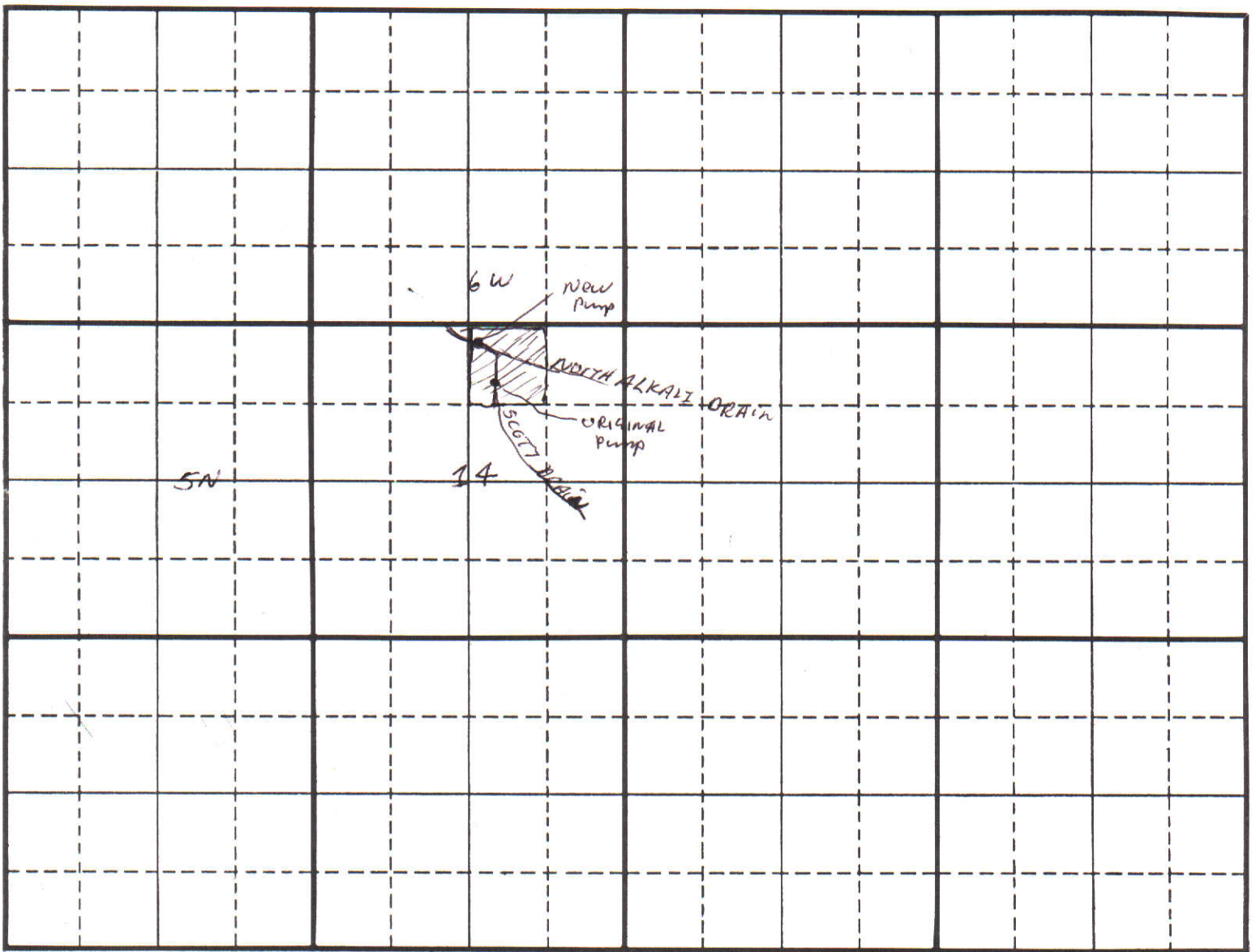


(8) Remarks _____



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 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

