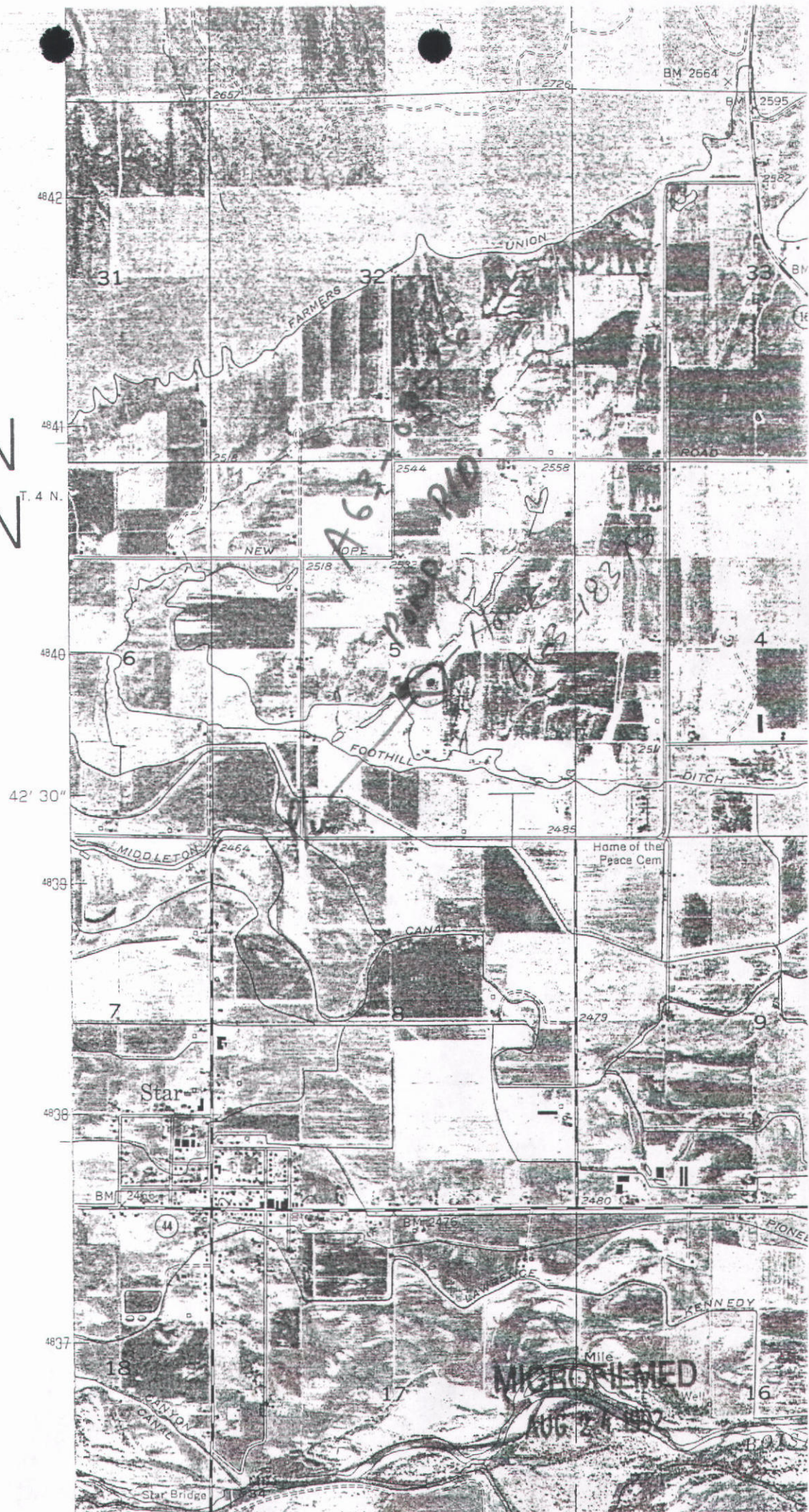


T. 4 N.



63-10347



Picture #7

Langdon pump
site from pond.

now
Kucks
WR 63-9115



Picture #8

Lagerstrom pump site
from pond.

