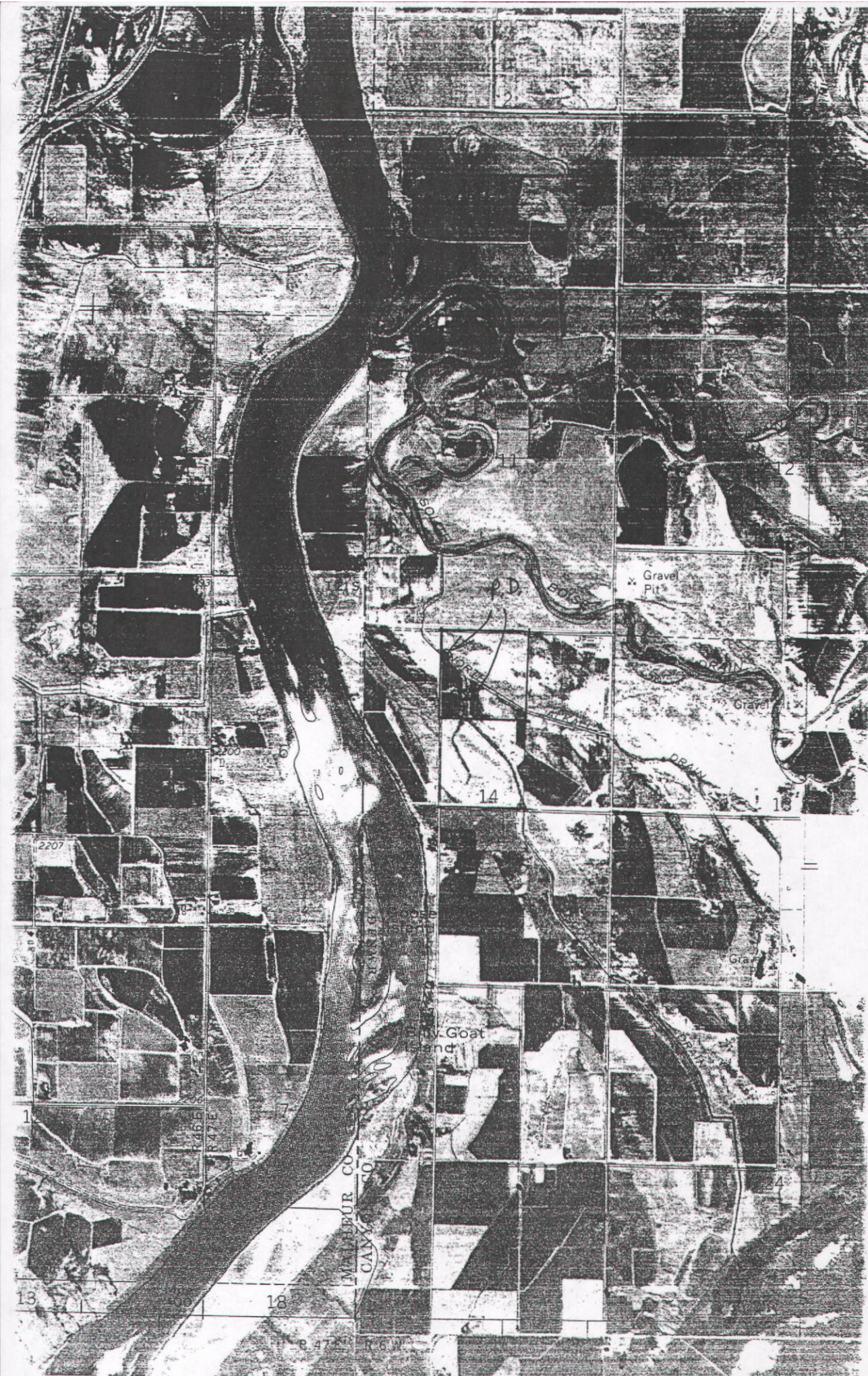




T 5N  
R 6W

A63-04805

770 000 FEET  
(IDAHO)

48°45'00m.N.

MICROFILMED  
AUG 20 1992

43°45'

160 000 FEET (IDAHO)

499000m.E.

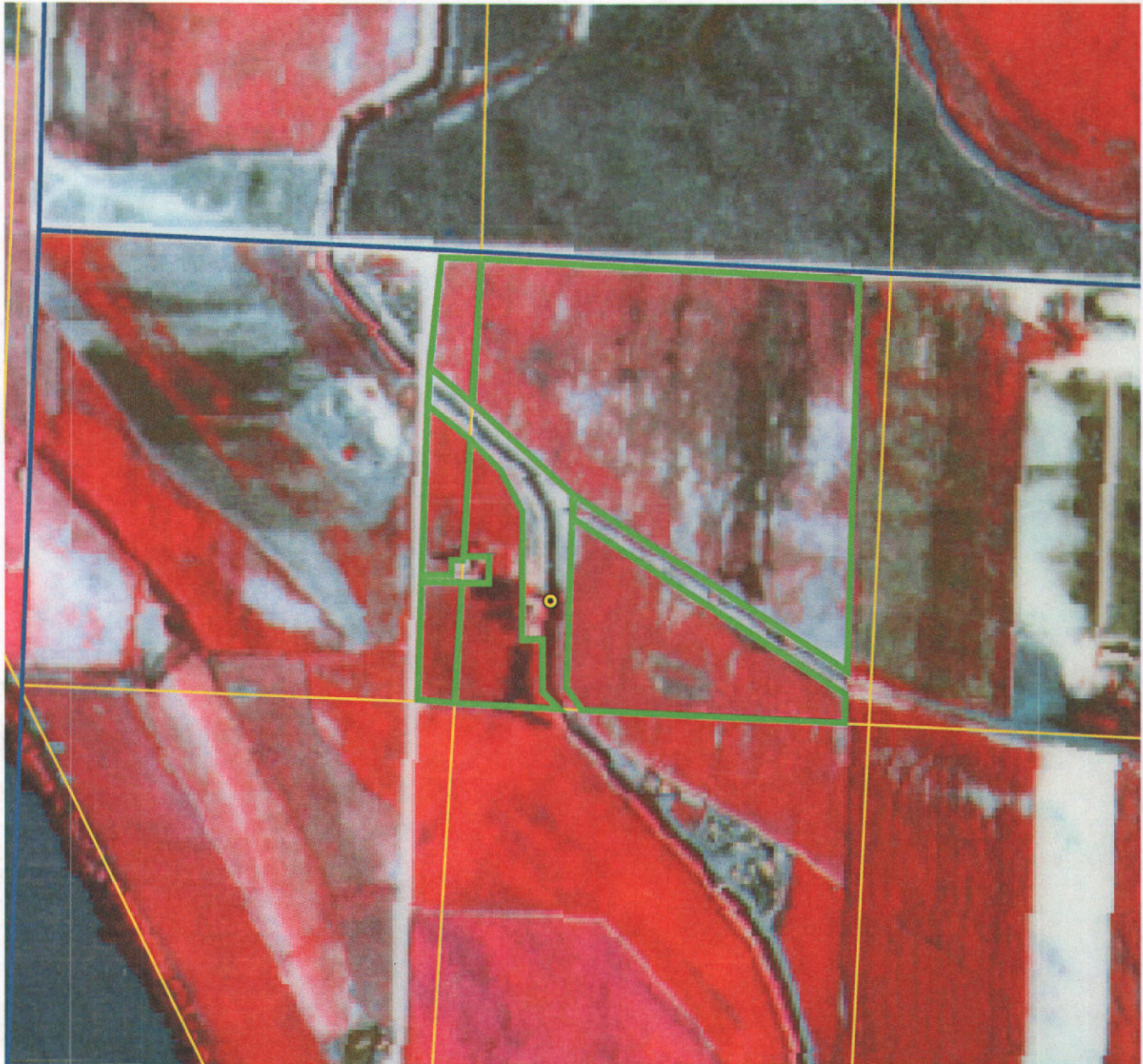
117°00'



