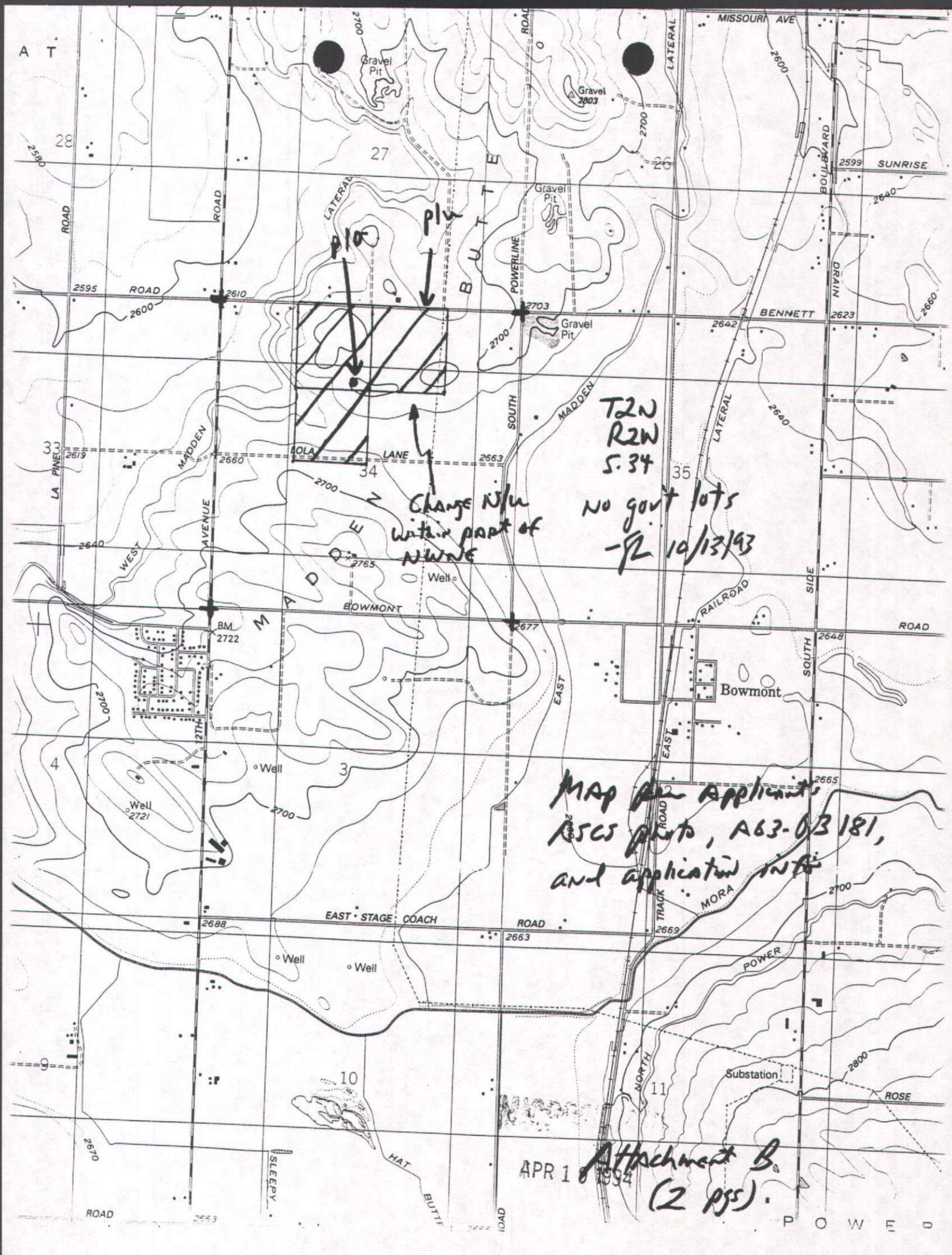


A63-03181

T2N R2W

IES



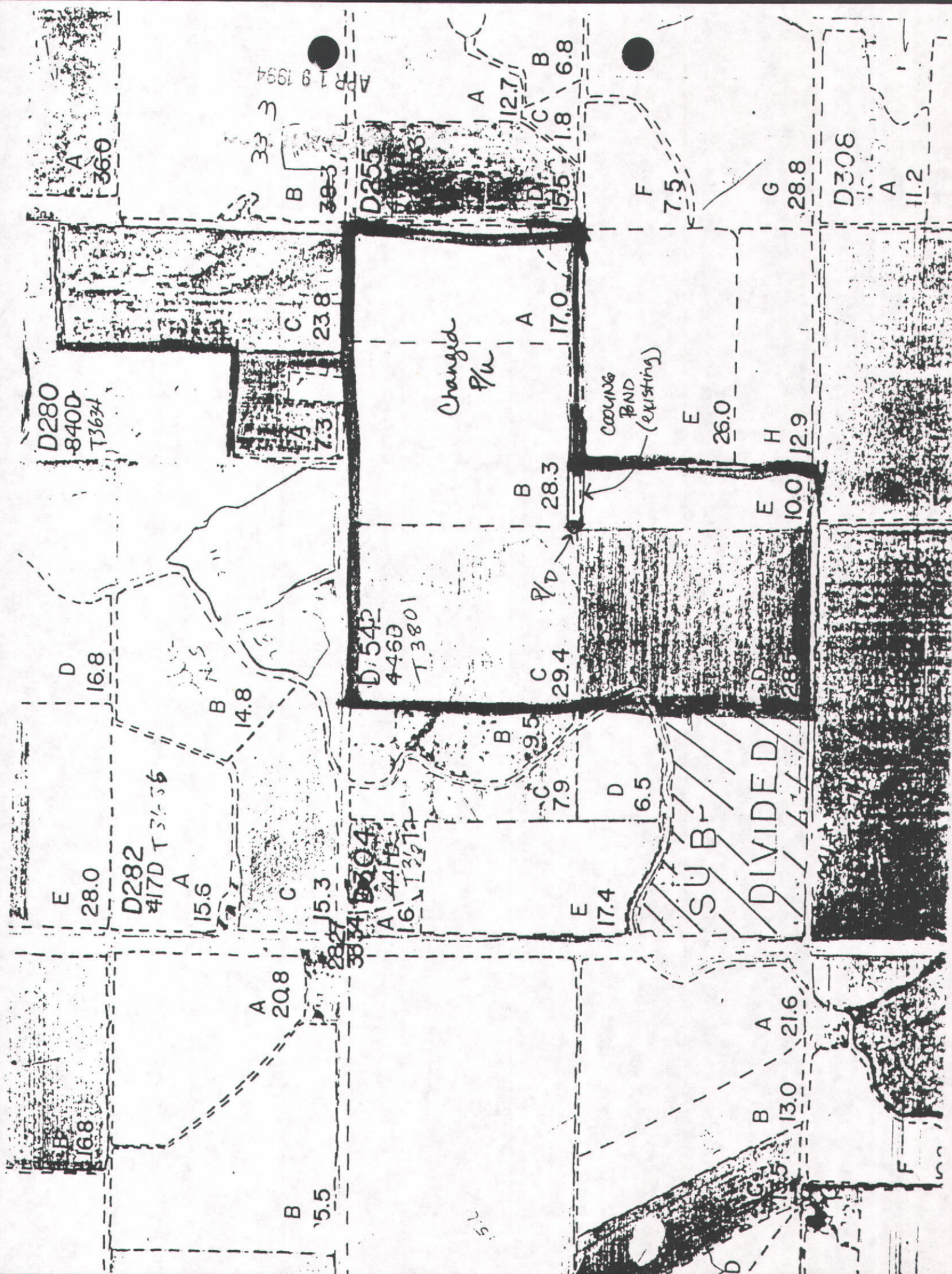


T2N
R2W
S.34
No govt lots
-FL 10/13/93

Map for Applicant's
RSCS photo, A63-03181,
and application info

APR 1 1994
Attachment B
(2 pgs).

