

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: A63-26220
Date Received: 2/22/1991
Receipt No: C019731
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: J.D. ALDECOA AND SON INC.
Address: 12 MESA VISTA DR
BOISE ID 83705

208-342-1339

2. Date of Priority: APR 1, 1948

3. Source: SPRING

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
02N	04W	1	SW NW		CANYON

5. Description of diverting works:
EARTHEN DITCHES FROM SPRINGS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		
STOCKWATER	01/01	12/31	0.080		

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

A.F.A.

8. Total consumptive use is 80.5 Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER FOR UP TO 300 HEAD OF BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	04W	1	SE NE		STOCK	
			SW NW		IRR	5.0
			SW NW		STOCK	

A63-26220

Page 1

Date: 02/11/92

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0
		2	SE	NE	IRR	18.0
			SE	NE	STOCK	
			SW	NW	STOCK	
					Section Acres	18.0
					Total Acres	23.0

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:
WILDER IRRIGATION DISTRICT

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

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RECEIVED
FEB 10 1992

Department of Water Resources

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
FEB 22 1991

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) J. D. Aldecoa and Son, Inc. Phone (208) 342-1339

Mailing Address 12 Mesa Vista Dr., Boise, ID Zip 83705

2. Date of Priority (Only one (1) per claim) April 1, 1948

3. Source of water supply (a) Unnamed Springs
which is tributary to (b) Sinks4. a. Location of existing point of diversion is: Township 2 N. Range 4 N. Section 1,
1/4 of SW 1/4 of NW 1/4, Govt. Lot, B.M., County of

Additional points of diversion if any: N/A

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. Earth Ditches from Springs

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 0.40 or _____

For Stockwater purposes from 1/1 to 12/31 amount 0.08 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) ~~0.40~~ 0.48 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 80.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater for up to 300 head of beef cattle

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2N	4W	1							5										5
2 N	4 W	2				18													18
2 N	4 W	1				S			S										
2 N	4 W	2				S			S										

Total number of acres irrigated 23

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 xxx 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.
Wilder Irrigation District or None ()

14. Remarks:

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Last Name Aldecoa Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

R. 14W

T. 12N.

Point of Diversion / Springs

Place of Use

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MICROELINE

SEP 14 1992

Last Name Aldecoa Ident No.

Copies: White-State, Yellow-Claimant

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

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not XX
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President
of J. D. Aldecoa and Son, Inc. , that I have signed the foregoing
document in the space below as President of J. D. Aldecoa and Son, Inc.
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Dorothy Aldecoa
Title and Organization Sec. Date 1-29-91

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 29th day of January 19 91
SEAL Notary Public M. Judith Marlow
Residing at Boise
My Commission Expires 11-20-93

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, Scott L. Campbell 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 Scott L. Campbell
Address P. O. Box 1539, Boise, ID 83701-1539
Date 2/11/91

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Last Name Aldecoa Ident. Number _____

Copies White-State, Yellow-Claimant Da

NOTICE OF APPEARANCE BY SUBSTITUTE
ATTORNEY AT LAW

NOTICE IS HEREBY GIVEN that I, David B. Lincoln, of the firm Elam, Burke and Boyd, Chartered, will be acting as attorney at law on behalf of Basil and Dorothy Aldecoa and J.D. Aldecoa and Son, Inc., in substitution for Scott L. Campbell, and that all notices required by law to be mailed by the director to the claimants signing below should be mailed to me at the address listed below. This notice of appearance applies to all 26 claims heretofore filed by said claimants and more particularly described on the attachment hereto.

DATED This 18th day of February, 1992.

ELAM, BURKE & BOYD, Chartered

By *David B. Lincoln*
David B. Lincoln, Of the Firm
Attorneys for Claimants
P.O. Box 1539
Boise, Idaho 83701-1539

DATED This 21st day of February, 1992.

Basil Aldecoa
Basil Aldecoa *By Dorothy Aldecoa*

DATED This 21st day of February, 1992.

Dorothy Aldecoa
Dorothy Aldecoa

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SEP 14 1992

DATED This 21st day of February, 1992.

J.D. Aldecoa and Son, Inc.

By Dorothy Aldecoa, V.P. & Sec.

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SEP 14 1992

NOTICE OF APPEARANCE BY SUBSTITUTE
ATTORNEY AT LAW - Page 2

DBL 1.17

GENERAL POWER OF ATTORNEY
OF BASIL P. ALDECOA

KNOW ALL MEN BY THESE PRESENTS: That I, Basil P. Aldecoa, of Boise, Ada County, Idaho, have made, constituted, and appointed, and by these presents do make, constitute, and appoint Dorothy Aldecoa, of Boise, Ada County, Idaho, as my true and lawful attorney for and in my name, place, and stead, and for my use and benefit to do the following:

(1) To ask, demand, sue for, recover, collect, and receive all such sums of money, debts, dues, accounts, legacies, bequests, interests, dividends, annuities, and demands whatsoever as are now or shall hereafter become due, owing, payable, or belonging to me; to have, use, and take all lawful ways and means in my name or otherwise for the recovery thereof, by attachments, arrests, distresses, or otherwise; to compromise and agree for the same, and acquittances, or other sufficient discharges for the same, for me and in my name; to make, seal, and deliver the same;

(2) To bargain, contract, agree for, purchase, receive, and take lands, tenements, and hereditaments; to accept the seisin and possession of all lands, deeds, and other assurances in the law therefor; to lease, let, gift, demise, bargain, sell, remise, release, convey, mortgage, and hypothecate lands, tenements, and hereditaments upon such terms and conditions and under such covenants as my said attorney shall think fit;

(3) To bargain, agree for, gift, buy, sell, mortgage, hypothecate, and in any and every way and manner deal in and with

GENERAL POWER OF ATTORNEY
OF BASIL P. ALDECOA - 1

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SEP 14 1992

Da

goods, wares, merchandise, choses in action, and other property in possession or in action; to make, do, and transact all and every kind of business of whatever nature or kind; and to sign, seal, execute, deliver, and acknowledge such deeds, leases, and assignment of leases, covenants, indentures, agreements, mortgages, hypothecations, bottomries, charter parties, bills of lading, bills, bonds, notes, receipts, evidences of debt, releases, and satisfaction of mortgages, judgments, other debts, and such other instruments in writing of whatever kind and nature, as may be necessary or proper in the premises for me and in my name and as my act and deed;

(4) To prepare my federal income and gift tax returns and state income tax return; to sign the same on my behalf; to pay any and all taxes, charges, and assessments that may be levied or imposed upon me with respect thereto; to file for and collect any refunds pertaining thereto on my behalf; and to make court or audit appearances on my behalf with respect to such tax assessments or refund claims; and

(5) To do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as I might or could do if personally present (with full power of substitution or revocation); and I hereby ratify and confirm all that my said attorney (or my said attorney's substitute or substitutes) shall lawfully do or cause to be done by virtue of these presents.

Da

As allowed by Idaho Code sections 15-5-501, et seq., this power of attorney shall not be affected by my disability, incapacity, or incompetence.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the 18th day of December, 1990.

Basil P. Aldecoa
Basil P. Aldecoa

Signed, sealed, and delivered
in the presence of

Mitchell Murphy
Witness

Bertha H. Barton
Witness

STATE OF IDAHO)
County of Ada) ss.

On this 18th day of Dec., 1990, before me,
Caroline Vogel, a notary public in and for said state,
personally appeared Basil P. Aldecoa, and Mitchell Murphy
and BERTHA H. BARTON, witnesses, known to me to be the
persons whose names are subscribed to the within instrument, and
acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal, the day and year in this certificate first
above written.

Caroline Vogel
Notary Public for Idaho
Residing at Boise, Idaho
Commission Expires 7/18/94

GENERAL POWER OF ATTORNEY
OF BASIL P. ALDECOA - 3

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wa

CLAIMANT'S NAME J.O. Aldecoa and Son, Inc.

CLAIM IDENT. NO.

A63-26220DATE RECEIVED 2/22/91C. # CO19731 - \$2200⁰⁰ AMOUNT \$ 72.50⁰⁰

YES

NO Required Info?

1. Is the name and address complete with zip code? X — *
2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. X — *
3. (a) Is a source entered? X — *
- (b) Is a tributary to entered? (if required) N/A — *
4. Is the legal description of the p.d. sufficient? X — *
5. Is there a description of the diverting works? X — *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. X — *
- Is the period of use included? X — oh *
- Is a quantity claimed for each use? X — *
7. Is a total quantity claimed entered? X — *
8. If required is a consumptive use entered? N/A — *
- Is the consumptive use correct? N/A — *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A — *
10. Is (are) the place(s) of use and purpose(s) indicated? X — *
11. Is (are) the county(ies) entered? X — *
12. Is the ownership of p.u. checked? X — *
13. Are other water rights listed or "none" indicated? X — *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A — *
15. Is the basis of the claim indicated? X — *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A — *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. X — *
18. Has the claim been signed, sealed, and dated by a notary? X — *
19. Was this claim filed on time, or was an extension granted? X — *
20. Is the fee enclosed correct? Exempt X — *
21. If this claim is based on an existing water right, has the identification number been entered? N/A X — *
22. Should this claim be data entered? X — *

Claim checked by: S.W. KeenDate: 2/27/91

Claim must be returned to claimant:

X (Yes) — (No)

Claimant must be notified of modifications:

— (Yes) — (No)

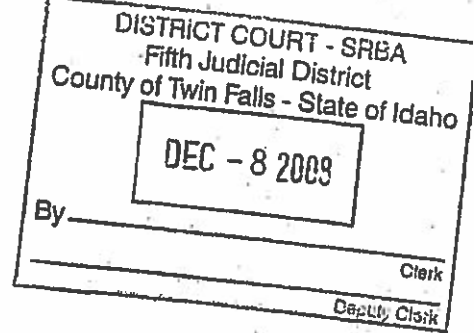
Receipt Prepared by: J. Davison
 Claim data entered by: S.W. Keen
 Sent to claimant by: —

Date: 2/25/91
 Date: 2/11/92
 Date: —

Checked by: SEP 14 1992Comments: Need ① amount for stockwater ② stockwater place of useBeneficial Use

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-26220



NAME AND ADDRESS: ALDECOA HEIGHTS FAMILY
LIMITED PARTNERSHIP
4312 EDMONT
BOISE, ID 83706

SOURCE: SPRING TRIBUTARY: SINKS

The source of this right is waste water. The wasting of water may
be discontinued at any time.

QUANTITY: 0.47 CFS

The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.
Right Nos. 63-26219 and 63-26220 are limited to a total combined
diversion rate of .46 cfs for irrigation purposes.

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION: T02N R04W S01 SWNW Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.40 CFS
	Stockwater	01-01 TO 12-31	0.07 CFS

PLACE OF USE:	Irrigation	Stockwater
	T02N R04W S01 S02 23.0 Acres Total	SWNW 5.0 SENE 18.0
		Within Canyon County

Right Nos. 63-26219 and 63-26220 are limited to the irrigation
of a combined total of 23 acres in a single irrigation season.

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

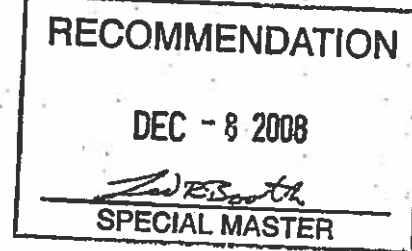
The quantity of water decreed for this water right for
stockwater use is not a determination of historical beneficial
use.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



Stockwater use is for 300 head.
Use of this right is combined with water from Wilder Irrigation District.

Shurte, Jan

From: Ted Booth [tbooth@srba.state.id.us]
Sent: Monday, December 08, 2008 11:07 AM
To: Shurte, Jan
Subject: RE: 63-26220

Jan,

We can make the change without executing another SF-5. We will change the Court's records, and you can change IDWR's. Thanks.
Ted

Eliminate annoying spam!

