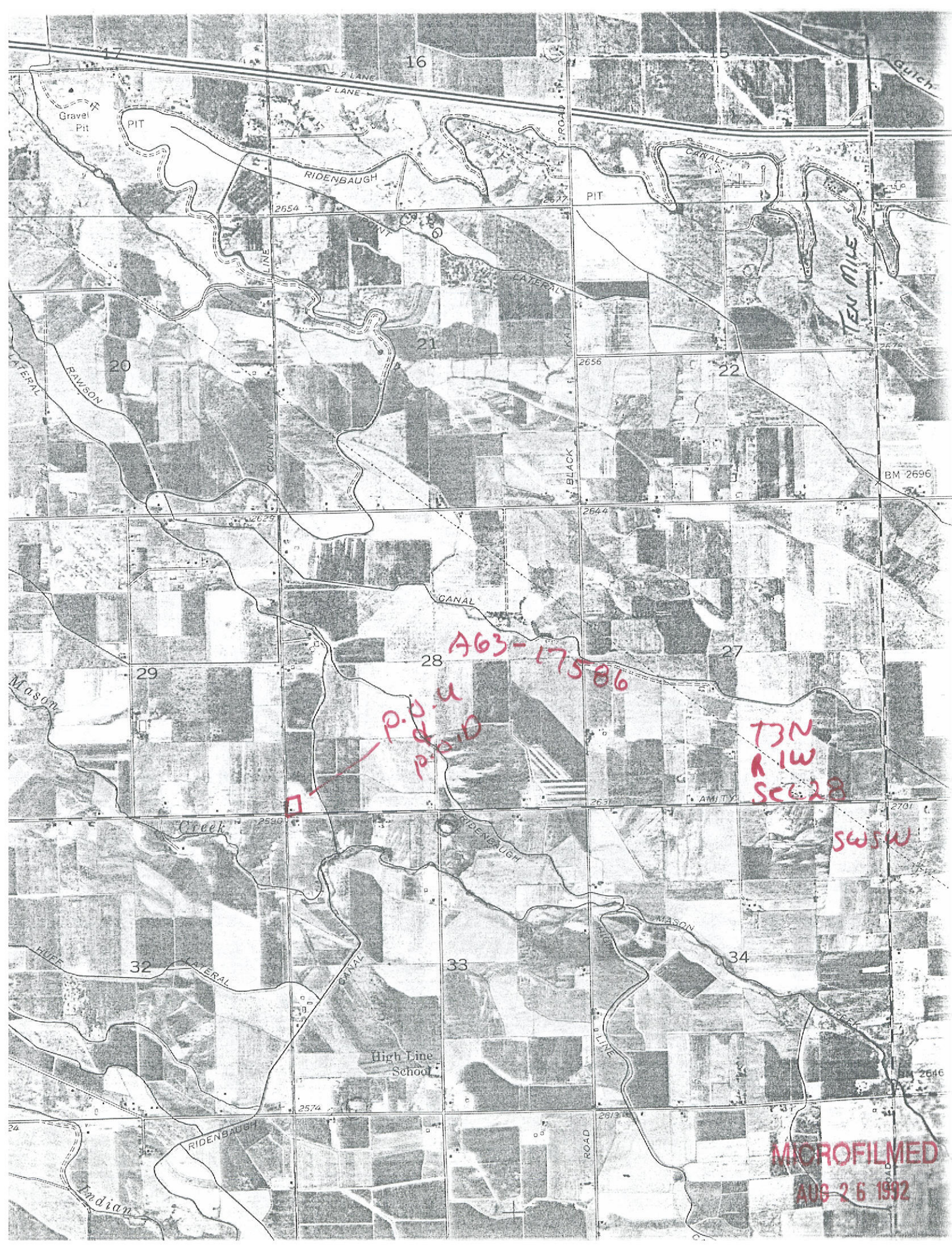


03N01W 28

GASKELL

33



A63-17586

P.O.U
P.O.D

T3N
R1W
SEC 28

SWSW

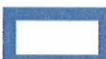
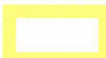
MICROFILMED
AUG 26 1992

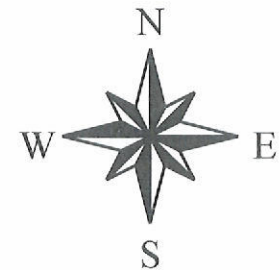
Idaho Department of Water Resources



**T03N, R01W,
S28**

Claim No: 63-17586
Prepared By: Kimberly Brown
Date: November 14, 2005

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



300 0 300 600 Feet

A scale bar with alternating black and white segments, corresponding to the 300, 0, 300, and 600 feet markings.

1987 NAPP

SWSW

#63-17586

2003 NAPP

DOMESTIC EXEMPTION -
I am assuming
the 2nd trailer
(served by well
#2) is located in
the north of the
property.

Well #2

trailer house
served
by well #1

Well #1

abandoned
hand-dug
well

original house
served
by well #1

Garbell

Garbell

Garbell

SWSW

#63-17586

2003 NAPP

Cookwell

Cookwell

Cookwell

Cookwell

Well #2

Well #1

original house
served
by well #1

trailer house
served
by well #1

abandoned
hand-dug
well



Ada County Assessor Land Records/GIS

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Property Search

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[Search by Address](#)
[Search by Subdivision](#)
[Online Documents](#)

[Interactive Map](#)

Property Details for Parcel S1228336310 and Year 2006

2006 ▼

[Change Year](#)

[\[Back to Parcel Search\]](#) [\[Print View\]](#)

[Details](#)

[Valuation](#)

[Tax Districts](#)

[Characteristics](#)

Parcel: S1228336310

Year: 2006

Zone Code: RR

Total Acres: 10.004

Tax Code Area: 82

Property Description:

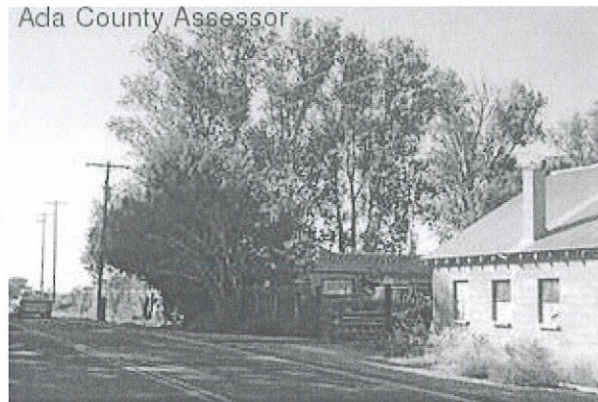
PAR #6310 OF SW4SW4

PAR #B OF R/S 3166

SEC 28 3N 1W

#326000-S

#95028118 #98026860



[View Interactive Map of this Parcel](#)

Address: 4770 S MCDERMOTT RD NAMPA , ID 83687

Subdivision: 3N 1W 28

Land Group Type: SECT

Township/Range/Section: 3N1W28

[Contact Us](#) | [Disclaimer](#)

A 63-17586



G.P.S. 2300265

U.S.R. 1376544



pic.#1.

Well # 2

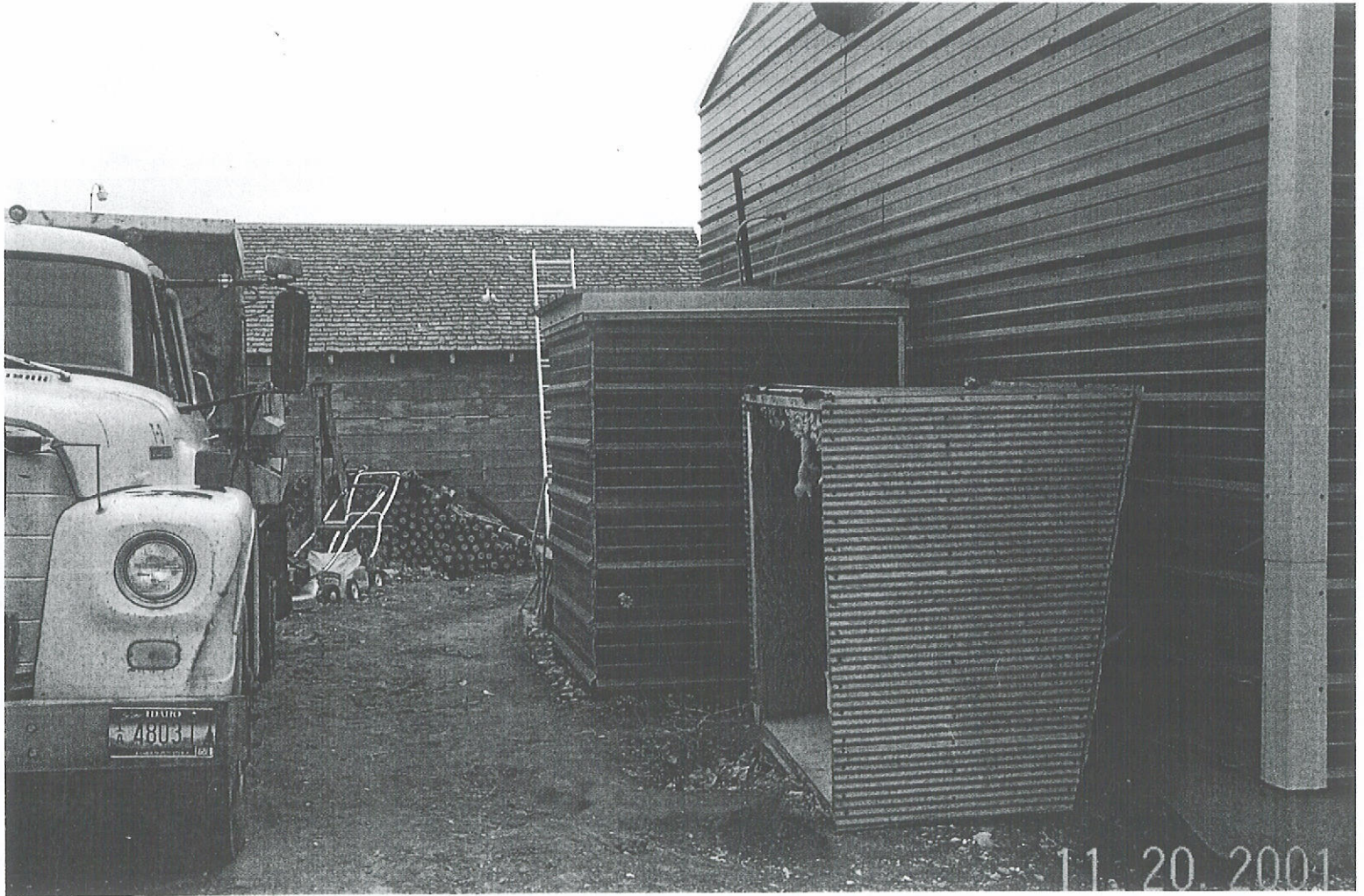


pic.# 2



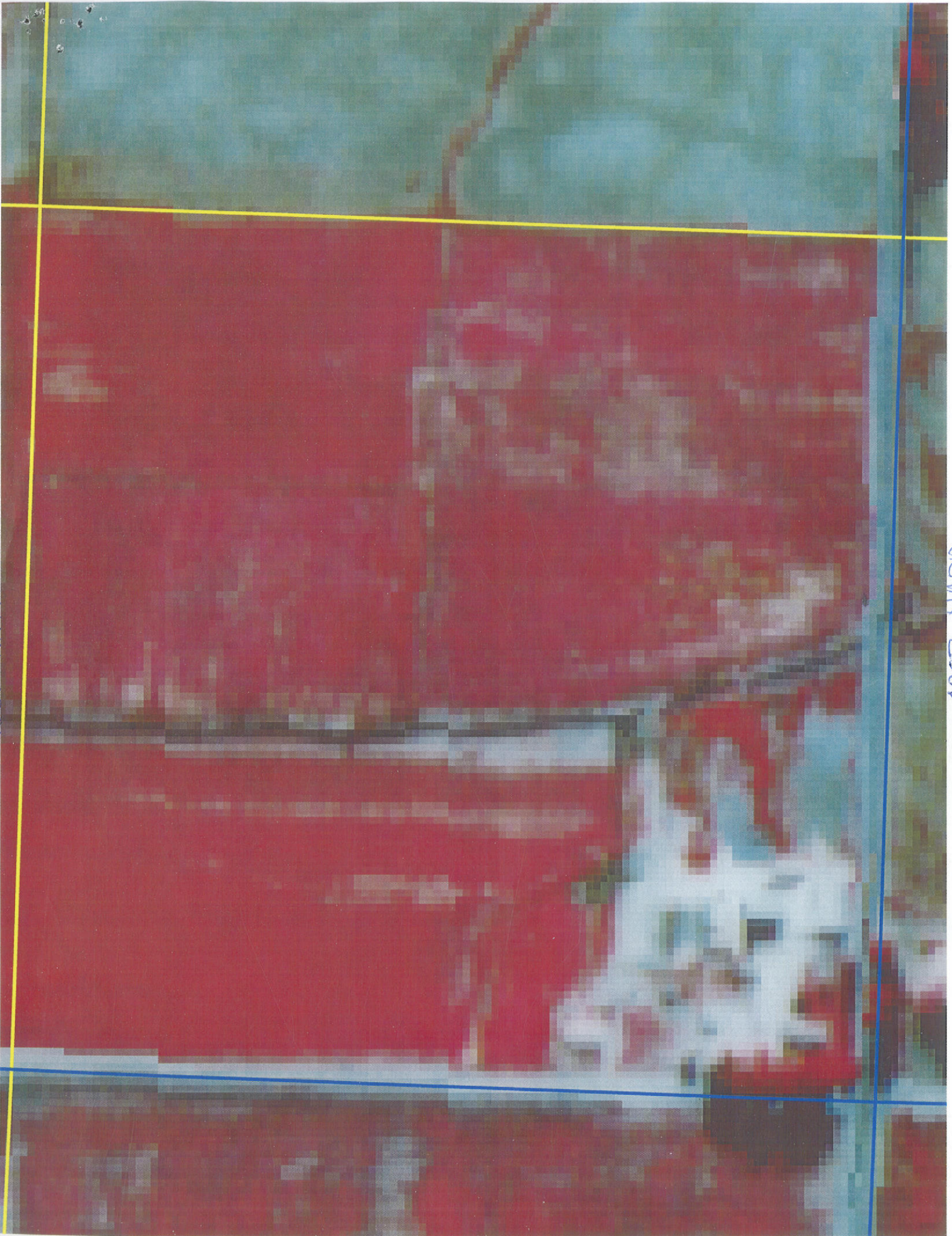
63-17586

Photo 176577a



1200 N. 1st St.

1967 N. 1000





This information was written by Don Aderson
and was given to use when we bought the property

