

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 63-4488
Date Received: 2/22/1990
Receipt No: C014867
Received By:

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

1. Name of Claimant(s)

KENNETH LEROY SEWARD Phone: (208)674-2081
29476 HWY 20-26
PARMA ID USA 83660

2. Date of Priority: 03/01/1920

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	05W	7	NW SE 1	CANYON	

5. Description of diverting works:

HEADGATE, GRAVITY FLOW DITCH

6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:
0.8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06N	05W	6		3 IRRIGATION	18

06N 05W 7

Section Acres	18
1 IRRIGATION	22
Section Acres	22
Total Acres	40

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:

SEC 7 IS IN CANYON COUNTY; SEC 6 IS IN PAYETTE COUNTY.
THIS WATER RIGHT MAY BE DESCRIBED IN FILING 63-0448, HOWEVER FURTHER RESEARCH IS
NEEDED.
CHANGE OF OWNERSHIP 7/7/98 BY JG.

15. Basis of Claim: Statutory Claim

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): *Sennett Gray Award* Date: 5-17-06

Date:

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 17 day
of May 2006



Jan Shurte
Notary Public
Residing at *Mendota ID*

MY COMMISSION EXPIRES
9-14-2006

05/17/2006

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: A63-04488
Date Received: 2/22/1990
Receipt No: C014867
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: KENNETH LEROY SEWARD
Address: RT 2 BOX 2442
PARMA ID

83660

208-674-2081
RECEIVED
FEB 8 1993

2. Date of Priority: MAR 1, 1940

3. Source: UNNAMED DRAIN

Trib. to: SNAKE RIVER
Department of Water Resources
Western Regional Office

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	05W	7		NW	SE	1	CANYON

5. Description of diverting works:
HEADGATE, GRAVITY FLOW DITCH

6. Water is used for the following purposes:

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

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

A.F.A.

8. Total consumptive use is 182.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	05W	6			3	IRR	18.0
						Section Acres	18.0
		7			1	IRR	22.0

A63-04488

Page 1

Date: 02/04/93

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JUL 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	22.0
					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:
03-02040

14. Remarks:

SEC 7 IS IN CANYON COUNTY; SEC 6 IS IN PAYETTE COUNTY.
THIS WATER RIGHT MAY BE DESCRIBED IN FILING 63-0448, HOWEVER
FURTHER RESEARCH IS NEEDED.

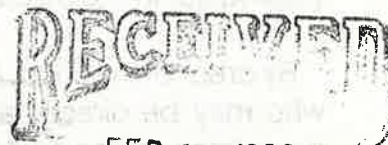
15. Basis of Claim: STATUTORY CLAIM

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 A63-04488
Date Received 2/22/90
Receipt Number C014867

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW



FEB 22 1990

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Kenneth Leroy Seward Phone (208) 674-2081

Mailing Address R.R. #2, Box 2442, Parma, ID Zip 83660

2. Date of Priority (Only one (1) per claim) March 1, 1940

3. Source of water supply (a) Drain water
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 6N Range 5W Section 7,
1/4 of NW 1/4 of SE 1/4, Govt. Lot, 1 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,

_____ 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. Headgate, gravity flow

ditch

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .80 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

8. Total consumptive use claimed is 182 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	
6N	5W	7	Lot 1 - 22																22
		6	Lot 3 - 18																18

Total number of acres irrigated 40

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

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.
Ace3-02040 or None ()

14. Remarks: Sec. 7 is in Canyon Co., Sec. 6 is in Payette Co.

This water right may be described in filing 63-04488; however, further research is needed.

MICROFILMED

Last Name _____ Ident No. _____

Copies: White - State, Yellow - Claimant
JUL 23 1954

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

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 1

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

Signature of Claimant (s) *Kenneth Gray Arnold* Date 1/29/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ 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 29th day of January 19 90

SEAL

Notary Public *Helen Harrington*

Residing at Helen Harrington, Notary Public

Residing at Boise, Idaho

My Commission Expires December 1, 1994

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

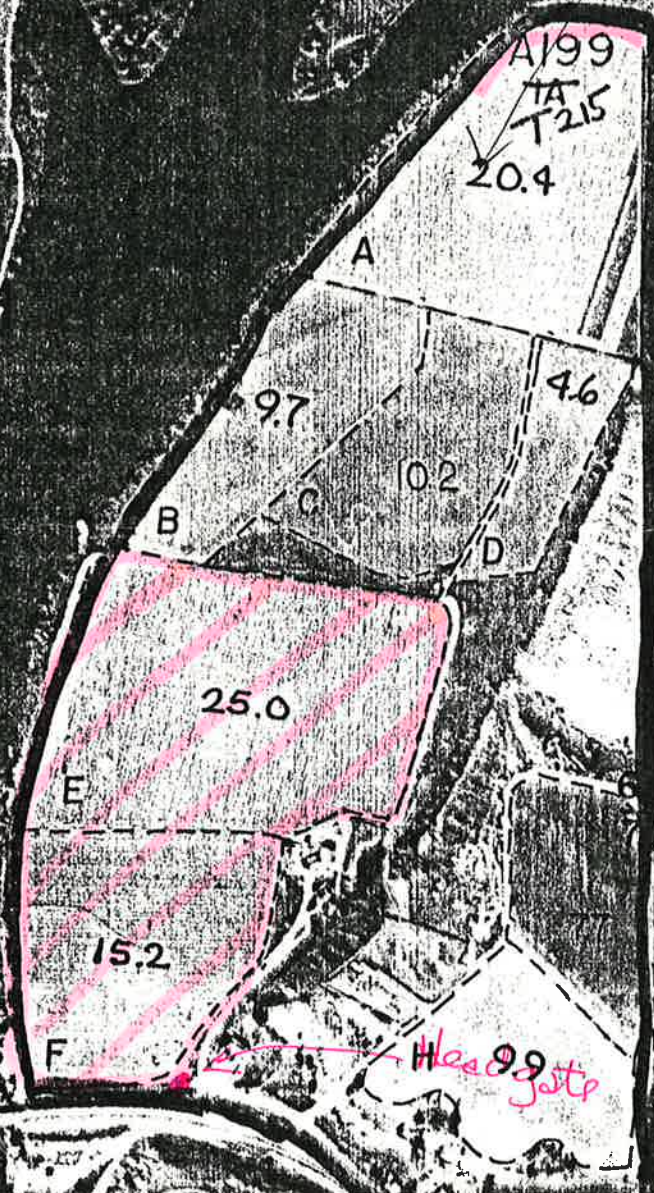
Last Name _____ Ident. Number _____

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Jul 25 1994
Copies White State, Yellow-Claimant

