

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 63-5177
Date Received: 3/26/1990
Receipt No: W011704
Received By:

DAW
9-15-06

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

1. Name of Claimant(s)

JANIS E OSGOOD Phone: (208)585-2958
PO BOX 116
MIDDLETON ID USA 83644

MILTON W OSGOOD Phone: (208)585-2958
PO BOX 116
MIDDLETON ID USA 83644

2. Date of Priority: 01/01/1959

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	02W	31	NW NE	CANYON	

5. Description of diverting works:

EARTHEN DAM W/HEADGATE, PIPE, POND, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.8	
IRRIGATION STORAGE	01/01	12/31		15
IRRIGATION FROM STORAGE	04/01	11/01		15
DIVERSION TO STORAGE	04/01	11/01	0.8	

7. Total Quantity Appropriated is:

0.8 C.F.S. and/or 15 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	02W	31	NW	NE	IRRIGATION	12
			SW	NE	IRRIGATION	26
Section Acres						38
Total Acres						38

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:

14. Remarks:

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: _____

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): Wileen V. Osgood Date: 9-15-06
9-15-06 Date:

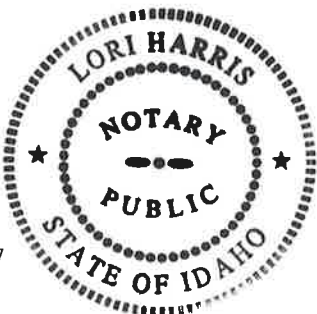
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15th
of Sept. 2006 Lori Harris

Notary Public

Residing at Boise, Id

My commission Expires 12-8-06



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: A63-05177

Date Received: 3/26/1990

Receipt No: W011704

Received By: DE JIN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MILTON W OSGOOD 208-585-2958
Address: PO BOX 116
MIDDLETON ID 83644

AND/OR

Name: JANIS E OSGOOD 208-585-2958
Address: PO BOX 116
MIDDLETON ID 83644

2. Date of Priority: JAN 1, 1959

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	02W	31	NW	NE			CANYON

5. Description of diverting works:
EARTHEN DAM W/HEADGATE, PIPE, POND, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.800		
IRRIGATION STORAGE	01/01	12/31			4.00
IRRIGATION FROM STORAGE	04/01	11/01			4.00
DIVERSION TO STORAGE	04/01	11/01	0.800		

7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) 4.00 A.F.A.

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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JUL 25 1994

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	02W	31	NW	NE	IRR	12.0
			SW	NE	IRR	28.0

Section Acres 40.0

Total Acres 40.0

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:
BLACK CANYON IRRIGATION WATER RIGHT

14. Remarks:

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: _____

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): _____ Date: _____
_____ Date: _____

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JUL 25 1994

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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JUL 25 1994

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 A63-05777Date Received 3-26-90Receipt Number WO11704WO15951

RECEIVED

MAR 26 1990

postmarked 3/24/90

Department of Water Resources

Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Milton W. and/or Janis E. Osgood Phone (208) 585-2958Mailing Address P.O. Box 116 Middleton, Idaho Zip 836442. Date of Priority (Only one (1) per claim) 19593. Source of water supply (a) Waste Water ; Unnamed Drain
which is tributary to (b) Boise River4. a. Location of existing point of diversion is: Township 5N Range 2W Section 31,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, B.M., County of Canyon

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, 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.

Earthen dam with head gate
and overflow pipe to control water from the pond to the
pipeline and ditch distribution system. The dam is 250' wide
long and approx. 6' high. The headgate is 10" in diameter and
the overflow pipe is 12". The pipeline is 10" in diameter and
feeds a concrete ditch. The other ditch is dirt and is fed
from the outlet of the pond before the pipeline.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount .80 or _____

For Irrigation Storage purposes from 1-1 to 12-31 amount _____ or 4

For Storage Diversion purposes from 4-1 to 11-1 amount .80 or _____

For Irrigation from Storage purposes from 4-1 to 11-1 amount _____ or 4

7. Total quantity claimed (a) .80 (cfs) and/or (b) 4 (acre feet)

8. Total consumptive use claimed is 140 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	
5N	2W	31		12	28														40

Total number of acres irrigated 40

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

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

Black Canyon Irrigation Water Right 1 miner inch / Acre or None ()

14. Remarks:

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Last Name Osgood Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

MICROFILMED

JUL 25 1994

Last Name Osgood Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-5177
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 0

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

Signature of Claimant (s)

Milton W. Osgood

Date 3/22/90

Janis E. Osgood

Date 3/22/90

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 _____)

) SS.

County of Canyon)

Subscribed and sworn (or affirmed) before me this 22nd day of March 19 90

SEAL

Notary Public

Lee Crooke

Residing at

Middleton

My Commission Expires

October 22, 1991

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 _____

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JUL 25 1994

Last Name Osgood Ident. Number _____

Copies White-State, Yellow-Claimant

ADJUDICATION CLAIM REVIEW CHECKLIST

1-92
CLAIMANT'S NAME Agood CLAIM IDENT. NO. A63-05177

DATE RECEIVED 3/26/90 RECEIPT # W011704 FEE PAID \$ 90.00 FEE REQ'D \$ 140.00

	YES	NO	Required Info?
Is the name and address complete with zip code?	☒	☐	*
Is a priority date entered? <u>12/31/1959</u>	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
(a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required) <u>N/A</u>	☒	☐	
Is the legal description of the p.d. sufficient?	☒	☐	*
Is there a description of the diverting works?	☒	☐	
Are the water uses appropriate for the form? The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
Is a total quantity claimed entered?	☒	☐	
If required is a consumptive use entered? <u>N/A</u>	☒	☐	
Is the consumptive use correct? <u>N/A</u>	☒	☐	
Are the non-irrigation uses listed showing # of homes, hd. of stock?	☐	☐	*
If multiple domestic, is single ownership indicated?	☐	☐	
Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
Is (are) the county(ies) entered?	☒	☐	
Is the ownership of p.u. checked?	☒	☐	
Are other water rights listed or "none" indicated?	☒	☐	
If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) <u>N/A</u>	☒	☐	
Is the basis of the claim indicated?	☒	☐	
If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? <u>N/A</u> If yes, compare claim w/existing right and attach proof report noting any differences in comments. If no, was water right no. found?	☒	☐	*
If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? <u>N/A</u> (If yes, attach a proof report & complete number change) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.	☒	☐	
If the claimant requested a monthly docket sheet, was the fee paid? <u>N/A</u>	☐	☒	
Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
Was this claim filed on time? (Check ML3 for date mailed-not all were mailed on the planned date) If no, was an extension of time filed & approved?	☒	☐	*
Is the fee enclosed correct? <u>Exempt</u>	☐	☐	

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23. Is this claim being rejected and returned to claimant? YES NO
24. Can this claim be data entered? YES NO
25. Was claim modified? YES NO
- If yes, do modifications require notification to claimant?
Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: RMF RMF Date 1-21-93 2/22/93
Claim data entered by: JAN Date 2-24-93

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: needs late fees mod. #2

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

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

09/29/2006

**NOTICE OF ERROR
REPLY**

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

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

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

Water right number: 63-5177

MILTON W OSGOOD
PO BOX 116
MIDDLETON ID 83644
Telephone Number: (208)585-2958

JANIS E OSGOOD
PO BOX 116
MIDDLETON ID 83644
Telephone Number: (208)585-2958

RECEIVED

OCT 26 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:

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

DATE: 10-23-06

SIGNATURE:

Milton W. Osgood ; Janis E. Osgood

Please print your name:

Milton W. Osgood ; Janis E. Osgood

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

09/15/2006

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

RIGHT NUMBER: 63-5177
NAME AND ADDRESS: MILTON W OSGOOD
PO BOX 116
MIDDLETON ID 83644

JANIS E OSGOOD
PO BOX 116
MIDDLETON ID 83644

SOURCE: WASTE WATER TRIBUTARY: BOISE RIVER

QUANTITY: 0.760 CFS
15.000 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre.