My mailbox is protected by iHateSpam, the #1-rated spam buster.
<http://www.ihatespam.net>

From: Shurte, Jan [mailto:Jan.Shurte@idwr.idaho.gov]
Sent: Monday, December 08, 2008 11:07 AM
To: Ted Booth
Subject: RE: 63-26220

Ted,

Can we add to the last of that remark "for irrigation purposes"? The .46 cfs is for the 23 acres between 63-26220 and 63-26219. The .07 cfs on 63-26220 is just for stockwater and happens to bring the total to .47 cfs. It would be a lot clearer if we could have the remark on both recommendations state "Right Nos. 63-21219 and 63-26220 are limited to a total combined diversion rate of .46 cfs for irrigation purposes".

Is it ok to change our records internally and not have to do another SF5? It doesn't change the rights as they were recommended and would only be a clarification. Please let me know what you think.

Thanks,
Jan

From: Ted Booth [mailto:tbooth@srba.state.id.us]
Sent: Monday, December 08, 2008 10:17 AM
To: Shurte, Jan
Subject: 63-26220

Jan,
This right has a diversion rate of 0.47 cfs, but a remark limiting the combined diversion with 63-26219 is for only 0.46 cfs. Please check this out.
Ted

Eliminate annoying spam!

My mailbox is protected by iHateSpam, the #1-rated spam buster.
<http://www.ihatespam.net>

12/8/2008

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

RIGHT NUMBER: 63-26220

NAME AND ADDRESS: ALDECOA HEIGHTS FAMILY LIMITED PARTNERSHIP
4312 EDMONT
BOISE ID 83706

~~J-D ALDECOA & SON INC~~
~~4312 EDMONT ST~~
~~BOISE ID 83706-2304~~

SOURCE: SPRING

TRIBUTARY: SINKS

The source of this water right is waste water. The wasting of water may be discontinued at any time.

QUANTITY: 0.470 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

Right Nos. 63-26219 and 63-26220 are limited to a total combined diversion rate of .46 cfs.

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION:

T02N R04W S1 SWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.070 CFS
IRRIGATION	03/01 11/15	0.400 CFS

PLACE OF USE: IRRIGATION in CANYON County

T02N R04W S01	SWNW	5.00	T02N R04W S02	SENE	18.00
---------------	------	------	---------------	------	-------

STOCKWATER in CANYON County

T02N R04W S01	SENE	T02N R04W S01	SWNW
T02N R04W S02	SENE	T02N R04W S02	SWNW

23 ACRES TOTAL

Right Nos. 63-26219 and 63-26220 are limited to the irrigation of a combined total of 23 acres in a single irrigation season.

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

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 300 head.

Use of this right is combined with water from Wilder Irrigation District.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Water Rights: 63-24095, 63-26219,
63-26220, 63-26241

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following administrative proceeding:

☐ Address change

XX Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: October 8, 2008


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on October 8, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Aldecoa Heights Family Ltd Ptr
4312 Edgemont
Boise ID 83706

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile


Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

October 8, 2008

ALDECOA HEIGHTS FAMILY LIMITED PARTNERSHIP
4312 EDMONT
BOISE ID 83706

Re: Water Right Nos. 63-24095, 63-26219, 63-26220, 63-26241

Dear Mr. Wilson:

Enclosed are copies of the above referenced water rights, which reflect the change in ownership of the land and appurtenant water rights, covered under the original filings. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures

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

RECEIVED

FEB 08 2008

WATER RESOURCES
WESTERN REGION

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>63-24095</u>	_____	___	_____	_____	___
<u>63-26219</u>	_____	___	_____	_____	___
<u>63-26220</u>	_____	___	_____	_____	___
<u>63-26241</u>	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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)

4. New Owner/Claimant(s)

Aldecoa Heights Family Limited Partnership

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

4312 Edgemont

City, State and ZIP Code

Boise ID 83706

New Telephone Number

() _____

5. Date you acquired the property

FOR VALUE RECEIVED, J. D. ALDECOA and SON, INC.,

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto DASIL ALDECOA and DOROTHY ALDECOA, husband and wife, as community property, grantees, 12 Mesa Vista Drive, Boise, Idaho 83705, grantees; the following described real estate, to-wit:

Real estate situated in the County of Canyon, State of Idaho, to-wit:

Lots 2 and 3 of Section 2, T.2N., R.4W., B.M., together with all water rights, ditches and rights of way for ditches thereunto belonging, EXCEPTING therefrom the following described tract, to-wit:

Beginning at the SE corner of said Lot 2, running thence North 350 feet; thence West 290 feet; thence South 350 feet; thence East 290 feet, to the place of beginning.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees their heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 14th day of July, 1978.

By J. D. Aldecoa
PRESIDENT.

ATTEST L. Aldecoa
SECRETARY.

STATE OF IDAHO, COUNTY OF IDAHO
On this 14th day of July, 1978,
before me, a notary public in and for said State, personally appeared J. D. Aldecoa and Dorothy Aldecoa, known to me to be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.
J. F. [Signature]
Notary Public
Residing at Boise, Idaho
Comm. Expires 9-06-81

STATE OF IDAHO, COUNTY OF IDAHO
I hereby certify that this instrument was filed for record at the request of J. D. Aldecoa
at 10 minutes past 10 o'clock AM this 14 day of July, 1978. In my office, and duly recorded in Book of Deeds at page
Ex-Officio Recorder
By Deputy.
Fees \$
Mail to

INSTRUMENT NO

836610

DEED

FOR VALUE RECEIVED, J. D. ALDECOA and SON, INC.,

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto BASIL ALDECOA and DOROTHY ALDECOA, husband and wife, as community property, grantees, 12 Mesa Vista Drive, Boise, Idaho 83705, ~~execute~~ the following described real estate, to-wit:

Real estate situated in the County of Canyon,
State of Idaho, to-wit:

SW 1/4, NW 1/4 of Section 1, S 1/2, NE 1/4 of Section
2, all in T.2N., R.4W., B.M., together with all
water rights and ditch rights thereunto belonging,
EXCEPTING therefrom the following described tract,
to-wit:

Commencing at the corner stone in the center of
road at the SW corner of the NW 1/4 of Section 1,
T.2N., R.4W., B.M., running thence East 170 feet;
thence North 60 feet; thence West parallel with
the south boundary line, 170 feet; thence South
60 feet, to the place of beginning.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees
their heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused
its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its
Secretary this _____ day of July, 1978.

By

Basil Aldecoa

PRESIDENT.

ATTEST:

Dorothy Aldecoa

SECRETARY.

STATE OF IDAHO, COUNTY OF _____
On this 14th day of July, 1978,
before me, a notary public in and for said State, personally
appeared Basil Aldecoa and
Dorothy Aldecoa, known to me to
be the President and Secretary of the corporation that exe-
cuted this instrument or the persons who executed the instru-
ment on behalf of said corporation, and acknowledged to me
that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand
and affixed my official seal, the day and year in this certificate
first above written.

John H. Read

Residing at _____
Comm. Expires 9-29-81

Notary Public
Boise, Idaho

STATE OF IDAHO, COUNTY OF _____
I hereby certify that this instrument was filed for record
the request of _____

at _____ minutes past _____ o'clock
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____

Fees \$ _____
Mail to: _____

Deputy.

961323

GRANT DEED

FOR VALUE RECEIVED, Dorothy Aldecoa, Personal Representative of Estate of Basil Paul Aldecoa, aka Basil P. Aldecoa, aka Basil Aldecoa, Deceased, the "Grantor," hereby GRANTS, BARGAINS, SELLS AND CONVEYS to Dorothy Aldecoa, a widow, the "Grantee," of 12 Mesa Vista, Boise, Idaho 83705, the following described real property situated in the County of Ada, State of Idaho, to-wit:

T2N R3E, B.M. Section 8:	S1/2NWSW
T2N, R2E, B.M., Section 14:	SWNE, N1/2SE, SESE
T2N, R3E, B.M., Section 19:	SW
T2N, R3E, B.M., Section 29:	SWNW
T2N, R3E, B.M., Section 30:	NE
T2N, R3E, B.M., Section 31:	NESE
T2N, R3E, B.M., Section 32:	W1/2, W1/2E1/2, E1/2NE
T2N, R3E, B.M., Section 33:	S1/2SW
T1N, R3E, B.M., Section 5:	NENE
T1N, R1E, B.M., Section 24:	N1/2SE
T2N, R3E, B.M., Section 17:	S1/2SESE
T2N, R3E, B.M., Section 20:	SWNE, E1/2E1/2
T2N, R3E, B.M., Section 21:	All
T2N, R3E, B.M., Section 28:	N1/2SE, Lots 1&2
T2N, R3E, B.M., Section 9:	SW
T2N, R3E, B.M., Section 16:	NENW, NWNE

96026340
Glenn Burdick
 ADA CO. RECORDER
 J. DAVID NAVARRO
 BOISE ID

'96 MAR 29 PM 3 56
 FEE 900 DCP *Shaper*
 RECORDED AT THE REQUEST OF

Lot 12, Mesa Vista Subdivision, according to the official plat thereof filed in the records of Ada County, Idaho

and the following described property situated in the County of Canyon, State of Idaho, to-wit:

1. Lots 2 and 3 of Section 2, T2N, R4W, B.M., together with all water rights, ditches and rights-of-way for ditches thereunto belonging, EXCEPTING therefrom the following described tract, to-wit:

Beginning at the SE corner of said Lot 2, thence running North 350 Feet; thence running West 290 feet; thence running South 350 feet; thence running East 290 feet to the place of beginning, all in Canyon County, State of Idaho.

2. SW1/4 NW1/4 of Section 1, S1/2 NE1/4 of Section 2, all in T2N, R4W, B.M., all in Canyon County, State of Idaho, together with all water rights and ditch rights thereunto belonging, EXCEPTING therefrom the following described tract, to-wit:

Caldwell Farm

Commencing at the corner stone in the center of road at the Southwest Corner of the NW1/4 of Section 1, T2N, R4W, B.M., in Canyon County, State of Idaho, running thence due East 170 feet; thence due North 60 feet, thence due West parallel with the South boundary line, 170 feet, thence South 60 feet, to the place of beginning.

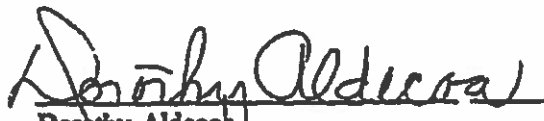
3. Beginning at the Southeast corner of Lot 2, Section 2, T2N, R4W, B.M., thence running North 350 feet; thence running West 290 feet; thence running South 350 feet; thence running East 290 feet to the place of beginning, all in Canyon County, State of Idaho.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity.

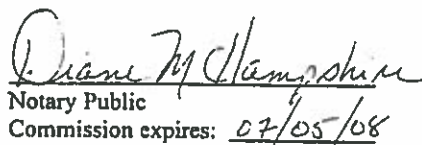
To have and to hold the said premises with their appurtenances unto the said Grantee, its successors and assigns forever.

DATED this 28th day of March, 1996.

GRANTOR:



Dorothy Aldecoa,
Personal Representative of Estate of
Basil Paul Aldecoa, aka Basil P. Aldecoa,
aka Basil Aldecoa, Deceased



No. L 5020

Due no later than March 31, 2007
Annual Report Form

Registered Agent and Office NO PO BOX

Return to:

SECRETARY OF STATE
700 WEST JEFFERSON
PO BOX 83720
BOISE, ID 83720-0080

1. Mailing Address - Correct in this box, if applicable

ALDECOA HEIGHTS FAMILY LIMITED PART
ALDECOA HEIGHTS LLC
12 MESA VISTA 4312 Edgemont
BOISE, ID 83705 83706

ALDECOA HEIGHTS LLC
12 MESA VISTA 4312 Edgemont
BOISE, ID 83705 83706

3. New Registered Agent Signature

NO FILING FEE IF
RECEIVED BY DUE DATE

4. Limited Partnerships: Enter Names and Business Addresses of General Partners.

Office held	Name	Street or P.O. Address	City	State	Zip
General Partner	John R. Wilson	4312 Edgemont	Boise	ID	83706
Ltd.					
General Partner	Aldecoa Heights LLC	4312 Edgemont	Boise	ID	83706

5. Organized Under the Laws of:

IDAHO
L 5020

6.

