



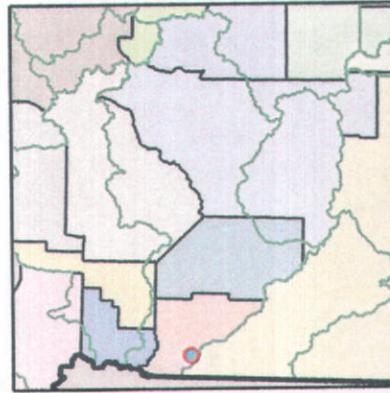
Idaho Department of Water Resources

SRBA Recommendation:

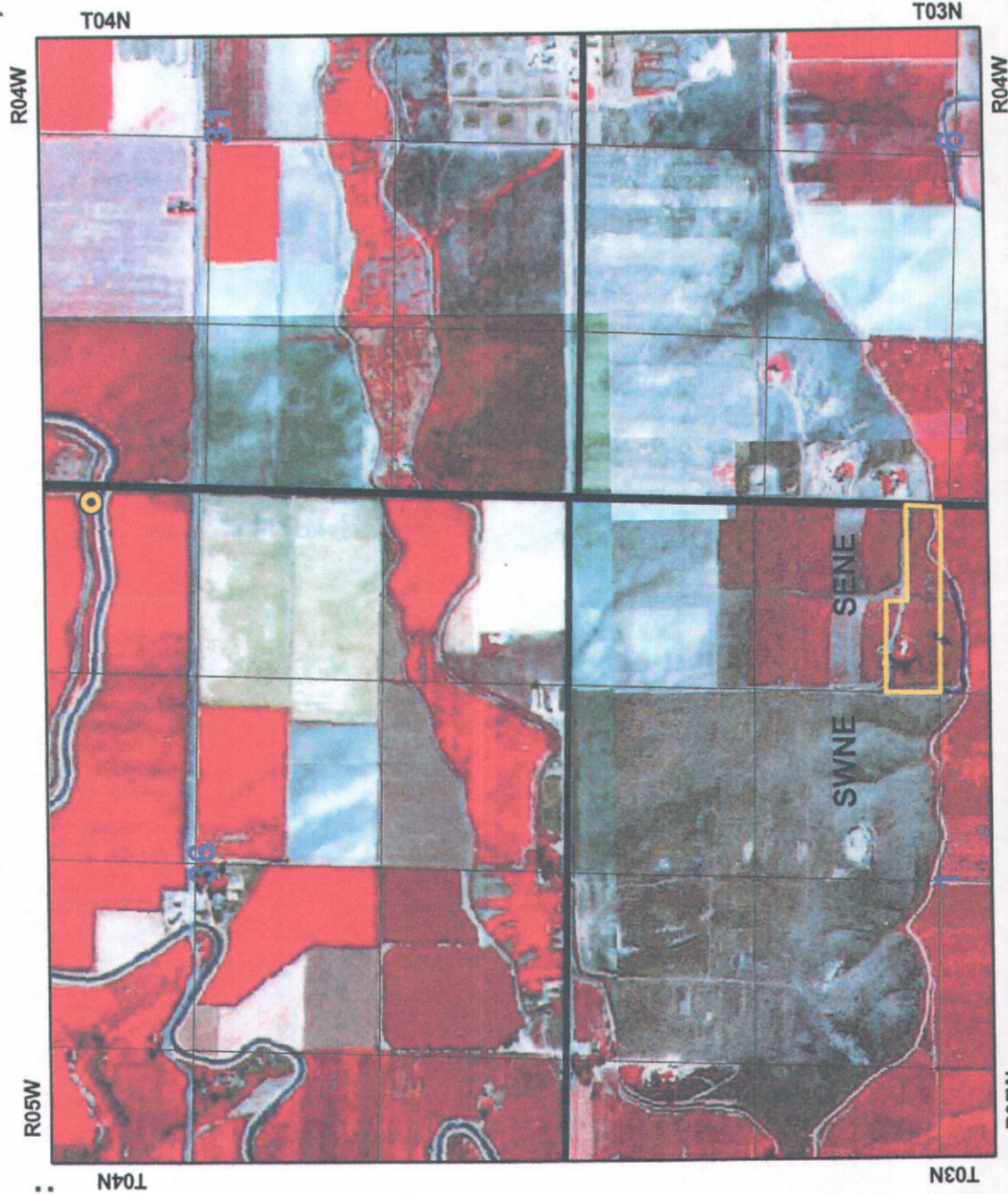
63-32464
(Irrigation)

Legend

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



Canyon County
IDWR Basin 63



1 Miles

0.5

0

Prepared by K. Walker
On Wednesday, September 20, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

SRBA Recommendation:

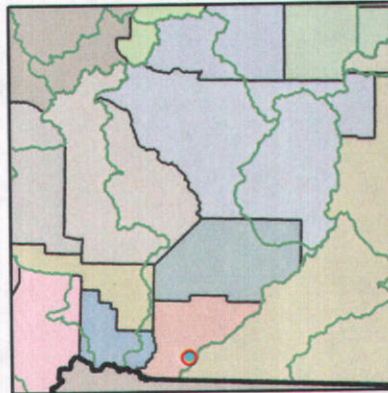
63-32464

(Irrigation)

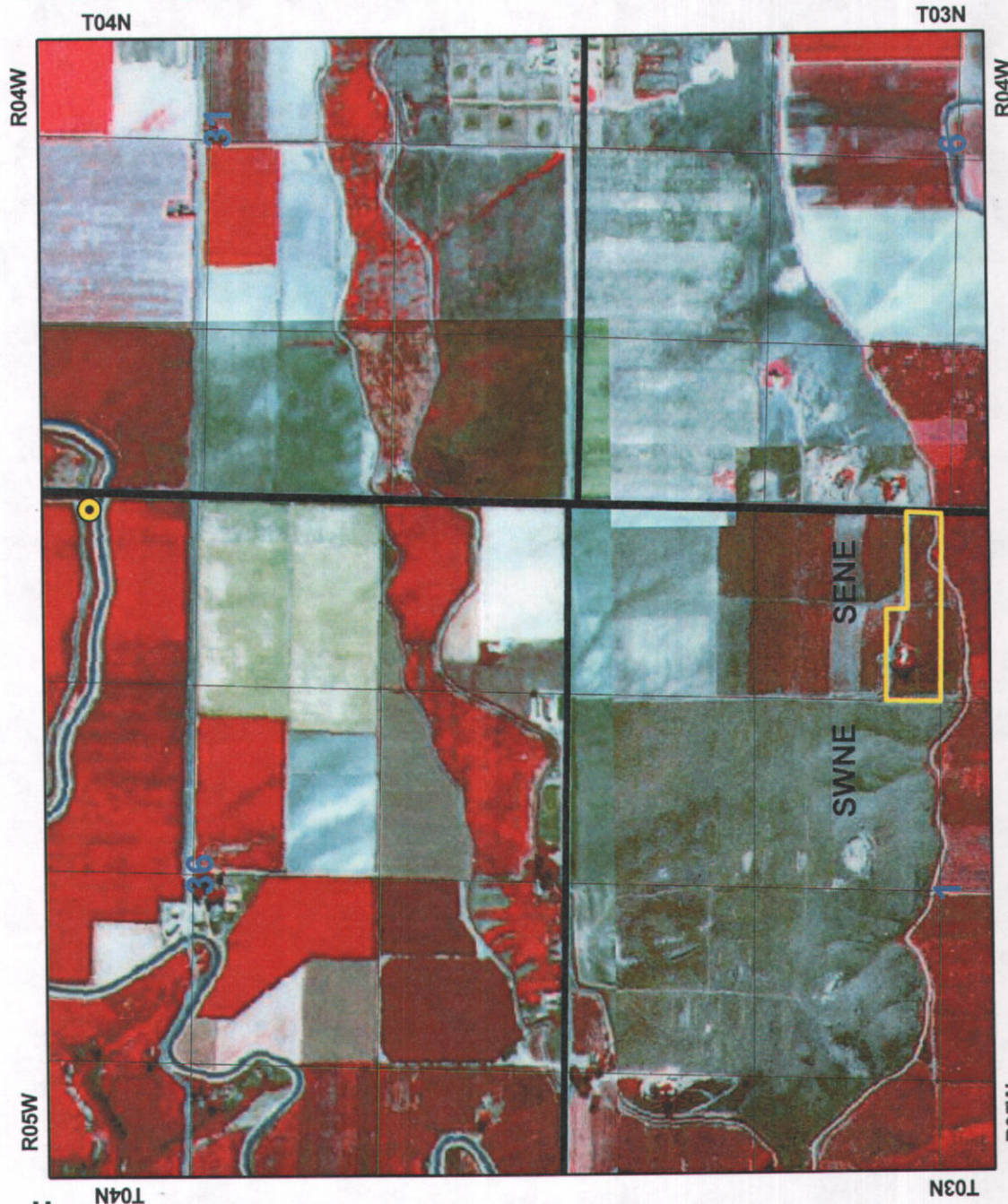
Acres = 9.5

Legend

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



Canyon County
IDWR Basin 63



0 0.5 1 Miles

Prepared by K. Walker
On Wednesday, September 20, 2006
1987/88 Aerial Photography

