

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 63-2798
Date Received: 3/15/1990
Receipt No: C015648
Received By:

AMENDED

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

RECEIVED

FEB 13 2004

WATER RESOURCES
WESTERN REGION

1. Name of Claimant(s)

JOHN J HOCKBERGER SR Phone: (208)459-9192
13957 MALT RD
CALDWELL ID USA 83605

2. Date of Priority: 04/26/1953

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	03W	30	NW NW 1	CANYON	
03N	04W	25	NE SE	CANYON	

5. Description of diverting works:

WELLS, PIPELINE TO MAINLINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	3/15 11/15	0.7	292.5

7. Total Quantity Appropriated is:
0.7 C.F.S. and/or 292.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
03N	03W	30	NW NW	IRRIGATION	25
			SW NW	IRRIGATION	21

					Section Acres	46
03N	04W	25	NE	SE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NE	IRRIGATION	25
					Section Acres	105
					Total Acres	151

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:

14. Remarks:

Claim amended per claimant. 12/24/03

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.

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

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

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.

CLAIM AMENDED PER TRANSFER NO. 4339 APPROVED 6/13/1994.

PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RT.

HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT ACCEPTABLE TO THE DEPT. FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION.

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANS. NO. 4339 SHALL NOT EXCEED 0.70 CFS, NOR TOTAL COMBINED ANNUAL VOLUME OF 292.5 AF.

TWO POINTS OF DIVERSION ARE LOCATED WITHIN NESE, S25, T03N, R04W.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANS. NO. 4339 IN FILE. KW 6/7/1995

15. Basis of Claim: License

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): *John Hockley* Date: 2/12/04
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12th
of February 2004 *Linda L. Klingner*

Notary Public

Residing at Boise, Idaho
My commission Expires 7/25/08



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: A63-02798
Date Received: 3/15/1990
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Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JOHN J HOCKBERGER SR 208-459-9192
Address: 13957 MALT RD
CALDWELL ID 83605

2. Date of Priority: APR 26, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	25	NE	SE			CANYON

5. Description of diverting works:
WELLS, PIPELINE TO MAINLINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.700		292.50

7. Total Quantity Appropriated is:
0.700 C.F.S. (and/or) 292.50 A.F.A.

8. Total consumptive use is 227.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	25	SE	NE		IRR	25.0
			NE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	65.0
					Total Acres	65.0

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:
NONE

14. Remarks:

CLAIM AMENDED PER TRANSFER NO. 4339 APPROVED 6/13/1994.
PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RT.
HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT ACCEPTABLE TO THE
DEPT. FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW
DETERMINATION OF THE TOTAL RATE OF DIVERSION.
THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANS. NO. 4339 SHALL NOT EXCEED 0.70 CFS, NOR
TOTAL COMBINED ANNUAL VOLUME OF 292.5 AF.
TWO POINTS OF DIVERSION ARE LOCATED WITHIN NESE, S25, T03N,
R04W.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
COPY OF APPROVED TRANS. NO. 4339 IN FILE. KW 6/7/1995

15. Basis of Claim: LICENSE

Water Right Number: 21367

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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Region Adj. :

TRANSFER OF WATER RIGHT

TRANSFER NO. 4339
WATER RIGHT NO. 63-02798

This is to certify that: **JOHN J HOCKBERGER SR**
13957 MALT RD
CALDWELL ID 83605

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	0.70 CFS	292.5 AF

SOURCE

GROUNDWATER

Priority: 04/26/1953

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 25, Township 03N, Range 04W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 04W 25	SENE 25	NESE 40		65
Total number of acres irrigated:				65

CONDITIONS/REMARKS:

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.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. 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.
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. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

MICROFILMED

JUL 25 1994

TRANSFER NO. 4339
WATER RIGHT NO. 63-02798

CONDITIONS/REMARKS:

6. The total instantaneous diversion of water from all points of diversion under Transfer No. 4339 shall not exceed 0.70 cfs, nor total combined annual volume of 292.5 af.
7. Two points of diversion are located within NESE, S25, T03N, R04W.

Dated this 13th day of June, 1994.


Chief, Water Alloc. Bureau

MICROFILMED

JUL 25 1994

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: **A63-02798**
Date Received: 3/15/1990
Receipt No: C015648
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JOHN J HOCKBERGER
Address: 13957 MALT RD
CALDWELL ID

208-459-9192

83605

2. Date of Priority: APR 26, 1953

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	25	NE	SE			CANYON

5. Description of diverting works:
170' WELL, 55 HP PUMP, BURIED MAINLINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.700		

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

8. Total consumptive use is 227.5 Acre Feet Per Annum

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	25	SE	NE		IRR	25.0
			NE	SE		IRR	40.0

Section Acres 65.0

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JUL 25 1994

10. Place of Use: Continued

Total Acres 65.0

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:
 NONE

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 21367

MICROFILMED
JUL 25 1994

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:

Ident. Number

Date Received

Receipt Number

39576

AC-02798

3-15-90 RGT

C015648

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) JOHN J. HOCKBERGER Phone (208) 459-9192Mailing Address 13957 MAIT ROAD, CALDWELL, IDAHO Zip 836052. Date of Priority (Only one (1) per claim) APRIL 26, 19533. Source of water supply (a) WELL (IRRIGATION)
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 3 N. Range 4 W Section 25,
NE 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of CANYON

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.170 FT. WELL, 55 H.P. PUMP, BURIED MAIN LINE
SPRINKLER LATERAL LINES

MICROFILMED

JUL 25 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION FARMING purposes from MAR 5 to NOV. 15 amount 0.7 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.7 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 227.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	4W	25				25									40				65

Total number of acres irrigated 65

11. In which county (ies) are lands listed above as place of use located? CANYON

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (☒)

