

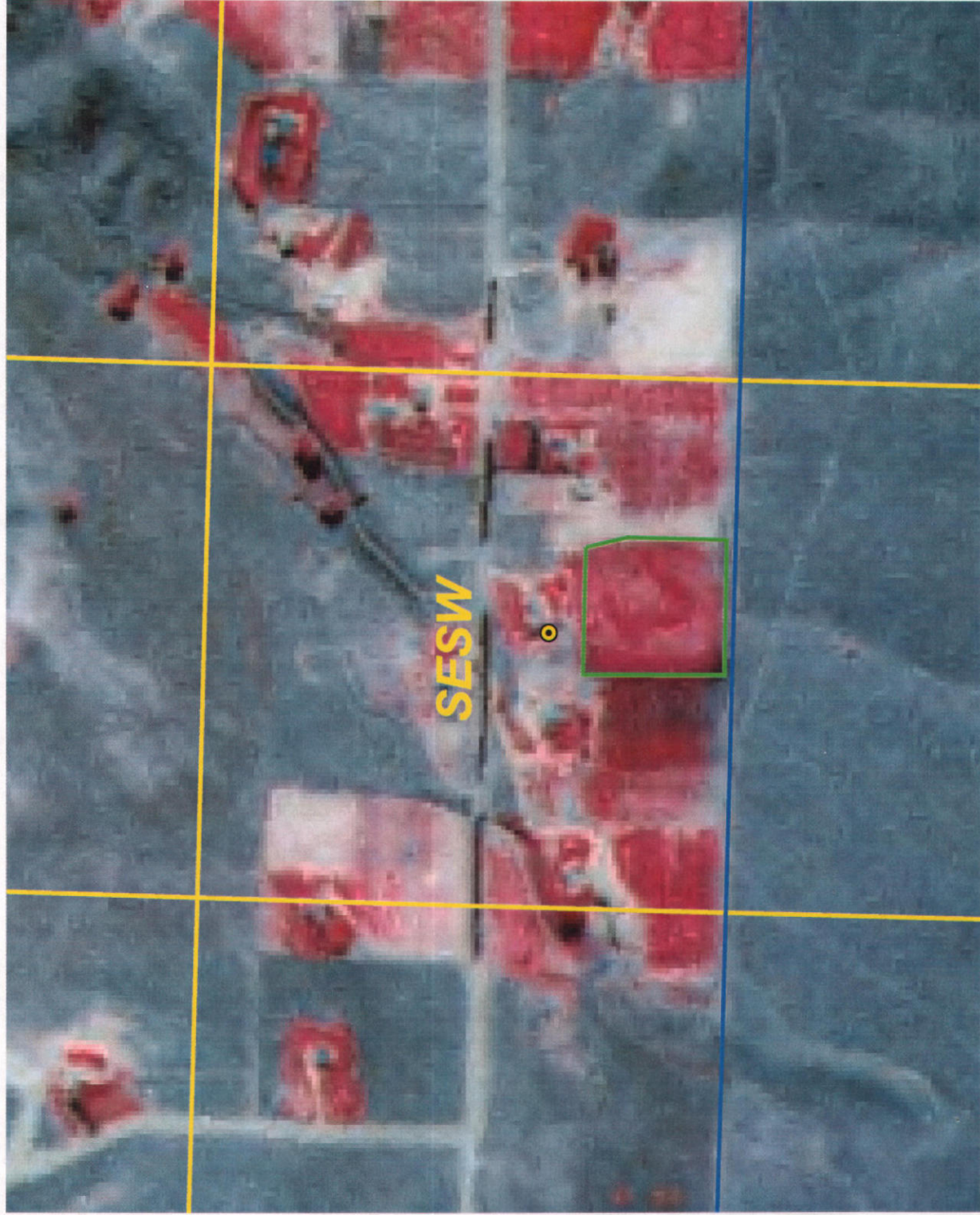
IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-10236

Date Prepared: 01-24-03

Prepared By: Ron Howerton

T05N, R01E
S29



● Point of Diversion



Place of use



Section



1/4 1/4



1987 NAPP

2000 Photo
T05N, R01E, S29

SESW

63-10236
2.7 Acres



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

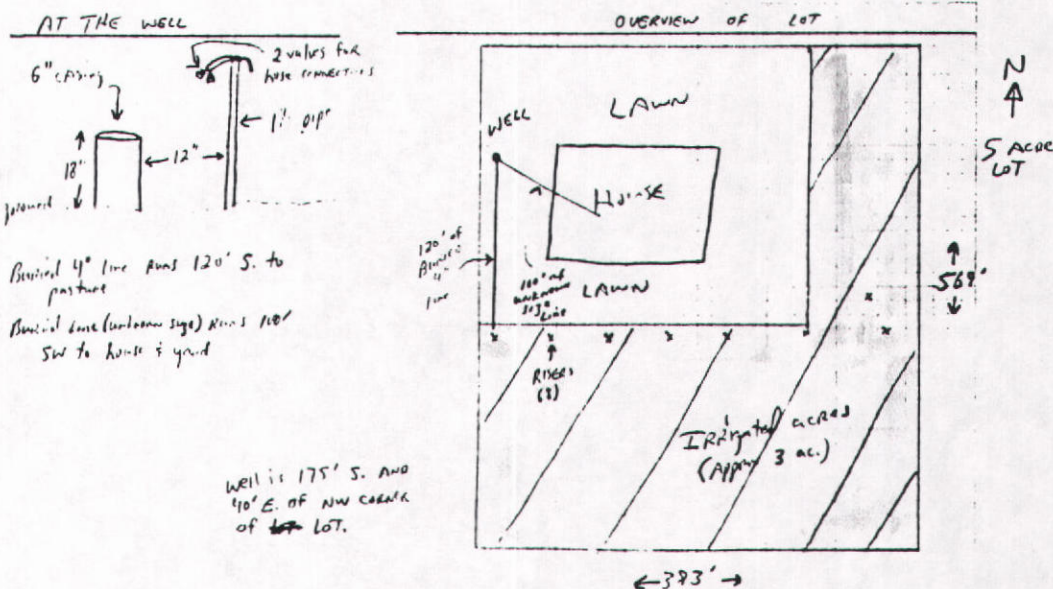
Permit No. 63-10236
1. Owner: Stephen and/or Linda K. Birk Phone No. 939-9112
Current Address: 903 Stillwell Dr. Gayle, Id. 83616
2. Accompanied by: Stephen Birk EXAM. DATE: 6/9/87
Address: same Phone No. same
Relationship to Permit Holder: same
3. Source: groundwater tributary to —

