

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 63-32538  
Date Received: 2/28/1990  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RAMONA M DAVIS  
20102 RED TOP RD  
CALDWELL ID USA 83605

Phone: (208)454-3918

JERRY LEE DAVIS  
20102 RED TOP RD  
CALDWELL ID USA 83605

Phone: (208)454-3918

2. Date of Priority: 12/04/1948

3. Source: SOUTH DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 04N      | 04W   | 10      | SE SE SE              | CANYON |      |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From To     | C.F.S. | (or) A.F.A |
|------------|-------------|--------|------------|
| IRRIGATION | 03/15 11/15 | 0.07   |            |

7. Total Quantity Appropriated is:  
0.07 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      | 04W   | 10      | SE         | SE  | IRRIGATION | 3.6               |
|          |       |         |            |     |            | Section Acres 3.6 |
|          |       |         |            |     |            | Total Acres 3.6   |

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:

SOURCE - SOUTH DRAINAGE DIST. #6, CANYON CO.

This right is a split from former right 63-2748 due to change in ownership for portion of right.

15. Basis of Claim: License

16. Signature(s)

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

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

**RECEIVED****OCT 18 2006****DEPARTMENT OF WATER RESOURCES**

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

1. 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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 63-2748               |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

2. 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**.

3. Name and Address of Former Owner/Claimant(s) JERRY LEE DAVIS AND  
RAMONA M DAVIS
4. New Owner/Claimant(s) DON L COUCH AND DAWN MARIE COUL  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 20024 RED TOP ROAD  
 City, State and ZIP Code CAIDWELL ID 83607
- New Telephone Number 208 455-5101
5. Date you acquired the property APRIL 14 1997

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s) \_\_\_\_\_  
(include title if applicable)

*John C. Cavan*  
*Dawn M. Cavan*

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

#### For Office Use Only

Received by \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_  
 Received by *FW* Date *10/3/06* Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_



## WARRANTY DEED

For Value Received

Jerry L. Davis and Ramona M. Davis, husband and wife

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

Don L. Couch, Jr. and Dawn Marie Couch, husband and wife

hereinafter referred to as Grantee, whose current address is

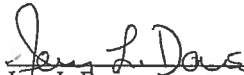
20024 Red Top Road, Caldwell, ID 83605

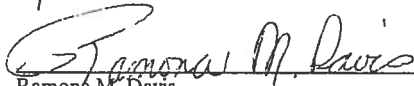
the following described premises, to-wit:

See Attached "A" Official Records of Canyon County, Idaho.

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: April 14, 1997.

  
Jerry L. Davis

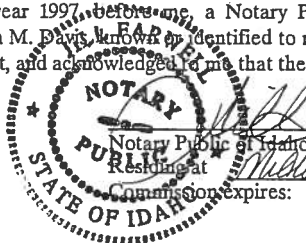
  
Ramona M. Davis

STATE OF IDAHO )

ss.

COUNTY OF Canyon )

On This 16<sup>th</sup> day of April, in the year 1997, before me, a Notary Public in and for said State, personally appeared Jerry L. Davis and Ramona M. Davis, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.



*First American Title Company of Idaho*

RC 19746

## Exhibit "A"

A portion of the Southeast Quarter of the Southeast Quarter of Section 10, Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho, being described as follows:

BEGINNING at a brass cap monument in the center of Red Top Road marking the Southeast corner of said Section 10, said corner being located North 89° 39' 01" East a distance of 2,631.25 feet from a brass cap monument in the intersection of said Red Top Road with Notus Road and marking the South Quarter corner of said Section 10; thence

South 89° 39' 01" West a distance of 256.36 feet along the Southerly line of said Section 10 (centerline of Red Top Road) to a point; thence

North 03° 02' 52" West a distance of 52.71 feet along the center of an unnamed ditch; thence

North 25° 29' 22" West a distance of 50.25 feet along said ditch centerline; thence

North 46° 24' 45" West a distance of 645.52 feet along said ditch centerline; thence leaving said centerline

South 02° 26' 52" West a distance of 546.67 feet along an existing fence line to a point in the Southerly line of said Section 10 (centerline of said Red Top Road); thence

South 89° 39' 01" West a distance of 549.49 feet along said Southerly section line to a brass cap monument in the center of said Red Top Road at the Southwest corner of said Southeast Quarter of the Southeast Quarter; thence

