

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: **A63-03369A**
Date Received: 8/28/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: SUSAN E HOWELL 208-466-1550
Address: RT 1
KUNA ID 83634
OR
Name: CURTIS R HOWELL 208-466-1550
Address: RT 1
KUNA ID 83634

2. Date of Priority: OCT 7, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01W	8		NW	NW		ADA

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.680		585.00

7. Total Quantity Appropriated is:
1.680 C.F.S. (and/or) 585.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	8	NW	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	01W	8	SW	NW		IRR	32.0
			NE	SW		IRR	18.0
			NW	SW		IRR	40.0
						Section Acres	130.0
						Total Acres	130.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

CLAIM AMENDED PER TRANSFER NO. 5470 APPROVED 11/22/99 SB.
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM NO. A63-03369, FEE PAID UNDER RECEIPT NO. W005051.

15. Basis of Claim: LICENSE

Water Right Number: 31421

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5470
WATER RIGHT NO(S). 63-03369B/63-07532B

RECEIVED

NOV 26 1999

WATER RESOURCES
WESTERN REGION

This is to certify that: **ROBERT SVEDIN**
7605 S ROBINSON
KUNA ID 83634

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>
Right No. 63-03369B : IRRIGATION Priority: 10/07/1963	03/15 to 11/15	0.47 CFS	162.0 AF
Right No. 63-07532B : IRRIGATION Priority: 12/17/1971	04/01 to 11/15	0.39 CFS	162.0 AF
TOTAL:		* 0.60 CFS	* 162.0 AF

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 5, Township 01N, Range 01W
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	01W	5	SWSW	36		36
Total number of acres irrigated:						* 36

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5470
WATER RIGHT NO(S). 63-03369B/63-07532B

CONDITIONS OF APPROVAL AND REMARKS

4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water under Right 63-03369B before 03/15, and under Right 63-07532B before 04/01, is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.
- * 8. Rights 63-03369B and 63-07532B when combined shall not exceed a total diversion rate of 0.60 cfs, a total annual maximum diversion volume of 162.0 af at the field headgate, and the irrigation of 36.0 acres.

Dated this 22nd day of

November, 1999


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 63-03369 & 63-07532

FROM: Pam Skaggs *PS* State Office

SUBJECT: Transfer 5470

DATE: November 19, 1999

Transfer 5470 changes the point of diversion under a portion of Rights 63-03369 and 63-07532, splitting each right into Parts A and B. The applicant is drilling a separate well for his portion of the right and land. The unchanged portions under Part A will continue to use the original well.

The standard season of use is earlier than either licensed season and the approval contains the subordinated early use condition. Other recommended conditions include drilling permit requirements, future measuring devices & annual reporting, irrigation overlap and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

APPLICANT Robert Svedin TRANSFER NO. 5470

INITIAL ALLOCATION REVIEW BY FL DATE 6/9/99

1. Right number(s) 63-03369 63-07532

2. Type of right ☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☐ Change P/D ☒ Add P/D ☐ Change P/U
☐ Change N/U ☐ Change Period ☒ Split Right
☐ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

- to complete*
- a. ☒ Analysis memo (always - unless justify why not needed)
- b. ☒ N/A All of right
- c. ☒ Part of right (**NOTE!** Part B should be filled in only if part of right is owned by the applicant) - *change in ownership to follow for separate system*
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing P/D & P/U after transfer
- g. ☒ Correct notarized signature and \$100 fee
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. ☒ Expansion in use of right - check rate of flow, diversion volume and consumptive use volume. Comments:

*Need current owner's consent
rec 6/21/99
g*

- j. ☒ Overlapping rights - check current & proposed scenarios:
 Current } Appears that only these 2 g.w.
 Proposed } Rights cover the pertinent P/w.
- k. ☒ SRBA claim(s) claimed as licensed so
" in its n/a to legal notice
- l. ☒ Comment letters ☐ Yes ☒ No
 If yes ☐ Water District #
☐ Other, see #2 below for name
 and address

PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT? ☒ Yes
2. COMMENT LETTERS
- Watermaster recommendation requested on _____, Received on _____
- Other comments letters: ☐ See attached information.
3. Transfer published correctly? ☒ Yes ☐ No
4. Affidavit of publication received? ☒ Yes ☐ No
5. Protests received? ☐ Yes ☒ No; Acknowledgement sent? ☐ Yes
6. Data entry of application completed? ☒ Yes

RECOMMENDED ACTION

1. ☒ Approve ☐ See attached memo
2. ☐ Deny due to _____
3. Conditions (special conditions in Water Districts) standard xfer conditions
4. By Gary S Date 8/12/99

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? ☒ Yes from
2. File forwarded to S.O.: by ST date 8-12-99

MEMO

DATE: 7/27/1999

TO: File 5470

FR: lg

RE: Svedin Transfer, Rights 63-03369, 63-07532

This transfer proposes to split the water rights to reflect separate owners and, with the addition of a new well, separate systems.

ATTACHMENTS:

- A. Ownership Documentation
- B. 1987 CFSA Photo

The application was prepared by myself and initially reviewed and submitted for advertising by Steve Lester.

CURRENT RECORDS & PROPOSED CHANGE:

Although surface water (63-02388) appears in sections 5 and 8, on the p/u comparison report, Steve found that the p/u for both rights appears to be outside the delivery co./district service area per basin 63 local service area maps produced by IDWR.

The SRBA claims were filed as licensed.

VERIFICATION:

1987 CFSA photo verified irrigation along with IDWR's 1994 scanned airphoto.

RECOMMENDATIONS:

With the attached ownership information, this transfer should be approved as part A and part B designating each separate owner, system, and acres.

