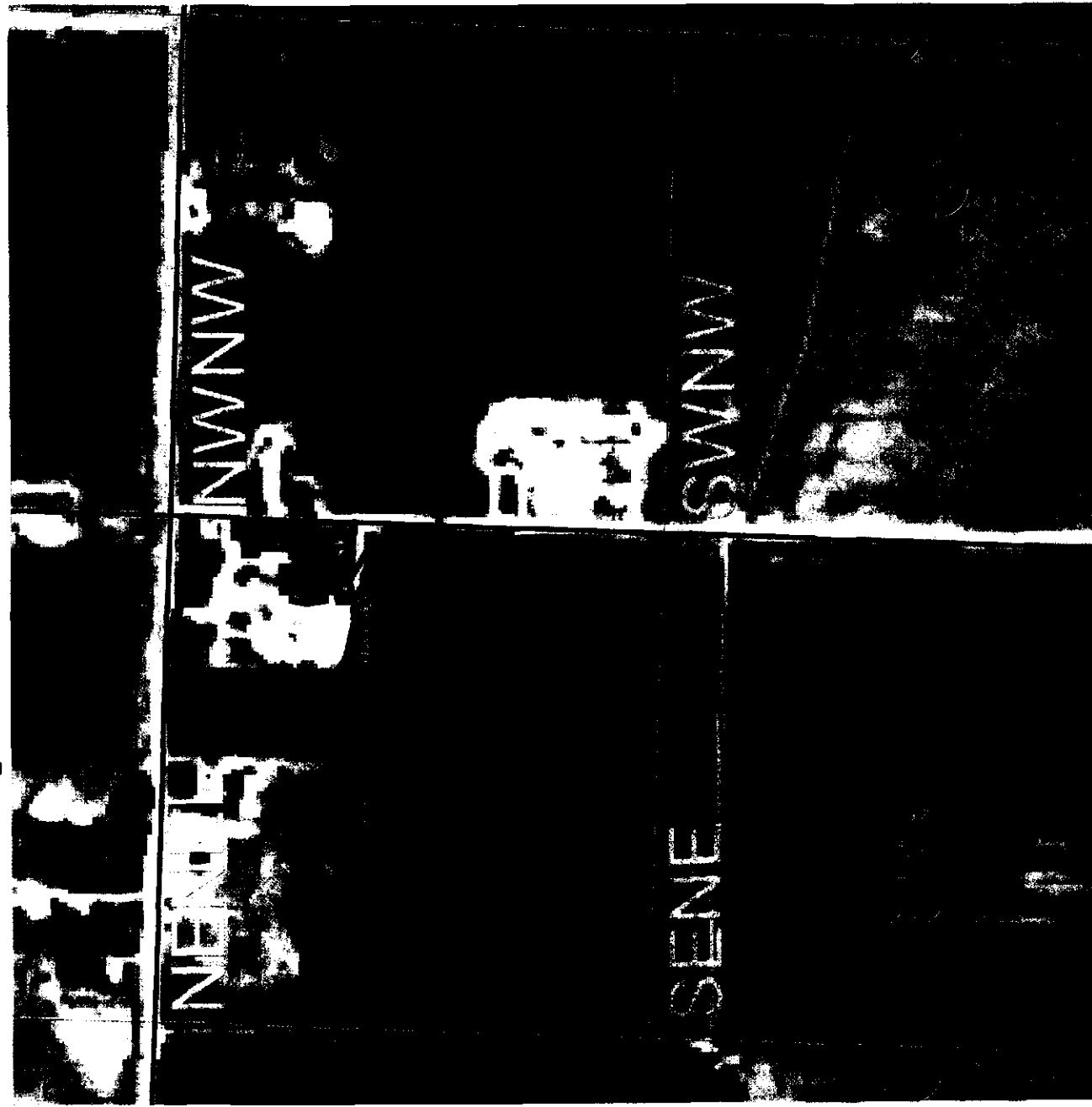
Remarks:

Comments:

1. kbrown 5/21/2004 Point of Diversion

Comment: Water Right Nos. 63-04644, 63-04676, 63-05395, 63-05397, 63-5398, & 63-07823 all share the same point of diversion.

