

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 63-7887
Date Received:
Receipt No: C055815
Received By:

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

RECEIVED

1. Name of Claimant(s)

AUG 27 2001

FRANK MOSER Phone: (208) 455-9282
25076 GERI LN
CALDWELL ID USA 83607

Department of Water Resources

2. Date of Priority: 10/16/1973

RECEIVED

3. Source: GROUND WATER Trib. to:

AUG 28 2001

WATER RESOURCES
WESTERN REGION

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	04W	35	SE SE	PAYETTE	

5. Description of diverting works:

WELL, PUMP & DITCH, PIPELINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.19	67.5

7. Total Quantity Appropriated is:
0.19 C.F.S. and/or 67.5 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
06N	04W	35	NW	SE	IRRIGATION	3
			NE	SE	IRRIGATION	2
			NE	SW	IRRIGATION	10
Section Acres						15
Total Acres						15

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used: 63-7885F

14. Remarks:

THE RIGHT HOLDER SHALL EITHER INSTALL A MEASURING DEVICE OR PROVIDE A CERTIFIED MEASUREMENT BY A PROFESSIONAL ENGINEER OR INSTALL AN ACCESS PORT OR OTHER DEVICE AS SPECIFIED BY THE DEPARTMENT.

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.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Frank Moser Date: 8-24-01

Date: _____

State of Idaho Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this _____

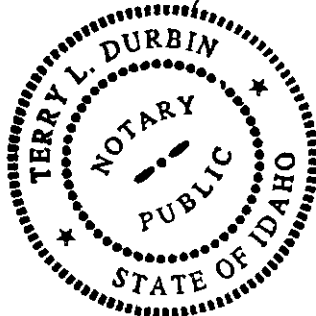
of 24 Aug 2001

Terry L. Durbin

Notary Public

Residing at Caldwell

My commission Expires 11/12/2004



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-7887

WATER RIGHT NUMBER: 63-7887

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN U MC GUIRE 1320 W FLAMINGO #27 NAMPA, ID 83651
Current Owner	PEARL E MC GUIRE 1320 W FLAMINGO #27 NAMPA, ID 83651
Original Owner	PEARL E MC GUIRE
	, ZZ
Original Owner	J U MC GUIRE
	, ZZ
Current Owner	KANSAS CITY LIFE INSURANCE CO
	, ZZ

Priority Date: 10/16/1973

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.190 CFS	67.50 AF
	<u>Total Diversion:</u>	0.190 CFS	67.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 35, Twp 06N, Rge 04W, B.M.
PAYETTE 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	
06N	04W	35									10.0				2.0	3.0			15.0

Total Acres: 15

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.
2. 016 See remarks for additional conditions of approval.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-7887

Remarks:

1. General The maximum combined rate of diversion under this right & Right 63-7885 shall not exceed 2.22 cfs.^^

Comments:

Dates and Other Information:

Licensed Date: 9/18/1990
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

RIGHT NUMBER: 63-7887

NAME AND ADDRESS: ANTONIO B SILVA
17497 HOLLOW RD
CALDWELL ID 83607

MARIA C SILVA
17497 HOLLOW RD
CALDWELL ID 83607

FRANK MOSER
25076 GERRI LN
CALDWELL ID 83607

QUANTITY: 0.190 CFS
67.500 AFY

POINT OF DIVERSION:
T06N R04W S35 SESE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.190 CFS 67.50 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 November 1 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 in PAYETTE County

T06N R04W S35	NESW	10.00	T06N R04W S35	NESE	2.00
T06N R04W S35	NWSE	3.00			

15 ACRES TOTAL

Right Nos. 63-7885F and 63-7887 are limited to the irrigation of a combined total of 128 acres in a single irrigation season.

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

THE RIGHT HOLDER SHALL EITHER INSTALL A MEASURING DEVICE OR PROVIDE A CERTIFIED MEASUREMENT BY A PROFESSIONAL ENGINEER OR INSTALL AN ACCESS PORT OR OTHER DEVICE AS SPECIFIED BY THE DEPARTMENT.

