

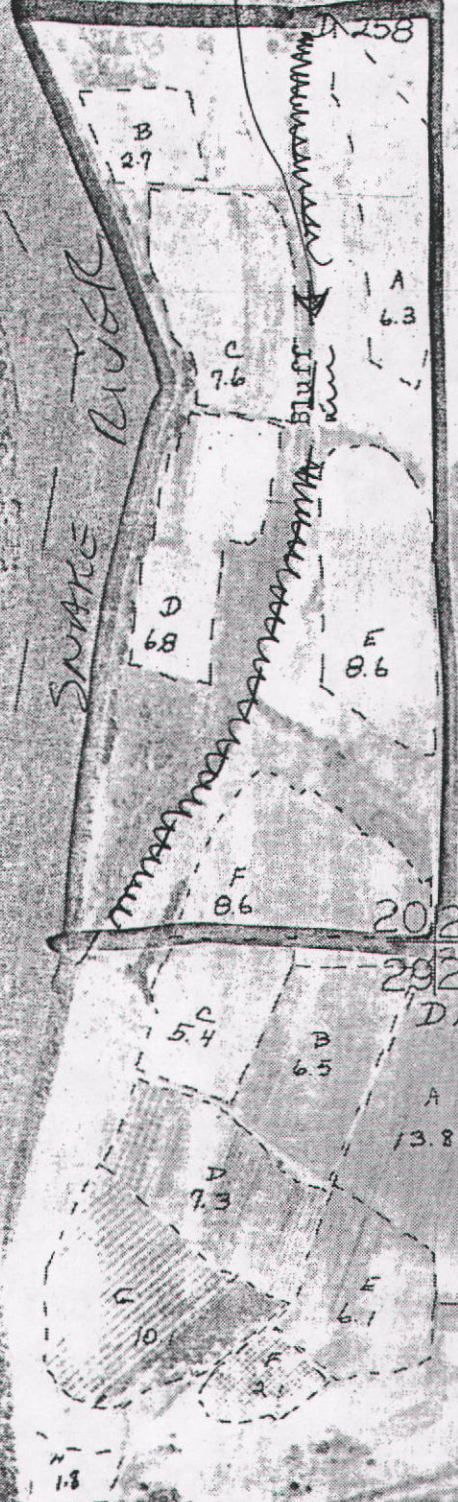
POOR ORIGINAL

A-10

Bluff
Springs
Below
Bluff



Section 20 T1N
SE NE R5W
101 Acres
Cov. lots 3 NG SE
Cov. lots 4 SE SE



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AUG 03 1994

Aerial Photograph of
Property

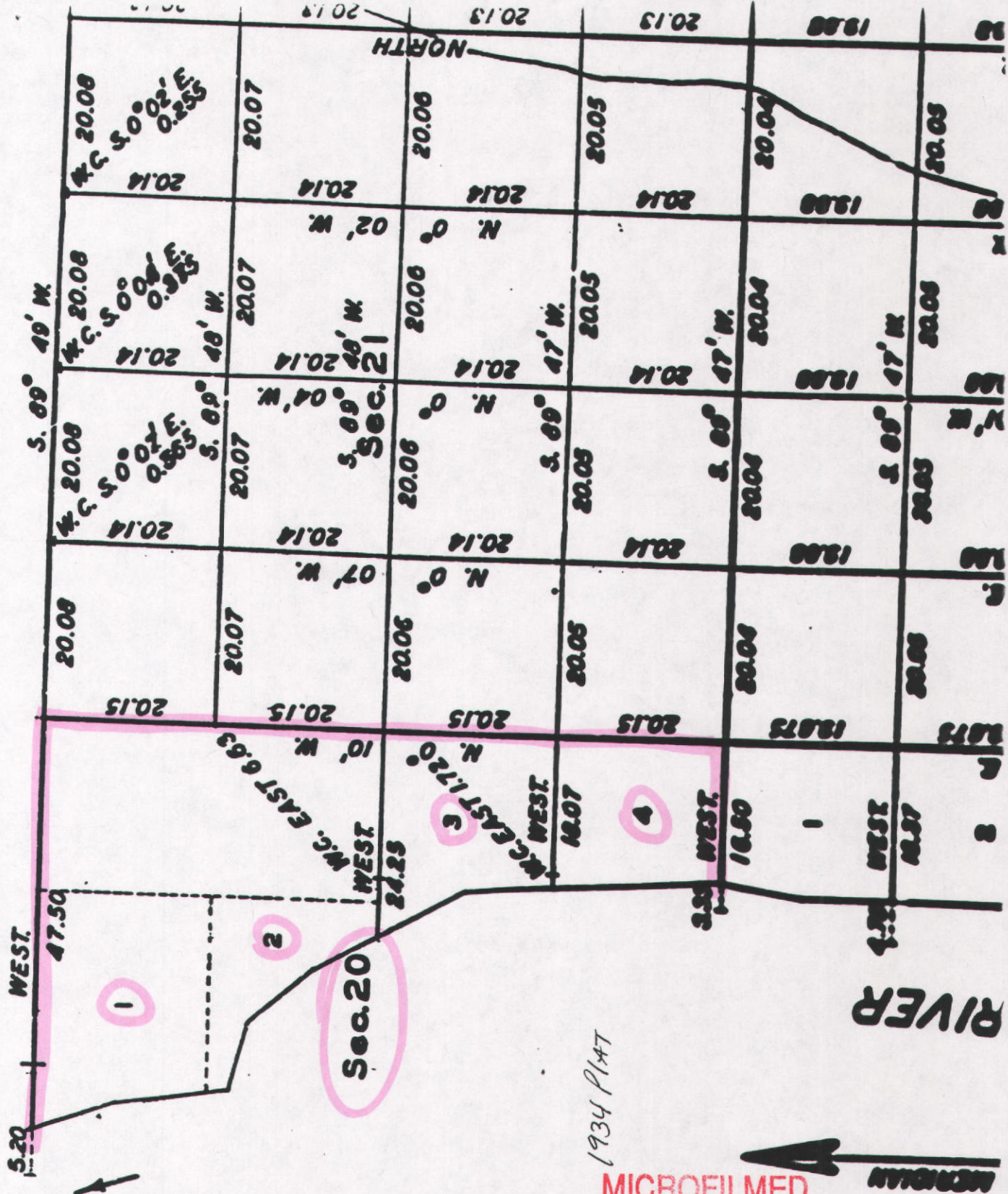
A-1

GON
DAHO

D395

"NOT TO SCALE"

DEPENDENT RESURVEY AND SUE



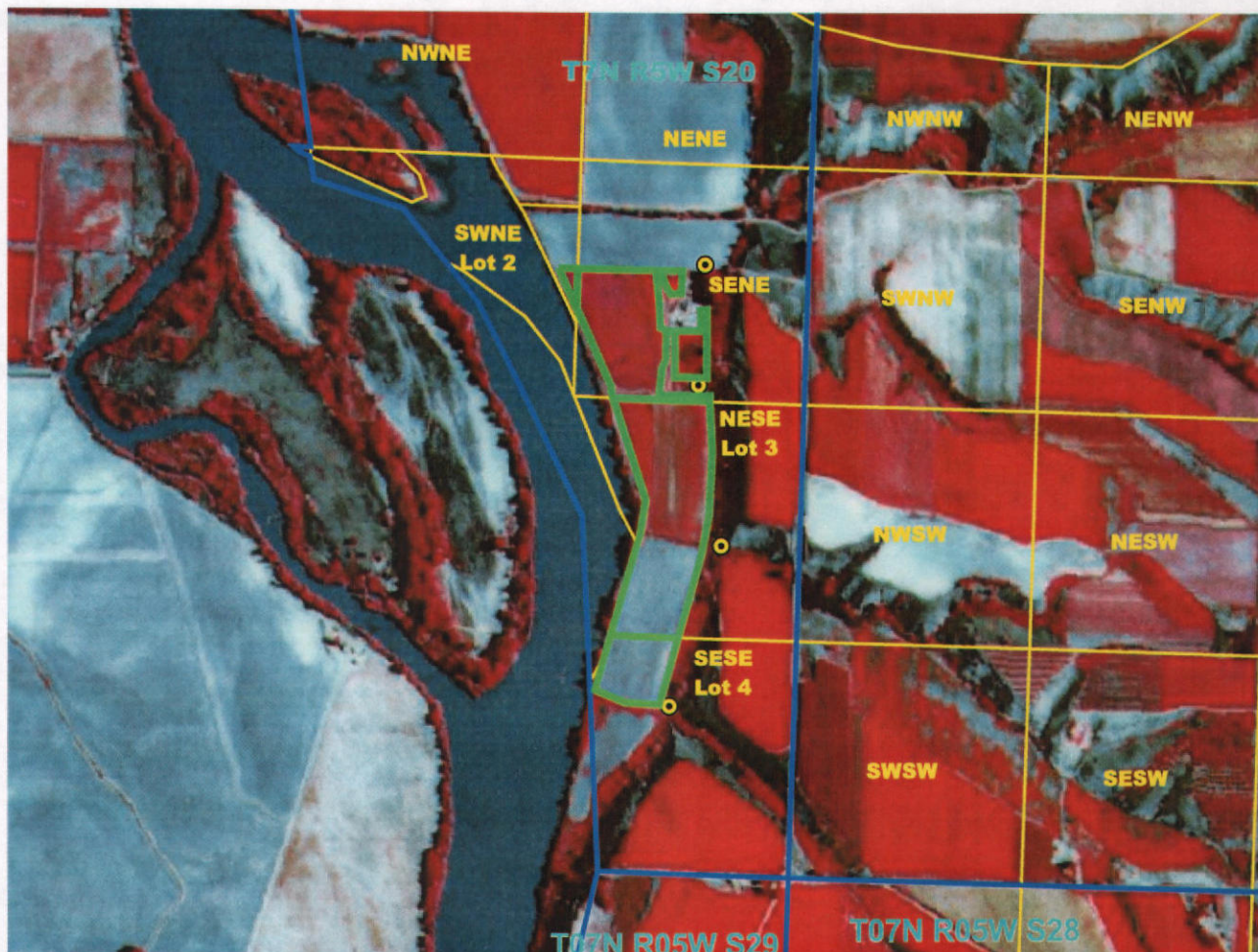
POOR ORIGINAL

Survey of Section 20, T. 2 N., R. 5 W., delineates a settlement
 in line of the original survey as shown upon the plat approved
 of the original survey; all differences between the measure-
 ment accepted between the settlement have been dis-
 missed excepted between the settlement in accordance with surveying rules;
 the original plat for the showing of the errors and more
 the various smaller subdivisions.



State of Idaho
Idaho Department of Water Resources
Western Region

T7N R5W SECTION(S) 20
WATER RIGHT(S) : 63-30028



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

Total Irrigated Acres = 25 acre(s)

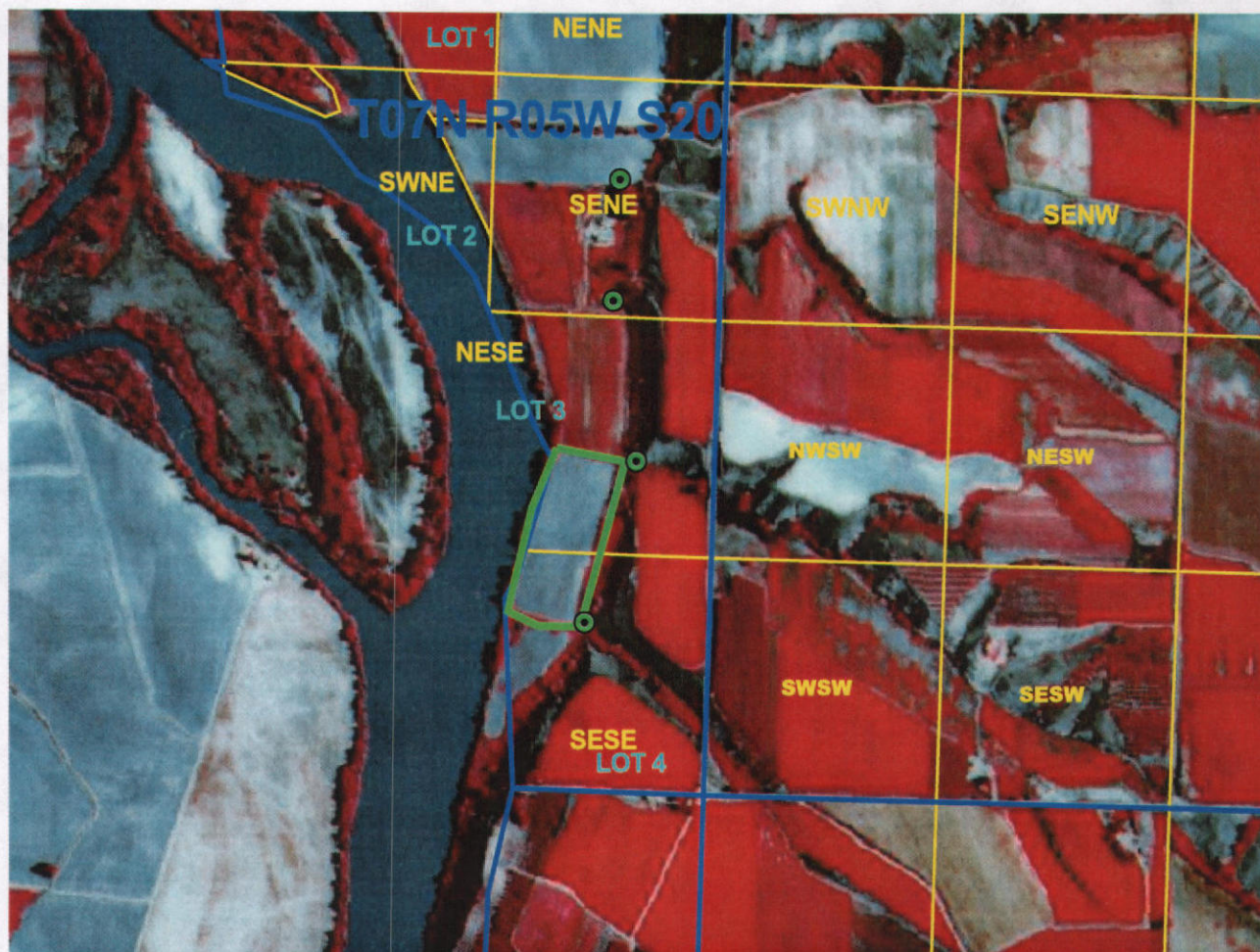
GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: September 2006





