



Idaho Department of Water Resources

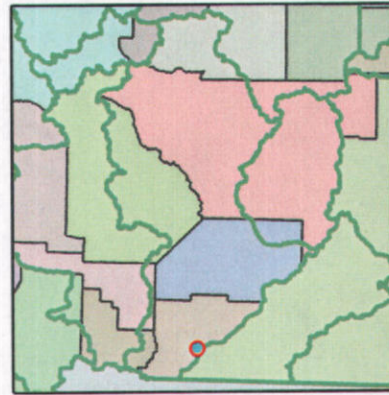
SRBA Recommendation:

63-8197

Acres = 33

Legend

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

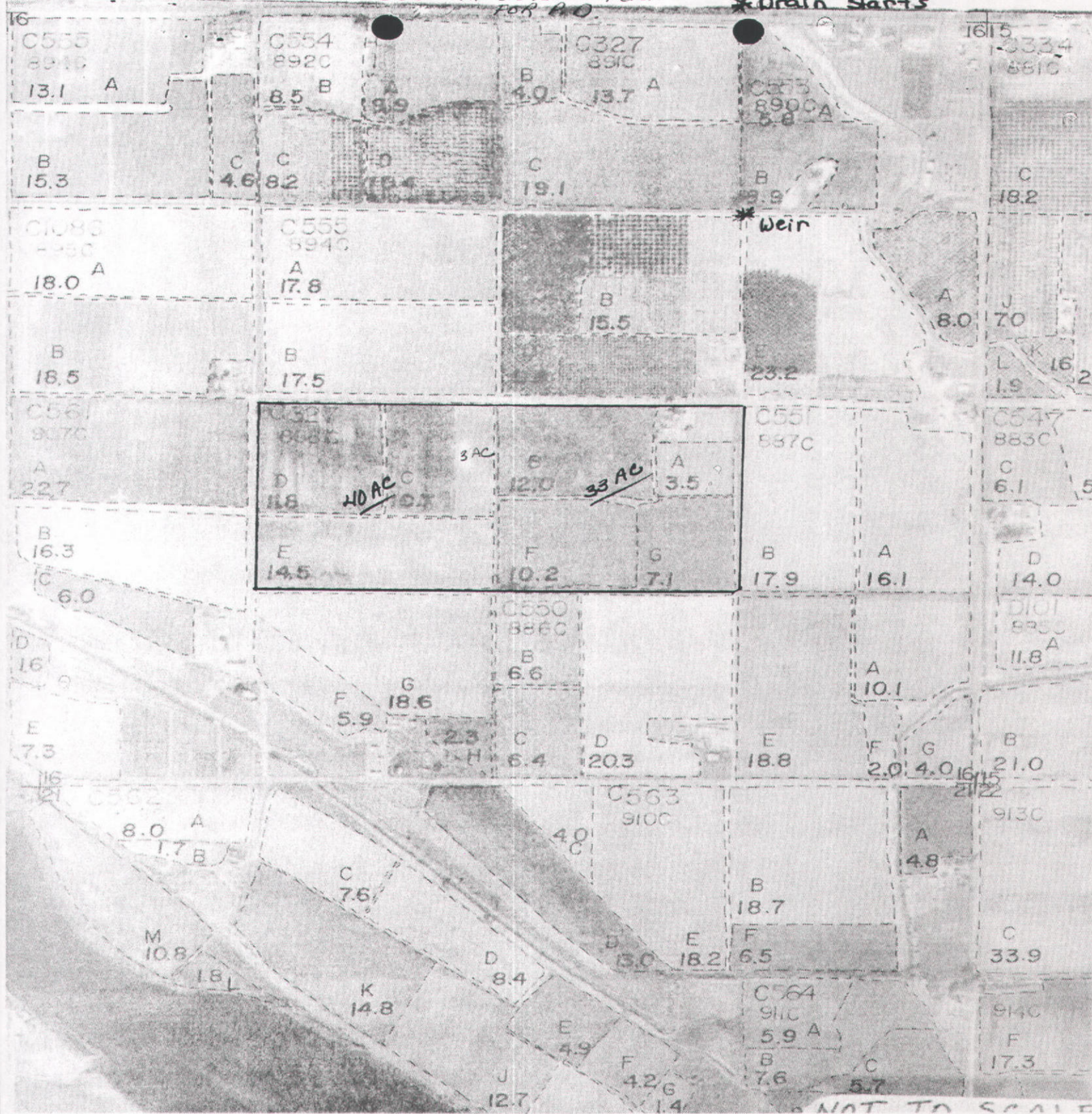


Canyon County
IDWR Basin 63

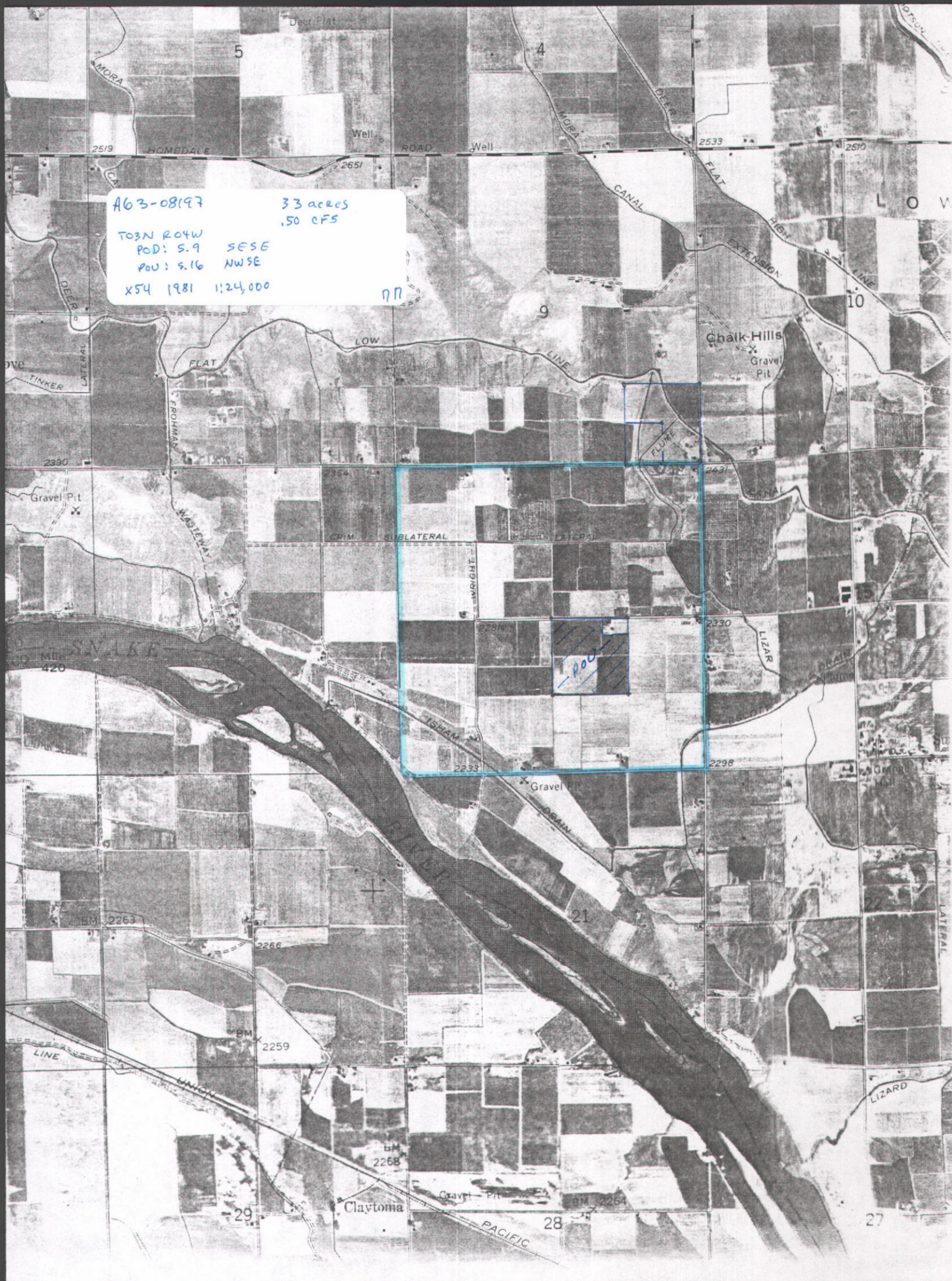


Prepared by K. Walker
On Tuesday, May 23, 2006
1987/88 Aerial Photography

* ^{Closed} Drain starts



NAT TO SCALD



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 63-8197
Date Received: 3/13/1990
Receipt No: W010904
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SIMON LANDA Phone: (208)459-7953

21303 PEAR LN
CALDWELL ID USA 83607

2. Date of Priority: 09/02/1975

3. Source: SPRINGS Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	04W	9	SW SE SE	CANYON	

5. Description of diverting works:

6" PIPE OUT OF DRAIN DITCH TO POU. GRAVITY IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.5	

7. Total Quantity Appropriated is:
0.5 C.F.S. and/or 0.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	04W	16	NW	SE	IRRIGATION	33
Section Acres						33
Total Acres						33

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:

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Removed Sabino Landa as claimant. Received change in ownership and copy of death certificate this day. kw 10/26/06

15. Basis of Claim: License

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.

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: A63-08197
Date Received: 3/13/1990
Receipt No: W010904
Received By: _____

*Rec'd from
So 9-18-92*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: SABINO LANDA 208-459-7953
Address: 21303 PEAR LN
CALDWELL ID 83605
AND/OR
Name: SIMON LANDA 208-459-7953
Address: 21303 PEAR LN
CALDWELL ID 83605
2. Date of Priority: SEP 2, 1975
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	9	SW	SE	SE		CANYON
5. Description of diverting works:
6" PIPE OUT OF DRAIN DITCH TO POU. GRAVITY IRRIGATION.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		
7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) 0.50 A.F.A.
8. Total consumptive use is 115.5 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	04W	16	NW SE		IRR	33.0
Section Acres						33.0
Total Acres						33.0

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 DISTRICT

14. Remarks:

15. Basis of Claim: LICENSE

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

63-9197

Date Received

Receipt Number

W010904

RECEIVED

MAR 13 1990

NOTICE OF CLAIM
TO A
WATER RIGHT

Department of Water Resources
Western Regional Office