PRIORITY DATE: 01/01/1959

POINT OF DIVERSION:

T05N R02W S31 NWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION FROM STORAGE	03/01 11/15	15.00 AFY
IRRIGATION STORAGE	01/01 12/31	15.00 AFY
IRRIGATION	03/01 11/15	0.760 CFS

PLACE OF USE:

IRRIGATION Within CANYON County

T05N R02W S31 NWNE 12.00 T05N R02W S31 SWNE 26.00

IRRIGATION STORAGE Within CANYON County

T05N R02W S31 NWNE

IRRIGATION FROM STORAGE Within CANYON County

T05N R02W S31 NWNE 12.00 T05N R02W S31 SWNE 26.00

38 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.

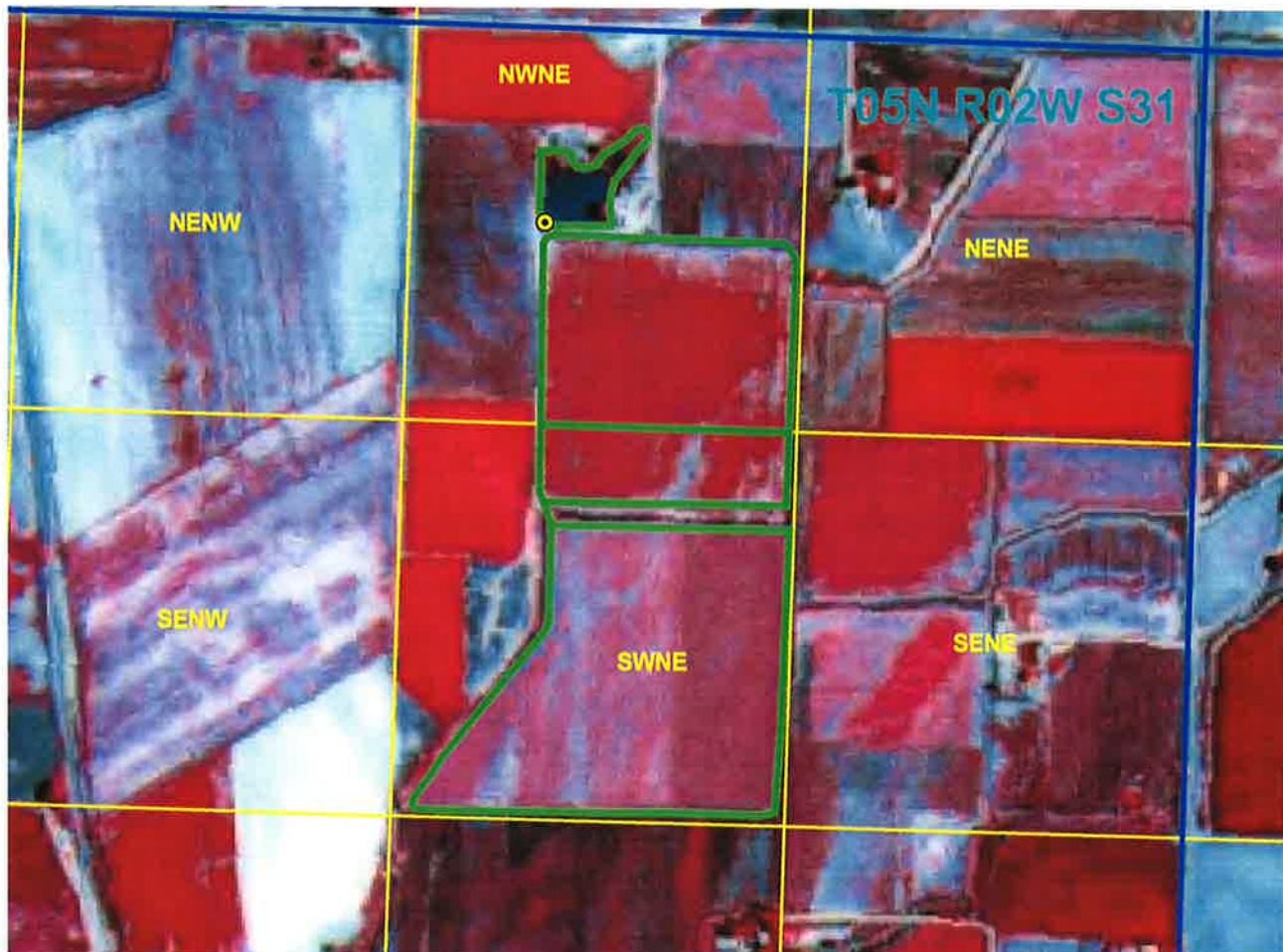
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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



State of Idaho
Idaho Department of Water Resources
Western Region

T5N R2W SECTION(S) 31
WATER RIGHT(S) : 63-5177



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

Total Irrigated Acres = 38 acre(s)

GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: September 2006



MEMORANDUM

TO: ADJUDICATION FILES 63-5177

FROM: DANIEL A. NELSON

DATE: 9/15/06

SUBJECT: CLAIM REVIEW

This claim is a beneficial use right for irrigation and irrigation storage for wastewater. Wastewater flows onto the property in question and is captured in a pond and stored until the claimant is prepared to use it for irrigation. Black Canyon Irrigation District water can also be diverted to the pond for irrigation of the same lands.

The pond is 1.5 acres in surface area and approximately 10 feet deep for a total storage capacity of 15 af. 15 af will be the storage volume and the irrigation from storage volume for this right.

During the field exam, I found the waste ditch has the capacity of carrying 3.38 cfs. The owner requested 0.80 cfs for diversion to storage and irrigation. The ditch has more than enough capacity to supply the irrigation water needs. The irrigation use will be limited to the standard 0.02 cfs or inch per acre for the 38 acres being irrigated for a total of 0.76 cfs. The irrigation volume should be limited to the standard 4.5 afa per acre or 171 afa per year. However, this is a surface water right, so the irrigation volume is not required. Diversion to storage is not required, because water is not being diverted away from the wastewater ditch.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5177 V1

WATER RIGHT NUMBER: 63-5177 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MILTON W OSGOOD PO BOX 116 MIDDLETON, ID 83644 (208)585-2958
Current Owner	JANIS E OSGOOD PO BOX 116 MIDDLETON, ID 83644 (208)585-2958

Priority Date: 01/01/1959

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION FROM STORAGE	03/01 to 11/15		15.00 AF
IRRIGATION STORAGE	01/01 to 12/31		15.00 AF
IRRIGATION	03/01 to 11/15	0.760 CFS	
	<u>Total Diversion:</u>	0.760 CFS	15.00 AF

Location of Point(s) of Diversion

WASTE WATER	NW1/4NE1/4	Sec. 31, Twp 05N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	02W	31		12.0	26.0														38.0

Total Acres: 38

IRRIGATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	02W	31		X															

Total Acres:

IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-5177 V1

Twp Rge Sec	NE				NW				SW				SE				Totals
05N 02W 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	38.0
		12.0	26.0														

Total Acres: 38

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. W14 Use of this right is combined with water from Black Canyon Irrigation District.
3. E62 This right when combined with all other rights shall provide no more than .02 cfs per acre.

Remarks:

Comments:

1. dnelson 9/15/2006 Claim Review

Comment: This claim is a beneficial use right for irrigation and irrigation storage for wastewater. Wastewater flows onto the property in question and is captured in a pond and stored until the claimant is prepared to use it for irrigation. Black Canyon Irrigation District water can also be diverted to the pond for irrigation of the same lands.

The pond is 1.5 acres in surface area and approximately 10 feet deep for a total storage capacity of 15 af. 15 af will be the storage volume and the irrigation from storage volume for this right.

During the field exam, I found the waste ditch has the capacity of carrying 3.38 cfs. The owner requested 0.80 cfs for diversion to storage and irrigation. The ditch has more than enough capacity to supply the irrigation water needs. The irrigation use will be limited to the standard 0.02 cfs or inch per acre for the 38 acres being irrigated for a total of 0.76 cfs. The irrigation volume should be limited to the standard 4.5 afa per acre or 171 afa per year. However, this is a surface water right, so the irrigation volume is not required. Diversion to storage is not required, because water is not being diverted away from the wastewater ditch.

