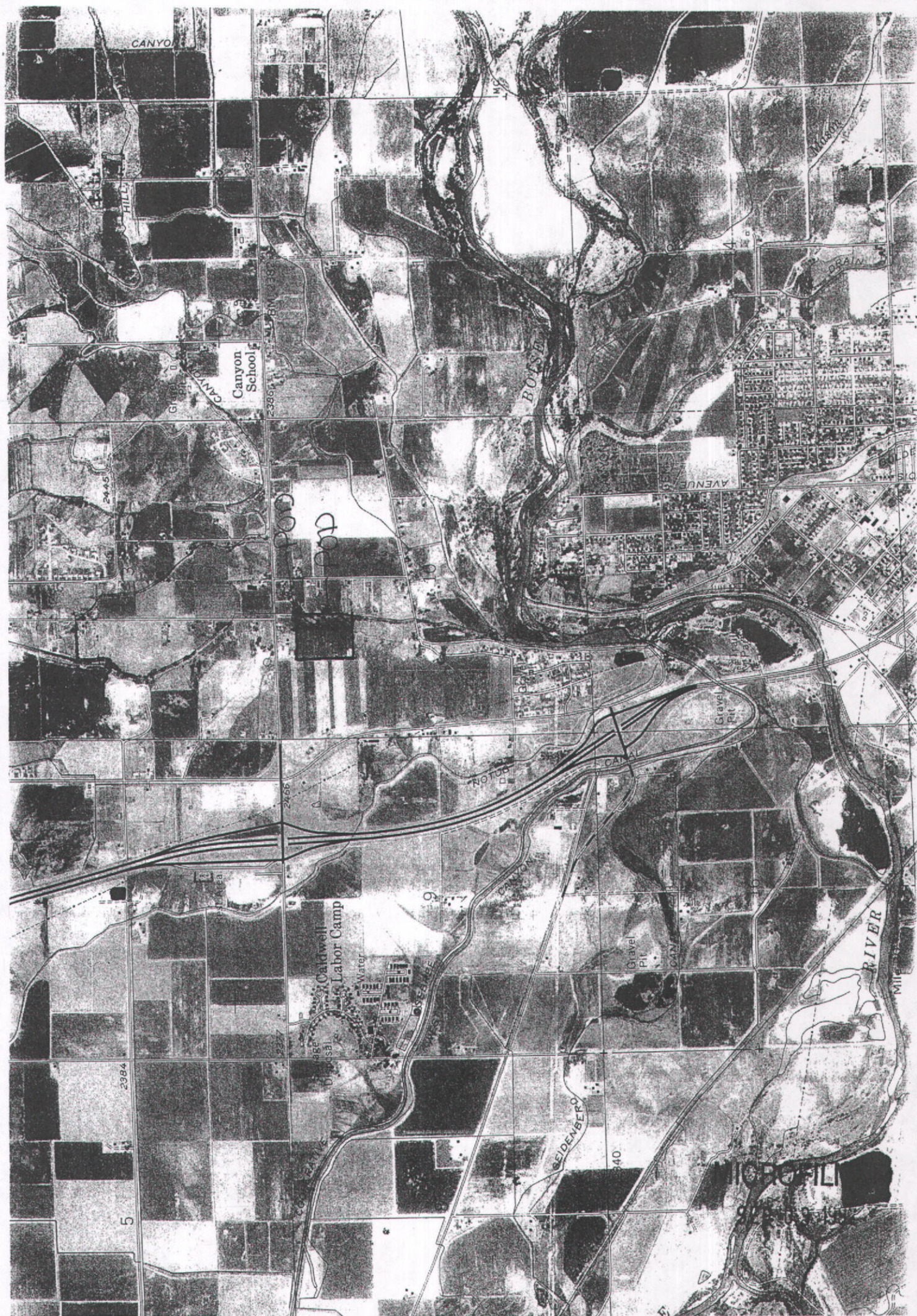




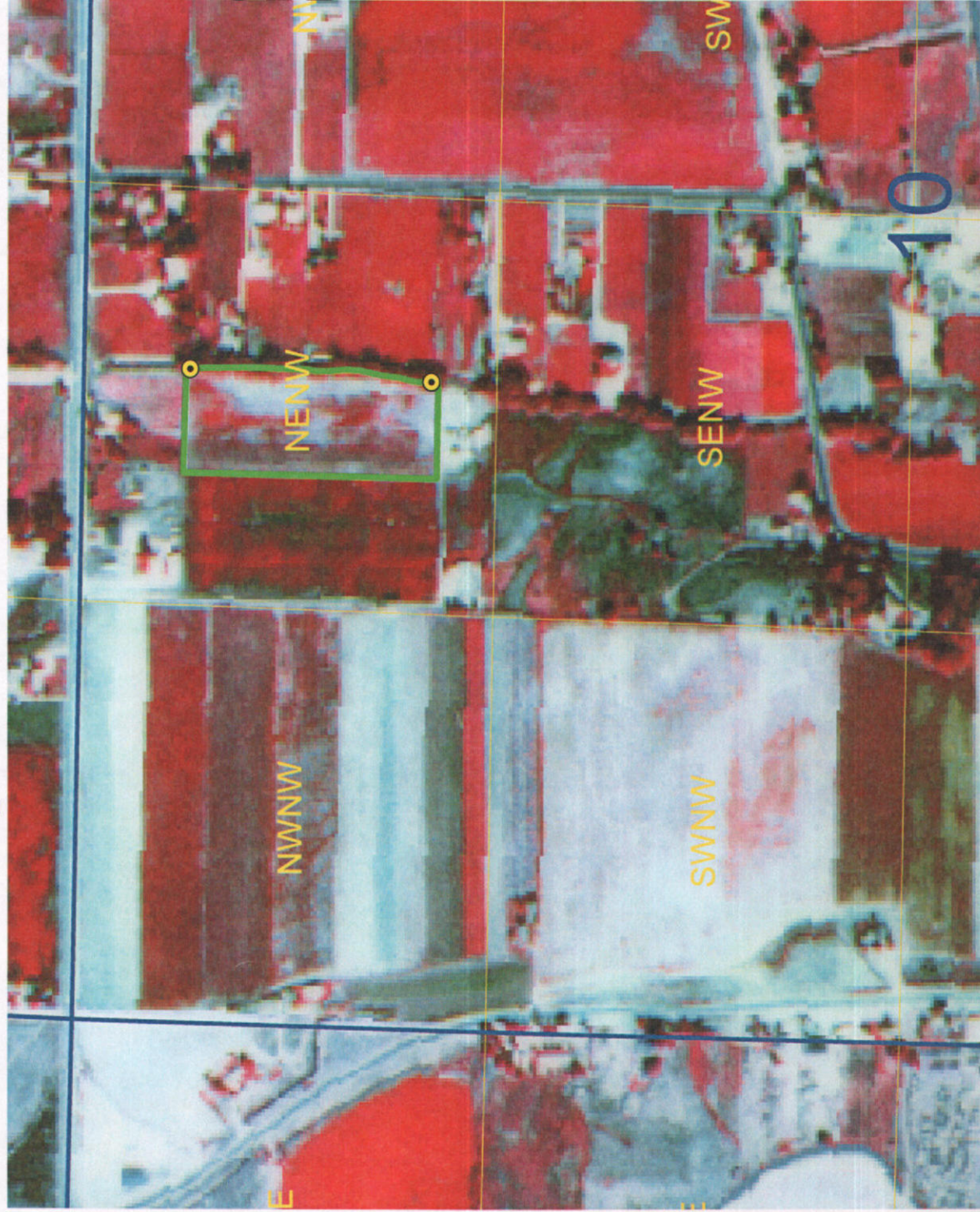
Idaho Department of Water Resources

T04N, R03W, SEC 10

Claim No: 63-20521

Prepared By: Kimberly Brown

Date: May 11, 2006



Place of Use



Section Lines

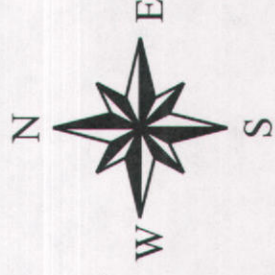


1/4 1/4



Point of Diversion

Irrigated Acres = 6



0 0.05 Miles

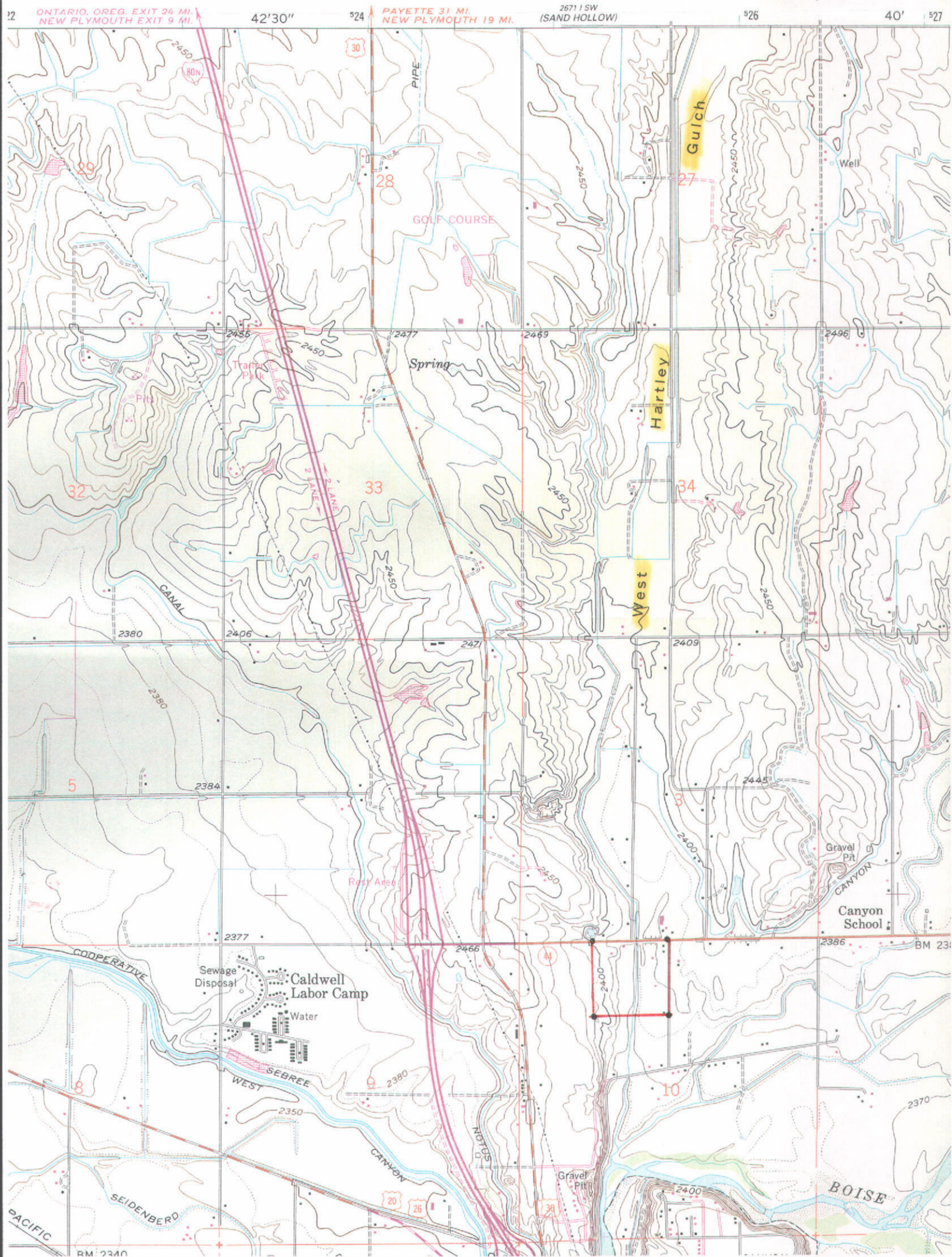
1987 NAPP

EFW 28

Caldwe

(x5)

- 1981 -



Idaho Department of Water Resources

Claim Number: 63-20521
 Legal: T04N, R03W, S10
 Reviewed By:

RECEIVED

APR 21 2006

WATER RESOURCES
 WESTERN REGION

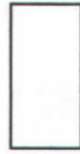
● Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines

Please review this aerial depiction of your place of use and the location of your points of diversion. The green boundary shows 14.0 acres. Please draw the correct 8.0 acres of irrigation. Please make any other corrections and return this to me with your evidence.

1987 Napp Photo



⊗ Make any corrections & return this with your evidence of priority.