North 00° 13' 48" West a distance of 1,322.10 feet along the Westerly line of said Southeast Quarter of the Southeast Quarter to a 5/8-inch rebar with aluminum cap set at the Northwest corner of said Southeast Quarter of the Southeast Quarter; thence

North 89° 33' 47" East a distance of 1,313.64 feet along the Northerly line of said southeast Quarter of the Southeast Quarter to a 5/8-inch rebar with aluminum cap set at the Northeast corner of said Southeast Quarter of the Southeast Quarter; thence

South 00° 18' 54" East a distance of 1,324.10 feet along the Easterly line of said Southeast Quarter of the Southeast Quarter to the POINT OF BEGINNING.

SUBJECT TO the right of way for Red Top road, being those portions of this parcel lying within a strip of land 25 feet wide, lying North of the Southerly line of said Section 10.

9712088

RECORDED

'97 APR 17 PM 3 28

NED J KERR

CANYON CNTY RECORDER

BY

PIONEER — CALDWELL

REQUEST

TYPE

FEE

DC  
DMC  
S.M.B.  
S.H.D.

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: A63-02748  
Date Received: 12/16/1992  
Receipt No: W009790  
Received By: \_\_\_\_\_

DEC 22 1992

COPY FOR Department of Water Resources  
YOUR FILES Western Region

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: RAMONA M DAVIS 208-454-3918  
Address: 20102 RED TOP RD  
CALDWELL ID 83605  
AND/OR  
Name: JERRY LEE DAVIS 208-454-3918  
Address: 20102 RED TOP RD  
CALDWELL ID 83605

2. Date of Priority: DEC 4, 1948

3. Source: SOUTH DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 04N      | 04W   | 10      | SE     | SE     | SE  |     | CANYON |

5. Description of diverting works:  
36" STEEL PIPE, 5' DEEP, USED AS SUMP, 7.5HP MOTOR; GRAVITY IRR.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.800  |      |        |

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

MICROFILMED

JUL 25 1994

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 04N      | 04W   | 10      | SE     | SE  |     | IRR | 40.0  |

Section Acres 40.0

Total Acres 40.0

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:  
SOURCE - SOUTH DRAINAGE DIST. #6, CANYON CO.

15. Basis of Claim: LICENSE

Water Right Number: 20842

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 63-2748

Date Received \_\_\_\_\_

Receipt Number W009790

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED  
FEB 27 1990

Department of Water Resources  
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Jetty Lee & or Ramona M. Davis Phone (208) 454-3918

Mailing Address 20102 Red Top Rd Caldwell, Idaho Zip 83605

2. Date of Priority (Only one (1) per claim) 12/4/1948

3. Source of water supply (a) South Drain  
which is tributary to (b) Boise River

4. a. Location of existing point of diversion is: Township 4N Range 4W Section 10,  
SE 1/4 of SE 1/4 of SE 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. 36 inch steel pipe depth  
of 5 ft. used as sump - 7 1/2 H P motor -

Gravity irrigation

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JUL 25 1994

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 .80 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .80 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 140 acre feet per annum.

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

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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>4N</u> | <u>4W</u> | <u>10</u> |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       | <u>40</u> | <u>40</u> |
|           |           |           |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |           |           |
|           |           |           |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |           |           |
|           |           |           |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |           |           |
|           |           |           |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |           |           |
|           |           |           |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |           |           |
|           |           |           |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |           |           |

Total number of acres irrigated 40

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 ☒ 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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JUL 25 1994

Last Name Davis Ident No. 63-2748

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

MICROFILMED

JUL 25 1994

Last Name Davis Ident No. 63-2748

*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 63-2748  
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) Jerry L. Davis Date 2/23/90  
Date \_\_\_\_\_

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

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or Idaho )  
County of Canyon ) SS.

Subscribed and sworn (or affirmed) before me this 23 day of February 19 90

SEAL

Notary Public John K. Hoyer  
Residing at 15470 Homevale Rd.  
Caldwell, Ida 83605

My Commission Expires Sept 21, 1994

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 \_\_\_\_\_

MICROFILMED

JUL 25 1994

Last Name Davis Ident. Number 63-2748

Copies White-State, Yellow-Claimant

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

RECEIVED  
DEC 12 2003  
DEPT. OF Ge  
WATER RESOURCES

PURPOSE AND  
PERIOD OF USE:

3.6 ACRES TOTAL

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.