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Water Rights: 63-7885F, 63-7887

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☐ Address change

XX Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: December 10, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on December 10, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Antonio B. Silva
Maria C. Silva
17497 Hollow Rd.
Caldwell ID 83607

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Frank Moser
25076 Geri Ln.
Caldwell ID 83607

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

December 10, 2008

ANTONIO B SILVA
MARIA C SILVA
17497 HOLLOW RD
CALDWELL ID 83607

Re: Water Right Nos. 63-7885F, 63-7887

Dear Mr. & Mrs. Silva:

Enclosed are copies of the above referenced water rights, which reflect the change in ownership of the land and appurtenant water rights, covered under the original filings. 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.

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 "Lori Harris". The signature is written in dark ink and is positioned above the typed name and title.

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
63-7995F					
63-7887					

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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) FRANK MOSER

4. New Owner/Claimant(s) TONU SILVA
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 17497 HOLLOW RD.

City, State and ZIP Code Caldwell, ID 83607

New Telephone Number (208) 454-9519 Email: _____

5. Date you acquired the property

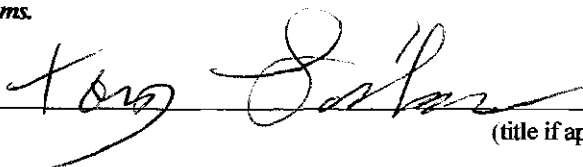
June 17, 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)



(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by [Signature]Date Dec 3, 08Receipted by [Signature]Date 12-4-08Processed by [Signature] AJDate 12-4-08Receipt Amt. N/AReceipt No. 25.00WR Check returned

Date

PC47735

WARRANTY DEED

356/4
139-5
139-20-1

FOR VALUE RECEIVED Tony Silva, Jr., a married man as his sole and separate property

the Grantor, does hereby grant, bargain, sell and convey unto Antonio B. Silva and Maria C. Silva, husband and wife

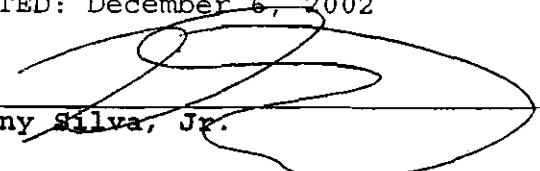
the Grantees, whose address is 1650 Sandhollow Rd., Caldwell, ID 83607

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of two (2) pages.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2002 and subsequent years, covenants, conditions, restrictions and easements of record; and that he will warrant and defend the same from all lawful claims whatsoever.

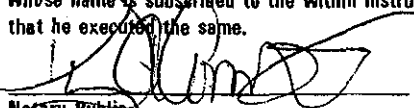
DATED: December 6, 2002

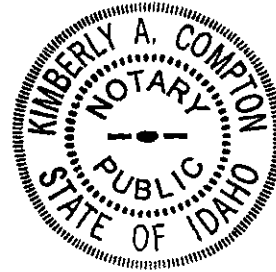

Tony Silva, Jr.

STATE OF IDAHO

COUNTY OF CANYON

On this 6th day of December in the year 2002, before me, a Notary Public, personally appeared Tony Silva, Jr. known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public
Residing at Wilder
My commission expires 1-27-05



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

610 SOUTH KIMBALL
CALDWELL, ID 83605

Order No. FA - 15835

305445

EXHIBIT A**PARCEL 1:**

A Parcel of land situated in the Southeast Quarter and Northeast Quarter of Section 35 in Township 6 North, Range 4 West of the Boise Meridian, County of Payette, State of Idaho, more particularly described as follows:

BEGINNING at the Southwest corner of the Southeast Quarter of said Section 35;
thence North 00°00'25" East (formerly 00°00'10" East) along the Westerly boundary of said Southeast Quarter, a distance of 2643.28 feet to the Northwest corner of said Southeast Quarter;
thence South 89°56'19" East 659.71 feet;
thence North 00°03'34" West 191.89 feet;
thence South 89°56'19" East 441.39 feet;
thence South 57°16'50" East 355.66 feet to a point on the Northerly boundary of said Southeast Quarter;
thence South 89°56'13" East along the Northerly boundary of said Southeast Quarter, a distance of 571.44 feet;
thence South 00°05'31" East (formerly North 00°08'55" West) 478.59 feet (formerly 478.83 feet);
thence South 13°22'27" East (formerly North 13°29'43" West) 441.18 feet (formerly 442.06 feet);
thence South 00°30'53" East 180.77 feet (formerly 180.00 feet);
thence South 89°59'43" East 59.69 feet;
thence South 00°00'00" West 231.35 feet;
thence North 89°59'43" West 50.00 feet;
thence South 00°00'00" West 277.12 feet;
thence North 89°43'28" West 53.74 feet;
thence South 00°00'00" West 1043.07 feet to a point on the Southerly boundary of the Southeast Quarter of said Section 35;
thence South 89°57'52" West along the Southerly boundary of said Southeast Quarter, a distance of 2040.28 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM the following described parcel:

COMMENCING at the Southeast corner of said Section;
thence South 89°57'52" West 607.33 feet to the TRUE POINT OF BEGINNING;
thence North 00°00'00" East 660.00 feet;
thence Southwest in a straight line to a point South 89°57'52" West 1312.33 feet from the Southeast corner of said Section;
thence North 89°57'52" East 705 feet, more or less, to the POINT OF BEGINNING.

CONTINUED

Order No. FA - 15835

305445

CONTINUED EXHIBIT "A"

PARCEL II:

A Parcel of land situated in the Southwest Quarter of Section 35, Township 6 North, Range 4 West, Boise Meridian, County of Payette, State of Idaho, described as follows:

COMMENCING at the Southeast corner of said Southwest Quarter;
thence North 00°00'10" East along the Easterly boundary of said Southwest Quarter, a distance of 105.58 feet to the TRUE POINT OF BEGINNING;
thence North 39°33'54" West 990.32 feet;
thence North 03°33'27" West 753.62 feet;
thence North 33°32'42" East 1226.35 feet to the Northeast corner of said Southwest Quarter;
thence South 00°00'10" West along said Easterly boundary 2537.71 feet to the TRUE POINT OF BEGINNING.

305445

STATE OF IDAHO }
County of Payette } SS

I hereby certify that this instrument
was filed for record at the request of
FIRST AMERICAN TITLE CO.

Time 4:56 pm
Date Dec 10, 2002
Instrument # 305445 *Needs*
LAURA L. STIGILE
Ex officio Recorder
By *[Signature]*
Deputy
Fee \$90

09/29/2006

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

RIGHT NUMBER: 63-7887
NAME AND ADDRESS: FRANK MOSER
25076 GERI LN
CALDWELL ID 83607

RECEIVED

OCT 16 2006

WATER RESOURCES
WESTERN REGION

SOURCE: GROUND WATER
QUANTITY: 0.190 CFS
67.50 AFY

TRIBUTARY:

PRIORITY DATE: 10/16/1973

POINT OF DIVERSION:
T06N R04W S35 SESE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	0.190 CFS 67.50 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 November 1 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 PAYETTE County

T06N R04W S35	NESW	10.00	T06N R04W S35	NESE	2.00
T06N R04W S35	NWSE	3.00			
15 ACRES TOTAL					

Right Nos. 63-7885F and 63-7887 are limited to the irrigation of a combined total of 128 acres in a single irrigation season.

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 under the new Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

THE RIGHT HOLDER SHALL EITHER INSTALL
PROVIDE A CERTIFIED MEASUREMENT BY A
INSTALL AN ACCESS PORT OR OTHER DEVIC
DEPARTMENT.

*I sold this
property 3 or 4 years
ago to Tony
Silva.*

Frank Moser

06/26/2006

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

RIGHT NUMBER: 63-7887

NAME AND ADDRESS: FRANK MOSER
25076 GERT LN
CALDWELL ID 83607

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.190 CFS
67.500 AFY

PRIORITY DATE: 10/16/1973

POINT OF DIVERSION:

T06N R04W S35 SESE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.190 CFS 67.50 AFY

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PLACE OF USE: IRRIGATION Within PAYETTE County

