

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-8269A  
Date Received: 7/16/99  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): JOHN LUKRICH Phone: (208)454-2341  
6505 LITTLE FREEZEOUT RD  
CALDWELL ID USA 83607  
  
SUSAN LUKRICH Phone: (208)454-2341  
6505 LITTLE FREEZEOUT RD  
CALDWELL ID USA 83607

2. Date of Priority: 02/24/1976

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 06N      | 03W   | 36      | SE SW                 | GEM    |      |

5. Description of diverting works:

WELL, PUMP & SPRINKLERS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/15 | 09/01 | 0.07   | 45         |

7. Total Quantity Appropriated is:  
0.07 C.F.S. and/or 45 A.F.A.

SCANNED  
APR 14 2008

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres |
|---------------|-------|---------|------------|-----|------------|-------|
| 06N           | 03E   | 36      | SE SW      |     | IRRIGATION | 10    |
| Section Acres |       |         |            |     |            | 10    |
| Total Acres   |       |         |            |     |            | 10    |

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

49 ACRES FROM ORIGINAL LICENSE UNCLAIMED: NESW = 3; SWSW = 32; SESW = 14.

15. Basis of Claim: License

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: A63-08269  
Date Received: 7/16/1999  
Receipt No: W025470  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: JOHN LUKRICH 208-454-2341  
Address: 6505 LITTLE FREEZEOUT RD  
CALDWELL ID 83607  
OR  
Name: SUSAN LUKRICH 208-454-2341  
Address: 6505 LITTLE FREEZEOUT RD  
CALDWELL ID 83607

2. Date of Priority: FEB 24, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 06N      | 03W   | 36      | SE     | SW     |     |     | GEM    |

5. Description of diverting works:  
WELL, PUMP & SPRINKLERS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/15 | 09/01 | 0.070  |      | 45.00  |

7. Total Quantity Appropriated is:  
0.070 C.F.S. (and/or) 45.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 06N      | 03W   | 36      | SE     | SW  |     | IRR | 10.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 10.0  |
|          |       |         |            |     | Total Acres   | 10.0  |

11. Place of use in counties: GEM

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

13. Other Water Rights Used:  
DOMESTIC WELL FOR HOME.

14. Remarks:

15. Basis of Claim: LICENSE

RECEIVED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE JUL 16 1999  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

WATER RESOURCES  
WESTERN REGION

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 AL63-08269Date Received 7/16/99Receipt Number W025470 Kb

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) John or Susan Lukrich Phone (208) 454-2341Mailing Address 6505 Little Freezeout Rd. Zip 836072. Date of Priority (Only one (1) per claim) 2-24-19763. Source of water supply (a) groundwater  
which is tributary to (b) \_\_\_\_\_4. a. Location of existing point of diversion is: Township 6N Range 3W Section 36,  
\_\_\_\_\_ 1/4 of SE 1/4 of SW 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of Gem

Additional points of diversion if any: \_\_\_\_\_

b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

\_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well. Well & pump &sprinklers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/15 to 9/1 amount 0.07 or 45.0

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

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

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

7. Total quantity claimed (a) 0.07 (cfs) and/or (b) 45. (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

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

10. Description of place of use:

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

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

| TWP       | RNG       | SEC       | NE 1/4 |       |       |       | NW 1/4 |       |       |       | SW 1/4 |       |       |           | SE 1/4 |       |       |       | Totals    |
|-----------|-----------|-----------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-----------|--------|-------|-------|-------|-----------|
|           |           |           | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4     | NE1/4  | NW1/4 | SW1/4 | SE1/4 |           |
| <u>6N</u> | <u>3W</u> | <u>36</u> |        |       |       |       |        |       |       |       |        |       |       | <u>10</u> |        |       |       |       | <u>10</u> |
|           |           |           |        |       |       |       |        |       |       |       |        |       |       |           |        |       |       |       |           |
|           |           |           |        |       |       |       |        |       |       |       |        |       |       |           |        |       |       |       |           |
|           |           |           |        |       |       |       |        |       |       |       |        |       |       |           |        |       |       |       |           |
|           |           |           |        |       |       |       |        |       |       |       |        |       |       |           |        |       |       |       |           |
|           |           |           |        |       |       |       |        |       |       |       |        |       |       |           |        |       |       |       |           |
|           |           |           |        |       |       |       |        |       |       |       |        |       |       |           |        |       |       |       |           |
|           |           |           |        |       |       |       |        |       |       |       |        |       |       |           |        |       |       |       |           |

Total number of acres irrigated 10

11. In which county (ies) are lands listed above as place of use located? Gem

12. Do you own the property listed above as place of use? Yes ☒ No ☐  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.  
Have domestic well for home. or None ( )

14. Remarks:

Last Name LUKrich Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

**Scale: 2 inches equals 1 mile**

A 16x16 grid of squares, each containing a crosshair pattern of dashed lines. The grid is divided into four 8x8 quadrants by a central vertical and horizontal line. The top-left and bottom-right quadrants are shaded gray, while the top-right and bottom-left quadrants are white.

**Copies: White-State, Yellow-Claimant**

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License X Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 63-08269  
Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
Plaintiff vs Defendant \_\_\_\_\_

16. Signature (s)

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

Number of attachments \_\_\_\_\_

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

Signature of Claimant (s) [Signature]

Date 7-15-99

Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

Title \_\_\_\_\_

of \_\_\_\_\_, that I have signed the foregoing

Organization

document in the space below as \_\_\_\_\_

Title

of \_\_\_\_\_

Organization

and that the statements contained in the foregoing document are true and correct.

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

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

Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )

County of Canyon )

SS.

