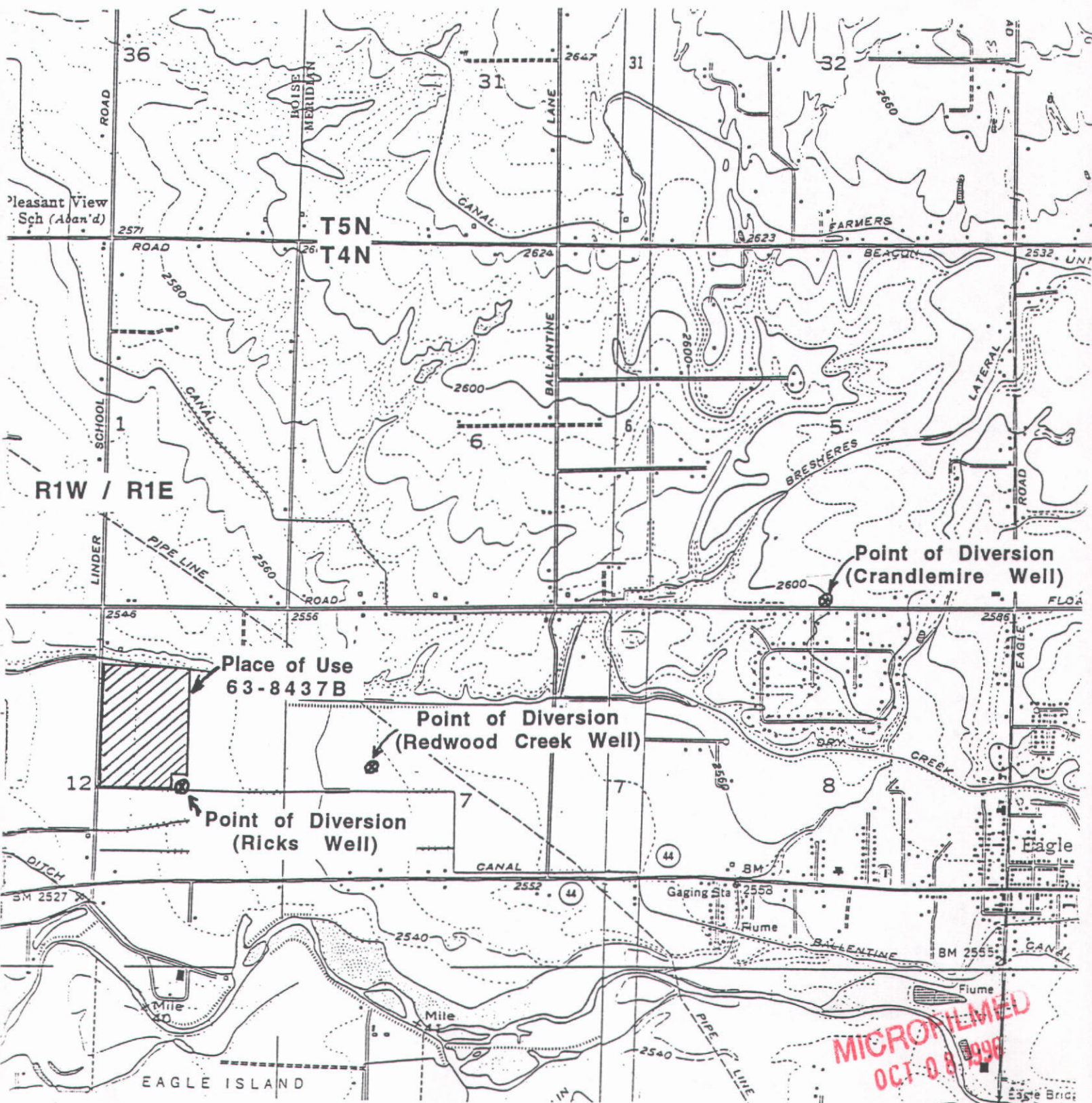


STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- 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.**



POOR ORIGINAL

750 000  
FEET

T 5 N  
T 4 N

4840

42' 30"

4839

4838

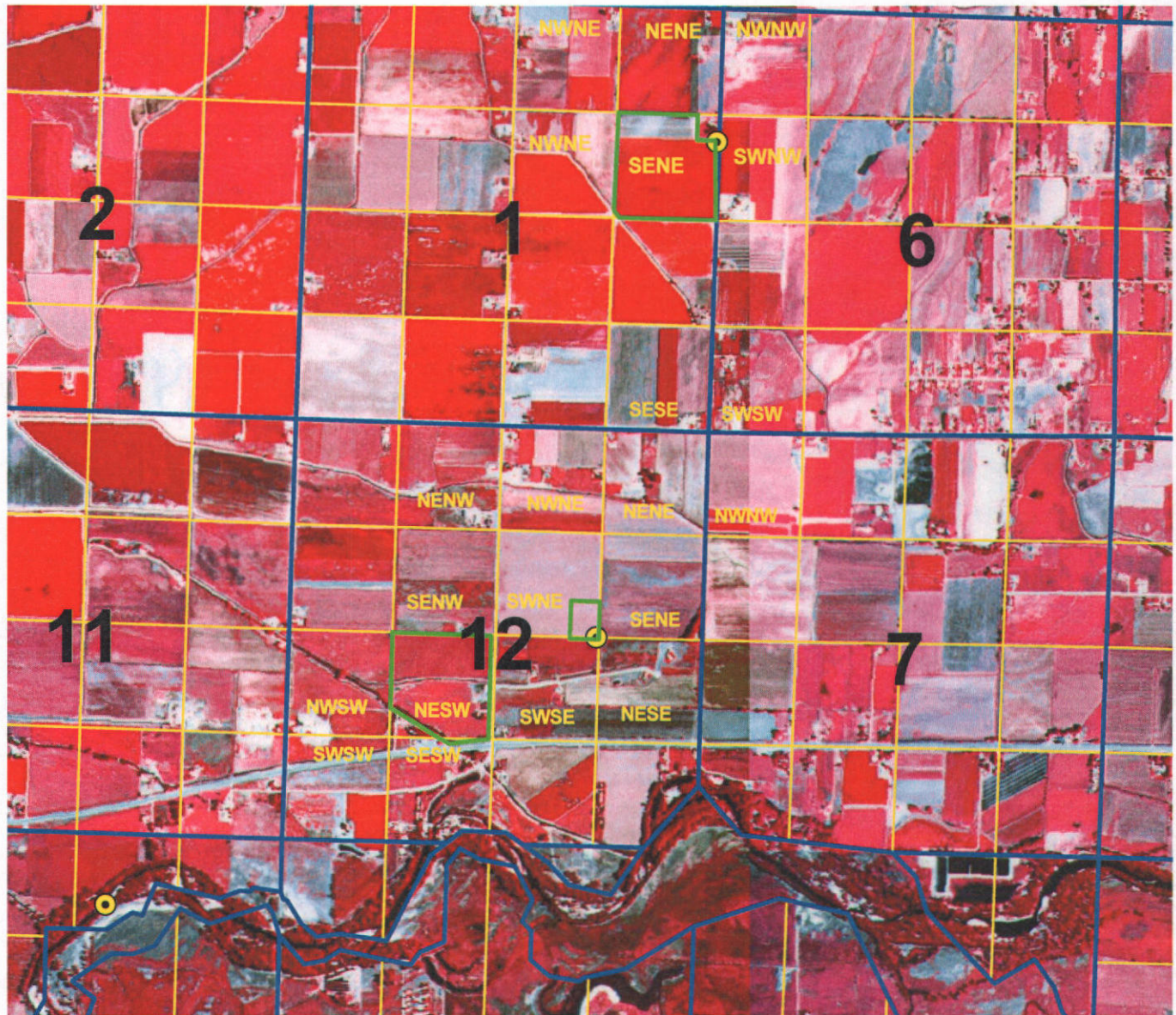
4837





State of Idaho  
Idaho Department of Water Resources  
Western Region

T4N R1W SECTION 12  
Water Right (s): 63-8437A



1320 0 1320 2640 3960 5280 6600 Feet

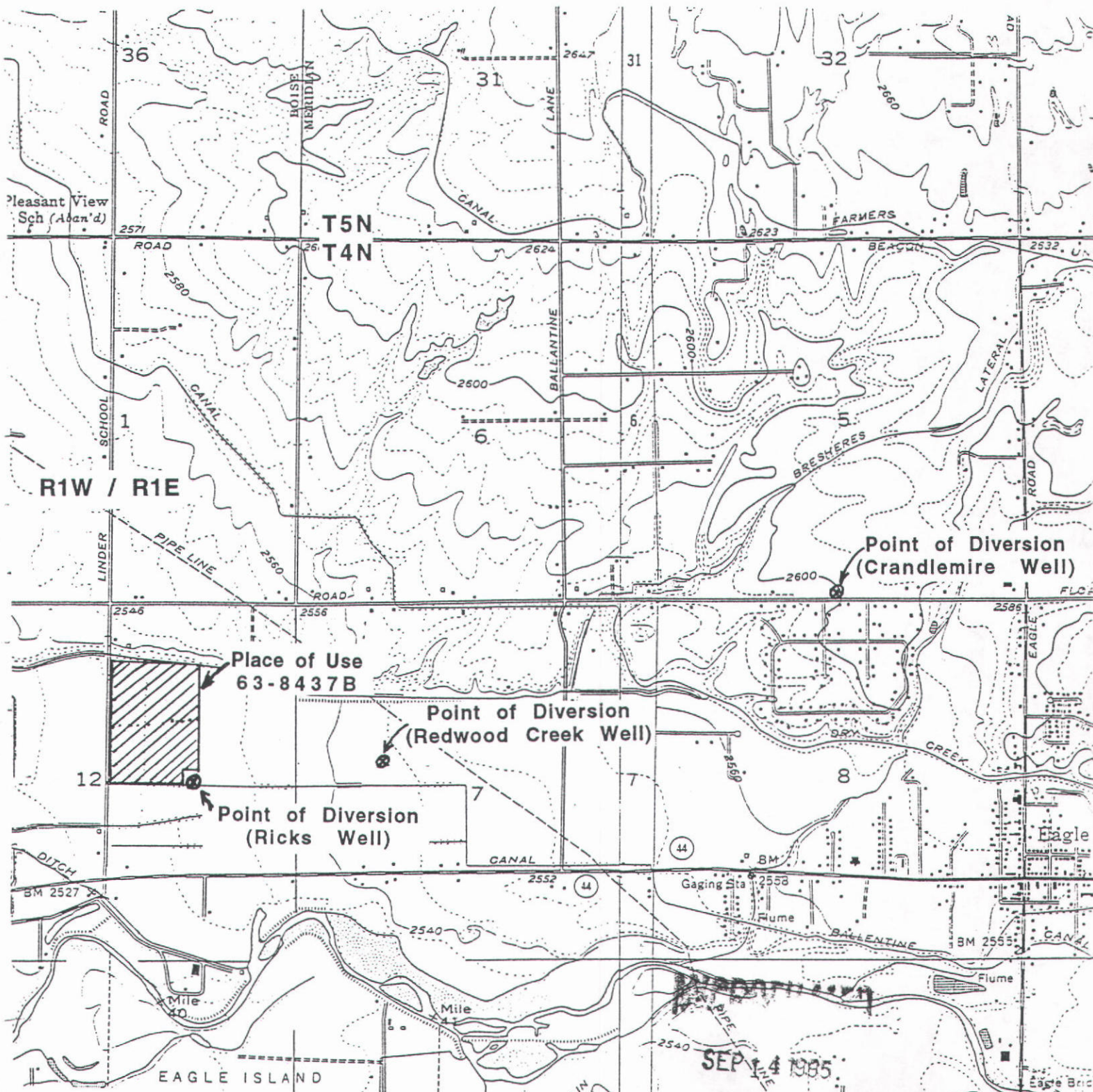
IRRIGATED ACRES = 41

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

GIS Place of Use Illustration  
1987 NAPP Photography  
Prepared By: Vicky Music  
Date: April 2005

**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.



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: A63-08437A  
Date Received: 5/ 5/1989  
Receipt No: X777777  
Received By: \_\_\_\_\_

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: KEITH RICKS 208-344-1126  
Address: 1001 SHOSHONE ST  
BOISE ID 83705

2. Date of Priority: FEB 14, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 04N      | 01W   | 12      | SE     | SW     | NE  |     | ADA    |

5. Description of diverting works:  
WELL AND PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 09/30 | 0.820 |      | 184.50 |
| STOCKWATER | 01/01 | 12/31 | 0.020 |      | 0.70   |

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

8. Total consumptive use is 143.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
STOCK - 50 HEAD CATTLE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 04N      | 01W   | 12      | SW     | NE  |     | IRR   | 4.0   |
|          |       |         | SW     | NE  |     | STOCK |       |
|          |       |         | NE     | SW  |     | IRR   | 37.0  |

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10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 04N      | 01W   | 12      | NE     | SW  |     | STOCK |       |

Section Acres 41.0

Total Acres 41.0

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:  
BALLENTYNE DITCH

14. Remarks:

AC. IRR. = 41.0. WATER TO BE REGULATED THROUGH A 1 INCH STOP  
& WASTE COCK DURING NON-IRR. SEASON (9-3 TO 4-1).  
CLAIM AMENDED PER TRANSFER NO 4589 APPROVED 8/28/95.  
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY  
OF APPROVED TRANSFER 4589 IN FILE.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
 ) SS.  
County of \_\_\_\_\_ )

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

Split Tree - A67-08437 per transfer 4589

A67-08437 N/O North Pike

DR: 1.54 cfa Vol:  $Q_p = 346.5$  Cu = 269.5

P/D: 4N, 1W, S12, SESWNE

\* P/U: 4N, 1W, S12, SWNE - 40

NESW - 37

T4589

-08437A - N/O Ricks

DR: .82 cfa - IRR

AFA: 184.5 - IRR

.02 cfa - S

.7 - S

.82 cfa -

184.5 cfa

P/D: same.

