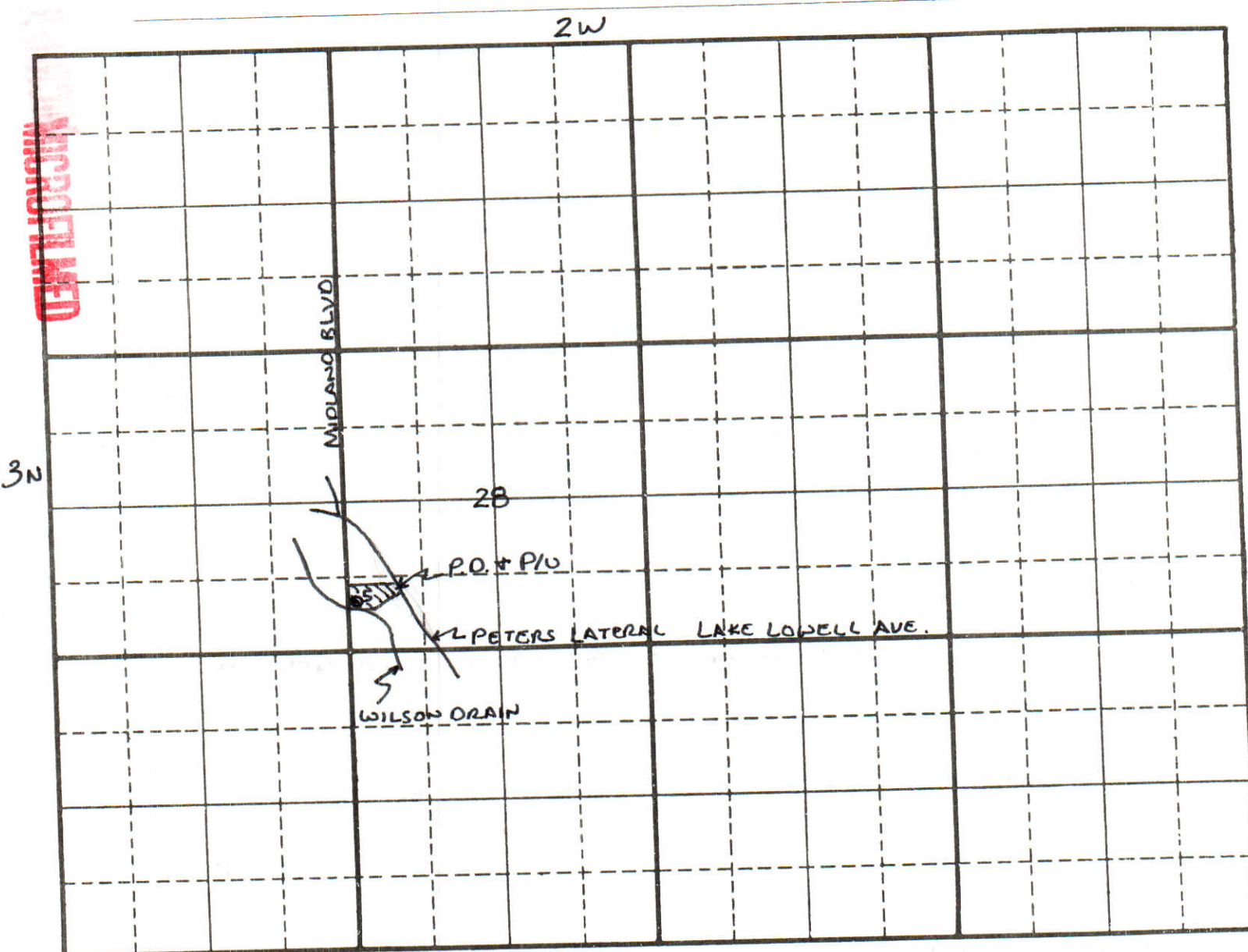


(8) Remarks 9.5 ACRES OF TOTAL OF WHICH 5 ACRES COVERED UNDER THIS CLAIM. REMAINING 4.5 ACRES COVERED UNDER NEW APPLIC.



