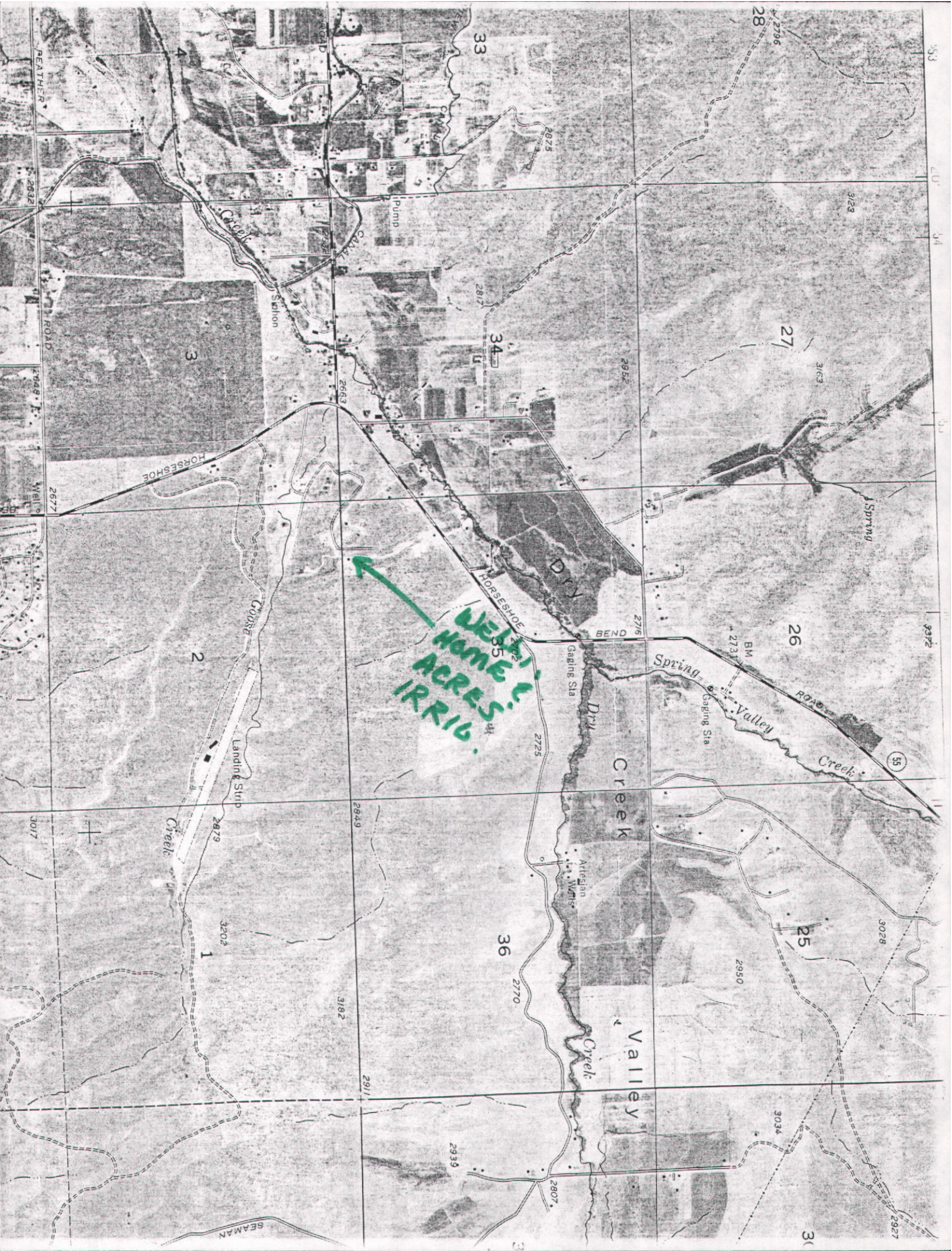
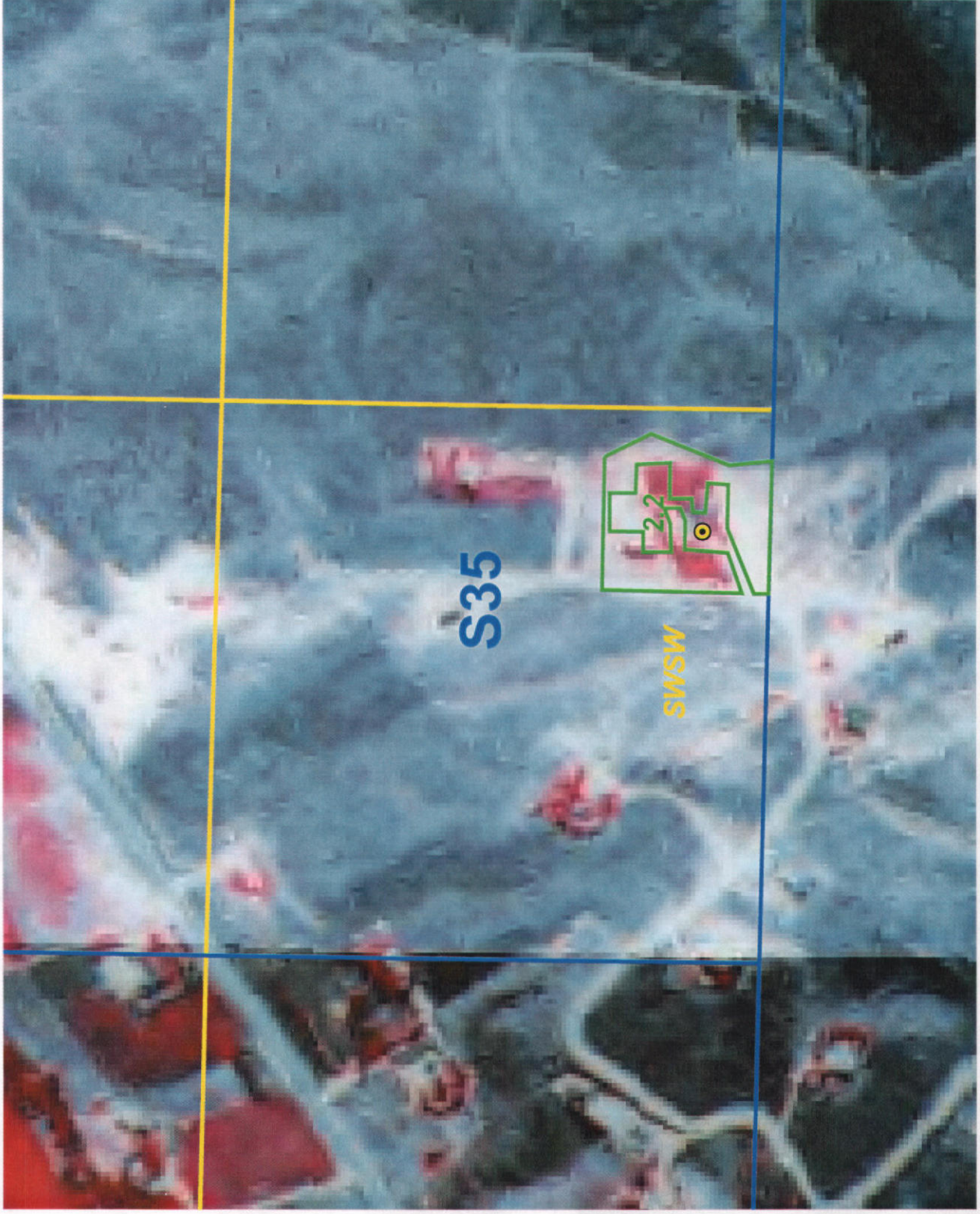