Idaho Department of Water Resources



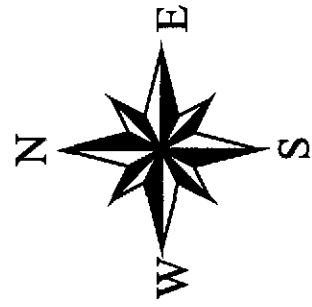
**T04N, R01W,
S28 & S29**

Claim No: 63-05398
Prepared By: Kimberly Brown
Date: May 10, 2004

- ⊙ Point of Diversion
- Place of Use
- Section Lines

1/4 1/4

Acres Irrigated = 1.5



1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5398

WATER RIGHT NUMBER: 63-5398

~~0.935 AC~~ covered by 2 D#8 claims

Owner Type Name and Address ✓
 Current Owner ROBERT P JONES ✓
 3328 SCENIC DR

BOISE, ID 83703
 (208)345-0103

1,004 ACRE

Original Owner PETE COPE
 6505 W CHINDEN BLVD
 MERIDIAN, ID 83642

Current Owner LE JEANNE JONES ✓
 3328 SCENIC DR
 BOISE, ID 83703
 (208)345-0103

+ 0.451 ACRE
 1.455 Total ACRES

Priority Date: 08/20/1936 ✓

Basis: Beneficial Use ✓

Status: Active

Source

GROUND WATER ✓

TributaryBeneficial Use

STOCKWATER ✓

IRRIGATION

From To

01/01 to 12/31 ✓

* 03/15 to 11/15 ✓

03/01

Total Diversion:Diversion Rate

0.020 CFS ✓

~~0.100 CFS~~ ✓

0.05 ✓

~~0.120 CFS~~ ✓

0.07 cfs

Annual Volume

6.8 AF

Location of Point(s) of Diversion

GROUND WATER

ADA County ✓

NE1/4NW1/4NW1/4 ✓

Sec. 28, Twp 04N, Rge 01W, B.M. ✓

Place of Use

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
✓ 04N	01W	29	NE	NW	SW	SE	
			X				

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
✓ 04N	01W	29	NE	NW	SW	SE	
			5.0				5.0
			1.5				1.5

Total Acres: 1.5

ADD X02 - Stockwater use is for 5 miles.

ADD N05 - Quantity decreed for stockwater use shall not exceed 13,000 gal/day.

ADD N08 - Quantity decreed for stockwater use is not a determination of historical use.
Creason Lateral

Water Rights: #63-04644
#63-04676
#63-05395
#63-05397
#63-07823

all share the same POD.

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 \$ 105.00 ~~\$ 50.00~~ flat fee + 5 ACRES, + D * 3 * 2 (63-31352 & -31353)
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ 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) 63-5398

Owner: Robert & LeJeanne Jones Phone No. (208) 345-0103

Current Address: 3328 Scenic Dr., Boise 83703

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property? 2002

Property location:

6370 N. McDermott Rd

6505 W. Clenden Blvd

Accompanied by: N/A

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?

Priority date, per claimant, is: 8/20/1936

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

Source: _____ Tributary to _____

- ☒ 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? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
									GPS ID A0011923 (Interpid)

Description of diverting works

Artesian well, ditches.

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-4644, 63-4676, 63-5395, 63-782

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

Yes, system capacity measured at 0.85 cfs
(See 63-04676 Field Report.)

WATER USES

☐ No change

☐ Different Uses

Use Irrigation From 3/1 To Amount 0.05 CFS 6.8 AFA

Use From To Amount CFS AFA

Use From To Amount CFS AFA

1.5 AC x 4.5 AF/ACRE = 6.75 af/annum (N) 0.05 cfs x 1.9835 x 260 days = 25.79 af/annum

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount 0.07 CFS AFA

☐ Changes found, the new total is, Amount CFS AFA

☒ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

If the claimed acres are less than 5, the department can recommend 0.03 cfs/acre.

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes Stock #

Types Additional comments:

PLACE OF USE:

☐ No Change

☒ Changes shown below:

Regarding the reduction of acres from 5 to 1.5, the Jones have 2 Domestic & Stockwater claims (63-31352 & 63-31353) that cover 2 domestic household's internal use and 1/2 acre of lawn and garden irrigation (for each). Since the lawn surrounding the homes located at the northern boundary of the property covers 1 acre - the 2 D&S claims cover the 1 acre of irrigation around the homes.

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	
			1.5																1.5

Overlap with other water rights: 63-31352, 63-31353

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

No, both claims are D&S from separate PODs.

+ The Jones do not use surface water to supplement this right.

Delivery System Narrative:

Ditches.

(5.26.04)
per Lori Graves
& Chris Jones
(son)

Well or Diversion Identification No	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
GPS ID A0011923					
A 0002454					

Intrepid →
Pawnee S. →

FLOW MEASUREMENTS: See 63-04676 Field Report.

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

Stockwater use is for 5 miles,

Quantity decreed for stockwater use is not a determination of historical beneficial use.

Quantity decreed shall not exceed 13,000 gal/day for stockwater use.

Comment -

Parcel No: R5743000034, R5743000022,

* R5743000035.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU See #63-04676 Field Exam.
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 5.10.04

(in office)

FIELD EXAMINER:

Kimberly Brown

Receipt Details for ID W028509

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
11/19/2001 8:36:03 AM	11/20/2001 2:19:07 PM	WESTERN	\$105.00	Check
Payer		ROBERT P. JONES CO.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
27170			
Card Expiration Date	Credit Card Transaction #		

Comment	Adjudication Claim Fees - 3 Claims	63-5398		\$ 55. ⁰⁰
		63-31352	D&S	\$ 25. ⁰⁰
		63-31353	D&S	\$ 25. ⁰⁰
				\$ 105. ⁰⁰

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$105.00	ADJUDICATION FILING FEE	42503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 63-31352 V1

WATER RIGHT NUMBER: 63-31352 V1

Owner Type Name and Address
 Current Owner ROBERT P JONES
 3328 SCENIC DR
 BOISE, ID 83703
 (208)345-0103
 Current Owner LE JEANNE JONES
 3328 SCENIC DR
 BOISE, ID 83703
 (208)345-0103

Priority Date: 01/16/1980
 Basis: Beneficial Use
 Status: Active

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	

Total Diversion:

Location of Point(s) of Diversion

GROUND WATER NE1/4NE1/4NE1/4 Sec. 29, Twp 04N, Rge 01W, B.M.
 ADA County

Place of Use

DOMESTIC

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 29	X																

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 29	X																

392 AC
 X .56 AC
 0.952 AC

overlap
 review

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31352 V1

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
4. X01 Domestic use is for 1 home.

