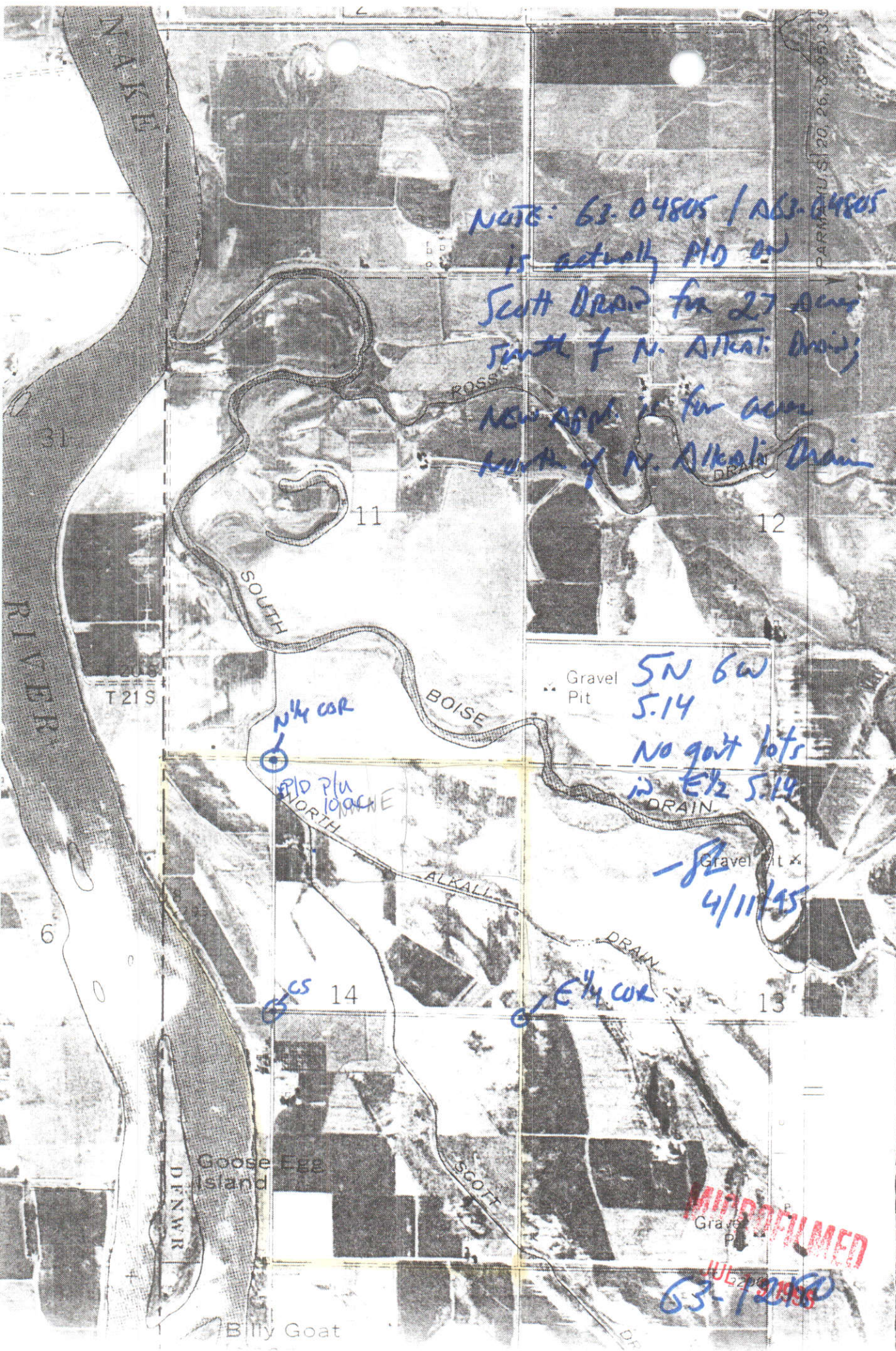
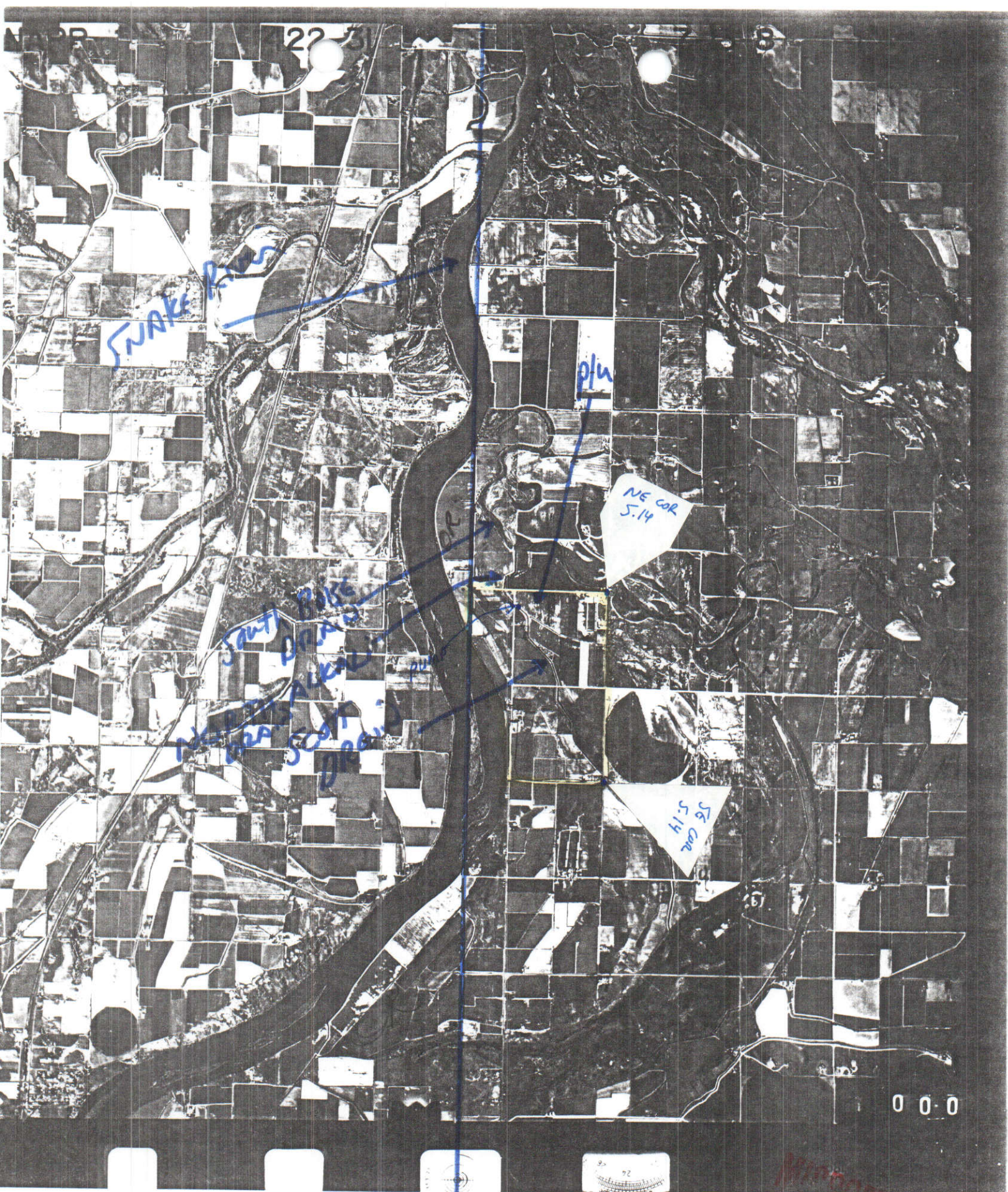




NOTE: 63-04805 / AG-04805
is actually PLO on
Scott Drain for 27 acres
south of N. Alkali Drain;
New Agm. is for acre
north of N. Alkali Drain

5N 6W
5.14
No govt lots
in E 1/2 5.14
Gravel Pit x
4/11/45

MICROFILMED
JUL 62
63-12080



4
N

July 1987 NAPP
W-52-SE

OREGON | IDAHO

NWNE DOES LOOK irrigated
in this summer, 1987 photo.

JUL 19 1987
63-12180

This is an aerial photograph of a river valley, likely the Snake River, with a grid overlay. The river flows from the top left towards the bottom center. A grid of numbered squares (1-14) is overlaid on the landscape. Handwritten blue annotations include "OREGON" at the bottom left, "IDAHO" at the bottom center, and "MADISON CO" and "CANYON CO" written vertically along the river. Other labels include "Gravel Pit" and "Goat".

770 000 FEET
(IDAHO)

NW 1/4 north of
N. Alkali: Dredge
does not appear
irrigated 1974
photo.

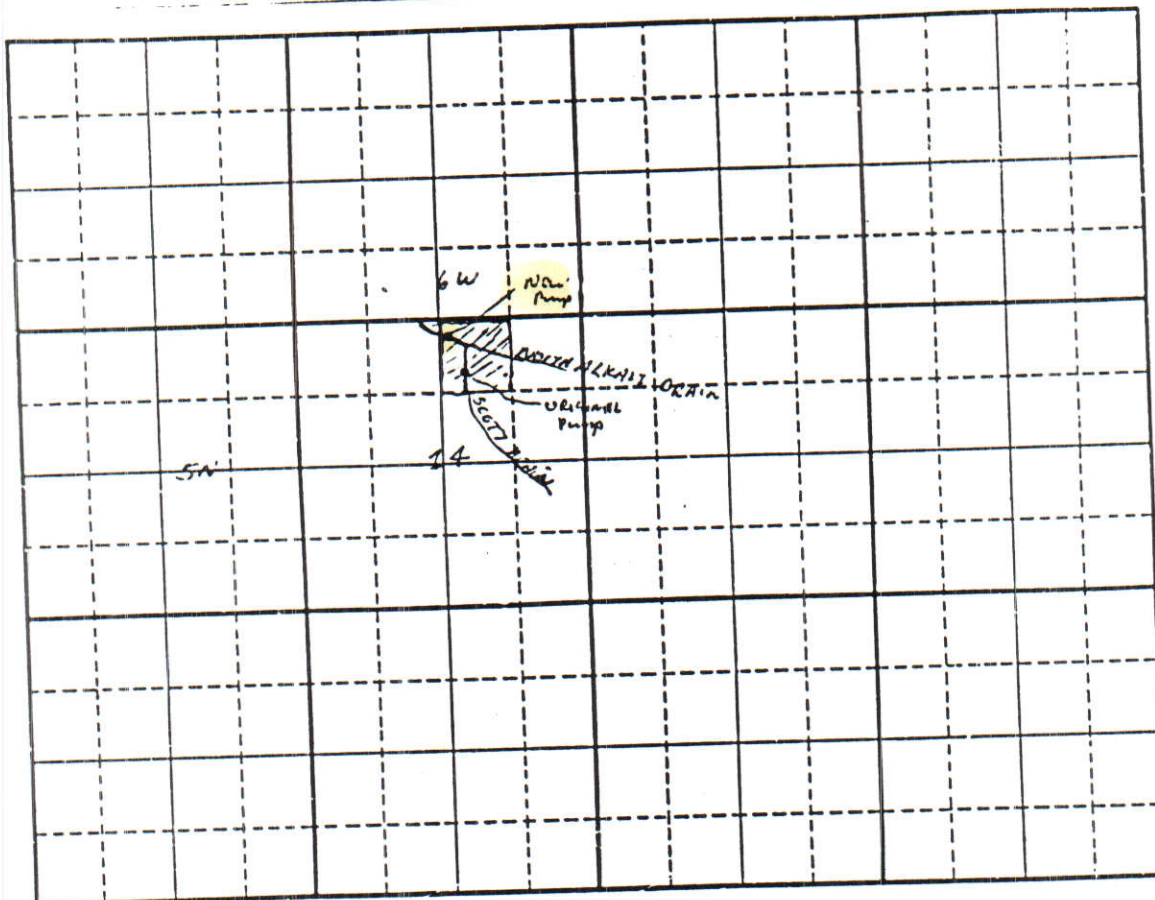
48 45000m.

L 19 1995

63-12180

 $43^{\circ}45'$

(B) 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 51.