State of Idaho
Idaho Department of Water Resources
Western Region

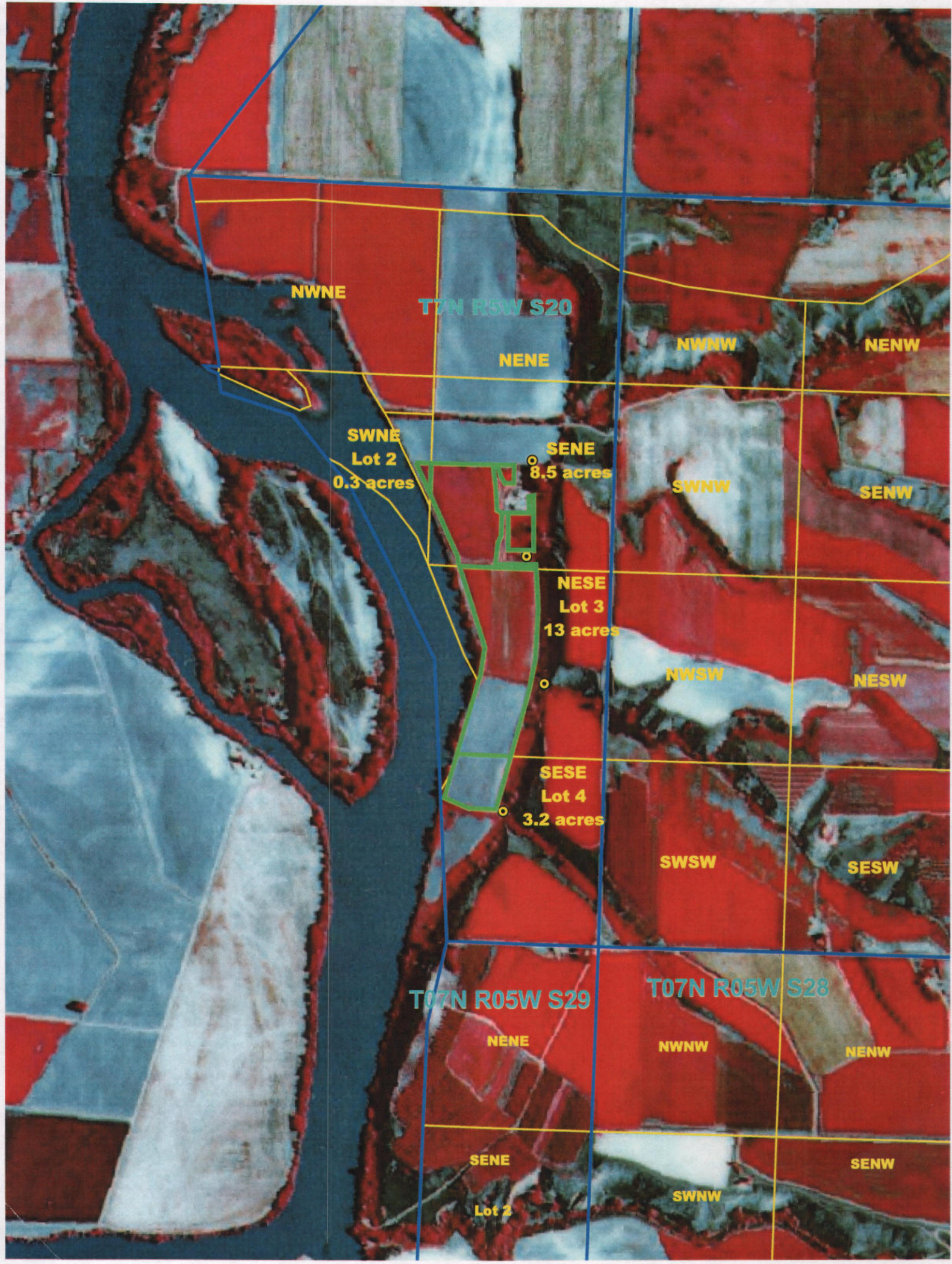
T7N R5W SECTION(S) 20
WATER RIGHT(S) : 63-30028
WILDLIFE USE



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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: October 2006





NWNE

T7N R5W S20

NENE

NWNW

NENW

SWNE
Lot 2
0.3 acres

SENE
8.5 acres

SWNW

SENW

NESE
Lot 3
13 acres

NWSW

NESW

SESE
Lot 4
3.2 acres

SWSW

SESW

T07N R05W S29

T07N R05W S28

NENE

NWNW

NENW

SENE

Lot 2

SWNW

SENW

T07N R05W S20

NWNE

LOT 1

NENE

SWNE

LOT 2

SENE

NESE

LOT 3

NESE

LOT 4

SWSW

SESW

SWSE

NWNW

NENW

NWNE

SWNW

SENW

SWNE

POD #4

POD #3

POD #2

POD #1

5.31

7.55

6.74

2.29

1.1

1.0

0.6

SPRING AREA



#1 SPRING (SOUTH END)



#1 SPRING (FIELD DITCH)

63-30028



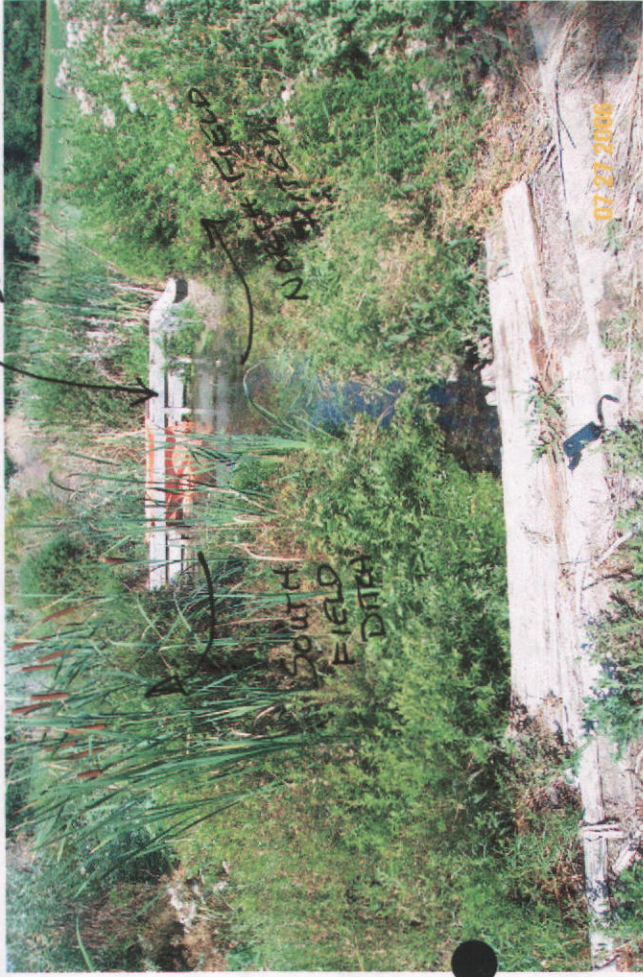
#1 SPRING P.O.U



#1 SPRING AREA

SPRING
COLLECTION

DIVERSION
STRUCTURES



#2 SPRING (SOUTH MIDGEE)

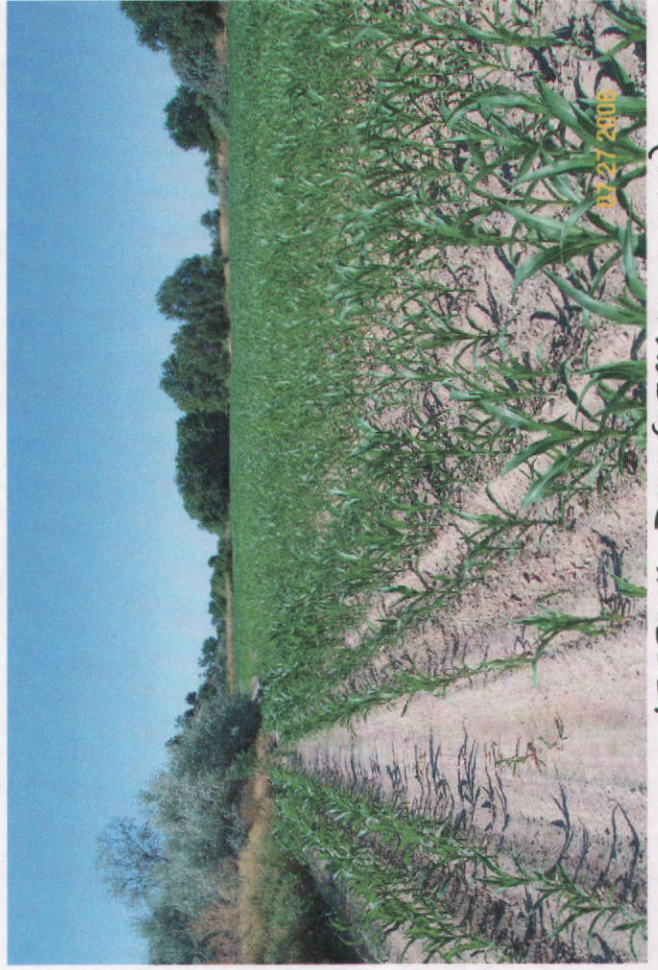


#2 SPRING NORTH FIELD DITCH

63-30028



SPRING NORTH FIELD
DITCH



#2 SPRING ROW (IRRIGATE TO THE
SOUTH)



#2 SPRING P.O.U.



#2 SPRING P.O.U. NORTH OF FIELD DITCH

63-30028



#3 SPRING WATER



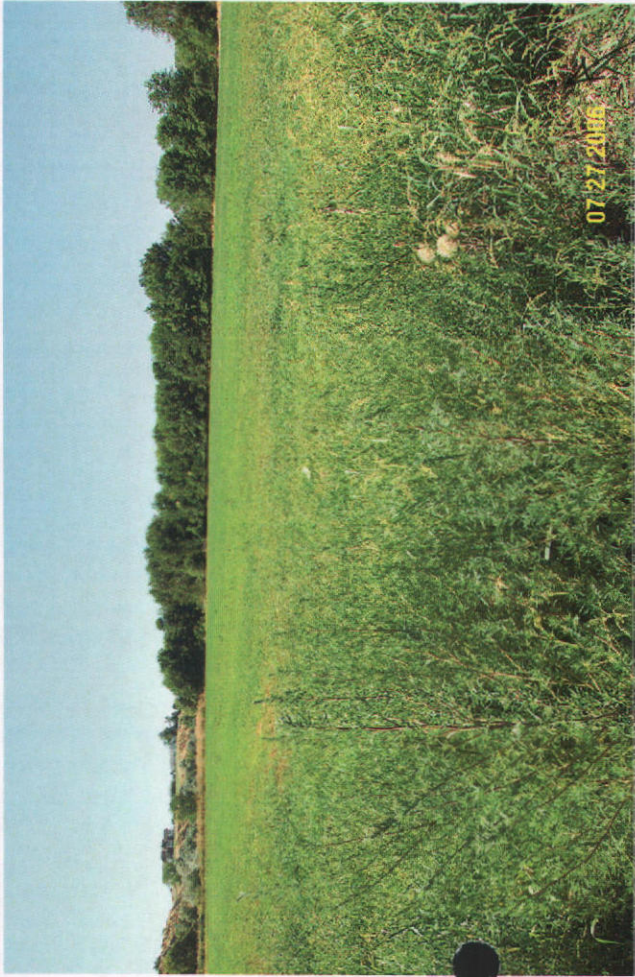
#3 SPRING AREA

SPRING COLLECTION
AREA CHANNELLED
TO A PIPE -

HOLE IN
PIPELINE TO SEE
WATER RUNNING

PIPELINE

TO P.O.U.



SPRING P.O.Y.
LOOKING S.W



OUTLET TO ROAD CROSSING
#4 SPRING LOOKING WEST



#4 SPRING AREA

NEAR HOME

USED FOR IRRIGATION
AROUND THE HOME
& YARD.

