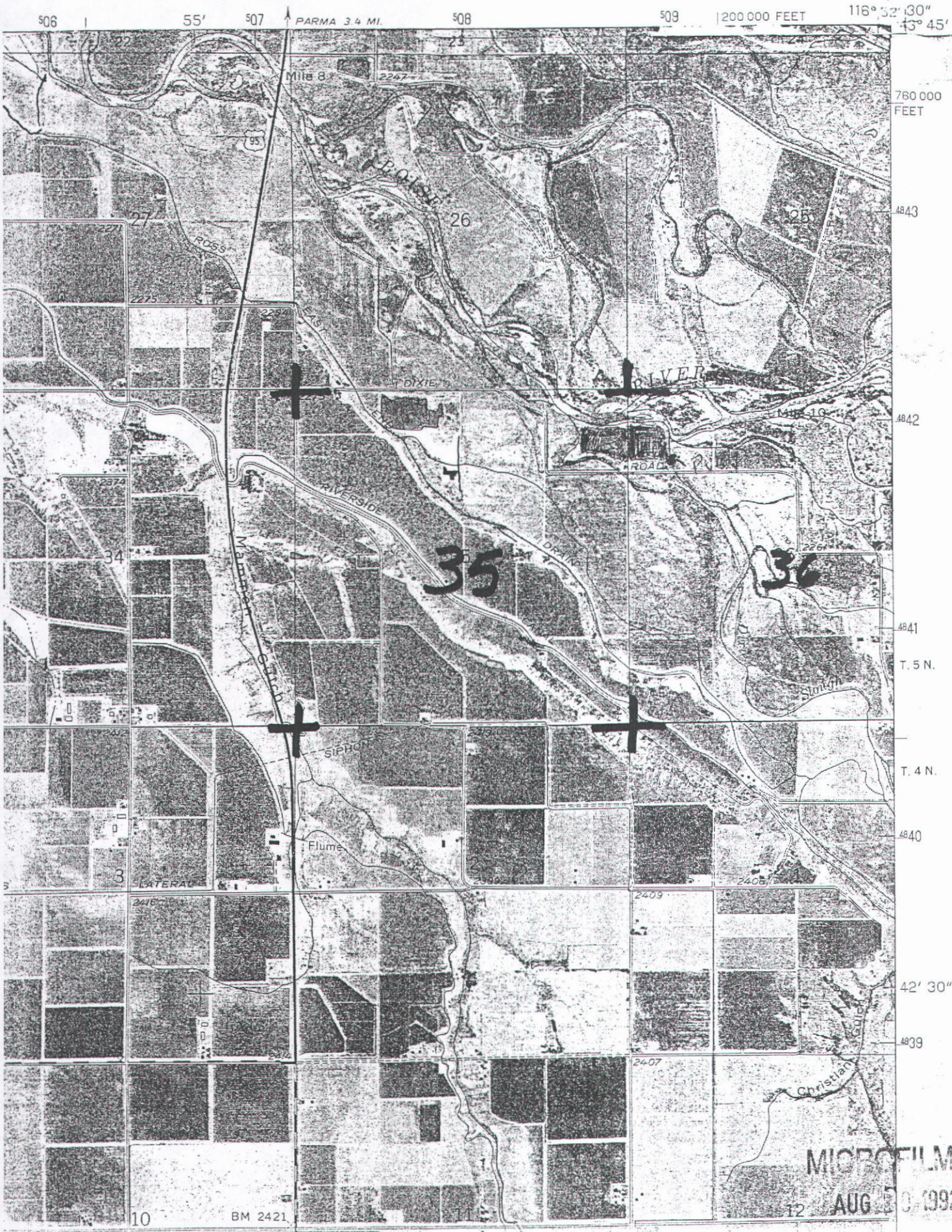


T5N R5W

WILDER QUADRANGLE

IDAHO

7.5-MINUTE SERIES (ORTHOPHOTOQUAD)



T!
T

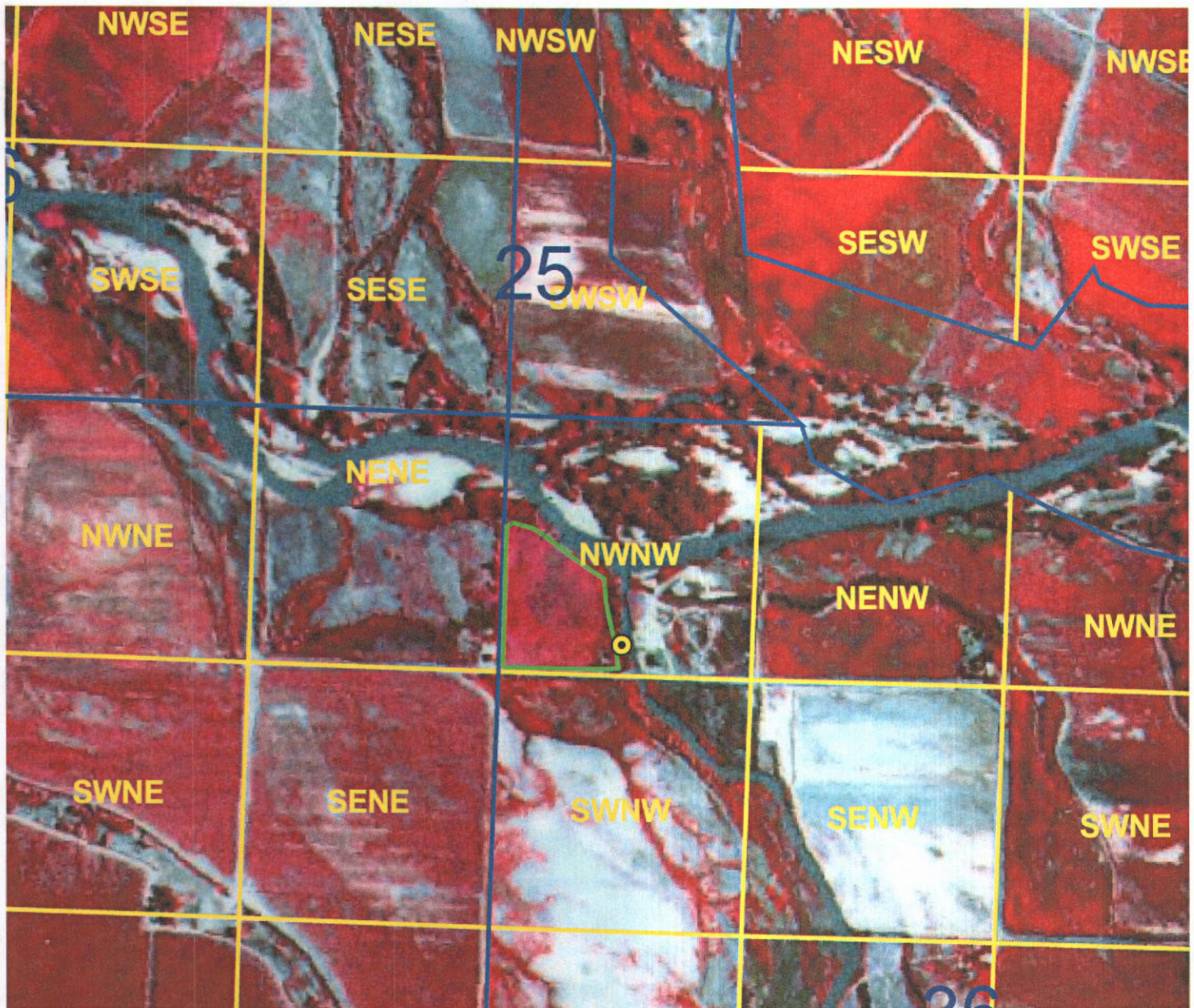
MICROFILMED

AUG 30 1992



State of Idaho
Idaho Department of Water Resources
Western Region

T5N R5W SECTION 36
Water Right: 63-4594



1320 0 1320 2640 Feet

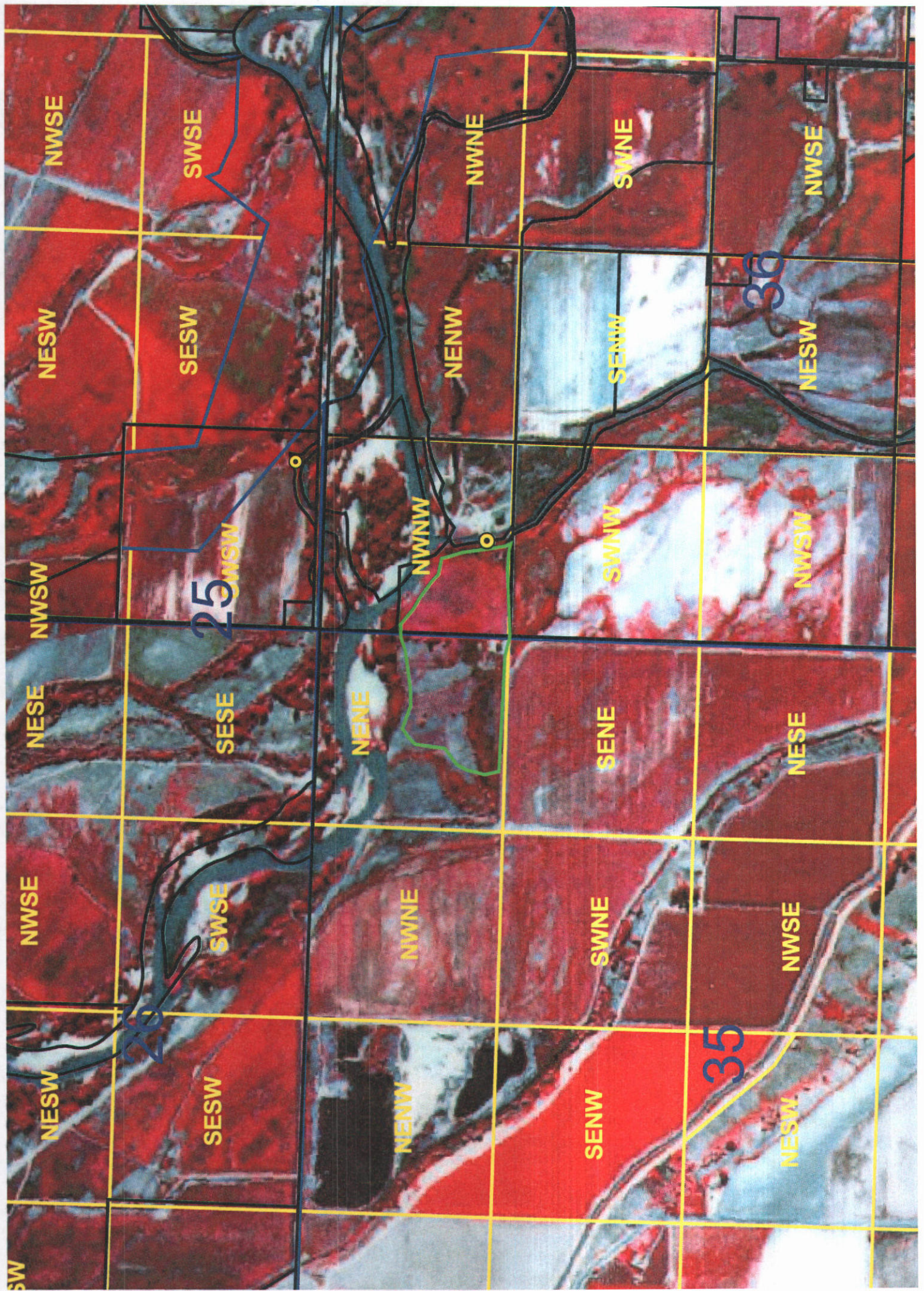
TOTAL IRRIGATED ACRES = 8

9.5



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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: August 2006

