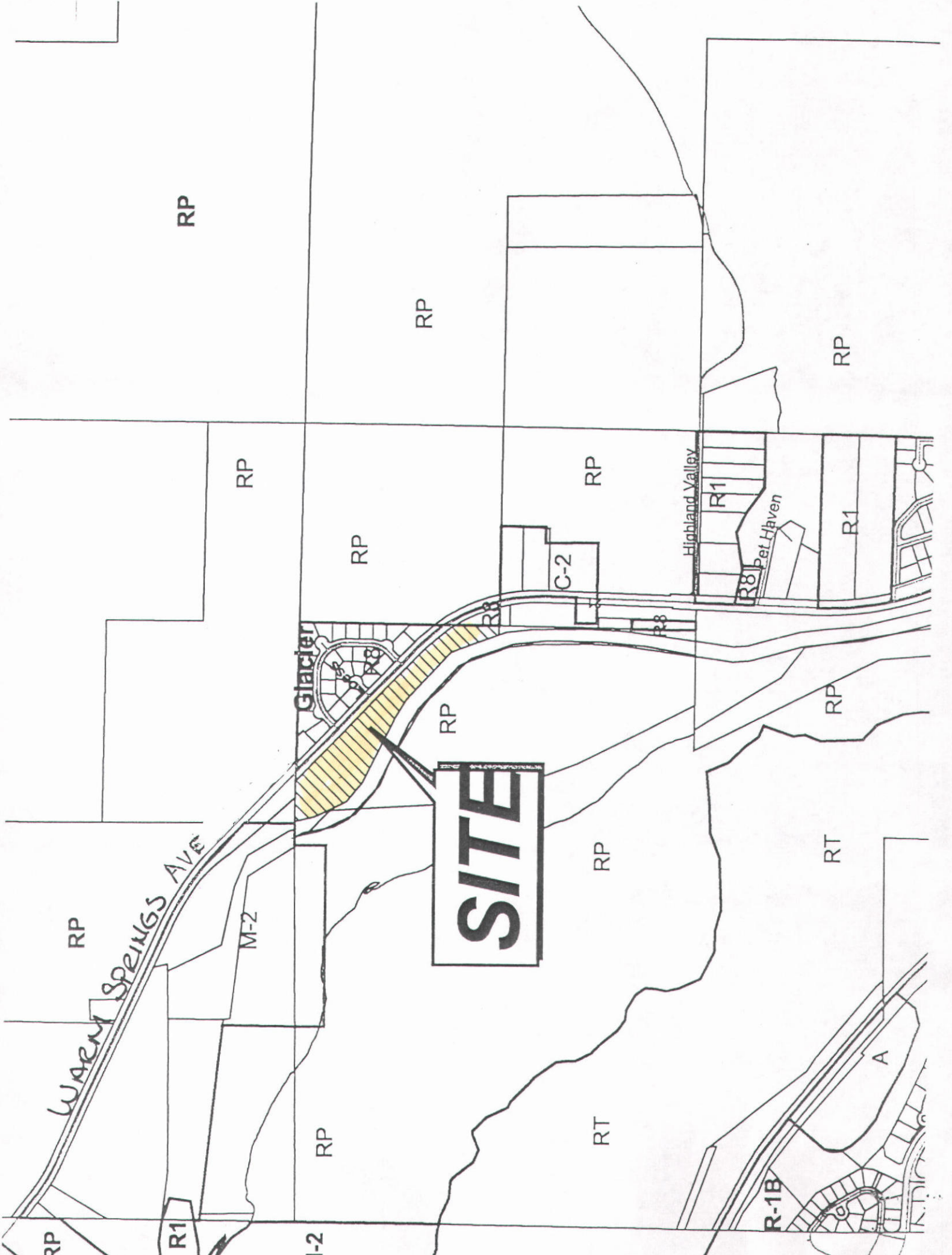
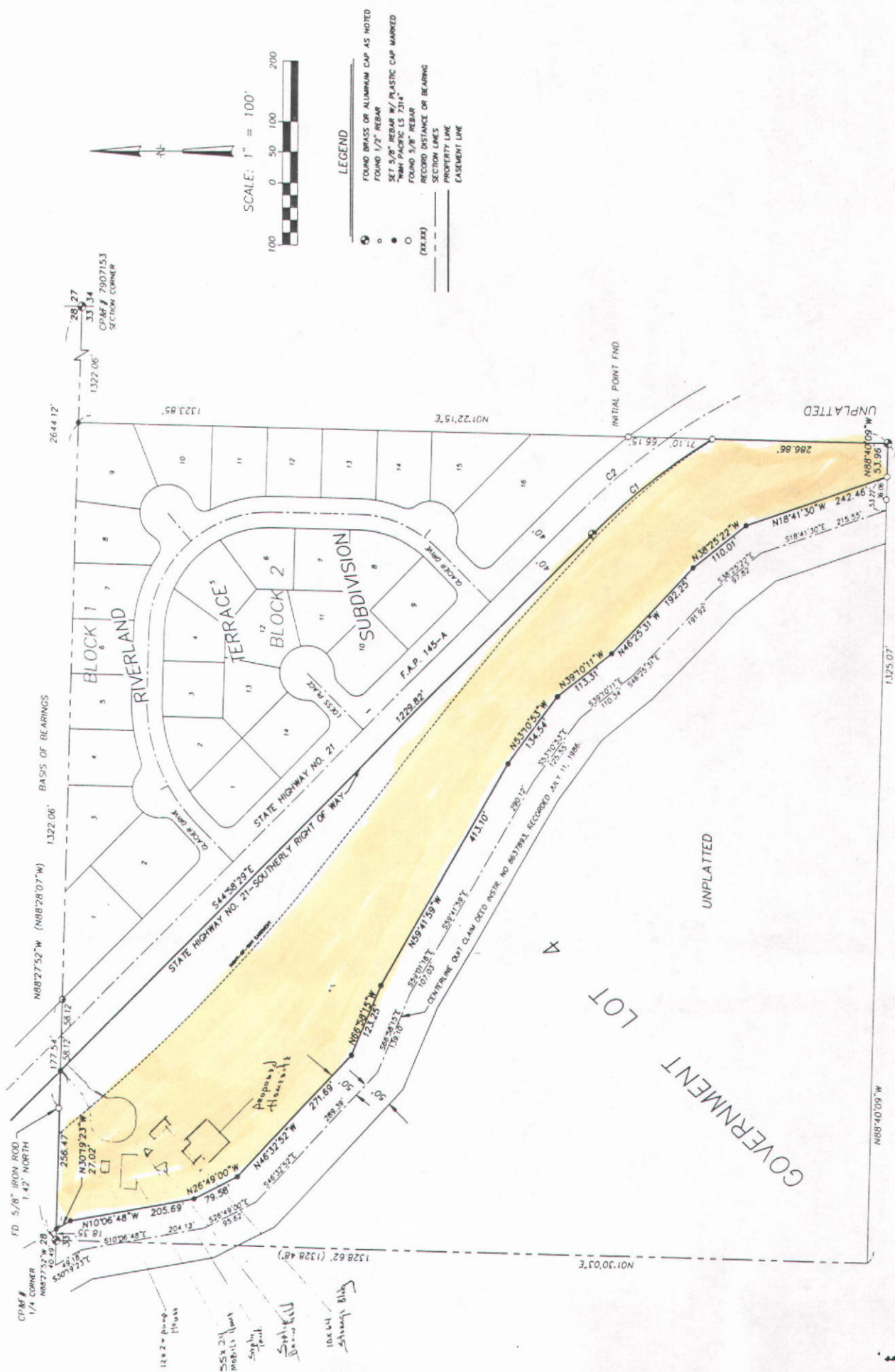




SITE PLAN

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	1036.47'	248.18'	124.69'	538.06'	S44°06'54"E	134°31'10"
C2	1076.47'	197.85'	99.20'	197.57'	S39°42'34"E	103°37'51"