now
KLEIN
WR
63-8526

~~EXEMPTED~~
DEC 26 1991

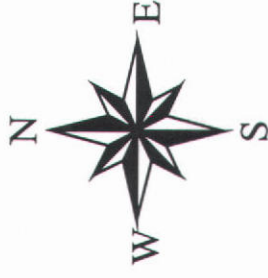
POND LOCATIONS VERIFIED BY
AGENT

PHOTOS FROM PX 7-6-90 FOR WTR 63-10347 GW R1647

Idaho Department of Water Resources

Claims: 63-08526
Date Prepared: 05-29-03
By: Ron Howerton

T04N, R01W
S05



- Point of Diversion
- Place of use
- Section
- 1/4 1/4

SCANNED
OCT 11 2006

1987 NAPP



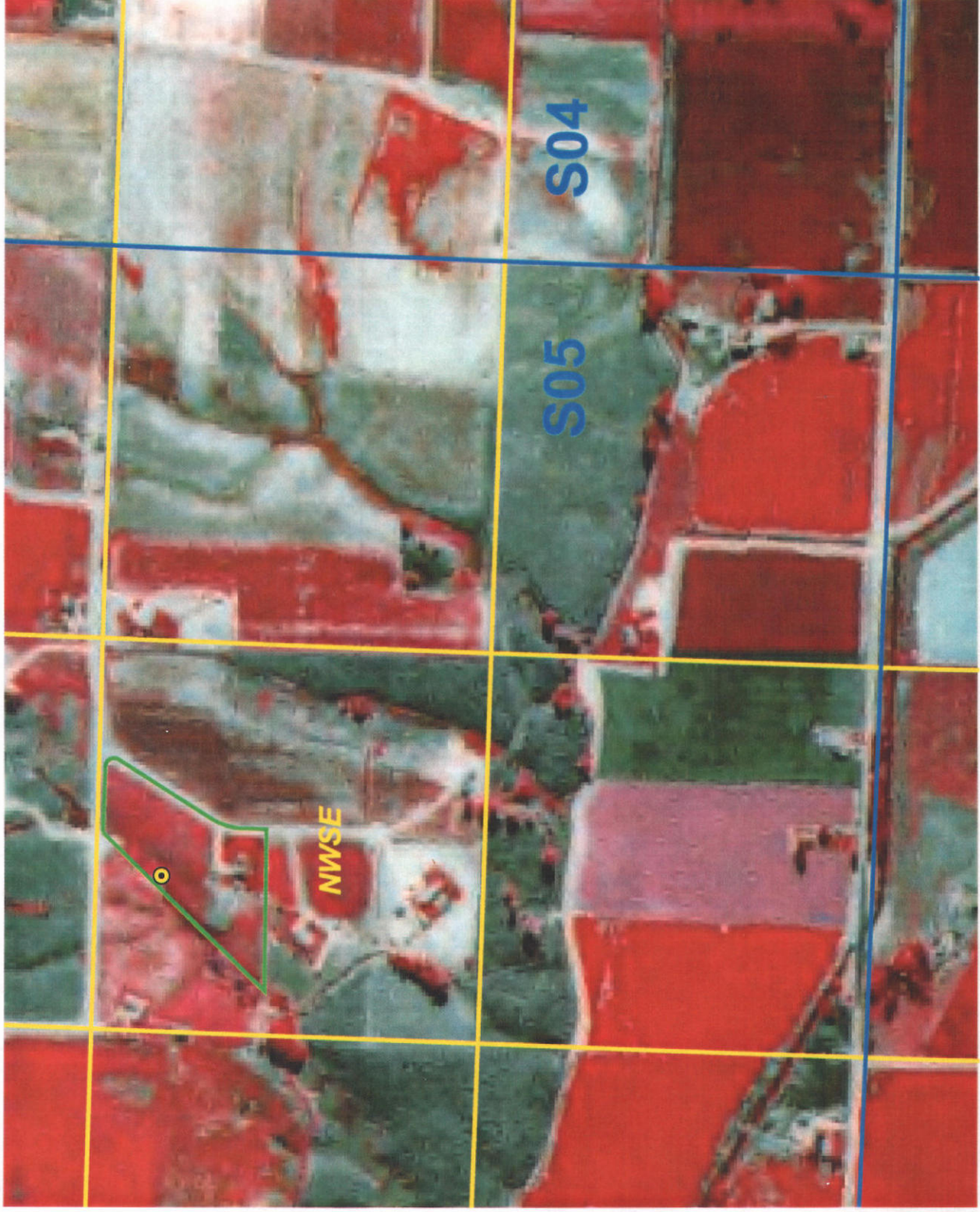
Idaho Department of Water Resources

Claims: 63-08526
Date Prepared: 05-29-03
By: Ron Howerton

T04N, R01W
S05



- Point of Diversion
- Place of use
- Section
- 1/4 1/4



1987 NAPP

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-08526
Date Received: 9/01/1989
Receipt No: W005374
Received By: Rch

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MILTON G. KLEIN 208-286-7451
Address: 2275 SUNNY LN.
STAR, ID 83669

OR

Name: MAXINE KLEIN 208-286-7451
Address: 2275 SUNNY LN.
STAR, ID 83669

2. Date of Priority: MAR 02, 1977

3. Source: UNNAMED DRAIN Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	5	NW	SE			ADA

5. Description of diverting works:
PUMP & POND.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.130		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	5	NW SE		IRR	5.0
Section Acres						5.0
Total Acres						5.0

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:
A63-10347, A63-18375

14. Remarks:
P/D AND P/U LOT 2, BLK. 3, STAR ACRE SUBD.
STATE OFFICE IS PROCESSING THE LICENCE..9/1/89 RDH

15. Basis of Claim: PERMIT

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 X 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): Mayine Klein Date: 9-1-89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 1 day
of SEPT 19 89 Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-8526
Date Received: 9/1/1989
Receipt No: W005374
Received By:

RECEIVED

JUN 04 2003

WATER RESOURCES
WESTERN REGION

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

1. Name of Claimant(s)

MILTON G KLEIN Phone: (208)286-7451
2275 SUNNY LN
STAR ID USA 83669

OR

MAXINE KLEIN Phone: (208)286-7451
2275 SUNNY LN
STAR ID USA 83669

2. Date of Priority: 03/02/1977

3. Source: UNNAMED DRAIN Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	5	NW SE	ADA	

5. Description of diverting works:

PUMP & POND.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.15	22.5

7. Total Quantity Appropriated is:

0.15 C.F.S. and/or 22.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section 1/4 of 1/4	Lot	Use	Acres
04N	01W	5	NW SE	IRRIGATION	5
Section Acres					5
Total Acres					5

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

POINT OF DIVERSION AND PLACE OF USE IN LOT 2, BLK. 3, STAR ACRE SUBD.

PERMIT AMENDED BY LICENSE APPROVED 26 SEPT. 1989.

OTHER RIGHTS USED: 63-31440 FROM WELL.