\* P/U: 4N, 1W, S12 - SWNE - 4 + S

NESW - 37 + S

CU: - IRR - 143.5

T4589

-08437B N/O - Joint School Dist #2

DR: .55 cfa - IRR

Vol: 126.0 cfa

.71 cfa - D

33.8 cfa

.71 cfa

159.8

CU: 98 cfa

P/D: 4N, 1E, S5, SESW

S7, SWNW (Lx2)

4N, 1W, S12, SWNE

\* P/U: 4N, 1W, S12, NNWNE - 14

SWNE - 14

SWNE - D

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\* Reduced by 8 cfa due to building, road and parking  
lots @ Eagle Nest School.

✓ Carter - ADJ  
R Roxanne  
MS. Western AJ

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**

TRANSFER NO. 4589  
WATER RIGHT NO. 63-08437B

This is to certify that: **JOINT SCHOOL DISTRICT NO. 2**  
**911 MERIDIAN ST**  
**MERIDIAN ID 83642**

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.55 CFS              | 126.0 AF             |
| DOMESTIC              | 01/01 to 12/31       | 0.71 CFS              | 33.8 AF              |
|                       | Totals               | 0.71 CFS              | 159.8 AF             |

SOURCE

GROUNDWATER

Priority: 02/14/1977

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 5, Township 04N, Range 01E  
Lot 2( SWNW), Sec. 7, Township 04N, Range 01E  
SWNE , Sec. 12, Township 04N, Range 01W  
ADA County

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 04N                              | 01W        | 12         | NWNE 14      | SWNE 14      |              | 28           |
| Total number of acres irrigated: |            |            |              |              |              | 28           |

PLACE OF USE: DOMESTIC

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> |
|------------|------------|------------|
| 04N        | 01W        | 12         |
|            |            | SWNE       |

CONDITIONS/REMARKS:

- R32 1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
- \* 2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

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TRANSFER NO. 4589  
WATER RIGHT NO. 63-08437B

CONDITIONS/REMARKS:

- T04 3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- T07 4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- \*7. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
- \*8. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
- \*9. The right holder shall install and maintain totalizing flow meters as part of the diverting works. The right holder shall provide reasonable access for department personnel to inspect the flow meter in order to monitor the ground water aquifer. The right holder shall maintain records of the amount of water diverted.
- \*10. The total instantaneous diversion of water from all points of diversion under Transfer No. 4589 shall not exceed 0.71 cfs, nor total combined annual volume of 159.8 af.
- \*11. Domestic use is for Eagle High School.

Dated this 28<sup>th</sup> day of August, 1995.

J. Glen Saylor  
Chief, Water Alloc. Bureau

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Page 1 of 10STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESWATER RESOURCES  
WESTERN REGION Transfer No. 4589APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1Name of applicant Joint School District No. 2 Phone 208-888-6701  
Post Office address 911 Meridian Street, Meridian, ID 83642 Attn: Dan Mabe

## 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 This transfer will provide domestic water supply and supplemental irrigation to the Eagle High School project.

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

- | 1. Right Number | Priority         | Amount<br>(cfs/ac-ft) | Nature<br>of Use  | Period of Use              |
|-----------------|------------------|-----------------------|-------------------|----------------------------|
| <u>63-8437B</u> | <u>2/14/1977</u> | <u>0.560/126.0</u>    | <u>irrigation</u> | <u>4/1</u> to <u>10/31</u> |
|                 |                  | <u>0.720/33.8</u>     | <u>domestic</u>   | <u>1/1</u> to <u>12/31</u> |
|                 |                  |                       |                   | to _____                   |
|                 |                  |                       |                   | to _____                   |
2. Total amount of water being transferred 0.720 cubic feet per second and/or 159.8 acre-feet per annum.
3. Source of water groundwater tributary to N/A

## 4. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|----|----|----|------|------|------|--------|--------------------------|
|     | SE | SW | NE | 12   | 4N   | 1W   | Ada    | Ricks Well               |
| 02  | SE | SW | NW | 7    | 4N   | 1E   | Ada    | Redwood Creek Well       |
|     | SE | SE | SW | 5    | 4N   | 1E   | Ada    | Crandlemire Well         |
|     |    |    |    |      |      |      |        |                          |

## 5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 4N   | 1W   | 12   |      | 14   | 14   |      |      |      |      |      |      |      |      |      |      |      |      |      | 28     |
|      |      |      |      | D    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

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Transfer No. \_\_\_\_\_

WATER RESOURCES  
WESTERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Name of applicant \_\_\_\_\_ Phone \_\_\_\_\_

Post Office address \_\_\_\_\_

## 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 \_\_\_\_\_

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

| 1. Right Number | Priority         | Amount<br>(cfs/ac-ft) | Nature<br>of Use  | Period of Use              |
|-----------------|------------------|-----------------------|-------------------|----------------------------|
| <u>63-8437A</u> | <u>2/14/1977</u> | <u>0.82/184.5</u>     | <u>irrigation</u> | <u>4/1</u> to <u>9/30</u>  |
| _____           | _____            | <u>0.02/0.7</u>       | <u>stockwater</u> | <u>1/1</u> to <u>12/31</u> |
| _____           | _____            | _____                 | _____             | _____ to _____             |
| _____           | _____            | _____                 | _____             | _____ to _____             |

2. Total amount of water being transferred 0.82 cubic feet per second and/or 184.5 acre-feet per annum.3. Source of water groundwater tributary to NA

4. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|----|----|----|------|------|------|--------|--------------------------|
|     | SE | SW | NE | 12   | 4N   | 1W   | Ada    | Ricks Well               |
|     |    |    |    |      |      |      |        |                          |
|     |    |    |    |      |      |      |        |                          |
|     |    |    |    |      |      |      |        |                          |

5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 4N   | 1W   | 12   |      |      | 4    |      |      |      |      |      | 37   |      |      |      |      |      |      |      | 41     |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

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## PART 1

## 6. General Information:

a. Description of diversion system Ricks Well (12"x285', 8" pipeline, 25 hp booster pump,  
Redwood Creek Well (18"x410', 125 hp and 15 hp submersible pumps),  
Crandlemire Well (16"x323', 75 hp turbine pump), 12-inch water mains

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes no 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:  
A portion of the land currently irrigated by license 63-8437 will be  
covered by school facilities (buildings, parking lot, access roads).  
The total area irrigated by license 63-8437 will be reduced by 8 acres.

## d. Remarks:

See attachment 1.

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_

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

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

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Attachment 1

**TRANSFER SUMMARY**

**Project Overview.** Eagle High School is being built on a 52-acre parcel which includes 36 acres in the SWNE Section 12, T4N, R1W and 16 acres in the NWNE Section 12, T4N, R1W. The school will accommodate approximately 2000 students and staff. A portion of the site is currently irrigated using groundwater diverted from a well (the Ricks Well) in the SESWNE Section 12, T4N, R1W, under water right license 63-08437. Joint School District No. 2 proposes to continue to utilize the Ricks Well for school site irrigation and to use two other existing wells to serve the High School domestic and fire protection requirements. The domestic and fire protection wells are the Redwood Creek Well and the Crandlemire Well. These wells will be operated by United Water Idaho, doing business as either Eagle United Water Company or EM2.

**Description of the Existing Water Right.** Water right 63-08437 is licensed for 2.67 cfs for the irrigation of 135.4 acres and an annual diversion volume of 609.3 acre-feet. In recent years, as evidenced by SRBA claim A63-08437, the Ricks Well has been used to irrigate only 77 acres. This area includes 40 acres in the SWNE Section 12 and 37 acres in the NESW Section 12. Total consumptive use claimed in the SRBA is 269.5 acre-feet per annum (3.5 acre-feet per acre). Claimed diversion rate is 1.54 cfs. The claim also includes stockwater for 50 head of cattle.

The reduction in the water right occurred as a result of subdividing a portion of the licensed place of use for residential development (Flint Estates). The subdivided lands included 34.2 acres in the NESE Section 12 and 34.3 acres in the NWSE Section 12. After the land was subdivided, water from the Ricks Well was no longer made available to the place of use in the NESE and NWSE Section 12. These lands appear to have undergone a period of five or more consecutive years of not utilizing the water from the well. At the same time, the place of use was increased in the SWNE Section 12 from 37.8 to 40 acres and in the NESW Section 12 from 29 to 37 acres, resulting in the SRBA claim of 77 acres.

**Description of the Water Right After the Transfer.** This transfer proposes to split license 63-08437 into two rights, 63-08437A and 63-08437B. The transfer is summarized on Table 1 and detailed below.

- Water right 63-08437A would continue to provide supplemental irrigation to the claimed irrigated area not associated with the High School. This includes 37 acres in the NESW of Section 12 and 4 acres in the SWNE of Section 12, for a total irrigated area of 41 acres. Diversion rate would be 0.82 cfs (0.02 cfs/acre). Annual diversion volume would be 184.5 acre-feet (4.5 acre-feet per acre). Annual consumptive use would be 143.5 acre-feet (3.5 acre-feet per acre). Water right 63-08437A would also include stockwater for 50 head of cattle with an annual diversion volume of 0.7 acre-feet. The Ricks Well would remain the point of diversion for this right.

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- Water right 63-08437B will provide supplemental irrigation for 28 acres of the High School property. Place of use will be 14 acres in the SWNE Section 12, T4N, R1W and 14 acres in the NWNE Section 12. Diversion rate for irrigation would be 0.56 cfs (0.02 cfs/acre). Annual diversion volume would be 126.0 acre-feet (4.5 acre-feet per acre). Annual consumptive use would be 98 acre-feet (3.5 acre-feet per acre). Point of diversion for irrigation will be the Ricks Well.

The transfer would add domestic as a new use for water right 63-08437B. Diversion rate for domestic use would be 0.72 cfs. Estimated annual domestic diversion volume (assuming 2000 students and staff, 25 gallons per person per day, and 220 school-use days per person per year) would be 11 million gallons per year, or about 33.8 acre-feet per year. The total irrigated area for license 63-08437 has been reduced by 8 acres (i.e., 8 acres at 4.5 acre-feet per acre equals 36 acre-feet) to account for the 33.8 acre-feet estimated annual domestic diversion volume under right 63-08437B and the 0.7 acre-feet estimated annual diversion volume for stockwater under right 63-08437A.

Two additional points of diversion will be added to 63-0<sup>8</sup>437B because (1) IDHW-DEQ regulations require two water sources for a public drinking water system and (2) DEQ will not allow use of the Ricks Well for Eagle High School domestic use due to sanitary concerns related to well location and construction. The two new points of diversion will be the Redwood Creek Subdivision Well No. 1, located in SENW Section 7, T4N, R1E, and the Crandlemire Well, located in SESW Section 5, T4N, R1E.

The proposed transfer is summarized in Table 1.

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**TABLE 1**  
**COMPARISON OF WATER RIGHTS BEFORE AND AFTER**  
**THE PROPOSED TRANSFER**

| <u>Water Right<br/>Number</u> | <u>Use</u>               | <u>Irrigated<br/>Acres</u> | <u>Diversion<br/>Rate<br/>(cfs)</u> | <u>Estimated<br/>Diversion<br/>Volume<br/>(acre-feet)</u> | <u>Estimated<br/>Consumptive<br/>Use<br/>(acre-feet)</u> |
|-------------------------------|--------------------------|----------------------------|-------------------------------------|-----------------------------------------------------------|----------------------------------------------------------|
| <u>Before Transfer</u>        |                          |                            |                                     |                                                           |                                                          |
| 63-08437<br>(license)         | Irrigation               | 135.4                      | 2.67                                | 609.3                                                     | 473.9                                                    |
| <u>Before Transfer</u>        |                          |                            |                                     |                                                           |                                                          |
| A63-08437<br>(Claim)          | Irrigation<br>Stockwater | 77                         | 1.54                                | 346.5                                                     | 269.5                                                    |
| <u>After Transfer</u>         |                          |                            |                                     |                                                           |                                                          |
| 63-08437A                     | Irrigation               | 41                         | 0.82                                | 184.5                                                     | 143.5                                                    |
|                               | Stockwater               |                            | 0.02                                | 0.7                                                       | 0.0                                                      |
| 63-08437B                     | Irrigation               | 28                         | 0.56 <sup>- .55</sup>               | 126.0                                                     | 98.0                                                     |
|                               | Domestic                 |                            | 0.72 <sup>.71</sup>                 | 33.8                                                      | 0.0                                                      |
| After Transfer Total          |                          | 69                         | 1.54                                | 345.0                                                     | 241.5                                                    |

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**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

## APPLICATION FOR TRANSFER OF WATER RIGHT

### PART 2

(Attach one copy for each right)

#### A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 63-8437 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water groundwater tributary to \_\_\_\_\_

4. Date or priority February 14, 1977

5. Water is used for the following purpose:

amount 2.67 cfs for irrigation purposes from April 1 to September 30  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right 2.67 cubic feet per second and/or 609.3 acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | SW  | NE  | 12   | 4N   | 1W   | Ada    | <u>Ricks Well</u>        |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | 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 |        |
| 4N   | 1W   | 12   |        |        | 37.9   |        |        |        |        |        | 29     |        |        |        | 34.2   | 34.3   |        |        | 135.4  |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

OK  
PER  
license  
Rena.

