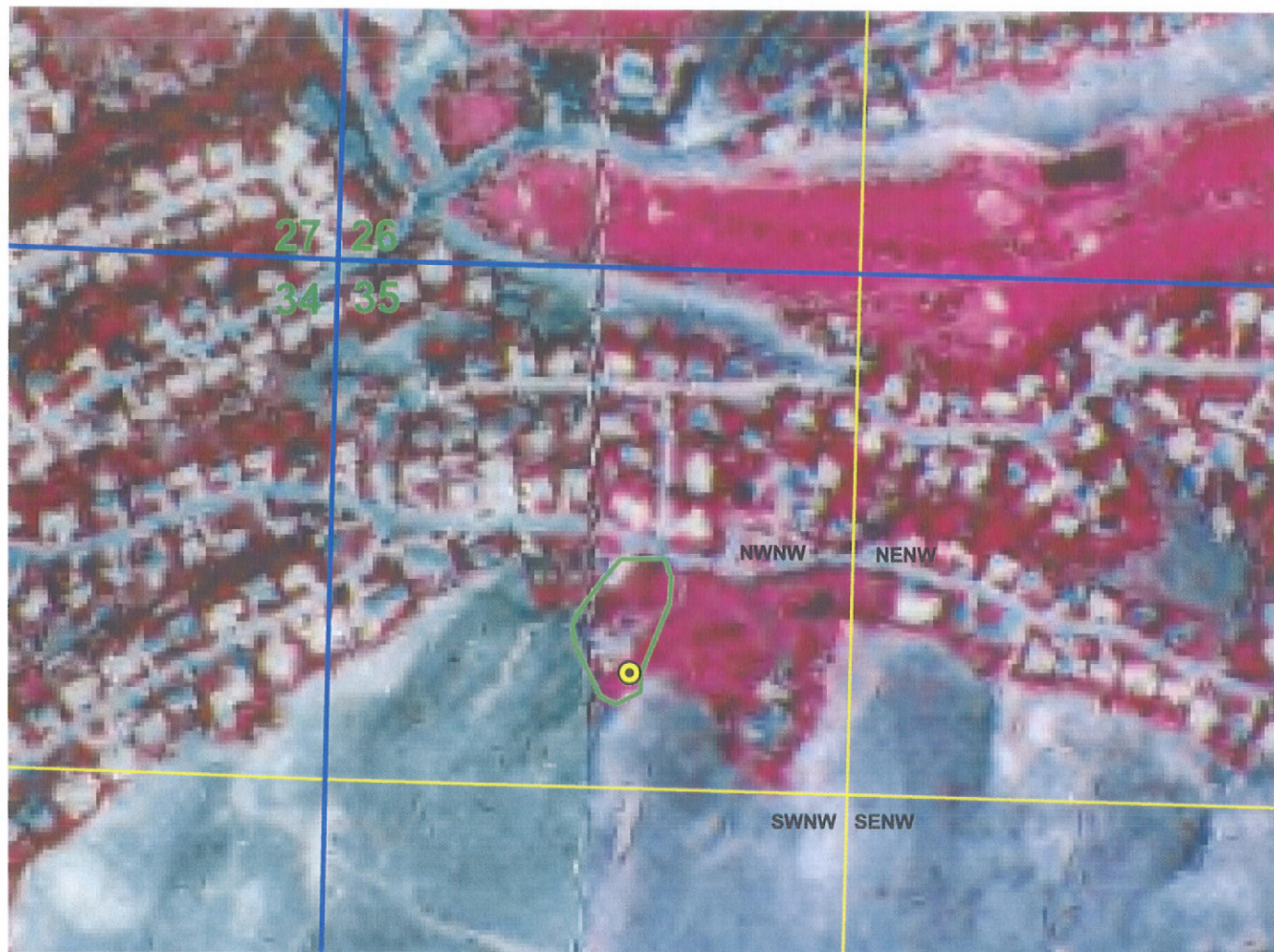




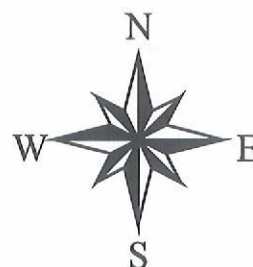
State of Idaho
Idaho Department of Water Resources
Western Region