Don Aderson
03-10-04

RECEIVED

MAR 10 2004

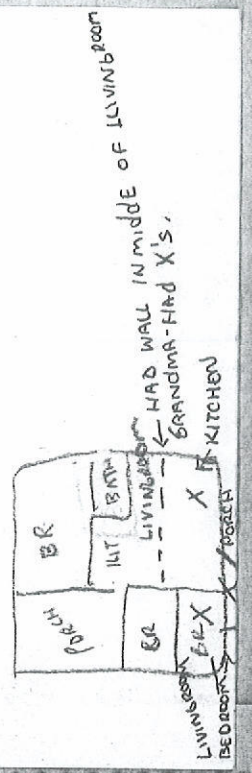
WATER RESOURCES
WESTERN REGION

STRAIT'S BOUGHT FARM IN

1907.

HOUSE WAS BUILT IN 1902.

STRAITS BUILT ALL OUT BUILDINGS,
KITCHEN REMODELED 1963.
BEDROOM BUILT ON IN 1950s.



dated
1907
in frame



The Straits, shortly after they bought the house in 1907.



original
home →

← others (mobile)
home

well location
← (according to
Mr. Gaskell)

RECEIVED

MAR 10 2004

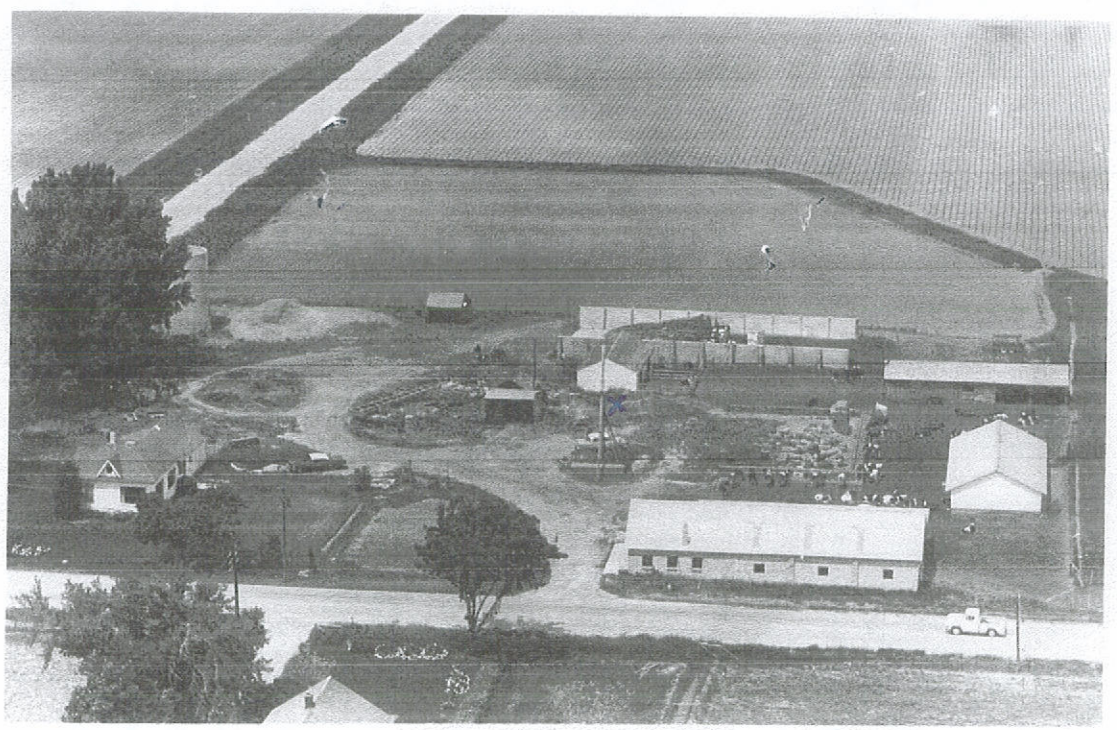
WATER RESOURCES
WESTERN REGION

* Evidence submitted by Douglas Gaskell. -KS

dated
1907
in frame



The Straits, shortly after they bought the house in 1907.



RECEIVED
MAR 10 2004
WATER RESOURCES
WESTERN REGION

* Evidence submitted by Douglas Gaskell. -KS

63-17586

Photo 176577a



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 63-17586
Date Received: 8/17/1989
Receipt No: W004614
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOHN K, GASKELL Phone: (208)376-9517
4770 S MCDERMOTT
NAMPA ID USA 83687

2. Date of Priority: 04/01/1895

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	01W	28	SW SW	ADA	

5. Description of diverting works:

2 WELLS, 1 HAND DUG, 1 DRILLED 200' W/6" CASE, PUMPS & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.04	
COMMERCIAL	1/01	12/31	0.13	
DOMESTIC	1/01	12/31	0.06	

7. Total Quantity Appropriated is:

0.23 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
03N	01W	28	SW	SW		COMMERCIAL	
			SW	SW		STOCKWATER	
			SW	SW		DOMESTIC	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

FEDERAL DAIRY BUY OUT INITIATED 1986 EXPIRES, 1991 AT WHICH TIME DAIRY WILL BE REACTIVATED.

CHANGE IN OWNERSHIP 11/8/05

15. Basis of Claim: Beneficial Use



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

APR 12 2004

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	63-17586				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Don C. AdKerson
4770 S McDermott

4. New Owner/Claimant(s)

Nampa, ID 83687

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

John K. Gaskell (son of Doug & Eleanor)

City, State and ZIP Code

4770 S McDermott Nampa 83687

New Telephone Number

(208) 376-9517

5. Date you acquired the property

1995

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NOV 02 2005

WATER RESOURCES
WESTERN REGION

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

John L. Gaskel

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by DB Date 4-12-04 Fee -
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Item 8, below, to determine if fees are required for your filing.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the **water right or adjudication claim number(s)**. Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. **Do not** obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

6. You may have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

Return to:
ATTN. Kimberly Brown
IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033



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

October 27, 2005

John K. Gaskell
47705 McDermott
Nampa, ID 83687

RECEIVED

NOV 02 2005

WATER RESOURCES
WESTERN REGION

RE: Notice of Change of Water Right Ownership Claim No. 63-17586

Dear Property Owners:

This office has reviewed the Notice of Change of Water Right Ownership you have submitted (copy enclosed), however, we are unable to complete this ownership change at this time. The Warranty Deed submitted indicates property located in the East half of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28. The above referenced water right is for property located in the West half of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 28, Township 3 North, Range 1 West. It appears that the information submitted does not pertain to the water right number referenced above. This water right is for commercial, domestic and stockwater and is appurtenant to what appears to be a Dairy. If, after further research, you find more information concerning a water right with this legal description, or a Warranty Deed in your name that covers the above mentioned right, please return it to this office by **November 4, 2005** or it will remain in the original owners name.

Thank you for your patience and cooperation, as we have had several ownership changes to process. Please feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region

LG: lg

Enclosures

RECEIVED

NOV 02 2005

WATER RESOURCES
WESTERN REGION

THIS FORM FURNISHED COURTESY OF:

STEWART TITLE

ADV. CO. RECORDER
J. DAVID NAVARRO
BOISE ID

STEWART TITLE

1843000774

'95 MAR 1 PM 1:25

FEE 6.00
RECORDED AT THE REQUEST OF

READ & APPROVED BY GRANTEE(S): HLK gkb

{6000}

SPACE ABOVE THIS LINE FOR RECORDING DATA
Order No.: 95053008 WO/CS

WARRANTY DEED

FOR VALUE RECEIVED (JAMES C. ADKERSON and FLORENCE J. ADKERSON, husband and wife and DON C. ADKERSON, an unmarried person and DIANNE KREMER, an unmarried person who acquired title as DIANNE ADKERSON GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto JOHN K. GASKELL and JOYCE K. GASKELL, husband and wife

GRANTEE(S), whose current address is: 4770 SOUTH MCDERMOTT ROAD, NAMPA, IDAHO 83687
the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: February 28, 1995

James C. Adkerson
JAMES C. ADKERSON

Florence J. Adkerson
FLORENCE J. ADKERSON

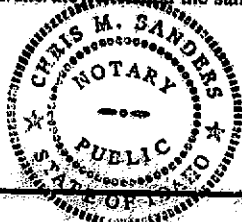
Don C. Adkerson
DON C. ADKERSON

Dianne Kremer
DIANNE KREMER

STATE OF IDAHO)
COUNTY OF ADA)

On this 28th day of February, in the year of 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared JAMES C. ADKERSON, FLORENCE J. ADKERSON, DON C. ADKERSON, DIANNE KREMER

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Signature: Chris M. Sanders

Name: CHRIS M. SANDERS

Residing at: BOISE, ID

My Commission Expires: 09/14/96

ORDER NO. 95053008 WO/CS

EXHIBIT "A"

W. J. B.
1843000775

A parcel of land being a portion of the Southwest Quarter of Section 28, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, said parcel being more particularly described as follows:

COMMENCING at the brass cap marking the corner common to Sections 29, 28, 33 and 32, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, said point being the REAL POINT OF BEGINNING; thence

North 0 degrees 00'15" East 1,326.48 feet along the line common to said Sections 29 and 28 to an iron pin marking the South 1/16 corner common to said sections; thence continuing along said line

North 0 degrees 00'00" East 174.00 feet to an iron pin; thence

North 89 degrees 41'50" East 503.00 feet to an iron pin; thence

South 0 degrees 00'00" West 153.00 feet to an iron pin; thence

North 89 degrees 41'50" East 58.21 feet to an iron pin; thence

South 4 degrees 53'33" West 200.40 feet to an iron pin; thence

South 2 degrees 07'07" East 446.90 feet to an iron pin; thence

South 5 degrees 47'35" East 258.67 feet to an iron pin; thence

South 17 degrees 52'21" East 465.04 feet to an iron pin on the South line of said Section 28 thence

South 89 degrees 40'06" West 729.57 feet to the REAL POINT OF BEGINNING.

STATE OF IDAHO, COUNTY OF ADA, ss.

I, J. David Navarro, Recorder for Ada County, do hereby certify that the Attached is a full, true and correct copy of Inst. No. 95053976

as it appears on record in Book _____ of _____
at Page _____ Records of Ada County, State of Idaho.

IN WITNESS WHEREOF, I have set my hand and affixed my official seal this
2 day of November 2005

J. DAVID NAVARRO, Recorder

By Vallen Deputy

Boise, ID
March 17, 04

Kimberly L. Brown
Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED
MAR 17 ¹⁹ 2004
WATER RESOURCES
WESTERN REGION

Dear Kimberly,

Here is a copy of the Warranty
DEED that you requested.

This is in reference to Water Right
Number 03-17586.

If you have any other questions or
need anything else please give me a call.

