

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: A63-19875
Date Received: 12/19/1989
Receipt No: W007183
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DANIEL R. GIBBENS 208-459-0305
Address: 19483 LEWIS LN.
CALDWELL, ID 83605

OR

Name: SHIRLEY A. GIBBENS 208-459-0305
Address: 19483 LEWIS LN.
CALDWELL, ID 83605

2. Date of Priority: APR 15, 1933

3. Source: AUE DRAIN Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	04W	14	NW	NE			CANYON

5. Description of diverting works:
PUMP, 5 HP PUMP, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.360		

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

8. Total consumptive use is 63.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A63-19875

Page 1

Date: 12/19/89

SCANNED
APR 14 2008

MICROFILMED
SEP 02 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	14	NW	NE		IRR	4.0
			NE	NW	5	IRR	8.5
			SE	NW	5	IRR	5.5
						Section Acres	18.0
						Total Acres	18.0

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 IRR. DISTRICT

14. Remarks:

WATER RIGHT 02-02000 APPURTENANT TO PARTS OF THIS PROPERTY BUT
HAS NOT BEEN USED AND WAS NOT CLAIMED. THE DITCH MAY ALSO BE
KNOWN AS N. VALLEY MOUND WASTEWAY.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): X Daniel R. Litch Date: X 12/19/89

Date: _____

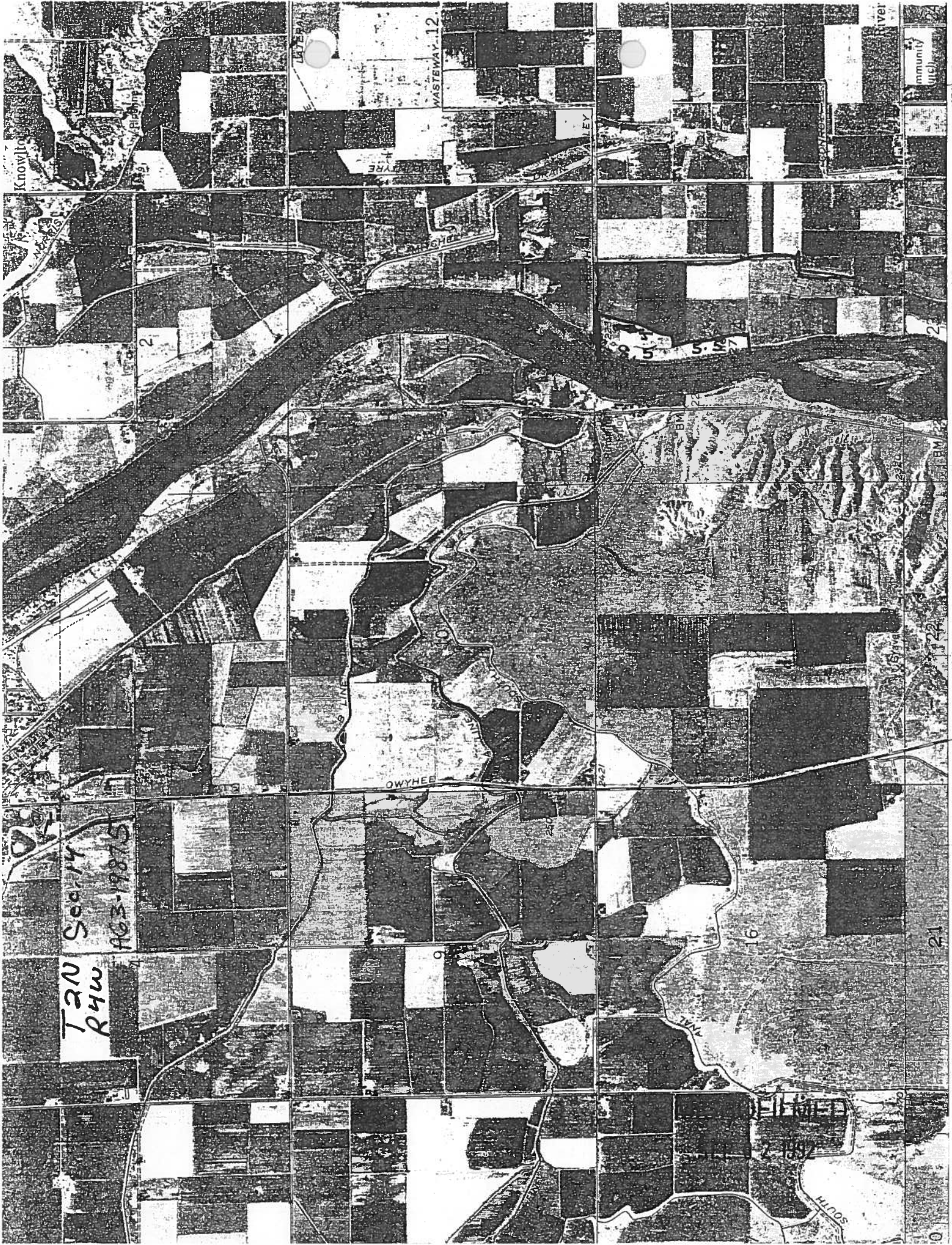
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of Dec. 19 89

Linda A. Werner
Notary Public

Seal

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



T2N
Sec. 14
R4W
AG 3-1987 S

WASTEWAY 12

LATERAL

DITCH

ANAL

SOUTH

COMMUNITY

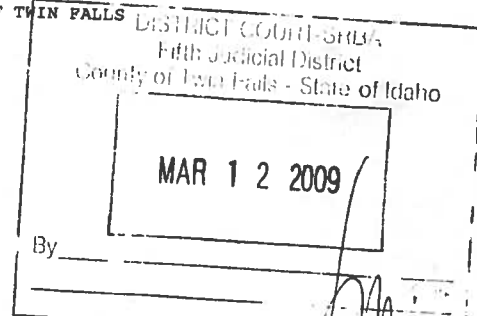
WATER

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)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-19875



