

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: **A63-02875**
Date Received: 2/28/1990
Receipt No: W009767
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SYMMS FRUIT RANCH
Address: 14068 SUNNY SLOPE RD
CALDWELL ID

83605

2. Date of Priority: AUG 18, 1951

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	23		NE	SE		CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.020		432.00

7. Total Quantity Appropriated is:
1.020 C.F.S. (and/or) 432.00 A.F.A.

8. Total consumptive use is 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	23	NE	SE		IRR	37.0
			SE	SE		IRR	24.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	61.0
		24	SW	SW	IRR	35.0
					Section Acres	35.0
					Total Acres	96.0

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:

14. Remarks:

CLAIM AMENDED PER TRANSFER NO. 4216 APPROVED 11/18/1993.
THIS CLAIM WAS ORIGINALLY FILED WITHOUT THE 35 ACRES IN T03N,
R04W, S24, SWSW. TRANSFER NO. 4216, WHICH AMENDS THE CLAIM,
INCLUDES THESE ACRES.
USE OF WATER FROM THE ORIGINAL WELL IS SESE, S23, T03N, R04W IS
NO LONGER AUTHORIZED.
DIVERSION UNDER THIS RIGHT SHALL NOT EXCEED 1.02 CFS.
RIGHT HOLDER SHALL PROVIDE FOR MEASUREMENT OF THE RATE OF
DIVERSION IF DETERMINED NECESSARY BY THE DEPARTMENT.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY
OF APPROVED TRANSFER NO. 4216 IN FILE.

15. Basis of Claim: LICENSE

Water Right Number: 22317

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4216
WATER RIGHT NO. 63-02875

✓ Carter
R- Roxanne
MM Western AJ

This is to certify that: **SYMMS FRUIT RANCH INC**
14068 SUNNY SLOPE 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	1.02 CFS	432.0 AF

SOURCE

GROUNDWATER

Priority: 08/18/1951

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 23, Township 03N, Range 04W
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>
03N	04W	23	NESE 37	SESE 24		61
		24	SWSW 35			35
Total number of acres irrigated:						96

CONDITIONS/REMARKS:

- R32 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.
- T07 2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T09 3. 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.
- T08 4. 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.

016

TRANSFER NO. 4216
WATER RIGHT NO. 63-02875

CONDITIONS/REMARKS:

- * 5. Use of water from the original well in SESE, S23, T03N, R04W is no longer authorized.
- * 6. Diversion under this right shall not exceed 1.02 cfs.
- * 7. Right holder shall provide for measurement of the rate of diversion if determined necessary by the Department.

Dated this 18th day of November, 1993.


Chief, Water Alloc. Bureau

Form 1-222
RECEIVED
Page 1 of 6
AUG 27 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4216

Department of Water Resources
Western Regional Office

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED
OCT 19 1993

Name of applicant SYMMS FRUIT RANCH, INC. Phone 208-459-4821
Post Office address 14068 SUNNY SLOPE ROAD, CALDWELL, IDAHO 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 Well 63-02875 has inadequate water

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

1. Right Number Priority ¹⁸ ~~15~~ Amount (cfs/ac-ft) Nature of Use Period of Use
G22317/63-02875 8-15-51 1.02 cfs Irrigation March 15 to November 15

2. Total amount of water being transferred 1.02 cubic feet per second and/or _____ 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		23	3N	4W	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	
			NO CHANGE																

RECEIVED
DEC 01 1993

PART 1

6. General Information:

a. Description of diversion system Well water to be delivered to fields via
PVC pipe.

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NO CHANGE

d. Remarks:

Old well is inadequate.

Same well as 63-11676; drilled 1992 under supplemental temporary right.

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 _____.

RECORDED
DEC 01 1993

PART 2

TRANS NO. 4216

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-02875

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.02 CFS

SOURCE

GROUNDWATER

Priority: 08/18/1951

LOCATION OF POINT(S) OF DIVERSION:SESE , Sec. 23, Township 03N, Range 04W
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>
03N	04W	23	NESE 37	SESE 24		61
		24	SWSW 35			35
Total number of acres irrigated:						96

CONDITIONS/REMARKS:RECORDED
REC 01 1993

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. G22317/63-02875 issued by the Idaho Department of Water Resources.

c. Claim No. SRBA A63-02875 on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

N/A pld change only

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 GROUNDWATER tributary to _____

