

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



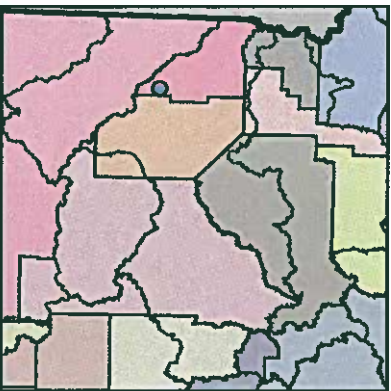
Idaho Department of Water Resources

SRBA Recommendation:

63-3322
(Irrigation)

Legend

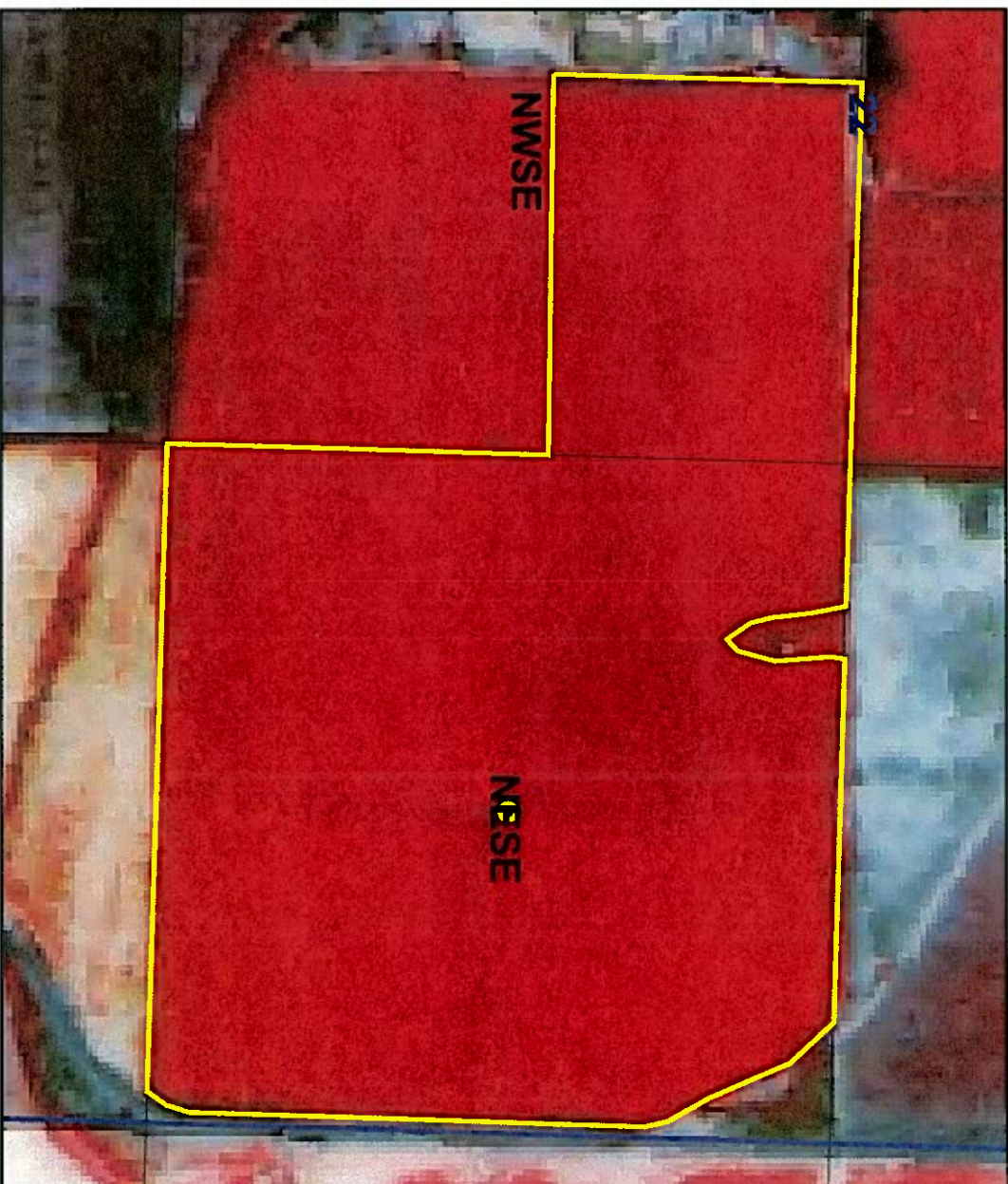
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Canyon County
IDWR Basin 63



T01N



R02W



Prepared by M. Cliscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 28, 2002

STEVE VANDER WERFF
VICKIE VANDER WERFF
2441-C S POWERLINE
MELBA ID 83641

Re: Notice of Claim to a Water Right No. 63-3322

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights 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.