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) SIMON & Sabina Landa Phone (208) 459-7953Mailing Address 21303 Bear Ln Caldwell, Ida Zip 836052. Date of Priority (Only one (1) per claim) Sep 2, 19753. Source of water supply (a) Spring
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 3N Range 4W Section 9,
SW 1/4 of SE 1/4 of SE 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.

Run each pipe out of
a drain ditch to place of use. Gravity
irrigation

MICROFILMED

JUL 28 1984

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 150 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

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

8. Total consumptive use claimed is 115.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) none

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	4W	16																33	33

Total number of acres irrigated 33

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.
Holder for District or None ()

14. Remarks:

Last Name Leahy Ident No. 63-8197

MICROFILMED
Copies: White - State, Yellow - Claimant
JUL 25 1974

Scale: 2 inches equals 1 mile

Handwritten notes on the graph paper:

- 9
- RD
- R4
- 16
- 33
- 7
- 3
- N

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 63-8197

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) Simon Landa Date 3/10/90

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) SS.

County of Canyon)

Subscribed and sworn (or affirmed) before me this 10 day of March 19 90

SEAL

Notary Public John K. Noyes

Residing at 15470 Homedale Rd
Caldwell, Ida 83405

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 _____

Last Name Landa Ident. Number 63-8197

MICROFILMED
Copies White-State, Yellow-Claimant

JUL 25 1994

RECEIVED
OCT 24 2006
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
OCT 20 2006
WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-8197					

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)

Sabin Lane

4. New Owner/Claimant(s)

Simon Lane

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

New Mailing Address

2303 PEARL LANE

City, State and ZIP Code

Caldwell, Id. 83607

New Telephone Number

(208) 459-7953

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)

Simon Landa

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 few AJ Date 10/26/06 WR _____ Date _____

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
COOPERATIVE CENTER FOR HEALTH STATISTICS

State of Idaho CERTIFICATE OF DEATH

ONLY A COPY OF THIS DOCUMENT, CERTIFIED BY THE STATE REGISTRAR, WITH THE DEPT. OF HEALTH & WELFARE RAISED SEAL, SHALL BE USED AS PRIMA FACIE EVIDENCE OF THIS DEATH UNDER IDAHO CODES 29-2101 & 29-2104