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: AND

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:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-5177 V1

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			04/23/2006	scurtis	Active
Contacts	9/15/2006 2:54:31 PM	dnelson			Active
Priority Date	9/15/2006 2:55:29 PM	dnelson			Active
POD	9/15/2006 2:56:27 PM	dnelson			Active
Source	9/15/2006 2:56:52 PM	dnelson			Active
POU	9/15/2006 3:00:18 PM	dnelson			Active
Use	9/15/2006 3:01:04 PM	dnelson			Active
Season	9/15/2006 3:02:36 PM	dnelson			Active
Quantity	9/15/2006 3:03:25 PM	dnelson			Active
Summary			09/15/2006	dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	9/15/2006 2:59:35 PM	dnelson	Updated shape for Active POU
Summary	9/15/2006 3:04:45 PM	dnelson	(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?
Contacts	9/15/2006 2:54:31 PM	dnelson	(Yes) 1. Do you want to schedule an appointment? (No) 2. Do you want to update the field exam contact information? Contact Person: MILTON W OSGOOD - Contact Phone Number: 585-2985 Date of Field Exam: 6/19/2006 Directions to Property:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5177 V1

General	9/15/2006 2:55:29 PM	dnelson	(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 - Affidavit from neighbor, Wendell G. Ward.
Source	9/15/2006 2:56:53 PM	dnelson	(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 by Agent.
POU	9/15/2006 2:57:56 PM	dnelson	Updated shape for Active POU
POU	9/15/2006 3:00:18 PM	dnelson	(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 by Agent.
Use	9/15/2006 3:01:04 PM	dnelson	(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? Description for Question 10,11,12 - Field Exam by Agent.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5177 V1

Quantity	9/15/2006 3:03:25 PM	dnelson	(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 - Field Exam by Agent using Mannings Equation.
Summary	4/23/2006 5:27:26 PM	scurtis	(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?
POD	9/15/2006 2:56:15 PM	dnelson	Updated shape
POD	9/15/2006 2:56:27 PM	dnelson	(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?
POU	9/15/2006 2:59:02 PM	dnelson	Updated shape for Active POU
Season	9/15/2006 3:02:36 PM	dnelson	(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?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5177

WATER RIGHT NUMBER: 63-5177

Owner Type Name and Address
 Current Owner MILTON W OSGOOD
 PO BOX 116
 MIDDLETON, ID 83644
 (208)585-2958
 Current Owner JANIS E OSGOOD
 PO BOX 116
 MIDDLETON, ID 83644
 (208)585-2958

Priority Date: 01/01/1959 — OK

Basis: Beneficial Use — OK

Status: Active — yes.

Source

WASTE WATER

Tributary

BOISE RIVER

Beneficial Use

IRRIGATION FROM STORAGE

From To
04/01 to 11/01Diversion Rate

0.800 CFS

Annual Volume

15.00 AF

~~DIVERSION TO STORAGE~~~~04/01 to 11/01~~

IRRIGATION STORAGE

01/01 to 12/31

15.00 AF

IRRIGATION

04/01 to 11/01

0.800 CFS

Total Diversion:

0.800 CFS

15.00 AF

Location of Point(s) of Diversion

WASTE WATER

CANYON County

NW1/4NE1/4

Sec. 31, Twp 05N, Rge 02W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
05N	02W	31	12.0	26.0			38.0

Total Acres: 38

IRRIGATION FROM STORAGE same as IRRIGATIONConditions of Approval:Remarks:

W #4 Black Canyon
 E62 - 0.02 CFS/acre

affidavit of neighbor
 Wendell G. Ward.

OK not needed
 on stream

OK

Limit to 0.02 CFS/acre
 or 0.76 CFS

OK

OK OK OK

OK

ADDITIONAL INFORMATION NEEDED FOR IRRIGATION FIELD EXAMS

Field Examiners, please complete the following checklist. Mark "unknown" or N/A if information doesn't apply or information is unavailable.

IF CURRENT OWNER DOES NOT MATCH PROOF REPORT PLEASE GIVE NEW OWNER CHANGE OF OWNERSHIP FORM TO COMPLETE.

1.) Pump information:

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
OAM	N/A	N/A	N/A	N/A	N/A

2.) Lift (distance from pump to water) N/A

3.) How was lift determined (well log, measurement, owner)? N/A

4.) Pressure against pump (this is checked using the owner's psi gauge, your gauge, or an estimate by owner) N/A

5.) Was a measurement made? Yes If no can a measurement be made at a latter time? MANNINGS see attached sheet

6.) What type of measurement device was used? MANNINGS

7.) Is there a pump curve available for pump? N/A

8.) Please fill out the following:

Number of sprinklers _____

Sprinkler nozzle size _____

Number of Pivots (include gpm rating for each pivot) _____

Ditch 3' Gated Pipe.

9.) Please outline all acres irrigated on attached aerial photo. ☒ DONE

10.) Please clearly mark all points of diversion on map and GPS. ☒ DONE

11.) Please clearly mark all mainlines, ditches, and other conveyances.

☒ DONE

12.) Pictures taken of place of use and point of diversion. ☒ DONE

13.) Please show where and how water from other sources are diverted into the irrigation system.

FIELD EXAMINERS NOTES (descriptions, other uses, questions, ect.)

The water for this claim comes from a waste ditch/drain that enters the property from the north and into a pond that has 1.5 acres of surface area and is 9 to 10 ft. deep. $1.5 \times 10 = 15$ ac ft volume of pond. The water from the pond is then diverted into mainlines that feed ditched & gated pipe. The entire system is gravity flow. A manning's measurement was made that shows a ditch capacity well over the amount claimed. Black Canyon water can also be diverted to the pond from a pipeline from a ditch that travels along the west side of the property.

DATE EXAM CONDUCTED 6-19-06

FIELD EXAMINER Daniel A. Nelson

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 6/21/2006

FILE NUMBER 63-5177



These photos show the inlet and outlet of the pond. The top photo shows the outlet of the pond or point of diversion.



The second photo shows where the water from the out let is diverted to a distribution box that sends the water east to a cement ditch at the top of the upper field or south to a ditch and gated pipeline in the lower field.