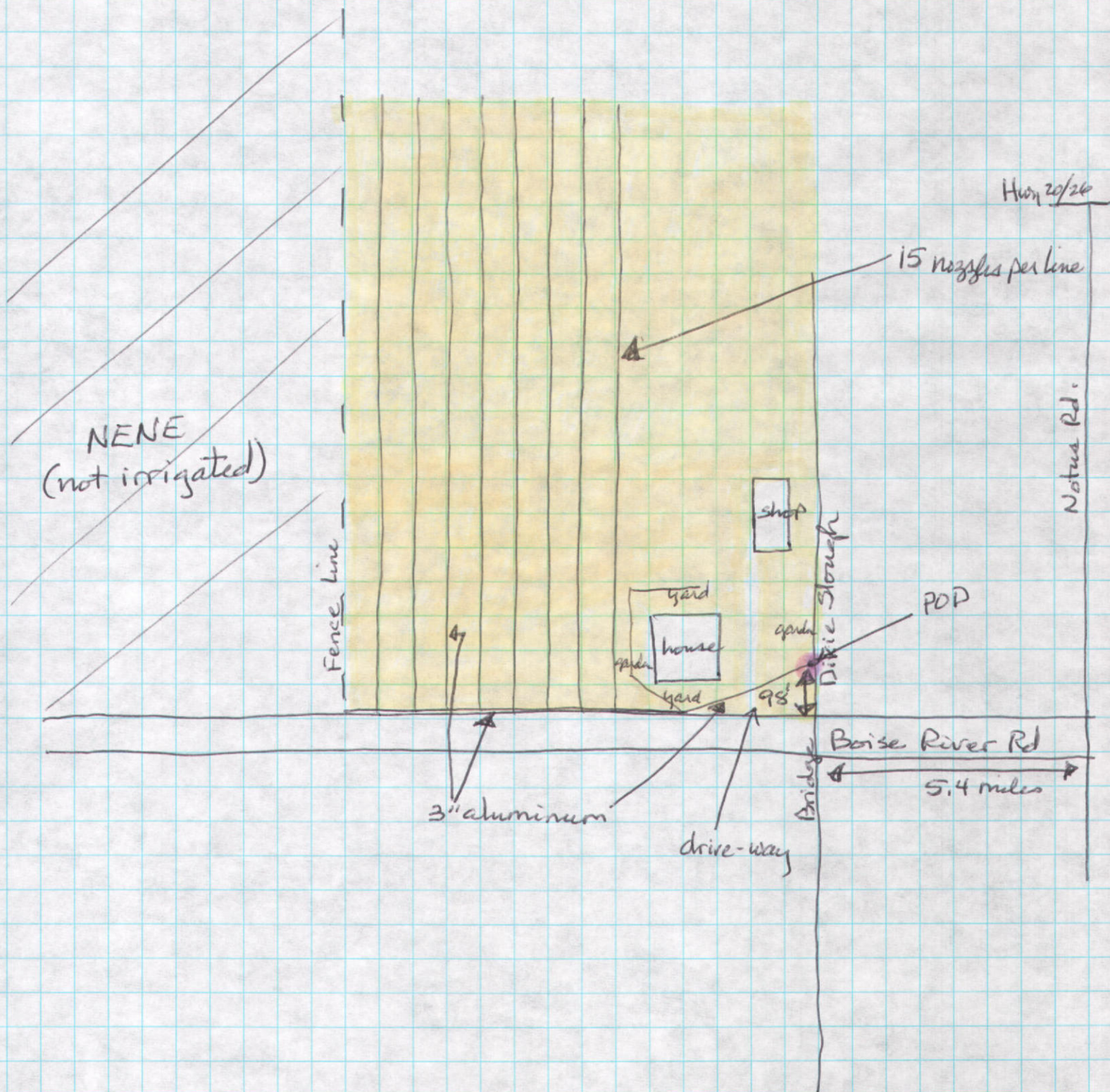


63-4594-- 1987 NAPP. Tidwells own the parcel in Section 36, Debbie Delaney may own the parcel in Section 35. Canyon Co taxlot info on Arcview doesn't list an owner for the acres claimed in the NENE which do not look cultivated.



63-4594-- 2004 aerial. Tidwells own the parcel in green. Canyon Co taxlot info on Arcview doesn't list an owner for the acres claimed in the NENE which do not look cultivated. *may be Bonnie Delaney*





↑ N

63-4594 Tidwell
8-17-2006 S.H.

□ = POI

● = POD



POD:

Dixie Slough

3' PVC

5' lift

Gorman
Rupp 7.5Hp
(No tag)
30-35psi

2" discharge
150' of 3" aluminum
to field at NWNW

SH



POU:

yard,
garden

63-4594 Tidwell

SH



POU:
yard,
garden

SH



POU:

10 acres
Sec. 36
NWNW
(own total
of 15 acres)

SH

3" aluminum
50' sections
2 lines
w/15 nozzles
+ 4 nozzles
in yard +
garden
run at
1 time
9/64" nozzles
20 psi
average

63-4594 Tidwell



63-4594-- 2004 aerial. Tidwells own the parcel in green. Canyon Co taxlot info on Arcview doesn't list an owner for the acres claimed in the NENE which do not look cultivated.

● = POD □ = POLY

Canyon County
Assessors confirm
they own 26 acres
in NENE.

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 63-4594
Date Received: 3/22/1990
Receipt No: C015926
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

TERRY TIDWELL Phone: (208)722-7132
24680 BOISE RIVER ROAD
PARMA ID USA 83660

DEBBIE DELANEY Phone: (208)722-7132
24860 BOISE RIVER RD
PARMA ID USA 83660

2. Date of Priority: 06/01/1934

3. Source: DIXIE SLOUGH Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	05W	36	NW NW	CANYON	

5. Description of diverting works:

PUMP, HEADGATE, DITCHES, PIPELINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.4	

7. Total Quantity Appropriated is:
0.4 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
05N	05W	35	NE	NE	IRRIGATION	10
					Section Acres	10
05N	05W	36	NW	NW	IRRIGATION	10
					Section Acres	10
					Total Acres	20

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

CHANGE IN OWNERSHIP LG 6-13-2006

15. Basis of Claim: Statutory Claim

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: A63-04594
Date Received: 3/22/1990
Receipt No: C015926
Received By: SS

RECEIVED
JUN 11 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN ELSBERRY 208-347-2465
Address: HC 64 BOX 3520
COUNCIL, ID 83612

Name: SANDRA ELSBERRY 208-347-2465
Address: HC 64 BOX 3520
COUNCIL, ID 83612

2. Date of Priority: JUN 01, 1934

3. Source: DIXIE SLOUGH Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	05W	36	NW	NW			CANYON

5. Description of diverting works:
PUMP, HEADGATE, DITCHES, 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	0.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	05W	35	NE	NE		IRR	10.0
						Section Acres	10.0
		36	NW	NW		IRR	10.0
						Section Acres	10.0
						Total Acres	20.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): *John E. Blum* Date: 6-3-90
Kimberly E. Blum Date: 6-3-90

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 7th day

of June 19 90

Seal

Walter Howard
Notary Public

Residing at New Meadows

My Commission Expires 11-28-92

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

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
63-4594	A63-4594	AJ			
63-28187	PD				

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) John & Sandra Ellsberry
HC 64 Box 3520
4. New Owner/Claimant(s) Council, ID 83612
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address Terry Tidwell & Debbie Delaney
 City, State and ZIP Code 24860 Boise River Rd, Parma, ID
 New Telephone Number 208 722-7132 83660
5. Date you acquired the property 11-2-92

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) *D. K. Tidwell*
(include title if applicable) *Debbie Delaney*

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 *lg* Date *5/17/06* Fee *\$25 (63-28187)*
 Received by *lg* Date *5/17/06* Receipt No. *W034177*
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED

Terry Tidwell

the Grantor, do hereby grant, bargain, sell and convey unto

Terry K. Tidwell and Debbie Delaney husband and wife

the Grantees, whose address is 24860 Boise River Rd. Parma, ID 83660

the following described premises, to-wit:

see attached exhibit A

REQUEST
TYPE Deed FEE 9.00
Terry TidwellCANYON CNT/RECORDER
BY J. Hales

2002 OCT 28 AM 11 54

RECORDED

200250658

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he the owner in fee simple of said premises; that said premises are free from all encumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated:

T.K. Tidwell 10/25/02

STATE OF IDAHO, COUNTY OF Canyon

On this 25th day of October 2002
before me, a Notary Public in and for said State, personally
appeared

known to me to be the persons, whose name is
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Residing at Parma, Idaho
Comm. Expires 8-9-03

PIONEER TITLE COMPANY
OF CANYON COUNTY

423 So. Kimball
Caldwell, Idaho 83605

100 - 10th Ave. South
Nampa, Idaho 83651

EXHIBIT "A"

PARCEL I:

The Northeast Quarter of the Northeast Quarter in Section 35, Township 5 North, Range 5 West of the Boise Meridian in Canyon County, Idaho, excepting therefrom the following:

That part of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 35, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho, described as follows:

Beginning at the Southeast corner of the said Northeast Quarter of the Northeast Quarter of said Section 35, thence running West 200 feet; thence running North 200 feet; thence East 200 feet; thence South 200 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

That portion of the Northeast Quarter of the Northeast Quarter of Section 35, and that portion of the Northwest Quarter of the Northwest Quarter of Section 36, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho, lying North of the following described line:

Beginning at a point on the East boundary line of the Northwest Quarter of the Northwest Quarter of said Section 36, which point lies North from the Southeast corner thereof a distance of 676 feet, which is the True Point of Beginning; thence

South 80° 00' West a distance of 200 feet to a point; thence
South 70° 45' West a distance of 180 feet to a point; thence
South 63° 31' West a distance of 175 feet to a point; thence
South 51° 16' West a distance of 95 feet to a point; thence
North 67° 40' West a distance of 100 feet to a point; thence
North 48° 40' West a distance of 132 feet to a point; thence
North 24° 03' West a distance of 138 feet to a point; thence
North 16° 38' West a distance of 125 feet to a point; thence
South 88° 03' West a distance of 200 feet to a point; thence
North 86° 53' West a distance of 230 feet to a point on the West boundary line of Section 36, which point is 840 feet North from the Southwest corner of said Northwest Quarter of the Northwest Quarter; thence continuing in Section 35,

North 86° 53' West a distance of 70 feet to a point; thence
South 83° 52' West a distance of 192 feet to a point; thence
South 73° 34' West a distance of 248 feet to a point; thence
North 73° 14' West a distance of 220 feet to a point; thence
North 67° 24' West a distance of 340 feet to a point; thence
North 59° 50' West a distance of 330 feet, more or less, to a point in the West boundary line of said Northeast Quarter of the Northeast Quarter of Section 35, which point is North 1120 feet from the Southwest corner thereof.

