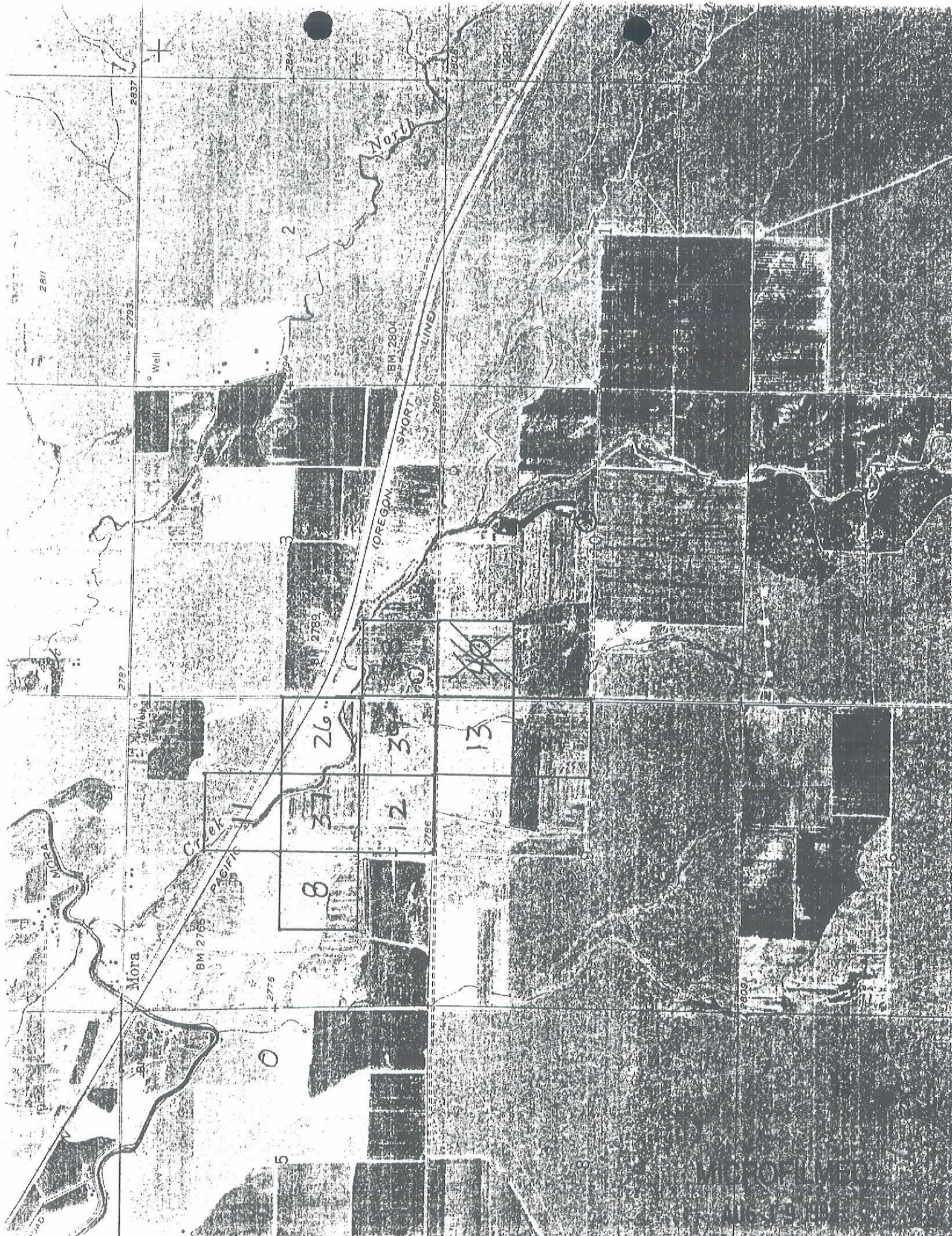
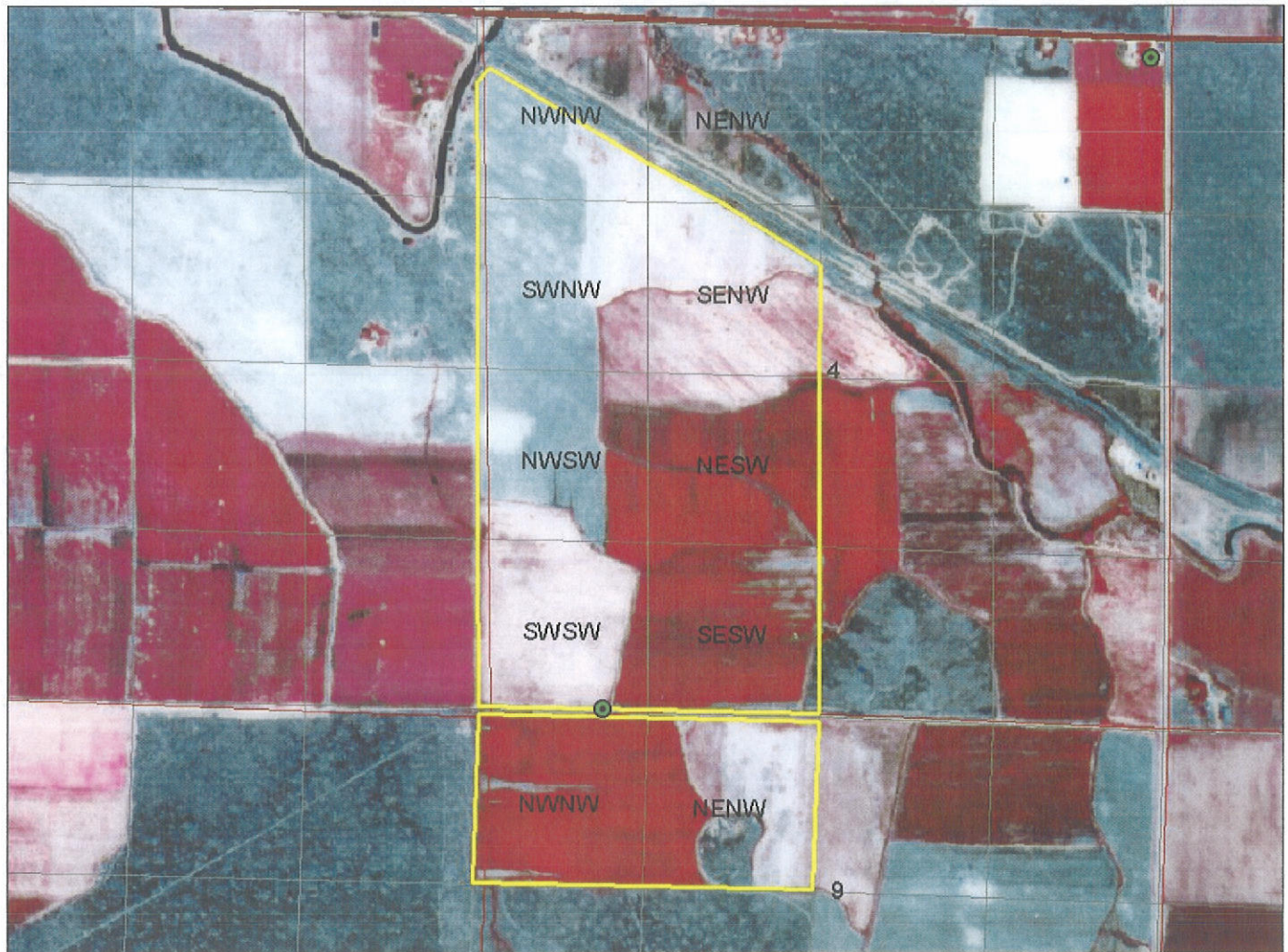




