

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: **A63-02549A**  
Date Received: 2/ 6/1990  
Receipt No: M005760  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

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

**COPY FOR  
YOUR FILES**

1. Name: GARY TRACY 208-459-3714  
Address: 20179 WEITZ RD  
CALDWELL ID 83605

2. Date of Priority: FEB 15, 1940

3. Source: WEST END DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 04N      | 04W   | 24      | NW     | SE     | SW  |     | CANYON |

5. Description of diverting works:  
30 HP. PUMP, SPRINKLER IRRIGATION

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.700  |      |        |

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

8. Total consumptive use is 122.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 04N      | 04W   | 24      | NE     | SW  |     | IRR | 14.0  |
|          |       |         | NW     | SW  |     | IRR | 14.0  |
|          |       |         | SE     | SW  |     | IRR | 7.0   |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 35.0  |
|          |       |         |            |     | Total Acres   | 35.0  |

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:  
A63-20672 DOMESTIC WELL

14. Remarks:  
THE PUMP IS USED TO IRRIGATE ALL THE LAND UNDER ORIGINAL RIGHT.  
OWNER(S) OF OTHER PART OF ORIGINAL PLACE LEASE CLAIMANTS' ACRES  
FOR IRRIGATION.  
OWNERSHIP CHANGED BY DB 7/23/99.

15. Basis of Claim: LICENSE

Water Right Number: 18945

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
 Incomplete forms will be returned.

RECEIVED

DEC 17 1998

WATER RESOURCES  
WESTERN REGION

1. Water Right or Adjudication Claim No(s): 63-20672 + 163-02549 A
2. The following **REQUIRED** information must be submitted with this form:
- A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**  
**AND**
- B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)  
**OR**
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Myrtle Tracy  
20177 Weitz Rd. Caldwell Idaho
4. New Owner/Claimant(s) Gary Tracy  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 20179 Weitz Rd.
- City, State and ZIP Code Caldwell, Idaho 83605
- New Telephone Number (208) 459-3714
5. Date you acquired the property March 9, 1993

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate none Number and type of stock none

Diversion rate in CFS 0.08 Number of homes 2 Other uses —

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Gary A Tracy  
Ch E Tracy

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

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

QUITCLAIM DEED

FOR VALUE Received, MYRTLE TRACY, a widow, of 20177 Weitz Road, Caldwell, Idaho 83605, hereinafter called the first party, does by these presents remise, release and forever QUITCLAIM unto GARY TRACY, a married man, of 20179 Weitz Road, Caldwell, Idaho 83605, hereinafter called the second party, and to his heirs and assigns, all title which first party now has or may hereafter acquire, in the following described real property, situated in Canyon County, Idaho, to wit:

All that part of the North Half of the Southwest Quarter Section 24, Township Four (4) North, Range Four (4) West of Boise Meridian, in Canyon County, Idaho, excepting that part thereof described as follows, to-wit:

BEGINNING at the Northeast corner of the North Half of Southwest Quarter, Section 24; thence South on the East boundary line of said North Half of Southwest Quarter Section 24 a distance of 935.25 feet; thence due West on a line parallel with the North boundary line of said North Half of Southwest Quarter, Section 24, a distance of 2640 feet, more or less, to a point on the West boundary line of said North Half of Southwest Quarter, Section 24, and which point is 935.25 feet south of the Northwest corner of said North Half of Southwest Quarter; thence due North on said West boundary line of said North half of Southwest Quarter a distance of 935.25 feet to the Northwest corner of the North Half of Southwest Quarter; thence due East on the North boundary line of said North Half of Southwest Quarter a distance of 2640 feet, more or less, to the place of beginning.

ALSO

63-20672

The North half of South Half of Southwest Quarter of Section 24, Township 4 North, Range 4 West of Boise Meridian, Canyon County, Idaho, excepting therefrom that part thereof lying South of the south line of the West end drain ditch;

Together with all water, water rights, ditches, and rights of way for ditches appurtenant thereto or in anywise appertaining; subject to rights of way for roads,

93 H  
CANY  
RQ  
ALEXANDER  
RINQUEST  
TYPE *D*

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: A63-02549A  
Date Received: 2/06/1990  
Receipt No: 1005760  
Received By: RL

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: WILLARD A. TRACY 208-459-8905  
Address: 20177 WEITZ ROAD  
CALDWELL, ID 83605

AND/OR  
Name: MYRTLE TRACY  
Address: CALDWELL, ID 83605

2. Date of Priority: FEB 15, 1940

3. Source: WEST END DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04N      | 04W   | 24      | NW     | SE     | SW     |     | CANYON |

5. Description of diverting works:  
30 HP. PUMP, SPRINKLER IRRIGATION

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.700  |      |        |

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

8. Total consumptive use is 122.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

A63-02549A

Page 1

Date: 02/06/90

MICROFILMED

AUG 18 1992

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 04N      | 04W   | 24      | NE     | SW  |     | IRR           | 14.0  |
|          |       |         | NW     | SW  |     | IRR           | 14.0  |
|          |       |         | SE     | SW  |     | IRR           | 7.0   |
|          |       |         |        |     |     | Section Acres | 35.0  |
|          |       |         |        |     |     | Total Acres   | 35.0  |

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:  
A63-20672 DOMESTIC WELL

14. Remarks:  
THE PUMP IS USED TO IRRIGATE ALL THE LAND UNDER ORIGINAL RIGHT.  
OWNER(S) OF OTHER PART OF ORIGINAL PLACE LEASE CLAIMANTS' ACRES  
FOR IRRIGATION.