The Idaho Statesman

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING INVOICE

Account #	DTI#	Identification	Amount:
047628	60618	PROPOSED CHANGE OF WATER RIGHT, #5470	\$54.48
Ordered by:	P.O. #	Rate	Run Dates
SUE TAYLOR		NT	JUNE 17, 24, 1999
IDAHO DEPT. OF WATER RESOURCES WEST 2735 AIRPORT WAY BOISE, IDAHO 83705-5082			Number of Lines 31
			Affidavit 1
			Legal # 4326

LEGAL NOTICE NOTICE OF PROPOSED CHANGE OF WATER RIGHT, TRANSFER NO. 5470

Notice is given that **ROBERT SVEDIN** of 7605 S. Robinson, Kuna ID 83634 has applied to the Department of Water Resources to change the Point of Diversion pursuant to I.C. § 42-222 for the following licensed irrigation ground water rights in TIN RTW, Ada County:
#63-03369, priority 10-7-1963, 2.15 cfs, diverted in NWNW S8 to irrigate 166 acres in SWSW S5 and parts of W 1/2 S8.
#63-07532, priority 12-17-1971, 2.53 cfs, same diversion to irrigate 234 acres in about the same tracts described above.
Combined rights allow 3.90 cfs to irrigate 234 acres.

PROPOSED CHANGE

Split both rights and add a new well to irrigate Svedin's 36 acres, all in SWSW S5. Applicant will divert .60 cfs from new well. Unchanged portions of rights will still be served from original well (3.30 cfs for 198 acres in S8). Applicant's portions of rights will be 63-03369B and 63-07532B.
Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before July 6, 1999. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director

Pub. June 17, 24, 1999

4326

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended for: TWO

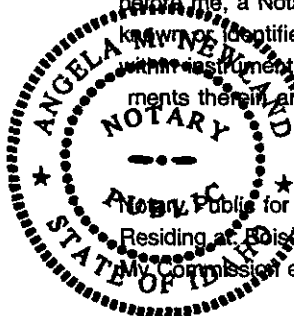
☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning with the issue of: JUNE 17, 1999
and ending with the issue of: JUNE 24, 1999

Janice Hildreth

STATE OF IDAHO)
)ss
COUNTY OF ADA)

On this 24 day of JUNE in the year of 1999
before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Angela M. Newland
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires: 2/12/05

RECEIVED
JUN 25 1999

WATER RESOURCES
WESTERN REGION

[illegible]

PART 1

6. General Information:

a. Description of diversion system A- existing system
B- new well, pump, sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ 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 affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

A + B parts of both right, when combined, cannot
exceed the original system capacity of 3.9 cfs.

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 _____.

pg 3 of 8
WR0749NP
No. 63-03369

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/21/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD GUENTZ	10/07/1963	IRRIGATION	03/15 11/15	2.150 CFS	747.00 AFA
C	LORENE GUENTZ					
	RT. 3			TOTAL DIVERSION:	2.150 CFS	747.00 AFA
	NAMPA ID 83651					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R01W S08

NWNW

ADA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S	:	NENE	NUNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
---	---	---	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	---
01N	01W	5	:					:					:				36	:							:	36.0
01N	01W	8	:					:		40	32		:		18	40		:							:	130.0
																							TOTAL ACRES		166.0	

Pol County: ADA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-07532

Other Water Rights Listing Overlapping Place(s) of use:
63-03319 63-07532

Dates:	App. Received:	Priority Date:	10/07/1963
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	09/12/1979	

Misc: Water District Number: Field Exam Fee:

Audit: 05/20/85 05/01/88 CONVERT

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

N

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

WR0749NP
No. 63-07532

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/21/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD V. GUENTZ R.R.3 BOX 3603 NANPA ID 83651	12/17/1971	IRRIGATION	04/01 11/15	2.530 CFS	1053.00 AFA
TOTAL DIVERSION:					2.530 CFS	1053.00 AFA
C	THE TRAVELERS INSURANCE CO.					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R01W S08

NWNW

ADA County

Place of Use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	SUM
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
01N	01W	5	:													36.0
01N	01W	8	:													198.0
TOTAL ACRES																234.0

Pou County: ADA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
63-03369

Other Water Rights Listing Overlapping Place(s) of use:
63-03319 63-03369

Conditions of Approval:

- 016 - See remarks for additional conditions of approval.
- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Remarks: GEN THE MAXIMUM RATE OF DIVERSION & VOLUME PER YEAR SHALL NOT EXCEED
3.90 CFS/1053 AF WHEN COMBINED WITH LIC. 3142/63-3369.

Dates: App. Received: Priority Date: 12/17/1971
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/13/1979

Misc: Water District Number: Field Exam Fee:

Audit: 04/29/86 05/01/88 CONVERT 09/22/90 RGTHE

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

N If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

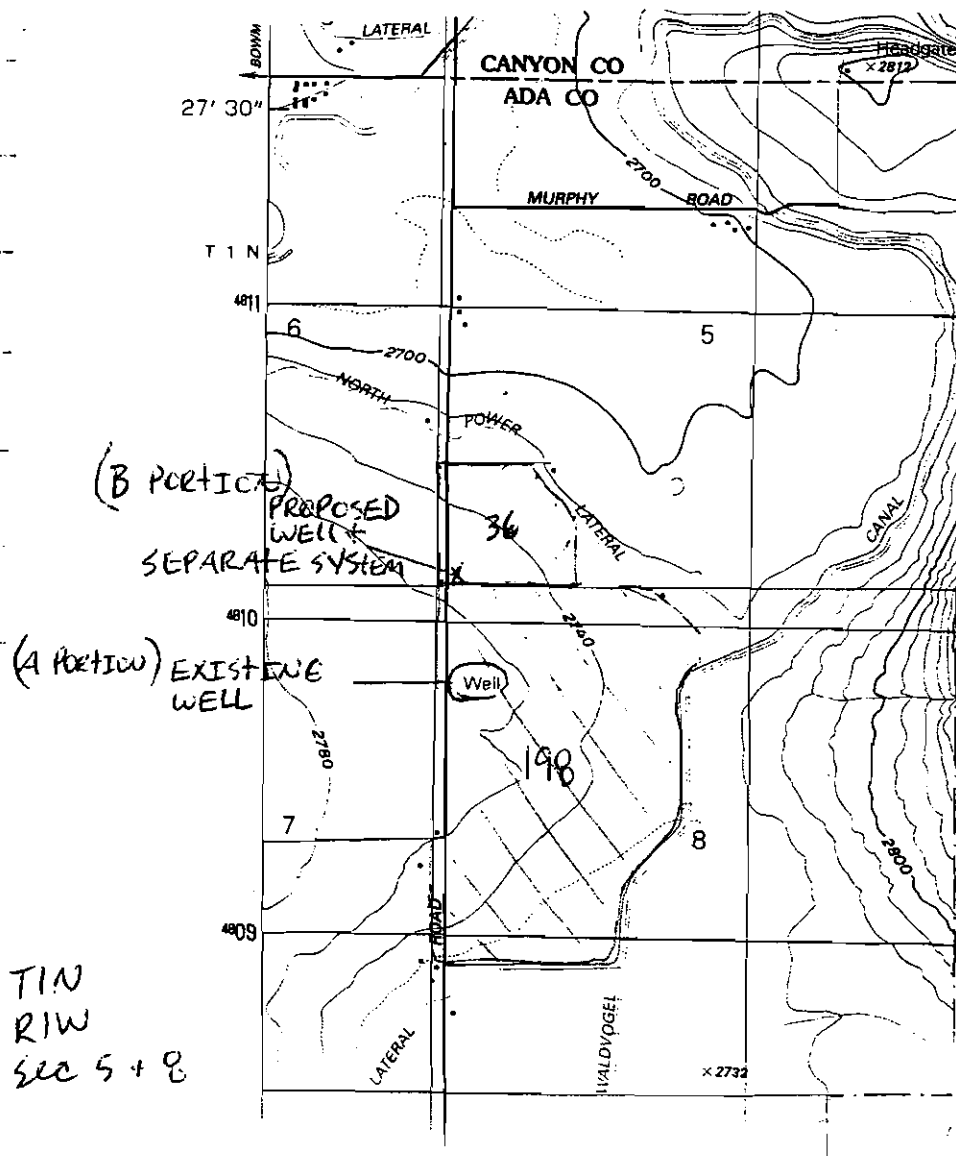
STATE OF IDAHO

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.



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

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

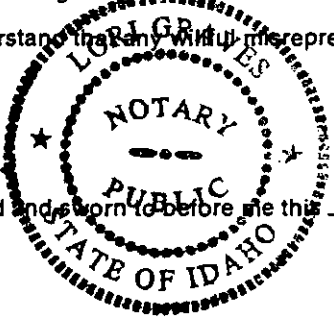
2. Quantity and quality of return flows and location of discharge:

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

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

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

Subscribed and sworn to before me this 21st day of April, 19 99.

 _____
(Signature of Applicant)

_____ Don Granger
(Notary Public)

My commission expires 6/18/2004

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 2 attachments

Received by Ly Date 4/21/99 Protest filed by _____

Prelim. check by 82 Fee 100 W025093

Receipted by Ly Date 4/21/99

Published in Idaho Statesman 6-17+24-99 Copies of protest forwarded by _____

Pub. dates 6-17+24-99 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

CONVERSATION MEMORANDUM

DATE 2/3/2000

FILE ~~T. 5470~~ Suedin

NAME OF PARTY

D.P. Applicant

EMPLOYEE

R

63-99 W-1014-000

RE: Drilling Permit Appl. for Robert Suedin

This d.p. is for new well added in T. 5470, which split rights 63-03369 & 63-07532 into A & B portions. The B portions were for Suedin.

Subsequent to that, Drake filed T. 5633 application to split B into C & D since Suedin sold to 2 new parties, Heusser (will be C) & Drake (will be D). T. 5633 is pending at Regional office. Part of the plan has to be corrected in the pending split.

A well agreement was included in T. 5633 that requires Suedin to put in the new well as part of the SAKS Agreement. The new well (additional pt. of division originally approved in T. 5470 & reconfirmed in Appl. T. 5633) might be able to be drilled per T. 5470 Agreement (Nov. 1999), although it should not be well outside of Suedin's S.S. until T. 5633 is issued.

The best course of action is probably to wait until T. 5633 is issued, then approve the d.p. in name of Suedin. D.P. approval will not confer any water ownership or use of water for Suedin.

cc: T. 5470, T. 5633 Region & S.O. files

WR5809NP
No. 63-03369B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/03/00
PAGE: 2

B' parties *

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT SVEDIN 7605 S ROBINSON KUNA ID 83634 (208) 495-2259	10/07/1963	IRRIGATION	03/15 11/15	0.470 CFS	162.00 AFA
TOTAL DIVERSION:					0.470 CFS	162.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T01N R01W S05

SWSW

ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		SUM
01N	01W	5	:				:				:				:	36.0
TOTAL ACRES																36.0

Pou County: ADA

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 01M - After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- R65 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water under Right 63-03369B before 03/15, and under Right 63-07532B before 04/01, is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.
Rights 63-03369B and 63-07532B when combined shall not exceed a total diversion rate of 0.60 cfs, a total annual maximum

* now B → proposal C (Heuser) & D (Orake) per pending T. 5633

WR5809NP
No. 63-03369B

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/03/00
PAGE: 3

Remarks: diversion volume of 162.0 af at the field headgate, and the
irrigation of 36.0 acres.

Dates: App. Received: Priority Date: 10/07/1963
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/12/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 11/19/1999 User-ID: PSKAGGS Subject: TRANSFER 5470
Transfer 5470 changes the point of diversion under a portion
of Rights 63-03369 & 63-07532, splitting each right into Parts
A & B.

Audit: 11/19/99 PSKAGGS

WR5809NP
No. 63-075328

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/03/00
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT SVEDIN 7605 S ROBINSON KUNA ID 83634 (208) 495-2259	12/17/1971	IRRIGATION	04/01 11/15	0.390 CFS	162.00 AFA
TOTAL DIVERSION:					0.390 CFS	162.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R01W S05 SWSW ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE										
T	R	S		NENE	NWNE	SWNE	SENE	: NENW	NWNW	SWNW	SENW	: NESW	NWSW	SWSW	SESW	: NESE	NWSE	SWSE	SESE	:		
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
01N	01W	5	:					:					:	36	:					:	36.0	
TOTAL ACRES																				36.0		

Pou County: ADA

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- 01M - After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- R65 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: GEN The period of use for the irrigation described in this approval may be extended to a beginning date of 03/01 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water under Right 63-033698 before 03/15, and under Right 63-075328 before 04/01, is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date of this approval.
Rights 63-033698 and 63-075328 when combined shall not exceed a total diversion rate of 0.60 cfs, a total annual maximum

WR5809NP
No. 63-075328

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/03/00
PAGE: 6

Remarks: diversion volume of 162.0 af at the field headgate, and the
irrigation of 36.0 acres.

