

Idaho Department of Water Resources

63-9166

T03N R02E S31



-  Point of Diversion
-  Place of Use
-  Sections
-  Quarter Quarter



IDWR
Prepared by: Sandy Egbert
Date: 5-26-05
1987 NAPP Photography

600 0 600 1200 1800 2400 Feet



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: A63-09166
Date Received: 8/ 2/1989
Receipt No: W003983
Received By: DE JON

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES E RISCH 208-362-2626
Address: 5400 S COLE RD
BOISE ID 83709

2. Date of Priority: JUL 27, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	31	SW	NW	SW	3	ADA

5. Description of diverting works:
290' WELL, 12" & 8" CASING, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.780		184.50

7. Total Quantity Appropriated is:
0.780 C.F.S. (and/or) 184.50 A.F.A.

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

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02E	31	NW	SW	3	IRR	41.0

Section Acres 41.0

Total Acres 41.0

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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:

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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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 63-9166Date Received 8-2-89Receipt Number W003983

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

AUG 02 1989

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) James E. Risch Phone (208) 362-2628Mailing Address 5400 S. Cole Rd. Boise, Id. Zip 837092. Date of Priority (Only one (1) per claim) July 27, 19783. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 3N Range 2E Section 31,SW 1/4 of NW 1/4 of SW 1/4, Govt. Lot, 3 B.M., County of Ada

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Well, Pump + Elect. MotorWell is 200 ft. deep 200 feet of 12 in. well casing + 90 ft of 8 inch

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar 15 to Nov 15 amount 0.78 or 184.5

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.78 (cfs) and/or (b) 184.5 (acre feet)

8. Total consumptive use claimed is 143.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	2E	31										L-3 41							41

Total number of acres irrigated 41

11. In which county (ies) are lands listed above as place of use located? Ada

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks:

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Last Name Risch Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

UNCLASSIFIED

3881 P. 1. 2011

Scale: 2 inches equals 1 mile

Place of Use

31

Paint

of Diversion

Last Name Risch Ident No. _____

AUG 24 1992
Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 63-9166
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) [Signature] Date 8/1/89
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho for _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 1st day of Aug 19 89

SEAL

Notary Public Marnie L. Drake

Residing at Boise, Idaho

My Commission Expires 11-25-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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AUG 24 1992

Last Name Risch Ident. Number _____

Copies White-State, Yellow-Claimant

Water Right Number - 63-09166 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - - + Address - - - - - +
*** C - CURRENT OWNER *** JAMES E. 1 - 407 W. JEFFERSON ST.
RISCH 2 -
3 -
City- BOISE State- ID Zip- 83702
Phone -
+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/27/1978 14 WESTERN L - LICENSE
+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER
+ - - - - - - - - - - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +
Twn Rng Sec Tract Lot RFlg County
03N 02E 31 NW SW 3 (1) ADA
+ - - - - Description Period From Period To Water Use Diversion Rate Diversion Volume
Code
01 - IRRIGATION 03/15 11/15 0.780 184.50
+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +
0.780 184.50
+ - - - - - - - - - - - Place of Use - - - - - Description County
Twn Rng Sec Tract Lot Acres Code
03N 02E 31 NW SW 3 41.0 01 IRRIGATION (1) ADA
Total Acres: 41.0
+ - - Diversion Means - WELL & PUMP.
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -
+ - - - - - - - - - - - Remarks - - - - -
No Remarks found.
+ - - - - - - - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.
+ - - - - - - - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.
+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - - +
00/00/0000

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WATER RIGHT

- - - Comments - - -
No Comments Found

04/23/85 05/01/88 CONVERT

Water Rights Dates and Flags Area

| | | | | | |
|-------------------|--------------|------------------|--------------|------------------|---|
| Proof Due Date | - 09/01/1983 | Field Exam Made | - 00/00/0000 | Field Exam Fee | - |
| Approved/Denied | - 09/05/1978 | Protested Date | - 00/00/0000 | Swan Falls | - |
| Proof Made Date | - 01/01/1900 | Hearing Date | - 00/00/0000 | Temporary Right | - |
| Exam to S.O. Date | 00/00/0000 | Verified Date | - 04/23/1985 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - |
| Licensed Date | - 05/11/1984 | Appl Received | - 00/00/0000 | Transfer/Amended | - |
| Decree Date | - 00/00/0000 | Presumption Flag | - | | |

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AUG 24 1994

4-3-91

CLAIMANT'S NAME Risch, James E.

