

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: A63-03317
Date Received: 2/15/1990
Receipt No: W009044
Received By: DLH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LLOYD D. KUCK 208-459-8961
Address: 14299 CHANNEL RD.
CALDWELL, ID 83605
OR
Name: BERTHA A. KUCK 208-459-8961
Address: 14299 CHANNEL RD.
CALDWELL, ID 83605

2. Date of Priority: NOV 09, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	10	SW	NE			CANYON

5. Description of diverting works:
WELL, CENT. PUMP, PIPED TO HOME & BARN, GRAVITY FLOW IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.060		13.50
DOMESTIC	01/01	12/31	0.020		0.73

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 14.23 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC 1 HOME

A63-03317

Page 1

Date: 02/15/90

MICROFILMED
AUG 19 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	03W	10	SW SW	NE NE	IRR DOMEST	3.0
Section Acres						3.0
Total Acres						3.0

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
~~NONE~~ CANYON COUNTY WATER CO.

14. Remarks:
ACTUAL DIV. VOL. = 14.228 AF/ANNUM.

15. Basis of Claim: LICENSE
Water Right Number: 30795

16. Signature(s)

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

Number of attachments: _____

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): Gayle D. Kuck Date: 2-15-90

Date: _____

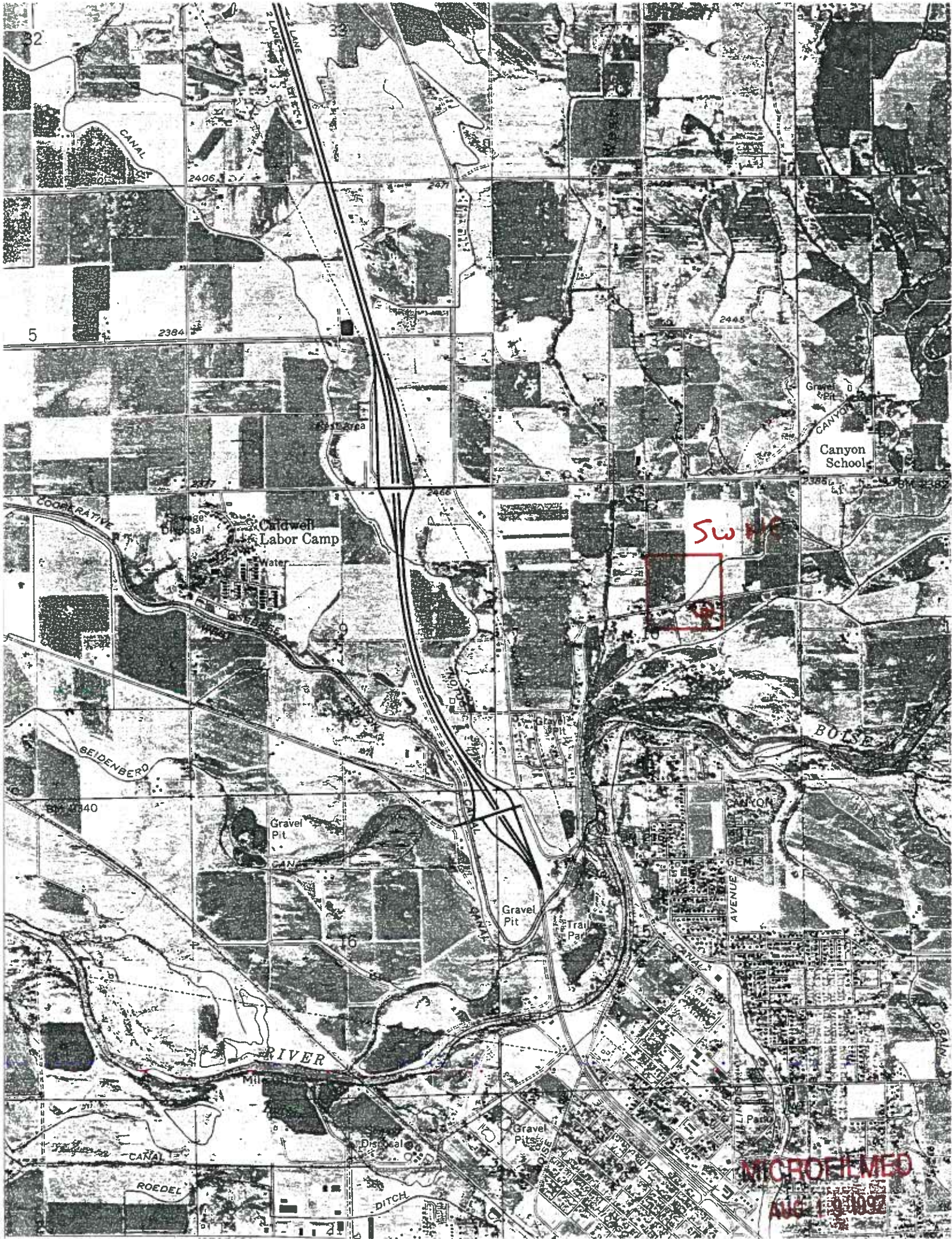
State of Idaho)
County of IDA) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of Feb 19 90

