

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: A63-02504

Date Received: 5/22/1990

Receipt No: 0016951-110

Received By: RRT

RECEIVED
DEC 21 1992
Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELLA MAE DANIELS 208-459-7918
Address: 18472 LOWER PLEASANT RIDGE RD.
CALDWELL, ID 83605

OR

Name: WILLIAM L. DANIELS 208-459-7918
Address: 18472 LOWER PLEASANT RIDGE RD.
CALDWELL, ID 83605

2. Date of Priority: APR 17, 1935

3. Source: UNNAMED STREAM Trib. to: WEST END DRAIN

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	25	NE	NE			CANYON

5. Description of diverting works:
DITCH, FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.200		

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

8. Total consumptive use is 210.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	24	SW	SE		IRR	20.0

A63-02504

Page 1

Date: 05/22/90

MICROFILMED

JUL 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04W	24	SE SE		IRR	40.0

Section Acres 60.0

Total Acres 60.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:
ACTUAL SOURCE IS WASTEWATER.

15. Basis of Claim: LICENSE

Water Right Number: 18097

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: 1

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): X Ella Mae Daniels Date: _____

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 22^d day

of May 19 90

Seal

Helen Harrington
Notary Public

Residing at Helen Harrington, Notary Public

Residing at Boise, Idaho

My Commission Expires December 1, 1994

POOR ORIGINAL

springer ditch



Date Received 5-22-90 att
claim attached

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

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.

X Ella Mae or William Daniels 6200 459-7918
Name of Claimant Phone Number
18472 Lower Pleasant Ridge Rd. Caldwell ID 83605
Mailing Address City State Zip

Canyon
County(s) where place of use is located Date claim originally due

63-02504
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:

X We went to a work shop meeting in
Nampa and filed on our well. I asked
the man if we needed to file on our
wastewater we used and he said that
it wasn't necessary.

Claimant requests an extension to May 31, 19 90

X Ella Mae Daniels
Signature Date of request, 19 90

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

and if granted the filing deadline is extended to May 31, 19 90

Signed this 2 day of June, 19 90

Director or his designated agent

DAVID B. SHAW

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

MICROFILMED

JUL 25 1994

09/29/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-2504

ELLA MAE DANIELS
18472 LOWER PLEASANT RIDGE RD
CALDWELL ID 83605
Telephone Number: (208)459-7918

WILLIAM L DANIELS
18472 LOWER PLEASANT RIDGE RD
CALDWELL ID 83605
Telephone Number: (208)459-7918

RECEIVED

OCT 13 2006

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
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: 10-9-06 SIGNATURE: Ella Mae Daniels

Please print your name: ELLA MAE DANIELS

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

[Handwritten initials and date]
10/17/06

03/01/2006

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

RIGHT NUMBER: 63-2504

NAME AND ADDRESS: ELLA MAE DANIELS
18472 LOWER PLEASANT RIDGE RD
CALDWELL ID 83605

WILLIAM L DANIELS
18472 LOWER PLEASANT RIDGE RD
CALDWELL ID 83605

SOURCE: UNNAMED STREAM

TRIBUTARY: WEST END DRAIN

QUANTITY: 1.200 CFS
270.000 AFY

PRIORITY DATE: 04/17/1935

POINT OF DIVERSION:

T04N R04W S25 NENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.200 CFS 270.00 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early 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

T04N R04W S24 SWSE 20.00 T04N R04W S24 SESE 40.00

60 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



Idaho Department of Water Resources

SRBA Recommendation:

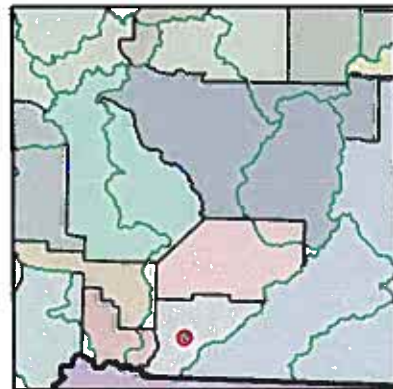
63-2504

(Irrigation)

Acre = 60

Legend

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



Canyon County
IDWR Basin 63



0.4 Miles

0.2

0

Prepared by K. Walker
On Tuesday, September 19, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2504

WATER RIGHT NUMBER: 63-2504 ✓

Owner Type Name and Address
 Current Owner ELLA MAE DANIELS
 18472 LOWER PLEASANT RIDGE RD
 CALDWELL, ID 83605
 (208)459-7918
 Original Owner GEORGE A SPRINGER ✓
 CALDWELL, ID
 Current Owner WILLIAM L DANIELS ✓
 18472 LOWER PLEASANT RIDGE RD
 CALDWELL, ID 83605
 (208)459-7918

