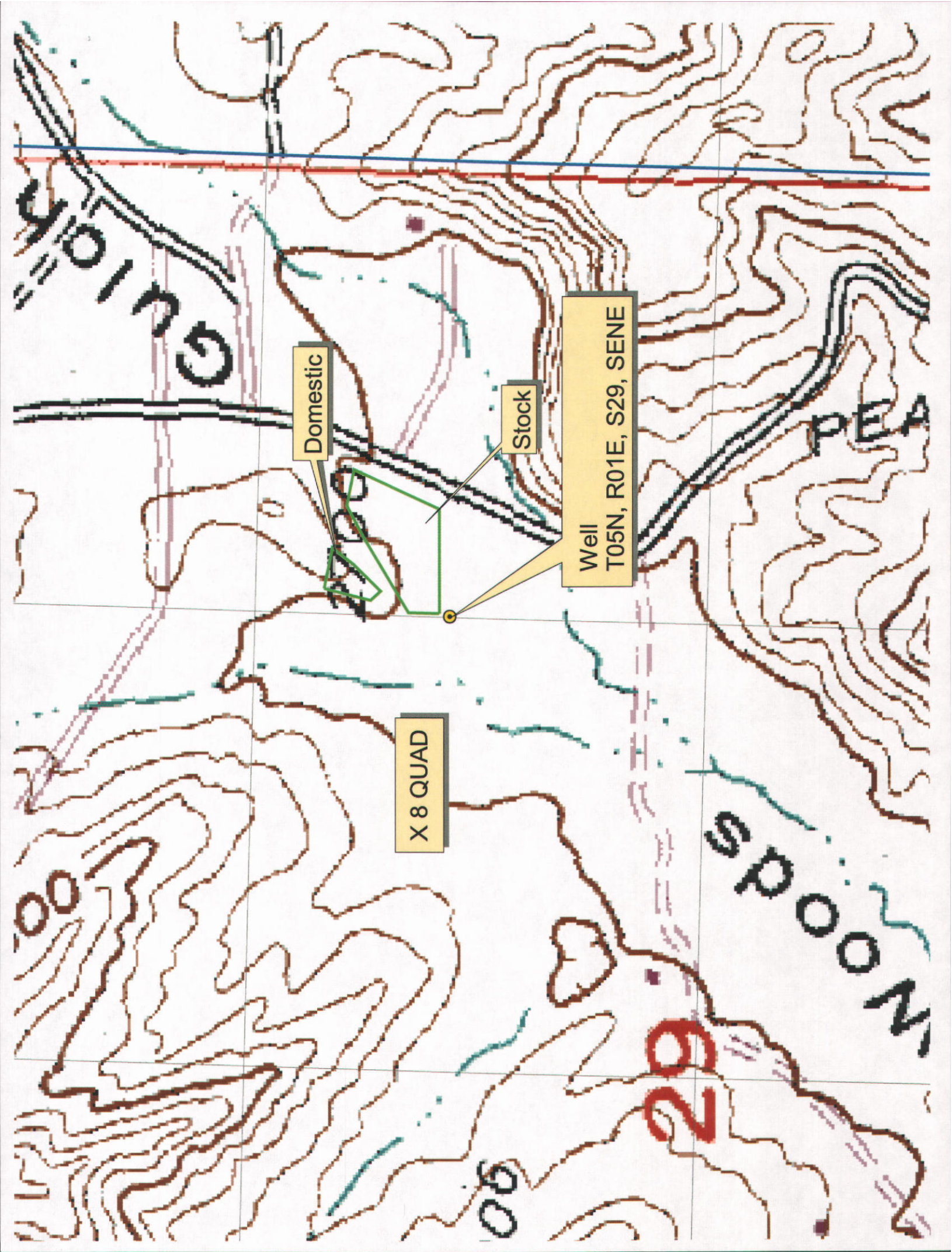




Domestic

Stock

Well
T05N, R01E, S29, SENE

X 8 QUAD

N 000 000 000

29

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 63-31604
Date Received: 1/10/2003
Receipt No: W029963
Received By: Rch

