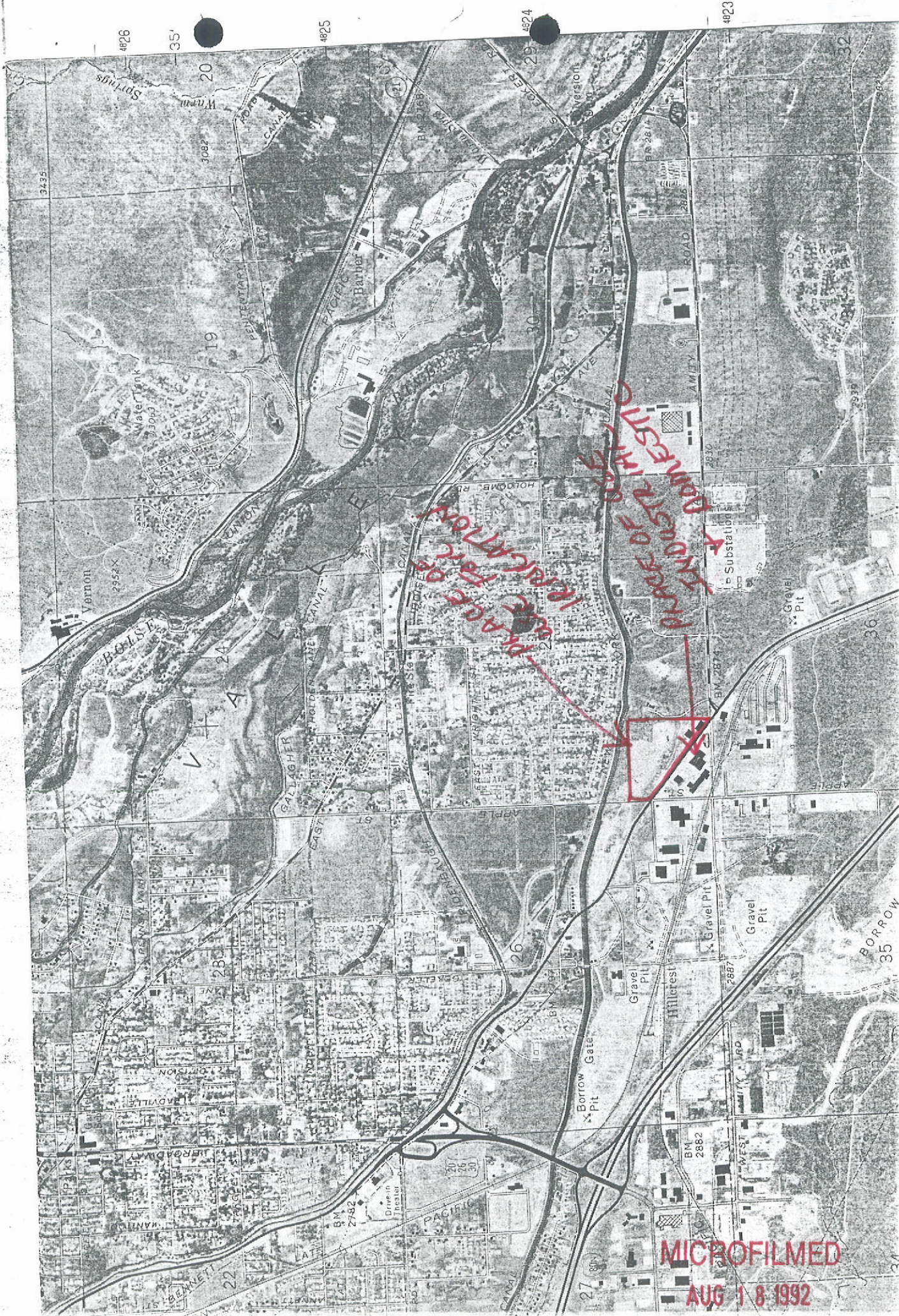


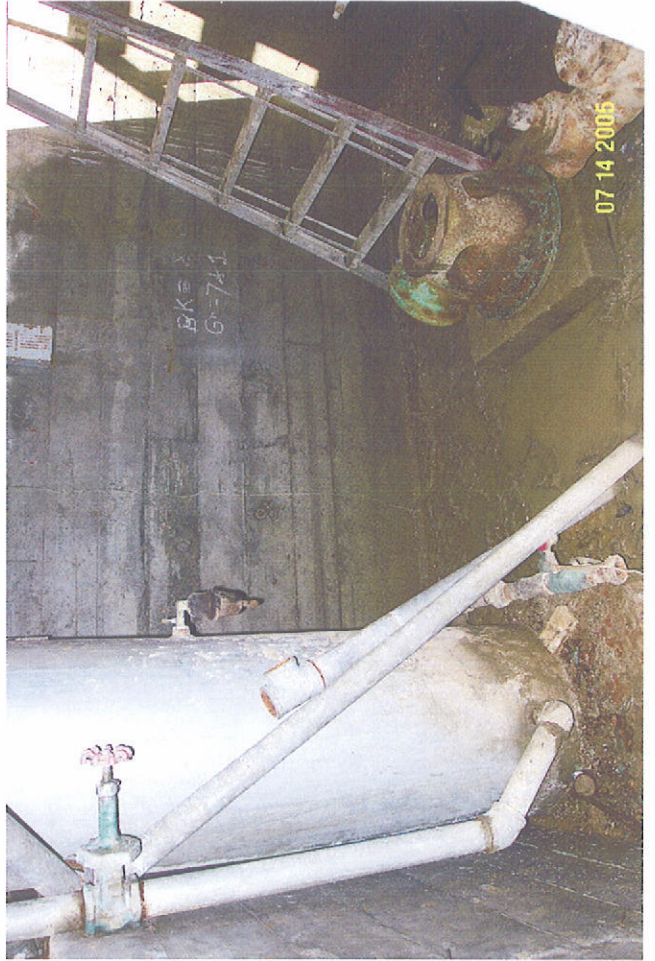


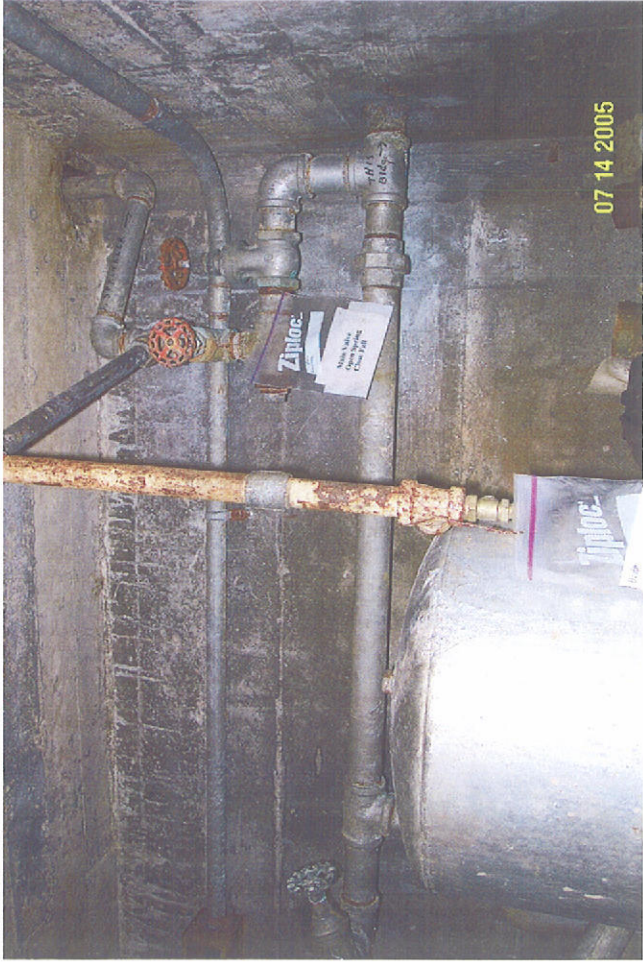
MICROFILMED
AUG 18 1992



CITY WELL
LINE TO
REPLACE WELL
FOR
REST ROOM
ETC

Bunting
63-2914





Bunting
63-2914



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF ID. HO,
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: 3957

Ident. Number: A63-02914
Date Received: 8/04/1989
Receipt No: W004029
Received By: DE *W*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BUNTING BUILDING CORP.
Address: C/O MARGARET BUNTING, PRES.
944 LEWIS ST.
BOISE, ID 83712

2. Date of Priority: NOV 15, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	02E	25	SW SW		ADA

5. Description of diverting works:
6" WELL, 255' DEEP W/PUMP & PIPELINE TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.330		
DOMESTIC <i>FIRE</i>	01/01	12/31	0.330		
IRRIGATION — <i>LANDSCAPE</i>	03/15	11/15	0.330		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1/3 BLDGS-WASHING EQUIP., D/LAWN IRRIG., RESTROOMS.

208-342-3147
OFFICE → 343-6471
SALLY
NIHIL PAI
714-323 8967
7/14/05
1:00 PM

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02E	25	SW SW		INDUST	

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:

CITY WATER - THIS WELL IS A BACK-UP FOR THE CITY WATER.

14. Remarks:

When the field exam was completed, the field examiner did not examine the irrigation portion of the original permit. Claimant states that these wells were both in when permit was applied for, it was listed on exam form, however, examiner did not appear to check the irrigation portion. Claimant feels this should still be a part of this right.

15. Basis of Claim: LICENSE

Water Right Number: 23239

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A63-02914
Date Received 8-4-89
Receipt Number W004029

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) BUNTING BUILDING CORP. Phone (208) 342-3147

Mailing Address C/O MARGARET BUNTING, Zip 83712
914 LEWIS ST., BOISE, ID

2. Date of Priority (Only one (1) per claim) 11-15-1952

3. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 3N Range 2E Section 25,
_____ 1/4 of SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of ADA

Additional points of diversion if any: TWO WELLS IN SW 1/4 NW 1/4, SEC. 25.

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 6" WELL, 255' DEEP,
WITH PUMP & PIPELINES TO PLACES OF USE,
2-6" WELLS, WELL FOR BROS & WELL FOR IRRIGATION
- SPRINKLER SYSTEM.