Dates: App. Received: Priority Date: 12/17/1971
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/13/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 11/19/1999 User-ID: PSKAGGS Subject: TRANSFER 5470
Transfer 5470 changes the point of diversion under a portion
of Rights 63-03369 & 63-07532, splitting each right into Parts
A & B.

Audit: 11/19/99 PSKAGGS 11/19/99 PSKAGGS

'A' portions

WR5809NP
No. 63-03369A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/03/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY		USE PERIOD		DIVERSION RATE	DIVERSION VOLUME
		DATE	WATER USE	FROM	TO		
C	GERALD GUENTZ	10/07/1963	IRRIGATION	03/15	11/15	1.680 CFS	585.00 AFA
C	LORENE GUENTZ						
	RT 3						
	NAMPA ID 83651						
TOTAL DIVERSION:						1.680 CFS	585.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T01N R01W S08

NWNW

ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				SUM
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
01N	01W	8	:													130.0
TOTAL ACRES																130.0

Pou County: ADA

Dates: App. Received: Priority Date: 10/07/1963
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/12/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 11/19/1999 User-ID: PSKAGGS Subject: TRANSFER 5470
Transfer 5470 changes the point of diversion under a portion
of Rights 63-03369 & 63-07532, splitting each right into Parts
A & B.

Audit: 11/19/99 PSKAGGS

*adds proposed wsa 5wsw S.S
to B portions*

WR5809NP
No. 63-07532A

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/03/00
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD V GUENTZ R R 3 BOX 3603 NAMPA ID 83651	12/17/1971	IRRIGATION	04/01 11/15	2.140 CFS	891.00 AFA
TOTAL DIVERSION:					2.140 CFS	891.00 AFA

C THE TRAVELERS INSURANCE CO

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R01W S08 NWNW ADA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
01N	01W	8	:					:	38	40	32	30	:	18	40			:						:	198.0
TOTAL ACRES																							198.0		

Pou County: ADA

Conditions of Approval:

- 016 - See remarks for additional conditions of approval.
- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.

Remarks: GEN THE MAXIMUM RATE OF DIVERSION & VOLUME PER YEAR SHALL NOT EXCEED
3.30 CFS/891 AF WHEN COMBINED WITH LIC. 3142/63-3369.

Dates: App. Received: Priority Date: 12/17/1971
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 09/13/1979

Misc: Water District Number: Field Exam Fee:

Comments: Date: 11/19/1999 User-ID: PSKAGGS Subject: TRANSFER 5470
Transfer 5470 changes the point of diversion under a portion
of Rights 63-03369 & 63-07532, splitting each right into Parts
A & B.

Audit: 11/19/99 PSKAGGS

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: A63-03369
Date Received: 8/28/1989
Receipt No: W005051
Received By: JW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CURTIS R. HOWELL 208-466-1550
Address: RT. 1
KUNA, ID 83634
OR
Name: SUSAN E. HOWELL 208-466-1550
Address: RT. 1
KUNA, ID 83634

2. Date of Priority: OCT 07, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	01W	8	NW	NW			ADA

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.150		747.00

7. Total Quantity Appropriated is:
2.150 C.F.S. (and/or) 747.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	01W	5	SW		SW		IRR	36.0
							Section Acres	36.0
		8	NW		NW		IRR	40.0
			SW		NW		IRR	32.0
			NE		SW		IRR	18.0
			NW		SW		IRR	40.0
							Section Acres	130.0
							Total Acres	166.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 31421

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: 2

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): Curtis K. Howell Date: 8-28-89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 28th day

