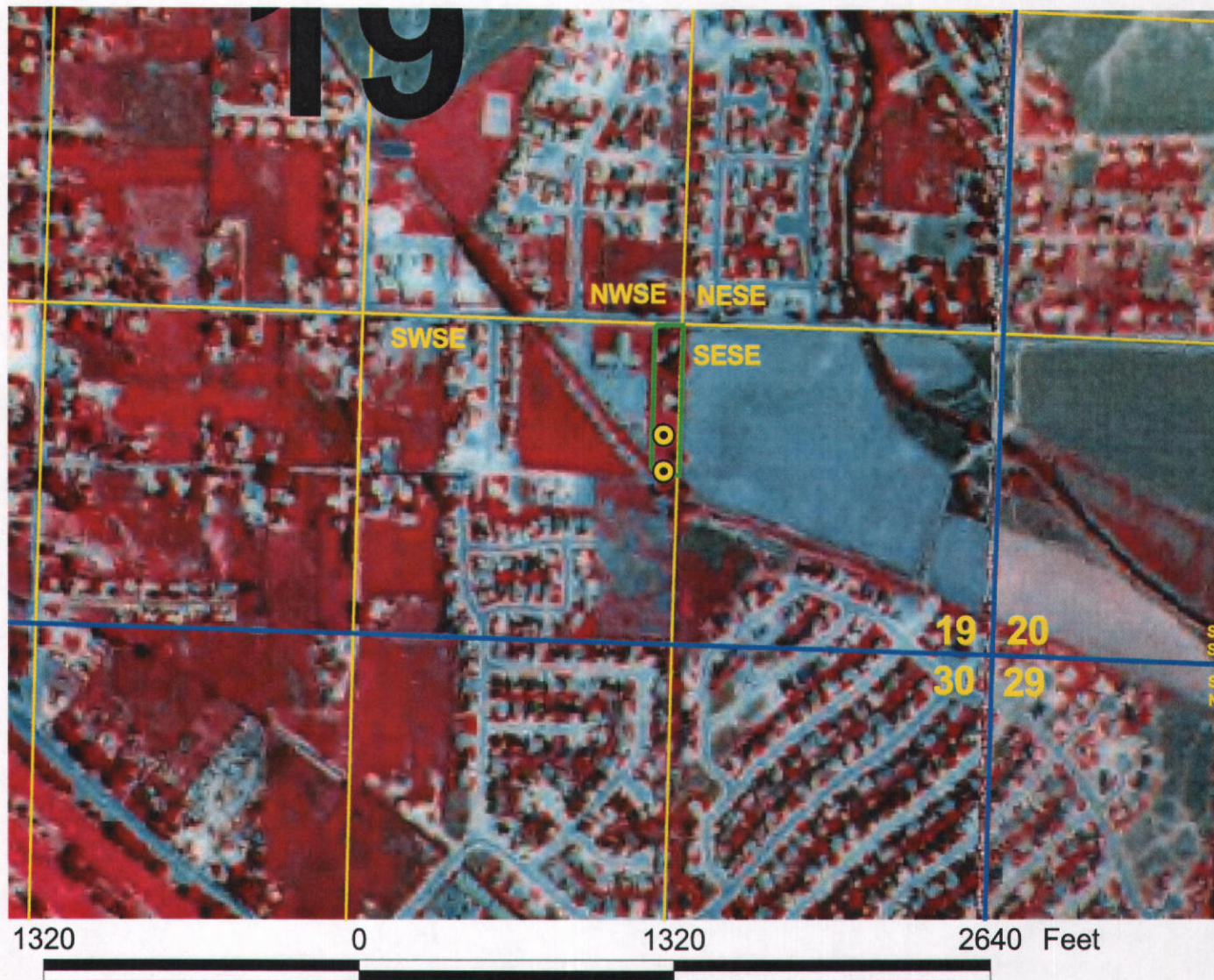




State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTION 19
Water Right(s) : 63-10056



TOTAL IRRIGATED ACRES = 1.7



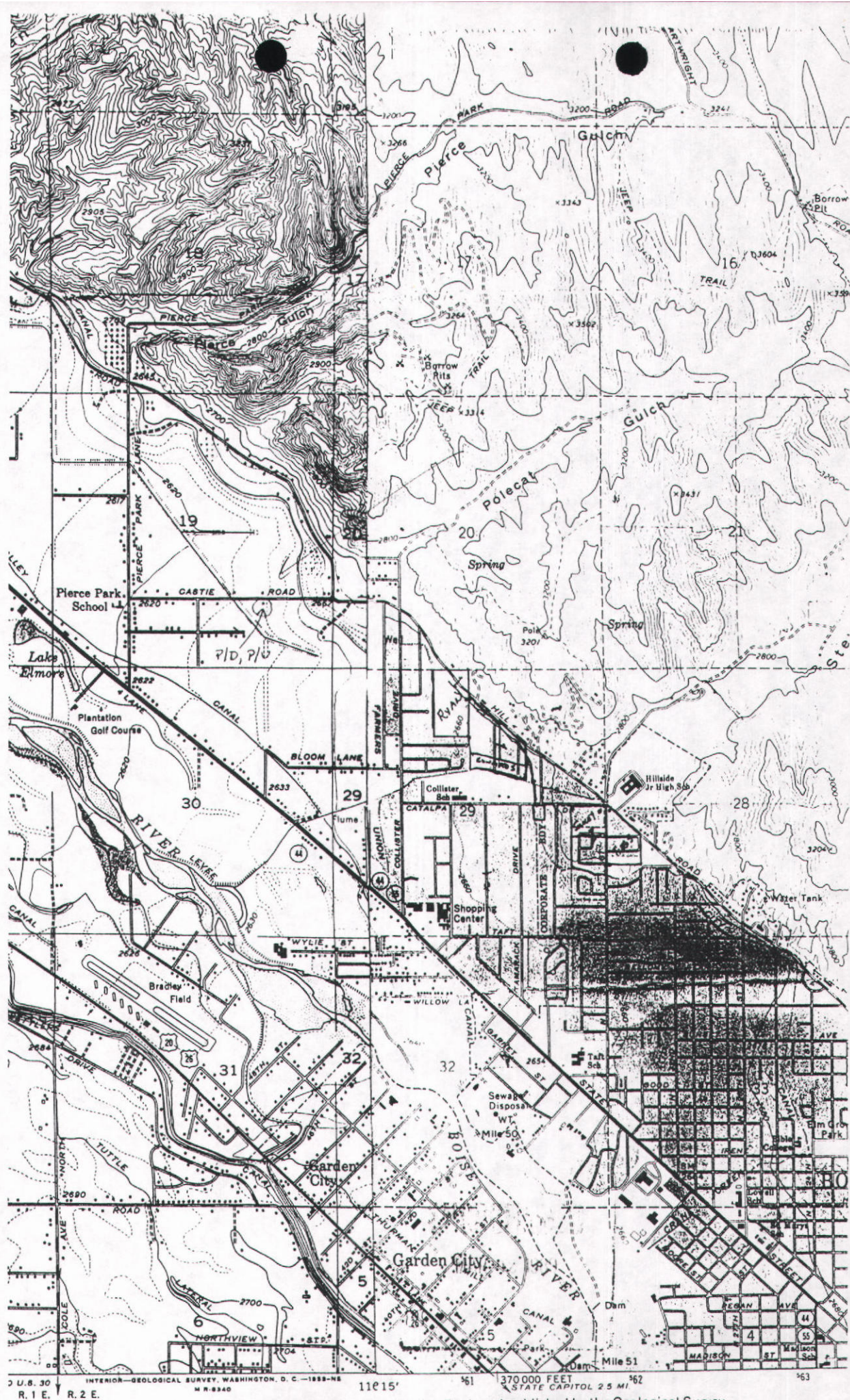
-  Point of Diversion
-  Place Of Use
-  Quarter Quarter Lines
-  Section Lines