Right No. 63-32539 is also diverted through point of diversion described above.

11/01/2006

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

RIGHT NUMBER: 63-32538

NAME AND ADDRESS: JERRY LEE DAVIS  
20102 RED TOP RD  
CALDWELL ID 83605

RAMONA M DAVIS  
20102 RED TOP RD  
CALDWELL ID 83605

SOURCE: SOUTH DRAIN

TRIBUTARY: DIXIE SLOUGH

QUANTITY: 0.070 CFS

PRIORITY DATE: 12/04/1948

POINT OF DIVERSION:

T04N R04W S10 SESESE 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          | 0.070 CFS       |

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S10 SESE 3.60

3.6 ACRES TOTAL

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

SOURCE - SOUTH DRAINAGE DIST. #6, CANYON CO.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-2748.

Right No. 63-32539 is also diverted through point of diversion described above.



# Idaho Department of Water Resources

SRBA Recommendation:

**63-32538**

(Irrigation)

## Legend

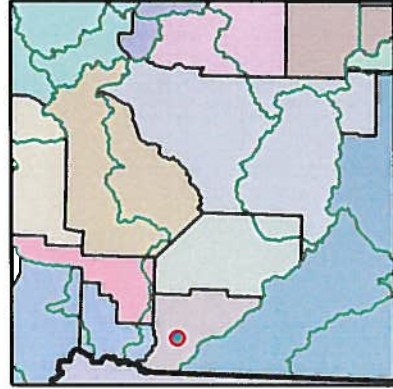
● Point of Diversion

□ Place of Use

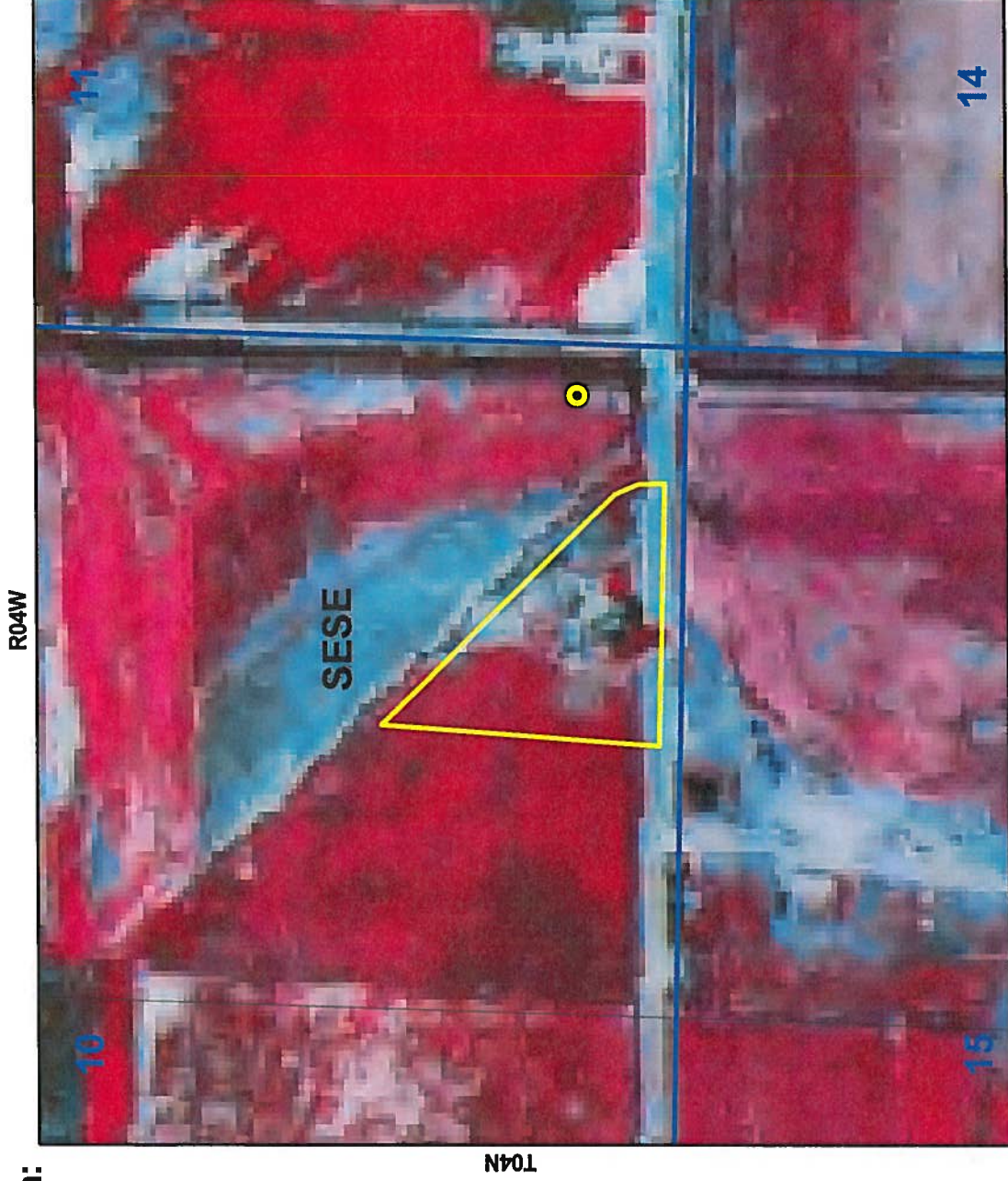
□ Townships

□ PLS Sections

□ Quarter Quarters



Canyon County  
IDWR Basin 63



0 0.1 0.2 Miles

Prepared by K. Walker  
On Wednesday, November 1, 2006  
1987/88 Aerial Photography

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2748 V1

WATER RIGHT NUMBER: 63-2748 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Current Owner     | RAMONA M DAVIS<br>20102 RED TOP RD<br>CALDWELL, ID 83605<br>(208)454-3918  |
| Current Owner     | JERRY LEE DAVIS<br>20102 RED TOP RD<br>CALDWELL, ID 83605<br>(208)454-3918 |
| Original Owner    | WAYNE M ROGERS<br>RT 2<br>CALDWELL, ID 83605                               |

Priority Date: 12/04/1948

Basis: License

Status: Active

Source

SOUTH DRAIN

Tributary

DIXIE SLOUGH

Beneficial Use

IRRIGATION

From To

03/01 to 11/15

Diversion Rate

0.800 CFS

Annual VolumeTotal Diversion:

0.800 CFS

Location of Point(s) of Diversion

SOUTH DRAIN

SE1/4SE1/4SE1/4

Sec. 10, Twp 04N, Rge 04W, B.M.