PARCEL II:

The Northwest Quarter of the Northwest Quarter in Section 36, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho, excepting therefrom the following:

That portion of the Northeast Quarter of the Northeast Quarter of Section 35, and that portion of the Northwest Quarter of the Northwest Quarter of Section 36, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho, lying North of the following described line:

Beginning at a point on the East boundary line of the Northwest Quarter of the Northwest Quarter of said Section 36, which point lies North from the Southeast corner thereof a distance of 676 feet, which is the TRUE POINT OF BEGINNING; thence

South 80° 00' West a distance of 200 feet to a point; thence

South 70° 45' West a distance of 180 feet to a point; thence

South 63° 31' West a distance of 175 feet to a point; thence

South 51° 16' West a distance of 95 feet to a point; thence

North 67° 40' West a distance of 100 feet to a point; thence

North 48° 40' West a distance of 132 feet to a point; thence

North 24° 03' West a distance of 138 feet to a point; thence

North 16° 38' West a distance of 125 feet to a point; thence

South 88° 03' West a distance of 200 feet to a point; thence

North 86° 53' West a distance of 230 feet to a point on the West boundary line of Section 36, which point is 840 feet North of from the Southwest corner of said Northwest Quarter of the Northwest Quarter; thence continuing in Section 35,

North 86° 53' West a distance of 70 feet to a point; thence

South 83° 52' West a distance of 192 feet to a point; thence

South 73° 34' West a distance of 248 feet to a point; thence

North 73° 14' West a distance of 220 feet to a point; thence

North 67° 24' West a distance of 340 feet to a point; thence

North 59° 50' West a distance of 330 feet, more or less, to a point in the West boundary line of said Northeast Quarter of the Northeast Quarter of Section 35, which point is North 1120 feet from the Southwest corner thereof.

Also Excepting Therefrom

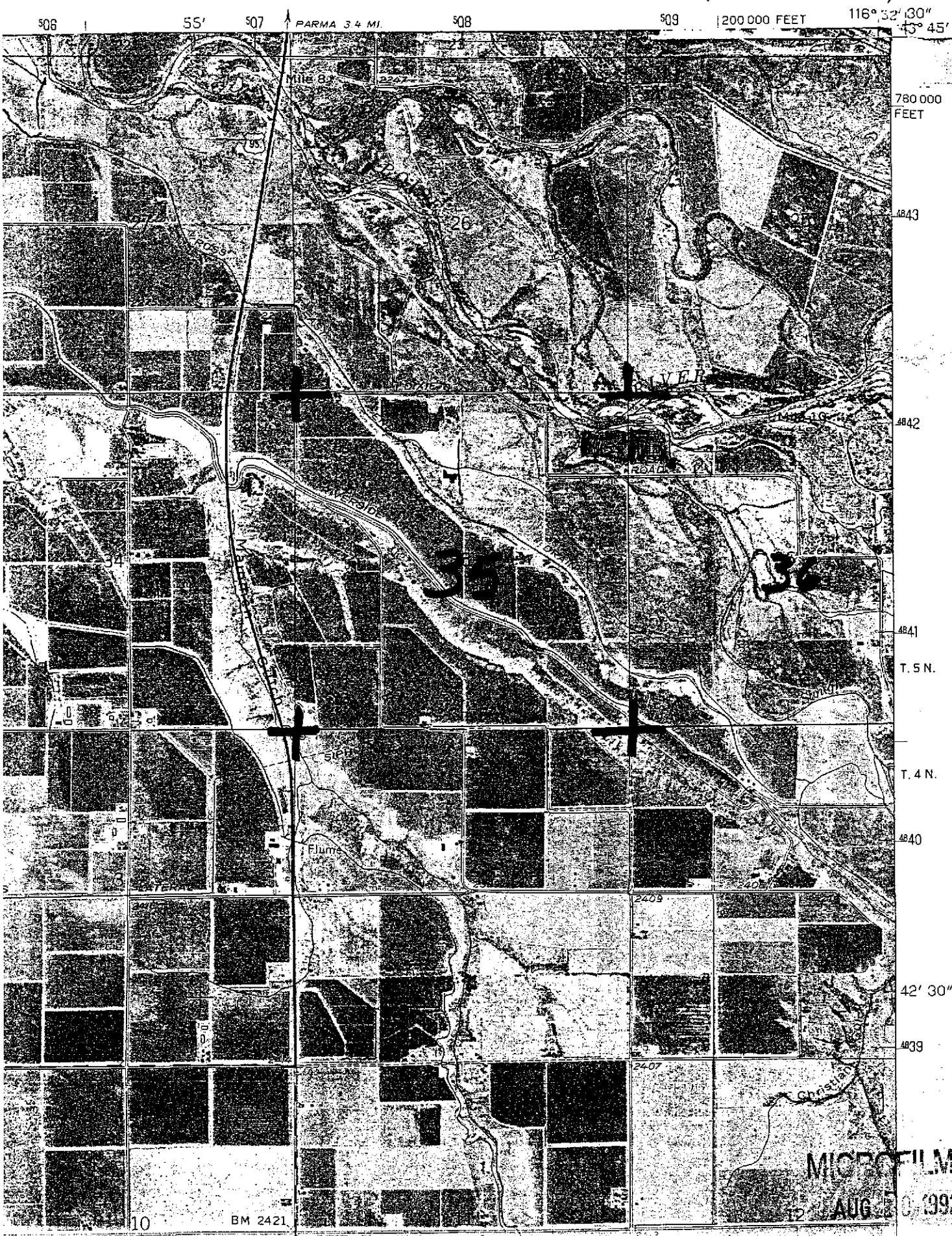
That portion of the Northwest Quarter of the Northwest Quarter of Section 36, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho, which lies East of the Dixie Slough Drain.

T5N R5W

WILDER QUADRANGLE

IDAHO

7.5-MINUTE SERIES (ORTHOPHOTOQUAD)



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MICROFILMED

AUG 20 1992

Receipt Details for ID C015926

Status	Adjustment Type	Version
	Water Right Receipt	3

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/25/1990 12:46:15 PM	9/25/1990	State	\$75.00	Check
Payer		ELSBERRY, JOHN E./SANDRA		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2336			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$75.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
--------------	-----------------	--------------	--------	------



12/10/2006

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

RIGHT NUMBER: 63-4594

NAME AND ADDRESS: TERRY TIDWELL
24680 BOISE RIVER ROAD
PARMA ID 83660

DEBBIE DELANEY
24680 BOISE RIVER RD
PARMA ID 83660

SOURCE: DIXIE SLOUGH

TRIBUTARY: BOISE RIVER

QUANTITY: 0.190 CFS

PRIORITY DATE: 06/01/1934

POINT OF
DIVERSION: T05N R05W S36 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.190 CFS

PLACE OF USE: IRRIGATION in CANYON County

T05N R05W S36 NWNW 9.50

9.5 ACRES TOTAL

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RECEIVED

JUN 13 2007

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

DEPARTMENT OF
INTER RESOURCES

In Re SRBA) A. Subcase 63-4594
(insert water right number)
)
Case No. 39576)
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Riverside Irrigation District
Address: PO Box 1080
Parma, ID 83660
Daytime Phone: 208-880-3449

Name & Address of Attorney, if any:

Albert P. Barker
Barker Rosholt & Simpson, LLP
1010 W. Jefferson, Ste. 102, Boise ID 83702

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

Name: Terry Tidwell and Debbie Delaney
Address: 24680 Boise River Road
Parma, ID 83660

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

1. ☐ **Name and Address**

Should be: _____

2. ☒ **Source**

Should be: The source should be described as waste waters, and waste waters belong to the Riverside Irrigation District.

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☐ **Place of Use**

Should be: _____

10 ☐ **I object because:**

☐ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Riverside Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Riverside Irrigation District. Proposed waste water remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of IDAHO)
County of ADA)ss.

Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

(Signature of person filing objection)

[Signature]

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 18, 2007



Suzanne Estes
Notary Public for Idaho

Residing at: Boise

My Commission Expires: June 1, 2012

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.

G. CERTIFICATE OF MAILING

I certify that on JUN 18 2007, 2007, 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:

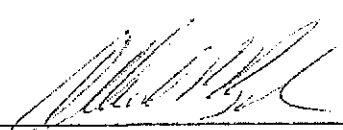
Name: Terry Tidwell and Debbie Delaney
Address: 24680 Boise River Road
Parma, ID 83660

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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



Signature of objector or attorney
mailing on Objector's behalf

10/11/2006

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

RIGHT NUMBER: 63-4594

NAME AND ADDRESS: TERRY TIDWELL
24680 BOISE RIVER ROAD
PARMA ID 83660

DEBBIE DELANEY
24860 BOISE RIVER RD
PARMA ID 83660

SOURCE: DIXIE SLOUGH

TRIBUTARY: BOISE RIVER

QUANTITY: 0.190 CFS

PRIORITY DATE: 06/01/1934

POINT OF DIVERSION:

T05N R05W S36 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.190 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T05N R05W S36 NWNW 9.50

9.5 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/29/2006

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-4594

TERRY TIDWELL
24680 BOISE RIVER ROAD
PARMA ID 83660

DEBBIE DELANEY
24860 BOISE RIVER RD
PARMA ID 83660

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:

increase acreage to 9.5 acres

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

IT WAS INCORRECTLY MARKED. MORE ACREAGE WAS
HISTORICALLY IRRIGATED

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

DATE:

10/11/06

SIGNATURE:

T.K. Tidwell

Please print your name: TERRY K. TIDWELL

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

08/29/2006

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

RIGHT NUMBER: 63-4594

NAME AND ADDRESS: TERRY TIDWELL
24680 BOISE RIVER ROAD
PARMA ID 83660

DEBBIE DELANEY
24860 BOISE RIVER RD
PARMA ID 83660

SOURCE: DIXIE SLOUGH

TRIBUTARY: BOISE RIVER

QUANTITY: ~~0.160~~ CFS *.19*

PRIORITY DATE: 06/01/1934

POINT OF DIVERSION:

T05N R05W S36 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

~~0.160~~ CFS *.19*

PLACE OF USE:

IRRIGATION Within CANYON County

T05N R05W S36

NWNW

8.00

9.5 ACRES TOTAL

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

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

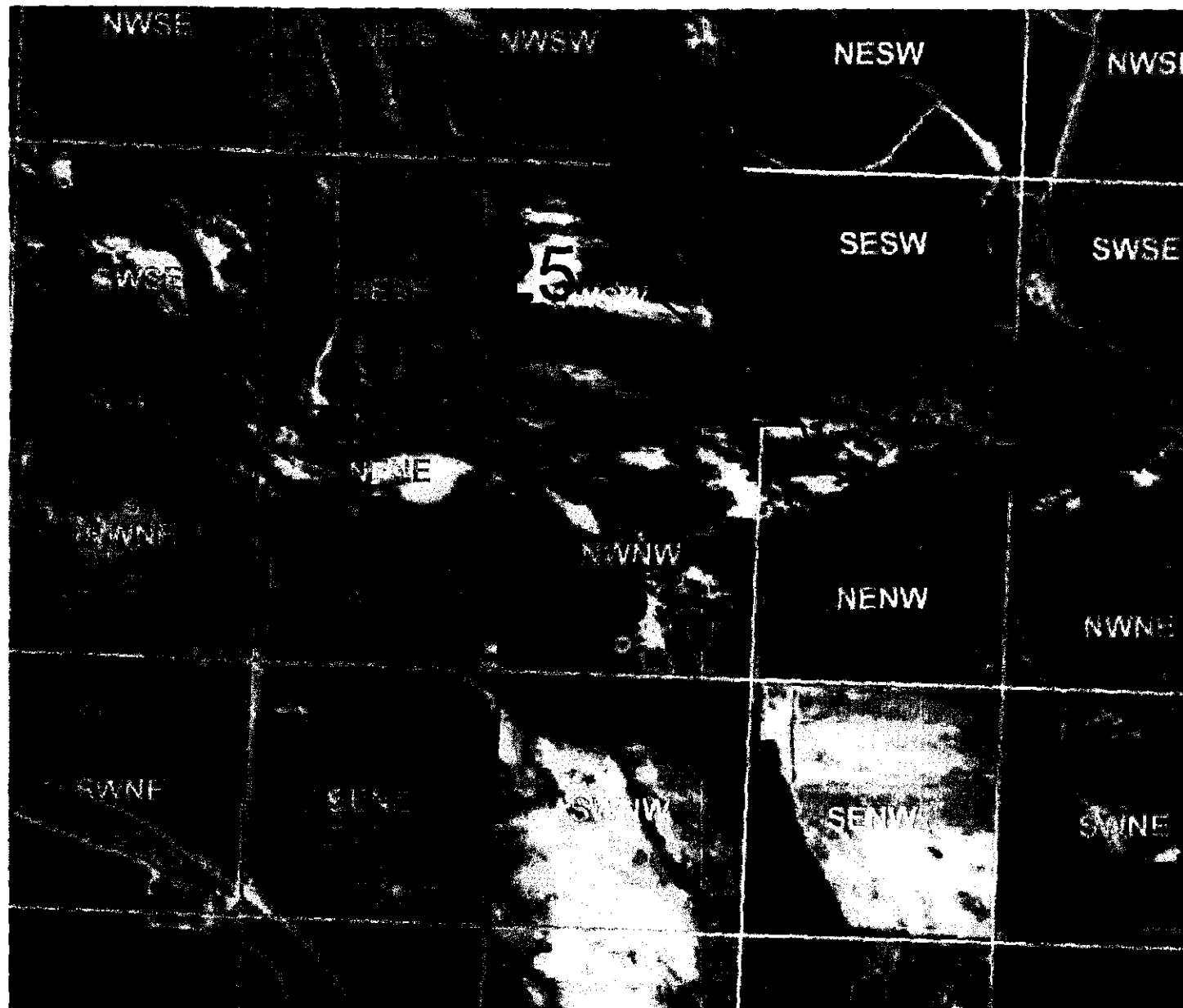
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

*Changed per office visit
w/ Terry Tidwell on 10/11/06
See NOE form.*



State of Idaho
Idaho Department of Water Resources
Western Region

T5N R5W SECTION 36
Water Right: 63-4594



1320 0 1320 2640 Feet

TOTAL IRRIGATED ACRES = 8

9.5



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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: August 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4594 V1

WATER RIGHT NUMBER: 63-4594 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	EMMETT R MC CURRY 24780 BOISE RIVER RD PARMA, ID 83660 (208)722-5358
Previous Owner	JOHN ELSBERRY HC 64 BOX 3520 COUNCIL, ID 83612 (208)347-2465
Previous Owner	SANDRA ELSBERRY HC 64 BOX 3520 COUNCIL, ID 83612 (208)347-2465
Current Owner	TERRY TIDWELL 24680 BOISE RIVER ROAD PARMA, ID 83660
Current Owner	DEBBIE DELANEY 24860 BOISE RIVER RD PARMA, ID 83660

Priority Date: 06/01/1934

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
DIXIE SLOUGH	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.160 CFS	
	<u>Total Diversion:</u>	0.160 CFS	

Location of Point(s) of Diversion

DIXIE SLOUGH	NW1/4NW1/4	Sec. 36, Twp 05N, Rge 05W, B.M.
CANYON County		

Place of Use

IRRIGATION Within CANYON County

T05N R05W S36 NWNW 8.0

Total Acres: 8

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:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4594 V1

Comments:

1. vmusic 8/29/2006 POU

Comment: ACRES IN SECTION 35 HAVE LIKELY NEVER BEEN IRRIGATED PER THE AERIAL REVIEW AND CURRENT OWNERS WHO ARE ONLY IRRIGATING ABOUT 8 ACRES IN SEC 36. CLAIMED 10 ACRES BUT THE LOT IS ONLY ABOUT 8 ACRES. IN 2004 ONLY IRRIGATING ABOUT 6.5 ACRES

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			04/25/2006	scurtis	Active
Contacts	8/29/2006 3:36:37 PM	vmusic			Active
Priority Date	8/29/2006 3:37:07 PM	vmusic			Active
POD	8/29/2006 3:38:20 PM	vmusic			Active
Source	8/29/2006 3:39:49 PM	vmusic			Active
POU	8/29/2006 3:40:10 PM	vmusic			Active
Use	8/29/2006 3:43:48 PM	vmusic			Active
Season	8/29/2006 3:44:08 PM	vmusic			Active
Quantity	8/29/2006 3:45:02 PM	vmusic			Active
Summary			08/29/2006	vmusic	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	4/25/2006 8:51:06 AM	scurtis	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?
Contacts	8/29/2006 3:36:39 PM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW
POD	8/29/2006 3:38:22 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	8/29/2006 3:42:50 PM	vmusic	Updated shape for Active POU
POD	8/29/2006 3:38:40 PM	vmusic	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4594 V1

Source	8/29/2006 3:39:51 PM	vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - FIELD EXAM AUGUST 2006
POU	8/29/2006 3:40:11 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - FIELD EXAM AUGUST 2006
General	8/29/2006 3:37:08 PM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - AFFIDAVIT FROM PRIOR OWNER
Use	8/29/2006 3:43:49 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - FIELD EXAM AUGUST 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4594 V1

Season	8/29/2006 3:44:10 PM	vmusic	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	8/29/2006 3:45:04 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - THEORETICAL PER FIELD EXAM AUGUST 2006
Summary	8/29/2006 3:46:05 PM	vmusic	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 4. Is any portion of the claim be recommended? (No) 5. Does this right have any combined use limits with other rights? (No) 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?

Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 13, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Terry Tidwell
Debbie Delaney
24860 Boise River Road
Parma, ID 83660

Notice of Claim to a Water Right No. 63-4594

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,

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

New Owner:

Terry Tidwell
24860 Boies Rd
Parma 83660

Dom claim: 63-28187
needs A in ownership

other uts? 63-28187-
dom well

Per office visit w/ Terry
Tidwell 5/17/06

7.5 HP pump → 3"
mainline → can
run 30 sprinklers -
9/64" nozzles

5' lift from
ditch

sending affidavit

Property in S35 not
irrigated - natural
habitat per Terry



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

May 8, 2006

TERRY TIDWELL
24860 BOISE RIVER RD
PARMA ID 83660

RE: NOTICE OF CLAIM NO: A63-4594

Dear Land Owner:

We are currently preparing the Notice of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Enclosed is a computer printout of the claim for your reference. Our research indicates there may have been a change in the ownership for the above claim. Idaho Department of Water Resources (IDWR) records currently show the following name and address as the owner of the claim listed above:

**JOHN & SANDRA ELSBERRY
HC 64 BOX 3520
COUNCIL ID 83612**

The Idaho statutes require that (IDWR) be informed of a change in water right ownership within 120 days of the property transaction. If you purchased the property referenced in this letter, please fill out the change in ownership form and send it with the required documentation to my attention at 2735 Airport Way, Boise ID 83705. If no response is received from you, all further legal notices concerning the claim will be sent to the name and address of the original claimant shown above. Please call me at (208) 334-2190 if you have questions.

Sincerely,

Lori Graves
Sr. Water Resource Agent

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 8, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JOHN & SANDRA ELSBERRY
HC 64 BOX 3520
COUNCIL ID 83612

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No: A63-4594

Dear Claimants:

In the past, you submitted the above referenced claim during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim for your reference only, it is not necessary to return this print-out. It appears that you no longer own the property, however, because the department has not received a change in ownership for the claim, you are still listed as the current owner of record, which is why you are receiving this notice.

You indicated, when this claim was filed, that the water right 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 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 if water availability problems arise in the future.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, an accurate location of your diversion and acres irrigated needs to be identified on the attached aerial photo. Please include as much detail regarding your diversion system as possible, such as pump hp, feet of lift, etc. If more information is needed, you will be receiving a call from us in order to set-up an appointment for a field exam.

Page 2

The required evidence supporting the priority date requested and clearly marked aerial photo needs to be submitted by May 29, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Respectfully,

A handwritten signature in cursive script, appearing to read "Lori Graves".

Lori Graves
Sr. Water Resource Agent

Enclosure: "Evidence of Priority" Pamphlet/Affidavit
Notice of Claim A63-4594
Aerial Photo

Cc: TERRY TIDWELL
24860 BOISE RIVER RD
PARMA ID 83660

WHITE - State Auditor
YELLOW - Remittance Advice
PINK - State Auditor then Agency
GOLDENROD - Agency Copy

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

9310
Date 06/06/90
Code 193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

PAY
TO

JOHN ELSBERRY
HC 64 BOX 3520
COUNCIL, ID 83612

() PURCHASE ORDER
() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	8831		REFUNDS PER GENE GIBSON RECEIPT #C015926 6/1/90 5.00	5.00	
RECEIVED JUN 8 1990 Department of Water Resources Western Regional Office						5.00	
TOTAL						5.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service; that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

RECEIVED
JUN 8 1990

TO: NANCY HANDZEL

FROM: GENE GIBSON

DATE: 06/01/1990

SUBJECT: TRANSFER OF FUNDS

Nancy on 03/26/90 we received a Application For Permit from John Elsberry which was sent on 03/22/1990. The filing fee paid for this application was \$75.00 according to receipt number C015926. An Adjudication Claim with a fee of \$70.00 should have been filed instead of the application. The applicant would like to transfer the fees paid on the application to the fee owed on the adjudication claim. Since this Application has not been processed or advertised a refund of \$5.00 will be due to Mr. Elsberry. Thank you for your assistance in this matter.

Gene

Fee paid on Application	Receipt Number	C015926	\$75.00
Fee owed on Adjudication Claim			70.00
Refund due			<u>\$ 5.00</u>

John Elsberry
HC 64 Box 3520
Council, Id. 83612

MICROFILMED

AUG 1988

April 27, 1990

John Elsberry
HC 64 Box 3520
Council, Idaho 83612

Mr. Elsberry:

We recently received your water right Application For Permit. However, there are problems with this application that must be resolved before we can process it. The problems are outlined below.

Source of Water (Item 2)--Dixie Slough is not located in the legal land description given on your application.

Point of Diversion Location (Item 3)--This needs to be reviewed if Dixie Slough is the source of water.

Amount of Water (Item 4)--customarily, water right applications are made for .02 cubic feet per second (cfs) per acre of irrigated land. (.02 cfs is equivalent to one Idaho miner's inch.) In your case, .74 cfs may be filed for on 37 acres of irrigated ground.

Place of Use (Item 9)--for the place of use you need to indicate the number of irrigated acres in each quarter-quarter tract where the irrigated ground is located.

Project Map (Item 13)--a map of the project must be provided with your application. A photocopy of a USGS topographic map or an ASCS aerial photograph of your property could be used.