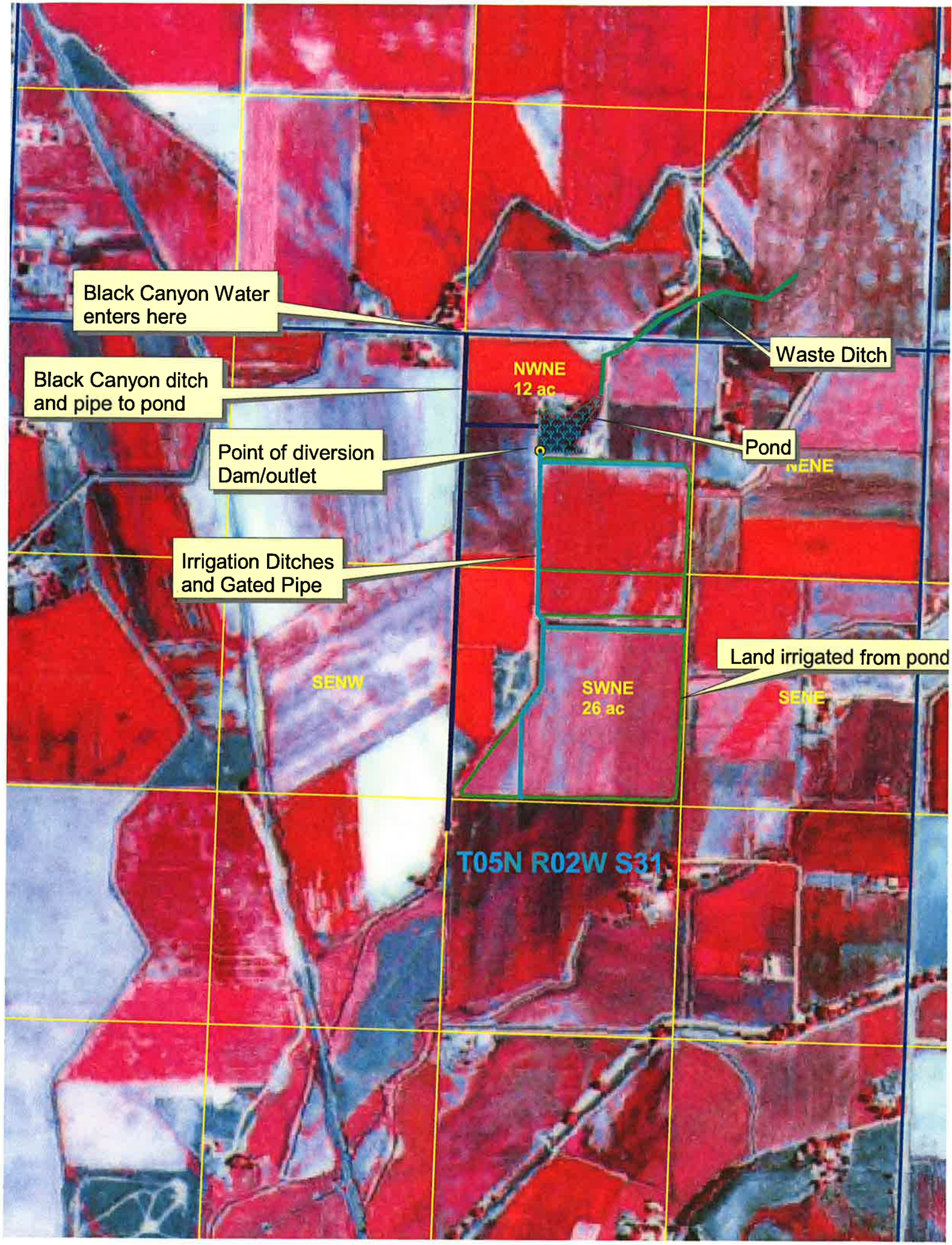
The bottom photo shows the inlet into the pond from the waste ditch. I performed a Mannings Equation on this ditch approximately 30 to 50 feet above this point.

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 6/21/2006

FILE NUMBER 63-5177



The upper photo is a photo of the pond. It has a 1.5-acre surface area and is approximately 9 to 10 feet deep. The bottom photos show the fields that are irrigated from the north looking south.



Black Canyon Water enters here

Black Canyon ditch and pipe to pond

Point of diversion Dam/outlet

Irrigation Ditches and Gated Pipe

Waste Ditch

Pond

Land irrigated from pond

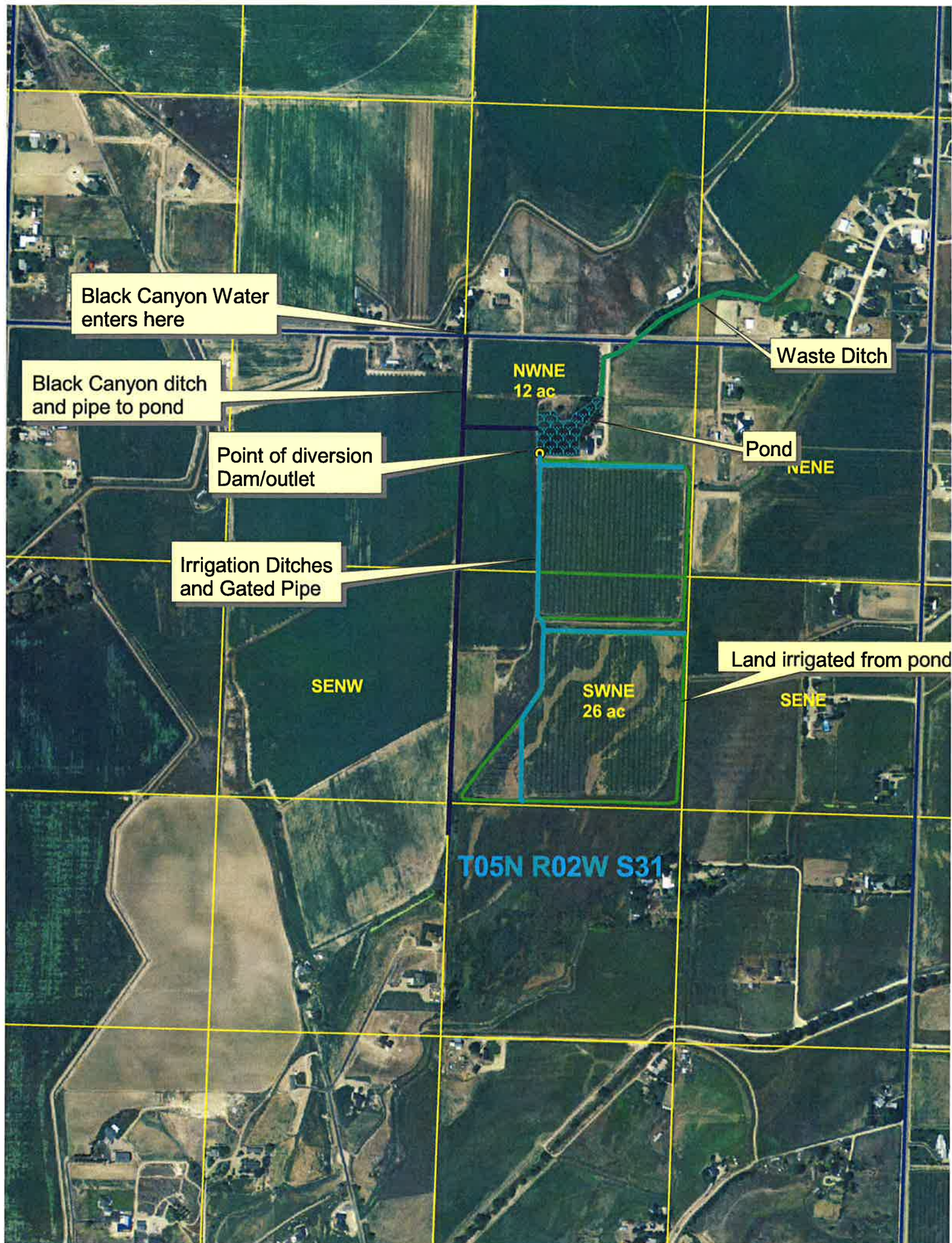
NWNE
12 ac

SWNE
26 ac

SENW

SENE

T05N R02W S31



Black Canyon Water
enters here

Black Canyon ditch
and pipe to pond

Point of diversion
Dam/outlet

Irrigation Ditches
and Gated Pipe

NWNE
12 ac

Waste Ditch

Pond

NENE

SENW

SWNE
26 ac

Land irrigated from pond

SENE

T05N R02W S31

MANNING EQUATION CHANNEL CAPACITY RESULTS

06-21-2006

File Number: 63-5177

Claimant: OSGOOD

Channel measured: WASTE DITCH

Date of measurement: 6/19/2006

Measurement location:

40 TO 50 FEET NORTH OF POND

Calculation prepared by: DAN NELSON

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 100 feet.

The upstream and downstream rod readings are 4.83 and 5.88 feet.

The channel cross section is 2.18 ft-sq.

The wetted perimeter is 4.58 feet.

The hydraulic radius is 0.48 feet.

The slope is 0.0105

The roughness coefficient is 0.0600

The flow velocity is 1.550 ft/sec.

The rate of flow is 3.38 cfs.

CROSS SECTION NUMBER 1

For File Number 63-5177 for the WASTE DITCH

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	1.30
2	0.60	0.60	2.00
3	0.83	0.83	2.50
4	0.83	0.83	3.00
5	0.77	0.77	3.50
6	0.50	0.50	4.00
7	0.27	0.27	4.50
8	0.10	0.10	5.00
9	0.00	0.00	5.10

The area for this cross section is 1.99 square feet
and the wetted perimeter is 4.26 feet.

CROSS SECTION NUMBER 2

For File Number 63-5177 for the WASTE DITCH

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	1.10
2	0.42	0.42	1.50
3	0.68	0.68	2.00
4	0.76	0.76	2.50
5	0.85	0.85	3.00
6	0.86	0.86	3.50
7	0.50	0.50	4.00
8	0.47	0.47	4.50
9	0.20	0.20	5.00
10	0.00	0.00	5.50

The area for this cross section is 2.35 square feet
and the wetted perimeter is 4.88 feet.

