

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: **A63-02684C**
Date Received: 1/23/1991
Receipt No: X777777
Received By: _____

AMENDED

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

AMENDED

1. Name: ANDY WARD 208-465-5101
Address: 10497 LAKESHORE DR
Nampa ID 83686

AND/OR

Name: CARLA WARD 208-465-5101
Address: 10497 LAKESHORE DR
Nampa ID 83686

2. Date of Priority: FEB 23, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	02W	17	NW	SE			CANYON

5. Description of diverting works:
WELL, 110' DEEP, 8" CASING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.160		45.00

7. Total Quantity Appropriated is:
0.160 C.F.S. (and/or) 45.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	02W	17	NW	SE		IRR	10.0
Section Acres							10.0
Total Acres							10.0

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 IRR. DISTRICT, 52.34 ACRES ASSESSED

14. Remarks:

RECEIPT NO. W008770 COVERS PARTIAL ACREAGE PAID BY GENE HAYES FOR CLAIM NUMBER A63-02684.

THIS CLAIM IS A RESULT OF TRANSFER NO. 4340, APPROVED 07/11/1994.

15. Basis of Claim: LICENSE

Water Right Number: 20318

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4340
WATER RIGHT NO. 63-02684B

✓ Carter
✓ Roxanne
— Western AS

RECEIVED

AUG 11 1994

WATER RESOURCES
WESTERN REGION

This is to certify that: **ANDY WARD**
CARLA WARD
10497 LAKESHORE DR
NAMPA ID 83686

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.16 CFS	45.0 AF

SOURCE

GROUNDWATER

Priority: 02/23/1948

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 17, Township 02N, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N 02W 17	NWSE 10			10
Total number of acres irrigated:				10

CONDITIONS/REMARKS:

- 046 1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 132 2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
- 107 3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- 108 4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- 109 5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

TRANSFER NO. 4340
WATER RIGHT NO. 63-02684B

CONDITIONS/REMARKS:

Dated this 11th day of

July, 1994.

J. Blum Saylor

Chief, Water Alloc. Bureau

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4346

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

JUN 18 1994

Department of Water Resources

Name of applicant Andy & Lu Clark Ward Phone 465-5101Post Office address 10497 Lakeshore Dr. Nampa ID 83856A. PURPOSE OF TRANSFER - See memo (Attachment A)

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes New owner will make use of an existing domestic well (see Remarks) to serve as new diversion for owner's share of licensed right appurtenant to property.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-02684C</u>	<u>2/23/1949</u>	<u>.125 cfs</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>

2. Total amount of water being transferred .125 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
-		NW	SE	17	2N	2W	Canyon	NEW WELL

5. Lands irrigated or place of use:

NO CHANGE - SEE PART 2, 83

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
* 2N	2W	17															10		10

* These are the Applicant's 10 acres listed by:

Total acres 10

Page 2 of 6

Transfer No. _____

PART 1

6. General Information:

a. Description of diversion system 8" well, pump & sprinkler

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

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

NO change in place of use acres

d. Remarks:

Proposes use of well recently drilled per 63-94-W-0162-000.
Balance of irrig. drilling permit fee will need to be paid (\$200 - \$35 = \$165).

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 61-02684

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	2.00 CFS
DOMESTIC	to	
	Totals	2.00 CFS

SOURCE

GROUNDWATER

Priority: 02/23/1948

LOCATION OF POINT(S) OF DIVERSION:NWSE , Sec. 17, Township 02N, Range 02W
CANYON CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N 02W 17	NESE 40	NWSE 40	SWSE 40	160
	SESE 40			160
	Total number of acres irrigated:			160

PLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

1. TO GLEN COPENHAVER; 33 INCHES PRIMARY TO NWSE.
2. 17 INCHES SUPPLEMENTAL TO NESE.
3. TO J. P. HAYES; 40 INCHES PRIMARY TO S1/2 SE1/4.
4. 10 INCHES SUPPLEMENTAL TO S1/2 SE1/4.

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
In case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 63-02684 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____4. Date or priority 2/23/1948

5. Water is used for the following purpose:

amount 2.00 cfs for Irrigated purposes from undefined to _____
(cfs/ac-ft)
amount undefined for Domestic purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.00 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	17	2N	2W	CANYON	

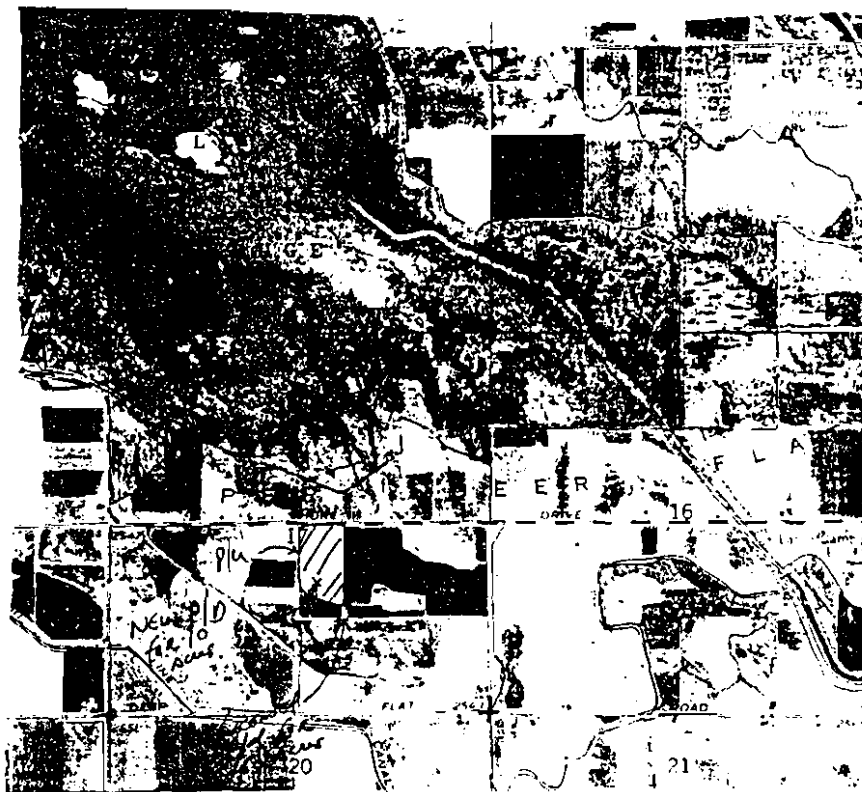
8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	2W	17													40	40	40	40	160

Total acres 1609. Describe any other water rights used for the same purpose as described above NAMPA-MERIDIANIrrig. Distrit WATER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

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



Geological Survey
pared from 1:80,000 scale aerial
July 8, 1981
0 foot grid ticks - white
west zone

T2N
R2W
S. 17
NWSE, No govt lots

$$III = 63.22684^\circ C$$

(uncal)

SCALE: 2 inches equal 1 mile. Draw plan in ink.

Page 6 of 6

Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

N/A

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

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

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

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

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

x Carla Ward

(Signature of Applicant)

Subscribed and sworn to before me this 18th day of April, 19 94.

Lois Granger

(Notary Public)

My commission expires 6/18/98

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments
Received by RL Date 4-18-94 Protest filed by _____
Prelim. check by RL Fee \$30 W017373
Receipted by RL Date 4-18-94
Published in Mississippi Tribune Copies of protest forwarded by _____
Pub. dates May 4, 11, 1994 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial
_____ rec'd. _____ by DPS
Copy of transfer sent to lien holder _____

MEMORANDUM

TO: FILE

FROM: STEVE LESTER

DATE: APRIL 20, 1994

RE: TRANSFER APPLICATION FOR 63-02684C (WARD)