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared By: Vicky Music
Date: December 2004

25) ADA COUNTY, IDAHO

SCALE 2 IN. = 1 MILE





Idaho Department of Water Resources

Claim Number: 63-10056
Legal: T04N, R02E, S19
Reviewed By:

● Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines

1987 Napp Photo



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-10056
Date Received: 8/11/1989
Receipt No: W004375
Received By: DE JON

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD A POPLACK 208-344-6856
Address: 5603 CASTLE DRIVE
BOISE ID 83703

2. Date of Priority: APR 20, 1983

3. Source: GROUNDWATER Trib. to:
WASTE DITCH BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02E	19	NE	SW	SE		ADA

5. Description of diverting works:
1 1/2 HP PUMP, PIPELINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		9.00

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 9.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02E	19	SW	SE		IRR	1.7

SCANNED

OCT 06 2006

MICROFILMED

JUL 26 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	1.7
					Total Acres	1.7

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:
NONE

14. Remarks:

THIS LICENSE IS SUBJECT TO THE PRIOR RIGHT OF FARMER'S UNION CANAL CO. TO CEASE WASTING WATER NOW OR AT ANYTIME IN THE FUTURE. SOURCES ARE GROUNDWATER AND WASTE DITCH, TRIBUTARY TO BOISE RIVER THE WATER CAN BE USED TO WATER 20 HEAD OF SHEEP AND 1 HORSE.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

MICROFILMED
JUL 26 1994

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

JUL 26 1994

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 ALB-10056Date Received 8-11-89Receipt Number W004375

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
AUG 11 1989

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) RICHARD A. FOPLACK Phone (208) 344-6856Mailing Address 5603 CASTLE DRIVE-BOISE, IDAHO Zip 837032. Date of Priority (Only one (1) per claim) APRIL 20, 19833. Source of water supply (a) GROUNDWATER AND WASTE DITCH
which is tributary to (b) BOISE RIVER4. a. Location of existing point of diversion is: Township 04N. Range 02E Section 19,
NE 1/4 of SW 1/4 of SE 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.

ONE 1 1/2 HP PUMP WITH
A 2" INTAKE PIPE IS CONNECTED TO A SERIES OF
1" AND 3/4" POLY PIPE AND PVC LINES WHICH SPRINKLE
IRRIGATE THE PASTURE. THE PUMP AND THE LINES
FORM ONE SYSTEM WHICH CAN EITHER IRRIGATE
FROM THE WASTE DITCH WHICH ABUTS MY PROPERTY
OR FROM A SHALLOW IRRIGATION WELL WHICH IS
LOCATED ON THE PROPERTY.

MICROFILMED

JUL 26 1994

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 0.04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 9.0 AFA acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) THE WATER CAN BE USED TO WATER 20 HEAD OF SHEEP AND ONE HORSE.

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	
4N	2E	19															1.7		1.7

Total number of acres irrigated 1.7

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:

MICROFILMED

JUL 26 1994

Last Name POPLACK Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid map showing land parcels. The grid is divided into four quadrants by a central vertical line and a central horizontal line. The quadrants are labeled as follows:

- Top-left quadrant: Labeled "NW" in the center.
- Top-right quadrant: Labeled "NE" in the center.
- Bottom-left quadrant: Labeled "SW" in the center.
- Bottom-right quadrant: Labeled "SE" in the center.

At the top of the grid, the text "R 2 E" is written across the top row. At the bottom right of the grid, the text "WATER DITCH" is written across the bottom row. In the bottom right corner, there is a small area with a diagonal hatched pattern, and the text "POINTS OF USE AND DIVERSION ARE THE SAME" is written next to it.

TOWNSHIP 4N RANGE 1E
RESUSE 167 ACRES
JUL 26 1994

Last Name POPLACK Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-10056
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 0

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

Signature of Claimant (s) Richard Poplack Date 8/9/89

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 9th day of August 19 89

SEAL

Notary Public R. Jean Allen

Residing at Bailey, ID

My Commission Expires 7-1-91

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 _____

MICROFILMED

JUL 26 1994

Last Name POPLACK Ident. Number _____

Copies White-State, Yellow-Claimant

Water Right Number - 63-10056 Prefix Translation: WATER RIGHT Old (D) Number -

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

*** C - CURRENT OWNER ***

POPLACK RICHARD A. 1 - 5603 CASTLE DR.

2 -

3 -

City- BOISE State- ID Zip- 83703

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

04/20/1983 14 WESTERN L - LICENSE

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

GROUNDWATER BOISE RIVER

WASTE DITCH

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

Twn	Rng	Sec	Tract	Lot	Rflg	County	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
04N	02E	19	SW SE			(1) ADA	03/15	11/15		0.040	9.00
01 - IRRIGATION											
+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +											
0.040 9.00 0.060											
+ - - - - Place of Use - - - - - Description - - - - - County - - - - - +											
Twn	Rng	Sec	Tract	Lot	Acres	Code					
04N	02E	19	SW SE		1.7	01 IRRIGATION	(1) ADA				
Total Acres: 1.7											
+ - - Diversion Means -											
+ - - Non-Irrigation Use -											
+ - - Other Rights for Same Use -											
+ - - - - Remarks - - - - -											
This license is subject to the prior right of Farmer's Union Canal Co. to cease wasting water now or at any time in the future.											
Sources are groundwater and waste ditch, tributary to Boise River.											
+ - - - - Old Water Right Numbers - - - - -											
No Old Water Right Numbers found.											

MICROFILMED

JUL 26 1994

MICROFILMED
JUL 26 1994

4-3-91

CLAIMANT'S NAME Poplach, Richard A.