CANYON County

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |      | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|------|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE   |        |
| 04N | 04W | 10  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |      | 40.0   |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 40.0 |        |

Total Acres: 40

Conditions of Approval:

1. SOURCE - SOUTH DRAINAGE DIST. #6, CANYON CO.
2. 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.

Remarks:

*split*

**63-32538**  
Davis  
3.6 ac  
0.07 cfs

**63-32539**  
Couch  
34.3 ac  
0.73 cfs

*add F05 - use same p/d.*

10/14/2006

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

RIGHT NUMBER: 63-2748

NAME AND ADDRESS: RAMONA M DAVIS  
20102 RED TOP RD  
CALDWELL ID 83605

JERRY LEE DAVIS  
20102 RED TOP RD  
CALDWELL ID 83605

SOURCE: SOUTH DRAIN

TRIBUTARY: DIXIE SLOUGH

QUANTITY: 0.800 CFS

PRIORITY DATE: 12/04/1948

POINT OF DIVERSION:

T04N R04W S10 SESESE 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          | 0.800 CFS       |

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S10 SESE 40.00

40 ACRES TOTAL

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

SOURCE - SOUTH DRAINAGE DIST. #6, CANYON CO.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

05/12/2006

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

RIGHT NUMBER: 63-2748

NAME AND ADDRESS: RAMONA M DAVIS  
20102 RED TOP RD  
CALDWELL ID 83605

JERRY LEE DAVIS  
20102 RED TOP RD  
CALDWELL ID 83605

SOURCE: SOUTH DRAIN

TRIBUTARY: ~~BOISE RIVER~~

QUANTITY: 0.800 CFS

PRIORITY DATE: 12/04/1948

POINT OF DIVERSION:

T04N R04W S10 SESESE 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          | 0.800 CFS       |

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S10 SESE 40.00

40 ACRES TOTAL

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

SOURCE - SOUTH DRAINAGE DIST. #6, CANYON CO.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