MICROFILMED

Total acres 8.195 135.4  
Ballent 006 Ditch Co. rights

9. Describe any other water rights used for the same purpose as described above  
00234, 00235, 00236, 00237, 00238, 00239D, 00195, 00264, 00265, 00289, 00198AA,  
00258A, 00260B, 00285, and A63-15238

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes If yes, describe see attachment 1**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount 0.72/162.0 for irrigation purposes from 4/1 to 9/30  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|----|----|----|------|------|------|--------|--------------------------|
|     | SE | SW | NE | 12   | 4N   | 1W   | Ada    | Ricks Well               |
|     |    |    |    |      |      |      |        |                          |
|     |    |    |    |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 4N   | 1W   | 12   |      |      | 36   |      |      |      |      |      |      |      |      |      |      |      |      |      | 36     |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres 36**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 1.95/447.3 for irrigation purposes from 4/1 to 9/30  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|----|----|----|------|------|------|--------|--------------------------|
|     | SE | SW | NE | 12   | 4N   | 1W   | Ada    | Ricks Well               |
|     |    |    |    |      |      |      |        |                          |
|     |    |    |    |      |      |      |        |                          |

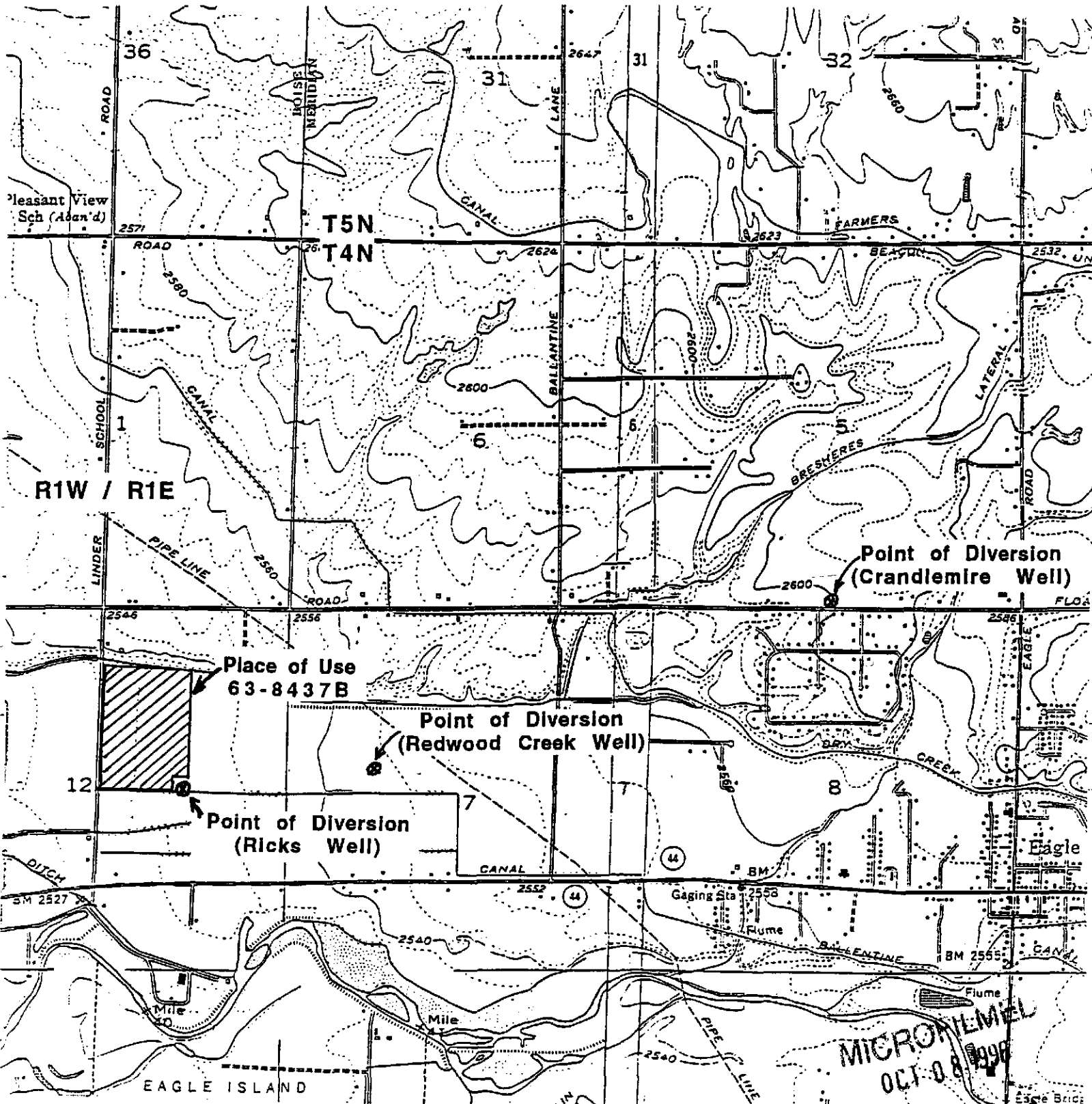
3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 4N   | 1W   | 12   |      |      | 1.9  |      |      |      |      |      | 29   |      |      |      | 34.2 | 34.3 |      |      | 99.4   |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

MICROFILMED  
OCT 08 1996Total acres 99.4

**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.



MICRON  
OCT 08 1998

**PART 3****B. CHANGES IN NATURE OF USE**

| 1 | <u>New Nature of Use</u> | <u>Amount</u><br>(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|---|--------------------------|------------------------------|------------------------|----------------------|
|   | domestic                 | 0.720 cfs                    | 365 days/yr            | 1/1 to 12/31         |
|   | domestic                 | 34 ac-ft annually            |                        | to _____             |

2. Quantity and quality of return flows and location of discharge:  
Domestic wastewater will discharge to Eagle Sewer District. Irrigation  
will be sprinkler, without significant runoff or return flow.

3. Describe effects on other water uses resulting from the proposed change:  
Consumptive use will decrease.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Don Mike

(Signature of Applicant)

Subscribed and sworn to before me this 4th day of April, 19 95.

Burt W. N.

(Notary Public)

My commission expires 4/14/98

**FOR DEPARTMENT USE ONLY**

Transfer contains 10 pages and \_\_\_\_\_ attachments

Received by VR Date 4-7-95 Protest filed by \_\_\_\_\_

Prelim. check by VR Fee 100.00

Receipted by VR # W018852 Date 4-7-95

Published in \_\_\_\_\_ Copies of protest forwarded by \_\_\_\_\_

Pub. dates \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

MICROFILMED  
OCT 08 1996

# Receipt Details for ID C006612

| Status | Adjustment Type  | Version |
|--------|------------------|---------|
|        | Adjusted Receipt | 1       |

**General Information:**

| Date Received       | Date Deposited | Region       | Total Amount | Payment Type |
|---------------------|----------------|--------------|--------------|--------------|
| 5/5/1989 8:26:39 AM | 5/5/1989       | State        | \$50.00      | Check        |
| Payer               |                | RICKS, KEITH |              |              |

**Account Information:**

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 3496                 |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

**Comment** ADJUDICATION FEE**Fee Detail:**

| Amount  | Description      | PCA    | Fund | Fund Detail | Subsidiary | Object |
|---------|------------------|--------|------|-------------|------------|--------|
| \$50.00 | ADJUDICATION FEE | 410162 | 9337 | 0           | 0          | 6490   |

**Refund(s):**

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

**Water Right Information:**

| Basin Number | Sequence Number | Split Suffix | Amount  | Type  |
|--------------|-----------------|--------------|---------|-------|
| 63           | 8437            |              | \$50.00 | Claim |

[Print Report](#)

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: A63-08437  
Date Received: 5/4/89  
Receipt No: 0006612  
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: KEITH RICKS 208-344-1126  
Address: 1001 SHOSHONE ST.  
BOISE, ID 83705

2. Date of Priority: FEB 14, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04N      | 01W   | 12      | SE     | SW     | NE     |     | ADA    |

5. Description of diverting works:  
WELL AND PUMP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 09/30 | 1.540  |      |        |

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

8. Total consumptive use is 269.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
STOCK - 50 HEAD CATTLE

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|---------------|-------|---------|--------|--------|-----|-----|-------|
| 04N           | 01W   | 12      | SW     | NE     |     | IRR | 40.0  |
|               |       |         | NE     | SW     |     | IRR | 37.0  |
| Section Acres |       |         |        |        |     |     | 77.0  |

A63-08437

Page 1

Date: 04/28/89

MICROFILMED  
OCT 08 1996  
MICROFILMED  
AUG 24 1992

10. Place of Use: Continued

Total Acres        77.0

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:  
    BALLENTYNE DITCH

14. Remarks:  
    AC. IRR. = 77.0. WATER TO BE REGULATED THROUGH A 1 INCH STOP  
    & WASTE COCK DURING NON-IRR. SEASON (9-3 TO 4-1).

15. Basis of Claim: LICENSE

MICROFILMED  
OCT 08 1988  
MICROFILMED  
AUG 24 1992

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):   Kent Rivers   Date:   5-4-89    
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of   ADA   ) SS.

Subscribed and sworn (or affirmed) before me this   4<sup>TH</sup>   day  
of   MAY   19   89  

  Jeff Peppersack    
Notary Public

Seal

Residing at \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

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

[illegible]

INTER-DEPARTMENT MEMO — 1

FROM JEFF PEPPERSACK

DATE 5/4/89

TO FILE AG3-08437

SUBJECT FEES

VARIABLE FEE WAS PAID FOR ALL ACRES BY  
BALLENTYNE DITCH COMPANY, LTD.  
(RCP # C006611)

*Jeff Peppersack*  
SIGNATURE  
MICROFILMED  
AUG 24 1992

MICROFILMED  
OCT 08 1996

04/06/2005

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

RIGHT NUMBER: 63-8437A

NAME AND ADDRESS: KEITH RICKS  
1001 SHOSHONE ST  
BOISE ID 83705

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.820 CFS  
184.500 AFY

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

PRIORITY DATE: 02/14/1977

POINT OF DIVERSION:

T04N R01W S12 SWNE Within ADA County

Right 63-8437B is also diverted through the point of diversion described above.

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 04/01 09/30          | 0.820 CFS<br>184.50 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 SEPTEMBER 30 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ADA County

|               |      |     |               |      |      |
|---------------|------|-----|---------------|------|------|
| T04N R01W S12 | SWNE | 4.0 | T04N R01W S12 | NESW | 37.0 |
|---------------|------|-----|---------------|------|------|

41 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

PLACE OF USE LOCATED ON PARCEL NOS. S0412314800 AND S0412131735.

PORTION OF RIGHT FORFEITED/ABANDONED.

Use of this right is combined with water from Ballentyne Ditch Company Ltd.



State of Idaho  
Idaho Department of Water Resources  
Western Region

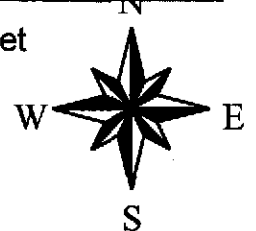
T4N R1W SECTION 12  
Water Right (s): 63-8437A



1320 0 1320 2640 3960 5280 6600 Feet



IRRIGATED ACRES = 41



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

GIS Place of Use Illustration  
1987 NAPP Photography  
Prepared By: Vicky Music  
Date: April 2005

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8437A V1

WATER RIGHT NUMBER: 63-8437A V1

|                   |                                                                     |
|-------------------|---------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                             |
| Current Owner     | KEITH RICKS<br>1001 SHOSHONE ST<br>BOISE, ID 83705<br>(208)344-1126 |

Priority Date: 02/14/1977

Basis: License

Status: Active

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

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| IRRIGATION            | 04/01 to 09/30          | 0.820 CFS             | 184.50 AF            |
|                       | <u>Total Diversion:</u> | 0.820 CFS             | 184.50 AF            |

Location of Point(s) of Diversion

|              |            |                                 |
|--------------|------------|---------------------------------|
| GROUND WATER | SW1/4NE1/4 | Sec. 12, Twp 04N, Rge 01W, B.M. |
| ADA County   |            |                                 |

Place of UseIRRIGATION Within ADA County

|               |      |     |               |      |      |
|---------------|------|-----|---------------|------|------|
| T04N R01W S12 | SWNE | 4.0 | T04N R01W S12 | NESW | 37.0 |
|---------------|------|-----|---------------|------|------|

Total Acres: 41

Conditions of Approval:

1. C09 PORTION OF RIGHT FORFEITED/ABANDONED.
2. 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.
3. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
4. W42 Use of this right is combined with water from Ballentyne Ditch Company Ltd.
5. X36 Right 63-8437B is also diverted through the point of diversion described above.

Remarks:

1. Explanatory PLACE OF USE LOCATED ON PARCEL NOS. S0412314800 AND S0412131735.

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-8437A V1

2. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE <APRIL 1> AND AFTER SEPTEMBER 30 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. vmusic 4/6/2005 STOCKWATER USE

Comment: STOCKWATER USE NOT LICENSED. USE IS ALREADY PARTIALLY DECREED FOR SAME POU FOR 30 - 50 HEAD OF CATTLE UNDER STAT CLAIM 63-4415 AND B/U CLAIM 63-15162. DELETED USE.

2. vmusic 4/6/2005 TRANSFER

Comment: TRANSFER 4589 SPLIT RIGHT INTO A PORTION, B PORTION FOR EAGLE HS ADN C PPRTPM FPR LDS CHURCH. LDS CHURCH DID NOT CLAIM C PORTION AND DOES NOT APPEAR FROM DATABASE OR OTHER SEARCHES THAT THE C PORTION WAS SPLIT. A PORTION CLAIMS THESE 4 ACRES. HISTORICAL USE ANALYSIS VERY COMPLETE. ACRES HISTORICALLY IRRIGATED VERIFIED. RECOMMENDED PER TRANSFER AND INCLUDED C.

3. vmusic 4/6/2005 POD

Comment: WELL STILL PROVIDES SUPPLEMENTAL IRRIGATION FOR B PORTION AND LDS CHURCH - ORIG WAS TO BE THE C PORTION OF SPLIT.

