

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 67-2208
Date Received: 10/19/1989
Receipt No: W006448
Received By:

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

1. Name of Claimant(s)

ANTHONY J FINCHEN Phone: (208) 253-4680
2205 JACKSON CREEK RD
COUNCIL ID USA 83612-5244

2. Date of Priority: 10/12/1951

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	01W	27	NW SW	ADAMS	

5. Description of diverting works:

5 HP PUMP, 10" CS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.8	

7. Total Quantity Appropriated is:

0.8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
16N	01W	27	SW NW	IRRIGATION	40
			NW SW	IRRIGATION	18

					Section Acres	58
16N	01W	28	SE	NE	IRRIGATION	30
			NE	SE	IRRIGATION	10
					Section Acres	40
					Total Acres	98

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

This claim has been split. See nos. 67-14434 & 67-14435. DH 9/23/2003

Claim 67-14334 and 67-14335 have been recombine back into 67-2208 per common ownership (csaxton 3-6-06).

15. Basis of Claim: License

16. Signature(s)

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

SPLIT CLAIM

Page 1

09/23/2003

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-2208

WATER RIGHT NUMBER: 67-2208

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LARRY D DERIE HC 62 BOX 1720 COUNCIL, ID 83612 (208)253-6068
Original Owner	ANDY R LAY COUNCIL, ID 83612

Priority Date: 10/12/1951

Basis: License

Status: **Parent**

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

GROUND WATER NW1/4SW1/4 Sec. 27, Twp 16N, Rge 01W, B.M. ADAMS County

Place of Use

IRRIGATION Within ADAMS County

T16N R01W S27	SWNW 40.0	T16N R01W S27	NWSW 18.0
T16N R01W S28	SENE 30.0	T16N R01W S28	NESE 10.0

Total Acres: 98

Conditions of Approval:

Remarks:

I. General This claim has been split. See nos. 67-14434 & 67-14435, DH 9/23/2003

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-2208

Dates and Other Information:

Claim Received Date: 10/19/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

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

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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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: A67-02208
Date Received: 10/19/1989
Receipt No: W006448
Received By: h.w.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY D. DERIE
Address: HC 62, BOX 1720
COUNCIL, ID

208-253-6068

83612

2. Date of Priority: OCT 12, 1951

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	27		NW	SW		ADAMS

5. Description of diverting works:
5 HP PUMP, 10" CS

6. Water is used for the following purposes:

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

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

A.F.A.

8. Total consumptive use is 343.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	27	SW	NW		IRR	40.0
			NW	SW		IRR	18.0

Section Acres 58.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	28	SE	NE		IRR	30.0
			NE	SE		IRR	10.0
						Section Acres	40.0
						Total Acres	98.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A67-00322, A67-11025, A67-11026, A67-04038

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 22416

16. Signature(s)

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

Number of attachments: 2

For Individuals:

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

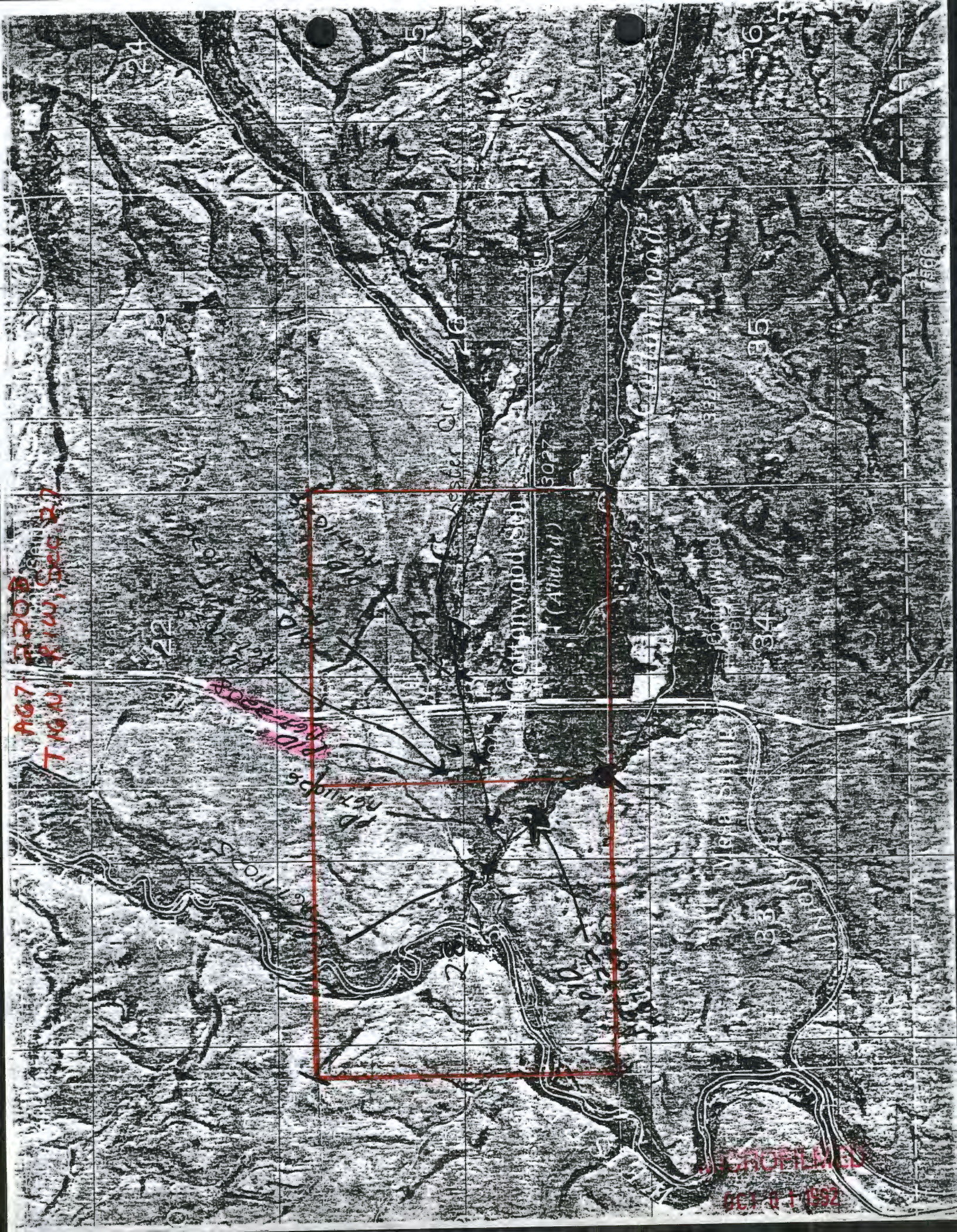
Signature of Claimant(s): Larry Dene Date: OCT 19, 1989
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of Oct 19 89 Linda Werner
Notary Public

