

Idaho Dept. of Water Resources
322 E. Front St. Boise, ID
May 18, 2006

To: 3-4002 & 3-10235 Claim File
From: Jennifer Dean
Subject: Unsurveyed Lands

At various places along the Snake River (and other rivers) the most recent federal land survey (as represented by the BLM's Geographic Coordinate Database, GCDB) stops at river meander lines. Since the time of the survey, the river has changed course in several places, which created land that is not represented in the survey data. This land is known as omitted lands.

This recommendation for these claims consists of a permissible place of use of 71 acres. Of those acres, 7 are on omitted lands. In order to create a meaningful description of the place of use, I copied $\frac{1}{4}$ $\frac{1}{4}$ section lines and overlaid them on the omitted lands, carefully lining them up with the existing GCDB $\frac{1}{4}$ $\frac{1}{4}$ section lines. In so doing, there were a couple of the theoretical $\frac{1}{4}$ $\frac{1}{4}$ section lines that were divided by existing lots as well as existing lots that were divided by the theoretical $\frac{1}{4}$ $\frac{1}{4}$ section lines. In these instances I used ArcView to calculate the acres for the smallest division.

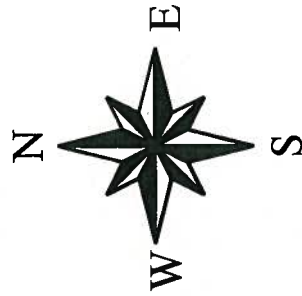
For example, I recommended 4 acres in T09N, R05W, S02 **SENE** Lot 2. I also recommended an additional 0.5 acres in T09N, R05W, S02 **SWNE** Lot 2. Additionally, there were 1.5 acres recommended as unsurveyed land in T09N, R05W, S02 **SENE**. Dividing the acres in the recommendation in this way allows both the acres for each lot and the acres for each theoretical $\frac{1}{4}$ $\frac{1}{4}$ to be calculated by simple addition. According to the example, there are a total of 4.5 acres in T09N, R05W, S02 **Lot 2**. There are also a total of 5.5 acres in T09N, R05W, S02 **SENE**. This method also keeps the government lot as part of the recommendation, which provides a more accurate legal description.

Idaho Department of Water Resources

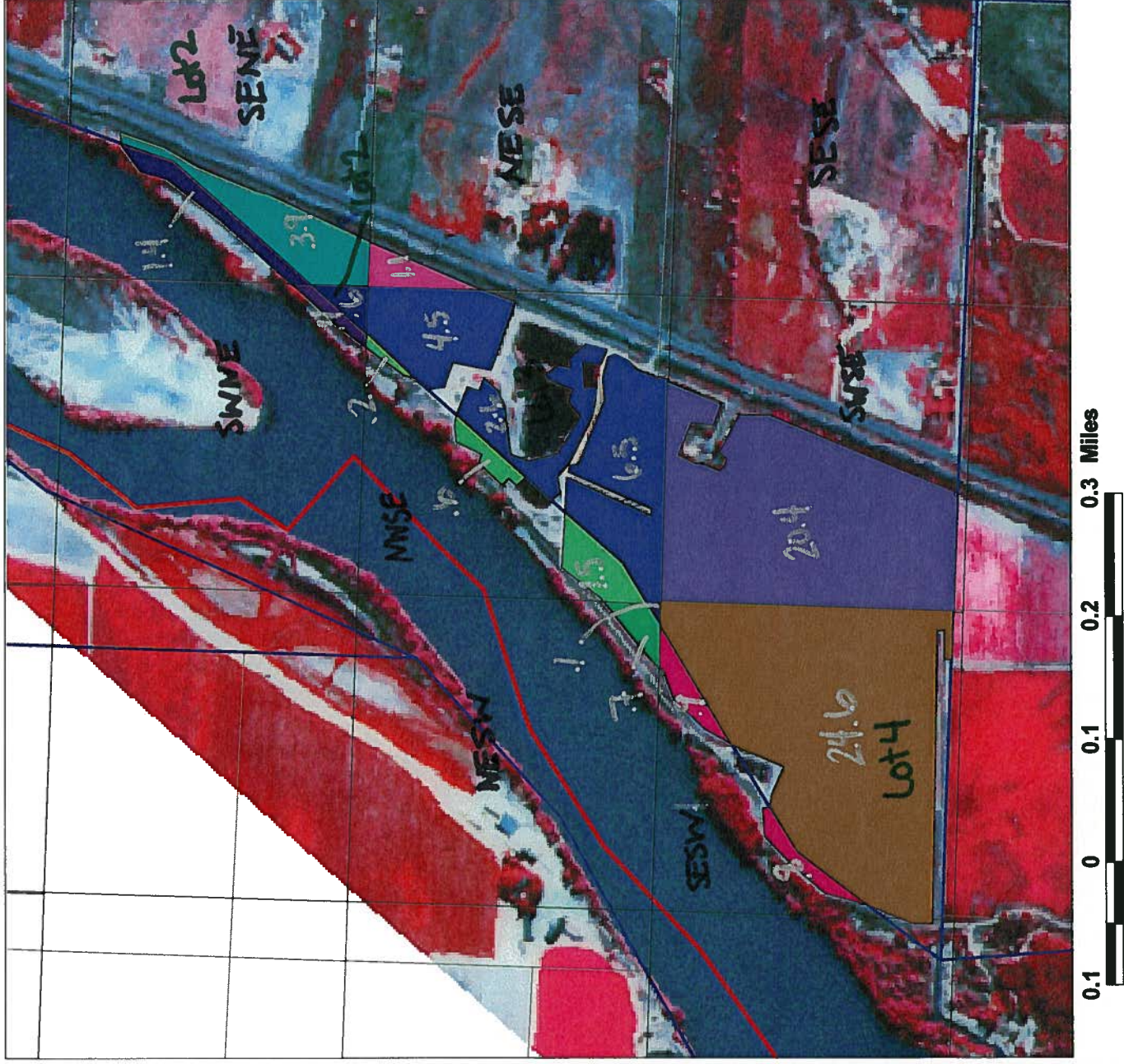
Claim Number:

03-4002

- Graph158.shp
- Graph157.shp
- Graph156.shp
- Graph155.shp
- Graph154.shp
- Graph153.shp
- Graph152.shp
- Graph151.shp
- Graph150.shp
- Graph149.shp
- Graph148.shp
- Graph147.shp
- 03_04002_extended_qq.shp
- Sections
- GCDB09N05W GCDB
- 03_04002_rec_pou.shp
- GCDB16S48E OR GCDB
- GCDB16S47E OR GCDB
- Administrative BasinsAdminbas.shp

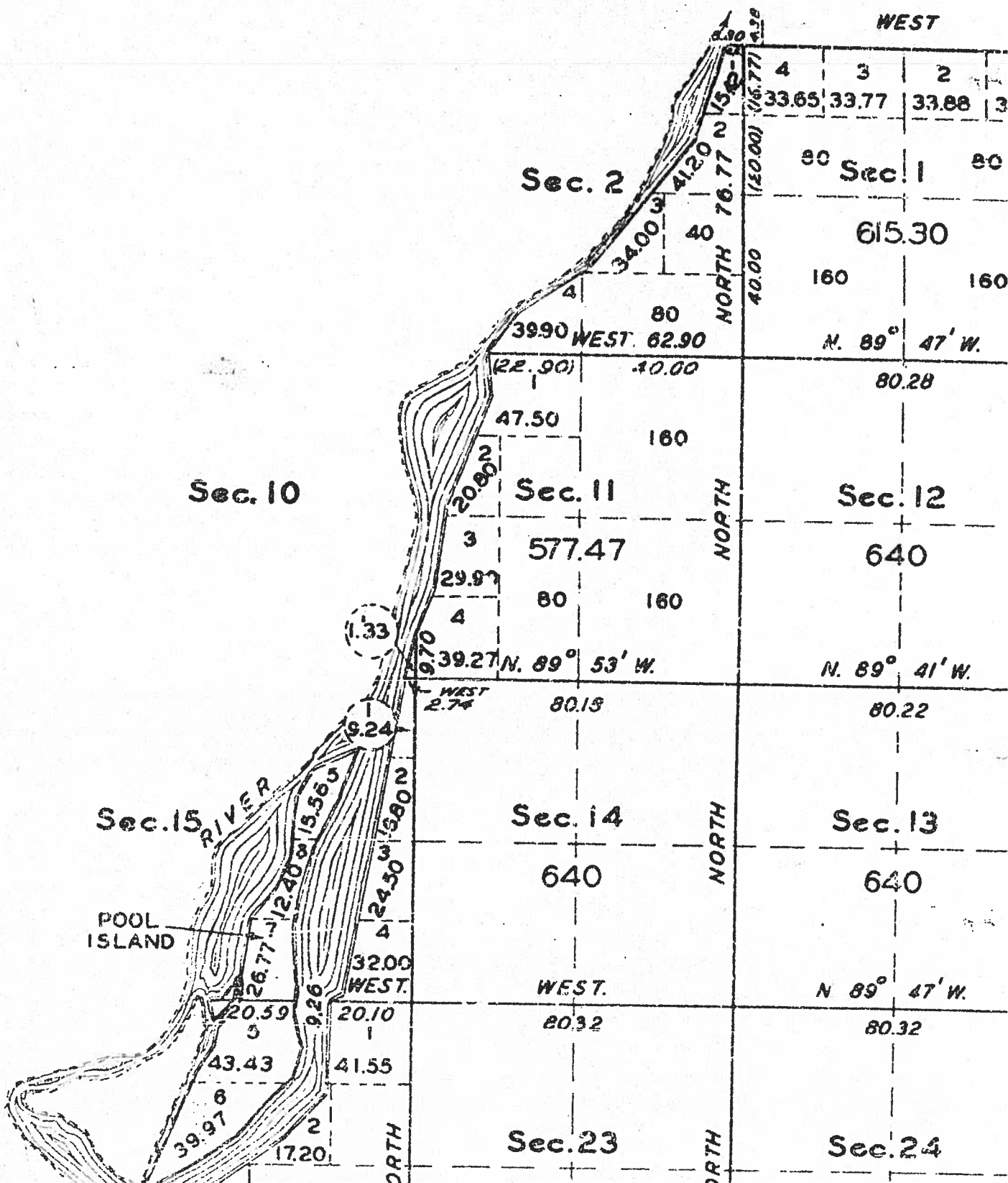


Legal: T09N, R05W, S02
1987 NAAP Photo



COMPOSITE PLAT OF Nº 5 WEST OF THE BOISE MERI

2ND STD. PAR.



