

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: A63-27858
Date Received: 3/9/1990
Receipt No: W010780
Received By: _____

Department of Water Resources
Western Regional Office

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: MR AND MRS GORDON GIPSON 208-459-2493
Address: 2211 S 10TH
CALDWELL ID 83605
2. Date of Priority: DEC 15, 1961
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 04N | 03W | 27 | SW | SW | | | CANYON |
5. Description of diverting works:
145'X6" 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 | | |
7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
DOMESTIC, 1 HOME, SWIMMING POOL
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	27	SW	SW		IRR	1.0

A63-27858

Page 1

Date: 12/23/92

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	1.0
					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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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

A63-27858

Date Received

3-9-90

Receipt Number

W010780

RECEIVED

MAR 09 1990

**NOTICE OF CLAIM
TO A
WATER RIGHT**

Department of Water Resources
Western Regional Office

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Mr./Mrs. Gordon Gipson Phone (208) 159-2193

Mailing Address 2211 S 10th -- Caldwell, Idaho Zip 83605

2. Date of Priority (Only one (1) per claim) 12/15/61

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

4. a. Location of existing point of diversion is: Township 14N Range 3WBM Section 27,
SW 1/4 1/4 of SW 1/4 of _____ 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. Well: 6' Casing: Depth 115'

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 0.02 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.06 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 0.02 cfs acre feet per annum.

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

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	
<u>LN</u>	<u>3WEM</u>	<u>27</u>											<u>1</u>						<u>1</u>
													<u>x</u>						

Total number of acres irrigated 1

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.
_____ or None ()

14. Remarks:

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Last Name Gipson Ident No. 39576

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

Section 27 Township 4N Range 3W

rods 2
" 40
" 60
" 80
" 60
" 40
" 20
" 0
" 20
" 40
" 60
" 80
" 60
" 40
" 20

together with all water, water rights, ditches and interests of way for ditches thereunto belonging or in anywise appertaining.

S W

Well is at midpoint of indicated lot platted above and described on attached sheet.

described on
MICROFILMED

AUG 02 1994

Last Name Gipson

Ident No. 39576

Copies: White-State, Yellow-Claimant

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

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ 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) *Gordon Ripson* Date 3/8/90
_____ Date 3/8/90

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/or _____)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 9th day of March 1990

SEAL

Notary Public *Patricia A. Jordan*

Residing at Caldwell, Idaho

My Commission Expires _____
Notary Public
Residing at Caldwell, Idaho
My Commission expires April 26, 1992

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 _____

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AUG 02 1994

Last Name Ripson Ident. Number 39576

Copies White-State, Yellow-Claimant

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME

Gripson

CLAIM IDENT. NO.

A63-27858

DATE RECEIVED 3-9-90 RECEIPT # W 010780 FEE PAID \$ 51 FEE REQ'D \$ 51

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

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	YES	NO
3. Is this claim being rejected and returned to claimant?	☐	☒
4. Can this claim be data entered?	☒	☐
5. Was claim modified?	☐	☒
If yes, do modifications require notification to claimant?	☐	☐

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

Claim reviewed by: HHT Date 12-22-92
Claim data entered by: sf Date 12-23-92

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

Comments: although quantity claimed does not mathematically agree,
the claim is sufficient for data entry.

Speed Letter®

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

From Gordon Gipson
2211 E S. 10th
Caldwell, Idaho 83605

Subject to Linda Werner

NO 9x10 FOLD

MESSAGE

Dear Linda: Attached are the Claim Forms we discussed at the Caldwell meeting recently. Thanks for your help. I hope these are ok. Also enclosed check #103310 for \$51.00

If there is anything else I should do at this time please let me know. Thanks again for your help.

Gordon Gipson

Date 3/9/90

Signed Gordon Gipson

REPLY

RECEIVED
MAR 9 1990

Department of Water Resources
Western Regional Office

MICROFILMED

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

RIGHT NUMBER: 63-27858

NAME AND ADDRESS: THE GIPSON FAMILY TRUST
2211 S 10TH 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: 06/01/1948

POINT OF DIVERSION:

T04N R03W S27 SWSW 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 S27 SWSW

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: R0026800000.

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 63-27858
Date Received: 3/9/1990
Receipt No: W010780
Received By:

RECEIVED

AUG 25 2006

WATER RESOURCES
WESTERN REGION

AMENDED
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THE GIPSON FAMILY TRUST
2211 S 10TH AVE
CALDWELL ID USA 83605

Phone: (208)459-2493

2. Date of Priority: 06/01/1948

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	03W	27	SW SW	CANYON	

5. Description of diverting works:

145'X6" WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	03W	27	SW	SW	DOMESTIC	

11. Place of use in counties: ~~ADA~~ CANYON A.G.
12. Do you own the property listed above as place of use? Yes
13. Other Water Rights Used:
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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Amy Gipson, co-trustee of
Title
The Gipson Family Trust, that I have signed the foregoing
Organization
document in the space below as Amy Gipson, co-trustee of
Title
The Gipson Family Trust and that the statements contained in the
Organization
foregoing document are true and correct. Amy Gipson, co-trustee
Signature of Authorized Agent
The Gipson Family Trust
Title and Organization
8/24/06
Date