NAME AND ADDRESS: DANIEL R GIBBENS
SHIRLEY A GIBBENS
19483 LEWIS LN
CALDWELL, ID 83605

SOURCE: AUE DRAIN TRIBUTARY: SNAKE RIVER

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

QUANTITY: 0.36 CFS

PRIORITY DATE: 04/15/1933

POINT OF DIVERSION: T02N R04W S14 NWNE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.36 CFS

PLACE OF USE: Irrigation
T02N R04W S14 NWNE 4.0 LOT 5 (NENW) 8.5
LOT 5 (SENE) 5.5
18.0 Acres Total

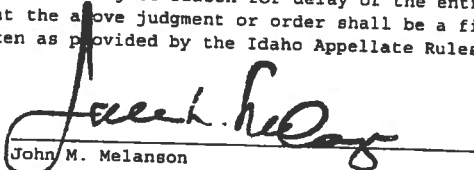
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

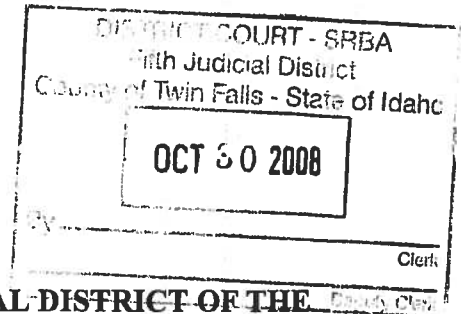
An easement or right of way agreement providing for access to the drain by its owner and those responsible for maintaining it, and/or for access to the drain by the appropriator to divert water pursuant to this right, must be executed among the appropriator, the owner of the drain, and if appropriate, those responsible for maintaining the drain. Failure to execute such an agreement will constitute grounds for legal action to prevent water from being diverted under this 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. 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



**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) **SPECIAL MASTER'S REPORT**
)
Case No. 39576) **FINDINGS OF FACT AND**
) **CONCLUSIONS OF LAW**
)
) **FOR WATER RIGHT 63-19875**

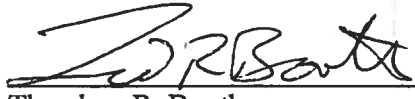
A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On June 18, 2007, the Wilder Irrigation District, through its attorney Albert P. Barker, filed an objection to the *Director's Report*, asserting that the source of the water right should be described as wastewater. On October 16, 2008, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

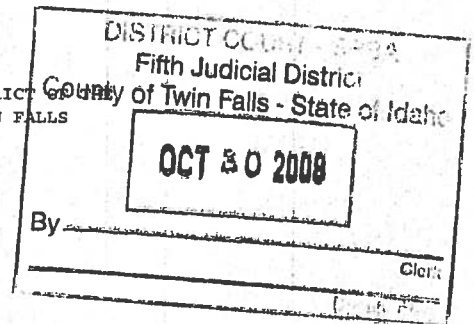
II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 63-19875 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated Oct 30, 2008


Theodore R. Booth
Special Master
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
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 63-19875

NAME AND ADDRESS: DANIEL R GIBBENS
SHIRLEY A GIBBENS
19483 LEWIS LN
CALDWELL, ID 83605

SOURCE: AUE DRAIN TRIBUTARY: SNAKE RIVER

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

QUANTITY: 0.36 CFS

PRIORITY DATE: 04/15/1933

POINT OF DIVERSION: T02N R04W S14 NWNE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.36 CFS

PLACE OF USE: Irrigation Within Canyon County
T02N R04W S14 NWNE 4.0 LOT 5 (NENW) 8.5
LOT 5 (SENW) 5.5
18.0 Acres Total

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

An easement or right of way agreement providing for access to the drain by its owner and those responsible for maintaining it, and/or for access to the drain by the appropriator to divert water pursuant to this right, must be executed among the appropriator, the owner of the drain, and if appropriate, those responsible for maintaining the drain. Failure to execute such an agreement will constitute grounds for legal action to prevent water from being diverted under this 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

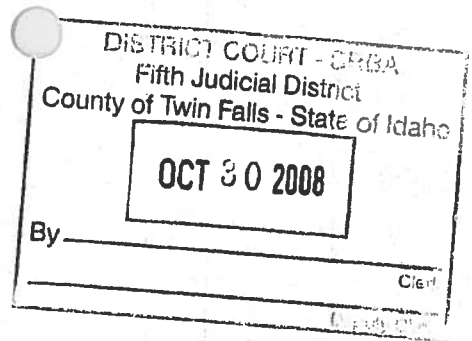
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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

RECOMMENDATION

OCT 30 2008

Lawrence B. Smith
SPECIAL MASTER



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)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 63-19875

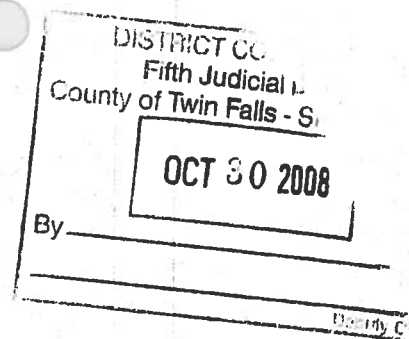
On October 30, 2008, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED October 30, 2008.


