

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 63-32381
Date Received: 3/22/1990
Receipt No:
Received By:

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

1. Name of Claimant(s)

HOWARD W MYLANDER Phone: (208)465-7730
11600 W FLOATING FEATHER RD
STAR ID USA 83669

2. Date of Priority: 10/12/1948

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	02W	27	NW NW NE	CANYON	

5. Description of diverting works:

WELL, APP. 750' DEPTH, 12" & 8" CAS. W/ PUMP & PIPE TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.09	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
02N	02W	27	NE NW	IRRIGATION	10
Section Acres					10

Total Acres 10

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:

CLAIMANT IS HAVING ASSUMPTION OF CONTRACT PAPERS PREPARED BY HIS ATTORNEY FOR SIGNATURE BY STEVE PAULY, THE PRESENT CONTRACT PURCHASER FOR THE LANDS ETO WHICH THIS RT. IS APPURTENANT.

This right is a split from former right 63-2724A.

15. Basis of Claim: License



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 23, 2007

BULLOCK KING INVESTMENTS
503 BAYHILL DR
NAMPA ID 83686

RE: Snake River Basin Adjudication (SRBA)
Water Right Nos. 63-7610C, 63-32381

Dear Sir or Madam:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions included with this form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist 1
Adjudication Section
Western Region

LH:1
Enclosures

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

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A \$01.1
0004389393 FEB 02 2
MAILED FROM ZIP CODE 83

ANK

RECEIVED

FEB 12 2007

WATER RESOURCES
WESTERN REGION

HOWARD W MYLANDER
11600 W FLOATING FEATHER RD
STAR ID 83669

11600 W FLOATING FEATHER RD
STAR ID 83669
BOISE, IDAHO 83705
11600 W FLOATING FEATHER RD
STAR ID 83669
BOISE, IDAHO 83705
11600 W FLOATING FEATHER RD
STAR ID 83669
BOISE, IDAHO 83705

63-76100

63-32381

Not At This Address

Bullock King Investments
503 Bayhill Dr
Nampa 83686

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

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAL SERVICE
02 1A \$ 00.
0004310839 OCT 06
MAILED FROM ZIP CODE

Not at this address

☒ Not Deliverable As Addressed
☐ Unable to Forward
☐ Incorrect address
☐ Moved, Left no address
☐ Occupied ☐ Rented
☐ Abandoned ☐ Not known
☐ No such street ☐ Route
☐ No longer ☐ Single
☐ No longer ☐ Occupied
☐ No longer ☐ In Order
☐ Returned For Better Address
☐ Postage Due

HOWARD W MYLANDER
11600 W FLOATING FEATHER RD
STAR ID 83669

RECEIVED

OCT 16 2003

WATER RESOURCES
WESTERN REGION

63-32381

7610C

11/08/2006

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

RIGHT NUMBER: 63-32381

NAME AND ADDRESS: HOWARD W MYLANDER
11600 W FLOATING FEATHER RD
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.090 CFS
44.500 AFY

PRIORITY DATE: 10/12/1948

POINT OF DIVERSION:

T02N R02W S27 NWNWNE 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	0.090 CFS 44.50 AFY

PLACE OF USE: IRRIGATION in CANYON County

T02N R02W S27 NENW 10.00

10 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.

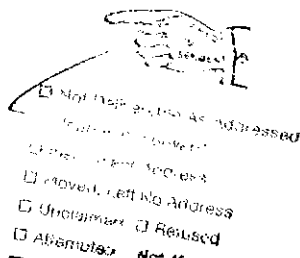
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 63-2724A.

All parts of original licensed Rights 63-2724 and 63-7610 when combined shall not exceed a total diversion rate of 3.90 cfs.

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

PRESORTED
FIRST CLASS



RECEIVED

AUG 15 2006

WATER RESOURCES
WESTERN REGION

63-32381

Howard Mylander
11600 W Floating Feather
Star, ID 83669

FRAGST 57 2022



63-2724A

MYLANDER

80 ACRES

.72 CFS

.69

$$\cancel{.72} + 80 = .009 \times 56 = .50$$

$$.009 \times 10 = .09$$

$$.009 \times 9 = .08$$

$$.009 \times 5 = .05$$

.008 675 (acre)

63-32381

MYLANDER

10 ACRES

.09 CFS

44.5 AF

~~1086~~

~~108~~

109

63-32382

BULLOCK/JTAP

9 ACRES

.08 CFS

40 AF

~~10776~~

.08

63-32383

B&F/JTAP

5 ACRES

.05 CFS

22.3 AF

.04

63-32384

BULLOCK/JTAP

56 ACRES

.50 CFS

249.2 AF

.48

63-2724B

120 AF

1.04 CFS.

Licensed

$$\cancel{1.7 CFS} \quad 1.73 CFS + \left(\begin{array}{l} 20 \text{ unclaimed} \\ .17 CFS \end{array} \right) = 1.90 CFS$$

08/09/2006

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

RIGHT NUMBER: 63-32381

NAME AND ADDRESS: HOWARD W MYLANDER
11600 W FLOATING FEATHER RD
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.090 CFS
45.000 AFY

PRIORITY DATE: 10/12/1948

POINT OF DIVERSION:

T02N R02W S27 NWNWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

OK
0.090 CFS
~~45.000 AFY~~

PLACE OF USE: IRRIGATION Within CANYON County

T02N R02W S27 NENW 10.00

44.5 AF

10 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

This right is a split from former right 63-2724A.

