

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: A63-03138B
Date Received: 1/ 8/1990
Receipt No: W007436
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD L KINCHELOE 208-459-2857
Address: 20521 PEAR LANE
CALDWELL ID 83605
AND/OR
Name: STEPHANIE R KINCHELOE 208-459-2857
Address: 20521 PEAR LANE
CALDWELL ID 83605

2. Date of Priority: OCT 7, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	04W	9	NE	NW	NE		CANYON
			SE	SW	NE		CANYON

5. Description of diverting works:

TWO WELLS; 10" CASINGS; 240' DEEP; 20 HP AND 25 HP PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.740		

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

A.F.A.

8. Total consumptive use is 262.5 Acre Feet Per Annum.

9. Non-irrigation uses:

*see original claim
corrected address
this date - fw*

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	9	NW	NE		IRR	40.0
			SW	NE		IRR	35.0
Section Acres							75.0
Total Acres							75.0

← see correspondence concerning overfiling 7-8-04

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:
A63-08068

14. Remarks:
TRANS. 1952.

15. Basis of Claim: LICENSE
Water Right Number: 27580

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 _____

Water Right Number - A63-03138B Prefix Translation: ADJUDICATION CLAIM Old (D) Number - 27580

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

*** C - CURRENT OWNER ***
KINCHELOE

RICHARD L

1 - 20421 PEARL LANE

2 -

3 -

State- ID Zip- 83605

City- CALDWELL

Phone - 208-459-2857

STEPHANIE R

1 - 20521 PEAR LANE

2 -

3 -

State- ID Zip- 83605

City- CALDWELL

Phone - 208-459-2857

+ - - - Priority Date - - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
10/07/1958 14 WESTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - - - - - - +
Twn Rng Sec Tract Lot Rplg County03N 04W 9 NE NW NE (27) CANYON
SE SW NE (27) CANYON+ - - - - - - - - - - - - - - - Water Use - - - - - - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

03/15

11/15

0.740

+ - - - Total Div. Rate - + + - - - Total Div. Volume - + + - - - Total Consumptive Use - + + - - - KW Usage - +
0.740+ - - - - - - - - - - - - - - - Place of Use - - - - - - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

03N 04W

9

NW NE

40.0

01

IRRIGATION

(27) CANYON

Total Acres: 75.0

+ - - - Diversion Means - TWO WELLS; 10" CASINGS; 240' DEEP; 20 HP AND 25 HP PUMPS

+ - - - Non-Irrigation Use -

+ - - - Other Rights for Same Use - A63-08068

+ - - - - - - - - - - - - - - - Remarks - - - - - - - - - - +
TRANS. 1952.MICROFILMED
JUL 25 1994

Prefix Translation: ADJUDICATION CLAIM

| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 01/08/1990 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - W007436 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND/OR | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

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: A63-03138
Date Received: 1/ 8/1990
Receipt No: W007436
Received By: _____

*Rec'd from
SO 1-25-93*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: RICHARD L KINCHELOE
Address: 20521 PEAR LANE
CALDWELL ID

83605

208-459-2857

AND/OR

Name: STEPAHANIE R KINCHELOE
Address: 20521 PEAR LANE
CALDWELL ID

83605

208-459-2857

2. Date of Priority: OCT 7, 1958

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 03N | 04W | 9 | NE | NW | NE | | CANYON |
| | | | SE | SW | NE | | CANYON |

5. Description of diverting works:

TWO WELLS; 10" CASINGS; 240' DEEP; 20 HP AND 25 HP PUMPS

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.740 | | |

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

A.F.A.

8. Total consumptive use is 262.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A63-03138

Page 1

Date: 01/21/93

MICROFILMED

JUL 25 1994

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|---------------|-----|-------|
| 03N | 04W | 9 | NW | NE | | IRR | 40.0 |
| | | | SW | NE | | IRR | 35.0 |
| | | | | | Section Acres | | 75.0 |
| | | | | | Total Acres | | 75.0 |

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:
A63-08068

14. Remarks:
TRANS. 1952.

15. Basis of Claim: LICENSE
Water Right Number: 27580

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 63-3138Date Received 1-8-90Receipt Number W007436

RECEIVED

JAN 08 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Kincheloe Richard & Stephanie R. Phone (208) 459-2857Mailing Address 20521 Bear Ln. Caldwell, Idaho Zip 836652. Date of Priority (Only one (1) per claim) 10/7/19583. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 3N Range 4W Section 9,NE 1/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of canyonAdditional points of diversion if any: SE SW NE Sec 9 T3N R4W (2 pts)

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. 10 inch casing, 240 ftdeep, 20 HP @ 10 inch motor casing 240 ft deep 25 HP motorconnected together. Sprinkler irrigation
See map of project

MICROFILMED

JUL 25 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 11/15 amount 1.74 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.74 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 262.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) none

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 | 9 | | 40 | 35 | | | | | | | | | | | | | | 75 |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated 75

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.
63-8068 or None ()

14. Remarks:

See Transfer # 1952 for points of diversion

MICROFILMED

JUL 25 1994

Last Name Kincheloe Ident No. 63-3138

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

JUL 25 1994

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 63-3138

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) Richard L. Kinchloe Date 12/14/89

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 _____ of _____

Title

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 Idaho)

SS.

County of Canyon)

Subscribed and sworn (or affirmed) before me this 14 day of December 19 89

SEAL

Notary Public John K. Hoyer

Residing at 15470 Homedale Rd
Caldwell, Idaho 83605

My Commission Expires Sept 31, 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 Kinchloe Ident. Number 63-3138

Copies White-State, Yellow-Claimant

05/17/2006

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

RIGHT NUMBER: 63-3138B

NAME AND ADDRESS: RICHARD L KINCHELOE
20521 PEAR LN
CALDWELL ID 83605

STEPHANIE R KINCHELOE
20521 PEAR LN
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.540 CFS

Rights 63-8068B and 63-3138B when combined shall not exceed a total annual maximum diversion volume of 247.5 af at the field headgate, and the irrigation of 55 acres.