Joe C. Wagner

(Claimant)

Notary Public

Residing at

Boise

My commission expires

Life

FOR DEPARTMENT USE ONLY

Received by

Date 6/22/81

Exception filed by:

Forwarded to

Date

Prelim. check by

Date 7/6/81

\$30.00 fee received by

Date 6/22/81

530 # 19970

claimant by:

Published in

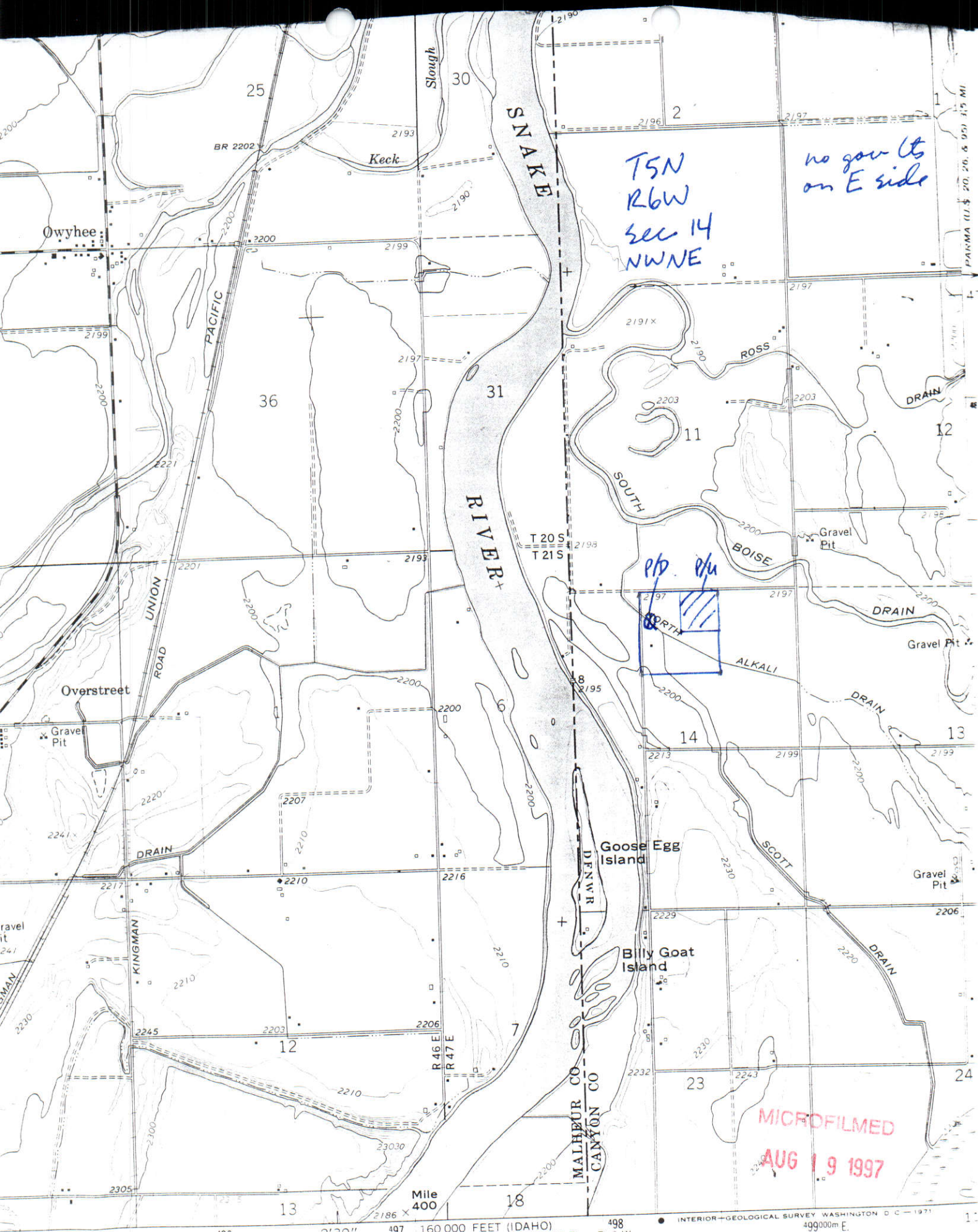
Boise Tribune

Dates 7/16/81

4 7/23/81

MICROFILMED

JUL 19 1995



TSN
R6W
Sec 14
NWNE

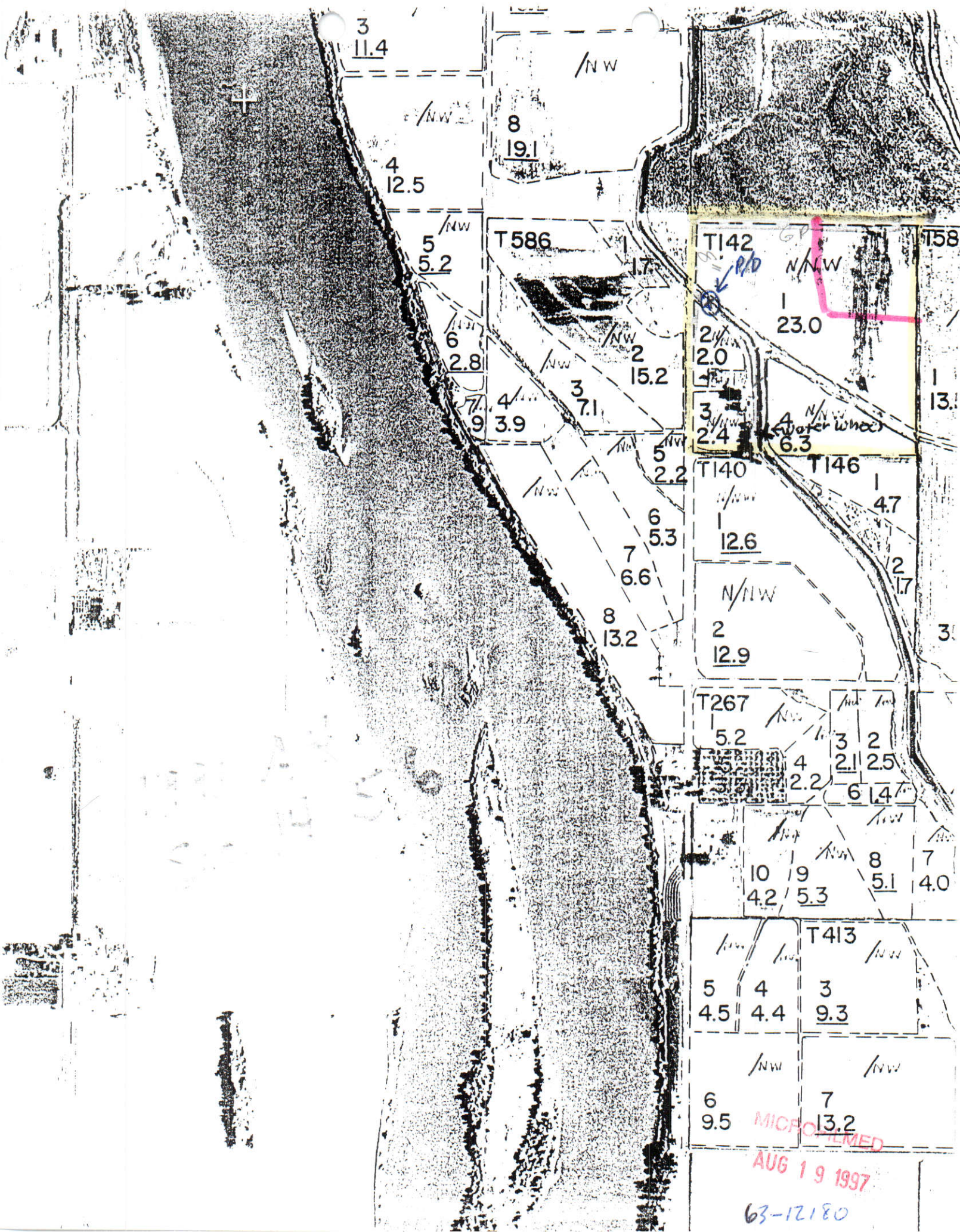
no gov lts
on E side

p/p. p/u

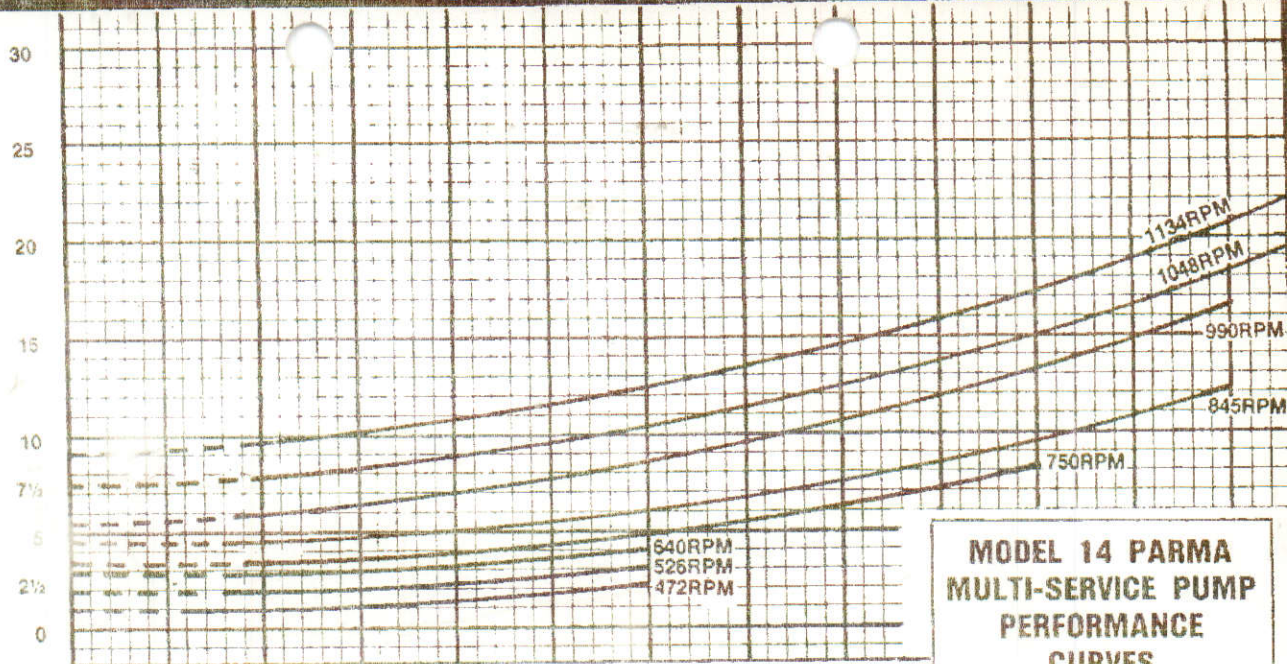
MICROFILMED
AUG 19 1997

PANAMA (U.S. 20, 20, & 95) 1.5 MI

1



HORSEPOWER

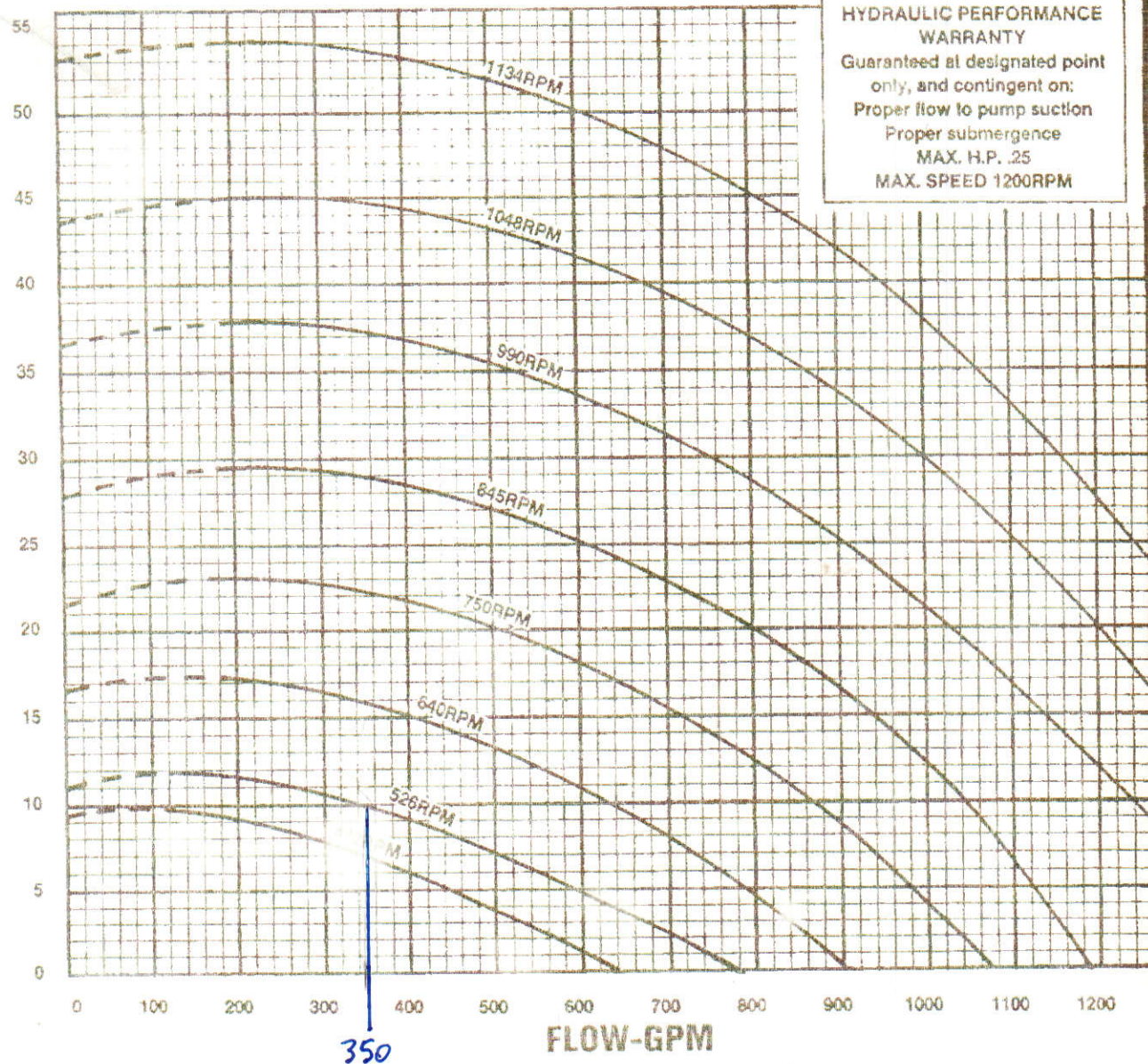


**MODEL 14 PARMA
MULTI-SERVICE PUMP
PERFORMANCE
CURVES**

**HYDRAULIC PERFORMANCE
WARRANTY**

Guaranteed at designated point
only, and contingent on:
Proper flow to pump suction
Proper submergence
MAX. H.P. .25
MAX. SPEED 1200RPM

TOTAL HEAD FEET



--- Pump is not to operate continuously in this area.