State File No. 3-47
Local Reg. No. 3-47

TYPE OR PRINT IN PERMANENT BLACK INK DO NOT USE FELT TIP PEN NAME OF DECEASED For use by physician or institution	DECEDENT — NAME FIRST: <u>Sabino</u> MIDDLE: <u>Landa</u> LAST: <u>Landa</u>		SEX Male	DATE OF DEATH (Month, Day, Year) Nov. 25, 1996
	SOCIAL SECURITY NUMBER [REDACTED]		DATE OF BIRTH (Month, Day, Year) Jan 22 1901	
	AGE — Last Birthday (Year) 95		BIRTH-PLACE (City and State or Foreign Country) Arteaga, Spain	
	WAS DECEDENT EVER IN U.S. ARMED FORCES? ☐ Yes ☒ No			
PLACE OF DEATH (Check only one) (1) ☐ Inpatient (2) ☐ Outpatient (3) ☐ DOA (4) ☒ Long-Term Care Facility (5) ☐ Own Residence (6) ☐ Other Private Residence (7) ☐ Other (Specify)				
FACILITY NAME AND ADDRESS (If not a hospital, enter name of place, street and number) <u>Roe's Country Manor</u>		CITY, TOWN OR LOCATION OF DEATH <u>Homedale</u>		COUNTY OF DEATH <u>Owyhee</u>
MARITAL STATUS — Married, Never Married, Widowed, Divorced (Specify) <u>Widowed</u>		SURVIVING SPOUSE (If wife, give maiden name) <u>NA</u>		DECEASED'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired.) <u>Farmer</u>
RESIDENCE STATE <u>Idaho</u>		COUNTY <u>Canyon</u>	CITY, TOWN OR LOCATION <u>Caldwell</u>	STREET AND NUMBER <u>21303 Pear Lane</u>
ZIP CODE <u>83605</u>		INSIDE CITY LIMITS? ☐ Yes ☒ No		
WAS DECEDENT OF HISPANIC ORIGIN? (Specify No or Yes — if Yes, specify Cuban, Mexican, Puerto Rican, etc.) ☐ Yes ☒ No		RACE — American Indian, Black, Japanese, White, etc. (Specify) <u>White</u>		
DECEASED'S EDUCATION (Specify only highest grade completed) <u>Elementary/Secondary (5-12)</u>		COLLEGE (1-4 or 5+) <u>0</u>		
FATHER — NAME <u>Victor Landa</u>		BIRTH-PLACE <u>Spain</u>		MOTHER — FULL MAIDEN NAME <u>Josefa [REDACTED]</u>
BIRTH-PLACE <u>Spain</u>				
INFORMANT NAME (Type/Print) <u>Simon Landa</u>		MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, Zip Code) <u>21303 Pear Lane Caldwell, Idaho 83605</u>		
METHOD OF DISPOSITION ☒ Burial ☐ Cremation ☐ Removal from Idaho ☐ Donation ☐ Other (Specify)		PLACE OF DISPOSITION (Name of cemetery, crematory, or other place) <u>Canyon Hill Cemetery</u>		
LOCATION — City or Town, State <u>Caldwell, Idaho</u>				
SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH <u>Ronald E. [REDACTED]</u>		LICENSE NUMBER (of Licensee) <u>M-587</u>		
NAME AND ADDRESS OF FACILITY <u>Flahiff Funeral Chapel</u>		PO Box 726, Caldwell, Idaho 83606		
TIME OF DEATH <u>4:40 P M</u>		DATE PRONOUNCED DEAD (Month, Day, Year) <u>Nov. 25, 1996</u>		WAS CASE REFERRED TO CORONER? ☐ Yes ☒ No
MANNER OF DEATH (Check One) ☒ Natural ☐ Homicide ☐ Suicide ☐ Accident ☐ Pending Investigation ☐ Could Not Be Determined				
27. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line. IMMEDIATE CAUSE (Final disease or condition resulting in death) <u>Cardiorespiratory Arrest</u>				
DUE TO (or as a consequence of): <u>Stroke</u>				
DUE TO (or as a consequence of): <u>Arteriosclerotic Vascular Disease and Age</u>				
DUE TO (or as a consequence of): [Blank]				
27. PART II. Other Significant Conditions contributing to death but not resulting in the underlying cause given in Part I. <u>Osteoarthritis, carcinoma bladder, carcinoma colon, skin cancers</u>				
WAS AN AUTOPSY PERFORMED? ☐ Yes ☒ No		WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH? ☐ Yes ☐ No		
CERTIFIER (Check only one): ☒ PHYSICIAN — To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated. ☐ CORONER — On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.				
SIGNATURE AND TITLE OF CERTIFIER <u>Paul A. McConnell, MD</u>		LICENSE NUMBER <u>M3191</u>		DATE SIGNED (Month, Day, Year) <u>11-27-96</u>
NAME AND ADDRESS OF CERTIFIER (If Physician) <u>Paul A. McConnell, MD 222 E. Logan Caldwell, Idaho 83605</u>				
DATE OF INJURY (Mo., Day, Yr.) [Blank]		HOUR OF INJURY [Blank]		
DESCRIBE HOW INJURY OCCURRED INJURY AT WORK? ☐ Yes ☐ No IF TRANSPORTATION ACCIDENT, Specify: ☐ Driver ☐ Passenger ☐ Pedestrian ☐ Other				
PLACE OF INJURY — At home, farm, street, factory, office building, etc. (Specify) [Blank]		LOCATION (Street or Route Number, City/Town, or County, and State) [Blank]		
CORONER'S ACTION (Check One): (1) ☐ Reviewed Only (2) ☐ Reviewed and/or Amended, and Certified				
CORONER'S SIGNATURE <u>[Signature]</u>		DATE SIGNED (Month, Day, Year) [Blank]		
REGISTRAR'S SIGNATURE <u>Joan W. Kessler, Ass't</u>				
DATE FILED (Month, Day, Year) <u>November 29, 1996</u>				

I certify that this is a true and correct reproduction or abstract of an official record filed with the IDAHO COOPERATIVE CENTER FOR HEALTH STATISTICS

DATE ISSUED

NOV 29 1996

JANE S. SMITH
State Registrar

ADJUDICATION CLAIM REVIEW CHECKLIST

4-3-91
CLAIMANT'S NAME Landa, Simon / Sabino CLAIM IDENT. NO. A63-08197

DATE RECEIVED	RECEIPT #	AMOUNT \$	YES	NO	Required Info?
<u>031390</u>	<u>W010904</u>	<u>133.00</u> (3 claims)	☒	☐	*
1. Is the name and address complete with zip code?			☒	☐	*
2. Is a priority date entered?			☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?			☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.			☒	☐	*
3. (a) Is a source entered?			☒	☐	*
(b) Is a tributary to entered? (if required)			☒	☐	*
4. Is the legal description of the p.d. sufficient?			☒	☐	*
5. Is there a description of the diverting works?			☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form			☒	☐	*
Is the period of use included?			☒	☐	
Is a quantity claimed for each use?			☒	☐	*
7. Is a total quantity claimed entered?			☒	☐	
8. If required is a consumptive use entered?			☒	☐	
Is the consumptive use correct?			☒	☐	
9. Are the non-irrigation uses listed 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			☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?			☒	☐	*
11. Is (are) the county(ies) entered?			☒	☐	
12. Is the ownership of p.u. checked?			☒	☐	
13. Are other water rights listed or "none" indicated? (See Item No.'s 16 & 17 for checking other water rights)			☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)			☒	☐	
15. Is the basis of the claim indicated?			☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed?			☒	☐	*
(Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim)			☒	☐	
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim?			☒	☐	
(If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			☒	☐	
18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)			☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.			☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?			☒	☐	*
21. Was this claim filed on time, or was an extension granted?			☒	☐	*
22. Is the fee enclosed correct?			☒	☐	