Idaho Department of Water Resources

Place of Use Layout 63-2966, 63-3219A, 63-3337D

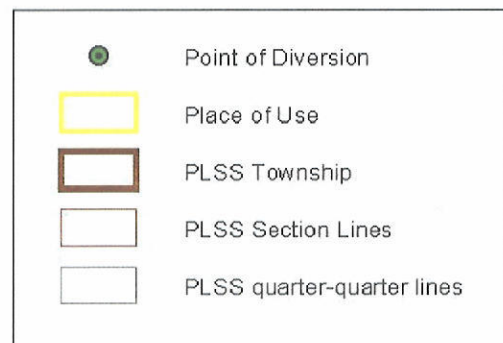


0 0.25 0.5 0.75 1 Miles

Township 1N Range 1E Sections 4 & 9

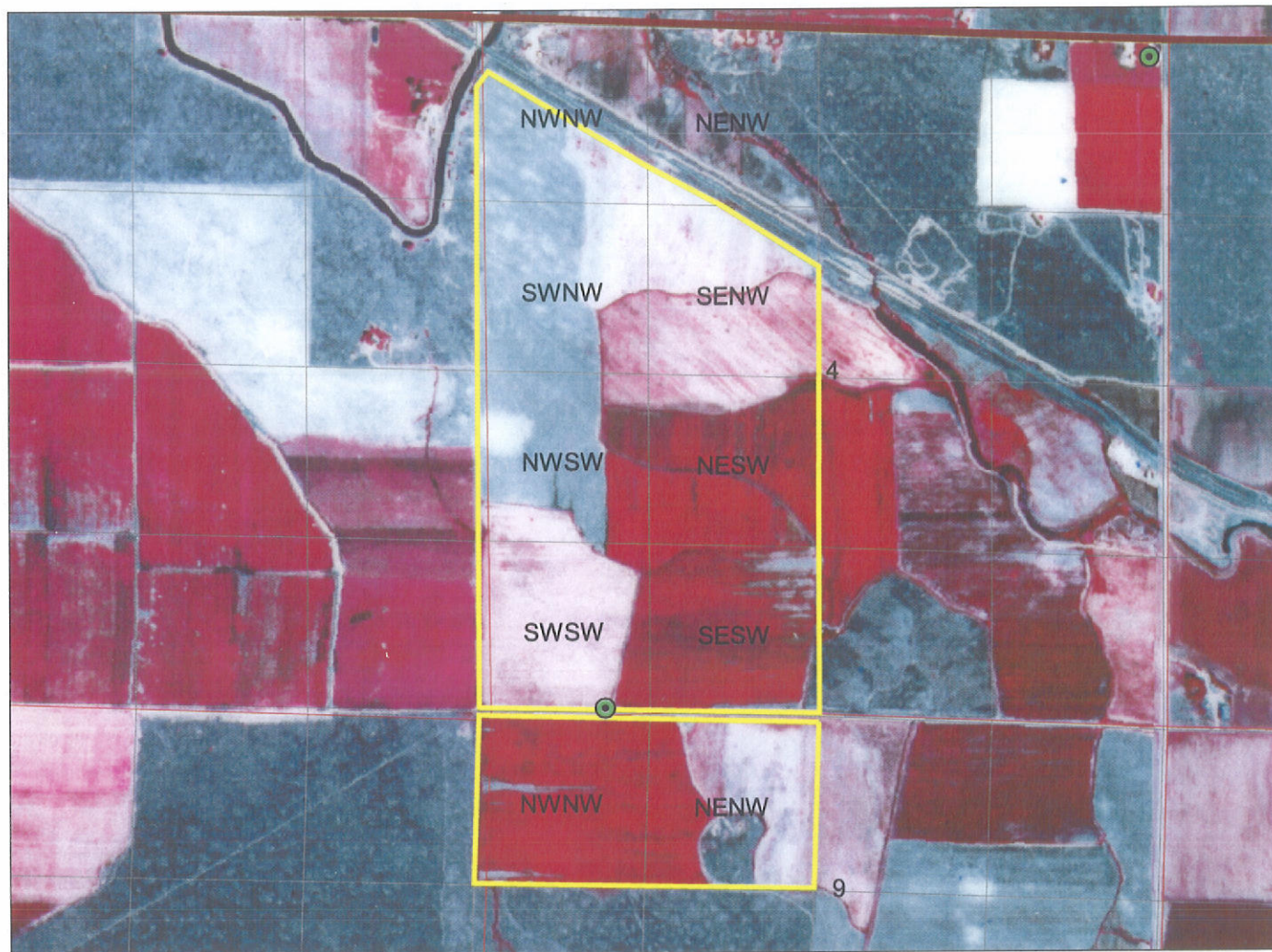


GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: January 16, 2003



Idaho Department of Water Resources

Place of Use Layout 63-2966, 63-3219A, 63-3337D

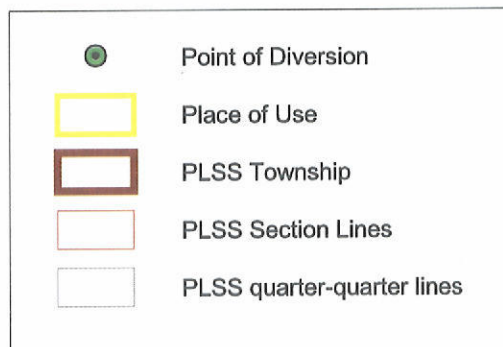


0 0.25 0.5 0.75 1 Miles

Township 1N Range 1E Sections 4 & 9



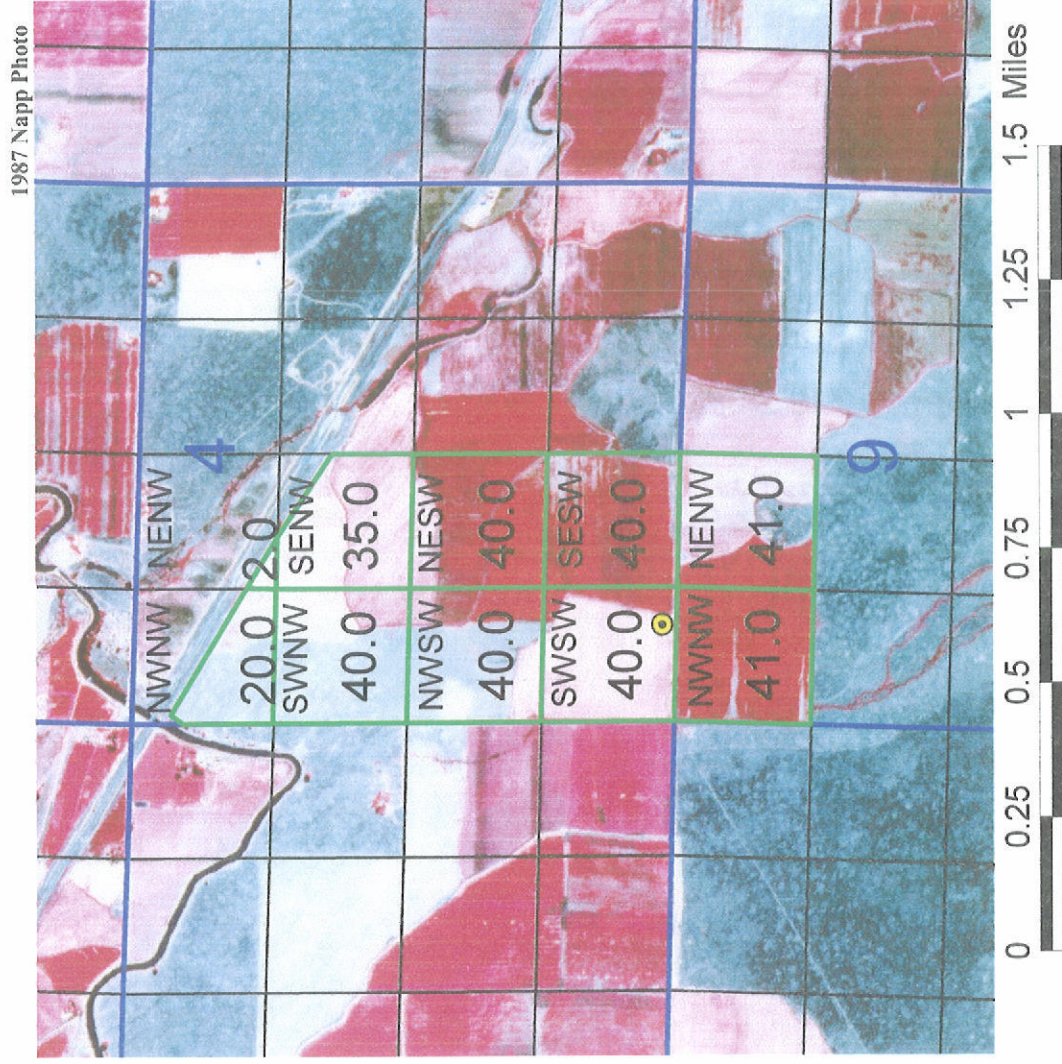
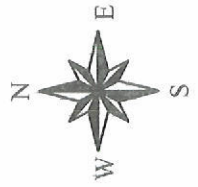
GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: January 16, 2003



Idaho Department of Water Resources

Claim Number: 63-03337D
 Legal: T01N, R01E, S4, 9
 Reviewed By:

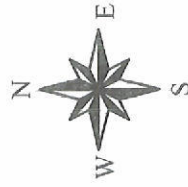
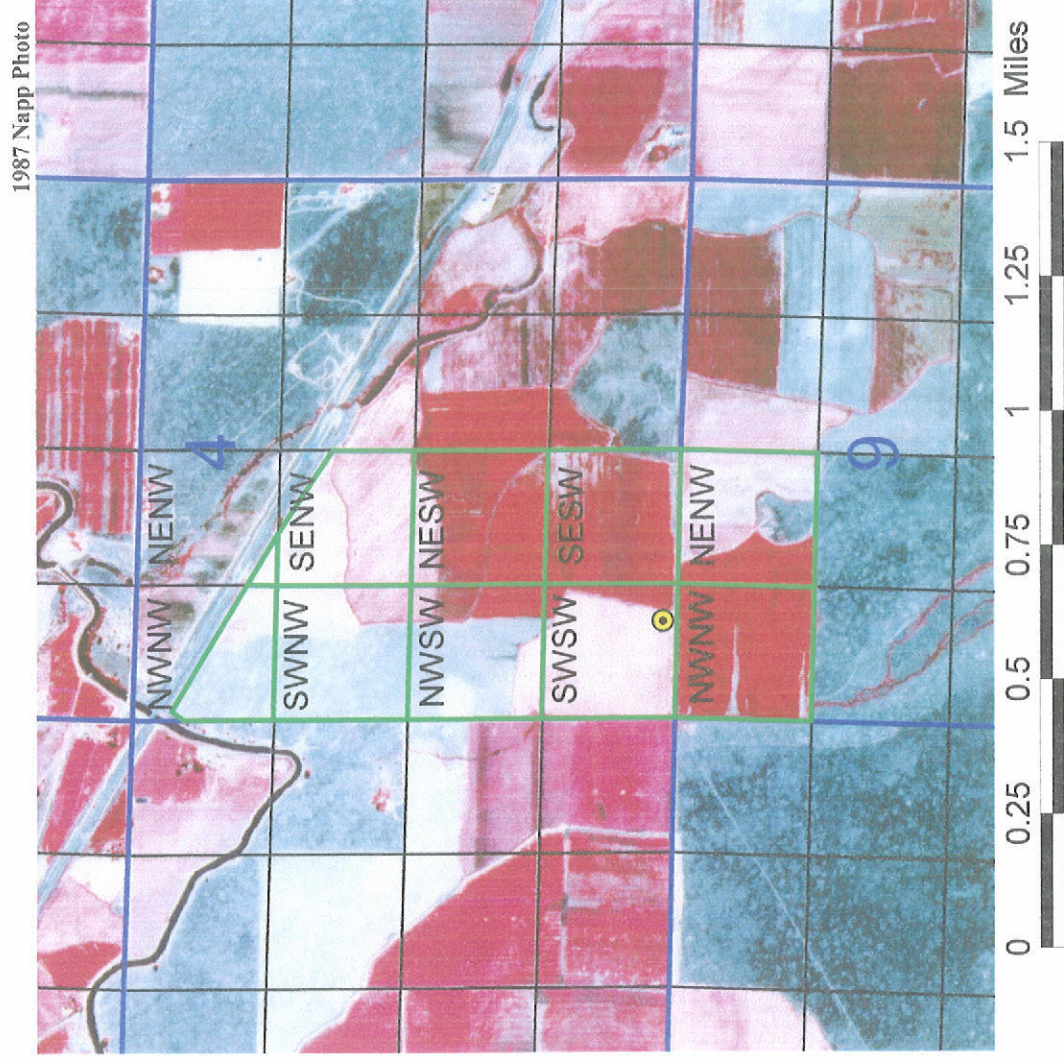
-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 63-03337D
Legal: T01N, R01E, S4, 9
Reviewed By:

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



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: A63-03337D
Date Received: 9/ 7/1989
Receipt No: C011266
Received By: _____

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

1. Name: DOUBLE A DAIRY 208-362-4649
Address: 17220 CLOVERDALE RD
KUNA ID 83634

2. Date of Priority: JUN 4, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01E	4	SW	SW			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	0.150		36.00

7. Total Quantity Appropriated is:
0.150 C.F.S. (and/or) 36.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01E	4	NE	NW		IRR	2.0
			NW	NW		IRR	19.0
			SW	NW		IRR	40.0
			SE	NW		IRR	36.0
			NE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01E	4	NW	SW		IRR	40.0
			SW	SW		IRR	39.0
			SE	SW		IRR	39.0
Section Acres							255.0
		9	NE	NW		IRR	39.0
			NW	NW		IRR	39.0
Section Acres							78.0
Total Acres							333.0

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:

14. Remarks:

CHANGE OF OWNERSHIP BY MTS 8/31/1995
 CLAIM AMENDED PER TRANSFER NO. 5206 APPROVED 11/29/1999.
 SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY
 OF APPROVED TRANSFER NO. 5206 IN FILE.
 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 8 ACRES IN THE PLACE
 OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
 THIS RIGHT WHEN COMBINED WITH 63-03219A AND 63-02966 SHALL NOT
 EXCEED A TOTAL DIVERSION RATE OF 5.85 CFS, A TOTAL ANNUAL
 DIVERSION VOLUME OF 1498.5 AF AT THE FIELD HEADGATE AND THE
 IRRIGATION OF 333 ACRES.

15. Basis of Claim: LICENSE

Water Right Number: 31171

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 _____ 20 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5206
WATER RIGHT NO(S). 63-02966/63-03219A/63-03337D

Western
RECEIVED
DEC 01 1999
WATER RESOURCES
WESTERN REGION

This is to certify that: **DOUBLE A DAIRY**
17220 CLOVERDALE RD
KUNA ID 83634

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-02966 : IRRIGATION Priority: 11/05/1953	03/15 to 11/15	1.60 CFS	450.0 AF
Right No. 63-03219A : IRRIGATION Priority: 01/16/1961	03/15 to 11/15	4.10 CFS	1462.5 AF
Right No. 63-03337D : IRRIGATION Priority: 06/04/1963	03/15 to 11/15	0.15 CFS	36.0 AF
TOTAL:		* 5.85 CFS	* 1498.5 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 4, Township 01N, Range 01E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	01E	4	NENW 2	NWNW 19	SWNW 40	
			SESW 36	NESW 40	NWSW 40	
			SWSW 39	SESW 39		255
		9	NENW 39	NWNW 39		78
Total number of acres irrigated:						* 333 **

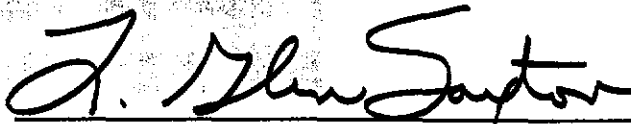
TRANSFER NO. 5206
WATER RIGHT NO(S). 63-02966/63-03219A/63-03337D

CONDITIONS OF APPROVAL AND REMARKS

1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 6. Right 63-02966 is limited to the irrigation of 100.0 acres in the place of use described above in a single irrigation season.
- * 7. Right 63-03219A is limited to the irrigation of 325.0 acres in the place of use described above in a single irrigation season.
- * 8. Right 63-03337D is limited to the irrigation of 8.0 acres in the place of use described above in a single irrigation season.
- ** 9. Rights 63-02966, 63-03219A and 63-03337D when combined shall not exceed a total diversion rate of 5.85 cfs, a total annual maximum diversion volume of 1498.5 af at the field headgate, and the irrigation of 333.0 acres.

Dated this 29th day of

November, 1999


Chief, Water Allocation Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NO. 5204 (WATER RIGHT NO.)
63-04630) AND 5205 (WATER RIGHT NOS.)
63-03219B, 63-03337A, 63-03337C, AND)
63-03577) IN THE NAME OF DOUBLE A DAIRY)
_____)

**ORDER DENYING
PETITION FOR
RECONSIDERATION**

On August 5, 1999, a Preliminary Order was served on Double A Dairy by the Idaho Department of Water Resources (IDWR). On August 19, 1999, Double A Dairy requested in writing further clarification of the Preliminary Order. The document will be viewed as a petition for reconsideration.

In the letter, Double A Dairy raises two issues:

1. Double A Dairy asks how water right no. 63-04630 owned by Double A Dairy, bearing a priority date of March 3, 1966, can be delivered when the point of diversion for water right No. 63-099937, owned by Hayes Family Farm, bearing a priority of June 3, 1983, is located above the Double A Dairy diversion. The application for transfer was filed to change a point of diversion, add diversion points, and change the place of use. Double A Dairy's water rights were not subject to the decision. As a result, the Department did not have jurisdiction in the transfer process to force a plan of distribution upon Hayes Family Farm. Other remedies for distribution are available to Double A Dairy outside of the transfer hearing process.

2. Double A Dairy asked IDWR to clarify the requirements for measuring water and information concerning submittal of an annual report. A preliminary order need not spell out the exact measuring devices that must be employed. Some flexibility is given to the water right holder to determine the measuring devices to be installed. IDWR personnel can assist with providing information. Furthermore, the order does not require reporting of diversions at the present time. The preliminary order does not need to be changed to provide the additional information to Double A Dairy.

