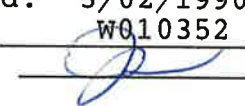


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A63-00177
Date Received: 3/02/1990
Receipt No: W010352
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOWER CENTERPOINT DITCH CO. 208-459-4579
Address: C/O FRAN EBBERS, SECRETARY
21990 BOISE RIVER RD.
CALDWELL, ID 83605

2. Date of Priority: JUN 01, 1869

3. Source: BOISE RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	12	NW	NE	NW		CANYON

5. Description of diverting works:
DIV. DAM IN RIVER W/HEADGATE AND CANAL, DIV. VIA LATERALS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.600		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	2	NW	NW		IRR	6.0
			SW	NW		IRR	27.0

A63-00177

Page 1

Date: 03/02/90

MICROFILMED

AUG 17 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	04W	2	SE		NW		IRR	2.0
			NE		SW		IRR	18.0
			NW		SW		IRR	39.0
			Section Acres 92.0					
		3	NE		NE		IRR	19.0
			NW		NE		IRR	24.0
			SW		NE		IRR	39.0
			SE		NE		IRR	39.0
			NE		NW		IRR	28.0
			NW		NW		IRR	32.0
			SE		NW		IRR	39.0
			NE		SW		IRR	39.0
			NE		SE		IRR	38.0
			NW		SE		IRR	39.0
			Section Acres 336.0					
		4	NE		NE		IRR	27.0
			NW		NE		IRR	30.0
			NW		NW		IRR	31.0
			Section Acres 88.0					
		5	NE		NE		IRR	30.0
			NW		NE		IRR	32.0
			SW		NE		IRR	3.0
			Section Acres 65.0					
05N	04W	32	SE		NE		IRR	10.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	32.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres 202.0					
		33	NE		SW		IRR	20.0
			NW		SW		IRR	28.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	04W	33	NW		SE		IRR	20.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	248.0
		34	NW		SW		IRR	10.0
			SW		SW		IRR	34.0
			SE		SW		IRR	8.0
							Section Acres	52.0
							Total Acres	1083.0

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:

NO.'S A63-20563, A63-00171, A63-00208, A63-20566, A63-05022.

14. Remarks:

AKA WATER RIGHT NO. 43 IN THE BOISE RIVER DELIVERY SYSTEM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.

Decree Plaintiff

vs

RIVERSIDE IRR. DIST.

Decree 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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____,
Organization document in the space below as _____ of
_____,
Title and that the statements contained in the
_____,
Organization foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

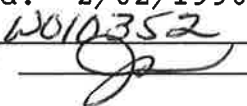
Residing at _____

My Commission Expires _____

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: A63-00177
Date Received: 2/02/1990
Receipt No: 2010352
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOWER CENTERPOINT DITCH CO. 208-459-4579
Address: C/O FRAN EBBERS, SECRETARY
21990 BOISE RIVER RD.
CALDWELL, ID 83605
2. Date of Priority: JUN 01, 1869
3. Source: BOISE RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	04W	12	NW	NE	NW		CANYON
5. Description of diverting works:
DIV. DAM IN RIVER W/HEADGATE AND CANAL, DIV. VIA LATERALS.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.600		
7. Total Quantity Appropriated is:
3.600 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION.
10. Place of Use: - SAME AS A63-05022.

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
----------	-------	---------	--------	--------	-----	-----	-------
11. Place of use in counties:

A63-00177

Page 1

Date: 02/02/90

MICROFILMED
AUG 17 1992

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

13. Other Water Rights Used:

NO.'S A63-20563, A63-00171, A63-00208, A63-20566, A63-05022.

14. Remarks:

AKA WATER RIGHT NO. 43 IN THE BOISE RIVER DELIVERY SYSTEM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

FARMERS CO-OP DITCH CO.

Decree Plaintiff

vs

RIVERSIDE IRR. DIST.

Decree 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 Organizations:

I do solemnly swear or affirm that I am SECRETARY of _____ Title

LOWER CENTER POINT DITCH that I have signed the foregoing Organization

document in the space below as SECRETARY of _____ Title

LOWER CENTER POINT DITCH and that the statements contained in the Organization

foregoing document are true and correct.