of August 19 89

Seal

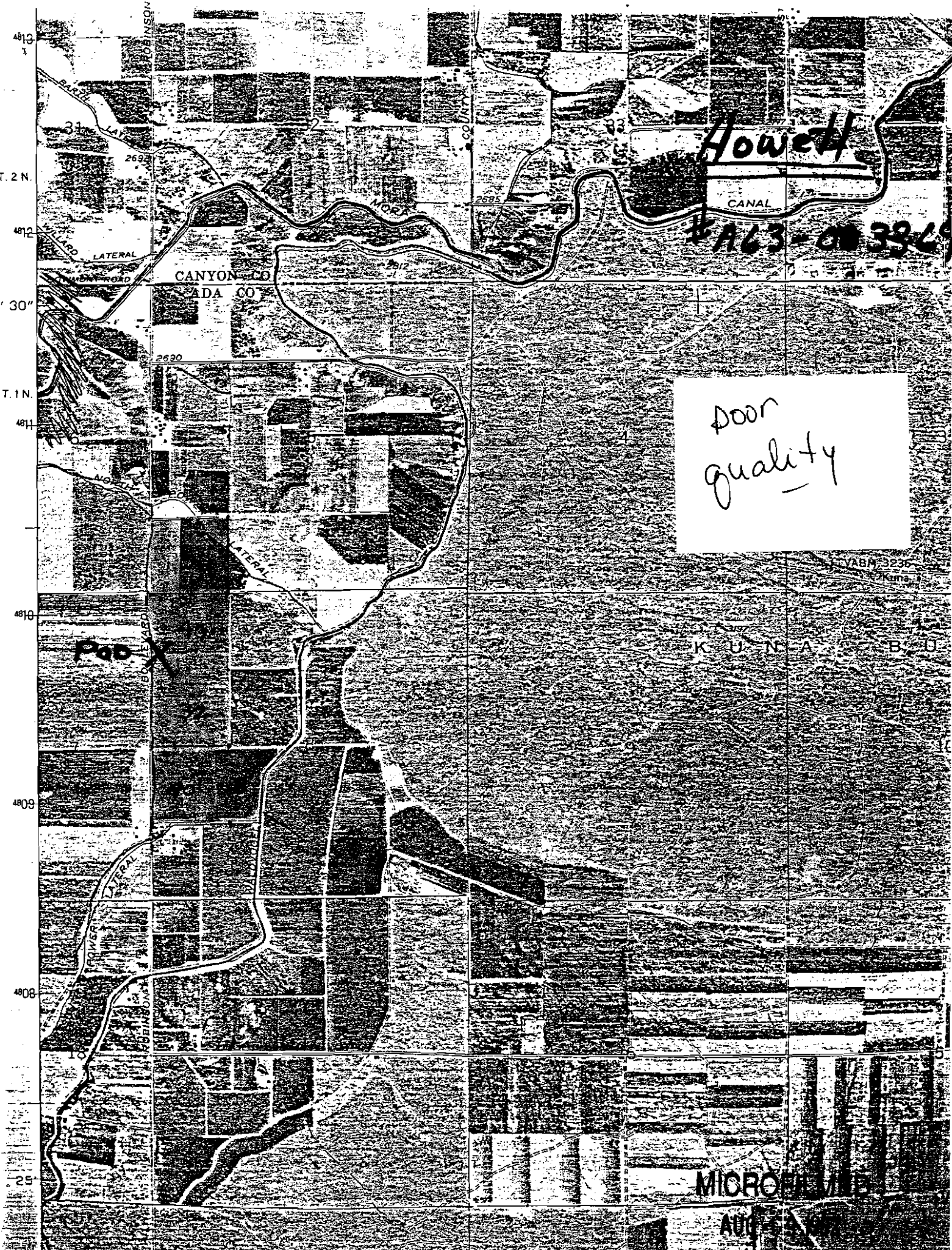
Jan O. Huete
Notary Public

Residing at Meridian ID

My Commission Expires 9-14-94

poor
quality

991



Howell

#A63-003849

Poor
quality

CANYON CO
IDA CO

KUNA B. ID

MICROMETER

AUG 1964

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

RIGHT NUMBER: 63-3369A

NAME AND ADDRESS: DONALD E HEIDA
8902 S SWAN FALLS RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.680 CFS
585.000 AFY

Right Nos. 63-32681, 63-32682 and 63-3369A are limited to a total combined diversion rate of 3.96 cfs and to a total combined annual diversion volume of 891.0 AF.

PRIORITY DATE: 10/07/1963

POINT OF DIVERSION:

T01N R01W S8 NWNW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.680 CFS 585.00 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 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.

PLACE OF USE: IRRIGATION in ADA County

T01N R01W S08	NWNW	40.00	T01N R01W S08	SWNW	32.00
T01N R01W S08	NESW	18.00	T01N R01W S08	NWSW	40.00

130 ACRES TOTAL

Right Nos. 63-32681, 63-32682 and 63-3369A are limited to the irrigation of a combined total of 198 acres in a single irrigation season.

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

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

In Re SRBA

Case No. 39576

Water Rights: 63-3369A

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☐

Address change

XX

Substitution of Party

☐

IC § 42-222 transfer

☐

Point of diversion

☐

Place of use

☐

Period of use

☐

Nature of use

☐

Split of water right

☐

Change in ownership

☐

Other

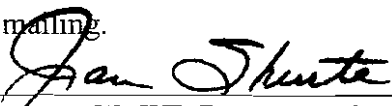
☐

IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: June 15, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 15, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Don Heida
8902 S Swan Falls Rd
Kuna ID 83634

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

June 15, 2007

DONALD E HEIDA
8902 S SWAN FALLS RD
KUNA ID 83634

Re: Water Right No. 63-3369A

Dear Mr. Heida:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

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

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 13, 2007

DONALD HEIDA
8902 S SWAN FALLS RD
KUNA ID 83634

RE: Snake River Basin Adjudication (SRBA)
Water Right No(s). 63-3369A, 63-7532A

Dear Mr. Heida:

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

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

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

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region

LH:1
Enclosures

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

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A \$01.11
6004389393 FEB 02 20
MAILED FROM ZIP CODE 837

Don't forget to
check the status
of your account
before sending
any money.
If you have
any questions
call 1-800-855-8888
or write to
Donal Haida
c/o Mail Services
P.O. Box 600 No. 2nd St
Kuna, ID 83634

CURTIS R HOWELL

10101 N. 10th St.
K11
KUNA ID 83634

RECEIVED
FEB 07 2007
WATER RESOURCES
WESTERN REGION

Donald Haida

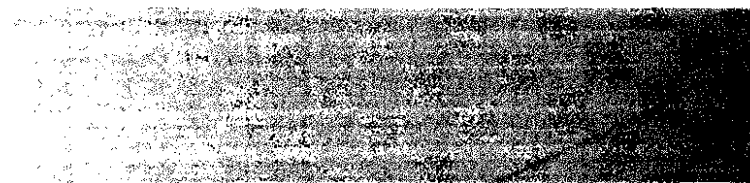
8902 S Swan Falls Rd

Kuna 83634

Don't forget to
check the status
of your account
before sending
any money.
If you have
any questions
call 1-800-855-8888
or write to
Donal Haida
c/o Mail Services
P.O. Box 600 No. 2nd St
Kuna, ID 83634

63-7532A

63-5369A



09/11/2006

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

RIGHT NUMBER: 63-3369A

NAME AND ADDRESS: SUSAN E HOWELL
RT 1
KUNA ID 83634

CURTIS R HOWELL
RT 1
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.680 CFS
585.000 AFY

Right Nos. 63-7532A and 63-3369A are limited to a total combined diversion rate of 3.96 cfs and to a total combined annual diversion volume of 891.0 AF.

PRIORITY DATE: 10/07/1963

POINT OF DIVERSION:

T01N R01W S8 NWNW Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.680 CFS 585.00 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 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.