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------------|------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Contacts       | 4/6/2005 11:09:47 AM   | vmusic          | (No) 1. Do you want to schedule an appointment?<br><br>Comment for 1: DESKTOP REVIEW OF LICENSED AND TRANSFERRED RIGHT.                                                                                                                                                                                                                                                                                                           |
| Priority Date  | 4/6/2005 11:10:08 AM   | vmusic          | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(Yes) 4. Is the basis of claim decree or license?<br>(Yes) 5. Does the decree or license have a Priority Date?<br>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?<br>(Yes) 15. Is the basis of claim coded correctly?<br>(Yes) 16. Is a Priority Date remark and/or condition required? |
| POD            | 4/6/2005 11:11:45 AM   | vmusic          | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a POD?<br>(Yes) 5. Can the claimed POD be verified using the water right file?<br>(Yes) 10. Is a POD remark and/or condition required?                                                                                                                                                                                       |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-8437A V1

|         |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------|----------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD     | 4/6/2005 11:12:22 AM | vmusic  | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Source  | 4/6/2005 11:13:17 AM | vmusic  | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a source?<br>(Yes) 5. Can the claimed source be verified using the water right file?<br>(No) 11. Is a Source remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                                             |
| POU     | 4/6/2005 11:13:42 AM | vmusic  | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2a. Is the POU required?<br>(Yes) 5. Does the Decree or License have a POU?<br>(Yes) 6. Can the claimed POU be verified using the water right file?<br>(Yes) 14. Is a POU remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                            |
| POU     | 4/6/2005 11:14:37 AM | vmusic  | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Summary | 3/29/2005 7:50:05 AM | lharris | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?                                                                                                                                                                                                                                                                                                                                                                                  |
| Season  | 4/6/2005 11:17:14 AM | vmusic  | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a Period of Use?<br>(Yes) 5. Can the claimed Period of Use be verified using the water right file?<br>(Yes) 14. Is irrigation claimed as a Purpose of Use?<br>(Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?<br>(No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?<br>(Yes) 18. Is a Period of Use remark and/or condition required? |
| POU     | 4/6/2005 11:15:25 AM | vmusic  | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Use     | 4/6/2005 11:16:26 AM | vmusic  | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a Purpose of Use?<br>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?<br>(No) 13. Is a Purpose of Use remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                              |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-8437A V1

|          |                      |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------|----------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Quantity | 4/6/2005 11:18:14 AM | vmusic | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?<br>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?<br>(Yes) 8. Does the parent right have an annual diversion volume limit?<br>(Yes) 10. Is a irrigation a purpose of use?<br>(No) 12. Is a Quantity remark or condition required?<br>Description for Question 10 - SEE LICENSING EXAM AND TRANSFER ANALYSIS                                                                                                                                                                                                               |
| Summary  | 4/6/2005 11:32:27 AM | vmusic | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(Yes) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?<br>(Yes) 4. Is any portion of the claim be recommended?<br>(Yes) 5. Does this right have any combined use limits with other rights?<br>(Yes) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(Yes) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date? |

Desktop Review/VLM

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

**Prior to Field Exam**

11/10/11 (SPLIF)

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?  
☒ Check fees paid  
☐ Well logs (if needed)  
☒ Copy of topo or NAPP  
☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information - none  
☒ 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) 63-8437A

Owner: \_\_\_\_\_ Phone No. \_\_\_\_\_

Current Address: \_\_\_\_\_

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

Accompanied by: \_\_\_\_\_

**PRIORITY DATE**

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

Priority date, per claimant, is: \_\_\_\_\_

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

\_\_\_\_\_  
 \_\_\_\_\_

Source: \_\_\_\_\_ Tributary to \_\_\_\_\_

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

**POINT OF DIVERSION**

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

**DIVERSION AND DELIVERY SYSTEM**

Points of Diversion:

| ID # | Govt Lot # | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks<br>GPS ID |
|------|------------|-----|-----|-----|------|------|------|--------|-------------------------------------------|
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |

Description of diverting works

*all irrigation system***OVERLAP REVIEW**Other water rights with the same point of diversion: *03-9431B*

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

*applies***WATER USES**☒ No change☐ Different UsesUse *irrig* From *4-1* To *9-30* Amount *82* CFS *19450* AFA*delete use* Use *SW* From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA

Use \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA

**TOTAL VOLUME - Groundwater only**☒ Incomplete on claim, the total is, Amount *114450* CFS \_\_\_\_\_ AFA☐ Changes found, the new total is, Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA☐ More than 1" per Acre? Yes \_\_\_\_\_ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes \_\_\_\_\_ Stock # \_\_\_\_\_

Types \_\_\_\_\_ Additional comments: \_\_\_\_\_

**PLACE OF USE:***all trx in row*☒ No Change☐ Changes shown below:

| 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 |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|              |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Overlap with other water rights: 63-8437B

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

both split from Div. 11/15/15

Delivery System Narrative:

all irrigation system

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

# FLOW MEASUREMENTS:

Attach appropriate documents

## NARRATIVE/REMARKS/COMMENTS

Target #50412314800 & 5041231735

gu is for no head range 1/15/15 and deleted

504500 shoulder remark for 3/1-11/15.

11/15/15 remarks W42 and combined w/ Ballentine Ditch Co.

also used for 63-63-8437B and 8437C.

Total acres irrigated for dw-rate when combined

CO5 acc in row. 104 portion of rt furrow abandoned

35.9 ac.

105 ac.

see memo by Steve Lester, dated 4-15-05

transfer analysis very complete - I agree w/ it and recommended per transfer # 4584.

He verified acres. Appears from review of license file that applicant may have 1/2 acres irrigated from the 137 changed to 17 acres to mitigate the effect of his pumping on the wells in his vicinity. For future of this Ricks acres was irrigated for 5 yrs prior to transfer @ per license file, doesn't look like the entire 130+ acres may have been irrigated since ~ 1990 ish.

**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: 4-6-05

FIELD EXAMINER: Wick

63-0437 A includes the 1/2 ac. of the LDS Church - was initially assigned the "C" portion but not claimed or split? no rts. in the LDS name.

1930 P. date BLM PDED 1970 P. date

split cl. same as

D#5W.04 → D#5W  
30 hd → different POD/well .06  
same POU 50 hd

other Ricks rts: 63-4415 D/S, 63-15162

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8437A

WATER RIGHT NUMBER: 63-8437A

Owner Type                      Name and Address  
 Current Owner                      KEITH RICKS  
                                                  1001 SHOSHONE ST  
                                                  BOISE, ID 83705  
                                                  (208)344-1126

Priority Date: 02/14/1977 ✓

Basis: License ✓

Status: Active

Source                                      Tributary  
 GROUND WATER ✓

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-----------------------|-----------------------|----------------------|
| IRRIGATION ✓          | 4/01 to 9/30          | 0.820 CFS ✓           | 184.50 AF ✓          |
| STOCKWATER ✓          | 1/01 to 12/31 ✓       | <del>0.020 CFS</del>  | <del>0.70 AF</del>   |

Total Diversion: 0.820 CFS ✓

Location of Point(s) of Diversion

GROUND WATER ✓

ADA County

SE1/4SW1/4NE1/4

Sec. 12, Twp 04N, Rge 01W, B.M. ✓

Place of Use

IRRIGATION ✓

| Twp | Rge | Sec | NE | NW | SW  | SE   | Totals |
|-----|-----|-----|----|----|-----|------|--------|
| 04N | 01W | 12  | NE | NW | SW  | SE   | 41.0   |
|     |     |     |    |    | 4.0 |      |        |
|     |     |     |    |    |     | 37.0 |        |

Total Acres: 41

STOCKWATER

| Twp | Rge | Sec | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|----|----|----|--------|
| 04N | 01W | 12  | NE | NW | SW | SE | 41.0   |
|     |     |     |    |    | X  |    |        |
|     |     |     |    |    |    | X  |        |

Conditions of Approval:

1. 016 See remarks for additional conditions of approval.
2. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

SW  
 ① not lic for SW  
 ② pred under  
 63-15161  
 63-4415

partial forfeiture

PARCEL IS 35.9 ac - N 35  
 actually  
 10 ft  
 within  
 50 ft

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Claim Report 63-8437A

3. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:

1. General AC. IRR. = 41.0. WATER TO BE REGULATED THROUGH A 1 INCH STOP & WASTE COCK DURING NON-IRR. SEASON (9-3 TO 4-1).  
CLAIM AMENDED PER TRANSFER NO 4589 APPROVED 8/28/95.  
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER 4589 IN FILE.

Comments:Dates and Other Information:

Claim Received Date: 5/5/1989  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal: S  
Owner Name Connector:  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|

Verification Log:

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

**IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-8437A**

03/29/2005

1

| Right # | Type        | Twp | Rge | Sec | QQ | Q  | Lot | Purpose of Use | Acres/Total | Name                             |
|---------|-------------|-----|-----|-----|----|----|-----|----------------|-------------|----------------------------------|
| -195    | Claim       | 04N | 01W | 12  | SW | NE |     | IRRIGATION     | 40/797.3    | BALLENTYNE DITCH CO LTD          |
| 98AA    | Claim       | 04N | 01W | 12  | SW | NE |     | IRRIGATION     | 40/797.3    | BALLENTYNE DITCH CO LTD          |
| 258A    | Claim       | 04N | 01W | 12  | SW | NE |     | IRRIGATION     | 40/797.3    | BALLENTYNE DITCH CO LTD          |
| 260B    | Claim       | 04N | 01W | 12  | SW | NE |     | IRRIGATION     | 40/797.3    | BALLENTYNE DITCH CO LTD          |
| -264    | Claim       | 04N | 01W | 12  | SW | NE |     | IRRIGATION     | 40/797.3    | BALLENTYNE DITCH CO LTD          |
| -285    | Claim       | 04N | 01W | 12  | SW | NE |     | IRRIGATION     | 40/797.3    | BALLENTYNE DITCH CO LTD          |
| 2406    | Claim       | 04N | 01W | 12  | SW | NE |     | IRRIGATION     | 39/29248    | DRAINAGE DIST NO 2               |
| 1437A   | Claim       | 04N | 01W | 12  | SW | NE |     | IRRIGATION     | 4/41        | KEITH RICKS                      |
| 1437B   | Claim       | 04N | 01W | 12  | SW | NE |     | IRRIGATION     | 14/28       | MERIDIAN JOINT SCHOOL DISTRICT # |
| 15238   | Claim       | 04N | 01W | 12  | SW | NE |     | IRRIGATION     | 40/797.3    | BALLENTYNE DITCH CO LTD          |
| 2406    | Water Right | 04N | 01W | 12  | SW | NE |     | IRRIGATION     | 39/29248    | DRAINAGE DIST NO 2               |
| 1437A   | Water Right | 04N | 01W | 12  | SW | NE |     | IRRIGATION     | 2/99        | KEITH RICKS                      |
| 1437A   | Claim       | 04N | 01W | 12  | SW | NE |     | STOCKWATER     |             | KEITH RICKS                      |
| 2576    | Claim       | 04N | 01W | 12  | SW | NE |     | MUNICIPAL      |             | UNITED WATER IDAHO INC           |
| 2605    | Claim       | 04N | 01W | 12  | SW | NE |     | MUNICIPAL      |             | UNITED WATER IDAHO INC           |
| 2874    | Claim       | 04N | 01W | 12  | SW | NE |     | MUNICIPAL      |             | UNITED WATER IDAHO INC           |
| 2954    | Claim       | 04N | 01W | 12  | SW | NE |     | MUNICIPAL      |             | UNITED WATER IDAHO INC           |
| 2956    | Claim       | 04N | 01W | 12  | SW | NE |     | MUNICIPAL      |             | UNITED WATER IDAHO INC           |
| 2989    | Claim       | 04N | 01W | 12  | SW | NE |     | MUNICIPAL      |             | UNITED WATER IDAHO INC           |
| 3164    | Claim       | 04N | 01W | 12  | SW | NE |     | MUNICIPAL      |             | UNITED WATER IDAHO INC           |
| 7067    | Claim       | 04N | 01W | 12  | SW | NE |     | MUNICIPAL      |             | UNITED WATER IDAHO INC           |
| 7577    | Claim       | 04N | 01W | 12  | SW | NE |     | MUNICIPAL      |             | UNITED WATER IDAHO INC           |
| 7998    | Claim       | 04N | 01W | 12  | SW | NE |     | MUNICIPAL      |             | UNITED WATER IDAHO INC           |
| 19456   | Claim       | 04N | 01W | 12  | SW | NE |     | MUNICIPAL      |             | UNITED WATER IDAHO INC           |
| 1437B   | Claim       | 04N | 01W | 12  | SW | NE |     | DOMESTIC       |             | MERIDIAN JOINT SCHOOL DISTRICT # |
| -195    | Claim       | 04N | 01W | 12  | NE | SW |     | IRRIGATION     | 40/797.3    | BALLENTYNE DITCH CO LTD          |
| 98AA    | Claim       | 04N | 01W | 12  | NE | SW |     | IRRIGATION     | 40/797.3    | BALLENTYNE DITCH CO LTD          |
| 258A    | Claim       | 04N | 01W | 12  | NE | SW |     | IRRIGATION     | 40/797.3    | BALLENTYNE DITCH CO LTD          |

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**ADJUDICATION CLAIM POU REVIEW REPORT**  
**ADJUDICATION CLAIM NUMBER: 63-8437A**

03/29/2005

2

| Right # | Type        | Twp | Rge | Sec | QQ | Q  | Lot | Purpose of Use | Acres/Total | Name                    |
|---------|-------------|-----|-----|-----|----|----|-----|----------------|-------------|-------------------------|
| 260B    | Claim       | 04N | 01W | 12  | NE | SW |     | IRRIGATION     | 40/797.3    | BALLENTYNE DITCH CO LTD |
| -264    | Claim       | 04N | 01W | 12  | NE | SW |     | IRRIGATION     | 40/797.3    | BALLENTYNE DITCH CO LTD |
| -285    | Claim       | 04N | 01W | 12  | NE | SW |     | IRRIGATION     | 40/797.3    | BALLENTYNE DITCH CO LTD |
| 2406    | Claim       | 04N | 01W | 12  | NE | SW |     | IRRIGATION     | 39/29248    | DRAINAGE DIST NO 2      |
| 1437A   | Claim       | 04N | 01W | 12  | NE | SW |     | IRRIGATION     | 37/41       | KEITH RICKS             |
| 15238   | Claim       | 04N | 01W | 12  | NE | SW |     | IRRIGATION     | 40/797.3    | BALLENTYNE DITCH CO LTD |
| 2406    | Water Right | 04N | 01W | 12  | NE | SW |     | IRRIGATION     | 39/29248    | DRAINAGE DIST NO 2      |
| 2466    | Water Right | 04N | 01W | 12  | NE | SW |     | IRRIGATION     | 40/40       | E H DEWEY INC           |
| 1437A   | Water Right | 04N | 01W | 12  | NE | SW |     | IRRIGATION     | 29/99       | KEITH RICKS             |
| 1437A   | Claim       | 04N | 01W | 12  | NE | SW |     | STOCKWATER     |             | KEITH RICKS             |
| 4415    | Water Right | 04N | 01W | 12  | NE | SW |     | STOCKWATER     |             | KEITH RICKS             |
| 15162   | Water Right | 04N | 01W | 12  | NE | SW |     | STOCKWATER     |             | KEITH RICKS             |
| 22706   | Water Right | 04N | 01W | 12  | NE | SW |     | STOCKWATER     |             | PAMELA J FOUCAULT       |
| 23567   | Claim       | 04N | 01W | 12  | NE | SW |     | COMMERCIAL     |             | ERLING J KAAE           |
| 2576    | Claim       | 04N | 01W | 12  | NE | SW |     | MUNICIPAL      |             | UNITED WATER IDAHO INC  |
| 2605    | Claim       | 04N | 01W | 12  | NE | SW |     | MUNICIPAL      |             | UNITED WATER IDAHO INC  |
| 2874    | Claim       | 04N | 01W | 12  | NE | SW |     | MUNICIPAL      |             | UNITED WATER IDAHO INC  |
| 2954    | Claim       | 04N | 01W | 12  | NE | SW |     | MUNICIPAL      |             | UNITED WATER IDAHO INC  |
| 2956    | Claim       | 04N | 01W | 12  | NE | SW |     | MUNICIPAL      |             | UNITED WATER IDAHO INC  |
| 2989    | Claim       | 04N | 01W | 12  | NE | SW |     | MUNICIPAL      |             | UNITED WATER IDAHO INC  |
| 3164    | Claim       | 04N | 01W | 12  | NE | SW |     | MUNICIPAL      |             | UNITED WATER IDAHO INC  |
| 7067    | Claim       | 04N | 01W | 12  | NE | SW |     | MUNICIPAL      |             | UNITED WATER IDAHO INC  |
| 7577    | Claim       | 04N | 01W | 12  | NE | SW |     | MUNICIPAL      |             | UNITED WATER IDAHO INC  |
| 7998    | Claim       | 04N | 01W | 12  | NE | SW |     | MUNICIPAL      |             | UNITED WATER IDAHO INC  |
| 19456   | Claim       | 04N | 01W | 12  | NE | SW |     | MUNICIPAL      |             | UNITED WATER IDAHO INC  |
| 23567   | Claim       | 04N | 01W | 12  | NE | SW |     | DOMESTIC       |             | ERLING J KAAE           |
| 4415    | Water Right | 04N | 01W | 12  | NE | SW |     | DOMESTIC       |             | KEITH RICKS             |
| 15162   | Water Right | 04N | 01W | 12  | NE | SW |     | DOMESTIC       |             | KEITH RICKS             |