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AUG 18 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For INDUSTRIAL purposes from 1-1 to 12-31 amount .33 or _____

For DOMESTIC purposes from 1-1 to 12-31 amount .33 or _____

For IRRIGATION purposes from 3-15 to 11-15 amount .33 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .33 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) I-3 BLDGS, WASHING EQUIP., D/LAWN IRRIG. AROUND BLDGS, RESTROOMS IN BLDGS.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	2E	25											20						20
													40						

Total number of acres irrigated 20

11. In which county (ies) are lands listed above as place of use located? ADA

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

CITY WATER - BACK-UP WELL.

or None ()

14. Remarks:

WHEN THE FIELD EXAM WAS COMPLETED, THE FIELD EXAMINER DID NOT EXAMINE THE IRRIGATION PORTION OF THE ORIGINAL PERMIT. CLAIMANT STATES THAT THESE WELLS WERE BOTH IN WHEN PERMIT WAS APPLIED FOR, IT WAS LISTED ON EXAM FORM, HOWEVER, EXAMINER DID NOT APPEAR TO CHECK THE IRRIG. PORTION. CLAIMANT FEELS THIS SHOULD STILL BE A PART OF THIS RIGHT.

Last Name _____ Ident No. _____

MICROFILMED
Copies: White-State, Yellow-Claimant

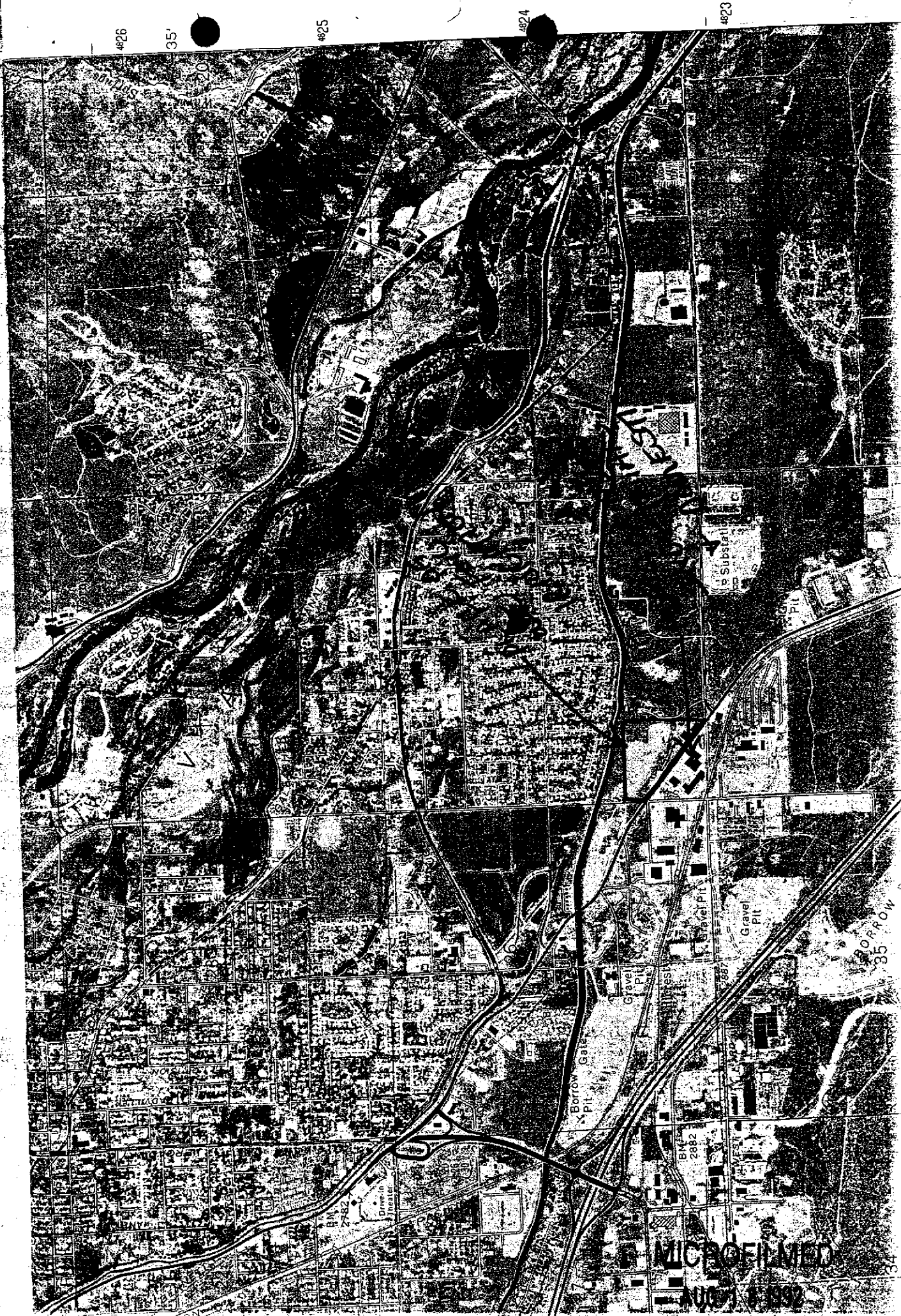
AUG 18 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.