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-3016 and 63-3483
☒ Copies Attached
2. Other water rights with same point of diversion: NONE
☐ 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



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

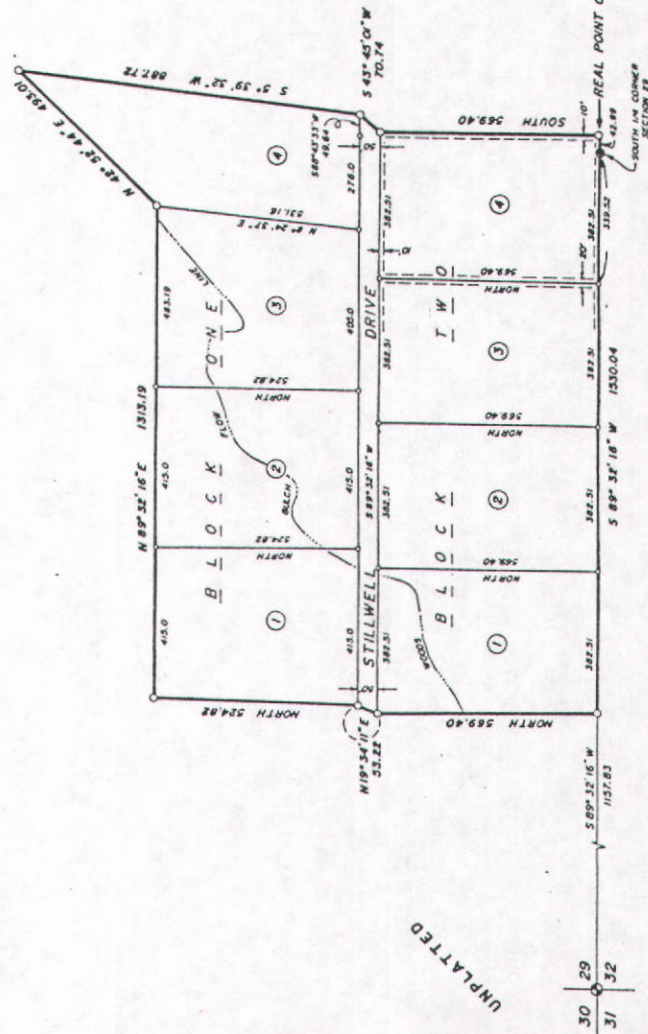
1977

STILLWELL ESTATES no. 4

A PART OF THE SW 1/4, SEC. 29, T5N, R1E, BM,
ADA COUNTY, IDA.



SCALE 1"=100'



ALL STRUCTURES LOCATED WITHIN 200 FEET OF
THE EXISTING WOODS GULCH FLOW LINE SHALL
BE ELIMINATED 3 FEET ABOVE THE EXISTING GULCH
LINE.

