

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: A63-21091
Date Received: 2/20/1990
Receipt No: W009118
Received By: CA

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: DONALD C. CLENDENON 208-459-7096
Address: 4500 MARBLE FRONT RD.
CALDWELL, ID 83605

2. Date of Priority: MAY 20, 1921

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	24	SW	SW	NE		CANYON

5. Description of diverting works:
APPROX. 178' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		
IRRIGATION	03/15	11/15	0.090		

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

8. Total consumptive use is 10.5 Acre Feet Per Annum.

9. Non-irrigation uses:
SEE REMARKS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	24	SW	NE		DOMEST	
			SW	NE		IRR	3.0

A63-21091

Page 1

Date: 06/07/90

MICROFILMED
SEP 03 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
					Total Acres	3.0

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:
PIONEER IRR.

14. Remarks:

USAGE IS FOR 3 CABINS AND 1 HOME. ALL UNDER SINGLE OWNERSHIP. THE HOME IS OCCUPIED YEAR AROUND AND THE CABINS ARE MAINLY OCCUPIED DURING THE SUMMER. ALTHOUGH SOME OFF SEASON USE MAY OCCUR.

IRRIGATION SUPPLEMENTED BY PIONEER IRRIGATION. THEY HAVE PAID IRRIGATION FEES.

NEW PUMP INSTALLED IN WELL APPROXIMATELY 1980.

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD C. CLENDENON 208-459-7096
Address: 4500 MARBLE FRONT RD.
CALDWELL, ID 83605

2. Date of Priority: MAY 20, 1931

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	24	SW	NE			CANYON

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9. Non-irrigation uses:
SEE REMARKS

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	03W	24	SW	NE		IRR	3.0
			SW	NE		DOMEST	

Section Acres 3.0

A63-21091

Page 1

Date: 02/20/90

MICROFILMED

SEP 03 1992

10. Place of Use: Continued

Total Acres 3.0

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:
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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): *Donald B. Clendenen* Date: 2/20/90

Date: _____

State of Idaho)
County of *Ada*) SS.

Subscribed and sworn (or affirmed) before me this 20 day
of *Feb.* 19 90 *Linda Werner*
Notary Public

Seal

LINDA WERNER
Residing at RESIDING AT EAGLE, IDAHO
MY COMMISSION EXPIRES DEC. 8, 1994
My Commission Expires _____



04/14/2006

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

RIGHT NUMBER: 63-21091

NAME AND ADDRESS: DONALD C CLENDENON
4500 MARBLE FRONT RD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.070 CFS
7.200 AFY

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

PRIORITY DATE: 05/20/1921

POINT OF DIVERSION:

T04N R03W S24 SWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	03/01 11/15	0.050 CFS 7.20 AFY

Domestic use is for 1 home and does not include lawn, garden, landscape,
or other types of irrigation.

PLACE OF USE: IRRIGATION Within CANYON County

T04N R03W S24 SWNE 1.60

DOMESTIC Within CANYON County

T04N R03W S24 SWNE

1.6 ACRES TOTAL

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

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

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 - Beneficial Use

PARCEL NO: R3523701000.

Use of this right is combined with water from Pioneer Irrigation District.