POWERED





Idaho Department of Water Resources

63-3181

T02N R02W S34



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter

Total irrigated
acres = 105



IDWR
Prepared by: Sandy Egbert
Date: March 31, 2006
1987 NAAP Photography

400 0 400 800 1200 Feet

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: **A63-03181**
Date Received: 2/28/1990
Receipt No: W009801
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: LARRY WHEATON
Address: 4101 GEKELER
PO BOX 5346
BOISE ID

208-385-0223

83705

2. Date of Priority: FEB 11, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	02W	34		NE	NW		CANYON

5. Description of diverting works:
GEOTHERMAL WELL, COOLING POND, SPRINKLERS, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.220		472.50
COMMERCIAL	03/15	11/15	0.140		13.20
HEATING	03/15	11/15	0.020		9.70

7. Total Quantity Appropriated is:
1.380 C.F.S. (and/or) 495.40 A.F.A.

8. Total consumptive use is 416.5 Acre Feet Per Annum.

9. Non-irrigation uses:
COMMERCIAL & HEATING, GREENHOUSES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	02W	34	NW	NE		IRR	26.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	02W	34	NE	NW	IRR	40.0
			SE	NW	IRR	39.0
Section Acres						105.0
Total Acres						105.0

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
IRRIGATION DISTRICT WATER

14. Remarks:
CLAIM AMENDED PER TRANSFER NO. 4234 APPROVED 4/4/1994.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
COPY OF APPROVED TRANSFER NO. 4234 IN FILE. KW 6/7/1995

15. Basis of Claim: LICENSE

Water Right Number: 28465

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A63-03181
Date Received: 2/28/1990
Receipt No: 0009801
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ERCIL BOWMAN 206-385-7589
Address: 240 WINDSHIP DR.
PORT TOWNSEND, WA 98368

Name: COLLEEN BOWMAN 206-385-7589
Address: 240 WINDSHIP DR.
PORT TOWNSEND, WA 98368

2. Date of Priority: FEB 11, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	02W	34	SE	NE	NW		CANYON

5. Description of diverting works:
WELL, 75 HP PUMP, PIPELINE, SPRINKLERS, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.380		

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

8. Total consumptive use is 416.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	02W	34	NW	NE	IRR	40.0
			NE	NW	IRR	40.0
			SE	NW	IRR	39.0
					Section Acres	119.0
					Total Acres	119.0

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
IRRIGATION DISTRICT WATER

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 28465

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): *Paul Cannon* Date: *2/28/90*

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of FEB 19 90
William Gene Gibson
Notary Public

Seal

Residing at Boise, Idaho
My Commission Expires 9-2-1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Regin Hays

TRANSFER OF WATER RIGHT

TRANSFER NO. 4234
WATER RIGHT NO. 63-03181

This is to certify that: **LARRY WHEATON**
4101 GEKELER BOX 5346
BOISE ID 83705

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.22 CFS	472.5 AF
COMMERCIAL	03/15 to 11/15	0.14 CFS	13.2 AF
HEATING	03/15 to 11/15	0.02 CFS	9.7 AF
Totals		1.38 CFS	495.4 AF

SOURCE

GROUNDWATER

Priority: 02/11/1960

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 34, Township 02N, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	02W	34	NWNE 26	NENW 40	SENEW 39	105
Total number of acres irrigated:						105

PLACE OF USE: COMMERCIAL, same as IRRIGATION use

PLACE OF USE: HEATING, same as IRRIGATION use

CONDITIONS/REMARKS:

- 832-1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
- 707 2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

TRANSFER NO. 4234
WATER RIGHT NO. 63-03181

CONDITIONS/REMARKS:

- T08 3. Failure to comply with the conditions of this transfer is cause
T09 4. Approval of this transfer does not preclude the opportunity for
review of the validity of the water right(s) in the ongoing
Snake River Basin Adjudication.
5. Commercial use is for greenhouses.

Dated this 4th day of

April

, 19

94

J. Glen Saylor

Chief, Water Alloc. Bureau

Recommended
according to
a transfer
not yet ~~approved~~
accomplished

Transfer 4234
approved in
April 1994
but never
accomplished per
Edmunt

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources
Western Regional Office

Transfer No. 4234

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Larry Wheaton Phone 385-0223
Post Office address (Box 5346) 4101 Gekeler Boise ID 83705

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To change a portion of irrigation use under the right to commercial and heating use, for the implied season of use (See remarks)

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|------------------|-----------------------|------------------|-----------------------------|
| <u>63-03181</u> | <u>2/11/1960</u> | <u>1.22</u> | <u>IRR</u> | <u>3/15</u> to <u>11/15</u> |
| | | <u>.14</u> | <u>HEAT</u> | <u>3/15</u> to <u>11/15</u> |
| | | <u>.02</u> | <u>COMM</u> | <u>3/15</u> to <u>11/15</u> |
| | | | | to _____ |
2. Total amount of water being transferred 1.38 cubic feet per second and/or 535.5 acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	34	2N	2W	Canyon	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	2W	34		C															
		34		26				40		39									105

Total acres 105

PART 1

6. General Information:

a. Description of diversion system Existing geothermal well, cooling pond. A portion of flow will be routed through pipelines for soil warming and space heating in greenhouses, propagation ponds & one residence/office. All discharge collected and re-used as irrigation water.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. Attachment A

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

40 acres removed from conventional agriculture and dedicated to the propagation of native plant materials. 14 acres of the 40 will be retired for heating and commercial uses; an undetermined acreage will be withheld in favor of new application for permit for ~~the~~ winter use on same project. Balance will be retained as irrigation within the tract.
 d. Remarks: All ponds will be constructed on previously irrigated land.

No Season specified, original license. Am using 3/15-11/15 Standard.
See Supplemental application for permit No. 63-12064.
See use calculations, attached.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-03181

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	* <u>DIVERSION RATE</u>
IRRIGATION	to	1.38 CFS

SOURCE

GROUNDWATER

Priority: 02/11/1960

LOCATION OF POINT(S) OF DIVERSION:NENW , Sec. 34, Township 02N, Range 02W
CANYON CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N	02W	34	NWNE 40	NENW 40	SEnw 39	119
Total number of acres irrigated:						119

CONDITIONS/REMARKS:

* Not specified in license, assumed 3/15 - 11/15

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See Attachment B (2 maps)

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>Heating</u>	<u>.14, 13.2</u>	<u>105 days</u>	<u>3/15 to 11/15</u>
	<u>Commercial</u>	<u>.02</u>	<u>intermittant,</u>	<u>3/15 to 11/15</u>

2. Quantity and quality of return flows and location of discharge:

Discharge to collection ponds to be re-used for commercial
irrigation uses. No overflow anticipated.