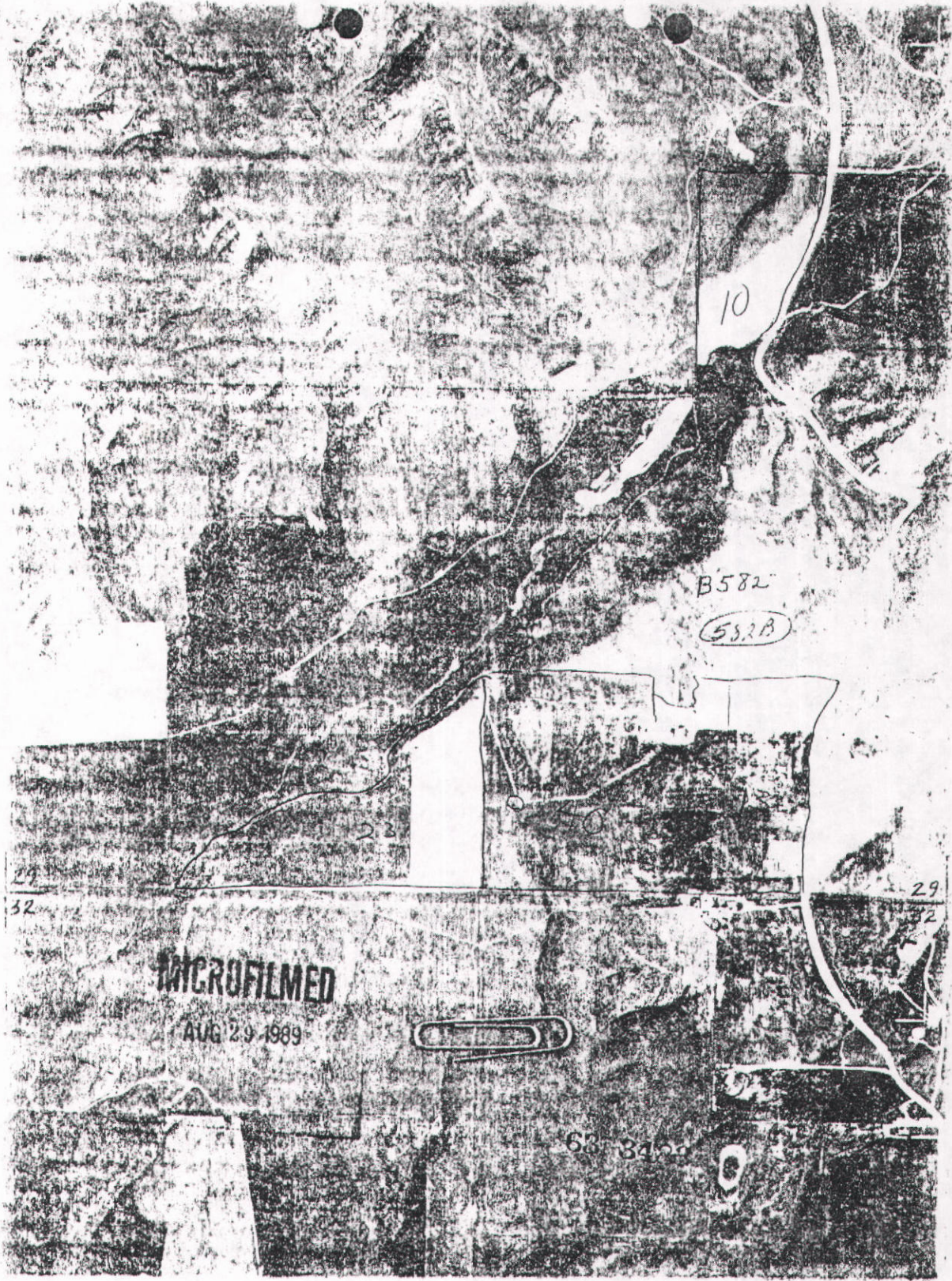
LEGEND
O 1/2" REBAR
O 3/8" REBAR

STILLWELL ESTATES
no. 3

10' UTILITY EASEMENT ON ALL EXTERIOR LOT LINES
NO UTILITY EASEMENT CENTERED ON ALL INTERIOR LOT LINES
BUILDING SETBACKS
FRONT 10' AND 20'
REAR 10' AND 20'
SIDE 10' AND 10'

UNPLATTED

UNPLATTED



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 63-10236
Date Received: 8/24/1989
Receipt No: C010255
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

STEPHEN BIRK Phone: (208)939-9112
903 STILLWELL DR
EAGLE ID USA 83616

LINDA K BIRK Phone: (208)939-9112
903 STILLWELL DR
EAGLE ID USA 83616

2. Date of Priority: 05/10/1984

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	29	SE SW	ADA	

5. Description of diverting works:

PUMP & MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.08	12.2
DOMESTIC	01/01	12/31	0.04	1.2

7. Total Quantity Appropriated is:

0.09 C.F.S. and/or 13.4 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	29	SE SE	SW SW	IRRIGATION DOMESTIC	2.7
Section Acres						2.7
Total Acres						2.7

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 RDH PER APPROVED LICENSE DATED 8-25-1989.

DOMESTIC USE IS FOR 1 HOME.

P/U LOT 3, BLK. 2, STILLWELL EST. 4.

15. Basis of Claim: LICENSE

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10236

Priority: May 10, 1984

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.09 CFS
13.4 AF

This is to certify, that STEPHEN BIRK
LINDA K. BIRK

903 STILLWELL DR.
EAGLE, ID 83616

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 June 2, 1986. An examination indicates that the works have a diversion capacity of .090 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	0.08 CFS	12.2 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.09 CFS	13.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 29, Township 05N, Range 01E
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>
05N	01E	29	SESW	2.7		2.7

Total number of acres irrigated: 2.7

PLACE OF USE: DOMESTIC, same as IRRIGATION use

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. 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.

MICROFILMED

AUG 29 1985

WATER RIGHT LICENSE
WATER RIGHT NO. 63-10236

CONDITIONS/REMARKS:

6. Domestic use is for 1 home - Lot 3, Blk. 2, Stillwell Estates
No. 4.

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 25TH
day of AUGUST, 1989.

Acting for R. Keith Higginson, Director

MICROFILMED

AUG 29 1989

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: A63-10236
Date Received: 8/24/1989
Receipt No: C010255
Received By: ALT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEPHEN BIRK 208-939-9112
Address: 903 STILLWELL DR.
EAGLE, ID 83616

AND/OR

Name: LINDA K. BIRK 208-939-9112
Address: 903 STILLWELL DR.
EAGLE, ID 83616

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	Lot	County
05N	01E	29	SE	SW			ADA

5. Description of diverting works:
PUMP & MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is 9.4 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	29	SE SE	SW SW	IRR DOMEST	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:
NONE

14. Remarks:
P/U LOT 3, BLK. 2, STILLWELL EST. 4.

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 wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): X *Stephen Burt* Date: X 8/24/89
Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of August 19 89 *Helen Harrington*
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

11/27/2005

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

RIGHT NUMBER: 63-10236

NAME AND ADDRESS: STEPHEN BIRK
903 STILLWELL DR
EAGLE ID 83616

LINDA K BIRK
903 STILLWELL DR
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.090 CFS
13.400 AFY

PRIORITY DATE: 05/10/1984

POINT OF DIVERSION:

T05N R01E S29 SESW 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	0.080 CFS 12.20 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 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.

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION Within ADA County

T05N R01E S29 SESW 2.7

DOMESTIC same as IRRIGATION

2.7 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

DOMESTIC USE INCLUDES AN ADDITIONAL 1/2 ACRE OF IRRIGATION.

Right 63-3016U is also diverted through the point of diversion described above.

PARCEL NO. R8163180350.

PROPERTY IS ALSO KNOWN AS LOT 3, BLK 2, STILLWELL ESTATES NO. 4.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10236 V1

WATER RIGHT NUMBER: 63-10236 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEPHEN BIRK 903 STILLWELL DR EAGLE, ID 83616 (208)939-9112
Current Owner	LINDA K BIRK 903 STILLWELL DR EAGLE, ID 83616 (208)939-9112

Priority Date: 05/10/1984

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.080 CFS	12.20 AF
DOMESTIC	01/01 to 12/31	0.040 CFS	1.20 AF
	<u>Total Diversion:</u>	0.090 CFS	13.40 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 29, Twp 05N, Rge 01E, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T05N R01E S29 SESW 2.7

Total Acres: 2.7

DOMESTIC same as IRRIGATIONConditions of Approval:

1. DOMESTIC USE INCLUDES AN ADDITIONAL 1/2 ACRE OF IRRIGATION.
2. X36 Right 63-3016U is also diverted through the point of diversion described above.
3. S39 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.
4. PARCEL NO. R8163180350.
5. 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.
6. J01 PROPERTY IS ALSO KNOWN AS LOT 3, BLK 2, STILLWELL ESTATES NO. 4.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10236 V1

7. X01 Domestic use is for 1 home.

Remarks:

Comments:

1. jshurte 11/27/2005 POD with 63-3016U

Comment: 63-3016U was filed after this right was recommended. It covers the 1 acre north of the pasture land which is covered under this right. Both use the same well, therefore, a condition was added to this right to reflect that. In digitizing the place of use north of the pasture land the total was 1.5 acres. The 1.2 acre is covered under this right under the domestic use giving these rights a total of 4.2 acre of irrigation. See comments in 63-3017U also.