Fee--to irrigate 37 acres (i.e. .74 cfs), a fee of \$45.00 is required. The enclosed instructions include a fee schedule. You submitted \$75.00 with your application.

It is important that you provide our office with the above information within 30 days, or the priority date established when your application was received may be advanced. Please contact me at 334-2190 or 2735 Airport Way, Boise, Idaho 83705, if I can be of assistance in helping you obtain this information.

Sincerely,

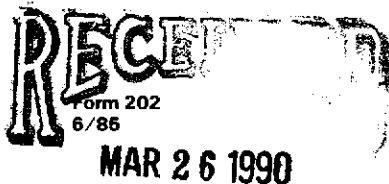
Sent

Melvin Gene Gibson
Sr. Water Resource Agent

MICROFILMED

AUG 28 1992

5-29-90 called
Should have filed adj: Claim
A63-04594 Sent 6-1-90
for Signature



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63-

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant John E. Isberry and Sandra E. Isberry Phone 347-2465
Post office address HC 64 Box 3520 Council, Id 83612
2. Source of water supply Dixie Slough which is a tributary of Boise River
Less to 1 + Less partly in 80'
3. Location of point of diversion is NW 1/4 of NW 1/4 of 1/4 Govt. Lot Dixie Slough
Sec. 36 Township 6 5N Range 5 W B.M. Canyon County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 4.8 for Irrigation purposes from March 15 to Nov 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 is (a) 4.8 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. gravity flows -
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
_____ years (minimum 1 year).

RECORDED
APR 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6	5W	36																	
37	acres																		

Total number of acres to be irrigated _____

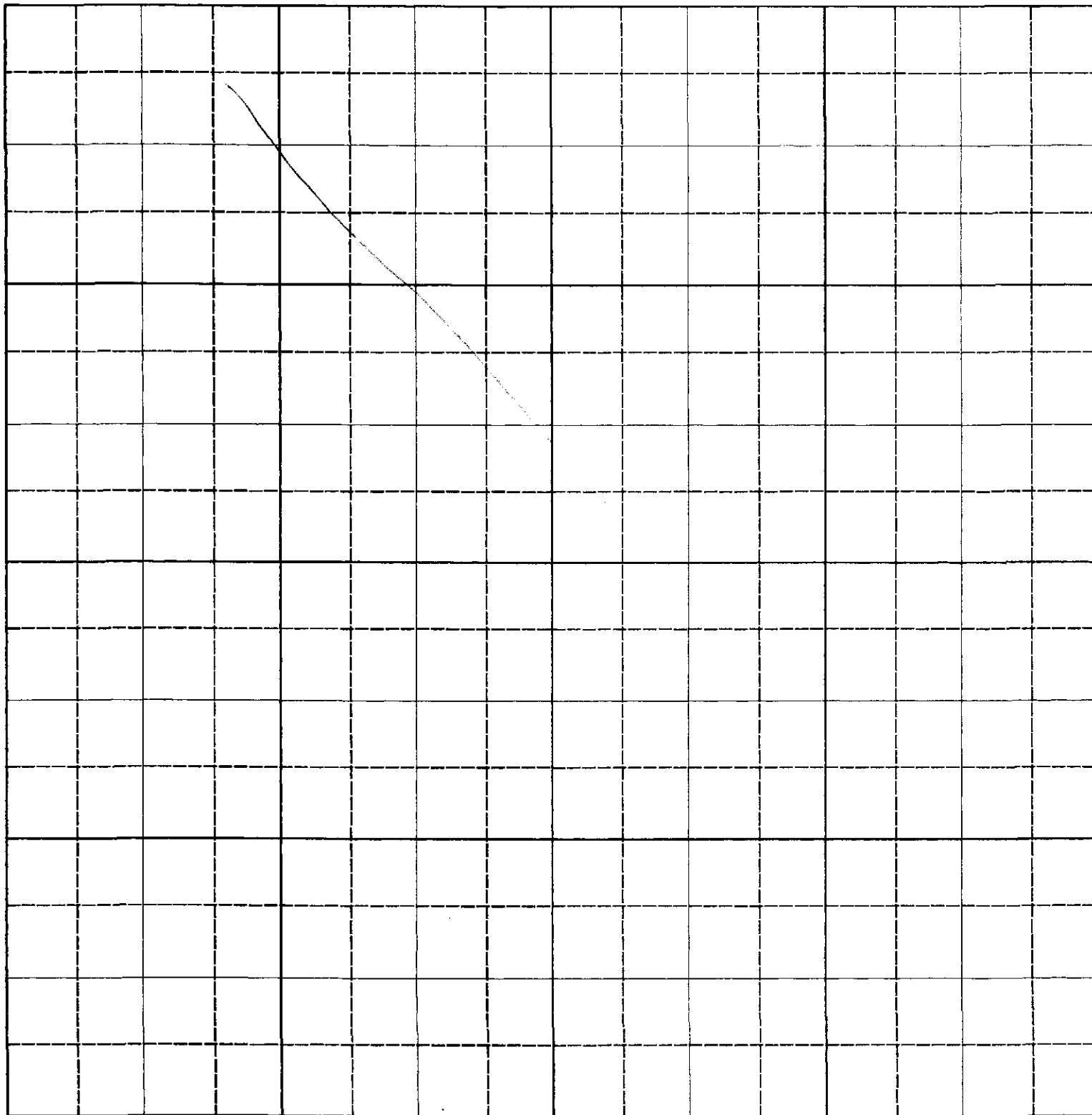
10. Describe any other water rights used for the same purposes as described above. *irrigation*

- Who owns the property at the point of diversion? *Layton Noe*
- Who owns the land to be irrigated or place of use? *John Elsberry*
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: *Property address is:*

24860 Boise River Rd Parma, Id 83660
Parcel 9R39238-011--0

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



Scale: 2 inches equal 1 mile.

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.

John E. Cherry
(Applicant)

RECORDED

AUG 1 1931

Received by Ms. C. Wong Date 3/27/90 Time 11:30pm Preliminary check by _____
Fee \$ 75.00 Receipted by C. Wong # C015926 Date 3/26/90
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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. _____, and said application is hereby _____.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

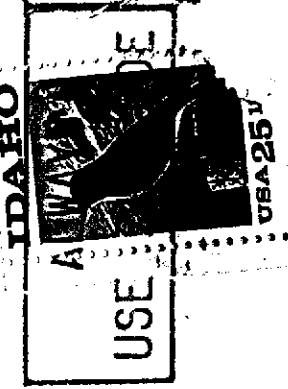
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

John E. Elsbury
PO Box 3520
Council, ID. 83612



KEEP OFF THE TRAILS

Dept. of Water Resources
1301 N. Orchard St.
Boise, Idaho 83706

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4594

WATER RIGHT NUMBER: 63-4594

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	EMMETT R MC CURRY 24780 BOISE RIVER RD PARMA, ID 83660 (208)722-5358
Current Owner	JOHN ELBERRY HC 64 BOX 3520 COUNCIL, ID 83612 (208)347-2465
Current Owner	SANDRA ELBERRY HC 64 BOX 3520 COUNCIL, ID 83612 (208)347-2465

Priority Date: 06/01/1934 - *ecp provided*
 Basis: Statutory Claim
 Status: Active

<u>Source</u>	<u>Tributary</u>
DIXIE SLOUGH	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	8/15	11/15	0.400 CFS	
	<u>Total Diversion:</u>		0.400 CFS	

Location of Point(s) of Diversion

DIXIE SLOUGH NW1/4NW1/4 Sec. 36, Twp 05N, Rge 05W, B.M.
 CANYON County

Place of Use

Twp	Rge	Sec	NE	NW	SW	SE	Totals
05N	05W	35	10.0				10.0
05N	05W	36		10.0			10.0

Total Acres: 20 *20.8 - lot is only ~ 8 ac.*

Dates and Other Information:

Claim Received Date: 3/22/1990
 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

Combined Use Limits:

*Surface rts - not in an irr district/canal co. service area
 Emmett Mc Curry's affidavit does not address # of acres - only refers to T. Tidwell prop.*

Desktop review/vlm

**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)
- ☐ 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 completeClaim No(s) 63-4594

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary *- affidavit*
- ☐ 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

- ☒ 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 8-14-2006 field exam notes

OVERLAP REVIEW

Other water rights with the same point of diversion: non

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

WATER USES☒ No change☐ Different UsesUse irr From 3/1 To 11/15 Amount .16 CFS AFA Use From To 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 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:

lot is only 8 ac. - r/c 8.2 ac.
acres in G.35 not irr in B1 NAPP. Owners don't
irrigate it & stated to field examiner that they didn't
think it ever had been. 2004 - about 6.5 ac irr.

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:

Delivery System Narrative: see field exam notes

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

Surface rts - none

no conditions/remarks needed.

[illegible]

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: _____

FIELD EXAMINER:

8-29-06

Wicky Music

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4594

08/29/2006

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-4594	Claim	05N	05W	36	NW	NW		DIXIE SLOUGH BOISE RIVER	TERRY TIDWELL
63-27225	Claim	05N	05W	36	NW	NW		GROUND WATER	EDWIN L HUCKFELDT
63-28187	Claim	05N	05W	36	NW	NW		GROUND WATER	SANDRA ELSBERRY
63-27539	Claim	05N	05W	36	NW	NW		UNNAMED DRAIN BOISE RIVER	RICHARD HEATLEY
63-27225	Water Right	05N	05W	36	NW	NW		GROUND WATER	EDWIN HUCKFELDT
63-28187	Water Right	05N	05W	36	NW	NW		GROUND WATER	SANDRA ELSBERRY

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4594

08/29/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
4594	Claim	05N	05W	35	NE	NE		IRRIGATION	10/20	TERRY TIDWELL
4594	Water Right	05N	05W	35	NE	NE		IRRIGATION	10/20	EMMETT R MC CURRY
7401	Water Right	05N	05W	35	NE	NE		DOMESTIC		ANNE E MAZZA
4594	Claim	05N	05W	36	NW	NW		IRRIGATION	10/20	TERRY TIDWELL
4594	Water Right	05N	05W	36	NW	NW		IRRIGATION	10/20	EMMETT R MC CURRY
8187	Water Right	05N	05W	36	NW	NW		STOCKWATER		SANDRA ELSBERRY
7539	Claim	05N	05W	36	NW	NW		WILDLIFE		RICHARD HEATLEY
7225	Water Right	05N	05W	36	NW	NW		DOMESTIC		EDWIN HUCKFELDT
8187	Water Right	05N	05W	36	NW	NW		DOMESTIC		SANDRA ELSBERRY

MEMORANDUM TO SUBCONTRACTOR

TO: SANDY HEMENWAY
FROM: VICKY L MUSIC, SR WATER RESOURCE AGENT, IDWR / WESTERN REGION
SUBJECT: 63-4594
DATE: 8/14/2006
CC: CLAIM FILE

This is a statutory/beneficial use claim for 20 acres in sections 35 and 36. The site address is: 24860 Boise River Rd., Parma. Contacts are Terry Tidwell and Debbie Delaney [husband and wife] and their phone no. is 722-7132.