T06N R04W S35	NESW	10.00	T06N R04W S35	NESE	2.00
T06N R04W S35	NWSE	3.00			

15 ACRES TOTAL

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

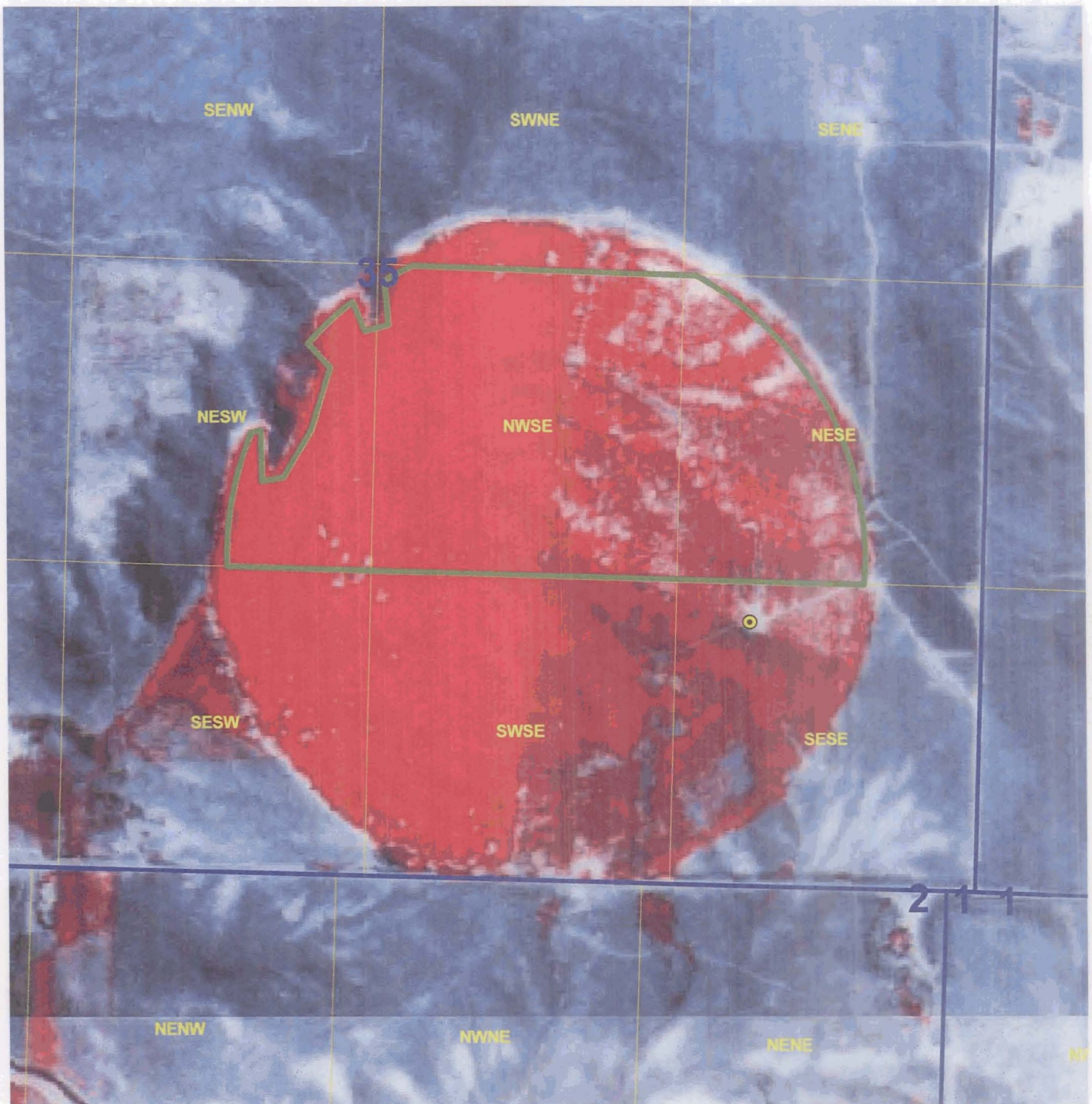
THE RIGHT HOLDER SHALL EITHER INSTALL A MEASURING DEVICE OR PROVIDE A CERTIFIED MEASUREMENT BY A PROFESSIONAL ENGINEER OR INSTALL AN ACCESS PORT OR OTHER DEVICE AS SPECIFIED BY THE DEPARTMENT.