14. Remarks:

MICROFILMED

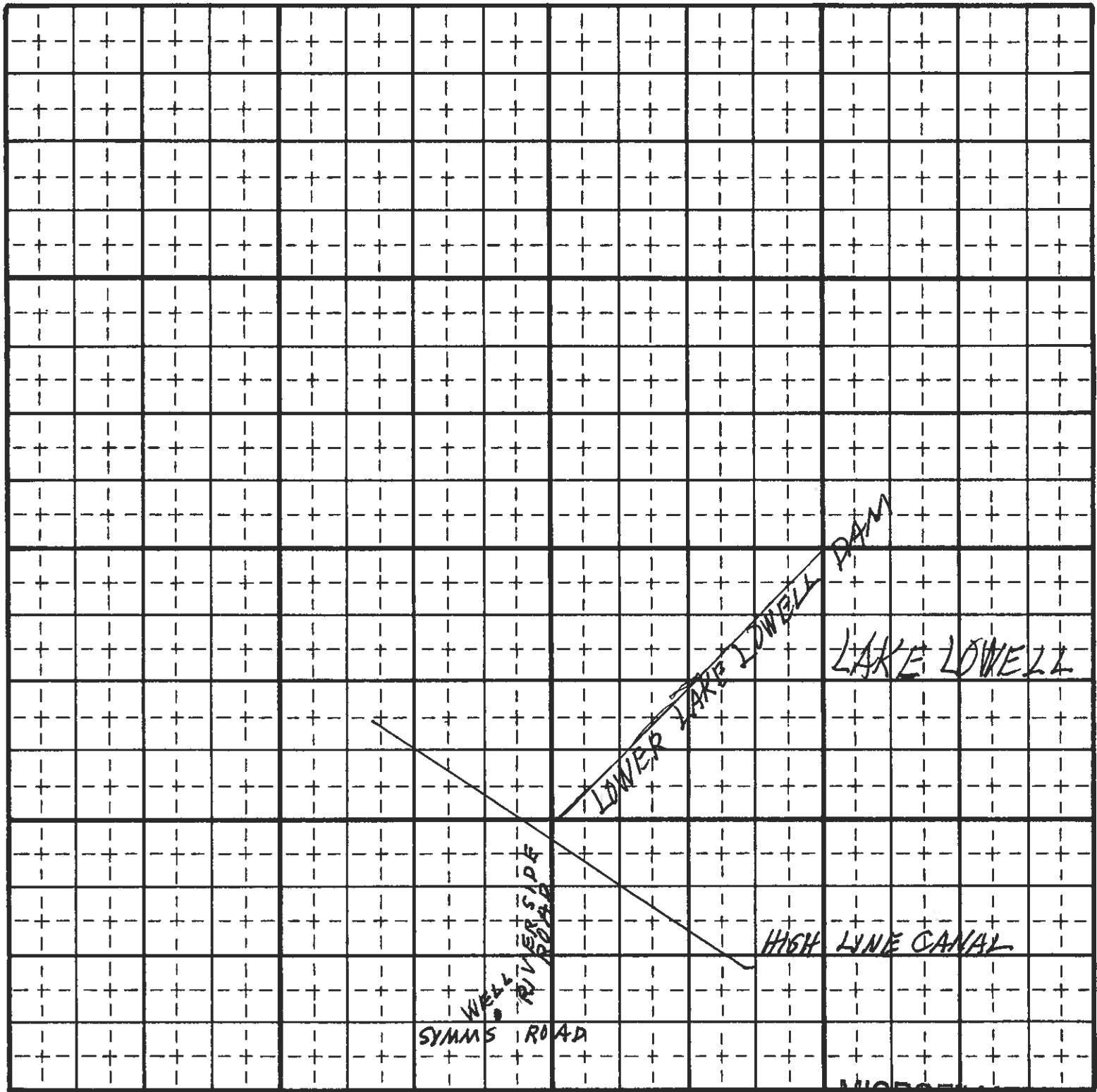
JUL 25 1994

Last Name HOCKBERGER Ident No. 21367/63-2798

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

JUL 25 1994

Last Name HOCKBERGER Ident No. 21367/63-2798 Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 21367/63-2798
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____

Date 3/15/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization _____

document in the space below as _____

Title _____

of _____

Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this _____

15th

day of

March

19 90

SEAL

Notary Public _____

Helen Harrington

Residing at _____

Helen Harrington, Notary Public

Residing at Boise, Idaho

My Commission Expires _____

My Commission Expires December 1, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

JUL 25 1994

Last Name HOCKBERGER

Ident. Number

21367/63-2798

Copies White-State, Yellow-Claimant

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2798 V1

WATER RIGHT NUMBER: 63-2798 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	OVA WALLACE
	, ID
Original Owner	JOHN J HOCKBERGER
	RT 4
	CALDWELL, ID 83605
Current Owner	JOHN J HOCKBERGER SR
	13957 MALT RD
	CALDWELL, ID 83605
	(208)459-9192

Priority Date: 04/26/1953

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.700 CFS	
	<u>Total Diversion:</u>	0.700 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 25, Twp 03N, Rge 04W, B.M.
CANYON County		
GROUND WATER	NE1/4SE1/4	Sec. 25, Twp 03N, Rge 04W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	04W	25	25.0			40.0	65.0

Total Acres: 65

Conditions of Approval:

1. S39 The use of water for irrigation under this right may begin as early as March 1 ~~and may continue to as late as November 15~~, provided other elements of the right are not exceeded. The use of water before March 15 ~~and after November 15~~ under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2798 V1

2. 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.
3. X35 Rights 63-31820 and 63-2798 when combined shall not exceed a total annual maximum diversion volume of 499.5 af at the field headgate, and the irrigation of 111 acres.
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.
5. 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.
6. PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RT. HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT ACCEPTABLE TO THE DEPT. FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION. THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANS. NO. 4339 SHALL NOT EXCEED 0.70 CFS, NOR TOTAL COMBINED ANNUAL VOLUME OF 292.5 AF.
TWO POINTS OF DIVERSION ARE LOCATED WITHIN NESE, S25, T03N, R04W.
7. 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.
8. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. F05 Right No. 63-31821 is also diverted through point of diversion located in the E1/2NESE, Sec. 25, Twp. 3N, Rge. 4W as described above.

Remarks:Comments:

1. kwalker 7/24/2006 Recommendation

Comment: This recommendation is based upon approved transfer 4339. The claim was amended after transfer approval to add a 3rd well to the system and create a 151 acre ppu. Rt. 63-31820 was also to be included under this ppu however, the transfer approved on that right was not approved until after the claim was amended so in order to be consistent recommendation on that right will be based upon approved transfer 70977.

2. kwalker 11/4/2006 NOE

Comment: Notice of error filed requests change to point of diversion locations, additional acres, more water, and removal of transfer conditions from explanatory remarks. Also requests removal of use of Wilder Irrigation District on these lands. Have updated point of diversion pursuant to map received and removed Wilder Irrigation from remarks. Recommendation based upon approval of transfer No. 4339 approved in June of 1994. Any changes after this date requires a transfer be filed so that is what claimant should do to make changes after decree is issued.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-2798 V1

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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	499.5	111
Combined Water Rights: 63-31820 , 63-2798		

Water Supply Bank:

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

RIGHT NUMBER: 63-2798

NAME AND ADDRESS: JOHN J HOCKBERGER SR
13957 MALT RD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.700 CFS

Rights 63-31820 and 63-2798 when combined shall not exceed a total annual maximum diversion volume of 499.5 af at the field headgate, and the irrigation of 111 acres.

PRIORITY DATE: 04/26/1953

POINT OF DIVERSION:

T03N R04W S25 NESE Within CANYON County

T03N R04W S25 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.700 CFS
The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION in CANYON County

T03N R04W S25	SENE	25.00	T03N R04W S25	NESE	40.00
---------------	------	-------	---------------	------	-------

65 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

11/04/2006

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

Failure of the right holder to comply with the conditions of this transfer 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.

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.

PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RT. HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT ACCEPTABLE TO THE DEPT. FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION.

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANS. NO. 4339 SHALL NOT EXCEED 0.70 CFS, NOR TOTAL COMBINED ANNUAL VOLUME OF 292.5 AF.

TWO POINTS OF DIVERSION ARE LOCATED WITHIN NESE, S25, T03N, R04W.

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

Right No. 63-31821 is also diverted through point of diversion located in the E1/2NESE, Sec. 25, Twp. 3N, Rge. 4W as described above.



Idaho Department of Water Resources

SRBA Recommendation:

63-2798

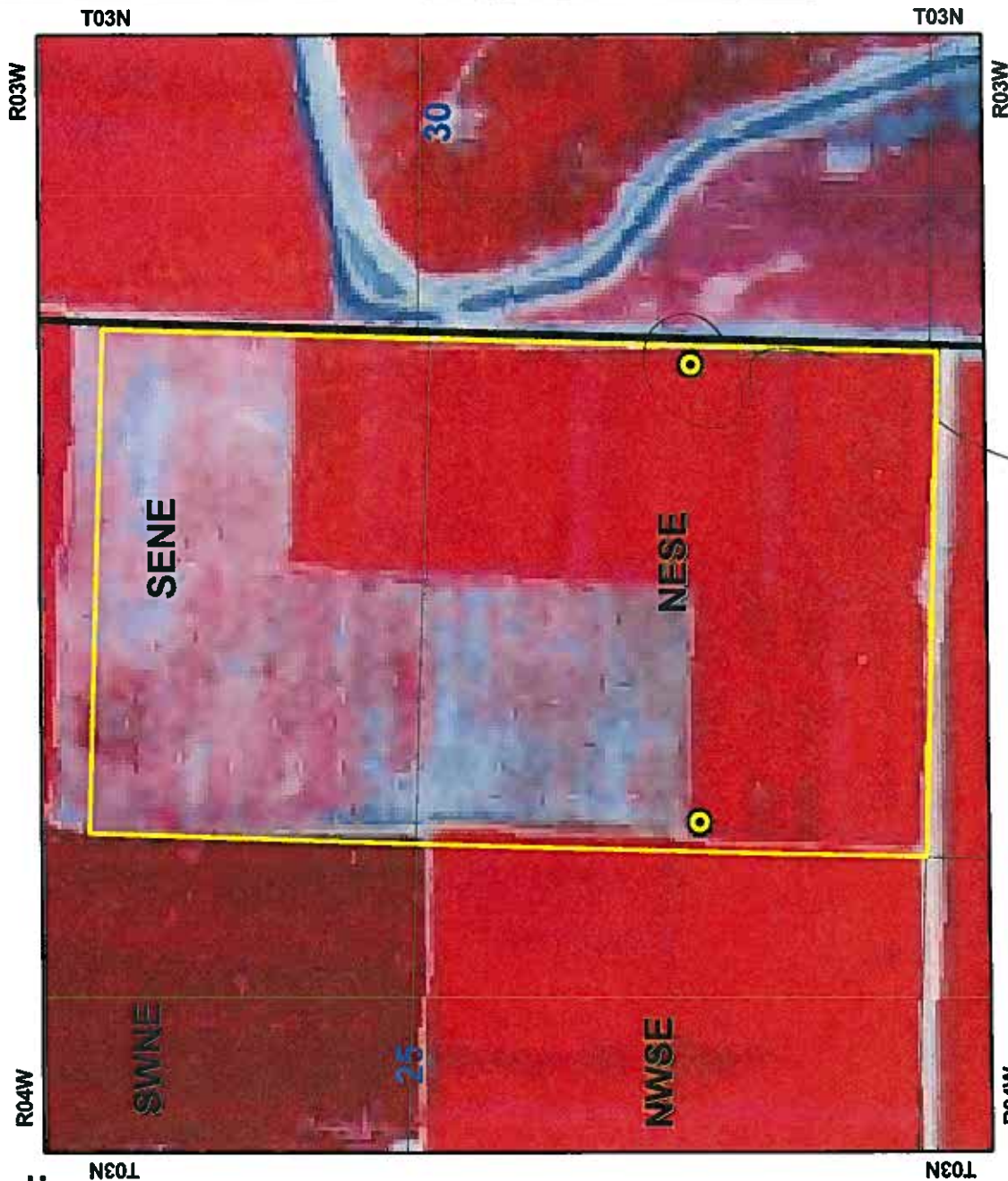
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63