IT IS HEREBY ORDERED that Double A Dairy's petition for reconsideration is DENIED.

Dated this 21st day of September, 1999.



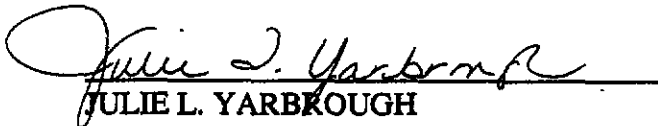
GARY SPACKMAN, Hearing Officer

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 13th day of September, 1999, the foregoing Petition for Reconsideration was served upon the following by placing a copy of the same in the United States Mail, postage prepaid and properly addressed to the following:

Boyd Anderson
Double A Dairy
17220 South Cloverdale
Kuna, ID 83634

H. John Hayes
Hayes Family Farm
11399 W. Barker Road
Kuna, ID 83634


JULIE L. YARBROUGH
Administrative Assistant, Water Allocations

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR	)	
TRANSFER NOS. 5204 (WATER RIGHT NO.	)	
63-04630) AND 5205 (WATER RIGHT NOS.	)	PRELIMINARY ORDER
63-03219B, 63-03337A, 63-03337C, AND	)	
63-03577) IN THE NAME OF DOUBLE A	)	
DAIRY	)	

Double A Dairy filed application for transfer nos. 5204 and 5205 with the Idaho Department of Water Resources (IDWR). The applications were protested by Hayes Family Farm. A hearing was conducted on May 19, 1999. Boyd Anderson (Anderson) appeared on behalf of Double A Dairy. John Hayes appeared on behalf of Hayes Family Farm (Hayes).

During settlement discussions before the hearing, Double A Dairy agreed to remove from application for transfer no. 5205 a proposal to inject ground water into Sand Creek and redivert it from Sand Creek upstream of a reservoir owned by Hayes. Hayes withdrew its protest to application for transfer no. 5205 upon Double A Dairy's agreement to withdraw its proposal to inject ground water into Sand Creek and redivert it downstream.

A hearing was conducted regarding the protest to application for transfer no. 5204. In addition, the withdrawal of a portion of application for transfer no. 5205 and the withdrawal of the protest against application for transfer no. 5205 were incorporated into the record. IDWR finds, concludes, and orders as follows for application for transfer nos. 5204 and 5205:

FINDINGS OF FACT

1. Application for transfer no. 5204 proposes to change the point of diversion, add another point of diversion, and change the place of use for claimed water right no. 63-04630. Claim no. 63-04630 asserts the right to divert 6.0 cubic feet per second (cfs) from Indian Creek for the irrigation of 240 acres located in Sections 4 and 9, T01N, R01E, B. M.

2. Application for transfer no. 5204 proposes two points of diversion in Sections 3 and 4, T01N, R01E. Because of field work conducted by IDWR, the application proposes a reduction in the place of use to 181 acres, and a reduction in the flow rate to 3.62 cfs.

3. Application for transfer no. 5205 proposes a change in the point of diversion and place of use for ground water right nos. 63-03219B, 63-03337A, 63-03337C, and 63-03577. The application seeks authorization to divert ground water from a well located in the SW1/4SW1/4NE1/4 of Section 10, T01N, R01E, inject the ground water into Sand Creek in the SE1/4SW1/4NE1/4 of Section 10, T01N, R01E, and redirect the water from Sand Creek in the SE1/4SW1/4NE1/4 of Section 10, T01N, R01E. The application also seeks a change in the place of use because of conversion from a gravity irrigation system to a sprinkler irrigation system.

4. Hayes owns water right no. 63-09937, which authorizes diversion of 0.62 cfs from Sand Creek, and storage of 21.7 acre-feet annually in a reservoir located on Sand Creek. Water right no. 63-09937 authorizes irrigation of 37 acres located in Section 10, T01N, R01E. License no. 63-09937 bears a priority date of June 3, 1983. Although Indian Creek and Sand Creek are both listed as sources of water for license no. 63-09937, most of the water for the right is derived from Sand Creek because waste water from upstream irrigation maintains flows in Sand Creek.

5. The injection and redirection points for the ground water rights proposed by application for transfer no. 5205 would be located above the impoundment and point of diversion described by Hayes' water right no. 63-09937. Double A Dairy recognized the need for an easement through Hayes property to deliver the water to Sand Creek, and determined that placing ground water into Sand Creek and redirecting it would be impractical at the present time. Double A Dairy agreed to withdraw its proposal for an injection and redirection of ground water into Sand Creek, and Hayes withdrew its protest to application for transfer no. 5205.

6. The points of diversion proposed by application for transfer no. 5204 are located downstream from Hayes' impoundment and point of diversion described by license no. 63-09937.

7. Water users who traditionally wasted water into Sand Creek in prior years provided water to both Hayes and Double A Dairy. These upstream water users have converted their irrigation system to sprinklers, and use their water more efficiently, diminishing flows in Sand Creek. The current flows in Sand Creek are seldom sufficient to satisfy Hayes' or Double A Dairy's surface water rights.

8. Lands owned by Double A Dairy and irrigated by water diverted pursuant to claim no. 63-04630 were placed in the Conservation Reserve Program (CRP) in the late 1980's. The lands owned by Double A Dairy have now been removed from CRP. Hayes feels that diversion of water by Double A Dairy under claim 63-04630 will injure his water rights.

9. IDWR personnel investigated the historical delivery of surface water to Double A Dairy lands in 1996. Even though the land was enrolled in the CRP, IDWR personnel found delivery ditches and relift pumps capable of irrigating in excess of 181 acres.

10. Double A Dairy submitted information showing that the lands described as a place of use by 63-04630 grew crops from 1973 until the enrollment of the lands in the CRP.

Evidence of growing crops coupled with evidence of the delivery systems is sufficient proof that claim no. 63-04630 is a valid water right.

CONCLUSIONS OF LAW

1. Idaho Code § 42-222 provides in pertinent part as follows:

The director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right, and the change is consistent with the conservation of water resources within the state of Idaho and is in the local public interest as defined in section 42-203A(5), Idaho Code;

2. With respect to the issues as set forth in Idaho Code § 42-222, the applicant bears the burden of proof regarding all of the criteria contained therein.

3. Claim no. 63-04630 is a valid water right if recognized within the limitations proposed by application for transfer no. 5204.

4. Diversion of water authorized by water right no. 63-04630 will not injure other water users if diverted below the Hayes points of diversion.

5. Diversion of the ground water rights proposed by application for transfer no. 5405 will not injure Hayes if the ground water is not placed into Sand Creek above the Hayes diversion.

6. Applications for transfer no. 5204 and 5205 do not propose an enlargement of use.

7. Approval of application for transfer nos. 5204 and 5205 is in the public interest.

8. Because Double A Dairy proposes to convert a gravity delivery system to a sprinkler delivery system, the application for transfer is consistent with principles of conservation of the water of the state of Idaho.

ORDER

IT IS HEREBY ORDERED that application for transfer no. 5204 is **APPROVED** subject to the following conditions:

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
7. The total instantaneous diversion of water from all points of diversion under Transfer 5204 shall not exceed 3.62 cfs, nor a total combined annual volume of 814.5 af.
8. Right 63-04630 when combined with rights 63-03219C, 63-03337E, and 63-07388 shall not exceed a total diversion rate of 4.90 cfs, a total annual maximum diversion volume of 1102.5 af at the field headgate, and the irrigation of 245.0 acres.

IT IS FURTHER ORDERED that application for transfer no. 5205 is **APPROVED** subject to the following conditions:

1. The points of injection and redirection described in application for transfer no. 5205 are not recognized in the transfer approval.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the place of use.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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

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

6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

7. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

8. Right 63-03219B is limited to the irrigation of 163.0 acres in the place of use described above in a single irrigation season.

9. Right 63-03337A is limited to the irrigation of 38.0 acres in the place of use described above in a single irrigation season.

10. Right 63-03337C is limited to the irrigation of 13.0 acres in the place of use described above in a single irrigation season.

11. Right 63-03577 is limited to the irrigation of 170.0 acres in the place of use described above in a single irrigation season.

12. Right 63-03219B, 63-03337A, 63-03337C, and 63-03577, when combined, shall not exceed a total diversion rate of 6.44 cfs, a total annual maximum diversion volume of 1638.0 af at the field headgate, and the irrigation of 364 acres.

13. The portion of right 63-03337A in excess of this transfer approval in the amount of 0.04 cfs and 2.0 acres shall be considered abandoned through approval of transfer 5205.

DATED this 29th day of July, 1999.