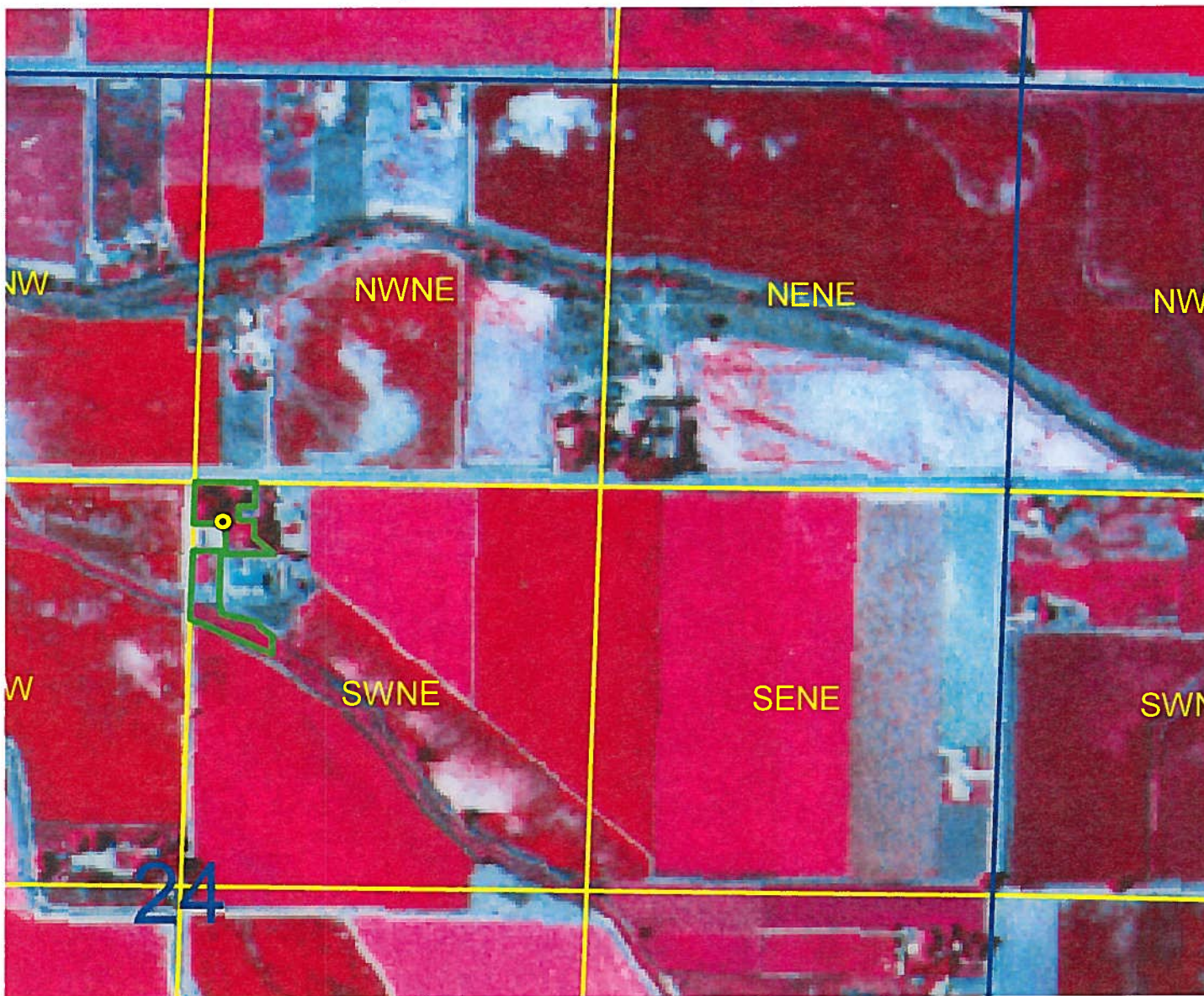
Idaho Department of Water Resources

**T04N, R03W,
SEC 24**

Claim No: 63-21091

Prepared By: Kimberly Brown

Date: April 13, 2006



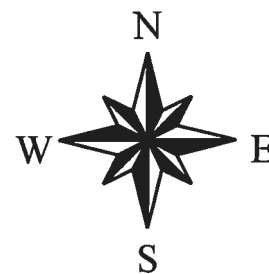
 Place of Use

 Section Lines

 1/4 1/4

 Point of Diversion

Irrigated Acres = 1.6



00.02 Miles



1987 NAPP

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-21091

DONALD C CLENDENON
4500 MARBLE FRONT RD
CALDWELL ID 83605
Telephone Number: (208)459-7096

RECEIVED

OCT 23 2006

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

Yes, I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10/10/2006

SIGNATURE: *Donald C. Clendenon*

Please print your name: Donald C. Clendenon

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21091

WATER RIGHT NUMBER: 63-21091 ✓

Owner Type

Current Owner

Name and AddressDONALD C CLENDENON ✓
4500 MARBLE FRONT RD
CALDWELL, ID 83605
(208)459-7096

Priority Date: 05/20/1921 ✓

Basis: Beneficial Use ✓

Status: Active

Source

GROUND WATER ✓

TributaryProperty Address:4500 Marble Front Rd
CaldwellBeneficial Use

DOMESTIC ✓

IRRIGATION ✓

From To

1/01 to 12/31 ✓

3/15 to 11/15 ✓

Diversion Rate0.02 ~~0.000~~ CFS ✓0.05 ~~0.000~~ CFS ✓Total Diversion: ~~0.170~~ CFS ✓