Please note, the ownership change information has also been sent to our State Office for processing of water right number 63-21260, as it has already been decreed by the SRBA Court and the information is at that office.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

403-03322

FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
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PRIORITY* N

PT. OF DIV. N

SOURCE N

PL. OF USE N

DIV. AMOUNT
CFS/AF N

CONSUMPTIVE
USE N

NATURE OF
USE N

PERIOD OF
USE N

BASIS OF
CLAIM N

REMARKS N

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

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

COMMENTS:

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

DATA ENTRY COMPLETED
BY DATE

FINAL RECOMMENDATION
BY DATE

Water right number - 63-03322

Prefix Translation: WATER RIGHT

* - - - - - Comments - - - - -
No Comments Found

* - - Audit Fields - 05/20/85 05/01/88

* - - - - - Water Rights Dates and Flags Area - - - - -									
Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-		
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-		
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-	P	
Exam to S.O. Date	-	00/00/0000	Verified Date	-	05/20/1985	DLE/Carey Act	-		
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-		
Licensed Date	-	08/28/1979	Appl Received	-	00/00/0000	Transfer/Amended	-		
Decree Date	-	00/00/0000	Name Connector	-		POU Ownership Flag	-		
Presumption Flag	-			-			-		

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 63-3322
Date Received: 2/27/1990
Receipt No: W009727
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

STEVEN A VANDER WERFF
2441C S POWERLINE
MELBA ID USA 83641

Phone: (208) 495-1616

VICKIE A VANDER WERFF
2441C S POWERLINE
MELBA ID USA 83641

Phone: (208) 495-1616

2. Date of Priority: 12/31/1962

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	02W	22	NE SE	CANYON	

5. Description of diverting works:

8" CASED WELL, 400+' DEEP, 40 HP PUMP FOR SPRINKLER IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.67	205.7

7. Total Quantity Appropriated is:

0.67 C.F.S. and/or 205.7 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
01N	02W	22	NE	SE		IRRIGATION	34.5
			NW	SE		IRRIGATION	11.2
						Section Acres	45.7
						Total Acres	45.7

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:

Ownership changed by DH 6/28/2002

15. Basis of Claim: License

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

RECEIVED
JUL 31 2001
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
63-3322	63-3322	—			—
63-21260	63-21260	—			—
		—			—
		—			—
		—			—

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)

Marvin Ralph Doser and Betty L. Doser

4. New Owner/Claimant(s)

Steve VanderWerff and Vickie VanderWerff

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

New Mailing Address

2441 C. J. Power line

City, State and ZIP Code

Melba, ID 83641

New Telephone Number

(208) 495-1616

5. Date you acquired the property

9/28/00

① INSTRUMENT NO. 200034472

2000409

WARRANTY DEED

FOR VALUE RECEIVED MARVIN RALPH DOSER and BETTY L. DOSER,
husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto Steve Vander Werff and VICKIE
Vander Werff, husband and wife

the Grantees, whose address is 2441C S. POWERLINE RD, MELBA, ID 83641

the following described premises, to-wit:

The Northeast Quarter of the Southwest Quarter; and the North
One-Half of the Southeast Quarter, all in Section 22, Township 1
North, Range 2 West, Boise Meridian, Canyon County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, heirs and assigns
forever. And the said Grantor do hereby covenant to and with the said Grantees, that they the owners in fee simple of said
premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2000 and
subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same
from all lawful claims whatsoever.

DATED: September 28, 2000

Marvin Ralph Doser
MARVIN RALPH DOSER

Betty L. Doser
BETTY L. DOSER

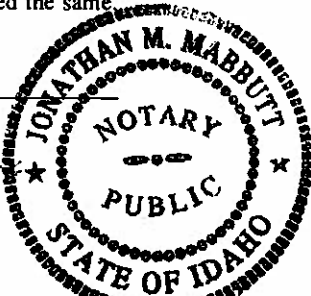
STATE OF IDAHO
COUNTY OF CANYON

On this 29th day of SEPTEMBER, 2000, before me, a notary
public, personally appeared MARVIN RALPH DOSER AND
BETTY L. DOSER, known or identified to me to be the person(s)
who(se) name(s) is/are subscribed to the within instrument and
acknowledged to me that he/she/they executed the same.