Doug Gaskill
376-9517

THIS FORM FURNISHED COURTESY OF:

RECEIVED

MAR 18 2004

WATER RESOURCES
WESTERN REGION

ADA CO. RECORDER

J. DAVID NAVARRO

BOISE ID STEWART TITLE

STEWART TITLE

'95 MAR 1 PM 4:25

FEE 600
RECORDED IN THE WEST OF

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 95053023 WO/CS

READ & APPROVED BY GRANTEE(S):

{6000}

WARRANTY DEED

FOR VALUE RECEIVED JAMES C. ADKERSON and FLORENCE J. ADKERSON, husband and wife and DON C. ADKERSON, an unmarried person and DIANNE KREMER, an unmarried person who acquired title as DIANNE ADKERSON GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto DOUGLAS D. GASKELL and ELEANOR N. GASKELL, husband and wife

GRANTEE(S), whose current address is: 813 N. MITCHELL, BOISE, ID 83704
the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: February 28, 1995

James C. Adkerson
JAMES C. ADKERSON

Florence J. Adkerson
FLORENCE J. ADKERSON

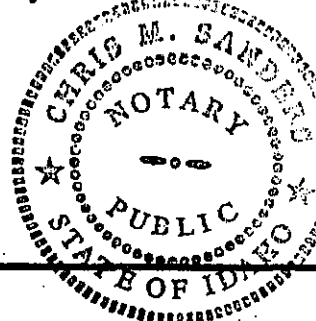
Don C. Adkerson
DON C. ADKERSON

Dianne Kremer
DIANNE KREMER

STATE OF IDAHO)
COUNTY OF ADA)

On this 28th day of February, in the year of 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared JAMES C. ADKERSON, FLORENCE J. ADKERSON, DON C. ADKERSON, DIANNE KREMER

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Signature: Chris M. SandersName: CHRIS M. SANDERS(type or print)
Residing at: BOISE, ID

My Commission Expires: 09/14/96

EXHIBIT "A"

N 1376334.06 E 2,300,215.10

A parcel of land being a portion of the Southwest Quarter of Section 28, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, said parcel being more particularly described as follows:

COMMENCING at the brass cap marking the corner common to Sections 29, 28, 33 and 32, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho; thence
North 89 degrees 40'06" East 729.57 feet along the line common to said Sections 28 and 33 to an iron pin, said point being the REAL POINT OF BEGINNING; thence
North 17 degrees 52'21" West 465.04 feet to an iron pin; thence
North 5 degrees 47'35" West 258.67 feet to an iron pin; thence
North 2 degrees 07'07" West 446.90 feet to an iron pin; thence
North 4 degrees 53'33" East 200.40 feet to an iron pin; thence
North 89 degrees 41'50" East 766.21 feet to an iron pin; thence
South 0 degrees 08'28" East 21.00 feet to an iron pin marking the Southwest 1/16 corner of said Section 28; thence
South 0 degrees 08'29" East 1,325.79 feet to an iron pin marking the West 1/16 corner common to said Sections 28 and 33; thence
Sout 89 degrees 40'06" West 601.27 feet to the REAL POINT OF BEGINNING.

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: A63-17586
Date Received: 8/17/1989
Receipt No: W004614
Received By: DE AN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON C. ADKERSON 208-888-4357
Address: 4770 S. MC DERMOTT
NAMPA, ID 83687

2. Date of Priority: APR 01, 1895

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	01W	28	SW	SW			ADA

5. Description of diverting works:
2 WELLS, 1 HAND DUG, 1 DRILLED 200' W/6" CASE, PUMPS & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.130		
STOCKWATER	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.060		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 HOUSES W/LAWN & GARDENS, C/150 DAIRY COWS, S/75 MIXED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	01W	28	SW	SW		STOCK	

A63-17586

Page 1

Date: 09/27/89

MICROFILMED
AUG 26 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	01W	28	SW	SW		COMMER	
			SW	SW		DOMEST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NAMPA-MERIDIAN

14. Remarks:
FEDERAL DAIRY BUY OUT INITIATED 1986 EXPIRES, 1991 AT WHICH TIME
DAIRY WILL BE REACTIVATED.

15. Basis of Claim: BENEFICIAL USE

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: _____

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 _____

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

A63-17586

Date Received

08/17/89

Receipt Number

W00 4619EM

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Don C Adkerson Phone (208) 888-4357Mailing Address 4770 S Mc Dermott Zip 836872. Date of Priority (Only one (1) per claim) 4-1-18953. Source of water supply (a) ground water
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 3N Range 1W Section 28,DA ~~SW~~ 1/4 of SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of _____

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.

Two wells & 1 well hand dug 1 well drilled
200 FT. 6 inch case w/ pumps and pipe line

MICROFILMED

AUG 26 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

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

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

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

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

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For commercial purposes from 0-1/01 to 12/31 amount 0.13 or _____

For stockwater purposes from 01/01 to 12/31 amount 0.04 or _____

For domestic purposes from 01/01 to 12/31 amount 0.06^{PA} or _____

For ~~other~~ PA purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.23^{PA} (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.) 0/2 house w/ lawns and gardens of 150 dairy

10. Description of place of use: S/75 mixed

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	
3N	1W	28											9/5c						

Total number of acres irrigated _____

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.
Nampa & Meridian or None ()

14. Remarks:

Federal Dairy buyout initiated 1986 expires
1991 at which time dairy will be
reactivated

MICROFILMED

Last Name _____ Ident No. _____

Copies: White - State of Idaho - _____
AUG 26 1992

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

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

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

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

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

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) Don C. Anderson Date 8/17/89

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 17 day of Aug 19 89

SEAL

Notary Public Eldon L. Roush

Residing at Eldon L. Roush

My Commission Expires Residing at Boise, Idaho

Please Print Name My Commission Expires September 8, 1994

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 _____

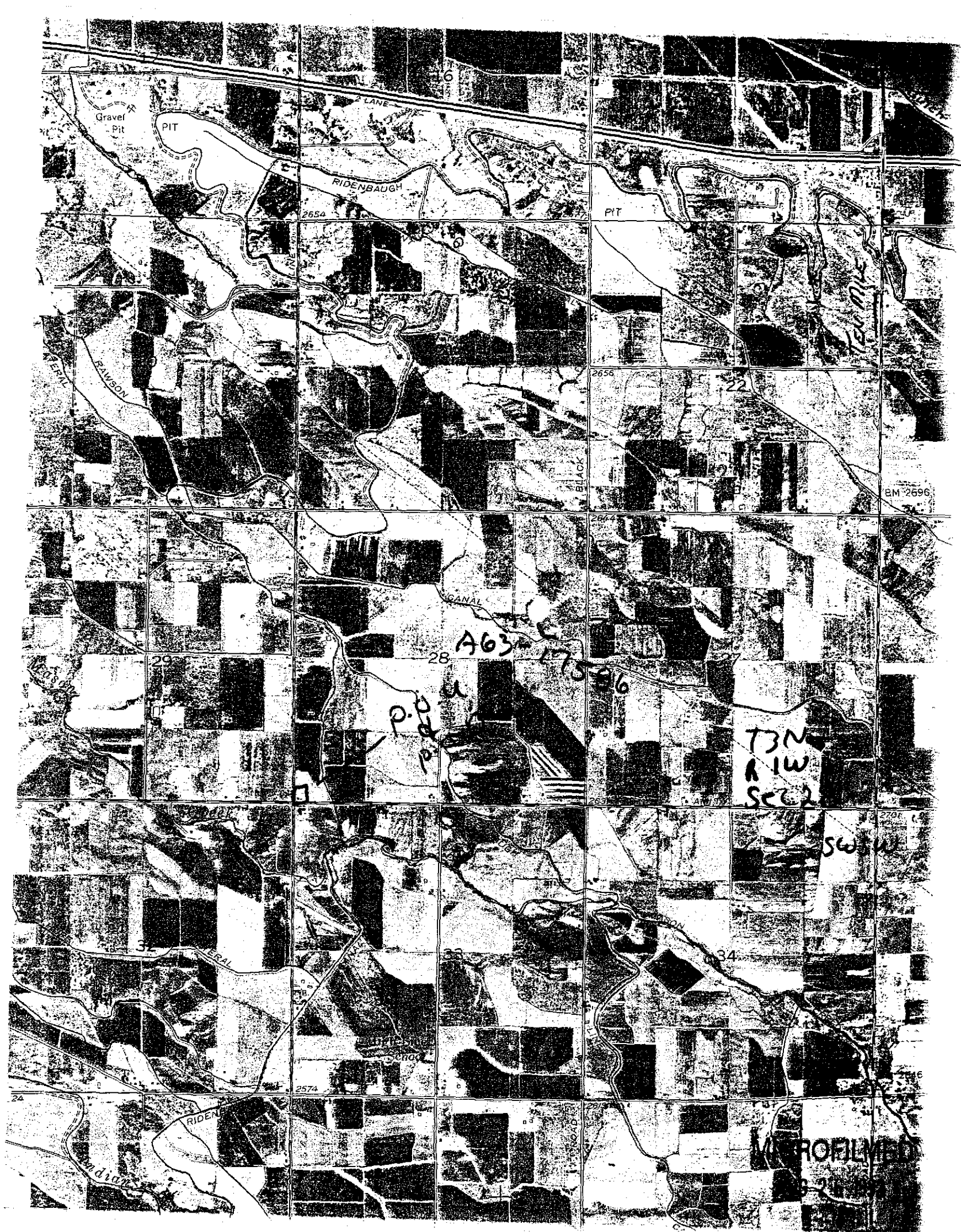
Date _____

Last Name _____ Ident. Number _____

MICROFILMED

Copies White-State, Yellow-Claimant

AUG 26 1992



11/14/2005

**NOTICE OF ERROR
REPLY**

RECEIVED
NOV 22 2005
**WATER RESOURCES
WESTERN REGION**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: November 25, 2005

Water right number: 63-17586

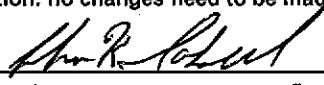
JOHN K. GASKELL
4770 S MCDERMOTT
NAMPA ID 83687
Telephone Number: (208)376-9517

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

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

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

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

DATE: 11-17-05 SIGNATURE: 

Please print your name: John K. Gaskell

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

11/14/2005

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

RIGHT NUMBER: 63-17586

NAME AND ADDRESS: JOHN K. GASKELL
4770 S MCDERMOTT
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS

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

PRIORITY DATE: 01/01/1902

POINT OF DIVERSION:
T03N R01W S28 SWSW 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
DOMESTIC	01/01 12/31	0.060 CFS
Domestic use is for 2 homes.		

PLACE OF USE: STOCKWATER Within ADA County
T03N R01W S28 SWSW
DOMESTIC Within ADA County
T03N R01W S28 SWSW

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 26 mixed livestock.

PARCEL NO: a portion of S1228336310.

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

RIGHT NUMBER: 63-17586

NAME AND ADDRESS: JOHN K GASKELL
4770 S MCDERMOTT
Nampa ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS

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

PRIORITY DATE: 01/01/1902

POINT OF DIVERSION:

T03N R01W S28 SWSW 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
DOMESTIC	01/01 12/31	0.060 CFS
Domestic use is for 2 homes.		

PLACE OF USE: STOCKWATER Within ADA County

T03N R01W S28 SWSW

DOMESTIC Within ADA County

T03N R01W S28 SWSW

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 26 mixed livestock.

PARCEL NO: a portion of S1228336310.

Idaho Department of Water Resources

**T03N, R01W,
S28**

Claim No: 63-17586

Prepared By: Kimberly Brown

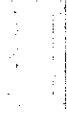
Date: November 14, 2005



Place of Use



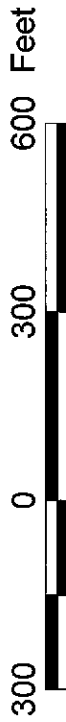
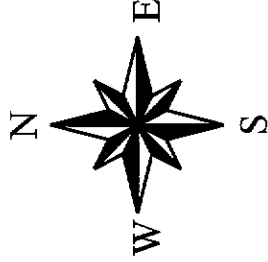
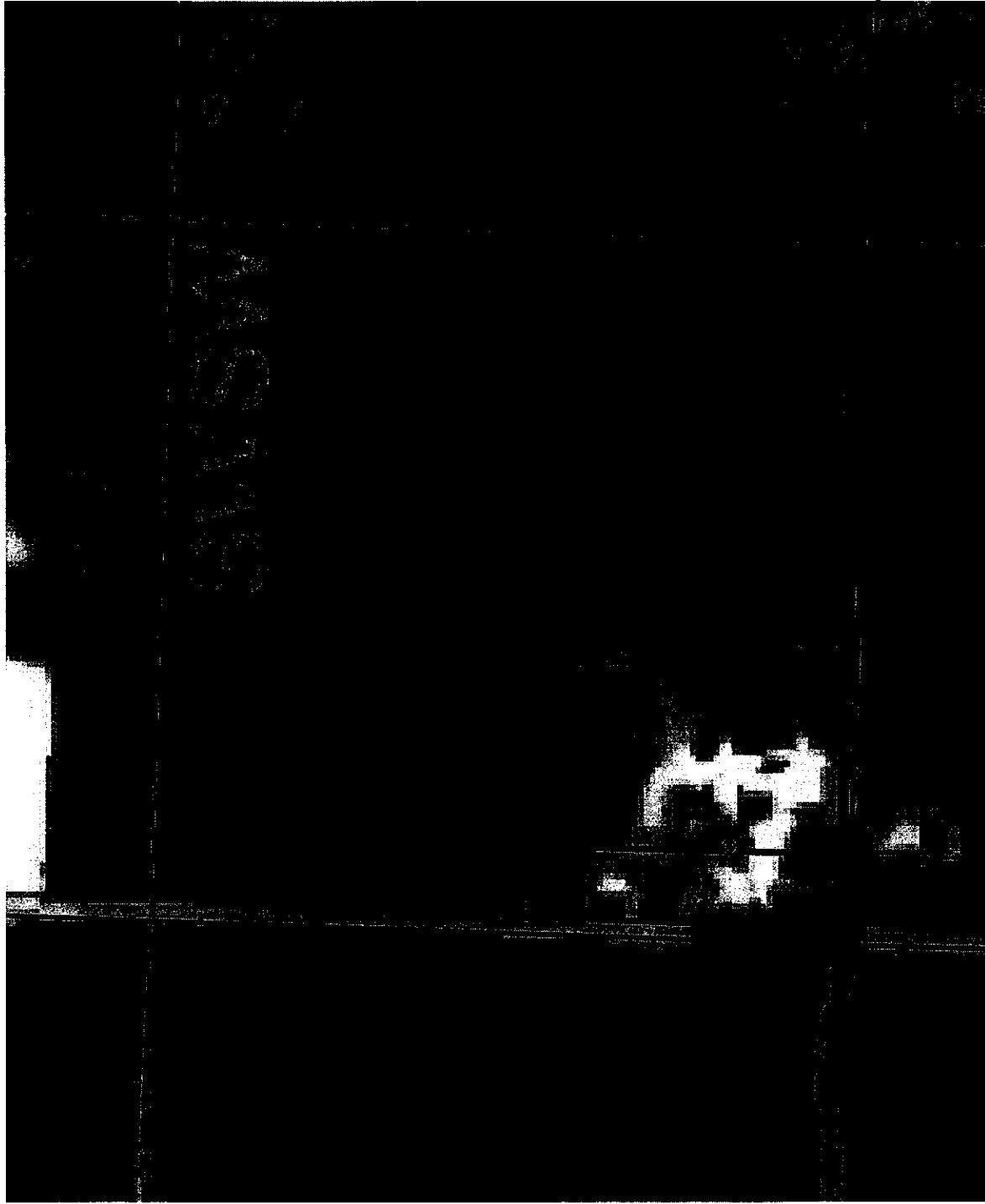
Section Lines



