

Idaho Department of Water Resources

63-9401

T03N R02E S20



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



500 0 500 1000 1500 Feet

IDWR

Prepared by: Sandy Egbert

Date: 2-4-05

1987 NAPP Photography

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: A63-09401
Date Received: 6/06/1989
Receipt No: 4003/25
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOSEPH NACLERIO 208-342-1709
Address: 5315 TARGEE
BOISE, ID 83705
OR
Name: MARY NACLERIO 208-342-1709
Address: 5315 TARGEE
BOISE, ID 83705

2. Date of Priority: JUN 12, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	20	NE	SW			ADA

5. Description of diverting works:
WELL AND PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.160		36.00
DOMESTIC	01/01	12/31	0.340		32.40

7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) 68.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/54 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02E	20	NE NE	SW SW	IRR DOMEST	8.0
Section Acres						8.0
Total Acres						8.0

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:
CLAIM NO. A63-15582.

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: 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): Joselynn Harkeris Date: 6-6-89
Mary A. Harkeris Date: 6-6-89

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 6th day

of June 19 89

Jan Thuercke
Notary Public

Seal

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

Water Right Number - 63-10752

+ - - - -	Last Name - - - +	+ - First Name - - +	+ - - - -	Address - - - - -	+ - - - -
-----------	-------------------	----------------------	-----------	-------------------	-----------

*** C - CURRENT OWNER ***
BOISE PARK SYSTEM

1 - EAGLESON PARK
2 - 1104 ROYAL BLVD.
3 -

State- ID Zip- 83706

City~ BOISE
Phone - 208-384-4240

+	-	-	Priority Date	-	-	+	+	-	-	-	Region	-	-	-	+
			12/12/1988				14								

+	-	-	Stage	-	-	+
P	-		PERMIT			

```

+ - - - - Source - - - - - +
GROUNDWATER
+ - - - - Tributary - - - - - +

```

Town	Rng	Sec	Tract	Lot	RPlg	Point of Diversion	County

03N	02E	20	NW SW	(1)	ADA
-----	-----	----	-------	-------	-----

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
01 -	IRRIGATION	03/15	11/15	0.600	

01 - IRRIGATION

0.600

+	-	Total Div. Rate	-	+	-	Total Div. Volume	-	+	-	Total Div. Capacity	-	+
						0.600						

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
03N	02E	20	NW SW		6.0	01	IRRIGATION	(1) ADA

Total Acres: 6.0

... - - Diversion Means - Well, Pump and Pipeline

- - - Non-Irrigation Use - NONE

- - - Other Rights for Same Use - NONE

DATE	TIME	REMARKS	+
1944	10:00	No Remarks found.	

046	Permit holder shall comply with	Conditions of Approval
046	Permit holder shall comply with	Conditions of Approval

- of Section 42-235, Idaho Code.

- 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.

MICROFILMED

AUG 24 1992

Adj. flag translation: Standard Water Right number

+ + - -	- Decree Defendant - - +
---------	--------------------------

+ - Decree Date - +
00/00/0000

Proof Due Date	- 04/01/1992
Approved/Denied	- 04/03/1989
Proof Made Date	- 00/00/0000
Start Work Date	- 00/00/0000
Order Show Cause	- 00/00/0000
Licensed Date	- 00/00/0000
Decree Date	- 00/00/0000

Field Exam Fee -
Swan Falls -
Temporary Right - p
DLS/Carey Act -
Water District -
Transfer/Amended -

AUG 24 1992

Water Right Number - 63-09401 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - + + - First Name - - + + - - - - Address - - - - -

*** C - CURRENT OWNER ***

NACLERIO JOSEPH

1 - 5315 TARGEE

2 -

3 -

City- BOISE State- ID Zip- 83705

Phone -

1 - 5315 TARGEE

2 -

3 -

City- BOISE State- ID Zip- 83705

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

06/12/1980 14 L - LICENSE Tributary - - - - -

+ - - - - Source - - - - -

GROUNDWATER

+ - - - - Point of Diversion - - - - -

Twn	Rng	Sec	Tract	Lot	RFlg	County	Water Use	Period From	Period To	Diversion Rate	Diversion Volume
03N	02E	20	NE SW			(1) ADA		04/01	10/31	0.160	36.00
								01/01	12/31	0.340	32.40
+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +											
							0.500	68.40			