Signature

John R. Wilson

Date 1-10-07

Name (Printed or Typed)

John R. Wilson

Title Ltd. Partner

Issued 01/02/2007

Do Not Tape or Staple

200703005949

CERTIFICATE OF LIMITED PARTNERSHIP

INSTRUCTIONS ON BACK OF APPLICATION

STATE OF IDAHO



1. The name of the limited partnership is: Aldecoa Heights Family Limited Partnership

2. The name and business address of the registered agent are:

Aldecoa Heights LLC, 12 Mesa Vista, Boise, ID 83705
(not a P.O. Box)

3. The name and business address of each general partner are:

<u>Name</u>	<u>Address</u>
<u>Aldecoa Heights LLC</u>	<u>12 Mesa Vista, Boise, ID 83705</u>

(If more space is needed, continue in item 5.)

4. Other matters (optional):

5. Signatures of all general partners:

Aldecoa Heights LLC

By:

Dorothy Aldecoa

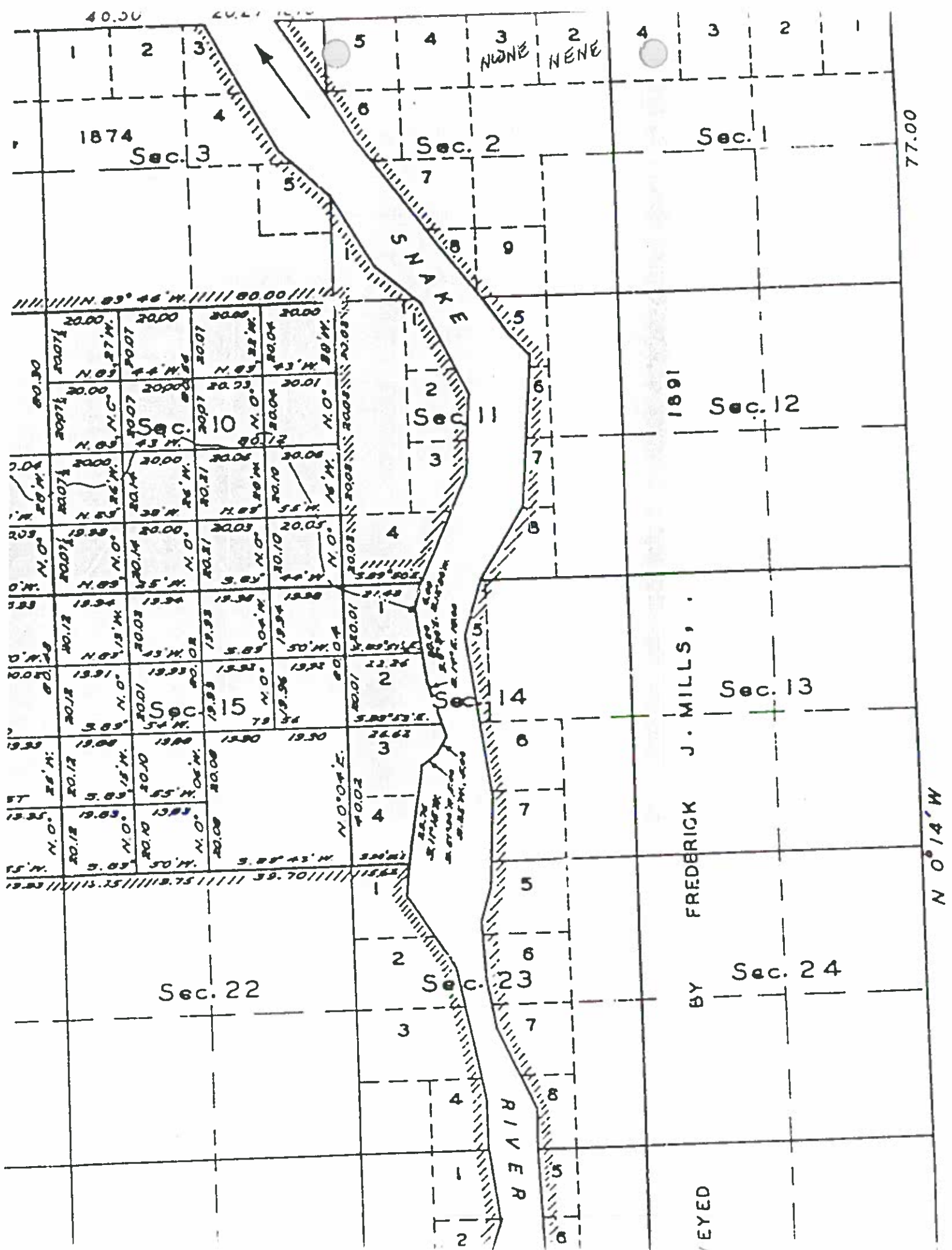
Its: Member

Secretary of State use only

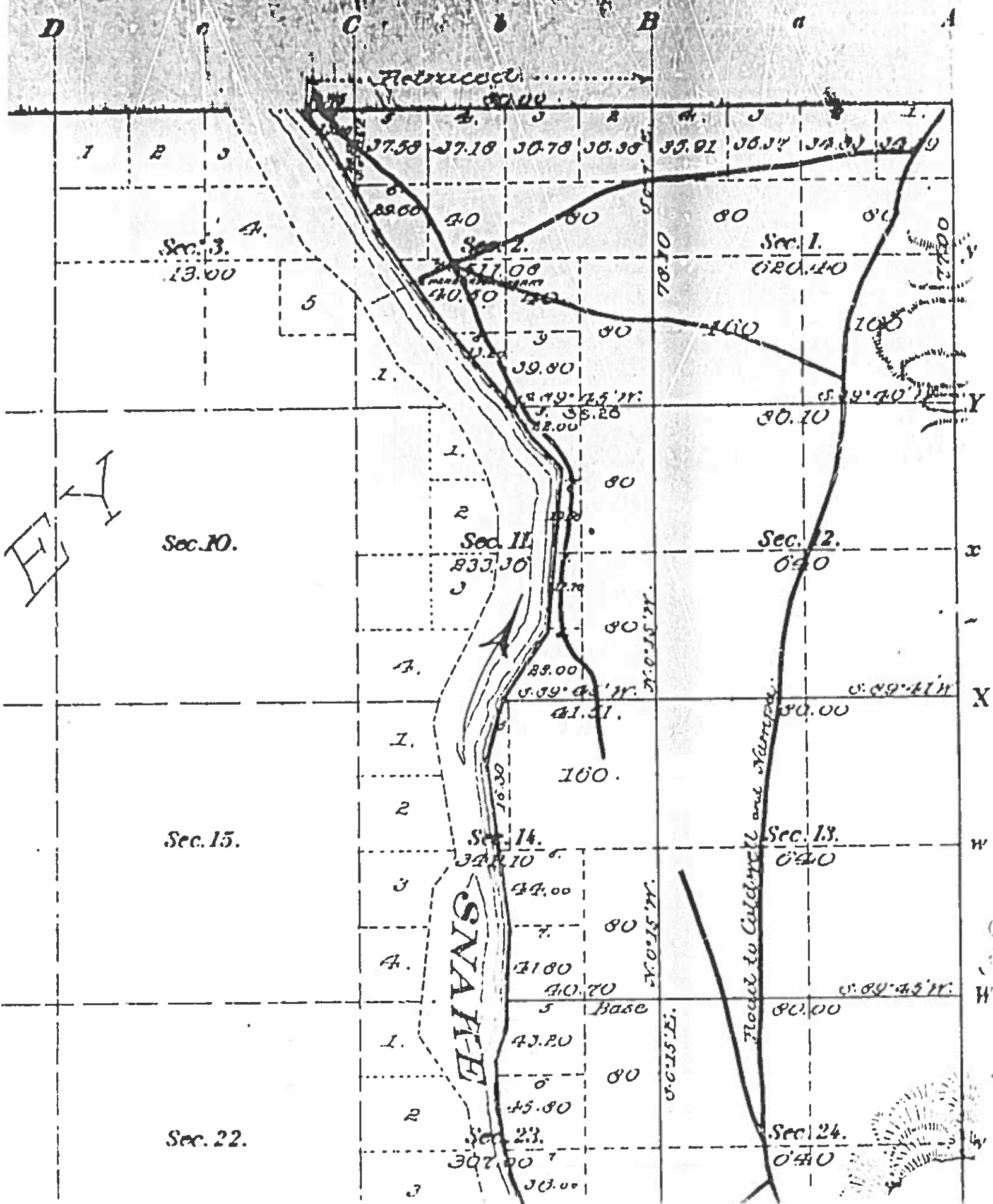
Revised 7/97

IDAHO SECRETARY OF STATE
03/12/2003 05:00
CK: 14111 CT: 75532 BH: 667884
1 @ 100.00 = 100.00 LTD PTR DM # 2

L 5020



Vest of the Meridian



1-31-08

RECEIVED

JAN 31 2008

WATER RESOURCES
WESTERN REGION

Lori,

Here are the deeds for the Caldwell farm showing the chain of title going from J. D. Aldecoa & Son, Inc. to Basil & Dorothy Aldecoa, to Dorothy Aldecoa and finally to Aldecoa Heights Family Ltd. Ptn. All the water rights should be under the name of Aldecoa Heights Family Ltd. Ptn. Call me on my cell phone 861-7476 if you have any questions

Thanks,
John Wilson

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

SUBCASE: 63-26220

STANDARD FORM 5

Case No. 39576

STIPULATED ELEMENTS OF A WATER
RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

~~JD Aldecoa & Son Inc.~~ *Aldecoa Heights
Family Ltd. Ptn.*
4312 Edgemont St.
Boise, ID 83706-2304

OBJECTOR:

Wider Irrigation District
709 Cleveland Blvd.
Caldwell, ID 83605

John Wilson, Partner 6-23-08
Date

Albert P. Barker 6/24/08
Date

RESPONDENT: Bureau of Reclamation

IDWR CONCURRENCE:

[Signature] 6/26/08
Date

Jan Shurtz 7/24/08
Date
Wick Spencer 7-24-08

12/14/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-26220
NAME AND ADDRESS: J D ALDECOA & SON INC
12 HESA VISTA DR
BOISE ID 83705

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.470 CFS

put
Q.N.
DL
NBS
The source of this right is waste water. The wasting of water may be discontinued at any time.

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day

Right Nos. 63-26219 and 63-26220 are limited to a total combined diversion rate of .46 cfs.

PRIORITY DATE: 04/01/1946

POINT OF

DIVERSION:

T02N R04W S1 SWNW Within CANYON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.070 CFS

IRRIGATION

03/01 11/15

0.400 CFS

PLACE OF USE:

IRRIGATION in CANYON County

T02N R04W S01

SWNW

5.00

T02N R04W S02

SENE

18.00

STOCKWATER in CANYON County

T02N R04W S01

SENE

T02N R04W S01

SWNW

T02N R04W S02

SENE

T02N R04W S02

SWNW

23 ACRES TOTAL

Right Nos. 63-26219 and 63-26220 are limited to the irrigation of a combined total of 33 acres in a single irrigation season.

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

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 300 head.

Use of this right is combined with water from Wilder Irrigation District.

CERTIFICATE OF MAILING

I certify that on September 29, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

WILDER IRRIGATION DISTRICT

Represented by:
ALBERT P. BARKER
1010 W. JEFFERSON, STE. 102
PO BOX 2139
BOISE, ID 83701-2139

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

J D ALDECOA & SON INC
4312 EDGEMONT ST
BOISE, ID 83706-2304



Signature of person mailing the form

2008 JUN 10 PM 03:35
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	ORDER SETTING SUBCASE(S)	
	)	FOR INITIAL HEARING	
Case No. 39576	)		
_____	)	SUBCASE NOS: 63-26219	63-26220

The Initial Hearing for this subcase will be held before
Special Master THEODORE R. BOOTH

THURSDAY, JUNE 26, 2008 at 04:00 PM (MT)
SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

ATTENDANCE IS MANDATORY. All parties are required to
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by
JUNE 23, 2008 or hearing will not be vacated.

IT IS SO ORDERED.

