

New Well

Ada County  
Assessor

Lukehart

Existing well



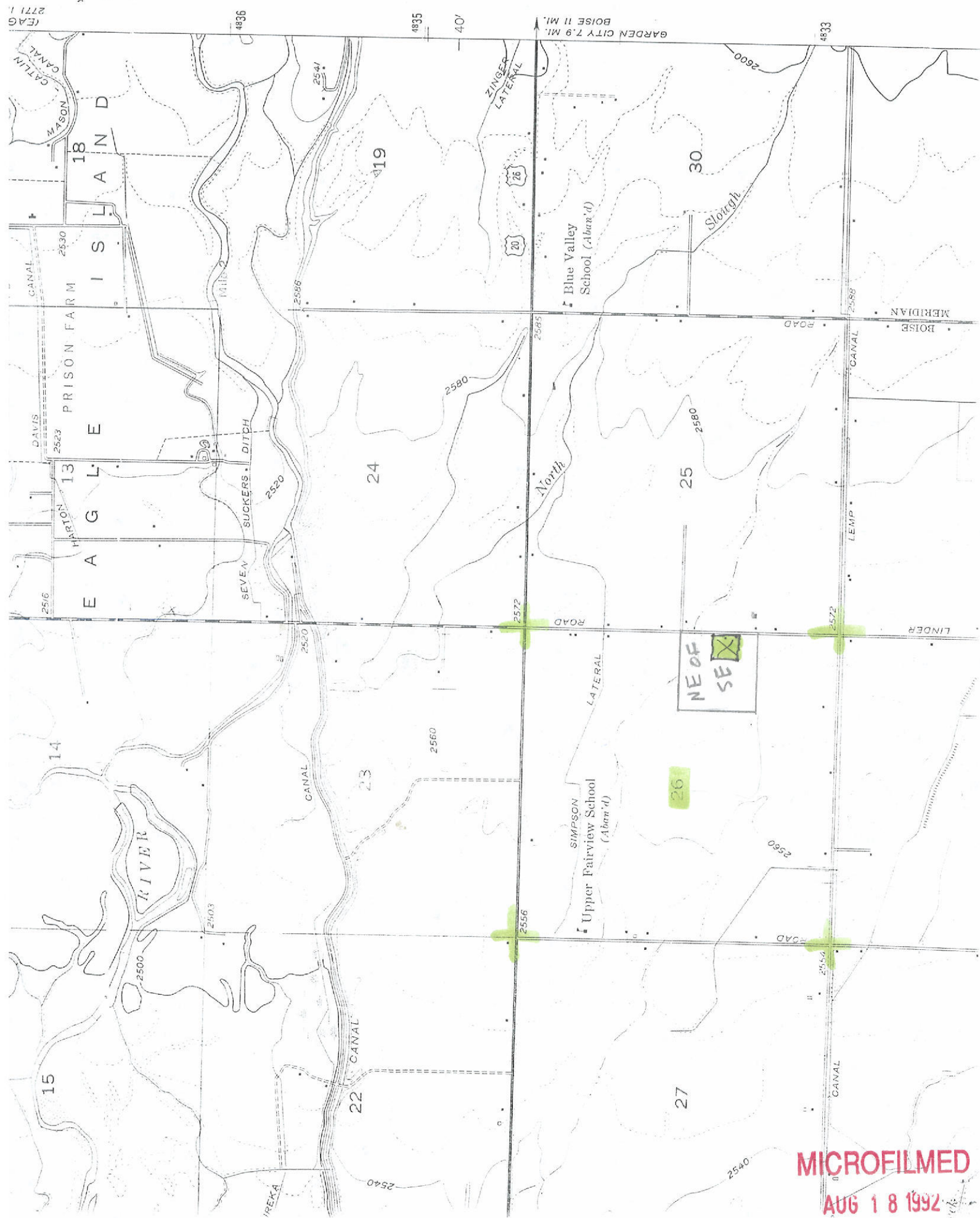
Map Center: 116.24, 51.87 W. 43.39 10.27 N

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION. Use and distribution of this map subject to disclaimer notices at [www.adacountyassessor.org](http://www.adacountyassessor.org).

Map Scale  
1 : 555

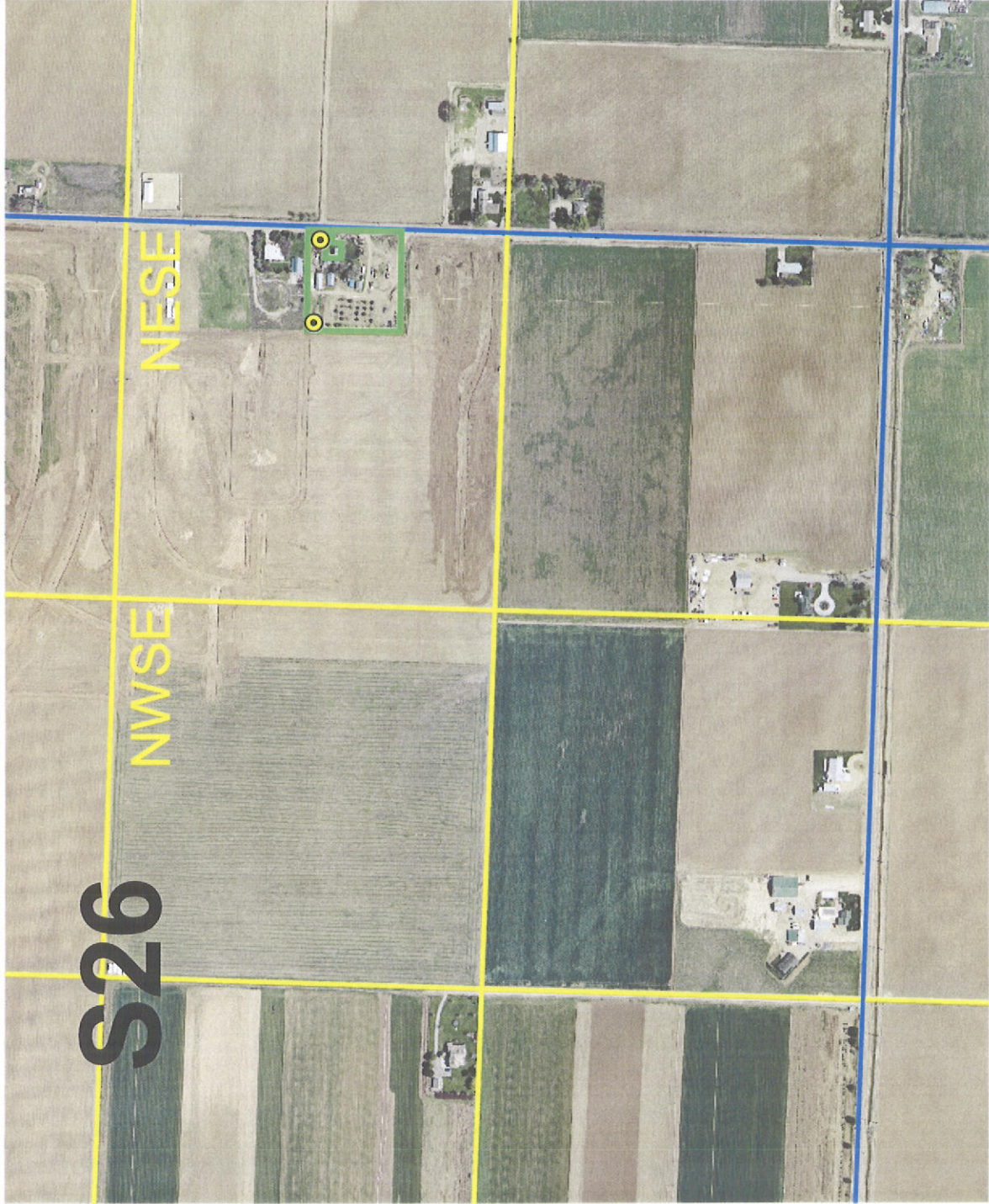
- |                      |                          |
|----------------------|--------------------------|
| Major Streets        | Schools                  |
| MINOR ARTERIAL       | <input type="checkbox"/> |
| MAJOR COLLECTOR      | Parks                    |
| SECTION              | <input type="checkbox"/> |
| PRINCIPAL ARTERIAL   | City Limits              |
| INTERSTATE           | Kuna                     |
| Other                | Boise                    |
| Minor Streets        | Garden City              |
| LOCAL                | Eagle                    |
| PARKS                | Star                     |
| PRIVATE              | Moridian                 |
| RESIDENTIAL          | Other                    |
| Other                |                          |
| Street Names (minor) |                          |
| Addresses            |                          |
| Parcels              |                          |
| ImageDirectory       |                          |