Jonathan M. Mabbitt
Notary Public

Residing at Meridian

My commission expires: 4-25-2004



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

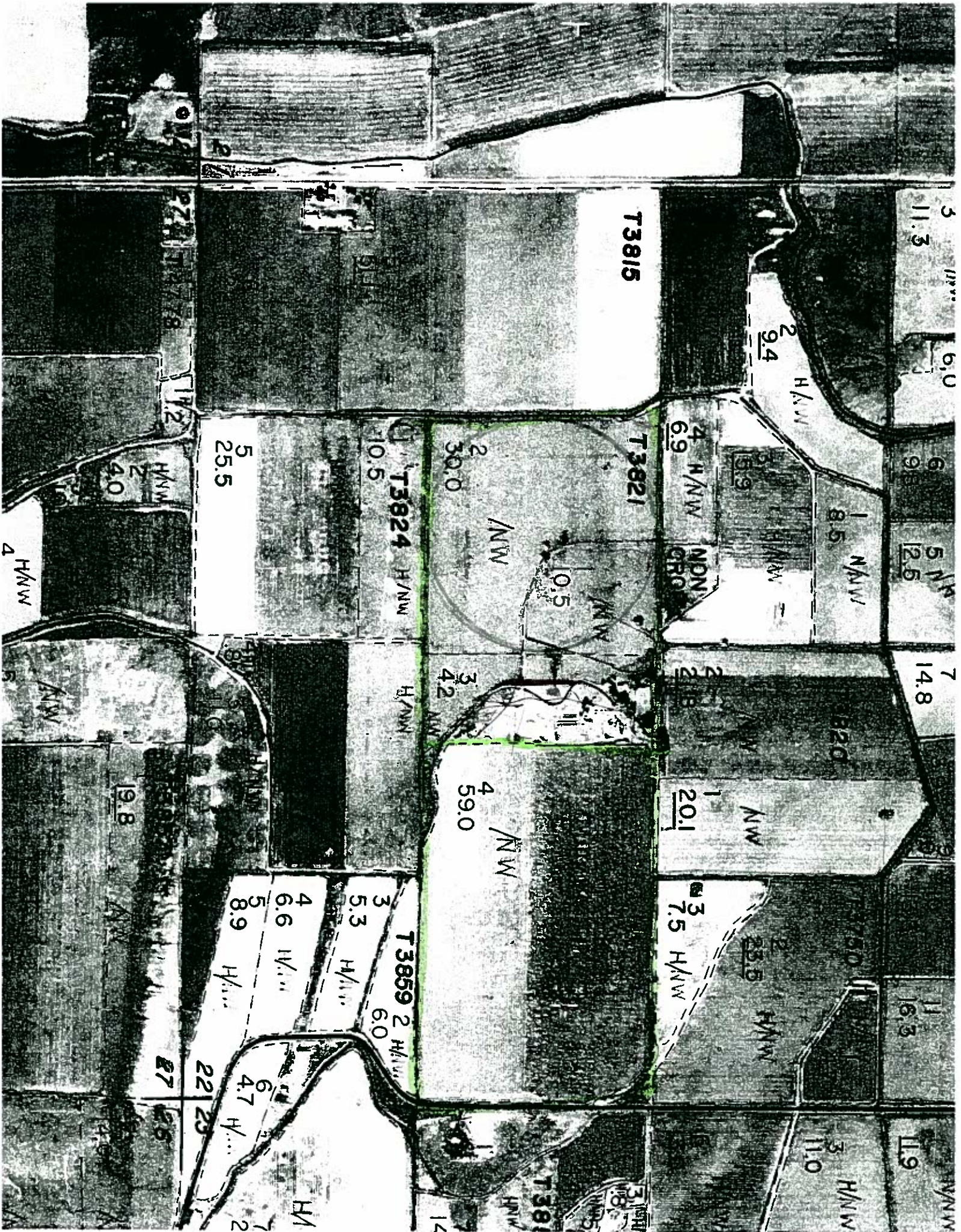
NOV 01 2 PM 3 55

RECORDED

200034472

REQUEST PIONEER-NAMPA
TYPE Deed FEE 3.00

423 SOUTH KIMBALL
CALDWELL, ID 83605



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: A63-03322
Date Received: 2/27/1990
Receipt No: W008727
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARVIN RALPH DOSER 208-495-2262
Address: 2441C SOUTH POWERLINE RD.
MELBA, ID 83641