Idaho Department of Water Resources

Claim Number: 63-20521
Legal: T04N, R03W, S10
Reviewed By:

● Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines

1987 Napp Photo



0 0.25 0.5 0.75 Miles



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: A63-20521
Date Received: 2/01/1990
Receipt No: 1005671
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JANET G. DEROUSSE 208-454-3359
Address: 14747 HWY 44
CALDWELL, ID 83605

AND/OR

Name: VERNON C. DEROUSSE 208-454-3359
Address: 14747 HWY 44
CALDWELL, ID 83605

2. Date of Priority: JAN 07, 1911

3. Source: HARTLEY GULCH Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	03W	10	NW	NE	NW		CANYON
			SW	NE	NW		CANYON

5. Description of diverting works:
PORTABLE PUMP IN CREEK, AND FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.160		
STOCKWATER	01/01	12/31	0.030		

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

8. Total consumptive use is 28.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ UP TO 25 HEAD HORSE & CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	10	NE	NW		IRR	8.0
			NE	NW		STOCK	
						Section Acres	8.0
						Total Acres	8.0

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:

THIS RIGHT IS SUPPLEMNTAL TO BLACK CANYON IRRIGATION DIST.

14. Remarks:

THE IRRIGATION SYSTEM FOR THIS LOCATION IS GENERALLY USED TO SUPPLEMENT IRRIGATION RIGHTS FROM DISTRICTS. THE LANDS HAVE IRRIGATED SINCE BEFORE 1910 FROM THE CREEK FLOWING THROUGH HARTLEY GULCH, WHEN NEEDED. THE SYSTEM IN USE SINCE 1977 HAS BEEN WITH PORTABLE GAS PUMPS FOR FLOOD IRRIGATION.

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: 2

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): Janet DeRousse Date: 2/1/90
Date: _____

State of Idaho)
County of Canyon) ss.

Subscribed and sworn (or affirmed) before me this 1st day
of February 19 90

Seal

Anna Baumhoff
Notary Public

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



CANYON

Canyon School

Canyon Camp

SE DENEBO

RIVER

PLAT OF THE FRUITDALE FARM.

CANYON COUNTY, IDAHO

AUG. 1907.



CERTIFICATE

I hereby certify that this Fruitdale Farm Plat conforms to the original Plat on file in the records of Canyon County, Idaho.

John V. Thompson
County Clerk

Notes
State of Idaho }
County of Canyon }
I hereby certify that the above plat conforms to the original plat on file in the records of Canyon County, Idaho.
all minutes and
done for the Fm. Co.
January 1888 in my
office and duly recorded in book
2 of plats of Canyon Co.
at Caldwell, Idaho
for 15.

FOUND!

PEACE AND PLENTY
THEY ARE YOURS FOR THE ASKING.

THE FRUITDALE FARM CO. LTD

OF
CALDWELL, IDAHO

OFFERS FOR SALE AND ACRES OF THE FINEST
LAND IN THE BOISE VALLEY IN FIVE AND
TEN-ACRE TRACTS WITHIN A MILE OF THE CITY
LIMITS OF CALDWELL, HALF A MILE FROM THE
BOISE INTERURBAN LINE, FIFTEEN MINUTES FROM
MARKETS OR BUSINESS.

TERMS-TO-SUIT-PURCHASERS

THIS LAND IS THE O'NEALEY WHEAT FARM.
HAS BEEN IN A HIGH STATE OF CULTIVATION
FOR YEARS. IT IS NOW READY FOR

Suburban Homes

AT REMARKABLY LOW PRICES FOR SUCH LAND
AND OPPORTUNITIES.

NO CITY TAXES; ABUNDANCE OF FREE WATER;
SPLENDID MARKET; IDEAL SPOT FOR A PROSPEROUS
HAPPY HOME.

CALL FOR EARLY CHOICE AND ADDRESS

FRUITDALE FARM CO. LTD

OR
H.C. CLAY, AGENT.
CALDWELL, IDAHO.

[Small text block containing legal notices and signatures]



[Small text block containing legal notices and signatures]

[Signature]

[Small text block containing legal notices and signatures]

This Map is attached solely for the purpose of assisting in locating the land and the Company assumes no liability for variations, if any.

MICROFILMED

SEP 03 1992

PLAT OF FRUITDALE FARM

DUPLICATE PLAT BOOK NO. 8

CANYON ABSTRACT & TITLE CO., LTD.
Solely for the purpose of assisting in locating the land and the Company assumes no liability for variations, if any.

RECEIVED

JUN 14 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
Case No. 39576

A. Subcase 63-20521

(Insert water right no.)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: ADA COUNTY DRAINAGE DISTRICT NO. 2

Address: 455 S. Third Street
Boise, Idaho 83701

Daytime Phone: 208-342-4591

Name & Address of Attorney, if any:

S. Bryce Farris
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

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

Name: VERNON C. AND JANET G. DEROUSSE

Address: 14747 Highway 44
Caldwell, Idaho 83605

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

1. X **Name and Address**
 Should be: Disallowed. See below.
2. X **Source**
 Should be: Disallowed. See below.
3. X **Quantity**
 Should be: Disallowed. See below.
4. X **Priority Date**
 Should be: Disallowed. See below.
5. X **Point(s) of Diversion**
 Should be: Disallowed. See below.
6. ☐ **Instream Flow Description**
 Should be: N/A
7. X **Purpose(s) of Use**
 Should be: Disallowed. See below.
8. X **Period of Year**
 Should be: Disallowed. See below.
9. X **Place of Use**
 Should be: Disallowed. See below.
10. X **I object because:**

 X This water right should not exist.

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

E. REASONS SUPPORTING OBJECTION (S): This claimed water right is within the boundaries of Ada County Drainage District No. 2 ("DD#2") and the source of said claim is a drain which was constructed or enlarged by or for DD#2. Said drain is owned, operated, maintained and controlled by DD#2 and the water within said drain is seepage or waste water that has been developed, captured and/or controlled by DD#2. Therefore, said water is not subject to appropriation, would amount to an impermissible trespass, and this claimed water right should not exist.

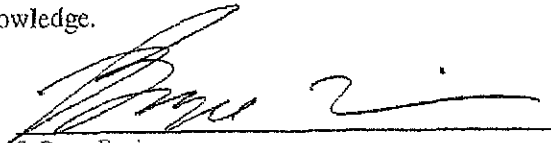
F.

VERIFICATION (must be completed)

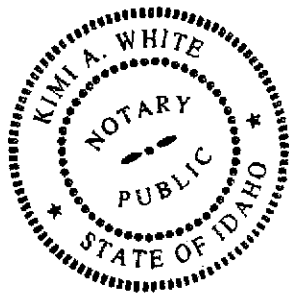
State of Idaho)
) ss.
County of Ada)

S. Bryce Farris, 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.


S. Bryce Farris

Subscribed and sworn to before me on: June 12, 2007




Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 01/01/10

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will no be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on ^{June}~~April~~ 12, 2006, 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: Vernon C. and Janet G. Derosse

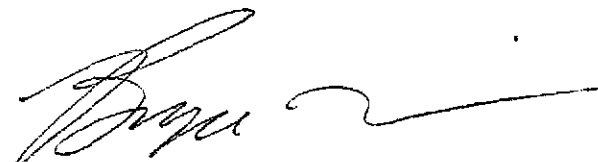
Address: 14747 Highway 44
Caldwell, Idaho 83605

3. Copies to:

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

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



Signature of Objector or attorney
mailing on Objector's behalf

12/14/3805

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 11-10511
NAME AND ADDRESS: VERNON C DEROUSSE
14747 HWY 44
CALDWELL ID 83605

JANET G DEROUSSE
14747 HWY 44
CALDWELL ID 83605

SOURCE: HARTLEY GULCH CREEK TRIBUTARY: BOISE RIVER
QUANTITY: 0.140 CFS

The quantity of water under this right for stockwater use shall not exceed
12,000 gallons per day.

