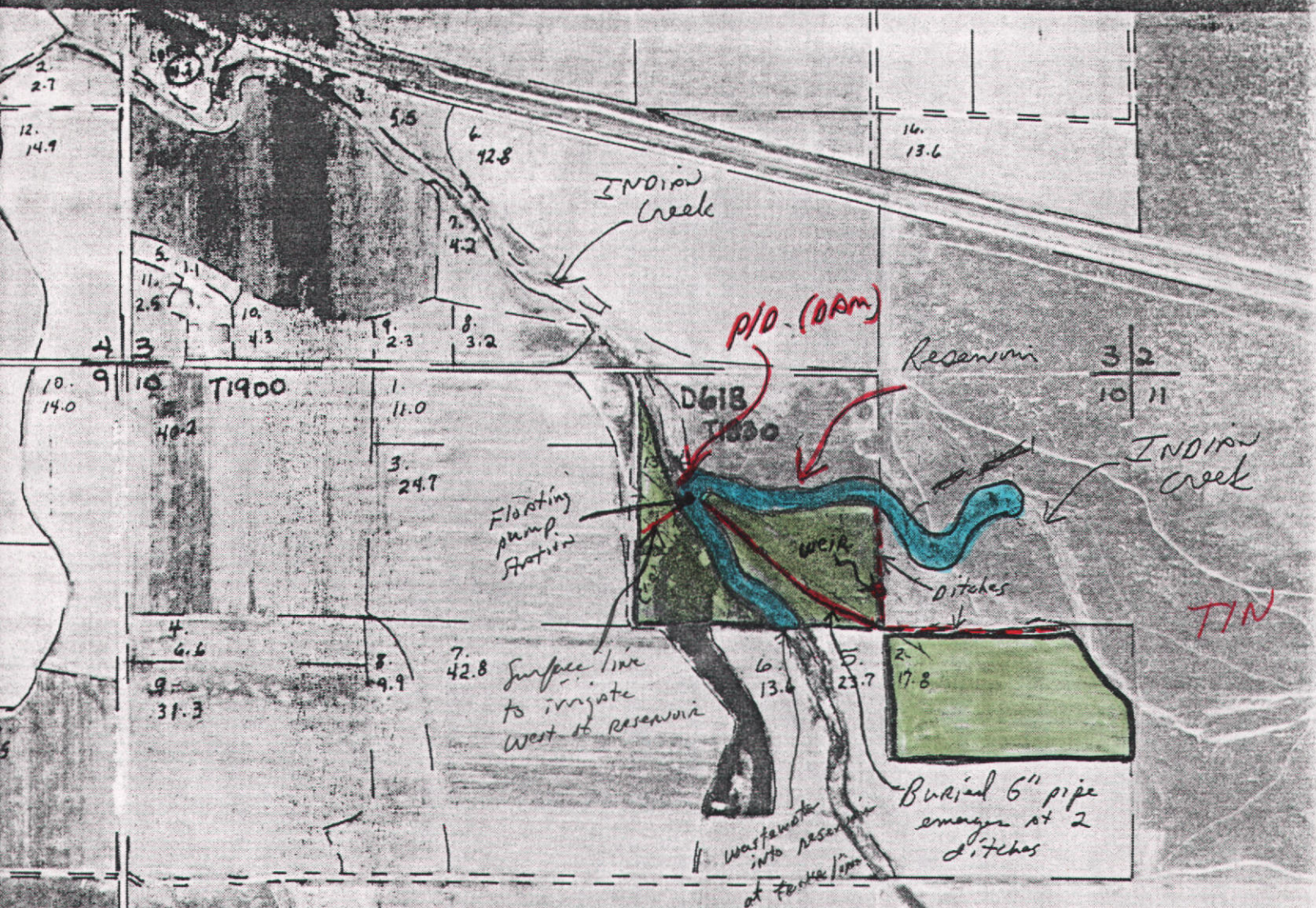


A63-09937

copy for J. Hayes



SAND creek →
green indicates irrigated land

1" ≈ 825'

NOT TO SCALE

RIE

C19

MICROFILMED

AUG 24 1992



R1E

TIN

Westerner
enter Sand Creek
at 1/4 line
(then the
Westerner
is part of
Sand ck. at
this point)

MICROFILMED
AUG 24 1992

A63-09937

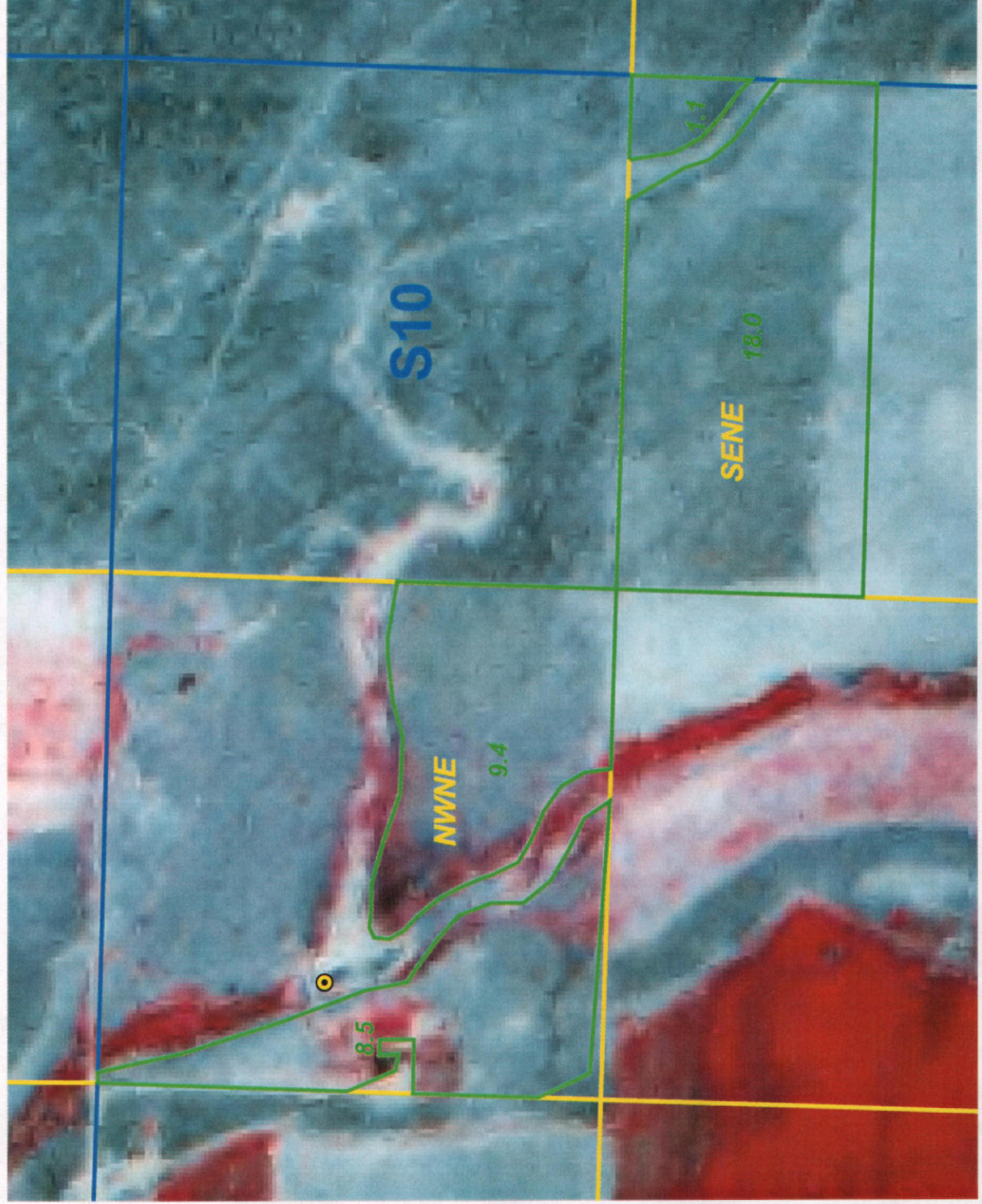
Sand ck. & Ind. ck. in 1E 5.10
Blue R.
Hayes

