

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: A63-21642
Date Received: 3/19/1990
Receipt No: 6015717
Received By: SA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID L. CORNWELL 208-454-9454
Address: P.O. BOX 338
PARMA, ID 83660
OR
Name: KAREN J. CORNWELL 208-454-9454
Address: P.O. BOX 338
PARMA, ID 83660

2. Date of Priority: MAR 15, 1953

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	05W	4	SW	SW	NW		CANYON

5. Description of diverting works:
PUMP IN DRAIN TO FLOOD IRRIGATION OF LAWN, SHRUBS, ETC.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		

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

8. Total consumptive use is 3.5 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	05W	4	SW	NW		IRR	1.0
Section Acres							1.0
Total Acres							1.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
N/A

14. Remarks:
IRRIGATION IS FOR 1-ACRE OR LESS OF SHRUBS AND LAWN FOR A 250-CAR DRIVE-IN THEATRE.

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 X 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): Daniel A. Arnold Date: 3-19-90

Date: _____

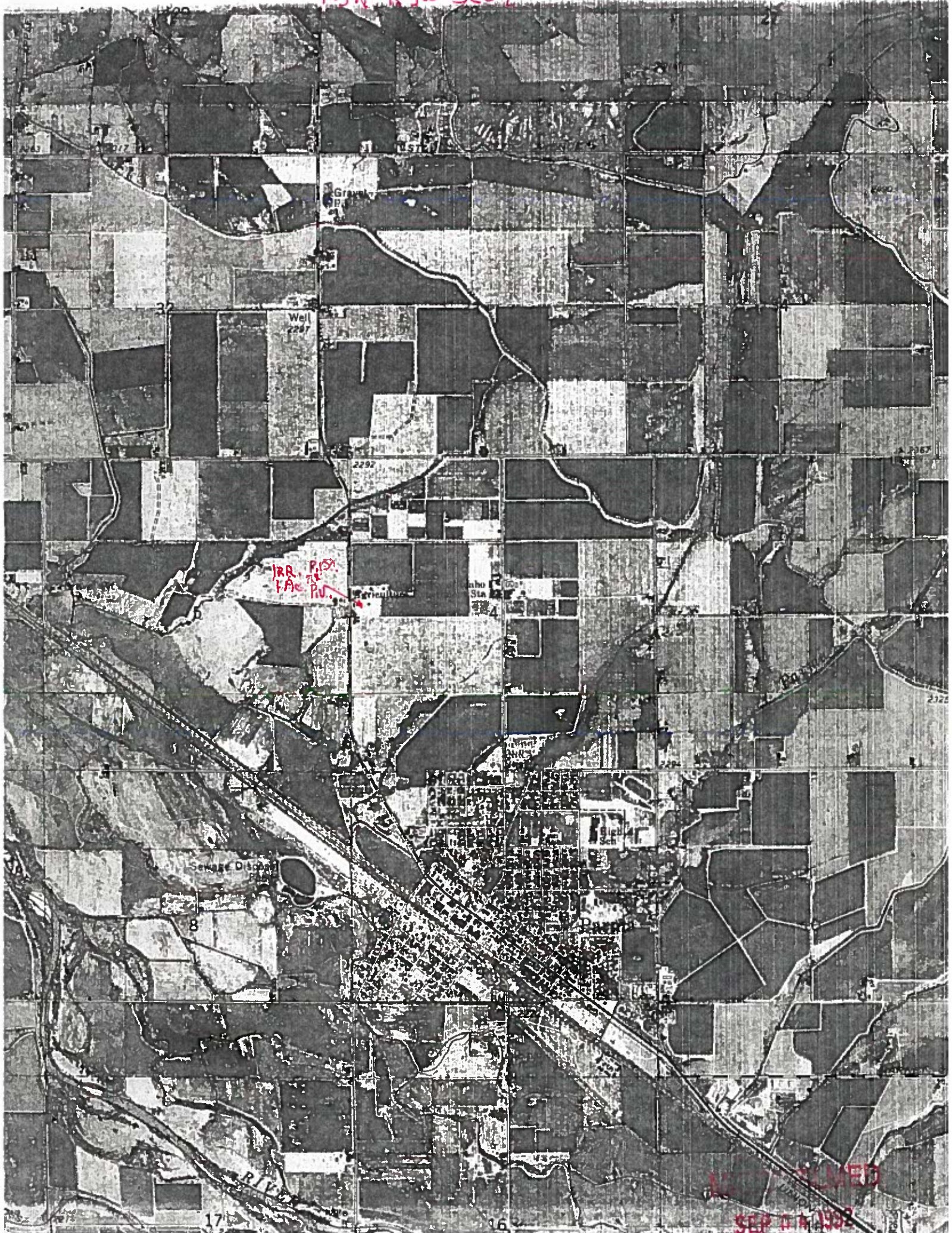
State of Idaho)
County of Ada) SS.