63-590

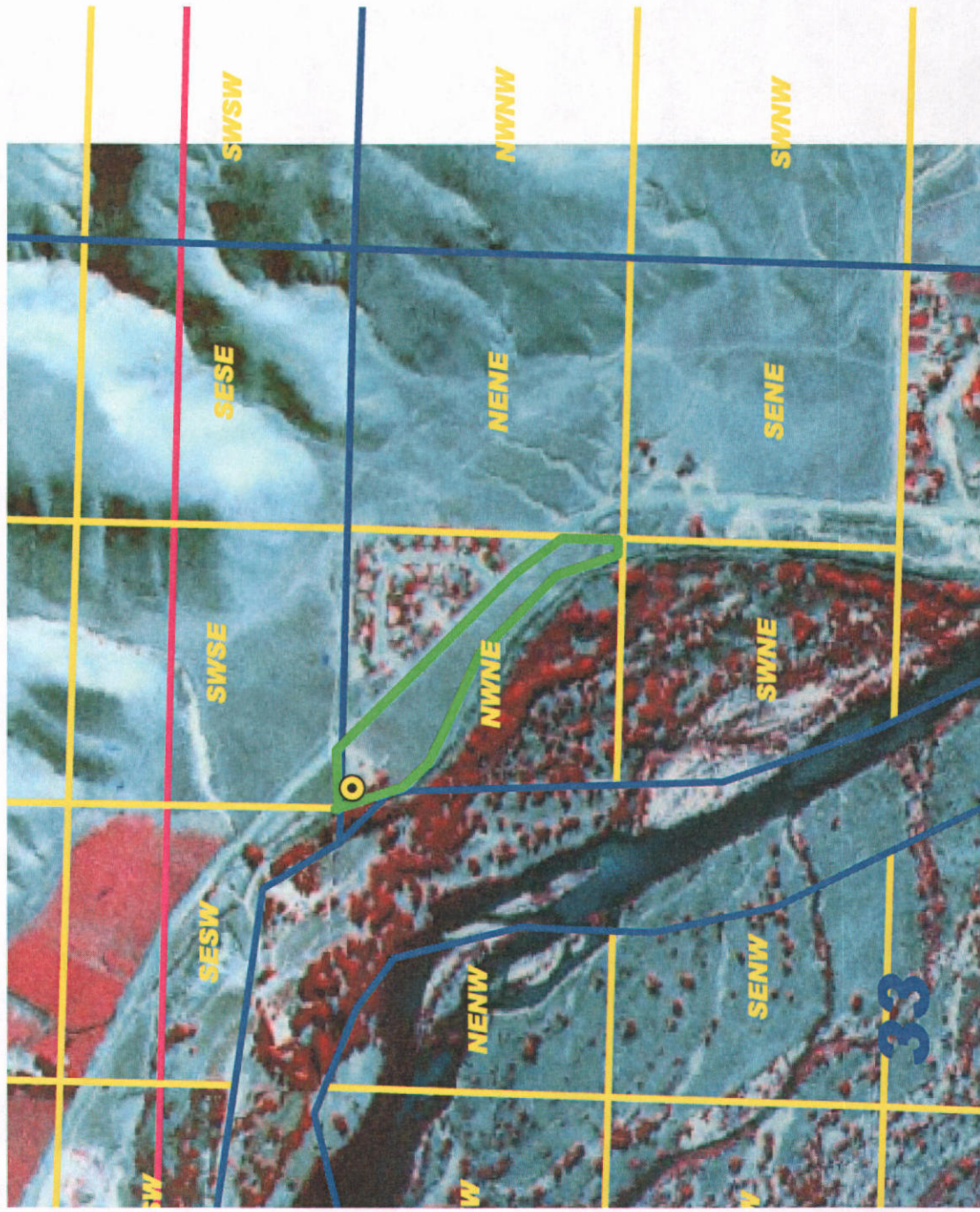
MICROFILMED
AUG 21 1992

4824 4823 4822 30" 4821 4820

IDAHO DEPT OF WATER RESOURCES

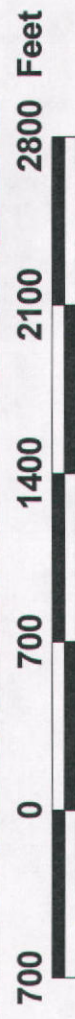
Claim No. 63-5390

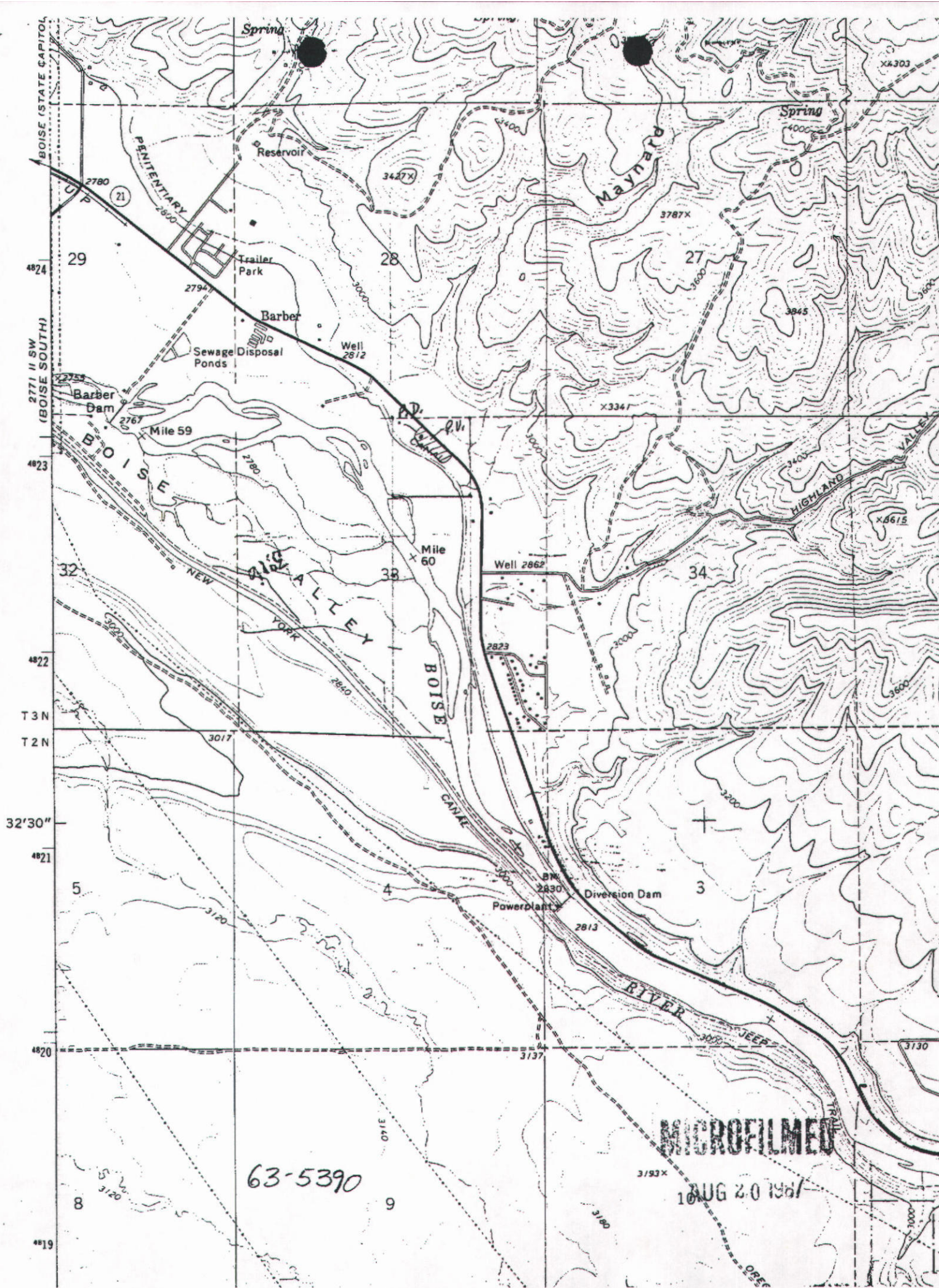
Twp. 3N, Rge. 3E
Section 33



-  Place of Use
-  1/4 1/4 Lines
-  Section Lines
-  Pt. of Diversion

Prepared by:
Jan Shurte
12-11-05





63-5390

MICROFILMED

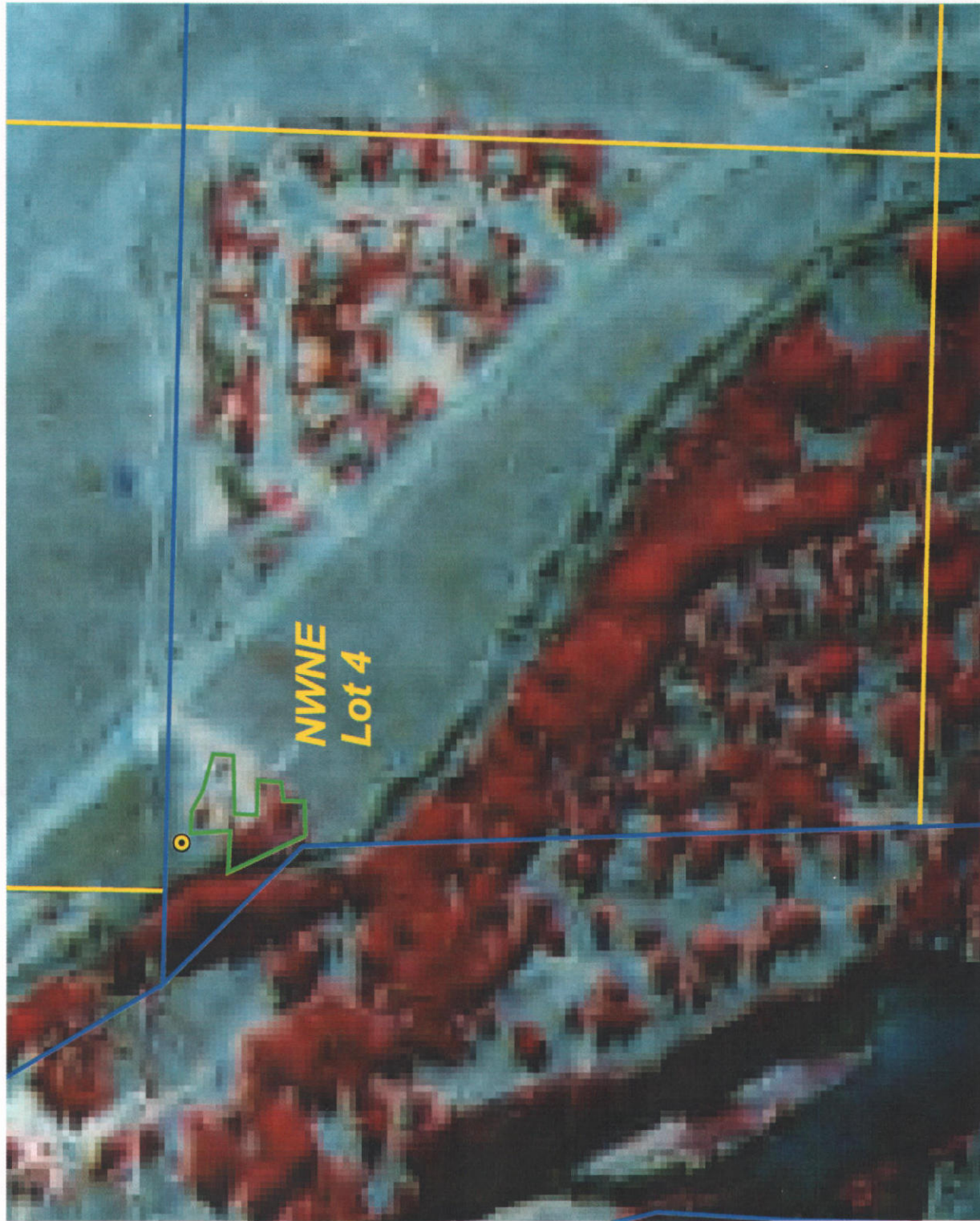
AUG 20 1967

IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-5390

Date Prepared: 03-20-03

Prepared By: Ron Howerton



T03N, R03E
S33



● Point of Diversion



Place of use



Section



1/4 1/4

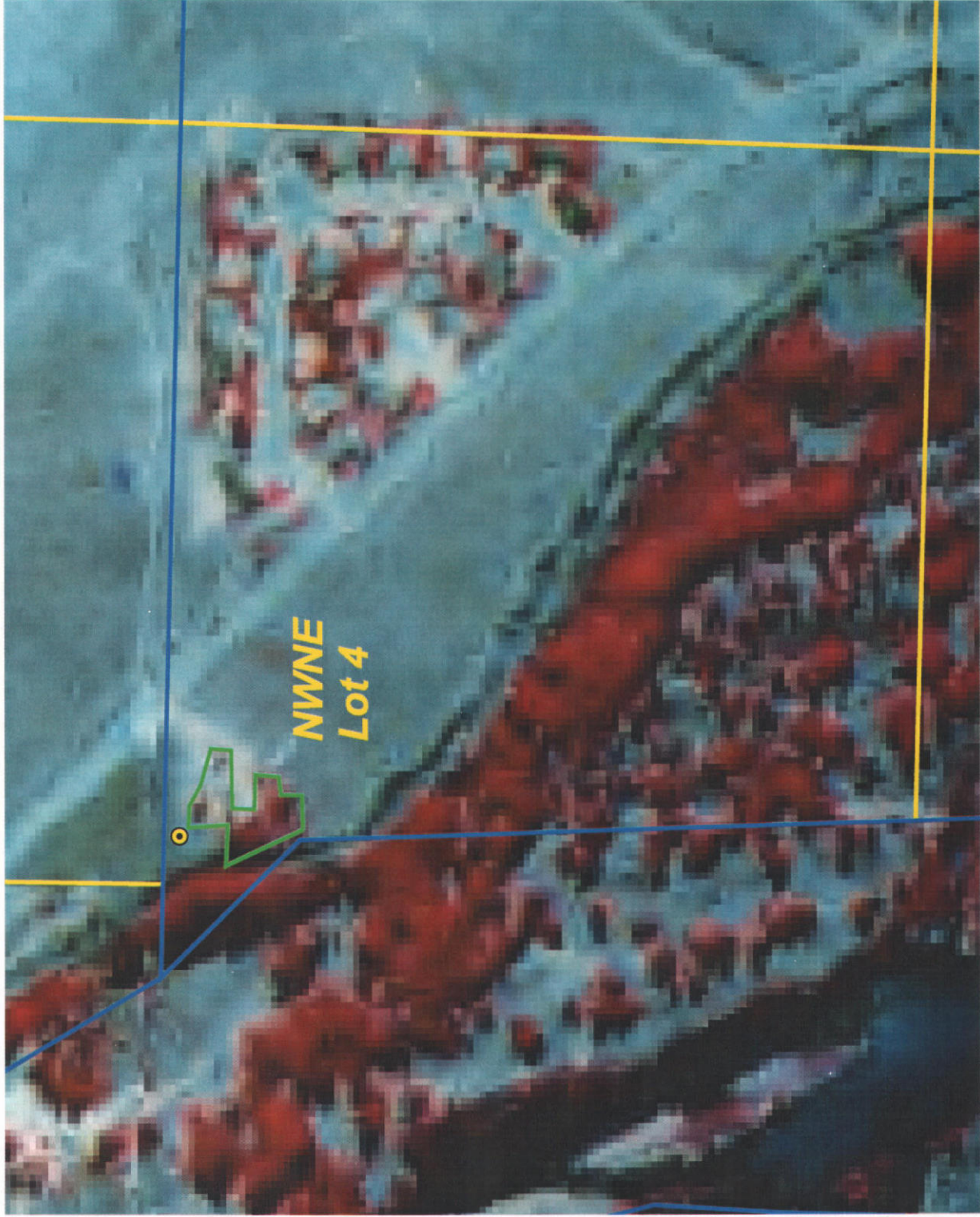
1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-5390

Date Prepared: 03-20-03

Prepared By: Ron Howerton



0 0.1 0.2 0.3 Miles

T03N, R03E
S33



● Point of Diversion



Place of use

Section

1/4 1/4

0.5 ACRE

1987 NAPP

NARRATIVE NOTES REVIEW OF CLAIM 63-05390

SRBA Reviewing Agent: Ron Howerton

Date: March 20, 2003

Timelines:

63-07703: Application for permit filed December 26, 1972 (Lapsed January 13, 1982)

POU =10 acres on south side and 10 acres on north side of Hwy 21, totaling 20 acres.
This permit included the same 10 acres as relinquished permit 63-9830 and statutory claim 63-05390 shown below.

63-09830:

Application for permit filed November 12, 1981 (Relinquished, signed May 29, 1990)

This was to replace 63-7703 permit that was about to lapse. The application was to develop the south side of road 10 acres of irrigation from the same groundwater source as statutory claim 63-05390.

63-05390:

Statutory Claim filed March 4 1987. A statutory claim for 10 acres of irrigation from a groundwater source with a priority was claimed as April 26, 1960. The evidence of priority was filed with that claim, signed by Albert Darkwood.

A transfer was approved July 6, 1987. This was filed to change the point of diversion to the south side of road. The transfer stated irrigation was accomplished prior by pipe under Hwy 21 to the same 10 acres.

Permit: 63-07703
Status: (Lapsed Jan 13, 1982)

Irrigation:
20 acres
NWNE

Not developed

Permit: 63-9830
Status: (Relinquished May 29, 1990)

Irrigation:
10 acres
NWNE

Not developed

Statutory Claim: 63-05390
Status: (SRBA claimed May 8, 1989)

Irrigation:
10 acres claimed
NWNE

Found one-half acre, per 1987 NAPP developed.



Photo 1: 63-5390, Field Exam 03-20-03: Photo at Located in the NWNE, S33, T03N, R03E. No evidence of irrigation beyond home shown in background. View is to West. 1987 NAPP shows only ½ acre of irrigation.



Photo 2: Lowest end of property. No evidence of irrigation development. See Narrative notes for drive by field exam. View is southeast toward diversion dam Photos by RDH.



Photo 3: Photo by Intrepid Engineering Services showing well house.



Photo 4: Photo by Intrepid Engineering Services showing pump data.



Photo 5: Photo by Intrepid Engineering Services showing well, pressure gage and tank.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

PLATZGRAFF, WILLIAM P.
6445 WARM SPRINGS
BOISE, ID 83701

JANUARY 13, 1982

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 63-7703 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER A NOTICE THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT, OR A REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR NOTICE TO YOU DATED OCTOBER 31, 1981.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST.

D. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

CERTIFICATION OF MAILING

1-27-1982

By *Don Link*
(S) DATED 1-27-1982

LAPSED PERMIT 63-7703

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME

Department of Water Resources
Western Regional Office

State of Idaho)
County of Ada)

Permit No. 63-7703

WILLIAM P. or CLARICE G. PFALTZGRAFF of 6445 Warm Springs Boise, ID
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 63-7703.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before December 26, 1972.

That he has heretofore performed the following work described under said permit:
Applicant has drilled well and completed most of the buried mainline.

Costing \$ 7,500

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: Applicant has sold a portion of the land and has
had to modify the irrigation system due to the sale.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to December 26, 1981.

