

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: A63-04576  
Date Received: 2/01/1990  
Receipt No: M005675  
Received By: J PC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JOHN P. TEGGE 208-459-8655  
Address: 610 S. 3RD AVE.  
CALDWELL, ID 83605

2. Date of Priority: JAN 01, 1945

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04N      | 03W   | 21      | SE     | SW     | SE     |     | CANYON |

5. Description of diverting works:  
2.5" CASING 82' DEEP ARTESIAN FLOWING WELL.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.020 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.040 |      |        |

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

8. Total consumptive use is 3.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
D/ 1 HOUSE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use    | Acres |
|----------|-------|---------|--------|--------|-----|--------|-------|
| 04N      | 03W   | 21      | SW     | SE     |     | IRR    | 1.0   |
|          |       |         | SW     | SE     |     | DOMEST |       |

Section Acres 1.0

A63-04576

Page 1

Date: 02/01/90

MICROFILMED

AUG 20 1992

10. Place of Use: Continued

Total Acres 1.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:  
A63-04566.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): *John P. Tegner* Date: 2-1-1990

Date:                     

State of Idaho )  
County of Canyon ) SS.

Subscribed and sworn (or affirmed) before me this 1 day  
of Feb 19 90

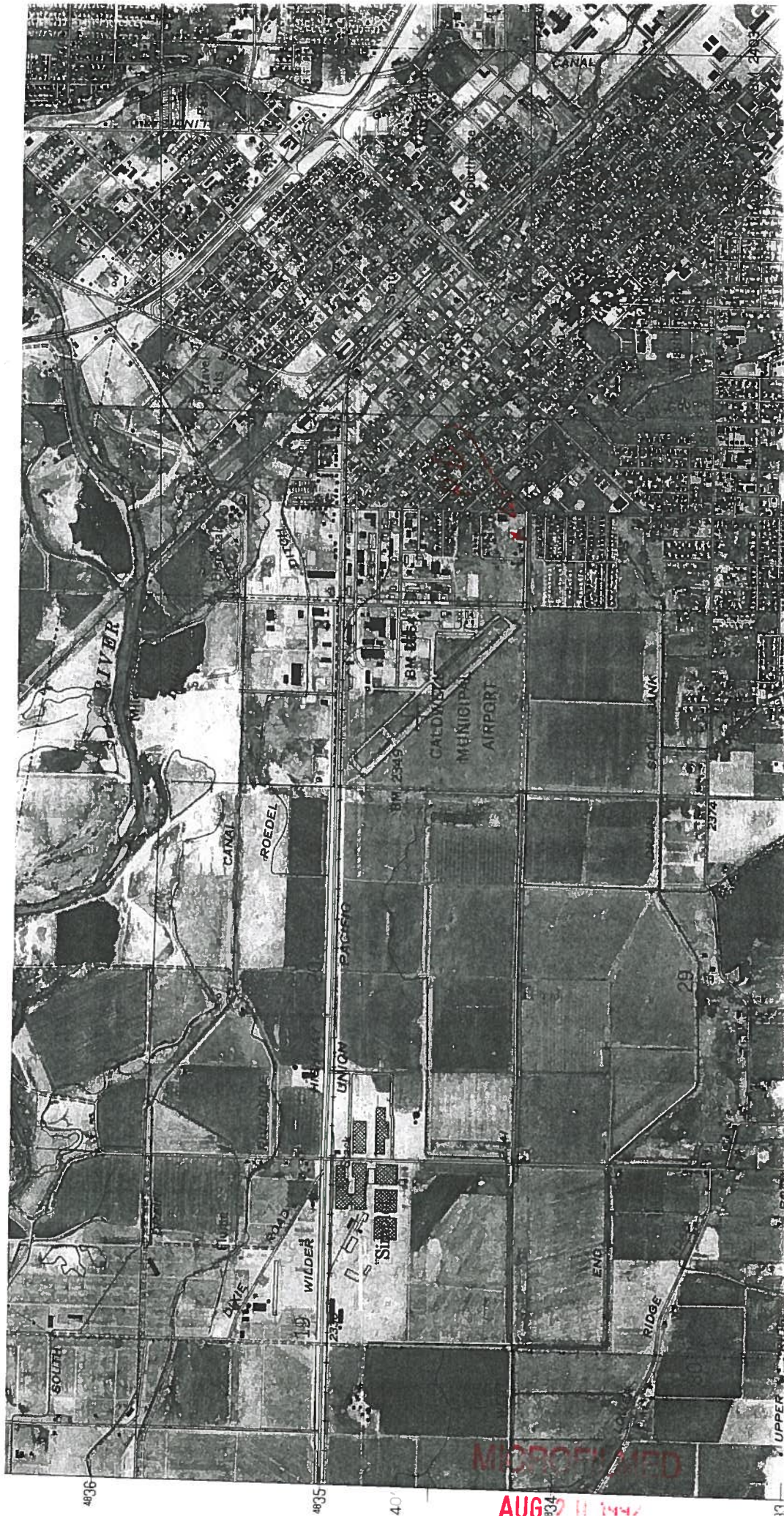
*John Paul Carlson*  
Notary Public

Seal

Residing at Boise ID

My Commission Expires 4/2/94

A63-04576



MICROFILMED

AUG 34 11 1947

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WESTERN REGIONAL OFFICE  
2725 AIRPORT WAY  
BOISE, IDAHO 83705

ADDRESS SERVICE  
REQUESTED

FIRST CLASS



RECEIVED

FEB 06 2007

WATER RESOURCES  
WESTERN REGION



WATER RESOURCES  
610 S 3RD AVE  
CALDWELL ID 83605

63-4566  
63-4576

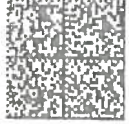
0

~~63-4576~~

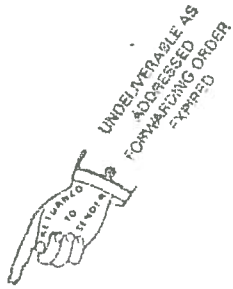
STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WESTERN REGIONAL OFFICE  
2735 AIRPORT WAY  
BOISE, IDAHO 83705

ADDRESS SERVICE  
REQUESTED

FIRST CLASS



UNITED STATES POSTAL SERVICE  
02 1A  
0004310839 OCT  
MAILED FROM ZIP CODE



~~JOHN P. TESSIE  
610 S. LIND AVE  
CALDWELL ID 83605~~

OCT 12 2006

WATER RESOURCES  
WESTERN REGION

63-4566  
4576

06/13/2006

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

RIGHT NUMBER: 63-4576

NAME AND ADDRESS: JOHN P TEGGE  
610 S 3RD AVE  
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1945

POINT OF DIVERSION:

T04N R03W S21 SESWSE Within CANYON County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC Within CANYON County

T04N R03W S21 SWSE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

PARCEL NO: R3505100000.