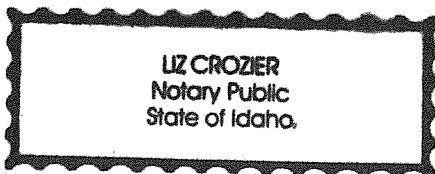
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 24
of Aug 2006

Liz Crozier
Notary Public

Residing at Boise

My commission Expires 8-14-2012





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 17, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

AMY GIPSON
2211 S 10TH AVE
CALDWELL ID 83605-5221

RE: Snake River Basin Claim No(s): A63-27858

Dear Ms. Gipson,

Based on the information I received from you on August 17, 2006, I have enclosed an *Amended Notice of Claim* for #63-27858. Basically, this amended claim changes the use to domestic and the priority date to 1948. This domestic use covers both internal and external use of the well water -- up to ½ acre of irrigation of the lawn and garden and also internal use of water within the home.

You will need to sign the amended claim in front of a Notary and return it to me as soon as possible. Please submit the signed claim to me by August 28th, 2006.

You may contact me at #334-2190 if you have any questions.

Respectfully Submitted,

A handwritten signature in cursive script that reads 'Kimberly Brown'.

Kimberly Brown
Water Resource Agent
Adjudication Bureau

Enclosure: Amended Notice of Claim A63-27858

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 63-27858
Date Received: 3/9/1990
Receipt No: W010780
Received By:

AMENDED
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY

1. Name of Claimant(s)

THE GIPSON FAMILY TRUST
2211 S 10TH AVE
CALDWELL ID USA 83605

Phone: (208)459-2493

2. Date of Priority: 06/01/1948

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	03W	27	SW SW	CANYON	

5. Description of diverting works:

145'X6" WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	03W	27	SW	SW	DOMESTIC	

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

COPY

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 Organizations:

COPY

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct. _____
Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

RECEIVED

AUG 17 2006

WATER RESOURCES
WESTERN REGION

August 15, 2006

Dear Kimberly,

I am very sorry for the delay in turning all this in to you but I ran into some unanticipated snags regarding this water right claim. After taking measurements of the lawn I realized that both previous water right claims (statutory and SRBA) were in error and that this was actually a small domestic claim. I had to evaluate the claim and make corrections. This was very time consuming.

I do feel it would have been helpful for there to have been separate instructions geared towards a small residential or domestic claim. For example I found working with the given map grid difficult because the map given on the claim form represented 10,240 acres and this small domestic claim is for a property site of just under 1 acre.

It also would have been helpful to receive the "Evidence of Priority" pamphlet in 1991 when it became apparent that this would be an issue. Since all claims taking was finished in 1990, this earlier mailing would have given claimants a "heads-up" at a time when the claim was relatively fresh in the mind and while the claimant (in this case) was still living.

From what I've read regarding domestic claims my understanding is while claimants are encouraged to file there is a deferred filing provision for these small claims so your department wouldn't get bogged down with these relatively tiny water claims. I do hope you are not inconvenienced by this late submission.

Best Wishes,

Amy Gipson

GIPSON, SRBA Claim No. A63-27858

Amy Gipson
2211 S. 10th Ave.
Caldwell, ID 83605

RECEIVED
AUG 17 2006
WATER RESOURCES
WESTERN REGION

August 14, 2006

Kimberly Brown
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: Snake River Basin Claim No: A63-27858

Dear Kimberly,

I last spoke with you on May 1st regarding your "Evidence of Priority" request for this claim. We discussed changes to the claim and I believe you made amendments to the claim at that time and I was supposed to send evidence of priority on an affidavit as follow-up. Before doing so I felt I needed to review the 2 claims previously submitted by my father Gordon Gipson now deceased:

Statutory Claim No. 63-4889 filed in 1982.

SRBA Claim No. 63-27858 filed in 1990.

Note: Gordon did not provide a cross reference of the 1982 Claim No. in his 1990 SRBA Claim form and you indicated that presently the older 1982 Claim No. 63-4889 is inactive.

After taking measurements with a measuring wheel I found out that the quantity of usage declared on these past claims was incorrect and that our total usage (including irrigation) fell well within the guidelines of a small DOMESTIC USE claim. The area of yard being watered from our private well is .15 acre (NOT 1 acre) and the rest of the yard is irrigated with water from the Pioneer Irrigation District.

It took me quite a while to read and understand all the water rights information to my satisfaction. When I spoke to you in May you indicated that Canyon County was the last county to be reviewed before filing a Director's Report with the court that was to include all the claims and I don't know where you are in that process. If the Director's Report has already been submitted and includes Claim No. 63-27858 I can file an objection if the description of the water right is in error. If the Director's Report has not yet been filed perhaps it is not too late to make corrections to Claim No. 63-27858.