426

35'

425

424

423

153

Borrow Pit

Gravel Pit

Substation

Directing Institute

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AUG 1 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number A63-02914
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) *August G. Bunting* Date 8-4-89
Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 4th day of August 19 89

SEAL

Notary Public *Jan Sturte*

Residing at *Meridian ID*

My Commission Expires 9-14-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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AUG 18 1992

Copies White-State, Yellow-Claimant

Last Name _____ Ident. Number _____

Water License No. 0-23239 Amount 333 c.f.s.
Water District No. _____ Priority November 15, 1952

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 15, 1952; that Permit No. G-23239 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 333 second feet, was issued thereunder on May 7, 1958, showing that said works were completed on the 19th day of December, 1957; and that on the 19th day of December, 1957, RICHARD W. BUNTING, Sec'y - Vice

The Point of Diversion is located

In the SW ¼ SW ¼, Sec. 25, Tp. 3 N., R. 2 E., B. M. County Ada

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed .333 cubic feet per second.

Description and location of use:

Twsp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			FOR SANITARY AND INDUSTRIAL USE IN THE SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, Township 3 North, Range 2 East, B.M.		

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 ^{Deputy} State Reclamation Engineer, affixed at Boise, Idaho, this

7th day of May 1958

/s/ E. N. Humphrey
Deputy State Reclamation Engineer.

(SEAL)

63 2914

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AUG 18 1954

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-23239

This proof is for C/W & Beneficial Use

In Water District No.

1. Name of applicant Bunting Tractor Co., Inc.

2. Source of water supply: Deep Well

3. Location of point of diversion: Is in the SW 1/4 of Section 25

T. 3 N. R. 2 E. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: Well is 8' 5" x 10' d.

2' 10" x 5" column 10 stages Johnston Turbine pump

15 hp. 2 1/2 motor Large steel surge tank 14' long x 7' d.

All located in a concrete pit under side walk on North side of bldg. Pit is 12' x 24' x 8' 1/2' d.

5. Water is used for: Domestic, Industrial and Irrigation

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):

40 (approx) acres in the S. 1/4 Sec. 25, Twp 3 N., Rge 2 E., B.M.

This is the big office and storage bldg as well as shops for Bunting Tractor Co. on Highway 30 just S.E. of Boise on the bench

There is a small domestic pit under water from this system

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

8. What large stream would the water here appropriated finally reach?

Remarks: There is a pond approx 100' x 80' x 15' to 20' deep just East of the bldg. Pond is used as a reservoir to hold a large supply of water for quick use in case of fire. There is a pumping plant at S.W. cor. of pond that is automatic in operation in case of fire. Has two complete systems one with 75 hp. electric motor other Chrysler gas engine. Each pump can deliver 1000 gpm under high pressure into the sprinkling system for fire protection.

This examination was made on the 31 day of March, 1938

(Signed) E. H. Humphrey

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23239
AUG 18 1992

R-2E

T.
3
N

25

R.D.

to Reservoir

Sub-division - One

Use - Domestic - industrial
& fire protection

Q = 17 inches

Q = amt. claimed on prop.
Should be able to debit.

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

AUG 18 1992

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G31012
Permit No. G- 23239
District No.

1. Name of Applicant: BUNTING TRACTOR CO., INC.

Postoffice address: P.O. Box 1978, Boise

County: Ada

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second. 1.2
Miners' inches

.8 for irrigation
.1 for domestic
or Idaho .3 for industrial

(b) Annual withdrawal in acre feet per annum 220 acre feet; 200 for irrigation, 20 for domestic and industrial use

3. Source of water supply: Deep well (subterranean flow)

4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25
Twp. 3 N., Rge. 2 E., B.M., County of Ada

5. Water is to be used for: Irrigation, industrial and domestic purposes.

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, Twp. 3 N.
Rge. 2 E., B.M.

(b) Waste water or sewage effluent is to be returned to Reservoir and ground
at a point in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, Twp. 3 N., Rge. 2 E., B.M.

7. Kind of works: Deep well, drilled, cased, pumped.

8. Estimated cost of works: \$10,000.00

9. (a) Is reservoir to be used? Yes

(b) Capacity of reservoir: 500,000 gallons

10. The time required for the completion of such work and complete application of the water to the proposed use is Five (5) years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation: January 2, 1940, in Boise, Idaho

(b) Amount of capital stock: \$ 500,000

(c) Amount paid in: \$ 334,500

(d) Names and addresses of directors: Clyde E. Bunting, Boise; Richard W. Bunting, Boise;
B. B. Crisholm, Boise; J. B. Walhof, Boise; T. R. Nielsen, Burley; and Lee Denton, Boise.

II. The financial resources of the applicant are (a) Cash onhand: \$

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 150 g.p.m. (cubic feet per second, inches or gallons per minute) is for new lands.

MICROFILMED

AUG 18 1992

11/17/2005

NOTICE OF ERROR

REPLY

RECEIVED

DEC 07 2005

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: November 29, 2005

Water right number: 63-2914

BUNTING BUILDING CORP
C/O MARGARET BUNTING PRES
944 LEWIS ST
BOISE ID 83712
Telephone Number: (208)342-3147

BUNTING BUILDING CORPORATION ✓
C/O SALLY NIHIPALI
4503 FEDERAL WAY
BOISE ID 83716

Telephone (208) 343-6471

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11/09/05

SIGNATURE:

Sally Nihipali

Please print your name: Sally Nihipali

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

11/17/2005

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

RIGHT NUMBER: 63-2914

NAME AND ADDRESS: BUNTING BUILDING CORP
C/O MARGARET BUNTING PRES
944 LEWIS ST
BOISE ID 83712

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.330 CFS
238.900 AFY

The quantity of water under this right shall not exceed 2,500 gallons per day for domestic use.

