

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: A63-08955
Date Received: 11/ 1/1989
Receipt No: W006595
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: COUNTY OF CANYON
Address: CANYON COUNTY COURTHOUSE
1115 ALBANY
CALDWELL ID

208-454-7304

83605

2. Date of Priority: JUN 14, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	03W	21	SW	NW			CANYON

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		0.50
FIRE PROTECTION	01/01	12/31	0.020		0.50

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 0.50 A.F.A.

8. Total consumptive use is 0.5 Acre Feet Per Annum.

9. Non-irrigation uses:
MAINTENANCE, ROAD SPRAY

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	03W	21	SW	NW		DOMEST	
			SW	NW		FIRE	

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:

ITEM 5. 658'X20" WELL WITH PUMP 1.5" 15C HICAI28AD. SEE WELL DRILLERS REPORT FROM 2/10/1978. LEGAL ON WELL DRILLERS REPORT IS CORRECT. LEGAL ON WATER RIGHT LICENSE DIVERSION HAS BEEN CORRECTED ON NOTICE OF CLAIM TO A WATER RIGHT.

CANYON COUNTY IS NOW LEASING 320 ACRES FROM BLM (SEE ATTACHMENTS). PRELIMINARY NEGOTIATIONS HAVE TAKEN PLACE WITH BLM FOR PURCHASE OF THE LEASED 320 ACRES AT DEAD HORSE CANYON AND PICKLES BUTTE. SEE AERIALS AND PLAT MAPS FOR DIVERSION LEGAL CORRECITON ON THE WATER RIGHTS LICENSE.

15. Basis of Claim: LICENSE

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NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 01 1989

Department of Water Resources
Western Regional Office

Please type or print clearly

- Name of Claimant (s) Canyon County Phone (208) 454-7304
Mailing Address 1115 Albany, Caldwell, Idaho Zip 83605
- Date of Priority (Only one (1) per claim) June 14, 1977
- Source of water supply (a) ground water
which is tributary to (b) _____
- a. Location of existing point of diversion is: Township 2N Range 3W Section 21,
SW 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Canyon
Additional points of diversion if any: N/A
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
- Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well 20 inches diameter,
depth 658 feet, pump 1½" 15C HICAI28AD
See Well Drillers Report from February 10, 1978.
Legal on Well Drillers Report is correct.
Legal on Water Right License diversion has been corrected on Notice
of Claim to a Water Right.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Domestic purposes from 1-1 to 12-31 amount .02 or .5

For Fire Protection purposes from 1-1 to 12-31 amount .02 or .5

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .02 (cfs) and/or (b) .5 (acre feet)

8. Total consumptive use claimed is .5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Maintenance, road spray

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2N	3W	21							D										
									F										

Total number of acres irrigated N/A

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes _____ No X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

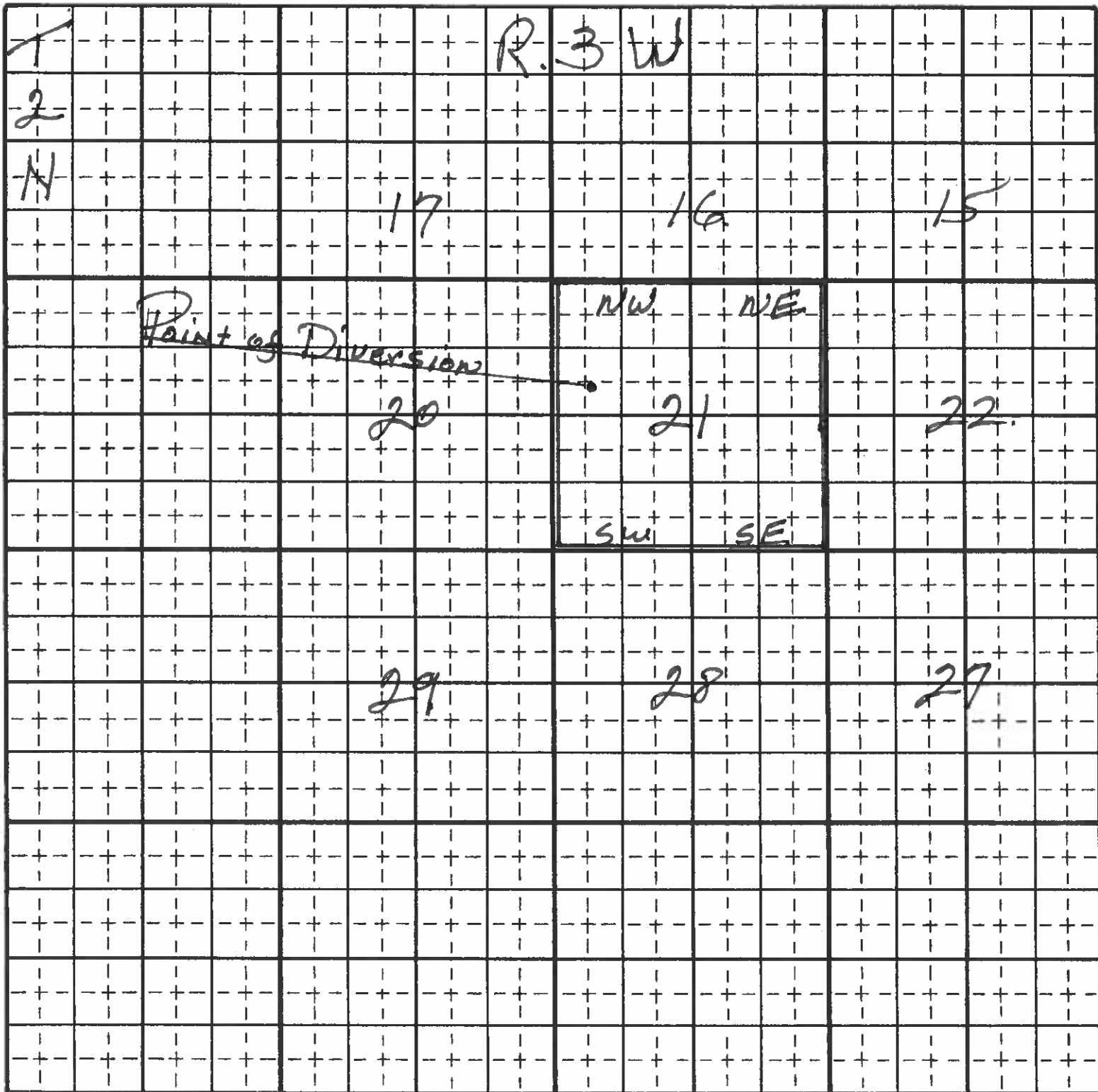
14. Remarks: Canyon County is now leasing 320 acres from BLM (see attachments).
Preliminary negotiations have taken place with BLM for purchase of
the leased 320 acres at Dead Horse Canyon and Pickles Butte. See
aerials and plat maps for diversion legal correction on the Water
Rights License.