22

day of

June, 19 81Jose C. Wagner

(Claimant)

Nancy M. Northway

Notary Public

Residing at

Boise

My commission expires

Life

FOR DEPARTMENT USE ONLY

Received by Cam

Date

6/22/81

Exception filed by:

Forwarded to

Date

Prelim. check by jc

Date

7/6/81\$30.00 fee received by Cam

Date

6/22/81

#30 #19976

claimant by:

Published in Press- Tribune

Dates

7/16/8147/23/81

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 Joe P. &/or Ada G. Wagner
(Name of Claimant)

Route #3, Box 3147, Parma, ID 83660 Telephone No. 722-5309
(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) May, 1939

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)
Scott Drain & NORTH ALKALI DRAIN tributary to South Boise Drain (Snake River)

(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, gpm, AFA)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>1.5</u>	Use	<u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/15</u>
Quantity	<u>.03</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) 1.53 TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 NE 1/4, Sec. 14 Twp. 5N Rge. 6W 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. Water wheel into ditches, PTO pump Parma water lifter 4S, 1950 Electric motor Parma water lifter 4S, 1973 second pump added Parma water lifter #4 into ditch and gated pipe.

(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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
5N	6W	14		37															37

No. of acres 37

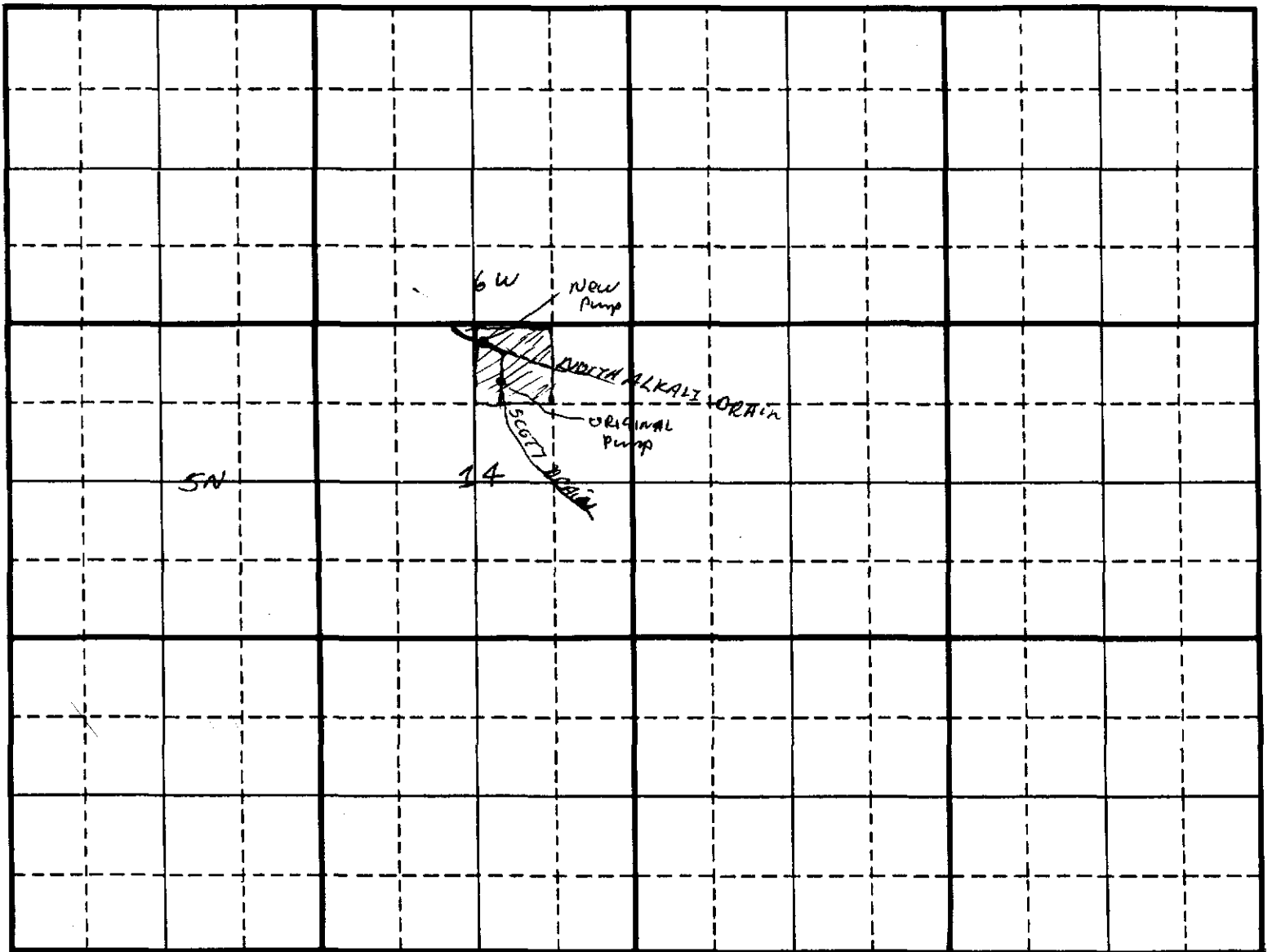
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 60 hd range cattle.