William P. Pfaltzgraft
(signature) *

Subscribed and sworn before me this 8th day of November, 1977.

seal

Rita B. ...
Notary Public residing at
Boise, ID

My commission expires 3-8-80

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use of water be extended
to January 1, 1982.

Witness my hand this 27 day of November, 1977.

B. D. ...
CHIEF, OPERATIONS BUREAU

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

Identification No. _____

Application No. 63-7703

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant William P. or Clarice G. Pfaltzgraff
post office address 9195 W. m Springs, Boise, Idaho Phone: 343-1973
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is E 1/4 of NW 1/4 of Section 33 Township 3N
Range 3E B.M. Ada County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.40 for irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre feet per annum)
Amount 1.0 for domestic purpose from January 1 to Dec. 31 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
5. Total quantity to be appropriated:
a. 1.0 cubic feet per second and/or
b. 91.2 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 246' well with 8" casing with pump
and sprinkler system and domestic lines.

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo, Day) (Mo, Day)
- c. Proposed well diameter is 8 inches; proposed depth of well is 246 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 5,000.
8. Description of proposed uses:
a. If water is not for irrigation C. 4 Lot 7
(1) Give the place of use of water: E 1/4 of NE 1/4 of Section 33 Township 3N
Range 3E B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered: _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water: 45.
(5) If water is to be used for other purposes describe: _____

63-7703

11. Map of proposed project; show clearly the proposed point of diversion, place of use, section number, township and range numbers.

Scale— 31 inches equal 1 mile

application for permit to appropriate the public

William F. Fitzgaff
(Applicant)

63 7703

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	3E	33	20.0																20.0

Total number of acres to be irrigated 20.0

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

10. Remarks

Proposed Priority 12-26-1972

Received by CB Date 12/26/72 Time 12:00 AM
Preliminary check by CB Fee \$ 25.00
Receipted by CB Date 12-26-72 Receipt # 9152
Publication prepared by CB Date 12-29-72
Published in Journal of Waterways
Publication dates 1-4 to 1-11-73
Publication approved CB Date 1-30-73
Priority reduced to 12-26-72 Reason _____

63-7703

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by CB D

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7703, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 78.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 30th day of January, 19 73.

R. Keith Higin
Director

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: A63-05390
Date Received: 5/ 8/1989
Receipt No: W002717
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: MICHAEL P CULLEN 208-344-4523
Address: 6445 WARM SPRINGS AVE
BOISE ID 83712
AND/OR
Name: BARBARA CULLEN 208-344-4523
Address: 6445 WARM SPRINGS AVE
BOISE ID 83712

2. Date of Priority: APR 26, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03E	33	NW	NE		4	ADA

5. Description of diverting works:
WELL, PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03E	33	NW	NE	4	IRR	10.0
Section Acres							10.0
Total Acres							10.0

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:
63-09830

14. Remarks:
P.O.D. TRANSFERED VIA TRANSF. #3321.
OWNERSHIP CHANGED BY LH 4/6/99.

15. Basis of Claim: BENEFICIAL USE

RECEIVED

MAR 24 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right or Adjudication Claim No(s): AL3-05390
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 William P. +/or Clarice G. Pfaltzgraff
4. New Owner/Claimant(s) Michael P +/or Barbara Cullen
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
 New Mailing Address 6445 Warm Springs Ave
 City, State and ZIP Code Boise, ID 83712
 New Telephone Number 208 344-4523
5. Date you acquired the property Aug 1996
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 10 Number and type of stock 0
 Diversion rate in CFS 1.20 Number of homes 1 Other uses irrigation
 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) Barbara Cullen
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.

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.



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
1241 Millard St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3333

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

RECEIVED

THIS FORM FURNISHED COURTESY OF:

ADA CO. RECORDER
J. DAVID NAVARRO
BOISE ID

ALLIANCE TITLE & ESCROW CORP.

ALLIANCE TITLE

'96 SEP 24 'PM 4 31

READ & APPROVED BY GRANTEE(S):

FEE 1500 DEPOSIT

RECORDED AT THE REQUEST OF
SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 96061066 WO

WARRANTY DEED

FOR VALUE RECEIVED WILLIAM PFALTZGRAFF AND CLARICE PFALTZGRAFF,
husband and wife

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto CRAIG C. CULLEN AND CAROL CULLEN, husband and wife, as to an undivided 1/8 interest, RICHARD L. CULLEN AND MAURIE CULLEN, husband and wife, as to an undivided 1/8 interest, CARL E. CULLEN, an unmarried person, as to an undivided 1/4 interest, MICHAEL P. CULLEN, an unmarried person and BARBARA GALLOWAY, an unmarried person, as to an undivided 1/2 interest, Tenants in Common

GRANTEE(S), whose current address is: 3885 E. BOISE AVE. BOISE ID 83706

the following described real property in
described as follows, to wit:

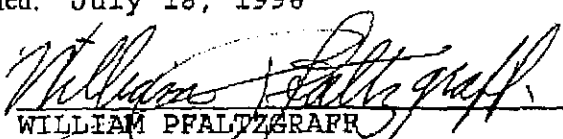
ADA

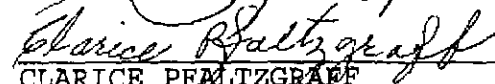
County, State of Idaho, more particularly

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

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

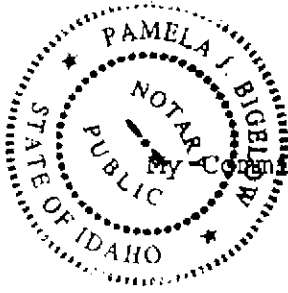
Dated: July 18, 1996


WILLIAM PFALTZGRAFF


CLARICE PFALTZGRAFF

STATE OF IDAHO, County of ADA, ss.

On this 23rd day of JULY in the year of 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared WILLIAM PFALTZGRAFF AND CLARICE PFALTZGRAFF known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Signature: Pamela J. Bigelow
Name: Pamela J. Bigelow
(Type or Print)
Residing At: Boise, ID
Commission expires: 1-12-2000

LEGAL DESCRIPTION OF 6445 Warm Springs Avenue, Boise, ID

The land referred to in this commitment is in the State of IDAHO, County of ADA, and is described as follows:

PARCEL I

Government Lot 4, Section 33, Township 3 North, Range 3 East, Boise Meridian, Ada County, Idaho,

EXCEPT that part lying South and West of (the Northerly line of Property) described as follow:

That portion of the Northwest Quarter Northeast Quarter of Section thirty-three (33), Township three (3) North, Range three (3) East, Boise Meridian, Ada County, Idaho, being 50 feet on either side of that portion of the following described centerline of the Penitentiary Canal, and all those lands Southwesterly of the aforementioned 100 feet right-of-way:

COMMENCING at the Quarter (1/4) corner common to Sections twenty-eight (28) and thirty-three (33) Township three (3) North, Range three (3) East, Boise Meridian, Idaho, thence North 88 degrees 28'07" West, 40.43 feet to the POINT OF

BEGINNING, thence

South 30 degrees 19'23" East, 49.15 feet; thence
South 10 degrees 06'48" East 204.12 feet; thence
South 26 degrees 49'00" East, 95.62 feet; thence
South 46 degrees 32'52" East, 289.39 feet; thence
South 66 degrees 58'15" East, 139.10 feet; thence
South 59 degrees 01'16" East, 107.03 feet; thence
South 59 degrees 41'59" East, 290.12 feet; thence
South 53 degrees 10'53" East, 125.55 feet; thence
South 39 degrees 10'11" East, 110.34 feet; thence
South 46 degrees 25'31" East, 191.92 feet; thence
South 38 degrees 25'22" East, 97.87 feet; thence
South 18 degrees 41'30" East, 215.38 feet to the point of
termination said point of termination being located
South 88 degrees 40'09" West 107.13 feet from the Northeast
sixteenth (16th) corner.

EXCEPT a strip of land 80' wide being 40' on each side of the following described center line as shown on the official plat of the Arrowrock-Boise Basin (F. A. P. 145-A) highway survey,

BEGINNING at Station 260 + 80 of the said Highway Survey, which

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OCT 20 1997

station is approximately 360 feet East from the North Quarter corner of Section 33; thence running South 45 degrees 55' East 1171.8 feet to Station 272 + 51.8 of said survey, which station is a Point of Curvature; thence 203.2 feet with 5 degrees 20' curve right said curve having a central angle of 47 degrees 11' to Station 274 + 55 which station is approximately 1350 feet East and 950 feet South from the North Quarter corner of Section 33, Township 3 North, Range 3 East, Boise Meridian.

ALSO EXCEPT

Property lying North of Highway 21 in that part of Government Lot 4, Section 33, Township 3 North, Range 3 East of the Boise Meridian, Ada County, Idaho lying North of a line parallel to and 40 feet North of the following described line:

BEGINNING at Station 260 + 80 of the said Highway Survey, which station is approximately 360 feet East from the North Quarter corner of Section thirty-three: thence running South 45 degrees 55' East 1171.8 feet to Station 272 + 51 of said Survey which station is a POINT OF CURVATURE; thence 203.2 feet with 5 degrees 20' curve right said curve having a central angle of 47 degrees 11' to Station 274 + 55 which station is approximately 1350 feet East and 950 feet South from the North Quarter corner of Section 33, Township 3 North, Range 3 East, Boise Meridian.

PARCEL II

That portion of the Northwest Quarter Northeast Quarter of Section thirty-three (33), Township three (3) North, Range three (3) East, Boise Meridian, Ada County, Idaho, being 50 feet on either side of that portion of the following described centerline of the Penitentiary Canal, and all those lands Southwesterly of the aforementioned 100 feet right-of-way:

COMMENCING at the Quarter (1/4) corner common to Sections twenty-eight (28) and thirty-three (33) Township three (3) North, Range three (3) East, Boise Meridian, Idaho, thence North 88 degrees 28'07" West, 40.43 feet to the POINT OF BEGINNING, thence

South 30 degrees 19'23" East, 49.15 feet; thence
South 10 degrees 06'48" East 204.12 feet; thence
South 26 degrees 49'00" East, 95.62 feet; thence
South 46 degrees 32'52" East, 289.39 feet; thence
South 66 degrees 58'15" East, 139.10 feet; thence

RECEIVED

OCT 10 1937

DEVELOPMENT SERVICES

South 59 degrees 01'16" East, 107.03 feet; thence
South 59 degrees 41'59" East, 290.12 feet; thence
South 53 degrees 10'53" East, 125.55 feet; thence
South 39 degrees 10'11" East, 110.34 feet; thence
South 46 degrees 25'31" East, 191.92 feet; thence
South 38 degrees 25'22" East, 97.87 feet; thence
South 18 degrees 41'30" East, 215.38 feet to the point of
termination said point of termination being located
South 88 degrees 40'09" West 107.13 feet from the Northeast
sixteenth (16th) corner.

QUITCLAIM DEED

THIS QUITCLAIM DEED, Executed this 25 day of Jan, 1999 (year).

by first party, Grantor, Carl E. Cullen

whose post office address is 11612 Hartsook St., N. Hollywood, CA 91601

to second party, Grantee, Michael P. & Barbara Cullen

whose post office address is 6445 Warm Springs Ave., Boise, ID 83712

s

WITNESSETH, That the said first party, for good consideration and for the sum of
One Dollars (\$1.00) paid by the said second
party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim
unto the said second party forever, all the right, title, interest and claim which the said first party
has in and to the following described parcel of land, and improvements and appurtenances there-
to in the County of Ada, State of Idaho to wit:

6445 Warm Springs Ave., Boise, ID

Lengthy Legal, See attached

ADA COUNTY RECORDER
J. DAVID NAVARRO
IDAHO

1999 FEB 22 AM 11:48

RECORDED-REQUEST OF
FEE 15.00 DEPUTY [Signature]

99017090

(1) ATHF

Rev. 6/98

If your state requires 8 1/2" x 11" forms, cut off the bottom of this page at the dotted line.



ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

RECORDED - REQUEST OF
FEE 15.00 DEPUTY [Signature]

1999 FEB 22 AM 11:48

99017091

A298-10
R298-04

QUITCLAIM DEED

THIS QUITCLAIM DEED, Executed this day of 1999 (year).

by first party, Grantor, Craig C. & Carol Cullen

whose post office address is 27077 Sea Vista, Malibu, CA 90265

to second party, Grantee, Michael P. & Barbara Cullen

whose post office address is 6445 Warm Springs Ave., Boise, ID 83712

WITNESSETH, That the said first party, for good consideration and for the sum of
One Dollars (\$ 1.00) paid by the said second
party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim
unto the said second party forever, all the right, title, interest and claim which the said first party
has in and to the following described parcel of land, and improvements and appurtenances there-
to in the County of Ada , State of Idaho to wit:

6445 Warm Springs Ave., Boise, ID
Lengthy Leagal, see attached

ADA COUNTY RECORDER
L. DAVID NAVARRO
BOISE, IDAHO

1999 FEB 26 PM 1:26

RECORDED - REQUEST OF

Barbara Cullen
FEE 15.00 DEPUTY *J. Hager*

99019081

PART OF ORIGINAL TOO LIGHT
FOR GOOD REPRODUCTION

A 298-10
R 298-04

QUITCLAIM DEED

THIS QUITCLAIM DEED, Executed this 25 day of April, 1999

by first party, Grantor, Richard L. & Maurie Cullen

whose post office address is 21700 Oxnard, Suite 2060, Woodland Hills, CA 91367

to second party, Grantee, Michael P. & Barbara Cullen

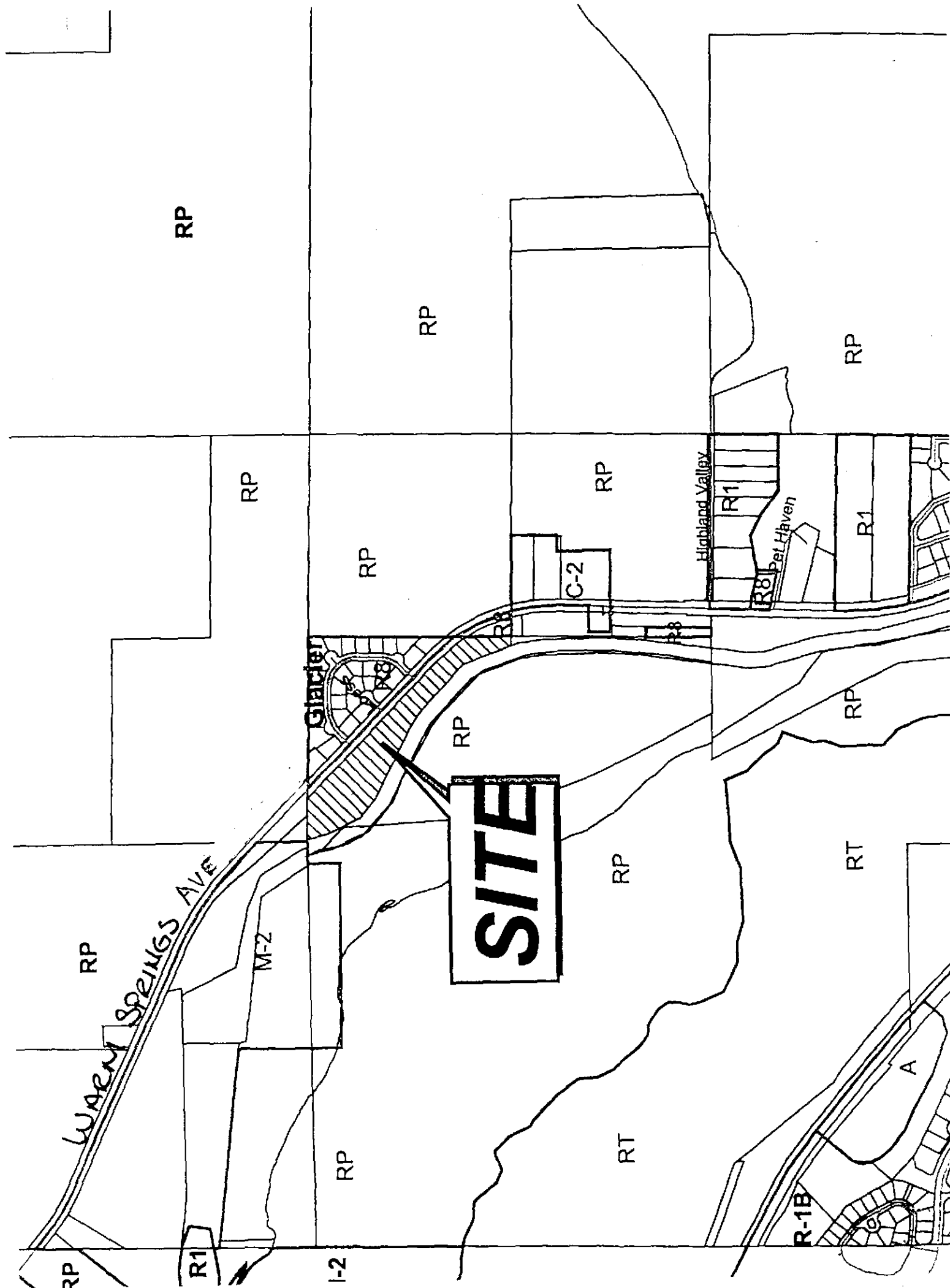
whose post office address is 6445 Warm Springs Ave., Boise, ID 83716

WITNESSETH, That the said first party, for good consideration and for the sum of
One Dollars (\$1.00) paid by the said second
party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim
unto the said second party forever, all the right, title, interest and claim which the said first party
has in and to the following described parcel of land, and improvements and appurtenances there-
to in the County of Ada, State of Idaho

6445 Warm Springs Ave, Boise, ID

Leahthy Legal, see attached

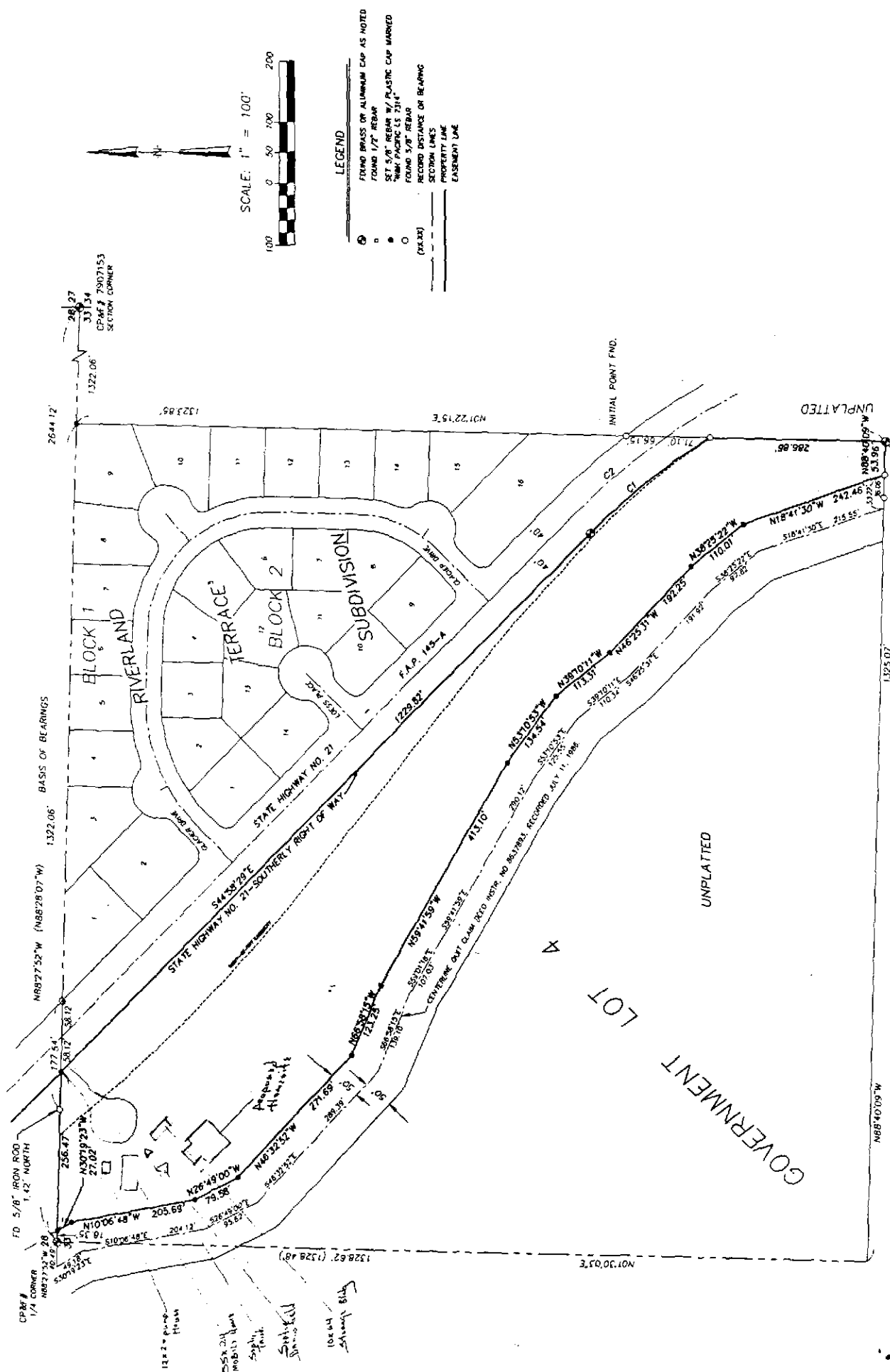
PART OF ORIGINAL TOO LIGHT
FOR GOOD REPRODUCTION



SITE PLAN

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	1036.47'	248.18'	124.69'	518.06'	S41°06'34"E	134°43'10"
C2	1076.47'	197.85'	99.20'	197.85'	S39°42'34"E	103°31'57"



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: A63-05390
Date Received: 5/08/1989
Receipt No: W002717
Received By: EJH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM P. PFALTZGRAFT 208-343-1973
Address: 6445 WARM SPRINGS AVE.
BOISE, ID 83712-0000

AND/OR

Name: CLARICE G. PFALTZGRAFT 208-343-1973
Address: 6445 WARM SPRINGS AVE.
BOISE, ID 83712-0000

2. Date of Priority: APR 26, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	03E	33	NW	NE		4	ADA

5. Description of diverting works:
WELL, PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	03E	33	NW	NE	4	IRR	10.0
Section Acres							10.0
Total Acres							10.0

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:
63-09830

14. Remarks:
P.O.D. TRANSFERED VIA TRANSF. #3321.

15. Basis of Claim: STATUTORY CLAIM

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): William J. Faltzgraff Date: 5-8-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8 day
of May 19 89 Eldon L. Roush
Notary Public

Seal

Residing at _____

My Commission Expires _____

Eldon L. Roush
Residing at Boise, Idaho
My Commission Expires September 8, 1994

Water Right Number - 63-05390 Adj. Flag Translation: Standard Water Right Number Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
PFALTZGRAFT

WILLIAM P.
1 - 6445 WARM SPRINGS AVE.
2 -
3 -
City- BOISE State- ID Zip- 837120000
Phone -
1 - 6445 WARM SPRINGS AVE.
2 -
3 -
City- BOISE State- ID Zip- 837120000
Phone -

PFALTZGRAFT
CLARICE G.

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/26/1960 14 S - STATUTORY CLAIM

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

+ - - - - - - - - - - - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
03N 03E 28 NW NE (1) ADA

+ - - - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.200

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.200

+ - - - - - - - - - - - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
03N 03E 33 NW NE 4 10.0 01 IRRIGATION (1) ADA

+ - - - - - - - - - - - - - - - - - Total Acres: 10.0
+ - - Diversion Means - WELL, PUMP & PIPELINE
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -
+ - - - - - - - - - - - - - - - - - Remarks - - - - - +
No Remarks found.

MICROFILMED
AUG 21 1992

| | | | | | |
|------------------|--------------|-----------------|--------------|------------------|---|
| Proof Due Date | - 00/00/0000 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 00/00/0000 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 00/00/0000 | Hearing Date | - 00/00/0000 | Temporary Right | - |
| Start Work Date | - 00/00/0000 | Verified Date | - 00/00/0000 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - |
| Licensed Date | - 00/00/0000 | Appl Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 00/00/0000 | | | | - |

MICROFILMED
AUG 21 1992

12/11/2005

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

RIGHT NUMBER: 63-5390

NAME AND ADDRESS: MICHAEL P CULLEN
6445 WARM SPRINGS AVE
BOISE ID 83712

BARBARA CULLEN
6445 WARM SPRINGS AVE
BOISE ID 83712

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.200 CFS
45.000 AFY

PRIORITY DATE: 04/26/1960

POINT OF DIVERSION:

T03N R03E S33 NWNE Lot 4 Within ADA County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|------------------------|
| IRRIGATION | 03/01 11/15 | 0.200 CFS
45.00 AFY |