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

Donna E. Rulley
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994



IRR. P. 15X
F.A. TO P.V.

NOT FILMED
SEP 14 1982

12/10/2006

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

RIGHT NUMBER: 63-21642
NAME AND ADDRESS: KAREN J CORNWELL
PO BOX 338
PARMA ID 83660

DAVID L CORNWELL
PO BOX 338
PARMA ID 83660

SOURCE: UNNAMED DRAIN TRIBUTARY: BOISE RIVER
QUANTITY: 0.030 CFS
PRIORITY DATE: 03/01/1953
POINT OF
DIVERSION: T05N R05W S4 SWNW 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	0.030 CFS
PLACE OF USE:	<u>IRRIGATION in CANYON County</u>		
	T05N R05W S04 SWNW 1.00		
	1 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.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Physical address is 29522 Highway 95, Parma, Idaho.

Parcel No. R3869300000.

Place of use is also known as the Parma Motor-Vu Drive-in.

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: 63-21642

KAREN J CORNWELL
PO BOX 338
PARMA ID 83660
Telephone Number: (208)454-9454

DAVID L CORNWELL
PO BOX 338
PARMA ID 83660
Telephone Number: (208)454-9454

RECEIVED

OCT 19 2006

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 10/12/06 SIGNATURE: Karen J. Cornwell
Please print your name: Karen J. Cornwell

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

09/21/2006

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

RIGHT NUMBER: 63-21642

NAME AND ADDRESS: KAREN J CORNWELL
PO BOX 338
PARMA ID 83660

DAVID L CORNWELL
PO BOX 338
PARMA ID 83660

SOURCE: UNNAMED DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 0.030 CFS

PRIORITY DATE: 03/01/1953

POINT OF DIVERSION:

T05N R05W S4 SWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.030 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T05N R05W S04 SWNW 1.00

1 ACRES TOTAL

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Physical address is 29522 Highway 95, Parma, Idaho.

