

Idaho Department of Water Resources

T04N, R01W,
S32

Claim No: 63-5015

Prepared By: Kimberly Brown

Date: September 1, 2005



Place of Use



Section Lines



1/4 1/4



Point of Diversion

Acres Irrigated = 37.0



300 0 300 600 Feet

1987 NAPP



NESE

NESW

NWSW

SESW

SWSW

SESE

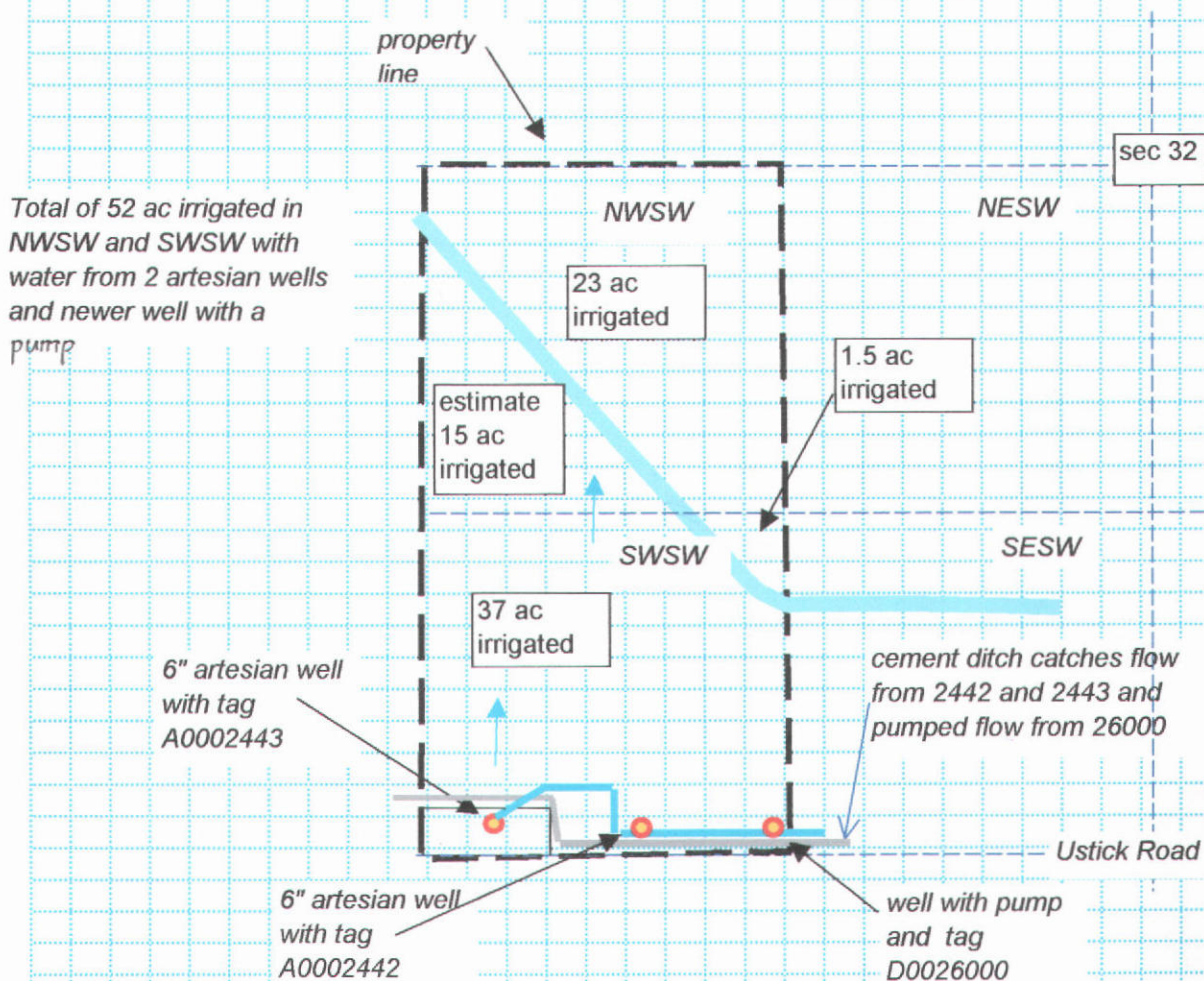
Sterling Landscape Claims

63-31306 irr. ↑

63-5015 irr. (37 AC)

63-15734 dom.
63-10029 comm.

Drawing of diversion layout



63-5015

Sterling Landscape

1081 North Mitchell

Boise ID 83704

not drawn to scale



Prepared by
Darwin Vander Stelt

32

NWNW

NENW

SWNW

SENW

NWSW

NESW

SWSW

SESW

SWNW

Area
Irrigated

Artesian
Well A0002443

Well with Pump
of Artesian

Artesian
Well A0002442

Digital Photos

Date photographed

11/14/2003



picture of newer well
with submersible pump
resulting from transfer
It is tagged with
D0026000



Discharge for well
A0002443

63-5015				
Sterling Landscape	location of point of diversion:			
1081 North Mitchell	USR	0299201	0298991	0299319
Boise ID 83704		0284497	0284555	0284498

Digital Photos

Date photographed

1/28/2004



well with tag no.A0002442
free flow into cement ditch



well with tag no.A0002443

63-5015			
Sterling Landscape	location of points of diversion:		
1081 North Mitchell	USR	0299201	0298991
Boise ID 83704		0284497	0284555

Prepared by
Darwin Vander Stelt

6. Slope-Area Method (Manning)

Claim# 63-5015

I tried a test to see if this method could work with a pipe under certain circumstances. , and it does seem to work. I used a bucket to measure the flow first, and came up with about 2.5 secs to fill a 5 gal bucket. This is only a close guess since I have 2 hands only and am highly opposed to falling in the pond in winter. This equals about 120 gpm. One complication was the butterfly valve in a fitting on the end, and the calculations didn't come close until I accounted for that, and then it was surprisingly close. The adjustments for the butterfly valve are below. (I didn't bill the hours to develop this spreadsheet. Was entertainment on snowy day!)

The slope-area method consists of using the slope of the water surface in a uniform reach of channel and the average cross-sectional area of that reach to give a rate of discharge. The discharge may be computed from the Manning formula:

$$Q = (1.486/n)AR_h^{2/3}S^{1/2}$$

The pipe looks like this:

the angles and areas are calculated here:

where:

Q = discharge (ft^3/s)

A = mean area of the channel cross section (ft^2)

R_h = mean hydraulic radius of the channel (ft)

S = energy slope of the flow

n = a roughness factor depending on the character of the channel lining

The concept I used was that the area of the circle covered by alpha would have same proportion of total area as S does to total circumference.

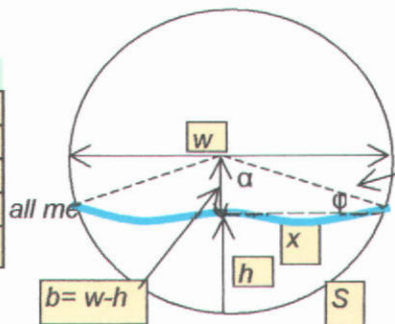
then you just have to deduct the triangle and you have the area of cross section. The geometry is developed here:

For this pipe,

Cross sectional area:

$$A = 0.063435 \text{ Sq.ft}$$

$w =$	8.625
$h =$	2.875
$r =$	4.3125
$b =$	1.4375
$x =$	4.065864

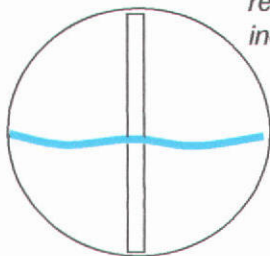


Calculation of angle:	
$\tan \phi =$	0.333333
radians	0.321751
degrees	18.43495
$\alpha = 90 - \phi$	71.56505 degrees
radians	1.249046
formula	$\text{ang} = \text{arc}/\text{radius}$
S length	$= \alpha(\text{radians}) * r$
S length	5.38651 inches
total area	58.4264 sq in
total circumference	27.0963
proportion of circle	0.198791
Area before adjustments	11.61466
less area triangle xrb	2.92234
1/2 total ar	8.692322
A=area	17.38464 sq in
A= area	0.120727 sq ft
wetted perimeter(ft)	0.897752

$$r^2 = b^2 + x^2$$

$$x^2 = r^2 - b^2$$

adjustments to reflect butterfly valve:



reduce cross sectional area

increase wetted perimeter

2.75 x .25 in

$(2 * \text{Area})/8$

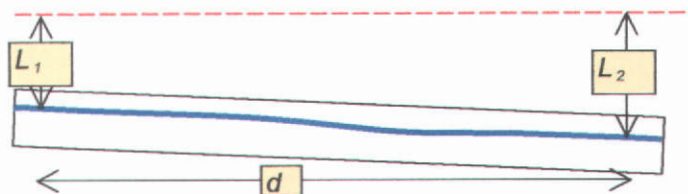
0.057292 s.f

0.030182 ft

The rationale for the factor increasing the wetted perimeter is that the area on each side of the butterfly valve is exactly the same as the cross sectional area of the channel. Because the water flows around both sides within the fitting the area is averaged over 8 inches and doubled.

$$R_h = 0.068362 \text{ hydraulic radius}$$

$$S = 0.033333 \text{ slope}$$



$L_1 =$	0 in feet
$L_2 =$	0.1 (1 1/4 inches)
$d =$	3

Select n from list:

glass

0.01

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5015

WATER RIGHT NUMBER: 63-5015

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROBERT FRIDAY 4190 N STAR RD MERIDIAN, ID 83642
Original Owner	MARILYN FRIDAY 4190 N STAR RD MERIDIAN, ID 83642 (208)466-4063

<u>Current Owner</u>	STERLING LANDSCAPE CO C/O LYNNE STERLING 1081 N MITCHELL ST BOISE, ID 83704 (208)322-4505
----------------------	---

Priority Date: 04/01/1958

Basis: Statutory Claim

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

4/01 to 11/01

Diversion Rate

0.740 CFS

Annual VolumeTotal Diversion:

0.740 CFS

Location of Point(s) of Diversion

GROUND WATER

ADA County

SW1/4SW1/4

Sec. 32, Twp 04N, Rge 01W, B.M.