0.07

Annual Volume

7.2 AF

7.2 AF

Location of Point(s) of Diversion

GROUND WATER

SW1/4NE1/4 ✓

Sec. 24, Twp 04N, Rge 03W, B.M. ✓

CANYON County

Place of Use

DOMESTIC ✓

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	03W	24			X														

IRRIGATION ✓

* 1.6 AC of irrigation, or less, on 1987, 1994, 2000, & 2004 NAPP images

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	03W	24			3.0														3.0
					1.6														1.6

Total Acres: 3 ✓

1.6

ADD - Use combined with Pioneer Irr.Conditions of Approval:ADD WBS - Domestic use is for 1 home and does not include irrigation of lawn.ADD N10 & N12 - domestic use

Parcel No: R3523701000.(2.87 AC).

there are not 3.0 AC total (2.87 AC total)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21091

1. USAGE IS FOR 3 CABINS AND 1 HOME. ALL UNDER SINGLE OWNERSHIP.
THE HOME IS OCCUPIED YEAR AROUND AND THE CABINS ARE MAINLY OCCUPIED DURING
THE SUMMER. ALTHOUGH SOME OFF SEASON USE MAY OCCUR.
IRRIGATION SUPPLEMENTED BY PIONEER IRRIGATION. THEY HAVE PAID IRRIGATION FEES.
NEW PUMP INSTALLED IN WELL APPROXIMATELY 1980.

Remarks:

Comments:

Water Supply Bank:

Field Exam Date 4.13.06

(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 \$50.00 (assume that Pioneer Irr. pd. the variable fees)
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information none in SWNE, S24
- ☒ 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) A63-21091

Owner: Donald C. Clendenon Phone No. _____

Current Address: 4500 Marble Front Rd., Cadwell (Property Address)

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☒ No change Address
- ☐ NEW ADDRESS _____
- ☐ 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: 5/20/1921

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

Letter written by Jamie Pearson (rec'd. 6/5/90) and an affidavit signed by Donald Clendenon, I.E. Vassar, and Alpha Houston (rec'd. 4/12/06)

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? _____

– no govt. lot applicable

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

well, 178' deep

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

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

WATER USES

- ☐ No change
- ☐ Different Uses

Use Irrigation From 3/1 To _____ Amount 0.05 CFS _____ AFA
 Use Domestic From _____ To _____ Amount 0.02 CFS 7.2 AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

1.6 acres
 x 0.03 cfs/acre
 0.048 cfs
 → round to 0.05

TOTAL VOLUME - Groundwater only

- ☒ Incomplete on claim, the total is, Amount _____ CFS 7.2 AFA
- ☒ Changes found, the new total is, Amount 0.07 CFS _____ AFA
- ☒ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

6 acres x 4.5 af/acre = 7.2 af/acre (✓) 0.05 cfs x 1.9835 x 260 days = 27.8 af/acre

→ the 1.6 AC of irrigation covers lawn & garden surrounding the home.

NON-IRRIGATION USES:

- ☐ No change
- ☒ Changes Exam found: Domestic # of homes 1 (*) Stock # _____ Types _____

*Remarks states usage is for 3 cabins and 1 home. The map submitted on 4/12/06 with evidence of priority does not show any cabins + I cannot make any on any acrials.

Additional comments: ADD WB5 - Domestic use is for 1 home and does not include irrigation of lawn & garden.

PLACE OF USE:

- ☐ No Change
- ☒ Changes shown below:

2005 Canyon County Tax lot information (Real Property Inquiry) shows that Parcel No: 3523701000 contains a total of 2.87 acres (and that's without removing the large barn, the house, ...)

[illegible]

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

63-31043 applies to Parcel No: R 35237 010A0 at 4520 Marble Front Rd

63-21093, a decreed right, is under Donald Cledemon name at 4500 Marble Front Rd., but states

[illegible]

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

Attach appropriate documents

[illegible]

Parcel No: R3523701000 (2.87 AC).