1/4 1/4



Point of Diversion



1987 NAPP

09/02/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-17586

WATER RIGHT NUMBER: 63-17586

Owner TypeName and Address

Current Owner

~~DON CADKESON~~
 4770 S MC DERMOTT
 NAMPA, ID 83687
 (208)888-4357

John K. Gaskell -

4-16-04
 But Warranty Deed
 shows Douglas & Eleanor
 Gaskell's

Priority Date:

01
 04/01/1907 ✓

Basis:

Beneficial Use ✓

Status:

Active

SourceTributary

GROUND WATER ✓

Beneficial UseFrom ToDiversion RateAnnual Volume

COMMERCIAL

1/01 to 12/31 ✓

0.130 CFS ✓

STOCKWATER ✓

1/01 to 12/31 ✓

0.02-0.040 CFS ✓

DOMESTIC ✓

1/01 to 12/31 ✓

0.060 CFS ✓

Total Diversion:

0.230 CFS ✓

0.08

Location of Point(s) of Diversion

GROUND WATER

SW1/4SW1/4 ✓

Sec. 28, Twp 03N, Rge 01W, B.M. ✓

ADA County ✓

Place of Use

COMMERCIAL ✓

Twp Rge Sec

NE

NW

SW ✓

SE

03N 01W 28

NE

NW

SW

SE

NE

NW

SW

SE

NE

NW

SW

SE

NE

NW

SW

SE

Totals

STOCKWATER ✓

Twp Rge Sec

NE

NW

SW ✓

SE

03N 01W 28

NE

NW

SW

SE

NE

NW

SW

SE

NE

NW

SW

SE

NE

NW

SW

SE

Totals

DOMESTIC

ADD N11 & N13 limit to 13,000 gal/day.

Twp Rge Sec

NE

NW

SW

SE

03N 01W 28

NE

NW

SW

SE

NE

NW

SW

SE

NE

NW

SW

SE

NE

NW

SW

SE

Totals

ADD W

Use is combined with Nampa-Meridian Irr. Dist.

ADD X01 - Domestic use is for 8 homes.

ADD X02 - Stockwater use is for 26 mixed livestock. (20 horses + cows)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-17586 ✓

✓ 03N 01W 28 |

| X |

Conditions of Approval:Remarks:

1. General FEDERAL DAIRY BUY OUT INITIATED 1986 EXPIRES, 1991 AT WHICH TIME DAIRY WILL BE REACTIVATED.

Comments:Dates and Other Information:

Claim Received Date: 8/17/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

a portion of
Parcel No: S1228336310.

Field Exam Date 11.14.05

(in office review)

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
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63-17586

Owner: Don C. Adkerson Phone No. _____

Current Address: 4770 S. McDermott, Nampa 83687

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER John K. Gaskell
- ☒ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? since 1995 – "early 1990's"
- Mr. Gaskell

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: 04/01/1895

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

Mr. Gaskell (Doug) submitted evidence that substantiates 1902 – when the house was built (see file).

Source: Ground Water Tributary to _____

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

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed claimed 2 PODs – "hand dug well has been abandoned", but recommend only 1 well
- ☐ If different, when did POD change? _____ not sure when it was last used.

Well #2 covers a second trailer and falls under the domestic exemption.

The Field Report states that the hand-dug well has been abandoned and that well #1 services the original house and a trailer house. Well #2, which was drilled in 1998, serves a trailer house located at 4602 S. McDermott (which I am assuming is located due north of the other trailer covered by well #1). I believe the 2 claimed wells were for well #1 and

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

the abandoned well. Since one has been abandoned + well #1 covers both the original home & one of the trailers only well #1 is being recommended

Description of diverting works

2 wells, 1 hand dug, 1 drilled 200' w/ 6" case, pumps & pipeline.

OVERLAP REVIEW

Other water rights with the same point of diversion: none

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

see POB overlap review sheet in file

WATER USES

- ☐ No change
- ☐ Different Uses

Remove Commercial use - according to the Field Report, the dairy was bought out by the Federal Buy-out in 1986 & has not been used as a dairy since.

Use Domestic From _____ To _____ Amount 0.06 CFS _____ AFA
Use Stockwater From _____ To 0.02 Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
- ☒ Changes found, the new total is, Amount 0.08 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 2 Stock # 20 horses + cows
- Types _____ Additional comments: _____

PLACE OF USE:

- ☐ No Change
- ☒ Changes shown below: Commercial use in SWSW, S28 removed.

Parcel No: a portion of S1228336310.

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: None

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
See POU overlap renewal sheet in file.

Delivery System Narrative: See Field Report.

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 (OVER)

Domestic use is for 2 homes.

Stock water use is for 26 mixed livestock.

~~Use is combined with Nampa-Meridian Irr.~~
Dist.

Parcel No: a portion of S1228336310.

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

> Field Exam conducted on 6/8/05.

DATE EXAM CONDUCTED: 11.14.05 (in office review)

FIELD EXAMINER: Kimberly Brown

For future reference -

When I spoke with Doug Gaskell on Feb. 23, 2004, he mentioned that he currently uses the ground water to irrigate 30 acres (for hay to feed his horses) instead of using that water for commercial dairy purposes. I told Mr. Gaskell that that water should only be used for dairy purposes and not irrigation. (Mr. Gaskell owns all 40 AC in the SWSW, S28 and has no other water rights. He does own shares with Nampa-Meridian Ditch Co, however).

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-17586

11/14/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
~~63-17586~~	~~Claim~~	~~03N~~	~~01W~~	~~28~~	~~SW~~	~~SW~~		~~GROUND WATER~~	~~JOHN K, GASKELL~~

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-17586

11/14/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~17586~~	~~Claim~~	~~03N~~	~~01W~~	~~28~~	~~SW~~	~~SW~~		~~STOCKWATER~~		~~JOHN K, GASKELL~~
~~17586~~	~~Claim~~	~~03N~~	~~01W~~	~~28~~	~~SW~~	~~SW~~		~~COMMERCIAL~~		~~JOHN K, GASKELL~~
~~17586~~	~~Claim~~	~~03N~~	~~01W~~	~~28~~	~~SW~~	~~SW~~		~~DOMESTIC~~		~~JOHN K, GASKELL~~

NON-EMERGENCY
DOMESTIC ENERGY
I own adjoining
the 2nd trailer
(served by well
#2) is located at
63-17586.2
water extended
recommend

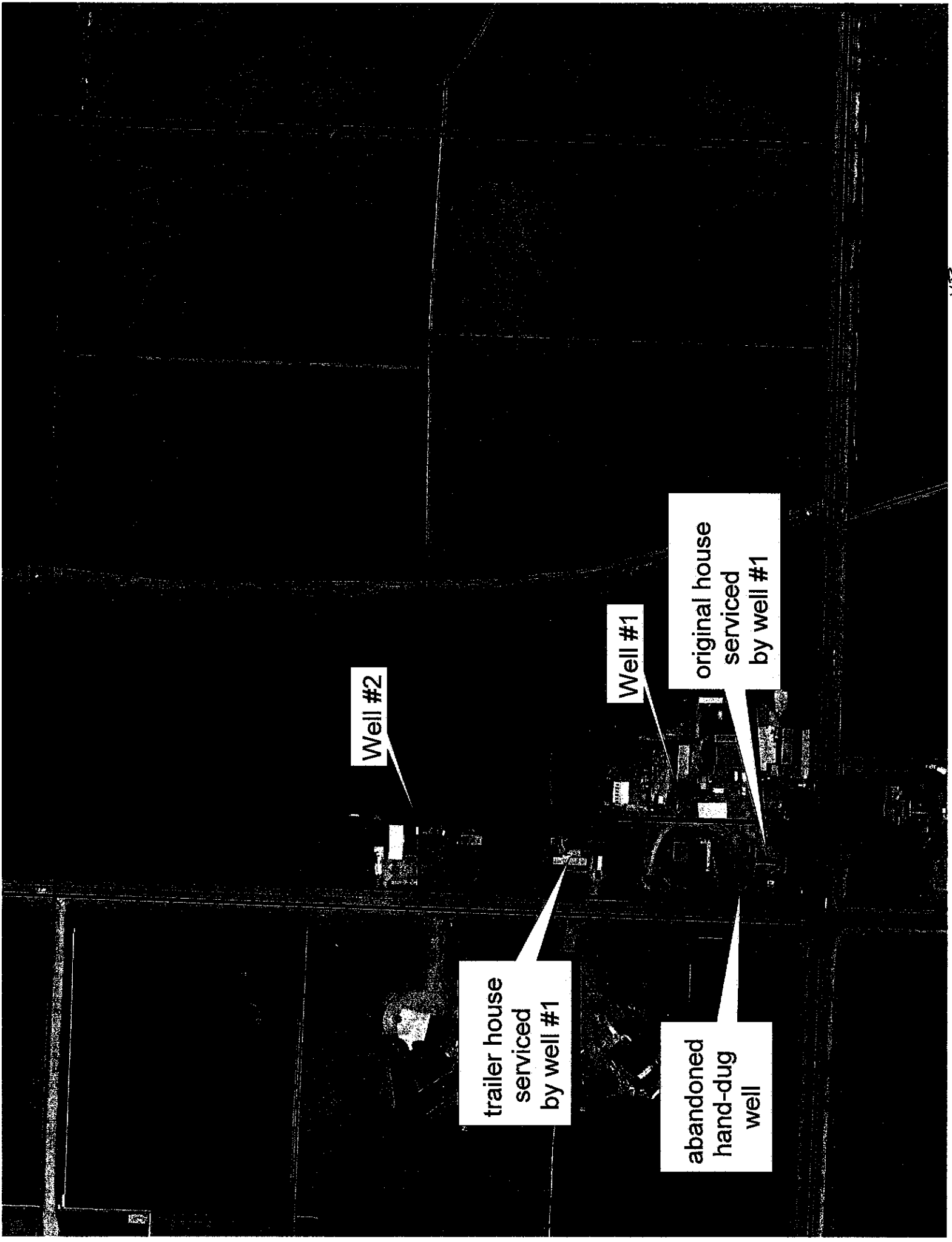
Well #2

trailer house
served
by well #1

Well #1

abandoned
hand-dug
well

original house
served
by well #1



Well #2

Well #1

original house
serviced
by well #1

trailer house
serviced
by well #1

abandoned
hand-dug
well

April 7, 1975

OPERATIONS DIVISION
ADMINISTRATOR'S MEMORANDUM

TO: District Office
FROM: A. Kenneth Dunn
SUBJECT: Annual Use of Water for Stockwater Purposes

No. of Stock (head)	RANGE CATTLE		DAIRY CATTLE	
	Rate* c.f.s. (1)	Volume AF/yr. (1)	Rate* c.f.s. (2)	Volume AF/yr. (2)
0 - 10	0.02	0.2	0.02	0.4
11 - 25	0.02	0.4	0.02	1.0
26 - 50	0.02	0.7	0.04	2.0
51 - 100	0.03	1.4	0.07	4.0
101 - 200	0.05	2.7	0.13	7.9
201 - 300	0.07	4.1	0.20	12.0
301 - 400	0.09	5.4	0.26	16.0
401 - 500	0.12	6.7	0.33	20.0
501 - 600	0.14	8.1	0.39	24.0
601 - 700	0.16	9.4	0.46	28.0
701 - 800	0.19	11.0	0.52	32.0
801 - 900	0.20	12.0	0.58	36.0
901 - 1000	0.23	14.0	0.65	40.0
1001 - up (3)				

11
12,500 gpd

11
12,500 gpd

(1) The amounts shown are based on 12 gpd/head with a 12 month period of use. (i.e. for range cattle, horses and mules). The amount does not include a loss (i.e. thru conveyance, etc.)

2. The amounts shown are based on 35 gpd/head with a 12 month period of use. (i.e. for dairy cattle). The amount does not include a loss. (i.e. thru conveyance, etc.).

3. For annual use calculations which involve more than 1000 head, round the number of head up to the next even one hundred, and

Volume

- a) for livestock use @ 12 gpd/hd, N (0.0134).
- b) for dairy use @ 35 gpd/hd, N (0.0391).

12 gal/day/head -

Rate

- a) for livestock use @ 12 gpd/hd, N (0.00022).
- b) for dairy use @ 35 gpd/hd, N (0.00065).

The answer should be rounded up to the nearest whole acre-foot.

*The rate is based upon approx. 2 hr/day diversion to obtain daily requirement.