3. Describe effects on other water uses resulting from the proposed change:

No effect. Use within historical season of use.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Larry E. Wheaton
 (Signature of Applicant)

Subscribed and sworn to before me this 8th day of OCTOBER, 19 93.

[Signature]
 (Notary Public)

My commission expires

5-15-95

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 3 attachments

Received by CJH Date 10/8/93 Protest filed by _____

Prelim. check by JZ Fee 50- 12016 843

Receipted by [Signature] Date 10/8/93

Published in Press Tribune Copies of protest forwarded by _____

Pub. dates 10-20 + 27-93 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

T2N R2W

533

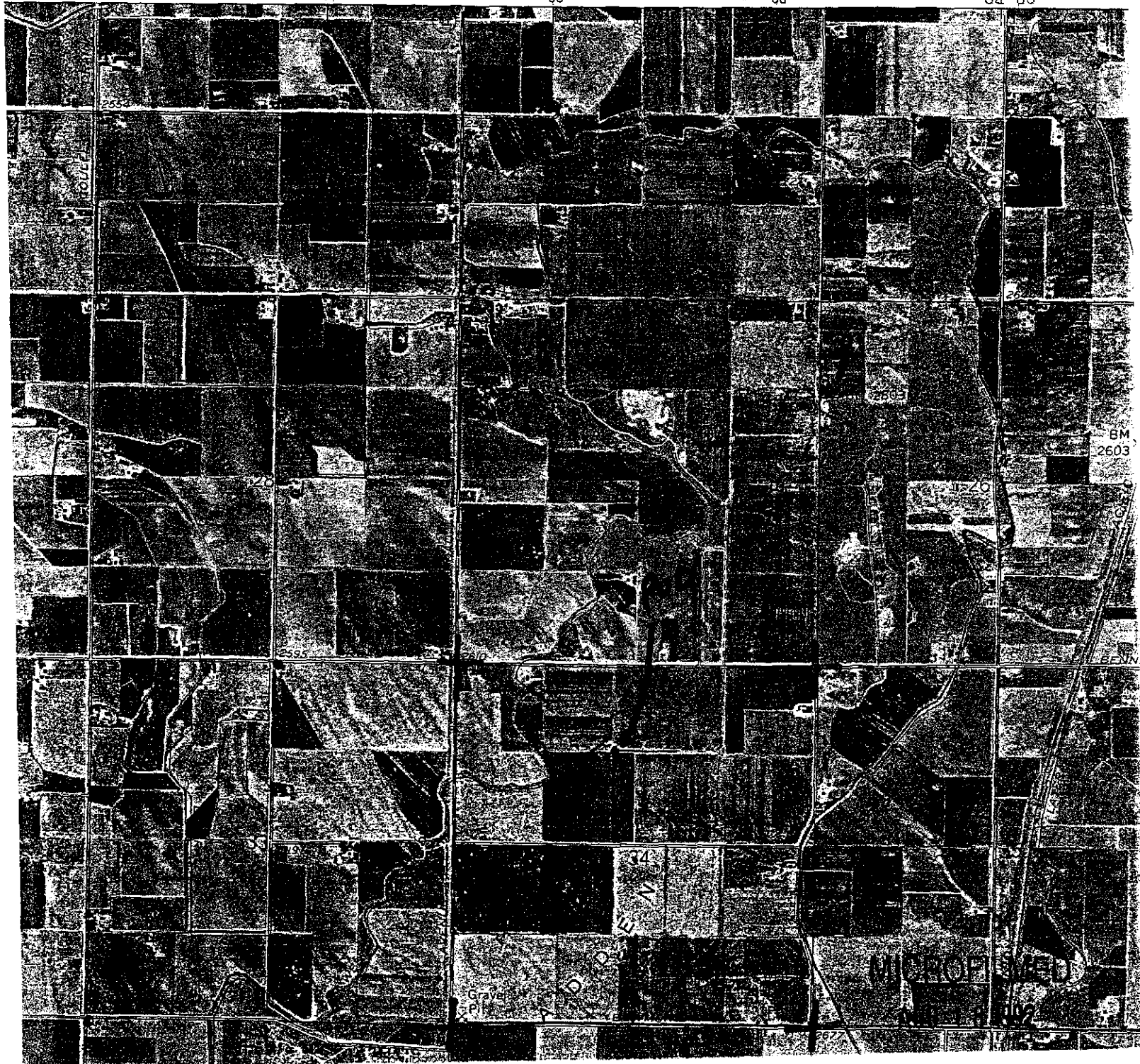
35'

534

535

536

32' 30"



WARRANTY DEEDKRW
LEW

FOR VALUE RECEIVED, ERCIL R. BOWMAN, JR. and COLLEEN G. BOWMAN, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto LARRY E. WHEATON and KARI G. WHEATON, husband and wife, the Grantees, of 100 E. Braemere, Boise, Idaho 83702, the following described premises, situated in Canyon County, State of Idaho, to-wit:

The Northwest Quarter of the Northeast Quarter and the East Half of the Northwest Quarter of Section 34, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho;

Together with all water, water rights, ditches and rights-of-way for ditches appurtenant thereto or in anywise appertaining;

SUBJECT to taxes and assessments for the year 1992 and all subsequent years.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 31st day of December, 1992.

Ercil R. Bowman, Jr.
Ercil R. Bowman, Jr.

Colleen G. Bowman
Colleen G. Bowman

RECEIVED

OCT 14 1993

WATER RESOURCES
WESTERN REGION

APPROVED

APR 19 1994

STATE OF IDAHO)
) ss.
County of Canyon)

On this 31st day of December, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared **ERCIL R. BOWMAN, JR. and COLLEEN G. BOWMAN, husband and wife**, known to me to be the persons whose names are subscribed to the foregoing 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.



Wm. S. O'Neil
Notary Public for Idaho
Residing at Nampa, Idaho
My commission expires: 5-15-97

9300555

RECORDED

'93 JAN 11 AM 11 53

RECORDER

CANYON CN. RECORDER
BY C. Smith

PIONEER - NAMPA

REQUEST

TYPE Deed REF 6"

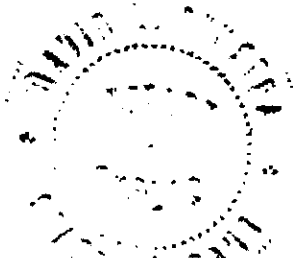
MISSOURI

APR 19 1994

State of Idaho
Department of Water Resources

I am the lien holder on the property described as the N.E.
1/4, of the N.W. 1/4 of Section 34, Twp 2N, Range 2W in Canyon
County, Idaho.

It is agreeable with me to change a portion of the
irrigation use to commercial and heating use.



