



Idaho Department of Water Resources

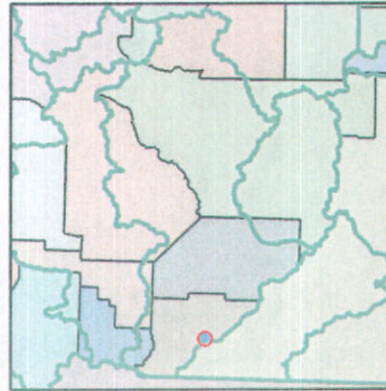
SRBA Recommendation:

63-5013

Cells = 39

Legend

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

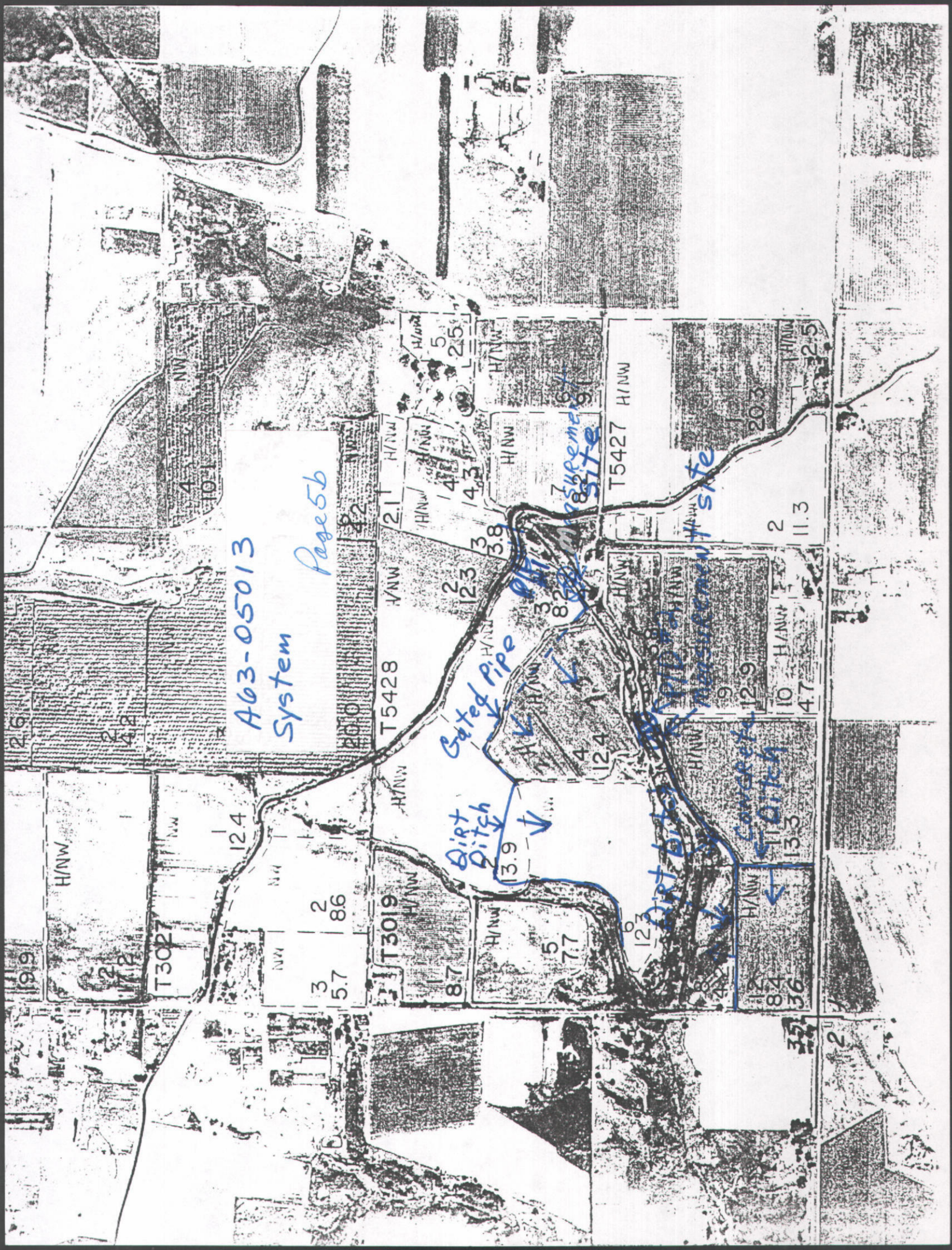


Canyon County
IDWR Basin 63

Prepared by K. Walker
On Friday, June 30, 2006
1987/88 Aerial Photography



A63-05013
System
Page 5b





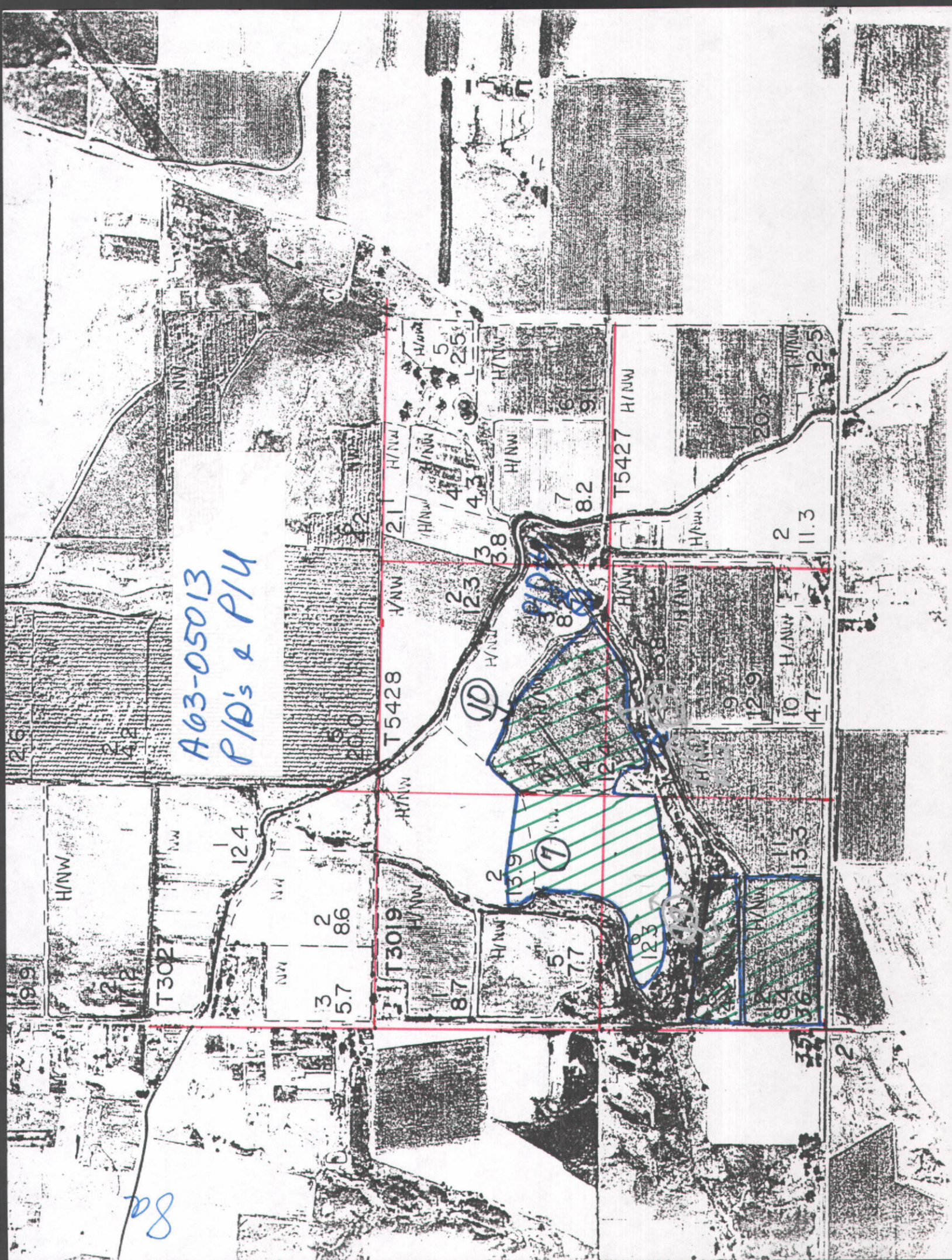
5c

X54
1971

A63-05013

T3N
T2N

82



426-42

7-14-87

X54 SE

86



8c
A63-05013

Photos 8-29-95



#1

P/D #1



#2

P/D #1, delivery ditch
and upper X section
used in measurement

8d
A63-05013

Photos 8-29-95



#3

Lower X section
in ditch
below P/D #1



#4

Gated pipe
and part of
P/U near P/D #1 -
looking NW
from area
near P/D #1

8e
A63-05013

Photos 8-29-95



#5

P/D #2



#6

P/D #2 and
upper X section in
delivery ditch below
P/D #2

8P
A63-05013

Photos 8-29-95



#7
Lower X section in
delivery ditch below
P/R #2



#8
P/U - 4± acse
pasture looking
West from SE
corner

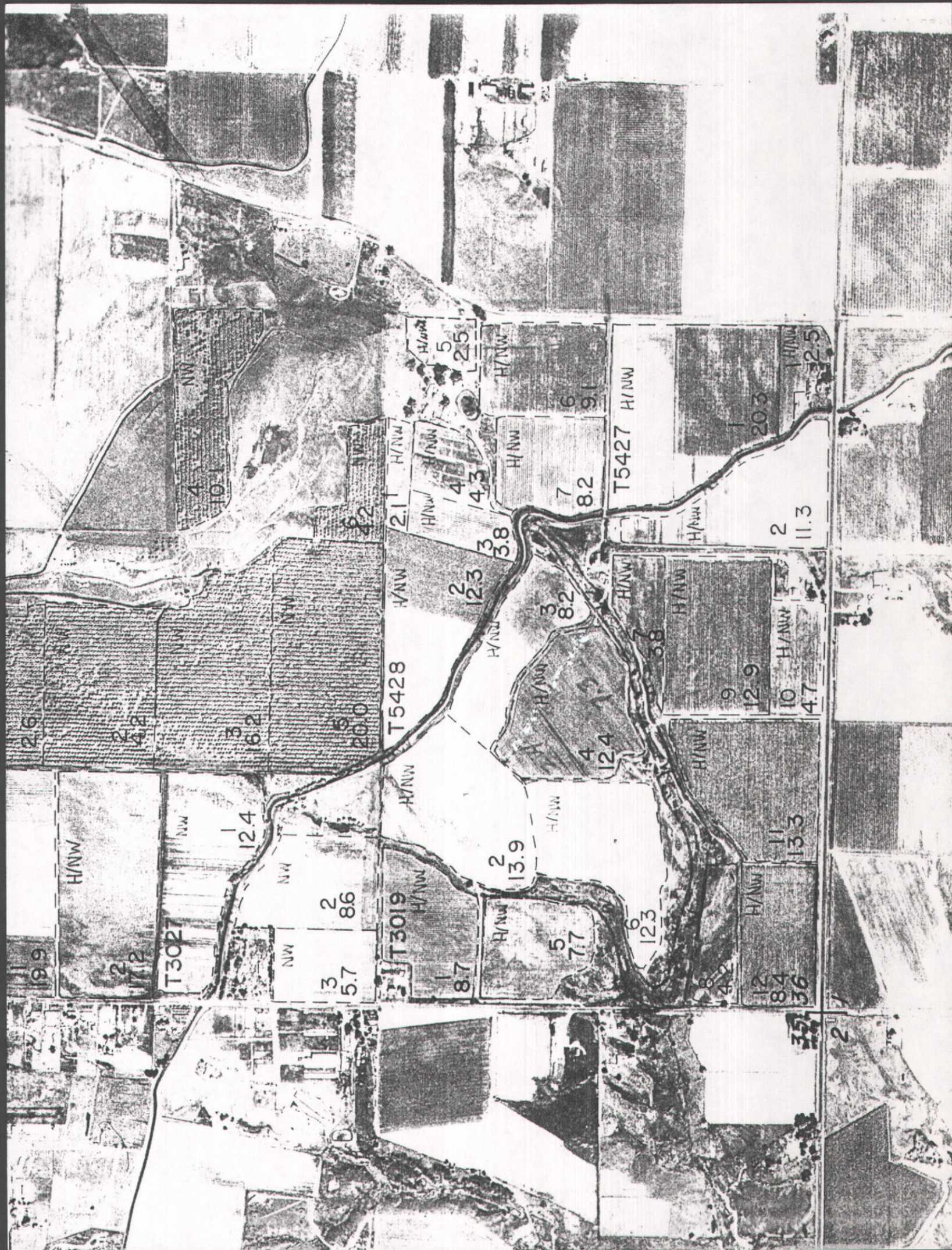
8g
A63-05013



Photos 8-29-95
#9
Delivery ditch
to 8± acre P14
looking South
from NE corner



#10
P14 - 8± acre
field looking
SW from NE
corner.