[Signature]
Notary Public

Seal

Residing at Ron Howerton
My Commission Expires Residing at Boise, Idaho
My Commission Expires December 8, 1994



32

5

CANAL

2406

2384

33

2 LANE

2445

Gravel Pit

Canyon School

2377

COOPERATIVE

Caldwell Labor Camp

Water

SW 1/4

SEIDENBERG

2340

Gravel Pit

Gravel Pit

Trail Park

BOLSE

CANYON

AVENUE

RIVER

CANAL

ROEDEL

DITCH

MICROFILMED

AUG 1 9 1992

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

Permit No. G-30795

This proof is for Completion of Works and Beneficial Use in Water District No. _____

1. Name of applicant: Lloyd D. & Bertha A. Kuck

2. Source of water supply: subterranean source

3. Location of point of diversion: Is in the SW 1/4 of Section 10

T. 4N R. 3W County of Canyon County

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

Approx. 1 HP electric motor driven vertical centrifugal
pump HL 1672 1 3/4" steel pipe discharge
from well flowing 2-3" into garden
1" discharge from pump to 30 gal storage pressure
tank - 1" line to barn - 1/2" line -

5. Water is used for: irrigation and domestic

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, Sec. 10, T. 4 N, R. 3 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: Carters Kuck contacted

not possible to make an exact system
does appear to be capable of conveying
irrigation in excess of 30 gpm

This examination was made on the 15th day of May 1968

(Signed)

Don R. Jones
Examiner.

30795

Plat
K.H.

MICROFILMED

AUG 19 1968

State of Idaho

WATER LICENSE

Water License No. G-30795

Dated November 9, 1962

0.06 c. f. s.

THIS IS TO CERTIFY, that LLOYD D. & BERTHA A. RUCK

of Caldwell, Idaho, made application for a permit to appropriate the public waters of

the State of Idaho, dated November 9, 1962; that Permit G-30795 was issued pursuant

to said application that the proposed work was completed on or about November 1962

with a storage or carrying capacity of 0.06 c. f. s., said work consisting of

well, motor, pump and storage pressure tank, and that on October 20, 1967

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 11.228

acre feet per season, with a maximum rate of diversion of 0.06 cubic feet per second of the waters

of a ground water source, tributary of

for the purpose of Irrigation from April 1 to October 31

and for domestic from January 1 to December 31; and for

from to; and that the use

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-

mation Engineer and entered in the records of the Idaho Department of Reclamation; the point of diversion is

located in SW 1/4 NE 1/4 Sec. 10 T. 4 N. R. 3 W. B.M., and

other adjacent points in the County of

Canyon; and that the amount of water to which such right is

entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially

used for said purposes and shall not exceed 11.228 acre feet per year (13.5 A. F. / year for irrigation and 7.25 A. F. / year for domestic use

Description and location of place of use 11.225 A. F. / year total)

TWP	RANGE	SEC	NW 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	
4 N	3 W	10			X														approximately 3 acres

Total number of acres irrigated approximately 3

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

Witness the seal and signature of the State Reclamation Engineer, at Boise, Idaho, this

27th day of November, 1968

Keith Hjigin
State Reclamation Engineer

63 331

30795

MICROFILMED
AUG 19 1992

117-4M
65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

OCT 24 1987

Permit No. G-30795

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

John H. Kuck, 67, Caldwell, Idaho Rt #1 Box #294
Retired

Ques. 2 Are you acquainted with Lloyd D. Kuck & Bertha Kuck, the holder of
Permit No. G-30795? How long have you known him and where does he reside?

4/48 - resides Rt #1 Caldwell - Idaho

Ques. 3. Have you read or heard said Permit No. G-30795 read, and are you familiar
with its provisions and conditions: Yes ☒ No ☐

Ques. 4. State source of water supply: Well

Give location of place of diversion, showing subdivision, section, township and range

SW 1/4 of NE 1/4 of S. 10; T4N; R3WBM

Describe works for conveying water to place of use: Natural flow with
pump

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 0.06 CFS How much water have you seen being so
conveyed? As Above

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

3/4 Acre

As Above

SW 1/4 of NE 1/4 of S. 10; T4N; R3WBM

30795
MICROFILMED

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Same location FF: S10; T4N; R37E2M — Domestic
use of Irrigation —

