

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: A63-21866
Date Received: 1/19/1990
Receipt No: W007780
Received By: DE JDL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEROY DIBBEN
Address: 723 N. KIMBALL
CALDWELL, ID 83605
208-459-4474
2. Date of Priority: MAR 01, 1955
3. Source: UNNAMED DRAIN DITCH Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	15	NW	NW			CANYON
5. Description of diverting works:
APPROACH TO DITCH FOR DRINKING
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		
7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
S/50 HEAD CATTLE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	15	NE	NW		STOCK	
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:
POOR BOY DITCH IRRIGATION

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 _____ 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 FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. ALB-21866Date Received JAN 19 1990Receipt Number W007780NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) LEROY DIBBEN Phone () 459-4474
Mailing Address 723 N. KIMBALL, CALDWELL. Zip 83605
- Date of Priority (Only one per claim) 3/1/1955 Month/Day/Year
- Source of water supply (Check one) () Groundwater or Other (X) (a) UNNAMED DRAIN DITCH.
Name or kind of source
which is tributary to (b) _____
- Location of point of diversion is: Township 04N Range 04W
Section 15, _____ 1/4 of NW 1/4 of NW 1/4, Govt. Lot _____, BM.,
County of CANYON.
Additional points of diversion if any: _____
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Approach to ditch for drinking
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For STOCKWATER purposes from 1/1 Month/Day to 12/31 Month/Day amount .02 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed .02 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) STOCKWATER 50 hd. CATTLE.

MICROFILMED

SEP 08 1992

10. Place of use is: Township: 04N Range 04W
Section 15, NE 1/4 of NW 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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 X No _____
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.
() None or Poor Boy Ditch. IRRIGATION.

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

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

Number of Attachments 2

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

Signature of Claimant (s) Leroy C. Dikken Date 1-19-1990

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of Ada) ss.