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-8437A

03/29/2005

3

| Right # | Type        | Twp | Rge | Sec | QQ | Q  | Lot | Purpose of Use | Acres/Total | Name              |
|---------|-------------|-----|-----|-----|----|----|-----|----------------|-------------|-------------------|
| 22708   | Water Right | 04N | 01W | 12  | NE | SW |     | DOMESTIC       |             | PAMELA J FOUCAULT |
| 22709   | Water Right | 04N | 01W | 12  | NE | SW |     | DOMESTIC       |             | DENNIS FOUCAULT   |

MEMORANDUM

TO: FILE NO. 63-08437

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4589

DATE: August 11, 1995

=====

Transfer No. 4589 was filed to change the nature and place of use, and add points of diversion under a portion of Right No. 63-08437, splitting the right into parts A and B. A portion of the original farm acres are being transferred for use as irrigation and domestic use for a high school.

The transfer application attempted to split the remaining portion of the right according to ownership and the SRBA Claim. The claim has less acres and includes claimed accomplished transfer of acres. These changes should be evaluated through the adjudication process separately from this transfer review. This transfer has been reviewed for the changes proposed by the Joint School District No. 2 for development of Eagle High School with their portion of the right.

Of the original 36 acres of irrigation, 14 will remain in the same QQ (SWNE), 14 will be moved to the adjoining QQ (NWNE), and 8 acres will be dried up to compensate for the added domestic use. The net result after the transfer will be less consumptive use with no expansion through this transfer. Two additional wells will be added to the right to support the domestic use and meet requirements of IDHW-DEQ.

Change in Nature of Use Evaluation

Before: 36 Acres 0.71 cfs 162.0 afa DIV Vol. 126.0 afa CU Vol.

|         |                 |          |          |   |           |          |   |   |          |         |   |   |
|---------|-----------------|----------|----------|---|-----------|----------|---|---|----------|---------|---|---|
| After : | 28              | "        | 0.55     | " | 126.0     | "        | " | " | 98.0     | "       | " | " |
|         |                 | Domestic | 0.71     | " | 33.8      | "        | " | " |          |         |   |   |
|         | 28 Acres & Dom. |          | 0.71 cfs |   | 159.8 afa | DIV Vol. |   |   | 98.0 afa | CU Vol. |   |   |

Season of use for irrigation and domestic use was adjusted to current standards. Recommended conditions include irrigation overlap, right-of-way, multiple points of diversion/measuring devices, supplemental groundwater and standard transfer conditions.

SEP 14 1995

MEMORANDUM

TO: FILES

FROM: STEVE LESTER *SL*

DATE: APRIL 19, 1995

RE: TRANSFER NOS. 4589 & 4590, APPLICATION FOR PERMIT 63-12192

A package of two transfers for Joint School District #2 and one application for permit for United Water Idaho dba Eagle United Water are reviewed together. The package proposes using three existing wells to provide domestic and irrigation water for two Eagle school sites plus provide municipal water in the service area currently being evaluated by IPUC.

The three existing wells and existing rights are as follows:

|               |         |                        |
|---------------|---------|------------------------|
| Crandlemire   | Sec. 5  | right no. 63-11090     |
| Redwood Creek | Sec. 7  | none found per WR & AJ |
| Ricks         | Sec. 12 | right no. 63-08437     |

*Same as 1 of 2 pld  
12 63-11878 (Alpine  
Acres), see my 4/28  
letter to T.S.  
-SL*

T4589 63-08437 ALL THREE WELLS

Proposes use of all three wells for 63-08437B. Thirty six acres under B will be reduced to 28 acres and used in two tracts around the high school. The rate of flow associated with 36 acres will also be used for domestic needs in the school facility. Table 1 on page 6 of the application presents a thorough summary of the before and after uses plus includes SRBA summary data.

Page 2 of the filing outlines 63-08437A for the remaining use. This page is included to document the remaining use since it is different than the remaining licensed data as noted by tracing the license and then the SRBA claim. Part A will use the licensed well (Ricks).

The claim lists reduced flow and acres. The attached photo and map copies that I prepared verify that at least the number of irrigated acres licensed and claimed were in play in 1987. The July, 1987 NAPP verification serves to address the SRBA and license places of use. The applicant's consultant, Terry Scanlan, will provide additional information tracing the land ownership and water uses as related to shifting irrigation practices defined in the claim.

Therefore, the transfer will provide modified irrigation and domestic use to the school (B) plus will codify the remaining irrigation, which also shows a minor stock use (A). The additional uses for parts A and B will not represent an expansion since total use will not increase. The issue of well usage all year long is addressed via the legal notice process as has been done in other transfers in Western Region (expanding season for ground water possibly allowed where not protested).

*✓ ok*  
Letter of inquiry sent to consultant about this.

RECEIVED  
APR 24 1995

T4590 63-11090 CRANDLEMIRE & RICKS WELLS

This is similar to T4589 but less complicated. This right was examined in 1992 and SRBA does not apply. The same evaluation process for use outside of the irrigation season for part B will be used (public notice). Again, an expansion does not appear evident per application Table 1 on page 4 of the application. Domestic use is for a middle school.

The consultant will provide the ownership documents soon.

APPLICATION 63-12192 CRANDLEMIRE & REDWOOD CREEK WELLS

This is an uncomplicated municipal application for 5.00 cfs using two of the three wells in question. The service area is still under IPUC consideration. Of particular interest is the area east of Hwy 55 -- this might be served by the applicant or perhaps by Eagle Water Co., Inc. but not by both as I understand the situation.

Eagle Water Co., Inc. filed an amendment (pending, at Region now) of municipal permit 63-12147 that includes, among other areas served, the same site east of the highway where new subdivision development is now occurring. This office, and perhaps the S.O., has sent some correspondence on this matter (see DRT for details if needed).

This detail of which entity will provide municipal service to land east of Hwy 55 should not present any significant problem in processing the applications at this time.

For the proposed municipal use in 63-12192, the aquifer recharge condition recently implemented might be appropriate. It is conceivable that land now irrigated by surface water, e.g. Farmers Union Ditch Co., might show irrigation replacement via municipal wells if development details preclude continued use of ditch deliveries. This can be prevented by adopting some version of an aquifer recharge and/or use of available surface water condition of approval. Such a condition lends itself to future municipal filings in the local area.

Perhaps this suggested condition should also be applied to 63-12147.

Original - see file T4589

Copies - files T4590, 63-12147 (Amendment), 63-12192

SEP 14 1995

DEPARTMENT OF WATER ADMINISTRATION  
FIELD REPORT

1. Name of permit holder Keith Ricks  
Post office address 1001 Shoshone Street, Boise Phone 344-1126  
Person to contact \_\_\_\_\_ Phone \_\_\_\_\_

2. Source of water supply: Groundwater ☒ Surface water ☐ \_\_\_\_\_  
(name spring, stream, etc.)  
Tributary to \_\_\_\_\_

3. Water will be used for the following purposes:

Amount 3.04 c.f.s. for Irrigation  
           AF/Annum (nature of use)

Period of Use: from April 1 to September 30  
(mo.-day) inclusive (mo.-day)

Amount \_\_\_\_\_ c.f.s. for \_\_\_\_\_  
 \_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from \_\_\_\_\_ to \_\_\_\_\_  
(mo.-day) inclusive (mo.-day)

Amount \_\_\_\_\_ c.f.s. for \_\_\_\_\_  
 \_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from \_\_\_\_\_ to \_\_\_\_\_  
(mo.-day) inclusive (mo.-day)

Other uses: \_\_\_\_\_

4. Total amount to be appropriated:

Max Rate of Diversion 3.04 cubic feet per second and annual volume \_\_\_\_\_ AF/Annum.

**5. Location of Point(s) of Diversion:**

Township 33S N/S, Range 13E E/W, B.M., Section 12, Subdivision 4  $\frac{1}{4}$   $\frac{1}{4}$

Township 4N N/S, Range 1W E/W, B.M., Section 12, Subdivision SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  Ada County

Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_  
County \_\_\_\_\_

Other Points of Diversions: \_\_\_\_\_

Description of diverting works: \_\_\_\_\_

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

**TOTAL ACREAGE** 137

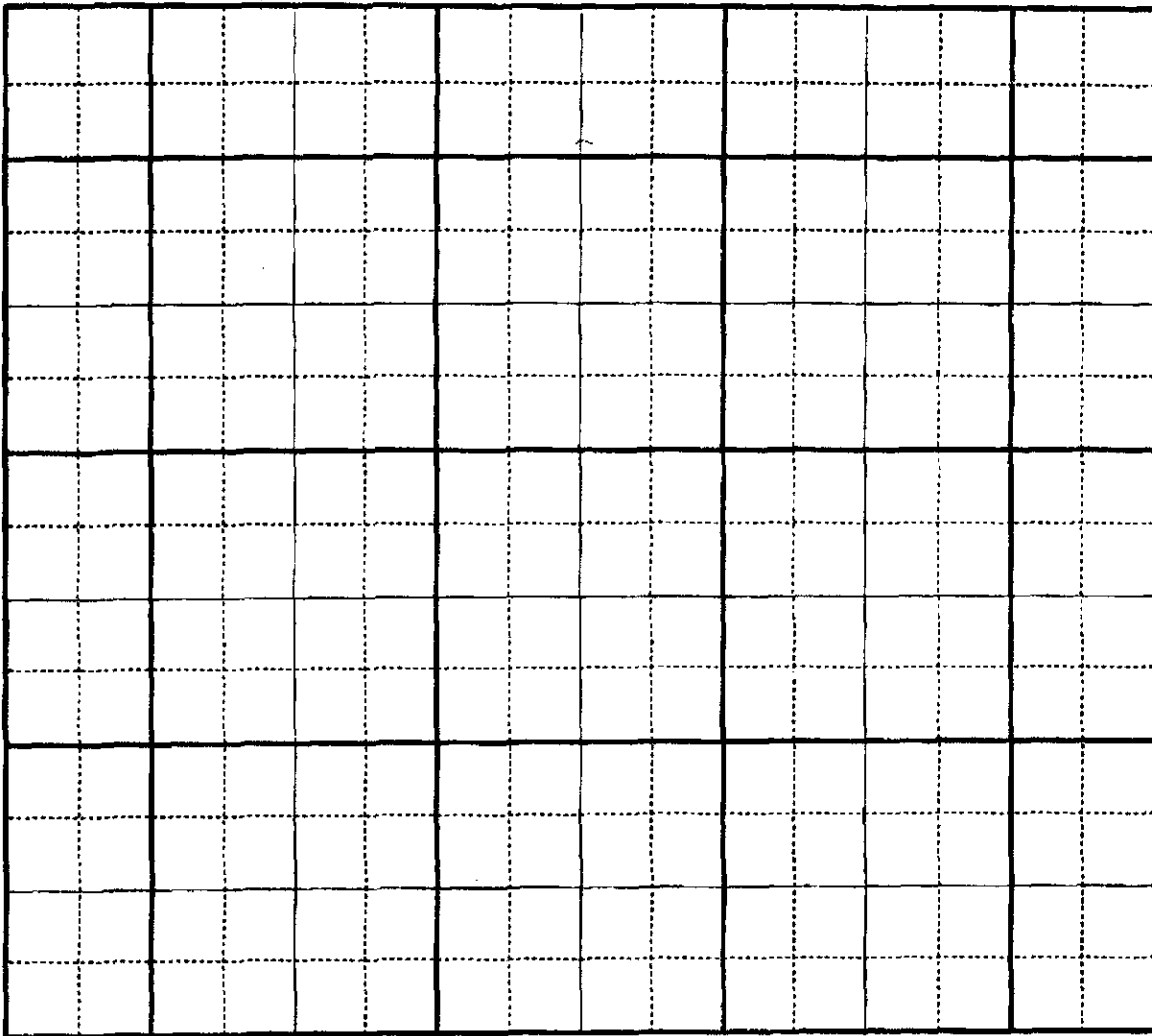


Diagram of System

DATE OF EXAM 8-16-77

ACREAGE  
Found 135.4  
Recommended 135.4

Irrigation Requirement 4.5 Ac Ft/Ac

USE  
Irrigation Q = 2.67 c.f.s. V = 609.3 AF/Ann. from Apr. 1 to Sept. 30  
Domestic Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_

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 2.67 cfs Method of measurement in-line meter

Total Q recommended 2.67 cfs Meter No. 758135 Type in-line Condition good  
Mcrometer

Total V recommended 609.3 AF/year

Recommended Amendments:

P.D. \_\_\_\_\_  
Place of Use \_\_\_\_\_  
Other \_\_\_\_\_  
None ☒

#### MEASUREMENT CALCULATION:

$Q = 1200 \text{ gpm} = 2.67 \text{ cfs}$   
 $V = 135.4 \text{ A} \times 4.5 \text{ AF/A} = 609.3 \text{ AF/year}$

#### SYSTEM DESCRIPTION:

12" cased well with control device to control  
artesian flow of 320 gpm. Well is pumped with Sta-Bite  
centrifugal pump powered by Deutz Diesel, 23 hp. Ground  
is flooded irrigated from concrete ditches and gated  
pipe.