Place of Use

IRRIGATION

GPS POD
A0002442
2443

0299201
0284497
0298991
0284555

Third well already
Tagged D0026000
0299319
0284498

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01W	32			37.0		37.0

Total Acres: 37

verify amount and location
of POU:

Conditions of Approval:Remarks:

1.

Ownership change by DB 5/14/2001

- is it 37 acres?

- are the 37 acres in the
SWSW 1/4 only?

OR

do they also fall within
the NWSW?

Idaho Department of Water Resources

Claim Number: 63-05015

Legal: T4N, R1W, S32

Reviewed By:

● Point of Diversion



Place of Use



Section Lines



Quarter Quarter Lines

1987 Napp Photo



0 0.25 Miles



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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-5015
Date Received: 6/19/89
Receipt No: W003268
Received By:

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

1. Name of Claimant(s): STERLING LANDSCAPE CO
AN IDAHO CORPORATION
1081 N MITCHELL AVE
BOISE ID USA 83704

Phone: (208)322-4505

2. Date of Priority: 04/01/1958

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	32	SW SW	ADA	

5. Description of diverting works:

WELL & DITCH, APPROX. 435' DEEP, 6" CS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.74	

7. Total Quantity Appropriated is:
0.74 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	32	SW SW		IRRIGATION	37
					Section Acres	37
					Total Acres	37

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

Ownership change by DB 5/14/2001

15. Basis of Claim: Statutory Claim

RECEIVED

APR 04 2001

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: _____
Adjudication Claim No(s).: A63-05015

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant: Robert Friday
4190 N Star Rd., Meridian, Id 83642

4. New Owner/Claimant(s): Sterling Landscape, Co., an Idaho Corporation
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address: 1081 N. Mitchell Ave.
City, State and ZIP Code: Boise, ID 83704
New Telephone Number: (208) 322-4505

5. Date you acquired the property: February 9, 2001

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s): By: John H. Sterling
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

FA 134634

RECORDED - REQUEST OF


 ADA COUNTY RECORDER
 J. DAVID NAVARRO
 BOISE, IDAHO

 FEE 3- DEPUTY *[Signature]*

2001 FE -9 PM 4:36

101011961

WARRANTY DEED

FIRST AMERICAN

For Value Received

Robert Friday and Marilyn Friday, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Sterling Landscape Co., an Idaho corporation

hereinafter referred to as Grantee, whose current address is

1081 N. Mitchell St. - Boise, ID 83704

the following described premises, to-wit:

The West half of the Southwest quarter of Section 32, Township 4 North, Range 1 West, of the Boise Meridian, Ada County, Idaho.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

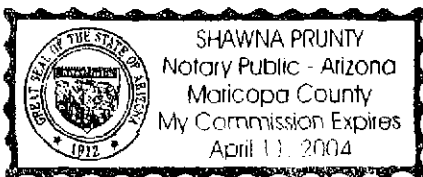
Dated: January 24, 2001.

Robert Friday
 Robert Friday

Marilyn Friday
 Marilyn Friday

STATE OF Arizona)
) ss.
 COUNTY OF Maricopa)

On This 26 day of January, in the year 2001, before me, a Notary Public in and for said State, personally appeared Robert Friday and Marilyn Friday, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.



Shawna Prunty
 Notary Public of: Maricopa County, AZ
 Residing at: 3320 E. University #1116
 Commission expires: April 11, 2004

**Idaho Secretary of State
Business Entity Search****RECEIVED****APR 04 2001**WATER RESOURCES
WESTERN REGION

STERLING LANDSCAPE, CO.1081 NORTH MITCHELL STREET
BOISE, ID 83704

Type of Business: CORPORATION, GENERAL BUSINESS**Status:** GOODSTANDING**State of Origin:** IDAHO**Date of** 13 Feb 1973**Origination/Authorization:****Current Registered Agent:** JOHN STERLING
4201 LENORA DRIVE
BOISE, ID 83704**Filing Number:** C-46899**Number of Authorized** 1**Stock Shares:****Date of Last Annual Report:** 19 Dec 2000**Related Documents:** 13 Feb 1973 - INCORPORATION (STERLING LANDSCAPE, CO.)
06 Jun 1979 - UNKNOWN (OTHER (RA))
30 Jul 1981 - UNKNOWN (OTHER (CHG RO))
03 Aug 1989 - 1989 ANNUAL REPORT
10 Jul 1990 - 1990 ANNUAL REPORT
23 Jan 1991 - 1987 ANNUAL REPORT
16 Aug 1991 - 1991 ANNUAL REPORT
07 Nov 1991 - 1988 ANNUAL REPORT
15 Jul 1992 - 1992 ANNUAL REPORT
20 Jul 1993 - 1993 ANNUAL REPORT
19 Jul 1994 - 1994 ANNUAL REPORT
13 Jul 1995 - 1995 ANNUAL REPORT
17 Jul 1996 - 1996 ANNUAL REPORT
17 Jul 1997 - 1997 ANNUAL REPORT
06 Aug 1998 - 1998 ANNUAL REPORT
19 Oct 1999 - 1999 ANNUAL REPORT
19 Dec 2000 - 2000 ANNUAL REPORT

No. C 46899		Due no later than Feb 28, 2001		2. Registered Agent and Office NO PO BOX	
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080		Annual Report Form 1. Mailing Address - Correct in this box, if applicable STERLING LANDSCAPE, CO. LYNNE D STERLING 1381 NORTH MITCHELL STREET BOISE, ID 83704		JOHN STERLING 4201 LENORA DRIVE BOISE, ID 83704	
NO FILING FEE IF RECEIVED BY DUE DATE				3. New Registered Agent Signature	
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.					
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
Pres.	John Sterling	4201 Lenora Drive	Boise	ID	83704
Secy/Treas.	Lynne Sterling				
Directors					
	John Sterling	4201 Lenora Drive			
	Lynne Sterling				
5. Organized Under the Laws of:		6.		Date	
IDAHO C 46899		Signature: <i>Lynne Sterling</i>		12/18/00	
		Name: <i>Lynne Sterling</i>		Title: <i>Secy/Treas</i>	
Issue 1 10/05/00		Do Not T...		57	

Corporate Supplement to Application

LEGAL NAME OF CORPORATION STERLING LANDSCAPE, CO.

RECEIVED

APR 04 2001

WATER RESOURCES
WESTERN REGION

1. Incorporated under the laws of the state of Idaho on February 13, 1973.
2. The articles of incorporation and bylaws of the corporation were last amended 2/7/01
3. Stockholder, directors and officers (include manager if not an officer or director).

NAME	SHARES OWNED	TITLE	DIRECTOR (Yes or No)	PRINCIPAL OCCUPATION
John Sterling	51	President	Yes	President
Lynne Sterling		Secretary/Treasurer	Yes	Secretary/Treasurer

CORPORATE RESOLUTION

This corporation desires to borrow money, and if required by Lender, to mortgage its property, to provide for the payment of the corporation's debts, expenses of operation, purchase of livestock, real property, improvements, other capital goods and for otherwise carrying out the purpose and businesses of the corporation;

AND HAS RESOLVED AS FOLLOWS:

1. The president and secretary or other designated officers of this corporation are authorized to negotiate for and accept a loan or loans from Northwest Farm Credit Services, FLCA and/or Northwest Farm Credit Services, PCA depending on the type of loan product applied for and approved, ("Lender"), at such times as may be expedient, accept the proceeds of these loan(s), and to execute note(s), Mortgages, Deeds of Trust or other loan documents covering any or all of the real or personal property of this corporation, as required by Lender to grant and maintain a security interest in its property;
2. These officers are empowered to renew, extend or otherwise modify or restructure such loan(s), and to borrow additional money from Lender and execute documents evidencing, securing, and modifying new or additional loans, provided that the outstanding amount of any such loans at any one time shall not exceed \$1,000,000.00, exclusive of interest, advances, fees or costs;
3. These officers are authorized to negotiate and execute any loan servicing documents or restructuring agreements as may become necessary; and,
4. The corporation shall purchase an amount of stock in Northwest Farm Credit Services, ACA, ("ACA"), as risk capital in ACA as Lender shall require.

IT IS FURTHER RESOLVED, that a duplicate or a conformed copy of this Resolution be certified by the secretary of the corporation and forwarded to Lender. All authorities, powers and appointments made or granted herein shall continue until Lender receives written notice of change or revocation.

CERTIFICATION

I hereby certify that the foregoing was adopted by the board of directors of the corporation in accordance with its articles and bylaws at a meeting of its board of directors held on March 15, 2001; and that this Resolution appears in the minutes of the meeting in the form and words set forth above.