PLACE OF USE: IRRIGATION Within ADA County

T03N R03E S33 Lot 4 NWNE 10.0

10 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

PARCEL NO. S0933120620

IDAHO DEPT OF WATER RESOURCES

Claim No. 63-5390

Twp. 3N, Rge. 3E
Section 33



Place of Use

1/4 1/4 Lines

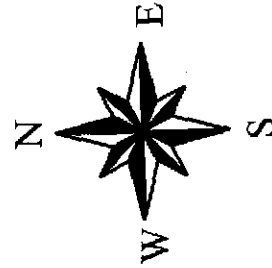


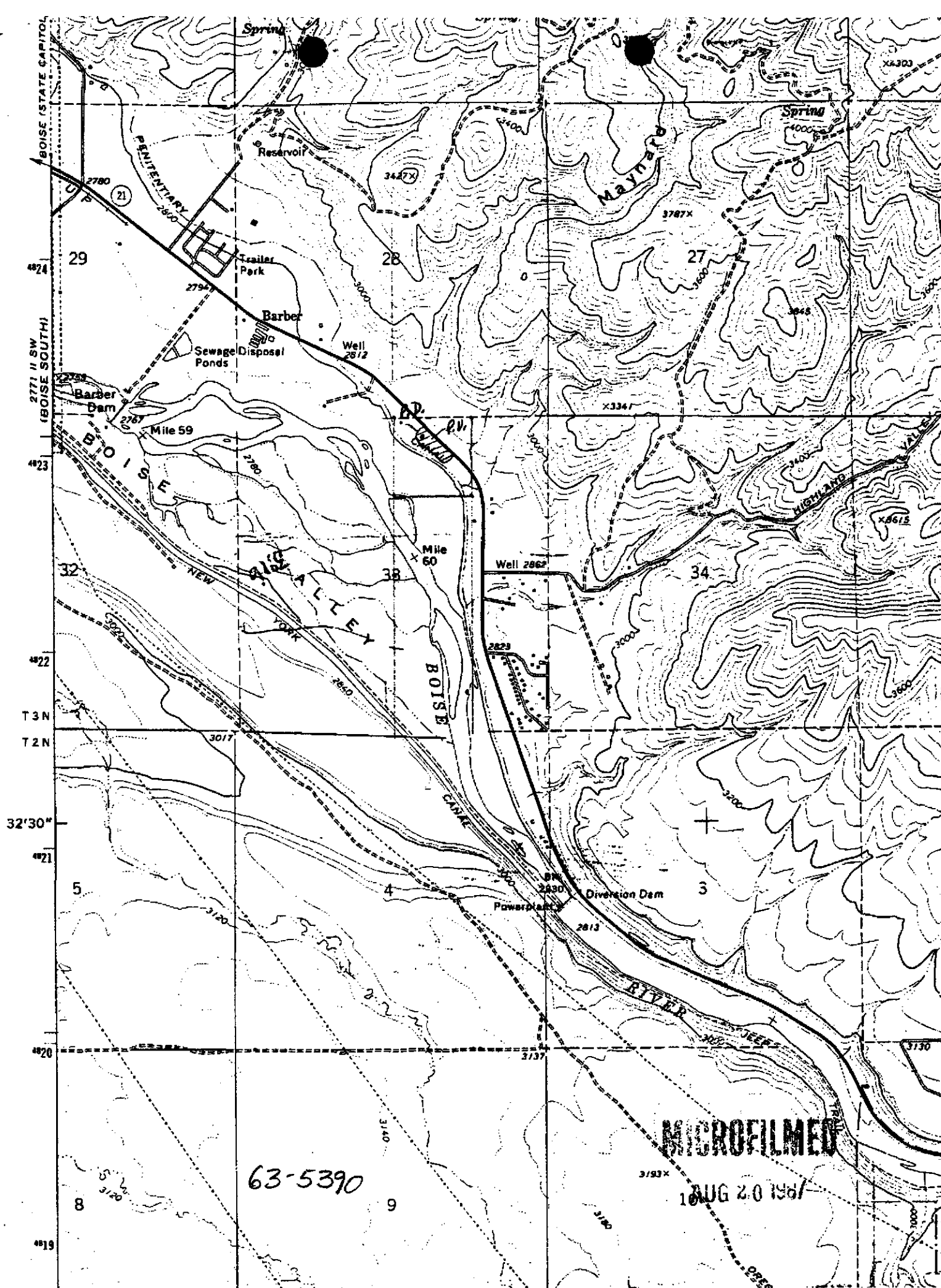
Section Lines



Pt. of Diversion

Prepared by:
Jan Shurte
12-11-05







SPF Water Engineering, LLC
water resource consultants

RECEIVED

JUL 18 2005

WATER RESOURCES
WESTERN REGION

July 15, 2005

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise ID 83705-5082

Attn: Jan Shurte

Subject: Notice of Error for 63-5390 / Michael & Barbara Cullen

Dear Jan,

On behalf of Michael Cullen, enclosed is a notice of error for 63-5390. Michael checked the "I agree with this proposed recommendation" at the bottom of the form by mistake. This right appears to have been fully used within the 5-year period preceding claim filing as evidenced by an approved transfer along with Brad Dingee's field exam. Please let me know if you need any additional information to support a recommendation of the claimed 10 acres.

Sincerely,

Scott N. King, P.E.
Senior Project Engineer

File: 456.0010

Also Transfer # 3321 was approved for 10 acres of irrig. in 7-6-87. See Brad Dingee memo dated 6-1-87. OK to give 10 acres, 120 cfs & 45 AFY. JS

RECEIVED

JUL 18 2005

WATER RESOURCES
WESTERN REGION

05/31/2005

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 93-3330

MICHAEL P GILLEN
6405 MARK SPRINGS AVE
BOISE ID 83712
Telephone Number: (208)344-4523

BARBARA CULLEN
6405 MARK SPRINGS AVE
BOISE ID 83712
Telephone Number: (208)344-4523

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

I disagree with the proposed quantity of 0.02 cfs / 0.60 afy, and number of acres of 0.5.

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

The recommended quantity should be of 0.20 cfs / 45 afy, and number of acres is 10 in T3N R3E Sec Lot 4 NWNE.

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

The claim to this right was filed on May 8, 1989. Prior to claim filing, IDWR approved Transfer No 3321 on July 6, 1987. Brad Dingee's 6/1/1987 memo to file documents a 4/24/1987 field exam which verified elements of the claim, including irrigation of 10 acres. Forfeiture of the unrecommended portion could not have occurred because the right was fully used within the 5-year period preceding filing of the claim, and because forfeiture has been tolled since claim filing.

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

DATE: 7/14/05 SIGNATURE:

Please print your name:

MICHAEL P GILLEN

IDWR Regional Office, 2733 Airport Wy, Boise, ID 83703, 2083342190

JUL 18 2005

WATER RESOURCES
WESTERN REGION

Date 6/3/87

To: Claim 63-5390

Date: 6/1/87

From: Brad Dingee

Subject: Field Examination of Application for
Transfer of 63-5390

On 4/24/87 the Pfaltzgraff residence was visited to verify the information given in Claim No. 63-5390 and the Application for Transfer submitted for this claim.

The present point of diversion is a well located in the NWNE Sec. 33, T.3N, R.3E. (See attached map). Water from this well is used to irrigate approximately 10 acres. According to Mr. Pfaltzgraff, this well was drilled in 1970 to replace a previous groundwater source located in SESEW sec. 28, T.3N, R.3E that was used from 1960 to 1970 (this well is located about where the word "well" occurs on the attached topographic map).

The old pipeline that carried water from the old P.D. in sec. 28 is still present. Also, the area where this pipe crossed Highway 21 is evidenced by a pronounced crack crossing the asphalt to Mr. Pfaltzgraff's property.

MICROFILMED

AUG 20 1987

Based on this examination, the information presented in Claim 63-5390 and its transfer is correct.

05/31/2005

NOTICE OF ERROR
RISLEY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR RISELY IS: July 15, 2005

Water Right number: 83-5930

MICHAEL P CULLEN
6665 WARM SPRINGS AVE
BOISE ID 83712
Telephone Number: (208)344-4523

SARAH CULLEN
6665 WARM SPRINGS AVE
BOISE ID 83712
Telephone Number: (208)344-4523

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

I disagree with the proposed quantity of 0.02 cfs / 0.60 afy, and number of acres of 0.5.

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

The recommended quantity should be of 0.20 cfs / 45 afy, and number of acres is 10 in T3N R3E See Lot 4 NWNE.

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

The claim to this right was filed on May 8, 1989. Prior to claim filing, IDWR approved Transfer No 3321 on July 6, 1987. Brad Dingee's 6/1/1987 memo to file documents a 4/24/1987 field exam which verified elements of the claim, including irrigation of 10 acres. Forfeiture of the unrecommended portion could not have occurred because the right was fully used within the 5-year period preceding filing of the claim, and because forfeiture has been tolled since claim filing.

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

DATE: 7/14/05 SIGNATURE:

Please print your name:

MICHAEL P CULLEN

IDWR Regional Office, 2535 Airport Wy, Boise, ID 83705, 2083342150

To: Claim 63-5390

Date: 6/1/87

From: Brad Dingee

Subject: Field Examination of Application for
Transfer of 63-5390

On 4/24/87 The Pfaltzgraff residence was visited to verify the information given in Claim No. 63-5390 and the Application for Transfer submitted for this claim.

The present point of diversion is a well located in the NWNE Sec. 33, T. 3N, R. 3E. (See attached map). Water from this well is used to irrigate approximately 10 acres. According to Mr. Pfaltzgraff, this well was drilled in 1970 to replace a previous groundwater source located in SE34 sec. 28, T. 3N, R. 3E that was used from 1960 to 1970 (This well is located about where the word "Well" occurs on the attached topographic map).

The old pipeline that carried water from the old P.D. in sec. 28 is still present. Also, the area where this pipe crossed Highway 21 is evidenced by a pronounced crack crossing the asphalt to the Pfaltzgraff's property.

MICROFILMED

AUG 20 1987

Shurte, Jan

From: Scott King [SKing@spfwater.com]
Sent: Friday, July 15, 2005 9:07 AM
To: Shurte, Jan
Subject: 63-5390 / Cullen / Notice of Error Attached

Hi Jan,

Will you accept notices by email? Here is one for Michael Cullen. Ron Howerton did the recommendation and found forfeiture of 9.5 of the 10 acres. It looks like the right was being used in the 1986/87 period as a transfer was approved changing POD.

Thank you,
Scott

Scott N. King, P.E.
SPF Water Engineering, LLC
600 East River Park Lane, Suite 105
Boise, Idaho 83706
phone: 208-383-4140 x209
fax: 208-383-4156
email: sking@spfwater.com
web page: www.spfwater.com

7/27/2005

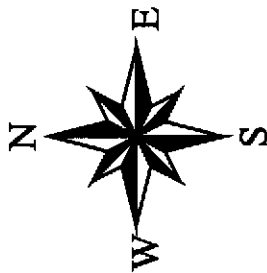
IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-5390