DIANA R DELANEY
Deputy Clerk



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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 63-19875

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on October 30, 2008, with sufficient first-class postage prepaid to the following:

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

WILDER IRRIGATION DISTRICT

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

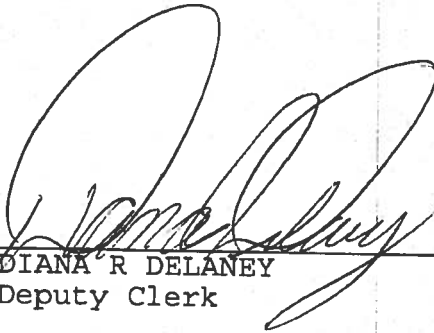
USDI BUREAU OF RECLAMATION

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

CERTIFICATE OF MAILING

PAGE 1
10/30/08

DANIEL R GIBBENS
SHIRLEY A GIBBENS
19483 LEWIS LN
CALDWELL, ID 83605
Phone: 208-459-0305



DIANA R DELANEY
Deputy Clerk

OCT 16 2008

**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 No. 63-19875

Case No. 39576

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. 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 described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS

Daniel R. & Shirley A. Gibbens

Dan Gibbens 8-27-08
Date
Shirley Gibbens 8/27/08
Date

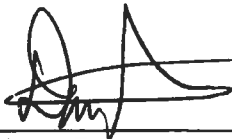
OBJECTOR

Wilder Irrigation District

Albert P. Barker 10-7-08
Albert P. Barker, Attorney Date

RESPONDENT

United States on behalf of
Bureau of Reclamation



10/15/08

David Gehlert

Date

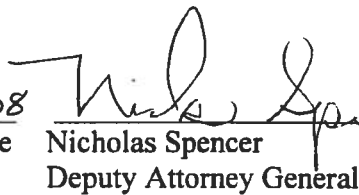
Attorney, U.S. Department of Justice
Environment and Natural Resources Division

IDWR Concurrence:


IDWR Agent

10-2-08

Date


Nicholas Spencer
Deputy Attorney General

10-8-08

Date

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

RIGHT NUMBER: 63-19875

NAME AND ADDRESS: DANIEL R GIBBENS
19483 LEWIS LN
CALDWELL ID 83605SHIRLEY A GIBBENS
19483 LEWIS LN
CALDWELL ID 83605

SOURCE: AUE DRAIN

TRIBUTARY: SNAKE RIVER

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

QUANTITY: 0.360 CFS

PRIORITY DATE: 04/15/1933

POINT OF DIVERSION:

T02N R04W S14 NWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.360 CFS

PLACE OF USE: IRRIGATION in CANYON County

T02N R04W S14	NWNE	4.00	T02N R04W S14 Lot 5 NENW	8.50
T02N R04W S14 Lot 5	SENW	5.50		

18 ACRES TOTAL

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

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

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

An easement or right of way agreement providing for access to the drain by its owner and those responsible for maintaining it - and/or for access to the drain by the appropriator to divert water pursuant to this right - must be executed among the appropriator, the owner of the drain, and if appropriate, those responsible for maintaining the drain. Failure to execute such an agreement will constitute grounds for legal action to prevent water from being diverted under this right.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

CERTIFICATE OF MAILING

I certify that on 07.15, 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, Idaho 83303-2707

2. Copies to:

WILDER IRRIGATION DISTRICT

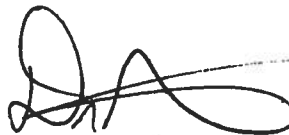
Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139

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
PO BOX 83720
BOISE, ID 83720-0098

DANIEL R GIBBENS
SHIRLEY A GIBBENS
19483 LEWIS LN
CALDWELL, ID 83605



Signature of person or attorney mailing the form

2008 AUG 04 AM 11:53
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	)	NOTICE SETTING STATUS
	)	CONFERENCE
Case No. 39576	)	
_____	)	SUBCASE NO: 63-19875

Please be advised that Special Master THEODORE R. BOOTH
has set a Status Conference in the above subcase(s)
as follows:

TUESDAY, AUGUST 12, 2008 at 04:00 PM (MT)

SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Parties may participate by telephone by dialing the number
225-383-1099 and when prompted entering the code 675342.

Dated: AUGUST 04, 2008

/S/ DIANA R DELANEY
Deputy Clerk
Snake River Basin Adjudication

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

Page 1 8/04/08

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the NOTICE SETTING STATUS CONFERENCE was mailed on AUGUST 04, 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

DANIEL R GIBBENS
SHIRLEY A GIBBENS
19483 LEWIS LN
CALDWELL, ID 83605
Phone: 208-459-0305

RECEIVED

MAY 26 2008

DEPARTMENT OF
WATER RESOURCES

2008 MAY 23 PM 12:49
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 NO: 63-19875

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

THURSDAY, JUNE 19, 2008 at 02:15 PM (MT)
IDAHO SUPREME COURT BUILDING
451 WEST STATE STREET
BOISE, 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 16, 2008 or hearing will not be vacated.

IT IS SO ORDERED.

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

Page 1 5/22/08

(continued)

Dated: MAY 23, 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 MAY 23, 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

DANIEL R GIBBENS
SHIRLEY A GIBBENS
19483 LEWIS LN
CALDWELL, ID 83605
Phone: 208-459-0305

SCANNED
APR 14 2008

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. Proposed wastewater remark does not sufficiently protect original appropriator.

F. VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Ada)

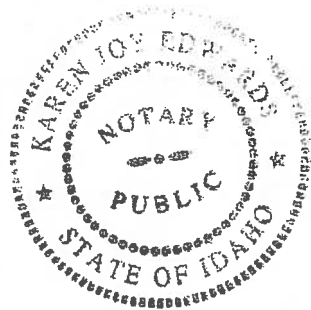
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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)

Albert P. Barker
(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, 200__, 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:

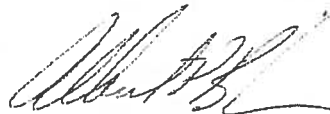
Name: Daniel and Shirley Gibbens
Address: 19483 Lewis Ln.
Caldwell, ID 83605

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

10/05/2006

NOTICE OF ERROR
REPLY

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

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

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

Water right number: 63-19875

DANIEL R GIBBENS
19483 LEWIS LN
CALDWELL ID 83605
Telephone Number: (208)459-0305

SHIRLEY A GIBBENS
19483 LEWIS LN
CALDWELL ID 83605
Telephone Number: (208)459-0305

RECEIVED

OCT 13 2006

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: OCT 10, 2006

SIGNATURE: *Dan Gibbens*

Please print your name: R. Daniel Gibbens

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

03/17/2006

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

RIGHT NUMBER: 63-19875

NAME AND ADDRESS: DANIEL R GIBBENS
19483 LEWIS LN
CALDWELL ID 83605

SHIRLEY A GIBBENS
19483 LEWIS LN
CALDWELL ID 83605

SOURCE: AUE DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.360 CFS

PRIORITY DATE: 04/15/1933

POINT OF DIVERSION:

T02N R04W S14 NWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.360 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T02N R04W S14	NWNE	4.00	T02N R04W S14 Lot 5 NENW	8.50
T02N R04W S14 Lot 5	SENE	5.50		

18 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

WATER RIGHT 02-02000 APPURTENANT TO PARTS OF THIS PROPERTY
BUT HAS NOT BEEN USED AND WAS NOT CLAIMED. THE DITCH MAY
ALSO BE KNOWN AS N. VALLEY MOUND WASTEWAY.

SCANNED
APR 14 2008



Idaho Department of Water Resources

63-19875

T02N R04W S14



● Point of Diversion

□ Place of Use

□ Sections

□ Quarter Quarter

Total irrigated
acres = 18



300 0 300 600 900 Feet



IDWR

Prepared by: Sandy Egbert

Date: March 17, 2006

1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-19875 V1

WATER RIGHT NUMBER: 63-19875 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DANIEL R GIBBENS 19483 LEWIS LN CALDWELL, ID 83605 (208)459-0305
Current Owner	SHIRLEY A GIBBENS 19483 LEWIS LN CALDWELL, ID 83605 (208)459-0305

Priority Date: 04/15/1933

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
AUE DRAIN	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to	11/15	0.360 CFS	
	<u>Total Diversion:</u>		0.360 CFS	

Location of Point(s) of Diversion

AUE DRAIN	NW1/4NE1/4	Sec. 14, Twp 02N, Rge 04W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	04W	14	4.0				8.5				5.5								18.0
							L 5				L 5								

Total Acres: 18

Conditions of Approval:

1. W59 Use of this right is combined with water from Wilder Irrigation District.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. WATER RIGHT 02-02000 APPURTENANT TO PARTS OF THIS PROPERTY BUT HAS NOT BEEN USED AND WAS NOT CLAIMED. THE DITCH MAY ALSO BE KNOWN AS N. VALLEY MOUND WASTEWAY.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-19875 V1

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: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits: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>
Summary			03/15/2006	lharris	Active
Priority Date	3/17/2006 1:58:21 PM	segbert			Active
POD	3/17/2006 1:58:55 PM	segbert			Active
Source	3/17/2006 1:59:39 PM	segbert			Active
POU	3/17/2006 2:00:18 PM	segbert			Active
Use	3/17/2006 2:01:12 PM	segbert			Active
Season	3/17/2006 2:01:42 PM	segbert			Active
Quantity	3/17/2006 2:03:48 PM	segbert			Active
Summary			03/17/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-19875 V1

Summary	3/17/2006 2:06:34 PM	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? (No) 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?
POD	3/17/2006 1:59:16 PM	segbert	Updated shape
Quantity	3/17/2006 2:03:48 PM	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? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - pygmy meter
General	3/17/2006 1:58:21 PM	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? Description for Question 12/13 - affidavits in file
POD	3/17/2006 1:58:55 PM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-19875 V1

Source	3/17/2006 1:59:40 PM	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? Description for Question 10 - field exam
POU	3/17/2006 2:00:19 PM	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? Description for Question 13 - field exam
Use	3/17/2006 2:01:12 PM	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	3/17/2006 2:01:42 PM	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	3/15/2006 11:49:40 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?
POU	3/17/2006 2:00:41 PM	segbert	Updated shape for Active POU

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-19875

WATER RIGHT NUMBER: 63-19875

Owner Type Name and Address
 Current Owner DANIEL R GIBBENS
 19483 LEWIS LN
 CALDWELL, ID 83605
 (208)459-0305
 Current Owner SHIRLEY A GIBBENS
 19483 LEWIS LN
 CALDWELL, ID 83605
 (208)459-0305

Priority Date: 04/15/1933 ✓ *see affidavits in file*
 Basis: Beneficial Use ✓
 Status: Active ✓

Source Tributary
 AUE DRAIN ✓ SNAKE RIVER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION ✓ 3/15 to 11/15' 0.360 CFS ✓
 3-1 Total Diversion: 0.360 CFS ✓

Location of Point(s) of Diversion

AUE DRAIN NW1/4NE1/4 ✓ Sec. 14, ✓ Twp 02N, ✓ Rge 04W, B.M.
 CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	SE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N	04W	14	4.0		8.5		5.5									18.0

Total Acres: 18

Conditions of Approval:

1. WATER RIGHT 02-02000 APPURTENANT TO PARTS OF THIS PROPERTY BUT HAS NOT BEEN USED AND WAS NOT CLAIMED. THE DITCH MAY ALSO BE KNOWN AS N. VALLEY MOUND WASTEWAY.