PRIORITY DATE: 10/07/1958

POINT OF DIVERSION:

T03N R04W S9 NENWNE 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 | 0.540 CFS |

PLACE OF USE: IRRIGATION Within CANYON County

| | | | | | |
|---------------|------|-------|---------------|------|-------|
| T03N R04W S09 | NWNE | 35.00 | T03N R04W S09 | SWNE | 20.00 |
|---------------|------|-------|---------------|------|-------|

55 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

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



Idaho Department of Water Resources

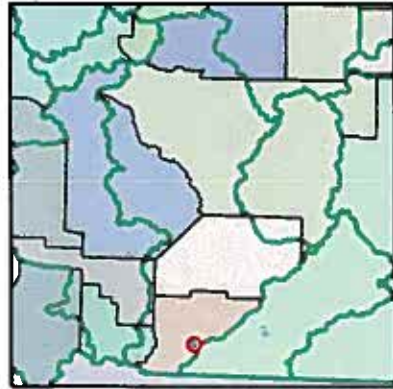
SRBA Recommendation:

63-3138B

Acres = 55

Legend

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



Canyon County
IDWR Basin 63



Prepared by K. Walker
On Wednesday, May 17, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3138B

WATER RIGHT NUMBER: 63-3138B

Owner Type Name and Address

Current Owner

RICHARD L KINCHELOE ✓
20521 PEAR LN ✓
CALDWELL, ID 83605 ✓
(208)459-2857 ✓

Current Owner

STEPHANIE R KINCHELOE ✓
20521 PEAR LN ✓
CALDWELL, ID 83605 ✓
(208)459-2857 ✓

Priority Date: 10/07/1958 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

TributaryBeneficial Use ✓

IRRIGATION ✓

From To

3/15 to 11/15 ✓

Diversion Rate

0.740 CFS ✓

Annual VolumeTotal Diversion:

0.740 CFS ✓

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4NW1/4NE1/4 ✓

Sec. 9, ✓ Twp 03N, ✓ Rge 04W, B.M. ✓

GROUND WATER

CANYON County

SE1/4SW1/4NE1/4 ✓

Sec. 9, ✓ Twp 03N, ✓ Rge 04W, B.M. ✓

well owned by Lodge/Nally

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|-----|-----|-----|------|------|----|----|----|----|----|----|----|----|----|----|--------|
| 03N | 04W | 9 | 40.0 | 35.0 | | | | | | | | | | | 75.0 ✓ |

Total Acres: 75

Conditions of Approval:

1. TRANS. 1952. ✓

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3138B

03/27/2006

1

| Right # | Type | Twp | Rge | Sec | QQ | Q | Lot | Purpose of Use | Acres/Total | Name |
|------------------|-------------|-----|-----|-----|----|----|-----|----------------|-------------|-----------------------|
| ~~1138B~~ | Claim | 03N | 04W | 9 | NW | NE | | IRRIGATION | 40/75 | RICHARD L KINCHELOE |
| ~~1068B~~ | Claim | 03N | 04W | 9 | NW | NE | | IRRIGATION | 40/75 | STEPHANIE R KINCHELOE |
| ~~3138~~ | Water Right | 03N | 04W | 9 | NW | NE | | IRRIGATION | 40/75 | ROBERT R PATTERSON |
| ~~8068~~ | Water Right | 03N | 04W | 9 | NW | NE | | IRRIGATION | 40/75 | ROBERT R PATTERSON |
| ~~21955~~ | Water Right | 03N | 04W | 9 | NW | NE | | DOMESTIC | | JAMES DYKE NALLY |
| ~~1138A~~ | Claim | 03N | 04W | 9 | SW | NE | | IRRIGATION | 35/35 | PATRICIA ANNE LODGE |
| ~~1138B~~ | Claim | 03N | 04W | 9 | SW | NE | | IRRIGATION | 35/75 | RICHARD L KINCHELOE |
| ~~1068A~~ | Claim | 03N | 04W | 9 | SW | NE | | IRRIGATION | 35/35 | PATRICIA ANNE LODGE |
| ~~1068B~~ | Claim | 03N | 04W | 9 | SW | NE | | IRRIGATION | 35/75 | STEPHANIE R KINCHELOE |
| ~~3138~~ | Water Right | 03N | 04W | 9 | SW | NE | | IRRIGATION | 35/75 | ROBERT R PATTERSON |
| ~~8068~~ | Water Right | 03N | 04W | 9 | SW | NE | | IRRIGATION | 35/75 | ROBERT R PATTERSON |
| ~~28548~~ | Water Right | 03N | 04W | 9 | SW | NE | | DOMESTIC | | EMANUEL ROHN |

OL w/ 63-8068B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:05:11
09/01/95

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A63-031388

LAST: KINCHELOE
ADDRESS: 20521 PEAR LANE
CITY: CALDWELL
PHONE NUMBER: 208-459-2857

FIRST: RICHARD L
STATE: ID ZIP: 83605

OWNER CODE: C

LAST: KINCHELOE
ADDRESS: 20521 PEAR LANE
CITY: CALDWELL
PHONE NUMBER: 208-459-2857

FIRST: STEPHANIE R
STATE: ID ZIP: 83605

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER
Y() N()

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: TRANS. 1952.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Richard Kincheloe

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 9/5/95

APPOINTMENT MADE: Y() N()

TIME: 10:00 A() P()

ACCOMPANIED BY: alone

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: same

DIRECTIONS TO PROPERTY / NOTES:

Down Hwy 55 to Sunny Slope - go approx. 14 miles - see sign on road pointing to Robinson Fruit Ranch - go to the office on corner of Pear Lane & Frost -

| | | |
|--|---------------------------|------------------|
| A. AJ CLAIM: # A63-031388 | PRIORITY DATE: 10-07-1958 | STAGE: L |
| B. WR RECORD: # 63-03138 | PRIORITY DATE: 10-07-1958 | STAGE: L |
| C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? | | Y(✓) N() |
| D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? | | Y() N(✓) |
| E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) | | Y() N(✓) |
| F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS? | | |
| PROOF OF BENEFICIAL USE SUBMITTED | | N/A() Y() N() |
| FIELD EXAM COMPLETED | | N/A() Y() N() |
| FIELD EXAM SENT TO STATE OFFICE | | N/A() Y() N() |
| LICENSE ISSUED | | N/A() Y() N() |
| * IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED. | | |
| G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? | | N/A(✓) Y() N() |
| * FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE. | | |
| H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? | | Y(✓) N() |
| NOTES: | | |

RECOMMENDED PRIORITY DATE:

10-07-1958 ✓

REVIEWED BY

DATE 9-8-95

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | 1/4 | 1/4 | 1/4 | 1/4 | POD
FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|------------|-----------|------|-----|-----|-----|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| A63-031388 | 03N 04W | 9 | NE | NW | NE | | | | | | CANYON | | |
| A63-031388 | 03N 04W | 9 | SE | SW | NE | | | | | | CANYON | | |

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
A63-03138A R PREFIX
A63-28548
A63-08068A
A63-08068B
A63-21955
A63-28548

WR RECORDS IN SAME 40 ACRE TRACT
63-08068

Nady-Das

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | 1/4 | 1/4 | 1/4 | 1/4 | POD
FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|----------|-----------|------|-----|-----|-----|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| 63-03138 | 03N 04W | 9 | SW | NW | NE | | | | | | CANYON | | |
| 63-03138 | 03N 04W | 9 | NW | NE | | | | | | | CANYON | | |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX
A63-03138A R PREFIX
A63-08068A
A63-08068B
A63-21955
A63-28548

63-08068

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA?