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.

George W. McArthur
(Claimant)

Sworn to before me this 30 day of June, 1983.

Nancy M. Hathway
Notary Public
Residing at Bosse

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>AND</u>	Date <u>6/30/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JG</u>	Date <u>11-18-83</u>		claimant by:	
\$30.00 fee received by <u>mm</u>	Date <u>6-30-83</u> # <u>32273</u>			
Published in <u>Press-Tribune</u>				
Dates <u>1/26 & 2/2/84</u>				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that LEON D AND/OR DOLORES A Mc GORDICK
(Name of Claimant)
604 S MIDLAND Nampa, ID 83651 Telephone No. 466-0631
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1950

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
GROUNDWATER tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.15 cfs</u>	Use	<u>IRRIGATION</u>	Period of Use From	<u>4-1</u> To <u>11-1</u>
Quantity	<u>.02 cfs</u>	Use	<u>STOCKWATER</u>	Period of Use From	<u>1-1</u> To <u>12-31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 0.17 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SW 1/4, Sec. 28 Twp. 3N Rge. 2W B.M., County of CANYON
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 6" WELL W/ 3/4 HP PUMP AND SPRINKLER LINES.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>3N</u>	<u>2W</u>	<u>28</u>											<u>5</u>						<u>5</u>

No. of acres 5

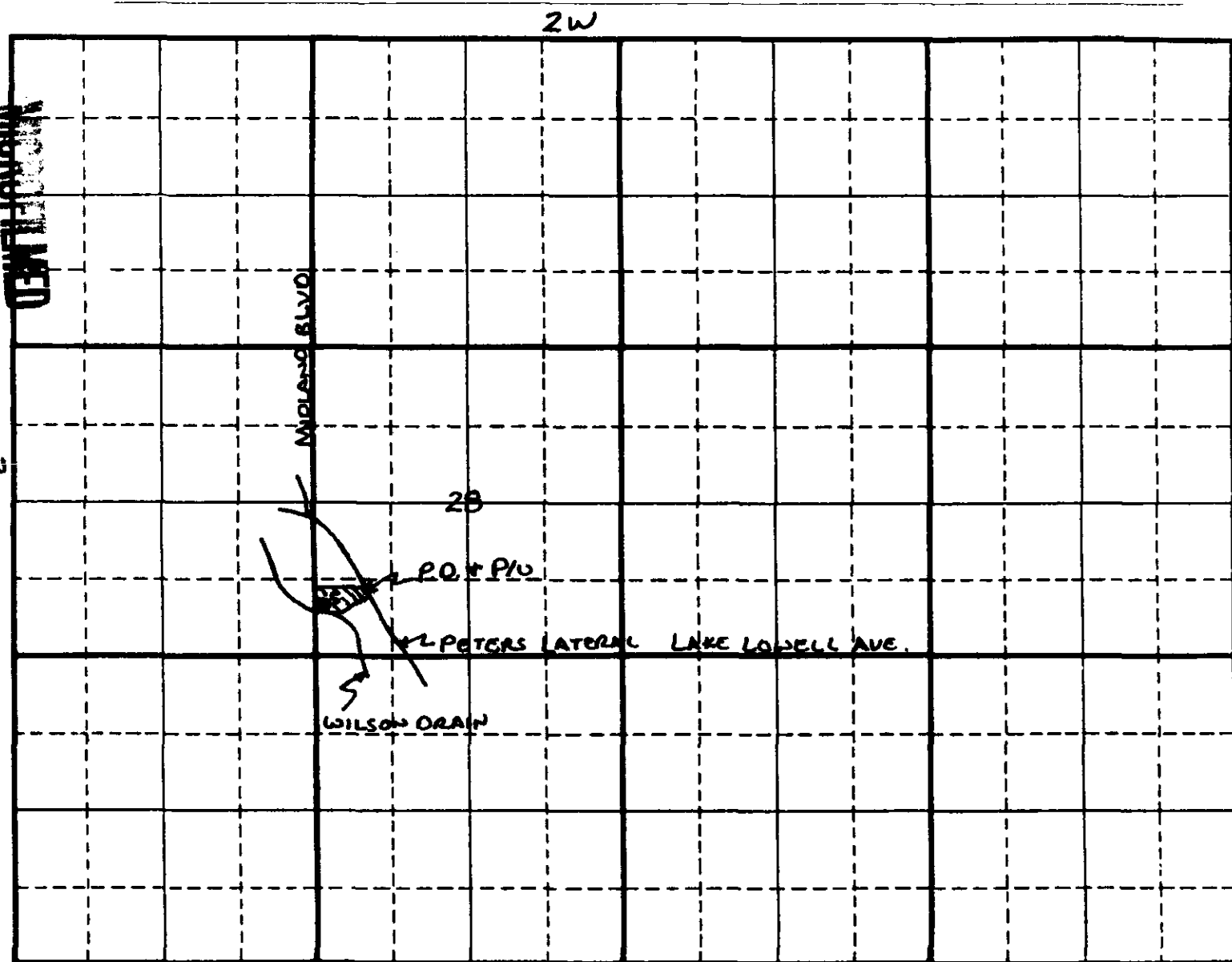
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: 12 goats, 2 horses, 1 steer

