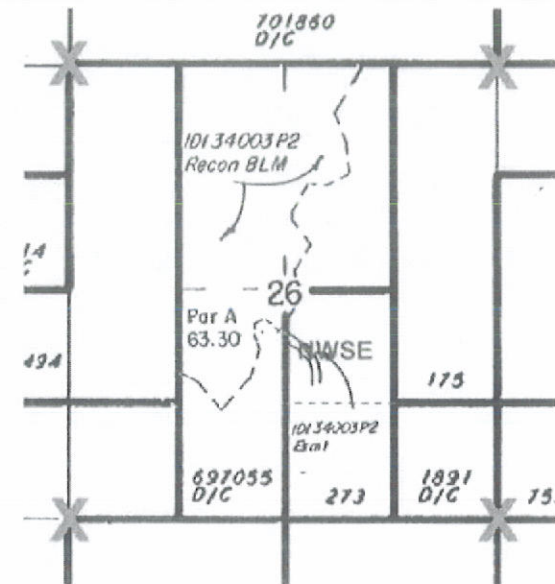
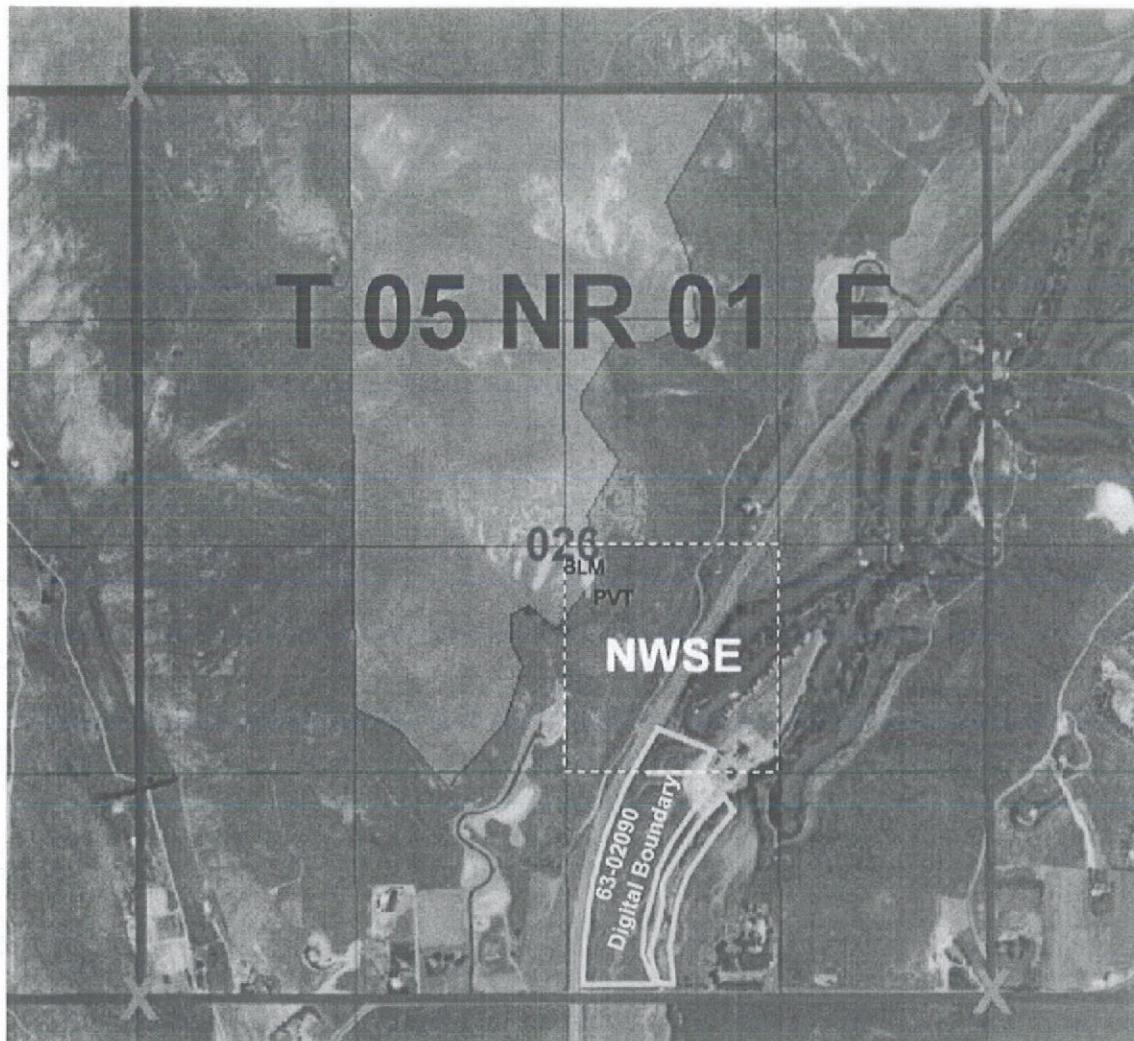


63-02090



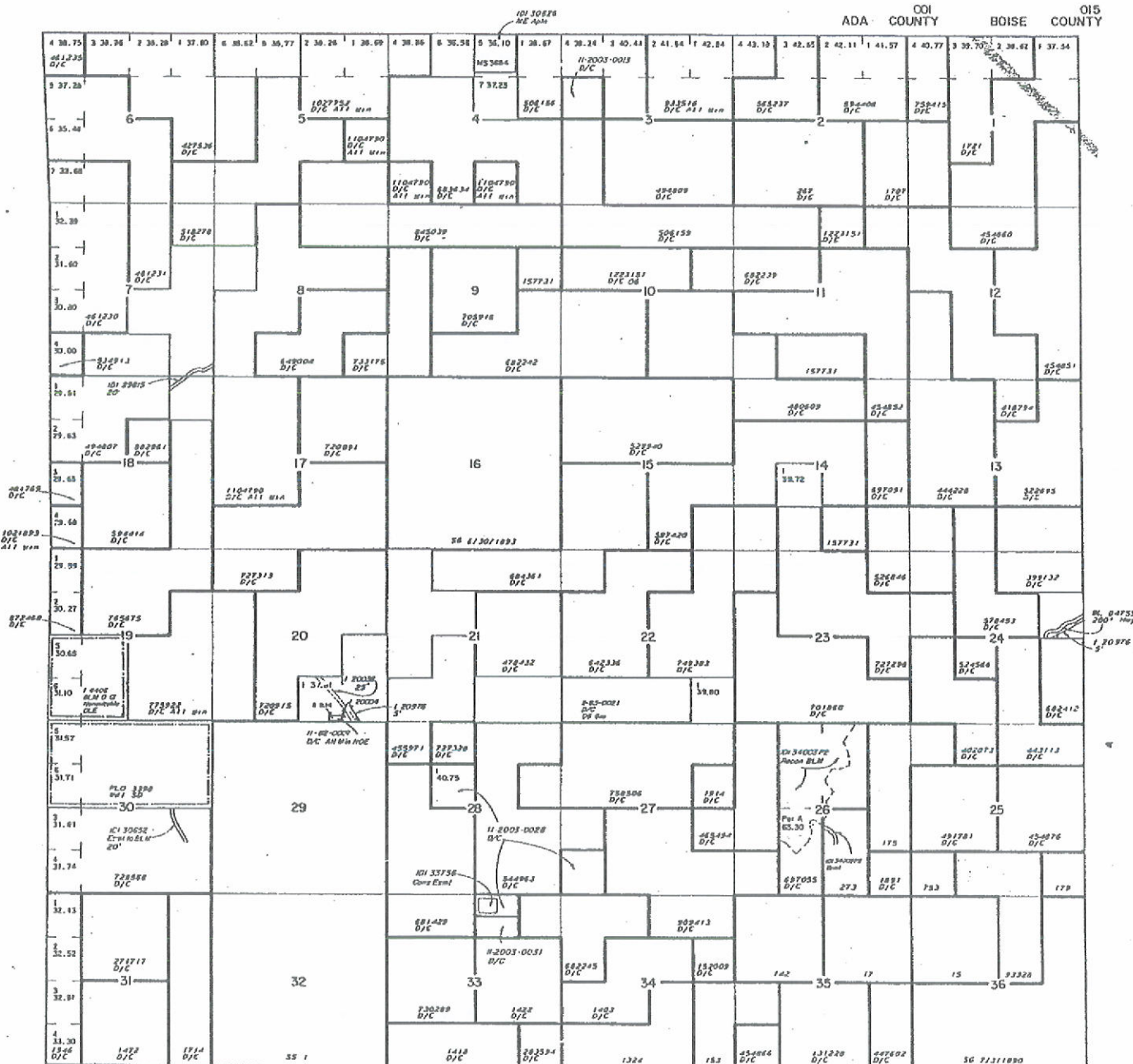
-Remove POU on BLM and adjust shapefile accordingly.