IDAHO DEPARTMENT OF WATER RESOURCES

Claims: 63-9937

Date Prepared: 10-23-02

Prepared By: Ron Howerton



**T01N, R01E
S10**



● Point of Diversion



Place of use

Section

Quarter/Quarter

37 Acres

0 0.25 0.5 Miles

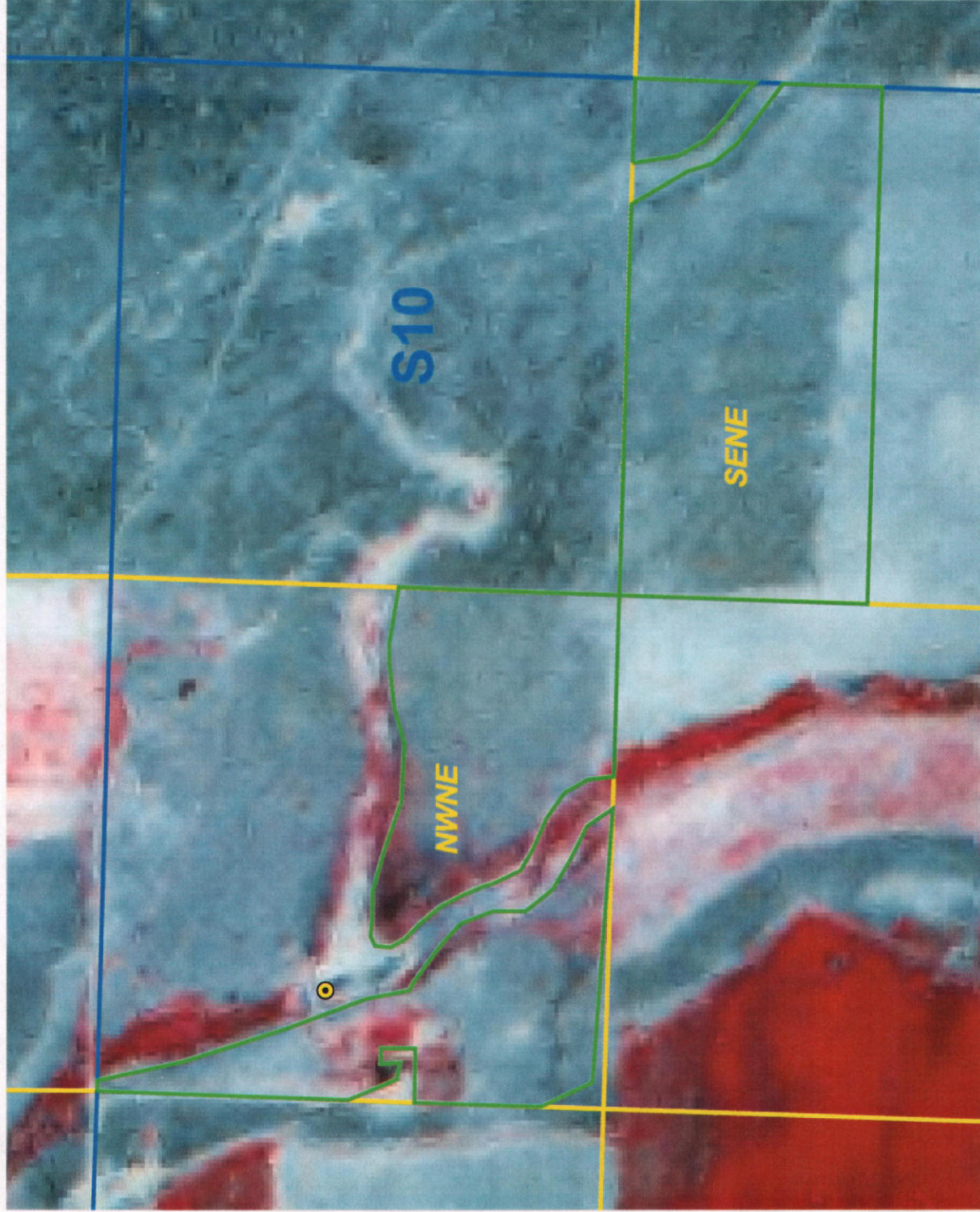
1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Claims: 63-9937

Date Prepared: 10-23-02

Prepared By: Ron Howerton



T01N, R01E
S10



● Point of Diversion

Place of use

Section

Quarter/Quarter

0 0.25 0.5 Miles

1987 NAPP

2000 Photo Shows Resumption

63-9937
T01N, R01E, S10,
NWNE, SENE

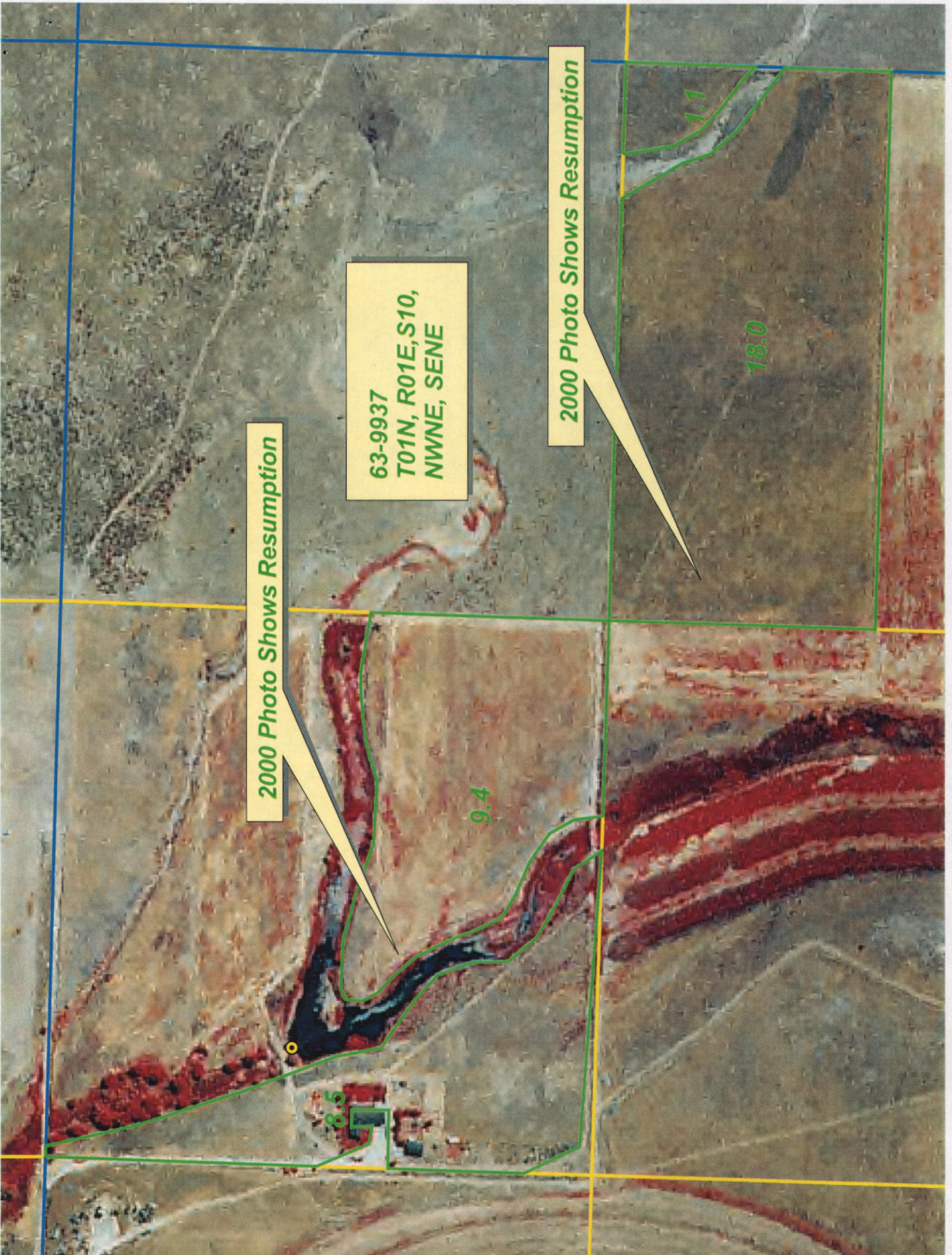
2000 Photo Shows Resumption

9.4

8.5

1.1

18.0





R1E

TIN

Westwater
enters Sand Creek
at 4th line
(the 4th
Westwater
is part of
Sand Ck. at
this point)

NOV 19 1891

P/O - DAM SHORT
LINE

Sand

INDIAN CREEK
PACIFIC

Mora

BM 2762

BM 2766

BM 2789

BM 2784

BM 2816

2770 IV NW
(KUNAI)

SAND CREEK F.R. - SAND CREEK
IN 1E 5.10

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 63-9937
Date Received: 7/28/1989
Receipt No: W003871
Received By:

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

1. Name of Claimant(s): MICHAEL E PETERSEN Phone: (208) 562-0293
11399 E BARKER RD
KUNA ID USA 83634

IDA JEAN PETERSEN Phone: (208) 562-0293
11399 E BARKER RD
KUNA ID USA 83634

2. Date of Priority: 07/15/1982

3. Source: INDIAN CREEK Trib. to: BOISE RIVER
SAND CREEK INDIAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4Lot	County	Type
01N	01E	10	NW NE	ADA	
01N	01E	10	NW NE	ADA	

5. Description of diverting works:

EARTH & ROCK DAM, PUMP & PIPELINE & DITCHES FOR GRAVITY IRRIG

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.62	
IRRIGATION STORAGE	1/01	12/31		21.7
IRRIGATION FROM STORAGE	3/15	11/15		21.7

7. Total Quantity Appropriated is:
0.62 C.F.S. and/or 21.7 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
01N	01E	10	NW NE		IRRIGATION	19
			SE NE		IRRIGATION	18
					Section Acres	37
					Total Acres	37

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:

Ownership changed by DB 3/15/2002

SOURCES ARE SAND CK., TRIB. INDIAN CK.; INDIAN CK., TRIB. BOISE R CLAIM FILED ON BASIS OF LICENSING FIELD EXAM OF 6/28/89. SEE FINAL LICENSE FOR COMPARISON OF INFORMATION. ADDITIONAL CLAIM WAS ALSO FILED FOR DOMESTIC WELL.