PRIORITY DATE: 11/15/1952

POINT OF DIVERSION:

T03N R02E S25 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.330 CFS 238.90 AFY
INDUSTRIAL	01/01 12/31	0.330 CFS 238.90 AFY

PLACE OF USE: INDUSTRIAL Within ADA County

T03N R02E S25 SWSW

DOMESTIC Within ADA County

T03N R02E S25 SWSW

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-2914 V1

WATER RIGHT NUMBER: 63-2914 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BUNTING BUILDING CORP C/O MARGARET BUNTING PRES 944 LEWIS ST BOISE, ID 83712 (208)342-3147
Original Owner	BUNTING TRACTOR CO INC C/O RICHARD W BUNTING BOISE, ID 83712 (208)342-3147

Priority Date: 11/15/1952

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>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.330 CFS	238.90 AF
INDUSTRIAL	01/01 to 12/31	0.330 CFS	238.90 AF
	<u>Total Diversion:</u>	0.330 CFS	238.90 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 25, Twp 03N, Rge 02E, 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	
03N	02E	25											X						

INDUSTRIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	25											X						

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-2914 V1

Conditions of Approval:

1. N06 The quantity of water under this right shall not exceed 2,500 gallons per day for domestic 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. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits: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>
Contacts	9/22/2003 1:16:38 PM	ggibson			Active
Priority Date	9/22/2003 1:17:23 PM	ggibson			Active
POD	9/22/2003 1:20:17 PM	ggibson			Active
Source	9/22/2003 1:20:43 PM	ggibson			Active
POU	9/22/2003 1:22:49 PM	ggibson			Active
Use	9/22/2003 1:23:10 PM	ggibson			Active
Season	9/22/2003 1:26:57 PM	ggibson			Active
Quantity	9/22/2003 1:27:49 PM	ggibson			Active
Summary			09/22/2003	ggibson	Active

Verification Log:

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2914 V1

POD	11/17/2005 3:27:34 PM	segbert	Updated shape
POU	11/17/2005 3:28:56 PM	segbert	Updated shape for Active POU
POU	11/17/2005 3:29:15 PM	segbert	Updated shape for Active POU
Contacts	9/22/2003 1:16:39 PM	ggibson	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient information contained in file to make recommendation.
Priority Date	9/22/2003 1:17:24 PM	ggibson	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	9/22/2003 1:20:19 PM	ggibson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	9/22/2003 1:20:44 PM	ggibson	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	9/22/2003 1:22:20 PM	ggibson	Edited shape boundary
POU	9/22/2003 1:22:51 PM	ggibson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	9/22/2003 1:23:12 PM	ggibson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2914 V1

Season	9/22/2003 1:26:59 PM	ggibson	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	9/22/2003 1:27:50 PM	ggibson	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	9/22/2003 1:29:03 PM	ggibson	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	9/22/2003 1:19:26 PM	ggibson	Edited point location

Water Supply Bank:

11/06/2003

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

RIGHT NUMBER: 63-2914

NAME AND ADDRESS: BUNTING BUILDING CORP
C/O MARGARET BUNTING PRES
944 LEWIS ST
BOISE ID 83712

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.330 CFS
~~681.00~~ AFY *238.9*

PRIORITY DATE: 11/15/1952 ✓

POINT OF DIVERSION:

T03N R02E S25 SWSW Within ADA County ✓

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC ✓

01/01 12/31 ✓

0.330 CFS
~~681.00~~ AFY *238.9*

INDUSTRIAL ✓

01/01 12/31 ✓

0.330 CFS
~~681.00~~ AFY

PLACE OF USE: DOMESTIC Within ADA County

T03N R02E S25 SWSW

INDUSTRIAL Within ADA County

T03N R02E S25 SWSW

*133 X 365 X 1.9835 =
238.9*

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

GPS= 2324696 #93
1375653

SITE 7A A000 2405

*Burke Schuler dist field notes - see memo in
file on what Burke relayed to me*

MEMO

To: file 63-2914
From: Sandy Egbert
11-17-05

Burke Scholer did a field exam but did not have time to write up all of his observations so this is what he relayed to me in my office:

All of the grass (irrigation) that they have is a tiny strip along the side of the building. It can be seen in some of the photos.

This system has not been used in quite some time. The pressure tank has been disconnected as shown in the photos and they have converted to city water.