0.4 Miles
location 11/4/06 rw

Prepared by K. Walker
On Saturday, November 4, 2006
1987/88 Aerial Photography

09/29/2006

**NOTICE OF ERROR
REPLY**

RECEIVED

NOV 02 2006

WATER RESOURCES
WESTERN REGION

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-2798

JOHN J HOCKBERGER SR
13957 MALT RD
CALDWELL ID 83605

Telephone Number: (208)459-9192

(208) 342-5818

RECEIVED

NOV 03 2006

DEPARTMENT OF WATER RESOURCES

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

DATE:

10/31/06

SIGNATURE:

John J. Hockberger, Sr.
Please print your name: John J. Hockberger, Sr.

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



see comments
on proof
report -
KW
11/4/06

**NOTICE OF ERROR REPLY FOR JOHN HOCKBERGER SR.
13957 Malt Road Caldwell Idaho 83605**

RECEIVED

NOV 02 2006

WATER RESOURCES
WESTERN REGION

WATER RIGHT NUMBER 63-2798

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

- (A) Total Irrigation from 63-2798 and 63-31820 must exceed 111 acres, as the two wells together serve the entire area indicated on corrected map, Exhibit "A" hereto. Quantity should be greater.
- (B) Well is located at the eastern pinpoint on map, see Exhibit "A."
- (C) Place of use is greater than 65 acres total.
- (D) Period of use should not be subordinated.
- (E) Explanatory material regarding alleged transfer conditions is ambiguous and unnecessary/inappropriate.
- (F) Explanatory material regarding use of the right in combination with Wilder Irrigation District water is unnecessary/inappropriate.

RECEIVED

NOV 03 2006

2. *Describe the changes you wish to make in the proposed recommendation:* DEPARTMENT OF WATER RESOURCES

- (A) & (C) Place of use should encompass legal description for entire acreage served per Exhibit "A." 160 acres more or less. 720 acre feet annual volume more or less. (4 ½ AF / acre / year.) Shape map should be modified.
- (B) Delete pinpoint of westerly well location.
- (D) Subordination should be deleted.
- (E) – (F) Alleged "explanatory" sentences should be deleted.

3. *Give a brief explanation of why you disagree with these portions:*

- (A) & (C) The two wells are interconnected and provide pressurized irrigation water to the entire area cross hatched. Also, provide fire and dust control to triangle utilized for hay storage surrounding the erroneously pinpointed diversion site at northeast corner of NWNW of 63-31820 map.
- (B) Self evident.
- (D) No justification for discriminatory subordination of this right to other unidentified rights, particularly not to those which may be junior.
- (E) Validity of right is not dependent on retroactive application or examination of transfer conditions.–
- (F). These groundwater rights should not be related to or made dependent on retention or utilization of surface water rights from the Wilder Irrigation District.

RECEIVED

NOV 02 2006

WATER RESOURCES
WESTERN REGION

**NOTICE OF ERROR REPLY FOR JOHN HOCKBERGER SR.
13957 Malt Road Caldwell Idaho 83605**

WATER RIGHT NUMBER 63-31820

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

- (A) Total Irrigation from 63-2798 and 63-31820 must exceed 111 acres, as the two wells together serve the entire area indicated on corrected map, Exhibit "A" hereto.
- (B) Well is located slightly west of where described on map, see Exhibit "A."
- (C) Place of use is greater than 56 acres total.
- (D) Period of use should not be subordinated.
- (E) Explanatory material sentence number one. Ambiguous and unnecessary/inappropriate.
- (F) Explanatory material sentence number four. Diversion of "full allotment" of surface water should not be pre-requisite of utilization of this right.

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

- (A) & (C) Place of use should encompass legal description for entire acreage served per Exhibit "A." 160 acres more or less. 720 acre feet annual volume more or less. (4 ½ AF / acre / year.) Shape map should be modified.
- (B) Change pinpoint of well location.
- (D) Subordination should be deleted.
- (E) – (F) Explanatory sentences should be deleted.

3. *Give a brief explanation of why you disagree with these portions:*

- (A) & (C) The two wells are interconnected and provide pressurized irrigation water to the entire area cross hatched. Also, provide fire and dust control to triangle utilized for hay storage surrounding the erroneously pinpointed diversion site at northeast corner of NWNW.
- (B) Self evident.
- (D) No justification for discriminatory subordination of this right to other unidentified rights, particularly not to those which may be junior.
- (E) – (F). These groundwater rights should not be related to or made dependent on retention or utilization of surface water rights from the Wilder Irrigation District.



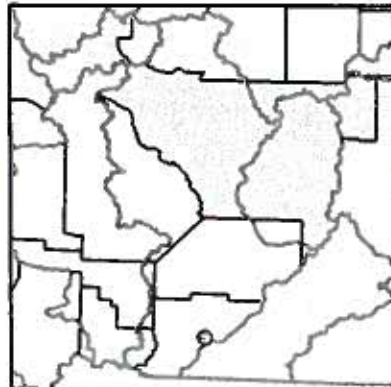
Idaho Department of Water Resources

CORRECTIONS TO
SRBA Recommendation:

63-31820 &
63-2798

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by K. Walker
On Monday, July 24, 2006
1987/88 Aerial Photography



07/25/2006

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

RIGHT NUMBER: 63-2798

NAME AND ADDRESS: JOHN J HOCKBERGER SR
13957 MALT RD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.700 CFS

Rights 63-31820 and 63-2798 when combined shall not exceed a total annual maximum diversion volume of 499.5 af at the field headgate, and the irrigation of 111 acres.

PRIORITY DATE: 04/26/1953

POINT OF DIVERSION:

T03N R04W S25 NESE Within CANYON County

T03N R04W S25 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.700 CFS

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after November 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County

T03N R04W S25	SENE	25.00	T03N R04W S25	NESE	40.00
---------------	------	-------	---------------	------	-------

65 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

07/25/2006

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

Failure of the right holder to comply with the conditions of this transfer 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.

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.

PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RT. HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT ACCEPTABLE TO THE DEPT. FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION.

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANS. NO. 4339 SHALL NOT EXCEED 0.70 CFS, NOR TOTAL COMBINED ANNUAL VOLUME OF 292.5 AF.

TWO POINTS OF DIVERSION ARE LOCATED WITHIN NESE, S25, T03N, R04W.

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

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

Right No. 63-31821 is also diverted through point of diversion located in the E1/2NESE, Sec. 25, Twp. 3N, Rge. 4W as described above.