15. Basis of Claim: LICENSE  
Water Right Number: 18945

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): Myrtle L. Tracy Date: Feb 6, 1990  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Canyon ) SS.

Subscribed and sworn (or affirmed) before me this 6 day  
of Feb 19 90

John Dale Carver  
Notary Public

Seal

Residing at Boise Id

My Commission Expires 4/2/94

TRACY

IRRIGATION  
35 Acre  
A63-02549A

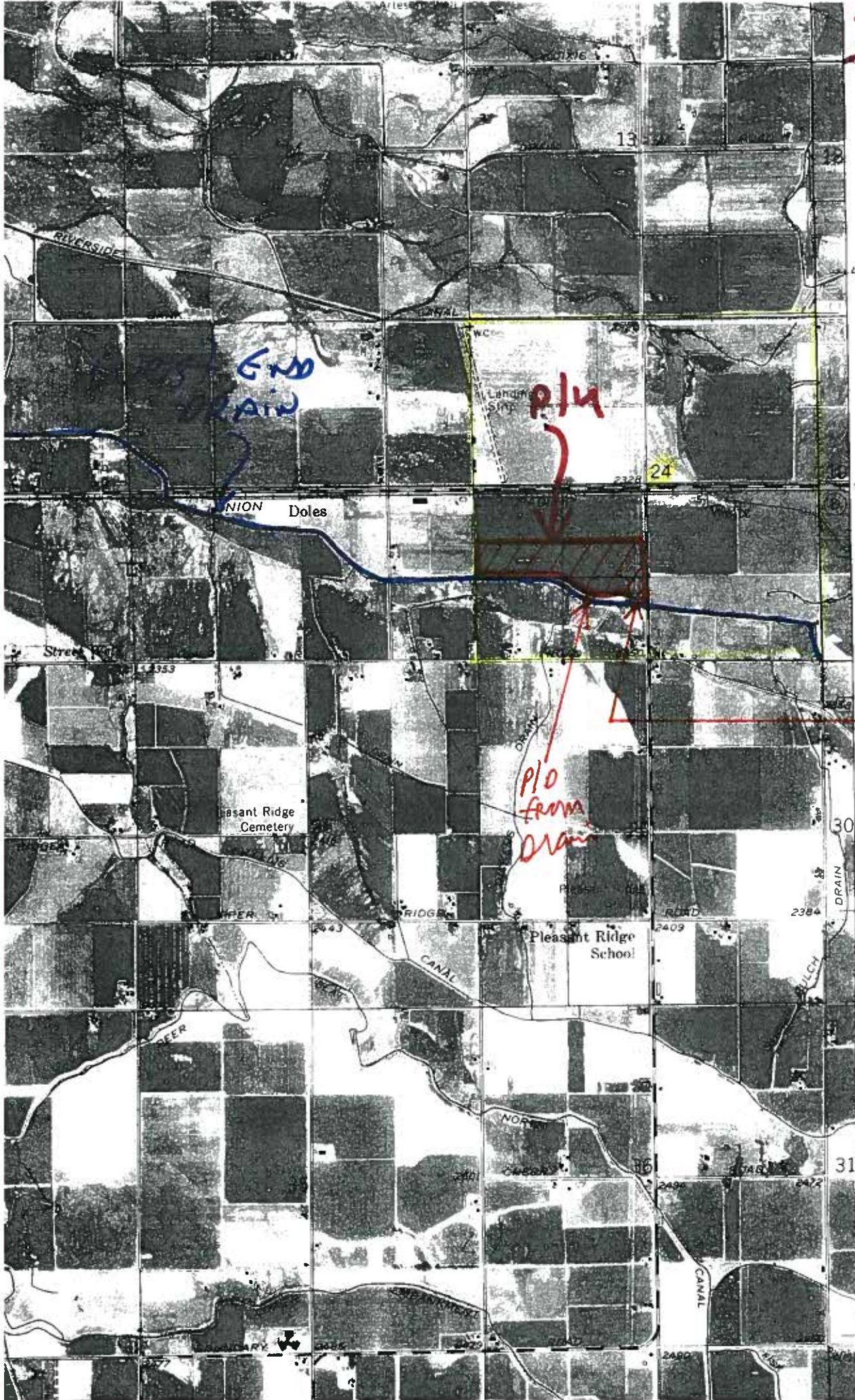
T4N  
R4W  
S. 24

Domestic well  
and  
2 homes, total  
≤ 1/2 acre  
yard

A63-20672

use this  
map for  
both  
claims

MICROFILMED  
AUG 1 1992



12/10/2006

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

RIGHT NUMBER: 63-2549A  
NAME AND ADDRESS: GARY TRACY  
20179 WEITZ RD  
CALDWELL ID 83607

SOURCE: WEST END DRAIN  
QUANTITY: 0.700 CFS  
PRIORITY DATE: 02/15/1940

TRIBUTARY: BOISE RIVER

POINT OF  
DIVERSION: T04N R04W S24 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          | 0.700 CFS       |

PLACE OF USE: IRRIGATION in CANYON County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T04N R04W S24 | NESW | 14.00 | T04N R04W S24 | NWSW | 14.00 |
| T04N R04W S24 | SESW | 7.00  |               |      |       |

35 ACRES TOTAL

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 63-2549B is also diverted through point of diversion described above.