Idaho Department of Water Resources

Claims: 63-10235
Date Prepared: 07-02-03
By: Ron Howerton

T05N, R01E
S35



● Point of Diversion

Place of use

Section

1/4 1/4

2.2 Acres

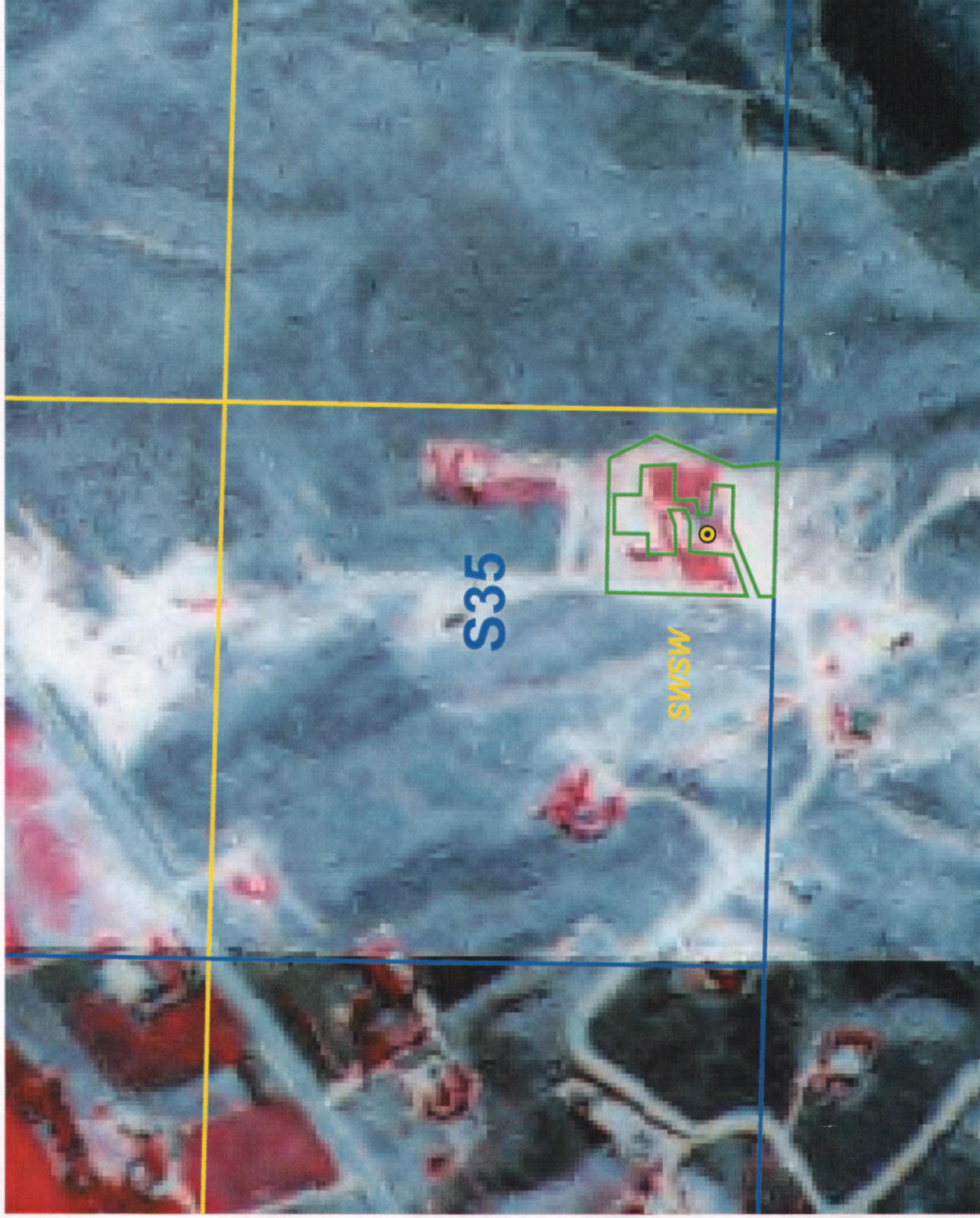
0 0.1 0.2 0.3 0.4 0.5 Miles

1987 NAPP

Idaho Department of Water Resources

Claims: 63-10235
Date Prepared: 07-02-03
By: Ron Howerton

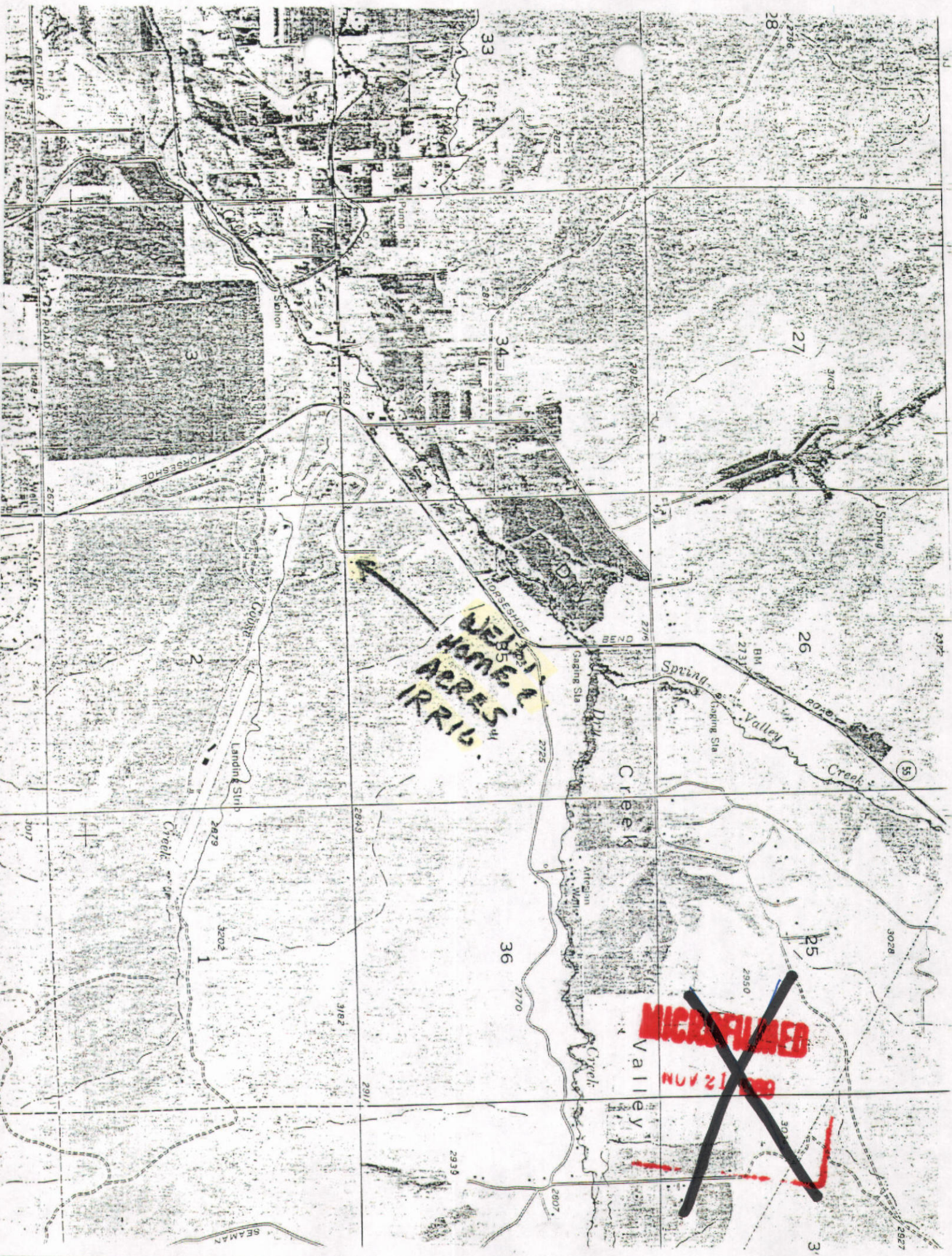
T05N, R01E
S35



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



1987 NAPP



WELSH'S
85
ACRES
IRRIG

MICROFILMED
NOV 21 1980

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 63-10235
Date Received: 8/14/1989
Receipt No: W004405
Received By:

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

1. Name of Claimant(s)

MICHAEL L. RISHEL Phone: (208)939-6567
10235 JAY RD
BOISE ID USA 83714

KARI C. RISHEL Phone: (208)939-6567
10235 JAY RD
BOISE ID USA 83714

2. Date of Priority: 06/12/1984

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	01E	35	SW SW	ADA	

5. Description of diverting works:

8" WELL 1.5 HP SUBM. PUMP WITH SPRINK. IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.04	9.9

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 9.9 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
05N	01E	35	SW	SW	IRRIGATION	2.2
					Section Acres	2.2
					Total Acres	2.2

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:

CLAIM AMENDED BY APPROVED LICENSE DATED JUNE 1, 1992.
RDH 7-1-03.

PROPERTY IS ALSO KNOWN AS LOT 13, BLK 3, MARY GLEN SUBDIVISION NO. 2.

CHANGE OF OWNERSHIP LG 10/24/05

15. Basis of Claim: License

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

RECEIVED
AUG 10 2005
WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-10235					

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

waived according to line 8.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s)

THOMAS O TOMTAN } 10235 JAY Rd.
BETTY L TOMTAN } BOISE, ID 83714

4. New Owner/Claimant(s)

MICHAEL L. RISHEL KARI C. RISHEL
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

Same

10235 JAY Rd.

City, State and ZIP Code

BOISE, ID 83714

New Telephone Number

(208) 939-6567 (H) (208) 396-5779 (W)

5. Date you acquired the property

6-24-05 close (208) 841-7255 (C)

7-01-05 move in

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

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

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

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

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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

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