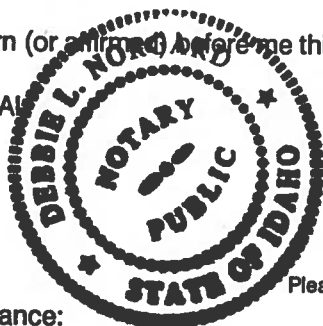
Subscribed and sworn (or affirmed) before me this \_\_\_\_\_

15th

day of July

19 99

SEAL



Notary Public Debbie L. Norgard

Residing at Canyon County

My Commission Expires 7-2004

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Last Name LUKrich

Ident. Number \_\_\_\_\_

Copies White-State, Yellow-Claimant

03-08269

A

Lutich

no change  
from what is  
on A's side

See 36

SESW 10 acres

.07 cfs

45 AFA

B

Manning

\* Have manning sign  
new claim + send  
it back

See 36

NWSW 40

NESW 27

SESW 6

SWSW 8

81 acres

.57 cfs

364.5 AFA

\* ~~Comments~~ Comments

49 acres from original license  
unclaimed

NESW 3, SWSW 32, SESW 14.

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

**RECEIVED**  
**FEB 05 2001**

WATER RESOURCES  
 WESTERN REGION

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| <u>63</u>             | <u>08269B</u>                |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).  
**OR**  
 If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Edward Embley
4. New Owner/Claimant(s) Dennis Manning  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 6445 Little Freezeout Rd
- City, State and ZIP Code Caldwell, Id 83607
- New Telephone Number ( ) 208-459-8647
5. Date you acquired the property 8/96

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

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number <u>A63-08269</u>                                                           |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | <u>.57 CFS/360AF</u>                                                       | <u>DM 80 acres DM</u>                                        |
| Stock                                                                                                                   |                                                                            |                                                              |
| Domestic                                                                                                                |                                                                            |                                                              |
| Other                                                                                                                   |                                                                            |                                                              |
| Total                                                                                                                   | <u>.57 CFS/360AF</u>                                                       | <u>DM</u>                                                    |

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

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

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

*Dennis M. Moring*  
For Office Use Only

Received by \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

*N/A*

WR5809NP  
No. 63-08269

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 02/05/01  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                              | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | EDWARD EMBLEY<br>RT. 7<br>CALDWELL ID 83605 | 02/24/1976       | IRRIGATION | 04/15 09/01           | 1.000 CFS         | 630.00 AFA          |
| TOTAL DIVERSION: |                                             |                  |            |                       | 1.000 CFS         | 630.00 AFA          |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T06N R03W S36 SESW

GEM 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 | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : SUM |
| 06N         | 03W | 36 | :       |       |       |       | :       |       |       |       |       | :       |       |       |       | :       |       |       |       | 140.0 |
| TOTAL ACRES |     |    |         |       |       |       |         |       |       |       |       |         |       |       |       |         |       |       | 140.0 |       |

Pou County: GEM

Conditions of Approval:

- 001 - A measuring device of a type approved by the Department shall  
- be permanently installed and maintained as part of the diverting  
- works.

|        |                 |                    |            |
|--------|-----------------|--------------------|------------|
| Dates: | App. Received:  | Priority Date:     | 02/24/1976 |
|        | Proof Due Date: | Proof Made Date:   |            |
|        | Exam Made Date: | Exam Sent to S.O.: |            |
|        | Licensed Date:  |                    | 09/13/1979 |

Misc: Water District Number: Field Exam Fee:

Audit: 06/03/85 05/01/88 CONVERT

Ag

AJ5809NP  
No. A63-08269

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/05/01  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                                   | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | JOHN LUKRICH                                                                     | 02/24/1976       | IRRIGATION | 04-15 09-01           | 0.070 CFS         | 45.00 AFA           |
| C                | SUSAN LUKRICH<br>6505 LITTLE FREEZEOUT RD<br>CALDWELL ID 83607<br>(208) 454-2341 |                  |            |                       |                   |                     |
| TOTAL DIVERSION: |                                                                                  |                  |            |                       | 0.070 CFS         | 45.00 AFA           |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T06N R03W S36 SESW

GEM 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    | : | Lt    | Ac    | Lt    | Ac    | Lt    | Ac    | :           | SUM   |
| --- | --- | --- | : | ----- | ----- | ----- | ----- | ----- | ----- | ----- | ----- | :  | ----- | ----- | ----- | ----- | ----- | ----- | ----- | ----- | : | ----- | ----- | ----- | ----- | ----- | ----- | :           | ----- |
| 06N | 03W | 36  | : |       |       |       |       |       |       |       |       | :  |       |       |       |       |       |       |       |       | : |       |       |       |       |       |       | :           | 10.0  |
|     |     |     |   |       |       |       |       |       |       |       |       |    |       |       |       |       |       |       |       |       |   |       |       |       |       |       |       | 10.0        |       |
|     |     |     |   |       |       |       |       |       |       |       |       |    |       |       |       |       |       |       |       |       |   |       |       |       |       |       |       | TOTAL ACRES | 10.0  |

POU County: GEM

Other Rights: DOMESTIC WELL FOR HOME.

Conditions of Approval:

- 001 - A measuring device of a type approved by the Department shall
- be permanently installed and maintained as part of the diverting
- works.