IDENT. NO. AL63-10056

DATE RECEIVED 8-11-89

RECEIPT # W0004375

AMOUNT \$ 75 / \$ 50

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

MICROFILMED

JUL 26 1994

23. Should this claim be data entered?

YES

NO

☒

☒

Claim reviewed by:

ad

Date

1-21-92

Claim data entered by:

ad

Date

12-16-92

Claim is being returned to claimant:

☐ (Yes) ☒ (No)

Claimant is being notified of modifications:

☐ (Yes) ☐ (No)

Comments:

Need additional fee for acreage. Proxy report
attached.

Claim fee due - \$200. Considering the cost of returning this
claim - plus the added costs if he doesn't return it -
ok to data enter. JRW 12-8-92

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
W004375	25.00	63	17319		Claim
W004375	50.00	63	10056		Claim

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-10056

2007 MAR 6 PM 2 20

NAME AND ADDRESS: RICHARD A POPLACK
5603 CASTLE DR
BOISE, ID 83703

SOURCE: GROUND WATER
WASTE DITCH TRIBUTARY: BOISE RIVER

QUANTITY: 0.04 CFS
9.00 AFY

PRIORITY DATE: 04/20/1983

POINT OF DIVERSION: T04N R02E S19 SWSE Within Ada County
SWSE

TWO POINTS OF DIVERSION LOCATED IN T4N, R2E, S19, SWSE.

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 0.04 CFS
9.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR
LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A
PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Within Ada County
T04N R02E S19 SWSE 1.7
1.7 Acres Total

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

THIS LICENSE IS SUBJECT TO THE PRIOR RIGHT OF FARMERS UNION
CANAL CO. TO CEASE WASTING WATER NOW OR AT ANY TIME IN THE
FUTURE.

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. I.C. SECTION 42-1412(6).

RECOMMENDATION

MAR - 6 2007

David E. Booth
SPECIAL MASTER

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

MAR 07 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 MAR 6 PM 2 19

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

In Re SRBA) SPECIAL MASTER'S REPORT
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 63-10056

I. FINDINGS OF FACT

A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On April 21, 2006, the Ada County Drainage District No. 2 (DD#2), by and through its attorney Bryce Farris, filed an objection to the *Director's Report*. On March 6, 2007, on the record at a hearing on an *Order to Show Cause*, the DD#2 withdrew its objection. Accordingly, there are no outstanding objections to this water right claim.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 63-10056 be decreed with the elements as set forth in the attached *Recommendations for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated March 6, 2007


Theodore R. Booth
Special Master
Snake River Basin Adjudication

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 MAR 6 PM 2 20

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

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

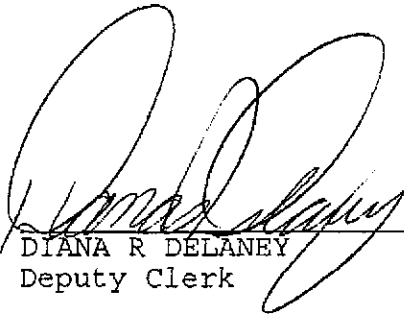
Water Right(s): 63-10056

On March 06, 2007, Special Master THEODORE R. BOOTH
issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s)
pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party
to the adjudication including parties to the subcase, may file a Motion
to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate
in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION
shall constitute a waiver of the right to challenge it before the
Presiding Judge.

DATED March 06, 2007.



DIANA R. DELANEY
Deputy Clerk

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 MAR 6 PM 2 20

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

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 63-10056

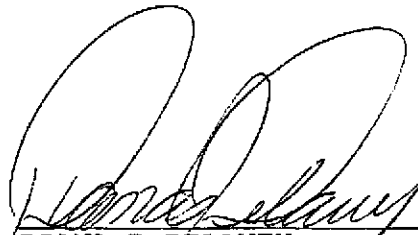
CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on March 06, 2007, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

RICHARD A POPLACK
5603 CASTLE DR
BOISE, ID 83703
Phone: 208-344-6856

CRAIG MAHONEY
5603 CASTLE DRIVE
BOISE, ID 83703



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
03/06/07

RECEIVED

JAN 31 2007
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2007 JAN 30 PM 12 27

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

In Re SRBA

) Subcases: 63-10056

Case No. 39576

) ORDER TO SHOW CAUSE
)
)
)

This matter came before this Special Master pursuant to a *Notice Setting Subcases for Initial Hearing* issued September 26, 2006. Richard Poplack (hereinafter "Claimant") was notified of the hearing via first class mail sent to his last known address. The Claimant failed to appear at the January 23, 2007, initial hearing either in person or through counsel.

On April 21, 2006, Ada County Drainage District No. 2, through their attorney of record S. Bryce Farris, filed an objection to the *Director's Report* for this water right claim asserting that the water right claimed should not exist.

It is **hereby ordered** that the Claimant shall appear before this Special Master on **March 6, 2007, at 9 A.M.** Mountain Time, at the Snake River Basin Adjudication Courthouse, 253 3rd Avenue North, Twin Falls, Idaho, or participate by telephone by dialing 1-225-383-1099 participation code 675342, to show cause why the objection filed by Ada County Drainage District No. 2 -- seeking disallowance of the claim -- should not be granted. The purpose of the show cause hearing is to provide the Claimant with a final opportunity to oppose the objection despite failing to appear at the initial hearing.

Participation in the show cause hearing is **not mandatory** and failure to appear will not be considered contempt of court. **However, failure to appear will result in the Claimant being deemed to have consented to the disallowance of the water right claim.** If the Claimant participates in the hearing, the Claimant will be expected to notify this Special Master

whether he intends to oppose the objection, and accordingly a trial date will be set. In such case, no additional evidence or argument need be presented as subcases(s) will be allowed to proceed to trial as a matter of course. Therefore the parties need not produce testimony or evidence in accordance with I.R.C.P. 6(c)(4).

A copy of this *Order to Show Cause* shall be served upon the Claimant not less than five (5) days prior to the date herein shown, upon which those parties are required to appear before this Special Master and show cause. Service of the *Order to Show Cause* shall be made in accordance with I.R.C.P. 5(b) and 6(c)(2).

IT IS SO ORDERED

Dated January 29, 2007

A handwritten signature in black ink, appearing to read 'T. R. Booth', with a stylized flourish at the end.

THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER TO SHOW CAUSE was mailed on January 30, 2007, with sufficient first-class postage to the following:

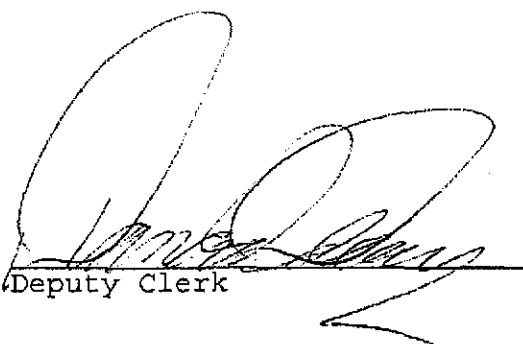
ADA COUNTY DRAINAGE DISTRICT

Represented by:
S. BRYCE FARRIS
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

RICHARD A POPLACK
5603 CASTLE DR
BOISE, ID 83703
Phone: 208-344-6856

CRAIG MAHONEY
5603 CASTLE DRIVE
BOISE, ID 83703

A large, stylized handwritten signature in black ink, likely belonging to the Deputy Clerk mentioned in the footer. The signature is written over a horizontal line.