CROSS SECTION NUMBER 3

For File Number 63-5177 for the WASTE DITCH

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	1.10
2	0.30	0.30	1.50
3	0.46	0.46	2.00
4	0.67	0.67	2.50
5	0.75	0.75	3.00
6	0.70	0.70	3.50
7	0.73	0.73	4.00
8	0.63	0.63	4.50
9	0.00	0.00	5.30

The area for this cross section is 2.20 square feet
and the wetted perimeter is 4.61 feet.

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS				
earth	.020	✓	(1)	negligible	.000		(1)	
rock	.025		(2)	minor	.010	✓	(2)	
fine gravel	.024		(3)			.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)	
						.030		(5)
				severe	.040		(6)	
						.050		(7)
						.060		(8)
SURFACE IRREGULARITY				VEGETATION				
smooth	.000		(1)	low	.005		(1)	
minor	.005	✓	(2)			.010		(2)
moderate	.010		(3)	medium	.015		(3)	
severe	.020		(4)			.020	✓	(4)
						.025		(5)
TOTAL .020 .005 .005 .010 .020 1.000 1.060				high	.030		(6)	
						.040		(7)
						.050		(8)
					very high	.060		(9)
						.075		(10)
						.100		(11)
	VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
	gradual	.000		(1)	minor	1.00	✓	(1)
	occasional	.005	✓	(2)	appreciable	1.15		(2)
	frequent	.010		(3)	severe	1.30		(3)
		.015		(4)				

1.33

.5

1.27

0.0

1.3

- 0

2

- .4

2.5

.83

3.0

.83

3.5

.77

4.0

4.5

5

5.1

LOWER

~~5.76 FT.~~

~~4.80~~

5.89

4.83

1.05 FT.

South

Center

NORTH

acres
1.5 FT pond
SURFACE AREA

10 FT Deep

15 aFq TOTAL
STORAGE.

1 - 0

5 - .3

0 4.6

.5 .67

1.0 .75

3.5 .70

4.0 .73

4.5 .63

5.3

Black
canyon
Headgate.

NWNE

T05N R02W S31

NENW

NENE

SENW

SWNE

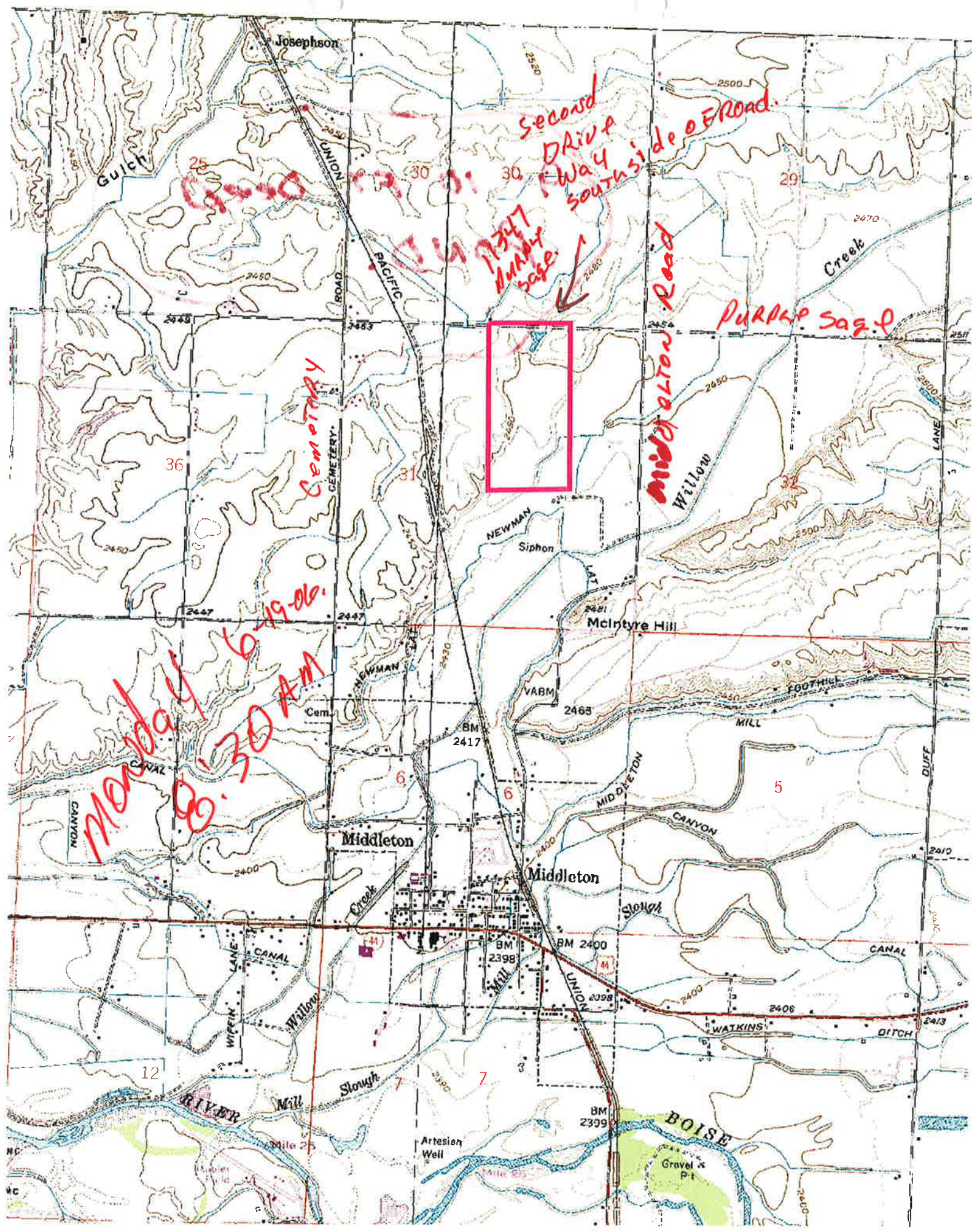
SENE

Ditch
Mainline
P10

O.P.T.
O.T.C.

CONCRETE
DITCH

Gravel Pile
max 10 ft



To whom it may concern:

I Wendell G. Ward do hereby confirm that I built the Pond located at 11347 Purple Sage Road in the summer of 1959. The land where the pond is located is currently owned by Milton W. Osgood. The pond was built to catch live water and waste water so it could be regulated for irrigation use, and has been used for that purpose every year since it was built.

Signed: Wendell G Ward

Date: 5-24-06



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 8, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MILTON W. & JANIS E. OSGOOD
PO BOX 116
MIDDLETON ID 83644

RE: EVIDENCE OF PRIORITY

Snake River Basin Adjudication Claim No(s): A63-5177

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated printout of the claim(s) for your reference only, it is not necessary to return this printout. You indicated, when this claim was filed, that the water right(s) was based on a "Statutory Claim" or "Beneficial Use" of the water.

Water rights of this type are established by historical beneficial use of the water, 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 required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled, **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

Page 2
Osgood

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area. In the near future, you will be receiving a call from us in order to set-up an appointment for a field exam.

The required evidence supporting the priority date(s) requested and the aerial photo needs to be returned to me by June 2, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

If you have any questions or concerns, please contact me at the above address.

Respectfully,

A handwritten signature in dark ink, appearing to read "Daniel A. Nelson", with a long horizontal flourish extending to the right.

