

Prepared By: Ron Howerton

0.25



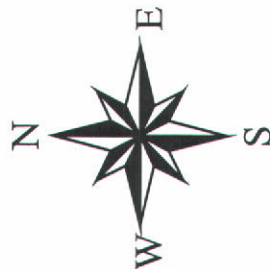
IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-2659

Date Prepared: 02-21-02

Prepared By: Ron Howerton

T07N, R08E
S14



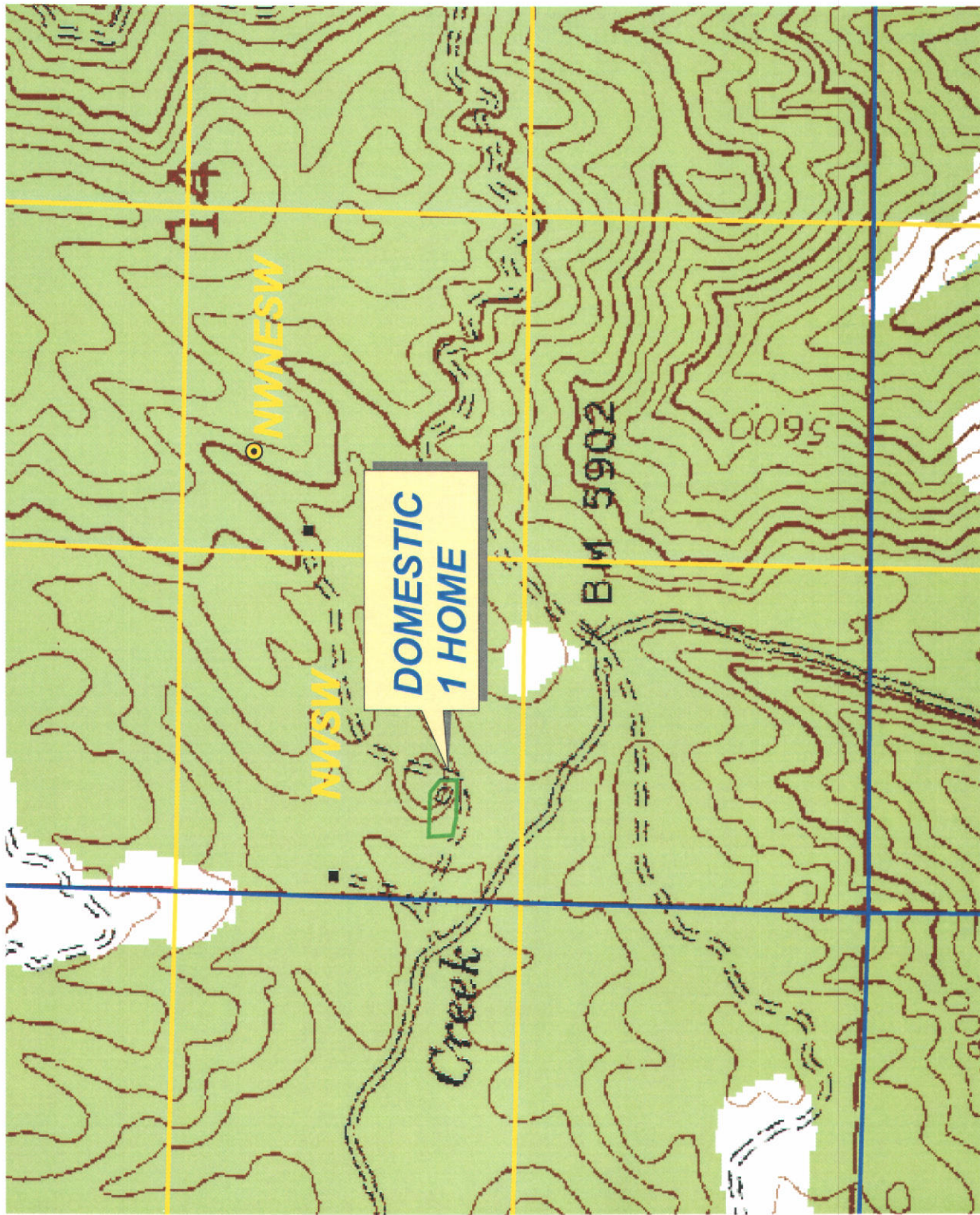
● Point of Diversion

Place of use

Section

Quarter/Quarter

W15 TOPO



0.75 Miles

0.5

0.25

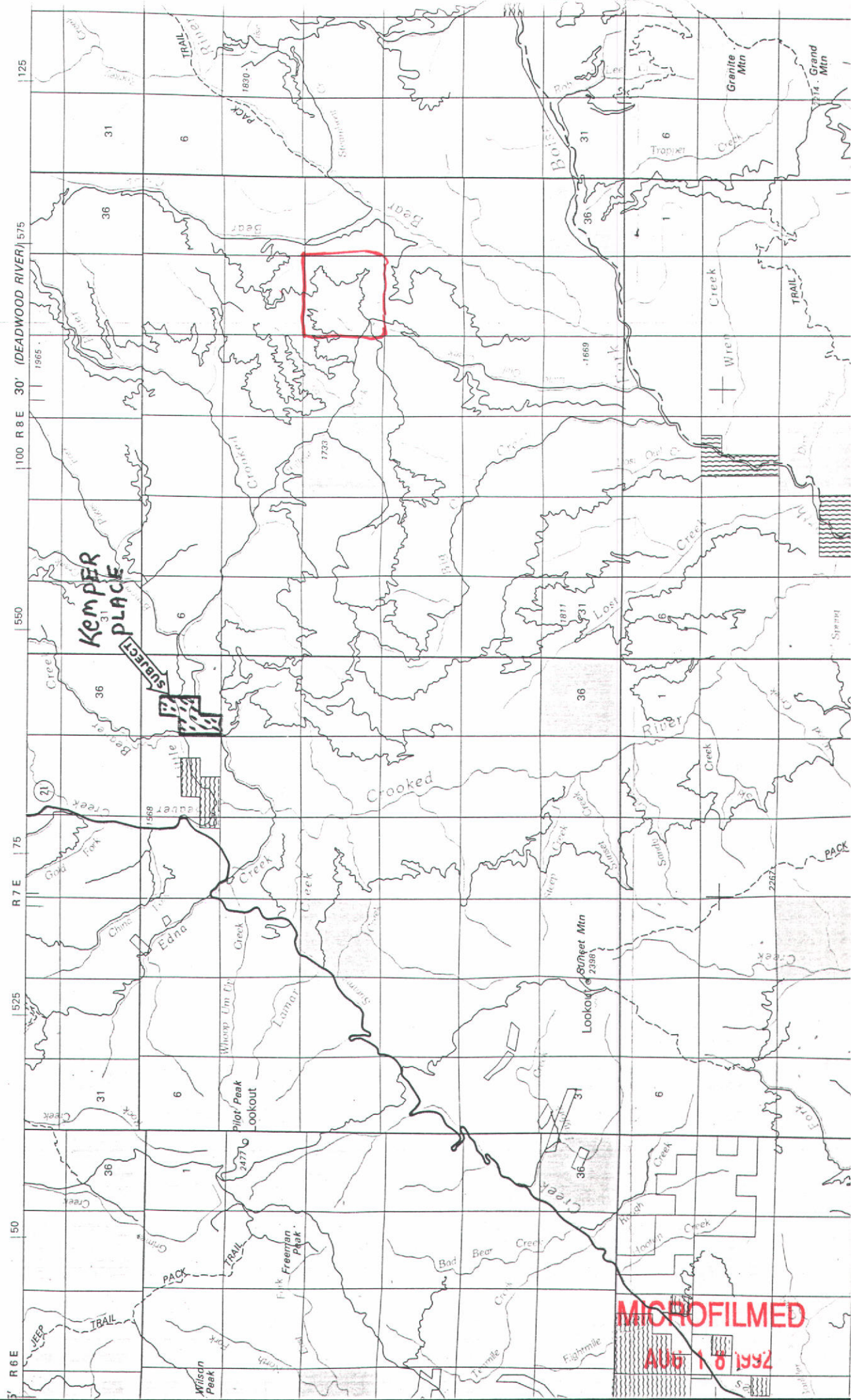
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Sec. 14 T8 N46E 26S

MICROFILMED
AUG 18 1992

AG3-2659
T7N, R8E, Sec. 14



MICROFILMED
AUG 18 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-02659
Date Received: 5/19/1989
Receipt No: W002900
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HIGHLAND LIVESTOCK & LAND CO. 208-365-4611
Address: C/O BRAD LITTLE
BOX 488
EMMETT, ID 83617

2. Date of Priority: JUL 14, 1947

3. Source: SPRING Trib. to: WILLOW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	08E	14	NE	NE	SW		BOISE

5. Description of diverting works:
CEMENT CISTERN, PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	09/01	0.040		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/3 HOMES W/1/2 ACRE LAWN