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

In Re SRBA

Case No. 39576

A. Subcase 63-10056

(Insert water right no.)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: ADA COUNTY DRAINAGE DISTRICT NO. 2

Address: 455 S. Third Street
Boise, Idaho 83701

Daytime Phone: 208-342-4591

Name & Address of Attorney, if any:

S. Bryce Farris
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

Name: Richard A Poplack

Address: 5603 Castle Dr
Boise, Idaho 83703

SCANNED

OCT 3 5 2006

D. I object to the following elements as recommended in the Director's Report. (Please check the Appropriate box(es)).

1. X **Name and Address**
Should be: Disallowed. See below.
2. X **Source**
Should be: Disallowed. See below.
3. X **Quantity**
Should be: Disallowed. See below.
4. X **Priority Date**
Should be: Disallowed. See below.
5. X **Point(s) of Diversion**
Should be: Disallowed. See below.
6. ☐ **Instream Flow Description**
Should be: N/A
7. X **Purpose(s) of Use**
Should be: Disallowed. See below.
8. X **Period of Year**
Should be: Disallowed. See below.
9. X **Place of Use**
Should be: Disallowed. See below.
10. X **I object because:**
 - X This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION (S):** This claimed water right is within the boundaries of Ada County Drainage District No. 2 ("DD#2") and the source of said claim is a drain which was constructed or enlarged by or for DD#2. Said drain is owned, operated, maintained and controlled by DD#2 and the water within said drain is seepage or waste water that has been developed, captured and/or controlled by DD#2. Therefore, said water is not subject to appropriation, would amount to an impermissible trespass, and this claimed water right should not exist.

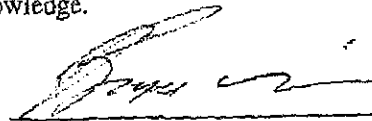
F.

VERIFICATION (must be completed)

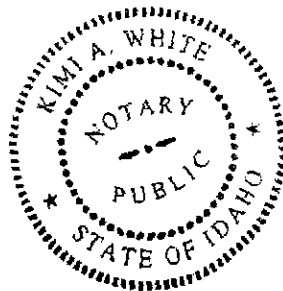
State of Idaho)
) ss.
County of Ada)

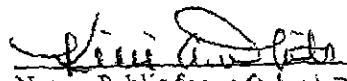
S. Bryce Farris, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


S. Bryce Farris

Subscribed and sworn to before me on: April 20, 2016




Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 8/2/17

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on April 27th, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the Claimant of the water right at the following address:

Name: Richard A. Poplack

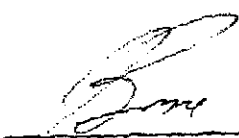
Address: 5603 Castle Drive
Boise, Idaho 83703

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney
mailing on Objector's behalf

02/18/2005

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

RIGHT NUMBER: 63-10056
NAME AND ADDRESS: RICHARD A POPLACK
5603 CASTLE DR
BOISE ID 83703
SOURCE: GROUND WATER
WASTE DITCH
TRIBUTARY:
TRIBUTARY: BOISE RIVER
QUANTITY: 0.040 CFS
9.000 AFY
PRIORITY DATE: 04/20/1983
POINT OF DIVERSION:
T04N R02E S19 SWSE Within ADA County
T04N R02E S19 SWSE Within ADA County
TWO POINTS OF DIVERSION LOCATED IN T4N, R2E, S19, SWSE.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.040 CFS 9.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ADA County
T04N R02E S19 SWSE 1.7

1.7 ACRES TOTAL

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

THIS LICENSE IS SUBJECT TO THE PRIOR RIGHT OF FARMERS UNION CANAL CO. TO CEASE WASTING WATER NOW OR AT ANY TIME IN THE FUTURE.

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: License

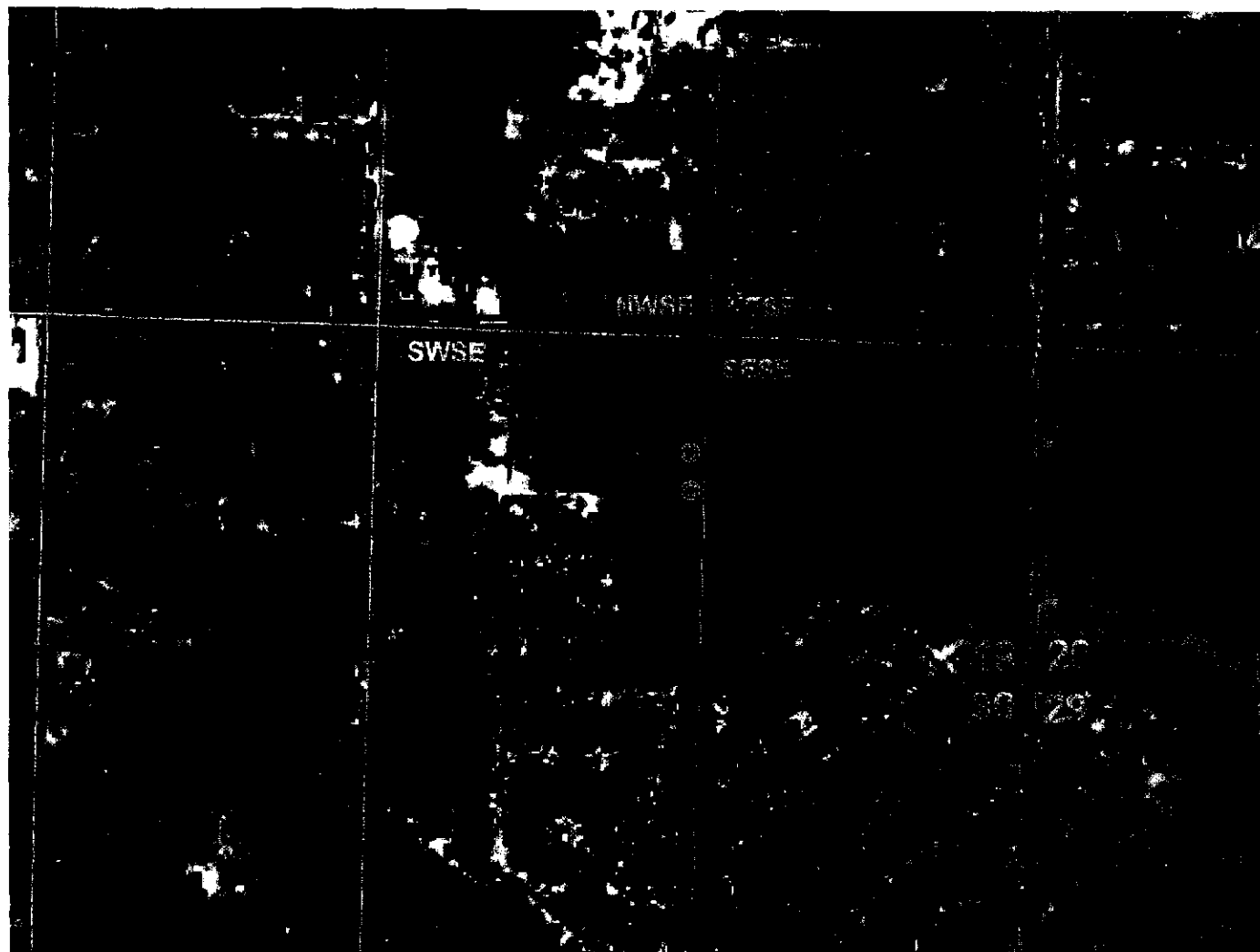
PARCEL NO. R1753012700.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 63.



