

5N



Produced by the Geological Survey

Orthophotograph prepared from 1:80,000-scale aerial photographs taken July 3, 1981

Projection and 10,000-foot grid ticks: Idaho coordinate system, west zone (Transverse Mercator)
1000-meter Universal Transverse Mercator grid, zone 11
1927 North American Datum

To place on the predicted North American Datum 1983 move the projection lines 16 meters north

4W

NORTH

MICROFILMED

ATL 0 0 000



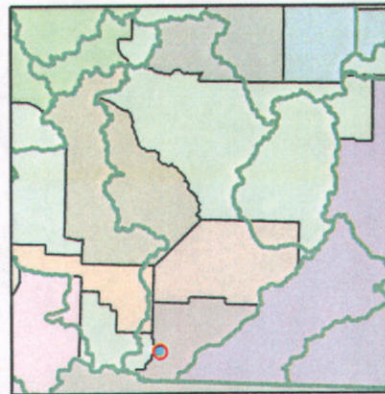
Idaho Department of Water Resources

SRBA Recommendation:

63-4598

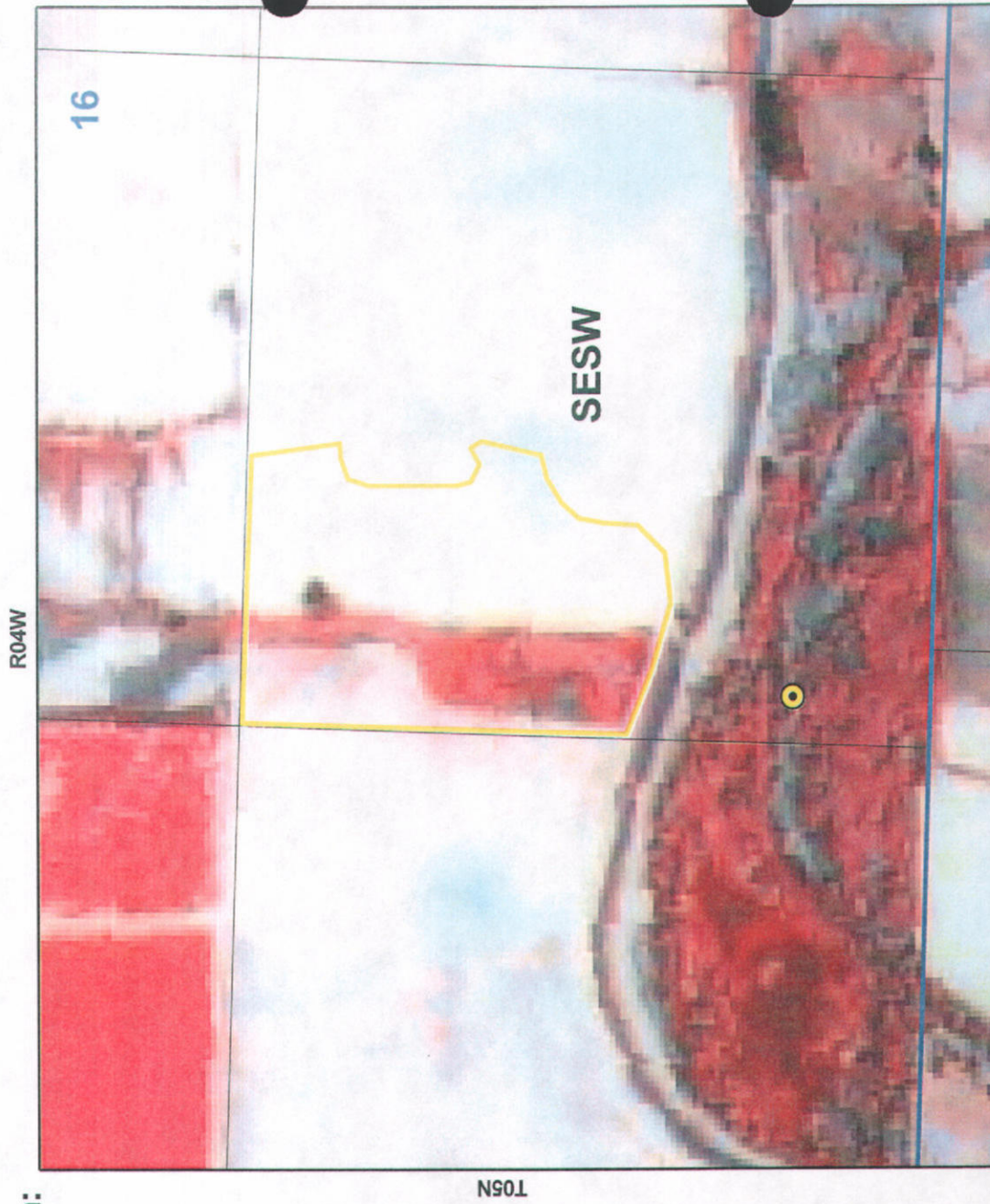
Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters

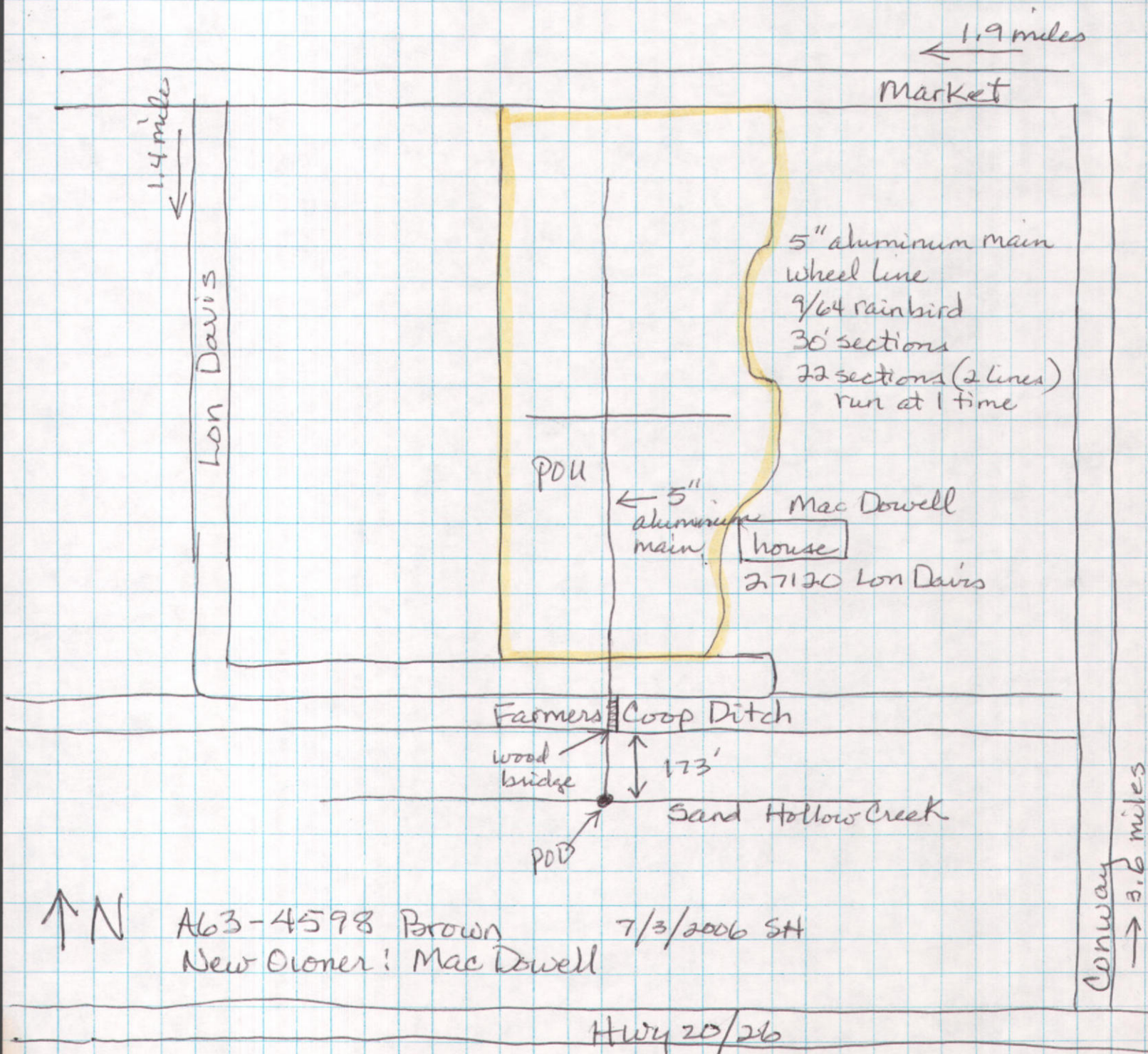


Canyon County
IDWR Basin 63

Prepared by S. Egbert
On Thursday, August 24, 2006
1987/88 Aerial Photography



0 0.1 0.2 Miles







Wood bridge
Crossing
Farmers
Coop Ditch
POD
located
173'
south

03/07/2006

July 3, 2006 SH



POD:

20 Hp
Birkley
5" discharge
15' lift
60 psi

03/07/2006

A 63-4598 (Mac Dowell - New Owner) July 3, 2006 SH
Brown

POU:



Stockwater:
10 horses

03/07/2006

July 3, 2006 SH

5"
main



POU:
5" aluminum
main runs
south to
north with
a cross-
section
in the middle
running
east + west

03/07/2006

July 3, 2006 SH

A63-4598 Brown
New owner: Mac Dowell



POU:

5" aluminum
main
30' sections
22 sections
(2 lines)
run at 1 time
wheel line

AL3-4598 Brown
New Owner: Mac Dowell

July 3, 2006 SH

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 63-4598
Date Received: 2/23/1990
Receipt No: W009445
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

JOHN MACDOWELL Phone: (208)722-7750
PO BOX 1270
CALDWELL ID USA 83606

MARSHA MACDOWELL Phone: (208)722-7750
PO BOX 1270
CALDWELL ID USA 83606

2. Date of Priority: 06/01/1954

3. Source: SAND HOLLOW CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	04W	16	SW SE SW 3	CANYON	

5. Description of diverting works:

20 HP PUMP IN CREEKM PIPED ACROSS CANAL, SPRINKLERS & FLOOD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1.1	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:

1.12 C.F.S. and/or 247.9 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

05N	04W	16	SE	SW	3	IRRIGATION	28
			SW	SW	4	IRRIGATION	28
						Section Acres	56
						Total Acres	56

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:

AC. IRR.=55.

CHANGE OF OWNERSHIP LG- 9/7/2006 REVIEWED BY S. EGBERT

15. Basis of Claim: Beneficial Use

HHT

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: A63-04598
Date Received: 2/23/1990
Receipt No: W009445
Received By: _____

*Rec'd from
So on 6-9-92*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS J. BROWN 208-722-6282
Address: RT. 1
22795 GOODSON RD.
PARMA ID 83660
OR
Name: MILDRED BROWN 208-722-6282
Address: RT. 1
22795 GOODSON RD.
PARMA ID 83660

FAY#

2. Date of Priority: JUN 1, 1954

3. Source: SAND HOLLOW CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	04W	16	SW	SE	SW	3	CANYON

5. Description of diverting works:
20 HP PUMP IN CREEKM PIPED ACROSS CANAL, SPRINKLERS & FLOOD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.100		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
1.120 C.F.S. (and/or) 247.90 A.F.A.

8. Total consumptive use is 196.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/20 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	04W	16	SW	SW	4	IRR	28.0
			SE	SW	3	IRR	28.0
Section Acres							56.0
Total Acres							56.0

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:
BLACK CANYON IRRIGATION DIST.

14. Remarks:
AC. IRR.=55.

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)
) SS.
County of _____)

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: A63-04598
Date Received: 2-22-90
Receipt No: W009445
Received By: _____

RECEIVED

FEB 22 1990

Department of Water Resources
Western Regional Office

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: THOMAS J. BROWN 208-722-6282
Address: RT. 1
22795 GOODSON RD.
PARMA, ID 83660
OR
Name: MILDRED BROWN 208-722-6282
Address: RT. 1
22795 GOODSON RD.
PARMA, ID 83660

2. Date of Priority: JUN 01, 1954

3. Source: SAND HOLLOW CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
05N	04W	16	SW SE SW	3	CANYON

5. Description of diverting works:
20 HP PUMP IN CREEKM PIPED ACROSS CANAL, SPRINKLERS & FLOOD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.100		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
1.120 C.F.S. (and/or) 247.90 A.F.A.

8. Total consumptive use is 196.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/20 RANGE.

A63-04598

Page 1

Date: 02/13/90

MICROFILMED

AUG 28 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	04W	16	SW	SW 4	IRR	28.0
			SE	SW 3	IRR	28.0
				Section Acres		56.0
				Total Acres		56.0

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:
BLACK CANYON IRRIGATION DIST.

14. Remarks:
AC. IRR.=55.

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

Number of attachments: 1

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): Thomas J. Brown Date: 2-13-90

Date: _____

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of February 19 90

Anna Baumhoff
Notary Public

Seal

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994

RECEIVED

AUG 11 2006

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

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
	A63-4598				

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) Thomas J/Mildred Brown
4. New Owner/Claimant(s) 22795 Goodson Rd. Parma, Id 83660
John MacDowell or Marsha MacDowell
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 1270
- City, State and ZIP Code Caldwell, Id 83606
- New Telephone Number (208) 722-7750 cell (208) 870-2504
5. Date you acquired the property 1993

Description:

Twp 5N Rge 4W Sec 16 SE SW

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)

Juan W. Ruiz

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 SE Date 8-11-06 Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by AE AJ Date _____ WR _____ Date _____

9844595

WARRANTY DEED

FOR VALUE Received, THOMAS J. BROWN and MILDRED BROWN, husband and wife, 22795 Goodson Road, Parma, Idaho 83660, Grantors, do hereby grant, bargain, sell and convey unto JOHN WILLIAM MacDOWELL and MARSHA PAULINE MacDOWELL, husband and wife, 604 E. Ash, Caldwell, Idaho 83605, Grantees, the following described premises situated in Canyon County, State of Idaho, to wit:

The real property described in Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owner in fee simple of said premises; that said premises are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED This 7th day of October, 1993.

Thomas J. Brown
THOMAS J. BROWN

Mildred Brown
MILDRED BROWN

STATE OF IDAHO)
) ss.
County of Canyon)

On this 7th day of October, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared THOMAS J. BROWN and MILDRED BROWN, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Carrie E. Evans
Notary Public for Idaho
Residing at Parma

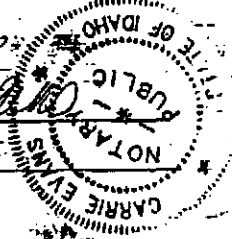


EXHIBIT "A"

Government Lots 3 and 4 in Section 16 Township 5 north range 4 west of the Boise Meridian,
Canyon County, Idaho;

Together with all water, water rights, ditches, and rights of way for ditches appurtenant
thereto or in anywise appertaining;

Together with all and singular the tenements, hereditaments, and appurtenances thereunto
belonging or in anywise appertaining;

Together with all water rights acquired under Idaho State Law, Identification No. A63-04598
together with all irrigation equipment now located on the premises.

