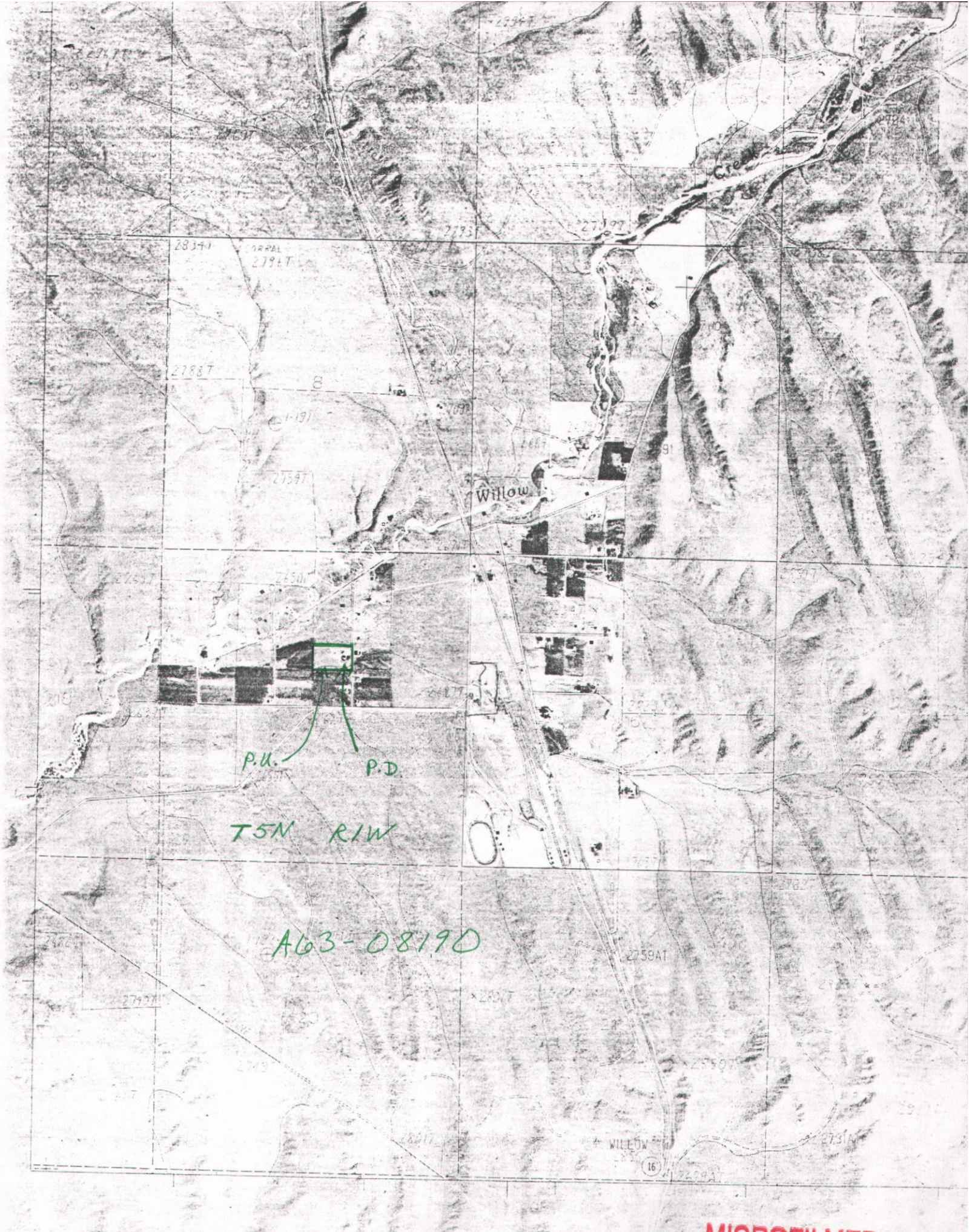




116°30'

Produced by the Geological Survey

310 000 FEET

MICROFILMED

AUG 24 1992

SCA

Idaho Department of Water Resources

T05N, R01W,
S17

Claim No: 63-08190
Prepared By: Kimberly Brown
Date: August 17, 2004



- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4

Acres Irrigated = 4.0



1987 NAPP

Idaho Department of Water Resources

T05N, R01W,
S17

Claim No: 63-08190
Prepared By: Kimberly Brown
Date: August 17, 2004

- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4



1987 NAPP



Idaho Department of Water Resources

T05N, R01W,
S17

Claim No: 63-08190
Prepared By: Kimberly Brown
Date: August 17, 2004



- Point of Diversion
- Place of Use
- Section Lines
- 1/4 1/4



1987 NAPP

63-8190
Franks

2000 NAPP

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: A63-08190
Date Received: 9/07/1989
Receipt No: CO 11046
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVE E. FRANKS 208-286-7848
Address: 9069 SPANGLER LANE
EAGLE, ID 83616

AND/OR

Name: MARY E. FRANKS 208-286-7848
Address: 9069 SPANGLER LANE
EAGLE, ID 83616

2. Date of Priority: AUG 15, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	01W	17	NW	SW	NE		ADA

5. Description of diverting works:
WELL, 8" CASING, 288' DEEP, 5 HP SUBMERSIBLE PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 14.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 10 HORSES AND CATTLE

A63-08190

Page 1

Date: 09/07/89

MICROFILMED
AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	01W	17	SW		NE		IRR	4.0
			SW		NE		DOMEST	
			SW		NE		STOCK	
							Section Acres	4.0
							Total Acres	4.0

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:
LOT 5, D.L. HANLEY TRACTS

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: - / -

For Individuals:

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

Signature of Claimant(s): *William E. Franks* Date: 9/7/89

Date: _____

State of Idaho)
County of Ada) SS.