Priority Date: 04/17/1935 ✓
 Basis: License ✓
 Status: Active

Source Tributary
 UNNAMED STREAM ✓ WEST END DRAIN

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	3/15 to 11/15 ✓	1.200 CFS ✓	270.0 AF
	<u>Total Diversion:</u>	1.200 CFS ✓	270.0 AF

Location of Point(s) of Diversion

UNNAMED STREAM NE1/4NE1/4 ✓ Sec. 25, Twp 04N, 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	
✓ 04N	04W	24															20.0	40.0	60.0

Total Acres: 60 ✓

Conditions of Approval:

1. ACTUAL SOURCE IS WASTEWATER.

Remarks:

ADD 339 - Season of use is 3/1 to 11/15.

Parcel No: R3638100000. (79.83 AC) ~80.0 AC

(in office review)

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

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$110.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant N/A

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-2504Owner: Ella & William Daniels Phone No. _____Current Address: 18472 Lower Pleasant Ridge Rd, Caldwell 83605

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

Accompanied by: N/A**PRIORITY DATE**

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

Priority date, per claimant, is: 4/17/35

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

Source: Unnamed Stream Tributary to _____

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

POINT OF DIVERSION

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

per Field Exam map –
location not designated on Claim project map

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

*See Field Report.***OVERLAP REVIEW**Other water rights with the same point of diversion: *None*

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

WATER USES*Season of use is 3/1 to 11/15.*☐ No change☐ Different UsesUse _____ From _____ To _____ Amount _____ CFS *270.0* AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

60 acres x 4.5 af/acre = 270.0 af/annum (V) 1.2 cfs x 1.9835 x 246 = 585.5 af/annum

TOTAL VOLUME - Groundwater only☒ Incomplete on claim, the total is, Amount _____ CFS *270.0* AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change *None*☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

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

Overlap with other water rights: 63-27863 (+) Pioneer Irr. Dist.?

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

no overlap - domestic use on separate acres/pou

Delivery System Narrative: See Field Report.

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

FLOW MEASUREMENTS: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 3-1-06 (in office review)

FIELD EXAMINER: Kimberly Brown

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2504

01/30/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~2504~~	~~Claim~~	~~04N~~	~~04W~~	~~24~~	~~SW~~	~~SE~~		~~IRRIGATION~~	~~20/60~~	~~ELLA MAE DANIELS~~
~~2504~~	~~Water Right~~	~~04N~~	~~04W~~	~~24~~	~~SW~~	~~SE~~		~~IRRIGATION~~	~~20/60~~	~~GEORGE A SPRINGER~~
27863	Water Right	04N	04W	24	SW	SE	<i>separate POU</i>	DOMESTIC		ELLA MAE DANIELS
~~2504~~	~~Claim~~	~~04N~~	~~04W~~	~~24~~	~~SE~~	~~SE~~		~~IRRIGATION~~	~~40/60~~	~~ELLA MAE DANIELS~~
~~2504~~	~~Water Right~~	~~04N~~	~~04W~~	~~24~~	~~SE~~	~~SE~~		~~IRRIGATION~~	~~40/60~~	~~GEORGE A SPRINGER~~

Receipt Details for ID C016951

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
5/22/1990 12:55:06 PM	5/22/1990	State	\$110.00	Check
Payer		DANIELS, W. L. OR ELLA		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
311			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$110.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	2504		\$110.00	Claim

[Print Report](#)

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 18097

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant George A. Springer
2. Source of water supply: Unnamed Stream
3. Location of point of diversion: Is in the NE 1/4 of Section 25
T. 4 N. R. 4 W. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: Diversion is made by a check and gate structure which is 4 ft deep, 3 ft wide & 6 ft long. Built of plank and located in an extension of the "shelf drain" so called. Field laterals are 2 ft wide x 1 to 3 ft deep, with a concrete control structure located in the SE 1/4 SE 1/4 of Sec 24.

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SE 1/4, & SW 1/4, Sec. 24, T. 4 N., R. 4 W., B. N.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Boise River
- Remarks: Field conditions indicate beneficial use of water by Springer and some wasteful use by Jones who protests against this filing. It is recommended that Permit #18097 be given favorable consideration.

This examination was made on the 25th day of Nov., 1935(Signed) Red A. Palmer
Examiner

George A. Springer
Caldwell, Idaho.