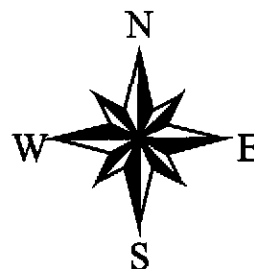
State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTION 19
Water Right(s) : 63-10056



1320 0 1320 2640 Feet

TOTAL IRRIGATED ACRES = 1.7



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

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared By: Vicky Music
Date: December 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10056 V1

WATER RIGHT NUMBER: 63-10056 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD A POPLACK 5603 CASTLE DR BOISE, ID 83703 (208)344-6856

Priority Date: 04/20/1983

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	BOISE RIVER
WASTE DITCH	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.040 CFS	9.00 AF
	<u>Total Diversion:</u>	0.040 CFS	9.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 19, Twp 04N, Rge 02E, B.M.
ADA County		
WASTE DITCH	SW1/4SE1/4	Sec. 19, Twp 04N, Rge 02E, B.M.
ADA County		

Place of Use

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	02E	19																	1.7

Total Acres: 1.7

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.

Remarks:

1. Explanatory PARCEL NO. R1753012700.
2. General THIS LICENSE IS SUBJECT TO THE PRIOR RIGHT OF FARMERS UNION CANAL CO. TO CEASE WASTING WATER NOW OR AT ANY TIME IN THE FUTURE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10056 V1

3. General THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 63.
4. Point of Diversion TWO POINTS OF DIVERSION LOCATED IN T4N, R2E, S19, NESW.
5. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. vmusic 12/2/2004 OWNERSHIP

Comment: ADA CO ASSESSOR INFO IN ARCVIEW STATES CURRENT OWNER IS CRAIG MAHONEY. CHANGE OF OWNERSHIP LETTER AND FORM SENT 12-2-04.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 63
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

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>
Contacts	12/2/2004 12:44:29 PM	vmusic			Active
Priority Date	12/2/2004 12:44:53 PM	vmusic			Active
POD	12/2/2004 12:47:33 PM	vmusic			Active
Source	12/2/2004 12:50:06 PM	vmusic			Active
POU	12/2/2004 12:50:26 PM	vmusic			Active
Use	12/2/2004 12:52:08 PM	vmusic			Active
Season	12/2/2004 12:52:46 PM	vmusic			Active
Quantity	12/2/2004 12:53:32 PM	vmusic			Active
Summary			12/02/2004	vmusic	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-10056 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	12/2/2004 12:47:33 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (Yes) 10. Is a POD remark and/or condition required?
POD	12/2/2004 12:48:30 PM	vmusic	Edited point location
POU	12/2/2004 12:50:49 PM	vmusic	Edited shape boundary
Summary	12/2/2004 1:04:33 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 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? (No) 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?
Source	12/2/2004 12:50:06 PM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (Yes) 11. Is a Source remark and/or condition required?
POU	12/2/2004 12:50:27 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	12/2/2004 12:52:08 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10056 V1

Season	12/2/2004 12:52:46 PM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	12/2/2004 12:53:32 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual 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 - SEE LICENSING EXAM
Contacts	12/2/2004 12:44:29 PM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW
Priority Date	12/2/2004 12:44:53 PM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?
POD	12/2/2004 12:49:09 PM	vmusic	Edited point location



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

December 2, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CRAIG MAHONEY
5603 CASTLE DR
BOISE, ID 83703

RE: Snake River Basin Claim No(s): A63-10056

Dear MR MAHONEY,

In the past, RICHARD A POPLACK submitted the above referenced claim during the Snake River Basin Adjudication (SRBA) claims taking. You may be the owner of this water right claim. Enclosed is a computer generated printout of the claim for your reference only, it is not necessary to return this printout or re-file it.

Idaho State law requires that the Department be notified of a change of owner or address on a water right. Enclosed is a change of ownership form. Please complete the form and send it back to our office with the required documentation.

Please call if you have additional questions.

Sincerely,

Vicky L. Music
Water Resource Agent
Adjudication Bureau

Enclosure: Change of Ownership form and instructions
Notice of Claim report

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-10056

12/02/2004

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-9145	Claim	04N	02E	19	SW	SE		GROUND WATER	FIRST CHURCH OF CHRIST
63-15474	Claim	04N	02E	19	SW	SE		GROUND WATER	MARVIN R KEARNS
63-16327	Claim	04N	02E	19	SW	SE		GROUND WATER	MICHAEL H CARROL
63-10056	Claim	04N	02E	19	SW	SE		GROUND WATER	RICHARD A POPLACK
63-17319	Claim	04N	02E	19	SW	SE		GROUND WATER	RICHARD A POPLACK
63-10056	Claim	04N	02E	19	SW	SE		WASTE DITCH BOISE RIVER	RICHARD A POPLACK
63-15297	Claim	04N	02E	19	SW	SE		GROUND WATER	HATTIE L SEREDUK
63-15763	Claim	04N	02E	19	SW	SE		GROUND WATER	PATRICIA N SEREDUK
63-22553	Claim	04N	02E	19	SW	SE		GROUND WATER	RICHARD W RAMAGE
63-16715	Claim	04N	02E	19	SW	SE		GROUND WATER	DARREL B MORRIS
63-17133	Claim	04N	02E	19	SW	SE		GROUND WATER	NEIL M & ELAINE M CLARK FAMILY TR
63-9145	Water Right	04N	02E	19	SW	SE		GROUND WATER	NEW CREATION FELLOWSHIP CHURCH THE NAZAR
63-10056	Water Right	04N	02E	19	SW	SE		GROUND WATER	RICHARD A POPLACK
63-12261	Water Right	04N	02E	19	SW	SE		GROUND WATER	NEW CREATION CHURCH OF THE NAZARENE
63-15474	Water Right	04N	02E	19	SW	SE		GROUND WATER	MARVIN R KEARNS
63-16327	Water Right	04N	02E	19	SW	SE		GROUND WATER	MICHAEL H CARROL
63-10056	Water Right	04N	02E	19	SW	SE		WASTE DITCH BOISE RIVER	RICHARD A POPLACK
63-17319	Water Right	04N	02E	19	SW	SE		GROUND WATER	RICHARD A POPLACK
63-15297	Water Right	04N	02E	19	SW	SE		GROUND WATER	VERNON MOYER
63-15763	Water Right	04N	02E	19	SW	SE		GROUND WATER	PATRICIA N SEREDUK
63-22553	Water Right	04N	02E	19	SW	SE		GROUND WATER	PATTY RAMAGE
63-17133	Water Right	04N	02E	19	SW	SE		GROUND WATER	NEIL M CLARK FAMILY TRUST