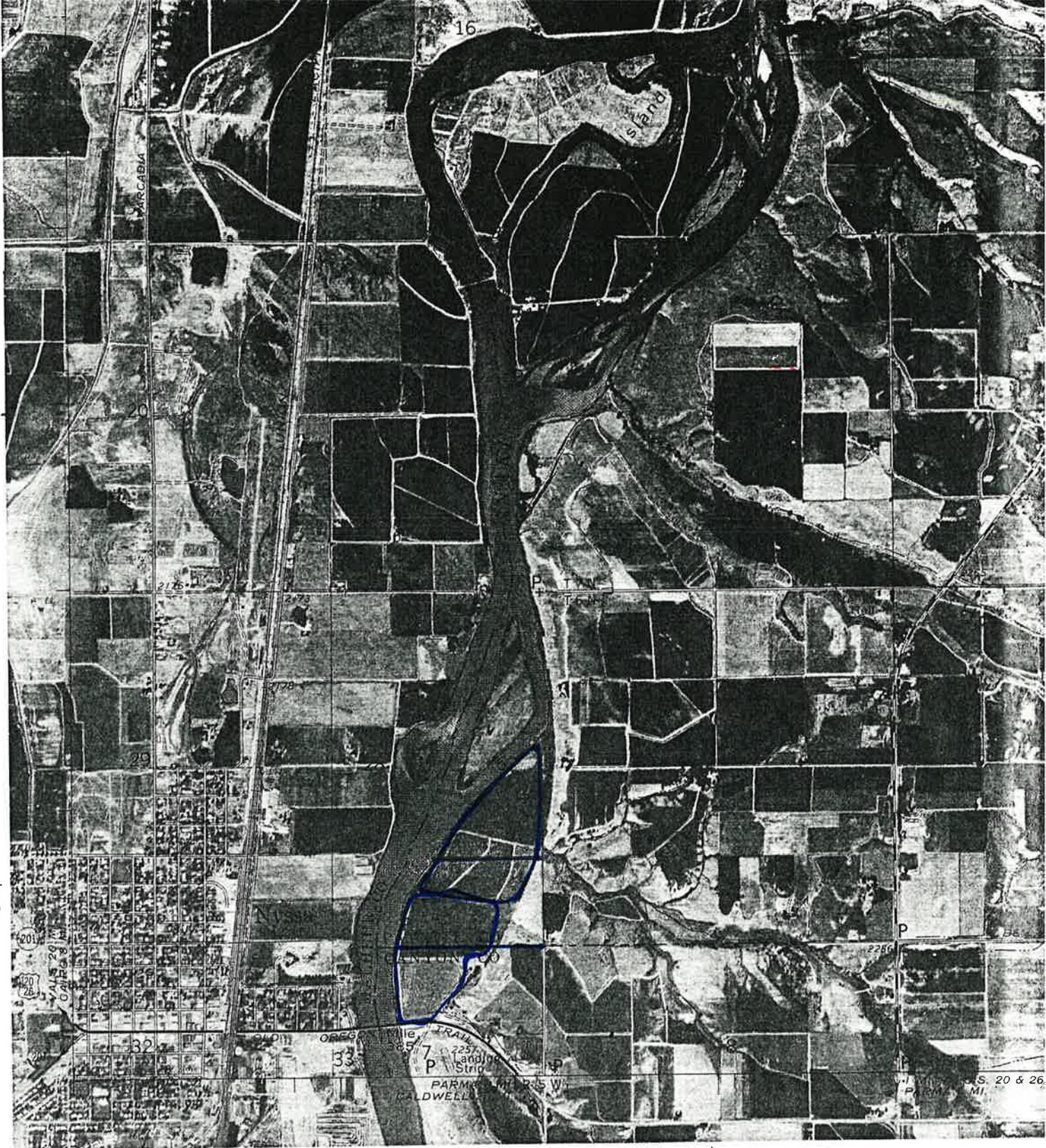
POOR ORIGINAL

A. F. Seward farm
Lucille Pett farm



1000 FEET
(IDAHO)

43°52'30"



117°00'

180 000 FEET (IDAHO)

Produced by the Geological Survey

Orthophotograph prepared from 1:76,000-scale
aerial photographs taken July 18, 1974

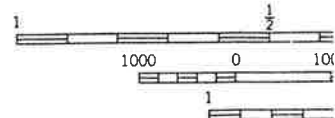
Projection: Idaho coordinate system, west zone
(transverse Mercator)
10,000-foot grid ticks based on Idaho coordinate
system, west zone and Oregon coordinate system,
south zone
1,000-metre Universal Transverse Mercator grid ticks,
zone 11. 1927 North American datum

T6N
R5W

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JUL 25 1994

POOR ORIGINAL



NORTH

For use with
A63-04488
A63-04489
and
A63-02040

T 6N
R 5W

Sec. 6

Sec. 7

SWAKE

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JUL 25 1994

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 01/29/93
Time: 12:29:13

Rec/No - C014867 AR/No -
From: - UNITED FARMS/SEWARD, K.

Receipt Type - CK Doc/No - 6423
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 02/22/1990

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION FEE	9337		410162	6490		260.00

Total Due - 260.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A0302040	90.00	A6304488	50.00	A6304489	95.00
	25.00				

(ENTER=CONTINUE)

(GOLD7=SELECTION SCREEN)

(GOLD8=CANCEL)

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JUN 25 1994

Water Right Number - 63-04488

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
SEWARD

DWIGHT F.