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

MICROFILMED

(8) Remarks _____

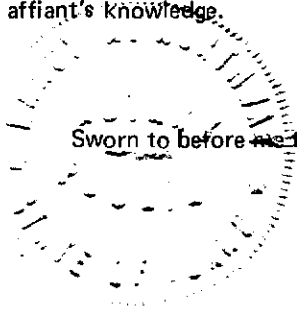


Scale: 2 inches equal 1 mile.

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)
) 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 affiant's knowledge.



Sworn to before me this 22 day of June, 19 81.

Jose C. Wagner
 (Claimant)

Nancy M. Northway
 Notary Public
 Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by Am Date 6/22/81 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by js Date 7/6/81 _____ claimant by: _____
 \$20.00 fee received by Am Date 6/22/81 #30 #19970
 Published in Press-Idaho _____
 Dates 7/16/81 & 7/23/81 _____

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Suzanne Benkert

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

63-9759

WILLMORTH, FRANK M. &/or ALYCE L.
1004 N. ILLINOIS, CALDWELL, Idaho 83605

Source: GROUNDWATER

Date Filed: July 1, 1981

Amount: 0.05 CFS

Diversion Point: SESE Sec 15 T 4N R 3W, CANYON County

Use: IRRIGATION (0.05 CFS) from March 15 to November 15
 Place of Use: SESE Sec 15 T 4N R 3W FOR 2 ACRES

Place of Use: SESE Sec 15 T 4 N R 3 W FOR 2 ACRES
Diversion Means: WELL PUMP & GRAVITY IRR.

**Diversion Means: WELL, PUMP &
63-4805**

WAGNER, JOE P. &/or ADAG.

RT. 3 BOX 3147, PARMA, Idaho 83660

Source: SCOTT DRAIN tributary to SOUTH BOISE DRAIN

NORTH ALKALI DRAIN

Priority Date: Ma
1.62566

Amount: 1.53 CFS
Diversion Point: NWNE Sec 14 T 5N R 6W, CANYON County

Diversion Point: NWNE Sec 14 T 35N R 6W, CANYON County
Use: IRRIGATION (1.50 CFS) from April 1 to November 15

Use: IRRIGATION (1.30 CFS) from April 1 to November 15
STOCKWATER (0.03 CFS) from January 1 to December 31

Place of Use: NWN Sec 14 T 5N R 6W, FOR 37 ACRES

Diversion Means: PUMP & GRAVITY DITCH

If issued, the permits will be subject to all prior water rights.