WA  
RECEIVED  
DEC 12 2006  
DEPARTMENT OF  
WATER RESOURCES

10/26/2006

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

RIGHT NUMBER: 63-2549A

NAME AND ADDRESS: GARY TRACY  
20179 WEITZ RD  
CALDWELL ID 83607

SOURCE: WEST END DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 0.700 CFS

PRIORITY DATE: 02/15/1940

POINT OF DIVERSION:

T04N R04W S24 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          | 0.700 CFS       |

PLACE OF USE: IRRIGATION Within CANYON County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T04N R04W S24 | NESW | 14.00 | T04N R04W S24 | NWSW | 14.00 |
| T04N R04W S24 | SESW | 7.00  |               |      |       |

35 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

Right No. 63-2549B is also diverted through point of diversion described above.

WA

09/29/2006

NOTICE OF ERROR  
REPLY

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: 63-2549A

GARY TRACY  
20179 WEITZ RD  
CALDWELL ID 83605  
Telephone Number: (208)459-3714

RECEIVED

OCT 20 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):

Zip Code Changed To 83607

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: 10-16-06 SIGNATURE: Gary Tracy

Please print your name: Gary Tracy

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

✓kw

06/02/2006

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

RIGHT NUMBER: 63-2549A

NAME AND ADDRESS: GARY TRACY  
20179 WEITZ RD  
CALDWELL ID 83605

SOURCE: WEST END DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 0.700 CFS

PRIORITY DATE: 02/15/1940

POINT OF DIVERSION:

T04N R04W S24 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          | 0.700 CFS       |

PLACE OF USE: IRRIGATION Within CANYON County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T04N R04W S24 | NESW | 14.00 | T04N R04W S24 | NWSW | 14.00 |
| T04N R04W S24 | SESW | 7.00  |               |      |       |

35 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

Right No. 63-2549B is also diverted through point of diversion described above.



# Idaho Department of Water Resources

SRBA Recommendation:

**63-2549A**

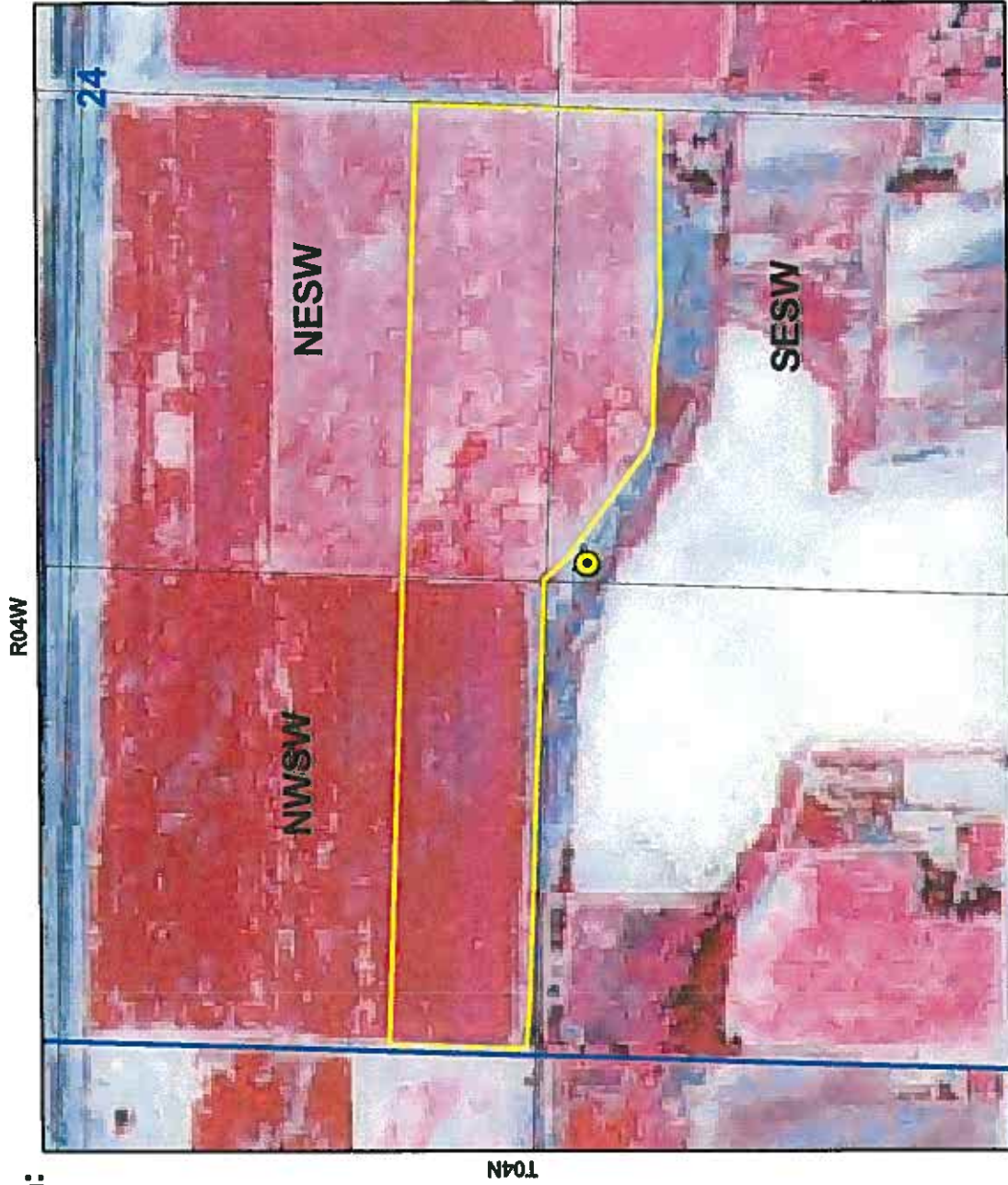
*Acres = 35*

## Legend

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



Canyon County  
IDWR Basin 63



Prepared by K. Walker  
On Friday, June 2, 2006  
1987/88 Aerial Photography



# Idaho Department of Water Resources

SRBA Recommendation:

**63-2549A**

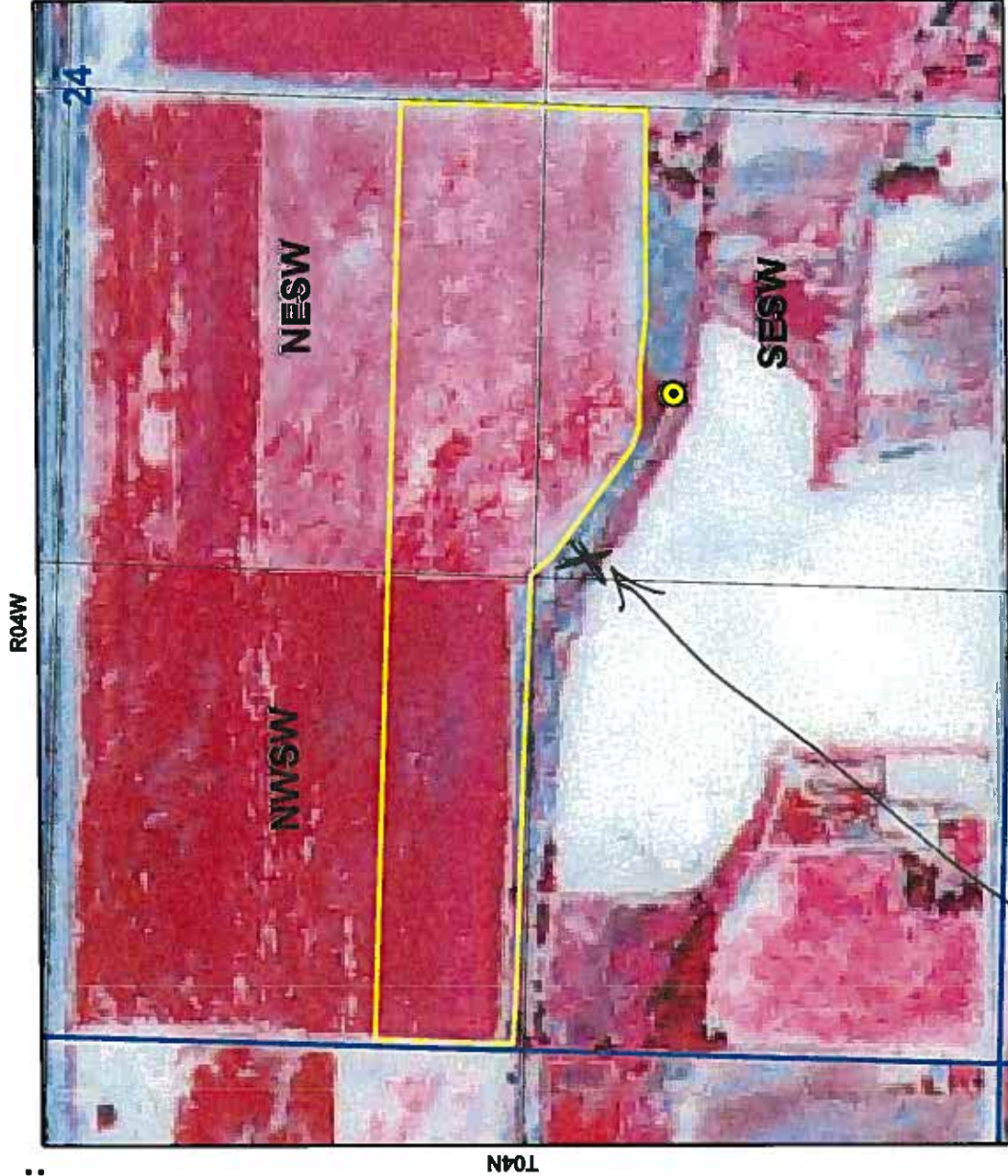
*Acres = 35*

## Legend

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



Canyon County  
IDWR Basin 63



per

*John Stubblefield 6/2/04*

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2549A

WATER RIGHT NUMBER: 63-2549A

*in-office  
review -  
RW  
5/12/06*

| <u>Owner Type</u> | <u>Name and Address</u>                                                  |
|-------------------|--------------------------------------------------------------------------|
| Original Owner    | MYRTLE TRACY<br>20177 WEITZ RD<br>CALDWELL, ID 83605<br>(208)459-8905    |
| Current Owner     | GARY TRACY<br>20179 WEITZ RD<br>CALDWELL, ID 83605<br>(208)459-3714      |
| Original Owner    | WILLARD A TRACY<br>20177 WEITZ RD<br>CALDWELL, ID 83605<br>(208)459-8905 |

Priority Date: 02/15/1940

Basis: License

Status: Active

Source

WEST END DRAIN

Tributary

BOISE RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

0.700 CFS

Annual VolumeTotal Diversion:

0.700 CFS

Location of Point(s) of Diversion

WEST END DRAIN

CANYON County

ADDED

NW 1/4 SE 1/4 SW 1/4

Sec. 24, Twp 04N, Rge 04W, B.M.

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW | SE  | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|------|------|----|-----|----|----|----|----|--------|
| 04N | 04W | 24  |    |    |    |    |    |    |    |    | 14.0 | 14.0 |    | 7.0 |    |    |    |    | 35.0   |

Total Acres: 35

Conditions of Approval:

1. THE PUMP IS USED TO IRRIGATE ALL THE LAND UNDER ORIGINAL RIGHT. OWNER(S) OF OTHER PART OF ORIGINAL PLACE LEASE CLAIMANTS' ACRES FOR IRRIGATION. OWNERSHIP CHANGED BY DB 7/23/99.