T4N R2E SECTION 35
Water Right(s) : 63-3263



0 1320 Feet

TOTAL IRRIGATED ACRES = 2



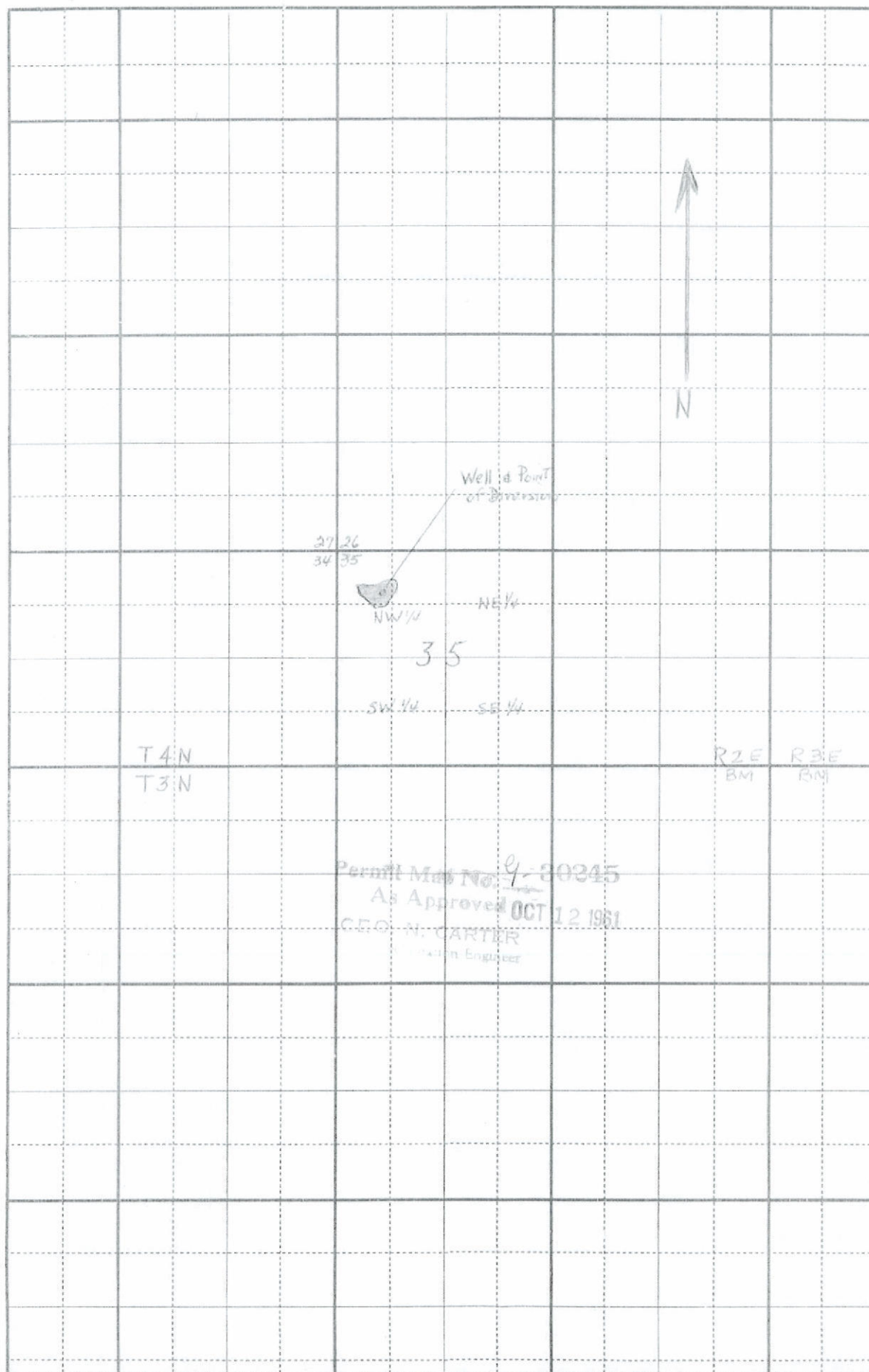
-  Point of Diversion
-  Place Of Use
-  Quarter Quarter Lines
-  Section Lines