Seal

Residing at Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994



AG7-220B
T.M.W. Sec 27

RECORDED
OCT 11 1992

AG 7-2208
TIGN. R.W. Sec. 27



1001 1 130
MICROFILMED

12/19/2006

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

RIGHT NUMBER: 67-2208

NAME AND ADDRESS: ANTHONY J FINCHEN
2205 JACKSON CREEK RD
COUNCIL ID 83612-5244

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.330 CFS
132.000 AFY

The rights listed below are limited to a total combined diversion rate of 1.92 cfs. Combined Right Nos.: 67-2208, 67-11026, and 67-12330

The rights listed below are limited to a total combined diversion rate of 2.34 cfs. Combined Right Nos.: 67-322, 67-2208, 67-11025, 67-11026, and 67-12330

Right Nos. 67-2208 and 67-12330 are limited to a total combined annual diversion volume of 132.0 AF.

PRIORITY DATE: 10/12/1951

POINT OF DIVERSION:

T16N R01W S27 NWSW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.330 CFS 132.00 AFY

PLACE OF USE: IRRIGATION in ADAMS County

T16N R01W S27	SWNW	30.00	T16N R01W S27	NWSW	2.30
T16N R01W S28	SENE	1.00			

33.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 117.0 acres in a single irrigation season. Combined Right Nos.: 67-322, 67-2208, 67-11025, 67-11026, and 67-12330

The rights listed below are limited to the irrigation of a combined total of 96.2 acres in a single irrigation season. Combined Right Nos.: 67-2208, 67-11026 and 67-12330

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

SRBA Recommendation:

67-2208

(Irrigation)

Legend

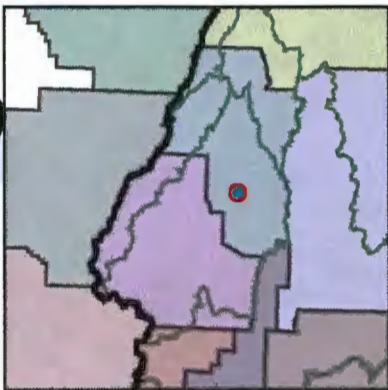
● Point of Diversion

□ Place of Use

□ Townships

□ PLS Sections

□ Quarter Quarters



Adams County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by IDWR State Office
On Tuesday, December 19, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2208 V1

WATER RIGHT NUMBER: 67-2208 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LARRY D DERIE 920 JONATHAN RD WEISER, ID 83672-5122
Original Owner	ANDY R LAY
Current Owner	COUNCIL, ID 83612 ANTHONY J FINCHEN 2205 JACKSON CREEK RD COUNCIL, ID 83612-5244 (208) 253-4680

Priority Date: 10/12/1951

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.330 CFS	132.00 AF
	<u>Total Diversion:</u>	0.330 CFS	132.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4	Sec. 27, Twp 16N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	01W	27							30.0				2.3						32.3
16N	01W	28				1.0													1.0

Total Acres: 33.3

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 117.0 acres in a single irrigation season. Combined Right Nos.: 67-322, 67-2208, 67-11025, 67-11026, and 67-12330
2. The rights listed below are limited to a total combined diversion rate of 1.92 cfs. Combined Right Nos.: 67-2208, 67-11026, and 67-12330

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2208 V1

3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. E52 The rights listed below are limited to a total combined diversion rate of 2.34 cfs. Combined Right Nos.: 67-322, 67-2208, 67-11025, 67-11026, and 67-12330
5. E53 Right Nos. 67-2208 and 67-12330 are limited to a total combined annual diversion volume of 132.0 AF.
6. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. The rights listed below are limited to the irrigation of a combined total of 96.2 acres in a single irrigation season. Combined Right Nos.: 67-2208, 67-11026 and 67-12330

Remarks:Comments:

1. csaxton 3/8/2006 Use
Comment: Bosco Boslers field exam notes indicate that this well has not been used for a while, but has been used and still can be used to supplement the other water rights. Preserve the license and recommend in full.
2. csaxton 3/8/2006 Copied From Claim (1)
Comment: This claim has been split. See nos. 67-14434 & 67-14435. DH 9/23/2003
3. csaxton 3/8/2006 Copied From Claim (2)
Comment: Claim 67-14334 and 67-14335 have been recombine back into 67-2208 per common ownership (csaxton 3-6-06).
4. csaxton 12/19/2006 NOE
Comment: POU amended per the NOE process.