Erik Bowman *
Signature of Lien Holder

Subscribed and sworn to before me this 8th day of October, 1993

Erik Bowman
Notary Public

My Commission expires 5-15-97

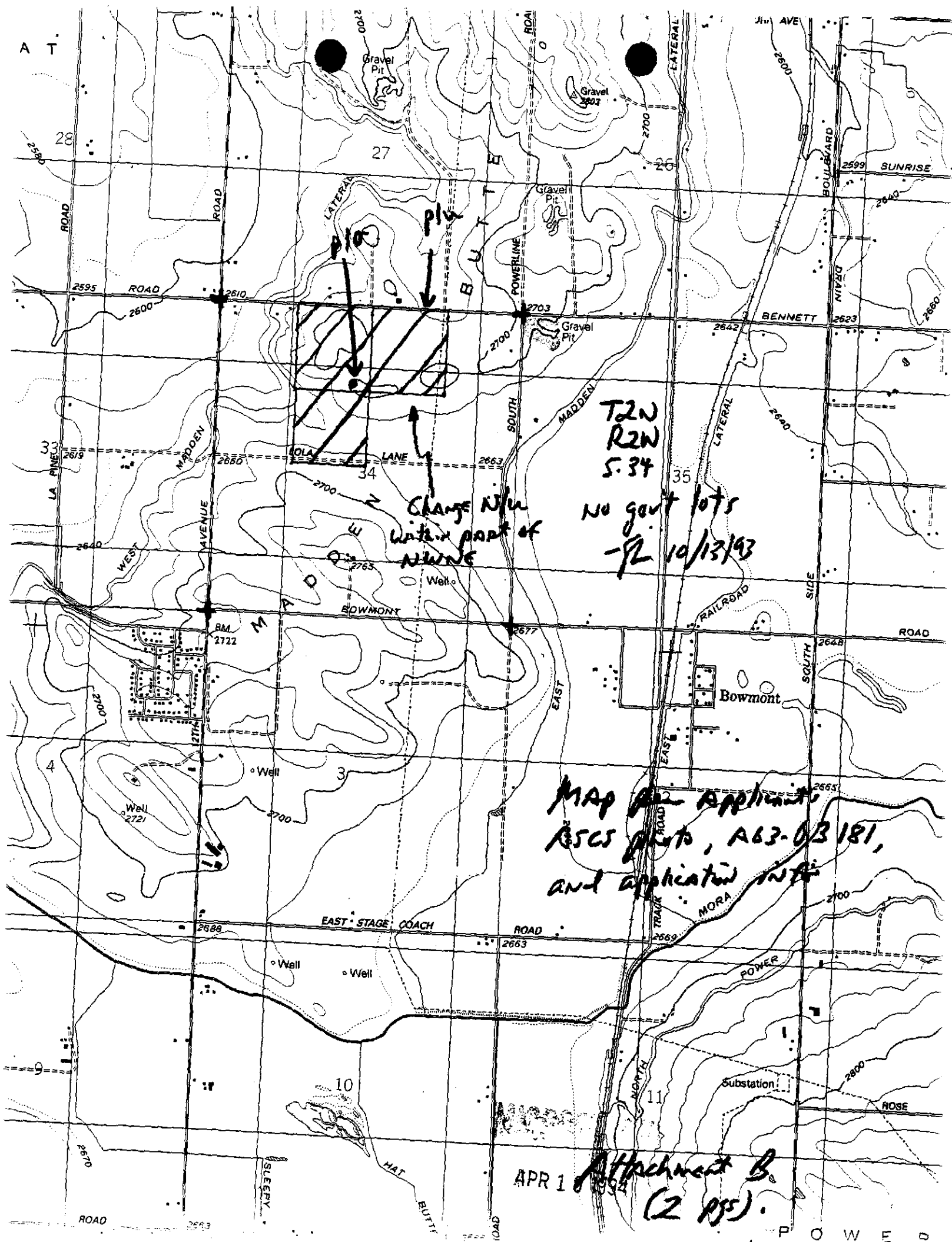
*

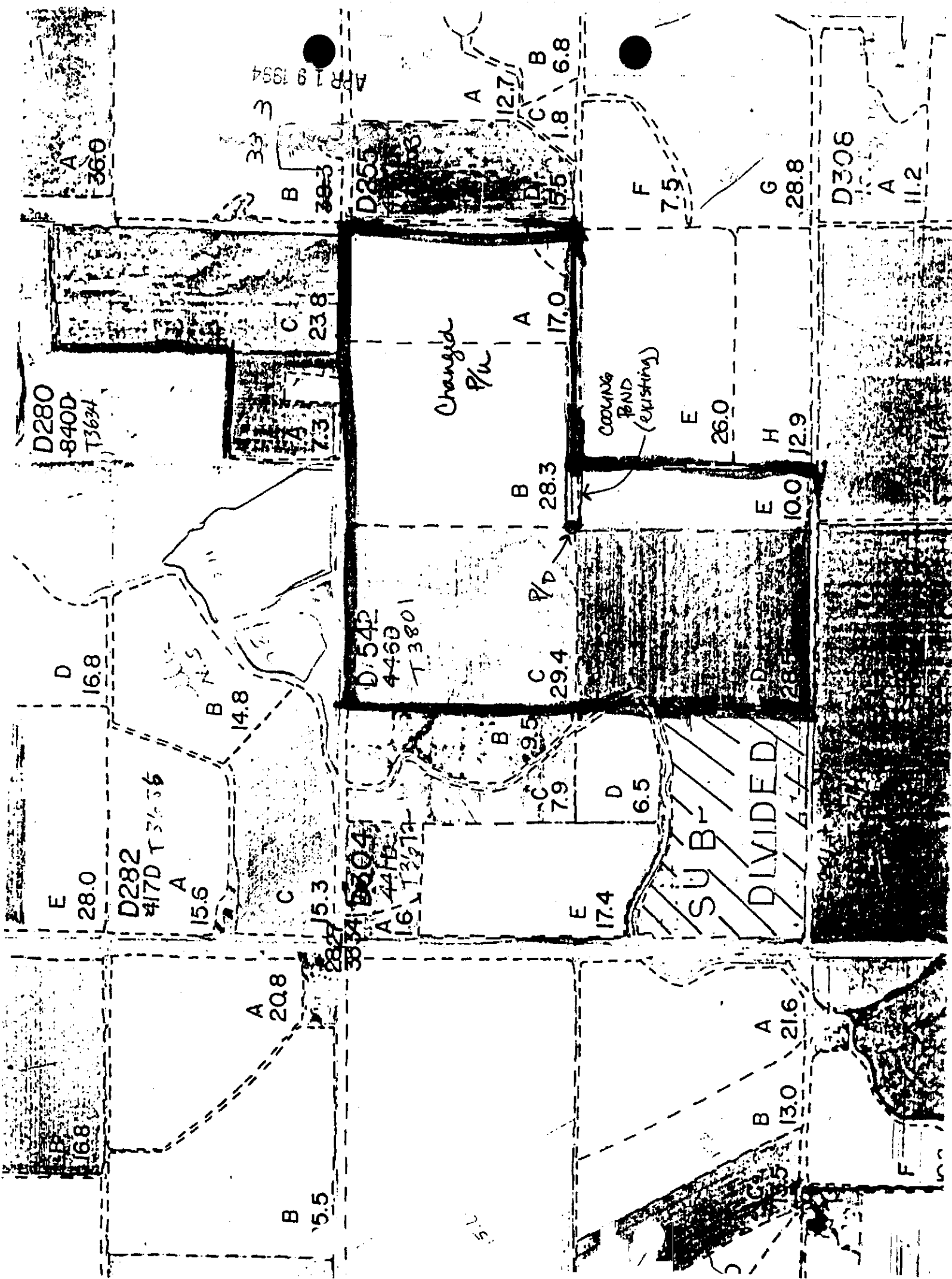
Dr. Erik Bowman per telecon with Applicant 10/12/93 *JB*

RECORDED

APR 19 1994

Attachment A
(3 ps.)