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

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

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

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. *The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.*
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3.**
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4.** Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

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

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

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

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

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

31
ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 06/24/05 04:29 PM
DEPUTY Neava Haney
RECORDED - REQUEST OF
First American

2
AMOUNT 6.00 2



AFTER RECORDING MAIL TO:

Michael L. Rishel and Karl C. Rishel
10235 Jay Road
Boise, ID 83714

601599-JB

WARRANTY DEED

File No.: 4103-601599 (SH)

Date: June 21, 2005

For Value Received, **Thomas O. Tomtan and Betty L. Tomtan, Trustees of the Thomas O. and Betty L. Tomtan Trust, U/T/A dated the 20th day of October, 2004**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Michael L. Rishel and Karl C. Rishel, husband and wife**, hereinafter referred to as Grantee, whose current address is **10235 Jay Road, Boise, ID 83714**, the following described premises, situated in **Ada County, Idaho**, to wit:

Lot 13 in Block 3 of MARYGLEN SUBDIVISION NO. 2, according to the plat thereof, filed in Book 30 of Plats at Page 1880; and Amended by an Affidavit recorded March 3, 1977, as Instrument No. 7708908, Records of Ada County, Idaho.

APN: **R5488510450**

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

APN: R5488510450

Warranty Deed
- continued

File No.: 4103-601599 (SH)
Date: 06/21/2005

Thomas O. Tomtan and Betty L. Tomtan
Trust, Trustees of the Thomas O. and Betty
L. Tomtan Trust, U/T/A dated the 20th day of
October, 2004.

Thomas O. Tomtan, Trustee

Thomas O. Tomtan, Trustee

Betty L. Tomtan, Trustee

Betty L. Tomtan, Trustee

STATE OF Idaho)
SS.
COUNTY OF Ada)

On this Twenty-second day of June, 2005, before me, a Notary Public in and for said State, personally appeared **Thomas O. Tomtan and Betty L. Tomtan**, known or identified to me to be the person whose name is subscribed to the within instrument as the **Trustees of Thomas O. Tomtan and Betty L. Tomtan Trust, U/T/A dated the 20th day of October, 2004.**, and acknowledged to me that he/she/they executed the same as such **Trustees**.