Use of water under this right is subject to control by the watermaster of State Water District No. &DISTRICT.

15. Basis of Claim: License

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

RECEIVED
MAR 14 2002
WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-9937 surface water					
63-11343 grd water					
63-16741 domestic					

2. The following **REQUIRED** information must be submitted with this form:
 - A. The appropriate **FILING FEE**. See instructions for fee amounts.
 - B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
 - C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

- | | | |
|----|--|--|
| 3. | Name and Address of Former Owner/Claimant(s) | H. John Hayes ~~current address~~ unknown former address same as applicant |
| 4. | New Owner/Claimant(s) | Michael E. and/or Ida Jean Petersen |
| | | Name Connector (Check one): ☐ and, ☐ or, ☐ and/or |
| | New Mailing Address | 11399 E. Barker Road |
| | City, State and ZIP Code | Kuna, ID 83634 |
| | New Telephone Number | (208) 562-0293 |
| 5. | Date you acquired the property | Nov 30, 01 |

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

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

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

7. Signature of New Owner(s) or Claimant(s) Michael E. Peters
(include title if applicable)

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

For Office Use Only			
Received by <u>KL</u>	Date <u>3/14/01</u>	Fee <u>\$50.00 (\$25-EA)</u>	
Received by <u>KL</u>	Date <u>3/14/01</u>	Receipt No. <u>W026891</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9937

WATER RIGHT NUMBER: 63-9937

Owner Type Name and Address

Current Owner H JOHN HAYES
11399 W BARKER RD
KUNA, ID 83634
(208)362-0907

Original Owner GAYLE L NORDSTROM

 , ZZ

Original Owner FAROL B FOSTER
RT 2
KUNA, ID 83634

Original Owner H D FOSTER
RT 2
KUNA, ID 83634

Surface
water

Priority Date: 06/03/1983

Basis: License

Status: Active

Source Tributary

INDIAN CREEK BOISE RIVER
SAND CREEK INDIAN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	1/01 to 12/31		21.70 AF
IRRIGATION	3/15 to 11/15	0.620 CFS	166.50 AF
IRRIGATION FROM STORAGE	3/15 to 11/15		21.70 AF
<u>Total Diversion:</u>		0.620 CFS	210.10 AF

Location of Point(s) of Diversion

SAND CREEK	NW1/4NE1/4	Sec. 10, Twp 01N, Rge 01E, B.M.
ADA County		
INDIAN CREEK	NW1/4NE1/4	Sec. 10, Twp 01N, Rge 01E, 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	
01N	01E	10		19.0		18.0													37.0

Total Acres: 37

IRRIGATION STORAGE same as IRRIGATION

IRRIGATION FROM STORAGE same as IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9937

IRRIGATION FROM STORAGE same as IRRIGATION

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.
2. 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.
3. R39 A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

Remarks:

Comments:

Dates and Other Information:

Licensed Date: 10/24/1991
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 63
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

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE &
ESCROW CORP.

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2001 DE -4 AM 8:58

RECORDED REQUEST OF

FEE 6.00 DEPUTY J. Harper

101127733

ALLIANCE TITLE

READ & APPROVED BY GRANTEE(S) M.P. J.P.

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 01026672

WARRANTY DEED

FOR VALUE RECEIVED H. JOHN HAYES & KIT HAYES, HUSBAND & WIFE

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto MICHAEL E. PETERSEN & IDA JEAN PETERSEN, HUSBAND & WIFE

GRANTEE(S), whose current address is: 11399 EAST BARKER ROAD, KUNA, ID 83634
the following described real property in ADA CANYON County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

See reverse

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: November 30, 2001

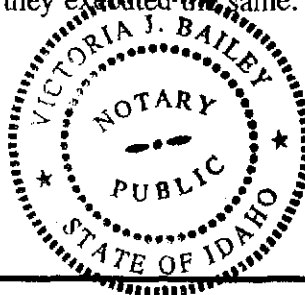
H. John Hayes
JOHN H. HAYES
H. John.

Kit Hayes
KIT HAYES
K

STATE OF Idaho
COUNTY OF Canyon

On this 30th day of November, in the year of _____, before me, the undersigned, a Notary Public in and for said State, personally appeared H. JOHN HAYES & KIT HAYES

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Signature: Victoria J. Bailey
Name: Victoria J. Bailey
Residing at: Wilder Idaho
My Commission Expires: 09-19-2003

EXHIBIT "A"

The Northwest Quarter of the Northeast Quarter of Section 10, Township 1 North, Range 1 East, Boise-Meridian, Ada County, Idaho.

INCLUDING the following described parcel of land:

Part of the Northwest Quarter of the Northeast Quarter in Section 10, Township 1 North, Range 1 East, Boise-Meridian, Ada County, Idaho, described as follows:

COMMENCING at a point on the Half Section line 407.0 feet North of a Half inch steel pin marking the North center 1/16 corner of said Section 10; thence continuing

North along the Half Section line 200.0 feet; thence East 217.8 feet; thence South 200.0 feet; thence West 217.8 feet to the POINT OF BEGINNING.

On this 20th day of November, in the year of 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared H. JOHN HAYES & KIT HAYES,

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Signature: Victoria J. Bailey

Name: Victoria J. Bailey

(Type or print)

Residing at: Walden, Idaho

My Commission Expires: 09-19-2003

THIS FORM FURNISHED COURTESY OF:

**ALLIANCE TITLE &
ESCROW CORP.**

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

2001 DE -4 AM 8:58

RECORDED - REQUEST OF

FEE 6.00 DEPUTY Keeper

101127730

ALLIANCE TITLE

READ & APPROVED BY GRANTEE(S): M.P. JP

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 01026673

WARRANTY DEED

FOR VALUE RECEIVED H. JOHN HAYES & KIT HAYES, HUSBAND & WIFE

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto MICHAEL E. PETERSEN & IDA JEAN PETERSEN, HUSBAND & WIFE

GRANTEE(S), whose current address is: 11399 EAST BARKER ROAD, KUNA, ID 83634
the following described real property in ADA County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

See reverse

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: November 30, 2001

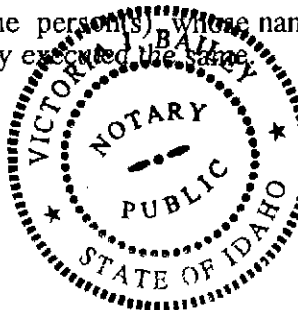
H. John Hayes
H. JOHN HAYES

KIT HAYES
KIT HAYES

STATE OF ID)
COUNTY OF CANYON)

On this 30th day of November, in the year of 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared H. JOHN HAYES & KIT HAYES

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Signature: Victoria J. Bailey

Name: Victoria J. Bailey

Residing at: Wilder ID

My Commission Expires: 09-19-2003

ORDER NO. 01094055 SK/CH

EXHIBIT "A"

The North Half of the Southeast Quarter of the Northeast Quarter in Section 10, Township 1 North, Range 1 East, Boise-Meridian, Ada County, Idaho.

On this 30th day of November, in the year of 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared H. JOHN HAYES & KIT HAYES

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same



Signature:

Victoria Q. Bailey

Name:

Walden, ID

Residing at:

My Commission Expires: 09-19-2003

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: A63-09937
Date Received: 7/28/1989
Receipt No: W003871
Received By: SL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN HAYES 208-362-0907
Address: 11399 WEST BARKER
KUNA, ID 83634
AND/OR
Name: KIT HAYES 208-362-0907
Address: 11399 WEST BARKER
KUNA, ID 83634

2. Date of Priority: JUL 15, 1982

3. Source: SAND CREEK Trib. to: INDIAN CREEK
INDIAN CREEK BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01E	10	NW	NE			ADA

5. Description of diverting works:
EARTH & ROCK DAM, PUMP & PIPELINE & DITCHES FOR GRAVITY IRRIG

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.620		
IRRIGATION STORAGE	01/01	12/31			21.70
IRRIGATION FROM STORAGE	03/15	11/15			21.70

7. Total Quantity Appropriated is:
0.620 C.F.S. (and/or) 21.70 A.F.A.

8. Total consumptive use is 129.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A63-09937

Page 1

Date: 07/28/89

MICROFILMED
AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01E	10	NW	NE		IRR	19.0
			SE	NE		IRR	18.0
						Section Acres	37.0
						Total Acres	37.0

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:
63-9099 (LAPSED PERMIT FOR SPRING)

14. Remarks:
SOURCES ARE SAND CK., TRIB. INDIAN CK.; INDIAN CK., TRIB. BOISE R
CLAIM FILED ON BASIS OF LICENSING FIELD EXAM OF 6/28/89. SEE
FINAL LICENSE FOR COMPARISON OF INFORMATION.
ADDITIONAL CLAIM WAS ALSO FILED FOR DOMESTIC WELL.