Daniel A. Nelson
Senior Agent
Western Region Office - IDWR

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-5177

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

Receipt Details for ID W011704

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/26/1990 1:09:51 PM	3/26/1990	Western	\$90.00	Check
Payer	OSGOOD, MILTON W.			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
3294			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$90.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	5177		\$90.00	Claim

[Print Report](#)

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-05177

Date: 1-30-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	5N	2W	31		12	28														40
GIS					12	28														40
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 40

Overlapping POU Claim #'s:

Total GIS Acres: 40

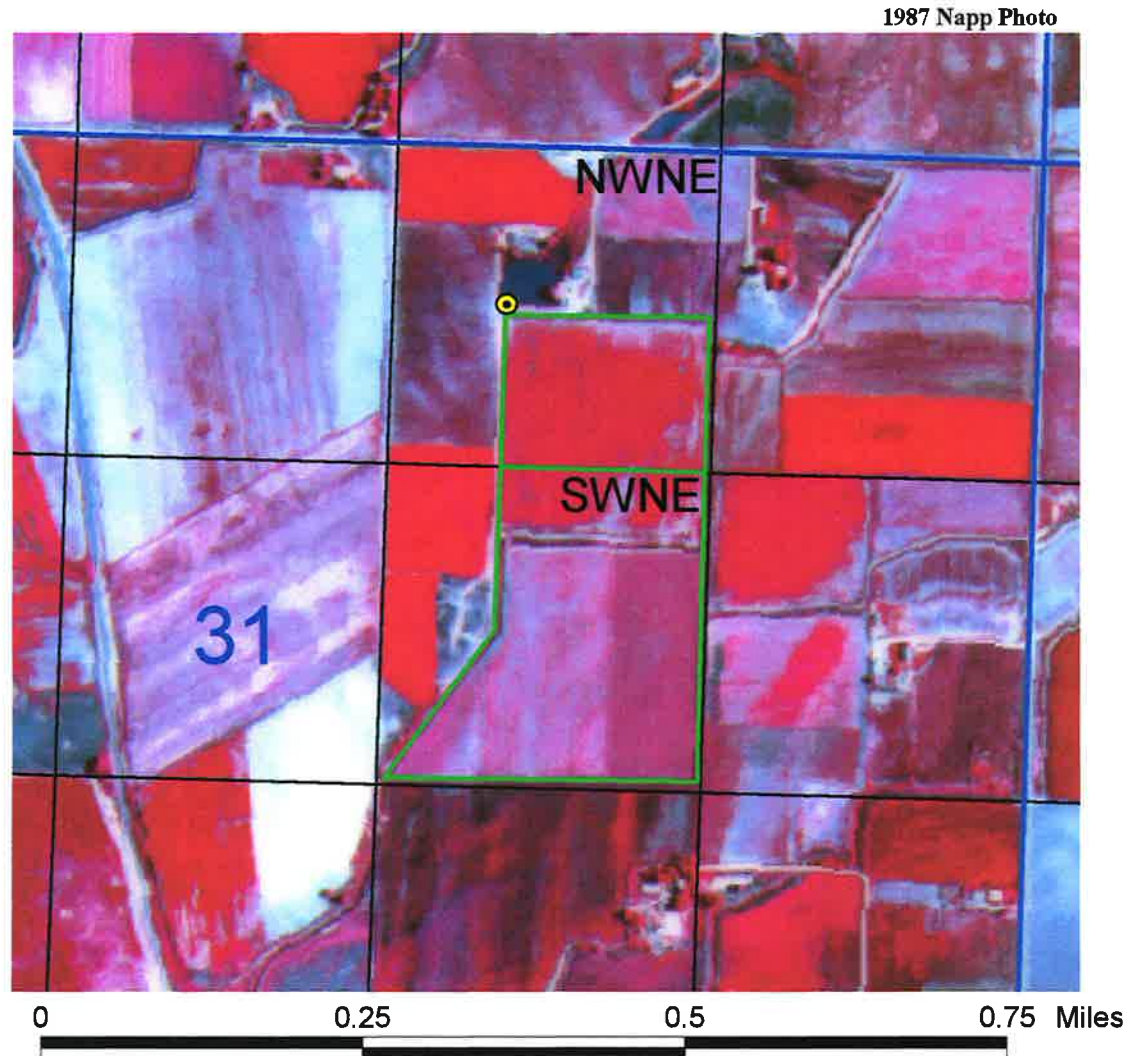
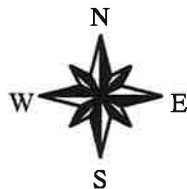
COMMENTS:

Per claim map.

Idaho Department of Water Resources

Claim Number: 6305177
Legal: T05N, R02W, S31
Reviewed By:

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

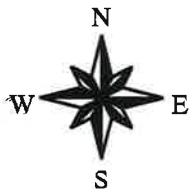
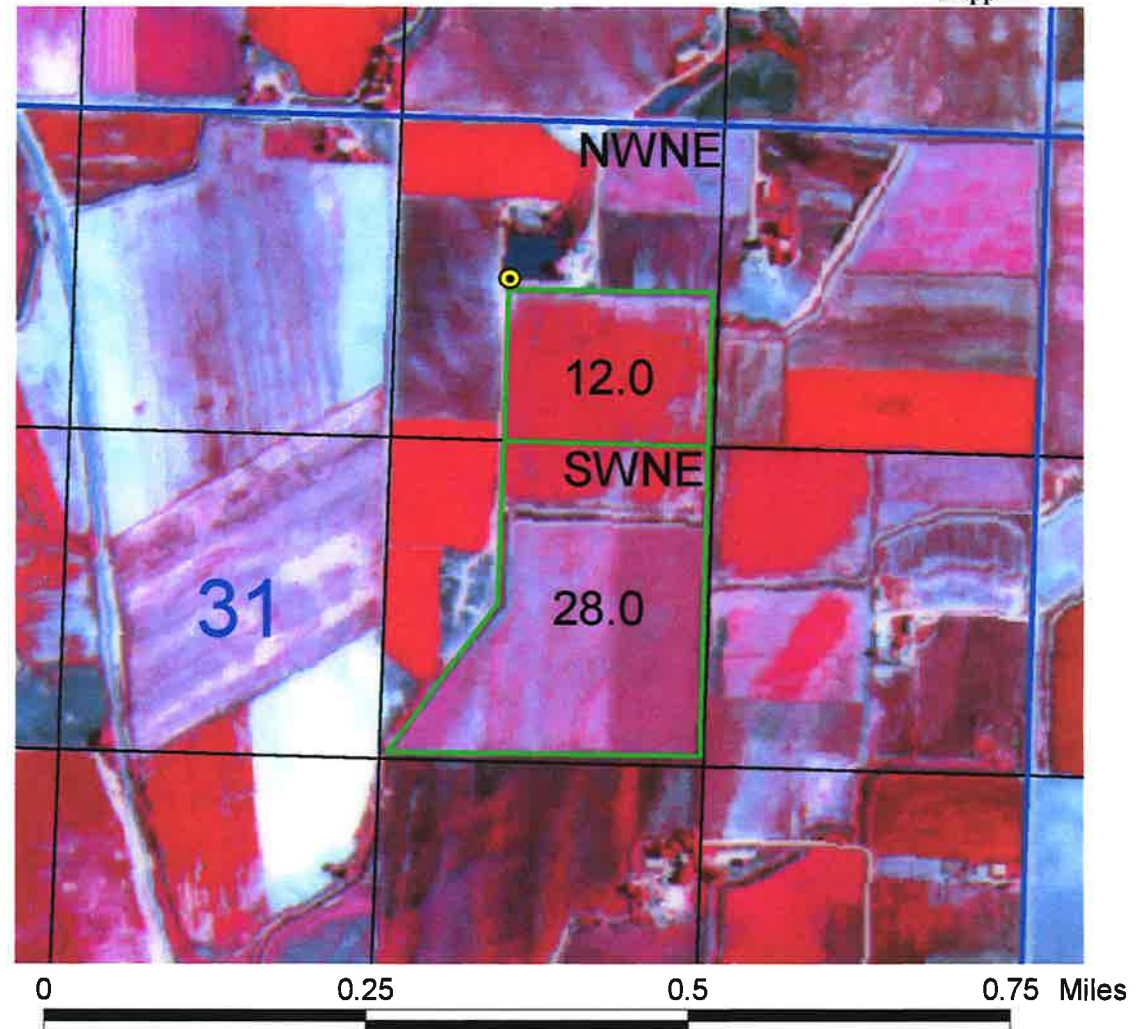