Township	Range	Section	QQ	Lot	GIS Acres	Rec Acres	QQ Sum	Claim
09N	05W	2	SENE	2	3.9	4	5.5	6
09N	05W	2	SENE		1.4	1.5		
09N	05W	2	SWNE	2	0.6	0.5	1	1
09N	05W	2	SWNE		0.4	0.5		
09N	05W	2	NESE		1.1	1	1	1
09N	05W	2	NWSE	3	13.6	13.5	16	15
09N	05W	2	NWSE		2.3	2.5		
09N	05W	2	SWSE		20.4	20.5	20.5	20
09N	05W	2	NESW	3	0.1	0	1	0
09N	05W	2	NESW		0.7	1		
09N	05W	2	SESW	4	24.6	24.5	26	28
09N	05W	2	SESW		1.7	1.5		
					70.8	71	71	71



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 26, 2006

WILLIAM D COLLINS
WESTBERG MCCABE & COLLINS CTD
516 W FRANKLIN ST
PO BOX 2836
BOISE ID 83701-2836

RESPONSE DEADLINE
MAY 10, 2006

3-4002
Re: New Claim

Dear Mr. Collins:

I have reviewed the letter and evidence of priority you provided for adjudication claim 3-4002 in the name of Lucich Family LP. It appears that based on the evidence of priority you found your intent is to claim 14 acres with a priority date of 1881 and to claim the remaining acres with a later priority date. The only way that this can be accomplished is to file a new claim for the 14 acres with the priority date of 1881. This claim is subject to the standard fee of \$50 per claim. The additional acre fee that applies for irrigation claims is not required because the acres were paid for under claim 3-4002.

I am sending you a draft copy of the new claim. I recommend that you review the claim to be sure that you agree with all of the elements of the claim. If in agreement, please have the copy signed and notarized by the claimant and return it by the deadline above. This will assure that we will have adequate time to review your claim in the Snake River Basin Adjudication (SRBA). If you have concerns with the new claim, please contact me as soon as possible so we may address them quickly. Feel free to contact me if you have any further questions. If you wish to call, our toll free number is 1-800-451-4129. You may reach me directly at (208) 287-4918.

Sincerely,

Jennifer Dean
Engineer in Training
Adjudication Bureau

Enclosures

CC: LUCICH FAMILY LP
9257 FOOTHILL RD
MIDDLETON ID 83644



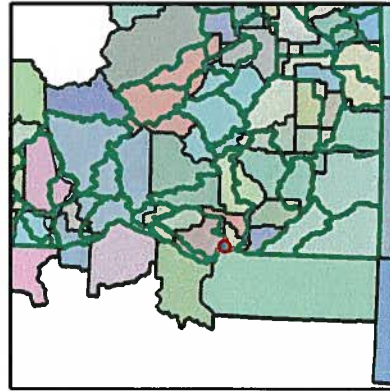
Idaho Department of Water Resources

SRBA Recommendation:

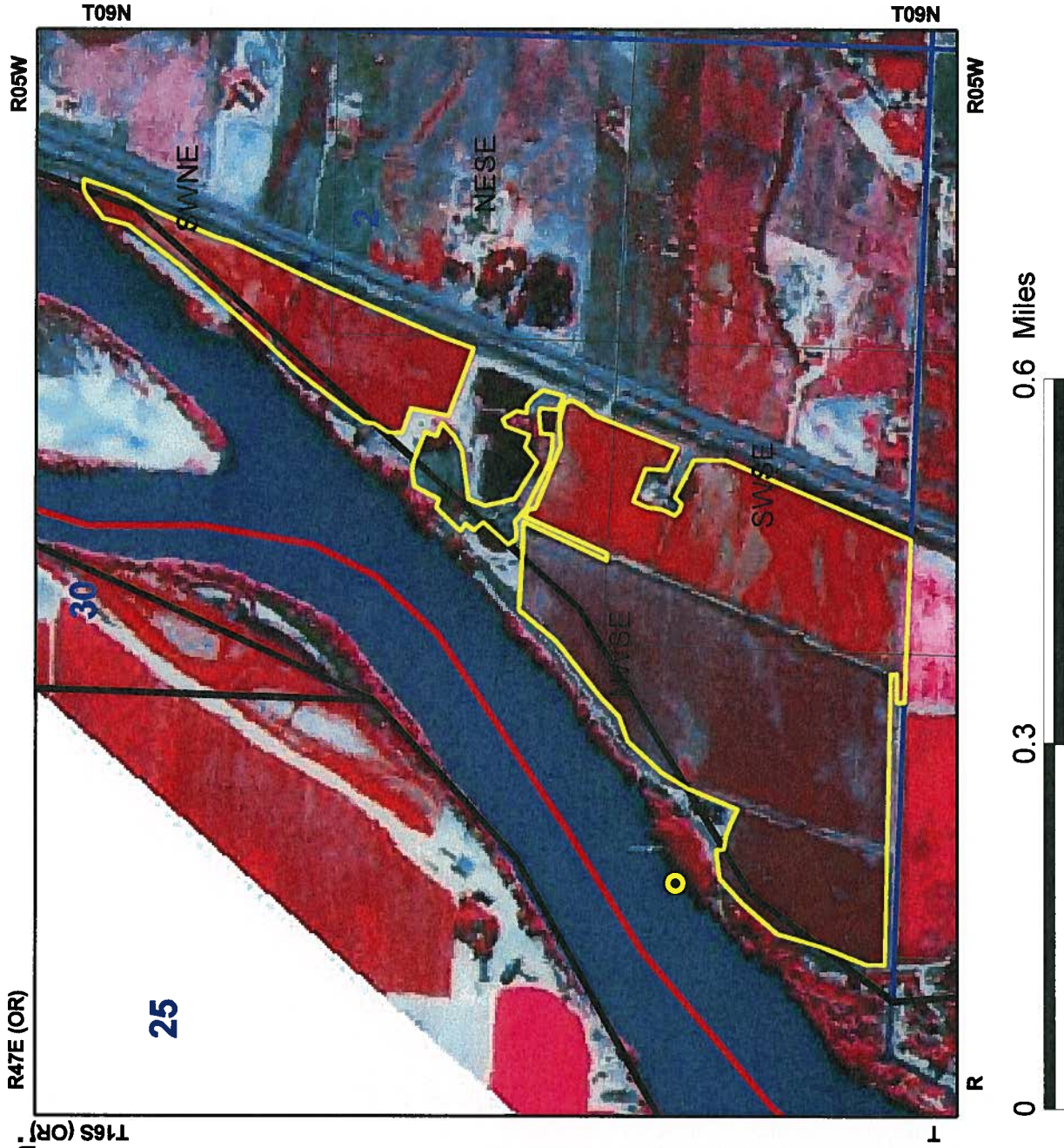
3-4002

Legend

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



Payette, Malheur Or Counties
IDWR Basin 3



Prepared by J. Dean
On Thursday, May 18, 2006
1987/88 Aerial Photography

05/17/2006

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

RIGHT NUMBER: 3-4002

NAME AND ADDRESS: LUCICH FAMILY LP
9257 FOOTHILL RD
MIDDLETON ID 83644

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.610 CFS

PRIORITY DATE: 02/09/1937

POINT OF DIVERSION:

T09N R05W S2 NWSESW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.610 CFS

PLACE OF USE: IRRIGATION Within PAYETTE County

T09N R05W S02	SWNE	0.50	T09N R05W S02 Lot 2	SWNE	0.50
T09N R05W S02	SENE	1.50	T09N R05W S02 Lot 2	SENE	4.00
T09N R05W S02	NESW	1.00	T09N R05W S02	SESW	1.50
T09N R05W S02 Lot 4	SESW	24.50	T09N R05W S02	NESE	1.00
T09N R05W S02	NWSE	2.50	T09N R05W S02 Lot 3	NWSE	13.50
T09N R05W S02	SWSE	20.50			

71 ACRES TOTAL

Right Nos. 3-4002 and 3-10235 are limited to the irrigation of a combined total of 71 acres in a single irrigation season.

T09N, R05W S2 SWNE, SENE, NESW, SESW, & NWSE is unsurveyed, nonfederal land except where noted by GCDB lot number.

This right is limited to the irrigation of 57 acres within the place of use described above in a single irrigation season.

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 - Beneficial Use

Right No. 3-10235 is also diverted through point of diversion described above.

07/12/2006

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

RIGHT NUMBER: 3-4002

NAME AND ADDRESS: LUCICH FAMILY LP
9257 FOOTHILL RD
MIDDLETON ID 83644

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.610 CFS

PRIORITY DATE: 02/09/1937

POINT OF DIVERSION:

T09N R05W S2 NWSESW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.610 CFS

PLACE OF USE: IRRIGATION Within PAYETTE County

T09N R05W S02	SWNE	0.50	<i>okay</i>	T09N R05W S02 Lot 2 SWNE	0.50	
T09N R05W S02	SENE	1.50		T09N R05W S02 Lot 2 SENE	4.00	
T09N R05W S02	NESW	1.00		T09N R05W S02	SESW	1.50
T09N R05W S02 Lot 4	SESW	24.50		T09N R05W S02	NESE	1.00
T09N R05W S02	NWSE	2.50		T09N R05W S02 Lot 3	NWSE	13.50
T09N R05W S02	SWSE	20.50				

71 ACRES TOTAL ✓

total

Right Nos. 3-4002 and 3-10235 are limited to the irrigation of a combined
of 71 acres in a single irrigation season. ✓

T09N, R05W S2 SWNE, SENE, NESW, SESW, & NWSE is unsurveyed, ✓
nonfederal land except where noted by GCDB lot number.

Place of use is within the area serviced by Lower Payette Ditch Company. ✓

This right is limited to the irrigation of 57 acres within the place of use
described above in a single irrigation season. *+14 acres = 71 ✓*

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 - Beneficial Use

Right No. 3-10235 is also diverted through point of diversion described
above.

Total diversion = $1.61 + .39 = 2.00$ cfs

From diversion capacity analysis - $0.034 \text{ cfs/acre} * 71 \text{ acres} = 2.414 \text{ cfs}$

Diversion capacity = 2.43 cfs

okay

07/12/2006

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

RIGHT NUMBER: 3-10235

NAME AND ADDRESS: LUCICH FAMILY LP
9257 FOOTHILL RD
MIDDLETON ID 83644

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.390 CFS

PRIORITY DATE: 06/01/1881

POINT OF DIVERSION:

T09N R05W S2 NWSESW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.390 CFS

PLACE OF USE: IRRIGATION Within PAYETTE County

T09N R05W S02	SWNE	0.50	T09N R05W S02 Lot 2 SWNE	0.50	
T09N R05W S02	SENE	1.50	T09N R05W S02 Lot 2 SENE	4.00	
T09N R05W S02	NESW	1.00	T09N R05W S02	SESW	1.50
T09N R05W S02 Lot 4	SESW	24.50	T09N R05W S02	NESE	1.00
T09N R05W S02	NWSE	2.50	T09N R05W S02 Lot 3	NWSE	13.50
T09N R05W S02	SWSE	20.50			

71 ACRES TOTAL

T09N, R05W S2 SWNE, SENE, NESW, SESW, & NWSE is unsurveyed, nonfederal land except where noted by GCDB lot number.

total Right Nos. 3-4002 and 3-10235 are limited to the irrigation of a combined of 71 acres in a single irrigation season.

This right is limited to the irrigation of 14 acres within the place of use described above in a single irrigation season.

Place of use is within the area serviced by Lower Payette Ditch Company.