BOISE DISTRICT SEC 3

ADA COUNTY BOISE COUNTY

[illegible]

Survey Pending Group No. 1098
Partial Tp.
SUSPENDED: February 6, 2001, File 9630 (957)



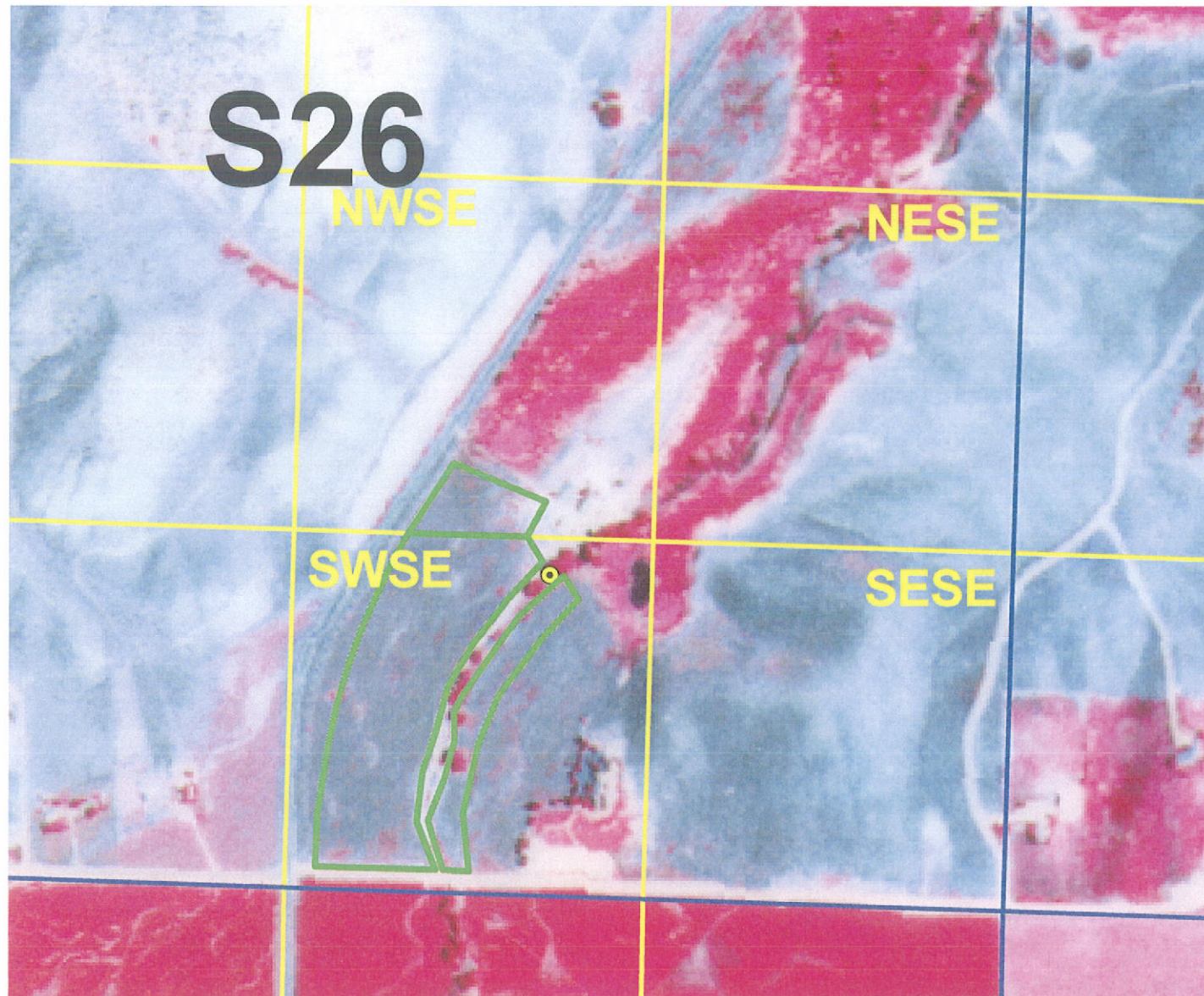
SCALE in Chords

WARNING STATEMENT
This also is the Bureau's Record of Talk and should be used

Boise Mer

T. 5 N

Idaho Department of Water Resources



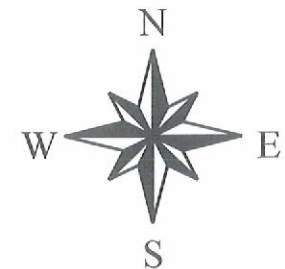
**T05N, R01E,
S26**

Claim No: 63-2090
Prepared By: Kimberly Brown
Date: August 18, 2005

-  Place of Use
-  Section Lines
-  1/4 1/4

 Point of Diversion

Acres Irrigated = 17.0



300 0 300 600 Feet


1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2090 ✓

WATER RIGHT NUMBER: 63-2090 ✓

Owner Type Name and Address

Original Owner DAVID R BENSON ✓

Current Owner BOISE, ID
JOSEPH C STADLER ✓
9700 BROOKSIDE LN
BOISE, ID 83714
(208) 939-8021Original Owner LILLIAN E STADLER ✓
RT 1 HWY 55
BOISE, ID 83703
(208) 939-6689

Priority Date: 08/21/1908 ✓

Basis: License ✓

Status: Active

SourceSPRING CREEK ✓ *Spring (Lic.)*Tributary

DRY CREEK ✓

Beneficial Use

IRRIGATION ✓

*Domestic (Lic.)*From To

3/15 to 11/15

Diversion Rate

0.340 CFS ✓

Annual Volume~~616.0~~~~616.0~~*surface water -***no AF,**unless licensed
(not licensed)*Total Diversion: 0.340 CFS ✓Location of Point(s) of Diversion *ID 170441*

SPRING CREEK

NE 1/4 SW 1/4 SE 1/4 ✓

Sec 24, Twp 05N, Rge 01E, B.M.

ADA County

** Spring (Lic.)**NW SE, S24 (Lic.) 26*Place of Use

IRRIGATION ✓

Twp Rge Sec

05N 01E 26

NE

NE | NW | SW | SE

NW

NE | NW | SW | SE

SW

NE | NW | SW | SE

SE ✓

NE | NW | SW | SE

NE

NE | NW | SW | SE

NW

NE | NW | SW | SE

SW

NE | NW | SW | SE

SE

NE | NW | SW | SE

Totals

2.0 15.0 17.0 ✓

Total Acres: 17 ✓

Conditions of Approval:*ADD E62 - This right when combined with
63-31838 shall provide no more than 0.02 cfs/ac*Remarks:

1. General

THIS WATER IS USED TO SUPPLEMENT WATER RIGHT 63-03429 ON THE LANDS
DESCRIBED AS PLACE OF USE IN THIS CLAIM.*split
63-31837 63-31838**ADD S39 - Season of use is 3/1 to 11/15.
ADD C03 & C05 - POD & POU Accomplished Transfers OVER →*

S26

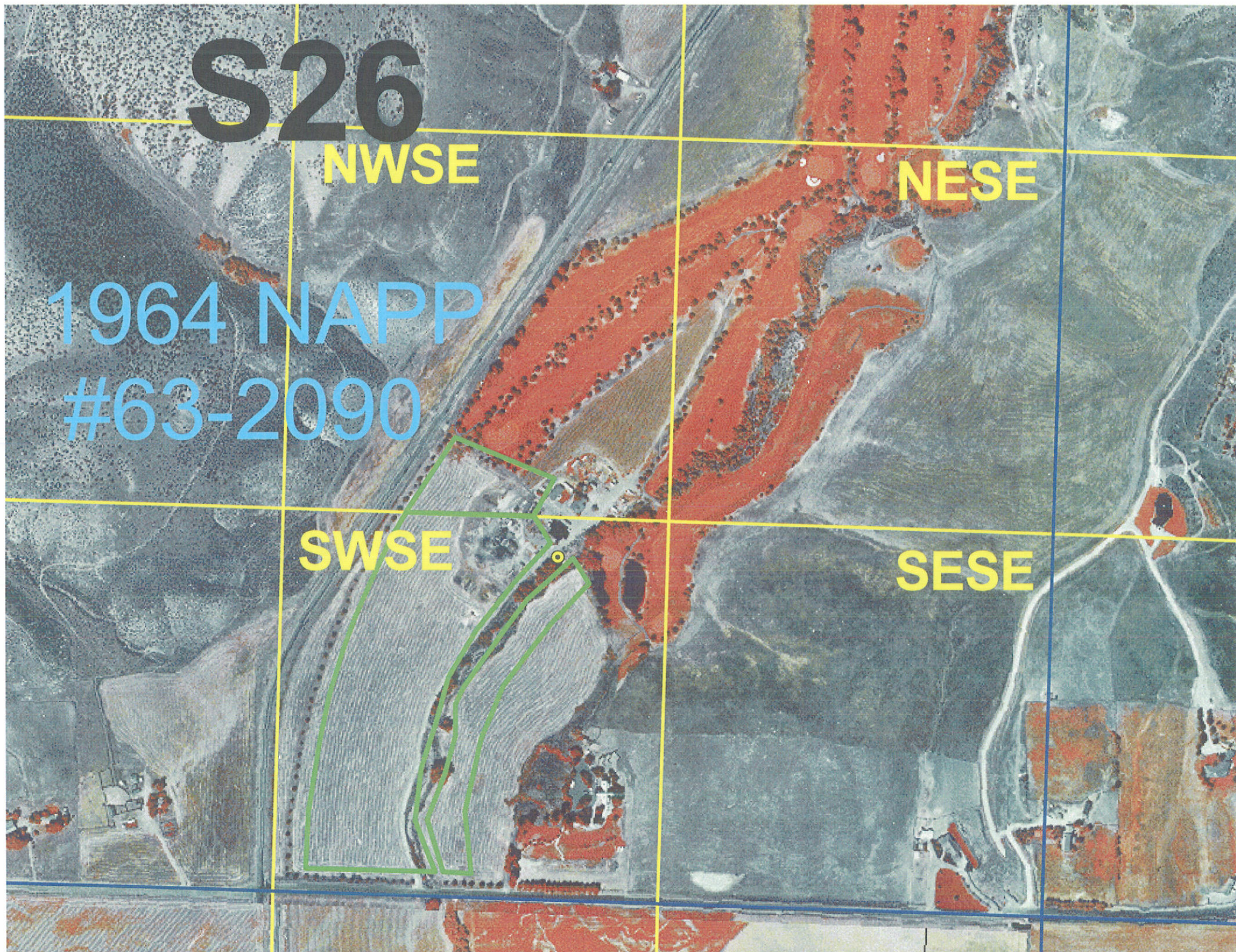
NWSE

NESE

1964 NAPP
#63-2090

SWSE

SESE





Ada County Assessor Land Records/GIS

Main Menu

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Property Search

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[Interactive Map](#)

Property Details for Parcel R7608140010 and Year 2006

[\[Back to Parcel Search\]](#) [\[Print View\]](#)

[Details](#)

[Valuation](#)

[Tax Districts](#)

[Characteristics](#)

Parcel: R7608140010

Year: 2006

Zone Code: RR

Total Acres: 17.13

Tax Code Area: 270

Property Description:

LOT 1 BLK 1

RUBBLE SUB



[View Interactive Map of this Parcel](#)

Address: 9700 W BROOKSIDE LN BOISE , ID 83703

Subdivision: RUBBLE SUB

Land Group Type: SUB

Township/Range/Section: 5N1E26

[Contact Us](#) | [Disclaimer](#)

 Ada County *
 Spring Cr. & Spring *
 17/50ths second-foot *
 Irrigation *
 Priority 8/21/1908. *

S T A T E O F I D A H O

Water License No. 4054.

