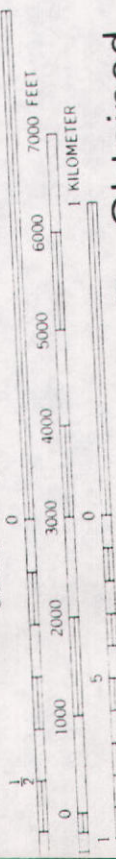




SCALE 1:24,000



Copies Of These Maps Can Be Obtained
 Ronneville Blue Print, Boise Idaho

MICROFILMED

AUG 26 1972



STAR, IDAHO
 N4337.5 W11622.5/7.5

T4
 T3

Idaho Department of Water Resources

T04N, R01W,
S36

Claim No: 63-16809

Prepared By: Kimberly Brown

Date: March 8, 2005



Place of Use



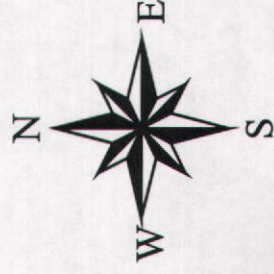
Section Lines



1/4 1/4



Point of Diversion



0.04 0 0.04 0.08 Miles



1987 NAPP

NESE

1939 NAPP

#63-18609

SESE

N

C



N

2003 NAPP
#63-16809

route.