# Idaho Department of Water Resources

## 63-4805

### 05N 06W Section 14



-  POU
-  POD
-  Sections
-  Quarter/Quarter

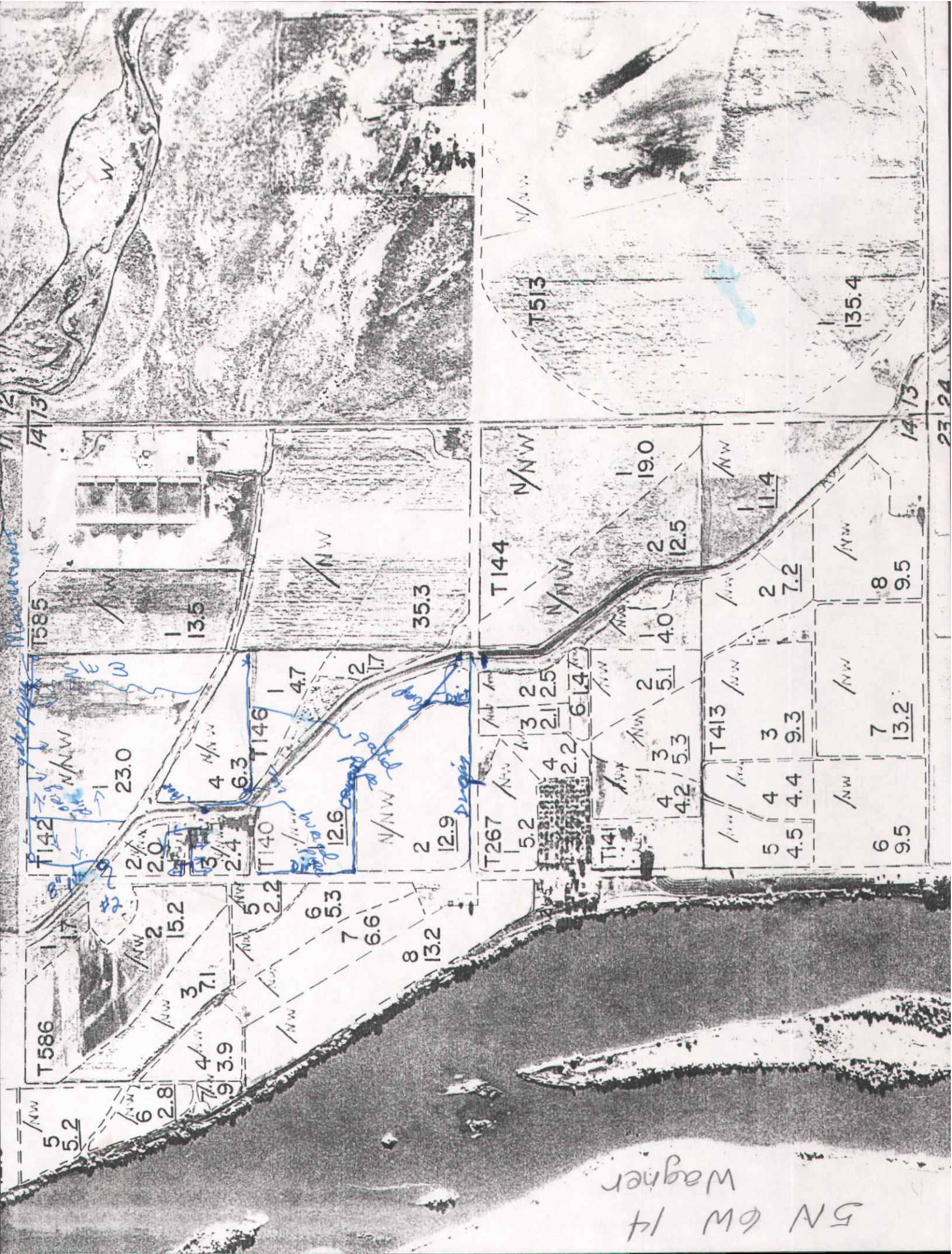
Total Irrigated  
Acres: 24

300 0 300 Feet



IDWR  
Prepared by: Lori Graves  
Date: 09-05-06  
1986-87 Photography

5N 6W 14



1991 A4  
Sec 14 5 6

3  
11.4

NW

8  
19.1

4  
12.5

5  
5.2

T586

6  
2.8

7  
3.9

3  
7.1

2  
15.2

T142

N/NW

1  
23.0

2  
2.0

3  
2.4

4  
6.3  
*(water wheel)*

T585

1  
13.5

T140

N/NW

1  
12.6

N/NW

2  
12.9

6  
5.3

7  
6.6

8  
13.2

T146

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4.7

2  
1.7

35.3

T267

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5.2

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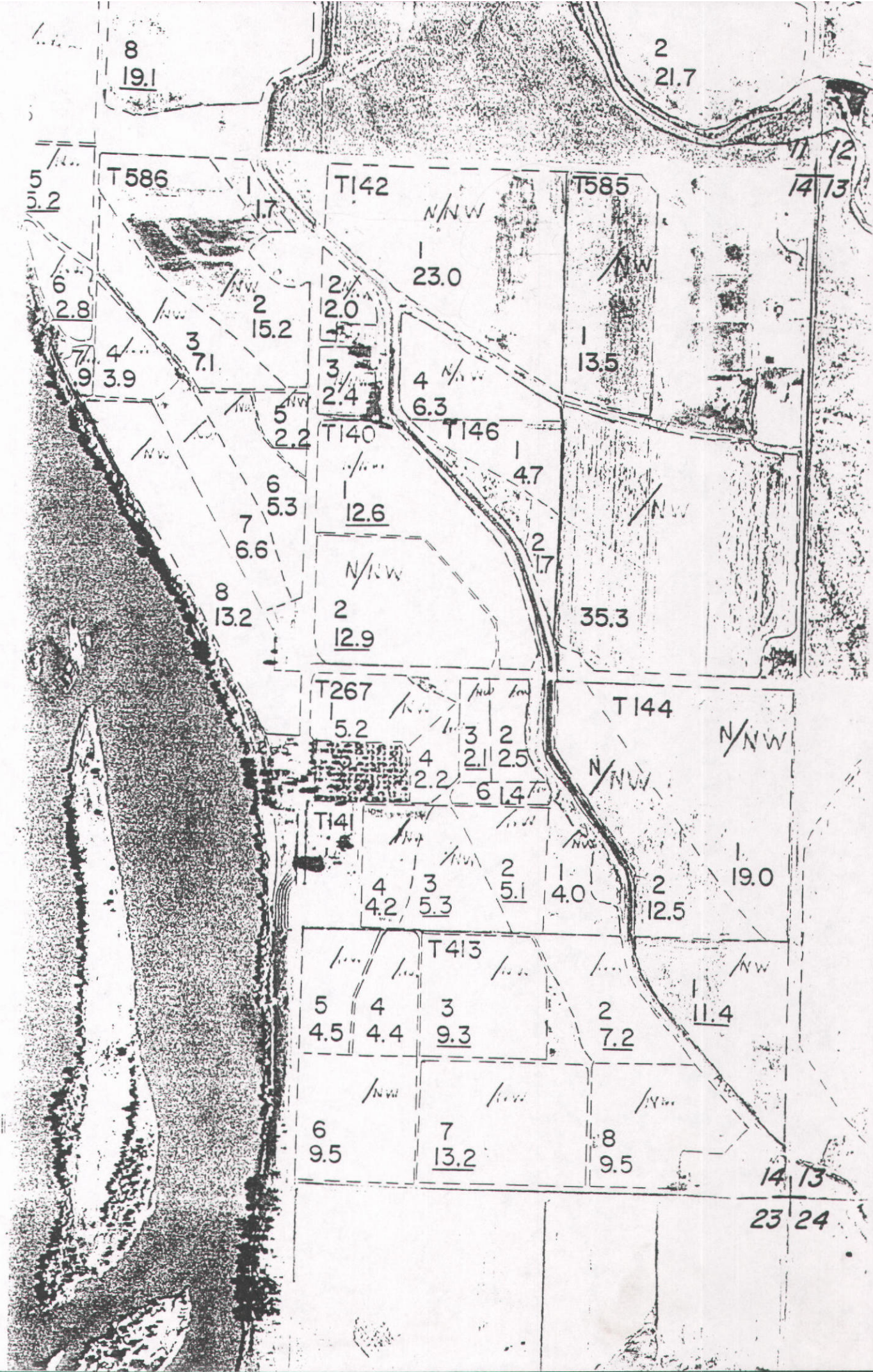
5  
5.2

5  
5.2

T05N  
R06W  
S. 14  
ASCS  
1987 Flight

A63-04805  
37 acres  
1.50 CFS  
STOCK  
.03 CFS  
1.53 TOTAL  
CFS

16027  
Canyon County  
Code



08/11/1995 1777micucci

A63-04805 A63-30208

POU from NE corner of prop.  
Looking SW toward home.



08/11/1995 1777micucci

A63-04805 A63-30208

POU #2 S.14 NWNNWNE

NEXT TO ROAD (Pioneer)



08/11/1995 777171N1610000

A63-04805

NW corner of property, taken  
from approx. location of orig.  
ditch + drain location - looking  
NW



08/11/1995 777171N1610000

A63-04805 A63-30208

Pov From NE corner of prop,  
Looking west



08/11/1995 171716100001  
A63-04805 PSD #1

SWNWNB

< M285 2 N N N Nc 4



mm verification  
exam. use  
pump curve  
instead of mm's  
gated pipe  
measurements

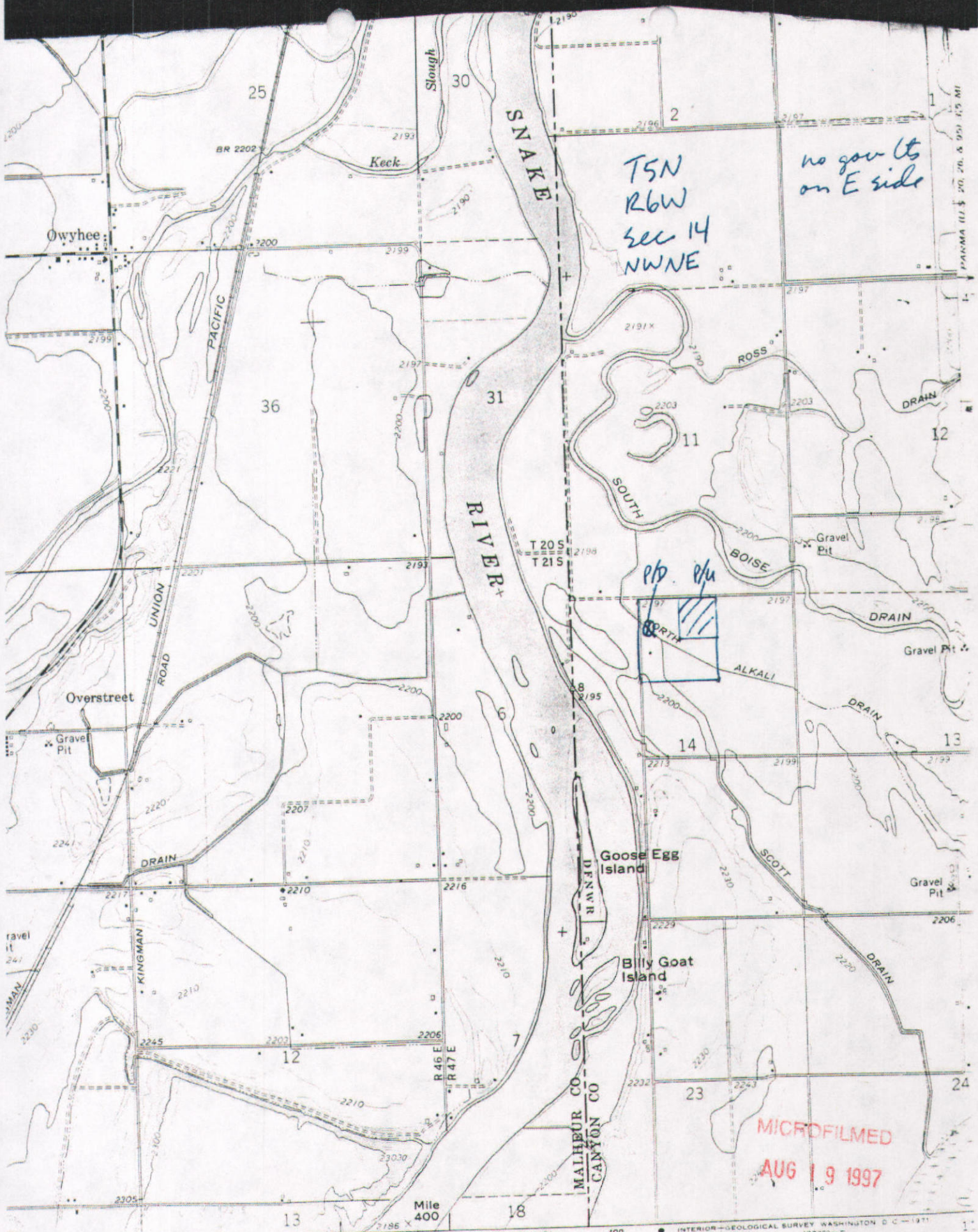


08/11/1995 T77111111111111

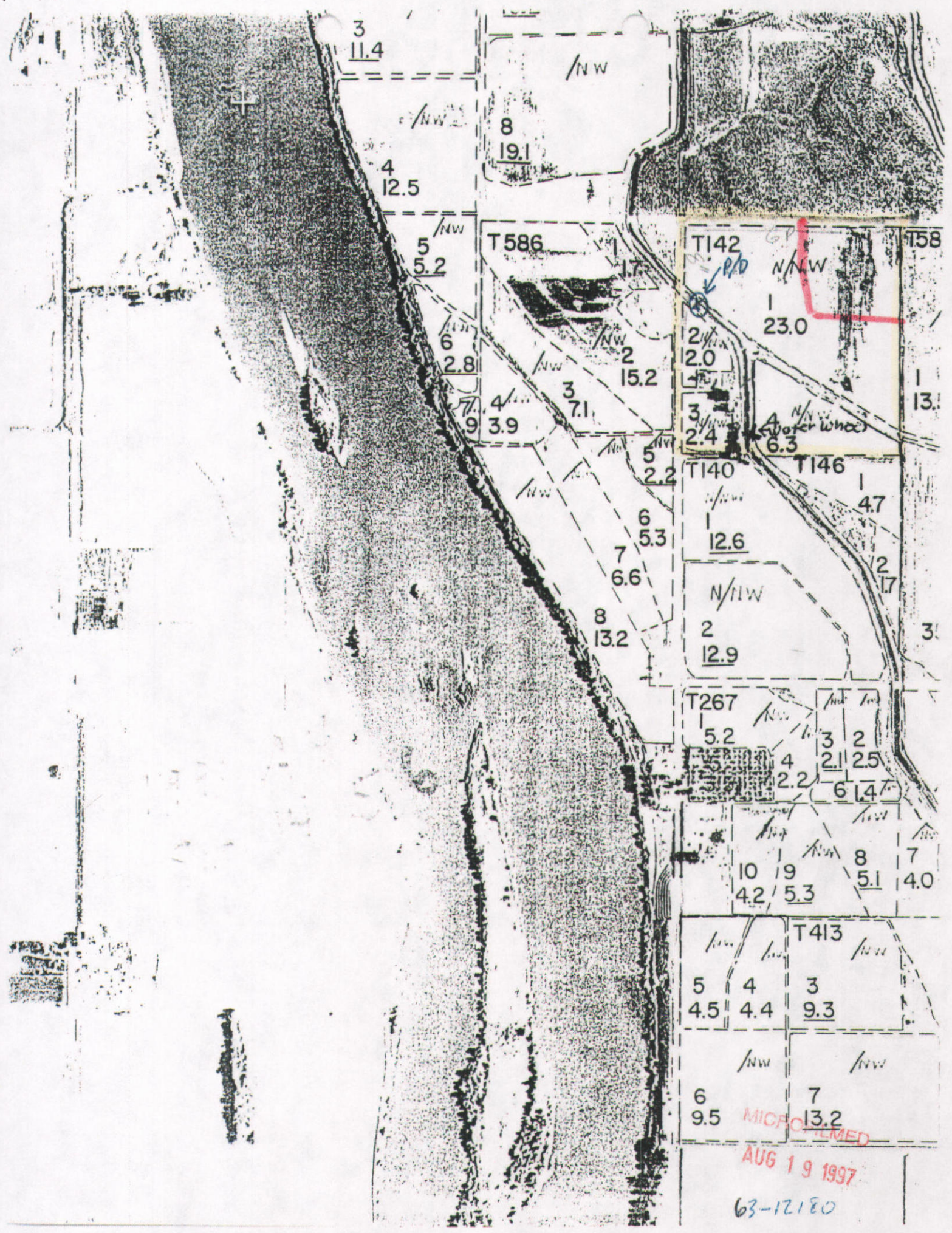
A63-04805 P00#1

P00#1 SWNWNE

< M295 2 N N N Nc 6



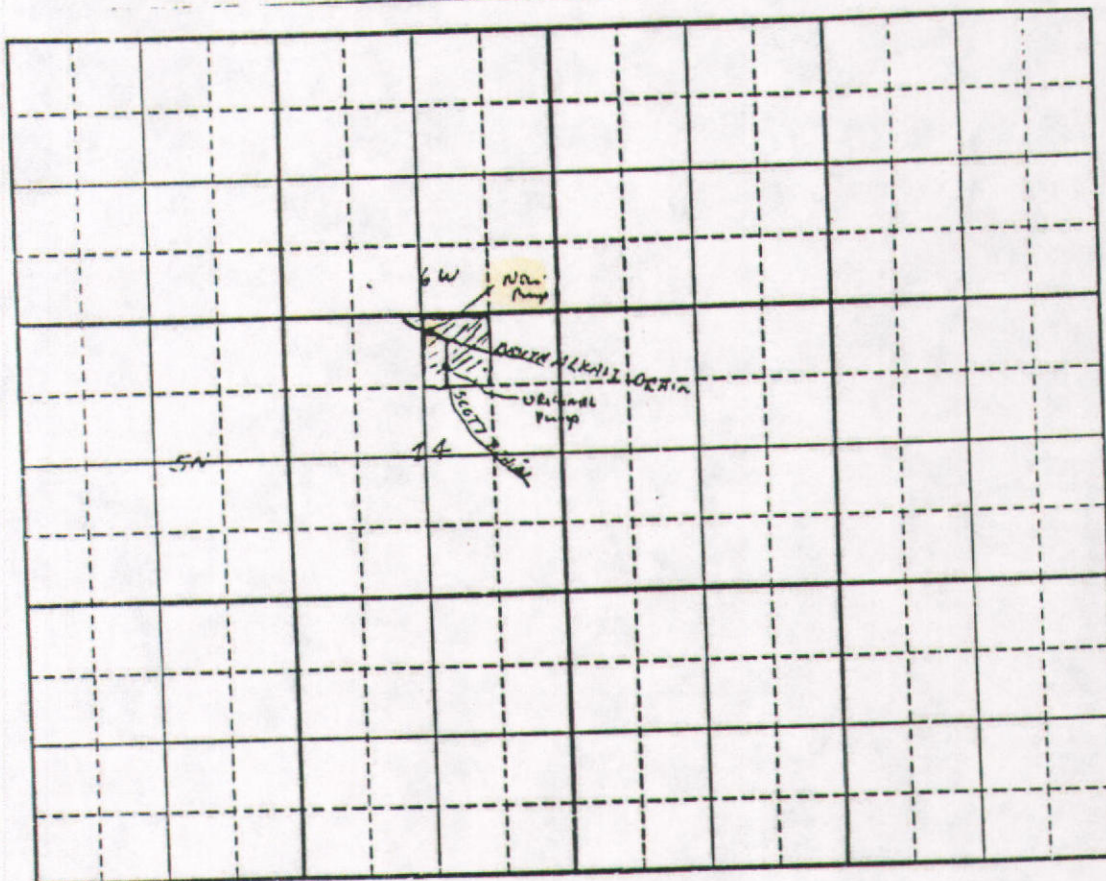
MICROFILMED  
AUG 19 1997



MICROFILMED  
AUG 19 1997

63-12180

(B) Remarks



Scale. 2 inches equal 1 mile.