Remarks:Comments:

Wilder Irrigation Dist

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-19875

03/15/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
19875	Claim	02N	04W	14	NW	NE		IRRIGATION	4/18	DANIEL R GIBBENS
2000	Water Right	02N	04W	14	NW	NE		IRRIGATION	35/76	STEPHEN R MORDEN
~~19876~~	Water Right	02N	04W	14	NW	NE		STOCKWATER		DANIEL R GIBBENS
~~19876~~	Water Right	02N	04W	14	NW	NE		DOMESTIC		DANIEL R GIBBENS
~~19879~~	Water Right	02N	04W	14	NE	NW	1	DOMESTIC		SOUTH BOARD OF CONTROL
19875	Claim	02N	04W	14	NE	NW	5	IRRIGATION	8.5/18	DANIEL R GIBBENS
2000	Water Right	02N	04W	14	NE	NW	5	IRRIGATION	16/76	STEPHEN R MORDEN
~~1999~~	Water Right	02N	04W	14	SE	NW	2	IRRIGATION	4/4	LIONEL DANIEL
7458	Water Right	02N	04W	14	SE	NW	2	IRRIGATION	1/1	JUANITA F DANIEL
~~19875~~	Claim	02N	04W	14	SE	NW	5	IRRIGATION	5.5/18	DANIEL R GIBBENS

see note on claim

AL PROPERTY INQUIRY

+++++

01 6R30313-000- -0 181-00 SCH139+ 01 80,100 91.00

+++++ 10 50,000 1.00

GIBBENS, DANIEL + 19 4.30

& GIBBENS, SHIRLEY H/W + 31 63,900

+ 32 16,500

+

+

19483 LEWIS LN +

CALDWELL ID 83607 +

+++++

14-2N-4W NE + TOTAL 210,500 96.30

W1/2 NE, LT 5 ++++++

+ SURVEY INST 200313944

+ DRAIN DR VALUE APPR RET

+ CLASS 2 REAP 05 MAN 04 UNIT 1

19483 LEWIS LN, CA + PARCEL 6R02N04W140600 H/O N C/B N

+ PRIOR ACCOUNT 5R30313-000- -0

+ 02 MH on Property NO

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R30313000 0 UNIT 001 TOTAL UNITS 1

SITE 19483 LEWIS LN CA SEC/TWN/RNG 14-2N-4W

ASSESSED VALUE 210,500 ACREAGE 96.30

SUB/PARK NAME YEAR/MAKE

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

+++++

YR BUILT 1917 AIR COND AIR - NONE CARPORT D2

STORY 1.50 STORY HEATING OIL CARPORT SQ FT 600

FIRST SQ FT 1080 EXTERIOR METAL SIDING DECK/PATIO? N

SECOND SQ FT 604 ROOF WOOD SHINGLES POOL? N

BEDS 3 BSMT SQ FT 784 SPA? N

BATHS 2.00 % BSMT FIN LOT SIZE

FRPLC 0 GARAGE N NEIGHBORHOOD 0

GARAGE SQ FT

+++++

COMMENTS 2ND STY ATTIC MOBILE HOME ONLY

WIDTH/LENGTH

EXPANDO

Receipt Details for ID W007183

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
12/19/1989 9:14:19 AM	12/19/1989	Western	\$93.00	Check
Payer		GIBBENS, DAN		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
686			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$93.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	19876		\$25.00	Claim
63	19875		\$68.00	Claim

Print Report

RECEIVED
AUG 29 1995
WATER FLOODING
WESTERN DISTRICT

August 27, 1995

To Whom It May Concern:

The enclosed affidavits are from Nelle Tobias and Harold Floyd who have knowledge of the early irrigation on the farm in question. Nelle Tobias explains why she has this knowledge in her affidavit. Harold Floyd farmed the property in question from 1943 to 1977, and currently resides on an adjacent farm.

Sincerely,



Daniel R. Gibbens

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

A63-19875)
)
)
)

State of Idaho)
County of Canyon)

AFFIDAVIT

RECEIVED
AUG 29 1995
WATER RESOURCES
WESTERN REGION

Nelle Tobias being first duly sworn,
deposes and says: Concerning property in Canyon County,
Idaho, described as T.2 N.; R.4 W.; B.M.; NE, NW, NW, NE
1/4 SE, NW in Section 14:-

I, daughter of the farmer, Chas. C. Tobias,
who first arranged the installation of a
pump to draw water from the drain ditch
to irrigate the above described property,
believe that the installation was made
at least by mid April 1933

Nelle Tobias
(Signature)

Subscribed and sworn to before me this
day 23rd of August, 1985.

Lance M. Stewart
(Notary Public)

Residing at McCall, ID.

My Commission Expires 8/9/1999.



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

A63-19875)

State of Idaho)
County of Canyon)

AFFIDAVIT

RECEIVED
AUG 29 1995
WATER RESOURCES
WESTERN REGION

Harold Floyd being first duly sworn,

deposes and says: that of my personal
Knowledge the use of irrigation
for claim a63-19875 has been used
since the date of priority apr. 15-1933
on following lands; T2N R4W Sec. 14.
NWNE, NENW, SENW.

Harold Floyd
(Signature)

Subscribed and sworn to before me this
day 13th of August, 1995.

Shirley A. Gibbens
(Notary Public)

Residing at Canyon County.