Remarks:

1. Explanatory Stockwater use is for 5 mules.

Comments:

0.392 AC
+ 0.56 AC
0.952 AC

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31353 V1

WATER RIGHT NUMBER: 63-31353 V1

Owner Type Name and Address
Current Owner ROBERT P JONES
 3328 SCENIC DR

 BOISE, ID 83703
 (208)345-0103
Current Owner LE JEANNE JONES
 3328 SCENIC DR
 BOISE, ID 83703
 (208)345-0103

overlap
review

Priority Date: 03/20/1973
Basis: Beneficial Use
Status: Active

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
<u>Total Diversion:</u>		0.060 CFS	

Location of Point(s) of Diversion

GROUND WATER NE1/4NE1/4NE1/4 Sec. 29, Twp 04N, Rge 01W, B.M.
ADA County

Place of Use
DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01W	29	X				

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01W	29	X				

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-31353 V1

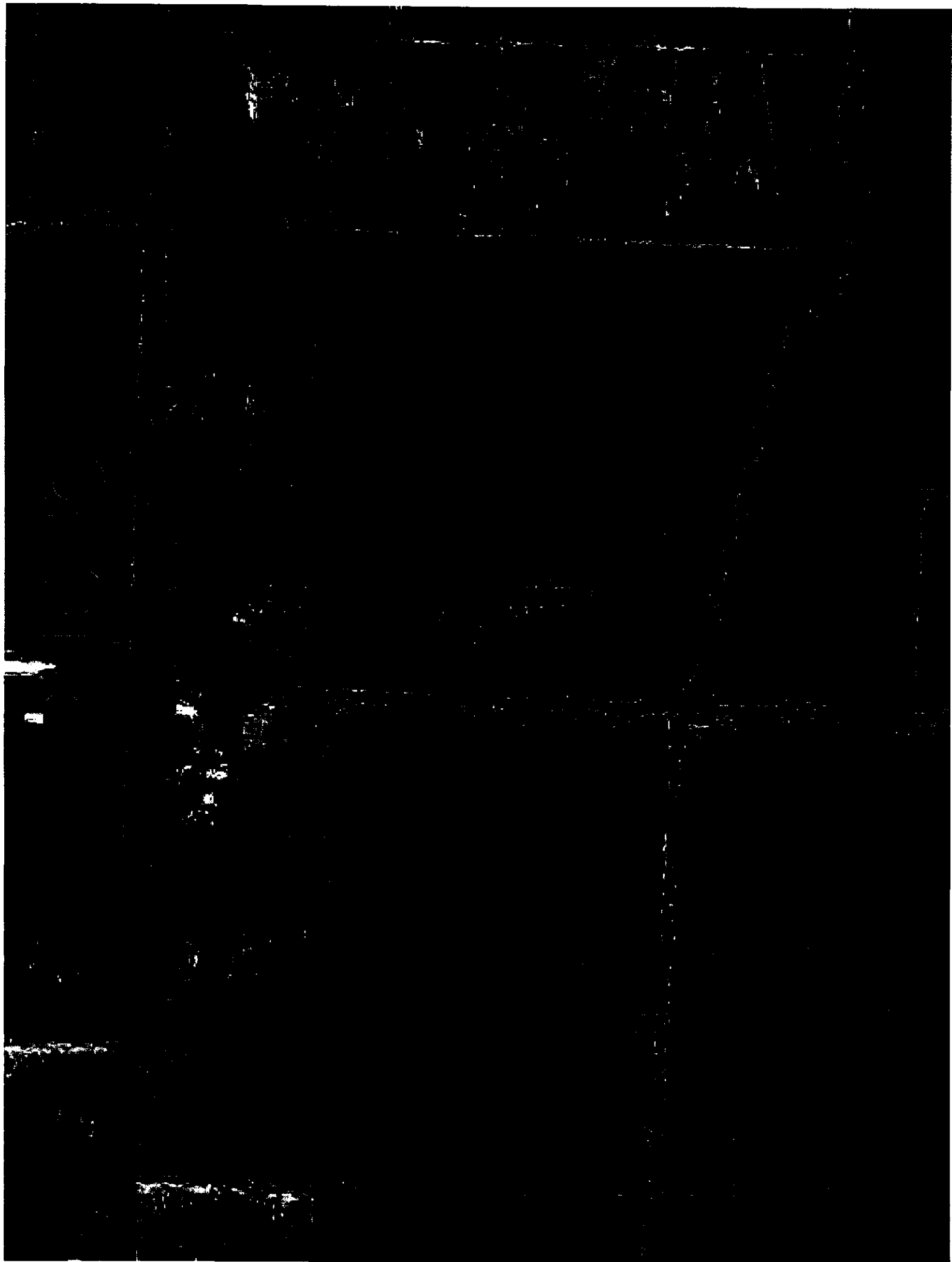
Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
4. X01 Domestic use is for 1 home.