SESE

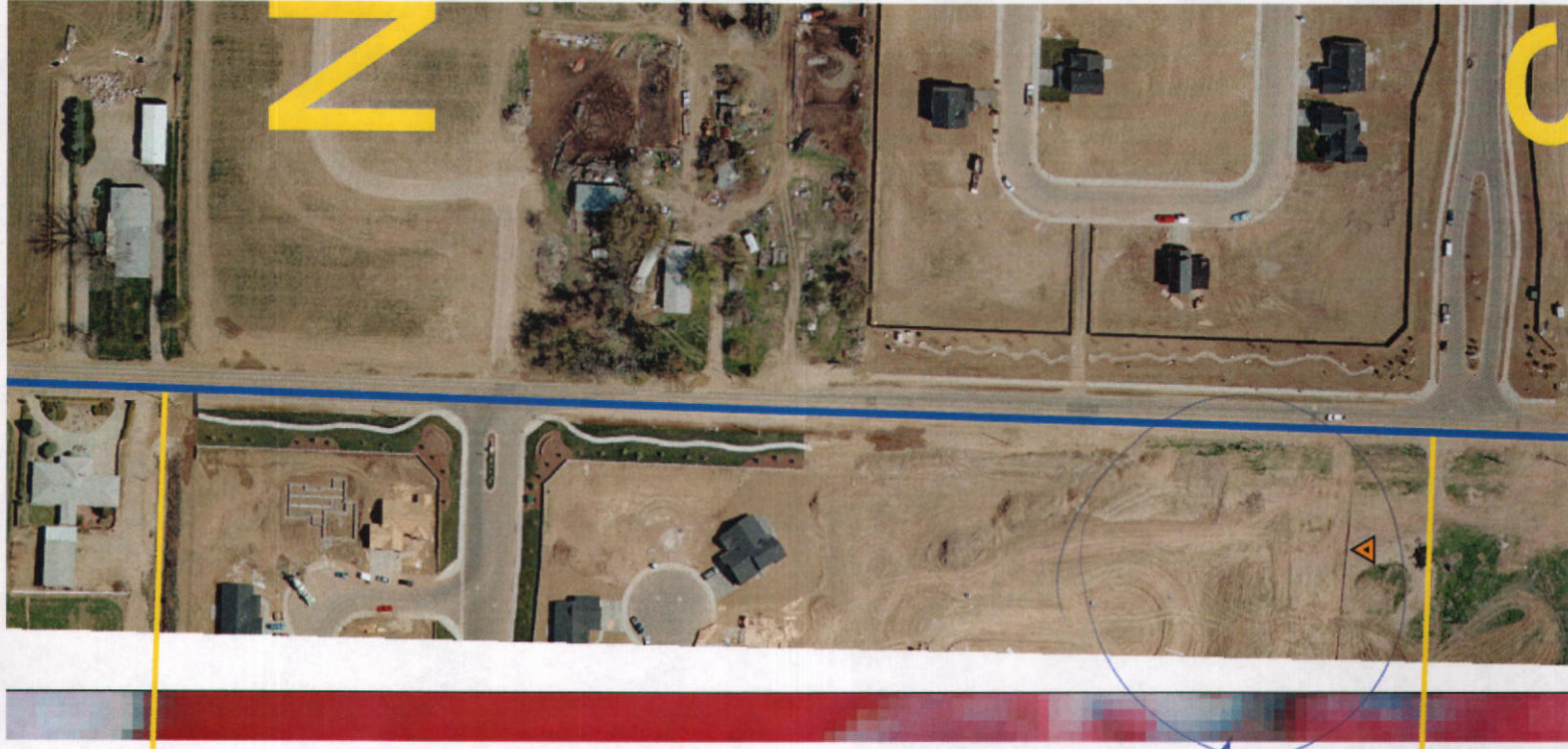


63-16809

2003 NAPP

the dairy is no
longer existent

SESE



63-16809

Photo 168889a



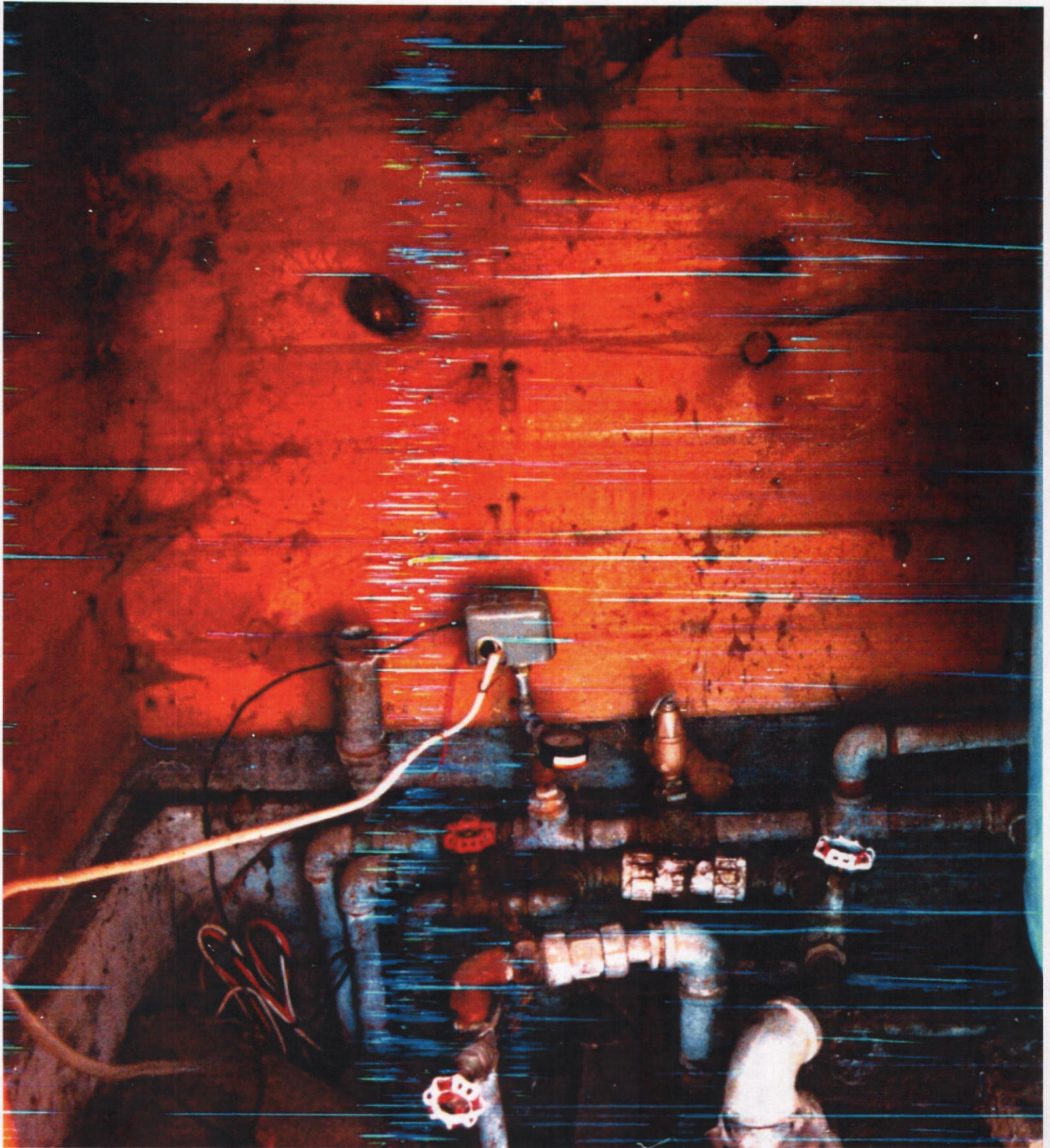
63-16809

Photo 168889b



63-16809

Photo 168889c



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: A63-16809
Date Received: 8/01/1989
Receipt No: C008684
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALFRED R. KLEIN
Address: 1335 ORIOLE WAY
BOISE, ID 83709 208-322-6101

2. Date of Priority: DEC 31, 1920

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	36	SE	NE	SE		ADA

5. Description of diverting works:
WELL, 230' DEEP, 6" CASING, 3/4 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.070		
COMMERCIAL	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME, S/90 DAIRY COWS, C/DAIRY OPERATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	36	NE	SE		DOMEST	

A63-16809

Page 1

Date: 08/01/89

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AUG 26 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	36	NE	SE		STOCK	
			NE	SE		COMMER	

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:

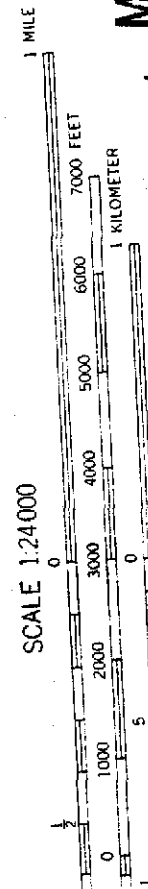
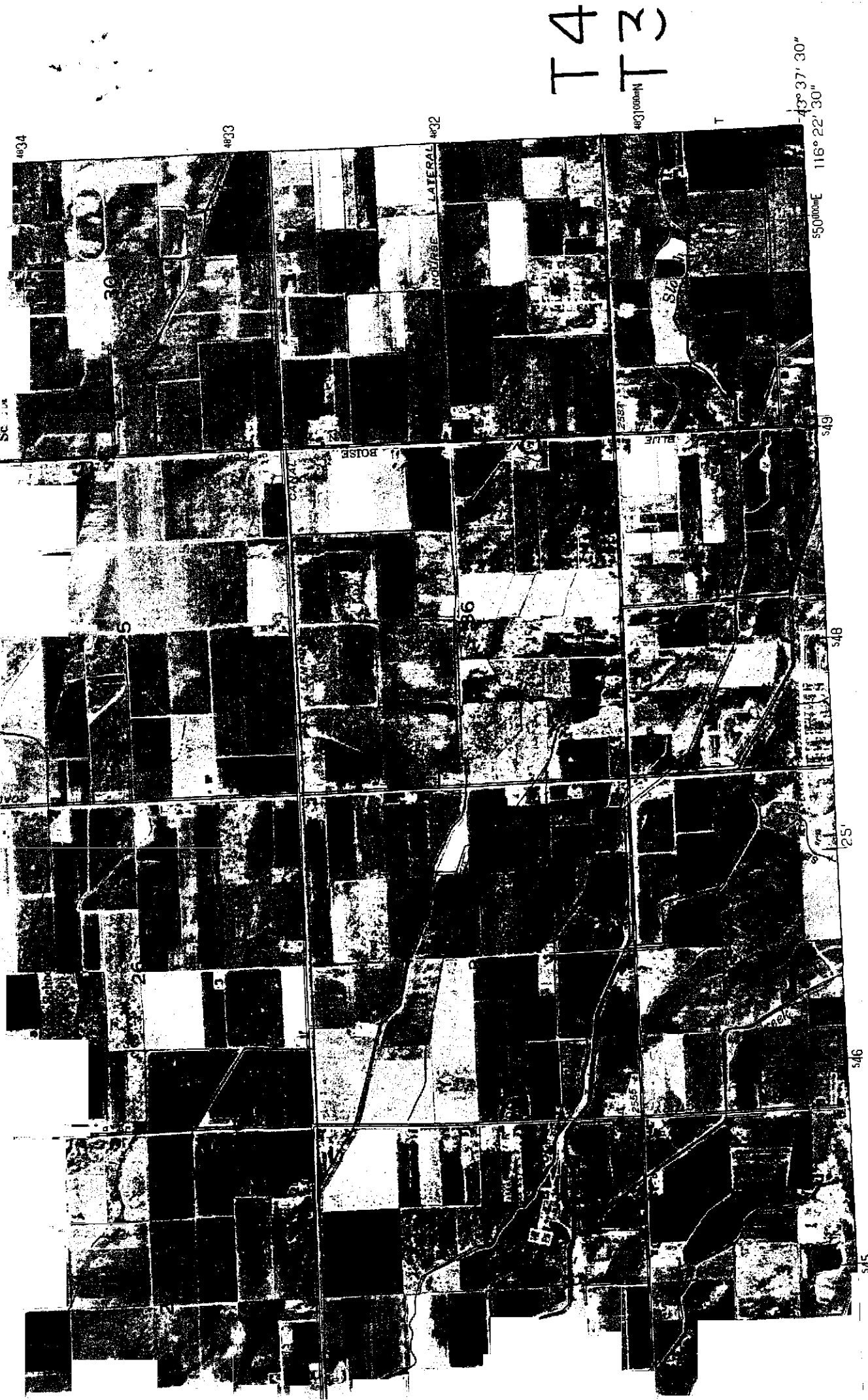
IRRIGATION - NAMPA MERIDIAN IRRIGATION DISTRICT