WHEREAS, On the 21st day of August, A.D. 1908, DAVID R. BENSON, of Boise, County of Ada, State of Idaho, duly made application (No. 5582) to me for a permit to use 1.3 cubic feet per second of the waters of SPRING CREEK and 1/10th of one cubic foot per second of the waters of SPRING, County of Ada, State of Idaho, for irrigation and domestic purposes, and, 23

WHEREAS, On the 10th day of October, A.D. 1908, Permit No. 4054 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 10th day of October, A.D. 1911, and for the application to beneficial use of said water on or before the 10th day of October, A.D. 1914, and,

WHEREAS, On the 20th day of November, A.D. 1911, DAVID R. BENSON, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 4/5ths of one cubic foot per second of said waters, as evidenced by my Certificate No. 4054, dated June 6th, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 4/5ths of one cubic foot per second of water, with date of priority of August 21st, 1908, and,

WHEREAS, On the 20th day of November, A.D. 1911, DAVID R. BENSON, the holder of said permit, duly made proof of the application to beneficial use of 17/50ths of one cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to DAVID R. BENSON, of Boise, County of Ada, State of Idaho, the holder and owner of said Permit No. 4054, a perpetual right, dating from August 21, 1908, to the use of 6/25ths of one cubic foot per second of the waters of SPRING CREEK and 1/10th of one cubic foot per second of the waters of SPRING, in the County of Ada and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Northwest quarter of the Southeast quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 24, Township 5 North, Range 1, East of the Boise Meridian, and conducted to and upon 17 acres, divided as follows: (12 acres in the South half of the Southwest quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$), Section 24, and 5 acres in the Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 25, Township 5 North, Range 1, East of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 6th day of June, A.D. Nineteen hundred and twelve.

(SEAL)

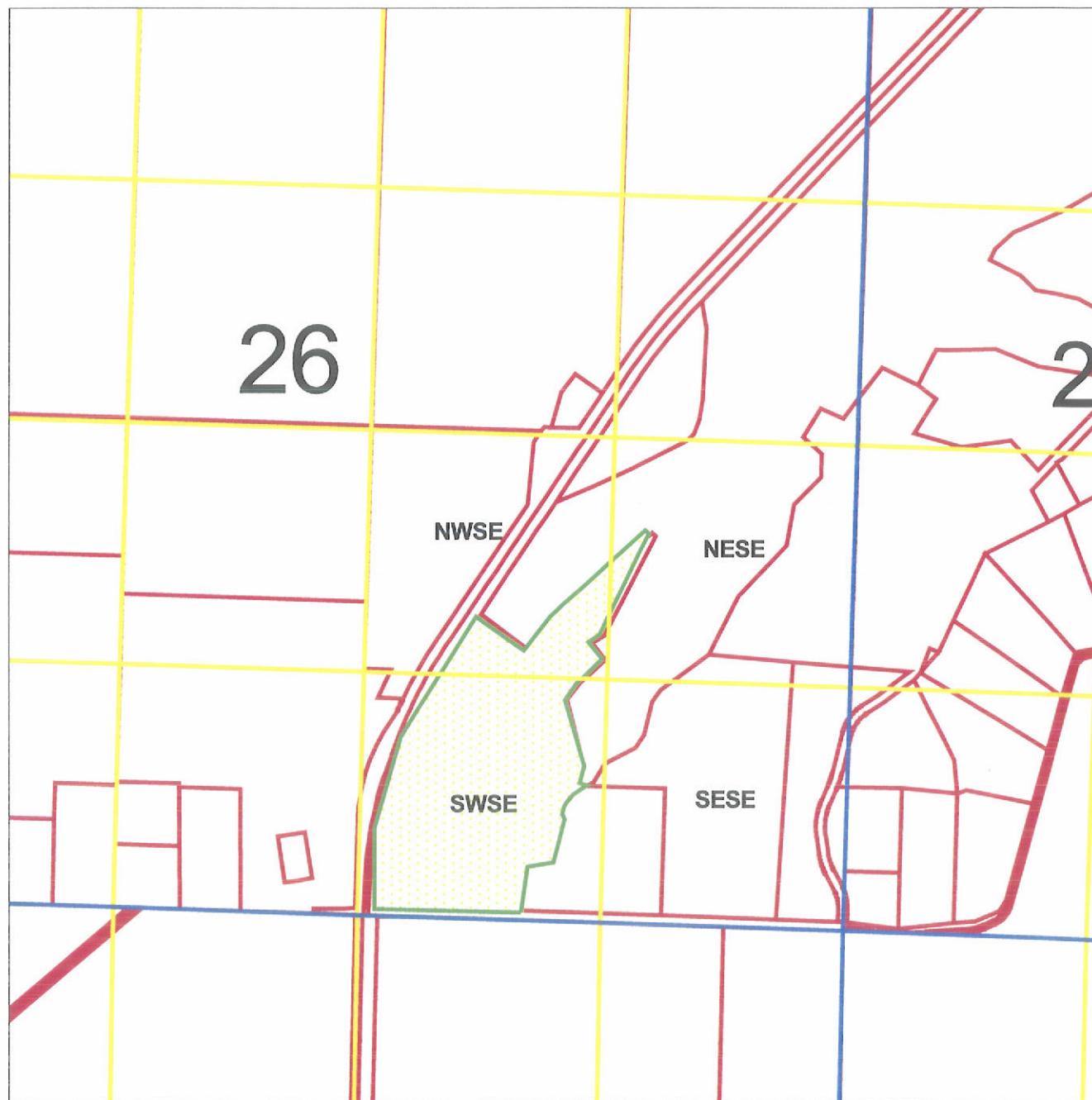
A. E. Robinson.
 State Engineer.

63 2090

63-2090

5N 1E

-  Section Line
-  QQ Lines
-  Tax Lot Data
-  Metes & bounds description



0.2 0 0.2 0.4 Miles



A63-02090

T 5N
R 1E

7.5-MINUTE S

R 1E

R 2E

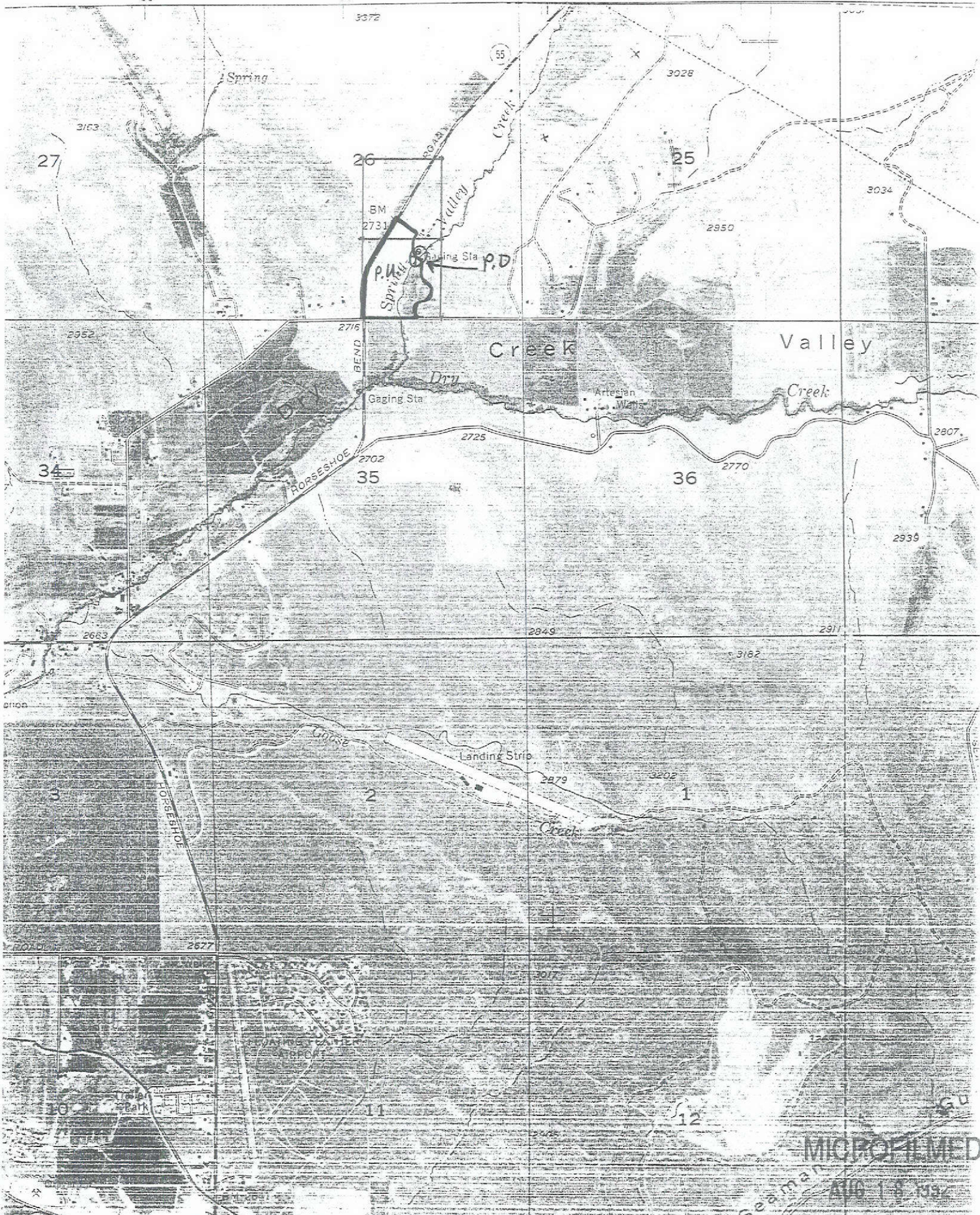
159

360,000 FEET

155

156

171 30



MICROFILMED

AUG 18 1984

Seaman

RECEIVED
APR 17
DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA)