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>
Contacts	1/27/2003 3:01:04 PM	rhowerto			Active
Priority Date	1/27/2003 3:01:49 PM	rhowerto			Active
POD	1/27/2003 3:02:04 PM	rhowerto			Active
Source	1/27/2003 3:02:27 PM	rhowerto			Active
POU	1/27/2003 3:02:46 PM	rhowerto			Active
Use	1/27/2003 3:03:15 PM	rhowerto			Active
Season	1/27/2003 3:03:39 PM	rhowerto			Active
Quantity	1/27/2003 3:04:07 PM	rhowerto			Active
Summary			01/27/2003	rhowerto	Active
Summary			11/27/2005	jshurte	Active

Water Supply Bank:

06/23/2003

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

RIGHT NUMBER: 63-10236

NAME AND ADDRESS: STEPHEN BIRK
903 STILLWELL DR
EAGLE ID 83616

LINDA K BIRK
903 STILLWELL DR
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.090 CFS
13.400 AFY

PRIORITY DATE: 05/10/1984

POINT OF DIVERSION:

T05N R01E S29 SESW 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	0.080 CFS 12.20 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 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.

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION Within ADA County

T05N R01E S29 SESW 2.7

DOMESTIC same as IRRIGATION

2.7 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

DOMESTIC USE INCLUDES AN ADDITIONAL 1/2 ACRE OF IRRIGATION.

PARCEL NO. R8163180350.

PROPERTY IS ALSO KNOWN AS LOT 3, BLK 2, STILLWELL ESTATES NO. 4.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3016U V1

WATER RIGHT NUMBER: 63-3016U V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEPHEN BIRK 903 STILLWELL DR EAGLE, ID 83616 (208)939-9112
Current Owner	LINDA K BIRK 903 STILLWELL DR EAGLE, ID 83616 (208)939-9112

Priority Date: 01/03/1955

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.010 CFS	4.50 AF
	<u>Total Diversion:</u>	0.010 CFS	4.50 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 29, Twp 05N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION Within ADA County

T05N R01E S29 SESW 1.0

Total Acres: 1

Conditions of Approval:

1. X36 Right 63-10236 is also diverted through the point of diversion described above.
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. 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.
4. J01 Property is also known as Lot 3, Blk 2, Stillwell Estates No. 4.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-3016U V1

Comments:

1. jshurte 11/27/2005 POU and 63-10236
Comment: The place of use under this right is in addition to Right No. 63-10236. This right covers the 1 acre surrounding the home north of the pasture which is covered as 2.7 acres under 63-10236. Both are from the same well and that is noted in the conditions on both. Also, the priority date for 63-10236 - 1984 - which is a licensed right shows the change of pt of diversion for this right from the original license 63-3016 can be considered an accomplished transfer which is also noted on this right. No overlap in place of use - no conditions needed.

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>
Priority Date	11/27/2005 5:48:22 PM	jshurte			Active
POD	11/27/2005 5:50:38 PM	jshurte			Active
Source	11/27/2005 6:20:10 PM	jshurte			Active
POU	11/27/2005 6:20:40 PM	jshurte			Active
Use	11/27/2005 6:22:02 PM	jshurte			Active
Season	11/27/2005 6:22:40 PM	jshurte			Active
Quantity	11/27/2005 6:23:57 PM	jshurte			Active
Summary			11/27/2005	jshurte	Active

Water Supply Bank:

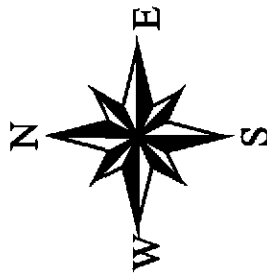
IDAHO DEPARTMENT OF WATER RESOURCES

Claim: 63-10236

Date Prepared: 01-24-03

Prepared By: Ron Howerton

T05N, R01E
S29

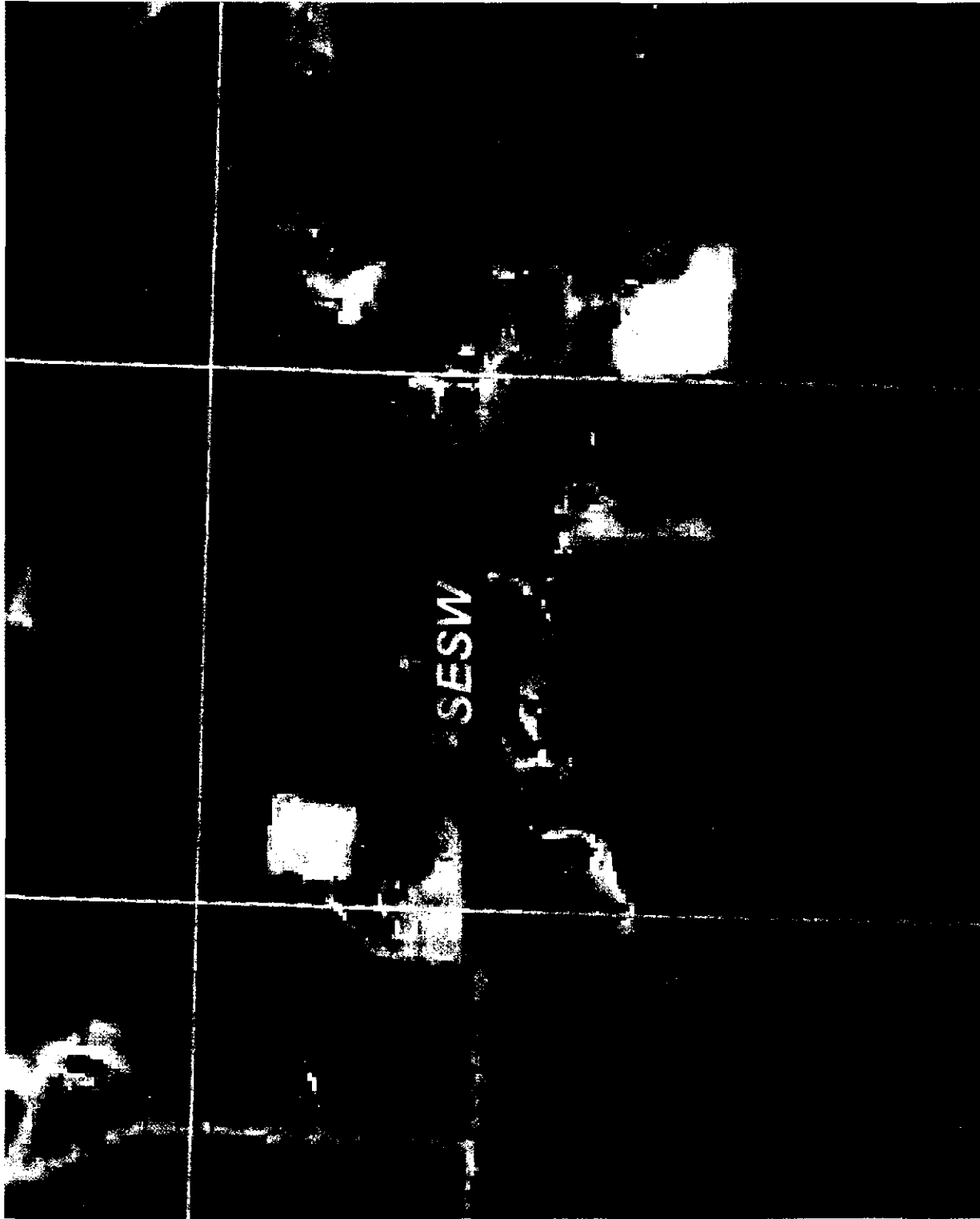


● Point of Diversion

□ Place of use

□ Section

1/4 1/4



0 0.1 0.2 0.3 0.4 0.5 Miles



1987 NAPP

**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 \$55 - C 010 255
- ☐ 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) 63-10236

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: NA - IN OFFICE**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 B/L 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 UsesADD SHOULDER REMARK TO SOW
START 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

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

Delivery System Narrative: SEE B/LU 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 ADD TO COMMENTS:

NOTE: THIS RIGHT INCLUDES ^{ADDITIONAL} ONE HALF ACRE FOR DOMESTIC LAWN AND 2.7 ACRES FOR PASTURE FOR A TOTAL OF:

<u>.5</u>	<u>DOMESTIC LAWN</u>	<u>= .04 CFS</u>	<u>1.2 AFA</u>
<u>2.7</u>	<u>PASTURE</u>	<u>.08</u>	<u>12.2</u>
<u>3.2</u>	<u>ACRES IRR TOTAL</u>	<u>.09</u>	<u>13.4</u>

• DOMESTIC - 1 HOME

• PROPERTY AKA LOT 3, BLK 3, STILLWELL
ESTATES NO. 4

• PARCEL NO. R 8163180750

• IRR MAY START AS SOON AS MARCH 1ST
(Shoulder Rmks)

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: 1-24-07

FIELD EXAMINER: Ron Howerton
Sr Water Agent

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10236

WATER RIGHT NUMBER: 63-10236

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEPHEN BIRK 903 STILLWELL DR EAGLE, ID 83616
Current Owner	LINDA K BIRK 903 STILLWELL DR EAGLE, ID 83616

Priority Date: 05/10/1984

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	3/15 to 11/15	0.080 CFS	12.20 AF
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
	<u>Total Diversion:</u>	0.090 CFS	13.40 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 29, Twp 05N, Rge 01E, B.M.
ADA County		

Place of UseIRRIGATION Within ADA County

T05N R01E S29 SESW 2.7

Total Acres: 2.7

DOMESTIC same as IRRIGATIONConditions of Approval:

1. 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 Domestic use is for 1 home - Lot 3, Blk. 2, Stillwell Estates No. 4.

Comments:Dates and Other Information:

BIRK

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10236

Dates and Other Information:

Licensed Date: 8/25/1989
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action 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

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>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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2000 Photo
T05N, R01E, S29

SESW

63-10236
2.7 Acres



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

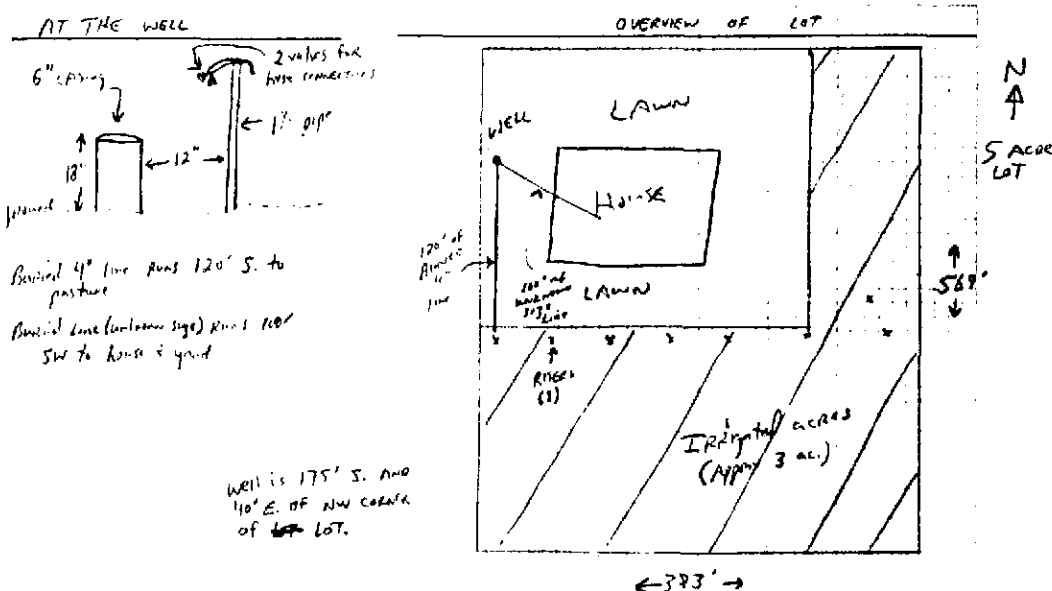
Permit No. 63-10236
1. Owner: Stephen and/or Linda K. Birk Phone No. 939-9112
Current Address: 903 Stillwell Dr. Eagle, Id. 83616
2. Accompanied by: Stephen Birk EXAM. DATE: 6/9/87
Address: same Phone No. same
Relationship to Permit Holder: same
3. Source: groundwater tributary to —

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-3016 and 63-3483
☒ Copies Attached
2. Other water rights with same point of diversion: NONE
☐ 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



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).