9844595

RECORDED

98 DEC 14 PM 4 30

NED J KERN

CANYON COUNTY RECORDER

BY

[Signature]

PIONEER - CALDWELL

RECEIVED

TYPE

[Signature] b. d. pd CX

Exhibit "A"

A parcel of land being a portion of Government Lot 3 of Section 16, Township 5 North, Range 4 West, Boise Meridian, Nampa, Caldwell, Canyon County Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of Government Lot 4 of said Section 16, said corner monumented with a 2-inch diameter G.L.O. brass disk; thence

North 89° 50' 25" East, a distance of 1,330.37 feet along the Northerly boundary of said Government Lot 4 to the Northwest corner of said Government Lot 3, to the POINT OF BEGINNING said corner monumented with a 2-inch diameter G.L.O. brass disk; thence

North 89° 49' 57" East, a distance of 1,328.09 feet along the Northerly boundary of said Government Lot 3 to the Northeast corner of said Government Lot 3, said corner monumented with a 1-inch diameter iron pipe; thence

South 0° 04' 54" East, a distance of 1,403.19 feet along the Easterly boundary of said Government Lot 3 to the Southeast corner of said Government Lot 3, said corner monumented with a 2-inch diameter G.L.O. brass disk; thence

South 89° 44' 01" West, a distance of 1,327.66 feet along the Southerly boundary of said Government Lot 3 to the Southwest corner of said Government Lot 3, said corner monumented with a 2-inch diameter G.L.O. brass disk; thence

North 0° 05' 58" West, a distance of 657.66 feet along the Westerly boundary of said Government Lot 3 to a point; thence

leaving the Westerly boundary of said Government Lot 3, South 68° 56' 57" East, a distance of 255.96 feet to a point; thence

South 78° 40' 57" East, a distance of 420.21 feet to a point; thence

North 2° 37' 57" East, a distance of 403.09 feet to a point; thence

South 89° 54' 02" West, a distance of 669.82 feet to a point on the Westerly boundary of said Government Lot 3; thence

North 0° 05' 58" West, a distance of 520.73 feet along the Westerly boundary of said Government Lot 3 to the POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO

A perpetual Ingress/Egress easement and right of way hereby given for access to Parcels 1 and 2 of Government Lot 3 and Government Lot 4 of Section 16, Township 5 North, Range 4 West, Boise Meridian, described in general language as follows:

(continued)

COMMENCING at the Northwest corner of said Government Lot 4, said corner monumented with a 2-inch diameter G.L.O. brass disk; thence

South 0° 12' 12" East, a distance of 698.30 feet along the Westerly boundary of said Government Lot 4 to a point; thence

North 89° 50' 25" East, a distance of 30.00 feet parallel with the Northerly boundary of said Government Lot 4 to a point; thence

South 0° 12' 12" East, a distance of 593.48 feet parallel with the Westerly boundary of said Government Lot 4 to the POINT OF BEGINNING of said Ingress/Egress Easement; thence

North 89° 50' 25" East, a distance of 229.74 feet parallel with the Northerly boundary of said Government Lot 4 to a point; thence

North 41° 35' 59" East, a distance of 67.09 feet to a point; thence

North 26° 43' 00" East, a distance of 54.82 feet to a point; thence

North 21° 42' 19" East, a distance of 90.01 feet to a point; thence

North 26° 12' 20" East, a distance of 86.60 feet to a point; thence

North 33° 55' 15" East, a distance of 113.11 feet to a point; thence

North 39° 34' 26" East, a distance of 73.47 feet to a point; thence

North 46° 57' 27" East, a distance of 76.17 feet to a point; thence

North 54° 28' 35" East, a distance of 71.54 feet to a point; thence

North 64° 02' 39" East, a distance of 87.49 feet to a point; thence

North 67° 40' 37" East, a distance of 69.81 feet to a point; thence

North 71° 46' 15" East, a distance of 82.42 feet to a point; thence

South 85° 27' 15" East, a distance of 300.38 feet to a point; thence

South 73° 40' 59" East, a distance of 111.77 feet to a point; thence

South 71° 26' 05" East, a distance of 78.70 feet to a point on the Easterly boundary of said Government Lot 4; thence

leaving the Easterly boundary of said Government Lot 4, South 69° 24' 19" East, a distance of 244.61 feet to a point; thence

North 20° 35' 41" East, a distance of 27.98 feet to a point on the Southerly boundary of said Parcel 2; thence

South 78° 40' 57" East, a distance of 420.21 feet along the Southerly boundary of said Parcel 2 to the Southeast corner of said Parcel 2; thence

leaving the Southerly boundary of said Parcel 2, South 2° 37' 57" West, a distance of 75.00 feet to a point; thence

(continued)

North 76° 14' 06" West, a distance of 437.49 feet to a point;
thence

North 69° 24' 19" West, a distance of 237.63 feet to a point
on the Easterly boundary of said Government Lot 4; thence

leaving the Easterly boundary of said Government Lot 4, North
71° 26' 05" West, a distance of 87.60 feet to a point, thence

North 73° 40' 59" West, a distance of 109.10 feet to a point;
thence

North 82° 21' 55" West, a distance of 177.67 feet to a point;
thence

South 89° 50' 25" West, a distance of 112.99 feet to a point;
thence

South 71° 46' 15" West, a distance of 76.97 feet to a point;
thence

South 67° 40' 37" West, a distance of 67.93 feet to a point;
thence

South 64° 02' 39" West, a distance of 84.25 feet to a point;
thence

South 54° 28' 35" West, a distance of 67.36 feet to a point;
thence

South 46° 57' 27" West, a distance of 72.53 feet to a point;
thence

South 39° 34' 26" West, a distance of 70.29 feet to a point;
thence

South 33° 55' 15" West, a distance of 109.85 feet to a point;
thence

South 26° 12' 20" West, a distance of 83.62 feet to a point;
thence

South 21° 42' 19" West, a distance of 90.13 feet to a point;
thence

South 26° 43' 00" West, a distance of 59.70 feet to a point;
thence

South 41° 35' 59" West, a distance of 83.29 feet to a point;
thence

South 89° 50' 25" West, a distance of 242.26 feet parallel with
the Northerly boundary of said Government Lot 4 to a point; thence

North 0° 12' 12" West, a distance of 28.00 feet parallel with
the Westerly boundary of said Government Lot 4 to the POINT OF
BEGINNING of said Ingress/Egress Easement.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 24, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

John or Marsha McDowell
PO Box 1270
Caldwell, ID 83606

RE: Notice of Change of Water Right Ownership 63- 4598

Dear Claimants:

Enclosed is a copy of a Notice of Change of Water Right Ownership form that was submitted to our office. However, we cannot continue to process the ownership change without sufficient **proof of ownership**. This proof needs to be a copy of a **Warranty Deed** indicating your ownership of the property with an attached legal description.

Please submit a copy of the warranty deed, and we will be able to complete the ownership change. If we do not hear from you by September 5th 2006, the claim upon which this form was filed (if one exists), will remain in the original owner's name.

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'L. Gagnon', is written over a horizontal line.

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region
(208) 334-2190

LG: lg

Enclosures

4849

47° 30"

4848

4847

77 000
FEET

4846

4845

4844

43° 45'
116° 52' 30"

511

512

1210 000 FEET

513

50'

514

Produced by the Geological Survey

Orthophotograph prepared from 1:80,000-scale aerial
photographs taken July 3, 1981Projection and 10,000-foot grid ticks: Idaho
coordinate system, west zone
(Transverse Mercator)1000-meter Universal Transverse Mercator grid, zone 11
1927 North American DatumTo place on the predicted North American Datum 1983 move
the projection lines 16 meters

4 W

NORTH

MICROFILMED

AUG 1981

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR0723NP
(00-26)

Water Right Number - 63-04598 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + - - - - First Name - - - - + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BROWN THOMAS J.
1 - RT. 1
2 -
3 -

BROWN MILDRED
City- PARMA
Phone -
1 - RT. 1
2 -
3 -
State- ID Zip- 83660
City- PARMA
Phone -
State- ID Zip- 83660

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1954 14 WESTERN S - STATUTORY CLAIM

+ - - Source - - - - - + + - - Tributary - - - - - +
SAND HOLLOW CREEK BOISE RIVER

+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County Stream Index (Blank if no Index Code)

05N 04W 16 SE SW 3 (27) CANYON

+ - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.100 247.90
04 - STOCKWATER 01/01 12/31 0.020

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +
1.120 247.90

+ - - Twn Rng Sec Tract Lot Acres Code Description County
05N 04W 16 SW SW 4 28.0 01 IRRIGATION (27) CANYON
05N 04W 16 SE SW 3 28.0 01 IRRIGATION (27) CANYON
Total Acres: 56.0

+ - - Diversion Means -

+ - - Non-Irrigation Use - S/20 RANGE.