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

State of Idaho

County of

Ada

ss.

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

Sworn to before me this 22 day of

June

19 51

Joseph C. Wagner

(Claimant)

Nancy M. Hollings

Notary Public

Residing at Boise

My commission expires

Life

FOR DEPARTMENT USE ONLY

Received by

Date

6/22/51

Exception filed by:

Forwarded to

Date

Prelim. check by

Date

7/6/51

\$2.00 fee received by

Date

6/22/51

\$2.00

Published in

Boise Tribune

Dates

7/16/51

4

7/23/51

MICROFILMED

JUL 19 1995

PARMA (US) 20, 26, &amp; 30 3.0

-82 Gravel Pit #  
4/11/95

Grady  
P. 12

63-1288

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 63-4805  
Date Received: 12/26/1989  
Receipt No: C013685  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RANDY JOE WAGNER Phone: (208)454-0397  
27818 PIONEER LANE  
PARMA ID USA 83660

SUZANN WAGNER Phone: (208)454-0397  
27818 PIONEER LANE  
PARMA ID USA 83660

2. Date of Priority: 05/01/1939

3. Source: Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 05N      | 06W   | 14      | NW NW NE              | CANYON |      |
| 05N      | 06W   | 14      | SW NW NE              | CANYON |      |

5. Description of diverting works:

2 PUMPS, BOTH 7.5 HP PARMA WATER LIFTERS, DITCH AND 8" GATED PIPE

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| IRRIGATION | 4/01 | 11/15 | 1.5    |            |
| STOCKWATER | 1/01 | 12/31 | 0.03   |            |

7. Total Quantity Appropriated is:  
1.53 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      | 06W   | 14      | NW         | NE  | IRRIGATION    | 37    |
|          |       |         |            |     | Section Acres | 37    |
|          |       |         |            |     | Total Acres   | 37    |

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:

STOCKWATER PLACE OF USE IS THE SAME AS IRRIGATION.

CHANGE IN OWNERSHIP LG 11-22-2006

15. Basis of Claim: Statutory Claim

16. Signature(s)

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: A63-04805  
Date Received: 12/26/1989  
Receipt No: CO13685  
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JOE P. WAGNER 208-722-5309  
Address: 27818 PIONEER LANE  
PARMA, ID 83660

AND/OR

Name: ADA G. WAGNER 208-722-5309  
Address: 27818 PIONEER LANE  
PARMA, ID 83660

2. Date of Priority: MAY 01, 1939

3. Source: SCOTT DRAIN Trib. to: SOUTH BOISE DRAIN  
NORTH ALKALI DRAIN SOUTH BOISE DRAIN

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 05N      | 06W   | 14      | NW     | NW     | NE     |     | CANYON |
|          |       |         | SW     | NW     | NE     |     | CANYON |

5. Description of diverting works:

2 PUMPS, BOTH 7.5 HP PARMA WATER LIFTERS, DITCH AND 8" GATED PIPE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/15 | 1.500  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.030  |      |        |

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

A.F.A.

8. Total consumptive use is 129.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
STOCKWATER, 100 HEAD CATTLE

A63-04805

Page 1

Date: 12/26/89

MICROFILMED  
AUG 20 1992

10. Place of Use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 05N           | 06W   | 14      | NW NE      |     | IRR | 37.0  |
| Section Acres |       |         |            |     |     | 37.0  |
| Total Acres   |       |         |            |     |     | 37.0  |

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:  
STOCKWATER PLACE OF USE IS THE SAME AS IRRIGATION.

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 ☒ 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): Joe Peter Wagner Date: 12-26-89.  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 26<sup>th</sup> day  
of December 19 89 Carter Fritschle  
Notary Public

Seal

Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

Carter Fritschle, Notary Public  
Residing at Eagle, Idaho  
My Commission Expires March 21, 1994

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

**RECEIVED**  
**OCT 20 2000**

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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| PD 63-12180           | 63-4805                      |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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) JOE + ORADA WAGNER
4. New Owner/Claimant(s) RANDY JOE WAGNER OR SUZANNE WAGNER  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 27818 PIONEER LN, PARMA 83660
- City, State and ZIP Code PARMA, ID 83660
- New Telephone Number (208) 454-0397 OR (208) 722-5309
5. Date you acquired the property 8-12-2005

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s) Randy J. Wagner  
(include title if applicable) \_\_\_\_\_

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 10/18/06 Fee \$25 - 63-12180  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. 10034809  
 Processed by lgazum AJ Date 11-22-06 WR \_\_\_\_\_ Date \_\_\_\_\_

INSTRUMENT NO. 200549432

PC 65928

**WARRANTY DEED**

FOR VALUE RECEIVED Joe Pete Wagner and Ada Wagner, the Grantors, does hereby grant, bargain, sell and convey unto Randy Joe Wagner and Suzann Wagner, Grantees, whose address is 17806 Lowell Road, Caldwell, Idaho, the following described premises, situated in Canyon County, State of Idaho, to-wit: 83407

The real property described as: The Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section Fourteen (14), Township Five (5) North, Range Six (6) West, Boise Meridian, containing Forty (40.0) acres, more or less

Now described as:

Lots 1-8 inclusive Block 6, Roswell Park Fruit Tract, according to the plat filed in Book 3 of Plats, Page 56, records of Canyon County, Idaho.

Together with all and singular the tenements, hereditaments and appurtenances.

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

**SUBJECT TO A LIFE ESTATE:** The Grantors, Joe Pete Wagner and Ada Wagner, reserve the residence and approximately five and one-half acres surrounding the residence for their use and occupation during their natural lives. The maintenance and repair of the residence and surrounding five and one-half acres shall be the responsibility of the Grantees.

**TO HAVE AND TO HOLD** the said premises, with their appurtenances unto the said Grantee, his heirs and assigns, in fee simple, subject to the following: all reservations in patents or state grants or in the laws authorizing the issuance thereof; the bonded debt of all taxing units; all zoning requirements and restrictions provided by any fire, building, plumbing, electrical and other similar codes imposed by any governmental unit; all repayment contracts between any irrigation district and the United States; all easements and rights of way under, over and across the premises regardless of how evidenced or acquired and whether the same appears of record or not; terms of any Agreement pursuant to which this deed was executed; and exceptions appearing in any title insurance policy applying to the real property provided by Grantors to Grantees.

DATED This 12 day of August, 2005.

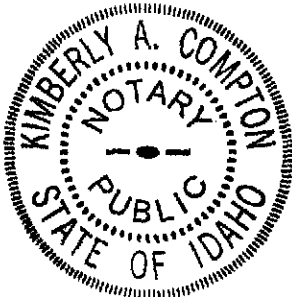
Joe Pete Wagner  
Joe Pete Wagner

Ada Wagner  
Ada Wagner

STATE OF IDAHO       )  
                                  )ss  
COUNTY OF CANYON    )

On this 12th day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Joe Pete Wagner and Ada Wagner whose names are subscribed to the foregoing 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 written above.



[Signature]  
Notary Public for Idaho  
Residing at: Wilder  
My Commission Expires: 1-27-11

200549432

RECORDED

2005 AUG 12 PM 4 03

G NOEL HALES

CANYON COUNTY RECORDER

BY

[Signature]

PIONEER-CALDWELL

REQUEST

TYPE Deed FEE 6.00



T 5N  
R 6W

A63-04805

770 000 FEET  
(IDAHO)

48 45000m.N.

MICROFILMEI  
AUG 20 1992

43°45'

160 000 FEET (IDAHO)

499000m.E.

117°00'

RECEIVED

JUN 19 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  
WATER RESOURCES

In Re SRBA ) A. Subcase 63-4805  
(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: Randy and Suzann Wagner  
Address: 27818 Pioneer Lane  
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.

MICHAEL 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)

(Attorney signing in representative capacity)

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



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:

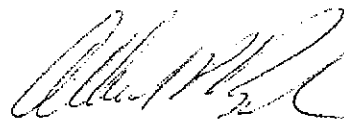
Name: Randy and Suzann Wagner  
Address: 27818 Pioneer Lane  
Parma, ID 83660

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

12/10/2006

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

RIGHT NUMBER: 63-4805

NAME AND ADDRESS: RANDY JOE WAGNER  
27818 PIONEER LANE  
PARMA ID 83660

SUZANN WAGNER  
27818 PIONEER LANE  
PARMA ID 83660

SOURCE: SCOTT DRAIN

TRIBUTARY: SOUTH BOISE DRAIN

QUANTITY: 0.510 CFS

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

This right when combined with Right No. 63-12180 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 05/01/1939

POINT OF  
DIVERSION: T05N R06W S14 SWNWNE Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 01/01 12/31          | 0.030 CFS       |
| IRRIGATION            | 03/01 11/15          | 0.480 CFS       |

PLACE OF USE: IRRIGATION in CANYON County

|               |      |       |                          |      |
|---------------|------|-------|--------------------------|------|
| T05N R06W S14 | NWNE | 31.00 | T05N R06W S14 Lot 1 NENW | 3.00 |
|---------------|------|-------|--------------------------|------|

STOCKWATER in CANYON County

|               |      |                          |
|---------------|------|--------------------------|
| T05N R06W S14 | NWNE | T05N R06W S14 Lot 1 NENW |
|---------------|------|--------------------------|

34 ACRES TOTAL

This right is limited to the irrigation of 24 acres within the place of use described above in a single irrigation season.

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 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

Stockwater use is for 100 range cattle.



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

FAX (208) 334-2348

November 22, 2006

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

Randy Joe & Suzann Wagner  
27818 Pioneer Lane  
Parma, ID 83660

Notice of Claim to a Water Right No. 63-4805

Dear Claimant(s):

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

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

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

Sincerely,

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

Liberty Gagnon  
Office Specialist 1  
Adjudication Section  
Western Region Office

LG: lg

Enclosure

09/22/2006

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

RIGHT NUMBER: 63-4805

NAME AND ADDRESS: JOE P WAGNER  
27818 PIONEER LN  
PARMA ID 83660

ADA G WAGNER  
27818 PIONEER LN  
PARMA ID 83660

SOURCE: SCOTT DRAIN

TRIBUTARY: SOUTH BOISE DRAIN

QUANTITY: 0.510 CFS

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

This right when combined with Right No. 63-12180 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 05/01/1939

POINT OF DIVERSION:

T05N R06W S14 SWNWNE Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 01/01 12/31          | 0.030 CFS       |
| IRRIGATION            | 03/01 11/15          | 0.480 CFS       |

PLACE OF USE: IRRIGATION Within CANYON County

T05N R06W S14 NWNE 31.00 T05N R06W S14 Lot 1 NENW 3.00

STOCKWATER Within CANYON County

T05N R06W S14 NWNE T05N R06W S14 Lot 1 NENW

34 ACRES TOTAL

This right is limited to the irrigation of 24 acres within the place of use described above in a single irrigation season.

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.

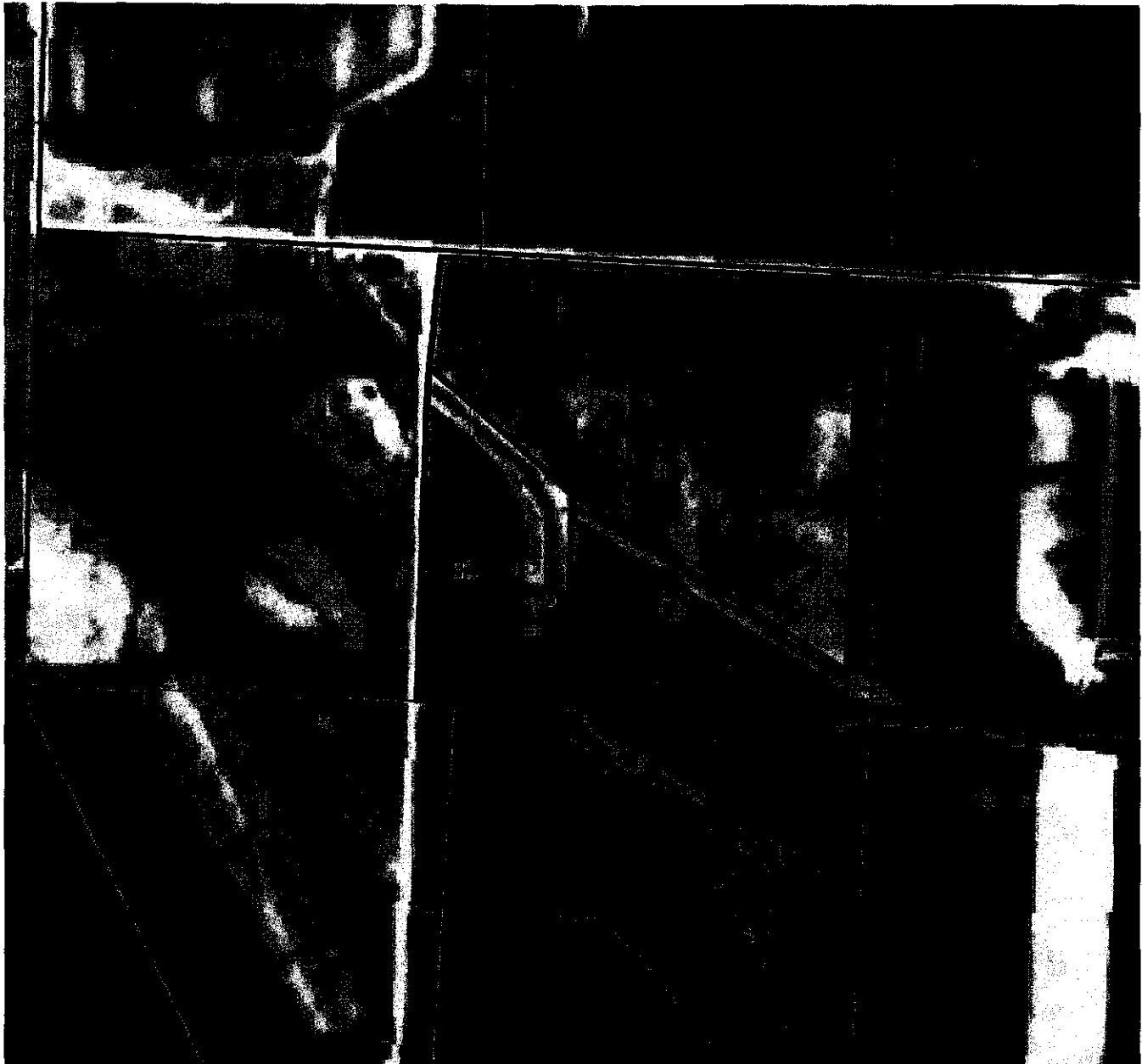
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use  
Stockwater use is for 100 range cattle.