CLAIM IDENT. NO. 63-09166

DATE RECEIVED 8-2-89 RECEIPT # W003983 AMOUNT \$ 91.00

| | YES | NO | Require Info? |
|---|-------------------------------------|-------------------------------------|---------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) N/A ☒ | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? N/A ☒ | ☒ | ☐ | |
| Is the consumptive use correct? N/A ☐ | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4 | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated?
(See Item No.'s 16 & 17 for checking other water rights) | ☐ | ☒ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? N/A ☐
(Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim) | ☒ | ☐ | * |
| 17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? N/A ☒
(If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed. | ☒ | ☐ | |
| 18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ | ☒ | ☐ | |
| 19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 20. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 21. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 22. Is the fee enclosed correct? Exempt ☐ | ☒ | ☐ | * |

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23. Should this claim be data entered? YES ☒ NO ☐

Claim reviewed by: JDL Date 1-28-92

Claim data entered by: JDL Date 4-13-92

Claim is being returned to claimant: ___ (Yes) ☒ (No)

Claimant is being notified of modifications: ___ (Yes) ☒ (No)

Comments: Proof report attached

05/31/2005

RECEIVED

JUN 17 2005

WATER RESOURCES
WESTERN REGION

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.

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

Water right number: 63-9166

JAMES E RISCH
5400 S COLE RD
BOISE ID 83709
Telephone Number: (208)362-2626

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:

X I AGREE with this proposed recommendation: ~~no changes need to be made~~

DATE:

6/15/05

SIGNATURE:

Please print your name:

James E. Risch

IDWR Regional Office, 8735 Airport Wy, Boise, ID 83705, 2083342190

05/26/2005

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

RIGHT NUMBER: 63-9166

NAME AND ADDRESS: JAMES E RISCH
5400 S COLE RD
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.780 CFS
184.500 AFY

PRIORITY DATE: 07/27/1978

POINT OF DIVERSION:

T03N R02E S31 SWNWSW Lot 3 Within ADA County

PURPOSE AND
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-------------------------|
| IRRIGATION | 3/15 11/15 | 0.780 CFS
184.50 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 or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within ADA County

T03N R02E S31 Lot 3 NWSW 41.0

41 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

Idaho Department of Water Resources

63-9166

T03N R02E S31



- ⊙ Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter



IDWR
Prepared by: Sandy Egbert
Date: 5-26-05
1987 NAPP Photography

600 0 600 1200 1800 2400 Feet



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9166 V1

WATER RIGHT NUMBER: 63-9166 V1

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|---|
| Original Owner | JAMES E RISCH
RISCH, GOSS & INSINGER
407 W JEFFERSON ST
BOISE, ID 83702
(208)345-9974 |
| Current Owner | JAMES E RISCH
5400 S COLE RD
BOISE, ID 83709
(208)362-2626 |

Priority Date: 07/27/1978

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 | 3/15 to 11/15 | 0.780 CFS | 184.50 AF |
| | <u>Total Diversion:</u> | 0.780 CFS | 184.50 AF |

Location of Point(s) of Diversion

GROUND WATER L3 (SW1/4NW1/4SW1/4) Sec. 31, Twp 03N, Rge 02E, B.M.
ADA County

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 03N | 02E | 31 | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | 41.0 |
| | | | | | | | | | | | | | | | | | | | L 3 |

Total Acres: 41

Conditions of Approval:

1. 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 or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-9166 V1

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Priority Date | 5/25/2005 4:43:01 PM | segbert | | | Active |
| POD | 5/25/2005 4:43:24 PM | segbert | | | Active |
| Source | 5/25/2005 4:44:09 PM | segbert | | | Active |
| POU | 5/25/2005 4:44:23 PM | segbert | | | Active |
| Use | 5/26/2005 7:18:37 AM | segbert | | | Active |
| Season | 5/26/2005 7:20:32 AM | segbert | | | Active |
| Quantity | 5/26/2005 7:22:17 AM | segbert | | | Active |
| Summary | | | 05/26/2005 | segbert | Active |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u> |
|----------------|------------------------|-----------------|---|
| POU | 5/26/2005 7:17:55 AM | segbert | Updated shape for Active POU |
| Use | 5/26/2005 7:18:37 AM | segbert | (Yes) 1. Is the basis of this claim a Decree or License?
(Yes) 4. Does the Decree or License have a Purpose of Use?
(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
(No) 13. Is a Purpose of Use remark and/or condition required? |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9166 V1

| | | | |
|----------|----------------------|---------|---|
| Quantity | 5/26/2005 7:22:17 AM | segbert | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?</p> <p>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?</p> <p>(Yes) 8. Does the parent right have an annual diversion volume limit?</p> <p>(Yes) 10. Is a irrigation a purpose of use?</p> <p>(No) 12. Is a Quantity remark or condition required?</p> <p>Description for Question 10 - as licensed</p> |
| Season | 5/26/2005 7:20:32 AM | segbert | <p>(Yes) 1. Is the basis of claim Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a Period of Use?</p> <p>(Yes) 5. Can the claimed Period of Use be verified using the water right file?</p> <p>(Yes) 14. Is irrigation claimed as a Purpose of Use?</p> <p>(Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?</p> <p>(No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?</p> <p>(Yes) 18. Is a Period of Use remark and/or condition required?</p> |
| Summary | 5/26/2005 7:24:43 AM | segbert | <p>(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?</p> <p>(No) 5. Does this right have any combined use limits with other rights?</p> <p>(Yes) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(No) 8. Is this a split or combined right?</p> <p>(No) 9. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 10. Would you like to set the verification date?</p> |
| POD | 5/25/2005 4:43:39 PM | segbert | Updated shape |
| POU | 5/25/2005 4:44:40 PM | segbert | Updated shape for Active POU |
| General | 5/25/2005 4:43:01 PM | segbert | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(Yes) 4. Is the basis of claim decree or license?</p> <p>(Yes) 5. Does the decree or license have a Priority Date?</p> <p>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p> |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9166 V1

| | | | |
|--------|----------------------|---------|--|
| POD | 5/25/2005 4:43:24 PM | segbert | (Yes) 1. Is the basis of this claim a Decree or License?
(Yes) 4. Does the Decree or License have a POD?
(Yes) 5. Can the claimed POD be verified using the water right file?
(No) 10. Is a POD remark and/or condition required? |
| Source | 5/25/2005 4:44:09 PM | segbert | (Yes) 1. Is the basis of claim Decree or License?
(Yes) 4. Does the Decree or License have a source?
(Yes) 5. Can the claimed source be verified using the water right file?
(No) 11. Is a Source remark and/or condition required? |
| POU | 5/25/2005 4:44:24 PM | segbert | (Yes) 1. Is the basis of this claim a Decree or License?
(Yes) 2a. Is the POU required?
(Yes) 5. Does the Decree or License have a POU?
(Yes) 6. Can the claimed POU be verified using the water right file?
(No) 14. Is a POU remark and/or condition required? |

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-9166

WATER RIGHT NUMBER: 63-9166

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|---|
| Original Owner | JAMES E RISCH
RISCH, GOSS & INSINGER
407 W JEFFERSON ST
BOISE, ID 83702
(208)345-9974 |
| Current Owner | JAMES E RISCH
5400 S COLE RD
BOISE, ID 83709
(208)362-2626 |