Diversion works



p/n

MICROFILMED
AUG 19 1987

63-12180

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12180

Priority: March 7, 1995

Maximum Diversion Rate:

0.20 CFS

Maximum Diversion Volume:

45.0 AF

This is to certify, that ADA G WAGNER
JOE P WAGNER

27818 PIONEER LN
PARMA ID 83660

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 7, 1995; and has submitted Proof of Beneficial Use on June 14, 1996. An examination indicates that the works have a diversion capacity of 0.780 cfs of water from:

NORTH ALKALI DRAIN

tributary to SOUTH BOISE DRAIN

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.20 CFS	45.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 14, Township 05N, Range 06W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	06W	14	NWNE	10		10

Total number of acres irrigated: 10

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

AUG 19 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-12180

CONDITIONS OF APPROVAL AND REMARKS

6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
7. The Director retains jurisdiction over this right to require streamflow augmentation or other action determined to be appropriate to protect prior surface water or ground water rights. Such streamflow augmentation or other action will be required only upon a determination of need and applicability by the Director.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 12TH day of August, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED

AUG 19 1997

RECEIVED

JUN 14 1996

STATE OF IDAHO
Department of Water Resources DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 63-12180 Telephone No. (208) 722-5309

2. Name(s) of Permit Holder(s): ADA G WAGNER and JOE P. WAGNER

3. Mailing Address: 27818 PIONEER LN, PARMA, ID 83660

4. Source of Water: SURFACE If **GROUNDWATER** (well), Date Drilled: mo. / yr.

a. Well Driller: Drilling Permit Number: - - -

b. **OPTIONAL:**
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): Stockwater (No. and type of stock):

Irrigation (No. of acres): 10 Other:

6. Total rate of diversion and/or volume for which proof is submitted: 20 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No ✓

Has the measuring device been installed? Yes or No ✓

Flow Measurement Port: Is a flow measurement port required? Yes or No ✓

Has the measurement port been installed? Yes or No ✓

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: JOE P. AND OR ADA G WAGNER Telephone Number: (208) 722-5309

Address: 27818 PIONEER LN, PARMA, ID 83660

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Ada G Wagner Joe P. Wagner Date: 5-23-96
(include your title, if on behalf of company or organization)

JUN 28 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12180

Proposed Priority: March 7, 1995

Maximum Diversion Rate:

0.20 CFS

This is to certify, that ADA G WAGNER
JOE P WAGNER
27818 PIONEER LN
PARMA ID 83660

has applied for a permit to appropriate water from:

NORTH ALKALI DRAIN

tributary of SOUTH BOISE DRAIN

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	03/15 to 11/15	0.20 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

NWNWNE , Sec. 14, Township 05N, Range 06W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	06W	14	NWNE	10.0		10.0

Total number of acres irrigated: 10.0

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1996.
2. Subject to all prior water rights.
3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. The Director retains jurisdiction of this right and any license subsequently issued to require streamflow augmentation or other action determined to be appropriate to protect prior surface water or ground water rights. Such streamflow augmentation or other action will be required only upon a determination of need and applicability by the Director.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
6. This permit does not authorize the development and irrigation of new land not previously irrigated.

MICROFILMED

JUL 19 1995

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 63-12180

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

17th day of July, 1995

Karl J. Dreher

Karl J. Dreher, Director

for

MICROFILMED

JUL 19 1995

RECEIVED
JUL 12 1995

Ident. No. 63-12180

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JOE P WAGNER 208-722-5309
Address: 27818 PIONEER LN
PARMA ID 83660
AND/OR
Name: ADA G WAGNER 208-722-5309
Address: 27818 PIONEER LN
PARMA ID 83660

2. Source: NORTH ALKALI DRAIN Trib. to: SNAKE RIVER
3. Location of Point of Diversion: NWNWNE Sec. 14, Township 05N, Range 06W
CANYON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.200		

5. Total quantity to be appropriated is:
0.200 CFS (and/or) AF

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc.
PUMP IN DITCH.
b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
c. Proposed well diameter is inches; proposed depth of well is
feet.
d. Is groundwater with a temperature greater than 85F being sought? NO
e. If well is already drilled, when?
Drilling Firm
Well was drilled for

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).

RECORDED
JUL 19 1995

Revised 4/11/95 per dept. standards. -82

8. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
05N 06W 14	NWNE 10			10

Total number of acres irrigated: 10

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

Source tributary to Snake River via South Boise Drain.

11. Map of proposed point of diversion and place of use attached? [✓]

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

See original
Applicant

Received by MM Date 3/7/95 Time 2:30 Preliminary check by SL

Fee \$ 100.00 Receipted by MM #W018690 Date 3/7/1995

Publication prepared by St Date 5-31-95 Published in Press-Trib

Publication approved St Date 6-29-95

MICROFILMED

JUL 19 1995

Comments: Date: 4/ 11/ 1995User-ID: SLESTER

Subject:

DROUGHT MORATORIUM EXEMPTION

Applicant states that use existed prior to 1987 per conversation with MM, Sr. WR Agent who assisted applicant. Letter sent 4/11/95 to applicant requesting verification of this before proceed with advertising. July, 1987 NAPP shows land being irrigated -- the issue is whether or not the pump from drain was in use.

If adequate information submitted & can advertise, legal notice should state that exemption sought for use prior to 11/87.

MICROFILMED
JUL 19 1995

SD-0420-2
ADD COMMENT

Idaho Department of Water Resources
Modify Comment

Date: 05/18/95
Time: 15:46:44

Water Right Number: 63-12180

FIRST PAGE

Comment Date: 5/18/1995 User ID: SLESTER

Subject: EXISTING USE & OVERLAP

Process appl. without Basin 63 delay (re: moratorium releases) due to apparent use by @ mid-1970's - see supporting letters plus info shown in overlap 63-04805 (especially item 5B in stat. WR). Per discussion with MM @ Western regarding SRBA info, overlap as follows: 63-04805 filed for 37 acres in NWNE S.14 from 2 pumps, 1 pump from Scott Drain (trib. to N. Alkali Drain) & other pump from N. Alkali Drain. Latter P/D is same as appl. P/D. Ten of the 37 acres are the appl. acres; Stat. Claim dates to 1939; however, per SRBA work, original claim only included Scott Drain pump & 27 acres; other pump & 10 more acres added in mid-1970's. Thus, when stat. claim filed in 1981, stated situation as of mid-1970's but was not an accurate picture of 1939 system. As a result, second P/D plus northern 10 acres has not actually been part of 1939 use and is therefore shown in new application. Claim A63-04805 will be adjusted in verification process; expansion claim A63-30208 for same info as appl. will be disallowed (more likely will be withdrawn) as outside of the mandatory permit statute. Add'tl overlap includes 63-02279 (Indian Creek) in same P/U tract but claimed in A63-02279 for different tract. Note that A63-30208 found only in Host Temp since is problematic.

(Enter=Add) (Gold4=Prev) (Gold5=Next) (Gold7=Return to Comment Selection)

MICROFILMED
JUL 19 1995

NOTE 63-04805 / 100-04805

is actually P10 D10

Scot Drain for 27 acres

Part of N. Alkali Drain

for 27 acres

Part of N. Alkali Drain

11

12

T21S

SOUTH

N¹/₄ COR

BOISE

Gravel Pit

5N 6W

5.14

No govt lots

in E¹/₂ S¹/₄

DRAIN

Gravel Pit

4/11/55

OLD P10
NORTH

ALKALI

DRAIN

CS 14

E¹/₄ COR

13

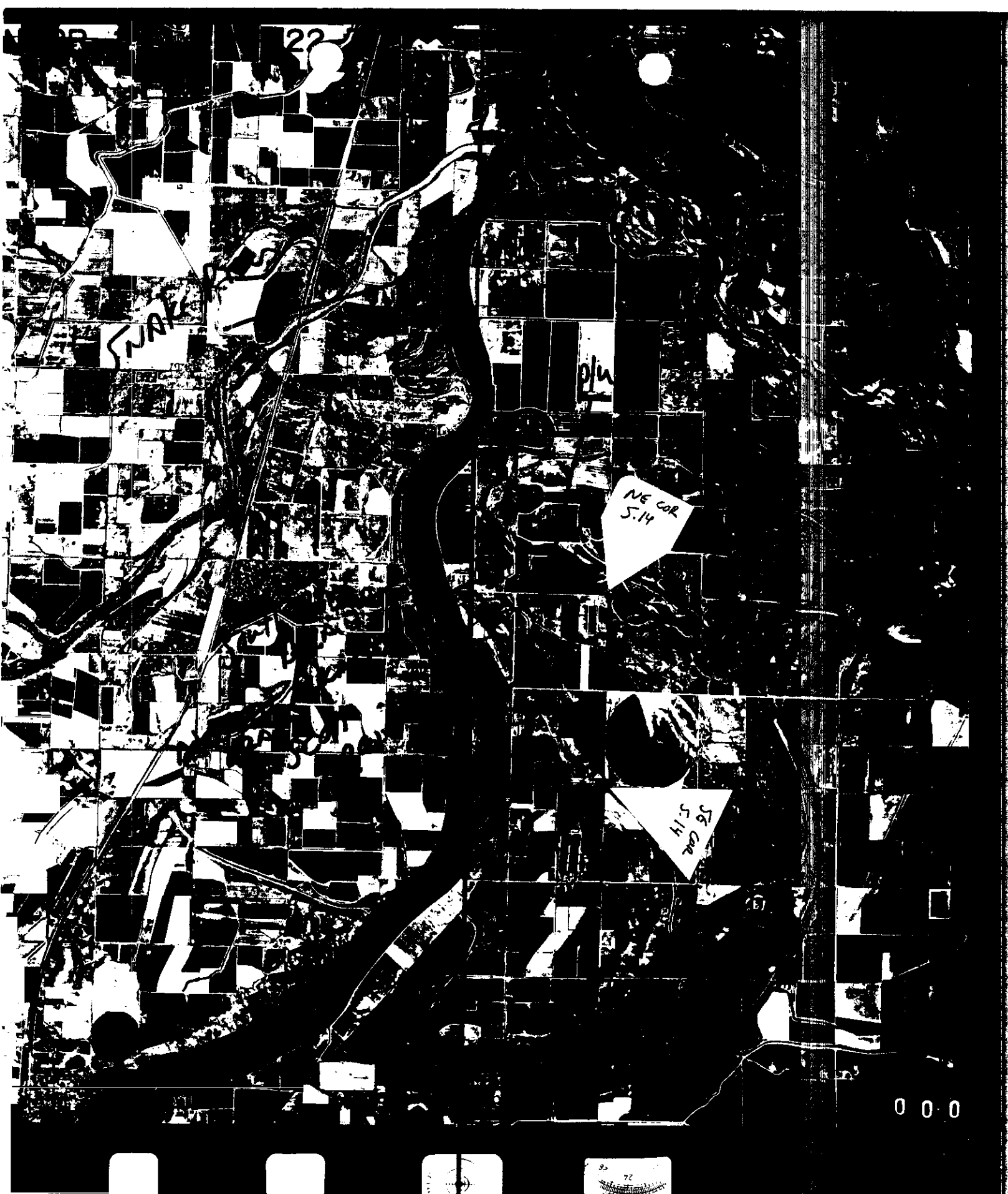
DRAIN

Gravel

Pit

4/11/55

Billy Goat



4
N

July 1987 NAPP
W-52-SE

ORIGIN IODITE

NWNE DOES LOOK irrigated JUL 1987
in this summer, 1987 photo.