PRIORITY DATE: 01/07/1911

POINT OF
DIVERSION: T04N R03W S10 NENENW Within CANYON County
T04N R03W S10 SENENW 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	0.020 CFS
IRRIGATION	03/01 11/15	0.120 CFS

PLACE OF USE: IRRIGATION in CANYON County
T04N R03W S10 NENW 6.00
STOCKWATER in CANYON County
T04N R03W S10 NENW

6 ACRES TOTAL

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Property is also known as a portion of Tracts 1-4, Fruitdale Farms.

Stockwater use is for up to 15 head mixed stock.

Use of this right is combined with water from Black Canyon Irrigation District.

05/11/2006

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

RIGHT NUMBER: 63-20521

NAME AND ADDRESS: VERNON C DEROUSSE
14747 HWY 44
CALDWELL ID 83605

JANET G DEROUSSE
14747 HWY 44
CALDWELL ID 83605

SOURCE: HARTLEY GULCH CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.140 CFS

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

PRIORITY DATE: 01/07/1911

POINT OF DIVERSION:

T04N R03W S10 NENENW Within CANYON County

T04N R03W S10 SENENW 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	0.020 CFS
IRRIGATION	03/01 11/15	0.120 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T04N R03W S10 NENW 6.00

STOCKWATER Within CANYON County

T04N R03W S10 NENW

6 ACRES TOTAL

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Property is also known as a portion of Tracts 1-4, Fruitdale Farms.

Stockwater use is for up to 25 head mixed stock.

Use of this right is combined with water from Black Canyon Irrigation District.

Idaho Department of Water Resources

**T04N, R03W,
SEC 10**

Claim No: 63-20521
Prepared By: Kimberly Brown
Date: May 11, 2006



Place of Use



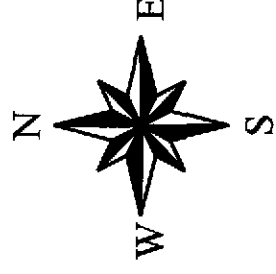
Section Lines



1/4 1/4

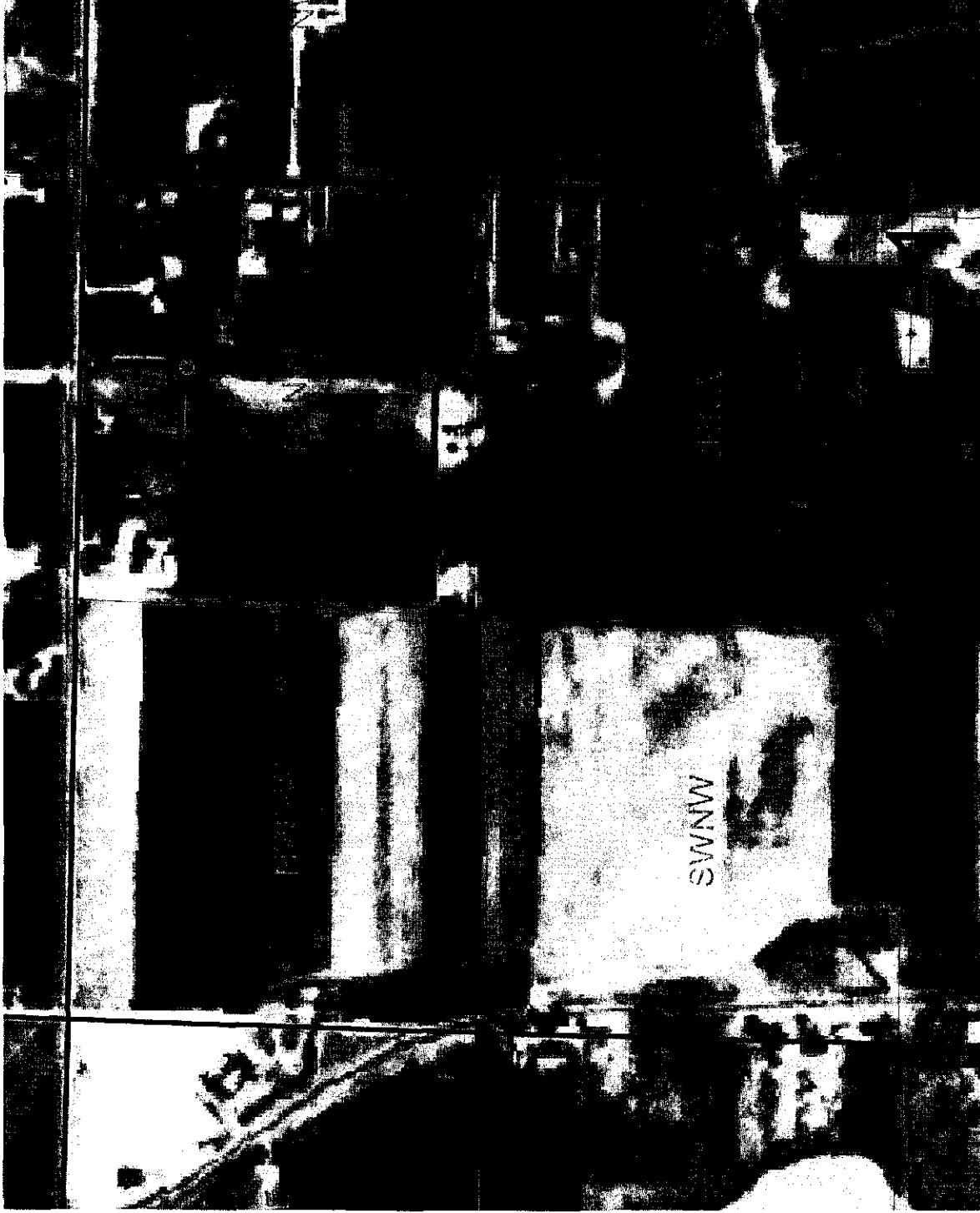
☉ Point of Diversion

Irrigated Acres = 6



0 0.05 Miles

1987 NAPP



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-20521

WATER RIGHT NUMBER: 63-20521 ✓

Owner Type

Current Owner

Name and Address

VERNON C DEROUSSE ✓
14747 HWY 44
CALDWELL, ID 83605
(208)454-3359

Current Owner

JANET G DEROUSSE ✓
14747 HWY 44
CALDWELL, ID 83605
(208)454-3359

Current Owners:

Janet & Vernon De Rousse

Debbie Root - 22888 Rainbow Ridge

William D. Root - 14747 Hwy. 44

Priority Date: 01/07/1911 ✓

Basis: Beneficial Use ✓

Status: Active

Source

HARTLEY GULCH CREEK ✓

Tributary

BOISE RIVER ✓

Beneficial Use

STOCKWATER ✓

IRRIGATION ✓

From To

1/01 to 12/31 ✓

3/15 to 11/15 ✓

Diversion Rate

0.02 - 0.030 CFS ✓

0.12 - 0.160 CFS ✓

Annual Volume

N/A

Total Diversion: -0.190 CFS ✓

0.14

Change to 3/11

Location of Point(s) of Diversion

HARTLEY GULCH CREEK

CANYON County ✓

SW 1/4 NE 1/4 NW 1/4 ✓

E

Sec. 10, Twp 04N, Rge 03W, B.M. ✓

HARTLEY GULCH CREEK

CANYON County ✓

NW 1/4 NE 1/4 NW 1/4 ✓

E

Sec. 10, Twp 04N, Rge 03W, B.M. ✓

Place of Use

STOCKWATER ✓

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	03W	10	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X								

IRRIGATION ✓

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	03W	10	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							8.0								8.0
							6.0								6.0

Total Acres: 6.0

ADD X02 - Stockwater use is for 25 mixed live-stock

ADD W14 - Use is combined with water from Black Canyon Terr. Dist.

ADD J01 - Place of use is also known as a portion of Tracts 1-4. Fruitdale Farms.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-20521

Conditions of Approval:

1. THE IRRIGATION SYSTEM FOR THIS LOCATION IS GENERALLY USED TO SUPPLEMENT IRRIGATION RIGHTS FROM DISTRICTS. THE LANDS HAVE IRRIGATED SINCE BEFORE 1910 FROM THE CREEK FLOWING THROUGH HARTLEY GULCH, WHEN NEEDED. THE SYSTEM IN USE SINCE 1977 HAS BEEN WITH PORTABLE GAS PUMPS FOR FLOOD IRRIGATION.

Remarks:

ADD N05 & N08 - Stockwater use

Comments:

Water Supply Bank:

Field Exam Date 5.10.06

(in-office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$58.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None in NW 1/4, S10
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63 - 20521

Owner: Janet & Vernon DeRousse Phone No. _____

Current Address: 14747 Hwy. 44, Caldwell 83605
(property address)

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

Accompanied by: N/A

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 1/7/1911

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

An affidavit signed by claimant Janet DeRousse was received on 4/21/06. Mrs. DeRousse also submitted a Plat of the Fruitdale Farm dated Aug., 1907.

Source: Hartley Gulch Creek Tributary to _____

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

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

QQQ should be SE, not SW (SE NE NW) and NE, not

~~NW NE NW~~
(NE NE NW)

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
		SE	NE	NW					
		NE	NE	NW					

Description of diverting works

Portable pump in creek

OVERLAP REVIEW

Other water rights with the same point of diversion: None

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

WATER USES

Irrigation season of use is 3/1 to 11/15.

☐ No change

☐ Different Uses

Use Irrigation From 3/1 To 11/15 Amount 0.12 CFS 27.0 AFA surface water source

Use Stock water From To Amount 0.02 CFS AFA

Use From To Amount CFS AFA

~~6 acres x 4.5 af/acre = 27.0 af/annum~~ 0.12 cfs x 1.9835 x 260 days = 61.9 af/annum

TOTAL VOLUME - Groundwater only

☐ Incomplete on claim, the total is, Amount CFS AFA

☒ Changes found, the new total is, Amount 0.14 CFS 27.0 AFA ADD: 405 #

☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

408 for stock water

NON-IRRIGATION USES:

Stock water

☐ No change

☒ Changes Exam found: Domestic # of homes Stock # up to 25 head mixed stock

Types Additional comments:

PLACE OF USE:

☐ No Change

☒ Changes shown below:

When Mrs. Janet DeRousse came in to the office to submit evidence of priority, she also went over the 1987 shapefile created by Karan Waters. Mrs. DeRousse stated that the southern-most POD should actually be located lower and that the acres irrigated by the creek water are only the lighter colored acres located adjacent to the creek's right to the west. The darker-colored acres are only

Irrigated by Black Canyon Irr. Dist. water. I asked Mrs. DeRousse to take the acres irrigated by Black Canyon water out with hatched-lines. Mr. DeRousse re-drew the acres irrigated by creek water to go all the way east to the creek (see shapefile in file)

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							6.0												6.0

Overlap with other water rights:

(+) Black Canyon Irr. Dist. water

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

This claim is supplemental to Black Canyon Irrigation District water. No overlap with listed P+S claims (see overlap review sheet in file).

Delivery System Narrative:

Flood irrigation

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Place of use is also known as a portion of
Tracts 1-4, Fruitdale Farms.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 5.11.06 (in-office review)

FIELD EXAMINER: Kimberly Brown

RECEIVED

OCT 18 2006

09/29/2006

WATER RESOURCES
WESTERN REGION

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: 63-20521

VERNON C DEROSSE
14747 HWY 44
CALDWELL ID 83605
Telephone Number: (208)454-3359

JANET G DEROSSE
14747 HWY 44
CALDWELL ID 83605
Telephone Number: (208)454-3359

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

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

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

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

DATE: 10/17/06

SIGNATURE:

Janet G DeRousse

Please print your name:

Janet G DeRousse

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

April 7, 1975

OPERATIONS DIVISION
ADMINISTRATOR'S MEMORANDUM

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

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

12,500 gpd

12,000 gpd

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

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

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

Volume

a) for livestock use @ 12 gpd/hd, N (0.0134).

b) for dairy use @ 35 gpd/hd, N (0.0391).

12 gal/day/head -

Rate

a) for livestock use @ 12 gpd/hd, N (0.00022).

b) for dairy use @ 35 gpd/hd, N (0.00065).