Remarks:

*Claimed as licensed -*

*no p/u OK -*

*NOT listed use standard  
on Lic season 3/1-11/15*

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2549

WATER RIGHT NUMBER: 63-2549

Owner Type                      Name and Address  
 Current Owner                  W F TRACY  
                                          CALDWELL, ID 83605

Priority Date: 02/15/1940

Basis: License

Status: Active

Source                                      Tributary  
 WEST END DRAIN                      BOISE RIVER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | / to /                  | 1.800 CFS             |                      |
|                       | <u>Total Diversion:</u> | 1.800 CFS             |                      |

Location of Point(s) of Diversion

WEST END DRAIN                      SE1/4SW1/4                      Sec. 24, Twp 04N, Rge 04W, B.M.  
                                          CANYON County

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW   |      |    |      | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|------|------|----|------|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW | SE   | NE | NW | SW | SE | Totals |
| 04N | 04W | 24  |    |    |    |    |    |    |    |    | 40.0 | 40.0 |    | 10.0 |    |    |    |    | 90.0   |

Total Acres: 90

Conditions of Approval:Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-2549A

01/30/2006

1

| Right # | Type        | Twp | Rge | Sec | QQ | Q  | Lot | Purpose of Use        | Acres/Total | Name            |
|---------|-------------|-----|-----|-----|----|----|-----|-----------------------|-------------|-----------------|
| 2549A   | Claim       | 04N | 04W | 24  | NE | SW |     | IRRIGATION            | 14/35       | GARY TRACY      |
| 2549B   | Claim       | 04N | 04W | 24  | NE | SW |     | IRRIGATION            | 25/50       | GEO A WEITZ INC |
| 2549    | Water Right | 04N | 04W | 24  | NE | SW |     | IRRIGATION            | 40/90       | W F TRACY       |
| 2549A   | Claim       | 04N | 04W | 24  | NW | SW |     | IRRIGATION            | 14/35       | GARY TRACY      |
| 2549B   | Claim       | 04N | 04W | 24  | NW | SW |     | IRRIGATION            | 25/50       | GEO A WEITZ INC |
| 2549    | Water Right | 04N | 04W | 24  | NW | SW |     | IRRIGATION            | 40/90       | W F TRACY       |
| 2549A   | Claim       | 04N | 04W | 24  | SE | SW |     | IRRIGATION            | 7/35        | GARY TRACY      |
| 4283    | Claim       | 04N | 04W | 24  | SE | SW |     | IRRIGATION            | 2/25        | G HARVEY CLASON |
| 2549    | Water Right | 04N | 04W | 24  | SE | SW |     | IRRIGATION            | 10/90       | W F TRACY       |
| 4283    | Water Right | 04N | 04W | 24  | SE | SW |     | IRRIGATION            | 10/40       | G HARVEY CLASON |
| 20700   | Water Right | 04N | 04W | 24  | SE | SW |     | <del>STOCKWATER</del> |             | LAVINA F CLASON |
| 20672   | Water Right | 04N | 04W | 24  | SE | SW |     | <del>DOMESTIC</del>   |             | GARY TRACY      |
| 20700   | Water Right | 04N | 04W | 24  | SE | SW |     | <del>DOMESTIC</del>   |             | LAVINA F CLASON |

# State of Idaho

## License and Certificate of Water Right

Water License No. 18945  
 Water District No.

Amount 1.8 second feet  
 Priority February 15, 1940

THIS IS TO CERTIFY that W. F. TRACY  
 of Route 2, Caldwell, Idaho, made application for a permit to appropriate the  
 public waters of the State of Idaho, dated February 15, 1940; that Permit No. 18945  
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
 2 second feet, was issued thereunder on December 30, 1942, showing that said works  
 were completed on the 22nd day of December, 1942; and that on the 17th  
 day of November, 1944,

W. F. TRACY

of Caldwell, State of Idaho, made proof to the satisfaction of the  
 State Reclamation Engineer of Idaho, of the right to use the waters of West End Drain  
 , a tributary of Boise River, for the purpose of irrigation  
 , under Use Permit No. 18945 of the Department of Reclamation  
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is  
 hereby confirmed by the State Reclamation Engineer  
 of Licenses, at page 4234, on the 8th day of January, 1945;

The right hereby confirmed dates from February 15, 1940;

The Point of Diversion is located  
 in the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Sec. 24, Tp. 4 N., R. 4 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,  
 is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.8  
 cubic feet per second.

### Description and location of use:

| Twp.                                  | Range | Sec. | Forty-acre Tract                  | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|---------------------------------------|-------|------|-----------------------------------|----------------------------------|---------------------------------|
| 4 N.                                  | 4 W.  | 24   | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                               | 40                              |
|                                       |       |      | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                               | 40                              |
|                                       |       |      | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 10                               |                                 |
|                                       |       |      | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 10                               | 10                              |
| No. of acres actually irrigated - - - |       |      |                                   | 90                               |                                 |

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

WITNESS the seal and signature of the State Reclamation Engineer  
 of the Commissioner of Reclamation, affixed at Boise, Idaho,  
 this 8th day of January, 1945

(SEAL)

MARK R. KULP

Commissioner of Reclamation  
 State Reclamation Engineer

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. 18945

This proof is for Beneficial use

In Water District No. \_\_\_\_\_

1. Name of applicant W. F. Tracy, Route 2, Caldwell, Idaho
2. Source of water supply: West End Drain, a tributary of Boise River
3. Location of point of diversion: Is in the SE 1/4 of Section 24  
T. 4 N. R. 4 W. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: Diversion is by Parmer Water Lifter, driven by 10 H.P. Electric Motor, rated at 1750 R.P.M. Discharge is via short length of 8 inch pipe, and a 16 Ft. flume 2 Ft. wide X 1 Ft. deep, to a ditch 2 Ft. wide X 1 Ft. deep.
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): SW 1/4 Section 24, Twp. 4 N., Range 4 W., B.M.