1 - RT. 2

2 -

3 -

City- PARMA

State- ID Zip- 83660

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/01/1940 14 WESTERN S - STATUTORY CLAIM+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

06N 05W 7 NE NE 1 (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

03/15

11/15

0.890

200.25

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.890 200.25+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

06N 05W 6

SE SE

3

25.0

01

IRRIGATION

(27) CANYON

06N 05W 7

NE NE

1

20.0

01

IRRIGATION

(27) CANYON

Total Acres: 45.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

AC. IRR.=44.5.

INCORRECTLY DESCRIBES P/U IN SEC. 7 AS LOT 3.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

JUL 25 1994

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Prefix Translation: WATER RIGHT

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 03/05/85 05/01/88 CONVERT

[illegible]

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	- 03/05/1985	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	- A
Decree Date	- 00/00/0000	Presumption Flag	-		

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JUL 25 1994

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME

Seward, Kenneth

CLAIM IDENT. NO.

A63-04488DATE RECEIVED 2-22-90 RECEIPT # 0014867 FEE PAID \$ 50.00 FEE REQ'D \$ 50.00

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? ☒ *			
See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. 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?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	☒	☐	*
If multiple domestic, is single ownership indicated?	☒	☐	
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. 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.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed?	☒	☐	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.			
If no, was water right no. found?	☒	☐	*
17. 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?	☒	☐	
(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.			
18. If the claimant requested a monthly docket sheet, was the fee paid?	☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. 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?	☒	☐	*
22. Is the fee enclosed correct?	☒	☐	

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	YES	NO
23. Is this claim being rejected and returned to claimant?	—	✓
24. Can this claim be data entered?	✓	—
25. Was claim modified?	—	✓
If yes, do modifications require notification to claimant? . . .	NA	—

Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: CA Date 1-29-93
 Claim data entered by: MM Date 2/4/93

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: See letter in claim file 63-04489 from
Water Resource Agent Bill Macallister. This
claim appears to be an attempt to describe
the same water right that was assigned
NO. 63-04488.
P.O.U. overlaps with A03-02040
P.O.D. appears to be in Lot 1 NWNE.

12/10/2006

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

RIGHT NUMBER: 63-4488

NAME AND ADDRESS: KENNETH LEROY SEWARD
29476 HWY 20-26
PARMA ID 83660

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.800 CFS

Right Nos. 63-4488 and 03-2040 are limited to a total combined diversion rate of 0.80 cfs.

PRIORITY DATE: 03/01/1920

POINT OF

DIVERSION: T06N R05W S7 NWNE Lot 1 Within CANYON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.800 CFS

PLACE OF USE: IRRIGATION in CANYON County and PAYETTE County

T06N R05W S06 Lot 3 SWSE 12.00 T06N R05W S06 Lot 3 SESE 10.00

T06N R05W S07 Lot 1 NENE 2.00 T06N R05W S07 Lot 1 NWNE 16.00

40 ACRES TOTAL

T06N, R05W S6 SWSE & S7 NWNE is unsurveyed, nonfederal land except where noted by GCDB lot number.

Right Nos. 63-4488 and 03-2040 are limited to the irrigation of a combined total of 40 acres in a single irrigation season.

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

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

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

SEC 7 IS IN CANYON COUNTY; SEC 6 IS IN PAYETTE COUNTY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/16/2006

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

RIGHT NUMBER: 63-4488

NAME AND ADDRESS: KENNETH LEROY SEWARD
29476 HWY 20-26
PARMA ID 83660

SOURCE: UNNAMED DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.800 CFS

Right Nos. 63-4488 and 03-2040 are limited to a total combined diversion rate of 0.80 cfs.

PRIORITY DATE: 03/01/1920

POINT OF DIVERSION:

T06N R05W S7 NWNE Lot 1 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.800 CFS

PLACE OF USE: IRRIGATION Within PAYETTE County

T06N R05W S06 Lot 3 SWSE 12.00 T06N R05W S06 Lot 3 SESE 10.00

T06N R05W S07 Lot 1 NENE 2.00 T06N R05W S07 Lot 1 NWNE 16.00

40 ACRES TOTAL

Right Nos. 63-4488 and 03-2040 are limited to the irrigation of a combined total of 40 acres in a single irrigation season.

T06N, R05W S6 SWSE & S7 NWNE is unsurveyed, nonfederal land except where noted by GCDB lot number.

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.

SEC 7 IS IN CANYON COUNTY; SEC 6 IS IN PAYETTE COUNTY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4488 V1

WATER RIGHT NUMBER: 63-4488 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DWIGHT F SEWARD RT 2 PARMA, ID 83660
Current Owner	KENNETH LEROY SEWARD 29476 HWY 20-26 PARMA, ID 83660 (208)674-2081

Priority Date: 03/01/1920

Basis: Beneficial Use

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

UNNAMED DRAIN	L1 (NW1/4NE1/4)	Sec. 7, Twp 06N, Rge 05W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	05W	6															12.0	10.0	22.0
																	L 3	L 3	
06N	05W	7	2.0	16.0															18.0
			L 1	L 1															

Total Acres: 40

Conditions of Approval:

1. E55 Right Nos. 63-4488 and 03-2040 are limited to the irrigation of a combined total of 40 acres in a single irrigation season.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. E51 Right Nos. 63-4488 and 03-2040 are limited to a total combined diversion rate of 0.80 cfs.
4. SEC 7 IS IN CANYON COUNTY; SEC 6 IS IN PAYETTE COUNTY.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4488 V1

5. T06N, R05W S6 SWSE & S7 NWNE is unsurveyed, nonfederal land except where noted by GCDB lot number.

Remarks:Comments:

1. dnelson 9/16/2006 Claim Review

Comment: This claim was based on a statutory claim. The priority date was confirmed through an affidavit of a friend who worked the farm in 1920. The season was changed to the department standards. Burke Scholer performed a field exam on this claim. Mr. Scholer found that the ditch system had the capacity to carry 2.00 cfs. Therefore, this diversion rate of 0.80 cfs, which based on the standard 0.02 cfs per acre, is acceptable.