Sean Ebbers
Signature of Authorized Agent
Sec Lower Centerpoint Ditch
Title and Organization

March 2, 1990
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 2ND day
of March 19 90
Seal

Jan Shunte
Notary Public

Residing at Prichard ID
My Commission Expires 9-14-94

10/27/2006

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

RIGHT NUMBER: 63-177

NAME AND ADDRESS: LOWER CENTERPOINT DITCH CO
C/O DARELL CHRISTENSEN
22273 BOISE RIVER RD
CALDWELL ID 83607

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 3.600 CFS

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1869

POINT OF DIVERSION:

T04N R04W S12 NENW Within CANYON County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	3.600 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

965 ACRES TOTAL

10/27/2006

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

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

This right when combined with Right Nos. 63-171, 63-208, 63-5022, 63-20563 and 63-20566 can be used to irrigate up to 923 acres within the boundary of the Lower Centerpoint Ditch Company.

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

This right is designated as No. 43 in the Stewart Decree and the Boise Water Distribution Report.

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 - Decreed

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

08/17/2006

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: September 29, 2006

Water right number: 63-177

LOWER CENTERPOINT DITCH CO

C/O DARELL CHRISTENSEN

22273 BOISE RIVER RD

CALDWELL ID 83607

Telephone Number: (208)459-7126

RECEIVED

SEP 27 2006

Department of Water Resources
Adjudication Bureau

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

Place of use

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

Acres -- See map to Danielle Favreau.

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:

9-25-06

SIGNATURE:

Darell D. Christensen

Please print your name:

Darell D. Christensen

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

SCANNED

SEP 7 2006

08/17/2006

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

RIGHT NUMBER: 63-177

NAME AND ADDRESS: LOWER CENTERPOINT DITCH CO
C/O DARELL CHRISTENSEN
22273 BOISE RIVER RD
CALDWELL ID 83607

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 3.600 CFS

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1869

POINT OF DIVERSION:
T04N R04W S12 NENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	3.600 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:

965
923 ACRES TOTAL

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

This right when combined with Right Nos. 63-171, 63-208, 63-5022, 63-20563 and 63-20566 can be used to irrigate up to 923 acres within the boundary of the Lower Centerpoint Ditch Company.

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

This right is designated as No. 43 in the Stewart Decree and the Boise Water Distribution Report.

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 - Decreed

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

Mr. Zim Mills visit (has owned land for 13 years)
Notes by DRR 9/6/05

Mr. Mills
853-3853 - Boise

Revised map submitted

Contact for Co

Only Lower Center Point Ditch Co divert from canal

Canal does not have meas device

Flow capacity is unknown to Mr. Mills

Irrigated acres is ~ 900

@ .02 cfs/acre, flow is 18 cfs

Decreed rts total ~~21.2~~ ^{19.6} cfs

6/1/1869	3.6
6/1/1879	4.0
6/1/1865	6.1
11/9/1883	2.7
6/1/1868	3.2
	19.6

Questions of UM:

1. Flow rate (capacity) of canal
2. Basis of 1932 claim?

See Record from
Watermaster info
(water dist records)
Typical flow ~ 35 cfs



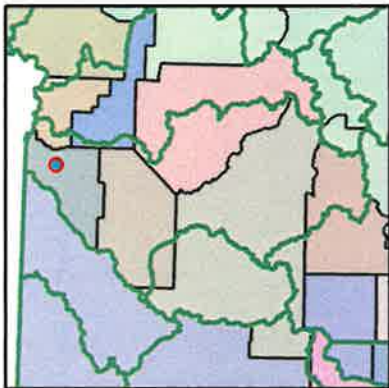
Idaho Department of Water Resources

Adjudication Claim:

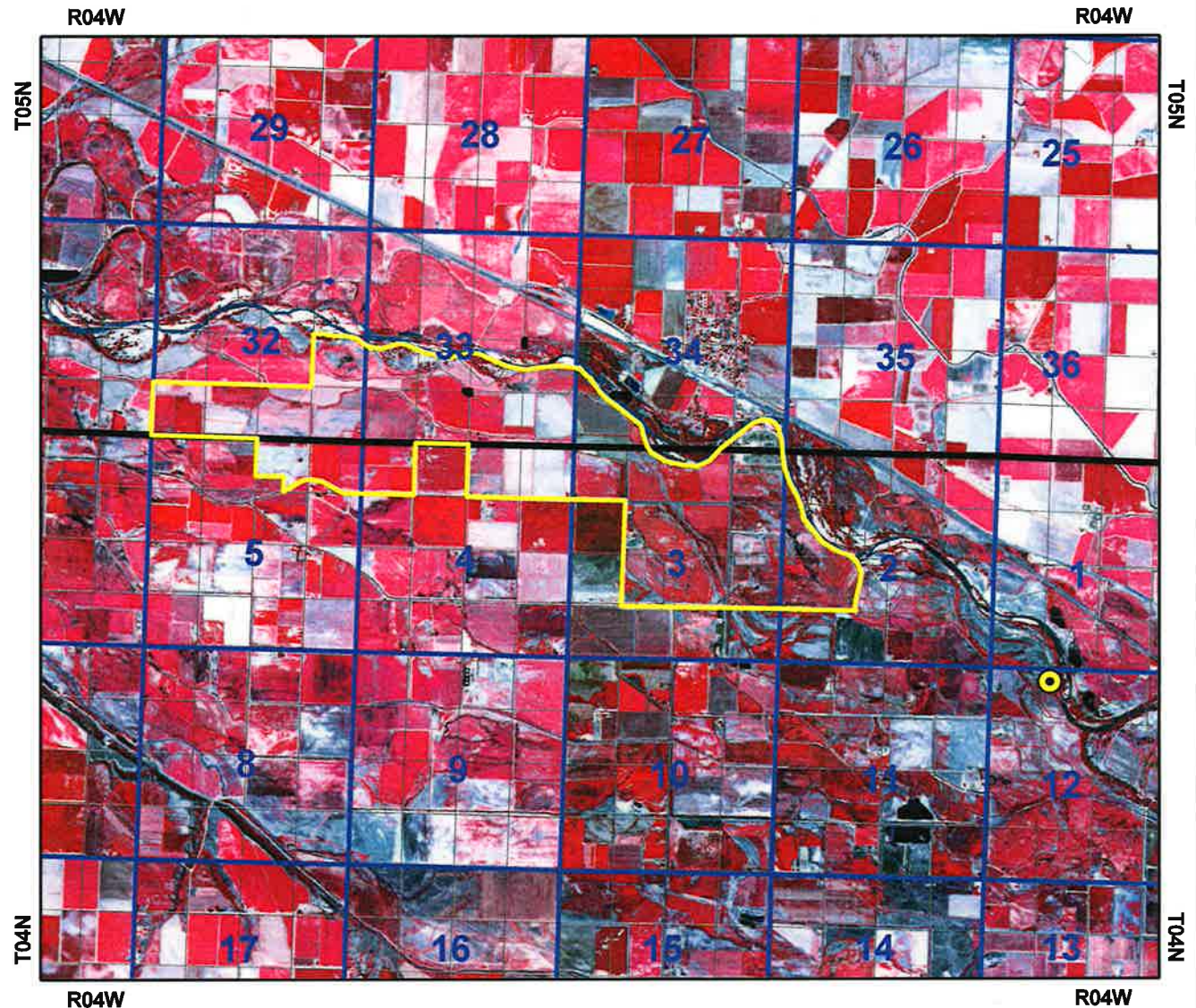
63-177

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Canyon County
IDWR Basin 63



0 2 4 Miles



Prepared by A. Warntjes
On Friday, March 3, 2006
1987/88 Aerial Photography

XXXIX

That the defendant JOHN MAMMON be, and he is hereby awarded the use of the waters of Boise River, diverted at a point on the south side of said river in Sec. 25, T. 5 N. R. 5 W. B.M., for use upon the N. $\frac{1}{2}$ of SE $\frac{1}{4}$ and lots 8 and 9 in Sec. 26, and lots 7 and 8 in Sec. 25, T. 5 N. R. 5 W. B.M., in the following amount from the following date;

63 0174 90 inches, from June 1, 1869. and hereby designated as Right No. 41.
T-III

That said defendant John Mammon is also hereby awarded the use of the waters of said river, diverted at a point in the NW corner of Sec. 36, T. 5 N. R. 5 W. B.M., for use upon the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ and lots 5 and 6 in Sec. 26, and lots 1, 2 and 3 in Sec. 27, and lots 7 and 8 in Sec. 25, and N. $\frac{1}{2}$ of SE $\frac{1}{4}$ and lots 8 and 9 in Sec. 26, all in T. 5 N. R. 5 W. B.M., in the following amount and from the following date;

63 0175 210 inches, from June 1, 1878; and hereby designated as Right No. 68.
T-III
And be adjudged to pay \$21.00 costs in addition to the costs incurred by him.

XL.

That the defendant Isaac BEDAL be, and he is hereby awarded the use of the waters of Boise River, diverted from a point on the south side thereof in SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 5, T. 3 N. R. 2 E. B.M., through what is known as the Thurman Mill slough or ditch, for use upon lands lying under said ditch, in the following amount and from the following date;

63 0176 80 inches, from June 1, 1869; and hereby designated as Right No. 42.
And be adjudged to pay \$5.60 costs in addition to the costs incurred by him.

XLI.