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: A63-05013
Date Received: 6/ 5/1990
Receipt No: C017120
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: FRANK CHURRUCA JR 602-943-3953
Address: 733 EAST CAROL
PHOENIX AZ 85020

2. Date of Priority: APR 1, 1935

3. Source: UNNAMED STREAM Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	36	SE	NE	SW		CANYON
			NW	SE	SW		CANYON

5. Description of diverting works:
DIVERSION DAMS AND GRAVITY DITCHES TO PLACES OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.940		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 164.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/40 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	36	NE	SW		IRR	10.0
			NW	SW		IRR	15.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	36	SW	SW		IRR	19.0
			SE	SW		IRR	3.0
Section Acres							47.0
Total Acres							47.0

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:
WILDER IRRIGATION DIST.

14. Remarks:
2 DIVERSION POINTS
CHANGE OF OWNERSHIP BY MTS 9/6/1995
CLAIM AMENDED TO CHANGE SOURCE FROM SPRINGS TO UNNAMED STREAM AND
TO CHANGE P/D'S 9/6/1995 MTS

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

SEP 06 1995

WATER RESOURCES
WESTERN REGION

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: A63-05013
Date Received: 6/ 5/1990
Receipt No: C017120
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CARMEN CHURRUCA 602-943-3953
Address: 733 EAST CAROL
PHOENIX AZ 85020

AND/OR

Name: FRANK CHURRUCA 602-943-3953
Address: 733 EAST CAROL
PHOENIX AZ 85020

2. Date of Priority: APR 1, 1935

3. Source: UNNAMED STREAM Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	04W	36	SE	NE	SW		CANYON
			NW	SE	SW		CANYON

5. Description of diverting works:
DIVERSION DAMS AND GRAVITY DITCHES TO PLACES OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.940		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 164.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/40 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	04W	36	NE SW		IRR	10.0
			NW SW		IRR	15.0
			SW SW		IRR	19.0
			SE SW		IRR	3.0

Section Acres 47.0

Total Acres 47.0

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:
WILDER IRRIGATION DIST.

14. Remarks:
2 DIVERSION POINTS

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

foregoing document are true and correct.

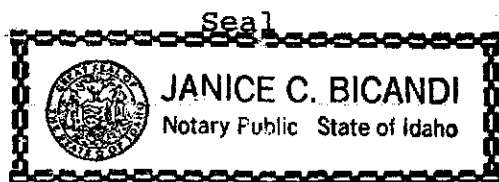
Signature of Claimant(s): Frank Churruarin Date: 9/5/95

Date:

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 5th day
of September 19 95

Janice C. Bicandi
Notary Public



Residing at Caldwell
My Commission Expires 3-19-99

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: A63-05013
Date Received: 6/05/1990
Receipt No: C017120
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARMEN CHURRUCA 602-943-3953
Address: 733 EAST CAROL
PHOENIX, AZ 85020

AND/OR

Name: FRANK CHURRUCA 602-943-3953
Address: 733 EAST CAROL
PHOENIX, AZ 85020

2. Date of Priority: APR 01, 1935

3. Source: SPRINGS Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	36	NW	SW			CANYON
			NW	SE			CANYON

5. Description of diverting works:
DIVERSION DAM AND GRAVITY DITCH TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.940		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 164.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/40 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	36	NE	SW		IRR	10.0
			NW	SW		IRR	15.0
			SW	SW		IRR	19.0
			SE	SW		IRR	3.0
						Section Acres	47.0
						Total Acres	47.0

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:
WILDER IRRIGATION DIST.

14. Remarks:
2 SPRINGS

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 20 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: 39576

Ident. Number 63-5013Date Received 6/5/90Receipt Number C017120

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED
JUN 5 1990

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Frank & Carmen

CHURRUEA Phone (208) 602-9453-3953

Mailing Address 733 East Carol Phoenix, Arizona Zip 850202. Date of Priority (Only one (1) per claim) 4/1/19353. Source of water supply (a) Springwhich is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 3N Range 4W Section 36,1/4 of NW 1/4 of SW 1/4, Govt. Lot, B.M., County of CanyonAdditional points of diversion if any: NW SE Sec 36 T3N R4W

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.

Diversion Dam &gravity ditch to place of use.

MICROFILMED

AUG 20 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 194 or _____

For stockwater purposes from 1/1 to 12/31 amount 102 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 96 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 164.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 40 hd/range

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	
318	44	36									10	15	19	3					47

Total number of acres irrigated 47

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 ☒ 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.

Wilder irrigation District or None ()

14. Remarks:

2 springs

MICROFILMED

AUG 20 1992

Last Name CHURRUEA Ident No. 63-5013

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

AUG 20 1992

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 63-5013
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Number of attachments _____

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

Signature of Claimant (s) Frank Churrua Date 6/4/90

Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 4 day of June 19 90

SEAL

Notary Public John R. Harper

Residing at 15470 Stone Dale Rd
Calwell, Idaho 83605

My Commission Expires Sept 21, 1994

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 20 1992

Last Name CHURRUA Ident. Number 63-5013

Copies White-State, Yellow-Claimant



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

SEP 06 1995

WATER RESOURCES
WESTERN REGION

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 3N Range 4W
Section 36, 1/4 of 1/4 of SW 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A63-05013
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Carmen Churrua and/or Frank Churrua
733 East Carol
Phoenix AZ 85020
- ☐ New Owner/Claimant (Purchaser): Frank Churrua, Jr.
- ☐ New Mailing Address: 733 East Carol
Phoenix AZ 85020
- ☐ New Telephone Number: (602) 943 - 3953
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☒ Attach proof of ownership, describe proof attached: Copy of Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☒ Signature of New Owner/Claimant(s): Frank Churrua Jr. Date 9/5/95
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 9-6-95 By: MTS

Claim Numbers of Split, if any:

Before Me the undersigned Notary Personally appeared Frank Churrua & Prove to be the person subscribed within the instrument & acknowledged the same.

Melanie H. Craig
Notary Public
Res. Nodden, Idaho

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

COMM EXP
12-08-99

CEW/BOUR

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL**, and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

RECEIVED

SEP 06 1995

WATER RESOURCES
WESTERN REGION

9218173

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, Made and entered into this 10th day of August, 1992, by and between JOSEPH L. CHURRUCA, the duly appointed and acting personal representative of the estate of Carmen Churruca, deceased, hereinafter referred to as Party of the First Part, and FRANK CHURRUCA, JR., Box 2, Marsing, Idaho 83639, hereinafter referred to for convenience as Party of the Second Part; WITNESSETH:

WHEREAS, On April 15, 1992, the Party of the First Part was appointed as the personal representative of the estate of Carmen Churruca, deceased, by the District Court of the Third Judicial District of the State of Idaho, in and for the County of Owyhee, Magistrate Division, and is now the duly qualified and acting personal representative of said deceased;

NOW, THEREFORE, The Party of the First Part, for and in consideration of the sum of ONE AND NO/100 (\$1.00) DOLLAR, lawful money of the United States of America, and other good and valuable considerations, to him in hand paid by the Party of the Second Part, the receipt whereof is hereby acknowledged, and pursuant to the terms of the Last Will and Testament of Carmen Churruca, deceased, dated July 23, 1982, admitted to probate on April 15, 1992, has granted, bargained, and conveyed, and by these presents does hereby grant and convey unto the said Party of the Second Part, Frank Churruca, Jr., his heirs and assigns, without covenant or warranty, express or implied, all of the right, title and interest of Carmen Churruca, deceased, and all of her estate, in and to that certain real property, situated in the said County of Canyon, State of Idaho, more particularly described as follows, to-wit:

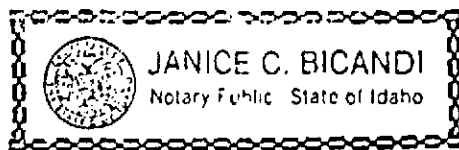
All of Lot 4 North of the Price Lateral in Section 2, Township 2 North, Range 4 West of the Boise Meridian; and

The South One-Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$), and the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), of Section Thirty-six (36), Township 3 North, Range 4 West of the Boise Meridian, Canyon County, Idaho, EXCEPTING THEREFROM, Beginning at the West Quarter corner of said Section 36 and running thence South 89° 40' East along the center line of said Section 36 a distance of 242 feet; thence South 180 feet; thence North 89° 40' West 242 feet to a point in

STATE OF IDAHO)
) ss.
County of Owyhee)

On this 11th day of August, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH L. CHURRUCA, personal representative of the estate of Carmen Churruca, deceased, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



Janice C. Bicandi
Notary Public for Idaho
Residing at Caldwell
My Commission Expires 3/12/93

9218173

RECORDED

'92 AUG 11 PM 3 57

REC'D

CANTON CH. RECORDER

by W. G. G. G.

RECEIVED SECRETARY OF THE STATE

DATE Dec 11 1992 TIME 4 00

Personal Representative's Deed - 3

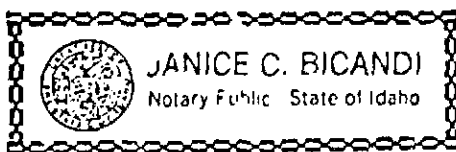
the West boundary line of said Section 36; thence North along said West line 180 feet to the point of beginning.

AND

All that part of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) and all that part of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 36, Township 3 North, Range 4 West of the Boise Meridian, Canyon County, Idaho, situate and lying below the Deer Flat Low Line Canal, as now located, containing in all 28 acres, more or less, subject to unpaid United States Government construction and drainage charges, and Wilder Irrigation District Bond assessments, appurtenant to the above lands there is hereby granted an easement, right of way and use over existing private way across the Northwest Quarter of the Southeast Quarter of said Section 36.

TO HAVE AND TO HOLD All and singular the above mentioned and described premises, together with the appurtenances thereunto appertaining, unto the said Party of the Second Part, his heirs and assigns forever.

IN WITNESS WHEREOF, The said Party of the First Part, as personal representative of the estate of Carmen Churruca, deceased, has hereunto set his hand and seal the day and year first above written.



Janice C. Bicandi

Joseph L. Churruca (SEAL)
Joseph L. Churruca
Personal Representative of the
Estate of Carmen Churruca,
Deceased

RECEIVED

JUL 2 1990

Date Received

RECEIVED

JUN 5 1990

State of Idaho

Department of Water Resources

Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

CO17120 6/5/90
No late fee paid
None Required

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

FRANK CHURRUEA

Name of Claimant

(602) 943-3953

Phone Number

733 East Carol Phoenix, Arizona 85020

Mailing Address

City

State

Zip

Canyon

County(s) where place of use is located

3/15/90

Date claim originally due

03-5013

Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

I live in Arizona and did not receive notice for renewal

Claimant requests an extension to 6/11, 1990

Frank Churrua 6/4, 1990

Signature

Date of request

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby ☒ granted] ☐ denied] for the following reasons:

A notice was not mailed to this address.

and if granted the filing deadline is extended to June 11, 1990

Signed this 30 day of June, 1990

Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

DAVID B. SHAW

MICROFILMED

AUG 20 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 SRBA) A. Subcase 63-5013
(Insert water right number)
)
Case No. 39576)
STANDARD FORM 1
OBJECTION

RECEIVED

Please fill in the following information:

JUN 19 2007

DEPARTMENT OF
WATER RESOURCES

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: Frank Churruca Jr.
Address: 733 E. Carol
Phoenix, AZ 85020

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. Should be unnamed drain.

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.

F. VERIFICATION (must be completed)

State of Idaho
County of Ada)ss.