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:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	3/8/2006 9:49:09 AM	csaxton			Active
Priority Date	3/8/2006 9:49:47 AM	csaxton			Active
POD	3/8/2006 9:51:17 AM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2208 V1

Source	3/8/2006 9:52:23 AM	csaxton	Active
POU	3/8/2006 9:53:18 AM	csaxton	Active
Use	3/8/2006 9:54:40 AM	csaxton	Active
Season	3/8/2006 9:55:17 AM	csaxton	Active
Quantity	3/8/2006 11:08:30 AM	csaxton	Active
Summary	03/08/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	12/19/2006 4:25:09 PM	csaxton	Updated PLS for Active POU
POU	12/19/2006 4:24:57 PM	csaxton	Updated shape for Active POU
POD	3/8/2006 9:51:52 AM	csaxton	Updated shape
Contacts	3/8/2006 9:49:08 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: FE by Bosco Bosler 9-20-05.
POD	3/8/2006 9:52:04 AM	csaxton	Updated PLS
POU	3/8/2006 9:53:44 AM	csaxton	Updated shape for Active POU
Quantity	3/8/2006 11:08:30 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - IDWR standard for the area.
POU	3/8/2006 9:53:53 AM	csaxton	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2208 V1

Summary	3/8/2006 11:15:32 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (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?
General	3/8/2006 9:49:46 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	3/8/2006 9:51:17 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	3/8/2006 9:52:22 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2208 V1

POU	3/8/2006 9:53:17 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 8 - Recommended as PPU with 67-11026 and 67-12330. Description for Question 13 - FE by Bosco Bosler 9-20-05.
Use	3/8/2006 9:54:39 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	3/8/2006 9:55:16 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (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?

Water Supply Bank:

11/14/2006

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-2208

ANTHONY J FINCHEN
2205 JACKSON CREEK RD
COUNCIL ID 83612-5244
Telephone Number: (208) 253-4680

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

*Remove Additional acreage for well
POU is only Blue Hatched.*

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

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

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

DATE: _____ SIGNATURE: Anthony Finch

Please print your name: _____

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

*Done
L. Snyder
12-19-06*

SCANNED
DEC 08 2006

03/08/2006

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

RIGHT NUMBER: 67-2208

NAME AND ADDRESS: ANTHONY J FINCHEN
2205 JACKSON CREEK RD
COUNCIL ID 83612-5244

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.800 CFS 0.66
386.000 AFY 132.0

The rights listed below are limited to a total combined diversion rate of 2.18 cfs. Combined Right Nos.: 67-2208, 67-11026, and 67-12330 1.92

The rights listed below are limited to a total combined diversion rate of 2.34 cfs. Combined Right Nos.: 67-322, 67-2208, 67-11025, 67-11026, and 67-12330 ok

Right Nos. 67-2208 and 67-12330 are limited to a total combined annual diversion volume of 386.0 AF. 132.0

PRIORITY DATE: 10/12/1951

POINT OF DIVERSION:

T16N R01W S27 NWSW Within ADAMS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.800 CFS 386.00 AFY

PLACE OF USE: IRRIGATION Within ADAMS County

T16N R01W S27	SWNW	32.00	T16N R01W S27	NWSW	20.00
T16N R01W S28	NENE	12.00	T16N R01W S28	SENE	26.00
T16N R01W S28	NESE	17.00	T16N R01W S28	NWSE	2.00

33 109 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 117.0 acres in a single irrigation season. Combined Right Nos.: 67-322, 67-2208, 67-11025, 67-11026, and 67-12330 ok

~~This right is limited to the irrigation of 98.0 acres within the place of use described above in a single irrigation season.~~

91.2 The rights listed below are limited to the irrigation of a combined total of 132.0 acres in a single irrigation season. Combined Right Nos.: 67-2208, 67-11026 and 67-12330