(7) If you are claiming water as a member of an organization, list name of organization: _____

MICROFILMED

(8) Remarks 9.5 ACRES OF TOTAL OF WHICH 5 ACRES COVERED UNDER THIS CLAIM. REMAINING 4.5 ACRES COVERED UNDER NEW APPLIC.



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 30 day of June, 1983.

[Signature]
(Claimant)

Nancy M. Hathway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>ADND</u>	Date <u>6/30/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JG</u>	Date <u>11-18-83</u>		claimant by:	
\$30.00 fee received by <u>nm</u>	Date <u>6-30-83</u>	<u>#32273</u>		
Published in <u>Boise Tribune</u>				
Dates <u>1/26 & 2/2/84</u>				

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

63-5237
PIONEER IRRIGATION DIST.
P.O. BOX 426, CALDWELL,
IDAHO 83605
Source: INDIAN CREEK trib. to
BOISE RIVER
Priority Date: April 1, 1910
Diversion Pt: NESW Sec 26 T 04N
R 03W
Use: IRRIGATION (16.00 CFS)
P/U: Within the lands of the
Pioneer Irr. Dist.

63-5238
LOVERDE, GUILLERMO L.
RT 9 BOX 122, CALDWELL,
IDAHO 83605
Source: GROUNDWATER
Priority Date: April 1, 1961
Diversion Pt: SWNW Sec 10 T 04N
R 03W

Use: DOMESTIC (0.03 CFS)
In: SENE, Sec. 09, T. 04N, R. 03W
SWNW Sec 10 T 04N R 03W

63-5239
FRANKLIN DITCH CO.
RT. 3 BOX 111, CALDWELL,
IDAHO 83605
Source: BACK SLOUGH trib. to
BOISE RIVER
Priority Date: April 1, 1880
Diversion Pt: SESW Sec 15 T 04N
R 02W SESE Sec 16 T 04N R 02W
Use: IRRIGATION (9.80 CFS)
In: NWSW SWSW SESW Sec 15 T
04N R 02W SWNW SENW NESW
NWSW SESW NESE NWSE
SWSE SESE Sec 16 T 04N R
02W NENE NWNE Sec 21 T
04N R 02W NENW NWNW Sec
22 T 04N R 02W FOR 445
ACRES

