

Idaho Department of Water Resources

Claim Number: 63-18005

Legal: T03N, R01E, S26

Reviewed By:

● Point of Diversion



Place of Use



Section Lines

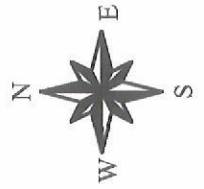


Quarter Quarter Lines

1987 Napp Photo



0 0.25 0.5 0.75 Miles



63-18005



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: A63-18005
Date Received: 8/25/1989
Receipt No: W004977
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEPHEN B. AFFLECK 208-362-4458
Address: 9108 BURNETT DR.
BOISE, ID 83709

OR
Name: CAROLYN AFFLECK 208-362-4458
Address: 9108 BURNETT DR.
BOISE, ID 83709

2. Date of Priority: JAN 01, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	01E	26	NE	NE			ADA

5. Description of diverting works:

6" WELL, 110' DEEP, W/3/4 HP PUMP WITH PIPELINE TO HOME.

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		
IRRIGATION	03/15	11/15	0.060		

7. Total Quantity Appropriated is:

0.100 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC FOR ONE HOME.

A63-18005

Page 1

Date: 08/25/89

MICROFILMED

AUG 29 1989

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	01E	26	NE	NE		IRR	2.0
			NE	NE		DOMEST	
						Section Acres	2.0
						Total Acres	2.0

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:
NEW YORK IRRIGATION DISTRICT.

14. Remarks:
AKA LOT 4, BLOCK 1, HARVEY BURNETT ACREAGES SUBD.

15. Basis of Claim: BENEFICIAL USE

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): Stephen B. Apple Date: 8-25-89
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 25th day

of August 19 89

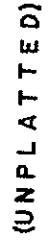
Seal

Jan Thurtell
Notary Public

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

PART OF THE N 1/2 OF NE 1/4
OF SECTION 26, TOWNSHIP 3
NORTH, RANGE 14 EAST, 1N ADA
COUNTY, IDAHO

CAPITOL ESTATE COMPANY
50122, 10480



LEGEND

- Steel Pipe 2" x 4" Long 0 Steel Pin 1/2" x 24" Long
Steel Pin 3/8" x 24" Long ----- Minutelli Surface Line ✓
SCALE = 1 INCH TO 100 FEET
----- Public Utilities Commission

AUG 28 1992

MICROFILMED

REAL ESTATE MORTGAGE

Ref 389

THIS MORTGAGE, made by C. W. Hansen, also known as
C. Winston Hansen and Phyllis M. Hansen, husband
and wife

of Boise, County of Ada, State of Idaho,
as mortgagor, and THE IDAHO FIRST NATIONAL BANK, a National Banking Association, of Boise,
Idaho, as mortgagee.

WITNESSETH: That said mortgagor, in order to secure payment to the mortgagee of the sum of
Nineteen Thousand Four Hundred and no/100 ----- Dollars
and interest and all other sums as provided herein, and the performance of all covenants herein contained,
does hereby grant, bargain, sell and convey unto the said mortgagee, its successors and assigns forever,
the following described real estate situated in Boise, County of Ada,
State of Idaho, to-wit:

PARCEL I

Lot 4 in Block 1 of HARVEY BURNETT ACRES SUBDIVISION,
according to the official plat thereof, filed in Book 16
of Plats at Page 1083, records of Ada County, Idaho EXCEPT:

Beginning at the Northeast corner of Lot 4 in Block 1 of
Harvey Burnett Acres Subdivision, a part of the North ½
of the Northeast ¼ of Section 26, T. 3 N., R. 1 E., E.M.,
in Ada County, Idaho, thence Westerly along the North line
of said Lot 4 a distance of 8 feet; thence Southerly parallel
with the East line of said Lot 4, a distance of 8 feet; thence
Easterly parallel with the North line of said Lot 4 of distance
of 8 feet; thence Northerly on the North line of said Lot 4 a
distance of 8 feet to THE PLACE OF BEGINNING.

PARCEL II

Lot 5 in Block 1 of HARVEY BURNETT ACRES SUBDIVISION, accord-
ing to the official plat thereof, filed in Book 16 of Plats at
Page 1083, records of Ada County, Idaho.

MICROFILMED

AUG 28 1992

Receipt Details for ID W004977

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/25/1989 1:46:39 PM	8/25/1989	Western	\$52.00	Check
Payer		AFFLECK, STEPHEN B.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
3699			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$52.00	ADJUDICATION CLAIM FEE	410162	9337	00		6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	18005		\$52.00	Claim

Print Report

Adjudication Recommendation Report 63-18005 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEPHEN B AFFLECK 9108 BURNETT DR BOISE, ID 83709 (208)362-4458
Current Owner	CAROLYN AFFLECK 9108 BURNETT DR BOISE, ID 83709 (208)362-4458

Priority Date: 01/01/1959
Basis: Beneficial Use
Status: Active

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.040 CFS	7.00 AF
DOMESTIC	01/01 to 12/31	0.040 CFS	1.20 AF
	Total Diversion:	0.040 CFS	8.20 AF

GROUND WATER NE1/4NE1/4 Sec. 26, Twp 03N, Rge 01E, B.M.
ADA County

IRRIGATION

[illegible]

DOMESTIC

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-18005 V1

Conditions of Approval:

1. N12 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
4. J01 PROPERTY IS ALSO KNOWN AS LOT 4, BLK 1, HARVERY BURNETT ACREAGES SUDVISION.
5. DOMESTIC USE IS FOR 1 HOME.
6. PARCEL NO. R1171000302.
7. USE OF THIS RIGHT IS SUPPLEMENTAL TO WATER FROM NEW YORK IRRIGATION DISTRICT.

Remarks:Comments:

1. sbock 7/1/2002 diversion rate

Comment: This right does not need to have a flow measurement because it is under .2 cfs; however, when the contractor went out into the field they obtained information and ran a theoretical. Under 70% efficiency they came up with a max diversion of .03 cfs. I am recommending the right at .04 cfs for both irr and domestic as non-culmutive.

2. vmusic 1/28/2005 EVIDENCE OF PRIORITY

Comment: LETTER SUBMITTED BY CLAIMANT. ADVANCED PRIORITY DATE TO YEAR HOUSE WAS BUILT PER CLAIMANT.

Dates and Other Information:

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

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	6/20/2002 9:33:13 AM	sbock			Active
Source	6/20/2002 9:35:05 AM	sbock			Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-18005 V1

POU	6/20/2002 9:35:57 AM	sbock	Active
Use	6/20/2002 9:37:04 AM	sbock	Active
Season	6/20/2002 9:38:33 AM	sbock	Active
Quantity	6/20/2002 9:39:34 AM	sbock	Active
Summary		06/20/2002 sbock	Active
POD	6/20/2002 9:44:48 AM	sbock	Active
Priority Date	1/28/2005 2:34:02 PM	vmusic	Active
POD	1/28/2005 2:39:50 PM	vmusic	Active
POU	1/28/2005 2:39:51 PM	vmusic	Active
Source	1/28/2005 2:39:51 PM	vmusic	Active
Quantity	1/28/2005 2:39:52 PM	vmusic	Active
Season	1/28/2005 2:39:52 PM	vmusic	Active
Use	1/28/2005 2:39:52 PM	vmusic	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	1/28/2005 2:39:50 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License?
POU	1/28/2005 2:39:51 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License?
Source	1/28/2005 2:39:52 PM	vmusic	(No) 1. Is the basis of claim Decree or License?
Use	1/28/2005 2:39:52 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License?
Season	1/28/2005 2:39:52 PM	vmusic	(No) 1. Is the basis of claim Decree or License?
Quantity	1/28/2005 2:39:53 PM	vmusic	(No) 1. Is the basis of this claim a Decree or License?
Priority Date	1/28/2005 2:34:02 PM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - LETTER FROM CLAIMANT AND ADA CO TAX LOT RECORDS
POU	6/20/2002 9:35:27 AM	sbock	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-18005 V1

Priority Date	6/20/2002 9:33:13 AM	sbock	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (No) 12. Does the claim file contain sufficient evidence of Priority Date?
POD	6/20/2002 9:34:24 AM	sbock	Edited point location
Source	6/20/2002 9:35:04 AM	sbock	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field exam by contractor
POU	6/20/2002 9:35:57 AM	sbock	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
Use	6/20/2002 9:37:03 AM	sbock	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-18005 V1

Season	6/20/2002 9:38:32 AM	sbock	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administrativly determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	6/20/2002 9:39:34 AM	sbock	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Under .2 cfs
Summary	6/20/2002 9:43:15 AM	sbock	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Is an additional remark and/or condition required?
POD	6/20/2002 9:44:48 AM	sbock	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

Water Supply Bank:

WATER RIGHT NUMBER: 63-18005

Priority Date: 01/01/1955
Basis: Beneficial Use
Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.060 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	
	Total Diversion:	0.100 CFS	

GROUND WATER NE1/4NE1/4 Sec. 26, Twp 03N, Rge 01E, B.M.
ADA County

IRRIGATION

[illegible]

DOMESTIC

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-18005

Conditions of Approval:

1. AKA LOT 4, BLOCK 1, HARVEY BURNETT ACREAGES SUBD.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 8/25/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank:

05/31/2005

NOTICE OF ERROR
REPLY

RECEIVED

JUL 18 2005

WATER RESOURCES
WESTERN REGION

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: 63-18005

STEPHEN B AFFLECK
9108 BURNETT DR
BOISE ID 83709
Telephone Number: (208)362-4458

✓
CA

CAROLYN AFFLECK
9108 BURNETT DR
BOISE ID 83709
Telephone Number: (208)362-4458

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

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

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

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

DATE: 7/12/05 SIGNATURE: SB Affleck
Please print your name: Stephen B Affleck

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

The property is in my name only. Carolyn Affleck is deceased.
A copy of her death certificate is enclosed.

IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY

0656

ONLY A COPY OF THIS DOCUMENT, CERTIFIED BY THE STATE REGISTRAR, WITH THE SEAL OF HEALTH & WELFARE HANGING SEAL, SHALL BE USED AS PRIMA FACIE EVIDENCE IN ANY COURT OF LAW.

JANE S. SMITH
STATE REGISTRAR

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

01/28/2005

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

RIGHT NUMBER: 63-18005

NAME AND ADDRESS: STEPHEN B AFFLECK
9108 BURNETT DR
BOISE ID 83709

CAROLYN AFFLECK
9108 BURNETT DR
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
8.200 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 01/01/1959

POINT OF DIVERSION:

T03N R01E S26 NENE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.040 CFS 7.00 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY

PLACE OF USE: IRRIGATION Within ADA County

T03N R01E S26 NENE 2.0

DOMESTIC Within ADA County

T03N R01E S26 NENE

2 ACRES TOTAL

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

DOMESTIC USE IS FOR 1 HOME.

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 FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: Beneficial Use

USE OF THIS RIGHT IS SUPPLEMENTAL TO WATER FROM NEW YORK
IRRIGATION DISTRICT.

PARCEL NO. R1171000302.

PROPERTY IS ALSO KNOWN AS LOT 4, BLK 1, HARVEY BURNETT
ACREAGES SUDVISION.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-18005 V1

WATER RIGHT NUMBER: 63-18005 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEPHEN B AFFLECK 9108 BURNETT DR BOISE, ID 83709 (208)362-4458
Current Owner	CAROLYN AFFLECK 9108 BURNETT DR BOISE, ID 83709 (208)362-4458

Priority Date: 01/01/1959

Basis: Beneficial Use

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.040 CFS	7.00 AF
DOMESTIC	01/01 to 12/31	0.040 CFS	1.20 AF
	<u>Total Diversion:</u>	0.040 CFS	8.20 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 26, Twp 03N, Rge 01E, B.M.
ADA County		

Place of Use

IRRIGATION Within ADA County

T03N R01E S26 NENE 2.0

Total Acres: 2

DOMESTIC Within ADA County

T03N R01E S26 NENE

Conditions of Approval:

1. USE OF THIS RIGHT IS SUPPLEMENTAL TO WATER FROM NEW YORK IRRIGATION DISTRICT.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. N12 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-18005 V1

Remarks:

1. General DOMESTIC USE IS FOR 1 HOME.

2. Explanatory PARCEL NO. R1171000302.

3. Explanatory PROPERTY IS ALSO KNOWN AS LOT 4, BLK 1, HARVERY BURNETT ACREAGES
SUDVISION.

Comments:

1. sbock 7/1/2002 diversion rate

Comment: This right does not need to have a flow measurement because it is under .2 cfs; however, when the contractor went out into the field they obtained information and ran a theoretical. Under 70% efficiency they came up with a max diversion of .03 cfs. I am recommending the right at .04 cfs for both irr and domestic as non-culmutive.

2. vmusic 1/28/2005 EVIDENCE OF PRIORITY

Comment: LETTER SUBMITTED BY CLAIMANT. ADVANCED PRIORITY DATE TO YEAR HOUSE WAS BUILT PER CLAIMANT.

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	6/20/2002 9:33:13 AM	sbock			Active
Source	6/20/2002 9:35:05 AM	sbock			Active
POU	6/20/2002 9:35:57 AM	sbock			Active
Use	6/20/2002 9:37:04 AM	sbock			Active
Season	6/20/2002 9:38:33 AM	sbock			Active
Quantity	6/20/2002 9:39:34 AM	sbock			Active
Summary			06/20/2002	sbock	Active
POD	6/20/2002 9:44:48 AM	sbock			Active
Priority Date	1/28/2005 2:34:02 PM	vmusic			Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-18005 V1

Priority Date	1/28/2005 2:34:02 PM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - LETTER FROM CLAIMANT AND ADA CO TAX LOT RECORDS
POU	6/20/2002 9:35:27 AM	sbock	Edited shape boundary
Priority Date	6/20/2002 9:33:13 AM	sbock	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (No) 12. Does the claim file contain sufficient evidence of Priority Date?
POD	6/20/2002 9:34:24 AM	sbock	Edited point location
Source	6/20/2002 9:35:04 AM	sbock	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field exam by contractor
POU	6/20/2002 9:35:57 AM	sbock	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-18005 V1

Use	6/20/2002 9:37:03 AM	sbock	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	6/20/2002 9:38:32 AM	sbock	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	6/20/2002 9:39:34 AM	sbock	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Under .2 cfs
Summary	6/20/2002 9:43:15 AM	sbock	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Is an additional remark and/or condition required?
POD	6/20/2002 9:44:48 AM	sbock	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

9108 Burnett Drive
Boise, ID 83709
August 26, 2004

RECEIVED

JAN 27 2005

WATER RESOURCES
WESTERN REGION

Vicky L. Music
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Dear Ms. Music:

This letter is in reply to your letter to me dated January 18, 2005, in which you request EVIDENCE OF PRIORITY with regard to Snake River Basin Claim No. A63-18005. A few years ago I was required by your office to file papers regarding my claim for water rights associated with my property at 9108 Burnett Drive in Boise, Idaho. At the time I filed those papers, the property was very close to two acres in area and I was using the water for domestic use, livestock use and irrigation. Because of highway improvements along the border of my property, the area has now been reduced to 1.81 acres, according to the county assessors office, and I am still using the water for domestic use, livestock use and irrigation. You should note also that the name of my wife Carolyn should probably be removed as an owner because she died in 1999. My property records will show that.

When I filled out the claim originally, I stated that the priority date was 01/01/1955. My perception today is that I estimated that date on the basis of when I thought the property was subdivided and put into use. That is probably not the correct date. It should be changed to 01/01/1959. This is based on two EVIDENCES OF PRIORITY as follows:

1. The date of construction of the house is listed on the Ada County Assessors WEB page as 1959. It is only natural to assume that the groundwater well was installed the same year, because it was and still is the only source of potable water on the property.
2. I have contacted the original owner of one of the lots in my subdivision who built one of the first houses in that subdivision. He said he built his house in 1959 and installed a well on his property then and also stated that my house was built at the same time in 1959 and had a well installed in 1959. As far as I know, all the homes in the subdivision still use groundwater wells as the source of their domestic water. For your information the name of the person I contacted is John Gaige, presently residing at 1675 S Country Terrace Way in Meridian, Idaho.

Please let me know if you need further information in order to establish the priority date correctly as 01/01/1959.

Yours truly,


Stephen B. Affleck



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

January 18, 2005

STEPHEN B AFFLECK
CAROLYN AFFLECK
9108 BURNETT DR
BOISE, ID 83709

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-18005

Dear Claimant(s),

In the past, you 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. You indicated, when these claims were 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. This 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. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

If no evidence of this priority date 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.

The required evidence supporting the priority date(s) requested needs to be submitted by January 26, 2005. 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.

Respectfully Submitted,

Vicky L. Music
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim Report A63-18005

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

07/03/2002

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

RIGHT NUMBER: 63-18005

NAME AND ADDRESS: STEPHEN B AFFLECK
9108 BURNETT DR
BOISE ID 83709

CAROLYN AFFLECK
9108 BURNETT DR
BOISE ID 83709

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.04 CFS
8.2 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT
EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 01/01/1955

POINT OF DIVERSION:

T03N R01E S26 NENE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	0.040 CFS 7.00 AFY
DOMESTIC	01/01 12/31	0.040 CFS 1.20 AFY

PLACE OF USE: IRRIGATION Within ADA County

T03N R01E S26 NENE 2.0

DOMESTIC Within ADA County

T03N R01E S26 NENE

2 ACRES TOTAL

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

DOMESTIC USE IS FOR 1 HOME.
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 FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: Beneficial Use

USE OF THIS RIGHT IS COMINED WITH WATER FROM NEW YORK
IRRIGATION DISTRICT.
PROPERTY IS ALSO KNOWN AS LOT 4, BLK 1, HARVERY BURNETT
ACREAGES SUDVISION.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-18005 V1

WATER RIGHT NUMBER: 63-18005 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEPHEN B AFFLECK 9108 BURNETT DR BOISE, ID 83709 (208)362-4458
Current Owner	CAROLYN AFFLECK 9108 BURNETT DR BOISE, ID 83709 (208)362-4458

Priority Date: 01/01/1955

Basis: Beneficial Use

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	03/01 to 11/15	0.040 CFS	7.00 AF
DOMESTIC	01/01 to 12/31	0.040 CFS	1.20 AF
	<u>Total Diversion:</u>	0.040 CFS	8.20 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 26, Twp 03N, 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	
03N	01E	26	2.0																2.0

Total Acres: 2

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	01E	26	X																

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-18005 V1

1. USE OF THIS RIGHT IS COMINED WITH WATER FROM NEW YORK IRRIGATION DISTRICT.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. N12 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PROPERTY IS ALSO KNOWN AS LOT 4, BLK 1, HARVERY BURNETT ACREAGES SUDVISION.

Comments:

1. sbcock 7/1/2002 diversion rate

Comment: This right does not need to have a flow measurement because it is under .2 cfs; however, when the contractor went out into the field they obtained information and ran a theoritical. Under 70% efficiency they came up with a max diversion of .03 cfs. I am recommending the right at .04 cfs for both irr and domestic as non-culmutive.

Dates and Other Information:

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

Audit: 08/25/89 SHURTE 03/30/95 POST-STD

Objection Filed Date:

Red Date: 2/20/2010

$$2 \times 3.5 = 7$$

$$.06 \times 259 \times 1.9835 = 30.8$$

Idaho Department of Water Resources

Claim Number: 63-18005
Legal: T03N, R01E, S26
Reviewed By:

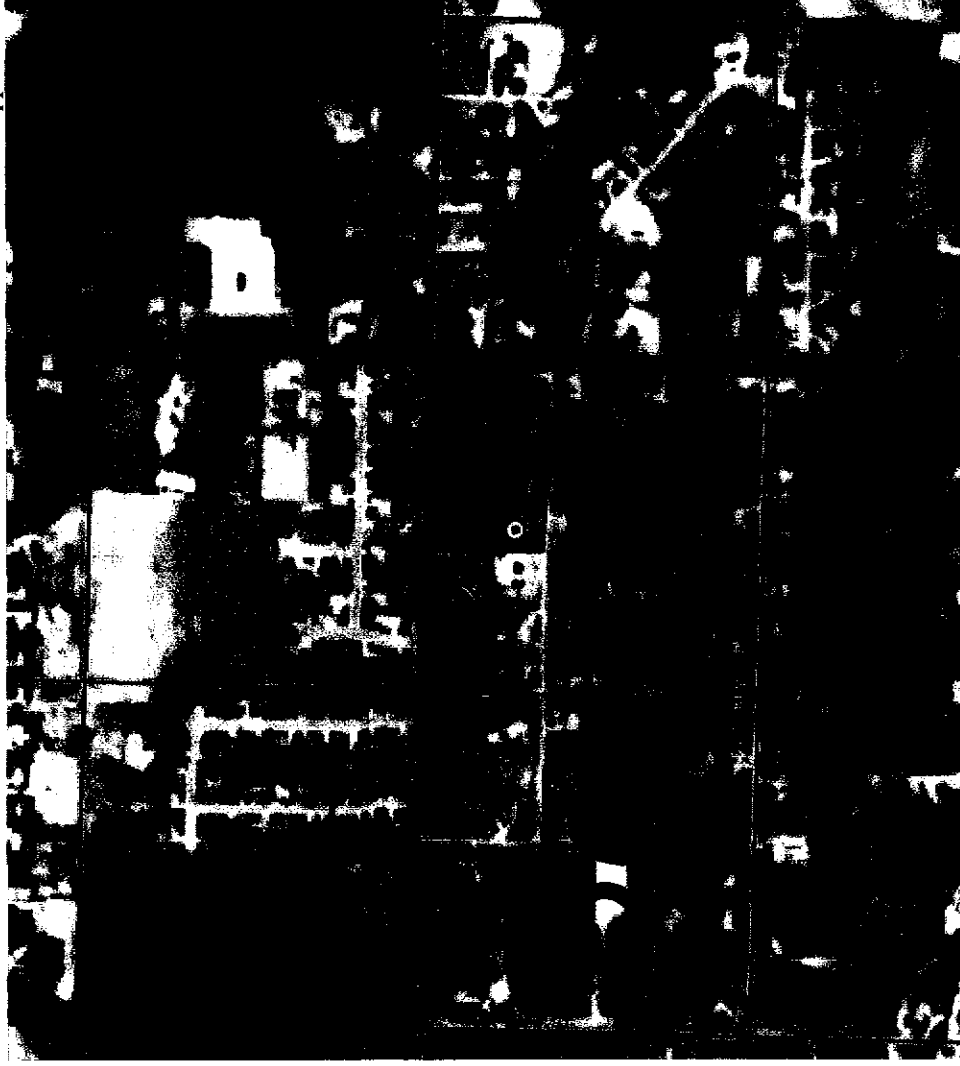
⊙ Point of Diversion

Place of Use

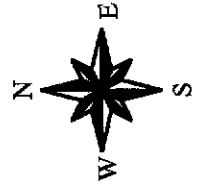
Section Lines

Quarter Quarter Lines

1987 Napp Photo



0 0.25 0.5 0.75 Miles





IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63



RIGHT ID 63 18005
POD ID 172268
Quad Cloverdale 5
Claim Type Small
Easting 314612
Northing 277412
GPSID A0013037

Diversion Description

6" WELL, 110' DEEP, W/ 3/4 HP PUMP WITH PIPELINE TO HOME.

Assumptions

Pressure head.

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
Photos

Photos\172268a.JPG

EPE (ft)

15

Date (M/D/Y)

12/11/01

Time

14.38

Flow Rate (CFS)

0.03

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 0.75

Pressure Head (psi) 30

Elevation Head (ft) 110

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information

☐

New Contact Comments

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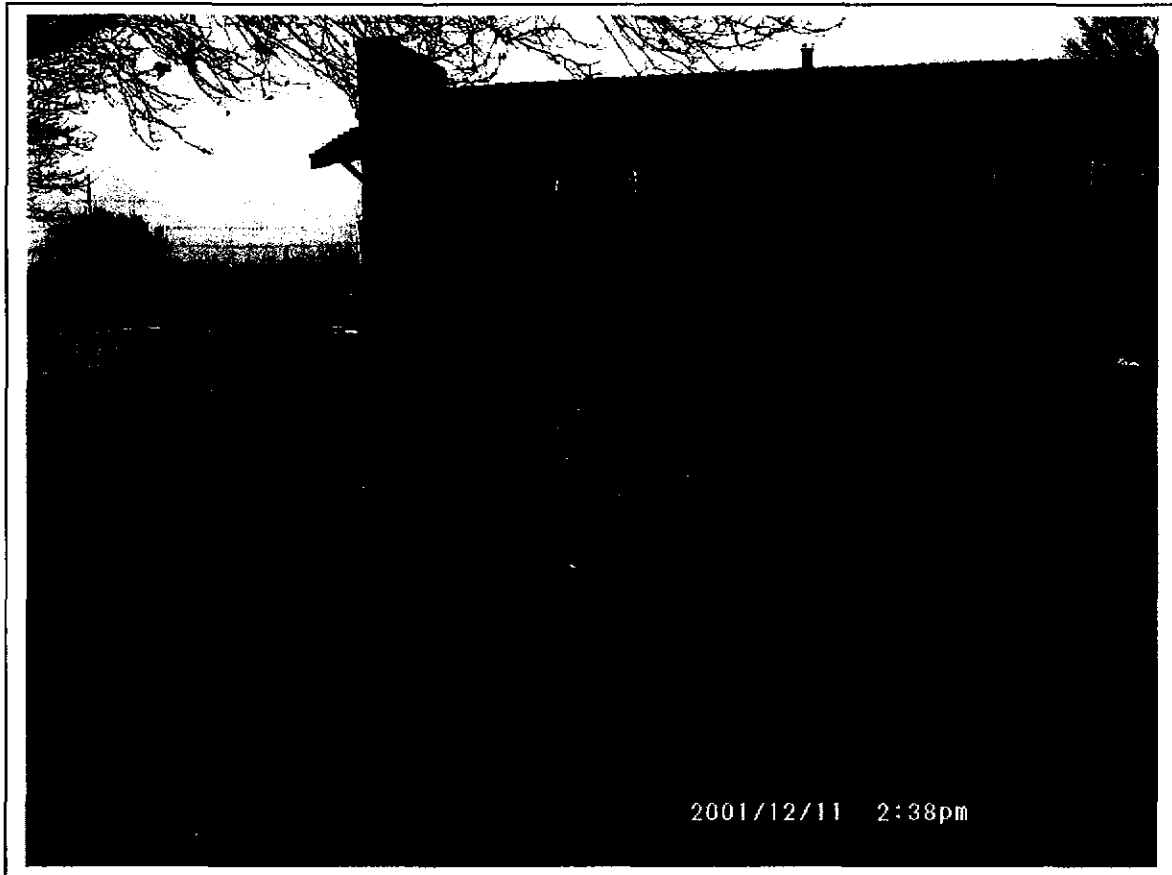


INTREPID
Engineering Services, Inc. (IES)
Enabling People and Solutions

RIGHT ID

63 18005

63-18005



DWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID #: 63-18005

Date: 3-14-01

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	1E	26	2																2
GIS				2																2
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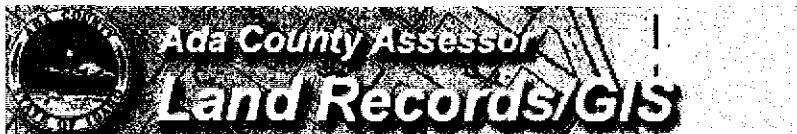
Number of POD's 1

Total Claimed Acres: 2

Overlapping POU Claim #'s:

Total GIS Acres: 2

COMMENTS:



Land Records

Characteristics Detail[Go Back to Property](#)

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**Residential Characteristics 1 for Parcel "R1171000302"**

Occupancy Date:	No Date Available
Year Built:	1959
Year Remodel:	0
Effective Age:	0
Construction Class:	4
Number of Bedrooms:	4
Number Bathrooms:	2.0
Number of Fireplaces:	1
Air Conditioning:	Y
Car Storage Sq Ft #1:	713
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	0
Porch Sq Ft:	0
Deck Sq Ft:	150
Deck Covered:	N
Patio Sq Ft:	0
Patio Covered:	N
Pool Sq Ft:	0
Total Sq Ft:	3089
Main Floor Sq Ft:	1720
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	0
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	1100
Unfinished Basement Floor Sq Ft:	269
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

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