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

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

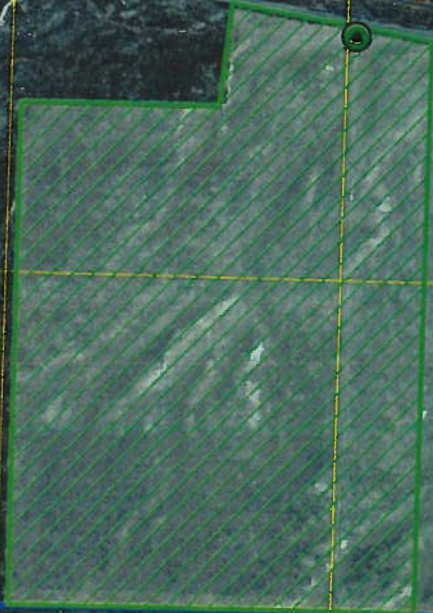
Audit: 10/15/99 LHARRIS

SD-0609-2 Township: 06N Range: 06W Section: 36 Tract: 36 Lot: 1

| S   | L     | S         | STATE          | O         | S           | Max #      | Records  | 1   |      |      |      |
|-----|-------|-----------|----------------|-----------|-------------|------------|----------|-----|------|------|------|
| E   | O     | E         | Water          | Name      | W           | T          | Priority | Use |      |      |      |
| L   | Tract | T         | C              | Right No. | Last, First | N          | AC       | G   | Date | Code | Desc |
| SES | 36    | A63-08269 | EMBLEY, EDWARD | O 10      | L           | 02/24/1976 | 01       | IRR |      |      |      |
|     |       |           | LUKRICH, JOHN  | C         |             |            |          |     |      |      |      |
|     |       |           | LUKRICH, SUSAN | C         |             |            |          |     |      |      |      |

(Enter=Continue) (GOLD 7=This Query) (Menu \_\_\_\_\_)

T 6N R3W SEC 36

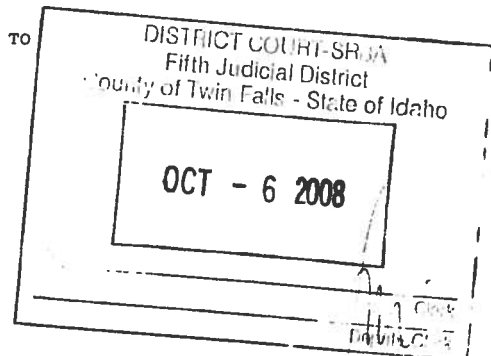


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
Case No. 39576 )  
\_\_\_\_\_ )

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

Water Right 63-08269A



NAME AND ADDRESS: JOHN LUKRICH  
SUSAN LUKRICH  
6505 LITTLE FREEZEOUT RD  
CALDWELL, ID 83607

SOURCE: GROUND WATER

QUANTITY: 0.07 CFS  
45.00 AFY

PRIORITY DATE: 02/24/1976

POINT OF DIVERSION: T06N R03W S36 SESW Within Gem County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY              |
|----------------------------|----------------|----------------|-----------------------|
|                            | Irrigation     | 04-15 TO 09-01 | 0.07 CFS<br>45.00 AFY |

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 15 and after September 9 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

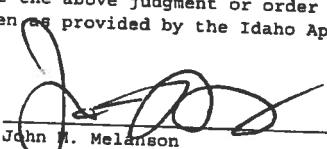
PLACE OF USE: Irrigation  
T06N R03W S36 SESW 10.0 Within Gem County  
10.0 Acres Total

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. 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

JUL - 7 2008

By

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

Clerk  
Deputy Clerk

In Re SRBA

Case No. 39576

) ORDER CORRECTING CLERICAL  
) ERROR; I.R.C.P. 60(a)  
)  
) SPECIAL MASTER'S REPORT  
)  
) FINDINGS OF FACT AND  
) CONCLUSIONS OF LAW  
)  
) FOR WATER RIGHT 63-08269A

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 for the elements of this water right. On July 2, 2008, IDWR sent correspondence to the Court identifying a clerical error contained in the *Director's Report*. Specifically, the place of use (POU) was recommended in Range 3 East (R3E), but should have been recommended in R3W. Accordingly, pursuant to I.R.C.P. 60(a), it is hereby ordered that this clerical is corrected. The Clerk of the Court is instructed to correct the original *Director's Report* filed with the court through interlineation.

On June 19, 2007, the United States of America, Department of Agriculture, Forest Service, filed an objection to the *Director's Report*, asserting that the POU as recommended in R3E is on Forest Service land. The correction of the clerical error herein resolves the Forest Service's objection.

## II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 63-08269A be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated July 7, 2008

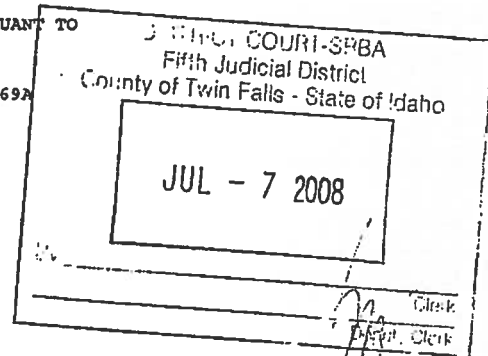


Theodore R. Booth  
Special Master  
Snake River Basin Adjudication

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 )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 63-08269A



NAME AND ADDRESS: JOHN LUKRICH  
SUSAN LUKRICH  
6505 LITTLE FREEZEOUT RD  
CALDWELL, ID 83607

SOURCE: GROUND WATER

QUANTITY: 0.07 CFS  
45.00 AFY

PRIORITY DATE: 02/24/1976

POINT OF DIVERSION: T06N R03W S36 SESW Within Gem County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY              |
|----------------------------|----------------|----------------|-----------------------|
|                            | Irrigation     | 04-15 TO 09-01 | 0.07 CFS<br>45.00 AFY |

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 15 and after September 9 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

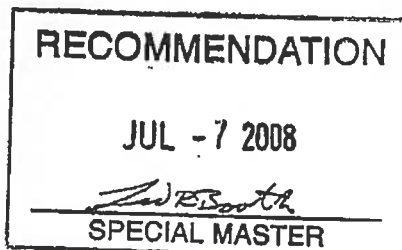
PLACE OF USE: Irrigation T06N R03W S36 SESW 10.0 Within Gem County  
10.0 Acres Total

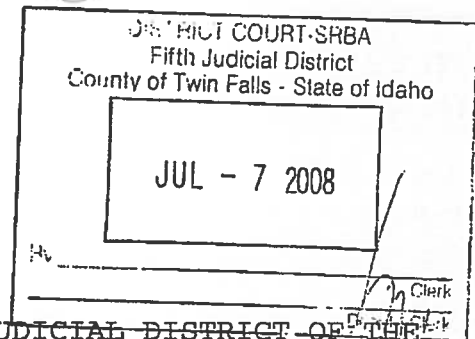
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. 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.