+ - - - - Description - - - - -

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	Place of Use	County
03N	02E	20	NE SW		8.0	01	IRRIGATION		(1) ADA

Total Acres: 8.0

+ - - Diversion Means - WELL AND PUMP.

+ - - Non-Irrigation Use - D/54 HOMES.

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - -

No Remarks found.

MICROFILMED
AUG 24 1992

MICROFILMED
AUG 24 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 26, 2005

SIESTA ASSOCIATES
661 BREA CANYON RD. STE. 7
WALNUT CA 91789

RE: NOTICE OF CLAIM NO(S): A63-9401, 63-15582

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in the ownership for the above claim(s). IDWR records currently show the following name and address as the owner of the claim(s) listed above:

**JOSEPH NACLERIO
MARY NACLERIO
5315 TARGEE
BOISE ID 83705**

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership form, as appropriate, to correct our records.

If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at (208) 334-2190.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region

LH:1
Enclosures

5



FIRST CLASS

WESTERN REGIONAL OFFICE
2735 AIRPORT
BOISE, IDAHO 83705

15 years ago
My record

NIXIE 2010 1 10 06/10/05

RETURN TO SENDER
ATTEMPTED-NOT KNOWN
UNABLE TO FORWARD
RETURN TO SENDER

JOSEPH NACLERIO
MARY NACLERIO
5315 FARGEE
BOISE ID 83705



Handwritten signature/initials

12353 W. Lewisburg Dr.
Boise ID 83709

63-9401

RECEIVED

JUN 13 2005

WATER RESOURCES
WESTERN REGION

Siesta Associates
661 Brea Canyon Rd Ste 7
Walnut CA 91789

ADDRESS OFFICIAL

02/04/2005

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

RIGHT NUMBER: 63-9401

NAME AND ADDRESS: MARY NACLERIO
5315 TARGEE
BOISE ID 83705

JOSEPH NACLERIO
5315 TARGEE
BOISE ID 83705

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.500 CFS
68.400 AFY

PRIORITY DATE: 06/12/1980

POINT OF DIVERSION:

T03N R02E S20 NESW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	0.160 CFS 36.00 AFY
DOMESTIC	1/01 12/31	0.340 CFS 32.40 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 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.

Domestic use is for 54 homes.

PLACE OF USE: IRRIGATION Within ADA County

T03N R02E S20 NESW 8.0

DOMESTIC Within ADA County

T03N R02E S20 NESW

8 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

Water Right 63-9401

1

Idaho Department of Water Resources

63-9401

T03N R02E S20



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



500 0 500 1000 1500 Feet

IDWR

Prepared by: Sandy Egbert

Date: 2-4-05

1987 NAPP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9401 V1

WATER RIGHT NUMBER: 63-9401 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARY NACLERIO 5315 TARGEE BOISE, ID 83705 (208)342-1709
Current Owner	JOSEPH NACLERIO 5315 TARGEE BOISE, ID 83705 (208)342-1709

Priority Date: 06/12/1980

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	4/01 to 10/31	0.160 CFS	36.00 AF
DOMESTIC	1/01 to 12/31	0.340 CFS	32.40 AF
	<u>Total Diversion:</u>	0.500 CFS	68.40 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4	Sec. 20, Twp 03N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	20									8.0								8.0

Total Acres: 8

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	20									X								

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9401 V1

1. 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.
2. X01 Domestic use is for 54 homes.