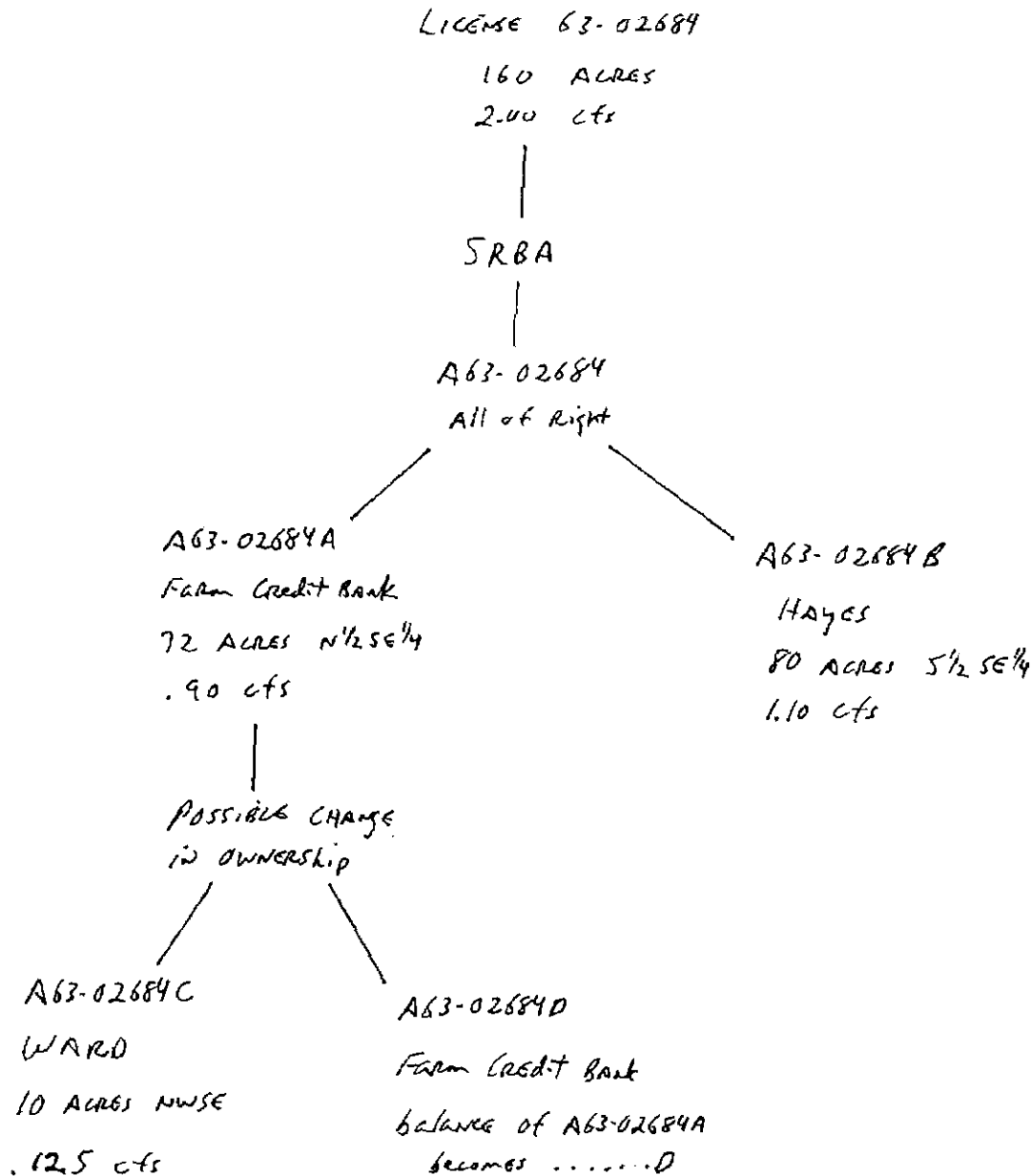
This is a memo of explanation. The applicants bought ten acres in NWSE S17 and recently drilled a domestic well under drilling permit 63-94-W-0162-000. They now wish to use the well for irrigation of their portion of the original P/U of license 63-02684.

The land has been irrigated by a supplemental¹ well located southeast of the Ward's new home. Because they will use their own well for their acres but not the old well, the transfer has been shown as a change in P/D for ten acres rather than an additional P/D.

After the protest deadline but before the region forwards the file to the S.O., the applicants will pay the outstanding balance for an irrigation well drilling permit (\$200-\$35 = \$165 owed). The applicants are aware of this and will be contacted by the regional reviewer.

Regarding the number shown on page 1 of the application, some explanation is needed. Suffix C was used due to SRBA complications and to avoid a water right suffix not agreeing with a SRBA suffix. See the attached flowchart for a pictorial view of the scenario. Basically, the entire license was claimed and then split into two parts (A and B). The Wards bought ten acres listed under A63-02684A (Farm Credit Bank). Thus, claim A will be split now or in the future into C (Ward) and D (Farm Credit Bank). The SRBA change in ownership process can be worked out between the two parties outside of the scope of this transfer. Claim B refers to separate land in the S 1/2 SE 1/4 S17 (Hayes), thus the typical transfer split into A and B would result in unnecessary confusion.

1. Appears that license supplements irrigation district water per SRBA claims but water right remarks indicate that 63-02684 has been primary right on land bought by Wards. Applicant stated during office visit that ditch water has not been available to the acres for some undetermined time, thus it is unclear if well use is supplemental or not for the ten acres - appears that it is not.



NOTE: split will occur automatically per transfer process, then bank can correct that situation if have legal concerns.

AUG 04 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: A63-02684A
Date Received: 1/23/1991
Receipt No: W012954
Received By: LC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FARM CREDIT BANK OF SPOKANE 208-459-4677
Address: C/O DANIEL R. HUFF
P.O. BOX 310
CALDWELL, ID 83606

2. Date of Priority: FEB 23, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	02W	17	SE	NW	SE		CANYON

5. Description of diverting works:
80' DEEP, 25 HP PUMP, GRAVITY & SPRINKLER IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.900		

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

8. Total consumptive use is 252.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	02W	17	NE	SE		IRR	32.0
			NW	SE		IRR	40.0

~~W012954~~

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	72.0
					Total Acres	72.0

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 IRR. DISTRICT, 52.34 ACRES ASSESSED

14. Remarks:

RECEIPT NO. W008770 COVERS PARTIAL ACREAGE PAID BY GENE HAYES FOR
CLAIM NUMBER A63-02684.

15. Basis of Claim: LICENSE

Water Right Number: 20318

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)
) SS.
County of _____)

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576

Ident. Number

A 63-02684

Date Received

1-23-91

Receipt Number

W012954

RECEIVED
JAN 23 1991

Department of Water Resources
Western Regional Office

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

RECEIVED
JAN 23 1991

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Farm Credit Bank of Spokane Phone (208) 459-4677Mailing Address P.O. Box 210, Caldwell, Id Zip 836062. Date of Priority (Only one (1) per claim) Feb 23, 19483. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 2N Range 2W Section 17,
SE 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Canyon

Additional points of diversion if any: _____

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.80' deep, 25 h.p. pump, Gravity and sprinkler irrigation.**MICROFILMED**AUG 13 1992

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 0.90 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.90 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 252 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	
2N	2W	17													32	40			72

Total number of acres irrigated 72

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.

Nampa Meridian Irrigation District, 52.34 acres Assessed or None ()

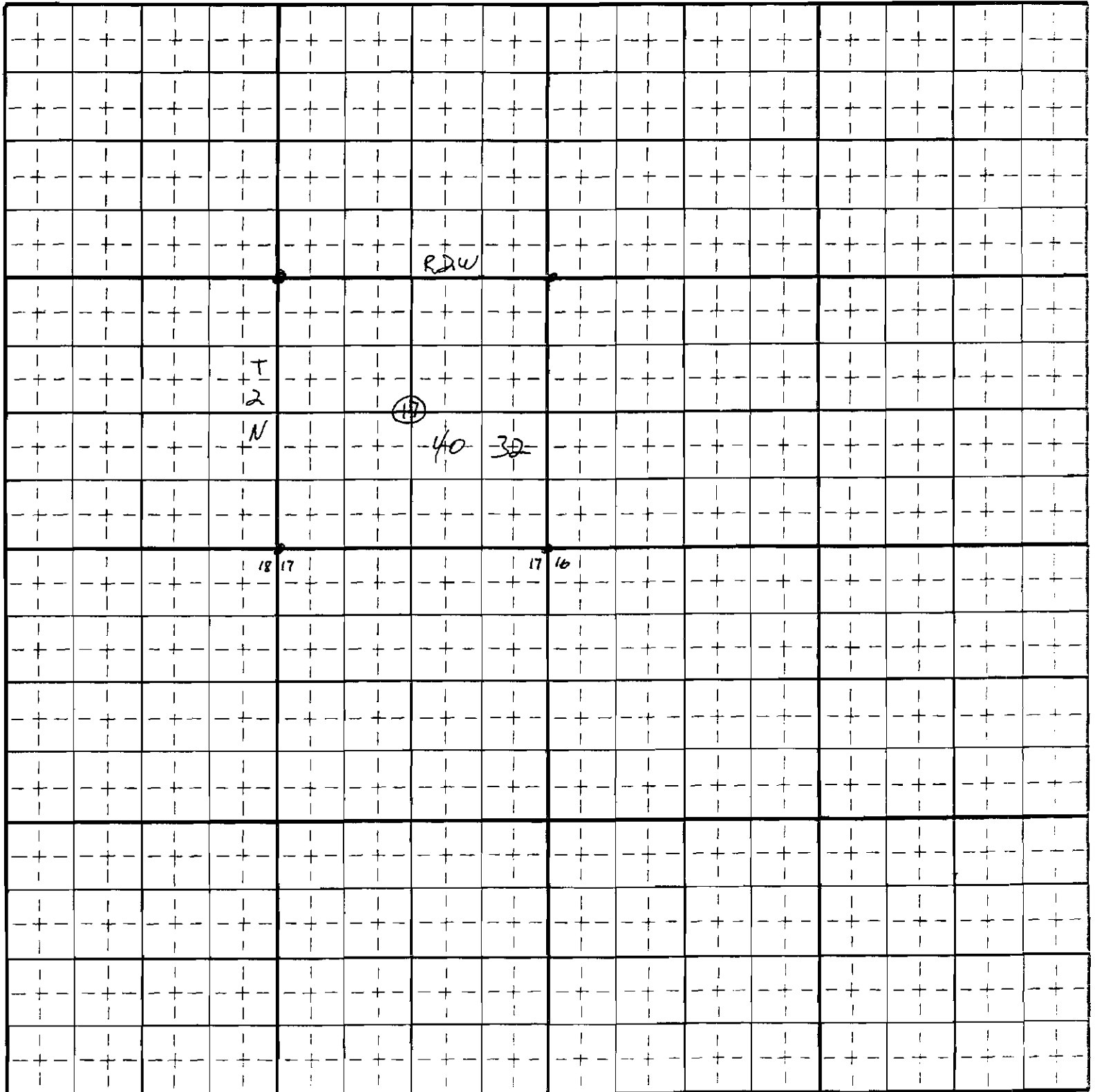
14. Remarks:

List Name _____ Ident No. _____

Copies: White - State, Yellow - Claimant

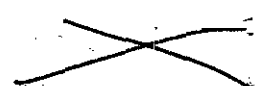
Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

Copies: White-State, Yellow-California



15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number A63-02684
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Authorized Agent
Title
of Farm Credit Bank of Spokane , that I have signed the foregoing
Organization
document in the space below as Authorized Agent of Farm Credit Bank of Spokane
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Daniel R. Huff
Title and Organization Authorized agent Date 1/14/91

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

Subscribed and sworn (or affirmed) before me this 14th day of January 19 91

SEAL

Notary Public Shirley L. Harris

Residing at Tampa, Idaho

My Commission Expires 7-28-94

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.

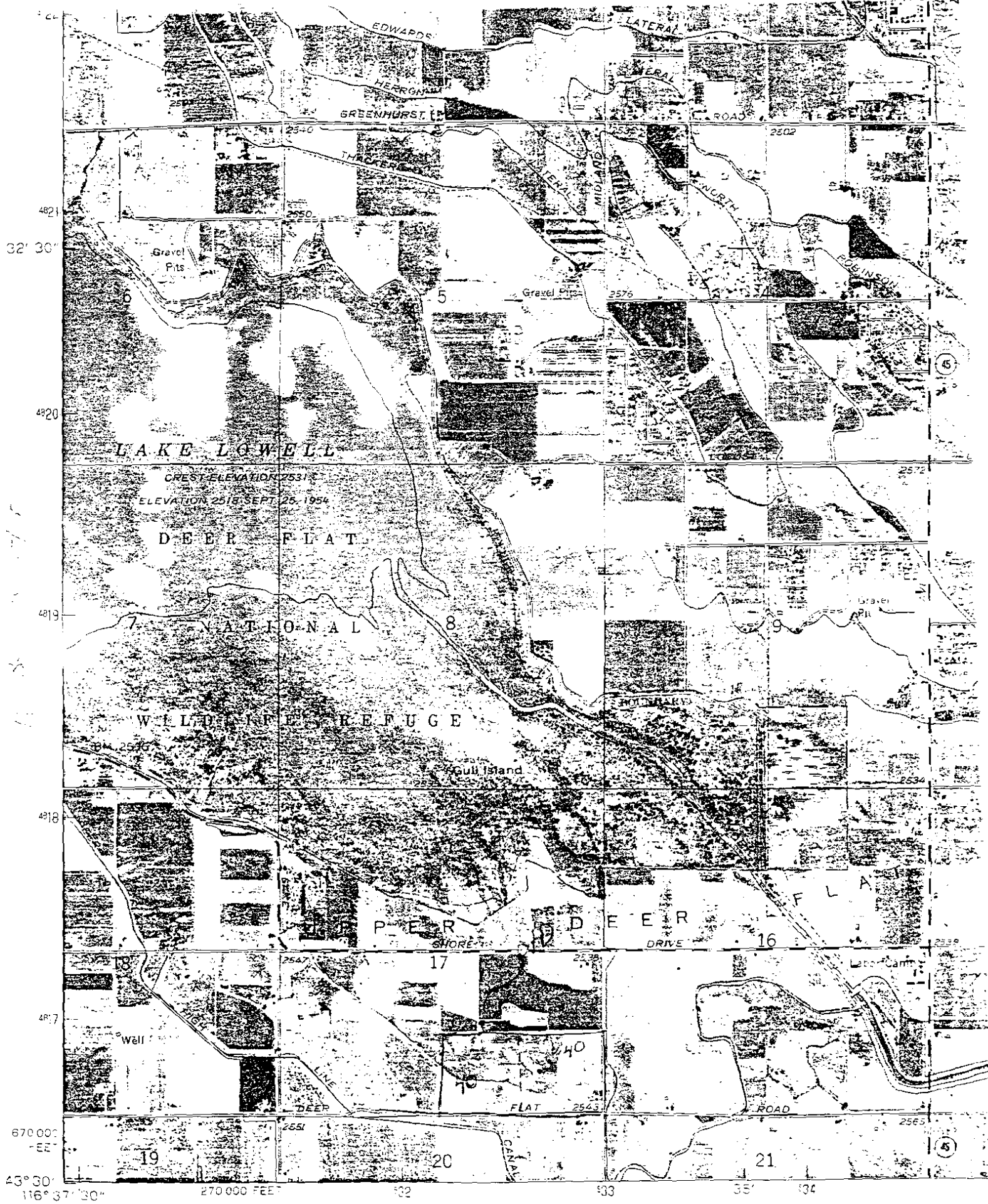
Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

~~WITNESSES~~
Copies White-State, Yellow-Claimant



Produced by the Geological Survey

Orthophotograph prepared from 1:80 000-scale aerial
photographs taken July 8, 1981

Projection and 10,000-foot grid ticks: Idaho
coordinate system, west zone



Water Right Number - 63-02684

Adj. Flag Translation: WATER RIGHT

Old (D) Number - 20318

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

*** C - CURRENT OWNER ***

COPENHAVER

GLENN

1 - RT. 4

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone -

1 -

2 -

3 -

City-

State- Zip-

Phone -

HAYES

J. P.

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
02/23/1948 14 ERROR IN REGION L - LICENSE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

02N 02W 17 NW SE (27) CANYON

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

01 - IRRIGATION
43 - DOMESTIC

72 Ac: 0.90

2.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
2.000 3.2 88 Ac 1.1 cfs @ 80 Ac

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

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02N	02W	17	NE SE		40.0	01	IRRIGATION	(27) CANYON
			NW SE		40.0			(27) CANYON
			SW SE		40.0			(27) CANYON
			SE SE		40.0			(27) CANYON

C. U. 280

Total Acres: 160.0

+ - - Diversion Means -
- - Non-Irrigation Use -
- - Other Rights for Same Use -

63-2388 Dept. of Interior - x16

NOTED
10-10-1987

Water right number - 63-02684

Adj. flag translation: WATER RIGHT

+ - - - - Remarks - - - - - +
TO GLEN COPENHAVER: 33 INCHES PRIMARY TO NWSE.
17 INCHES SUPPLEMENTAL TO NESE.
TO J. P. HAYES: 40 INCHES PRIMARY TO S1/2 SE1/4.
10 INCHES SUPPLEMENTAL TO S1/2 SE1/4.

+ - - - - Conditions of Approval - - - - - +
016 - See remarks for additional conditions of approval.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

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

+ - - Audit Fields -

+ - - - - 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
Start Work Date	- 00/00/0000	Verified Date	- 05/20/1985	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				

~~MICROFILMED~~
~~APR 18 1992~~

③ PC025.

RE-RECORDED TO ADD LEGAL

INSTRUMENT NO. 9022293

INSTRUMENT NO. 9022380

NONMERGER WARRANTY DEED IN LIEU OF FORECLOSURE

FCB Loan No. 8267

Prior Loan No. 182862-3

Until a change is requested,
all tax statements shall be
sent to the following address:

Farm Credit Bank of Spokane
c/o Farm Credit Services
P. O. Box 279
Ontario, OR 97914

THIS DEED, made this 19 day of November, 1990, between Gerald T. Copenhaver and Phyllis V. Copenhaver, husband and wife, the Grantors, and FARM CREDIT BANK OF SPOKANE, a corporation chartered under the laws of the United States, (FCB) successor by merger to The Federal Land Bank of Spokane, a corporation formerly chartered under the laws of the United States, whose mailing address is West 601 First Avenue, TAF-C5, Spokane, Washington 99220, the Grantee,

WITNESSETH, that for and in consideration of the covenants hereinafter contained, the avoidance of the costs and expense of foreclosure litigation, the payment by Grantee of all title insurance premiums and recording and transfer fees, costs and expenses, and other good and valuable consideration, the Grantors do by these presents grant, convey and warrant forever unto the Grantee, and to its successors and assigns, all the property described on Exhibit "A" attached hereto and incorporated herein.

ALL SITUATE IN County of Canyon, State of Idaho, subject to
pe rights of way and easements for roads, utilities and
HYC irrigation ditches as same exist or appear of record, unpaid
RH real property taxes, and mortgage to Grantee dated March 21,
1980 and recorded March 26, 1980.