That the defendant FREDERICK ODE be, and he is hereby awarded the use of the waters of Boise River, diverted from a point in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 12 and SE $\frac{1}{4}$ of Sec. 2, T. 4 N. R. 4 W. B.M., through what is known as the Center Point Ditch, for use upon lots 8 and 9, Sec. 33 and lots 5, 6 and 7, Sec. 34, T. 5 N. R. 4 W. B.M., and lot 1, Sec. 4,

T. 4 N. R. 4 W. B.M. in the following amount from the following date;
63 0177 180 inches, from June 1, 1869 and hereby designated as Right No. 43.
And be adjudged to pay \$12.60 costs in addition to the costs incurred by him.

XLII.

That the defendant PRIOR BURNETT be, and he is hereby awarded the use of the waters of Boise River, diverted at a point in the SE $\frac{1}{4}$ of Sec. 25, and SW $\frac{1}{4}$ of Sec. 30, T. 5 N. R. 5 W. B.M., for use upon the SW $\frac{1}{4}$ and W. $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. 23, and NE $\frac{1}{4}$ of NW $\frac{1}{4}$, and lots 1, 2, 3 and 4,

(19)

Sec. 26, all in T. 5 N. R. 5 W. B.M., in the following amount from the following date;

63 0178 425 inches, from June 1, 1869; and hereby designated as Right No. 44.

And be adjudged to pay \$29.75 costs, in addition to the costs incurred by him.

XLIII.

That the defendant the MASON CREEK DITCH COMPANY, a corporation, be and it is hereby awarded the use of the waters of Boise River, diverted at a point on the south bank thereof near the center of the east line of Sec. 13, T. 4 N. R. 2 W. B.M., for use upon the lands lying under its canal system, in the following amount from the following date;

63 0179 1860 inches, from June 1, 1869; and hereby designated as Right No. 46

T-Pd. 29

And be adjudged to pay \$130.20 costs in addition to the costs incurred by it.

XLIV.

That the defendant T. W. Boone be, and he is hereby awarded the use of the waters of Boise River, diverted at a point on the SE $\frac{1}{4}$ of Sec. 25, and SW $\frac{1}{4}$ of Sec. 30, T. 5 N. R. 5 W. B.M., for use upon the NE $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, and lots 1, 2 and 3, Sec. 25, T. 5 N. R. 5 W. B.M., in the following amounts and from the following dates;

63 0180 175 inches, from June 1, 1869; and hereby designated as Right No. 47.

63 0181 110 inches, from June 1, 1874; and hereby designated as Right No. 59.

And be adjudged to pay \$19.95 costs in addition to the costs incurred by him.

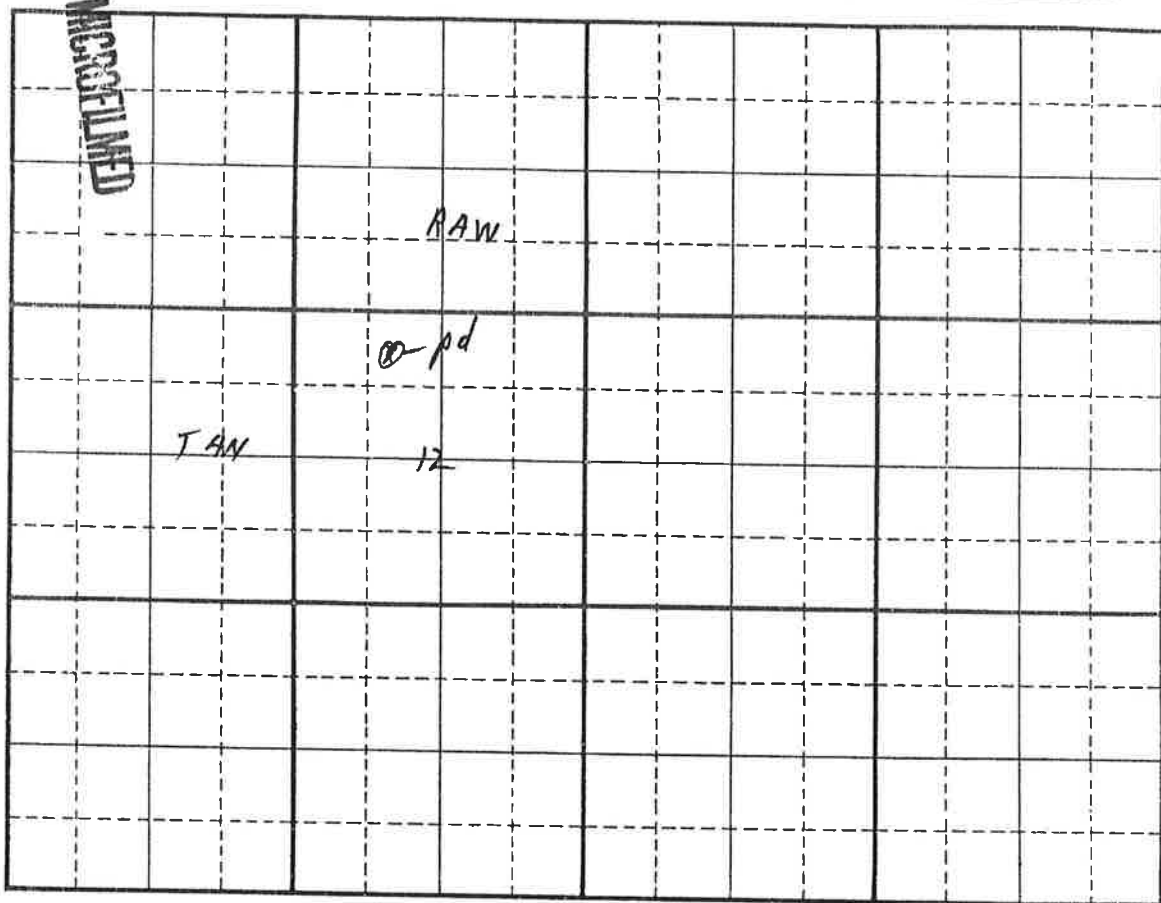
XLV.