Remarks:

1. Explanatory Stockwater use is for 5 mules.

Comments:



Idaho Department of Water Resources

Claim Number: 63-05398
Legal: T04N, R01W, S29

Treated/ Reviewed By: *Karan Waters*

☒ Point of Diversion

☐

Place of Use

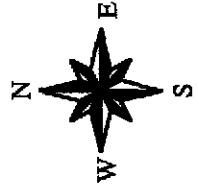
☐

Section Lines

☐

Quarter Quarter Lines

1987 Napp Photo



0 0.25 Miles

This layout is based on what was claimed. Unfortunately, there are not 5 acres of irrigation.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-05398

Date: 10-11-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	1W	29	5																5
GIS				5																5
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 5

Overlapping FOU Claim #'s:

Total GIS Acres: 5

COMMENTS:

Per claim map & county data, POD estimated. This claim
was not in the data base.

RECEIVED

JAN 30 2004

WATER RESOURCES
WESTERN REGION

AFFIDAVIT
SRBA Claim No. 63-5398

To Whom It May Concern:

I am submitting this affidavit regarding water right 63-5398. This right is appurtenant to property located in the NENE S29, aka 6505 W Chinden Road, diverted from an artesian well located in the NWNW S28, T4N R1W. To my knowledge, the artesian well has provided irrigation water to the five acres listed and incidental stockwater since the 8/20/1936 priority date established by Pete Cope. We purchased the property from Pete Cope's daughter, Anne Cope, in 2002.



Robert P. Jones

1/30/04
Date

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. 63-05398

September 23, 2003

Fellow employee, Lori Graves (Allocations Department), asked that I give the Jones a call (she is currently dating the Jones' son) and talk to them about what is needed for evidence of their priority date. According to Lori, the Jones are confused as to what is required, so I called #345-0103 to answer any of their questions. Since no one answered the telephone, I left a message on the Jones' answering machine; explaining my mission and asking them to return my telephone call.

September 25, 2004

Since I have not received a return call from the Jones, I called #345-0103 once again and left another message on their answering machine.

Kimberly Brown
Water Resource Agent
Western Region



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, 2003

ROBERT AND LE JEANNE JONES
3328 SCENIC DR
BOISE ID 83703

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-5398

4N1W

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You 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 historical use of the water for a beneficial use 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.

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.

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

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 SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by September 12, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

→ October 12, 2003 ~~note~~ date Extended per Gene



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, 2003

ROBERT AND LE JEANNE JONES
3328 SCENIC DR
BOISE ID 83703

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-5398

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You 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 historical use of the water for a beneficial use 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.

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.

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

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 SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by September 12, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.



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

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-5398



CECIL D. ANDRUS
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

R. KEITH HIGGINSON
Director

March 21, 1988

Pete Cope
6505 W. Chinden Blvd.
Meridian, ID 83642

Re: Claim to a Water Right No. 63-5398

Dear Mr. Cope:

Enclosed is a copy of an exception filed in connection with your above-referenced claim to a water right. The Department will not schedule a hearing in this matter or evaluate for conformation or censure the right claimed since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Sincerely,

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

DRT:jp

Enclosure

RECEIVED
APR 04 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

CECIL D. ANDRUS
Governor

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

R. KEITH HIGGINSON
Director

March 21, 1988

Vernon K. Smith
Attorney at Law
1900 Main Street
Boise, ID 83702

Re: Claims to Water Right Nos. 63-4644 in the Name of Thomas J. McCollum, No. 63-4676 in the Names of Richard W. Eby and/or Eugene R. Eby, No. 63-5395 in the name of Alvin E. &/or Nancy A. Lutz, No. 63-5397 in the Names of Peter K. &/or Ingrid M. Kuehn, No. 63-5398 in the Name of Pete Cope

Dear Mr. Smith:

This office acknowledges receipt of your protests concerning the above-referenced claims to water rights. The Department will not schedule a hearing in the matter or evaluate for conformation or censure of the rights claimed. However, your protests will be made a part of the permanent Claim files, as described in Section 42-244, Idaho Code, which states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Sincerely,

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

RECEIVED

APR 04 1988

DRT:jp

RECEIVED

MAR 16 1988

Hand-Delivered
Department of Water Resources
Western Regional Office

VERNON K. SMITH
ATTORNEY AT LAW
1900 Main Street
Boise, Idaho 83702

Telephone: 345-1125

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

In Re:

Statutory Claim to a Water Right
Claim, No. 63-5398, filed by Pete
Cope on October 21, 1987.

PROTEST TO CLAIM OF WATER
RIGHT FILED BY PETE COPE

PROTESTANT: ROBERT H. RUBLE
CAROLYN J. RUBLE

COMES NOW Robert H. Ruble and Carolyn J. Ruble, residing at 6175 West Chinden Blvd., Meridian, Idaho 83642, and do hereby PROTEST the Claim to a Water Right, Claim No. 63-5398, filed by Pete Cope, 6505 West Chinden Blvd., Meridian, Idaho 83642, with the Department of Water Resources on October 21, 1987, purportedly pursuant to Section 42-243 Idaho Code.