NOTARIZATION REQUIRED FOR EACH CLAIM

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

SEAL

Notary Public Lori Harris

Residing at Boise, Idaho

My Commission Expires 12-8-94 **MICROFILMED**

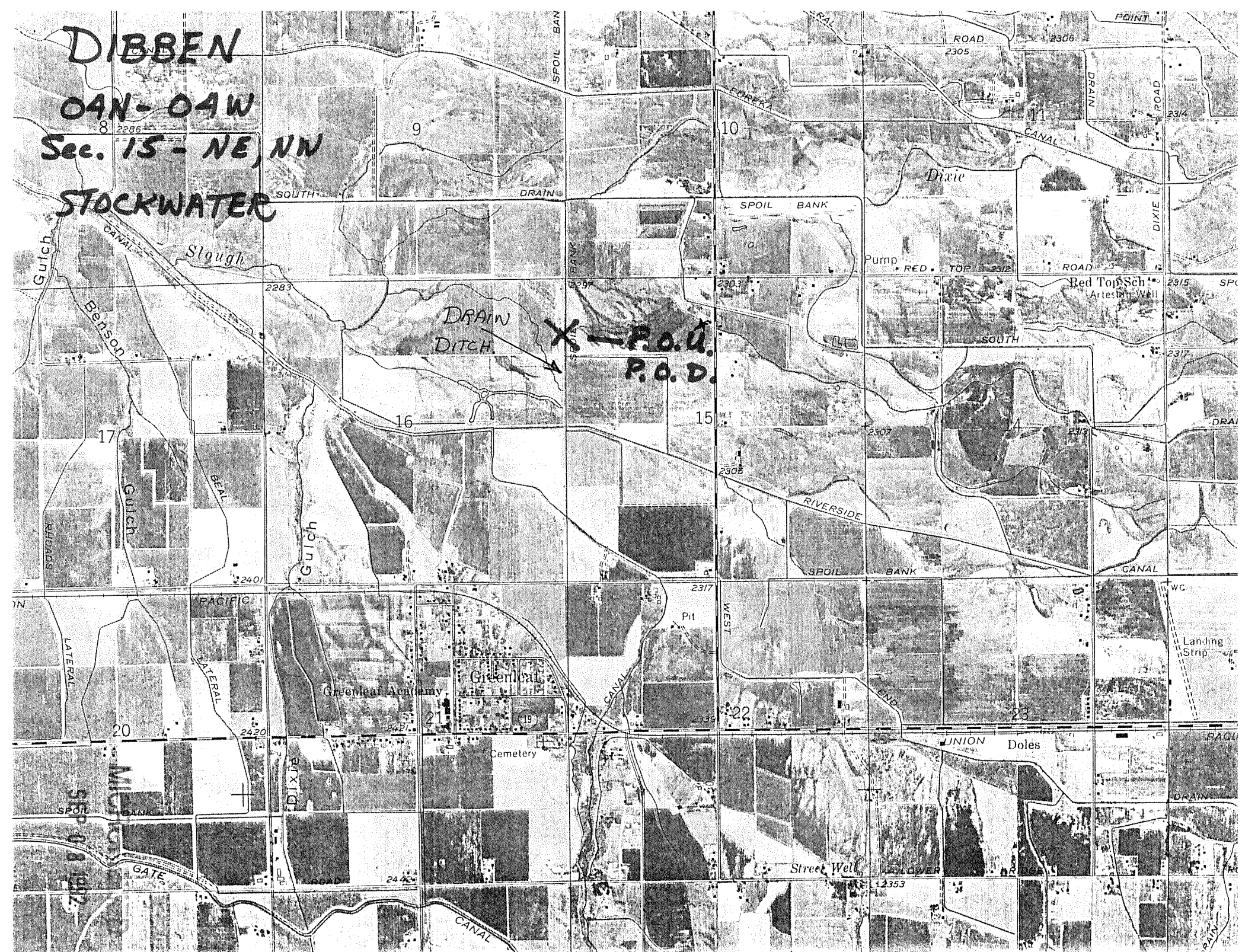
Last Name _____ Ident No. _____
Copies: White-State, Yellow-Claimant **SEP 08 1992**