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07N	08E	14	NE	SW		DOMEST	

A63-02659

Page 1

Date: 05/19/89

MICROFILMED

AUG 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	08E	14	NW	SW		DOMEST	

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE

14. Remarks:
2 HOMES IN THE NW,SW1/4 OF SECTION 14.
HOMES UNDER SINGLE OWNERSHIP.

15. Basis of Claim: LICENSE
Water Right Number: 20029

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

For Organizations:

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

Hughes Brothers & Sons, Inc. that I have signed the foregoing
Organization
document in the space below as Secretary of _____ Title

Hughes Brothers & Sons, Inc. and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Secretary of Hughes Brothers & Sons, Inc.
Title and Organization

5-19-89
Date

State of Idaho)
County of ADA) SS.

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

of May 19 89

Linda A. Werner
Notary Public

Seal

Linda A. Werner
Residing at Residing at Boise, Idaho
My Commission Expires My Commission Expires December 8, 1994
3 Date: 05/19/89

A63-02659

Page

MICROFILMED

AUG 18 1992

02/21/2002

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

RIGHT NUMBER: 63-2659

NAME AND ADDRESS: HIGHLAND LAND & LIVESTOCK CO INC
PO BOX 488
EMMETT ID 83617

SOURCE: SPRING

TRIBUTARY: WILLOW CREEK

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT
EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 07/14/1947

POINT OF DIVERSION:

T07N R08E S14 NWNESW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.020 CFS
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BOISE County

T07N R08E S14 NWSW 0.5

DOMESTIC Within BOISE County

T07N R08E S14 NWSW

0.5 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: License

DOMESTIC, 1 HOME
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

Idaho Department of Water Resources

CLAIM VERIFICATION NARRATIVE SHEET

Updated: February 21, 2002

Date of Exam: In-office 2/21/2002

Field examiner:

Ron Howerton
Senior Water Right Agent

Water Right Nos.: 63-2659

Narrative:

POD: I compared the licensed right maps with the roads and drainage features versus our new W15 topo and using our latest GCDB information I determined where the location should have been licensed. I recommend this as a C03 condition accomplished change in POD.

PLACE OF USE:

Again, I compared the licensed right maps with the roads and drainage features versus our new W15 topo and using our latest GCDB information I determined where the place of use location should have been licensed. I will list this as a C05 accomplished transfer.

Number of homes: The license listed one home and he plotted it on a license file map. I have determined from my above analysis where that original home was and the ½ acre associated with it. Additional claim(s) or application(s) for permit (internal use only for permits) may be filed depending upon whether use began prior to 1971 for the other two homes claimed.

SEASON OF USE: The license was ambiguous by not listing the season of use; I'm recommending the standard season for domestic and irrigation purposes.

CFS: The license was ambiguous in not breaking down the amount of CFS for domestic internal and the ½ acre of irrigation associated with it. The license did list the total of 0.04 CFS. I am recommending the same total CFS but breaking down the standard amount for internal domestic of 0.02 CFS and 0.02 CFS external for the ½ acre associated with it. No volume required in SRBA surface water recommendation, nor was it listed in license.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A63-2659

1. No Change NAME IS SAME ✓

NEW OWNER: _____

No Change ADDRESS ✓

NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: 07/14/1947

(If the priority date, based on your exam, seems questionable, explain below.)

Claimed as licensed

3. No Change — SAME SOURCE ✓

Source is different than that claimed:

Source found: _____

4. No Change — POINT OF DIVERSION

Point of diversion is different than the claim and/or new P/D's:

Township 7N Range 8E Section 14 1/4 NW 1/4 NE 1/4 SW

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

C03

5. No Change - DESCRIPTION OF DIVERTING WORKS

Incomplete description, list below:

6. No Change - WATER USES
Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount _____ CFS _____ AFA

Changes found, the new total is, Amount _____ CFS _____ AFA

8. No Change - NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: ALLOW 1-HOME ONLY PERM LICENSE

9. No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

2-ADDITIONAL HOMES CLAIMED CANNOT BE COVERED BY THIS
LICENSE - ADDITIONAL CLAIM(S) NEED TO BE FILED IF USE
BEGAN PRIOR TO '971 OTHERWISE AN APPLICATION FOR
PERMIT FOR INTERNAL USE MAY BE FILED.