62-12180

15N



1974
Orthophoto

770 000 FEET
(IDAHO)

NWNE north of
N. Nikol: Dred
does not appear
in any 1974
photo.

48 4500

19 1995

63-12180

43°45'

150,000 FEET, IDAHO

Ident. No. 63- 12180

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JOE P WAGNER 208-722-5309
Address: 27818 PIONEER LN
PARMA ID 83660
AND/OR
Name: ADA G WAGNER 208-722-5309
Address: 27818 PIONEER LN
PARMA ID 83660

2. Source: NORTH ALKALI DRAIN Trib. to: SOUTH BOISE DRAIN
3. Location of Point of Diversion: NWNWNE Sec. 14, Township 05N, Range 06W
CANYON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	04/01	11/15	0.200		

5. Total quantity to be appropriated is:
0.200 CFS (and/or) AF

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc.
Pump in Ditch
b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
c. Proposed well diameter is inches; proposed depth of well is
feet.
d. Is groundwater with a temperature greater than 85F being sought? NO
e. If well is already drilled, when? 10/12/1994
~~Drilling Firm ABLE WELL DRILLING #498~~
~~Well was drilled for J. SQUIRES~~

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).

MICROFILMED

JUL 19 1995

Original

Items to revise - J. Winkas

8. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
05N 06W 14	NWNE 10			10

Total number of acres irrigated: 10

9. a. Who owns the property at the point of diversion?

APPLICANT

b. Who owns the land to be irrigated or place of use?

APPLICANT

c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

11. Map of proposed point of diversion and place of use attached? ☒

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Joe Pete Wagner.
Applicant

Received by TTT Date 03/07/1995 Time 2:30 PM Preliminary check by _____

Fee \$ 50 Receipted by TTT # W018690 Date 03/07/1995

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

RECEIVED
JUL 19 1995

(WATER RIGHTS NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATED CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

		NE				NW				SW				SE									
WR-NUMBER	SOURCE	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
6312180	T05N R06W S14 NORTH ALKALI DRAIN																					10	
	:		10																			:	
NO MATCHES FOR THIS POU IN AJ-POU-TEMP																							
0302030	SNAKE RIVE :								01-37					02-28	:							:	65
A0302030	SNAKE RIVE :								01-37					02-28	:							:	65
A6300226	BOISE RIVE :												05	40		04???				40		:	86
A6300227	BOISE RIVE :												05	40		04???				40		:	86
A6300228	BOISE RIVE :												05	40		04???				40		:	86
A6300229	BOISE RIVE :												05	40		04???				40		:	86
A6300299	BOISE RIVE :												05	40		04???				40		:	86
A6300300	BOISE RIVE :												05	40		???				40		:	110
6302279	INDIAN CRE :		33		33				31									31	35	36	10	:	209
A6302279	INDIAN CRE :												05	40		04???				40		:	86
6302374	INDIAN CRE :								01-27				02-23	03-02		04-02						:	54
A6302374	INDIAN CRE :												05	40		04???				40		:	86
A6302389	ARENA LAKE :												05	40		04???				40		:	86
6302630B	UNNAMED ST :								39													:	39
6302630C	UNNAMED ST :				10																	:	10
6302904	UNNAMED DR :				35													35				:	70
6302904A	SCOTT DRAI :																	35				:	35
A6302904A	SCOTT DRAI :																	35				:	35
6302904B	SCOTT DRAI :				35																	:	35
A6302904B	SCOTT DRAI :				35																	:	35
A6304007	MEADOWS GU :												05	40		04???				40		:	86
A6304008	MAMMON GUL :												05	40		04???				40		:	86
A6304010	WEST END D :												05	40		04???				40		:	86
6304805	SCOTT DRAI :		37		2/																	:	37
A6304805	SCOTT DRAI :		37																			:	37
6307429	SCOTT DRAI :																				30	:	30
A6307429	SCOTT DRAI :																				30	:	30
R6307429	SCOTT DRAI :																				20	:	20
6307688	ALKALI DRA :								37													:	37
6307689	ALKALI DRA :		31																			:	31
A6321767	ALKALI DRA :		21						39													:	60

1/ note claimed elsewhere in A63-02279

2/ should be 27 (other acre than 10 m. in Appl.) per Comments
in 63-12180

H057 TEMP shows Exp. claim A63-30208 for Pld & 10 acres
in 63-12180; does not appear can be recommended
so " will suffice.

-JL 5/18/95

DATE: 05/18/95
PAGE: 1

* Claim will most likely be rec'd from 1 source
 & 27 sources - so will not include
 that info in 63-12180

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

Route #3, Box 3147, Parma, ID 83660 Telephone No. 722-5309
(Mailing Address) (Zip Code)

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

(15) 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, 1970 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.

[illegible]

No. of acres 37,

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

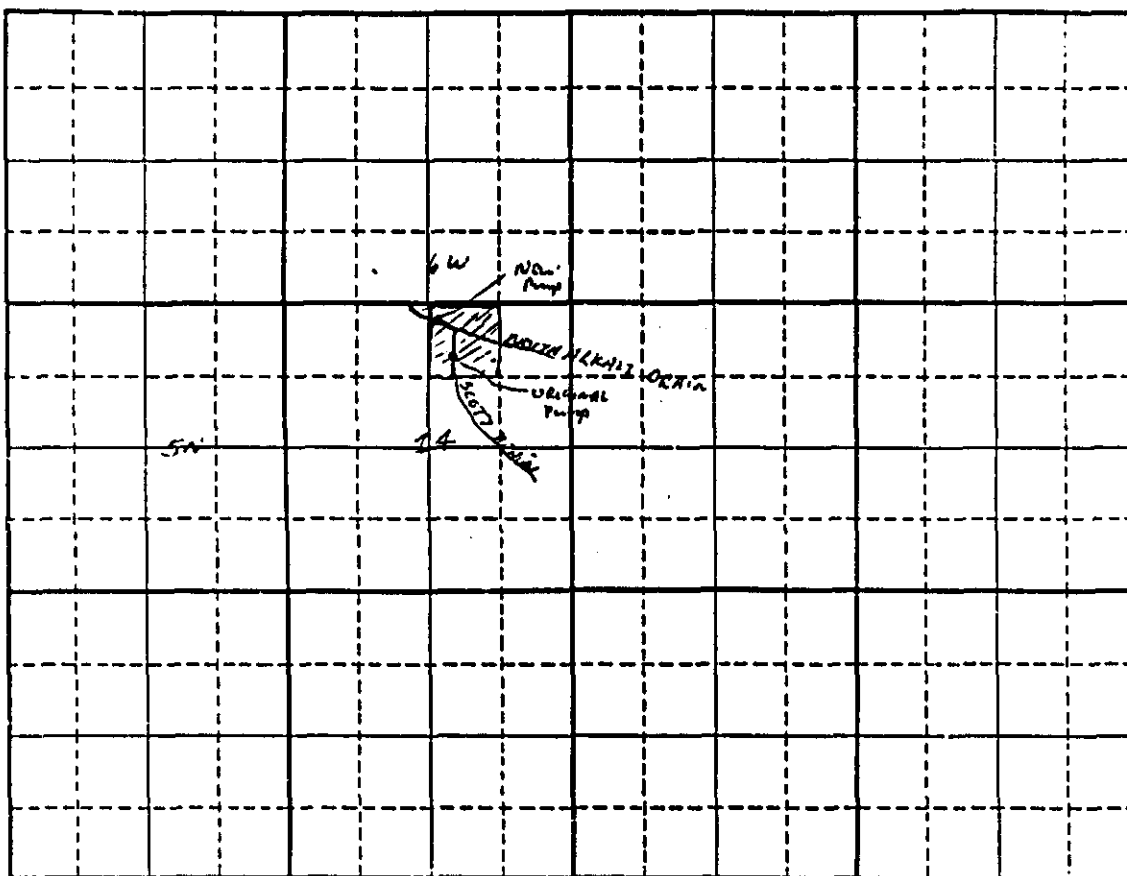
NOTE: Include here the type and number of stock watered: 60 hd range cattle

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

JUL 19 1995

63-04805

18) 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, 1951.

Joe C. Wagner
(Claimant)

Nancy M. Hollway
Notary Public
Residing at Borah

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by _____

Date 6/22/51

Exception filed by: _____

Forwarded to _____

Date _____

Prelim. check by _____

Date 7/6/51

Date 6/22/51 \$ 2.00 * 19950

claimant by: _____

\$30.00 fee received by _____

Date 6/22/51

Published in PLSS

Dates 7/16/51 - 7/23/51

MICROFILMED

JUL 19 1955



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

August 13, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ADA G WAGNER
JOE P WAGNER
27818 PIONEER LN
PARMA ID 83660

RE: WATER RIGHT NO. 63-12180

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

AUG 19 1997

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 6/-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

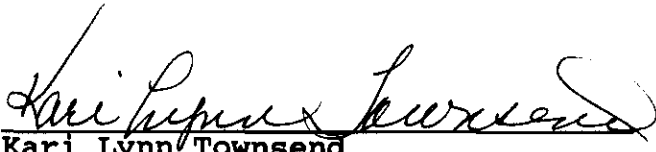
ENCLOSURE
3
AUG 19 1957

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of August, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 63-12180

ADA G WAGNER
JOE P WAGNER
27818 PIONEER LN
PARMA ID 83660


Kari Lynn Townsend
Secretary

RECORDED
AUG 19 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 63-12180

DATE 7/31/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>No</u>
SOURCE	Change <u>—</u>	OK <u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	Change <u>—</u>	OK <u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	Change <u>—</u>	OK <u>✓</u>	Amendment required <u>No</u>

Does map agree with written description? — yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.20</u> cfs
Fee limit	<u>.20</u> cfs <u>\$50⁰⁰</u>
Measured	<u>.78</u> cfs
Theoretical	<u>.45</u> cfs <u>@ 10' lift and 40 psi</u>
Recommended Total Div Rate <u>.20</u> cfs	

ANNUAL VOLUME/
NATURE OF USES —

Use <u>✓</u>	cfs <u>.20</u>	Volume Calc <u>10 x .45 =</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u>	<u>—</u> af
SUBTOTAL	<u>—</u>	<u>45.0</u> af

Flow rate .20 cfs X 246 days X 1.98 = 97.4 af
 Total volume recommended 45.0 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS — Watermaster Control WD# —
32 GW Measurement/Measuring Device
32 Overlap
— Use-specific conditions OIM (11E spec.)
 Advancement of Priority Date Required — yes — no
 SRBA Claim Filed N/A
 Adjustment Memo —
 1st Amend Letter N/A
 2nd Amend Letter N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 03 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-12180

1. Owner: ida + Joe Wagner Phone No. 722-5309

Current Address: 27818 Pioneer Ln Parma 83660

2. Accompanied by: Joe EXAM DATE: 8/15/96

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: N Alkali Drain tributary to S Boise Drain

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 63-04805

2. Other water rights with the same point of diversion: 63-04805

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
					14	5N	6W	Canyon	USGS Quad, CFSA Photo