TOGETHER WITH all water and water rights of every kind and description and however evidenced, used upon or appurtenant to said property, which in any manner entitle Grantors to water.

TOGETHER WITH any and all tenements, hereditaments, easements, rights, privileges and appurtenances thereunto belonging or used in connection therewith, and the reversions, remainders, rents, issues and profits thereof.

TOGETHER WITH the following described personal property:
1/2 undivided interest in a 25 HP, 1750 RPM GE motor and Aurora turbine pump.

TO HAVE AND TO HOLD, all and singular, the said property, together with the appurtenances, unto the said Grantee, and to its successors and assigns forever. Grantors covenant with Grantee that the former is now seized in fee simple of the property granted; that the latter shall enjoy the same without any lawful disturbance; that the same is free from all encumbrances (except those set forth above); that Grantors and all persons acquiring any interest in the same through or for them will, on demand, execute and deliver to Grantee at Grantee's expense, any further assurance of the same that may be reasonably required; and that Grantors will warrant to Grantee all of the said property against every person lawfully claiming the same, except those claiming under the above exceptions.

This deed is absolute in effect and conveys fee simple title of the property above described to the Grantee and does not operate as a rescission or as a mortgage, trust conveyance, or security agreement of any kind.

Grantee's acceptance of this conveyance is conditioned upon there being no liens against the property, except for those set forth above.

This deed does not effect a merger of the fee ownership and the lien of the

mortgage described herein. The fee and lien shall hereafter remain separate and distinct. It is not the intent of the parties to affect the subrogation rights of any third parties.

By acceptance of this deed, Grantee covenants and agrees that it shall not enforce any judgment against Grantors for the indebtedness evidenced by the promissory note secured by that certain mortgage executed by Gerald T. Copenhaver and Phyllis V. Copenhaver, husband and wife, Mortgagors, to The Federal Land Bank of Spokane, a corporation, Mortgagee, dated March 21, 1980, and recorded on March 26, 1980, as Instrument No. 889031, in the official records of Canyon County, Idaho. This deed shall not operate to preclude Grantee from proceeding in any action to enforce the mortgage, but shall preclude Grantee from obtaining a deficiency judgment against Grantors.

Grantors do hereby waive, surrender, convey, and relinquish any equity of redemption and statutory rights of redemption concerning the property and mortgage described above.

Grantors hereby surrender and deliver possession of the property to Grantee. Grantors declare that this conveyance is freely and fairly made, and Grantors are not acting under any misapprehension as to the legal effect of this deed, nor under any duress, undue influence, or misrepresentation of Grantee, its agent, or attorney, or any other person.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands the day and year first above written.

Gerald T. Copenhaver
Gerald T. Copenhaver

Phyllis V. Copenhaver
Phyllis V. Copenhaver

STATE OF IDAHO)
County of Canyon) ss.

On this 19th day of November, 1990, before me the undersigned, a Notary Public for the State of Idaho, personally appeared Gerald T. Copenhaver and Phyllis, V. Copenhaver, to me known to be the persons who subscribed and swore to the within instrument and acknowledged to me that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Linda A. Combs
Notary Public for the State of Idaho
Residing at Caldwell
My commission expires 1-27-93

90 DEC 4 PM 4 47
RECORDED
BY NEED J KERR
CANYON COUNTY RECORDER
BY Beaver
REQUEST
PIONEER - CALDWELL
TYP. Deed PM 6-00

9022293

~~MICROFILMED~~
~~AUG 18 1992~~

PC 02577

EXHIBIT "A"

The North Half of the Southeast Quarter in Section 17, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

BEGINNING at the East Quarter corner of Section 17, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, marked by a 5/8-inch rebar driven into the asphalt road at the intersection of Lake Shore and Lynwood Roads; thence

South $0^{\circ} 14' 55''$ West 626.98 feet along the East side of said Section 17 to a steel pin; thence

North $89^{\circ} 49' 55''$ West 500.26 feet to a steel rebar; thence

North $00^{\circ} 10' 25''$ West 625.62 feet between a concrete ditch and a large equipment shed, to a steel pin; thence

East $00^{\circ} 00' 00''$ South 504.78 feet along the East-West centerline of said Section 17 to the POINT OF BEGINNING.

9022380

RECORDED

90 DEC 5 PM 3 24

NED J KERR

CANYON CNTY RECORDER
BY *C. Smith*

PIONEER — CALDWELL

REQUIT
TYPE *Book* IN *92*

~~MICROFILMED~~

~~AUG 18 1992~~

INSTRUMENT NO. 9022294

INSTRUMENT NO. 9022381

ESTOPPEL AFFIDAVIT

FCB Loan No. 8267

Prior Loan No. 182862-3

STATE OF IDAHO)

: ss.

County of Canyon)

Gerald T. Copenhaver and Phyllis V. Copenhaver, husband and wife, being first duly sworn, depose and say: That they are the identical parties who made, executed, and delivered that certain Deed to the FARM CREDIT BANK OF SPOKANE, a corporation chartered under the laws of the United States, successor by merger to The Federal Land Bank of Spokane, a corporation formerly chartered under the laws of the United States, as Grantee, dated November 19, 1990, conveying the property situate in County of Canyon, State of Idaho, and more particularly described in said Deed.

That the Deed was intended to be and was an absolute conveyance of the title to the property to the Grantee named therein and was not and is not now intended as a rescission or as a mortgage, trust conveyance, or security agreement of any kind; that Affiants intended to convey and did convey to the Grantee all of their right, title, and interest absolutely in and to the property; and that possession of the property has been surrendered to the Grantee.

That in the execution and delivery of the Deed, the Affiants acted freely and voluntarily and not under coercion, duress or any misapprehension as to the legal effect thereof.

That the Deed was not given as a preference against any other creditors of the Affiants; that at the time it was given there was no person, firm or corporation, other than the Grantee therein named, having an interest either directly or indirectly in the property; that the Affiants are solvent and have no other creditors whose rights would be prejudiced by such conveyance; and that the Affiants are not obligated upon any bond or other mortgage whereby any lien has been created or exists against the property.

That the consideration for said Deed is Grantee's covenant that it shall not enforce any judgment against Grantors by obtaining a deficiency judgment against them on the promissory note secured by mortgage by Gerald T. Copenhaver and Phyllis V Copenhaver, husband and wife, Mortgagors, to The Federal Land Bank of Spokane, a corporation, Mortgagee, dated March 21, 1980, and recorded on March 26, 1980, as Instrument No. 889031, in the official records of Canyon County, Idaho. At the time of making said Deed, Affiants believed and now believe that the consideration for the Deed represents the fair value of the property.

That Affiants acknowledge Affiants have been provided with a copy of Twelfth Farm Credit District Distressed Loan Restructuring Policy under the Agricultural Credit Act of 1987 (herein "Policy") which affects certain loans Grantees have with borrowers generally and which contains provisions relating to restructuring loans as set forth therein; that Affiants have read the Policy and reviewed its contents with their attorney or were given the opportunity to so read and review the Policy and elected to not do so. Affiants elect to complete this conveyance in lieu of any rights or privileges to which are, or may have been, conferred upon them under the provisions of the Policy, and evidence said election by the execution of this affidavit, the Assignment and Deed described above, and all other documents related thereto.

Affiant represents and warrants that no Hazardous Materials (a substance, waste or material which is regulated as hazardous or dangerous by any federal, state or local governmental agency) have been generated, stored, deposited, disposed of, or released in, on or under the Property except those which have been disclosed to Farm Credit Bank of Spokane by Affiant in writing.

Affiant represents and warrants that any and all improvements on the Property made by the Affiant or under their authority while they were in possession of the Property do not incorporate lead, asbestos, or PCBs, except as has been disclosed to Farm Credit Bank of Spokane in writing.

~~MICROFILMED~~
~~AND 18 IN?~~

That before executing the Deed and this Affidavit, the Affiants consulted with experts or other sources of their own choice, including their attorney, in order that the Affiants might use their own judgment in deciding whether to execute the Deed.

That this Affidavit is made for the protection and benefit of the Grantee in said Deed, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property.

That the Affiants will testify, declare, depose, or certify in open court, by deposition or by written statements to the truth of the particular facts set forth above, in any case now pending or which may hereafter be instituted.

Executed this 9 day of November, 1990

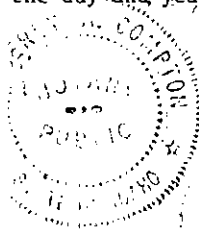
Gerald T. Copenhaver
Gerald T. Copenhaver

Phyllis V. Copenhaver
Phyllis V. Copenhaver

STATE OF IDAHO)
County of Blaine) ss.