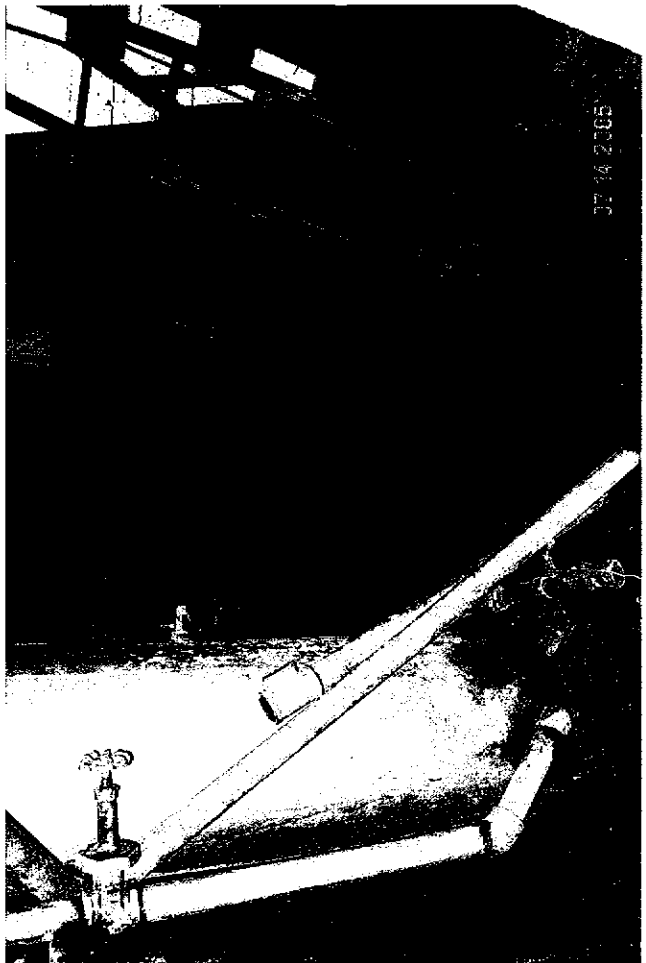
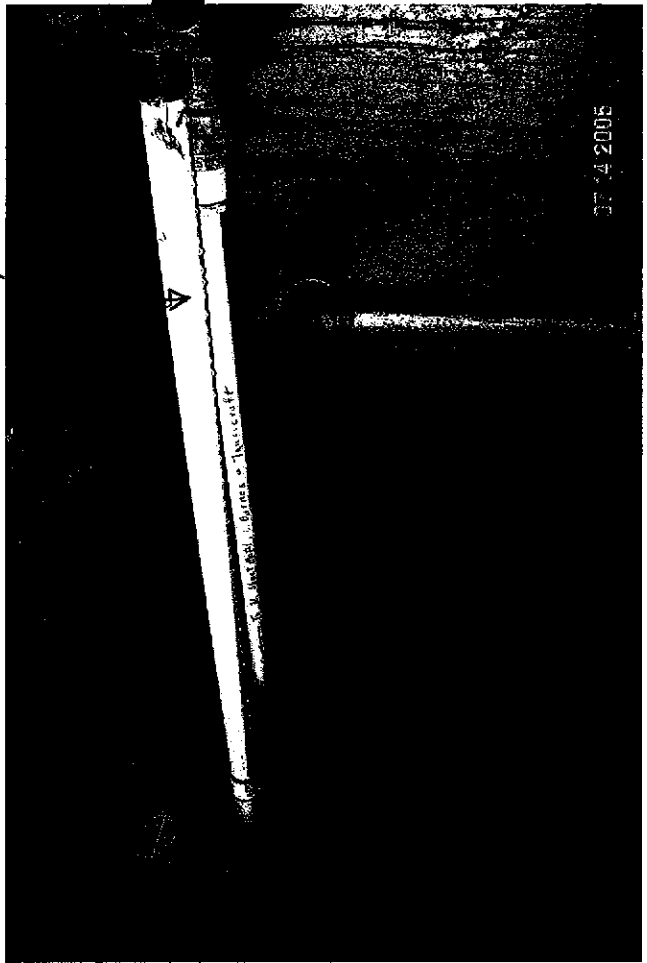
The system could be used by putting a new pump in and replumbing some of the pipes.

Sally Nihipali is the daughter of Margaret Bunting and the owner of the property now. She has a home in San Francisco and a home in Boise.