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



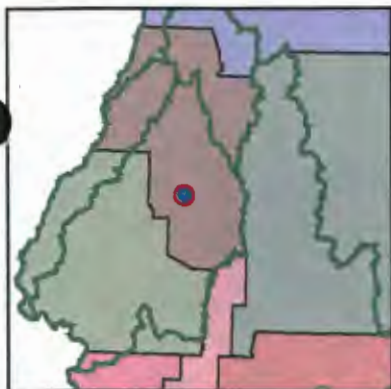
Idaho Department of Water Resources

Adjudication Claim Number: **67-2208**

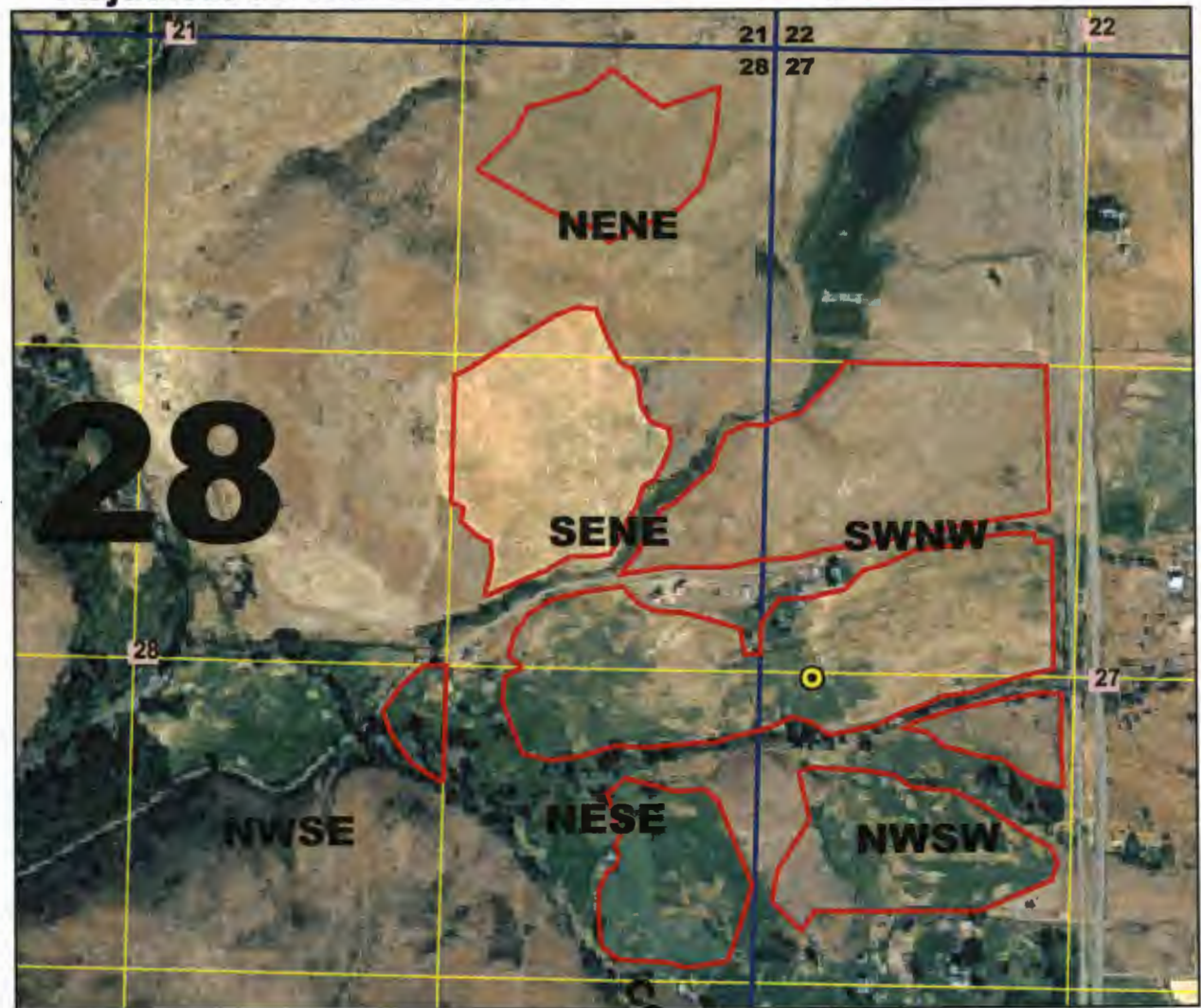
T16N R01W

Legend

- Point of Diversion
- Place of Use
- B67 sections.shp
- T16n01w.shp



Adams County
IDWR Basin 67



1320 0 1320 2640 Feet

Prepared by C. Saxton
On Wednesday, March 8, 2006
1987 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2208 V1

WATER RIGHT NUMBER: 67-2208 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LARRY D DERIE 920 JONATHAN RD WEISER, ID 83672-5122
Original Owner	ANDY R LAY COUNCIL, ID 83612
Current Owner	ANTHONY J FINCHEN 2205 JACKSON CREEK RD COUNCIL, ID 83612-5244 (208) 253-4680

Priority Date: 10/12/1951

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.800 CFS	386.00 AF
	<u>Total Diversion:</u>	0.800 CFS	386.00 AF

Location of Point(s) of DiversionGROUND WATER
ADAMS County

NW1/4SW1/4

Sec. 27, Twp 16N, Rge 01W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	01W	27							32.0				20.0						52.0
16N	01W	28	12.0			26.0									17.0	2.0			57.0

Total Acres: 109

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 117.0 acres in a single irrigation season. Combined Right Nos.: 67-322, 67-2208, 67-11025, 67-11026, and 67-12330
2. The rights listed below are limited to a total combined diversion rate of 2.18 cfs. Combined Right Nos.: 67-2208, 67-11026, and 67-12330

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2208 V1

3. K06 This right is limited to the irrigation of 98.0 acres within the place of use described above in a single irrigation season.
4. 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.
5. E52 The rights listed below are limited to a total combined diversion rate of 2.34 cfs. Combined Right Nos.: 67-322, 67-2208, 67-11025, 67-11026, and 67-12330
6. E53 Right Nos. 67-2208 and 67-12330 are limited to a total combined annual diversion volume of 386.0 AF.
7. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
8. The rights listed below are limited to the irrigation of a combined total of 109.0 acres in a single irrigation season. Combined Right Nos.: 67-2208, 67-11026 and 67-12330

Remarks:Comments:

1. csaxton 3/8/2006 Use

Comment: Bosco Boslers field exam notes indicate that this well has not been used for a while, but has been used and still can be used to supplement the other water rights. Preserve the license and recommend in full.

2. csaxton 3/8/2006 Copied From Claim (1)

Comment: This claim has been split. See nos. 67-14434 & 67-14435. DH 9/23/2003

3. csaxton 3/8/2006 Copied From Claim (2)

Comment: Claim 67-14334 and 67-14335 have been recombine back into 67-2208 per common ownership (csaxton 3-6-06).