Idaho Department of Water Resources

SRBA Recommendation:

63-2798

Acres = 65

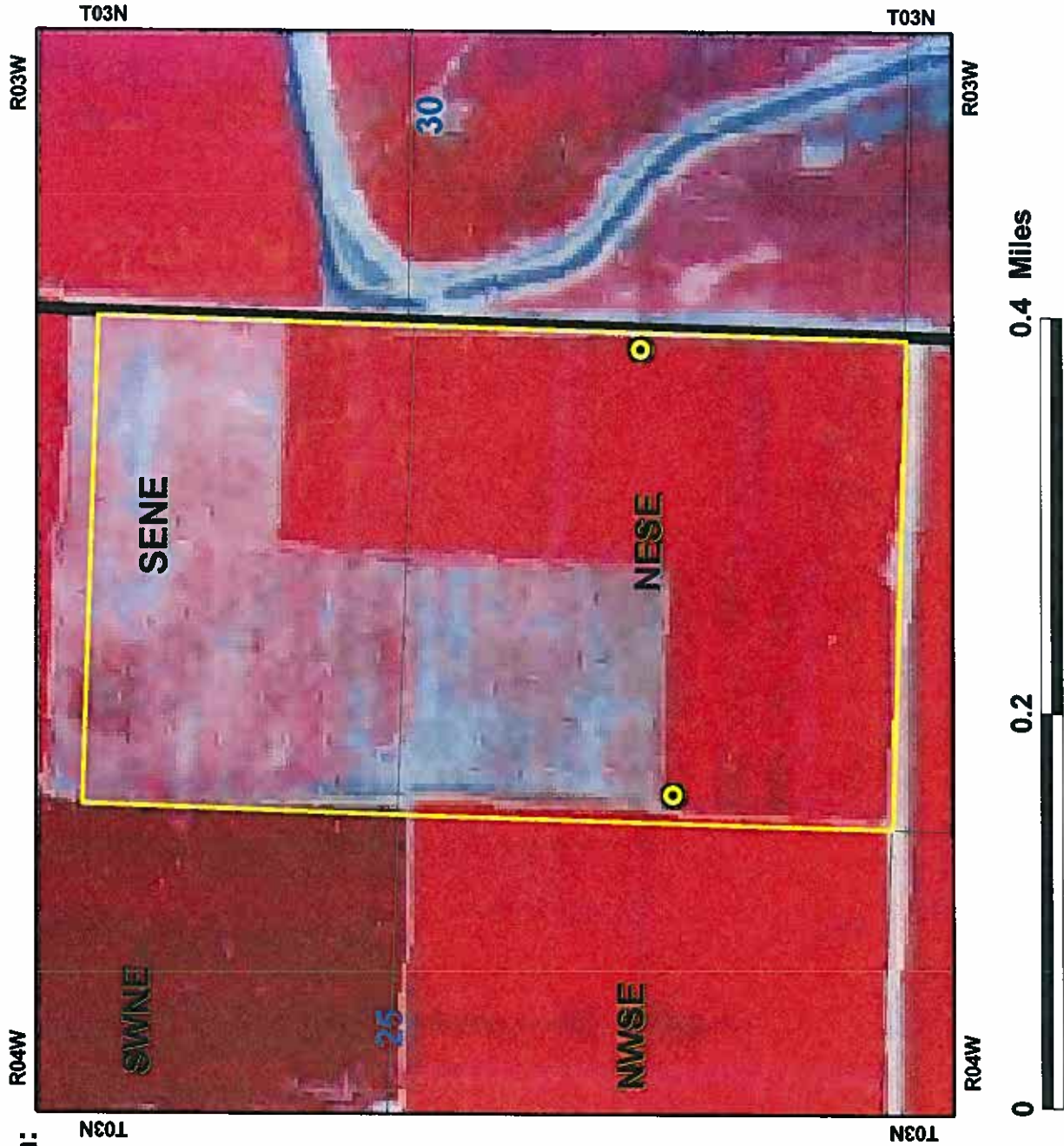
Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by K. Walker
On Tuesday, July 25, 2006
1987/88 Aerial Photography



Overlap Review

$$63-2798 \quad 0.7 \text{ cfs} / 65 \text{ ac} \text{ or } 292.5 \text{ AFA} \\ = 0.01 \text{ cfs/ac and } 4.5 \text{ AF/ac}$$

$$63-31820 \quad 1.05 \text{ cfs} / 56 \text{ ac} \quad 252 \text{ AFA} \\ = 0.018 \text{ cfs/ac and } 4.5 \text{ AF/ac}$$

→ * when combined w/ 63-2798 -
10 acre OL in NESE, Sec. 25

total acres = 111
would need 2.22 cfs for 1"/ac
no rate limit req'd -

$$111 \times 4.5 \text{ AFA} = 499.5 \\ - 292.5 \text{ (63-2798)} \\ \hline 207 \text{ AF needed}$$

$$56 \text{ ac} \times 4.5 = 252 \text{ AFA} -$$

Limit rights when
combined to 499.5 AFA.
and 111 acres.

X35 →

KW
7/25/04

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2798 V1

WATER RIGHT NUMBER: 63-2798 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	OVA WALLACE
	, ID
Original Owner	JOHN J HOCKBERGER
	RT 4
	CALDWELL, ID 83605
Current Owner	JOHN J HOCKBERGER SR
	13957 MALT RD
	CALDWELL, ID 83605
	(208)459-9192

Priority Date: 04/26/1953

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.700 CFS	292.50 AF
	<u>Total Diversion:</u>	0.700 CFS	292.50 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 25, Twp 03N, Rge 04W, B.M.
CANYON County		
GROUND WATER	NE1/4SE1/4	Sec. 25, Twp 03N, Rge 04W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE			NW			SW			SE			Totals
			NE	NW	SW	NE	NW	SW	NE	NW	SW	NE	NW	SW	SE
03N	04W	25			25.0									40.0	65.0

Total Acres: 65

Conditions of Approval:

1. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after November 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2798 V1

2. 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.
3. 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.
4. 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.
5. PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RT. HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT ACCEPTABLE TO THE DEPT. FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION. THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANS. NO. 4339 SHALL NOT EXCEED 0.70 CFS, NOR TOTAL COMBINED ANNUAL VOLUME OF 292.5 AF.
TWO POINTS OF DIVERSION ARE LOCATED WITHIN NESE, S25, T03N, R04W.
6. 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.
7. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. F05 Right No. _____ is also diverted through point of diversion described above.

Remarks:Comments:

1. kwalker 7/24/2006 Recommendation

Comment: This recommendation is based upon approved transfer 4339. The claim was amended after transfer approval to add a 3rd well to the system and create a 151 acre ppu. Rt. 63-31820 was also to be included under this ppu however, the transfer approved on that right was not approved until after the claim was amended so in order to be consistant recommendation on that right will be based upon approved transfer 70977.

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			03/06/2006	lharris	Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2798 V1

POD	6/26/2006 11:37:46 AM	kwalker	Active
POU	6/26/2006 2:23:43 PM	kwalker	Active
Use	6/26/2006 2:29:52 PM	kwalker	Active
Use	6/26/2006 2:30:20 PM	kwalker	Active
Season	6/26/2006 2:32:19 PM	kwalker	Active
Quantity	6/26/2006 2:33:35 PM	kwalker	Active
Quantity	7/24/2006 10:38:36 AM	kwalker	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	6/26/2006 10:43:20 AM	kwalker	Updated shape
POD	6/26/2006 10:44:22 AM	kwalker	Updated PLS
POD	6/26/2006 10:44:09 AM	kwalker	Updated shape
POU	6/26/2006 11:56:12 AM	kwalker	Updated PLS for Active POU
POD	6/26/2006 10:43:32 AM	kwalker	Updated PLS
POD	6/26/2006 11:37:46 AM	kwalker	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (Yes) 10. Is a POD remark and/or condition required? Description for Question 6 - System in place and used as combined system at time of exam of Rt. 63-8474 in August, 1987. Can recommend as accomplished transfer.
POU	6/26/2006 11:46:17 AM	kwalker	Updated shape for Active POU
POU	6/26/2006 11:55:53 AM	kwalker	Edited shape boundary
POD	6/26/2006 10:39:49 AM	kwalker	Updated shape
POD	6/26/2006 10:40:16 AM	kwalker	Updated PLS
POU	7/24/2006 10:33:09 AM	kwalker	Edited shape boundary
POU	7/24/2006 10:34:32 AM	kwalker	Edited shape boundary
Summary	3/6/2006 2:57:06 PM	lharris	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2798 V1

