

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: A63-08068A
Date Received: 3/14/1990
Receipt No: W011051
Received By: W. J. J. J.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PATRICIA ANN LODGE
Address: 18500 SYMMS ROAD
CALDWELL, ID 83605

OR

Name: JAMES "DYKE" NALLY
Address: 18500 SYMMS ROAD
CALDWELL, ID 83605

2. Date of Priority: DEC 19, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	9	SW	NE			CANYON

5. Description of diverting works:
PUMP WITH SPRINKLER IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.350		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	9	SW	NE		IRR	35.0
Section Acres							35.0
Total Acres							35.0

See comp. concerning overfiling 8-8-04

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:
CLAIM NO. A63-03138A.

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ 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

Ident. Number A63-08068 ADate Received MAR. 14, 1990Receipt Number W 011051

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) PATRICIA ANN LODGE, ^{OR} JAMES "DYKE" NALLY Phone (208) 459-7158
Mailing Address 18500 Symms Rd. CALDWELL, ID Zip 83605

2. Date of Priority (Only one (1) per claim) DEC. 19, 1974

3. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 03N Range 04W Section 09,
_____ 1/4 of SW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of CANYON

Additional points of diversion if any: _____

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 _____

5. 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.

Pump WITH SPRINKLER IRRIGATION.

MICROFILMED

AUG 24 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 10/31 amount .35 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .35 (cfs) and/or (b) _____ (acre feet)

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

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

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	
03N	04W	09			35														35

Total number of acres irrigated _____

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.
A63-03138 A or None ()

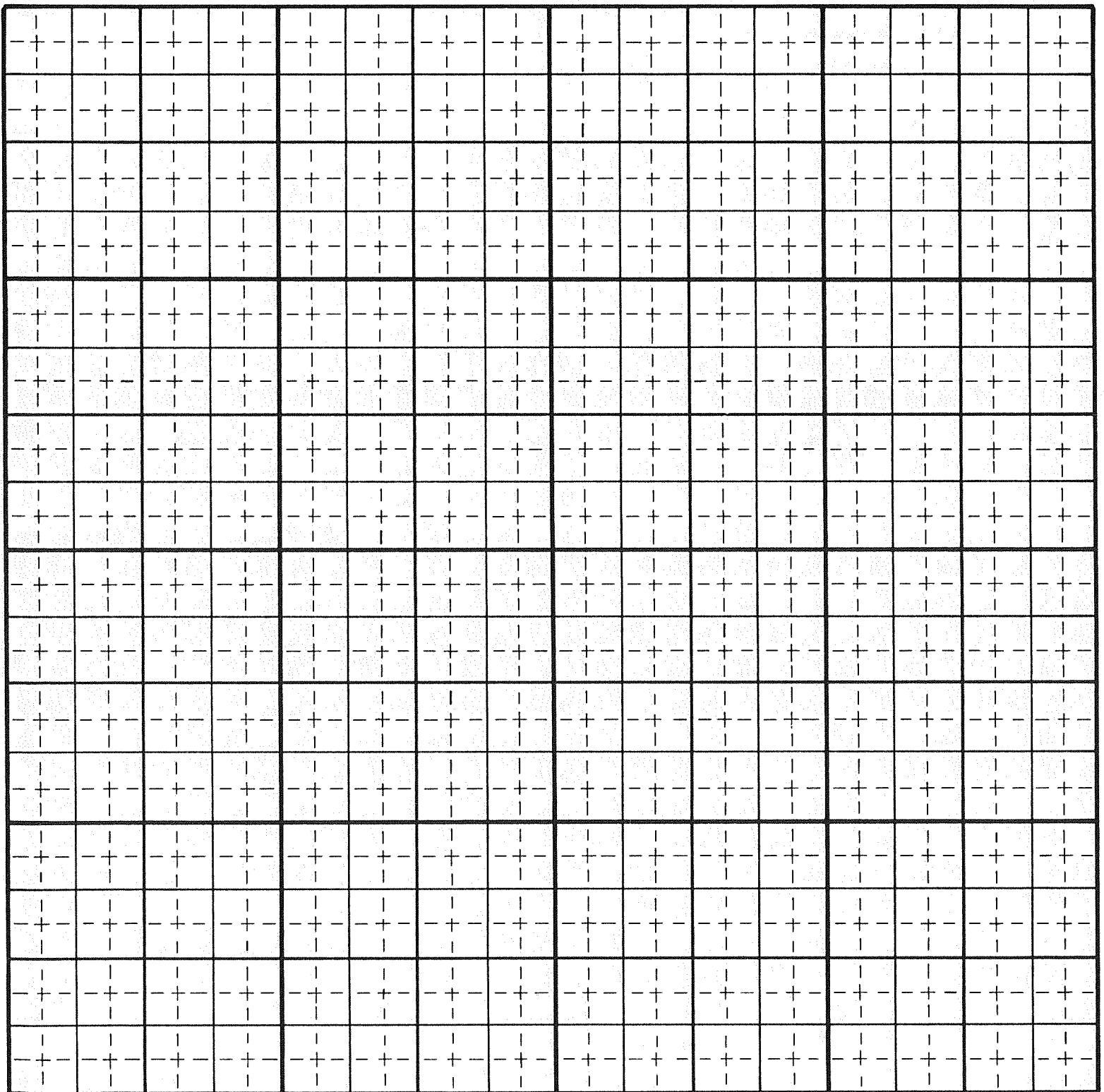
14. Remarks:

Last Name LODGE - NALLY Ident No. A63-08068A

MICROFILMED
AUG 24 1992
Copies: White State Yellow Admunt

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 LODGE - NALLY

Ident No. A63-08068A

MICROFILMED
Copies: White-State, Yellow-Claimant
AUG 24 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-08068
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 _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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

Signature of Claimant (s) *Patricia Anne Lodge* Date *3-13-90*

Date _____

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this *13th* day of *March* 19 *90*

SEAL

Notary Public *Margaret E. Satterfield*

Residing at *Boise, Idaho*

My Commission Expires *3/92*

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name *LODGE-NALLY* Ident. Number *63-08068A*

MICROFILMED

AUG 24 1992

Copies White-State, Yellow-Claimant

09/29/2006

NOTICE OF ERROR
REPLY

RECEIVED

NOV 02 2006

WATER RESOURCES
WESTERN REGION

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: 63-8068A

PATRICIA ANNE LODGE
18500 SYMMS RD
CALDWELL ID 83605
Telephone Number: (208)459-7158

JAMES DYKE NALLY
18500 SYMMS RD
CALDWELL ID 83605
Telephone Number: (208)459-7158

RECEIVED

NOV 03 2006

DEPARTMENT OF WATER RESOURCES

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:

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

DATE:

10/28/06

SIGNATURE:

Patricia A Lodge
PATRICIA A LODGE

Please print your name:

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

✓kw

05/16/2006

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

RIGHT NUMBER: 63-8068A

NAME AND ADDRESS: PATRICIA ANNE LODGE
18500 SYMMS RD
CALDWELL ID 83605

JAMES DYKE NALLY
18500 SYMMS RD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS

Rights 63-3138A and 63-8068A when combined shall not exceed a total annual maximum diversion volume of 67.5 af at the field headgate, and the irrigation of 15 acres.

PRIORITY DATE: 12/19/1974

POINT OF DIVERSION:

T03N R04W S9 SWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.150 CFS
The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION Within CANYON County

T03N R04W S09 SWNE 15.00
15 ACRES TOTAL

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

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

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

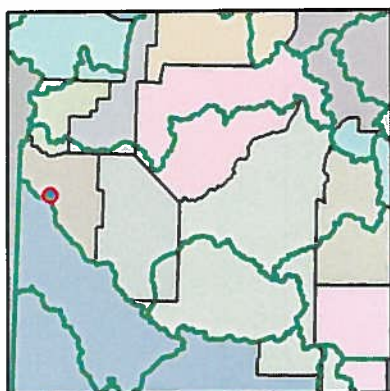
SRBA Recommendation:

63-8068A

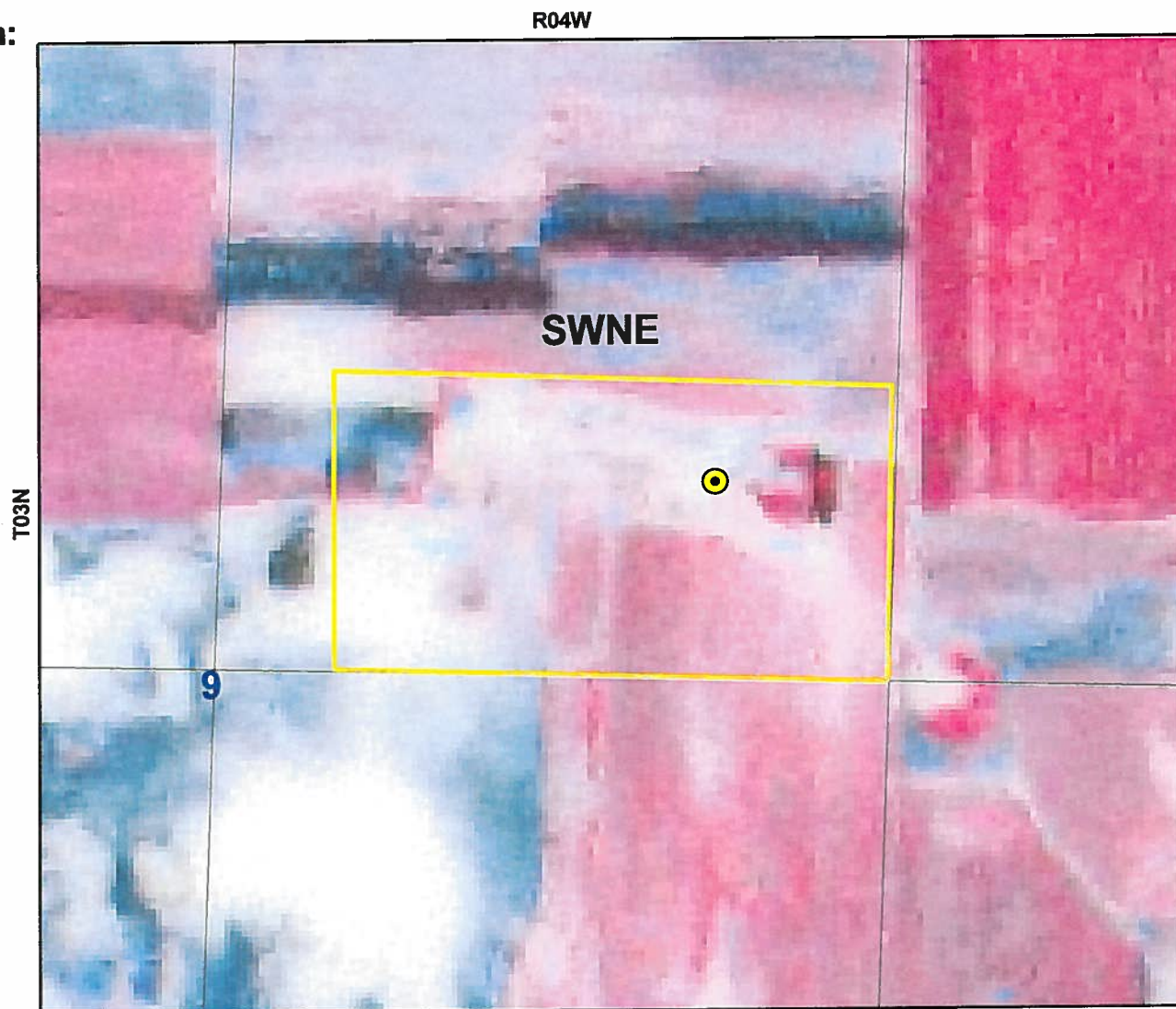
Acres = 15

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Canyon County
IDWR Basin 63



0 0.1 0.2 Miles



Prepared by K. Walker
On Tuesday, May 16, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8068A

WATER RIGHT NUMBER: 63-8068A

Owner Type

Current Owner

Name and Address

PATRICIA ANNE LODGE ✓

18500 SYMMS RD ✓

CALDWELL, ID 83605 ✓

(208)459-7158 ✓

Current Owner

JAMES NALLY ✓

18500 SYMMS RD ✓

CALDWELL, ID 83605 ✓

Priority Date: 12/19/1974 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

Beneficial Use

IRRIGATION ✓

Location of Point(s) of Diversion

GROUND WATER

CANYON County ✓

SW 1/4 NE 1/4 ✓

Sec. 9, ✓

Twp 03N, ✓

Rge 04W, B.M. ✓

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	04W	9	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	35.0 ✓

Total Acres: 35

✓ - Claimants only own 20 acres
in this 40 - actual use = 15 acres.

Conditions of Approval:

1. 016 See remarks for additional conditions of approval.

R01

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Remarks:Comments:

in-office
review - kw
5/16/06

$0.01 \times 15 = 0.15 \text{ cfs}$
 $75 / 0.76$
 proportionate share = 0.15 cfs
 35 when com w/ 63-3138A

Need shoulder
 "539" Tributary

From To
 4/01 to 10/31

Diversion Rate

0.350 GFS ✓

Total Diversion:

0.350 GFS ✓

Annual Volume

67.5 ✓

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8068

WATER RIGHT NUMBER: 63-8068

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT R PATTERSON RT 6 CALDWELL, ID 83605

Priority Date: 12/19/1974

Basis: License

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	4/01 to 10/31	0.760 CFS	321.00 AF
	<u>Total Diversion:</u>	0.760 CFS	321.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 9, Twp 03N, Rge 04W, 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	
03N	04W	9		40.0	35.0														75.0

Total Acres: 75

Conditions of Approval:

1. 016 See remarks for additional conditions of approval.
2. SUBJECT TO THE CONDITION THAT THE MAXIMUM VOLUME PER YEAR SHALL NOT EXCEED 4.5 AF PER ACRE WHEN COMBINED WITH LICENSE NO. 27580/63-3138.
3. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8068A