Last Name Canyon County Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



Last Name Canyon County Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do X do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 7

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Joyce m Chase Date Oct 5 1989

Date _____

For Organizations: I do solemnly swear or affirm that I am Commissioner
Title
of Canyon County , that I have signed the foregoing
Organization
document in the space below as Commissioner of Canyon County
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Joyce m Chase
Title and Organization Board of County Commissioners Date 10-5-89

State of Idaho/or _____)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 5 day of October 19 89

SEAL

Notary Public Jackie Germain

Residing at Caldwell, Idaho

My Commission Expires 9-7-94

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, Charles L. Saari will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Charles L. Saari

Address P.O. Box 668, Caldwell, Idaho, 83606-0668

Date 10-3-89

Last Name Canyon County Ident. Number _____

Copies White-State, Yellow-Claimant

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

06/14/89 16:09:40
Page 1

Water Right Number - 63-08955

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

*** C - CURRENT OWNER ***
CANYON COUNTY

+ - First Name - - +

+ - - - - Address - - - - - +

1 - CANYON CNTY. COURTHOUSE
2 -
3 -
City- CALDWELL
Phone -

State- ID Zip- 83605

+ - - Priority Date - - +
06/14/1977

+ - - - Region - - - +
14

+ - - - Stage - - - +
L - LICENSE

+ - - - Status - - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

TwN	Rng	Sec	Tract	Lot	RFlg	Point of Diversion	County	Stream Index (Blank if no Index Code)
02N	03W	21	NW SW			(27) CANYON		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
43 - DOMESTIC		01/01	12/31			
49 - FIRE PROTECTION		01/01	12/31			
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Div. Capacity - +		+ - Total Consumptive Use - +
0.020		0.60				+ - KW Usage - +

TwN	Rng	Sec	Tract	Lot	Place of Use	Acres	Code	Description	County
02N	03W	21	NW SW		SW NW		43	DOMESTIC	(27) CANYON

Total Acres:

+ - - Diversion Means - WELL & PUMP.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

RECEIVED
JUN 21 1989
DEPUTY ATTORNEY
Decree Date - +
00/00/0000

ATTACHMENT 1: CORRECTION OF LEGAL ON

PRINT OUT FROM WATER RESOURCES BOARD

1. AMOUNT AT DEAD END OF & DISTRICT

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Land Office and Serial Number

I-6872

RECREATION OR PUBLIC PURPOSES LEASE 34 PM 1376
Act of June 14, 1926 (44 Stat. 741; 43 U.S.C. 869 et. seq.) as amended

This lease entered into on this 16th day of April 1976, by the United States of America, the lessor, through the authorized officer of the Bureau of Land Management, and

Canyon County

, hereinafter called the lessee, pursuant and subject to the terms and provisions of the Recreation or Public Purposes Act and to all reasonable regulations of the Secretary of the Interior now or hereafter in force when not inconsistent with any express and specific provisions herein, which are made a part hereof,

WITNESSETH:

Sec. 1. The lessor, in consideration of the rents to be paid and the conditions to be observed as hereinafter set forth, does hereby grant and lease to the lessee the right and privilege of using for the purposes hereinafter set forth in the following-described lands:

T. 2 N., R. 3 W., B.M., Idaho
Sec. 21, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$.

containing 320 acres, together with the right to construct and maintain thereon all buildings or other improvements necessary for such use for a period of 25 years, the rental to be \$ 80 per annum. If, at the expiration date of the lease the authorized officer shall determine that the lease may be renewed, the lessee herein will be accorded the privilege of renewal upon such terms as may be fixed by the lessor. The lessee may use the premises for

a sanitary landfill and recreation area.

Sec. 2. There are reserved to the United States all mineral deposits in said lands, together with the right to mine and remove the same under applicable laws and regulations to be established by the Secretary of the Interior.