System Description (continued)

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

The 230' deep well has a 6" casing and contains a 3 Hp Submersible JBR331 pump. A buried 4" main leads S. to pasture, which contains 8 risers to facilitate sprinkling using 3" pipe and 10 Rainbird heads (models 30WS & EF with $\frac{3}{8}$ " risers). Approx. 3 acres are in pasture. Another buried line of unknown size provides water for the house and $\frac{1}{2}$ acre yard/garden. A 1 $\frac{1}{2}$ " pipe, located 1' from casing, has two valves allowing use of garden hose for misc. purposes. Place of use also known as Stillwell Estates No. 4, Lot 3, Block 2.

☐ 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
	<i>submersible</i> JACO 331	3	<i>NA TAG</i>	<i>submersible</i> JACO 331	<i>NA TAG; 4" min./hr.</i>

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

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

[illegible]

- 6. Place(s) of Use:**

Indicate Method of Determination SAME AS IN P/O ABOVE

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	1E	29																	2.7
		21																	~

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure gauge + pitot		Ascraft	100 psi	#3		

2. Measurements:

10 Rain-bird 30 WSP EF 9/64" nozzle heads
 psi: 46, 46, 44 $\bar{x} = 45.3$
 Mainline static yield: 3.852 gpm/hd.
 $\bar{Z}$ unknown in HP equation.
 Parcel 2 irrigated pasture: $(310' \times 310') + (126' \times 158') = 116,008 \text{ ft}^2$
 $\frac{116,008}{44.8} = 2.67$
 2.7 ac.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: $\frac{(10 \times 3.852)}{44.8} = .09 \text{ cfs}$ $\frac{.09 \times 1.48 \text{ ac.} \times 1.48 \text{ cfs/ac.}}{1.48} = .08 \text{ cfs}$

2. Alternate Method for Checking Purposes: none

F. PUMP EFFICIENCY DATA (Optional) N/A

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: 3.8 $\times$ _____ 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:

$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{2.7}{.08} \times 4.5 = 12.2$
 $V_{os} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.08)(245)(1.9835) = 38.9$
 $V = \text{Smaller of } V_{ir} \text{ and } V_{os} = 12.2$

2. Volume Calculations for Other Uses:

DOMESTIC - 1 home, int & ext. = 1.2

H. REMARKS AND OVERLAP REVIEW ANALYSIS

OVERLAP - NO REAL OVERLAP OCCURS.

P/U 63-34831 License issued in 1973 for a well to irrigate 23 acres (among total of 86 ac) in secw 5. 29. Appears from aerial photo in exam that the 23 acres includes Birt's property.

63-3016: License issued in 1960 for a well to irrigate, among other lands, 40 acres in SESW 5.29, which includes Bink's property.

However, neither of these licenses currently provide water to area in question. Area is now subdivided for 5+ acre lots.

1. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (af/a)
	From	To		
Irrigation	3/15	11/15	.08	12.2
Dammit	1/1	12/31	.07	6.2
Totals:			.12	13.4

2. 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

J. AUTHENTICATION

Field Examiner's Name Steven Lester

Signature Tom Leach

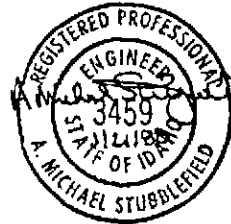
Certification Date _____

Field Report Preparation Date 6/9/67

CONSULTANT SEAL

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

Ryan M. Leithy 3/31/89



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 Stephen and/or Linda K. Birk Phone 939-9112

Post office address 903 Stillwell Dr. Eagle ID 83616

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

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 29 Township 5N

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

4. Water will be used for the following purposes:

Amount 0.15 for IRR purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Domestic purposes from 1-1 to 12-31 (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. 0.19 (0.19) cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 3 HP Pump/motor (SUBMERSIBLE)

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 6 inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 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: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 29 Township 5N

Range 1E 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 1.

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

[illegible]

5

None

Who owns the property at the point of diversion

Applicant

Who owns the land to be irrigated or place of use

If the property is owned by a person other than the applicant, describe the arrangement enabling the