Priority Date: 07/27/1978 ✓

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 ✓ | 0.780 CFS ✓ | 184.50 AF ✓ |
| <u>Total Diversion:</u> | | 0.780 CFS | 184.50 AF |

Location of Point(s) of Diversion

GROUND WATER L3 (SW1/4NW1/4SW1/4) ✓ Sec. 31, ✓ Twp 03N, ✓ Rge 02E, B.M.
ADA County

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|----|----|----|--------|
| 03N | 02E | 31 | NE | NW | SW | SE | 41.0 |
| | | | | | | | 41.0 |

Total Acres: 41

Conditions of Approval:Remarks:Comments:Dates and Other Information:

**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 91.00
- ☐ 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) 63-9166

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 |
|------|------------|-----|-----|-----|------|------|------|--------|---|
| | | | | | | | | | |
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Description of diverting works

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

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)**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 | |
| | | | | | | | | | | | | | | | | | | | |
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Overlap with other water rights: _____

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

Delivery System Narrative: _____

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

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

[illegible]

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 ^{Review} EXAM CONDUCTED: 5-25-05

FIELD EXAMINER: Kennedy Eglebert

Receipt Details for ID W003983

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

General Information:

| Date Received | Date Deposited | Region | Total Amount | Payment Type |
|---------------------|----------------|-----------------|--------------|--------------|
| 8/2/1989 3:00:54 PM | 8/2/1989 | Western | \$91.00 | Check |
| Payer | | RISCH, JAMES E. | | |

Account Information:

| Check # | Account # | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 1476 | | | |
| Card Expiration Date | Credit Card Transaction # | | |
| | | | |

Comment ADJUDICATION CLAIM FEE

Fee Detail:

| Amount | Description | PCA | Fund | Fund Detail | Subsidiary | Object |
|---------|------------------------|--------|------|-------------|------------|--------|
| \$91.00 | ADJUDICATION CLAIM FEE | 410162 | 9337 | 0 | 0 | 6490 |

Refund(s):

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

Water Right Information:

| Basin Number | Sequence Number | Split Suffix | Amount | Type |
|--------------|-----------------|--------------|---------|-------|
| 63 | 9166 | | \$91.00 | Claim |

[Print Report](#)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9166 Priority July 27, 1978 Amount 0.78 cfs

THIS IS TO CERTIFY, that James E. Risch
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-9166 issued pursuant to Application for Permit dated July 27, 1978,
and has submitted proof to the Department of Water Resources on August 31, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.78 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

| Beneficial Use | Period of Use | Rate of Diversion | Annual Volume |
|----------------|--|------------------------|------------------------|
| Irrigation | from <u>March 15</u> to <u>November 15</u> | at <u>0.78</u> cfs and | <u>184.5</u> acre feet |
| | from _____ to _____ | at _____ cfs and | _____ |
| | from _____ to _____ | at _____ cfs and | _____ |

(both dates inclusive)

Subject, however, to the condition that no more than 0.78 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
184.5 acre feet per year, said waters to be diverted within the Gov. Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 31, Twp 3N, Rge 2E in the County of Ada

Description and location of place of use:

| Twp. | Range | Sec. | NE $\frac{1}{4}$ | | | | NW $\frac{1}{4}$ | | | | SW $\frac{1}{4}$ | | | | SE $\frac{1}{4}$ | | | | Totals |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
| | | | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | |
| 3N | 2E | 31 | | | | | | | | | L. 3
41 | | | | | | | | 41 |
| | | | | | | | | | | | | | | | | | | | |
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Total number of acres irrigated 41

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17TH day of April, 19 84.