My Commission Expires 2/4/98.



ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A63-19875

WR ELEMENT	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	"R" RECORD
PRIORITY*	<u>Y</u>	<u>Rth 8-9-95</u>					
PT. OF DIV.			<u>1,2,5</u>	<u>Y</u>	<u>N (But showed him difference)</u>		
SOURCE			<u>6</u>	<u>N</u>	<u>N</u>		
PL. OF USE			<u>6</u>	<u>Just AREF Amounts</u>	<u>N</u>		
DIV. AMOUNT CFS/AF			<u>5</u>	<u>N</u>	<u>N</u>		
CONSUMPTIVE USE			<u>6</u>	<u>N</u>	<u>N</u>		
NATURE OF USE			<u>6</u>	<u>N</u>	<u>N</u>		
PERIOD OF USE			<u>6</u>	<u>N</u>	<u>N</u>		
BASIS OF CLAIM			<u>6</u>	<u>N</u>	<u>N</u>		
REMARKS							

DATA ENTRY COMPLETED
BY _____ DATE _____

FINAL RECOMMENDATION
BY _____ DATE _____

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

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

COMMENTS: SAME AS CLAIM = 5

VERIFICATION CODES

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:21:46
08/04/95

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A63-19875

LAST: GIBBENS
ADDRESS: 19483 LEWIS LN
CITY: CALDWELL
PHONE NUMBER: 208-459-0305

FIRST: DANIEL R
STATE: ID ZIP: 83605

OWNER CODE: C

LAST: GIBBENS
ADDRESS: 19483 LEWIS LN
CITY: CALDWELL
PHONE NUMBER: 208-459-0305

FIRST: SHIRLEY A
STATE: ID ZIP: 83605

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y(☒) N(☐)

CLAIM REMARKS: WATER RIGHT 02-02000 APPURTENANT TO PARTS OF THIS PROPERTY BUT
HAS NOT BEEN USED AND WAS NOT CLAIMED. THE DITCH MAY ALSO BE
KNOWN AS N. VALLEY MOUND WASTEWAY.

CONTACT PERSON: DAN GIBBENS

PHONE NUMBER: () 459-0305

DATE OF FIELD EXAM: 8/9/95

APPOINTMENT MADE: Y() N()

TIME: 0:900 A(X) P()

ACCOMPANIED BY: ABOVE

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: OWNER

DIRECTIONS TO PROPERTY / NOTES:

SEE FX CONVERSATION MEMO

A. AJ CLAIM: # A63-19875 PRIORITY DATE: 04-15-1933 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y() N(☒)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y() N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y() N()

FIELD EXAM COMPLETED N/A(☒) Y() N()

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y() N()

LICENSE ISSUED N/A(☒) Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A() Y(☒) N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y() N()

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

REVIEWED BY

Rdh

DATE

8-9-95

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A63-19875	02N 04W	14		NW	NE			CANYON		
OTHER AJ CLAIMS WITH SAME AJ POD			WR RECORDS IN SAME 40 ACRE TRACT							
A PREFIX			R PREFIX							
NONE			NONE			NONE				

SOURCE: AUE DRAIN

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A(X) Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N(X)

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y(X) N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(X) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N(X)

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(X)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM 8-9-95 NAME OF EXAMINER RON HOWERTON) Y(X) N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: POINT OF DIVERSION ON NORTH SIDE OF LEWIS LANE FOUND IN SEC 11
WILDER IRRIG. OVERLAP BUT NOT THROUGH THIS P/D, SEPARATE CANAL
DIVERSION, NOT INVESTIGATED FOR THIS FX ONLY SITOW AS OVERLAP, CONDITION
NEEDED ABOUT WILDER IRRIG. (TILE LINE FROM CANAL FLOWS INTO CEMENT DITCH, CAN GO BOTH WAYS)
AUE DRAIN ISN'T MAIN SOURCE, USED AS SUPPLEMENTAL, HOWEVER
FLOW WAS AT MAX DURING EXAM.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ()

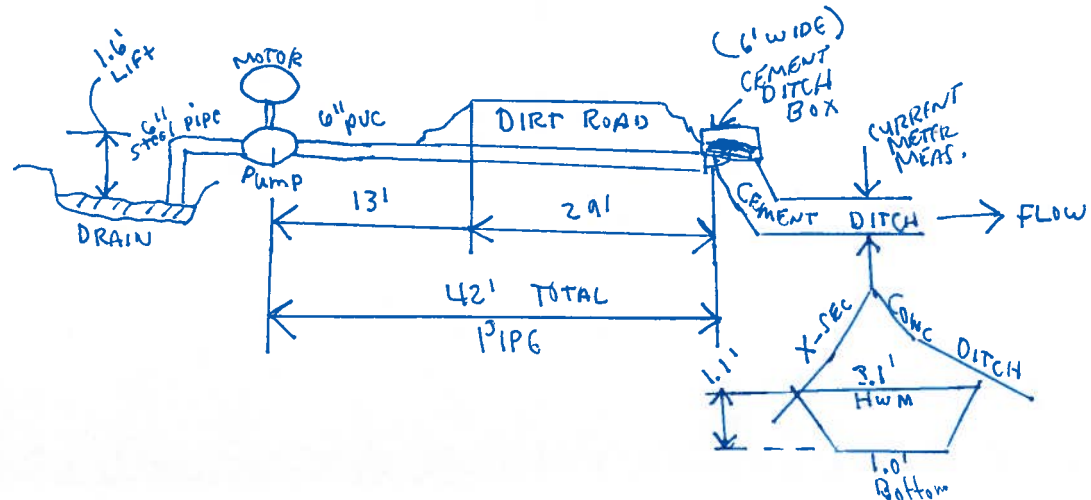
TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY CANYON	DIVERSION NAME	DIVERSION NBR
02N	04W	X		NW	NE					
2N	4W	11	SW	SW	SE					