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-10056**

12/02/2004

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2406	Claim	04N	02E	19	SW	SE		IRRIGATION	40/29248	DRAINAGE DIST NO 2
9145	Claim	04N	02E	19	SW	SE		IRRIGATION	3/3	FIRST CHURCH OF CHRIST
10056	Claim	04N	02E	19	SW	SE		IRRIGATION	1.7/1.7	RICHARD A POPLACK
2406	Water Right	04N	02E	19	SW	SE		IRRIGATION	40/29248	DRAINAGE DIST NO 2
9145	Water Right	04N	02E	19	SW	SE		IRRIGATION	3/3	NEW CREATION FELLOWSHIP CHURCH THE NAZAR
10056	Water Right	04N	02E	19	SW	SE		IRRIGATION	1.7/1.7	RICHARD A POPLACK
12261	Water Right	04N	02E	19	SW	SE		IRRIGATION	5/5	NEW CREATION CHURCH OF THE NAZARENE
17133	Water Right	04N	02E	19	SW	SE		STOCKWATER		NEIL M CLARK FAMILY TRUST
17319	Water Right	04N	02E	19	SW	SE		STOCKWATER		RICHARD A POPLACK
2576	Claim	04N	02E	19	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
2605	Claim	04N	02E	19	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
2874	Claim	04N	02E	19	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
2954	Claim	04N	02E	19	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
2956	Claim	04N	02E	19	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
2989	Claim	04N	02E	19	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
3164	Claim	04N	02E	19	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
7067	Claim	04N	02E	19	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
7577	Claim	04N	02E	19	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
7998	Claim	04N	02E	19	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
19456	Claim	04N	02E	19	SW	SE		MUNICIPAL		UNITED WATER IDAHO INC
9145	Claim	04N	02E	19	SW	SE		DOMESTIC		FIRST CHURCH OF CHRIST
16715	Claim	04N	02E	19	SW	SE		DOMESTIC		DARREL B MORRIS
15297	Water Right	04N	02E	19	SW	SE		DOMESTIC		VERNON MOYER
15474	Water Right	04N	02E	19	SW	SE		DOMESTIC		MARVIN R KEARNS
15763	Water Right	04N	02E	19	SW	SE		DOMESTIC		PATRICIA N SEREDUK
16327	Water Right	04N	02E	19	SW	SE		DOMESTIC		MICHAEL H CARROL
17133	Water Right	04N	02E	19	SW	SE		DOMESTIC		NEIL M CLARK FAMILY TRUST
17319	Water Right	04N	02E	19	SW	SE		DOMESTIC		RICHARD A POPLACK
22553	Water Right	04N	02E	19	SW	SE		DOMESTIC		PATTY RAMAGE

DESKTOP REVIEW/VLM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

11/6/04

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed)
- ☒ 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) 63-10050

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME *Ada CO shape: owner is CRAIG MATHON*
- ☐ 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?

Priority date, per claimant, is: _____

(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

- 2 PODS*
- ☒ 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

Description of diverting works

*See Illinois River***OVERLAP REVIEW**

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

shoulder remark 3/11-11/15

Use IRR From 3/15 To 11/15 Amount .04 CFS 1 AFA 11C

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only

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

NON-IRRIGATION USES:☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

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	

Overlap with other water rights: 63-17319 domestic

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

Delivery System Narrative: cell licensing exam

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

view
Parcel # R1753012700.

you should remark

for 2 PDS in 19 4N 2E

ADA WMB3

Ownership

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 12-2-04

FIELD EXAMINER: Vicki Wscl

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-10056

WATER RIGHT NUMBER: 63-10056

Owner Type
Current Owner

Name and Address
RICHARD A POPLACK
5603 CASTLE DR
BOISE, ID 83703
(208)344-6856

Priority Date: 04/20/1983

Basis: License

Status: Active

SourceGROUND WATER
WASTE DITCHTributary

BOISE RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

0.040 CFS

Annual Volume

9.00 AF

Total Diversion:

0.040 CFS

9.00 AF

Location of Point(s) of Diversion

GROUND WATER

ADA County

NE1/4SW1/4SE1/4

Sec. 19, Twp 04N, Rge 02E, B.M.

WASTE DITCH

ADA County

NE1/4SW1/4SE1/4

Sec. 19, Twp 04N, Rge 02E, B.M.

Place of Use

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	02E	19															1.7		1.7

Total Acres: 1.7

Conditions of Approval:

- 016 See remarks for additional conditions of approval.
- R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:

- General THIS LICENSE IS SUBJECT TO THE PRIOR RIGHT OF FARMER'S UNION CANAL CO. TO CEASE WASTING WATER NOW OR AT ANYTIME IN THE FUTURE. SOURCES ARE GROUNDWATER AND WASTE DITCH, TRIBUTARY TO BOISE RIVER THE WATER CAN BE USED TO WATER 20 HEAD OF SHEEP AND 1 HORSE.

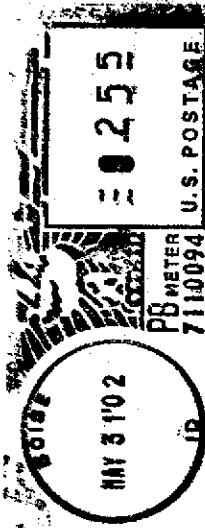
aka

shoulder remark for
3/11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

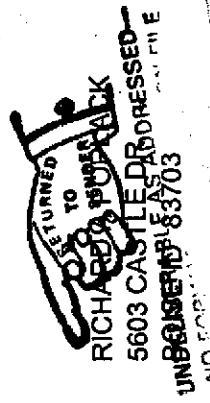
Return Service Requested

PRESORTED
FIRST CLASS



63-10056

5684 Drawbridge Dr.
Boise 83703



RECEIVED
JUN 06 2002
WATER RESOURCES
WESTERN REGION

63-10056 83703



Sent Again

6-11-02

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10056

Priority: April 20, 1983 Amount: 0.04 CFS 9.0 AFA

This is to certify, that RICHARD A. POPLACK
5603 CASTLE DR.
BOISE, ID 83703

has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated April 20, 1983, and
has submitted proof to the Department of Water Resources on June 6, 1984, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .060 cfs of water from:

GROUNDWATER

WASTE DITCH

BOISE RIVER

source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	0.04 CFS	9.0 AFA

LOCATION OF POINT OF DIVERSION(S): SWSE , Sec. 19, Township 04N, Range 02E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N	02E	19	SWSE	1.7		1.7

Total number of acres irrigated: 1.7

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right is subject to control by the watermaster of State Water District No. 63

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MAR 02 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10056

CONDITIONS/REMARKS:

5. This license is subject to the prior right of Farmer's Union Canal Co. to cease wasting water now or at any time in the future.
6. Sources are groundwater and waste ditch, tributary to Boise River.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 17th day of FEBRUARY, 1987

Acting for the Director



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MAR 02 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant RICHARD A. POPLACK Phone 344-6856
Post office address 5603 CASTLE DR. BOISE, IDAHO 83703
2. Source of water supply GROUNDWATER + WASTE DITCH which is a tributary of BOISE RIVER
PER PERMIT 412185 SW
3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19 Township 4N
Range 2E B.M. ADA County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .06 CFS for IRRIGATION purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .06 C.F.S. cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 1 1/2 HP DITCH PUMP +
SPRINKLER IRRIGATION OUT OF SHALLOW WELL AND WASTE
DITCH FLOWING THROUGH COMMON SYSTEM
b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is 10 inches; proposed depth of well is 25 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

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[illegible]

2.0

9. a. Who owns the property at the point of diversion
APPLICANT

b. Who owns the land to be irrigated or place of use
APPLICANT

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

~~APPLICANT~~

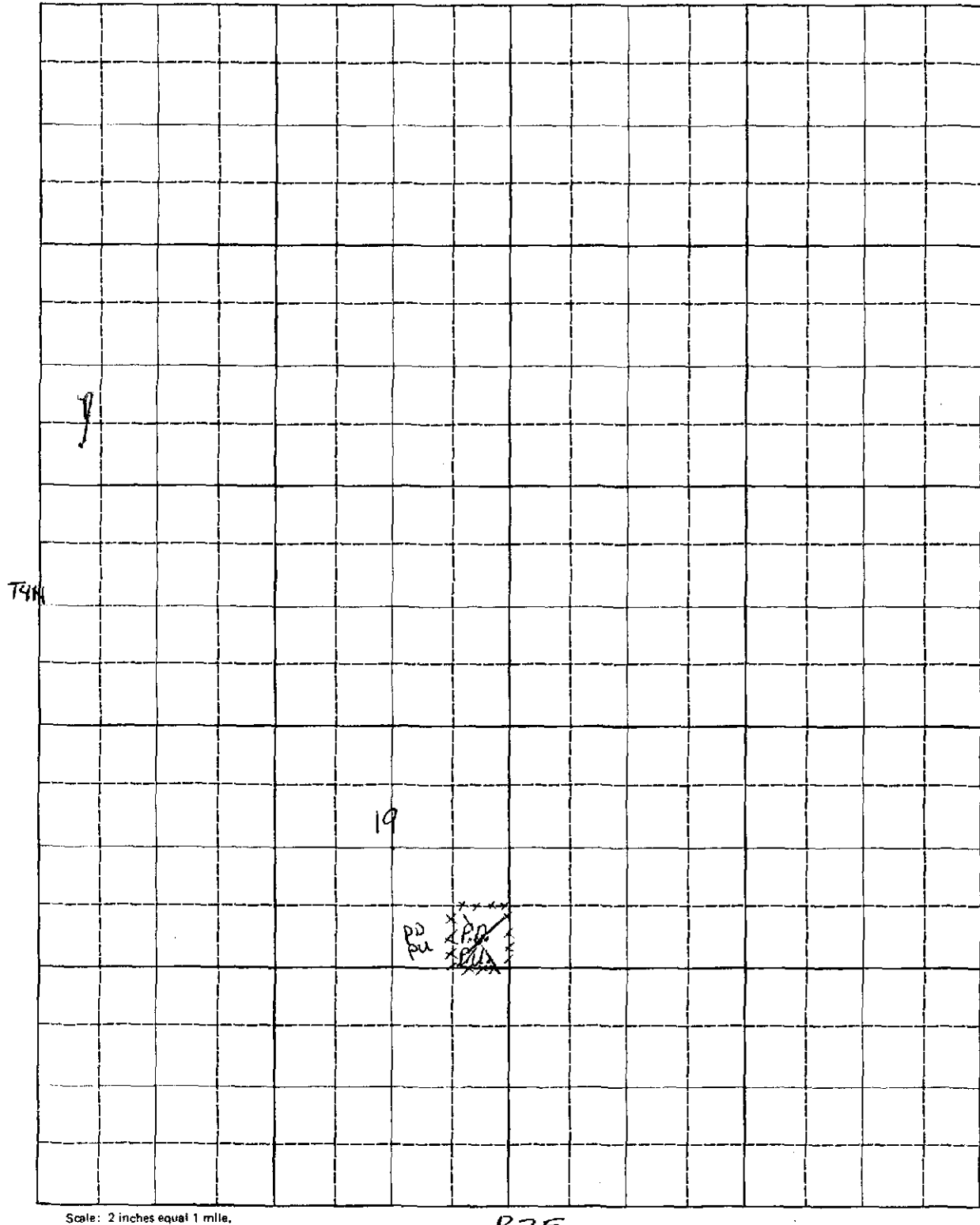
APPLICANT

applicant to make this filing

marks

THE WELL AND WASTE PIT# WILL BE TIED TOGETHER INTO A COMMON SPRINKLER IRRIGATION SYSTEM

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

1160

Richard A. Poplach
(Applicant)

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4-20-83 Proposed Priority Received by JK Date 4/20/1983 Time 3:25 PM

Preliminary check by JK Fee \$ 30.00

Received by JK Date 4/20/1983 # 27944

Publication prepared by JK Date 4/19/83

Published in Boise Statesman

Publication dates 4/16, 17, 18, 19, 20, 21, 22, 23, 83

Publication approved JK Date 4/20/83

Protests filed by: JK

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-10056, and said application is hereby Approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1984.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

This permit is subject to the right of Farmers Union Canal Co. to cease wasting water now or at any time in the future.

Use of water under this permit is subject to control by the watermaster of State Water District No. 63 Boise River.

Witness my hand this 20 day of July, 1983.