The initial objection is based upon the untimely filing of the Claim, and not only has no claim to right existed for the alleged purposes set forth in the Claim, but furthermore, the untimely filing of the Claim would constitute grounds for forfeiture of the claimed water right pursuant to Section 42-243 Idaho Code.

At no time has the Applicant Pete Cope ever beneficially used any water from the artesian well located on the NW 1/4, NW 1/4, Sec. 28, Township 4N, R1W, Boise-Meridian located in Ada County, Idaho for any irrigation or stockwater use as claimed. The land owned by Mr. Cope has not been used for agricultural purposes for in excess of eight years; it is

commercial property and is the location of his commercial business, Pete Cope Drilling. The property improvements include a residential house, two mobile homes, a large barn, equipment maintenance shop, equipment storage shed, a large equipment yard, a pipe storage yard, a large swimming pool, and an entertainment area. The Settlers Irrigation District has provided more irrigation water than could ever be used on this property. Settlers Irrigation District has no record that it transported water for use on this property. The claim to a water right for irrigation use is untenable at present, and if any claim may have ever existed sometime in or after 1936, it has long since been abandoned.

The alleged claim of water use for stock water is another unsupported statement. Any water flowing in the ditch at the point of the premises of Claimant could only come thru the Settlers Irrigation District facility, which interestingly enough their records indicate they have never diverted water to Section 29. According to Settlers' Plat maps, the McMullen Lateral ends in Section 28, and no water users exist in Section 29. Furthermore, this ditch has no water flowing through it from November thru April, of each year. During the irrigation season, there is water in the ditch only one day out of every seven. Obviously, any livestock would soon perish if Claimant is depending upon water from that ditch source. The upstream users of the Settlers Irrigation Ditch are using the ditch for irrigation purposes, and they distribute chemicals with it in their fields, and the water contains significant concentrations of chemicals that have been applied to their crops. According to veterinarians, the use of such chemically polluted water is hazardous to the health of any animal.

There is no basis for such claim to the use of water for livestock or irrigation, as there has never been any historical beneficial

MICROFILMED
APR 04 1988

application or use of of the artesian water on lands not even irrigated from Settlers ditch. The only vegetation growth in any event, on Applicant's parcel consists solely of the three small grass yards around the residential dwellings. Those yards are watered by sprinklers from a domestic well.

At no time has Mr. Cope ever claimed a right by diversion and application to a beneficial use of any water flowing from the artesian well described in his claim to a water right.

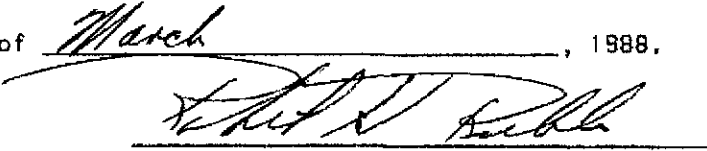
The Protestant is the owner of the property where the artesian well is located, and there has never been any authorization, license or easement granted to Mr. Cope to divert any water from this artesian well to any point across the property of Protestant or that of any adjoining neighbor. To any extent there has ever been any flow or discharge of water from the artesian well into the Settlers Irrigation Ditch, it has never been considered by the Directors of Settlers Irrigation District to have ever established a claim to water, or to have created, constituted or become the basis for such a claim of a water right, and their recent correspondence of February 5, 1988, does confirm that fact. Settlers has never even suggested that they seek or need any supplement to their water sources for providing adequate water. They have never said they are presently relying or have ever in the past relied upon this artesian well as an alternate source of supply or as a supplemental source of water. The well was never been used to increase the ditch flow. For the above reasons, Mr. Cope has not now and never before could make a beneficial use of water flowing from the artesian well located on the property of Protestant. Protestant to divert water from Protestants' premises, and from this artesian well,

MICROFILMED
APR 04 1988

would constitute trespass and can never support the basis of a valid claim to a water right.

In summary, there has never been a beneficial use of water from this artesian well by Claimant for at least eight years, continuously, and if there were any claim existing from any previous use, by any previous landowner it has long since been forfeited and abandoned by law.

Dated this 15 day of March, 1988.


Robert H. Ruble

RECORDED

APR 04 1988

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Right Number

63-5398

Applicant

Pete Cope

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion, NO LOTS
- ☒ Location of use, NO LOT
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. \$200.00 #44874
- ☒ Claim published correctly. ID STATESMAN 9/3 + 9/10/87
- ☒ Exceptions processed. None

By

Det

Date

12/21/87

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

SC

Date

12/22/87

RECORDED

FEB 29 1988

RECEIVED
DEC 22 1987

Department of Water Resources



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

November 3, 1987

Pete Cope
6505 W. Chinden Blvd.
Meridian, ID 83642

Re: Claim No. 63-5398

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Sections 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

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

NOT FILMED

DRT:jp

Enclosure

FEB 29 1988



CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region

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

October 14, 1987

Pete Cope
6505 W. Chinden Blvd.
Meridian, ID 83642

Dear Mr. Cope:

Enclosed is a partially completed claim form. This claim form was completed using information from the previously completed form.