OR
Name: BETTY L. DOSER 208-495-2262
Address: 2441C SOUTH POWERLINE RD.
MELBA, ID 83641

2. Date of Priority: DEC 31, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	22	NE	SE			CANYON

5. Description of diverting works:
8" CASED WELL, 400+' DEEP, 40 HP PUMP FOR SPRINKLER IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.670		205.70

7. Total Quantity Appropriated is:
0.670 C.F.S. (and/or) 205.70 A.F.A.

8. Total consumptive use is 161.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	22	NE	SE		IRR	34.5
			NW	SE		IRR	11.2
						Section Acres	45.7
						Total Acres	45.7

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:
CLAIM NO. A63-21260 - DOMESTIC WELL.

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 30867

16. Signature(s)

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

Number of attachments: 3

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): Betty L. Doser Date: 2/27/90

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of February 19 90
Seal

Jan Shunte
Notary Public

Residing at Mendham ID
My Commission Expires 9-14-94



MICROFILMED
AUG 19 1992

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

Permit No. G-30867

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant J. Sherel Johnston
2. Source of water supply: subterranean
3. Location of point of diversion: Is in the NE 1/4 of Section 22
T. 1 N R. 2 W County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same:
40 HP US Hollowshaft # 3597896 Peerless
Vert Turbine # 97129 6" discharge 10'
through earth ditches
5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: yes

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 other than irrigation):

NW 1/4 sec. 22, T. 1 N, R. 2 W, B.M.

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

What large stream would the water here appropriated finally reach?
Remarks: Mrs. J. Sherel Johnston contacted

WATER @ DISCHARGE PIPE
SPRING WITH MEASUREMENT USED 7/10-15.00
Q = 2.67 CFS

MICROFILMED

This examination was made on the _____ day of _____ 19____

(Signed) _____

1030867



MICROFILMED

AUG 13 1982

WATER LICENSE

Water License No. G-30867 Priority December 31, 1962 Amount 0.67 c.f.s.

THIS IS TO CERTIFY, that J. SHERAL JOHNSTON
 of Melba, Idaho, made application for a permit to appropriate the public waters of
 the State of Idaho, dated December 31, 1962; that Permit G-30867 was issued pursuant
 to said application, that the proposed works were completed on or about 1962
 with a storage or carrying capacity of 0.67 c.f.s., said works consisting of well,
pump and earth ditches; and that on January 6, 1968
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 205.7
 acre feet per season, with a maximum rate of diversion of 0.67 cubic feet per second of the waters
 of ground water, tributary of _____,
 for the purpose of irrigation from April 1 to October 31;
 and for _____ from _____ to _____; and for
 _____ from _____ to _____; and that the use
 of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
 mation Engineer and entered in the records of the Idaho Department of Reclamation; the point of diversion is
 located in NE 1/4 SE 1/4, Sec. 22, T. 1 N., R. 2 W., B.M., and
 other additional points _____, in the County of
Canyon; and that the amount of water to which such right is
 entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
 used for said purposes and shall not exceed 205.7 acre feet per year.

Description and location of place of use:

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	
<u>1 N</u>	<u>2 W</u>	<u>22</u>													<u>34.6</u>	<u>11.2</u>			<u>45.7</u>

Total number of acres irrigated 45.7

The right to the use of the water 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, affixed at Boise, Idaho, this

21st day of March, 1968

R. Keith H. H.
 State Reclamation Engineer

60 3522

30867

63-3322

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38949
Permit No. G- 30867
District No.

1. Name of Applicant: J. Sheral Johnston
Postoffice address: Helba County: Canyon State: Idaho
2. Quantity of water claimed: 1.2 sec. ft.
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NE 1/4 of the SE 1/4 of Section 22
Twp. 1 N , Rge. 2 W , B.M., County of Canyon
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Well
8. Estimated cost of works: \$1,000
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (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: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 1.2 (cubic feet per second, ~~inches or gallons per minute~~) is for new lands.

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 $\frac{1}{4}$	
1 N	2 W	22				X X	60

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

Permit No. G-30867

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant J. SHERAL JOHNSTON
2. Source of water supply: subterranean
3. Location of point of diversion: Is in the NE 1/4 of Section 22
T. 1 N R. 2 W County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same:
40 HP US HOLLOSHAFT # 3597896, PERLESS
VACT TURBINE # 197129, 6" DISCHARGE 10' -
THROUGH EARTH DITCHES
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 other than irrigation):
N 1/2 SE 1/4 sec. 22, T. 1 N, R. 2 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?