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 - Beneficial Use

Right No. 3-4002 is also diverted through point of diversion described above.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 22, 2006

WILLIAM D COLLINS
WESTBERG, MCCABE, & COLLINS, CTD
516 W FRANKLIN ST
PO BOX 2836
BOISE ID 83701-2836

**RESPONSE DEADLINE
MARCH 8, 2006**

3-4002

Re: Irrigation Diversion Rate Requirement & Evidence of Priority Date

Dear Mr. Collins:

On December 2, 2005 we received a letter from your office addressing some issues with the Snake River Basin Adjudication (SRBA) claim 3-4002. This claim is in the name of Lucich Family Limited Partnership. Your letter addressed the justification of increasing the diversion rate for claim 3-4002 and difficulties obtaining the evidence needed to support the priority date of June 1, 1915.

The report you provided to our office to support the diversion of more than 0.02 cfs per acre the property of Lucich Family LP has been reviewed and approved. This will allow us to recommend 2 cfs for your 71 acres as claimed, given that proof of priority is submitted and accepted.

Due to the difficulties you have had in obtaining a copy of the Homestead Entry file, we have been flexible with the deadline for submitting proof of the claimed priority date. Your previous letter indicated that you expected to receive this documentation at the beginning of February. As two weeks have passed since this time, we are sending another request that evidence of priority date be supplied by the deadline above. If the Homestead Entry file cannot be obtained in a timely manner, it may be necessary to provide other items as evidence of priority.

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim **disallowed**. It will be to your advantage to provide clear and convincing evidence.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. If you should decide to return the materials in anything other than the enclosed mailer, please include the notation "ATTN SRBA Claim Number 3-4002" on the front of the mailer. If you have any additional questions, please contact this office. If you wish to call, our toll free number is 1-800-451-4129. You may reach me directly at (208) 287-4918.

Sincerely,

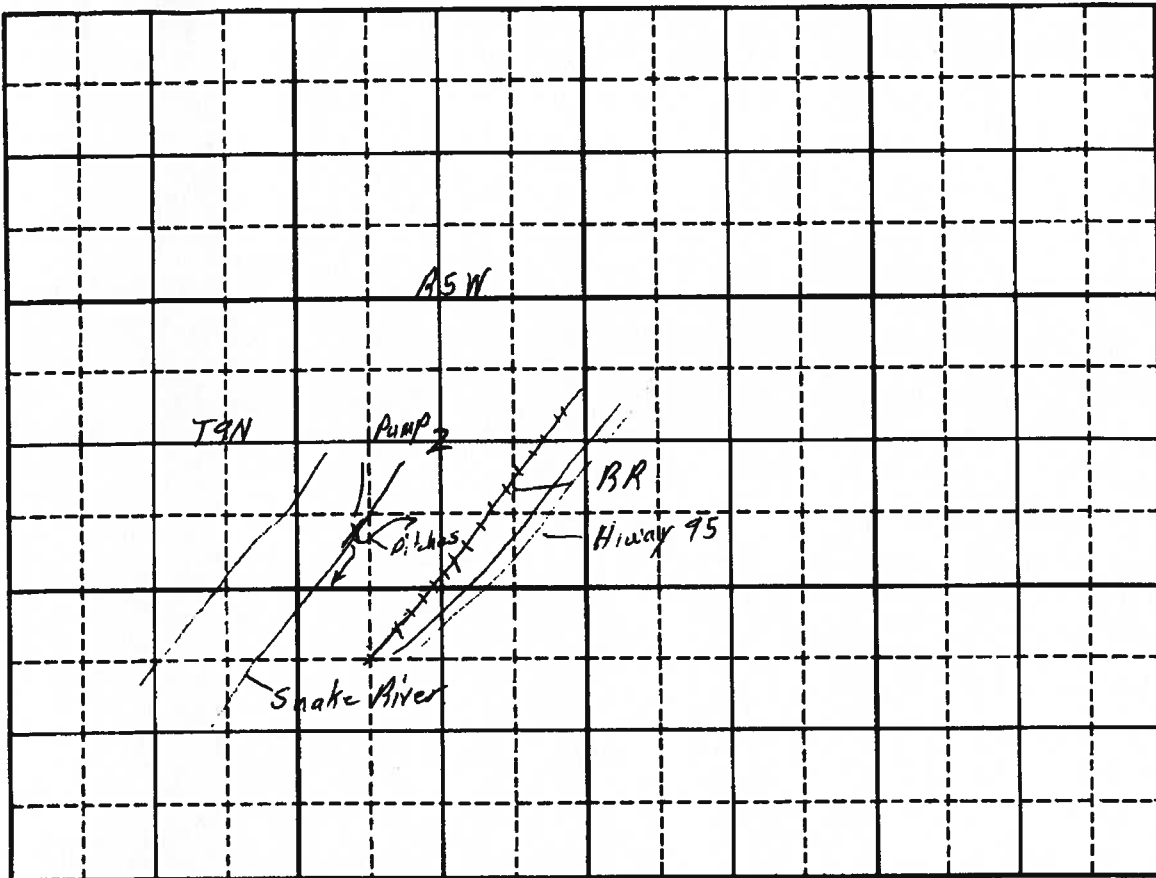
Jennifer Dean
Engineer in Training
Adjudication Bureau

Enclosure(s)

CC: LUCICH FAMILY LP
9257 FOOTHILL RD
MIDDLETON ID 83644

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

(8) Remarks



Scale: 2 inches equal 1 mile.

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

State of Idaho)

County of Oda) ss.

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

Sworn to before me this 19th day of August 1975.