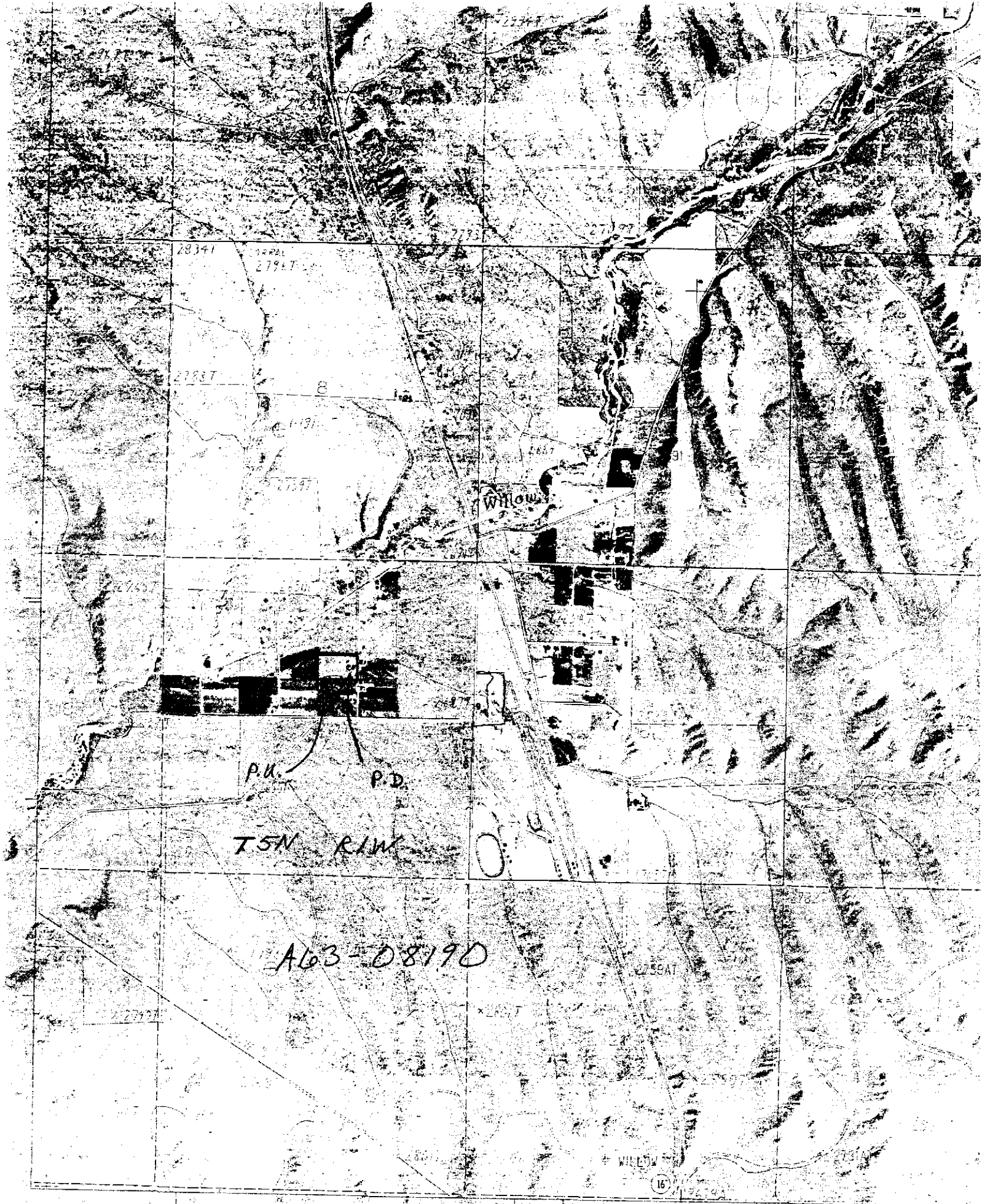
Subscribed and sworn (or affirmed) before me this 7th day
of September 19 89 *Carter Fritschle*
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994



116°30'

Produced by the Geological Survey

310 000 FEET

MICROFILMED

AUG 24 1992

SCA

07/19/2005

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

RIGHT NUMBER: 63-8190

NAME AND ADDRESS: MARY E FRANKS
9069 SPANGLER LN
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.120 CFS
19.400 AFY

PRIORITY DATE: 08/15/1975

POINT OF DIVERSION:

T05N R01W S17 NWSWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.080 CFS 18.00 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
STOCKWATER	01/01 12/31	0.020 CFS 0.20 AFY

Stockwater use is for 10 range cattle.

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

Domestic use is for 1 home

PLACE OF USE: IRRIGATION Within ADA County

T05N R01W S17 SWNE 4.0

STOCKWATER Within ADA County

T05N R01W S17 SWNE

DOMESTIC Within ADA County

T05N R01W S17 SWNE

4 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 - License

PROPERTY IS ALSO KNOWN AS LOT 5, D. L. HANLEY TRACTS.

PARCEL NO: R3432320250.