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

(continued)

Dated: JUNE 10, 2008

/S/ THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING
SUBCASE(S) FOR INITIAL HEARING was mailed on JUNE 10, 2008,
with sufficient first-class postage to the following:

WILDER IRRIGATION DISTRICT

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

USDI BUREAU OF RECLAMATION

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

J D ALDECOA & SON INC
4312 EDGEMONT ST
BOISE, ID 83706-2304
Phone: 208-342-1339

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) A. Subcase 63-26220
(Insert water right number)
)
Case No. 39576) STANDARD FORM 1
) OBJECTION
_____)

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Wilder Irrigation District
Address: 709 Cleveland Blvd
Caldwell, ID 83605
Daytime Phone: 208-459-3421

RECEIVED
JUN 19 2007
DEPARTMENT OF
LAND

Name & Address of Attorney, if any:
Albert P. Barker
Barker Rosholt & Simpson, LLP
1010 W. Jefferson Ste. 102, Boise ID 83702

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: JD Aldecoa & Son Inc.
Address: 4312 Edgemont St.
Boise, ID 83706-2304

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☒ **Source**

Should be: The source should be described as waste waters, and waste waters belong to the Wilder Irrigation District.

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point of Diversion**

Should be: _____

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☐ **Place of Use**

Should be: _____

10. ☐ **I object because:**

☒ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Wilder Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Wilder Irrigation District.

F. VERIFICATION (must be completed)

State of Idaho)
County of Ada)ss.

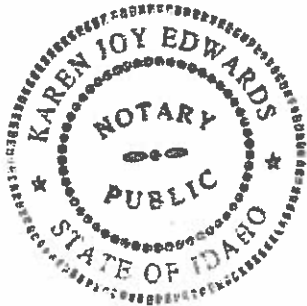
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6/18/07



Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 8/2/2012

Karen Joy Edwards

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on JUN 18 2007, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: JD Aldecoa & Son Inc.
Address: 4312 Edgemont St.
Boise, ID 83706-2304

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Signature of objector or attorney
mailing on Objector's behalf

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

RIGHT NUMBER: 63-26220

NAME AND ADDRESS: J D ALDECOA & SON INC
4312 EDMONT ST
BOISE ID 83706-2304

~~12 MESA VISTA DR~~
~~BOISE ID 83705~~

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.470 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

Right Nos. 63-26219 and 63-26220 are limited to a total combined diversion rate of .46 cfs.

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION:

T02N R04W S1 SWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.070 CFS
IRRIGATION	03/01 11/15	0.400 CFS

PLACE OF USE: IRRIGATION in CANYON County

T02N R04W S01	SWNW	5.00	T02N R04W S02	SENE	18.00
---------------	------	------	---------------	------	-------

STOCKWATER in CANYON County

T02N R04W S01	SENE	T02N R04W S01	SWNW
---------------	------	---------------	------

T02N R04W S02	SENE	T02N R04W S02	SWNW
---------------	------	---------------	------

23 ACRES TOTAL

Right Nos. 63-26219 and 63-26220 are limited to the irrigation of a combined total of 23 acres in a single irrigation season.

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

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 300 head.

Use of this right is combined with water from Wilder Irrigation District.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

)
)
)
)
)
**Water Rights: 63-10496, 63-24095,
63-26219, 63-26220, 63-26241
NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

XX Address change

Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 2, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 2, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Dorothy Aldecoa
Basil Aldecoa
4312 Edgemont St
Boise ID 83706-2304

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

J D Aldecoa & Sons Inc
4312 Edgemont St
Boise ID 83706-2304

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 2, 2007

J D ALDECOA & SON INC
DOROTHY ALDECOA
BASIL ALDECOA
4312 EDMONT ST
BOISE ID 83706-2304

Re: Water Right Nos. 63-10496, 63-24095, 63-26219, 63-26220, 63-26241

Dear Sir or Madam:

Enclosed are copies of the above referenced water rights, which reflect your new address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 1
Adjudication Section
Western Region Office

LH:l
Enclosures

63-24095
63-26219
63-26220
63-10496
63-26241

09/28/2006

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

RIGHT NUMBER: 63-26220

NAME AND ADDRESS: J D ALDECOA & SON INC
12 MESA VISTA DR
BOISE ID 83705

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.470 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

Right Nos. 63-26219 and 63-26220 are limited to a total combined diversion rate of .46 cfs.

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION:

T02N R04W S1 SWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.070 CFS
IRRIGATION	03/01 11/15	0.400 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T02N R04W S01	SWNW	5.00	T02N R04W S02	SENE	18.00
---------------	------	------	---------------	------	-------

STOCKWATER Within CANYON County

T02N R04W S01	SENE	T02N R04W S01	SWNW
T02N R04W S02	SENE	T02N R04W S02	SWNW

23 ACRES TOTAL

Right Nos. 63-26219 and 63-26220 are limited to the irrigation of a combined total of 23 acres in a single irrigation season.

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

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 300 head.

Use of this right is combined with water from Wilder Irrigation District.



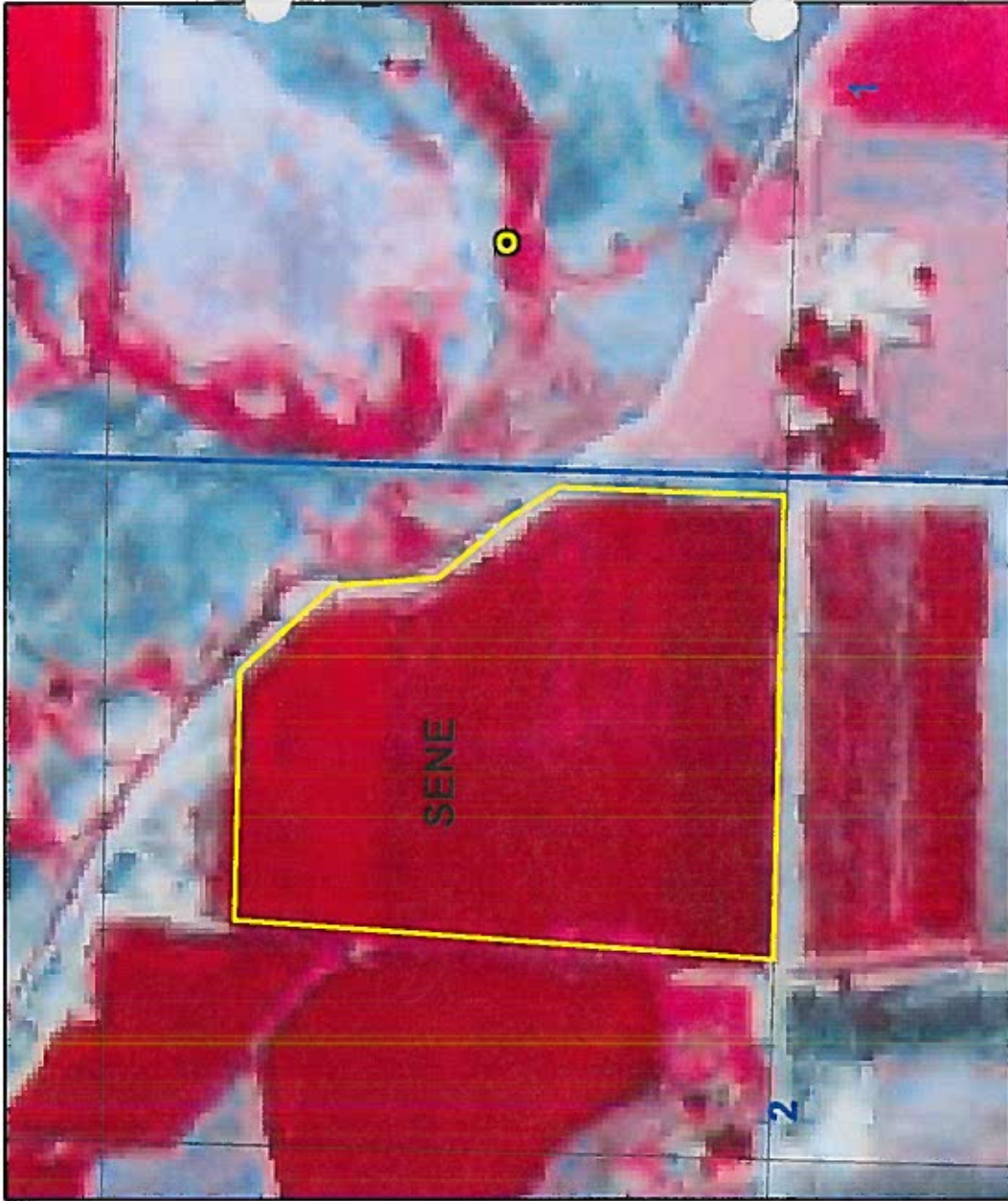
Idaho Department of Water Resources

SRBA Recommendation:

63-26220

(Irrigation)

R04W



T02N

Legend

Point of Diversion



Place of Use



Townships



PLS Sections



Quarter Quarters



N



Canyon County
IDWR Basin 63

0 0.1 0.2 Miles

0

0.1

0.2 Miles

Prepared by S. Egbert
On Thursday, September 28, 2006
1987/88 Aerial Photography

Adjudication Recommendation Report 63-26220 V1

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	DAVID B LINCOLN MARSHALL BATT & FISHER PO BOX 1308 BOISE, ID 83701-1308 (208)331-1000
Current Owner	J D ALDECOA & SON INC 12 MESA VISTA DR BOISE, ID 83705 (208)342-1339

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Location of Point(s) of Diversion</u>			
SPRING	SW1/4NW1/4	Sec. 1,	Twp 02N, Rge 04W, B.M.
CANYON County			

STOCKWATER

[illegible][illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-26220 V1

Priority Date	9/28/2006 10:07:34 AM	segbert	Active
POD	9/28/2006 10:08:11 AM	segbert	Active
Source	9/28/2006 10:09:04 AM	segbert	Active
POU	9/28/2006 10:09:20 AM	segbert	Active
Use	9/28/2006 10:16:06 AM	segbert	Active
Season	9/28/2006 10:17:11 AM	segbert	Active
Quantity	9/28/2006 10:38:07 AM	segbert	Active
Summary	09/28/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	9/28/2006 10:11:56 AM	segbert	Updated shape for Active POU
Use	9/28/2006 10:16:06 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	9/28/2006 10:17:12 AM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Summary	3/16/2006 7:34:27 AM	lharris	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-26220 V1

Summary	9/28/2006 10:41:21 AM	segbert	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Quantity	9/28/2006 10:38:08 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-26220

WATER RIGHT NUMBER: 63-26220

Owner Type

Name and Address

Attorney

DAVID B LINCOLN
MARSHALL BATT & FISHER
PO BOX 1308
BOISE, ID 83701-1308
(208)331-1000

Current Owner

J D ALDECOA & SON INC
12 MESA VISTA DR
BOISE, ID 83705
(208)342-1339

Priority Date: 04/01/1948

(208)342-1339
see affidavits in file

Basis: Beneficial Use

Status: Active

Source

Tributary

SPRING

SINKS

Beneficial Use

From	To
------	----

Diversion Rate

Annual Volume

STOCKWATER

1/01 to 12/31

~~0080~~ CFS

IRRIGATION

3/15 to 11/15

0.400 CFS

Total Diversion:

0~~1~~80 CFS

Location of Point(s) of Diversion

SPRING

SW1/4NW1/4

Sec. 1, Twp 02N, Rge 04W, B.M.

CANYON County

Place of Use

STOCKWATER

[illegible]

IRRIGATION

[illegible]

stock - 300 head N Codes
Welder Irrigation
overlaps 63 - 26219 by 5 acres
acre limit 23 - CFS - .46

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-26220

02N 04W 2		18.0				18.0
-----------	--	------	--	--	--	------

Total Acres: 23

Conditions of Approval:

Remarks:

Comments:

Water Supply Bank:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

RECEIVED

SEP 26 2006

WATER RESOURCES
WESTERN REGION

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☐ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-26220Owner: JD Aldecoa & Son Inc. Phone No. (208) 342-1339Current Address: 12 Mesa Vista Dr. Boise, Id 83705

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

Accompanied by: John Wilson, foreman for cattle associationPRIORITY DATE (208) 336-4946 email: wilsade@cs.com

- ☒ No change – Complete evidence submitted or not necessary (foreman for 18 yrs.)
- ☐ 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: 4/1/1948

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

Source: springs Tributary to sinks

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

* not defined springs

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

Only changed where the map was indicating the location, otherwise it is still in the same quarter quarter.