The reason for having you sign with your signature notarized is due to the deletion of the heating and cooling use from Item No. 3. It had previously been assumed we could delete that portion, however, without your signature on the change it could be legally contested at a later date. Therefore, your notarized signature is needed on this claim which shows the actual uses which began in 1936. The signed claim needs to be returned to this office at your earliest convenience.

If you have any questions concerning this letter and claim form, please feel free to contact us.

Sincerely,

JAN SHURTE
Sr. Water Resource Agent

JS:j
Encl.

MICROFILMED

FEB 29 1988

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due
27.56

Account Name Idaho Department of Water Resources (Western)				Account Number #47628	
Address Statehouse		City/State Boise, ID		Zip 83720	
Ordered By Judy Pense	P.O. Number	Rate NT	Run Dates 1987 Sept. 3, 10		
Identification Claim to Water Rights - Pete Cope			Estimated Inches	Real Inches	
1 Number of Affidavits Requested					Legal Number #6301

RECEIVED

SEP 11 1987

RECEIVED
SEP 14 1987

Department of Water Resources
Western Regional Office

STATE OF IDAHO)

ss.

COUNTY OF ADA)

Department of Water Resources

Deborah Gregory

, being duly

sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for Two (2) ☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of September 3, 1987

and ending with the issue of September 10, 1987

Deborah Gregory

Subscribed and sworn to before me this

10

day of

September

1987

MICROFILMED

FEB 29 1988

Connie Hullerson 8/92

Notary Public for Idaho, Residing at Boise, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water rights created by diversion and beneficial use:

60-3398
Cape, Pete
2004 W. Chinden Blvd.
Meridian, ID 83442
Source: Groundwater
Diversion Pt: NWNW Sec 28 T 04N R 01W
Use: Irrigation (0.166 CFS)
Use: Stockwater (0.025 CFS)
Priority Date: 06/20/1936
In: NENE Sec. 29 T 04N R 01W
for 2 Acres

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720.

R. KEITH HIGGINSON
Director

Pub. Sept. 10, 1987

6301

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

AUGUST 26, 1987

The Idaho Statesman
Box 40
Boise, ID 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 21, 1987.

Yours truly,

JUDY PENSE
Secretary

Encl.

RECEIVED

FEB 29 1988

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720.

KEN DUNN, Dir.

Published 09/03 & 09/10/87

RECEIVED
FEB 29 1988

63-5398

COPE, PETE

6505 W. CHINDEN BLVD., MERIDIAN, ID 83642

Source: GROUNDWATER

Diversion Pt: NWNW Sec 28 T 04N R 01W

Use: IRRIGATION	(0.160 CFS)
STOCKWATER	(0.020 CFS)

Priority Date: 08/20/1936

In: NENE Sec 29 T 04N R 01W FOR 8 ACRES

RECORDED
FEB 29 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

August 24, 1987

Pete Cope
6505 W. Chinden Blvd.
Meridian, ID 83642

Dear Mr. Cope:

In our phone conversation we discussed putting heating and cooling on the Claim to a water right submitted for the well in Section 29, Township 4N, Range 1W.

However, after talking with David Tuthill our regional manager it appears he has discussed this with you previously. Since the heating and cooling were not begun in 1936, we cannot include those uses on this claim. We will process the claim, however, showing irrigation of 8 acres and stockwater for 18 head of stock.

If you have any problems with this change, please contact us as soon as possible. If we do not hear from you we will forward the Claim to our State office after advertising is completed.

Sincerely,

Jan Shurte
Senior Water Resource Agent

JS:gg

MICROFILMED

FEB 29 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 17, 1987

Pete Cope
6505 W. Chinden Blvd.
Meridian, ID 83642

Re: Water Rights From Artesian Well, Application for Permit No. 63-10493
Claim to a Water Right No. 63-5398

Dear Mr. Cope:

We are in receipt of documents that you recently submitted, including a relinquishment of application for permit No. 63-10493, a claim to a water right, which we have assigned No. 63-5398, and a check in the amount of \$170.00. Please find enclosed receipt No. 44988 in the amount of \$170.00.

As described in my letter dated June 18, 1987, this office is providing a credit of \$30.00 which was the filing fee that you paid for application No. 63-10493. This credit is possible because the application was not advertised. Accordingly, enclosed please find receipt No. 44876 in the amount of \$30.00, a credit for which is hereby assigned to claim No. 63-5398. Both fees combined equal the required \$200 filing fee for the claim to a water right.

I note that you have modified the claim to show stockwater as an additional use, and a season of use from January 1 to December 31. In addition you have shown pipelines in the description of means of diversion. As we have discussed, this is your claim and you can submit the claim as you deem appropriate. However, I would point out that normally the Department of Water Resources considers the season of beneficial use for irrigation purposes in the Boise valley to be March 15 to November 15 annually.