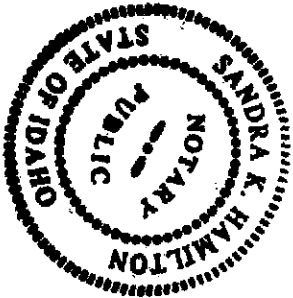
In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Sandra K. Hamilton

Notary Public for the State of Idaho

Residing at: Boise, ID

My Commission Expires: 6-10-2006



NOTICE OF ERROR
REPLY

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

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

We just moved in July 1st, 2005 and just received this paperwork.
YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-10235

THOMAS O TOMTAN → Michael L. Rishel

10235 JAY RD

BOISE ID 83703

Telephone Number: (208) 939-8770 → (208) 939-6567

BETTY L TOMTAN → Kari C. Rishel

10235 JAY RD

BOISE ID 83703

Telephone Number: (208) 939-8770 → (208) 939-6567

This was not sent in because all was current. Now the property has changed owners - so the only thing that needs to change are the names & telephone #.

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

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

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

☒ I AGREE with this proposed recommendation: no changes need to be made. (only name & ^{phoned} address)

DATE: 8-1-05

SIGNATURE:

Michael L. Rishel

Kari Compton Rishel

Please print your name: Michael L. Rishel Kari Compton Rishel

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

05/31/2005

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

RIGHT NUMBER: 63-10235

NAME AND ADDRESS: THOMAS O TOMTAN
10235 JAY RD
BOISE ID 83703

BETTY L TOMTAN
10235 JAY RD
BOISE ID 83703

→ See change
of ownership

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
9.90 AFY

PRIORITY DATE: 06/12/1984

POINT OF DIVERSION:
T05N R01E S35 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.040 CFS 9.90 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

T05N R01E S35 SWSW 2.2

2.2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

PROPERTY IS ALSO KNOWN AS LOT 13, BLK 3, MARY GLEN SUBDIVISION
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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-10235
Date Received: 8/14/1989
Receipt No: W004405
Received By: DE RDH

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BETTY L TOMTAN Phone: (208)939-8770
10235 JAY RD
BOISE ID USA 83703

THOMAS O TOMTAN Phone: (208)939-8770
10235 JAY RD
BOISE ID USA 83703

2. Date of Priority: 06/12/1984

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	01E	35	SW SW	ADA	

5. Description of diverting works:

8" WELL 1.5 HP SUBM. PUMP WITH SPRINK. IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.04	9.9

7. Total Quantity Appropriated is:

0.04 C.F.S. and/or 9.9 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
05N	01E	35	SW SW	IRRIGATION	2.2
Section Acres					2.2
Total Acres					2.2

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:

PROPERTY IS ALSO KNOWN AS LOT 13, BLK 3, MARY GLEN SUBDIVISION NO. 2.

CLAIM AMENDED BY APPROVED LICENSE DATED JUNE 1, 1992.
RDH 7-1-03.

15. Basis of Claim: License

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10235

Priority: June 12, 1984

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

9.9 AF

This is to certify, that THOMAS O TOMTAN
BETTY L TOMTAN

10235 JAY RD
BOISE ID 83703

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 10, 1984, and has submitted Proof of Beneficial Use on July 5, 1989. An examination indicates that the works have a diversion capacity of .040 cfs of water from a GROUNDWATER 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	0.04 CFS	9.9 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 35, Township 05N, Range 01E
ADA County

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
05N	01E	35	SWSW	2.2	2.2

Total number of acres irrigated: 2.2

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 that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use 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. 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.
6. ~~Domestic use is for 1 home.~~
7. Place of use is also known as Lot 13, Block 3, Mary Glen Subdivision No. 2.

~~MICROFILMED~~

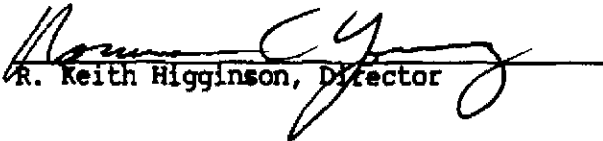
JUN 11 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10235

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 15th
day of JUNE, 1972.


R. Keith Higginson, Director

~~RECORDED~~
JUN 11 1992

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: A63-10235
Date Received: 8/14/1989
Receipt No: W004405
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMAS O. TOMTAN 208-939-8770
Address: 10235 JAY RD.
BOISE, ID 83703

OR
Name: BETTY L. TOMTAN 208-939-8770
Address: 10235 JAY RD.
BOISE, ID 83703

2. Date of Priority: MAY 10, 1984

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	01E	35	SE	SW	SW		ADA

5. Description of diverting works:
8", 200' WELL W/1.5 HP PUMP & PIPE TO HOME & SPRINK. IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.090		
DOMESTIC	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01E	35	SW	SW		DOMEST	
			SW	SW		IRR	3.0
						Section Acres	3.0
						Total Acres	3.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE.

14. Remarks:

P/U LOT 13, BLK. 3, MARY GLEN SUBD. 2. THE USE FOR THIS WATER RIGHT WAS CHANGED TO REFLECT 3 ACRES OF IRRIGATION RATHER THAN 6 AND THE DOMESTIC USE ADDED. SINCE THE WELL HAS BEEN USED FOR THE DOMESTIC USE ALONG WITH THE IRRIGATION, THIS RIGHT IS BEING FILED TO REFLECT ACTUAL USE. THE 3 ACRES NOT IRRIGATED ARE BEING USED TO CLAIM THE DOMESTIC AMOUNT OF WATER.

15. Basis of Claim: PERMIT

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: 1

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): Thomas G. Linton Date: 8/14/89