Idaho Department of Water Resources

Claim Number: 63-05185

Legal: T03N, R05W, S1

Reviewed By:

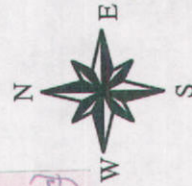
Point of Diversion

Place of Use

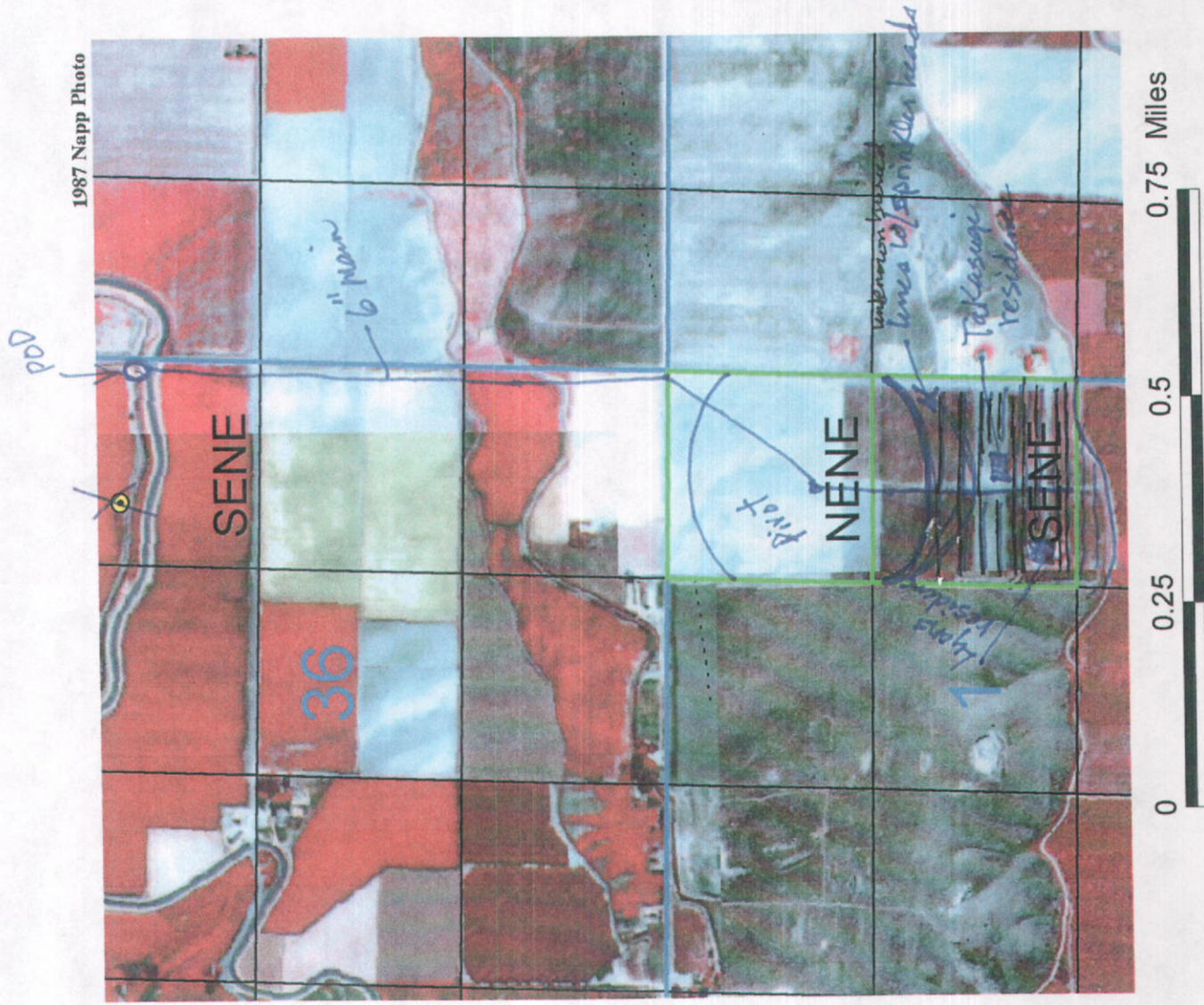
Section Lines

Quarter Quarter Lines

You may draw
all over these
aerials (POU,
POD, system
delivery, home(s), etc)



1987 Napp Photo



2004 NAPP

#63-5185



POD: 10#
A000080.
3 phase
pump
GE 60 HP
turbine
pump

24/02/2006

6 inch steel
conduit to

from PoD: 1.1 miles of 6" main total
0.8 miles to wheel pivot Zimmerman super spray
0.2 miles to property line
0.1 mile to end PoD

wheel
Pivot

6" buried plastic
Prop

6" steel above
ground only
over ~~sewer~~

24/02/2006



Wheel/pivot Zimoneatic
sinners super spray

Premium Efficiency
10 Hp booster pump

24/02/2006



Patrick & Suzanne Takasugi's
residence

Richard Lynn
Family Trust,
Vicki Lynn's
residence

24/02/2006

Richard Lyon Family Trust,
Vicki R. Lyon's residence
(home + mobile home)

Patrick A. + Suzanne M. Takaseki's
residence

drive way +
property line
between residences

24-25 head per line,
drones, weather tech 15-30 sprinkler heads
on risers. 2-3 lines run at a time.
Lines for sprinkler heads run east + west.

24/02/2006

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 63-32464
Date Received: 2/15/1990
Receipt No:
Received By:

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

1. Name of Claimant(s)

RICHARD LYON FAMILY TRUST Phone: (208) 337-4525

17545 ALLENDALE RD
WILDER ID USA 83676

2. Date of Priority: 07/01/1960

3. Source: DREW DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	05W	36	SE NE	CANYON	

5. Description of diverting works:

60 HP ELECTRIC MOTOR, 6" PLASTIC PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.19	

7. Total Quantity Appropriated is:
0.19 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
03N	05W	1	SE	NE	IRRIGATION	9.5
Section Acres						9.5
Total Acres						9.5

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

POINT OF DIVERSION IS ON EAST SIDE OF SAID SENE WHERE DREW DRAIN CROSSES SUCH LINE.

This right is a split from former right 63-5185 .

Notice of Change in Water Right Ownership processed 9/19/06 by kw

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.

HAT

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: A63-05185
Date Received: 2/14/1990
Receipt No: W008902
Received By: _____

Rec'd from
SO on 6-16-92

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PHIL BATT 208-482-7380
Address: PO BOX 428
WILDER ID 83676

2. Date of Priority: JUL 1, 1960

3. Source: DREW DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	05W	36	SE	NE			CANYON

5. Description of diverting works:
60 HP ELECTRIC MOTOR, 6" PLASTIC PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.600		

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

8. Total consumptive use is 280.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	05W	1	NE	NE	1	IRR	40.0
			SE	NE		IRR	40.0

MICROFILMED

AUG 21 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	80.0
					Total Acres	80.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:
POINT OF DIVERSION IS ON EAST SIDE OF SAID SENE WHERE DREW DRAIN
CROSSES SUCH LINE.