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:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	3/8/2006 9:49:09 AM	csaxton			Active
Priority Date	3/8/2006 9:49:47 AM	csaxton			Active
POD	3/8/2006 9:51:17 AM	csaxton			Active
Source	3/8/2006 9:52:23 AM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2208 V1

POU	3/8/2006 9:53:18 AM	csaxton	Active
Use	3/8/2006 9:54:40 AM	csaxton	Active
Season	3/8/2006 9:55:17 AM	csaxton	Active
Quantity	3/8/2006 11:08:30 AM	csaxton	Active
Summary		03/08/2006 csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	3/8/2006 9:51:52 AM	csaxton	Updated shape
Contacts	3/8/2006 9:49:08 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: FE by Bosco Bosler 9-20-05.
POD	3/8/2006 9:52:04 AM	csaxton	Updated PLS
POU	3/8/2006 9:53:44 AM	csaxton	Updated shape for Active POU
Quantity	3/8/2006 11:08:30 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - IDWR standard for the area.
POU	3/8/2006 9:53:53 AM	csaxton	Updated PLS for Active POU
Summary	3/8/2006 11:15:32 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2208 V1

General	3/8/2006 9:49:46 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	3/8/2006 9:51:17 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	3/8/2006 9:52:22 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	3/8/2006 9:53:17 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 8 - Recommended as PPU with 67-11026 and 67-12330. Description for Question 13 - FE by Bosco Bosler 9-20-05.
Use	3/8/2006 9:54:39 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2208 V1

Season

3/8/2006 9:55:16 AM

csaxton

(Yes) 1. Is the basis of claim Decree or License?

(No) 4. Does the Decree or License have a
Period of Use?(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?Water Supply Bank:

Claim

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority</u>	<u>Date</u>	<u>Rate(cfs)</u>	<u>Volume(af)</u>	<u>Acres</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	322		Decreed	Active	1896-04-01		0.08		10	COTTONW IRRIGATION	FINCHEN, Claim		
67	2208		License	Active	10/12/1951		0.8		98	GROUND ' IRRIGATION	FINCHEN, Claim		
67	4103		Statutory C	Active	1896-06-01		1.98		44	COTTONW IRRIGATION	FINCHEN, Claim		
67	11025		Beneficial I	Active	8/31/1953		1.24		62	COTTONW IRRIGATION	FINCHEN, Claim		
67	11026		Beneficial I	Active	2/25/1952		2		100	LESTER C IRRIGATION	FINCHEN, Claim		
67	12330		Beneficial I	Active	2/15/1963		0.86		43	GROUND ' IRRIGATION	FINCHEN, Claim		

Recommendation

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority</u>	<u>Date</u>	<u>Rate(cfs)</u>	<u>Volume(af)</u>	<u>Acres</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Table</u>	
67	322		Decreed			1896-04-01	0.08		6.4	COTTONW IRRIGATION	FINCHEN, Recommendation			
	2235		License			8/31/1953	0.8		56	COTTONW IRRIGATION				
67	11025		B-use			8/31/1953	0.59		33.4	COTTONW IRRIGATION	FINCHEN, Recommendation			
Total =							0.67		33.4					
Cottonwood extra CFS =							0.21							

67	4103				1896-06-01		1.98			COTTONW IRRIGATION	FINCHEN, Recommendation		
	2215						0.48		36	LESTER CREEK			
67	11025		Beneficial I	Active	8/31/1953		1.02		86.2	LESTER C IRRIGATION	FINCHEN, Recommendation		
67	2208		License	Active	10/12/1951		0.8		98	GROUND IRRIGATION	FINCHEN, Recommendation		
67	12330		Beneficial I	Active	2/15/1963		0.43		142	GROUND IRRIGATION	FINCHEN, Recommendation		
Total =							2.18		386	109			

Split Analysis

Water Right Number: Finchen
Diversion Rate: CFS
Reviewer Name: Craig L. Saxton
Date: 3/6/2006

Acreage Analysis

[illegible]

Total CFS @ 1 inch per acre = 2.34

Basin	Sequence	Basin	Status	Right ID	Priority Date	Rate(cfs)	Source	Water Use(s)	Owner(s)	Source Table
67	322	Decreed	Active	287429	1896-04-01	0.08	COTTONWOOD CREEK	IRRIGATION	FINCHEN, ANTHONY J (Current)	wrAdjudicationClaim
67	4103	Statutory	C Active	571435	1896-06-01	1.98	COTTONWOOD CREEK, LESTER CREEK	IRRIGATION	FINCHEN, ANTHONY J (Current)	wrAdjudicationClaim
67	11025	Beneficial	I Active	287458	8/31/1953	1.24	COTTONWOOD CREEK	IRRIGATION	FINCHEN, ANTHONY J (Current)	wrAdjudicationClaim
67	14435	License	Active	571501	10/12/1951	0.42	GROUND WATER	IRRIGATION	FINCHEN, ANTHONY J (Current)	wrAdjudicationClaim
67	14437	Beneficial	I Active	571503	2/25/1952	1.14	LESTER CREEK	IRRIGATION	FINCHEN, ANTHONY J (Current)	wrAdjudicationClaim
67	14439	Beneficial	I Active	571506	2/15/1963	0.62	GROUND WATER RR Tracks	IRRIGATION	FINCHEN, ANTHONY J (Current)	wrAdjudicationClaim

old well 14434 + 35 Old well

14436 + 37 Lester Creek

14438 + 39 RR Track well

Craig All this water except 322
is used on some land as water recedes
wells pick up slack. Hope you can
understand.