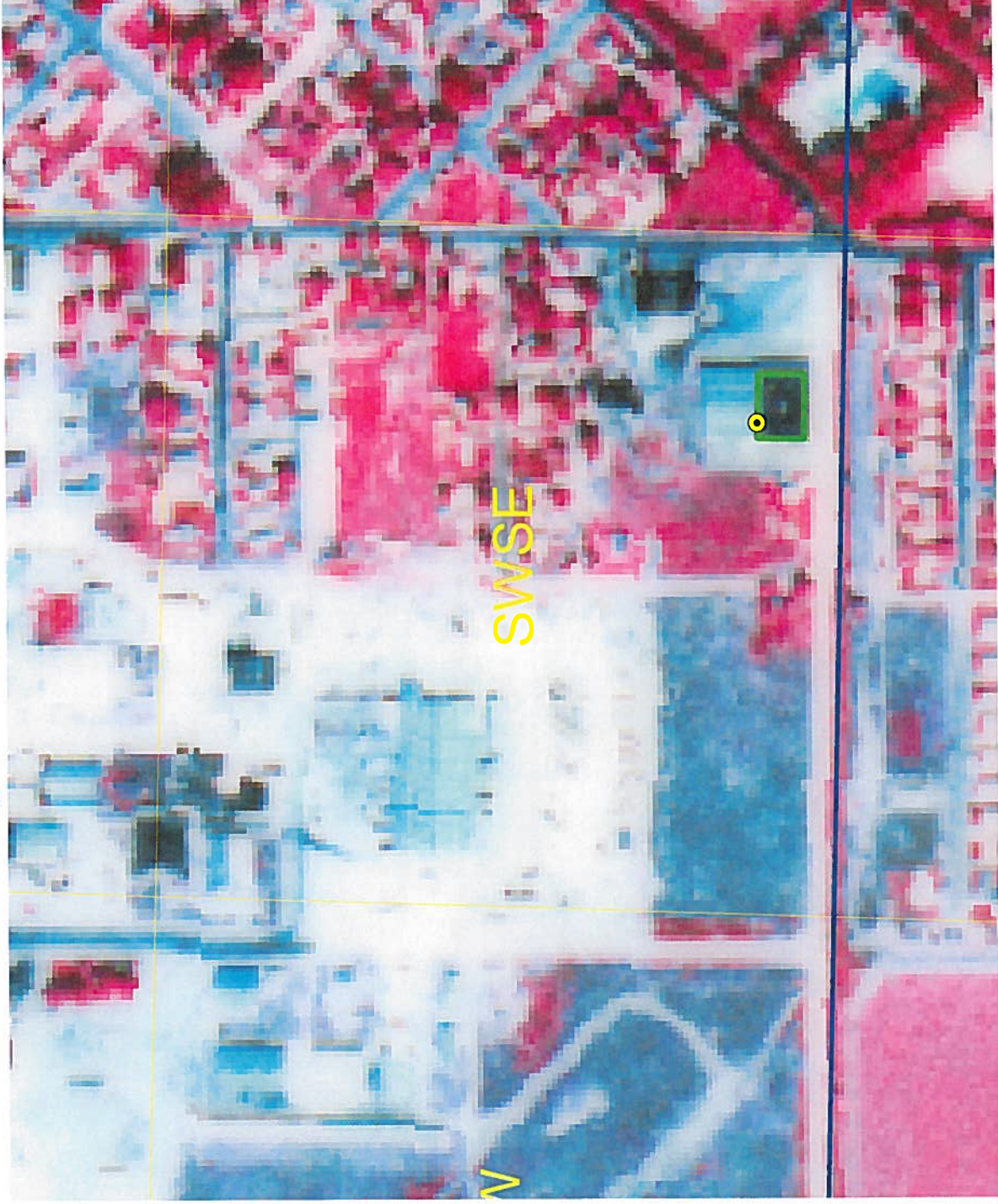
# Idaho Department of Water Resources

## T04N, R03W, SEC 21

Claim No: 63-4576

Prepared By: Kimberly Brown

Date: June 13, 2006



Place of Use



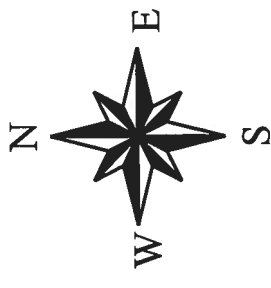
Section Lines



1/4 1/4



Point of Diversion



1.000064 Miles

1987 NAPP

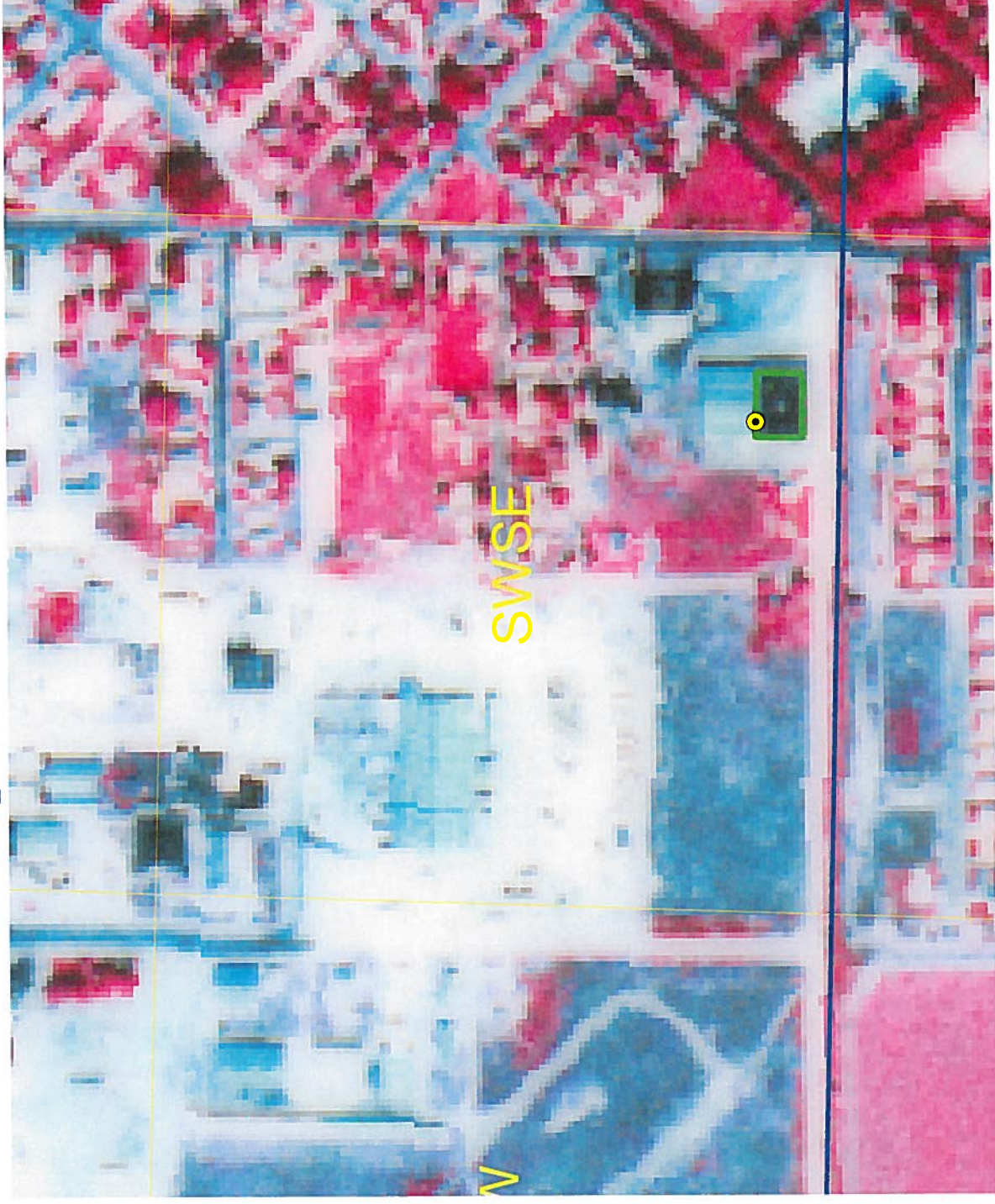
# Idaho Department of Water Resources

## T04N, R03W, SEC 21

Claim No: 63-4576

Prepared By: Kimberly Brown

Date: June 13, 2006



Place of Use



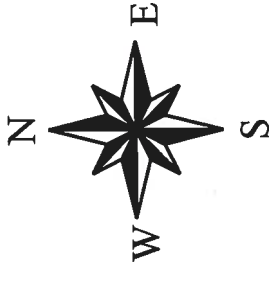
Section Lines



1/4 1/4



Point of Diversion



1.000064 Miles

1987 NAPP

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4576

WATER RIGHT NUMBER: 63-4576 ✓

Owner Type

Current Owner

Name and AddressJOHN P TEGGE ✓  
610 S 3RD AVE  
CALDWELL, ID 83605  
(208)459-8655

Original Owner

LULA A COOKSON  
LARRUL ST  
CALDWELL, ID 83605

Priority Date: 01/01/1945 ✓

Basis: ~~Statutory Claim~~ ✓

Status: Active

Beneficial Use

Source

GROUND WATER ✓

TributaryBeneficial Use

DOMESTIC ✓

From To

1/01 to 12/31 ✓

Diversion Rate

0.040 CFS ✓

~~IRRIGATION~~ ✓~~3/15 to 11/15~~ ✓~~0.020 CFS~~ ✓Total Diversion: ~~0.060 CFS~~ ✓

0.04

Annual VolumeLocation of Point(s) of Diversion

GROUND WATER

CANYON County ✓

SE1/4SW1/4SE1/4 ✓

Sec. 21, Twp 04N, Rge 03W, B.M. ✓

Place of Use

DOMESTIC ✓

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE ✓ |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|------|----|----|----|--------|
| 04N | 03W | 21  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW | SW | SE |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |      |    | X  |    |        |

~~IRRIGATION~~ ✓

REMOVE

(+ 1987 NAPP doesn't show 1 AC irr.