GIPSON, SRBA Claim No. A63-27858

The Gipson's claim to a water right has always been a small domestic use claim for water put to beneficial use before 1963 and from all that I've read there is no legal requirement to file a claim for such use at this time, however, Civil No. 39576 Commencement Notice mailed in 1989 indicates that even a small domestic use right will have to be adjudicated before a water master can distribute that right so I feel it is important to correct the existing claim instead of canceling it and/or not filing a claim at this time.

I am enclosing the following:

Notification of Change in Ownership

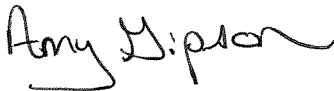
Corrections to computer print-out of SRBA Claim No. 63-27858

Map Detail & Remarks

It is stated in your "Evidence of Priority" pamphlet "Additional proof of priority for beneficial use claims for small D & S uses will not be required unless specifically requested by IDWR". I am hoping that the information I am providing today will adequately meet your requirements.

Please call me at phone number 376-5137 if you have any further questions.

Sincerely,

A handwritten signature in cursive script that reads "Amy Gipson". The signature is fluid and written in dark ink.

Amy Gipson

GIPSON, SRBA Claim No. A63-27858

Amy Gipson
2211 S. 10th Ave.
Caldwell, ID 83605

RECEIVED
AUG 17 2006
WATER RESOURCES
WESTERN REGION

August 14, 2006

Kimberly Brown
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: Change in Ownership
SRBA Claim No: A63-27858

Dear Kimberly,

This letter is to inform you of a change in ownership of water rights claimed at 2211 S. 10th Ave., Caldwell, ID 83605-5221.

Previous Owner and Address: Mr. and Mrs. Gordon Gipson
2211 S. 10th Ave.
Caldwell, ID 83605-5221

New Owner and Address: The Gipson Family Trust
Tryntje Heeling Gipson, trustee and/or
Amy Sterling Gipson, trustee
2211 S. 10th Ave.
Caldwell, ID 83605-5221

The property was transferred to a trust in 2003 and attached is the 2004 Property Assessment Notice that shows evidence of this change in ownership.

Please note that Tryntje Heeling Gipson is Mrs. Gordon Gipson and she also goes by the name Kathy Gipson. She lives at the above address.
Gordon Gipson passed away on October 23, 2004.

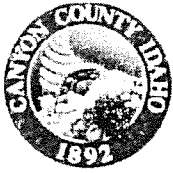
If you have any questions please call me at my phone number 376-5137.

Sincerely,



Amy Gipson

GIPSON, SRBA Claim No. A63-27858

**Gene T Kuehn**Canyon County Assessor
1115 Albany St. - Room 343
Caldwell, ID 83605

2004

**ASSESSMENT NOTICE
& ESTIMATE OF TAX**

REGULAR ROLL 05/28/2004

PARCEL DESCRIPTION:ACCOUNT NO. 4R 268000 0
27-4N-3W SW BEAL'S ACREAGE
TAX 23 OF BLK 8

For any questions, please notify the Assessor's Office immediately

Assessor's Telephone Number: (208) 454-7431

Parcel Address: 2211 S 10TH AVE, CA

580 4R 268000 0 *****5-DIGIT SCH 83605

|||||

GIPSON FAMILY TRUST
% GIPSON, TRYNTJE HEELING &
% GIPSON, AMY STERLING-TRUSTEE
2211 S 10TH AVE
CALDWELL ID 83605-5221Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 28, 2004

Tax Code Area: 001-00

C0850008000C

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
20 RES LTS/ACR-IN CITY	0.84	29,500	33,000
41 RES IMP-CITY LT/ACR		123,000	136,500
SUBTOTAL:	0.84	152,500	169,500
LESS HOMEOWNERS EXEMPTION:		50,000	50,000
NET TAXABLE PROPERTY VALUE:		102,500	119,500

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
AMBULANCE DISTRICT	21.00	24.48	(208)466-8800	9/07/2004
CALDWELL CITY OF	909.76	1,060.64	(208)455-3000	8/16/2004
CANYON #4 CA	118.22	137.82	(208)454-8135	8/31/2004
CALDWELL SCH #132	694.44	809.62	(208)455-3300	6/14/2004
CANYON COUNTY	471.39	549.56	(208)454-7507	9/07/2004
SUBTOTAL:	2,214.80	2,582.12		
FEES:				
TOTAL PROPERTY TAXES & FEES:	2,214.80	2,582.12		

See the back of this Notice for details

0000646

GIPSON. CRRA Claim No. A63-27858

RECEIVED

AUG 17 2006

WATER RESOURCES
WESTERN REGION

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-27858

WATER RIGHT NUMBER: 63-27858

Owner Type

Current Owner

Name and Address

MR AND MRS GORDON GIPSON
2211 S 10TH
CALDWELL, ID 83605
(208)459-2493

THE GIPSON FAMILY TRUST
2211 S. 10TH AVE
CALDWELL, ID 83605-5221
(208) 459-2493

Priority Date: ~~12/15/1981~~ 6/1/48

Basis: Beneficial Use

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

DOMESTIC

From To

✓ 3/15 to 11/15

1/1 to 12/31

Total Diversion:

Diversion Rate

~~0.020 CFS~~

0.01 CFS

0.060 CFS

0.02 CFS

Annual Volume

0.01 CFS

0.01 CFS

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NW 1/4 SW 1/4 SW 1/4 SW 1/4

Sec. 27, Twp 04N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	03W	27	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	1.0
													1.0						
													0.15						

Total Acres: 4.15

D (domestic)

Conditions of Approval:

Remarks:

Comments:

GIPSON, SRBA Claim No. A63-27858

Remarks

Explanation of changes to SRBA Claim No. 63-27858

Current Owner: The Gipson Family Trust

Property and water rights ownership was transferred from Mr. and Mrs. Gordon Gipson to The Gipson Family Trust in 2003.

This is a small, domestic, single family use claim including less than ½ acre of irrigation.

Priority Date: 6/1/48

This is the date given in Statutory Claim No. 63-4889 filed in 1982 and retained by Idaho Department of Water Resources per their acknowledgement dated 6/30/82.

The date given in the 1990 SRBA Claim No. 63-27858, 12/15/61, actually represents the date Mr. and Mrs. Gordon Gipson obtained ownership of this property and not the date of first beneficial use of water by previous owners.

Beneficial Use:

Irrigation	(3/15 – 11/15)	.01cfs
Domestic	(1/1 – 12/31)	.01cfs
Total Diversion		.02cfs

This small domestic claim includes irrigation of approximately .15 acre of lawn via sprinklers.

Location of Point(s) of Diversion:

NW1/4 SW1/4 SW1/4 SW1/4 SW1/4 Sec. 27, Twp 04N, Rge 03W, B.M.

Place of Use:

(Irrigation/Domestic)

.15 acre in SW1/4 of SW1/4, Sec. 27, Twp 04N, Rge 03W, B.M.

Description of Diversion Works:

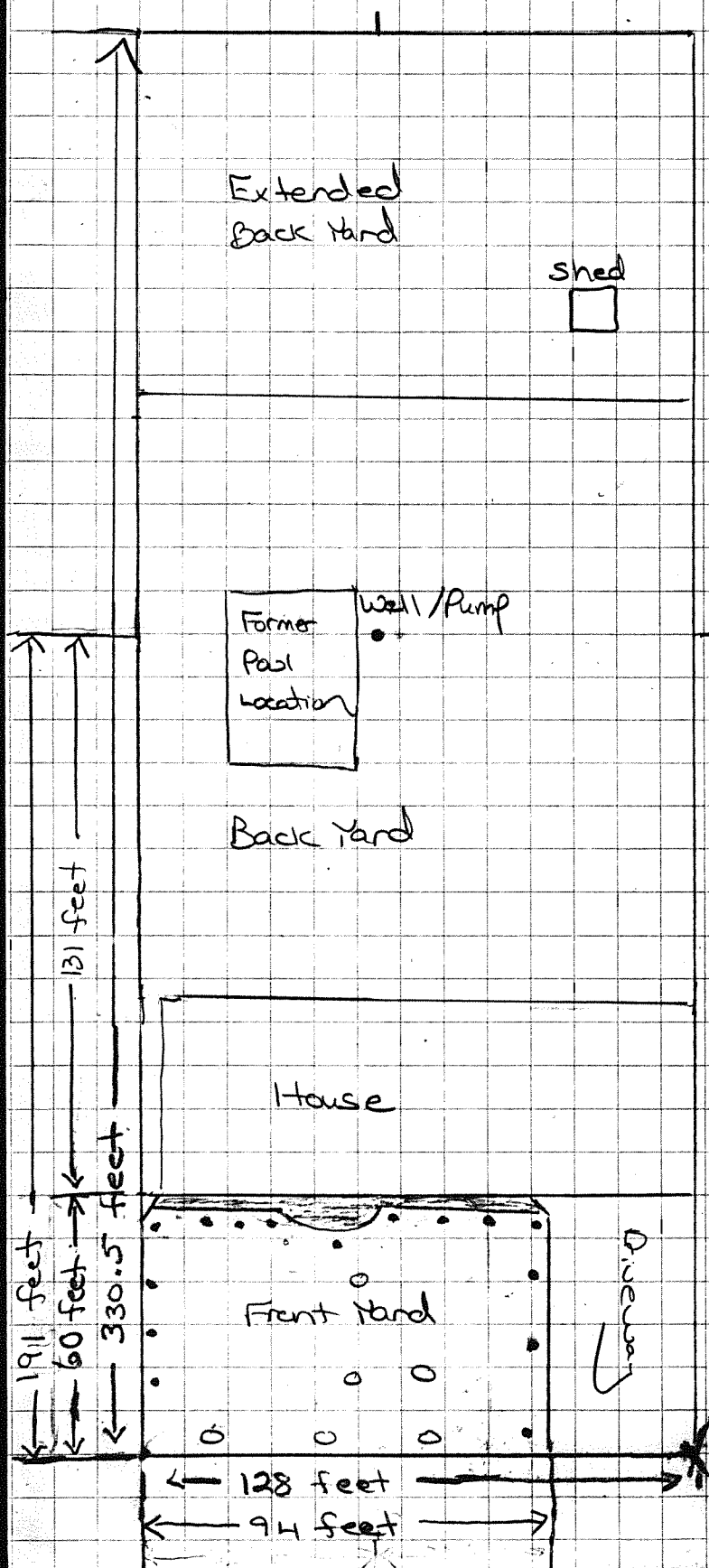
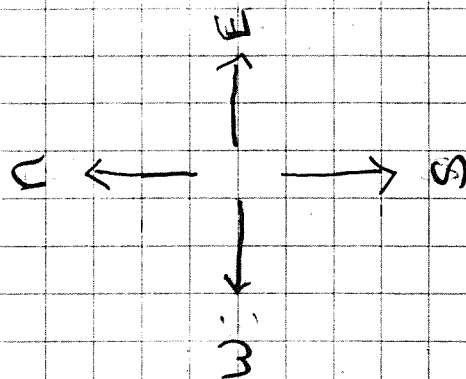
6" Well, Depth 145'