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): 63-08269A

CERTIFICATE OF MAILING

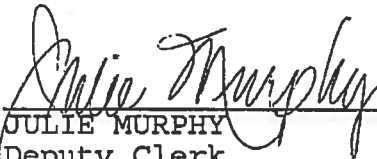
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on July 07, 2008, with sufficient first-class postage prepaid to the following:

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

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

JOHN LUKRICH  
SUSAN LUKRICH  
6505 LITTLE FREEZEOUT RD  
CALDWELL, ID 83607  
Phone: 208-454-2341

CERTIFICATE OF MAILING

  
JULIE MURPHY  
Deputy Clerk

PAGE 1  
07/07/08

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

JUL - 7 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

Case No. 39576

NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

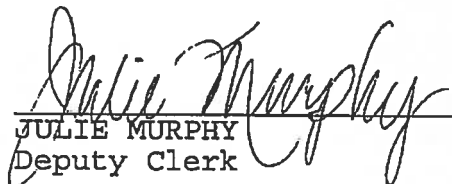
Water Right(s): 63-08269A

On July 07, 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 July 07, 2008.

  
JULIE MURPHY  
Deputy Clerk

## **Egbert, Sandy**

---

**From:** Steven M Spencer [sspencer@fs.fed.us]  
**Sent:** Monday, June 16, 2008 1:24 PM  
**To:** Shurte, Jan; Egbert, Sandy  
**Cc:** David.Negri@usdoj.gov  
**Subject:** Lukrich 63-08269A

Jan and Sandy, I just drove out to 6505 Little Freezeout Road, the address for John and Susan Lukrich (and later Dirk and Teresa Walker). The house and property are abandoned - doors unlocked and the house empty and property not maintained. So our mailings in an effort to contact anyone at this address will be futile. I stopped by the Gem County Assessor on the way back. They have Teresa Walker at the above address as the owner of the property. The county is concerned because they also know the house is vacant and abandoned. They have no additional contact information.

The FS objection to this water right is that the range on the POU is in Range 3 East up north of Bogus Basin. The physical address and location is Range 3 West, as shown on the POD. The water right is for 10 acres of irrigation.

Looking at the information on the Departments web site, I looks like the claim Lukrich's filed with the Department 7/16/1999, has both the POD and POU correctly located in Range 3 West. And the preliminary recommendation shows the R03E crossed out and replaced with "3W".

When you have a chance to look into this information one thing that may be possible is to make the correction in the range of the POU to R03W because it is a typographical error. Or the Department may be able to issue a new recommendation with the correction. That way the situation we have right now can likely be resolved without the involvement of a claimant.

Let me know what you think and I'll see you Friday.

Steve Spencer  
Water Use Specialist (208) 365-7055  
c/o Boise National Forest (208) 365-7037 FAX  
1805 Highway 16, Room 5 e-mail: sspencer@fs.fed.us  
Emmett, ID 83617

RECEIVED

MAY 26 2008  
DEPARTMENT OF  
WATER RESOURCES

2008 MAY 23 PM 03:42  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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

|                |   |                                 |
|----------------|---|---------------------------------|
| In Re SRBA     | ) | ORDER SETTING SUBCASE(S)        |
|                | ) | FOR INITIAL HEARING             |
| Case No. 39576 | ) |                                 |
| _____          | ) | SUBCASE NOS: 63-08269A 63-30372 |
|                |   | 63-32163 63-32279 63-32553      |

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

FRIDAY, JUNE 20, 2008 at 03:15 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:

UNITED STATES OF AMERICA

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

GEORGE BACH  
TERRESA BACH  
2664 SANDHOLLOW RD  
CALDWELL, ID 83605

TERRY N PLATTS  
1313 IDAHO ST  
GOODING, ID 83330  
Phone: 925-449-4525

LEONARD K HAYDEN  
16975 STAR RD  
NAMPA, ID 83687  
Phone: 208-465-1604

L G DAVISON & SONS INC  
1969 PRAIRIE RD  
PRAIRIE, ID 83647-8435  
Phone: 208-868-3243

ELLEN S ANDERSON  
2655 SAND HOLLOW RD  
CALDWELL, ID 83605  
Phone: 208-459-2832

LEONARD K. HAYDEN  
521 W 10TH  
PMB 112  
CALDWELL, ID 83605

JOHN LUKRICH  
SUSAN LUKRICH  
6505 LITTLE FREEZEOUT RD  
CALDWELL, ID 83607  
Phone: 208-454-2341

RECEIVED

JUN 21 2007

DEPARTMENT OF  
WATER RESOURCES

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

A. Subcase: \_63-8269A \_

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: United States of America, Acting through the USDA Forest Service

Address: 550 West Fort Street  
MSC 033  
Boise, Idaho 83724

Daytime Phone: (208) 331-5944

Name and Address of Attorney, if any:

David L. Negri  
550 West Fort Street  
MSC 033  
Boise, Idaho 83724

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

Name: John Lukrich

Address: Susan Lukrich  
6505 Little Freezeout RD  
Caldwell, ID 83607

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:

3. ☐ **Quantity**

Should be:

4. ☐ **Priority Date**

Should be:

5. ☐ **Point(s) of Diversion**

Should be:

6. ☐ **Instream Flow Description**

Should be:

7. ☐ **Purpose(s) of Use**

Should be:

8. ☐ **Period of Year**

Should be:

9. ☒ **Places of Use**

Should be: SESW Sec 36, T6N, R3W. See E below.