POU	7/24/2006 10:34:45 AM	kwalker	Updated PLS for Active POU
POU	6/26/2006 1:33:20 PM	kwalker	Edited shape boundary
POU	6/26/2006 1:33:36 PM	kwalker	Updated PLS for Active POU
POU	6/26/2006 2:23:43 PM	kwalker	(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? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 8 - System combined at time of exam of Rt. 63-8474 in August of 1987. Accomplished transfer. Description for Question 13 - Field exams of 63-8474 and 63-8475
Use	6/26/2006 2:29:52 PM	kwalker	(No) 1. Is the basis of this claim a Decree or License?
Use	6/26/2006 2:30:20 PM	kwalker	(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?
Season	6/26/2006 2:32:19 PM	kwalker	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2798 V1

Quantity	6/26/2006 2:33:35 PM	kwalker	(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? (Yes) 8. Does the parent right have an annual 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 - 65 ac x 4.5 af = 292.5 afa
POU	6/26/2006 2:22:55 PM	kwalker	Edited shape boundary
Quantity	7/24/2006 10:38:37 AM	kwalker	(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? (Yes) 8. Does the parent right have an annual 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 - 65 ac x 4.5 af = 292.5 afa
POU	6/26/2006 2:23:15 PM	kwalker	Updated PLS for Active POU

Water Supply Bank:

Claim 63-2798

3-15-90 Claim submitted as licensed -
65 ac / 0.7 cfs

7-13-94 Transfer 4339 approved -
added a point of diversion
to licensed right
65 ac / 0.7 cfs / 292.5 AFA

2-13-2004 Claim amended to create
a ppu of 151 acres / 0.7 cfs
& add 3rd well to license

Acc. as transferred -

Because of transfer on 8/17/14
ignore

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2798

WATER RIGHT NUMBER: 63-2798

Owner Type Name and Address

Original Owner OVA WALLACE

, ID
 Original Owner JOHN J HOCKBERGER
 RT 4
 CALDWELL, ID 83605

Current Owner JOHN J HOCKBERGER SR
 13957 MALT RD
 CALDWELL, ID 83605
 (208)459-9192

Priority Date: 04/26/1953

Basis: License

Status: Active

Source

GROUND WATER

Tributary

Beneficial Use

IRRIGATION

From To
3/15 to 11/15Diversion Rate

0.700 CFS

Annual Volume

292.50 AF

Total Diversion:

0.700 CFS

292.50 AF

Location of Point(s) of Diversion

GROUND WATER

CANYON County

L1 (NW1/4NW1/4)

Sec. 30, Twp 03N, Rge 03W, B.M.

GROUND WATER

CANYON County

NE1/4SE1/4

Sec. 25, Twp 03N, Rge 04W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	03W	30	25.0	21.0			46.0
03N	04W	25	25.0	40.0			105.0

Total Acres: 151

Conditions of Approval:

1. 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.

W59-Wilder

on lic 539
use

"C03"

2 points →

= 2.82 cfs

- #1 = 0.97
- #2 = 0.70Limit
to 65
ac.
"C05"Trans. 4339 allowed 65 ac -
SRBA Claim amended to show ppu - evidenceSubmitted ~~prior to '86~~ shows system
was combined prior to '86 -
accomplished transfer

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2798

2. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Claim amended per claimant. 12/24/03
4. 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.
5. 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.
6. CLAIM AMENDED PER TRANSFER NO. 4339 APPROVED 6/13/1994.
PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RT.
HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT ACCEPTABLE TO THE DEPT. FROM
ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF THE
TOTAL RATE OF DIVERSION.
THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION
UNDER TRANS. NO. 4339 SHALL NOT EXCEED 0.70 CFS, NOR TOTAL COMBINED ANNUAL
VOLUME OF 292.5 AF.
TWO POINTS OF DIVERSION ARE LOCATED WITHIN NESE, S25, T03N, R04W.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED
TRANS. NO. 4339 IN FILE. KW 6/7/1995

Remarks:

Comments:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2798

WATER RIGHT NUMBER: 63-2798

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	OVA WALLACE
	, ID
Current Owner	JOHN J HOCKBERGER SR 13957 MALT RD CALDWELL, ID 83605 (208)459-9192

Priority Date: 04/26/1953

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.700 CFS	292.50 AF
	<u>Total Diversion:</u>	0.700 CFS	292.50 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 25, Twp 03N, Rge 04W, 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	
03N	04W	25				25.0												40.0	65.0

Total Acres: 65

Conditions of Approval:

1. 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.
2. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. The total instantaneous diversion of water from all points of diversion under Transfer No. 4339 shall not exceed 0.70 cfs, nor total combined annual volume of 292.5 af.
Two points of diversion are located within NESE, S25, T03N, R04W.
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.
5. 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2798

6. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks:

Comments:

1. SKAGGS 4/19/1994 TRANSFER NO. 4339

Comment: Transfer No. 4339 was filed to add a point of diversion under Right No. 63-02798. The second well will either be used together with the original or as the primary well with the old well as back-up.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2798

03/06/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2798	Claim	03N	03W	30	NW	NW		IRRIGATION	25/151	JOHN J HOCKBERGER SR
31820	Claim	03N	03W	30	NW	NW	1	IRRIGATION	25/56	JOHN J HOCKBERGER
2798	Claim	03N	03W	30	SW	NW		IRRIGATION	21/151	JOHN J HOCKBERGER SR
11448	Water Right	03N	03W	30	SW	NW	2	IRRIGATION	4/119	TOM BAXTER
31820	Claim	03N	03W	30	SW	NW	2	IRRIGATION	21/56	JOHN J HOCKBERGER
2798	Claim	03N	04W	25	NE	NE		IRRIGATION	25/151	JOHN J HOCKBERGER SR
8475	Water Right	03N	04W	25	NE	NE		IRRIGATION	25/65	JOHN J HOCKBERGER
8475	Water Right	03N	04W	25	SE	NE		IRRIGATION	40/65	JOHN J HOCKBERGER
2798	Claim	03N	04W	25	SE	NE		IRRIGATION	40/151	JOHN J HOCKBERGER SR
2798	Water Right	03N	04W	25	SE	NE		IRRIGATION	25/65	JOHN J HOCKBERGER SR
31820	Claim	03N	04W	25	NE	SE		IRRIGATION	10/56	JOHN J HOCKBERGER
2798	Water Right	03N	04W	25	NE	SE		IRRIGATION	40/65	JOHN J HOCKBERGER SR
2798	Claim	03N	04W	25	NE	SE		IRRIGATION	40/151	JOHN J HOCKBERGER SR

NO OL
NO OL
NO OL
10ac

Receipt Details for ID C015648

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/15/1990 4:52:26 PM	3/15/1990	State	\$355.00	Check
Payer		HOCKBERGER RANCH		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
0327			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$355.00	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	2798		\$115.00	Claim
63	8474		\$150.00	Claim
63	5223		\$90.00	Claim

OK

Print Report

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESRECEIVED Transfer No. 4339

RECEIVED

APR 20 1994

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APR 19 1994

RECEIVED

JUN 08 1994

WATER RESOURCES
WESTERN REGIONName of applicant John J. Hockberger Sr. Phone 454-4142 Department of Water ResourcesPost Office address 13957 Malt Rd, Caldwell ID 83605

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 Adding a second well to provide full authorized diversion rate. Depending upon result of new well, system will use both or old well will be used as back-up.

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>63-02798</u> | <u>4-26-1953</u> | <u>.70 cfs</u> | <u>IRR</u> | <u>3-15</u> to <u>11-15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred .70 cubic feet per second and/or 292.5 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	SE	25	3N	4W	Canyon	2 Wells - 1 Existing / 1 New

5. Lands irrigated or place of use: NO CHANGE

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	
3N	4W	25				25									40				65

Total acres 65

PART 1

6. General Information:

a. Description of diversion system Wells, pipeline 660' to mainline & sprinklers.b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or ~~NA~~ contracts? _____ 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.~~NA~~ c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

Application for Drilling Permit & Permit issued #63-94-C-0296-000**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____.