DIBBEN

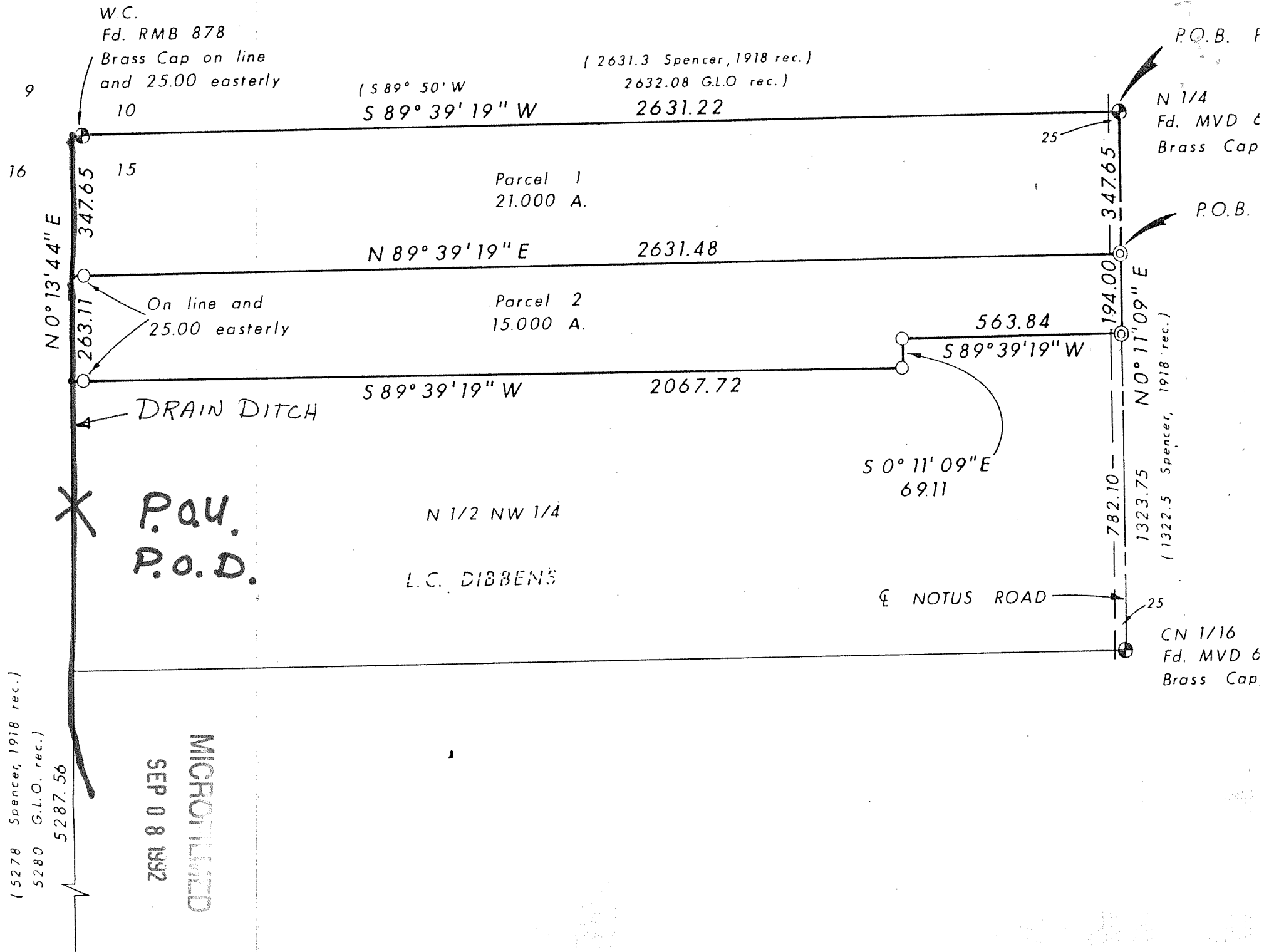
04N-04W

Sec. 15 - NE, NN

STOCKWATER



L DIBBEN



12/10/2006

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

RECEIVED
DEC 12 2006
DEPARTMENT OF
WATER RESOURCES

RIGHT NUMBER: 63-21866
NAME AND ADDRESS: LEROY DIBBEN
723 N KIMBALL
CALDWELL ID 83605

SOURCE: UNNAMED DRAIN TRIBUTARY: BOISE RIVER
QUANTITY: 0.020 CFS

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

PRIORITY DATE: 03/01/1955

POINT OF
DIVERSION: T04N R04W S15 NWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER in CANYON County
T04N R04W S15 NWNW

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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. 1R36103-020-0

Stockwater use is for 50 range cattle.

added "C18"
12/18/06 - kw

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-21866 V1

WATER RIGHT NUMBER: 63-21866 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LEROY DIBBEN 723 N KIMBALL CALDWELL, ID 83605 (208)459-4474

Priority Date: 03/01/1955

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED DRAIN	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.020 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	NW1/4NW1/4	Sec. 15, Twp 04N, Rge 04W, B.M.
CANYON County		

Place of Use

STOCKWATER

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	04W	15						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.
3. PARCEL NO. 1R36103-020-0
4. X02 Stockwater use is for 50 range cattle.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-21866 V1