11. 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 OBJECTION(S):**

The place of use recommended in the Directors Report in R3E is on National Forest System (NFS) land. The claimants are not authorized to occupy and use NFS land for this purpose. This appears to be a typographical error and that the correct description should be R3W to coincide with the legal description of the POD.

## 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 June 19, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

Name: John Lukrich

Address: Susan Lukrich  
6505 Little Freezeout RD  
Caldwell, ID 83607

3. Copies to:

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

Chief, Natural Resource Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment and Natural Resources Division  
550 West Fort Street, MSC 033  
Boise, ID 83724



Signature of Objector or attorney  
mailing on Objector's behalf

**F. VERIFICATION (Must be Completed)**

State of Idaho           )  
                                  ) ss.  
County of Ada           )

Steven M. Spencer                               , duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

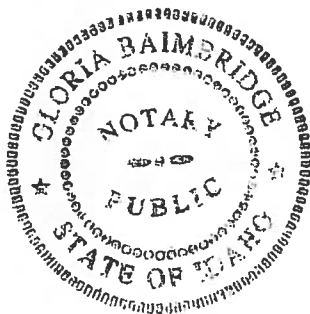
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Steven M. Spencer  
(Signature of person filing objections)

[Signature]  
(Attorney signing in representative capacity)

Subscribed and sworn before me on: June 18, 2007

Gloria Baimbridge  
Gloria Baimbridge



Notary Public for: Idaho  
Residing at: Boise, Idaho  
Commission Expires: 10/17/2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Interim Director

April 13, 2007

DIRK WALKER  
TERESA WALKER  
6505 LITTLE FREEZEOUT RD  
CALDWELL ID 83607

RE: Snake River Basin Adjudication (SRBA)  
Water Right No(s). 63-8269A

Dear Mr. & Mrs. Walker:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions included with this form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Lori Harris  
Technical Records Specialist 2  
Adjudication Section  
Western Region

LH:1  
Enclosures

SCANNED  
APR 14 2008

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WESTERN REGIONAL OFFICE  
2735 AIRPORT WAY  
BOISE, IDAHO 83705

ADDRESS SERVICE  
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE  
PITNEY BOWNE  
02 1A \$ 00.8  
0004389393 FEB 02 2  
MAILED FROM ZIP CODE 83

RETURNED  
TO SENDER  
UNDELIVERABLE AS  
ADDRESSED  
UNABLE TO FORWARD

RECEIVED  
FEB 07 2007  
WATER RESOURCES  
WESTERN REGION

SUSAN LUKRICH

JOHN LUKRICH  
6505 LITTLE FREEZEOUT RD  
CALDWELL ID 83607

Dirk Walker  
Teresa Walker  
6505 Little Freezeout Rd  
Caldwell 83607

UAA

63-8269A

06/28/2006

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

RIGHT NUMBER: 63-8269A

NAME AND ADDRESS: JOHN LUKRICH  
6505 LITTLE FREEZEOUT RD  
CALDWELL ID 83607

SUSAN LUKRICH  
6505 LITTLE FREEZEOUT RD  
CALDWELL ID 83607

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.070 CFS  
45.000 AFY

PRIORITY DATE: 02/24/1976

POINT OF DIVERSION:

T06N R03W S36 SESW Within GEM County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 09/01

0.070 CFS  
45.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 15 and after September 9 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within GEM County

T06N ~~R03E~~ S36 SESW 10.00

3w

10 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.

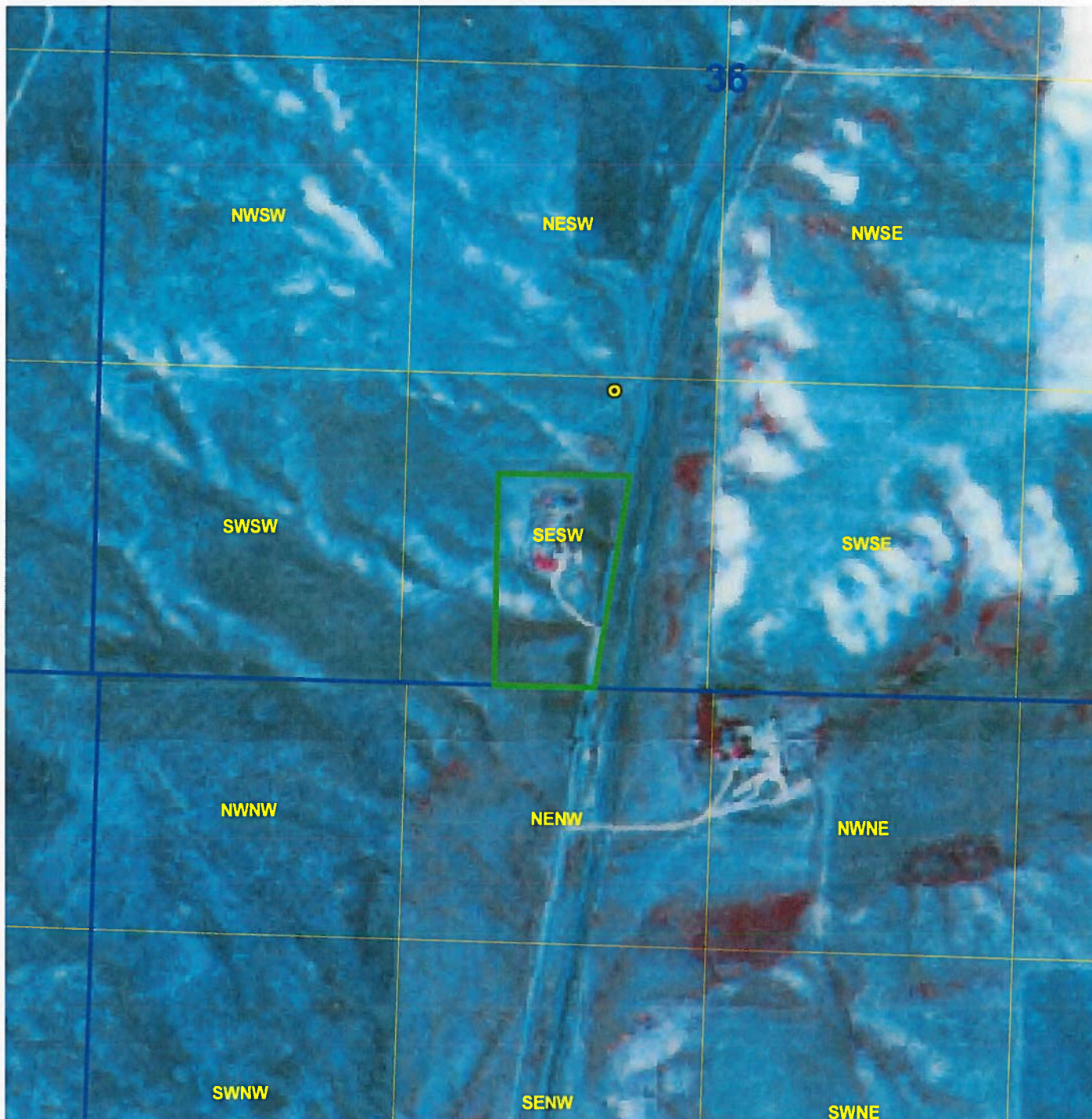
EXPLANATORY MATERIAL: BASIS OF CLAIM - License