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: _____

MICROFILMED
AUG 21 1992

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

AUG 21 1992

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: 39576Ident. Number AG-05185Date Received 2-14-90Receipt Number W008902

RECEIVED

FEB 14 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Phil Batt Phone (208) 982-7380Mailing Address Box 428 Wilder Id. Zip 836762. Date of Priority (Only one (1) per claim) July 19603. Source of water supply (a) Drew Draw Ditch
which is tributary to (b) Boise River by other Diverse draws4. a. Location of existing point of diversion is: Township 4N Range 5W Section 36,
1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of Canyon

Additional points of diversion if any: _____

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

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

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

ending point is: Township _____ 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. Pump + Pipeline600 hp Electric motor - 6" plastic Pipeline

MICROFILMED

AUG 21 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3-15 to 11-15 amount 1.6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.6 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 280 acre feet per annum.

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

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
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	5W	1				X													40
3N	5W	1	lot 1																40

Total number of acres irrigated 80

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

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

14. Remarks:

(4) Point of diversion is on EAST SIDE of SAID SE & NE 1/4
where Drew Drain crosses such line.

MICROFILMED

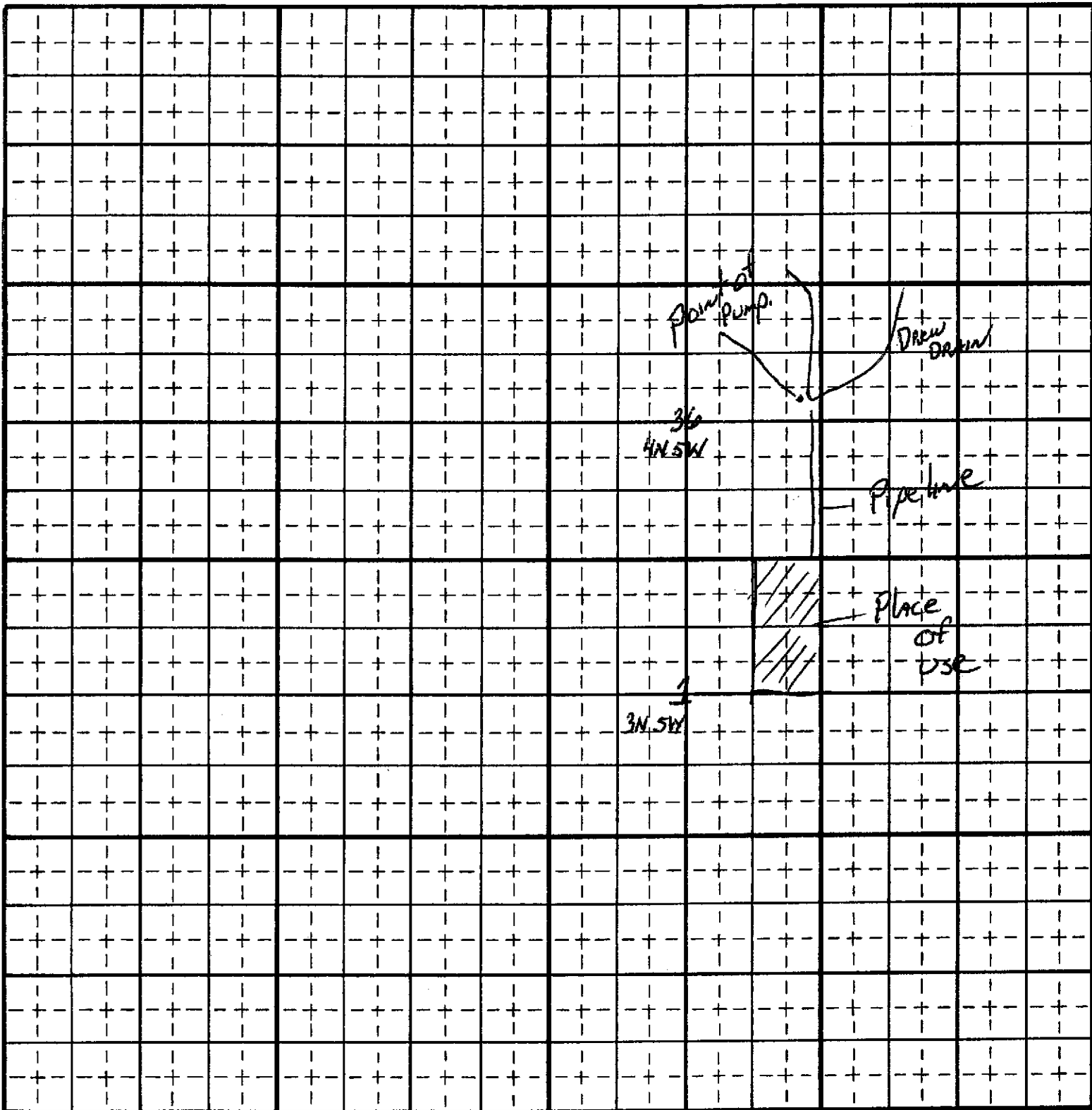
AUG 21 1992

Last Name Ba H Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



MICROFILMED

AUG 21 1992

Last Name

BATH

Ident No.

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 X 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) Deleys. Post Date 2/5/90

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 _____ Title _____ of _____ 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 _____)

County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 5th day of February 1990.

SEAL

Notary Public Murley D. Osborn

Residing at Wilder, Idaho

My Commission Expires 3-25-92

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 21 1992

Last Name Batt Ident. Number _____

Copies White-State, Yellow-Claimant

WP

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

RECEIVED
JUN 07 2006

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

DEPARTMENT OF
WATER RESOURCES

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
<u>A63-03101</u>					
<u>A63-05185</u>					

RECEIVED

2. The following **REQUIRED** information must be submitted with this form:

JUN 12, 2006

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Philip E Batt
P.O. Box

4. New Owner/Claimant(s)

Wilder ID 83676
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

Richard Lyon Family Trust

City, State and ZIP Code

17545 Allendale Rd
Wilder ID 83676

New Telephone Number

(760) 337-4525

5. Date you acquired the property

May 6, 1998

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. → Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Vicki R. Lynn

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____

WARRANTY DEED

(Residence)

THE GRANTOR is Richard J. Lyon and Vicki R. Lyon, husband and wife, (herein called grantor).

THE GRANTEE is The Richard Lyon Family Trust created by that trust instrument in writing dated April 7, 2003, wherein Richard J. Lyon and Vicki R. Lyon appear as "settlor" and Richard J. Lyon and Vicki R. Lyon appear as "trustee", (herein called grantee) whose current address is 17545 Allendale Road, Wilder, ID 83676.

FOR VALUE RECEIVED, the grantor hereby grants, bargains, sells and conveys unto the grantee those premises situated in Canyon County, Idaho, and described as follows:

Parcel 1: A portion of the SE ¼ NE ¼ of Section 1, Township 3 North, Range 5 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

BEGINNING at the southeast corner of said SE ¼ NE ¼; thence

South 89°42'54" West along the south boundary of said SE ¼ NE ¼ a distance of 1330.59 feet to the southwest corner of said SE ¼ NE ¼; thence

North 0°51'45" East along the west boundary of said SE ¼ NE ¼ a distance of 407.04 feet; thence

North 89°42'54" East parallel with said south boundary a distance of 651.62 feet; thence

South 0°45'05" West parallel with the east boundary of said SE ¼ NE ¼ a distance of 147.58 feet; thence

North 89°42'54" East parallel with said south boundary a distance of 678.18 feet to a point on said east boundary; thence

South 0°45'05" West along said east boundary a distance of 259.45 feet to the POINT OF BEGINNING.

Subject to a county road right-of-way along the east boundary.

Parcel 2: All that part of the Northeast Quarter of the Southeast Quarter of Section 1, Township 3 North, Range 5 West of the Boise Meridian, lying North of the Mora Canal.

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

SUBJECT to the following: all current taxes and assessments of every kind whatsoever; all patent and state deed reservations; the bonded debt of all taxing units; all repayment contracts between any irrigation district in which the premises may be situated and the United States; and all rights of way over the premises regardless of how evidenced or acquired and whether the same appear of record or not.

TO HAVE AND TO HOLD the premises and its appurtenances unto the grantee and the grantee's successors and assigns forever and the grantor hereby covenants to and with the grantee as follows: that the grantor is the owner in fee simple of the premises; that the premises are free and clear of all liens and encumbrances except those described above to which this deed is expressly made subject; and that the grantor will warrant and defend the premises from all lawful claims whatsoever.