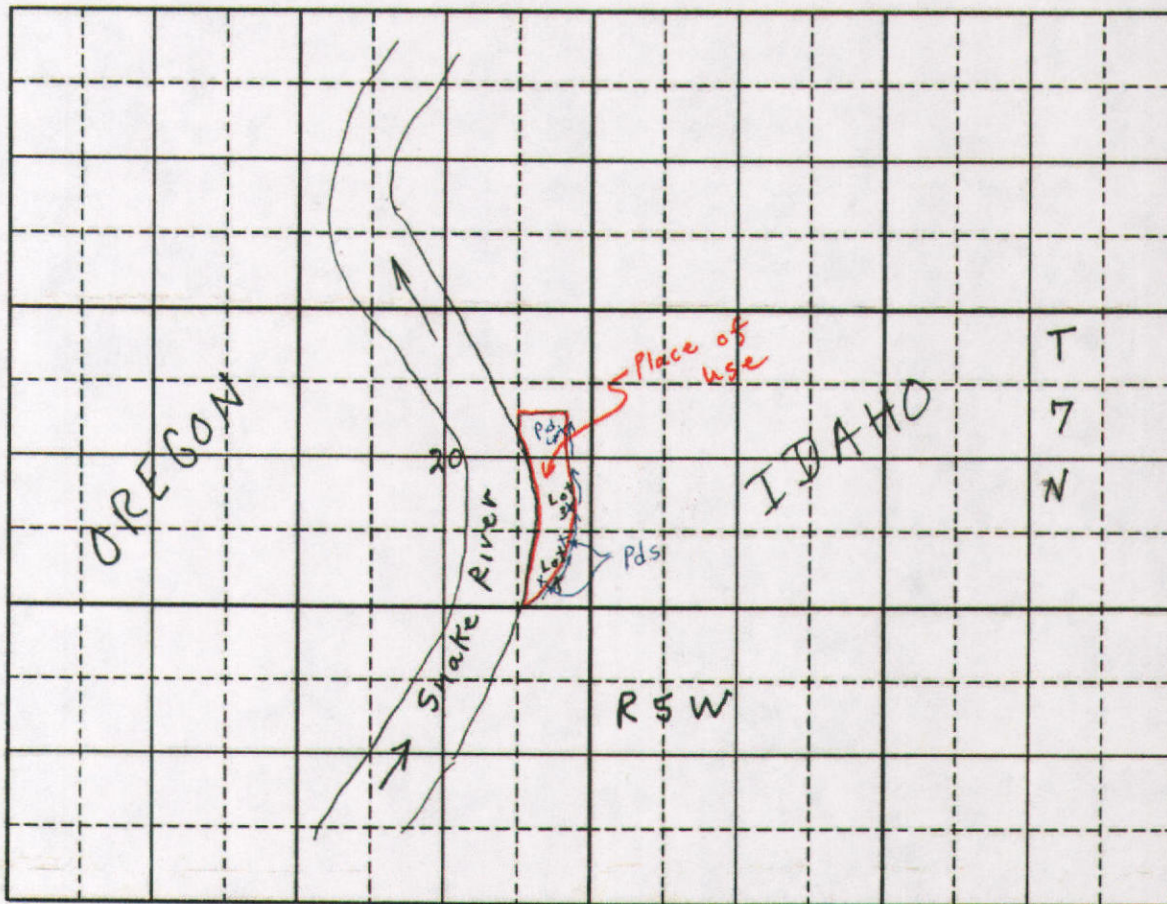
INLET
TO ROAD CROSSING



#4 SPRING AREA

63-30028

- (8) Remarks Water around house was used as far back as 1886 for domestic & truck garden - complete irrigation of 50 acres 1926 -

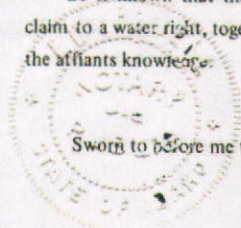


Scale: 2 inches equal 1 mile.

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 PALETTE) ss.

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



Sworn to before me this 20 day of July, 1976

H. Buebllement
(Claimant)

Ed Bouree
Notary Public
Residing at NEW PLYMOUTH

My commission expires 6-1-78

For Department Use Only

Received by <u>RB</u>	Date <u>7-22-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RIC</u>	Date <u>7-22-76</u>		claimant by:	
\$10.00 fee received by <u>RB</u>	Date <u>7-22-76</u> #5089			
Approved for publication by <u>RF</u>	Date <u>9-2-76</u>			
Published in <u>Independent Enterprise</u>				
Dates <u>July 29 + Aug 5</u>				

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 63-30028
Date Received: 4/23/1990
Receipt No: C016460
Received By:

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

1. Name of Claimant(s)

LARRY H LEMONS Phone: (208)452-5037
4607 BERTS LN
FRUITLAND ID USA 83619

2. Date of Priority: 04/15/1920

3. Source: SPRINGS , SPRINGS , SPRINGS , SPRINGS Trib. to: SNAKE RIVER , SNAKE
RIVER , SNAKE RIVER , SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	05W	20	SE NE	PAYETTE	
07N	05W	20	SE NE	PAYETTE	
07N	05W	20	NE SE	PAYETTE	
07N	05W	20	SE SE	PAYETTE	

5. Description of diverting works:

COLLECTION DITCHES AND HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	10/30	0.5	
WILDLIFE	10/31	04/30	0.5	

7. Total Quantity Appropriated is:
0.5 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
07N	05W	20	NE SE	WILDLIFE	
			SE SE	WILDLIFE	
			SW NE	IRRIGATION	0.3
			SE NE	IRRIGATION	8.5
			NE SE	IRRIGATION	13
			SE SE	IRRIGATION	3.2
				Section Acres	25
				Total Acres	25

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

GOV'T LOTS 3 AND 4 ARE IN THE SE 1/4 OF SECTION 20. SEE CORR. IN FILE TO CLAIMANT.

CLAIMANT ALSO CLAIMED GROUND RECHARGE AS A PURPOSE: COPY OF IDAHO CODE 42-4202 SENT TO CLAIMANT WITH LETTER.

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: _____

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): [Signature] Date: OCT 26 2006

Date:

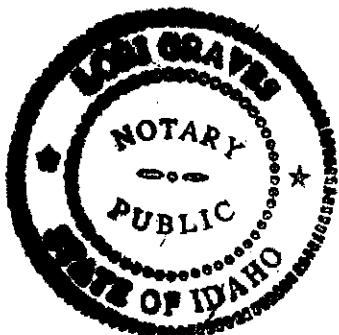
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this
of OCT 2006

26 [Signature]

Notary Public

Residing at Boise
My commission Expires 6/18/2010



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: A63-30028
Date Received: 4/23/1990
Receipt No: C016460
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: LARRY H LEMONS 208-452-5037
Address: 4607 BERTS LN
FRUITLAND ID 83619

2. Date of Priority: APR 15, 1920

3. Source: SPRINGS Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	20		SE	NE		PAYETTE

5. Description of diverting works:
COLLECTION DITCHES AND HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	10/30	0.500		
IRRIGATION STORAGE	11/01	03/01			50.00
IRRIGATION FROM STORAGE	03/01	10/30			50.00
FIRE PROTECT. FROM STOR	01/01	12/31			50.00

7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) 50.00 A.F.A.

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 200 CATTLE, 5 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	20	NE	NE		IRR	12.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	20	SE	NE		IRR	13.0
Section Acres							25.0
Total Acres							25.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
NONE

14. Remarks:

GOV'T LOTS 3 AND 4 ARE IN THE SE 1/4 OF SECTION 20. SEE CORR. IN
FILE TO CLAIMANT.

CLAIMANT ALSO CLAIMED GROUND RECHARGE AS A PURPOSE: COPY OF
IDAHO CODE 42-4202 SENT TO CLAIMANT WITH LETTER.

15. Basis of Claim: BENEFICIAL USE

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-30028
Date Received: 4/23/1990
Receipt No: C016460
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY H LEMONS 208-452-5037
Address: 4825 WHITLEY DR
FRUITLAND ID 83619

2. Date of Priority: APR 15, 1920

3. Source: SPRINGS Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	20		SE	NE		PAYETTE

5. Description of diverting works:
COLLECTION DITCHES AND HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	10/30	0.500		
IRRIGATION STORAGE	11/01	03/01			50.00
IRRIGATION FROM STORAGE	03/01	10/30			50.00
FIRE PROTECT. FROM STOR	01/01	12/31			50.00

7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) 50.00 A.F.A.

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 200 CATTLE, 5 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	20	NE	NE		IRR	12.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	20	SE	NE		IRR	13.0

Section Acres 25.0

Total Acres 25.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
NONE

14. Remarks:

GOV'T LOTS 3 AND 4 ARE IN THE SE 1/4 OF SECTION 20. SEE CORR. IN
FILE TO CLAIMANT.

CLAIMANT ALSO CLAIMED GROUND RECHARGE AS A PURPOSE: COPY OF
IDAHO CODE 42-4202 SENT TO CLAIMANT WITH LETTER.

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: _____

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AUG 03 1994

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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AUG 03 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

A63-30028

Date Received

4/23/90

Receipt Number

C016460

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED
APR 23 1990
posted 4-20-90 DAK

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) LARRY H. LEMONS Phone (208) 452-5037Mailing Address 4825 WHITLEY DR FRUITLAND IDA Zip 836192. Date of Priority (Only one (1) per claim) APRIL 15 19203. Source of water supply (a) SPRINGS
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 7N Range 5W Section 20,
1/4 of SE 1/4 of NE 1/4, Govt. Lot, 314 B.M., County of Payette

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township SAME Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township SAME Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Collection DITCHESAND HEADGATES

MICROFILMED

AUG 03 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number ALB3-30028Date Received 4/23/90Receipt Number CO16460

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

posted 4-20-90 DMS

Please type or print clearly

1. Name of Claimant (s) LARRY H. LEMMONS Phone 208-452-5037Mailing Address 4825 WHITLEY DR FRUITLAND IDA Zip 836192. Date of Priority (Only one (1) per claim) APRIL 15 19203. Source of water supply (a) SPRINGS
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 7N Range 5W Section 20,
1/4 of SE 1/4 of NE 1/4, Govt. Lot, 314 B.M., County of Payette

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township SAME Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township SAME Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. COLLECTION DITCHES

AND HEADGATES

MICROFILMED

AUG 03 1994

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

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

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

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

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

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from MAR 1 to OCT 30 amount 150 or _____

For FOR STORAGE purposes from NOV 1 to MAR 1 amount _____ or 50

For FOR FLOW STORAGE purposes from MAR 1 to OCT 30 amount _____ or 50

For Channel Recharge purposes from 1-1 to 12-31 amount _____ or 50

7. Total quantity claimed (a) 150 (cfs) and/or (b) 25 (acre feet)

8. Total consumptive use claimed is 100 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) CATTLE 200 Horses

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7	SW	20	LOTS 3 & 4			LOTS 3 & 4													

Total number of acres irrigated 25

11. In which county (ies) are lands listed above as place of use located? Payette

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ☒

14. Remarks:

MICROFILMED

AUG 03 1994

Last Name LEMONS Ident No. _____

Copies: White -State, Yellow-Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from MAR 1 to OCT 30 amount .50 or _____

For IRR STORAGE purposes from NOV 1 to MAR 1 amount _____ or 50

For IRR FROM STORAGE purposes from MAR 1 to OCT 30 amount _____ or 50

For Channel Reclamation purposes from 1-1 to 12-31 amount _____ or 50

7. Total quantity claimed (a) 150 (cfs) and/or (b) 25 (acre feet)

8. Total consumptive use claimed is 100 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) CATTLE 200 HORSES 5

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7	SW	20	LOTS 3+4			LOTS 3+4													

Total number of acres irrigated 25

11. In which county (ies) are lands listed above as place of use located? Payette

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None ☒

14. Remarks:

MICROFILMED

AUG 03 1994

Last Name LEMONS Ident No. _____

Copies: White -State, Yellow-Claimant

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

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

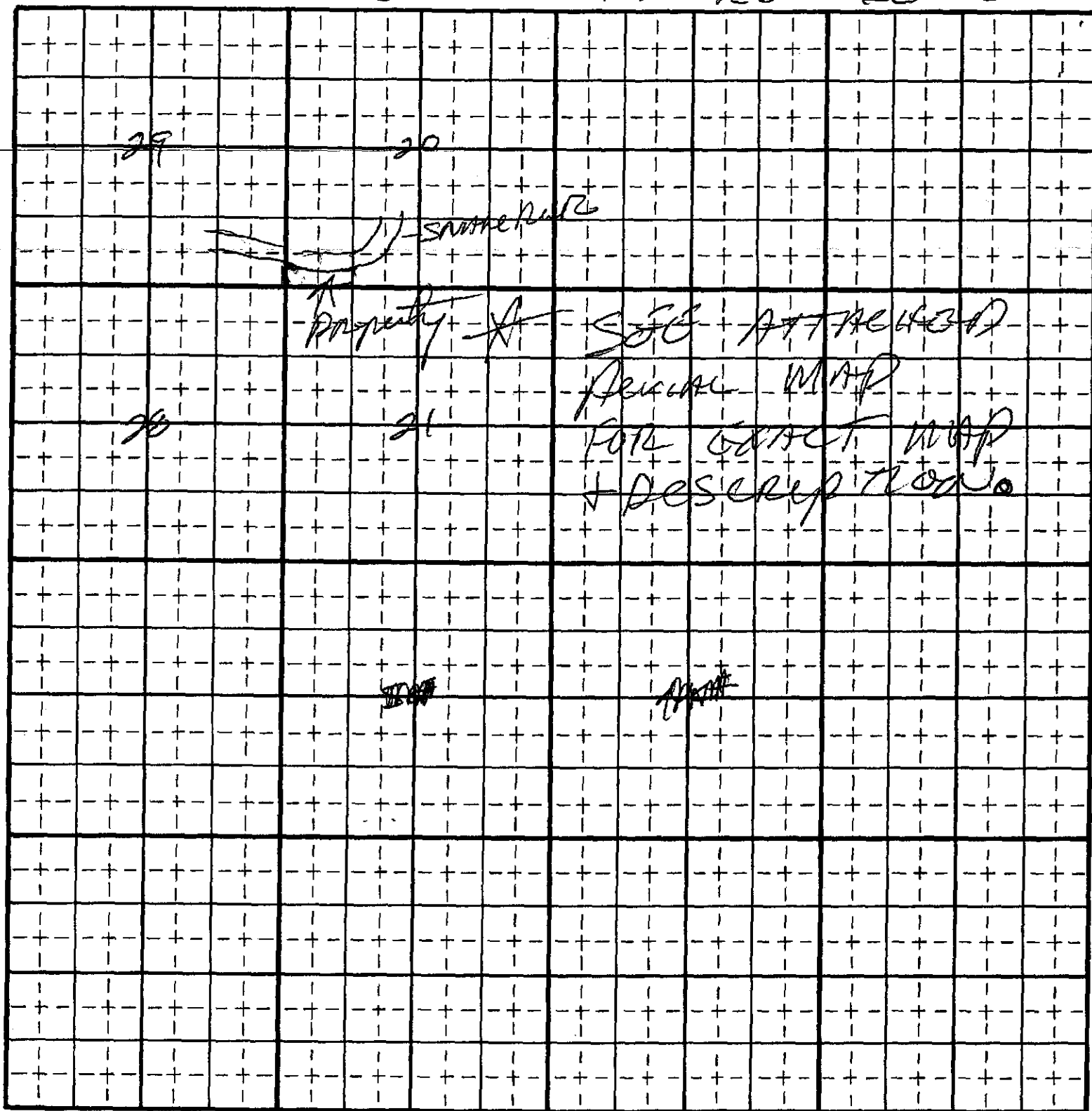
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

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

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

Scale: 2 inches equals 1 mile

600 LOTS 3 & 4
SECTION 20 T7N R5W S8NE



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AUG 03 1994

Copies: White-State, Yellow-Claimant

Last Name

LEMONS

Ident No.