63-5240
MCGOLDRICK, LEON D. &/or
DOLORESA.
604 S. MIDLAND, NAMPA,
IDAHO 83651

Source: GROUNDWATER
Priority Date: January 1, 1950
Diversion Pt: SWSW Sec 28 T 03N
R 02W
Use: IRRIGATION (0.15 CFS)
STOCKWATER (0.02 CFS)
In: SWSW Sec 28 T 03N R 02W
FOR 5 ACRES

63-5245
ROSE, VERLA S.
RT. 1 BOX 1454, NAMPA, IDAHO
83651

Source: GROUNDWATER
Priority Date: May 20, 1959
Diversion Pt: SWNE Sec 36 T 03N
R 03W
Use: IRRIGATION (0.03 CFS)
DOMESTIC (0.04 CFS)
In: SWNE Sec 36 T 03N R 03W
FOR 1 ACRE
Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, Western Region,
Statehouse, Boise, Idaho 83720.

KENDUNN
Director
January 26; February 2, 1984

FEB 3 1984

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)

) ss.
County of Canyon)

Debra Martin del Campo
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:

January 26;

February 2, 1984

Debra Martin del Campo

Subscribed and sworn to before me this 2nd
day of February
1984

Janet Lusk
Notary Public, Residing at Nampa, Idaho

RECEIVED
FEB 3 1984
MY COMMISSION EXPIRES
JULY 12th, 1985

Department of Water Resources
Western Regional Office

WELL AGREEMENT AND OPTIONDATE AND PARTIES:

THIS AGREEMENT, made and entered into this 11th day of ~~July~~ ^{AUGUST}, 1972, by and between LEON D. McGOLDRICK and DELORES A. McGOLDRICK, husband and wife, hereinafter called First Parties, and J. A. TUCKNESS and ELENA A. TUCKNESS, husband and wife, hereinafter called Second Parties,

W I T N E S S E T H:

THAT WHEREAS, First and Second Parties entered into that certain Agreement bearing date of July 30, 1972, wherein Second Parties agreed to sell and convey unto First Parties, and First Parties agreed to purchase from Second Parties a tract of land situated in the SW 1/4 of the SW 1/4 of Section 28, T3N-R2W, B.M., Canyon County, Idaho, and lying SWrly of the irrigation canal known as the Bray Lateral. This tract is also described from the official plat of Wagle's Subdivision of the S 1/2 of the SW 1/4 of Section 28, T3N-R2W, B.M., on file in the office of the Recorder of Canyon County, Idaho, as part of Lots 12, 13, 14, 15 and 16, more particularly described as follows:

Commencing at the SW corner of said Section 28, T3N-R2W, B.M.; thence N0°16'30"E along the West boundary of said Section 28 a distance of 627.76 feet to the Real Point of Beginning which is the intersection of the said West boundary of Section 28 with the center line of the Wilson Drain Ditch; thence S79°39'E along the center line of the Wilson Drain Ditch a distance of 292.33 feet; thence S75°30'E along the center line of the Wilson Drain Ditch a distance of 54.54 feet to a point; thence N78°21'30"E a distance of 521.14 feet to a point on the center line of the right of way for the Bray Lateral; thence N27°50'W along the said center line of the right of way for the Bray Lateral a distance of 704.64 feet to a point 20 feet South of the North boundary of the SW 1/4 of the SW 1/4 of Section 28, T3N-R2W, B.M.; thence S89°57'30"W parallel to the said North boundary a distance of 493.36 feet to

an steel pin; thence continuing along said line a distance of 25 feet to the Real Point of Beginning. Containing 10.98 acres.

EXCEPTING rights of way for Bray Lateral, Wilson Drain Ditch and all streets existing or platted; being approximately 1.5 acres, more or less.