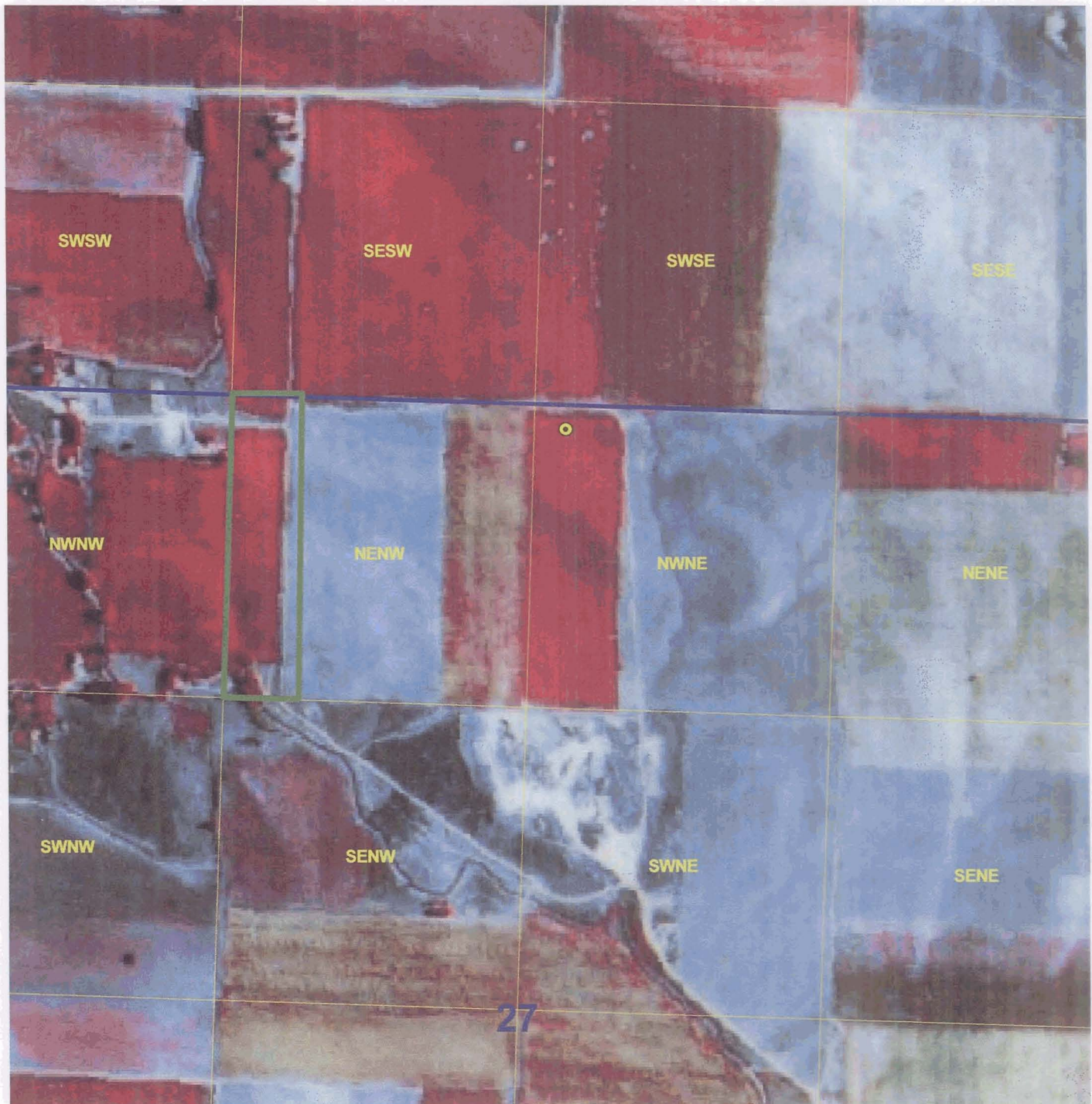
Use of this right is combined with water from Nampa Meridian Irrigation District.



Idaho Department of Water Resources

63-32381

T02N R02W S27



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

Total irrigated
acres = 10.0



600 0 600 1200 Feet

IDWR

Prepared by: Sandy Egbert

Date: August 9, 2006

1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32381 V1

WATER RIGHT NUMBER: 63-32381 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JAMES D AGENBROAD RT 3 NAMPA, ID 83651
Current Owner	HOWARD W MYLANDER 11600 W FLOATING FEATHER RD STAR, ID 83669 (208)465-7730

Priority Date: 10/12/1948

Basis: License

Status: Active

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.090 CFS	45.00 AF
	<u>Total Diversion:</u>	0.090 CFS	45.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4NE1/4	Sec. 27, Twp 02N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	02W	27					10.0												10.0

Total Acres: 10

Conditions of Approval:

1. This right is a split from former right 63-2724A.
2. W51 Use of this right is combined with water from Nampa Meridian Irrigation District.
3. 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 decree Section 42-1412(6), Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32381 V1

Comments:

1. segbert 8/9/2006 Splits

Comment: This right is the remainder of 63-2724A after 63-32382-32384 were split off of 63-2724A

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>
Priority Date	8/9/2006 10:43:34 AM	segbert			Active
POD	8/9/2006 10:43:59 AM	segbert			Active
Source	8/9/2006 10:45:04 AM	segbert			Active
POU	8/9/2006 10:45:23 AM	segbert			Active
Use	8/9/2006 10:46:11 AM	segbert			Active
Season	8/9/2006 10:46:38 AM	segbert			Active
Season	8/9/2006 10:50:03 AM	segbert			Active
Quantity	8/9/2006 10:52:19 AM	segbert			Active
Summary			08/09/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	8/9/2006 10:44:48 AM	segbert	Updated shape
POU	8/9/2006 10:45:49 AM	segbert	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32381 V1