# Idaho Department of Water Resources

## 63-4805

### 05N 06W Section 14



-  POU
-  POD
-  Sections
-  Quarter/Quarter

Total Irrigated  
Acres: 24

300 0 300 Feet



IDWR  
Prepared by: Lori Graves  
Date: 09-05-06  
1986-87 Photography

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4805 V1

WATER RIGHT NUMBER: 63-4805 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | JOE P WAGNER<br>27818 PIONEER LN<br>PARMA, ID 83660<br>(208)722-5309 |
| Current Owner     | ADA G WAGNER<br>27818 PIONEER LN<br>PARMA, ID 83660<br>(208)722-5309 |

Priority Date: 05/01/1939

Basis: Beneficial Use

Status: Active

| <u>Source</u> | <u>Tributary</u>  |
|---------------|-------------------|
| SCOTT DRAIN   | SOUTH BOISE DRAIN |

| <u>Beneficial Use</u>   | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|-----------------------|-----------------------|----------------------|
| STOCKWATER              | 01/01 to 12/31        | 0.030 CFS             |                      |
| IRRIGATION              | 03/01 to 11/15        | 0.480 CFS             |                      |
| <u>Total Diversion:</u> |                       | 0.510 CFS             |                      |

Location of Point(s) of Diversion

|               |                 |                                 |
|---------------|-----------------|---------------------------------|
| SCOTT DRAIN   | SW1/4NW1/4NE1/4 | Sec. 14, Twp 05N, Rge 06W, B.M. |
| CANYON County |                 |                                 |

Place of Use

STOCKWATER

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 05N | 06W | 14  |    | X  |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    | L1 |    |    |    |    |    |    |    |    |    |    |        |

IRRIGATION

| Twp | Rge | Sec | NE |    |      |    | NW |    |     |    | SW |    |    |    | SE |    |    |    |        |
|-----|-----|-----|----|----|------|----|----|----|-----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW   | SE | NE | NW | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 05N | 06W | 14  |    |    | 31.0 |    |    |    | 3.0 |    |    |    |    |    |    |    |    |    | 34.0   |
|     |     |     |    |    |      |    |    | L1 |     |    |    |    |    |    |    |    |    |    |        |

Total Acres: 34

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 63-4805 V1

Conditions of Approval:

1. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
2. X02 Stockwater use is for 100 range cattle.
3. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
4. K06 This right is limited to the irrigation of 24 acres within the place of use described above in a single irrigation season.
5. E62 This right when combined with Right No. 63-12180 shall provide no more than .02 cfs per acre.
6. 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:Comments:

1. Igraves 9/9/2006 Parcel No.

Comment: Irrigation is within Parcel No. R2616100000.

2. Igraves 9/9/2006 Overlaps

Comment: The original claim listed two p/ds, each from a separate source, and 37 acres irrigation. An SRBA field exam was conducted in 1995 indicating that the p/d on North Alkali Drain and the northern 10 of the claimed acres were not developed until mid-1970. As a result, an application was filed in 1995 resulting in license 63-12180 for 10 acres irrigation from North Alkali Drain. 34 total acres were found irrigated based on 1987 aerial and FSA photos. Because the claimants indicated that 10 acres and the North Alkali Drain diversion were not added until mid-1970, only the p/d on Scott Drain and 24 acres irrigation within a 34 acre ppu has been recommended for this claim.

3. Igraves 9/9/2006 Tributary

Comment: As indicated on the topo map, Scott Drain is tributary to North Alkali Drain (manmade), which is tributary to South Boise Drain (natural). Tributary has been clarified to South Boise Drain per department standards.

4. Igraves 9/10/2006 Flow Rate

Comment: It appears that 649 total gpm were measured in 1995 using a 5 gallon bucket and two sections of gated pipe. This measurement correlates with a pump curve from Parma Company, who worked on and/or installed the 7.5 hp pump. The pump curve indicates pumping capacity at 650 total gpm, which equates to 1.45 cfs.

5. Igraves 9/10/2006 P/U

Comment: The p/u is located in a gov lot area and was adjusted accordingly based on arc view technology.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4805 V1

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: AND  
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:

Water Supply Bank:

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4805

WATER RIGHT NUMBER: 63-4805

|                   |                                                                      |
|-------------------|----------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                              |
| Current Owner     | JOE P WAGNER<br>27818 PIONEER LN<br>PARMA, ID 83660<br>(208)722-5309 |
| Current Owner     | ADA G WAGNER<br>27818 PIONEER LN<br>PARMA, ID 83660<br>(208)722-5309 |

Priority Date: 05/01/1939

Basis: ~~Statutory Claim~~ *B/U*

Status: Active

Source*Scott Drain*Tributary*South Boise Drain*

|                       |                           |                                 |                      |
|-----------------------|---------------------------|---------------------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>     | <u>Diversion Rate</u>           | <u>Annual Volume</u> |
| IRRIGATION            | <del>4</del> /01 to 11/15 | <del>4.500</del> CFS <i>.48</i> |                      |
| STOCKWATER            | 3/01 to 12/31             | 0.030 CFS                       |                      |

Total Diversion: ~~4.530~~ CFS  
*.51*

Location of Point(s) of Diversion*SN 6W S14 SWNWNE*Place of Use

IRRIGATION

| Twp | Rge | Sec | NE | NW                           | SE | NE | NW       | SE | NE | NW | SE | NE | NW | SE | Totals                       |
|-----|-----|-----|----|------------------------------|----|----|----------|----|----|----|----|----|----|----|------------------------------|
| 05N | 06W | 14  |    | <del>37.0</del><br><i>31</i> |    |    | <i>3</i> |    |    |    |    |    |    |    | <del>37.0</del><br><i>34</i> |

Total Acres: 37

STOCKWATER same as IRRIGATIONConditions of Approval:

1. STOCKWATER PLACE OF USE IS THE SAME AS IRRIGATION.

Claim Received Date: 12/26/1989  
 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:

*add E62 - limited to .02/ac  
 when comb  
 X02 - 100 Range  
 K06 - PPU ac limit  
 N08, stock  
 N05*

GE Motor 7.5HP 3ph

model SK284D1023

Parma Water Lifter serial #760

Call Roger in Parma <sup>Sluge</sup> #4

Pump 722-5116 Re

pump capacity

10 ac in NENWNE covered

by license 63-12180 for

rep system + source

(disallow claim A63-30208)

duplicate of license

other  
overlaps: 63-15937 down  
well

Rec only 24 ac

(<sup>Total</sup> 34 ac found during lic ex  
for 63-12180)

~10' lift on Scott  
brain pump

same type of pump as  
license 63-12180 pump.  
Use same curve +  
capacity

Info per Randy Wagner  
(Chairman's son) 5/15/06

454-0397 Hm

454-3981 wk

**PARMA COMPANY**

P.O. Box 190  
101 Main Street (Shipping)  
Parma, ID 83660  
Phone: 208-722-5116  
Fax: 208-722-6012

## Facsimile Transmittal

To: Lorrie Graves Fax: \_\_\_\_\_  
Company: Water Resources Phone: \_\_\_\_\_  
From: Guy Date: 5-16-06  
Subject: \_\_\_\_\_ Pages: 1 with cover 2  
CC: \_\_\_\_\_  
☐ Urgent ☐ For Info ☐ Please Comment ☒ Please Reply

If all pages are not received, please call 208-722-5116.

This fax is intended for the use of the person named above. If you have received this fax in error, or if, for some reason, it is undeliverable, please notify the sender ASAP.

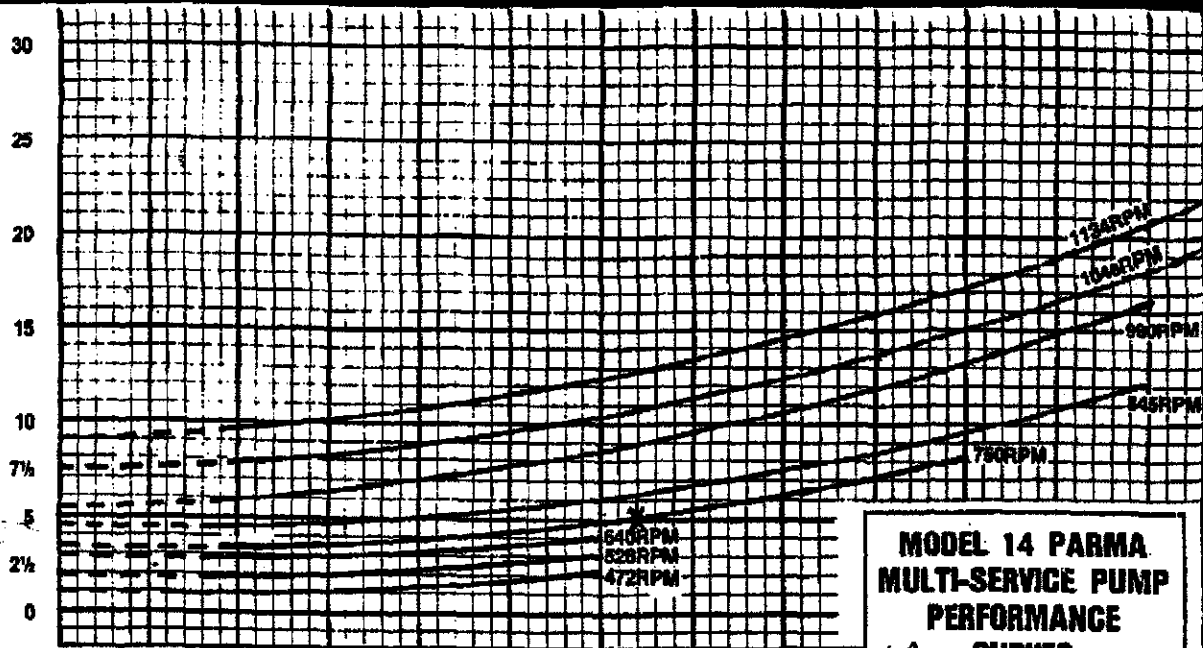
### Message:

Lorrie call me when you get this

THANKS

Guy

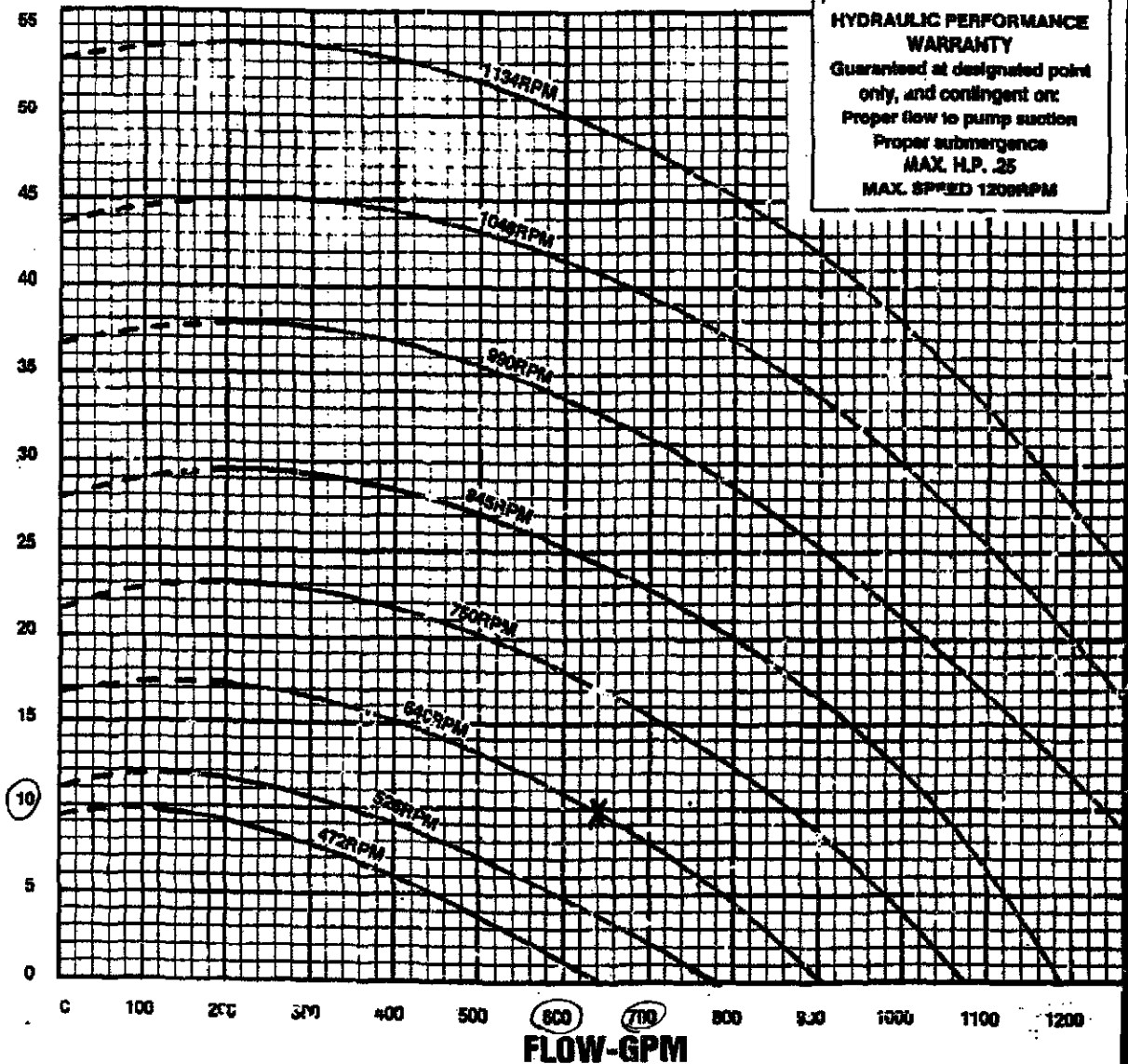
HORSEPOWER



### MODEL 14 PARMA MULTI-SERVICE PUMP PERFORMANCE CURVES

**HYDRAULIC PERFORMANCE  
WARRANTY**  
Guaranteed at designated point  
only, and contingent on:  
Proper flow to pump suction  
Proper submergence  
MAX. H.P. .25  
MAX. SPEED 1200RPM

TOTAL HEAD FEET



— Pump is not to operate continuously in this area.

2-7

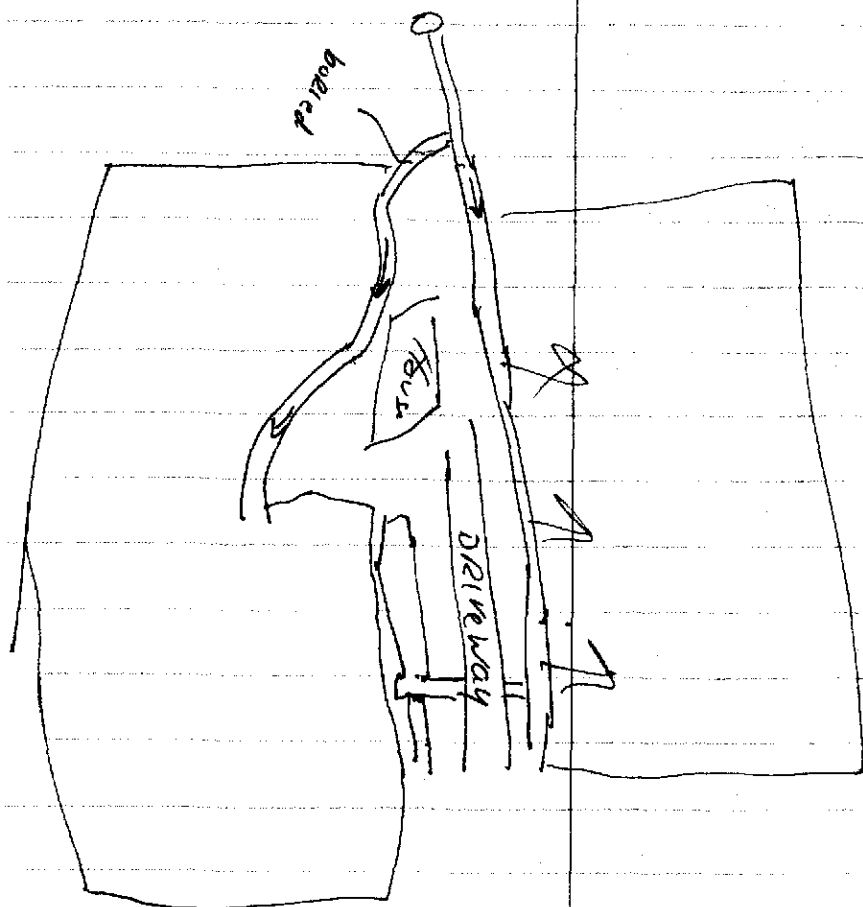
Pump appears to have capacity for ~650 gpm based on 10' lift and 640 RPMs. Pump is oversized for system per P. Ayres Parma Co.

8/11 WAGNER

R31

SUNWNE  
Pump #1

TO earth ditches



GEMOTOR 7.5 HP 3 ph

Model 5K284D1023

Type K Code 6 Frame 284

Pump: Puma H<sub>2</sub>O Lflee # Plate on housing

Serial # 760

Size #4

Wagner  
SWWNE

8/11

pg 2

Pump # 1

Measurement #2  
East end of pipe  
Orig. 12 gates open +  
12 gates on last section

|         |        |                                |
|---------|--------|--------------------------------|
| Meas #1 | 5 gals | 22 <del>secs</del> secs        |
| 2       |        | 13 secs                        |
| 3       |        | 12.7 secs                      |
| 4       |        | 12 secs                        |
|         |        | $59.7 / 4 = 15 \text{ sec av}$ |

$$\frac{5 \times 60}{15} = 20 \text{ gpm} \times 12 \text{ gates} = \frac{240 \text{ gals/min}}{12}$$

John Roger Guy Richards

Williamson

Northhurst (orig owner?)

Wells on corner of Apricot + Plum  
have been previously been used to supply  
Irr Distr H<sub>2</sub>O. Irr Distr H<sub>2</sub>O  
moved off land to other lands + wells are  
sole source for this land. <sup>now</sup>

Approx 20' left to east side of  
draw. West side of draw has  
headbox to shut off by it gets to  
earth ditch

Pump to 10" pipe to east + west.  
West side (house) to earth ditches  
east side to gated pipe.

Field #4 8" gated pipe Aluminum  
Same gates/section as other field  
12 gates/section 20 sections

$$\frac{20}{30 \overline{) 620}}$$

Measurements taken  
w/ east side ditch partially  
closed off (as much  
as possible)

Measurements 1

1<sup>st</sup> section of pipe.

12 gates open - no other open gates

#1 5 gals 9.4 sec

" 8.2 sec

8.5 sec

9.0 sec

$$35.1 / 4 = 8.8 \text{ sec av}$$

$$\frac{5 \times 60}{8.8} = 34 \text{ gpm} \times 12 \text{ gates} = \textcircled{409 \text{ gpm}}$$

08/11/1995

44  
301340  
120  
124

pg 4

N across Now irrigated w/ 2nd pump.  
Accumulated xfer of 400 for acres  
originally from waterwheel

North Pump Pump #2 Remains

Motor

Model No. DD 213 TFS 7037B BW

7.5 HP

Frame: 213 TC

1775 RPM

Type TFS - BCU

Ser. No. 886 010

Pauma H<sub>2</sub>O Lifted

# 01-1627

12 gates / 30' section  
30' on ce nter

44 sections  
12 gates  
88  
44  
528 gates

Meas. #2

17 open gates

at west end of Pump #2 NENEWE

Meas.

5 gals

5 gal

5 gals

8.6 seconds

9.5 seconds

9.8 seconds

 $27.9 / 3 = 9.3 \text{ sec ave}$ 

30 gals / min

$$\frac{5 \times 60}{9.3} = 32 \text{ gpm} \times 17 \text{ gates} = 548 \text{ gpm}$$