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

Number of attachments: 2

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): H. John Hays Date: 7-28-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28 day

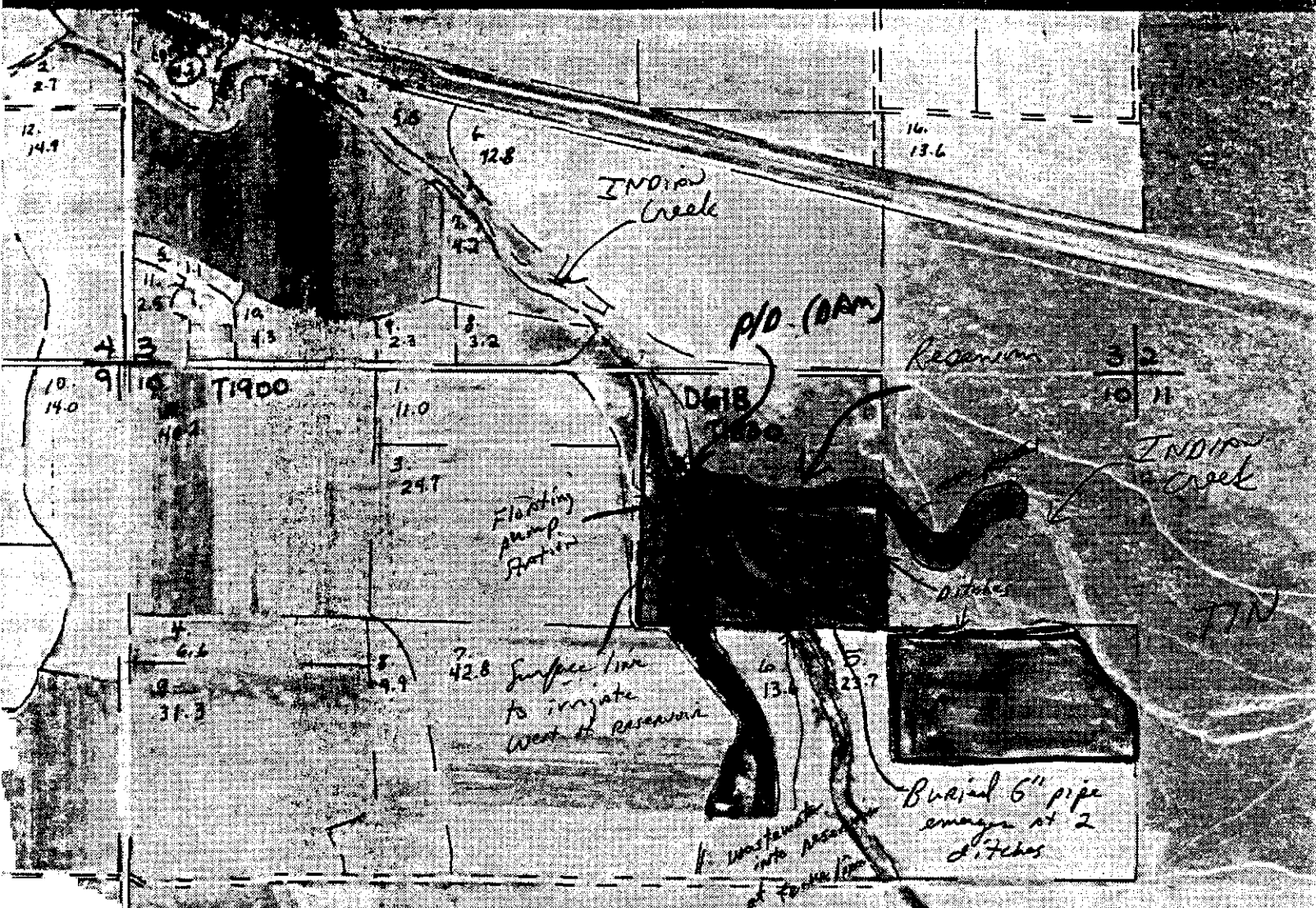
of July 19 89

Lore Harris
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 12-8-94



SAND Creek
 Green indicates irrigated land

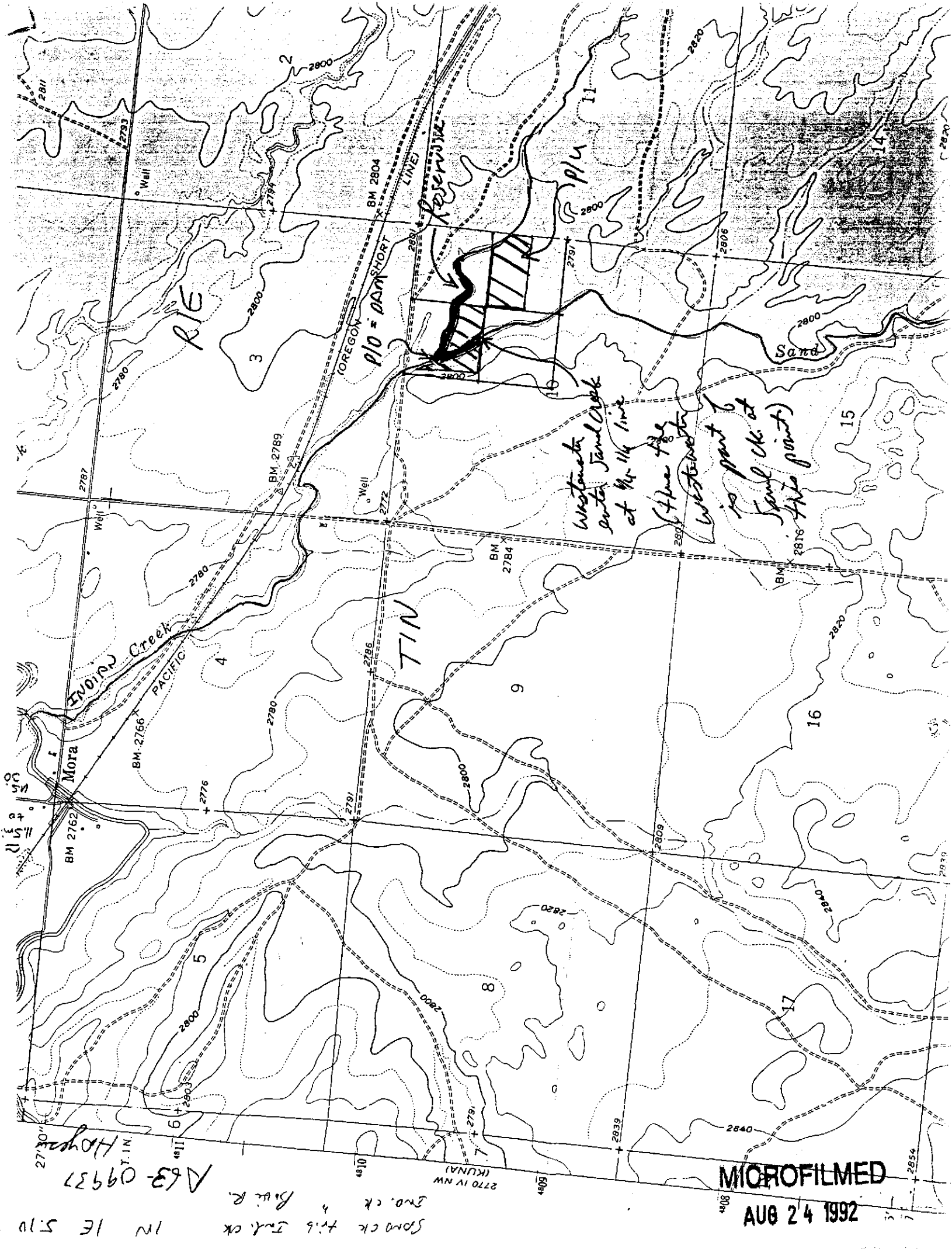
1" $\approx$ 825'

NOT TO SCALE
 RIE

C19

10 | 11
 15 | 14

MICROFILMED
 AUG 24 1992



Sand ck. 4 mi. R.
IN 1E 5.10

A63-09937

MICROFILMED

AUG 24 1992

State of Idaho
Department of Water Resources

NOV - 4 1991

WATER RIGHT LICENSE
WATER RIGHT NO. 63-09937

Department of Water Resources
Water Right Office

Priority: June 3, 1983

Maximum Diversion Rate: 0.62 CFS
Maximum Diversion Volume:¹ 210.1 AF

This is to certify, that GAYLE L. NORDSTROM
14912 S.E. 122
CLACKAMAS OR 97015

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 15, 1982; and
has submitted Proof of Beneficial Use on December 21, 1985. An examination indicates
that the works have a diversion capacity of .620 cfs of water from:

SAND CREEK
INDIAN CREEK

tributary to INDIAN CREEK
tributary to BOISE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.62 CFS	166.5 AF
IRRIGATION STORAGE	01/01 to 12/31		21.7 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		21.7 AF
	Totals	0.62 CFS	210.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 10, Township 01N, 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>
01N	01E	10	NWNE 19	SENE 18		37
Total number of acres irrigated:						37

PLACE OF USE: IRRIGATION FROM STORAGE, 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 more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

MICROFILMED

AUG 24 1992

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

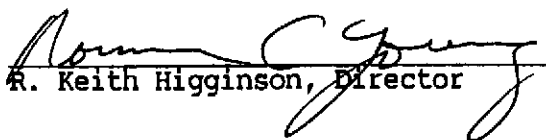
WATER RIGHT NO. 63-09937

CONDITIONS/REMARKS:

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
6. 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.
7. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

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 24TH day of OCTOBER, 1991.