SYSTEM DIAGRAM INCLUDED

NA

Shown on GIS Layout

☒ CHECK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 2-21-02

FIELD EXAMINER: _____

RON HOWERTON
Print Name

Ron Howerton
Signature

DOMESTIC, 1 HOME

N10
N12

BOISE County

1

771

(1) # OF HOMES - LICENSE ONLY ALLOWED ONE HOME WITH $\frac{1}{2}$ Acre of IMPG.
ANOTHER CLAIM PRIOR TO 1971 IS NEEDED FOR OTHER TWO HOMES.
INTERNAL USE MAY POSSIBLY BE APPROVED IF USE WAS AFTER 1971.

WR5809NP
No. 63-02659

OWNER
CODE

C. HIGHLAND
C/O ROBERT

11

Water S

Point(s) of Di

1
2
3
4
5
6
7
8
9
10
11
12

07N 08E 14 :

Place of use

Pou County: BO

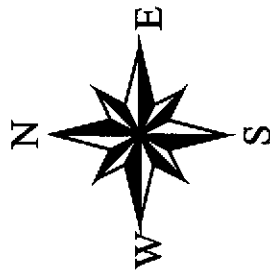
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Misc:

IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-2659
Date Prepared: 02-21-02
Prepared By: Ron Howerton

T07N, R08E
S14



● Point of Diversion

Place of use

Section

Quarter/Quarter

0.5 Acres

W15 TOPO



IDAHO DEPARTMENT OF WATER RESOURCES

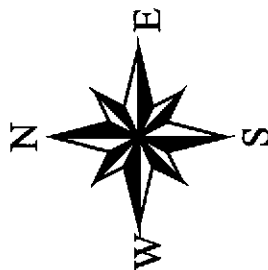
Claim: 63-2659

Date Prepared: 02-21-02

Prepared By: Ron Howerton



T07N, R08E
S14



● Point of Diversion

□ Place of use

□ Section

□ Quarter/Quarter

W15 TOPO

0 0.25 0.5 0.75 Miles



ADJUDICATION MEMORANDUM

CLAIM NO.: A63-2659

SUBJECT: Changes to license

EMPLOYEE: M McNICOLL

DATE: _____

Highland Land & Livestock 11/24/2002 11:00 am

AKA Known as Aikman Ranch. Now owned by

Harry Bettis 365-2512

11/24/2002 11:00 am. left msg on Bettis' machine.

State of Idaho

License and Certificate of Water Right

Water License No. 20029

Amount 0.04 second feet

Water District No. _____

Priority July 14, 1947

THIS IS TO CERTIFY that HIGHLAND LIVESTOCK AND LAND COMPANY of Emmett, Idaho made application for a permit to appropriate the public waters of the State of Idaho, dated March 10, 1947; that Permit No. 20029 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.1 second feet, was issued thereunder on November 3, 1947, showing that said works were completed on the 20th day of September, 1947; and that on the 14th day of November, 1947,

HIGHLAND LIVESTOCK AND LAND COMPANY

of Emmett, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of

a spring, a tributary of Willow Creek, for the purpose of irrigation and domestic use, under Use Permit No. 20029 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

of Licenses at page 4448, on the 28th day of February, 1948;

The right hereby confirmed dates from July 14, 1947;

The Point of Diversion is located

in the NW 1/4 SW 1/4 Sec. 14, Twp. 7 N., R. 8 E., B. M. (Boise County)

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.04 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>7 N.</u>	<u>8 E.</u>	<u>14</u>	<u>SW 1/4 SW 1/4</u>	<u>Gardner Irrigation</u>	

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 28th day of February, 1948.

MARK R. KULP

State Reclamation Engineer

(SEAL)

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 20029

This proof is for Beneficial use

In Water District No.

1. Name of applicant: Highland Livestock & Land Company, Robert M. Naylor, Pres., Emmett, Idaho

2. Source of water supply: A spring

3. Location of point of diversion: Is in the NW 1/4 SW 1/4 of Section 14
T. 7 N. R. 8 E. County of Boise

4. Describe works as they exist, giving dimensions and capacities of same. Several small springs are connected to supply line by 4 inch tile and thence via approximately 600 feet of galvanized pipe - diameter of 2, 1, and 3/4 inches - leading to a concrete reservoir 6ft. X 10ft. X 4ft. deep which is enclosed in a small log cabin. Water is piped thence to house and garage immediately adjacent to the reservoir. Overflow from the reservoir is used for lawn irrigation.