Acting for the Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant James E. Risch Phone 362-2626
Post office address Rt #3 S. Cole Rd.
2. Source of water supply ground water which is a tributary of _____
3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31 Township 3N
Range 2E B.M. Ada County, additional points of diversion if any: _____

4. Water will be used for the following purposes: irrigation ^{as per phone conv. 7-27-78 with}
Amount 0.8 cfs for irrigation purposes from MAR 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum) Jan 1 to Dec 31 J.S.
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. 0.8 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. _____

- 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. plus or minus

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: _____

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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 | |
| 3N | 2E | 31 | | | | | | | | | | 1.3 | | | | | | | 43 |
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Total number of acres to be irrigated 43

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

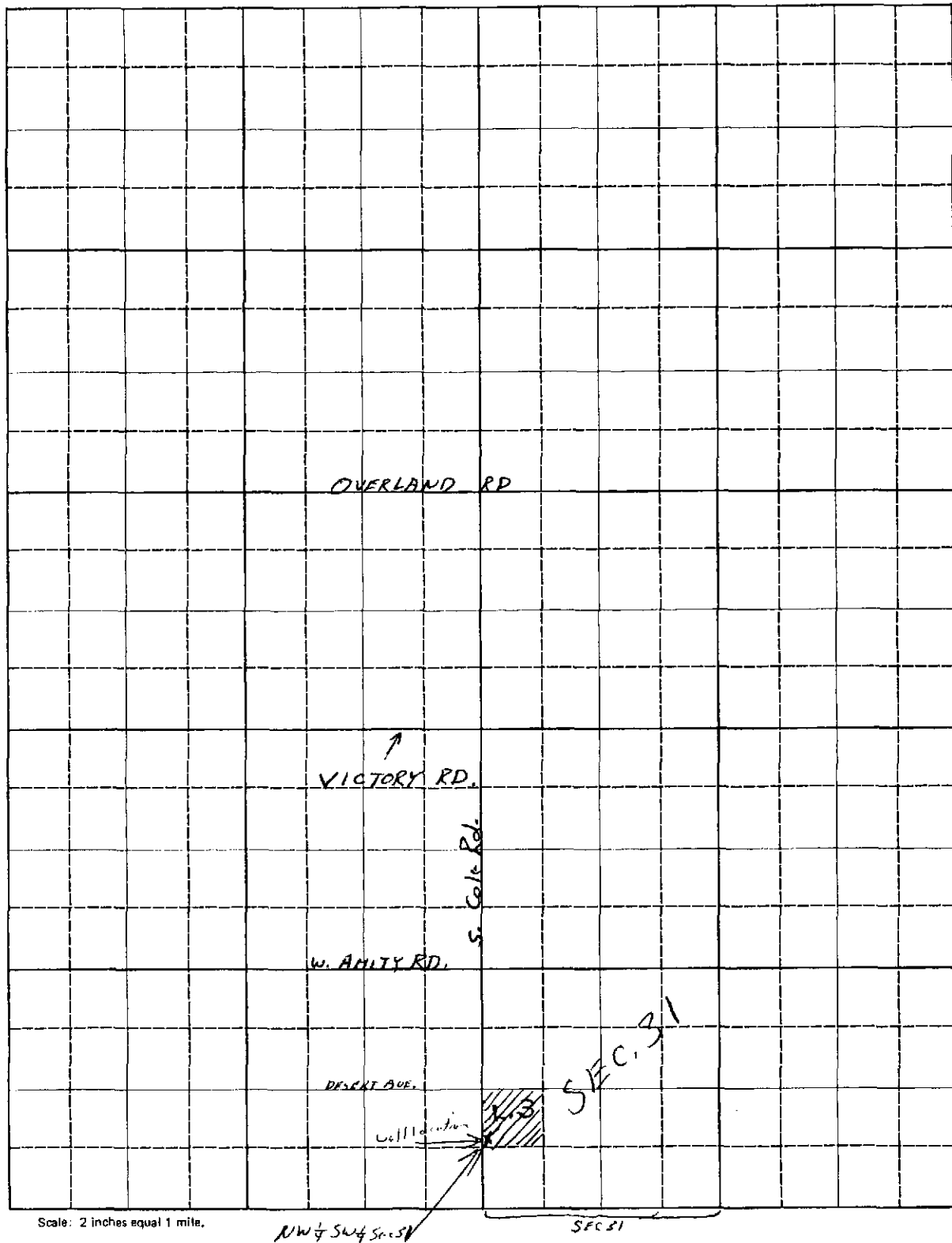
9. a. Who owns the property at the point of diversion Applicant