2. Place(s) of Use:

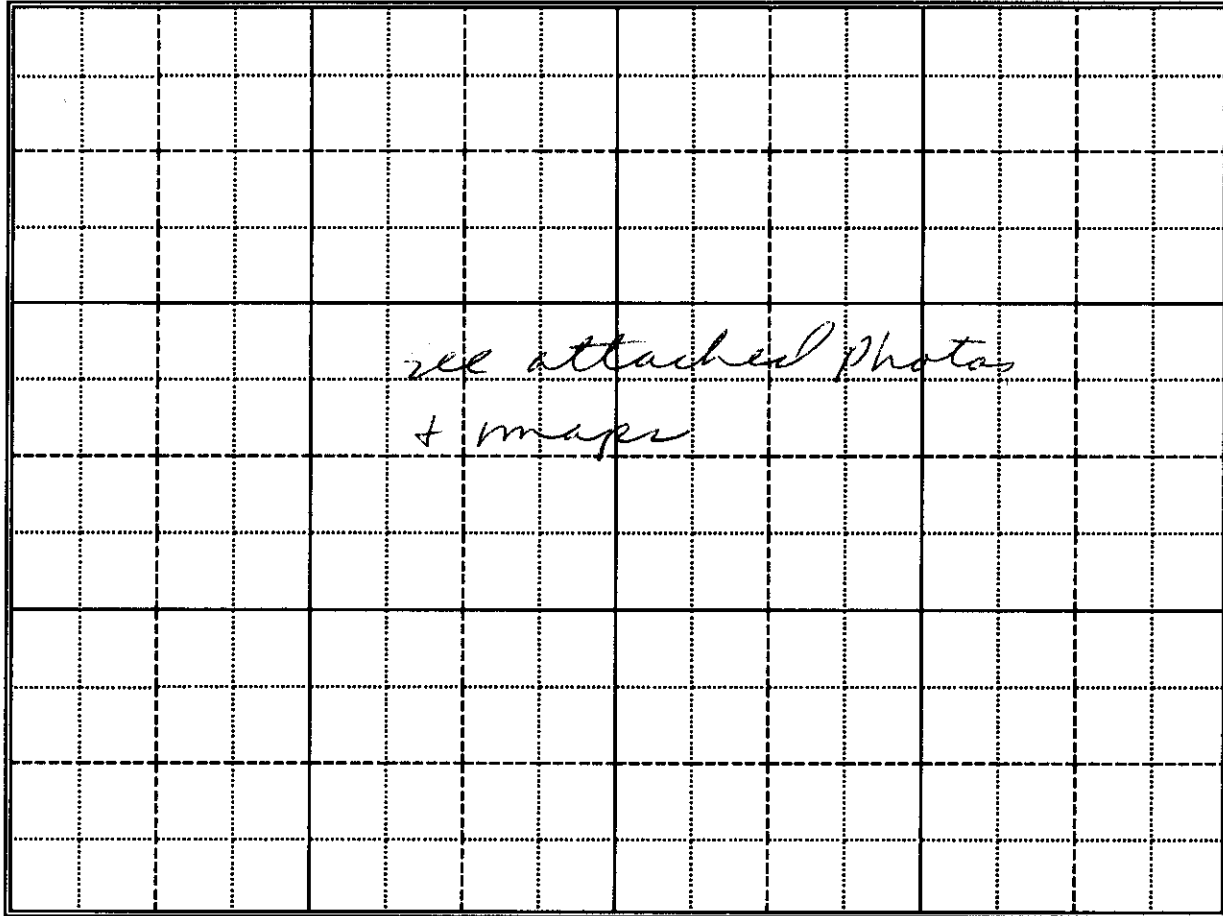
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	6W	14		10														10	

MICROFILMED

AUG 19 1997

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		7.5	DD213TF5703B	Parma Water	
			# 01-1627	Lifter #4	

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Stewart Warner RPM Gage						AUG 19 1937

2. Measurements: 520 RPM = 350 GPM = .78 cfs
(Pump oversized: at 520 RPM, only need a 2.5 HP pump at 10' lift)

E. NARRATIVE/REMARKS/COMMENTS

A 7.5 HP pump supplies water to 10 acres via 8" buried mainline and gated pipe. The farm consists of 34 total acres. Statutory claim 63-04805 covers the other 24 acres and an older 2nd pump from the same source. The Wagners filed A63-30208 in the SRBA to cover the 10 ac. expansion. No other irts are used.

Have conditions of permit approval been met? ☐ yes ☒ no

no meas. device

MICROFILMED

AUG 19 1997

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

at 520 RPM, flow = 350 GPM = .78 cfs
per attached pump curve
(Model # 4 is same as Model # 14)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 10 \times 4.5 = 45$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .2 \times 246 \times 1.9835 = 97.6$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 45$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3/15	11/15	.2	45
Totals:			.2	45

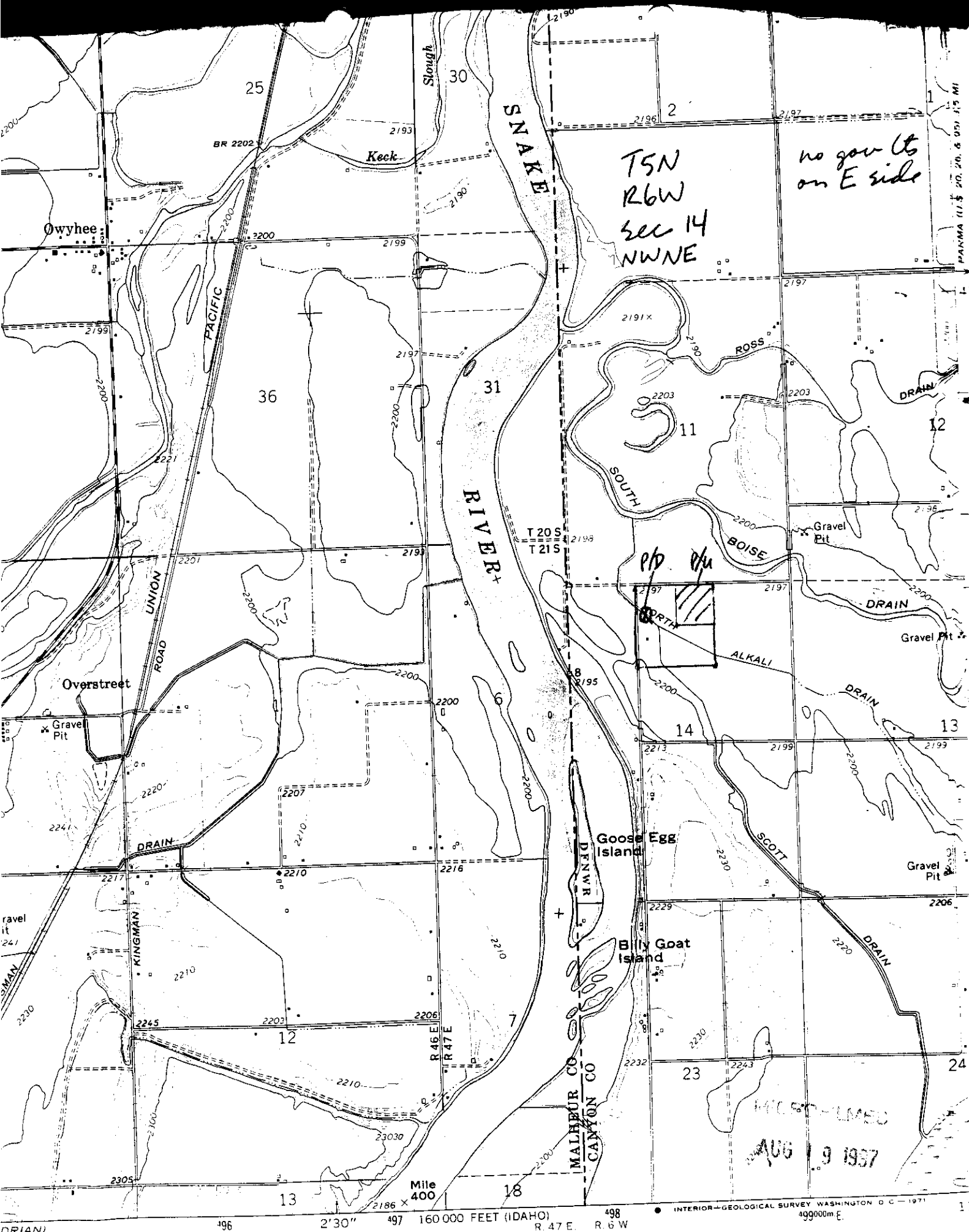
2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ☒ None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATIONField Examiner's Name Joe Gnaner Date 5/30/97

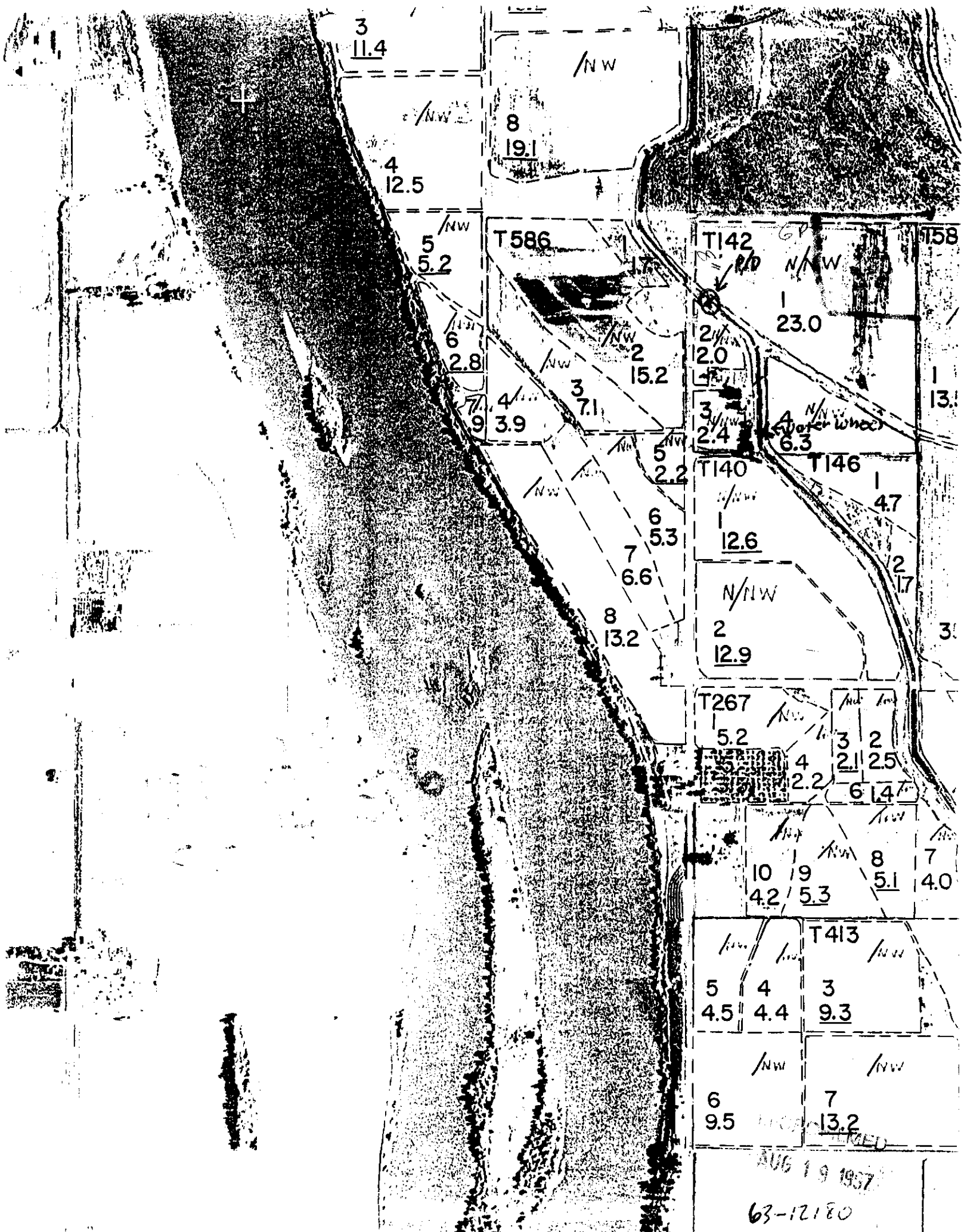
Reviewer _____ Date _____

SEAL



DRIAN)
M. J. NE.