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared By: Vicky Music
Date: September 2004

NAME OF APPLICANT

Production Corporation

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

30245

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: A63-03263A

Date Received: 11/10/1988

Receipt No: C005019 *rat*

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STANTON DALY
Address: 215 W. HIGHLAND VIEW DR.
BOISE, ID 83702 208-345-0721

2. Date of Priority: OCT 12, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02E	35	NW	NW			ADA

5. Description of diverting works:
WELL, PUMP, MOTOR, SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.060		

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

8. Total consumptive use is 10.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	02E	35	NW	NW		IRR	3.0

Section Acres 3.0

Total Acres 3.0

A63-03263A

Page 1

Date: 02/14/89

MICROFILMED

AUG 19 1992

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:

LNONE

14. Remarks:

LICENSE ISSUED IN NAME OF DALY PRODUCTION CORP.; 3 ACRES OF PROPERTY NOW OWNED BY CLAIMANT, REMAINDER OWNED BY THIRD PARTY.

15. Basis of Claim: LICENSE

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: 39356

Ident. Number

A63-03263A

Date Received

11-10-88

Receipt Number

C005019

DVS

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
NOV 10 1988

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) STANTON DALY Phone (208) 345-0721
- Mailing Address 215 W. Highland View Drive, Boise, Idaho Zip 83702
2. Date of Priority (Only one (1) per claim) October 12, 1961
3. Source of water supply (a) groundwater
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 4N Range 2E Section 35,
_____ 1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Ada
- Additional points of diversion if any: _____
- 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. Well, pump, motor, sprinkler system.

MICROFILMED

Copies: White State Yellow Claimant

AUG 19 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 Irrigation purposes from April 1 to Oct. 31 amount .06 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .06 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is .06 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

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	
4N	2E	35						3											3

Total number of acres irrigated 3

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.
_____ or None (X)

14. Remarks: License issued in name of Daly Production Corporation; three (3) acres of
property now owned by claimant, remainder owned by third party.

Last Name Daly Ident No. _____

MICROFILMED

Copies: White State, Yellow Claimant
AUG 19 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.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number G30245/63-3263

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) Stanley Daly Date 11/9/88

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 9th day of November 19 88

SEAL

Notary Public Hester Fodera

Residing at Boise, Idaho

My Commission Expires 2/1/94

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 _____

Last Name Daly Ident. Number _____

MICROFILMED

Copies White-State, Yellow-Claimant

AUG 19 1992

Scale: 2 inches equals 1 mile

T4N R2E Section 35

[illegible]

MICROFILMED

AUG 19 1992

Last Name

Daly

Ident No.

Copies: White-State, Yellow-Claimant

ReceiptID	Amount	BasinNumber	SequenceNum	SplitSuffix	Type
C005019	53.00	63	3263	A	Claim

09/16/2004

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

RIGHT NUMBER: 63-3263A

NAME AND ADDRESS: STANTON DALY
215 W HIGHLAND VIEW DR
BOISE ID 83702

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
9.000 AFY

PRIORITY DATE: 10/12/1961

POINT OF DIVERSION:

T04N R02E S35 NWNW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.060 CFS 9.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE 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 R02E S35 NWNW 2.0

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

PARCEL NO. S0635222987.