Idaho Department of Water Resources

63-7887

T06N R04W S35



-  Point of Diversion
-  Place of Use
-  Sections
-  Quarter Quarter

Total irrigated
acres = 15



400 0 400 Feet



IDWR
Prepared by: Sandy Egbert
Date: June 26, 2006
1987 NAAP Photography

Idaho Dept. of Water Resources

Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Rec	63 2878	BLACK CANYON IRRIGATION DIST,	ELIJAH DRAIN, WILSON DRAIN	06N04W35											X	X					0
Rec	63 2322	UNITED STATES OF AMERICA ACTING THROUGH,	ELIJAH SLOUGH, WILSON SLOUGH	06N04W35											X	X					0
Claim	63 7885D	MARY E SAYRE, DAN L SAYRE,	GROUND WATER	06N04W35												18					18
Claim	63 7887	FRANK MOSER,	GROUND WATER	06N04W35									10				2	3			15
Rec	63 7885D	MARY E SAYRE, DAN L SAYRE,	GROUND WATER	06N04W35												18					18
Rec	63 7885E	JOSEPH W ROBERTS, RHODONNA ROBERTS,	GROUND WATER	06N04W35																18	18
Rec	63 7885F	FRANK MOSER,	GROUND WATER	06N04W35									3			10	18	37	40	20	128
Rec	63 7887	FRANK MOSER,	GROUND WATER	06N04W35									10				2	3			15
Right	63 21277	JUDIANNE A COLLAR, DAVID A COLLAR,	GROUND WATER	06N04W35												X					0
Right	63 21837	MAX NORQUIST,	GROUND WATER	06N04W35											X						0
Right	63 30087	JOHN WORMAN, DOROTHY WORMAN,	GROUND WATER	06N04W35		X															0
Right	63 7885B	JOHN W CROOKS, CAROLEE CROOKS,	GROUND WATER	06N04W35													20				20
Right	63 7885C	PEARL E MC GUIRE, JOHN U MC GUIRE,	GROUND WATER	06N04W35									3			10	18	37	40	38	146
Right	63 7885D	DAN L SAYRE, MARY E SAYRE,	GROUND WATER	06N04W35												18					18
Right	63 7887	JOHN U MC GUIRE, PEARL E MC GUIRE, KANSAS CITY LIFE INSURANCE CO,	GROUND WATER	06N04W35									10				2	3			15
TClaim	63 7885E	JOSEPH W ROBERTS, RHODONNA ROBERTS,	GROUND WATER	06N04W35																18	18
TClaim	63 7885F	FRANK MOSER,	GROUND WATER	06N04W35									3			10	18	37	40	20	128