Protests against the granting of any permit must be filed with

the Director of the Idaho Department of Water Resources
AUGUST 3, 1981

Cole Road, Boise, Idaho 83709 on or before
1. KENNETH D. DANN

A. KENN
Director

July 14 22 1981

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 uninterruptedly 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:

July 16, 23, 1981

Stigmarie Lenker

Subscribed and sworn to before me this _____

23rd day of July

19 81

Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

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WRR100
63-4805

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

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

01 WATER RIGHT NUMBER - 63-4805

02 OLD (D) NUMBER -

LAST NAME
03001 - WAGNER ✓
03002 - WAGNER ✓

FIRST NAME
04001 - JOE P. ✓
04002 - ADA G. ✓

ORIG. OWNER
05001 - C
05002 - C

06 ADD LINE 1 - RT. 3 BOX 3147 ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - PARMA ✓

10 STATE - ID ✓ 11 ZIP - 83660 ✓

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

SOURCE
14001 - SCOTT DRAIN ✓
14002 - NORTH ALKALI DRAIN ✓

TRIBUTARY OF
15001 - SOUTH BOISE DRAIN ✓
15002 - SOUTH BOISE DRAIN ✓

16 DIVERSION MEANS - PUMP & GRAVITY DITCH ✓

17 COUNTY - 27 CANYON ✓

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 1.530 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

----- DIVERSION POINTS -----													
TRACT	SEC	TWN	RNG	LOT	RFLG	S T R E A M I N D E X F I E L D S							
22001 - NWNE	23001 - 14	24001 - 05N	25001 - 06W	26001 - 27001 -	28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	

29 NON-IRRIGATION USE - S/60 RANGE

----- PLACE OF USE -----						
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION ✓	31001 - 05N	32001 - 06W	33001 - 14	34001 - NWNE	35001 - 37	36001 -
						TOTAL ACRES: 37

----- WATER USE -----					
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME	
37001 - 0401 ✓	38001 - 1115 ✓	39001 - 01 IRRIGATION ✓	40001 - 1.500 ✓	41001 -	0.00
37002 - 0101 ✓	38002 - 1231 ✓	39002 - 04 STOCKWATER ✓	40002 - 0.030 ✓	41002 -	0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 - 2 P/D IN NWNE 1/4, S14, T5N, R6W ✓

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-MAY-1939 ✓	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	-

WRR100
63-4805

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 -----

52	HEARING	-	60	ORDER SHOW CAUSE	-
53	VERIFIED	-	61	DATE_1	-
54	LAST UPDATE	- 14-JUL-1981	62	DATE_2	-

12/80/85
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan Grover

Right Number 63-4805 Applicant Wagner

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.
- ☒ Claim published correctly. 7-24-81 Press Indo
- ☒ Exceptions processed.

By 6KS DP Date 8-2-81
8/19/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jani Date 8/20/81

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

AUGUST 10, 1981

JOE P. WAGNER
ADA G. WAGNER
RT. 3 BOX 3147
PARMA

ID 83660

RE: Claim No. 63-4805

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

MICROFILMED

Enclosure

IDENT. NO. _____

WATER RIGHT
DATA ENTRY LOG

[illegible]

63-4805_

WAGNER, JOE P. &/or ADA G.

RT. 3 BOX 3147, PARMA, ID 83660

Source: SCOTT DRAIN tributary to SOUTH BOISE DRAIN
NORTH ALKALI DRAIN tributary to SOUTH BOISE DRAIN

Priority Date: 05/01/1939

Amount: 1.53 CFS

Diversion Point: NWNE Sec 14 T 05N R 06W, CANYON Co.

Use: IRRIGATION	(1.50 CFS)	from 04/01 to 11/15
STOCKWATER	(0.03 CFS)	from 01/01 to 12/31

Place of Use: NWNE Sec 14 T 05N R 06W FOR 37 ACRES

Diversion Means: PUMP & GRAVITY DITCH

MICROFILMED