A. Subcase 63-02090
(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau
of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Joseph C. Stadler
Address: 9700 Brookside Lane; Boise, Idaho 83714

Name:
Address: ;

Name:
Address: ;

Name:
Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

County of ADA

)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

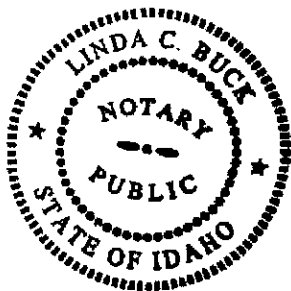
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

David Negri for LAD
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

April 19, 2006
Linda C. Buck
Linda C. Buck



Notary Public for Idaho

Residing at: Mountain Home,

My Commission Expires: 12-21-2011

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on 4-19-, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

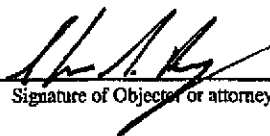
Name: Joseph C. Stadler
Address: 9700 Brookside Lane; Boise, Idaho 83714
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

12/12/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-2090
NAME AND ADDRESS: JOSEPH C STADLER
9700 BROOKSIDE LN
BOISE ID 83714
Mixed Ownership POU:
-The POU identified below contains both Private and Public Lands.
-Clarify POU such that it is clear that only Private Land is intended.

SOURCE: SPRING CREEK
QUANTITY: 0.340 CFS
This right when combined with Right No. 63-31838 shall provide no more than .02 cfs per acre.

TRIBUTARY: DRY CREEK

PRIORITY DATE: 08/21/1908
POINT OF DIVERSION: T05N R01E S26 NWSE Within ADA County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/01 11/15	0.340 CFS
PLACE OF USE:	IRRIGATION within ADA County		
BLM/PVT	T05N R01E S26 NWSE	2.00	T05N R01E S26 SWSE 15.00
17 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Property is also known as Lots 1 & 2, Blk 1, Rubble Subdivision.

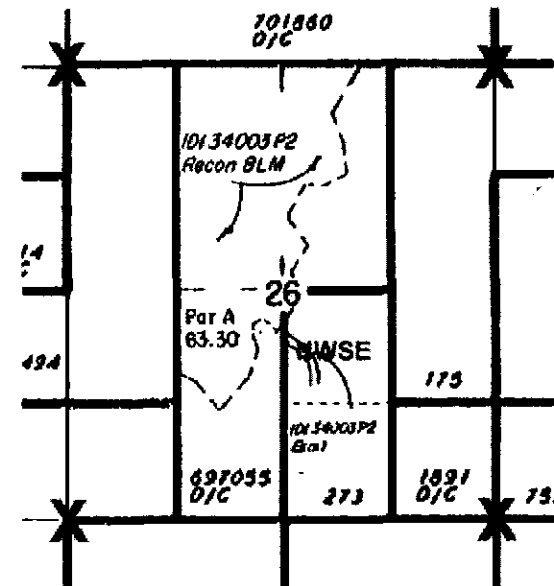
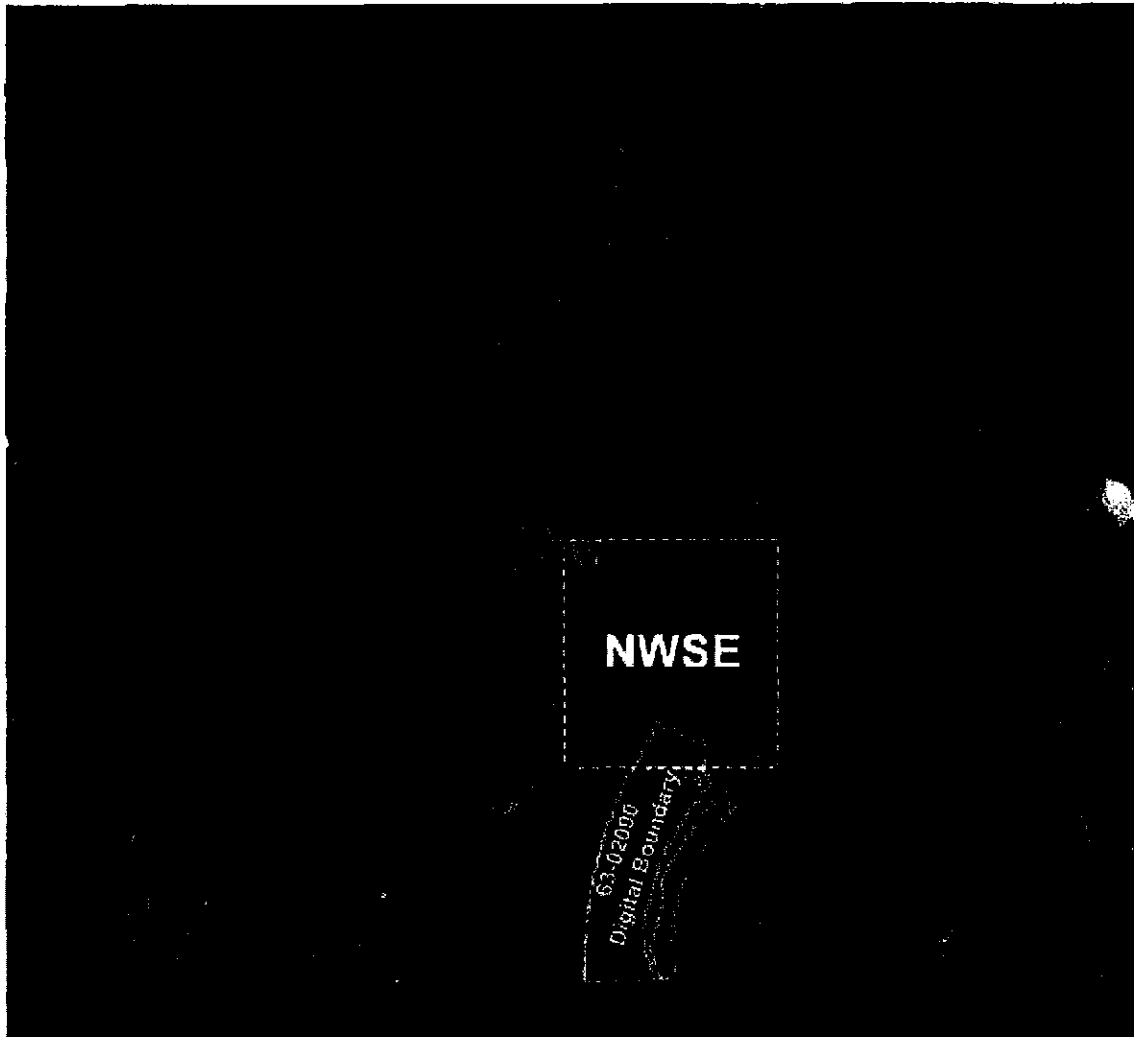
Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

THE POU REPRESENTS MIXED OWNERSHIP. THE FOLLOWING LIMITING LANGUAGE INSERTED UNDER PLACE OF USE WOULD RESOLVE BLM'S OBJECTION TO THE MIXED POU:

"THE USE OF WATER UNDER THIS RIGHT DOES NOT INCLUDE A USE ON FEDERAL PUBLIC LANDS."

63-02090



-Remove POU on BLM and adjust shapefile accordingly.