The acre determination was difficult, because the irrigation practices have changed from 1987 to the present. Using the 1987 aerial photos, I found 40 acres of irrigation for this right. Some of these lands are in the SWSE S6 and NWNE S7, and these tracts are un-surveyed, and are only included as government lots on the GCDB. There should not be any issues with the acre descriptions in the SESE S6 and NENE S7. Another issue is that the lands in S6 are in Payette County and the lands in S7 are in Canyon County. The confusion between 40-acre tract designations and government lots also caused a mistake in the description of the point of diversion. The point of diversion is actually located in Lot 1, NWNE S7 T6N R5W.

Water right 03-2040 from the Snake River is also used on these same 40 acres. The recommendation on the other right allows 40 acres, but does not describe 40 acres in the land list. This will be checked out. Either way, when these two rights are combined, they should be limited to 0.02 cfs per acre and a total diversion rate of 0.80 cfs. Many of the conditions will be the same for each right.

2. dnelson 9/16/2006 Text

Comment: SEC 7 IS IN CANYON COUNTY; SEC 6 IS IN PAYETTE COUNTY.

THIS WATER RIGHT MAY BE DESCRIBED IN FILING 63-0448, HOWEVER FURTHER RESEARCH IS NEEDED.
CHANGE OF OWNERSHIP 7/7/98 BY JG.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.8		40
Combined Water Rights: 3-2040 , 63-4488		

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4488 V1

Summary		04/23/2006	scurtis	Active
Contacts	9/16/2006 11:51:36 AM	dnelson		Active
Priority Date	9/16/2006 11:52:56 AM	dnelson		Active
POD	9/16/2006 11:54:34 AM	dnelson		Active
Source	9/16/2006 11:55:16 AM	dnelson		Active
POU	9/16/2006 11:59:10 AM	dnelson		Active
Use	9/16/2006 11:59:48 AM	dnelson		Active
Season	9/16/2006 12:00:28 PM	dnelson		Active
Quantity	9/16/2006 12:01:17 PM	dnelson		Active
Summary		09/16/2006	dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
General	9/16/2006 11:52:56 AM	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 of a friend that worked on the farm in the 1920s.
POD	9/16/2006 11:54:15 AM	dnelson	Updated shape
POD	9/16/2006 11:54:35 AM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4488 V1

POU	9/16/2006 11:59:10 AM	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? (Yes) 14. Is a POU remark and/or condition required? Description for Question 13 - Field Exam by Contractor.
Source	9/16/2006 11:55:16 AM	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 Contractor.
Use	9/16/2006 11:59:49 AM	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 Contractor
Season	9/16/2006 12:00:29 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4488 V1

Quantity	9/16/2006 12:01:18 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? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Field Exam by Contractor using a theoretical calculation.
Summary	9/16/2006 12:03:24 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? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	9/16/2006 11:51:36 AM	dnelson	(Yes) 1. Do you want to schedule an appointment? (No) 2. Do you want to update the field exam contact information? Contact Person: KENNETH LEROY SEWARD - Contact Phone Number: (208) 674-2081 Date of Field Exam: 7/12/2006 & 7/26.2006 Directions to Property:
POU	9/16/2006 11:58:36 AM	dnelson	Updated shape for Active POU
Summary	4/23/2006 5:36:24 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?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4488

WATER RIGHT NUMBER: 63-4488

Owner Type Name and Address
 Current Owner KENNETH LEROY SEWARD
 29476 HWY 20-26
 PARMA, ID 83660
 (208)674-2081
 Original Owner DWIGHT F SEWARD
 RT 2
 PARMA, ID 83660

Priority Date: 03/01/1920 — OK per Affidavit.
 Basis: Statutory Claim — Beneficial use
 Status: Active

Source Tributary
 UNNAMED DRAIN SNAKE RIVER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 3/15 to 11/15 0.800 CFS
 per standard. → 3-1 to 11-15 Total Diversion: 0.800 CFS

BURKE meas. 2.000 CFS
 .8 CFS = 0.02 CFS/Ac
 D.K.

SURFACE WATER
 NO VOLUME
 REQUIRED.

Location of Point(s) of Diversion

UNNAMED DRAIN L1 (NW1/4SE1/4) Sec. 7, Twp 06N, Rge 05W, B.M.
 CANYON County LT. 1 NONE

Place of Use

IRRIGATION

↑
 FIX TYPO

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	05W	6																	
06N	05W	7	2	10												12	10		
			LT1	LT1												LT3	LT3		

Total Acres: 40

Conditions of Approval:

1. SEC 7 IS IN CANYON COUNTY; SEC 6 IS IN PAYETTE COUNTY.
 THIS WATER RIGHT MAY BE DESCRIBED IN FILING 63-0448, HOWEVER FURTHER RESEARCH IS NEEDED.
 CHANGE OF OWNERSHIP 7/7/98 BY JG.

Remarks:

USE similar
 conditions
 FROM 3-2040.

E 51
 F 55

move TO COMMENTS
 TEXT.

03-2040
 overlaps P.U.