MICROFILMED

JUL 25 1994

1. Should this claim be data entered? ☒

Claim reviewed by: sf

Date

9-15-92

Claim data entered by: sf

Date

9-16-92

Claim is being returned to claimant: ☐ (Yes) ☒ (No)

Claimant is being notified of modifications: ☐ (Yes) ☒ (No)

Comments: _____

In Re SRBA) A. Subcase 63-8197
(Insert water right number)
Case No. 39576)
STANDARD FORM 1
OBJECTION

RECEIVED

JUNE 2007

DEPARTMENT OF
WATER RESOURCES

Name: Wilder Irrigation District
Address: 709 Cleveland Blvd
Caldwell, ID 83605
Daytime Phone: 208-459-3421

Albert P. Barker
Barker Rosholt & Simpson, LLP
1010 W. Jefferson, Ste. 102, Boise ID 83702

Name: Simon Landa
Address: 21303 Pear Ln.
Caldwell, ID 83607

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 Bales 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.

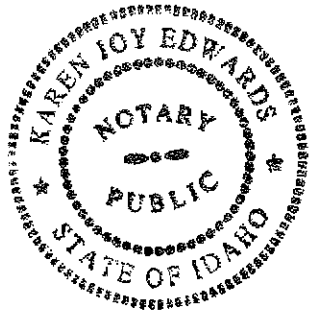
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

[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, 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: Simon Landa
Address: 21303 Pear Ln.
Caldwell, ID 83607

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

10/26/2006

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

RIGHT NUMBER: 63-8197

NAME AND ADDRESS: SIMON LANDA
21303 PEAR LN
CALDWELL ID 83607

SOURCE: SPRINGS

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.500 CFS
148.500 AFY

PRIORITY DATE: 09/02/1975

POINT OF DIVERSION:

T03N R04W S9 SWSESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/15	0.500 CFS 148.50 AFY
The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION Within CANYON County

T03N R04W S16 NWSE 33.00

33 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 - License

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

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.



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

October 27, 2006

SIMON LANDA
21303 PEAR LN
CALDWELL ID 83607

RE: Notice of Claim to a Water Right No. 63-8197

Dear Mr. Landa:

We are in receipt of the death certificate for Sabino Landa. We are returning the original form to you to keep with your records. I have copied this certificate for our file and crossed out Mr. Landa's social security number so it won't be available to others. We have removed his name from the recommendation of your water right.

If you have any questions in regard to this matter, please do not hesitate to contact me at (208)287-4953.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosure

X

NOTICE OF ERROR
REPLY

09/29/2006
RECEIVED

OCT 24 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: 63-8197

SABINO LANDA *died 11-25-96*
21303 PEAR LN
CALDWELL ID 83605
Telephone Number: (208)459-7953

SIMON LANDA
21303 PEAR LN
CALDWELL ID 83605
Telephone Number: (208)459-7953

RECEIVED

OCT 20 2006

WATER RESOURCES
WESTERN DIV.

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

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

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

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

DATE: 10/17/07 SIGNATURE: Simon Landa

Please print your name: SIMON LANDA

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

05/23/2006

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

RIGHT NUMBER: 63-8197

NAME AND ADDRESS: SABINO LANDA
21303 PEAR LN
CALDWELL ID 83605

SIMON LANDA
21303 PEAR LN
CALDWELL ID 83605

SOURCE: SPRINGS

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.500 CFS
148.500 AFY

PRIORITY DATE: 09/02/1975

POINT OF DIVERSION:

T03N R04W S9 SWSESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/15

0.500 CFS
148.50 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County

T03N R04W S16 NWSE 33.00

33 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 - License

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

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.



Idaho Department of Water Resources

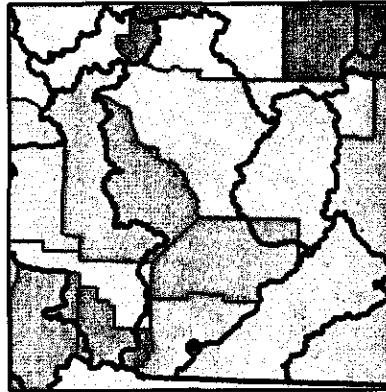
SRBA Recommendation:

63-8197

Acres = 33

Legend

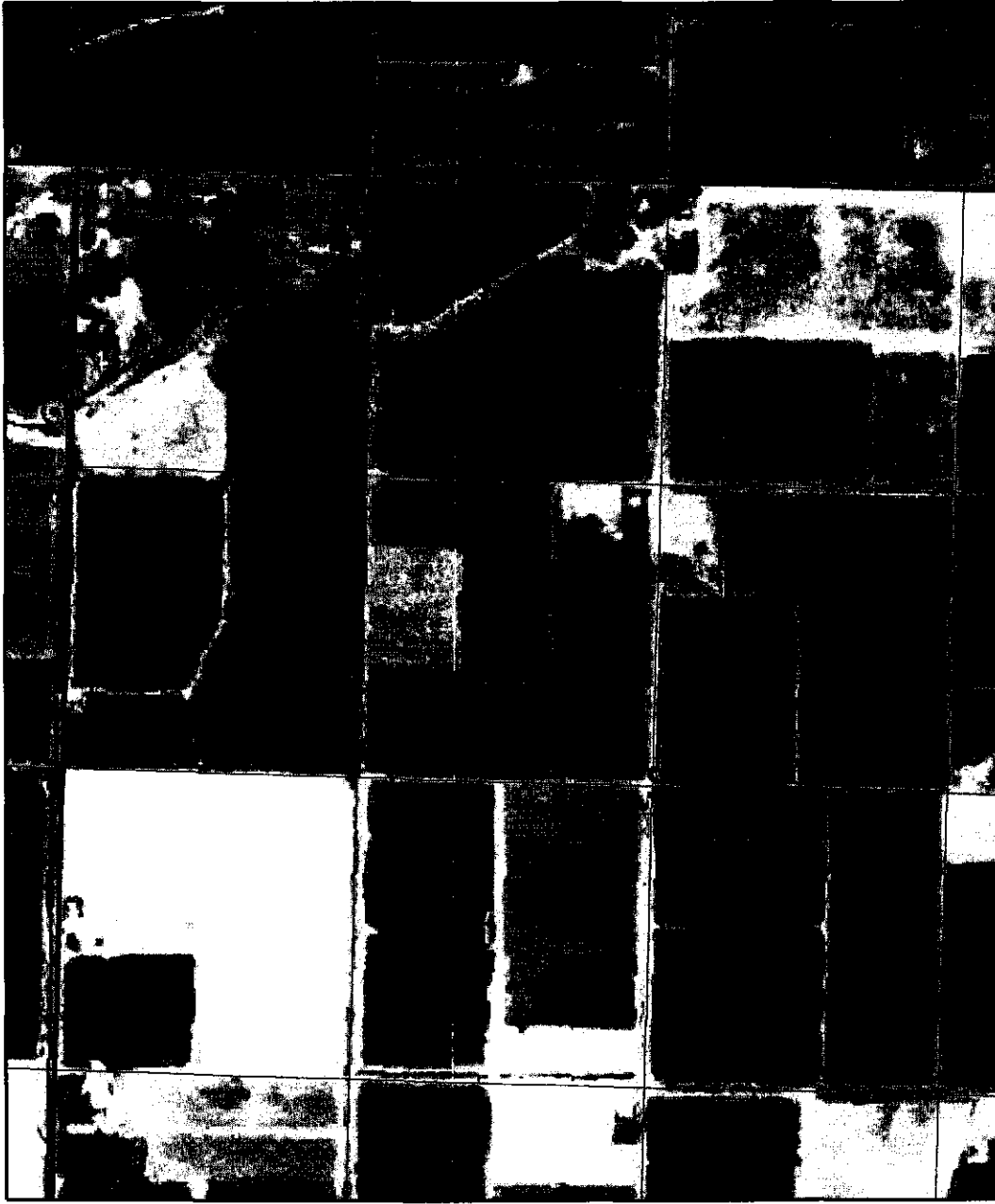
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by K. Walker
On Tuesday, May 23, 2006
1987/88 Aerial Photography