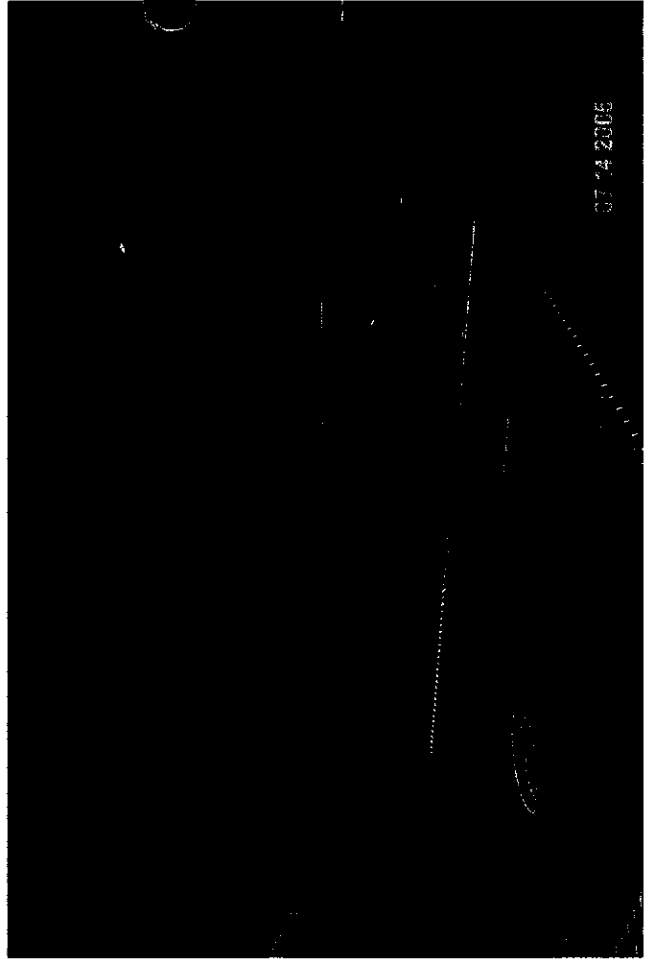
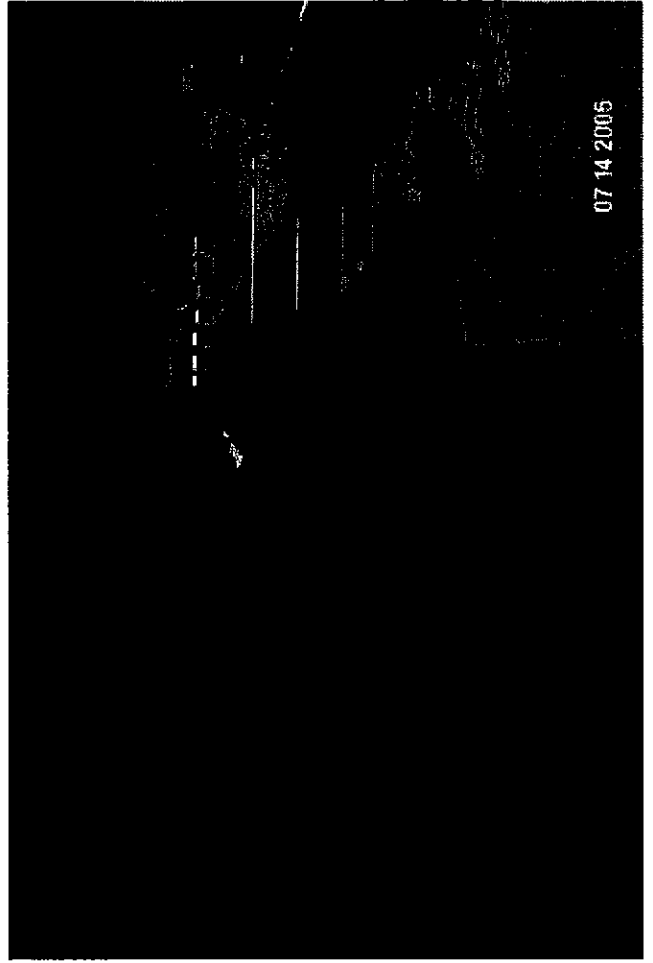
Bunting
63-2914

LINE TO
REPLACE WELL
WATER FOR
Etc.





Bunting
63-2914



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

CLAIM NO(s). 63-2914

1. No Change NAME IS SAME

NEW OWNER: _____

No Change ADDRESS

NEW ADDRESS: _____

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

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. No Change SAME SOURCE

Source is different than that claimed:

Source found: _____

4. No Change POINT OF DIVERSION

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

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

5. No Change - DESCRIPTION OF DIVERTING WORKS

Incomplete description, list below:

6. No Change - WATER USES *only gave water uses found on license, if Different uses, (list uses found): They object, they can file BU claim for IRR*

Use Ind From 1-1 To 12-31 Amount .33 CFS AFA
Use Dm From 1-1 To 12-31 Amount .33 CFS AFA
Use _____ From _____ To _____ Amount _____ CFS AFA

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount .33 CFS 680.7 AFA 681

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

8. No Change - NON-IRRIGATION USES:

Changes Exam found:

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

Additional comments: No homes found in drive by, NO IRR, DM use in buildings & office

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

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

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

Original application requested Dm, IRR, IND

Field exam only listed IND & fire protection, AND small DM use

License only gave Industrial & Sanitary uses

SYSTEM DIAGRAM INCLUDED

NA

Shown on GIS Layout

CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 11-6-03

FIELD EXAMINER:

GG
Print Name

[Signature]
Signature

Permit Map No. 20-51
Approved
MARKER KULE

SW 4 SW 4 Sec 25

COUNTY ROAD

RESERVATION

U.P.R.R.

T.3N.
24 25
35 36
R.2E.

SECTION LINE

MAP OF SW 4 SW 4 SEC. 25 T.3N. R.2 E.

ACCOMPANY APPLICATION FOR PERMIT

BUNTING TRACTOR CO., INC.

BOISE, IDAHO

NOVEMBER 12, 1952

SCALE: 1" = 200'

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 6 1958
Department of Reclamation

Permit No. G23239

Proof of Application of Water to Beneficial Use
Deposition of Witness and Completion of Works

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. Frank K. Hummel, age 55, 3220 Crescent Rim Drive, Boise, Idaho, Architect,
Hummel, Hummel & Jones

Ques. 2. Are you acquainted with Richard W. Bunting, the holder of Permit No. G23239? How long have you known him and where does he reside?

Ans. 15 years, 1402 Promontory Road, Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. G23239, and are you familiar with its provisions and conditions?