2771.1  
FEAG



**MICROFILMED**  
**AUG 18 1992**

# Idaho Department of Water Resources



T04N, R01W,  
S26

Claim No: 63-2656A  
Prepared By: Kimberly Brown  
Date: October 21, 2005



Place of Use



Section Lines

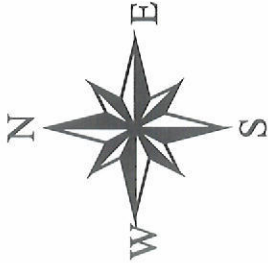


1/4 1/4



Point of Diversion

Acres Irrigated = 2.0



2003 NAPP

# Idaho Department of Water Resources

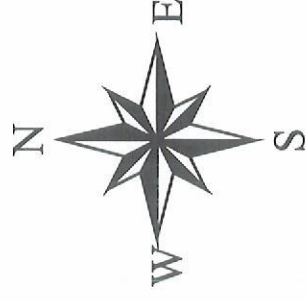
T04N, R01W,  
S26

Claim No: 63-02656A  
Prepared By: Kimberly Brown  
Date: October 1, 2003



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

Acres Irrigated = 2.0



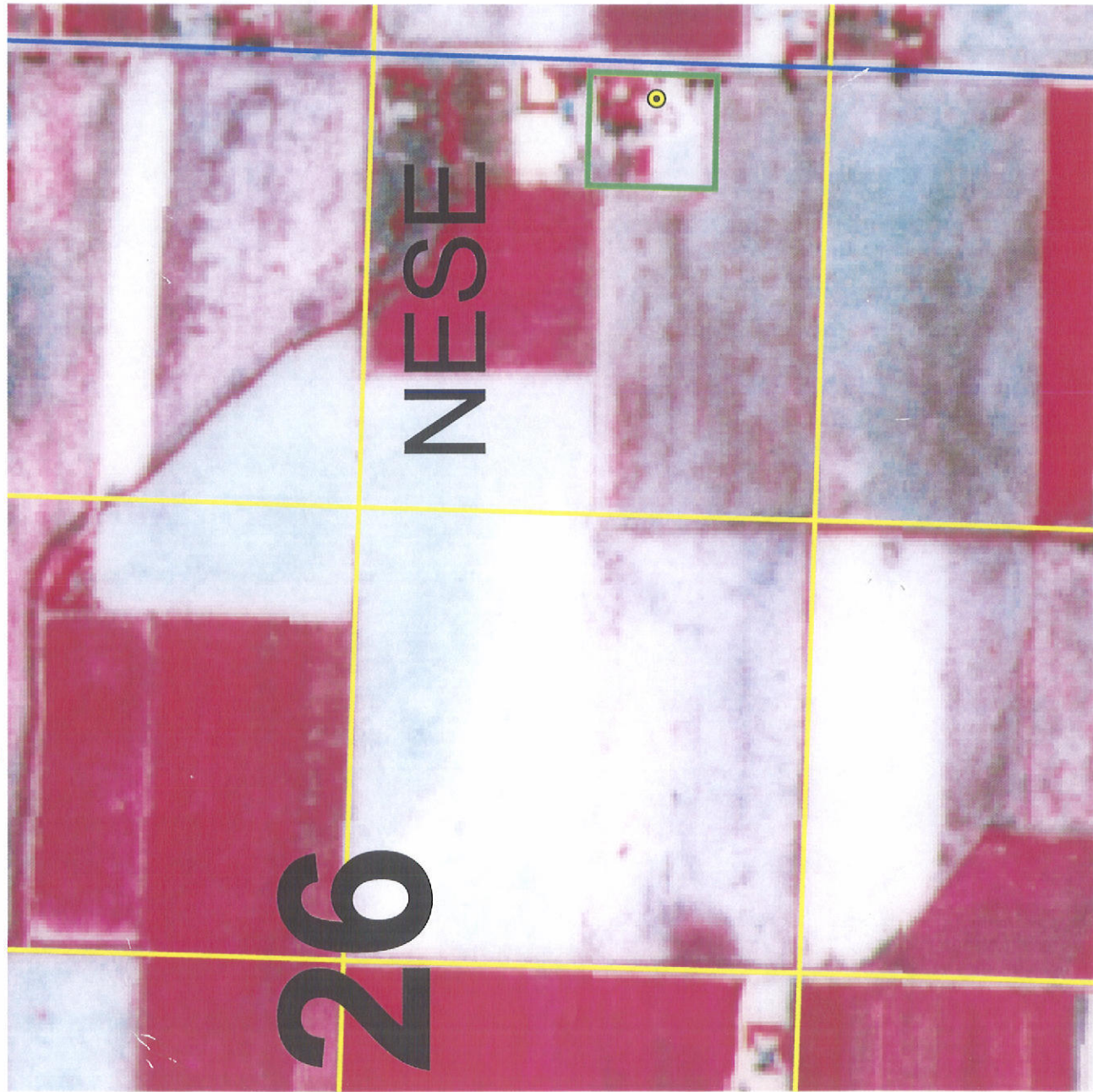
0 0.1 0.2 0.3 0.4 Miles

1987 NAPP

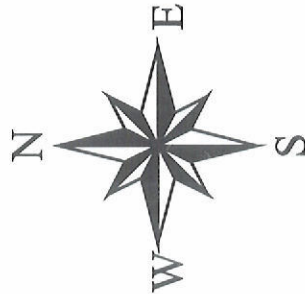
# Idaho Department of Water Resources

T04N, R01W,  
S26

Claim No: 63-02656A  
Prepared By: Kimberly Brown  
Date: October 1, 2003



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



1987 NAPP



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 63-2656A  
Date Received: 4/23/1991  
Receipt No: W013241  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BEN W LUKEHART Phone: (208)459-0684  
2802 PISCES  
CALDWELL ID USA 83605

2. Date of Priority: 01/06/1947

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 04N      | 01W   | 26      | NE SE                 | ADA    |      |
| 04N      | 01W   | 26      | NE SE                 | ADA    |      |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 11/15 | 0.01   | 4.9        |
| STOCKWATER | 01/01 | 12/31 | 0.02   | 0.1        |
| DOMESTIC   | 01/01 | 12/31 | 0.02   | 0.6        |

7. Total Quantity Appropriated is:  
0.05 C.F.S. and/or 5.6 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:  
Number of homes: 1

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| 04N      | 01W   | 26      | NE         | SE  | STOCKWATER    |       |
|          |       |         | NE         | SE  | IRRIGATION    | 2     |
|          |       |         | NE         | SE  | DOMESTIC      |       |
|          |       |         |            |     | Section Acres | 2     |
|          |       |         |            |     | Total Acres   | 2     |

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Use of this right is combined with water from Settlers Irrigation District.

1                    4

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Domestic use is for 1 home.

15. Basis of Claim: License

**WATER RIGHT NO. 63-2656A**  
**As Modified by Transfer No. 71989**

In accordance with the approval of Transfer No. 71989, Water Right No. 63-2656A is now described as follows.

**Right Holder:** BEN W LUKEHART  
 2802 PISCES  
 CALDWELL ID 83605

**Priority Date:** January 06, 1947

**Source:** GROUND WATER

| <u>BENEFICIAL USE</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| STOCKWATER            | 01/01 to    | 12/31     | 0.02 CFS              | 0.1 AF        |
| IRRIGATION            | 03/15 to    | 11/15     | 0.01 CFS              | 4.9 AF        |
| DOMESTIC              | 01/01 to    | 12/31     | 0.02 CFS              | 0.6 AF        |
|                       |             |           | 0.05 CFS              | 5.6 AF        |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |      |                 |                    |
|--------------|------|-----------------|--------------------|
| GROUND WATER | NESE | Sec. 26 Twp 04N | Rge 01W ADA County |
| GROUND WATER | NESE | Sec. 26 Twp 04N | Rge 01W 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 |        |
| 04N 01W 26  |    |    |    |    |    |    |    |    |    |    |    |    | 2.0 |    |    |    | 2.0    |

Total Acres: 2

**PLACE OF USE:** STOCKWATER

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 04N 01W 26  |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |        |

**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 |        |
| 04N 01W 26  |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |        |

**WATER RIGHT NO. 63-2656A**  
**As Modified by Transfer No. 71989**

**CONDITIONS OF APPROVAL**

- EXP* 1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- EXP* 2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ~~3.~~ Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
- EXP* 4. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
- EXP* 5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
- EXP* 7. Use of this right is combined with water from Settlers Irrigation District.
8. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
9. Domestic use is for 1 home.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 22<sup>nd</sup> day of September, 2005

  
Chief, Water Allocation Bureau

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 71989

This is to certify that: BEN W LUKEHART  
2802 PISCES  
CALDWELL ID 83605  
(208)459-0684

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

**Summary of Water Rights Before the Proposed Change**

| <u>Right</u> | <u>Origin/Basis</u> | <u>Priority</u> | <u>Rate</u> | <u>Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>Source</u> |
|--------------|---------------------|-----------------|-------------|---------------|-------------------|--------------------|---------------|
| 63-2656A     | AJC/License         | 01/06/1947      | 0.05 cfs    | N/A           | N/A               | 2.0                | GROUND WATER  |

**Purpose of Transfer (Changes Proposed)**

| <u>Current Number</u> | <u>Split</u> | <u>POD</u> | <u>PQU</u> | <u>Add POD</u> | <u>Period of Use</u> | <u>Nature of Use</u> |
|-----------------------|--------------|------------|------------|----------------|----------------------|----------------------|
| 63-2656A              | NO           | NO         | NO         | YES            | NO                   | NO                   |