That the defendant W. J. HAMMING be, and he is hereby awarded the use of the waters of Boise River, diverted at a point near the middle of the east line of Sec. 17, T. 4 N. R. 1 E. B.M., by a canal running through a part of Secs. 17 and 18, T. 4 N. R. 1 E. B.M., for use upon lands lying under said canal, and situated on Eagle Island, Ada County Idaho, in the following amount and from the following date;

63 0182 130 inches, from June 1, 1870; and hereby designated as Right No. 48.

And be adjudged to pay \$9.10 costs in addition to the costs incurred by him.

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of Canyon) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

William W. Ekberg, Pres.
Bob Jones Vice Pres.
(Claimant)

Sworn to before me this 18 day of April

1983.

Kelly Johnston
Notary Public
Residing at _____

My commission expires April 1985

FOR DEPARTMENT USE ONLY

Received by DBS

Date 5/9/83

Exception filed by:

Forwarded to

Date

Prelim. check by JC

Date 5/13/83

claimant by:

\$30.00 fee received by JP

Date 5/9/83

#28803

Published in Press-Tribune

Dates 5/26 & 6/2/83

LAND LIST ATTACHMENT

Prepared from
copy of photo
in file by D. Shaw 7/83

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	4W	2					6	27	2	18	39								92 ✓
		3	19	24	39	39	28	32		39	39				38	39			336
		4	27	30			31												88
		5	30	32	3														65
5N	4W	32				10						40	40	32		40	40	✓	202
		33								20	28	40	40	20	20	40	40		248
		34								10	34	8							52
																			1083

Total number of acres irrigated _____

MICROFILMED

**NOTICE OF CLAIMS
TO WATER RIGHTS**
The following claims have been
filed on water rights created by
diversion and beneficial use:

63-5003
EAGER, ESSIE M. &/or
RICHARD
RT. 5 BOX 197, CALDWELL,
Idaho 83605
Source: WASTE WATER trib. to
SAND HOLLOW CREEK
Priority Date: May 14, 1949
Diversion Pt: LOT 03 (NENW) Sec
06 T 05N R 03W
Use: IRRIGATION (0.40 CFS)
In: LOT 03 (NENW) Sec 06 T 05N
R 03W FOR 7 ACRES

63-5008
BUCKLEY, GEORGE S.
P.O. BOX 43, CASCADE, Idaho
83411
Source: UNNAMED STREAM
trib. to SNAKE RIVER
Priority Date: June 3, 1909
Diversion Pt: SWSE Sec 35 T 03N
R 04W
Use: IRRIGATION (0.12 CFS)
STOCKWATER (0.04 CFS)
In: SWSE Sec 35 T 03N R 04W
FOR 6 ACRES

63-5009
INGLE, MARION JOSEPH
RT. 5 BOX 206, CALDWELL,
Idaho 83605
Source: WASTE WATER trib. to
SAND HOLLOW CREEK
Priority Date: April 15, 1950
Diversion Pt: SWSW Sec 05 T 05N
R 03W
Use: IRRIGATION (0.28 CFS)
In: NESE Sec 06 T 05N R 03W FOR
8 ACRES