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

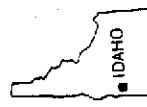
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

AUG 26 1992



MICROFILMED

AUG 26 1992



**es Of These Maps Can Be Obtained
Ronneville Blue Print, Boise Idaho**

STAR, IDAHO
N4337.5--W11622.5/7.5

**T4
T3**

05/31/2005 RECEIVED

NOTICE OF ERROR
REPLY

JUN 09 2005

Department of Water Resources

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

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

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

Water right number: 63-16809

ALFRED R KLEIN
1335 ORIOLE WAY
BOISE ID 83709
Telephone Number: (208)322-6101

RECEIVED

JUN 10 2005

WATER RESOURCES
WESTERN REGION

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

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

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

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

June 8, 2005

SIGNATURE:

Alfred R. Klein

Please print your name:

ALFRED R. KLEIN

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

SCANNED

JUN 09 2005

03/09/2005

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

RIGHT NUMBER: 63-16809

NAME AND ADDRESS: ALFRED R KLEIN
1335 ORIOLE WAY
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 12/31/1920

POINT OF DIVERSION:

T04N R01W S36 SENESE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

Domestic use is for 1 home.

PLACE OF USE:

DOMESTIC Within ADA County

T04N R01W S36 NESE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

Idaho Department of Water Resources

**T04N, R01W,
S36**

Claim No: 63-16809

Prepared By: Kimberly Brown

Date: March 8, 2005



Place of Use

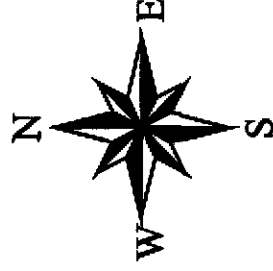


Section Lines



1/4 1/4

● Point of Diversion



1987 NAPP

0.04 0 0.04 0.08 Miles



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-16809

WATER RIGHT NUMBER: 63-16809 ✓

NAPP-

Dairy & home
evident:

Owner Type
~~Current Owner~~

Name and Address
ALFRED R KLEIN ✓ (no longer owns)
1335 ORIOLE WAY
BOISE, ID 83709
(208)322-6101

1939 ✓

{*1987 ✓

1994 ✓

Priority Date: 12/31/1920 ✓

Basis: Beneficial Use ✓

Status: Active

Source

GROUND WATER ✓

Tributary2001 ✓ Intrepid ("property
abandoned")Beneficial UseFrom ToDiversion RateAnnual Volume

REMOVE

~~COMMERCIAL~~ ✓ 1/01 to 12/31 ✓ 0.040 CFS ✓~~STOCKWATER~~ ✓ 1/01 to 12/31 ✓ 0.070 CFS ✓~~DOMESTIC~~ ✓ 1/01 to 12/31 ✓ 0.040 CFS ✓

Total Diversion: ~~0.150 CFS~~ ✓
0.04

Location of Point(s) of Diversion

GROUND WATER

SE1/4NE1/4SE1/4 ✓

Sec. 36, Twp 04N, Rge 01W, B.M.

ADA County ✓

Place of Use~~COMMERCIAL~~ ✓ REMOVE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
✓ 04N 01W 36													X				

~~STOCKWATER~~ ✓ REMOVE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
✓ 04N 01W 36													X				

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	
✓													X				

ADD - Domestic use is for 1 home.

ADD N11 & N13 -

(unable to obtain a parcel number - subdivided)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 83-16809

✓ 04N 01W 36				X	
--------------	--	--	--	---	--

Conditions of Approval:

Remarks:

Comments:

Field Exam Date 3.8.05

(in office review)

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 \$ 54.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below - include overlapping right for exam
- ☐ Evidence of Priority - if none, talk with claimant (none received)

CLAIMANT INFORMATION - verify contact information is complete

Claim No(s) A 63 - 16809

Owner: Alfred R. Klein Phone No. (208) 322-6101

Current Address: 1335 Oriole Way, Boise 83709

- ☐ No change NAME IS THE SAME
- ☒ NEW OWNER Based on 2002 Ada County Tax lot
- ☐ No change Address
- ☒ NEW ADDRESS information, this land has been subdivided
- ☐ How long owned property? into multiple lots; not sure who the current owner is.

Accompanied by: N/A

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: 12/31/1920

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

I've sent several letters to multiple (possible) owners and have not received evidence. Since the land is being subdivided, I cannot look up any information on the Ada Co. Assessor's Land Records website to come up with a possible date that the house was built (individual parcel No. available). The 1939 NAPP shows a homestead. Since no evidence was submitted + I cannot verify anything but the domestic home, this will be recommended as a D+S claim, & retain the claimed priority date.

Source: Ground Water Tributary to NAPP shows a homestead

- ☒ No Change - SAME SOURCE
- ☐ Source found is different than claimed: Since no

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: anything but
- ☐ If different, when did POD change? the domestic home, this will be recommended as a D+S claim, & retain the claimed priority date.

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

230' deep well, 6" casing, 3/4 HP pump

OVERLAP REVIEW

Other water rights with the same point of diversion: See POB Overlay Review sheet.

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

no overlap.

WATER USES

☐ No change

☐ Different Uses

Use Domestic From To Amount 0.04 CFS AFA ADD
 Use From To Amount CFS AFA N 13
 Use From To Amount CFS AFA

TOTAL VOLUME - Groundwater only

- ☐ Incomplete on claim, the total is, Amount CFS AFA
☐ Changes found, the new total is, Amount CFS AFA
☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)

limited to 13,000 gal/day

NON-IRRIGATION USES:

- ☐ No change Only domestic use will be recommended - Commercial & stockwater will be removed.

☒ Changes Exam found: Domestic # of homes (1) Stock #

Types Additional comments:

PLACE OF USE:

No Change

☒ Changes shown below:

Parcel No: 30436417300 no longer exists - subdivided into smaller parcels.

Commercial & stockwater use (for 90 dairy cows) are removed.

1987 NAPP - dairy buildings + domestic home evident

2003 NAPP - domestic home + dairy buildings are gone, destroyed
(see file)

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: 63-2040, 63-8513

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

See FOU overlap review sheet - no overlap.

Delivery System Narrative: Unknown

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size
<u>A0011907</u>		<u>1</u>			
<u>306 964</u>					
<u>284640</u>					

FLOW MEASUREMENTS: Intrepid - 12/17/01

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

(over)

Domestic use is for one home.