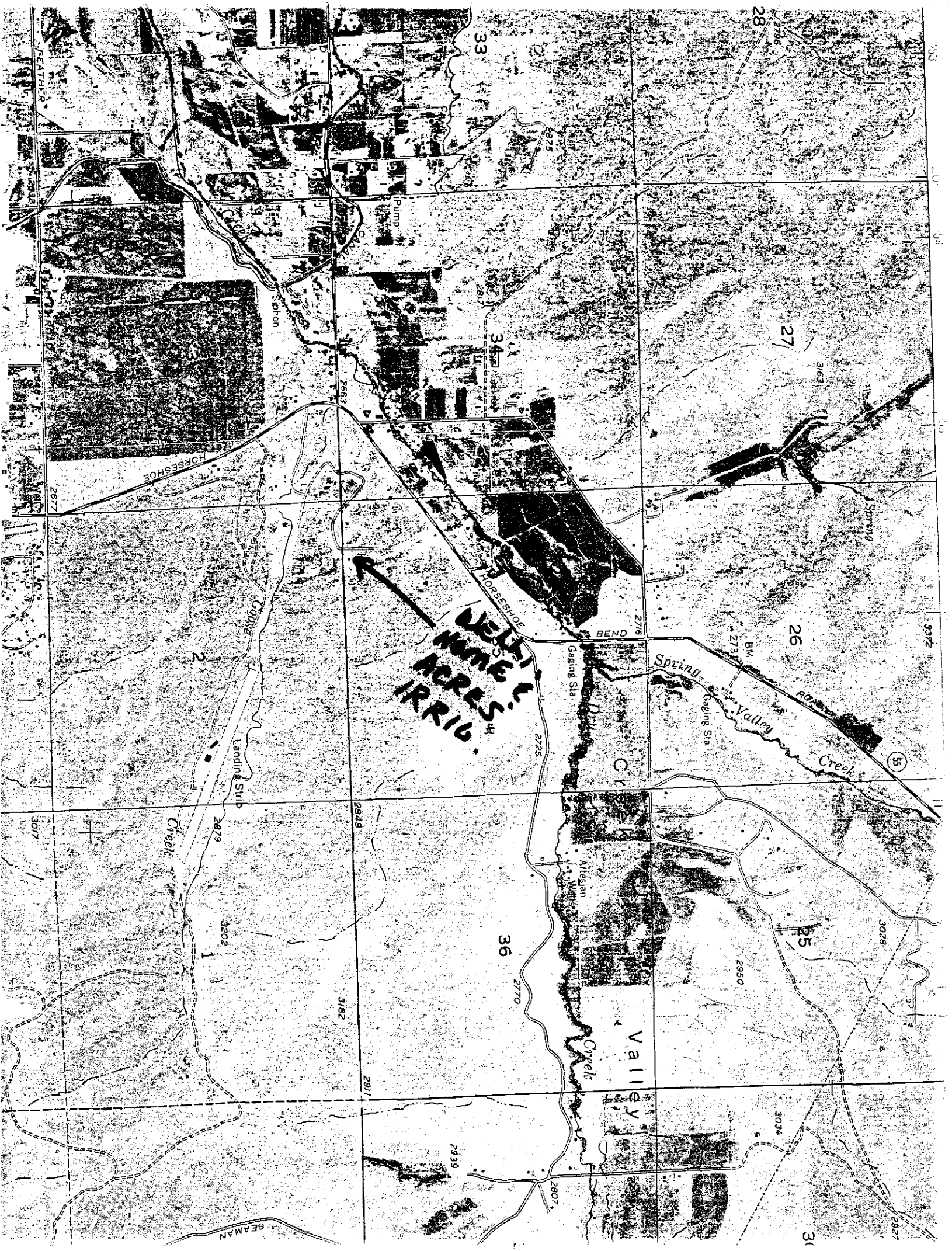
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 14th day
of August 19 89 Jan Shulte
Notary Public

Seal

Residing at Meridian, ID
My Commission Expires 9-14-94



10/24/2005

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

RIGHT NUMBER: 63-10235

NAME AND ADDRESS: KARI C. RISHEL
10235 JAY RD
BOISE ID 83714

MICHAEL L. RISHEL
10235 JAY RD
BOISE ID 83714

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
9.900 AFY

PRIORITY DATE: 06/12/1984

POINT OF DIVERSION:

T05N R01E S35 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.040 CFS 9.90 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

T05N R01E S35 SWSW 2.2

2.2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

PROPERTY IS ALSO KNOWN AS LOT 13, BLK 3, MARY GLEN SUBDIVISION NO. 2.

Water Right 63-10235

1



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 24, 2005

Michael L. & Kari C. Rishel
10235 Jay Rd
Boise, ID 83714

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Re: Notice of Claim to a Water Right No. 63-10235

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

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

Sincerely,

A handwritten signature in cursive script that reads "Liberty Gagnon".

Liberty Gagnon
Office Specialist 1
Adjudication Section
Western Region Office

LG: lg

Enclosure

07/02/2003

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

RIGHT NUMBER: 63-10235
NAME AND ADDRESS: THOMAS O TOMTAN
10235 JAY RD
BOISE ID 83703

BETTY L TOMTAN
10235 JAY RD
BOISE ID 83703

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
9.900 AFY

PRIORITY DATE: 06/12/1984

POINT OF DIVERSION:

T05N R01E S35 SWSW Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.040 CFS
9.90 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

T05N R01E S35 SWSW 2.2

2.2 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

PROPERTY IS ALSO KNOWN AS LOT 13, BLK 3, MARY GLEN SUBDIVISION NO. 2.

**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) 63-10235

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 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

• CLAIM AMENDED BY APPROVED LICENSE
 • ADD SLOWLY REMARK FOR SOW
 AS EARLY AS 3/1

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)**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: NONE FOR SAME PURPOSES

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

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

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

A DOMESTIC REMARK PRINTED OUT IN ERROR ON LICENSE. NO DOMESTIC PURPOSE LISTED ON APPROVED PERMIT, NOR LISTED AS AN AMENDMENT ON FIELD REPORT.