Signed for


R. Keith Higginson, Director

MICROFILMED

AUG 24 1992

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

RIGHT NUMBER: 63-9937

NAME AND ADDRESS: ONSITE GRAPHICS LLC
PO BOX 506
MERIDIAN ID 83680

~~MICHAEL E PETERSEN~~
~~IDA JEAN PETERSEN~~
~~11399 E BARKER RD~~
~~KUNA ID 83634~~

SOURCE: INDIAN CREEK
SAND CREEK

TRIBUTARY: BOISE RIVER
TRIBUTARY: INDIAN CREEK

QUANTITY: 0.620 CFS
210.100 AFY

PRIORITY DATE: 07/15/1982

POINT OF DIVERSION:

T01N R01E S10 NWNE Within ADA County

T01N R01E S10 NWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION FROM STORAGE	03/15 11/15	21.70 AFY
IRRIGATION	03/15 11/15	0.620 CFS 166.50 AFY
IRRIGATION STORAGE	01/01 12/31	21.70 AFY

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

PLACE OF USE: IRRIGATION in ADA County

T01N R01E S10 NWNE 17.90 T01N R01E S10 SENE 19.10

IRRIGATION FROM STORAGE same as IRRIGATION

37 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

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

In Re SRBA

Case No. 39576

Water Rights: 63-9937

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☐ Address change

XX Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: November 20, 2006



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on November 20, 2006, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Onsite Graphics LLC
PO Box 506
Meridian ID 83680

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Michael Petersen
Ida Jean Petersen
11399 E Barker Rd.
Kuna ID 83634

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 20, 2006

ONSITE GRAPHICS LLC
PO BOX 506
MERIDIAN ID 83680

Re: Water Right No. 63-9937

Dear Sir or Madam:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist 1
Adjudication Section
Western Region Office

LH:l
Enclosures

cc: Michael & Ida Jean Petersen

RECEIVED
OCT 17 2006
DEPARTMENT OF WATER RESOURCES

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

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

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

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
FW 63-11343					
PD 63-16741					
63-9937 AS					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s) MICHAEL S Peterson and Ida Jean Peterson
11399 E. Barker Rd., Kuna, ID 83634
4. New Owner/Claimant(s) Onsite, LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P O Box 506
- City, State and ZIP Code Meridian, ID 83680
- New Telephone Number (208) 443-2009
5. Date you acquired the property 3/1/06

SUPPORT DATA

IN FILE # 63-11343

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

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

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

7. Signature of New Owner(s) or Claimant(s) Tom May MANAGER
(include title if applicable)

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

For Office Use Only

Received by _____ Date _____ Fee 50-
 Received by AMB Date 10-17-06 Receipt No. 2082417
 Processed by 221 AJ Date 11-20-06 WR _____ Date _____



ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 05/05/06 04:34 PM
DEPUTY PAUL Thompson
RECORDED - REQUEST OF
Transnation Title

AMOUNT 9.00

3



Escrow No. 03-01 0600041264 CMH

WARRANTY DEED

FOR VALUE RECEIVED

MICHAEL E. PETERSEN AND IDA JEAN PETERSEN, husband and wife

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL AND CONVEY unto: ONSITE GRAPHICS, LLC,
an Idaho Limited Liability

GRANTEES(s), whose current address is: PO Box 506 , Meridian, ID 83680
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:
SEE EXHIBIT "A" ATTACHED
(continued)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Date: March 1, 2006

Michael E Petersen

Ida Jean Petersen

Notary Acknowledgment - see page 2

(continued)

EXHIBIT "A"

PARCEL I

The Northwest quarter of the Northeast quarter of Section 10, Township 1 North, Range 1 East, Boise-Meridian, Ada County, Idaho.

INCLUDING the following described parcel of land:

Part of the Northwest Quarter of the Northeast quarter in Section 10, Township 1 North, Range 1 East, Boise-Meridian, Ada County, Idaho, described as follows:

COMMENCING at a point on the Half Section line 407.0 feet North of a half inch steel pin marking the North center 1/16 corner of said Section 10; thence continuing North along the Half Section line 200.0 feet; thence East 217.8 feet; thence South 200.0 feet; thence West 217.8 feet to the POINT OF BEGINNING.

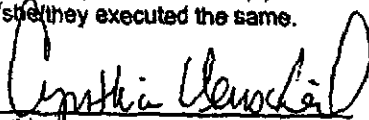
PARCEL II

The North half of the Southeast quarter of the Northeast quarter in Section 10, Township 1 North, Range 1 East, Boise-Meridian, Ada County, Idaho.

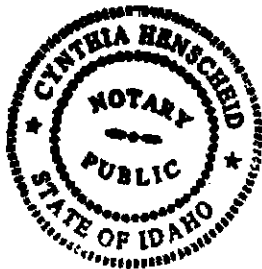
WARRANTY DEED - NOTARY ACKNOWLEDGMENT(S):

State of Idaho, County of ADA, ss.

On this 1 day of March in the year of 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL E. PETERSEN AND IDA JEAN PETERSEN known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Cynthia Henschel
Residing at: Boise, ID
My commission expires: 10/07/2010



Idaho Department of Water Resources Receipt

Receipt ID C082417

Payment Amount	\$50.00	Date Received	10/17/2006 2:05:49 PM	Region	State	Status
Payment Type	Check	Check Number	11229			

Payer	ONSITE, LLC
Comment	63-11343

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	56140	1155


Signature Line (Dept. Representative)

Onsite, LLC
10280 W. Ustick Rd.
Boise, ID 83704
208-672-1616
208-672-1901, fax

3
OCT 26 2006

2
October 24, 2006

Ms. Liberty Gagnon, Adjudication Section
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

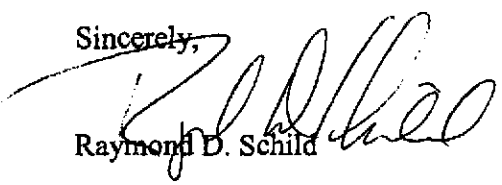
sent to state office

RE: Water Right No. 63-11343 and 63-16741 and 63-9937

Dear Ms. Gagnon:

Per your letter of October 20, 2006, enclosed find the Deed, which also contains the attached legal description, to complete the information for our Notice of Change in Water Right Ownership. Please contact us should you require anything further.

Sincerely,


Raymond D. Schild

Enc. Deed and legal description

WA
10280 W. Ustick Rd.
Boise, ID 83704
208-672-1616
208-672-1901, fax

OCT 24 2006

October 23, 2006

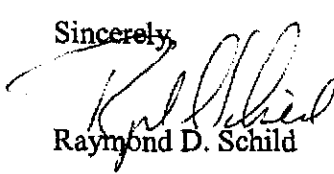
Ms. Cherie Padilla, Technical Review
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

RE: Water Right No. 63-11343 and 63-16741 and 63-9937

Dear Ms. Padilla:

Per your letter of October 19, 2006, enclosed find the Deed, which also contains the legal description, to complete the information for our Notice of Change in Water Right Ownership. Please contact us should you require anything further.