INTERPRETATION: Singular terms used herein shall be read as if written in the plural when the context so requires or permits. The date this deed is dated immediately below is the date on which it will take effect.

DATED: APR 7 2003

Richard J. Lyon
Richard J. Lyon, Grantor

Vicki R. Lyon
Vicki R. Lyon, Grantor

2003 APR 8 PM 4 48
RECORDED
G. NOEL HALLS
CANYON COUNTY RECORDER
BY Vicki R. Lyon
REQUEST Richard J. Lyon
TYPE Paid FEE 6.00

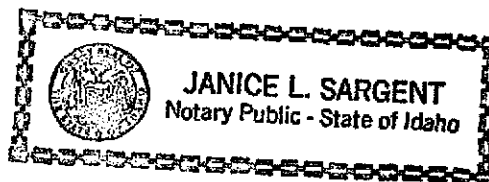
200320953

STATE OF IDAHO, County of Canyon) ss

On this date, before me, the undersigned notary public for such state, personally appeared **Richard J. Lyon** and **Vicki R. Lyon**, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and seal on APR 7 2003

Janice L. Sargent Notary Public.
My Commission Expires: 9-25-03



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 63-32464

(Insert water right number)

)

Case No. 39576

)

STANDARD FORM 1
OBJECTION

)

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Wilder Irrigation District

Address: 709 Cleveland Blvd

Caldwell, ID 83605

Daytime Phone: 208-459-3421

Name & Address of Attorney, if any:

Albert P. Barker

Barker Rosholt & Simpson, LLP

1010 W. Jefferson, Ste. 102, Boise ID 83702

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

Name: Richard Lyon Family Trust

Address: 17545 Allendale Rd.

Wilder, ID 83676

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

1. ☐ **Name and Address**

Should be: _____

2. ☒ **Source**

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

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

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

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☐ **Place of Use**

Should be: _____

10 ☐ **I object because:**

☒ This water right Should not exist.

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

E. REASONS SUPPORTING OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Wilder 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 Wilder Irrigation District. Proposed wastewater remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of Idaho)
County of Ada)ss.

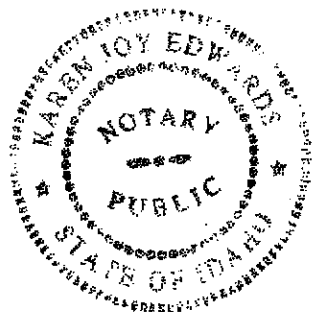
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

(Signature of person filing objection)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/18/07



Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 8/2/2012

Karen Joy Edwards

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on JUN 18 2007, 200__, 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: Richard Lyon Family Trust
Address: 17545 Allendale Rd.
Wilder, ID 83676

3. Copies to:

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

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

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



Signature of objector or attorney
mailing on Objector's behalf

12/10/2006

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

RIGHT NUMBER: 63-32464
NAME AND ADDRESS: RICHARD LYON FAMILY TRUST
17545 ALLENDALE RD
WILDER ID 83676

SOURCE: DREW DRAIN
QUANTITY: 0.190 CFS

TRIBUTARY: BOISE RIVER

Rights 63-32469 and 63-32464 when combined shall not exceed the irrigation of 9.5 acres.

PRIORITY DATE: 07/01/1960

POINT OF
DIVERSION: T04N R05W S36 SENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE: IRRIGATION in CANYON County

T03N R05W S01 SENE 9.50

9.5 ACRES TOTAL

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right No. 63-32463 is also diverted through point of diversion described above.

This right is a split from former right 63-5185.

This right when combined with all other rights shall not exceed 0.02 cfs per acre at the field headgate.

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

RECEIVED

DEC 12 2006

DEPARTMENT OF
WATER RESOURCES

MEMORANDUM

TO: Files 63-32464 and 63-32469 - Lyon

FROM: KAY WALKER *KW*

RE: Notice of Error Submittal

Date: November ⁶~~8~~ 2006

.....

While reviewing the notice of error submitted for these claims I find that I recommended all the acres claimed under original rights. The breakdown of these claims is as follows:

Claim 63-3101 claimed irrigation of 80 acres, as licensed. The claim was then split into 2 parts due to change in ownership forms submitted. Recommendations are as follows:

63-32468	70.5 acres
63-32469	<u>9.5 acres</u>
	80 acres recommended

Claim 63-5185 claims irrigation of 80 acres (same lands as 63-3101). The claim was then split into 2 parts due to change in ownership forms submitted. Recommendations are as follows:

63-32463	70.5 acres
63-32464	<u>9.5 acres</u>
	80 acres recommended

Since these claims have been recommended for all the acres claimed, cannot add the additional 3.3 acres requested in NOE. Will leave recommendations as shown on preliminary and claimant will have to file an objection to SRBA Court for us to revisit the additional acres.

I called Mrs. Lyon and left a voice message for her to call me back.

Pursuant to a later phone conversation Mrs. Lyon stated she will try to obtain a statement from Mr. Batt that the additional acres have always utilized the water and if she can obtain the statement will come in to amend her claim on Drew Drain to add the additional acres. Cannot add additional acres to the groundwater right since it was based on a license (however, Mrs. Lyon stated she had no ground water right for irrigation purposes on this property). I tried to explain to her that she did have a portion of the ground water license.

63-3101 = 80 ac

63-32468 - 70.5 ac

- 32469 - 9.5 ac

80

Cannot "add"
acres to license

these lands not
claimed under
license or B/U
claim - have
recommended all
lands that were
claimed.

NOTICE OF ERROR
REPLY

09/29/2006

RECEIVED

OCT 30 2006

DEPARTMENT OF
WATER RESOURCES

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: 63-32464

RICHARD LYON FAMILY TRUST
17545 ALLENDALE RD
WILDER ID 83676
Telephone Number: (208) 337-4525

RECEIVED

OCT 26 2006

WATER RESOURCES
WESTERN REGION

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

ACTUAL ACRES - 12.83 (IRRIGATED)

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

Add the 3.33 acres

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

Property line was not drawn correctly -
See Enclosed map & legal description.

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

DATE: 10/22/06 SIGNATURE: Vicki R. Lyon

Please print your name: Vicki R. Lyon

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

SCANNED

OCT 31 2006

WILDER IRRIGATION DISTRICT

Page 1

Account 511-99-1

Serial # 511-99-1	Owner P O BOX 282	Property 17545 ALLENDALE ROAD
Name LYON RICHARD J	Address	Address
Spouse VICKI	City WILDER	City WILDER
	State ID Zip 83676-0282	State ID Zip
Parcel # R03N05W012249		
Actual Acres	Billed Acres	Excess Water
12.83	12.83	0.00
		Status
		Within District

Legal Description

Short Description PT SE NE & PT NE SE

Section 1 Township3 N Range 5 W

County Canyon

Mortgage Holder

Mortgage Date

Long Description

SEC01T3NR5WBM BEG AT SE CORN OF SE QTR OF NE QTR; TH S 89°42'54W A DIST OF 1330.59 FT; TH N 00°51'45 E A DIST OF 407.04 FT; TH N 89° 42'54 E A DIST OF 651.52 FT; TH S 00°45'05 W A DIST OF 147.58 FT; TH N 89°42'54 E A DIST OF 678.18 FT; TH S 00°45'05W A DIST OF 259.45 FT TO THE PT OF BEG. PARCEL II ALL THAT PT OF THE NW QTR OF SE QTR OF SEC01T3NR5W LYING N OF MORA CANAL

Owner History

Serial #	Name	From	To	Comments
511-99-1	LYON RICHARD J	10/12/1998		

SCANNED

OCT 31 2006



Idaho Department of Water Resources

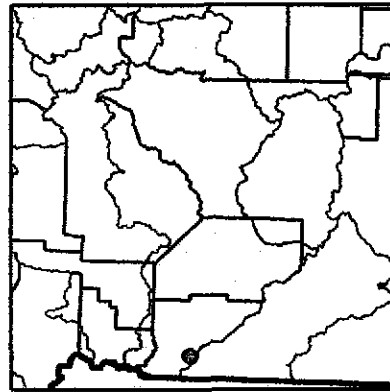
SRBA Recommendation:

63-32464

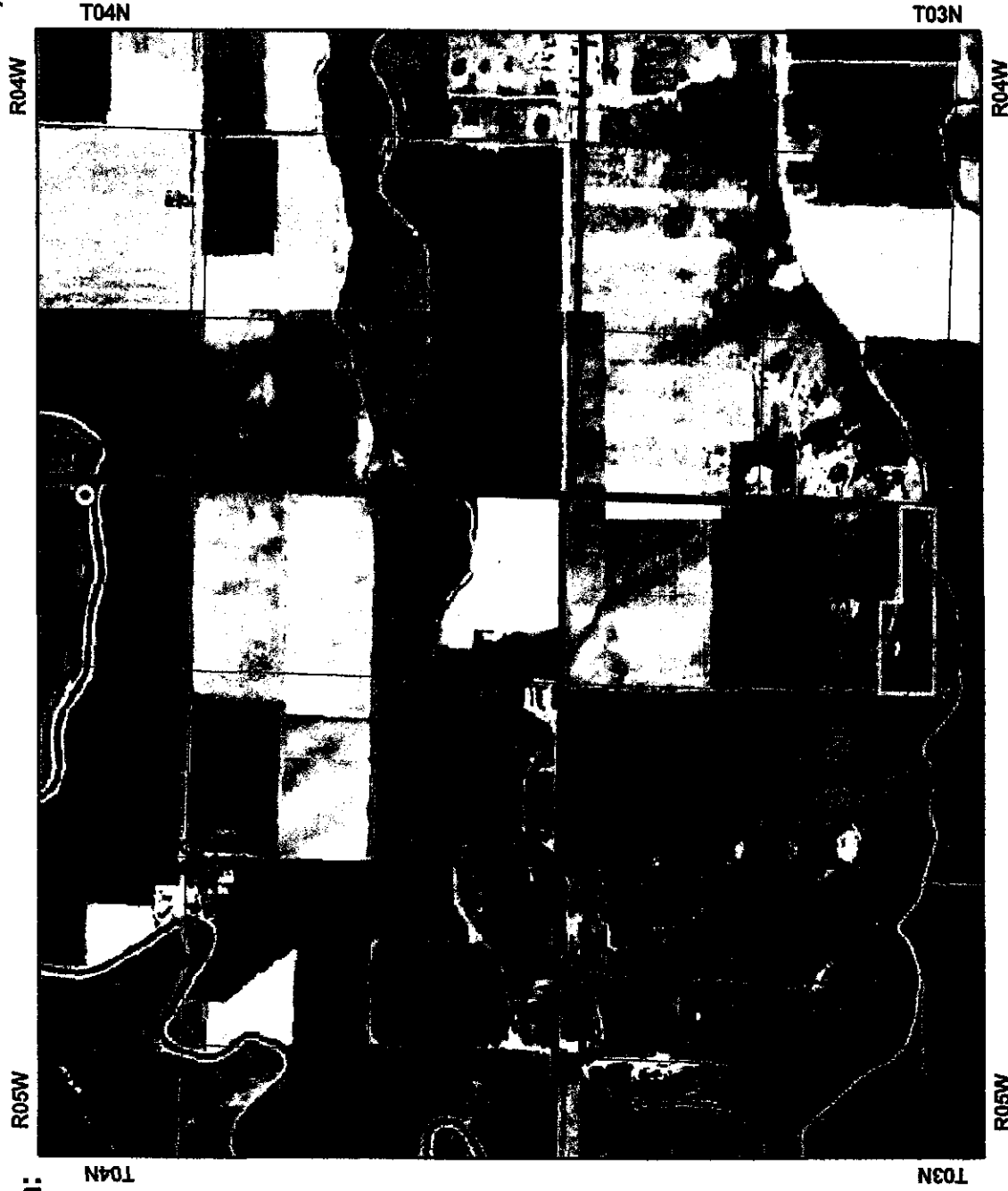
(Irrigation)

Legend

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



Canyon County
IDWR Basin 63



1 Miles

0.5

0

Prepared by K. Walker
On Wednesday, September 20, 2006
1987/88 Aerial Photography

09/20/2006

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

RIGHT NUMBER: 63-32464

NAME AND ADDRESS: RICHARD LYON FAMILY TRUST
17545 ALLENDALE RD
WILDER ID 83676

SOURCE: DREW DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 0.190 CFS

Rights 63-32469 and 63-32464 when combined shall not exceed the
irrigation of 9.5 acres.

PRIORITY DATE: 07/01/1960

POINT OF DIVERSION:

T04N R05W S36 SENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE: IRRIGATION Within CANYON County

T03N R05W S01 SENE 9.50

9.5 ACRES TOTAL

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

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

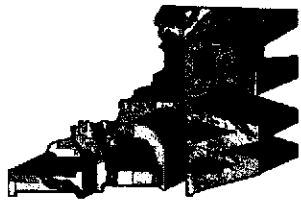
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right No. 63-32463 is also diverted through point of diversion described
above.

This right is a split from former right 63-5185.

This right when combined with all other rights shall not exceed 0.02 cfs per
acre at the field headgate.

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



Idaho Department of Water Resources

SRBA Recommendation:

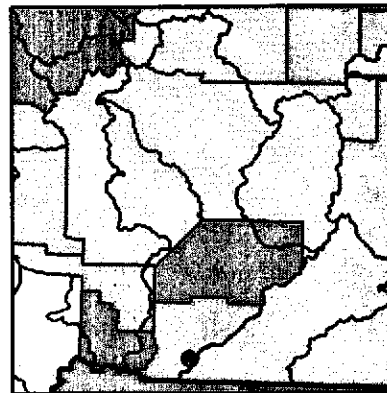
63-32464

(Irrigation)

Acres = 9.5

Legend

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



Canyon County
IDWR Basin 63

Prepared by K. Walker
On Wednesday, September 20, 2006
1987/88 Aerial Photography



0 0.5 1 Miles

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-5185

WATER RIGHT NUMBER: 63-5185 V1

Owner Type
Current Owner

Name and Address
PHILIP E BATT
PO BOX 428
WILDER, ID 83676
(208)482-7380

Priority Date: 07/01/1960

Basis:

Status: Parent

Source

DREW DRAIN

Beneficial Use

IRRIGATION

From To
3/15 to 11/15

Diversion Rate

1,600 CFS

Total Diversion:

1,600 CFS

Annual Volume

N/A - surface water

Location of Point(s) of Diversion

DREW DRAIN

SE1/4NE1/4

Sec. 36, Twp 04N, Rge 05W, B.M.

CANYON County

Place of Use

IRRIGATION

(GPS point does not put
PID in correct location)
have digitized per map

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	05W	1	40.0			40.0													80.0
			L1																

Total Acres: 80

9.5 to Lyon
30.5 B&H

cannot include lands in Sec. 12 -
not on original & 80 acres found.

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. SPLIT RIGHT: SEE RIGHT NOS. 63-32463 and 63-32464.
3. POINT OF DIVERSION IS ON EAST SIDE OF SAID SENE WHERE DREW DRAIN CROSSES SUCH LINE.

Remarks:Comments:

$$\frac{1.6 \text{ cfs}}{80 \text{ ac}} = 0.02 \text{ cfs} \times 70.5 = 1.41 \text{ cfs}$$

$$\times 9.5 = \frac{0.19 \text{ cfs}}{1.6}$$

✓ F05 (63-32463)
✓ W59
limit to 0.02 cfs
OL w/ 63-3101

change rec'd from Lyon's but not Takasugi - left remainder in Batt's name.
in office review based on field exam - 9/19/06

Recommend standard season 3/1 - 11/15
Tributary
BOISE RIVER

see below

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

RECEIVED

MAR 16 2006

WATER RESOURCES
WESTERN REGION**Prior to Field Exam**

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

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-5185Owner: Philip E. Batt Phone No. (208) 482-7380Current Address: PO Box 428 Wilder, Id 83676

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

Accompanied by: Patrick A. Takasugi WK332-8503/cell 573-2882
hm # 337-3077**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: 7-1-1960 (documentation submitted by Philip E. Batt)
(If priority date, based on your exam, seems questionable, explain below.)Source: Drew Drain Tributary to Boise River

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
		SE	NE		36	4N	5W	Canyon	A0002080
									N43°37.03.7
									W116.52.56.1

Description of diverting works

3 phase Takazugi GE 60Hp serial # ENJ525419 turbine pump, to 6" steel converted to 6" buried plastic running a total of 1.1 mile (.8 miles to the zimmerman pivot, the remainder w/sprinklers)

OVERLAP REVIEW Other water rights with the same point of diversion: This water right is now a split, once the

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

Property originally owned by Phil Bath was sold to Patrick + Suzanne Takazugi, + Richard + Vicki Lyon. Acres used by each party is indicated on attached maps.

