

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 63-32289
Date Received: 12/1/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RUSTY FOREMAN Phone: (208)459-7130
21395 W CHICAGO ST
CALDWELL ID USA 83607

KELLIE FOREMAN Phone: (208)459-7130
21395 W CHICAGO ST
CALDWELL ID USA 83607

2. Date of Priority: 03/15/1931

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	03W	16	SE NE SE	CANYON	

5. Description of diverting works:

PUMP, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.039	

7. Total Quantity Appropriated is:
0.039 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	16	NE	SE	IRRIGATION	1.94
Section Acres						1.94
Total Acres						1.94

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:

14. Remarks:

THIS POINT OF DIVERSION AND SYSTEM IS ALSO USED TO IRRIGATED ADJACENT PROPERTY OWNED BY ALMA WAGNER.

ACTUAL IRRIGATED ACRES = 6.73 ACRES

This right is a split from former right 63-19763.

15. Basis of Claim: Beneficial Use

RECEIVED

APR 20 2006

WATER RESOURCES
WESTERN REGION

Form 42-248/42-1409(6) July, 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

- Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	63-19763	✓			

- The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

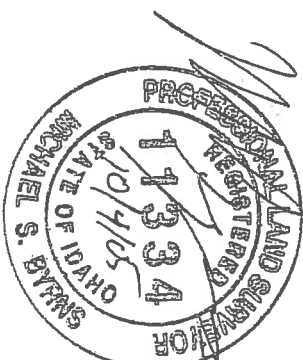
C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

- Name and Address of Former Owner/Claimant(s) ^{up to 1998} { Larry and Gail Conway / Todd Foreman
21347 W. Chicago St / 120 Crestline
Caldwell ID 83607 / Caldwell, ID 83607
- New Owner/Claimant(s) ^{after 1998} { Todd Foreman
Busty & Kellie Foreman
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 21395 W. Chicago St
- City, State and ZIP Code Caldwell ID 83607
- New Telephone Number 208 459-7130
- Date you acquired the property 10/05

Situate in Government Lot 8, Section 16,
Township 4 North, Range 3 West, Boise Meridian,
Canyon County, Idaho



SCALE: 1" = 50'

Reference Surveys
R.O.S. Inst. No. 20003941
R.O.S. Inst. No. 9833756

Reference Deed: _____
Warranty Deed Inst. N.º: 27516

INDEX No. 434-16-2-1-0-00-00
SURVEY FOR:

Foreman

Drawn By: MSB

Date: Oct 3, 2005

Book:

Job No. AU1105

Skinner Land
Survey Co. Inc.

2512 S. Georgia Ave
Culverton, Ia. 63006
(208)-454-0033



TO Department of Water
Resources
Attn: Kimberly Brown
fax 334-2348

#63-19763

From Kelli Foreman

Re: Adjudication / Rights for 21395
W. Chicago St. Caldwell ID. 83607

Sorry it took me so long to get this
to you, hopefully you'll have everything
to need to complete the application
process.

APR. 26. 2006 9:21AM

ORTHO SURG

NO. 497 P. 2

00

INSTRUMENT NO. 2006021516



PioneerTitleCo.

GOING BEYOND

610 South Kimball Avenue / Caldwell, Idaho 83605 / (208) 459-1651

WARRANTY DEED

For Value Received Rusty D. Foreman, a married man

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Rusty D. Foreman and Kellie M. Foreman, husband and wife

hereinafter referred to as Grantee, whose current address is

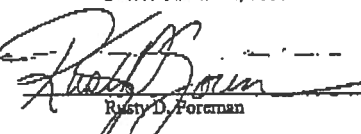
21395 West Chicago Street, Caldwell, ID 83607,

the following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: March 24, 2006


Rusty D. Foreman

REQUEST	DATE	TIME	BY
TYPE	DATE	TIME	BY
FEE	DATE	TIME	BY
7	3/24	PM	16
PIONEER-CALDWELL	CALDWELL RECORD		

200621516

State of Idaho

ss.

County of Canyon

On this 24 day of March, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared Rusty D. Foreman known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

(SEAL)


Notary Public Kathy McDonald
Residing at Caldwell
Commission Expires 5/27/11





*Skinner Land
Survey Co. Inc.*

2512 S. Georgia Ave.
Caldwell, Idaho 83605
(208) 454-0933
Fax (208) 454-9492

Greg L. Skinner, PLS
Michael Byrns, PLS
Rodney Kahle-Clark, PE

**Boundary Description
of Parcel 2
for Todd Foreman
Job No. AU1105**

/ Rusty & Keelie Foreman

A parcel of land situate in Government Lot 8, Section 16, Township 4 North, Range 3 West, Boise Meridian, Canyon County, Idaho, being more particularly described as follows:

Commencing at a brass cap marking the east quarter-section corner of Section 16, Township 4 North, Range ~~4 North~~ ^{3 West}, Boise Meridian;
Thence S00°17'00"W, 1,280.82 feet along the east line of Government Lot 8;
Thence S77°56'20"W, 119.10 feet to a set 1/2" rebar;
Thence continuing S77°56'20"W, 201.18 feet to a set 1/2" rebar, the POINT OF BEGINNING:

Thence continuing S77°56'20"W, 195.78 feet to a set 1/2" rebar;

Thence N27°15'00"W, 240.00 feet to a set 1/2" rebar;

Thence N02°43'55"E, 67.10 feet to a set 1/2" rebar;

Thence N50°42'00"W, 198.38 feet to a set 1/2" rebar;

Thence S73°56'30"E, 253.60 feet to a set 1/2" rebar on the south bank of the Boise River Slough;

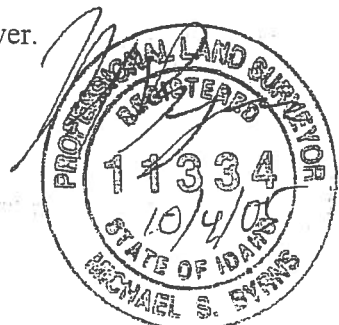
Thence N85°07'00"E, 142.85 feet along the south bank of the Boise River Slough to a set 1/2" rebar;

Thence S12°03'40"E, 314.07 feet to the POINT OF BEGINNING.