63-5013
CHURRUEA, CARMEN &/or JOE
P.O. BOX 2, MARSING, Idaho
83639
Source: SPRINGS trib. to SNAKE
RIVER
Priority Date: April 1, 1935
Diversion Pt: NWSW NWSE Sec 36
T 03N R 04W
Use: IRRIGATION (0.94 CFS)
STOCKWATER (0.02 CFS)
In: NESW NWSW SWSW SESW
36 T 03N R 04W FOR 47 ACRES

63-5014
UNION PACIFIC RAILROAD CO.
1414 DODGE ST., OMAHA, NE
68179
Source: GROUNDWATER
Priority Date: July 1, 1937
Diversion Pt: NWSW NESW Sec 26
T 03N R 02W
Use: STOCKWATER (0.66 CFS)
COMMERCIAL (0.18 CFS)
In: SENW NENW NWSE Sec 26 T
03N R 02W

63-5018
MCLELLIN, JERRY &/or
TERRY L.
RT. 4 BOX 405, CALDWELL,
Idaho 83605
Source: SPRINGS trib. to SNAKE
RIVER
Priority Date: July 1, 1969
Diversion Pt: SESE Sec 35 T 03N R
04W
Use: IRRIGATION (0.24 CFS)
STOCKWATER (0.02 CFS)
In: SESE Sec 35 T 03N R 04W FOR
12 ACRES

63-5022
LOWER CENTER POINT DITCH
CO.
RT. 2 BOX 623, CALDWELL,
Idaho 83605
Source: BOISE RIVER trib. to
SNAKE RIVER
Priority Date: April 1, 1932
Diversion Pt: NENW Sec 12 T 04N
R 04W
Use: IRRIGATION (21.20 CFS)
In: P/U within the lands of Lower
Center Point Ditch Co. Acres
- 1083.

63-5023
MUSCHBACHER, ANTHONY W.
&/or MARY A.
RT. 1 HOSKINS RD., WILDER,
Idaho 83676
Source: SPRING trib. to SINKS
Priority Date: January 1, 1947
Diversion Pt: NWNE Sec 13 T 03N
R 05W
Use: IRRIGATION (0.10 CFS)
DOMESTIC (0.04 CFS)
In: NWNE Sec 13 T 03N R 05W
FOR 5 ACRES

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, Western Region,
Statehouse, Boise, Idaho 83720.
KEN DUNN
Director
May 26; June 2, 1983

RECORDED

JUN 18 1983

Deposited pursuant to Public Law 96-389

**AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)**

) ss.
County of Canyon)

Garrah J. Wheeler
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of
America, and at all times hereinafter mentioned
was over the age of eighteen years, and not a party
to the above entitled action.

2. That I am the Principal Clerk of the Idaho
Press-Tribune, a daily, (except Saturday)
newspaper published in the City of Nampa and
Caldwell, in the County of Canyon, State of Idaho;
that the said newspaper is in general circulation
in the said County of Canyon, and in the vicinity of
Nampa and Caldwell, and has been uninterrupted-
ly published in said County during a period of
seventy-eight consecutive weeks prior to the first
publication of the notice, a copy of which is hereto
attached.

3. That the notice, of which the annexed is a printed
copy, was published in said newspaper

two times

in the regular and entire issue of said paper, and
was printed in the newspaper proper, and not in a
supplement.

4. That said notice was published the following
dates:

May 26;

June 2, 1983

Subscribed and sworn to before me this 2nd
day of June

19 83

Janne Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

MICROFILMED

WRR100
63-5022

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
30-JAN-1986 19:46:20

01 WATER RIGHT NUMBER = 63-5022

02 OLD (D) NUMBER =

LAST NAME
03001 - LOWER CENTER POINT DITCH CO.

FIRST NAME
04001 -

ORIG. OWNER
05001 - C

06 ADD LINE 1 - RT. 2 BOX 623

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - CALDWELL

10 STATE - ID

11 ZIP - 83605

12 STAGE - S STATUTORY CLAIM

13 STATUS -

SOURCE
14001 - BOISE RIVER

TRIBUTARY OF
15001 - SNAKE RIVER

16 DIVERSION MEANS - DITCH

17 COUNTY - 27 CANYON

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 21.200

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	RFLG	ST	RE	A	M	I	N	D	E	X	F	I	E	L	D	S
22001 -	NENW	23001 - 12	24001 - 04N	25001 - 04W	26001 -	27001 -														
				28001 -	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0.0	