SOURCE: LOCAL NAME
AUE DRAIN
USGS shows that it is: North Valley
Manned Westway
TRIB: SNA RIVER

REVIEWED BY: Rch DATE: 8-9-95

SYSTEM DESCRIPTION: DESCRIBED BELOW (X), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

5HP CENTRY MOTOR
RPM 1165
ID # 947273
ALLIS CHAMBERS Pump
RPM 1150
SIZE 6x6
ID # 23552
FT HD = 15



11/12

OPEN CHANNEL DISCHARGE MEASUREMENT NOTES A63-19875

1. Name of stream or ditch: AUE DRAIN ^{1/4}
 2. Location: T2N, R4W, S14, NWNE
 3. Person conducting measure: RON HOWERTON
 4. Date and time of measure: 08-09-95 09:00
 5. Accompanied by: DAN GIBBENS
 6. Measuring device size and ID: PYGMY # 090181
 7. Spin test OK? Before: Yes After: Yes
 8. Purpose of measure: IRRIGATION FLOW

DIST FROM LEW (feet)	WIDTH (feet)	DEPTH (feet)	OBS DEPTH	REVS	TIME (secs)	VELOCITY (ft/sec)	DISCHARGE (cfs)
1.0							
1.5	0.8	0.4	0.6	44	40	1.10	0.33
2.0	0.5	0.9	0.6	39	40	0.98	0.44
2.5	0.5	1.1	0.6	28	40	0.70	0.39
3.0	0.5	1.0	0.6	11	40	0.28	0.14
3.5	0.9	0.6	0.6	8	40	0.20	0.10
4.1			0.6		40	0.00	0.00

TOT WIDTH 3.1

TOTAL DISCHARGE: 1.39

A63-19875
Water Right No.
(if applicable)

.90

- .92

- .94

- 100

- 97

-

.99

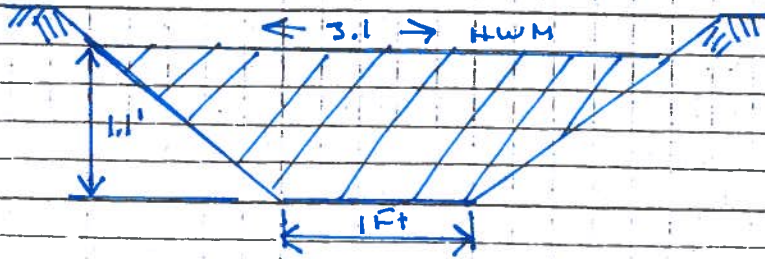
1.00

C. DIAGRAMS

1. Measurement Location

Scale: 8 =

1 MILE SEE ASCS MAP FOR LOCATION PHOTO'S
ALSO DIAGRAM ON PAGE 5 OF CUR



2. Cross-Section of Measurement

Scale NOT =

to
scale

D. SUMMARY INFORMATION

1. Measurement rated X excellent _____ good _____ fair _____ poor

2. Remarks: _____

3. Width: _____ Area: _____ Discharge in cubic feet per second: 1.39

DATE

8-9-95

[Signature]
SIGNATURE OF PERSON CONDUCTING MEASUREMENT

A. ROOT WATER RIGHT NUMBERS: A63-19875

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	04W	14	NW	NE		GIBBENS, DANIEL R	A63-19875 / 4.0	- /	34.0	4.4	
			NW	NE		MORDEN, STEPHEN R.		02-02000 / 35.0			
02N	04W	14	NE	NW	5	GIBBENS, DANIEL R	A63-19875 / 8.5	- /	14.0		
			NE	NW		GIBBENS, DANIEL R	A63-19876 /				
			NE	NW	1	SOUTH BOARD OF CONTROL	57-10679 /				
			NE	NW		SOUTH BOARD OF CONTROL	A57-10679 /				
			NE	NW	5	MORDEN, STEPHEN R.		02-02000 / 16.0		NOT CLAIMED OR USED	7.3
02N	04W	14	SE	NW	5	GIBBENS, DANIEL R	A63-19875 / 5.5	- /	14.0		
			SE	NW	2	MYERS, LAWRENCE		02-07199D / 4.0			
			SE	NW	2	DANIEL, LIONEL		02-07458 / 1.0		NOT SAME POU	6.3
ADDITIONAL POU FOUND											18.0
TOTAL ACRES							A63-19875	18.00	62.00		

POU COUNTY: CANYON

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(X)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A63-19876	DOMESTIC	GIBBENS, DANIEL R	FROM 01-01 TO 12-31	0.040 CFS	
A63-19876	STOCKWATER	GIBBENS, DANIEL R	FROM 01-01 TO 12-31	0.020 CFS	
57-10679	DOMESTIC	SOUTH BOARD OF CONTROL	FROM 01-01 TO 12-31	0.120 CFS	
A57-10679	DOMESTIC	SOUTH BOARD OF CONTROL	FROM 01-01 TO 12-31	0.120 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☒) N(☐)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: WILDER IRR. DISTRICT ONLY WILDER FOR OVERLAP (DOESN'T SHOW-UP IN POU)

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A(☒) Y(☐) N(☐)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y(☒) N(☐)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y(☐) N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: (X) ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

() NAPP, IDWR NO. _____; (~~X~~) ASCS PHOTO; () OTHER _____

NOTES: _____

RECOMMENDATIONS:

TOTAL ACRES: 18 N/A()

REVIEWED BY: Rch DATE: 8-9-95

DATE: 8-9-95

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A63-19875 IRRIGATION	FROM 03-15 TO 11-15	0.360 CFS	
TOTAL DIVERSION RATE/VOLUME		0.360 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
----------------	---------------------------	------------------------	------------------------

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☒) N(☐)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☐) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☒) N(☐)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☒) N(☐)

PAGE: 10

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

10

CLAIM NUMBER: A63-19875

NOTES: RECOMMEND SAME AS CLAIM.