03/28/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
1138A ←	Claim	03N	04W	9	SW	NE		IRRIGATION	35/35 -15	PATRICIA ANNE LODGE
1138B	Claim	03N	04W	9	SW	NE		IRRIGATION	35/75 -20	RICHARD L KINCHELOE
1068A	Claim	03N	04W	9	SW	NE		IRRIGATION	35/35 -15	PATRICIA ANNE LODGE
1068B	Claim	03N	04W	9	SW	NE		IRRIGATION	35/75 -20	STEPHANIE R KINCHELOE
~~3138~~	Water Right	03N	04W	9	SW	NE		IRRIGATION	35/75	ROBERT R PATTERSON
~~8068~~	Water Right	03N	04W	9	SW	NE		IRRIGATION	35/75	ROBERT R PATTERSON
28548	Water Right	03N	04W	9	SW	NE		~~DOMESTIC~~		EMANUEL ROHN

NO P/U OL
w/ Kincheoloe
OL w/ 3138A

Receipt Details for ID W011051

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/14/1990 3:58:34 PM	3/14/1990	Western	\$160.00	Check
Payer		RIVERVIEW ENTERPRISES		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1051			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEES

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$160.00	ADJUDICATION FEES	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3138	A	\$85.00	Claim
63	8068	A	\$50.00	Claim
63	21955		\$25.00	Claim

OK - acres under 63-3138A

Print Report

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8068 Priority Dec. 19, 1974 Amount 0.76 cfs

THIS IS TO CERTIFY, that ROBERT R. PATTERSON

of Caldwell, Idaho, has complied with the terms and conditions of Permit No. 63-8068 issued pursuant to Application for Permit dated December 19, 1974, and has submitted proof to the Department of Water Resources on February 10, 1975, 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 1.06 cfs of water from a ground water 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
Irrigation	from <u>April 1</u> to <u>Oct. 31</u>	at <u>0.76</u> cfs and	<u>321</u> acre feet or
			<u>*4.5</u> af per acre
	from _____	cfs and	
	from _____	at _____ cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 0.76 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 for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 321 acre feet per year, said waters to be diverted within the NW 1/4 NE 1/4 of Sec. 9, Twp. 3 N, Rge. 4 W, B. M. in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4			NW 1/4			SW 1/4			Totals
			NE 1/4	SW 1/4	SE 1/4	NE 1/4	SW 1/4	SE 1/4	NE 1/4	SW 1/4	SE 1/4	
3 N	4 W	9		35								75

Total number of acres irrigated 75

* Subject to the condition that the maximum volume per year shall not exceed 4.5 acre feet per acre when combined with License No. 27580/63-3138.

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

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 4 day of November, 19 76.

Director

MICROFILMED

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Robert R. Patterson
- Postoffice address Route #6, Caldwell, ID 83605 Phone _____
- Person to contact _____ Phone _____

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

3. Water will be used for the following purposes:

Amount .76 c.f.s. for irrigation
 AF/Annum (nature of use)

Period of Use: from Apr. 1 to Oct. 31
(mo.-day) inclusive (mo.-day)

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

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

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

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

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion .76 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 3N N/S, Range 4W E/W, B.M., Section 9, Subdivision NW $\frac{1}{4}$ NE $\frac{1}{4}$, Canyon

Township 3N N/S, Range 4W E/W, B.M., Section 9, Subdivision SW $\frac{1}{4}$ NE $\frac{1}{4}$ Canyon

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

Other Points of Diversions: _____

Description of diverting works: Wells, pumps & sprinkler system.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE 75