29 NON-IRRIGATION USE -

USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 04N	32001 - 04W	33001 - 02	34001 - NWNW	35001 - 06	36001 -
30002 - 01 IRRIGATION	31002 - 04N	32002 - 04W	33002 - 02	34002 - SWNW	35002 - 27	36002 -
30003 - 01 IRRIGATION	31003 - 04N	32003 - 04W	33003 - 02	34003 - SENW	35003 - 02	36003 -
30004 - 01 IRRIGATION	31004 - 04N	32004 - 04W	33004 - 02	34004 - NESW	35004 - 18	36004 -
30005 - 01 IRRIGATION	31005 - 04N	32005 - 04W	33005 - 02	34005 - NWSW	35005 - 39	36005 -
30006 - 01 IRRIGATION	31006 - 04N	32006 - 04W	33006 - 05	34006 - NENE	35006 - 30	36006 -
30007 - 01 IRRIGATION	31007 - 04N	32007 - 04W	33007 - 05	34007 - NWNE	35007 - 32	36007 -
30008 - 01 IRRIGATION	31008 - 04N	32008 - 04W	33008 - 05	34008 - SWNE	35008 - 03	36008 -
30009 - 01 IRRIGATION	31009 - 05N	32009 - 04W	33009 - 32	34009 - SENE	35009 - 10	36009 -
30010 - 01 IRRIGATION	31010 - 05N	32010 - 04W	33010 - 32	34010 - SWSW	35010 - 40	36010 -
30011 - 01 IRRIGATION	31011 - 05N	32011 - 04W	33011 - 32	34011 - SESW	35011 - 40	36011 -
30012 - 01 IRRIGATION	31012 - 05N	32012 - 04W	33012 - 32	34012 - SWSE	35012 - 40	36012 -
30013 - 01 IRRIGATION	31013 - 05N	32013 - 04W	33013 - 32	34013 - SESE	35013 - 40	36013 -
30014 - 01 IRRIGATION	31014 - 05N	32014 - 04W	33014 - 33	34014 - NESW	35014 - 20	36014 -
30015 - 01 IRRIGATION	31015 - 05N	32015 - 04W	33015 - 33	34015 - NWSW	35015 - 28	36015 -
30016 - 01 IRRIGATION	31016 - 05N	32016 - 04W	33016 - 33	34016 - SWSW	35016 - 40	36016 -
30017 - 01 IRRIGATION	31017 - 05N	32017 - 04W	33017 - 33	34017 - SESW	35017 - 40	36017 -
30018 - 01 IRRIGATION	31018 - 05N	32018 - 04W	33018 - 33	34018 - NESE	35018 - 20	36018 -
30019 - 01 IRRIGATION	31019 - 05N	32019 - 04W	33019 - 33	34019 - NWSE	35019 - 20	36019 -
30020 - 01 IRRIGATION	31020 - 05N	32020 - 04W	33020 - 33	34020 - SWSE	35020 - 40	36020 -
30021 - 01 IRRIGATION	31021 - 05N	32021 - 04W	33021 - 33	34021 - SESE	35021 - 40	36021 -
30022 - 01 IRRIGATION	31022 - 05N	32022 - 04W	33022 - 34	34022 - NWSW	35022 - 10	36022 -
30023 - 01 IRRIGATION	31023 - 05N	32023 - 04W	33023 - 34	34023 - SWSW	35023 - 34	36023 -
30024 - 01 IRRIGATION	31024 - 05N	32024 - 04W	33024 - 34	34024 - SESW	35024 - 08	36024 -
30025 - 01 IRRIGATION	31025 - 04N	32025 - 04W	33025 - 03	34025 - NENE	35025 - 19	36025 -
30026 - 01 IRRIGATION	31026 - 04N	32026 - 04W	33026 - 03	34026 - NWNE	35026 - 24	36026 -