Remarks: MRS. J. SHERAL JOHNSTON CONTACTED,

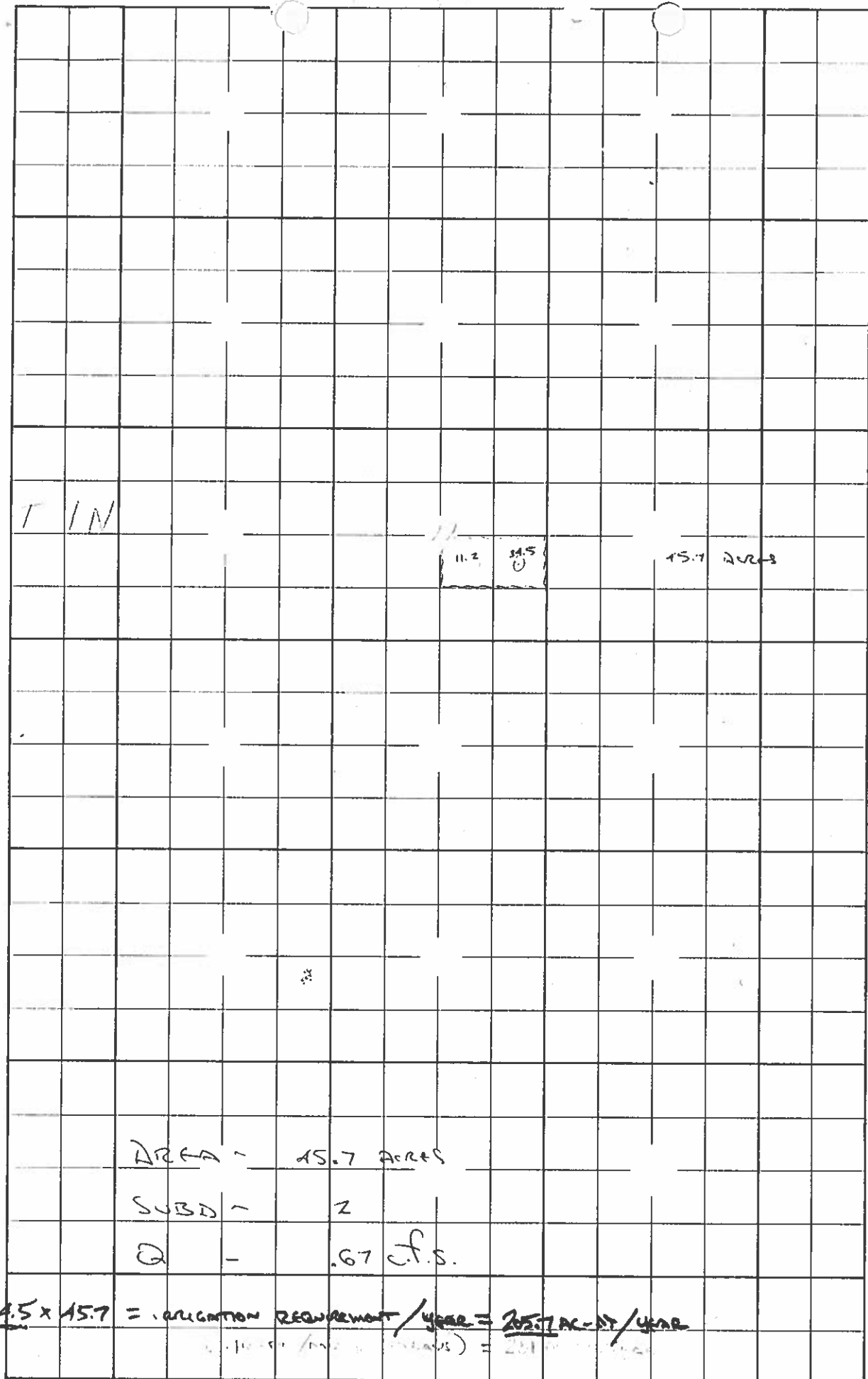
MEASURED @ DISCHARGE PIPE
SPARKING WATER MEASUREMENT USED 1/11-15 sec
Q = .67 cfs

This examination was made on the 23rd day of April, 1968

(Signed) Don Reynolds
Examiner.

30867

PLAT ✓
OR



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

30867