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

In Re SRBA)

Case No. 39576)

A. Subcase 63-3181

(Insert water right no.)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: LARRY WHEATON

Address: 4101 Gekeler, P.O. Box 5346
Boise, Idaho 83705

Daytime Phone: 208-385-0223

Name & Address of Attorney, if any:

S. Bryce Farris
Ringert Clark Chartered
P.O. Box 2773
Boise, ID 83701

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTORS'S REPORT

Name: LARRY WHEATON

Address: Same as above

COPY

D. I object to the following elements as recommended in the Director's Report. (Please check the Appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be: N/A
7. ☒ **Purpose(s) of Use**
Should be: Irrigation. See below.
8. ☒ **Period of Year**
Should be: See below.
9. ☒ **Place of Use**
Should be: 119 total acres. See below.
10. ☐ **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

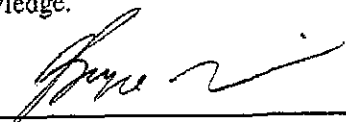
E. **REASONS SUPPORTING OBJECTION (S):** This water right has been recommended to reflect a Transfer 4234, which has not been accomplished. Accordingly, the claimant objects to the recommendation and requests that the water right be decreed as it was originally licensed.

F. VERIFICATION (must be completed)

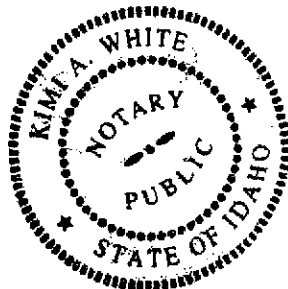
State of Idaho)
) ss.
County of Ada)

S. Bryce Farris, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I. C. §§ 42-1401A (1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


S. Bryce Farris

Subscribed and sworn to before me on: June 15, 2007




Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 01/01/10

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will no be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on June 15, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the Claimant of the water right at the following address:

Name: Larry Wheaton

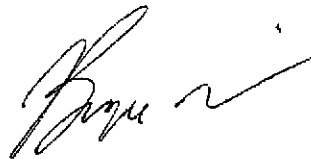
Address: 4101 Gekeler
Boise, ID 83705

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449



Signature of Objector or attorney
mailing on Objector's behalf



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 23, 2007

LARRY WHEATON
8571 BENNETT RD
NAMPA ID 83686-9247

Re: Snake River Basin Adjudication (SRBA)
Water Right No(s). 63-3181
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your claim(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right(s) referenced above, please call this office to obtain a form to make this required change to the water right(s) records.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region

The address is correct as shown above or as otherwise changed.

Signature of water right claimant

Telephone number

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED



RECEIVED
MAR 02 2007
WATER RESOURCES
WESTERN REGION

3010P

LARRY WHEATON
4101 GEKELER
BOISE ID 83705

63-3181

8571 Bennett Rd
Nampa 83686-9247

UNITED STATES POSTAL SERVICE
FIRST CLASS
02 1A
0004310839 OCT 06 2006
MAILED FROM ZIP CODE 83702



FIRST CLASS

ADDRESS SERVICE
REQUESTED

WATER RESOURCES
REGIONAL OFFICE
AIRPORT WAY
SE IDAHO 83705

Return to Sender

Not at this address

RETURN TO
SENDER
ATTEMPTED
NOT KNOWN

LARRY WHEATON
4100 GEEKLER
PO BOX 5346
BOISE ID 83705

RECEIVED

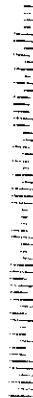
OCT 13 2006

WATER RESOURCES
WESTERN REGION

8571 Bennett Rd
Nampa 83686

63-3181

Resent 10-13-06



03/31/2006

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

RIGHT NUMBER: 63-3181

NAME AND ADDRESS: LARRY WHEATON
4101 GEKELER
PO BOX 5346
BOISE ID 83705

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.380 CFS
495.400 AFY

PRIORITY DATE: 02/11/1960

POINT OF DIVERSION:

T02N R02W S34 NENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.220 CFS 472.50 AFY
HEATING	03/15 11/15	0.020 CFS 9.70 AFY
COMMERCIAL	03/15 11/15	0.140 CFS 13.20 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T02N R02W S34	NWNE	26.00	T02N R02W S34	NENW	40.00
T02N R02W S34	SENE	39.00			

HEATING same as IRRIGATION
COMMERCIAL same as IRRIGATION

105 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder shall accomplish the change authorized by Transfer 4234 within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of Transfer 4234 is cause for the Director to rescind approval of the transfer.

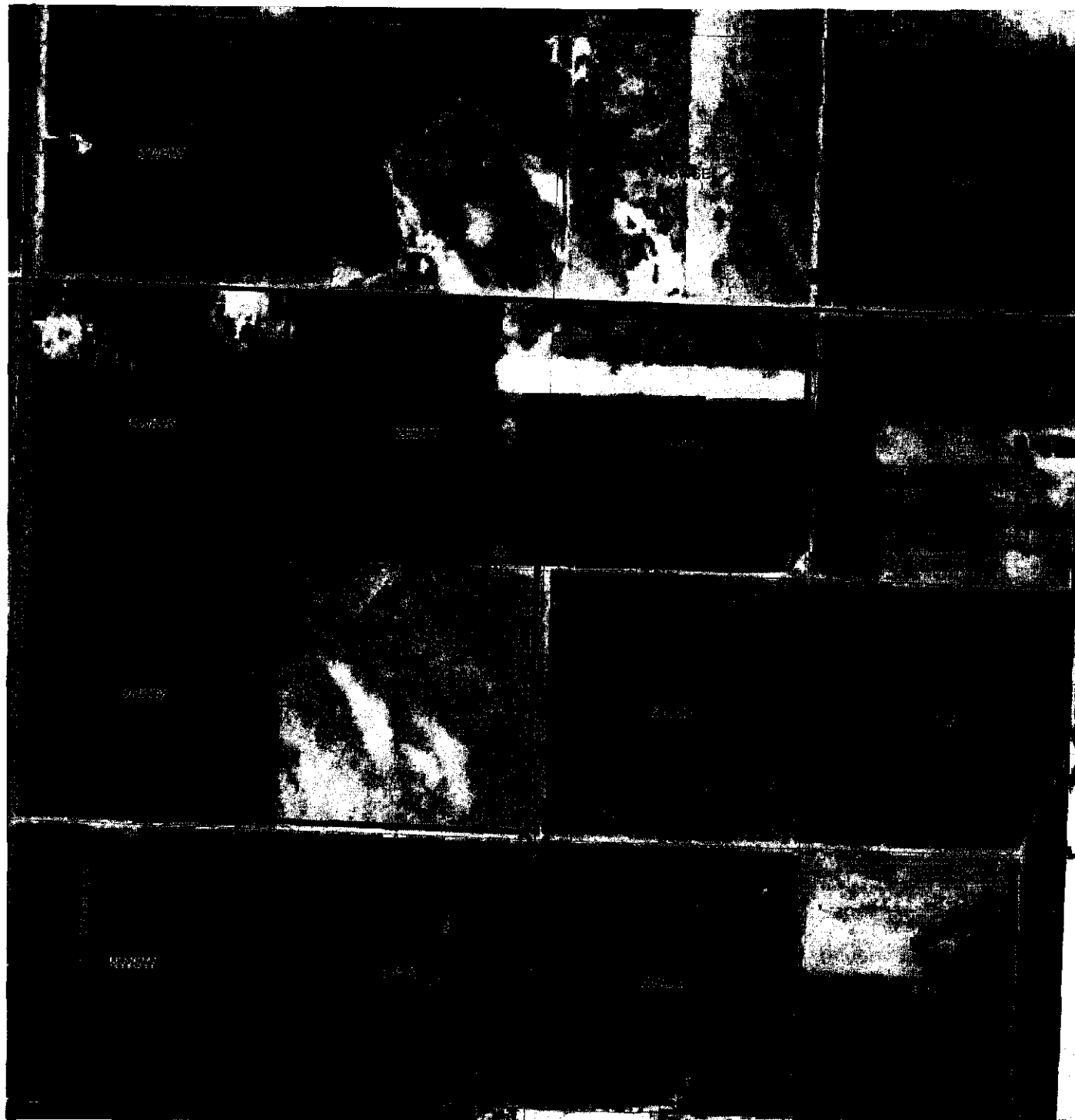
This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.