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
			SW	NW	1	2N	4W	Camp	N43°32.403'
									W116°46.379'
									This point is in SE NE - did not use for record

Description of diverting works

multiple springs (none defined) run into dirt ditch

OVERLAP REVIEW

Other water rights with the same point of diversion: None

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

WATER USES

300 head = 0.07 cfs 23 acres x 0.02 = 0.46 cfs
☒ No change in use, but in time periods + amounts (3/1 instead of 3/15)
☐ Different Uses

Use Irrigation From 3/1 To 11/15 Amount 0.46 CFS 103.5 AFA
 Use Stockwater From 01/01 To 12/31 Amount 0.07 CFS 4.0 AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

* Recommend going with "300 cattle" on claim rather than 500 cattle as currently rotate around. (500 head)

TOTAL VOLUME - Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
- ☐ Changes found, the new total is, Amount _____ CFS _____ AFA
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☐ No change

☒ Changes Exam found: Domestic # of homes 0

Stock #

Types

cattle

Additional comments:

currently they rotate their existing 500 head cattle around these fields, but on their claim they stated "300 cattle"

PLACE OF USE:

☒ No Change

☐ Changes shown below:

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	
No changes																			

Overlap with other water rights: 63-26219 & 63-26241
Stockwater

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:~
Cattle are rotated around to different fields

Delivery System Narrative: from springs to the dirt ditches, the sides are dug out of the ditch in the 5 acres to gravity flow north to south. At the same time, some water continues down the dirt ditch, crosses Chicken Dinner Rd through a 12" buried line that comes out on the west side, turns south crossing the ditch, & open discharges into a control box & flows north to south on the east border through concrete ditch, with gravity, flow east to west (1 1/4" - 2" siphon tubes)

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

David B Lincoln (Marshall Batt & Fisher) is the attorney for Aldecia. PO Box 1308 Boise, Id 83701-1308 (208) 331-1000.

There are multiple springs that contribute to the capacity of the system, making it difficult to know where to actually GPS. Measuring the springs was difficult since there were so many places cut out of the bank to allow gravity flow for the 5 acres north to south, with some water continuing down the ditch.

Supplemental Water for 18 acres, not 5 acres,
is Wilder Irrigation.

John Wilson stated that this is the most consistent
spring on the property.

Directions: I 84, ^{west on} Karcher, S. on Chicken Dinner Rd,
(go about 3-4 miles then turn W. on Marsing Rd.,
go about 1/2 mile, & on south side is a red barn, turn
& go down to the house. (19349 Marsing Rd)

POD: Marsing Rd + Chicken Dinner Rd intersection, go

AFTER EXAM THE FILE SHOULD CONTAIN: south approx. 1/4 mile, turn west
☒ Completed claim checklist on dirt road, & 12" pipe is on north side, then
☒ Photographs of POD's and POU turn around & go directly east through the
☒ GPS readings field & heading northeast up the draw (the
☒ Completed map and or GIS layout showing POD's and POU draw is made up of multiple
springs). POU: field south &

DATE EXAM CONDUCTED: 5-5-06

FIELD EXAMINER:

Jandy Hemminger

southwest of 12" pipe
+ field across the
street on east side
of Chicken Dinner
Rd.

63-26220 Alcoa + Son Inc
Date of Inspection: 4/17/2006
Inspector: Sandy Hernerway

Irrigation:

Confirmed Acres: 23 acres $\times 0.02 \text{ cfs} = 0.46 \text{ cfs}$
Season: 3/1 - 11/15 = 260 days
 $V_{ir} = 23 \text{ acres} \times 4.5 = 103.5 \text{ af}$
 $V_{dr} = 0.46 \text{ diversion rate} \times 260 \text{ days} \times 1.9835 = 237.2 \text{ af}$
 $V = 103.5 \text{ af}$

Stockwater Table 1 Rec. Div. Rates for Stockwater (Exh. 15A)
claim was for 300 head cattle = 0.07 cfs (12 gpd/head)
Currently they rotate 500 head cattle ^{around} to all fields
Recommend going with "claim of 300 cattle."
 $V_{ir} = (300 \text{ head} \times 12 \text{ gpd/head} \times 365 \text{ days}) / 325,850 = 4.0 \text{ af}$
 $V_{dr} = 0.07 \text{ cfs} \times 365 \text{ days} \times 1.9835 = 50.67 = 50.7 \text{ af}$
 $V = 4.0 \text{ af}$

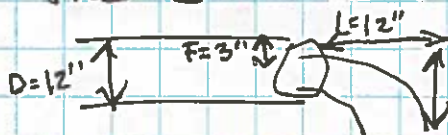
Bucket Measurement (off dammed ditch for 5 acres,
with flow continuing over to 12" pipe)
 $\frac{6 \text{ gallons} \times 60 \text{ sec.}}{6 \text{ sec.}} = 60 \text{ gpm} \times 0.00223 \text{ cfs} = 0.13 \text{ cfs}$

Pipe Capacity

12" pipe = 3.93 cfs maximum capacity

Flow in GPM From Partially Filled Pipe:

John Wilson/foreman stated this was the most
consistent spring. Note: not the entire flow
from the springs was being diverted through
this pipe, since they were also irrigating
the 5 acres.

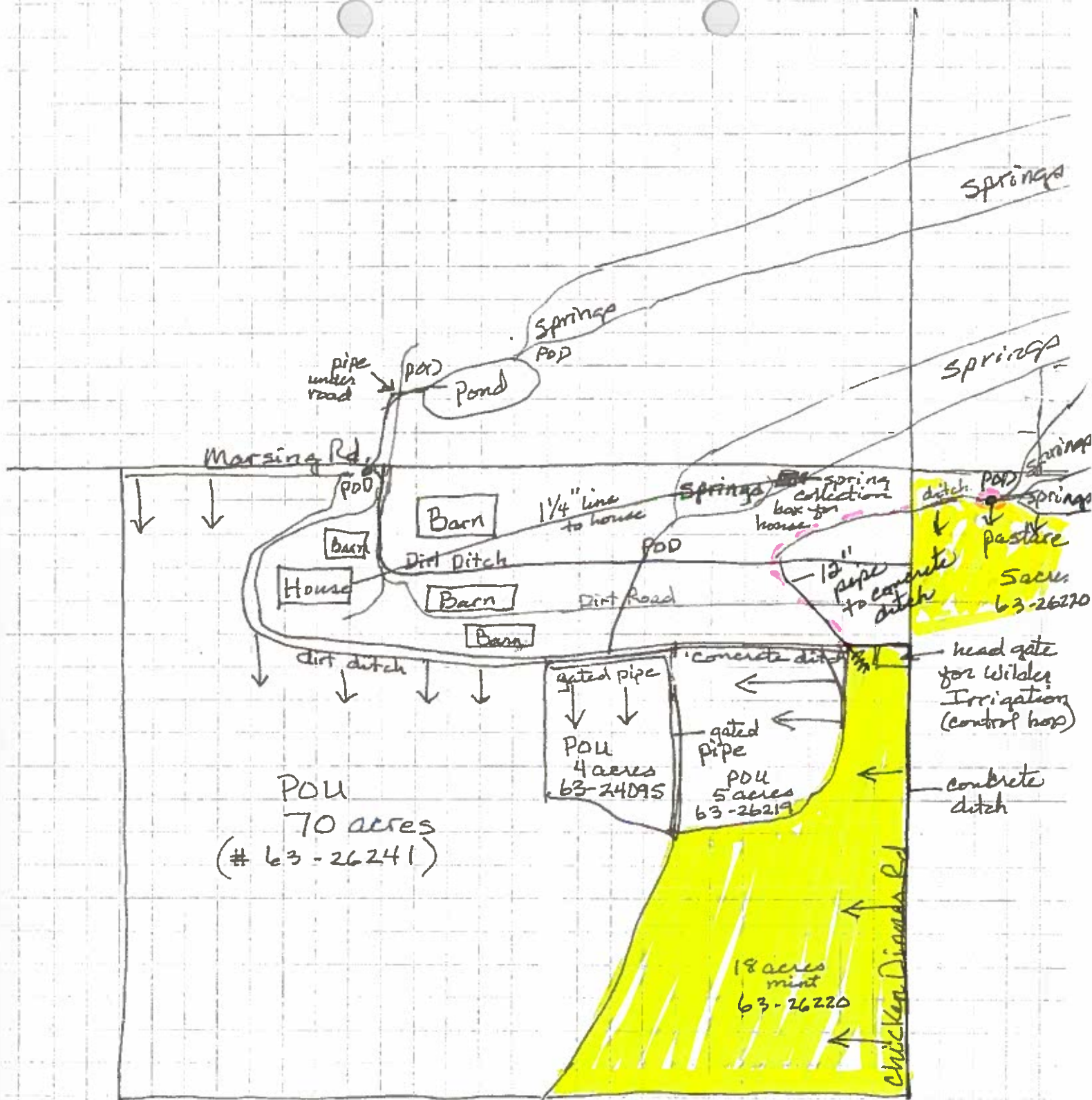


$F = 3"$
 $D = 12"$
 $L = 12"$

$F/D = 0.25 = 25\%$
25% Factor = 0.805
 $GPM = (0.805) D^2 \times L$
 $GPM = (0.805) 12^2 \times 12 = 1391.04 \text{ gpm}$
 $1391.04 \text{ gpm} \times 0.00223 = 3.10 \text{ cfs}$

Capacity of System:

0.13 cfs (bucket meas from 5 acres) + 3.10 cfs (12" partially filled pipe) = 3.23 cfs



● = POU 63-26220

■ = POU 63-26220

JD Aldecoa & Son Inc. SH
 63-24095, 63-26219, 63-26220, 63-26241
 4/17/2006

N↑

Idaho Department of Water Resources

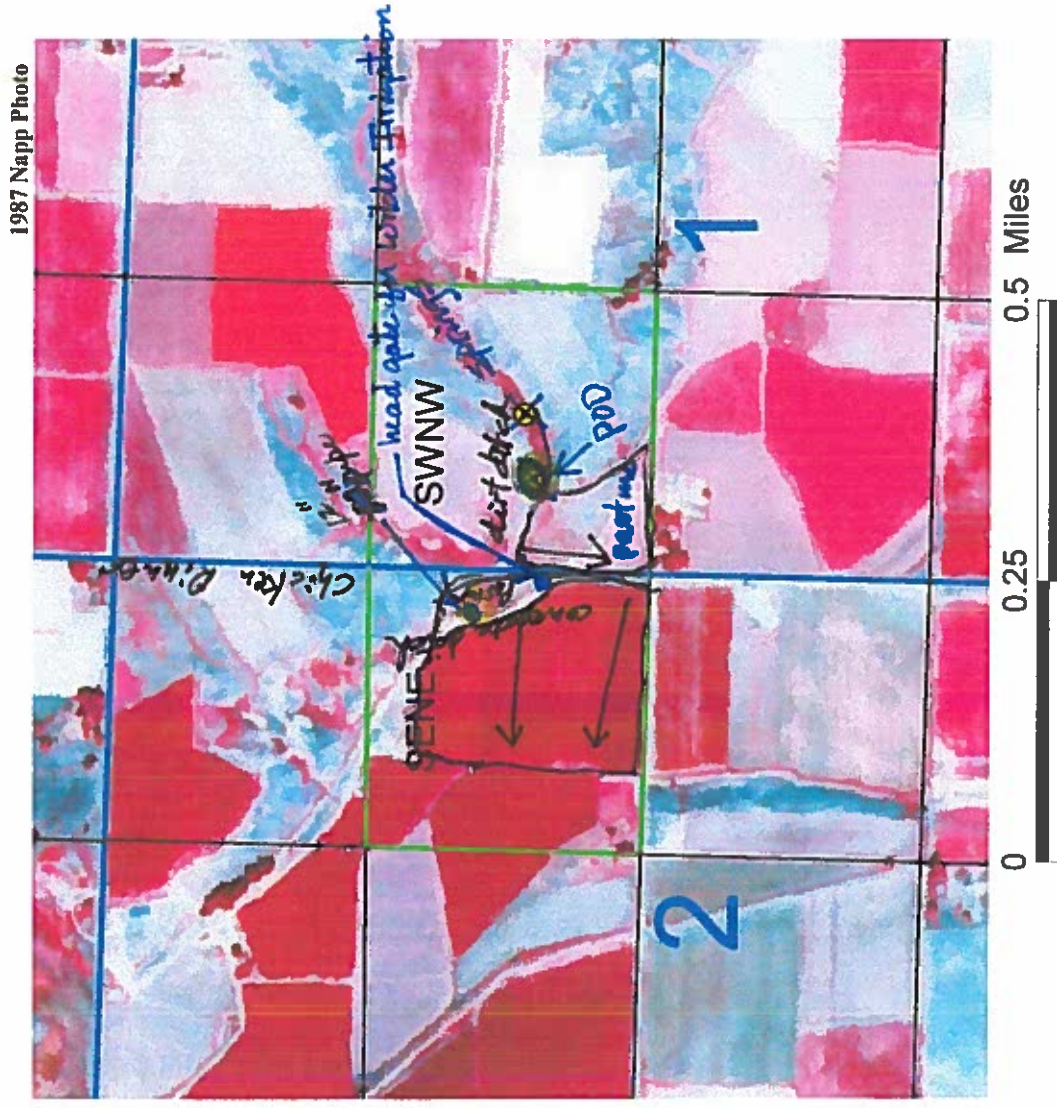
Claim Number: 63-26220
 Legal: T02N, R04W, S1 & 2
 Reviewed By:

 Point of Diversion

 Place of Use

 Section Lines

 Quarter Quarter Lines



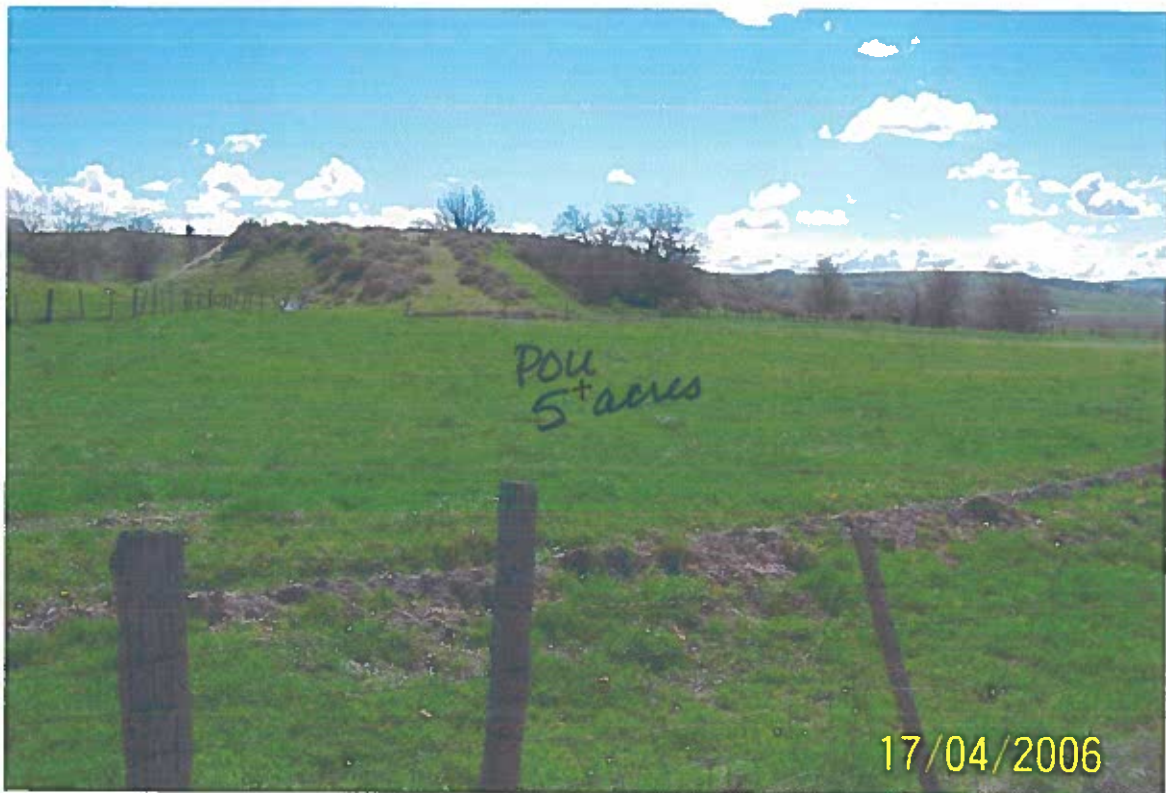
POD's go into ditch (multiple springs,
 not actually 2 defined springs)



POD
multiple
springs to
dirt ditch

Spring

17/04/2006



POU:

dirt ditch
gravity
flow

POU
5+ acres

17/04/2006

63-26220 J.D Alderson + Son Inc.
4/17/2006 S.H



POD:
piped to
concrete
ditch
for mint
field

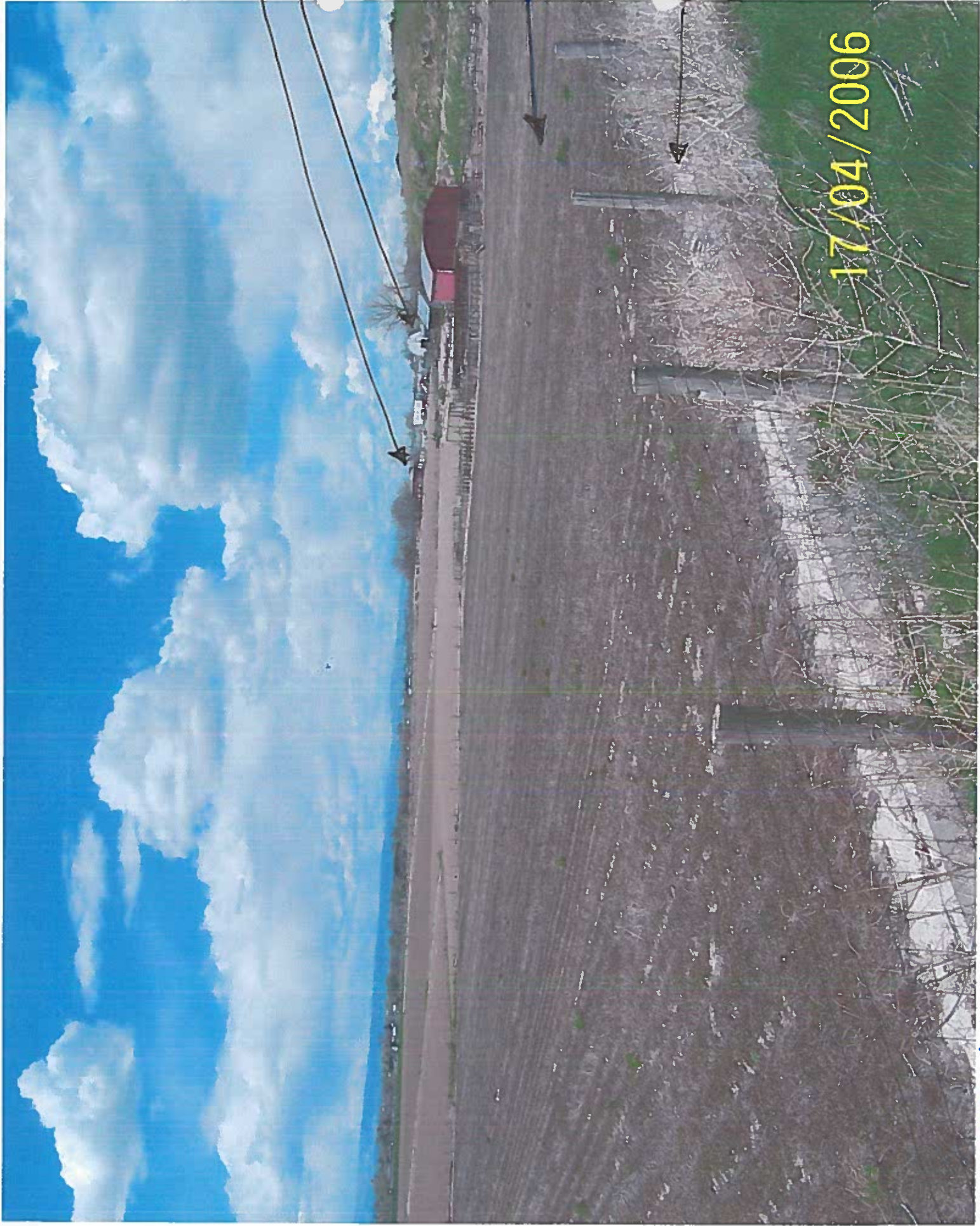
12" pipe
across
ditch to
field



POU:
Mint
field
gravity
flow
East to
west

(18 acres)
1 1/4 - 2"
siphon
tubes

63-26220 JD Aldecoa & Son, Inc.
4/17/2006 S.H.



House

Barn

18 acre

corner ditch (quaint east to west)

17/04/2006

63-26220 Alderco 4/17/2006 SH.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-26220

WATER RIGHT NUMBER: 63-26220

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	DAVID B LINCOLN MARSHALL BATT & FISHER PO BOX 1308 BOISE, ID 83701-1308 (208)331-1000
Current Owner	J D ALDECOA & SON INC 12 MESA VISTA DR BOISE, ID 83705 (208)342-1339

Priority Date: 04/01/1948
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.080 CFS	
IRRIGATION	3/15 to 11/15	0.400 CFS	
	<u>Total Diversion:</u>	0.480 CFS	

23 acres x 0.02 = 0.46 cfs

Location of Point(s) of Diversion

SPRING SW1/4NW1/4 Sec. 1, Twp 02N, Rge 04W, B.M.
 CANYON County

Place of Use

STOCKWATER

OK

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	04W	1				X			X										
02N	04W	2				X			X										

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	
02N	04W	1				18			5.0										5.0

02N 04W 2

claim was for 500 head/beef cows

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-26220 V1

02N 04W 2	18.0				18.0
-----------	------	--	--	--	------

Total Acres: 23

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. E55 Right Nos. 63-26219 and 63-26220 are limited to the irrigation of a combined total of 23 acres in a single irrigation season.
3. X02 Stockwater use is for 300 head.
4. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
5. W59 Use of this right is combined with water from Wilder Irrigation District.
6. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
7. E51 Right Nos. 63-26219 and 63-26220 are limited to a total combined diversion rate of .46 cfs.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

Rate	Volume	Acres
0.46		23

Combined Water Rights: 63-26219 , 63-26220

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Summary			03/16/2006	lharris	Active

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-26220

03/16/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
26220	Claim	02N	04W	1	SE	NE		STOCKWATER		J D ALDECOA & SON INC
27975	Water Right	02N	04W	1	SE	NE		STOCKWATER		LA DONNA J GIBBENS
27975	Water Right	02N	04W	1	SE	NE		DOMESTIC		LA DONNA J GIBBENS
26220	Claim	02N	04W	1	SW	NW		IRRIGATION	5/23	J D ALDECOA & SON INC
5302	Water Right	02N	04W	1	SW	NW		IRRIGATION	40/200	J D ALDECOA & SON INC
26220	Claim	02N	04W	1	SW	NW		STOCKWATER		J D ALDECOA & SON INC
24095	Claim	02N	04W	2	SE	NE		IRRIGATION		J D ALDECOA & SON INC
26219	Claim	02N	04W	2	SE	NE		IRRIGATION	5/5	J D ALDECOA & SON INC
26220	Claim	02N	04W	2	SE	NE		IRRIGATION	18/23	J D ALDECOA & SON INC
5302	Water Right	02N	04W	2	SE	NE		IRRIGATION	40/200	J D ALDECOA & SON INC
10496	Water Right	02N	04W	2	SE	NE		IRRIGATION	8/63	BASIL ALDECOA
26219	Claim	02N	04W	2	SE	NE		STOCKWATER		J D ALDECOA & SON INC
26220	Claim	02N	04W	2	SE	NE		STOCKWATER		J D ALDECOA & SON INC
26220	Claim	02N	04W	2	SW	NW		STOCKWATER		J D ALDECOA & SON INC
2366	Water Right	02N	04W	2	SW	NW	6	IRRIGATION	5/10	JAMES F BROWN
2417	Water Right	02N	04W	2	SW	NW	6	IRRIGATION	5/5	KATIE FITE
21487	Water Right	02N	04W	2	SW	NW	6	DOMESTIC		KATIE FITE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-26220 V1