**Summary of Water Rights After the Approved Change**

| <u>Existing Right</u> | <u>New No. (changed portion)</u> | <u>Transfer Rate</u> | <u>Transfer Volume</u> | <u>Acre Limit</u> | <u>Total Acres</u> | <u>New No. (remaining portion)</u> | <u>Remaining Rate</u> | <u>Remaining Volume</u> | <u>Remaining Acre Limit</u> | <u>Remaining Total Acres</u> |
|-----------------------|----------------------------------|----------------------|------------------------|-------------------|--------------------|------------------------------------|-----------------------|-------------------------|-----------------------------|------------------------------|
| 63-2656A              | <b>63-2656A</b>                  | 0.05 cfs             | 5.6 af                 | N/A               | 2.0                |                                    | N/A                   | N/A                     | N/A                         | N/A                          |
| <b>COMBINED</b>       |                                  |                      |                        |                   |                    |                                    |                       |                         |                             |                              |
| <b>TOTALS</b>         |                                  | <b>0.05 cfs</b>      | <b>5.6 af</b>          | <b>N/A</b>        | <b>2.0</b>         |                                    | <b>N/A</b>            | <b>N/A</b>              | <b>N/A</b>                  | <b>N/A</b>                   |

Detailed Water Right Description(s) attached

Dated this 22<sup>nd</sup> day of September, 2005

  
\_\_\_\_\_  
Chief, Water Allocation Bureau

**AMENDED**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 71989**APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1**

Name of applicant Ben W. Lukehart Phone 208-469-0684  
 Post Office address 2802 Pisces, Caldwell, Idaho 83605  
 Contact John M. Marshall, Givens Pursley LLP, 601 W. Bannock, Boise, ID 83702 \*

**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_
2. Describe the reason for the proposed changes On October 1, 2003 the Idaho Department of Water Resources approved an Application for Drilling Permit, attached as Exhibit A, that approved drilling of a replacement well for water rights 63-2656A and 63-2656B. A condition of approval requires the applicant to either abandon the existing well or file a transfer to authorize the existing well as an alternate point of diversion within one year. This Application for Transfer complies with the condition of approval by seeking to add the existing well as an alternate point of diversion for right 63-2656A. The existing well is in the same 40-acre tract as the new well. Consequently, the only change requested for the water right is a remark recognizing there are two points of diversion in Township 4N, Range 1W, Section 26, NESE.

**B. DESCRIPTION OF RIGHT(S) OR PORTION HEREOF, AFTER THE REQUESTED CHANGE. Please see attached Exhibit C.**

| Right Number | Priority   | Amount<br>(cfs / ac-ft) | Nature<br>of Use | Period of Use |          |
|--------------|------------|-------------------------|------------------|---------------|----------|
| 63-2656A     | 01/06/1947 | 0.06                    | Irrigation       | 3/15          | to 11/15 |
|              |            |                         | Stock water      | 1/1           | to 12/31 |
|              |            |                         | Domestic         | 1/1           | to 12/31 |

2. Total amount of water being transferred 0.06 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.  
 3. Source of water Ground Water tributary to \_\_\_\_\_  
 4. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | NE  | SE  | 26   | 4N   | 1W   | Ada    |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

**5. Lands irrigated or place of use:**

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4     |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|------------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SE 1/4 | SW 1/4 | NE 1/4 | NW 1/4 | SE 1/4 | SW 1/4 | NE 1/4 | NW 1/4 | SE 1/4 | SW 1/4 | NE 1/4     | NW 1/4 | SE 1/4 | SW 1/4 |        |
| 4N   | 1W   | 26   |        |        |        |        |        |        |        |        |        |        |        |        | 2, D,<br>S |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |            |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |            |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |            |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |            |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |            |        |        |        |        |

Total acres 2

**PART 1**

**6. General Information:**

- a. Description of diversion system Both the existing well and the new well drilled under the approved Application for Drilling Permit, attached as Exhibit A, are outfitted to supply water for all of the purposes of use authorized under right 63-2656A.

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? NA

\_\_\_\_\_ Yes \_\_\_\_\_ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

No change.

- d. Remarks:

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_.

And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

Witness my hand this day of \_\_\_\_\_, 19\_\_\_\_\_.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. \_\_\_\_\_

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2

(Attach one copy for each right)

## A. DESCRIPTION OF RIGHT AS RECORDED. Please see attached Exhibit B.

Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
In case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 63-2656A Issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment B. Check appropriate box below:  
☐ Tax Notice ☒ Warranty Deed ☐ Other \_\_\_\_\_
3. Source of water \_\_\_\_\_ tributary to \_\_\_\_\_
4. Date or priority \_\_\_\_\_
5. Water is used for the following purpose:  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)
6. Total amount of water under right \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum

## 7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

## 8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SE 1/4 | SW 1/4 | NE 1/4 | NW 1/4 | SE 1/4 | SW 1/4 | NE 1/4 | NW 1/4 | SE 1/4 | SW 1/4 | NE 1/4 | NW 1/4 | SE 1/4 | SW 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

9. Describe any other water rights used for the same purpose as described above
- None

**PART 2**

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No \_\_\_\_\_

If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | Totals |
|------|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |      |      | NE¼  | NW¼ | SE¼ | SW¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

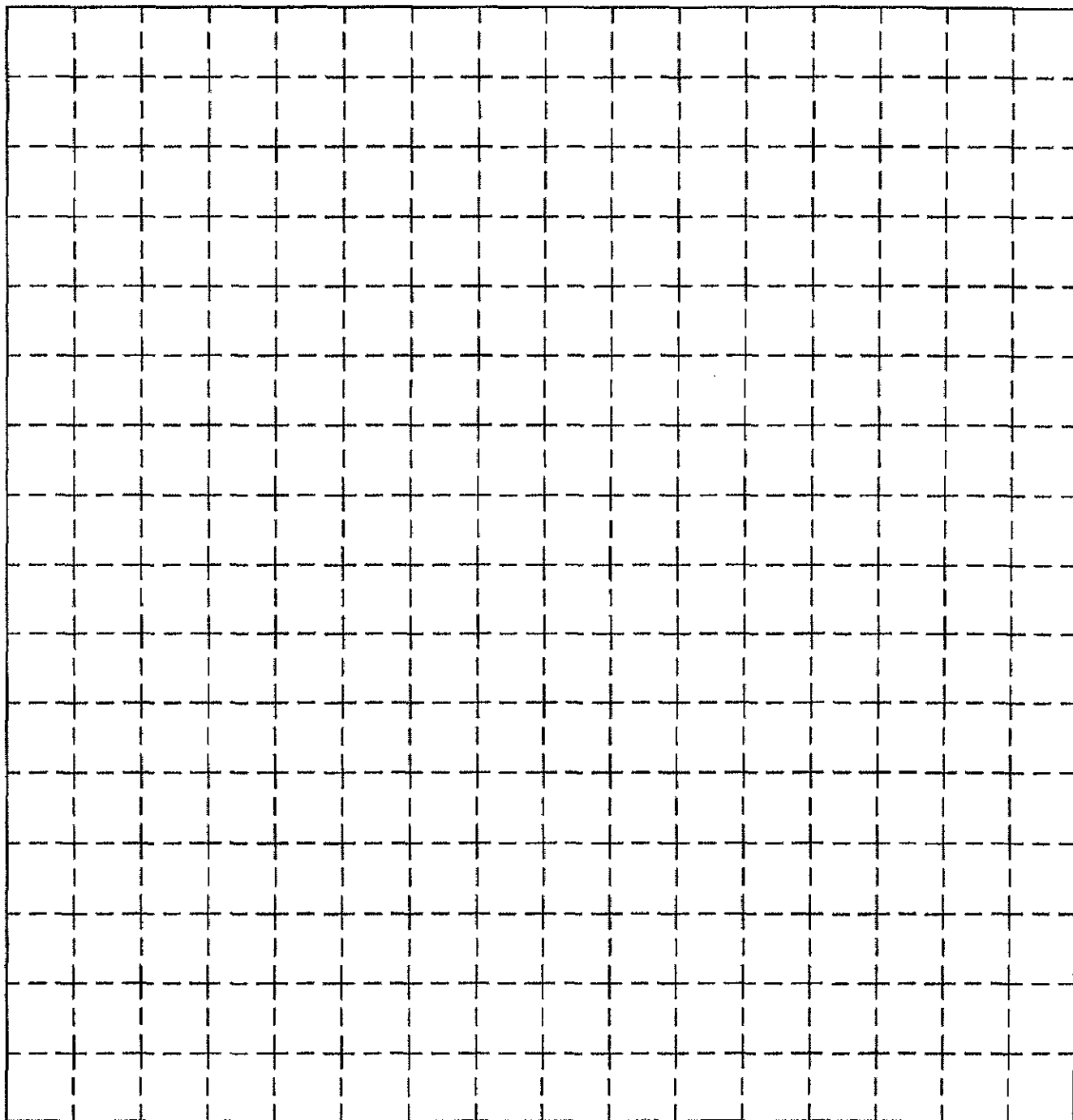
3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | Totals |
|------|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |      |      | NE¼  | NW¼ | SE¼ | SW¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |      |      |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total acres \_\_\_\_\_

**APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range numbers. See attached map



SCALE: 2 inches equal 1 mile. Draw plan in ink.