4. Date or priority 8-15-51 *

18

assumed - not in license info

5. Water is used for the following purpose:

amount 1.02 cfs for Irrigation purposes from March 15 to November 15
 (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 1.02 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
	SE	SE		23	3N	4W	Canyon	

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	
3N	4W	23													37			24	61
3N	4W	24															35		35

DEC 01 1993

Total acres 96

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

** CORRECTED ggs per license 35 ac. is shown - 52 9/7/93*

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

(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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

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

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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

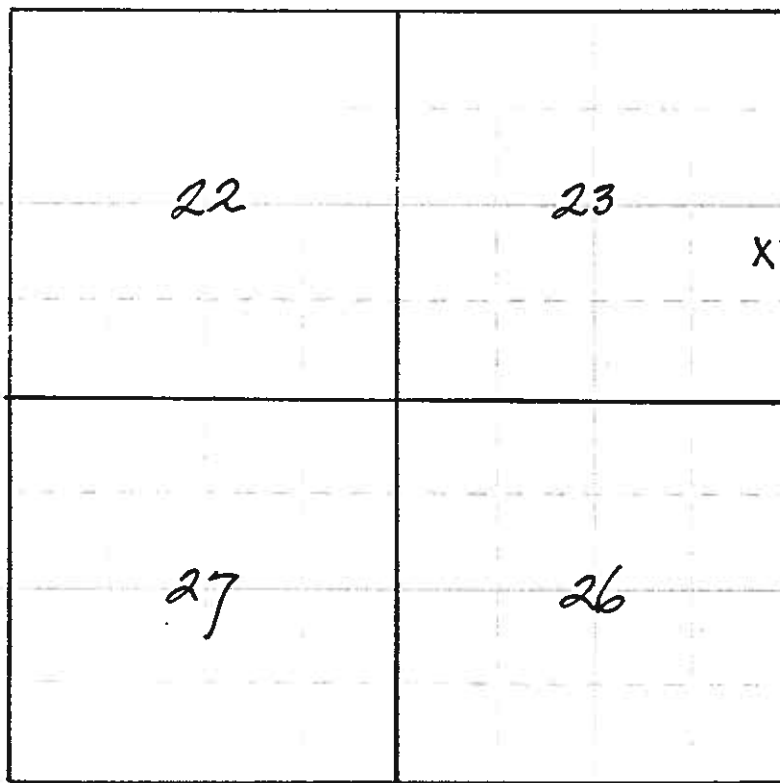
Total acres _____

* AS PER ANSWER PER CO. OF ORIGINAL APPL. FILED
5/24/93 - SL (SEE PG. 4 OF ORIGINAL)

RECORDED
DEC 01 1993

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.



MICROFILMED

DEC 01 1993

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

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ 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:

Notary did not show seal here but did in letter dated 9/7/93
 so appears OK.

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 25th day of August, 19 93.

My commission expires June 19, 1998

FOR DEPARTMENT USE ONLYTransfer contains 6 pages and 3 attachmentsReceived by FL Date 8/27/93 * Protest filed by _____Prelim. check by FL Fee \$50Received by LH Date 5/24/93 * W016293

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. _____ by DR

Copy of transfer sent to lien holder _____

* This Revised Appl. Replaces original
 filed 5/24/93. SEE COPY of
 original (the original was returned
 to applicant 6/2, 13). - FL 9/7/93

UNRECORDED
 DEC 01 1993

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: A63-02875
Date Received: 2/27/1990
Receipt No: W009767
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: SYMMS FRUIT RANCH
Address: 14068 SUNNY SLOPE RD
CALDWELL ID

83605

RECEIVED
FEB 1 1993

2. Date of Priority: AUG 18, 1951

3. Source: GROUNDWATER

Trib. to: Department of Water Resources
Western Regional Office

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	04W	23	SE	SE	SE		CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			1.020		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	04W	23	NE	SE		IRR	37.0
			SE	SE		IRR	24.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	61.0
					Total Acres	61.0

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:

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 22317

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: A63-02875
Date Received: 2/08/1990
Receipt No: _____
Received By: _____

RECEIVED
FEB 27 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAZEL P. MUNSEY
Address: CALDWELL, ID

This property and water right was purchased
from Falen by Symms Fruit Ranch in 1968.
Symms Fruit Ranch, Inc.
14068 Sunny Slope Road
Caldwell, Idaho 83605

2. Date of Priority: AUG 18, 1951

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	23	SE	SE			CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			1.020		

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

A.F.A.