WATER USES

☒ No change

☐ Different Uses

Use Irrigation From 3/15 To 11/15 Amount 1.6 CFS AFA

Use From To Amount CFS AFA

Use From To Amount CFS AFA

TOTAL VOLUME - Groundwater only N/A

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

☐ Changes found, the new total is, Amount CFS AFA

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

NON-IRRIGATION USES: N/A

☐ No change

☐ Changes Exam found: Domestic # of homes Stock #

Types Additional comments:

PLACE OF USE:

☒ No Change

☒ Changes shown below:

Directions: N. I-84, Ext. 27 Wilder off ramp, west on
Hwy 19/Simpson Blvd., 2.1 mile past Greendale, S. on Allendale,
1/4 mile past Ustick house on hill is 17777 Allendale

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: 3-6-06

FIELD EXAMINER: Gandy Hemmingsway

FLOW CALCULATIONS

Measured Method:

~~X~~ Additional Computation Sheets Attached

VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 92 \times 2.5 = 230$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.6 \text{ cfs} \times 246 \times 1.9835 = 780.70$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 230$$

2. Volume Calculations for Other Uses:

Season 3/15 - 11/15 = 246 days

Theoretical for pump:

$$Q = \frac{(8.8) \times (60 \text{ HP}) (1.70)}{(40 \text{ psi} \times 2.31) + 8' \text{ dynamic lift}} = \frac{369.6}{100.4} = 3.68 \text{ cfs}$$

w/ large pivot, runs 40/60 psi

15-30 clover, weather tec. sprinkler heads; 24-25 heads/line run @ 1 time

6" diameter pipe has 0.98 cfs capacity; Appendix X shows 0.6 → 0.7 cfs
Marsh/McBirney pipe flow calculator shows 0.62 cfs capacity for 6" pipe

5280' = 1 mile

Sandberg

A63-5185 Field Exam Request:
Philip Batt

Contact:

02/10/2006

The current owners are: **Patrick Takasugi** and **Richard Lyon**; unfortunately, neither are listed in the telephone book – so I don't have a number for you to contact them.

Property Address:

17777 Allendale Rd. (Takasugi) & 17545 Allendale Rd. (Lyon)
Wilder

Patrick
requested
a copy of
report when
completed

Requests:

*Please verify **all the elements** of this right.

In addition, please verify/include:

- GPS the location of the POD.
- Is **any Irrigation District** water used to supplement this right? NW corner of Ustick + Wilder Irrigation off a drainage pump off canal Allendale (buried pipe)
- Please draw the **delivery system** on one of the enclosed aerials. Plus, the **POD**, **POU**, home(s), and anything else pertinent to this claim, etc.
- **Evidence of priority** has been submitted by the original owner, Phil Batt; so the current owners do not need to worry about substantiating the claimed priority date.

Date property acquired from Philip Batt: Assessor's office info. attached

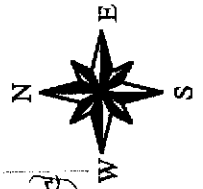
Kimberly Brown
Sr. Water Resource Agent
IDWR - Western Region

Idaho Department of Water Resources

Claim Number: 63-05185
 Legal: T03N, R05W, S1
 Reviewed By:

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

*You may draw
 all over these
 aerials (PCLs,
 PCD, system
 delivery, home(s) etc*



1987 Napp Photo



0 0.25 0.5 0.75 Miles



MAP 12

NEW OWNERS:

Richard Lyon Family Trust

Vicki R. Lyon, Trustee

17545 Allendale Rd.

Wilder, Idaho 83676

(208) 337-4525 Vicki Lyon

(208) 337-6010 Greg Lyon/son (place of employment: Valley Machine Shop, Homedale)

3/3/06, per Kathy Kinney/Canyon County Assessors Office 454-7431, this property was previously owned by Richard J. Lyon and Vicki R. Lyon, but when Richard passed away, the deed was changed to Richard Lyon Family Trust and recorded on 4/8/2003. The mobile home is Vicki Lyon's residence, and the house is Greg Lyon's residence.

Patrick A. Takasugi

Suzanne M. Takasugi

17777 Allendale Rd.

Wilder, Idaho 83676

Work/Director, Department of Agriculture: (208) 332-8503

Cell: (208) 573-2882

3/3/06, per Kathy Kinney/Canyon County Assessors Office 454-7431, this property was purchased by Patrick and Suzanne Takasugi from Phillip Batt, and recorded on 3/12/99.

A to B.
0.8 miles
6" main
(4224')

1.1 miles 6" main total
(5808' total)

C to D
0.1 miles
6" main
(528')

B to C
0.2 miles
6" main
(1056')

Wheel/pivot Zimmatic
sinner super spray
w/ Premiums Eff. 10Hp booster pump

A63-5185
Batt

A Pump 3phase gasuzji GE 60Hp Turbine

Estimated Pumping Rate Computer

Flow Analysis Performed by: Sandy Hemenway

Date: 3/15/2006

Page 1 of 1

Record ID		Measured Flow:	
Water Right No. A63-5185		Designed Flow:	
Name Batt (Takasugi & Lyon's new owner)		HP/Eff Flow:	4.17 cfs
pod A0002080 Drew Drain		Sprinkler Flow:	7.89 cfs <--Max
year:		Pivot/System Flow:	
Flow Measurement: gpm =			
Curve/Pump Design: gpm =			
Horsepower / Efficiency Method			
Horsepower	60 hp		
PWL	8 ft		
Disch Psi	40 psi		
PUMP Eff Estimate	0.79 %		
TDH	100 ft		
OHP	47.4 hp		
Flow	1870 gpm	=	4.17 cfs
System Method:			
No Lines	3	Nozzle Equation: $Q=C*A*\sqrt{2*g*h} / \sqrt{1-r^4}$	
Birds per line	25	C=	1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles	75	r=	0.0208 ft Nozzle radius
Nozzle size	1/2 in	A=	0.00136 ft ² Nozzle area
Nozzle pressure	40 psi	h=	92 ft Head
Flow per nozzle	47.21 gpm	g=	32.2 ft/sec ² Gravitational constant
Sprinkler Flow	3540 gpm	Q=	0.105 cfs Flow per nozzle
Percent Leaks	%	=	47.206 gpm Flow per nozzle
Total Flow	3540 gpm	=	7.89 cfs
Pivot / System rating: gpm =			

Comments / Data Supplied:

Calculations above are theoretical, since the system was currently not being used (seasonal use).

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Sandy Hemenway

Project: Flow Computation for A63-5185

Given: See Data Table

Compute head losses with the Williams and Hazen Formula:

$$f = 0.2083 * (100 / \text{roughness})^{1.85} * ((\text{cfs} * 448.8)^{1.85} / \text{ID}^4 * 8655 * \text{Length} / 100)$$

To Find: Compute Rate of Flow for a Pumpback System

Data Table

Vertical Lift: 25.00 feet

Pressure Req'd: 40.00 psi

Required Head: 117.40 feet

Pump Horsepower: 60.00 horsepower

Pipe Roughness: 150.00 Note: pvc = 150, smooth and straight pipe = 140
aluminum - joint length 20' = 125, joint length
30' = 130, joint length 40' = 132, joint length
50' = 134, new riveted steel = 100
old riveted steel = 100, old cast iron = 95,
old pipes in poor condition = 60 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Friction Head Loss from Pipe Friction	Head Loss per 100 ft
5.50	4224.00	151.78		3.59
1.00	0.00	0.00		#DIV/0!
1.00	0.00	0.00		#DIV/0!
			151.78	

Initial Estimate of Rate of Flow:

1.370 CFS

Computation of Rate of Flow:

1.37

Comment:
60Hp Pump at POD to the pivot.