GARY SPACKMAN
Hearing Officer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of August, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the following:

Double A Dairy
17220 Cloverdale Rd
Kuna, ID 83634

H. John Hayes
Hayes Family Farm
11399 W. Barker Rd.
Kuna ID 83634


JULIE L. YARBROUGH
Administrative Assistant, Water Allocations

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: A63-03337B
Date Received: 9/ 7/1989
Receipt No: C011266
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOUBLE A DAIRY 208-362-4649
Address: 17220 CLOVERDALE RD
KUNA ID 83634

2. Date of Priority: JUN 4, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01E	3	SW	SW	SW		ADA
		4	SE	SW	SW		ADA
		10	SW	SW	NE		ADA

5. Description of diverting works:
3 WELLS WITH PUMPS, TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.200		

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

8. Total consumptive use is 654.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01E	3	SW	SW		IRR	38.0

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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 01N Range 01E
Section 3, 4, 9 & 10 1/4 of 1/4 of 1/4 Govt. Lot _____, BM.

Lot _____, Block, _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) A63-03219, A63-03337A, A63-03337B, A63-02966, A63-03577
Assigned by IDWR: A63-07388, A63-04630, A63-18697
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): ANDERSON BROTHERS
ROUTE 2
KUNA ID 83634
- ☐ New Owner/Claimant (Purchaser): DOUBLE A DAIRY
- ☐ New Mailing Address: 17220 S CLOVERDALE RD
KUNA ID 83634
- ☐ New Telephone Number: (208) 36362 -4649
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes XX no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) John A Anderson Date 8/31/95
Flora W. Anderson, Sec Date 8/31/95
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 8-31-95 By: MTS

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 8-31-95 By: MTS

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

QUIT CLAIM DEED

For Value Received, ANDERSON BROTHERS, a Partnership,

do es hereby convey, release, remise and forever quit claim unto DOUBLE A DAIRY, an Idaho corporation ✓

the following described premises, in Ada County, Idaho

, to wit:

See attached Exhibit A

Double A Dairy
5455 Kuna Area
Kuna Id 83634

9225989

Anderson Brothers
ADA COUNTY ID. FOR
J. DAVID NAVARRO
RECORDER BY *J. Navarro*

'92 APR 24 PM 1 58

together with the appurtenances thereto, and to its heirs and assigns forever.
ANDERSON BROTHERS

By *Anderson Bros* (SEAL)
B. W. Anderson (SEAL)

Dated: 3-31-92

STATE OF IDAHO, COUNTY OF

On this 31st day of March, 1992,
before me, a notary public in and for said State, personally
appeared

B.W. Anderson

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

Anna
Notary Public
Residing at Kuna Idaho
Comm. Expires 6-15-93

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for
record at the request of

at _____ minutes past _____ o'clock
m., this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.
Fees \$ _____
Mail to: _____

The North half of the Northwest quarter and all the Northeast quarter of Section 9, Township 1 North, Range 1 East, Boise-Meridian, Ada County, Idaho. ✓

The Northwest quarter; the Southwest quarter of the Northeast quarter; the South half of the Southeast quarter of the Northeast quarter; all in Section 10, Township 1 North, Range 1 East, Boise-Meridian, Ada County, Idaho. ✓

The Southwest quarter of the Southwest quarter and the Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast quarter all in Section 3, Township 1 North, Range 1 East, Boise-Meridian, Ada County, Idaho. ✓

The North half of the Southwest quarter; the Southeast quarter of the southwest quarter; the Southwest quarter of the Southwest quarter; the Southeast quarter; the Northwest quarter and Southwest quarter of the Northeast quarter of Section 4, Township 1 North Range 1 East, Boise-Meridian, Ada County, Idaho. ✓

And also that portion of the land in the North half of the Southwest quarter of Section 3, Township 1 North, Range 1 East, Boise-Meridian, Ada County, Idaho lying South and West of the Southwesterly right-of-way line of the Oregon Short line Railroad. ✓

And that portion of the Southeast quarter of the Northeast quarter of Section 4 Township 1 North, Range 1 East, Boise-Meridian, Ada County, Idaho, lying Southwesterly of the Southwesterly right-of-way line of the Oregon Short Line Railroad. ✓

EXCEPT:

That part of the Southeast quarter of the Northwest quarter of said Section 4 as follows:

Commencing at a point in the center line of the present main tract of the Oregon Short Line Railroad 2445 feet Southeasterly measured along said center line from its intersection with the West line of Section 4, Township 1 North, Range 1 East, Boise-Meridian; thence

Southwesterly at right angles 100 feet to a point in the Southwesterly boundary of the present right-of-way of said railroad, which point is the POINT OF BEGINNING; thence

Northwesterly along said right-of-way boundary, being 100 feet from and parallel to said center line of tract, for a distance of 50 feet; thence

Southwesterly at right angles 50 feet; thence

Southeasterly at right angles 50 feet; thence

Northeasterly at right angles 50 feet to the POINT OF BEGINNING.

AND EXCEPT:

All rights-of-way to the Oregon Short Line Railroad affecting said property in said Sections; all rights-of-way to Indian Creek in said Sections; the Boise-Mora Canal rights-of-way in the Northwest quarter of said Section 4; and all Road and Ditch rights-of-way in said Sections.

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: A63-03337B
Date Received: 9/07/1989
Receipt No: 6011266
Received By: 91

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANDERSON BROTHERS 208-362-4649
Address: RT. 2
KUNA, ID 83634

2. Date of Priority: JUN 04, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01E	3	SW	SW	SW		ADA
		4	SE	SW	SW		ADA
		10	SW	SW	NE		ADA

5. Description of diverting works:
3 WELLS WITH PUMPS, TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.200		

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

8. Total consumptive use is 654.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01E	3	SW	SW		IRR	38.0
Section Acres							38.0

A63-03337B

Page 1

Date: 09/07/89

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AUG 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01E	4	SW	NE		IRR	11.0
			NE	SW		IRR	8.0
			NE	SE		IRR	26.0
			NW	SE		IRR	37.0
			SW	SE		IRR	12.0
			SE	SE		IRR	39.0
						Section Acres	133.0
		9	NE	NE		IRR	13.0
			SE	NE		IRR	3.0
						Section Acres	16.0
						Total Acres	187.0

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:
G-29306, 63-04630, WASTEWATER

14. Remarks:
TRANS. 2297.
POINTS OF DIVERSION IN SEC 3 AND 4 ARE INTERCONNECTED; PLACE OF
USE IN NENE OF SEC 9 CAN BE IRRIGATED FROM POINT OF DIVERSION IN
SEC 3, 4, OR 10

15. Basis of Claim: LICENSE
Water Right Number: 31171

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: 1

For Organizations:

I do solemnly swear or affirm that I am Pat of
Title
Anderson Bros, that I have signed the foregoing
Organization
document in the space below as Pat of
Title
Anderson Bros and that the statements contained in the
Organization
foregoing document are true and correct.

Pat Anderson
Signature of Authorized Agent

Pat Anderson Bros
Title and Organization

9/7/89
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 7TH day
of SEPTEMBER 19 89