3/28/2001

Date

Lynne Sterling
Lynne Sterling, Secretary

(SEAL)

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: A63-05015
Date Received: 6/19/1989
Receipt No: W003268
Received By: LW

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

1. Name: ROBERT FRIDAY 208-466-4063
Address: 4190 N. STAR RD.
MERIDIAN, ID 83642

OR

Name: MARILYN FRIDAY
Address: 4190 N. STAR RD.
MERIDIAN, ID 83642

2. Date of Priority: APR 01, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	32	SW	SW			ADA

5. Description of diverting works:
WELL & DITCH, APPROX. 435' DEEP, 6" CS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.740		

7. Total Quantity Appropriated is:
0.740 C.F.S. (and/or) 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
04N	01W	32	SW	SW	IRR	37.0
Section Acres						37.0
Total Acres						37.0

11. Place of use in counties: ADA

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

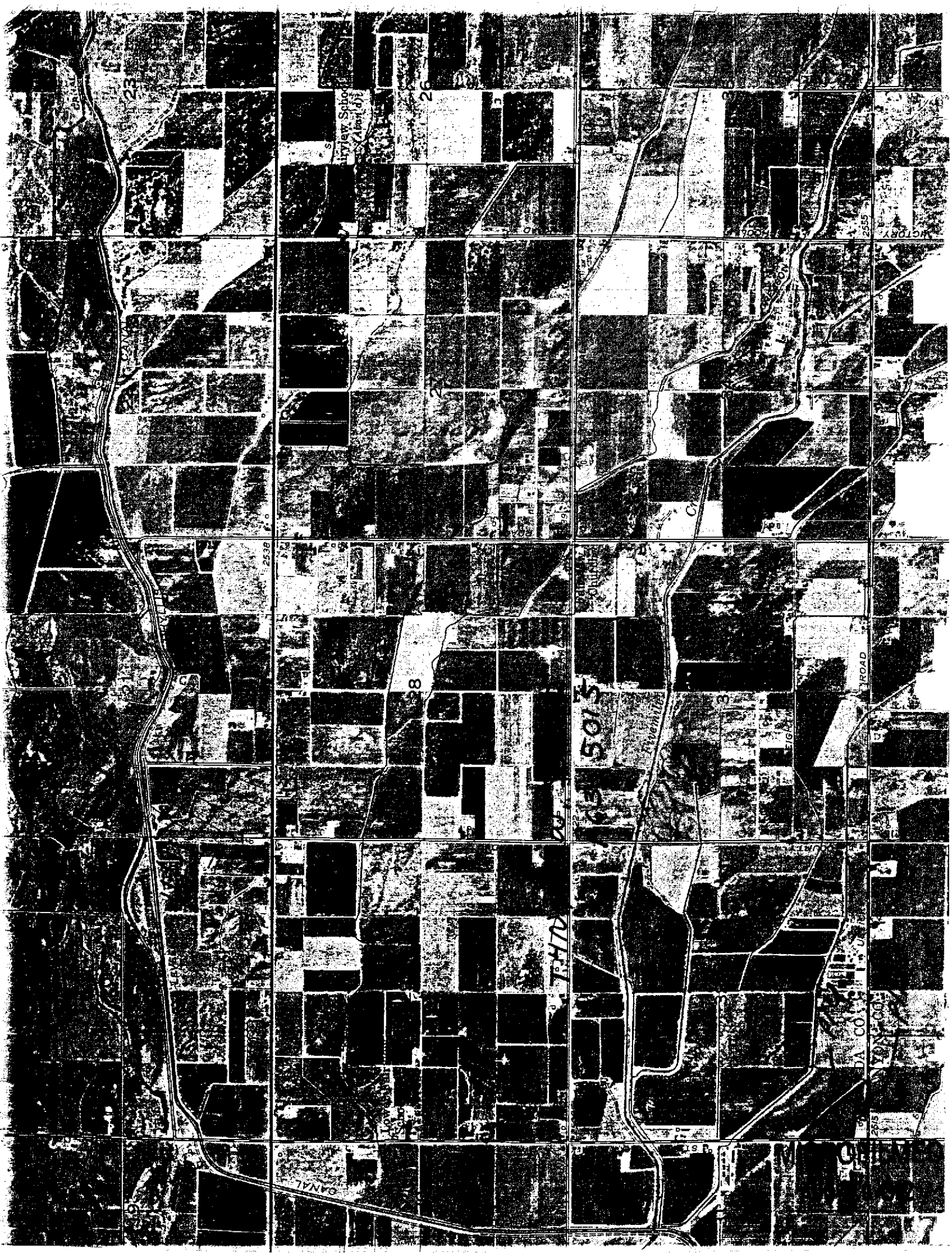
13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

(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.

MICROFILMED
AUG 20 1992



09/06/2005

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

RIGHT NUMBER: 63-5015

NAME AND ADDRESS: STERLING LANDSCAPE CO
C/O LYNNE STERLING
1081 N MITCHELL ST
BOISE ID 83704

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.740 CFS
166.500 AFY

This right when combined with Right No. 63-31306 shall provide no more than
.02 cfs per acre nor more than 4.5 af per acre.

PRIORITY DATE: 04/01/1958

POINT OF DIVERSION:

T04N R01W S32 SWSW Within ADA County

T04N R01W S32 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.740 CFS
166.50 AFY

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S32 SWSW 37.0

37 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

Idaho Department of Water Resources

T04N, R01W,
S32

Claim No: 63-5015
Prepared By: Kimberly Brown
Date: September 1, 2005



Place of Use

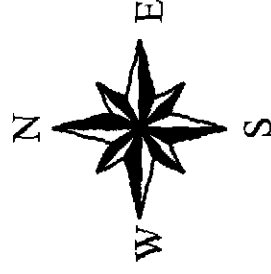


Section Lines

1/4 1/4

⊙ Point of Diversion

Acres Irrigated = 37.0



300 0 300 600 Feet



1987 NAPP

12/29/2003

the Mint Still is located on this parcel of property

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5015

WATER RIGHT NUMBER: 63-5015 ✓

Owner TypeName and Address ✓

Original Owner

ROBERT FRIDAY ✓
4190 N STAR RD
MERIDIAN, ID 83642

Original Owner

MARILYN FRIDAY ✓
4190 N STAR RD
MERIDIAN, ID 83642
(208)466-4063

Current Owner

STERLING LANDSCAPE CO ✓
C/O LYNNE STERLING
1081 N MITCHELL ST
BOISE, ID 83704
(208)322-4505Property Address:

7870 W. Ustick Rd.

Priority Date: 04/01/1958 ✓

Basis: ~~Statutory Claim~~

Beneficial Use ✓

Status: Active

37 acres

.02

0.74 cfs

Source

GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION ✓

From To ✓
4/01 to 11/01Diversion Rate

0.740 CFS ✓

Annual Volume

166.5 AFA

Total Diversion:

0.740 CFS ✓

166.5 AFA

Location of Point(s) of Diversion

GROUND WATER

SW 1/4 SW 1/4 ✓

Sec. 32, Twp 04N, Rge 01W, B.M. ✓

ADA County ✓

ADD: POD #2

Place of Use

IRRIGATION

(+) SW 1/4 SW 1/4

Sec. 32, T04N, R01W

Twp Rge Sec

04N 01W 32

NE NW SW SE

NE NW SW SE

NE NW SW SE

NE NW SW SE

Totals

37.0 ✓

Total Acres: 37 ✓

Conditions of Approval:Remarks:

1. ADD - Ownership change by DB 5/14/2001

ADD W54

- Water combined with Settlers Irrigation Dist. water.

This water right when combined with #63-31306
 ADD E62 - shall provide no more than 0.02 cfs/ac or 4.5 afa/ac.

Parcel No: ^{a portion of} 180432325500.

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

* electronic back file available

Field Exam Date 9-1-05

(in office)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$87.⁰⁰ (\$50.⁰⁰ filing fee + 37 acres of irrigation - \$37.⁰⁰)
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☒ Evidence of Priority - if none, talk with claimant (Rec'd. Dec. 23, 2003)

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) AG3-05015

Owner: Sterling Landscape Co. Phone No. (208) 322-4505

Current Address: 1081 N. Mitchell St. Boise 83704

- ☒ No change NAME IS THE SAME (property located at 7870 W. Ustick Rd.)
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property? _____

Accompanied by: N/A

PRIORITY DATE

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

Affidavit signed by Robert Friday,
Signed 12/22/03.

Priority date, per claimant, is: 4/1/1958

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

Source: Ground Water Tributary to _____

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

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: 2 PODs - add another SW3W, S32
- ☐ If different, when did POD change? _____

* According to the Field Report, a newer third well is also being used, but it was drilled only a few years ago.

The artesian well that supplies water to the commercial mint still under #63-10029 is also used to irrigate the 37 acres in SWSW, S32 under #63-5015 & #63-31306; from overflow.

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ADD -

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
			SW	SW	32	4N	1W		

Description of diverting works

See IDWR Field Report.

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-31306 & 63-10029 (overflow from mint still flows into ditches)

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

This water right when combined with other rights shall provide no more than 0.02 cfs per acre or more than 4.5 afa per acre.

WATER USES

☐ No change

☐ Different Uses

Use Irrigation From 3/1 To 11/15 Amount CFS 166.5 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

37 AC x 4.5 afa/acre = 166.5 afa/annum (v) 0.74 cfs x 1.9835 x 215 days = 315.6 afa/annum

TOTAL VOLUME - Groundwater only

☒ Incomplete on claim, the total is, Amount _____ CFS 166.5 AFA 4/1-10/31-214 days

☐ Changes found, the new total is, Amount _____ CFS _____ 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:

There is actually only 35.2 acres of irrigation in the SWSW, S32; but the license for #63-31306 designated 37 ACRES.

Parcel No: a portion of 80432325500.

Water is combined with Settlers Irrigation District water.
This right when combined with all other rights shall
provide no more than 0.02 cfs per acre or no more than
4.5 af per acre.

Parcel No: a portion of 804323 25500.

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 9-1-05 (in office review)

FIELD EXAMINER: Kimberly Brown

*

overlap review

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-5015

09/06/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-5015	Claim	04N	01W	32	SW	SW		GROUND WATER	STERLING LANDSCAPE CO
63-10029	Claim	04N	01W	32	SW	SW	comm.	GROUND WATER	STERLING LANDSCAPE CO
63-15734	Claim	04N	01W	32	SW	SW	domestic	GROUND WATER	MARILYN FRIDAY
63-31303	Claim	04N	01W	32	SW	SW		GROUND WATER	ROBERT FRIDAY
63-31304	Claim	04N	01W	32	SW	SW		GROUND WATER	STERLING LANDSCAPE CO
63-31306	Claim	04N	01W	32	SW	SW	irr.	GROUND WATER	STERLING LANDSCAPE CO
63-31306	Claim	04N	01W	32	SW	SW		GROUND WATER	STERLING LANDSCAPE CO
63-5015	Water Right	04N	01W	32	SW	SW		GROUND WATER	ROBERT FRIDAY
63-10029	Water Right	04N	01W	32	SW	SW		GROUND WATER	ROBERT FRIDAY
63-15734	Water Right	04N	01W	32	SW	SW		GROUND WATER	STERLING LANDSCAPE CO

overlap with #63-31306 in
the SW8W, Sec. 32

& #63-10029 (overflow
from mint still
flows into ditches.)