State of Idaho
Idaho Department of Water Resources
Western Region

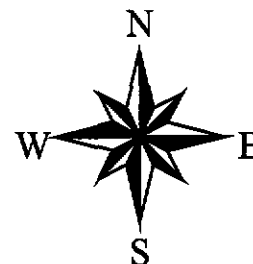
T4N R2E SECTION 35
Water Right(s) : 63-3263



0 1320 Feet

A horizontal scale bar with a black outline and a white fill, used to indicate distance in feet.

TOTAL IRRIGATED ACRES = 2



- Point of Diversion
-  Place Of Use
-  Quarter Quarter Lines
-  Section Lines

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared By: Vicky Music
Date: September 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3263A V1

WATER RIGHT NUMBER: 63-3263A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STANTON DALY 215 W HIGHLAND VIEW DR BOISE, ID 83702 (208)345-0721

Priority Date: 10/12/1961

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>
IRRIGATION	04/01 to 10/31	0.060 CFS	9.00 AF
	<u>Total Diversion:</u>	0.060 CFS	9.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4	Sec. 35, Twp 04N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02E	35																	2.0

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.

Remarks:

1. Explanatory PARCEL NO. S0635222987.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3263A V1

2. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. vmusic 9/16/2004 RENUMBERED

Comment: CLAIMANT AS 63-3263A. REMAINDER OF LICENSE NOT CLAIMED SO RENUMBERED AND RECOMMENDED AS 63-3263.

2. vmusic 9/16/2004 POU & QUANTITY

Comment: CLAIMANT CLAIMED HALF OF LICENSED QUANTITY AND ACRES. # ACRES IRRIGATED IN 1987 = 1.4, 1.6 IN 1994 AND 1.8 ACRES IN 2000 PER AERIAL PHOTO REVIEW. ASSUMED RESUMPTION OF USE AND RECOMMENDED 2 ACRES AND HALF LICENSED QUANTITY USING .03 CFS/ACRES FOR POU LESS THAN 5 ACRES.

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	9/16/2004 10:45:00 AM	vmusic			Active
Priority Date	9/16/2004 10:50:57 AM	vmusic			Active
POD	9/16/2004 10:51:17 AM	vmusic			Active
Source	9/16/2004 10:54:10 AM	vmusic			Active
POU	9/16/2004 10:54:41 AM	vmusic			Active
Use	9/16/2004 11:04:40 AM	vmusic			Active
Season	9/16/2004 11:05:58 AM	vmusic			Active
Quantity	9/16/2004 11:22:15 AM	vmusic			Active
Summary			09/16/2004	vmusic	Active
Summary			09/16/2004	vmusic	Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3263A V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	9/16/2004 10:45:00 AM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW OF LICENSED RIGHT.
Quantity	9/16/2004 11:22:16 AM	vmusic	(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? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - [4.5][2 ACRES] = 9 AFA.
Source	9/16/2004 10:54:10 AM	vmusic	(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?
Summary	9/16/2004 1:28:20 PM	vmusic	(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? (Yes) 6. Is an additional remark and/or condition required?
Summary	9/16/2004 2:14:49 PM	vmusic	(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? (Yes) 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3263A V1

Priority Date	9/16/2004 10:50:58 AM	vmusic	(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	9/16/2004 10:51:17 AM	vmusic	(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?
POD	9/16/2004 10:53:18 AM	vmusic	Edited point location
POU	9/16/2004 10:54:42 AM	vmusic	(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?
POU	9/16/2004 10:56:02 AM	vmusic	Edited shape boundary
Use	9/16/2004 11:04:40 AM	vmusic	(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?
Season	9/16/2004 11:05:59 AM	vmusic	(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? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?