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

NONE —

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? NONE —

Ques. 10. When did you first see this water used? Nov. 1962

Other times you have seen such use: VARIOUS SINCE THEN
to date —

(Signed):

John H. Truck

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Caldwell —

County of CANYON, State of Idaho, on
this 20th day of October, A.D. 1967



L. H. Deason
Notary Public for the State of Idaho
Residing Caldwell-Idaho

My commission expires 12 April 1971

30795

MICROFILMED
AUG 18 1982

04/19/2006

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

RIGHT NUMBER: 63-3317

NAME AND ADDRESS: BERTHA A KUCK
14299 CHANNEL RD
CALDWELL ID 83605

LLOYD D KUCK
14299 CHANNEL RD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS
9.700 AFY

PRIORITY DATE: 11/09/1962

POINT OF DIVERSION:

T04N R03W S10 SWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS 0.70 AFY
IRRIGATION	04/01 10/31	0.040 CFS 9.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

PLACE OF USE: IRRIGATION Within CANYON County

T04N R03W S10 SWNE 2.00

DOMESTIC Within CANYON County

T04N R03W S10 SWNE

2 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

PARCEL NO: R3466300000.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Use of this right is combined with water from Canyon County Water Company Ltd.

Idaho Department of Water Resources

T04N, R03W,
SEC 10

Claim No: 63-3317

Prepared By: Kimberly Brown

Date: April 19, 2006



Place of Use



Section Lines

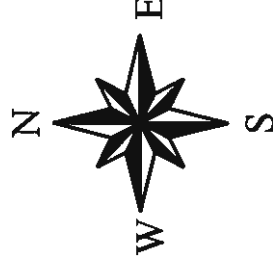


1/4 1/4



Point of Diversion

Irrigated Acres = 2



0 0.2 Miles

1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3317

WATER RIGHT NUMBER: 63-3317

Owner TypeName and Address

Current Owner

BERTHA A KUCK ✓
 14299 CHANNEL RD
 CALDWELL, ID 83605
 (208)459-8961 ✓

Current Owner

LLOYD D KUCK ✓
 14299 CHANNEL RD
 CALDWELL, ID 83605
 (208)459-8961

Priority Date: 11/09/1962 ✓

Basis: License ✓

Status: Active

30 gpm = 0.0668 cfs

SourceTributary

GROUND WATER ✓

Beneficial Use

IRRIGATION ✓

DOMESTIC ✓

From To

4/01 to 10/31 ✓

1/01 to 12/31 ✓

Diversion Rate0.04 ~~0.060~~ CFS

0.020 CFS

Total Diversion:

0.060 CFS ✓

Annual Volume0.0 ~~13.50 AF~~ ✓

0.73 AF ✓

~~14.23 AF~~ ✓

9.7

(0.728)

(14.228)

Location of Point(s) of Diversion

GROUND WATER

CANYON County ✓

SW 1/4 NE 1/4 ✓

Sec. 10, Twp 04N, Rge 03W, B.M. ✓

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	03W	10			3.0														3.0
					2.0														2.0

Total Acres: 2.0 ✓

DOMESTIC ✓

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N	03W	10			X														

ADD 339 - Season of use is 3/1 to 11/15.ADD WB5 - Domestic use is for 1 home and does not include lawn/garden irrigation.ADD^{W46} - Use is combined with water from Canyon Co. Water Co.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-3317

Conditions of Approval:

1. ACTUAL DIV. VOL. = 14.228 AF/ANNUM.

Remarks:

Comments:

ADD C05 - POU Accomplished Transfer
Parcel No: R 3466300000 (2.05 AC)

Water Supply Bank:

Field Exam Date 4-19-06

(in-office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$63.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None in SWNE
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant N/A

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63-3317

Owner: Bertha & Lloyd Kuck Phone No.

Current Address: 14299 Channel Rd., Caldwell (Property Address)

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER
- ☒ No change Address
- ☐ NEW ADDRESS
- ☐ How long owned property?

Accompanied by: N/A

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 11/9/62

(If priority date, based on your exam, seems questionable, explain below.)

Source: Ground Water Tributary to

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed:

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed:
- ☐ If different, when did POD change?

The location of the POD is estimated, since none of the maps depict it's actual location.

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

See Field Report.