TOOK REMARK IN ERROR OFF RECOMMENDATION. SEE ATTACHED PERMIT & FIELD REPORT

PERMIT REINSTATED AND DATE OF PRIORITY ADVANCED ON LICENSE - SEE COPY IN FILE

PROPERTY AKA LOT 13, BLK 3, MARY GLEN
SUBD NO. 2

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

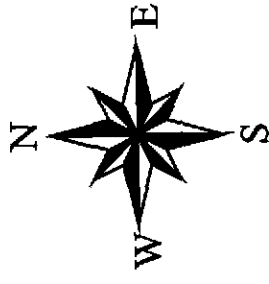
DATE EXAM CONDUCTED: 7-2-03 IN-OFFICE

FIELD EXAMINER: Ron Howerton
Sr Water Agent

Idaho Department of Water Resources

Claims: 63-10235
Date Prepared: 07-02-03
By: Ron Howerton

T05N, R01E
S35



⊙ Point of Diversion

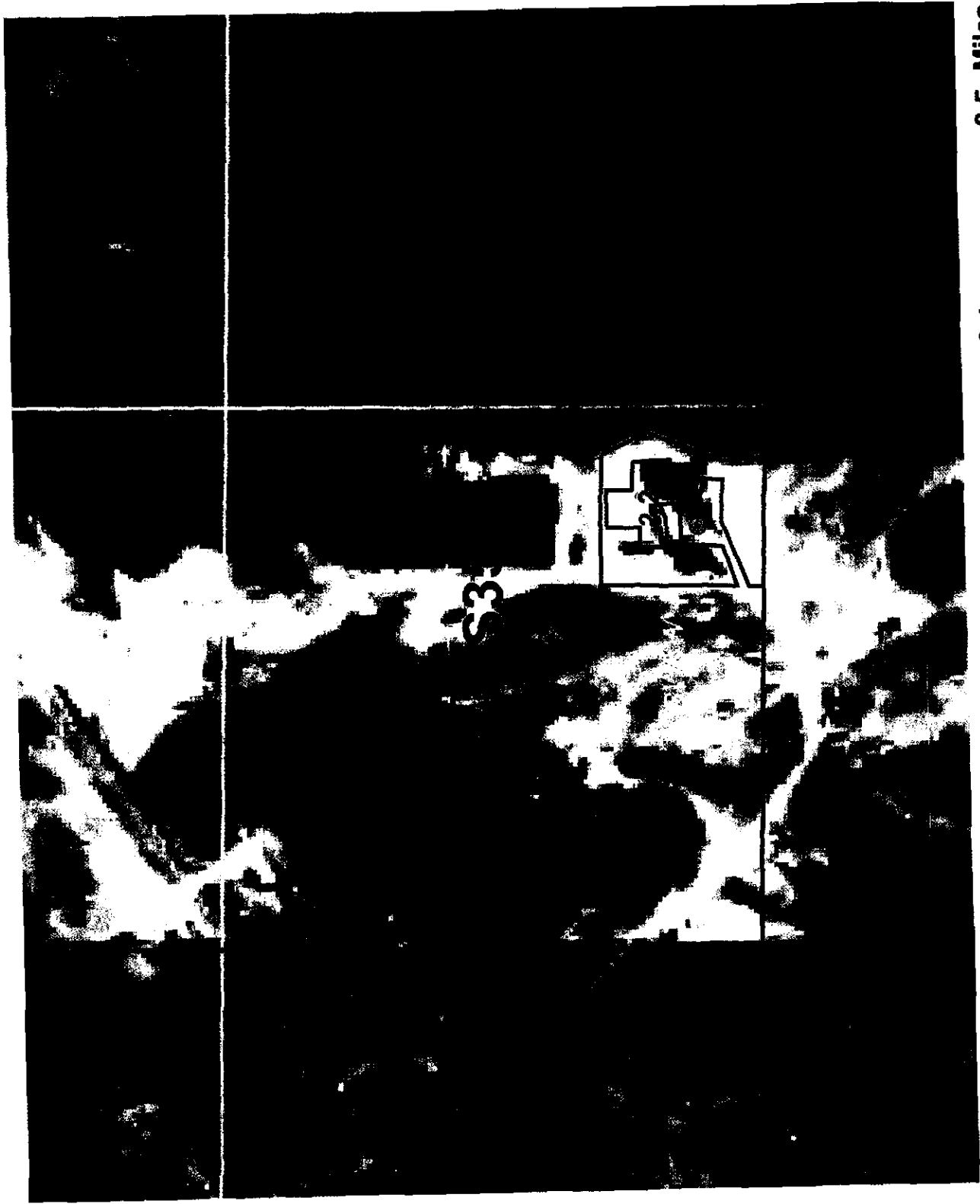
Place of use

Section

1/4 1/4

2.2 Acres

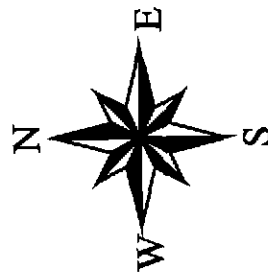
1987 NAPP



Idaho Department of Water Resources

Claims: 63-10235
Date Prepared: 07-02-03
By: Ron Howerton

T05N, R01E
S35



⊙ Point of Diversion

Place of use

Section

1/4 1/4



0.5 Miles

0.4

0.3

0.2

0.1

0

1987 NAPP

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 07/02/03
Time: 09:20:15

Rec/No - W004405 AR/No -
From: - TOMTAN, TOM OR BETTY

Receipt Type - CK Doc/No - 6525
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 08/14/1989

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION CLAIM FEE	9337		410162	6490		53.00

Total Due - 53.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6310235	53.00				

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-10235 IN THE)
NAME OF THOMAS O. &/OR BETTY L. TOMTAN) ORDER OF REINSTATEMENT
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before June 1, 1989; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department has notified the permit holders that the permit lapsed for failure of the permit holders to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on July 5, 1989;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 63-10235 be REINSTATED and the priority advanced to June 12, 1984.

Dated this 31st day of October, 1989.

~~RECORDED~~

~~NOV 11 1989~~

L. Glen Saxton
L. GLEN SAXTON, Chief
Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 21 1991

Department of Water Resources

A. GENERAL INFORMATION

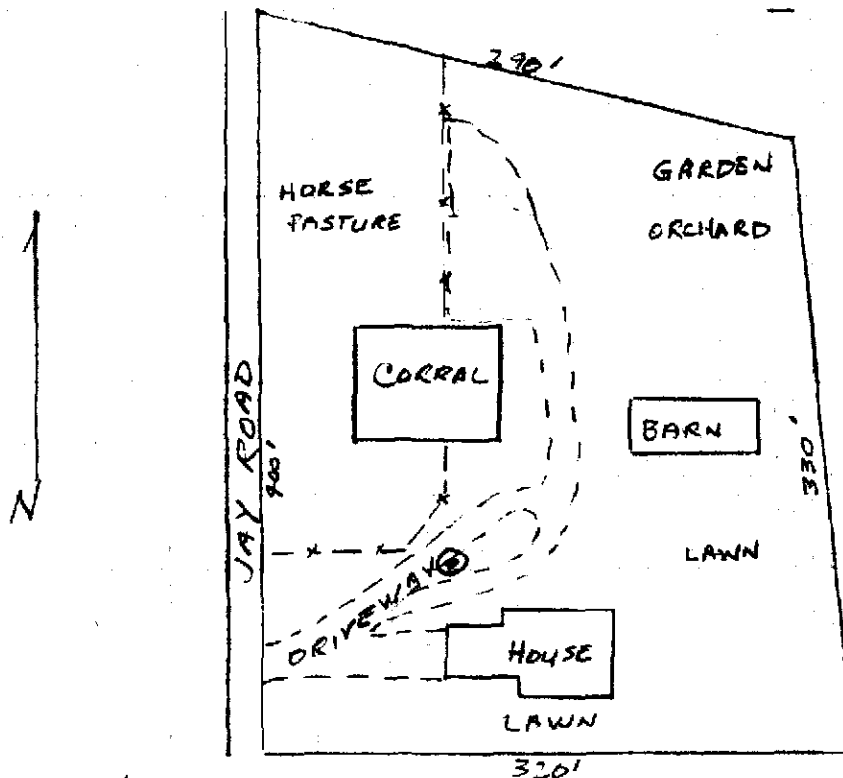
Permit No. 63-10235
1. Owner: THOMAS O. TOMTAN Phone No. 939-8770
Current Address: 10235 JAY ROAD, BOISE, IDAHO 83703
2. Accompanied by: BETTY TOMTAN EXAM. DATE: 6/4/90
Address: SAME Phone No. SAME
Relationship to Permit Holder: WIFE
3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-07771, A63-10235
☒ Copies Attached
2. Other water rights with same point of diversion: 63-07771, A63-10235
☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