#### REMARKS:

Examiner's Signature Willie H. MacAllister III Date 9-30-77

Checked by WHA Date 10-6-77

Approved by \_\_\_\_\_ Date \_\_\_\_\_

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8437A

WATER RIGHT NUMBER: 63-8437A

|                   |                                                                     |
|-------------------|---------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                             |
| Current Owner     | KEITH RICKS<br>1001 SHOSHONE ST<br>BOISE, ID 83705<br>(208)344-1126 |

Priority Date: 02/14/1977

Basis: License

Status: Active

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

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| IRRIGATION            | 4/01 to 9/30            | 1.960 CFS             | 447.30 AF            |
|                       | <u>Total Diversion:</u> | 1.960 CFS             | 447.30 AF            |

Location of Point(s) of Diversion

|              |            |                                 |
|--------------|------------|---------------------------------|
| GROUND WATER | SW1/4NE1/4 | Sec. 12, Twp 04N, Rge 01W, B.M. |
| ADA County   |            |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |     |    | NW |    |    |    | SW   |    |    |    | SE |      |      |    | Totals |
|-----|-----|-----|----|----|-----|----|----|----|----|----|------|----|----|----|----|------|------|----|--------|
|     |     |     | NE | NW | SW  | SE | NE | NW | SW | SE | NE   | NW | SW | SE | NE | NW   | SW   | SE |        |
| 04N | 01W | 12  |    |    | 2.0 |    |    |    |    |    | 29.0 |    |    |    |    | 34.0 | 34.0 |    | 99.0   |

Total Acres: 99

Conditions of Approval:

1. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:

1. General AC. IRR. = 99.4. WATER TO BE REGULATED THROUGH A 1 INCH STOP & WASTE COCK DURING NON-IRR. SEASON (9-30 TO 4-1).

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8437A

Comments:

1. SLESTER 4/11/1995 TRANSFER NO. 4589

Comment: Three existing wells (aka Ricks, Redwood Creek & Crandlemire wells) will be integrated for use in two transfers for Joint School District #2 and for one application for permit for Eagle United Water (municipal). T4589 will use all three wells for 63-08437B where the other two applications will only use two well sites, Redwood Creek & Crandlemire. 63-08437A is proposed for 41 acres from Ricks well only. Final approval split right into parts A and B.

Dates and Other Information:

Licensed Date: 9/13/1979

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|

Verification Log:

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

WATER RIGHT  
NUMBER

NAME

CFS

63-08437

Split into 63-08437A &amp; B by Trans. #4589.

63-08437A RICKS , KEITH

1.96

63-08437B SCHOOL DISTRICT NO. 2 , JOINT

0.71

MICROFILMED

SEP 14 1995

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**TRANSFER OF WATER RIGHT**

TRANSFER NO. 4589  
WATER RIGHT NO. 63-08437B

This is to certify that: **JOINT SCHOOL DISTRICT NO. 2**  
**911 MERIDIAN ST**  
**MERIDIAN ID 83642**

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.55 CFS              | 126.0 AF             |
| DOMESTIC              | 01/01 to 12/31       | 0.71 CFS              | 33.8 AF              |
|                       | Totals               | 0.71 CFS              | 159.8 AF             |

SOURCE

GROUNDWATER

Priority: 02/14/1977

LOCATION OF POINT(S) OF DIVERSION:

Lot 2( SESW , Sec. 5, Township 04N, Range 01E  
SOWN), Sec. 7, Township 04N, Range 01E  
SWNE , Sec. 12, Township 04N, Range 01W  
ADA County

PLACE OF USE: IRRIGATION

| <u>TWN RGE SEC</u>               | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|--------------|--------------|--------------|--------------|
| 04N 01W 12                       | NWNE 14      | SWNE 14      |              | 28           |
| Total number of acres irrigated: |              |              |              | 28           |

PLACE OF USE: DOMESTIC

| <u>TWN RGE SEC</u> |      |
|--------------------|------|
| 04N 01W 12         | SWNE |

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

**RECORDED**

SEP 14 1995

TRANSFER NO. 4589  
WATER RIGHT NO. 63-08437B

CONDITIONS/REMARKS:

3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
8. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
9. The right holder shall install and maintain totalizing flow meters as part of the diverting works. The right holder shall provide reasonable access for department personnel to inspect the flow meter in order to monitor the ground water aquifer. The right holder shall maintain records of the amount of water diverted.
10. The total instantaneous diversion of water from all points of diversion under Transfer No. 4589 shall not exceed 0.71 cfs, nor total combined annual volume of 159.8 af.
11. Domestic use is for Eagle High School.

Dated this 28<sup>th</sup> day of

August, 1995.

J. Glen Saylor  
Chief, Water Alloc. Bureau

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Page JUL 31 1995

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APR 07 1995

WATER RESOURCES  
WESTERN REGION Transfer No. 4589

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

## APPLICATION FOR TRANSFER OF WATER RIGHT

**AMENDED (SEE 4/24/95 MEMO)**

PART 1

Name of applicant Joint School District No. 2 Phone 208-888-6701  
Post Office address 911 Meridian Street, Meridian, ID 83642 Attn: Dan Mabe

### A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
 ☒ Add diversion point(s)
 ☒ Change place of use  
☒ Change nature of use
 ☒ Change period of use
 ☐ Other \_\_\_\_\_
- Describe the reason for the proposed changes This transfer will provide domestic water supply and supplemental irrigation to the Eagle High School project.

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

- | Right Number    | Priority         | Amount (cfs/ac-ft) | Nature of Use     | Period of Use              |
|-----------------|------------------|--------------------|-------------------|----------------------------|
| <u>63-8437B</u> | <u>2/14/1977</u> | <u>0.560/126.0</u> | <u>irrigation</u> | <u>4/1</u> to <u>10/31</u> |
|                 |                  | <u>0.720/33.8</u>  | <u>domestic</u>   | <u>1/1</u> to <u>12/31</u> |
|                 |                  |                    |                   | to _____                   |
|                 |                  |                    |                   | to _____                   |
- Total amount of water being transferred 0.720 cubic feet per second and/or 159.8 acre-feet per annum.
- Source of water groundwater tributary to N/A
- Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     | SE  | SW  | NE  | 12   | 4N   | 1W   | Ada    | Ricks Well               |
| 02  | SE  | SW  | NW  | 7    | 4N   | 1E   | Ada    | Redwood Creek Well       |
|     | SE  | SE  | SW  | 5    | 4N   | 1E   | Ada    | Crandlemire Well         |
|     |     |     |     |      |      |      |        |                          |

### 5. Lands irrigated or place of use:

| Twp. | Rge. | 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 |        |
| 4N   | 1W   | 12   |        | 14     | 14     |        |        |        |        |        |        |        |        |        |        |        |        |        | 28     |
|      |      |      |        |        | D      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

## PART 2

## A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-08437

STAGE: LICENSE

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 04/01 to 09/30       | 2.67 CFS              | 609.3 AF             |

SOURCE

GROUNDWATER

Priority: 02/14/1977

LOCATION OF POINT(S) OF DIVERSION:SWNE , Sec. 12, Township 04N, Range 01W  
ADA CountyPLACE OF USE: IRRIGATION

| <u>TWN RGE SEC</u> | <u>ACRES</u> | <u>ACRES</u>                     | <u>ACRES</u> | <u>TOTAL</u> |
|--------------------|--------------|----------------------------------|--------------|--------------|
| 04N 01W 12         | SWNE 38      | NESW 29                          | NESE 34      | 135          |
|                    | NWSE 34      |                                  |              | 135          |
|                    |              | Total number of acres irrigated: |              | 135          |

CONDITIONS/REMARKS:

1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
3. AC. IRR. = 135.4. WATER TO BE REGULATED THROUGH A 1 INCH STOP & WASTE COCK DURING NON-IRR. SEASON (9-3 TO 4-1).

RECORDED

SEP 14 1995

Page 2a of 10

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APR 20 1995

WATER RESOURCES  
WESTERN REGION

Name of applicant D. Keith and Ona L. Ricks Phone 208-344-1126  
Post Office address 1001 Shoshone Street, Boise, ID 83705

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 \_\_\_\_\_

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

- | 1. Right Number | Priority         | Amount<br>(cfs/ac-ft) | Nature<br>of Use  | Period of Use              |
|-----------------|------------------|-----------------------|-------------------|----------------------------|
| <u>63-8437A</u> | <u>2/14/1977</u> | <u>0.74/166.5</u>     | <u>irrigation</u> | <u>4/1</u> to <u>9/30</u>  |
|                 |                  | <u>0.02/0.7</u>       | <u>stockwater</u> | <u>1/1</u> to <u>12/31</u> |
|                 |                  |                       |                   | to _____                   |
|                 |                  |                       |                   | to _____                   |
2. Total amount of water being transferred 0.74 cubic feet per second and/or 167.2 acre-feet per annum.
3. Source of water groundwater tributary to NA
4. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|----|----|----|------|------|------|--------|--------------------------|
|     | SE | SW | NE | 12   | 4N   | 1W   | Ada    | Ricks Well               |
|     |    |    |    |      |      |      |        |                          |
|     |    |    |    |      |      |      |        |                          |
|     |    |    |    |      |      |      |        |                          |

5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 4N   | 1W   | 12   |      |      |      |      |      |      |      |      | 37   |      |      |      |      |      |      |      | 37     |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Amended pg.

Total acres 37

Page 2b of 11

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. \_\_\_\_\_

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

The Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, A Utah Corporation Sole  
Name of applicant c/o Mr. Larry Maurer, LDS Physical Facilities Office N. America Phone \_\_\_\_\_  
Post Office address 2710 Sunrise Rim, Boise, ID 83705

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 \_\_\_\_\_

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

| 1. Right Number | Priority  | Amount (cfs/ac-ft) | Nature of Use | Period of Use  |
|-----------------|-----------|--------------------|---------------|----------------|
| 63-8437C        | 2/14/1977 | 0.08/18.0          | irrigation    | 4/1 to 9/30    |
| _____           | _____     | _____              | _____         | _____ to _____ |
| _____           | _____     | _____              | _____         | _____ to _____ |
| _____           | _____     | _____              | _____         | _____ to _____ |

2. Total amount of water being transferred 0.08 cubic feet per second and/or 18.0 acre-feet per annum.

3. Source of water groundwater tributary to NA

4. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|----|----|----|------|------|------|--------|--------------------------|
|     | SE | SW | NE | 12   | 4N   | 1W   | Ada    | Ricks Well               |
|     |    |    |    |      |      |      |        |                          |
|     |    |    |    |      |      |      |        |                          |
|     |    |    |    |      |      |      |        |                          |

5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 4N   | 1W   | 12   |      |      | 4    |      |      |      |      |      |      |      |      |      |      |      |      |      | 4      |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

**PART 1**

**6. General Information:**

a. Description of diversion system Ricks Well (12"x285', 8" pipeline, 25 hp booster pump)  
Redwood Creek Well (18"x410', 125 hp and 15 hp submersible pumps),  
Crandlemire Well (16"x323', 75 hp turbine pump), 12-inch water mains

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes no 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:  
A portion of the land currently irrigated by license 63-8437 will be  
covered by school facilities (buildings, parking lot, access roads).  
The total area irrigated by license 63-8437 will be reduced by 8 acres.

d. Remarks:  
See attachment 1.

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_

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

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

**APPROVED**

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## Attachment 1

**TRANSFER SUMMARY**

**Project Overview.** Eagle High School is being built on a 52-acre parcel which includes 36 acres in the SWNE Section 12, T4N, R1W and 16 acres in the NWNE Section 12, T4N, R1W. The school will accommodate approximately 2000 students and staff. A portion of the site is currently irrigated using groundwater diverted from a well (the Ricks Well) in the SESWNE Section 12, T4N, R1W, under water right license 63-08437. Joint School District No. 2 proposes to continue to utilize the Ricks Well for school site irrigation and to use two other existing wells to serve the High School domestic and fire protection requirements. The domestic and fire protection wells are the Redwood Creek Well and the Crandlemire Well. These wells will be operated by United Water Idaho, doing business as either Eagle United Water Company or EM2.

**Description of the Existing Water Right.** Water right 63-08437 is licensed for 2.67 cfs for the irrigation of 135.4 acres and an annual diversion volume of 609.3 acre-feet. In recent years, as evidenced by SRBA claim A63-08437, the Ricks Well has been used to irrigate only 77 acres. This area includes 40 acres in the SWNE Section 12 and 37 acres in the NESW Section 12. Total consumptive use claimed in the SRBA is 269.5 acre-feet per annum (3.5 acre-feet per acre). Claimed diversion rate is 1.54 cfs. The claim also includes stockwater for 50 head of cattle.

The reduction in the water right occurred as a result of subdividing a portion of the licensed place of use for residential development (Flint Estates). The subdivided lands included 34.2 acres in the NESE Section 12 and 34.3 acres in the NWSE Section 12. After the land was subdivided, water from the Ricks Well was no longer made available to the place of use in the NESE and NWSE Section 12. These lands appear to have undergone a period of five or more consecutive years of not utilizing the water from the well. At the same time, the place of use was increased in the SWNE Section 12 from 37.8 to 40 acres and in the NESW Section 12 from 29 to 37 acres, resulting in the SRBA claim of 77 acres. Current ownership of these 77 acres is divided among D. Keith Ricks and Ona Ricks (37 acres), Joint School District No. 2 (36 acres), and The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah Corporation Sole (4 acres).