Groundwater is diverted via well, hand pump, pump, pipes and sprinklers all within an area less than ½ acre. 6" well is an approximate depth of 145'. The pump is at the well. Water is pumped through underground pipes to a sprinkling system in the front yard, approximately .15 acres. (See map.)

GIPSON, SRBA Claim No. A63-27858

Scale: each square equals 10 feet.

All measures are approximate.



within the
NW 1/4 of the
SW 1/4 of the
SW 1/4 of the
SW 1/4 of
Section 27
Township 4 North,
Range 3,
West of the Boise Meridian

GIPSON, SRBA Claim No. A63-2788

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-27858 V1

WATER RIGHT NUMBER: 63-27858 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MRS GORDON GIPSON 2211 S 10TH AVE CALDWELL, ID 83605 (208)459-2493

Priority Date: 12/15/1961

Basis:

Status: Disallowed

<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	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 27, 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	27												1.0					1.0

Total Acres: 1

Conditions of Approval:

1. 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.
2. P13 No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.
3. P03 No beneficial use found.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-27858 V1

Comments:1. kbrown 8/9/2006 Reason for Disallowal

Comment: Amy Gipson, the daughter of Kathy and Gordon Gipson, submitted as evidence of priority a letter and a copy of an IDWR letter (dated 1982) on 4/21/06. However, the letter she submitted did not substantiate the claimed priority date. Therefore, I called Amy Gipson and spoke to her on 4/24/06. I explained to her why the letter was not sufficient, so she said she would fill-out the blank affidavit from that I sent with the request for evidence and then send it to me. Ms. Gipson called again on 4/28/06 and I gave her an extra two weeks to provide evidence. As of this date, I have not received anything substantiating the priority date and am, therefore, recommending this claim as disallowed.

2. kbrown 8/9/2006 Property Address

Comment: PROPERTY ADDRESS: 2211 S. 10th Ave., Caldwell 83605.

3. kbrown 8/9/2006 Irrigated Acres

Comment: According to the 1987 NAPP image, there is only approximately 0.5 acre of irrigation. Plus, according to Amy Gipson, the pasture behind the house is flood irrigated with Pioneer Irrigation District water (see Conversation Memorandum).

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
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>
Summary			03/24/2006	lharris	Disallowed
Contacts	8/9/2006 8:44:58 AM	kbrown			Disallowed
Summary			08/09/2006	kbrown	Disallowed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	3/24/2006 11:01:14 AM	lharris	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?
Contacts	8/9/2006 8:44:59 AM	kbrown	(No) 1. Do you want to schedule an appointment?

Comment for 1: Disallowed.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-27858 V1

Summary	8/9/2006 8:46:54 AM	kbrown	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
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Water Supply Bank:

DISALLOWED

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-27858

WATER RIGHT NUMBER: 63-27858 ✓

Owner Type
Current Owner

Name and Address *Kathryn F* ✓
MR AND MRS GORDON GIPSON ✓
2211 S 10TH
CALDWELL, ID 83605
(208)459-2493

Current Owner:

Tryntje Heeling & Gipson

Priority Date: 12/15/1961 ✓
Basis: Beneficial Use ✓
Status: Active

Property Address:

2211 S. 10th Ave

Source
GROUND WATER ✓

Tributary

Beneficial Use
IRRIGATION ✓

change to 3/10
From To
3/15 to 11/15 ✓

Diversion Rate
0.020 CFS ✓
0.060 CFS ✓
0.02

Annual Volume

(?) Domestic, swimming pool

Total Diversion:

Location of Point(s) of Diversion
GROUND WATER
CANYON County ✓

SW1/4SW1/4 ✓

Sec. 27, Tw

Total CFS should be 0.02, not 0.06

Place of Use
IRRIGATION ✓

Twp Rge Sec			NE				NW				SW ✓				SE					
✓	04N	03W	27	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
														1.0						1.0