RECEIVED

JUL 19 2005

RECEIVED

JUL 18 2005

Form 42-248/42-1409(5) July, 2000

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

WATER RESOURCES
WESTERN REGIONDEPARTMENT OF
WATER RESOURCES

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-8/90					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Frank Wong
4. New Owner/Claimant(s) Mary Franks
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 9069 Spangler
- City, State and ZIP Code Eagle Id 83616
- New Telephone Number 208 1286-7848
5. Date you acquired the property March 1981

change in file
- 7-18-05

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Mary Franks

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

For Office Use Only

Received by KUB Date 7/19/05 Fee 0
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Effective July 1, 2000, the Idaho Legislature amended Section 42-248, Idaho Code to include a provision for fees to file a Notice of Change in Water Right Ownership. Please see details at Item 8, below, to determine if fees are required for your filing.

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 the number(s) at **Item 1.** Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

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 adjudication 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/claimant(s) of the water right(s) at **Item 3.**
4. The name, mailing address, and telephone numbers of the new owner/claimant(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 have purchased only a portion of the water right(s) held by the seller. If this change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original form to the IDWR office nearest you:

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

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

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

RECORDED - REQUEST OF

FEE 9.00 DEPUTY Sheep

1998 JUN 29 PM 2:49
QUITCLAIM DEED

98062327

THIS INDENTURE, made this 29th day of June, 1998, between **STEVEN E. FRANKS**, the Party of the First Part, and **MARY E. FRANKS**, the Party of the Second Part;

WITNESSETH:

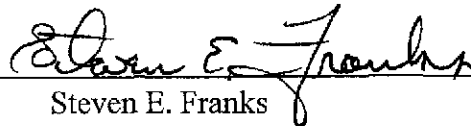
That the said Party of the First Part, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, lawful money of the United States of America, to him in hand paid by the said Party of the Second Part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the said Party of the Second Part, and to her heirs and assigns, all of his interest in that certain lot, piece or parcel of land, situate, lying and being in the County of Ada, State of Idaho, bounded and particularly described as follows, to-wit:

See Exhibit "A" attached hereto and incorporated herein by this reference.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the Party of the Second Part, and to her heirs and assigns forever.

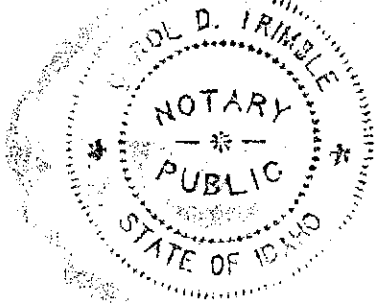
IN WITNESS WHEREOF, the said Party of the First Part has hereunto set his hand and seal the day and year first above written.


Steven E. Franks

STATE OF IDAHO)
) ss.
County of Canyon)

On this 29th day of June, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared **STEVEN E. FRANKS**, known to me to be the person whose names is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
the day and year in this certificate first above written.



Carol D. Trumble

Notary Public for Idaho

Residing at Nampa, Idaho

My commission expires: 9/12/2003

UNIT NO.

8112795

THIS DEED OF TRUST Made this 14 day of March, 19 81
 BETWEEN STEVEN E. FRANKS and MARY E. FRANKS, husband and wife

herein called GRANTOR,

whose address is Route 1, P.O. Box 7928, Star, Idaho 83669; MICHAEL P. WASKO,

herein called TRUSTEE, and LEONA

Attorney at Law, Nezperce, Idaho 83543
 M. DUMAN, of Cottonwood, Idaho 83522

herein called BENEFICIARY.

WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL, AND CONVEY TO TRUSTEE
 IN TRUST, WITH POWER OF SALE, that property in the County of Ada
 State of Idaho, described as follows and containing not more than twenty acres:

Tract #5 in the D.L. Hanley Tract, Ada County, Idaho, according
 to the recorded plat thereof, filed in Book 37 of Plats at page
 3100-3101.

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given
 to and conferred upon Beneficiary to collect and apply such rents, issues and profits.

For the Purpose of securing payment of the indebtedness evidenced by a promissory note, of even date herewith, executed by
 Grantor in the sum of THIRTY TWO THOUSAND Dollars, (\$ 32,000.00),

final payment due approximately 10 years
 and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor
 herein, or any or either of them, while record owner of present interest, for any purpose, and of any notes, drafts of other instru-
 ments representing such further loans, advances or expenditures together with interest on all such sums at the rate therein
 provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Bene-
 ficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it shall stand as continuing
 security until paid for all such advances together with interest thereon.

A. To protect the security of this Deed of Trust, Grantor agrees:

1. To keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore
 promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay
 when due all claims for labor performed and materials furnished therefor; to comply with all laws affecting said property or require
 any alterations or improvements to be made thereon; not to consent or permit waste thereon; not to commit, suffer or permit
 any act upon said property in violation of law; to cultivate, irrigate, fence, further, improve, repair and do all other acts which from the
 character of use of said property may be reasonably necessary; the power of encumbrances herein, not excluding the general.

2. To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The
 amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and
 in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be
 released to Grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate
 any act done pursuant to such notice.

3. To appear in and defend any action or proceeding pertaining to effect the security hereof or the rights or powers of Bene-
 ficiary or Trustee; and to pay all costs and expenses, including cost of defense of title and attorney's fees in a reasonable sum, in
 any such action or proceeding in which Beneficiary or Trustee may appear.