Quantity decreed shall not exceed 13,000 gal/day.

Quantity decreed is not a determination of
historical beneficial use.

(Unable to obtain a parcel number - subdivided)

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU > Intrepid - 12/17/01.
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 3.8.05 (in office review)

FIELD EXAMINER: Kimberly Brown

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-16809

03/09/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
8513	Claim	04N	01W	36	NE	SE		IRRIGATION	36/92	DAVID N BAYLESS
2040	Water Right	04N	01W	36	NE	SE		IRRIGATION		L K DECK
8513	Water Right	04N	01W	36	NE	SE		IRRIGATION	36/92	EUNICE BAYLESS
8513	Claim	04N	01W	36	NE	SE		STOCKWATER		DAVID N BAYLESS
~~16809~~	~~Claim~~	~~04N~~	~~01W~~	~~36~~	~~NE~~	~~SE~~		~~STOCKWATER~~		~~ALFRED R KLEIN~~
~~16809~~	~~Claim~~	~~04N~~	~~01W~~	~~36~~	~~NE~~	~~SE~~		~~COMMERCIAL~~		~~ALFRED R KLEIN~~
~~16809~~	~~Claim~~	~~04N~~	~~01W~~	~~36~~	~~NE~~	~~SE~~		~~DOMESTIC~~		~~ALFRED R KLEIN~~

It is impossible to tell what acres #63-2040 covers, since the 1906 license does not list the acre amounts in each $\frac{1}{4} \frac{1}{4}$ & domestic use is not specified by $\frac{1}{4} \frac{1}{4}$ either (see enclosed Water Right Report).

#63-8513 does not overlap the dairy & domestic use covered by 63-16809.

no overlap -

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-16809

03/09/2005

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
~~63-16809~~	~~Claim~~	~~04N~~	~~01W~~	~~36~~	~~NE~~	~~SE~~		~~GROUND WATER~~	~~ALFRED R KLEIN~~

no overlap -

Overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8513 V1

WATER RIGHT NUMBER: 63-8513 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAVID N BAYLESS 3860 N MERIDIAN RD MERIDIAN, ID 83642 (208)888-2053
Current Owner	EUNICE BAYLESS 3860 N MERIDIAN RD MERIDIAN, ID 83642 (208)888-2053

Priority Date: 02/28/1977

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.810 CFS	414.00 AF
STOCKWATER	01/01 to 12/31	0.120 CFS	6.70 AF
	<u>Total Diversion:</u>	1.810 CFS	420.70 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4	Sec. 31, Twp 04N, 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	
04N	01E	31									22.0	14.0							36.0
												L 3							
04N	01W	36													36.0	20.0			56.0

Total Acres: 92

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	31									X	X							
												L 3							
04N	01W	36													X	X			

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-8513 V1

Conditions of Approval:

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. W54 Use of this right is combined with water from Settlers Irrigation District.
3. X02 Stockwater use is for 500 range cattle.

Remarks:

1. Purpose of Use 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.

Comments:

1. kbrown 6/11/2003 Season of Use
Comment: New Season of Use is 3/1 to 11/15.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2040

WATER RIGHT NUMBER: 63-2040

Owner Type Name and Address

Current Owner L K DECK

Current Owner MERIDIAN, ID

Current Owner M A REGAN

, ZZ

Priority Date: 05/26/1906

Basis: License

Status: Active

Source

UNNAMED STREAM

Tributary

BOISE RIVER

Beneficial Use

IRRIGATION (-8513)

DOMESTIC

From To

/ to /

/ to /

Diversion Rate

1.600 CFS

Annual VolumeTotal Diversion: 1.600 CFSLocation of Point(s) of Diversion

UNNAMED STREAM

NW1/4SE1/4

Sec. 31, Twp 04N, 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	
04N	01E	31									X	X							
04N	01W	36				X									X				

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:

overlap

- does not list the acre amounts

- not sure where the domestic home is located

.....
Ada County
1 3/5 sec. ft. of unnamed slough
Irrigation
Priority 5-26-06.
.....

STATE OF IDAHO

- Water License No. 2028 -

WHEREAS, On the twenty-sixth day of May, A. D. 1906 L. K. Deck and M. A. Regan of Meridian, County of Ada, and State of Idaho, duly made application (No. 2852) to me for a permit to use 1 3/5 cubic feet per second of the waters of an unnamed slough County of Ada, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the thirty-first day of May, A. D. 1906, Permit No. 2028 was issued to said applicants for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the thirtieth day of November, A. D. 1906, and for the application to beneficial use of said water on or before the thirtieth day of November, A. D. 1906, and,

WHEREAS, On the fifteenth day of November, A. D. 1906, the holders of said permit duly made proof of the completion of adequate works for the diversion of 1 3/5 cubic feet per second of said waters, as evidenced by my Certificate No. 2028, dated November 27, 1906, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1 3/5 cubic feet per second of water, with date of priority of May 26, 1906, and,

WHEREAS, On the fifteenth day of November, A. D. 1906 proof was duly made of the application to beneficial use of 1 3/5 cubic feet per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to L. K. DECK of Meridian, Idaho, and M. A. REGAN of Boise, Idaho, the holders and owners of said Permit No. 2028 a perpetual right, dating from May 26, 1906, to the use of 1 3/5 cubic feet per second of the waters of an unnamed slough, in the County of Ada, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in NW 1/4 of SE 1/4 of Section 31, Tp. 4 N., R. 1 E. B. M., and conducted to and upon (N 1/2 of N 1/2 of SW 1/4 of Section 31, Tp. 4 N., R. 1 E. B. M., N 1/2 of NE 1/4 of SE 1/4, and S 1/2 of SE 1/4 of NW 1/4 of Section 36, Tp. 4 N., R. 1 W. B. M., for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this twenty-seventh day of November, A. D. Nineteen Hundred and six.

Jas. Stephenson, Jr.

(Seal)

State Engineer.

63 2040

Recorded November 27, 1906.

(3-2040

No. 2852.

APPLICATION FOR PERMIT

To appropriate the Public waters of the state of Idaho.

1. Name of applicant - L. K. DECK M. A. REGAN

Postoffice address: P. O. - Meridian, Idaho, Boise, Idaho.

County - Ada.

2. The quantity of water claimed is $1 \frac{3}{5}$ cubic feet per second.
3. source of water supply - Unknown Slough, Ada County.
4. Location of point of diversion - NW $\frac{1}{4}$ of SE $\frac{1}{4}$ sec. 31, T. 4 N., R. 1 E. B. M.
5. To be used for:

I. Irrigation and domestic use:

(a) Number of acres to be irrigated 80 acres.

(b) In the following legal subdivisions - N $\frac{1}{2}$ - N $\frac{1}{2}$ - SW $\frac{1}{4}$ of sec. 31,T. 4 N., R. 1 E., and N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ & S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 36, T. 4 N., R. 1 W. B. M.