General	9/28/2006 10:07:35 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	9/28/2006 10:08:12 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	9/28/2006 10:08:38 AM	segbert	Updated shape
Source	9/28/2006 10:09:04 AM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required?
POU	9/28/2006 10:09:20 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
POU	9/28/2006 10:09:43 AM	segbert	Updated shape from PLS

AL PROPERTY INQUIRY

+++++

01 6R30276-000- -0 156-00	SCH363+	01	9,900	16.00
+++++		05	900	22.00
ALDECOA HEIGHTS FAMILY PRNTER	+	19		1.70

+

+

+

+

4312 EDMONT ST

+

BOISE ID 83706

+

+++++

01-2N-4W NW	+	TOTAL	10,800	39.70
-------------	---	-------	--------	-------

SW NW LESS S 60' OF W 170'

+++++

+ SURVEY INST 200318175

+ DRAIN DR VALUE APPR RET

+ CLASS REAP 05 MAN UNIT 0

CHICKEN DINNER RD, CA

+ PARCEL 6R02N04W013600 H/O N C/B N

+ PRIOR ACCOUNT 5R30276-000- -0

+ 02 MH on Property NO

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R30276000 0 UNIT 001 TOTAL UNITS

SITE CHICKEN DINNER RD CA SEC/TWN/RNG 01-2N-4W

ASSESSED VALUE 10,800 ACREAGE 39.70

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 C019731

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/25/1991 11:08:54 AM	2/25/1991	State	\$2,200.00	Check
Payer		J. D. ALDECOA AND SON, IN		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
732			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$2,200.00	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
37	13409		\$25.00	Claim
37	13410		\$25.00	Claim
37	13411		\$25.00	Claim
37	13412		\$25.00	Claim
37	13413		\$25.00	Claim
37	13414		\$25.00	Claim
63	24085		\$25.00	Claim
63	24086		\$25.00	Claim
63	24087		\$25.00	Claim

63	24088		\$25.00	Claim
63	24091		\$25.00	Claim
63	24092		\$25.00	Claim
63	24093		\$25.00	Claim
63	24094		\$25.00	Claim
63	24095		\$54.00	Claim
63	5303		\$25.00	Claim
63	10120		\$59.00	Claim
37	14263		\$25.00	Claim
37	14262		\$25.00	Claim
63	26219		\$55.00	Claim
37	4387	A	\$25.00	Claim
37	4387	B	\$25.00	Claim
37	4381		\$190.00	Claim
63	26220		\$73.00	Claim

[Print Report](#)

3. Aldecoa and Sons Inc. duly filed a Notice of Claim for water right A63-24095 in the Snake River Basin Adjudication. The priority date for water right A63-24095 is April 1, 1948.

4. Since my involvement with Aldecoa and Sons Inc. in November, 1957, the water represented by water right A63-24095 has been continuously applied to beneficial use as indicated on the Notice of Claim.

5. Aldecoa and Sons Inc. duly filed a Notice of Claim for water right A63-26219 in the Snake River Basin Adjudication. The priority date for water right A63-26219 is April 1, 1948.

6. Since my involvement with Aldecoa and Sons Inc. in November, 1957, the water represented by water right A63-26219 has been continuously applied to beneficial use as indicated on the Notice of Claim.

7. Aldecoa and Sons Inc. duly filed a Notice of Claim for water right A63-226220 in the Snake River Basin Adjudication. The priority date for water right is April 1, 1948.

8. Since my involvement with Aldecoa and Sons Inc. in November, 1957, the water represented by water right A63-226220 has been continuously applied to beneficial use as indicated on the Notice of Claim.

9. Aldecoa and Sons Inc. duly filed a Notice of Claim for water right A63-226241 in the Snake River Basin Adjudication. The priority date for water right A63-226241 is April 1, 1948.

10. Since my involvement with Aldecoa and Sons Inc. in November, 1957, the water represented by water right A63-226241 has been continuously applied to beneficial use as indicated on the Notice of Claim.

DATED this 2ND day of ^{October}~~September~~, 1995.

* Norberto Bilbao
NORBERTO BILBAO

Subscribed and sworn to before me on: October 2, 1995.

Timothy Johnson
Notary Public for Idaho
Residing at: Moscow
My Commission expires: 1-25-00

OCT 04 1995

WATER RESOURCES
WESTERN REGION

1 - AFFIDAVIT IN SUPPORT OF PRIORITY DATES FOR SNAKE RIVER BASIN
ADJUDICATION NOTICES OF CLAIMS

3. Aldecoa and Sons Inc. duly filed a Notice of Claim for water right A63-24095 in the Snake River Basin Adjudication. The priority date for water right A63-24095 is April 1, 1948.

4. Since my involvement with Aldecoa and Sons Inc. in October, 1952, the water represented by water right A63-24095 has been continuously applied to beneficial use as indicated on the Notice of Claim.

5. Aldecoa and Sons Inc. duly filed a Notice of Claim for water right A63-26219 in the Snake River Basin Adjudication. The priority date for water right A63-26219 is April 1, 1948.

6. Since my involvement with Aldecoa and Sons Inc. in October, 1952, the water represented by water right A63-26219 has been continuously applied to beneficial use as indicated on the Notice of Claim.

7. Aldecoa and Sons Inc. duly filed a Notice of Claim for water right A63-226220 in the Snake River Basin Adjudication. The priority date for water right is April 1, 1948.

8. Since my involvement with Aldecoa and Sons Inc. in October, 1952, the water represented by water right A63-226220 has been continuously applied to beneficial use as indicated on the Notice of Claim.

9. Aldecoa and Sons Inc. duly filed a Notice of Claim for water right A63-226241 in the Snake River Basin Adjudication. The priority date for water right A63-226241 is April 1, 1948.

10. Since my involvement with Aldecoa and Sons Inc. in October, 1952, the water represented by water right A63-226241 has been continuously applied to beneficial use as indicated on the Notice of Claim.

DATED this 2nd day of ^{October} ~~September~~, 1995.

Joaquin Arana
JOAQUIN ARANA

Subscribed and sworn to before me on: Oct 2, 1995

Timothy
Notary Public for Idaho
Residing at: Marsing
My Commission expires: 1-25-00

**In Re Water Right Claim Nos. A63-24095,
A63-26219, A63-26220, and A63-26241 in
the Name of J.D. Aldecoa & Son, Inc.**

State of Idaho)
County of Ada) ss.

1. I am the President of Aldecoa and Sons Inc. The following information concerning Snake River Basin Adjudication water rights A63-24095, A63-26219, A63-226220, and A63-226241 is based upon my personal knowledge.

1 - AFFIDAVIT IN SUPPORT OF PRIORITY DATES FOR SNAKE RIVER BASIN
ADJUDICATION NOTICES OF CLAIMS

3. Aldecoa and Sons Inc. duly filed a Notice of Claim for water right A63-24095 in the Snake River Basin Adjudication. The priority date for water right A63-24095 is April 1, 1948.

4. Since my involvement with Aldecoa and Sons Inc. in January 1948, the water represented by water right A63-24095 has been continuously applied to beneficial use as indicated on the Notice of Claim.

5. Aldecoa and Sons Inc. duly filed a Notice of Claim for water right A63-26219 in the Snake River Basin Adjudication. The priority date for water right A63-26219 is April 1, 1948.

6. Since my involvement with Aldecoa and Sons Inc. in January 1948, the water represented by water right A63-26219 has been continuously applied to beneficial use as indicated on the Notice of Claim.

7. Aldecoa and Sons Inc. duly filed a Notice of Claim for water right A63-226220 in the Snake River Basin Adjudication. The priority date for water right is April 1, 1948.

8. Since my involvement with Aldecoa and Sons Inc. in January 1948, the water represented by water right A63-226220 has been continuously applied to beneficial use as indicated on the Notice of Claim.

9. Aldecoa and Sons Inc. duly filed a Notice of Claim for water right A63-226241 in the Snake River Basin Adjudication. The priority date for water right A63-226241 is April 1, 1948.

10. Since my involvement with Aldecoa and Sons Inc. in January 1948, the water represented by water right A63-226241 has been continuously applied to beneficial use as indicated on the Notice of Claim.

DATED this 2nd day of ^{October}~~September~~, 1995.

Dorothy Aldecoa
DOROTHY ALDECOA

Subscribed and sworn to before me on: 2nd October 1995.

Katherine A. Haller
Notary Public for Idaho
Residing at: Meridian Idaho
My Commission expires: April 9, 1999

ADJUDICATION MEMORANDUM

CLAIM NO.: 463-24095 - ~~226219~~, 26220

SUBJECT: Evidence of priority

EMPLOYEE: - 26241 M M Wilson CC

DATE: Aug 29, 1995

Tim Callanan called regarding evidence of priority for above claims, requesting extension past Sept 1, 1995.

The letter to Mr. John Wilson was inadvertently sent to IDWR, & visa versa. Mr. Wilson is the nephew of the owners (Alderson) and is working on obtaining evidence.

Mr. Wilson is the contact for field exams. Mr. Callanan will call later this week w/ Mr. Wilson's tel. no.

09/12/1995: That Melinda of Elm & Burke called regarding these claims. She wanted to know what information we had on them historically. Since these water rights were not recorded previous to the SRBA, we have not historical records of the rights. Melinda will convey this info to Mr. Callanan and he will continue to pursue evidence for these claims.

RECEIVED

OCT 04 1995

WATER RESOURCES
WESTERN REGION

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TIMOTHY J. CALLANAN

October 4, 1995

Adjudication Section
Department of Water Resources
Western Region Office
2735 Airport Way
Boise, Idaho 83705-5082

Dear Western Region Office,

The enclosed affidavits of Norberto Bilbao and Joaquin Arana are filed in response to the Idaho Department of Water Resources request for proof of beneficial use for Aldecoa and Sons' adjudication claims; A63-24095, A63-26219, A63-226220, and A63-226241.

Very truly yours,

ELAM & BURKE
A Professional Association



Timothy J. Callanan

Attachment

RECEIVED

OCT 03 1995

WATER RESOURCES
WESTERN REGION

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

TIMOTHY J. CALLANAN

October 3, 1995

Adjudication Section
Department of Water Resources
Western Region Office
2735 Airport Way
Boise, Idaho 83705-5082

Dear Western Region Office,

This affidavit of Dorothy Aldecoa is filed in response to the Idaho Department of Water Resources request for proof of beneficial use for Aldecoa and Sons' adjudication claims; A63-24095, A63-26219, A63-226220, and A63-226241.

Very truly yours,

ELAM & BURKE
A Professional Association



Timothy J. Callanan

Attachment

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TIMOTHY J. CALLANAN

RECEIVED

SEP 06 1995

WATER RESOURCES
WESTERN REGION

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

September 5, 1995

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

Re: Water Right Claim Nos. A63-24095, A63-26219, A63-226220, and A63-226241
J.D. Aldecoa & Sons, Inc.

Dear Western Region Office:

This letter will confirm the discussion I had with your office on August 29, 1995, in which I was informed that my previous correspondence, dated August 11, 1995, requesting an extension of the September 1, 1995 deadline for submitting proof of beneficial use, was not received by your office. You also agreed to extend the deadline 30 days in which to submit the required proof of beneficial use. The new due date is now October 1, 1995. If this understanding is incorrect, please contact me immediately.

Thank you for your cooperation.