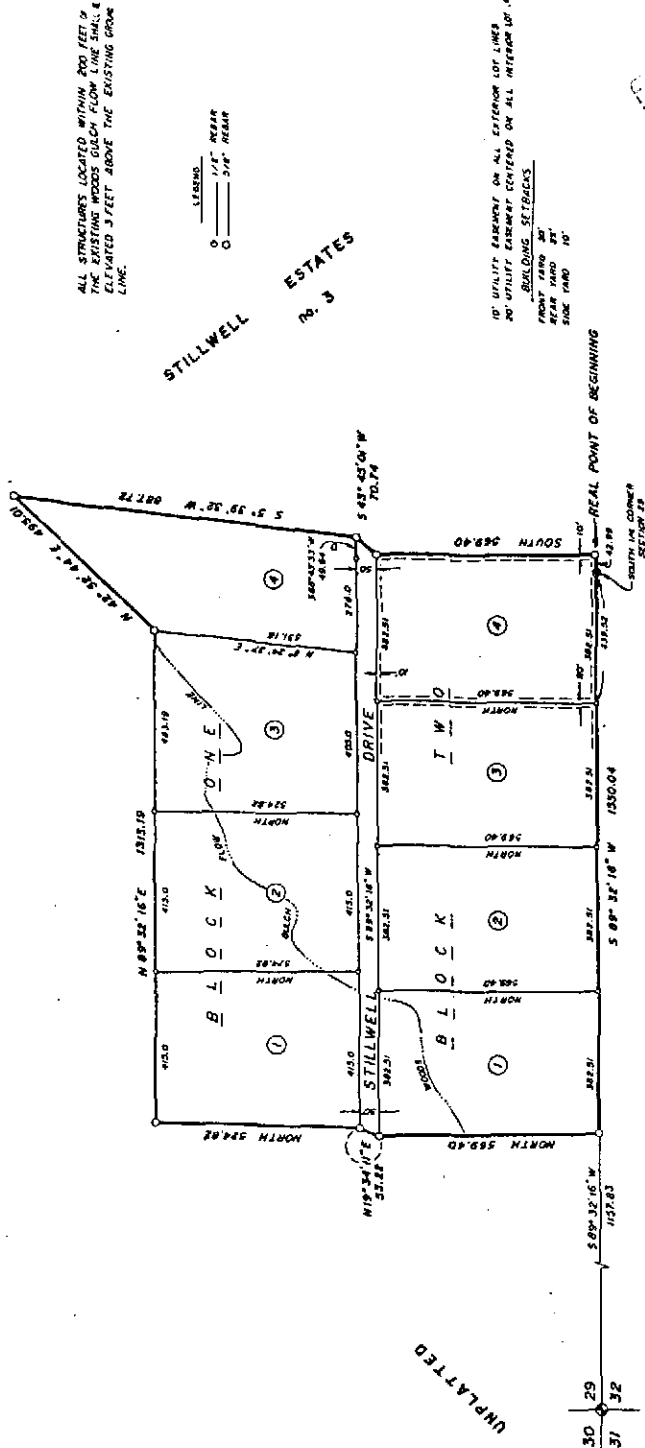
Applicant to make this filing

marks Lot 3 Block 2, Stillwell Estates No.4

1977

STILLWELL ESTATES no. 4

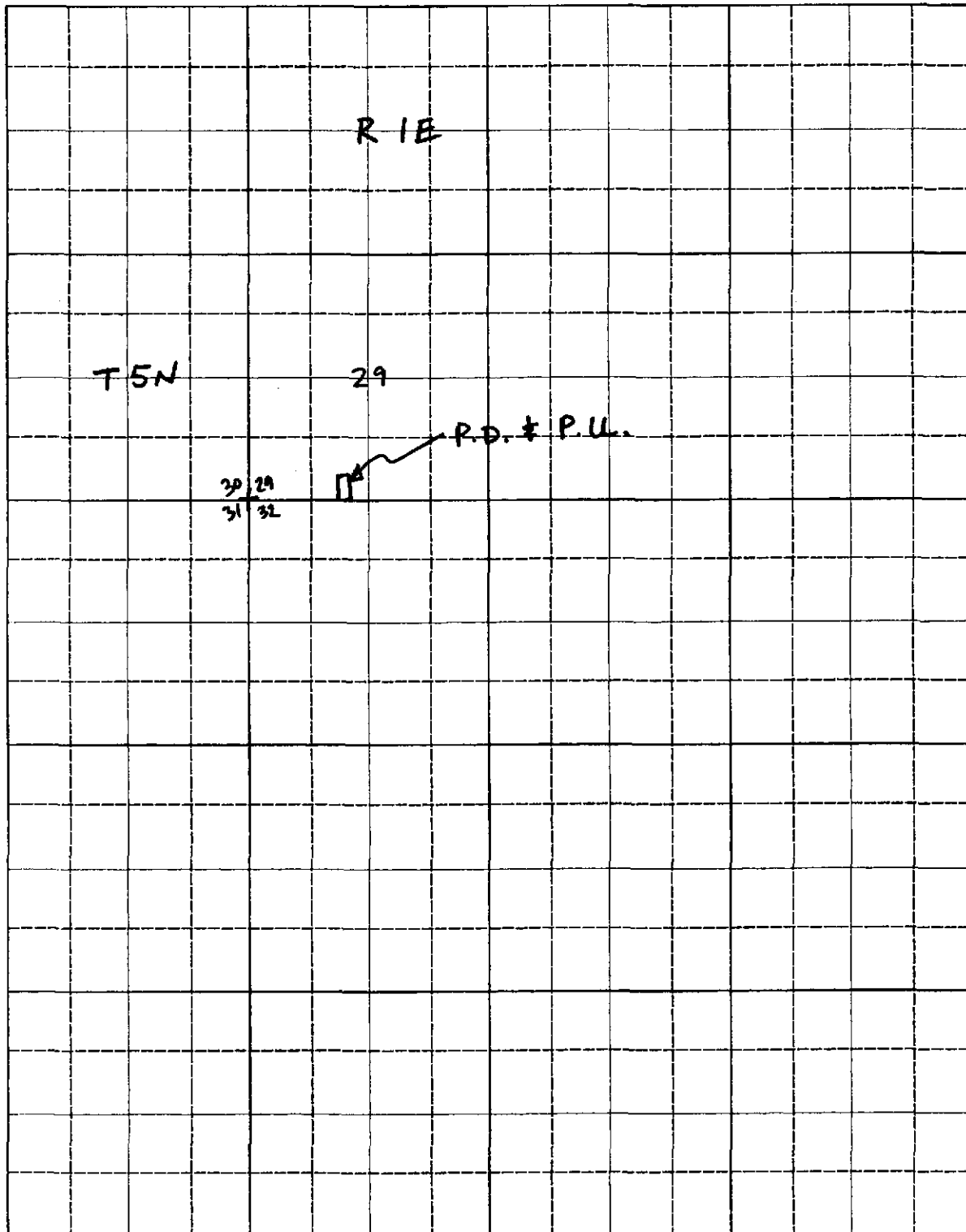
A PART OF THE SW 1/4, SEC. 29, T5N, R1E, 8M,
ADA COUNTY, IDA.



UNPLATTED

30 29
31 32

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.