6. Estimated cost of works - \$50.00

7. Description of Works for Diversion:

I. Kinds of works - Ditch.

II. Dimensions of Works:

(d) Ditch (flume or pipe) width at bottom three (3) feet, width at water line three (3) feet, depth of water nine inches (9"). Average grade per mile is two (2) feet. Length of ditch is three-fourth ($\frac{3}{4}$) mile, and it crosses the following quarter sections N2 S2 sec. 31, T. 4 N., R. 1 E. B. M., and NE $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 36, T. 4 N., R. 1 W. B. M. to N2 of N2 of SW $\frac{1}{4}$ sec. 31, T. 4 N., R. 1 E. & to N2 of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ sec. 36, T. 4 N., R. 1 W. & to S2 SE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 36, T. 4 N., R. 1 W., which is the point of intended use.

8. Time required for the completion of the construction of such work is six months.
9. Time required for the complete application of the water to the proposed use is.... additional years.

Approval of state engineer

The number of this permit is 2028.

Date of first receipt of application 3 p. m. May 26, 1906.

Recorded in Book 6, page 2028. Approved May 31, 1906.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the state of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before July 30, 1906, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before August 31, 1906.

The whole of said work to be completed on or before November 30, 1906.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to November 30, 1906.

Witness my hand this 31 day of May, 1906.

Jas. Stephenson, Jr.

state engineer

Blank Notice of Proof of Completion of Works and blank notice of proof of application of water to beneficial use mailed Mr. M. A. Regan June 16, 1906.

Notice of Proof of Completion of Works and Notice of Proof of Application of Water to Beneficial Use received August 15, 1906.

Notice for publication mailed the statesman and deposition blanks mailed M. A. Regan October 9, 1906.

Affidavit of publication of notice, fee of \$5.00 for proof of completion of works and fee of \$8.00 for proof of application of water to beneficial use, depositions and report of Geo. Ball received November 15, 1906.

Certificate of Completion of Works and License issued November 27, 1906.

Permit No. 2028

C E R T I F I C A T E O F C O M P L E T I O N O F W O R K S

To All Whom It May Concern:

This is to certify that L. K. DECK and M. A. REGAN of Meridian, County of Ada, and State of Idaho, the holder of Permit No. 2028, issued upon Application No. 2852, bearing date of priority of May 26, 1906, authorizing the diversion of $1 \frac{3}{5}$ second-feet of the waters of an unnamed slough, County of Ada, State of Idaho, at a point in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 31, Township 4 North, Range One East of Boise Meridian, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use one and three-fifths second-feet of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31, Tp. 4 N., R. 1 E. B. M., and NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, and S $\frac{1}{2}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36, Tp. 4 N., R. 1 W. B. M.

Witness my hand this twenty-seventh day of November, A. D. 1906.

Jas. Stephenson, Jr.

state Engineer of the State of Idaho.