+ - - Other Rights for Same Use -

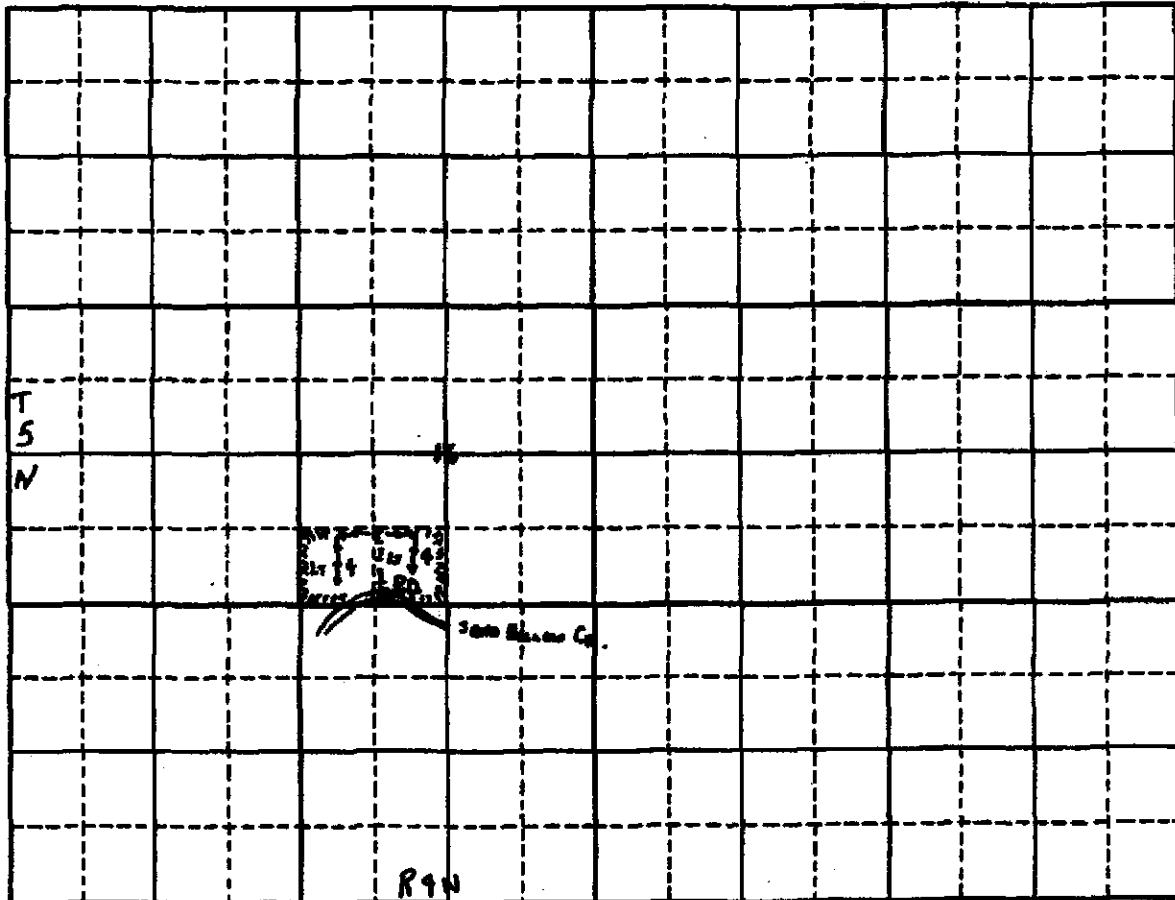
+ - - Remarks - - - - - +
AC. IRR.=55.

+ - - Audit Fields - 02/26/85 05/01/88 CONVERT

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Shan Falls	-
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-
Exam to S.O. Date	-	00/00/0000	Verified Date	-	02/26/1985	DLE/Carey Act	-
Ordered Show Cause	-	00/00/0000	Receipt Number	-		Water District	-
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-
Decree Date	-	00/00/0000	Presumption Flag	-	-		-

MICROFILMED
AUG 23 1992

(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)

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 26th day of January, 19 78.

Thomas J. Brown
(Claimant)
Little John Saylor
Notary Public

Residing at Boise, Idaho

My commission expires 11-25-78

For Department Use Only

Received by <u>FEL</u>	Date <u>1/26/78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>GLS</u>	Date <u>1/27/78</u>		claimant by:	
\$10.00 fee received by <u>FEL</u>	Date <u>1/26/78</u>	# <u>9750</u>		
Approved for publication by				
Published in <u>Idaho Tribune</u>				
Dates <u>2-9-78 & 2-16-78</u>				

IN THE MATTER OF:

AFFIDAVIT

State of Idaho

County of _____

Ervin L. Easterday

being first duly sworn,

deposes and says:

I installed a pump in sand Hollow
creek in the year of 1954 and irrigated
lot 3 and 4 of sec. 16, T 5 N. R. 4 W. Boise meridian
untill I sold it to Tom Brown,

Ervin L. Easterday
(signature)

Subscribed and sworn to before me this 10 day of January 1978.

Bernie Farner
(notary public)

Residing at Mesa, Washington

My commission expires May, 1981

New Owners:

Dan Richards

21844 Ten Davis Rd

Parma 83660

Joseph Ramano

1003 Southside Blvd

Nampa 83686

John Mac Dowell

PO Box 1270

Caldwell Id 83606

Black Canyon also used.
stock? per claim

Affidavit N/A

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

In Re SRBA

)

A. Subcase 63-4598

)

Case No. 39576

)

MOTION TO AMEND OPPOSITION
TO WATER RIGHT

)

Comes Now, Black Canyon Irrigation District ("BCID") by and through its
attorneys of record McDevitt & Miller LLP, by Chas F. McDevitt, and moves to amend
its opposition to Subcase No. 63-4598.

To amend Section 10 to read as follows:

"a remark should be added to the water right as follows"

"The source of this right is waste water. The wasting of water may be
discontinued at any time."

Amend reasons supporting Objections as follows—deleting present "reasons" and
add the following:

Remark will inform water users that water may not continue to be available.

Dated this 21 day of August, 2007.

McDevitt & Miller LLP


Chas F. McDevitt

Objection-1

CERTIFICATE OF MAILING

I certify that on August 21st, 2007, I mailed the original and copies of this Motion, 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:

Current Owner:

Name: John MacDowell
Marsha MacDowell

Address: P.O. Box 1270
Caldwell, ID 83606

Original Owner:

Name: Thomas J. Brown
Mildred Brown

Address: 22795 Goodson Rd
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


McDEVITT & MILLER LLP

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: 63-4598

MARSHA MACDOWELL
PO BOX 1270
CALDWELL ID 83606

JOHN MACDOWELL
PO BOX 1270
CALDWELL ID 83606

RECEIVED

OCT 26 2006

WATER RESOURCES
WESTERN REGION

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:

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

DATE: 10-18-06

SIGNATURE:

John MacDowell

Please print your name: John MacDowell

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

09/07/2006

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

RIGHT NUMBER: 63-4598

NAME AND ADDRESS: MARSHA MACDOWELL
PO BOX 1270
CALDWELL ID 83606

JOHN MACDOWELL
PO BOX 1270
CALDWELL ID 83606

SOURCE: SAND HOLLOW CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.210 CFS
42.750 AFY

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

PRIORITY DATE: 06/01/1954

POINT OF DIVERSION:

T05N R04W S16 SWSESW Lot 3 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 42.75 AFY
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T05N R04W S16 Lot 3 SESW 9.50

STOCKWATER same as IRRIGATION

9.5 ACRES TOTAL

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 10 head.

08/24/2006

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

RIGHT NUMBER: 63-4598

NAME AND ADDRESS: THOMAS J BROWN
22795 GOODSON RD
PARMA ID 83660

MILDRED BROWN
RT 1
22795 GOODSON RD
PARMA ID 83660

SOURCE: SAND HOLLOW CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.210 CFS
42.750 AFY

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

PRIORITY DATE: 06/01/1954

POINT OF DIVERSION:

T05N R04W S16 SWSSEW Lot 3 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 42.75 AFY
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T05N R04W S16 Lot 3 SESW 9.50

STOCKWATER same as IRRIGATION

9.5 ACRES TOTAL

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 10 head.