**PART 3****B. CHANGES IN NATURE OF USE. Not applicable.**

| 1. | New Nature of Use | Amount<br>(cfs / ac-ft) | Hours/days/year | Period of Use |
|----|-------------------|-------------------------|-----------------|---------------|
|    |                   |                         |                 |               |
|    |                   |                         |                 |               |
|    |                   |                         |                 |               |

## 2. Quantity and quality of return flows and location of discharge:

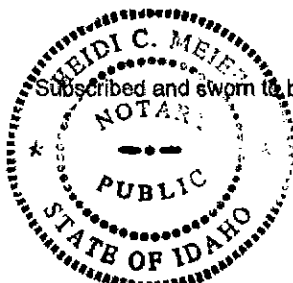
Not applicable

## 3. Describe effects on other water uses resulting from the proposed change:

None

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this

13th day ofOctober2004

(Signature of Applicant)

Heidi C. Meier

(Notary Public)

My commission expires

9/29/2010**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 34 attachmentsReceived by DB Date 10-15-04 Protest filed by \_\_\_\_\_Prelim. check by \_\_\_\_\_ Fee \$100-Received by DB # W032307 Date 10-15-04

Published in \_\_\_\_\_ Copies of protest forwarded by \_\_\_\_\_

Pub. dates \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

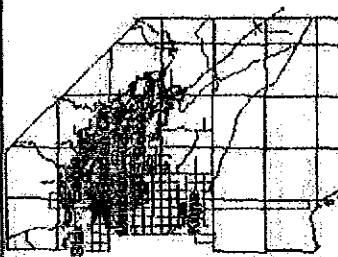
Copy of transfer sent to lien holder \_\_\_\_\_

New Well

Ada County  
Assessor

Lukehart

Existing well



- Major Streets
- Minor Arterial
- Major Collector
- Section
- Principal Arterial
- Interstate
- Other
- Schools
- Parks
- City Limits
- Kuna
- Boise
- Garden City
- Eagle
- Star
- Meridian
- Other
- Minor Streets
- Local
- Parks
- Private
- Residential
- Other
- Street Names (minor)
- Addresses
- Percels
- ImageDirect
- ory

Map Scale  
1:555



This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION. Use and distribution of this map subject to disclaimer notices at [www.adacountyassessor.org](http://www.adacountyassessor.org).

## **EXHIBIT A**

**EXHIBIT A**  
S:\clients\6582\5\Applcation for Transfer of Water Right

Form 236-1  
1/31/03

Drilling Permit No. 87-529-807453  
Drilling Permit I.D. Tag No. DO-50589  
Water Right Permit No. 63-20562, 63-20563  
Injection Permit No. \_\_\_\_\_

RECEIVED

OCT 01 2003

WATER RESOURCES  
WESTERN REGION

State of Idaho  
Department of Water Resources

APPLICATION FOR DRILLING PERMIT  
(FOR THE CONSTRUCTION OF A WELL)

1. Owner (please print): Marty Goldsmith
2. Mailing Address: Farwest LLC, 4487 North Dresden Place, Suite 102  
City: Boise State: ID Zip Code: 83714 Telephone: (208) 388-0189
3. Proposed Well Location: Twp. 4N Rge. 1W Sec. 26 1/4 NE 1/4 SE 1/4;  
Gov't Lot No. \_\_\_\_\_ County Ada Lat. \_\_\_\_\_ Long. \_\_\_\_\_  
Street Address of Well Site 5375 North Linder Road City Meridian  
One of four corners of road + bearing to road or landmark  
Lot, block and subdivision \_\_\_\_\_
4. Proposed Use of Well:  
☐ DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 10,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.  
  
Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.  
  
NON-DOMESTIC: ☒ Irrigation ☐ Municipal ☐ Industrial  
☐ Livestock ☐ Test ☐ Other \_\_\_\_\_  
Type \_\_\_\_\_ Number Hds. \_\_\_\_\_ (Describe)  
☐ INJECTION  
☐ MONITORING: A well bore schematic and map is required for each blanket permit. No. of proposed wells: \_\_\_\_\_
5. Well Construction Information:  
A. ☐ New well ☐ Modify ☒ Replace  
B. Proposed Casing Diameter 6-inch Proposed Maximum Depth 150 feet  
C. Anticipated bottom hole temperature:  
DG 48 F or less (Cold Water Well) ☐ 88 F to 212 F (Low Temp. Geo. Well) ☐ 212 F. or more (Geothermal Well)
6. Construction Start Date: October 3, 2003
7. Anticipated Well Driller: Riverside SCS Driller's Lic. No. 333 212  
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's Signature: Terry H. Scanlan Date October 1, 2003  
Address (if different than owner): Scanlan Engineering, 600 E. River Park Lane, Suite 105  
City: Boise State: ID Zip Code: 83706 Telephone: 208-383-4140  
Title: Consultant to Farwest LLC (Marty Goldsmith)  
(Owner, Firm Representative, Other)

**ACTION THE DEPARTMENT OF WATER RESOURCES**  
**APPROVED**

This Permit is \_\_\_\_\_ Date 10/16/03

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

**GENERAL CONDITIONS:**

1. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare, which may be required before construction of the well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum of 50 feet and 100 feet respectively from a septic tank.
3. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals, which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85 or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, § 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "DigLine" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "DigLine" Number for your area is 1-800-342-1585.
9. Please be advised that this drilling permit should be considered and treated as a preliminary permit. If you are in disagreement with this preliminary permit you have fourteen (14) days of the service date of this permit to petition the Department for reconsideration pursuant to Section 87-5243, Idaho Code.
10. The well tag for the drilling permit/start card shall be securely and permanently attached to the well casing through welding or by the use of four closed end domed stainless steel pop rivets. The tag attachment will be done at the time of completion of the well, and prior to removing the drill rig from the drill site.

**SPECIFIC CONDITIONS:**

The well being replaced shall be properly abandoned within one year of the date this permit is approved, unless, a water right transfer is approved which authorizes an additional point of diversion. The well being replaced shall not be used for irrigation purposes.

Signature of Authorized Department Representative

Sr. WR Agent

Title

Receipt No. 10030970 Received by Kil Fee 200.00 Date 10/16/03

**EXTENSION OF DRILLING PERMIT**

Extension approved by \_\_\_\_\_ Approval Date \_\_\_\_\_

This extension expires: \_\_\_\_\_

**EXHIBIT B**

**EXHIBIT B**  
S:\clients\6382\5\Application for Transfer of Water Right



IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommended Right Report

08/17/2004

WATER RIGHT NO. 63-2656A

| <u>Owner Type</u> | <u>Name and Address</u>                                                   |
|-------------------|---------------------------------------------------------------------------|
| Current Owner     | DOUGLAS CALDWELL                                                          |
| Current Owner     | SUSAN CALDWELL<br>5375 N LINDER RD<br>MERIDIAN, ID 83642<br>(208)888-7997 |

Priority Date: 01/06/1947

Basis: License

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>Volume</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|
| IRRIGATION            | 03/15       | 11/15     | 0.06 CFS              |               |
| STOCKWATER            | 01/01       | 12/31     | 0.02 CFS              |               |
| DOMESTIC              | 01/01       | 12/31     | 0.02 CFS              |               |
| Total Diversion       |             |           | 0.06 CFS              |               |

Location of Point(s) of Diversion:

GROUND WATER|NESE|Sec. 26|Township 04N|Range 01 W|ADA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 04N      | 01W   | 26      |     | NESE  | 2     |     |       |       |     |       |       |     |       |       |

Place of Use Legal Description: STOCKWATER ADA County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 04N      | 01W   | 26      |     | NESE  |       |     |       |       |     |       |       |     |       |       |

Place of Use Legal Description: DOMESTIC ADA County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|-------|
| 04N      | 01W   | 26      |     | NESE  |       |     |       |       |     |       |       |     |       |       |

Total Acres: 2

Conditions of Approval:

1. 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.
2. X01 Domestic use is for 1 home.
3. X02 Stockwater use is for 5 range cattle, goats, and chickens.

Remarks:

1. Purpose of Use 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.

Dates:

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



**EXHIBIT C**

**EXHIBIT C**  
**S:\clients\6582\5\Application for Transfer of Water Right**

File No.: sample LT02-2671 TMS **QUITCLAIM DEED**  
**FOR VALUE RECEIVED**

Teresa Alexander, who took title as Teresa Lukehart, ~~RETURN TO THE COUNTY~~

do hereby convey, release, remise and forever quit claim unto

Ben W. Lukehart, an unmarried man

whose current address is:  
the following described premises, to-wit:

SEE ATTACHED EXHIBIT "A" WHICH BY THIS REFERENCE BECOMES A PART HERETO AND IS  
COMPRISED OF ONE PAGE

ADA COUNTY RECORDER  
J. DAVID NAVARRO  
MAY 15, 2002

2002 JUN 21 PM 4:44

RECORDED - REQUEST OF

FEE 6- DEPUTY NO

102070378

LAWYER'S TITLE

Dated: May 13, 2002

Teresa Alexander  
Teresa Alexander

STATE OF Idaho, County of Ada, ss.

On this 13<sup>th</sup> day of May in the year of 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared  
Teresa Alexander

known or identified to me to be the person whose name  
is subscribed to the within instrument, and acknowledged  
to me that she executed the same.

Signed: Kelley Edwards

Name: Kelley Edwards

Residing at: Nampa, ID

My commission expires: 11/08/07



Lawyers Title of Treasure Valley

EXHIBIT "A"

A part of the Northeast quarter of the Southeast quarter of Section 26, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, described as follows:

Commencing at the quarter corner common to Sections 25 and 26, Township 4 North, Range 1 West, Boise Meridian; thence  
South 00°00'00" East, 620.5 feet along the section line to the REAL POINT OF BEGINNING;  
thence continuing  
South 00°00'00" East, 330 feet along the section line; thence  
leaving the section line  
South 90°00'00" West, 352.71 feet; thence  
North 00°00'00" East, 330 feet; thence  
North 90°00'00" East, 352.71 feet to the REAL POINT OF BEGINNING.

EXCEPT ditch and road rights-of-way.