Please:

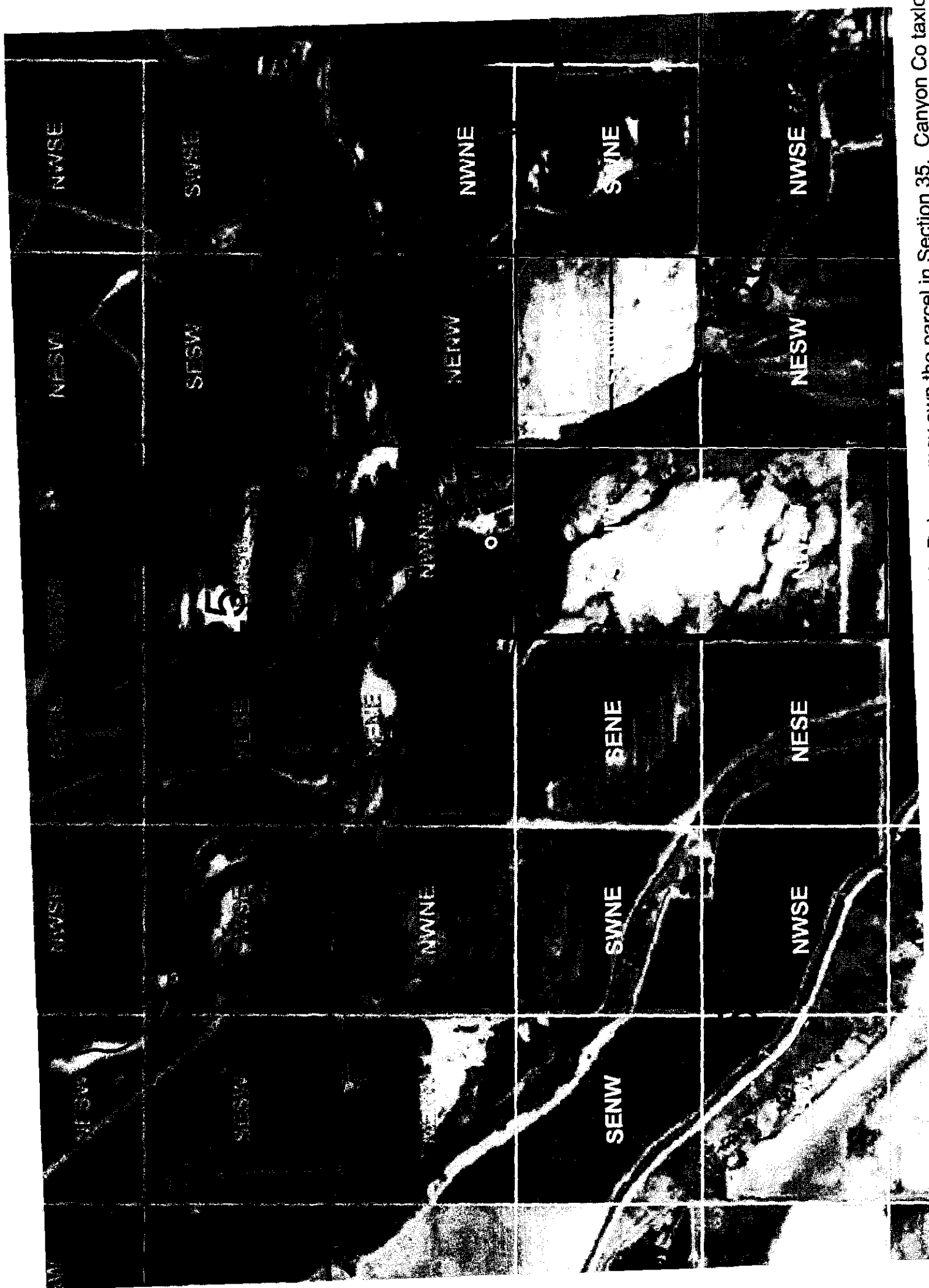
1 – verify the acres irrigated in 1987. The acres in the NENE Section 35 do not look cultivated in the 1987 or 2004 aerial. Also, verify if Tidwell/Delaney own the claimed property in Sec 35.

2 – GPS the point of diversion and located it on the 2004 aerial.

3 – gather flow measurements and calculate flow. Describe diversion and delivery system. Again, I am interested in if there is a delivery system to the NENE section 35.

Thanks.

VLM



63-4594-- 1987 NAPP. Tidwells own the parcel in Section 36, Debbie Delaney may own the parcel in Section 35. Canyon Co taxlot info on Arcview doesn't list an owner for the acres claimed in the NENE which do not look cultivated.

RECEIVED

MAY 17 2006

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
A-634594)

AFFIDAVIT

State of Idaho)
County of CANYON)

Emmett McCurry

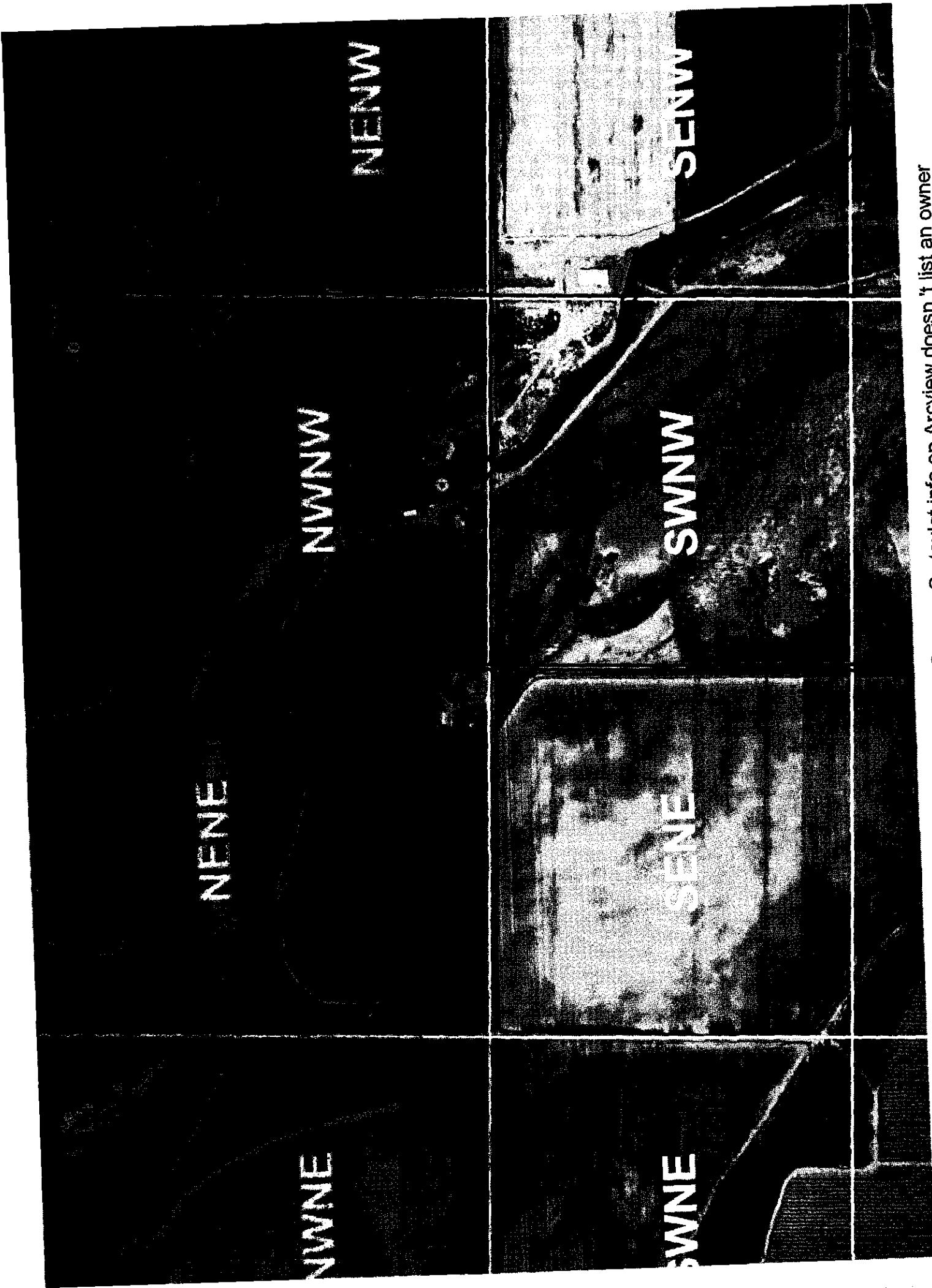
deposes and says: I do hereby affirm that I
irrigated the property with the above water
right number since its inception in 1934, and
continued to do so until I sold the property.
To the best of my knowledge this property has been
irrigated continuously since 1934.

I know that John Ellisberry irrigated said land until
he sold the property in 1992.

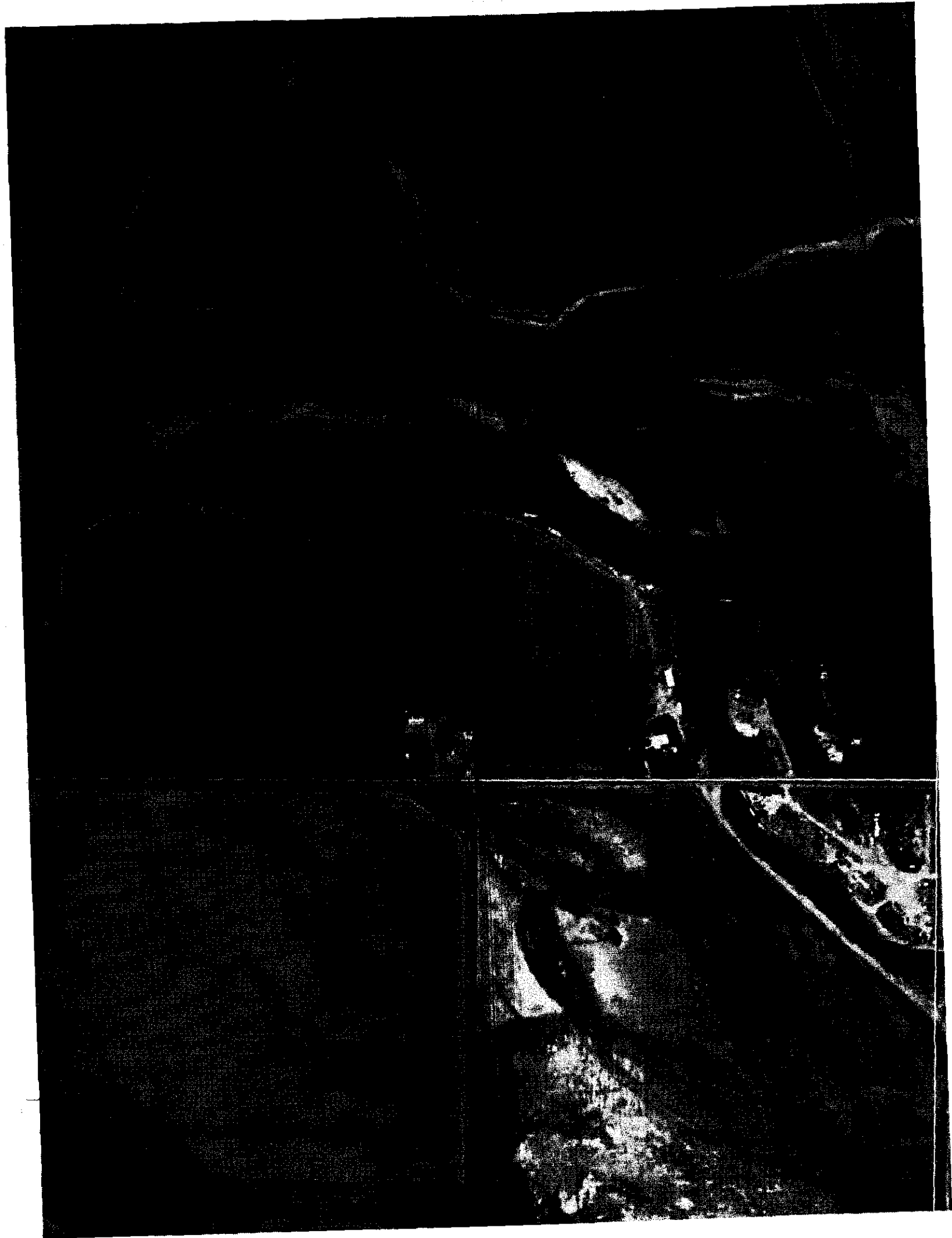
Terry Tidwell, the present owner, irrigates the
property to this DAY