JUN 27 1994

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 63-02798

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.70 CFS	292.5 AF

SOURCE

GROUNDWATER

Priority: 04/26/1953

LOCATION OF POINT(S) OF DIVERSION:NESE , Sec. 25, Township 03N, Range 04W
CANYON CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 04W 25	SENE 25	NESE 40		65
Total number of acres irrigated:				65

CONDITIONS/REMARKS:

JUN 27 1994

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED NA

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) NA

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

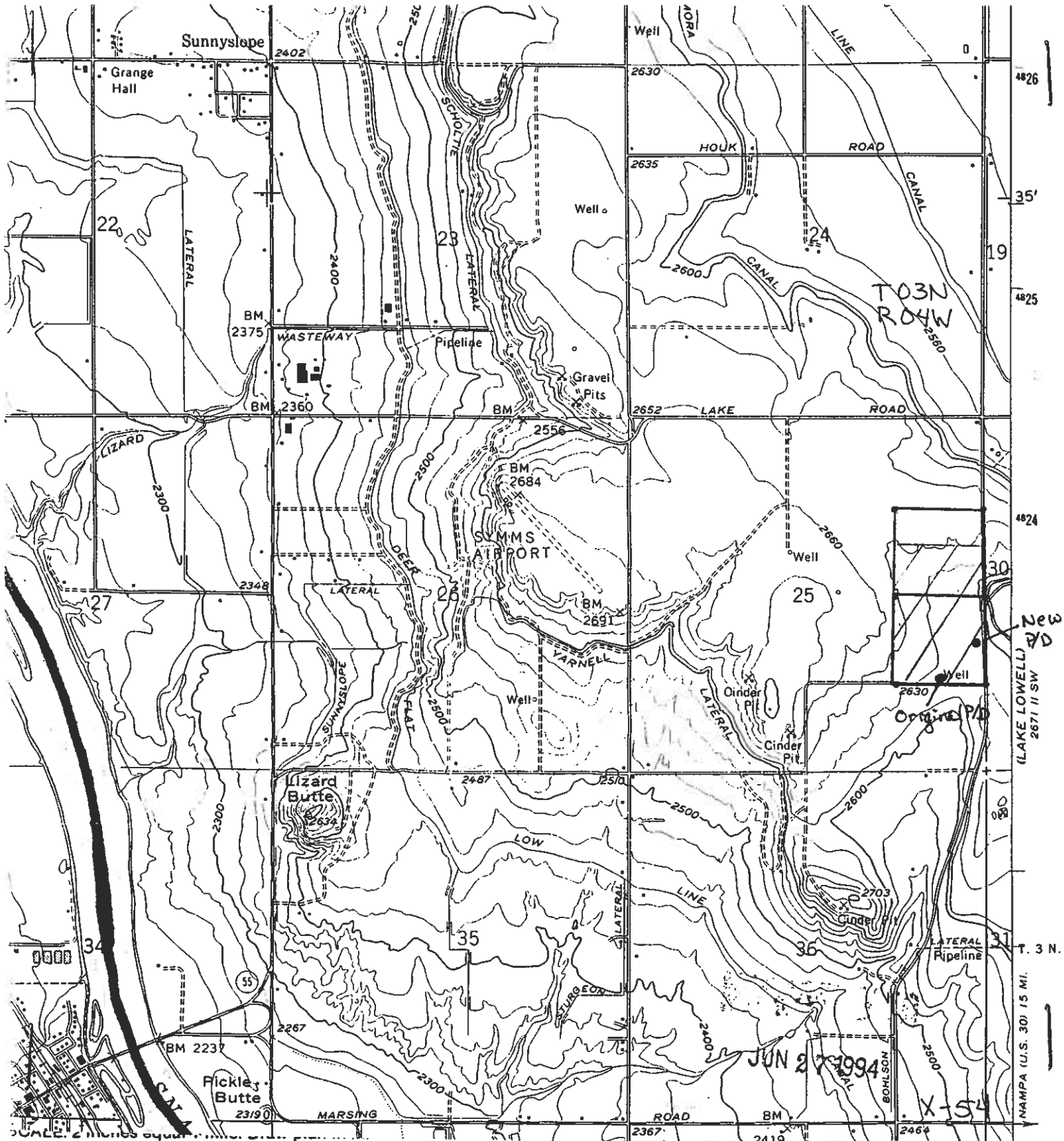
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

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.



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

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

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

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

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.

Subscribed and sworn to before me this 19th day of April, 1994.

Shelley Walter Keen (Signature of Applicant)

Shelley Walter Keen (Notary Public) Boise, ID

My commission expires July 31, 1997

FOR DEPARTMENT USE ONLYTransfer contains 6 pages and 1 attachmentsReceived by CS Date 4-19-94 Protest filed by _____Prelim. check by SK Fee \$50.00 C030096Receipted by J. Carlson Date 4-19-94Published in Press Tribune Copies of protest forwarded by _____Pub. dates 5-4, 11, 1994 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. _____ by Dm

Copy of transfer sent to lien holder _____

JUN 27 1994

FIELD FINDINGS AND ANALYSIS

A total of 191 acres are sprinkler irrigated with ground water from a 3 well combined system via buried mainline. The wells and 151 acres have been previously licensed and claimed involving three other rights:

- 63-05223 P/D=NESE T3N R4W S25, system capacity theoretically calculated at .97 cfs, claimed at .70 cfs.
- 63-08474 P/D=NWNW T4N R4W S30, system capacity measured at 2.82 cfs, licensed at 1.8 cfs.
- 63-02798 P/D=NESE T3N R4W S25, system capacity measured and licensed at .70 cfs, well & pump replaced in 1994, new system capacity is 2.12 cfs

Total existing combined system capacity = 5.91 cfs

25 acres of the 40 listed on this permit in the SENE S25 have been licensed on 63-02798 at .01 cfs/acre. All 40 acres have been recommended for this right to include the additional 15 irrigated acres and increase the cfs to .02 cfs/acre for the previously licensed 25 acres. The 30 acres listed on this permit in the NESE S25 were not included in the license recommendations since they are fully covered with licenses 63-08474 and 63-02798. The 25 acres found in the NENE S25 do not overlap with previously licensed acres and have been recommended at .02 cfs/acre.

A total of 65 acres have been recommended for this permit at 1.05 cfs (.02 cfs for 40 new acres, .01 cfs for the previously licensed 25 acres).

63-12209 was also filed on the same acres, then withdrawn because all the acres were sufficiently covered with the above rights and this permit.

121 shares of Wilder Irrigation District water is also appurtenant to the property and can be delivered through the mainline system. No other water rights are used.

Note!! { The SRBA claims were filed to reflect the licenses. Rather than filing a transfer, the claims can be amended, once this license has been issued, to reflect the combined system since it was accomplished prior to 1986. Documentation and proof have been submitted to those files.

ATTACHMENT A
63-08475

P/D's

#1 SWNESE 525 T3N R4W

~400' deep well with 30 HP US Electric High Thrust pump, ser #?, A326UPY Fran bowls set at 200', pumps at 180' (per stat claim 63-05223). Ground water discharged into 16" x 20' column used as a sump. This 16" column is a casing from a dry well that has been sealed at 20'.

$$\frac{30 \text{ HP} \times 8.8 \times 1.7}{180'} = 1.03 \text{ cfs}$$

A 25 HP booster pump (US Electric, Hollowshaft) pumps the water from the sump directly into the mainline system. Capacity of the system is dependent on the capacity of the booster pump.

$$\frac{25 \text{ HP} \times 8.8 \times 1.7}{20' + 60 \text{ PSI} \times 2.31} = .97 \text{ cfs}$$

* Theoretical flow rates from both pumps compatible to system design for this P/D.

#2 SENE SE 525 T3N R4W

Original well/pump capacity
measured at .7 CFS in 1957 for
license 63-02798. This well was
replaced in 1994. The new well
has a 125 HP Layne Pump #DSJ402105,
GE, 419 TDH, 960 GPM = 2.12 CFS
pumping capacity per pump curve

#3 NENWNW 530 41 T3N R3W

298' deep well, 150 HP High Thrust
US Motor, #06502-240. Pumping
capacity was measured at
2.82 CFS in 1987 for license 63-08474.

HOCKBERGER FRUIT RANCH

13957 Malt Road
Caldwell, Idaho 83605

RECEIVED

JUL 06 1995

WATER RESOURCES
WESTERN REGION

July 5, 1995

63-8475

Ms. Cindy Hodges
Sr. Water Resources Agent
Western Region
Department of Water Resources
State of Idaho
2735 Airport Way
Boise, ID 83705-5082

Re: Application for Permit #63-12209

Dear Ms. Hodges:

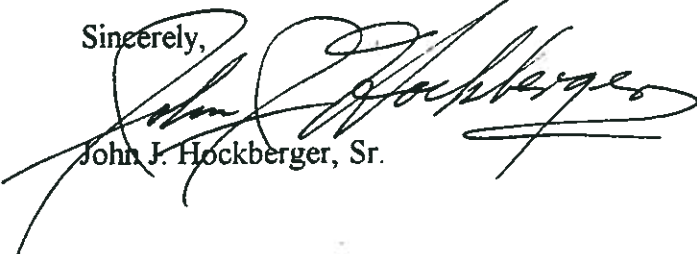
Reference is made to your letter of June 1, 1995, presenting the possibility that my recent application for a permit (5/11/95) to appropriate ground water for irrigation could be expedited more quickly by reinstating lapsed permit #63-08475, with additional information which supports existing use in 1980 or earlier.