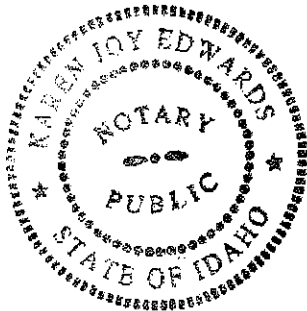
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

(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, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

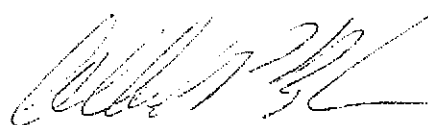
Name: Frank Churruca Jr.
Address: 733 E. Carol
Phoenix, AZ 85020

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

06/30/2006

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

RIGHT NUMBER: 63-5013

NAME AND ADDRESS: FRANK CHURRUCA JR
733 E CAROL
PHOENIX AZ 85020

SOURCE: UNNAMED STREAM

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.800 CFS

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

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

PRIORITY DATE: 04/01/1935

POINT OF DIVERSION:

T03N R04W S36 SENESW Within CANYON County

T03N R04W S36 NWSESW 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	0.780 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T03N R04W S36	NESW	10.00	T03N R04W S36	NWSW	7.00
T03N R04W S36	SWSW	19.00	T03N R04W S36	SESW	3.00

STOCKWATER same as IRRIGATION

39 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Stockwater use is for 40 range cattle.

11-1-06 (724-6128)
Frank Churruca called -
will submit change in
ownership to put
right in his &
brother's names.
Frank died 5 yrs.
ago.
fw



Idaho Department of Water Resources

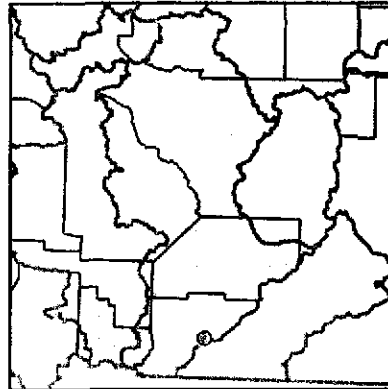
SRBA Recommendation:

63-5013

Acres = 39

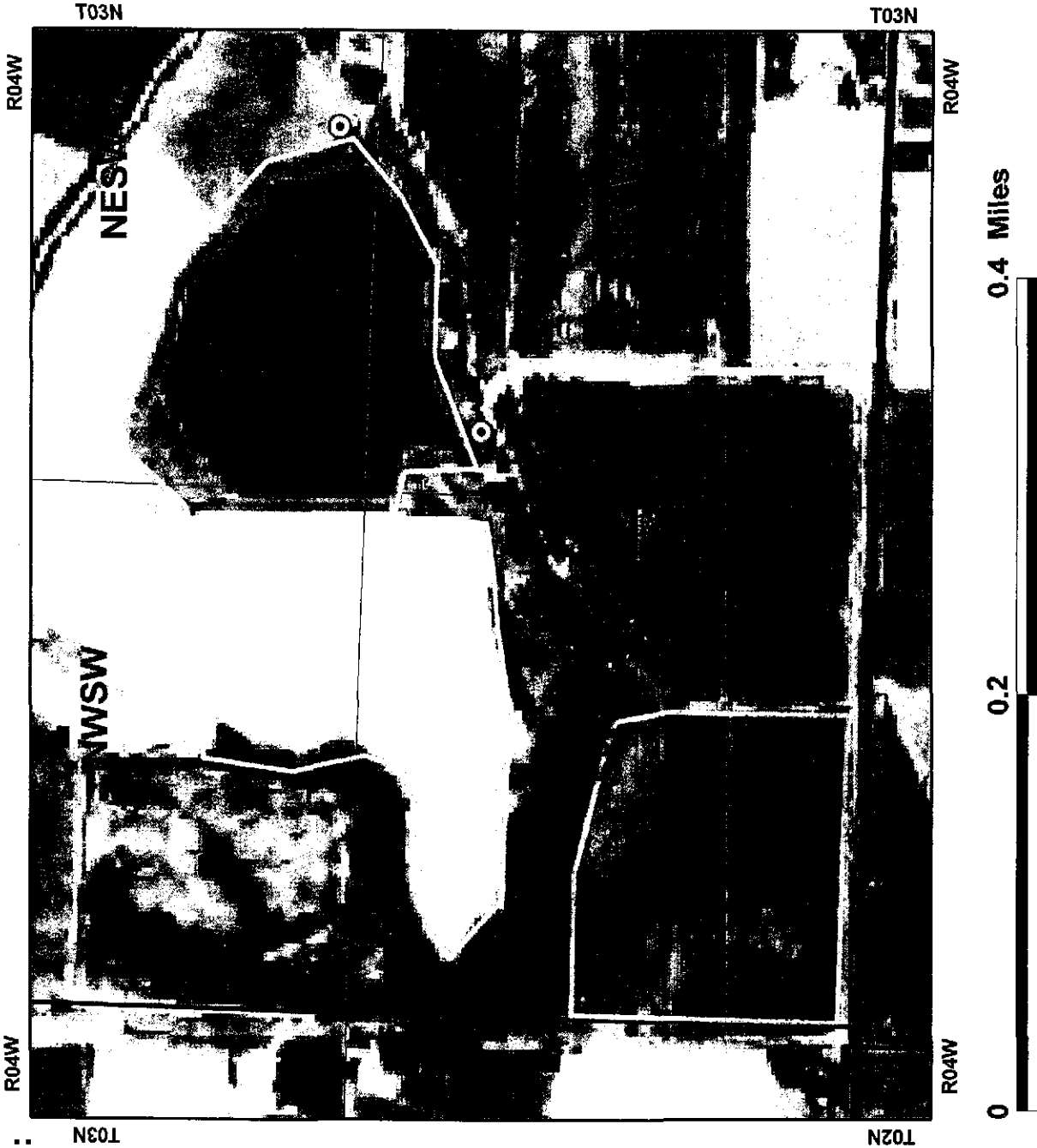
Legend

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



Canyon County
IDWR Basin 63

Prepared by K. Walker
On Friday, June 30, 2006
1987/88 Aerial Photography



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5013

WATER RIGHT NUMBER: 63-5013

Owner Type
Current Owner

Name and Address
FRANK CHURRUCA JR
733 E CAROL
PHOENIX, AZ 85020
(602)943-3953

Original Owner
CARMEN CHURRUCA
733 E CAROL
PHOENIX, AZ 85020
(602)943-3953

Priority Date: 04/01/1935

Basis: ~~Statutory Claim~~ B/U

Status: Active

Source

UNNAMED STREAM

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION

STOCKWATER

From To

3/15 to 11/15

1/01 to 12/31

Diversion Rate~~0.040~~ CFS

0.020 CFS

Annual Volume

Total Diversion:

~~0.960~~ CFSLocation of Point(s) of Diversion

UNNAMED STREAM

CANYON County

UNNAMED STREAM

CANYON County

NW1/4SE1/4SW1/4

Sec. 36, Twp 03N, Rge 04W, B.M.

SE1/4NE1/4SW1/4

Sec. 36, Twp 03N, Rge 04W, B.M.

Place of Use

IRRIGATION

TwP Rge Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals

03N 04W 36 | 10.0 | 15.0 | 19.0 | 3.0 | 47.0

Total Acres: 47.0

STOCKWATER same as IRRIGATION

Conditions of Approval:

- 2 DIVERSION POINTS CHANGE OF OWNERSHIP BY MTS 9/6/1995 CLAIM AMENDED TO CHANGE SOURCE FROM SPRINGS TO UNNAMED STREAM AND TO CHANGE P/D'S 9/6/1995 MTS

Remarks:

39 x 0.02 = 0.78

Kay Walker

6/30/2006

W59-40 hd range cattle

exp-X02-N05, N08

use standard

N/A surface water

use this date per evidence

40 hd range cattle

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-5013

WATER RIGHT NUMBER: 63-5013

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CARMEN CHURRUCA PO BOX 2 MARSING, ID 83639
Current Owner	JOE CHURRUCA PO BOX 2 MARSING, ID 83639

Priority Date: 04/01/1935

Basis: Statutory Claim

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.940 CFS	
STOCKWATER	1/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.960 CFS	

Location of Point(s) of Diversion

SPRINGS	NW1/4SW1/4	Sec. 36, Twp 03N, Rge 04W, B.M.
CANYON County		
SPRINGS	NW1/4SE1/4	Sec. 36, Twp 03N, Rge 04W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	04W	36									10.0	15.0	19.0	3.0					47.0

Total Acres: 47

STOCKWATER same as IRRIGATIONConditions of Approval:

1. SENT IN BY WM. G. GIGRAY, JR. LAWYER, CALDWELL, ID. 83605 0640.

Remarks:Comments:

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-5013**

03/28/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
5013	Claim	03N	04W	36	NE	SW		IRRIGATION	10/47	FRANK CHURRUCA JR
27068	Claim	03N	04W	36	NE	SW		IRRIGATION	5/5	MARCELLA ARCHER
4924	Water Right	03N	04W	36	NE	SW		IRRIGATION	5/5	KEARNEY T ARCHER
5013	Water Right	03N	04W	36	NE	SW		IRRIGATION	10/47	CARMEN CHURRUCA
27068	Claim	03N	04W	36	NE	SW		STOCKWATER		MARCELLA ARCHER
26950	Water Right	03N	04W	36	NE	SW		STOCKWATER		MARCELLA ARCHER
26950	Water Right	03N	04W	36	NE	SW		DOMESTIC		MARCELLA ARCHER
5013	Claim	03N	04W	36	NW	SW		IRRIGATION	15/47	FRANK CHURRUCA JR
5013	Water Right	03N	04W	36	NW	SW		IRRIGATION	15/47	CARMEN CHURRUCA
20207	Water Right	03N	04W	36	NW	SW		DOMESTIC		MARGARET M BEEMAN
5013	Claim	03N	04W	36	SW	SW		IRRIGATION	19/47	FRANK CHURRUCA JR
5013	Water Right	03N	04W	36	SW	SW		IRRIGATION	19/47	CARMEN CHURRUCA
5013	Claim	03N	04W	36	SE	SW		IRRIGATION	3/47	FRANK CHURRUCA JR
5013	Water Right	03N	04W	36	SE	SW		IRRIGATION	3/47	CARMEN CHURRUCA

Receipt Details for ID C017120

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
6/5/1990 9:57:13 AM	6/5/1990	State	\$97.00	Check
Payer		CHURRUCA, FRANK/CARMEN		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
NONE			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$97.00	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	5013		\$97.00	Claims

OK

Print Report

REAL PROPERTY INQUIRY

```

+++++
01 6R33625-000- -0 085-00 SCH363+ 05 25 .90
+++++
10 25,300 1.00
CHURRUCA FAMILY TRUST + 19 .17
% CHURRUCA, FRED J & + 31 34,800
% CHURRUCA, JOAN C H/W @@ + 32 3,700
+
+
5457 STATE HWY 65 +
BRANSON MO 65616 +
+++++
36-3N-4W SW + TOTAL 63,825 2.07
TX 02028 IN SESW ++++++
+ SURVEY 9437962 INST 200534898
+ DRAIN DR VALUE APPR MKB
+ CLASS R2 REAP 02 MAN 01 UNIT 1
+ PARCEL 6R03N04W365010 H/O N C/B N
+ PRIOR ACCOUNT 5R33625-000- -0
+ 02 MH on Property NO

```

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R33625000 0 UNIT 001 TOTAL UNITS 1

```

SITE 18540 MARSING RD CA SEC/TWN/RNG 36-3N-4W
ASSESSED VALUE 63,825 ACREAGE 2.07
SUB/PARK NAME YEAR/MAKE
CLASS R2 RENTAL HOUSE CLASS '2' SPACE LOT BLOCK
+++++
YR BUILT 1915 AIR COND AIR - NONE CARPORT N
STORY 1 STORY HEATING CARPORT SQ FT
FIRST SQ FT 736 EXTERIOR WOOD SIDING DECK/PATIO? N
SECOND SQ FT ROOF WOOD SHINGLES POOL? N
BEDS 1 BSMT SQ FT SPA? N
BATHS 1.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE D1 NEIGHBORHOOD 0
GARAGE SQ FT 266

```

```

+++++
COMMENTS (1 OF 2) 2 UNITS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

```

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

System User- IDWRR Date 03/28/2006 Time 10:16

REAL PROPERTY INQUIRY

```

+++++
01 6R33625-011- -0 085-00 SCH363+ 01 52,100 102.00
+++++
02 7,600 25.28
CHURRUCA FAMILY TRUST + 05 200 6.00
% CHURRUCA, BRUCE & + 19 7.83
% CHURRUCA, LINDA-TRUSTEE +
% CHURRUCA, HERBERT F @@ +
+
PO BOX 358 +
MARSING ID 83639 +
+++++
36-3N-4W SW + TOTAL 59,900 141.11
TX 02029 IN SW ++++++
+ SURVEY 9437962 INST 200258946
+ DRAIN DR VALUE APPR MKB
+ CLASS REAP 02 MAN UNIT 0
+ PARCEL 6R03N04W365011 H/O N C/B N
+ PRIOR ACCOUNT 5R33625-011- -0
+ 02 MH on Property NO

```

MARSING RD, CA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:44:04
09/07/95

PAGE: 16

QUICKLOOK INFORMATION

16

CLAIM NUMBER: A63-05013

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		MTS 8-29-95			MTS 11-24-95		
POINT OF DIV								
SOURCE	Y	↑ 9-1-95 MTS - Granted Claim						
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

463-05013

"R" RECORD

<u>DATA ENTRY COMPLETED</u>	
BY	DATE

FINAL RECOMMENDATION

BY DATE

[illegible]

PRIORITY*

PT. OF DIV.