N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

Y() N()

A. ROOT WATER RIGHT NUMBERS: A63-031388
A63-03138A

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-----|-----|-----|-----|-----|-----|----------------------|-------------------|---------------|-----------------|----------------|------------------|
| 03N | 04W | 9 | NW | NE | | KINCHELOE, RICHARD L | A63-031388 / 40.0 | - | 39.0 | 30.8 | 30.8-35 |
| | | | NW | NE | | KINCHELOE, ROBERT L | A63-080688 / 40.0 | - | | | |
| | | | NW | NE | | NALLY, JAMES "DYKE" | A63-21955 / | - | | | |
| | | | NW | NE | | PATTERSON, ROBERT R. | 63-03138 / 40.0 | - | | | |
| | | | NW | NE | | PATTERSON, ROBERT R. | 63-08068 / 40.0 | - | | | |
| 03N | 04W | 9 | SW | NE | | KINCHELOE, RICHARD L | A63-031388 / 35.0 | - | 40.0 | 25.9 | 25.9-20* |
| | | | SW | NE | | ROHN, EMANUEL | R63-28548 / | - | | | |
| | | | SW | NE | | KINCHELOE, ROBERT L | A63-080688 / 35.0 | - | | | |
| | | | SW | NE | | LODGE, PATRICIA ANN | A63-08068A / 35.0 | - | | | |
| | | | SW | NE | | ROHN, EMANUEL | A63-28548 / | - | | | |
| | | | SW | NE | | NALLY, JAMES | A63-03138A / 35.0 | - | | | |
| | | | SW | NE | | PATTERSON, ROBERT R. | 63-03138 / 35.0 | - | | | |
| | | | SW | NE | | PATTERSON, ROBERT R. | 63-08068 / 35.0 | - | | | |

ADDITIONAL POU FOUND

20* ac owned by
Lodge/Nally-

55 per
ac.
view.
KW
5/17/06

TOTAL ACRES A63-031388 75.00 56.7 56.7

POU COUNTY: CANYON

Land in NENWNE (4.5 acres) receives Mora Canal
water only - no well water per claimant.
The 56.7 acres found irrigated from this
well also receives water under Rt. 63-02388-
U.S. Bureau of Reclamation - New York System.

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

may be claimed under #63-03183- see corres. of 9-7-95

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

| CLAIM NO. | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|-------------|----------------------|-----------|----------------|-----------|----------------|
| A63-031388 | GROUNDWATER | KINCHELOE, RICHARD L | 0.740 | 0.009 | | |
| A63-031388 | GROUNDWATER | NALLY, JAMES | 0.350 | 0.010 | | |
| A63-08068A | GROUNDWATER | LODGE, PATRICIA ANN | 0.350 | 0.010 | | |
| A63-08068B | GROUNDWATER | KINCHELOE, ROBERT L | 0.760 | 0.010 | | |

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|------------|---------------------|---------------------|-----------|--------|
| A63-21955 | DOMESTIC | NALLY, JAMES "DYKE" | FROM 01-01 TO 12-31 | 0.040 CFS | |
| A63-21955 | STOCKWATER | NALLY, JAMES "DYKE" | FROM 04-04 TO 12-31 | 0.050 CFS | |
| A63-28548 | DOMESTIC | ROHN, EMANUEL | FROM 01-01 TO 12-31 | 0.040 CFS | |
| A63-28548 | DOMESTIC | ROHN, EMANUEL | FROM 01-01 TO 12-31 | 0.040 CFS | |

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A63-08068

Surface water from Bureau of Rec. (63-02388) becoming using a remark saying so -

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

N/A () Y () N ()
N/A () Y () N ()
N/A () Y () N ()
N/A () Y () N ()

CHECK DOCUMENTS USED TO VERIFY POU: (X) ORTHOPHOTOQUAD, IDMR NO. X54; () TOPOGRAPHIC QUAD, IDMR NO. _____;

(X) NAPP, IDMR NO. X54 NW; (X) ASCS PHOTO; () OTHER _____

NOTES: Claimant showed me his place of use & location of wells on 9-5-95. Uses well in NWNE & one in SENE which had no claim filed - I relayed this to him in letter of 9-7-95 & gave him options to record use of that well in SENE.

RECOMMENDATIONS:

TOTAL ACRES: 56.7 N/A ()

REVIEWED BY: KW DATE: 9-8-95

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET

A. AJ CLAIMED USES:

| PURPOSE OF USE | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A63-031388 IRRIGATION | FROM 03-15 TO 11-15 | 0.740 CFS | |
| TOTAL DIVERSION RATE/VOLUME | | 0.740 CFS | |

B. WR RECORDED USES:

| PURPOSE OF USE | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 63-03138 IRRIGATION | FROM 04-01 TO 10-31 | 0.740 CFS | |
| TOTAL DIVERSION RATE/VOLUME | | 0.740 CFS | |

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(✓) N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(✓) N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y() N(✓)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(✓) N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(✓) N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(✓) N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N(✓)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(✓) Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y(✓) N()

Less acres irrigated now -

AJ CLAIM TOTAL DIVERSION RATE: 0.740 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.740 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A () Y () N ()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A () Y () N ()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y () N ()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y () N ()

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 56.7 x 0.02 CFS/ACRE = 1.134 CFS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y () N ()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y () N ()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 56.7 x DIVERSION VOL. AF/A FOR AREA =

TOTAL DIVERSION VOLUME 255.15 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 262.5 AF/A

ACRES 56.7 x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE 198.45 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

V₁ 55 ac x 4.5 = 247.5 ← when combined w/ 63-8068B
V₂ 0.54 cfs x 1.9835 x 260 days = 278.5

1b. CALCULATIONS

3.5 con
D 3-15 11-15
4.5 FH

Licensed amount =

0.74 cfs / 75 ac = 0.0098 cfs/ac

x 55 = 0.54 cfs

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

| REC.
PURPOSE OF USE | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|------------------------|------------------------|----------------------------|----------------------------|----------------------------|
| IRRIGATION ✓ | 03-15 ✓ 11-15 ✓ | DATABASE EXAMINER
0.740 | DATABASE EXAMINER
262.5 | DATABASE EXAMINER
262.5 |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| TOTAL FOR THIS RIGHT | _____ | 0.740 | _____ | 262.5 |

NON-IRRIGATION USES CLAIMED: ✗

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

Overlap with A63-08068B
& A63-02388

A. CHECK ONLY THE FOLLOWING THAT APPLY:

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 63-03138

DATABASE
0.740

TOTAL DIVERSION RATE OF WR SPLITS

EXAMINER _____

CFS

SPLITS:

| OLD RIGHT NUMBERS | CURRENT CLAIM NUMBERS | DIVERSION RATE | CURRENT "R" CLAIM NUM. | "R" DIV. RATE | WR RIGHT NUMBERS | DIVERSION RATE |
|-------------------|-----------------------|----------------|------------------------|---------------|------------------|----------------|
| - | - | - | - | - | - | - |
| - | - | - | - | - | 63-03138 | 0.740 |
| - | - | - | - | - | - | - |

TOTAL CFS

0.740

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
N

FIELD EXAMINER
Y() N()

NOTES:

Claims split between 2 ownerships -

AUTHENTICATION:

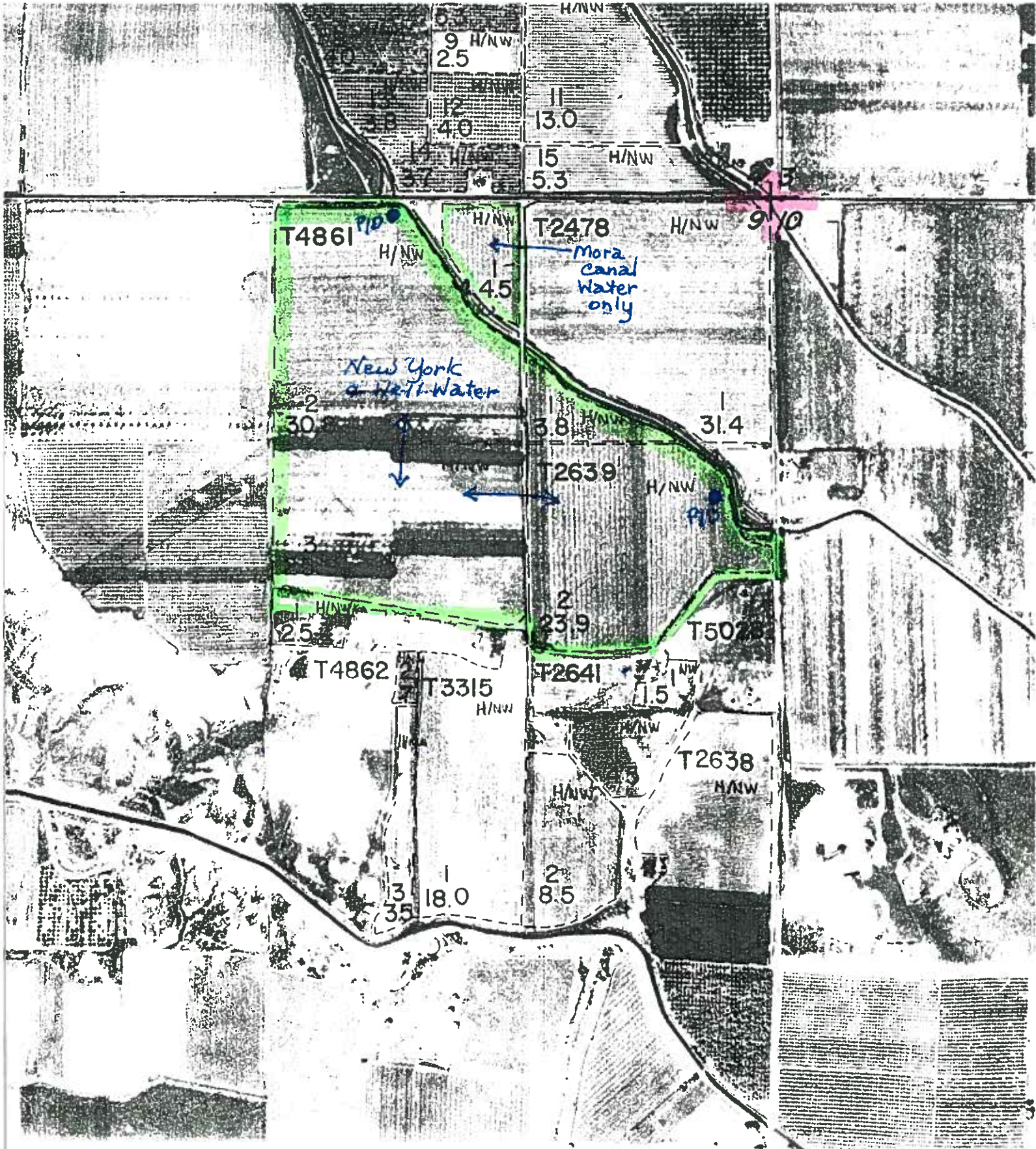
SIGNATURE: *Ray Walker* DATE: *5/17/00*

NAME OF FIELD EXAMINER: *Ray Walker* TITLE: *Sr. Agent*

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

| TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) | IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION | COPY INCLUDED IN FILE? |
|--|--|--|
| ☒ ORTHOPHOTOQUAD | DATE OF PHOTO <u>1971</u> IDWR ID NO. <u>X54</u> | Y(☒) N(☐) |
| ☐ TOPOGRAPHIC | DATE FIELD CHECKED _____ IDWR ID NO. _____ | Y(☐) N(☐) |
| ☒ NAAPP | DATE OF PHOTO <u>7-14-1987</u> IDWR ID NO. <u>X54 NW</u> | Y(☐) N(☒) |
| ☒ ASCS AERIAL PHOTO | DATE OF PHOTO <u>1987</u> | Y(☒) N(☐) |
| ☐ ASCS COLOR SLIDE | DATE OF PHOTO _____ | Y(☐) N(☐) |
| ☐ BLM OR USFS AERIAL PHOTO | DATE OF PHOTO _____ | Y(☐) N(☐) |
| ☐ TOWNSHIP SURVEY (GOVERNMENT PLAT) | DATE OF SURVEY _____ | Y(☐) N(☐) |
| ☐ SCS SOIL SURVEY MAP | DATE ISSUED _____ | Y(☐) N(☐) |
| ☐ SUBDIVISION PLAT MAP | DATE OF MAP _____ | Y(☐) N(☐) |
| ☐ OTHER _____ | DATE _____ | Y(☐) N(☐) |
| ☐ OTHER _____ | DATE _____ | Y(☐) N(☐) |
| ☐ OTHER _____ | DATE _____ | Y(☐) N(☐) |

| LIST OF ATTACHMENTS (CHECK IF ATTACHED) | IF ATTACHED, SUPPLY APPROPRIATE INFORMATION | NO. OF PAGES | NOTES |
|--|---|--------------|------------------|
| ☒ LICENSING FIELD EXAM | DATE OF FIELD EXAM <u>7-28-63</u> | <u>3</u> | |
| ☒ WATER RIGHT LICENSE | DATE LICENSE SIGNED <u>8-19-63</u> | <u>1</u> | |
| ☒ IDWR APPROVED TRANSFER | DATE TRANSFER APPROVED <u>2-27-74</u> | <u>4</u> | <u>added pld</u> |
| ☐ SYSTEM DESCRIPTION | DATE DRAWN _____ | | |
| ☐ PHOTOGRAPHS | DATE(S) PHOTOS TAKEN _____ | | |
| ☐ SPLIT RIGHT REVIEW | DATE REVIEW COMPLETED _____ | | |
| ☐ HUBBLE ANALYSIS | DATE ANALYSIS COMPLETED _____ | | |
| ☐ CONVEYANCE LOSS ANALYSIS | DATE ANALYSIS COMPLETED _____ | | |
| ☐ FLOW MEASUREMENT CALCULATIONS | DATE SYSTEM MEASURED _____ | | |
| ☐ OTHER _____ | DATE _____ | | |
| ☐ OTHER _____ | DATE _____ | | |



3N-4W-9



Identification No. 1952

Transfer No. 63-3138

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder Robert R. Patterson

Post office address Rt. #6, Caldwell, Idaho

2. Right obtained by:

a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____.

b. License No. 63-3138 issued by the State of Idaho, Department of Reclamation.