Robert L. Roy Baker
(Claimant)

Garby, L. Shaw
Notary Public

Residing at Boise, Id

My commission expires 12-26-78

For Department Use Only

Received by	<u>MSJ</u>	Date	<u>8/19/75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by	<u>MSJ</u>	Date	<u>8/19/75</u>	# <u>1276</u>	claimant by:	
\$10.00 fee received by	<u>MSJ</u>	Date	<u>8/19/75</u>			
Approved for publication by	<u>Chapman & Eubank</u>					
Published in	<u>Aug 28 & Sept 4</u>					
Dates	<u>Aug 28 & Sept 4</u>					



State of Idaho
DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 287-4800 FAX: (208) 287-6700 www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 22, 2005

3-4002
LUCICH FAMILY LP
9257 FOOTHILL RD
MIDDLETON, ID 83644

Re: Field Examination and Evidence of Priority, Snake River Basin Adjudication Claim 3-4002

Dear Claimant(s):

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights.

The elements of beneficial use rights need to be verified by an examiner from the Idaho Department of Water Resources (IDWR) before the claim can be recommended to the SRBA Court. The examination of claims in your area will take place during the summer of 2005. An examiner will be contacting you to schedule a time to visit your property and verify the elements of the water right you have claimed.

Even though most of the elements of your claim can be verified by the field exam, the date of first use, or priority date, can only be verified by documentation of the historic use. If you have not supplied documentation for the priority date and historical beneficial use of the water, please submit your evidence by August 31, 2005. Enclosed you will find a pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. Also enclosed is a copy of your claim.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if the priority date and the historic use cannot be documented. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statements should be in the form of notarized affidavits.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to IDWR. If you have received this correspondence from the previous owner of the property please note that you are required to file a Change of Ownership with IDWR in order to receive future mailings and to participate in the adjudication.

If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129. It will help speed things along if you have your claim number, 3-4002, handy when you call. Should you choose to submit priority evidence in other than the envelope provided, please also include "ATTN: SRBA Claim Number 3-4002" on the front of the envelope.

Sincerely,

Steve Robischon
Technical Support Section
Adjudication Bureau

Enclosures:

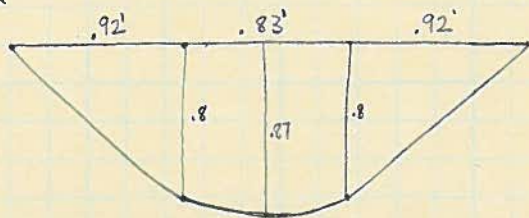
Evidence of Priority Pamphlet
Adjudication Claim Report 3-4002

SCANNED
JUL 25 2005

$$\text{Surface velocity (V)} = \text{distance} / \text{time} = 30 \text{ ft} / 15 \text{ sec} = 2 \text{ ft/s}$$

$$\bar{V} = .85^* V = 1.7 \text{ ft/s}$$

Area



$$11'' = .92'$$

$$10'' = .83'$$

$$\begin{aligned} A &= \frac{1}{2} (.92' \cdot .8') + (.83' \cdot [\frac{.8' + .87'}{2}]) + \frac{1}{2} (.92' \cdot .8') \\ &= 0.368 + 0.693 + 0.368 \\ &= 1.43 \text{ ft}^2 \end{aligned}$$

$$Q = \bar{V} A = 1.7 \cdot 1.43 = \underline{2.43 \text{ cfs}}$$

* 0.85 reduction factor obtained from Rangeland Watershed Program, Oct 1996 No 39 p 2
<http://danr.ucop.edu/u>

Point of Diversion and Source Data Entry Form

Claim Number 3-4002

Claimed Point of Diversion and Source

T09N R05W S2 NWSESW Within PAYETTE County Source: SNAKE RIVER COLUMBIA RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T09N R05W S2 SESW Within PAYETTE County

Recommended Point of Diversion and Source

Source Information

Source

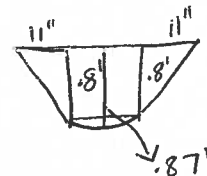
Tributary To

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

Pump #1 Cornell Pump #101173 Shp Pump #2 Teco 10hp # FFH156066L36
A15041F-55 #37F810x89561 Parma Water Litter Co.
4 inch line #01-2766 10 inch line
 measurement in ditch along west boundary south of POD
 32" across top
~~11" across top~~ .87' in center
 from west bank in 11 inches .8 feet deep



Try 1: 15 seconds 30 feet
 Try 2: 16 seconds - to the side of canal

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number 3-4002

Claimed Place Of Use

T09N R05W S02	SWNE	1.0	T09N R05W S02	SENE	6.0
T09N R05W S02	SESW	28.0	T09N R05W S02	NESE	1.0
T09N R05W S02	NWSE	15.0	T09N R05W S02	SWSE	20.0

Total Acres 71

___ Use Claimed POU as Recommended POU
Water Right Place Of Use

T09N R05W S02	NENE	6.0	T09N R05W S02	SENE	6.0
T09N R05W S02	SESW	28.0	T09N R05W S02	NWSE	15.0
T09N R05W S02	SWSE	20.0			

Total Acres 75

Recommended Place of Use

_____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number 3-4002

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form**Claim Number 3-4002**

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	10/31	2	

Overall Diversion Rate 2

Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	10/31	2	

Overall Diversion Rate 2

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____

Date: _____

Contacts Data Entry Form**Claim Number: 3-4002**

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	ROBERT LE ROY BAKER	12219 HWY 95	PAYETTE	ID	83661	(208)642-2005
Original Owner	DOROTHY M BAKER	12219 HWY 95	PAYETTE	ID	83661	(208)642-2005
Current Owner	LUCICH FAMILY LP	9257 FOOTHILL RD	MIDDLETON	ID	83644	

Date of Field Exam: 7/27/05 Time: 11:05 am

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: _____

Date: _____

Priority Date Data Entry Form

Claim Number 3-4002

Claimed Priority Date: 6/1/1915

Claimed Basis: Beneficial Use

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 6/1/1915

Water Right Basis: Statutory Claim

Recommended Priority Date

Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Reviewer:

Date:

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 3-4002
Date Received: 4/16/1990
Receipt No: W012022
Received By:

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

1. Name of Claimant(s)

LUCICH FAMILY LP

9257 FOOTHILL RD
MIDDLETON ID USA 83644

2. Date of Priority: 06/01/1915

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09N	05W	2	NW SE SW	PAYETTE	

5. Description of diverting works:

10HP PUMP IN RIVER, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	2	

7. Total Quantity Appropriated is:
2 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
09N	05W	2	SE	NE		IRRIGATION	6
			SW	NE		IRRIGATION	1
			NE	SE		IRRIGATION	1
			NW	SE		IRRIGATION	15
			SW	SE		IRRIGATION	20
			SE	SW		IRRIGATION	28
						Section Acres	71
						Total Acres	71

11. Place of use in counties: PAYETTE

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



S2 (NENE)

S2 (SWNE)

4002

4002

S2 (NESE)

Claim POV different from
Stat claim POV.
Neighbors Lower Payette
Ditch Company.

4002

S2 (NWSE)

S2 (SWSE)

S2 (SESE)

2039

S11 (NWNW)

S11 (NENW)

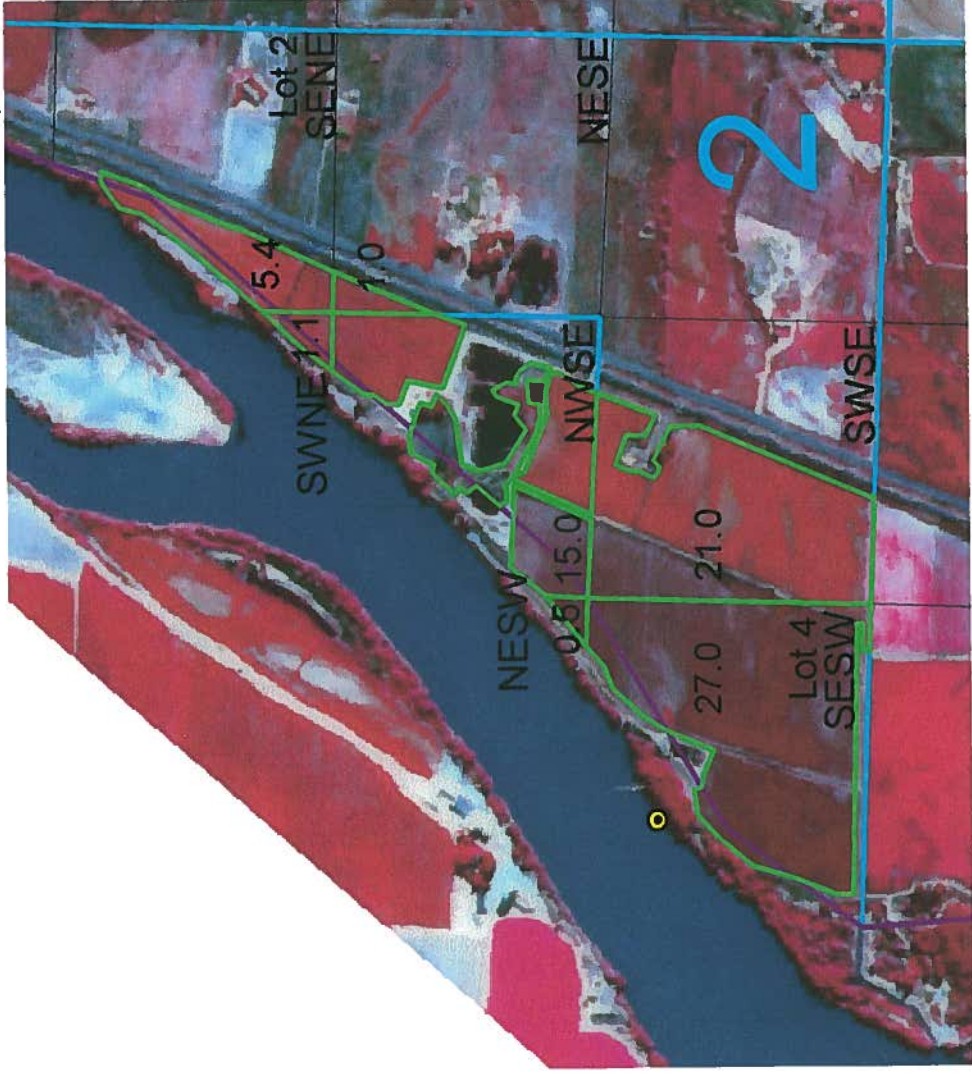
S11 (NWNE)

S11 (NENE)

Idaho Department of Water Resources

Claim Number: 03-04002
Legal: T09N, R05W, S02
Reviewed By:

1987 Napp Photo



● Point of Diversion



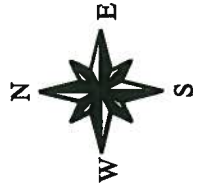
Place of Use



Section Lines



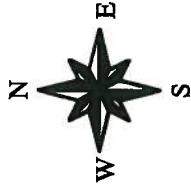
Quarter Quarter Lines



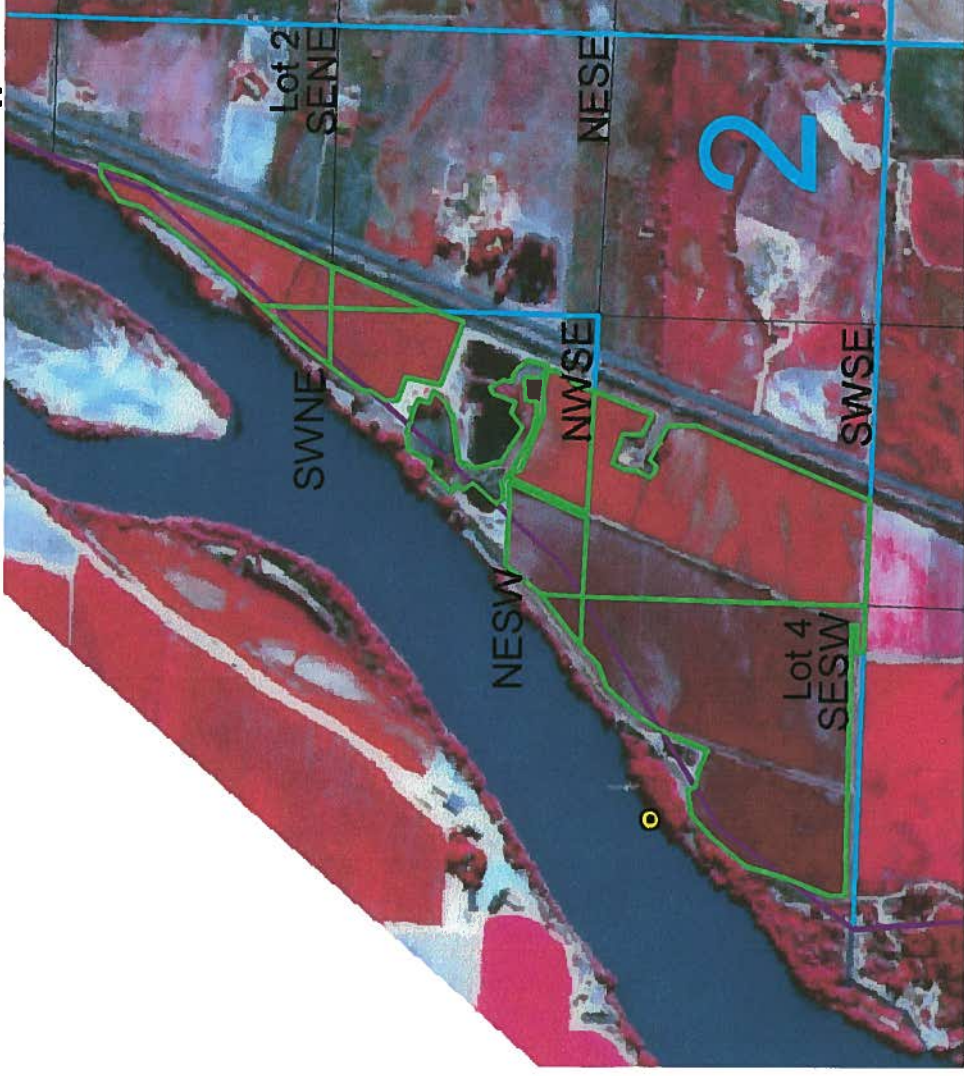
Idaho Department of Water Resources

Claim Number: 03-04002
Legal: T09N, R05W, S02
Reviewed By:

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



1987 Napp Photo



0 0.25 0.5 Miles

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 03-04002 Date: 1 -

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	9N	5W	2			1	6					0			28	1	15	20		71
GIS						1.1	5.4					.5			27	1	15	21		71
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 71

Overlapping FOU Claim #'s:

Total GIS Acres: 71

COMMENTS:

Per claim map, county data + image interpretation
on this Beneficial Use claim.

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: A03-04002

Date Received: 4-16-90

Receipt No: 6012022

Received By: _____

RECEIVED

APR 16 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT LE ROY BAKER 208-642-2005
Address: 12219 HWY 95
PAYETTE, ID 83661

OR

Name: DOROTHY M. BAKER 208-642-2005
Address: 12219 HWY 95
PAYETTE, ID 83661

2. Date of Priority: JUN 01, 1915

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	05W	2	NW	SE	SW		PAYETTE

5. Description of diverting works:
10HP PUMP IN RIVER, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.000		

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

8. Total consumptive use is 248.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A03-04002

Page 1

Date: 04/09/90

MICROFILMED

AUG 10 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09N	05W	2	SW		NE		IRR	1.0
			SE		NE		IRR	6.0
			SE		SW		IRR	28.0
			NE		SE		IRR	1.0
			NW		SE		IRR	15.0
			SW		SE		IRR	20.0
							Section Acres	71.0
							Total Acres	71.0

11. Place of use in counties: PAYETTE

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

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: 1

For Individuals:

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

Signature of Claimant(s): Robert L Baker Date: 4-9-90
Dorothy M. Baker Date: 4-11-90

State of Idaho)
County of Payette) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of April 19 90

Anna Baumhoff
Notary Public

Seal

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994

TION
T9N

44°07'30"
116°52'30"

71 Area

200,000 Feet (Idaho)

A03-04662

55'

SW

NOT FILMED

0 1992

SCA 1 24-000



Ident. No. A13-04002

FACT SHEET

for

Excessive Irrigation Flows

This information is to be submitted with any application for permit or adjudication claim to water right for which the irrigation rate of flow requested/claimed is more than .02 cfs per acre. One exception is that .03 cfs per acre is allowed for up to five (5) acres.

Soil type and soil profile: Ba: Baldock 0 to 60" silty loam soil

Soil water holding capacity: 11.4" for 5' of soil

Soil intake family (if known): .25

Field slope: 0 to 1.0%

Anticipated crops: Row crops & Seed crops

Method of irrigation: gravity

ADJUDICATION CLAIM ONLY:

Is this method of irrigation the common local practice? yes

Have you changed the irrigated method from the one first developed? No

If yes, describe. _____

Remarks _____

MICROFILMED

AUG 10 1992