Summary	8/9/2006 11:08:24 AM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
General	8/9/2006 10:43:34 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	8/9/2006 10:43:59 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	8/9/2006 10:45:05 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	8/9/2006 10:45:24 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32381 V1

Use	8/9/2006 10:46:12 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	8/9/2006 10:46:39 AM	segbert	(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?
Season	8/9/2006 10:50:03 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	8/9/2006 10:52:19 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - acres x 4.5

Water Supply Bank:

63-2724A

MYLANDER
80 ACRES
.72 CFS

$$\begin{aligned}.72 \div 80 &= .009 \times 56 = .50 \\ .009 \times 10 &= .09 \\ .009 \times 9 &= .08 \\ .009 \times 5 &= .05\end{aligned}$$

63-32381

MYLANDER
10 ACRES
.09 CFS

63-32382

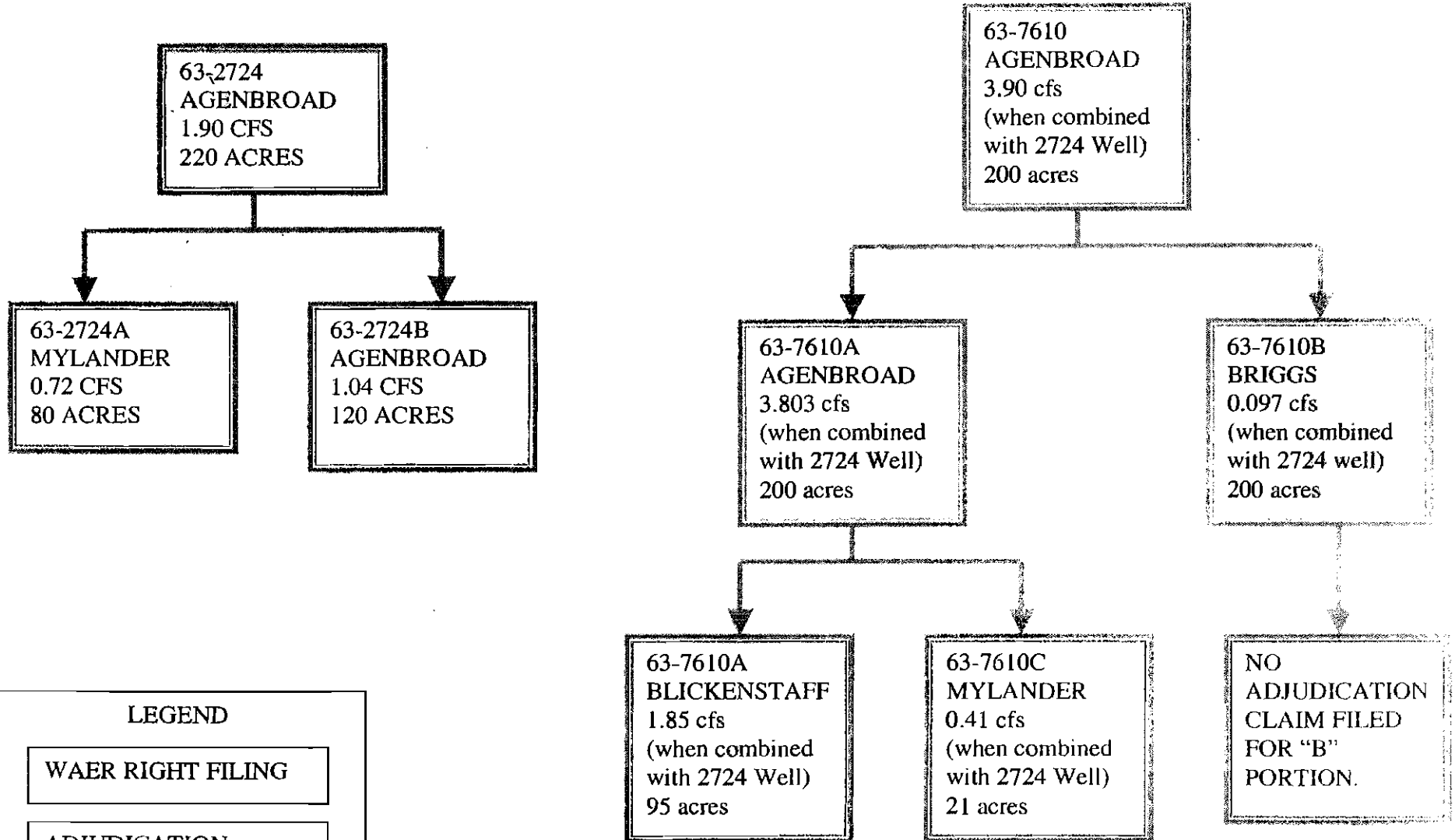
BULLOCK/JTAP
9 ACRES
.08 CFS

63-32383

B&F/JTAP
5 ACRES
.05 CFS

63-32384

BULLOCK/JTAP
56 ACRES
.50 CFS



LEGEND

WAER RIGHT FILING

ADJUDICATION
CLAIM SPLITS

ADJUDICATION
CLAIM FILED LIKE
WATER RIGHT

63-2724 was licensed with a capacity of 1.90 cfs. 63-7610 added a well with the capacity of 2.00 cfs and included the well licensed under 63-2724 for a total diversion rate of 3.90 cfs. The department then conditioned 63-7610 that when combined with 63-2724 it is limited to a combined diversion rate of 3.90 cfs. The properties have been split and the wells are no longer connected to the same system. Therefore, regulating the combined rights would be impossible.