Very truly yours,

ELAM & BURKE
A Professional Association


Timothy J. Callanan

TJC:ma

AJ5809NP
No. A63-26220

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/29/00
PAGE: 224

OWNER CODE: C
NAME & ADDRESS: JD ALDECOA AND SON INC
12 MESA VISTA DR
BOISE ID 83705
(208) 342-1339

PRIORITY DATE: 04/01/1948
WATER USE: IRRIGATION STOCKWATER

USE PERIOD FROM TO: 03-15 11-15
01-01 12-31

DIVERSION RATE: 0.400 CFS
0.080 CFS

DIVERSION VOLUME: 80.50 AFA

TOTAL DIVERSION: 0.480 CFS
CONSUMPTIVE USE:

Water Source: SPRING
Tributary to: SINKS
Stage: BENEFICIAL USE
CANYON County

Point(s) of Diversion: T02N R04W S01 SWNW

Place of use Legal Description for: IRRIGATION

NE		SE		SW		NW								
T	R	S	NE	S	NE	S	NE	S	NE	S	NE	S	NE	S
02N	04W	1	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
02N	04W	2	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
SUM														
5.0														
18.0														
23.0														

Place of use Legal Description for: STOCKWATER

NE		SE		SW		NW								
T	R	S	NE	S	NE	S	NE	S	NE	S	NE	S	NE	S
02N	04W	1	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
02N	04W	2	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
SUM														
5.0														
18.0														
23.0														

POU County: CANYON

Non-Irrigation Uses: STOCKWATER FOR UP TO 300 HEAD OF BEEF CATTLE

Other Rights: WILDER IRRIGATION DISTRICT

Other Water Rights Listing Overlapping Place(s) of Use:
A63-24095 A63-26219

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Audit: 02/11/92 KEEN 02/26/92 FRAZEE 03/30/95 POST-STD

ADJUDICATION CLAIM CHECKLIST

FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION		FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE		CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	NOTICE OF CLAIM NO. <u>A63-26220</u>
WR ELEMENT								"R" RECORD
PRIORITY*	<u>Y</u>							
PT. OF DIV.	<u>Y</u>							
SOURCE	<u>Y</u>							
PL. OF USE	<u>Y</u>							
DIV. AMOUNT CFS/AF	<u>Y</u>							
CONSUMPTIVE USE	<u>Y</u>							
NATURE OF USE	<u>Y</u>							
PERIOD OF USE	<u>Y</u>							
BASIS OF CLAIM	<u>Y</u>							
REMARKS								

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES NO .

VERIFICATION CODES
 TOPO MAP/ORTHO PHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER(SEE COMMENTS) = 6

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: Year round stock claimed.

12/26/1996: unable to verify on NAPP (X545E)



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 7, 1995

A63-26219
JD ALDECOA AND SON INC
12 MESA VISTA DR

BOISE

ID 83705

Re: Claim No(s) A63-24095

A63-26219 A63-26220

A63-26241

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have 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 the historical use of water for a beneficial 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 under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

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. 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 Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by September 1 1995, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

lh

Enclosures

ELAM, BURKE AND BOYD

CHARTERED

ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER

702 WEST IDAHO

POST OFFICE BOX 1539

BOISE, IDAHO 83701

TELEPHONE
208-343-5454TELECOPIER
208-384-5844

DAVID B. LINCOLN

February 24, 1992

Shelley Water Keen
Senior Water Resource Agent
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RECEIVED
FEB 25 1992

Department of Water Resources

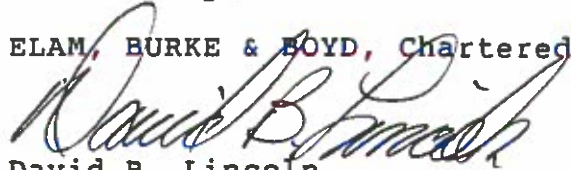
Re: Snake River Adjudication
Aldecoa Notices of Claim

Dear Mr. Keen:

As requested by your letter to me of February 13, 1992, enclosed please find Notice of Appearance by Substitute Attorney at Law for the subject listed claims together with our client's check for \$164. Per your letter, I understand you will now mail to me a \$94 refund for our client in connection these claims. Thank you for your prompt attention to these matters.

Yours truly,

ELAM, BURKE & BOYD, Chartered


David B. Lincoln

DBL:lj1
Encl.

MICROFILMED

SEP 14 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 13, 1992

David Lincoln
Elam, Burke, and Boyd
P.O. Box 1539
Boise, ID 83701

RE: Snake River Basin Adjudication (SRBA)
Canyon and Elmore Counties
Aldecoa Notices of Claim

Dear Counselor:

Thank you for returning the Aldecoa claims sent to your office last month. More copies are enclosed for your records. Please note that for claim #A63-26220 we interpreted the point of diversion to be T02N, R04W, S01, SWNW, in Canyon County.

In addition, two more issues concerning this set of claims need to be resolved.

First, if you are to continue representing this claimant, we need a change in the notice of appearance from Scott Campbell to you. As the claims are filed now, they specifically list Mr. Campbell, not your firm, in the notice of appearance. Rather than amending each of the 26 claims one by one, we will accept a form prepared by you and signed by you and the claimant. On the form, please list all the claims which require the notice of appearance change. I have enclosed a printout which shows the numbers of the 26 claims filed either by Basil and Dorothy Aldecoa or by J.D. Aldecoa and Son, Inc.

The second issue is a matter of fees and accounting. Claim #A63-26241 filed by Basil and Dorothy Aldecoa requires a \$170.00 filing fee. Receipt #C019730 paid by Basil and Dorothy Aldecoa covers #A63-10496 with \$6.00 left over. Receipt #C019731 paid by J.D. Aldecoa and Son, Inc. covers 24 claims with \$94.00 left over. (Two receipt maintenance printouts are enclosed for your reference.) Perhaps the easiest way to handle this would be for Basil and Dorothy Aldecoa to pay an additional \$164.00 and for us to refund \$94.00 to J.D. Aldecoa and Son, Inc. If you or your client have other suggestions, please let us know. However you decide to handle this, please submit payment by March 16, 1992.

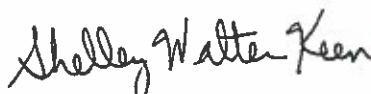
MICROFILMED

SEP 14 1992

David B. Lincoln
February 13, 1992
Page 2 - County

If you have any questions, please contact me at 327-7936.

Sincerely,



Shelley Walter Keen
Senior Water Resource Agent

JDC:SWK:state:tf

Enclosures:

Selection File Contents of SWK-ALDECOA
File Copies of #A63-26220, #A63-10496, #A63-26219, #A37-04381,
and #A63-26241
Receipt Maint. Screen 3 Printouts for #C019730 and #C019731

MICROFILMED

SEP 14 1992

ELAM, BURKE AND BOYD

CHARTERED

ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

DAVID B. LINCOLN

February 10, 1992

RECEIVED
FEB 10 1992

HAND DELIVERED

John D. Carlson
Adjudication Supervisor
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720

Department of Water Resources

Re: Aldecoa Notices of Claim No. A37-04381, A37-0496, et al.

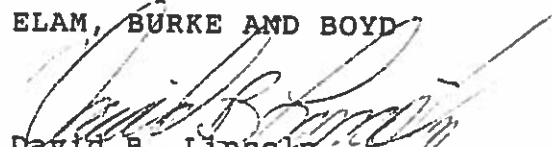
Dear Mr. Carlson:

In reply to your letter of January 2, 1992, I am now the attorney with Elam, Burke and Boyd responsible for the handling of these claims, and I enclose herewith revised Notices of Claim with the revisions, suggested by your letter, underlined in red with our clients initials beside each such change.

I appreciate your patience in awaiting receipt of these revisions, and if there are any additional changes required, please contact me.

Yours truly,

ELAM, BURKE AND BOYD


David B. Lincoln

DBL:lj1
Encl.

MICROFILMED

SEP 14 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 2, 1992

Scott Campbell
Elam, Burke, and Boyd
P.O. Box 1539
Boise, ID 83701

RE: Snake River Basin Adjudication (SRBA)
Canyon and Elmore Counties
#A37-04381, #A37-10496 and other Aldecoa Notices of Claim

Dear Counselor:

I have enclosed four original Notices of Claim to a Water Right filed by you on behalf of your clients, J.D. Aldecoa and Son, Inc. and Basil and Dorothy Aldecoa. I have also enclosed a data entered copy of Notice of Claim #A37-04381. Each of these notices has one or more items which requires your attention.

On three of the original notices, the information describing your client's stockwater use appears to be incomplete. One of these three also needs a consumptive use entry in item #8. On the fourth original notice, #A63-10496, the total quantity claimed in item #7 exceeds the total for the use listed in item #6. The data entered copy of #A37-04381 is included so that you may check some interpretations we have made based on the information you provided.

Regarding the stockwater entries, Idaho Department of Water Resources recognizes that stockwater use can be incidental to irrigation use during the irrigation season. In other words, water that is diverted for irrigation use may also be used to water stock during the irrigation season. Such "incidental" stockwater uses do not have to be listed as separate purposes of use in item #6 of the claim notices. Instead, incidental stockwater uses may be claimed by simply writing the type and number of the head of stock in the non-irrigation uses section (item #9) of the notices of claim.

If, however, your clients want to claim rights to stockwater uses outside the irrigation season, then those uses must be listed as separate purposes of use at item #6. The seasons of use and diversion rates for the stockwater uses must also appear in item #6. The total diversion rates (item #7) can be either the additive value of the diversion rates for each use, or it can equal the diversion rate of the greater of the two uses. Correspondingly, places of use for the stockwater uses must be indicated at item #10.

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SEP 14 1992

Aldecoa
January 2, 1992
Page 2 - Canyon County

If your clients are claiming stockwater uses that are incidental to the irrigation uses, then please remove the stockwater references at item #6. However, if the stockwater uses on these two notices are separate from the irrigation uses, then please correct items #6, #7, and #10 of each notice as explained in the preceding paragraph. Please have your client initial and date all changes you make.

The data entered copy I have enclosed is for Notice of Claim #A37-04381. In the process of data entry, we have interpreted the data from this claim in a manner which we feel more accurately reflects the true status of this water right. (We interpreted the "5" in item #10 to be an "S".) The items that were modified are highlighted. Please review the enclosed claim to ensure that these modifications are correct.

If you believe our data is incorrect and you wish to make changes to Notice of Claim #A63-10496, then please cross out the incorrect information and insert the correct information, making sure to initial the changes. Then, have your client sign the notice, and have the signature notarized. Finally, return all the notices of claim to this office by January 31, 1992.

If you have any questions, please contact me at 327-7936.

Sincerely,


John D. Carlson
Adjudication Supervisor

JDC:SWK:state:tf
Enclosures:

Three Original Notices of Claim
Notice of Claim #A37-04381

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ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

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702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

SCOTT L. CAMPBELL

February 21, 1991

Mr. Carter P. Fritschle
Senior Water Rights Examiner
Adjudications Bureau
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83720

RECEIVED
FEB 22 1991
Department of Water Resources

RE: J. D. Aldecoa & Son, Inc.
Basil and Dorothy Aldecoa
Snake River Basin Adjudication Claims

Dear Carter:

Pursuant to our recent telephone conversation, I have enclosed Notices of Claim to Water Right in the Snake River Basin Adjudication to be filed on behalf of J. D. Aldecoa & Son, Inc. and Basil and Dorothy Aldecoa. I have also enclosed two separate checks to cover the filing fees for the claims.

Additionally, you should note that several of the claims have an attached Power of Attorney which documents the fact that Dorothy Aldecoa has been granted full authority to sign on behalf of Basil Aldecoa, who is the President of J. D. Aldecoa & Son, Inc. Please contact me if you require further documentation with regard to this issue.

The filing fees which I have enclosed with the claims have been based upon my calculation of the filing fees, together with the late penalty fees associated with the late filing. If you find that my calculations are incorrect in some regard, please contact me and we will make the appropriate adjustment.

After the filing has been completed and recorded with the Department, please provide me with a date stamped, filed copy of the claims so that we may retain a permanent record for our files.

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SEP 14 1992

Mr. Carter P. Fritschle
February 21, 1991
Page 2

Please contact me if you have any questions.

Very truly yours,

ELAM, BURKE AND BOYD


Scott L. Campbell

SLC:jm
Enclosures

cc: Mr. and Mrs. Basil Aldecoa
Mr. John Wilson
Carl Burke, Esquire

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