*Dixie Slough*  
*per topo x4*  
*kw*  
*10/14/06*



# Idaho Department of Water Resources

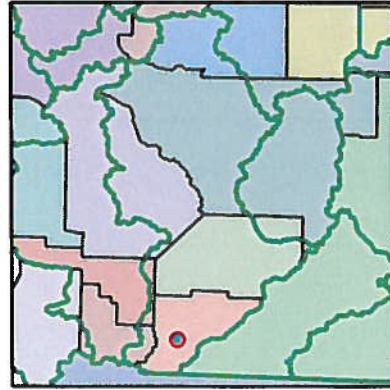
SRBA Recommendation:

**63-2748**

*Acres = 40*

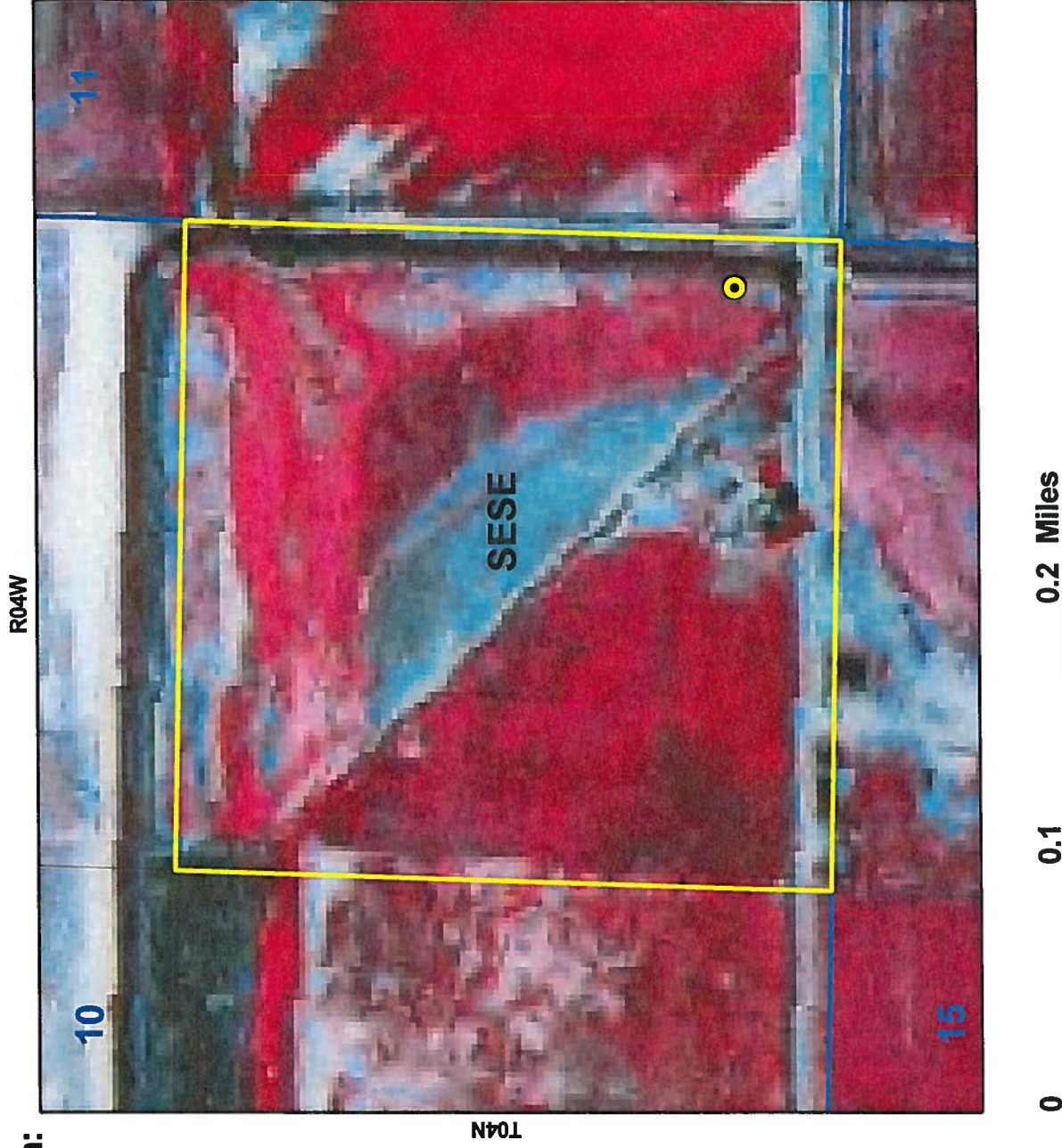
## Legend

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



Canyon County  
IDWR Basin 63

Prepared by K. Walker  
On Friday, May 12, 2006  
1987/88 Aerial Photography



## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2748

WATER RIGHT NUMBER: 63-2748 ✓

Owner TypeName and Address

Current Owner

 RAMONA M DAVIS ✓  
 20102 RED TOP RD ✓  
 CALDWELL, ID 83605 ✓  
 (208)454-3918 ✓

Current Owner

 JERRY LEE DAVIS ✓  
 20102 RED TOP RD ✓  
 CALDWELL, ID 83605 ✓  
 (208)454-3918 ✓

Original Owner

 WAYNE M ROGERS ✓  
 RT 2 ✓  
 CALDWELL, ID 83605 ✓

Priority Date: 12/04/1948 ✓

Basis: License ✓

Status: Active ✓

Source

SOUTH DRAIN ✓

Tributary

BOISE RIVER ✓

Beneficial Use

IRRIGATION ✓

From To

3/15 to 11/15 ✓

Diversion Rate

0.800 CFS ✓

Annual VolumeTotal Diversion:

0.800 CFS ✓

Location of Point(s) of Diversion

SOUTH DRAIN •

CANYON County ✓

SE1/4SE1/4SE1/4 ✓

Sec. 10, Twp 04N, Rge 04W, B.M. ✓

Place of Use

IRRIGATION •

| Twp | Rge | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 04N | 04W | 10  | ✓  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 40.0   |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 40.0   |

Total Acres: 40 ✓

Conditions of Approval:

1. SOURCE - SOUTH DRAINAGE DIST. #6, CANYON CO. •

Remarks:

none per arc view  
 either Pioneer Ditch  
 or Poplar Bay Ditch

claimed as  
 licensed -  
 in office  
 review  
 kw  
 5/12

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2748

WATER RIGHT NUMBER: 63-2748

|                   |                                              |
|-------------------|----------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                      |
| Current Owner     | WAYNE M ROGERS<br>RT 2<br>CALDWELL, ID 83605 |

Priority Date: 12/04/1948

Basis: License

Status: Active

|               |                  |
|---------------|------------------|
| <u>Source</u> | <u>Tributary</u> |
| SOUTH DRAIN   | BOISE RIVER      |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| IRRIGATION            | / to /                  | 0.800 CFS             |                      |