The above-described parcel contains 1.94 acres, more or less.

Subject to any easements or rights-of-way of record or apparent.

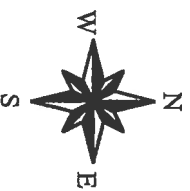
Subject to claims by the State of Idaho regarding the limits of the Boise River.



Idaho Department of Water Resources

Claim Number: 63-19763
Legal: T04N, R03W, S16
Reviewed By:

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



1987 Napp Photo

RECEIVED

APR 03 2006

WATER RESOURCES
WESTERN REGION

*Point of diversion appears
to be in correct vicinity.*

*Yellie Foreman
(daughter-in-law of Gail &
Lorrie Conway) - Y*

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: A63-19763
Date Received: 12/01/1989
Receipt No: CO13121
Received By: KAT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY CONWAY 208-459-6123
Address: 21347 CHICAGO ST.
CALDWELL, ID 83605

OR
Name: GAIL CONWAY 208-459-6123
Address: 21347 CHICAGO ST.
CALDWELL, ID 83605

2. Date of Priority: MAR 15, 1931

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	03W	16	SE	NE	SE		CANYON

5. Description of diverting works:
PUMP, PIPE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.134		

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

8. Total consumptive use is 23.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A63-19763

Page 1

Date: 12/01/89

MICROFILMED
SEP 02 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	03W	16	NE SE		IRR	6.7
Section Acres						6.7
Total Acres						6.7

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:
THIS POINT OF DIVERSION AND SYSTEM IS ALSO USED TO IRRIGATED
ADJACENT PROPERTY OWNED BY ALMA WAGNER.
ACTUAL IRRIGATED ACRES = 6.73 ACRES

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): X Marie Conway Date: 12-1-89
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of December 1989

Helen Harrington
Notary Public

Seal

Helen Harrington, Notary Public
Residing at _____ Residing at Boise, Idaho
My Commission Expires December 1, 1994
My Commission Expires _____



10/23/2006

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

RIGHT NUMBER: 63-32289

NAME AND ADDRESS: KELLIE FOREMAN
21395 W CHICAGO ST
CALDWELL ID 83607

RUSTY FOREMAN
21395 W CHICAGO ST
CALDWELL ID 83607

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.034 CFS

PRIORITY DATE: 03/01/1952

POINT OF DIVERSION:

T04N R03W S16 SENESE Lot 8 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.034 CFS
Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.		

PLACE OF USE: IRRIGATION Within CANYON County

T04N R03W S16 Lot 8 NESE	1.52	T04N R03W S16 Lot 8 SESE	0.18
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1.7 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 - Beneficial Use

This right is a split from former right 63-19763.

09/29/2006

**NOTICE OF ERROR
REPLY**

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

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

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

Water right number: 63-32289

GAIL CONWAY
21347 CHICAGO ST
CALDWELL ID 83605
Telephone Number: (208)459-6123

LARRY CONWAY
21347 CHICAGO ST
CALDWELL ID 83605
Telephone Number: (208)459-6123

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:

*Change name according to ownership
documentation in file*

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: 10-18-06 SIGNATURE: Kellie Foreman

Please print your name: Kellie Foreman

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

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

RIGHT NUMBER: 63-32289

NAME AND ADDRESS: GAIL CONWAY
21347 CHICAGO ST
CALDWELL ID 83605

LARRY CONWAY
21347 CHICAGO ST
CALDWELL ID 83605

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.034 CFS

PRIORITY DATE: 03/01/1952

POINT OF DIVERSION:

T04N R03W S16 SENESE Lot 8 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.034 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION Within CANYON County

T04N R03W S16 Lot 8 NESE 1.52

T04N R03W S16 Lot 8 SESE 0.18

1.7 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 - Beneficial Use

This right is a split from former right 63-19763.