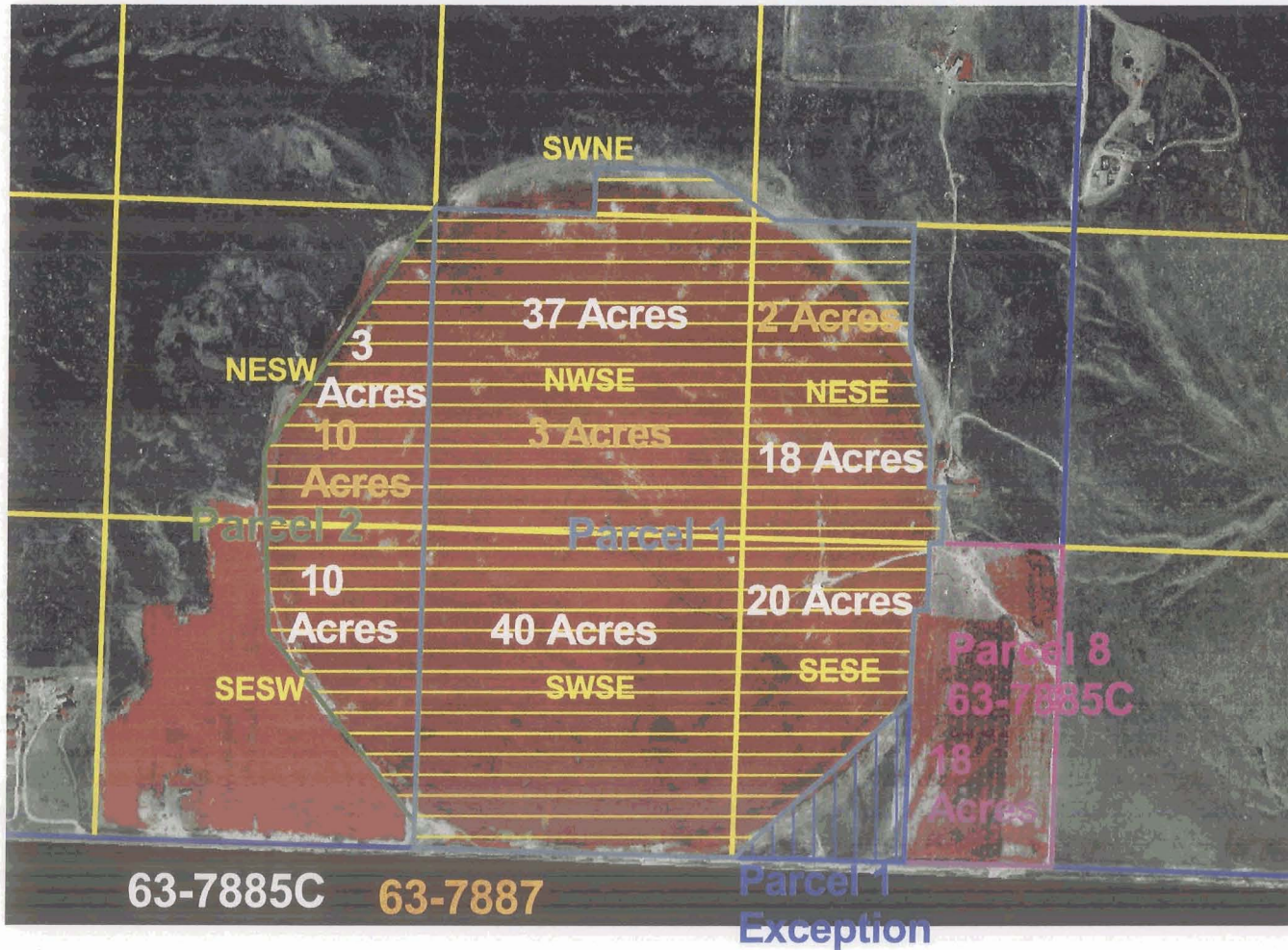
4/24/2006

**Idaho Dept. of Water Resources
Place of Use Comparison Report**

Page2

Rec	65 2433	UNITED STATES OF AMERICA ACTING THROUGH,	PAYETTE RIVER	06N04W35												X	X					0
Rec	65 2900	BLACK CANYON IRRIGATION DIST,	TUNNEL NO 2 DRAIN	06N04W35												X	X					0

Parcel Plot of rights 63-7885C (Transfer #4455 Splits) & 63-7887 ownership changes with associated acres T06N, R04W, SEC 35



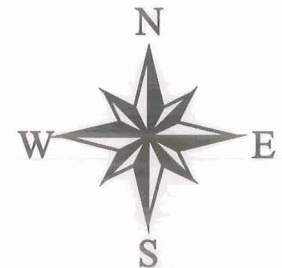
 Parcel 1 (Moser)

 Parcel 2 (Moser)

 Parcel 8 (Roberts)

 Parcel 1 exception

0 0.25 0.5 0.75 1 Miles



1994 NAPP

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-07887

Priority: October 16, 1973

Maximum Diversion Rate: 0.19 CFS
Maximum Diversion Volume:¹ 67.5 AF

This is to certify, that JOHN U. MC GUIRE
PEARL E. MC GUIRE
KANSAS CITY LIFE INSURANCE CO.

1320 W. FLAMINGO #27
Nampa, ID 83651

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 16, 1973; and has submitted Proof of Beneficial Use on November 13, 1978. An examination indicates that the works have a diversion capacity of 2.220 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.19 CFS	67.5 AF

LOCATION OF POINT(S) OF DIVERSION: SESE, Sec. 35, Township 06N, Range 04W
PAYETTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	04W	35	NESW 10	NESE 2	NWSE 3	15

Total number of acres irrigated: 15

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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 the lands above.

WATER RIGHT LICENSE

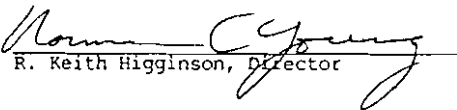
WATER RIGHT NO. 63-07887

CONDITIONS/REMARKS:

6. The maximum combined rate of diversion under this right & Right 63-7885 shall not exceed 2.22 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 18th day of September, 1990.