3. Source of water Groundwater tributary to _____
(Name of stream or source)

4. Date of Priority 10/7/1958

5. Amount of water a. .74 c.f.s. and/or
b. _____ acre feet/annum

6. Water is used for Irrigation from April 1 to Oct. 31
(Month, Day) (Month, Day)

7. Original location of point of diversion is SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9,
Township 3 N., Range 4 W., B.M., in Canyon County;

Additional points of diversion, if any _____

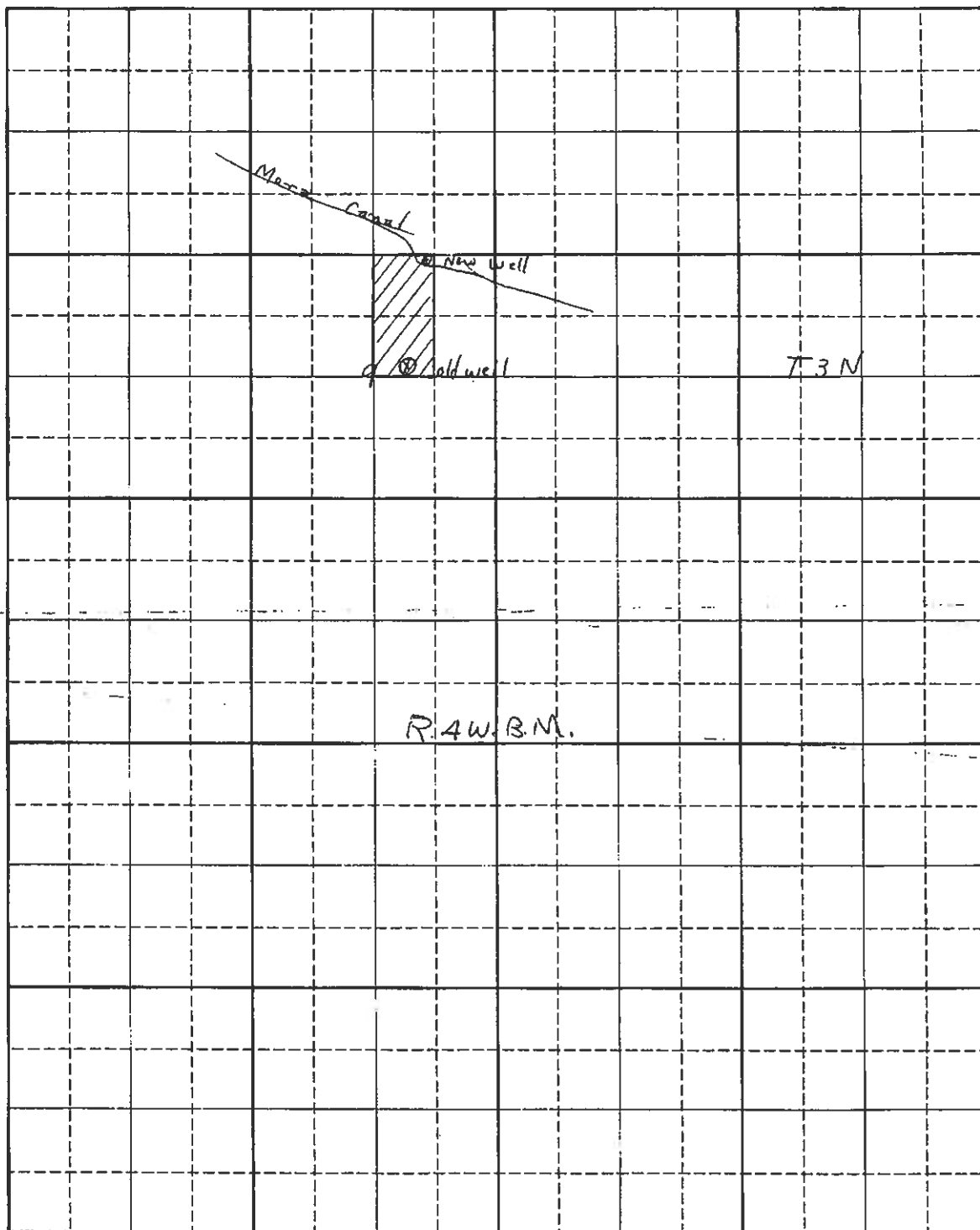
8. Lands presently irrigated or place of use:

| 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 $\frac{1}{4}$ | |
| <u>3 N.</u> | <u>4 W.</u> | <u>9</u> | | <u>40</u> | <u>35</u> | | | | | | | | | | | | | | <u>75</u> |
| | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | |

Total number of acres presently irrigated 75

63 3138

68 2/22



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: By purchase

10. CHANGE IN POINT OF DIVERSION

a. Quantity to be diverted at new point: .74 c.f.s. and/or acre feet

b. New point of diversion: NW SW $\frac{1}{4}$ NE NE $\frac{1}{4}$, Section 9, Township 3 N.
Range 4 W., B.M. (2 points)

c. Description of method of diversion and conveyance from new points of diversion: Pump & sprinkler system.

d. Is water to be conveyed to the lands previously irrigated? Yes X No _____.

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

Replacement well, however, both wells are used at times.

f. Do you intend to make the transfer permanent? Yes

9. Do you intend to abandon completely the old point of diversion? No

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE No Change

a. Describe the new lands on which you wish to use your right.

[illegible]

Total number of acres to be irrigated_____

b. Do you intend to make the transfer permanent? _____

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: _____

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Robert P. Peterson
 (signature of applicant)

Subscribed and sworn to before me this 30 day of January, 19 74

Phyllis J. Hilt
 (notary public)

My commission expires June 15, 1977

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 63-3138,
and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons: _____

Witness my hand this 27 day of February, 19 74

P. Keith Hilt
 Director
 Department of Water Administration

FOR DEPARTMENT USE ONLY

Received by R.W.H. Date 1-30-1974

Protest filed by: _____ Date _____

Prelim. check by R.W.H. Date 1-30-1974

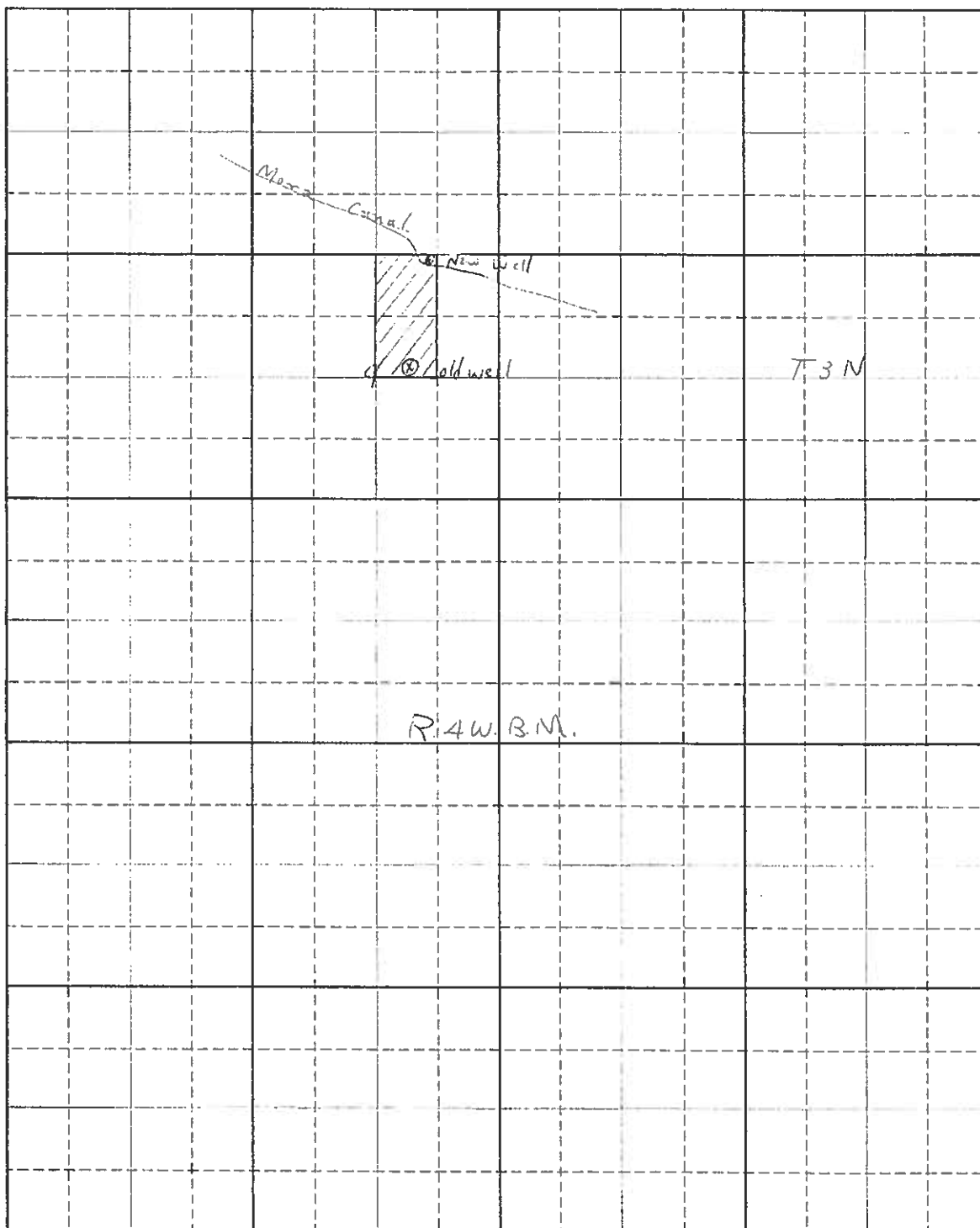
Fee received by ej Date 1/30/74 Fee \$ 30.00

Approved for publication by _____

Published in Des Moines Register Dates 2-7 + 2-14-74

Hearing held _____

Watermaster Recommendation sent _____



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

State of Idaho License and Certificate of Water Right

Water License No. G-27580 Amount .74 c.f.s.
Water District No. _____ Priority October 7, 1968

THIS IS TO CERTIFY that CHAP BURTON
of Caldwell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 7, 19 68; that Permit No. G-27580
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.74 second feet, was issued thereunder on August 19, 19 63, showing that said works
were completed on the 14th day of August, 19 62; and that on the 14th
day of August, 19 62,

CHAP BURTON

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 flow, for the purpose of irrigation
under Use Permit No. G-27580 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7671, on the 19th day of August, 19 63;
The right hereby confirmed dates from October 7, 19 68;
The Point of Diversion is located SW 1/4 Sec. 9, Twp 3 N., R. 4 W., B.M.

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ 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 .74 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. | 9 | NW 1/4 | 40 | 40 |
| | | | SW 1/4 | 35 | 35 |
| | | | Total number of acres to be irrigated: | | 75 |

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

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

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-27580

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

1. Name of applicant Chap Burton

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the SW 1/4 of Section 9
T. 3 N. R. 4 W. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: 50 H.P. H.E. Motor # YN 1120009 Perma water lifter pump # P 190556 3" x 260' column 14" x 420' casing h: 120' O.D. well depth 420' 8" check valve into 8" x 5' discharge pipe into 6" x 800' buried into 5" x 1000' surface mainline into 4" x 1000' of surface mainline

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):

SW 1/4, NW 1/4, lying south and west of the Mora Canal, Section 9, T. 3 N., R. 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. Chap Burton (owner) participated in examination measurement was made by taking pressure readings along each lateral 3 lines 45 nipples size 1/2"

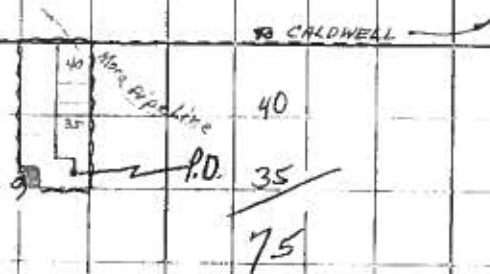
This examination was made on the 28th day of July, 1963

(Signed)

R. W. Helberg
Examiner.

R-4W.

T.
3
N.



Subdivisions 2

area 75 acres

Q 74 CFS or 37 inches

4-27580

Amended to F.P.A. Notify Clerk of
63-313

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

Application No. G- 35515
Permit No. G- 27580
District No.

Chap Burton
1660 Rim View Dr.,
Caldwell, Idaho

1. Name of Applicant: CHAP BURTON
Postoffice address: Caldwell County: Canyon State: Idaho
2. Quantity of water claimed: 2.4 cubic feet per second
(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
4. Location of point of diversion or well is in the SE 1/4 of the NE 1/4 of Section 9
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 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: well, pump and ditches
8. Estimated cost of works: \$ 11,000
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None, except 4.7 acres in SE 1/4 NE 1/4 under Wilder Irrigation District which is not used.
(a) 0.1 (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) 2.3 (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

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

/s/ Chap Burton
Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 10:00 A. M. October 7, 1958

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 27580

Recorded in Book 97 Page 27580 Approved October 15, 1958

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

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

Work to begin on or before

and to continue diligently and uninterruptedly to completion,

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

One-fifth of the work above specified to be completed on or before April 15, 1961

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before October 15, 1963

Witness my hand this 15th day of October, 1958

/s/ GEO. N. CARTER
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and JAS. H. YOUNG, 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 15th day of October, 1958

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ JAS. H. YOUNG

Secretary of State.