Pipeflow Computation Spreadsheet (DRT 12/31/1992)

Data Entered By: Sandy Hemerway

Project: Flow Computation for A63-5185

Given: See Data Table

Compute head losses with the Williams and Hazen Formula:
 $f = 0.2083 \cdot (100 / \text{roughness})^{1.85} \cdot (\text{cfs} \cdot 448.8)^{1.852} / \text{ID}^4 \cdot 8655 \cdot \text{Length} / 100$

To Find: Compute the Rate of Flow

Data Table

Total Head: 3.00 feet

Pressure Req'd: 22.00 psi

Available Head: -47.82 feet

Pipe Roughness: 150.00 Note: pvc = 150, smooth and straight pipe = 140
 aluminum - joint length 20' = 125, joint length
 30' = 130, joint length 40' = 132, joint length
 50' = 134, new riveted steel = 100
 old riveted steel = 100, old cast iron = 95,
 old pipes in poor condition = 60 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Head Loss from Pipe Friction	Head Loss per 100 ft
5.50	1056.00	0.05		
5.50	528.00	0.02		
1.00	0.00	0.00		0.00

0.07

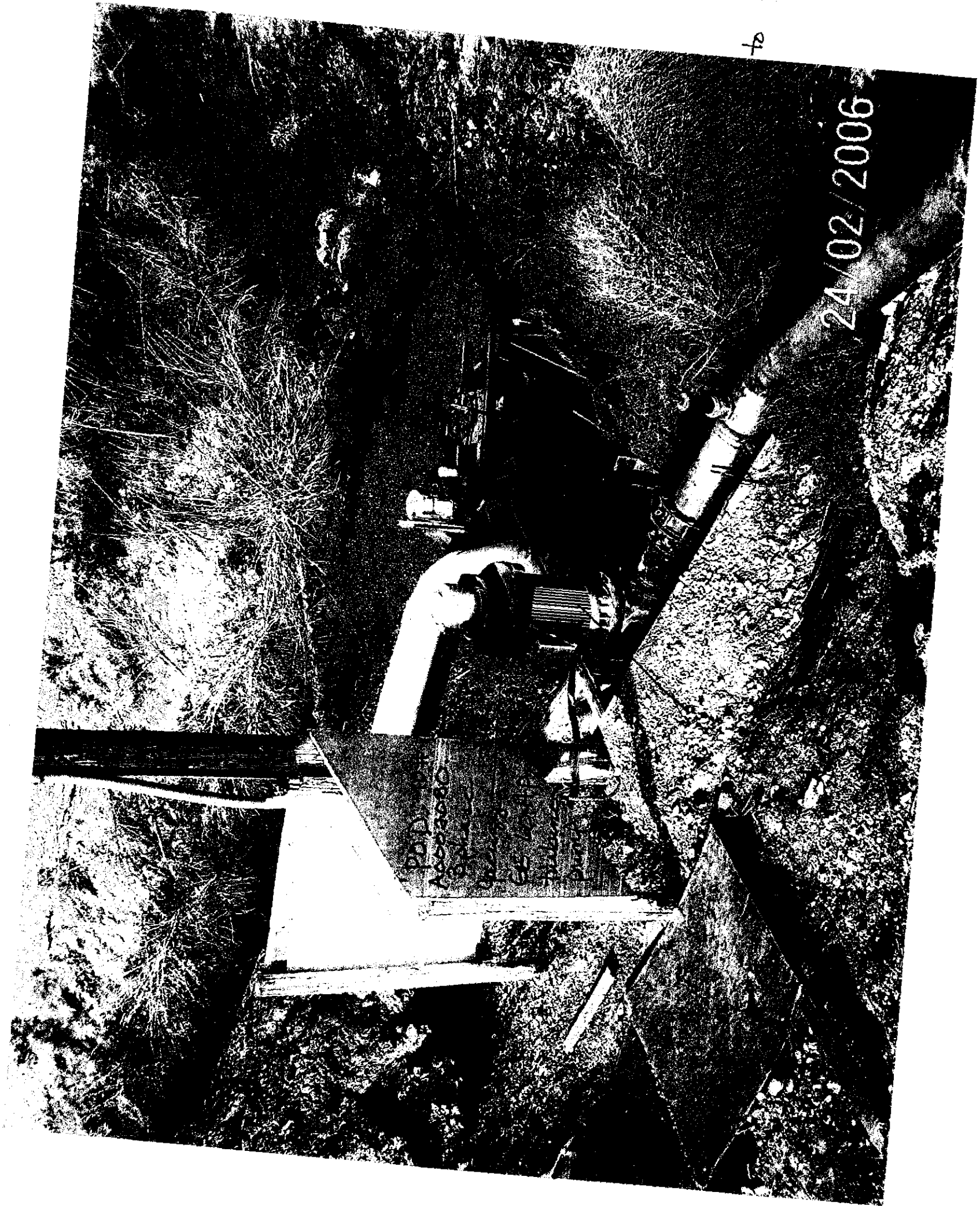
Rate of Flow: 0.038 CFS

Directions:

Match head loss per 100 ft with available head. Change cfs rate until they match fairly close.

4

24/02/2006



from POD: 1.1 miles of 6" main total

0.8 miles to wheel pivot Zimmerman sinner's spray

0.2 miles to property line

0.1 mile to end POD

wheel
Pivot

measured place

24/02/2006

wheel/pivot Zimmerman
sinnerger super spray

Premium Efficiency
10HP booster pump

24/02/2006

Patrick + Suzanne Takasugi's
residence

Richard Lynn
Family Trust,
Vicki Lynn's
residence

24/02/2006

Richard Lyon Family Trust,
Vicki R. Lyon's Residence
(home + mobile home)

24/02/2006

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-5185

01/26/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
3101	Water Right	03N	05W	1	NE	NE		IRRIGATION	40/80	PHILLIP E BATT
3101	Claim	03N	05W	1	NE	NE	1	IRRIGATION	40/80	PHILIP E BATT
5185	Claim	03N	05W	1	NE	NE	1	IRRIGATION	40/80	PHILIP E BATT
5185	Water Right	03N	05W	1	NE	NE	1	IRRIGATION	40/80	PHILIP E BATT
3101	Claim	03N	05W	1	SE	NE		IRRIGATION	40/80	PHILIP E BATT
5185	Claim	03N	05W	1	SE	NE		IRRIGATION	40/80	PHILIP E BATT
3101	Water Right	03N	05W	1	SE	NE		IRRIGATION	40/80	PHILLIP E BATT
5185	Water Right	03N	05W	1	SE	NE		IRRIGATION	40/80	PHILIP E BATT
3101	Claim	03N	05W	1	SE	NE		DOMESTIC		PHILIP E BATT
26905	Water Right	03N	05W	1	SE	NE		DOMESTIC		RICHARD J LYON

(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
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information Govt. lot 1 in NENE
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-5185Owner: Philip E. Batt Phone No. (208) 482-7380Current Address: P.O. Box 428 Wilder 83676☒ No change NAME IS THE SAME☒ NEW OWNER Patrick A. Takasugi / Richard Lyon☐ No change Address☒ NEW ADDRESS 17777 Allendale Kd.☐ How long owned property? Mailing Address:24405 Red Top Kd., Wilder 83676Accompanied 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:

7/1/1960

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

Phil Batt came into the office on 2/8/06 & filled out an Affidavit for the current owner(s).

Source: _____ Tributary to _____

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

POINT OF DIVERSION

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

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Department of Water Resources
Western Regional Office

CLAIM TO A WATER RIGHT



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

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

Notice is hereby given that Philip E. Batt

(Name of Claimant)

Box 428, Wilder, Ida., 83676

(Mailing Address)

Telephone No. (208) 482-7380

(Zip Code)

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

- (1) Date of priority: (When was the water first applied to a beneficial use) July 1960

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 is that a claim may be filed on single family domestic use from a ground water source.

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

Drew drain ditch

tributary to to Boise River by other diverse drain.

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

	(cfs. or)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity <u>1.6 CFS</u>	Use <u>Irrigation</u>	Period of Use From <u>April 1</u>	To	<u>Oct. 31</u>
Quantity _____	Use _____	Period of Use From _____	To	_____
Quantity _____	Use _____	Period of Use From _____	To	_____
Quantity _____	Use _____	Period of Use From _____	To	_____
Quantity _____	Use _____	Period of Use From _____	To	_____

- (4) TOTAL QUANTITY USED.