**T6N R5W S6
PAYETTE COUNTY**

NWSE

LT 2

NESE

LT 2

NWSW

SWSE

12 AC

LT 3

SESE

10 AC

LT 3

SWSW

NWNE

16 AC

LT 1

NENE

2 AC

LT 1

NWNW

T6N

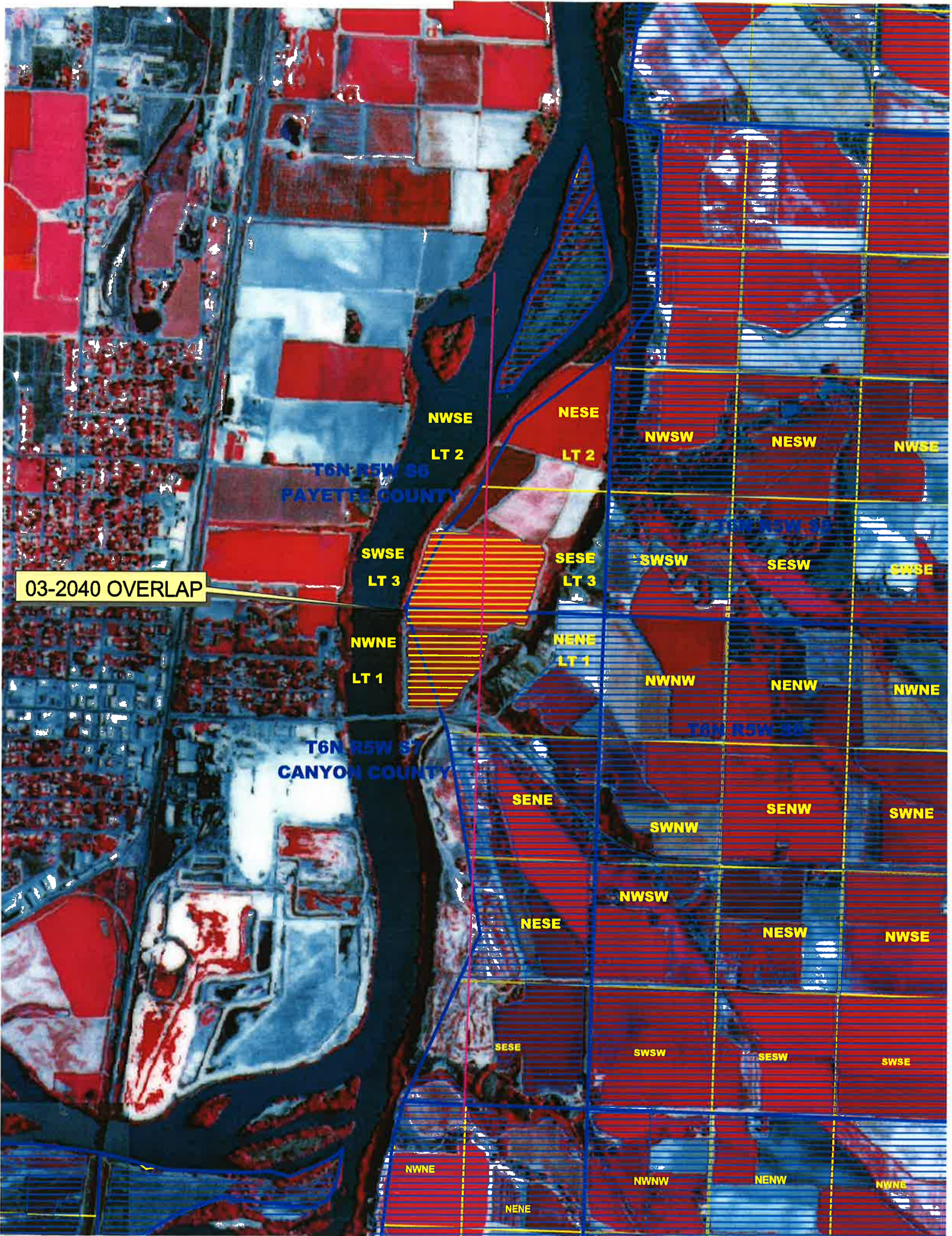
**T6N R5W S7
CANYON COUNTY**

SENE

SWNW

NWSW

NESE



03-2040 OVERLAP

T6N R5W S6
PAYETTE COUNTY

T6N R5W S7
CANYON COUNTY

NWSE

NESE

NWSW

NESW

NWSE

LT 2

LT 2

SWSE

SESE

SWSW

SESW

SWSE

LT 3

LT 3

NWNE

NENE

NWNW

NENW

NWNE

LT 1

LT 1

T6N R5W S8

SENE

SWNW

SENW

SWNE

NESE

NWSW

NESW

NWSE

SESE

SWSW

SESW

SWSE

NWNE

NWNW

NENW

NWNE

NENE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 3-2040 V1

WATER RIGHT NUMBER: 3-2040 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KENNETH LEROY SEWARD 29476 HWY 20-26 PARMA, ID 83660 (208)674-2081

Priority Date: 06/15/1956

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.800 CFS	180.00 AF
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	L1 (NW1/4SE1/4)	Sec. 7, Twp 06N, Rge 05W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals		
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
06N	05W	6																	11.5	10.5	22.0
																			L 3	L 3	
06N	05W	7	2.0	12.0																	14.0
			L 1	L 1																	

Total Acres: 40

Conditions of Approval:

1. SEC. 7 IS IN CANYON COUNTY, SEC. 6 IS IN PAYETTE COUNTY.
2. T06N, R05W S6 SWSE & S7 NWNE is unsurveyed, nonfederal land except where noted by GCDB lot number.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. F07 Rights have also been claimed to water from Basin 63 for the same purpose of use at the same place of use described above, which will be included in a Directors Report to be filed at a later date. Any water rights recommended in the Basin 63 report for the same purpose of use at the same place of use described above will contain combined use limitations for this right and the Basin 63 rights.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 3-2040 V1

Remarks:

Comments:

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
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:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4488

WATER RIGHT NUMBER: 63-4488

Owner Type

Current Owner

Name and Address

KENNETH LEROY SEWARD ✓
 29476 HWY 20-26
 PARMA, ID 83660
 (208)674-2081

Original Owner

DWIGHT F SEWARD
 RT 2
 PARMA, ID 83660

Priority Date: 03/01/1920

Basis: Statutory Claim

Status: Active

Source

UNNAMED DRAIN ✓

Tributary

SNAKE RIVER

Beneficial Use

IRRIGATION ✓

From To

3/15 to 11/15 ✓

Diversion Rate

0.800 CFS ✓

Annual VolumeTotal Diversion:

0.800 CFS

Location of Point(s) of Diversion

UNNAMED DRAIN

L1 (NW1/4SE1/4)

Sec. 7, Twp 06N, Rge 05W, B.M.

CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N	05W	6		2.05				15.12											17.17
06N	05W	7																	

Total Acres: 40

Conditions of Approval:

1.

SEC 7 IS IN CANYON COUNTY; SEC 6 IS IN PAYETTE COUNTY.

THIS WATER RIGHT MAY BE DESCRIBED IN FILING 63-0448, HOWEVER FURTHER RESEARCH IS NEEDED.

CHANGE OF OWNERSHIP 7/7/98 BY JG.

Remarks:

87.44 TOTAL
 70.27 - 4489
 17.17 - 4488
87.44

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

2.) Lift (distance from pump to water) _____

3.) How was lift determined (well log, measurement, owner)? _____

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

5.) Was a measurement made? _____ If no can a measurement be made at a latter time? _____

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

7.) Is there a pump curve available for pump? _____

8.) Please fill out the following:

Number of sprinklers _____

Sprinkler nozzle size _____

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

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

NO Pump

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.

OTHER INFORMATION NEEDED:

IRRIGATION DITCHES ARE CONCRETE LINED WITH
16" VERTICAL DEPTH. INCLUDED IS FLOW RATE TABLE SHOWING
THE DITCHES HAVE ADEQUATE CAPACITY FOR WATER
RIGHT FLOWS.

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

DATE EXAM CONDUCTED 7/12/06 FIELD WRITE-UP 7/26/06

FIELD EXAMINER Deborah Scholm



LOOKING NORTH



LOOKING S.W.

P.O.D
 63-4488 ~~63-4489~~
 CANYON CO. SIDE

TURBULENT
 FOUNTAIN SCREEN

OVERFLOW BOX FROM
 12" HEADGATE BOX
 SPILLWATER CAN BE
 RUN TO RIVER IN PIPELINE
 ALSO USED AS RIVER RIGHT
 PUMPLINE



12" HEADGATE
 P.O.D.

PIPED FROM THE
 DRAIN DITCH TO HERE

LOOKING WEST



LOOKING N.E.
POU ON CANYON CO. SIDE
63-4488



SNAKE RIVER RIGHT
NEAR THESE RIGHTS
63-4488 & 63-4489



PUMPSTATION
PUMP DATA
IN FILE



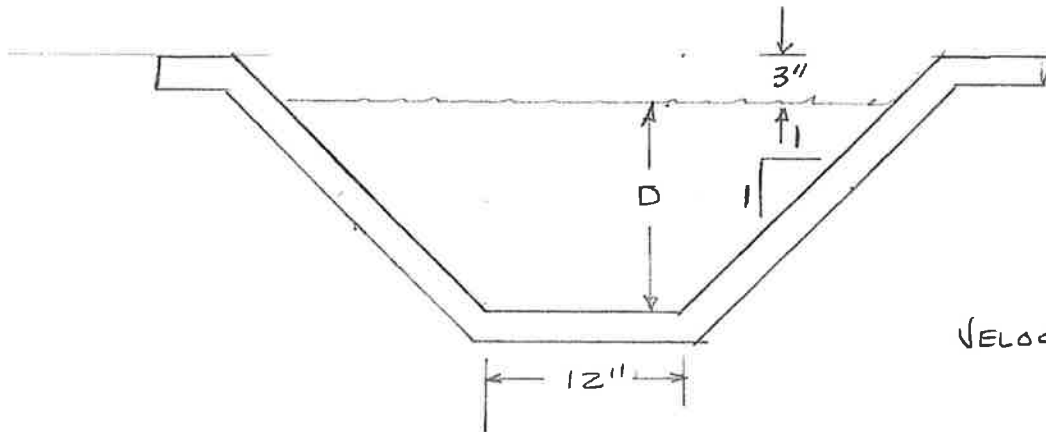


APPLICABLE TO: 63-448B
BOTH OF SEWARD'S RIGHT

CONCRETE DITCH LINING

$$V = \frac{1.486}{n} r^{2/3} S^{1/2}$$

$$n = 0.014$$



VELOCITY IS SUB-CRITICAL

$$V < 4' / \text{sec}$$

TOP WIDTH	DEPTH	MIN SLOPE	FREE- BOARD	Q _{CFS}	S ₁ = .01 Q = CFS	S ₂ .015	S ₃ .02	S ₄ .025
36"	12"	.0015	3"	1.0 CFS	2.5	3.3	3.75	4.3
40"	14"	.0015	3"	1.75	3.75	4.4	5.0	6.0
44"	16"	.0015	3"	2.0	5.3	6.5	7.7	8.5
48"	18"	.0015	3"	2.6	6.8	8.5	9.7	12.0
52"	20"	.0015	3"	3.4	8.8	12.0	13.5	14.5

DITCH IS CAPABLE OF
CARRYING THE W.R. FLOW RATE

PAYETTE CO. DIVERSION

P.O.D. SITETAG: A0002414

GPS = 2261054
#109 1413523

63-4489

Pump @ RIVER

P.O.D. =

LIFT 18' TOTAL

GPS = 2260391
#110 1412791

A0002415
SITETAG

PARMA
JATER LIFTER

7 1/2 HP MOTOR

1800 RPM

20 AMP

SN = 118102

RATIO = (16:6 1/2)

IDAHO POWER

METER # 87011922 $GPM = \frac{(7.5)(.5)(5960)}{18'}$

$K_R = 21.6$

DEMAND = 4.57

= 825 GPM

= 530 GPM
@ 28'

CANYON P.O.D.

SITE TAG
A0002416

GPS = 2260569
#111 1412817

63-4488

MATTER OF:

ALBERT SEWARD

AFFIDAVIT

State of ~~Idaho~~ Oregon

County of Malheur

I, Robert F. Thompson being first duly sworn,

deposes and says: I was born in the townsite of Arcadia, Malheur County,
Oregon in 1908. I have lived in or near Nyssa, Oregon all of my life
with a few brief interruptions when I lived in other areas, but even
during those times I frequently visited Nyssa and my relatives in
Nyssa. I presently reside approximately two miles west of Nyssa,
Oregon.