DRIVEWAY 7200 FT²
HOUSE 2400 FT²
BARN 2000 FT²
CORRAL 4500 FT²
16,400 FT² =
0.38 ACRES

TOTAL AREA 2.6 A
LESS NON-IRR. .4 A
TOTAL IRRIGATED 2.2 A

Scale: 1" = 100'

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).
☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

NOT RECORDED
JUN 11 1992

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements:

NONE PRACTICAL - PRESSURE TANK SYSTEM

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

HORSE POWER EQUATION: $\frac{1.5 \text{ HP} \times 8.8 \times .7}{1.2 + (2.31 \times 30 \text{ ft})} = 0.04 \text{ cfs}$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi $\times 2.31 =$ _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) $\times$ (4) $\div 8.8 =$ _____ (5)

Meter Input KW: $3.6 \times$ _____ KH $\times$ _____ CTR or _____ MULT $\times$ _____ PTR $\times$ _____ N/ _____ T = _____ (6)

Meter Input HP: (6) $\times 1.34 =$ _____ (7)

Panel Input KW: _____ Ave PF $\times$ _____ Ave Volts $\times$ _____ Ave Amps $\times .001732 =$ _____ (8)

Panel Input HP: (8) $\times 1.34 =$ _____ (7) Efficiency: (5)/(7) $\times 100 =$ _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2.2 \text{ A} \times 4.5 = 9.9 \text{ AFA}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.04 \text{ cfs} \times 245 \times 1.9835 = 19.4 \text{ AFA}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 9.9 \text{ AFA}$

2. Volume Calculations for Other Uses: 1 HOUSEHOLD INTERNAL DOMESTIC (TABLE) = 0.6 AFA
STOCK WATER (5 HORSES) = 0.1 AFA (FROM TABLE)

~~MICROFILMED~~
JUN 1 1992

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

AN 8-INCH WELL EQUIPPED WITH A 1 1/2 HP SUBMERSIBLE PUMP
SUPPLIES WATER FOR DOMESTIC USE OF 1 HOUSEHOLD, STOCK WATER
AND IRRIGATION OF LAWNS, GARDEN AND ORCHARD. THE IRRIGATION
SYSTEM HAS BURIED LINES TO AN AUTOMATIC LAWN IRRIGATION
SYSTEM AND A VARIETY OF IMPULSE SPRINKLERS ON ORCHARD,
GARDEN AND HORSE PASTURE. STOCK WATER IS FOR ABOUT 4 HORSES.
ANOTHER WELL, 6-INCH DIAMETER, HAS SANDING PROBLEMS - LOCATED
ABOUT 15 FEET SOUTH OF THE 8-INCH WELL, PHOTO #3; OLD WELL NO PUMP.

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
WELL NO. 1	UNKNOWN	1 1/2	—	SUBMERSIBLE BURIED-UNKNOWN	
WELL NO. 2	NO PUMP				

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion: PHOTO #1

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
WELL			SW	SW	35	5N	1E	ADA	ORTHO PHOTO MAP

6. Place(s) of Use: PHOTO #2

Indicate Method of Determination MAP, PACING

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	
5N	1E	35											2.2						2.2

Do not use this space

~~JUN 1 1982~~

H. REMARKS AND OVERLAP REVIEW ANALYSIS

OVERLAP ANALYSIS: LICENSED RIGHT 63-07771 IS A DOMESTIC USE ON A NEARBY PROPERTY NOT ASSOCIATED WITH THIS PERMIT. CLAIM 63-10235 IS FOR THE SAME P/D AND P/U AS THIS PERMIT, THEREFORE, 1 HOUSEHOLD DOMESTIC IS COVERED BY THE CLAIM AND IRRIGATION BY PERMIT 63-10235. STOCKWATER CAN BE INCLUDED UNDER 63-10235 SINCE UNUSED IRRIGATION IS AVAILABLE UNDER THE PERMIT.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3/15	11/15	0.04	9.9
STOCKWATER	1/1	12/31	0.01 (SAME)	0.1
Totals:			0.04	10.0

2. Recommended Amendments NONE

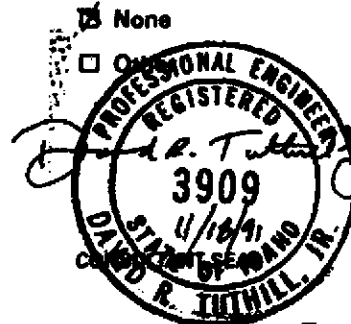
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above

☒ None

☐ Other

J. AUTHENTICATION

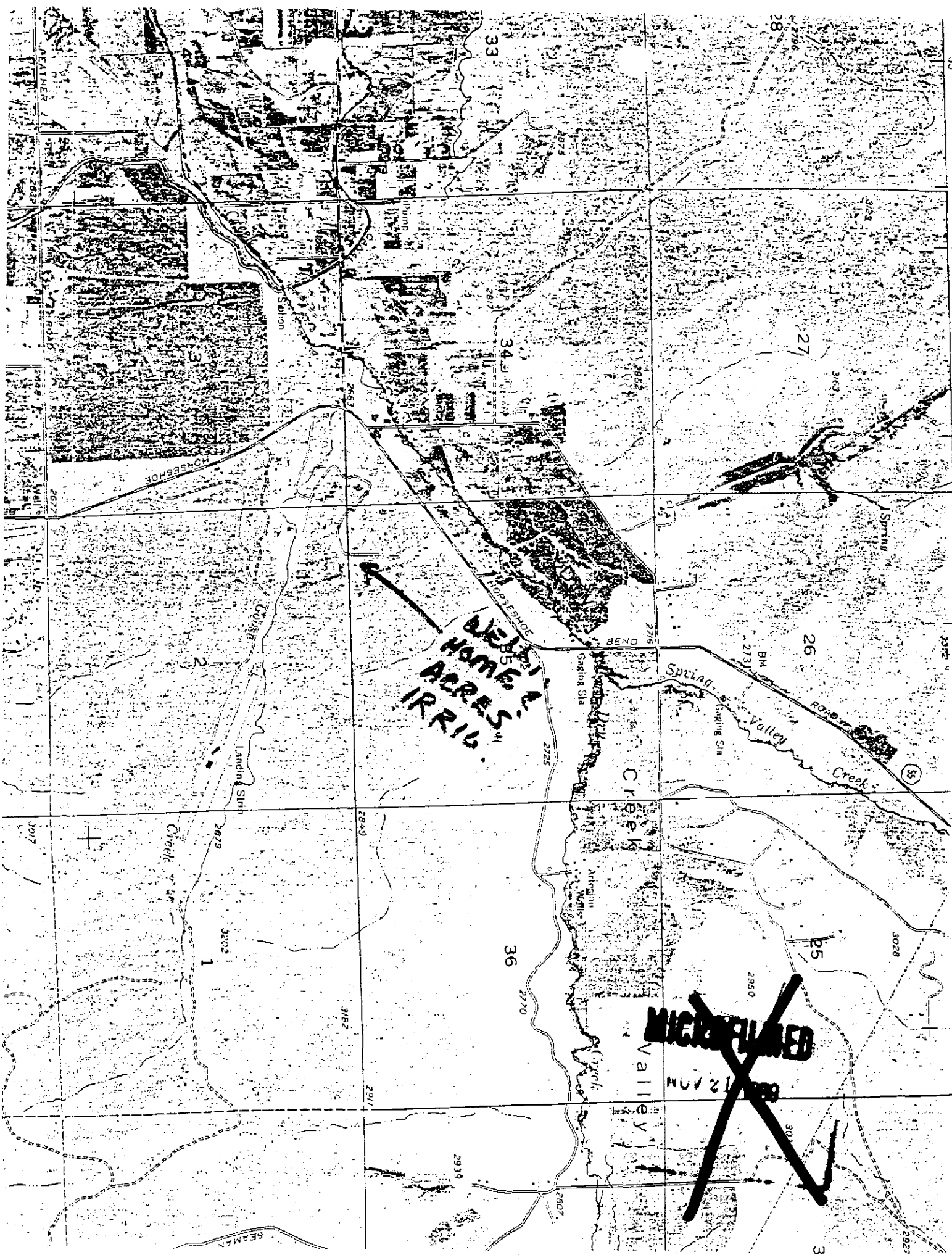
Field Examiner's Name CLIFTON W. JOHNSON
Signature Clifton W. Johnson
Certification Date _____
Field Report Preparation Date JUNE 26, 1990