Permit No. 63-8068
Examination for b/u

2
18
3
~~59~~
~~11~~
59 3/16
A
used
8.07
60
48.420

4000 91
70 = 106

RECEIVED

Approved by _____ Date _____

Rge - 4W

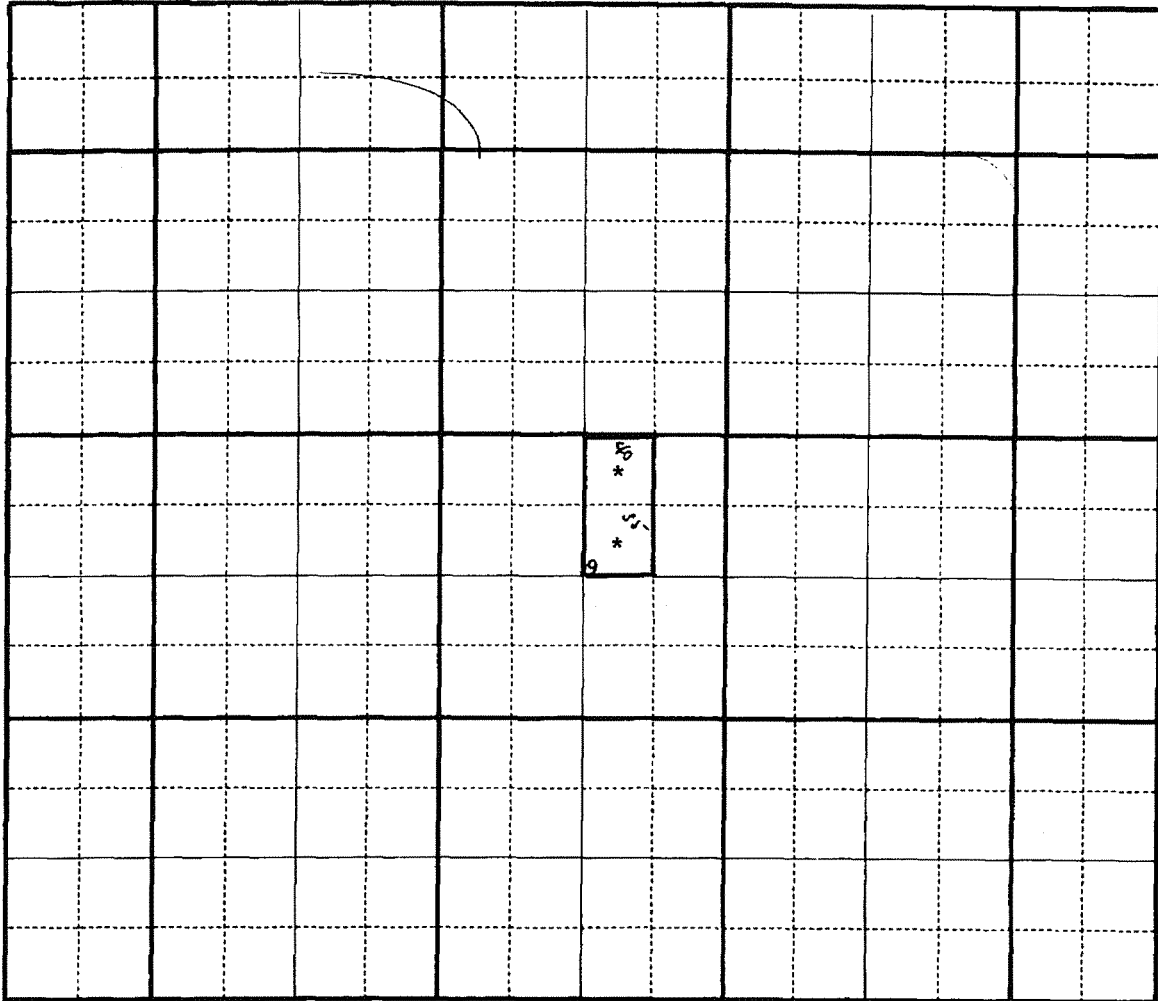
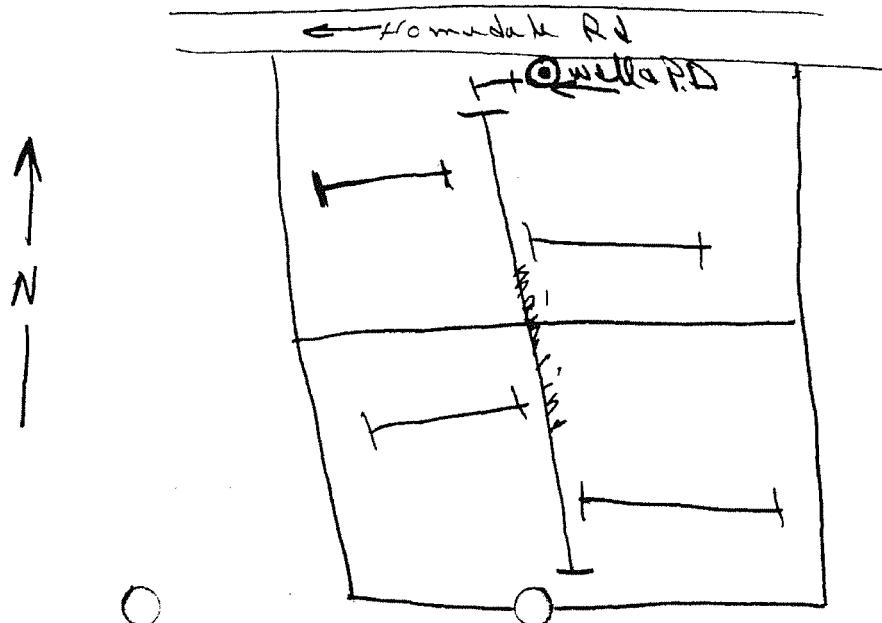


Diagram of System



7671

State of Idaho License and Certificate of Water Right

Water License No. G-27580

Amount, .74 c.f.s.