PLACE OF USE: IRRIGATION Within ADA County

T01N R01W S08	NWNW	40.00	T01N R01W S08	SWNW	32.00
T01N R01W S08	NESW	18.00	T01N R01W S08	NWSW	40.00

130 ACRES TOTAL

Right Nos. 63-7532A and 63-3369A are limited to the irrigation of a combined total of 198 acres in a single irrigation season.

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



Idaho Department of Water Resources

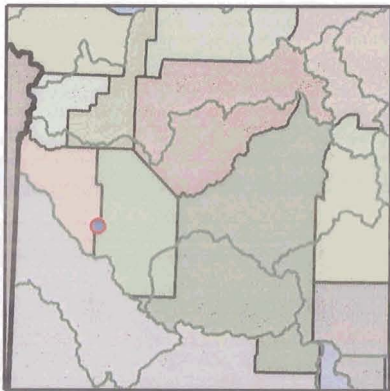
SRBA Recommendation:

63-3369A

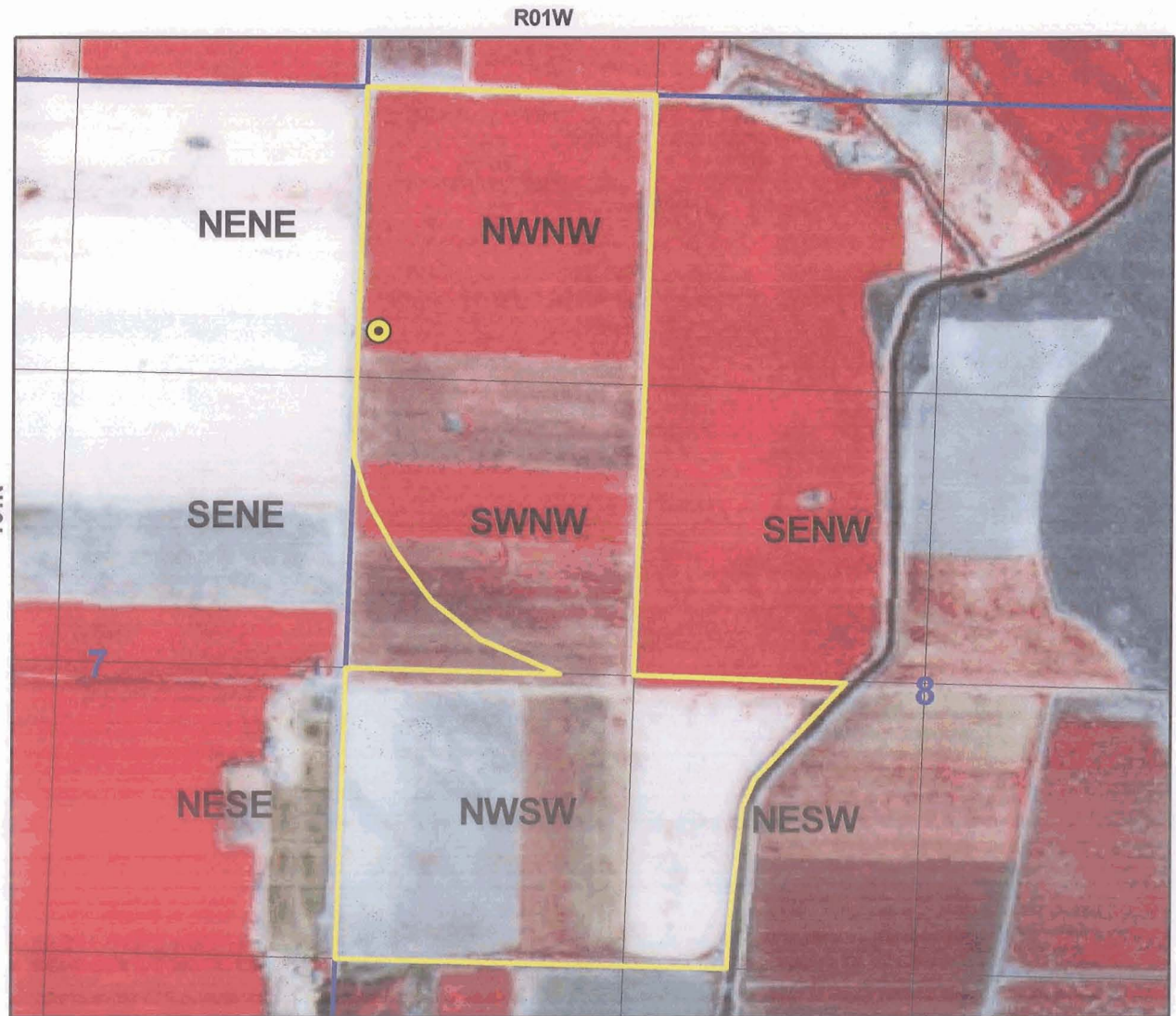
(Irrigation)

Legend

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



Ada County
IDWR Basin 63



0 0.3 0.6 Miles

Prepared by S. Egbert
On Monday, September 11, 2006
1987/88 Aerial Photography

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5470

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED

AUG 16 1999

PART 1

Department of Water Resources

Name of applicant Robert J. Swedlin Phone 495-225-9Post Office address 7605 S Robinson Rd 83634

A. PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes acres in section 5 will operate from a separate well + system for separate owners - change of ownership will be necessary once transfer is approved.