In 1920 I picked strawberries on a farm owned and operated by
a Mr. White, which was across the Snake River Bridge east from
Nyssa. This farm is the same farm that is described in the Claim To
A Water Right, to which this Affidavit is attached. I worked off and
on on the farm until 1924 or 1925. During those years the farm was
irrigated and the water supply either came from Snake River or from
creeks in the area. This was before the Black Canyon Irrigation
Project was constructed.

The farm then owned by Mr. White has been in continuous cul-
tivation since that time. I know of my own knowledge that it has
been irrigated and farmed continuously since 1920.

Robert F. Thompson
(signature)

Subscribed and sworn to before me this 23 day of January 19 79.

Robert F. Thompson
(notary public)

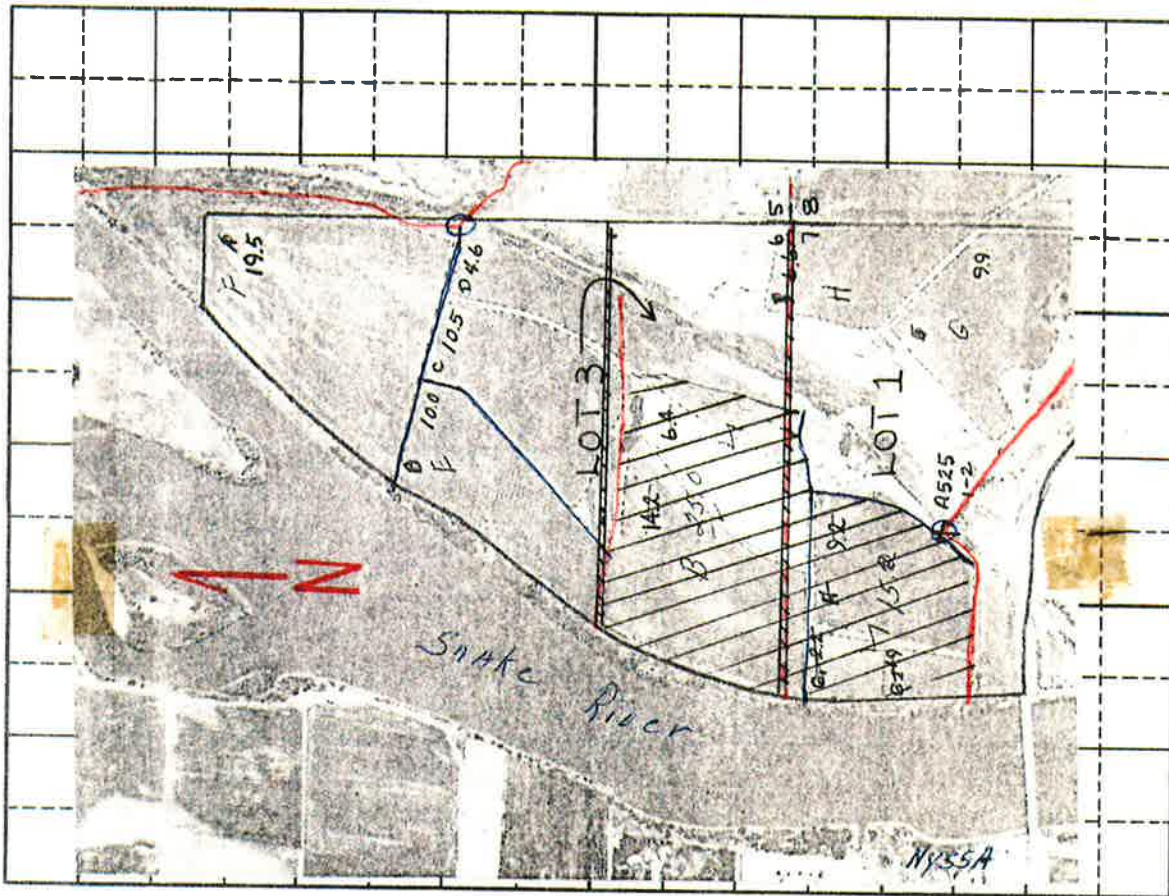
Notary Public for Oregon

Residing at Nyssa, Oregon 97913.

My commission expires 2/23/80.

(8) Remarks

— Natural Diversion
— Traditional Ditch
--- County Line
o Point of Diversion



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 Ada) 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.

Sworn to before me this 2nd day of May, 19 77.

August F. Seward
(Claimant)