4. To pay at least ten days before delinquency all taxes and assessments affecting said property, when due. If assessments, taxes,
 charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereon, are levied, may
 and expenses of this Trust. In addition to the payments due to the lender with the terms of the note hereby executed, the Trustee or
 shall at the option, and on demand of the Beneficiary, pay each month 1/12 of the estimated annual taxes, assessments, insurance
 premiums, maintenance and other charges upon the property, or within a month for Grantor to pay such amounts and for the pay-
 ment by Beneficiary of any such items which due to the failure to pay such amounts constitute a default under this trust.

5. To pay immediately and without demand, any sums assessed by Beneficiary or Trustee pursuant to the provisions hereof,
 with interest from date of expenditure at legal rate of not less than 12%.

6. Should Grantor fail to make any payment or to do up any obligation to Beneficiary or Trustee, but without
 obligation so to do and without notice to or demand upon Beneficiary or Trustee, Beneficiary or Trustee, at their option, may
 make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof. Beneficiary
 or Trustee being authorized to enter upon said property for such purpose, and to do all other acts necessary for the purpose of pro-
 viding to effect the security hereof or the rights or powers of Beneficiary or Trustee, including the power to remove any
 encumbrance, charge or lien which in the judgment of either appears to be a lien or encumbrance superior to the rights or powers
 powers, or in enforcing this Deed of Trust by judicial process, may pay necessary expenses, employ counsel, and pay all reasonable
 fees.

B. It is mutually agreed that:

1. Any award of damages in connection with any claim or action for which the Grantor is liable, or any judgment or order of a court of law or equity
 is hereby assigned and shall be paid to the Beneficiary or Trustee, and the same shall be applied to the payment of the indebtedness
 and with the same effect as above pay for the same, and the same shall be applied to the payment of the indebtedness.

2. By accepting payment of any such secured loan or advance, the Beneficiary or Trustee, at his option, may waive his right either to require
 prompt payment when due of all other sums or to declare default for failure to pay.

3. At any time or from time to time, without liability to or for and without notice to or demand upon Beneficiary or Trustee, of the payment of the principal and
 presentation of this Deed and said note for endorsement, and without collecting the same, Beneficiary or Trustee, at their option, may
 the indebtedness secured hereby, Trustee may, pursuant to all or any part of any power or authority herein conferred, take any of the
 plat thereof; join in granting any easement thereon, or join in any action or proceeding for any judgment or order of a court of law or equity
 or charge hereof.

4. Upon written request of Beneficiary, stating that all sums secured hereby have been paid in full, and upon payment of the principal and
 said note to Trustee for cancellation and retention and upon payment of the same, the Beneficiary or Trustee, without demand, may
 the property then held hereunder. The receipt in any such case shall be conclusive proof of the payment of the same, and the same shall be
 shall be conclusive proof of the truthfulness thereof. The parties to this instrument may be served as "the parties" or persons
 legally entitled thereto.

5. As additional security, Grantor hereby gives to and confers upon Beneficiary or Trustee, during the
 continuance of these Trusts, to collect the rents, issues and profits of all property secured hereby, or in performance of any agreement to do so, and in
 default by Grantor in payment of any indebtedness secured hereby, or in performance of any agreement to do so, to collect and
 retain such rents, issues and profits as they become due and payable. Upon receipt of any such rents, issues and profits, Beneficiary or Trustee, at their option, may
 either in person, by agent, or by a receiver to be appointed by a court of law or equity, to collect and retain such rents, issues and profits, and any sum or
 for the indebtedness hereby secured, either upon the due date of payment, or at any time or from time to time, without demand, may
 or otherwise collect such rents, issues and profits, and the same shall be applied to the payment of the indebtedness hereby secured, or to the payment of
 of operation and collection, including reasonable expenses, for payment of the same, and the same shall be applied to the payment of the indebtedness
 Beneficiary may determine. The entering upon and the payment of such rents, issues and profits, and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate
 pursuant to such notice.

RE-1

NOTICE OF ERROR

REPLY

05/31/2005 RECEIVED

JUL 14 2005

WATER RESOURCES
WESTERN REGION

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

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

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

Water right number: 63-8190

STEVE E FRANKS
9069 SPANGLER LN
EAGLE ID 83616
Telephone Number: (208)286-7848

MARY E FRANKS
9069 SPANGLER LN
EAGLE ID 83616
Telephone Number: (208)286-7848

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

I am the sole owner of this property

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

I wish to have my ex husband's name taken off

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

*We are divorced.
Divorce decree enclosed.*

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

DATE: _____

SIGNATURE: _____

Mary Franks

Please print your name: _____

Mary FRANKS 7-12-05

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

STANLEY W. WELSH
COSH, HUMPHREY, GREENER & WELSH, P.A.
Counselors and Attorneys at Law
The Carnegie Building
815 West Washington Street
Boise, Idaho 83702
Telephone (208) 344-7811
Facsimile (208) 338-3290

Attorneys for Defendant

COPY
NO. _____
FILED _____
A.M. _____ P.M. _____
AUG - 4 1998

J. DAVID NAVARRO, Clerk
By ELAINE TOWN
DEPUTY

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT

IN AND FOR THE STATE OF IDAHO, COUNTY OF ADA

STEVEN EARNEST FRANKS,	)	
	)	Case No. CV DR 9701433D
Plaintiff,	)	
	)	JUDGMENT AND DECREE
vs.	)	
	)	
MARY ELLEN FRANKS,	)	
	)	
Defendant.	)	
_____	)	

BASED UPON the stipulation of the parties, it is HEREBY ORDERED, ADJUDGED AND
DECREED as follows:

1. **DIVORCE**: Plaintiff and Defendant are granted a divorce from each other on the grounds of irreconcilable differences. Each is restored to the status of a single person.
2. **PROPERTY SETTLEMENT AGREEMENT**: The Property Settlement Agreement dated July 13, 1998, is approved by this court. A copy of said agreement is attached hereto and by reference merged and incorporated and made a part of this Decree.