Idaho Department of Water Resources

63-3181

T02N R02W S34



- ⊙ Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter

Total irrigated
acres = 105



400 0 400 800 1200 Feet

IDWR

Prepared by: Sandy Egbert
Date: March 31, 2006
1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3181 V1

WATER RIGHT NUMBER: 63-3181 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ERCIL BOWMAN 240 WINDSHIP DR PORT TOWNSHIP, WA 98368 (206)385-7589
Original Owner	COLLEEN BOWMAN 240 WINDSHIP DR PORT TOWNSEND, WA 98368 (206)385-7589
Original Owner	WESLEY R SCHOBBER 422 W LOCUST LN NAMPA, ID 83651 (208)466-2965
Current Owner	LARRY WHEATON 4101 GEKELER PO BOX 5346 BOISE, ID 83705 (208)385-0223

Priority Date: 02/11/1960

Basis: License

Status: Active

SourceTributary

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	1.220 CFS	472.50 AF
HEATING	03/15 to 11/15	0.020 CFS	9.70 AF
COMMERCIAL	03/15 to 11/15	0.140 CFS	13.20 AF
	<u>Total Diversion:</u>	1.380 CFS	495.40 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4NW1/4

Sec. 34, Twp 02N, Rge 02W, B.M.

CANYON 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	
02N	02W	34	26.0				40.0				39.0								105.0

Total Acres: 105

HEATING same as IRRIGATIONCOMMERCIAL same as IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3181 V1

COMMERCIAL same as IRRIGATIONConditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. T07 The right holder shall accomplish the change authorized by Transfer 4234 within one (1) year of the date of this approval.
3. T08 Failure of the right holder to comply with the conditions of Transfer 4234 is cause for the Director to rescind approval of the transfer.
4. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:Comments: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:
 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>
Summary			03/30/2006	Igagnon	Active
Priority Date	3/31/2006 2:22:40 PM	segbert			Active
POD	3/31/2006 2:23:00 PM	segbert			Active
Source	3/31/2006 2:23:33 PM	segbert			Active
POU	3/31/2006 2:23:48 PM	segbert			Active
Use	3/31/2006 2:24:35 PM	segbert			Active
Season	3/31/2006 2:32:00 PM	segbert			Active
Quantity	3/31/2006 2:33:03 PM	segbert			Active
Summary			03/31/2006	segbert	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-3181 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
General	3/31/2006 2:22:41 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	3/31/2006 2:23:01 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POD	3/31/2006 2:23:17 PM	segbert	Updated shape
Source	3/31/2006 2:23:34 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	3/31/2006 2:23:48 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	3/31/2006 2:24:11 PM	segbert	Updated shape for Active POU
Use	3/31/2006 2:24:36 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3181 V1

Summary	3/31/2006 2:35:55 PM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Summary	3/30/2006 1:49:02 PM	lgagnon	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
Season	3/31/2006 2:32:01 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (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?
Quantity	3/31/2006 2:33:03 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (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 10 - 4.5 x acres

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3181

WATER RIGHT NUMBER: 63-3181

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ERCIL BOWMAN 240 WINDSHIP DR PORT TOWNSHIP, WA 98368 (206)385-7589
Original Owner	COLLEEN BOWMAN 240 WINDSHIP DR PORT TOWNSEND, WA 98368 (206)385-7589
Original Owner	WESLEY R SCHOBBER 422 W LOCUST LN NAMPA, ID 83651 (208)466-2965
Current Owner	LARRY WHEATON 4101 GEKELER PO BOX 5346 BOISE, ID 83705 (208)385-0223

Priority Date: 02/11/1960 ✓

Basis: License ✓

Status: Active ✓

Source

GROUND WATER ✓

Tributary

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	~~3/15~~ to 11/15	1.220 CFS ✓	472.50 AF ✓
HEATING ✓	3-1 to 11/15 ✓	0.020 CFS ✓	9.70 AF ✓
COMMERCIAL ✓	3/15 to 11/15 ✓	0.140 CFS ✓	13.20 AF ✓
<u>Total Diversion:</u>		1.380 CFS	495.40 AF ✓

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4NW1/4 ✓

Sec. 34, Twp 02N, Rge 02W, B.M.

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	
02N 02W 34	26.0 ✓				40.0 ✓			39.0 ✓									105.0 ✓

Total Acres: 105

HEATING same as IRRIGATIONCOMMERCIAL same as IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3181

WATER RIGHT NUMBER: 63-3181

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WESLEY R SCHOBBER 422 W LOCUST LN NANPA, ID 83651 (208)466-2965
Current Owner	LARRY WHEATON 4101 GEKELER PO BOX 5346 BOISE, ID 83705 (208)385-0223

Priority Date: 02/11/1960

Basis: License

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>
COMMERCIAL	3/15 to 11/15	0.140 CFS	13.20 AF
IRRIGATION	3/15 to 11/15	1.220 CFS	472.50 AF
HEATING	3/15 to 11/15	0.020 CFS	9.70 AF
	<u>Total Diversion:</u>	1.380 CFS	495.40 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 34, Twp 02N, Rge 02W, B.M.
CANYON 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	
02N	02W	34																	
			26.0				40.0				39.0								105.0

Total Acres: 105

COMMERCIAL same as IRRIGATIONHEATING same as IRRIGATIONConditions of Approval:

1. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Commercial use is for greenhouses.
3. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Receipt Details for ID W009801