Scale: 2 inches equals 1 mile

SETUP 20 T7N R5W SEC30E

[illegible]

Last Name

LEMONS

Ident No.

AUG 03 1994

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Number of attachments _____
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.
Signature of Claimant (s) [Signature] Date Apr 20 90
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Payette) SS.

Subscribed and sworn (or affirmed) before me this 20 day of April 19 90

SEAL Notary Public Beverly J Wilson
Residing at Frankland
My Commission Expires 1-15-94

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____
Address _____
Date _____

MICROFILMED
AUG 03 1994

Last Name LEMONS Ident. Number _____

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

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____ Date Apr 20 90

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____
Organization _____ that I have signed the foregoing

document in the space below as _____ of _____
Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Payette) SS.

Subscribed and sworn (or affirmed) before me this 20 April 19 90

SEAL

Notary Public Beverly J. Wilson

Residing at Brutland

My Commission Expires 1-15-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date LEMONS

MICROFILMED

AUG 03 1994

Last Name LEMONS Ident. Number _____

Copies White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

PHILIP E. BATT
GOVERNOR

March 20, 1998

APR 03 1998

KARL J. DREHER
DIRECTOR

LARRY LEMONS
4607 BERTS LN
FRUITLAND ID 83619

Department of Water Resources

Re: Snake River Basin Adjudication (SRBA)
Water Right No. A63-30032, A63-30028, A63-30031
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently on our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office postmarked by April 10, 1998. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change of ownership of any of the properties connected with the water right referenced above, please call this office toll-free at 1-800-451-4129 to obtain a form to make this required change to the water right records.

Yours truly,

Sandy Egbert

Sandy Egbert
Clerical Specialist

The address is correct as shown above or as otherwise changed.

Larry H. Lemons

Signature of water right claimant

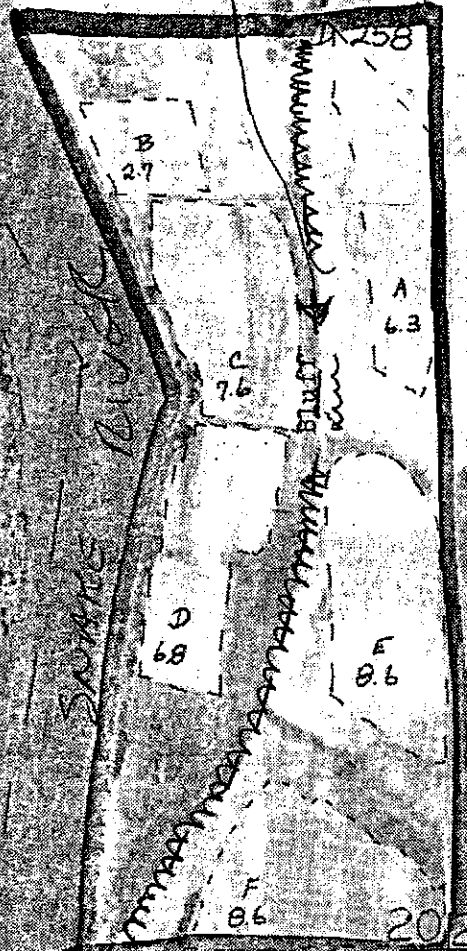
A-10

POOR ORIGINAL

BLUFF
SPRINGS
Below
BLUFF



Section 20 T7N
S E N E R S W
600' x 3' 0" S E
600' x 4' 0" S E



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AUG 03 1994

Aerial Photograph of
Property

A-1

GON
DAHO

0395

"NOT TO SCALE"

12-1-92

CLAIMANT'S NAME Lemons, Lacey HCLAIM IDENT. NO. A63-30028DATE RECEIVED 04/23/1990 RECEIPT # 6066460 FEE PAID \$ 75 FEE REQ'D \$ 75

	YES	NO	Requires Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☐	☒	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	☒	☐	*
If multiple domestic, is single ownership indicated?	☒	☐	
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? If yes, compare claim w/existing right and attach proof report noting any differences in comments. If no, was water right no. found?	☒	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? (If yes, attach a proof report & complete number change) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.	☒	☐	
18. If the claimant requested a monthly docket sheet, was the fee paid?	☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time? (Check ML3 for date mailed-not all were mailed on the planned date) If no, was an extension of time filed & approved?	☒	☐	*
22. Is the fee enclosed correct?	☒	☐	*

✓ See COMMENTS
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AUG 03 1994

50 + 25 ACRES

	YES	NO
23. Is this claim being rejected and returned to claimant?	—	✓
24. Can this claim be data entered?	✓	—
25. Was claim modified?	✓	—
If yes, do modifications require notification to claimant? . . .	✓	—

Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: MM Date 06/07/1994
 Claim data entered by: MM Date 06/07/1994

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: 06/07/1994: Acres Not broken into 1/4 1/4 on claim. Based on map provided by claimant compared to the OQ (w3, 1974) the # of acres claimed is not accurate. Acres split between lots 3+4 (see attached Plats) but another claim will probably be required. See also water right 63-04383 which does not indicate storage and claims 50 acres, but might give clues to previous irrigation of this land.

POD: SENE is Lot 3. This was entered as single POD, although claimant may have intended to also claim Lot 4 (SESE)

A63-04383 is in the WR data base for reasons unknown. Allocations staff at S.O. is investigating.

A63-04383 apparently filed in previous adjudication which was not carried out. Claim invalid - IDWR has no paper copy. S.O. deleted A63-04383 from data base. Statutory claim only claim Recognized by IDWR. MM

DEPENDENT RESURVEY AND SUE

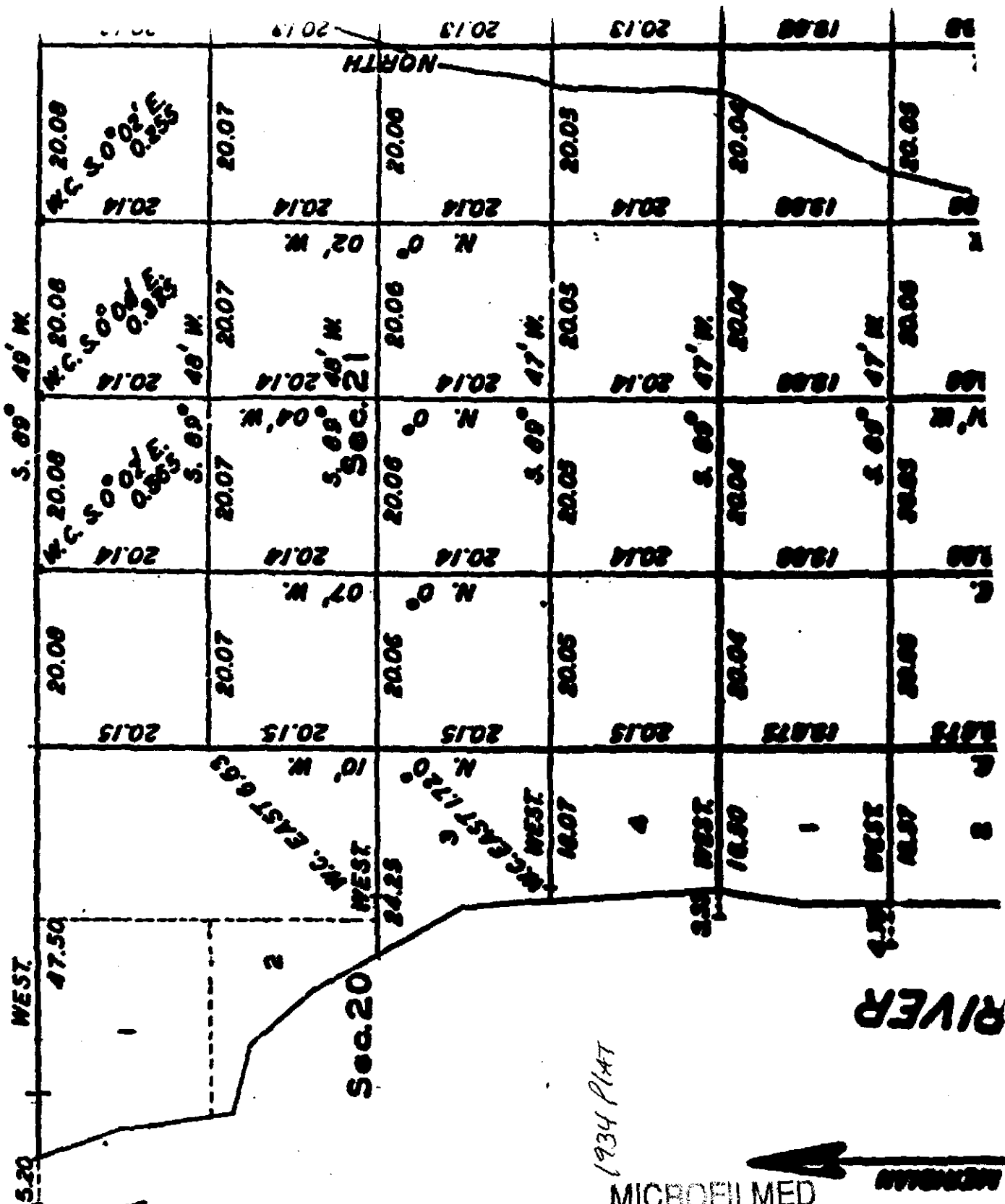
POOR ORIGINAL

THE ABOVE LISTED MATTER IS THE PROPERTY OF THE UNITED STATES GOVERNMENT AND IS LOANED TO YOU BY THE NATIONAL ARCHIVES. IT IS TO BE KEPT IN A SAFE PLACE AND NOT BE REPRODUCED OR DISTRIBUTED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE NATIONAL ARCHIVES. IT IS TO BE RETURNED TO THE NATIONAL ARCHIVES IN THE SAME CONDITION AS IT WAS LOANED TO YOU. IF YOU ARE NOT SURE OF THE CONDITION OF THE MATTER, PLEASE CONTACT THE NATIONAL ARCHIVES AT 8601 KENNEDY BLVD., COLLEGE PARK, MD 20740-6001. (301) 837-1120. WWW.NATIONALARCHIVES.GOV

MICROFILMED

AUG 03 1994

1934 P147



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 <u>63-30028</u>
	)	
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. 63-30028.

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

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: Larry H. Lemons

Address: 4607 Bert Ln.
Fruitland, ID 83619

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

Heather Paul, Legal Asst.
McDEVITT & MILLER LLP

RECEIVED

JUN 07 2007

DEPARTMENT OF
WATER RESOURCES

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 63-30028
)
Case No. 39576) **STANDARD FORM 1**
) **OBJECTION**

NAME AND ADDRESS OF PERSON OBJECTING

Name: Black Canyon Irrigation District
Address: P.O. Box 226
Notus, ID 83656
Daytime Phone: 208-459-4141

Name & Address of Attorney, if any:
Chas F. McDevitt & Miller LLP
McDevitt & Miller LLP
420 W. Bannock
P.O. Box 2564-83701
Boise, ID 83702

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Current Owner:

Name: Larry H. Lemons

Address: 4607 Bert Ln.
Fruitland, ID 83619

I object to the following elements as recommended in the Director's Report.

1. ☐ **Name and Address**
Should be: _____
2. ☒ **Source**
Should be: The waste waters claimed belong to the Black Canyon 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.

REASONS SUPPORTING OBJECTIONS(S):

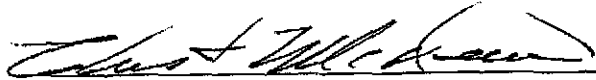
There has been no lawful appropriation of this right. The waste waters belong to the Black Canyon Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Black Canyon Irrigation District.