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-5015

09/06/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
5015	Claim	04N	01W	32	SW	SW		IRRIGATION	37/37	STERLING LANDSCAPE CO
31306	Claim	04N	01W	32	SW	SW		IRRIGATION	37/75	STERLING LANDSCAPE CO
2169	Water Right	04N	01W	32	SW	SW		IRRIGATION	40/40	JOHN JEPSEN
5015	Water Right	04N	01W	32	SW	SW		IRRIGATION	37/37	ROBERT FRIDAY
1614B	Claim	04N	01W	32	SW	SW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1618B	Claim	04N	01W	32	SW	SW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1262B	Claim	04N	01W	32	SW	SW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT

overlap with #63-31306
in the SWSW, Sec. 32.

(+) Settlers Irr. Dist. water used

NES

NWSW

NESW

Sterling Landscape

Claims

SWSW

SESW

62-15784

63-1002

From 63-10029 B/u Field Report

H. REMARKS AND OVERLAP REVIEW ANALYSIS

The measurement requirement for this permit will be waived.

Overlap for this permit (industrial use for mint still) does not exist. Water right 63-5015 is for the irrigation of the 40 acre tract. The still is located in

only commercial use was licensed —

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Commercial	4/1	11/1	0.67 75 cfs	34.6 AFA
Totals:				

2. Recommended Amendments

- ☐ Change P.D. as reflected above
 ☐ Add P.D. as reflected above
 ☒ None
- ☐ Change P.U. as reflected above
 ☐ Add P.U. as reflected above
 ☐ Other

J. AUTHENTICATION

Field Examiner's Name Richard J Gempel

Signature Richard J Gempel

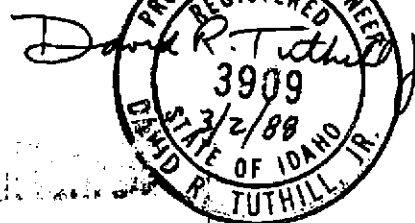
Certification Date _____

Field Report Preparation Date 8/6/88

CONSULTANT SEAL

- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

Royann McCordy 11/15/88



Aug 16 1988

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-9004

WATER RIGHT NUMBER: 63-9004

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MARILYN FRIDAY 4190 N STAR RD MERIDIAN, ID 83642 (208)466-4063
Original Owner	ROBERT FRIDAY 4190 N STAR RD MERIDIAN, ID 83642

different
Poll

63-9004

-31305

-31306 (Transfer)

Priority Date: 08/15/1977

Basis: License

Status: Parent

<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	4/01 to 11/01	2.980 CFS	670.50 AF
	<u>Total Diversion:</u>	2.980 CFS	670.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 32, Twp 04N, Rge 01W, 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	01W	32					5.0	4.0	32.0	33.0			38.0	37.0					149.0

Total Acres: 149

Conditions of Approval:

1. This claim has been split. See nos. 63-31305 & 63-31306. DB 9/24/2001
2. R05 The rate of diversion of water for irrigation under this license and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-9004

Claim Received Date: 6/19/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: OR

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>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

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

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31306 V1

WATER RIGHT NUMBER: 63-31306 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STERLING LANDSCAPE CO C/O LYNNE STERLING 1081 N MITCHELL ST BOISE, ID 83704 (208)322-4505
Original Owner	MARILYN FRIDAY 4190 N STAR RD MERIDIAN, ID 83642 (208)466-4063
Original Owner	ROBERT FRIDAY 4190 N STAR RD MERIDIAN, ID 83642

Priority Date: 08/15/1977

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 11/01	1.500 CFS	337.50 AF
	<u>Total Diversion:</u>	1.500 CFS	337.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4SW1/4	Sec. 32, Twp 04N, Rge 01W, B.M.
ADA County		
GROUND WATER	NW1/4NW1/4SW1/4	Sec. 32, Twp 04N, Rge 01W, B.M.
ADA County		
GROUND WATER	NE1/4SW1/4SW1/4	Sec. 32, Twp 04N, Rge 01W, 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	01W	32											38.0	37.0					75.0

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31306 V1

1. 01Q 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.
2. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval or 9/25/03.
3. T17 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.
4. T08 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. R65 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.
6. WB4 The total instantaneous diversion of water from all points of diversion under Right 63-31306 shall not exceed 1.50 cfs, nor total combined annual volume of 337.5 af.
7. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Remarks:Comments:

1. PSKAGGS 9/25/2002 2:44:31 PM Transferred Right
Comment: This is now a approved transfer, transfer number = 69886

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: 0.02
 Generic Max Volume Per Acre: 4.5
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: True

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>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

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

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31305 V1

WATER RIGHT NUMBER: 63-31305 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROBERT FRIDAY 4190 N STAR RD MERIDIAN, ID 83642
Original Owner	MARILYN FRIDAY 4190 N STAR RD MERIDIAN, ID 83642 (208)466-4063
Current Owner	CHASE FAMILY LLC 70 W FLOATING FEATHER RD EAGLE, ID 83616

Priority Date: 08/15/1977

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 11/01	1.480 CFS	333.00 AF
	<u>Total Diversion:</u>	1.480 CFS	333.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 32, Twp 04N, Rge 01W, 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	01W	32					5.0	4.0	32.0	33.0									74.0

Total Acres: 74

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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31305 V1

2. S39 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 NOVEMBER 1 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.
3. W54 Use of this right is combined with water from Settlers Irrigation District.

Remarks:Comments:

1. kbrown 10/1/2003 63-9004 Split

Comment: This claim is the result of a split due to changes in ownership for a portion of 63-9004.

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: OR
 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	10/1/2003 3:05:27 PM	kbrown			Active
Contacts	10/1/2003 3:05:36 PM	kbrown			Active
Priority Date	10/1/2003 3:06:07 PM	kbrown			Active
POD	10/1/2003 3:07:38 PM	kbrown			Active
Source	10/1/2003 3:08:02 PM	kbrown			Active
POU	10/1/2003 3:09:27 PM	kbrown			Active
Use	10/1/2003 3:10:06 PM	kbrown			Active
Season	10/1/2003 3:11:21 PM	kbrown			Active
Quantity	10/1/2003 3:12:24 PM	kbrown			Active
Summary			10/01/2003	kbrown	Active

Verification Log:

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31305 V1

POD	10/1/2003 3:16:11 PM	kbrown	Edited point location
Summary	10/1/2003 3:24:36 PM	kbrown	(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? (Yes) 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?
Contacts	10/1/2003 3:05:28 PM	kbrown	(No) 1. Do you want to schedule an appointment? Comment for 1: Licensed.
Contacts	10/1/2003 3:05:37 PM	kbrown	(No) 1. Do you want to schedule an appointment? Comment for 1: Licensed.
Priority Date	10/1/2003 3:06:08 PM	kbrown	(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	10/1/2003 3:07:39 PM	kbrown	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	10/1/2003 3:08:03 PM	kbrown	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31305 V1

POU	10/1/2003 3:09:27 PM	kbrown	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	10/1/2003 3:10:07 PM	kbrown	(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	10/1/2003 3:11:21 PM	kbrown	(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?
Quantity	10/1/2003 3:12:25 PM	kbrown	(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 - Same as licensed.
POU	10/1/2003 3:18:31 PM	kbrown	Edited shape boundary

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-15734

WATER RIGHT NUMBER: 63-15734

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROBERT FRIDAY 4190 N STAR RD MERIDIAN, ID 83642
Current Owner	STERLING LANDSCAPE CO C/O LYNNE STERLING 1081 N MITCHELL ST BOISE, ID 83704 (208)322-4505
Original Owner	MARILYN FRIDAY 4190 N STAR RD MERIDIAN, ID 83642 (208)466-4063

loc. next to Mint Still

Priority Date: 12/31/1920

Basis: Decreed

Status: Active

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

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

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 32, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	32												X					

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. S0432325200 *no such parcel #*

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-15734

Remarks:Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 12/30/1999
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
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>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

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

Water Supply Bank:

3n 1e

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10854

WATER RIGHT NUMBER: 63-10854

Owner Type Name and Address
Current Owner STERLING LANDSCAPE CO
 C/O LYNNE STERLING
 1081 N MITCHELL ST
 BOISE, ID 83704
 (208)322-4505

Priority Date: 07/21/1989

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>
DOMESTIC	1/01 to 12/31	0.030 CFS	0.30 AF
IRRIGATION	3/15 to 11/15	0.030 CFS	4.50 AF
	<u>Total Diversion:</u>	0.060 CFS	4.80 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NE1/4 Sec. 11, Twp 03N, Rge 01E, B.M.
ADA County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 01E 11		1.0															1.0

Total Acres: 1

DOMESTIC same as IRRIGATION

Conditions of Approval:

1. R27 This right when combined with all other rights shall provide no more than 4.5 afa per acre for irrigation of the lands above.
2. Domestic use is for office and shop.

Remarks:

Comments:

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10854

Licensed Date: 3/13/1992
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

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

Water Supply Bank:

3n 1e

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10853

WATER RIGHT NUMBER: 63-10853

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	STERLING LANDSCAPE CO C/O LYNNE STERLING 1081 N MITCHELL ST BOISE, ID 83704 (208)322-4505
Current Owner	CITY OF BOISE PARKS & RECREATION DEPT 1104 ROYAL BLVD BOISE, ID 83706-2898 (208)384-4240

Priority Date: 07/21/1989

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	03/01 to 11/15	0.130 CFS	18.90 AF
	<u>Total Diversion:</u>	0.130 CFS	18.90 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NW1/4	Sec. 11, Twp 03N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01E	11								4.2									4.2

Total Acres: 4.2

Conditions of Approval:

1. R27 This right when combined with all other rights shall provide no more than 4.5 afa per acre for irrigation of the lands above.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10853

Comments:

1. jpeppers 5/20/2005 owner change

Comment: Changed owner to City of Boise based on filing of May 19, 2005. Documents interpreted to be abandonment of domestic portion.