Idaho Department of Water Resources

Claim Number: 6305177
Legal: T05N, R02W, S31
Reviewed By:

1987 Napp Photo

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



Idaho Dept. of Water Resources

Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Rec	63 124N	MIDDLETON MILL DITCH CO,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
Rec	63 125G	MIDDLETON MILL DITCH CO,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
Rec	63 126E	MIDDLETON MILL DITCH CO,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
Rec	63 161X	MIDDLETON MILL DITCH CO,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
Rec	63 168B	MIDDLETON IRRIGATION ASSOCIATION,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
Rec	63 168D	MIDDLETON MILL DITCH CO,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
Rec	63 173	MIDDLETON MILL DITCH CO,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
Rec	63 198AC	MIDDLETON IRRIGATION ASSOCIATION,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
Rec	63 254	MIDDLETON IRRIGATION ASSOCIATION,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
Rec	63 255	MIDDLETON IRRIGATION ASSOCIATION,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
Rec	63 370	MIDDLETON MILL DITCH CO,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
TClaim	63 124N	MIDDLETON MILL DITCH CO,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
TClaim	63 125G	MIDDLETON MILL DITCH CO,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
TClaim	63 126E	MIDDLETON MILL DITCH CO,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
TClaim	63 161X	MIDDLETON MILL DITCH CO,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
TClaim	63 168B	MIDDLETON IRRIGATION ASSOCIATION,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
TClaim	63 168D	MIDDLETON MILL DITCH CO,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0

Idaho Dept. of Water Resources Place of Use Comparison Report

TClaim	63 173	MIDDLETON MILL DITCH CO,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
TClaim	63 198AC	MIDDLETON IRRIGATION ASSOCIATION,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
TClaim	63 254	MIDDLETON IRRIGATION ASSOCIATION,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
TC	63 255	MIDDLETON IRRIGATION ASSOCIATION,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
TClaim	63 370	MIDDLETON MILL DITCH CO,	BOISE RIVER	05N02W31			X						X			X	X	X	X	X	0
Rec	63 2878	BLACK CANYON IRRIGATION DIST,	ELIJAH DRAIN, WILSON DRAIN	05N02W31	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0
Rec	63 2322	UNITED STATES OF AMERICA ACTING THROUGH,	ELIJAH SLOUGH, WILSON SLOUGH	05N02W31	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0
Permit	63 32182	CITY OF MIDDLETON,	GROUND WATER	05N02W31	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	0
Right	63 20627	WANDA M ROCKHILL,	GROUND WATER	05N02W31											X						0
Right	63 23607	ALBERT MARKS, LOIS MARKS,	GROUND WATER	05N02W31													X				0
Right	63 23607	ALBERT MARKS, LOIS MARKS,	GROUND WATER	05N02W31													X				0
Rig.	63 26315	BELA C SAGER,	GROUND WATER	05N02W31																X	0
Right	63 26315	BELA C SAGER,	GROUND WATER	05N02W31																X	0
Right	63 26702	WENDELL G WARD, GLADYS R WARD,	GROUND WATER	05N02W31	X																0
Right	63 26702	WENDELL G WARD, GLADYS R WARD,	GROUND WATER	05N02W31	X																0
Right	63 27239	DELPHIA L HEYDT,	GROUND WATER	05N02W31							X										0

[illegible]

Idaho Dept. of Water Resources Place of Use Comparison Report

[illegible]

REFUND REQUEST

SUBMITTED TO AUDITOR

ON 4-26-93

TO: S. Frazee to Log In
 FOR: D. Shaff/D. Allen
 FROM: Western Region Date: 4-12-93
 SUBJ: Receipt No. W015951 (Please attach ARQ2 Receipt copy)

RE: PayOR Osgood, Milton W.
 Address P.O. Box 116
Middleton, ID 83644

RECEIVED

4/21/93

Expanded Refund Request

Claimant if NOT Payor _____
 Refund Amount \$100.00 Claim Location (Region) Claimant)
 Extension Filed? (Y) N NA Copy Attached? (Y) N NA
 Late Fees Paid? (Y) N NA Late Fee Receipt # W015951
 S.O. Verified Ext. by _____ on _____ D.B. Query by _____
 Refund Generated By (X) Agent () Claimant
 Refund Category Ext. Approved - Overpayment
 Date of Last Correspondence (copy attached) 2-1-93

Claim No.	Use	Fees Paid	Correct Fee	Rec't #
<u>Alb3-05177</u>	<u>Irrigation</u>	<u>\$140.00</u>	<u>90.00</u>	<u>W011704</u> <u>W015951</u>
<u>Alb3-28377</u>	<u>Domestic</u>	<u>\$75.00</u>	<u>25.00</u>	<u>W011709</u> <u>W015951</u>
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
Total		<u>\$215.00</u>	<u>\$115.00</u>	

Detailed Reason(s) for Refund Attached Y/N
Extension approved, late fees paid. REFUND UNDER
RECEIPT NO. W015951 only.

Region AJ Spvsr. Approval [Signature] S.O. AJ Spvsr. Approval
 Don Shaff Approval [Signature] Hold _____ To Fiscal 4-26-93
 Data Base Modified? Y/N (NA) A &/or R Records By _____ on 4-15-93

MICROFILMED

JUL 25 1994

TO: S. Frazee to Log In
FOR: D. Shaff/D. Allen
FROM: Western Region Date: 4-12-93
SUBJ: Receipt No. W03951 (Please attach ARQ2 Receipt copy)

Claimant if NOT Payor _____
Refund Amount \$100⁰⁰ Claim Location (Region/Claimant)
Extension Filed? (Y) N NA Copy Attached? (Y) N NA
Late Fees Paid? (Y) N NA Late Fee Receipt # W015951
S.O. Verified Ext. by _____ on _____ D.B. Query by _____
Refund Generated By (X) Agent () Claimant
Refund Category Ext. Approved - Overpayment
Date of Last Correspondence (copy attached) 2-1-93

Region AJ Spvsr. Approval [Signature] S.O. AJ Spvsr. Approval _____
 Don Shaff Approval _____ Hold _____ To Fiscal _____
 _____ Logged _____
 Data Base Modified? Y/N NA A &/or R Records By _____ on _____

JUL 25 1994

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 03/17/93
Time: 07:40:25

Rec/No - W015951 AR/No -
From: - OSGOOD, MILTON W.

Receipt Type - CK Doc/No - 3855
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 02/22/1993

Type Of Payment
ADJUDICATION LATE FEES

Fund	FD	PCA	Obj	Subsid	Fee
337		41503	1155		100.00

Total Due - 100.00

WR/No	WR Fee
	100.00

WR/No

WR Fee

WR/No

WR Fee

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

MICROFILMED

JUL 25 1994

AL3-28377

Form 42-1409(10)-1

5/89

Date Received _____

Late fees paid
Receipt W015951

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED
 FEB 22 1993
 Department of Water Resources
 Western Regional Office

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Milton W. and/or Janis E. Osgood (208) 585-2958
 Name of Claimant Phone Number

P.O. Box 116 Middleton Idaho 83644
 Mailing Address City State Zip

Canyon 3/22/90
 County(s) where place of use is located Date claim originally due

Domestic .4 cfs ; Irrigation Surface Waste .8 cfs
 Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

We filled out the claims on the 22nd of March 19
and got them notarized. The claims were dropped
in the mail that day so we thought we had met
the deadline but apparently we didn't get the
proper postmark.

Claimant requests an extension to February 28, 19 93

Milton W. Osgood - Janis E. Osgood February 19, 19 93
 Signature Date of request

Owner
 Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to March 24 19 90
 Signed this 4 day of March 19 93

David B. Shaw
 Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
 1301 N. Orchard St.
 Boise, ID 83706

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JUL 25 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

2-1-93

[Milton Cogood]
P.O. Box 116
[Middleton, ID 83644]

Dear Claimant(s):

This office is presently processing the Notice of Claim(s) to a Water Right you submitted during the Snake River Basin Adjudication claims filing in your area. However, due to the items checked below, we cannot continue to process this claim(s). We are returning this claim(s) to you to complete items required that were incomplete on your claim form. **ONLY THE ITEMS CHECKMARKED IN THIS LETTER NEED COMPLETION. IF AN ITEM IS NOT CHECKMARKED, IT IS NOT PERTINENT TO THIS CLAIM(S).** Also enclosed is the receipt for the filing fee previously submitted with this claim(s).