Enclosed is a 1979 engineering drawing showing the location of all distribution mainlines and the three wells. Electric motors to supply ground water for sprinkler irrigation at the three wells totaled 255 h.p. in 1979.

The 4,150 feet of PVC ten inch and eight inch main lines with 50 foot turn-outs were connected to the old steel main lines and the new well with a 150 h.p. pump in 1979. The steel mainlines and the other two wells date back to the 1950's and 1960's. In 1994 the well at Symms road collapsed and is being replaced by the well presently under application.

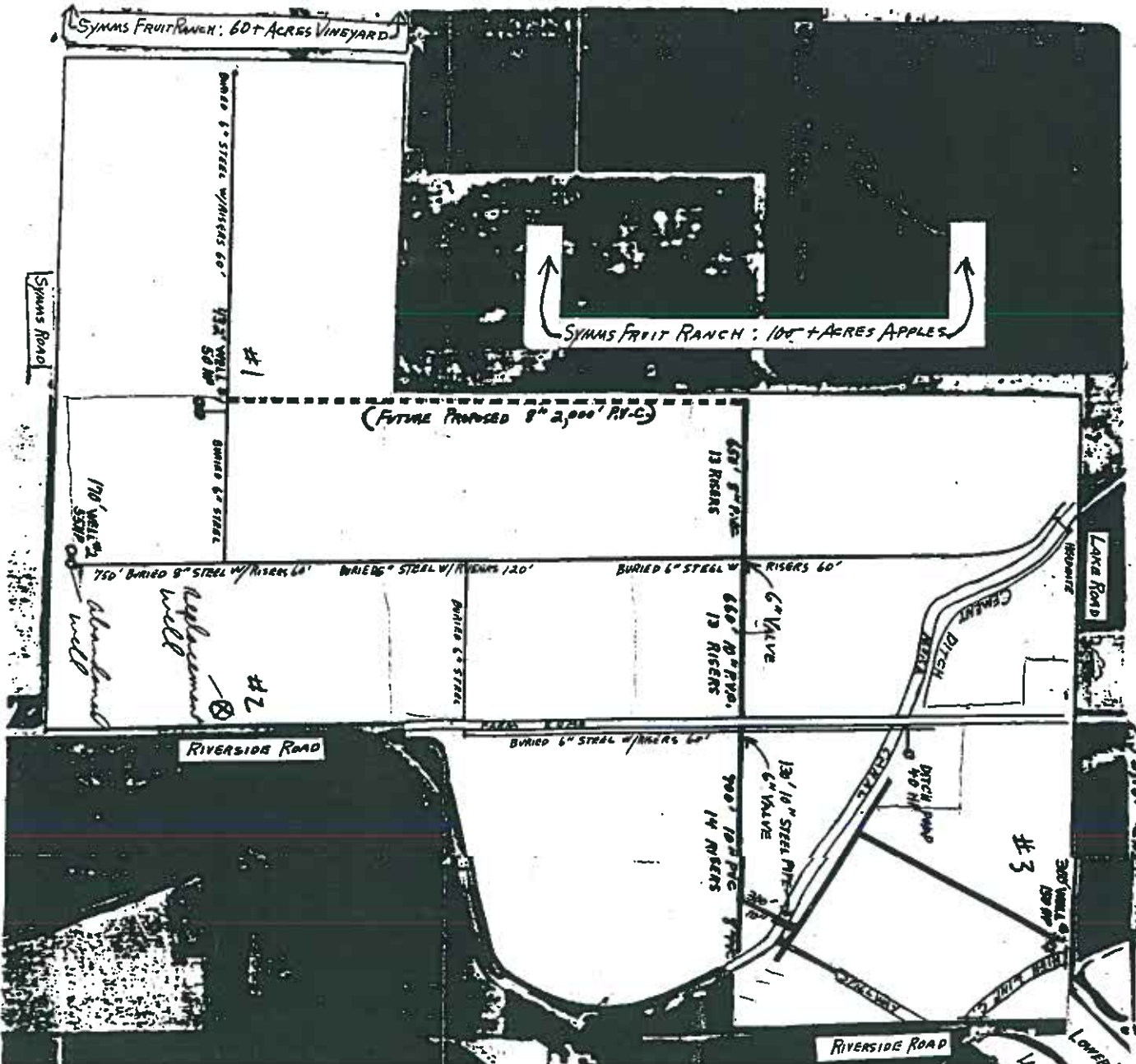
Lapsed permit #63-08475 was advertised in March of 1977 to irrigate the same 100 acres which will be irrigated by the present replacement well. I am very interested in reinstating the lapsed permit.

Sincerely,


John J. Hockberger, Sr.

SYSTEM DESIGN ATTACHMENT C 63-08475

Engineering
Drawing
referenced in
7/5/95 letter



ES Prepared by **ES** ENGINEERING & SURVEYING, INC. • 201 S. GARDEN STREET • ALBUQUERQUE, NM 87102 • (505) 263-1111 • FAX (505) 263-1112
 Client: **ALBUQUERQUE WATER BUREAU**
 Project: **WATER DISTRIBUTION SYSTEM**
 Drawing: **WATER DISTRIBUTION SYSTEM**
 Date: **7/5/95**
 Scale: **AS SHOWN**
 Project No.: **63-08475**
 Drawing No.: **200**

3,000' 10" 125 LB. P.V.C. PIPE
 53 10" x 4" RISERS (50' SMOKE YEL.)
 650' 8" 125 LB. P.V.C. PIPE @ 2'
 13 8" x 4" RISERS (50' SMOKE YEL.)
 130' 14" STEEL PIPE
 3,000' 10" 125 LB. P.V.C. PIPE
 53 10" x 4" RISERS (50' SMOKE YEL.)
 650' 8" 125 LB. P.V.C. PIPE @ 2'
 13 8" x 4" RISERS (50' SMOKE YEL.)
 130' 14" STEEL PIPE
 3,000' 10" 125 LB. P.V.C. PIPE
 53 10" x 4" RISERS (50' SMOKE YEL.)
 650' 8" 125 LB. P.V.C. PIPE @ 2'
 13 8" x 4" RISERS (50' SMOKE YEL.)
 130' 14" STEEL PIPE



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 31, 1995

JOHN J HOCKBERGER SR
13957 MALT RD
CALDWELL ID 83605

RE: Lapsed Permit No. 63-08475

Dear Mr. Hockberger:

I am in receipt of your letter of July 5 and the attached system engineering drawing. I could not find a preparation date noted anywhere on the drawing, but I spoke with Canyon County NRCS and have been able to date the document back to at least 1984, which should be sufficient for purposes of requesting reinstatement of 63-08475.

Permit No. 63-08475 was issued in 1977 and was lapsed on May 16, 1988. One development extension was awarded in 1983. According to Idaho Code 42-218a (copy attached), a lapsed permit may be reinstated if 1) a proof of beneficial use form and current fee is submitted, 2) the extent of actual beneficial use may be determined as of the original proof due date, in this case May 1, 1988, and 3) the permit holder can show reasonable cause for filing a late proof of beneficial use. Priority date of a reinstated permit will be advanced to the date the proof form and fee are received.

The drawing you provided indicates that the lands to be developed under permit 63-08475 were in fact provided with ground water via buried mainlines from three existing wells, as of at least 1984. Because no well appears to have been constructed at the point of diversion listed for 63-08475 (NENE Sec 25), the existing wells would be viewed as the accomplished points of diversion for licensing purposes.

Interestingly, the 1987 licensing exam for 63-08474, a permit issued in the same time frame for different acres, also showed the lands under 63-08475 as irrigated. It is not clear how 63-08474 was licensed without regard to 63-08475, as they clearly shared a delivery system. Criteria for licensing was slightly different at that time, and the common system was not reflected on the license, as it would be now.