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag: NONE RECEIVED
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Source	4/6/2006 9:30:42 AM	kwalker			Active
POU	4/6/2006 9:34:56 AM	kwalker			Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	3/22/2006 2:49:26 PM	kwalker	Updated PLS
POD	3/22/2006 2:45:11 PM	kwalker	Updated shape
POU	3/22/2006 3:38:06 PM	kwalker	Updated shape for Active POU
POU	3/22/2006 3:38:29 PM	kwalker	Updated PLS for Active POU
Source	4/6/2006 9:30:43 AM	kwalker	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 8 - Source is an unnamed drain rather than unnamed drain ditch. Clarified per data entry standards. Description for Question 10 - Source is unnamed drain per data entry standards. See topographicals map X3 & X4.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-21866 V1

POU	4/6/2006 9:34:56 AM	kwalker	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Place of use located in NWNW rather than NENW as claimed. Determined this place of use based on map attached to claim and tax lot information which shows lands owned by claimant.
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Water Supply Bank:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 63-21866

1. No Change NAME IS SAME *per tax lot information*
NEW OWNER: _____
No Change ADDRESS
NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted *- N/A - stock water only*
Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. No Change SAME SOURCE *- add tributary*
Source is different than that claimed: *per DE standards*
Source found: unnamed drain ditch *trib. to Boise River*

4. No Change — POINT OF DIVERSION
Point of diversion is different than the claim and/or new P/D's:

Township 4N Range 4W Section 15 1/4 _____ 1/4 NW 1/4 NW *- per map attached to claim*
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____ *& BIS shape.*

5. No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete description, list below:

6. No Change - WATER USES
Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. No Change - TOTAL VOLUME N/A - surface water

Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____

Changes found, the new total is, Amount _____ CFS _____ AFA _____

8. No Change - NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: _____ Stock # 50 List types: range cattle

Additional comments: _____

9. No Change — PLACE OF USE: (If changed, list below.)

Use: <u>Stock</u>	Township <u>4N</u>	Range <u>4W</u>	Section <u>15</u>	1/4 <u>NW 1/4 NW</u>	<u>per map attached to claim - stock drink directly out of drain - only in NW 1/4 NW on claimant's property</u>
Use: _____	Township _____	Range _____	Section _____	1/4 _____ 1/4 _____	
Use: _____	Township _____	Range _____	Section _____	1/4 _____ 1/4 _____	
Use: _____	Township _____	Range _____	Section _____	1/4 _____ 1/4 _____	

Remarks: (Comments pertinent to field examination) See additional attachment

N11, N13, Parcel #.,

SYSTEM DIAGRAM INCLUDED

Shown on GIS Layout ☒

CK IF IN OFFICE EXAM ☒

DATE EXAM CONDUCTED: 3-22-2006

FIELD EXAMINER: Kay Walker

Print Name

Kay Walker
Signature

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-21866

WATER RIGHT NUMBER: 63-21866

Owner Type

Current Owner

Name and Address

LEROY DIBBEN
723 N KIMBALL
CALDWELL, ID 83605
(208)459-4474

Present Owner

DEWAYNE DIBBEN
21775 NOTUS RD
CALDWELL, ID 83605

Priority Date: 03/01/1955

Basis: Beneficial Use

Status: Active

Source

UNNAMED DRAIN DITCH

Tributary
Boise River

per topo
X3 + X4 -
+ data entry
standards

Beneficial Use

STOCKWATER

From To

1/01 to 12/31

Diversion Rate

0.020 CFS

Annual Volume

Total Diversion:

0.020 CFS

Location of Point(s) of Diversion

UNNAMED DRAIN DITCH

CANYON County

NW1/4NW1/4

Sec. 15, Twp 04N, Rge 04W, B.M.