Total Acres: 1 ✓

Conditions of Approval:

ADD - Use is combined with Pioneer Irr. Dist

Remarks:

Comments:

Tax 23 of Blk. 8, Beal's Acreage

() According to the 1987 NAPP image, there is only approximately 0.5 acre of irrigation. Plus, the pasture behind the house is flood irrigated with Pioneer Irr. Dist. water (see Conv. Memo.)*

Parcel No: R 0026800000. (0.84-1.0 AC)

DISALLOWED

Field Exam Date 8-9-06

On-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 \$51.⁰⁰
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ 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) A63-27858
Owner: Kathy & Gordon Gipson Phone No. 459-2493
Current Address: 2211 S. 10th, Caldwell 83605

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property?

Accompanied by: in-office verification

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: 12/15/61

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

Amy Gipson, the daughter of Kathy and Gordon Gipson, submitted a letter and a copy of an IDWR letter (sent to her parents in 1982) on 4/21/06. However, the letter she submitted does not substantiate the priority date.

Source: _____ Tributary to _____ Therefore, I

- ☐ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____ called Amy Gipson and

POINT OF DIVERSION

- ☐ No change
- ☐ POD found is different than claimed: _____ spoke to her on 4/24/06. I explained
- ☐ If different, when did POD change? _____ to her why

the letter she submitted was not sufficient, so she said she would fill-out the blank affidavit form I originally sent her and send it to me. Ms. Gipson called again on 4/28/06 and I gave her an extra two weeks to provide evidence. As of this date, I have not received 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 GPS ID

Description of diverting works

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 _____ From _____ To _____ Amount _____ 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 _____ CFS _____ AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☐ No change
☐ Changes Exam found: Domestic # of homes _____ Stock # _____
Types _____ Additional comments: _____

PLACE OF USE:

- ☐ No Change
☐ Changes shown below:

AKA - Tax 23 of Blk. 8, Beal's Acreage

Parcel No: R0026800000. (0.84 - 1.0 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: #63-4889 (+) Pioneer Irr. Dist. water

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

Delivery System Narrative:

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

According to the 1987 NAPP image, there is only approximately 0.5 acre of irrigation. Plus, the pasture behind the house is flood irrigated with Pioneer Irrigation District water (see Conversation Memorandum).

#63-27858
1987 NAPP

SWSW



REAL PROPERTY INQUIRY

+++++

01 6R 268-000- -0 001-00 SCH132+ 20 33,000 .84

+++++ 41 136,500

GIPSON FAMILY TRUST +

% GIPSON, TRYNTJE HEELING & +

% GIPSON, AMY STERLING-TRUSTEE +

+

+

2211 S 10TH AVE +

CALDWELL ID 83605 +

+++++

27-4N-3W SW BEAL'S ACREAGE 0850 + TOTAL 169,500 .84

TAX 23 OF BLK 8 ++++++

+ SURVEY INST 200360378

+ DRAIN DR VALUE APPR KYL

+ CLASS 4 REAP 04 MAN 03 UNIT 1

2211 S 10TH AVE, CA

+ PARCEL 6RC0850008000C H/O N C/B N

+ PRIOR ACCOUNT 5R 268-000- -0

+ 02 MH on Property NO

+ 03 Traits 04 Companion Sheet

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R 268000 0 UNIT 001 TOTAL UNITS 1

SITE 2211 S 10TH AVE CA SEC/TWN/RNG 27-4N-3W

ASSESSED VALUE 169,500 ACREAGE .84

SUB/PARK NAME BEAL'S ACREAGE YEAR/MAKE

CLASS 4 OWNER / OCCUPIED HOUSE CLASS ' 4 ' SPACE LOT BLOCK

+++++

YR BUILT 1948 AIR COND AIR - NONE CARPORT N

STORY 1 STORY HEATING ELEC CABLE CARPORT SQ FT

FIRST SQ FT 2278 EXTERIOR MASNRY VENEER DECK/PATIO? Y

SECOND SQ FT ROOF GALVNZD METAL POOL? N

BEDS 3 BSMT SQ FT SPA? N

BATHS 2.00 % BSMT FIN LOT SIZE 128 x 290

FRPLC 2 GARAGE A2 NEIGHBORHOOD 0

GARAGE SQ FT 616

+++++

COMMENTS GP 12X16 MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

REAL ACCOUNT

IDAHO DEPARTMENT OF WATER RESOURCES
 ADJUDICATION CLAIM POU REVIEW REPORT
 ADJUDICATION CLAIM NUMBER: 63-27858

03/24/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
20944	Claim	04N	03W	27	SW	SW		IRRIGATION	0.7/0.7	JAMES E KAPICKA
~~27858~~	~~Claim~~	~~04N~~	~~03W~~	~~27~~	~~SW~~	~~SW~~		~~IRRIGATION~~	~~1/1~~	~~MR AND MRS GORDON GIPSON~~
2275	Water Right	04N	03W	27	SW	SW		IRRIGATION		PIONEER IRRIGATION DISTRICT
4889	Water Right	04N	03W	27	SW	SW		IRRIGATION	1/1	GORDON GIPSON
13420	Water Right	04N	03W	27	SW	SW		DOMESTIC		DEWEY L FARMER
16783	Water Right	04N	03W	27	SW	SW		DOMESTIC		LESLIE W SUMMERS
17535	Water Right	04N	03W	27	SW	SW		DOMESTIC		STANLEY R LARSEN

overlap review -

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-4889

WATER RIGHT NUMBER: 63-4889

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GORDON GIPSON 2211 S 10TH AVE CALDWELL, ID 83605