CLAIM SENT BACK FOR SIGNATURE 5/27/03. RDH

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.

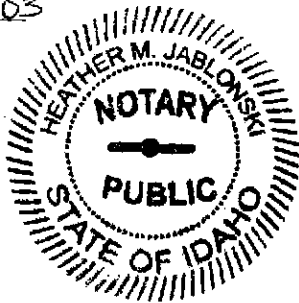
Signature of Claimant(s): Maryne Klein Date: 6-2-03

Date: _____

State of Idaho _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this

of June 2 2003



Heather M. Jablonski

Notary Public

Residing at Meridian, Idaho

My commission Expires 5-15-08

463

OBJECTION
WITHDRAWN

RECEIVED
AUG 16 2006
DEPARTMENT OF
WATER RESOURCES

2006 AUG 14 AM 10:40

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

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

In Re SRBA) Subcase 63-08526
Case No. 39576) SPECIAL MASTER'S REPORT
_____)

A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On April 21, 2006, the Ada County Drainage District No. 2, by and through its attorneys Ringert Clark Chartered, filed an objection to the *Director's Report*. On July 18, 2006, the objector filed a *Withdrawal of Objection*. Accordingly, there are no outstanding objections to the *Director's Report* for this water right claim.

Therefore based on the file and record herein, IT IS RECOMMENDED that the above-captioned subcase proceed through the SRBA along with all other water right claims in Basin 63 Part II to which no objection has been filed. The Clerk of the Court is instructed to recode the subcase in the Court's computerized register of action (IWATRS) to reflect this status (status code 98).

Dated August 14, 2006.


THEODORE R BOOTH
Special Master
Snake River Basin Adjudication

SCANNED
OCT 11 2006

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER REPORT was mailed on August 14, 2006, with sufficient first-class postage to the following:

MILTON G & MAXINE KLEIN

Represented by:
JULIE K. FISCHER
PO BOX 247
NAMPA, ID 83651
Phone: 208-466-9272

ADA COUNTY DRAINAGE DISTRICT

Represented by:
S. BRYCE FARRIS
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

MAXINE KLEIN
MILTON G KLEIN
2275 SUNNY LN
STAR, ID 83669
Phone: 208-286-7451

S. BRYCE FARRIS (ISB #5636)
RINGERT CLARK CHARTERED
455 S. THIRD STREET
P.O. BOX 2773
BOISE, IDAHO 83701-2773
Telephone: (208) 342-4591
Facsimile: (208) 342-4657

Attorneys for Ada County Drainage District No. 2

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

In Re SRBA)
Case No. 39576)
_____)

A. Subcase 63-8526

WITHDRAWAL OF OBJECTION

COMES NOW, Ada County Drainage District No. 2, by and through its attorneys of record
Ringert Clark, Chartered, hereby withdraws it's objection in the above-referenced matter.

DATED this 17th day of July, 2006.

RINGERT CLARK CHARTERED



S. Bryce Farris
Attorneys for Ada County Drainage District No. 2

COPY

CERTIFICATE OF MAILING

I hereby certify that on this 17th day of July, 2006, I served a true and correct copy of the foregoing document via U.S. mail, postage prepaid to the following:

Milton G. Klein
Maxine Klein
2275 Sunny Lane
Star, Idaho 83669

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 W. Fort Street, MSC 033
Boise, Idaho 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449


S. Bryce Farris

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

In Re SRBA)

Case No. 39576)

A. Subcase 63-8526

(Insert water right number
From the Objection Form)

**STANDARD FORM 2
RESPONSE TO OBJECTION**

Please **print or type** the following information

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: Milton G. and Maxine Klein

Address: 2275 Sunny Lane

Star, ID 83669

Daytime Phone: 208-466-9272

Name & Address of Attorney, if any:

Julie Klein Fischer

White Peterson, P.A.

5700 E. Franklin Rd., #200

Nampa, ID 83687

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING**

Name: Ada County Drainage District #2

Address: 455 S. 3rd Street

Boise, ID 83701

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

- 1 ☒ Name and Address
- 2 ☒ Source
- 3 ☒ Quantity
- 4 ☒ Priority Date
- 5 ☒ Point(s) of Diversion
- 6 ☐ Instream Flow Description
- 7 ☒ Purpose(s) of Use
- 8 ☒ Period of Year
- 9 ☒ Place of Use

11 Recommendation

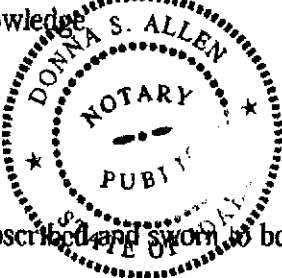
- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Canyon)

Julie Klein Fischer, duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.



Subscribed and sworn to before me on June 22, 2006

(Signature of person filing response)

(Attorney signing in representative capacity)

Notary Public for Idaho

Residing at: Nampa

My Commission Expires: 07-19-09

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted** You must also send a copy to all the parties listed below in the Certificate of Mailing.