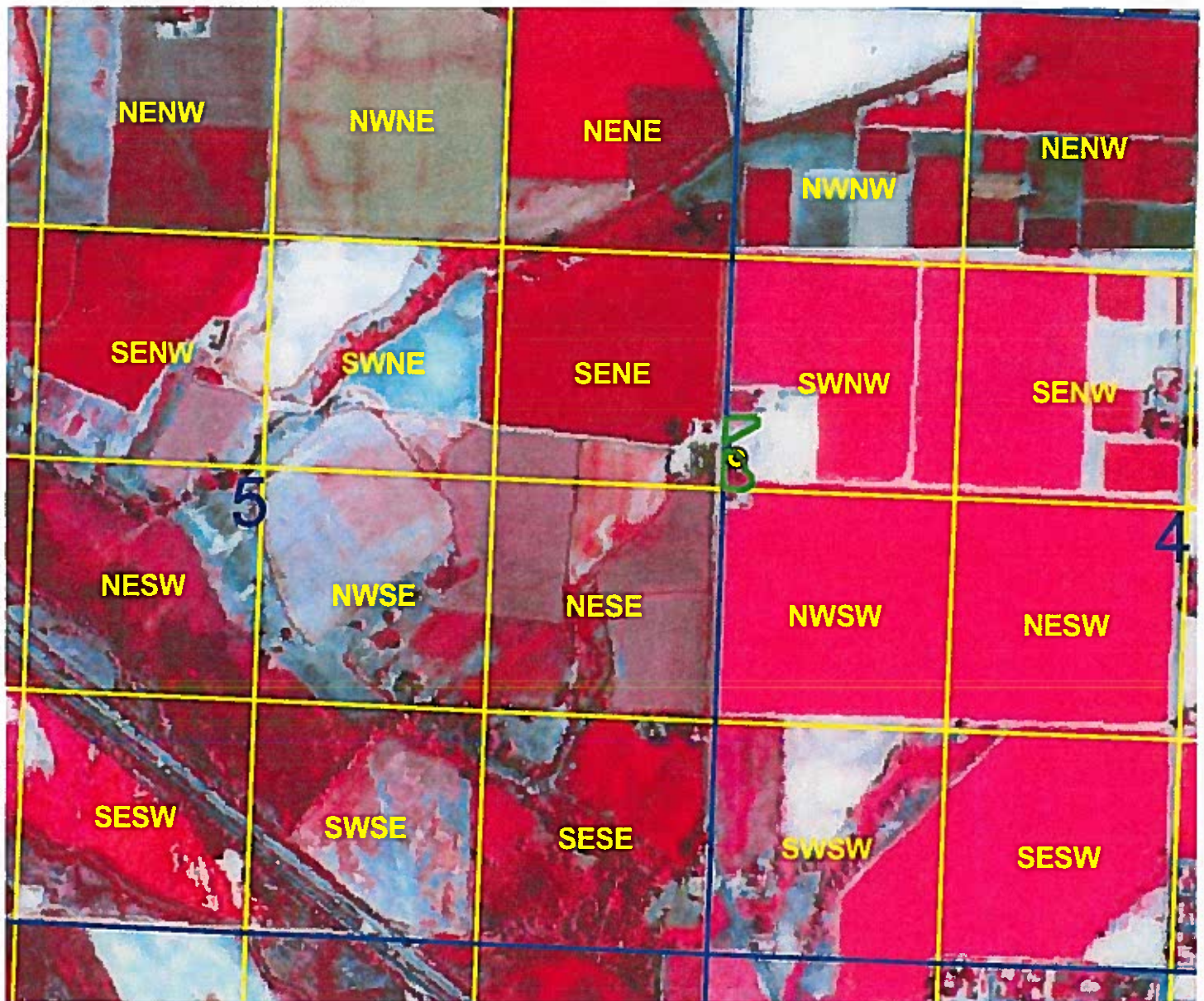
Parcel No. R3869300000.

Place of use is also known as the Parma Motor-Vu Drive-in.



State of Idaho
Idaho Department of Water Resources
Western Region

T5N R5W SECTION 4
Water Right: 63-21642



1320 0 1320 2640 Feet

TOTAL IRRIGATED ACRES = 1



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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: September 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 11, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DAVID & KAREN CORNWELL
PO BOX 338
PARMA ID 83660

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No: A63-21642

Dear Claimants,

In the past, you submitted the above referenced claim during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim for your reference only, it is not necessary to return this print-out. You indicated, when this claim was filed, that the water right 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 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 if water availability problems arise in the future.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, an accurate location of your diversion and acre irrigated needs to be identified on the attached aerial photo. Please also provide as much detail about your diversion works as possible including pump make, horsepower, operating pressure, approximate water lift (in feet) to acre irrigated, type and number of sprinklers, etc. If more information is needed, you will be receiving a call from us in order to set-up an appointment for a field exam.

Page 2

The above requested information needs to be submitted by June 1 , 2006. Please let me know if you may not be able to submit the information or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Respectfully,

A handwritten signature in cursive script, appearing to read "Lori Graves".

Lori Graves
Sr. Water Resource Agent

Enclosure: "Evidence of Priority" Pamphlet/Affidavit
Notice of Claim A63-21642
Aerial Photo

M
O
T
O
R

V
U

[Movies](#) [About](#) [Location](#) [Contact](#)

Parma MotorVU Drive-In

Since 1953!

CLICK HERE for our
Movie Listing & Showtimes!