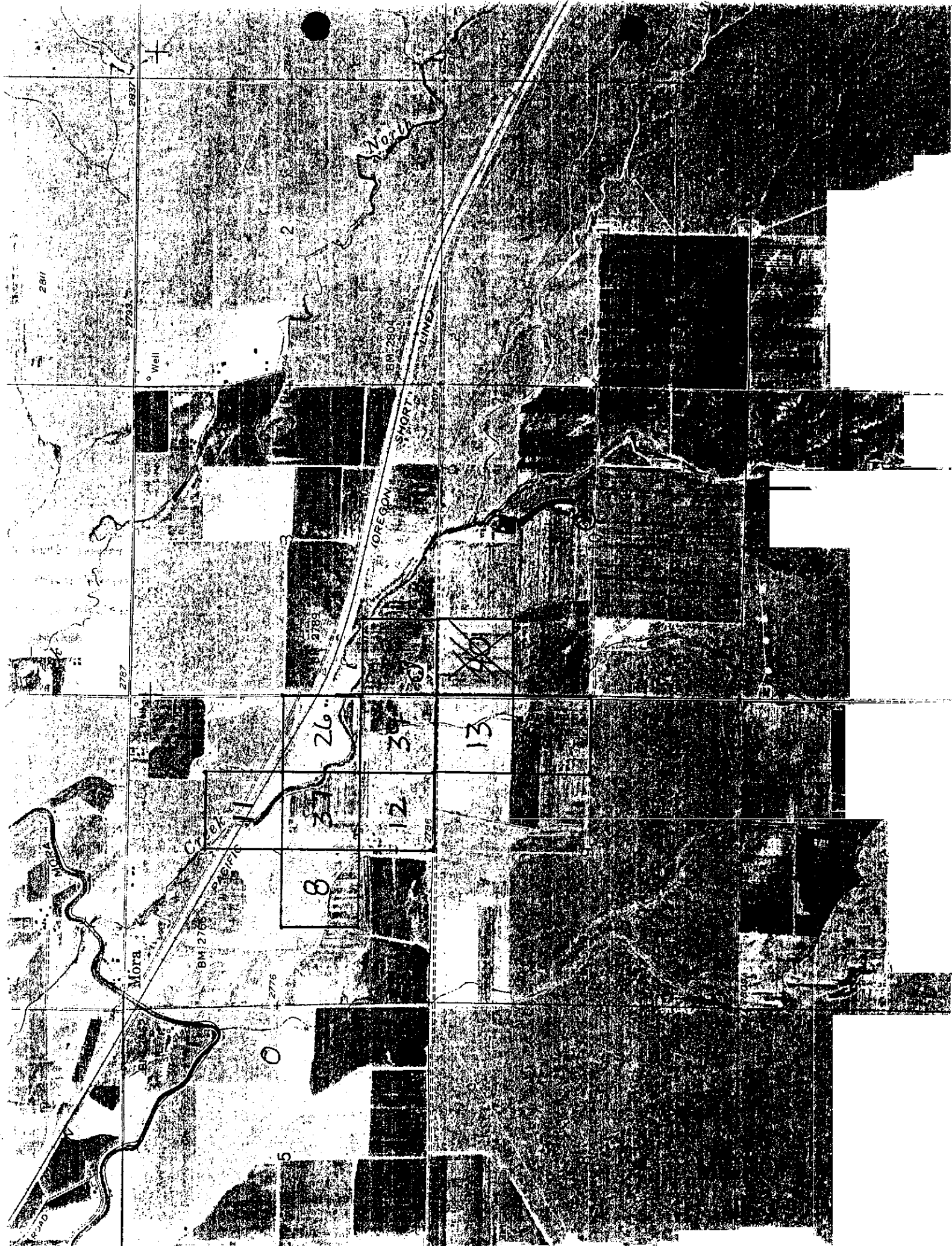
Jeff Peppersack
Notary Public

Seal

Residing at _____

My Commission Expires _____

Jeff Peppersack, Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994



09/24/2003

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

RIGHT NUMBER: 63-3337D

NAME AND ADDRESS: DOUBLE A DAIRY
17220 S CLOVERDALE RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS
36.000 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 5.85 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1498.5 AF AT THE FIELD HEADGATE. COMBINED
RIGHT NOS.: 63-2966, 63-3219A, 63-3337D.

PRIORITY DATE: 06/04/1963

POINT OF DIVERSION:

T01N R01E S4 SESWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.150 CFS 36.00 AFY

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

T01N R01E S04 Lot 3 NENW	2.0	T01N R01E S04 Lot 4 NWNW	19.0
T01N R01E S04	SWNW	T01N R01E S04	SENW
T01N R01E S04	NESW	T01N R01E S04	NWSW
T01N R01E S04	SWSW	T01N R01E S04	SESW
T01N R01E S09	NENW	T01N R01E S09	NWNW

333 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 333 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 63-2966, 63-3219A, 63-3337D.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 8.0 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

Water Right 63-3337D

1

09/24/2003

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

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 63-2966, 63-3219A, 63-3337D.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Failure of the right holder to comply with the conditions of Transfer No. 5206 is cause for the Director to rescind approval of the transfer.

Idaho Department of Water Resources

Place of Use Layout 63-2966, 63-3219A, 63-3337D

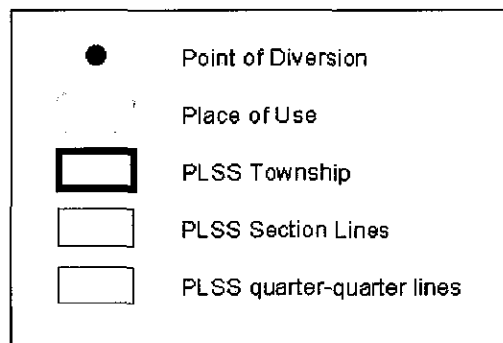


0 0.25 0.5 0.75 1 Miles

Township 1N Range 1E Sections 4 & 9



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: January 16, 2003



Idaho Department of Water Resources

Place of Use Layout 63-2966, 63-3219A, 63-3337D



0 0.25 0.5 0.75 1 Miles

Township 1N Range 1E Sections 4 & 9



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: January 16, 2003

●	Point of Diversion
□	Place of Use
□	PLSS Township
□	PLSS Section Lines
□	PLSS quarter-quarter lines

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID #: 63-03337 D Date: 11-16-00

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	IN	1E	4					2	19	40	36	40	40	39	39					255
GIS								2	20	40	35	40	40	40	40					257
Claim	IN	1E	9					39	39											78
GIS								41	41											82
Claim																				
GIS																				
Claim																				
GIS																				

POU Id: 136426 Total Claimed Acres: 333

POD Id: 444748 Total GIS Acres: 339

Overlapping POU Claim #'s: 63-02966, 63-03219 A

COMMENTS:

Idaho Department of Water Resources

Claim Number: 63-03337D
 Legal: T01N, R01E, S4, 9
 Reviewed By:

☉ Point of Diversion

☐

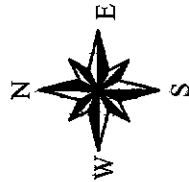
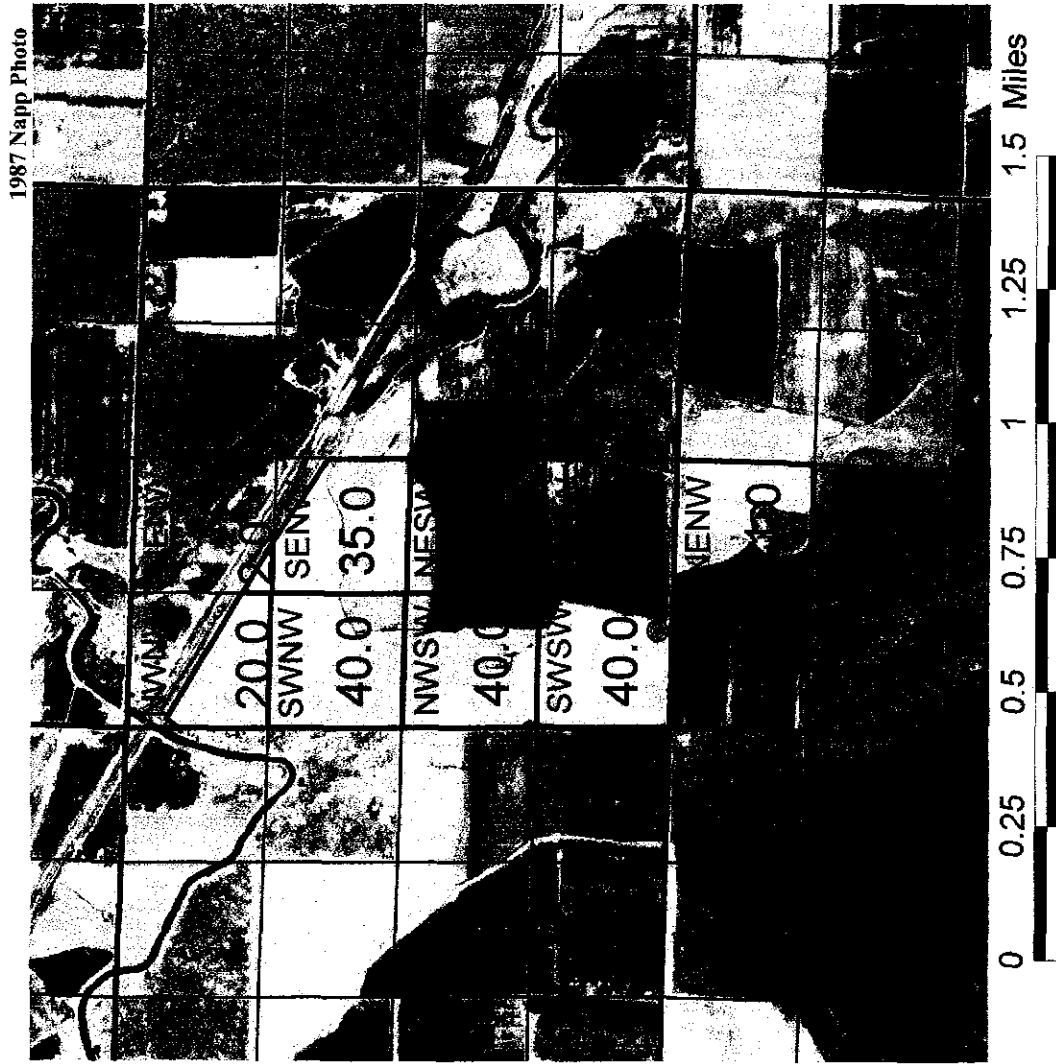
Place of Use