9042 2000 5 24 10:00



PARMA Company

105 Main St - P.O. Box 190
Parma, ID 83650-0190
Phone (208) 722-5116
FAX (208) 722-6012

Sugar Beet Equipment
Onion Equipment
Potato Equipment
Water & Waste Pumps

FACSIMILE COVER SHEET

DATE:

8/19/96

FAX NUMBER:

208-334-2348

ATTENTION:

Lori

COMPANY:

Water Resources

Water Lifter Pump #4 or #14 (same)

200 - 900 GPM Comfortable

5 - 40 TDH

FROM:

Roger

FAX NUMBER (208) 722-6012

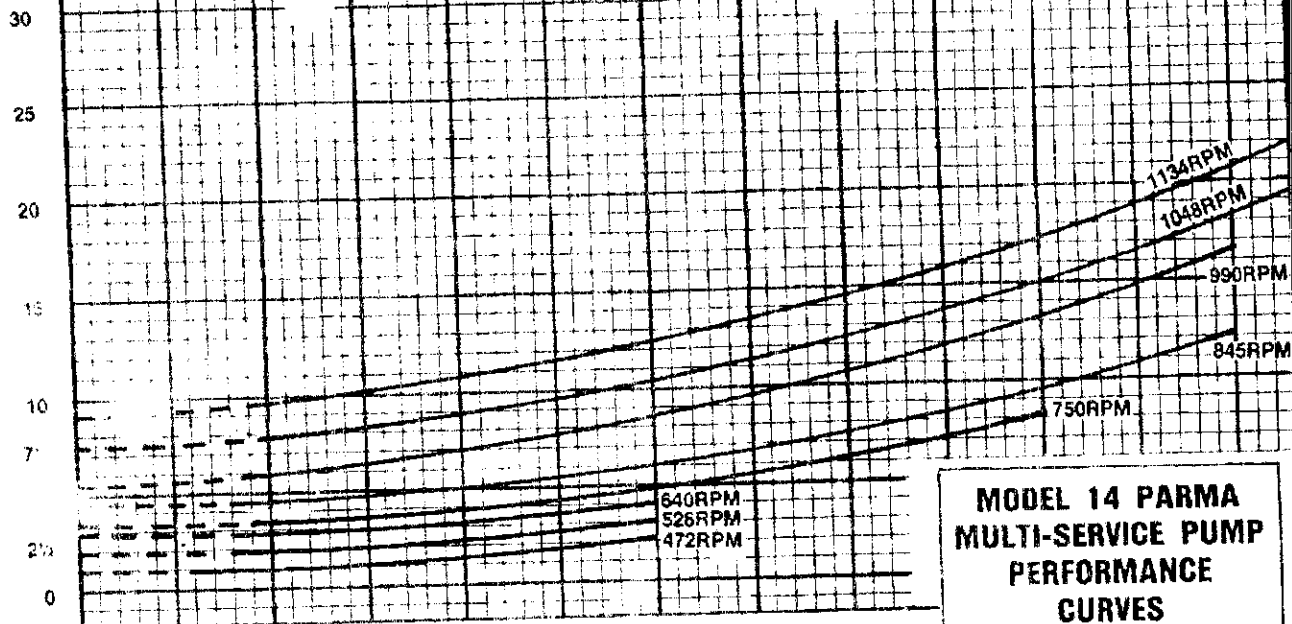
MICROFILMED
AUG 19 1997

COVER SHEET PLUS 1 PAGES

IF PAGES ARE MISSING OR YOU NEED
RE-TRANSMISSION, CALL ME AT (208) 722-5116

63-12180

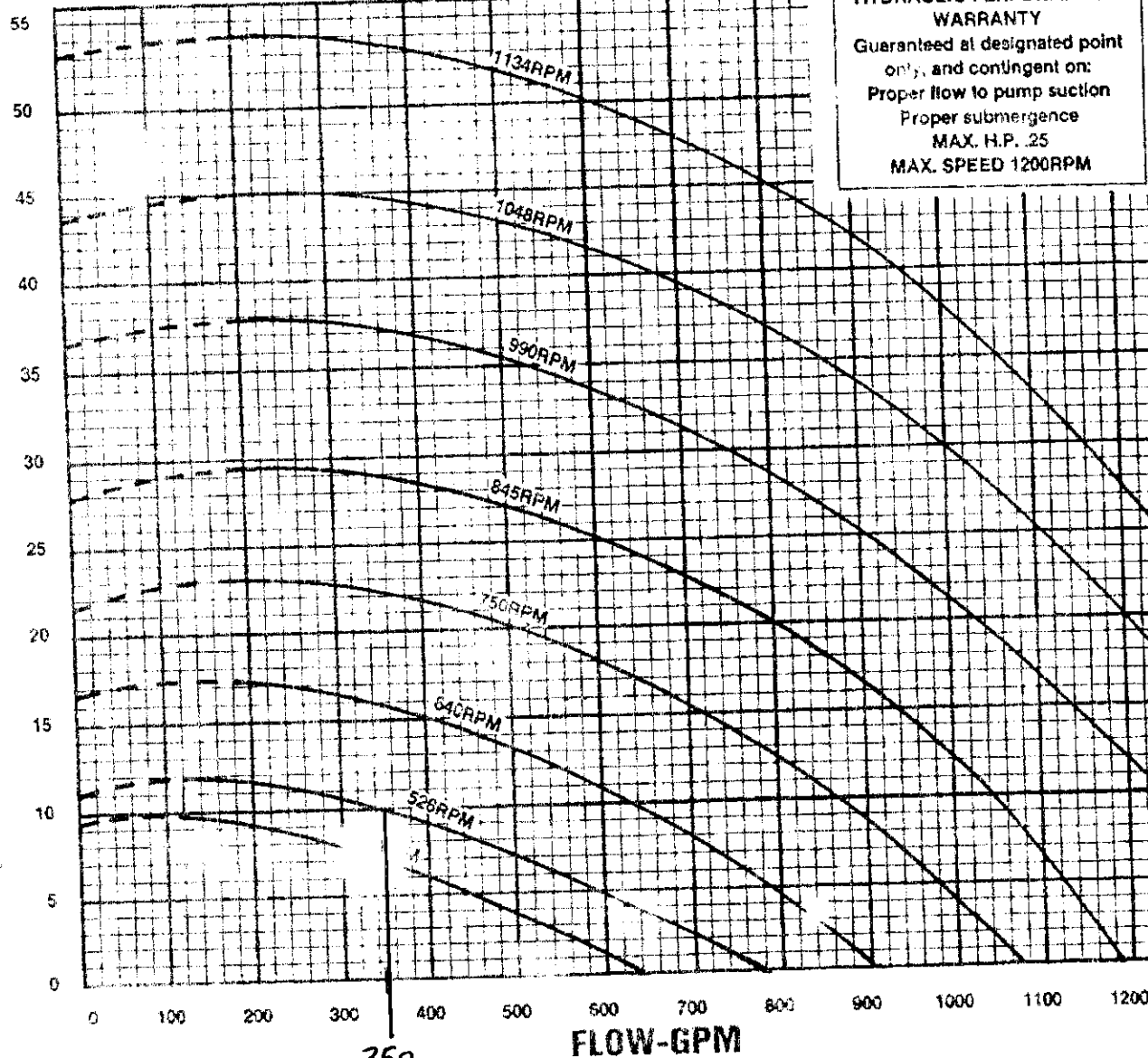
HORSEPOWER



**MODEL 14 PARMA
MULTI-SERVICE PUMP
PERFORMANCE
CURVES**

**HYDRAULIC PERFORMANCE
WARRANTY**
Guaranteed at designated point
only, and contingent on:
Proper flow to pump suction
Proper submergence
MAX. H.P. 25
MAX. SPEED 1200RPM

TOTAL HEAD FEET



— Pump is not to operate continuously in this area.

MEMORANDUM

RE: Water rights for Ada G and Joe P Wagner

The Wagners filed claim no. A63-04805 in the Snake River Basin Adjudication (SRBA). This claim is based on a previously filed statutory claim.

During investigation of the SRBA claim it came to light that the Wagners had added a second pump to their system in 1973 in order to irrigate ten additional acres.

The Wagners filed claim no. A63-30208 to cover the expansion of the water right for ten additional acres which were developed in 1977. They also filed an application for permit for the 10 acres (63-12180) to cover the expanded water right should the expansion claim fail to clear the SRBA process.

ASCS has provided this office with a copy of their map dated July, 1957 for the Wagner's property. This map clearly shows the acres in the northeast portion of the property which are not irrigated. Based on the ASCS maps it appears that there were approximately 24 irrigated acres in 1957 and 34 irrigated acres in 1987.

*per Maria
Minicucci*

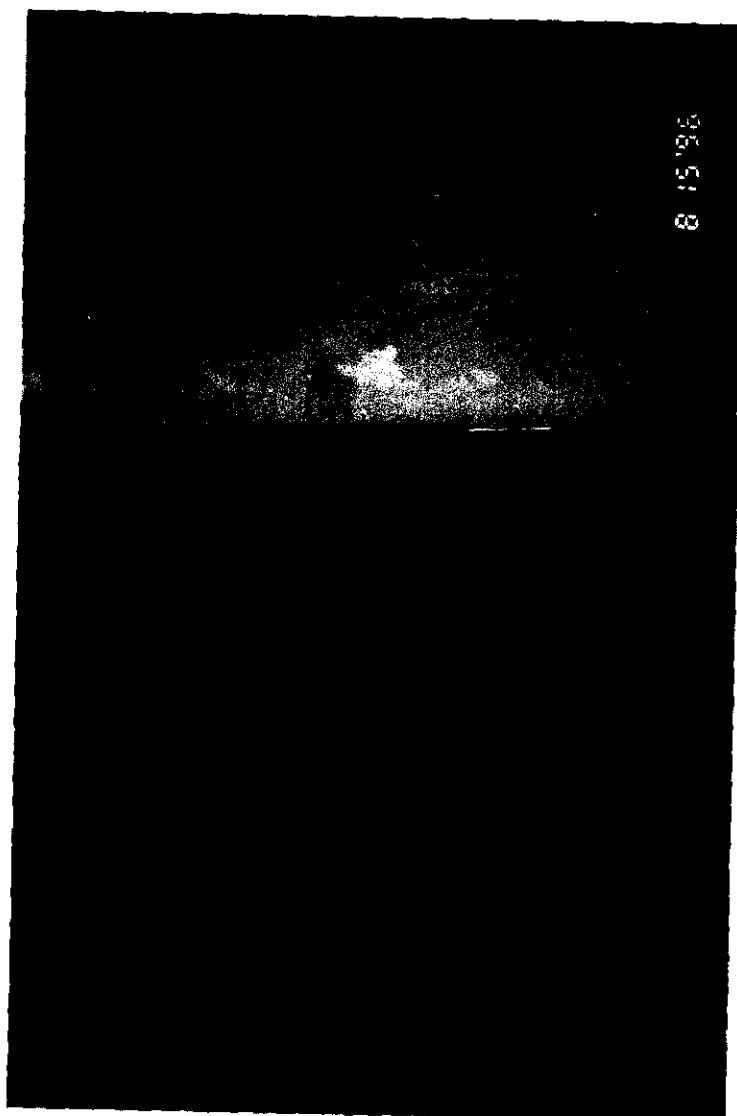
RECORDED

AUG 19 1987

63-12180



Diversion works



P/H

*INFORMATION
AUG 19 1962*

13-17180

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 63-12180 Reviewed by [Signature] Date 6-27-96

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

☒ Surface water source
☐ Ground water source
☐ Drilling permit required?
☐ Copy in the file? Drilling Permit No. _____
☐ Amount paid for permit _____ Correct?
☐ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
no Required?
/ Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority Date	_____	_____
New Priority Date	_____	_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address [Signature] Proof Made 6-14-96

June 27, 1996

ADA G WAGNER
JOE P WAGNER
27818 PIONEER LN
PARMA ID 83660

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-12180

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208) 334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

JUN 28 1996

April 30, 1996

ADA G WAGNER
JOE P WAGNER
27818 PIONEER LN
PARMA ID 83660

PROOF DUE NOTICE

RE: PERMIT NO. 63-12180

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1996.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

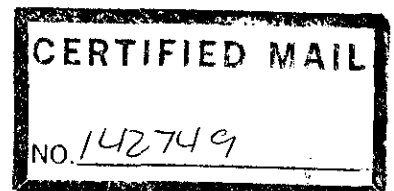
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

JUN 28 1996



RESPONSE FORM

Boise River Basin Moratorium Application

RECEIVED

MAY 25 1995

WATER RESOURCES
WESTERN REGION

Name of Applicant: JOE P. & ADA G. WAGNER

Address: 27818 PIONEER LANE
PARMA, ID 83660

Water Right No.: 63-12180

Do you wish to proceed with development of the
water right as proposed in the application?

(If the response is no, please complete
and return the enclosed withdrawal form.)

X Yes No

If the source of water that you propose to
appropriate is ground water, what aquifer
level do you propose to develop to obtain water? Surface Water ft to ft

Joe P. Wagner.

Signature: Ada G. Wagner

Printed Name: JOE P. WAGNER
ADA G. WAGNER

Please return this form to:

Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705

*Processed as Moratorium exemption (Existing use
≤ 1987) so this form N/A*

- fd 8/5/95

JUN 28 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 17, 1995

ADA G WAGNER
JOE P WAGNER
27818 PIONEER LN
PARMA ID 83660

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-12180

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

MICROFILMED

JUL 19 1995

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman**

No.: 63-12480 Name: Wagner Date: 7/13/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: W018690 Priority: 3/7/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
- 0.2 cfs - No MD
+ 5 a. (POU cmp) - 01M, 803(if GW use SW 1st)

Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink):
Water District(~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J-P08 or 01M
- 0.2 cfs - 01H-P01 or No MD
+ 5 a. irr. - 01M (POU cmp)
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - ~~01M~~ (POU ✓cmp)

RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - ~~W5A~~ (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(consump. use), 047-P04(Payette Lake), NA

USE:
Domestic (surface) - 021(Boise R ↑ L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr - 5 acres - 057 (0.03 cfs/A)
+ 5 acres - ~~03A~~ (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner - 004 (PD/PU) _____

OTHER CONDITIONS: _____

STANDARD REMARKS: _____

BENEFICIAL USE DUE: _____

COMMENTS: _____
_____ Source = N Alkali Drain trip to S. Boise, Id.