A. Kenneth Dunn

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Property Details for Parcel S1228336310 and Year 2006**2006**[Change Year](#)[\[Back to Parcel Search\]](#) [\[Print View\]](#)[Details](#)[Valuation](#)[Tax Districts](#)[Characteristics](#)**Parcel:** S1228336310**Year:** 2006**Zone Code:** RR**Total Acres:** 10.004**Tax Code Area:** 82**Property Description:**

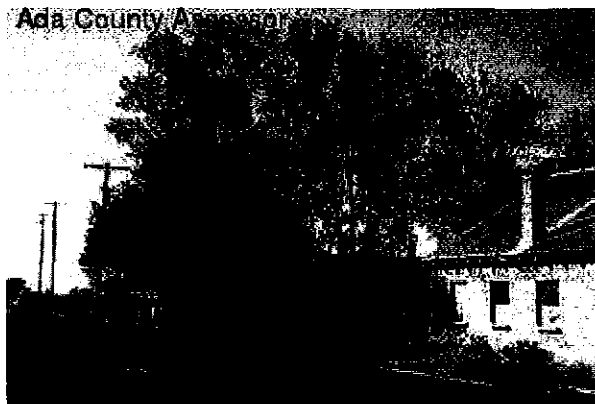
PAR #6310 OF SW4SW4

PAR #B OF R/S 3166

SEC 28 3N 1W

#326000-S

#95028118 #98026860

[View Interactive Map of this Parcel](#)**Address:** 4770 S MCDERMOTT RD NAMPA , ID 83687**Subdivision:** 3N 1W 28**Land Group Type:** SECT**Township/Range/Section:** 3N1W28[Contact Us](#) | [Disclaimer](#)



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Land Characteristics

[Back to Parcel Search](#)

Residential Acres: 1.0
Commercial Acres: 0.0
Other Acres Acres: 0.0
Street: None
Utility: None
Water Source:
Sewer: None
SideWalks: N
Curb-Gutters: N
Topography:
View:
Water Influence: 3
Water Frontage Feet: 0
Corner: N

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Residential Characteristics

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Year Built:	1910
Year Remodel:	1960
Effective Age:	1935
Construction Class:	3
Number of Bedrooms:	3
Number of Bathrooms:	1.0
Number of FirePlaces:	0
Air Conditioning:	N
Car Storage Sq Ft #1:	0
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	0
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	280
Patio Covered:	Y
Pool Sq Ft:	0
Total Sq Ft:	1072
Main Floor Sq Ft:	1072
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

November 8, 2005

John K. Gaskell
4770 S McDermott
Nampa, ID 83687

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Re: Notice of Claim to a Water Right No. 63-31441

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon".

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

11/08/2005

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

RIGHT NUMBER: 63-17586

NAME AND ADDRESS: JOHN K, GASKELL
4770 S MCDERMOTT
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.230 CFS

PRIORITY DATE: 04/01/1895

POINT OF DIVERSION:

T03N R01W S28 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	1/01 12/31	0.130 CFS
STOCKWATER	1/01 12/31	0.040 CFS
DOMESTIC	1/01 12/31	0.060 CFS

PLACE OF USE: STOCKWATER Within ADA County

T03N R01W S28 SWSW

COMMERCIAL Within ADA County

T03N R01W S28 SWSW

DOMESTIC Within ADA County

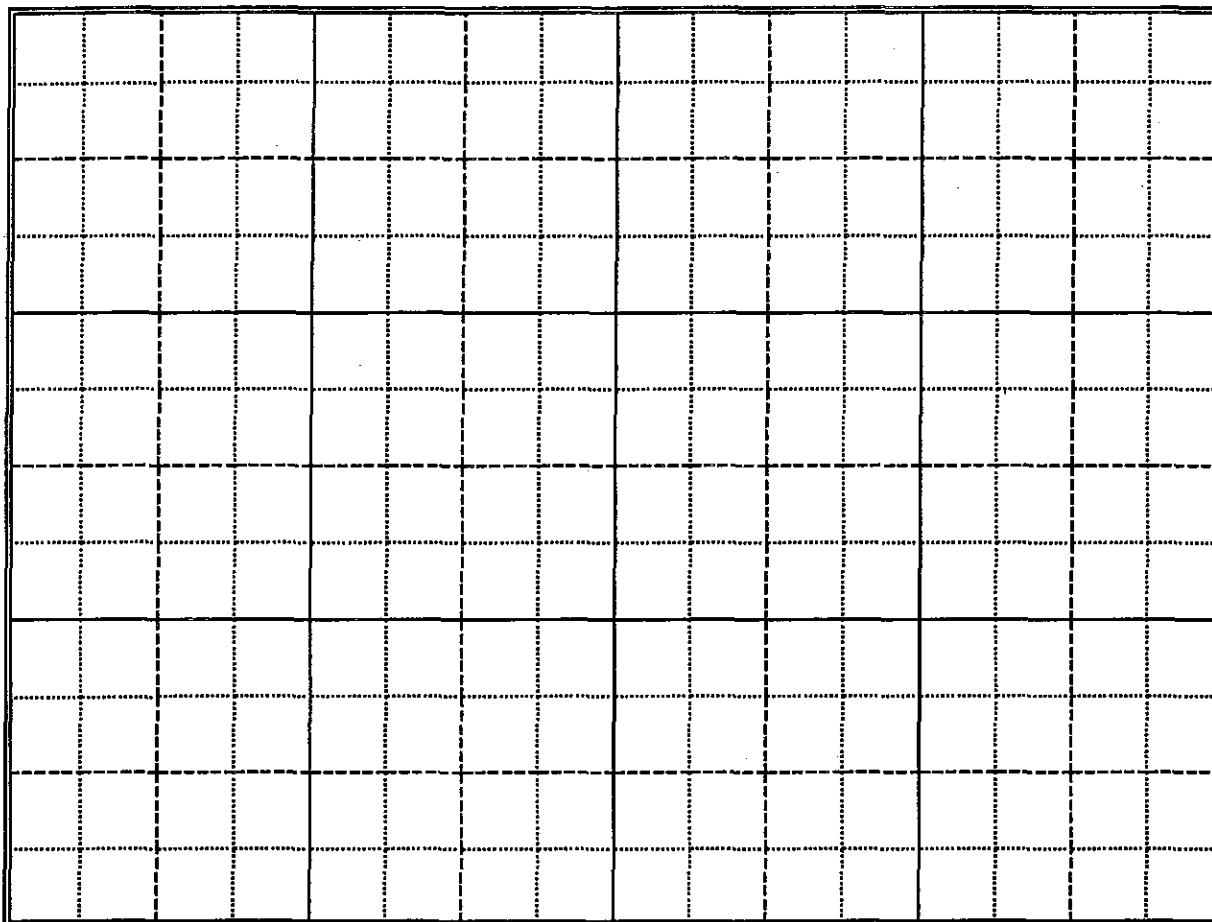
T03N R01W S28 SWSW

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

FEDERAL DAIRY BUY OUT INITIATED 1986 EXPIRES, 1991 AT WHICH
TIME DAIRY WILL BE REACTIVATED.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
A 000 2071	Sumergible	.75			1" 200' Deep
A 000 2072	Sumergible	.75	Under Crawl Space		1" - 275' Deep

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

E. NARRATIVE/REMARKS/COMMENTS

The hand dug well is no longer in service according to Doug & John Gaskell. The only stock water being used now will service 7 to 10 head of horses. Nampa Meridian Irrigation District water is also used on the property. Well #1 which is on the GPS. at 2300272 U.S.R. 1376403 is one of the wells on the claim w/picture. This well services the original house and a trailer house. Well #2 on the GPS. 2300265 U.S.R. 1376544 serves another trailer house, located on the property 4602 S. McDermott. Well #1 is approximately 80' deep & well #2 is approximately 22.5' deep. Picture #1 & 2 are of well #2. No identification tags were on either well. I tagged both wells. Well #2 was drilled by Gary Coonse in approximately 1998 (by John Gaskell). The dairy was bought out by the Federal Buy out in 1986. which would not allow them to milk cows on the property for a period of 5 years. Up to this time Mr. Gaskell has not had any dairy (milk cows) on the property.

Have conditions of permit approval been met? ☐ yes ☐ no

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			_____	_____

2. Recommended Amendments

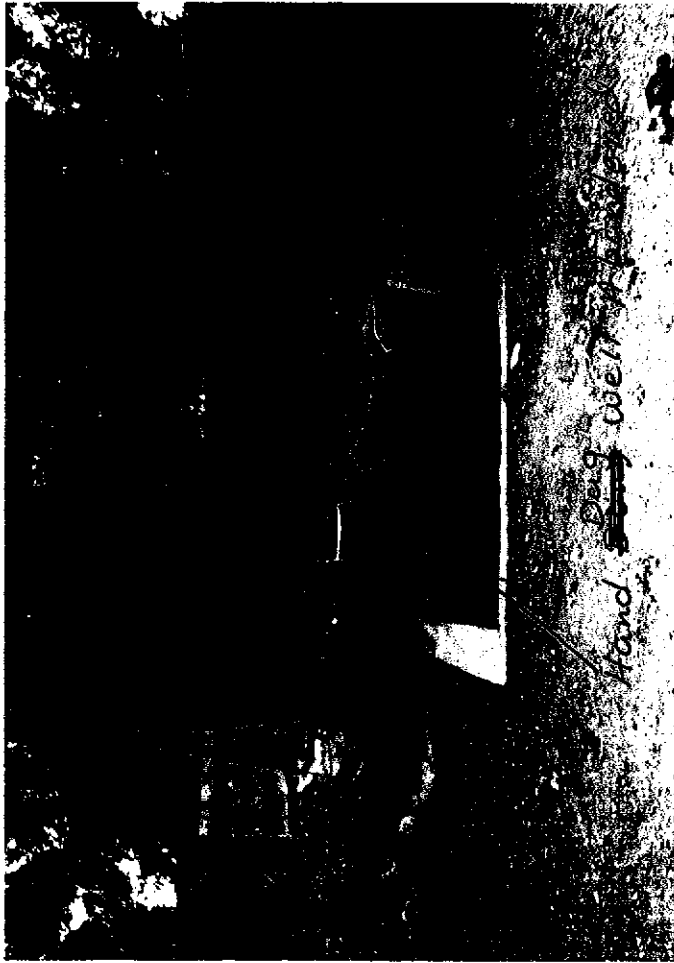
____ Change P.D. as reflected above ____ Add P.D. as reflected above ____ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATIONField Examiner's Name Ken Henley Date 6-08-2005

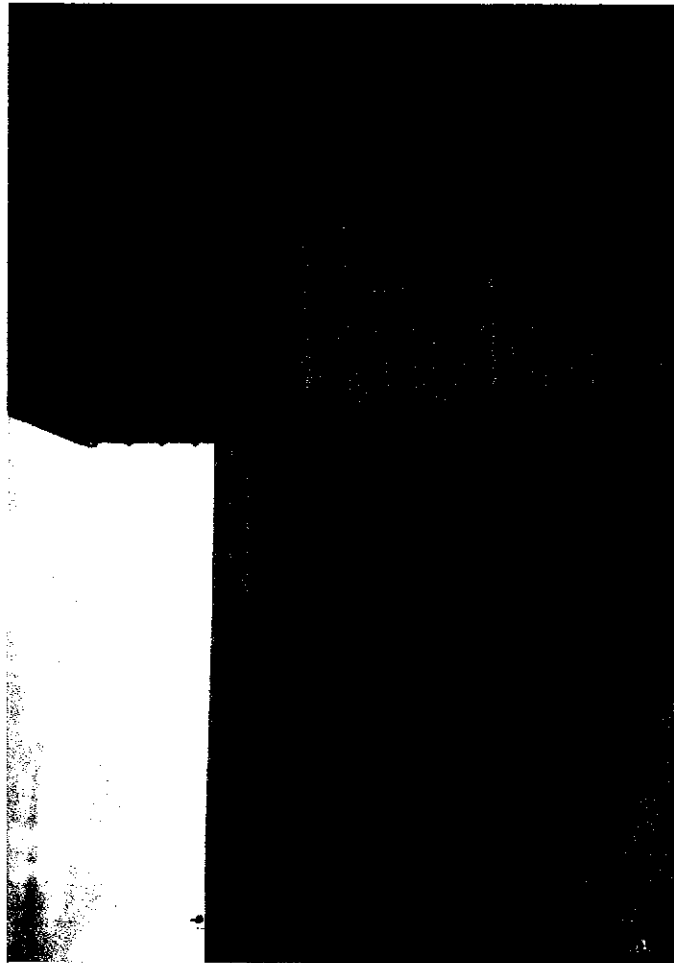
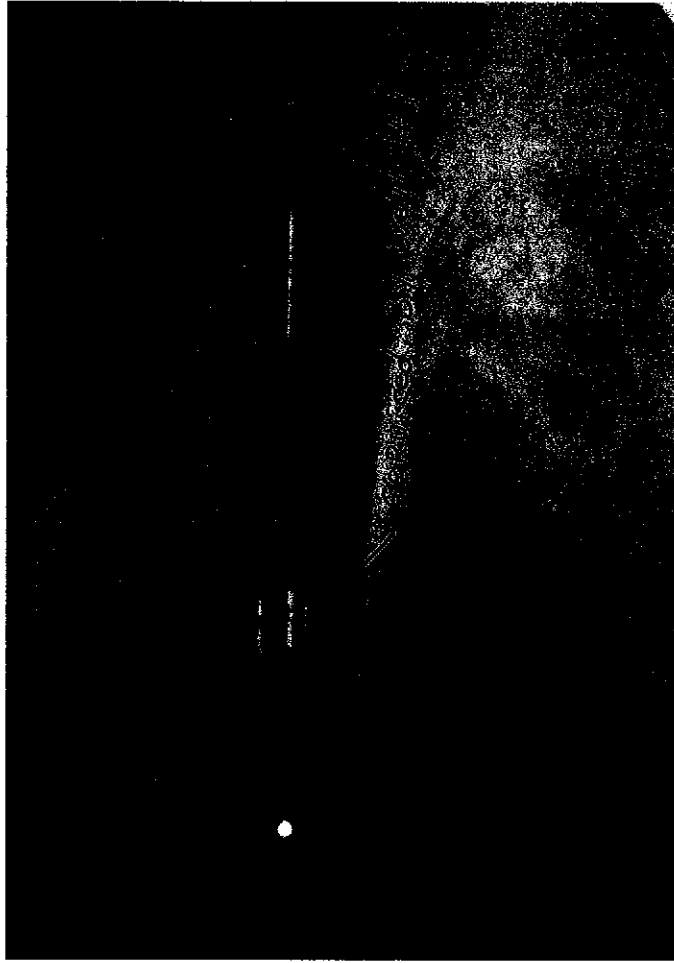
Reviewer _____ Date _____

SEAL

A 63-17586



Hand dug well #1



Well #1



Served By Well #1

GPS- 2300265

U.S.R. 1376544



pic.#1.