8. Total consumptive use is

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	23	NE	SE		IRR	3.0
			SE	SE		IRR	1.0

Section Acres 4.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	04W	24	SW	SW	IRR	25.0

Section Acres ~~25.0~~

Total Acres ~~96.0~~

61

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:

15. Basis of Claim: LICENSE
Water Right Number: 22317

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1 (Map)

For Organizations:

I do solemnly swear or affirm that I am President of Symms Fruit Ranch, Inc., that I have signed the foregoing Organization document in the space below as President of Symms Fruit Ranch, Inc. and that the statements contained in the foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

President/Symms Fruit Ranch
Title and Organization
Feb. 26, 1990
Date

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of February 19 90

[Signature]
Notary Public

Seal

Residing at Caldwell, Idaho
My Commission Expires May 15, 1993



T3N
R4W
Sec. 23

A63-2875

#11

61 acres.

T3
T2

Water License No. G-22317

Amount 1.02 c.f.s.

Water District No.

Priority August 18, 1951

THIS IS TO CERTIFY that FORREST M. PROHASKA - HAZEL P. MUNSEY, Assignee of Boise, Idaho

, made application for a permit to appropriate the public waters of the State of Idaho, dated August 18, 1951; that Permit No. G-22317 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.02 second feet, was issued thereunder on October 10, 1958, showing that said works were completed on the 22nd day of August, 1956; and that on the 22nd day of August, 1956, HAZEL P. MUNSEY

of Caldwell, 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, for the purpose of Irrigation, under Use Permit No. G-22317 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 10 of Licenses at page 6443, on the 10th day of October, 1958; The right hereby confirmed dates from August 18, 1951; The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 23, Tp. 3 N., R. 4 W., B. M. County Canyon 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 1.02 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	4 W.	24	SW 1/4 SW 1/4 NE 1/4 SE 1/4 SE 1/4	--	35
		23		--	37
			Total number of acres irrigated	-- --	96

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 10th day of October, 1958.

(SEAL) /s/ Geo. N. Carter State Reclamation Engineer.



SYMMS FRUIT RANCH, INC.

*Growers and Shippers of Apples,
Peaches, Cherries, Plums, Pears, Nectarines,
Grapes, Onions and Potatoes.*

14068 Sunny Slope Road, Caldwell, Idaho 83605
Telephone (208) 459-4821 / L.D. 459-8064
Fax: (208) 459-6932

CORPORATION OFFICERS AND PARTNERS LISTED BELOW
ADDRESS FOR ALL: 14068 Sunny Slope Road
Caldwell, Idaho 83605
Telephone: 208-459-4821

SYMMS FRUIT RANCH, INC.

R. A. Symms	President
James P. Mertz	Secretary
Myrtle Symms	Treasurer
Irene Symms	Vice-President
Kathryn Symms Mertz	Vice-President
Steven D. Symms	Director
Shirley S. Maggard	Director

SUNNY SLOPE FRUIT COMPANY

James P. Mertz	President
Shirley Symms Maggard	Secretary/Treasurer
James P. Mertz	Director
Shirley Symms Maggard	Director
R. A. Symms	Director

STE. CHAPELLE, INC.

R. A. Symms	President
James P. Mertz	Secretary/Treasurer
Kathryn S. Mertz	Director

SYMMS CANYON LTD. PARTNERSHIP

Myrtle Symms	General Partner
Irene Symms	General Partner
R. A. Symms	Administrator
James P. Mertz	Administrator



05/03/2006

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

RIGHT NUMBER: 63-2875

NAME AND ADDRESS: SYMMS FRUIT RANCH INC
14068 SUNNY SLOPE RD
CALDWELL ID 83607

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.020 CFS
274.500 AFY

PRIORITY DATE: 08/18/1951

POINT OF DIVERSION:

T03N R04W S23 NESE 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	1.020 CFS 274.50 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T03N R04W S23	NESE	37.00	T03N R04W S23	SESE	24.00
---------------	------	-------	---------------	------	-------

61 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

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.

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

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.

CLAIM AMENDED PER TRANSFER NO. 4216 APPROVED 11/18/1993.

THIS CLAIM WAS ORIGINALLY FILED WITHOUT THE 35 ACRES IN T03N, R04W, S24, SWSW. TRANSFER NO. 4216, WHICH AMENDS THE CLAIM, INCLUDES THESE ACRES.

USE OF WATER FROM THE ORIGINAL WELL IS SESE, S23, T03N, R04W IS NO LONGER AUTHORIZED.