Sec. 3. The lessor reserves the right of entry, or use, by

(a) any authorized person, upon the leased area and into the buildings constructed thereon for the purpose of inspection;

(b) Federal agents and game wardens upon the leased area on official business;

(c) the United States, its permittees and licensees, to mine and remove the mineral deposits referred to in Sec. 2, above.

Sec. 4. In consideration of the foregoing, the lessee hereby agrees:

(a) To improve and manage the leased area in accordance with the plan of development and management designated as Picklen Butte sanitary landfill and recreation area

ployees, contractors (including, without limitation, lessees, sublessees, and permittees), to prohibit or restrict the use of any part of the leased premises or any of the facilities thereon by any person because of such person's race, creed, color, or national origin.

(d) Not to assign this lease or to change the use of the land, without first receiving the consent of the authorized officer.

(e) That this lease may be terminated after due notice to the lessee upon a finding by the authorized officer that the lessee has failed to use the leased lands for the purposes specified in this lease for a period of 2 consecutive years; or that all or part of the lands is being devoted to some other use not consented to by the authorized officer, or that the lessee has not complied with his development and management plan pursuant to the special rental arrangement of 25 cents per acre per year. The authorized officer may, in lieu of termination, require the lessee or his successor in interest to pay the United States an amount equal to the difference between the rental paid for the land by the lessee or his successor in interest prior to the termination of this lease and 50 percent of the fair rental value of the leased lands, to be determined by the authorized officer, as of the date of issuance of this lease, plus compound interest computed at 4 percent beginning on the date this lease is issued.

(f) That upon the termination of this lease by expiration, surrender, or cancellation thereof, the lessee, shall surrender possession of the premises to the United States in good condition and shall comply with such provisions and conditions respecting the removal of the improvements of and equipment on the property as may be made by an authorized officer.

an authorized officer on May 2, 1975, approved by or any modification thereof hereinafter approved by an authorized officer, and to maintain all improvements, during the term of this lease, in a reasonably good state of repair.

(b) To pay the lessor the annual rental above set forth in advance during the continuance of this lease.

(c) Not to allow the use of the lands for unlawful purposes or for any purpose not specified in this lease unless consented to under its terms; nor to prohibit or restrict, directly or indirectly, or permit its agents, em-

(g) To take such reasonable steps as may be needed to protect the surface of the leased area and the natural resources and improvements thereon.

(h) Not to cut timber on the leased area without prior permission of, or in violation of the provisions and conditions made by an authorized officer.

(i) That nothing contained in this lease shall restrict the acquisition, granting, or use of permits or rights-of-way under existing laws by an authorized Federal officer.

Sec. 5. *Equal Opportunity Clause.* During the performance of this contract, the lessee agrees as follows:

(a) The lessee will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The lessee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The lessee agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

(b) The lessee will, in all solicitations or advertisements for employees placed by or on behalf of the lessee, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

(c) The lessee will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the lessee's commitments under Section 202 of Executive Order 11246 of September 24, 1965, as amended, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(d) The lessee will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(e) The lessee will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(f) In the event of the lessee's noncompliance with the nondiscrimination clauses of this contract or with

any of such rules, regulations, or orders, this permit may be cancelled, terminated or suspended in whole or in part and the lessee may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, as amended, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of Sept. 24, 1965, as amended, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(g) The lessee will include the provisions of Paragraphs (a) through (g) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, as amended, so that such provisions will be binding upon each subcontractor or vendor. The lessee will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for non-compliance: *Provided, however,* That in the event the lessee becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the lessee may request the United States to enter into such litigation to protect the interests of the United States.

Sec. 6. The lessee may surrender this lease or any part thereof by filing a written relinquishment in the appropriate land office. The relinquishment shall be subject to the payment of all accrued rentals and to the continued obligation of the lessee to place the lands in condition for relinquishment in accordance with the applicable lease terms in subsections 4(f) and 4(g) and the appropriate regulations.

Sec. 7. The lessee further agrees to comply with and be bound by those additional terms and conditions identified as Forms 1140-5, DI 1350, ISO-2912-2, ISO-1814-1; and special stipulations attached hereto

and which are made a part hereof.

Sec. 8. No Member of, or Delegate to, the Congress, or Resident Commissioner, after his election or appointment, and either before or after he has qualified, and during his continuance in office, and no officer, agent, or employee of the Department of the Interior, except as otherwise provided in 43 CFR, Part 7, shall be admitted to any share or part of this lease, or derive any benefit that may arise therefrom, and the provisions of Title 18 U.S.C. Sections 431-433, relating to contracts, enter into and form a part of this lease, so far as the same may be applicable.

IN WITNESS WHEREOF:

Irvin L. Craven

(Signature of Lessee)

A. Pilcher

(Signature of Witness)

THE UNITED STATES OF AMERICA

By

Vincent S. Strobel

(Authorized Officer)

Chief, Branch L. & M. Operations

(Title)

APR 16 1976

(Date)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Land Office and Serial Number

I-6872

RECREATION OR PUBLIC PURPOSES LEASE 04 PM 1976
Act of June 14, 1926 (44 Stat. 741; 43 U.S.C. 869 et. seq.) as amended

This lease entered into on this 16th day of April 1976, by the United States of America, the lessor, through the authorized officer of the Bureau of Land Management, and

Canyon County

, hereinafter called the lessee, pursuant and subject to the terms and provisions of the Recreation or Public Purposes Act and to all reasonable regulations of the Secretary of the Interior now or hereafter in force when not inconsistent with any express and specific provisions herein, which are made a part hereof,

WITNESSETH:

Sec. 1. The lessor, in consideration of the rents to be paid and the conditions to be observed as hereinafter set forth, does hereby grant and lease to the lessee the right and privilege of using for the purposes hereinafter set forth in the following-described lands:

T. 2 N., R. 3 W., B.M., Idaho

Sec. 21, $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$.