☐

Section Lines

☐

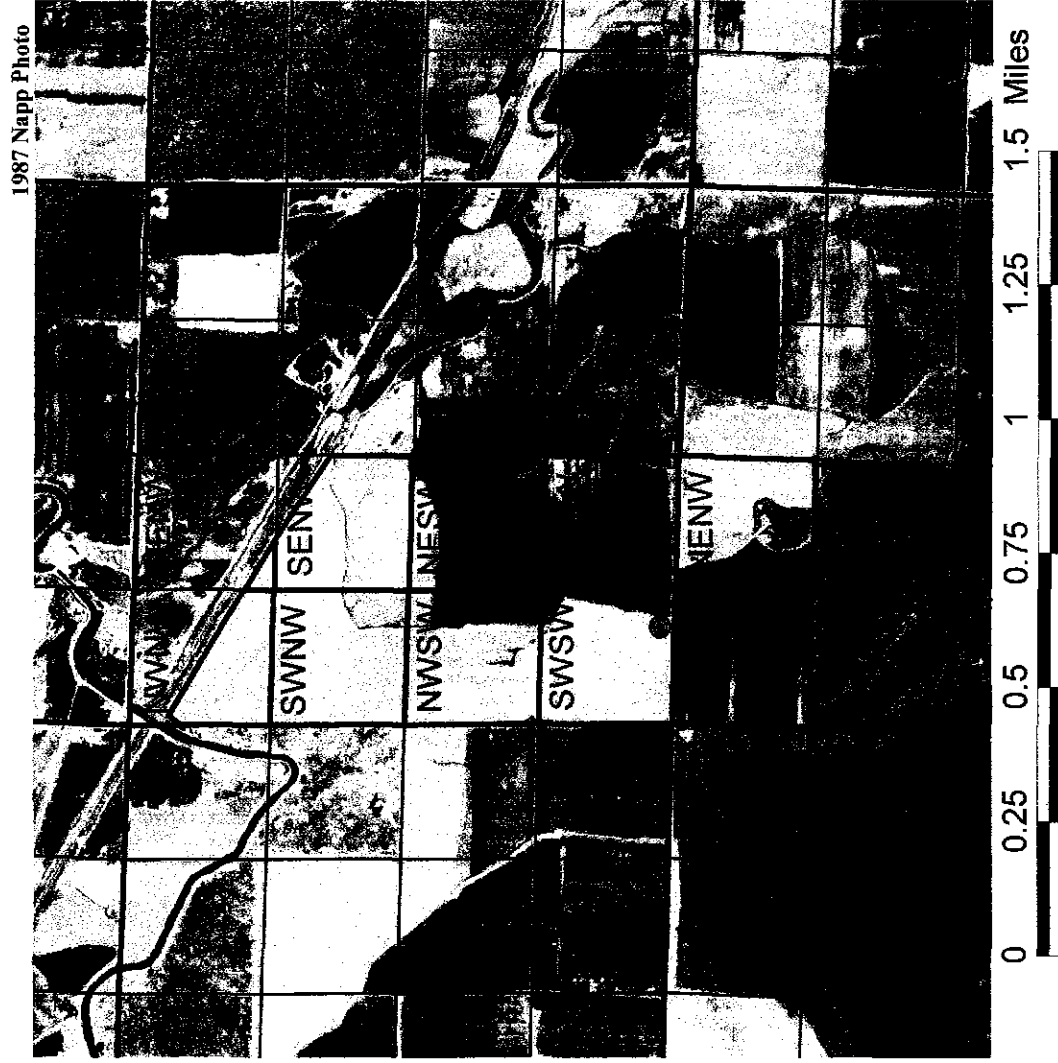
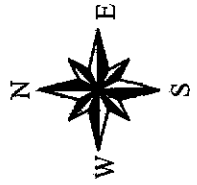
Quarter Quarter Lines



Idaho Department of Water Resources

Claim Number: 63-03337D
Legal: T01N, R01E, S4, 9
Reviewed By:

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



Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	C
Audit:	01/12/00 MSCHULTE	Presumption Flag:	

WATER RIGHT
NUMBER

NAME

CFS

63-03337

SPLIT INTO 63-3337A & 63-3337B BY TRANS. 2297.

63-03337A DOUBLE A DAIRY

0.76

63-03337B

SPLIT BY TRANSFERS 5205 (PART C), 5206 (PART D) & 5207 (PART E).

63-03337C DOUBLE A DAIRY

0.23

63-03337D DOUBLE A DAIRY

0.15

63-03337E DOUBLE A DAIRY

2.82

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DEC 10 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5206
WATER RIGHT NO(S). 63-02966/63-03219A/63-03337D

This is to certify that: **DOUBLE A DAIRY**
17220 CLOVERDALE RD
KUNA ID 83634

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-02966 :			
IRRIGATION	03/15 to 11/15	1.60 CFS	450.0 AF
Priority: 11/05/1953			
Right No. 63-03219A :			
IRRIGATION	03/15 to 11/15	4.10 CFS	1462.5 AF
Priority: 01/16/1961			
Right No. 63-03337D :			
IRRIGATION	03/15 to 11/15	0.15 CFS	36.0 AF
Priority: 06/04/1963			
TOTAL:		* 5.85 CFS	* 1498.5 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 4, Township 01N, Range 01E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	01E	4	NENW 2	NWNW 19	SWNW 40	
			SESW 36	NESW 40	NWSW 40	
			SWSW 39	SESW 39		255
		9	NENW 39	NWNW 39		78
Total number of acres irrigated:						* 333 **

MICROFILMED

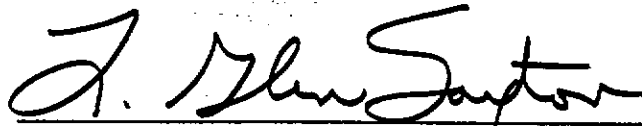
DEC 10 1999

TRANSFER NO. 5206
WATER RIGHT NO(S). 63-02966/63-03219A/63-03337D

CONDITIONS OF APPROVAL AND REMARKS

1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 6. Right 63-02966 is limited to the irrigation of 100.0 acres in the place of use described above in a single irrigation season.
- * 7. Right 63-03219A is limited to the irrigation of 325.0 acres in the place of use described above in a single irrigation season.
- * 8. Right 63-03337D is limited to the irrigation of 8.0 acres in the place of use described above in a single irrigation season.
- ** 9. Rights 63-02966, 63-03219A and 63-03337D when combined shall not exceed a total diversion rate of 5.85 cfs, a total annual maximum diversion volume of 1498.5 af at the field headgate, and the irrigation of 333.0 acres.

Dated this 29th day of November, 1999


Chief, Water Allocation Bureau

MICROFILMED

DEC 10 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5205
WATER RIGHT NO(S). 63-03219B/63-03337A/63-03337C/63-03577

This is to certify that: **DOUBLE A DAIRY**
17220 CLOVERDALE RD
KUNA ID 83634

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-03219B :			
IRRIGATION	03/15 to 11/15	2.05 CFS	733.5 AF
Priority: 01/16/1961			
Right No. 63-03337A :			
IRRIGATION	03/15 to 11/15	0.76 CFS	171.0 AF
Priority: 06/04/1963			
Right No. 63-03337C :			
IRRIGATION	03/15 to 11/15	0.23 CFS	58.5 AF
Priority: 06/04/1963			
Right No. 63-03577 :			
IRRIGATION	03/15 to 11/15	3.40 CFS	765.0 AF
Priority: 01/20/1967			
	TOTAL:	6.44 CFS	1638.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 10, Township 01N, Range 01E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	01E	9	NENE 38	NWNE 39	SWNE 40	
			SENE 39			156
	10		SWNE 35	SENE 20	NENW 36	
			NWNW 38	SWNW 39	SENE 40	208

Total number of acres irrigated: 364

MICROFILMED

DEC 10 1999

TRANSFER NO. 5205
WATER RIGHT NO(S). 63-03219B/63-03337A/63-03337C/63-03577

CONDITIONS OF APPROVAL AND REMARKS

Rights 63-03219B, 63-03337A, 63-03337C and 63-03577 are subject to the conditions of the Preliminary Order dated July 29, 1999 in the matter of Application for Transfer 5205.

Dated this 29th day of November, 1999.