Date Prepared: 03-20-03

Prepared By: Ron Howerton

T03N, R03E
S33

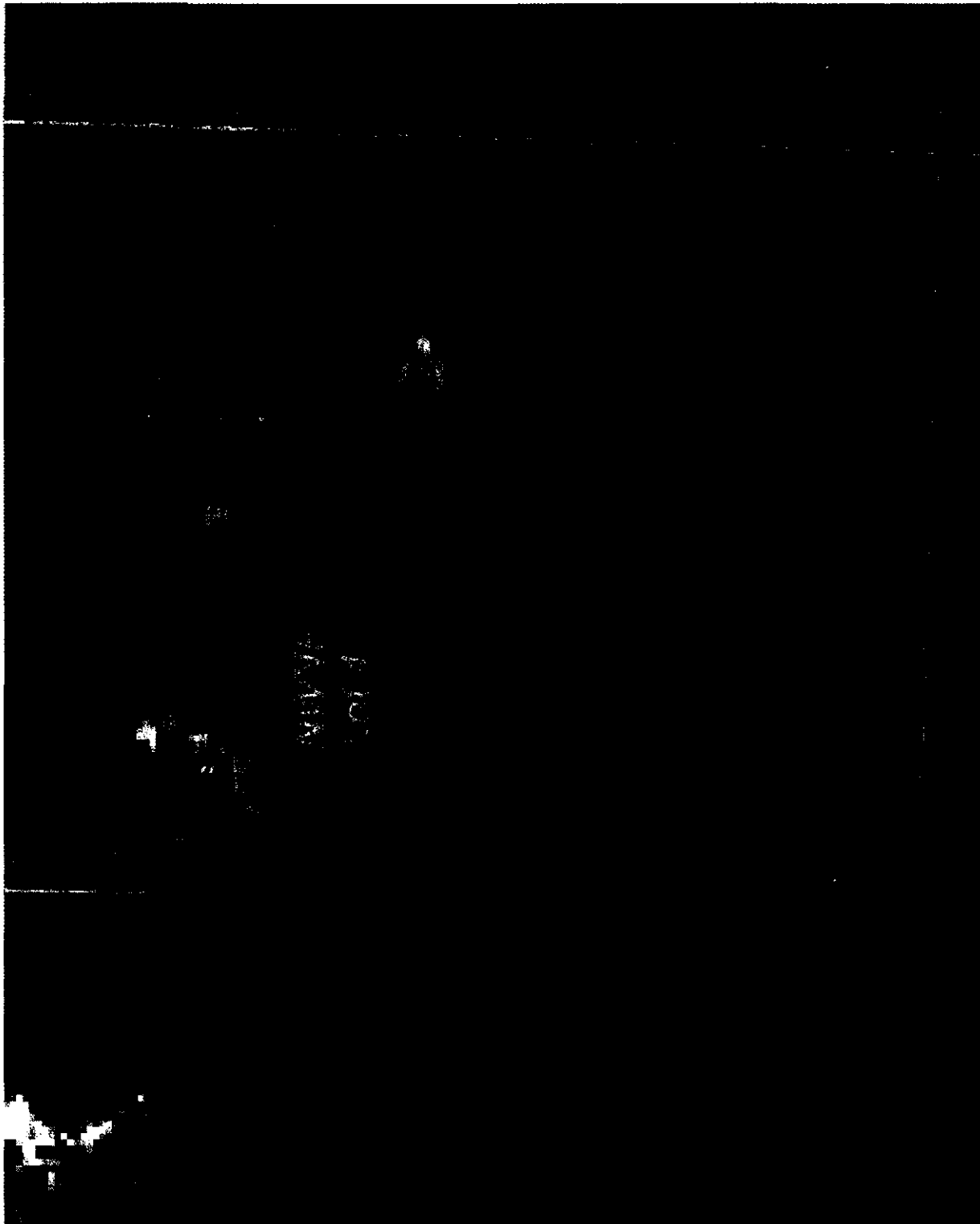


● Point of Diversion

Place of use

Section

1/4 1/4



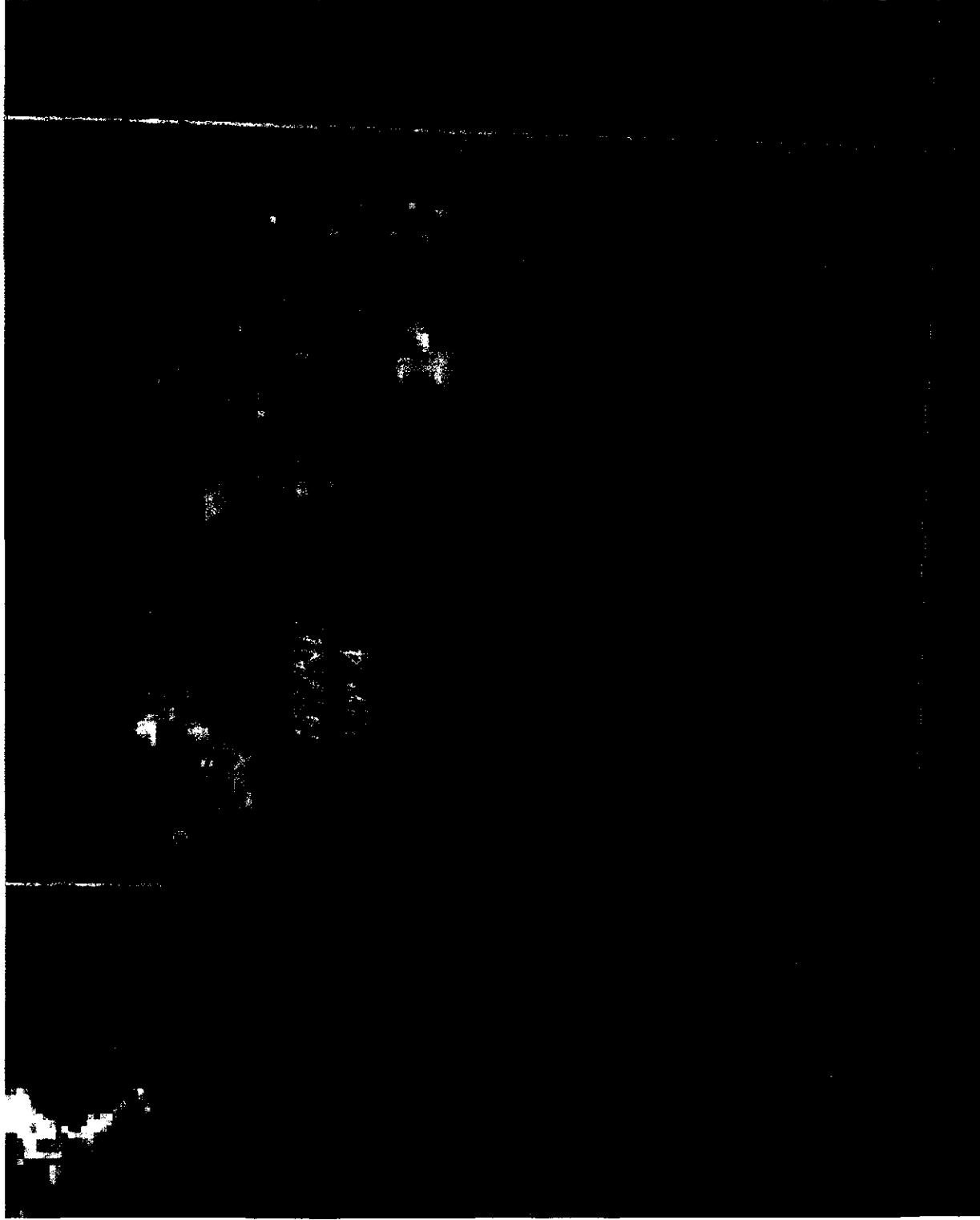
1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

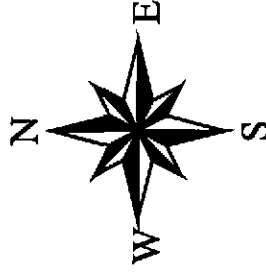
Claim: 63-5390

Date Prepared: 03-20-03

Prepared By: Ron Howerton



**T03N, R03E
S33**



● Point of Diversion

☐ Place of use

☐ Section

1/4 1/4

0.5 ACRE

1987 NAPP

0.3 Miles

0.2

0.1

0

03/21/2003

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

RIGHT NUMBER: 63-5390

NAME AND ADDRESS: MICHAEL P CULLEN
6445 WARM SPRINGS AVE
BOISE ID 83712

BARBARA CULLEN
6445 WARM SPRINGS AVE
BOISE ID 83712

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
0.600 AFY

PRIORITY DATE: 04/26/1960

POINT OF DIVERSION:

T03N R03E S33 NWNE Lot 4 Within ADA County Source: GROUND WATER

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
0.020 CFS
0.60 AFY

PLACE OF USE: IRRIGATION Within ADA County
T03N R03E S33 Lot 4 NWNE 0.5

0.5 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: Beneficial Use

PARCEL NO. S0933120620

**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 \$60 W002717
- ☐ 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) 63-5390

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: DRIVE BY & INTERVIEW
FX 3-20-03 FX 3-22-00**PRIORITY DATE**

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

Priority date, per claimant, is: _____

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

Source: _____ Tributary to _____

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

POINT OF DIVERSION

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

| Place of Use | | | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|--------------|-----|-----|----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| TWP | RGE | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 3N | 3E | 33 | | 0.5 | | | | | | | | | | | | | | | 0.5 |
| | | | | 44 | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Overlap with other water rights: NONE NOW - SEE NARRATIVE DTD 3-20-07

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

Delivery System Narrative: WELL, WELL-HOUSE Pump & PIPELINE

| Well or Diversion Identification No
GPS ID | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge size |
|---|------------|----|------------------|-----------|-----------------------------------|
| | FRANKLIN | 2 | | | |
| | Sub Pump | | 282301B110 | Sub Pump | 50 PSI |
| | | | | | |

FLOW MEASUREMENTS: CAPACITY = 0.07 CFS

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

SEE HOSE POWER EQUATION WORKSHEET AND INTREPID'S REPORT.

SEE NARRATIVE DTD 3-20-03

STANDARD AMOUNTS RECOMMENDED FOR HOMES LAWN AND GARDEN IRRIGATION.

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: A63-5390
 Examiner: INTREPID CKD BY RDH
 Date of Field Exam: 3/22/2000

| P/D No.: | OPTION 1 | OPTION 2 | OPTION 3 |
|--------------------|----------|----------|----------|
| PUMP HORSEPOWER | 2 | 2 | 2 |
| BOOSTER HORSEPOWER | 0 | 0 | 0 |
| PUMPING LEVEL | 50 | 50 | 50 |
| DISCHARGE PRESSURE | 50 | 50 | 50 AVE |
| RATE OF FLOW (cfs) | 0.07 | 0.07 | 0.07 |

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

| ID # | Govt Lot # | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks
GPS ID |
|------|------------|-----|-----|-----|------|------|------|--------|---|
| | | | | | | | | | INTERPID ENGR. |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

Description of diverting works

WELL Pump PIPELINE & WELL HOUSE

OVERLAP REVIEW

Other water rights with the same point of diversion: SEE - NARRATIVE FOR EXPLANATIONS

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

NO

WATER USES

☐ No change

☒ Different Uses

STANDARD CFS & AFA GIVEN FOR LAWN & GARDEN
STANDARD CFS & VOLUME RECOMMENDED
FOR HOME IS .02 CFS FOR LAWN & GARDEN
WITH 0.6 AFA - IRRIGATION SEASON 3-1 to 11-15

Use IRR From 3-1 To 11-15 Amount 0.02 CFS 0.6 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

- ☒ Incomplete on claim, the total is, Amount 0.02 CFS 0.6 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:

PARCEL NO. 50933120620

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: 3-20-03

FIELD EXAMINER: Ren Howerton
Sr Water Agent

NARRATIVE NOTES REVIEW OF CLAIM 63-05390

SRBA Reviewing Agent: Ron Howerton

Date: March 20, 2003

Timelines:

63-07703: Application for permit filed December 26, 1972 (Lapsed January 13, 1982)

POU =10 acres on south side and 10 acres on north side of Hwy 21, totaling 20 acres.
This permit included the same 10 acres as relinquished permit 63-9830 and statutory claim 63-05390 shown below.

63-09830:

Application for permit filed November 12, 1981 (Relinquished, signed May 29, 1990)

This was to replace 63-7703 permit that was about to lapse. The application was to develop the south side of road 10 acres of irrigation from the same groundwater source as statutory claim 63-05390.

63-05390:

Statutory Claim filed March 4 1987. A statutory claim for 10 acres of irrigation from a groundwater source with a priority was claimed as April 26, 1960. The evidence of priority was filed with that claim, signed by Albert Darkwood.

A transfer was approved July 6, 1987. This was filed to change the point of diversion to the south side of road. The transfer stated irrigation was accomplished prior by pipe under Hwy 21 to the same 10 acres.

Permit: 63-07703
Status: (Lapsed Jan 13, 1982)

Irrigation:
20 acres
NWNE

Not developed

Permit: 63-9830
Status: (Relinquished May 29, 1990)

Irrigation:
10 acres
NWNE

Not developed

Statutory Claim: 63-05390
Status: (SRBA claimed May 8, 1989)

Irrigation:
10 acres claimed
NWNE

Found one-half acre, per 1987 NAPP developed.

SUMMARY:

Field exam information:

Intrepid Engineering was hired as a contractor to locate and measure beneficial use groundwater claims for the SRBA effort. They took photos March 22, 2000 of the well and measured the flow based upon the horsepower equation. Maximum flow was 0.07 CFS. This well serves a regular built home and a trailer home with lawn around these.

So the amount of water developed from this well using standard amounts would be as follows:

1 Trailer Home = Internal use 0.02 CFS
1 Reg. Home = Internal use 0.02 CFS
Lawn Irrigation = 1/2 acre use 0.02 CFS

Total developed CFS = 0.06 CFS

Thus, the horsepower measurement and the amounts that were developed quantify the proof that no more than 0.06 CFS was developed from this well. (Maximum theoretical being 0.07 CFS)

I made a drive by field exam March 20, to look at the property because none of my maps showed irrigation development to any extent. See my attached photos.

Per my investigation of all the water rights involved the most development I found was around the homes. I used the 1987 NAPP photo and came up with one-half acre of irrigation. Lack of any evidence of developed irrigation more than ½ acre cannot be found.

Notes in the files indicate development hadn't occurred due to negotiations with possible developers seems to be the reason the permits were never developed.

Irrigation was the only use claimed from this well and I can only recommend irrigation of ½ acre.

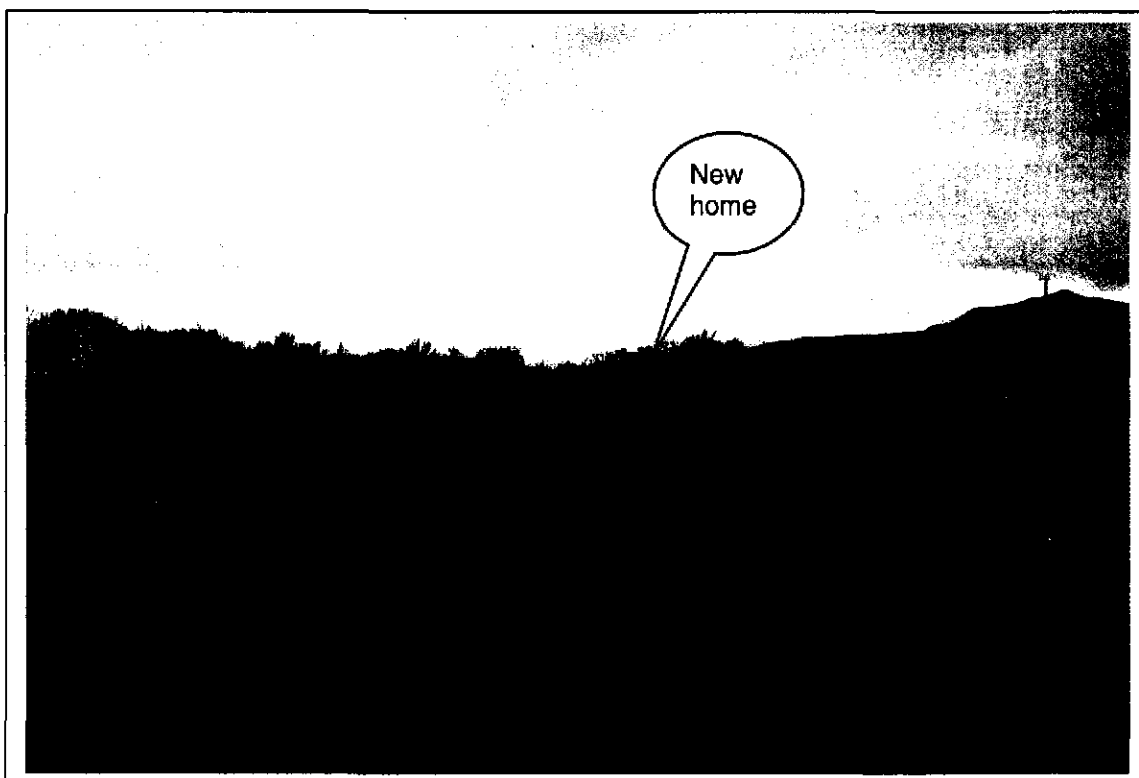


Photo 1: 63-5390, Field Exam 03-20-03: Photo at Located in the NWNE, S33, T03N, R03E. No evidence of irrigation beyond home shown in background. View is to West. 1987 NAPP shows only $\frac{1}{2}$ acre of irrigation.