1. $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$
2. NW $\frac{1}{4}$ NE $\frac{1}{4}$
3. S $\frac{1}{2}$ NW $\frac{1}{4}$
4. NW $\frac{1}{2}$ SW $\frac{1}{4}$

5. SW $\frac{1}{4}$ SW $\frac{1}{4}$
6. $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$
7. $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$

containing 320 acres, together with the right to construct and maintain thereon all buildings or other improvements necessary for such use for a period of 25 years, the rental to be \$ 80 per annum. If, at the expiration date of the lease the authorized officer shall determine that the lease may be renewed, the lessee herein will be accorded the privilege of renewal upon such terms as may be fixed by the lessor. The lessee may use the premises for

a sanitary landfill and recreation area.

Sec. 2. There are reserved to the United States all mineral deposits in said lands, together with the right to mine and remove the same under applicable laws and regulations to be established by the Secretary of the Interior.

Sec. 3. The lessor reserves the right of entry, or use, by

(a) any authorized person, upon the leased area and into the buildings constructed thereon for the purpose of inspection;

(b) Federal agents and game wardens upon the leased area on official business;

(c) the United States, its permittees and licensees, to mine and remove the mineral deposits referred to in Sec. 2, above.

Sec. 4. In consideration of the foregoing, the lessee hereby agrees:

(a) To improve and manage the leased area in accordance with the plan of development and management designated as Picklen Butte sanitary landfill and recreation area

an authorized officer on May 2, 1975, approved by or any modification thereof hereinafter approved by an authorized officer, and to maintain all improvements, during the term of this lease, in a reasonably good state of repair.

(b) To pay the lessor the annual rental above set forth in advance during the continuance of this lease.

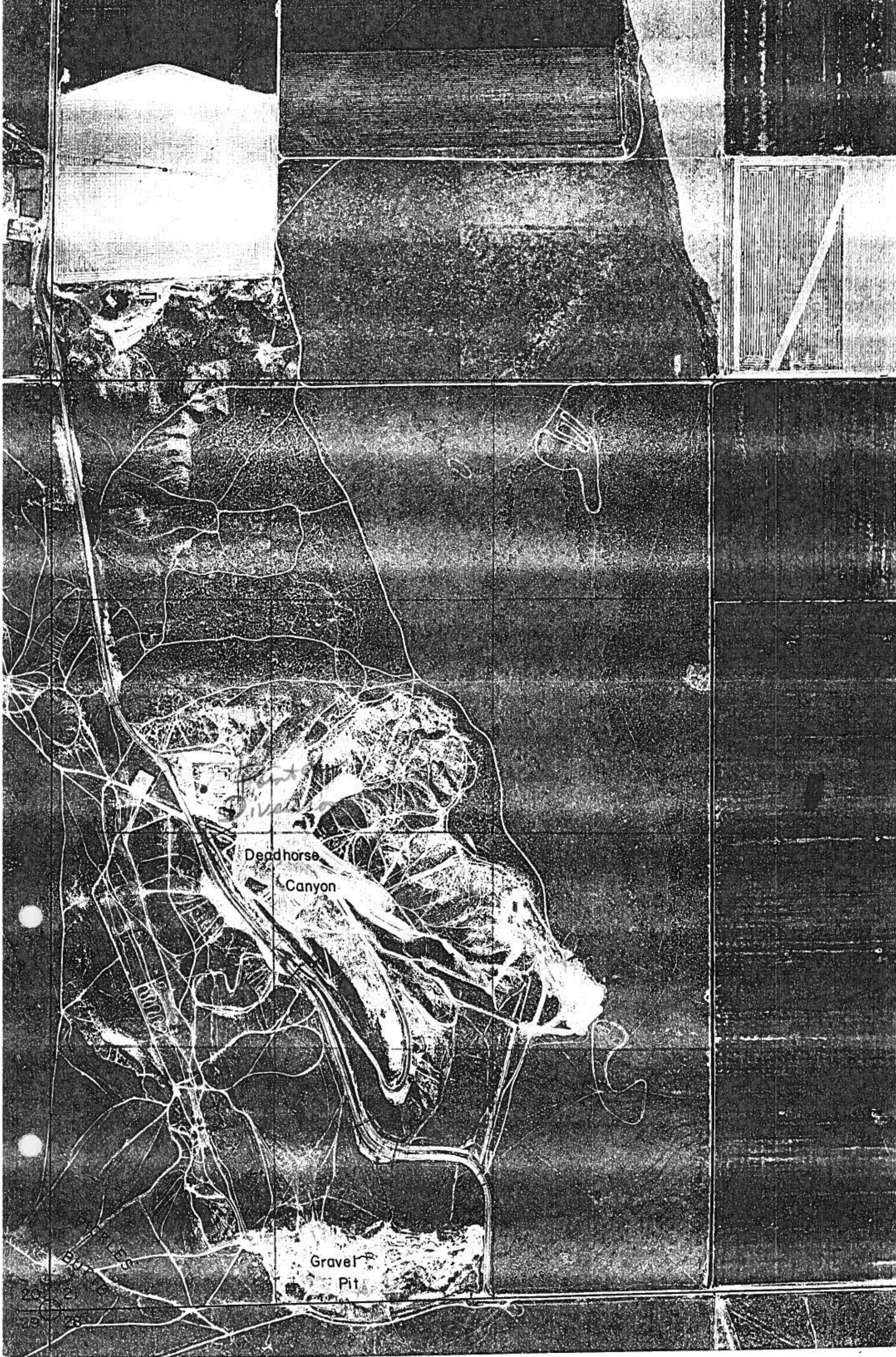
(c) Not to allow the use of the lands for unlawful purposes or for any purpose not specified in this lease unless consented to under its terms; nor to prohibit or restrict, directly or indirectly, or permit its agents, em-