SOURCE

PL. OF USE

DIV. AMOUNT
CFS/AF

**CONSUMPTIVE
USE**

NATURE OF USE

**PERIOD OF
USE**

**BASIS OF
CLAIM**

REMARKS

VERIFICATION CODES	1	2	3	4	5	6
TOPO MAP/ORTHO PHOTO	=	=	=	=	=	=
ASCS MAP						
WATERMASTER RECORDS						
NAPP PHOTOS						
FIELD EXAM						
OTHER (SEE COMMENTS)						

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES ☒ NO ☐

****IF CLAIMANT CONTACT IS NEEDED, COMPLETE CLAIMANT CONTACT CHECKLIST AND ATTACH.**

COMMENTS: Claim amended to comply with historical source and P/B A - SFF

FIELD EXAM WRITE UP.

07:44:04
09/07/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

LAST: CHURRUC A FIRST: CARMEN
ADDRESS: 733 EAST CAROL STATE: AZ ZIP: 85020
CITY: PHOENIX
PHONE NUMBER: 602-943-3953

OWNER CODE: 0

LAST: CHURRUC A JR FIRST: FRANK
ADDRESS: 733 EAST CAROL
CITY: PHOENIX STATE: AZ ZIP: 85020
PHONE NUMBER: 602-943-3953

OWNER CODE: C

FIELD EXAM REQUIRED? *yes* FIELD EXAMINER
VERIFICATION REQUIRED DUE TO REMARKS? Y () N ()

CLAIM REMARKS: 2 DIVERSION POINTS
CHANGE OF OWNERSHIP BY MTS 9/6/1995
CLAIM AMENDED TO CHANGE SOURCE FROM SPRINGS TO UNNAMED STREAM AND
TO CHANGE P/D'S 9/6/1995 MTS

DATABASE
Y

CLAIM NUMBER: A63-05013

CONTACT PERSON: Frank ChurruarPHONE NUMBER: 602 455-1268 orDATE OF FIELD EXAM: 8-29-95

APPOINTMENT MADE: Y() N()

TIME: 10:00 AM P()ACCOMPANIED BY: Don Harnett, Claimant, Claimant's PHONE NUMBER: 602 943-3953 = ARIZ phone #RELATIONSHIP TO CLAIMANT: son, Joe.

DIRECTIONS TO PROPERTY / NOTES:

18540 Marsen Rd -Claimant does not own the property himself.See AS Memo dated 8-25-95 attached as Page 2a

ADJUDICATION MEMORANDUM

CLAIMANT: Rose Chumuca for Frank Chumuca CLAIM NO: A63-05013
EMPLOYEE: Mel Schalte DATE: 8-25-95
SUBJECT: Field exam schedule.

Rose Chumuca called in response to my letter mailed to their Arizona address. They are in the Maricopa area now and want to schedule exam. She did not know anything about the property or use of water but her husband, Frank - a claimant, will be available to help. Scheduled exam for Tuesday, 8-29-95 @ 10:00 am.

A. AJ CLAIM: # A63-05013 PRIORITY DATE: 04-01-1935 STAGE: S
 B. WR RECORD: # 63-05013 PRIORITY DATE: 04-01-1935 STAGE: S
 C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N(☒)
 D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N(☒)
 E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? Y() N(☒)
 F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?
 PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y() N()
 FIELD EXAM COMPLETED N/A(☒) Y() N()
 FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y() N()
 LICENSE ISSUED N/A(☒) Y() N()
 * IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.
 G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A() Y() N(☒)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE. *affidavits*

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N()

NOTES:

Priority affidavits relate to source being springs but are sufficient to prove actual source which is an unimpounded stream fed by the springs and other seepage water and waste water.

*See copies of affidavits labeled as Pages 3a & 3b -
 Chugach and will SO vault file.*

RECOMMENDED PRIORITY DATE:

3-15-1935

REVIEWED BY *MTS*

DATE

9-7-95

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	1/4	1/4	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A63-05013	03N 04W	36	SE	NE	SW					CANYON		
A63-05013	03N 04W	36	NW	SE	SW					CANYON		
OTHER AJ CLAIMS WITH SAME AJ POD												
A PREFIX												
R PREFIX												
A63-26241 R63-26950												
A63-26950 R63-27068												
A63-27068												
WR RECORDS IN SAME 40 ACRE TRACT												
63-04924												

SOURCE: UNNAMED STREAM

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	1/4	1/4	1/4	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
63-05013	03N 04W	36	NW	NW	SW					CANYON		
63-05013	03N 04W	36	NW	NW	SE					CANYON		
OTHER WR RECORDS WITH SAME WR POD												
A PREFIX												
R PREFIX												
A63-20207												
NONE												
AJ CLAIMS IN SAME 40 ACRE TRACT												
NONE												

SOURCE: SPRINGS

TRIB: SNAKE RIVER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE. *See field exam writeup*

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE. *See field exam writeup*

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 1/17)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM 8-24-95)

Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: P/D amended after field exam to reflect actual historical diversions. No diversions were made at the Springs claimed in Statutory Claim 63-05013.

See exam writeup labeled 5a and Anthropology map labeled 5c

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	COUNTY CANYON CANYON	DIVERSION NAME	DIVERSION NBR
03N	04W	36	SE	NW	SW					
03N	04W	36	NE	SE	SW					
SOURCE:	<i>Unnamed Stream Snake River</i>									
					TRTB:					

REVIEWED BY: *MTS*

DATE: 9-7-95

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

See Attached map labeled 5b.

5a.

MEMORANDUM TO FILE

TO: A63-05013

FROM: MEL SCHULTE *MTS*

DATE: SEPTEMBER 7, 1995

RE: FIELD EXAM WRITE UP

The field exam for A63-05013 was conducted on 8/29/1995 at 10:00 am with the assistance of Ron Howerton; Frank Churruca, claimant and Joe Churruca, claimant's son.

After a detailed discussion with the claimant and his son, we concluded the source is incorrect in the Statutory Claim filed by his father on 4/21/1983 and the adjudication claim filed by Frank Churruca for his mother, Carmen Churruca. Historically, water has actually been diverted from an Unnamed Stream rather than Springs. While some springs contribute to the stream's flow, waste water and seepage water are also major contributors. Water is not diverted directly from either of the springs claimed as the sources but flows from the springs into a natural channel. Based on this information the claimant amended the claim.

Frank Churruca revealed at the time of the exam that he is the sole owner of the property by virtue of an inheritance of his mother's interest. A change of ownership has been completed to reflect the change.

The system description and application of water is as follows: At P/D#1 a concrete headgate structure diverts water from the stream into a small delivery ditch. We performed a Mannings measurement on the dry ditch about 25 to 30 feet below the headgate. The small ditch flows into a gated pipe that flows for about 1000' West and irrigates a field to the South. At the end of the gated pipe water can return to a dirt ditch flowing Southwest and then West to irrigate another field to the South of the ditches.

The second P/D is about 1000' downstream from the first and is a structure similar to the first one. Water flows from the second P/D into a small dirt ditch that was in use at the time of the exam. We performed a Mannings measurement on this ditch about 30 feet below the headgate. Water flows through this ditch about 1000' where it is either discharged to the North to irrigate a small pasture or diverted South into a concrete ditch to irrigate a second field that slopes to the West. All irrigation is by gravity flow.

Frank Churruca indicated that to his knowledge the current system and fields are the historical use of the water from the source claimed, Unnamed Stream and all irrigation has been historically by gravity flow. Based on this information it is evident no

Page 2

Memo to file A63-05013

additional fields North of the fields currently irrigated could be irrigated due to the topographic lay of the land. Therefore, the maximum acres that can be recommended in the NWSW, S36 is 7 acres.

Wilder Irrigation District water is also used on this farm. An irrigation district canal traverses the NESW quarter section. Water can be diverted into the same unnamed stream that is the source of this claim and then rediverted through the same system that serves this claim.

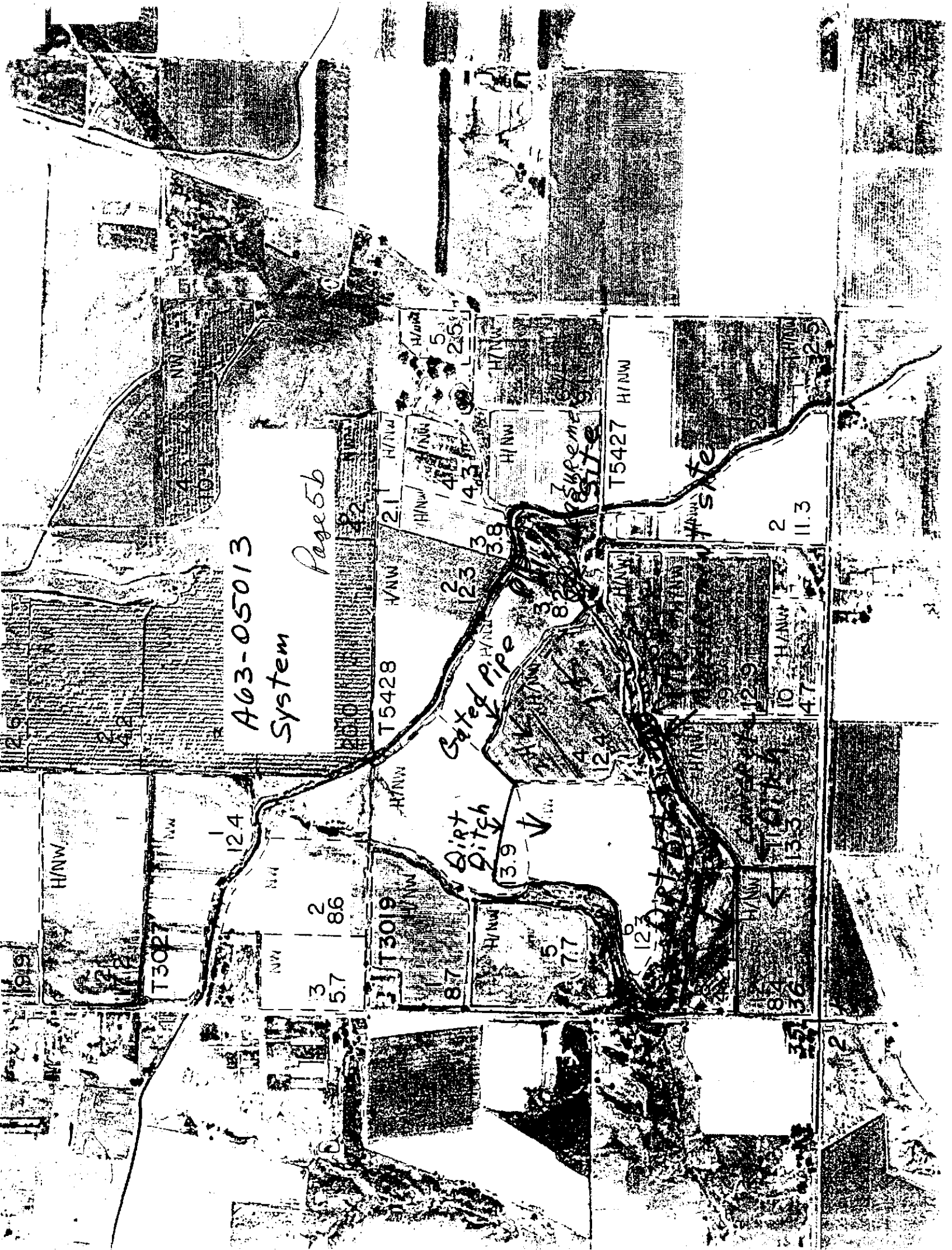
Stock drink directly from the unnamed stream source. There were approximately 40 head on the premises at the time of the field exam. Springs, seepage water and runoff water into the stream channel provide a year around source of water for stock.

MTS

A63-05013

System

Page 5b





5c

X54

1971

A63-05013

T3N

T2N

35'

4825

4824

4823

4822 N.

4821

T. 2 N.

4820

NAMPA (U.S. 30) 15 MI.