By /s/ ROBERT E. SMYLLIE

Governor

12.

| Twp. | Range | Sec. | NE 1/4 | | | NW 1/4 | | | SW 1/4 | | | SE 1/4 | | | Totals |
|--|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | | | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | |
| 3 N. | 4 W. | 9 | 7 | 33 | 40 | 40 | | | | | | | | 120 | |
| Application for Amendment
POINT OF DIVERSION
Permit No. G-27580 | | | | | | | | | | | | | | | |
| Comes now Chap Burton 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-27580. That the point of diversion is described in said Permit as being located: In the SE 1/4 of the NE 1/4 of Section 9, Twp. 3 N., Rge. 4 WEM | | | | | | | | | | | | | | | |
| That he now requests that the point of diversion be changed to a point located: In the SW 1/4 of the NE 1/4 of Section 9, Twp. 3 N., Rge. 4 WEM. | | | | | | | | | | | | | | | |
| That the reason for desiring to make such change is as follows: That the well drilled for the water being appropriated under this permit is located in the SW 1/4 of the NE 1/4 of Section 9, Twp. 3 N., Rge. 4 WEM., rather than the SE 1/4 of the NE 1/4, Sec. 9, etc. above. 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 11th day of June, 1962.
/s/ Chap Burton | | | | | | | | | | | | | | | |
| Date of Receipt at Department of Reclamation: July 13, 1962 | | | | | | | | | | | | | | | |
| APPROVAL OF STATE RECLAMATION | | | | | | | | | | | | | | | |
| I, Ralph W. Thomas, Deputy 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-27580. 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. | | | | | | | | | | | | | | | |
| Recorded: July 20, 1962 | | | | | | | | | | | | | | | |
| /s/ RALPH W. THOMAS, Deputy State Reclamation Engineer | | | | | | | | | | | | | | | |

Application for Amendment
LAND LIST
Permit No. G-27580

Comes Now Chap Burton, 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-27580, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

The SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ lying south and west of the Mora Canal, Section 9, Township 3 North, Range 4 West of the Boise Meridian, making a total of 73 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Caldwell, Idaho this 14th day of June, 1962

/s/ Chap Burton

Date of receipt at office of Department of Reclamation: July 13, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy 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-27580. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: July 20, 1962

CERTIFICATE OF COMPLETION OF WORKS ✓
Permit No. G-27580

TO ALL WHOM IT MAY CONCERN:

This is to certify that CHAP BURTON of Caldwell, County of Canyon, and State of Idaho, the holder of Permit No. G-27580, issued upon Application No. G-35515 bearing date of priority of October 7, 1958, authorizing the diversion of 2.4 second feet of waters of a well County of Canyon, State of Idaho, for irrigation purposes has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of 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 .74 second feet of the waters of a well from subterranean flow that the point of diversion of said waters SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T. 3 N., R. 4 W., B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 75 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, T. 3 N., R. 4 W., B.M.

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

/s/ RALPH W. THOMAS, Deputy
State Reclamation Engineer

Proof of Completion of Works Made: August 14, 1962

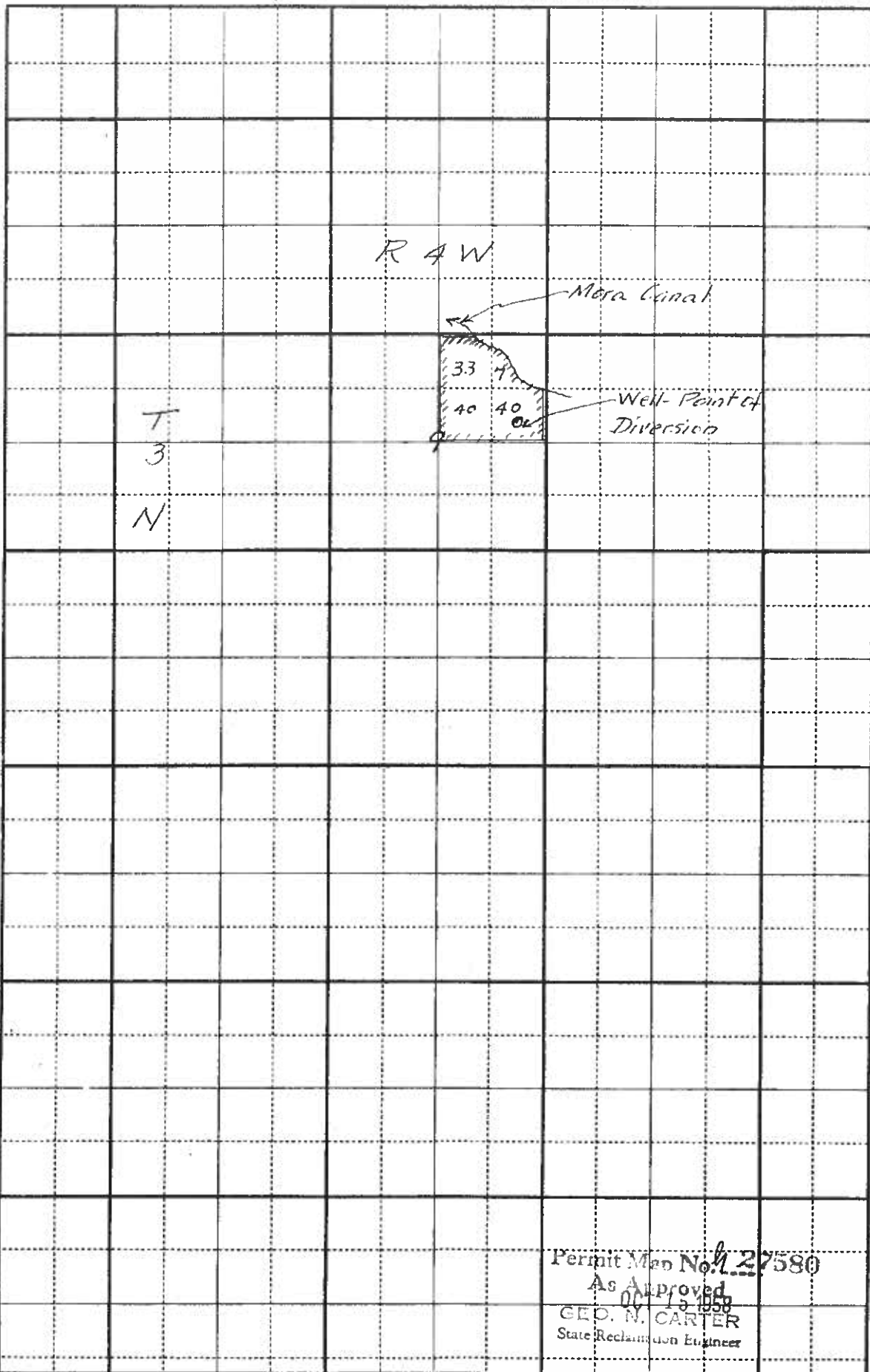
LICENSE ISSUED FOR 424 SEC. FL

page 7671

NAME OF APPLICANT

Chas. Burton

Form No. 0



Permit Map No. *27580*
 As Approved
 00 13 1950
 GEO. N. CARTER
 State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