We will process this claim by advertising the information in the Idaho Statesman, and we will send you copies of any objections received. With the filing of this claim we now have on record the irrigation uses of all of the users of water from the artesian well that have been reported to date. I hope

MICROFILMED

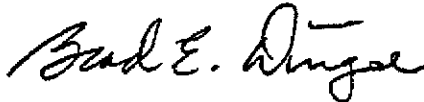
FEB 29 1988

page 2
Pete Cope

that this document, been reviewed with conjunction with the other water rights that have been filed for use of the well, will be helpful toward preparation of a contract that can be prepared to the mutual agreement and benefit of all users of water from the artesian well.

If I can be of further assistance in this matter, please advise.

Sincerely,



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

DRT:jp

Enclosures: Receipt Nos. 44876 and 44988

RECEIVED

FEB 29 1988

3/83

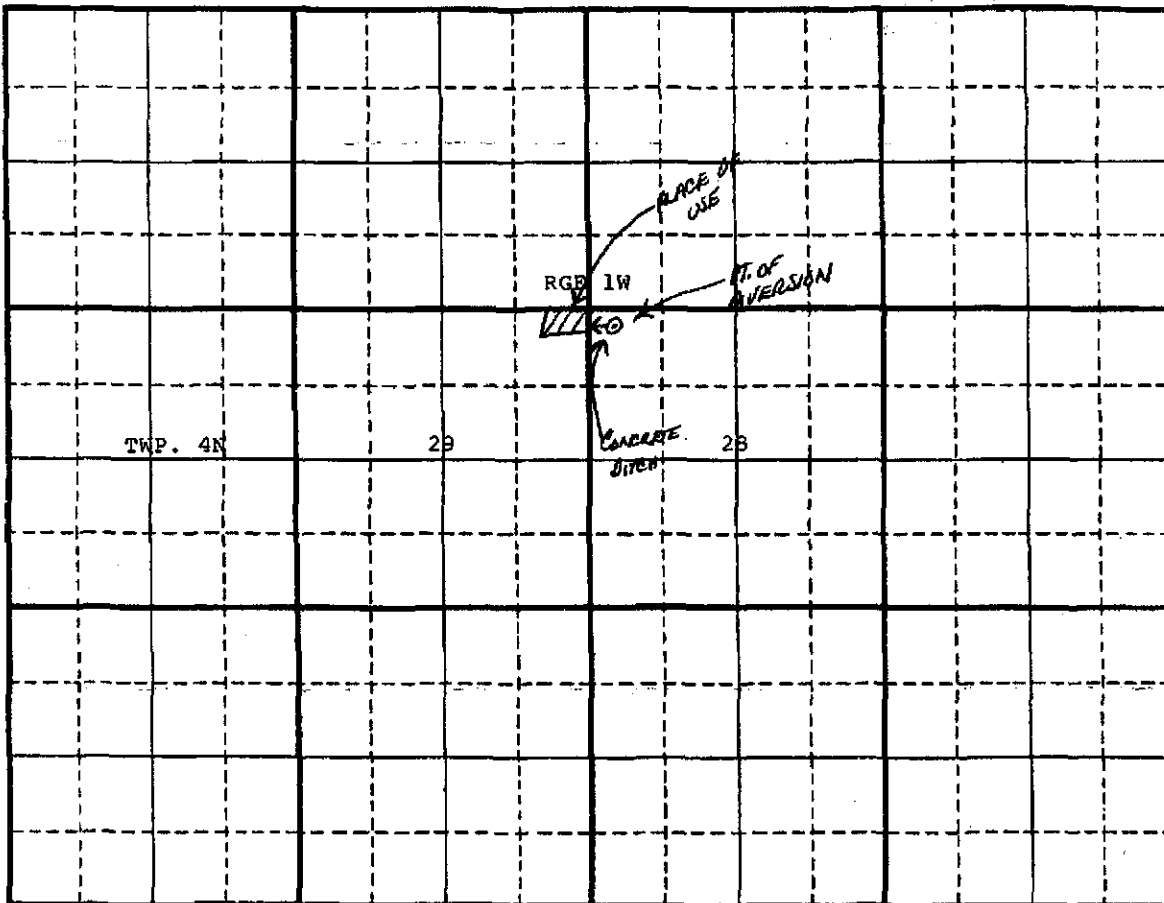
IDENT. NO. 63-5398

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

(8) 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 21st day of OCTOBER

Pete Leone
(Claimant)
19 87
Walter J. [Signature]
Notary Public
Residing at Montpelier
MICHAEL [Signature]

My commission expires 2/18/92

FOR DEPARTMENT USE ONLY
Received by ml Date 10-22-87 Exception filed by: _____
Prelim. check by [Signature] Date 2-24-87 Date 4/18/87 # 41876 (30) TOTAL
#200 \$20.00 fee received by DET Date 7/2/87 # 41876 (70) #200
Published in THE STATESMAN
Dates 7/3 & 7/10/87

FEB 29 1988
Forwarded to _____ Date _____
claimant by: _____

*RECEIPT No. 41876 FOR \$20 WAS ORIGINALLY FOR APP. NO. 63-10493 WHICH WAS RELINQUISHED.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Pete Cope (Name of Claimant)
6505 W. Chinden Blvd., Meridian, Id 83642 (Mailing Address) Telephone No. 286-7770 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 8/20/1936