Ans. Yes

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. Deep well; SW 1/4 of SW 1/4 of Sec. 25, Twp. 3 N. Rge. 2 E. B. M.,
County of Ada; Deep well, drilled, cased, pumped.

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. 1.2 cubic feet per second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 150 GPM from continuous fourteen hour operation.

G23239

Ques. 7. 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. Water is used for Domestic, Industrial, and Irrigation on approx. 40 acres located in the SW 1/4 SW 1/4 Section 25, Twp. 3 N., Range 2 E., B. M., Ada County.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Water is used in usual needs of business and for fire protection.

Ques. 9. (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. Semi arid land, 8 cubic feet per second

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 11. 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. Over the past year have witnessed application of water to beneficial use for domestic, industrial and irrigation purposes on said lands.

(Signed)

Frank R. Hummel

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 Boise, Idaho, County of Ada, State of Idaho, on this 19th day of December, A. D. 1937.

State of Idaho
Notary Public

My commission expires 5/2/41

23239

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 6 1958
Department of Reclamation

Permit No. G23239

Proof of Application of Water to Beneficial Use
and Completion of Works
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. Chester A. Sawyer, age 33, 4304 Marvin, Boise, Idaho, Architect, Hummel, Hummel, & Jones

Ques. 2. Are you acquainted with Richard W. Bunting, the holder of Permit No. G23239? How long have you known him and where does he reside?

Ans. 5 1/2 years, 1402 Promontory Road, Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. G23239, and are you familiar with its provisions and conditions?

Ans. Yes

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. Deep well; SW 1/4 of SW 1/4 of Sec. 25, Twp. 3N, Rge. 2E, B.M., County of Ada; Deep well, drilled, cased, pumped.

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. 1.2 cubic feet per second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 150 GPM from continuous fourteen hour operation

Ques. 7. 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. Water is used for Domestic, Industrial, and Irrigation on approx. 40 acres located in the SW 1/4 SW 1/4 Section 25, Twp. 3 N. R. 2 E. S. 14, Ada County

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Water is used in usual needs of business and for fire protection

Ques. 9. (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. Semi arid land. 8 cubic feet per second

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 11. 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. Over the past year have witnessed application of water to beneficial use for domestic, industrial and irrigation purposes on said lands

(Signed)

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 Boise County of Ada, State of Idaho, on this 19th day of December, A. D. 1957.

Notary Public.

My commission expires 5/2/61

H 23209

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 6 1958

Department of Reclamation

Permit No. G-23239

Proof of Application of Water to Beneficial Use

and Completion of Works

Deposition of Holder

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

Ans. Richard W. Bunting, 1102 Promontory Road, Secretary and Vice-President of Bunting Tractor Co., Inc., Boise, Idaho

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 or bearing in its behalf.

Ans. Bunting Tractor Co., Inc. P.O. Box 1978, Boise, Idaho. I am the Vice-President of this firm.

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

Ans. Permit No. G23839, dated Nov. 15, 1952 11-19-52

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

Ans. Deep well located in the SW 1/4 SW 1/4 Section 25 Twp 3N, Rge 2E, B.M., County of Ada

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. If a well, state depth of well, depth and size of casing and depth water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Well is 255' deep with 10" casing and it is 172' to water. Pump discharged 150 gallons per minute in 1 1/2 hour test

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. Water is used for Domestic, Industrial, and Irrigation on approx. 40 Acres located in the SW 1/4 SW 1/4 Section 25, Twp 3N Rge. 2E, B.M., Ada County

G23239

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

Water is used in usual needs of business and for fire protection.

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 150 Gal. per minute

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

Ans.

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

Continually as required

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.

None

(Sign)

Richard H. Bunting

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, and I believe him to be the person he represents himself to be, and that said testimony was subscribed

and sworn to before me, at my office in Boise County of Ada

State of Idaho, on this 19 day of December, A. D. 1957

My commission expires

5/2/61

[Signature]

123239

RECEIVED

NOV 14 1957

Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USENotice is hereby given that at 2:00 A. M. on the 15thday of December, 1957 at Boise, Countyof IDAHO, State of Idaho, before J. L. Rhotjen

Will Rahn alias Wilbur Rahn, proof will be submitted of the completion of works for the diversion of 1.2 cubic feet per second of underground waters from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-2329 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Emtong Tractor Co., Inc., Boise, Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 1.2 cubic feet per second.

3. The use to which said water has been applied is Domestic, Irrigation & Domestic purposes, and the amount applied to beneficial use is 1.2 cubic feet per second.

4. The point of diversion of said water is subject of Sec. 25, Trp. 2 N., Rgn. 2 E., S. 1.

5. The place where said water is used is subject of Sec. 25, Trp. 2 N., Rgn. 2 E., S. 1.

6. The date of priority which said user is prepared to establish is

November 15, 1952

MARK E. KULP
State Reclamation Engineer

123239

RECEIVED

4 1957

of Reclamation

1001X-553

12

710278

[Handwritten signature]

tract number

use if other

24/02

10

Zhi

tion

10-20' deep

W. C. C. C. C.

with - well

12

from 1934, and the Government's removal of the prohibition of private and profitable export of minerals was under the terms of Treaty No. 1, 1937, Russian Franchise Co., Ltd., shows that the well is closed to the Government's 33% stake, not for payment of water for military and industrial use.

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RESEARCH

1997

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