On this 19th day of November, 1990, before me the undersigned, a Notary Public for the State of Idaho, personally appeared Gerald T. Copenhaver and Phyllis V. Copenhaver, to me known to be the persons who subscribed and swore to the within instrument and acknowledged to me that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



James A. Conner
Notary Public for the State of Idaho
Residing at Paldwell
My commission expires 1-27-93

REQUEST PIONEER - CALDWELL
TYPE WAC FILE 6-00

BY J. B. B. B.
CANYON COUNTY RECORDER

'90 DEC 4 PM 4 47

RECORDED

90222294

PC 02577

EXHIBIT "A"

The North Half of the Southeast Quarter in Section 17, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

BEGINNING at the East Quarter corner of Section 17, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, marked by a 5/8-inch rebar driven into the asphalt road at the intersection of Lake Shore and Lynwood Roads; thence

South 0° 14' 55" West 626.98 feet along the East side of said Section 17 to a steel pin; thence

North 89° 49' 55" West 500.26 feet to a steel rebar; thence

North 00° 10' 25" West 625.62 feet between a concrete ditch and a large equipment shed, to a steel pin; thence

East 00° 00' 00" South 504.78 feet along the East-West centerline of said Section 17 to the POINT OF BEGINNING.

9022381

RECORDED

'90 DEC 5 PM 3 24

HED J KERR

CANYON CNTY RECORDER

BY

Caldwell

REQUEST PIONEER - CALDWELL

TYPE *Map* 920

~~MICROFILMED~~

~~AUG 18 1992~~

6) PC 2517

INSTRUMENT NO. 9022297

ASSIGNMENT OF AGREEMENT

FCB Loan No. 8267 301
Prior Loan No. 182862-3
Gerald Copenhaver

WHEREAS, Glenn Copenhaver and Hazel Copenhaver, husband and wife, and James P. Hayes and Beulah J. Hayes, husband and wife, entered into that certain Agreement dated June 5, 1951, and recorded June 6, 1952, as Instrument No. 389685, records of Canyon County, Idaho, hereby attached as Exhibit "B".

AND WHEREAS, the prior interest of James P. Hayes and Beulah J. Hayes has transferred to Eugene F. Hayes and Virginia L. Hayes, husband and wife.

AND WHEREAS, the prior interest of Glenn Copenhaver and Hazel Copenhaver, husband and wife, is now owed by Gerald T. Copenhaver and Phyllis V. Copenhaver, husband and wife, hereinafter referred to as "Copenhaver".

WHEREAS, Copenhaver, for value received, has executed and delivered to Farm Credit Bank of Spokane, a corporation, hereinafter referred to as FCB, a Deed to the following-described premises situate in Canyon County, State of Idaho, attached as Exhibit "A".

NOW, THEREFORE, Copenhaver does hereby assign, transfer, and set over unto FCB all of their right, title and interest in and to the aforesaid Agreement. By its signature affixed hereto, FCB hereby consents to and accepts this assignment.

DATED this 20th day of November, 1990.

Gerald T. Copenhaver
Gerald T. Copenhaver

Phyllis V. Copenhaver
Phyllis V. Copenhaver

FARM CREDIT BANK OF SPOKANE,
a corporation

By: Hugh W. Ross
Authorized Agent

CONSENT TO ASSIGNMENT

By their signature below, Eugene F. Hayes and Virginia L. Hayes, husband and wife, of Canyon County, Idaho, consents to the aforesaid Assignment of Agreement.

9022297

RECORDED

'90 DEC 4 PM 4 47

NED J KERR
CANYON COUNTY RECORDER
BY C. Beavert ap

REQUEST PIONEER - CALDWELL
TYPE 1644 PM 15.00

Eugene F. Hayes
Eugene F. Hayes

Virginia L. Hayes
Virginia L. Hayes

~~MICROFILMED~~

~~AUG 18 1992~~

389685 ✓

Glenn Copenhaver and Hazel Copenhaver, h & w
-with-
J.P. Hayes and Beulah Hayes. h & w.

AGREEMENT

Dated, June 5, 1952
Recorded, June 6, 1952. 12:16 PM
Book 18 B&A Page 366

Signed: Glenn Copenhaver, Hazel Copenhaver, FIRST PARTIES J.P. Hayes, Beulah Hayes, SECOND PARTIES.
Ack. CCI, June 5, 1952 by Glenn Copenhaver and Hazel Copenhaver, h & w and J.P. Hayes and Beulah Hayes
h & w before Kathryn Fogleman N.P. for I. Residing at Nampa, I. (S)

WHEREAS, The First Parties are the owners of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ in Sec. 17 T
2 NR 2 WBM CCI; and,

WHEREAS, The Second Parties are the owners of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 17 Twp. 2 NR 2 WBM CCI; and
WHEREAS, On February 23, 1948, the parties hereto received priority date for the beneficial use of
water of subterranean flows in CC I, and in pursuance of said right, caused a well to be jointly
drilled under Use Permit No. 20318, of the S. of I., as more fully appears in the records and files of
the State Reclamation Engineer at Boise, Idaho.

NOW, THEREFORE, For and in consideration of the sum of \$1.00, each to the other paid, and the terms,
covenants and conditions hereinafter contained, the parties agree that all expenses of drilling and
equipping said well for irrigation use has been, or will be, divided equally between the parties, and
that hereafter, all expenses in connection with the maintenance and operation of said well shall be
paid equally by the parties, and that each party shall be entitled to $\frac{1}{2}$ of the volume of water pumped
from said well.

IT IS FURTHER UNDERSTOOD AND AGREED By the parties that should either of the parties fail or
refuse to pay his proportionate share of the maintenance and operation of said well, the offended party
may pay such charges and recover the same from the offending party.

IT IS FURTHER UNDERSTOOD AND AGREED By the parties that the First Parties herein give and grant unto
the Second Parties, an easement over, through and upon the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17 Twp. 2 NR 2
West B.M. C.C.I., for the purpose of ingress and egress to and from said well for the maintenance,
operation and repair thereof.

IT IS FURTHER UNDERSTOOD AND AGREED By the parties that this easement shall run with the land and
shall be perpetual.

IT IS FURTHER UNDERSTOOD AND AGREED By the parties that this agreement may be amended or abrogated
at any time by a writing duly executed and recorded on the records of the County Recorder in C.C.I. and
if amended, any part of this agreement in conflict therewith shall be abrogated and void.

IT IS FURTHER UNDERSTOOD AND AGREED By the parties that this agreement shall bind the heirs, adminis-
trators, executors and assigns of the parties hereto.

John W.

PLAT OF FARM

No.

Use Standard Legend. Indicate roads and show direction and distance to nearest town. Indicate points of compass—show scale of map. Designate section numbers at section centers. If more than one source of irrigation supply, indicate area served by each.

Lake Lowell

Partial Release
December 4, 1990
Approx 7.25 Acres

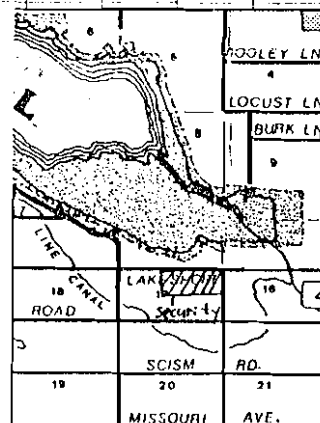
Lake Shore Drive County Oil

1 Mile East, 3 Miles North to
Nampa.

Lynwood Road County Oil

TP. 2N RGE. 2W	
GAYEN COUNTY	
IDAHO STATE	
SCALE: 1" = 660'	
PLATTED BY	VERIFIED BY
John W.	[Signature]
TITLE REPORT	DESCRIPTION
VERIFIED 2V	

17	16
20	21



MICROFILMED
AUG 18 1992

09/29/2006

RECEIVED

NOV 02 2006

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

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

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

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

Water right number: 63-2684C

ANDY WARD
10497 LAKESHORE DR
NAMPA ID 83686
Telephone Number: (208)465-5101

CARLA WARD
10497 LAKESHORE DR
NAMPA ID 83686
Telephone Number: (208)465-5101

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE:

10/30/06

SIGNATURE:

Andy S Ward

Please print your name:

Andy S Ward

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

03/29/2006

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

RIGHT NUMBER: 63-2684C

NAME AND ADDRESS: ANDY WARD
10497 LAKESHORE DR
NAMPA ID 83686

CARLA WARD
10497 LAKESHORE DR
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.160 CFS
45.000 AFY

PRIORITY DATE: 02/23/1948

POINT OF DIVERSION:

T02N R02W S17 NWSE 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	0.160 CFS 45.00 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T02N R02W S17 NWSE 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

The right holder shall accomplish the change authorized by Transfer 4340 within one (1) year of the date of this approval.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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