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

SE 1/4 NE 1/4, Sec. 36 Twp. 4N Rge. 5W B.M., County of Canyon (see note)
NOTE: point of diversion is on east side of said SE 1/4 NE 1/4 where Drew drain crosses such line.

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. Describe any changes in the system and give the date of the change. Pump and pipeline - 60 hp. electric motor - 8" steel pipeline

- (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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
3N	5W	1				X													40
3N	5W	1																	40

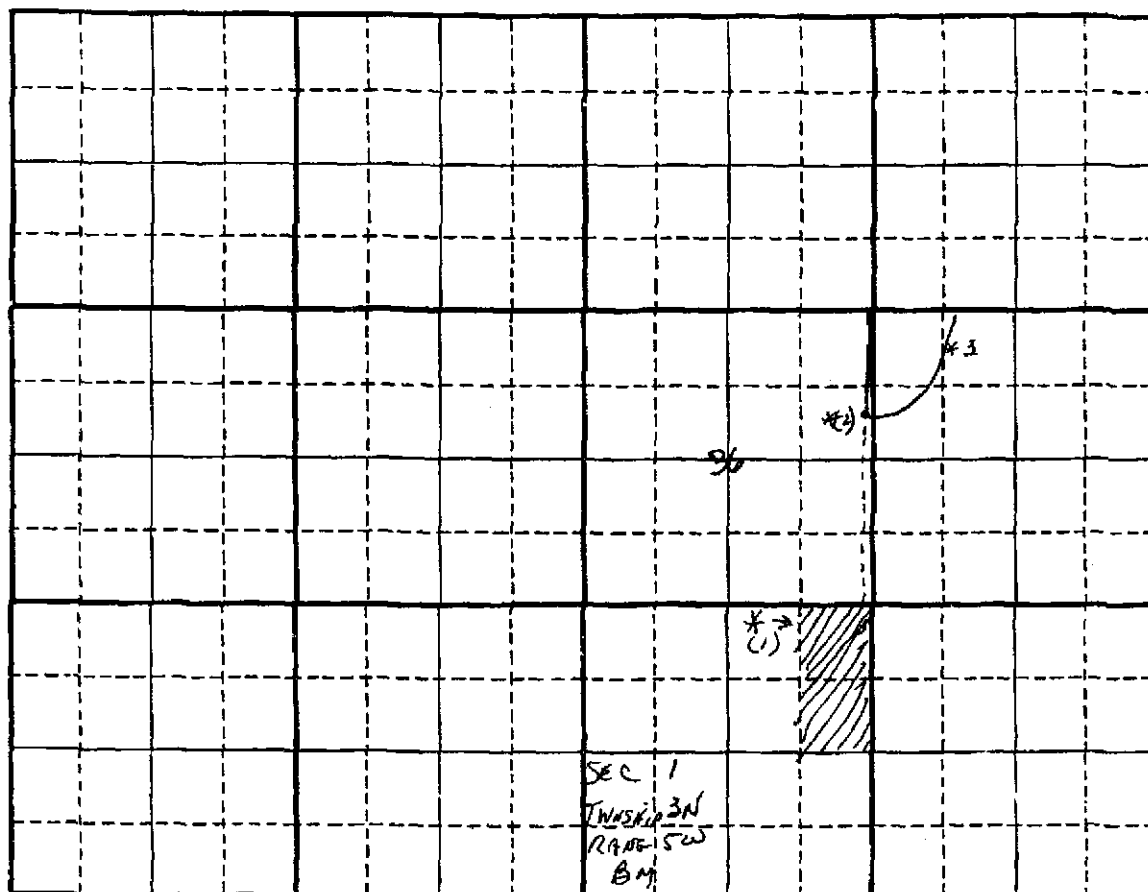
No. of acres 80

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

NOTE: Include here the type and number of stock watered:

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

(B) Remarks _____



Scale: 2 inches equal 1 mile.

* (1) PLACE OF USE. *3 DREW DRAIN
PIPING

* (2) PUMP

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 Canyon) ss.

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

Sworn to before me this 21 day of June

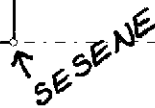
Paul E. Dett
(Claimant)

Shirley D. Osborn
Notary Public
Residing at Holder ID

My commission expires 3-25-86

FOR DEPARTMENT USE ONLY

Received by <u>mm</u>	Date <u>6-24-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>665</u>	Date <u>11/7/83</u>		claimant by:	
\$30.00 fee received by <u>AW</u>	Date <u>6/24/83</u>	* 3151		
Published in <u>Press-Tribune</u>				
Dates <u>11/23 + 12/1/83</u>				



kw
6/23/06



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

JAMES E. RISCH
Governor

KARL J. DREHER
Director

June 8, 2006

RICHARD LYON FAMILY TRUST
17545 ALLENDALE RD
WILDER ID 83676

RE: Notice of Claim Nos. A63-05185 and A63-03101

Dear Water Users:

We are in receipt of the "Notice of Change in Water Right Ownership" form that you completed and returned to this office. However, the form was not signed as required on Line #7 (page 2). We are returning the ownership change form to you for a signature of one of the officers of the family trust. We have retained the warranty deed that you had attached to the deed. Please sign the form and return it to this office within 2 weeks so we will have time to split these water rights before making our recommendations.

If you have any questions, or feel that you need assistance, please do not hesitate to contact me at 287-4953.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is written in a cursive, flowing style.

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosure

NP

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

RECEIVED
JUN 07 2006

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

**DEPARTMENT OF
WATER RESOURCES**

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
<u>A63-03101</u>					
<u>A63-05185</u>					

COPY

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Philip E Batt
P.O. Box

4. New Owner/Claimant(s)

Wilder ID 83676
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

Richard Lyon Family Trust

City, State and ZIP Code

17545 Allendale Rd

New Telephone Number

Wilder ID 83676
(208) 837-4525

5. Date you acquired the property

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 18, 2006

RICHARD LYON FAMILY TRUST
17545 ALLENDALE RD
WILDER ID 83676

RE: NOTICE OF CLAIM NOS: A63-05185 AND A63-03101

Dear Water Users:

We are currently preparing the above referenced Notice of Claims for the Director's Report in the Snake River Basin Adjudication (SRBA). Enclosed are copies for your convenience. Our research and field examiner indicate there has been a change in the ownership of these claims. IDWR records currently show the following name and address as the owner of the claims listed above:

Philip E. Batt
PO Box 428
Wilder, ID 83676

We need to complete the recommendations for these water rights before the end of July and would appreciate your submittal of a Notice of Change in Water Right Ownership form to us so we can prepare the recommendation in your names, as current owners of a portion of the property. Please note that there is no fee required for the ownership change if it is submitted while these claims are still pending in the SRBA.

If no response is received from you by June 2, 2006, all further legal notices concerning the claims will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please feel free to contact me at 287-4953.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

*5/30/06
Vicky Lyon called
will submit
ownership change
& copy of
deed. kw*

RECEIVED

FEB 08 2006

WATER RESOURCES
WESTERN REGION

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

63-5185)

State of Idaho)
County of CANYON)

AFFIDAVIT

deposes and says: I DIVERTED WATER FROM
THE DREW DRAIN ~~IN~~ STARTING IN
JULY OF 1960 (APPROXIMATELY ~~1.5~~ 1.6 CFS)
IT HAS BEEN IN CONTINUAL USE SINCE
THAT TIME.

THIS WATER WAS DIVERTED TO
SO A LOCATED & DESCRIBED AS FOLLOWS:
T-03 N, R-05 W, S-1 NENE, S-1 NE

PHILIP E. BATT

Philip E. Batt
(Signature)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 1, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

PHILIP E BATT
PO BOX 428
WILDER ID 83676

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-5185

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 February 24, 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 will be receiving a call from us in order to set-up an appointment for a field exam.

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-5185

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.

Receipt Details for ID W008902

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/15/1990 9:15:21 AM	2/15/1990	Western	\$130.00	Check
Payer		TOP FARMS, INC.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
7367			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$130.00	ADJUDICATION CLAIM 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	5185		\$130.00	Claim



Print Report