ADD N10 & N12 - for domestic use
Conditions

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: _____

4/14/06

(in-office review)

FIELD EXAMINER: _____

Kimberly Brown

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-21091

03/23/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
137A	Claim	04N	03W	24	SW	NE		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
222C	Claim	04N	03W	24	SW	NE		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
222M	Claim	04N	03W	24	SW	NE		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
222N	Claim	04N	03W	24	SW	NE		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
233C	Claim	04N	03W	24	SW	NE		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
233L	Claim	04N	03W	24	SW	NE		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
-374	Claim	04N	03W	24	SW	NE		IRRIGATION	40/2960	PIONEER DIXIE DITCH CO
~~21091~~	~~Claim~~	~~04N~~	~~03W~~	~~24~~	~~SW~~	~~NE~~		~~IRRIGATION~~	~~3/3~~	~~DONALD C CLENDENON~~
2276	Water Right	04N	03W	24	SW	NE		IRRIGATION		PIONEER IRRIGATION DISTRICT
2294	Water Right	04N	03W	24	SW	NE		IRRIGATION		PIONEER IRRIGATION DISTRICT
~~21091~~	~~Claim~~	~~04N~~	~~03W~~	~~24~~	~~SW~~	~~NE~~		~~DOMESTIC~~		~~DONALD C CLENDENON~~
31043	Claim	04N	03W	24	SW	NE		DOMESTIC		KIRBY CLENDENON
21093	Water Right	04N	03W	24	SW	NE		DOMESTIC		DONALD C CLENDENON

— claim supplemental to surface water
from Pioneer Irrigation District

— I am assuming that 63-21093 &
63-31043 are applicable
to 4520 Marble Front lane
(Parcel No: R35237010AO;
not 4500 Marble lane;
— no overlap

overlay review -

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31043

WATER RIGHT NUMBER: 63-31043

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KIRBY CLENDENON 1711 S 10TH AVE CALDWELL, ID 83605 (208)454-9217

Priority Date: 09/25/1997
Basis: Beneficial Use
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>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 24, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use
DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	03W	24			X														

Conditions of Approval:Remarks:

hori H. is recommending -

Comments:

I am assuming this applies to
Parcel No: R35237010A0, not
(4520 Marble Front Rd.)
R3523701000.
(4500 Marble Front Rd.)

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-21093

WATER RIGHT NUMBER: 63-21093

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	DONALD C CLENDENON 4500 MARBLE FRONT RD CALDWELL, ID 83605 (208)459-7096
Directors Report Owner	KIRBY CLENDENON 1711 S 10TH AVE CALDWELL, ID 83605 (208)454-9217
Current Owner	DONALD C CLENDENON 4500 MARBLE FRONT RD CALDWELL, ID 83605 (208)459-7096

for 1 mobile home

Priority Date: 07/06/1985

Basis: Decreed

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER SW1/4NE1/4 Sec. 24, Twp 04N, Rge 03W, B.M.
CANYON County

Place of Use

DOMESTIC

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	24			X														

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-21093

3. C18 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.
4. PARCEL NO. 1R 35237-010-A-0

Remarks:

Comments:

1. DBUFFING 4/28/1999 NAME REMOVAL

Comment: THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THE REMOVAL OF ONE OF THE CLAIMANT NAMES, PER CLAIMANT REQUEST.

Water Supply Bank:

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IN AND FOR THE COUNTY OF TWIN FALLS

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NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD C. CLENDENON 208-459-7096
Address: 4500 MARBLE FRONT RD.
CALDWELL, ID 83605

OR
Name: KIRBY CLENDENON 208-454-9217
Address: 1711 S. 10TH AVE.
CALDWELL, ID 83605

2. Date of Priority: JUL 06, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04N	03W	24	SW NE		CANYON

5. Description of diverting works:
178' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
DOMESTIC	01/01	12/31	0.040	

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC-1 MOBILE HOME

A63-21093

Page 1

Date: 02/20/90

25x1

32x1

25x1

32x1

IDaho,

9576

093
990
18

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	03W	24	SW NE		DOMEST	

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:
PIONEER IRR.

14. Remarks:

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16. Signature(s)

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Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): *Marshall Coleman* Date: 2/20/90
Date: _____

State of Idaho }
County of Ada } ss.