5. Water is used for: Domestic and irrigation around cabin

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
SW 1/4 SW 1/4 Section 14, Township 7 North, Range 8 East, B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? None

Remarks:

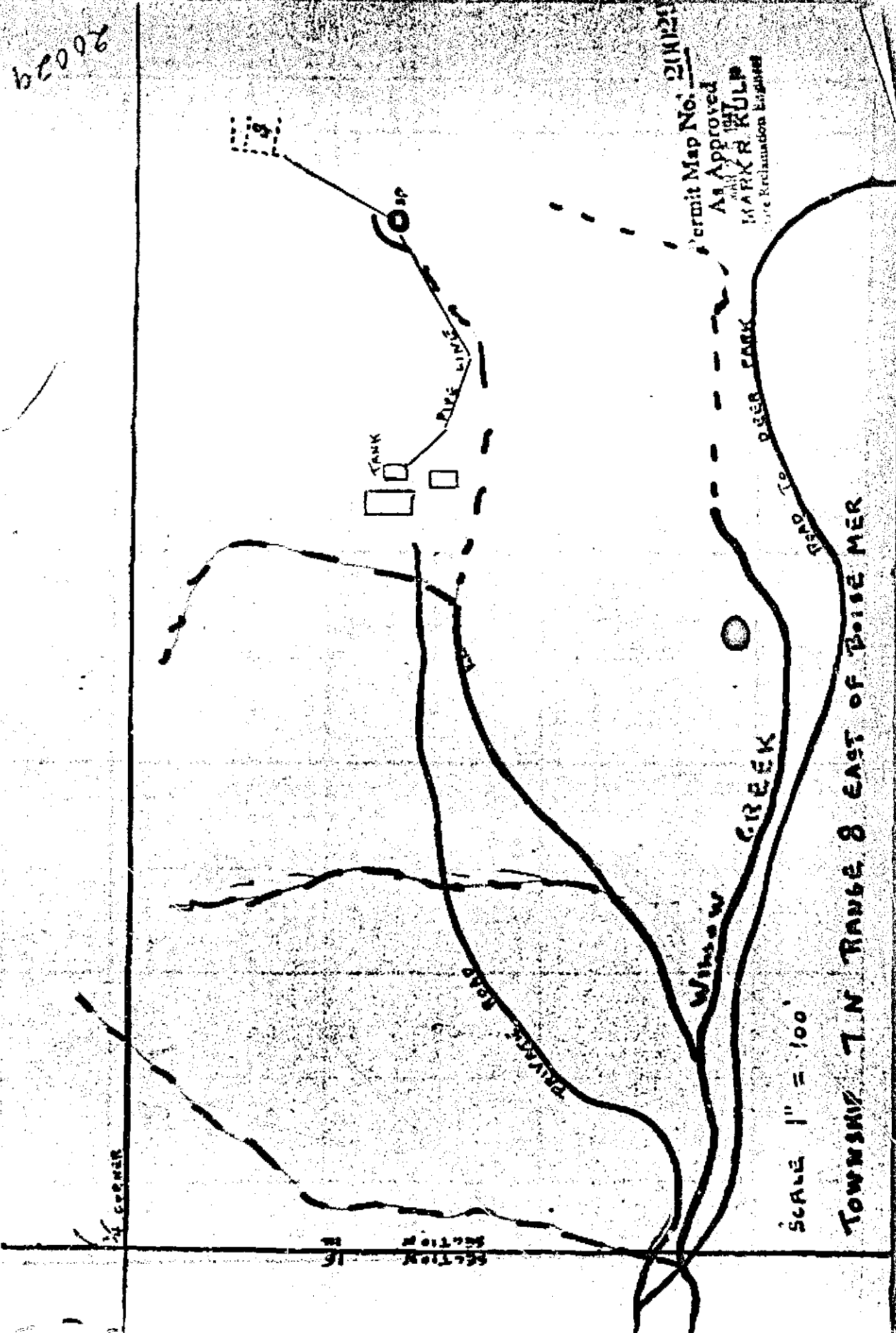
This examination was made on the 27th day of October, 1948.

(Signed)

Examiner.