R04W



T03N

0.6 Miles

0.3

0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8197

WATER RIGHT NUMBER: 63-8197

Owner Type

Current Owner

Name and Address

SABINO LANDA ✓
 21303 PEAR LN ✓
 CALDWELL, ID 83605 ✓
 (208)459-7953 ✓

Current Owner

2/02
 SIMON LANDA ✓
 21303 PEAR LN ✓
 CALDWELL, ID 83605 ✓
 (208)459-7953 ✓

Priority Date: 09/02/1975 ✓

Basis: License ✓

Status: Active

Source

SPRINGS ✓

Tributary

SNAKE RIVER ✓

Beneficial Use

IRRIGATION ✓

From To

3/15 to 11/15 ✓

Diversion Rate

0.500 CFS ✓

Annual Volume

148.5

Total Diversion:

0.500 CFS ✓

0.50 AF 148.5Location of Point(s) of Diversion

SPRINGS

CANYON County

SW1/4SE1/4SE1/4 ✓

Sec. 9, ✓ Twp 03N, ✓ Rge 04W, ✓ B.M.

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	04W	16	✓	✓	✓	✓	33.0
							33.0

Total Acres: 33 ✓

Conditions of Approval:

EXP. 1992 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:Comments:

W59 (Wilder)

✓ licensed @ = 195 AF / 73 ac = 2.67 AFA
 claim 33 ac x 4.5 AF = 148.5 AFA < 195.0 AF

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8197

WATER RIGHT NUMBER: 63-8197

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SABINO LANDA 21303 PEAR LN CALDWELL, ID 83605 (208)459-7953
Current Owner	SIMON LANDA 21303 PEAR LN CALDWELL, ID 83605 (208)459-7953

Priority Date: 09/02/1975

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/15	0.500 CFS	195.00 AF
	<u>Total Diversion:</u>	0.500 CFS	195.00 AF

Location of Point(s) of Diversion

SPRINGS	SE1/4SE1/4	Sec. 9, 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	16									40.0						33.0		73.0

Total Acres: 73

Conditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8197

03/28/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
8197	Claim	03N	04W	16	NW	SE		IRRIGATION	33/33	SABINO LANDA
8197	Water Right	03N	04W	16	NW	SE		IRRIGATION	33/73	SABINO LANDA
27305	Water Right	03N	04W	16	NW	SE		DOMESTIC		SABINO LANDA

no OL

used in NESW, Sec. 16 =
63-2388- Bureau of Rec.
no other rights - no
claim on unclaimed
portion of Rt. 63-8197
KW
5/23/06
a/3/96

→ see letter of

Receipt Details for ID W010904

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/13/1990 12:53:54 PM	3/13/1990	Western	\$133.00	Check
Payer		LANDA, PATRICIA		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
589			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$133.00	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	27305		\$25.00	Claim
63	27306		\$25.00	Claim
63	8197		\$83.00	Claim

OK

Print Report

88.15

$$\begin{aligned} &\rightarrow 33 \times 4.5 = 148.5 \\ &0.50 \times 1.9835 \times 197 \text{ days} = \\ &195.4 \end{aligned}$$

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8197 Priority September 2, 1975 Amount .50 cfs

THIS IS TO CERTIFY, that SABINO & SIMON LANDA
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 63-8197 issued pursuant to Application for Permit dated September 2, 1975,
and has submitted proof to the Department of Water Resources on August 5, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .59 cfs of water from springs,
tributary to Snake River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>October 15</u>	at <u>50</u> cfs and	<u>195</u> acre feet
	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than .50 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confined to is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
195 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, Twp. 3N,
Rge. 4W, B.M. in the County of _____ Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	4W	16									40								73

Total number of acres irrigated 73

This right when combined with all other rights shall provide no more than 4.5 afa
per acre for the lands above, nor no more than .02 cfs per acre.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of
February, 19 81.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 12 1981

Licensing
APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

To change the point of diversion and/or the place of use.

Comes now Sabino & Simon Landa

of (address) Rt. 8, Box 360, Caldwell, Idaho 83605, and represents to the
Director of the Idaho Department of Water Resources:That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 63-8197, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, Township 3N, Range 4W, B.M.,
County of Canyon. Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 50 for Irrigation purposes from Apr. 1 to Oct. 31 (both dates inclusive)
(cfs or acre feet per annum)Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	4W	16									40					33			73

Total number of acres to be irrigated = 73

4. a. Who owns the property at the point of diversion? _____
b. Who owns the land to be irrigated or the place of use? _____
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

MICROFILMED

Show 40-acre subdivisions, townships, ranges and ditches.

[illegible]

X

Director

Dabino & Simon Landa
NEE sec 16. T3N R4W

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

63-8197

Permit No. _____

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	<u>8-13-80</u>	<u>KC</u>	
☐ Telephone call made: (List Telephone No. used)	<u>Aug. '80</u> <u>457-7953</u>		
☐ Appointment scheduled for: (Date, time, location)	<u>Aug. '80</u>		<u>WENT TO DO EXAM, HOWEVER, SPRING:</u> <u>Y IRRIG. DIST. WATER COMB. BEFORE FLOWING OVER WRIR</u> <u>Y RE-SCHEDULED EXAM FOR WHEN THE CANNAL'S SHUT OFF</u> <u>THE SPRINGS FIX) THE SAME ALL YEAR ROUND.</u>

EXAMINATION

Date 10/23/80 Accompanied by Simons LAUDA Total Q measured 0.588
If source is surface water, estimate total flow of source 0.588
Methods of measurement Rept. of Work Meets Permit requirements? yes

Measurement calculations:

Measurement calculations:
 PERS. 20 ON STAFF GAUGE WHICH = 0.588 cfs in Water Measurement
 Manual. AMNT ALLOWABLE = 0.50 cfs
 $0.50 \times 197 \text{ days} \times 1.48 = 145 \text{ ac ft} < 4.5 \text{ ac ft} \times 23 \text{ ac} = 328.5$

[illegible]

System Description Springs which flow into closed drain along w/ CANAL WATER THRU
LATERALS & GRAVITY FLOW THRU CEMENT DITCH SYSTEM w/ siphon tubes
SPRINGS WERE MEASURED AFTER CANAL WATER WAS SHUT-OFF.