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Groundwater tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From	(Mo., Day)	To	(Mo., Day)
0.16 cfs		Irrigation	Stock	From	3/15	To	11/15
0.02 cfs		Stockwater		From	1/1	To	12/15
0.10 cfs		Heating	Cooling	From	4/1	To	12/15
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	

(4) 0.28 cfs TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 NW 1/4, Sec. 28 Twp. 4N Rge. 1W B.M., County of Ada
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Artesian flowing well, casing, and ditches for irrigation.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	
4N	1W	29	8																8
			S																
			X																

No. of acres 8

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

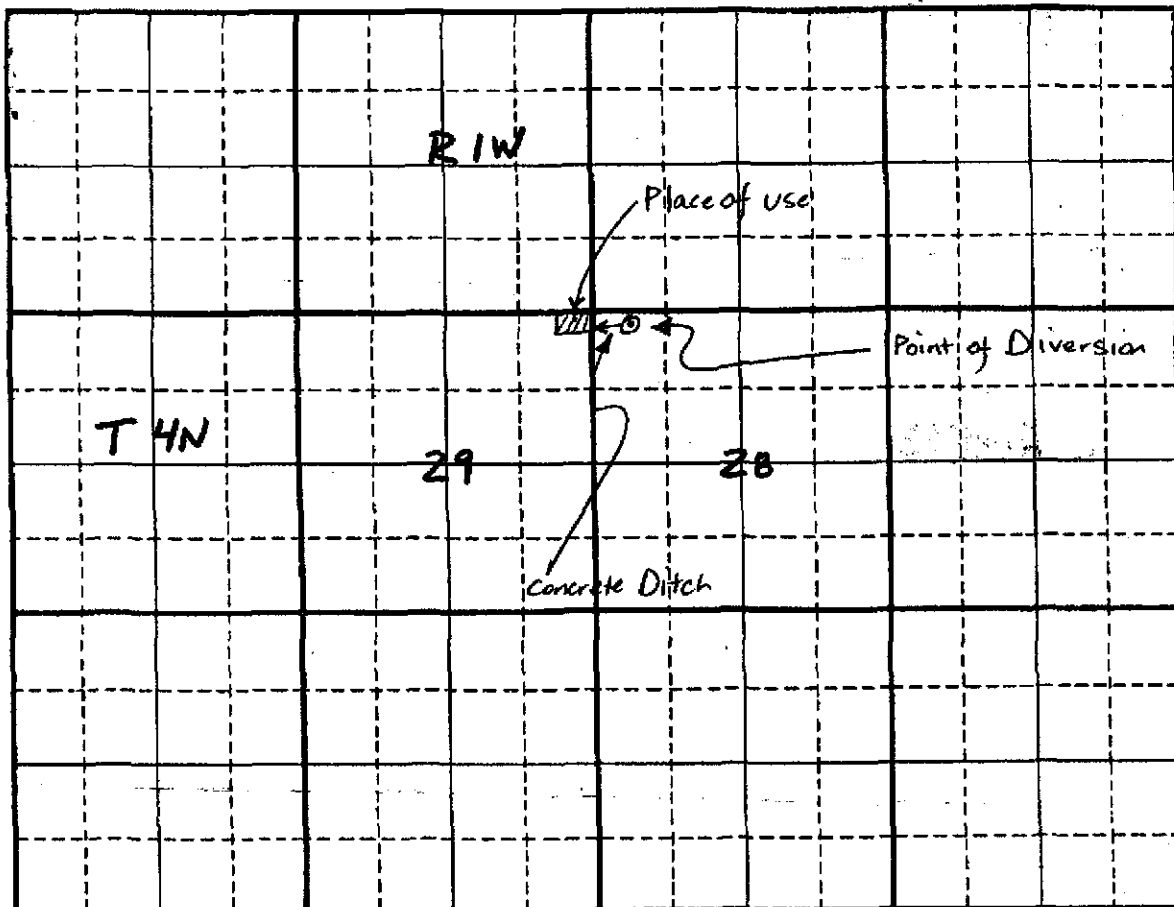
RECORDED

FEB 29 1988

NOTE: Include here the type and number of stock watered: 17-18 HD*

(7) If you are claiming water as a member of an organization, list name of organization:

(B) 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 Canyon) 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 23rd day of June, 1987

W. J. Brown
(Claimant)
W. J. Brown
Notary Public for Idaho
Residing at Caldwell, Idaho

My commission expires _____

Claim prepared by DCR

FOR DEPARTMENT USE ONLY

Received by *nl* Date 6-26-87
Prelim. check by *nl* Date 7-24-87
\$200 fee received by *nl* Date 7/2/87
Published in *ID STATESMAN*
Dates 9/3 & 9/10/87

Exception filed by:

FEB 29 1988
Forwarded to claimant by: Date

Receipt No. 44876 for \$30.00. This fee was originally paid for app no. 70493, but is credited to this claim because the app was relinquished. Also Receipt No. 44988 in the amount of \$170.00, for a total of \$200.00.