**Description of the Water Right After the Transfer.** This transfer proposes to split license 63-08437 into three rights, 63-08437A, 63-08437B, and 63-08437C. The transfer is summarized on Table 1 and detailed below.

- Water right 63-08437A would continue to provide supplemental irrigation to the claimed irrigated area not associated with Eagle High School property or the LDS Church property. This area consists of 37 acres in the NESW of Section 12. Diversion rate would be 0.74 cfs (0.02 cfs/acre). Annual irrigation diversion volume would be 166.5 acre-feet (4.5 acre-feet per acre). Annual consumptive use would be 129.5 acre-feet (3.5 acre-feet per acre). Water right 63-08437A would

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Amended pg.

also include stockwater for 50 head of cattle with an annual diversion volume of 0.7 acre-feet. The Ricks Well would remain the point of diversion for this right.

- Water right 63-08437B will provide supplemental irrigation for 28 acres of the High School property. Place of use will be 14 acres in the SWNE Section 12, T4N, R1W and 14 acres in the NWNE Section 12. Diversion rate for irrigation would be 0.56 cfs (0.02 cfs/acre). Annual diversion volume would be 126.0 acre-feet (4.5 acre-feet per acre). Annual consumptive use would be 98 acre-feet (3.5 acre-feet per acre). Point of diversion for irrigation will be the Ricks Well.

The transfer would add domestic as a new use for water right 63-08437B. Diversion rate for domestic use would be 0.72 cfs. Estimated annual domestic diversion volume (assuming 2000 students and staff, 25 gallons per person per day, and 220 school-use days per person per year) would be 11 million gallons per year, or about 33.8 acre-feet per year. The total irrigated area for license 63-08437 has been reduced by 8 acres (i.e., 8 acres at 4.5 acre-feet per acre equals 36 acre-feet) to account for the 33.8 acre-feet estimated annual domestic diversion volume under right 63-08437B and the 0.7 acre-feet estimated annual diversion volume for stockwater under right 63-08437A.

Two additional points of diversion will be added to 63-0437B because (1) IDHW-DEQ regulations require two water sources for a public drinking water system and (2) DEQ will not allow use of the Ricks Well for Eagle High School domestic use due to sanitary concerns related to well location and construction. The two new points of diversion will be the Redwood Creek Subdivision Well No. 1, located in SENW Section 7, T4N, R1E, and the Crandlemire Well, located in SESW Section 5, T4N, R1E.

- Water right 63-08437C would continue to provide supplemental irrigation to the claimed irrigated area associated with the LDS Church property. This area consists of 4 acres in the NESW of Section 12. Diversion rate would be 0.08 cfs (0.02 cfs/acre). Annual diversion volume would be 18.0 acre-feet (4.5 acre-feet per acre). Annual consumptive use would be 14.0 acre-feet (3.5 acre-feet per acre).

The proposed transfer is summarized in Table 1.

SESWWW per PS-1  
+ map  
JL 4/24/95

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**TABLE 1  
COMPARISON OF WATER RIGHTS BEFORE AND AFTER  
THE PROPOSED TRANSFER**

| Water Right<br>Number               | Use                      | Irrigated<br>Acres | Diversion<br>Rate<br>(cfs) | Estimated<br>Diversion<br>Volume<br>(acre-feet) | Estimated<br>Consumptive<br>Use<br>(acre-feet) |
|-------------------------------------|--------------------------|--------------------|----------------------------|-------------------------------------------------|------------------------------------------------|
| <u>Before Transfer (license)</u>    |                          |                    |                            |                                                 |                                                |
| 63-08437                            | Irrigation               | 135.4              | 2.67                       | 609.3                                           | 473.9                                          |
| <u>Before Transfer (SRBA claim)</u> |                          |                    |                            |                                                 |                                                |
| A63-08437                           | Irrigation<br>Stockwater | 77                 | 1.54                       | 346.5                                           | 269.5                                          |
| <u>After Transfer</u>               |                          |                    |                            |                                                 |                                                |
| 63-08437A                           | Irrigation               | 37                 | 0.74                       | 166.5                                           | 129.5                                          |
|                                     | Stockwater               |                    | 0.02                       | 0.7                                             | 0.0                                            |
| 63-08437B                           | Irrigation               | 28                 | 0.56                       | 126.0                                           | 98.0                                           |
|                                     | Domestic                 |                    | 0.72                       | 33.8                                            | 0.0                                            |
| 63-08437C                           | Irrigation               | 4                  | 0.08                       | 18.0                                            | 14.0                                           |
| After Transfer Total                |                          | 69                 | 1.54                       | 345.0                                           | 241.5                                          |

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**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated 63-8437 in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water groundwater tributary to \_\_\_\_\_

4. Date or priority February 14, 1977

5. Water is used for the following purpose:

amount 2.67 cfs for irrigation purposes from April 1 to September 30  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right 2.67 cubic feet per second and/or 609.3 acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | SW  | NE  | 12   | 4N   | 1W   | Ada    | <u>Ricks Well</u>        |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | 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 |        |
| 4N   | 1W   | 12   |        |        | 37.9   |        |        |        |        |        | 29     |        |        |        | 34.2   | 34.3   |        |        | 135.4  |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

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Total acres 135.4

Ballentyne Ditch Co. rights

9. Describe any other water rights used for the same purpose as described above  
-00234, 00235, 00236, 00237, 00238, 00239D, 00195, 00264, 00265, 00289, 00198AA,  
00258A, 00260B, 00285, and A63-15238

OK  
ALL  
RIGHTS  
REMOVED

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?  
Yes If yes, describe see attachment 1

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount 0.72/162.0 for irrigation purposes from 4/1 to 9/30  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)
2. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|----|----|----|------|------|------|--------|--------------------------|
|     | SE | SW | NE | 12   | 4N   | 1W   | Ada    | Ricks Well.              |
|     |    |    |    |      |      |      |        |                          |
|     |    |    |    |      |      |      |        |                          |

**3. Lands irrigated or place of use:**

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 4N   | 1W   | 12   |      |      | 36   |      |      |      |      |      |      |      |      |      |      |      |      |      | 36     |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres 36**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 1.95/447.3 for irrigation purposes from 4/1 to 9/30  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)
2. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|----|----|----|------|------|------|--------|--------------------------|
|     | SE | SW | NE | 12   | 4N   | 1W   | Ada    | Ricks Well               |
|     |    |    |    |      |      |      |        |                          |
|     |    |    |    |      |      |      |        |                          |

**3. Lands irrigated or place of use:**

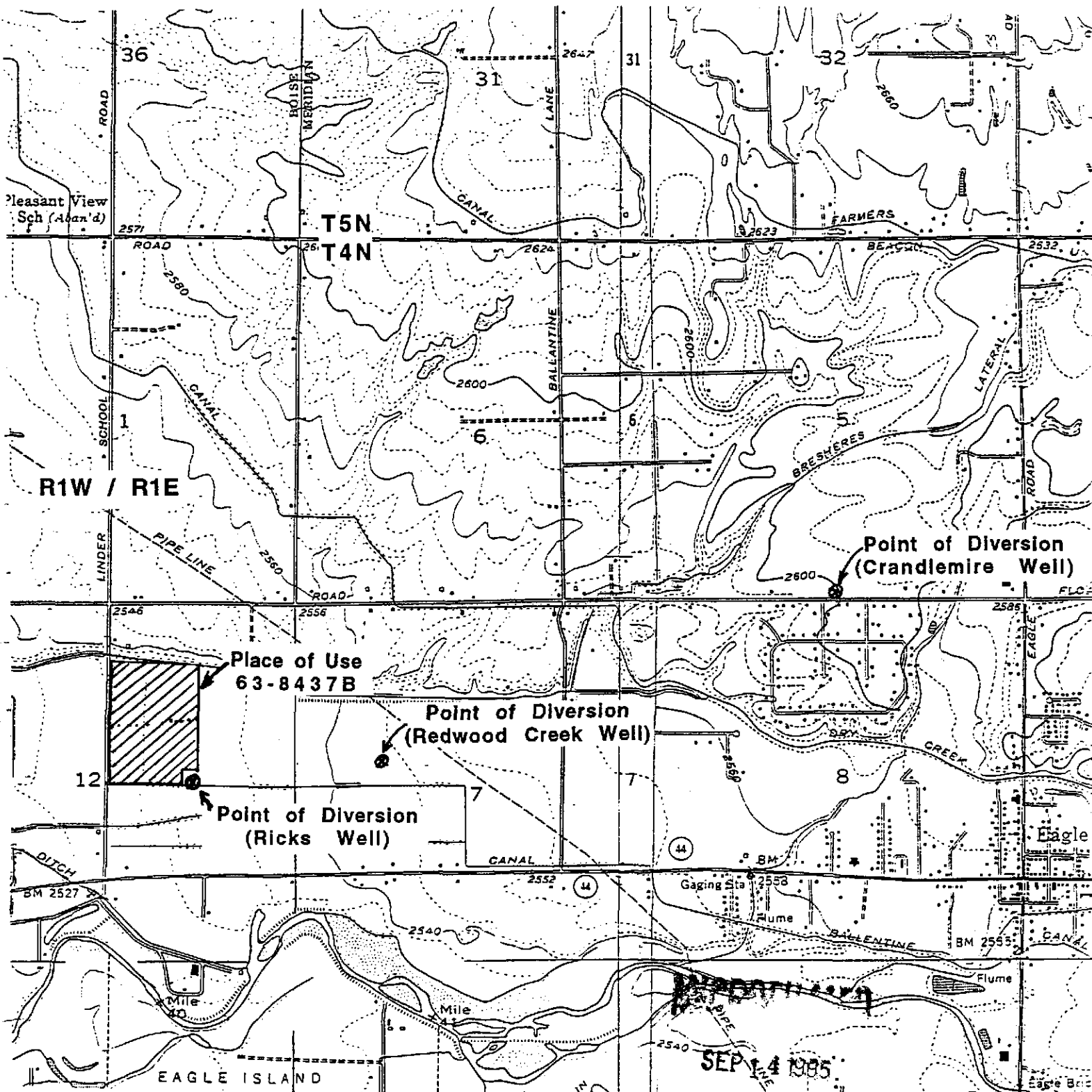
| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 4N   | 1W   | 12   |      |      | 1.9  |      |      |      |      |      | 29   |      |      |      | 34.2 | 34.3 |      |      | 99.4   |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

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Total acres 99.4

**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.



## PART 3

## B. CHANGES IN NATURE OF USE

1. 

| New Nature of Use | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use |
|-------------------|-----------------------|-----------------|---------------|
| domestic          | 0.720 cfs             | 365 days/yr     | 1/1 to 12/31  |
| domestic          | 34 ac-ft annually     |                 | to            |

2. Quantity and quality of return flows and location of discharge:  
Domestic wastewater will discharge to Eagle Sewer District. Irrigation will be sprinkler, without significant runoff or return flow.

3. Describe effects on other water uses resulting from the proposed change:  
Consumptive use will decrease.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Don Mike  
(Signature of Applicant)  
Subscribed and sworn to before me this 4th day of April, 19 95.

Burt W. Jr.  
(Notary Public)  
My commission expires 4/14/98

## FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 1 attachments. ATTACH: It will be ownership documents when received.  
Received by VR Date 4-7-95 Protest filed by \_\_\_\_\_  
Prelim. check by VR Fee 100.00  
Receipted by VR # W018852 Date 4-7-95  
Published in \_\_\_\_\_ Copies of protest forwarded by \_\_\_\_\_  
Pub. dates \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☒ approval ☐ denial  
\_\_\_\_\_ rec'd. by DET  
Copy of transfer sent to lien holder \_\_\_\_\_

SEP 14 1995

AJ0729NP  
No. A63-08437

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/11/95  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS                                                      | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE                    | DIVERSION<br>VOLUME    |
|---------------|---------------------------------------------------------------------|------------------|------------|-----------------------|--------------------------------------|------------------------|
| C             | KEITH RICKS<br>1001 SHOSHONE ST<br>BOISE ID 83705<br>(208) 344-1126 | 02/14/1977       | IRRIGATION | 04-01 09-30           | 1.54 CFS                             |                        |
|               |                                                                     |                  |            |                       | TOTAL DIVERSION:<br>CONSUMPTIVE USE: | 1.54 CFS<br>269.50 AFA |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T04N R01W S12

SESWNE

ADA County

Place of use Legal Description for: IRRIGATION

| NE  |     |    |   | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      |      |      |      |      |      |
|-----|-----|----|---|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| T   | R   | S  |   | NENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SENW | NESW | NWSW | SWSW | SESW | NESE | NWSE | SWSE | SESE | SUM  |
|     |     |    |   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   |      |
| 04N | 01W | 12 | : |      |      | 40   | :    |      |      |      |      | 37   | :    |      |      |      |      |      |      | 77.0 |
|     |     |    |   |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      | 77.0 |      |

POU County: ADA

Non-Irrigation Uses: STOCK - 50 HEAD CATTLE

Other Rights: BALLENTYNE DITCH

Other Water Rights Listing Overlapping Place(s) of Use:

A63-00195 A63-00198AA A63-00234 A63-00258A A63-00260B A63-00264 A63-00285 A63-02406 A63-15238

Conditions of Approval:

- R01 - A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- R32 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

Remarks: AC. IRR. = 77.0. WATER TO BE REGULATED THROUGH A 1 INCH STOP & WASTE COCK DURING NON-IRR. SEASON (9-3 TO 4-1).