David R. Tamm
Acting Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORTRECEIVED
KEYPUNCHFEB 04 1987
FEB 04 1987Department of Water Resources
Department of Water Resources

A. GENERAL INFORMATION

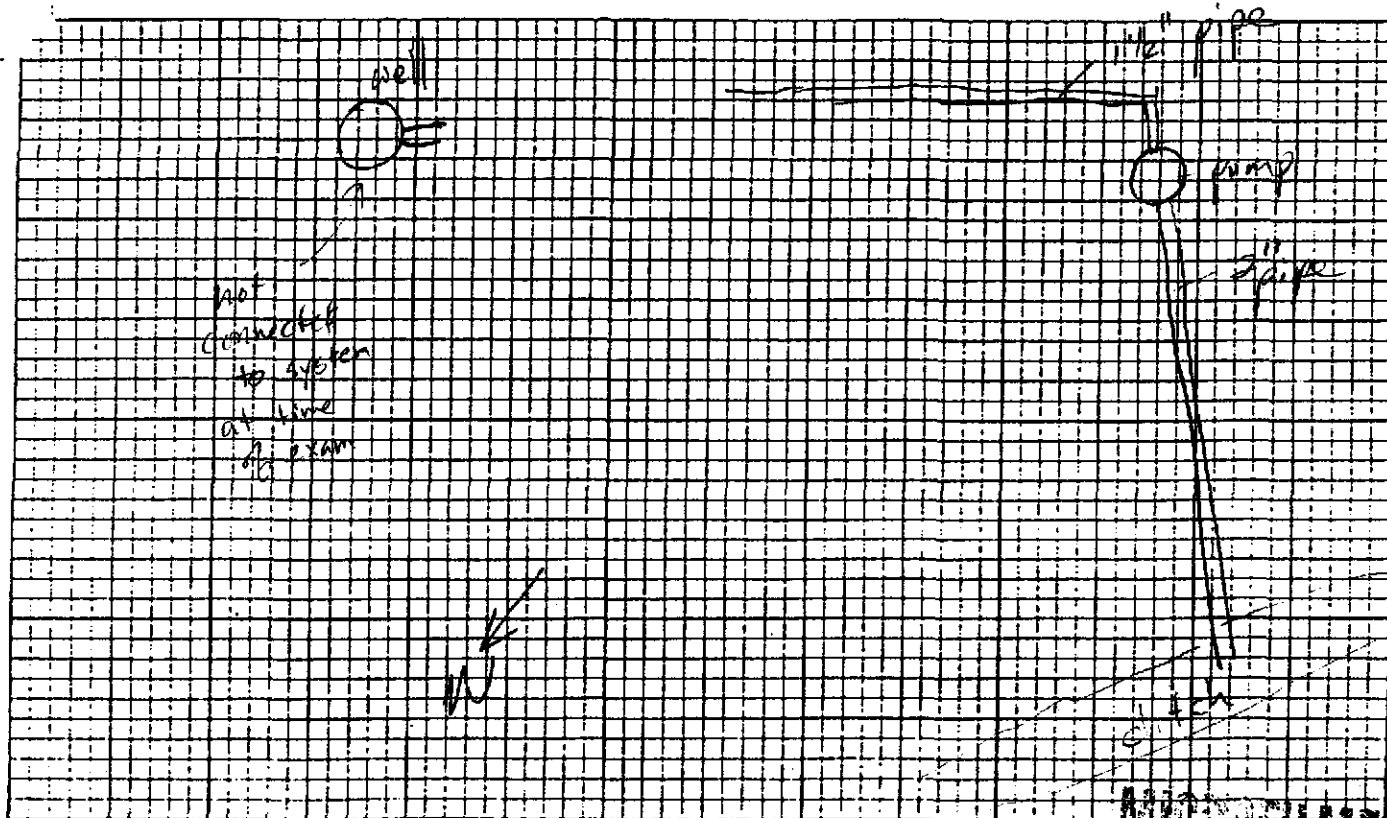
1. Owner: Richard A. Poplack Permit No. 63-10056
Current Address: 5603 Castle Dr., Boise, ID 83703 Phone No. 344-6856
2. Accompanied by: Richard & Cathy Poplack EXAM. DATE: 6-23-86
Address: as above Phone No. KEYPUNCH
- Relationship to Permit Holder: _____
3. Source: GW & waste ditch tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-2406; ~~63-2406~~ 63-9145
(see remarks) ☐ Copies Attached
2. Other water rights with same point of diversion: 63-9145 - groundwater
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Note: 1" = _____ not to scale

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2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required)
- ☐ Photo of Diversion and System Attached

- ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more)

MAR 02 1989

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

- sources of water are a hand dug well (11' deep, 8' casing) and a wastewater ditch. 2" pipe runs from sources to pump (1.5 HP). 1 1/2" pipe runs from pump to sprinklers. System has 13 sprinklers total; 6 were operating during field exam. Sprinklers are Orbit Jet 50 A's with 5/32" orifice.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin Electric	1.5	mod # 1103043736		

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SE	19	4N	2E	ADA	topog. map.

6. Place(s) of Use:

Indicate Method of Determination topog. map.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	2E	19															1.7		1.7 Acres

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Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

- press. gauge measurement of sprinklers; 6 sprinklers
 running @ 38 psi each = 4.3 gpm per sprinkler
 $6 \times 4.3 = 25.8 \text{ gpm} = .06 \text{ cfs.}$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

see above .06 cfs.

2. Alternate Method for Checking Purposes:

N/A

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 20 \text{ acres} \times 4.5 \text{ a-f/acre/season} = 9.0 \text{ a-fa}$ $V_{or} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .06 \times 240 \text{ days} \times 1.9835 = 28.56$ $V = \text{Smaller of } V_{ir} \text{ and } V_{or} = 9.0 \text{ a-fa}$

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

Overlap: According to file, Mr. Poplack has walked out the drainage ditch (ie. his partial source) & found no one using water downstream of him.

- Lee Sisco (Watermaster, Basin 63) contacted our office to inform us that drainage ditch waters (ie. Mr. Poplack's source) are accredited to downstream irrigation districts and that no water may be diverted from these ditches when the flow of the Boise R. is ≤ 4400 cfs. I informed Mr. Poplack of this (see attached letter).

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
irrigation	3/15	11/15	.06	9.0 afa
Totals:				

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name

Brad Dingee

Signature

Brad E. Dingee

DRT 7/30/86

Certification Date

6-23-86

Field Report Preparation Date

6-23-86

CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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MAR 02 1989

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-10056 Date: 9-19-01

	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	2E	19															1.7		1.7
GIS																		1.7		1.7
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 2

Total Claimed Acres: 1.7

Total GIS Acres: 1.7

Overlapping POU Claim #'s:

COMMENTS:

per county data, however, ownership has changed

- both sources had same Id # in State database - entered 1 into fix table.

Idaho Department of Water Resources

Claim Number: 63-10056
Legal: T04N, R02E, S19
Reviewed By:

⊙ Point of Diversion

Place of Use

Section Lines

Quarter Quarter Lines

1987 Napp Photo



0 0.25 Miles