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-21642

09/21/2006

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-21641	Claim	05N	05W	4	SW	NW		GROUND WATER	KAREN J CORNWELL
63-21642	Claim	05N	05W	4	SW	NW		UNNAMED DRAIN BOISE RIVER	KAREN J CORNWELL

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-21642**

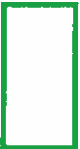
09/21/2006

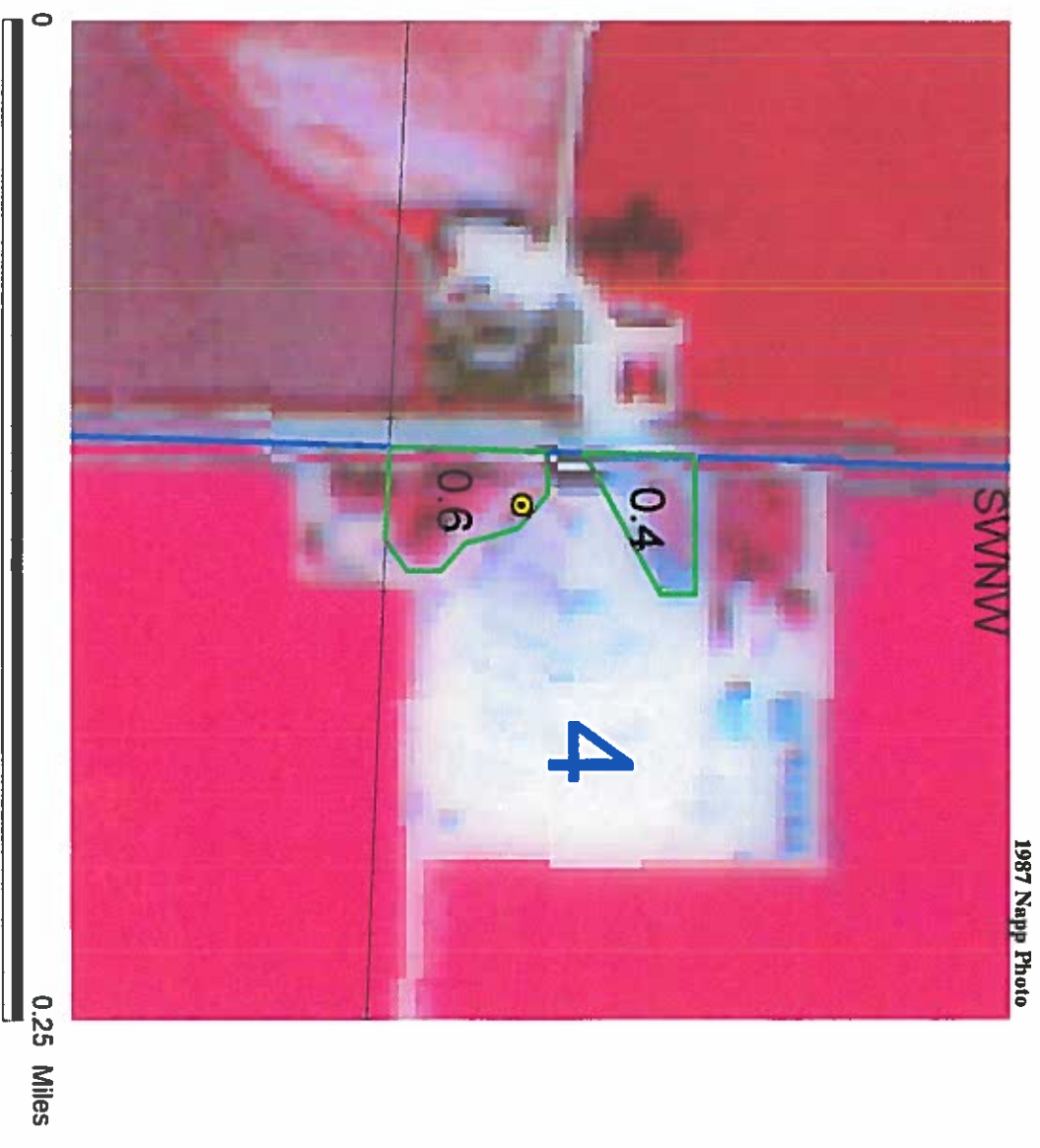
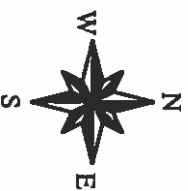
1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
138C	Claim	05N	05W	4	SW	NW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-188	Claim	05N	05W	4	SW	NW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-189	Claim	05N	05W	4	SW	NW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-190	Claim	05N	05W	4	SW	NW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-191	Claim	05N	05W	4	SW	NW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-296	Claim	05N	05W	4	SW	NW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
4851	Claim	05N	05W	4	SW	NW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
4852	Claim	05N	05W	4	SW	NW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
21642	Claim	05N	05W	4	SW	NW		IRRIGATION	1/1	KAREN J CORNWELL
303A	Claim	05N	05W	4	SW	NW		IRRIGATION FROM STORAGE	40/16031	FARMERS COOPERATIVE DITCH CO
21641	Claim	05N	05W	4	SW	NW		COMMERCIAL		KAREN J CORNWELL
21641	Claim	05N	05W	4	SW	NW		DOMESTIC		KAREN J CORNWELL