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/28/1990 11:11:06 AM	2/28/1990	Western	\$332.00	Check
Payer		BOWMAN, ERCIL		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1389			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$332.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	21287		\$25.00	Claim
63	3181		\$169.00	Claim
63	8732		\$113.00	Claim
63	21286		\$25.00	Claim

[Print Report](#)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3181

03/30/2006

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~63-3181~~	Claim	02N	02W	34	NW	NE		IRRIGATION	26/105	LARRY WHEATON
~~63-3181~~	Water Right	02N	02W	34	NW	NE		IRRIGATION	26/105	LARRY WHEATON
~~63-3181~~	Water Right	02N	02W	34	NW	NE		HEATING		LARRY WHEATON
~~63-3181~~	Claim	02N	02W	34	NE	NW		IRRIGATION	40/105	LARRY WHEATON
~~63-3181~~	Water Right	02N	02W	34	NE	NW		IRRIGATION	40/105	LARRY WHEATON
~~63-3181~~	Claim	02N	02W	34	SE	NW		IRRIGATION	39/105	LARRY WHEATON
~~63-3181~~	Water Right	02N	02W	34	SE	NW		IRRIGATION	39/105	LARRY WHEATON

OWNER CODE NAME & ADDRESS
C LARRY WHEATON
4101 GEKELER
PO BOX 5346
BOISE ID 83705
(208) 385-0223

PRIORITY DATE 02/11/1960
WATER USE IRRIGATION
COMMERCIAL
HEATING

USE PERIOD FROM TO
03-15 11-15
03-15 11-15
03-15 11-15

DIVERSION RATE
1.220 CFS
0.140 CFS
0.020 CFS

DIVERSION VOLUME
472.50 AFA
13.20 AFA
9.70 AFA

TOTAL DIVERSION: 495.40 AFA
CONSUMPTIVE USE: 416.50 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T02N R02W S34 NENW CANYON County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		SUM	
T	R	S	NE	SW	SE	NE	SW	SE	
02N	02W	34	26	40	39				
TOTAL ACRES									105.0
TOTAL ACRES									105.0

Place of use location for COMMERCIAL is the same location as described for: IRRIGATION

Place of use location for HEATING is the same location as described for: IRRIGATION

POU County: CANYON

Non-Irrigation Uses: COMMERCIAL & HEATING, GREENHOUSES.

Other Rights: IRRIGATION DISTRICT WATER

Conditions of Approval:

- R32 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN CLAIM AMENDED PER TRANSFER NO. 4234 APPROVED 4/4/1994.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
COPY OF APPROVED TRANSFER NO. 4234 IN FILE. KW 6/7/1995

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. A63-03181

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/29/00
PAGE: 38

Audit: 02/28/90 GIBSON 03/30/95 KWALKER 03/30/95 POST-STD 06/07/95 KWALKER

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

NAME OF CONTACT Larry Wheaton

PHONE NUMBER 385-0223 ADJ. AGENT TTTTTINICUCCI

DATE SET FOR EXAM 465-7019 NONE

LOCATION/DIRECTIONS _____

Diverting at full rates? _____

Type of measuring devices? _____

Places to make measurements? _____

Type of System? (pipelines, ditches) _____

How many laterals are used? _____

Length and size of mainline? _____

Size of motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler heads? _____

COMMENTS Transfer of 14 irrigated acres to comm/heating
as per Trans. No. 4234. See also appl. 63-12064
for use during non-irrigation season. left msg on machine
that I would be stopping by to confer comm/heating
use. TTTT

OWNER CODE NAME & ADDRESS C LARRY WHEATON 4101 GEKELER BOX 5346 BOISE ID 83705 (208) 385-0223 PRIORITY DATE 02/11/1960 WATER USE IRRIGATION COMMERCIAL HEATING USE PERIOD FROM TO 03-15 11-15 03-15 11-15 03-15 11-15 DIVERSION RATE 1.220 CFS 0.140 CFS 0.020 CFS DIVERSION VOLUME 472.50 AFA 13.20 AFA 9.70 AFA TOTAL DIVERSION: 1.380 CFS 495.40 AFA

Water Source: GROUNDWATER Tributary to: NE NW SE Stage: LICENSE CANYON County

Point(s) of Diversion: T02N R02W S34 NE NW SE USE PERIOD FROM TO 03-15 11-15 03-15 11-15 03-15 11-15 DIVERSION RATE 1.220 CFS 0.140 CFS 0.020 CFS DIVERSION VOLUME 472.50 AFA 13.20 AFA 9.70 AFA TOTAL DIVERSION: 1.380 CFS 495.40 AFA

Place of use Legal Description for: IRRIGATION NE NW SE

Place of use location for HEATING is the same location as described for: IRRIGATION

Pou County: CANYON

Other Water Rights with Same Point(s) of Diversion and Source: 63-12064

- Conditions of Approval:
- R32 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
 - T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
 - T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
 - T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: Commercial use is for greenhouses.

Dates: App. Received: 02/11/1960 Proof Due Date: Exam Made Date: Exam Sent to S.O.: Licensed Date: 08/28/1979

Misc: Water District Number: Field Exam Fee:

WR5809NP
No. 63-03181

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/20/95
PAGE: 20

Comments: Date: 10/06/1993 User-ID: HODGES Subject: TRANSFER NO. 4234
Transfer filed to change the nature of use of 14 acres in NWNE
Section 34 from irrigation to commercial and heating uses.
P/D and P/U will not be altered. Right as changed will be used
in conjunction with new application for permit for winter use
(11/16 to 3/14) on same project.

Audit: 05/06/85 05/01/88 CONVERT 10/06/93 HODGES 03/31/94 SKAGGS

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A63-03181

MR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION	WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*								
PT. OF DIV.								
SOURCE								
PL. OF USE								
DIV. AMOUNT CFS/AF								
CONSUMPTIVE USE								
NATURE OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

VERIFICATION CODES
 TOPO MAP/ORTHO PHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE COMMENTS) = 6

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
 SUBMITTED - YES NO

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
 CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: 14 acres returned from NINE. Devel by to conf.

State of Idaho

License and Certificate of Water Right

Water License No. G-28465

Amount 1.38 c.f.s.

Water District No. _____

Priority Feb. 11, 1960

THIS IS TO CERTIFY that WESLEY R. SCHOBER
of Nampa, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 11, 19 60; that Permit No. G-28465
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.38 second feet, was issued thereunder on June 19, 19 63, showing that said works
were completed on the 28th day of March, 19 63; and that on the 28th
day of March, 19 63,

WESLEY R. SCHOBER

of Nampa, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow , for the purpose of irrigation
, under Use Permit No. G-28465 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7596, on the 19 day of June, 19 63;
The right hereby confirmed dates from February 11, 19 60;

The Point of Diversion is located
in the NE 1/4 NW 1/4, Sec. 34, Tp. 2 N., R. 2 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.38 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	2 W.	34	NW 1/4 NE 1/4	40	40
			NE 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	39
			Total number of acres to be irrigated:		119

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
19th day of June, 19 63.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

8-28465
63-3181

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 36442
Permit No. G- 28465
District No.