DIVERSION UNDER THIS RIGHT SHALL NOT EXCEED 1.02 CFS.

RIGHT HOLDER SHALL PROVIDE FOR MEASUREMENT OF THE RATE OF DIVERSION IF DETERMINED NECESSARY BY THE DEPARTMENT.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 4216 IN FILE.

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



Idaho Department of Water Resources

SRBA Recommendation:

63-2875

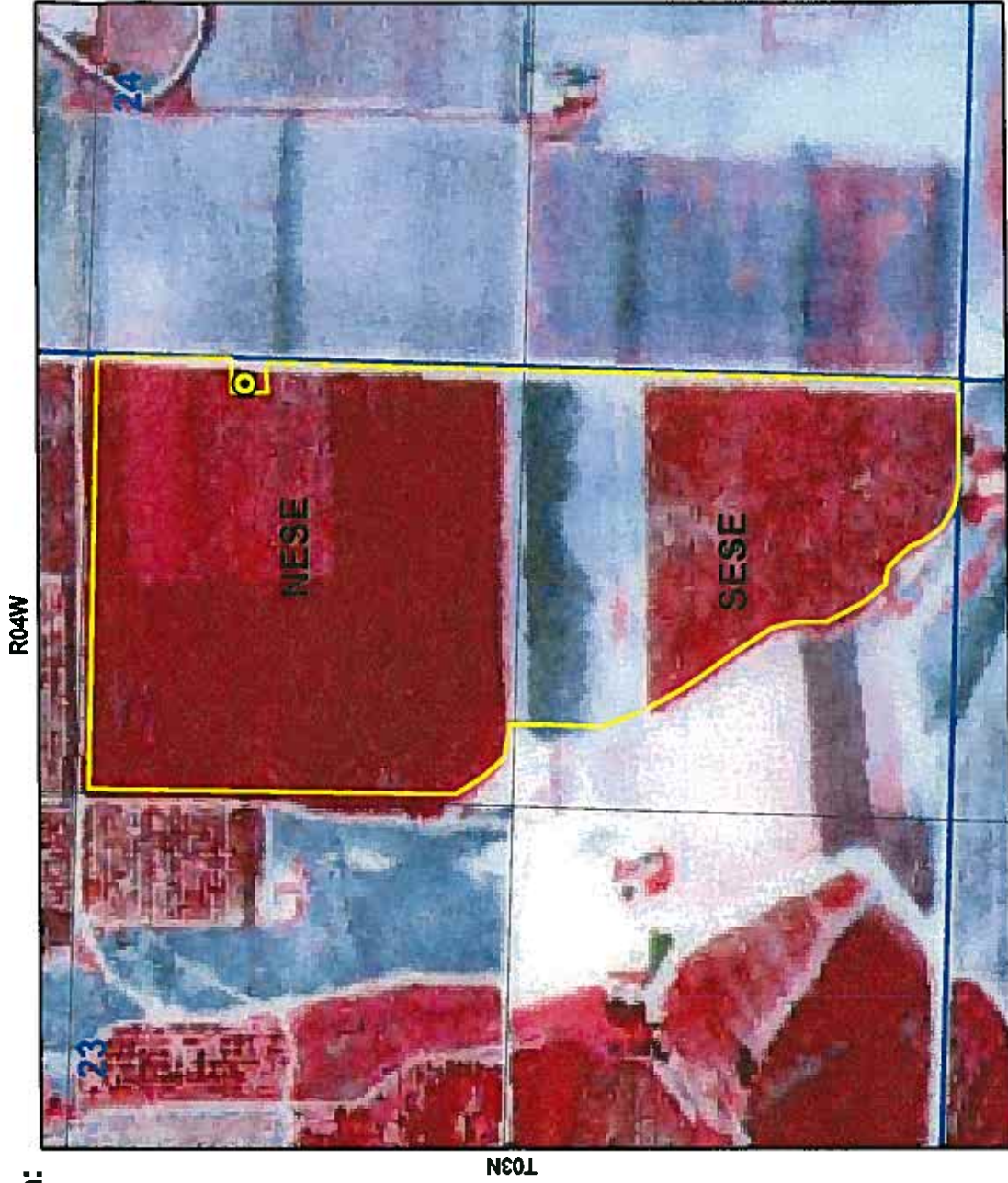
Acres = 61

Legend

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



Canyon County
IDWR Basin 63



0 0.2 0.4 Miles

Prepared by K. Walker
On Wednesday, May 3, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2875

WATER RIGHT NUMBER: 63-2875

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HAZEL P MUNSEY
	CALDWELL, ID
Original Owner	FORREST M PROHASKA
	1020 E FLOATING FEATHER RD
	EAGLE, ID 83616
	(208)939-0500
Current Owner	SYMMS FRUIT RANCH INC ✓
	14068 SUNNY SLOPE RD ✓
	CALDWELL, ID 83607
	(208)459-4821 ?