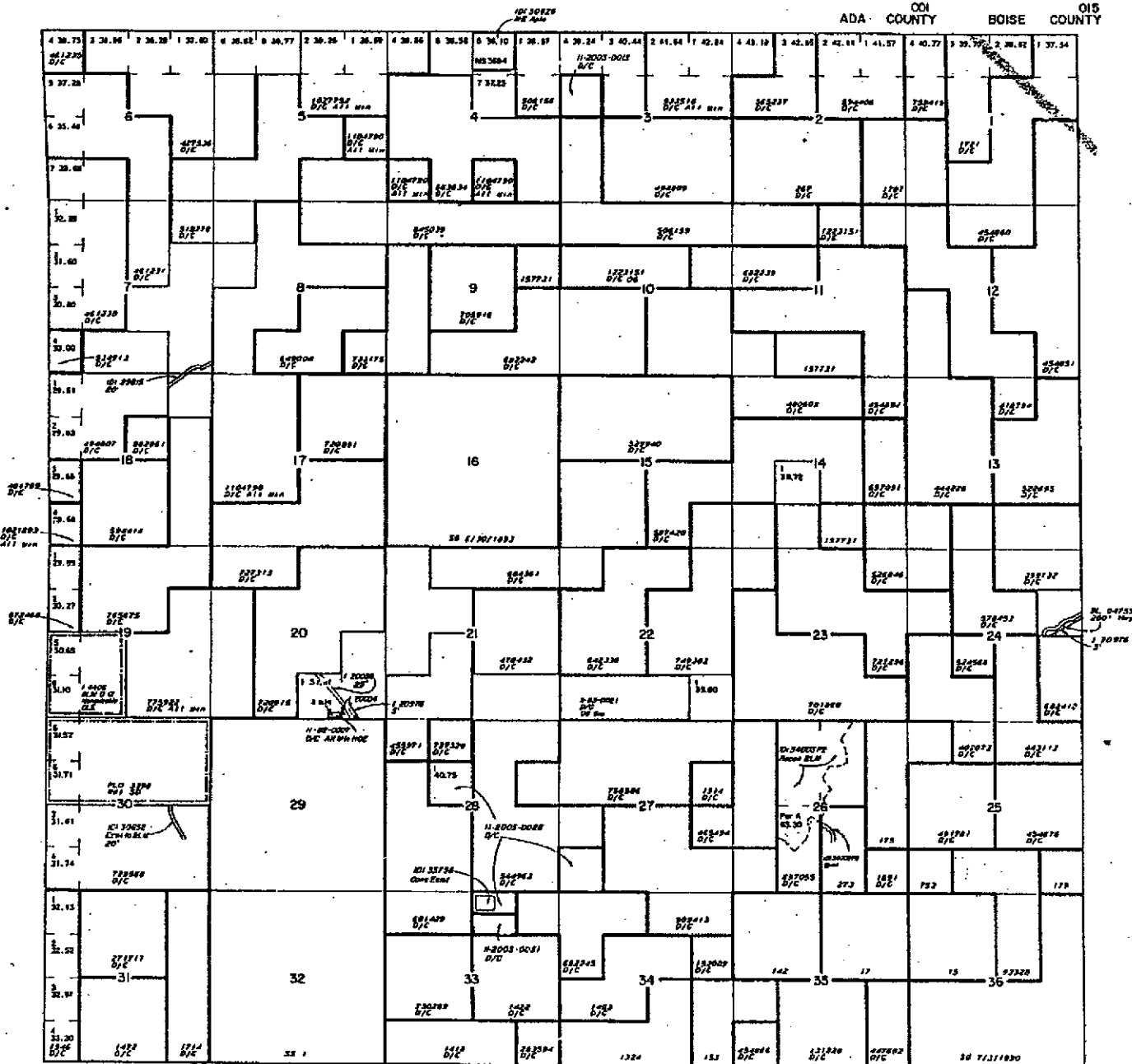
BOISE DISTRICT SEC J

ADA · 001 COUNTY BOISE 015 COUNTY

[illegible][illegible]

CURRENT TO	CURRENT TO
FEB 0 11	
USE PLATE:	

T. B.R.



SCALE in Chains

10 10 20 30 40 50

WARNING STATEMENT

WARNERS STATEMENT
 That add on the Museum's Terminal of Table and should be now

Sn le

08/19/2005

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

RIGHT NUMBER: 63-2090

NAME AND ADDRESS: JOSEPH C STADLER
9700 BROOKSIDE LN
BOISE ID 83714

SOURCE: SPRING CREEK

TRIBUTARY: DRY CREEK

QUANTITY: 0.340 CFS

This right when combined with Right No. 63-31838 shall provide no more than
.02 cfs per acre.

PRIORITY DATE: 08/21/1908

POINT OF DIVERSION:

T05N R01E S26 NESWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

0.340 CFS

The use of water for irrigation under this right may begin as early as
March 1, provided other elements of the right are not exceeded. The use
of water before March 15 under this remark is subordinate to all water
rights having no subordinated early irrigation use and a priority date
earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T05N R01E S26 NWSE 2.0

T05N R01E S26 SWSE 15.0

17 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Property is also known as Lots 1 & 2, Blk 1, Rubble Subdivision.

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



**T05N, R01E,
S26**

Claim No: 63-2090

Prepared By: Kimberly Brown

Date: August 18, 2005



Place of Use



Section Lines

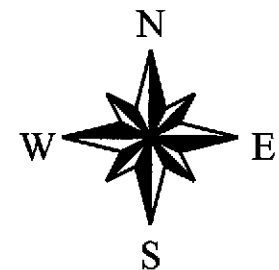


1/4 1/4



Point of Diversion

Acres Irrigated = 17.0



300 0 300 600 Feet

1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2090

COMMENT ²

General

Ownership changed by DB 1/23/2004.

Comments:

ADD JOI - Place of use is also known as
lots 1 & 2, Blk. 1, Rubble Subdivision.

Parcel Nos: a portion of R7608140010 &
a portion of R7608140020.

(in office review)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☐ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$50⁰⁰
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63 - 2090Owner: Joseph Stadler Phone No. (208) 939-6689Current Address: 9700 Brookside Lane, Boise 83714

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property? _____

Accompanied by: N/A**PRIORITY DATE**

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 8/21/1908

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

Source: Spring Creek Tributary to Dry Creek

- ☐ No Change – SAME SOURCE
- ☐ Source found is different than claimed:

* In addition to Spring Creek, a
"spring" was originally licensed
as the source.

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed:
- ☒ If different, when did POD change? POD Accomplished Transfer

William Stadler claimed that the POD is located in Sec. 24, but according to the project map submitted with the Notice of Claim, the POD is located in Sec. 26.

2 PODs, a spring and a POD on Spring Creek, were originally licensed in the NW SE, S24.

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
		NE	SW	SE	26				

Description of diverting works

See Report of Engineer.

Notice of Claim - "Portable pump in Spring Cr."

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-26287

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

no overlap - Section 25.

WATER USES

Season of use is 3/1 to 11/15.

☐ No change

☐ Different Uses

Use Irrigation From 3/1 To Amount 0.34 CFS $\ominus$ AFA
Use From To Amount CFS AFA
Use From To Amount CFS AFA

TOTAL VOLUME - Groundwater only

- ☐ Incomplete on claim, the total is, Amount CFS $\ominus$ AFA
☐ Changes found, the new total is, Amount CFS AFA
☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

Domestic use was licensed, but not claimed.

☐ No change

☐ Changes Exam found: Domestic # of homes Stock #

Types Additional comments:

PLACE OF USE:

☐ No Change

☒ Changes shown below:

12 acres in the $8\frac{1}{2}$ SW $\frac{1}{4}$, S24 and

5 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, S25 were

licensed $\rightarrow$ POA Accomplished Transfer

(pre-1987) $\rightarrow$ see 1964² NAPP enclosed

I am unable to use the exact POU shape that is found on the Notice of Claim project map, since the acres drawn are more than 17.0 acres. Therefore, I guessed on the shape of the POU for the shapefile.

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	1E	26														20	15.0		17.0

Overlap with other water rights: 63-3429 ^{split into} 63-31838

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

This right when combined with Right No. 63-2090 shall provide no more than 0.02 cfs per acre.

Delivery System Narrative:

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

(OVER)

Season of use is 3/1 to 11/15.

POD & POU Accomplished Transfers

This right when combined with 63-51838 shall provide no more than 0.02 cfs per acre.

Place of use is also known as lots 1 & 2, Blk. 1, Rubble Subdivision.

Parcel Nos: a portion of R7608140010 &
a portion of R7608140020.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 8.19.05 (in office review)

FIELD EXAMINER: Kimberly Brown

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2090

WATER RIGHT NUMBER: 63-2090

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAVID R BENSON
	BOISE, ID

Priority Date: 08/21/1908

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	
SPRING CREEK	DRY CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/	to /		
IRRIGATION	/	to /	0.340 CFS	
	<u>Total Diversion:</u>		0.340 CFS	

Location of Point(s) of Diversion

SPRING	NW1/4SE1/4	Sec. 24, Twp 05N, Rge 01E, B.M.
ADA County		
SPRING CREEK	NW1/4SE1/4	Sec. 24, Twp 05N, Rge 01E, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T05N R01E S24	SWSW	7.0	T05N R01E S24	SESW	5.0
T05N R01E S25	NENW	5.0			

Total Acres: 17

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

1. General SOURCES ARE SPRING CK. & SPRING.

Comments:Dates and Other Information:

STADLER

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2090

Dates and Other Information:

Licensed Date: 8/21/1979
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal:
Owner Name Connector:
Water District Number: 63
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2090

08/19/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-26287	Claim	05N	01E	24	SW	SE	Sec. 25	GROUND WATER	ROBERT L JENSEN
~~63-2090~~	~~Claim~~	~~05N~~	~~01E~~	~~24~~	~~SW~~	~~SE~~		~~SPRING CREEK DRY CREEK~~	~~JOSEPH C STADLER~~

no overlap

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2090

08/19/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~2090~~	~~Claim~~	~~05N~~	~~01E~~	~~26~~	~~NW~~	~~SE~~		~~IRRIGATION~~	~~2/47~~	~~JOSEPH C STADLER~~
15170	Claim	05N	01E	26	NW	SE		IRRIGATION	6/52	PEGGY J BUCHANAN
31837	Claim	05N	01E	26	NW	SE	<i>no overlap</i>	IRRIGATION	8/144	B & B PROPERTIES LIMITED PARTNERSHIP
31838	Claim	05N	01E	26	NW	SE		IRRIGATION	6/32	JOSEPH C STADLER
~~3429~~	~~Water Right~~	~~05N~~	~~01E~~	~~26~~	~~NW~~	~~SE~~		~~IRRIGATION~~	~~17/176~~	~~BEN F STADLER~~
~~2090~~	~~Claim~~	~~05N~~	~~01E~~	~~26~~	~~SW~~	~~SE~~		~~IRRIGATION~~	~~15/47~~	~~JOSEPH C STADLER~~
15170	Claim	05N	01E	26	SW	SE		IRRIGATION	2/52	PEGGY J BUCHANAN
31837	Claim	05N	01E	26	SW	SE		IRRIGATION	3/144	B & B PROPERTIES LIMITED PARTNERSHIP
31838	Claim	05N	01E	26	SW	SE		IRRIGATION	25/32	JOSEPH C STADLER
3428	Water Right	05N	01E	26	SW	SE		IRRIGATION	30/35	BEN F STADLER

overlap w/ #63-31838

overlay review -

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-26287

WATER RIGHT NUMBER: 63-26287

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TERESA A JENSEN 8077 STACK ROCK DR BOISE, ID 83703 (208)939-8091
Current Owner	ROBERT L JENSEN 8077 STACK ROCK DR BOISE, ID 83703 (208)939-8091

Priority Date: 06/13/1983

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 25, Twp 05N, Rge 01E, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01E	25		X															

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. PARCEL NOS. R80790101, R8079010100, 01E280030020 PROPERTY ALSO KNOWN AS LOT 2, BLK 3, SPRING CREEK ESTATES #2.
4. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

overlap review -

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 63-9916

WATER RIGHT NUMBER: 63-9916

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BETTY STADLER 9600 BROOKSIDE LN BOISE, ID 83703
Current Owner	BEN STADLER 9600 BROOKSIDE LN BOISE, ID 83703