Also EXCEPTING a parcel of 1.00 acre more particularly described as follows: A parcel of land located in the SW 1/4 of Section 28, T3N-R2W, B.M., Canyon County, Idaho; more particularly described as follows: Commencing at the Section corner common to Sections 28, 29, 32 and 33; thence N0°16'30"E a distance of 983.75 feet to a point, said point being the Real Point of Beginning: thence S89°43'30"E a distance of 25 feet to a steel pin; thence continuing along said line a distance of 323.48 feet to a steel pin; thence N0°16'30"E a distance of 125.00 feet to a steel pin; thence N89°43'30"W a distance of 323.48 feet to a steel pin; thence continuing along said line a distance of 25 feet to a point; thence S0°16'30"W a distance of 125.00 feet to a point, said point being the Real Point of Beginning. Said parcel contains 1.00 acre.

AND WHEREAS, Second Parties retain their right, title, and interest in and to that certain parcel excepted in the above description, consisting of 1.00 acre,

AND WHEREAS, there is a well situated upon the above described premises being purchased by First Parties,

AND WHEREAS, Second Parties desire the right of sole use and enjoyment of said well and water therefrom,

AND WHEREAS, First Parties desire the first right of refusal to purchase that portion of the above described premises retained by Second Parties, if and when Second Parties choose to sell the same;

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, and for other good and sufficient consideration, the parties hereto mutually agree as follows:

WELL AGREEMENT:

Second Parties shall have the sole use and enjoyment of the above described well and water therefrom, and shall have the right to convey such water from said well to Second Parties' premises by any reasonable and commonly used method. Second Parties shall have the sole responsibility for the upkeep and operation of said well and the pump and pressure tank connected therewith.

EASEMENT:

First Parties hereby grant to Second Parties an easement on, in, over and across their premises for the purpose of conveying such water and maintaining said well and equipment as aforesaid.

It is expressly understood that said right and easement, as hereinabove provided, shall not be appurtenant to the premises retained by Second Parties, and shall not be a covenant running with said premises, but shall be a right and easement personal to Second Parties only. In the event Second Parties sell the one acre parcel presently retained, or in the event Second Parties drill another domestic well on said parcel, then and upon that event, Second Parties shall relinquish any and all claim to said right and easement as hereinabove described, and said right and easement shall immediately terminate.

TITLE TO PUMP AND PRESSURE TANK:

Provided, however, it is understood and agreed that Second Parties shall retain their right, title and interest in and to the pump and pressure tank connected with said existing well, and shall have the right to remove or dispose of the same, and shall at no time be deemed to have relinquished their ownership of the same unless and until they agree in writing to relinquish said pump and pressure tank, and deliver to First Parties or their successors in interest a bill of sale for the same.

OPTION TO BUY:

Second Parties agree that in the event they shall receive a bona fide offer to purchase the premises retained by themselves, consisting of a house and approximately one acre, as hereinabove described, and such offer of purchase shall be satisfactory to Second Parties, Second Parties agree to give to First Parties the privilege of purchasing the premises at the price and on the terms of the offer so made, said privilege to be given by notice sent to First Parties by registered mail at their place of residence, requiring First Parties to accept the offer in writing and to sign a suitable form of contract of purchase within the period of 3 days after the mailing of such notice. In the event of the failure of First Parties to accept such offer to purchase or sign such contract, within the said period, then and in that event, the privilege to the First Parties herein shall thereupon be null and void and Second Parties shall be at liberty to sell the premises to any other person, firm, or corporation.

HEIR AND ASSIGNS:

This agreement shall be binding upon the heirs, executors, administrators and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

Len D. McGoldrick

Dorcas A. McGoldrick

FIRST PARTIES

J. D. Tuckness

Elena A. Tuckness

SECOND PARTIES

STATE OF IDAHO)
 : ss.
County of Ada)

On this _____ day of ^{AUGUST} July, 1972, before me, the undersigned,
a Notary Public in and for said State, personally appeared LEON D.
McGOLDRICK and DOLORES A. McGOLDRICK, husband and wife, known to me
to be the persons whose names are subscribed to the within instrument
and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year first above written.