Idaho Department of Water Resources

T04N, R03W, SEC 16

Claim No: 63-32289

Prepared By: Kimberly Brown

Date: May 31, 2006



Place of Use



Section Lines

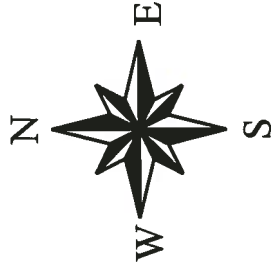


1/4 1/4



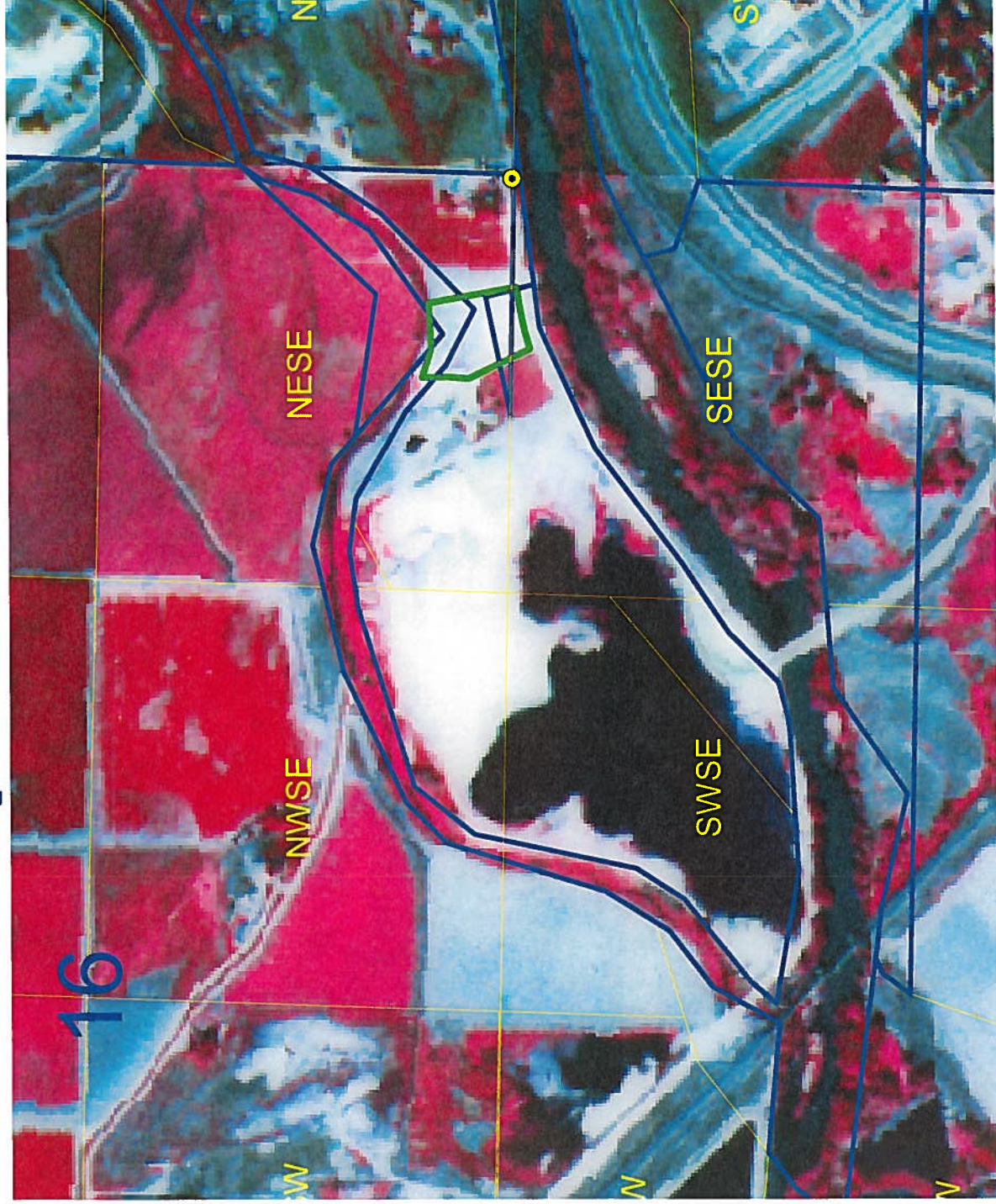
Point of Diversion

Irrigated Acres = 1.7



0 0.03 Miles

1987 NAPP



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-32289

WATER RIGHT NUMBER: 63-32289

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LARRY CONWAY 21347 CHICAGO ST CALDWELL, ID 83605 (208)459-6123
Current Owner	RUSTY FOREMAN 21395 W CHICAGO ST CALDWELL, ID 83607 (208)459-7130
Original Owner	GAIL CONWAY 21347 CHICAGO ST CALDWELL, ID 83605 (208)459-6123
Current Owner	KELLIE FOREMAN 21395 W CHICAGO ST CALDWELL, ID 83607 (208)459-7130

Priority Date: ⁰¹ ~~03/15/1934~~ 1952
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	^{change to 3/01} ~~03/15~~	11/15	0.034 ~~0.039~~ CFS	
<u>Total Diversion:</u>			~~0.039~~ CFS	
			0.034	

Location of Point(s) of Diversion

BOISE RIVER	SE1/4NE1/4SE1/4	Sec. 16, Twp 04N, Rge 03W, B.M.
CANYON County	Govt. Lot 8	

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	03W	16	NE	NW	SW	SE	
			1.52		0.18		1.7
Total Acres: 1.94			1.52		0.18		1.7

Conditions of Approval:

1. This right is a split from former right 63-19763.

Parcel No: R 3495901000.

#63-19763 ^{-a total of}
6.36 A ^{not}
split 6.7

-32288 -32289

Domestic use, from a
ground water source (well)
is covered by #63-32287
for this parcel.

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-32289

2. THIS POINT OF DIVERSION AND SYSTEM IS ALSO USED TO IRRIGATED ADJACENT PROPERTY OWNED BY ALMA WAGNER.
ACTUAL IRRIGATED ACRES = 6.73 ACRES

Remarks:

Comments:

Water Supply Bank:

Field Exam Date 5.31.0

Cin-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 \$57.00 pd. for Parent Rt. 63-19763
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information Govt. lot 8
- ☒ 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) A63-32289

Owner: Kellie & Rusty Foreman Phone No. 459-7130

Current Address: 21395 W. Chicago St., Caldwell (property address)

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

Accompanied by: N/A

PRIORITY DATE

- ☐ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 3/15/1931

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

The affidavit submitted as evidence of priority substantiates use in 1952. Therefore, the recommended P.D. is 3/01/1952 (March 1st being the new standard season use for this area)

Source: Boise River Tributary to Snake River

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed:

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: ADD: Government Lot 8
- ☐ If different, when did POD change?

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
	8								

Description of diverting works

Pump, pipe.

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-32288, 63-19762

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

share same P.O.D.

WATER USES

- ☐ No change
- ☐ Different Uses

Season of use is 3/1 to 11/15.
changes to ADD 849- Period of use condition for Boise River
Use Irrigation From 3/1 To Amount 0.034 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 0.034 CFS AFA
- ☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☒ No change None
- ☐ Changes Exam found: Domestic # of homes Stock #
- Types Additional comments:

PLACE OF USE:

- ☐ No Change
- ☒ Changes shown below:

ADD: Government lot 8

REDUCTION OF IRRIGATED ACRES:

Based on 1987, 1994, 2000, and 2004 NAPP images; only 1.7 acres have been historically irrigated (see file)

Parcel No: R3495901000.

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	
4N	3W	16													1.52			0.18	1.7
															1.8			1.8	

Overlap with other water rights: #63-19762, #63-19760, #63-19761,
 63-32287, (+) claimant stated that no irrigation district water is used (no share)
 Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

no overlap - separate acres

#63-32287 covers domestic use, from a GW source, for this parcel
 Delivery System Narrative:

Pipe.