(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:

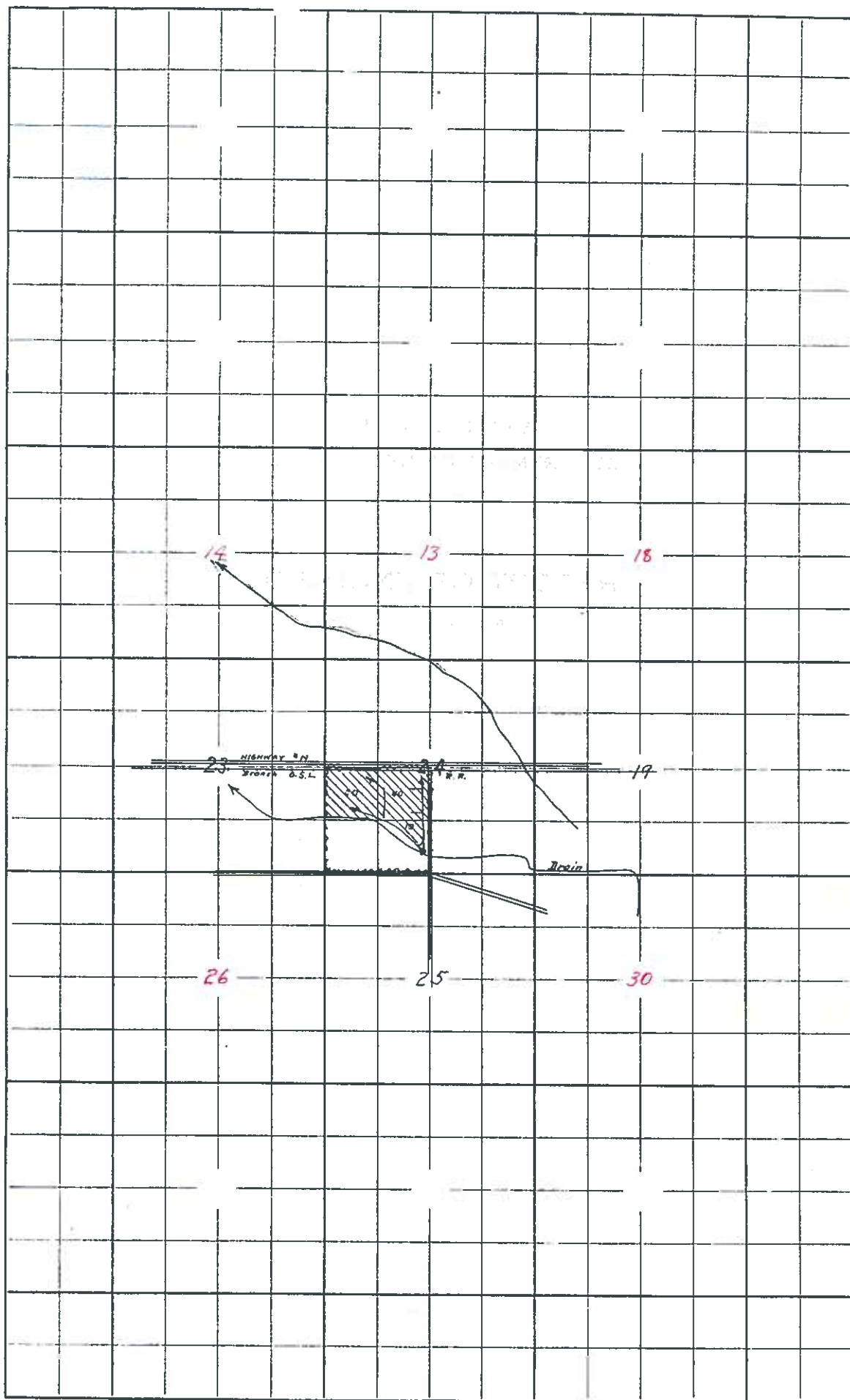
Static Head approximately 8 feet.

This examination was made on the 4th day of December, 1944

(Signed)

*Robert H. Dolman*  
Examiner.

18945



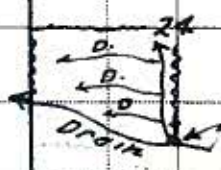
SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

18945

NAME OF APPLICANT W. F. Tracy

FORM No. 0

Township 4 North  
Range



Pt of Direction

18945

18945  
As Approved  
JAMES SHOFFORD  
Commissioner of Reclamation

Nº 18945  
63-2549

APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 26350  
Permit No. 18945  
District No.

1. Name of Applicant: W. F. TRACY  
Postoffice address: Caldwell- Route 2- 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:  
(a) Cash on hand: \$100.00  
(b) Treasury stock:  
(c) Bonds to be issued:  
(d) Other resources: 300 acres of land
2. Quantity of water claimed: Two cubic feet per second.
3. Source of water supply: West end Drain which is a tributary of Boise River
4. Location of point of diversion: feet distant from the  
corner of Section , T. , R. , B. M., and is the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$   
of Section 24 , 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: \$ 150.00
8. Kind of works: Water wheel and ditch
9. Height of dam feet; length of dam at top feet; length of dam at bottom  
feet; material used in dam:  
wheel
10. Size of headgate: Width 12' X 12' feet; height 12' feet.
11. Ditch: Width at bottom 2 feet; width at water line 3 feet; depth of water 6 "  
feet; dimensions of flume:  
Diameter of pipe inches; length of conduit 1/2 miles.  
Average grade per mile Approx. 12' to mile feet
12. The time required for the completion of such work is Three (3) years.
13. The time required for the complete application of the water to the proposed use is No additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.