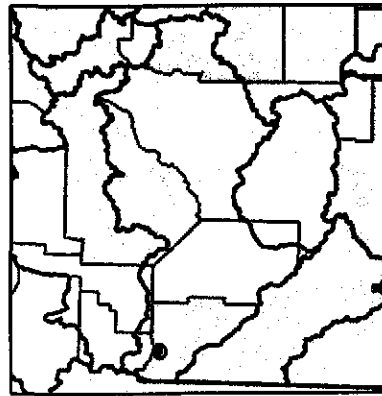
Idaho Department of Water Resources

SRBA Recommendation:

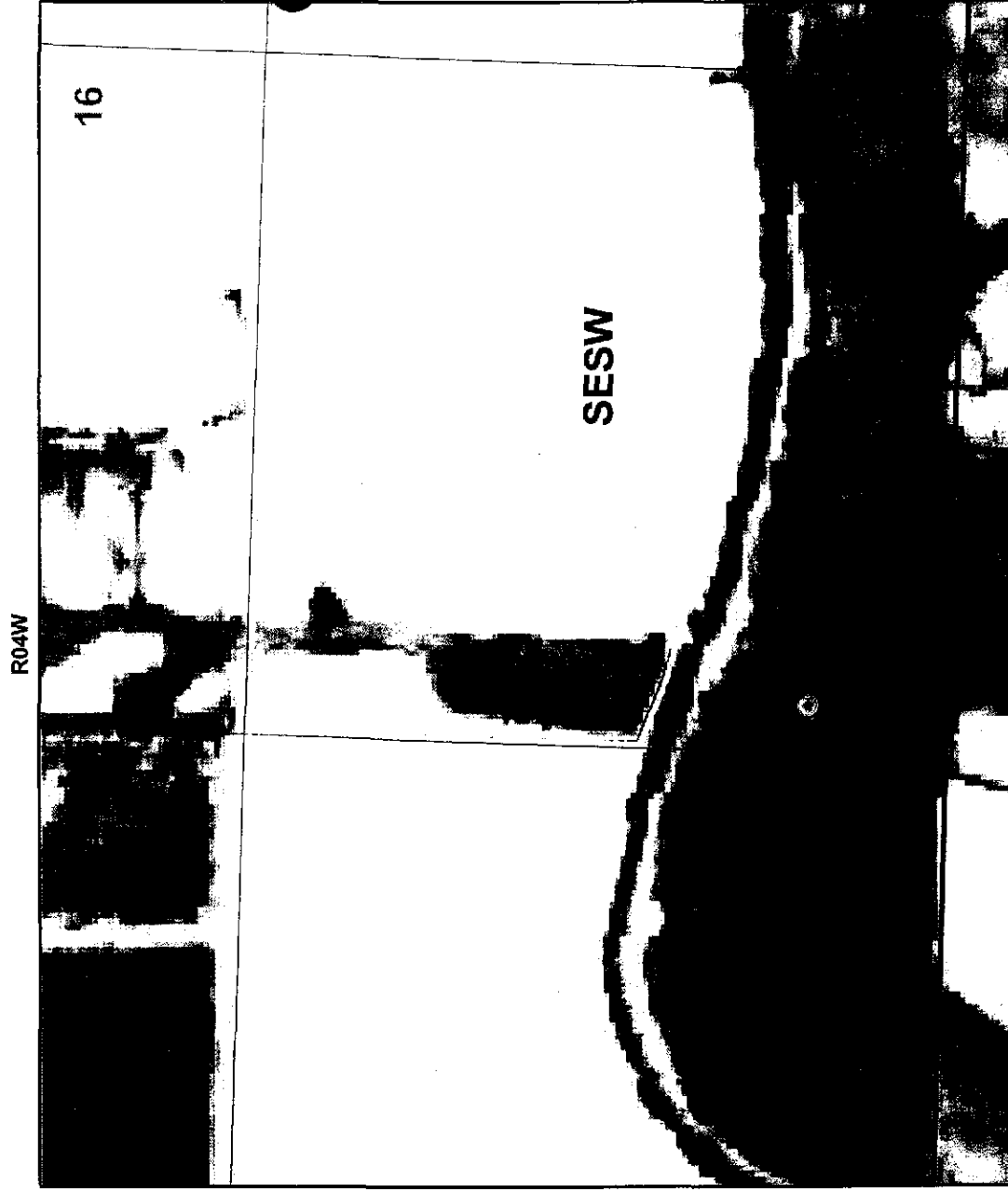
63-4598

Legend

- ⊙ Point of Diversion
- Place of Use
- ▤ Townships
- ▥ PLS Sections
- ▧ Quarter Quarters



Canyon County
IDWR Basin 63



0 0.1 0.2 Miles

Prepared by S. Egbert
On Thursday, August 24, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4598 V1

WATER RIGHT NUMBER: 63-4598 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THOMAS J BROWN 22795 GOODSON RD PARMA, ID 83660 (208)722-6282
Current Owner	MILDRED BROWN RT 1 22795 GOODSON RD PARMA, ID 83660 (208)722-6282

Priority Date: 06/01/1954

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SAND HOLLOW CREEK	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	0.190 CFS	42.75 AF
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.210 CFS	42.75 AF

Location of Point(s) of Diversion

SAND HOLLOW CREEK	L3 (SW1/4SE1/4SW1/4)	Sec. 16, Twp 05N, Rge 04W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	04W	16																	9.5
																			L 3

Total Acres: 9.5

STOCKWATER same as IRRIGATIONConditions of Approval:

1. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
2. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
3. X02 Stockwater use is for 10 head.
4. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4598 V1

Remarks:Comments:Dates and Other Information:

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

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			04/25/2006	scurtis	Active
Priority Date	8/24/2006 10:06:01 AM	segbert			Active
POD	8/24/2006 10:06:28 AM	segbert			Active
Source	8/24/2006 10:08:24 AM	segbert			Active
POU	8/24/2006 10:08:46 AM	segbert			Active
Use	8/24/2006 10:10:15 AM	segbert			Active
Season	8/24/2006 10:10:56 AM	segbert			Active
Quantity	8/24/2006 10:12:02 AM	segbert			Active
Summary			08/24/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	8/24/2006 10:07:07 AM	segbert	Updated shape
POU	8/24/2006 10:09:53 AM	segbert	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4598 V1

POD	8/24/2006 10:06:28 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	8/24/2006 10:08:46 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
General	8/24/2006 10:06:01 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Source	8/24/2006 10:08:24 AM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
Use	8/24/2006 10:10:15 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4598 V1

Season	8/24/2006 10:10:57 AM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	8/24/2006 10:12:03 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required?
Summary	8/24/2006 10:14:57 AM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Summary	4/25/2006 8:51:33 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?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4598

WATER RIGHT NUMBER: 63-4598

Owner Type Name and Address
 Current Owner THOMAS J BROWN
 22795 GOODSON RD
 PARMA, ID 83660
 (208)722-6282
 Current Owner MILDRED BROWN
 RT 1
 22795 GOODSON RD
 PARMA, ID 83660
 (208)722-6282

Priority Date: 06/01/1954 - *see affidavit in file*
 Basis: Beneficial Use ✓
 Status: Active ✓

Source Tributary
 SAND HOLLOW CREEK BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3-1 ~~8/15~~ to 11/15	1.480 CFS	42.75
STOCKWATER	1/01 to 12/31	0.020 CFS	
Total Diversion:		1.420 CFS	247.90 AF
		.21	9.5 x 4.5

Location of Point(s) of Diversion

SAND HOLLOW CREEK L3 (SW1/4SE1/4SW1/4) Sec. 16, Twp 05N, Rge 04W, B.M.
 CANYON County

Place of Use

IRRIGATION
 Twp Rge Sec NE NW SE NE NW SE NE NW SE NE NW SE NE NW SE SE Totals
 05N 04W 16 | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | SE | 56

reduction in acres per field span

28.0 28.0
 14 14
 9.5

Total Acres: 56

STOCKWATER same as IRRIGATIONConditions of Approval:

1. AC. IRR.=55.

Dates and Other Information:

Claim Received Date: 2/23/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: OR
 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:

*only 71 acres irrigated with
 water from creek - per field
 span*

*Black Canyon ID water is
 used for the rest
 stock - 10 horses per field span*

N codes

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

RECEIVED**JUL 19 2006****WATER RESOURCES
WESTERN REGION****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) A 63-4598Owner: Thomas J/Mildred Brown Phone No. (208) 722-6282Current Address: 22795 Goodson Rd, Parma, Id 83660

- ☐ No change NAME IS THE SAME
 - ☒ NEW OWNER John MacDowell
 - ☐ No change Address
 - ☒ NEW ADDRESS 27120 Lon Davis, Parma, Id 83660
 - ☒ How long owned property? 1993
- Accompanied by: John MacDowell PO Box 1270
Caldwell, Id 83606
(208) 722-7750
(cell) (208) 870-2504

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: 6/1/1954

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

Source: Sand Hollow Creek 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:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
AB002147	-	SW	SE	SW	16	5N	4W	Canyon	N 43° 45.852 W 116° 49.675

Description of diverting works

20 HP Bickley pump, 5" discharge, 60psi, 15' lift,
5" aluminum main 173' north across bridge (Farmers Coop Ditch)

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

Reduced acreage irrigated

☒ Different Uses

Use Irrigation From 3/15 To 11/15 Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only N/A

☐ 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 *No change in diversion rate*

☐ Changes Exam found: Domestic # of homes _____ Stock # 10 head

Types horses Additional comments: _____

PLACE OF USE:

☐ No Change

☒ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: None

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

Delivery System Narrative: 5" aluminum main running south to North cross - crossing midline & also running east & west. Wheel line 30' sections, 22 sections (2 lines run at one time, 9/64" Rainbird sprinkler nozzles, 60psi. Horses drink water that is being utilized for irrigation. (10 horses).

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
A0002147	Birkley	20	5475546 133TPM	—	5"

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

John Mac Dowell (goes by Bill) owns 40 acres, but can only irrigate 7 acres with the pump set in Sand Hollow Creek.

Supplemental water: Black Canyon Irrigation utilized to irrigate all but 7+ acres of the 40 acres owned.

Ramano & Richards (other 2 owners of property previously owned by Brown) irrigate solely with Black Canyon Irrigation.

(3.6 miles)
Directions: 184, take Notus/Parma exit, towards
Notus Hwy 20/26, North on Conway, west on
Market 1.9 miles, south on Lon Davis 1.4 mile +
follow driveway along Farmers Coop Ditch.
POD is located 173' south across bridge southwest of house
crossing the Farmers Coop Ditch, POU is the immediate
acreage west + north west of
the house (27120 Lon Davis),

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: 7-18-2006

FIELD EXAMINER:

Judy Hernerway

ALB-4598 Brown (current owner: Mac Dowell)

Date of Inspection: 7/3/2006

Inspector: Sandy Hernerway

Nozzle Discharge (U of T Hydraulic Relationships + Performance):

9/64" Rainbirds (nozzle size)

psi: 60 psi

chart shows: 4.50 gpm

30' sections

22 sections

2 lines run @ 1 time

$$22 \times 4.50 \times 0.00223 = 0.22077 = 0.22 \text{ cfs}$$

Pumpback Spreadsheet/Theoretical for Pump (* attachment):

0.77 cfs

5" aluminum + 5" discharge
20 HP
173' aluminum 15' lift 60 psi

Irrigation:

Season 3/15 - 11/15 = 246 days

confirmed ~~area~~ acres =

$V_{dr} =$

$V_{ir} =$

Livestock Table 1 Recommended Diversion Rates for Stockwater

Season 01/01 → 12/31 = 365 days

0-25 horses = 0.02 cfs

10 confirmed horses

$$V_{ir} = (10 \times 12 \times 365) / 325,850 = 43800 / 325,850 = 0.134$$

= 0.1 afa

$$V_{dr} = 0.02 \times 365 \times 1.9835 = 14.479 = 14.5 \text{ afa}$$

Pipe Flow Capacity:

5" aluminum discharge + main

$$Q = 5 \pi R^2$$

$$R = (\text{diameter}/12) / 2$$

$$\pi = 3.1416$$

$$Q = 0.68 \text{ cfs}$$

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Sandy Hemenway

Project: Flow Computation for A63-4598 Brown (current owner: MacDowell)

Given: See Data Table

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

To Find: Compute Rate of Flow for a Pumpback System

Data Table

Vertical Lift: 15.00 feet

Pressure Req'd: 60.00 psi

Required Head: 153.60 feet

Pump Horsepower: 20.00 horsepower

Pipe Roughness: 130.00 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

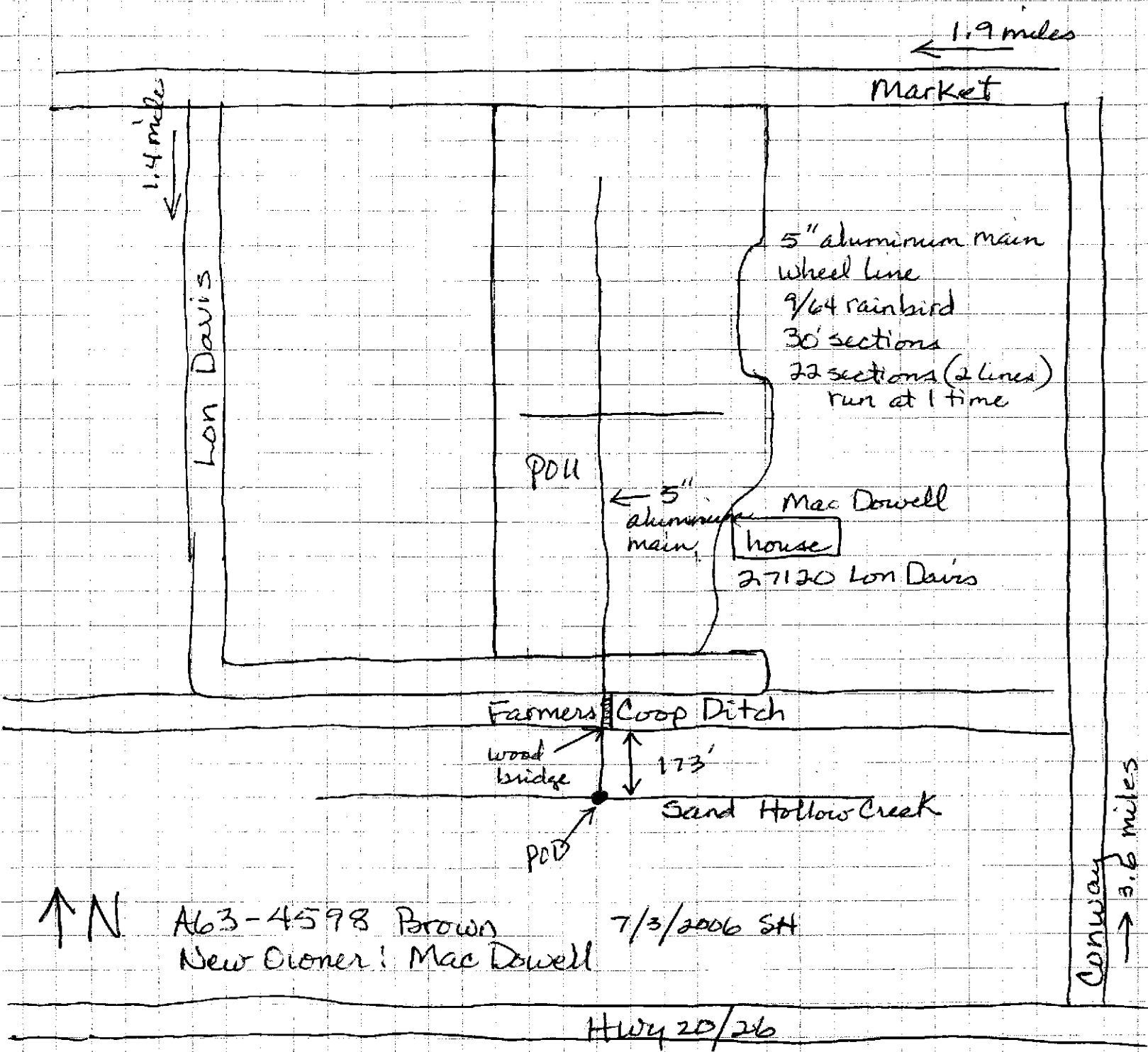
Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Friction Head Loss from Pipe Friction	Head Loss per 100 ft
4.50	173.00	7.40		4.28
1.50	0.00	0.00		#DIV/0!
1.00	0.00	0.00		#DIV/0!
			7.40	