COPY

DATED this 31st day of July, 1998.

MICHAEL DENNARD

Honorable R. Michael Dennard, Magistrate

JUDGMENT AND DECREE - P.2

SWW/gc H:\FRANKS.MAR\WPD 7/24/98 9:48 am

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

RIGHT NUMBER: 63-8190

NAME AND ADDRESS: STEVE E FRANKS
9069 SPANGLER LN
EAGLE ID 83616

MARY E FRANKS
9069 SPANGLER LN
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.120 CFS
19.400 AFY

PRIORITY DATE: 08/15/1975

POINT OF DIVERSION:

T05N R01W S17 NWSWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.080 CFS 18.00 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY
STOCKWATER	01/01 12/31	0.020 CFS 0.20 AFY

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

Domestic use is for 1 home.

Stockwater use is for 10 range cattle.

PLACE OF USE: IRRIGATION Within ADA County

T05N R01W S17 SWNE 4.0

DOMESTIC Within ADA County

T05N R01W S17 SWNE

STOCKWATER Within ADA County

T05N R01W S17 SWNE

4 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.

08/17/2004

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

EXPLANATORY MATERIAL: License

PARCEL NO: R3432320250.

PROPERTY IS ALSO KNOWN AS LOT 5, D. L. HANLEY TRACTS.

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8190 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N 01W 17			X														

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
05N 01W 17	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			X														

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.
2. X01 Domestic use is for 1 home.
3. X02 Stockwater use is for 10 range cattle.

Remarks:

1. Explanatory PARCEL NO: R3432320250.
2. Explanatory PROPERTY IS ALSO KNOWN AS LOT 5, D. L. HANLEY TRACTS.
3. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

Idaho Department of Water Resources



T05N, R01W,
S17

Claim No: 63-08190
Prepared By: Kimberly Brown
Date: August 17, 2004

⊙ Point of Diversion



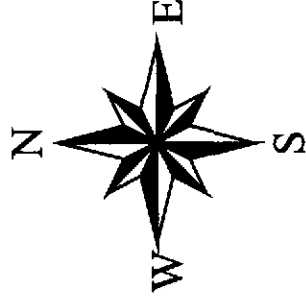
Place of Use



Section Lines

1/4 1/4

Acres Irrigated = 4.0



0 0.1 0.2 0.3 0.4 Miles

1987 NAPP

Idaho Department of Water Resources

T05N, R01W,
S17

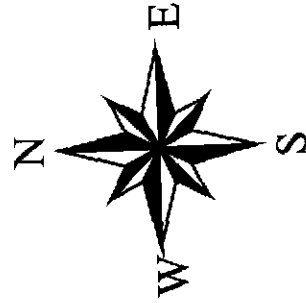
Claim No: 63-08190
Prepared By: Kimberly Brown
Date: August 17, 2004

Point of Diversion

Place of Use

Section Lines

1/4 1/4



1987 NAPP



Idaho Department of Water Resources

T05N, R01W,
S17

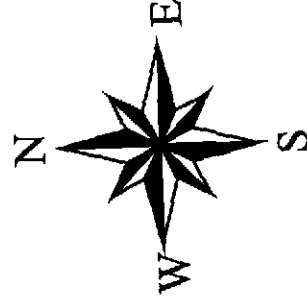
Claim No: 63-08190
Prepared By: Kimberly Brown
Date: August 17, 2004

Point of Diversion

Place of Use

Section Lines

1/4 1/4



1987 NAPP



0.4 Miles

0.3

0.2

0.1

0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8190

WATER RIGHT NUMBER: 63-8190 ✓

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEVE E FRANKS 9069 SPANGLER LN EAGLE, ID 83616 (208)286-7848
Current Owner	MARY E FRANKS 9069 SPANGLER LN EAGLE, ID 83616 (208)286-7848
Original Owner	DORIS TARTER ✓ 7150 N LINDER RD MERIDIAN, ID 83642 (208)888-5356
Original Owner	C D TARTER ✓ EAGLE, ID

Priority Date: 08/15/1975 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION ✓

DOMESTIC ✓

STOCKWATER ✓

From

To

Diversion RateAnnual Volume

3/15 to 11/15 ✓

0.080 CFS ✓

18.0 AF

1/01 to 12/31 ✓

0.040 CFS ✓

1.2 AF

1/01 to 12/31 ✓

0.020 CFS ✓

0.2 AF

Total Diversion:

0.120 CFS ✓

19.4 AFA

Location of Point(s) of Diversion

GROUND WATER

ADA County

(NW1/4)SW1/4NE1/4 ✓

Sec. 17, Twp 05N, Rge 01W, B.M. ✓

Place of Use

IRRIGATION

ADD 804 - Season of use is 3/1 to 11/15.

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	01W	17	✓	✓	4.0	✓	✓	✓	✓	✓	✓	✓	✓	✓	4.0

Total Acres: 4

DOMESTIC ✓

ADD J01 - Property is also known as Lot 5,
D. L. Hanley Tracts.