F. CERTIFICATE OF MAILING

I certify that on June 22, 2006, ~~1999~~ I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2 One copy to the claimant of the water right at the following address:

Name: Milton G. and Maxine Klein
Address: 2275 Sunny Lane, Star, ID 83669

3 One copy to the party who filed the objection at the following address:

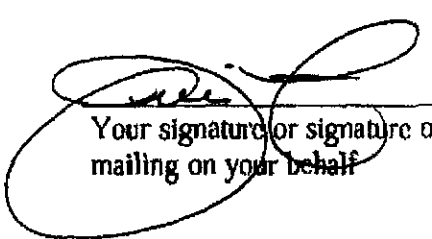
Name: Ada County Drainage District #2
Address: S. Bryce Farris, Ringert Clark Chartered, PO Box 2773,
Boise, ID 83701

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449


Your signature or signature of attorney
mailing on your behalf

2

WHITE PETERSON

ATTORNEYS AT LAW

SARAH H. ARNETT
KEVIN E. DINIUS
JULIE KLEIN FISCHER
CHRISTOPHER D. GABBERT
WM. F. GIGRAY, III
T. GUY HALLAM **
JILL S. HOLINKA
JOHN R. KORMANIK *
WILLIAM A. MORROW

WHITE PETERSON, P.A.
CANYON PARK AT THE IDAHO CENTER
5700 E. FRANKLIN RD., SUITE 200
NAMPA, IDAHO 83687-7901
TEL (208) 466-9272
FAX (208) 466-4405
EMAIL: dallen@whitepeterson.com

RECEIVED
JUN 23 2006
DEPARTMENT OF
WATER RESOURCES

WILLIAM F. NICHOLS **
CHRISTOPHER S. NYE
PHILIP A. PETERSON
TODD A. ROSSMAN
JAMES M. VAVREK
TERRENCE R. WHITE ***
DENNIS P. WILKINSON
* Also admitted in CA
** Also admitted in OR
*** Also admitted in WA

June 22, 2006

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Re: Subcase 8526 and 63-9115

Copies enclosed:

- ☐ In response to your request.
- ☐ For your signature. Please sign and mail back to my office.
- ☐ For you to fill out. Please complete form and return to my office.
- ☐ For your information.
- ☒ For filing. Please file the original document and return the conformed copy in the envelope which we have provided.

REMARKS:

Enclosed please find copies of the following:

Milton Klein Response to Objection to Ada County Drainage District #2
Lonn Kuck Response to Objection to Ada County drainage District #2.

Please call if you have any questions.

Donna Allen
Legal Assistant for Julie Klein Fischer

RECEIVED

APR 21 2005

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576

A. Subcase 63-8526

(Insert water right no.)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: ADA COUNTY DRAINAGE DISTRICT NO. 2

Address: 455 S. Third Street
Boise, Idaho 83701

Daytime Phone: 208-342-4591

Name & Address of Attorney, if any:

S. Bryce Farris
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

Name: Milton G Klein
Maxine Klein

Address: 2275 Sunny Ln
Star, Idaho 83669

D. I object to the following elements as recommended in the Director's Report. (Please check the Appropriate box(es)).

1. X **Name and Address**
 Should be: Disallowed. See below.
2. X **Source**
 Should be: Disallowed. See below.
3. X **Quantity**
 Should be: Disallowed. See below.
4. X **Priority Date**
 Should be: Disallowed. See below.
5. X **Point(s) of Diversion**
 Should be: Disallowed. See below.
6. ☐ **Instream Flow Description**
 Should be: N/A
7. X **Purpose(s) of Use**
 Should be: Disallowed. See below.
8. X **Period of Year**
 Should be: Disallowed. See below.
9. X **Place of Use**
 Should be: Disallowed. See below.
10. X **I object because:**

 X This water right should not exist.

 ☐ This water right was not recommended, but should be
 recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION (S):** This claimed water right is within the boundaries of Ada County Drainage District No. 2 ("DD#2") and the source of said claim is a drain which was constructed or enlarged by or for DD#2. Said drain is owned, operated, maintained and controlled by DD#2 and the water within said drain is seepage or waste water that has been developed, captured and/or controlled by DD#2. Therefore, said water is not subject to appropriation, would amount to an impermissible trespass, and this claimed water right should not exist.

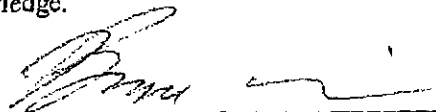
F.

VERIFICATION (must be completed)

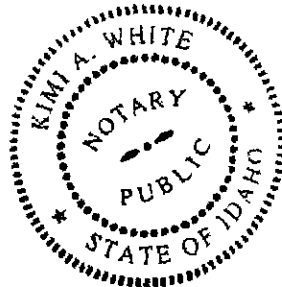
State of Idaho)
) ss.
County of Ada)

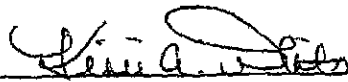
S. Bryce Farris, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


S. Bryce Farris

Subscribed and sworn to before me on: April 20, 2006




Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 04/11/10

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on April 24th, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the Claimant of the water right at the following address:

Name: Milton G. Klein
Maxine Klein

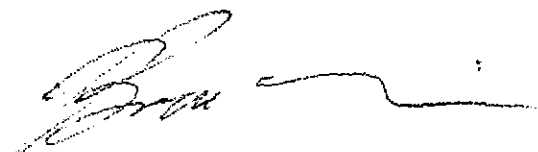
Address: 2275 Sunny Lane
Star, Idaho 83616

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney
mailing on Objector's behalf

06/09/2003

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

RIGHT NUMBER: 63-8526

NAME AND ADDRESS: MILTON G KLEIN
2275 SUNNY LN
STAR ID 83669

MAXINE KLEIN
2275 SUNNY LN
STAR ID 83669

SOURCE: UNNAMED DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 0.150 CFS
22.500 AFY

USE OF THIS RIGHT WITH RIGHT NO. 63-31440 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.15 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 22.5 AF FOR IRRIGATION PURPOSES.