Initial Estimate of Rate of Flow:

0.770 CFS

Computation of Rate of Flow:

0.77



□ = POU

↑ N
A63-4598 Brown
New Owner: Mac Dowell

7/3/2006 SH

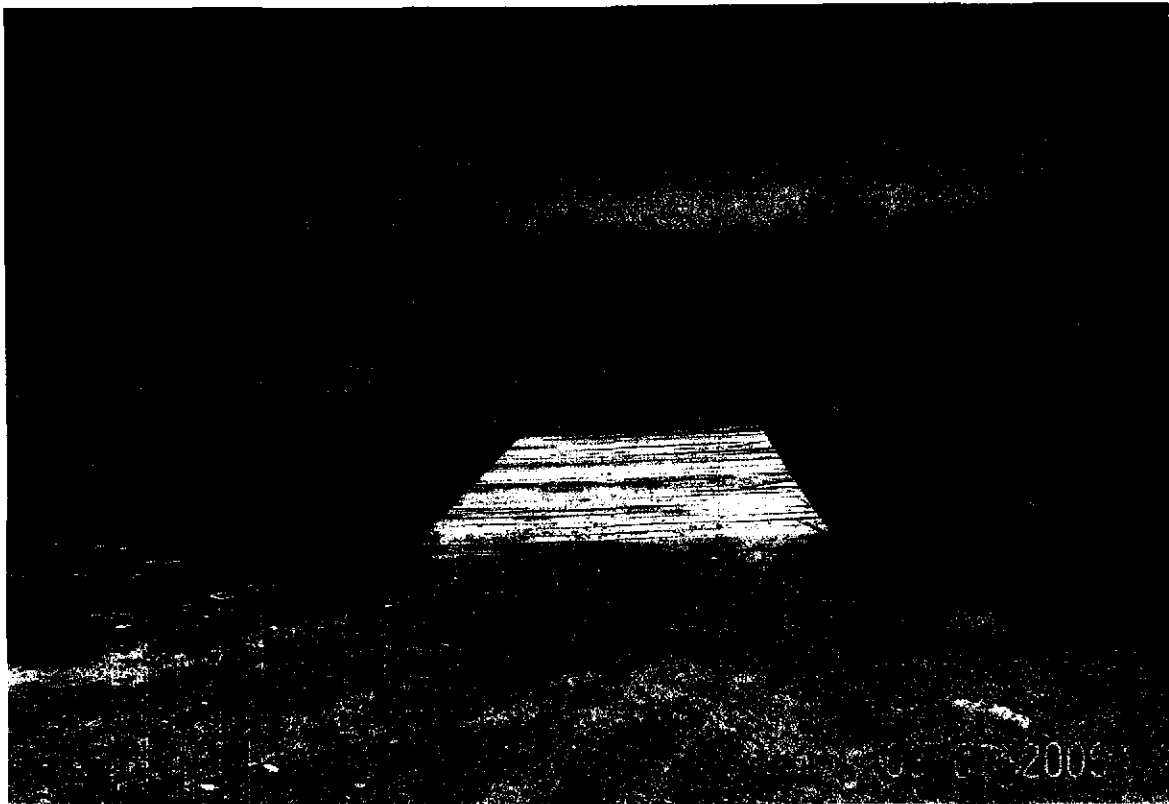
Hwy 20/26



A63-4598 Mac Dowell

7/2/2006 S.H.

[] = POU



Wood bridge
Crossing
Farmers
Coop Ditch
POD
located
173'
south

July 3, 2006 SH



POD:

20 Hp
Birkley
5" discharge
15' lift
60 psi

A 63-4598 (Mac Dowell - New Owner) July 3, 2006 SH
Brown



Stockwater:
10 horses

July 3, 2006 SH



POU:
5" aluminum
main runs
south to
north with
a cross-
section
in the middle
running
east & west

5"
main

A63-4598 Brown
New owner: Mac Dowell

July 3, 2006 SH



POU:

5" aluminum
main

30' sections

22 sections
(2 lines)

run at 1 time
wheel line

A63-4598 Brown
New Owner: Mac Dowell

July 3, 2006 SH

FIELD EXAM MEMO

DATE: 5/8/2006

TO: Sandy Hemenway

FR: Lori Graves

RE: A63-4598

This claim was originally filed by Tom Brown. Current tax records show that the property has split three ways per attached photo:

1. Joseph Ramano—SWSW
1003 Southside Blvd
Nampa 83686

2. Dan Richards—SWSW
21844 Ten Davis Rd
Parma 83660

3. John Mac Dowell--SESW
PO Box 1270
Caldwell 83606

Black Canyon Irr.

John William Mac Dowell

Sand Hollow Crk.

The p/d is listed as a 20 hp pump in Sand Hollow Creek, which appears to be located on the property John Mac Dowell bought in the SESW. Proof of priority has been submitted for the original claimant. The claim also states that water from Black Canyon Irrigation District is also used.

Please confirm the following:

- ✓ -Beneficial Use
- ✓ -Acres Irrigated
- ✓ -System capacity
- ✓ -System Diagram
- ✓ -Supplemental to Black Canyon Irrigation Dist.? *On other acreage only*

Also mention to the landowners, if you talk with them, that the claim will be recommended in the original claimant's name unless change in ownerships are filed. *(attached)*

Attached is a 2004 photo and claim proof report.

Thanks Sandy.

ADDITIONAL INFORMATION NEEDED FOR IRRIGATION FIELD EXAMS

Field Examiners, please complete the following checklist.

IF CURRENT OWNER DOES NOT MATCH PROOF REPORT PLEASE GIVE NEW OWNER CHANGE OF OWNERSHIP FORM TO COMPLETE.

1.) Pump information:

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
A0002147	Barkley	20	5475546 B3TPM	—	5"

2.) Static water and/or pump level 15' lift

3.) How were above level(s) determined (well log, measurement, owner)? owner

4.) Operating pressure (this is checked using the owner's psi gauge, your gauge, or an estimate by owner) 60 psi

5.) Was a measurement made? ^(yes) 60 psi If no can a measurement be made at a latter time? —

6.) What type of measurement device was used? pressure gauge + calculated theoretical

7.) Is there a pump curve available for pump? No curve available by owner

8.) Please fill out the following:

Number of sprinklers 27

Sprinkler nozzle size 9/64 Rainbird

Number of Pivots (include gpm rating for each pivot) —

wheel line
30 sections
22 sections (2 lines)
run @ 1 time
5" aluminum

9.) Please outline all acres irrigated on attached aerial photo. ✓ DONE

10.) Please clearly mark all points of diversion on map and GPS. ✓ DONE

11.) Please clearly mark all mainlines, ditches, and other conveyances.

✓ DONE

12.) Pictures taken of place of use and point of diversion. ✓ DONE

OTHER INFORMATION NEEDED:

Joseph Ramano + Dan Richards do not irrigate from Sand Hollow Creek. They use Black Canyon Irrigation Totally. John Mac Dowell is only resident utilizing pump in Sand Hollow Creek from this POD for beneficial use.

FIELD EXAMINERS NOTES (descriptions, other uses, questions, ect.)