Sincerely,


Raymond D. Schild

Enc. Deed and legal description

11/07/2002

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

RIGHT NUMBER: 63-9937

NAME AND ADDRESS: MICHAEL E PETERSEN
11399 E BARKER RD
KUNA ID 83634

IDA JEAN PETERSEN
11399 E BARKER RD
KUNA ID 83634

SOURCE: INDIAN CREEK
SAND CREEK

TRIBUTARY: BOISE RIVER
TRIBUTARY: INDIAN CREEK

QUANTITY: 0.620 CFS
210.100 AFY

PRIORITY DATE: 07/15/1982

POINT OF DIVERSION:

T01N R01E S10 NWNE Within ADA County
T01N R01E S10 NWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION FROM STORAGE	03/15 11/15	21.70 AFY
IRRIGATION	03/15 11/15	0.620 CFS 166.50 AFY
IRRIGATION STORAGE	01/01 12/31	21.70 AFY

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

PLACE OF USE: IRRIGATION Within ADA County

T01N R01E S10 NWNE 17.9 T01N R01E S10 SENE 19.1

IRRIGATION FROM STORAGE same as IRRIGATION
IRRIGATION STORAGE same as IRRIGATION

37 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

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

Prior to Field Exam

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

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-9937

Owner: _____ Phone No. _____

Current Address: _____

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

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: _____ Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

SAME AS LICENSE**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 Rmk. ALLOWING
EARLIER SOW to MAR 15th

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater onlyLICENSE VOL FOR SURFACE WATER☒ Incomplete on claim, the total is, Amount _____ CFS 210.1 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: SEE NAPP Photo

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	
1N	1E	10		17.9		19.1													37
																			37

Overlap with other water rights: NONE

1
SAME AS
LIC,

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

Delivery System Narrative: SAME AS LICENSE

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 SEE ATTACHED B/W REPORT

NARRATIVE/REMARKS/COMMENTS

1987 NAPP WAS NOT CLEAR AS NECESSARY TO VERIFY IRRIGATION, HOWEVER, CHECKED 2000 PHOTO IMAGERY AND IT APPEARS THAT MOST RESUMPTION HAS RETURNED, SEE MAP IN FILE.

INCOMPLETED VOL ON CLAIM;
FOUND ERROR ON CLAIM; LEFT OFF IRR VOLUME
ADDED CORRECT LICENSE VOL.

[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
- NA - IN OFFICE

DATE EXAM CONDUCTED: 10/23/02

FIELD EXAMINER: Don Howard

AJ5809NP
No. A63-09937

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/09/00
PAGE: 202

Audit: 07/28/89 LESTER 03/30/95 POST-STD

Water Right Number - 63-09937 Prefix Translation: WATER RIGHT Old (D) Number -

*** C - CURRENT OWNER ***
HAYES Last Name First Name Address

H JOHN 1 - 11399 W BARKER RD
2 -
3 -
City- KUNS State- ID Zip- 83634
Phone - 208-362-0907

*** O - ORIGINAL OWNER ***
FOSTER H. D. 1 - RT. 2
2 -
3 -
City- KUNA State- ID Zip- 83634
Phone - 208-000-0000
1 - RT. 2

FOSTER FAROL B. 2 -
3 -
City- KUNA State- ID Zip- 83634
Phone - 208-000-0000
1 - RT. 2

NORDSTROM GAYLE L. 2 -
3 -
City- KUNA State- ID Zip- 83634
Phone - 208-000-0000
1 -

Priority Date Region Stage Status

06/03/1983 14 WESTERN L - LICENSE + - - - - - +

Source SAND CREEK Point of Diversion Diversion Name Diversion Rate Diversion No.

INDIAN CREEK (1) ADA

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15		0.620	166.50
02 - IRRIGATION STORAGE		01/01	12/31			21.70
03 - IRRIGATION FROM STORAGE		03/15	11/15			21.70

Total Div. Rate Total Div. Volume Total Div. Capacity

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
01N	01E	10	NW NE		19.0	01	IRRIGATION	(1) ADA
01N	01E	10	SE NE		18.0	01	IRRIGATION	(1) ADA

County

37.0

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- Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
- 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.
- A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

+ - Decree Date - +
00/00/0000

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IDAHO DEPARTMENT OF WATER RESOURCES

10/23/2002

ADJUDICATION CLAIM POD REVIEW REPORT

ADJUDICATION CLAIM NUMBER: 63-9937

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-9937	Claim	01N	01E	10	NW	NE		INDIAN CREEK BOISE RIVER	MICHAEL E PETERSEN
63-9937	Claim	01N	01E	10	NW	NE		SAND CREEK INDIAN CREEK	MICHAEL E PETERSEN
63-16741	Claim	01N	01E	10	NW	NE		GROUND WATER	KIT HAYES
63-11343	Water Right	01N	01E	10	NW	NE		GROUND WATER	H JOHN HAYES
63-9937	Water Right	01N	01E	10	NW	NE		SAND CREEK INDIAN CREEK	H JOHN HAYES
63-9937	Water Right	01N	01E	10	NW	NE		INDIAN CREEK BOISE RIVER	H JOHN HAYES
63-16741	Water Right	01N	01E	10	NW	NE		GROUND WATER	KIT HAYES

IDAHO DEPARTMENT OF WATER RESOURCES

10/23/2002

ADJUDICATION CLAIM POU REVIEW REPORT

ADJUDICATION CLAIM NUMBER: 63-9937

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-9937	Claim	01N	01E	10	NW	NE		IRRIGATION	19/37	MICHAEL E PETERSEN
63-11343	Water Right	01N	01E	10	NW	NE		IRRIGATION	18/18	H JOHN HAYES
63-9937	Water Right	01N	01E	10	NW	NE		IRRIGATION	19/37	H JOHN HAYES
63-3219B	Claim	01N	01E	10	SE	NE		IRRIGATION	20/364	DOUBLE A DAIRY
63-3337A	Claim	01N	01E	10	SE	NE		IRRIGATION	20/364	DOUBLE A DAIRY
63-3337C	Claim	01N	01E	10	SE	NE		IRRIGATION	20/364	DOUBLE A DAIRY
63-3577	Claim	01N	01E	10	SE	NE		IRRIGATION	20/364	DOUBLE A DAIRY
63-9937	Claim	01N	01E	10	SE	NE		IRRIGATION	18/37	MICHAEL E PETERSEN
63-3577	Water Right	01N	01E	10	SE	NE		IRRIGATION	20/364	DOUBLE A DAIRY
63-9184	Water Right	01N	01E	10	SE	NE		IRRIGATION	20/60	ANDERSON BROTHERS
63-3337A	Water Right	01N	01E	10	SE	NE		IRRIGATION	20/364	DOUBLE A DAIRY
63-3219B	Water Right	01N	01E	10	SE	NE		IRRIGATION	20/364	DOUBLE A DAIRY
63-3337C	Water Right	01N	01E	10	SE	NE		IRRIGATION	20/364	DOUBLE A DAIRY
63-9937	Water Right	01N	01E	10	SE	NE		IRRIGATION	18/37	H JOHN HAYES

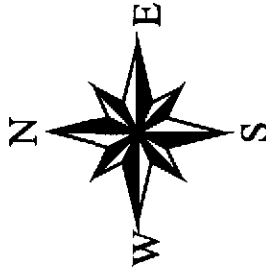
IDAHO DEPARTMENT OF WATER RESOURCES

Claims: 63-9937

Date Prepared: 10-23-02

Prepared By: Ron Howerton

T01N, R01E
S10



© Point of Diversion

Place of use

Section

Quarter/Quarter

37 Acres



0.5 Miles

0.25

0

1987 NAPP

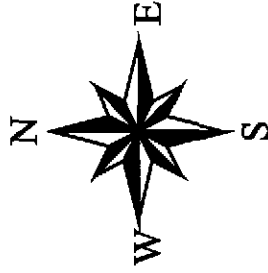
IDAHO DEPARTMENT OF WATER RESOURCES

Claims: 63-9937

Date Prepared: 10-23-02

Prepared By: Ron Howerton

T01N, R01E
S10



⊙ Point of Diversion

☐ Place of use

☐ Section

Quarter/Quarter



0.5 Miles

0.25

0

1987 NAPP

2000 Photo Shows Resumption

**63-9937
T01N, R01E, S10,
NWNE, SENE**

2000 Photo Shows Resumption



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

March 18, 2002

MICHAEL E PETERSEN
IDA JEAN PETERSEN
11399 E BARKER RD
KUNA ID 83634

Re: Notice of Claim to a Water Right No. 63-9937

Dear Claimant(s):

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

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Please note, water right numbers 63-11343 & 63-16741 have been sent to our State Office for processing.

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

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09937

Priority: June 3, 1983

Maximum Diversion Rate: 0.62 CFS
Maximum Diversion Volume:¹ 210.1 AF

This is to certify, that GAYLE L. NORDSTROM
14912 S.E. 122

CLACKAMAS OR 97015 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 15, 1982; and
has submitted Proof of Beneficial Use on December 21, 1985. An examination indicates
that the works have a diversion capacity of .620 cfs of water from:

SAND CREEK
INDIAN CREEK

tributary to INDIAN CREEK
tributary to BOISE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.62 CFS	166.5 AF
IRRIGATION STORAGE	01/01 to 12/31		21.7 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		21.7 AF
	Totals	0.62 CFS	210.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 10, Township 01N, 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>
01N	01E	10	NWNE 19	SENE 18		37

Total number of acres irrigated: 37

PLACE OF USE: IRRIGATION FROM STORAGE, 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 more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

NOV 19 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09937

CONDITIONS/REMARKS:

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
6. 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.
7. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.