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: _____

WATER USES

- ☐ No change
- ☐ Different Uses

Season of use is 3/1 to 11/15.
ADD 839 Condition

2.0 AC
x 0.02 cfs/acre
0.04 cfs

Use Irrigation From _____ To _____ Amount 0.04 CFS 9.0 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

2.0 AC x 4.5 af/acre = 9.0 af/annum 0.04 cfs x 1.9835 x 214 days = 16.97 af/annum

TOTAL VOLUME Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
- ☒ Changes found, the new total is, Amount _____ CFS 9.7 AFA
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☒ No change

- ☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

Domestic - internal use only (ADD WB5 Condition)

PLACE OF USE:

- ☐ No Change

- ☒ Changes shown below:

Parcel No: R3466300000. (2.05 AC)

ADD C05 Condition - POU Accomplished Transfer:

Claimant only owns 2.0 acres according to 2005 Canyon Co. tax lot data. Since the Notice of Claim and Field Report maps do not specifically depict the 3 acres of irrigation and I am unable to contact the Kucks via the telephone to ascertain where the other acre may be, I am recommending the

(*) Can't tell by claim map where the other are may be.

Overlap with other water rights: (see POU overlap sheet) (+) Canyon Co. Water Co. Ltd

no overlap w/ 63-23434, 63-31205, 63-26485

See Field Report.

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 4.19.06 (in-office review)

FIELD EXAMINER: Kimberly Brown

I have called # 459-8961 several times and there is no answer.

09/29/2006

**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: 63-3317

BERTHA A KUCK
14299 CHANNEL RD
CALDWELL ID 83605
Telephone Number: (208)459-8961

LLOYD D KUCK
14299 CHANNEL RD
CALDWELL ID 83605
Telephone Number: (208)459-8961

RECEIVED

OCT 26 2006

WATER RESOURCES
WESTERN REGION

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: 10-22-06

SIGNATURE: Lloyd D Kuck

Please print your name: LLOYD D KUCK

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

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-3317
Notice of Error Reply**

October 18, 2006

Lloyd Kuck came to the Basin 63 Part III Preliminary Meeting in Caldwell. He believes that he owns 2.5 acres of land and disagrees with my recommendation of only 2.0 acres. I explained that, based on 2005 Canyon County tax lot data and my own calculations in ArcView, Parcel No. R3466300000 only contains 2.05 acres. Mr. Kuck gave me a sheet that contains his metes and bounds and I told him that I would have Liberty run it in a program at work, and see what she comes up with. Mr. Kuck said that he would call me at the office on the 19th and 20th at 12:00 p.m. to discuss the matter.

October 20, 2006

Liberty Gagnon ran Mr. Kuck's metes and bounds and found that 2.0 acres was applicable (see resulting map in file). Mr. Kuck called around noon and I told him that all the evidence I reviewed (2005 Canyon County tax lot data, ArcView calculations) shows that his parcel contains 2.0 acres; not 2.5. When I asked Mr. Kuck if he ever owned more acres in the past and sold some, he replied that he never has sold any of his property. I informed Mr. Kuck that, based on my initial review and the current information he provided, I am still going to recommend 2.0 acres of irrigation because that is all he owns (and has ever owned); despite the mistake the surveyor who probably made a mistake on the "2.64 acres, more or less" statement on his metes and bounds. I informed Mr. Kuck that he could object to the recommendation and let a judge decide the final outcome. I also told Mr. Kuck that I would send him a copy of the metes and bounds map that Liberty created (the red boundary depicting the metes and bounds overlays perfectly with the Canyon County tax lot boundary of his property; each equaling 2.0 acres) and that he should call me if he has any further questions.