32' 30"

24

19

2630

2867

2

A. ROOT WATER RIGHT NUMBERS: A63-05013

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
03N	04W	36	NE	SW		CHURRUCIA JR, FRANK	A63-05013 / 10.0	63-05013 / 10.0	39.0		10
			NE	SW		ARCHER, KEARNEY T	A63-26950 /	/			
			NE	SW		ARCHER, KEARNEY	A63-27068 /	5.0			
			NE	SW		ARCHER, KEARNEY T	A63-26950 /	/			
			NE	SW		ARCHER, KEARNEY	A63-27068 /	/			
			NE	SW		ARCHER, KEARNEY	63-04924 /	5.0			
			NE	SW		ARCHER, KEARNEY					
03N	04W	36	NW	SW		CHURRUCIA JR, FRANK	A63-05013 / 15.0	63-05013 / 15.0	40.0		7
			NW	SW		BEEMAN, JAMES R	A63-20207 /	/			
03N	04W	36	SW	SW		CHURRUCIA JR, FRANK	A63-05013 / 19.0	63-05013 / 19.0	38.0		19
03N	04W	36	SE	SW		CHURRUCIA JR, FRANK	A63-05013 / 3.0	63-05013 / 3.0	39.0		3
ADDITIONAL POU FOUND											

TOTAL ACRES	A63-05013	47.00	47.00	156.00	39
-------------	-----------	-------	-------	--------	----

POU COUNTY: CANYON

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

Y() N()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV.	RATE	DIV.	RATE/ACRE	DIV.	VOL.	DIV.	VOL./ACRE
A63-05013	UNNAMED STREAM	CHURRUCIA JR, FRANK		0.960		0.020				
A63-27068	SPRINGS	ARCHER, KEARNEY		0.100		0.020				

- North of Canal - not related to A63-05013

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	FROM	MONTH/DAY	TO	RATE	VOLUME
A63-05013	STOCKWATER	CHURRUCA JR, FRANK	FROM	01-01	TO 12-31	0.020 CFS	
A63-26950	STOCKWATER	ARCHER, KEARNEY T	FROM	01-01	TO 12-31	0.020 CFS	
A63-26950	DOMESTIC	ARCHER, KEARNEY T	FROM	01-01	TO 12-31	0.040 CFS	
A63-27068	STOCKWATER	ARCHER, KEARNEY T	FROM	01-01	TO 12-31	0.020 CFS	
R63-26950	STOCKWATER	ARCHER, KEARNEY T	FROM	01-01	TO 12-31	0.020 CFS	
R63-26950	DOMESTIC	ARCHER, KEARNEY T	FROM	01-01	TO 12-31	0.040 CFS	
R63-27068	STOCKWATER	ARCHER, KEARNEY	FROM	01-01	TO 12-31	0.020 CFS	
A63-20207	DOMESTIC	BEEMAN, JAMES R	FROM	01-01	TO 12-31	0.040 CFS	

Not related to this claim

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: WILDER IRRIGATION DIST. - *yes*

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. X54; () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. X54 SE; () ASCS PHOTO; () OTHER _____

NOTES: PU determined using dot grid overlay

Stockwater uses are in-stream in same PP's as
irrigation.

4000 acre range covers calves

See ASCS map labeled Sg and NAPP photo as Sg

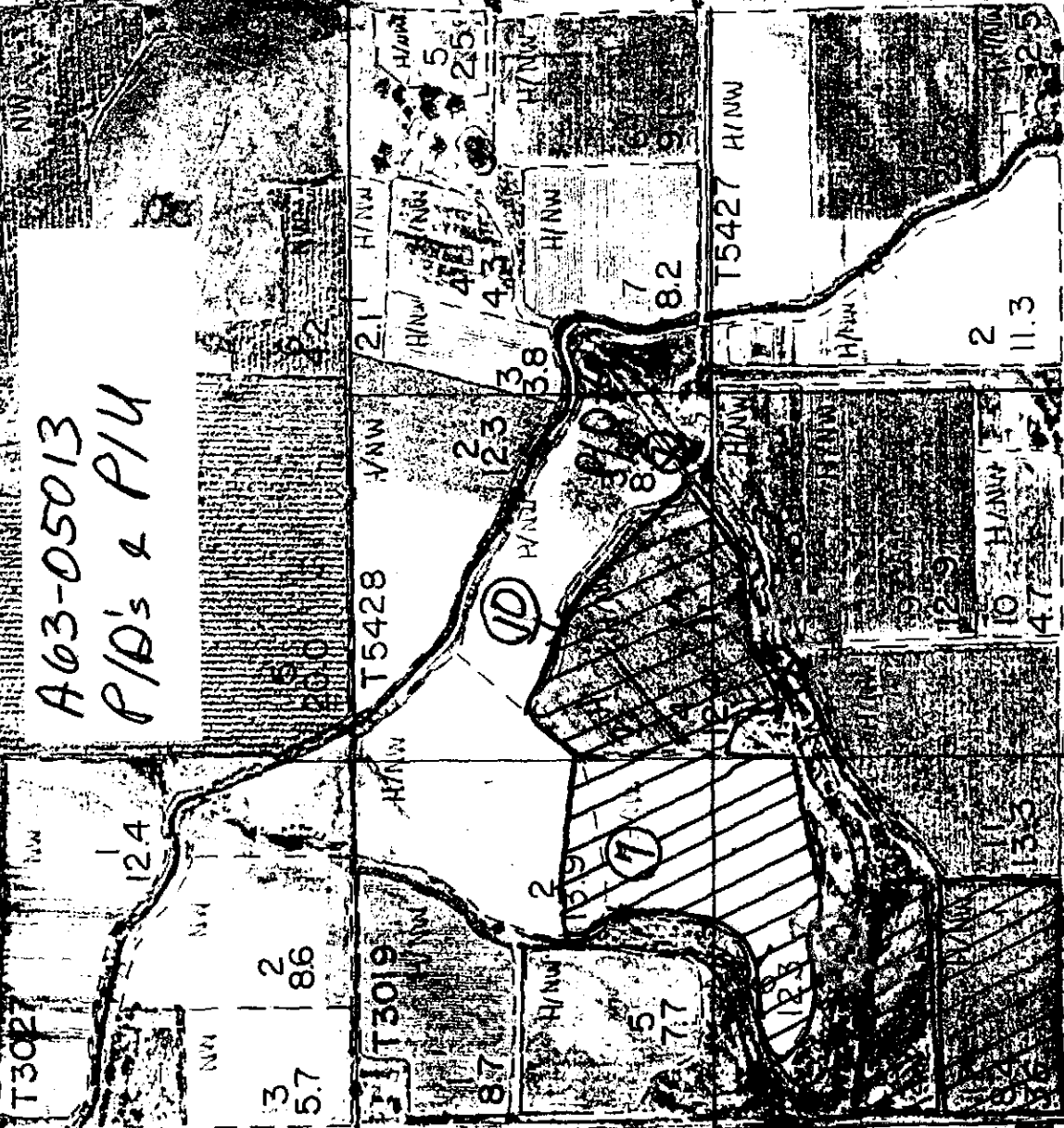
See Photo pages labeled Sc, Sd, Se, Sf, Sg

RECOMMENDATIONS:

TOTAL ACRES: 39 N/A ()