Water District No. _____

Priority October 7, 1958

THIS IS TO CERTIFY that

CHAP BURTON

of Caldwell, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 7, 19 58; that Permit NoG-27580 was issued under said application; that Certificate of Completion of works, with a carrying capacity of .74 second feet, was issued thereunder on August 19, 19 63, showing that said works were completed on the 14th day of August, 19 62; and that on the 14th day of August, 19 62,

CHAP BURTON

of Caldwell, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of

a well, a tributary of subterranean flow, for the purpose of irrigation

, under Use Permit No. G-27580 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

12 of Licenses at page 7671, on the 19th day of August, 19 63;

The right hereby confirmed dates from October 7, 19 58;

The Point of Diversion is located SW 1/4 Sec. 9, Twp 3 N., R. 4 W., B.M.

~~in the~~ XXXXXX Sec. 9, Twp 3 N., R. 4 W., B.M. County Canyon

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed .74 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	4 W.	9	NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	33	35
			Total number of acres to be irrigated:		75

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

19th day of August, 19 63.

/s/ RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
AUG 2 1963

Department of Reclamation

470' x 14' (measured) Route #1
Wilder, Idaho
Permit No. G-27580
off will be on 7/1/63
Completion of Works
Examination for and Beneficial Use
County Canyon
Sec. 9 T. 3N R. 4 W
Quantity: 2.4 c.f.s.
Source: Well
P. D.: SW. NE, Sec. 9, T. 3N - R. 4W
Use: Irrigation
Filed: Oct. 7, 1958
Due: Oct. 15, 1960
Extension: _____
Protest: _____
Completion of Works: _____
Other Rights: Wildcat Irrigation
Co. - not in deed.
Driller Hugh Winchester

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-27580

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Chap Burton

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9

T. 3 N. R. 4 W. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: 50 H.P. G.E. Motor # XN 1120009 Perma Water Lifter pump # PT90556 8" x 260' column 14" x 420' casing h: 120' D.D. well depth 420' 8" chuck valve into 8" x 5' discharge pipe into 6" x 800' buried into 5" x 1000' surface mainline into 4" x 1000' of surface mainline

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, lying south and west of the Mora Canal, Section 9, T. 3 N., R. 4 W., B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Chap Burton (owner) participated in examination

Measurement was made by taking pressure readings along each lateral 3 lines 45 nozzles size $\frac{1}{8}$ "

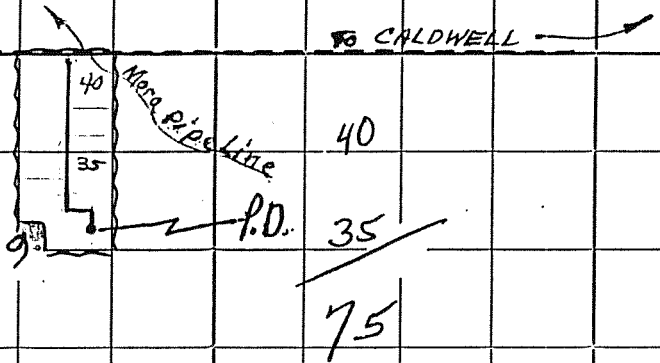
This examination was made on the 28th day of July, 1963

(Signed)

Ron Heberg
Examiner.

R-4W.

T.
3
N.



Subdivisions 2

Area 75 acres

Q. 74 CFS or 37 inches



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Patricia Ann Lodge
18500 Symms Rd
Caldwell, ID 83605

July 8, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Ms. Lodge:

Per your visit in my office on June 10, 2004, the following was discussed and resolved:

Claim No. A63-3138A & A63-8068A – These claims were filed as a split of 63-3138 and 63-8068 for the 35 acres in the SW1/4NE1/4, Sec. 9, Twp. 3N, Rge. 4W. Upon review of the field exams conducted in 1963 (63-3138) and 1975 (63-8068) for licensing of these rights it was determined that there was a 5 acre non-irrigated outage in this 40 acre tract located in the SW corner of this 1/41/4. The tax records indicate that 20 irrigated acres in the N1/2 of this 1/414 are owned by Richard and Stephanie Kincheloe. Therefore, of the 35 irrigated acres licensed under these rights, this leaves 15 irrigated acres in the S1/2 of this 1/4/1/4 under yourself and your brother's ownership.

As you explained, there is an additional 18 acres irrigated prior to 1987 for a vineyard in the NW1/4SE1/4, Sec. 9, Twp. 3N, Rge. 4W directly south of the above 15 acres. Uses developed prior to 1987 can be processed under a new application. The enclosed application for permit from Lori Graves will cover this additional 18 acres. Please complete the enclosed blank form with attachments and return it to this office per Lori's notes.

Once this application is approved, barring any protests, your total water rights will be 15 acres in the SW1/4NE1/4, Sec. 9 under Claim Nos. 63-3138A and 63-8068A, plus 18 acres in the NW1/4SE1/4, Sec. 9 under the new application for a total of 33 acres of irrigation. These irrigated acres will be supplied from the well in the SW1/4NE1/4, Sec. 9.