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

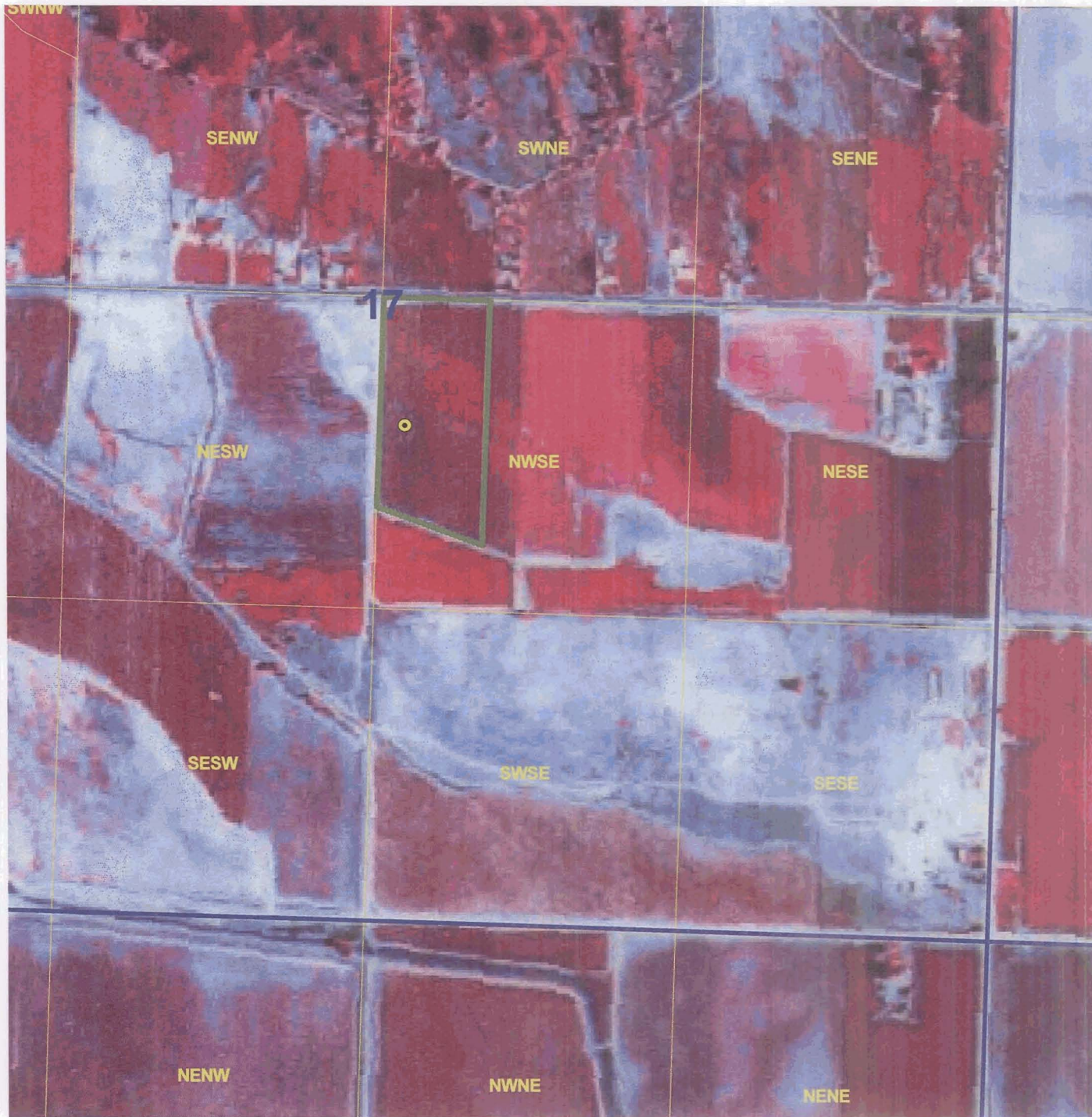
Failure of the right holder to comply with the conditions of Transfer 4340 is cause for the Director to rescind approval of the transfer.



Idaho Department of Water Resources

63-2684C

T02N R02W S17



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

Total irrigated
acres = 10



400 0 400 800 1200 Feet

IDWR

Prepared by: Sandy Egbert
Date: March 29, 2006
1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2684C

03/22/2006

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-2684C	Claim	02N	02W	17	NW	SE		IRRIGATION	10/10	ANDY WARD
63-2684D	Claim	02N	02W	17	NW	SE		IRRIGATION	30/62	FARM CREDIT BANK OF SPOKANE
63-2684A	Water Right	02N	02W	17	NW	SE		IRRIGATION	30/150	J P HAYES
63-2684B	Water Right	02N	02W	17	NW	SE		IRRIGATION	10/10	CARLA WARD

DATE: 06/29/00
PAGE: 9

Remarks: GEN RECEIPT NO. W008770 COVERS PARTIAL ACREAGE PAID BY GENE HAYES FOR CLAIM NUMBER A63-02684.
THIS CLAIM IS A RESULT OF TRANSFER NO. 4340, APPROVED 07/11/1994.

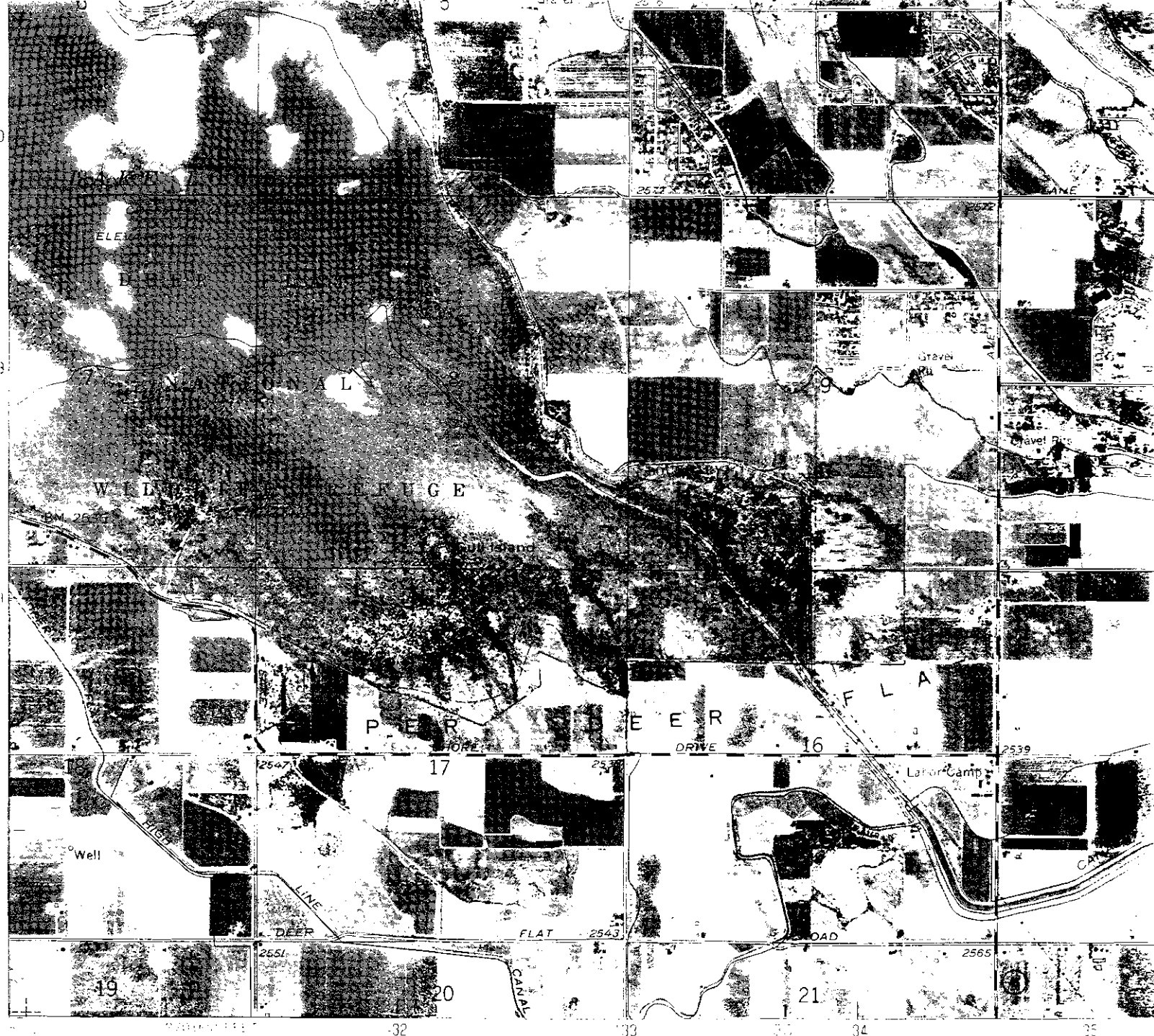
AJ5809NP
No. A63-02684C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/29/00
PAGE: 10

=====

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	
Audit:	04/12/96 MMINICUC		



Produced by the Geological Survey

Orthophotograph prepared from 1:80,000-scale aerial photographs taken July 8, 1981

Projection and 10,000-foot grid ticks: Idaho coordinate system, west zone (Transverse Mercator)

1000-meter Universal Transverse Mercator grid, zone 11 1927 North American Datum

To place on the predicted North American Datum 1983 move the projection lines 16 meters north and 78 meters east as shown by dashed corner ticks

Photoimagery rectified by optical scanning
Where double or mismatched image occur use the mean of image position for map point