EBERLE, BERLIN, KADING, TURNBOW & GILLESPIE,
CHARTERED

R. B. KADING, JR.
R. M. TURNBOW
JAMES R. GILLESPIE
WILLIAM J. MCKLVEEN
DALE G. HIGER
WARREN E. JONES
MARK S. GESTON
B. NEWAL SQUIRES, JR.
THOMAS R. LINVILLE
RICHARD A. RILEY
JAMES J. DAVIS
JOSEPH H. UBERUAGA II
T. A. BANDUCCI
JOHN MICHAEL BRASSEY
ROBERT L. BERLIN
SCOTT D. HESS
BRADLEY G. ANDREWS
KATHY PERKINS BROOKS
WILLIAM A. FUHRMAN
RICHARD K. LIERZ
NEIL D. MCFEELEY
STEPHEN A. BRADBURY

ATTORNEYS AND COUNSELORS AT LAW
CAPITOL PARK PLAZA
300 NORTH SIXTH STREET
POST OFFICE BOX 1368
BOISE, IDAHO 83701

TELEPHONE
(208) 344-8535

JAMES L. BERLIN
OF COUNSEL

November 9, 1988

T. H. EBERLE (1922-1977)

RECEIVED
NOV 10 1988

Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Department of Water Resources

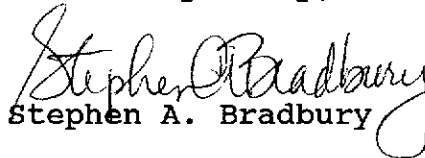
RE: Notice of Claim to a Water Right

Dear Sirs:

Please find enclosed a Notice of Claim to a Water Right made under the name Stanton Daly. Please note that this claim is based upon water license number G-30245 (new number 63-3263) originally issued in the name of Daly Production Corporation. Mr. Stanton Daly is now the owner of a portion of the property to which that water right appertains. Also enclosed is Mr. Daly's check in the amount of \$53, representing the required filing fee for the enclosed Notice of Claim.

Should this claim present any problems to you, please do not hesitate to contact the undersigned directly.

Yours very truly,


Stephen A. Bradbury

SAB/rah
Encl.
cc: Stan Daly

MICROFILMED
AUG 19 1992

CLAIMANT'S NAME Daly CLAIM IDENT. NO. portion A63-03263A
DATE RECEIVED 11-10-88 CK # 2466 AMOUNT \$ 53.00

	YES	NO
1. Is the name and address complete with zip code?	☒	☐
2. Is a priority date entered?	☒	☐
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.		
3. (a) Is a source entered?	☒	☐
(b) Is a tributary to entered? (if required)	N/A ☒	☐
4. Is the legal description of the p.d. sufficient?	☒	☐
5. Is there a description of the diverting works?	☒	☐
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☒	☐
Is the period of use included?	☒	☐
Is a quantity claimed for each use?	☒	☐
7. Is a total quantity claimed entered?	☒	☐
8. If required is a consumptive use entered?	N/A ☐	☐
Is the consumptive use correct?	N/A ☐	☐
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	N/A ☐	☒
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐
11. Is (are) the county(ies) entered?	☒	☐
12. Is the ownership of p.u. checked?	☒	☐
13. Are other water rights listed or "none" indicated?	☒	☐
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	N/A ☐	☐
15. Is the basis of the claim indicated?	☒	☐
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☒	☐
Has the claim been signed, sealed, and dated by a notary?	☒	☐
Was this claim filed on time, or was an extension granted?	☒	☐
Is the fee enclosed correct?	Exempt ☐	☐
If this claim is based on an existing water right, has the identification number been entered?	N/A ☐	☐
Should this claim be receipted and data entered?	☒	☐

Claim checked by: dg

Comments: Ada co. Should this be filed on now?

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AUG 19 1992

Desktop Review/VM

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

Prior to Field Exam

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

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-3263A remember back toOwner: Stanton Daly Phone No. 63-3263

Current Address: _____

- ☒ No change NAME IS THE SAME VIC ISSUED to DALY PRODUCTION
☒ NEW OWNER
☐ No change Address
☐ NEW ADDRESS
☐ How long owned property? _____