ployees, contractors (including, without limitation, lessees, sublessees, and permittees), to prohibit or restrict the use of any part of the leased premises or any of the facilities thereon by any person because of such person's race, creed, color, or national origin.

(d) Not to assign this lease or to change the use of the land, without first receiving the consent of the authorized officer.

(e) That this lease may be terminated after due notice to the lessee upon a finding by the authorized officer that the lessee has failed to use the leased lands for the purposes specified in this lease for a period of 2 consecutive years; or that all or part of the lands is being devoted to some other use not consented to by the authorized officer, or that the lessee has not complied with his development and management plan pursuant to the special rental arrangement of 25 cents per acre per year. The authorized officer may, in lieu of termination, require the lessee or his successor in interest to pay the United States an amount equal to the difference between the rental paid for the land by the lessee or his successor in interest prior to the termination of this lease and 50 percent of the fair rental value of the leased lands, to be determined by the authorized officer, as of the date of issuance of this lease, plus compound interest computed at 4 percent beginning on the date this lease is issued.

(f) That upon the termination of this lease by expiration, surrender, or cancellation thereof, the lessee, shall surrender possession of the premises to the United States in good condition and shall comply with such provisions and conditions respecting the removal of the improvements of and equipment on the property as may be made by an authorized officer.



Deadhorse
Canyon

Gravel
Pit

20
21
22
23

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME Canyon County CLAIM IDENT. NO. A63-08955DATE RECEIVED 11-1-89 RECEIPT # W0006595 FEE PAID \$ 75⁰⁰ FEE REQ'D \$ 52⁰⁰

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required) N/A	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form?	☒	☐	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.			
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered? N/A	☒	☐	
Is the consumptive use correct? N/A	☒	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	☒	☐	*
If multiple domestic, is single ownership indicated?	<u>NA</u>	☐	
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A	☒	☐	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found?	<u>NA</u>	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A	☒	☐	
(If yes, attach a proof report & complete number change)			
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A	<u>See memo</u>	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time?	☒	☐	*
(Check ML3 for date mailed-not all were mailed on the planned date)			
If no, was an extension of time filed & approved?	<u>NA</u>	☐	*
22. Is the fee enclosed correct? Exempt	☐	☒	*

overpayment

	YES	NO
23. Is this claim being rejected and returned to claimant?	—	—
24. Can this claim be data entered?	✓	—
25. Was claim modified?	—	✓
If yes, do modifications require notification to claimant?	NA	—

Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: CT Date 12-10-92
 Claim data entered by: sf Date 12-11-92

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: P.O.D. and P.O.U. claimed is different from
license. Diversion volume entered as 0.5 AF instead
of 0.6 AF

03/02/2006

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

RIGHT NUMBER: 63-8955

NAME AND ADDRESS: COUNTY OF CANYON
1115 E ALBANY ST
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
0.500 AFY

PRIORITY DATE: 06/14/1977

POINT OF DIVERSION:

T02N R03W S21 SWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FIRE PROTECTION	1/01 12/31	0.020 CFS 0.50 AFY
DOMESTIC	1/01 12/31	0.020 CFS 0.50 AFY

PLACE OF USE: DOMESTIC Within CANYON County

T02N R03W S21 SWNW

FIRE PROTECTION Within CANYON County

T02N R03W S21 SWNW

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8955

02/21/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
8955	Claim	02N	03W	21	SW	NW		DOMESTIC		COUNTY OF CANYON
8955	Claim	02N	03W	21	SW	NW		FIRE PROTECTION		COUNTY OF CANYON

ADJUDICATION MEMORANDUM

CLAIM NO.: A63-08955

SUBJECT: IDWR CORR

EMPLOYEE: MTT. WICUCCI

DATE: 07/14/1995 2:15 pm

Mr. Jack Biddle called, representing Canyon County. The county received two letters from IDWR. One letter was from this office, requesting an appt for field exam to verify the PoD on A63-08955. The second letter was from the State Office, and involves proof of Beneficial Use for 63-12126.

Canyon County has bought the 320 acres from the BLM for the county landfill. The well represented by A63-08955 is used at the old shop building - a new building has been built & is now in use. Old building is still hooked up to the well and is used as a back-up facility.

To set up a field exam call landfill Mgr, Mr. Richard Latimer, @ landfill.

I indicated that Mr. Biddle does not have to come down from Payette to show me the well, and that IDWR will contact him if we need add'l info.