AJ CLAIM TOTAL DIVERSION RATE: 0.360 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A(☒) Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y(☒) N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD OPEN CITANNEC MEAS., SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 18 x 0.02 CFS/ACRE = .36 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 18 x DIVERSION VOL. AF/A FOR AREA 18 =

TOTAL DIVERSION VOLUME 18 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 63.0 AF/A

ACRES 18 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 63 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES: CAPACITY IS 1.39 CFS = 69.5 INCHES = 625.5 GPM.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (X)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	03-15	11-15	DATABASE 0.360	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 63.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT				_____		_____		_____

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (X)

REVIEWED BY: R&L DATE: 8-9-95

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(☒)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 63-19875

TOTAL DIVERSION RATE OF WR SPLITS DATABASE EXAMINER CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
----------------------	--------------------------	-------------------	---------------------------	------------------	---------------------	-------------------

TOTAL CFS

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE FIELD
N EXAMINER
Y(☒) N()

NOTES:

Supplemental use

AUTHENTICATION:

SIGNATURE:

Ron Howerton

DATE:

8-9-95

NAME OF FIELD EXAMINER:

Ron Howerton

TITLE:

SR. WA. AGENT

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>1971</u> IDWR ID NO. <u>X-54</u>	Y(☒) N(☐)
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y(☐) N(☐)
☒ NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. <u>X-54 SE</u>	Y(☐) N(☒)
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>1987</u>	Y(☒) N(☐)
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y(☐) N(☐)
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y(☐) N(☐)
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y(☐) N(☐)
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y(☐) N(☐)
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y(☐) N(☐)
☐ OTHER _____	DATE _____	Y(☐) N(☐)
☐ OTHER _____	DATE _____	Y(☐) N(☐)
☐ OTHER _____	DATE _____	Y(☐) N(☐)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☒ SYSTEM DESCRIPTION	DATE DRAWN <u>8-9-95</u>	<u>I</u>	_____
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>8-9-95</u>	_____	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>8-9-95</u>	<u>II</u>	_____
☐ OTHER _____	DATE _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:21:46
08/04/95

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A63-19875

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:23:27
08/04/95
17

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A63-19875

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DANIEL R GIBBENS	04/15/1933	IRRIGATION	03-15 11-15	0.36 CFS	
C	SHIRLEY A GIBBENS					
TOTAL DIVERSION:					0.36 CFS	
CONSUMPTIVE USE:						63.00 AFA

Water Source: AUE DRAIN

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T02N R04W S14

NWNE

CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
02N	04W	14	:			04				05-08				05-05						:	18.0
																			TOTAL ACRES	18.0	

POU County: CANYON

Other Rights: WILDER IRR. DISTRICT

Remarks: WATER RIGHT 02-02000 APPURTENANT TO PARTS OF THIS PROPERTY BUT
HAS NOT BEEN USED AND WAS NOT CLAIMED. THE DITCH MAY ALSO BE
KNOWN AS N. VALLEY MOUND WASTEWAY.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

PICTURE #1

A63-19875: FX 08-09-95. Photo's by RDH. P/D, shows pump & motor located in Aue Drain, local name USGS shows that the name is the North Valley Mound Wasteway. Located in the SWSWSE, S11, T2N, R4W.



PICTURE #2

Outlet concrete box on South side of Lewis Lane.



PICTURE #3

A63-19875: FX 08-09-95. Photo's by RDH. POU photo, view is towards the South from the Outlet concrete box location.



PICTURE #4

View of the drain, P/D and county road, looking to the East, upstream.



PICTURE #5

A63-19875: FX 08-09-95. Photo's by RDH. View is of the open channel measurement's X-Section, located just a few feet from the concrete box opening. View is to the South.



FIELD EXAM CONVERSATION MEMO

DATE OF MEMO: August 1, 1995

ADJ. NO(S): A63-19875

NAME OF CONTACT: DAN GIBBENS

PHONE NO: 459-0305

AGENT: RON HOWERTON

DATE SET FOR FIELD EXAM: AUGUST 9, 09:00

LOCATION: BOISE TO MARSING ON HWY 55, GO STRAIGHT AT LIZARD BUTTE, DON'T MAKE THE RIGHT, GO STRAIGHT THROUGH, THIS IS MARSING ROAD, GO ABOUT 1/2 MILE TO FIRST CROSS ROAD, CHICKEN DINNER, THEN TURN RIGHT, GO ABOUT 2 MILES, TO LEWIS LANE, THEN TURN RIGHT (WEST), THEN GO ABOUT 1/2 MILE TO HOUSE, THIS IS THE LAST HOME.

COMMENTS: POSSIBLE MANNING MEASUREMENT AND/OR THEORETICAL FLOW MEASUREMENT FOR FLOW INFORMATION.

TYPE OF SYSTEM: GRAVITY FLOW, CEMENT DITCH, THEN INTO DIRT DITCHES, NO SPRINKLERS.



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

63-19875
DANIEL R GIBBENS
HIRLEY A GIBBENS
19483 LEWIS LN
ALDWELL ID 83605

Re: Claim No(s). AL3-19875

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