VERIFICATION

State of Idaho)
)ss.
County of Ada)

Chas F. McDevitt, duly sworn, upon oath, deposes and says:

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


Chas F. McDevitt
McDEVITT & MILLER LLP

Subscribed and sworn to before me on: 6/16/07

Notary Public for Leather Horse
Residing at: Boise, Idaho
My Commission Expires: 6/20/2012

CERTIFICATE OF MAILING

I certify that on June 10, 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:

Current Owner:

Name: Larry H. Lemons

Address: 4607 Bert Ln.
Fruitland, ID 83619

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

Matthew Houli legal, Esq.
McDEVITT & MILLER LLP

10/26/2006

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

RIGHT NUMBER: 63-30028

NAME AND ADDRESS: LARRY H LEMONS
4607 BERTS LN
FRUITLAND ID 83619

SOURCE: SPRING

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 04/15/1920

POINT OF DIVERSION:

T07N R05W S20 SENE Within PAYETTE County
T07N R05W S20 SENE Within PAYETTE County
T07N R05W S20 NESE Lot 3 Within PAYETTE County
T07N R05W S20 SESE Lot 4 Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
WILDLIFE	01/01 12/31	0.500 CFS
IRRIGATION	03/01 11/15	0.500 CFS

PLACE OF USE: IRRIGATION Within PAYETTE County

T07N R05W S20 Lot 2 SWNE	0.30	T07N R05W S20 SENE	8.50
T07N R05W S20 Lot 3 NESE	13.00	T07N R05W S20 Lot 4 SESE	3.20

WILDLIFE Within PAYETTE County

T07N R05W S20 Lot 3 NESE	T07N R05W S20 Lot 4 SESE
--------------------------	--------------------------

25 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right when combined with all other rights shall provide no more than .02 cfs per acre.

Wildlife use is for wild flooding of south field for duck habitat.



State of Idaho
Idaho Department of Water Resources
Western Region

T7N R5W SECTION(S) 20
WATER RIGHT(S) : 63-30028



Total Irrigated Acres = 25 acre(s)

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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: September 2006





**State of Idaho
Idaho Department of Water Resources
Western Region**

**T7N R5W SECTION(S) 20
WATER RIGHT(S) : 63-30028
WILDLIFE USE**



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

**GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: October 2006**



MEMORANDUM

TO: ADJUDICATION FILES 63-30028

FROM: DANIEL A. NELSON

DATE: 10/26/06

SUBJECT: FINAL CLAIM REVIEW

During the original claim review of this claim, irrigation was the only use recommended. The owner sent in a notice of error reply asking about his domestic, stockwater, power generation, and storage components. I had a meeting with the owner on 10/26/2006, and went over his water rights. Water right 63-30031 was claimed from these same springs for the domestic and stockwater needs. Under the domestic exemption, he would not use over the 13,000 gallon limitation with the stock he maintains on this property. He does have some incidental stockwater use from the springs, but it is not significant enough to include in this claim.

The storage component that he claimed, was simply mad flooding of his bottom (south) field for wildlife purposes. This has been done since the beginning of the water right more out of simplicity than any other reason, but it is a use that needs to be described. Originally, when they were done irrigating, they allowed the spring water to wild flood over this ground. The Idaho Fish and Game approved this practice, and assist in growing crops on this field during the summer and not harvesting them, and then wild flooding the property to allow for habitat. The owner called this a pond, but there are no constructed berms, dikes, dams, or levies. Therefore, this would be considered a standard wildlife use instead of a storage component.

After my meeting with the client, he amended his claim, and I re-recommended the right with a wildlife use.

MEMORANDUM

TO: ADJUDICATION FILES 63-30028

FROM: DANIEL A. NELSON

DATE: 9/16/06

SUBJECT: CLAIM REVIEW

This claim was filed to replace statutory claim 63-4383. There seemed to be some indecision on recognizing 63-4383 when this claim was filed, so the owner filed this claim and included several storage components. Burke Scholer performed a field exam, and he did not find any ponds or other types of storage during the exam. It is my assumption that the owner either wanted to construct ponds and did not or filled in the ponds that were originally there. Another thought is that the owner was counting the main collection ditch as storage. Either way, the storage components should not be included on this claim, and I could not recommend them.

The acres claimed were not distributed correctly, and it appears as though it was an error at the time of filing. Department personnel tried to rectify the situation to no avail. The field exam found and properly designated the acres so they could be accurately recommended. There are 25 acres currently being irrigated on this claim. The field examiner did not include the yard around the home, so I included these acres when I did the recommendation.

The field examiner found four springs that fed a series of collection ditches that irrigated the fields. The claim only lists one point of diversion, but clearly shows the collection ditch on the map mentions that there are multiple springs. This was a typical way of describing multiple springs in a long collection system in the past. Mr. Scholer discovered that there are actually 4 springs that intercept the ditch. The point where each of the four springs intercepts the ditches should be listed on the water right as a point of diversion. It is clear that the intent of the claim was to count all four springs as points of diversion, so I clarified the points of diversion in my recommendation.

The claim requested a diversion rate of 0.50 cfs. The field examiner found that the combination of all four springs could easily supply this amount of water. The diversion rate requested also falls with the 0.02 cfs per acre standard, so I recommended the 0.50 cfs for irrigation.

A letter was received from a former owner stating that the springs were developed in 1917. The owner only claimed a priority date of 1920 so I agree with the priority date the owner requested and will recommend the right with the date the owner requested.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-30028 V1

WATER RIGHT NUMBER: 63-30028 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LARRY H LEMONS 4607 BERTS LN FRUITLAND, ID 83619 (208)452-5037

Priority Date: 04/15/1920
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
WILDLIFE	01/01 to 12/31	0.500 CFS	
IRRIGATION	03/01 to 11/15	0.500 CFS	
	<u>Total Diversion:</u>	0.500 CFS	

Location of Point(s) of Diversion

SPRING	L3 (NE1/4SE1/4)	Sec. 20, Twp 07N, Rge 05W, B.M.
PAYETTE County		
SPRING	SE1/4NE1/4	Sec. 20, Twp 07N, Rge 05W, B.M.
PAYETTE County		
SPRING	L4 (SE1/4SE1/4)	Sec. 20, Twp 07N, Rge 05W, B.M.
PAYETTE County		
SPRING	SE1/4NE1/4	Sec. 20, Twp 07N, Rge 05W, B.M.
PAYETTE County		

Place of Use

WILDLIFE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	05W	20													X				X
															L3				L4

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	
07N	05W	20			.3	8.5									13.0			3.2	25.0
					L2										L3			L4	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-30028 V1

Total Acres: 25

Conditions of Approval:

1. E62 This right when combined with all other rights shall provide no more than .02 cfs per acre.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. Wildlife use is for wild flooding of south field for duck habitat.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-30028 V1

Comments:

1. dnelson 9/16/2006 Claim Review

Comment: This claim was filed to replace statutory claim 63-4383. There seemed to be some indecision on recognizing 63-4383 when this claim was filed, so the owner filed this claim and included several storage components. Burke Scholer performed a field exam, and he did not find any ponds or other types of storage during the exam. It is my assumption that the owner either wanted to construct ponds and did not or filled in the ponds that were originally there. Another thought is that the owner was counting the main collection ditch as storage. Either way, the storage components should not be included on this claim, and I could not recommend them.

The acres claimed were not distributed correctly, and it appears as though it was an error at the time of filing. Department personnel tried to rectify the situation to no avail. The field exam found and properly designated the acres so they could be accurately recommended. There are 25 acres currently being irrigated on this claim. The field examiner did not include the yard around the home, so I included these acres when I did the recommendation.

The field examiner found four springs that fed a series of collection ditches that irrigated the fields. The claim only lists one point of diversion, but clearly shows the collection ditch on the map mentions that there are multiple springs. This was a typical way of describing multiple springs in a long collection system in the past. Mr. Scholer discovered that there are actually 4 springs that intercept the ditch. The point where each of the four springs intercepts the ditches should be listed on the water right as a point of diversion. It is clear that the intent of the claim was to count all four springs as points of diversion, so I clarified the points of diversion in my recommendation.

The claim requested a diversion rate of 0.50 cfs. The field examiner found that the combination of all four springs could easily supply this amount of water. The diversion rate requested also falls with the 0.02 cfs per acre standard, so I recommended the 0.50 cfs for irrigation.

A letter was received from a former owner stating that the springs were developed in 1917. The owner only claimed a priority date of 1920 so I agree with the priority date the owner requested and will recommend the right with the date the owner requested.

2. dnelson 9/16/2006 Text

Comment: GOV T LOTS 3 AND 4 ARE IN THE SE 1/4 OF SECTION 20. SEE CORR. IN FILE TO CLAIMANT. CLAIMANT ALSO CLAIMED GROUND RECHARGE AS A PURPOSE. COPY OF IDAHO CODE 42-4202 SENT TO CLAIMANT WITH LETTER.

3. dnelson 10/26/2006 Final Claim review

Comment: During the original claim review of this claim, irrigation was the only use recommended. The owner sent in a notice of error reply asking about his domestic, stockwater, power generation, and storage components. I had a meeting with the owner on 10/26/2006, and went over his water rights. Water right 63-30031 was claimed from these same springs for the domestic and stockwater needs. Under the domestic exemption, he would not use over the 13,000 gallon limitation with the stock he maintains on this property. He does have some incidental stockwater use from the springs, but it is not significant enough to include in this claim.

The storage component that he claimed, was simply mad flooding of his bottom (south) field for wildlife purposes. This has been done since the beginning of the water right more out of simplicity than any other reason, but it is a use that needs to be described. Originally, when they were done irrigating, they allowed the spring water to wild flood over this ground. The Idaho Fish and Game approved this practice, and assist in growing crops on this field during the summer and not harvesting them, and then wild flooding the property to allow for habitat. The owner called this a pond, but there are no constructed berms, dikes, dams, or levies. Therefore, this would be considered a standard wildlife use instead of a storage component.

After my meeting with the client, he amended his claim, and I re-recommended the right with a wildlife use.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-30028 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:
 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			04/18/2006	scurtis	Active
Contacts	9/16/2006 8:49:08 AM	dnelson			Active
Priority Date	9/16/2006 8:52:35 AM	dnelson			Active
POD	9/16/2006 8:59:35 AM	dnelson			Active
Source	9/16/2006 9:00:05 AM	dnelson			Active
POU	9/16/2006 9:02:11 AM	dnelson			Active
Use	9/16/2006 9:03:41 AM	dnelson			Active
Season	9/16/2006 9:04:24 AM	dnelson			Active
Quantity	9/16/2006 9:05:12 AM	dnelson			Active
Summary			09/16/2006	dnelson	Active
Contacts	10/26/2006 3:44:53 PM	dnelson			Active
Priority Date	10/26/2006 3:46:10 PM	dnelson			Active
POD	10/26/2006 3:46:37 PM	dnelson			Active
Source	10/26/2006 3:47:14 PM	dnelson			Active
POU	10/26/2006 3:54:33 PM	dnelson			Active
Use	10/26/2006 3:55:15 PM	dnelson			Active
Quantity	10/26/2006 3:58:01 PM	dnelson			Active
Season	10/26/2006 3:58:06 PM	dnelson			Active
Quantity	10/26/2006 3:58:55 PM	dnelson			Active
Summary			10/26/2006	dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-30028 V1

Summary	4/18/2006 7:04:00 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?
General	9/16/2006 8:52:35 AM	dnelson	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Letter from previous owner.
POD	9/16/2006 8:58:05 AM	dnelson	Updated shape
POD	9/16/2006 8:59:17 AM	dnelson	Updated shape
Contacts	9/16/2006 8:49:08 AM	dnelson	(Yes) 1. Do you want to schedule an appointment? Contact Person: LARRY H LEMONS - Contact Phone Number: (208) 452-5037 Date of Field Exam: 7/27&30/06 Directions to Property:
POD	9/16/2006 8:56:44 AM	dnelson	Updated shape
Source	9/16/2006 9:00:05 AM	dnelson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field Exam by Contractor.
Use	9/16/2006 9:03:41 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field Exam by Contractor.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-30028 V1

Quantity	9/16/2006 9:05:13 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Field Exam by Contractor using theoretical calculations.
Summary	9/16/2006 9:06:22 AM	dnelson	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 4. Is any portion of the claim be recommended? (No) 5. Does this right have any combined use limits with other rights? (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?
POD	9/16/2006 8:58:56 AM	dnelson	Updated shape
POD	9/16/2006 8:59:35 AM	dnelson	(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	9/16/2006 9:02:11 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field Exam by Contractor.
POU	9/16/2006 9:02:35 AM	dnelson	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-30028 V1

Season	9/16/2006 9:04:24 AM	dnelson	(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?
Contacts	10/26/2006 3:44:53 PM	dnelson	(Yes) 1. Do you want to schedule an appointment? (No) 2. Do you want to update the field exam contact information? Contact Person: LARRY H LEMONS - Contact Phone Number: Date of Field Exam: 7/27/06 Directions to Property:
POD	10/26/2006 3:46:37 PM	dnelson	(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	10/26/2006 3:54:06 PM	dnelson	Updated shape for Active POU
Quantity	10/26/2006 3:58:01 PM	dnelson	(No) 1. Is the basis of this claim a Decree or License?
POU	10/26/2006 3:54:34 PM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field Exam by Contractor and conversations with owner.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-30028 V1

Use	10/26/2006 3:55:15 PM	dnelson	(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? (Yes) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field Exam by Contractor and Agent visit with claimant.
Quantity	10/26/2006 3:58:56 PM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Field exam by Contractor.
Summary	10/26/2006 4:00:09 PM	dnelson	(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? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
General	10/26/2006 3:46:11 PM	dnelson	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Letter from original owner and clarification letter from current

owner.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-30028 V1

Source	10/26/2006 3:47:15 PM	dnelson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field Exam by Contractor.
Season	10/26/2006 3:58:06 PM	dnelson	(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?