20029

60002



Permit Map No. 20029

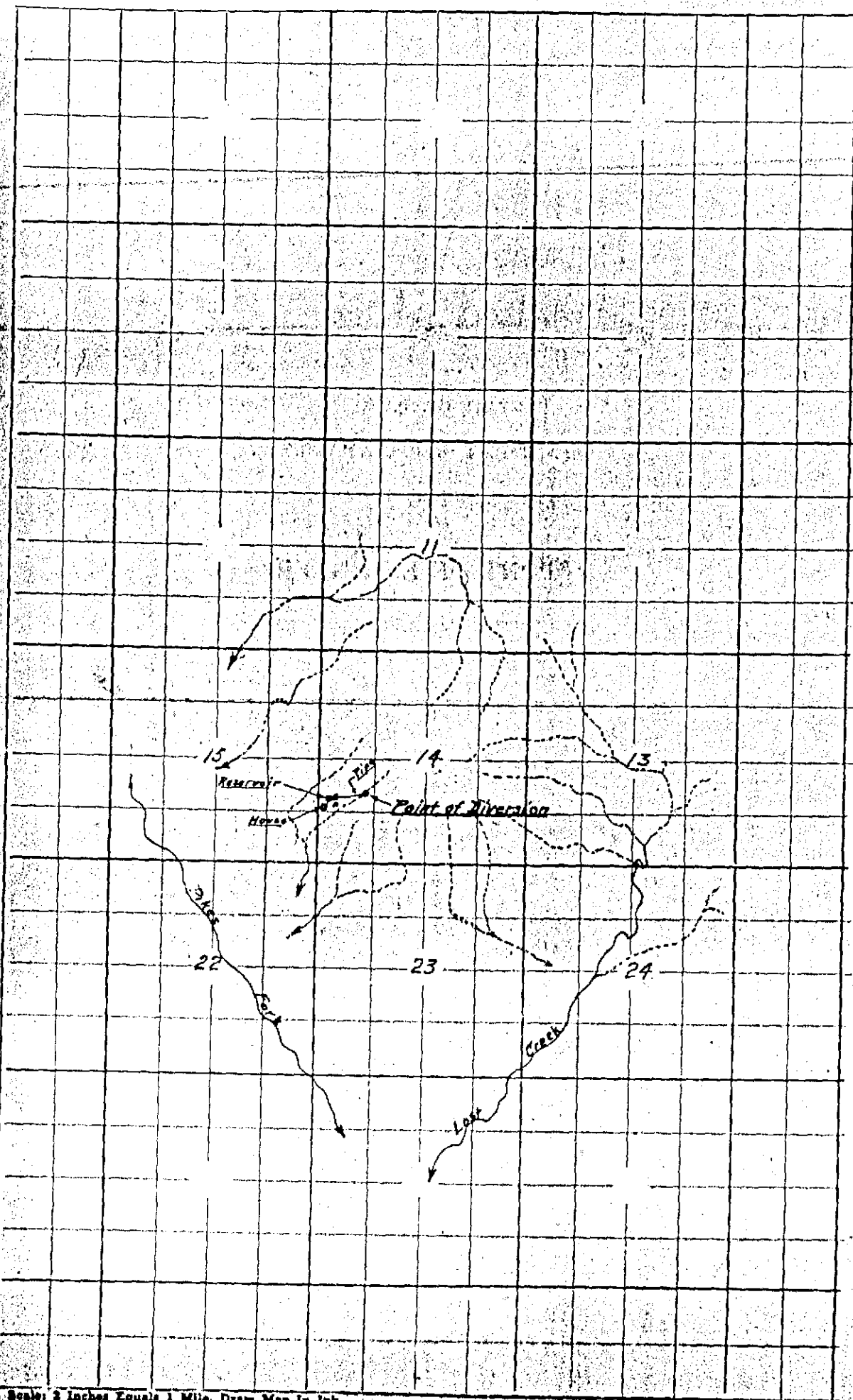
As Approved
MARK R. KULP
Reclamation Engineer

SCALE 1" = 100'

TOWNSHIP 7 N RANGE 8 EAST OF BOISE MER

1/4 CORNER

16 1011793 1011793



Scale: 2 inches Equals 1 Mile. Draw Map in Ink.

200-29

Permit No. 20029

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Gem ss.

Robert M Naylor

being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 20029, and that his postoffice address is Emmett, Idaho.

Second: That the name of the stream from which said water is to be directed is a dry creek tributary to the head of Willow Creek.

Third: That the point of diversion of said water is in the N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 14, 7N 8 E B M

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 25 1947, 19.

Fifth: That the use for which said water is intended is domestic.

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: 200 feet of tile was placed on mountain side to collect the waters which are piped down to 1500 gallon reservoir above the cabin.

II. Dimensions of work: 4 inch tile from tile head pipe from 3 inch down to 2 inch conveys the water 600 feet down the mountain side.