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE ✓ |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|------|----|----|----|--------|
| 04N | 03W | 21  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW | SW | SE |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |      |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |      |    |    |    |        |

Total Acres: 1 ✓

ADD X01 - Domestic use is for 1 home.

Conditions of Approval:

ADD N11 &amp; N13 -

Parcel No: R3505100000. (2.2 AC)

(in-office review)

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

**Prior to Field Exam**

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$51.<sup>00</sup>
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

**CLAIMANT INFORMATION – verify contact information is complete**Claim No(s) A63-4576Owner: John P. Tegge Phone No. 459-8655Current Address: 610 S. 3rd Ave., Caldwell 83605

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Becker-Underwood
- ☐ No change Address
- ☒ NEW ADDRESS 801 Dayton Ave., Ames IA 50010
- ☐ How long owned property? \_\_\_\_\_

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

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

Priority date, per claimant, is: 01/01/45

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

The evidence of priority request sent to John Tegge was returned. Therefore, the same information was sent to Becker-Underwood, the current owner in 2005 Canyon County tax lot data. As of this date, no evidence has been received.

Source: Ground Water Tributary to \_\_\_\_\_

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: \_\_\_\_\_

**POINT OF DIVERSION**

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

Only domestic use will be recommended due to lack of evidence.

**DIVERSION AND DELIVERY SYSTEM**

Points of Diversion:

| ID # | Govt Lot # | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks<br>GPS ID |
|------|------------|-----|-----|-----|------|------|------|--------|-------------------------------------------|
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |

Description of diverting works

82' artesian well, 2.5" casing**OVERLAP REVIEW**Other water rights with the same point of diversion: 63-4566

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

no overlap - different source / POD**WATER USES**☐ No change☐ Different UsesRemove Irrigation useUse Domestic From \_\_\_\_\_ To \_\_\_\_\_ Amount 0.04 CFS \_\_\_\_\_ AFA

Use \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA

Use \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA

**TOTAL VOLUME - Groundwater only**☐ Incomplete on claim, the total is, Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA☒ Changes found, the new total is, Amount 0.04 CFS \_\_\_\_\_ AFA☐ More than 1" per Acre? Yes \_\_\_\_\_ (claimant must complete excess flow sheet)ADD: Nil #  
N13 Conditions**NON-IRRIGATION USES:**☐ No change☐ Changes Exam found: Domestic # of homes \_\_\_\_\_ Stock # \_\_\_\_\_

Types \_\_\_\_\_ Additional comments: \_\_\_\_\_

Domestic use is for 1 home - both internal and external  
(up to 1/2 acre of lawn irrigation)  
use.**PLACE OF USE:**☐ No Change☒ Changes shown below:Remove Irrigation useParcel No: R3505100000. (2.2 Ac) 2

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

Overlap with other water rights: 63-4566

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

no overlap - different PO

Delivery System Narrative:

(Unknown)

| Well or Diversion Identification No<br>GPS ID | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge size |
|-----------------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                               |            |    |                  |           |                                   |
|                                               |            |    |                  |           |                                   |

FLOW MEASUREMENTS:

N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

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## JUSTIFICATION for REMOVAL of IRRIGATION USE -

The evidence of priority request for 63-4576, John Tegge, was returned. Therefore, the same information was sent to Becker-Underwood, the current owner in 2005 Canyon County tax lot data. As of this date, no evidence has been received and the letter/envelope was not returned from Becker. Only domestic use will be recommended due to lack of evidence. In addition, 1 acre of irrigation is not evident on

### **AFTER EXAM THE FILE SHOULD CONTAIN:**

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

DATE EXAM CONDUCTED: 6.13.06 (in-office review)

FIELD EXAMINER: Kimberly Brown

the 1987, 1994, 2000, and 2005 NAPP images AND the Water Right Report states there is actually 0.5 acre irrigated (see file). So, the  $\frac{1}{2}$  acre covered under the domestic use is adequate.