Priority Date: 08/18/1951 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION ✓

From To

3/15 to 11/15 ✓

Diversion Rate

1.020 CFS ✓

Annual Volume

432.00 AF ✓

Total Diversion:

1.020 CFS ✓

432.00 AF ✓

Location of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4 ✓

Sec. 23, Twp 03N, Rge 04W, B.M.

CANYON County ✓

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	04W	23	✓	✓	✓	✓	37.0
03N	04W	24	✓	✓	✓	✓	24.0
							61.0

Total Acres: 66

61

35.0
 NOT owned
 by claimant -
 owned by
 Williamson Orchards

Conditions of Approval:

1. ~~P52~~ 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.
2. ~~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.

Exp

61 ac
 .02
 1.22 (could have)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2875

3. ~~016~~ See remarks for additional conditions of approval.

4. ~~EXP~~ CLAIM AMENDED PER TRANSFER NO. 4216 APPROVED 11/18/1993.
THIS CLAIM WAS ORIGINALLY FILED WITHOUT THE 35 ACRES IN T03N, R04W, S24, SWSW.
TRANSFER NO. 4216, WHICH AMENDS THE CLAIM, INCLUDES THESE ACRES.
USE OF WATER FROM THE ORIGINAL WELL IS SESE, S23, T03N, R04W IS NO LONGER
AUTHORIZED.
DIVERSION UNDER THIS RIGHT SHALL NOT EXCEED 1.02 CFS.
RIGHT HOLDER SHALL PROVIDE FOR MEASUREMENT OF THE RATE OF DIVERSION IF
DETERMINED NECESSARY BY THE DEPARTMENT.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED
TRANSFER NO. 4216 IN FILE.

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

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

Remarks:

Comments:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-11676

WATER RIGHT NUMBER: 63-11676

Owner Type

Current Owner

Name and Address

SYMMS FRUIT RANCH INC
14068 SUNNY SLOPE RD
CALDWELL, ID 83607
(208)459-4821

Priority Date: 02/10/1992

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

03/01 to 11/15

Diversion Rate

1.320 CFS

Annual VolumeTotal Diversion:

1.320 CFS

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4SE1/4 ✓

Sec. 23, Twp 03N, Rge 04W, 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	
03N	04W	23													39.0		34.0	35.0	108.0
															37		24		61

Total Acres: 108

Conditions of Approval:

1. R61 This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. WB7 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 486.0 af at the field headgate for the lands above.
3. 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
4. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. X36 Right 63-02875 is also diverted through the point of diversion described above.
6. X35 Rights 63-02875 and 63-11676 when combined shall not exceed a total diversion rate of 1.32 cfs, and the irrigation of 143 acres.

OK
→ same pld
→ p/u ok

not included
in SRBA-
not reg'd

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-11676

7. 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

Remarks:Comments:

1. kwalker 4/21/2003 GIS shape

Comment: Dan created the shape for this right. When I updated the shape I shaved off lands in other 40 acre tracts that were not be recommended and updated the NESE to show 39 acres irrigated. The changes I made do not need 10ths of acres to describe so total acres will be 108.

Dates and Other Information:

Licensed Date: 4/25/2003
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre: 0.02
 Generic Max Volume Per Acre: 4.5
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number:
 Judicial District:
 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>
1.32		143
Combined Water Rights: 63-2875 , 63-11676		

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2875

03/27/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2875	Claim	03N	04W	23	NE	SE		IRRIGATION	37/96	SYMMS FRUIT RANCH INC
2875	Water Right	03N	04W	23	NE	SE		IRRIGATION	37/96	SYMMS FRUIT RANCH INC
11676 <i>lie</i>	Water Right	03N	04W	23	NE	SE		IRRIGATION	39/108	SYMMS FRUIT RANCH INC
2875	Claim	03N	04W	23	SE	SE		IRRIGATION	24/96	SYMMS FRUIT RANCH INC
2875	Water Right	03N	04W	23	SE	SE		IRRIGATION	24/96	SYMMS FRUIT RANCH INC
11676 <i>lie</i>	Water Right	03N	04W	23	SE	SE		IRRIGATION	35/108	SYMMS FRUIT RANCH INC
2814	Claim	03N	04W	24	SW	SW		IRRIGATION	40/287	<u>WILLIAMSON ORCHARDS</u>
2875	Claim	03N	04W	24	SW	SW		IRRIGATION	35/96	SYMMS FRUIT RANCH INC
2962	Claim	03N	04W	24	SW	SW		IRRIGATION	40/287	<u>WILLIAMSON ORCHARDS</u>
3281	Claim	03N	04W	24	SW	SW		IRRIGATION	40/287	<u>WILLIAMSON ORCHARDS</u>
8062	Claim	03N	04W	24	SW	SW		IRRIGATION	40/287	<u>WILLIAMSON ORCHARDS</u>
2814	Water Right	03N	04W	24	SW	SW		IRRIGATION	40/287	<u>WILLIAMSON ORCHARDS</u>
2875	Water Right	03N	04W	24	SW	SW		IRRIGATION	35/96	SYMMS FRUIT RANCH INC
2962	Water Right	03N	04W	24	SW	SW		IRRIGATION	40/287	<u>WILLIAMSON ORCHARDS</u>
3281	Water Right	03N	04W	24	SW	SW		IRRIGATION	40/287	<u>WILLIAMSON ORCHARDS</u>
8062	Water Right	03N	04W	24	SW	SW		IRRIGATION	40/287	<u>WILLIAMSON ORCHARDS</u>
0013B	Water Right	03N	04W	24	SW	SW		IRRIGATION	40/317	ROGER L WILLIAMSON

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2875

WATER RIGHT NUMBER: 63-2875

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SYMMS FRUIT RANCH INC 14068 SUNNY SLOPE RD CALDWELL, ID 83607 (208)459-4821
Original Owner	FORREST M PROHASKA 1020 E FLOATING FEATHER RD EAGLE, ID 83616 (208)939-0500

Priority Date: 08/18/1951

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	1.020 CFS	432.00 AF
	<u>Total Diversion:</u>	1.020 CFS	432.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 23, 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	23													37.0			24.0	61.0
03N	04W	24											35.0						35.0

Total Acres: 96

Conditions of Approval:

1. 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.
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. 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 63-2875

4. Use of water from the original well in SESE, S23, T03N, R04W is no longer authorized.
Diversion under this right shall not exceed 1.02 cfs.
Right holder shall provide for measurement of the rate of diversion if determined necessary by the Department.
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Remarks:

Comments:

1. SKAGGS 10/19/1993 TRANSFER NO. 4216

Comment: Transfer No. 4216 was filed to change the point of diversion under Right No. 63-02875.

Water Supply Bank:



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 23, 1993

Mr. R. Symms
Symms Fruit Ranch, Inc.
14068 Sunny Slope Road
Caldwell, ID 83605

Re: Application for Transfer of Right No. 63-02875

Dear Mr. Symms:

Before this office can proceed with advertising your recent transfer application to change the point of diversion of the above-referenced right, some clarification is needed. Please review the following information and make any necessary changes on the enclosed original application. Any changes made to the form should be initialed and dated by the person (yourself?) who signed the form. Approval of changes to the filing is needed for this notarized document.

- 1) The license was issued for 96 acres in E 1/2 of SE 1/4 Sec. 23 and SW 1/4 SW 1/4 Sec. 24. This is the right that can be changed. See pages 5 and 6 added to the transfer. (Modified pages 3 and 4 describe the adjudication claim filed on the license - remember that the licensed right is the entity that can be changed).
- 2) The transfer can show a new point of diversion for the license as reflected on page 1. However, the transfer is limited to the number of licensed acres, 96 acres. It appears from the bottom of page 1 that you want to irrigate 120 acres in Sec. 23 with this right. This cannot occur within a single irrigation season because such use constitutes an expansion of the right, and expansions are prohibited under Idaho Code 42-222 (transfer statute).
- 3) Therefore, the bottom of page 1 should be changed in one of three ways.
 - a) Water will be used on the 96 licensed acres (see page 5 of transfer for list).
 - b) Water will be used on 96 acres other than licensed acres (partial or complete change in place of use).
 - c) Water will be used on 96 acres per irrigation season within a 120 acre area (such as you showed in current transfer information). This would also be a partial or complete change in place of use. This is a rotation option that might be approvable in a transfer. You should specify this option if chosen.