RECORDED - REQUEST OF

THIS FORM FURNISHED COURTESY OF:

ADA COUNTY RECORDER  
J. DAVID BAVARRO  
IDAHO

FEE 2.00 DEPUTY [Signature]

**ALLIANCE TITLE &  
ESCROW CORP.**

1999 HY 26 AM 11:10

99052798

ALLIANCE TITLE

READ & APPROVED BY GRANTEE(S): \_\_\_\_\_

SPACE ABOVE THIS LINE FOR RECORDING DATA

{7220}

Order No.: 99080656 SRC-PB

### WARRANTY DEED

FOR VALUE RECEIVED RACHELLE WATTS, Personal Representative of the Estate of E. RALPH NASH AND CLARA E. NASH, husband and wife (dec.)

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto BEN W. LUKEHART, AN UNMARRIED MAN and TERESA LUKEHART, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY

GRANTEE(S), whose current address is: 5375 N. LINDER RD., MERIDIAN, ID 83642 the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: April 02, 1999

[Signature]  
RACHELLE WATTS

STATE OF IDAHO  
COUNTY OF ADA }

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year of \_\_\_\_\_, before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Residing at: \_\_\_\_\_ (type or print)

My Commission Expires: \_\_\_\_\_

ORDER NO. 99080656 SRC-PB

STATE OF IDAHO, County of ADA, ss.

On this 2ND day of APRIL in the year of 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared RACHELLE WATTS known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, as the Personal Representative of the Estate of E. RALPH NASH AND CLARA E. NASH and acknowledged to me that he/she/they executed the same as such Personal Representative of the Estate of E. RALPH NASH AND CLARA E. NASH.

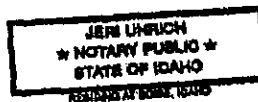
Signature: *[Handwritten Signature]*

Name: JEFF LAMRICH

(Type or Print)

Residing At: Boise, ID

My Commission expires: 7/24/04



ORDER NO. 99080656 SRC-PB

EXHIBIT "A"

A part of the Northeast Quarter of the Southeast Quarter of Section 26, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, described as follows:

COMMENCING at the Quarter corner common to Sections 25 and 26, Township 4 North, Range 1 West, Boise Meridian; thence South 00 degrees 00'00" East, 620.5 feet along the Section line to the REAL POINT OF BEGINNING; thence continuing South 00 degrees 00'00" East, 330 feet along the Section line; thence leaving the Section line South 90 degrees 00'00" West, 352.71 feet; thence North 00 degrees 00'00" East, 330 feet; thence North 90 degrees 00'00" East, 352.71 feet to the REAL POINT OF BEGINNING.

EXCEPT ditch and road rights-of-way.

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: A63-02656A  
Date Received: 4/23/1991  
Receipt No: W013241  
Received By: PW

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name: DOUGLAS CALDWELL  
Address: 5375 N. LINDER RD.  
MERIDIAN, ID

888-7997  
83642

AND/OR

Name: SUSAN CALDWELL  
Address: 5375 N. LINDER RD.  
MERIDIAN, ID

83642

2. Date of Priority: JAN 6, 1947

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 04N      | 01W   | 26      | NE     | SE     |     |     | ADA    |

5. Description of diverting works:  
FLOWING WELL PIPED TO HOME, OPEN DIS.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.060 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.020 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.020 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
DOMESTIC FOR 1/HOME, STOCKWATER FOR 5COWS, GOATS, CHICKENS.

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 04N           | 01W   | 26      | NE     | SE  |     | IRR | 2.0   |
| Section Acres |       |         |        |     |     |     | 2.0   |
| Total Acres   |       |         |        |     |     |     | 2.0   |

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:  
NONE

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 19986

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 X 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): Douglas Caldwell Date: 4/23/91  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Ada ) SS.

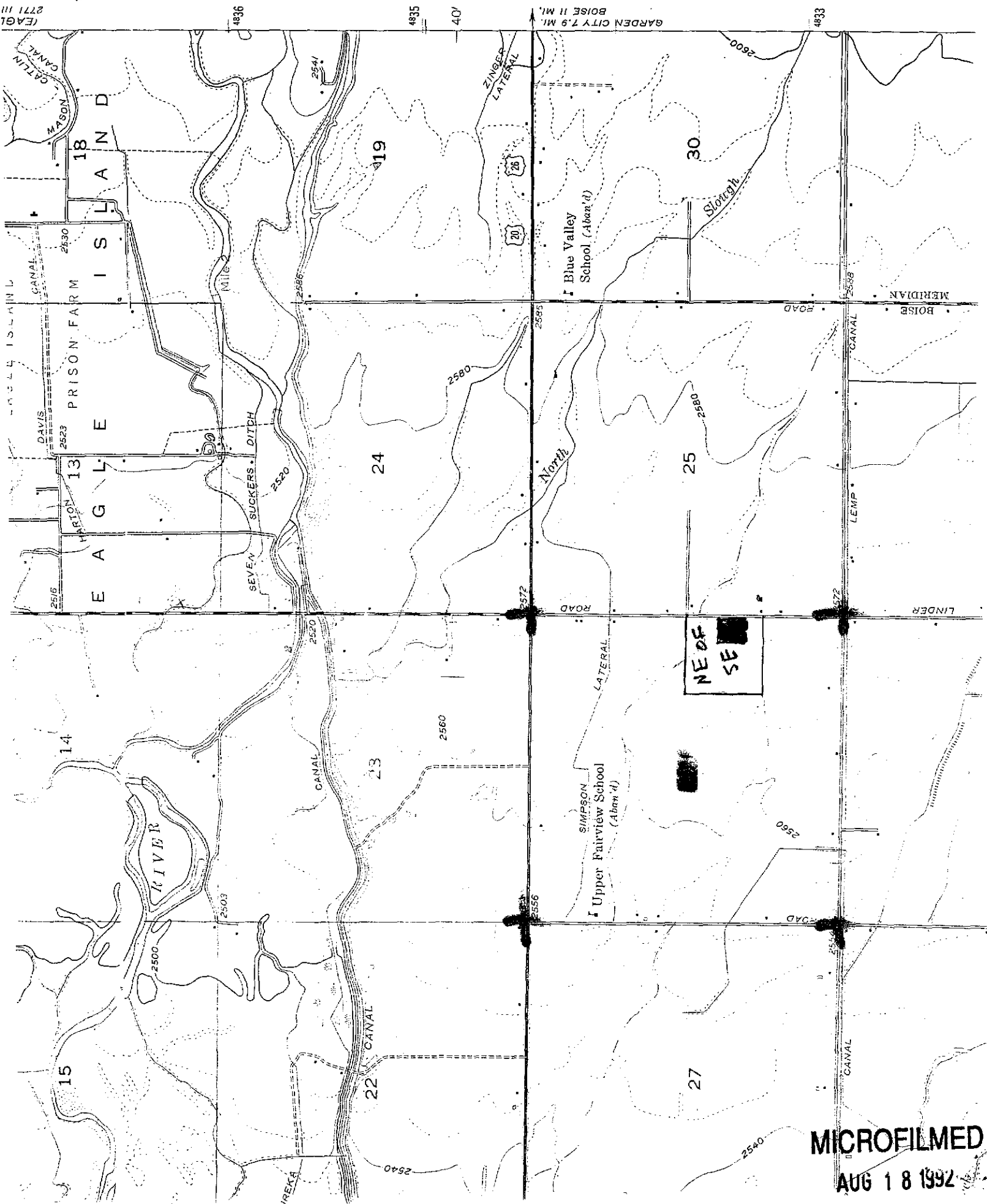
Subscribed and sworn (or affirmed) before me this 23<sup>rd</sup> day  
of April 19 91

Kathleen A. Walker  
Notary Public

Seal

Residing at Boise, Idaho  
My Commission Expires 2-14-1993

2771 III  
(EAGL



MICROFILMED  
AUG 18 1992

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

RIGHT NUMBER: 63-2656A

NAME AND ADDRESS: BEN W LUKEHART  
2802 PISCES  
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.050 CFS  
5.600 AFY

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 01/06/1947

POINT OF DIVERSION:

T04N R01W S26 NESE Within ADA County

T04N R01W S26 NESE Within ADA County

Two points of diversion located in T4N, R1W, S26, NESE.

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|-----------------------|----------------------|-----------------------|
| STOCKWATER            | 01/01 12/31          | 0.020 CFS<br>0.10 AFY |
| IRRIGATION            | 03/15 11/15          | 0.010 CFS<br>4.90 AFY |
| DOMESTIC              | 01/01 12/31          | 0.020 CFS<br>0.60 AFY |

Domestic use is for 1 home.

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

T04N R01W S26 NESE 2.0

STOCKWATER Within ADA County

T04N R01W S26 NESE

DOMESTIC Within ADA County

T04N R01W S26 NESE

2 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.

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

---

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Stockwater use is for 5 range cattle, goats, and chickens.

Use of this right is combined with water from Settlers Irrigation District.