5/11/1995 Wagner

8T60

R56

14 open gates on east end of pipe

5 gals / ~~8.04~~ 8.04 sec

5 gals / 8.39 sec

5 gals / 8.3 sec

5 gals / 8.03 sec

8.19 sec ave

5 x 7 = 35 gals / min

300 / 8.19 = 36.6  
GPM

x 14 gates =

513 gpm

528  
35

2640

1574

18,380

4.0 CFS

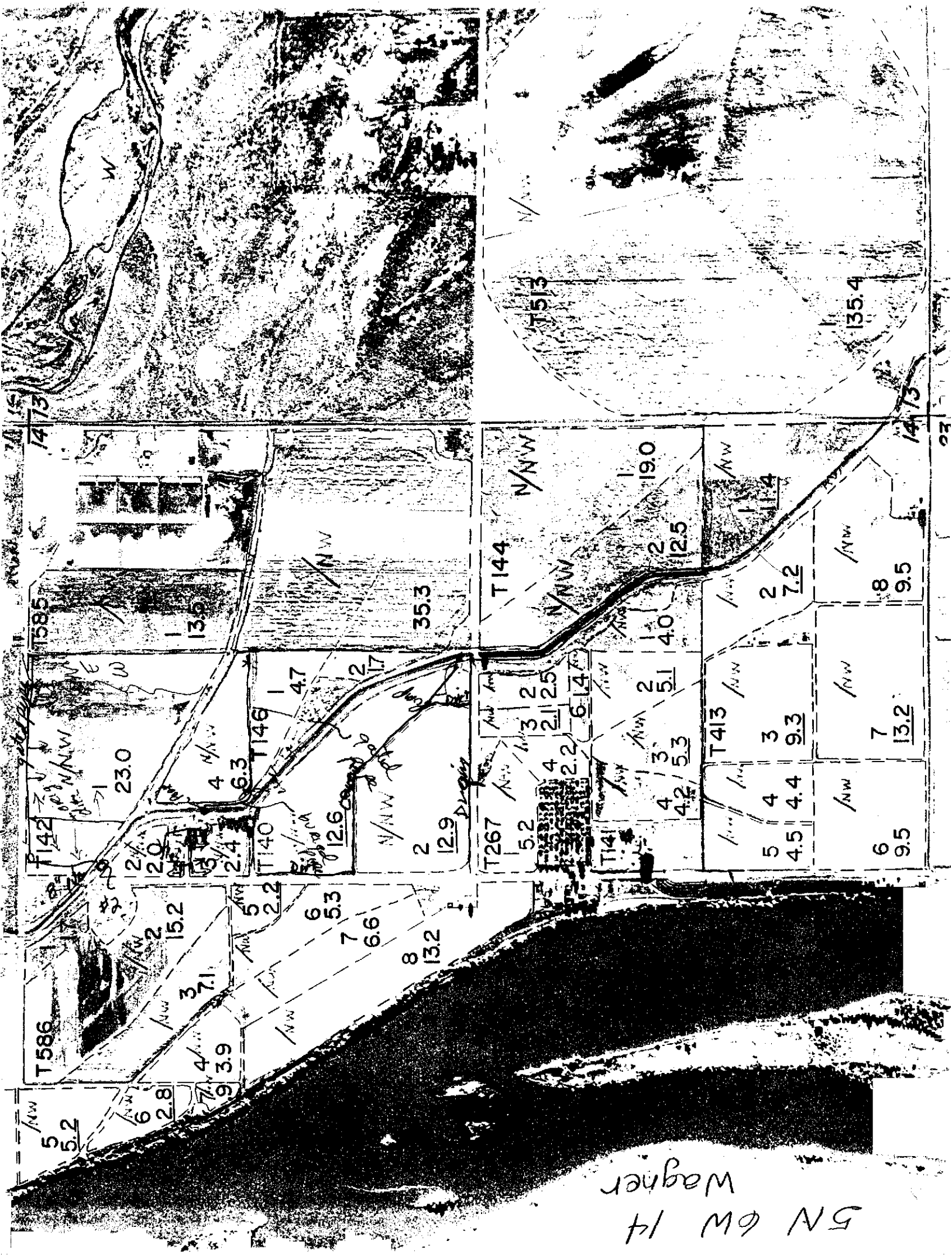
44

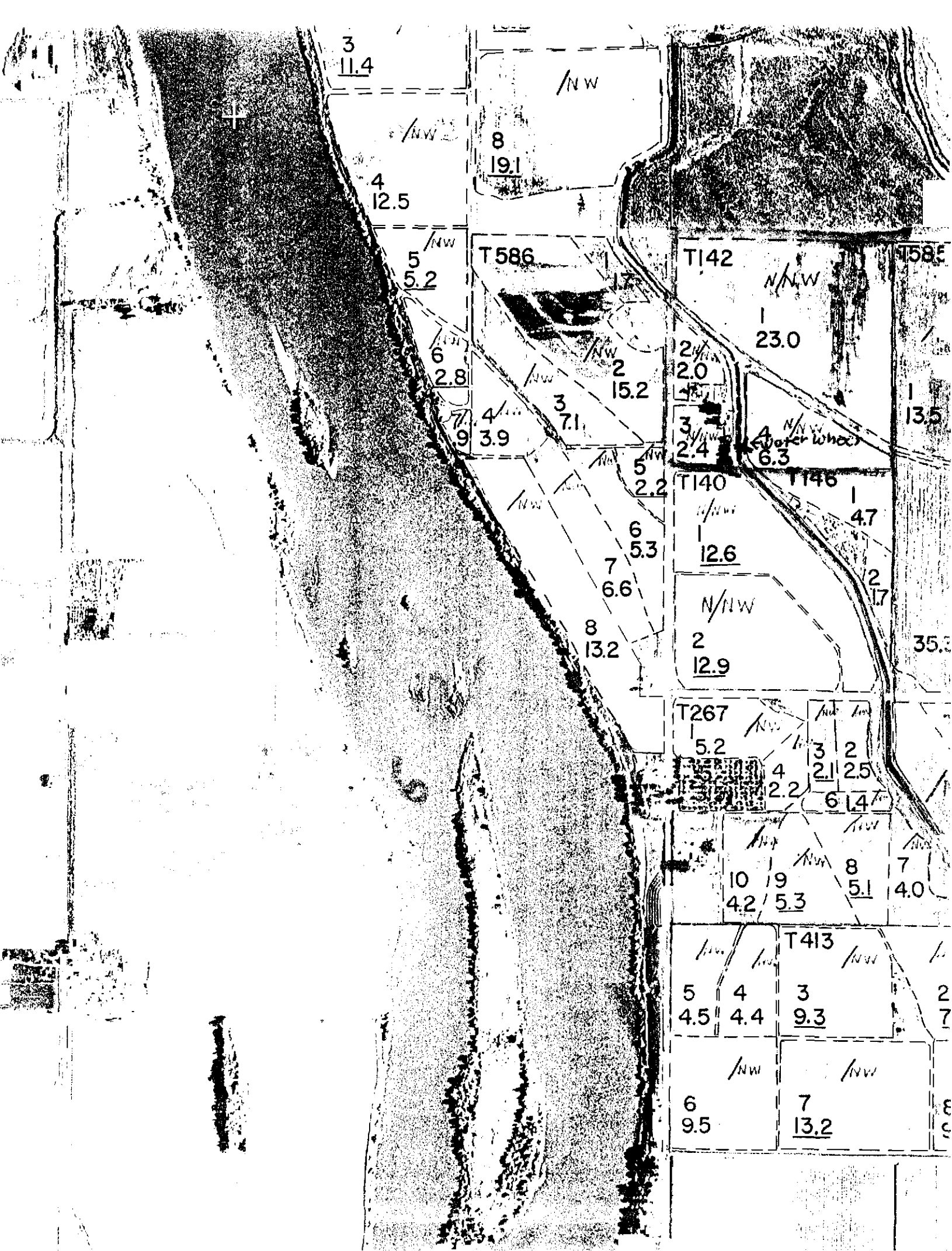
450 18380

1500

380

5N 6W 14  
Wagner





3  
11.4

NW

8  
19.1

4  
12.5

NW  
5  
5.2

T 586

T 142

N/NW

23.0

6  
2.8

NW  
2  
15.2

2  
2.0

T 585

1  
13.5

4  
3.9

3  
7.1

3  
2.4

4  
6.3

T 140

T 146

NW

6  
5.3

1  
12.6

N/NW

2  
12.9

35.3

8  
13.2

T 267

5.2

3  
2.1

2  
2.5

4  
2.2

6  
1.4

10  
4.2

9  
5.3

8  
5.1

7  
4.0

T 413

5  
4.5

4  
4.4

3  
9.3

2  
7

NW

6  
9.5

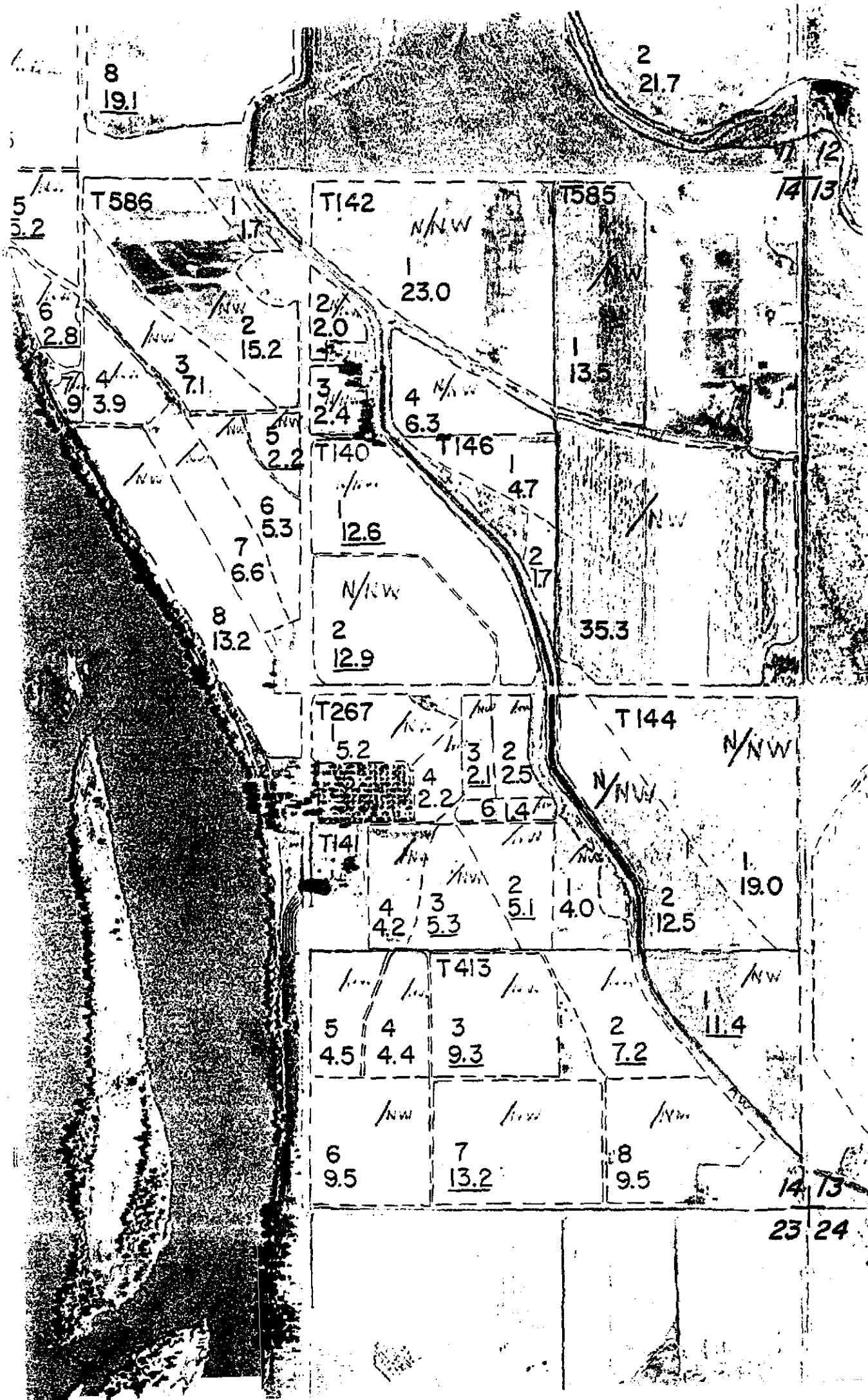
NW

7  
13.2

T05N  
R06W  
S. 14  
ASCS  
1987 Flight

A63-04805  
37 acres  
1.50 CFS  
Stock  
.03 CFS  
1.53 TOTAL  
CFS

16027  
Canyon County  
Code



Carter Field

| NW<br>Field | NE<br>Field |
|-------------|-------------|
|             | 4.9         |
| 3.8         | 4.49        |
| 3.5         | 4.01        |
| 2.3         | 6.08        |
|             | 5.2         |
|             | 4.4         |
|             | 4.8         |
|             | 4.2         |
|             | 4.8         |

Re: Claim No(s) A63-04805

JOE PETE WAGNER  
27818 PIONEER LN  
PARMA, ID 83660

March 6, 1995

ON MARCH 1, 1939 DAD, BROTHER BILL AND I  
BUILT A WATER WHEEL IN DRAIN DITCH OVER  
BY THE SOUTH PROPERTY LINE OF THIS PLACE.  
MAY 1, 1939 WE STARTED IRRIGATING THE  
FIELDS. SEE ENCLOSED MAP FOR LOCATION OF  
WATER WHEEL.

Joe Pete Wagner.

Subscribed & sworn before me this 6<sup>th</sup> day  
of March, 1995.

Gobba Jo Hous  
Notary Public for Idaho  
Residing at Parma ID  
My Comm exp 8-9-97

Re: claim NO(S) A63-04805

William S. Wagner.

Box 1.

Lewistown Ida. - 83619

March 6, 1995

On March 1, 1939 my Dad & Brother  
Joe build a water wheel in drain  
ditch by the south Property line  
May 1, 1939 we started irrigating

William S. Wagner.

Subscribed and sworn before me this 6<sup>th</sup> day  
of March, 1995.

~~Robert S. Adams~~  
Notary Public for Idaho  
Residing at Parma ID  
My Comm. Exp 8-9-97

08/11/1995 5661/11/80 77121210001

A63-04805 A63-30208

POU from NE corner of prop.  
Looking SW toward home.



08/11/1995 177721210001

A63-04805 A63-30208

Y00 #2 S.14 NWNNWNE

Next to road (Pioneer)



08/11/1995 F171N1C10000

A63-04805 A63-30208

POV FROM NE CORNER of prop.  
Looking west



08/11/1995 F171N1C10000

A63-04805

NW CORNER of property, taken  
from approx. location of orig.

ditch + drain location - looking

NW



08/11/1995 17171N160E01  
A63-04805 POD #1

5 WNW6

00285 2 N N N N L 4



MM verification  
exam. had  
rump curve  
instead of MM's  
gated pipe  
measurements



08/10/1995 77711111111111

A63-04805 POD#1

POD#1 SWNWNE

0 2M295 2 N N N Nc 6

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-12180

WATER RIGHT NUMBER: 63-12180

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | ADA G WAGNER<br>27818 PIONEER LN<br>PARMA, ID 83660<br>(208)722-5309 |
| Current Owner     | JOE P WAGNER<br>27818 PIONEER LN<br>PARMA, ID 83660<br>(208)722-5309 |

Priority Date: 03/07/1995

Basis: License

Status: Active

| <u>Source</u>      | <u>Tributary</u>  |
|--------------------|-------------------|
| NORTH ALKALI DRAIN | SOUTH BOISE DRAIN |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 3/15 to 11/15           | 0.200 CFS             | 45.00 AF             |
|                       | <u>Total Diversion:</u> | 0.200 CFS             | 45.00 AF             |

Location of Point(s) of Diversion

|                    |            |                                 |
|--------------------|------------|---------------------------------|
| NORTH ALKALI DRAIN | NW1/4NE1/4 | Sec. 14, Twp 05N, Rge 06W, 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 | 06W | 14  |    |    | 10.0 |    |    |    |    |    |    |    |    |    |    |    |    |    | 10.0   |

Total Acres: 10

Conditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
2. 01M After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. The Director retains jurisdiction over this right to require streamflow augmentation or other action determined to be appropriate to protect prior surface water or ground water rights. Such streamflow augmentation or other action will be required only upon a determination of need and applicability by the Director.

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-12180

Remarks:Comments:

## 1. SLESTER 4/11/1995 DROUGHT MORATORIUM EXEMPTION

Comment: Applicant states that use existed prior to 1987 per conversation with MM, Sr. WR Agent who assisted applicant. Letter sent 4/11/95 to applicant requesting verification of this before proceed with advertising. July, 1987 NAPP shows land being irrigated – the issue is whether or not the pump from drain was in use. If adequate information submitted & can advertise, legal notice should state that exemption sought for use prior to 11/87.

## 2. SLESTER 5/18/1995 EXISTING USE &amp; OVERLAP

Comment: Process appl. without Basin 63 delay (re: moratorium releases) due to apparent use by @ mid-1970's - see supporting letters plus info shown in overlap 63-04805 (especially item 5B in stat. WR). Per discussion with MM @ Western regarding SRBA info, overlap as follows: 63-04805 filed for 37 acres in NWNE S.14 from 2 pumps, 1 pump from Scott Drain (trib. to N. Alkali Drain) & other pump from N. Alkali Drain. Latter P/D is same as appl. P/D. Ten of the 37 acres are the appl. acres; Stat. Claim dates to 1939; however, per SRBA work, original claim only included Scott Drain pump & 27 acres; other pump & 10 more acres added in mid-1970's. Thus, when stat. claim filed in 1981, stated situation as of mid-1970's but was not an accurate picture of 1939 system. As a result, second P/D plus northern 10 acres has not actually been part of 1939 use and is therefore shown in new application. Claim A63-04805 will be adjusted in verification process; expansion claim A63-30208 for same info as appl. will be disallowed (more likely will be withdrawn) as outside of the mandatory permit statute. Add'l overlap includes 63-02279 (Indian Creek) in same P/U tract but claimed in A63-02279 for different tract. Note that A63-30208 found only in Host Temp since is problematic.

## 3. SCURTIS 6/14/1996 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

Dates and Other Information:

Licensed Date: 8/12/1997  
Decreed Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal:  
Owner Name Connector: AND  
Water District Number: 63  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Decree Defendant:  
Decree Plaintiff:  
Civil Case Number:  
Judicial District:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

**IDAHO POWER COMPANY  
IRRIGATION ELECTRIC SERVICE AGREEMENT**

DISTRICT Parma RATE SCHEDULE No. 24 ACCT NO. 0709 0430 1  
Connected Load: 7 1/2 H.P. 240 Volts 3 Phase 4 Wire \_\_\_\_\_  
H.P. \_\_\_\_\_ Volts \_\_\_\_\_ Phase \_\_\_\_\_ Wire \_\_\_\_\_  
Joe P Wagner Rt 3 Parma, Idaho 83660  
(Name) (Mailing Address)

herein called Customer, agrees to receive and pay for, and IDAHO POWER COMPANY, herein called Company, agrees to supply electric service to the amount of 6 KW, in the form of three (3) phase alternating current at approximately 60 cycles per second and 240 volts, for Customer's Pumping operations, at or near Parma, in Canyon County, State of Idaho for a term of 10 year(s) from and after the beginning of the irrigation season, 1977, and shall be automatically renewed and extended each year thereafter unless written notice of termination is given by either party to the other not less than sixty (60) days prior to the expiration of the agreement or any extension thereof. This agreement shall be subject to the Company's rules and regulations and Schedule No. 24, as now or hereafter in effect at the time of delivery of service. The point of delivery of power shall be where the Company's wires or apparatus are connected with those of the Customer at or near 12 1/2 of Section 14 T. 5N R. 6W E. M.