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 24TH day of OCTOBER, 1991.

Acting for R. Keith Higginson, Director

NOV 19 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION (and/or Kit Hayes)

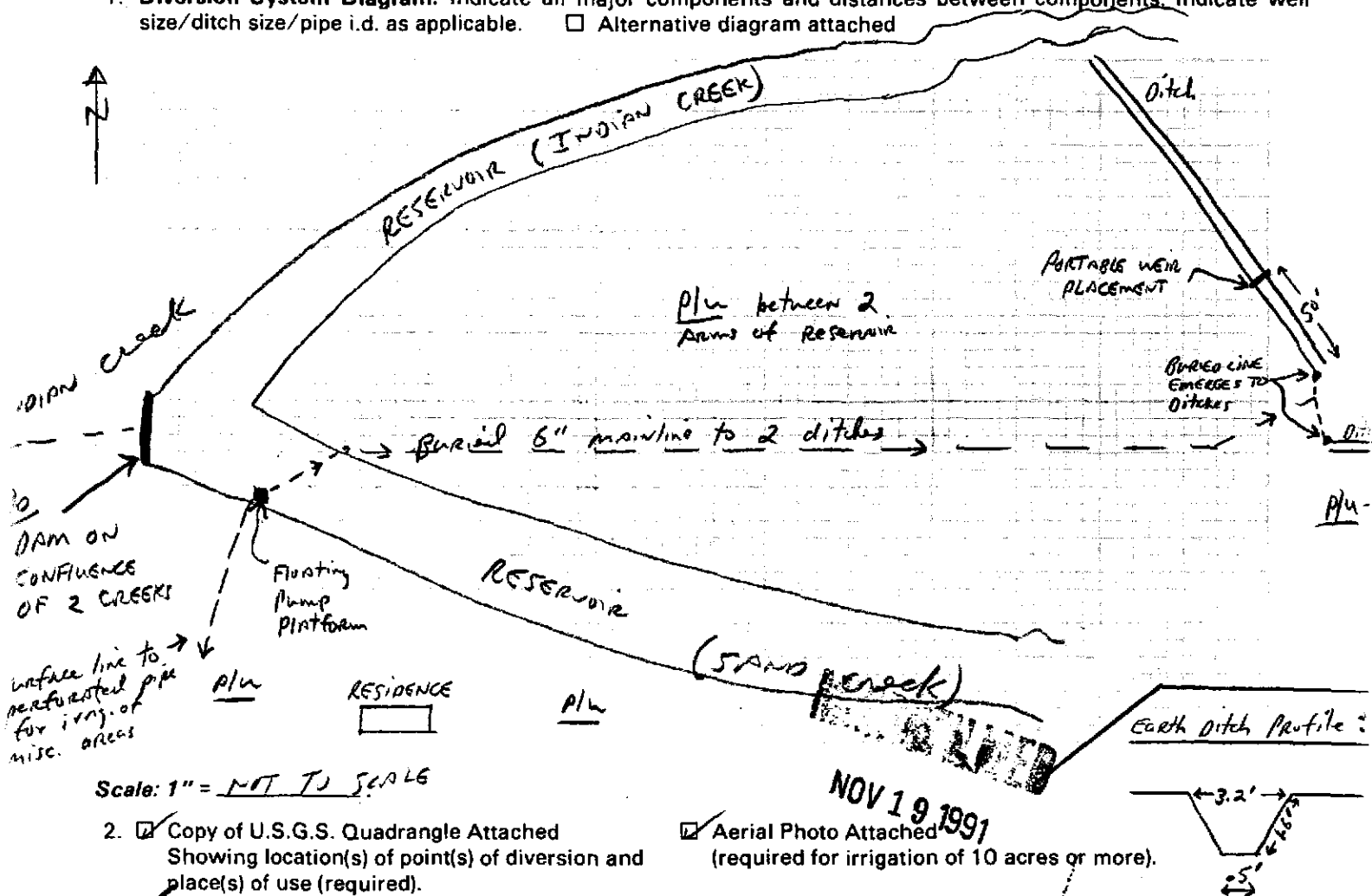
1. Owner: John Hayes Permit No. 63-09937
Phone No. 362-0907
Current Address: 11399 West Barker Kuna, ID. 83634
2. Accompanied by: John Hayes EXAM. DATE: 6/28/89
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Sand Creek tributary to Indian Creek
Indian Creek Boise River

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-09099 Lapsed, 63-03577, 63-09184
_____ ☐ Copies Attached ^{NOT} NEEDED
2. Other water rights with same point of diversion: 63-09099 Lapsed
_____ ☐ Copies Attached ^{N/A} ☐ Copies of Field Exam's Attached

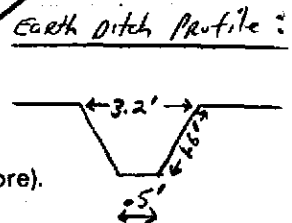
C. SYSTEM DESCRIPTION

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



Scale: 1" = NOT TO SCALE

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 ^{NOV 19 1991}
(required for irrigation of 10 acres or more).



Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
IOWA ~~Gipsett~~ Weir				~~61251~~		
V-Notch						

2. Measurements:

Head at weir = .57'

[open discharge system so Hp eq. is E2 (a) & (b) losses
its meaning for comparisons with E1 measured method.
Note that weir meas. agreed closely with pump test info owner showed to examiner.]

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

.62 cfs from weir table

Hp = 3
Z = 2.5
2. Alternate Method for Checking Purposes:
Hp eq. where (a) no psi with open discharge
(b) minimal psi assumed
(a) $Q = \frac{(8.8)(.8)(3)}{(2.31 \times 0) + 2.5} = 8.45 \text{ cfs}$ where 0 psi assumed
(b) $Q = \frac{(8.8)(.8)(3)}{(2.31 \times 2) + 2.5} = .43 \text{ cfs}$ where 20 psi assumed

F. PUMP EFFICIENCY DATA (Optional) - N/A · 3 HP system

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (37)(4.5) = 166.5$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.62)(245)(1.9835) = 301.3$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 166.5$

2. Volume Calculations for Other Uses:

N/A

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① Owner requests waiver of permit fees. Since less than 0.70 cfs diverted for use from user I have waived permit fees for exam.

H. REMARKS AND OVERLAP REVIEW ANALYSIS

② Permit anticipated 60 cfs irrigation. At 4.5 ac/ft per acre, 270 ac/ft was anticipated volume development. For license record, add volume from flow plus stored volumes to total 210.1 ac/ft, which is within permit limitations of a 270 ac/ft development.

③ Reservoir estimates: Indian ck. 90' wide, 4' deep, 1930' long; Sand ck. 70' x 4' x 82.5' 943,800 ft³.

④ Overlay - NONE SIGNIFICANT.

P10 Licensed permit for spring 63-09099

P11 63-03577 & 63-09184 ground water rights for other land.

⑤ Waste water enters the Sand ck portion of Reservoir at 1/4-1/2 line (fence line) for NUNE & SUNE S. 10. Thus, the waste water is part of Sand Creek (public water) as it enters creek & does not need to be shown as a separate water source.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation Storage	1/1	12/31	—	21.7
Irrigation from Storage	3/15	11/15	—	21.7
Irrigation	3/15	11/15	.62	166.5
Totals:			.62	210.1

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 M. Lester

Signature Steven M. Lester

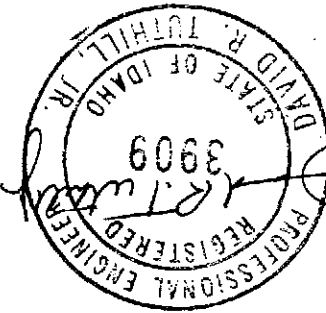
Certification Date 7/19/89

Field Report Preparation Date 7/19/89

K. Licensing recommendation shall be prepared by an Idaho D employee on a computer printout attached hereto.

SL
10-21-90

NOV 19 1991



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 H. D. &/or FAROL B. FOSTER BUS. 336-3010
Phone RM. 362-2522
Post office address Rt. 2, Kuna, ID 83634
Sand Creek Indian Creek
2. Source of water supply Indian Creek which is a tributary of Boise River
3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10 Township 1N
Range 1E B.M. Ada County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.0cfs for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum) Storage for
Amount 24.0AF for Irrigation purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) Irrigation
Amount 24.0AF for from Storage purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Small dam to form pond or reservoir
to store wastewater in addition to spring water (see App. 63-9099)

b. Height of storage dam under 10 feet, active reservoir capacity _____ acre-feet; total reservoir
capacity 24 acre-feet, materials used in storage dam: earthen with clay core

Period of year when water will be diverted to storage Jan. 1 to Dec. 31 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ 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 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: _____