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

1. Name of Claimant(s)

TIMOTHY M GEARY Phone: (208)939-4150
5541 N WILLOW CREEK DR
EAGLE ID USA 83616

OR

KAREN S NIEDERHUT Phone: (208)939-4150
5541 N WILLOW CREEK RD
EAGLE ID USA 83616

2. Date of Priority: 05/23/1997

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	01E	29	SE NE	ADA	

5. Description of diverting works:

229 FEET DEEP, 8" CASING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	
DOMESTIC	01/01	12/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 5 HORSES
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	01E	29	SE	NE	STOCKWATER	
			SE	NE	DOMESTIC	

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: A 63-03483L Priority 1/7/1966

14. Remarks:

PROPERTY IS ALSO KNOWN AS LOT 1, BLK 4, Stillwell Estates No. 2.

Domestic use is for 1 home.

Stockwater use is for 5 horses

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: _____

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): *[Signature]* Date: 1/10/2003
Date: _____

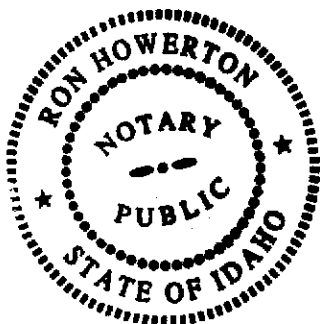
State of Idaho)
County of ADA) SS.

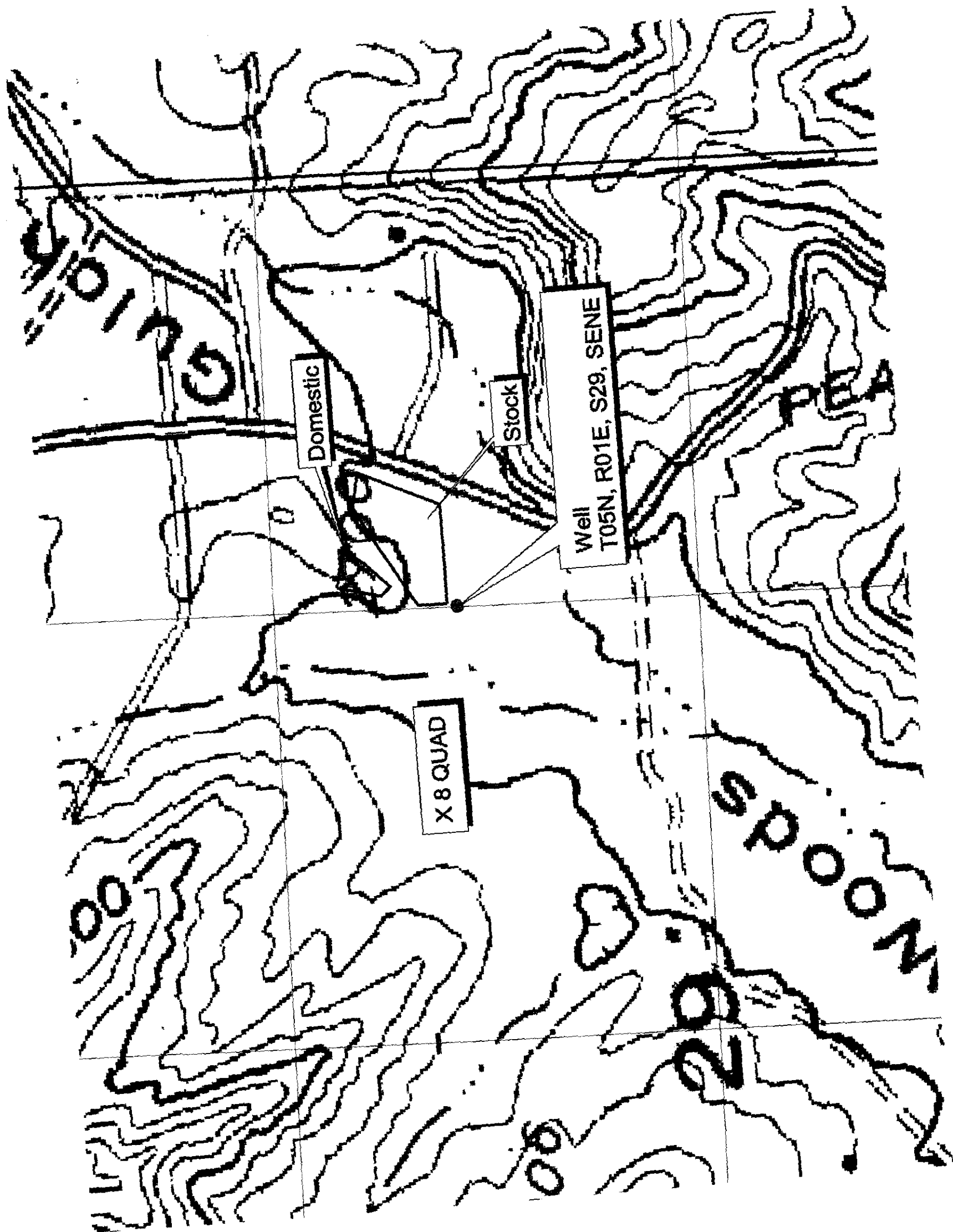
Subscribed and sworn (or affirmed) before me this 10th Jan 2003 *Ron Howerton*

Notary Public
Ron Howerton

Residing at _____ Residing at Boise, Idaho

My commission Expires My Commission Expires December 8, 2006





IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

Use Typewriter or Ballpoint Pen

Office Use Only			
Inspected by _____			
Twp _____		Rge _____ Sec _____	
1/4 _____		1/4 _____ 1/4 _____	
Lat. : : : _____		Long: : : _____	

1. DRILLING PERMIT NO. 63-97-W-0300-000

Other IDWR No. _____

2. OWNER:

Name TIM GEAR
Address 5541 N. WILLOW CREEK RD.
City EAGLE State ID. Zip 83616

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N			
Twp. <u>5</u> North ☒ or South ☐			
Rge. <u>1</u> East ☒ or West ☐			
Sec. <u>29</u> 1/4 <u>SE</u> 1/4 <u>NE</u> 1/4			
Gov't Lot _____ County <u>ADA</u> 10 acres 30 acres 160 acres			
Lat. : : : _____ Long: : : _____			

Address of Well Site 5541 N. WILLOW CREEKCity EAGLE

(Give at least name of road + Distance to Road or Landmark)

Lt. 1 Blk. 4 Sub. Name STILLWELL #2

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT Sacks or Pounds	METHOD
Material	From	To		
BENTONITE	0	40	600/105	OVERBORE

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) _____Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8"	1 1/2	216	25	STEEL	☒	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____☒ Screens Screen Type STAINLESS STEEL

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
219	229	1/2	—	5"	ST. STEEL	☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

130 ft. below ground Artesian pressure _____ lb.

Depth flow encountered _____ ft. Describe access port or

control devices: _____

11. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
75	—	210	1 HR

Water Temp. 54° Bottom hole temp. 54°

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
10"	0	2	SANDY TOP SOIL		
	2	6	BROWN CLAY		
	6	20	TAN CLAY		
	20	25	BROWN CLAY		
	25	40	SANDY CLAY		
8	40	46	SAND		
	46	56	SANDY CLAY		
	56	66	SAND		
	66	75	SANDY CLAY		
	75	83	SAND		
	83	90	TAN CLAY		
	90	97	SAND		
	97	106	SANDY CLAY		
	106	114	SAND		
	114	120	TAN CLAY		
	120	135	COARSE SAND		
	135	145	SANDY CLAY		
	145	153	SAND		
	153	157	TAN CLAY		
	157	163	SAND	X	
	163	170	TAN CLAY		
	170	179	SAND		
	179	186	SANDY CLAY		
	186	190	SAND		
	190	206	TAN CLAY		
	206	207	SAND		
	207	217	TAN CLAY		
	217	229	SAND		