The right holder shall accomplish the change authorized by Transfer 71989 within one year of the date of the approval.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

# Idaho Department of Water Resources

**T04N, R01W,  
S26**

Claim No: 63-2656A

Prepared By: Kimberly Brown

Date: October 21, 2005



Place of Use



Section Lines

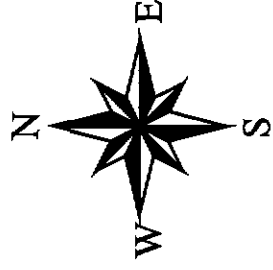


1/4 1/4



Point of Diversion

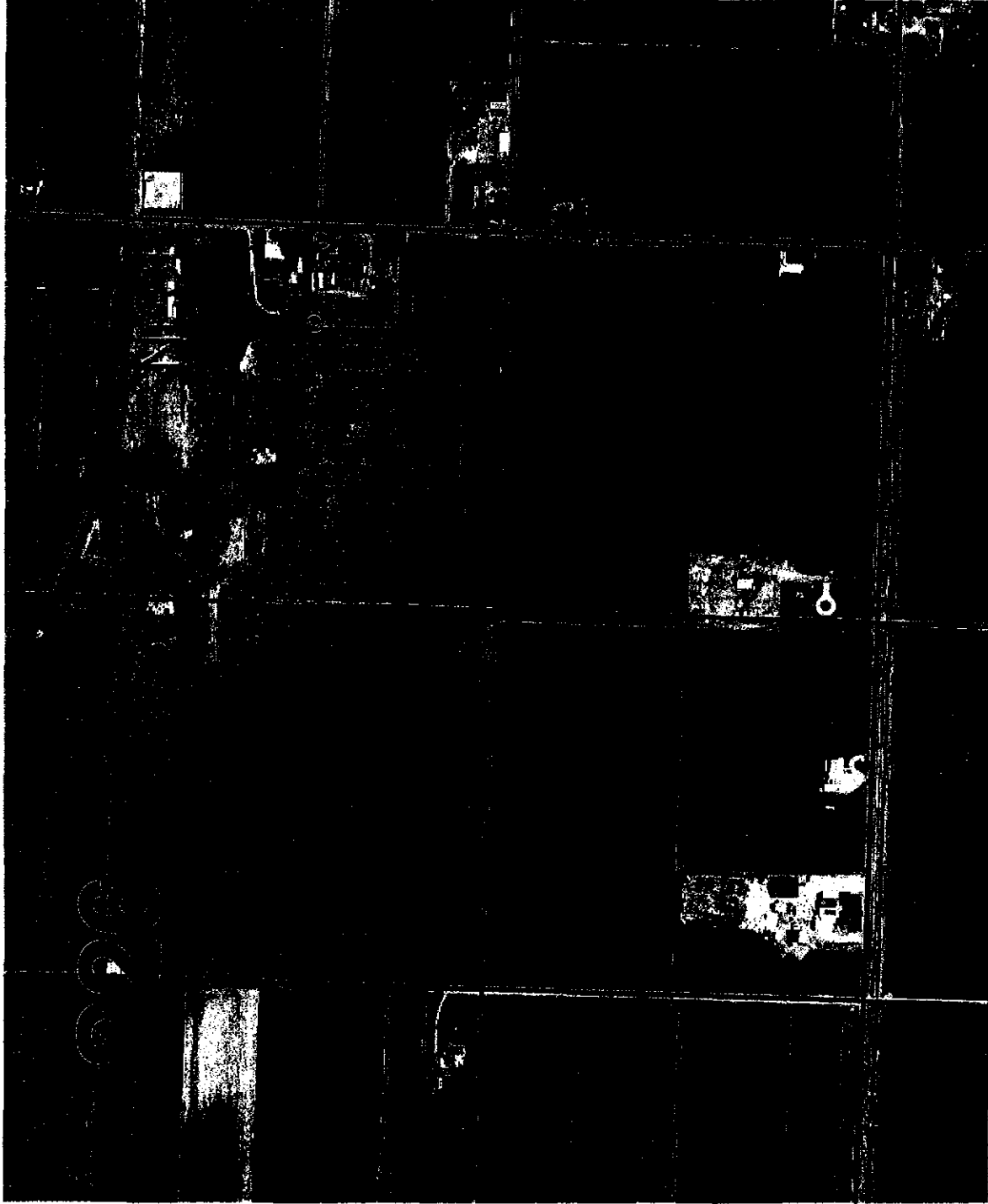
Acres Irrigated = 2.0



300 0 300 600 Feet



2003 NAPP



10/17/2005

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

RIGHT NUMBER: 63-2656A

NAME AND ADDRESS: BEN W LUKEHART  
2802 PISCES  
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.050 CFS  
5.600 AFY

irrigation This right when combined with all other rights shall provide no more than 0.03  
cfs per acre nor more than 4.5 afa per acre at the field headgate for  
of the lands above.

PRIORITY DATE: 01/06/1947

POINT OF DIVERSION:

T04N R01W S26 NESE Within ADA County

Two points of diversion located in T4N, R1W, S26, NESE.

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY              |
|----------------|---------------|-----------------------|
| STOCKWATER     | 01/01 12/31   | 0.020 CFS<br>0.10 AFY |
| IRRIGATION     | 03/15 11/15   | 0.010 CFS<br>4.90 AFY |
| DOMESTIC       | 01/01 12/31   | 0.020 CFS<br>0.60 AFY |

Domestic use is for 1 home.

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

T04N R01W S26 NESE 2.0

STOCKWATER Within ADA County

T04N R01W S26 NESE

DOMESTIC Within ADA County

T04N R01W S26 NESE

2 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

Stockwater use is for 5 range cattle, goats, and chickens.

Use of this right is combined with water from Settlers Irrigation District.

The right holder shall accomplish the change authorized by Transfer 71989 within one year of the date of the approval.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used for irrigation purposes without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

06/07/2005

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

RIGHT NUMBER: 63-2656A

NAME AND ADDRESS: SUSAN CALDWELL  
5375 N LINDER RD  
MERIDIAN ID 83642

DOUGLAS CALDWELL  
5375 N LINDER RD  
MERIDIAN ID 83642

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.050 CFS

PRIORITY DATE: 01/06/1947

POINT OF DIVERSION:

T04N R01W S26 NESE Within ADA County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|-----------------------|----------------------|-----------------------|
| STOCKWATER            | 01/01 12/31          | 0.020 CFS             |
| IRRIGATION            | 03/15 11/15          | 0.010 CFS<br>4.88 AFY |
| DOMESTIC              | 01/01 12/31          | 0.020 CFS             |

Domestic use is for 1 home.

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: STOCKWATER Within ADA County

T04N R01W S26 NESE

IRRIGATION Within ADA County

T04N R01W S26 NESE 2.0

DOMESTIC Within ADA County

T04N R01W S26 NESE

2 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: License

Stockwater use is for 5 range cattle, goats, and chickens.

Use of this right is combined with water from Settlers Irrigation District.