REVIEWED BY: MTS DATE: 9-7-95

A03-05013
P/D's & P/U



426-42

7-14-87

X54 SE

86



8c
A63-05013

Photos 8-29-95



#1

P/D #1

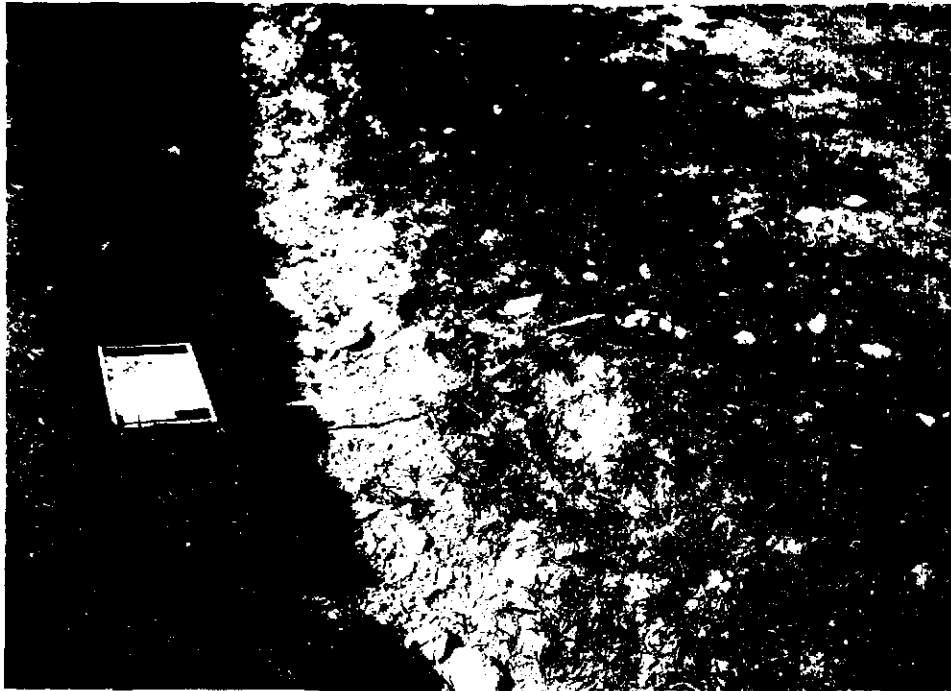


#2

P/D #1, delivery ditch
and upper X section
used in measurement

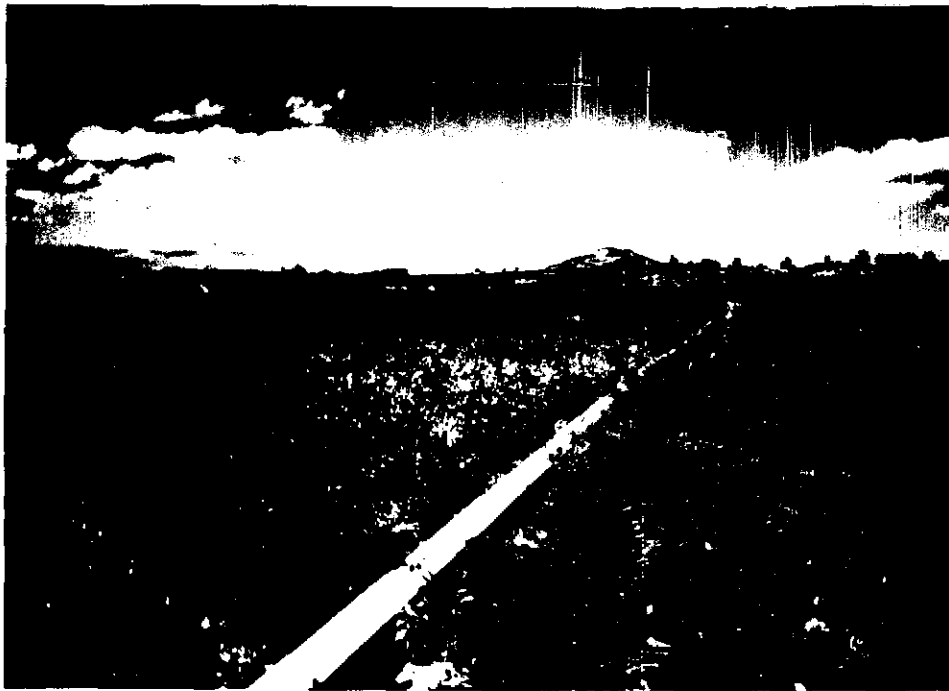
8d
A63-05013

Photos 8-29-95



#3

Lower X section
in ditch
below P/D #1



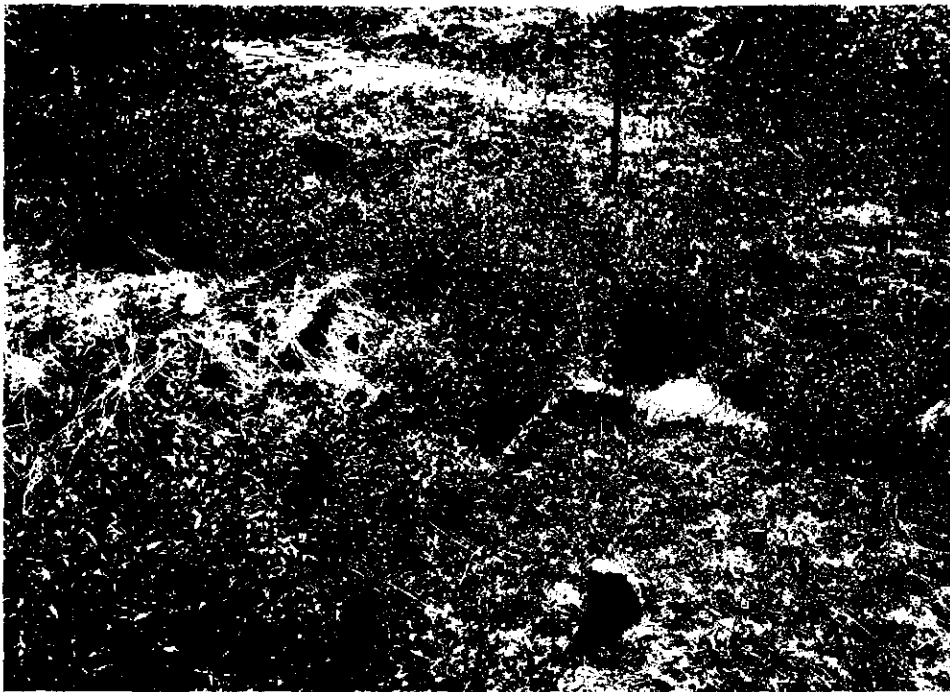
#4

Gated pipe
and part of
P/U near P/D #1 -
looking NW
from area
near P/D #1

8e

Photos 8-29-95

A63-05013



#5

P/D#2



#6

P/D#2 and
upper X section in
delivery ditch below
P/D#2

8F
A63-05013

Photos 8-29-95



#7

Lower X section in
delivery ditch below
P/R #2



#8

P/U - 4± acce
pasture looking
West from SE
corner

89
A63-05013

Photos 8-29-95

#9

Delivery ditch
to 8 $\pm$ acre P14
looking South
from NE corner



#10

P14 - 8 $\pm$ acre
field looking
SW from NE
corner.



A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A63-05013 IRRIGATION	FROM 03-15 TO 11-15	0.940 CFS	
A63-05013 STOCKWATER	FROM 01-01 TO 12-31	0.020 CFS	
TOTAL DIVERSION RATE/VOLUME		0.960 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
63-05013 IRRIGATION	FROM 03-15 TO 11-15	0.940 CFS	
63-05013 STOCKWATER	FROM 01-01 TO 12-31	0.020 CFS	
TOTAL DIVERSION RATE/VOLUME		0.960 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(✓) N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(✓) N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(✓) N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(✓) N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(✓) N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N(✓)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y(✓) N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(✓) N(✓)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y(✓) N()

NOTES:

$$39 \text{ ac} \times .02 = .78 \text{ cfs}$$

$$40 \text{ hhd} \times 12 \text{ gpd} = 480 / 120 = 4 \text{ gpm} = .01 \text{ cfs}$$

AJ CLAIM TOTAL DIVERSION RATE: 0.960 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.960 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT. *See Manning measurements attached*

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

FLOW MEASUREMENT

E. MEASUREMENT METHOD *Manning x 2 each*, SEE ATTACHED CALCULATIONS *labeled 1/9 & 1/6*

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES *39* x 0.02 CFS/ACRE = *.78* CFS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES *39* x DIVERSION VOL. AF/A FOR AREA *4.5* = *No + recommended - surface water*
TOTAL DIVERSION VOLUME *175.5* AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 164.5 AF/A

ACRES *39* x CONSUMPTIVE VOL. AF/A FOR AREA *3.5* =
TOTAL CONSUMPTIVE USE *136.5* AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

40 x 12 x 365 = .5 gfa = Stockwater
40 bed x 12 gpd = 480 gpd / 120 min = 4 gpm = .01 gfa.

11a

Claim Number(s): A63-05013Name of Claimant(s): Frank or Carmen ChurruaName of Ditch, Canal, or Stream: Ditch below upper P/D - unnamed StreamDate of Measurement: 25' ± below P/D Data Collected by: Mel Schutte & Ron HMeasurement Location: ^{SE} NE 1/4 SW 1/4 Section 36 T 3N R 4WUpper P/D

Cross Section Data

Basis: high water mark(☒) maximum capacity()

Note: minimum of five depth or rod readings; first and last must be equal or zero

<u>Upstream</u> X section		<u>Downstream</u> X section	
depth or rod reading	distance from initial point	depth or rod reading	distance from initial point
1. <u>0</u>	<u>0</u>	17. <u>0</u>	<u>0</u>
2. <u>.42</u>	<u>.5</u>	18. <u>.42</u>	<u>.5</u>
3. <u>.42</u>	<u>1.0</u>	19. <u>.42</u>	<u>1.0</u>
4. <u>.39</u>	<u>1.4</u>	20. <u>.39</u>	<u>1.5</u>
5. <u>.30</u>	<u>1.6</u>		<u>1.8</u>
6. <u>.16</u>	<u>0</u>		<u>2.1</u>
7. _____	_____		_____
8. _____	_____		_____
9. _____	_____		_____
10. _____	_____		_____

Slope Data

Basis: high water mark(☒) channel bottom() land surface()

Channel Length from Cross-Section Location: upstream _____ downstream _____

Total Channel Length Used for Slope Measurement: 158.5

Height of Engineers Level: _____

Upstream Rod Reading: 4.96 - high water mark (if taken from channel bottom) _____ = _____Downstream Rod Reading: 6.1 - high water mark (if taken from channel bottom) _____ = _____

Note: the downstream rod reading must be higher than the upstream rod reading

Are maps and/or photos attached? yes()

Upstream
 Upper 5.385
 lower 4.65
 $.735 \times 100 = 73.5'$

Comments

Downstream
 upper 6.55
 lower 5.695
 $.85 \times 100 = 85'$

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS							
earth	.020	X	(1)	negligible	.000	X	(1)				
rock	.025		(2)	minor	.010		(2)				
fine gravel	.024		(3)		.015		(3)				
coarse gravel	.028		(4)	appreciable	.020		(4)				
					.030		(5)				
				severe	.040		(6)				
					.050		(7)				
					.060		(8)				
				SURFACE IRREGULARITY				VEGETATION			
				smooth	.000	X	(1)	low	.005	X	(1)
minor	.005		(2)	.010		(2)					
moderate	.010		(3)	medium	.015		(3)				
severe	.020		(4)		.020		(4)				
					.025		(5)				
				high	.030		(6)				
					.040		(7)				
					.050		(8)				
				very high	.060		(9)				
					.075		(10)				
					.100		(11)				
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING							
gradual	.000	X	(1)	minor	1.00	X	(1)				
occasional	.005		(2)	appreciable	1.15		(2)				
frequent	.010		(3)	severe	1.30		(3)				
	.015		(4)								

MANNING EQUATION CHANNEL CAPACITY RESULTS 08-30-1995

File Number: A6305013
Claimant: CHURRUCA
Channel measured: DITCH FROM UNNAMED STREAM UPPER PD
Date of measurement: AUGUST 29 1995
Measurement location:
25 FEET BELOW UPPER PD
SENESS S36 T3N R4W
Calculation prepared by: MEL SCHULTE
Comments about the measurement:

The results of the calculation are:
The length of the channel measured is 159 feet.
The upstream and downstream rod readings are 4.96 and 6.10 feet.
The channel cross section is 0.42 ft-sq.
The wetted perimeter is 2.89 feet.
The hydraulic radius is 0.15 feet.
The slope is 0.0072
The roughness coefficient is 0.0250
The flow velocity is 1.403 ft/sec.
The rate of flow is 0.59 cfs.

CROSS SECTION NUMBER 1

For File Number A6305013 for the DITCH FROM UNNAMED STREAM UPPER PD

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.42	0.42	0.50
3	0.42	0.42	1.00
4	0.39	0.39	1.40
5	0.30	0.30	1.60
6	0.16	0.16	0.00

The area for this cross section is 0.18 square feet
and the wetted perimeter is 3.38 feet.

CROSS SECTION NUMBER 2

For File Number A6305013 for the DITCH FROM UNNAMED STREAM UPPER PD

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.42	0.42	0.50
3	0.42	0.42	1.00
4	0.39	0.39	1.50
5	0.30	0.30	1.80
6	0.00	0.00	2.10

The area for this cross section is 0.67 square feet
and the wetted perimeter is 2.39 feet.

116

Claim Number(s): A63-05013

Name of Claimant(s): Frank or Carmen Churrua

Name of Ditch, Canal, or Stream: ditch below lower P/D - Unnamed Stream

Point of Measurement: 30' below P/D Data Collected by: Mel Schulte & Ron H

Measurement Location: NW SE 1/4 SW 1/4 Section 36 T 3N R 4W

Lower P/D

Cross Section Data

Basis: high water mark(☒) maximum capacity()

Note: minimum of five depth or rod readings; first and last must be equal or zero

Upstream X section		Downstream X section	
depth or rod reading	distance from initial point	depth or rod reading	distance from initial point
1. <u>0</u>	<u>0</u>	1 <u>0</u>	<u>0</u>
2. <u>.25</u>	<u>.5</u>	2 <u>.35</u>	<u>.3</u>
3. <u>.9</u>	<u>1.0</u>	3 <u>.40</u>	<u>.5</u>
4. <u>.8</u>	<u>1.5</u>	4 <u>.55</u>	<u>.8</u>
5. <u>.75</u>	<u>2.0</u>	5 <u>.60</u>	<u>1.2</u>
6. <u>.4</u>	<u>2.5</u>	6 <u>0</u>	<u>1.7</u>
7. <u>0</u>	<u>3.0</u>	17. _____	_____
8. _____	_____	18. _____	_____
9. _____	_____	19. _____	_____
10. _____	_____	20. _____	_____

Slope Data

Basis: high water mark(☒) channel bottom() land surface()

Channel Length from Cross-Section Location: upstream _____ downstream _____

Total Channel Length Used for Slope Measurement: 246'

Height of Engineers Level: _____

Upstream Rod Reading: 4.58 - high water mark (if taken from channel bottom) _____ = _____

Downstream Rod Reading: 6.31 - high water mark (if taken from channel bottom) _____ = _____

Note: the downstream rod reading must be higher than the upstream rod reading

Are maps and/or photos attached? yes(☒)

Upstream

Upper - 5.18

lower - 4.0

$$1.18 \times 100 = 118'$$

Comments

Downstream

Upper - 6.96

lower - 5.68

$$1.28 \times 100 = 128'$$

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	X	(1)	negligible	.000	X	(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
				SURFACE IRREGULARITY			
smooth	.000	X	(1)	low	.005		(1)
minor	.005		(2)		.010		(2)
moderate	.010		(3)	medium	.015	X	(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000	X	(1)	minor	1.00	X	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

MANNING EQUATION CHANNEL CAPACITY RESULTS

08-30-1995

File Number: A6305013

Claimant: CHURRUCA

Channel measured: DITCH FROM UNNAMED STREAM LOWER PD

Date of measurement: AUGUST 29 1995

Measurement location:

30 FEET DOWN STREAM FROM LOWER PD

NWSESW S36 T3N R4W

Calculation prepared by: MEL SCHULTE

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 246 feet.

The upstream and downstream rod readings are 4.58 and 6.31 feet.

The channel cross section is 0.65 ft-sq.

The wetted perimeter is 2.19 feet.

The hydraulic radius is 0.30 feet.

The slope is 0.0070

The roughness coefficient is 0.0350

The flow velocity is 1.590 ft/sec.

The rate of flow is 1.03 cfs.

CROSS SECTION NUMBER 1

For File Number A6305013 for the DITCH FROM UNNAMED STREAM LOWER PD

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.25	0.25	0.50
3	0.90	0.90	1.00
4	0.80	0.80	1.50
5	0.75	0.75	2.00
6	0.40	0.40	2.50
7	0.00	0.00	3.00

The area for this cross section is 1.55 square feet
and the wetted perimeter is 3.64 feet.

CROSS SECTION NUMBER 2

For File Number A6305013 for the DITCH FROM UNNAMED STREAM LOWER PD

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.35	0.35	0.30
3	0.40	0.40	0.50
4	0.55	0.55	0.80
5	0.60	0.60	1.20
6	0.00	0.00	1.70

The area for this cross section is 0.65 square feet
and the wetted perimeter is 2.19 feet.