Priority Date: 06/26/1982

Basis: PERMIT

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4	Sec. 25, Twp 05N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	01E	25						10.0	40.0										50.0

Total Acres: 50

Conditions of Approval:

1. REINSTATED 8-13-1987.

Remarks:

Comments:





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Property Details for Parcel R7608140010 and Year 2006

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Parcel: R7608140010

Year: 2006

Zone Code: RR

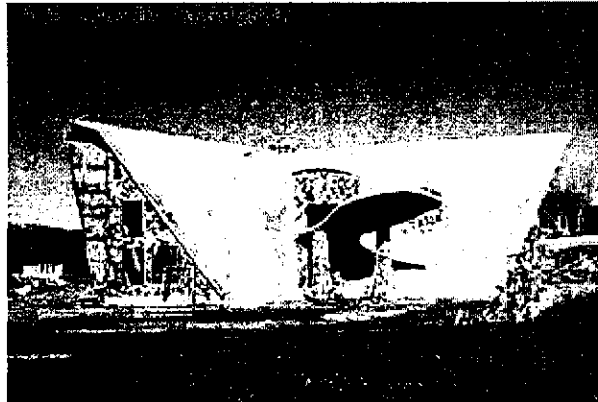
Total Acres: 17.13

Tax Code Area: 270

Property Description:

LOT 1 BLK 1

RUBBLE SUB



[View Interactive Map of this Parcel](#)

Address: 9700 W BROOKSIDE LN BOISE , ID 83703

Subdivision: RUBBLE SUB

Land Group Type: SUB

Township/Range/Section: 5N1E26

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Land Characteristics

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Residential Acres: 2.0
Commercial Acres: 0.0
Other Acres Acres: 0.0
Street: None
Utility: None
Water Source:
Sewer: None
SideWalks: N
Curb-Gutters: N
Topography:
View:
Water Influence: 3
Water Frontage Feet: 0
Corner: N

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Residential Characteristics

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Year Built:	1900
Year Remodel:	0
Effective Age:	0
Construction Class:	3
Number of Bedrooms:	1
Number of Bathrooms:	0.75
Number of FirePlaces:	1
Air Conditioning:	N
Car Storage Sq Ft #1:	0
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	308
Porch Sq Ft:	200
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	0
Patio Covered:	N
Pool Sq Ft:	0
Total Sq Ft:	1973
Main Floor Sq Ft:	1345
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	628
Year Built:	2003
Year Remodel:	0
Effective Age:	0
Construction Class:	3
Number of Bedrooms:	1
Number of Bathrooms:	1.0
Number of FirePlaces:	0
Air Conditioning:	N
Car Storage Sq Ft #1:	484
Car Storage Sq Ft #2:	2400
General Purpose Building Sq Ft:	0
Porch Sq Ft:	0
Deck Sq Ft:	0

Deck Covered:	N
Patio Sq Ft:	0
Patio Covered:	N
Pool Sq Ft:	0
Total Sq Ft:	1
Main Floor Sq Ft:	1
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	0
Unfinished Basement Floor Sq Ft:	0
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

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Parcel: R7608140020

Year: 2006

Zone Code: RR

Total Acres: 15.134

Tax Code Area: 270

Property Description:

LOT 2 BLK 1

RUBBLE SUB

**No Image
Available**

[View Interactive Map of this Parcel](#)

Address: 9700 W BROOKSIDE LN BOISE , ID 83703

Subdivision: RUBBLE SUB

Land Group Type: SUB

Township/Range/Section: 5N1E26

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Land Characteristics

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Residential Acres: 1.0
Commercial Acres: 0.0
Other Acres Acres: 0.0
Street: None
Utility: None
Water Source:
Sewer: None
SideWalks: N
Curb-Gutters: N
Topography:
View:
Water Influence: 3
Water Frontage Feet: 0
Corner: N

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 26, 2004

JOSEPH C STADLER
9700 BROOKSIDE LN
BOISE ID 83714

Re: Notice of Claim to a Water Right No. 63-2090

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington". The signature is written in dark ink and is positioned above the typed name and title.

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure

 Ada County *
 Spring Cr. & Spring *
 17/50ths second-foot *
 Irrigation *
 Priority 8/21/1908. *

STATE OF IDAHO

Water License No. 4054.

WHEREAS, On the 21st day of August, A.D. 1908, DAVID R. BENSON, of Boise, County of Ada, State of Idaho, duly made application (No. 5582) to me for a permit to use 1.3 cubic feet per second of the waters of SPRING CREEK and 1/10th of one cubic foot per second of the waters of SPRING, County of Ada, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 10th day of October, A.D. 1908, Permit No. 4054 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 10th day of October, A.D. 1911, and for the application to beneficial use of said water on or before the 10th day of October, A.D. 1914, and,

WHEREAS, On the 20th day of November, A.D. 1911, DAVID R. BENSON, the holder of said permit, duly made proof of the completion of adequate works for the diversion of 4/5ths of one cubic foot per second of said waters, as evidenced by my Certificate No. 4054, dated June 6th, 1912, confirming the completion of works of sufficient capacity for diversion and conveying to the place of intended use 4/5ths of one cubic foot per second of water, with date of priority of August 21st, 1908, and,

WHEREAS, On the 20th day of November, A.D. 1911, DAVID R. BENSON, the holder of said permit, duly made proof of the application to beneficial use of 17/50ths of one cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to DAVID R. BENSON, of Boise, County of Ada, State of Idaho, the holder and owner of said Permit No. 4054, a perpetual right, dating from August 21, 1908, to the use of 6/25ths of one cubic foot per second of the waters of SPRING CREEK and 1/10th of one cubic foot per second of the waters of SPRING, in the County of Ada and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Northwest quarter of the Southeast quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 24, Township 5 North, Range 1, East of the Boise Meridian, and conducted to and upon 17 acres, divided as follows: (12 acres in the South half of the Southwest quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$), Section 24, and 5 acres in the Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 25, Township 5 North, Range 1, East of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 6th day of June, A.D. Nineteen hundred and twelve.

[SEAL]

A. E. Robinson.

State Engineer.

No. 5582. 63-2090

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: David R. Benson.

Postoffice address: Eagle.

County: Ada State of Idaho.

2. The quantity of water claimed is Three cubic feet per second.

3. Source of water supply: Spring Creek on NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 24, Twp. 5 N #1E and spring on NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 24, Twp. 5 N. #1E. B. M.

County of Ada.

4. Location on Spring Creek of point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ S. 24 and spring on NW $\frac{1}{4}$ SW $\frac{1}{4}$ S. 24, T. 5 N. #1 E. B. M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: One Hundred Twenty acres.

(b) In the following legal subdivisions: SE $\frac{1}{4}$, SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25 T. 5 N. R. 1 E. B. M.

6. Estimated cost of works: Five Hundred Dollars.

7. Description of works for diversion:

I. Kind of works: Ditches.

II. Dimensions of works: Ditch on Spring Creek.

(a) Height of dam Two feet, length of dam at top 20 feet, length of dam at bottom 18 feet. Material used in construction: Stone.

(c) Size of headgate: Width Four feet, height One foot.

(d) Conduit Ditch, width at bottom Four feet, width at water line Six feet, depth of water One foot. Average grade per mile is Six feet. Length of conduit is One-half miles, and it crosses the following quarter sections: Note See "Remarks" for description of ditch from spring to land described in 5 I (b) above which is the point of intended use.

8. Time required for the completion of the construction of such work is Three years.

9. Time required for the complete application of the water to the proposed use is Three additional years.

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

David R. Benson,

Applicant.

Remarks: Ditch from Spring, Conduit, ditch. Width on bottom one foot. Width at water line, two feet. Depth of water one foot, and it crosses the following quarter sections:

SW $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 24, Tw. 5 N. R. 1 E. B. M., to land described in 5 I (b) above which is the point of intended use. Time required for the completion of construction of such work is three years.

Ditch from Spring Creek described above is to tap Spring Creek on east side and to water lands on east side of creek. For complete irrigation of land described in 5 I (b), it is necessary to construct another ditch to tap Spring Creek on west side to water lands on west side of Spring Creek. The point of diversion for this ditch is on NE $\frac{1}{4}$, SW $\frac{1}{4}$ Sec. 24, Twp. 5 N, R. 1 E.

Ditch on West side of Spring Creek. Width of headgate four feet. Height one foot. Conduit Ditch. Width on bottom four feet. Width on water line six feet. Depth one foot. Average grade per mile is six feet. Length of conduit is one-fourth mile, and it crosses the following quarter section: SW $\frac{1}{4}$ of Sec. 24, to land described in 5 I (b) which is the point of intended use. Time required for completion of such work is three years. Time required for complete application of water to intended use is three additional years.

Amount claimed from Spring creek, 1.3 second feet, from spring 1/10 second feet.

APPROVAL OF STATE ENGINEER.

The number of this permit is 4054.

Date of first receipt of application 1.00 p.m. August 21, 1908.

Returned to application for correction August 24, 1908.

Corrected application received October 7, 1908.

Recorded in Book 11 Page 4054 Approved October 10, 1908.

This is to certify that I have examined the within application for permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before December 9, 1908, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 10, 1910.

The whole of said work to be completed on or before October 10, 1911.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to October 10, 1914.

Witness my hand this tenth day of October, 1908.

Jas. Stephenson, Jr.,

State Engineer.

On proper request of the holder of the above Permit, I have this twelfth day of October, 1911, extended the time for completion of work thereunder to the twentieth day of November, 1911.

A. E. Robinson.

State Engineer.

STATE OF IDAHO.)
County of Ada.) ss.

David R. Benson being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 4054.

That he intends to change the point of diversion, as described in said decree or permit, to the following described point:

The Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) Section 24. Township 5 North, Range 1 East of Boise Meridian.