Subscribed and sworn (or affirmed) before me this 20 day

of Feb 19 90

Linda Werner
Notary Public



Residing at LINDA WERNER
REIDING AT EAGLE, IDAHO
My Commission Expires DEC. 8, 1994

A63-21093

Page

2

Date: 02/20/90

25x1

32x1

25x1

32x1

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: A63-21093
Date Received: 2/20/1990
Receipt No: W009118
Received By: Lee

RECEIVED

MAR 14 1990

Department of Water Resources
Western Regional Office
**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: DONALD C. CLENDENON 208-459-7096
Address: 4500 HARBLE FRONT RD. 83605
CALDWELL, ID
OR
Name: KIRBY CLENDENON 208-454-9217
Address: 1711 S. 10TH AVE. 83605
CALDWELL, ID

2. Date of Priority: JUL 06, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04N	03W	24	SW NE		CANYON

5. Description of diverting works:
178' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
DOMESTIC	01/01	12/31	0.040	

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

A.F.A.

8. Total consumptive use is

Acres Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC-1 MOBILE HOME

A63-21093

Page 1

Date: 02/20/90

25x1

32x1

25x1

32x1

IDAHO.

576

093
990
18

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	03W	24	SW NE		DOMEST	

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:
PIONEER IRR.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 not X 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): Kathy Anderson Date: 2-21-1990

Date: _____

State of Idaho)

County of Canyon)

SS.

Subscribed and sworn (or affirmed) before me this 21 day

of Feb 19 90

Charles M. Confort
Notary Public

Seal

Residing at Caldwell, Idaho

My Commission Expires June 30, 1993

A63-21093

Page 2

Date: 02/20/90

25x10

32x10

25x10

32x10

POOR ORIGINAL

A-8-21093 T-4N R-30W Sec. 24 S.01W



d and
s River
and pay

990

993

25x

32x

25x

32x

REAL PROPERTY INQUIRY

+++++

01 6R35237-010- -0 054-00 SCH139+ 12 30,000 1.00

+++++ 2A 16,800 1.87

CLENDENON, DONALD C + 32 6,000

& CLENDENON, VIRGINIA D H/W + 34 84,700

+

+

+

4500 MARBLE FRONT RD +

CALDWELL ID 83605 +

+++++

24-4N-3W NE + TOTAL 137,500 2.87

TX 37 LS TX 99358 IN SWNE

+++++

+ SURVEY INST 9209676

+ DRAIN DR VALUE APPR TAM

+ CLASS 2 REAP 04 MAN 03 UNIT 1

4500 MARBLE FRONT RD, CA

+ PARCEL 6R04N03W214352 H/O N C/B N

+ PRIOR ACCOUNT 5R35237-010- -0

+ 02 MH on Property NO

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R35237010 0 UNIT 001 TOTAL UNITS 1

SITE 4500 MARBLE FRONT RD CA SEC/TWN/RNG 24-4N-3W

ASSESSED VALUE 137,500 ACREAGE 2.87

SUB/PARK NAME YEAR/MAKE

CLASS 2 OWNER / OCCUPIED HOUSE CLASS ' 2' SPACE LOT BLOCK

+++++

YR BUILT 1929 AIR COND HEAT PUMP CARPORT N

STORY 1 STORY HEATING ELECTRIC FA CARPORT SQ FT

FIRST SQ FT 1530 EXTERIOR STUCCO DECK/PATIO? N

SECOND SQ FT ROOF COMP POOL? N

BEDS 4 BSMT SQ FT 1312 SPA? N

BATHS 1.00 % BSMT FIN 40 LOT SIZE

FRPLC 2 GARAGE N NEIGHBORHOOD 0

GARAGE SQ FT

+++++

COMMENTS

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

Receipt Details for ID W009118

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/20/1990 1:56:47 PM	2/20/1990	Western	\$75.00	Check
Payer		CLENDENON, DONALD		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
674			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$75.00	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	21091		\$50.00	Claim
63	21093		\$25.00	Claim

Print Report

RECEIVED
APR 12 2006
WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
A 63-21091)
_____)
_____)
State of Idaho)
County of Canyon)

AFFIDAVIT

deposes and says: Alpha Houston from whom we purchased
said property in 1984 says she is aware that this well was
existing when they bought it in 1947 and used for domestic
and irrigation purposes.