1. Name of Applicant: Wesley R. Schöber

Postoffice address: Rt. #4, Nampa

County: Canyon

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 3.0 or Idaho
Miners' inches 150 or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 34
Twp. 2 N , Rge. 2 W , B.M., County of Canyon

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.

7. Kind of works: Well, pump and sprinkler system

8. Estimated cost of works: \$ 20,000

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$ (c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock: (c) Bonds to be issued:

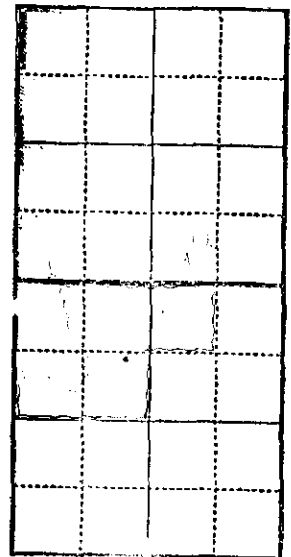
(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 3.0 (cubic feet per second, inches or gallons per minute) is for new lands.



Remarks:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ Wesley R. Schober Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 3:30 P.M. February 11, 1960

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G- 28465
Recorded in Book 100 Page 28465 Approved February 17, 1960

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

Bond in the sum of \$ to be filed on or before

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

One-fifth of the work above specified to be completed on or before August 17, 1962

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before February 17, 1965

Witness my hand this 17th day of February, 1960

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 17th day of February, 1960.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLIE

Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2 N	2 W	34	40				40	11	24	40								155	
APPLICATION FOR AMENDMENT POINT OF DIVERSION Permit No. G-28465																			
Comes now WESLEY R. SCHOBBER and represents to the State Reclamation Engineer of the State of Idaho:																			
That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-28465.																			
That the point of diversion is described in said permit as being located: SE 1/4 NW 1/4, Sec. 34, Twp. 2 N., Rge. 2 W.																			
E. M. That he now requests that the point of diversion be changed to a point located NE 1/4 NW 1/4, Sec. 34, Twp. 2 N., R.																			
2 W., B. M. That the reason for desiring to make such change is as follows: This location was much closer to the power line.																			
That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.																			
Signed at Boise, Idaho, this 24th day of June, 1960.																			
Date of Receipt at Department of Reclamation: June 24, 1960.																			
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, GEO N. CARTER, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-28465. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.																			
s/ GEO. N. CARTER State Reclamation Engineer																			
Recorded: July 5, 1960																			

Permit No. G-28465
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that WESLEY R. SCHOBBER of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. G-28465, issued upon Application No. G-36442, bearing date of priority of February 11, 1960, authorizing the diversion of 3.0 second feet of waters of a well, County of Canyon, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.38 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 2 N., R. 2 W., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

119 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 34, T. 2 N., R. 2 W., B. M.

Witness my hand this 19th day of June, A. D. 1963.

Proof of Completion of Works Made: March 28, 1963

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

LICENSE ISSUED FOR 1.38 SEC. FT.

page 7596

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-28465

This proof is for Completion of Works & Beneficial Use In Water District No.

1. Name of applicant Wesley R. Schober2. Source of water supply: Subterranean3. Location of point of diversion: Is in the NE¹/₄ NW¹/₄ of Section 34T. 2¹/₂ N R. 2¹/₂ W.B.M. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: 75 HP U.S. Holloshoff
Motor #1216567, Layne-Brodley Pump #27514 (680 GPM @ 360' @ 1770 RPM)
well 31.5' x 12" / 307' x 12" casing 12.135' - 6" discharge to 6" Gate Valve and 6" Check
Valve to 3' x 12' steel horizontal tank - sand trap - 4" tee with 4" Gate Valve
in discharge pipe between pump & 6" Gate Valve. This 4" pipe discharges into
a 30' dia pond as sand trap when pump first starts. (dd - 50') - 200' x 6" culm
10" bowl. 7' deep

5. Water is used for: irrigation6. State whether or not water has been turned into works of diversion: yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW¹/₄ NE¹/₄, NW¹/₄ Sec. 34., Twp. 2 N., Rge. 2 W.B.M.

Making a total of 155 acres

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Wesley R. Schober along

P.D. has been made

This examination was made on the 30th day of April, 1963

(Signed)

Larry Johnson

Examiner.

28465

Wesley R. Schober
Rt. #4, Nampa, Idaho

Permit No. G-28455

Examination for Completion of Works & Beneficial Use

County Canyon

Quantity: 3.6 a.k.s. Sec. 34 T. 2N R. 2W

Source: WDR

P. D.: W. R. Schober, Sec. 34, T. 2N, R. 2W

Use: Irrigation

Filed: 7-1-55

Due: 7-1-55

Extension: —

Protest: —

Completion of Works: —

Other Rights: none

INSTRUCTIONS TO EXAMINERS

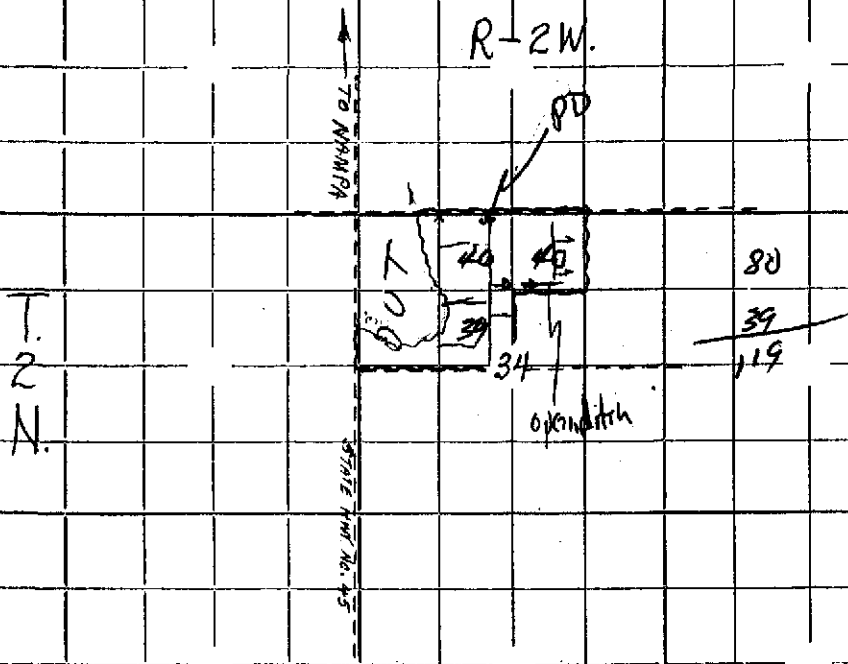
1. Always carefully note the location of the point of diversion and accurately plot same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plot same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
MAY 1 1955

REGISTERED EXAMINATOR

0.2' / 1' = 0.20 cfs or 15 inch.

82.3' / 1' = 82.3 cfs or 69 inch.
 @ 25' (5976m) = 489.5611 = 54 inch
 1.2' = 1' cfs or 102-
 1.38 cfs



Subdivisions	3
AREA	119
Q	1138 cfs or 69 inch

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-281,65

REPORT ON PROOF OF Completion of Works & Beneficial Use

Wesley R. Schober, Rt. #1, Nampa, Idaho