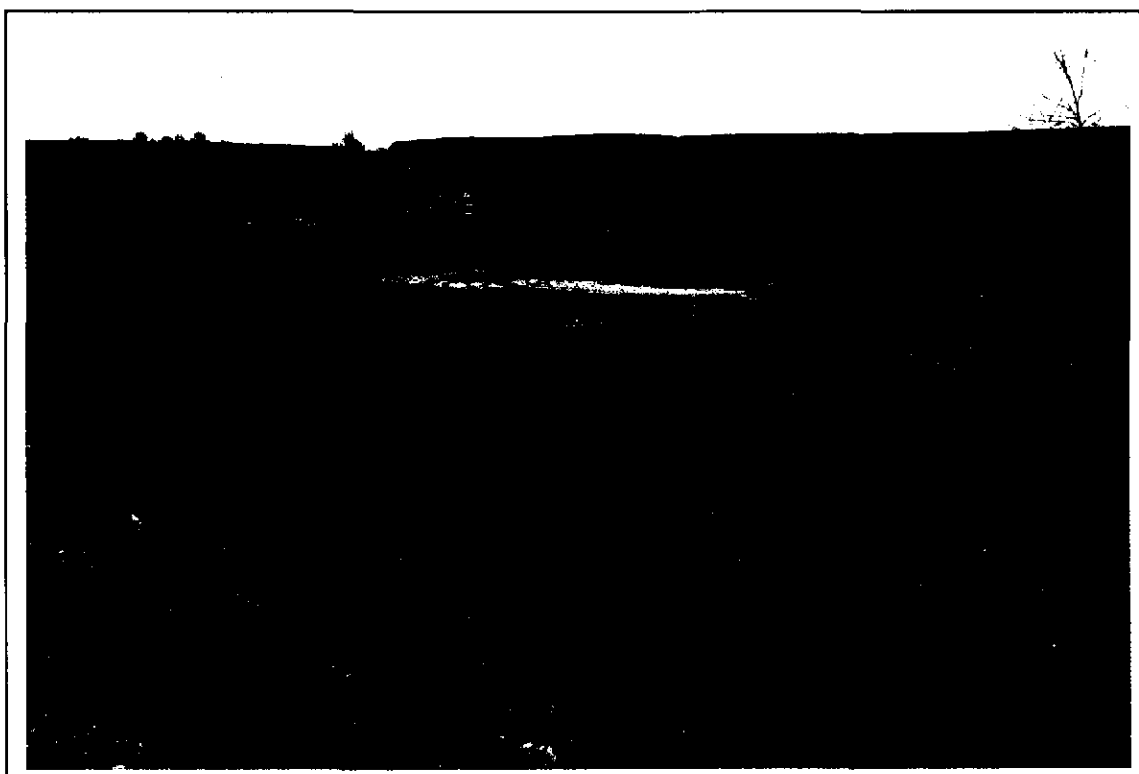


Photo 2: Lowest end of property. No evidence of irrigation development. See Narrative notes for drive by field exam. View is southeast toward diversion dam Photos by RDH.



Photo 3: Photo by Intrepid Engineering Services showing well house.

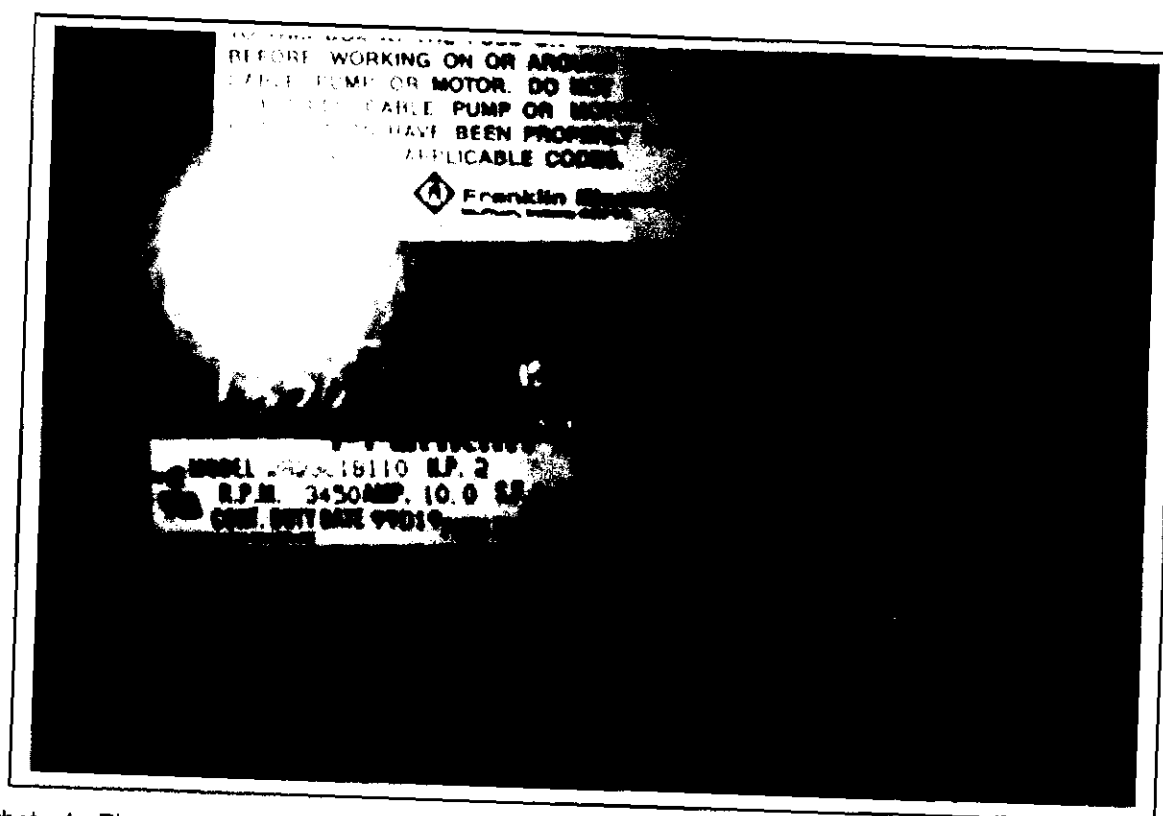


Photo 4: Photo by Intrepid Engineering Services showing pump data.



Photo 5: Photo by Intrepid Engineering Services showing well, pressure gage and tank.



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

RIGHT ID 63 5390
POD ID 155872
Quad Lucky Peak
Claim Type Large
Easting 330161
Northing 275403
GPSID A0009271

Diversion Description

WELL, PUMP & PIPELINE. Submersible in yellow shop/wellhouse 100ft NW of house.

Assumptions

Elevation head.

Invoice

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

a Photos\155872a.JPG a Photos\155872c.JPG

Photos

a Photos\155872b.JPG

EPE (ft)

16

Date (M/D/Y)

11/14/01

Time

16.31

Flow Rate (CFS)

0.07

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity

0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

| Channel Description | |
|---------------------------|------|
| Concrete lined | .016 |
| Smooth earth | .025 |
| Earth | .033 |
| Rough bed, weeds on sides | .04 |
| Smooth natural stream | .033 |
| Rough natural stream | .1 |

Pumped System ☒

HP 2

Pressure Head (psi) 50

Elevation Head (ft) 50

Motor Mfg Franklin

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Service, Inc.



INTREPID
Engineering Services, Inc. (IES)
Enabling People and Solutions

RIGHT ID

63 5390

IN THE MATTER OF:

CLAIM TO A WATER RIGHT

AFFIDAVIT

IN THE NAME OF

WILLIAM P. & CLAUDE G. HOLTGRAFF

State of Idaho

County of ADA

Albert Darkwood being first duly sworn,

deposes and says:

I started to irrigate the
10 ACRES OF Alfalfa Hay FROM
IRRIGATION PUMP IN SEC. 28, ON OR
ABOUT APRIL 26th 1960 as per
agreement with Florence Grant &
HARRIET B. BROWN.

Instrument #479072 Book 41 Page 320

Albert Darkwood
(Signature)

Subscribed and sworn to before me this 3 day of March, 1981.

David R. Tulliff
(Notary Public)

Residing at Borco, Id
My Commission Expires Sept 10, 1988



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

November 9, 2001

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that Intrepid might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office



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

April 6, 1999

KARL J. DREHER
DIRECTOR

Re: Notice of Claim to a Water Right No. A63-05390

MICHAEL P CULLEN
BARBARA CULLEN
6445 WARM SPRINGS AVE
BOISE ID 83712

Dear Mr. & Mrs. Cullen:

Enclosed is a copy of the above referenced claim which reflects 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 this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

LH:1

Enclosure

IOWR

Mar 22, 1999

We intend to occupy the property the same as the previous owners. The same is acres that the Pfaltzgrats irrigated was transferred to Mike and Barbara Cullen, (then Galloway) and other family members. The other family members have since quit claimed their full interest to Mike and Barbara Cullen.

All we are asking is the existing water right be placed in our names as Mike and/or Barbara Cullen. I hope

this answers all your questions.

If not you can reach me after April 7 at 344-4523.

Thank you very much

Barbara Cullen

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that William P. #/or Clarice G. Pfaltzgraff

(Name of Claimant)

6445 Warm Springs Ave. Boise Id 83712

(Mailing Address)

(Zip Code)

Telephone No. 343-1973

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) APRIL 26, 1960

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Ground Water

tributary to

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

| Quantity | (cfs. or
lcs. etc.) | Use | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive) | |
|----------|------------------------|-----|-------------------------------------|--------------------------------|-----------------|
| | | | | (Mo., Day) | (Mo., Day) |
| Quantity | <u>0.20 cfs</u> | Use | <u>Irrigation</u> | Period of Use From <u>3/15</u> | To <u>11/15</u> |
| Quantity | | Use | | Period of Use From | To |
| Quantity | | Use | | Period of Use From | To |
| Quantity | | Use | | Period of Use From | To |
| Quantity | | Use | | Period of Use From | To |

- (4) 0.20 cfs TOTAL QUANTITY USED.

(cfs. or
lcs. etc.)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 SW 1/4, Sec. 28 Twp. 3N Rge. 3E B.M., County of Ada

Additional points of diversion: This well was replaced in 1970 by a well in Lt 4 Sec 33 T3N R3E

for irrigation of these 10 acres.

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. Original well was drilled in Sec 28, T3N, R3E.

Replacement well was drilled in Lt 4 Sec 33 T3N R3E in 1970, 8" casing, 246' deep, for irrigation of these 10 acres.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T | R | SEC. | NE 1/4 | | | | NW 1/4 | | | | SW 1/4 | | | | SE 1/4 | | | | TOTAL |
|-----------|-----------|-----------|--------|-------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-----------|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| <u>3N</u> | <u>3E</u> | <u>33</u> | | <u>10</u> | | | | | | | | | | | | | | | <u>10</u> |
| | | | | <u>(14)</u> | | | | | | | | | | | | | | | |
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No. of acres 10

- 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:

MICROFILMED

Transfer No. 9321

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant William P. /or Clarice G. Pfaltzgraff Phone 343-1973
Post Office address 6445 Warm Springs Ave. Boise Id 83712

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes. New well drilled in 1970 to irrigate the 10 acres described herein. These acres are south of the road (Hwy 21) and were sold to Mr. Pfaltzgraff and his wife in 1965, and were irrigated via a pipe under the road from 4/26/1960 until the new well was installed.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number _____ Priority April 26, 1960 Amount (cfs/ac-ft) 0.20 cfs Nature of Use Irrigation Period of Use 3/15 to 11/15
- _____ to _____
- _____ to _____
- _____ to _____
2. Total amount of water being transferred 0.20 cubic feet per second and/or _____ acre-feet per annum
3. Source of water Ground Water tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 10

MICROFILM

Page 2 of 6

Transfer No. _____

PART 1

6. General Information:

a. Description of diversion system

246' deep well, 8" casing, sprinkler system for
10 acres

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes N/A No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

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

No change - P/O change only

d. Remarks:

This land was originally irrigated by the owner at that time (1960)
Albert Darkwood. See Affidavit signed by Mr. Darkwood dated 3/3/1987,
attached to the Claim to a Water Right.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-5390

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

Approval of this transfer in no way validates or affirms information provided
in Claim No. 63-5390.

Witness my hand this 6th day of July, 19 87

J. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

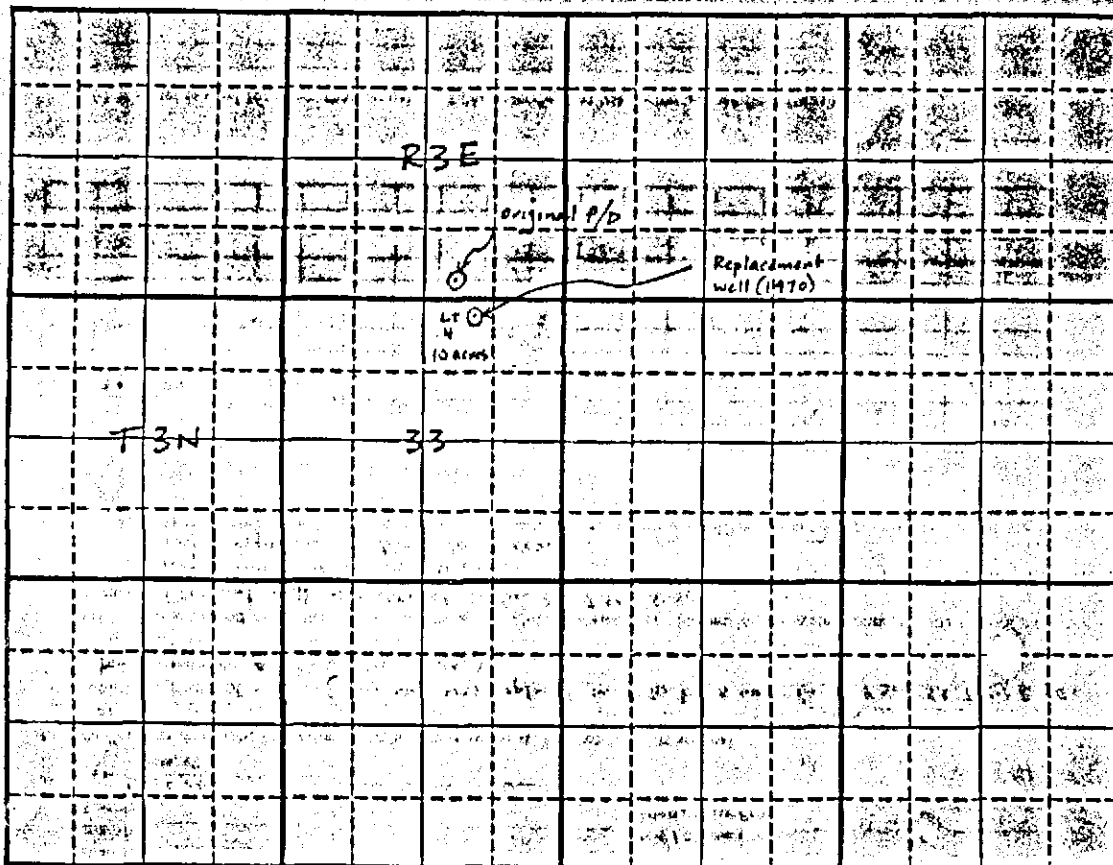
A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

[illegible]

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

FORNIA

(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

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 4th day of March, 1987.