License issued for 1 3/5 second feet

G. 110

WATER RIGHT NUMBER 63-2040

OWNER LAST NAME	-	DECK
OWNER LAST NAME	-	REGAN

OWNER	LAST NAME	-	REGAN
-------	-----------	---	-------

ADDRESS LINE 1 -

ADDRESS LINE 3

SOURCE - UNNAMED STREAM

STAGE - LICENSE

TOTAL DIV. VOLUME

CONVERSION POINT -

FROM - TO

FROM - TC -

USE - IRRIGATION

USE - IRRIGATION

DEGREE NAME -

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR

PROOF DUE -

PROOF MADE - 4

DIVERSION MEANS

PERMIT/DENIED -

PROOF MADE - FLO EXAM - COND. OF

DIVERSION MEANS -

PROTESTED -

HEARING -

OLD NO. - 202 - B202

VERIFIED

4/18/95

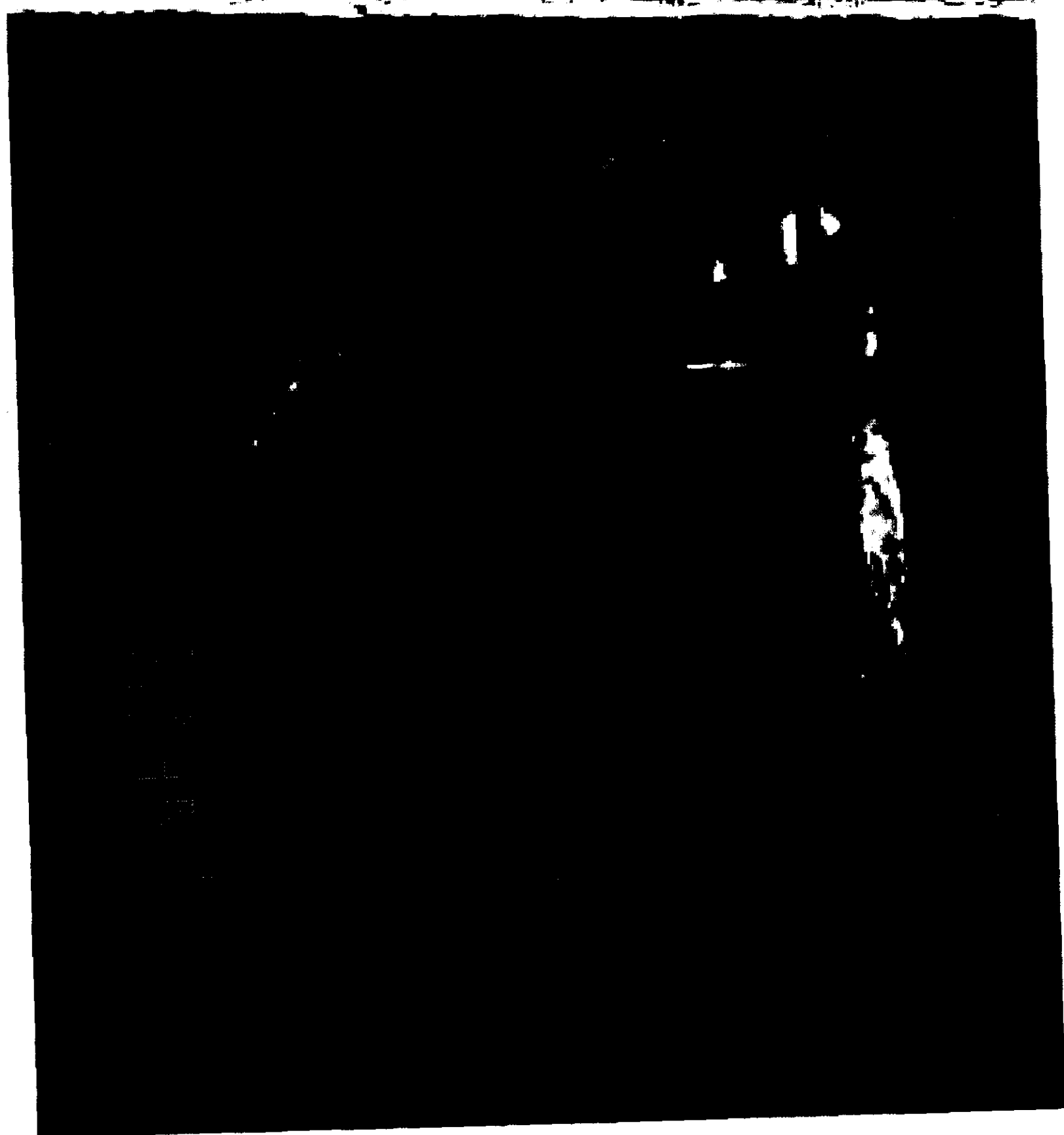
3/79

IDENT. NO. 63-2040

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

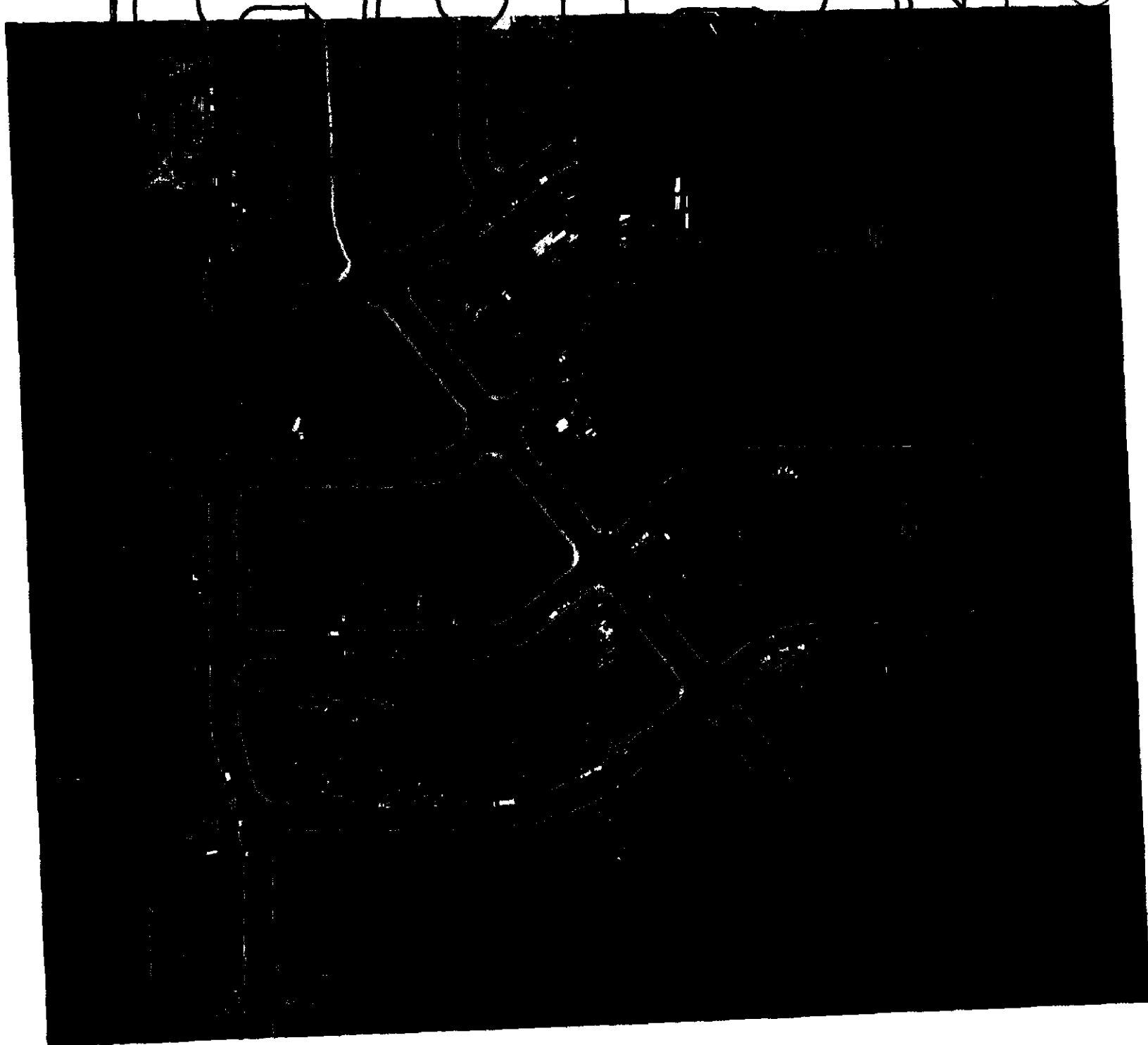
[illegible]



N

2003 NAPP
#63-16809

cont.



63-16809

2003 NAPP



the dairy is no
longer existent



SESE



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

April 21, 2004

HOWELL-MURDOCH DEVELOPMENT CORP.
4822 N. ROSEPOINT WAY, STE. C
BOISE, ID 83713

RE: Commercial use for Snake River Basin Adjudication claim 63-16809

Dear Claimant,

The Idaho Department of Water Resources is currently reviewing the claim to a water right you filed during claims taking in the Snake River Basin Adjudication (SRBA). During the initial review of this claim, we found that you claimed a commercial use that requires a volume amount be included in our recommendation to the SRBA Court (please refer to the enclosed copy of your adjudication claim report: under Annual Volume). In order for us to calculate your annual volume, it is necessary that we ask for additional information not gathered when you, or the original claimant, filed this water right.

Please refer to the Commercial Use Volume sheet (enclosed), answer the appropriate questions as specifically as possible, and return it to this office by May 7, 2004 so that we are able to calculate the annual volume associated with your water right; as required by the SRBA Court.

This review of your claim, in addition to the submittal of our recommendation to the SRBA Court, will result in a decreed right for your property. This water right then remains with the land as long as it is being used. We will give you the opportunity to review our recommendation and provide feedback, if necessary, prior to its submittal to the SRBA Court.

Please feel free to contact me at 334-2190 if you have any questions.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Kimberly Brown'.

Kimberly Brown
Water Resource Agent

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 9, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

HOWELL-MURDOCH DEVELOPMENT CORP.
4822 N. ROSEPOINT WAY, STE. C
BOISE, ID 83713

RE: Snake River Basin Adjudication (SRBA) Claim No. A63-16809

To Whom It May Concern,

As you are aware, the Department of Water Resources, Western Region, is in the process of reviewing adjudication water right claims in your area. Although it is our goal to favorably recommend historic water rights, I have no choice but to recommend this claim as disallowed to the Snake River Basin Adjudication court.