2. jpeppers 5/20/2005 POU

Comment: Updated Shape

Dates and Other Information:

Licensed Date: 8/29/1990

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre: 4.5

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

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>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

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

Water Supply Bank:

Memo

To: Kimberly
From: Darwin Vander Stelt
RE: 63-5015

Documents prepared:

no. pages	Item
2	Pictures
1	Drawing(s)
1	Adjudication Field Report
1	Map showing POD & POU

Claim 63-5015 is for 37 acres in the SWSW of S. 32 04N 01W. There are two artesian wells, now tagged, associated with this claim. The claim appears to be defective because it lists 37 acres in SWSW but in practice has been used for an additional 15 in NWSW. (See Drawing) The flow is currently not adequate to supply .02 cfs for 52 acres (see water measurement calculations), and may never have been adequate. There is a third well in the SWSW (D0026000) which was installed in the last couple of years which is incorrectly listed in 61-31306 as being in NWSW. No well exists in NWSW and it is actually in SWSW, and water from this well, and water from the Settler's district, supplement the water on claim 63-5015. The fields are leveled and cement ditches laid out so that it is evident that the NWSW 15 acres have always been irrigated from the same cement ditch running along the south edge of the POU.

Pertinent Info:

Adjudication claim # 63-5015

Name:

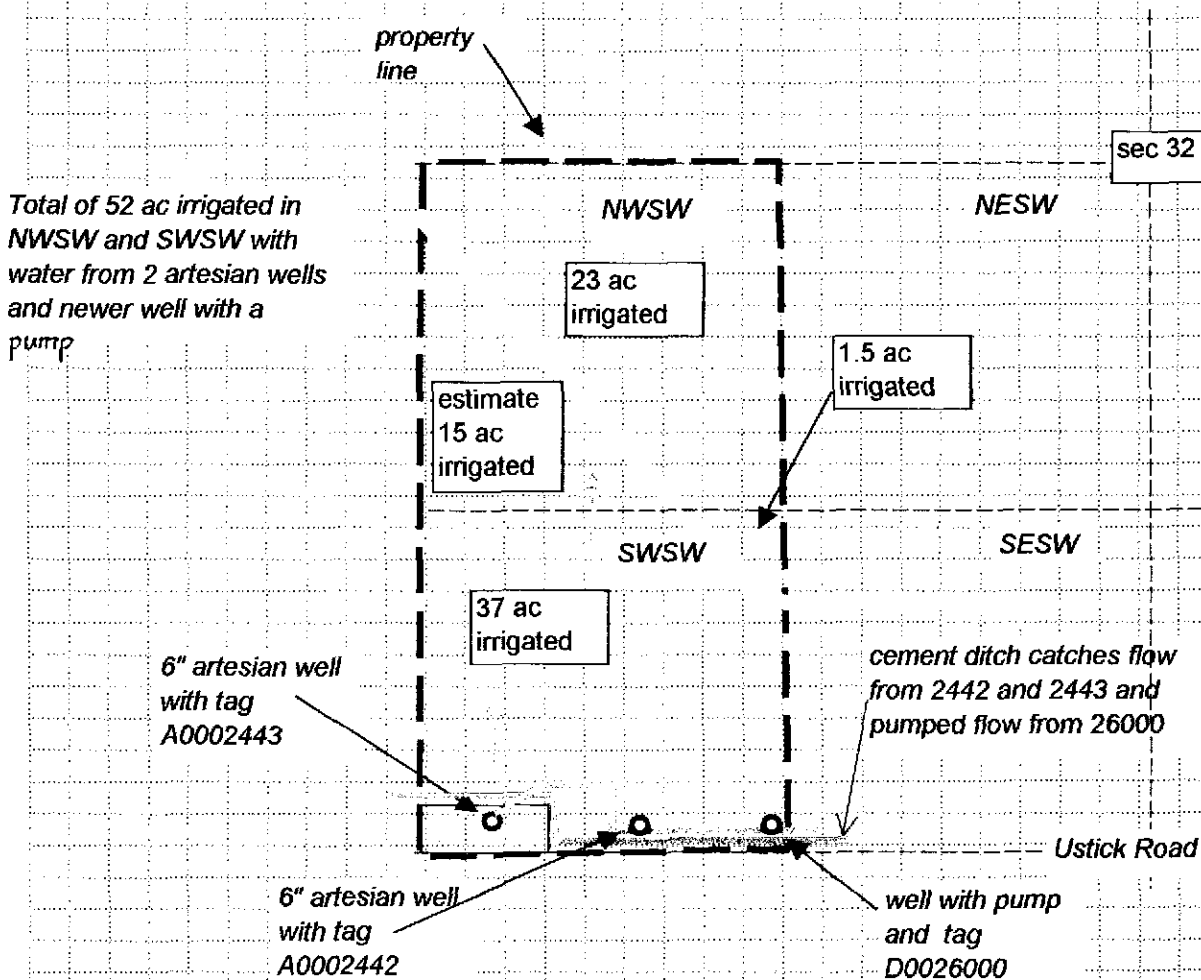
Sterling Landscape
1081 North Mitchell
Boise ID 83704

Well Tag(s)	A0002442	A0002443	D0026000
POD Coordinates:	0299201	0298991	0299319
USR	0284497	0284555	0284498

Date Visited: 1/26/2004

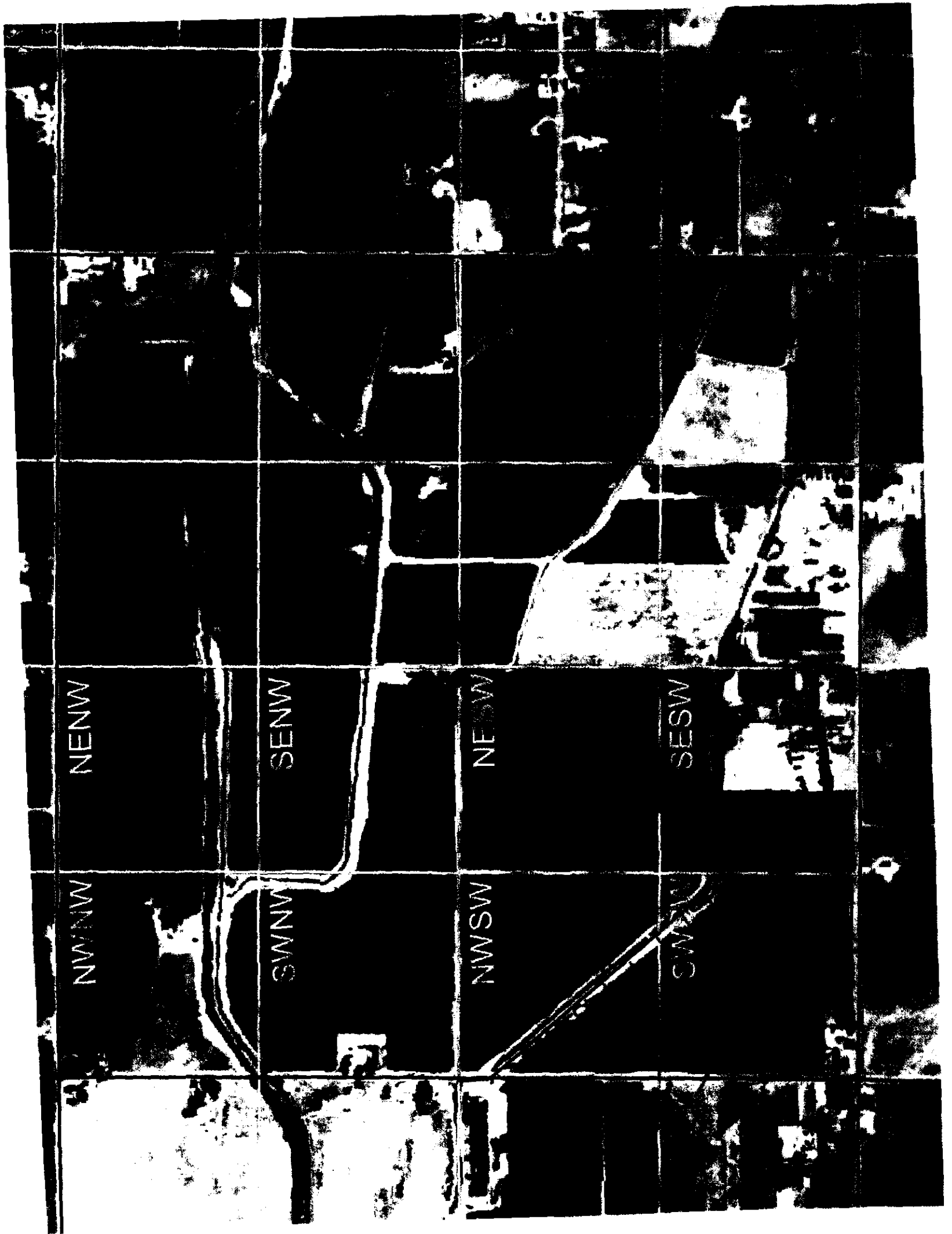
Date Office write-up: 1/27/2004

Drawing of diversion layout



63-5015	
Sterling Landscape	
1081 North Mitchell	
Boise ID 83704	not drawn to scale





Water Measurement

Claim: 63-5015

The two wells associated with this claim were running freely with the water discharging into the cement ditch in 2 places, and into a drainage ditch at a third place. Care was taken to measure water only once. The bucket method was used.

Bucket method:

Water from well tagged	A0002443	2.5 seconds /5 gals =	120.0 gpm.
Water from well tagged	A0002442	3.5 seconds/5 gals	85.7 gpm.
		13 seconds/ 5 gals	23.1 gpm.
			228.8 gpm.

or **0.51** cfs

The owner, John sterling says, as do many of the local owners, that the pressure is lower than it used to be, and also is seasonally variable.