Notary Public
Residing at Boise, Id

My commission expires Sept 10, 1988

FOR DEPARTMENT USE ONLY

Received by DET Date 3/4/87 Exception filed by: _____ Forwarded to
Prelim. check by GP Date 3/6/87 claimant by: _____
\$30.00 fee received by DET Date 3/4/87 422851 RECORDED
Published in The Idaho Statesman
Dates 3/19 & 3/26/87

MICROFILMED

RECEIVED
JUN 1 1990

Department of Water Resources

RELINQUISHMENT

TO WHOM IT MAY CONCERN:

I hereby relinquish to the State of Idaho,
all my right, title and interest in and to (Application for Permit)
(Permit) to appropriate the Public Waters of the State of Idaho,
No. 63-9830.

Signed at Boise Idaho
this 29 day of MAY, 1990.

William J. Feltz
Applicant/Permit holder

ATTEST:

William K. Christensen

OK-KW
6/6/90

RELINQUISHED APPLICATION FOR PERMIT

Form 217
03/86

8" WELL - 246' 3" DEEP
PUMP SET AT 187'
SWH - 57'
81' SCREEN AT BOTTOM

RECEIVED

NOV 4 1986

STATE OF IDAHO
Department of Water Resources
Western Regional Office
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received NO FEE
Date _____
Receipt # _____
Receipt by _____
Reviewed by _____
Sent to region _____

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 63-9830

Name(s) of Permit Holder: WILLIAM P. & DR CHARICE G. PEALZGRAFF

Post Office Address: 6445 WARM SPRINGS, BOISE, ID 83702

Telephone No. 343-1973

Source of Water: GROUNDWATER

Extent of Use:

Domestic 2 (number of households) Stockwater _____ (number and type of stock)

Irrigation 2 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted .04 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 1970

Measuring Device: Required? Yes No
Installed? Yes No

Fee enclosed \$ NO FEE
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes No
Installed? Yes No

Person to contact to accompany the Department representative during the field examination:

SAME AS ABOVE
(Name) (Telephone Number)

(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

11/3/86
Date

William P. Pealzgraff
Signature of Permit Holder (and title, if appropriate)

CONVERSATION MEMORANDUM

DATE 11/23/86FILE 163-9830NAME OF PARTY Mr. Pfaltzgraff
EMPLOYEE Jan Thurt

RE: Mr. Pfaltzgraff came in today
with his proof due notice. He has
a permit for Domestic - 20 homes &
irrigation - 10 acres. He does not
intend to develop with water more
than what he has right now. He
has developed 2 homes - 1 home &
1 trailer home for tall sty. classes and
approx. 2 acres of land around
the homes. Any further development
may occur if he sells the rest of
his property and I advised him
to ~~get~~ complete the use exam
information sheet for the use
now and if in the future he
does sell then whoever buys can
file a new permit. He did not
feel he needed more than 18 gpm
so the use sheet shows 04 gpm
for necessary. Mr. Pfaltzgraff wanted
to keep permit in case of interested
buyers, but I advised him to Dept.
Consider that speculation and to
figure up on what he is and will
be for sometime using the well
for.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**
To appropriate the public waters of the State of Idaho

1. Name of applicant William P. A/or Clarice G. Pfaltzgraff Phone 343-1973

Post office address 6145 Warm Springs Boise, Idaho 83702

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is Lot 4 NW 1/4 of NE 1/4 of Section 33 Township 3 N.

Range 3 E. S.M. Ada County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 20 for irrigation purposes from 03/15 to 11/15 (both dates inclusive)

Amount 20 for Domestic purposes from 01/01 to 12/31 (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

a. _____ cubic feet per second and/or b. _____ acre-feet per annum.

6. Proper diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir

_____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.

c. Diameter of well diameter is _____ inches; proposed depth of well is 245 feet.

7. Time for the completion of the works and application of the water to its proposed beneficial

use is _____ years (minimum 1 year - maximum 5 years).

8. Delineate proposed uses:

a. Use of water for irrigation

(1) The place of use of water: Lot 4 NW 1/4 of NE 1/4 of Section 33 Township 3 N.

Range 3 E. S.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) The number of each kind of livestock to be watered _____

(4) The number of municipality to be served _____, or number of families to be

served with domestic water 20

(5) The water to be used for other purposes describe: _____

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

[illegible]

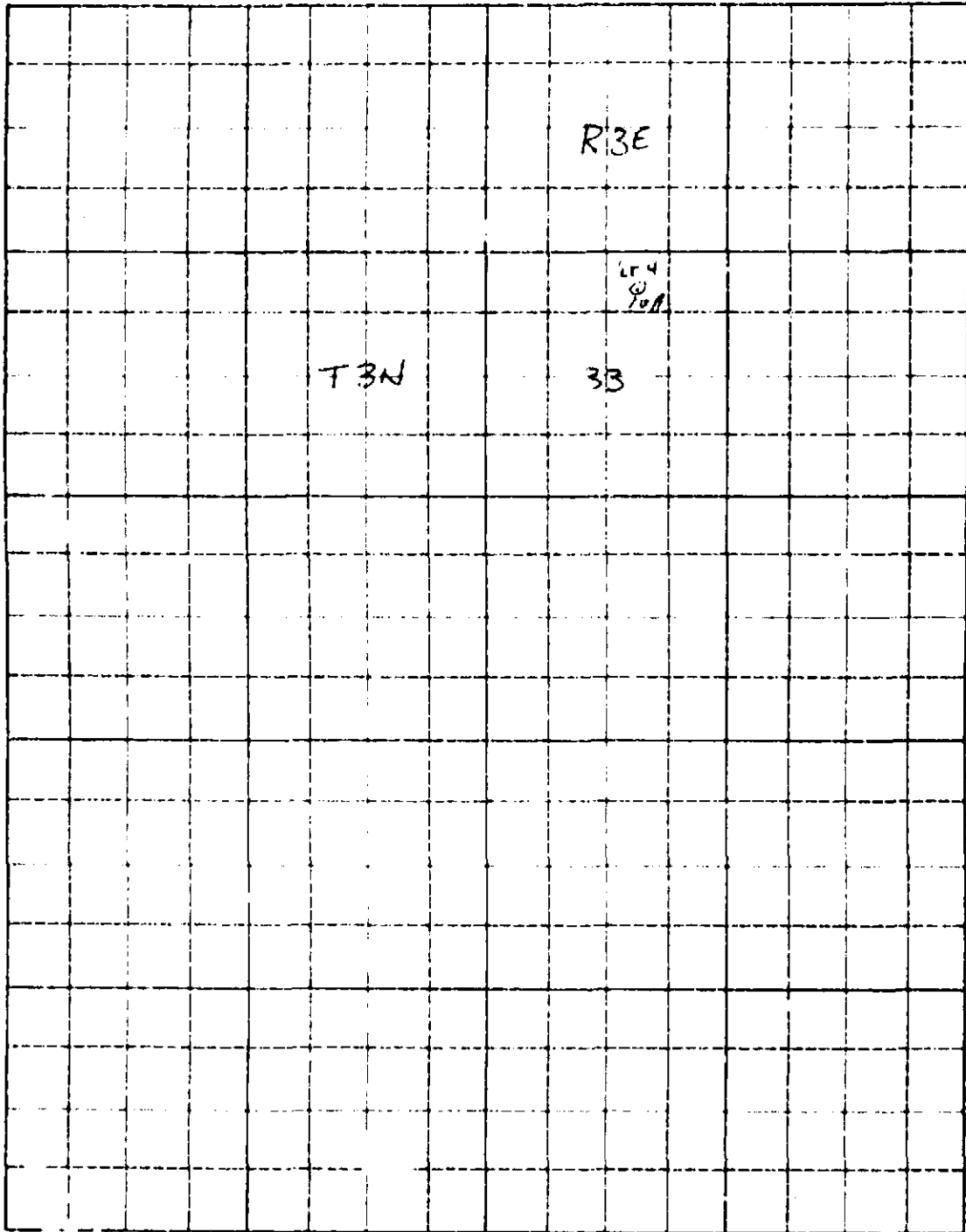
Total number of acres to be irrigated 10

- c. Describe any other water rights used for the same purposes as described above. This right is
intended to replace Permit No. 63-7703, which will soon lapse. Development has
not yet occurred due to negotiations with possible developers.
9. a. Who owns the property at the point of diversion Applicant
- b. Who owns the land to be irrigated or place of use Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

11. Map of proposed project: show clearly the proposed right of way, place of use, section number, township and range number.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

William F. Peltz
(Applicant)

Processed Priority 11/12/1981

Received by DRF Date Nov 12 1981 Time 1430
Preliminary check by JKN Fees 45.00 # 20566
Received by RG Date 11/12/81
Publication prepared by AK Date 11-12-81
Published in the Statesman
Publication dates 11/12/81 # 24, 25, 26
Publication approved JP Date 12/11/81
Protests filed by: None
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for (approval) denial by DBS

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-0830 and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:
 - a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 87
 - c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land
 - d. Other:

Witness my hand this 4th day of January, 1982.

A. Glen Saylor
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

PLATZGRAFF, WILLIAM P.
6445 WARM SPRINGS
BOISE, ID 83701

JANUARY 13, 1982

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 63-7703 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER A NOTICE THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT, OR A REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR NOTICE TO YOU DATED OCTOBER 31, 1981.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST.

G. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

CERTIFICATION OF MAILING

1-27-1982

Ren Luk

LAPSED PERMIT 63-7703

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME

Department of Water Resources
Western Regional Office

State of Idaho)

County of Ada)

Permit No. 63-7703

WILLIAM P. or CLARICE G. PFALTZGRAFF of 6445 Warm Springs Boise, ID
(name) (address)

State of Idaho, Being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 63-7703.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before December 26, 1972.

That he has heretofore performed the following work described under said permit:
Applicant has drilled well and completed most of the buried mainline.

Costing \$ 7,500

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: Applicant has sold a portion of the land and has
had to modify the irrigation system due to the sale.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to December 26, 1981.

William P. Pfaltzgraft
(signature)

Subscribed and sworn before me this 8th day of November, 1977.

as a

Henry Tabbe
Notary Public residing at
Boise, ID

My commission expires 3-2-80

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use of water be extended
to December 26, 1982.

Witness my hand this 15th day of November, 1977.

John D. Thompson
CHIEF, OPERATIONS DIVISION

* IF APPLICANT IS AN AGENT, Power of Attorney must be supplied. Forms are available
from the Department of Water Resources, Statehouse, Boise, Idaho 83720.

APPROVED

Identification No. _____
Application No. 63-7703

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

To Appropriation the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant William P. or Clarice G. Pfaltzgraff
post office address 9195 W. m. Springs, Boise, Idaho Phone: 243-1973
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is E8Y 4' NW 1/4 of NE 1/4 of Section 33 Township 3N
Range 3E B.M. Ada County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.40 for irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
Amount 1.0 for domestic purpose from January 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.0 cubic feet per second and or
b. 91.2 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 246' well with 8" casing with pump and sprinkler system and domestic lines.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo, Day)
- c. Proposed well diameter is 8 inches; proposed depth of well is 246 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 5,000.
8. Description of proposed uses:
a. If water is not for irrigation Cow 4 Lot 4
(1) Give the place of use of water: Lot 4 1/4 of NE 1/4 of Section 33 Township 3N
Range 3E B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered: _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water: 45.
(5) If water is to be used for other purposes describe: _____

63-7703

R 3 E

⊗

33

William F. Fitzgaff
(Applicant)

03 7702

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

[illegible]

Total number of acres to be irrigated. 20.0

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion. Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks

Proposed Priority 12-26-1972

Received by SES Date 12/26/72 Time 12:00 PM
Preliminary check by SES Fee \$ 25.00
Received by SES Date 12/27/72 Receipt # 9155
Publication prepared by SES Date 12-29-72
Published in State of Idaho
Publication dates 1-7 to 1-11-73
Publication approved SES Date 1-30-73
Priority reduced to 12-26-72 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ for _____

Recommended for approval/denial by SES

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for a Permit to appropriate the public waters of the State of Idaho No. 63-7701, and said application is APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- Subject to All Public Water Rights.
- Plan of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1973.
- Construction and maintenance of works approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

19 73

R. Kirk H. Jones
Director