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-03369A</u>	<u>10/7/1963</u>	<u>1.68/585</u>	<u>Irrig</u>	<u>3/15</u> to <u>11/15</u>
<u>B</u>		<u>.47/162</u>		<u>3/15</u> to <u>11/15</u>
<u>63-07532A</u>	<u>12/17/1971</u>	<u>2.14/891</u>		<u>4/1</u> to <u>11/15</u>
<u>B</u>		<u>.39/162</u>		<u>4/1</u> to <u>11/15</u>

2. Total amount of water being transferred 4.68 ~~3.90~~ cubic feet per second and/or 1053 acre-feet per annum.

3. Source of water Ground water tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	8	1N	1W	Ada	existing
		SW	SW	5				proposed

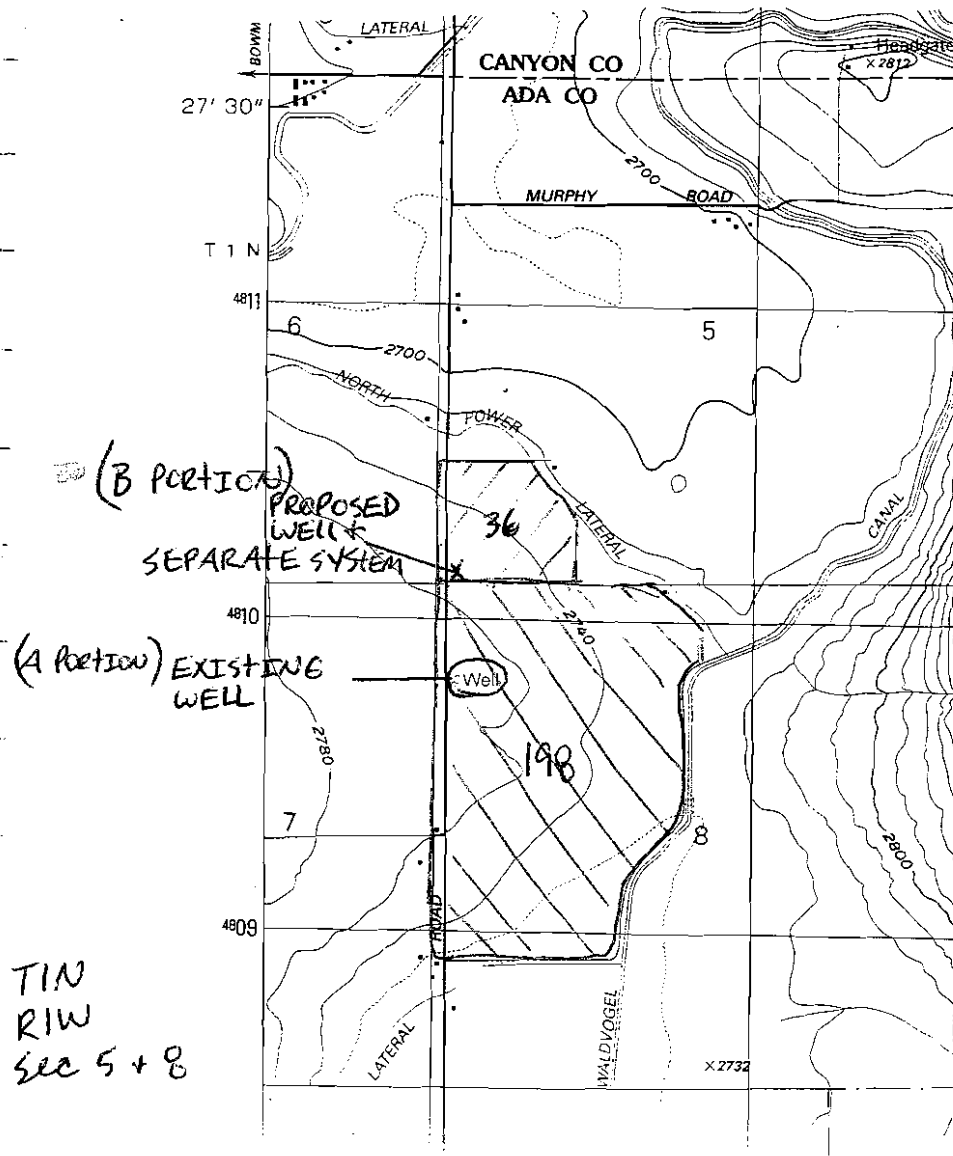
5. Lands irrigated or place of use: NO change

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	
1N	1W	8					38	40	32	30	18	40							198
		5											36						36

MICROFILMED
DEC 0 1999

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

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



**MICROFILMED
 DEC 02 1939**

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
63-03369			00/00/0000	/2			WR
63-03369A	GUENTZ, GERALD	C	10/07/1963	L/	GROUNDWATER	IRR	WR
	GUENTZ, LORENE	C					
63-03369B			00/00/0000	/2		IRR	WR
63-03369C	HUESSER, WILLIAM A	C	10/07/1963	L/	GROUNDWATER	IRR	WR
	HUESSER, CYNTHIA D	C					
63-03369D	DRAKE, SCOTT	C	10/07/1963	L/	GROUNDWATER	IRR	WR
	DRAKE, MARTHA	C					

A63-03369	SPLIT CLAIM	C	10/07/1963	L/	GROUNDWATER	IRR	AJ
					SPLIT CLAIM		
A63-03369A	HOWELL, SUSAN E	C	10/07/1963	L/	GROUNDWATER	IRR	AJ
	HOWELL, CURTIS R	C					
A63-03369B	SVEDIN, ROBERT	C	10/07/1963	L/	GROUNDWATER	IRR	AJ
	SVEDIN, KAYE	C					

WATER RIGHT NUMBER	NAME	CFS
63-03369	RIGHT SPLIT INTO PARTS A & B THRU APPROVED TRANSFER 5470.	
63-03369A	GUENTZ , GERALD GUENTZ , LORENE	1.68
63-03369B	RIGHT SPLIT INTO PARTS ^C / _A & ^D / _B THRU APPROVED TRANSFER 5633.	
63-03369C	HUESSER , WILLIAM A HUESSER , CYNTHIA D	0.16
63-03369D	DRAKE , SCOTT DRAKE , MARTHA	0.31

MICROFILMED

APR 28 2000

State of Idaho
Department of Water Administration
AMENDED
LICENSE OF WATER RIGHT

License of Water Right No. 31421/63-3369 Priority Oct. 7, 1963 Amount 2.15 cfs

THIS IS TO CERTIFY, that Allen E. Hosack -assignee- Gerald or Lorene Guentz
of Nampa, Idaho, have ~~has~~ complied with the terms and conditions of Permit
No. 31421/63-3369 issued pursuant to Application for Permit dated October 7, 1963,
and has submitted proof to the Department of Water Administration on August 13, 1965,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.15 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 2.15 cfs for irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 2.15 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW 1/4 Sec. 8, Twp. 1 N, Rge. 1 W, B. M.

in the county of Ada; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 747 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

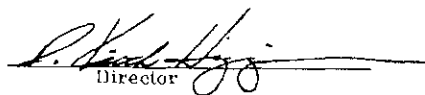
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1 N	1 W	5											36						36
		8					40	32		18	40								130

Total number of acres irrigated 166

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 22 day of

December, 19 71.