Idaho Department of Water Resources

Claim Number: 63-21642
Legal: T05N, R05W, S04
Reviewed By:

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



01 ACCOUNT: 6R38693-000- -0 AREA 049-00 DRAIN 3 VALUE 19.80 CLASS CM H/O N
SEC 04 TWN 5N RNG 5W QTR NW CITY/SUB 0 BLK LOT 4000
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
CORNWELL, KAREN J TRUST CORNWELL, KAREN J TRUST
% CORNWELL, KAREN J-TRUSTEE % CORNWELL, KAREN J-TRUSTEE

MAILING ADDRESS

PO BOX 338
PARMA ID 83660

SITE ADDRESS

29522 HWY 95 PA

COMMENTS

LEGALS

04-5N-5W NW
TAX 8 IN SW NW, LESS HWY

REMARKS

PRIOR ACCOUNT 5R38693000 0
PARCEL 05N05W044000 SRVY
INSTR 200457981 ACRES 4.26
SPLIT YR DOCUMENT DD
DATE DONE 12/08/2004 INITIALS PG 02 Ownership Tract Record
THIS ACCOUNT HAS NO OWNERSHIP TRACT RECORD.
MODE:F ACTION: OWNERSHIP TRACT RECORD INQUIRY TRQK366

Account Number: 38693-000- -0

Instrument	Grantor	Grantee	Remarks
200440164	CORNWELL, KAREN J	CORNWELL, KAREN J TRUST	CRRCTD BY 200457981
8720022	DOBBS	CORNWELL	9817855-PROBATE

MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101
System User- IDWRR Date 08/31/2006 Time 15:48

REAL PROPERTY INQUIRY

01 5R38693-000- -0 049-00 SCH137+ 13 46,400 4.26
*****;2 35 31,525
CORNWELL, KAREN J TRUST +
% CORNWELL, KAREN J-TRUSTEE +
+
+
+
PO BOX 338 +
PARMA ID 83660 +

04-5N-5W NW + TOTAL 77,925 4.26
TAX 8 IN SW NW, LESS HWY *****
+ SURVEY INST 200457981
+ DRAIN 3 DR VALUE 19.80 APPR TLH
+ CLASS CM REAP 00 MAN 99 UNIT 0
+ PARCEL 5R05N05W044000 H/O N C/B N
+ PRIOR ACCOUNT 4R38693-000- -0
+ 02 MH on Property YES
+ 03 Traits 04 Companion Sheet

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+++++
+                                PERSONAL PROPERTY INQUIRY                                +
+++++
+ 01 3P63261-000- -0              049-00 FIRE-  FLOOD-  REAP  03  APPR DMH  +
+++++
+                NAMES                +
+    PARMA MOTOR VU THEATRE          +
+    CORNWELL,  KAREN                ++++++
+                                +
+                                VALUES                                +
+                                59              2,695              +
+++++                                68              25,625              +
+    MAILING ADDRESS                +    71              272              +
+                                +
+    PO BOX 338                    +
+    PARMA              ID 83660    +
+                                +
+    04-5N-5W NW 3R38693-000- -0    +
+    29522 HWY 95              PA  + TOTAL              28,592              +
+++++
+    STATUS-  COMB N  TRAN N  DEL N  FARM N  DECL N  INDUST N  PPD          +
+    PRIOR ACCOUNT      -  -  -  PARCEL 3P3P63261000 0  HOMEOWNERS ?  NO    +

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