Priority Date: 06/01/1948
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	SW1/4SW1/4	Sec. 27, 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	27											1.0						1.0

Total Acres: 1

DOMESTIC same as IRRIGATION

Conditions of Approval:

Remarks:

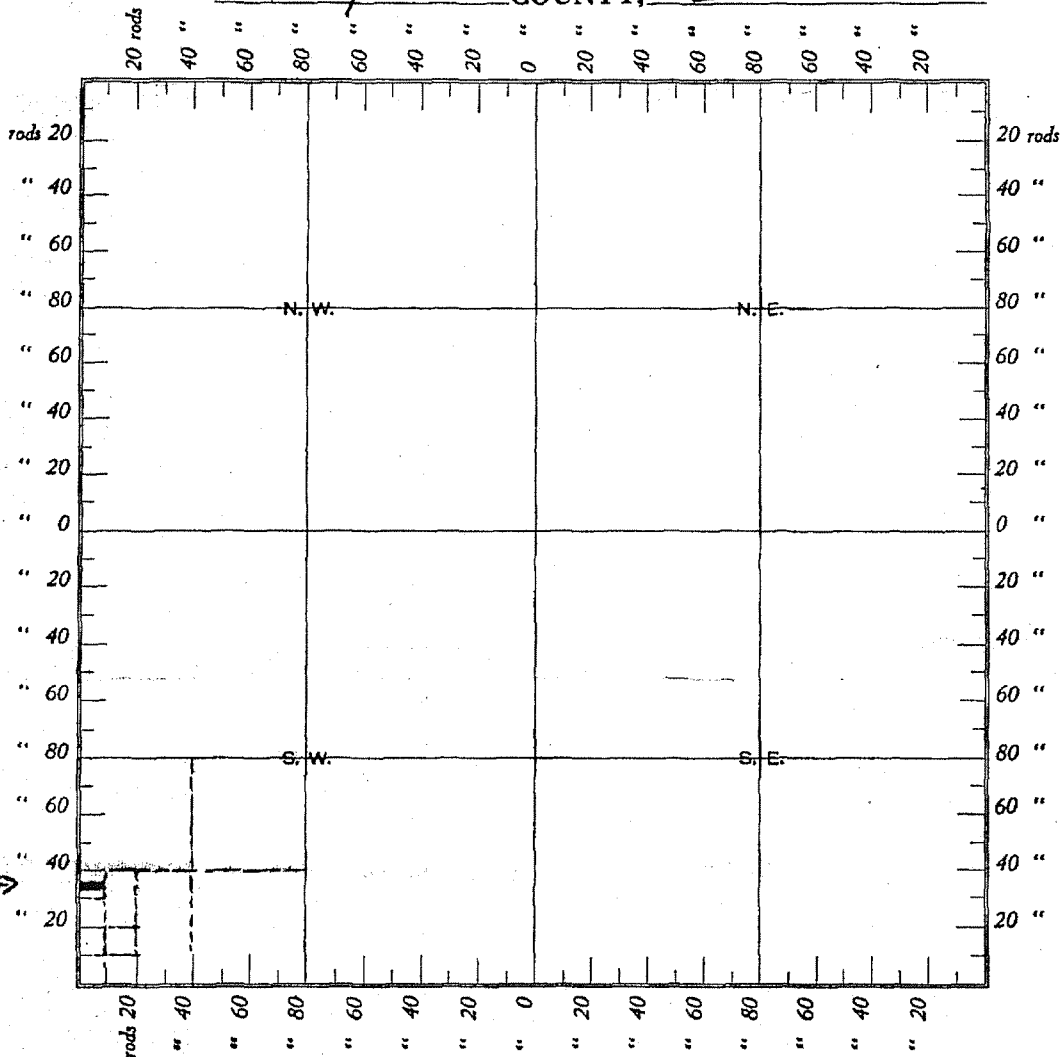
Comments:

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

MICROFILMED

SECTION 27 TOWNSHIP 4 N. RANGE 3 W B M

Canyon COUNTY, Idaho.



Well is at midpoint of indicated lot platted above and described on attached sheet.