Emmett McCurry
(Signature)

May 17th 2006



63-4594-- 2004 aerial. Tidwells own the parcel in green. Canyon Co taxlot info on Arcview doesn't list an owner for the acres claimed in the NENE which do not look cultivated. *may be private property*



Water Right Report 63-28187

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-28187

Conditions of Approval:

1. PARCEL NO. 1R39228-011-0 STOCKWATER, 75 RANGE CATTLE PROPERTY ALSO KNOWN AS 24860 BOISE RIVER RD., PARMA.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:Comments:

1. AJU10-DS 6/22/2000 AJU10 CONDITION UPDATE

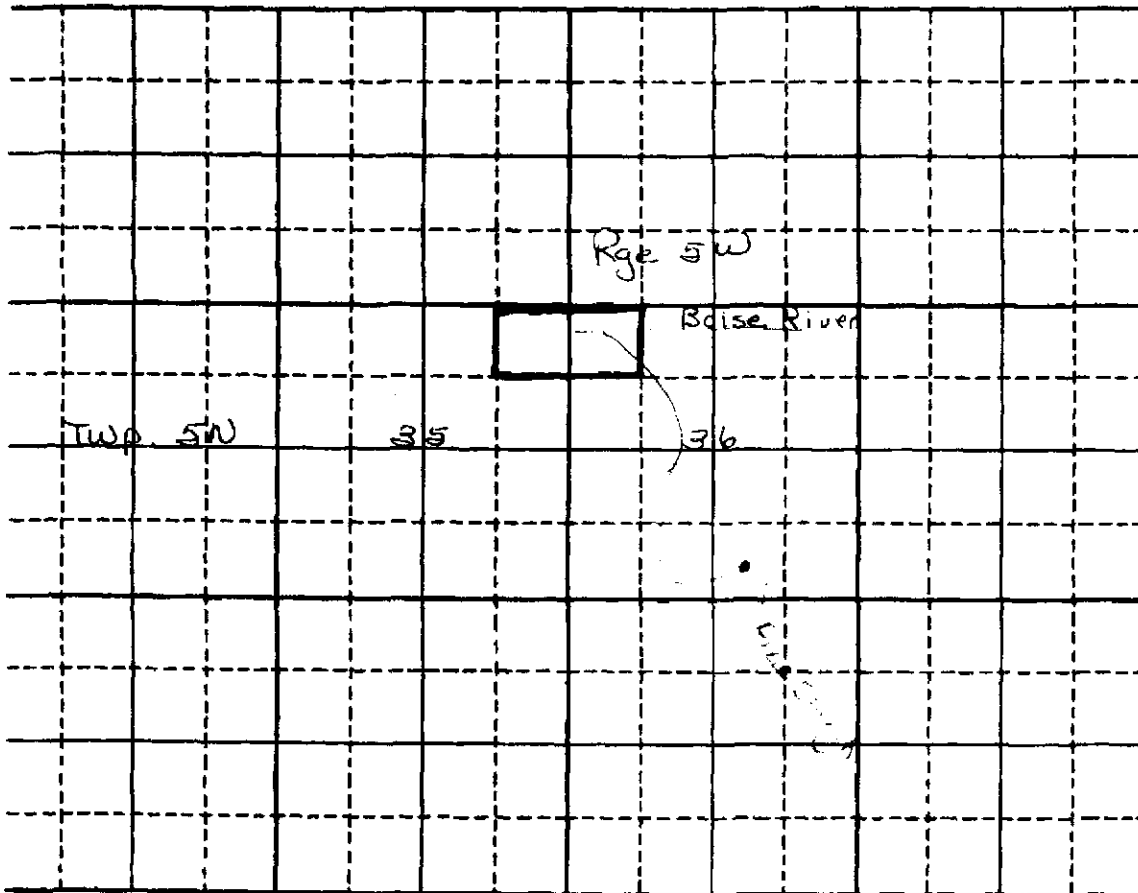
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Licensed Date:
Decreed Date: 5/31/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

(8) Remarks _____



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Ada) ss.

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

Sworn to before me this 25th day of January

Emmett Mc Curry
(Claimant)

19 78

Katherine J. Weaver
Notary Public

Residing at Basin

My commission expires 6-15-81

For Department Use Only

Received by <u>jo</u>	Date <u>1/25/78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>jo</u>	Date <u>1/25/78</u>		claimant by:	
\$10.00 fee received by <u>mlb</u>	Date <u>1/25/78</u>	<u>#1293</u>		
Approved for publication by _____				
Published in <u>Ada County Tribune</u>				
Dated <u>Feb 24, 1978</u>				

RECEIVED

AUG 23 2006

Field Exam Date 8/17/2006

DEPARTMENT OF
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

DEPARTMENT OF
WATER RESOURCES
AUG 22 2006

RECEIVED

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
- ☐ 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) 63-4594

Owner: Terry Tidwell or Debbie Delaney Phone No. (208) 777-7132

Current Address: 24860 Boise River Rd, Parma, Id 83660

☒ No change NAME IS THE SAME

☐ NEW OWNER

☐ No change Address

☒ NEW ADDRESS correct addresses so both are the same (24860)

☒ How long owned property? 11 years

Boise River Rd.

Accompanied by: Terry Tidwell

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: 6-1-1934

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

Source: Dixie Slough Tributary to Boise River

☒ No Change -- SAME SOURCE

☐ Source found is different than claimed:

POINT OF DIVERSION

☒ No change

☐ POD found is different than claimed:

☐ If different, when did POD change?

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

A00021

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
39	-	-	NW	NW	36	SN	SW	Carson	N43°43.859' W116°53.362'

Description of diverting works 3" PVC from Dixie Slough to
7.5 Hp Gorman Rupp, 2" discharge, 5' lift, 30-35 psi,

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:

WATER USES

☐ No change

☒ Different Uses

Use Irrigation From 3/15 To 11/15 Amount 0.20 CFS 19.0 AFA

Use _____ From _____ To _____ 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 _____ 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:

* TSN RSW S35 NENE own 26 acres there but have never irrigated any of it.

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	
5N	5W	36						10											10.0
																			Total 10.0

Overlap with other water rights: None

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

Delivery System Narrative: 2" discharge from pump to 3" aluminum pipe 150' to field irrigated to west. 8 lines off of the main (located on south property line running east to west). 8 lines run south to north, 50' sections, 3" aluminum, 2 lines w/ (15) nozzles & 4 nozzles in yard/garden area run at 1 time. Majority of nozzles are "1/64" rainbirds with some mixed variety. Average psi is 20 psi in the field

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
A0002139	Gorman Rupp	7.5	No tag	No tag	2"

Run 30 - 3.5 psi
FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

No supplemental water used.

Canyon County Assessors office shows Tidwell/Delaney own 26 acres T5N R5W S3-S NENE. Terry Tidwell confirmed that they own this property but have never irrigated the property in the 11 years they have owned it, & not aware of previous irrigation.

Directions: I84, Exit 26/Notus Parma, to Notus,
Lt. Notus Rd, cross Boise River then turn Right on
Boise River Rd, 5.4 miles, cross bridge across
Dixie Slough (first house on right) 24800 Boise River Rd,
POD: after crossing over bridge, go north up the Slough 98'

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 of house.

POU: property + yard surrounding
house + property to the west + NW

DATE EXAM CONDUCTED:

8-22-2006

FIELD EXAMINER:

Sandy Hernandez

63-4594 Tidwell/Delaney
Date of Inspection: 8/17/2006
Field Inspector: Sandy Hemmerway

Pumpback Computation Spreadsheet (attached) = 0.39 cfs

Sprinkler Nozzles:

3" aluminum lines + main line

50' sections

2 lines w/ 15 ^{field} nozzles + 4 nozzles in yard/garden @ 1 time

9/64" nozzles (rainbirds) + some mixed variety

Average psi = 20 psi

19 total nozzles at 1 time

8 lines in field

1 of 1 Nozzle Discharge in GPM Chart = $\frac{7.65 \text{ gpm}}{448.8} = 0.0059$

19 nozzles $\times 0.006 \text{ cfs} = 0.112 = \boxed{0.11 \text{ cfs}}$ ^{= 0.006 cfs}
* possible leak in line some place (everything is being irrigated)

Irrigation:

Own 15 acres Sec. 36 NWNW, irrigate 10 acres as claimed

Season: 3/15 - 11/15 = 246 days

10 acres $\times 0.02 \text{ cfs} = 0.20 \text{ cfs}$

$V_{ir} = 10 \times 4.5 = 45.0 \text{ afa}$

$V_{dr} = (246 \text{ days}) \times (1.98) \times (Q) / 10 \text{ acres} =$
 $(246 \times 1.98 \times 0.39) / 10 = 18.99 = 19.0 \text{ afa}$

$V = 19.0 \text{ afa}$

- Recommend allowing 0.02 cfs per acre (0.20 cfs) leaning more with the pumpback computation spreadsheet instead of the nozzle discharge. Possible leak in line, some mixed variety nozzles, pipe capacity all are variables.

Pipe Capacity: 3" aluminum = 0.25 cfs maximum

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Sandy Hemenway
Project: Flow Computation for A63-4594 Tidwell
Given: See Data Table

Compute head losses with the Williams and Hazen Formula:
 $f = 0.2083 \cdot (100 / \text{roughness})^{1.85} \cdot (cfs \cdot 448.8)^{1.85} / ID^{4.8655} \cdot \text{Length} / 100$

To Find: Compute Rate of Flow for a Pumpback System

Data Table

Vertical Lift: 5.00 feet

Pressure Req'd: 35.00 psi

Required Head: 85.85 feet

Pump Horsepower: 7.50 horsepower

Pipe Roughness: 125.00 Note: pvc = 150, smooth and straight pipe = 140
aluminum - joint length 20' = 125, joint length
30' = 130, joint length 40' = 132, joint length
50' = 134, new riveted steel = 100
old riveted steel = 100, old cast iron = 95,
old pipes in poor condition = 60 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Friction Head Loss from Pipe Friction	Head Loss per 100 ft
2.50	150.00	34.00		22.67
1.50	0.00	0.00		#DIV/0!
1.00	0.00	0.00		#DIV/0!