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

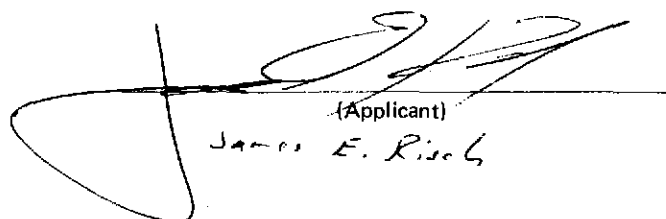
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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



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.


(Applicant)
James E. Risch

Proposed Priority 7/27/78
Received by DLS Date 7-27-78 Time 10:30
Preliminary check by WHR Fee \$ 35.00 # 11178
Receipted by DLS Date 7/27/78
Publication prepared by _____ Date _____
Published in _____
Publication dates 8-11 - 8-18-78
Publication approved Loe Date 8-21-78
Protests filed by: _____

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

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. 63-9166, 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 September 1, 19 83.
 - 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: _____

Witness my hand this 5th day of September, 19 78.

L. Glen Saxton
Chief, Operations Bureau

TOTAL ACREAGE 41

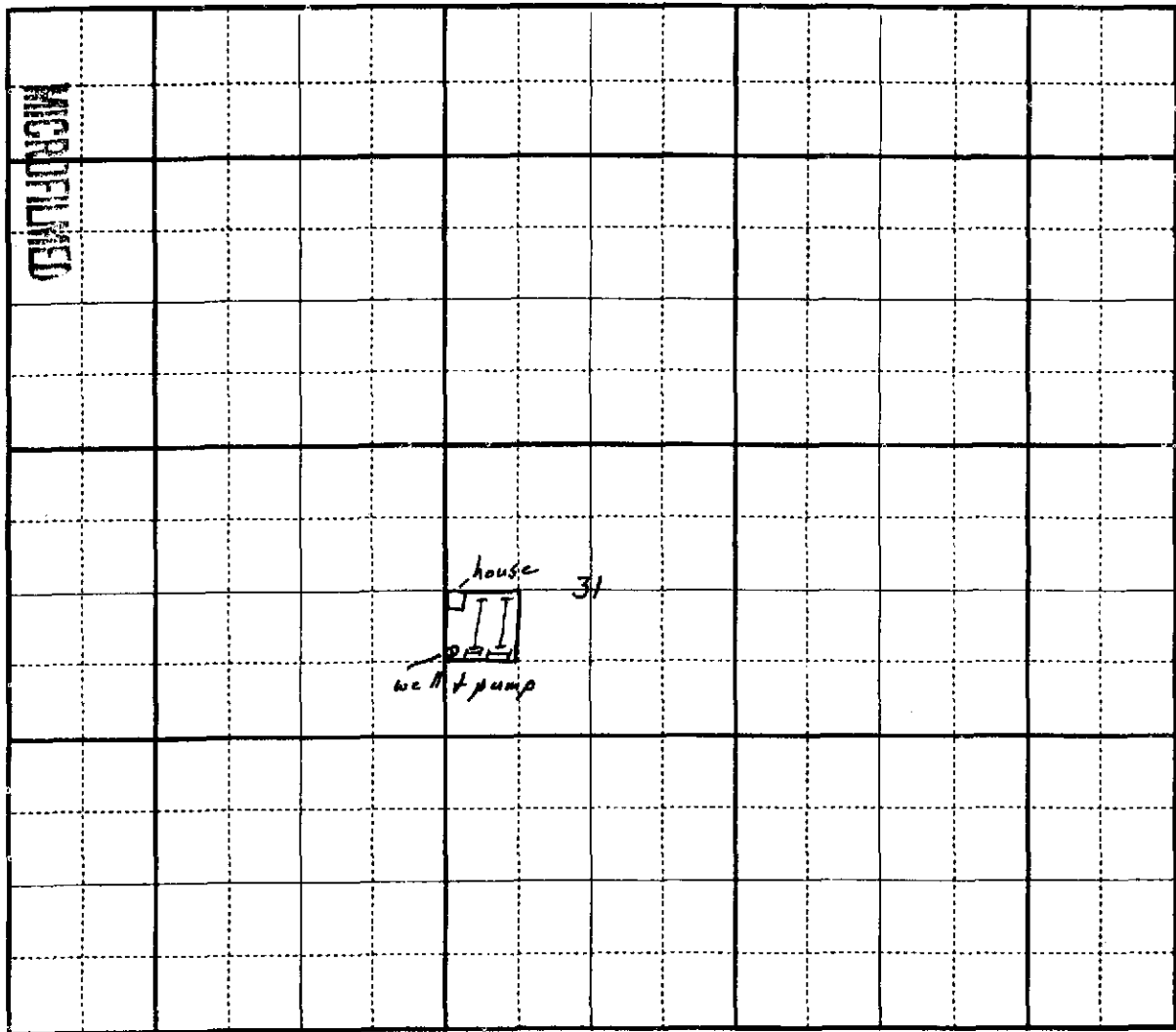


Diagram of System

DATE OF EXAM 9/7/79

ACREAGE
Found 41 ✓
Recommended 41 ✓

Irrigation Requirement 4.5 ✓ Ac Ft/Ac

USE 0.78
✓ Irrigation Q = 77 c.f.s. V = 189.5 ✓ AF/Ann. from 3/15 to 11/15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

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

Exchange? yes _____ no X

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

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

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