*Code with map on reverse side. Disregard code if only one.

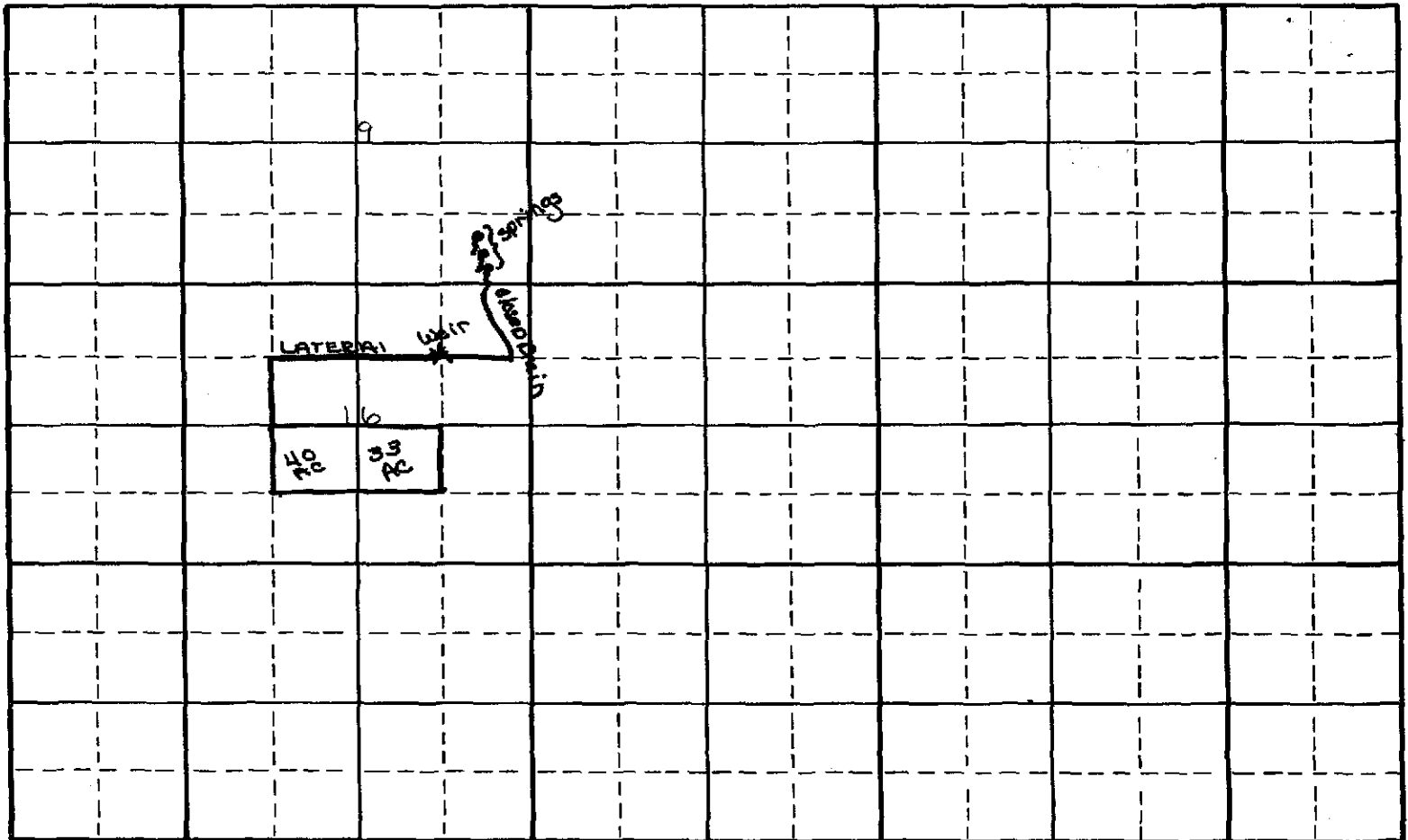
RECOMMENDED AMOUNTS

USE	Q (cfs)	V (afa)	FROM	TO
<u>IRRIGATION</u>	<u>0.50</u> ✓	<u>195</u> ✓	<u>Apr. 1</u>	<u>Oct. 15</u>
Total				

Remarks

MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SE 1/4 SE 1/4, Sec. 9, Twp. 3N, Rge. 4W, B.M.

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	4W	16									40					33			73
																			73

Recommended Amendments:

- ☒ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

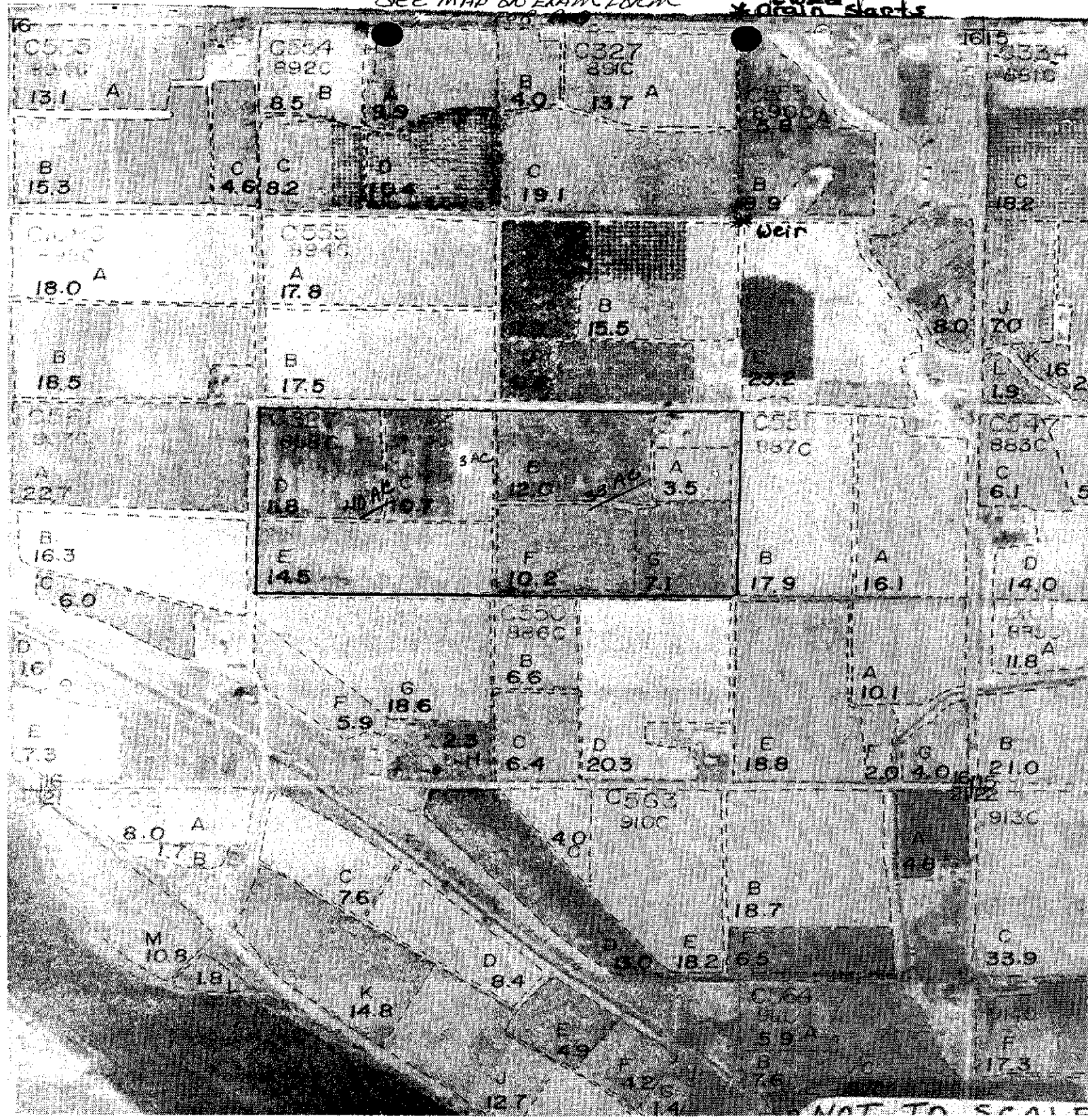
- ☐ None
☐ Other

Examiner's Signature Jan Graver
 Checked by D32
 Approved by Robyn

Date 10/23/80
 Date 11/11/80
 Date 1/26/81

SEE MAP ON EXAM FORM

^{closed}
*drain starts



Identification No. _____

Application No. 63-8197

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Sabino Landa &/or Simon Landa Phone: 459-4038
post office address Rt. 6, Caldwell, ID 83605
2. Source of water supply Springs which is a tributary of Snake River
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 16 Township 3 N
Range 4 W B.M. Canyon County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Snake River at a point in NE $\frac{1}{4}$
of SW $\frac{1}{4}$ of Section 17 Township 3 N Range 4 W B.M. Canyon
4. Water will be used for the following purposes:
Amount 0.5 for irrigation purpose from Apr. 1 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.5 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. ditch (Crim Lateral)

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3 N	4 W	16									40					40			80

Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes as described above. none

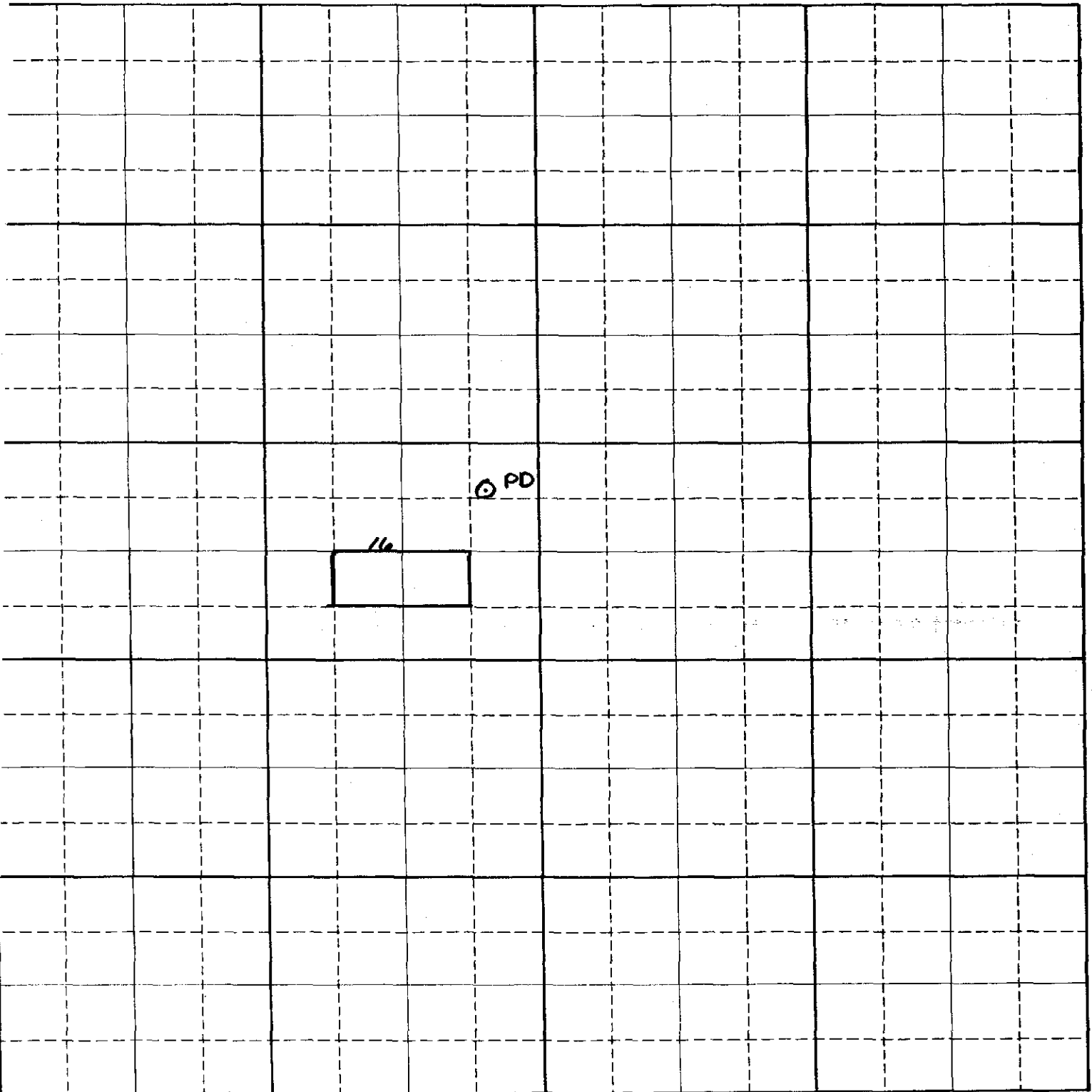
9. a. Who owns the property at the point of diversion Clyde Prather

b. Who owns the land to be irrigated or place of use Sabino Landa

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Cannel Co. has easment in area Wilder Irrigation District

10. Remarks

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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Simon Landa
(Applicant)

Proposed Priority 9-02-1075
Received by CLS Date 9/2/75 Time 8:45 am
Preliminary check by PJC Fee \$ 25.00
Receipted by CLS Date 9/2/75 #
Publication prepared by JG Date 9/4/75
Published in Newsp. Tribune
Publication dates Sept. 11 & 18
Publication approved JG Date 9-23-75
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval Denial by CHP JW

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8197, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 19 80.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.
The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

2. Denial of said application is for the following reasons: _____

Witness my hand this 6 day of October, 19 75.