Remarks:

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. segbert 2/4/2005 POD
Comment: Updated shape
2. segbert 2/4/2005 POU
Comment: Updated Shape
3. segbert 2/4/2005 POU
Comment: Updated Shape

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: OR
 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	2/4/2005 3:52:18 PM	segbert			Active
POD	2/4/2005 3:52:50 PM	segbert			Active
Source	2/4/2005 3:56:15 PM	segbert			Active
POU	2/4/2005 3:56:46 PM	segbert			Active
Use	2/4/2005 3:57:56 PM	segbert			Active
Season	2/4/2005 3:59:10 PM	segbert			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9401 V1

Quantity	2/4/2005 4:00:05 PM	segbert	Active
Summary		02/04/2005	segbert Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	2/4/2005 3:56:47 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?
Priority Date	2/4/2005 3:52:19 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Season	2/4/2005 3:59:11 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (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? (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? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	2/4/2005 4:00:06 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - as licensed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9401 V1

Summary	2/4/2005 4:08:03 PM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	2/4/2005 3:52:51 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	2/4/2005 3:56:16 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?
Use	2/4/2005 3:57:57 PM	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 Claim Report 63-9401

WATER RIGHT NUMBER: 63-9401

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARY NACLERIO ✓ 5315 TARGEE BOISE, ID 83705 (208)342-1709
Current Owner	JOSEPH NACLERIO ✓ 5315 TARGEE BOISE, ID 83705 (208)342-1709

Priority Date: 06/12/1980 ✓

Basis: License ✓

Status: Active ✓

Source

GROUND WATER ✓

Tributary*from 3-1 to 11-15*Beneficial Use

IRRIGATION ✓

DOMESTIC ✓

From To

4/01 to 10/31 ✓

1/01 to 12/31 ✓

Diversion Rate

0.160 CFS ✓

0.340 CFS ✓

Annual Volume

36.00 AF ✓

32.40 AF ✓

Total Diversion:

0.500 CFS

68.40 AF ✓

Location of Point(s) of Diversion

GROUND WATER

ADA County

NE1/4SW1/4 ✓

Sec. 20, Twp 03N, Rge 02E, B.M. ✓

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	20									8.0								8.0 ✓

Total Acres: 8

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	20									X								

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-9401

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 6/6/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
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>
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Verification Log:

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 63-9401 _____

1. ☒ No Change NAME IS SAME
NEW OWNER: _____
No Change ADDRESS
NEW ADDRESS: _____

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION
Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete description, list below:

6. ~~No~~ Change - WATER USES
Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ~~No~~ Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount _____ CFS _____ AFA

Changes found, the new total is, Amount _____ CFS _____ AFA

8. ~~No~~ Change - NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

- ~~9.~~ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

Well for 63-15582 has been abandoned.

SYSTEM DIAGRAM INCLUDED NA

Shown on GIS Layout

CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 2-4-05

FIELD EXAMINER: _____

Print Name

Sandy Egbert
Signature

0135

CLEMONS, COSHO & HUMPHREY, P.A.

COUNSELORS AND ATTORNEYS AT LAW

CARNEGIE BUILDING

815 WEST WASHINGTON STREET

BOISE, IDAHO 83702

DALE CLEMONS (1911 - 1983)

OFFICE ADMINISTRATOR
GLENYS MCPHERSON

TELEPHONE
(208) 344-7811

LOUIS H. COSHO
HOWARD HUMPHREY
RICHARD H. GREENER
R. MICHAEL SOUTHCOMBE
STANLEY W. WELSH
MAX A. EIDEN, JR.
RANDALL C. FREDRICKS
FREDRIC V. SHOEMAKER
CHRISTOPHER BURKE
RORY R. JONES
STEPHEN J. GLEDHILL
SARA M. THORPE
JOSEPH M. MEIER
DAVID M. PENNY
BRIAN D. NICHOLAS
ANN L. COSHO

June 7, 1989

RECEIVED
JUN 19 1989

Department of Water Resources
Western Regional Office

RECEIVED
JUN 09 1989

Idaho Department of Water Resources
Adjudication Bureau
Statehouse
Boise, Idaho 83720

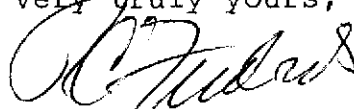
Department of Water Resources

Re: City Permit No. 63-10752

Gentlemen:

Enclosed please find a copy of a letter to the Boise City Park Department. Please retain that letter in your file for future reference.