# Idaho Department of Water Resources

## 63-8269A

T06N R03E S36



● Point of Diversion

□ Place of Use

□ Sections

□ Quarter Quarter

Total irrigated  
acres = 10



500 0 500 1000 Feet



IDWR

Prepared by: Sandy Egbert

Date: June 28, 2006

1987 NAAP Photography

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-8269A V1

WATER RIGHT NUMBER: 63-8269A V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                          |
|-------------------|----------------------------------------------------------------------------------|
| Current Owner     | JOHN LUKRICH<br>6505 LITTLE FREEZEOUT RD<br>CALDWELL, ID 83607<br>(208)454-2341  |
| Current Owner     | SUSAN LUKRICH<br>6505 LITTLE FREEZEOUT RD<br>CALDWELL, ID 83607<br>(208)454-2341 |

Priority Date: 02/24/1976

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            | 04/15 to 09/01          | 0.070 CFS             | 45.00 AF             |
|                       | <u>Total Diversion:</u> | 0.070 CFS             | 45.00 AF             |

Location of Point(s) of Diversion

GROUND WATER

SE1/4SW1/4

Sec. 36, Twp 06N, Rge 03W, B.M.

GEM 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 |        |
| 06N | 03E | 36  |    |    |    |    |    |    |    |    |    |    |    | 10.0 |    |    |    |    | 10.0   |

Total Acres: 10

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 15 and after September 9 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 63-8269A 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:  
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        |                           |                 | 04/18/2006                | scurtis         | Active        |
| Priority Date  | 6/28/2006 11:19:11 AM     | segbert         |                           |                 | Active        |
| POD            | 6/28/2006 11:19:32 AM     | segbert         |                           |                 | Active        |
| Source         | 6/28/2006 11:20:10 AM     | segbert         |                           |                 | Active        |
| POU            | 6/28/2006 11:20:24 AM     | segbert         |                           |                 | Active        |
| Use            | 6/28/2006 11:21:04 AM     | segbert         |                           |                 | Active        |
| Season         | 6/28/2006 11:21:28 AM     | segbert         |                           |                 | Active        |
| Quantity       | 6/28/2006 11:22:01 AM     | segbert         |                           |                 | Active        |
| Summary        |                           |                 | 06/28/2006                | segbert         | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                         |
|----------------|------------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Summary        | 4/18/2006 7:06:22 AM   | scurtis         | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-8269A V1

|         |                       |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------|-----------------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Summary | 6/28/2006 11:25:03 AM | segbert | <p>(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?</p> <p>(No) 5. Does this right have any combined use limits with other rights?</p> <p>(Yes) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(Yes) 8. Is this a split or combined right?</p> <p>(No) 9. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 10. Would you like to set the verification date?</p> |
| POD     | 6/28/2006 11:19:51 AM | segbert | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| POU     | 6/28/2006 11:20:44 AM | segbert | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| General | 6/28/2006 11:19:11 AM | segbert | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(Yes) 4. Is the basis of claim decree or license?</p> <p>(Yes) 5. Does the decree or license have a Priority Date?</p> <p>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p>                                                                                                                                                                                                                            |
| POD     | 6/28/2006 11:19:32 AM | segbert | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a POD?</p> <p>(Yes) 5. Can the claimed POD be verified using the water right file?</p> <p>(No) 10. Is a POD remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Source  | 6/28/2006 11:20:10 AM | segbert | <p>(Yes) 1. Is the basis of claim Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a source?</p> <p>(Yes) 5. Can the claimed source be verified using the water right file?</p> <p>(No) 11. Is a Source remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                                                        |
| POU     | 6/28/2006 11:20:24 AM | segbert | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2a. Is the POU required?</p> <p>(Yes) 5. Does the Decree or License have a POU?</p> <p>(Yes) 6. Can the claimed POU be verified using the water right file?</p> <p>(No) 14. Is a POU remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                    |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-8269A V1

|          |                       |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------|-----------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use      | 6/28/2006 11:21:05 AM | segbert | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a Purpose of Use?<br>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?<br>(No) 13. Is a Purpose of Use remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                              |
| Season   | 6/28/2006 11:21:28 AM | segbert | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a Period of Use?<br>(Yes) 5. Can the claimed Period of Use be verified using the water right file?<br>(Yes) 14. Is irrigation claimed as a Purpose of Use?<br>(Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?<br>(No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?<br>(Yes) 18. Is a Period of Use remark and/or condition required? |
| Quantity | 6/28/2006 11:22:01 AM | segbert | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?<br>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?<br>(Yes) 8. Does the parent right have an annual diversion volume limit?<br>(Yes) 10. Is a irrigation a purpose of use?<br>(No) 12. Is a Quantity remark or condition required?<br>Description for Question 10 - per license                                                                                                                                                                       |