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4576

WATER RIGHT NUMBER: 63-4576

|                   |                                                   |
|-------------------|---------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                           |
| Current Owner     | LULA A COOKSON<br>LARRUL ST<br>CALDWELL, ID 83605 |

Priority Date: 01/01/1945  
 Basis: Statutory Claim  
 Status: Active

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

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| IRRIGATION            | 3/15 to 11/15           | 0.020 CFS             |                      |
| DOMESTIC              | 1/01 to 12/31           | 0.040 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.060 CFS             |                      |

Location of Point(s) of Diversion

|               |            |                                 |
|---------------|------------|---------------------------------|
| GROUND WATER  | SW1/4SE1/4 | Sec. 21, Twp 04N, Rge 03W, B.M. |
| CANYON County |            |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |     |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|-----|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |     |
| 04N | 03W | 21  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 1.0    | 1.0 |

Total Acres: 1

DOMESTIC same as IRRIGATIONConditions of Approval:

1. AC. IRR.=.5.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-4576

03/20/2006

1

| Right #         | Type                   | Twp            | Rge            | Sec           | QQ            | Q             | Lot | Purpose of Use        | Acres/Total    | Name                       |
|-----------------|------------------------|----------------|----------------|---------------|---------------|---------------|-----|-----------------------|----------------|----------------------------|
| 4566            | Claim                  | 04N            | 03W            | 21            | SW            | SE            |     | IRRIGATION            | 1/1            | JOHN P TEGGE               |
| <del>4576</del> | <del>Claim</del>       | <del>04N</del> | <del>03W</del> | <del>21</del> | <del>SW</del> | <del>SE</del> |     | <del>IRRIGATION</del> | <del>1/1</del> | <del>JOHN P TEGGE</del>    |
| 4566            | Water Right            | 04N            | 03W            | 21            | SW            | SE            |     | IRRIGATION            | 1/1            | JOHN P TEGGE               |
| <del>4576</del> | <del>Water Right</del> | <del>04N</del> | <del>03W</del> | <del>21</del> | <del>SW</del> | <del>SE</del> |     | <del>IRRIGATION</del> | <del>1/1</del> | <del>LULA A COOKSON</del>  |
| 10625           | Claim                  | 04N            | 03W            | 21            | SW            | SE            |     | INDUSTRIAL            |                | SIMPLOT FINANCIAL CORP     |
| 30146           | Claim                  | 04N            | 03W            | 21            | SW            | SE            |     | INDUSTRIAL            |                | MC CLUSKEY FOODSERVICE INC |
| 10625           | Water Right            | 04N            | 03W            | 21            | SW            | SE            |     | INDUSTRIAL            |                | SIMPLOT FINANCIAL CORP     |
| 4566            | Claim                  | 04N            | 03W            | 21            | SW            | SE            |     | DOMESTIC              |                | JOHN P TEGGE               |
| <del>4576</del> | <del>Claim</del>       | <del>04N</del> | <del>03W</del> | <del>21</del> | <del>SW</del> | <del>SE</del> |     | <del>DOMESTIC</del>   |                | <del>JOHN P TEGGE</del>    |
| 22211           | Water Right            | 04N            | 03W            | 21            | SW            | SE            |     | DOMESTIC              |                | SIMPLOT FINANCIAL CORP     |
| 27459           | Water Right            | 04N            | 03W            | 21            | SW            | SE            |     | DOMESTIC              |                | GLADYS R BATES             |

no overlap—

#63-4566, especially, is a  
separate POU.

# Receipt Details for ID M005675

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

**General Information:**

| Date Received       | Date Deposited | Region         | Total Amount | Payment Type |
|---------------------|----------------|----------------|--------------|--------------|
| 2/1/1990 1:26:39 PM | 2/1/1990       | Mobile         | \$102.00     | Check        |
| <b>Payer</b>        |                | TEGGE, JOHN P. |              |              |

**Account Information:**

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 1359                 |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

**Comment** ADJUDICATION FEE

**Fee Detail:**

| Amount   | Description      | PCA    | Fund | Fund Detail | Subsidiary | Object |
|----------|------------------|--------|------|-------------|------------|--------|
| \$102.00 | ADJUDICATION FEE | 410162 | 9337 | 0 0         |            | 6490   |

**Refund(s):**

| Amount | Payee | Date | Document Number |
|--------|-------|------|-----------------|
|--------|-------|------|-----------------|