- 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.

**Applicant.**

**Agent.**

Corrected application received:

The number of this permit is 18945  
Recorded in Book 69 Page 18945 Approved February 26, 1940  
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 April 26, 1940 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 August 26, 1941  
The whole of said work to be completed on or before February 26, 1943  
Beneficial use of water appropriated in accordance herewith, to be made on or before February 26, 1943

*Commissioner of Reclamation.*

STATE OF IDAHO

By C. A. BOTTOLESEN  
Governor.

14

| Twp. | Range | Sec. | NE¼                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | Totals |
|------|-------|------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NE¼                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 4 N. | 4 W   | 24   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |     |     |     |     |     |     |     | 40  | 40  | .10 | 10  |     |     |     |     | 100    |
|      |       |      | Total Number of Acres to be Irrigated                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |     |     |     |     |     |     |     |     |     |     |     | -   | -   | -   | -   | 100    |
|      |       |      | Permit No. 18945                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      | TO WHOM IT MAY CONCERN:<br>This is to certify that W.F. Tracy of Caldwell Idaho, County of Canyon, and State of Idaho the Holder of Permit No. 18945, issued upon application No. 26350 bearing date of priority of February 15, 1940, authorizing the diversion of two second feet of the waters of West End Drain Ditch. County of Canyon, State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of Works of diversion set out and described in said Permit, that said works are adequate for converting and conveying to the place of intended use two second feet of the waters of West End Drain Ditch, that the point of diversion of said waters SE¼SW¼ Section 24, Twp. 4.N. Rgs. 4.W. B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to wit: SE¼ Section 24, TWP. 4.N. Rgs. 4.W. B.M.<br>Completion of Works proof made, 22, 1942<br>Certificate of Completion of Works issued December 30, 1942<br>Witness my hand this 30th, day of December A.D. 1942<br>E.V. Berg /s/<br>Commissioner of Reclamation. |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      | APPROVAL OF COMMISSIONER OF RECLAMATION<br>I, JAMES SPOFFORD, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to Appropriate the Public Waters of the State of Idaho, No. 18945, to February 26, 1945.<br>Witness my hand this 11th day of January, 1943.<br>(Sd.) James Spofford<br>Commissioner of Reclamation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

LICENSE ISSUED FOR 1/2 SEC. FT.  
P. 4234

# Receipt Details for ID M005760

| Status | Adjustment Type  | Version |
|--------|------------------|---------|
|        | Adjusted Receipt | 1       |

**General Information:**

| Date Received       | Date Deposited | Region           | Total Amount | Payment Type |
|---------------------|----------------|------------------|--------------|--------------|
| 2/6/1990 2:14:34 PM | 2/6/1990       | Mobile           | \$110.00     | Check        |
| <b>Payer</b>        |                | TRACY, M. & W.A. |              |              |

**Account Information:**

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 1038                 |                           |                  |                 |
| 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 |
|--------|-------|------|-----------------|
|--------|-------|------|-----------------|

**Water Right Information:**

| Basin Number | Sequence Number | Split Suffix | Amount  | Type  |
|--------------|-----------------|--------------|---------|-------|
| 63           | 2549            | A            | \$85.00 | Claim |
| 63           | 20672           |              | \$25.00 | Claim |

Print Report



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

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

July 23, 1999

**DIRK KEMPTHORNE**  
GOVERNOR

Re: Notice of Claim to a Water Right No. A63-02549A

**KARL J. DREHER**  
DIRECTOR

GARY TRACY  
20179 WEITZ RD  
CALDWELL ID 83605

Dear Mr. Tracy:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water right(s) covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington  
Records Clerk  
Adjudication Section  
Western Region Office

DB:db

Enclosure



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

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

July 16, 1999

**DIRK KEMPTHORNE**  
GOVERNOR

RE: Water Right No. 63-20672

**KARL J. DREHER**  
DIRECTOR

GARY TRACY  
20179 WEITZ RD  
CALDWELL ID 83605

Dear Mr. Tracy:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

In reviewing this water right, our records also show water rights for irrigation use, listed under water right number A63-02549A. The Ownership Change form did not indicate whether or not you acquired these water rights also. If so, please notify this office and we will make the necessary changes. The Quitclaim Deed submitted covers the Place of Use for the irrigation water rights, therefore, no further information will be necessary to make these changes.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington  
Records Clerk  
Adjudication Section  
Western Region