Well # 2



pic.# 2

A63-17586 Field Exam Request:
Gaskell

Contact:

06/01/2005

Contact **Doug Gaskell** at #376-9517 to set up a field exam. Please apologize to Mr. Gaskell that it has taken this long to conduct a field exam, but I requested that one of our contractors conduct a field exam over a year ago and he just returned the file to me approximately one week ago and had failed to do the field investigation.

Property Address:

4770 S. McDermott
Nampa

Requests:

Please verify all the elements of this right.

In addition, please verify:

- Use of water is for **2 domestic households** (1 home & 1 trailer, I believe) and pinpoint their location on the map/aerial photo.
- yes • Is **Nampa-Meridian Irrigation District** water used to supplement this right?
- Intrepid visited this property in 2001. Their theoretical was 0.14 cfs, so they may not have found **both** wells. Since the claim is for 0.23 cfs, please measure **both** wells.
- When was the dairy shut down? It appears the dairy was in use in 1987, but I am not sure. Ask Mr. Gaskell if the dairy was shut down in **1986!** Please ask what the remark: "**federal dairy buyout** initiated in 1986" means.
- Use the **COMMERCIAL USE VOLUME** questionnaire to calculate the commercial use volume if the dairy was in operation pre-1987.
VERY IMPORTANT** Have Mr. Gaskell help you answer the Commercial Use Volume questions.

Kimberly Brown
Sr. Water Resource Agent
IDWR - Western Region

SPS ON WELLS. #1 ^{3/4} HSP 2300272
USA. 1376403

#2 2300265 ^{3/4} HSP. BY John Gaskell
PIC-344 USA-1376544

Well Tag. # H 0002071
Hand down well NO Longer in use.
2nd well 12002072 4602 S-McDermott
275' GARY COONSE well DRILLER.

COMMERCIAL USE VOLUME

* Please keep in mind that these questions pertain only to the use of the water listed on the enclosed **Adjudication Claim Report No. A63-17586**.

Type of Establishment: (example – camp, church, country club, bar/lounge, boardinghouse, factory, motel, highway rest area, hospital, laundry, office, park, restaurant, school, service station, theater)

Type of Facilities: (example: kitchen facility/cafeteria, lavatory facilities, shower(s), bath(s), sink(s), trailers, flush toilets)

Number of Fixtures: (example: number of flush toilets, number of bathtubs, number of bathroom/kitchen sinks, number of showers, etc.)

How many employees (and/or public individuals) per day use each of the facilities your commercial use is based upon?

How many hours per day is the facility open for this specific use?

How many days per week is the facility open for this use?

Is this facility open year round? ___ Yes ___ No

If not, please indicate the length of time the facility is open during the year.

****** Most businesses have a good idea of how many gallons of water per day they use. If this is true in your case, please indicate how many **total gallons of water you use** for the commercial purposes explained above:

Additional information you feel may be pertinent:

Your name

Business telephone number

Please return to:

**ATTN: Kimberly Brown
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082**

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: A63-17586
Date Received: 8/17/1989
Receipt No: W004614
Received By: DE JN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ~~DON C. ADKERSON~~
Address: 4770 S. MC DERMOTT
NAMPA, ID

Doug Gaskell
83687

~~208-888-4357~~

2. Date of Priority: APR 01, 1895

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	01W	28	SW	SW			ADA

5. Description of diverting works:

2 WELLS, 1 HAND DUG, 1 DRILLED 200' W/6" CASE, PUMPS & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.130		
STOCKWATER	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.060		

need this
(X) A.F.A.

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/2 HOUSES W/LAWN & GARDENS, C/150 DAIRY COWS, S/75 MIXED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	01W	28	SW	SW		STOCK	

A63-17586

Page 1

Date: 09/27/89

MICROFILME

AUG 26 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	01W	28	SW	SW		COMMER	
			SW	SW		DOMEST	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NAMPA-MERIDIAN

14. Remarks:
FEDERAL DAIRY BUY OUT INITIATED 1986 EXPIRES, 1991 AT WHICH TIME
DAIRY WILL BE REACTIVATED. *Not Done.*

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 A63-17586

Date Received 08/17/89

Receipt Number W200 4619

ERL

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Don C Adkerson Phone (208) 888-4357

Mailing Address 4770 S Mc Dermott Zip 83687

2. Date of Priority (Only one (1) per claim) 4-1-1895

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

4. a. Location of existing point of diversion is: Township 3N Range 1W Section 28,

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

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.

Two wells & 1 well hand dug 1 well Drilled
200 FT. 6 inch case w/ pumps and pipe line

MICROFILMED

AUG 26 1992

for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

Stockwater purposes from 0-1/01 to 12/31 amount 0.13 or _____

Stockwater purposes from 01/01 to 12/31 amount 0.04 or _____

Domestic purposes from 01/01 to 12/31 amount 0.06^{PA} or _____

For PA purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.23^{PA} (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.) 0/2 house w/ lawns and gardens of 150 dairy

10. Description of place of use: S/75 mixed

- 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	
3N	1W	28											9/4						

Total number of acres irrigated _____

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.
Nampa & Meridian or None ()

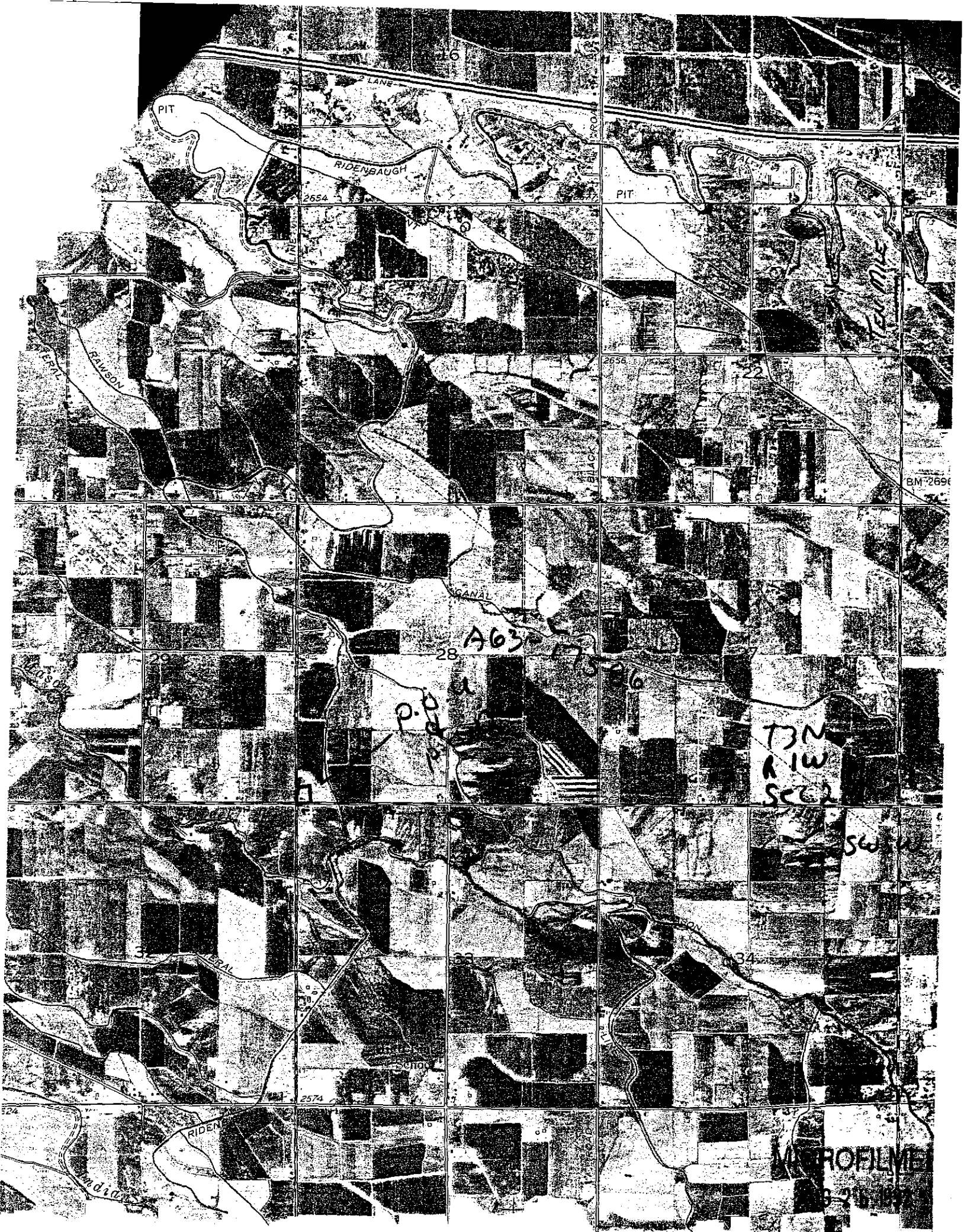
14. Remarks:

Federal Dairy buyout initiated 1986 expires
1991 at which time dairy will be
reactivated

MICROFILMED

Last Name _____ Ident No. _____

Copies: White - State, Yellow - Claimant
AUG 28 1992





IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

RIGHT ID 63 17586
POD ID 176577
Quad Meridian 4
Claim Type Large
Easting 300335
Northing 276423
GPSID No tag placed.

Diversion Description

2 WELLS, 1 HAND DUG, 1 DRILLED 200' W/6" CASE, PUMPS & PIPELINE. Not certain of well location. GPS location offset 20 feet to the west. Property no longer used as a dairy, home is still occupied. Primary use of property appears to be for storage and horses.

domestic use

Assumptions

Well location, horse power, pressure head, and elevation head.

Invoice

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked
Photos

Photos\176577a.JPG

EPE (ft)
22 LH

Date (M/D/Y)
11/20/01

Time
12:25

Flow Rate (CFS)
0.14

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
- ☐ Half full
- ☐ More than half full
- ☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	Concrete lined	.016
	Smooth earth	.025
	Earth	.033
	Rough bed, weeds on sides	.04
	Smooth natural stream	.033
	Rough natural stream	.1

Pumped System ☒

HP 3

Pressure Head (psi) 35

Elevation Head (ft) 50

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Servc, Inc.