Accompanied by: _____

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 GPS ID

Description of diverting works

sub licensed

OVERLAP REVIEW

Other water rights with the same point of diversion: *none*

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

WATER USES

- ☒ No change
- ☐ Different Uses

Use *1/4* From *3/1* To *11/15* Amount *.06* CFS *10.5* AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
- ☒ Changes found, the new total is, Amount *.06* CFS *9* AFA
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☒ No change
- ☐ Changes Exam found: Domestic # of homes _____ Stock # _____
- Types _____ Additional comments: _____

PLACE OF USE:

- ☒ No Change
- ☐ Changes shown below:

*2000 aerial - 1.8 ac. irr.
 1994 aerial - 1.6 ac. irr.*

*this claim represents 1/2 of lic. for 87/88 WAPP
 only shows 1.4 ac. irrigated, < than
 the 3 acres claimed. However, based
 on the .03 cfs/ac for 4.5 ac., will still
 cut 1/2 of lic. could argue presumption.
 { 1.8 ac. irr in 2000 }*

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	
4N	2E	35						20											20

Overlap with other water rights: none

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

Delivery System Narrative:

see licensing exam

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

This claim represents 1/2 of orig. license. Remainder unclaimed. Parcel is 2.54 ac. per Ada Co. Assessment. 1/2 parcel.

RIE - Parcel # 90635222981

504 - see snailier remark. This rt can be used as early as 3/1 & as late as 11/15. . .

I don't have evidence that Clint only ivr 1.4 historically
because 94 shows 1.6 ac ivr & 2000 shows 1.6 ac ivr.
EO will rec. ~~1.6 ac~~. Because Clint could alter
presumption. 20

AFTER EXAM THE FILE SHOULD CONTAIN:

- no C
- ☐ Completed claim checklist
 - ☐ Photographs of POD's and POU
 - ☐ GPS readings
 - ☐ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 9-16-04

FIELD EXAMINER: Wick UNMCC

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3263A

WATER RIGHT NUMBER: 63-3263A

Owner Type Name and Address
Current Owner STANTON DALY
 215 W HIGHLAND VIEW DR
 BOISE, ID 83702
 (208)345-0721

Priority Date: 10/12/1961 ✓

Basis: License ✓

Status: Active

Source Tributary
GROUND WATER ✓

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	✓ 4/01 to 10/31	0.060 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

✓ GROUND WATER
ADA County

NW1/4NW1/4

Sec. 35, Twp 04N, Rge 02E, B.M.

*this is 1/2 of 0.12 lic per sec*Place of UseIRRIGATION Within ADA County ✓

T04N R02E S35 NWNW 3.0

Total Acres: 3

*this is 1/2 of 0.12 lic per sec*Conditions of Approval:Remarks:

1. General

LICENSE ISSUED IN NAME OF DALY PRODUCTION CORP.; 3 ACRES OF PROP- ERTY
NOW OWNED BY CLAIMANT, REMAINDER OWNED BY THIRD PARTY.Comments:

WATER LICENSE

Water License No. G-30245 Priority October 12, 1961 Amount .12 c.f.s.

THIS IS TO CERTIFY, that DALY PRODUCTION CORPORATION
of Boise, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated October 12, 1961; that Permit G-30245 was issued pursuant
to said application; that the proposed works were completed on or about October, 1961,
with a storage/or carrying capacity of 0.172 c.f.s., said works consisting of well,
pump, motor, sprinkler system; and that on October 3, 1966,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 27
acre feet per season, with a maximum rate of diversion of 0.12 cubic feet per second of the waters
of well, tributary of _____,
for the purpose of irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NW 1/4 NW 1/4, Sec. 35, T. 4 N, R. 2 E, B.M., and
other additional points _____, in the County of
Ada; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 27 acre feet per year.