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 21367/63-2798 Priority April 26, 1953 Amount 0.7 cfs
(late proof)

THIS IS TO CERTIFY, that John J. Bockberger
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 21367/63-2798 issued pursuant to Application for Permit dated February 6, 1950
and has submitted proof to the Department of Water Administration on May 1, 1957
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.7 cfs and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.7 for irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.7 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE 1/4 Sec. 25, Twp. 3 N, Rge. 4 W, B. M.
in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 292.5 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

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	
3 N	4 W	25				25									40				65

Total number of acres irrigated 65

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of
October, 19 71.


Director

63 1000

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

Permit No. 21367This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant John J. Hockberger
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the NE 1/4 SE 1/4 of Section 25
T. 3 N. R. 4 W., B.M. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same Drilled well - 14 5/8 x 12"
Static Water level 92' - Pumping level 110' - Pump Peerless #5512 - Vertical Centrifugal - Motor: U.S.
#553375 P 25 - Booster Unit - Pump Horizontal: Pacific #5P 13536 - Motor: G.E. Y.G. 2880 P. 10
Motor: Idaho Power #38022110 - Demand 0.820 x 40

5. Water is used for: Domestic and Irrigation
6. 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):

40 acres in NE 1/4 SE 1/4 and 25 acres of SE 1/4 NE 1/4 all of Sec. 25, Twp. 3 N., Rce. 4 W., B.M.

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

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

Remarks: _____

This examination was made on the 30th day of July, 1957

(Signed) James H. Hare

Examiner.

21367

John J. Hockberger
Pt. #4, Caldwell, Idaho

Permit No. 22367

Examination for.....Beneficial Use.....

County.....Canyon.....

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat 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
AUG 20 1937

Department of Agriculture

T.
3
N.

250
350
400
350
250

P. 1

Land area 65 acres as shown on Map.

Number of Lines	W. Pressure per Nozzle	gpm per Nozzle	gpm per Line
-----------------------	---------------------------------	----------------------	--------------------

[illegible]

= 33 Miners Inches

Allow 2" additional for the number of larger size Nozzles in the lines

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21367

REPORT ON PROOF OF Beneficial Use

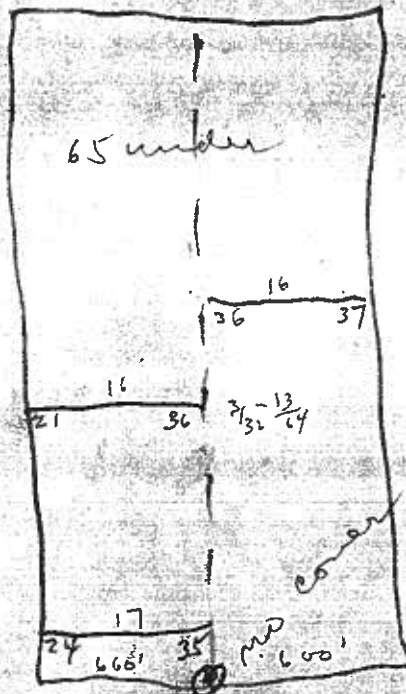
John J. Hockberger, Rt. #4, Caldwell, Idaho

acre	1.5
sq ft	160
Sub	2
total	65

.7 cfs
max

Hochberger

July 20, 57



Well = 145' x 12"
160' total depth
water clench 92
drives down to 110

$\frac{1}{64}$ - $\frac{3}{32}$ some odd at
E end

$\frac{1}{64}$ - $\frac{3}{32}$

$\frac{1}{64}$ $\frac{3}{32}$
 $\frac{3}{16}$ - $\frac{3}{32}$
 $\frac{11}{64}$ $\frac{3}{32}$

$\frac{3}{32}$ - $\frac{3}{16}$

$\frac{3}{32}$ - $\frac{11}{64}$

3' main
17 ft sprinkler
total line

8" main

well

Well Pump - Peerless 80542 } air line pump.
Booster - Pacific SP13336 - 4" disc. Horizontal

Well Motor - US #53395 - TP 25 - V 220 Amps 62
RPM 1800
6" discharge

Booster Motor GE # YG 2880 P 10

Meter - Idaho Power Co. 38022 110 - Demand 0.825 x 40

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29065
PERMIT No. 21367
DISTRICT No.

*John J. Hall
Lester - RFI
to be made
2.11*

1. Name of Applicant: ORA WALLACE

Postoffice address: Route 4, Caldwell

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

- (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:

2. Quantity of water claimed: 1.6 cubic feet per second.

3. Source of water supply: Subterranean from a well or wells which is a tributary of

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 25 , T. 3 N. , R. 4 W. , B.M., County of Canyon

5. Water is to be used for Irrigation and domestic purposes.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$5,000.00

8. Kind of works: Well, pump and ditches.

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet
dimensions of flume:

Diameter of pipe inches; length of conduit mile

Average grade per mile feet.

12. The time required for the completion of such work is Two (2) years.

13. The time required for the complete application of the water to the proposed use is Two (2) additional year

14. The land to be irrigated is described in the following tabulation: See remarks.

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

ORA WALLACE Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 1:25 P. M. February 6, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21367

Recorded in Book 76 Page 21367 Approved February 11, 1950

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 April 11, 1950 and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before February 11, 1951

The whole of said work to be completed on or before February 11, 1952

Beneficial use of water appropriated in accordance herewith, to be made on or before February 11, 1954

WITNESS My hand this 11th day of February, 1950

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, 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 11th

day of February, 1950

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS

By J. D. "CY" PRICE

Governor.

Secretary of State.

REMARKS: Applicant intends to first drill a well in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, but if all the land described cannot be irrigated from that source, he will apply for an amendment for another well on the same 80-acre tract.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
3 N.	4 W.	25	40				80
CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that ORA WALLACE of Caldwell, County of Canyon, and State of Idaho, the holder of Permit No. 21767, issued upon Application No. 29065 bearing date of priority of February 6, 1950, authorizing the diversion of 1.6 second feet of the waters of a well (subterranean flow) County of Canyon, State of Idaho, for irrigation and domestic purposes has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.6 second feet of the waters of said well; that the point of diversion of said waters is in the NE$\frac{1}{4}$ SE$\frac{1}{4}$ Section 25, Township 3 North, Range 4 West, B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE$\frac{1}{4}$ NE$\frac{1}{4}$ and NE$\frac{1}{4}$ SE$\frac{1}{4}$ Section 25, Township 3 North, Range 4 West, B.M. Witness my hand this 4th day of February, A.D. 1952. Proof of completion of works made February 2, 1952. Certificate of completion of works issued February 4, 1952. MARK R. KULP State Reclamation Engineer COPIES ISSUED FOR 0.7 AC. 11. ACRES FOR 10.							

ASSIGNMENT

For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 21367 to Anna S. Hockberger of Nampa, Idaho, and John J. Hockberger of Caldwell, Idaho.

ORA WALLACE
Permit Holder
LELA WALLACE
Wife of Permit Holder

STATE OF OREGON)
County of Clackamas) ss

On this 12 day of March, 1954, before me, a Notary Public for the State of Oregon, residing at Gladstone, personally appeared Ora Wallace and Lela Wallace, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.
(SEAL)

JEAN E. YEO
Notary Public residing at Gladstone, Oregon

My commission expires Sept. 7, 1956.

Received and filed for record in the Department of
Reclamation, at Boise, Idaho, May 3, 1954
MARK R. KULP
State Reclamation Engineer

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho hereby extend the time for the making of proof of Beneficial Use under Permit to Appropriate the Public Waters of the State of Idaho No. 21367 to May 1, 1957.

Witness my hand this 3rd day of May, 1954.

MARK R. KULP
State Reclamation Engineer

A S S I G N M E N T

For value recieved, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 21367 to John J. Hockberger of Route # 4 Caldwell, Idaho

/s/ Anna S. Hockberger
Wife of Permit Holder

State of Idaho)
:ss.
County of Canyon)

On this 5 day of Feb., 1957, before me, a Notary Public for the State of Idaho, residing at Nampa, Idaho, personally appeared Anna S. Hockberger known to me to be the persons whose name is subscribed to the wit in instrument, and duly acknowledged to me that she executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

/s/ G. R. Baltzor
Notary Public, residing at
Nampa, Idaho

(SEAL) My commission expires 9-9-60.

Received and filed for record in the
Department of Reclamation March 12, 1957.