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

ADD X01 - Domestic use is for 1 household.

ADD X02 - Stockwater use is for 10 range cattle.

Parcel No: R3432320250.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8190

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N 01W 17			X														

STOCKWATER ✓

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	01W	17			X														

Conditions of Approval:Remarks:

- General LOT 5, D.L. HANLEY TRACTS

Comments:

Overlap review -

3269	lic.	GW Dom.	Willowbrook Prop.	1961
7623	lic.	GW Irr.	Willowbrook Prop.	1972
8252	lic.	GW Dom/Irr.	Ward, John M.	1976

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 \$ 54.00
- ☐ 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 N/A

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) A63-8190

Owner: Mary & Steve Frankles Phone No. (208) 286-7848

Current Address: 9069 Spangler Lane Eagle 83616

- ☒ No change NAME IS THE SAME
- ☐ 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?

Priority date, per claimant, is: 8/15/75

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

Source: _____ Tributary to _____

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

See Field Report.**OVERLAP REVIEW**Other water rights with the same point of diversion: None

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

WATER USES☐ No change☐ Different Uses

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

Use Irrigation From 3/1 To _____ Amount _____ CFS 18.0 AFA

Use Domestic From _____ To _____ Amount _____ CFS 1.2 AFA

Use Stock From _____ To _____ Amount _____ CFS 0.2 AFA

TOTAL VOLUME – Groundwater only

- ☒ Incomplete on claim, the total is, Amount _____ CFS 19.4 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:

According to AroView, a small portion of the POU is located in the SE 1/4 NW 1/4, S. 17, but was not claimed or licensed.

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

Property is also known as Lot 5, D.L. Hanley Tracts.

Domestic use is for 1 home.

Stockwater use is for 10 range cattle.

Parcel No: R3432320250.

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 8-17-04

(in office)

FIELD EXAMINER: Kimberley Brown

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8190

08/17/2004

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-8252	Claim	05N	01W	17	SW	NE		GROUND WATER 1976	LANETA WARD
~~63-8190~~	~~Claim~~	~~05N~~	~~01W~~	~~17~~	~~SW~~	~~NE~~		~~GROUND WATER~~	~~STEVE E FRANKS~~
~~63-8190~~	~~Water Right~~	~~05N~~	~~01W~~	~~17~~	~~SW~~	~~NE~~		~~GROUND WATER~~	~~DORIS TARTER~~
63-8252	Water Right	05N	01W	17	SW	NE		GROUND WATER 1976	LENETA WARD

Separate source.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8190

08/17/2004

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
7623	Claim	05N	01W	17	SW	NE		IRRIGATION 1972	26/121	WILLOWBROOK PROPERTY OWNERS ASSN INC
~~8190~~	~~Claim~~	~~05N~~	~~01W~~	~~17~~	~~SW~~	~~NE~~		~~IRRIGATION~~	~~4/4~~	~~STEVE E FRANKS~~
8252	Claim	05N	01W	17	SW	NE		IRRIGATION 1976	5/5	LANETA WARD
7623	Water Right	05N	01W	17	SW	NE		IRRIGATION 1972	26/121	WILLOWBROOK PROPERTY OWNERS ASSN INC
~~8190~~	~~Water Right~~	~~05N~~	~~01W~~	~~17~~	~~SW~~	~~NE~~		~~IRRIGATION~~	~~4/4~~	~~DORIS TARTER~~
8252	Water Right	05N	01W	17	SW	NE		IRRIGATION 1976	5/5	LENETA WARD

Separate POUs.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8190

08/17/2004

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
7623	Claim	05N	01W	17	SW	NE		IRRIGATION	26/121	WILLOWBROOK PROPERTY OWNERS ASSN INC
~~8190~~	~~Claim~~	~~05N~~	~~01W~~	~~17~~	~~SW~~	~~NE~~		~~IRRIGATION~~	~~4/4~~	~~STEVE E FRANKS~~
8252	Claim	05N	01W	17	SW	NE		IRRIGATION	5/5	LANETA WARD
7623	Water Right	05N	01W	17	SW	NE		IRRIGATION	26/121	WILLOWBROOK PROPERTY OWNERS ASSN INC
~~8190~~	~~Water Right~~	~~05N~~	~~01W~~	~~17~~	~~SW~~	~~NE~~		~~IRRIGATION~~	~~4/4~~	~~DORIS TARTER~~
8252	Water Right	05N	01W	17	SW	NE		IRRIGATION	5/5	LENETA WARD
~~8190~~	~~Claim~~	~~05N~~	~~01W~~	~~17~~	~~SW~~	~~NE~~		~~STOCKWATER~~		~~STEVE E FRANKS~~
3269	Claim	05N	01W	17	SW	NE		DOMESTIC		WILLOWBROOK PROPERTY OWNERS ASSN
~~8190~~	~~Claim~~	~~05N~~	~~01W~~	~~17~~	~~SW~~	~~NE~~		~~DOMESTIC~~		~~STEVE E FRANKS~~
3269	Water Right	05N	01W	17	SW	NE		DOMESTIC		WILLOWBROOK PROPERTY OWNERS ASSN

Different POU's.