Land lines from Nampa, Idaho

1:24,000-scale topographic map dated 1971

There may be discrepancies between positions on land lines and photoimagery



NORTH

CLAIM INIT
T. R. S. Q/Q
P/D 02N 02W 17
SCALE 1:24,000
PHOTO ID. X56 DATE 1981

THIS MAP COMPLIES WITH
FOR SALE BY U. S. GEOLOGICAL

Copies Of These
At Bonneville E

Form 238-7
6/83

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

Use Typewriter
RECEIVED or
Ball Point Pen
JUN 17 1994

1. DRILLING PERMIT NO. 63-94-W-0162-000

Other IDWR No. _____

2. OWNER:

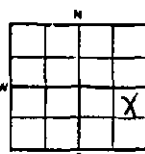
Name ANDY WARD

Address 223 Maple

City Nampa State ID Zip 83686

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



T. 2 North ☒ or South ☐
R. 2 East ☐ or West ☒
Sec. 17 1/4 NE 1/4 SE 1/4
Gov't Lot _____ County CANYON

Address of Well Site 10497 Lake Shore Dr

(Give at least Direction + Distance to Road or Landmark)

Lot No. _____ Block No. _____ Subd. Name _____

4. PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT		METHOD
Material	From	To	Sacks or Pounds	
<u>Bentonite</u> <u>(Gravels)</u>	<u>0</u>	<u>30</u>	<u>100</u>	<u>Drill + Drive</u>

Was drive shoe seal tested? Y ☐ N ☐ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Casing	Liner	Steel	Plastic	Welded	Threaded
<u>8"</u>	<u>12</u>	<u>18</u>	<u>25</u>	<u>X</u>		☒	☐	☒	☐

Final location of shoes _____

Top Packer or Headpipe _____ Bottom Tailpipe _____

9. PERFORATIONS/SCREENS - NONE

☐ Perforations Method _____
☐ Screens Type _____ Material _____

From	To	Slot Size	Number	Diameter	Feet/Pipe Size	Casing	Liner
						☐	☐

10. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal/min.	Drawdown	Pumping Depth	Time
<u>200</u>			<u>1 hr</u>

Temperature of water 56 Was a water analysis done? Yes ☒ No ☐

By whom? Adamsen

Water Quality (odor, etc.) Iron 1.5; Gas 17; Ph 8

Bottom Hole Temperature _____

11. STATIC WATER LEVEL:

45 ft. below surface Depth artesian flow found _____

Artesian pressure _____ lb. Describe access port _____

Describe Controlling Devices: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	GPM	SWL
<u>10</u>	<u>0</u>	<u>3</u>	<u>Top Soil</u>		
	<u>3</u>	<u>12</u>	<u>Hard Pan</u>		
	<u>12</u>	<u>17</u>	<u>Lava Rock</u>		
<u>P</u>	<u>17</u>	<u>55</u>	<u>Lava Rock</u>		
	<u>55</u>	<u>60</u>	<u>Lava Rock</u>		<u>X</u>
	<u>60</u>	<u>61</u>	<u>Lava Rock Cracked</u>		<u>X</u>
	<u>61</u>	<u>110</u>	<u>Lava Rock w/ Cracks</u>		<u>X</u>

RECEIVED

MAY 04 1994

WATER RESOURCES
WESTERN REGION

Date: Started 3/14/94 Completed 3/15/94

13. DRILLER'S CERTIFICATION

We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Adamsen Pump & Drilling Firm No. 457

Firm Official Dave Adamsen Date 3/16/94

and Supervisor or Operator Dave Adamsen Date 3/16/94

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

State of Idaho

License and Certificate of Water Right

Water License No. 20318

Amount Two second feet

Water District No.

Priority February 23, 1948

THIS IS TO CERTIFY that GLENN COPENHAVER and J. P. HAYES of Nampa, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 23, 1948; that Permit No. 20318 was issued under said application; that Certificate of Completion of works, with a carrying capacity of Two second feet, was issued thereunder on February 6, 1950, showing that said works were completed on the 6th day of February, 1950; and that on the 3rd day of March, 1952,

GLENN COPENHAVER and J. P. HAYES 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 ~~subterranean~~ (subterranean flow) for the purpose of irrigation and domestic use, under Use Permit No. 20318 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 8 of Licenses at page 4923, on the 2nd day of June, 1952; The right hereby confirmed dates from February 23, 1948;

The Point of Diversion is located in the NW 1/4 SE 1/4, Sec. 17, Tp. 8 N., R. 3 W., B. M. Canyon County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed Two (2) cubic feet per second.

Description and location of use:

Trp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	2 W.	17	NE 1/4 SE 1/4	40	40
			N 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
Number of Acres Actually Irrigated					160
Glenn Copenaver - One cubic foot per second, or fifty (50) inches; 23 inches primary water appurtenant to NW 1/4 SE 1/4 17 " supplemental " " NE 1/4 SE 1/4 Section 17, Twp. 8 N., Range 2 W., B.M. John P. Hayes - One cubic foot per second, or fifty (50) inches; 40 inches primary water appurtenant to SE 1/4 SE 1/4 10 " supplemental " " " " Section 17, Twp. 2 N., Range 2 W., B.M.					

The right to use of the water aforesaid hereby confirmed is restricted to the lands or place of use as 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 June, 1952.

MARK R. KILP
State Reclamation Engineer

(Seal)

Nº 20318
63-2684

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

Application No. 27931
Permit No. 20318
District No.

Glenn Copenhaver
Rt. 4, Naupa, Idaho

1. Name of Applicant: GLEN COPENHAVER and J. P. HAYES

Postoffice address: Nampa

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: Two (2) cubic feet per second.

3. Source of water supply: Subterranean flow (well) which is a tributary of

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B.M., and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 17 , T. 2 N. , R. 2 W. , B.M., County of Canyon

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

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

- (a) Point of use of water: feet distant from corner of Section

- T. , R. , B.M., in the of Section , T. , R. , B.M.

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

- (c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 3,000.00

8. Kind of works: Well, pump and ditches

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

10. Size of headgate: Width feet; height feet;

11. Ditch: Width at bottom 2.5 feet; width at water line 6 feet; depth of water 1 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit One miles

Average grade per mile 10 feet.

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

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

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

- 14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

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

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

GLENN COPENHAVER *Applicant.*
J. P. HAYES

By *Agent.*

Date of first receipt at Department of Reclamation: 3:00 P. M. February 23, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20318

Recorded in Book 73 Page 20318 Approved March 5, 1948

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 May 5, 1948 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before March 5, 1949

The whole of said work to be completed on or before March 5, 1950

Beneficial use of water appropriated in accordance herewith, to be made on or before March 5, 1952

Witness my hand this 5th day of March, 1948

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 5th day of March, 1948.

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By C. A. ROBINS

Governor.

Secretary of State.

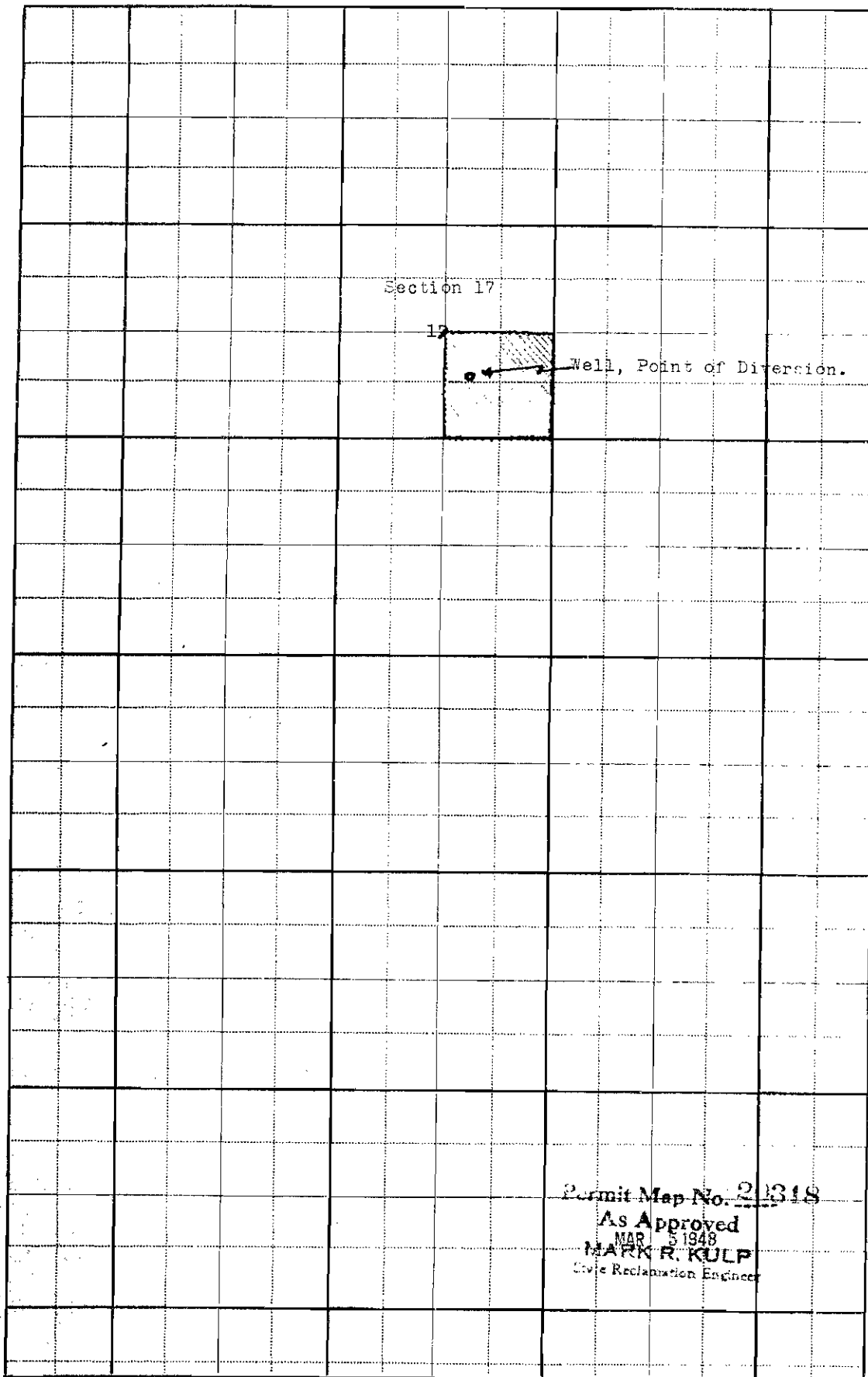
Remarks: Size of proposed well 12" approximately 100 foot depth

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
2 N.	2 W.	17														40	40	40	40	160
Permit No. 20318 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that Glen Copenhaver and J. P. Hayes of Nampe, County of Canyon, and State of Idaho, the holders of Permit No. 20318, issued upon Application No. 27931 bearing date of priority of February 23, 1948, authorizing the diversion of Two (2) second feet of the waters of a well, County of Canyon, State of Idaho, for irrigation and domestic purposes, have 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 Two (2) second feet of the waters of said well; that the point of diversion of said waters is in the NW¼ SE¼ Section 17, Township 2 North, Range 2 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE¼ Section 17, Township 2 North, Range 2 West, B.M. Witness my hand this 6th day of February, A. D. 1950. Proof of Completion of Works made February 6, 1950. Certificate of Completion of Works issued February 6, 1950. LICENSE ISSUED FOR 2 SEC. FT. 028-4923																				
																MARK R. KULP State Reclamation Engineer				

NAME OF APPLICANT Glenn Copenhaver, & J.P. Hayes,

FORM No. 0



Permit Map No. 20318

As Approved

MAR 5 1948

MARK R. KULP

Civil Reclamation Engineer

SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

20318

TO: FILE A63-02684A
A63-02684B
FROM: LINDA WERNER
DATE: JAN. 31, 1991

THIS WATER RIGHT WAS ORIGINALLY FOR 160 ACRES IN THE SE1/4 OF SECTION 17, T. 2N, R 2W. THE CLAIMANTS, EUGENE HAYES & GERALD COPENHAVER FILED THEIR ADJUDICATION CLAIM, A63-02684, FOR 100 OF THE 160 ACRES. AFTER THEIR CLAIM WAS FILED COPENHAVERS PORTION OF THE PROPERTY WENT BACK TO THE FARM CREDIT BANK OF SPOKANE. AS AGREED BY FHA AND COPENHAVER, 72 ACRES WENT TO THE BANK AND 8 ACRES WERE RETAINED BY COPENHAVER. THIS CONSISTS OF THE N1/2 OF THE SE1/4. THE 8 ACRES RETAINED BY COPENHAVER IS NOT BEING IRRIGATED. THE REMAINING 80 ACRES IN THE S1/2 OF THE SE1/4 BELONGS TO HAYES.

ADJUDICATION FEES WERE PAID BY BOTH HAYES/COPENHAVER AND THE FARM CREDIT BANK. RECEIPT NOS. W8770 AND W12954. THE ACREAGE FEES ARE CORRECT WITH \$100 PAID BY HAYES/COPENHAVER AND \$72.00 PAID BY FARM CREDIT.

THE QUANTITY OF WATER CLAIMED HAS BEEN PRO-RATED AT 0.0125 CFS/ACRE. FARM CREDIT CLAIMED 0.9 CFS BASED ON THE 72 ACRES AND HAYES CLAIMED THE REMAINING 1.1 CFS FOR HIS 80 ACRES.

~~MICROFILMED~~
~~AUG 18 1992~~



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 24, 1991

Daniel R. Huff
Farm Credit Services
P.O. Box 310
Caldwell, ID 83606-0310

Dear Mr. Huff:

Per our conversation of January 23; enclosed is the Notice of Claim to a Water Right, A63-02684, which is lacking the notary signature.

Thank you for your prompt attention in this matter.

Sincerely,

Linda A. Werner
Linda A. Werner
Sr. Water Resources Agent
Adjudication Section

Enclosure

FOR CALIFORNIA
FEB 20 1991

JAN 28 1991

CREDIT CARD

~~MICROFILMED~~
~~AUG 18 1992~~



Farm Credit Services
Caldwell

423 Blaine Street
P.O. Box 310
Caldwell, Idaho 83606-0310
208/459-4677
888-7369 (Meridian No.)
1-800-244-4127 (in state only)
208/459-4663 FAX

January 18, 1991

Linda Werner, Senior Water Resource Agent
Adjudication Section
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

SUBJECT: Notice of Claim To A Water Right, A63-02684

Dear Ms. Werner:

Enclosed is our check in the amount of \$122.00 which is intended to cover the adjudication filing fee and the \$50.00 late fee. Also, enclosed is our Notice Of Claim to Water Right.

The object here is to split the water right into an A & B portion. If the forms I have submitted do not accomplish this or if they contain errors please contact me right away.

Sincerely,

FARM CREDIT SERVICES - Credit

DANIEL R. HUFF
Senior Credit Officer

DRH:sf

~~MICROFILMED~~

~~AUG 18 1992~~

December 31, 1990

Daniel R. Huff
Farm Credit Services
P.O. Box 310
Caldwell, ID 83606-0310

SUBJECT: Notice of Claim to a Water Right, A63-02684

Dear Mr. Huff:

Enclosed you will find the necessary forms to make the split on the above numbered water right. I was unable to reach Eugene Hayes to discuss the matter with him so I believe it would be best to take care of your portion of this water right first.

The Notice of Claim numbered A63-02684 is representative of the previous license. The blank claim form may be used to file on the portions of land that have been split from the original. Once I receive your completed claim form I will process the information as necessary to complete the split.

The fees for an irrigation claim are based on a \$50.00 flat rate with a variable rate of \$1.00 per irrigated acre. This is a one time fee that is paid by the first person filing on such claim. In this case there has been a fee paid of \$150.00 which covers the flat rate and 100 irrigated acres. The remaining portion would be assessed at \$1.00 per irrigated acre.

There is, however, one other item that needs to be addressed. Since only 100 acres of the 160 acres have been filed on, the acres not covered will be filed after the deadline for Canyon County. They will have a late fee assessed of \$50.00. The late fee should be paid at the time the split portion of this claim is filed. I am enclosing the form entitled Request for Extension of Time. If this request is approved, your late fee will be refunded.

~~MICROFILMED~~
~~AUG 18 1992~~

Please feel free to contact me if you have any questions. In the meantime I will continue to try and reach Mr. Hayes and will contact you if I do.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

~~MICROFILMED~~
~~AUG 18 1992~~



Farm Credit Services
Caldwell

423 Blaine Street
P.O. Box 310
Caldwell, Idaho 83606-0310
208/459-4677
888-7369 (Meridian No.)
1-800-244-4127 (in state only)
208/459-4663 FAX

(503) 889-6462

December 21, 1990

Gene Gibson
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RE: License #63-02684; SE1/4 of Sec 17, T2N, R2W

Dear Gene:

Farm Credit Bank of Spokane (FCB) has acquired land with water right under the above license. The license includes other lands not acquired by FCB. A copy of the deed, plat, and joint use agreement is enclosed for your records.

Please prepare and mail to me the necessary adjudication papers to split the above water license showing FCB as owner of the land included in the deed. Also, identify the adjudication fee payable and I will return a check with the signed adjudication forms.

As always, I appreciate you help. Thank You.

Sincerely yours,

FARM CREDIT SERVICES

Daniel R. Huff
Senior Credit officer

~~MICROFILMED~~
~~AUG 18 1992~~

Date Filed _____

Approved

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

11227 1991

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Farm Credit Bank of Spokane (202) 459-4677
Name of Claimant Phone Number

P.O. Box 310 Caldwell Id 83606
Mailing Address City State Zip

Canyon 3-22-90
County(s) where place of use is located Date claim originally due

AG3-02684 (SPLIT)
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

Farm Credit Bank acquired the property as
deed-in-lieu of foreclosure on Dec 4, 1990 and
was not in a position to make the adjudication
filing by the established deadline.

Claimant requests an extension to Feb 1, 19 91

Farm Credit Bank of Spokane Jan 17, 19 91
Signature Date of request

By: Daniel R. Hoff, authorized agent
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to March 29, 19 91

Signed this 2 day of March, 19 91

DAVID B. SHAW
Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED

AUG 18 1992