His tel. no. is 642-3304

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A63-08955

WR ELEMENT	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
PRIORITY*	<u>N</u>						
PT. OF DIV.	<u>Y</u>						
SOURCE	<u>N</u>						
PL. OF USE	<u>Y</u>						
DIV. AMOUNT CFS/AF	<u>Y</u>						
CONSUMPTIVE USE	<u>N</u>						
NATURE OF USE	<u>N</u>						
PERIOD OF USE	<u>N</u>						
BASIS OF CLAIM	<u>N</u>						
REMARKS	<u>Y</u>						

DATA ENTRY COMPLETED
BY _____ DATE _____

FINAL RECOMMENDATION
BY _____ DATE _____

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

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

VERIFICATION CODES

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

COMMENTS: Claimant indicates that 800/POW was licensed incorrectly. Requires field verification.
Charles Saeki, Caldwell, is attorney



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 7, 1995

[CANYON COUNTY]
CANYON COUNTY COURTHOUSE
1115 Albany
Caldwell ID 83605
[]

RE: Claim(s) to a Water Right filed in the Snake River Basin Adjudication

Claim Nos. A63-08955

Dear Claimants:

The Department of Water Resources will be conducting claim verification field exams in your area this summer. An examination is needed to verify your water use in order to complete our report on the above-referenced claims for the court's decree.

The field exams are conducted to gather information about your water right. This information may include the source of water, type of usage, amount of water used, number of acres irrigated, and the legal description of the point of diversion and/or place of use.

Please contact me at this office by July 21, 1995, in order to make an appointment at a time which is convenient for you. Although it is not mandatory that you accompany me on the field exam, it is helpful if someone familiar with the water delivery system is present during the exam. This will help insure that your water right is described accurately for the report to the court.

To make an appointment, or if you have any questions or concerns about the field exam, please contact me at your earliest convenience.

Sincerely,

Maria Minicucci
Water Agent, Adjudication Bureau
344-2190

MM:m

07/15/94

RECEIVED

AUG 02 1994

WATER RESOURCES
WESTERN REGION

COMMUNICATION DOCUMENTATION

Claim Nos. A63-08316 and A63-08955

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent: Carter Fritschle

Date: July 19, 1994

Contact Person(s): Phil Sloan, Canyon County (208) 454-7304

Nature of Contact and Substance of Communication: Mr. Sloan called to find out if the filings were complete for the claims referenced above. I checked the data base and found the claims on the Host Master. I told him that these were licensed rights, and the filings appeared complete. He also had some general questions on the abstracted federal non-consumptive rights. He thought that Canyon County was part of Basin 57. I told him that Basin 63 included the Boise River drainage, plus the portion of Canyon County that drains directly into the Snake River.

83-08316, 63-08955

REFUND REQUEST

SUBMITTED TO AUDITOR

TO: S. Sherman to Log In

FOR: D. Shaff/D. Allen

FROM: Carter FritschleON 10-03-94SUBJ: Receipt No. W006595 (Please attach ARQ2 Receipt copy immediately behind blue form) Date: 9-29-94

RE: PayOR

Canyon County Auditor's Office

RECEIVED

Address

c/o Charles L. SaariPo Box 668

OCT 24 1994

Caldwell ID 83606-0668WATER RESOURCES
WESTERN REGIONClaimant(s) if NOT Payor Canyon CountyRefund Amount \$ 23.00

Claim Location (Region/Claimant)

Extension Filed? Y/N NACopy Attached? Y/N NALate Fees Paid? Y/N NA

Late Fee Receipt #

S.O. Verified Ext. by on D.B. Query by

Refund Generated By (X) Agent () Claimant

Refund Category:

insufficient fees / claim incomplete / withdrawn o-pmt

Date of Last Correspondence (copy attached)

Claim No.	Use*	Fees Paid	Correct Fee	Rec't #
<u>A63-08955</u>	<u>Domestic & Five Prot</u>	<u>\$ 75</u>	<u>52 ✓</u>	<u>W006595</u>
		\$		
		\$		
		\$		
Total		<u>\$ 75.00</u>	<u>\$ 52. ✓</u>	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/NM. Saari contacted Carter by phone.

Region AJ Spvsr. Approval

S.O. AJ Spvsr. Approval

Don Shaff Approval

Hold

To Fiscal

Data Base Modified? Y/N NA

A &/or R Records By on

Logged 9-29-94



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 30, 1994

CHARLES SAARI
CHIEF CIVIL DEPUTY
CANYON COUNTY
PO BOX 668
CALDWELL ID 83606-0668

RE: Snake River Basin Adjudication (SRBA)
Canyon County - Notice of Claim #A63-08955

Dear Mr. Saari:

An overpayment of filing fees paid by the Canyon County Auditor's office for Canyon County's Notice of Claim A63-08955 has been brought to our attention. The refund process has been initiated with the State Auditor's Office, and you should receive their check in the near future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff'.

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:ref



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 21, 1992

Charles L. Saari
Deputy Prosecuting Attorney
Canyon County
P.O. Box 668
Caldwell, ID 83606-0668

RE: Snake River Basin Adjudication (SRBA)
Canyon County - Notices of Claim #A63-08316
and #A63-08955

Dear Mr. Saari:

We are returning Canyon County's Notice of Claim to a water right for the well at Lake Lowell. There are some problems with this claim which require your attention. We are also enclosing the yellow claimant copies of the two Notices of Claim referenced above and your receipts #W006595 and #W009458 for filing fees. Please retain these receipts and yellow claim copies for your records.