If you have any questions concerning the filing of your application for permit, please contact Lori Graves for an appointment. Any questions concerning the split of the claims, please feel free to contact me.

Sincerely,

JAN SHURTE
Water Rights Supervisor
Adjudication Section

Enclosures





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

September 13, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

PATRICIA ANN LODGE
JAMES "DYKE" NALLY
18500 SYMMS RD
CALDWELL ID 83605

RE: Notices of Claim to a Water Right No. A63-03138A & A63-08068A

Dear Ms. Lodge and Mr. Nally:

IDWR's initial investigation of the above-referenced claims has revealed duplicate filing for portions of the water rights. This appears to be an inadvertent error that we would like to resolve at this time. Copies of your claims are enclosed, along with a copy of a map of the lands in question. Please answer the following questions and return this letter to our office.

1. Please mark the appropriate item regarding the described property and water rights:

Current Owner _____ Previous Owner _____

2. If you are the previous owner, please give the name of the person that you sold the property to, or the current owner:

New or Current Owner _____

3. Do you believe that you own a portion of these water rights?

YES _____ NO _____

If you answered yes, please enclose proof of ownership. PROOF OF OWNERSHIP MUST DESCRIBE EITHER THE PROPERTY CONVEYED (AS IN A SALES CONTRACT OR WARRANTY DEED) OR IF NO LEGAL DESCRIPTION IS LISTED IN THE DOCUMENT, MUST INCLUDE THE WATER RIGHT CLAIM NUMBER.

In order to protect your water rights, the Notices of Claim must be accurate. **PLEASE RETURN THIS LETTER WITH THE REQUESTED ANSWERS TO THIS OFFICE BY SEPTEMBER 29, 1995.** If you have any questions or need assistance, please do not hesitate to contact this office.

Sincerely,

Maria Minicucci

Sr. Water Agent, Adjudication Bureau

MM:m

Enc: Profile reports: A63-03138A, A63-08068A

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A63-08068A

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*	N						
PT. OF DIV.	Y						
SOURCE	N						DATA ENTRY COMPLETED BY _____ DATE _____
PL. OF USE	N						FINAL RECOMMENDATION BY _____ DATE _____
DIV. AMOUNT CFS/AF	N						
CONSUMPTIVE USE	N						
NATURE OF USE	N						
PERIOD OF USE	N						
BASIS OF CLAIM	N						
REMARKS	N						

*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: 63-08068 POD in NWNE. ~~POD~~ Lands in NWNE NOT claimed (see also A63-03138A).
change in POD. CFS are claimed @ pro-rated rate.

WR5809NP
No. 63-08068

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/21/95
PAGE: 11

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT R. PATTERSON CALDWELL ID	12/19/1974	IRRIGATION	04-01 10-31	0.760 CFS	321.00 AFA
TOTAL DIVERSION:					0.760 CFS	321.00 AFA

Water Source: GROUNDWATER ✓

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T03N R04W S09 ✓

NWNE

SWNE
Claimed

CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
03N	04W	9	:			40	35											:	75.0	
																			TOTAL ACRES	75.0

Pou County: CANYON

Other Rights: LIC. 63-3138.

Other Water Rights with Same Point(s) of Diversion and Source:
63-03138

Other Water Rights Listing Overlapping Place(s) of use:
63-03138

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- 016 - See remarks for additional conditions of approval.

Remarks: SUBJECT TO THE CONDITION THAT THE MAXIMUM VOLUME PER YEAR SHALL NOT EXCEED 4.5 AF PER ACRE WHEN COMBINED WITH LICENSE NO. 27580/63-3138.

Dates: App. Received:
Proof Due Date:
Exam Made Date:
Licensed Date: 09/13/1979

Priority Date: 12/19/1974
Proof Made Date:
Exam Sent to S.O.:

Misc: Water District Number:

Field Exam Fee:

Audit: 06/18/85 05/01/88 CONVERT

$$.76 \text{ cfs} / 75 \text{ acres} = .0101$$

$$.0101 \times 35 = .354$$



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

Maria - FYI

O.L. in SW NE, Sec. 9,
3N, 4W
KW

August 31, 1995

RE: Notice of Claims to Water Right Nos. A63-03138B & A63-08068B

Robert L. or Stephanie R. Kincheloe
20521 Pear Lane
Caldwell, ID 83605

Dear Mr. and Mrs. Kincheloe:

Processing of your Notice of Claims, as referenced above, has revealed duplicate filings for portions of these water rights. This appears to be an inadvertent error that we would like to clarify at this time. Copies of your claims are enclosed, for your information, along with a copy of a map of the lands in question. The following information will allow us to correct this error. Please complete the questions below and return this letter to our office.