MICROFILMED

DEC 01 1993

Mr. R. Symms
June 23, 1993
Page 2

4) For choices 3b or 3c, please submit proof of ownership of the acres in SWSW Sec. 24. Such proof was not included with the ownership documents that you provided.

5) Be sure that the place of use on page 1 and map on page 7 reflect the same information.

A reply within 30 days would be appreciated. Please contact me if you have any questions.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure: Transfer Application
Receipt

RECEIVED
DEC 01 1993

Receipt Details for ID W009767

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/28/1990 10:18:39 AM	2/28/1990	Western	\$1,838.00	Check
Payer		SYMMS FRUIT RANCH, INC.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
14853			
Card Expiration Date	Credit Card Transaction #		

Comment APPLICATION FOR PERMIT

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$1,778.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490
\$60.00	APPLICATION FOR PERMIT	620199	1238	0	0	6390

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	8468 ✓		\$185.00	Claim
63	2941 ✓		\$210.00	Claim
63	2875 ✓		\$111.00	Claim
63	3091 ✓		\$130.00	Claim
63	3210 ✓		\$50.00	Claim
63	3533 ✓		\$50.00	Claim
63	3529 ✓		\$50.00	Claim
63	8469 ✓		\$130.00	Claim

ok for 61 acres

63	10432 ✓		\$185.00	Claim	
63	28919		\$25.00	Claim	D
63	28321		\$25.00	Claim	D
63	28920 No Evid 3N 4W		\$62.00	Claim	
63	28922		\$25.00	Claim	Decreed
63	28923		\$25.00	Claim	Decreed
63	28924		\$25.00	Claim	D
63	28926		\$25.00	Claim	D
63	28929		\$25.00	Claim	D
63	28931		\$25.00	Claim	D
63	28933		\$25.00	Claim	D
63	28943		\$25.00	Claim	D
63	28944		\$25.00	Claim	D
63	28945		\$25.00	Claim	D
63	28946 No Evid		\$80.00	Claim	
63	28947		\$25.00	Claim	D
63	161	AT	\$80.00	Claim	
63	30099		\$105.00	Claim	
63	30144		\$25.00	Claim	

State of Idaho

License and Certificate of Water Right

Water License No. G-22317

Amount 1.02 c.f.s.

Water District No.

Priority August 18, 1951

THIS IS TO CERTIFY that FORREST M. PROHASKA - HAZEL P. MUNSEY, Assignee of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 18, 1951; that Permit No. G-22317 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.02 second feet, was issued thereunder on October 10, 1956, showing that said works were completed on the 22nd day of August, 1956; and that on the 22nd day of August, 1956, HAZEL P. MUNSEY

of Caldwell, 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, for the purpose of Irrigation, under Use Permit No. G-22317 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 10 of Licenses at page 6443, on the 10th day of October, 1958; The right hereby confirmed dates from August 18, 1951; The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 23, Tp. 3 N., R. 4 W., B. M. County Canyon

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 1.02 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	4 W.	24 23	SW 1/4 SW 1/4 NE 1/4 SE 1/4 SE 1/4 SE 1/4	-- -- --	35 37 24
Total number of acres irrigated				- - - -	96

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 10th day of October, 1958.

/s/ Geo. M. Carter
State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-22317

REPORT ON PROOF OF Completion of Works & Beneficial Use

Hazel P. Minsey, 2603 Indiana Ave., Caldwell, Idaho

app.
sup.
arr. 3
76

102 chs.
E. H. J.

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

Permit No. 9-22317This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Hazel P. Munsey
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23
T. 3 N. R. 4 W. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same:

40 hp. U.S. Motor #1065048
U.S. Turbine pump #22116
no protection. Delivery to West into a holding
pond water to fields either by gravity or
by sprinkler system

5. Water is used for: 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):

Approx. 57 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23., Twp. 3 N., Rge. 4 W., B.M.
" " 37 acres in SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 24., Twp. 3 N., Rge. 4 W., B.M.
" " 26 acres in NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 26., Twp. 3 N., Rge. 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: _____

Mr. M. along

This has pumped lots of sand and is
still pumping sand.

This examination was made on the 22 day of May, 1958(Signed) E. H. Humphrey
Examiner.