Chief, Water Allocation Bureau

MICROFILMED

DEC 10 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5207
WATER RIGHT NO(S) . 63-03219C/63-03337E/63-07388

This is to certify that: **DOUBLE A DAIRY**
17220 CLOVERDALE RD
KUNA ID 83634

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-03219C :			
IRRIGATION	03/15 to 11/15	0.35 CFS	126.0 AF
Priority: 01/16/1961			
Right No. 63-03337E :			
IRRIGATION	03/15 to 11/15	2.82 CFS	706.5 AF
Priority: 06/04/1963			
Right No. 63-07388 :			
IRRIGATION	03/15 to 11/15	1.20 CFS	270.0 AF
Priority: 01/21/1971			
TOTAL:		** 4.37 CFS	** 1102.5 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

Injection	SWSW , Sec. 3, Township 01N, Range 01E
Rediversion	SESW , Sec. 3, Township 01N, Range 01E
	NWSW , Sec. 3, Township 01N, Range 01E
	ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	01E	3	NWSW 1	SWSW 35	SESW 30	
			SWSE 30			96
		4	SWNE 11	NESE 23	NWSE 38	
			SWSE 39	SESE 38		149
Total number of acres irrigated:						* 245 **

MICROFILMED

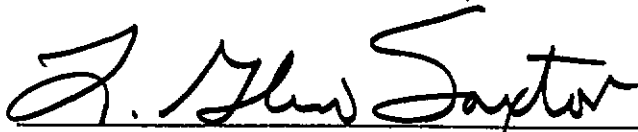
DEC 10 1999

TRANSFER NO. 5207
WATER RIGHT NO(S). 63-03219C/63-03337E/63-07388

CONDITIONS OF APPROVAL AND REMARKS

1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
7. Prior to the diversion and use of water under this approval, the right holder shall install and maintain acceptable measuring devices at the point of injection into Indian Creek and at the point of redirection from Indian Creek.
- * 8. Right 63-03219C is limited to the irrigation of 28.0 acres in the place of use described above in a single irrigation season.
- * 9. Right 63-03337E is limited to the irrigation of 157.0 acres in the place of use described above in a single irrigation season.
- * 10. Right 63-07388 is limited to the irrigation of 60.0 acres in the place of use described above in a single irrigation season.
- ** 11. Rights 63-03219C, 63-03337E and 63-07388 when combined with Right 63-04630 shall not exceed a total diversion rate of 4.90 cfs, a total annual maximum diversion volume of 1102.5 af at the field headgate, and the irrigation of 245.0 acres.

Dated this 29th day of November, 1999.


Chief, Water Allocation Bureau

MICROFILMED

DEC 10 1999

State of Idaho

License and Certificate of Water Right

Water License No. G-31171Amount 4.0 c.f.s.

Water District No. _____

Priority June 4, 1963

THIS IS TO CERTIFY that W. H. WEATHERBY
 of Boise, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated June 4, 1963; that Permit No. G-31171
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.0 second feet, was issued thereunder on December 20, 1966, showing that said works
 were completed on the 2nd day of December, 1965; and that on the 2nd
 day of December, 1965, W. H. WEATHERBY

of Boise, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow , for the purpose of irrigation
, under Use Permit No. G-31171 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
14 of Licenses at page 8634, on the 20 day of December, 1966;
 The right hereby confirmed dates from June 4, 1963;

The Point of Diversion is located
 in the SW 1/4 SW 1/4 Sec. 3, Tp. 1 N, R. 1 E, B. M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 4.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N	1 E	3	SW 1/4 SW 1/4	40	38
			SW 1/4 NE 1/4	40	11
		4	NE 1/4 SW 1/4	40	8
			NE 1/4 SE 1/4	40	26
			NW 1/4 SE 1/4	40	37
			SW 1/4 SE 1/4	40	12
			SE 1/4 SE 1/4	40	39
		9	NE 1/4 NE 1/4	40	13
			SE 1/4 NE 1/4	40	3
		10	NW 1/4 NW 1/4	40	40
			Total number of acres to be irrigated:	227	

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
20th day of December, 1966.

/s/ R. KEITH HIGGINSON

State Reclamation Engineer.

(SEAL)

✓ - 11111

62-3337

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 39264
Permit No. G- 31171
District No.

1. Name of Applicant: **W. H. Weatherby**
Postoffice address: **6900 McMullen St.,** County: **Ada** State: **Idaho**
Boise
2. Quantity of water claimed: **1.0 Cubic Ft. Per Sec.**
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Subterranean**
4. Location of point of diversion or well is in the **SW 1/4 of the SW 1/4 of Section 3**
Twp. 1 N , Rge. 1 E , B.M., County of Ada
5. Water is to be used for: **Irrigation**
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the **1/4 of the 1/4 of Section , Twp.**
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the **1/4 of the 1/4 of Section , Twp. , Rge. , B.M.**
7. Kind of works: **Wells, Pumps and ditches**
8. Estimated cost of works: **\$15,000.00**
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is **5**
years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - 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) **1.0** (cubic feet per second, inches or gallons per minute) is for new lands.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
1 N.	1 E.	9	40	40	40	40	160
1 N.	1 E.	10		40			40
						TOTAL	200

AMENDMENT TO LAND LIST

Comes now W. H. Weatherby and represents to the State Reclamation Engineer of the State of Idaho, That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-31171, and requests that the list of lands to be irrigated as described in said Permit be changed to read as follows: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 9, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 4, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, all in T 1 N., R 1 E., B.M. making a total of 227 acres. That the rights of others will not be adversely affected by such change. Signed at Boise, Idaho this 12th day of August, 1966.

/s/ W. H. WEATHERBY

Date of receipt at office of Department of Reclamation: August 15, 1966.

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-31171. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers of which it becomes a part and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ R. KEITH HIGGINSON, Deputy
State Reclamation Engineer

Recorded: August 16, 1966.

Permit No. G-31171

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that W. H. WEATHERBY of Boise, County of Ada, and State of Idaho, the holder of Permit No. G-31171, issued upon Application No. G-39264 bearing date of priority of June 4, 1963, authorizing the diversion of 4.0 second feet of waters of a well County of Ada, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 4.0 second feet of the waters of a well, tributary of subterranean flow; that the point of diversion of said waters SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3, T. 1 N., R. 1 E., B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3; SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 4; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 9; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, T. 1 N., R. 1 E., B.M.

Proof of Completion of Works Made: December 2, 1965

Witness my hand this 20th day of December, A. D. 1966

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 4.0 SEC. FT.
LICENSE PAGE NO. 2684

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

Permit No. G-31171

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

1. Name of applicant W. H. Weatherby

2. Source of water supply: Subterranean

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

T. 1 N. R. 1 E.B.M. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: 150 HP U.S. Halladay
Motor #1285419, Layne & Butler Pump # DCR 830 (Model 12 FPM)
(2250 GPM @ 22.5' @ 1771 RPM.) 10" discharge to open concrete
ditch.

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):

NE $\frac{1}{4}$ Sec. 9., NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10., Twp. 1 N., Rge. 1 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: M. F. H. from irrigation along

T 68°F - water milky color indicating gas or air from ascending water -
pumping sand and small gravel
Measured by Current Meter #375

This examination was made on the 27th day of April, 1966

(Signed) L. J. Johnson
Examiner.

W. H. Weatherby 375-6600
6900 McMullen St.,
Boise, Idaho
Permit No. 31171

Examination for Completion of Works & Beneficial Use

County Ada

Sec. 3 T1N R1E2M

Quantity: 4.0 cfs.

Source: Subterranean

P.D.: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3

Twp 1N. Rge. 1E

Use:

Irrigation

Extension:

Protest:

Completion of Works: December 3, 1963

Other Rights: None Listed

Filed: June 4, 1963

Due: June 7, 1963

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-31171

REPORT ON PROOF OF Completion of Works & Beneficial Use

LJ-200
1-63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date 4/27, 1966 DISCHARGE MEASUREMENT NOTES

Up the river River at 63171 3-1N, 1E

Angle coef- ficient	Dist. from initial point	Width	Depth	Observa- tion depth	Revo- lutions	Time in sec- onds	VELOCITY		Adjust- ed for hor. angle or -----	Area	Discharge
							At point	Mean in ver- tical			
	21.3	25									5
	2.5	.35	.80		40	52	.79			.28	.22
	2.7	.25	1.27		40	48	.85			.32	.27
	3.0	.40	1.10		50	51	.99			.44	.44
	5.5	.50	1.11		50	42	1.06			.55	.58
	2.0	.50	1.10		50	48	1.06			.55	.54
	4.5	.50	1.10		50	49	1.03			.55	.57
	5.0	.50	1.10		40	46	.93			.55	.51
	5.5	.60	1.12		40	43	.95			.45	.43
	5.8	.40	1.10		40	50	.82			.44	.36
	6.8	.35	.60		50	43	.95			.27	.26
	6.7	.20			0	0	0				4.72
	6.6	.20									

No. _____ of _____ Sheets. Comp. by _____ Chk. by 3/171