Water Supply Bank:

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8269A

WATER RIGHT NUMBER: 63-8269A

| <u>Owner Type</u> | <u>Name and Address</u>                                                          |
|-------------------|----------------------------------------------------------------------------------|
| Current Owner     | JOHN LUKRICH<br>6505 LITTLE FREEZEOUT RD<br>CALDWELL, ID 83607<br>(208)454-2341  |
| Current Owner     | SUSAN LUKRICH<br>6505 LITTLE FREEZEOUT RD<br>CALDWELL, ID 83607<br>(208)454-2341 |

Priority Date: 02/24/1976 ✓

Basis: License ✓

Status: Active ✓

Source  
GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION ✓

From To

04/15 to 09/01 ✓

3-1 to 11-15 ✓

Diversion Rate

0.070 CFS ✓

Total Diversion:

0.070 CFS ✓

Annual Volume

45.00 AF ✓

45.00 AF ✓

Location of Point(s) of Diversion

GROUND WATER

SE1/4SW1/4 ✓

Sec. 36, Twp 06N, Rge 03W, B.M. ✓

GEM County

Place of Use

IRRIGATION

Twp Rge Sec

06N 03E 36 ✓

NE

NE NW SW SE

NE

NE NW SW SE

NW

NE NW SW SE

SW

NE NW SW SE

SE

NE NW SW SE

SE

NE NW SW SE

Totals

10.0 ✓

Total Acres: 10 ✓

Conditions of Approval:

- 49 ACRES FROM ORIGINAL LICENSE UNCLAIMED: NESW = 3; SWSW = 32; SESW = 14.

Dates and Other Information:

Claim Received Date: 7/16/1999

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

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:

# Receipt Details for ID W025470

| Status | Adjustment Type  | Version |
|--------|------------------|---------|
|        | Adjusted Receipt | 1       |

**General Information:**

| Date Received        | Date Deposited | Region         | Total Amount | Payment Type |
|----------------------|----------------|----------------|--------------|--------------|
| 7/16/1999 9:48:57 AM | 7/16/1999      | Western        | \$60.00      | Check        |
| Payer                |                | LUKRICH, SUSAN |              |              |

**Account Information:**

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 2475                 |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

**Comment** ADJUDICATION CLAIM**Fee Detail:**

| Amount  | Description        | PCA   | Fund | Fund Detail | Subsidiary | Object |
|---------|--------------------|-------|------|-------------|------------|--------|
| \$60.00 | ADJUDICATION CLAIM | 41503 | 337  | 0           | 0          | 1155   |

**Refund(s):**

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

**Water Right Information:**

| Basin Number | Sequence Number | Split Suffix | Amount  | Type  |
|--------------|-----------------|--------------|---------|-------|
| 63           | 8269            |              | \$60.00 | Claim |

[Print Report](#)

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8269 Priority February 24, 1976 Amount 1.0 cfs

THIS IS TO CERTIFY, that Edward Embley  
of Caldwell, Idaho, has complied with the terms and conditions of Permit  
No. 63-8269 issued pursuant to Application for Permit dated February 24, 1976  
and has submitted proof to the Department of Water Resources on December 21, 1976  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 1.0 cfs of water from a groundwater source  
tributary to \_\_\_\_\_, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows:

| Beneficial Use | Period of Use                              | Rate of Diversion     | Annual Volume        |
|----------------|--------------------------------------------|-----------------------|----------------------|
| Irrigation     | from <u>April 15</u> to <u>September 1</u> | at <u>1.0</u> cfs and | <u>630</u> acre feet |
|                | from _____ to _____                        | at _____ cfs and      |                      |
|                | from _____ to _____                        | at _____ cfs and      |                      |

(both dates inclusive)

Subject, however, to the condition that no more than 1.0 of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
630 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 36,  
township 6N, range 3W, B.M. in the County of Gem

Description and location of place of use:

| Twp. | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 6N   | 3W    | 3    |                  |                  |                  |                  |                  |                  |                  |                  | 30               | 40               | 40               | 30               |                  |                  |                  |                  | 140    |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 140

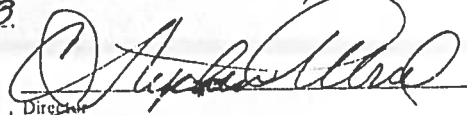
Condition: A measuring device of a type approved by the Department shall be  
maintained as a part of the diversion works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho  
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of

March, 19 78

  
Director

1. Name of permit holder Edward Embley  
Post office address Rt. 7, Caldwell, ID 83605 Phone 454-8440  
Person to contact \_\_\_\_\_ Phone \_\_\_\_\_