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

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

A. Kenneth Dunn

5

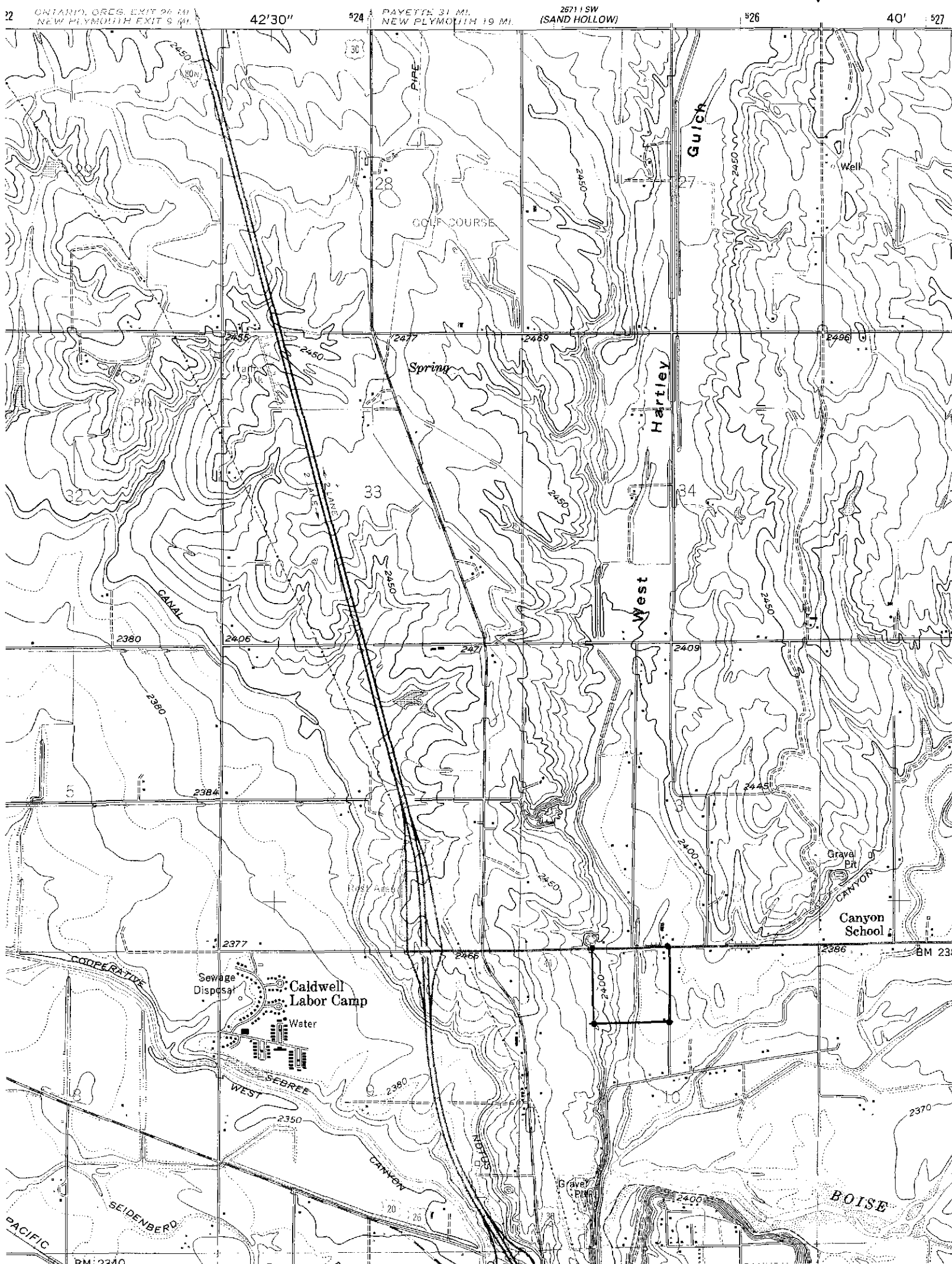
(X5)

EASI FILE CORP HYVINE CA

EPH 24

Caldwell

- 1981 -



REAL PROPERTY INQUIRY

```

+++++
01 6R22044-000- -0 032-00 SCH134+ 01 5,600 9.15
+++++
DE ROUSSE, JANET G + 32 13,500
+ 37 50,200
+
+
+
14747 HWY 44 +
CALDWELL ID 83607 +
+++++
10-4N-3W NW FRUITDALE FARMS 2950 + TOTAL 97,300 10.15
TX 03298 TRACT 1 & 2 ++++++
+ SURVEY INST 200366319
+ DRAIN 2 DR VALUE 26.98 APPR DYW
+ CLASS 1 REAP 02 MAN 01 UNIT 1
14747 HWY 44, CA Pg 67 + PARCEL 6R02950001000J H/O N C/B N
+ PRIOR ACCOUNT 5R22044-000- -0
+ 02 MH on Property NO
MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R22044000 0 UNIT 001 TOTAL UNITS 1

SITE 14747 HWY 44 CA SEC/TWN/RNG 10-4N-3W
ASSESSED VALUE 97,300 ACREAGE 10.15
SUB/PARK NAME FRUITDALE FARMS YEAR/MAKE
CLASS 1 OWNER / OCCUPIED HOUSE CLASS ' 1' SPACE LOT BLOCK
+++++
YR BUILT 1980 AIR COND AIR - NONE CARPORT A2
STORY 1 STORY HEATING OIL CARPORT SQ FT 576
FIRST SQ FT 1560 EXTERIOR METAL SIDING DECK/PATIO? N
SECOND SQ FT ROOF GALVNZD METAL POOL? N
BEDS 3 BSMT SQ FT SPA? N
BATHS 1.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE A3 NEIGHBORHOOD 0
GARAGE SQ FT 1050
+++++
COMMENTS CONVERTED SHOP INTO HOUSE MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

```

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-20521

03/23/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2406	Claim	04N	03W	10	NE	NW		IRRIGATION	13/29248	DRAINAGE DIST NO 2
~~20521~~	~~Claim~~	~~04N~~	~~03W~~	~~10~~	~~NE~~	~~NW~~		~~IRRIGATION~~	~~9/8~~	~~VERNON G DEROUSSE~~
2406	Water Right	04N	03W	10	NE	NW		IRRIGATION	13/29248	DRAINAGE DIST NO 2
~~20521~~	~~Claim~~	~~04N~~	~~03W~~	~~10~~	~~NE~~	~~NW~~		~~STOCKWATER~~		~~VERNON G DEROUSSE~~
15812	Water Right	04N	03W	10	NE	NW		STOCKWATER		BETTY J PURCELL
20523	Water Right	04N	03W	10	NE	NW		STOCKWATER		JANET G DEROUSSE
26179	Water Right	04N	03W	10	NE	NW		STOCKWATER		RAYMOND E MC DOWELL
27661	Water Right	04N	03W	10	NE	NW		STOCKWATER		BETTY L DAVIS
31085	Claim	04N	03W	10	NE	NW		DOMESTIC		MAGGIE R CAYLER
15812	Water Right	04N	03W	10	NE	NW		DOMESTIC		BETTY J PURCELL
20523	Water Right	04N	03W	10	NE	NW		DOMESTIC		JANET G DEROUSSE
26179	Water Right	04N	03W	10	NE	NW		DOMESTIC		RAYMOND E MC DOWELL
27103	Water Right	04N	03W	10	NE	NW		DOMESTIC		ESTELLE CHRISTENSEN
27661	Water Right	04N	03W	10	NE	NW		DOMESTIC		BETTY L DAVIS
30260	Water Right	04N	03W	10	NE	NW		DOMESTIC		DENNIS DAVIS

no overlap

- supplemental to Black Canyon
Irr. District water

- no overlap w/ listed D & S clms.