Bosco

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

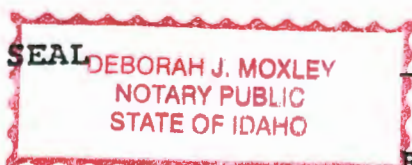
AFFIDAVIT

67-14437, 14436)
14434, 14435, 14438)
14439)
State of Idaho)
County of _____)

I, June (Lay) Derie being first duly sworn,
deposes and says: I lived at 2205 Jackson
Cr. Rd. Council, Idaho. I remember my
father using the water to irrigate
these fields as early as 1952.
(I was born in 1945.)

June Derie
(Signature)

Subscribed and sworn to before me this
day 14th of September, 192005.



Deborah Moxley
(Notary Public)

Residing at Wells ID.

My Commission Expires 2/11/2010.

Tag # A 0016612

WR# 67-14434 + ~~14434~~ 14435

Finchem old well POTD



YPS

2305684

1502189

WR 14434 + 14435

Old Well hasn't been used
for some time, but was used + still
can be used to supplement WR's
67- 322; 4103, 14436, 14437

MEMO

TO: Files 67-322, 67-11025, 67-14434, 67-14435, 67-14436, 67-14437, 67-14438,
67-14439
FROM: Denise Hatfield
DATE: September 23, 2003
SUBJECT: Ownership change and split information

In reviewing this change of ownership, the change of ownership form received indicated that water right numbers 67-11025 & 67-11026 result in a split. However, after reviewing the claims and the maps, it was determined that the claims to be split are actually 67-2208 and 67-12330, in addition to 67-11026. Claim numbers 67-322 & 67-11025 do not appear to be splits.

Anthony Finchen (new owner) purchased land in Sections 27 & 28, *South of the County Rd.* Refer to the maps in each file for further information.

SCANNED
APR 16 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 24, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LARRY D DERIE
JUNE I DERIE
HC 62 BOX 1720
2205 JACKSON CREEK RD
COUNCIL ID 83612

Re: Original Notice of Claim to a Water Right No. 67-2208
Renumbered to Notice of Claim to a Water Right No. 67-14434

Original Notice of Claim to a Water Right No. 67-11026
Renumbered to Notice of Claim to a Water Right No. 67-14436

Original Notice of Claim to a Water Right No. 67-12330
Renumbered to Notice of Claim to a Water Right No. 67-14438

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

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

Thank you for your patience, as we have had several water right changes to process. If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

DH: dh

Enclosure

67-2208

State of Idaho
License and Certificate of Water Right

Water License No. Q-22416

Amount 8 c.f.s.

Water District No. _____

Priority October 12, 1951

THIS IS TO CERTIFY that **ANDY R. LAY**
of _____ Council, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 12, 19 51; that Permit No. Q-22416
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.8 second feet, was issued thereunder on July 23, 19 57, showing that said works
were completed on the 5th day of October, 19 56; and that on the 5th
day of October, 19 56, **ANDY R. LAY**

of _____ Council, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
subterranean ~~permeable~~ flow, for the purpose of Irrigation and
domestic use, under Use Permit No. Q-22416 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 6045, on the 23rd day of July, 19 57;
The right hereby confirmed dates from October 12, 19 51;

The Point of Diversion is located
in the NE 1/4 SW 1/4 Sec. 27, Tp. 16 N. R. 1 W., B. M. County Adams

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 N	1 W	27	SW 1/4 NW 1/4	25	40
			NW 1/4 SW 1/4	15	18
		28	SE 1/4 NE 1/4	20	30
			NE 1/4 SE 1/4	15	10
			Total number of acres irrigated -	- - -	98

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
23rd day of July, 19 57.

/s/ Mark R. Kulp

State Reclamation Engineer.

(SEAL)

67-2208

9.22416

RECEIVED
MAY 23 1957

Department of Reclamation

Council, Idaho

May 21, 1957

Re. G. 22416

Dept of Reclamation

Boise, Idaho.

Dear Mr. Humphrey.

I have been very busy since receiving your letter of May 7, but will try to explain why I ask for .8 cfs of water at well, in so doing will answer your letter.

If you will but get the permit filling to compare these facts, you will find the well is very near the center of 160 acres I own and that I applied for 92 inch of water. This filling is a matter of Court record at present, and I have complied in every respect.

In the land cultivated and irrigated (not waste land) you will find 73 acres or more.

Now in paragraph 3 of your letter; you checked 1 pump and motor, designed for high pressure sprinkling which I use, but I also had 2 other pumps and another motor all equiped with wire and set. stored there which were called to your attention

I have used 3 different pumps to apply the water in the most beneficial manner to conserve water, and see no reason for limiting it to one special pump at one pressure as I interpret your letter.

as I explained to you and as I told you to have
a ditch out of Foster creek to irrigate the bottom
land as long as the surface water lasted. I have
since plowed and planted that land, except for
some small parts (4 acre about) and the drill measured
15 acres of wheat 13 $\frac{3}{4}$ acres of barley, then plow about 4 acres
(about 30 yd one field)
of which at least 16 or 17 acres is below the well.

now to explain what I have done, and can do in this, pump 40 inches of water from well with pump, then take foot of water into sprinkler pump to me north of road on 30 or more ~~acres~~ ^{acres} the rest goes on the land below the well, or above the well on bottom land, or use all to flood part time. I will be within the 1 inch to the acre of all the established rights, and have stood up to court action by Decker to defend rights.