NOTES:

WR RECORD CONDITIONS/REMARKS:
SENT IN BY WM. G. GIGRAY, JR. LAWYER, CALDWELL, ID. 83605 0640.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	DATABASE EXAMINER	DATABASE EXAMINER VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	0.940	175.5	164.5	136.5
STOCKWATER	01-01 12-31	0.020	175.5	164.5	136.5
TOTAL FOR THIS RIGHT		0.960	176.0	164.5	136.5

NON-IRRIGATION USES CLAIMED: S/40 RANGE.

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: MTS DATE: 9-7-95

FLAG:

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EO ? - combined with Walker Dr. Dist

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()
()
()
()

B. SPLIT WATER RIGHT REVIEW

NA

ROOT WATER RIGHT NUMBER: 63-05013

TOTAL DIVERSION RATE OF WR SPLITS
DATABASE 0.960 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	-	-	-	-	63-05013	0.960

TOTAL CFS

0.960

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N) NA DATABASE N FIELD EXAMINER Y () N ()
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()

NOTES:

AUTHENTICATION:

SIGNATURE: McSchultz

DATE: 9-7-95

NAME OF FIELD EXAMINER: _____

TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>1971</u> IDWR ID NO. <u>X54</u>	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
☒ MAPP	DATE OF PHOTO <u>7-14-87</u> IDWR ID NO. <u>X54SE</u>	Y() N()
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>1987</u>	Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()
☐ OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☒ SYSTEM DESCRIPTION	DATE DRAWN <u>9-7-95</u>	<u>1</u>	_____
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>8-29-95</u>	<u>5</u>	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>8-29-95</u>	<u>2</u>	_____
☒ OTHER <u>Eileen White up</u>	DATE <u>9-7-95</u>	<u>1</u>	_____
☐ OTHER _____	DATE _____	_____	_____

(WATER RIGHT NUMBERS THAT BEGIN WITH AN "W" ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE		NW		SE		SW		NE		NW		SE		SW		NE		NW		SE		SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A6305013	T03N R04W S36 SPRINGS	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	47
NO MATCHES FOR THIS POU IN AJ-POU-TEMP																								
6302388	BOISE RIVE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
A6302388	BOISE RIVE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
6304924	SPRING	:	:	:	:	:	:	:	:	:	05	:	:	:	:	:	:	:	:	:	:	:	:	5
6308688	GROUNDWATE	:	:	:	:	:	:	:	:	:	10	:	15	:	19	:	03	:	:	:	:	:	:	47
R6308688	GROUNDWATE	:	:	:	:	:	:	:	:	:	S	:	:	:	:	:	:	:	S	:	:	:	:	5
6311721	GROUNDWATE	:	:	:	:	:	:	:	:	:	40	:	:	:	:	:	:	:	:	:	:	:	:	120
M6311721	GROUNDWATE	:	:	:	:	:	:	:	:	:	40	:	:	:	:	:	:	:	:	:	:	:	:	120
6311885	GROUNDWATE	:	:	:	:	:	:	:	:	:	05	:	:	:	:	:	:	:	:	:	:	:	:	5
M6311885	GROUNDWATE	:	:	:	:	:	:	:	:	:	05	:	:	:	:	:	:	:	:	:	:	:	:	5
A6320207	GROUNDWATE	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	47
R6326950	GROUNDWATE	:	:	:	:	:	:	:	:	:	0	:	0	:	19	:	03	:	:	:	:	:	:	:
A6327014	GROUNDWATE	:	:	:	:	:	:	:	:	:	0	:	:	:	:	:	:	:	:	:	:	:	:	:
R6328082	GROUNDWATE	:	:	:	:	:	:	:	:	:	S	:	:	:	:	:	:	:	S	:	:	:	:	0
C27Q-X 54	:	27	26	26	39	:	34	41	38	38	:	39	40	38	39	:	36	39	39	39	:	39	39	578
C73Q-X 54	:	35	39	29	39	:	35	42	40	40	:	42	39	42	42	:	40	40	39	39	:	39	39	622

P. = 32

463-05013

CLAIM INVESTIGATION LOG: CLAIMANT CONTACT CHECKLIST

Name and address (p.1)

☒ Change in address/ownership

Priority

☐ Claim based on recent decree; priority claimed later than decreed priority (I-C, p. 2)

Other claims based on decree

☐ More recent adjudication (II-B-2, p. 5)

☐ Priority claimed less than five years after date of decree (II-E-1-a, p. 7)

☐ Priority claimed more than five years after date of decree (II-E-1-b, p. 7)

Claim based on recent license

☐ Priority claimed earlier than licensed priority (III-B-2, p. 9)

☐ Priority claimed later than licensed priority (III-C, p. 10)

Other claims based on license

☐ Prior adjudication (IV-B-2, p. 13)

☐ Priority claimed earlier than licensed priority (IV-D-2, p. 14)

☐ Priority claimed less than five years after date license issued (IV-E-1, p. 16)

☐ Priority claimed more than five years after date license issued (IV-E-2, p. 16)

Claim based on permit

☐ Priority claimed earlier than permit proposed priority (V-D-2, p. 19)

Claim based on beneficial use (including statutory claim)

☒ Date of beneficial use 1935

☐ Prior adjudication (VI-B-2, p. 23) No

Claim based on posted notice

☐ Prior adjudication (VII-B-2, p. 27)

☐ Priority claimed same as date of posting (VII-E, p. 28)

☐ Priority claimed earlier than date of posting (VII-F, p. 28)

☐ Priority claimed later than date of posting (VII-G, p. 29)

☐ Claim based on second presumption; date of beneficial use

Source

☐ Date of change (I-C, p. 37; III-C, p. 40)

Point of Diversion

☐ Date of change (I-C, p. 48; III-C, p. 51)

Nature of Use, Amount of Each NU, and Total Amount

Claim based on decree or license

☐ Total amount discrepancy (I-A-2, p. 61; II-A-2, p. 70)

☐ Total amount claimed greater than decreed or licensed amount
(I-B-2-b, p. 62; II-B-2-b, p. 70)

Claim based on recent decree or license, total amount claimed less than decreed or licensed amount (I-B-3-b, p. 62)
Claim based on older decree or license, total amount claimed less than decreed or licensed amount (II-B-3-b, p. 71)
Claim based on older decree, NU not stated in decree (II-C-4, p. 72)
Claim based on recent decree or license, date of change (I-D, p. 63)
Claim based on older decree or license, date of change (II-D, p. 74)
Verify change (I-E-1-c, p. 65; II-E-1-c, p. 76; I-F-3, p. 67; II-F-3, p. 77)
Additional NU (I-G-2, p. 67; II-G-2, p. 79)
Injury (I-H-4, p. 68; II-H-4, p. 80)

Claim based on permit; claim less than permit (III-B-3, p. 83)

Claim based on beneficial use (including statutory claim or posted notice)

Verify current use (IV-A-3, p. 85) 8-29-95
Unclaimed verified NU(s) or amounts (IV-B-2, p. 86)
Reasonableness of verified use (IV-C-2, p. 87)
Increase in total amount (IV-D-2, p. 87)
Date of change (IV-G, p. 90)
Alternate NU: injury (IV-I-6, p. 93)
Additional NU (IV-J-3, p. 94)

Season of Use

Claim based on older decree; SU not stated in decree; SU in excess of IDWR standard (I-B-3, p. 98)
Claim based on decree or license, increase in SU (I-D, p. 99)
Claim based on beneficial use (including statutory claim, posted notice, 2nd presumption), claimed SU in excess of IDWR standards (III-C, p. 104)

Place of Use

Claim based on decree or license

Verify change (I-B-3, p. 108; II-B-3, p. 113; III-B-3, p. 120; IV-B-3, p. 124)
Date of change (I-C, p. 109; II-C, p. 115; III-C, p. 121; IV-C, p. 126)

Claim based on beneficial use

Verify current use (VI-A-3, p. 131) 8-29-95
Verified PU not claimed (VI-B-3, p. 132)
Date of change (VI-D, p. 133)

Change in Place of Use Attachment

Evidence of ownership (I-A, p. 136)
Right claimed is supplemental right, injury (II-C-4, p. 138)
Injury (III-B, p. 140)

Forfeiture Attachment

Total forfeiture, resumption of use (I-E, p. 145)
Partial forfeiture, resumption of use (II-E, p. 148)

Other

Describe:

Churruca
A63-05013

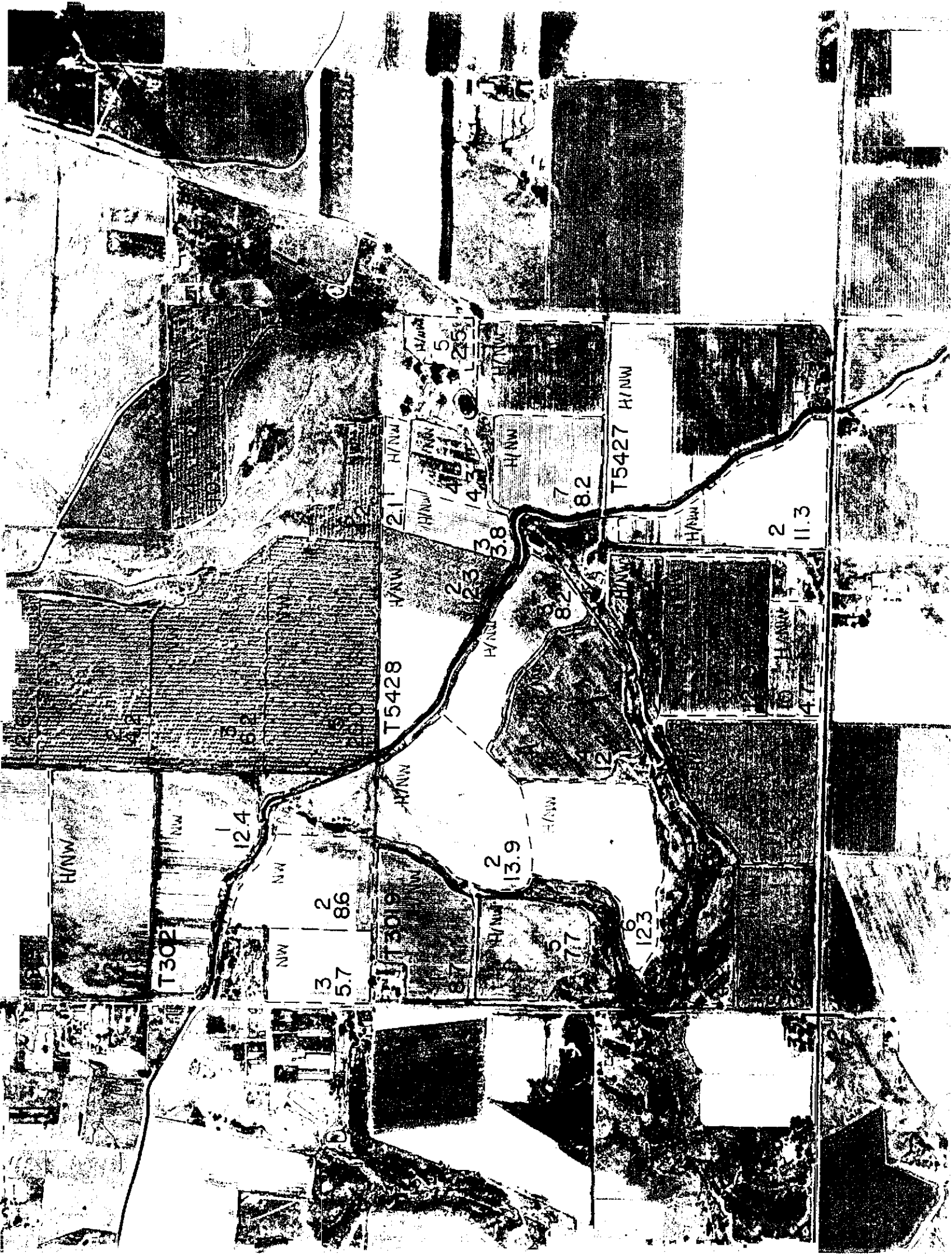
FIELD EXAM PHOTO INDEX SUMMARY

Date: 8-29-95

Roll No.: 24 exp

Photographer: Neil S

PHOTO NO.	SUBJECT
13	P/D at lower diversion
214	lower X section for PD #1
215	upper X " " "
416	P/D #1
717	P/U by P/D #1
718	upper X section for P/D #2
719	lower X " " "
720	P/U - 4 ac. pasture
721	delivery ditch to PU - 8.4 ac.
722	P/U - 8.4 ac.
1023	P/U - 8.4 ac.
142	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

September 6, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Frank Churruca Jr
18540 Marsing Rd
Marsing ID 83639

Re: A63-05013 Ownership change

Dear Frank:

Enclosed for your records are copies of the ownership change documents that reflect your sole ownership of the claim. The enclosed copy of the amended claim form shows that you amended the claim to show the source of water to be an Unnamed Spring rather than Springs. This form is also for your records and does not require you to take any additional action at this time.