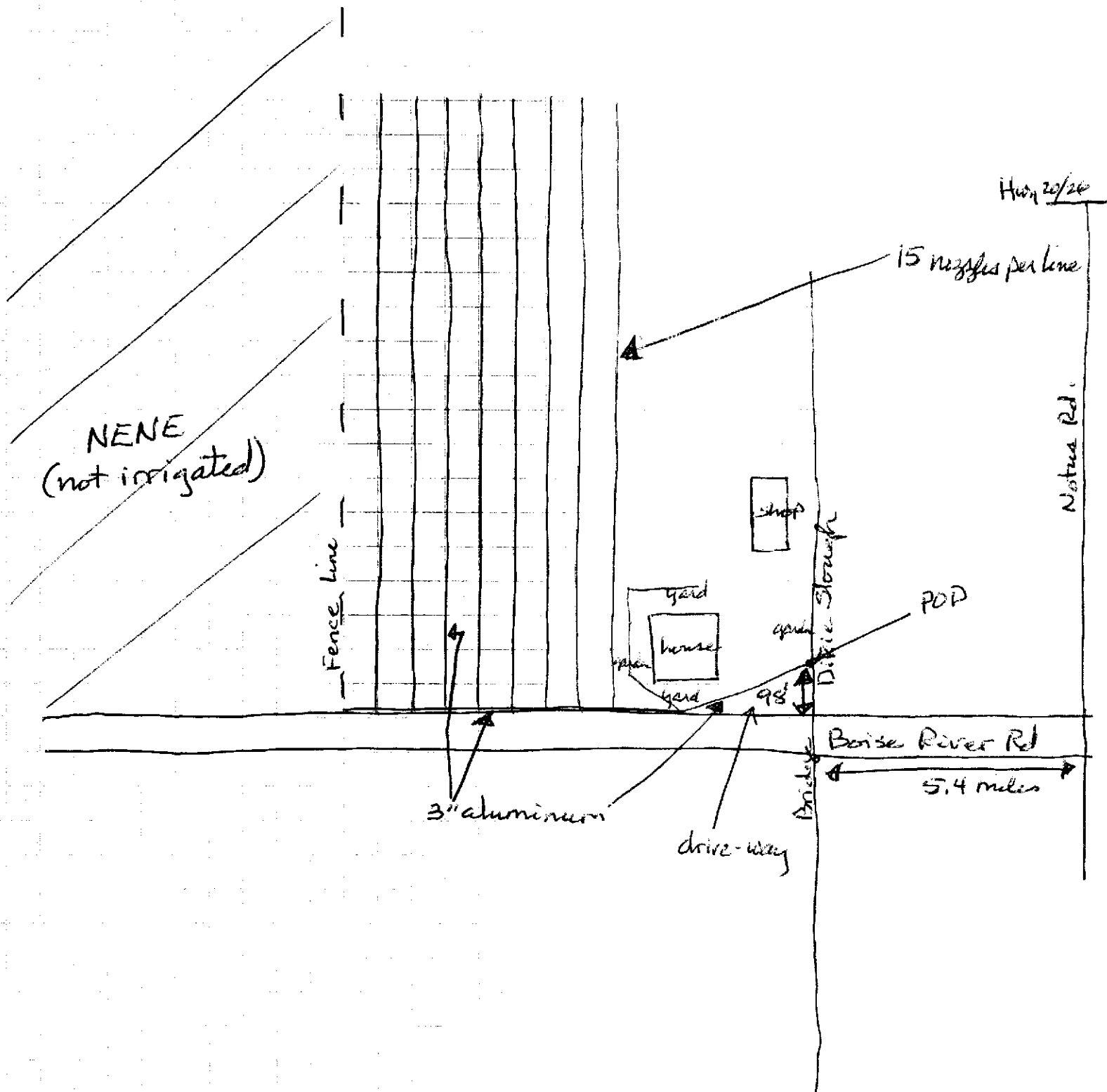
34.00

Initial Estimate of Rate of Flow:

0.389 CFS

Computation of Rate of Flow:

0.39



↑ N 63-4594 Tidwell
8-17-2006 S.H.

□ = POH

• = POD



POD:

Dixie
Slough

3' PVC

5' lift

German
Rupp 7.5Hp
(No tag)
30-35psi

2"
discharge
150' of 3" aluminum
to field at NWNW

SH



POU:

yard,
garden

63-4594 Tidwell

SH



POU:
Yard,
Garden

SH



POU:
10 acres
Sec. 36
NWNW
(own total
of 15 acres)

SH

3" aluminum
50' sections
2 lines
w/15 nozzles
+ 4 nozzles
in yard +
garden
run at
1 time
9/64" nozzles
20 psi
average

63-4594 Tidwell

NENE

NWNE

NWNW

NENW

SWNE

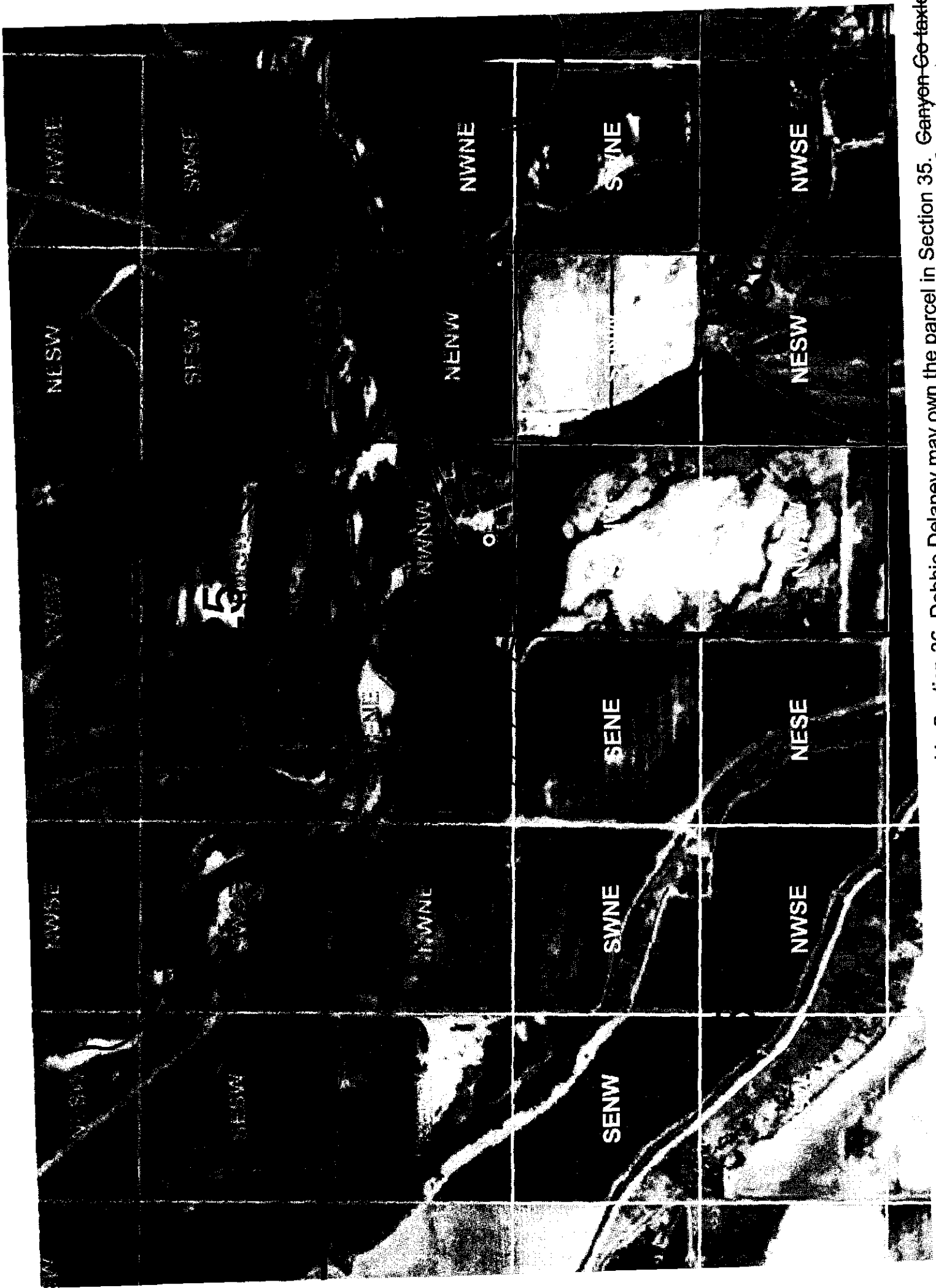
SENE

SWNW

SENW

Canyon County
Assessors Office
they own 26.00
in NENE

63-4594-- 2004 aerial. Tidwells own the parcel in green. Canyon Co taxlot info on Arcview doesn't list an owner for the acres claimed in the NENE which do not look cultivated. @ = POD [] = POH



63-4594-- 1987 NAPP. Tidwells own the parcel in Section 36, Debbie Delaney may own the parcel in Section 35. Canyon Co-taxable info on Aroview doesn't list an owner for the acres claimed in the NENE which do not look cultivated. Canyon County Assessment shows Tern Tidwell & Debbie Delaney own 26 acres in NENE. \$44. [X] = Not Irrigated

MEMORANDUM TO SUBCONTRACTOR

TO: SANDY HEMENWAY
FROM: VICKY L MUSIC, SR WATER RESOURCE AGENT, IDWR / WESTERN
REGION
SUBJECT: 63-4594
DATE: 8/14/2006
CC: CLAIM FILE

This is a statutory/beneficial use claim for 20 acres in sections 35 and 36. The site address is: 24860 Boise River Rd., Parma. Contacts are Terry Tidwell and Debbie Delaney [husband and wife] and their phone no. is 722-7132.

Please:

1 – verify the acres irrigated in 1987. The acres in the NENE Section 35 do not look cultivated in the 1987 or 2004 aerial. Also, verify if Tidwell/Delaney own the claimed property in Sec 35. *Yes (for 11 years)*

✓ 2 – GPS the point of diversion and located it on the 2004 aerial.

✓ 3 – gather flow measurements and calculate flow. Describe diversion and delivery system. Again, I am interested in if there is a delivery system to the NENE section 35.

Thanks.

VLM

*No system to
NENE (never
has been)*

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4594

WATER RIGHT NUMBER: 63-4594

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	EMMETT R MC CURRY 24780 BOISE RIVER RD PARMA, ID 83660 (208)722-5358
Original Owner	JOHN ELSBERRY HC 64 BOX 3520 COUNCIL, ID 83612 (208)347-2465
Original Owner	SANDRA ELSBERRY HC 64 BOX 3520 COUNCIL, ID 83612 (208)347-2465
✓ Current Owner	TERRY TIDWELL ~~24080~~ BOISE RIVER ROAD PARMA, ID 83660
✓ Current Owner	DEBBIE DELANEY 24860 BOISE RIVER RD PARMA, ID 83660

*24860 Boise River Rd
(208) 722-7132
(208) 722-7132*

Priority Date: 06/01/1934
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
DIXIE SLOUGH	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.400 CFS	0.2
	<u>Total Diversion:</u>	0.400 CFS	0.2

Location of Point(s) of Diversion

DIXIE SLOUGH NW1/4NW1/4 Sec. 36, Twp 05N, Rge 05W, B.M.
CANYON County

Place of Use

IRRIGATION Within CANYON County

T05N R05W S36 NENE 10.0 T05N R05W S36 NWNW 10.0
Total Acres: 20 10

*Owned, but
Not irrigated, & have never irrigated.*

Conditions of Approval:

1. CHANGE IN OWNERSHIP LG 6-13-2006

Remarks: