

Idaho Department of Water Resources

**T04N, R01W,
S26 & S27**



Claim No: 63-26699

Prepared By: Kimberly Brown

Date: August 31, 2005



Place of Use



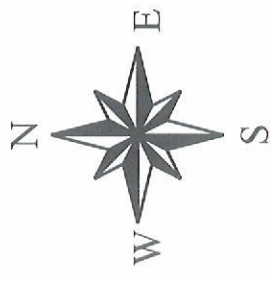
Section Lines



1/4 1/4



Point of Diversion



300 0 300 600 Feet



1987 NAPP

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 63-26699

Examiner: Karan Waters

Date of Field Exam: 11/19/2003

P/D No.:

PUMP HORSEPOWER
BOOSTER HORSEPOWER

PUMPING LEVEL

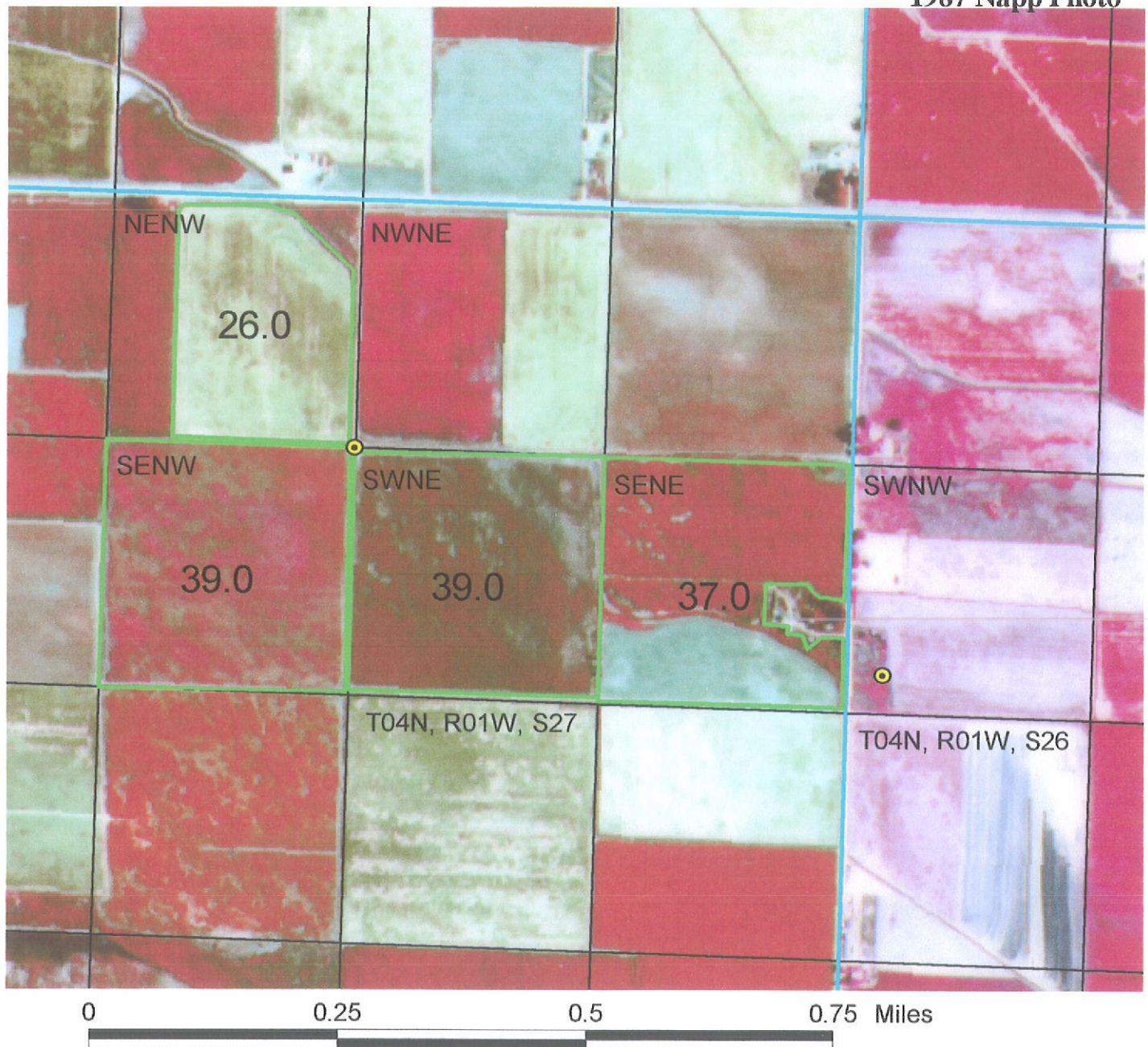
DISCHARGE PRESSURE

RATE OF FLOW (cfs)

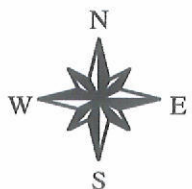
	OPTION 1	OPTION 2	OPTION 3
PUMP HORSEPOWER	7.5	40	0
BOOSTER HORSEPOWER	0	0	0
PUMPING LEVEL	0	0	
DISCHARGE PRESSURE	40	65	
RATE OF FLOW (cfs)	0.50	1.64	#DIV/0!

IDWR Place of Use Location Map

1987 Napp Photo



Claim Number: 63-26699
Total Claimed Acres: 148
GIS Acres: 141
Agent:



- Point of Diversion (GPS)
- Place of Use (Verified)
- Section Lines
- Quarter Quarter Lines
- Township/Range Lines

63-26699



POD where pump would sit to draw water from pond facing W.



Pond facing E.

63-26699



Pond facing W.



Drain pipe at west end of pond

63-26699

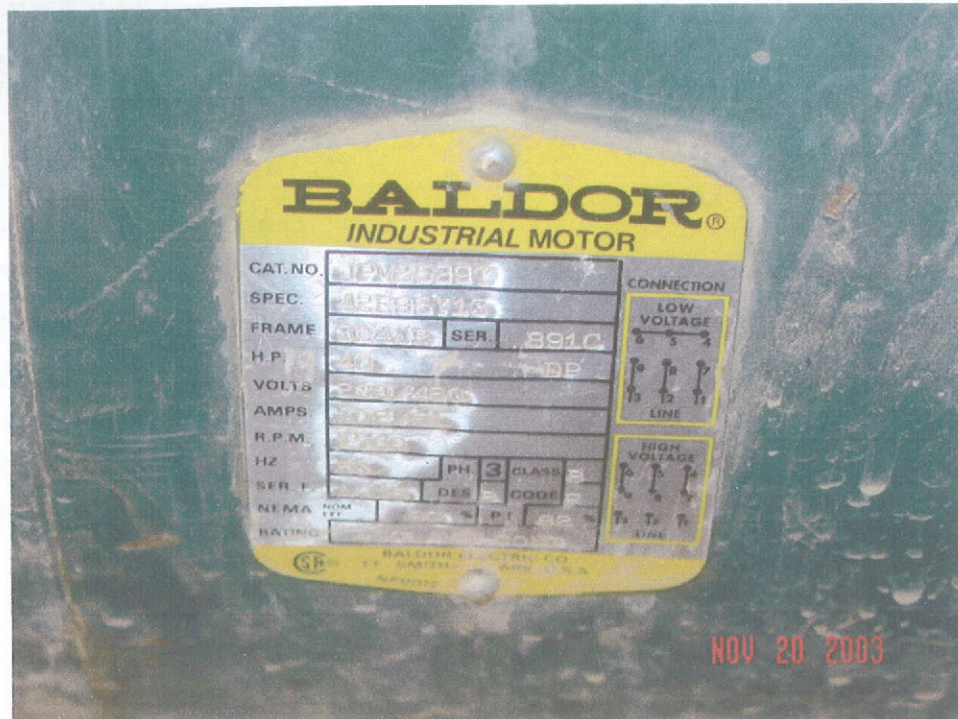


Pump house facing N. with pipes from pond and to fields



Second pump system inside pump house
63-26699

63-26699



Motor nameplate



Pump nameplate

63-26699



Pipe delivering water from second pump to ditches facing N.



Delivery ditch for pond drain facing W.

63-26699



Ditch facing east from 4 corners re-diversion point



Ditch facing north from 4 corners re-diversion point

63-26699



Ditch facing west from 4 corners re-diversion point

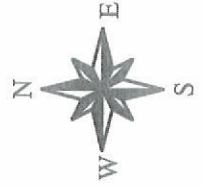


Ditch facing south from 4 corners re-diversion point

Idaho Department of Water Resources

Claim Number: 63-26699
Legal: T4N, R1W, S27
Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



1987 Napp Photo



POU # 2
POD's are correct?

AGREEMENT

THIS AGREEMENT made and entered into this 27th day of April, 1927, by and between Martha W. Ciolek, Leola L. Panbo, and Lou A. McClaren, personally and as administratrix of the Estate of Emma Craker, deceased, all residing in Ada County, State of Idaho, ATTESTETH:

THAT WHEREAS no provision was made by the last will and testament of Eva P. Hudson, deceased, as to how the irrigation water is to be allotted and distributed among the devisees of certain lands hereinafter particularly described;

AND WHEREAS there is available for the irrigation of the said lands an approximate of seventy (70) inches of settlers' Irrigation District water:

NOW THEREFORE it is hereby mutually agreed and understood by and between the respective parties hereto, that twenty-five (25) inches of said water shall be appurtenant to the following described lands, to-wit:

The Southwest quarter (SW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) and the South ten (10) acres of the Northwest quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-seven (27) in Township Four (4) North of Range One (1) West of the Boise Meridian in Ada County, Idaho.

THAT thirty-three inches of said water shall be appurtenant to the following described lands, to-wit:

The Southwest quarter (SW $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$) of Section Twenty-seven (27) in Township Four (4) North of Range One (1) West of the Boise Meridian in Ada County, Idaho, together with a strip of land or lane running easterly to the roadway off the southerly side of the Southeast quarter (SE $\frac{1}{4}$) of the Northeast quarter (NE $\frac{1}{4}$); the Southeast quarter (SE $\frac{1}{4}$) of the Northwest quarter (NW $\frac{1}{4}$); and the East Thirty (30) acres of the Northeast quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) all in Section Twenty-seven (27) in Township Four (4) North of Range One (1) West of the Boise Meridian in Ada County, Idaho.

THAT twelve inches of said water shall be appurtenant to the following described lands, to-wit:

The North thirty (30) acres of the Northwest

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Quarter (NW¹) of the Northwest Quarter (NW¹) of Section Twenty-seven (27) in Township Four (4) North of Range One (1) West of the Boise Meridian in Ada County, Idaho, and the West Ten (10) acres of the Northeast Quarter (NE¹) of the Northwest Quarter (NW¹) of Section Twenty-seven (27) in Township Four (4) North of Range One (1) West of the Boise Meridian in Ada County, Idaho.

IT IS HEREBY AGREED and understood that this allocation of said water to said lands is binding and conclusive upon the parties hereto, their heirs, executors, administrators, and assigns and that such allocations shall be and are covenants running with the land.

IT IS FURTHER AGREED and understood between the parties that so long as they own the said lands that the said water shall be distributed and rotated in the irrigation thereof in the same as said water is now being and for more than five years last past has been distributed and rotated by the owners of said lands, William H. Hudson and Eva E. Hudson, both now deceased, insofar as it is practicable, the waste water from Section 28 shall be apportioned to the lands irrigated thereby on a basis of the acreage owned by the respective parties.

IT IS FURTHER AGREED that the Settlers' Irrigation District, a public corporation organized under the laws of the State of Idaho, is authorized to enter said water rights on its records in accordance with this agreement and that an executed copy of this agreement shall be delivered to the secretary of said irrigation district for his guidance in distributing said water to said lands. The said heirs, executors, administrators, and assigns will save harmless from any and all charges or damages said district might sustain by the making of this agreement.

IN WITNESS WHEREOF the respective parties hereto have set their hands the day and year first above written.

Martha M. Cleb
Leoti L. Rambo

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Lou A. McClaran
Lou A. McClaran
Administratrix of the Estate
of Emma Croker, Deceased.

STATE OF IDAHO
COUNTY OF ADA ss.

On this 27th day of April, in the year 1937, before me, Frank E. Chalfant, a Notary Public in and for said State, personally appeared Martha E. Cleet, Leola L. Rambo, and Lou A. McClaran, personally and as administratrix of the Estate of Emma Croker, deceased, and known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

[Signature]
Notary Public for Idaho,
Residing at Boise, Idaho.

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SEP 15 1992

Idaho Department of Water Resources

Claim Number: 63-26699
Legal: T4N, R1W, S27
Reviewed By:

1987 Napp Photo



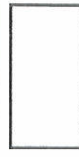
● Point of Diversion



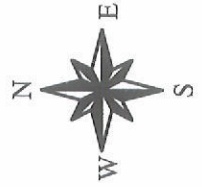
Place of Use



Section Lines



Quarter Quarter Lines



2 ROD's are correct (according to Brad Janiciele)

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 63-26699
Date Received: 4/24/1992
Receipt No: W014571
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BRAD JANICEK
C/O JANICEK PROPERTIES LLC
1284 S GOSLING WAY
EAGLE ID USA 83616

Phone: (208) 880-0328

LOU ANN JANICEK
C/O JANICEK PROPERTIES LLC
1284 S GOSLING WAY
EAGLE ID USA 83616

Phone: (208) 880-0328

2. Date of Priority: 04/30/1937

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
04N	01W	26	SW	SW	NW	ADA	
04N	01W	27	SW	NW	NE	ADA	
04N	01W	27	SE	NE	NW	ADA	
04N	01W	27	NW	SW	NE	ADA	
04N	01W	27	NE	SE	NW	ADA	

5. Description of diverting works:

HEADGATE, PUMP AND CEMENT DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.96	

7. Total Quantity Appropriated is:
2.96 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01W	27	SE	NW	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	38
			NE	NW	IRRIGATION	30
Section Acres						148
Total Acres						148

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:

Address change by DB 4/16/2004

POINT OF DIVERSION IS LOCATED ON OR NEAR 1/4-1/4 BOUNDARIES.
CLAIMANT PURCHASED THIS PROPERTY IN JULY, 1991, NO LATE FEE.

15. Basis of Claim: Beneficial Use

63-8775

63-26699

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 15 2004

WATER RESOURCES
WESTERN REGION

CHANGE IN ADDRESS

This form can be used to notify the Department
of a change in address for Department records
(Please print or type)

[] Name(s): Brad Janicek

Lou Ann Janicek

[] Old Mailing Address: 5606 N Ten Mile

Meridian Id. 83642

[] New Mailing Address: Janicek Properties LLC

1284 S Gosling Way

Eagle Id. 83616

Telephone Number:

cell #
(208) 880 - 0328

[] Signature(s)
(must be signed by all
individuals listed unless
you have authority to sign
on their behalf)

Brad Janicek

(include your title if on behalf of company or organization)

Date:

4-15-04

When complete, please mail or FAX this form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
FAX: (208) 769-1454

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
FAX: (208) 334-2348

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
FAX: (208) 525-7177

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
FAX: (208) 736-3037

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: A63-26699
Date Received: 4/24/1992
Receipt No: W014571
Received By: KW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRAD JANICEK 208-887-0014
Address: 5606 N TENMILE RD
MERIDIAN ID 83642

AND/OR

Name: LOU ANN JANICEK 208-887-0014
Address: 5606 N TENMILE RD
MERIDIAN ID 83642

2. Date of Priority: FEB 13, 1893

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	01W	26	SW	SW	NW		ADA
		27	SW	NW	NE		ADA
			NW	SW	NE		ADA
			SE	NE	NW		ADA
			NE	SE	NW		ADA

5. Description of diverting works:
HEADGATE, PUMP AND CEMENT DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.960		

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

8. Total consumptive use is 518.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	01W	27	SW		NE		IRR	40.0
			SE		NE		IRR	38.0
			NE		NW		IRR	30.0
			SE		NW		IRR	40.0

Section Acres 148.0

Total Acres 148.0

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:
SETTLERS IRRIG. DIST.

14. Remarks:

POINT OF DIVERSION IS LOCATED ON OR NEAR 1/4-1/4 BOUNDARIES.
CLAIMANT PURCHASED THIS PROPERTY IN JULY, 1991, NO LATE FEE.

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

Number of attachments: 0

For Individuals:

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

Signature of Claimant(s): Brad Jarvick Date: April 24, 1992

Date: _____

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SEP 15 1992

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 24th day

of April 19 92

Kathryn A. Walker
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 2-14-1993

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SEP 15 1992

08/31/2005

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

RIGHT NUMBER: 63-26699

NAME AND ADDRESS: BRAD JANICEK
C/O JANICEK PROPERTIES LLC
1284 S GOSLING WAY
EAGLE ID 83616

LOU ANN JANICEK
C/O JANICEK PROPERTIES LLC
1284 S GOSLING WAY
EAGLE ID 83616

SOURCE: WASTE WATER TRIBUTARY: BOISE RIVER

QUANTITY: 2.140 CFS

This right when combined with Right No. 63-161G shall provide no more than
.02 cfs per acre.

PRIORITY DATE: 04/30/1937

POINT OF DIVERSION:

T04N R01W S26 SWSWNW Within ADA County
T04N R01W S27 SWNWNE Within ADA County
T04N R01W S27 NWSWNE Within ADA County
T04N R01W S27 SENENW Within ADA County
T04N R01W S27 NESENW 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	2.140 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S27	SWNE	39.0	T04N R01W S27	SENE	37.0
T04N R01W S27	NENW	26.0	T04N R01W S27	SENW	39.0

141 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 - Beneficial Use

Use of this right is combined with water from Settlers Irrigation District.

Idaho Department of Water Resources



**T04N, R01W,
S26 & S27**

Claim No: 63-26699

Prepared By: Kimberly Brown

Date: August 31, 2005



Place of Use



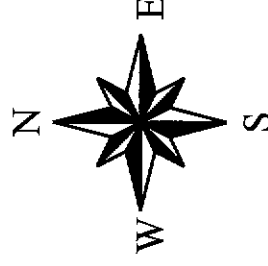
Section Lines



1/4 1/4



Point of Diversion



300 0 300 600 Feet



1987 NAPP

10/10/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-26699 ✓

WATER RIGHT NUMBER: 63-26699

Owner Type Name and Address

Current Owner BRAD JANICEK ✓
 5606 N TENMILE RD
 MERIDIAN, ID 83642
 (208)887-0014

Current Owner LOU ANN JANICEK ✓
 5606 N TENMILE RD
 MERIDIAN, ID 83642
 (208)887-0014

> Lou Ann & Brad Janicek
 Janicek Properties LLC
 1284 S. Gosling Way
 Eagle 83616

Priority Date: 04/30/1937 ✓

Basis: Beneficial Use ✓

Status: Active

Source

WASTE WATER ✓

Tributary

BOISE RIVER ✓

Beneficial Use

IRRIGATION ✓

change
to 3/01

From To
 8/15 to 11/15 ✓

Diversion Rate2.14 ~~2.000~~ CFS ✓Annual VolumeTotal Diversion:

2.000 CFS ✓

2.14

Location of Point(s) of Diversion

2 PODs

WASTE WATER

ADA County ✓

(SW1/4)SW1/4NW1/4 ✓

Sec. 26, Twp 04N, Rge 01W, B.M. ✓

WASTE WATER

ADA County ✓

(SW1/4)NW1/4NE1/4 ✓

Sec. 27, Twp 04N, Rge 01W, B.M. ✓

WASTE WATER

ADA County ✓

(SE1/4)NE1/4NW1/4 ✓

Sec. 27, Twp 04N, Rge 01W, B.M. ✓

WASTE WATER

ADA County ✓

(NW1/4)SW1/4NE1/4 ✓

Sec. 27, Twp 04N, Rge 01W, B.M. ✓

WASTE WATER

ADA County ✓

(NE1/4)SE1/4NW1/4 ✓

Sec. 27, Twp 04N, Rge 01W, B.M. ✓

1 POD on
QQ boundaries

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	01W	27			40.0	38.0	30.0			40.0									148.0
					39	37	26			39									141.0
Total Acres: 148 ✓																			
141.0																			

Conditions of Approval:

ADD W54 - Use is combined with Settlers
 Irr. Dist. water.

ADD E62 - This right when combined with 63-1616
 shall provide no more than 0.02 cfs per acre.

(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 \$ 50.00 (assuming irrigation district paid remaining amount)
- ☐ 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

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-26699Owner: Forad & Lou Ann Janicela Phone No. (208) 880-0328Current Address: 1284 S. Gosling Way, Eagle 83616

- ☒ No change NAME IS THE SAME - Janicela Properties LLC -
- ☒ NEW OWNER Boise Research Center & Brighton Investments LLC
- ☐ No change Address 12601 W. Explorer Dr., Ste 200 12601 W. Explorer Dr., Ste 200
- ☐ NEW ADDRESS Boise 83713 Boise 83714
- ☐ How long owned property? _____

Accompanied by: N/A**PRIORITY DATE**

- ☒ No change – Complete evidence submitted ~~or not necessary~~ Agreement, dated April 27, 1937.
- ☐ 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: 4/30/1937

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

Source: Waste Water Tributary to _____

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

POINT OF DIVERSION

- ☒ No change 2 PODs
- ☐ 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

See IDWR Field Report.**OVERLAP REVIEW**Other water rights with the same point of diversion: 63-18487

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

WATER USES☐ No change☐ Different Uses

Season of use is 3/1 to 11/15.

Use Irrigation From 3/1 To Amount 2.14 CFS AFA 141.0 AC
 (Standard) 0.02 cfs

Use From To Amount CFS AFA 2.82 cfs

Use From To Amount CFS AFA

See Theoretical Horsepower Equation Worksheet**TOTAL VOLUME - Groundwater only**☐ Incomplete on claim, the total is, Amount CFS AFA☒ Changes found, the new total is, Amount 2.14 CFS AFA☐ More than 1" per Acre? Yes (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**☒ No changeNone☐ Changes Exam found: Domestic # of homes Stock # Types Additional comments: **PLACE OF USE:**☐ No Change☒ Changes shown below:

Parcel Nos: 80427212450, 80427212400, 80427131402, 80427131300, 80427131450, 80427141800

Janicek Properties Boise Research Center Janicek Properties
Brighton Investments LLC Janicek Properties

Total AC = 146.86

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	
					39	37	26			39									141

Overlap with other water rights: 63-161 G

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
This right when combined with Right No. 63-161 G
shall provide no more than 0.02 cfs per acre.

Delivery System Narrative: See Field Report.

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

FLOW MEASUREMENTS: See Field Report.

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS (OVER)

Use is combined with Settlers Irrigation Dist. water.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 8-31-05 (in office review)

FIELD EXAMINER: Kimberly Brown

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES ADJUDICATION CLAIM POU REVIEW REPORT ADJUDICATION CLAIM NUMBER: 63-26699

08/31/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
161G	Claim	04N	01W	27	SW	NE		IRRIGATION	40/110	VINSON FARMS
~~26699~~	~~Claim~~	~~04N~~	~~01W~~	~~27~~	~~SW~~	~~NE~~		~~IRRIGATION~~	~~40/148~~	~~BRAD JANICEK~~
161G	Water Right	04N	01W	27	SW	NE		IRRIGATION		CONSUMERS WATER CORP
1614B	Claim	04N	01W	27	SW	NE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1618B	Claim	04N	01W	27	SW	NE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1622B	Claim	04N	01W	27	SW	NE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
~~26699~~	~~Claim~~	~~04N~~	~~01W~~	~~27~~	~~SE~~	~~NE~~		~~IRRIGATION~~	~~30/148~~	~~BRAD JANICEK~~
1614B	Claim	04N	01W	27	SE	NE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1618B	Claim	04N	01W	27	SE	NE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1622B	Claim	04N	01W	27	SE	NE		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
161G	Claim	04N	01W	27	NE	NW		IRRIGATION	30/110	VINSON FARMS
~~26699~~	~~Claim~~	~~04N~~	~~01W~~	~~27~~	~~NE~~	~~NW~~		~~IRRIGATION~~	~~30/148~~	~~BRAD JANICEK~~
12074	Claim	04N	01W	27	NE	NW		IRRIGATION	10/30	LISA LAWSON
161G	Water Right	04N	01W	27	NE	NW		IRRIGATION		CONSUMERS WATER CORP
4979	Water Right	04N	01W	27	NE	NW		IRRIGATION	10/40	GRACE A RAMBO
1614B	Claim	04N	01W	27	NE	NW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1618B	Claim	04N	01W	27	NE	NW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1622B	Claim	04N	01W	27	NE	NW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
161G	Claim	04N	01W	27	SE	NW		IRRIGATION	40/110	VINSON FARMS
~~26699~~	~~Claim~~	~~04N~~	~~01W~~	~~27~~	~~SE~~	~~NW~~		~~IRRIGATION~~	~~40/148~~	~~BRAD JANICEK~~
161G	Water Right	04N	01W	27	SE	NW		IRRIGATION		CONSUMERS WATER CORP
1614B	Claim	04N	01W	27	SE	NW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1618B	Claim	04N	01W	27	SE	NW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT
1622B	Claim	04N	01W	27	SE	NW		IRRIGATION FROM STORAGE	40/10964.2	SETTLERS IRRIGATION DISTRICT

- overlap with #63-161G
in SWNE, NE NW, & SE NW, S27,

overlay review -

IDAHO DEPARTMENT OF WATER RESOURCES ADJUDICATION CLAIM POD REVIEW REPORT ADJUDICATION CLAIM NUMBER: 63-26699

08/31/2005

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-2656B	Claim	04N	01W	26	SW	NE		GROUND WATER	LOCHSA FALLS LLC
63-20274	Claim	04N	01W	26	NE	NW		GROUND WATER	DAN MARTINEZ
63-26817	Claim	04N	01W	26	NW	NW		GROUND WATER	JERRY STEVENSON
~~63-26699~~	~~Claim~~	~~04N~~	~~01W~~	~~26~~	~~SW~~	~~NW~~		~~WASTE WATER BOISE RIVER~~	~~BRAD JANICEK~~
63-16875	Claim	04N	01W	26	SE	NW		GROUND WATER	FOLLOWERS OF CHRIST CHURCH
63-8775	Claim	04N	01W	27	NE	NE		GROUND WATER	LOU ANN JANICEK
63-22585	Claim	04N	01W	27	NE	NE		GROUND WATER	LISA JOHNSON
63-18487	Claim	04N	01W	27	NW	NE		WASTE WATER BOISE RIVER	HILDA C CHRISTENSEN
~~63-26699~~	~~Claim~~	~~04N~~	~~01W~~	~~27~~	~~NW~~	~~NE~~		~~WASTE WATER BOISE RIVER~~	~~BRAD JANICEK~~
63-18487	Claim	04N	01W	27	SW	NE		WASTE WATER BOISE RIVER	HILDA C CHRISTENSEN
~~63-26699~~	~~Claim~~	~~04N~~	~~01W~~	~~27~~	~~SW~~	~~NE~~		~~WASTE WATER BOISE RIVER~~	~~BRAD JANICEK~~
63-22807	Claim	04N	01W	27	NE	NW		GROUND WATER	JOE A SCHWILLING
63-22809	Claim	04N	01W	27	NE	NW		GROUND WATER	JOE A SCHWILLING
63-4979	Claim	04N	01W	27	NE	NW		WASTE WATER BOISE RIVER	D AND P FARMS INC
63-32072	Claim	04N	01W	27	NE	NW		WASTE WATER BOISE RIVER	D AND P FARMS INC
63-32073	Claim	04N	01W	27	NE	NW		WASTE WATER BOISE RIVER	MERLINDA HAUETER
63-32074	Claim	04N	01W	27	NE	NW		WASTE WATER BOISE RIVER	LISA LAWSON
63-18487	Claim	04N	01W	27	NE	NW		WASTE WATER BOISE RIVER	HILDA C CHRISTENSEN
~~63-26699~~	~~Claim~~	~~04N~~	~~01W~~	~~27~~	~~NE~~	~~NW~~		~~WASTE WATER BOISE RIVER~~	~~BRAD JANICEK~~
63-15940	Claim	04N	01W	27	NW	NW		GROUND WATER	MERLINDA HAUETER
63-4028	Claim	04N	01W	27	SW	NW		GROUND WATER	THERION E CHRISTENSEN
63-21851	Claim	04N	01W	27	SW	NW		GROUND WATER	KENNETH ARENDSE TRUST
63-18487	Claim	04N	01W	27	SE	NW		WASTE WATER BOISE RIVER	HILDA C CHRISTENSEN
~~63-26699~~	~~Claim~~	~~04N~~	~~01W~~	~~27~~	~~SE~~	~~NW~~		~~WASTE WATER BOISE RIVER~~	~~BRAD JANICEK~~
63-11199	Water Right	04N	01W	26	NE	NE		GROUND WATER	ELROY D BRANDT
63-31861	Water Right	04N	01W	26	SW	NE		GROUND WATER	LOCHSA FALLS LLC
63-20274	Water Right	04N	01W	26	NE	NW		GROUND WATER	DAN MARTINEZ

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-26699

08/31/2005

2

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-26817	Water Right	04N	01W	26	NW	NW		GROUND WATER	JERRY STEVENSON
63-16875	Water Right	04N	01W	26	SE	NW		GROUND WATER	FOLLOWERS OF CHRIST CHURCH
63-8775	Water Right	04N	01W	27	NE	NE		GROUND WATER	VINSON FARMS INC
63-2317	Water Right	04N	01W	27	NE	NE		UNNAMED STREAM BOISE RIVER	JAMES N BRYCE
63-22585	Water Right	04N	01W	27	SE	NE		GROUND WATER	LISA JOHNSON
63-4979	Water Right	04N	01W	27	NE	NW		WASTE WATER BOISE RIVER	GRACE A RAMBO
63-15940	Water Right	04N	01W	27	NW	NW		GROUND WATER	PHILIP L HAUETER
63-4028	Water Right	04N	01W	27	SW	NW		GROUND WATER	THERION E CHRISTENSEN
63-21851	Water Right	04N	01W	27	SW	NW		GROUND WATER	KENNETH ARENDSE TRUST

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Property Details for Parcel S0427212450 and Year 2006

2006

[Change Year](#)[\[Back to Parcel Search\]](#) [\[Print View\]](#)[Details](#)[Valuation](#)[Tax Districts](#)[Characteristics](#)

Parcel: S0427212450
Year: 2006
Zone Code: RUT
Total Acres: 21.141
Tax Code Area: 242
Property Description:
PAR #2450 E2 & E2 W2

NE4 NW4 EXC R/W &
EXC E'LY 273'
SEC 27 4N 1W
#130000-B

No Image
Available

[View Interactive Map of this Parcel](#)

Address: W CHINDEN BLVD MERIDIAN , ID 83642
Subdivision: 4N 1W 27
Land Group Type: SECT
Township/Range/Section: 4N1W27

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Property Details for Parcel S0427212400 and Year 2006

2006

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Parcel: S0427212400
Year: 2006
Zone Code: RUT
Total Acres: 48.101
Tax Code Area: 242
Property Description:
PAR #2400 SE4 NW4 &

E'LY 272.90 NE4 NW4
SEC 27 4N 1W
#130000-S

No Image
Available

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Address: W CHINDEN BLVD MERIDIAN , ID 83642
Subdivision: 4N 1W 27
Land Group Type: SECT
Township/Range/Section: 4N1W27

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Property Details for Parcel S0427131402 and Year 2006

2006

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Details

Valuation

Tax Districts

Characteristics

Parcel: S0427131402
Year: 2006
Zone Code: RUT
Total Acres: 0.609
Tax Code Area: 242
Property Description:
S'LY 20' SE4SE4
SEC 27 4N 1W
#131400-B

**No Image
Available**

[View Interactive Map of this Parcel](#)

Address: N TEN MILE RD MERIDIAN , ID 83642
Subdivision: 4N 1W 27
Land Group Type: SECT
Township/Range/Section: 4N1W27

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Property Details for Parcel S0427131300 and Year 2006

2006 ▼

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[Valuation](#)

[Tax Districts](#)

[Characteristics](#)

Parcel: S0427131300
Year: 2006
Zone Code: RUT
Total Acres: 20.046
Tax Code Area: 242
Property Description:
PAR #1300 OF W2SW4NE4

SEC 27 4N 1W
#131200-S

No Image
Available

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Address: N TEN MILE RD MERIDIAN , ID 83642
Subdivision: 4N 1W 27
Land Group Type: SECT
Township/Range/Section: 4N1W27

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Property Details for Parcel S0427131450 and Year 2006

2006

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[Valuation](#)

[Tax Districts](#)

[Characteristics](#)

Parcel: S0427131450
Year: 2006
Zone Code: RUT
Total Acres: 20.028
Tax Code Area: 242
Property Description:
PAR #1450 OF E2SW4NE4

SEC 27 4N 1W
#131400-S

No Image
Available

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Address: N TEN MILE RD MERIDIAN , ID 83642
Subdivision: 4N 1W 27
Land Group Type: SECT
Township/Range/Section: 4N1W27

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Property Details for Parcel S0427141800 and Year 2006

2006 ▼

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[Details](#)

[Valuation](#)

[Tax Districts](#)

[Characteristics](#)

Parcel: S0427141800
Year: 2006
Zone Code: RUT
Total Acres: 36.94
Tax Code Area: 242
Property Description:
PAR #1800 OF SE4NE4

SEC 27 4N 1W
#140000 B

No Image
Available

[View Interactive Map of this Parcel](#)

Address: N TEN MILE RD MERIDIAN , ID 00000
Subdivision: 4N 1W 27
Land Group Type: SECT
Township/Range/Section: 4N1W27

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SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 10/10/03
Time: 10:53:21

Rec/No - W014571 AR/No -

From: - JANICEK, BRAD OR LOUANN

Receipt Type - CK Doc/No - 7799

Remarks -

MOST CURRENT RECEIPT

Receipt Date: 04/24/1992

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
ADJUDICATION FILING FEES	9337		410162	6490		100.00

Total Due -

100.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6326699	50.00	A6308775	50.00		

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

11-19-03

10:00

**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) 63-216699Owner: Same Phone No. 888-5565 cell 880-0328

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address
- ☒ NEW ADDRESS 4325 W. Chinden Blvd.
- ☐ How long owned property? _____

Accompanied by: Brad Janicek**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.)

Brad Janicek said he came into the office and
took care of the priority date questions

Source: underwater from Settlers Tributary to _____

- ☐ No Change – SAME SOURCE
- ☐ Source found is different than claimed: irrigation and Nampa Meridian bring from fields into pond that he pumps out of.

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
1		SW	SW	NW	26	4N	1W		Waypoint id 016
2		See claim			27	4N	1W		Waypoint id 018 (redirection)

Description of diverting works

POD #1 Lat. 43.6563400 Long. -116.4318900
 Pod #2 is located on QQ line of 4 QQ's. Lat. 43.6594300
 Long. -116.4426400

OVERLAP REVIEW

Other water rights with the same point of diversion: yes 63-18487 on POD #2

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

additional acres are added

(+) 32072
 (+) 32073

WATER USES

☒ No change

☐ Different Uses

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

TOTAL VOLUME – Groundwater only

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

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

☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

less acres irrigated than claimed

NON-IRRIGATION USES:

☒ No change

☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:

☐ No Change

☒ Changes shown below: same legal just less acres

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	
44N	1W	27			39	37	26			39									141

Overlap with other water rights: Settlers + Consumer water corp

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

^{7.5HP}
Delivery System Narrative: pump draws water through underground pipe from 20x250x10' west water storage pond and is piped to another pump 40HP in pump house then piped under road to ditches for delivery to S27 fields. At the 40HP pump the water is mixed with irrigation shares and delivered via same ditches. at redirection point (4 corners) the water splits into 4 ditches flowing N, S, E, W. The pond also has a drain pipe at the end sending water straight across rd into same ditches as 40HP pump

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size	
this pump was stored away		7.5		Parma		40 psc
	Baldor	40	891C	Cornell	77364	65 psc

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

Brad Janicek was okay with the acreage differences after roads + unirrigated areas were removed but he was most comfortable with the acres on the ASCS maps which I didn't have a copy of.

Research Center land will still be farmed by Janiceks.

Sec 27 NENW Ada County, ID data must be wrong because I verified the area in the field then digitized it and GIS is correct.

[illegible]

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☒ Photographs of POD's and POU
- ☒ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 11-19-03

FIELD EXAMINER: Karan M. Waters

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 63-26699
 Examiner: Karan Waters
 Date of Field Exam: 11/19/2003

P/D No.:	OPTION 1	OPTION 2	OPTION 3
PUMP HORSEPOWER	7.5	40	0
BOOSTER HORSEPOWER	0	0	0
PUMPING LEVEL	0	0	
DISCHARGE PRESSURE	40	65	
RATE OF FLOW (cfs)	0.50	1.64	#DIV/0!

Close

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report

12/04/2003

WATER RIGHT NO. 63-18487

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HILDA C CHRISTENSEN 5910 N BLACK CAT MERIDIAN, ID 83642 (208)888-7787
Current Owner	THERION E CHRISTENSEN 5910 N BLACK CAT RD MERIDIAN, ID 83642 (208)888-7787

Priority Date: 02/13/1893

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	1 CFS	
Total Diversion			1 CFS	

Same POD as 63-26697 junior

Location of Point(s) of Diversion:

WASTE WATER	SWNWNE	Sec. 27	Township 04N	Range 01W	ADA County
WASTE WATER	NWSWNE	Sec. 27	Township 04N	Range 01W	ADA County
WASTE WATER	SENENW	Sec. 27	Township 04N	Range 01W	ADA County
WASTE WATER	NESENW	Sec. 27	Township 04N	Range 01W	ADA County

Place(s) of use:

Place of Use Legal Description: IRRIGATION ADA County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04N	01W	27		NWNW	10		SWNW	40						

Total Acres: 50

Remarks:

1.	General	WASTE WATER TRIB. TO RIVER VIA PHYLLIS CANAL. POINT OF DIVERSION IS POINT ON/NEAR 1/4-1/4 BOUNDARIES.
----	---------	---

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Claim Number(s): 63-26699

Previous Mailing Address: 5606 N Tenmile Rd
Meridian, Id 83642

New Mailing Address: Brad Janicek
4325 W. Chinden Blvd.
Meridian, Id 83642

Telephone Number: (208) 988-5565 cell 880-6328

Signature of Claimant(s): Brad Janicek

Please return this completed form to:

**Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400**

**Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348**

**Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037**

**Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177**

IDWR

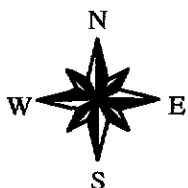
Place of Use Location Map

1987 Napp Photo



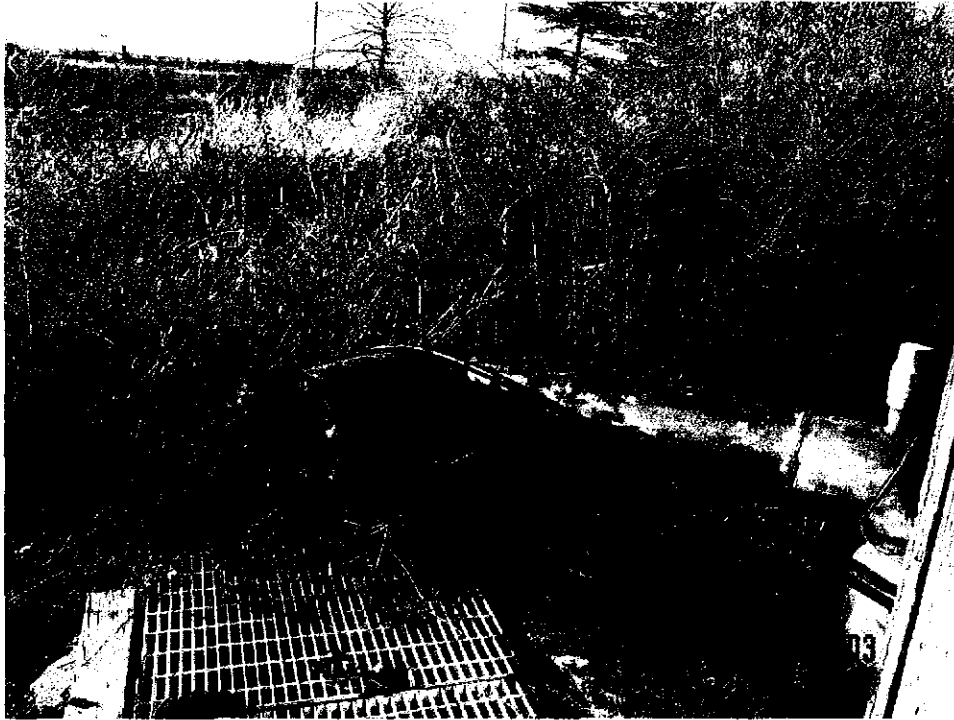
0 0.25 0.5 0.75 Miles

Claim Number: 63-26699
Total Claimed Acres: 148
GIS Acres: 141
Agent:



- ⊙ Point of Diversion (GPS)
-  Place of Use (Verified)
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines

63-26699



POD where pump would sit to draw water from pond facing W.

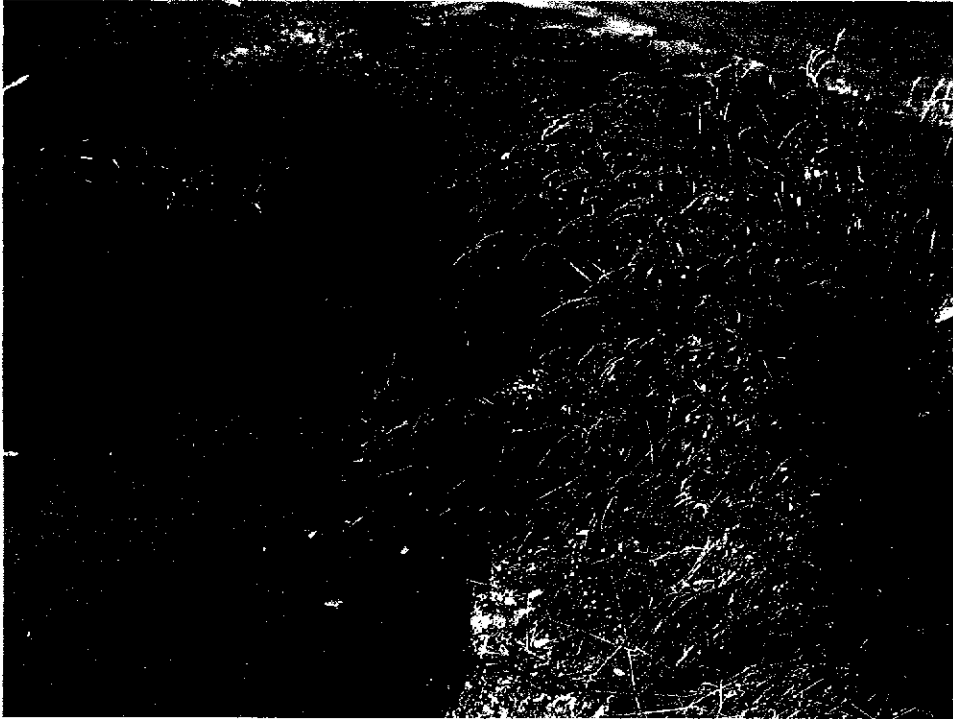


Pond facing E.

63-26699



Pond facing W.

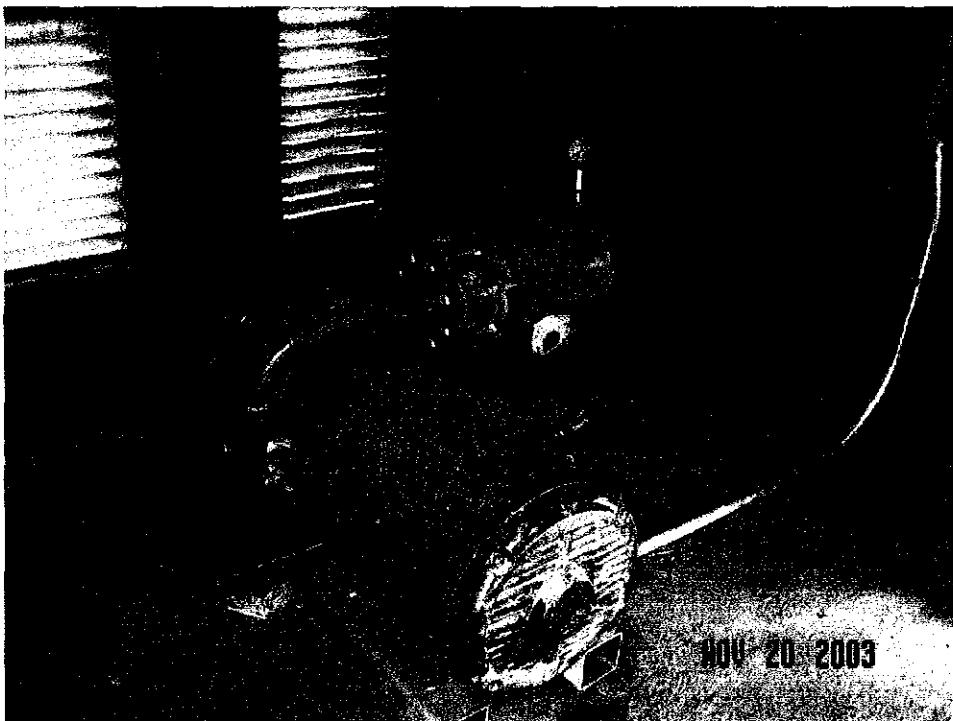


Drain pipe at west end of pond

63-26699

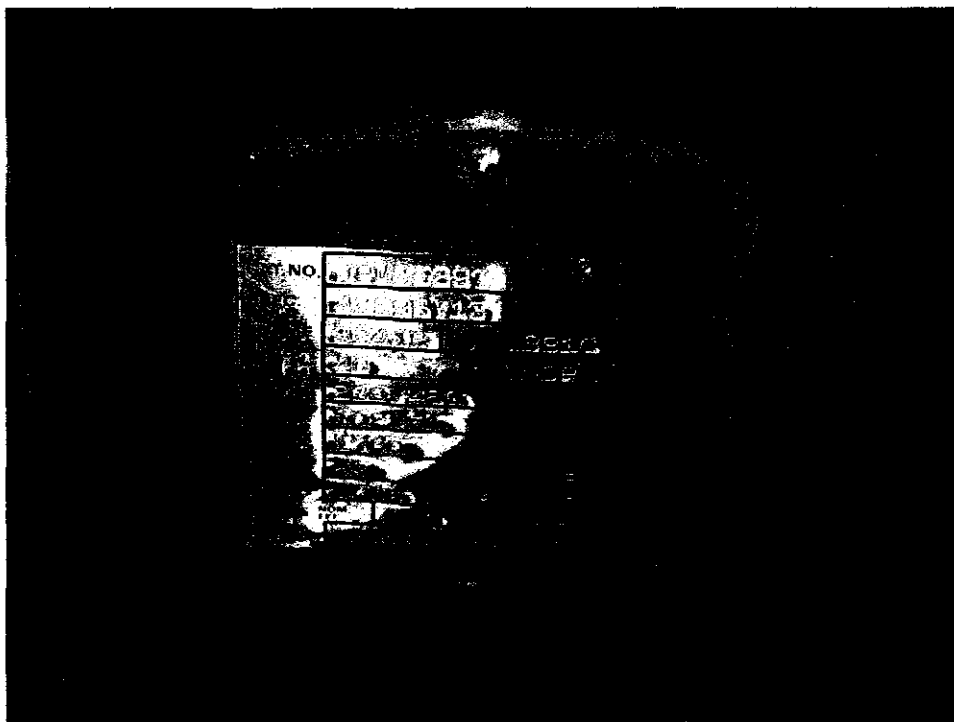


Pump house facing N. with pipes from pond and to fields

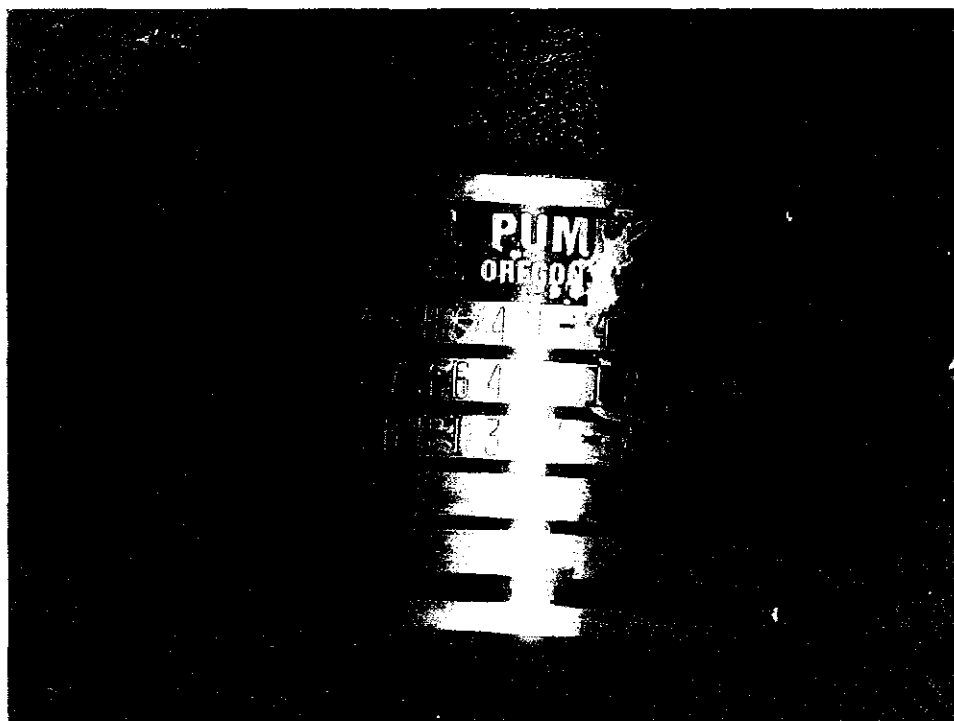


Second pump system inside pump house
63-26699

63-26699



Motor nameplate



Pump nameplate

63-26699



Pipe delivering water from second pump to ditches facing N.



Delivery ditch for pond drain facing W.

63-26699



Ditch facing east from 4 corners re-diversion point



Ditch facing north from 4 corners re-diversion point

63-26699



Ditch facing west from 4 corners re-diversion point



Ditch facing south from 4 corners re-diversion point

K)

Kimberly

63-26699 - Janiceles

- Ask claimant where the wastewater comes from - a well? New York canal? - Settlers irrigation + Nampa Meridian off of
- Ask claimant if he will be sending the ^{fields} Change of Address & Amended Claim forms for the new 1937 priority date to the Western Region office. ? doesn't this done.
- 2002 Ada County Tax lot information shows that the place of use in the:
 - NENW of Sec. 27 only contains 21 acres of irrigation; not 30.0 acres (as claimed)
ASCs 26 or 27
 - SENE of Sec. 27 contains 37 acres of irrigations, not 38.0 acres (as claimed) okay
 - SE NW of Sec. 27 now belongs to Boise Research Center (40.0 acres); not Janiceles will still be farmed by Janiceles
- Use attached 1987 NAPP photo/map to verify:
POD ≠ POU.
↓
(& show on map, if different)
- GPS. POD(s)
- verify diversion rate / system's capacity

please
verify
place of
use,
acreage,
ownership

POU

POD # 1 GPS File # 016

65 pSL

Photos 629 POD facing west

irrig. co. water from fields flows into storage pond
and from this POD a pump would draw
7.5 HP Parma

from pond into the pipe over to another pump
which picks up live ^{and} waste water for delivery
through Cornell 40 HP pump to POU

630 pond 20' x 250' x 10' facing east

631 pond facing W.

when the pond drains thru pipe water

632 pipe

flows through drain ditch

- 633 drain ^{POU} ditch where other POD get water

634 pipe from POD #1

facing W

635 System

636 Motor Nameplate

637 pump "

638 pipe delivering waste or live water
from 40 HP Cornell to fields in Sec 27

- 639 - WW ditch facing east

- Rediversion GPS 018

640 facing N @ 4 corners

641 facing W

642 facing S.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-26699

WATER RIGHT NUMBER: 63-26699

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRAD JANICEK 5606 N TENMILE RD MERIDIAN, ID 83642 (208)887-0014
Current Owner	LOU ANN JANICEK 5606 N TENMILE RD MERIDIAN, ID 83642 (208)887-0014

*Brad
may be reached at
880-0328 (cell)
if this # doesn't work*

Priority Date: 04/30/1937

Basis: Beneficial Use

Status: Active

Source

WASTE WATER

Tributary

BOISE RIVER

Beneficial Use

IRRIGATION

From To

3/15 to 11/15

Diversion Rate

2.960 CFS

Annual VolumeTotal Diversion: 2.960 CFSLocation of Point(s) of Diversion

WASTE WATER	SW1/4SW1/4NW1/4	Sec. 26, Twp 04N, Rge 01W, B.M.
ADA County		
WASTE WATER	SW1/4NW1/4NE1/4	Sec. 27, Twp 04N, Rge 01W, B.M.
ADA County		
WASTE WATER	SE1/4NE1/4NW1/4	Sec. 27, Twp 04N, Rge 01W, B.M.
ADA County		
WASTE WATER	NW1/4SW1/4NE1/4	Sec. 27, Twp 04N, Rge 01W, B.M.
ADA County		
WASTE WATER	NE1/4SE1/4NW1/4	Sec. 27, Twp 04N, Rge 01W, B.M.
ADA County		

Same old boundaries

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01W	27	40.0	38.0	30.0	40.0	148.0

Total Acres: 148

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-26699

Remarks:

1. General POINT OF DIVERSION IS LOCATED ON OR NEAR 1/4-1/4 BOUNDARIES.
CLAIMANT PURCHASED THIS PROPERTY IN JULY, 1991, NO LATE FEE.

Comments:

Dates and Other Information:

Claim Received Date: 4/24/1992
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
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

113

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: A63-26699
Date Received: 4/24/1992
Receipt No: W014571
Received By: KW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRAD JANICEK 208-887-0014
Address: 5606 N TENMILE RD
MERIDIAN ID 83642
AND/OR
Name: LOU ANN JANICEK 208-887-0014
Address: 5606 N TENMILE RD
MERIDIAN ID 83642

2. Date of Priority: FEB 13, 1893

3. Source: WASTE WATER Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	01W	26	SW	SW	NW		ADA
		27	SW	NW	NE		ADA
			NW	SW	NE		ADA
			SE	NE	NW		ADA
			NE	SE	NW		ADA

5. Description of diverting works:
HEADGATE, PUMP AND CEMENT DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.960		

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

8. Total consumptive use is 518.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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SEP 15 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	01W	27	SW	NE		IRR	40.0
			SE	NE		IRR	~~38.0~~
			NE	NW		IRR	~~30.0~~
			SE	NW		IRR	~~40.0~~
Section Acres							148.0

2002
Tax Lot
37
21

Boise Research
Center

Total Acres 148.0

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:
SETTLERS IRRIG. DIST.

14. Remarks:

POINT OF DIVERSION IS LOCATED ON OR NEAR 1/4-1/4 BOUNDARIES.
CLAIMANT PURCHASED THIS PROPERTY IN JULY, 1991, NO LATE FEE.

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

Number of attachments: 0

For Individuals:

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

Signature of Claimant(s):

Brad Janicek

Date: April 24, 1992

Date:

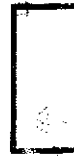
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SEP 15 1992

Idaho Department of Water Resources

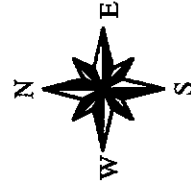
Claim Number: 63-26699
Legal: T4N, R1W, S27
Reviewed By:

 Point of Diversion

 Place of Use

 Section Lines

 Quarter Quarter Lines



1987 Napp Photo



0 0.25 0.5 0.75 Miles

POU # 2 POD's are correct?



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 16, 2004

BRAD JANICEK
LOU ANN JANICEK
C/O JANICEK PROPERTIES LLC
1284 S GOSLING WAY
EAGLE ID 83616

Re: Notice of Claim to a Water Right No. 63-8775 & 63-26699

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflects your change in address.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

In addition, in order for these claims to be solely in the name of Janicek Properties LLC, we will need the legal documentation indicating the name change, which includes the legal description of the property. The Grant Deed currently in our records does not cover the Places of Use for the above referenced water rights.

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(s), please feel free to contact this office.

Sincerely,

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

Denise Buffington
Office Specialist I
Adjudication Section
Western Region Office

DB: db

Enclosure



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

BRAD & LOU ANN JANICEK
5606 N TENMILE RD
MERIDIAN ID 83642

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-26699

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 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. In addition, please contact me at the Western Region office as soon as possible to set up a field exam.



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 A63-26699

+ 1987 NAPP photo/map w/ POUs and PODs

Mr. Shermer:

I see on the remarks of this claim that it references an old permit which we do not have a copy of. I will try to obtain a copy for you, from our micro-film records at the State Office.

I have not located a Snake River Basin Adjudication Claim on this right either.

This needs to be filed on.

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SEP 15 1992

Thanks!

Kay

334-2190

AGREEMENT

THIS AGREEMENT was made and entered into this 27th day of April, 1927, by and between Martha W. Cline, Leola L. Parbo, and Lena J. McLaren, personally and as administratrix of the Estate of Ezra Craker, deceased, all residing in Ada County, State of Idaho, WITNESSETH:

THAT WHEREAS no provision was made by the last will and testament of Eva P. Hudson, deceased, as to how the irrigation water is to be allotted and distributed among the devisees of certain lands hereinafter particularly described;

AND WHEREAS there is available for the irrigation of the said lands an aggregate of seventy (70) inches of Settlers' Irrigation District water;

NOW THEREFORE it is hereby mutually agreed and understood by and between the respective parties hereto, that twenty-five (25) inches of said water shall be appurtenant to the following described lands, to-wit:

The Southwest quarter (SW $\frac{1}{4}$) of the Northwest quarter (NW $\frac{1}{4}$) and the South ten (10) acres of the Northwest quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Twenty-seven (27) in Township Four (4) North of Range One (1) West of the Boise Meridian in Ada County, Idaho.

THAT thirty-three inches of said water shall be appurtenant to the following described lands, to-wit:

The Southwest quarter (SW $\frac{1}{4}$) of the Northwest quarter (NW $\frac{1}{4}$) of Section Twenty-seven (27) in Township Four (4) North of Range One (1) West of the Boise Meridian in Ada County, Idaho, together with a strip of land or lane running easterly to the roadway off the southerly side of the Southeast quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$); the Southeast quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$); and the East Thirty (30) acres of the Northeast quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) all in Section Twenty-seven (27) in Township Four (4) North of Range One (1) West of the Boise Meridian in Ada County, Idaho.

THAT twelve inches of said water shall be appurtenant to the following described lands, to-wit:

The North thirty (30) acres of the Northwest

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SEP 18 1962

Quarter (NW1/4) of the Northwest Quarter (NW1/4) of Section Twenty-seven (27) in Township Four (4) North of Range One (1) East of the Boise Meridian in Ada County, Idaho, and the East Ten (10) acres of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section Twenty-seven (27) in Township Four (4) North of Range One (1) East of the Boise Meridian in Ada County, Idaho.

IT IS HEREBY AGREED and understood that this allocation of said water to said lands is binding and conclusive upon the parties herein, their heirs, executors, administrators, and assigns and that such allocations shall be and are covenants running with the land.

IT IS HEREBY AGREED and understood between the parties that so long as they own the said lands that the said water shall be distributed and rotated in the irrigation thereof in the same as said water is now being and for more than five years last past has been distributed and rotated by the owners of said lands, William H. Hudson and Eva E. Hudson, both now deceased, insofar as it is practicable, the waste water from Section 28 shall be apportioned to the lands irrigated thereby on a basis of the acreage owned by the respective parties.

IT IS HEREBY AGREED that the Settlers' Irrigation District, a public corporation organized under the laws of the State of Idaho, is authorized to carry said water rights on its records in accordance with this agreement and that an executed copy of this agreement shall be delivered to the secretary of said irrigation district for his evidence in distributing said water to said lands. The said heirs, executors, administrators, and assigns will save harmless from any and all charges or damages said district might sustain by the making of this agreement.

IN WITNESS WHEREOF the respective parties hereto have set their hands the day and year first above written.

Martha M. Clark
Leoti L. Rambo

MICROFILMED

SEP 15 1992

Lea A. McClaran
Lea A. McClaran
Administratrix of the Estate
of Sam Craker, Deceased.

STATE OF IDAHO
COUNTY OF ADA

ss.

On this 27th day of April, in the year 1937, before me, Frank E. Chalfant, a Notary Public in and for said State, personally appeared Martha E. Clegg, Leola L. Kambel, and Lea A. McClaran, personally and as administratrix of the Estate of Sam Craker, deceased, and known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Frank E. Chalfant
Notary Public for Idaho,
Residing at Boise, Idaho.

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SEP 15 1992

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-26699

Date: 6-26-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	1W	27			40	38	30			40									148
GIS						40	38	30			40									148
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 2

Total Claimed Acres: 148

Overlapping POU Claim #'s:

Total GIS Acres: 148

COMMENTS:

only 2 pods but all the legals listed because POD is on QQ line
for carrying data. Data not done yet even out of Federal survey.

Idaho Department of Water Resources

Claim Number: 63-26699
Legal: T4N, R1W, S27
Reviewed By:

⊙ Point of Diversion

☐

Place of Use

☐

Section Lines

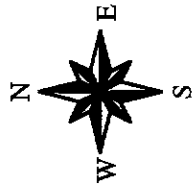
☐

Quarter Quarter Lines

1987 Napp Photo



0 0.25 0.5 0.75 Miles



2 POD's are correct (according to Brad Janiciele)