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 1500 gallon cement tank sealed and covered with log cabin.

(c) Size of headgate: Width _____ feet, height _____ feet.

(d) Conduit _____ width at bottom _____ feet, width at water line _____ feet, depth of water _____ feet; diameter of pipe _____ inches, average grade per mile is _____ feet. Length of conduit is _____ miles.

Seventh: That said works are capable of conducting to the place of intended use 0.1 second feet of water.

Eighth: That water appropriated under said permit is available for one-fourth acres of land described as follows: Under special Use Permit from the Forest Service, Department of Agriculture, said Highland has constructed living cabin and garage both of which use domestic water from this spring development then the overflow is used to irrigate the lawn around said cabin located in N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 14 Township 7 North Range 8 East of B M

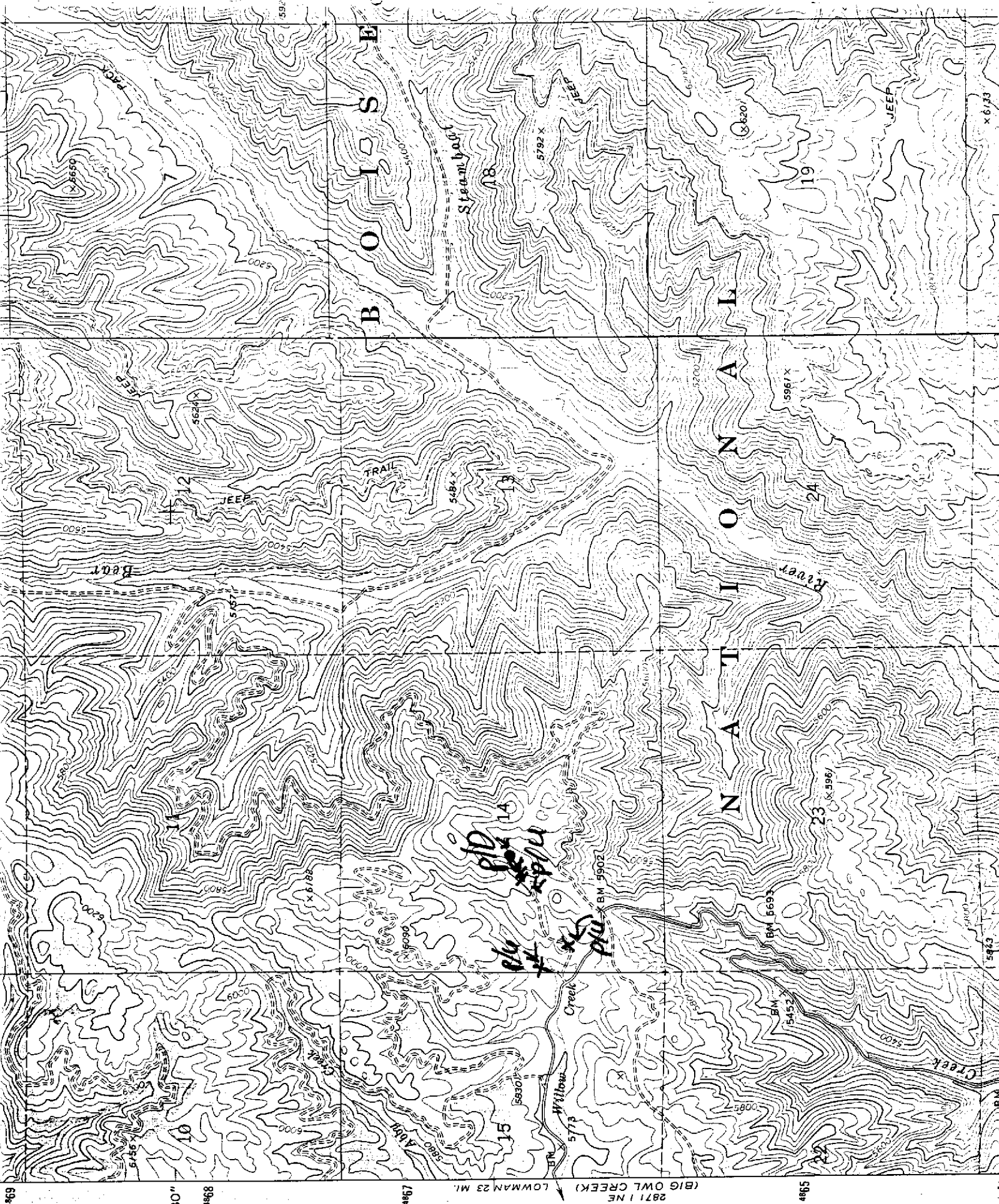
Ninth: Remarks: That the above described works were completed and in operation the summer of 1944 from which priority could be claimed.