*See Affidavit
signed by Robert
Friday on 12/22/05*

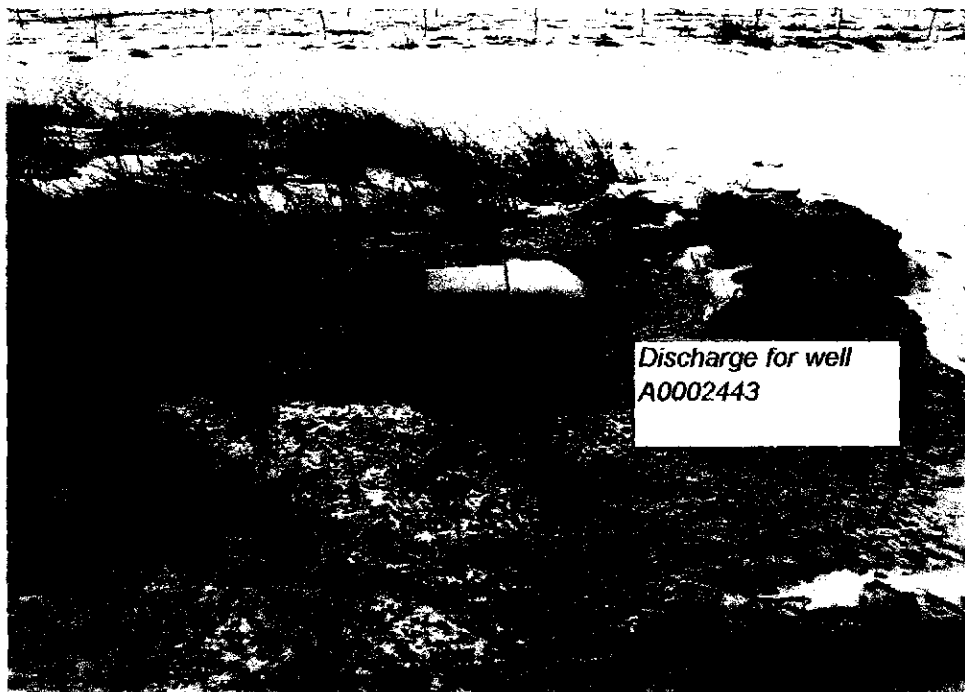
Digital Photos

Date photographed

11/14/2003



picture of newer well
with submersible pump
resulting from transfer
It is tagged with
00026000



Discharge for well
A0002443

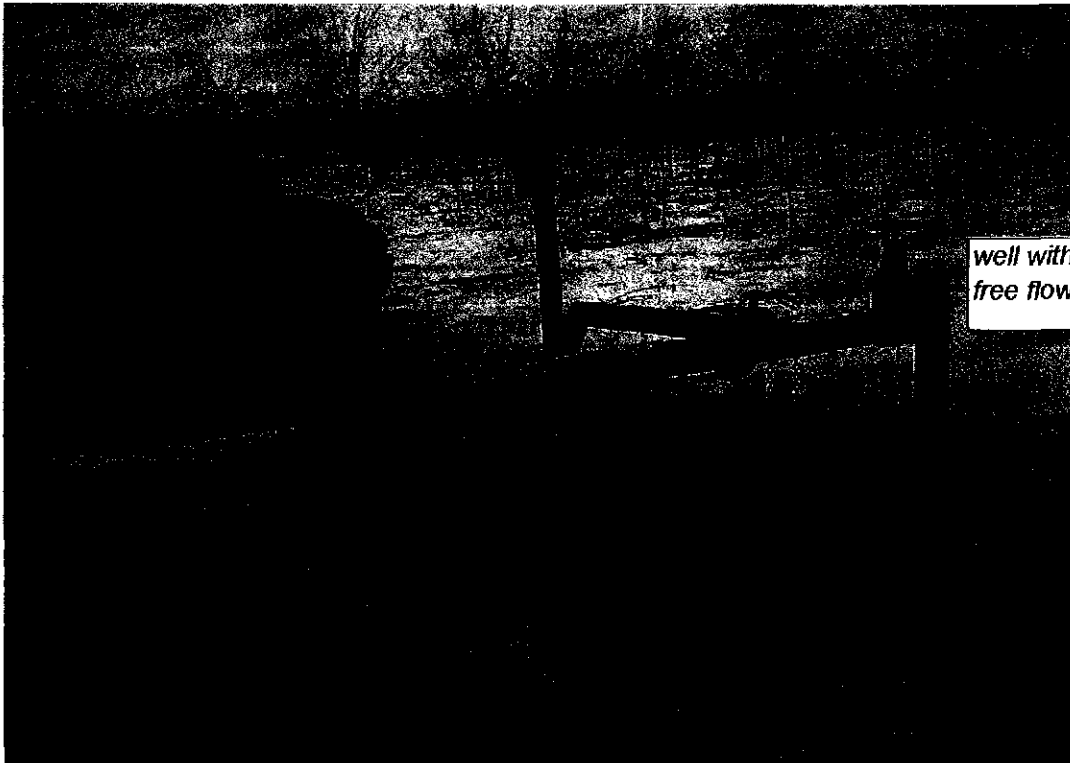
63-5015				
Sterling Landscape	location of point of diversion:			
1081 North Mitchell	USR	0299201	0298991	0299319
Boise ID 83704		0284497	0284555	0284498

Prepared by
Darwin Vander Stelt

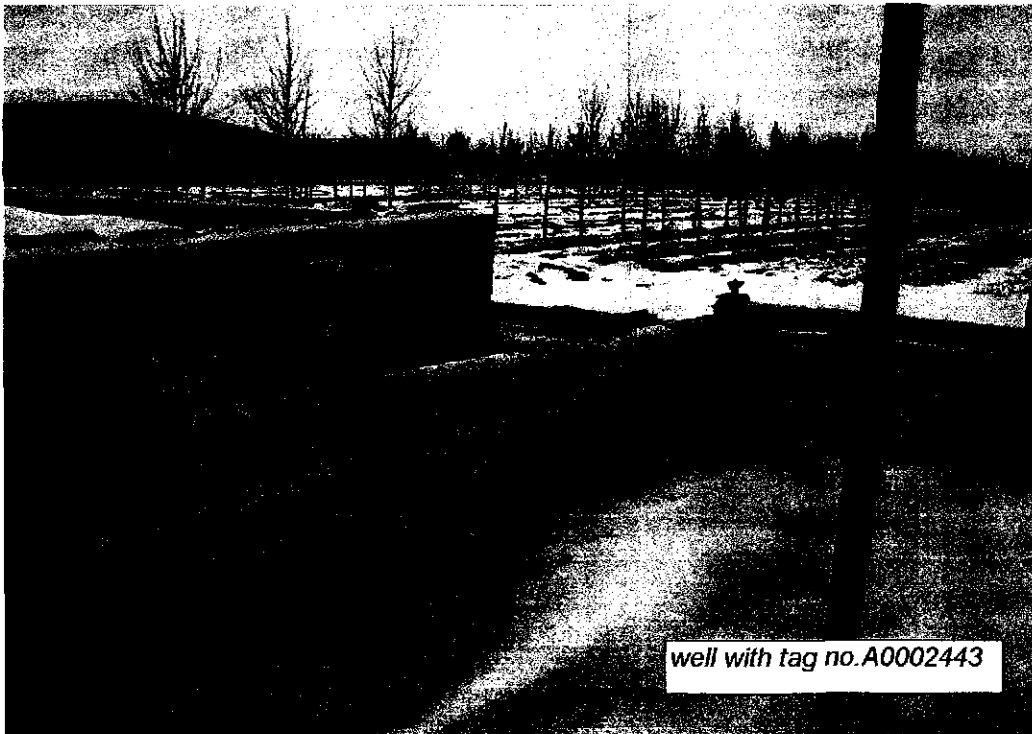
Digital Photos

Date photographed

1/28/2004



well with tag no.A0002442
free flow into cement ditch



well with tag no.A0002443

63-5015			
Sterling Landscape	location of points of diversion:		
1081 North Mitchell	USR	0299201	0298991
Boise ID 83704		0284497	0284555

1/26/2004

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

Prior to Field Exam

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

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-5015Owner: Sterling Landscape Phone No. 322-4505Current Address: 1081 North Mitchell Boise ID 83704

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☐ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property? 3 years plus

Accompanied by: John Sterling, owner**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: 1958

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

Source: Groundwater Tributary to

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

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: There are two artesian wells, tagged A0002442 and 43
- ☐ 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	
									GPS ID	
			SW	SW	32	04N	01W	Ada	A0002442	0299201
										0284497
			SW	SW	32	04N	01W		A0002443	0298991
										0284555

Description of diverting works Two 6" artesian wells operating now. Wells are plumbed together and dump into the same cement ditch. An additional well also pumps into the same cement ditch.

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-3106, 63-9004, 63-10029

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

63-31306 adds a point of diversion and an additional 38 acres to POU. 63-10029 allows a commercial use

63-9004 involves a transfer and split of a water right.

WATER USES

☒ No change

☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Current use is to grow nursery stock. Owner irrigates 52 acres earlier and later than previously.

TOTAL VOLUME – Groundwater only

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

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

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☐ No Change

☒ Changes shown below:

Place of use has always included 15 acres in NWSW, 04N 01W s. 32. The field is leveled so that

NWSW is irrigated out of the same cement ditch used for SWSW. See Drawing

Place of use			NE				NW				SW				SE				
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	01W	32										15	37						52

Overlap with other water rights: 63-3106, 63-9004, 63-10029

Does overlap increase rate of flow, volume, additional acres, another source for same acres? Explain:
 Overlap increases rate of flow, acres irrigated, and volume.

Delivery system Narrative: 2 interconnected wells supply water to a cement ditch which is used to irrigate 52 acres in west half of SW 1/4

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
A0002442		NA			6"
A0002443		NA			6"

FLOW MEASUREMENTS: See attached calculations

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

See photos and drawing for explanations of the system.



AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 1/26/2004

FIELD EXAMINER: _____

6. Slope-Area Method (Manning)

Claim# 63-5015

I tried a test to see if this method could work with a pipe under certain circumstances. , and it does seem to work. I used a bucket to measure the flow first, and came up with about 2.5 secs to fill a 5 gal bucket. This is only a close guess since I have 2 hands only and am highly opposed to falling in the pond in winter. This equals about 120 gpm. One complication was the butterfly valve in a fitting on the end, and the calculations didn't come close until I accounted for that, and then it was surprisingly close. The adjustments for the butterfly valve are below. (I didn't bill the hours to develop this spreadsheet. Was entertainment on snowy day!)