_____ Fee - No fee received or inadequate fee received, fee due is _____.
(Filing fees, based on use(s) of water, were due on all claims filed)

✓ _____ Late Notice of Claim - This claim was received on 3/26/90 which is after the deadline for filing claims in Canyon County. The deadline for this County was 3/23/90, and the late fee now due is \$100.00. The enclosed Late Fee Notice explains the late fee and how it is computed.

_____ Item No. 2 - Date of priority - month/day/year that water was first put to use, regardless of ownership. If month or day is unknown, the Dept. will recommend 12/31 of the year designated.

_____ Item No. 3 - Source of Water

_____ Item No. 4 - Point of Diversion - must be shown by quarter-quarter (40 acre tract), section, township and range. Lot and block for subdivision are not acceptable as the legal description for the point of diversion, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

_____ Item No. 6 - Uses of Water

_____ Item No. 9 - Non-Irrigation Uses

_____ Item No. 10 - Place of Use - must be listed by quarter-quarter (40 acre tract), section, township, and range. Lot and block for subdivision are not acceptable as the legal description for the place of use, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

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JUL 25 1994

Item No. 12 - Ownership of place of use - It appears that the places of use filed on this claim are owned by separate individuals. This claim form can only be used when the places of use are under single ownership, even when all the uses are from one source. Enclosed are claim forms to be used to file on each separately owned place of use. The claim being returned will need to be modified to show one owner, with the changes initialed and dated. The \$25 fee for this claim has been submitted, however, the additional claims returned need to submit a \$25 fee each.

Item No. 15 - Basis of Claim - Please designate if your water right is based on beneficial use of the water - Beneficial Use, or if it is based upon a previously filed water right - Posted Notice, License, Permit or Decree.

Item No. 16 - Signature - this claim form does require your signature be affixed and notarized by a notary public. Note, the notary public signs below the signature blocks listed in this item.

MAP ENCLOSED: Please mark the location of the well(s) and the location of the place(s) of use on this map. Then return the map with your claim and the additional information requested, if any. We can then determine the quarter-quarter(1/41/4) legal description based on the locations marked on this map.

✓ Other: This is the late fee for two
claims.

Please complete the above item(s) on your claim form(s), initial and date any changes or additions, and return the claim(s), with the requested fee(if one was requested), to our office within 30 days from the date of this letter. If the claim(s), or fee requested, is not received within this 30-day period, the claim(s) will be rejected and your fee, if one was paid previously, will be refunded. Please contact our office listed in the address below, within the 30 day time period, either in writing or by phone, to let us know if there is a problem returning the claim(s), or fee, in order to keep this claim(s) valid. If the claim(s) is rejected and fee refunded, due to no response within the 30-days, the claim(s) can be resubmitted up until claims in this area are prepared for court decree. However, at that time the corrected claim(s) along with the regular filing fee that was refunded, and an additional late fee will be required. Please return your claim(s), any other claims, information or fees requested, if any, to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

SO:s

Enclosures

SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE LAW REQUIRES THAT THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR ADDRESS ON A WATER RIGHT.

MICROFILMED
JUL 25 1994

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 A63-05177
Date Received _____
Receipt Number WO 11704

RECEIVED

MAR 26 1990

postmarked 3/24/90
Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Milton W. and/or Janis E. Osgood Phone (208) 585-2958
Mailing Address P.O. Box 116 Middleton, Idaho Zip 83644

2. Date of Priority (Only one (1) per claim) 1959

3. Source of water supply (a) Waste Water ; Unnamed Drain
which is tributary to (b) Boise River

4. a. Location of existing point of diversion is: Township 5N Range 2W Section 31,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, B.M., County of Canyon

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, 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.

Earthen dam with head gate
and overflow pipe to control water from the pond to the
pipeline and ditch distribution system. The dam is 250' wide
long and approx. 6' high. The headgate is 10" in diameter and
the overflow pipe is 12". The pipeline is 10" plastic and
feeds a concrete ditch. The other ditch is dirt and is fed
from the outlet of the pond before the

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JUL 25 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 11-1 amount .80 or _____

For Irrigation Storage purposes from 1-1 to 12-31 amount _____ or 4

For Storage Diversion purposes from 4-1 to 11-1 amount .80 or _____

For Irrigation from Storage purposes from 4-1 to 11-1 amount _____ or 4

7. Total quantity claimed (a) .80 (cfs) and/or (b) 4 (acre feet)

8. Total consumptive use claimed is 140 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	
5N	2W	31		12	28														40

Total number of acres irrigated 40

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

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

Black Canyon Irrigation Water Right 1 miner inch / Acre or None ()

14. Remarks:

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JUL 25 1994

Last Name Osgood Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

MICROFILMED
Copies: White-State, Yellow-Claimant **Jul 25 1994**

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-5177
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 0

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

Signature of Claimant (s) Milton W. Osgood Date 3/22/90
Janice E. Osgood Date 3/22/90

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 _____ of _____
Title 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 22nd day of March 19 90

SEAL

Notary Public Lee Crooke

Residing at Middleton

My Commission Expires October 22, 1991

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 _____

MICROFILMED

JUL 25 1994

Last Name Osgood Ident. Number _____

Copies White-State, Yellow-Claimant

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED
FEB 22 1993
Department of Water Resources
Western Regional Office

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Milton W. and/or Janis E. Osgood (208) 585-2958
Name of Claimant Phone Number

P.O. Box 116 Middleton Idaho 83644
Mailing Address City State Zip

Canyon 3/22/90
County(s) where place of use is located Date claim originally due

Domestic .4 cfs ; Irrigation Surface Waste .8 cfs
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

We filled out the claims on the 22nd of March 199
and got them notarized. The claims were dropped
in the mail that day so we thought we had met
the deadline but apparently we didn't get the
proper postmark.

Claimant requests an extension to February 28, 19 93
Milton W. Osgood - Janis E. Osgood February 19, 19 93
Signature Date of request

Owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☐ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to _____, 19 _____

Signed this _____ day of _____, 19 _____

Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED
JUL 25 1994

Water Right Number - 63-05177

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

OSGOOD

MILTON

1 - P.O. BOX 116

2 -

3 -

City- MIDDLETON

State- ID Zip- 83644

Phone -

OSGOOD

JANIS

1 - P.O. BOX 116

2 -

3 -

City- MIDDLETON

State- ID Zip- 83644

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/01/1959 14 WESTERN S - STATUTORY CLAIM+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
WASTE WATER BOISE RIVER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
05N 02W 31 NW NE (27) CANYON+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.800
02 - IRRIGATION STORAGE 01/01 12/31 4.00
03 - IRRIGATION FROM STORAGE 04/01 11/01 4.00
55 - DIVERSION TO STORAGE 04/01 11/01 0.800+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.800 4.00+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
05N 02W 31 NW NE 12.0 01 IRRIGATION (27) CANYON
05N 02W 31 SW NE 28.0 01 IRRIGATION (27) CANYON

Total Acres: 40.0

+ - - Diversion Means - DITCH & POND

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

Water right number - 63-05177

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +
+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.
+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.
+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000
+ - - - - Comments - - - - - +
No Comments Found
+ - - Audit Fields - 11/21/83 05/01/88 CONVERT
+ - - - - Water Rights Dates and Flags Area - - - - - +
Proof Due Date - 00/00/0000 Field Exam Made - 00/00/0000 Field Exam Fee -
Approved/Denied - 00/00/0000 Protested Date - 00/00/0000 Swan Falls -
Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P
Exam to S.O. Date - 00/00/0000 Verified Date - 00/00/0000 DLE/Carey Act -
Order Show Cause - 00/00/0000 Receipt Number - Water District -
Licensed Date - 00/00/0000 Appl Received - 00/00/0000 Transfer/Amended -
Decree Date - 00/00/0000 Presumption Flag -