PRIORITY DATE: 03/02/1977

POINT OF DIVERSION:

T04N R01W S5 NWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.150 CFS
22.50 AFY

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

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S05 NWSE 5.0

5 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-31440 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 5.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: License

PARCEL NO: R8108100425.

PROPERTY IS ALSO KNOWN AS LOT 2, BLK 3, STAR ACRES SUBD.

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

Prior to Field Exam

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

CLAIMANT INFORMATION - verify contact information is completeClaim No(s) 63-8526

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: UNNAMED DRAIN Tributary to BOISE RIVER

- ☒ No Change - SAME SOURCE
- ☐ Source found is different than claimed: THIS IS NOT SINKS
AS CLAIMED - SEE LICENSE

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

SEE ATTACHED FIELD REPORT**OVERLAP REVIEW**Other water rights with the same point of diversion: NONE

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

WATER USES☒ No change☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME -- Groundwater only☒ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☒ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet) NA0.03 / ACRE ALLOWED ON 5 ACRES OR LESS.

PERMIT
MODIFIED BY
APPROVED LICENSE
DATED 26 SEPT 89

NON-IRRIGATION USES:☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

Place of Use			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: 67-31440

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
 IPR - COMBINED REMARKS ADDD SEE - RECOMMENDATION
 AND OVER LAP SHEET.

Delivery System Narrative: SEE ATTACHED FIELD REPORT

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

FLOW MEASUREMENTS: NA - LICENSED - SEE FIELD REPORT

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

SEE ATTACHED FIELD REPORT.

LOT 2, BLK 3, STAR ACRES SUBD. (EXP)

PARCEL NO: R8108100425 (EXP)

(POW) LIMITED TO COMBINED ACRES TOTAL OF 5 W/63-31440

(QNT) LIMITED TO COMBINED 0.15 CFS AND 22.5 AF W/63-31440 (INTERGATION) LIMITED

(PURPOSE OF USE) SOW MAY BEGIN AS EARLY AS MARCH 1

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

MA - LICENSED

DATE EXAM CONDUCTED: 6-3-23 IN-OFFICE

FIELD EXAMINER: Ron Howerton
Water Agent

OVERLAP REVIEW OF 63-8526 & 63-31440

TOWNSHIP 08N RANGE 1W SECTION 05

RIGHT NUMBER	N E				N W				S W				S E				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
63-8526														5			5
63-31440														5			5
Total Acres Irrigated														5			5

63-8526: Source is Unnamed Drain. Rate is 0.03 CFS/Acre.

63-31440: Source is Groundwater split License right 63-10347 Rate is 0.02 CFS/ACRE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 27, 2003

MILTON G KLEIN or MAXINE KLEIN
2275 SUNNY LN
STAR ID USA 83669

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-8526

Dear Milton and Maxine:

Enclosed is an Amended Notice of Claim to a Water Right 63-8526.

The original permit claim filed 9/1/1989 CFS total was not sufficient as to the full extent of the rate of flow as licensed. Details below:

The claimed permitted water right 63-8526 was filed upon September 1, 1989 in the SRBA, claiming irrigation uses for 0.13 CFS, see attached claim original. The current claim does not reflect the licensed amount of 0.15 CFS. See attached license.

If you want the maximum amount to be considered for recommendation (0.15 CFS) then, please do the following:

1. Please sign and date the enclosed amended claim:
2. Either one of you must sign the amended claim in front of a notary. The completed form should have your signature, the notary's signature and their seal affixed on it. If you have a different address of the property than what is listed on the amended claim, then draw a line through the address on the claim form and note any new change in address.

Please mail or return the amended claim to this office within 30 days of the date of this letter. Please call if you have any questions.

Sincerely,

Ron Howerton
Senior Water Right Agent

Cc: File 63-8526

Encl: Amended claim (to be returned) & original claim copy &
License copy

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 06/03/03
Time: 14:25:01

Rec/No - W005374 AR/No -
From: - KLEIN, MAXINE

Receipt Type - CK Doc/No - 1074
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 09/01/1989

Type Of Payment
ADJUDICATION FEE

Fund	FD	PCA	Obj	Subsid	Fee
9337		410162	6490		145.00

Total Due - 145.00

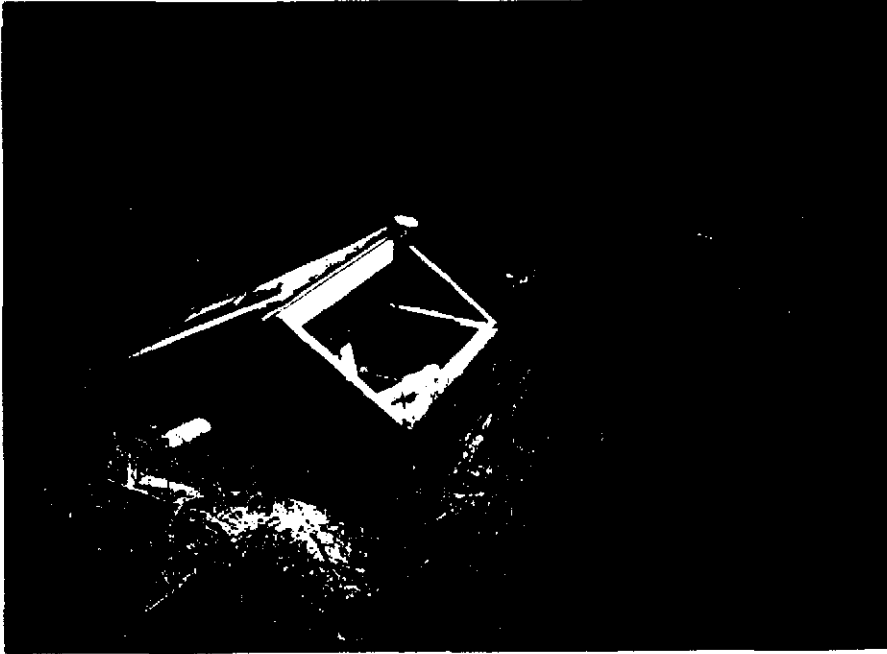
WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6310347	65.00	A6318375	25.00	A6308526	55.00

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

63-10347



Picture #7

Langdon pump
site from pond.