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

MICROFILMED

JUN 1 1992



30.00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Thomas O. & for Betty L. Tomten Phone 939-8770
Post office address 10235 Jay Rd., Boise, Id 83703

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

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 2 Township 4N

Range 1E B.M. Ada County, additional points of diversion if any: _____

SW SW Sec 35 T5N R1E

4. Water will be used for the following purposes:

Amount .12 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .12 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well with pump,
pipeline & sprinkler system

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

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 8 inches; proposed depth of well is 200 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

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: _____ horsepower 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: _____

RECEIVED

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	1E	2					3												3
5N	1E	35										3							3

Total number of acres to be irrigated 6

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

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

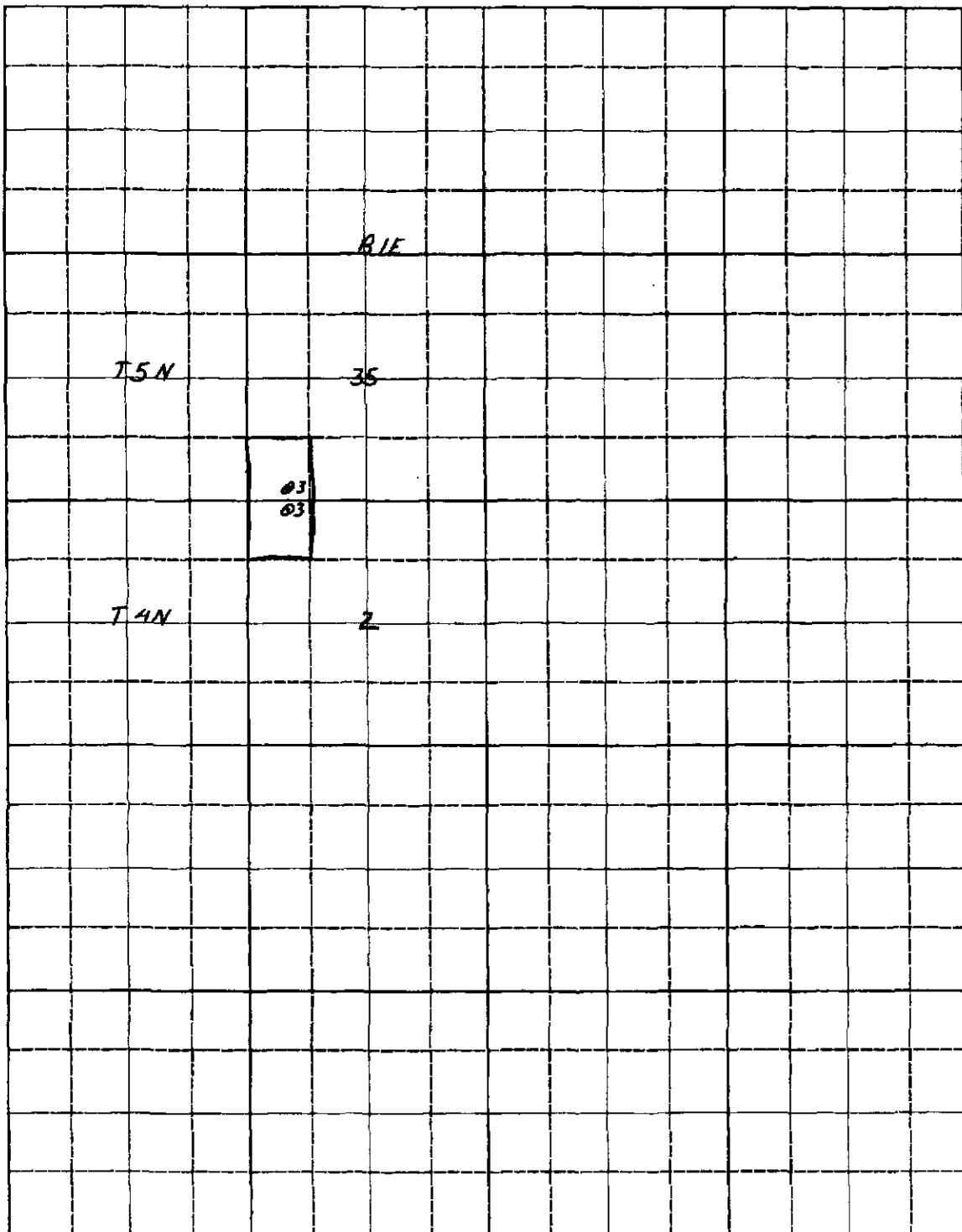
b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks Lot 13 B1K3 Mary Glen Sub # 2

UNRECORDED

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.

+ Don O. Foster
(Applicant)

Proposed Priority 5/10/84

Received by LM Date 5-10-84 Time 9:00am
Preliminary check by JS Fee \$ 30134427
Receipted by JP Date 5/10/84
Publication prepared by JP Date 5/17/84
Published in the Idaho Statesman
Publication dates 5/24 & 5/31/84
Publication approved JP Date 6/14/84
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DBS KW

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. 63-10235, 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 June 1, 19 89.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 13th day of June, 1984.

J. Glen Saxton
Chief, Operations Bureau