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

FLOW MEASUREMENTS: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

[illegible]

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 5.31.06 (in-office review)
FIELD EXAMINER: Kimberly Brown

Parent -

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-19763

WATER RIGHT NUMBER: 63-19763

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GAIL CONWAY 21347 CHICAGO ST CALDWELL, ID 83605 (208)459-6123
Current Owner	LARRY CONWAY 21347 CHICAGO ST CALDWELL, ID 83605 (208)459-6123

Priority Date: 03/15/1931

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
BOISE RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.134 CFS	
	<u>Total Diversion:</u>	0.134 CFS	

Location of Point(s) of Diversion

BOISE RIVER	SE1/4NE1/4SE1/4	Sec. 16, 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 16													6.7				6.7

Total Acres: 6.7

Conditions of Approval:

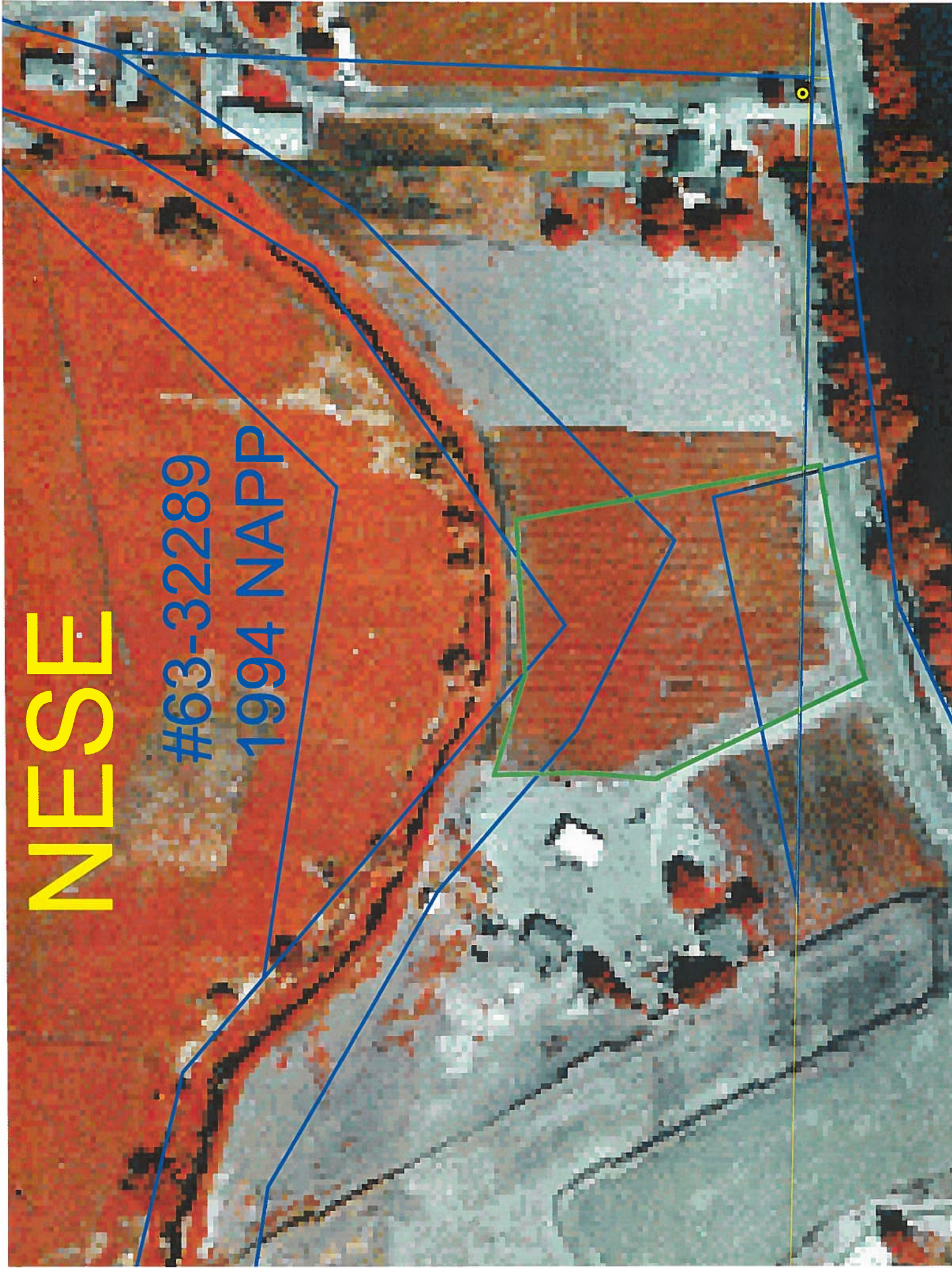
1. THIS POINT OF DIVERSION AND SYSTEM IS ALSO USED TO IRRIGATED ADJACENT PROPERTY OWNED BY ALMA WAGNER.
ACTUAL IRRIGATED ACRES = 6.73 ACRES

Remarks:

Comments:

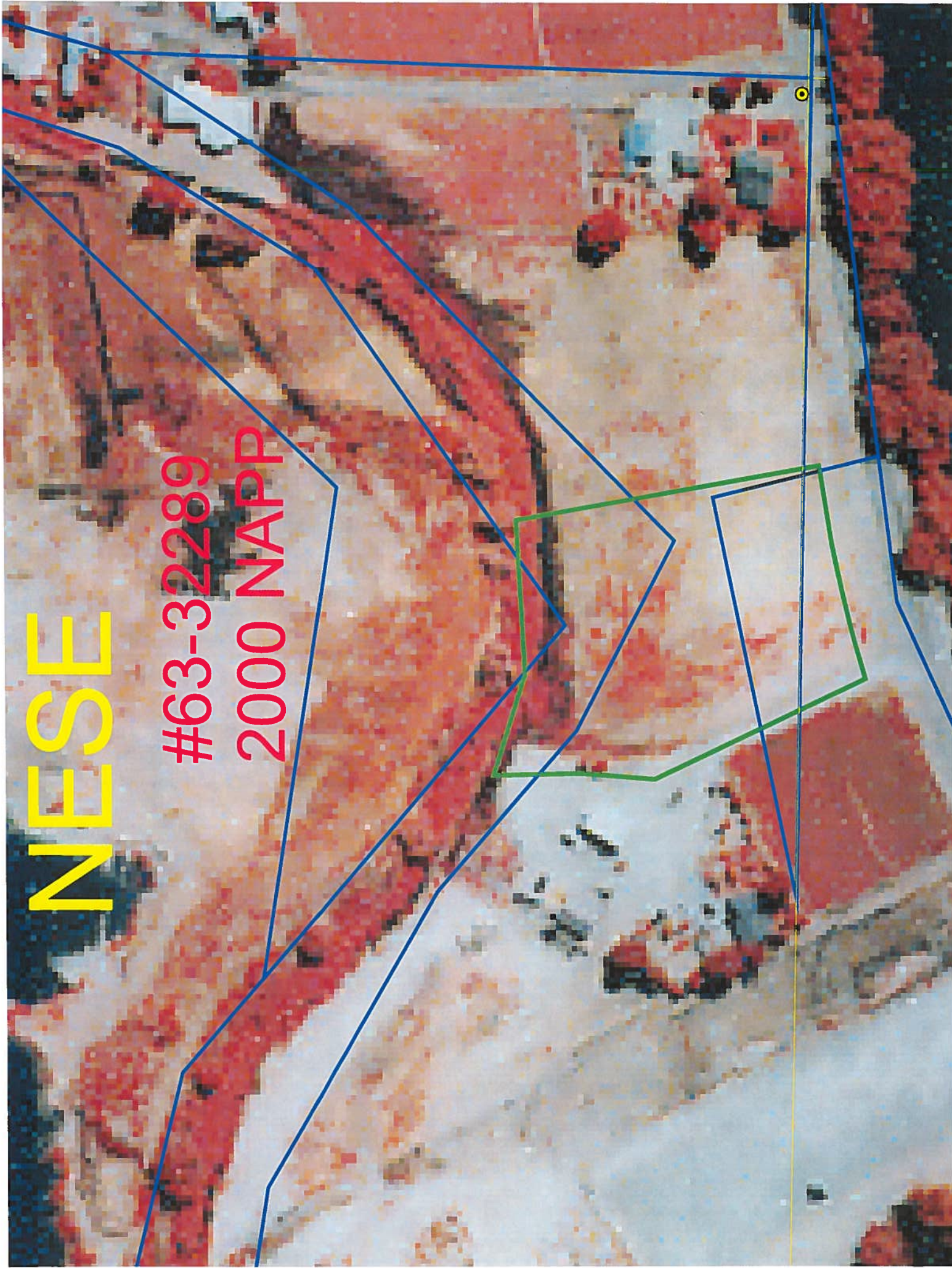
NESE

#63-32289
1994 NAPP



NESE

#63-32289
2000 NAPP



NESE

#63-32289
2004 NAPP

o



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-19763

03/23/2006

63-32289

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
138E	Claim	04N	03W	16	NE	SE		IRRIGATION	25/964	CANYON DITCH CO
233E	Claim	04N	03W	16	NE	SE		IRRIGATION		CANYON DITCH CO
-252	Claim	04N	03W	16	NE	SE		IRRIGATION	25/964	CANYON DITCH CO
-369	Claim	04N	03W	16	NE	SE		IRRIGATION	25/964	CANYON DITCH CO
~~19762~~	~~Claim~~	~~04N~~	~~03W~~	~~16~~	~~NE~~	~~SE~~		~~IRRIGATION~~	~~1.2/1.2~~	~~ALMA C WAGNER~~
~~19763~~	~~Claim~~	~~04N~~	~~03W~~	~~16~~	~~NE~~	~~SE~~		~~IRRIGATION~~	~~6.7/6.7~~	~~GAIL CONWAY~~
233E	Water Right	04N	03W	16	NE	SE		IRRIGATION		CANYON DITCH CO
~~19760~~	~~Water Right~~	~~04N~~	~~03W~~	~~16~~	~~NE~~	~~SE~~		~~DOMESTIC~~		~~SCOTT T SMITH~~
19761	Water Right	04N	03W	16	NE	SE		DOMESTIC		GAIL CONWAY

- claimant said no irrigation
district water is used.
(no supplemental ir. water)

- no overlap w/ #63-19761

System User- IDWRR Date 03/23/2006 Time 10:25

REAL PROPERTY INQUIRY

```
+++++
01 6R34957-000- -0 122-00 G SCH132+ 12 30,000 1.00
+++++
CONWAY, V GAIL + 2A 14,800 1.64
% CONWAY, GAIL-LIFE ESTATE + 32 10,000
+ 34 55,200
+
+
+
21347 CHICAGO ST +
CALDWELL ID 83605 +
+++++
16-4N-3W SE + TOTAL 110,000 2.64
TAX 7 IN LOT 8 LESS HWY ++++++
+ SURVEY INST 9817479
+ DRAIN DR VALUE APPR TAM
+ CLASS 2 REAP 05 MAN 04 UNIT 1
21347 CHICAGO ST, CA + PARCEL 6R04N03W167350 H/O N C/B N
+ PRIOR ACCOUNT 5R34957-000- -0
+ 02 MH on Property NO
```

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R34957000 0 UNIT 001 TOTAL UNITS 1

SITE 21347 CHICAGO ST CA SEC/TWN/RNG 16-4N-3W

ASSESSED VALUE 110,000 ACREAGE 2.64

SUB/PARK NAME YEAR/MAKE

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

```
+++++
YR BUILT 1930 AIR COND AIR - NONE CARPORT N
STORY 1.50 STORY HEATING GAS FA CARPORT SQ FT
FIRST SQ FT 1224 EXTERIOR METAL SIDING DECK/PATIO? N
SECOND SQ FT 286 ROOF COMP POOL? N
BEDS 4 BSMT SQ FT SPA? N
BATHS 1.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT
```

```
+++++
COMMENTS 2ND STY ATTIC MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO
```