Stock water: 10 horses

Supplemental water: Black Canyon Irrigation utilized for acreage not irrigated with pump in Sand Hollow Creek

Total acreage owned: 40

Acreage irrigated from Sand Hollow Creek: John Mac Dowell referred to it as "7+ acres", so this needs to be double checked

DATE EXAM CONDUCTED 7/3/2006 3:30

FIELD EXAMINER

Andy Hemenway

Please Return To: Lori Graves

PROPERTY INQUIRY

```

+++++
01 7R38344-000- -0 050-00 SCH137+ 01 16,700 26.75
+++++
05 400 12.62
19 2.80
BROWN, THOMAS J +
& BROWN, MILDRED H/W +
% MACDOWELL, JOHN WILLIAM & +
% MACDOWELL, MARSHA PAULINE H/W +
+
604 E ASH ST +
CALDWELL ID 83605 +
+++++
16-5N-4W SW + TOTAL 17,100 42.17
LOT 4 +
+ SURVEY INST 9321474
+ DRAIN 4 DR VALUE 47.67 APPR MKB
+ CLASS REAP 94 MAN UNIT 0
+ PARCEL 7R05N04W166000 H/O N C/B N
+ PRIOR ACCOUNT 6R38344-000- -0
+ 02 MH on Property NO

```

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R38344000 0 UNIT 001 TOTAL UNITS

```

SITE LON DAVIS RD PA SEC/TWN/RNG 16-5N-4W
ASSESSED VALUE 5,100 ACREAGE 21.17
SUB/PARK NAME YEAR/MAKE
CLASS NO BUILDING CLASS SPACE LOT BLOCK
+++++
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

```

COMMENTS

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

```

01 ACCOUNT: 6R38344-000- -0 AREA 050-00 DRAIN 4 VALUE 23.49 CLASS H/O N
SEC 16 TWN 5N RNG 4W QTR SW CITY/SUB 0 BLK LOT 6000
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
RICHARDS, DANIEL W MACDOWELL, JOHN WILLIAM
& RICHARDS, ANGELA G H/W &MACDOWELL, MARSHA PAULINE H/W

```

MAILING ADDRESS

LEGALS

21844 TEN DAVIS RD
PARMA ID 83660

16-5N-4W SW
TX 05214 IN GOVT LT 4

SITE ADDRESS

LON DAVIS RD PA

COMMENTS

REMARKS

PRIOR ACCOUNT 5R38344000 0
PARCEL 05N04W166000 SRVY
INSTR 200520355 ACRES 21.17
SPLIT YR 2002 DOCUMENT WD

SPLIT 21.79AC TO R38344-010 THEN
ADJ TO 21.17AC(MAPPING)
200520355,9844595

MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

System User- IDWR Date 04/25/2006 Time 10:44

REAL PROPERTY INQUIRY

```
+++++
01 7R38343-000- -0 040-00 SCH135+ 01 13,100 28.00
+++++
05 400 11.85
BROWN, THOMAS J + 19 2.30
& BROWN, MILDRED H/W +
% MACDOWELL, JOHN WILLIAM & +
% MACDOWELL, MARSHA PAULINE H/W +
+
604 E ASH ST +
CALDWELL ID 83605 +
+++++
16-5N-4W SW + TOTAL 13,500 42.15
LOT 3 +
+ SURVEY INST 9324174
+ DRAIN 4 DR VALUE 47.67 APPR MKB
+ CLASS REAP 94 MAN UNIT 0
+ PARCEL 7R05N04W166600 H/O N C/B N
+ PRIOR ACCOUNT 6R38343-000- -0
+ 02 MH on Property YES
```

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R38343000 0 UNIT 001 TOTAL UNITS 1

SITE 27120 LON DAVIS RD PA SEC/TWN/RNG 16-5N-4W

ASSESSED VALUE 139,300 ACREAGE 5.00

SUB/PARK NAME YEAR/MAKE

CLASS N3 NON-REVOCABLE MOBILE HOMES ON REA SPACE LOT BLOCK

```
+++++
YR BUILT 1995 AIR COND HEAT PUMP CARPORT N
STORY 1 STORY HEATING ELECTRIC FA CARPORT SQ FT
FIRST SQ FT 2148 EXTERIOR HARDBOARD DECK/PATIO? Y
SECOND SQ FT ROOF COMP POOL? N
BEDS 3 BSMT SQ FT SPA? N
BATHS 2.50 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE D3 NEIGHBORHOOD 0
GARAGE SQ FT 609
```

```
+++++
COMMENTS N/R MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
```

MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

01 ACCOUNT: 6R38343-000- -0 AREA 040-00 DRAIN 4 VALUE 5.65 CLASS N3 H/O Y

SEC 16 TWN 5N RNG 4W QTR SW CITY/SUB 0 BLK LOT 6600

OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS

OWNERSHIP C

OWNERSHIP P

MACDOWELL, JOHN WILLIAM

MACDOWELL, JOHN WILLIAM

& MACDOWELL, MARSHA PAULINE H/

MAILING ADDRESS

LEGALS

PO BOX 1270

16-5N-4W SW

CALDWELL ID 83606

TX 03255 GOVT LT 3 SW

SITE ADDRESS

27120 LON DAVIS RD PA

COMMENTS

REMARKS

SEE R38343-010

8717340, 9324174, 9844595, 9844271

PRIOR ACCOUNT 5R38343000 0

SP37.82AC TO R38343-010(200323954)

PARCEL 05N04W166600 SRVY

INSTR 200323954 ACRES 5.00

Idaho Dept. of Water Resources

Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	63 138C	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W16											8	5			10	18	41
Claim	63 188	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W16											8	5			10	18	41
Claim	63 189	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W16											8	5			10	18	41
Claim	63 190	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W16											8	5			10	18	41
Claim	63 191	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W16											8	5			10	18	41
Claim	63 296	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W16											8	5			10	18	41
Claim	63 303A	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	05N04W16											8	5			10	18	41

Idaho Dept. of Water Resources Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total	
Claim	63 138C	FARMERS COOPERATIVE DITCH CO.	BOISE RIVER	05N04W16												8	5			10	18	41
Claim	63 188	FARMERS COOPERATIVE DITCH CO.	BOISE RIVER	05N04W16												8	5			10	18	41
Claim	63 189	FARMERS COOPERATIVE DITCH CO.	BOISE RIVER	05N04W16												8	5			10	18	41
Claim	63 190	FARMERS COOPERATIVE DITCH CO.	BOISE RIVER	05N04W16												8	5			10	18	41
Claim	63 191	FARMERS COOPERATIVE DITCH CO.	BOISE RIVER	05N04W16												8	5			10	18	41
Claim	63 296	FARMERS COOPERATIVE DITCH CO.	BOISE RIVER	05N04W16												8	5			10	18	41
Claim	63 303A	FARMERS COOPERATIVE DITCH CO.	BOISE RIVER	05N04W16												8	5			10	18	41
Rec	63 138C	FARMERS COOPERATIVE DITCH CO.	BOISE RIVER	05N04W16											X	X			X	X	0	
Rec	63 188	FARMERS COOPERATIVE DITCH CO.	BOISE RIVER	05N04W16											X	X			X	X	0	
Rec	63 189	FARMERS COOPERATIVE DITCH CO.	BOISE RIVER	05N04W16											X	X			X	X	0	
Rec	63 190	FARMERS COOPERATIVE DITCH CO.	BOISE RIVER	05N04W16											X	X			X	X	0	
Rec	63 191	FARMERS COOPERATIVE DITCH CO.	BOISE RIVER	05N04W16											X	X			X	X	0	
Rec	63 296	FARMERS COOPERATIVE DITCH CO.	BOISE RIVER	05N04W16											X	X			X	X	0	

Receipt Details for ID W009445

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/23/1990 1:14:34 PM	2/23/1990	Western	\$309.00	Check
Payer		BROWN, THOMAS J.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
392			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$309.00	ADJUDICATION CLAIM FEE	410162	9337	00	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	8669		\$153.00	Claim
63	20892		\$25.00	Claim
63	4598		\$106.00	Claim
63	20893		\$25.00	Claim

Print Report



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 7, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

John and Marsha Mac Dowell
PO Box 1270
Caldwell, ID 83606

Notice of Claim to a Water Right No. 63-4598

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