* remove per Shelling.

1/95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
JUL 12 1995

Department of Water Resources.

INITIAL REVIEW BY: SL DATE: 4/11/95 APPLICATION: 63-12180

REQUIRED INFORMATION

☐ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)

☐ Address:

☐ Source: (See USGS Quad for names of water sources)

☐ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)

☐ County:

☐ Quantity: (flow and/or volume)

☐ Period of use:

☐ Nature of proposed use: (Include description of use)

☐ Description of diverting works:

☐ Time required for beneficial use of water:

☐ Place of use or acres irrigated:

☐ Map: (show T, R, S, QQ &/or QQQ)

☐ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)

☐ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)

☐ Fee:

☐ Yes ☐ No* In form to receipt:

Gov't. Lots:

☒ P/D
☐ P/U

ADDITIONAL INFORMATION

YES NO

☐ ☐ } See Comments - no overlap for this Pld & 10 acres

☐ Overlapping place of use: (Describe source & relationship to present application on the back.)

☐ Overlapping point of diversion:

☐ Field check required: Field check by: _____

☐ Field report attached:

☐ Critical groundwater area:

☐ Groundwater management area:

☒ 1992 moratorium:

☐ Copy to SCA staff: (perennial stream, non-pump diversion)

☐ Copy to Dam Safety staff: (for any storage)

☐ Basin 63 mitigation plan: (where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge)

☐ Send power requirement letter:

☐ Send fish farm requirement letter:

☐ Power residency affidavit:

☐ Power efficiency form:

☐ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)

***REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT**

Verification of use < 11/87

DATE REQUESTED: 4/11/95

Additional information on reverse side:

* See next page - note Advised with Remark c use < 1987, OK to process

PROCESSING

APPLICATION NO. 63-12180

YES NO

☒ ☒
☒ ☒
☒ ☒

In form for advertising:

Statewide advertising: (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. District Health

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. # _____

Other _____

off-stream source trib to Snake R. ~~not~~
 but within WD. #63 - watermaster contact
 N/A

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☒
☒ ☒

Affidavit of publication received:

Application published correctly: If not, record action taken.

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒

Publication dates and paper recorded on application:

Protests received. Final date for protest 6-26-95

Protest dates, resolution of protest recorded on application:

Recommendations attached:

Measuring device required:

Measuring port required:

Water delivered by water master? District # None here

Special conditions of approval or cover letter: _____

See below for additional information

Recommended Date or Priority 3/7/1995Recommended by: DMDate 7/10/95

STATE OFFICE REVIEW

See below for additional information. By _____

Date _____

ADDITIONAL INFORMATION

USE PRIOR TO 11/1987. Appears from supporting letters that
 installed pump 1976-1977 & began irrig. ≈ 1977. 1987 NAPP shows
 irrig. land. Although not conclusive, supporting info appears adequate
 for reasonable conclusion that pump has been in use. This, coupled
 with location of P/O where trib. is very short distance to Snake
 River but still within Br 63, provides basis for moratorium exemption,
 which now means exempted from Br 63 "wait list".



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 18, 1995

Joe and Ada Wagner
27818 Pioneer Lane
Parma, ID 83660

RE: APPLICATION FOR PERMIT NO. 63-12180

Dear Applicants:

I received your reply recently that provided additional information to support your statements that the North Alkali Drain pump has been used for the ten acres prior to 1987. The information appears adequate to allow processing to continue for the above-referenced application.

The filing will be advertised at the first possible opportunity in early June. Please contact this office if you need additional information.

Thank you for submitting the supporting letters in a timely manner. Your help has been appreciated.

Sincerely,

Steve Lester
Water Rights Supervisor

RECEIVED

JUL 19 1995

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Carolyn Spath

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 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

Twice

— 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:
June 7, 14, 1995

Carolyn Spath

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 14th day of June
in the year of 1995, before me, a Notary Public, personally appeared Carolyn Spath, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

Janna Lusk
Notary Public for Idaho
Residing at Nampa
MY COMMISSION EXPIRES
JUNE 21st, 1997

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the

State of Idaho:

63-12180

WAGNER, JOE P

WAGNER, ADA G

27818 PIONEER LN

PARMA, ID 83660

Source: NORTH ALKALI DRAIN

Diversion PT: NWNWNE Sec 14 T 05N R 06W in CANYON County.

Use: IRRIGATION

Total Diversion:

Date Filed: 3/7/1995

In: CANYON County

T05N R06W S14

10.0 ACRES TOTAL

NWNE

Use existing prior to 1987, therefore exempted from moratorium processing delays.

Permits will be subject to all prior water rights. Protests may be submitted based on

the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application

must be filed with the Director, Dept. of Water Resources, Western Region, 2735

Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JUNE

26, 1995. The protestant must also send a copy of the protest to the applicant.

KARL J. DREYER, Director

June 7, 14, 1995

2033

RECEIVED

JUN 16 1995

WATER RESOURCES
WESTERN REGION

JUL 19 1995

RE: Clair # 63-12180 (Joe Wagner)

- Don Cove
27501 Pioneer Lane
Parma, Idaho 83660
5 May 1995

RECEIVED

MAY 10 1995

WATER RESOURCES
WESTERN REGION

In The summer of 1976 I helped Joe Wagner Install & Connect a pump at location #233. He Connected a gated pipe system & Irrigated The Land North of Drain ditch with this system in 1977 and every year there after. This land was irrigated before from Another pump by way of a Fill ditch. I moved to my location in 1951 this was irrigated at ~~that time~~

JUL 19 1995

Don Cove
5 May 95

Individual
Acknowledgement

West One Bank, Idaho, N.A.

WEST ONE
BANK

RECEIVED

MAY 10 1995

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO,

COUNTY OF Canyon

} ss.

On this 5th day of May, in the year 19 95, before me Judy Seward

_____, a notary public in and for said State of

Idaho, personally appeared Don Cone

known or identified to me (or proved to me on the oath of _____) to be the person _____

whose name is subscribed to the within instrument and acknowledged to me that _____ he _____ executed the same.

NOTARY PUBLIC

JUL 19 1995

Residing at

Parma, ID

Notary Public for Idaho

My commission expires 1-11-97

RE: CLAIM NO(S) 63-12180.

Joe Pete Wagner.
27818 Pioneer Lane.
Parna Idaho 83660.
May 4, 1995.

RECEIVED

MAY 10 1995

WATER RESOURCES
WESTERN REGION

On August 34, ~~1976~~¹⁹⁷⁶ I sign
With Idaho Power to provide
Power for Pumps # 233.
I started water on Land,
September. 1977.

Joe Pete Wagner.

5-5-1995.

JUL 19 1995

Individual
Acknowledgement

West One Bar. aho, N.A.
WEST ONE
BANK

RECEIVED

MAY 10 1995

WESTERN REGION

STATE OF IDAHO,

COUNTY OF Canyon

} ss.

On this 5th day of May, in the year 1995, before me Judy Seward

_____, a notary public in and for said State of

Idaho, personally appeared Joe Pete Wagner

known or identified to me (or proved to me on the oath of _____) to be the person

whose name is subscribed to the within instrument and acknowledged to me that _____ he _____ executed the same.

NOTARY PUBLIC

Judy Seward
Notary Public for Idaho
Residing at Parma, ID

JUL 19 1995

My commission expires 1-11-97

RE: claim NO(S) 63-1218C

PRINT REQUESTED BY

REQUESTED AT 09:22 04/13/95

ACCT NO-- 1113-000569-1 NAME-- WAGNER*JOE P RATE 24
ACCT ST-- INACTIVE COAPP-- ID
CON/DIS-- 10/19/94 LOCT-- #233 PIONEER *
ACTIVITY-- NONE PENDING CITY-- PARMA ID 83660 *

SUBPAGE 1

***** IRRIGATION INFORMATION *****
IRRG YR-- 95 W S ACRES LIFT KVA HORSEPOWER #MOT DEMAND/HP COMP CODE-- 1
O G 00015 0000 1 15.0 1 7.5 1
2 15.0 2
3 3
4
KWH TAX REF--
PROP TAX REF--
FINANCE CODE--

IRRG YR-- 94 W S ACRES LIFT KVA HORSEPOWER #MOT DEMAND/HP COMP CODE-- 1
O G 00015 0000 1 15.0 1 7.5 1
2 15.0 2
3 3
4
KWH TAX REF-- 1.48
PROP TAX REF-- 6.96
FINANCE CODE-- N

COMBINATION NO.- 00048 NO CHECK CODE- 0
2213-000568-1

RECEIVED

MAY 10 1995

WATER RESOURCES
WESTERN REGION

I don't see anything in this printout that
confirms (or denies) use prior to 11/87
for "pump #233 Pioneer".
Instead, refer to letters from
several parties - letters received
with this printout

-JL

5/18/95
MIDWESTERN

JUL 19 1995

RE: claim No(s) 63-12180

PRINT REQUESTED BY [REDACTED]

REQUESTED AT 09:22 04/13/95

ACCT NO-- 1113-000569-1 NAME-- WAGNER*JOE P RATE 24
ACCT ST-- INACTIVE COAPP-- ID
CON/DIS-- 10/19/94 LOCT-- #233 PIONEER *
ACTIVITY-- NONE PENDING CITY-- PARMA ID 83660 *

SUBPAGE

2

***** IRRIGATION INFORMATION *****

IR	REV	PROCESS	READ	DATES	DEMAND	DEMAND	KWH	AMOUNT	
YR	MONTH	DATE	FROM	TO	DAYS	MONTHS			
94	10/94	10/20/94	10/10	10/19	9	0.00	0	0	4.50 DU
94	10/94	10/12/94	09/09	10/10	30	0.00	0	1240	0.00 CR
94	10/94	10/12/94	09/09	10/10	30	0.00	9	1240	44.17 DU
94	09/94	09/13/94	08/10	09/09	30	0.00	0	2175	0.00 CR
94	09/94	09/13/94	08/10	09/09	30	9.00	9	2175	85.75 IN
94	08/94	08/12/94	07/12	08/10	30	0.00	0	1428	0.00 CR
94	08/94	08/12/94	07/12	08/10	30	8.00	8	1428	61.92 IN
94	07/94	07/14/94	06/10	07/12	30	0.00	0	1995	0.00 CR
94	07/94	07/14/94	06/10	07/12	30	6.00	6	1995	72.59 IN
94	06/94	06/14/94	05/11	06/10	30	0.00	0	1011	0.00 CR
94	06/94	06/14/94	05/11	06/10	30	8.00	8	1011	50.00 IN
94	05/94	05/13/94	04/11	05/11	30	0.00	0	2097	0.00 CR
94	05/94	05/13/94	04/11	05/11	30	0.00	8	2097	72.68 DU
94	04/94	04/13/94	03/30	04/11	12	0.00	0	347	0.00 CR

MIRRORED

JUL 19 1995

RE: CLAIM NO(E) 63-12180

PRINT REQUESTED BY [REDACTED]

REQUESTED AT 09:22 04/13/95

ACCT NO-- 1113-000569-1 NAME-- WAGNER*JOE P RATE 24
ACCT ST-- INACTIVE COAPP-- ID
CON/DIS-- 10/19/94 LOCT-- #233 PIONEER *
ACTIVITY-- NONE PENDING CITY-- PARMA ID 83660 *

SUBPAGE

3

***** IRRIGATION INFORMATION *****

IR	REV	PROCESS	READ	DATES	DEMAND				
YR	MONTH	DATE	FROM	TO	DAYS	MONTHS	DEMAND	KWH	AMOUNT
94	04/94	04/13/94	03/30	04/11	12	0.00	9	347	12.02 OU

MICROFILMED

JUL 19 1995

RE: Claim No(S) 63-12180 -

PRINT REQUESTED BY [REDACTED]

REQUESTED AT 09:22 04/13/95

ACCT NO--- 1113-000569-1 NAME--- WAGNER*JOE P RATE 24
ACCT ST--- INACTIVE COAPP- ID
CON/DIS--- 10/19/94 LOCT--- #233 PIONEER *
ACTIVITY- NONE PENDING CITY--- PARMA ID 83660 *