Very truly yours,



Randall C. Fredricks

RCF:cy

Enclosure

MICROFILMED
AUG 24 1992

CLEMONS, COSHO & HUMPHREY, P.A.

COUNSELORS AND ATTORNEYS AT LAW

CARNEGIE BUILDING

815 WEST WASHINGTON STREET

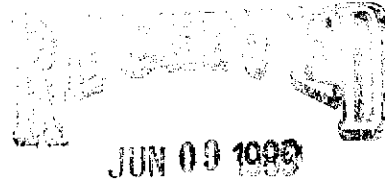
BOISE, IDAHO 83702

LOUIS H. COSHO
HOWARD HUMPHREY
RICHARD H. GREENER
R. MICHAEL SOUTHCOMBE
STANLEY W. WELSH
MAX A. EIDEN, JR.
RANDALL C. FREDRICKS
FREDRIC V. SHOEMAKER
CHRISTOPHER BURKE
RORY R. JONES
STEPHEN J. GLEDHILL
SARA M. THORPE
JOSEPH M. MEIER
DAVID M. PENNY
BRIAN D. NICHOLAS
ANN L. COSHO

COPY
DALE CLEMONS (1911-1983)
OFFICE ADMINISTRATOR
GLENYS MCPHERSON

TELEPHONE
(208) 344-7811

June 7, 1989



Department of Water Resources

Boise City Park Department
1104 Royal Boulevard
Boise, Idaho 83706

Attn: Paul Philbrook

Re: Well Permit No. 63-10752 Eagleson Park

Dear Mr. Philbrook:

This is to confirm my telephone conference with you regarding the concerns of my clients, Mr. and Mrs. Joseph Naclerio, who own the mobile home park near Eagleson Park where the city is drilling a new well. The mobile home park is serviced by a domestic and irrigation well which has been in existence since about 1957. A permit on the well was approved under Permit No. 63-9401.

You have stated that the well being drilled for the city will be drilled into a water strata below that of the Naclerio's and should not interfere with the water table in the strata supplying water to the Naclerio well. The Naclerio well is drilled to 150 feet with a pumping level of approximately 60 feet.

In any event, the Naclerio's have a prior vested right which includes the right to continue to have the water available at their historic pumping level. If the well being drilled by the city causes a lowering of the water table interfering with this right, the result will be considerable expense and damage which the city will be expected to take care of.

Very truly yours,

A handwritten signature in dark ink, appearing to read "R. C. Fredricks".

Randall C. Fredricks

RCF:cy

cc: Mr. and Mrs. Joseph Naclerio
Department of Water Resources

MICROFILMED
AUG 24 1992

State of Idaho
Department of Water Resources



WATER RIGHT LICENSE

License No. 63-9401 Priority 06/12/1980 Amount .50 CFS 68.40 AF

THIS IS TO CERTIFY, that NADERIO, JOSEPH & MARY

of BOISE, IDAHO 83705, has complied with the terms and conditions of Permit No. 63-9401 issued pursuant to Application for Permit dated 06/12/1980, and has submitted proof to the Department of Water Resources on 09/02/1980, that he has applied water to a beneficial use; and examination by the Department indicates that the works have a capacity for the DIVERSION OF .53CFS of water from GROUNDWATER tributary to, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

RATE OF DIVERSION	VOLUME	BENEFICIAL USE	PERIOD OF USE
.16 CFS	36.0 ACRE FEET	IRRIGATION	04/01 - 10/31
.34 CFS	32.4 ACRE FEET	DOMESTIC	01/01 - 12/31

Location of point of diversion: TRACT. NESW SEC. 20 TWP. 03N RGE. 02E

Location of place of use:

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
03N	02E	20									08								8

Total number of acres irrigated 8

REMARKS: D/54 units.