Notary Public

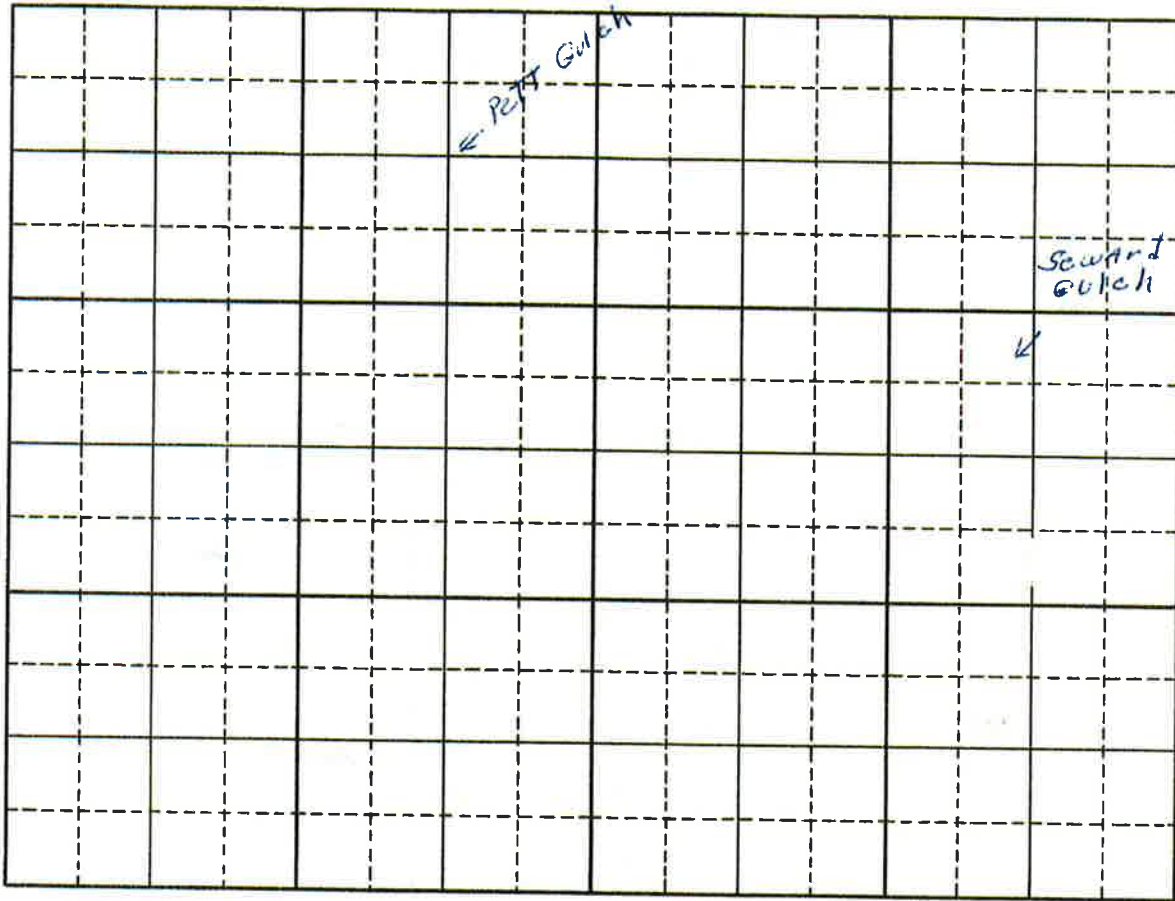
Residing at Boise, Id

My commission expires March 8, 1980

For Department Use Only

Received by <u>J. J. RW4</u>	Date <u>4-15-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>KON</u>	Date <u>5-9-77</u>		claimant by:	
\$10.00 fee received by <u>KON</u>	Date <u>4-15-77</u>	<u>#6948</u>		
Approved for publication by <u>CS</u>	<u>5-12-77</u>			
Published in <u>Independent Expositor</u>				
Dates <u>May 15, 1977 & May 26, 1977</u>				

(8) Remarks Show Natural Drainage
Irrigation ditch
County line  AREA IRRIGATED
Point of Diversion



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)
) ss.
 County of Ada)

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 affiants knowledge.

Sworn to before me this 15th day of April, 19 77.
Dwight M. Lusk
 (Claimant)
Henry J. Woods
 Notary Public
 Residing at Beise, Ida.

My commission expires 6/15/77

For Department Use Only

Received by <u>JD</u>	Date <u>4-15-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JD</u>	Date <u>4-15-77</u>		claimant by:	
\$10.00 fee received by <u>KTN</u>	Date <u>4/15/77</u>			
Approved for publication by _____				
Published in _____				
Dates _____				



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 9, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

KENNETH LEROY SEWARD
29476 HWY 20-26
PARMA ID 83660

RE: EVIDENCE OF PRIORITY

Snake River Basin Adjudication Claim No(s): A63-4488 AND A63-4489

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.

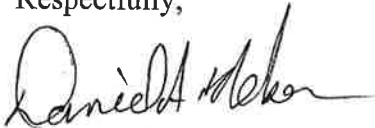
Page 2
Seward

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 stylized flourish at the end.

Daniel A. Nelson
Senior Agent
Western Region Office - IDWR

Enclosure: "Evidence of Priority" pamphlet
Notice of Claims A63-4488 & A63-4489

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.

4/24/2006

Idaho Dept. of Water Resources Place of Use Comparison Report

Page1

[illegible]

Idaho Dept. of Water Resources Place of Use Comparison Report

[illegible]

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
Claim	63 138C	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W7	21																21
Claim	63 188	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W7	21																21
Claim	63 189	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W7	21																21
Claim	63 190	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W7	21																21
Claim	63 191	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W7	21																21
Claim	63 296	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W7	21																21
Claim	63 303A	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W7	21																21
Rec	63 138C	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W7	X															X	0
Rec	63 188	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W7	X															X	0
Rec	63 189	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W7	X															X	0
Rec	63 190	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W7	X															X	0
Rec	63 191	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W7	X															X	0
Rec	63 296	FARMERS COOPERATIVE DITCH CO,	BOISE RIVER	06N05W7	X															X	0
Claim	63 4852	FARMERS COOPERATIVE DITCH CO,	CONWAY DRAIN	06N05W7	21																21
Rec	63 4852	FARMERS COOPERATIVE DITCH CO,	CONWAY DRAIN	06N05W7	X															X	0
Rec	63 7830	CITY OF NYSSA,	GROUND WATER	06N05W7																	0
Right	63 11166	JOHN R PALMER, MARY L PALMER,	GROUND WATER	06N05W7				X													0
Right	63 20923	ELSIE BAKER, BOBBY BAKER,	GROUND WATER	06N05W7				X													0
Right	63 20923	ELSIE BAKER, BOBBY BAKER,	GROUND WATER	06N05W7				X													0
Right	63 21086	JAMES KLAHR,	GROUND WATER	06N05W7													X				0

[illegible]



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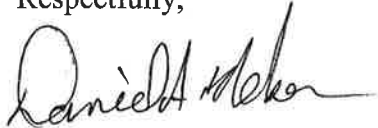
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Western Region Office - IDWR

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Notice of Claims A63-4488 & A63-4489

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Receipt Details for ID C014867

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/22/1990 11:40:22 AM	2/22/1990	State	\$260.00	Check
Payer	UNITED FARMS/SEWARD, K.			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
6423			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$260.00	ADJUDICATION 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
3	2040		\$90.00	Claim
63	4488		\$50.00	Claim
63	4489		\$95.00	Claim
63	28911		\$25.00	Claim

[Print Report](#)