**Land Records**
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Property Details for Parcel R3432320250

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- [Property Search](#)
- [Online Map](#)
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- [Image Documents](#)
- [Old interactive map](#)

General Information

Property Acres: 4.850
Zone Code: RR
Primary Code Area: 69 Tax Districts
Group Type: SUB
Subdivision: HANLEY D L TRACTS
Section: 5N1W17

Property Description

LOT 5
 HANLEY D L TRACTS
 #98062327

Property Address

9069 N SPANGLER PL
 EAGLE, ID 83669

[Click to View Interactive Map](#)
Assessor Links

- [Assessor Main Page](#)
- [Administration](#)
- [Information](#)
- [Appraisal](#)
- [Exemptions and Reductions](#)
- [Motor Vehicles](#)
- [Levy Rates](#)

Parcel Valuation Details

Assessment Roll	State Category Code	Acreage	Assessed Value	Valuation Method
Primary	150-RES SUB LOT	4.850	\$82,500	MARKET

Total Assessed Value: \$82,500

Parcel Valuation History

Assessed value for year 2004 \$82,500
Assessed value for year 2003 \$75,000
Assessed value for year 2002 \$45,600
Assessed value for year 2001 \$38,000
Assessed value for year 2000 \$38,000

Ada County Links

- [Ada County Home Page](#)
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- [Treasurer](#)
- [Clerk/Auditor/Recorder](#)
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- [Human Resources](#)

Property Characteristics
Land
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63-8190
Franks

ReceiptID	Amount	BasinNumber	SequenceNuml	SplitSuffix	Type
C011046	54.00	63	8190		Claim

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8190 Priority August 15, 1975 Amount 0.12 cfs

THIS IS TO CERTIFY, that C. D. Tarter &/or Doris Tarter
of Eagle, Idaho, has complied with the terms and conditions of Permit
No. 63-8190 issued pursuant to Application for Permit dated August 15, 1975,
and has submitted proof to the Department of Water Resources on May 13, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.12 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
Stockwater	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.02</u> cfs and	<u>0.2</u> acre feet
Irrigation	from <u>April 1</u> to <u>Oct. 31</u>	at <u>0.08</u> cfs and	<u>18.0</u> acre feet or <u>4.5</u> af per acre

(both dates inclusive)

Subject, however, to the condition that no more than 0.12 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
19.4 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 17,

Twp. 5 N, Rge. 1 W, B. M. in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N	1 W	17			X														Four

Total number of acres irrigated Four

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7 day of

August, 19 76.

Director

FIELD REPORT

Permit No. 63-8190

Examination for b/u

[illegible]