Your adjudication claim is being recommended for disallowal because:

_____ 1.) No beneficial use was found.

_____ 2.) Ownership was not confirmed.

X 3.) Other – After several requesting evidence of priority (last due date: March 12, 2004), we have not received any documentation to substantiate the claimed priority date.

If you have any questions, please contact me before February 24, 2005.

Respectfully Submitted,

Kimberly Brown
Senior Water Resource Agent
Western Region

message

For Kimberly
From Mr. Cline
Time 11:39 Date 2-17
Phone 322-6101

☐ URGENT! _____



message

For Kimberly
From Mrs Cline
Time 9:33 Date 2-17
Phone 322-6101

☐ URGENT!

63-16809

4N1W



CONVERSATION MEMORANDUM

RE: Snake River Basin Adjudication Water Right No. A63-16809

February 17, 2004

Alfred Klein (#322-6101) called in response to the evidence of priority letter he recently received. Mr. Klein said that he sold this property in 1998. According to Mr. Klein:

- the property is "being subdivided and houses are being built on it"
- it was originally a dairy until "approximately 2 years ago" and for a long time previously.

I asked if he knew who the current owner is and Mr. Klein could not say who that might be.

After I spoke with Mr. Klein, I tried to find the current owner:

The 2004 telephone book lists: Russell and Karen Hunemiller, 3299 W. Davis, #887-1176; therefore, I called #887-1176 and left a message on the answering machine to return my call. (The address is correct, according to the phone book.)

Additionally, 2002 Ada County Tax Lot information shows the current owner of Parcel No: S0436417300 as:

Howell-Murdock Development Corporation
4822 N. Rosepoint Way, Ste. C
Boise 83713 (#938-0069 is listed in the telephone book for this Corp.)

I called #939-0069 and it just screeched on the other end! I tried the number again and it did the same thing.

Kimberly Brown
Senior Water Resource Agent
Western Region



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
February 10, 2004

RUSSELL HUNEMILLER
3299 W DAVIS LANE
MERIDIAN ID 83642

887-1176

Re: SRBA Claim A63-16809

Dear Claimant(s):

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 63 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding information on the priority date for the above SRBA claim. In order to make a positive recommendation of this water right, each element of the water right must be proven.

The Department plans to issue its Preliminary Recommendations on this water right later this year. If the Department does not receive all the necessary evidence for this claim, it will have no option but to recommend to the SRBA Court that this water right be disallowed, meaning that the water right will not be valid.

Please contact Kimberly Brown at the Western Regional Office for the Idaho Department of Water Resources at (208) 334-2190. If she does not hear from you by March 12, 2004, then your water right will be recommended as disallowed.

Very truly yours,

A handwritten signature in black ink that reads "Nick Spencer" with a stylized flourish at the end.

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

NBS/pm

cc: Kimberly Brown



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN
February 10, 2004

2:17:04 @ 12:54

~~ALFRED R. KLEIN
1335 ORIOLE WAY
BOISE ID 83709~~

Mr. Klein is no longer the owner.

He called in response to this letter. He sold this property in 1998.

Re: SRBA Claim A63-16809

Dear Claimant(s):

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources in Basin 63 in the Snake River Basin Adjudication.

The Department of Water Resources has previously contacted you regarding information on the priority date for the above SRBA claim. In order to make a positive recommendation of this water right, each element of the water right must be proven.

The Department plans to issue its Preliminary Recommendations on this water right later this year. If the Department does not receive all the necessary evidence for this claim, it will have no option but to recommend to the SRBA Court that this water right be disallowed, meaning that the water right will not be valid.

Please contact Kimberly Brown at the Western Regional Office for the Idaho Department of Water Resources at (208) 334-2190. If she does not hear from you by March 12, 2004, then your water right will be recommended as disallowed.

Very truly yours,

NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

NBS/pm

cc: Kimberly Brown



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

August 15, 2003

RUSELL HUNEMILLER
3299 W DAVIS LN
MERIDIAN ID 83642

sent to Russell based on 11/14/01 letter

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-16809

Dear Claimant(s),

In the past, Alfred Klein submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out or re-file it. Mr. Klein indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement.

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Since it is our goal to decree the historical water rights within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area.

The required evidence supporting the priority date(s) requested needs to be submitted by September 12, 2003. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.



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

Respectfully Submitted,

Kimberly L. Brown

Kimberly L. Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-16809



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

November 14, 2001

RUSSELL HUNEMILLER
3299 W DAVIS LN
MERIDIAN ID 83642

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-16809

Dear Property Owner(s):

We have been advised you may be the new owner of the property with the water right referenced above. Enclosed is a copy of the claim for your review.

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions attached to the form and return to this office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

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

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosures

Per phone call from Mr. Klein on 11-13-01.



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

RIGHT ID 63 16809
POD ID 168889
Quad Star 4
Claim Type Small
Easting 306964
Northing 284640
GPSID A0011907

Diversion Description

WELL, 230' DEEP, 6" CASING, 3/4 HP PUMP
Property looks abandoned; house is vacant, barn and other structures are falling down, currently not being used for ag/dairy use.

Assumptions

Invoice

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

ja Photos\168889a.jpg ja Photos\168889c.jpg

Photos

ja Photos\168889b.jpg

EPE (ft)	Date (M/D/Y)	Time	Flow Rate (CFS)
19 LH	12/17/01	16.25	0.12

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	
Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP 1

Pressure Head (psi) 0

Elevation Head (ft) 50

Motor Mfg Franklin Electric

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Service, Inc.