Description and location of place of use:

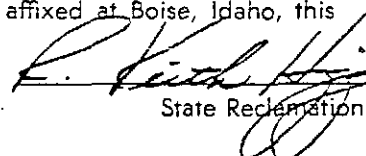
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4 N	2 E	35					6												6

Total number of acres irrigated 6

The right to the use of the water 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

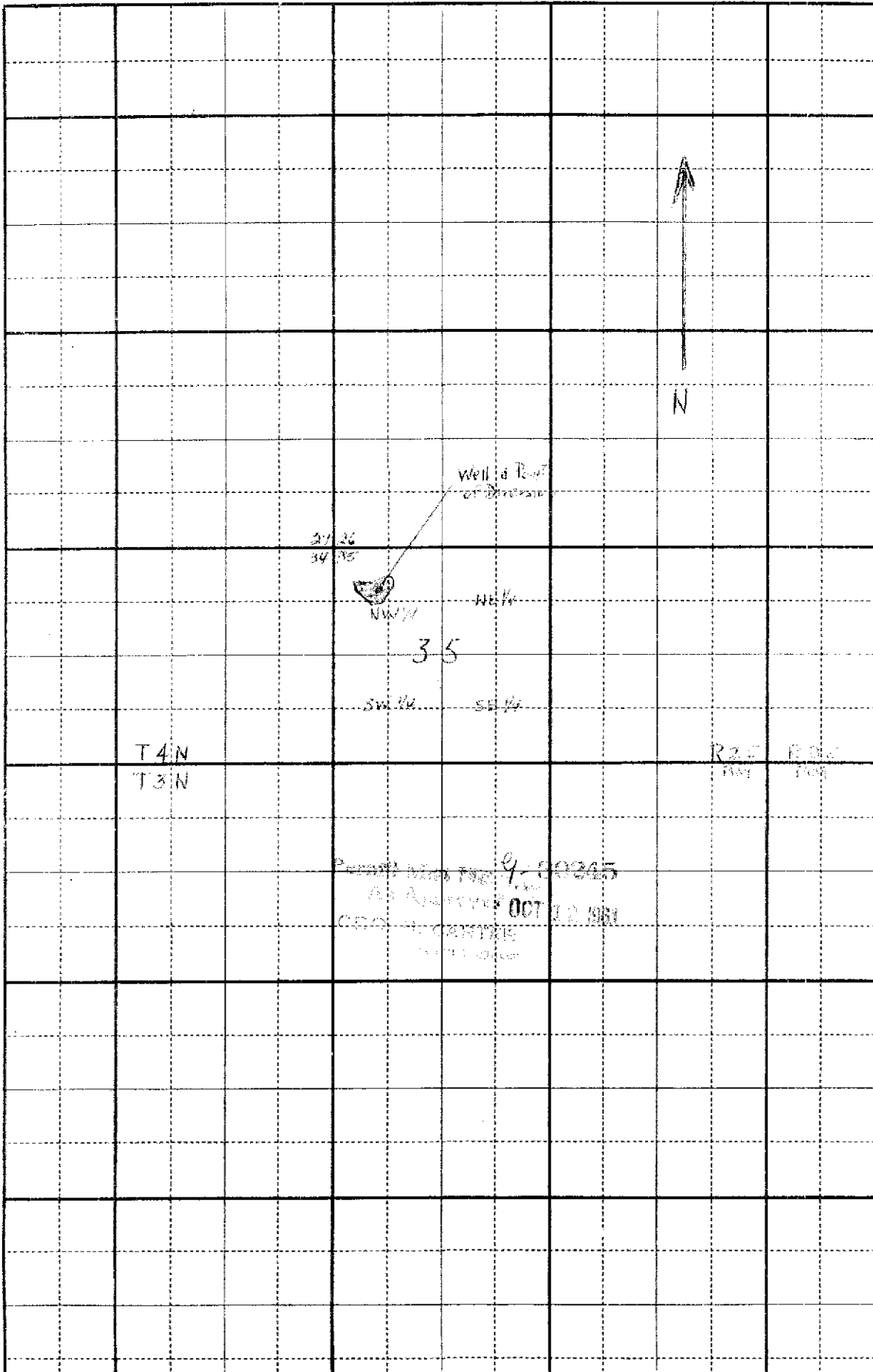
26th day of February, 19 69.