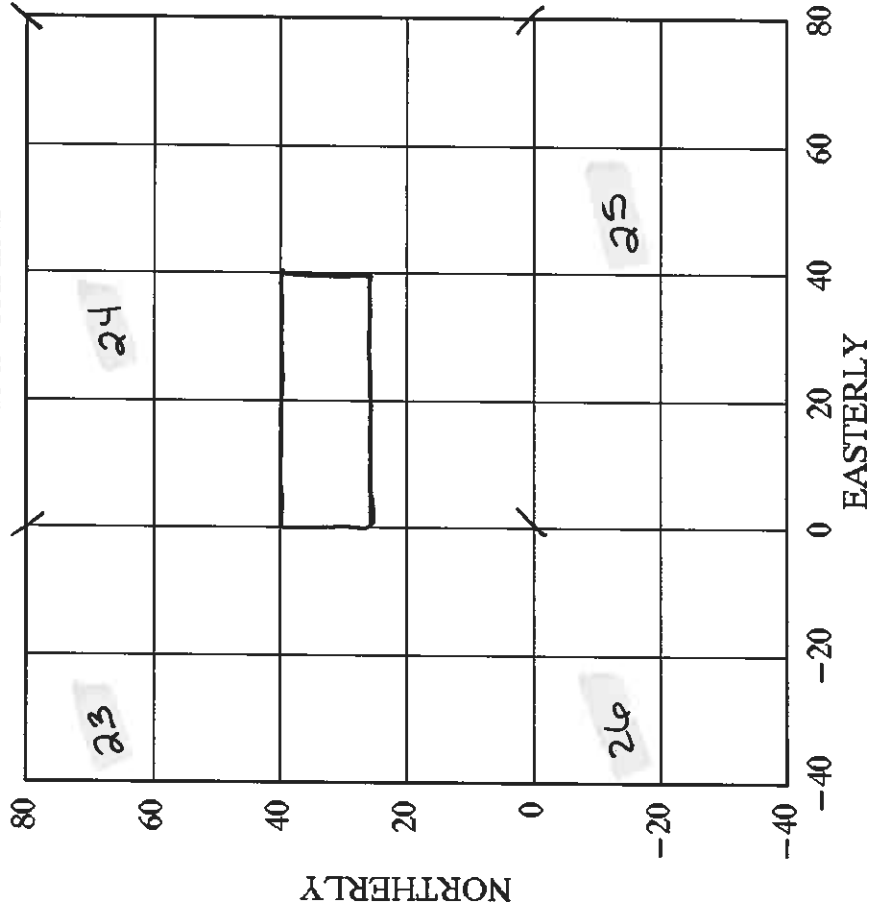
DB:db

Enclosures

cc: Willard and Myrtle Tracy

A63-02549 A

PARCEL PLOT - METES & BOUNDS  
DISTANCE IS IN CHAINS



A63-02549 A

| X-COR | Y-COR | ANGLE   |         |         | BEARING DIST (FT) |         |
|-------|-------|---------|---------|---------|-------------------|---------|
|       |       | DEGREES | MINUTES | SECONDS |                   |         |
| 40.00 | 40.00 |         |         |         |                   |         |
| 40.00 | 25.83 | 0.00    | 0.00    | 0.00    | SE                | 935.25  |
| 0.00  | 25.83 | 90.00   | 0.00    | 0.00    | SW                | 2640.00 |
| 0.00  | 40.00 | 0.00    | 0.00    | 0.00    | NE                | 935.25  |
| 40.00 | 40.00 | 90.00   | 0.00    | 0.00    | NE                | 2640.00 |

INSTRUMENT NO. 9304702

$X=40$   $Y=40$

$N+S = 0^\circ$

$E+W = 90^\circ$

QUITCLAIM DEED

FOR VALUE Received, MYRTLE TRACY, a widow, of 20177 Weitz Road, Caldwell, Idaho 83605, hereinafter called the first party, does by these presents remise, release and forever QUITCLAIM unto GARY TRACY, a married man, of 20179 Weitz Road, Caldwell, Idaho 83605, hereinafter called the second party, and to his heirs and assigns, all title which first party now has or may hereafter acquire, in the following described real property, situated in Canyon County, Idaho, to wit:

All that part of the North Half of the Southwest Quarter Section 24, Township Four (4) North, Range Four (4) West of Boise Meridian, in Canyon County, Idaho, excepting that part thereof described as follows, to-wit:

BEGINNING at the Northeast corner of the North Half of Southwest Quarter, Section 24; thence South on the East boundary line of said North Half of Southwest Quarter Section 24 a distance of 935.25 feet; thence due West on a line parallel with the North boundary line of said North Half of Southwest Quarter, Section 24, a distance of 2640 feet, more or less, to a point on the West boundary line of said North Half of Southwest Quarter, Section 24, and which point is 935.25 feet south of the Northwest corner of said North Half of Southwest Quarter; thence due North on said West boundary line of said North half of Southwest Quarter a distance of 935.25 feet to the Northwest corner of the North Half of Southwest Quarter; thence due East on the North boundary line of said North Half of Southwest Quarter a distance of 2640 feet, more or less, to the place of beginning.

ALSO

The North half of South Half of Southwest Quarter of Section 24, Township 4 North, Range 4 West of Boise Meridian, Canyon County, Idaho, excepting therefrom that part thereof lying South of the south line of the West end drain ditch;

Together with all water, water rights, ditches, and rights of way for ditches appurtenant thereto or in anyway appertaining; subject to rights of way for roads,

ditches and drain ditches now on said premises, including that certain right of way for road described in that certain deed recorded in Book 750 of Deeds, page 564, Records of Canyon County, Idaho;

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part;

Reserving, however, to the Party of the First Part, the right to occupy the mobile home located on the above-described premises during her lifetime.

TO Have and to hold, all and singular the said premises, together with the appurtenances, unto the second party, and to his heirs and assigns forever.

IN WITNESS WHEREOF, The said first party has hereunto set his hand and seal.

DATED This 9th day of March, 1993.

Myrtle Tracy  
MYRTLE TRACY

STATE OF IDAHO           )  
                                  : ss.  
County of Canyon        )

On this 9th day of March, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared MYRTLE TRACY, a widow, 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.

Robert Z Alexander  
Notary Public for Idaho  
Residing at Caldwell, Idaho

QUITCLAIM DEED - Page 2

ALEXAN  
REQUEST  
TYM

GAN

93