RIGHT ID

63 16809

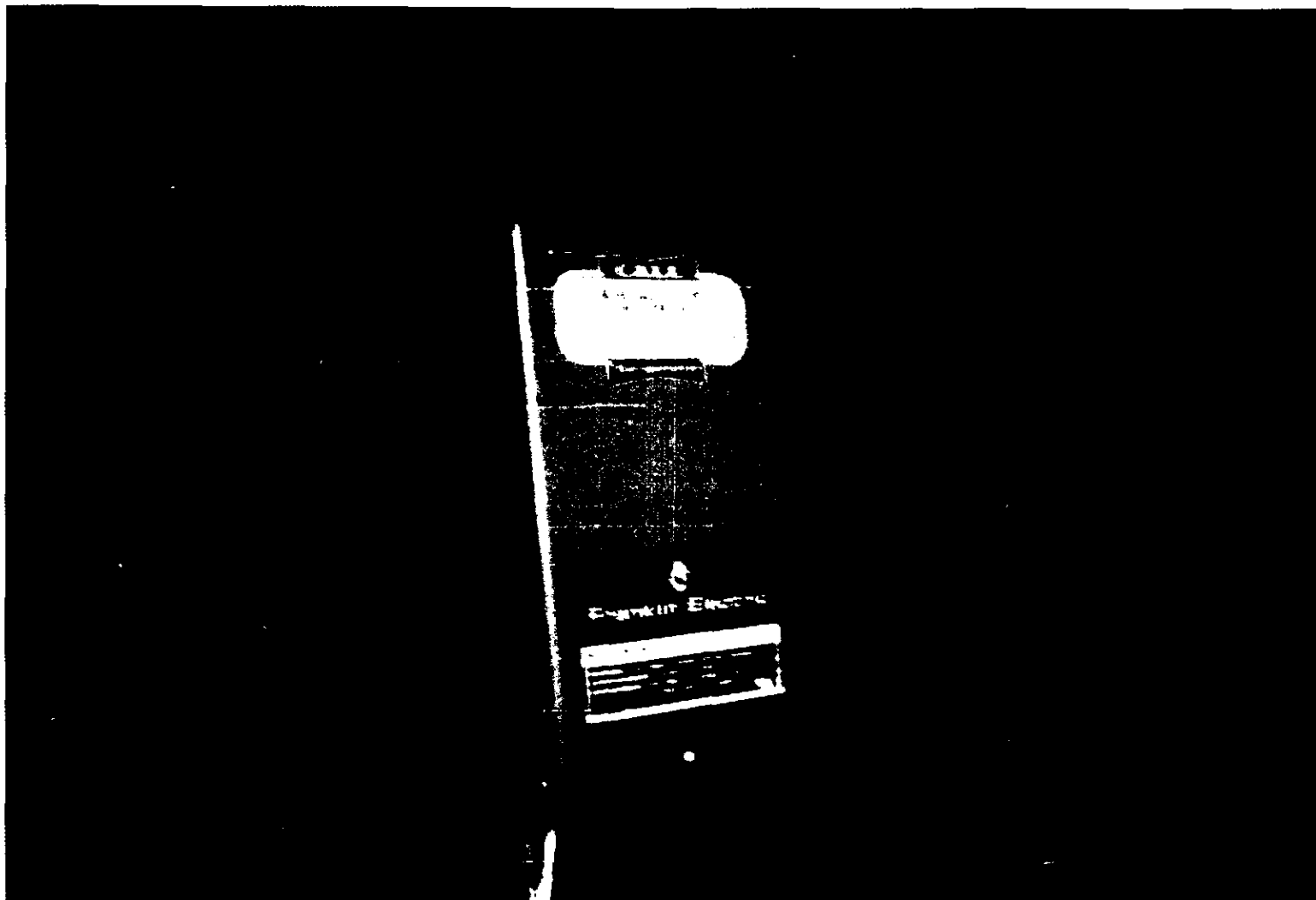
.63-16809

Photo 168889a



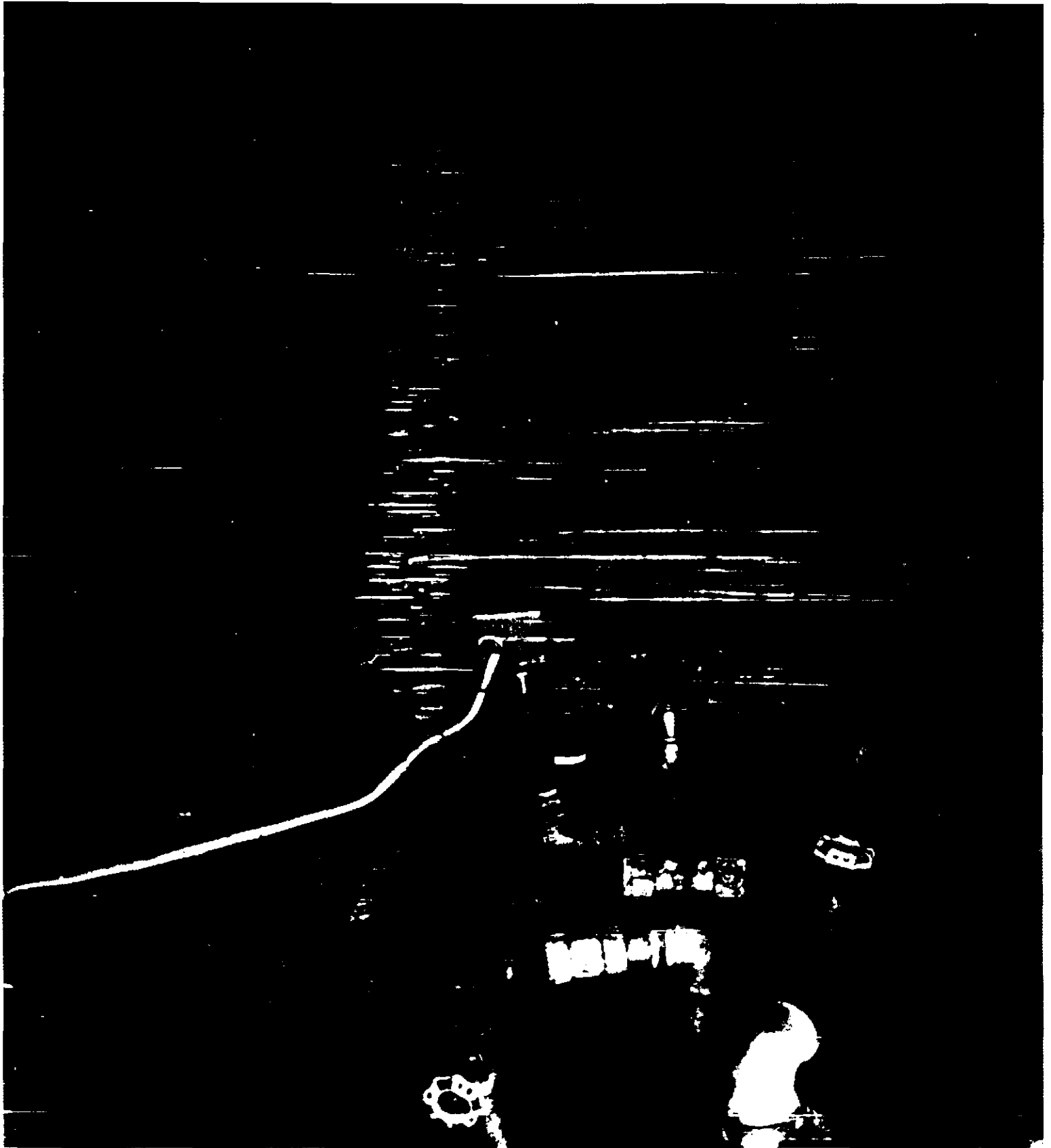
63-16809

Photo 168889b



63-16809

Photo 168889c





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

November 9, 2001

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Intrepid Engineering Services, to assist us with this task.

The purpose of this letter is to advise you that Intrepid might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Intrepid with access to your water diversion system so that their personnel can conduct this field examination. Intrepid will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Intrepid to ensure that the results accurately reflect your water uses.

Sincerely,

Jan Shurte
Adjudication Section Supervisor
Western Regional Office