Kimberly Brown
Senior Water Resource Agent
Western Region

10/19/06

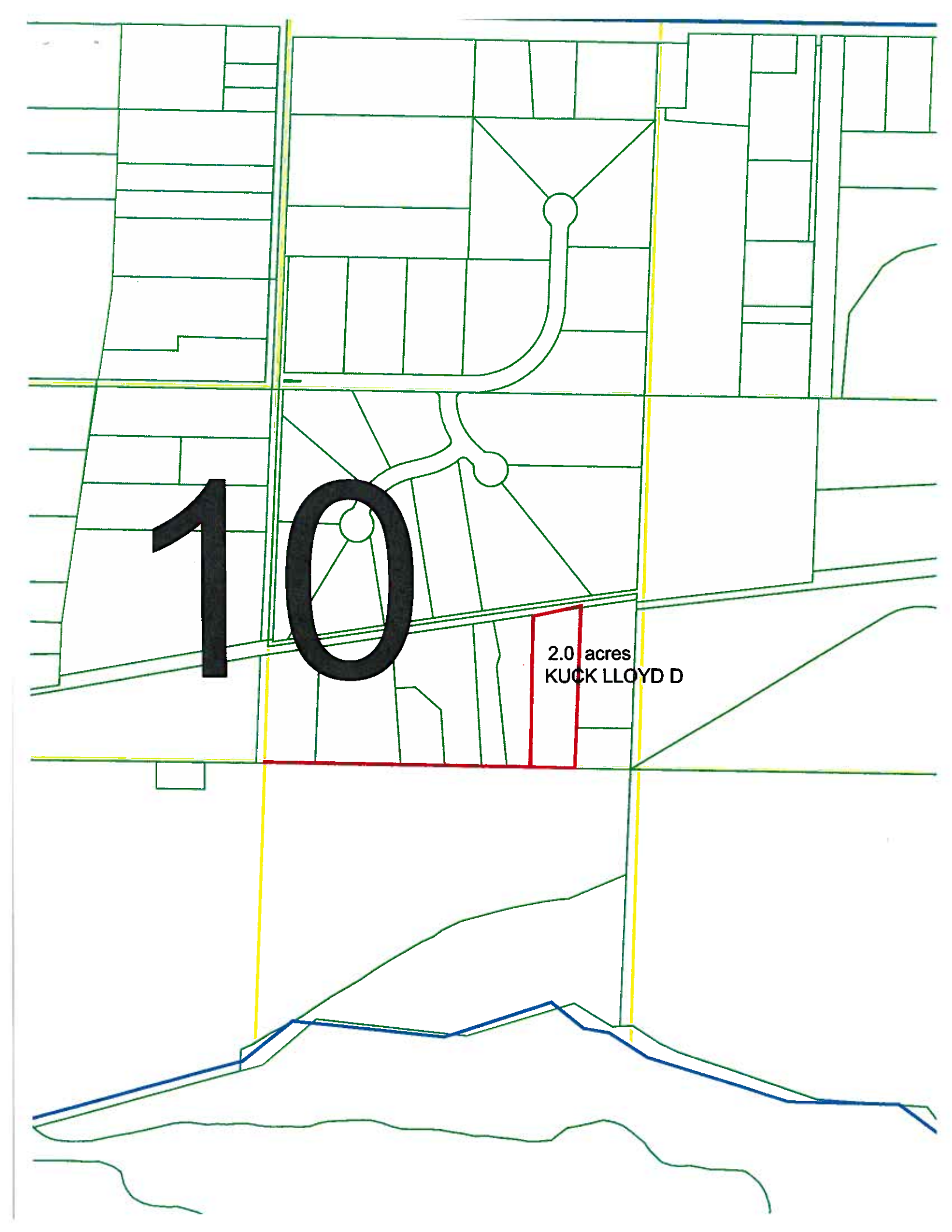
#63-3317:

Beginning at a point on the South boundary line of the Southwest 1/4 of the Northeast 1/4 Section 10, Township 4 North, Range 3 West of Boise Meridian, Canyon County, Idaho which is 962 feet East from the Southwest corner of said Southwest 1/4 of Northeast 1/4 of Section 10 Township 4 North, Range 3 West of the Boise Meridian; thence North parallel to the West boundary line of said Southwest 1/4 Northeast 1/4, Section 10 a distance of 541.9 feet to the South side of the county road; thence North 80°30' East along the South side of said county road a distance of 162.2 feet; thence South parallel to the West boundary line a distance of 568.6 feet; thence West along the South boundary of the Southwest 1/4 Northeast 1/4 of Section 10 a distance of 160 feet to the place of beginning. Containing 2.64 acres more or less.

N 139.2139.73 E 2283796.71

N 90.0000E 962.00
N 00.0000E 541.90
N 80.3000E 162.20
S 00.0000W 568.60
S 90.0000W 160.00

Liberty could agree run
this as soon as know where
+ let me know there are?
many acres
from Liberty
Liberty



10

2.0 acres
KUCK LLOYD D

#63-3317 -

- copy of Meter and
Bounds from
Mr. Kuck (received
at Preliminary Meeting
for B63P2 on
Oct. 18th, 2006).

Beginning at a point on the South boundary line of the Southwest 1/4 of the Northeast 1/4
Section 10, Township 4 North, Range 3 West of Boise Meridian, Canyon County, Idaho which is
962 feet East from the Southwest corner of said Southwest 1/4 of Northeast 1/4 of Section 10
Township 4 North, Range 3 West of the Boise Meridian; thence North parallel to the West boundary
line of said Southwest 1/4 Northeast 1/4, Section 10 a distance of 541.9 feet to the South side
of the county road; thence North 80°30' East along the South side of said county road a distance
of 162.2 feet; thence South parallel to the West boundary line a distance of 568.6 feet; thence
West along the South boundary of the Southwest 1/4 Northeast 1/4 of Section 10 a distance of
160 feet to the place of beginning. Containing 2.64 acres more or less.

2.64
→

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3317

WATER RIGHT NUMBER: 63-3317

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BERTHA A KUCK RT 1 CALDWELL, ID 83605
Current Owner	LLOYD D KUCK RT 1 CALDWELL, ID 83605

Priority Date: 11/09/1962

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.060 CFS	13.50 AF
DOMESTIC	1/01 to 12/31		0.73 AF
	<u>Total Diversion:</u>	0.060 CFS	14.23 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 10, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	03W	10			3.0														3.0

Total Acres: 3

DOMESTIC same as IRRIGATIONConditions of Approval:

1. ACTUAL DIV. VOL. = 14.228 AF/ANNUM.

Remarks:Comments:

REAL PROPERTY INQUIRY

```

+++++
01 5R34663-000- -0 032-00 SCH134+ 12 27,500 1.00
+++++
KUCK, LLOYD D + 32 1,200
+ 34 33,700
+
+
+
14299 CHANNEL RD +
CALDWELL ID 83607 +
+++++
10-4N-3W NE + TOTAL 74,000 2.05
TX 7 OF SWNE +
+ SURVEY INST 512908
+ DRAIN 2 DR VALUE 52.55 APPR CTR
+ CLASS 2 REAP 02 MAN 01 UNIT 1
14299 CHANNEL RD, CA + PARCEL 5R04N03W101785 H/O Y C/B P
+ PRIOR ACCOUNT 4R34663-000- -0
+ 02 MH on Property NO
MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R34663000 0 UNIT 001 TOTAL UNITS 1

SITE 14299 CHANNEL RD CA SEC/TWN/RNG 10-4N-3W
ASSESSED VALUE 74,000 ACREAGE .00
SUB/PARK NAME YEAR/MAKE
CLASS 2 OWNER / OCCUPIED HOUSE CLASS ' 2' SPACE LOT BLOCK
+++++
YR BUILT 1936 AIR COND AIR - NONE CARPORT N
STORY 1 STORY HEATING CARPORT SQ FT
FIRST SQ FT 815 EXTERIOR METAL SIDING DECK/PATIO? N
SECOND SQ FT ROOF COMP POOL? N
BEDS 3 BSMT SQ FT SPA? N
BATHS 1.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE D1 NEIGHBORHOOD 0
GARAGE SQ FT 240
+++++
COMMENTS CHIMNEY HEAT MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

```

overlap review -

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3317**

03/20/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
-163	Claim	04N	03W	10	SW	NE		IRRIGATION	25/4015.5	CANYON COUNTY WATER CO LTD
179B	Claim	04N	03W	10	SW	NE		IRRIGATION	25/4015.5	CANYON COUNTY WATER CO LTD
2406	Claim	04N	03W	10	SW	NE		IRRIGATION	39/29248	DRAINAGE DIST NO 2
3317	Claim	04N	03W	10	SW	NE		IRRIGATION	3/3	BERTHA A KUCK
21761	Claim	04N	03W	10	SW	NE		IRRIGATION	25/3986.2	CANYON COUNTY WATER CO LTD
21762	Claim	04N	03W	10	SW	NE		IRRIGATION	25/3514.5	CANYON COUNTY WATER CO LTD
2406	Water Right	04N	03W	10	SW	NE		IRRIGATION	39/29248	DRAINAGE DIST NO 2
3317	Water Right	04N	03W	10	SW	NE		IRRIGATION	3/3	BERTHA A KUCK
23434	Water Right	04N	03W	10	SW	NE		STOCKWATER		VERNA L GRIFFITHS
3317	Claim	04N	03W	10	SW	NE		DOMESTIC		BERTHA A KUCK
21205	Claim	04N	03W	10	SW	NE		DOMESTIC		MIKE HURLEY
23434	Water Right	04N	03W	10	SW	NE		DOMESTIC		VERNA L GRIFFITHS
26485	Water Right	04N	03W	10	SW	NE		DOMESTIC		SUSAN M SULLIVAN

} no overlap

- supplemental to Canyon County Water Co. Ltd. water

Receipt Details for ID W009044

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/15/1990 3:04:44 PM	2/15/1990	Western	\$63.00	Check
Payer		KUCK, BERTHA A.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
124			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$63.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3317		\$63.00	Claim

Print Report

WATER LICENSE

Water License No. G-30795 Priority November 9, 1962 Amount 0.06 c. f. s.

THIS IS TO CERTIFY, that LLOYD D. & BERTHA A. KUCK
of Caldwell, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated November 9, 1962; that Permit G-30795 was issued pursuant
to said application; that the proposed works were completed on or about November 1962,
with a storage or carrying capacity of 0.06 c. f. s., said works consisting of
well, motor, pump and storage pressure tank; and that on October 20, 1967,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 14.228
acre feet per season, with a maximum rate of diversion of 0.06 cubic feet per second of the waters
of a ground water source, tributary of _____,
for the purpose of irrigation from April 1 to October 31;
and for domestic from January 1 to December 31; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 4 N, R. 3 W, B.M., and
other additional points _____, in the County of
Canyon; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 14.228 acre feet per year. (13.5 A. F. / year for irrigation and
.728 A. F. / year for domestic use
14.228 A. F. / year total)

Description and location of 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>4 N</u>	<u>3 W</u>	<u>10</u>			<u>X</u>														<u>approximately 3</u> <u>acres</u>

Total number of acres irrigated approximately 3

The right to the use of the water 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

27th day of November, 19 68.