System User- IDWRR Date 05/10/2006 Time 11:56

REAL PROPERTY INQUIRY

+++++

01 6R34959-000- -0 122-00 G SCH132+ 12 24,000 1.00

+++++ 2A 25,100 2.79

FOREMAN TODD H

+

+

+

+

+

120 CRESTLINE AVE

+

CALDWELL ID 83605

+

+++++

16-4N-3W SE + TOTAL 49,100 3.79

TAX 6 IN LOT 8 LESS HWY

+++++

+ SURVEY INST 9827510

+ DRAIN DR VALUE APPR TAM

+ CLASS REAP 05 MAN UNIT 0

21395 W CHICAGO ST, CA

+ PARCEL 6R04N03W167300 H/O N C/B N

+ PRIOR ACCOUNT 5R34959-000- -0

+ 02 MH on Property NO

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R34959000 0 UNIT 001 TOTAL UNITS

SITE E CHICAGO ST CA SEC/TWN/RNG 16-4N-3W

ASSESSED VALUE 49,100 ACREAGE 3.79

SUB/PARK NAME YEAR/MAKE

CLASS NO BUILDING CLASS SPACE LOT BLOCK

+++++

YR BUILT 0 AIR COND AIR - NONE CARPORT N

STORY NO BLDG HEATING CARPORT SQ FT

FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N

SECOND SQ FT ROOF UNKNOWN POOL? N

BEDS 0 BSMT SQ FT SPA? N

BATHS .00 % BSMT FIN LOT SIZE

FRPLC 0 GARAGE N NEIGHBORHOOD 0

GARAGE SQ FT

+++++

COMMENTS

MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

Receipt Details for ID C013121

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
12/1/1989 10:05:26 AM	12/1/1989	State	\$82.00	Check
Payer		CONWAY, LARRY/GAIL		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2289			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$82.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	19761		\$25.00	Claim
63	19763		\$57.00	Claim

Print Report



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 26, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Rusty and Kellie Foreman
21395 W Chicago St
Caldwell, ID 83607

Re: Original Notice of Claim to a Water Right No. 63-19763

Renumbered Notice of Claim to a Water Right No. 63-32289

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim represents a split of the claim filed by a previous owner during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience, as we have had several water right changes to process. Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

LG: lg

Enclosure

RECEIVED

APR 20 2006

WATER RESOURCES
WESTERN REGION

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

63-19763)
)
)

State of Idaho)
County of Caldwell)

AFFIDAVIT

deposes and says: My Parents, Frank & Gladys
Shipley purchased property adjacent to
the Wagner property in March of 1952, in
Caldwell, Canyon Co, Idaho. My Parents
and I have owned & occupied our
property since 1952. At the time we
purchased our property there was a
Parma Water Lifter pump in the Boise
River which was used to pump water
from the Boise river for irrigation of Farm
Land for the Wagner Property. The pump
has remained in the river & has been used for
irrigation purposes.

William M. Shipley -

William M. Shipley
(Signature)

4-19-06

21459 Chicago Street
Caldwell, ID 83607
Phone (208) 459-8275

4

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APR 20 2006

WATER RESOURCES
WESTERN REGION

INDIVIDUAL ACKNOWLEDGMENT

State/Commonwealth of Idaho }
County of Canyon } ss.

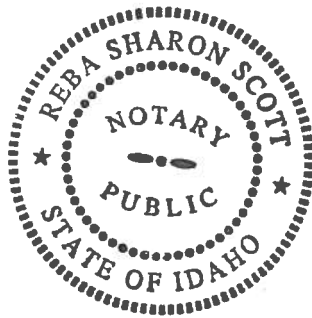
On this the 19th day of April, 2006, before
me, Reba Sharon Scott, the undersigned Notary
Name of Notary Public
Public, personally appeared B William M. Shipley,
Name(s) of Signer(s)

☐ personally known to me – OR –

☒ proved to me on the basis of satisfactory
evidence

to be the person(s) whose name(s) is/are
subscribed to the within instrument, and
acknowledged to me that he/she/they
executed the same for the purposes therein
stated.

WITNESS my hand and official seal.



Reba Sharon Scott
Signature of Notary Public
Exp. 5-15-06
Other Required Information (Printed Name of Notary, Residence, etc.)
Reba Sharon Scott

Place Notary Seal and/or Any Stamp Above

OPTIONAL

Although the information in this section is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Claim of Water Rights
Document Date: 4-19-06 Number of Pages: 1
Signer(s) Other Than Named Above: N/A

**Right Thumbprint
of Signer**

Top of thumb here

Idaho Department of Water Resources

Claim Number: 63-19763
Legal: T04N, R03W, S16
Reviewed By:

● Point of Diversion



Place of Use

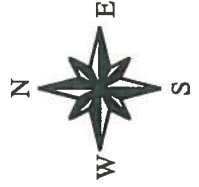


Section Lines



Quarter Quarter Lines

COPY

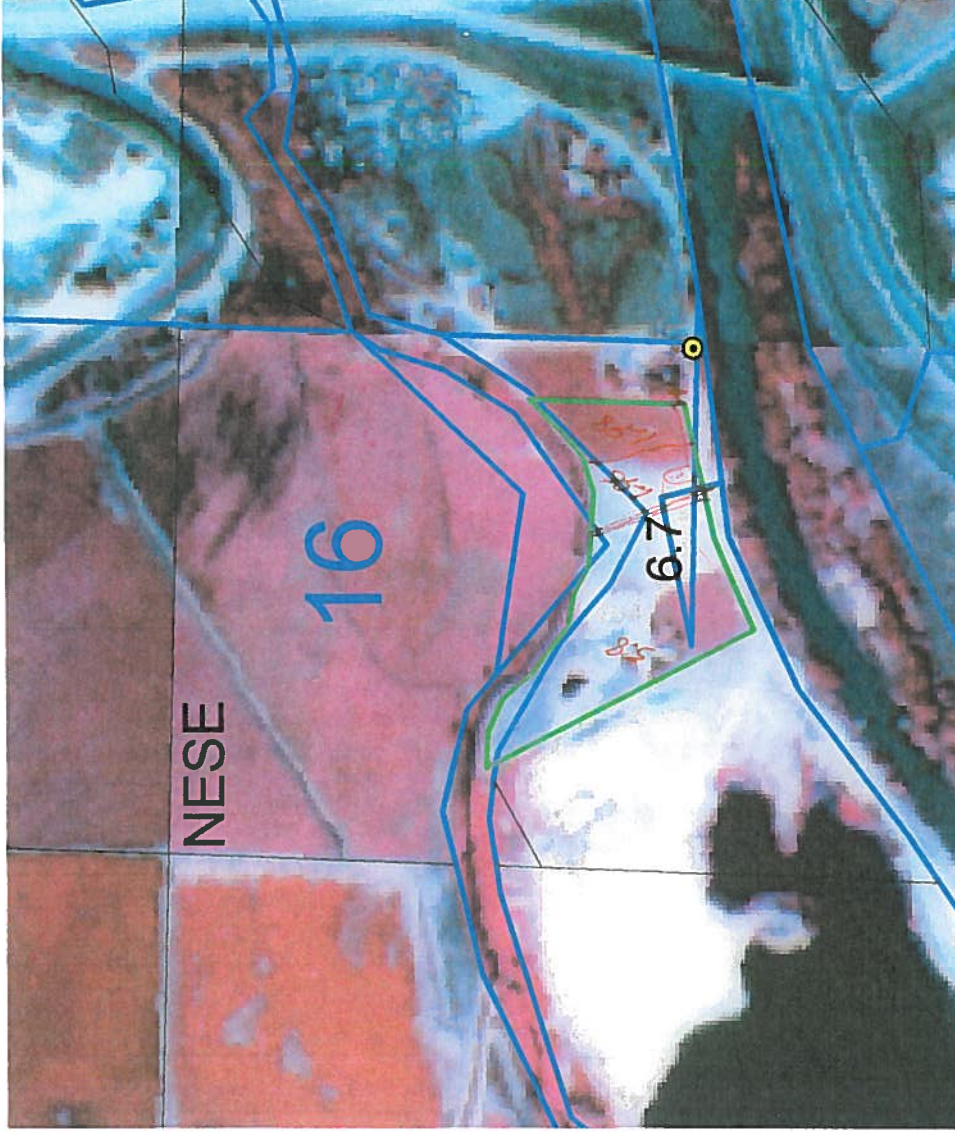


RECEIVED

APR 03 2006

WATER RESOURCES
WESTERN REGION

1987 Napp Photo



*Point of diversion appears
to be in correct vicinity.*

Kelli Foreman

(Handwritten note in blue ink)

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-19763
Evidence of Priority**

April 3, 2006

Kelly Foreman – #459-7130(H) & #376-3657(W) – called for her mother-in-law, Gail Conway. Mrs. Foreman wanted to stop by the office in order to submit a document as evidence of priority.

Mrs. Foreman came in to the Western Region office and submitted a *Finding, Decision, & Order* as evidence (see file). I quickly checked the legal description to verify that it matched what was claimed and placed the document in the file. While Mrs. Foreman was here, I asked her if they had shares in an irrigation district company or if they used any irrigation district water. Mrs. Foreman replied that they did not own any irrigation district company shares and that they did not use any irrigation district water.

After Mrs. Foreman left the office, I took a moment to read the document that she submitted as evidence of priority and found that it only refers to ground water use; not surface water use or Boise River water. Therefore, I called Mrs. Foreman to apologize and inform her that the document she submitted would not suffice as evidence. Mrs. Foreman felt that the ground water referred to in the document and Boise River water were one and the same, so I spoke with my supervisor, Jan Shurte, and Mrs. Shurte verified that they were not.

Kimberly Brown
Senior Water Resource Agent
Western Region

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32287 V1

WATER RIGHT NUMBER: 63-32287 V1

Owner Type

Current Owner

Name and Address

RUSTY FOREMAN
21395 W CHICAGO ST
CALDWELL, ID 83607
(208)459-7130

Current Owner

KELLIE FOREMAN
21395 W CHICAGO ST
CALDWELL, ID 83607
(208)459-7130

Priority Date: 02/14/2006

Basis: Beneficial Use

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

DOMESTIC

From To

01/01 to 12/31

Diversion Rate

0.040 CFS

Annual VolumeTotal Diversion:

0.040 CFS

Location of Point(s) of Diversion

GROUND WATER

L8 (NE1/4SE1/4)

Sec. 16, Twp 04N, Rge 03W, B.M.

CANYON County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	16													X				
															L 8				

Conditions of Approval:

1. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
2. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. X01 Domestic use is for 1 home.

Remarks:

for information
purposes only -
PW OK

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-32287 V1

Comments:

1. kbrown 5/27/2006 Parcel Number
Comment: PARCEL NO: R3495901000.



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:
Owner Name Connector: OR
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:

Water Supply Bank:

This was submitted as evidence of priority,
however, it only covers ground water as the
source (not the Boise River/surface water, as
claimed). - K. Brown

RECEIVED

APR 03 2036

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of Ed Wagner,
R. E. Wagner, J.A. Bradford,
J.F. Brenneman and George
Nishitani,

FINDING, DECISION and ORDER
of the
Local Ground Water Board
for
Canyon County, Idaho

vs

Elwood Grimes,

Respondent.

The above entitled matter came on regularly for hearing before a local ground water board consisting of Carl E. Tappan, F. C. Bohlson and Mark R. Kulp, established according to Statute, at 10 o'clock A.M. on June 21, 1954, at Caldwell, County of Canyon, State of Idaho.