State of Idaho

License and Certificate of Water Right

Water License No. 20699

Amount 1.9 second feet

Water District No. _____

Priority October 12, 1948

THIS IS TO CERTIFY that JAMES D. AGNEWROAD

of Nampa, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 12, 1948; that Permit No. 20699 was issued under said application; that Certificate of Completion of works, with a carrying capacity of three second feet, was issued thereunder on July 13, 1953, showing that said works were completed on the 8th day of July, 1953; and that on the 20th day of August, 1953,

JAMES D. AGNEWROAD

of Nampa, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well

tributary of (subterranean flow), for the purpose of irrigation and domestic

use, under Use Permit No. 20659 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

9 of Licenses at page 2258, on the 2nd day of March, 1954;

The right hereby confirmed dates from October 12, 1948;

The Point of Diversion is located

on the NW 1/4 NE 1/4 Sec. 22, Twp. 2 N., R. 1 E., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.9 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	2 E.	22	NE 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
		27	NW 1/4 NE 1/4	40	40
			NE 1/4 NW 1/4	40	40
			NW 1/4 NE 1/4	23	20
			Number of Acres Actually Irrigated	-	220

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 2nd day of March, 1954.

(SEAL)

MARK E. KULP
State Reclamation Engineer

MICROFILMED

AUG 18 1954

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: A63-02724A
Date Received: 3/22/1990
Receipt No: CO 15865
Received By: OK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOWARD W. MYLANDER 208-465-7730
Address: 11600 W. FLOATING FEATHER RD.
STAR, ID 83669

2. Date of Priority: OCT 12, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	02W	27	NW	NW	NE		CANYON

5. Description of diverting works:
WELL, APP. 750' DEPTH, 12" & 8" CAS. W/ PUMP & PIPE TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.720		

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

8. Total consumptive use is 280.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	02W	27	NW	NE		IRR	40.0
			NE	NW		IRR	40.0
Section Acres							80.0

A63-02724A

Page 1

Date: 03/22/90

MICROFILMED

AUG 18 1992

10. Place of Use: Continued

Total Acres 80.0

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:
 NAMPA-MERIDIAN

14. Remarks:
 CLAIMANT IS HAVING ASSUMPTION OF CONTRACT PAPERS PREPARED BY
 HIS ATTORNEY FOR SIGNATURE BY STEVE PAULY, THE PRESENT CONTRACT
 PURCHASER FOR THE LANDS ETO WHICH THIS RT. IS APPURTENANT.

15. Basis of Claim: LICENSE
 Water Right Number: 20699

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: 3

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): *Harold W. Rylander* Date: 3-22-90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 22nd day
of MAR. 19 90 *James L. Smith*
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 11/08/1994

This is a high-contrast, black and white aerial photograph of a rural landscape, overlaid with a grid. The image shows fields, roads, and some structures. Handwritten labels include 'ROAD', '2803', 'BM 2603', '2610', '34', 'Gravel Pit', '2677', 'BM 2655', '2660', 'SIDE', 'ROAD', and 'AUG'. The grid lines are thin and white, dividing the image into rectangular sections.

MEMO TO FILES FROM: FEL.

DATE: 5/24/1990

(CLAIMANT)
APPLICANT: HOWARD MYLANDER

CLAIM NO: A63-02724A

SUBJECT: PORTIONS OF DOCUMENTS SHOWING OWNERSHIP.

MR. HOWARD MYLANDER BROUGHT THESE COPIES IN TO THE OFFICE FOR FILING WITH HIS CLAIM FOR A PORTION OF LICENSE 63-02724, ORIG. LICENSED TO JAMES AGEABROAD FOR 1.9 CFS & 220 AC OF IRRIGATION. THESE SHOULD BE FILED WITH A63-02724A.

SS

MICROFILMED

AUG 18 1992

to-wit:

PARCEL I:

The North One-half of the North One-Half of the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Northeast Quarter of Section 27, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, EXCEPTING THEREFROM;

COPY

A parcel in the Northeast Quarter of the Northeast Quarter described as follows:

BEGINNING at the Northeast corner of said Section 27, thence West along the North line of said Section 27, 1,320 feet to a point; thence South parallel to the East line of said Section 27, 330 feet to a point; thence East parallel to the said North line, 660 feet to a point; thence South parallel to the said East line, 660 feet to a point; thence East parallel to the said North line, 660 feet to a point in the East line of said Section 27; thence North along said East line, 990 feet to the POINT OF BEGINNING.

PARCEL II:

The Northwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 27, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, EXCEPTING that portion lying West of the following described line:

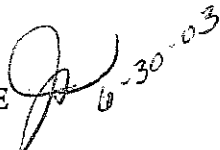
COMMENCING at the Southwest corner of the Northeast Quarter of the Southwest Quarter of said Section 27; thence North $89^{\circ}52'02''$ East, 206.97 feet to the POINT OF BEGINNING of said line; thence North $0^{\circ}00'00''$ East, 1,320 feet, more or less, to a point on the North line of Section 27, the End Point of said line.

MICROFILMED

AUG 18 1952

Handwritten signature

MEMORANDUM

TO: JAN SHURTE  6-30-03

FROM: DANIEL A. NELSON

DATE: 6/30/03

SUBJECT: TRANSFER 69662 FOR RONALD BLICKENSTAFF

This memo is to confirm our conversation with Gary Spackman concerning transfer 69662 for Ronald Blickenstaff. This transfer proposed to split 5 acres off of 63-7610A for a separate system. There has been a problem with this transfer due to the way that 63-7610A was licensed and the way a transfer creating water right 63-7610B was approved.