A critical item of the water right, the date of priority, was left off the claim in Item #2. This is the date that the water was first placed to beneficial use for the purpose claimed. If the source of your water is a groundwater source, i.e. a well, the date of priority date for any use other than domestic use as defined in Idaho Code 42-111 must be before March 25, 1963. If your use does not meet these requirements, an Application for Permit (enclosed) may be necessary.

We cannot determine if you wish to claim a 1910 priority date or a 1985 priority date. If the well drilled in 1985 replaced a well that was used by Mrs. Huston dating back to 1910, then the earlier priority date may be appropriate provided the diversion rate of the ground water and the total volume diverted annually has not increased since 1910.

Finally, the correct filing fee for this claim is \$75.00, and only \$50.00 was paid toward this fee at the time of filing. An overpayment of the filing fee for claim #A63-08955 (see Receipt #W006595) was in the amount of \$23.00. Therefore, if you wish to continue with the filing of this claim, we can credit the \$23.00 from Receipt #W006595, and only an additional \$2.00 would be required if this claim is resubmitted.

Charles L. Saari
December 21, 1992
Page 2 - Canyon County

Please return this document to my attention by January 21, 1993. If we do not receive it by that date, we will assume you do not wish to continue the filing process, will refund your filing fees and return the attachments to this claim.

Do not hesitate to contact me if you have any questions or need assistance.

Sincerely,



Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

CLF:sf:state:tf
Enclosures:

Original Notice of Claim
Receipts #W009458 & #W006595
Claimant Copies, #A63-08316 & #A63-08955
Permit Application w/Instructions

CLAIMANT'S NAME: Canyon County DATE: 12-10-92COUNTY: Canyon

EMPLOYEE: Carter Fritschle -

RE: Telephone conversation with Chuck Saari (454-7391)

Mr. Saari stated that he does not need to receive a copy of the Docket Sheet since Ned Kerr receives one. Therefore, Canyon County overpaid claim A63-08955 or receipt W006595 by \$23⁰⁰.

Amount Paid 75⁰⁰

Correct Fee 52⁰⁰

Overpayment 23⁰⁰

Canyon County also filed a beneficial use claim which should have a total filing fee of \$75⁰⁰ (receipt no. W009458). However, only \$50⁰⁰ was paid.

Amount paid 50⁰⁰

Correct Fee 75⁰⁰

Underpayment 25⁰⁰

Therefore, an additional payment of \$2⁰⁰ is required for the claim based on beneficial use.

2 beneficial use claims were submitted in place of the one claim (receipt # W009458). Each of the "new" claims is for 13,000 gpd or less. Therefore, no additional filing fee is required and the overpayment of \$23⁰⁰ should be refunded.

CF 1-21-93

RICHARD L. HARRIS

PROSECUTING ATTORNEY
CANYON COUNTY
STATE OF IDAHO

CHIEF CIVIL DEPUTY:
Charles L. Saari

CHIEF CRIMINAL DEPUTY:
Timothy W. Spencer

DEPUTIES:
Bradford D. Goodsell
Peggy McMahon
Craig G. Bledsoe
Garold L. Wolff
Gary W. Barr
Kenneth F. Stringfield

Canyon County Courthouse
P.O. Box 668
Caldwell, Idaho 83606-0668
(208) 454-7391
Fax (208) 454-7474

Child Support Division
(208) 454-7394

October 31, 1989

RECEIVED
NOV 01 1989

Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Department of Water Resources
Western Regional Office

RE: Water Right Applications and Application for Permit

Gentlemen:

Enclosed please find the following documents we are filing on behalf of Canyon County with you this date along with the required filing fees:

1. Application for Permit (\$75 fee);
2. Notice of Claim to a Water Right (\$75 fee);
3. Notice of Claim to a Water Right (\$75 fee);

Please file stamp and return the yellow copies of the Notices of Claim indicating the fact that you received these documents. We are enclosing a self-addressed, stamped envelope for this purpose.

If you have any questions concerning this matter, please feel free to contact me at your convenience.

Sincerely,

Charles L. Saari

Charles L. Saari
Deputy Prosecuting Attorney

CLS:rm
Enclosures

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 63-8955 Priority June 14, 1977 Amount .02 cfs

THIS IS TO CERTIFY, that CANYON COUNTY
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 63-8955 issued pursuant to Application for Permit dated June 14, 1977
and has submitted proof to the Department of Water Resources on July 29, 1980
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .02 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from January 1 to December 31	.02 cfs and	.5 acre feet
Fire Protection	from January 1 to December 31	.02 cfs and	N/A
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than .02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
.6 acre feet per year, said waters to be diverted within the NW 1/4, Sec. 21, Twp. 2N,
Rge. 3W, B.M. in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	1N				2N				3N				4N				Totals
			NE	N	SW	SE	NE	N	SW	SE	NE	N	SW	SE	NE	N	SW	SE	
2N	3W	21																	

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 22 day of
December, 19 80.