[illegible]

Permit 63-9099

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

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

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

applicant to make this filing

by Terry Nordstrom, the former owner of the property. The purpose of filling

by Terry Nordstrom, the former owner of the property. The purpose of filing

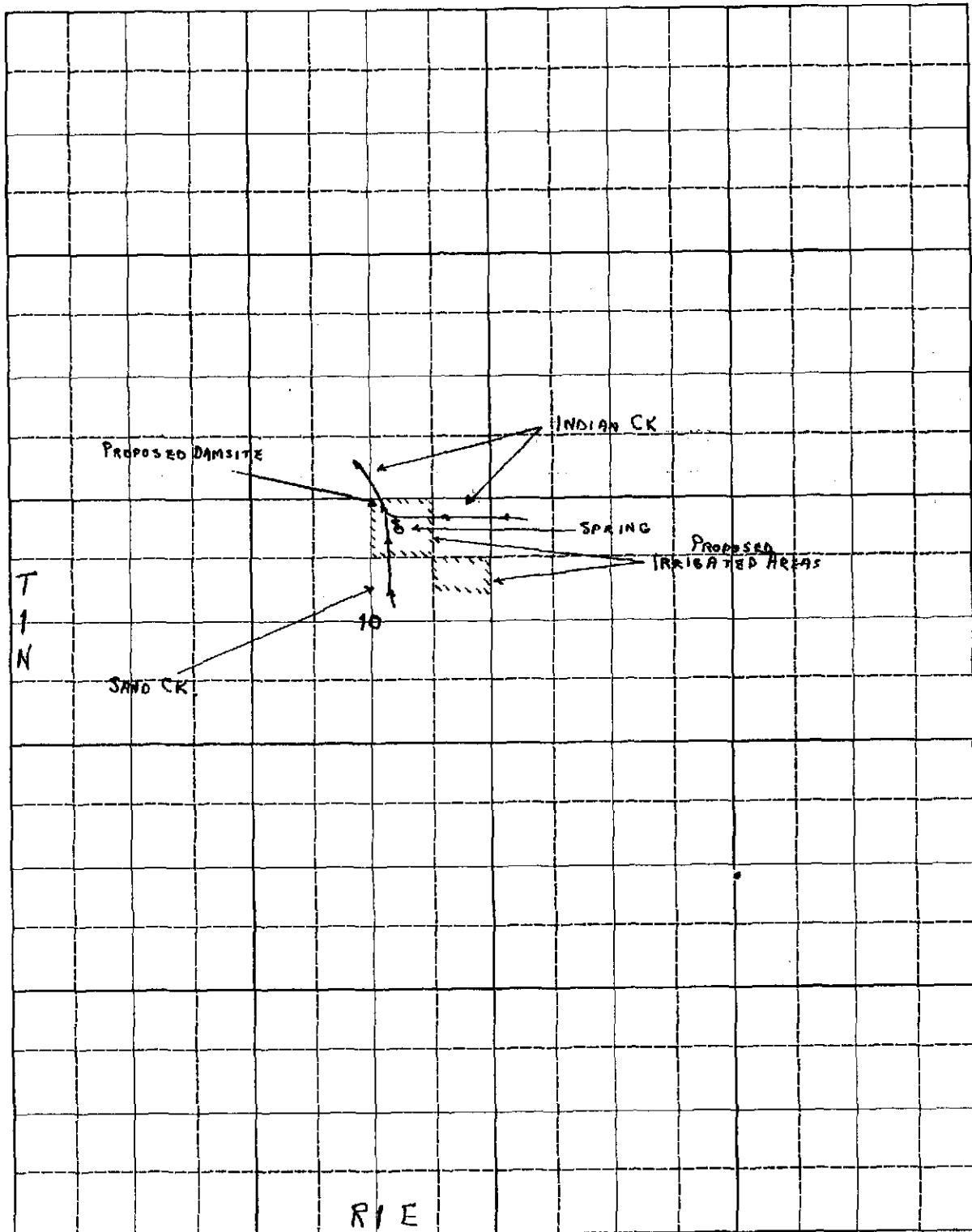
this Application is to store and use a portion of the waste water flowing

through the named creeks plus the spring water described in Permit 63-9099.

As added benefits the reservoir would supply family recreation, including

hunting and fishing, also beneficial erosion control would be derived.

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.

W. D. Foster
(Applicant)

Proposed Priority 7/15/1982

Received by Mr Date 7-15-82 Time 11:00 am

Preliminary check by LKS Fee \$ 45.00 / 24057

Received by JP Date 7/15/82

Publication prepared by JP Date 8/5/82

Published in The Idaho Statesman

Publication dates 8/12 8/19/82

Publication approved JP Date 8/24/82

Protests filed by: NONE

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by MS

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. 63-9937, 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 87.

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.

A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained

as part of the diverting works.

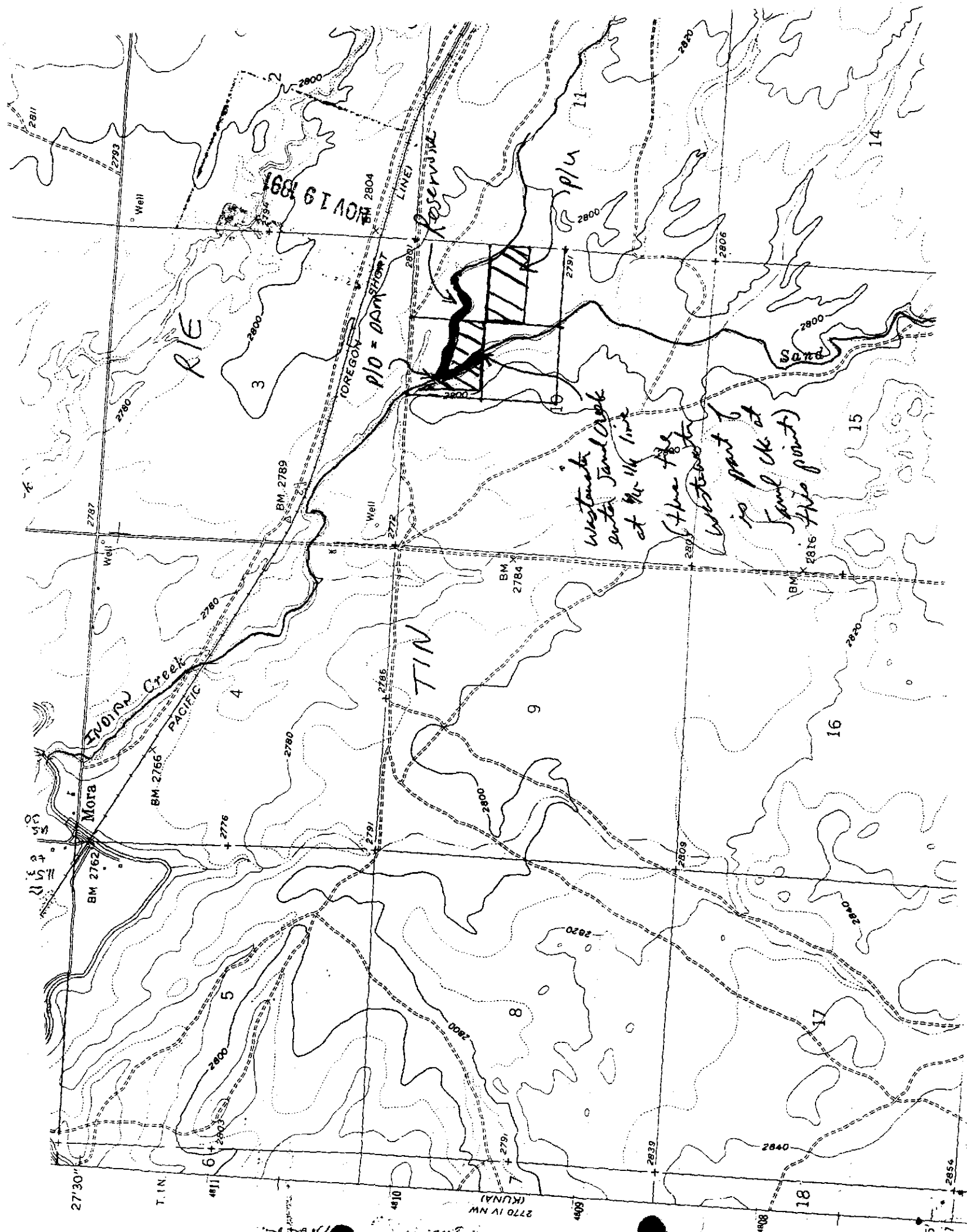
Use of water under this permit is subject to control by the

watermaster of State Water District No. 63, Boise, River.

Witness my hand this 16th day of September, 1982.

D. Allen Gayton
Chief, Operations Bureau

7/15/1982



IN 1E 510

SAND CR. 415-514 CR
AND CR. 415-514 CR