TOTAL ACREAGE 4

Rge. 1W

T.
5N

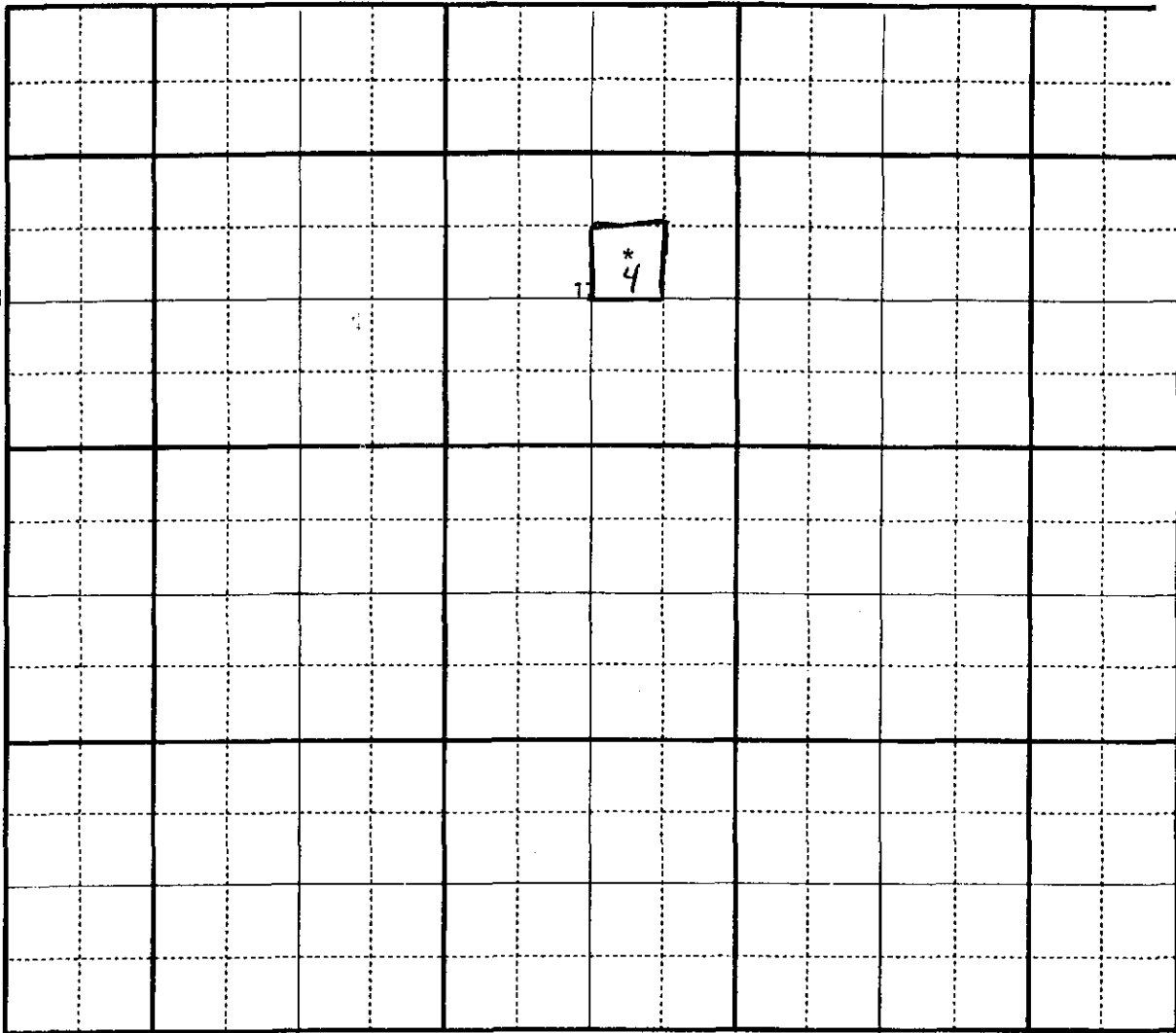


Diagram of System

DATE OF EXAM 10 July 1976

ACREAGE
Found 4.0
Recommended 4.0

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 0.13 c.f.s. V = 18.0 AF/Ann. from Apr. 1 to Oct 31
Domestic Q = 0.04 c.f.s. V = 1.2 AF/Ann. from 1-1 to 12-31
Livestock Q = 0.02 c.f.s. V = allow AF/Ann. from allow to allow

Is water co-mingled? yes no ✓

Name source: _____
twp. N/S, Rge _____, E/W, B.M., Sec. _____, Sub. 1/4 _____, 1/4 _____ County

Exchange? yes no ✓

Name source exchanged with: _____
twp. N/S, Rge _____, E/W, B.M., Sec. _____, Sub. 1/4 _____, 1/4 _____ County

Point of injection: _____
twp. N/S, Rge _____, E/W, B.M., Sec. _____, Sub. 1/4 _____, 1/4 _____ County

Point of exchange: _____
twp. N/S, Rge _____, E/W, B.M., Sec. _____, Sub. 1/4 _____, 1/4 _____ County

Total Q measured 0.13 cfs + 0.04 cfs Method of measurement pressure gage estimate

Total Q recommended 0.12 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 19.2 AF + 19.0 AF

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:

12 model 30 rainbirds at 50 psi w/ 5/32" nozzles
4.98 gpm per rain bird = 59.76 gpm = 448.6 = 8.13315
Total V = 4.5 AF/1 x 4.2 = 18.0 AF

SYSTEM DESCRIPTION:

8" well down 287' w/ 1/2 HP submersible pump
discharge into 3" vertical lateral - Hydrocell for pressure
and domestic usage - no stock except domestic
allowance in 104 domestic

REMARKS:

Mr. Tarter present during inspection

Examiner's Signature Erwin Ballou Date 7-30-76

Checked by HT Date 8-2-76

Approved by _____ Date _____

Identification No. _____

Permit No. 63-8190

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder C.D. &/or Doris Tarter
b) Post Office Address Pearl Route, Eagle, Idaho 83616
2. Permit Number 63-8190
3. Date of Priority that you are prepared to establish 8-15-1975
4. a) Source from which water was appropriated Ground water
b) Location of the point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17
Township 5N, Range 1W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.04 for domestic purposes from 1-1 to 12-31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.08 for irrigation purposes from 4-1 to 10-31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.02 for stock water purposes from 1-1 to 12-31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.12 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: System will produce 260 gpm
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
N/A
b) Describe the agreement or understanding by which you take water from the works:
N/A
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 5 HP pump & sprinkler system is used to irrigate
b) Describe the type and size of measuring device which you have installed at your point of diversion:
N/A
c) Give well driller's name and address and the date the well was completed:
S.O.S. Well Drilling
Meridian, Idaho
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
Domestic & Stock water
5-24-76

[illegible]

4

10. Remarks: _____

5-13-1976

Doris Carter

(Signature)

State of Idaho)
County of Ada)

On this 13th day of May, 1976, personally appeared me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Lyle Glen Saylor

Notary Public residing at

Boise, Idaho

My commission expires Life

Identification No. _____

Application No. 63-8190

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant C.D. Tarter &/or Doris Tarter Phone: 286-7514
post office address Pearl Route, Eagle, ID
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17 Township 5N
Range 1W 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 _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.04 for domestic purpose from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.08 for irrigation purpose from 4-1 to 10-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for stock water purpose from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.12 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump and pressure system

- 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 200 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 2 years.
b. Estimated construction cost is \$ 5,400.00.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17 Township 5N
Range 1W 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 10 head beef

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

RECORDED

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	
5N	1W	17			4.0														4.0

Total number of acres to be irrigated 4.0

c. Describe any other water rights used for the same purposes as described above. none

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 point of diversion, place of use, section number, township and range number.

PP + Place
of use

17

T. 5 N.

R. 1 W. B. m.

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.

Waris Larter
(Applicant)

~~Proposed~~ Priority 8-15-1975

Received by CLS Date 8-15-75 Time 10:15 A.M.

Preliminary check by RMH Fee \$ 10.00

Received by CLS Date 8-15-75 # 1271

Publication prepared by CLS Date 8-15-75

Published in Aug. 21 & 28

Publication dates Statesman

Publication approved gg Date 9/3/75

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by CEB for gg

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. 63-8190, 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 October 1, 19 77.

c. Other: _____

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

Witness my hand this 19 day of September, 19 75.

R. Keith Hyslop
Director