| DOMESTIC              | / to /                  |                       |                      |
|                       | <u>Total Diversion:</u> | 0.800 CFS             |                      |

Location of Point(s) of Diversion

|               |            |                                 |
|---------------|------------|---------------------------------|
| SOUTH DRAIN   | SE1/4SE1/4 | Sec. 10, Twp 04N, Rge 04W, B.M. |
| CANYON County |            |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |      |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |      |
| 04N | 04W | 10  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 40.0   | 40.0 |

Total Acres: 40

DOMESTIC same as IRRIGATIONConditions of Approval:

1. SOURCE - SOUTH DRAINAGE DIST. #6, CANYON CO.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-2748

01/31/2006

1

| Right # | Type        | Twp | Rge | Sec | QQ | Q  | Lot | Purpose of Use        | Acres/Total | Name                 |
|---------|-------------|-----|-----|-----|----|----|-----|-----------------------|-------------|----------------------|
| 222D    | Claim       | 04N | 04W | 10  | SE | SE |     | IRRIGATION            | 37/2857     | EUREKA DITCH CO NO 2 |
| 223K    | Claim       | 04N | 04W | 10  | SE | SE |     | IRRIGATION            | 37/2857     | EUREKA DITCH CO NO 2 |
| 2748    | Claim       | 04N | 04W | 10  | SE | SE |     | IRRIGATION            | 40/40       | RAMONA M DAVIS       |
| 21361   | Claim       | 04N | 04W | 10  | SE | SE |     | IRRIGATION            | 37/2857     | EUREKA DITCH CO NO 2 |
| 21362   | Claim       | 04N | 04W | 10  | SE | SE |     | IRRIGATION            | 37/2857     | EUREKA DITCH CO NO 2 |
| 21363   | Claim       | 04N | 04W | 10  | SE | SE |     | IRRIGATION            | 37/2857     | EUREKA DITCH CO NO 2 |
| 2748    | Water Right | 04N | 04W | 10  | SE | SE |     | IRRIGATION            | 40/40       | WAYNE M ROGERS       |
| 27729   | Water Right | 04N | 04W | 10  | SE | SE |     | <del>STOCKWATER</del> |             | RAMONA M DAVIS       |
| 27729   | Water Right | 04N | 04W | 10  | SE | SE |     | <del>DOMESTIC</del>   |             | RAMONA M DAVIS       |