Overlap review

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-20523

WATER RIGHT NUMBER: 63-20523

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JANET G DEROUSSE 14747 HWY 44 CALDWELL, ID 83605 (208)454-3359
Current Owner	VERNON C DEROUSSE 14747 HWY 44 CALDWELL, ID 83605 (208)454-3359

no overlap

Priority Date: 07/01/1977

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
STOCKWATER	1/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

GROUND WATER

SW1/4NE1/4NW1/4

Sec. 10, Twp 04N, Rge 03W, B.M.

CANYON County

Place of Use

DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 03W 10					X												

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 03W 10					X												

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 63-20523

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. STOCKWATER, 25 HORSES & RANGE CATTLE PARCEL NO. 3R 02950001000J
4. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

Comments:

Water Supply Bank:

Receipt Details for ID M005671

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/1/1990 11:57:09 AM	2/1/1990	Mobile	\$83.00	Check
Payer	DEROUSSE, JANET OR VERNON			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
585			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$83.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	20521		\$58.00	Claim
63	20523		\$25.00	Claim

Print Report

RECEIVED

APR 21 2006

WATER RESOURCES
WESTERN REGION

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

AFFIDAVIT

63-20521)
)
)
)
State of Idaho)
County of _____)

deposes and says:

In a conversation with a longtime neighbor, Mr. Kruger (80+ yrs) he told us that the farm had been a Fruit Farm for many years (1911) & that the only irrigation source had been Hartley Gulch Creek. At various times it has been home to feeder livestock & pasture ground. The livestock also waters from the creek.

Black Canyon water was added about 25 to 30 years to the upper portion of the property, only water from the creek was available prior to that time.

Janet DeRousse
(Signature)

Idaho Department of Water Resources

Claim Number: 63-20521
Legal: T04N, R03W, S10
Reviewed By:

RECEIVED

APR 21 2038

WATER RESOURCES
WESTERN REGION

☉ Point of Diversion

☐

Place of Use

☐

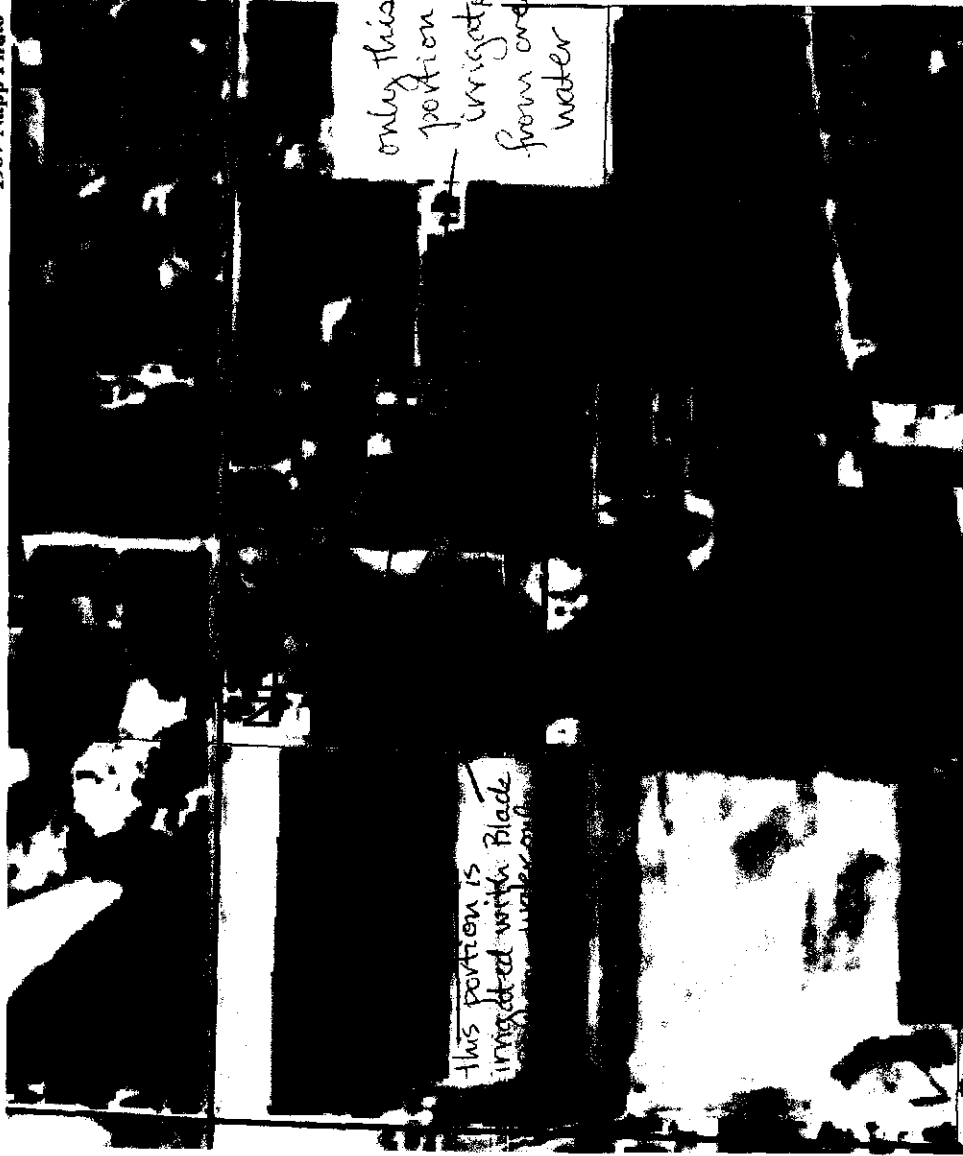
Section Lines

☐

Quarter Quarter Lines

Please review this
aerial depiction of your
place of use and the
location of your points
of diversion. The green
boundary shows 14.0 acres.
Please draw the correct
8.0 acres of irrigation.
Please make any other
corrections and return this
to me with your evidence.