Stephen Burt
(Applicant)

Proposed Priority 5/10/84

Received by DPT Date May 10, 1984 Time 5:15 PM
Preliminary check by DPT Fee \$ 30.00
Received by DPT Date May 10, 1984

Published in the Idaho Statesman
Publication prepared by JF Date 5/17/84
Publication dates 5/24 & 5/31/84

Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____

Recommended for approval denial by DRS lu

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. 63-10236, and said application is hereby APPROVED

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 July 1, 1986.

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.

A. Muns Barton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G-32674/63-3483

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant WALTER JR. OR LUCILLE STILLWELL, Route #1, Eagle, Idaho

2. Source of water supply: _____ ground water

3. Location of point of diversion: Is in the _____ SE 1/4 SW 1/4 of Section 29

T. 5 N R. 1 E County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: _____

drilled 12" x 230' well 40 HP turbine w/20HP booster

54 5/32 100 psi at pump 273.8

10 11/16 60 psi Area 65.6

1 5/16 2.72

5. Water is used for: irrigation 367.2

6. State whether or not water has been turned into works of diversion: _____

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation): _____

PROOF: Section 29, T. 5 N, R. 1 E S 1/4 185 acres TO

PERMIT: Section 29, T. 5 N, R. 1 E SE 1/4 SW 1/4 SE 1/4 308 acres TO

General Electric 40 HP Motor 230/460 Volts 1750 RPM

Serial # 00J302475 6" discharge to flow control

check valve & Gate valve Booster is 20 HP Centrifugal

RPM 3500 230/460 Volts Serial # 8C116 Berkeley Centrifugal Pump

Model 3WP 20 Serial # 016528 100 psi at pump

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: OTHER RIGHTS: Permit No. G-25342

All land is presently in Alfalfa - 23 Acres is

seed, the rest hay

23 Acres is irrigated by gravity, remainder by Sprinkler

Pigmy Meter measured open discharge at

.813 cfs

I measured the Sprinkler system at $\frac{367.2}{450} = .82$

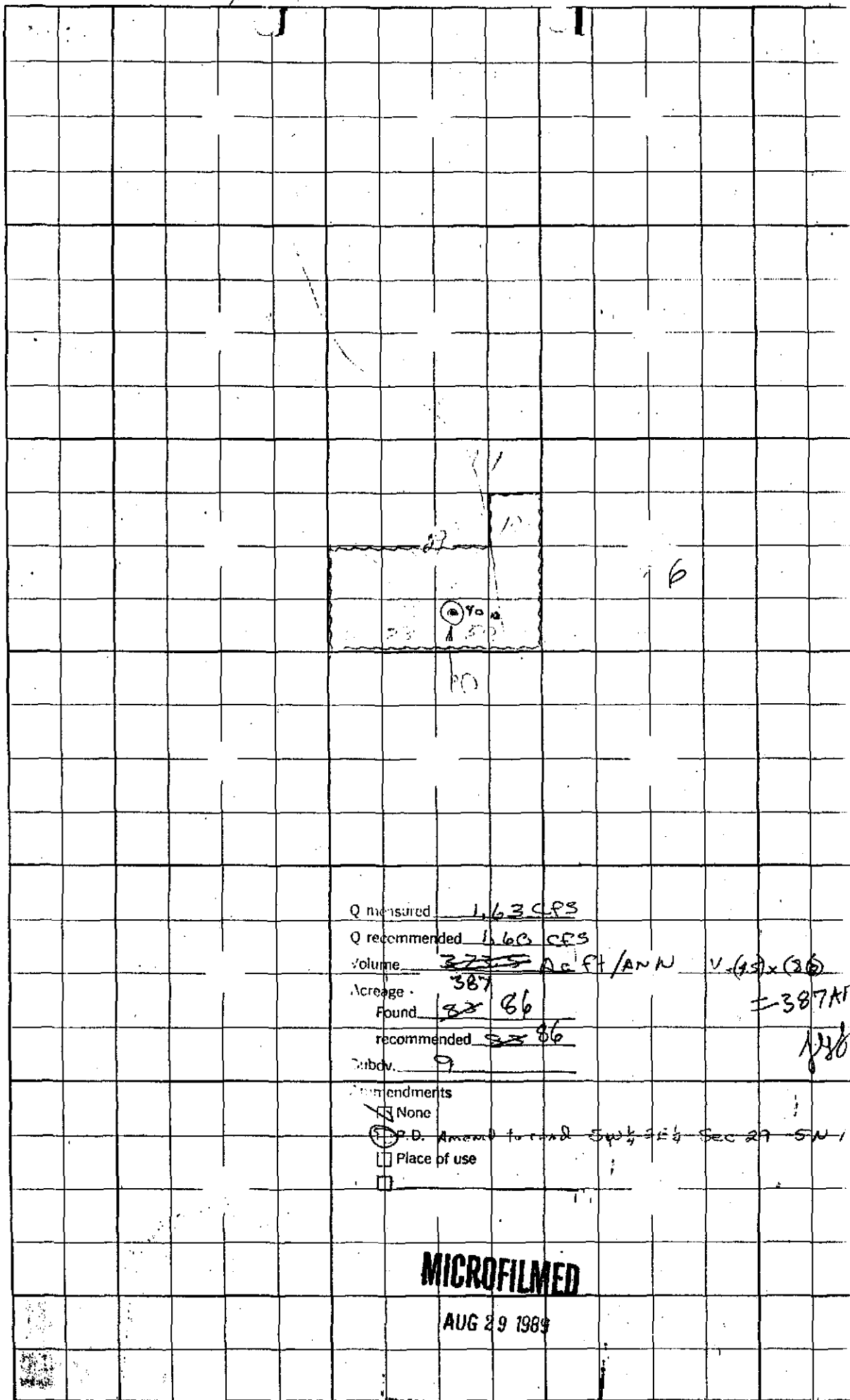
.813 + .82 = 1.63 cfs

The sprinkler open discharge operate at the same time

This examination was made on the 14th day of August, 1971

14.1 123 AUG 29 1971 (Signed) James Booker

368457 Examiner.





MICROFILMED

AUG 29 1989

Microfilm

0