Claimants Ed Wagner, R. E. Wagner, J. E. Brenneman, J. A. Bradford and George Nishitani were represented by Peter Boyd, Attorney at Law, Caldwell, Idaho, and the Respondent Elwood Grimes was represented by Robert B. Dunlap, Attorney at Law of Caldwell, Idaho.

Findings

1. The board finds that: The claimants Ed Wagner, R.E. Warner, J.F. Brenneman, J.A. Bradford and George Nishitani and the respondent, Elwood Grimes and others unknown are appropriators of ground waters underlying lands including the lands of the said claimants and the said respondent in Sections 15 and 16 in Township 4 North, Range 3 West of the Boise Meridian.

2. That the said ground waters are under artesian pressure or artesian pressures with piezometric surface above the local ground surface elevation. That neither the wells of the claimants or the well of the respondent are equipped with control or capping devices approved by the State Department of Reclamation.

3. That the artesian pressure or pressures of the underground water supply or supplies, tapped by the wells of the claimants and the respondent and others unknown or unlisted, is a potential or potentials common to the claimants and the respondent and to others who have tapped and who are drawing from the said supply or supplies and is not a necessary condition to the use of water appropriated from the underground water supply or supplies.

4. That the claimants have made no provisions for the conservation or maintenance or improvements of the common artesian potential or potentials by providing suitable capping devices for their wells, or by periodic cleaning out of old wells.

7. That R. E. Wagner appropriated and put to beneficial use for domestic and stock watering purposes by means of a well, one (1) miner's inch (.02 cubic foot per second, or 9 gallons per minute) of subterranean water dating from 1930.

8. That J. F. Brenneman or his predecessors appropriated and put to beneficial use for domestic, irrigation and stock watering purposes by means of a well, one (1) miner's inch (.02 cubic foot per second or 9 gallons per minute) of subterranean water dating from 1929.

9. That C. A. Bradford or his predecessors appropriated and put to beneficial use for domestic and stock watering purposes by means of a well, one (1) miner's inch (.02 cubic foot per second, or 9 gallons per minute) of subterranean water dating from 1936.

10. That George Nishitani appropriated and put to beneficial use for industrial purposes by means of a well on leased land, four (4) miner's inches (.08 cubic foot per second, or 36 gallons per minute) of subterranean water dating from 1937.

11. That the Respondent Elwood Grimes is the holder of Permit No. G-24608 issued by the State Department of Reclamation of the State of Idaho for the appropriation of 3 cubic feet per second of subterranean waters for fish propagation with a priority date of December 11, 1953, and has diverted by means of a pumped well and put to beneficial use one (1) miner's inch (.02 cubic foot per second) for domestic and culinary purposes and 15 miner's inches (.3 cubic foot per second) for commercial purposes in the recreational merchandising of live trout.

Decision and Order

1. That the right of the Claimant Ed Wagner to two (2) miner's inches (or .04 cubic foot per second) of subterranean water for domestic, irrigation and stock watering purposes is confirmed. The said right is for use on and is appurtenant to the following described property, to-wit: Commencing at the Northeast Corner of Lot 8 of Section 16 in Township 4 North and Range 3 West of the Boise Meridian and bearing South 0°17' West 96 feet along the east boundary line of the aforesaid Lot 8 to the real point of beginning;

Thence continuing South 0°17' West 5.4 feet, along the East boundary line of the aforesaid Lot 8; thence South 78°0' West 51.1 feet, thence North 27°15' West 240 feet; thence meandering along the Southeast boundary line of a right of way occupied by a private road North 45°45' East 102 feet, Northeast 83.5 feet along a curve to the right with a radius of 114.6 feet, North 87°30' East 110 feet, Northeast 223.4 feet along a curve to the left with a radius of 262 feet and North 38°20' East 271 feet to the real point of beginning.

The said water right to date from 1930.

2. It is further ordered that the right of the Claimant R. E. Wagner to one (1) miner's inch (.02 cubic foot per second) of subterranean water for domestic, dairy and stock watering purposes is confirmed.

The said water right is for use on and is appurtenant to the following

Lot 2 and a 25 foot road along the north side of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) Section 16, Township 4 North, Range 3 West of the Boise Meridian.

Said right to date from 1929.

4. It is further ordered that the right of the Claimant J. A. Bradford to one (1) miner's inch (.02 cubic foot per second) of subterranean water for domestic and stock watering purposes is confirmed.

The said right is for use on and is appurtenant to the following described property, to-wit:

All of Lot 1 and the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) all in Section 16, Township 4 North, Range 3 West of the Boise Meridian.

The said right to date from 1936.

5. It is further ordered that the right of the claimant George Nishitani to four (4) miner's inches of subterranean water for industrial purposes is confirmed.

The said right is for use on and is appurtenant to the following described property, to-wit:

Blocks 1, 2, 4 and 7 of Golder Gate Subdivision as shown on the Plat ther of now on file in the office of the Recorder of Canyon County, Idaho.

The said right dates from 1937.

6. It is further ordered that the right of the respondent Elwood Grimes to one (1) miner's inch of subterranean water for domestic purposes and 15 miner's inches of subterranean water for commercial purposes is confirmed.

The said right is for use on and is appurtenant to the following described property, to-wit: Three acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, Township 4 North, Range 3 West of the Boise Meridian.

The said right to date from December 11, 1953.

7. It is the decision of the board that the water rights of each and every one of the claimants are senior to the water right of the Respondent.

8. It is the decision of the board that the use of the junior right of the respondent does not affect, contrary to the declare policy expressed in Section 42-226 Idaho Code, the use of the senior rights of the Claimant.

Water rights confirmed.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 28, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

GAIL & LARRY CONWAY
21347 CHICAGO ST
CALDWELL ID 83605

*sent
(+) shape file*

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-19763

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 26, 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 will be receiving a call from us in order to set-up an appointment for a field exam.