NOTE: Modifications to or variance from the use of water as shown on this license must be made in accordance with Section 42-222, Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho this 24 day of DECEMBER 1980.

[Signature]
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 Naclerio, Joseph &/or Mary Phone 342-1709

Post office address 5315 Targee Boise, Idaho 83705

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

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20 Township 3N

Range 2E B.M. Ada County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .34 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .16 for Irrigation purposes from 4-1 to 10/31 (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. .50 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

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 150 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 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: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20 Township 3N

Range 2E 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 54.

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

APPROVED

[illegible]

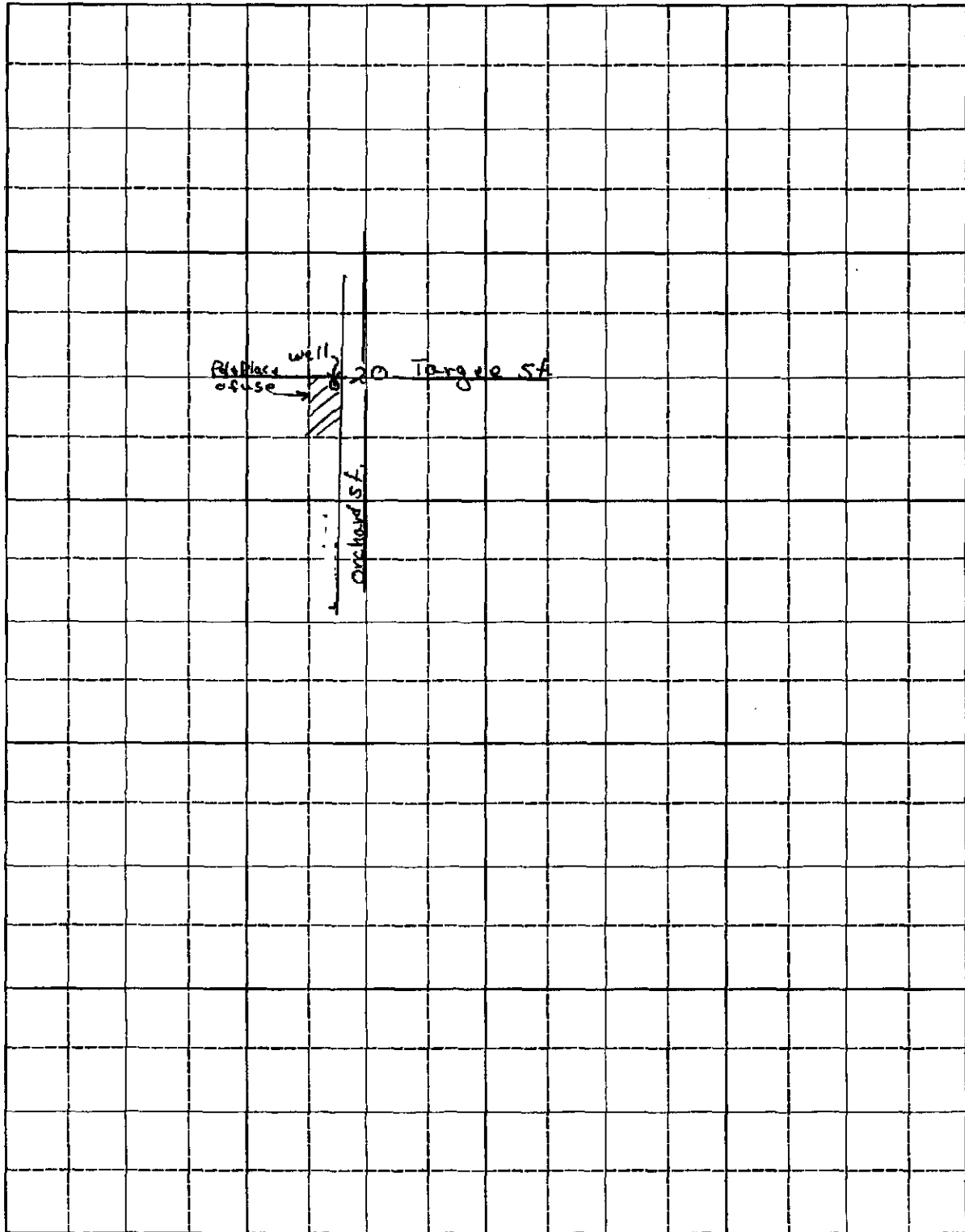
9. a. Who owns the property at the point of diversion _____ Applicant