* * * * * TRANSACTION ITEMIZATION INFORMATION * * * * *						
TRN ID	BATCH/	PROCESS	TRANS	DESCRIPTIVE	ACCOUNT	
	ORDER	DATE	AMOUNT	INFORMATION	BALANCE	
740 00	96094	12/14/94	8.44-		0.00	
300 01	96800	12/14/94	8.44	02 1113-000564-2	8.44	
500 00	92083	10/28/94	48.67-		0.00	
800 03	WF896	10/20/94	4.50		48.67	
850 00		10/12/94	44.17	READ DATE 10/10	44.17	
761 CM		10/12/94		850-00		
501 00	13386	09/27/94	85.75-		0.00	
850 00		09/13/94	85.75	READ DATE 09/09	85.75	
500 00	92429	08/29/94	61.92-		0.00	
850 00		08/12/94	61.92	READ DATE 08/10	61.92	
501 00	13262	07/29/94	72.59-		0.00	
850 00		07/14/94	72.59	READ DATE 07/12	72.59	
501 00	13199	06/28/94	50.00-		0.00	
850 00		06/14/94	50.00	READ DATE 06/10	50.00	
* * SUBPAGE 1 * *						

ENTER-NEXT PAGE

MICROFILMED

JUL 19 1995

RE: Claim No(s) 63-12180

PRINT REQUESTED BY [REDACTED]

REQUESTED AT 09:22 04/13/95

ACCT NO-- 1113-000569-1 NAME-- WAGNER*JOE F RATE 24
ACCT ST-- INACTIVE COAPP-- ID
CON/DIS-- 10/19/94 LOCT-- #233 PIONEER *
ACTIVITY- NONE PENDING CITY-- PARMA ID 83660 *

***** TRANSACTION ITEMIZATION INFORMATION *****

TRN ID	BATCH/ ORDER	PROCESS DATE	TRANS AMOUNT	DESCRIPTIVE INFORMATION	ACCOUNT BALANCE
501 00	13141	05/31/94	72.68-		0.00
850 00		05/13/94	72.68	READ DATE 05/11	72.68
500 00	92233	04/26/94	12.02-		0.00
850 00		04/13/94	12.02	READ DATE 04/11	12.02
110 03	GJ310	03/30/94			0.00
740 00	96093	12/14/93	9.94-		0.00
300 01	96800	12/14/93	9.94	02 1113-000564-2	9.94
110 03	GA563	05/03/93			0.00
950 00	13670	11/16/92		0713-000569-1	0.00
110 03	GN183	04/07/92			0.00
110 03	JG603	04/09/91			0.00
110 03	FQ369	03/30/90			0.00
110 03	JU324	04/25/89			0.00
110 03	EN961	04/08/88			0.00

*** SUBPAGE 2 ***

ENTER-NEXT PAGE, PF11-PREV PAGE

MICROFILMED

JUL 19 1995

RE: CLAIM NO(S) 63-12180

PRINT REQUESTED BY [REDACTED]

REQUESTED AT 09:22 04/13/95

ACCT NO--- 1113-000569-1 NAME--- WAGNER*JOE P. RATE 24
ACCT ST--- INACTIVE COAPP--- ID
CON/DIS--- 10/19/94 LOCT--- #233 PIONEER *
ACTIVITY- NONE PENDING CITY--- PARMA ID 83660 *

***** TRANSACTION ITEMIZATION INFORMATION *****

TRN ID	BATCH/ ORDER	PROCESS DATE	TRANS AMOUNT	DESCRIPTIVE INFORMATION	ACCOUNT BALANCE
780 06	96800	10/19/87	.03-		0.00
780 04		10/09/87		UNBILLED =	10.85-
780 04		10/05/87		UNBILLED =	40.00-
780 04	00020	09/14/87		UNBILLED =	18.11-
110 03	HX440	04/13/87			0.00
780 06	96800	11/17/86	.05-		0.00
780 04		11/07/86		UNBILLED =	21.24-
780 04		10/30/86		UNBILLED =	25.56-
780 04		10/09/86		UNBILLED =	40.00-
780 04	00020	09/16/86		UNBILLED =	4.52-
110 03	JI783	04/11/86			0.00
780 06		11/25/85	.09-		0.00
780 04		11/07/85		UNBILLED =	19.14-
780 04		10/28/85		UNBILLED =	19.02-

***** SUBPAGE 3 ***** ENTER-NEXT PAGE, PF11-PREV PAGE

INDEXED

JUL 19 1995

RE: Claim- No(3) 63-12180 -

PRINT REQUESTED BY [REDACTED]

REQUESTED AT 09:22 04/13/95

ACCT NO-- 1113-000569-1 NAME-- WAGNER*JOE P RATE 24
ACCT ST-- INACTIVE COAPP-- ID
CON/DIS-- 10/19/94 LOCT-- #233 PIONEER *
ACTIVITY-- NONE PENDING CITY-- PARMA ID 83660 *

***** TRANSACTION ITEMIZATION INFORMATION *****

TRN ID	BATCH/ ORDER	PROCESS DATE	TRANS AMOUNT	DESCRIPTIVE INFORMATION	ACCOUNT BALANCE
780 04		10/09/85		UNBILLED = .07-	35.00-
780 04	00020	09/19/85		UNBILLED = 1.77-	1.60
110 03	QQ128	04/18/85			0.00
780 06		11/19/84	.03-		0.00
780 04		11/07/84		UNBILLED = .06-	9.50-
780 04		10/18/84		UNBILLED = .06-	20.72-
780 04		10/09/84		UNBILLED = .11-	35.00-
780 04	00020	09/18/84		UNBILLED = 1.53-	4.92-
110 03	MR841	05/09/84			
780 06		01/21/84	.04-		
780 04		01/10/84		UNBILLED = .08-	
780 03		11/08/83		UNBILLED = .04	
780 04		10/06/83		UNBILLED = 1.45-	
110 03	IR452	05/03/83			

** SUBPAGE 4 **

ENTER-NEXT PAGE, PF11-PREV PAGE

MICROFILMED

JUL 19 1995

RE: Claim No (S) 63-12180

PRINT REQUESTED BY

REQUESTED AT 09:22 04/13/95

ACCT NO--- 1113-000569-1 NAME--- WAGNER*JOE P RATE 24
ACCT ST--- INACTIVE COAPP--- ID
CON/DIS--- 10/19/94 LOCT--- #233 PIONEER *
ACTIVITY--- NONE PENDING CITY--- PARMA ID 83660 *

* * * * * TRANSACTION ITEMIZATION INFORMATION * * * * *

TRN ID	BATCH/ ORDER	PROCESS DATE	TRANS AMOUNT	DESCRIPTIVE INFORMATION	ACCOUNT BALANCE
780 04		11/09/82		UNBILLED =	.48-
780 04		10/11/82		UNBILLED =	.74-
780 04		09/10/82		UNBILLED =	.94-
780 04		08/11/82		UNBILLED =	1.06-
780 04		07/13/82		UNBILLED =	1.23-
780 04		06/11/82		UNBILLED =	1.43-
780 04		05/12/82		UNBILLED =	1.50-
110 03	01096	04/28/82			

* * SUBPAGE 5 * *

PF11-PREV PAGE

MICROFILMED

JUL 19 1995

RE: CLAIM NO(S) 63-12120

PRINT REQUESTED BY [REDACTED]

REQUESTED AT 09:22 04/13/95

ACCT NO-- 1113-000569-1 NAME-- WAGNER*JOE P RATE 24
ACCT ST-- INACTIVE COAPP-- ID
CON/DIS-- 10/19/94 LOCT-- #233 PIONEER *
ACTIVITY-- NONE PENDING CITY-- PARMA ID 83660 *

SUBPAGE 6

***** GENERAL METER INFORMATION *****
METER NO S U T D P F-SCL CONST INS/RM/CHG CURR PREV RT-ANNIV RTE SEQ RC
40042604G D 1 2 5 3 24.0 00001 01/18/90 46760 46760 10/92 09 0300 5

RATE..... 24	AREACD..... 120	HEADER #..... 00000000
ELEC HT.....	LOC CODE... PO	19 CONT KW...
HIH VLT..... 0	INS CODE... 00	CONT RATE....
IRG USE.....	UNGRD..... 0	CONT RATE....
LG POWER...	LANDLD..... 0	STANDBY.....
MUL FAM..... 1	APTMOB..... 0	+5% AMT.....
CONN LD.....	# APTMOB...	CAP CHG.....
MNTH MIN...	T A/C.....	MILEAGE CHG..
FAC CHG.....	DN EST..... 0	46 FACCHG....
ESTCNT..... 0	CHG ST.....	BLC START.... 10/19/92
KWH EST.....	#CHGS.....	

MICROFILMED

JUL 19 1995

RE: claim NO(s) 63-12180 -

PRINT REQUESTED BY [REDACTED]

REQUESTED AT 09:22 04/13/95

ACCT NO-- 1113-000569-1 NAME-- WAGNER*JOE F RATE 24
ACCT ST-- INACTIVE COAPP-- ID
CON/DIS-- 10/19/94 LOCT-- #233 PIONEER *
ACTIVITY- NONE PENDING CITY-- PARMA ID 83660 *

***** METER BILLING INFORMATION *****
METER NO S U T D P F-SCL CONST INS/RM/CHG CURR PREV RT-ANNIV RTE SEQ RC
40042604G D 1 2 5 3 24.0 00001 01/18/90 46760 46760 10/92 09 0300 5

	MRC	RCC	READ	DAYS	DEM-KW	BLC-KW	ENERGY-KWH	BILL AMT
01		0	10/19/94	09	0	0	0	4.50
02	00	0	10/10/94	30	9	0	1,240	44.17
03	00	0	09/09/94	30	9	0	2,175	85.75
04		0	08/10/94	30	8	0	1,428	61.92
05		0	07/12/94	30	6	0	1,995	72.59
06		0	06/10/94	30	8	0	1,011	50.00
07		0	05/11/94	30	8	0	2,097	72.68
08		0	04/11/94	12	9	0	347	12.02
09		0	03/30/94	00	0	0	0	0.00
10		0	10/12/93	00	0	0	0	0.00
11		0	10/12/93	30	8	0	852	29.53
12		0	09/10/93	30	8	0	1,808	70.94
13		0	08/11/93	30	8	0	1,144	52.79

MICROFILMED

JUL 19 1995

RE: CLAIM No(s) 63-12180

RANDY JOE WAGNER
17806 LOWELL ROAD
CALDWELL, ID 83605

RECEIVED

MAY 10 1995

WATER RESOURCES
WESTERN REGION

MAY 8, 1995

ON AUGUST 24, 1976, Dad sign with
Idaho Power Co. to provide power
for Pump #233 PIONEER. DAD started
pumping water on the land September 1977.

Brandy Joe Wagner

JUL 19 1995

Individual

Acknowledgement

Re: claim no 63-12180

WESTONE
BANK

West One Bank, Idaho, N.A.

RECEIVED

MAY 10 1995

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO,

COUNTY OF

Canyon } ss.

On this 8th day of May, in the year 1995, before me Debra So Ball

, a notary public in and for said State of

Idaho, personally appeared

Randy Joe Wagner

known or identified to me (or proved to me on the oath of) to be the person

whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

MICROFILM

JUL 19 1995

Debra So Ball

Notary Public for Idaho

Residing at

Caldwell

My commission expires

Sept. 1, 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

April 11, 1995

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Joe and/or Ada Wagner
27818 Pioneer Lane
Parma, ID 83660

RE: APPLICATION FOR PERMIT NO. 63-12180

Dear Applicants:

The above-referenced application for water right permit to irrigate ten acres from North Alkali Drain has been initially reviewed but not yet advertised in the local newspaper. I understand that the use described in the application has been in place prior to November, 1987 and that you now wish to protect the irrigation with a valid water right.

Due to concerns about water supplies and existing water rights in the local area, the Director of this agency declared a drought moratorium on approval of new consumptive use water rights as of May, 1992. Irrigation is a consumptive use.

Certain uses are exempted from the moratorium. One such exemption is any use that can be verified as having started before November, 1987. The ten acres did not appear to be irrigated based on 1974 aerial photography but did look irrigated in 1987 aerial photography.

Therefore, the land looks irrigated but what is lacking is some verification that the pump in question was used on the ten acres at least as early as 1987. Please provide information within 30 days that verifies that this use started before November, 1987. Such information could include power records, affidavits or other useful evidence.

Application processing will continue if adequate verification is submitted. Otherwise, the application will be held pending modification of the moratorium. Delays related to department issues such as the moratorium do not affect the date of priority of your filing.

Please contact me at your earliest convenience if you need assistance.

Sincerely,

Steve Lester
Water Rights Supervisor

RECORDED
JUL 19 1995

63-12180

WAGNER, JOE P
WAGNER, ADA G
27818 PIONEER LN
PARMA, ID 83660

Source: NORTH ALKALI DRAIN

Tributary: SNAKE RIVER

Diversion Pt: NWNWNE Sec 14 T 05N R 06W in CANYON County.

Use: IRRIGATION (0.200 CFS)
Total Diversion: (0.200 CFS)

Date Filed: 3/ 7/1995

In: CANYON County
T05N R06W S14 NWNE

10.0 ACRES TOTAL

Use existing prior to 1987, therefore exempted from moratorium
processing delays.

JUL 19 1995