All payments shall be made at Company's office at Parma, Idaho. The Customer agrees to pay, regardless of the amount of power actually consumed, the minimum charges as provided in the rate schedule, rules and regulations applicable to service hereunder. A copy of the rate schedule and the rules and regulations as now in effect are attached hereto as part of this agreement.

It is understood and agreed that the initial date of delivery of power and energy under this agreement is subject to the Company's ability to obtain required labor, materials, equipment, satisfactory rights-of-way and comply with governmental regulations.

In consideration of the special investment to be made by the Company in extending its lines and facilities to supply the Customer's pumping power service requirements, Customer guarantees a minimum annual\* payment in the amount of \$ 155.00 to the Company during the term of this contract, such annual minimum to run with the land and pumping power service hereinabove referred to and to be payable by the Customer's successors or assigns as a condition of service during the term of this agreement.

\*The annual period hereunder shall be the twelve month period beginning March 1 of each year.

Customer will advance in cash to the Company the excess cost of the extension and facilities to supply service to the Customer, which, based upon the minimum annual payment agreed to above, is in the amount of \$652.00. Such cash payment is subject to adjustment or refund as provided in Paragraph 1 (ii) (b) of the Financial arrangements section of Schedule No. 71 - Overhead Line Extensions.

Dated August 24, 1976  
Attest Witness [Signature]  
Attest Witness [Signature]  
W.O. No. 12-188-1001  
Estimate \$ 1252.00

x Joe P. Wagner  
Customer.  
IDAHO POWER COMPANY  
By [Signature]  
Division Manager

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED

JUN 03 1997

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 63-12180

1. Owner: ida + joe Wagner Phone No. 722-5309

Current Address: 27818 Pioneer Ln Parma 83660

2. Accompanied by: joe EXAM DATE: 8/15/96

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Relationship to Permit Holder: \_\_\_\_\_

3. Source: N alkali Drain tributary to S Boise Drain

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: 63-04805

2. Other water rights with the same point of diversion: 63-04805

**C. DIVERSION AND DELIVERY SYSTEM**

1. Point(s) of Diversion:

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
|           |           | 1/4 | 1/4 | 1/4 | 14   | 5N   | 6W   | Canyon | USGS Quad, CFSA Photo           |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |

2. Place(s) of Use:

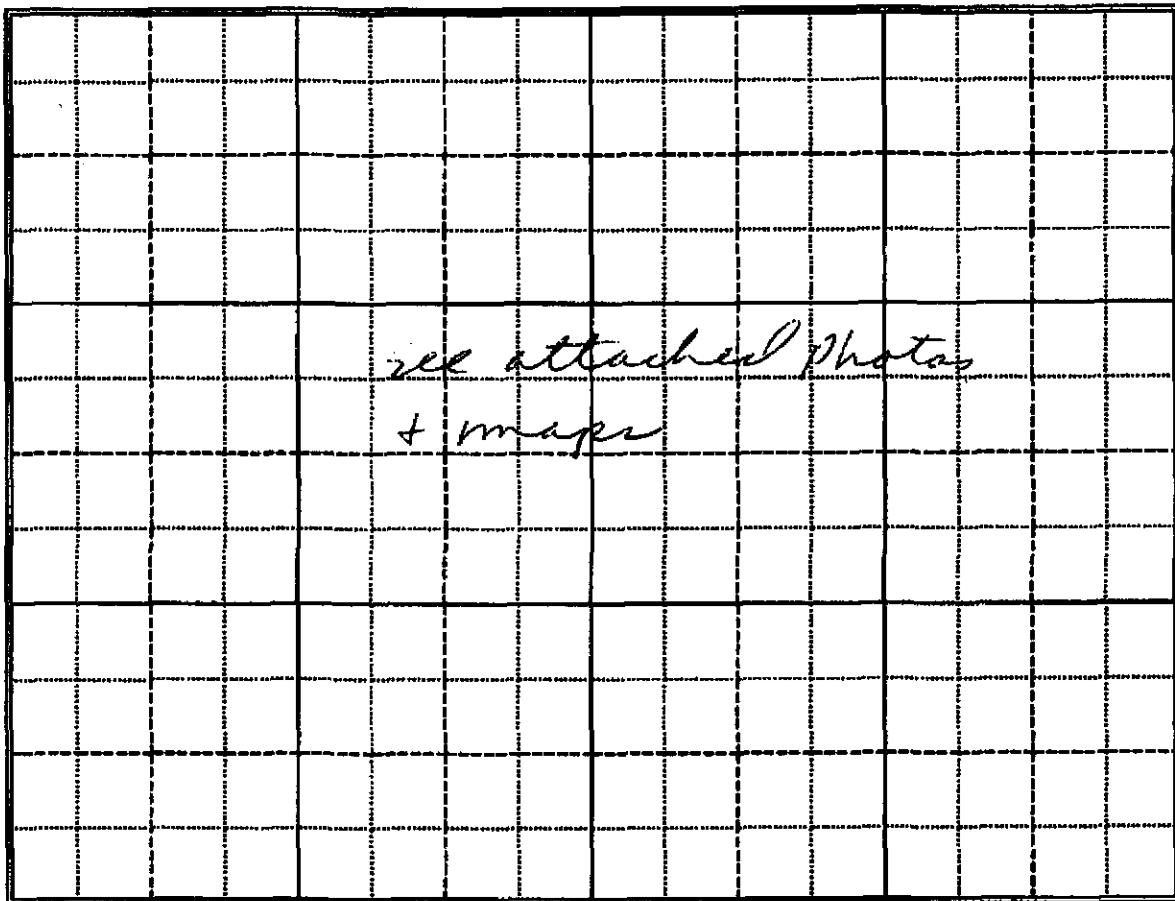
Indicate Method of Determination

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 5N  | 6W  | 14  |    | 10 |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 10     |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

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3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well size/ditch size/pipe I.D. as applicable.



Scale: 1" = \_\_\_\_\_

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

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

\_\_\_\_ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp  | Motor Serial No. | Pump Make  | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|-----|------------------|------------|-----------------------------------|
|                                       |            | 7.5 | DD213TTF5703BOW  | PermaWater |                                   |
|                                       |            |     | # 01-1627        | Lifter #4  |                                   |
|                                       |            |     |                  |            |                                   |

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

#### D. FLOW MEASUREMENTS

1.

| Measurement Equipment   | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-------------------------|------|------|-----------|------------|------|-------------|
| Stewart Warner RPM Gage |      |      |           |            |      | AUG 19 1937 |
|                         |      |      |           |            |      |             |

2. Measurements: 520 RPM = 350 GPM = .78 cfs  
(Pump oversized: at 520 RPM, only need a 2.5 HP pump at 10' lift)

E. NARRATIVE/REMARKS/COMMENTS

A 7.5 HP pump supplies water to 10 acres via 8" buried mainline and gated pipe. The farm consists of 34 total acres. Statutory claim 63-04805 covers the other 24 acres and an older 2nd pump from the same source. The Wagners filed A63-30208 in the SRBA to cover the 10 ac. expansion. No other irs are used.

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

no meas. device

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**F. FLOW CALCULATIONS**

\_\_\_\_ Additional Computation Sheets Attached

Measured Method:

at 520 RPM's, flow = 350 GPM = .78 cfs  
per attached pump curve  
(Model # 4 is same as Model # 14)

**G. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 10 \times 4.5 = 45$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .2 \times 246 \times 1.9835 = 97.6$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 45$$

## 2. Volume Calculations for Other Uses:

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| Irrigation     | 3/15          | 11/15 | .2                           | 45                       |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | .2                           | 45                       |

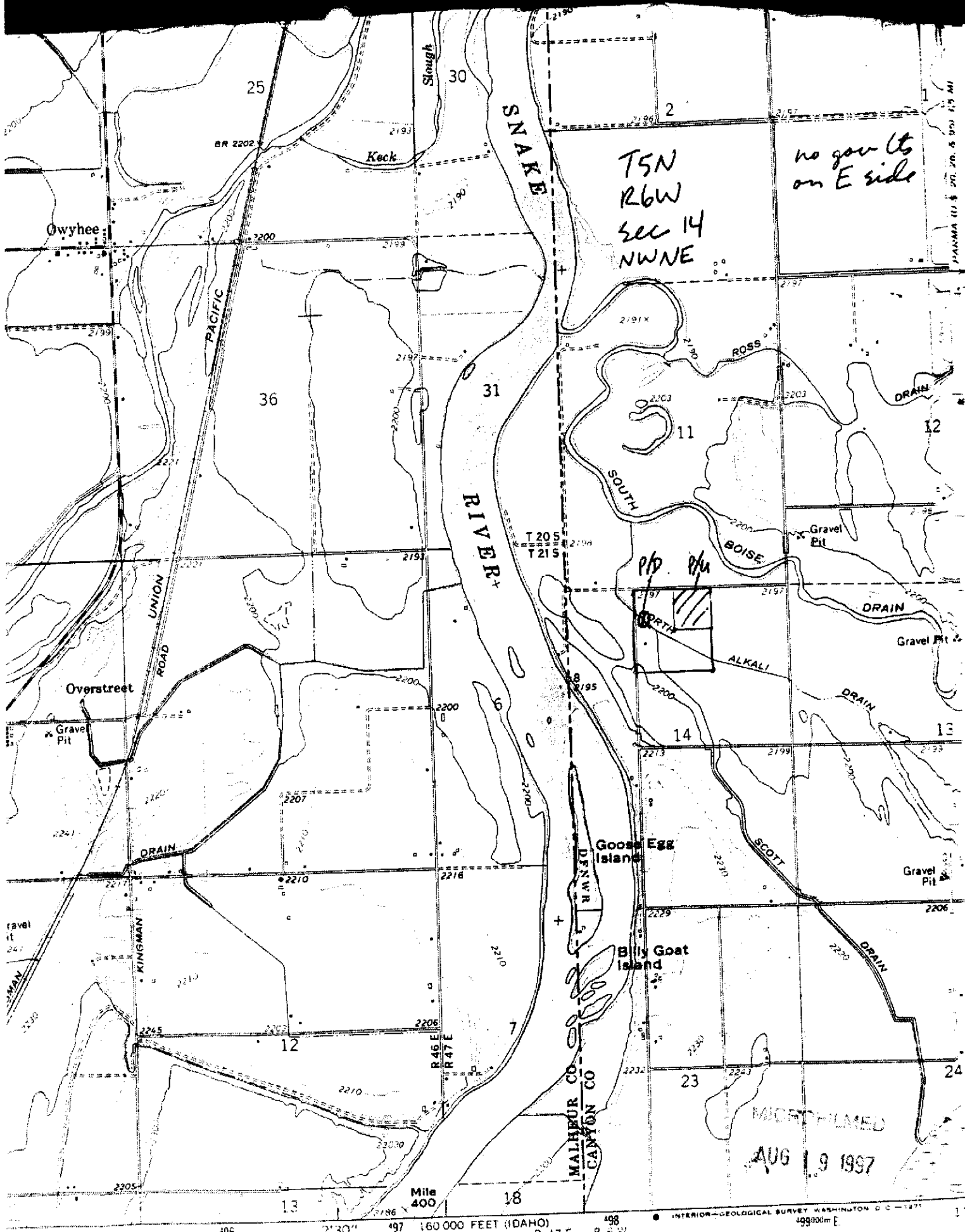
## 2. Recommended Amendments

\_\_\_\_ Change P.D. as reflected above    \_\_\_\_ Add P.D. as reflected above    ☒ None  
\_\_\_\_ Change P.U. as reflected above    \_\_\_\_ Add P.U. as reflected above    \_\_\_\_ Other