Water Right 63-2656A

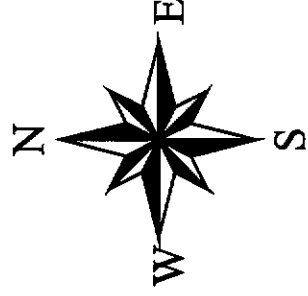
# Idaho Department of Water Resources

**T04N, R01W,  
S26**

Claim No: 63-02656A  
Prepared By: Kimberly Brown  
Date: October 1, 2003

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

Acres Irrigated = 2.0



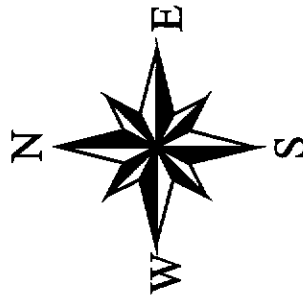
1987 NAPP

# Idaho Department of Water Resources

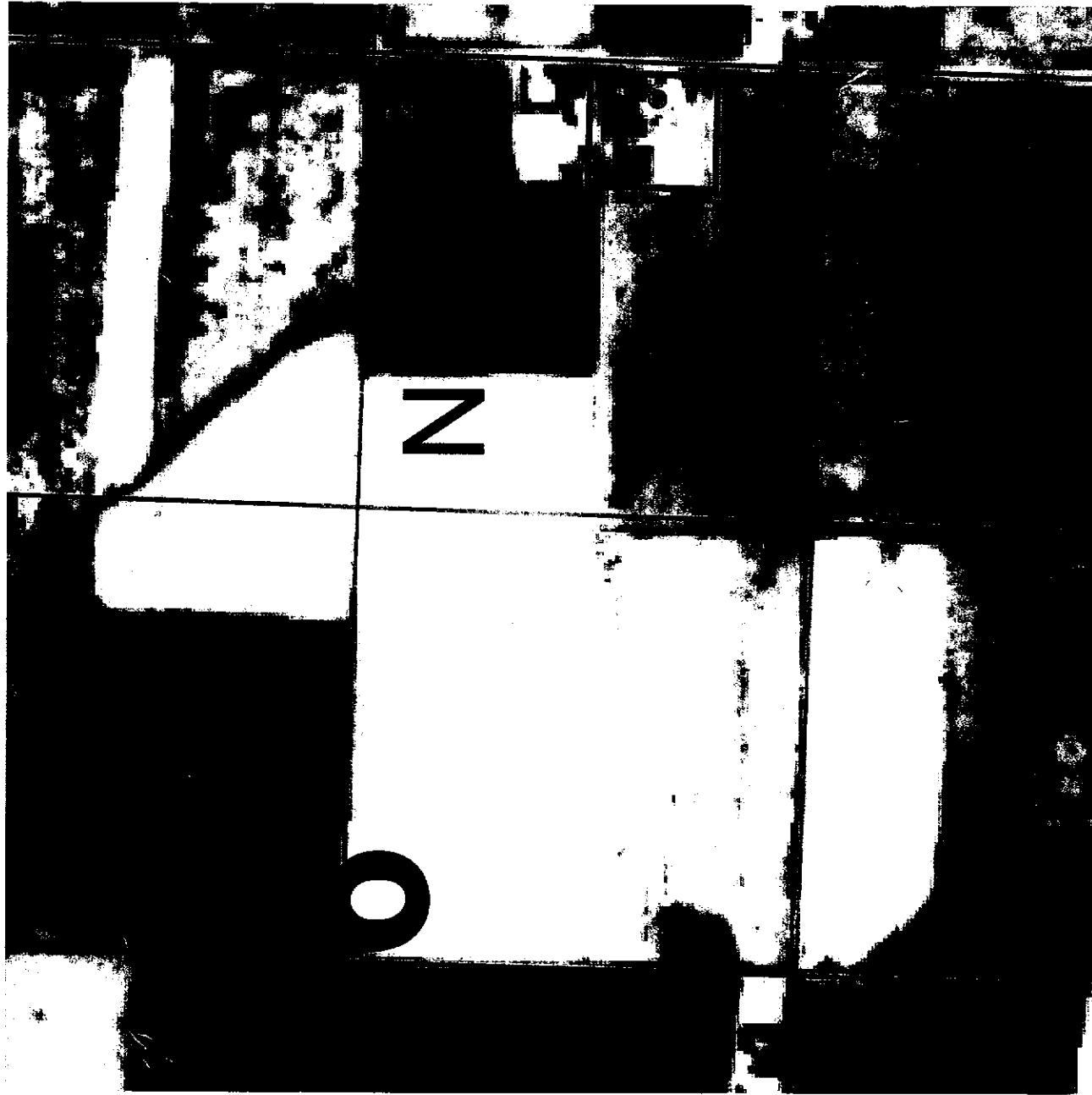
**T04N, R01W,  
S26**

Claim No: 63-02656A  
Prepared By: Kimberly Brown  
Date: October 1, 2003

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



1987 NAPP



0 0.1 0.2 0.3 0.4 Miles



## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2656A

WATER RIGHT NUMBER: 63-2656A

2002 Tax lot Information:

Owner Type                      Name and Address  
 Current Owner                  SUSAN CALDWELL ✓  
                                          5375 N LINDER RD  
                                          MERIDIAN, ID 83642  
                                          (208)888-7997  
 Current Owner                  DOUGLAS CALDWELL ✓  
                                          5375 N LINDER RD  
                                          MERIDIAN, ID 83642  
                                          (208)888-7997

Ben W. Lukehart  
 5375 N. Linder Rd.  
 Meridian, ID 83642

Priority Date: 01/06/1947 ✓

Basis: License ✓

Status: Active

#(208) 884-4903

Source

GROUND WATER ✓

TributaryBeneficial Use

STOCKWATER ✓

IRRIGATION ✓

DOMESTIC ✓

From      To

1/01 to 12/31 ✓

3/15 to 11/15 ✓

1/01 to 12/31 ✓

Diversion Rate

0.020 CFS ✓

0.060 CFS ✓

0.020 CFS ✓

Annual VolumeTotal Diversion: 0.060 CFS ✓Location of Point(s) of Diversion

GROUND WATER

ADA County ✓

NE1/4SE1/4 ✓

Sec. 26, Twp 04N, Rge 01W, B.M. ✓

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 |        |
| 04N | 01W | 26  |    |    |    |    |    |    |    |    |    |    |    |    | 2.0 |    |    |    | 2.0    |

Total Acres: 2 ✓

STOCKWATER same as IRRIGATIONDOMESTIC same as IRRIGATIONConditions of Approval:

ADD 304 - Season of use is 3/1 to 11/15.

Remarks:

ADD X01 - Domestic use is for 1 home.

Comments:

ADD X02 - Stockwater use is for 5 range cattle, goats, and chickens.

\*no electronic back file available.

Field Exam Date 10-1-03

(in office)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION FIELD REPORT

2002 Tax lot:

Ben W. Lukehart  
5375 N. Linder Rd

not Caldwell's --  
a few 10/1/03 ltr.

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$52.00
- ☐ Well logs (if needed) N/A
- ☒ 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 N/A

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-2656 B

Owner: Phone No.

Current Address:

- ☐ 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:

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

Source: Tributary to

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

POINT OF DIVERSION

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

**DIVERSION AND DELIVERY SYSTEM**

Points of Diversion:

| ID # | Govt Lot # | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks<br>GPS ID |
|------|------------|-----|-----|-----|------|------|------|--------|-------------------------------------------|
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |

Description of diverting works

arterian well piped to home.  
well discharges into lateral ditch at grade.

**OVERLAP REVIEW**Other water rights with the same point of diversion: 63-2656 B

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

No

**WATER USES**☒ No change☐ Different Uses

Season of use is 3/1 to 11/15 per new DWR standard.  
See shoulder remark.

Use Irrigation From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS 4.88 AFA

Use \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA

Use \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA

$0.01 \text{ cfs} \times 1.9835 \times 246 \text{ days} = 4.88 \text{ AF/annum}$

**TOTAL VOLUME - Groundwater only**☐ Incomplete on claim, the total is, Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA☒ Changes found, the new total is, Amount \_\_\_\_\_ CFS 4.88 AFA☒ More than 1" per Acre? Yes \_\_\_\_\_ (claimant must complete excess flow sheet)

Acuage is less than 5 acres, therefore, 0.03 cfs/acre has been allotted.

**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes \_\_\_\_\_ Stock # \_\_\_\_\_

Types \_\_\_\_\_ Additional comments: \_\_\_\_\_

**PLACE OF USE:**☒ No Change☐ Changes shown below:

| 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 |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Overlap with other water rights: 63-2656B (+) Settlers Irrigation District

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:  
No

Delivery System Narrative: Refer to D.O.R. Report of Engineer.

| Well or Diversion Identification No<br>GPS ID | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge size |
|-----------------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                               |            |    |                  |           |                                   |
|                                               |            |    |                  |           |                                   |

FLOW MEASUREMENTS: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

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

Domestic use is for 1 home.

Stockwater use is for 5 range cattle, goats, and chickens.

**AFTER EXAM THE FILE SHOULD CONTAIN:**

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

DATE EXAM CONDUCTED: October 1, 2003

FIELD EXAMINER: Kimberly Brown

SD-1603-3

Idaho Department Of Water Resources  
Detail Receipt Summary Screen

Date: 10/01/03  
Time: 08:20:26

Rec/No - W013241 AR/No -  
From: - CALDWELL, DOUGLAS

Receipt Type - CK Doc/No - 6522  
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 04/23/1991

| Type Of Payment  | Fund | FD | PCA    | Obj  | Subsid | Fee   |
|------------------|------|----|--------|------|--------|-------|
| ADJUDICATION FEE | 9337 |    | 410162 | 6490 |        | 52.00 |
| LATE FEE         | 9337 |    | 410162 | 6490 |        | 50.00 |

Total Due - 102.00

| WR/No     | WR Fee | WR/No | WR Fee | WR/No | WR Fee |
|-----------|--------|-------|--------|-------|--------|
| A6302656A | 52.00  |       |        |       |        |

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

## **Brown, Kimberly**

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**From:** Brown, Kimberly  
**Sent:** Thursday, October 09, 2003 2:29 PM  
**To:** Smith, Danni  
**Subject:** SECOND ROUND NOTICE

Dear Danni,

Jan suggested that I send you this information concerning Water Right Nos. 63-2656A & B. I'm not sure what specific information you need, but based on my investigation, there are 3 acres that are unaccounted for since the original license (#19986) is for 80 acres and the A portion claimed 2 acres and the B claimed 75 acres. According to 2002 Ada County Tax Lot information, the 3 unaccounted-for acres belong to:

Catherine Nelson  
5555 N. Linder Rd.  
Meridian, ID 83642

#{208} 888-5610

Please let me know if you require any additional information.

Kimberly Brown  
Idaho Dept. of Water Resources  
2735 Airport Way  
Boise, ID 83705-5082  
Phone: 208.334.2348



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

October 1, 2003

BEN W. LUKEHART  
5375 N. LINDER RD.  
MERIDIAN, ID 83642

RE: Snake River Basin Adjudication Water Right No. 63-2656A

Dear Mr. Lukehart,

According to 2002 Tax Lot information, you are the current owner of the property located at 5375 N. Linder Rd. If this is correct, and you are currently using the well located on this property for irrigation, domestic, and stockwater purposes, please fill-out the enclosed Change In Water Right Ownership form and send it, and the required documents, to the address that is highlighted on the back of the attached Instructions by October 31, 2003.

If you have any questions, please contact me at the Western Region office.

Sincerely,

A handwritten signature in cursive script that reads "Kimberly L. Brown". The signature is written in dark ink and is positioned above the typed name.

Kimberly L. Brown  
Water Resource Agent  
Western Region

# State of Idaho

## License and Certificate of Water Right

Water License No. 19986

Amount 0.5 second foot

Water District No.