Water Supply Bank:

THE SOUTH FIELD, AFTER
CROP SEASON, IS FLOODED BY
DIVERTING WATER FROM THE SPRING
DITCH. THE CHECK BOX HELDS WATER
HIGH ENOUGH TO ENTER VALVE TO
DITCH GOING TO SOUTH FIELD AND FLOWS
TO CENTER OF FIELD CREATING A POND.
THERE IS AN OUTFLOW ON WEST SIDE
NEAR THE SAME RIVER. THE WATER
THEN FLOWS BACK INTO THE RIVER.

LARRY H. LEMONS



OCT 26 2006

P.S. THIS WAS DONE THIS WAY
SINCE 1920 AND BEFORE THAT IT
WAS NATURAL FLOW OF THE
WATER TO THE RIVER.

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: 63-30028

LARRY H LEMONS
4607 BERTS LN
FRUITLAND ID 83619
Telephone Number: (208)452-5037

RECEIVED

OCT 19 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):

PURPOSE AND PERIOD OF USE. PLEASE REFER TO LETTER I SUBMITTED BY JOYCE BOWLS. WATER WAS USED ALL YEAR FOR DOMESTIC USE. HOUSE, DAIRY BARN WATER FOR CATTLE, etc.

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

A. 12 Month Use

B. Domestic House Water

C. LIVESTOCK WATER -

D. OPEN A NATURAL POND WATER AREA THAT SOME PRIORITY DATE + BENS DEFENSE

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

THE LETTER FROM MY WITNESS, JOYCE BOWLS, EXPLAINS HOW THE WATER WAS USED SINCE THE PRIORITY DATE! IT STATES IT WAS USED FOR ALL PURPOSES LISTED ABOVE. MY WITNESS WAS RAISED ON THIS FARM - PLAYED AND WENT SWIMMING

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

DISAGREE

DATE: OCT 7 2006 SIGNATURE:



Please print your name:

LARRY H LEMONS

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

I UNDERSTAND THAT THE STOCK WATER + DOMESTIC USE, IS COVERED BY ANOTHER WATER RIGHT.

63-30031



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 26, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

LARRY H LEMONS
4607 BERTS LANE
FRUITLAND ID 83619

RE: Snake River Basin Adjudication (SRBA) Claim 63-30028

Dear Mr. Lemons:

Enclosed is the revised recommendation based on the amendment you made to water right 63-30028. Please review it and contact me if you find any errors or problems. The time to submit these claims to the court is fast approaching, so time is of the essence. If you want something changed after the claim has been submitted to the court you will have to go through the court process and object to the water right.

If you have any questions or concerns please contact me at the above address.

Respectfully,

Daniel A. Nelson
Senior Agent
Western Region Office - IDWR

09/16/2006

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

RIGHT NUMBER: 63-30028

NAME AND ADDRESS: LARRY H LEMONS
4607 BERTS LN
FRUITLAND ID 83619

SOURCE: SPRING

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 04/15/1920

POINT OF DIVERSION:

T07N R05W S20 SENE Within PAYETTE County
T07N R05W S20 SENE Within PAYETTE County
T07N R05W S20 NESE Lot 3 Within PAYETTE County
T07N R05W S20 SESE Lot 4 Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.500 CFS

PLACE OF USE:

IRRIGATION Within PAYETTE County

T07N R05W S20 Lot 2 SWNE 0.30

T07N R05W S20 SENE 8.50

T07N R05W S20 Lot 3 NESE 13.00

T07N R05W S20 Lot 4 SESE 3.20

25 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right when combined with all other rights shall provide no more than .02 cfs per acre.

AMENDED TO

NWNE

NENE

NWNE
Lot 2
10 acres

NENE
Lot 3
10 acres

NWNE

NESE
Lot 3
10 acres

NESE
Lot 4
10 acres

SWSW

NENE

SWSW

NENE

SWSW

ADDITIONAL INFORMATION NEEDED FOR IRRIGATION FIELD EXAMS

Field Examiners, please complete the following checklist. Mark "unknown" or N/A if information doesn't apply or information is unavailable.

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

2.) Lift (distance from pump to water) _____

3.) How was lift determined (well log, measurement, owner)? _____

4.) Pressure against pump (this is checked using the owner's psi gauge, your gauge, or an estimate by owner) _____

5.) Was a measurement made? _____ If no can a measurement be made at a latter time? _____

6.) What type of measurement device was used? _____

7.) Is there a pump curve available for pump? _____

8.) Please fill out the following:

Number of sprinklers _____

Sprinkler nozzle size _____

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

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

NO Ponds
Per Telephone
Call with
BARKER
9-15-06

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

13.) Please show where and how water from other sources are diverted into the irrigation system.

14.) PLEASE PROVIDE DIMENSIONS OF STORAGE RESERVOIR (WIDTH, DEPTH, AND LENGTH AND APPROXIMATE STORAGE CAPACITY.

OTHER INFORMATION NEEDED:

SOURCE OF WATER IS FROM 4 MAJOR SPRINGS
WHICH COME UP IN LOCATIONS AS MARKED ON
~~THE~~ AERIAL PHOTO AS P.O.D # 1 THRU 4.

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

DATE EXAM CONDUCTED 7/27/06 7/30/06

FIELD EXAMINER Bennett Scholer

LEMONS - 63-30028

BHS 7/28/06

GPS P.O.D (SPRINGS)

GPS
POD #1 2262608
1418144

NOTE:

THESE ARE THE
GENERAL LOCATIONS
OF THE MAJOR
SPRINGS. THERE
IS SEEPAGE ALONG
THE BASE OF THE
BLUFF AND THE WATER
IS COLLECTED THRU
A SERIES OF DITCHES
ALL EXCESS FLOWS
GO DIRECTLY TO THE
SNAKE RIVER

#2 2262689
1418432

#3 2262657
1418679

#4 2262648
1418884

SPRING
EST. FLOW
RATE
.3 CFS *
ACRES
IRR 6.74

* (35 TUBES)
OF SIPHON
TUBES
.4 - .6
2 (45 - 65) 7.55

.2 - .25
2 (20 - 25) 5.31

.06 (EST 306 GPM)
DOMESTIC + YARD ?
0.5-1.0
AC

* FLOW ESTIMATES BASED ON

3/4" SIPHON TUBES @ 4" HEAD
= 4 GPM EACH (CAV 29h)
(65)(A) 1/29h

SCS CHART 7-L-16000-15-73

ACRES LOT 2 = 0.6

SENE = 5.71

LOT 3 = 11.05

LOT 4 = 2.24
19.6

HOUSE YARD 1.0 EST

SWSW

SESW

SWSE

NWNE

LOT 1

NENE

NWNW

NENW

NWNE

SWNE

LOT 2

SENE

SWNW

SENW

SWNE

NESE

LOT 3

NESE
LOT 4

- SPRING AREA



#1 SPRING (SOUTH END)

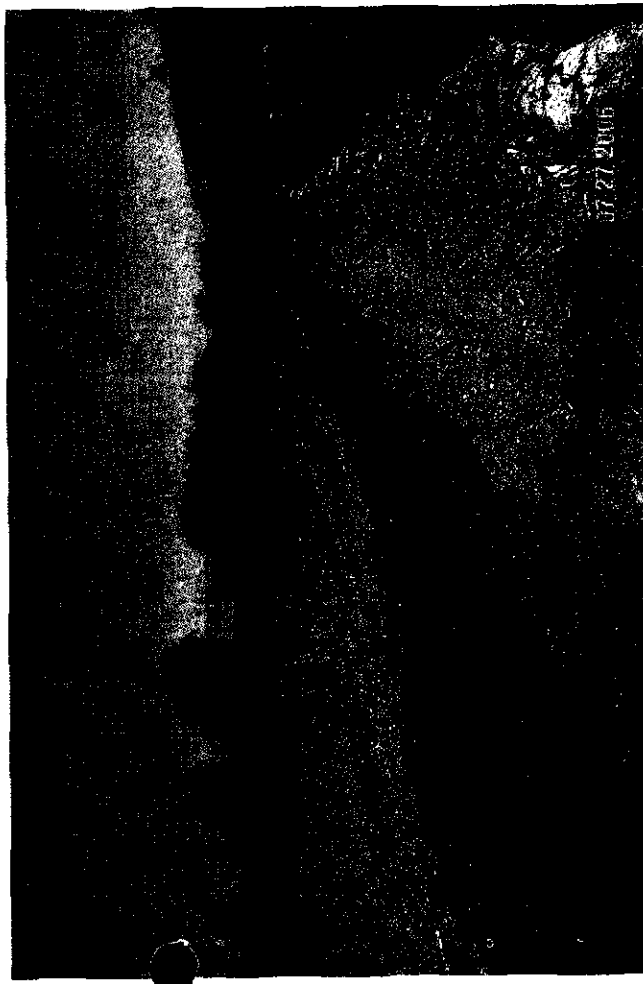
07 27 2006



#1 SPRING (FIELD DITCH)

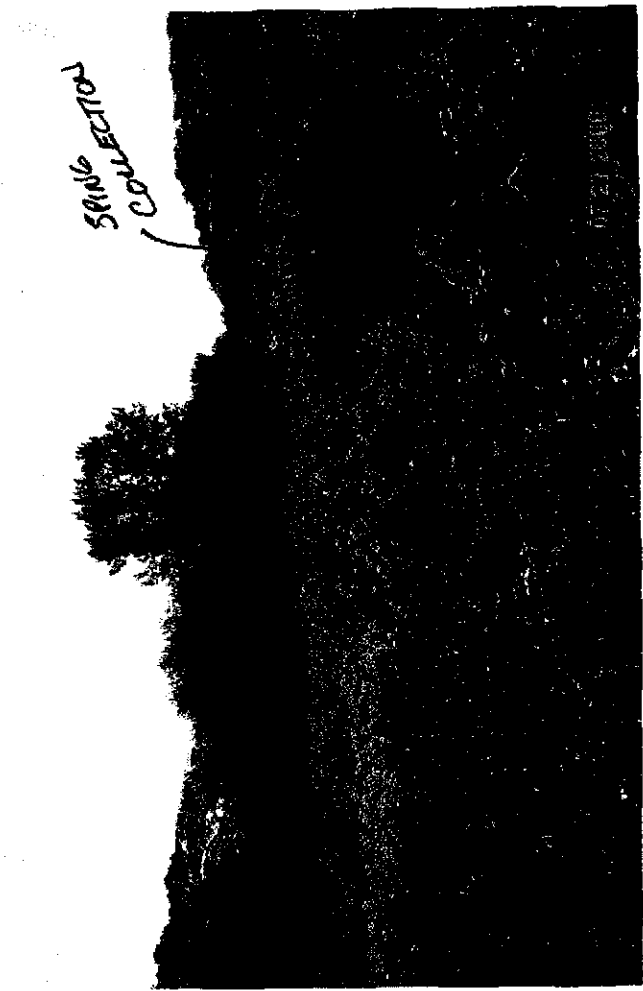
07 27 2006

63-30028



#1 SPRING P.O.U

07 27 2006



#1 SPRING AREA

07 27 2006

SPRING
COLLECTION

DIVERSION
STRUCTURE



#2 SPRING (SOUTH MIDLE)