The following your advice of necessity.
I think it a very good plan and would
like to recall our agreement of that fall
about ¹⁸⁸³ ~~1884~~ June as a fair time to check well;
God also would settle for 40 inches to July 25th
of each year, and 35 inches throughout of season from
well with out further checking or controversy.

Thanking you for your conservative efforts
I remain,

Yours truly
Cindy Gray

P.S. Can you complete Bernard no 22 & 34
to a hundred down.

G-22416

May 7, 1957

Re. G-22416

Mr Andy Lay
Council, Idaho

Dear Mr Lay:

Your request for .8 cfs from your well instead of the amount reported has been referred to me for reply.

The amount of water that has been put to beneficial use is the amount I put in the report in each and every inspection reported. That is the only amount that can be lawfully claimed, keeping in mind the statutory limitation placed upon beneficial use as being not over one inch per acre.

Now, if without changing your system in any way from that which it has been continuously and regularly used, you wish me to return and check your sprinkler system with a pressure gage when it is in full operation and determine from that the amount of water delivered I will be glad to do so and change my report accordingly.

I discussed with you the usage on open delivery and you said the land below it (about 10 acres or less) was all that could be irrigated that way. Since that is all that you can irrigate that way the land amount rather than pump capability controls the amount that can be so considered.

If your pump can satisfactorily deliver the gravity water and supply a full amount to the sprinklers at the same time it may be worth making a recheck.

But please remember the only report that I am willing to make is one that shows the true beneficial use as it has regularly been made as that is the only report that will protect your right.

However, if you feel the report I turned in is lower than your actual usage, I will gladly make a recheck and change the amount to that determined by actual measurement.

Please let us hear from you regarding this as nothing more will be done re issuing your well license until it is learned whether or not you wish a reinspection.

Yours truly,

Mark R. Kulp
State Reclamation Engineer
by

E. M. Humphrey, Deputy

В" Н" Навроцкая

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RECEIVED

MAY 1 1957

Department of Reclamation

4/8/57

8-22416

Council Bluffs

April 29, 57

Dept of Reclamation

Mark Kulp Engineer

Boise Idaho

Re: Permit no 22634 and

Permit no 22416.

Inclosed find check for \$21.00
for statutory fee of both, as
requested of letters of April 23 and 24.

I also note the "Protest of
Peoples", and "Dismissal of same".

I will only say we are dealing
with the public interests of state
of Idaho, of which Peoples has
a very small right to, and they are
infringing on the rights of others.

G-22416

You will find that the engineer based his finding of use of water on the efficiency of a certain pump by sprinkler system to arrive at .5 Cubic feet of water, also at a ~~normal~~ pressure. This pump is capable of delivering 7.8 Cubic feet of water at a reduced pressure or open discharge, and is used that way by one part of the irrigation. The well is capable of delivering 1. Cubic feet of water a large part of irrigation season, and the land irrigated needs it.

I am asking you to ~~please~~ reconsider and raise the figure to .8 Cubic feet. Thank you.
Andy R. Day.

April 24, 1957

Re: Permit No. G-22416

Mr. Andy R. Lay
Council
Idaho

Dear Mr. Lay:

We have the Report made by our Field Engineer of proof of completion of works and beneficial use of water filed on under Permit No. G-22416.

Enclosed is the "Dismissal of Protest" of Stephen Peebles and Ethel Peebles - against - Issuance of License to Andy R. Lay for underground water under Permit No. G-22416 - by Mark R. Kulp, State Reclamation Engineer, Boise, Idaho.

This permit is now entitled to a Certificate of Completion of Works and a License and Certificate of Water Right. Upon receipt of the statutory fee of \$13.00 we can issue you a Certificate of Completion of Works (\$5.00) and a License (\$8.00 - based at a rate of \$2.00 for each 40-acre subdivision) with a priority of October 12, 1951, for the right to the diversion and use of .5 second feet of the water from a well with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 16 North, Range 1 West B.M., for irrigation of 98 acres located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, all in Township 16 North, Range 1 W.B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:nls
Enc:

9-22416

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 2-2816

REPORT ON PROOF OF Completion of Work & Final Report

Andy R. Lay, Council, Idaho

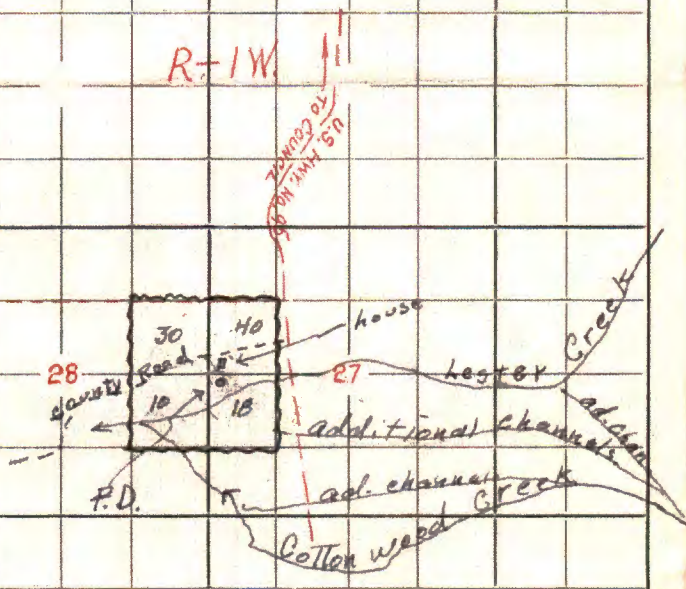
app. 1.84 cfs

Int. 4
Area - 98

sets
mark 7/1/57

Left = 2' 2"
Pressure = 53
5 ft. - Smithway 200 ft
Leans Rocker 3' x 2' x 2'
3' M. 1750 ft
170 15045
2' x 1 1/2" Centre. Perches

T.
16
N.



Subdivisions = four

Area = 98 acres.