Priority January 6, 1947

THIS IS TO CERTIFY that **FRANK C. HUDSON** of Route 1, Meridian, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 6, 1947; that Permit No. 19986 was issued under said application; that Certificate of Completion of works, with a carrying capacity of one second foot, was issued thereunder on October 25, 1947, showing that said works were completed on the 15th day of October, 1947; and that on the 26th day of November, 1947,

of Meridian, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of an artesian well, a tributary of \_\_\_\_\_, for the purpose of irrigation, domestic and stock water, under Use Permit No. 19986 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 8 of Licenses at page 4484, on the 15th day of March, 1949:

The right hereby confirmed dates from January 6, 1947:

The Point of Diversion is located

in the NE 1/4, SE 1/4, Sec. 36, T. 4 N., R. 1 W., B. M. Ace County

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

Description and location of use:

| Tract                              | Range | Sec. | Forty acre Tract | No. Acres Described in Permit | No. Acres Actually Irrigated |
|------------------------------------|-------|------|------------------|-------------------------------|------------------------------|
| 40                                 | 2     | 2    | N. 1/4 Sec. 36   | 40                            | 40                           |
|                                    |       |      | SW 1/4           | 40                            | 40                           |
| Number of Acres Actually Irrigated |       |      |                  |                               | 80                           |

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 16th day of March, 1949.

PAUL R. KULP

State Reclamation Engineer

(SEAL)

63 2650

## STATE OF IDAHO

## DEPARTMENT OF RECLAMATION

BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. 19986

This proof is for Beneficial use In Water District No.

1. Name of applicant Frank C. Hudson, Route 1, Meridian, Idaho

2. Source of water supply: Artesian well (subterranean)

3. Location of point of diversion: Is in the NE 1/4 SE 1/4 of Section 26

T 4 N. R. 1 W. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: An Artesian Well drilled 1000 feet deep X 6 inch diameter. The casing is perforated 200 feet in the bottom section; Well discharges into lateral ditch at grade.

5. Water is used for: Irrigation, domestic and stock watering purposes

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):

NE 1/4 SE 1/4 Section 26, Township 4 North, Range 1 West, 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 water is supplemental to other supply.

This examination was made on the

24th.

day of

May

1948

(Signed)


  
Examiner

19986

TOWNSHIP-4 NORTH

RANGE-1 WEST



POINT OF DIVERSION - FLOWING WELL

Permit Map No. 19986

As Approved

JAN 10 1947

W. R. KULP

State Reclamation Engineer

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

Permit No. 19986

## Proof of Application of Water to Beneficial Use

### Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Frank C. Hudson, Residing at Route No. 1, Meridian, Idaho,  
occupation is farmer for self, individual

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 19986- Engineer approved Jan. 10, 1947. Full use not later than July 10, 1947

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Artesian or sub-terrian-well-center farm -N $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 26, Twp. 4 N., R. 1 E., S. 1 N.  
4 North range 1 West Boise Meridian, Ada County, Idaho.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Just artesian well on own farm. Possible supply 50 miners inches.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic use on my farm as above described. 60 acres all farm ground and incultivation now and for years past.

W. 1/2 Section 26, Twp. 4 N., R. 1 E., S. 1 N.

Ques. 7. If for other than irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. No other use. Domestic included.

1948

1948

Ques. 8. What is the minimum amount of water required for the purpose specified above?  
Ans. Fifty inches acre feet.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. owner in person

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Since July of 1947-new well-have been using for irrigation.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. Have used only usual irrigation water-altogether Settlers Irrigation district water.

(Sign) Arthur Frazier

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was  
Arthur Frazier, Notary Public for Idaho  
subscribed and sworn to before me, at my office in Meridian, County of Ada,  
State of Idaho, on this 24th day of November, A. D. 1947.

My commission expires Jan 15, 1948

Arthur Frazier  
NOTARY PUBLIC FOR STATE OF IDAHO  
MERIDIAN, IDAHO

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 19986

**Proof of Application of Water to Beneficial Use**  
**Deposition of Witness**

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Charles L. Baker, farming Northwest of Meridian, Idaho.  
Residing at Route No. 1, Meridian, Idaho.

Ques. 2. Are you acquainted with Frank C. Hudson, the holder of Permit No. 19986? How long have you known him and where does he reside?

Ans. Have known said Hudson for 6 years. Hudson lives on  
Route 1 Meridian, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19986, and are you familiar with its provisions and conditions?

Ans. yes read it and know conditions.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Artesian well about center of farm owned by Frank C. Hudson.  
runs into irrigation ditches.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. about 50

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision. State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation of farm of Mr. Hudson and some for his personal  
domestic use. 80 acres of land described as N1/2 Section 26  
Twp. 4.N. r.1.W.

19485

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. no other use except for farm of said Hudson.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. all level and all cultivated farm land in heart of the  
Boise Valley. Land in very good state of cultivation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. none whatever just neighbor.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

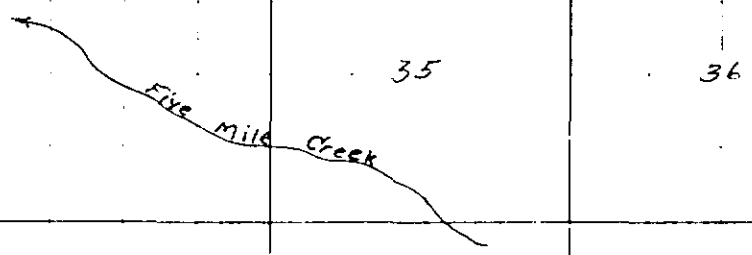
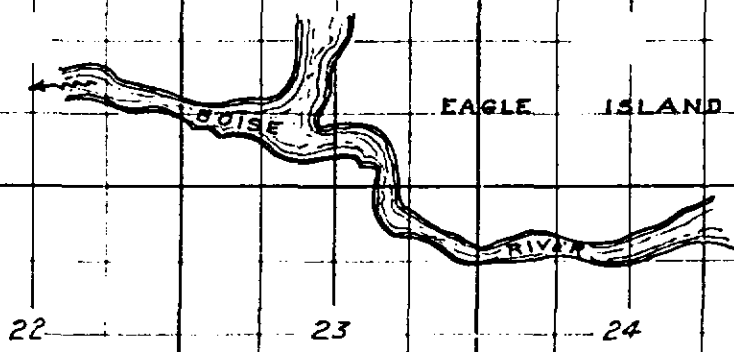
Ans. Have seen Mr. Hudson using water on his farm on sever ocassions  
since I trade farm work. to the extent of approximately 25 inches,  
from said well.

(Signed) Charles L. Baker

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Meridian, County of Ada, State of Idaho, on this 24th day of November, A. D. 1947

My commission expires Jan. 15, 1948

Arthur Frazier  
Notary Public.  
NOTARY PUBLIC FOR STATE OF IDAHO  
RESIDING AT MERIDIAN, IDAHO



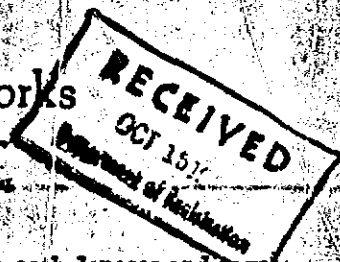
Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

19986

Form 6  
Permit No. 19986

STATE OF IDAHO  
Department of Reclamation

Proof of Completion of Works  
AFFIDAVIT OF HOLDER



STATE OF IDAHO }

County of Ada

Frank C. Hudson, 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. 19986, and that his postoffice address is Meridian Rt. #1.

State of Idaho

Second: That the name of the stream <sup>FROM</sup> which said water is to be diverted is

Subterranean

Third: That the point of diversion of said water is N.E. 1/4 Sec. 26, T. 4 N. R. 1 W.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Jan. 10, 1948.

Fifth: That the use for which said water is intended is Irrigation, domestic, <sup>stock</sup> water.

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: Six inch cased well 1000 feet deep, artesian  
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(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 \_\_\_\_\_ acre feet.

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

(d) Conduit ditch width at bottom 2' feet, width at water line 4'  
(State whether ditch, flume or pipe)

feet, depth of water 1 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 X 1. second feet of water.

Eighth: That water appropriated under said permit is available for 80 acres of land described as follows: N.E. 1/4 Sec. 26, Twp. 4 North Range 1 West Boise Meridian

Ninth: Remarks: That Water is a supplemental supply and is used also for household and stock water.

Frank C. Hudson  
(Sign Here)

Subscribed and sworn to before me this 15 day of October, 1947

My commission expires 11-5-47

Thurmond G. Bailey  
Notary Public.

19986

NOTICE FOR PUBLICATION  
NOTICE OF PROOF APPLICATION OF WATER  
TO BENEFICIAL USE

Notice is hereby given that at 10 A. M. on the 24 day of November, 1947,  
at Meridian, , County of Ada, State of Idaho, before  
Arthur Frazier, a Notary Public, proof will be submitted of the  
application to beneficial use of 1.0 cubic feet per second of the waters of Subterranean Flow,  
By Artesian Well, in accordance with the terms and conditions of Permit No. 19986  
heretofore issued by the Department of Reclamation, of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are

Frank C. Hudson, Meridian Rt. 1, Idaho,

The use to which said water has been applied is Irrigation, Domestic & Stock Watering.

The amount applied to beneficial use is 1.0

The place where said water is used (if for irrigation, give full and accurate description of the  
lands irrigated) N<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub> Section 26 Twp. 4.N. Rge 1.W.BM.

The name of the canal or ditch or other works by which said water is conducted to such place of  
use is Private ditches.

The right to take water from such works is based upon Permit No. 19986

The source of supply from which such water is diverted is Subterranean Flow,

The date of priority which said user is prepared to establish is January 6, 1947

MARY R. TULP.  
State Reclamation Engineer.

19476