22317

North well - 2" p x 12"

51"

1-110

8" col

40 hp

Belgian Motor

(PAC)

#89228

Berkeley Truck 551000.3

Conc. base 33" x 33" no protect

7 1/2" dia to west 10' into ground

69" over 2' Cap 1/4 mi. North of well T = 63°F at well

R-4W.

T.
3
N.

TO MARSING

P.D.

TO NAMPA

26

Sub. = 3
Area = 96

Q = 51"

Subdivision = 3

Area = 96 acres.

Q = 51 inches.

200 y = 5 m 8 l. = 57"
 308 l.

$$\frac{40 \times 110 \times 70 \times 350}{170} = \frac{116}{62\%}$$

See 21532 R.H. Munsey

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

MAY 23 1958

Department of Reclamation

93185 Hazel P. Munsey

2603 Indiana Ave., Caldwell, Idaho

Permit No. G-22317

Delay until he calls

Examination for Completion of Works & Beneficial Use

after Knappa

County Canyon

23-3 N. - 4 W.

Q 2.4 c.f.s.

S. Well

P.L. = SE. SE. Sec. 23, T3N. - R. 4W.

T = 65° F

Use = Irrigation

Filed Aug. 18, 1951

Dec. - Aug. 22, 1957

700 gpm on test
85%
9750 gpm - 172 ft

C. M. Munsey.

N.C. Motor 40 hp

440V. 499.

1000049

N.C. Pump - 22116

Pump & Motor set in heavy concrete base.

4' x 4' x 39" high

del. to Westtown

20' x 8' x 6" 10 pipe

into settling pond.

100' L. x 25' W. x 3' deep.

Depth = 170'

165' = h.

del. = less than 200

300' x 12' end to bottom

Gravel packed.

Keyp Winchester drilled

63-2875

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

Application No. G- 30047
Permit No. G- 22317
District No.

Assigned to

Harold B. Mussey
Chas. C. Williams

1. Name of Applicant: FORREST M. FROHASKA

Postoffice address: Rt. 3, Boise

County: Ada

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second. 2.4 or Idaho
Miners' inches 120 or gallons per minute.

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean, by pumping from a drillee well.

4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 23
Twp. 3 N. , Rge. 4 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: Consists of drilled well, cased, and equipped with a turbine type pump

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

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 Five (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 onhand: \$

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

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. G-22317 Amended to Hazel P. Munsey of Rt. 3, Caldwell, Idaho.

FORREST M. PROHASKA
Permit holder.

MARGARET E. PROHASKA
Wife of Permit holder.

State of Idaho)
) ss
County of Ada)

On this 17th day of November, 1952, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho, personally appeared Forrest M. Prohaska & Margaret E. Prohaska, known to me to be the person whose name is 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)

HARLEY M. McDOWELL
Notary Public, residing at
Boise, Idaho

My commission expires 10-11-55.

Received and filed for record in Department of Reclamation at Boise, Idaho, November 18, 1952.

MARK R. KULP
State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-22317

Comes now Hazel P. Munsey 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-22317.
That the point of diversion is described in said permit as being located NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, Twp. 3 N., R. 4 W.
That he now requests that the point of diversion be changed to a point located SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23 Twp. 3 N. R. 4 W.
That his reasons for desiring to make such change are as follows: After running the ditch surveys it was decided that the new location would cover more ground by gravity and without having to force the water up to the high point by surface pipeline.

That no one will be injured by such change and that such change will be made at Permit Holder's own risk.
Signed at Caldwell, Idaho, this 11 day of Sept. 1956.

HAZEL P. MUNSEY

Date of receipt at Department of Reclamation September 12, 1956.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, 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-22317. 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.

MARK R. KULP
State Reclamation Engineer

Permit No. G-22317
Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that HAZEL P. MUNSEY of Caldwell, County of Canyon, and State of Idaho, the holder of Permit No. G-22317, issued upon Application No. G-30047 bearing date of priority of August 18, 1951, authorizing the diversion of 2.4 second feet of waters of Subterranean, by pumping from a drilled 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 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 1.02 second feet of the waters of subterranean flow from a well that the point of diversion of said waters SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, 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: 96 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 23, Township 3 North, Range 4 West, B.M. Proof of Completion of Works made: August 22, 1956

Witness my hand this 10th day of October, A.D. 1958

/s/ Geo. N. Carter
State Reclamation Engineer

Proof of Completion of Works made: August 22, 1956
Certificate of Completion of Works issued: October 10, 1958