27580

Receipt Details for ID W007436

| Status | Adjustment Type | Version |
|--------|------------------|---------|
| | Adjusted Receipt | 1 |

General Information:

| Date Received | Date Deposited | Region | Total Amount | Payment Type |
|---------------------|----------------|---------------------------|--------------|--------------|
| 1/8/1990 2:02:19 PM | 1/8/1990 | Western | \$831.00 | Check |
| Payer | | ROBISON FRUIT RANCH, INC. | | |

Account Information:

| Check # | Account # | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 20321 | | | |
| Card Expiration Date | Credit Card Transaction # | | |
| | | | |

Comment APPLICATION FOR PERMIT

Fee Detail:

| Amount | Description | PCA | Fund | Fund Detail | Subsidiary | Object |
|----------|------------------------|--------|------|-------------|------------|--------|
| \$801.00 | ADJUDICATION CLAIM FEE | 410162 | 9337 | 0 | 0 | 6490 |
| \$30.00 | 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 | 4234 | | \$25.00 | Claim |
| 63 | 28237 | | \$25.00 | Claim |
| 63 | 28238 | | \$25.00 | Claim |
| 63 | 28239 | | \$25.00 | Claim |
| 63 | 28577 | | \$25.00 | Claim |
| 63 | 28578 | | \$25.00 | Claim |
| 63 | 28579 | | \$25.00 | Claim |
| 63 | 28580 | | \$25.00 | Claim |

| | | | | |
|----|-------|---|----------|-------|
| 65 | 19669 | | \$56.00 | Claim |
| 63 | 10426 | | \$160.00 | Claim |
| 63 | 8428 | | \$210.00 | Claim |
| 63 | 8068 | B | \$125.00 | Claim |
| 63 | 3138 | B | \$50.00 | Claim |

75.
acres under
OK both

Print Report



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE

Governor

KARL J. DREHER

Director

July 8, 2004

Patricia Ann Lodge
18500 Symms Rd
Caldwell, ID 83605

Dear Ms. Lodge:

Per your visit in my office on June 10, 2004, the following was discussed and resolved:

Claim No. A63-3138A & A63-8068A – These claims were filed as a split of 63-3138 and 63-8068 for the 35 acres in the SW1/4NE1/4, Sec. 9, Twp. 3N, Rge. 4W. Upon review of the field exams conducted in 1963 (63-3138) and 1975 (63-8068) for licensing of these rights it was determined that there was a 5 acre non-irrigated outage in this 40 acre tract located in the SW corner of this 1/41/4. The tax records indicate that 20 irrigated acres in the N1/2 of this 1/414 are owned by Richard and Stephanie Kincheloe. Therefore, of the 35 irrigated acres licensed under these rights, this leaves 15 irrigated acres in the S1/2 of this 1/41/4 under yourself and your brother's ownership.

As you explained, there is an additional 18 acres irrigated prior to 1987 for a vineyard in the NW1/4SE1/4, Sec. 9, Twp. 3N, Rge. 4W directly south of the above 15 acres. Uses developed prior to 1987 can be processed under a new application. The enclosed application for permit from Lori Graves will cover this additional 18 acres. Please complete the enclosed blank form with attachments and return it to this office per Lori's notes.

Once this application is approved, barring any protests, your total water rights will be 15 acres in the SW1/4NE1/4, Sec. 9 under Claim Nos. 63-3138A and 63-8068A, plus 18 acres in the NW1/4SE1/4, Sec. 9 under the new application for a total of 33 acres of irrigation. These irrigated acres will be supplied from the well in the SW1/4NE1/4, Sec. 9.

If you have any questions concerning the filing of your application for permit, please contact Lori Graves for an appointment. Any questions concerning the split of the claims, please feel free to contact me.

Sincerely,

JAN SHURTE

Water Rights Supervisor
Adjudication Section

Enclosures

*The map in
63-8068A & 3138A
showing Kincheloe's
1/40 ad in the
NW1/4 & 30 ac in the
SW1/4. Lodge's have
remaining 15 acs
8068A
in SW1/4 under 3138A*



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

September 7, 1995

RE: Claims to Water Rights in the Snake River Basin Adjudication

Richard L. Kincheloe
20521 Pear Lane
Caldwell, ID 83605

Dear Mr. Kincheloe:

After reviewing the claims you have submitted in the Snake River Basin Adjudication and the lands you are presently irrigating with the wells you showed me, I found that the lands in the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 9, Twp. 3N, Rge. 4W, were not claimed as being irrigated from a well. I have highlighted this land on the enclosed copy of the ASCS photo that I obtained after meeting with you.

These lands were previously licensed under Right 63-03183 in the name of Emanuel Rohn. Right No. 63-03183 has not been claimed in the SRBA at this time. I have enclosed a copy of the license and field examination of that right for your information. I believe you may want to claim the portion of this right that is appurtenant to the lands you own. Right No. 63-03183 also covers the well you are using that is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9, Twp. 3N, Rge. 4W.

It appears to me that you have a least three options: 1.)file a SRBA claim on a portion of Rt. 63-03183 with a 1960 priority date; 2.)file an application for permit with a 1995 priority date; or 3.)discontinue using well water on this land and rely on your New York Irrigation District shares. Please contact me and let me know how you wish to protect your water use on this land.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

*Richard Kincheloe
will be in
on 9-18 to
file claim
on 63-03183.
per phone con
9-11-95. KW*

I apologize for any inconvenience, however, in order to protect your water rights, the Notice of Claims must be accurate. If you would return this letter by September 15, 1995, we will proceed with the necessary corrections. Please do not hesitate to contact this office if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with a large loop at the end of the last name.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

Part

Water Right Number - 63-03138B

Prefix Translation: WATER RIGHT

*** C - CURRENT OWNER ***

ROBERT R.

1 - RT. 6

State- ID Zip- 83605

City- CALDWELL

*** O - ORIGINAL OWNER ***

CHAP

1 -

State- Zip-

City- Phone

Priority Date - 10/07/1958 - Region - 14 WESTERN - Point of Diversion - Stream Index (Blank if no Index Code) -

Source - GROUNDWATER - Tributary -

Diversion Rate - 0.740 - Diversion Volume -

Code - 01 - IRRIGATION -

Period From - 04/01/15 - Period To - 10/31/15 -

Total Div. Rate - 0.740 - Total Div. Volume - 75.0 -

Tract - NW NE - 9 - Acres - 40.0 -

Tract - SW NE - 9 - Acres - 35.0 -

Place of Use - 01 IRRIGATION -

Place of Use - 01 IRRIGATION -

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Remarks -

TRANS. 1952.

differences are circled