Acting as


R. Keith Higginson, Director

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

KEYPUNCHED

1. Name of permit holder John H. & Pearl E. McGuire
Post office address Box 601, Middleton Phone 459-7305
Person to contact John McGuire ^{Box 601} Box 601, Rt 6, Middleton Phone 466-9007
Harold Flower 459-4672

2. Source of water supply: Groundwater ☒ Surface water ☐
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 3.2 c.f.s. for irrigation
AF/Annum (nature of use)

Period of Use: from 4-1 to 11-1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

RECEIVED

APR 02 1987

Department of Water Resources

Permit No. 1-3-7887
Exemption for b/c

4. Total amount to be appropriated:

Max Rate of Diversion 3.2 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 6N N/S, Range 4W E/W, B.M., Section 35, Subdivision 7E 1/4 1/4 Payette
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision 1/4 1/4 County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision 1/4 1/4 County

Other Points of Diversions: _____

Description of diverting works: Pump 290' 10" 4 stage 14" head 10"
discharge pipe, 300 hp motor, 16" x 140"

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or 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>Permit shows</u>			<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>					<u>40</u>				<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>400</u>
<u>16N 41W 35</u>						<u>25</u>				<u>10</u>				<u>30</u>	<u>20</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>208</u>

TOTAL ACREAGE _____

DATE OF EXAM

7/3/85

KEYPUNCHED

E.H.

ACREAGE

Found

175

Recommended

175

Irrigation Requirement

4.5

Ac Ft/Ac

USE

Irrigation Q = .83 c.f.s.

V = 353

AF/Ann. from

4/1

to

4/1

Domestic Q = c.f.s.

V =

AF/Ann. from

to

Livestock Q = c.f.s.

V =

AF/Ann. from

to

Is water co-mingled? yes

no

Name source:

twp. N/S, Rge

E/W, B.M., Sec

Sub

1/4

1/4

County

Exchange? yes

no

Name source exchanged with:

twp. N/S, Rge

E/W, B.M., Sec

Sub

1/4

1/4

County

Point of injection:

twp. N/S, Rge

E/W, B.M., Sec

Sub

1/4

1/4

County

Point of exchange:

twp. N/S, Rge

E/W, B.M., Sec

Sub

1/4

1/4

County

Total Q measured

1000 GPM - 2.22 CFS

Method of measurement

BADGER FLOWMETER

Total Q recommended

.83 CFS

Meter No. 1059397

Type BADGER

Condition

OK

Total V recommended

353 of

Recommended Amendments:

P.D.

JOSE S. S. S. T. 10N, R. 4W

Place of Use

SELINE

Other

None

MEASUREMENT CALCULATION:

1000 GPM - 2.22 CFS - ALLOW .83 CFS

.83 X 1.98 X 2.15 CFS = 3.53 AF/ANN < 175 X 4.5 AC = 787.5

SYSTEM DESCRIPTION:

U.S. ELEC. MOTOR - 150 HP, 3 PHASE, SERIAL # C6350-911 W/A
 WESTERN LAND ROLLER PUMP, SERIAL # 14611. ~~W/A~~
 6" PIPELINE TO NEELINES & HAND LINES.

REMARKS:

* LICENSE NO. 1-3-7885 ISSUED FOR 2.67 CFS FOR 164 ACRES OF
 THIS SLINE, P.M. (AFTER TRANSFER). FOUND 175 ACRES X .02 CFS
 = 3.5 CFS (PERMIT ALLOWS FOR 3.5 CFS) 3.5 CFS - 2.67 = .83 CFS
 ALLOWABLE UNDER THIS PERMIT. DIFFERENT WELL THAN PERMIT NO.
 63-7885 AS FINE AS I CAN TELL. NEW OWNERS. FOUND NOTHING ABOUT RIGHTS.

Examiner's Signature

Jan Shute

Date

1/13/87

Checked by

DRT

Date

3/25/87

Approved by

W. B. J. E.H. 7/3/87

Date

NOTE - NEW OWNERS ARE JOSEPH W. & RHODENNA ROBERTS
 Rt. 7, Box 472, CARLOWELL, ID 83605

Overlap Analysis - # 63-7887

Town-ship	Ran-ge	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 $\frac{1}{4}$	
# 63-	7885 -	3.0 cfs (DC)																	
POD 6N	4W	35								3'				28'	38'	37'	40'	38'	184
														- 20	TRANS	1872			164
														18	NET				
# 63-	7887 -	2.22 cfs (DC)																	
POD 6N	4W	35								13				27	20	40	40	36	176
														(TRANS NOT INCL.)					
										+10				-1	+2	+3	Ø	-2	+12
														15	"NEW"	ACRES			