#2 SPRING NORTH FIELD DITCH

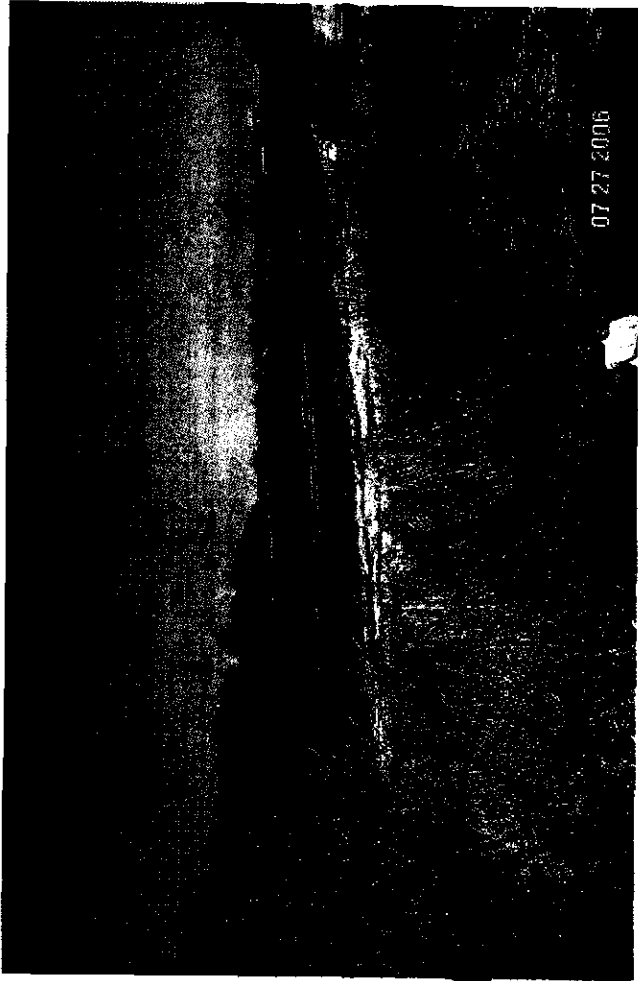
63-30028



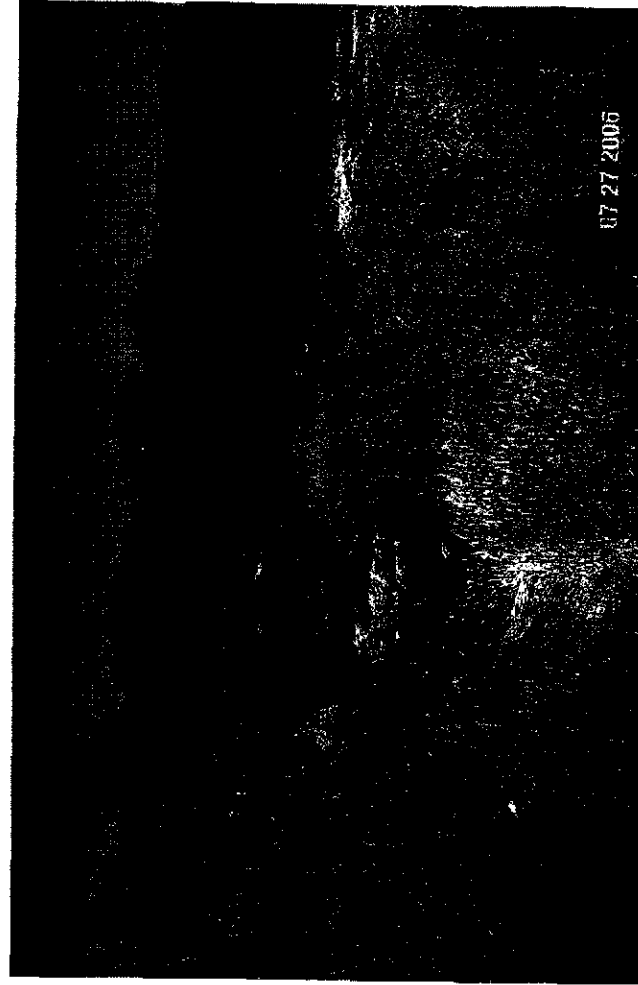
SPRING NORTH FIELD
DITCH



#2 SPRING ROAD (IRRIGATE TO THE
SOUTH)



#2 SPRING P.O.4



#2 SPRING FROM NORTH OF FIELD DITCH

63-30028



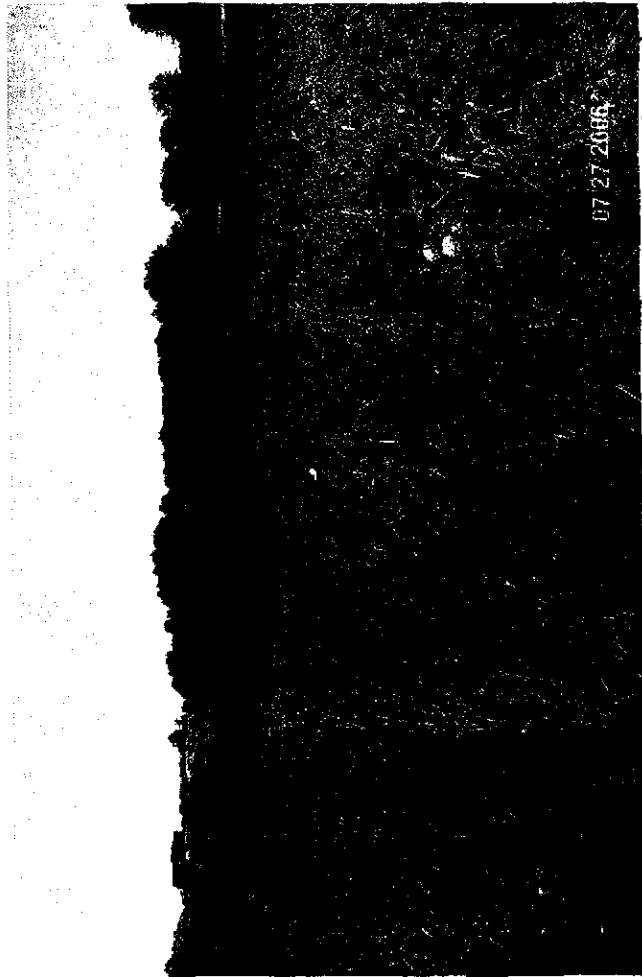
#3 SPRING WATER



#3 SPRING AREA

SPRING COLLECTION
AREA CHANNELLED
TO A PIPE -

HOLE IN
PIPELINE TO SEE
WATER RUNNING



#4 SPRING P.O.Y.
LOOKING S.W.

07/27/2006



OUTLET TO ROAD CROSSING
#4 SPRING LOOKING WEST

63-30028

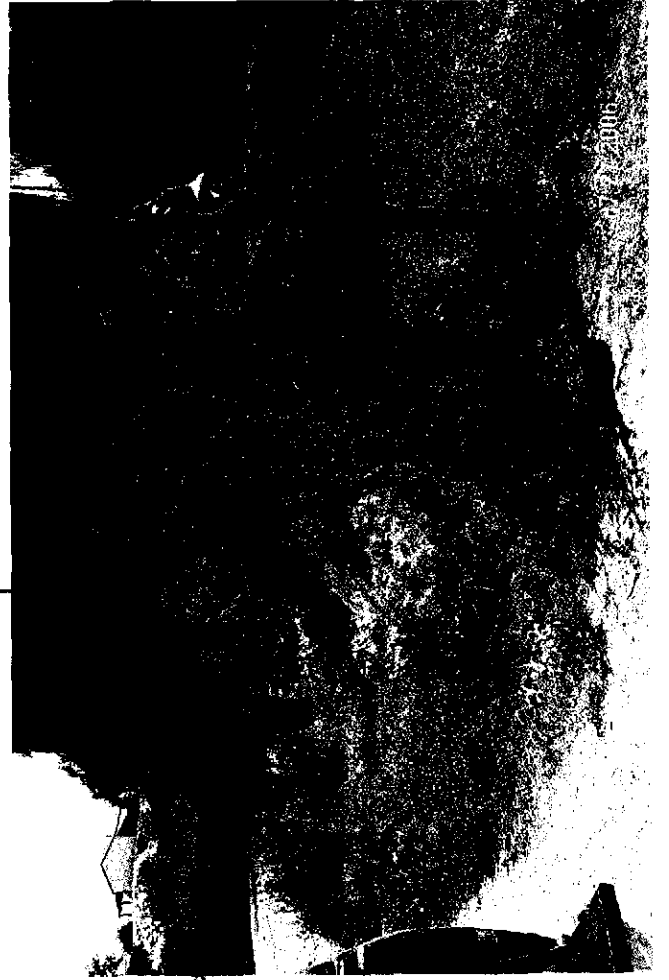
#4 SPRING AREA



#4 SPRING AREA

NEAR HOME

USED FOR IRRIGATION
AROUND THE HOME
& YARD.



INLET CROSSING
TO ROAD

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-30028

WATER RIGHT NUMBER: 63-30028

Owner Type

Current Owner

Name and Address

LARRY H LEMONS
4607 BERTS LN
FRUITLAND, ID 83619
(208)452-5037

still listed as
owner in
tax lot info.

Priority Date: 04/15/1920

Basis: Beneficial Use

Status: Active

Source

SPRINGS

Tributary

SNAKE RIVER

Beneficial Use

From To

Diversion RateAnnual Volume

IRRIGATION FROM STORAGE 3/01 to 10/30

IRRIGATION 3/01 to 10/30

0.500 CFS

FIRE PROTECTION FROM STORAGE 1/01 to 12/31

IRRIGATION STORAGE 11/01 to 3/01

50.00 AF

50.00 AF

50.00 AF

Total Diversion: 0.500 CFS

50.00 AF

Location of Point(s) of Diversion

SPRINGS

SE1/4NE1/4

Sec. 20, Twp 07N, Rge 05W, B.M.

PAYETTE County

Place of Use

IRRIGATION

Twp Rge Sec

07N 05W 20

NE NW SW SE
12.0 13.0

NW SW SE
NE NW SW SE

SW SE
NE NW SW SE

SE
NE NW SW SE

Totals
25.0

Total Acres: 25

LOT 2 = 0.6 AC
LOT 3 = 11.05
LOT 4 = 2.24

19.6
TOTAL

IRRIGATION FROM STORAGE same as IRRIGATIONFIRE PROTECTION FROM STORAGE same as IRRIGATIONConditions of Approval:

- GOV'T LOTS 3 AND 4 ARE IN THE SE 1/4 OF SECTION 20. SEE CORR. IN FILE TO CLAIMANT. CLAIMANT ALSO CLAIMED GROUND RECHARGE AS A PURPOSE: COPY OF IDAHO CODE 42-4202 SENT TO CLAIMANT WITH LETTER.

Dates and Other Information:

Claim Received Date: 4/23/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

RECEIVED
MAY 15 2006
WATER RESOURCES
WESTERN REGION

May 10, 2006

I, Joycelyn Hurd Bolz, make the following statements concerning the farm now owned by Larry Lemons..

My father Earl C. Hurd, bought the farm from Linus Clement and moved there in 1917.

There were three main springs along the hillsides on the east side of the farm. Two of these flowed into ponds and were used to irrigate the crops. On the third one, he installed a ram which pumped the water up on the hill to a pressure tank to provide water for the house and a livestock tank.

These springs were the only source of water for his crops and to provide water for the house and livestock. I lived there from 1918 until 1937.

Joycelyn Hurd Bolz

Joycelyn Hurd Bolz
LARRY H. LEMONS - OWNER
CLAIM A63-30028
EVIDENCE OF PRIORITY
AFFIDAVIT - STATEMENT OF PERSONAL
KNOWLEDGE BY Joycelyn Hurd Bolz.
DATE OF PERSONAL KNOWLEDGE 1917

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-30028

WATER RIGHT NUMBER: 63-30028

Owner Type Name and Address
 Current Owner LARRY H LEMONS
 4607 BERTS LN
 FRUITLAND, ID 83619
 (208)452-5037

Priority Date: 04/15/1920
 Basis: Beneficial Use
 Status: Active

← used in 1917 per previous
 owner 1920 date OK
 OK

Appears as
 Though this
 claim replaces
 statutory claim
 63-4383

Source Tributary
 SPRINGS SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION FROM STORAGE	3/01	to 10/30		~~50.00 AF~~
IRRIGATION	3/01	to 10/30 11-15	0.500 CFS	
FIRE PROTECTION FROM STORAGE	1/01	to 12/31		50.00 AF
IRRIGATION STORAGE	11/01	to 3/01		~~50.00 AF~~
<u>Total Diversion:</u>			0.500 CFS	~~50.00 AF~~

NO
 STORAGE
 FOUND
 JUST
 IRRIG.

Location of Point(s) of Diversion

SPRINGS SE1/4NE1/4 Sec. 20, Twp 07N, Rge 05W, B.M.
 PAYETTE County

Place of Use

IRRIGATION
 Twp Rge Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals
 07N 05W 20 | 12.0 | 13 | 43.0 | | | | | | 3.2 | 3.2 | 25.0
 Total Acres: 25 12.5 13 13

IRRIGATION FROM STORAGE same as IRRIGATION
 FIRE PROTECTION FROM STORAGE same as
 IRRIGATION

Conditions of Approval:

- GOV'T LOTS 3 AND 4 ARE IN THE SE 1/4 OF SECTION 20. SEE CORR. IN FILE TO CLAIMANT. CLAIMANT ALSO CLAIMED GROUND RECHARGE AS A PURPOSE: COPY OF IDAHO CODE 42-4202 SENT TO CLAIMANT WITH LETTER.

Dates and Other Information:

Claim Received Date: 4/23/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 27, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LARRY H LEMONS
4607 BERTS LN
FRUITLAND ID 83619

RE: EVIDENCE OF PRIORITY

Snake River Basin Adjudication Claim No(s): A63-30028

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated printout of the claim(s) for your reference only, it is not necessary to return this printout. You indicated, when this claim was filed, that the water right(s) was based on a "Statutory Claim" or "Beneficial Use" of the water.

Water rights of this type are established by historical beneficial use of the water, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources, since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled. **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

Page 2
Lemons

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area. In the near future, you will be receiving a call from us in order to set-up an appointment for a field exam.

The required evidence supporting the priority date(s) requested and the aerial photo needs to be returned to me by May 19, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

If you have any questions or concerns, please contact me at the above address.

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel A. Nelson", with a stylized flourish at the end.

Daniel A. Nelson
Senior Agent
Western Region Office - IDWR

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-30028

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that H. Buel &/or Irene E. Clement
(name of claimant)

of Route 2 New Plymouth, ID, claims a right to the diversion and beneficial use of
(mailing address)

the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) _____
 Unnamed Springs _____, tributary to, _____ Snake River

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

Amount 0.02 Use Domestic Period of Use: From 1-1 To 12-31

Amount 0.02 Use Stockwater Period of Use: From 1-1 To 12-31

Amount 1.0 Use Irrigation Period of Use: From 4-1 To 11-1
(cfs, gpm (dom, irri, (both dates inclusive)
or a/f) stock, etc.)