R. Karl Hjort
Director



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 3, 1996

SABINO LANDA
SIMON LANDA
21303 PEAR LN
CALDWELL ID 83605

RE: Notice of Claim to a Water Right No. A63-08197

Dear Claimants:

This office is in the process of reviewing your Snake River Basin Adjudication (SRBA) claim, referenced above. This claim was filed in the SRBA on a water right license on springs which are diverted through the lateral to your property.

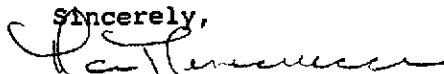
The license is for the irrigation of 73 acres - 40 acres in the NESW of Twp. 03N, Rge. 04W, section 16, and 33 acres in the NWSE of the same section. Your SRBA claim was filed on only the 33 acres in the NWSE, although for the full amount of water which was licensed.

This letter is an effort to ensure that you have claimed all of the acres which you irrigate with water from the springs. If you continue to irrigate the 40 acres in the NESW with water from the springs you may amend your claim to add those acres.

Please review the enclosed map to determine if you have claimed all of the acres which are irrigated with spring water. If you wish to add the unclaimed acres to your claim, please contact me at this office and I will send an amended claim to you for your signature.

If no response to this letter is received by October 4, 1996, it will be assumed that you are satisfied with the claim in its original form.

If you have any questions please do not hesitate to contact me at this office.

Sincerely,

Maria Minicucci
Sr. Water Agent, Adjudication Bureau

MM:m

A63-08197

33 acres
150 cfs

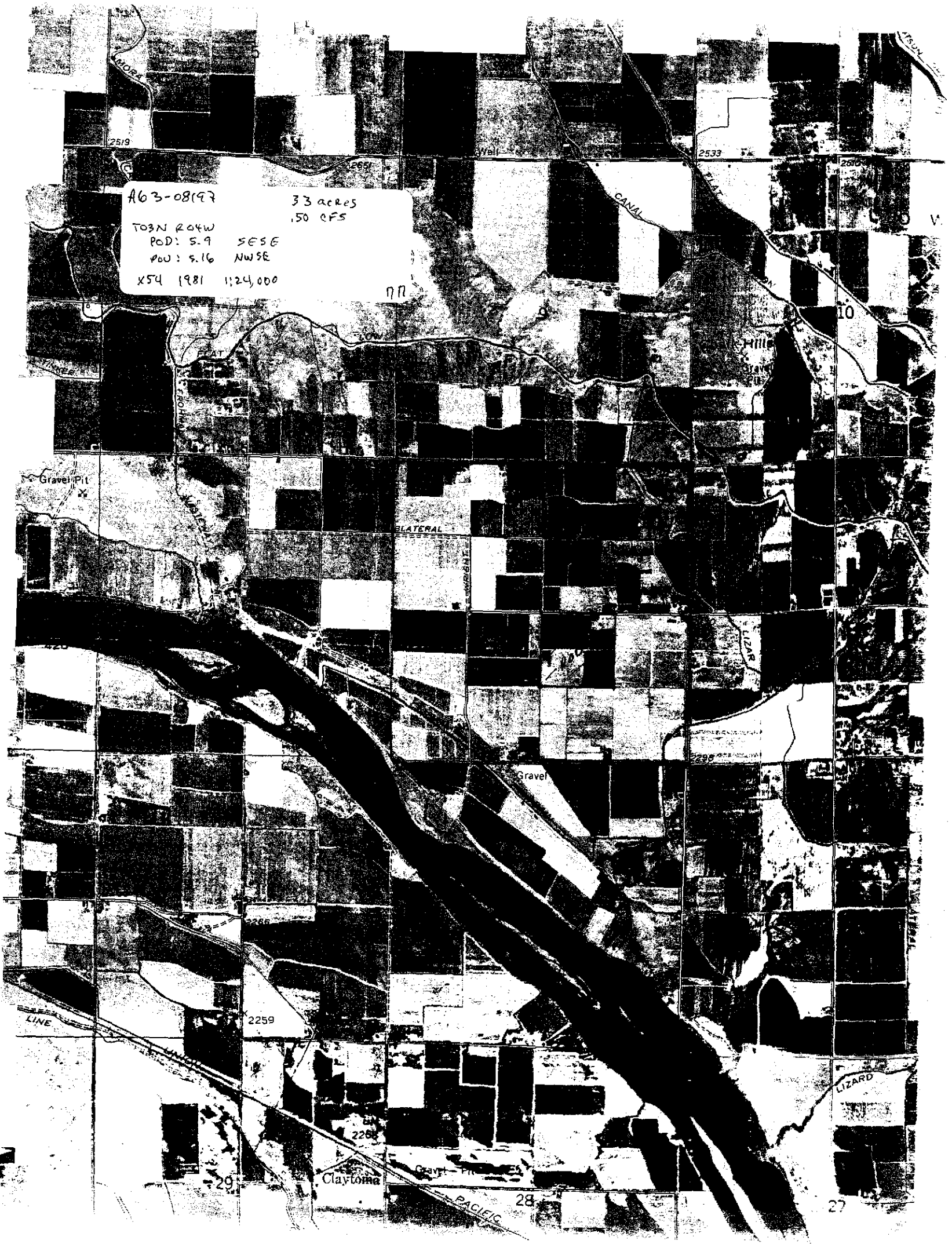
T03N R04W

POD: 5.9 SESE

POU: 5.16 NWSE

X54 1981 1:24,000

77



ADJUDICATION CLAIM CHECKLIST

NR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	NOTICE OF CLAIM NO. <u>A63-08197</u>	"R" RECORD
PRIORITY*								
PT. OF DIV.								
SOURCE								
PL. OF USE								
DIV. AMOUNT CFS/AF								
CONSUMPTIVE USE								
NATURE OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

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

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

COMMENTS: 40 acres in NESW unclaimed. Still below .02 cfs/acre. Possible split. Verify QQQ of POD.

VERIFICATION CODES

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