Q = 25 inches.

40 inches.

E. H. H.

Jan 29-57

Mr Lay uses two 3hp motors and pumps at same time. One operates sprinkler other delivers by pipe line (4" al.) up into ditch for gravity irrigation.

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

Permit No. G-22416This proof is for Comp. Works & Bana. Use In Water District No. _____1. Name of applicant Andy R. Lay, Council, Idaho2. Source of water supply: Subterranean from well3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27T. 16 N. R. 1 W. B.M. County of Adams

4. Describe works as they exist, giving dimensions and capacities of same: Well = 2 1/2' d x 10' plus.
175' deep 8" to 6" Peerless Cent pump 2' x 2' x 6" d.
5 hp. 1 ph. motor Wagner mfg. 17 pieces 4" x 40' al tubing
main line. 44 pieces of 3" x 40' al tubing with nozzle
risers 37 Rainbird #40 nozzles sizes 3/8" x 1/8"
and 3/8" x 3/8" (var)

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 27; and NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28; Twp. 16 N., Rge. 1 W.B.M.

(NE $\frac{1}{4}$ Sec. 28 in pub. notice & permit but not in proofs)

See map.

water stands at ground surface. very little draw down.

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

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

Remarks: _____

This system is used on any ground desired
within reach.

There is over a half mile of pipes.

37 sprinklers @ 6 gpm = 2.55 inches.

This examination was made on the 17 day of April, 1957

(Signed) E. N. Humphrey Examiner.

G-22416

well is 94 yds from
creek.

44 joints 3" al. pipe
17 " 4" al. pipe

44 x 2" 42
40 42
1960 80
240 37
3000 x 3" lateral 21"

5 x 70 x 550
138
92

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INSTRUCTIONS TO EXAMINERS

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

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Andy R. Lay,
Council, Idaho

Permit No. G-22416

Examination for Compl. of Works & Bene. Use

County Adams

27-16N.-1W.

Q = 1.84 c.f.s.

S = Well

P.D. = NW. SW, Sec. 27, T. 16N. R. 1W.

Use = Irrigation & Domestic

Filed - Oct. 12, 1951

Due - Oct. 30, 1956

Peerless center,
2" x 2 1/2" x 6"

180 gpm @ 100'

5 hrs. 1 ph. Wagner

270 V. 24A.

L7-D15045

680 x 4" main

3/32 x 5/32

3/32 x 1/64

run 34 have 37

sprinkler

Shir rain. 11/10/56

175' x 8" to 6"

2 1/2 x 10' deep

W = 0. Ld = 10'

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

PROTEST of Stephen Peebles and
Ethel Peebles)

against)

Issuance of License to Andy R.
Lay for underground water under
Permit No. G-22416.)

DISMISSAL OF PROTEST

On October 30, 1951, Permit No. G-22416 was issued to Andy R. Lay for the appropriation of 1.84 c.f.s of subterranean water with point of diversion at a well in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 16 North, Range 1 West B.M.

Notice of Completion of Works and Application of Water to Beneficial Use was published in the Adams County Leader on September 7, 14, 21 and 28, 1956.

Protest was filed by Stephen Peebles and Ethel Peebles alleging that license should not be issued because the "District Court has already adjudicated said water right pertaining to said underground or subterranean flow between Lays and ourselves, and said parties should be bound thereby."

Licenses are issued on the basis of diversion and beneficial use of unappropriated public waters and the Statutory requirements thereof, subject to all existing rights and modifications by a court of competent jurisdiction.

The State Reclamation finds that Andy R. Lay has complied with the laws relating to the appropriation of public unappropriated subterranean water and has diverted and applied to beneficial use .5 cubic feet per second of subterranean water, and is entitled to a License and Certificate of Water Right under Permit No. G-22416 subject to such restrictions as are imposed by the Decree of the District Court in the case of "Stephen and Ethel Peebles -vs- Andy R. Lay and Ona Lay."

The protest of Stephen and Ethel Peebles is therefore dismissed and License and Certificate of Water Right will be issued to Andy R. Lay for .5 cubic feet per second of subterranean water under Permit No. G-22416.

Any one feeling himself aggrieved by the issuance of license as above outlined or the dismissal of the protest may appeal the same to the District Court for Adams County as outlined in Section 42-224 of the Idaho Code.

Given under my hand and seal of the Department of Reclamation, Boise, Idaho, this 24th day of April, 1957.

Mark R. Kulp

Mark R. Kulp
State Reclamation Engineer

G-22416

NAME OF APPLICANT

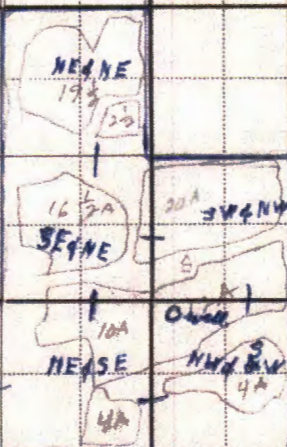
And. A. Lay.

Form No. 0

Twp. 16.N. R. 1.W.

Section 28

Section 27



Permit Map No. 22416

As Approved

MARK R. KULP
State Reclamation Engineer

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OCT 30 1951

Department of Reclamation