MICROFILMED

FORM
SECTION
CAYTON

Commencing at the Southwest corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, Township 4 North, Range 3, West of the Boise Meridian, and running thence North along the West boundary line of said Section 27, a distance of 462 feet to THE REAL POINT OF BEGINNING. Continuing thence North along said West boundary line a distance of 128 feet; thence running East on a line parallel with the South boundary line of said NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ a distance of 110 feet, more or less, to a point in the East boundary line of the West One-Half of the West One-Half of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 27; Thence South along the said East boundary line a distance of 128 feet to a point which is 452 feet North of the Southeast corner of the aforesaid NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 27; thence running West 330.5 feet, more or less, to the real point of beginning.

Together with all water, water rights, ditches and rights of way for ditches thereunto belonging or in service appertaining.

Receipt Details for ID W010780

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/9/1990 1:18:14 PM	3/9/1990	Western	\$51.00	Check
Payer	THE CAXTON PRINTERS, LTD.			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
103310			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$51.00	ADJUDICATION CLAIM 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	27858		\$51.00	Claim

Print Report

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-27858
Evidence of Priority**

April 24, 2006

I called #376-5137 in order to speak to Amy Gipson regarding the letter she sent as evidence of priority on 4/21/06. Since there was no answer, I left a message on her answering machine.

Amy Gipson, the daughter of the claimants, returned my call a few hours later. After I explained to Ms. Gipson why the letter she sent was not sufficient to substantiate the claimed priority date, she said that she would fill-out the blank affidavit form I included with my request for priority and send it to me. While I had Ms. Gipson on the telephone, I asked her to describe the location of the well and I placed in ArcView. When I asked if her parents had shares in an irrigation district, Ms. Gipson verified that they used Pioneer Irrigation District water.

April 28, 2006

Amy Gipson called at 10:19 a.m. to inform me that she had "all her questions done" (which I took to mean that she was able to find someone to fill-out the affidavit). She also informed me that her father, Gordon Gipson, has passed away; but that her mother, Kathy Gipson, is still alive. We spoke further about their water use. Ms. Gipson told me that her parents moved into the house between 1960 and 1961 (her mother does not remember when) and that her parents' lot has 4.5 acres^{*} with an "extensive lawn behind the house and ½ acre of lawn in front of the house." She said that the pasture located behind the house is flood irrigated with ditch water from Pioneer Irrigation District. She also said that her parents use city water for their domestic purposes. When I asked about the domestic use claimed under #63-4889, Ms. Gipson replied that the domestic use was for a swimming pool – basically, the water was used to fill the swimming pool. She also mentioned that the swimming pool was filled with dirt in 1992.

(cont.)

* The Gipseons do not own 4.5 acres. According to 2005 Canyon Country tax lot data, Parcel No. R0026800000 contains 0.84 acre (200 Pond Promoter, Inquirer in file).

At the end of our conversation, I told Ms. Gipson that I would give her an extra two weeks to get the evidence to me and she agreed.

Kimberly Brown
Senior Water Resource Agent
Western Region

Amy Gipson
c/o Kathy Gipson
2211 S. 10th Ave.
Caldwell, ID 83605

April 19, 2006

Kimberly Brown
State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RE: Your letter dated 3/29/06
RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-27858

RECEIVED
APR 21 2006
WATER RESOURCES
WESTERN REGION

*not sufficient
evidence -*

Dear Kimberly:

I am in receipt of your letter to Mr. And Mrs. Gordon Gipson, my parents. My father, Mr. Gordon Gipson is deceased while my mother, Mrs. Gordon Gipson (Kathy Gipson) is the surviving spouse who still resides and utilizes her water rights at the above address. I handle all of my mother's mail as she has never learned to do this herself. I review her mail only once every two weeks and I have not had enough time to fully respond to your request by the deadline although I have spent several hours to date reviewing my father's file on water rights.

In 1982 Gordon Gipson filed a "Claim To A Water Right" along with a \$30 check. The claim was acknowledged by David B. Shaw, Western Region Supervisor in his letter to Gordon Gipson dated 6/30/82. (See copy attached.) The claim establishes his priority date as 6/1/48.

In 1990 Gordon Gipson filed a "Notice of Claim To A Water Right" along with a \$51 check. The claim was addressed to Linda Werner, Idaho Department of Water Resources. According to a booklet (likely received in 1989) entitled "The Snake River Basin Adjudication - A Report To Idaho Water Users", it declares the following"
"After you have filed and the claim is reported to the court, you will be DECREED a water right which will provide security of ownership of the water right which has never before existed in Idaho." Gordon was never notified that his "Notice of Claim to a Water Right" was in any way amiss and his \$51 check was processed.

Please call me at your earliest convenience to discuss this matter in detail. Please allow for an extension of time to resolve this matter. My phone (208) 376-5137.

Sincerely,



Amy Gipson

1982

-copy-

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

JUNE 30, 1982

GORDON GIPSON
2211 S. 10TH AVE.
CALDWELL

ID 83605

~~RECEIVED 6-2-82 4889~~

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,


DAVID B. SHAW
Western Region Supervisor

Enclosure



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

MR. & MRS. GORDON GIPSON
2211 S 10TH
CALDWELL ID 83605

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-27858

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 A63-27858

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.