I.E. "June" Vassar, a neighbor across the street, now, says
He was born in 1921, ^{across the street} and remembers that this well was
the domestic and yard and garden source at least as
early as 1929. He was only 8 yrs old, ^{then} so can't say for
sure but he has always believed that said well
was there when the barn was built (the barn has
the inscription in concrete "T.L. Edlefson ^{Aug. 26} 1921" and another
~~name~~ in concrete for cow stanchions, I believe 1921 to
be a good "date" Having talked with The Pearson sisters (previous
owners, and other old timer (now dead).

Donald B. Glendonson 4/10/2006
(Signature)

We have read the above and offer our signatures as well,

I. E. Vassar Jr.
I.E. "June" Vassar Grandparents was former owner

Alpha Houston 4/10/2006
Alpha Houston, owner 1947 to 1984

Idaho Department of Water Resources

Claim Number: 63-21091
Legal: T04N, R03W, S24
Reviewed By:



Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines

(See attached map)
Please indicate where the 3 cabins & 1 home are located on this aerial. Is the place of use boundary correct? Please send this back to me with your evidence of priority.

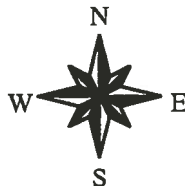
24

1987 Napp Photo

SWNE

0.25 Miles

RECEIVED
APR 12 2006
WATER RESOURCES
WESTERN REGION



Probably a little more North & West?

House ?
Garage ?

Other Buildings

Barn

Portion of SW 1/4 NE 1/4 Sec. 24 T4N R3W B.M.

Claim no. 03-21091

COR. SW 1/4 NE 1/4
INSTRUMENT # 884325

(BASIS OF BEARING)

N 89° 59' 50" E

5/8" 1.8' DEEP
5/8" W/PC
SURFACE

P.O.B.

350.00'

25.00'

RECEIVED

APR 12 2006

WATER RESOURCES
WESTERN REGION

RAVEL
ANE

House

Tennis
Court

Well

ENCROACHES 2.4' (EAVE 3.4')

FRAME SHED

Garage
50.3'
22'

Walnut

4.11 ACRES

Machine
Shop

Granary & Corn Crib

ENCROACHES 1.8' (EAVE 2.8')

Power
Pole

Sta. A

Walnut

Chicken Hse

Pome Orchard

Water
Box

Garden

Drope
orchard

Barn

1323.57'

N 0° 55' 39" E

439.36'

582.72'

S 0° 55' 39" W

Not D.C. Clendenon Property

METER
PIPE

884.21'

N

allow 50' for Solomon drain ditch Maint.

376.06'

N 67° 35' 49" W

6' WIDE DRAIN DITCH

D.C. Clendenon Property
Scale 1"=50'

Note: all Buildings except Barn are drawn

FD. 5/8" INSTRUMENT # 881910
SW COR. NE 1/4

Parallel with Boundaries, Actually
They are not exactly and
were located by Azimuth and
distance from Sta. A

DIMENSION
POINT - NOT SET



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 29, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DONALD CLENDENON
4500 MARBLW FRONT RD
CALDWELL ID 83605

*+ sent
shapefile*

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-21091

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 19, 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 A63-21091

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.

Linda Werner
Idaho DWR

Jamie Redson
was about 17 years
old in 1921 and seems
to have a good memory
of the house & well.

D. Clendenen
6-4-90

Ident No. A63-21091

MICROFILMED

SEP 03 1992

JUN 05 1990

Department of Water Resources
Western Regional Office

March 28, 1990

Dear Virginia and Don:

Sorry to take so long to answer your very interesting letter. Yes, it brought back many memories, and we will do the best we can with what we remember.

We moved from the end of the lane to the property you are now living on in 1921. The pump was there then about 25 feet from the back door of the old house. The house you are in now was finished in the spring of 1929, and water from the well was pumped into it. Soon so much sand came up that the well had to be dug deeper. That's all we know about that well. The salomone from whom our father bought the ~~property~~ might have had it dug.

The big barn was built by our father before we moved onto the property. It was 100 feet long and considered the biggest barn in the state at that time.

MICROFILMED

SEP 03 1992

The scales were probably built about the same time the barn was. They were very good ones and extremely useful.