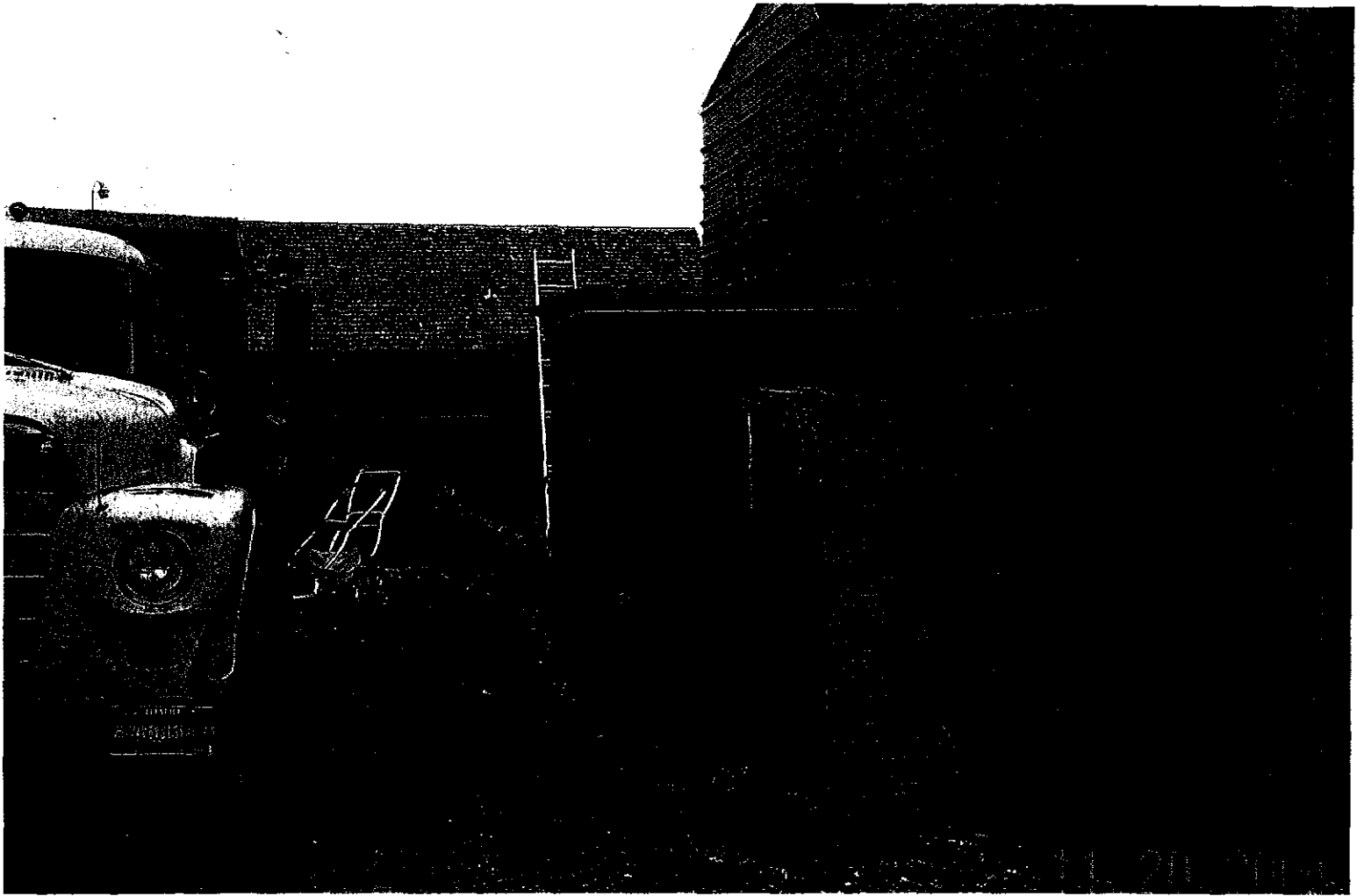
INTREPID
Engineering Services, Inc. (IES)
Enabling People and Solutions

RIGHT ID

63 17586

63-17586

Photo 176577a



1986 NARR

1987 NARR

1987 NARR

A63-17586 Field Exam Request:
Gaskell

Contact:

06/01/2005

Contact **Doug Gaskell** at #376-9517 to set up a field exam. Please apologize to Mr. Gaskell that it has taken this long to conduct a field exam, but I requested that one of our contractors conduct a field exam over a year ago and he just returned the file to me approximately one week ago and had failed to do the field investigation.

Property Address:

4770 S. McDermott
Nampa

Requests:

Please verify all the elements of this right.

In addition, please verify:

- Use of water is for **2 domestic households** (1 home & 1 trailer, I believe) and pinpoint their location on the map/aerial photo.
- Is **Nampa-Meridian Irrigation District** water used to supplement this right?
- Intrepid visited this property in 2001. Their theoretical was 0.14 cfs, so they may not have found **both** wells. Since the claim is for 0.23 cfs, please measure **both** wells.
- When was the dairy shut down? It appears the dairy was in use in 1987, but I am not sure. Ask Mr. Gaskell if the dairy was shut down in **1986**! Please ask what the remark: "**federal dairy buyout** initiated in 1986" means.
- Use the **COMMERCIAL USE VOLUME** questionnaire to calculate the commercial use volume if the dairy was in operation pre-1987.
VERY IMPORTANT** Have Mr. Gaskell help you answer the Commercial Use Volume questions.

Kimberly Brown
Sr. Water Resource Agent
IDWR - Western Region

CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right Nos. A63-17586

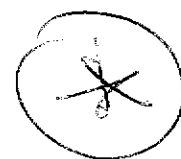
September 9, 2003

John Gaskell called in response to the evidence of priority letter I recently sent. Mr. Gaskell said that he bought this property from Adkerson 8 years ago (early 90s). Mr. Gaskell was quite perturbed that we were asking him to provide evidence of priority – all this just so that he could “take a shower in the morning?!” When I asked him about the dairy, Mr. Gaskell said that the water is “no longer used for dairy purposes, just domestic.”

I sent a Change in Water Right Ownership form to Gaskell’s Nampa address.

February 23, 2004

Doug Gaskell (#376-9517) called in response to the second evidence of priority letter sent. He said that there is one house and one trailer, that the dairy is now gone, and that they have 4 horses and a few cows. He also mentioned that instead of using the water for commercial purposes for the dairy, they now use the ground water for irrigation of 30 acres (for hay to feed the horses.) I told Mr. Gaskell that the claim is for commercial purposes only and that even though the dairy is no longer in existence, the ground water should not be being used for irrigation purposes.



March 10, 2004

Doug Gaskell came into the office to submit evidence of priority. He verified that the current use is for 1 home and 1 trailer and for 4 horses and a few cows. Mr. Gaskell said that he would like to keep the commercial use for “the future,” even though it has not been used since the federal by-out.

Kimberly Brown
Senior Water Resource Agent
Western Region

message

For Kimberly
From Doug Gastell
Time 1:50 Date 2-23
Phone 376-9517
☐ URGENT!

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....



3N/1W

returned from Darwin

Field Report Requests

RE: Snake River Basin Adjudication Water Right No. 63-17586

March 11, 2004

(Adkerson)
Gaskell

3/23/05

given to Gene
10/4/04
red 5/05

Call **Doug Gaskell** @ #376-9517 to schedule the field investigation.

ask Gene -
where?

Please verify:

- Use of water for **2 domestic households** (1 home & 1 trailer, I believe) and pinpoint their location on the map/aerial photo.
- Is **Nampa-Meridian Irrigation** District water used to supplement this right?
- Intrepid visited the property in 2001. Their theoretical was 0.14 cfs, so they may not have found **both** wells. Since the claim is for 0.23 cfs, please measure **both** wells.
- It *appears* the dairy was in use in 1987, but I am not sure. Was the dairy shut down in **1986**? Please ask what the remark: "**federal dairy buyout** initiated in 1986" means.
- Use the **Commercial Use Volume** questionnaire to calculate the commercial use volume if the dairy was in operation pre-1987.

4/7/05

Liberty was
given the Change
in Ownership forms
- KLB

Kimberly Brown
Sr. Water Resource Agent
Western Region

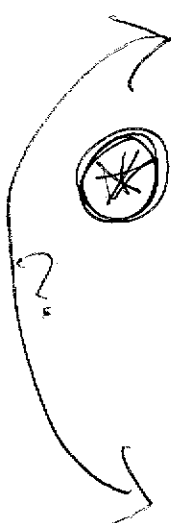
D)

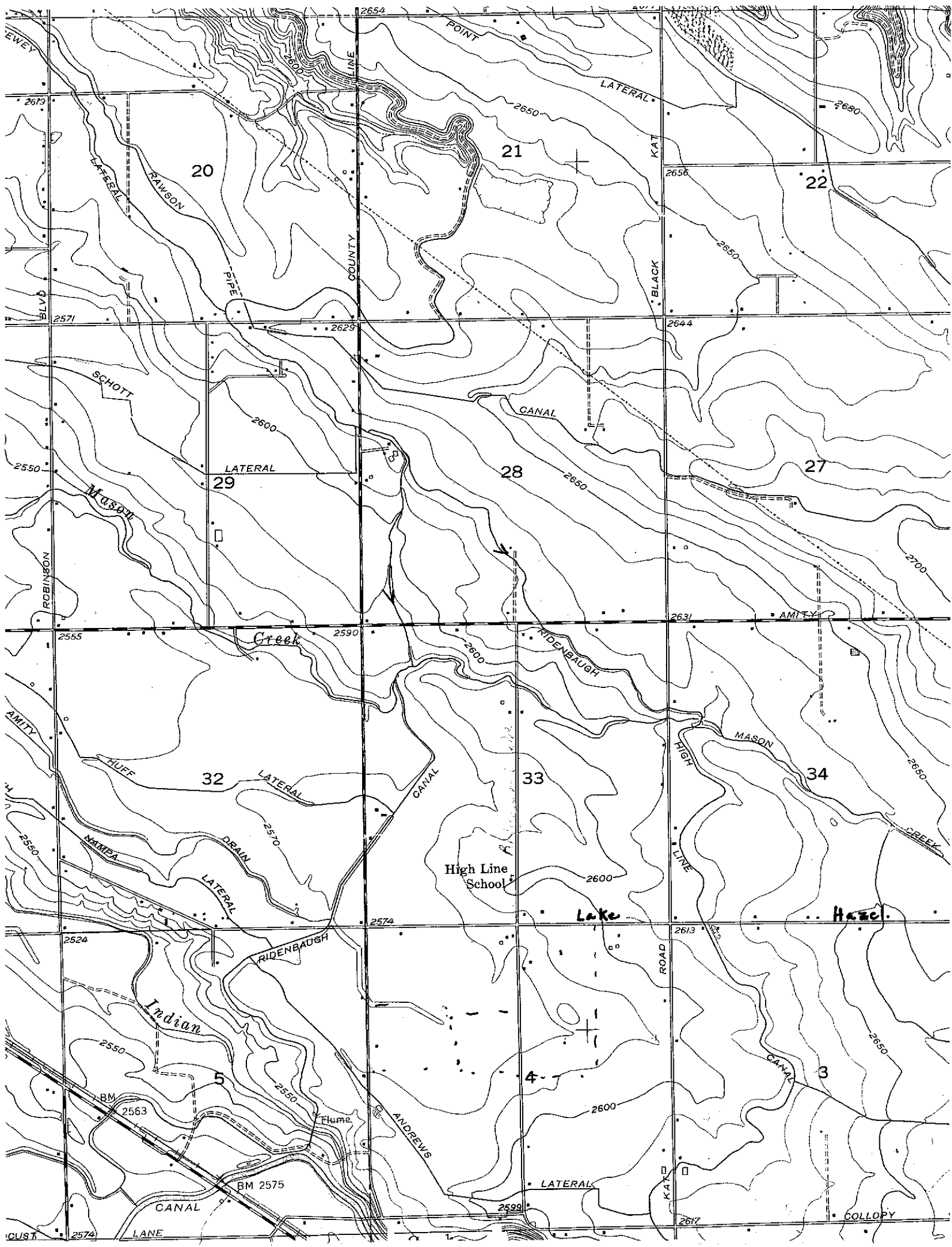
3.11.04

DAIRY

63-17586 : Gaskell

Call Doug Gaskell (# 376-9517) to schedule a field exam.

- Verify use of water for 2 domestic households (# ^{1 home & 1 trailer, I believe} their location on map).
 - Is Nampa-Meridian Irr. District water used to supplement this right? If so, how?
 - Intrepid visited property in 2001, but their theoretical was 0.14 cfs (may have not done/ found both wells). The claim is for 0.23 cfs, so "measure" both wells to see if 0.23 cfs is feasible.
 - It appears the dairy was in use in 1987, so the use will be recommended.
-   Please calculate the COMMERCIAL USE VOLUME. (if the answer of whether the dairy was in operation past 1986)
- Please ask what the REMARK: "federal dairy buyout initiated 1986" means? Was the dairy shut down in 1986?!





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

April 21, 2004

JOHN K GASKELL
4770 S MCDERMOTT
NAMPA ID 83687

RE: Commercial use for Snake River Basin Adjudication claim 63-17586

Dear Mr. Gaskell,

The Idaho Department of Water Resources is currently reviewing the claim to a water right you filed during claims taking in the Snake River Basin Adjudication (SRBA). During the initial review of this claim, we found that you claimed a commercial use that requires a volume amount be included in our recommendation to the SRBA Court (please refer to the enclosed copy of your adjudication claim report: under Annual Volume). In order for us to calculate your annual volume, it is necessary that we ask for additional information not gathered when you, or the original claimant, filed this water right.

Please refer to the Commercial Use Volume sheet (enclosed), answer the appropriate questions as specifically as possible, and return it to this office by May 7, 2004 so that we are able to calculate the annual volume associated with your water right; as required by the SRBA Court.

This review of your claim, in addition to the submittal of our recommendation to the SRBA Court, will result in a decreed right for your property. This water right then remains with the land as long as it is being used. We will give you the opportunity to review our recommendation and provide feedback, if necessary, prior to its submittal to the SRBA Court.

Please feel free to contact me at 334-2190 if you have any questions.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Kimberly Brown'.

Kimberly Brown
Water Resource Agent

Enclosures

This information was write by Don Aderson
and was given to use when we Bought the property

House 20, 21, 22
8-10-04

RECEIVED

MAR 10 2004

WATER RESOURCES
WESTERN REGION

STRAITS BOUGHT FARM IN

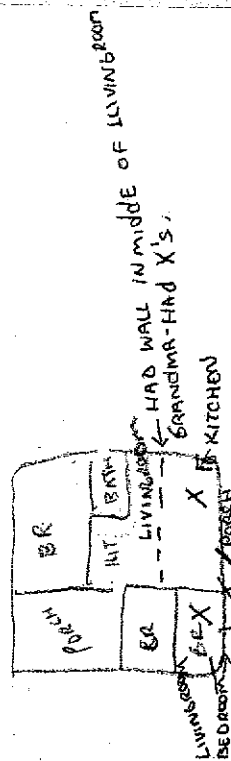
1907,

House WAS BUILT IN 1902.