Now
Kucks
WR 63-9115



Picture #8

Lagerstrom pump site
from pond.

Now
KLEIN
WR
63-8526

~~CONFIDENTIAL~~
DEC 26 1991

POND LOCATIONS VERIFIED BY
AGENT
PHOTOS FROM PX 7-6-90 FOR WTR 63-10347 GW R16447

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

JAN 20 1986

Department of Water Resources

63-8526
Permit No.

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$\frac{3 \text{ HP} \times 8.8 \times .8}{20' + (60 \times 2.3)} = \frac{21.12}{158} = 0.13 \text{ cfs}$$

OR $5 \text{ GPM (AVE)} \times 20 \text{ HRS} = 100 \text{ gpm} \div 150 = 0.67 \text{ cfs}$

b) Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \text{ AC} \times 4.5 = 22.5 \text{ AF/ANN}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .13 \times 245 \times 1.9835 = 6.3 \text{ AF/ANN}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 6.3 \text{ AF/ANN}$$

c) Volume Calculations for Other Uses:

N/A

2. Overlap Review

a) Other water rights with same place of use: NONE

b) Other water rights with same point of diversion: NONE

c) Analysis:

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OCT 20 1989

7-1

4. Permit Holder: _____

Address: _____

44-38861-1000

IRRIGATION - 5 5/15 11/15 0.13 (42) 22.5 PFA

Allowable Maximums: 0.13 g/s 22.5 AFA

7. Point(s) of Diversion: Same as Form 319A

[illegible]

8. Place(s) of Use *Same as Form 29A*

[illegible]

9. Recommended Conditions/Remarks: _____

UNFORGOTTEN

OCT 20 1989

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____

11. Examiner's Signature Jan Skuta

Date 11/25/85

Checked in Regional Office by 6h.5

Date 1/15/86

Approved in State Office by

Date 5/8/84

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 26 1986

Department of Water Resources
Permit No. 25-2526

Phone No. 286-7078

1. Owner: WILTON G. KLEIN Phone No. 286-7078
Current Address: RE. #1, STAR, ID 83669
2. Accompanied by: MRS. KLEIN EXAM. DATE: 5/30/85
Address: SAME Phone No. 286-7078
Relationship to Permit Holder: WIFE
3. Source: UNN. DRAIN tributary to BOISE RIVER

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	FRANKLIN	3	3450	MONARCH	P30
				IND.	

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
PUMP 4 1/2" INTAKE IN SMALL POND MADE IN NATURAL DE-
PRESSION ALONG DRAIN. OVERFLOW CONTINUES ALONG DRAIN.
APPROX. 30' LIFT TO SPRINKLED AREA. THE 3" MAINLINE GOES UP
TO SPRINKLER SYSTEM WHICH CONSISTS OF 3 RISERS FOR PIPELINE HOOK:
UP 4x30 NOS OF NELSON 5/32 NOS. PERMIT HOLDER STATED THE CAPACITY
OF THE PUMP AT TIME OF INSTALLATION WAS 60 GPM.

6.	Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

7. Measurements (*CIRCULATIONS*) ☐ Additional data/computation sheets attached

$$\frac{3 \text{ HP} \times .8 \times 8.8}{20' + (60 \times 2.3)} = \frac{21.12}{158} = 0.13 \text{ cfs}$$

- | 8. Point(s) of Diversion: | Indicate Method of Determination |
|---------------------------|----------------------------------|
|---------------------------|----------------------------------|