We visit Idaho every year and are always pleased to see your place looking so nice.

The pictures give us a very good idea of what you have done and where. You have accomplished a lot in a few years.

We don't recognize the old Wago. It looks like a later model than we had.

Next time we are in Idaho we hope to meet you. In the meantime, I'll look through our pictures to see if we have any that would interest you.

Sincerely,

Jamie Pearson
1200 Clay St.
San Francisco, CA. 94108

MICROFILMED

SEP 03 1992

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-21091

Date: 3-24-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	3W	24			3														3
GIS						3														3
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 3

Overlapping FOU Claim #'s:

Total GIS Acres: 3

63-00374, 63-00233C

COMMENTS:

POU - per county data

POD - per claim map

Idaho Department of Water Resources

Claim Number: 63-21091

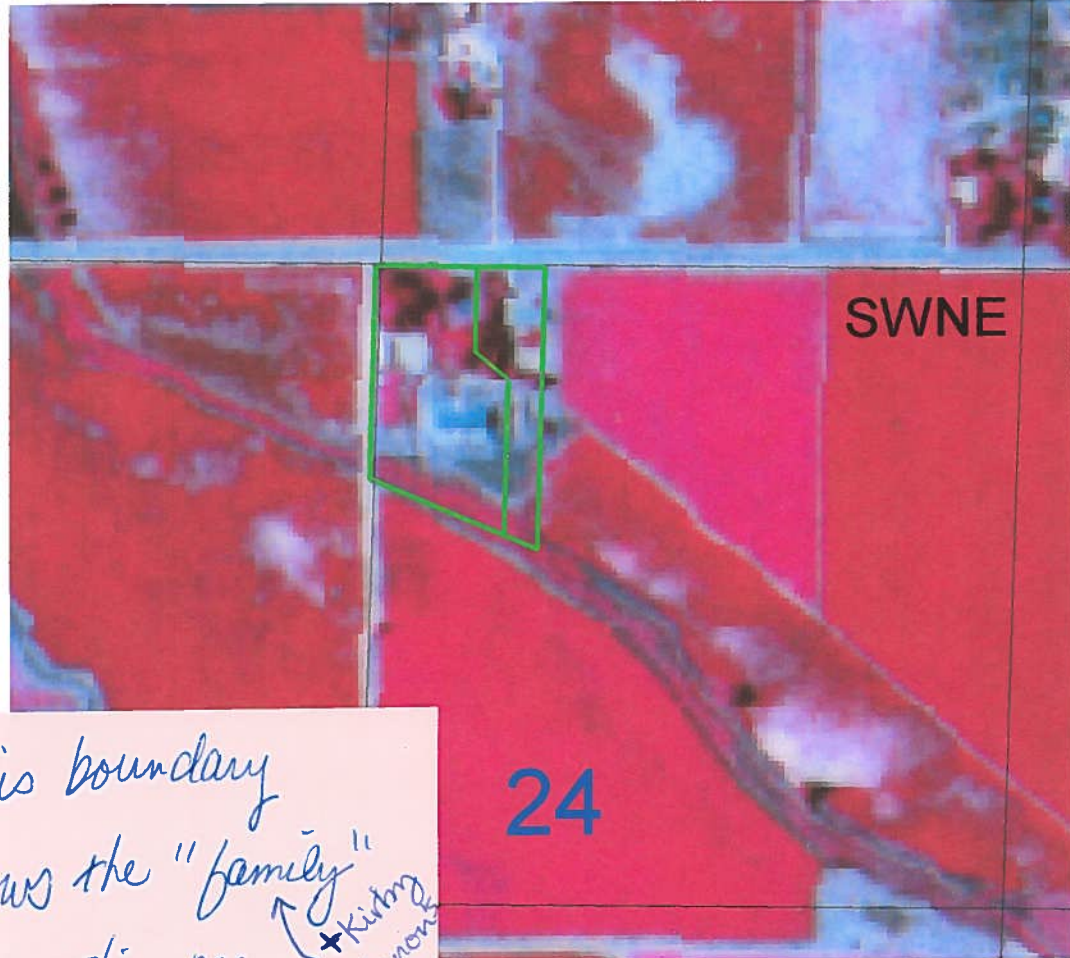
County Ownership

Legal: T04N, R03W, S24

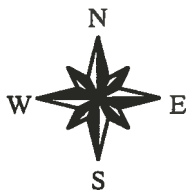
Reviewed By:

1987 Napp Photo

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



0.25 Miles



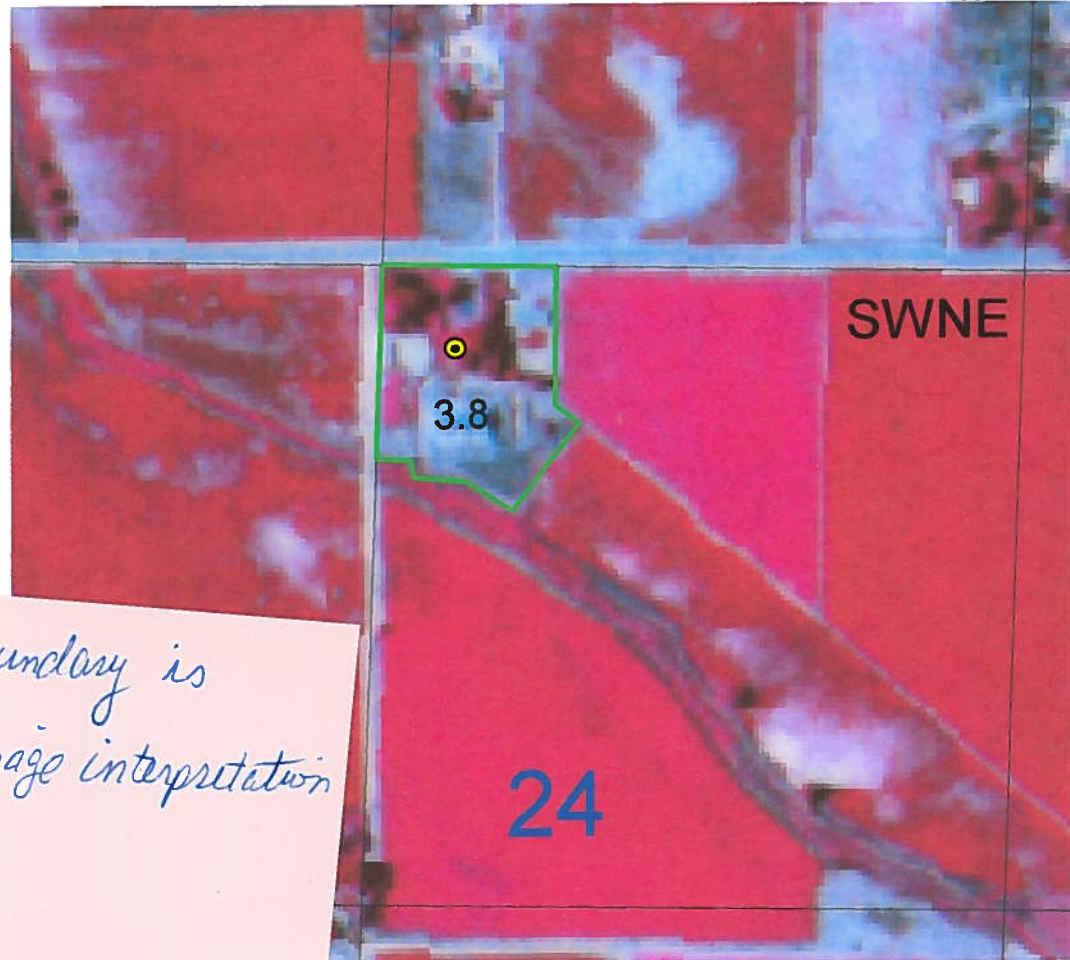
This boundary shows the "family" ownership per county data. ↑ + Kirtley Clendenen parcel

Idaho Department of Water Resources

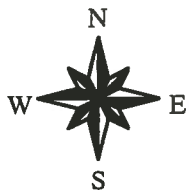
Claim Number: 63-21091
Legal: T04N, R03W, S24
Reviewed By:

1987 Napp Photo

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter



*This boundary is
per image interpretation*



Idaho Department of Water Resources

Claim Number: 63-21091

1994 image

Legal: T04N, R03W, S24

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