Place of Use

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	04W	15																	

Conditions of Approval:

Remarks:

Comments:

Stock / 150 hd. cattle

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-21866

02/06/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
20676	Claim	04N	04W	15	NE	NW		~~IRRIGATION~~ NO	40/522.5	POOR BOY DITCH
-268	Water Right	04N	04W	15	NE	NW		~~IRRIGATION~~ OL		REBECCA BELL
-342	Water Right	04N	04W	15	NE	NW		~~IRRIGATION~~		LEROY C DIBBEN
21866	Claim	04N	04W	15	NE	NW		STOCKWATER		LEROY DIBBEN
21871	Water Right	04N	04W	15	NE	NW		~~STOCKWATER~~		LEROY C DIBBEN
21871	Water Right	04N	04W	15	NE	NW		~~DOMESTIC~~		LEROY C DIBBEN

63-21871 - gw for 50 range cattle
and 2 homes -

Receipt Details for ID W007780

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/19/1990 3:21:51 PM	1/19/1990	Western	\$50.00	Check
Payer	LEROY DIBBEN			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2704			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEES

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$50.00	ADJUDICATION FEES	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	21866		\$25.00	Claim
63	21871		\$25.00	Claim

Print Report

AJ5809NP
No. R63-21866

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/26/98
PAGE: 254

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEROY DIBBEN 723 N KIMBALL CALDWELL ID 83605 (208) 459-4474	03/01/1955	STOCKWATER	01-01 12-31	0.02 CFS	
TOTAL DIVERSION:					0.02 CFS	

Water Source: UNNAMED DRAIN DITCH

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T04N R04W S15

NWNW

CANYON County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
04N	04W	15	:																	:

POU County: CANYON

Non-Irrigation Uses: STOCKWATER, 50 CATTLE

Other Rights: POOR BOY DITCH IRRIGATION

Remarks: GEN^{EXP} PARCEL NO. 1R36103-020-0

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 08/23/93 DUNN1 03/30/95 POST-STD

add N11 + N13
move to EXP - remarks

Hold for later report
to verify tributary
and ownership



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

June 1, 1995

PHILIP E. BATT
GOVERNOR

DEWAYNE DIBBEN
21775 NOTUS RD
CALDWELL ID 83605

KARL J. DREHER
DIRECTOR

Dear Wateruser(s):

This office has reviewed the Notice of Change of Water Right Ownership form submitted to our office. However, due to the items below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to **COMPLETE OR RESEARCH THESE ITEMS.**

1. There is no existing water right in our records of 63-01758 as you indicated on the ownership change form.
2. You may receive your water from an irrigation district, ditch company, municipality or community water company. If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.
3. We have found 2 claims in the name of Leroy Dibben that seem to be in the legal description that you wrote on the ownership form, these are:

A63-21866: A stockwater claim, from a unnamed drain as the source.

A63-21871: A domestic & stock claim, for 2 households, a well is listed as the source, the maximum lawn & garden sprinkling allowed by this domestic claim from the source is ½ acre.

4. Could this change in ownership be a split of one of the above water right claims listed above?

A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by ¼ ¼ with the number of acres in each ¼ ¼ (if applicable) and the point of diversion by ¼ ¼, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the entire portion. Enclosed are computer copies of these rights for your review.

If we do not hear from you within 30 days, the claim upon which this form was filed (if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

RH:r
Attachments

MICROFILMED

OCT 09 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: Dec 1, 1993

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section 15, 627 1/4 of T4N 1/4 of R4W 1/4, Gov. Lot N 1/2 sec, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: 63-01758

☐ Name and Address of Former Owner/Claimant(s)(Seller): Le Roy Dibben
723 N Kimball Av. Caldwell ID

☐ New Owner/Claimant (Purchaser): Denayne Dibben

☐ New Mailing Address: 21775 Nates RD Caldwell ID
Same

☐ New Telephone Number: (208) 459-4910

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

1 acre

☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Denayne Dibben Date 4/28/94
Date _____

☐ Signature of Former Owner/Claimant(s): Le Roy Dibben Date _____
Date 4/28/94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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OCT 09 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

OLD (D) NUMBER -

STATE- ID ZIP- 83605

MICROFILMED
OCT 09 1996

VERIFIED
JAN 7 1992
MICROFILMED
OCT 09 1996