1. Please mark the appropriate item regarding the described property and water rights. Are you the:

Current Owner _____

Previous Owner _____

2. If you are the previous owner, please give the name of the new owner (as far as you know): _____

If you are the previous owner, and did not withhold the water rights in the sale, the new owner should show ownership of this claim.

3. Do you believe that you own a portion of these water rights?

Yes _____ No _____

If yes, please enclose proof of ownership. NOTE: Proof of ownership must describe either the property conveyed (as in a sales contract or warranty deed) or include the claim number, if no legal description is listed.

I apologize for any inconvenience, however, in order to protect your water rights, the Notice of Claims must be accurate. If you would return this letter by September 15, 1995, we will proceed with the necessary corrections. Please do not hesitate to contact this office if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with a large loop at the end of the last name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures



4W

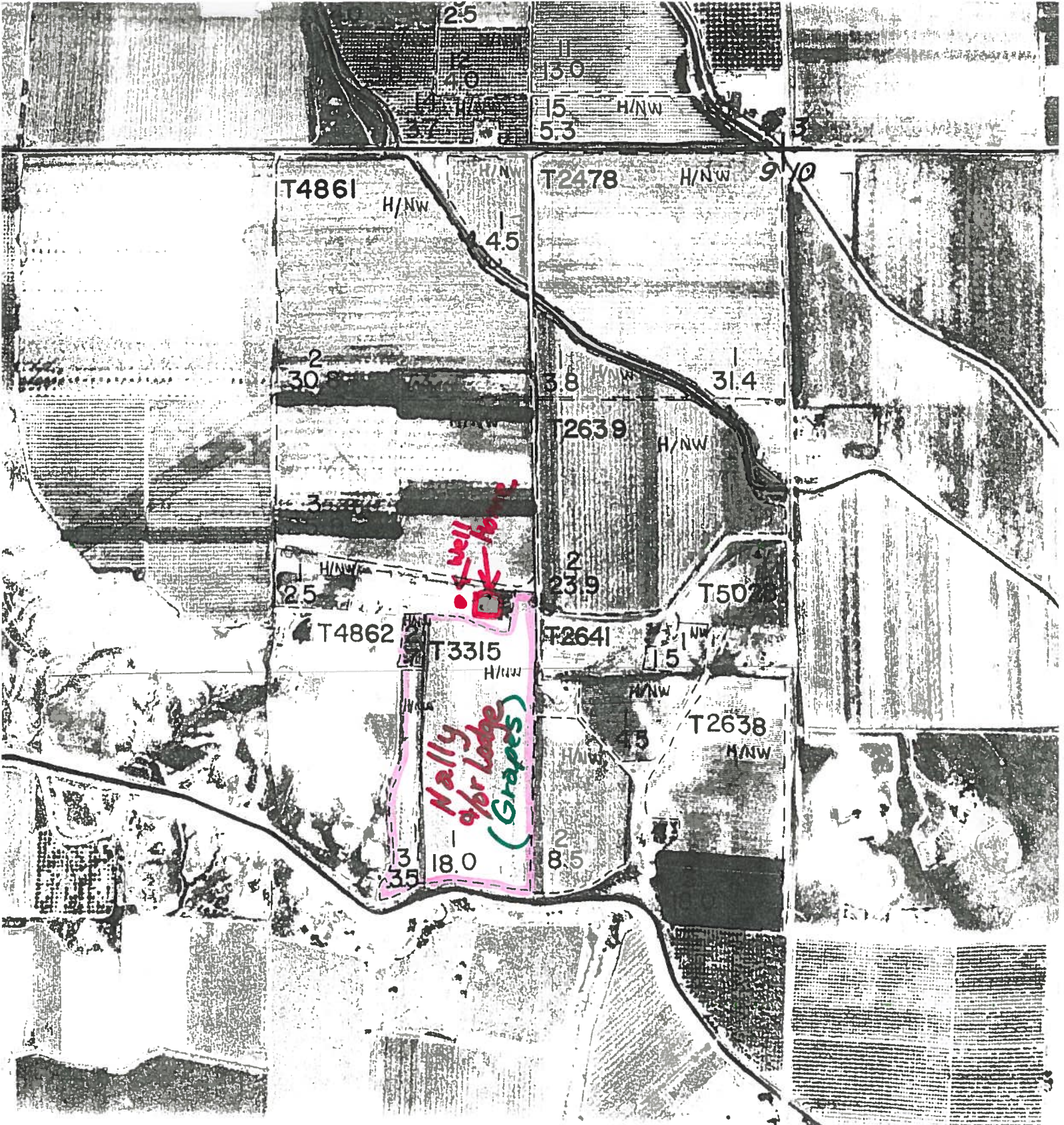
3V

S. 9



NO WR
IN T03N R04W
S. 9
NW SE

X54
(1971)



3N 4W 9