Thanks for assisting us in conducting the field exam on Tuesday, August 29th. Based on my initial review it appears there were about 40 acres being irrigated. Our measurements indicated there is a sufficient amount of water to recommend the standard diversion rate of an inch per acre. At a later date we will make our final recommendations and you will be notified at that time to give you the chance to agree or disagree with our findings.

If you have any questions please call me any time at the number below.

Sincerely,

A handwritten signature in cursive script that reads "Mel Schulte".

Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Enc
OWNERCHURRUCAA6305013



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

September 1, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Frank Churruca
18540 Marsing Rd
Marsing ID 83639

Re: A63-05013 Ownership and Amendment

Dear Mr Churruca:

During the field exam of your water right claim on Tuesday, August 29th we discussed changing the ownership of the claim into your name only to reflect that you inherited your mother's interest in the property. Enclosed is a Notice of Change of Water Right Ownership form for you to sign. Please sign the form on the line "Signature of New Owner/Claimant and return it with a copy of the Deed or document that transferred the property to you.

The original filing showed the water source to be "Springs." Based on the actual source that we found during our field exam, it is more accurate to call the source an "Unnamed Stream." Enclosed is an amended claim form that shows the source to be "Unnamed Stream." If you will sign the form in front of a Notary Public and return it to me, we will change our records accordingly. If you want to bring the amended claim to our office I can notarize your signature. There are no fees to amend your claim if you choose to do so.

Call me at the number below if you have any questions.

Sincerely,

Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Enc
ChurrucaOwnership/Amendment

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 2 1983

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 Carmen Churrueta &/or Joe Churrueta
(Name of Claimant)

P. O. Box 2 Marsing, ID 83639

Telephone No. **896-4442**

(Mailing Address)

(Zip Code)

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

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

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)

Springs

tributary to

Snake River

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

{cfs, af}

{Domestic, Irrigation, Stock, Etc.}

(Both dates inclusive)
(Mo., Day) (Mo.,

(Mo., Day)

Quantity .94 cfs Use Irrigation Period of Use From 3/15 To 11/15

Quantity .02 cfs Use Stockwater Period of Use From 1/1 To 12/31

Quantity	Use	Period of Use From	To
100	100	100	100

Quantity	Use	Period of Use From	To
----------	-----	--------------------	----

Quantity	Use	Period of Use From	To
100	100	100	100

- (4) .96 cfs TOTAL QUANTITY USED.

(cfs, af)

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

NW ¼ SW ¼, Sec. 36 Twp. 3N Rge. 4W B.M., County of Canyon

Additional points of diversion: NWSE Sec 36 T3N R4W

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.

Diversion Dam & Gravity Ditches

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

[illegible]

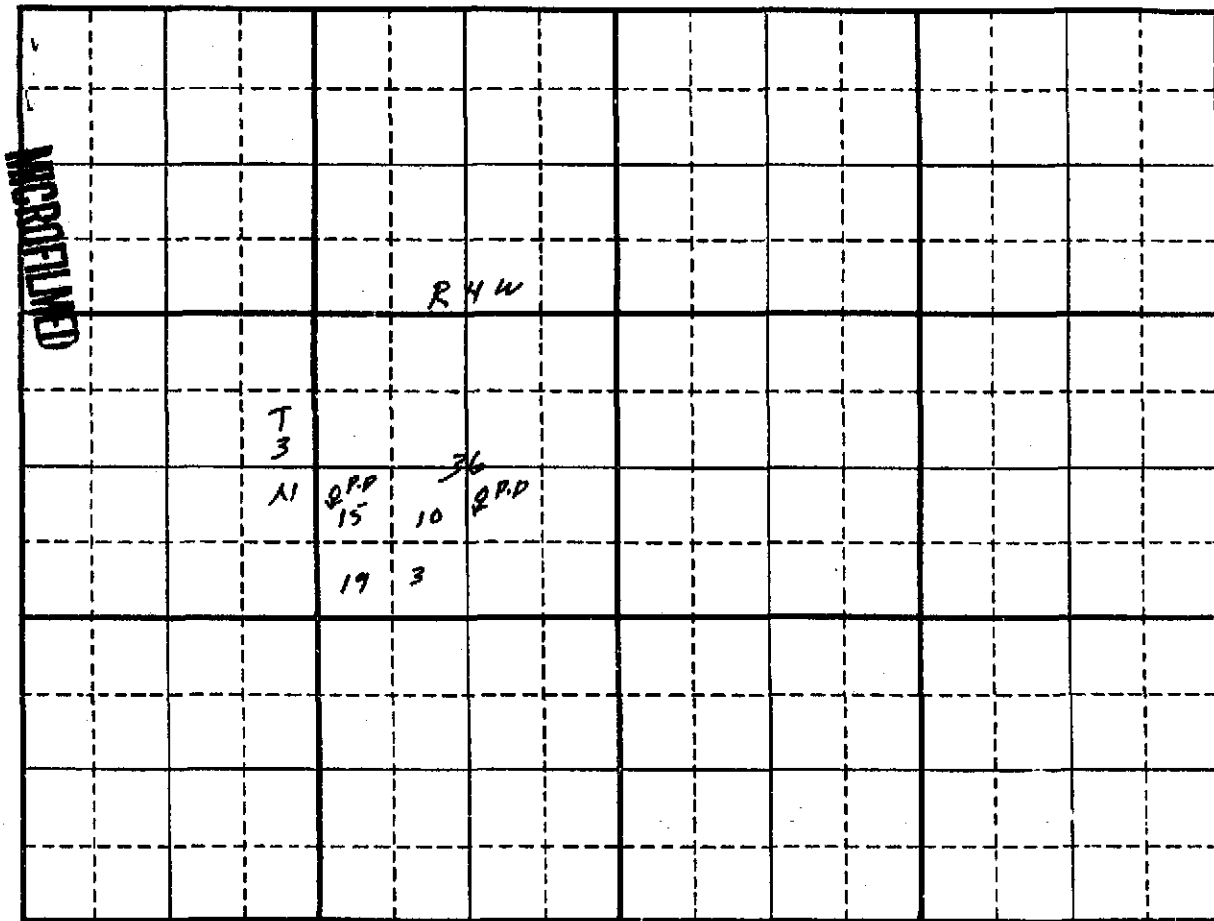
No. of acres 47

- 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: 40 hd/range

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

(8) Remarks X



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of 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 21st day of April

Joe Shurruca
(Claimant)

19 83

Wm. I. Williams, Jr.
Notary Public

Residing at Caldwell, Idaho

My commission expires 5-15-86

FOR DEPARTMENT USE ONLY

Received by <u>[Signature]</u>	Date <u>5-2-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>5-10-83</u>		claimant by:	
\$30.00 fee received by <u>[Signature]</u>	Date <u>5-4-84</u>			
Published in <u>[Signature]</u>				
Dates <u>5-16-83</u> <u>6-2-83</u>				

Originals in
SO Vault File.

<u>Dept costs</u>	
Filing Fee	\$50
47 acres	47
	<u>\$97</u>
Frank was in progress during sign up period - a thick section of time	
	John

MICROFILMED

AUG 20 1992

IN THE MATTER OF:)
)
)
)
)
)
)
)
State of Idaho)
County of Canyon)

AFFIDAVIT

CLYDE H. BEVAN being first duly sworn,

deposes and says: _____

That he is a resident of Homedale, Idaho. _____

That his parents were the owners of the NE 1/4 SW 1/4, Sec. 36, Twp. 3 N., R. 4 W.B.M. in the year 1935, and that he resided with his parents on said real property at that time. _____

That he has read a copy of the "Claim to a Water Right" as prepared and filed by Carmen Churruca and/or Joe Churruca, P. O. Box 2, Marsing, Idaho 83639, with the Department of Water Resources of the State of Idaho claiming a water right from springs with the following points of diversion, namely, the NW 1/4 SW 1/4, Sec. 36, Twp. 3 N., R. 4 W.B.M., and the NE 1/4 SE 1/4, Sec. 36, Twp. 3 N., R. 4 W.B.M., for .94 cfs for irrigation use for the period of March 15th to November 15th of each year, and .02 cfs for stockwater use for the period of January 1st to December 31st each year. _____

That he has personally observed the application and use of waters from said springs since April of 1935 to date for irrigation purposes upon approximately 47 acres of ground upon land located in the SW 1/4 of Sec. 36, Twp. 3 N., R. 3 W.B.M. _____

That he has also during the period from 1935 until the date of this affidavit, observed the use of the waters from said springs to water livestock. _____

Further affiant sayeth not. _____

Clyde H. Bevan
(Signature)

Subscribed and sworn to before me this 28th day of January, 1983.

Wm. J. Higgins, Jr.
(Notary Public)

Residing at Caldwell, Idaho.
My Commission Expires 5-15-86.

WICHOLOWED

IN THE MATTER OF:)
)
)
)
)
)
)
State of Idaho)
County of Owyhee)

AFFIDAVIT

MARCEL ELORDI being first duly sworn,
deposes and says: _____

~~That he is a resident of Marsing, Idaho.~~
That for more than 15 years last past he has leased from
Carmen Churruca certain farm property located in the Southwest
Quarter, Section 36, Township 3 North, Range 4 West of the Boise
Meridian; that with regard to the real property which he has been
leasing, he has read a copy of the "Claim to a Water Right" as
prepared and filed by Carmen Churruca and/or Joe Churruca, P. O.
Box 2, Marsing, Idaho 83639, with the Department of Water Resources
of the State of Idaho, claiming a water right from springs with
the following points of diversion, namely, the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36,
Twp. 3 North, R. 4 W.B.M., and the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, Twp. 3 N.,
R. 4 W.B.M., for .94 cfs for irrigation use for the period of March
15th to November 15th of each year, and .02 cfs for stockwater
use for the period of January 1st to December 31st each year.
That as a lessee of said property, he has applied and used said
waters from said spring for more than fifteen years last past to
irrigate the approximately 47 acres of ground located in the SW $\frac{1}{4}$
Sec. 36, Twp. 3 N., R., 4 W.B.M., as described in the "Claim to
a Water Right", and that he has also used the water from said
spring to water livestock during the period he has been leasing
the property.

Further affiant sayeth not.

Marcel Elordi
(Signature) Marcel Elordi

Subscribed and sworn to before me this 21st day of April, 1983

Wm. I. Hamm
(Notary Public)

Residing at Caldwell, Idaho
My Commission Expires 5-15-86

RECORDED

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Churrelea

CLAIM IDENT. NO.

A63-05013

DATE RECEIVED

6/5/90

CK #

C017120

AMOUNT \$

97⁰⁰

YES

NO

Required
Info?1. Is the name and address complete with zip code? ☒ YES ☐ NO *2. Is a priority date entered? ☒ YES ☐ NO *

Is the priority date acceptable in view of mandatory filing dates?

See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *3. (a) Is a source entered? ☒ YES ☐ NO *(b) Is a tributary to entered? (if required) ☒ YES ☐ NO *

N/A

4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *5. Is there a description of the diverting works? ☒ YES ☐ NO *6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *Is the period of use included? ☒ YES ☐ NO *Is a quantity claimed for each use? ☒ YES ☐ NO *7. Is a total quantity claimed entered? ☒ YES ☐ NO *8. If required is a consumptive use entered? ☒ YES ☐ NO *

N/A

Is the consumptive use correct? ☒ YES ☐ NO *

N/A

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO *

N/A

10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *11. Is (are) the county(ies) entered? ☒ YES ☐ NO *12. Is the ownership of p.u. checked? ☒ YES ☐ NO *13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO *

N/A

15. Is the basis of the claim indicated? ☒ YES ☐ NO *16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO *

N/A

17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *20. Is the fee enclosed correct? ☒ YES ☐ NO *

Exempt

21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO *

N/A

22. Should this claim be data entered? ☒ YES ☐ NO *Claim checked by: BDate: 7/13/90Claim must be returned to claimant: ☒ (Yes) ☐ (No)Claimant must be notified of modifications: ☒ (Yes) ☐ (No)Receipt Prepared by: BClaim data entered by: BSent to claimant by: BDate: 7/17/90Date: 7/17/90Date: 7/17/90Checked by: MICROFILMEDDate: AUG 20 1992

Comments: _____

AUG 20 1992