Dates: Exam Made Date: Verified Date: 05/20/1985

Misc: Water District Number: Field Inspection Flag: Presumption Flag: C

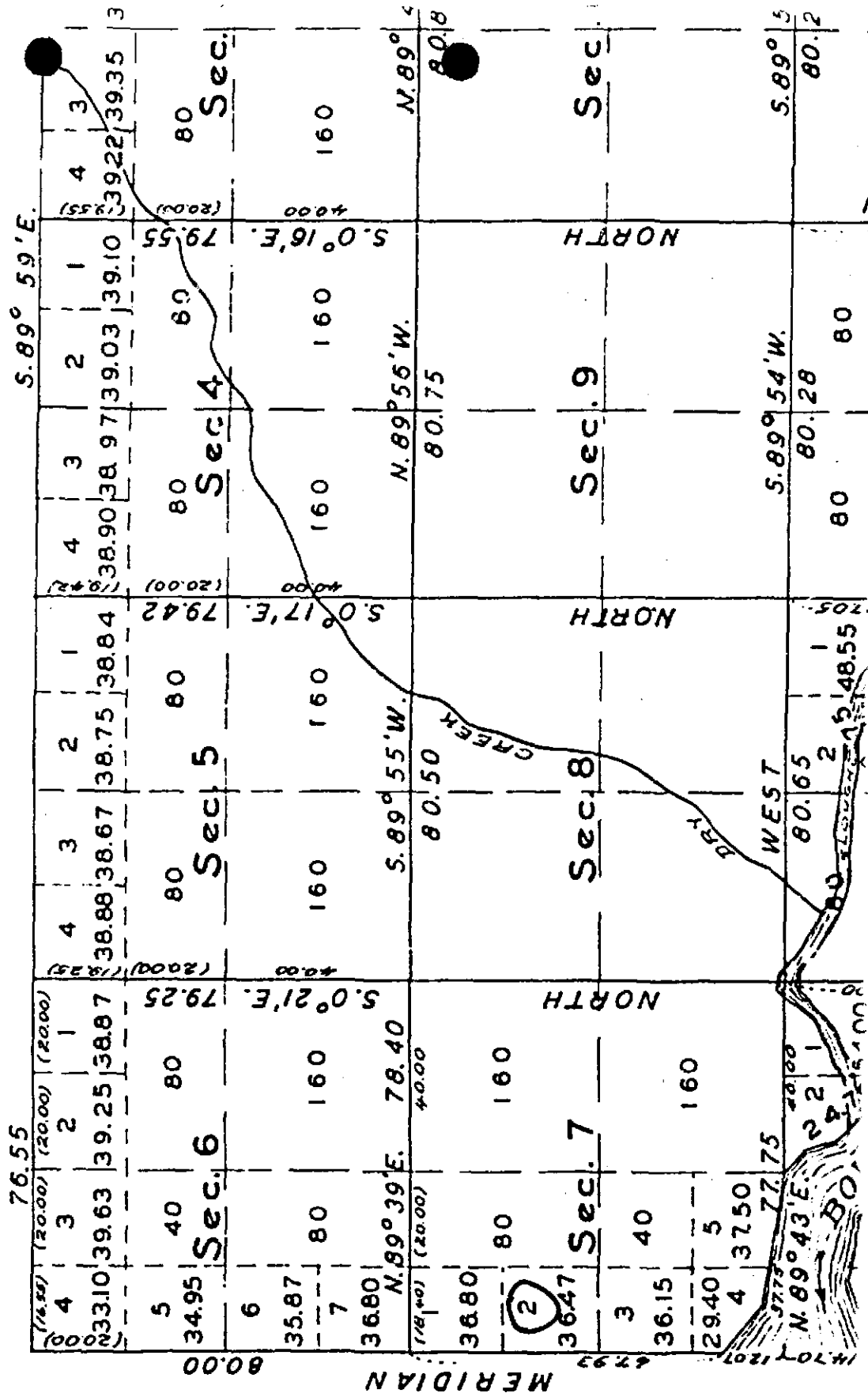
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T#4589  
Attachment B

COPY OF

# SHIP No 4 NORTH, RANGE No 1 EAST 0



4N

1E

S. 5

S. 7

SEP 14 1995

Attachment B

# SCANLAN ENGINEERING

Groundwater and Environmental Engineering

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APR 20 1995

WATER RESOURCES  
WESTERN REGION

April 18, 1995

Mr. Steve Lester *SL*  
Western Region Water Rights Supervisor  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, ID 83705

Subject: Application for Transfer of Water Right License 63-8437

Dear Steve:

As we discussed in your office today, I would like to amend the application for Transfer of Water Right for license 63-8437 to accurately reflect current ownership of the lands associated with the water right. The amendment would involve the 4 acres of irrigation located in the SW1/4, NE1/4 Section 12, T4N, R1W that was listed on page 2 of the transfer application. I understand that this property has been purchased from Keith and Ona Ricks by the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah Corporation Sole.

The transfer should reflect the change in ownership by identifying this 4-acre portion of the water right as 63-8437C. Enclosed as pages 2a and 2b are two replacement pages describing the Ricks and LDS portions of water right 63-8437 after the proposed change. These pages should replace page 2 of the application. Also enclosed, as replacement pages 4 through 6, is a revised description of the transfer.

I have asked Mr. Larry Maurer of the Church of Jesus Christ of Later-Day Saints Physical Facilities Office North America, Northwest Area, to submit proof of ownership for the 4-acre property to you.

Please contact me with any questions.

Sincerely,

*Terry M. Scanlan*

Terry M. Scanlan

Enclosures

cc: Dan Mabe  
Steve Ricks  
Larry Maurer

*MISSOURI*

SEP 14 1995

*Attachment C  
(5 pgs)*

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APR 07 1995

Page 2 of 10STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. \_\_\_\_\_  
WATER RESOURCES  
WESTERN REGIONAPPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Name of applicant \_\_\_\_\_ Phone \_\_\_\_\_

Post Office address \_\_\_\_\_

## 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 \_\_\_\_\_

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

| 1. Right Number | Priority  | Amount<br>(cfs/ac-ft) | Nature<br>of Use | Period of Use |
|-----------------|-----------|-----------------------|------------------|---------------|
| 63-8437A        | 2/14/1977 | 0.82/184.5            | irrigation       | 4/1 to 9/30   |
|                 |           | 0.02/0.7              | stockwater       | 1/1 to 12/31  |
|                 |           |                       |                  | to            |
|                 |           |                       |                  | to            |

2. Total amount of water being transferred 0.82 cubic feet per second and/or 184.5 acre-feet per annum.3. Source of water groundwater tributary to NA

4. Point(s) of Diversion:

| Lot | ¼  | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|----|----|----|------|------|------|--------|--------------------------|
|     | SE | SW | NE | 12   | 4N   | 1W   | Ada    | Ricks Well               |
|     |    |    |    |      |      |      |        |                          |
|     |    |    |    |      |      |      |        |                          |
|     |    |    |    |      |      |      |        |                          |

5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 4N   | 1W   | 12   |      |      | 4    |      |      |      |      |      | 37   |      |      |      |      |      |      |      | 41     |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
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Attachment 1

**TRANSFER SUMMARY**

**Project Overview.** Eagle High School is being built on a 52-acre parcel which includes 36 acres in the SWNE Section 12, T4N, R1W and 16 acres in the NWNE Section 12, T4N, R1W. The school will accommodate approximately 2000 students and staff. A portion of the site is currently irrigated using groundwater diverted from a well (the Ricks Well) in the SESWNE Section 12, T4N, R1W, under water right license 63-08437. Joint School District No. 2 proposes to continue to utilize the Ricks Well for school site irrigation and to use two other existing wells to serve the High School domestic and fire protection requirements. The domestic and fire protection wells are the Redwood Creek Well and the Crandlemire Well. These wells will be operated by United Water Idaho, doing business as either Eagle United Water Company or EM2.

**Description of the Existing Water Right.** Water right 63-08437 is licensed for 2.67 cfs for the irrigation of 135.4 acres and an annual diversion volume of 609.3 acre-feet. In recent years, as evidenced by SRBA claim A63-08437, the Ricks Well has been used to irrigate only 77 acres. This area includes 40 acres in the SWNE Section 12 and 37 acres in the NESW Section 12. Total consumptive use claimed in the SRBA is 269.5 acre-feet per annum (3.5 acre-feet per acre). Claimed diversion rate is 1.54 cfs. The claim also includes stockwater for 50 head of cattle.

The reduction in the water right occurred as a result of subdividing a portion of the licensed place of use for residential development (Flint Estates). The subdivided lands included 34.2 acres in the NESE Section 12 and 34.3 acres in the NWSE Section 12. After the land was subdivided, water from the Ricks Well was no longer made available to the place of use in the NESE and NWSE Section 12. These lands appear to have undergone a period of five or more consecutive years of not utilizing the water from the well. At the same time, the place of use was increased in the SWNE Section 12 from 37.8 to 40 acres and in the NESW Section 12 from 29 to 37 acres, resulting in the SRBA claim of 77 acres.

**Description of the Water Right After the Transfer.** This transfer proposes to split license 63-08437 into two rights, 63-08437A and 63-08437B. The transfer is summarized on Table 1 and detailed below.

- Water right 63-08437A would continue to provide supplemental irrigation to the claimed irrigated area not associated with the High School. This includes 37 acres in the NESW of Section 12 and 4 acres in the SWNE of Section 12, for a total irrigated area of 41 acres. Diversion rate would be 0.82 cfs (0.02 cfs/acre). Annual diversion volume would be 184.5 acre-feet (4.5 acre-feet per acre). Annual consumptive use would be 143.5 acre-feet (3.5 acre-feet per acre). Water right 63-08437A would also include stockwater for 50 head of cattle with an annual diversion volume of 0.7 acre-feet. The Ricks Well would remain the point of diversion for this right.

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- Water right 63-08437B will provide supplemental irrigation for 28 acres of the High School property. Place of use will be 14 acres in the SWNE Section 12, T4N, R1W and 14 acres in the NWNE Section 12. Diversion rate for irrigation would be 0.56 cfs (0.02 cfs/acre). Annual diversion volume would be 126.0 acre-feet (4.5 acre-feet per acre). Annual consumptive use would be 98 acre-feet (3.5 acre-feet per acre). Point of diversion for irrigation will be the Ricks Well.

The transfer would add domestic as a new use for water right 63-08437B. Diversion rate for domestic use would be 0.72 cfs. Estimated annual domestic diversion volume (assuming 2000 students and staff, 25 gallons per person per day, and 220 school-use days per person per year) would be 11 million gallons per year, or about 33.8 acre-feet per year. The total irrigated area for license 63-08437 has been reduced by 8 acres (i.e., 8 acres at 4.5 acre-feet per acre equals 36 acre-feet) to account for the 33.8 acre-feet estimated annual domestic diversion volume under right 63-08437B and the 0.7 acre-feet estimated annual diversion volume for stockwater under right 63-08437A.

Two additional points of diversion will be added to 63-0437B because (1) IDHW-DEQ regulations require two water sources for a public drinking water system and (2) DEQ will not allow use of the Ricks Well for Eagle High School domestic use due to sanitary concerns related to well location and construction. The two new points of diversion will be the Redwood Creek Subdivision Well No. 1, located in SENW Section 7, T4N, R1E, and the Crandlemire Well, located in SESW Section 5, T4N, R1E.

The proposed transfer is summarized in Table 1.

SESW per  
pg 1  
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**TABLE 1**  
**COMPARISON OF WATER RIGHTS BEFORE AND AFTER**  
**THE PROPOSED TRANSFER**

| Water Right<br>Number  | Use                      | Irrigated<br>Acres | Diversion<br>Rate<br>(cfs) | Estimated<br>Diversion<br>Volume<br>(acre-feet) | Estimated<br>Consumptive<br>Use<br>(acre-feet) |
|------------------------|--------------------------|--------------------|----------------------------|-------------------------------------------------|------------------------------------------------|
| <u>Before Transfer</u> |                          |                    |                            |                                                 |                                                |
| 63-08437<br>(license)  | Irrigation               | 135.4              | 2.67                       | 609.3                                           | 473.9                                          |
| <u>Before Transfer</u> |                          |                    |                            |                                                 |                                                |
| A63-08437<br>(Claim)   | Irrigation<br>Stockwater | 77                 | 1.54                       | 346.5                                           | 269.5                                          |
| <u>After Transfer</u>  |                          |                    |                            |                                                 |                                                |
| 63-08437A              | Irrigation               | 41                 | 0.82                       | 184.5                                           | 143.5                                          |
|                        | Stockwater               |                    | 0.02                       | 0.7                                             | 0.0                                            |
| 63-08437B              | Irrigation               | 28                 | 0.56                       | 126.0                                           | 98.0                                           |
|                        | Domestic                 |                    | <u>0.72</u>                | <u>33.8</u>                                     | <u>0.0</u>                                     |
| After Transfer Total   |                          | 69                 | 1.54                       | 345.0                                           | 241.5                                          |

**UNRECORDED**

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## Joint School District No. 2

**Description and location of place of use:**

[illegible]

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8437 Priority February 14, 1977 Amount 2.67 cfs

THIS IS TO CERTIFY, that KEITH RICKS  
of Boise, Idaho, has complied with the terms and conditions of Permit  
No. 63-8437 issued pursuant to Application for Permit dated February 14, 1977,  
and has submitted proof to the Department of Water Resources on August 16, 1977,  
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 2.67 cfs of water from a groundwater 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 |
|----------------|------------------------------------------------------------------------------------------|-------------------|---------------|
| Irrigation     | from <u>April 1</u> to <u>September 30</u> at <u>2.67</u> cfs and <u>609.3 acre feet</u> |                   |               |
|                | from _____ to _____ at _____ cfs and _____                                               |                   |               |
|                | from _____ to _____ at _____ cfs and _____                                               |                   |               |
|                | (both dates inclusive)                                                                   |                   |               |

Subject, however, to the condition that no more than 2.67 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  
609.3 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 12, Twp. 4N,  
Rge. 1W, 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 $\frac{1}{4}$ |        |
| 4N   | 1W    | 12   |                  |                  |                  | 37.9             |                  |                  |                  |                  | 29               |                  |                  |                  |                  |                  |                  |                  | 135.4  |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
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|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

CONDITIONS:

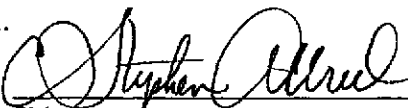
Total number of acres irrigated 135.4

- (1) The rate of diversion of water for irrigation under this license and all other water rights on the same land shall not exceed 0.02 cubic feet per second or 4.5 acre feet per year for each acre of land.
- (2) A measuring device of a type approved by the Director shall be maintained as part of the diverting works.

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 22 day of  
March, 19 78.

  
Director