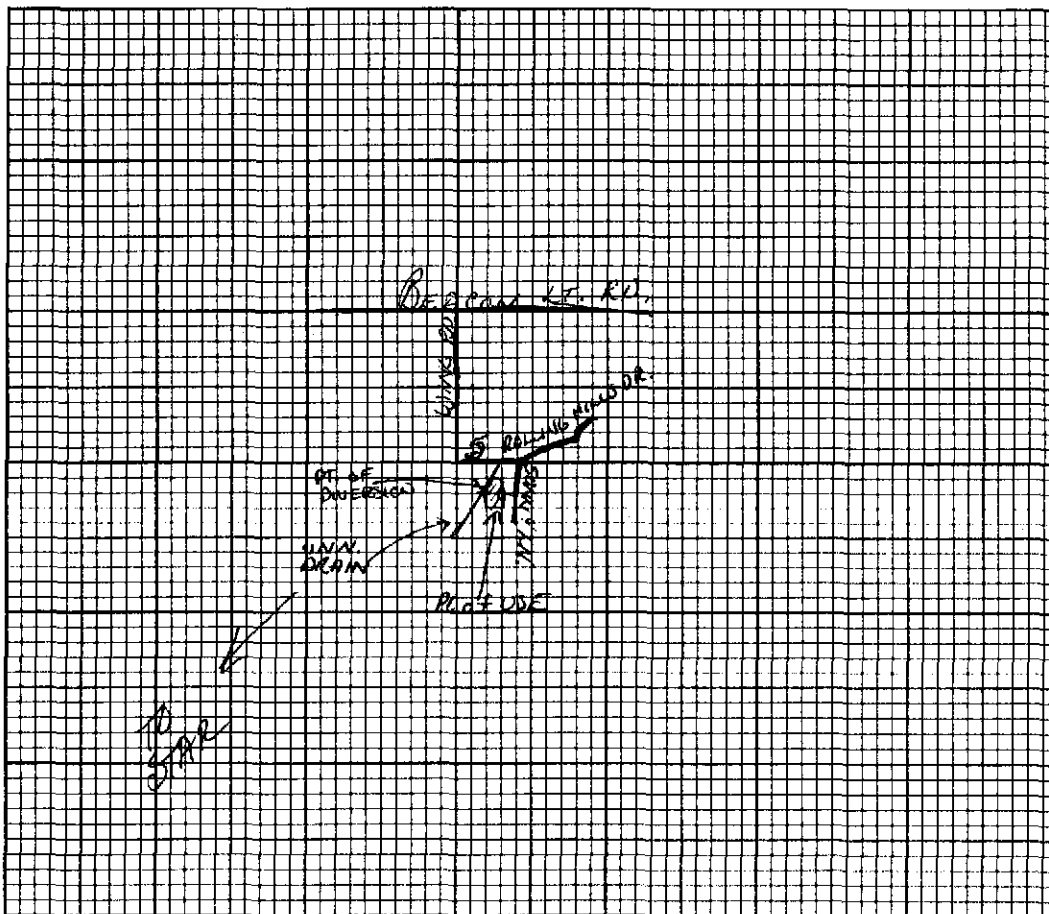
[illegible]

- | | | |
|----|------------------|---|
| 9. | Place(s) of Use: | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination |
|----|------------------|---|

[illegible]

10. Other water rights on these lands NONE
11. Other water right diverted from same p.d. "

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached

14. Remarks

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature

Jan Shute

Date 11/25/85

Consultant's License Number

IDWR Director's Authorization to Conduct

Beneficial Use Examination

5/30/85
Date

NOT FILMED
CONSULTANT SEAL

OCT 20 1985

LAWYERS TITLE of IDAHO

4618 EMERALD
P.O. BOX 9245
PHONE 336-1054
BOISE, IDAHO
ZIP CODE 83704

STAR, ACA COUNTY, 1980

DUNA W/
PAGE 1822

1. RONALD E. BLAULEY, a Registered Professional Engineer in and for
 100 County and State, do hereby certify that the survey of STAR
 ACRE'S SUBDIVISION in ADD. County, Idaho, as described on the back of
 the plat map made by me or under my direction and that this plat
 correctly shows the survey as made
 IN WITNESS WHEREOF I have hereunto set my hand and seal this
 22nd day of January A.D. 1973

On this 2nd day of January A.D. 1973, before me, John
Conner, a Notary Public in and for the County and State,
personally appeared Ronald M. Blaney, known to me to be the person
whose name is subscribed to the foregoing instrument and acknowledged
to me that he executed the same
in witness whereof, I hereunto set my hand and seal this 2nd
day of January A.D. 1973. *****

Notary Public James A. McQuinn
Residing at 221 South 1st St.
My Commission expires 8-25-75

I hereby certify that this statement was filed for record at the County of
Hawaii at Honolulu at 4:10 o'clock PM on this
22 day of May 1973.

For 5⁰⁰ Invoice No. 139449
Recorder Gene Deputy Ernest Lobine

[illegible]

MICROFILMED

Identification No. _____

Application No. 63-8526

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Milton G. Klein Phone: 286-7078
post office address Route 1, Star, Idaho 83669
2. Source of water supply Unnamed drain which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5 Township 4N
Range 1W B.M. Ada County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.15 for Irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.15 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Centrifugal pump and pond

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 3,500.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

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

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

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	5														5			5

Total number of acres to be irrigated 5

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

9. a. Who owns the property at the point of diversion Milton G. & Ruby M. Klein

b. Who owns the land to be irrigated or place of use Milton G. & Ruby M. Klein

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

10. Remarks The point of diversion and place of use is also described as Lot 2, Blk. 3, of Star Acres Subdivision. More than 0.02 cfs per acre is needed to irrigate efficiently this tract of land because of its size.

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

Scale: 2 inches equal 1 mile

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

Milton S. Klein
(Applicant)

Proposed priority 3/2/77

Received by DLF Date 3-2-77 Time 11:30 am

Preliminary check by DLF Fee \$ 10.00

Received by KW Date 6804 3-2-77

Publication prepared by DLF Date 3-4-77

Published in Valley News-Times

Publication dates March 10 & March 17, 1977

Publication approved DLF Date 3-21-77

Priority reduced to DLF Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DLF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8526, and said application is hereby APPROVED.

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

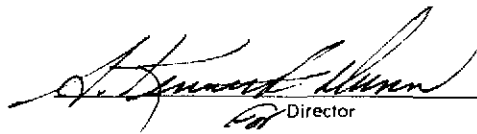
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 82.

c. Other: _____

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

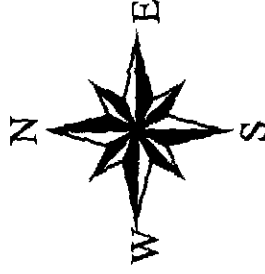
Witness my hand this 15 day of April, 19 77.