R. Keith Higgins
State Reclamation Engineer

63-3317

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

Application No. G- 36878
Permit No. G- 30795
District No.

1. Name of Applicant: Lloyd D. & Bertha A. Kuck
Postoffice address: Rt. 1, Caldwell County: Canyon State: Idaho
2. Quantity of water claimed: 0.06 c.f.s.
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches 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 SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10
Twp. 4 N , Rge. 3 W , B.M., County of Canyon
5. Water is to be used for: Irrigation & Domestic
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Artesian-Pump for pressure system
8. Estimated cost of works: \$ 1100.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
Canyon County Water Co.
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 0.06 (cubic feet per second, inches or gallons per minute) is for new lands.

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

By Lloyd D. Kuck

Corrected application received:

Approved November 14, 1967

to be filled out on our business

temporarily interrupted by circumstances over which the parent had no control.

May 1992

before November 14, 1967

240

RESEARCH • **REVIEW**

day of November, 1962

STATE OF IDAHO

By

Secretary of State

Governor

Twp.	Range	Sec.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	Total
			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	
4 N	3 W	10	3				3
							L. & M. F. S. & D. F. O. & C. SEC. 10 LICENSE PAS NO. 30795

1. NAME 1-5000 FORM 16 SEC. NO.
LICENSE PAS NO. 30795

NAME OF APPLICANT

W. A. & Bertha A. Kuch

Form No. 0

T
4
N

R 3W

10 ft — *well*

Permit No. *30795*
As Approved *NOV 14 1962*
GEO. N. CARTER
State Reclamation Engineer

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

30795

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

Permit No. G-30795

This proof is for Completion of Works and Beneficial Use in Water District No. _____

1. Name of applicant Lloyd D. & Bertha A. Kuck
2. Source of water supply: subterranean source
3. Location of point of diversion: Is in the SW 1/4 of Section 10
T. 4N R. 3W County of Canyon County
4. Describe works as they exist, giving dimensions and capacities of same:
Approx 1 HP elec motor - BERKELEY CENTRIFUGAL
PUMP # 1672, 1 3/4" STEEL PIPE DISCHARGE
FROM WELL FLOWING 2-3" INTO GARDEN,
1" DISCHARGE FROM PUMP TO 30 gal STORAGE PRESSURE
TANK - 1" LINE TO BARN & HOME -
5. Water is used for: irrigation and domestic
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, Sec. 10, T. 4 N, R. 3 W, B.N.

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

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

Remarks: BERTHA KUCK CONTACTED

NOT POSSIBLE TO MEASURE CLOSED SYSTEM
DOES APPEAR TO BE CAPABLE OF CONVEYING &
PRODUCING IN EXCESS OF 30 gpm.

Permit only issued for 3 acres

This examination was made on the 3RD day of MAY, 1968.

(Signed) Dean Reynolds Examiner.

30795

Plat. ✓
K.H.

Lloyd D. Kuck
Bertha A. Kuck
Route #1, Box 27
Caldwell, IDG-30795
Permit No.

63
85' x 4"
A- NONE
Q- 40-50 gpm

Examination for Completion of Works and Beneficial Use

Canyon County

Quantity: 0.06 c.f.s.
Sec. 10 T. 4N R. 3W

63-

Source: subterranean source

Buckley #1672

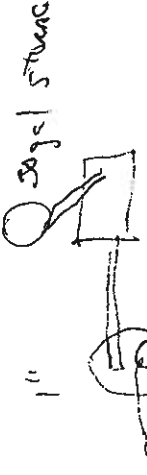
P.D.: S4NE1/4, Sec. 10, T. 4 N, R. 3 W, S.M.

Flows 2-3"

Use: irrigation and domestic

1 HP fcc 28/65

Extension:



Protest:

Completion of Works:

Canyon County

Other Rights:

Canyon County Water Company

Filed: November 9, 1962

Due: November 14, 1967

Made: October 20, 1967

Priority: November 9, 1962

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

30795

P-3W

T-4N

1080

ACSA - APPROX 3-5 ACRES PASTURE & GARDEN (18' x 180')
& HOME LAWN (1/2 A)

SUBD - 1

Q - ALLOW .06 C.F.S. FOR IRRIGATION &

DOMESTIC USE
1.5 AF / ACRE / YEAR = 13.5 AF / YEAR FOR IRRIGATION
AND .728 AF / YEAR FOR DOMESTIC

4.5 AF

14.228 AF / YEAR TOTAL

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-30795

REPORT ON PROOF OF Completion of Works and Beneficial Use

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

1967

Permit No. G-30795

Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address:

Lloyd D Kuck Bertha Kuck Catronville, Idaho Route 1 Mill Operator

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Ques. 3. State number, approval date of permit, and date of priority:

G 30795 11-14-1962 11-9-65

Ques. 4. State source of water supply:

Subterranean
Give location of point of diversion, showing subdivision, section, township and range

SW 1/4 of the NE 1/4 of Section 10 T12P4N R4E 30 B M

Ques. 5. Describe your works of diversion: Irrigation & Domestic

_____; state amount of water they are capable of conveying from point of diversion to place of use: 0.06 CFS; Give name of canal or ditch or other works by which water is conducted to such place of use: Middleton Hill Ditch

_____; if a well, state depth of well 85 ft; depth and size of casing 4 inches; depth to water no depth; if pump is used,

state discharge of pump: 400-500 gal a min; tell how it was measured or determined

by filling 5 gal can; if sprinkler irrigation, give number and size of nozzles and operating pressure:

Ques. 6. State for what purpose water is used: Irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

water used for about 3/4 acre

Description?

Boley

30795

DT

State nature of all improvements which have been made as a direct result of said use:

For Irrigation & Domestic

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Guy Doty Huston Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used: arrow to north (no) but

For pressure system house use

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: _____ - Time used since first use:

November 1962 Irrigation during summer months rest times Domestic use

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

2 shares in the Middleton Field ditch

(sign) Lloyd D Kuck

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Caldwell, County of Canyon
State of Idaho, on this 20th day of October, A. D. 1967.

My commission expires: 18 April, 1971

30795

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G 30795

OCT 24 1961

DEPT.

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Robert Roy Nichols - 66, Rt #1 Nampa - Idaho.

Ques. 2 Are you acquainted with Wayd D. & Bertha Kuck, the holder of Permit No. G 30795? How long have you known him and where does he reside?

Approx. 20 yrs Rt #1 Caldwell - Idaho.

Ques. 3. Have you read or heard said Permit No. G 30795 read, and are you familiar with its provisions and conditions: Yes ☒ No. ☐

Ques. 4. State source of water supply: Well

Give location of place of diversion, showing subdivision, section, township and range

SW 1/4 of NE 1/4 of S10, T4N, R3W BM

Describe works for conveying water to place of use: Natural flow +

A pump.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 0.06 CFS How much water have you seen being so conveyed? AS ABOVE

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

3/4 Acre

AS ABOVE

SW 1/4 of NE 1/4 of S10, T4N, R3W BM

30795

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

SAME LOCATION IE: S10; T4N; R3WBM - Domestic
Use & IRRIGATION -

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

- NONE (NOW IN AGRICULTURE) has

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? NONE -

Ques. 10. When did you first see this water used? Nov. 1962

Other times you have seen such use: VARIOUS Since then &
to date -

(Signed):

X Robert Roy McInnis

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Caldwell, County of CANYON, State of Idaho, on
this 20th day of October, A. D. 1967

J. Anderson

Notary Public for the State of Idaho

Residing Caldwell, Idaho

My commission expires 18 April, 1971

30795

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-30795

OCT 24 1967

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

John H. Kuck, 67, Caldwell, Idaho Rt#1 Box #294
Retired.

Ques. 2 Are you acquainted with Lloyd D. Kuck & Beatha Kuck, the holder of
Permit No. G-30795? How long have you known him and where does he reside?

4/48. & resides Rt#1 Caldwell-Idaho.

Ques. 3. Have you read or heard said Permit No. G-30795 read, and are you familiar
with its provisions and conditions: Yes ☒ No. ☐

Ques. 4. State source of water supply: Well

Give location of place of diversion, showing subdivision, section, township and range

SW 1/4 of NE 1/4 of S. 10, T4N, R3W BM

Describe works for conveying water to place of use: NATURAL FLOW

pump.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 0.06 CFS How much water have you seen being so
conveyed? AS ABOVE

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

3/4 ACRES

AS ABOVE

SW 1/4 of NE 1/4 of S. 10, T4N, R3W BM

30795

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Same Location IE: 810; T4N; R3WBM — Domestic
use & Irrigation —

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

None — it is not reclaimed

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? None —

Ques. 10. When did you first see this water used? Nov. 1962

Other times you have seen such use: Various since then
to date

(Signed):

X John H. Hanks

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Caldwell

 , County of CANYON, State of Idaho, on
this 20th day of October, A. D. 1967

L. Anderson

Notary Public for the State of Idaho

Residing Caldwell - Idaho

My commission expires 18 April, 1971

30795