WRR100
63-5022

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

2/14/86
VERIFIED JKN

PAGE 2
30-JAN-1986 19:46:20

USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30027 - 01 IRRIGATION	31027 - 04N	32027 - 04W	33027 - 03	34027 - SWNE	35027 - 39	36027 -
30028 - 01 IRRIGATION	31028 - 04N	32028 - 04W	33028 - 03	34028 - SENE	35028 - 39	36028 -
30029 - 01 IRRIGATION	31029 - 04N	32029 - 04W	33029 - 03	34029 - NENW	35029 - 28	36029 -
30030 - 01 IRRIGATION	31030 - 04N	32030 - 04W	33030 - 03	34030 - NWNW	35030 - 32	36030 -
30031 - 01 IRRIGATION	31031 - 04N	32031 - 04W	33031 - 03	34031 - SENW	35031 - 39	36031 -
30032 - 01 IRRIGATION	31032 - 04N	32032 - 04W	33032 - 03	34032 - NESW	35032 - 39	36032 -
30033 - 01 IRRIGATION	31033 - 04N	32033 - 04W	33033 - 03	34033 - NESE	35033 - 38	36033 -
30034 - 01 IRRIGATION	31034 - 04N	32034 - 04W	33034 - 03	34034 - NWSE	35034 - 39	36034 -
30035 - 01 IRRIGATION	31035 - 04N	32035 - 04W	33035 - 04	34035 - NENE	35035 - 27	36035 -
30036 - 01 IRRIGATION	31036 - 04N	32036 - 04W	33036 - 04	34036 - NWNE	35036 - 30	36036 -
30037 - 01 IRRIGATION	31037 - 04N	32037 - 04W	33037 - 04	34037 - NWNW	35037 - 31	36037 -
30038 - 01 IRRIGATION	31038 - 05N	32038 - 04W	33038 - 32	34038 - NESE	35038 - 32	36038 -

TOTAL ACRES: 1083

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0401	38001 - 1101	39001 - 01 IRRIGATION	40001 -	21.200	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS

44001 - P/U WITHIN THE LANDS OF LOWER CENTER POINT DITCH CO.

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

D A T E S	D A T E S	F L A G S
47 PRIORITY - 1-APR-1932	55 LICENSE -	63 TRANSFER/AMENDED -
48 PROOF DUE -	56 APPL RECEIVED -	64 DLE/CAREY ACT -
49 PROOF MADE -	57 FIELD EXAM MADE -	65 FLAG_1 -
50 APPROVE/DENIED -	58 DECREE -	66 FLAG_2 -
51 PROTESTED -	59 START WORK -	67 FLAG_3 -
52 HEARING -	60 ORDER SHOW CAUSE -	
53 VERIFIED -	61 DATE_1 -	
54 LAST UPDATE - 30-JAN-1986	62 DATE_2 -	

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Jan Weaver

Right Number

63-5022

Applicant

LOWER CENTER POINT DITCH Co.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 6/13/83
- ☒ Claim published correctly. miss. info. 5/26 & 6/2/83 301
- ☐ Exceptions processed.

By DBS

Date 6/28/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By J.V.V.

Date 7-6-83

RECEIVED
JUL 6 1983

Department of Water Resources

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JUNE 15, 1983

LOWER CENTER POINT DITCH CO.
RT. 2 BOX 623
CALDWELL ID 83605

RE: Claim No. 63-5022

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

63-5022-

LOWER CENTER POINT DITCH CO.

RT. 2 BOX 623, CALDWELL, ID 83605

Source: BOISE RIVER trib. to SNAKE RIVER

Priority Date: 04/01/1932

Diversion Pt: NENW Sec 12 T 04N R 04W

Use: IRRIGATION (21.20 CFS)

No
row(s).

In: NWNW ✓ SWNW ✓ SENW ✓ NENW ✓ NWSW ✓ Sec 02 T 04N R 04W NENE ✓ NUNE ✓ SWNE ✓
Sec 05 T 04N R 04W SENE ✓ SWSW ✓ SESW ✓ SWSE ✓ SESE ✓ Sec 32 T 05N R 04W NESW ✓ NWSW ✓
SWSW ✓ SESW ✓ NESE ✓ NWSE ✓ SWSE ✓ SESE ✓ Sec 33 T 05N R 04W NWSW ✓ SWSW ✓ SESW ✓
Sec 34 T 05N R 04W NENE ✓ NUNE ✓ SWNE ✓ SENE ✓ NENW ✓ NWNW ✓ SENW ✓ NESW ✓ NESE ✓ NWSE ✓
Sec 03 T 04N R 04W NENE ✓ NUNE ✓ NWNW ✓ Sec 04 T 04N R 04W FOR 1083 ACRES
TSN R4W S32 NESE

7/4 within the lands of Lower Center Point Ditch Co.
ac. = 1083.

MICROFILMED

February 25, 1983

Lower Center Point Ditch Company
Rt. 2 Box 623
Caldwell, ID 83605

Gentlemen:

Enclosed is the Claim to a Water Right for the Lower Center Point Ditch Company.

Please review the Claim, sign (by officer listing his title), notarize and return with the \$30.00 filing fee. Also, we will still need that land list of the irrigated ground under the ditch that we discussed.

If you have any questions, please contact me.

Sincerely,

See Sisco
Senior Water Resource Agent

LS:jp

Enclosure

MICROFILMED