HISTORY

Water right 63-2724 was licensed for 220 acres with a diversion rate of 1.90 cfs from groundwater. Some time later water right 63-7610 was licensed for 3.90 cfs and 200 acres. Water right 63-7610 is deceiving because only 2.00 cfs was developed with the drilling of a new well, however, the well developed under 63-2724 was added onto the water right. Therefore, a condition was placed on the water right that when 63-2724 and 63-7610 are combined they would be limited to a maximum diversion rate of 3.90 cfs.

A transfer was later filed that split 5 acres off of 63-7610. In this split the department gave 0.097 cfs for the 5 acres being split or a proportionate share of the 3.90 cfs. This new portion of the water right was given the number of 63-7610B. The transfer incorporated the condition that when 63-2724, 63-7610A, and 63-7610B are combined they will be limited to a total diversion rate of 3.90 cfs. The remainder of 63-7610 (now 63-7610A) and 63-2724 remained under the original owners name, which would make this condition feasible.

Water right 63-7610A has since been sold to new ownership and been split a few more times. A portion of 63-2724 has also been sold and split into separate ownerships.

CONCLUSION

The number of times these two water rights have been split, make monitoring all of these wells to ensure there is not an expansion of the diversion rate is impossible. Therefore, it has been proposed that we split the diversion rates into the well capacities developed with these rights. In order to do this we will need the cooperation of the Adjudication Staff to ensure all of the rights are distributed equally.

The well capacity developed under 63-2724 is 1.90 cfs, well capacity developed under 63-7610 was 2.00 cfs. Therefore the following calculations show the amount of water that can be allocated per acre:

$$\begin{aligned} 1.90 \text{ cfs} / 220 \text{ acres} &= 0.008636364 \text{ cfs/acre for water right 63-2724} \\ 2.00 \text{ cfs} / 200 \text{ acres} &= 0.01 \text{ cfs for water right 63-7610} \end{aligned}$$

There are few acres that are overlapped by both water rights. The amount of water allowed on those acres would be a combination of the two per acre rates.

The only problem faced with this scenario is how can we deal with the existing transfer for 63-7610B in the SRBA. The solution to this problem is to combine the above diversion rates for a portion of both rights for the 5 acres and reduce the diversion rate for the remaining lands under 63-2724. The following are the calculations for this exercise:

$$0.008636364 \text{ cfs/ac} + 0.01 \text{ cfs/ac} = 0.018636364 \text{ cfs/ ac} \times 5 \text{ acres} = 0.09 \text{ cfs for water right 63-7610B.}$$

$$0.008636364 \text{ cfs/ac} \times 5 \text{ acres} = 0.04 \text{ cfs should be removed from 63-2724}$$

$$0.01 \text{ cfs/ac} \times 5 \text{ acres} = 0.05 \text{ cfs should be removed from 63-7610}$$

Therefore 63-2724 will be reduced by 0.04 cfs for the 220 acres of ground.

$$1.90 \text{ cfs} - 0.04 \text{ cfs} = 1.86 \text{ cfs for water right 63-2724}$$

$$1.86 \text{ cfs} / 220 \text{ acres} = 0.008454545 \text{ cfs/acre for 63-2724}$$

Water right 63-7610B is listed at a diversion rate of 0.097 cfs; therefore, we may have to recommend this right for 0.097cfs with a condition similar to the following:

Due to splits in the original irrigation system, the maximum amount of water that is available for appropriation of this water right is 0.09 cfs.

Therefore, each split should be recommended with a diversion rate equal to the rate per acre proposed above. The annual volume should not be affected by the splits. The only change would be an adjustment of the amount of water diverted from each water right.

SECTION 22 T2N R2W ==>

SWSW

SESW

SWSE

SESE

40

40

40

40

40

NWNW

NENW

NWNE

NENE

20

40

40

40

40

40

11

2

63-2724A CLAIM

63-2724B CLAIM

63-7610A CLAIM

63-7610C CLAIM

63-10064 WR

63-2724 WR

63-7610A WR

63-7610C WR

SECTION 27 T2N R2W ==>

WELL FOR WATER RIGHT 63-2724

- 2 WELLS FOR WATER RIGHT 63-7610 AND SPLITS.
(PLEASE NOTE THAT 63-7610 AND 63-2724 SHARE THE SAME WELL IN THE NWNE S27)