# License and Certificate of Water Right

Water License No. **20842**

Amount... 0.8 second foot

Water District No.....

Priority December 4, 1948

THIS IS TO CERTIFY that

WAYNE M. ROGERS

of Caldwell, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 4, 1948; that Permit No. 20842 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.8 second foot, was issued thereunder on July 18, 1952, showing that said works were completed on the 10th day of July, 1952; and that on the 15th day of July, 1952.

RAYNES M. ROGERS

of Caldwell, State of Idaho, made proof to the satisfaction of the  
State Reclamation Engineer of Idaho, of the right to use the waters of South Drain  
Drainage District ~~Number~~ #5, Canyon Co., for the purpose of irrigation and domestic  
use, under Use Permit No. 20848 of the Department of Reclamation  
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,  
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume  
8 of Licenses at page 3036, on the 26th day of December, 19 52;  
The right hereby confirmed dates from December 4, 19 48;

in the S.E. 1/4 S.E. 1/4 T. 4 N. R. 4 W. B. M. Canyon County

That the amount of water to which said right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.13 cubic feet per second.

**Description and location of use:**

| Twp. | Range | Sec. | Forty-acre Tract                  | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|------|-------|------|-----------------------------------|----------------------------------|---------------------------------|
| 4 N. | 4 W.  | 10   | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40                               | 40                              |

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this  
 13th day of December, 1952.

(SEAL)

MARK R. KULP

**State Reclamation Engineer**

63 2748

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO  
**REPORT OF ENGINEER**

Permit No. 20842This proof is for Beneficial use

In Water District No. \_\_\_\_\_

1. Name of applicant Wayne M. Rogers, Route 2, Caldwell, Idaho
2. Source of water supply: South Drain, Drainage District # 6, Canyon Co.
3. Location of point of diversion: Is in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 10  
T. 4 N. R. 4 W. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: There is no pumphouse nor protection. Motor rests on scaffolding above the drain ditch, and the pump, which is a Perma Water-Lifter is submerged in the water. The motor is 3 h.p., Craftsman motor, s phase, 220 V., 1725 r.p.m. No. 12387. Pump is no. 3 Perma Water Lifter with 6" outlet. Meter is G.E. 240 V. single phase No. 1137278. Switches and controls are Cutler-Hammer mounted on a pole on the bank on the West side of the drain. 10" discharge pipe extend to the West. Height of lift, 11' into dike ditches.
5. Water is used for: Irrigation and domestic purposes.
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):  
SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 10, Twp. 4 North, Range 4 West, B. M.  
40 acres irrigated.

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

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

Remarks: This farm is being reclaimed from the alkali and salt lands west of Caldwell.This examination was made on the 9 day of Dec., 1952(Signed) E. H. Humphrey Examiner.20842