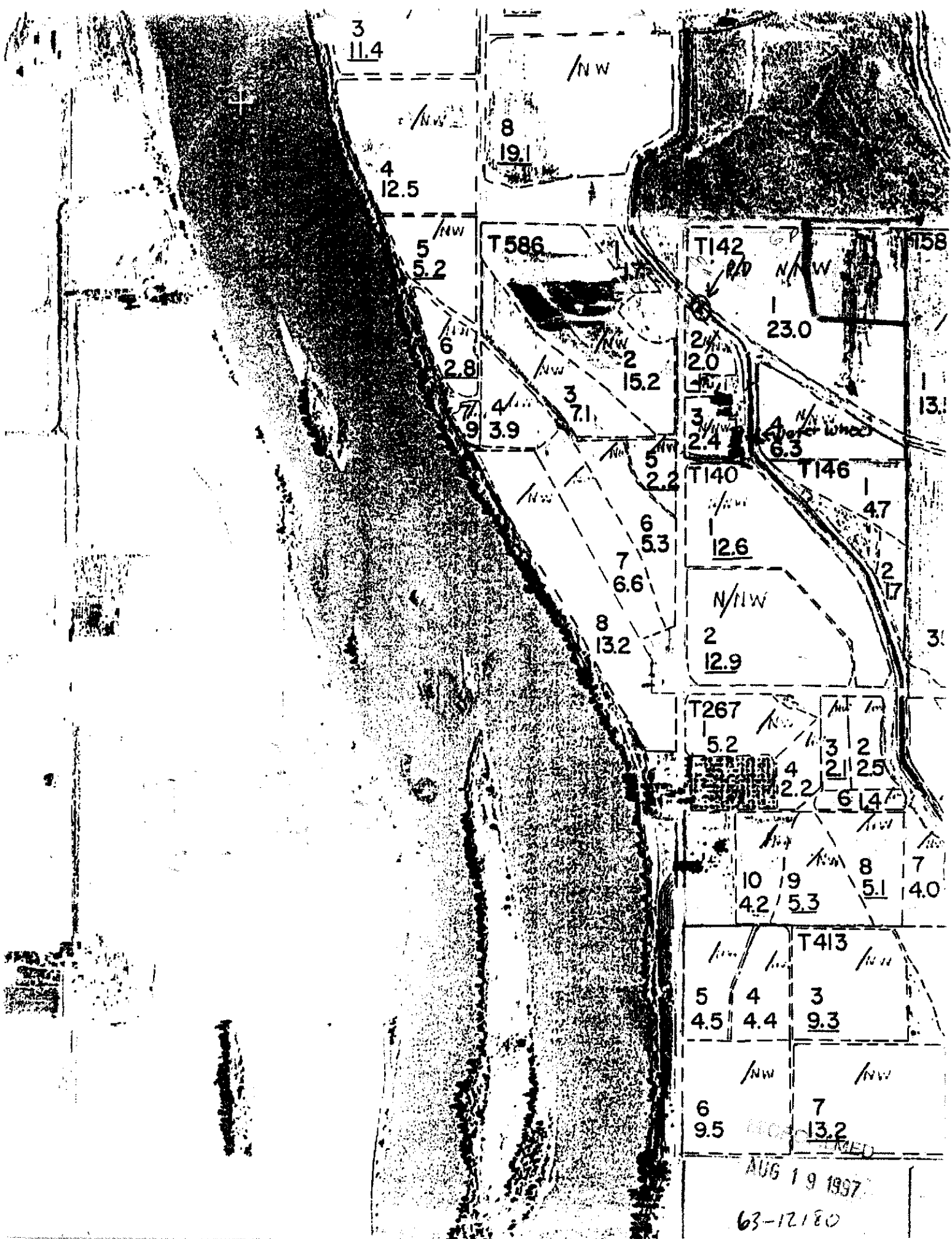
**I. AUTHENTICATION**Field Examiner's Name Joe Gnaner Date 5/30/97

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

SEAL



MADE FILMED  
AUG 19 1997



3  
11.4

/NW

8

19.1

4  
12.5

5  
5.2

T586

T142

T158

6  
2.8

2  
15.2

23.0

4  
3.9

3  
7.1

2  
2.0

3  
2.4

T140

T146

6  
5.3

12.6

7  
6.6

N/NW

8  
13.2

2  
12.9

T267

5.2

3  
2

4  
2.2

10  
4.2

19  
5.3

8  
5.1

7  
4.0

T413

5  
4.5

4  
4.4

3  
9.3

/NW

/NW

6  
9.5

7  
13.2

AUG 19 1997

63-12180

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(4), Idaho Code. Also exempt are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

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

Notice is hereby given that Joe P. &/or. Ada G. Wagner  
(Name of Claimant)

Route #J, Box 3147, Parma, ID 83660 Telephone No. 722-5309  
(Mailing Address) (Zip Code)

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

171 Date of priority. (When was the water first applied to a beneficial use) May, 1939

A claim is not acceptable on a ground water source with a priority later than March 26, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

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

Scott Drain (AKA ALALI DE) tributary to \_\_\_\_\_ South Boise Drain (Snake River) \_\_\_\_\_

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

| Irr. equipment |                | (Domestic, Irrigation, Stock, Etc.) |            | (Both dates inclusive) |            |
|----------------|----------------|-------------------------------------|------------|------------------------|------------|
| Quantity       | Use            | Period of Use From                  | (Mo., Day) | To                     | (Mo., Day) |
| Quantity 1.5   | Use Irrigation | Period of Use From                  | 4/1        | To                     | 11/15      |
| Quantity .03   | Use Stockwater | Period of Use From                  | 1/1        | To                     | 12/31      |
| Quantity       | Use            | Period of Use From                  |            | To                     |            |
| Quantity       | Use            | Period of Use From                  |            | To                     |            |
| Quantity       | Use            | Period of Use From                  |            | To                     |            |

(4) 1.53 TOTAL QUANTITY USED.

(5) **4) Point of diversion:** (Location of point where water is diverted from its source)

NW 1/4 NE 1/4 Sec. 14 Twp. 5N Rgn. 6W B.M., County of Canyon

**Additional points of diversion:**

9) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Water wheel into ditches (1950) Bureau of Reclamation water lifter 45, 1950 Electr.: motor

Parma water lifter #5, 1973 second pump added Parma water lifter #4 into ditch and  
 rated pipe.

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

[illegible]

No. 64 2575 31

8b: If water is used for other than irrigation, fully describe that use, being as specific as possible:

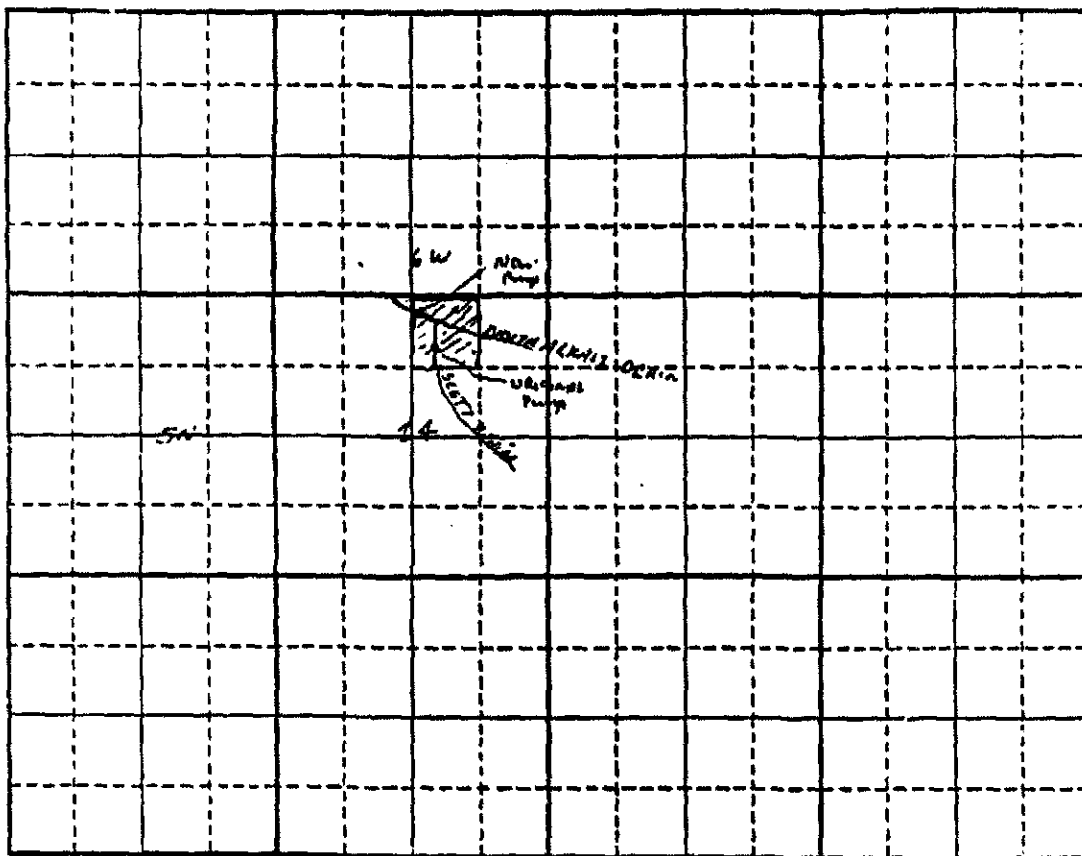
NOTE: In 'sds here the type and number of stock watered: 60 hd range cattle

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

JUL 19 1995

63-04805

(B) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Scale. 2 inches equal 1 mile.

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

State of Idaho )  
County of Ada ) ss.

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

Sworn to before me this 22 day of June, 19 51.

James C. Wagner  
(Claimant)

James M. Hallway  
Notary Public  
Residing at Borah

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by \_\_\_\_\_ Date 6/22/51 Exception Filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Printed, check by \_\_\_\_\_ Date 7/16/51 \$20.00 fee received by \_\_\_\_\_ Date 6/22/51 \$20.00  
Published in Boise Tribune Dates 7/16/51 4 7/23/51

RECORDED

JUL 19 1951

IDaho DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

| OWNER<br>CODE | NAME & ADDRESS     | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|--------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | JOE P WAGNER       | 05/01/1939       | IRRIGATION | 04-01 11-15           | 1.50 CFS          |                     |
| C             | ADA G WAGNER       |                  | STOCKWATER | 01-01 12-31           | 0.03 CFS          |                     |
|               | 27818 PIONEER LANE |                  |            |                       |                   |                     |
|               | PARMA ID 83660     |                  |            |                       |                   |                     |
|               | (208) 722-5309     |                  |            |                       |                   |                     |
|               |                    |                  |            | TOTAL DIVERSION:      | 1.53 CFS          |                     |
|               |                    |                  |            | CONSUMPTIVE USE:      |                   | 129.50 AFA          |

Tributary to: SOUTH BOISE DRAIN  
SOUTH BOISE DRAIN

**Stage: STATUTORY CLAIM**

Point(s) of diversion: T05N R06W S14 ~~WYNNIE~~ SUNNIE CANYON County

Place of use Legal Description for: IRRIGATION

|     |     |    |   | NE   |      |      |      | NW |      |      |      | SW   |    |      |      | SE   |      |    |      |      |      |      |             |      |      |  |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|----|------|------|------|------|----|------|------|------|------|-------------|------|------|--|
| T   | R   | S  |   | NENE | NUNE | SUNE | SENE | :  | NENU | NWNW | SUNW | SENW | :  | NESW | NWSW | SUSW | SESW | :  | NESE | NWSE | SUSE | SESE | :           | SUM  |      |  |
|     |     |    |   | Lt   | Ac   | Lt   | Ac   | Lt | Ac   | Lt   | Ac   | Lt   | Ac | :    | Lt   | Ac   | Lt   | Ac | Lt   | Ac   | Lt   | Ac   | Lt          | Ac   | :    |  |
| 05N | 06W | 14 | : |      |      |      |      | :  |      |      |      |      | :  |      |      |      |      | :  |      |      |      |      | :           | 37.0 |      |  |
|     |     |    |   |      | 37   |      |      | :  | *    |      |      |      | :  |      |      |      |      | :  |      |      |      |      | :           | 37.0 |      |  |
|     |     |    |   |      |      |      |      |    |      |      |      |      |    |      |      |      |      |    |      |      |      |      | TOTAL ACRES |      |      |  |
|     |     |    |   |      |      |      |      |    |      |      |      |      |    |      |      |      |      |    |      |      |      |      |             |      | 37.0 |  |

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

**POU County: CANYON**

**Non-irrigation Uses: STOCKWATER, 100 HEAD CATTLE**

**Other Rights: NONE**

Remarks: STOCKWATER PLACE OF USE IS THE SAME AS IRRIGATION.

**Dates:**      **Exam Made Date:**      **Verified Date:**      01/17/1986

Misc: Water District Number: Field Inspection Flag:  
Presumption Flag:

\* Claim will most likely be rec'd for 1 source  
 & 27 ones - so will not include  
 that info in 63-12180

SD-0420-2  
ADD COMMENT

Idaho Department of Water Resources  
Modify Comment

Date: 05/18/95  
Time: 15:46:44

Water Right Number: 63-12180

FIRST PAGE

Comment Date: 5/18/1995 User ID: SLESTER

Subject: EXISTING USE & OVERLAP

Process appl. without Basin 63 delay (re: moratorium releases) due to apparent use by @ mid-1970's - see supporting letters plus info shown in overlap 63-04805 (especially item 5B in stat. WR). Per discussion with MM @ Western regarding SRBA info, overlap as follows: 63-04805 filed for 37 acres in NWNE S.14 from 2 pumps, 1 pump from Scott Drain (trib. to N. Alkali Drain) & other pump from N. Alkali Drain. Latter P/D is same as appl. P/D. Ten of the 37 acres are the appl. acres; Stat. Claim dates to 1939; however, per SRBA work, original claim only included Scott Drain pump & 27 acres; other pump & 10 more acres added in mid-1970's. Thus, when stat. claim filed in 1981, stated situation as of mid-1970's but was not an accurate picture of 1939 system. As a result, second P/D plus northern 10 acres has not actually been part of 1939 use and is therefore shown in new application. Claim A63-04805 will be adjusted in verification process; expansion claim A63-30208 for same info as appl. will be disallowed (more likely will be withdrawn) as outside of the mandatory permit statute. Add'l overlap includes 63-02279 (Indian Creek) in same P/U tract but claimed in A63-02279 for different tract. Note that A63-30208 found only in Host Temp since is problematic.

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(Enter=Add) (Gold4=Prev) (Gold5=Next) (Gold7=Return to Comment Selection)

MICROFILMED  
JUL 19 1995



NOTE: 1/1/55  
1/1/55

1/1/55  
1/1/55

11

12

T21S

N4 COR

BOISE

Gravel Pit

SN 60  
5.14

NO govt lot

1/1/55

RD P/W  
NORTH

ALKALI

Gravel Pit

4/11/55

6

14

15

DENVER

Gravel

MINCHILMEN

Billy Goat