Notary Public for the State of Idaho
Residing at Boise, Idaho

STATE OF IDAHO)
 : ss.
County of Ada)

On this _____ day of ^{AUGUST} July, 1972, before me, the undersigned,
a Notary Public in and for said State, personally appeared J.A.
TUCKNESS and ELENA A. TUCKNESS, husband and wife, known to me to
be the persons whose names are subscribed to the within instrument
and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year first above written.

Notary Public for the State of Idaho
Residing at Boise, Idaho

WRR100
63-5240

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
20-NOV-1985 13:28:05

01 WATER RIGHT NUMBER - 63-5240

02 OLD (D) NUMBER -

LAST NAME
03001 - MC GOLDRICK ✓
03002 - MC GOLDRICK ✓

FIRST NAME
04001 - LEON D. ✓
04002 - DOLORES A. ✓

ORIG. OWNER
05001 - C
05002 - C

06 ADD LINE 1 - 604 S. MIDLAND ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - NAMPA ✓

10 STATE - ID 11 ZIP - 83651

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

SOURCE
14001 - GROUNDWATER ✓

15001 - TRIBUTARY OF

16 DIVERSION MEANS - WELL, PUMP & PIPELINE ✓

17 COUNTY - 27 CANYON

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .170 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

----- DIVERSION POINTS -----
TRACT SEC TWN RNG LOT RFLG STREAM INDEX FIELDS
22001 - SWSW 23001 - 28 24001 - 03N 25001 - 02W 26001 - 27001 -
28001 - 0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0 0 0 0.0

29 NON-IRRIGATION USE - S/12 GOATS, 3 RANGE

----- PLACE OF USE -----
USE CODE / USE TWN RNG SEC TRACT ACRES LOT
30001 - 01 IRRIGATION ✓ 31001 - 03N 32001 - 02W 33001 - 28 34001 - SWSW 35001 - 05 36001 -
TOTAL ACRES: 5

----- WATER USE -----
PERIOD FROM PERIOD TO USE CODE / USE DIVERSION RATE DIVERSION VOLUME
37001 - 0401 38001 - 1101 39001 - 01 IRRIGATION ✓ 40001 - 0.150 41001 - 0.00
37002 - 0101 38002 - 1231 39002 - 04 STOCKWATER ✓ 40002 - 0.020 41002 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S -----
47 PRIORITY - 1-JAN-1950 ✓ 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 -

WRR100
63-5240

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
20-NOV-1985 13:28:05

----- D A T E S ----- D A T E S ----- F L A G S -----

53 VERIFIED -
54 LAST UPDATE - 17-JAN-1984

61 DATE_1 -
62 DATE_2 -

98/4/8
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan J. J. J.

Right Number 63-5240 Applicant McGOLORICK

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. 2/23/84
- ☒ Claim published correctly. Press Tribune
30/32273
- ☒ Exceptions processed. 400 2/22/84

By DBS Date 2/19/84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By De Date 2/22/84

MICROFILMED

RECEIVED
FEB 22 1984

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

FEBRUARY 15, 1984

LEON D. MC GOLDRICK
DOLORES A. MC GOLDRICK
604 S. MIDLAND
Nampa

ID 83651

RE: Claim No. 63-5240

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.

Sincerely,
yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

MICROFILMED

63-5240

MC GOLDRICK, LEON D. &/or DOLORES A.

604 S. MIDLAND, Nampa, ID 83651

Source: GROUNDWATER

Priority Date: 01/01/1950

Diversion Pt: SWSM Sec 28 T 03N R 02W

Use: IRRIGATION	(0.15 CFS)
STOCKWATER	(0.02 CFS)

In: SWSM Sec 28 T 03N R 02W FOR 5 ACRES

MICROFILMED

IDENT. NO. 63-5240

WATER RIGHT
DATA ENTRY LOG

[illegible]