Director

Idaho Department of Water Resources

Claims: 63-08526
Date Prepared: 05-29-03
By: Ron Howerton

T04N, R01W
S05



④ Point of Diversion
Place of use
Section
1/4 1/4

SCANNED
OCT 11 2006

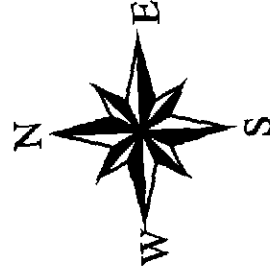
0 0.1 0.2 0.3 0.4 0.5 Miles

1987 NAPP

Idaho Department of Water Resources

Claims: 63-08526
Date Prepared: 05-29-03
By: Ron Howerton

T04N, R01W
S05

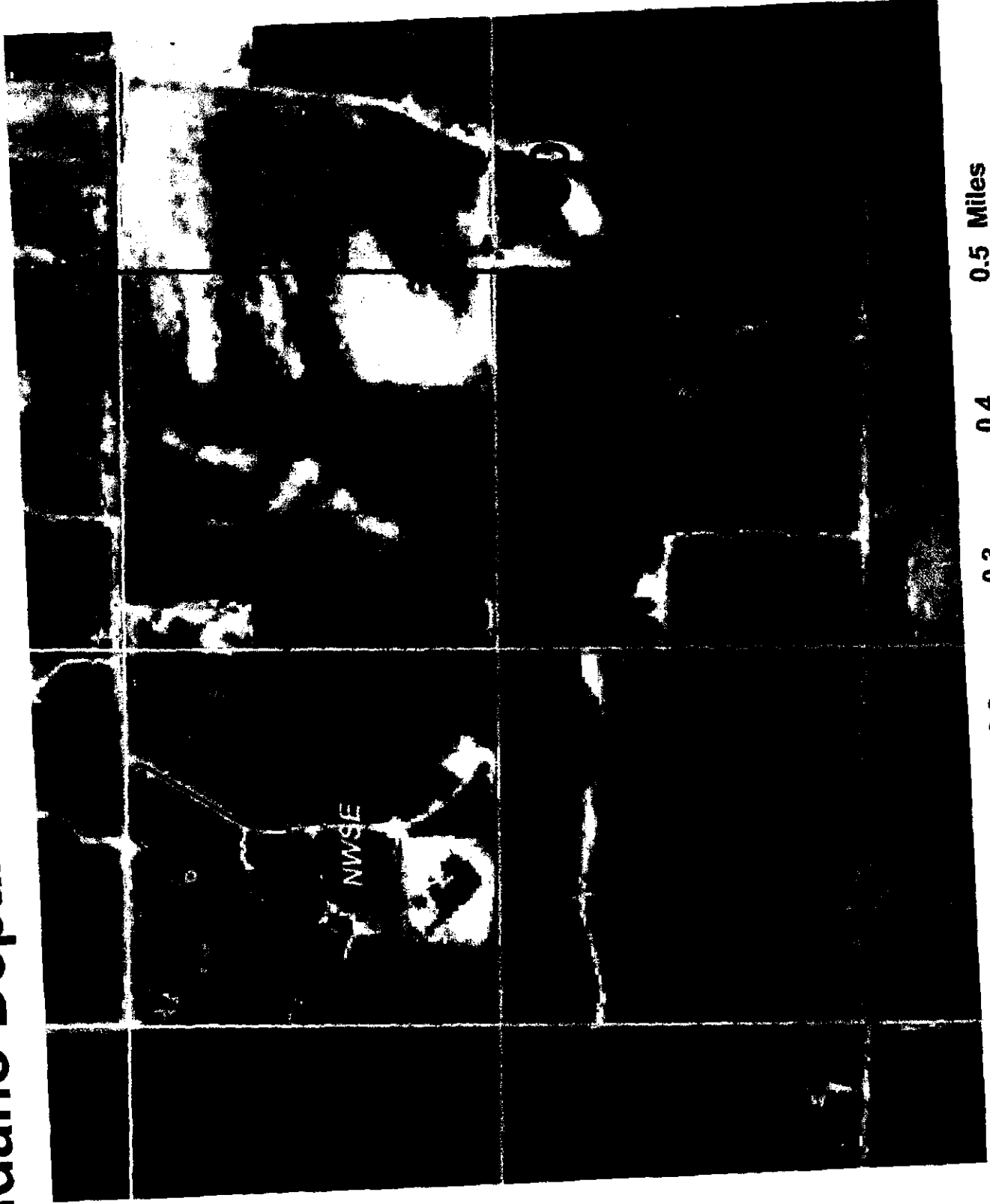


④ Point of Diversion

Place of use

Section

1/4 1/4



0.5 Miles



1987 NAPP

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08526

Priority: March 2, 1977

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.15 CFS
22.5 AF

This is to certify, that MILTON G. KLEIN

RT. 1

STAR, ID 83669

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 2, 1977; and has submitted Proof of Beneficial Use on March 10, 1982. An examination indicates that the works have a diversion capacity of .220 cfs of water from:

UNNAMED DRAIN

tributary to BOISE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.15 CFS	22.5 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 5, 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	5	NWSE	5		5

Total number of acres irrigated: 5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 63

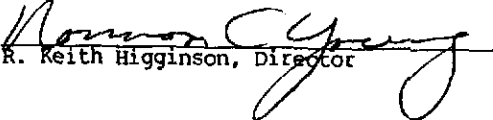
MICROFILMED

OCT 20 1989

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08526

This license is issued pursuant to the provisions of Section 42-219, Idaho Code, witness the seal and signature of the Director, affixed at Boise, this 26TH day of September, 1989.

Acting for  R. Keith Higginson, Director

RECORDED

OCT 20 1989

Ron —
THANKS !

Walt