The slope-area method consists of using the slope of the water surface in a uniform reach of channel and the average cross-sectional area of that reach to give a rate of discharge. The discharge may be computed from the Manning formula:

$$Q = (1.486/n)AR_h^{2/3}S^{1/2}$$

The pipe looks like this:

the angles and areas are calculated here:

where:

Q = discharge (ft³/s)

A = mean area of the channel cross section (ft²)

R_h = mean hydraulic radius of the channel (ft)

S = energy slope of the flow

n = a roughness factor depending on the character of the channel lining

The concept I used was that the area of the circle covered by alpha would have same proportion of total area as S does to total circumference.

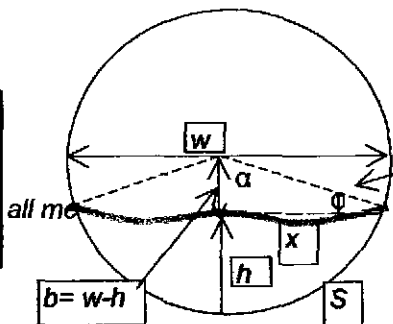
then you just have to deduct the triangle and you have the area of cross section. The geometry is developed here:

For this pipe,

Cross sectional area:

$$A = 0.063435 \text{ Sq.ft}$$

$w =$	8.625
$h =$	2.875
$r =$	4.3125
$b =$	1.4375
$x =$	4.065864

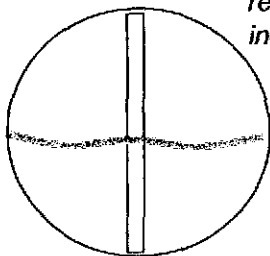


Calculation of angle:	
$\tan \phi =$	0.333333
radians	0.321751
degrees	18.43495
$\alpha = 90 - \phi$	71.56505 degrees
radians	1.249046
formula	$\text{ang} = \text{arc}/\text{radius}$
$S \text{ length} =$	$\alpha(\text{radians}) * r$
$S \text{ length}$	5.38651 inches
total area	58.4264 sq in
total circumference	27.0963
proportion of circle	0.198791
Area before adjustments	11.61466
less area triangle xrb	2.92234
1/2 total ar	8.692322
$A = \text{area}$	17.38464 sq in
$A = \text{area}$	0.120727 sq ft
wetted perimeter(ft)	0.897752

$$r^2 = b^2 + x^2$$

$$x^2 = r^2 - b^2$$

adjustments to reflect butterfly valve:



reduce cross sectional area

2.75 x .25 in

0.057292 s.f

increase wetted perimeter

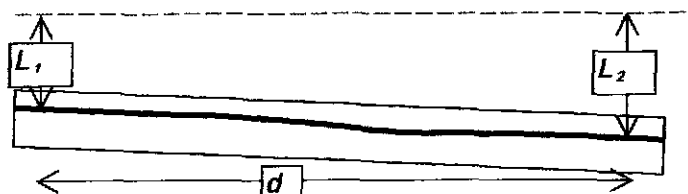
$(2 * \text{Area})/8$

0.030182 ft

The rationale for the factor increasing the wetted perimeter is that the area on each side of the butterfly valve is exactly the same as the cross sectional area of the channel. Because the water flows around both sides within the fitting the area is averaged over 8 inches and doubled.

$$R_h = 0.068362 \text{ hydraulic radius}$$

$$S = 0.033333 \text{ slope}$$



$L_1 =$ 0 in feet

$L_2 =$ 0.1 (1 1/4 inches)

$d =$ 3

Select n from list:

glass

0.01

Measurement , continued

Evaluate formula: $Q = (1.486/n)AR_h^{2/3}S^{1/2}$ =

148.6	x's	0.063	x's	0.167189	x's	0.1826	=	0.29	cfs
-------	-----	-------	-----	----------	-----	--------	---	-------------	------------

Bucket method:

129 GPM

Water from well tagged A0002443 2.5 seconds /5 gals = 120.0 gpm.

Looks in the ball park to me!

(D.)

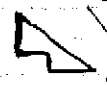
FOR: KIMBERLY

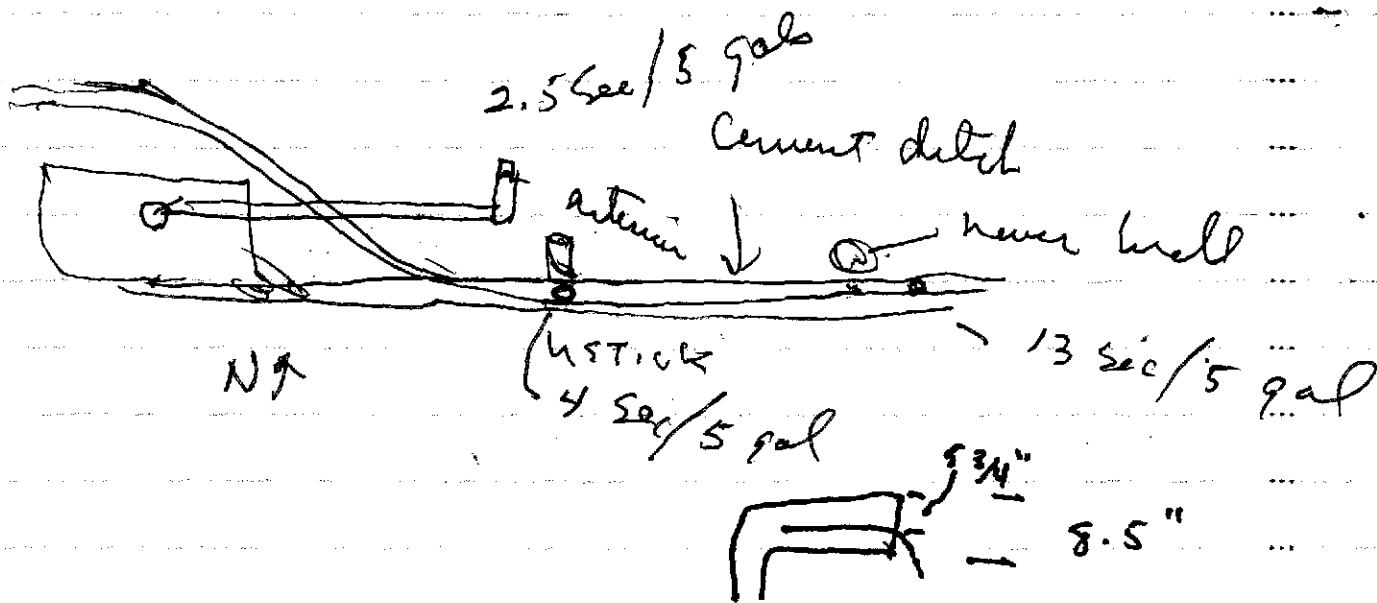
63-5015

12.29.03

- * Evidence of Priority has been submitted. You do not need to address proof of priority issue.
- * Verify the acres of irrigation ^(37 AC or less?) and draw POI on the 1987 Aerial photo (enclosed).
- * GPS POD. & draw well on aerial photo.
- * Measure the capacity of the system!
Verify if ~~the~~ system has the capacity of 0.74 cfs.
- * Is Settlers Irrigation District water used to supplement well water?

* ISSUE:

Refer to map submitted with the original Notice of Claim (enclosed) that shows the triangular 37 acres. When I draw the claimant's version of the POI () on a 1987 aerial photo, the northern portion falls within the NWSW $\frac{1}{4}$ and the claimant only claimed the SWSW $\frac{1}{4}$. Please verify if the POI is only in the SWSW as the claimant claimed OR if it falls within the NWSW $\frac{1}{4}$ (as it does based on the claimant's map).



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5015

WATER RIGHT NUMBER: 63-5015

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ROBERT FRIDAY 4190 N STAR RD MERIDIAN, ID 83642
Original Owner	MARILYN FRIDAY 4190 N STAR RD MERIDIAN, ID 83642 (208)466-4063

<u>Current Owner</u>	STERLING LANDSCAPE CO C/O LYNNE STERLING 1081 N MITCHELL ST BOISE, ID 83704 (208)322-4505
----------------------	---

Priority Date: 04/01/1958 (Evidence of priority submitted) ✓
 Basis: Statutory Claim
 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	4/01	to 11/01	0.740 CFS	
<u>Total Diversion:</u>			0.740 CFS	

Location of Point(s) of Diversion

GROUND WATER

ADA County

SW1/4SW1/4

Sec. 32, Twp 04N, Rge 01W, B.M.

Place of Use

IRRIGATION

GPS POD
A0002442
2443

0299201
0284497
0298991
0284555

Third well already
Tagged D0026000
0299319
0284498

Twp	Rge	Sec	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	Totals
04N	01W	32													37.0

Total Acres: 37

37.0
A
verify amount and location
of POD:

Conditions of Approval:Remarks:

1.

Ownership change by DB 5/14/2001

- is it 37 acres?
- are the 37 acres in the
SWSW 1/4 only?

OR
do they also fall within
the NWSW?

Receipt Details for ID W003268

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
6/19/1989 11:51:39 AM	6/19/1989	Western	\$578.00	Check
Payer		FRIDAY, MARILYN		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
4448			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE__ (ROBERT FRIDAY)

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$578.00	ADJUDICATION FEE__ (ROBERT FRIDAY)	410162	9337	00		6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3497		\$100.00	Claim
63	15733		\$25.00	Claim
63	9004		\$199.00	Claim
63	5015		\$87.00	Claim
63	10029		\$117.00	Claim
63	15734		\$25.00	Claim
63	15735		\$25.00	Claim

December 22, 2003

RECEIVED

DEC 23 2003

WATER RESOURCES
WESTERN REGION

Ms. Kimberly L. Brown
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: Evidence of Water Use, Snake River Basin Adjudication Claim No. A63-5015.

Dear Ms. Brown:

I am the former owner of the farmland to which this water right is appurtenant. I acquired this farm from Clarence Knudson in 1967. The previous owner, Curt Samp, constructed the original well described as the point of diversion under this water right in 1958. With water flowing from this well I irrigated the claimed place of use using forty one-inch siphon tubes.