[Signature]
Director

see corrected legal on Notice of Claim

9/0 N 55 W Sec 2 / Tan E 3 W

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

63-8955

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	9/19/80	KC	no app. made
☐ Telephone call made: (List Telephone No. used)	10/8/80 458-0492	ja	Mr. H. H. H. of Canyon Co. Rd. 3 Sedgwick will send in reply
☐ Appointment scheduled for: (Date, time, location)	No apt. made, however, I checked out the well on 11/4/80 at Pichey, Rolly		

EXAMINATION

Date 11/4/80 Accompanied by none Total Q measured 0.03 cfs
If source is surface water, estimate total flow of source _____
Methods of measurement Calculated (See notes) Meets Permit requirements? Yes

Measurement calculations:

Measurement calculations:

$$\frac{1.540 \times 0.1 \times 8.9}{350 + (40 \times \sqrt{3})} = 0.02 \text{ g/L}$$

Maintenance Bldg w/ no lawn - 0.6 acre feet

WELL/DIVERSION ^o NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
1/2				Wells/Hol	782300102			

System Description 1 1/2 hp Wellhead pump w/ motor Serial # 282309702
Pump is set at 550 in the well which is 600' deep. 3" mainline

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

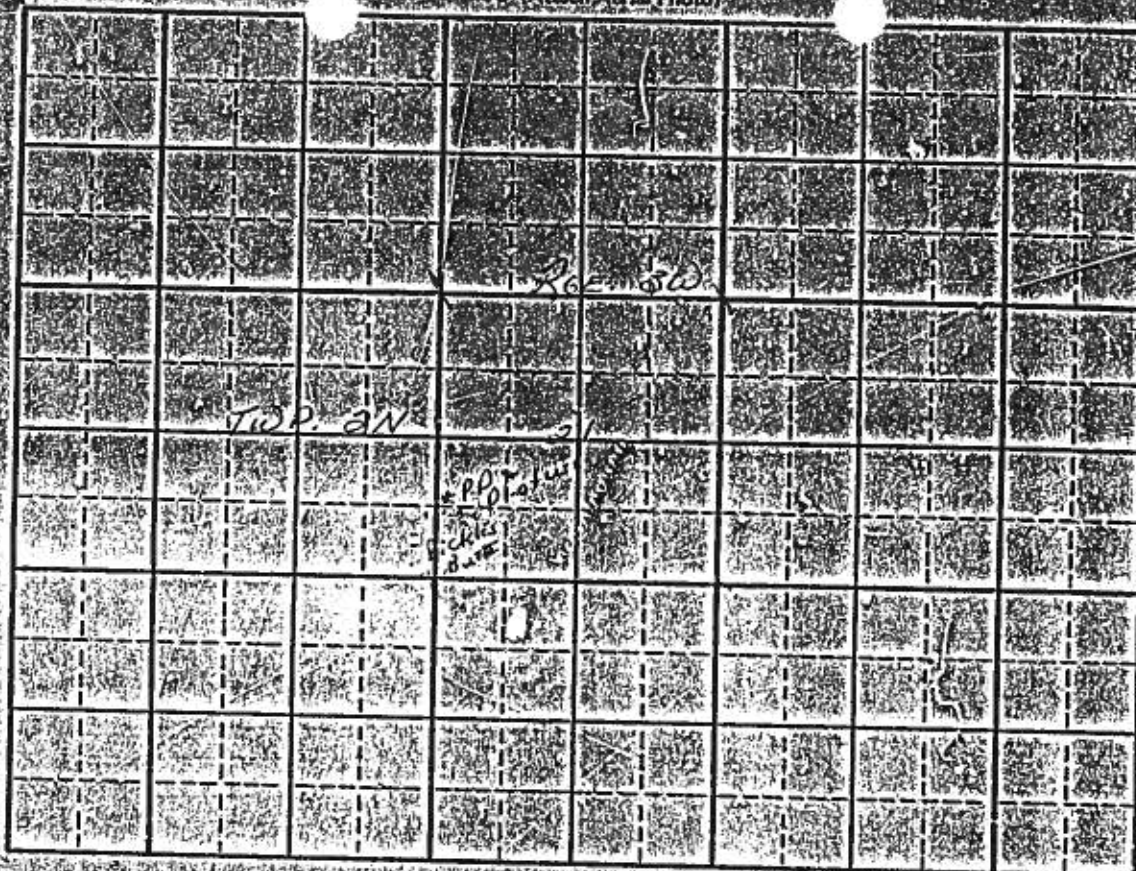
RECOMMENDED AMOUNTS

USE	Q (cfs)	V (afa)	FROM	TO
DOMESTIC	0.02	0.6	1/1	12/31
FIRE PROT	0.02	N/A	1/1	12/31
Total	0.02 cfs	0.6		

Remarks

This well is for a maintenance hole which is around the old around Pickles Butte. The area is for a motorcyclists (dirt bikes) & 4-wheel drive vehicles. There is no grass only a parking lot. The land fill site is no longer used & was where garbage was illegally dumped & they cleaned it up. I spoke w/ Garrison Potter, owner & he stated the problem of the arrival of water came as no expense as he will pay for & produce much more than 5000 gal.

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: NW 1/4 SW 1/4, Sec 21, TWP 2N, RGE 3W, DIM.

Place(s) of Use

TWP.	RGE.	SEC.	NEX				NWK				SWK				SEK				TOTALS
			NEX	NWK	SWK	SEK	NEX	NWK	SWK	SEK	NEX	NWK	SWK	SEK	NEX	NWK	SWK	SEK	
2N	3W	21																	

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

Examiner's Signature

Checked by 005

Approved by

Date

Date

Date