That such change will be made for the following reasons, to-wit:
The location was described as being the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of SW $\frac{1}{4}$) of Section Twenty-four (24) Township Five (5) North, Range One (1) East of Boise Meridian. Same was an error, it should have been The Northwest Quarter of Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) of said Section Twenty-four (24) Township Five (5) North, Range One (1) East of Boise Meridian.

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

David R. Benson

Subscribed and sworn to before me this First day of May, 1912.

(SEAL)

W. Scott Neal
Notary Public.

My commission expires May 16th 1915.

Received and filed for record in the office
of the State Engineer at Boise, Idaho, at 3:00 P.M.,
May 4, 1912.

A. E. Robinson

State Engineer.

Both Notices received October 14th, 1911, fixing November 20th, 1911, as date, and Boise, Idaho, as place of proof.

Publication Notice mailed The Statesman on October 14th, 1911.

Affidavit of publication received November 10th, 1911.

Fee received June 4th, 1912.

Depositions received November 20th, 1911.

Frank Roark authorized April 15th, 1912, to make the required examination.

Report of Engineer received May 4th, 1912.

Certificate and License issued June 6th, 1912.

License issued for 17/50ths of one second-foot.

Permit No. 4054.

CERTIFICATE OF COMPLETION OF WORKS

To All Whom it May Concern:

This is to certify that DAVID R. BENSON, of Boise, County of Ada, and State of Idaho, the holder of Permit No. 4054, issued upon Application No. 5582, bearing date of priority of August 21st, 1908, authorizing the diversion of 1.3 second feet of the waters of SPRING CREEK and 1/10th of one second-foot of the waters of SPRING, County of Ada, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 7/10ths of one second-foot of the waters of SPRING CREEK and 1/10 of one second-foot of the waters of SPRING, that the point of diversion of said waters is at a point in the Northwest quarter of the Southeast quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 24, Township 5 North, Range 1, East of the Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: South half of the Southwest quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$), Northwest quarter of the Southwest quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 24, Northeast quarter of the Northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 25, Township 5 North, Range 1, East of the Boise Meridian.

Witness my hand this 6th day of June, A.D. 1912.

A. E. Robinson.

State Engineer.

License issued for 34/100 second feet

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STATE ENGINEER'S OFFICE

REGULATIONS AS TO CHANGE OF
POINT OF DIVERSION

Section 3247 of the Revised Codes provides that a person entitled to the use of water, may change the place of diversion if others are not injured by such change. The Board of Irrigation has adopted the following regulations as to procedure under said section.

The person desiring to change point of diversion must file with the State Engineer an affidavit describing his water right, setting forth his intent to change point of diversion and the reasons for such change, together with an averment that no one will be injured thereby and that deponent will make such change at his own risk.

The point to which it is desired to change the place of diversion must be described as follows:

When the amount claimed does not exceed 25 cubic feet per second and point of diversion will be on surveyed land, locate same by giving the legal description of the 40 acre tract in which it will be situated. If upon unsurveyed land, give approximate distance to mouth of stream from which water is claimed or to the mouth of some creek flowing into said stream. Where there is more than one point of diversion, describe each separately and specify the amount claimed from each.

Where the water claimed exceeds 25 cubic feet per second, locate the point to which it is desired to change the place of diversion as follows:

If upon or near surveyed land, tie point of diversion by course and distance to section or quarter section corner. If said point will be more than two miles from the corner of a public survey, the tie may be made to the mouth of the stream from which the water is claimed or to the mouth of some creek flowing into said stream.

The affidavit must be accompanied by maps in duplicate, showing the following details:

1. If for irrigation and domestic use:
 - (a) Name of applicant.
 - (b) Section, town and range numbers, where public survey has been made.
 - (c) Source or sources of supply.
 - (d) Point or points of diversion.
 - (e) Route of ditch or ditches, including laterals delivering water within one mile of each 160 acre tract of the lands to be irrigated.
 - (f) Lands to be irrigated to be shown by crosshatching, outlining, or coloring.
2. If for other than irrigation and domestic purposes:
 - (a) Name of applicant.
 - (b) Section, town and range numbers, where public survey has been made.
 - (c) Source or sources of supply.
 - (d) Point or points of diversion.
 - (e) Route of ditch or ditches.
 - (f) Points or points of use.
 - (g) Point or points of return to stream after use.

If application is for more than 25 cubic feet per second, the maps must be prepared from actual survey and must be certified to by the engineer in charge of survey, in the following form:

I hereby certify that this map was prepared from an actual survey made by me 191..... and correctly shows position of points indicated thereon.

Engineer.

P. O.

Date 191.....
(over.)

REPORT OF ENGINEER

1. State name of applicant and number of permit: David E. Benson - 4054
2. State source of water supply: Spring Creek and Spring
3. Location of point of diversion: NW 1/4 Sec. 24 - Spring NW 1/4 Sec. 24.
Tp. 5 N., R. 1 E., B. 1.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: except cleaning out
5. Describe works as they exist, giving dimensions of same as follows:
- (a) Width of conduit at bottom: 20 inches
 - (b) Width at water line: 20 inches
 - (c) Depth of water: 6 inches
 - (d) Grade per mile: about 20 ft.
 - (e) Capacity of ditch: 500 inches second feet.

6. State whether or not water has been turned into works of diversion and if so, to what extent:

30 inches

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: SW 1/4 SEC 24 - 12 ACRES and NE 1/4 NW 1/4

6 ACRES

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks:

Spring creek furnishes most all water at present works at Spring that cleaned out carry little water at present
Frank Roark

STATE OF IDAHO,

County of Ada

Frank Roark

, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 12th day of May 1918

My Commission Expires May 16th 1918

W. B. Roark
Notary Public.

4054

Name of Applicant

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

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SEC.

SEC.

SEC.

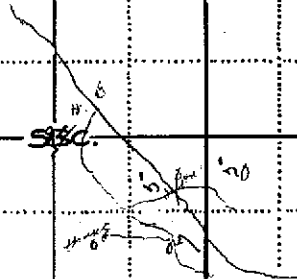
SEC.

SEC.

SEC.

SEC.

4054



RECEIVED
MAY 1912
STATE OF IDAHO

SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

Printed and for sale by the Statesman Shop, Boise, Idaho.

STATE OF IDAHO,
County of Ada } ss.

David R. Benson being first duly sworn, upon his
oath deposes and says:

That he is the owner of a decreed water right appurtenant to the following described land to-wit:
~~The South Half of the Southwest Quarter (S. 1/2) of the S. 14. T. 2 N. 36. E. 3 of Section Twenty-four (24) and N. E. 1/4 of N. 14. T. 2 Sec. 25, Twp. 5 North Range One East of Boise Meridian. Area 120 acres.~~
as evidenced by the decree dated _____ day of _____

in the cause entitled _____, Plaintiff,
vs. _____, Defendant, brought
in the district court of the _____ Judicial District of the State of Idaho, or

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of
Idaho No. 4054

That he intends to change the point of diversion, as described in said decree or permit, to the
following described point:

The Northwest Quarter of the Southeast Quarter (N.W. 1/4 of S.E. 1/4)
Section 24, Township 5 North Range 1 east of Boise Meridian.

That such change will be made for the following reasons, to-wit: _____
The location was described as being the Northeast Quarter of the
Southwest Quarter (N.E. 1/4 of S.W. 1/4) of Section Twenty-four (24)
Township Five (5) North, Range One (1) East of Boise Meridian.
Same was an error, it should have been The Northwest Quarter of
Southeast Quarter (N.W. 1/4 of S.E. 1/4) of said Section Twenty-four (24)
Township Five (5) North, Range One (1) East of Boise Meridian.

That no one will be injured by such change and that deponent will make such change at his own
risk.

And further deponent saith not.

David R. Benson

Subscribed and sworn to before me this First day of May 1912

My commission expires May 16 1915
(over.)

Wesley A. ...

Notary Public.

Received and filed for record in the office
of the State Engineer at Boise, Idaho, at

3rd PM MAY -4 1912 19

W. Robinson
STATE ENGINEER.

4054

Receipt Details for ID C009477

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/11/1989 5:13:50 PM	8/11/1989	State	\$331.00	Check
Payer		STADLER, BETTY (LILLIAN)		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1185			
Card Expiration Date	Credit Card Transaction #		

Comment APPLICATION FOR PERMIT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$301.00	ADJUDICATION FEE	410162	9337	0	0	6490
\$30.00	APPLICATION FOR PERMIT	610199	1238	0	0	6390

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3429		\$226.00	Claim
63	2090		\$50.00	Claim
63	17340		\$25.00	Claim

[Print Report](#)

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-2090
Date Received: 8/11/1989
Receipt No: C009477
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOSEPH C STADLER
9700 BROOKSIDE LN
BOISE ID USA 83703

Phone: (208) 939-8021

2. Date of Priority: 08/21/1908

3. Source: SPRING CREEK Trib. to: DRY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
05N	01E	24	NE	SW	SE	ADA	

5. Description of diverting works:

PORTABLE PUMP IN SPRING CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.34	

7. Total Quantity Appropriated is:

0.34 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	01E	26	NW	SE	IRRIGATION	2
			SW	SE	IRRIGATION	15
					Section Acres	17
					Total Acres	17

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 1/23/2004.

THIS WATER IS USED TO SUPPLEMENT WATER RIGHT 63-03429 ON THE LANDS DESCRIBED AS PLACE OF USE IN THIS CLAIM.

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

JAN 23 2004

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-2090					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Lillian E. Stadler
4. New Owner/Claimant(s) JOSEPH C. STADLER
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 9700 Brookside Lane
- City, State and ZIP Code Boise Idaho 83714
- New Telephone Number 208 939-8021
5. Date you acquired the property Feb 23, 1993

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <u>DB</u>	Date <u>1-22-04</u>	Fee <u>0</u>
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

RECEIVED

JAN 23 2004

WATER RESOURCES
WESTERN REGION

931332U

Lillian Stadler
ADA COUNTY, ID. FOR
J. DAVID NAVARRO
RECORDER *[Signature]*

'93 FEB 23 PM 1 16

CORRECTION GIFT DEED

TO CORRECT INSTRUMENT NO. 9117446, recorded April 8, 1991, in the Office of the Ada County Recorder, Boise, Idaho.