SESW

SWNE

SENE

40

40

40

40

40

40

SESE

35

40

35

5

SWSW

SESW

SWSE

40

40

SCANNED

DEC 04 2002

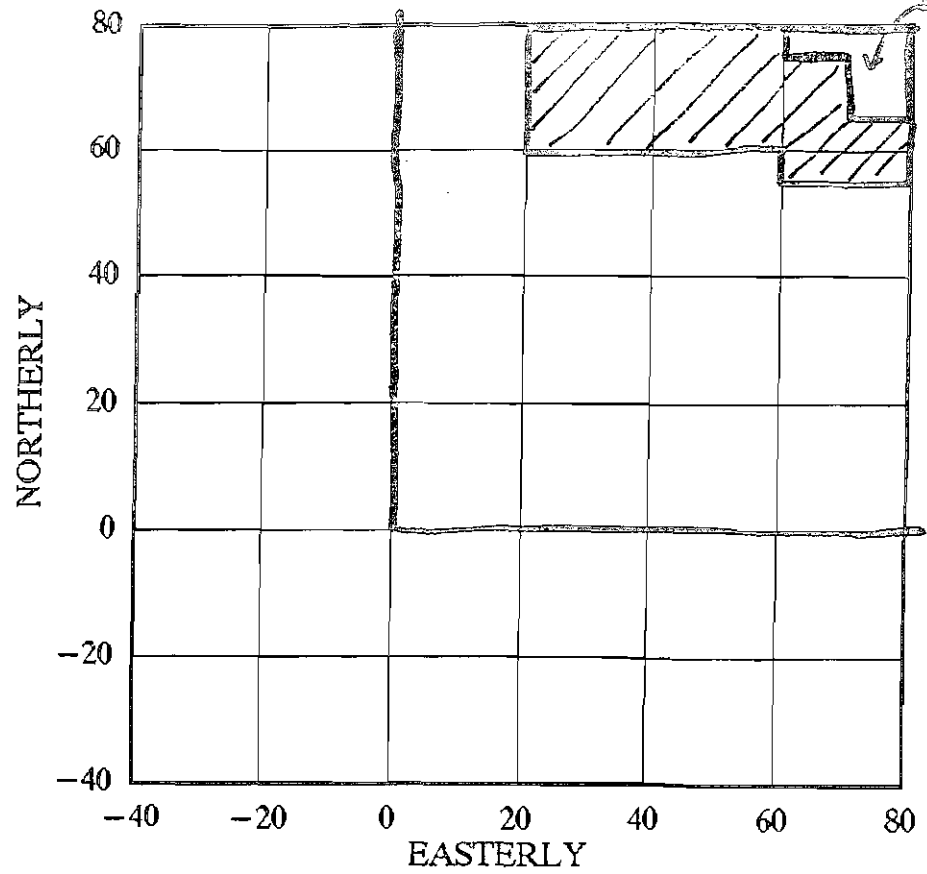
SCANNED

DEC 5 2002

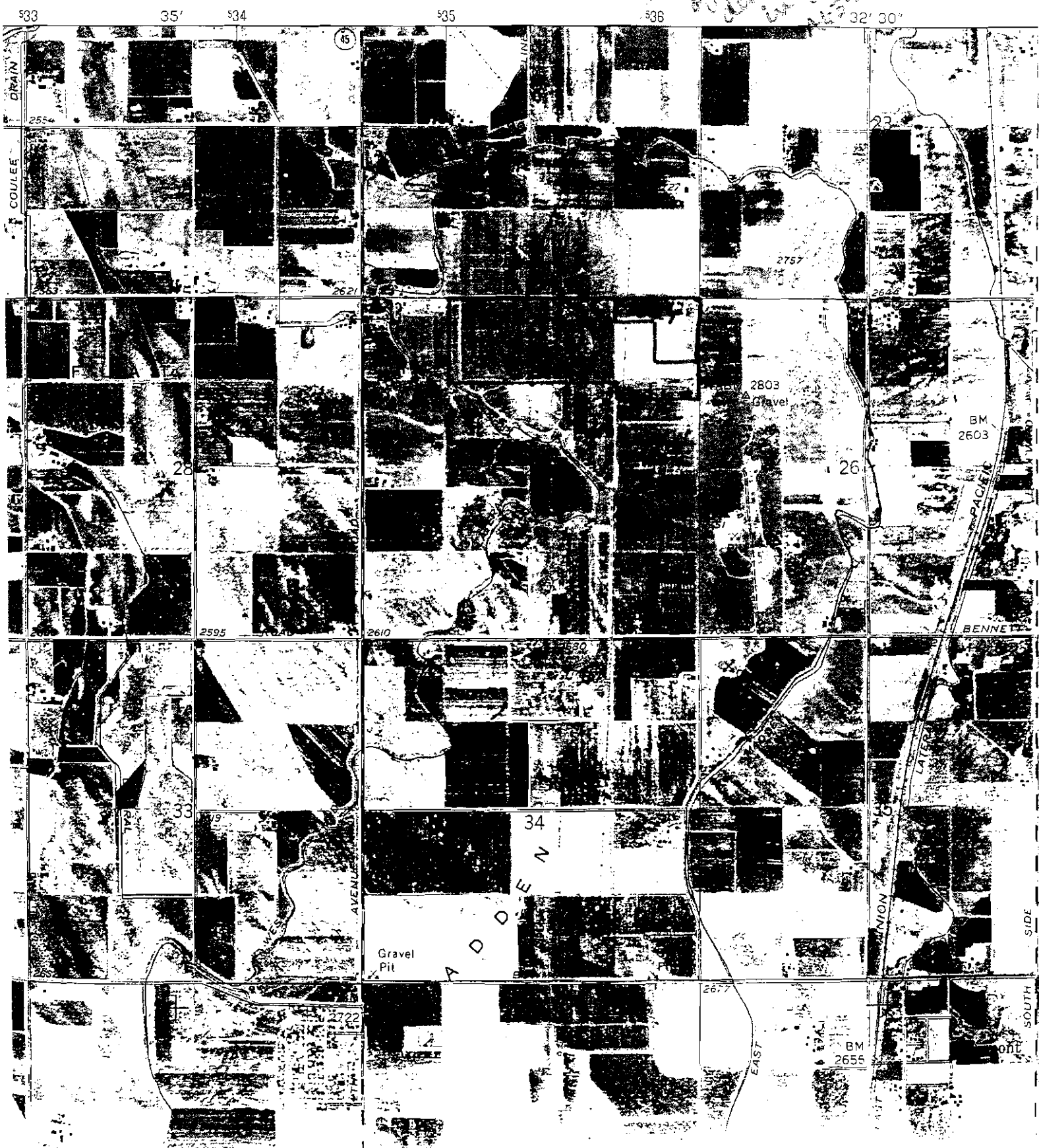
MEETS AND BOUNDS TABLE

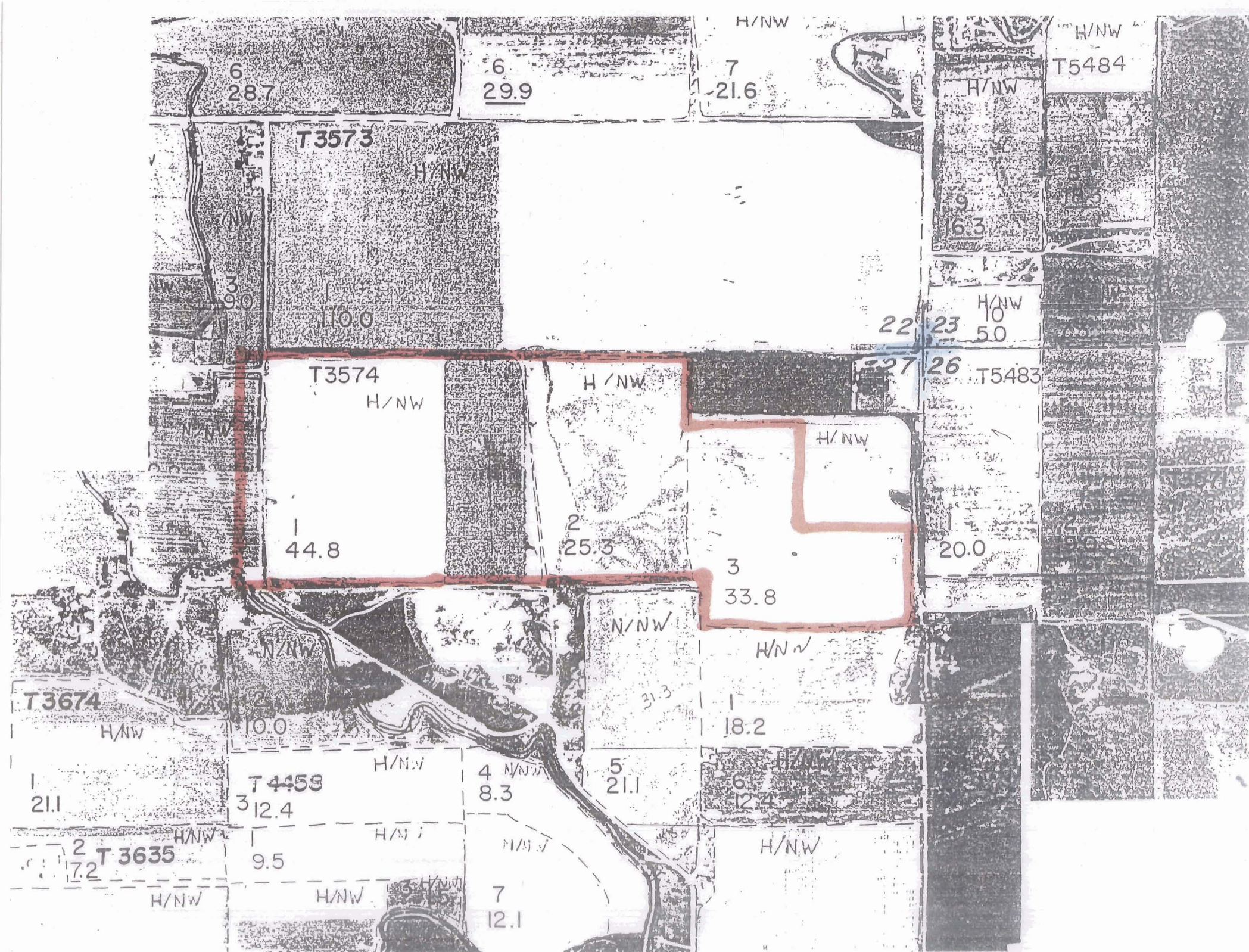
X-COR	Y-COR	ANGLE			BEARING	DIST (FT)
		DEGREES	MINUTES	SECONDS		
80.00	80.00					
60.00	80.00	90.00	0.00	0.00	NW	1320.00
60.00	75.00	0.00	0.00	0.00	SE	330.00
70.00	75.00	90.00	0.00	0.00	SE	660.00
70.00	65.00	0.00	0.00	0.00	SW	660.00
80.00	65.00	90.00	0.00	0.00	SE	660.00
80.00	80.00	0.00	0.00	0.00	NE	990.00