Rt. 2, Caldwell, Idaho

Permit No. 20842

Examination for Beneficial Use

County Canyon

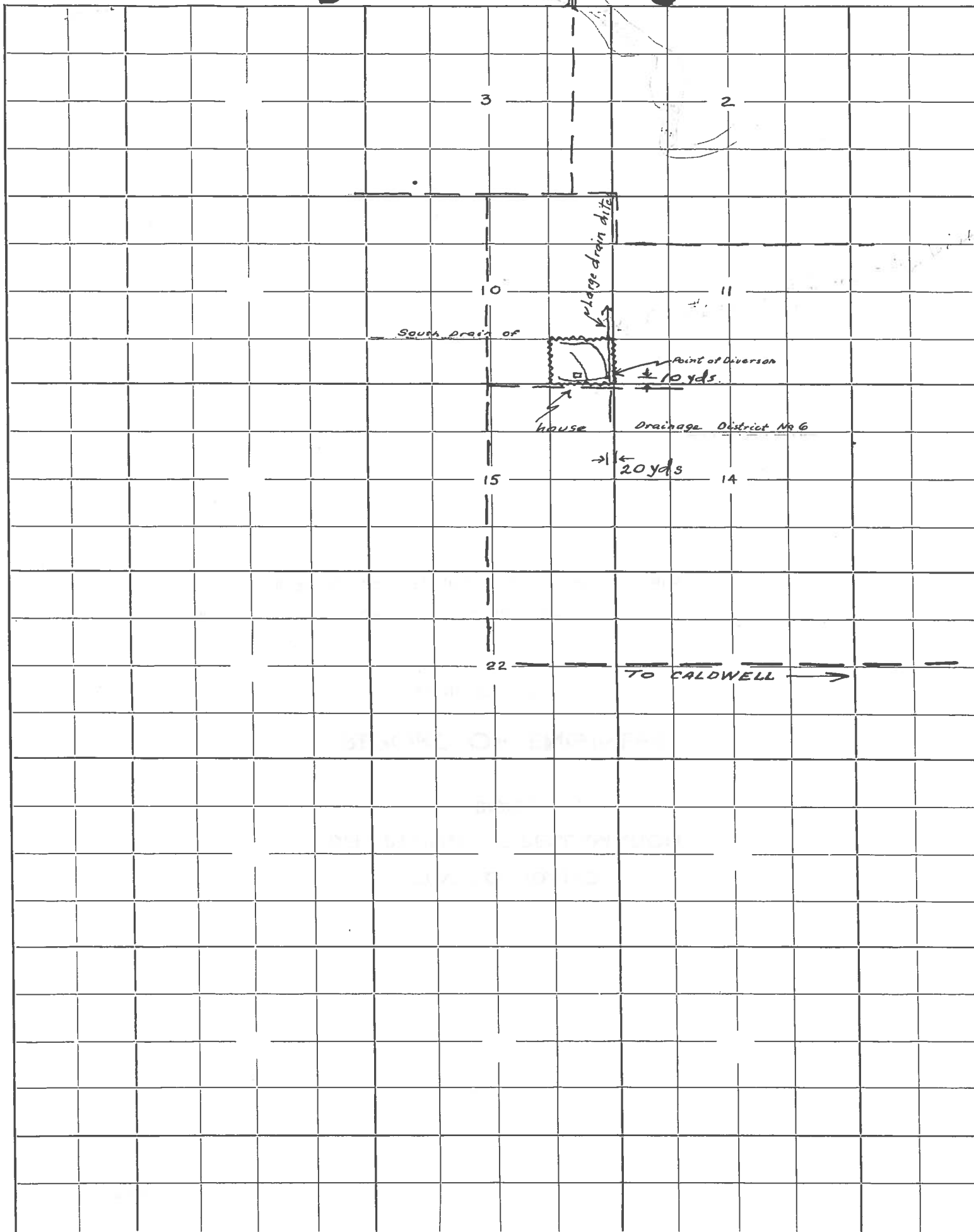
S. 10 - 4N - 4W

### INSTRUCTIONS TO EXAMINERS

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

16: 7-8-52

16: 7-8-52



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

20842

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 20842

REPORT ON PROOF OF Beneficial Use  
WAYNE M. ROGERS, Route 2, Caldwell, Idaho

18 of 20  
mink

110 acres

app. 5.501

# Receipt Details for ID W009790

| Status | Adjustment Type     | Version |
|--------|---------------------|---------|
|        | Water Right Receipt | 1       |

**General Information:**

| Date Received         | Date Deposited | Region          | Total Amount | Payment Type |
|-----------------------|----------------|-----------------|--------------|--------------|
| 2/28/1990 10:59:11 AM | 2/28/1990      | Western         | \$115.00     | Check        |
| Payer                 |                | DAVIS, JERRY L. |              |              |

**Account Information:**

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 643                  |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

**Comment** ADJUDICATION CLAIM FEE

**Fee Detail:**

| Amount   | Description            | PCA    | Fund | Fund Detail | Subsidiary | Object |
|----------|------------------------|--------|------|-------------|------------|--------|
| \$115.00 | 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           | 2748            |              | \$90.00 | Claim |
| 63           | 27729           |              | \$25.00 | Claim |

Print Report