STRAITS BUILT ALL OUT BUILDINGS,

KITCHEN REMODELED 1963.

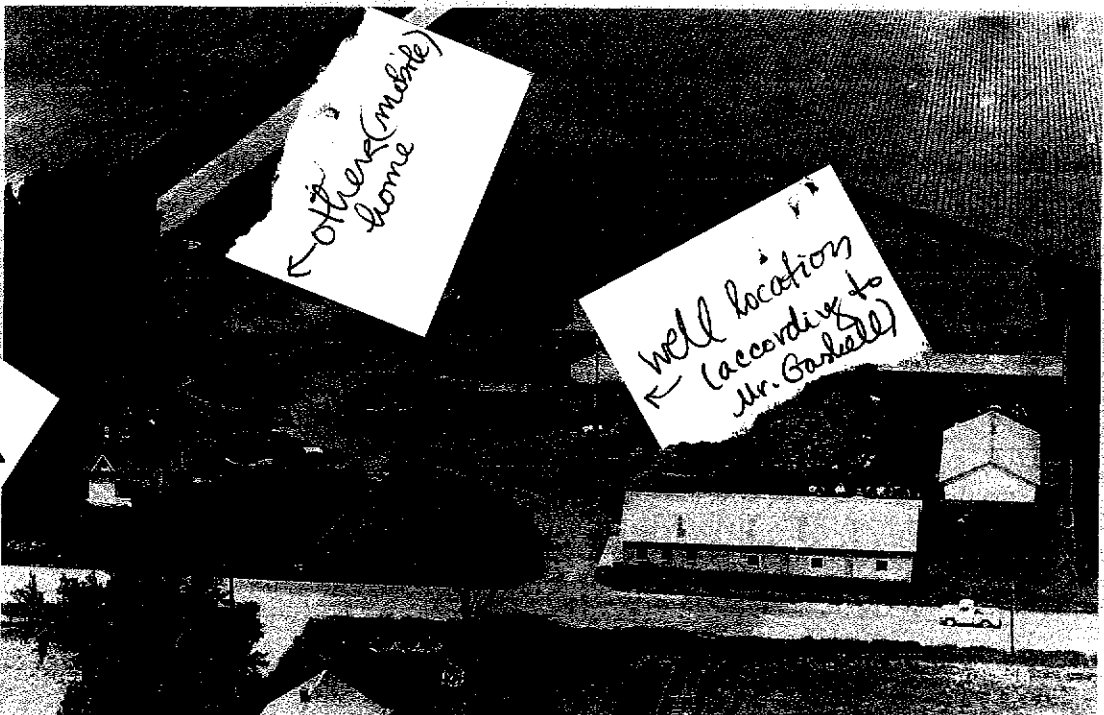
BEDROOM BUILT ON IN 1950's.



dated
1907
in frame



The Straits, shortly after they bought the house in 1907.



← other (mobile)
home

well location
← (according to
Mr. Gaskell)

original
home →

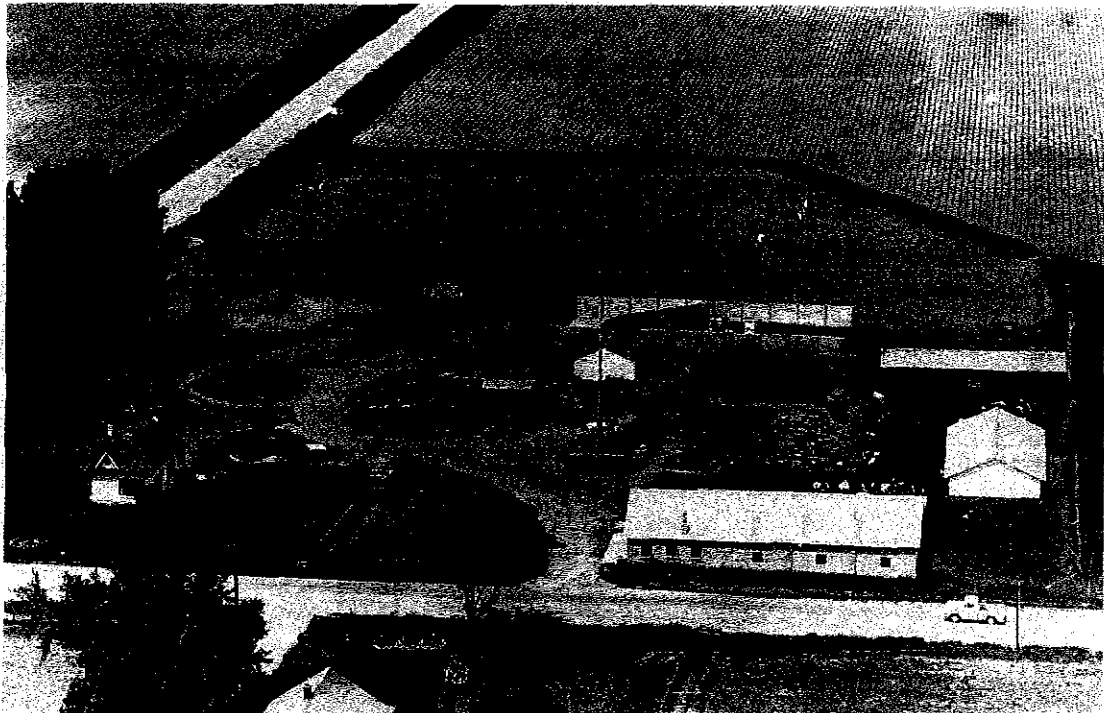
RECEIVED
MAR 10 2004
WATER RESOURCES
WESTERN REGION

* Evidence submitted by Douglas Gaskell. -KS

dated
1907
in frame



The Straits, shortly after they bought the house in 1907.



RECEIVED

MAR 10 2004

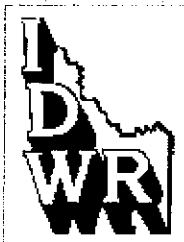
WATER RESOURCES
WESTERN REGION

* Evidence submitted by Douglas Gaskill. -KB



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63



RIGHT ID 63 17586
POD ID 176577
Quad Meridian 4
Claim Type Large
Easting 300335
Northing 276423
GPSID No tag placed.

Diversion Description

2 WELLS, 1 HAND DUG, 1 DRILLED 200' W/6" CASE, PUMPS & PIPELINE. Not certain of well location. GPS location offset 20 feet to the west. Property no longer used as a dairy, home is still occupied. Primary use of property appears to be for storage and horses.

domestic use

Assumptions

Well location, horse power, pressure head, and elevation head.

Invoice #

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

a Photos\176577a.JPG

Photos

EPE (ft)

22 LH

Date (M/D/Y)

11/20/01

Time

12:25

Flow Rate (CFS)

0.14

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity

0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water
above orifice
centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water
above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel
Description

Concrete lined .016
Smooth earth .025
Earth .033
Rough bed, weeds on sides .04
Smooth natural stream .033
Rough natural stream .1

Pumped System ☒

HP 3

Pressure Head (psi) 35

Elevation Head (ft) 50

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

This Form and the associated query are the exclusive Intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Servlc, Inc.



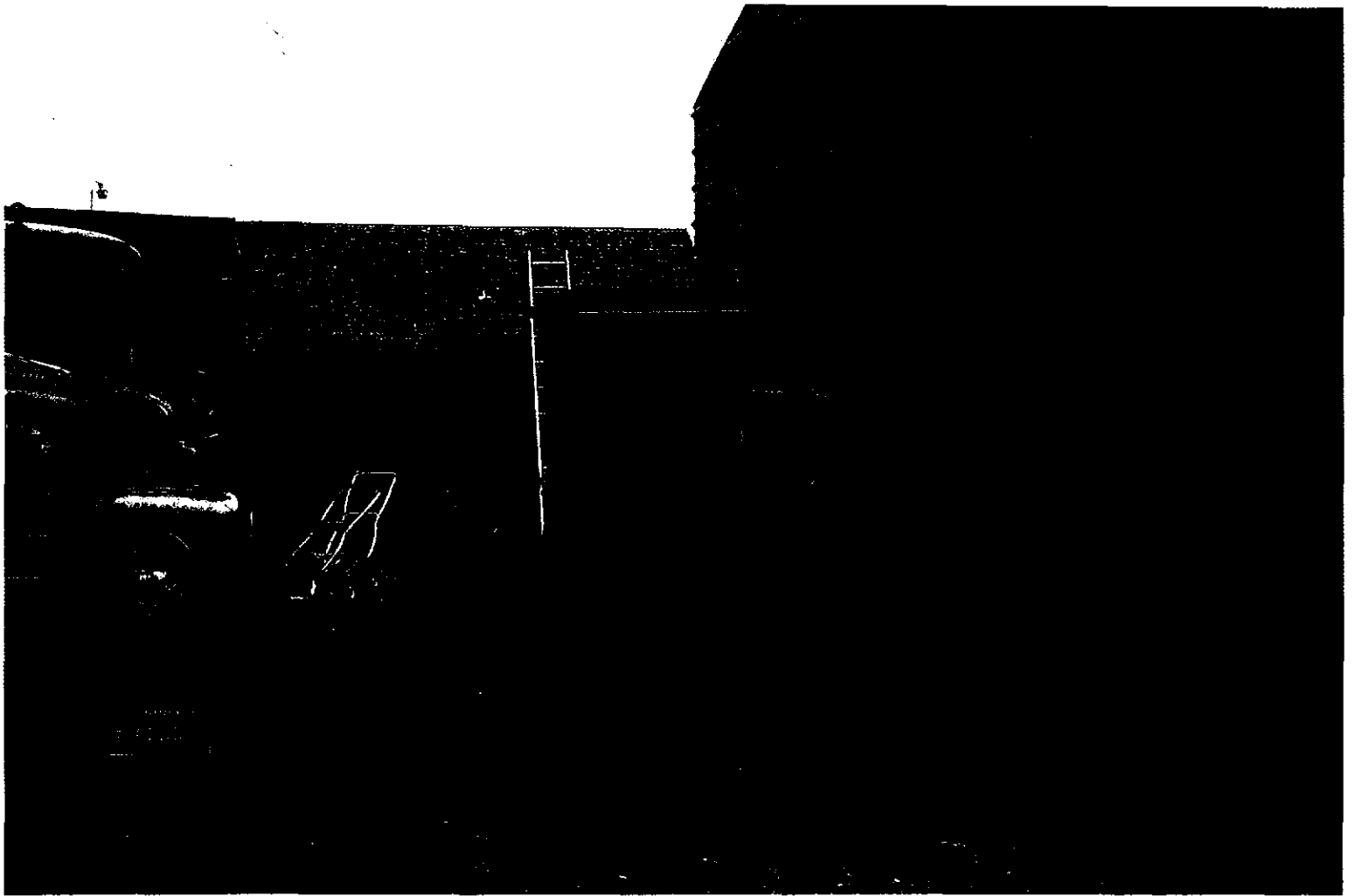
INTREPID
Engineering Services, Inc. (1998)
Enabling People and Solutions

RIGHT ID

63 17586

63-17586

Photo 176577a





STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WARDEN

February 10, 2004

JOHN K GASKELL
4770 S MCDERMOTT
NAMPA ID 83687

Re: SRBA Claim A63-17586

Dear Claimant(s):

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 63 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding information on the priority date for the above SRBA claim. In order to make a positive recommendation of this water right, each element of the water right must be proven.

The Department plans to issue its Preliminary Recommendations on this water right later this year. If the Department does not receive all the necessary evidence for this claim, it will have no option but to recommend to the SRBA Court that this water right be disallowed, meaning that the water right will not be valid.

Please contact Kimberly Brown at the Western Regional Office for the Idaho Department of Water Resources at (208) 334-2190. If she does not hear from you by March 12, 2004, then your water right will be recommended as disallowed.

Very truly yours,

A handwritten signature in black ink that reads "Nick Spencer".

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

NBS/pm

cc: Kimberly Brown



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

September 2, 2003

JOHN K. GASKELL
4770 S. MC DERMOTT
NAMPA, ID 83687

Mr. Gaskell,

According to 2002 Tax Lot information, you are the current owner of the property listed above. If you are the current owner, please read the information enclosed in the envelope addressed to Don Adkerson.

If you have any questions, please contact me at the Western Region office.

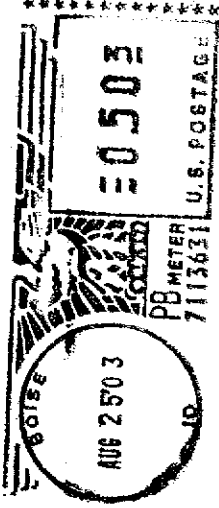
Sincerely,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Western Region

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE
REQUESTED



Evidence of Priority

3N 1W

A 63-17586

DON C. ADKERSON
4770 S. MC DERMOTT
NAMPA, ID 83687

**NOT DELIVERABLE
AS ADDRESSED,
UNABLE TO FORWARD**

RECEIVED

AUG 29 2003

WATER RESOURCES
WESTERN REGION

9-2-03 2002 Tax lot information:

*John K. Gaskell
4770 S. McDermott
Nampa, ID*

resent Ev. of Priority letter

83687-9009



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 25, 2003

DON C. ADKERSON
4770 S. MC DERMOTT
NAMPA, ID 83687

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-17586

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. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

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 22, 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



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

above. In addition, please contact me at the Western Region office as soon as possible to set up a field exam.

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-17586



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

November 9, 2001

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that Intrepid might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office