Total Q measured 77 0.78 Method of measurement _____

Total Q recommended 77 0.78 Meter No. _____ Type _____ Condition _____

Total V recommended 189.5 AF

Recommended Amendments:

P.D. _____
Place of Use less acreage
Other _____
None None

MEASUREMENT CALCULATION:
64-model 30 with 5/32 at 60 PSI = 5.44 gpm x 60 = 326.4 cfs
= 0.77575
below 0.78

SYSTEM DESCRIPTION:
Natural gas powered Waukesha engine 53 HP Model VA62324
on a Johnson 40 HP pump with 8" discharge on a 12 inch
well into wheel line sprinklers

REMARKS:

Examiner's Signature J. L. Lina Date 9/25/79

Checked by DBS Date 9/25/79

Approved by Ray Walker Date 2-28-84

MICROFILMED



TRUE



| | | | | |
|--------------------------------|---|----------------------|--|-------|
| NORTH | 42 51
S 89° 39' E 81.50
(21.50) (20.00) 40.00 | WEST
80.06 | | NORTH |
| | 42 95
2 80 160 | Sec. 19 | | |
| | 42 90
3 | Sec. 20 | | |
| | 42 85
4 80 160 | NORTH | | |
| NORTH | 42 80
S 89° 39' E 81.40
(21.40) (20.00) 40.00 | S 89° 49' W
80.00 | | NORTH |
| | 42 80
2 80 160 | Sec. 29 | | |
| | 42 85
3 | Sec. 30 | | |
| | 42 90
4 80 160 | NORTH | | |
| NORTH | 42 95
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80.15 | | NORTH |
| | 43 00
2 80 160 | Sec. 31 | | |
| | 43 05
3 | Sec. 32 | | |
| | 43 10
4 80 160 | NORTH | | |
| 43 15
(21.60) (20.00) 40.00 | | 81.60 | | |

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MAGNETIC DECLINATION 19° EAST

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