**Water Right Information:**

| Basin Number | Sequence Number | Split Suffix | Amount  | Type  |
|--------------|-----------------|--------------|---------|-------|
| 63           | 4576            |              | \$51.00 | Claim |
| 63           | 4566            |              | \$51.00 | Claim |

Print Report

IDAHO DEPARTMENT OF WATER RESOURCES  
WESTERN REGION  
2735 Airport Way  
Boise, Idaho 83705-5082

RETURN SERVICE  
REQUESTED



UNDELIVERABLE  
ADDRESS  
FORWARDING  
FACILITY

FIRST CLASS  
PRESORTED



02 1A  
\$00.530  
0004389390 MAR 21 2006  
MAILED FROM ZIP CODE 83702

RECEIVED  
MAR 28 2006  
WATER RESOURCES  
WESTERN REGION



83605+4065-10 FEB 23705/5082

mlhul



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

March 21, 2006

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

JOHN P TEGGE  
610 S 3<sup>RD</sup> AVE  
CALDWELL ID 83605

(\*) 3/20/06  
resent to:

Bedder - Underwood Inc.  
801 Dayton Ave.  
Anas, IA 50010

RE: EVIDENCE OF PRIORITY  
Snake River Basin Claim No(s): A63-4566 & A63-4576



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 21, 2006

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

JOHN P TEGGE  
610 S 3<sup>RD</sup> AVE  
CALDWELL ID 83605

*(+) sent both  
shape files*

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-4556 & A63-4576

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled, "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date."

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by April 18, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area. In the near future, you may be receiving a call from us in order to set-up an appointment for a field exam.



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Respectfully Submitted,

*Kimberly Brown*

Kimberly Brown  
Water Resource Agent  
Adjudication Bureau

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

Enclosure: "Evidence of Priority" pamphlet  
Notice of Claim A63-4566 & A63-4576

**NOTE:** If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

**Section 42-225a, Idaho Code**

## CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that LULA A. COOKSON  
(name of claimant)  
of Larrui Street Caldwell, ID 83605, claims a right to the diversion and beneficial use of  
(mailing address)  
the public water of the State of Idaho

**The extent and nature of said claim is as follows:**

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) groundwater, tributary to, \_\_\_\_\_

- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

|        |                      |     |                               |                |      |             |    |                        |
|--------|----------------------|-----|-------------------------------|----------------|------|-------------|----|------------------------|
| Amount | <u>0.04</u>          | Use | <u>domestic</u>               | Period of Use: | From | <u>1-1</u>  | To | <u>12-31</u>           |
| Amount | <u>0.02</u>          | Use | <u>irrigation</u>             | Period of Use: | From | <u>3-15</u> | To | <u>11-15</u>           |
| Amount |                      | Use |                               | Period of Use: | From |             | To |                        |
|        | (cfs, gpm<br>or a/f) |     | (dom., irri.,<br>stock, etc.) |                |      |             |    | (both dates inclusive) |

- (3) Total quantity of water claimed: 0.06 cubic feet per second, or \_\_\_\_\_ acre feet per annum, and/or \_\_\_\_\_ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) January 1, 1945

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)

SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Sec. 21 Twp. 4N Rge. 3W B. M. County of Canyon

**Additional points of diversion:**

- B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. \_\_\_\_\_

2 inch casing, 100 feet deep, artesian flow, well

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres 0.5

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:**

domestic use for one household

- (7) If you are claiming water as a member of an organization, list name of organization:

A hand-drawn map on graph paper showing a road layout. The map features a central horizontal road labeled "Wildcat Highway". To the left of this road, there is a vertical road labeled "THN" (Town Highway North) and a small road labeled "Z1". Below the horizontal road, there is a road labeled "RD 6". Above the horizontal road, there is a road labeled "R3W". The roads are drawn as solid lines on a grid of dashed lines.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 14th day of October, 1977

Residing at Boise, ID

My commission expires March 8, 1980

Received by 2KAP Date 10/14/77 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by 2KAP Date 10/19/77 claimant by: \_\_\_\_\_  
\$10.00 fee received by 2KAP Date 10/14/77 #8985  
Approved for publication by \_\_\_\_\_  
Published in News Tribune \_\_\_\_\_  
Dates 10-22-11-3-77 \_\_\_\_\_