# MICROFILMED

Rge. 3W

T  
6  
N

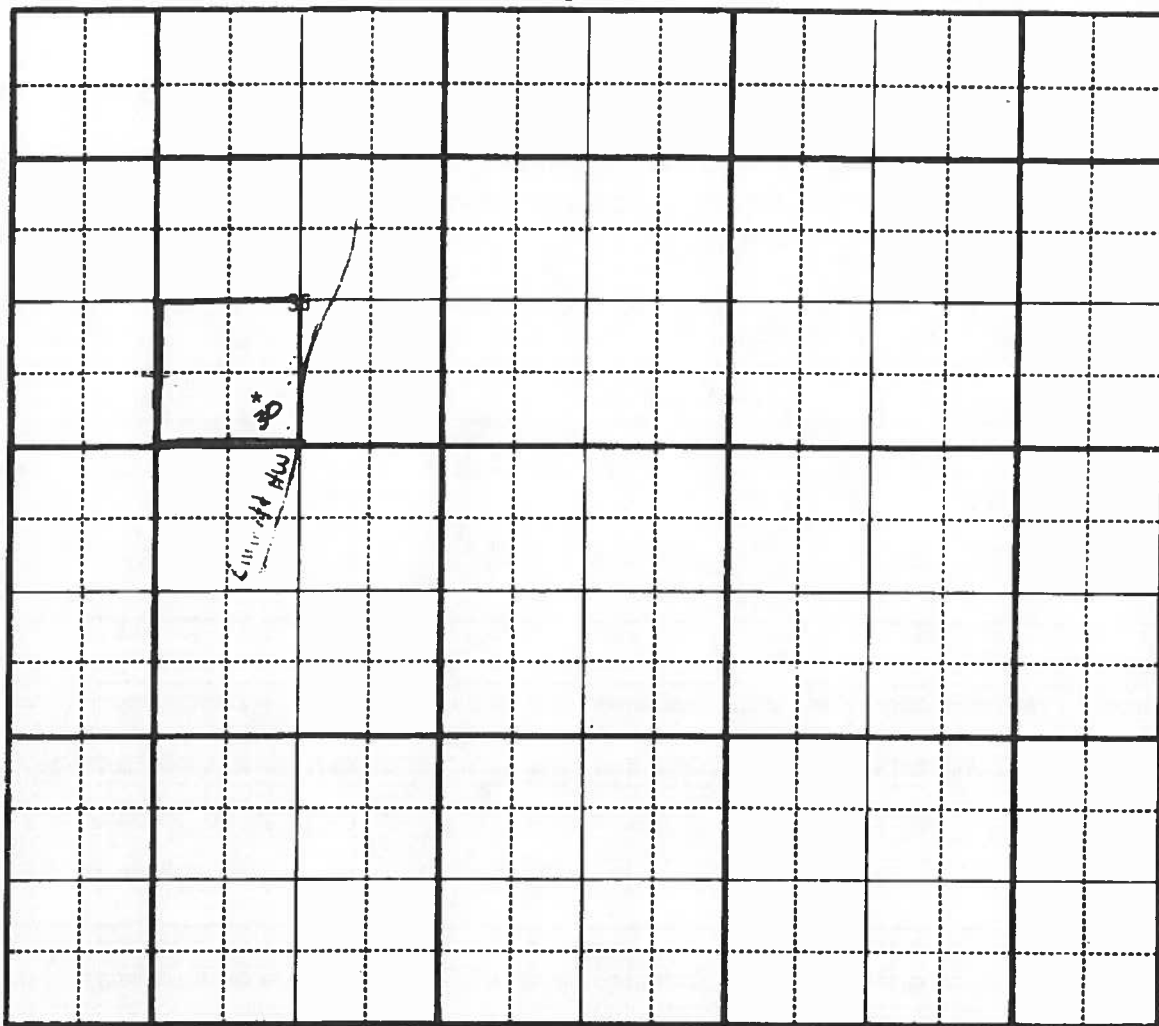
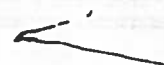


Diagram of System



DATE OF EXAM 23 June 77

ACREAGE  
Found 140  
Recommended 140

Irrigation Requirement 4.5 Ac Ft/Ac

USE  
Irrigation Q= \_\_\_\_\_ c.f.s. V= \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Domestic Q= \_\_\_\_\_ c.f.s. V= \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q= \_\_\_\_\_ c.f.s. V= \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_

Is water co-mingled? yes \_\_\_\_\_ no ☒

Name source: \_\_\_\_\_  
Twp. N/S, Rge. E/W, B.M. Sec. \_\_\_\_\_, Sub. 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Exchanged? yes \_\_\_\_\_ no ☒

Name source exchanged with: \_\_\_\_\_  
Twp. N/S, Rge. E/W, B.M. Sec. \_\_\_\_\_, Sub. 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Point of injection: \_\_\_\_\_  
Twp. N/S, Rge. E/W, B.M. Sec. \_\_\_\_\_, Sub. 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Point of exchange: \_\_\_\_\_  
Twp. N/S, Rge. E/W, B.M. Sec. \_\_\_\_\_, Sub. 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Total Q measured 450 gpm = 1.0 cfs Method of measurement GPM

Total Q recommended 1.0 cfs Meter No. 278605 Type McCrumb Condition New

Total V recommended 630 AF/Ann

Recommended Amendments:

P.D. \_\_\_\_\_  
Place of Use OK  
Other \_\_\_\_\_  
None ☒

MEASUREMENT CALCULATION:

450 gpm

Total reading at 11:00 AM 13,630,0100

SYSTEM DESCRIPTION:

14" well deep w/ 75 HP flow pump Tye DK Mts 5010  
5010 75-4107 w/ 75 HP 45 pump motor Type B4 SN# 9502224  
discharge into 8" main line w/ 3" laterals for sprinkler  
systems

REMARKS:

System operating at time of exam -

# New ground no photo available

Examiner's Signature: Gunn Ballou Date 23 June 77

Checked by HL Date 7-5-77

Approved by \_\_\_\_\_ Date \_\_\_\_\_