This instrument is made this 22 day of FEBRUARY, 1993, between LILLIAN E. STADLER, Donor, and JOSEPH C. STADLER, Donee, whose current address is 9700 W. Brookside Lane, Boise, Idaho 83703.

W I T N E S S E T H

The Donor desires to make a gift to the Donee and does, therefore, hereby give, transfer and convey unto the Donee all right, title and interest which the Donor now has or may hereafter acquire in the following described real property, situated in Ada County, State of Idaho, to wit:

(See Exhibit "A" attached)

This conveyance shall include any and all appurtenances, tenements, hereditments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

IN WITNESS WHEREOF, The Donor has executed this instrument the day and year above written.

Lillian E. Stadler
LILLIAN E. STADLER

STATE OF IDAHO)
) ss.
County of Ada)

On this 22nd day of FEB., 1993, before me, GERARD W. MATTISON, a Notary Public, personally appeared Lillian E. Stadler, known to me to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same.

Gerard W. Mattison
Notary Public for Idaho
Commission Expires 5-3-93

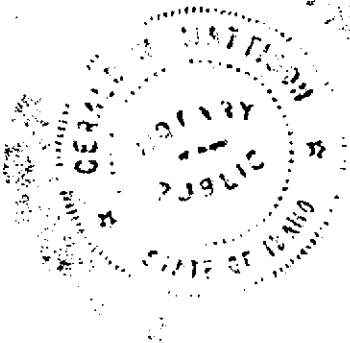


EXHIBIT "A"

A parcel of land situated in the Southeast one-quarter of Section 26, Township 5 North, Range 1 East, Boise Meridian, Ada County, Idaho. More particularly described as follows:

Commencing at the corner common to Sections 25, 26, 35 and 36, a Brass Cap;

thence N89°50'17"W a distance of 2643.00 feet to a found 5/8 inch iron pin with an aluminum cap marked as the 1/4 corner of Sections 26 and 35;

thence S89°50'17"E a distance of 70.52 feet to a point;

thence N00°09'43"E a distance of 50.00 feet to the Point of Beginning;

thence N00°00'31"E a distance of 459.33 feet to a found rights-of-way monument marked Sta. 224+56.0 PC;

thence along a curve to the right having a central angle of 31°52'24", radius of 913.40 feet, long chord bearing of N15°56'43"E, long chord distance of 501.59 feet, an arc distance of 508.12 feet to a found rights-of-way marker at Sta. 229+86.8 PT;

thence N31°52'55"E a distance of 775.00 feet to a 5/8 inch iron pin;

thence S54°44'57"E a distance of 318.85 feet to a 5/8 inch iron pin;

thence N37°50'44"E a distance of 243.00 feet to a 5/8 inch iron pin;

thence N47°20'45"E a distance of 683.37 feet to a 5/8 inch iron pin;

thence S53°05'23"E a distance of 27.05 feet to a 5/8 inch iron pin;

thence S25°34'36"W a distance of 610.61 feet to a 5/8 inch iron pin;

thence S56°54'24"W a distance of 77.21 feet to a 5/8 inch iron pin;

thence S39°43'31"E a distance of 119.26 feet to a 5/8 inch iron pin;

thence S46°17'16"W a distance of 181.53 feet to a 5/8 inch iron pin;

thence S35°43'04"W a distance of 117.70 feet to a 5/8 inch iron pin;

thence S16°23'28"E a distance of 377.17 feet to a 5/8 inch iron pin;

thence S14°12'12"W a distance of 92.49 feet to a 5/8 inch iron pin;

thence S70°00'48"E a distance of 39.31 feet to a 5/8 inch iron pin;

thence S58°26'49"W a distance of 85.76 feet to a 5/8 inch iron pin;

thence S36°30'45"W a distance of 81.97 feet to a 5/8 inch iron pin;

thence S14°55'11"W a distance of 44.62 feet to a 5/8 inch iron pin;

thence S24°10'43"E a distance of 29.76 feet to a 5/8 inch iron pin;

thence S14°25'54"W a distance of 240.50 feet to a 5/8 inch iron pin;

thence S81°06'47"W a distance of 141.76 feet to a 5/8 inch iron pin;

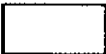
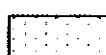
thence S07°42'17"W a distance of 249.90 feet to a 5/8 inch iron pin;

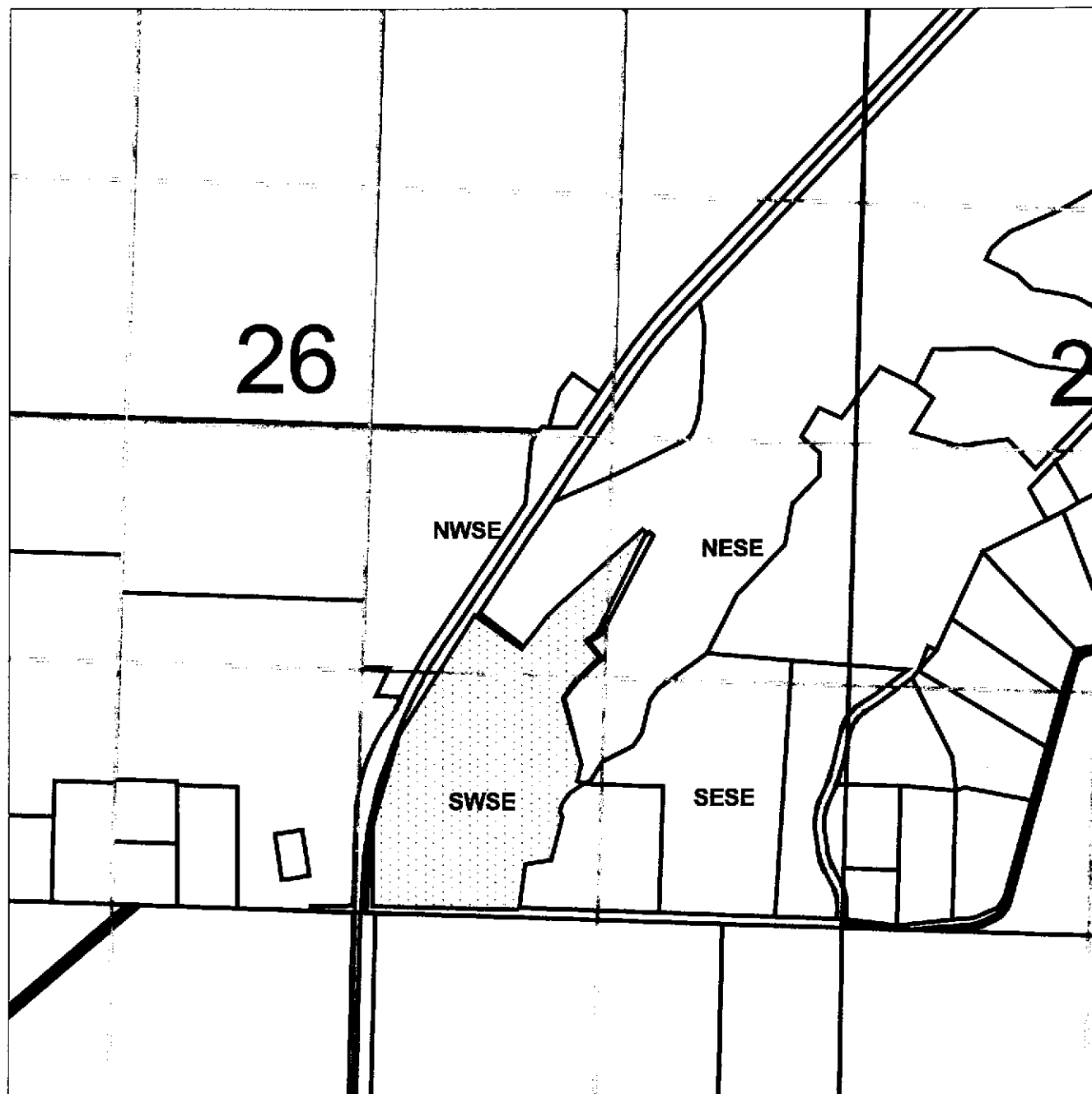
thence N89°50'17"W a distance of 796.53 feet to the Point of Beginning.

The above described parcel containing 33.92 acres more or less.

63-2090

5N 1E

-  **Section Line**
-  **QQ Lines**
-  **Tax Lot Data**
-  **Metes & bounds description**



0.2 0 0.2 0.4 Miles



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: A63-02090
Date Received: 8/11/1989
Receipt No: C009477
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LILLIAN E. STADLER *8097 Spring Cr. Way* 208-939-6689
Address: RT. 1, HIGHWAY 55
BOISE, ID 83703 *83714*

2. Date of Priority: AUG 21, 1908

3. Source: SPRING CREEK Trib. to: DRY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	01E	24	NE	SW	SE		ADA

5. Description of diverting works:
PORTABLE PUMP IN SPRING CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.340		

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

8. Total consumptive use is 616.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05N	01E	26	NW	SE		IRR	2.0
			SW	SE		IRR	15.0
						Section Acres	17.0

10. Place of Use: Continued

Total Acres 17.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
63-03429

14. Remarks:

THIS WATER IS USED TO SUPPLEMENT WATER RIGHT 63-03429 ON THE
LANDS DESCRIBED AS PLACE OF USE IN THIS CLAIM.

15. Basis of Claim: LICENSE
Water Right Number: 4054

16. Signature(s)

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

Number of attachments: -/-

For Individuals:

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

Signature of Claimant(s): Lillian E. Studler Date: 8-11-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of August 19 89 Carter Fritschle
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

A63-02090

T 5N
R 1E

7.5-MINUTE SECTION

R 1E. R 2E.

320,000 FEET

59

55

56

17 30