RECEIVED

JUN 18 1997

WATER RESOURCES
WESTERN REGIONCompleted Depth 229 FT. (Measurable)
Date: Started 5-20-97 Completed 5-23-97

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name COOSE-WELL DRILLING Firm No. 409Firm Official [Signature] Date 5-27-97and Supervisor or Operator [Signature] Date 5-27-97

(Sign once if Firm Official & Operator)

WELL TAG A0013247

FORWARD WHITE COPY TO WATER RESOURCES

NOTICE OF ERROR
REPLY

RECEIVED
05/31/2005 JUL 08 2005
Department of Water Resources

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

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

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

Water right number: 63-31604

TIMOTHY M GEARY
5541 N WILLOW CREEK DR RD
EAGLE ID 83616
Telephone Number: (208)939-4150

KAREN S NIEDERHUT
5541 N WILLOW CREEK RD
EAGLE ID 83616
Telephone Number: (208)939-4150

RECEIVED
JUL 12 2005
WATER RESOURCES
WESTERN REGION

Western

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

No changes.

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

None.

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

None.

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

DATE: 7/7/05

SIGNATURE: *Timothy M. Geary*

Please print your name: Timothy M. Geary

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

05/31/2005

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

RECEIVED
JUL 08 2005
Department of Water Resources

RIGHT NUMBER: 63-31604

NAME AND ADDRESS: TIMOTHY M GEARY
5541 N WILLOW CREEK DR
EAGLE ID 83616

KAREN S NIEDERHUT
5541 N WILLOW CREEK RD
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 05/23/1997

POINT OF DIVERSION:
T05N R01E S29 SENE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.020 CFS
Domestic use is for 1 home.		

PLACE OF USE: STOCKWATER Within ADA County

T05N R01E S29 SENE

DOMESTIC Within ADA County

T05N R01E S29 SENE

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

01/14/2003

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

RIGHT NUMBER: 63-31604

NAME AND ADDRESS: TIMOTHY M GEARY
5541 N WILLOW CREEK DR
EAGLE ID 83616

KAREN S NIEDERHUT
5541 N WILLOW CREEK RD
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 05/23/1997

POINT OF DIVERSION:

T05N R01E S29 SENE Within ADA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

01/01 12/31

0.020 CFS

DOMESTIC

01/01 12/31

0.020 CFS

Domestic use is for 1 home.

PLACE OF USE:

STOCKWATER Within ADA County

T05N R01E S29 SENE

DOMESTIC Within ADA County

T05N R01E S29 SENE

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

PARCEL NO. R8163160050.

PROPERTY IS ALSO KNOWN AS LOT 1, BLK 4, STILLWELL ESTATES NO. 2.

Stockwater use is for 5 horses.

IN-OFFICE

**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) 63-31604Owner: GEARY Phone No. _____

Current Address: _____

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

Accompanied by: IN-OFFICE N/A**PRIORITY DATE**

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

Priority date, per claimant, is: _____

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

Source: _____ Tributary to _____

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

POINT OF DIVERSION

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

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

229 FT DEEP WELL, 8 INCH CASING
PIPED TO HOME & STOCK TANK(S)

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-34832

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

NO - SEPARATE USE & DOP

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)**NON-IRRIGATION USES:**☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☒ No Change☐ Changes shown below:

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

Overlap with other water rights: 63-3483L

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:
IRRIGATION RIGHT - SEPARATE USES

Delivery System Narrative: SEE DESCRIPTION

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

FLOW MEASUREMENTS: NA - DF MINIMUMS USE

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

PARCEL NO. R8163160050

PROPERTY AKA: LOT 1, BKE 4, Stillwell
Estate No. 2,

DOMESTIC, 1-HOME

Stockwater, 5 HORSES

CODES & Rmks

NH, NB, C18-J-801-802
01

AFTER EXAM THE FILE SHOULD CONTAIN:

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

SEE CLAIM FILE SIDE
FOR MAP

DATE EXAM CONDUCTED: (IN-OFFICE) 1-14-03

FIELD EXAMINER: Ron Howerton
Sr Water Agent