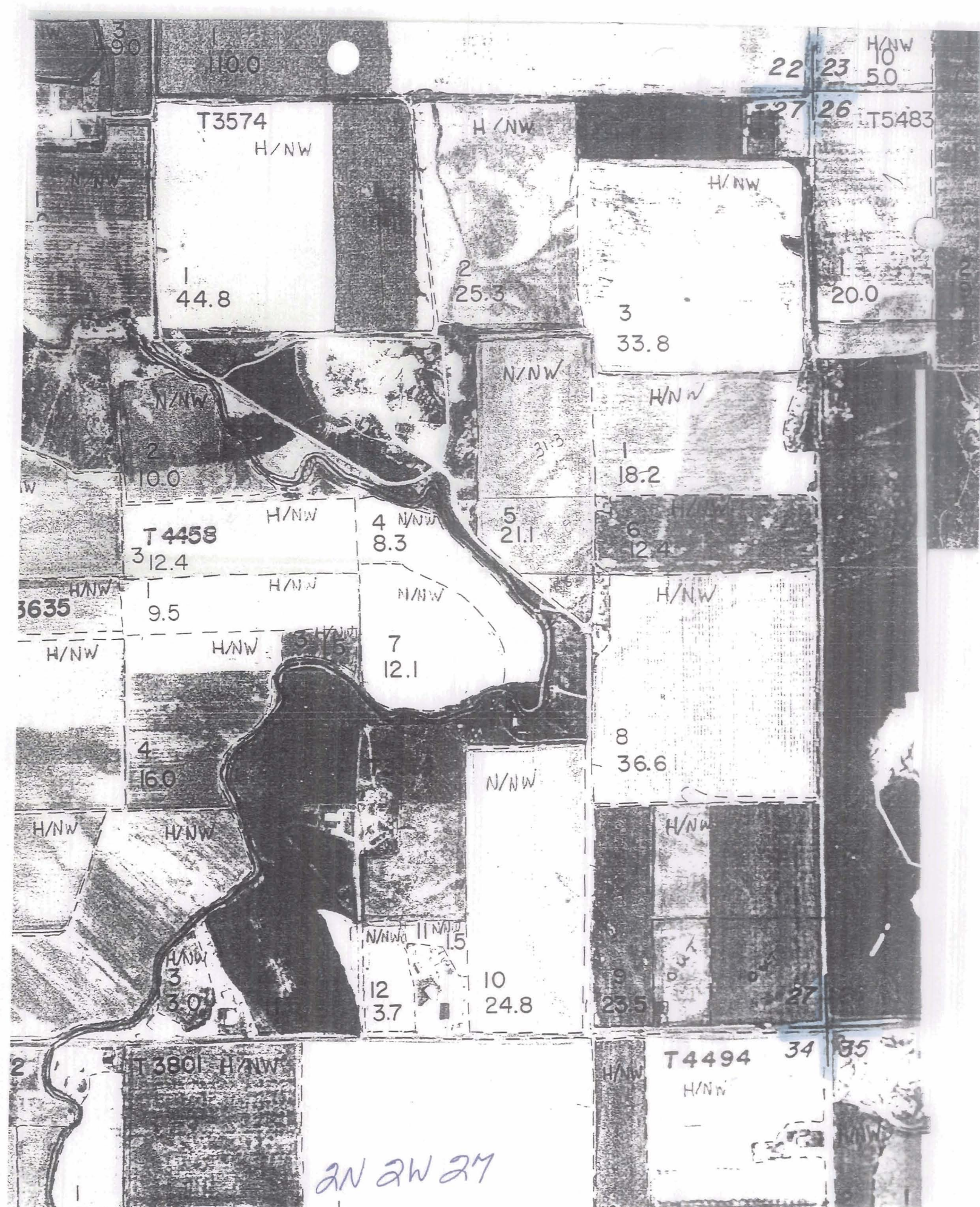
PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



36 32' 30"







ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A63-02724A

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

N/A
*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

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

VERIFICATION CODES

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

COMMENTS: _____

Water Right Number - 63-02724 *A*

Prefix Translation: WATER RIGHT

Old (D) Number - 20699 ✓

+ - - - - Last Name - - - - + + - First Name - - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
AGENBROAD

JAMES D.

1 - RT.3

2 -

3 -

City- NAMPA

Phone -

State- ID Zip- 83651

+ - - Priority Date - - +
10/12/1948 ✓+ - - Region - - - +
14 WESTERN+ - - Stage - - - +
L - LICENSE ✓

+ - - Status - - - - +

+ - - Source - - - - +
GROUNDWATER ✓

+ - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

02N ✓ 02W ✓ 27 ✓ NW NW NE ✓ (27) CANYON ✓

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION ✓

~~43 - DOMESTIC~~

3-15 11-15

~~1.900~~ 0.72

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

~~1.900~~ 0.72+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

~~02N~~	~~02W~~	~~22~~	~~SE SW~~	~~40.0~~	01	IRRIGATION	(27) CANYON
~~02N~~	~~02W~~	~~22~~	~~SW SE~~	~~40.0~~	01	IRRIGATION	(27) CANYON
~~02N~~	~~02W~~	~~22~~	~~SE SE~~	~~40.0~~	01	IRRIGATION	(27) CANYON
02N ✓	02W ✓	27 ✓	NW NE ✓	40.0 ✓	01	IRRIGATION	(27) CANYON
02N	02W	27	NE NW ✓	40.0 ✓	01	IRRIGATION	(27) CANYON
~~02N~~	~~02W~~	~~27~~	~~NW NW~~	~~20.0~~	01	IRRIGATION	(27) CANYON

Total Acres: ~~220.0~~ 80.

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

Water right number - 63-02724

Prefix Translation: WATER RIGHT

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +

00/00/0000

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 06/03/85 05/01/88

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 06/03/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 08/28/1979	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag -
Presumption Flag -		



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 8, 2006

Howard Mylander
11600 W. Floating Feather Rd
Star ID 83669

JAMES E. RISCH
Governor

KARL J. DREHER
Director

Re: Original Notice of Claim to a Water Right No. 63-2724A

Renumbered to Notice of Claim to a Water Right No. 63-32381

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

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

Thank you for your patience, as we have had several water right changes to process. If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

LG: lg