Subscribed and sworn to before me this 20th day of September 19 47

My commission expires 6-1-51

Notary Public.

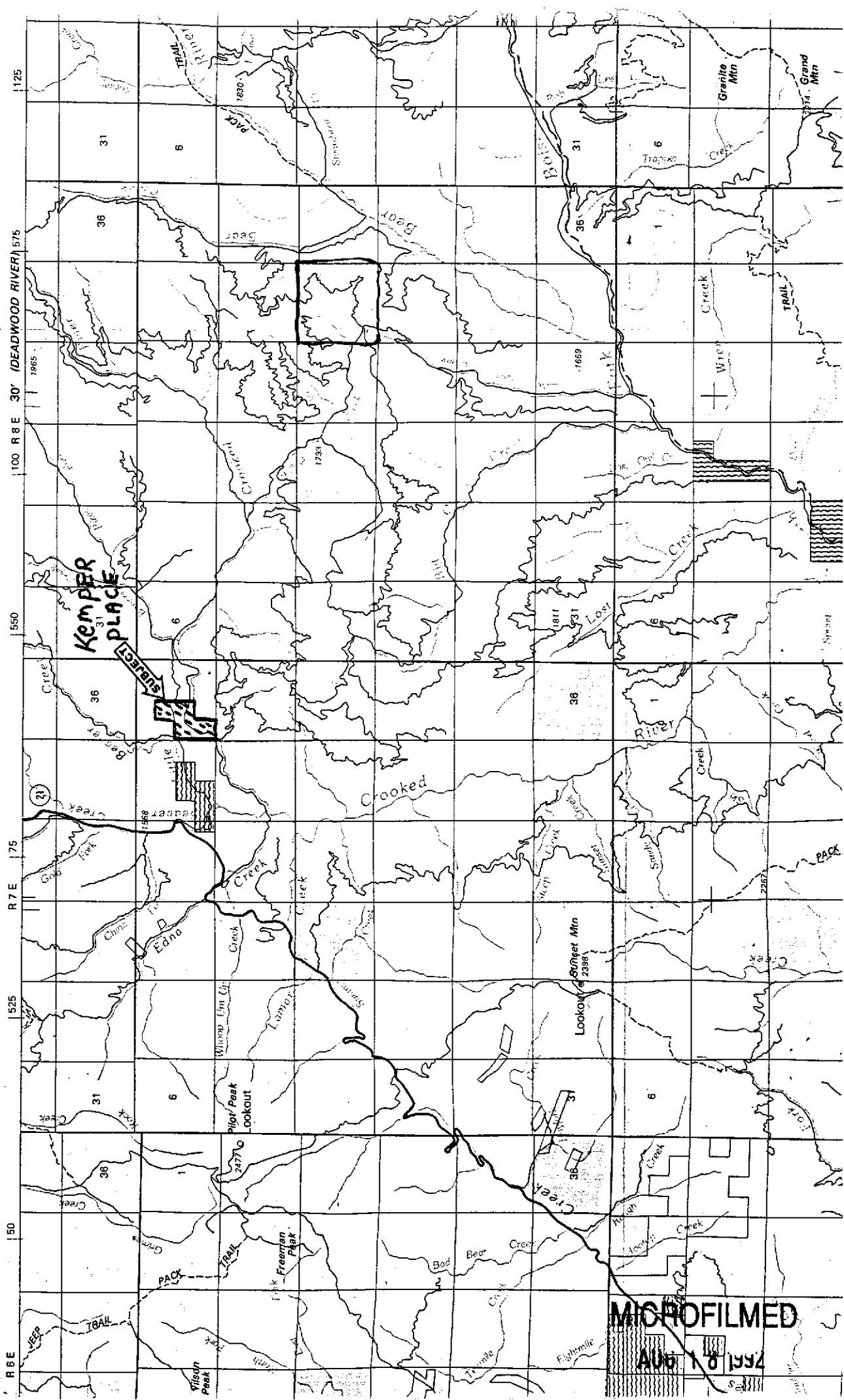
20029



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57 30"
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AUG 18 1992

AG3-2659
T7N, R8E, Sec. 14



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AUG 18 1952