State Reclamation Engineer

NAME OF APPLICANT

Production Corporation

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

30245

DON SAMUELSON
GOVERNOR



RECEIVED
JAN 26 1969

R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

January 24, 1969

Re: Permit No. G-30245

Don F. Daly, President
Daly Production Corporation
P. O. Box 1188
Boise, Idaho 83707

Dear Mr. Daly:

A representative of this department has made an examination of the works covered by your permit G-30245 and has found the following:

Quantity of water diverted: 0.17 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 0.12 c.f.s.*

Purpose of use: Irrigation of lawn (6 acres) in NW 1/4 Sec. 35, T. 4 N. R. 2 E. B.M.

The priority date established is: October 12, 1961.

A fee totaling \$ 7.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Schnaible

Dean R. Schnaible
Reclamation Engineering Administrator

DRS:dj

*The maximum quantity diverted shall not exceed 27 acre feet per season.

30245

Form 23
2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-30245 -

REPORT ON PROOF OF Completion of Works & Beneficial Use

Ry. 2E

P.D. 0 ✓ G ACCESS APPROX.

2. 1/4

3

AREA -

G ACCESS ESTIMATED

SUBD -

1

Q -

12 c.f.s. FOR LAWN IRRIGATION

Reg. 4.5

PRIORITY Oct 12, 61

Max - not to exceed 27 HPV

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

Permit No. G-30245

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Daly Production Corporation

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35

T. 4 N R. 2 E County of Ada

4. Describe works as they exist, giving dimensions and capacities of same:

5 1/2 HP SUBMERSIBLE 4" LINE TO 200 gal STORAGE
PRESSURE TANK & DISCHARGE THROUGH
UNDERGROUND MAIN LINE - SPRINKLER SYSTEM
AS DESIGNED BY HOFFMAN FISKE & MILAR
INSTALLED BY EVERGREEN SPRINKLER CO.

5. Water is used for: 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):

NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 4 N, R. 2 E, 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?

Remarks: DALE KELLEN PRESENT AT INSPECTION

EVERGREEN SPRINKLER CO. CONTACTED

FOR DESIGN CAPACITY OF SYSTEM

$$Q = \frac{(200 \text{ gal storage})}{(62.4)(4)} = .269 @ 100\% \text{ EFF}$$

$$.269 \left(\frac{180}{280} \right) = .17216 \text{ cfs}$$

Design flow is OK DS.

This examination was made on the 5th day of March, 1988

1-24-69

(Signed) Dean Reynolds

Examiner.

30245

Adj. Flag Translation: Standard Water Right Number Old (D) Number - 30245

*** C - CURRENT OWNER ***
DALY PRODUCTION CORP.

2 3

State- ID Zip- 83707

[illegible]

```

+ - - - - Source - - - - - +
                                + - - - - Tributary - - - - - +
                                GROUNDWATER

```

Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
1	1	1	1	1	1	1	1

(1) ADA

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume

01 - IRRIGATION

0.120	27.00
-------	-------

- Total Div. Rate	- +	+ - Total Div. Volume	- +	+ - Total Div. Capacity	- +	+ - Total Consumptive Use	- +	+ - kW Usage	- +
		0.120							
		27.00							

Twn	Rng	Sec	Tract	Lot	Place of Use Acres	Description	County
-----	-----	-----	-------	-----	--------------------	-------------	--------

01 IRRIGATION

(1) ADA

Total Acres: 6.0

- - Diversion Means -

- - Non-Irrigation Use - -

- - Other Rights for Same Use -

- - Remarks

No Remarks found.

- - - Conditions of Approval

- - Conditions of Approval - -

- - - Decree plaintiff - - - +

+ - - - Decree Defendant - - +

+ - Decree Date - +
00/00/0000

- - Microfilm Rolls -

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AUG 19 1992

Water right number - 63-03263

+ - - Audit Fields - 06/03/85

Adj. Flag translation: Standard Water Right Number

05/01/88 CONVERT

[illegible]

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AUG 19 1992