- (3) Total quantity of water claimed: 1.04 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 1936

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)

SE ¼ NE ¼, Sec. 20 Twp. 7N Rge. 5W B. M. County of Payette

Additional points of diversion: Lot 3: (2 points) in Lot 4: Sec 20 T7N-R5W

- B) 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. Collection ditch and then surface diversions to the place of use

- (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.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	5W	20				19									1.35			51.4	
															172			7.4	-50

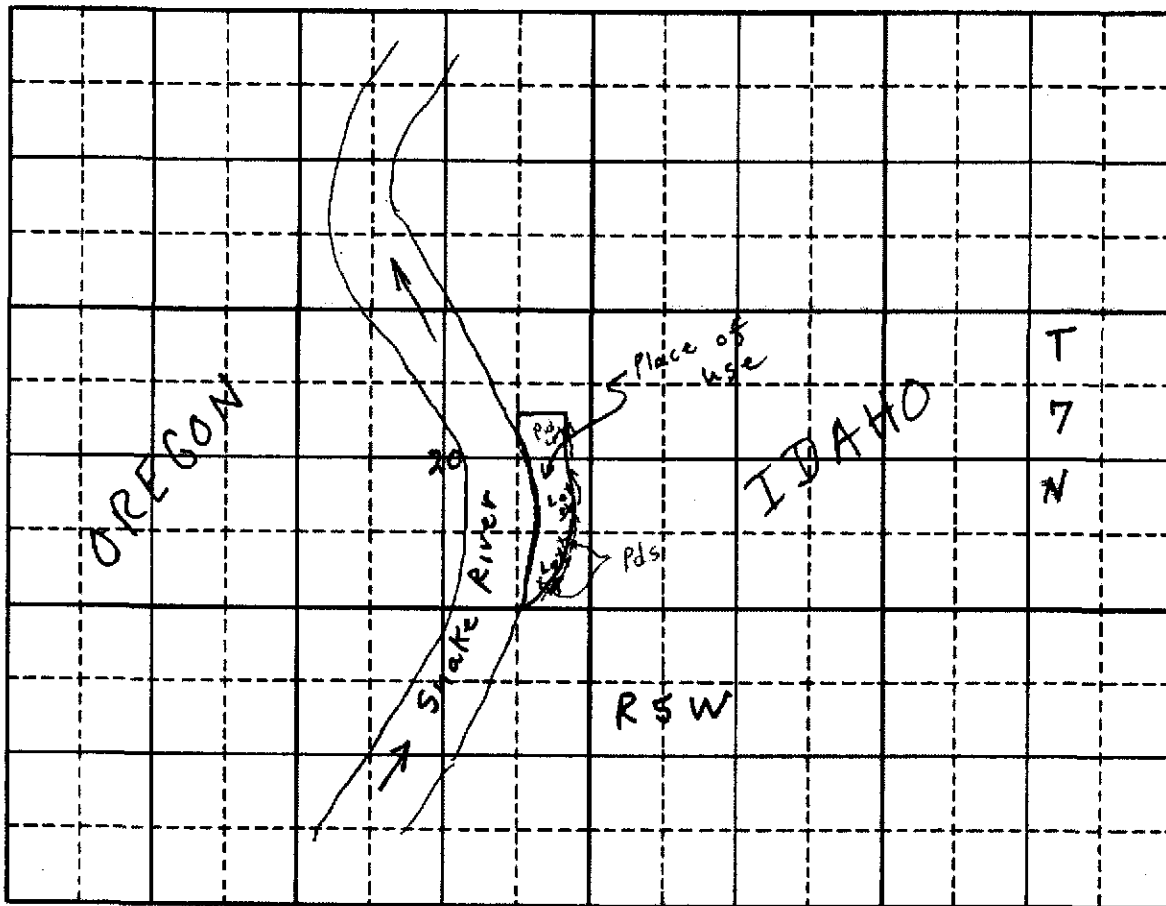
Total No. of acres 50

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

Domestic for one home, stockwater

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

(8) Remarks Water around house was used as far back as
1886 for domestic & truck garden - Complete irrigation of
50 acres 1926 -



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)
) ss.
County of PAIETTE)

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.

H. Buehlment
(Claimant)

Sworn to before me this 20 day of July, 1976

E. J. Bourree
Notary Public

Residing at NEW PLYMOUTH

My commission expires 6-1-78

For Department Use Only

Received by <u>RB</u>	Date <u>7-22-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RIC</u>	Date <u>7-22-76</u>		claimant by:	
\$10.00 fee received by <u>RB</u>	Date <u>7-22-76</u>			
Approved for publication by <u>RF</u>	Date <u>9-2-76</u>			
Published in <u>Independent Enterprise</u>				
Dates <u>July 29 + Aug 5</u>				

Receipt Details for ID C016460

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
4/23/1990 9:33:04 AM	4/23/1990	State	\$125.00	Check
Payer		LEMONS, LARRY/LORETTA		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2980			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEES

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$125.00	ADJUDICATION FEES	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	30028		\$75.00	Claim
63	30031		\$25.00	Claim
63	30032		\$25.00	Claim

Print Report

DATE: 04/16/98
PAGE: 1



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 7, 1994

LARRY H LEMONS
4825 WHITLEY DR
FRUITLAND ID 83619

RE: Notice of Claim to Water Right Number A63-30028

Dear Mr. Lemons:

We have processed the above-referenced Notice of Claim to a Water Right filed in April of 1990 in the Snake River Basin Adjudication.

In the initial review of this claim we found it necessary to either complete or change items in your claim. A computer generated copy with these changes and the receipt for the filing fee previously submitted are enclosed.

The first item changed is the point of diversion, Item 4. You listed the point of diversion as Twp. 07N, Rge. 05W, s. 20, SE 1/4 NE 1/4, Govt. Lots 3 and 4. The SE 1/4 NE 1/4 is neither Govt. Lot 3 nor 4. A plat map showing the location of the Govt. Lots in section 20 is enclosed. If you wish to add points of diversion to your claim, please indicate the additional points on the enclosed claim, add your notarized signature, and return the amended claim to this office to my attention.

The second item changed is Item 6, purposes of use. You listed "Ground Recharge" as a purpose. Water can be used for this purpose by only an irrigation district or an aquifer recharge district. Enclosed is a copy of the Idaho Code which explains the formation of an aquifer recharge district. As you can see, this purpose of use is limited to specific instances by these districts. Consequently, this purpose of use was eliminated from your claim.

Thirdly, Item 7 listed a Total Quantity of 25 acre feet. Since you claimed 50 acre feet in Item 6, Item 7 was changed to match Item 6.

Finally, Item 10, place of use, seems to be inaccurate. Again, Govt. Lots 3 and 4 are not in the NE 1/4 of section 20, but in the SE 1/4. Since you did not indicate how many acres are in each quarter-quarter, the acres were divided between them. If you wish to change the place of use, please indicate the changes on the enclosed claim, add your notarized signature, and return the amended claim to this office to my attention.

MICROFILMED

AUG 03 1994

If you have any questions regarding the information in this letter, please contact this office by July 8, 1994. If we do not hear from you by July 8, we will assume you agree with these changes, and your claim will remain on file as shown on the enclosed copy.

Sincerely,



Maria Minicucci
Water Agent, Adjudication Bureau

MM/m

Enclosures: A63-30028

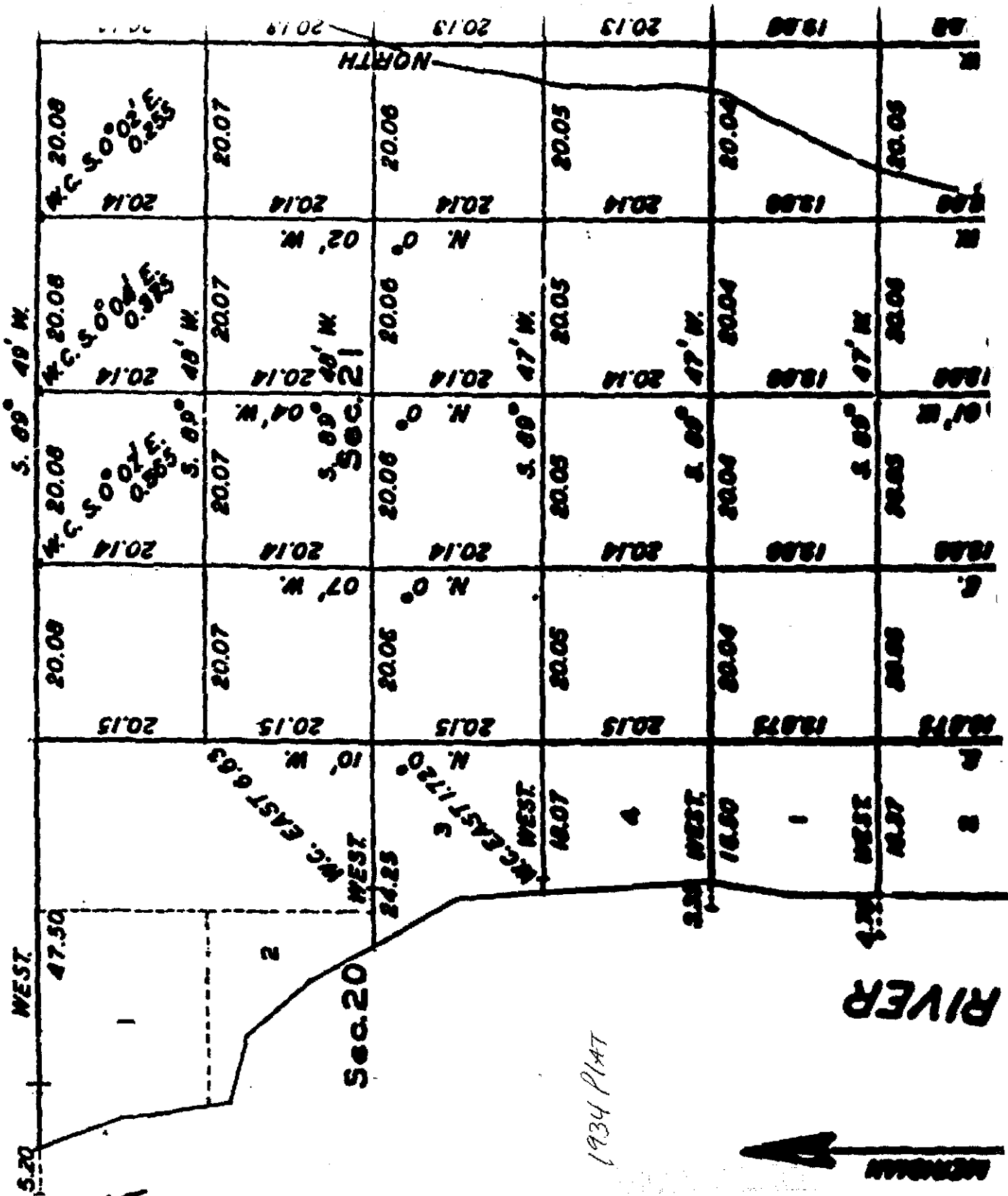
Idaho Code Sections 42-4201A, 42-4202

SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE LAW REQUIRES THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR ADDRESS ON A WATER RIGHT.

MICROFILMED

AUG 03 1994

DEPENDENT RESERVE AND SUE

[illegible]

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
Rec	63 2878	BLACK CANYON IRRIGATION DIST.	ELIJAH DRAIN, WILSON DRAIN	07N05W20				X									X				0
Rec	63 2322	UNITED STATES OF AMERICA ACTING THROUGH,	ELIJAH SLOUGH, WILSON SLOUGH	07N05W20				X									X				0
Right	63 30032	LARRY H LEMONS,	GROUND WATER	07N05W20				X													0
Claim	63 21846	GERALD J HENGGELE, ROBERT M HENGGELE,	HURD GULCH CREEK	07N05W20	26	48	4	9													87
Rec	63 21846	GERALD J HENGGELE, ROBERT M HENGGELE,	HURD GULCH CREEK	07N05W20	26	48	4	9													87
Right	63 3628	J L ARMENT,	HURD GULCH CREEK	07N05W20	26	48		13													87
Rec	65 2433	UNITED STATES OF AMERICA ACTING THROUGH,	PAYETTE RIVER	07N05W20				X									X				0
Claim	3 4021	ROBERT M HENGGELE, GERALD J HENGGELE,	SNAKE RIVER	07N05W20	26	48	4	9													87
Rec	3 4021	ROBERT M HENGGELE, GERALD J HENGGELE,	SNAKE RIVER	07N05W20	26	48	4	9													87
Right	3 4021	GERALD HENGGELE, ROBERT HENGGELE,	SNAKE RIVER	07N05W20	25			12													37
Right	63 30031	LARRY H LEMONS,	SPRING	07N05W20				X													0
Claim	63 30028	LARRY H LEMONS,	SPRINGS	07N05W20	12			13													25
Claim	63 8311	GERALD J HENGGELE, ROBERT M HENGGELE,	SPRINGS	07N05W20	11																11
Rec	63 30028	LARRY H LEMONS,	SPRINGS	07N05W20	12			13													25
Rec	63 8311	GERALD J HENGGELE, ROBERT M HENGGELE,	SPRINGS	07N05W20	11																11
Right	63 4383	H BUEL CLEMENT, IRENE E CLEMENT,	SPRINGS	07N05W20				19									17			14	50
Right	63 8311	HENGGELE BROTHERS,	SPRINGS	07N05W20	11																11
Claim	65 2900	BLACK CANYON IRRIGATION DIST.	TUNNEL NO 2 DRAIN	07N05W20				X									X			X	0
Rec	65 2900	BLACK CANYON IRRIGATION DIST.	TUNNEL NO 2 DRAIN	07N05W20				X									X				0

7N5W

7N5W