1987 Napp Photo



⊗ Make any corrections
& return this with
your evidence of priority.

#63-20521

H C. CLAY, AGENT.
CALDWELL, IDAHO.

[illegible][illegible]

This Map is attached solely for the purpose of assisting in locating the land and the Company assumes no liability for variations, if any.

PLAY OF PROSTABLE FASH

DUPLICATE PLAT 8008 NO. 2

CANTON ABSTRACT & TITLE CO., LTD.
Serving All Of Greater Canton
Since 1913
1118 Commercial • Equipment • Appraisals
423 S. Russell • Canton, Mass 01860
Telephone: 488-1451

13 000000

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-20521
Evidence of Priority**

April 21, 2006

Janet DeRousse came in to the office to submit an affidavit and another copy of the August 1907 *Plat of the Fruitdale Farm* as evidence of priority.

In addition, we also went over the 1987 shapefile created by Karan Waters that I sent with my evidence of priority request letter. I asked the claimant to review the shapefile and since Ms. Waters depicted 14 acres as the place of use, I requested that the claimant draw the claimed 8.0 acres of irrigation. I also requested that she make any other corrections and return the shapefile with the evidence of priority.

As we looked at the shapefile, Mrs. DeRousse stated that the southern-most point of diversion should actually be located lower on the map; so I had her cross-out the wrong POD depiction and had her draw an "X" where it is actually located. Mrs. DeRousse also stated that the acres irrigated by the creek water are only the lighter-colored acres located adjacent to the creek on its west bank. "The darker-colored acres farther west," she stated, "are only irrigated by Black Canyon Irrigation District water." I asked Mrs. DeRousse to take out the acres irrigated by Black Canyon water by hatching them out with long lines. I then asked Mrs. DeRousse to re-draw the acres irrigated by the creek water with her blue-colored pen. As she was doing this, she drew the eastern border all the way to the banks of the creek, stating that the green boundary should extend a little farther to the east.

Kimberly Brown
Senior Water Resource Agent
Western Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 28, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JANET & VERNON DEROUSSE
14747 HWY 44
CALDWELL ID 83605

*(+) sent
shapefile*

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-20521

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

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

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

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

The required evidence supporting the priority date(s) requested needs to be submitted by April 26, 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.

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 may be receiving a call from us in order to set-up an appointment for a field exam.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-20521

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.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-20521 Date: 3-22-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	3W	10					8												8
GIS								14												14
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 2

Total Claimed Acres: 8

Overlapping POU Claim #'s:

Total GIS Acres: 14

COMMENTS:

POU - applicant owns all property digitized. On claim map the black hatched area I thought to be the claim is only 5.7 acres so included all ownership that looks irrigated.

PODs - claim map.

Idaho Department of Water Resources

Claim Number: 63-20521
Legal: T04N, R03W, S10
Reviewed By:

⊙ Point of Diversion

☐

Place of Use

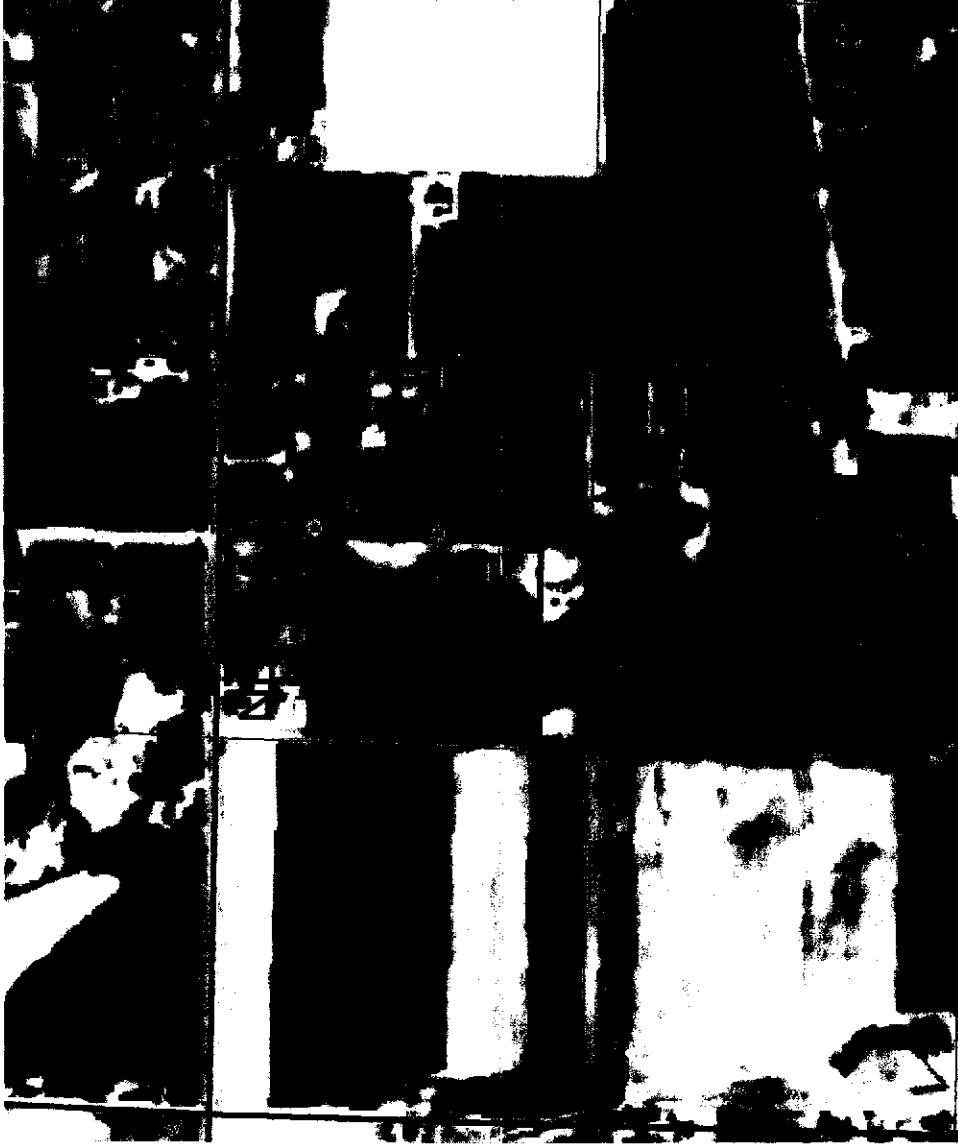
☐

Section Lines

☐

Quarter Quarter Lines

1987 Napp Photo



0 0.25 0.5 0.75 Miles