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	Harold W. Farlow filed for permit No. 63-7356 in 1970; applicant purchased park in 1972. Mr. Farlow let water right lapse unknown to applicant. The water has been used continuously since 1970, applicant has expanded the water right.
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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.

Joseph H. Harkin
(Applicant)

Proposed Priority 4/27/80

Received by CRB Date 12 June 80 Time 1:18 m
Preliminary check by 6/5 Fee \$ 45.00
Received by CRB Date 12 June 80 # 16371
Publication prepared by hjh Date 6/19/80
Published in Idaho Statesman
Publication dates 6/24 & 2/3/80
Publication approved hjh Date 8-4-80
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DSS gms

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. 63-9401, 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 81.

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: The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 11 day of August, 1980.

David R. Tully
Supervisor, Water Allocations Section

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

NACLERIO, J.
P/D. N.E.S.W. S. 20
3N, 2E

63-9401

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	10/17/80	h/h	
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)	11/3/80	JKN	

EXAMINATION

Date 11/3/80 Accompanied by Joseph Macclerio Total Q measured .53
 If source is surface water, estimate total flow of source _____
 Methods of measurement Home Power Meets Permit requirements? yes

Measurement calculations:
 Max. instantaneous water requirement for domestic use chart.
 $54 \text{ domestic} = .34 \text{ cfs } 5 \text{ HP} \times 9.9 \times .80 = 35.2$ 8 acres irrigated
 $20 \text{ ft} \times 4.3 \text{ ft} \times 1.5 \text{ ft} \times 1.5 \text{ ft} = 46.5$ 135.2 = .53 cfs from sub. plat
 $AF = 54 \times .6 = 32.4 \text{ AFA}$ $4.5 \text{ AF} \times 8 = 36 \text{ AFA}$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	5HP							Intergate

System Description 5HP motor - 150 ft deep - 8" casing - 500 gallon storage tank - piped to place of use - individual sprinkler systems.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
Domestic	.34	32.4	11/1	12/31
Irrigation	.16	36.0	3/15	11/15
Total	.50	68.4		

Remarks Found 52 mobil homes, 3 houses, & small laundry.

UNRECORDED

$$Q = \frac{(5 \text{ hp}) (8.8 (8))}{20 + 20(2.3)} = \frac{32.5}{66.5} = .53 \text{ cfs}$$

Examiner's Signature

11/28/80
12/1/80

☒ None

☐ Add P.D., as reflected above

☐ Change P.D. as reflected above

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[illegible]

0-250 250-500 500-750 750-1000 1000-1250 1250-1500 1500-1750 1750-2000 2000-2250 2250-2500 2500-2750 2750-3000 3000-3250 3250-3500 3500-3750 3750-4000 4000-4250 4250-4500 4500-4750 4750-5000 5000-5250 5250-5500 5500-5750 5750-6000 6000-6250 6250-6500 6500-6750 6750-7000 7000-7250 7250-7500 7500-7750 7750-8000 8000-8250 8250-8500 8500-8750 8750-9000 9000-9250 9250-9500 9500-9750 9750-10000

Point(s) of diversion: NFSW 800 20 T3N R25

(Include distance from pump to measuring device, if applicable.)

SCHEMATIC DIAGRAM OF SYSTEM

MAP (Attach Aerial Photo)