Throughout the time I used the well it continued to flow with artesian pressure. However, the flow diminished as a result of other wells constructed in the area. In 1969 I constructed a second well in the SW1/4 SW1/4 of Section 32 T. 4N R.1W. Water from the second well was used along with water from the first well to make up the diminished flow from the first (original) well. The well constructed in 1969 (second well) was equipped with a 15hp submersible pump with a 4" discharge. I pumped this well in excess of 300 gallons per minute.

Water from both wells has been used to irrigate crops raised in the SW1/4SW1/4 of Section 32 T.4N R.1W from the time each was constructed. I continued to use the wells to irrigate crops on the same place of use until I sold the property to Sterling Landscape Co., in 2001.

While my family owned the property, we raised mint, sugar beets, alfalfa, and corn with water supplied from these wells. The previous owner, Mr. Knudson raised the same types of crops. It is my understanding the new owners, Sterling Landscape Co., continue to use the wells for the same irrigation purposes.

Respectfully Submitted,



Robert Friday



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 19, 2003

STERLING LANDSCAPE CO.
1081 N MITCHELL AVE
BOISE, ID 83704

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-5015

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement.

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by September 16, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above. In addition, please contact me at the Western Region office as soon as possible to set up a field exam.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-5015

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

May 14, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

STERLING LANDSCAPE CO
AN IDAHO CORPORATION
1081 N MITCHELL AVE
BOISE ID 83704

Re: Notice of Claim to a Water Right No. 63-05015

Dear Claimant(s):

Enclosed are copies of the above referenced claims, which reflect the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

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

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

Enclosure

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-05015

Date: 7-05-01

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	1W	32											37						37
GIS														35.2						35.2
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 37

Overlapping POU Claim #'s:

A63-09004

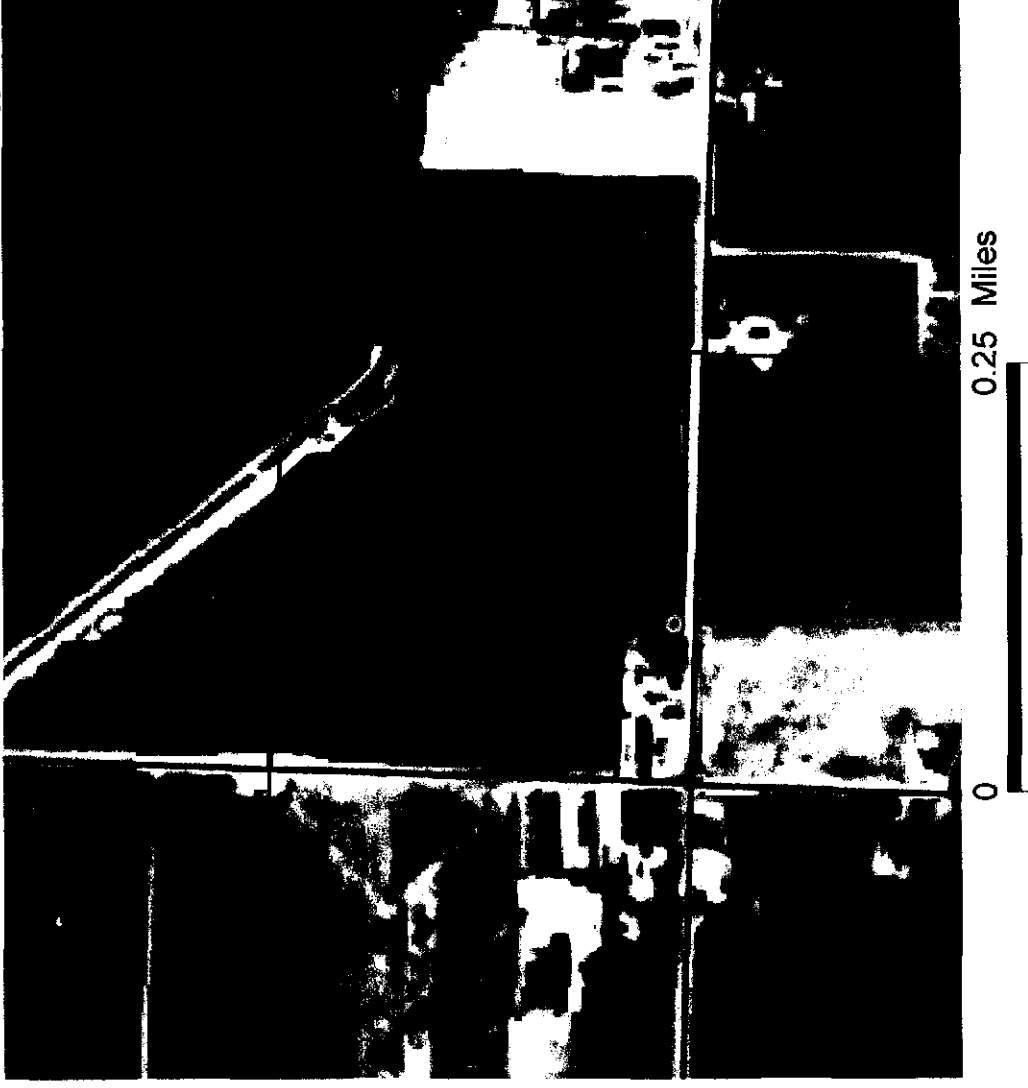
Total GIS Acres: 35.2

COMMENTS:

Per claim map and ownership.

Idaho Department of Water Resources

1987 Napp Photo



Claim Number: 63-05015
Legal: T4N, R1W, S32
Reviewed By:

⊙ Point of Diversion



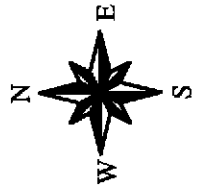
Place of Use



Section Lines



Quarter Quarter Lines



State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan J. Jover

Right Number 83-5015

Applicant Friday

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 6/1/83
- ☒ Claim published correctly. recho Stateman
5/26 & 6/2/83
- ☐ Exceptions processed. 30/2-1998

By DBS

Date 6/24/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By J.V.V.

Date 7-6-83

MICROFILMED

RECEIVED
JUL 6 1983

Department of Water Resources

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

(Name of Claimant)

(Mailing Address)

{Zip Code}

groundwater

tributary to

(cfs. af)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)
(Mo., Day) (Mo., Day)

(Mo., Day)

To 11/1

Use

To _____

Use

To _____

Use

To _____

Use _____

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

[illegible]

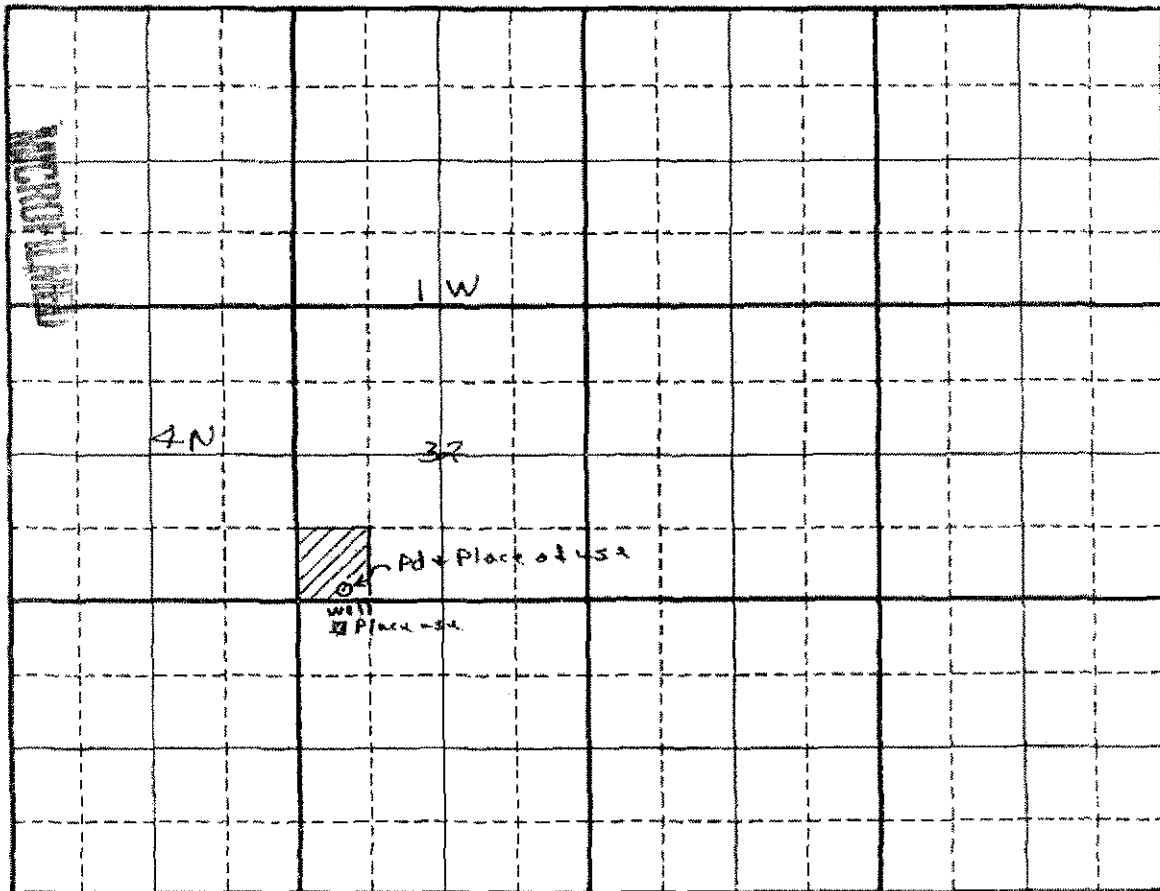
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

REKULIRED

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 2 day of May, 1983.

Robert Friday
(Claimant)

Nancy M. Northway
Notary Public
Residing at Doze

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>mm</u>	Date <u>5-4-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>jc</u>	Date <u>5-10-83</u>		claimant by:	
\$30.00 fee received by <u>JP</u>	Date <u>5-9-83 27998</u>			
Published in <u>the Carthage Statesman</u>				
Dates <u>5/26 & 10/21/83</u>				