Permit No. 18097

38

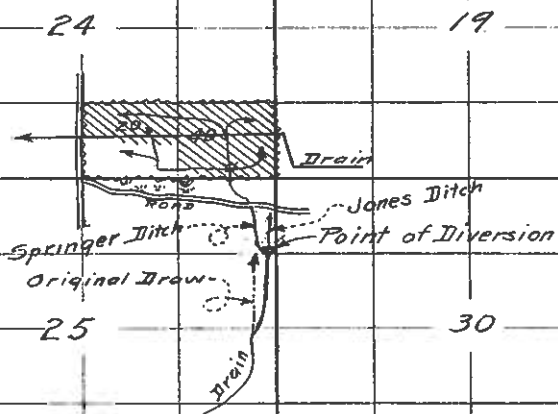
Examination for Beneficial Use

County.....CANYON

A protest has been filed
against this proof--see file

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
-



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18097

REPORT ON PROOF OF Beneficial Use

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHOApplication No. 25322
Permit No. 18097
District No.

1. Name of Applicant: GEORGE A. SPRINGER

Postoffice address: Caldwell County: Canyon State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 1.2 cubic feet per second.

3. Source of water supply: Unnamed stream (See Remarks) which is a tributary of

4. Location of point of diversion: 160 ^{west} feet distant from the SE corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ ~~corner~~ of Section 25, T. 4 N., R. 4 W., B. M., and is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, T. 4 N., R. 4 W., B. M., County of Canyon

5. Water is to be used for: Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section T. , R. , B. M., in the of Section , T. , R. , B. M.
- (b) Amount of power generated: H. P., under feet head.
- (c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B. M., in the of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 25.00

8. Kind of works: Ditch, headgate and dam

9. Height of dam 2 $\frac{1}{2}$ feet; length of dam at top 10 feet; length of dam at bottom 10 feet; material used in dam: Concrete, board and dirt

10. Size of headgate: Width 3 feet; height 3 $\frac{1}{2}$ feet.11. Ditch: Width at bottom 2 feet; width at water line 2 $\frac{1}{2}$ feet; depth of water 1 foot.~~feet~~; dimensions of flume:Diameter of pipe inches; length of conduit Approx. 1100' ~~max~~

Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? No If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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.

George A. Springer

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. April 17, 1935

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18097

Recorded in Book 65 Page 18097 Approved April 25, 1935

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before June 24, 1935

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before October 25, 1937

The whole of said work to be completed on or before April 25, 1940

Beneficial use of water appropriated in accordance herewith, to be made on or before April 25, 1946.

Witness my hand this 25th day of April, 1935.

R. W. FARIS
 Commissioner of Reclamation.

Remarks: The water upon which this application is made has been used and appropriated by this applicant for thirty years and the headgate and ditches have been completely constructed during all of that time. The source of this water is from waste water, seepage water and drainage water coming down through a natural draw into the lands of this applicant and flows in said stream the year around. The water is now taken from a drain ditch

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	
4 N	4 W	24															20	40	60
Total Number of Acres to be Irrigated.....																			60

REMARKS: (Continued)

in the draw by means of a headgate and ditch out upon the lands of applicant and is used to water 40 acres in the SE 1/4 SE 1/4, Section 24, and 20 acres in the SW 1/4 SE 1/4 of said Section 24, all in T. 4 N., R. 4 W., B. M., in Canyon County, Idaho.

AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS

I, W. H. BEST, of Caldwell, County of Canyon, State of Idaho, do hereby certify that I am the owner or lessee of the land on which the spring mentioned in the application of GEORGE A. SPRINGER is located, to-wit: SW 1/4 of the NW 1/4 (or Lot 2) Sec. 30, Twp., 4 N., R. 3, B. M., Canyon County, Idaho, and that I do hereby grant unto the said GEORGE A. SPRINGER, permission to file on the said spring as set forth in the foregoing application.

(Signed) W. H. BEST

STATE OF IDAHO,)
) ss.
 County of Canyon,)

On this 15th day of April, 1935, before me a Notary Public for the State of Idaho, residing at Caldwell, Idaho, personally appeared W. H. Best, known to me to be the person whose name is subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

(SEAL)

(Signed) HUGH N. CALDWELL
 Notary Public for Idaho,
 Residing at Caldwell, Idaho

My commission expires October 5, 1935.

(Further affidavits are in the permit file).

LICENSE ISSUED FOR 1.22 SEC. FY.

p. 3861 Vol 7