Director

63 3369

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

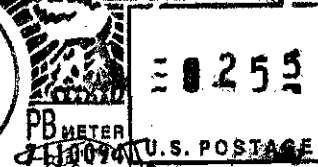
63- 3369A
7532A

found

RECEIVED
JUN 06 2002
WATER RESOURCES
WESTERN REGION

CURTIS R HOWELL
SUSAN E HOWELL
RT 1
KUNA ID 83634

PRESORTED
FIRST CLASS



- ☐ Not Deliverable As Addressed
- ☐ Unable To Forward
- ☐ Insufficient Address
- ☐ Moved, Left No Address
- ☐ Unclaimed ☐ Refused
- ☐ Attempted - Not Known
- ☐ No Such Street ☐ No Zip
- ☐ Vacant ☐ Illegible
- ☐ No Mail Recd.

AJ5809NP
No. A63-03369A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/29/00
PAGE: 56

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SUSAN E HOWELL	10/07/1963	IRRIGATION	03-15 11-15	1.680 CFS	585.00 AFA
C	CURTIS R HOWELL					
	RT 1					
	KUNA ID 83634					
	(208) 466-1550					
				TOTAL DIVERSION:	1.680 CFS	585.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R01W S08

NWNW

ADA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
01N	01W	8	:									40	32			18	40			:	130.0
																				TOTAL ACRES	130.0

POU County: ADA

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-03369 A63-07532A

Other Water Rights Listing Overlapping Place(s) of Use:
A63-03319 A63-03369 A63-07532 A63-07532A

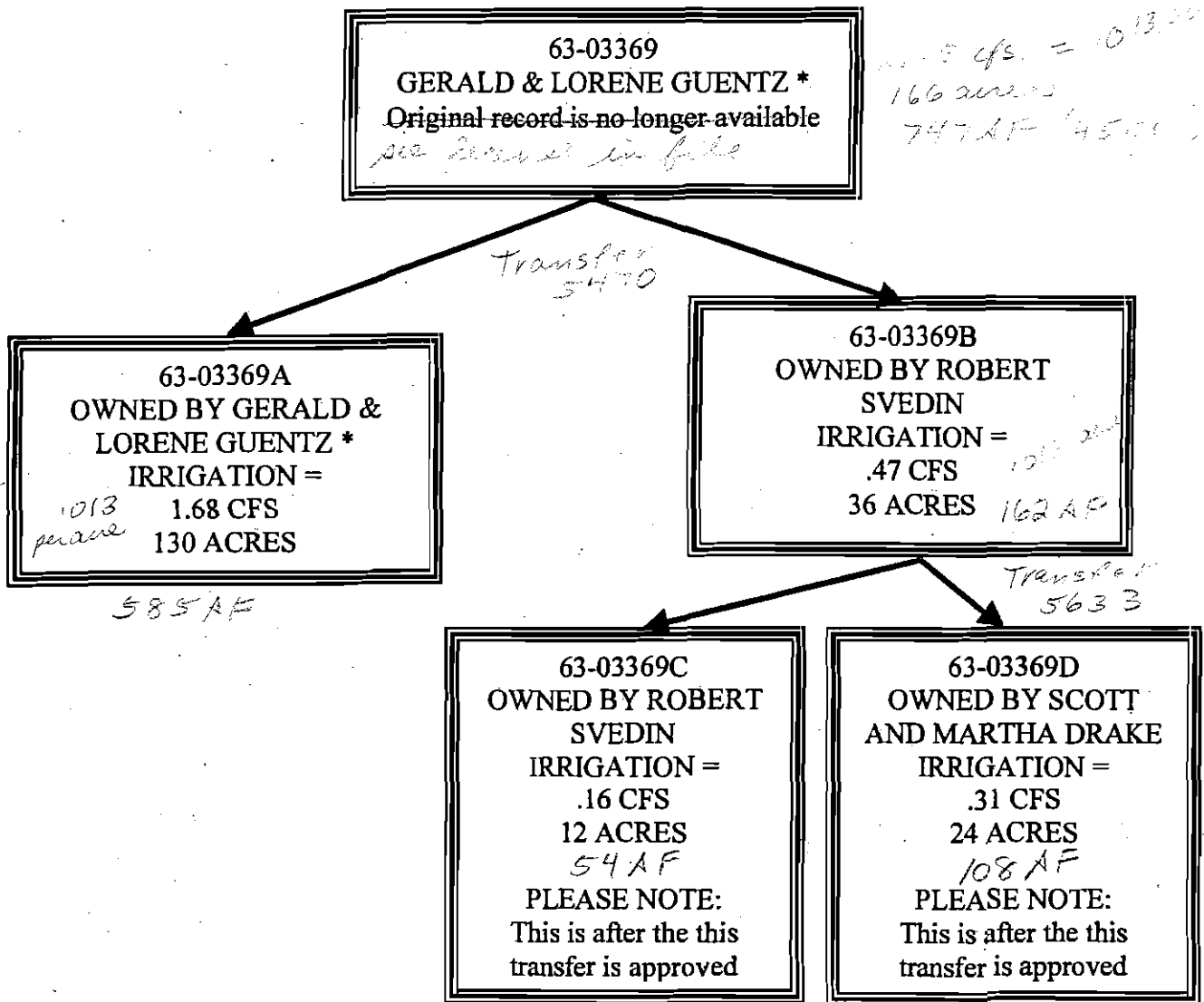
Remarks: GEN CLAIM AMENDED PER TRANSFER NO. 5470 APPROVED 11/22/99 SB.
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM NO. A63-03369, FEE PAID UNDER RECEIPT NO. W005051.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 12/28/99 SBOCK

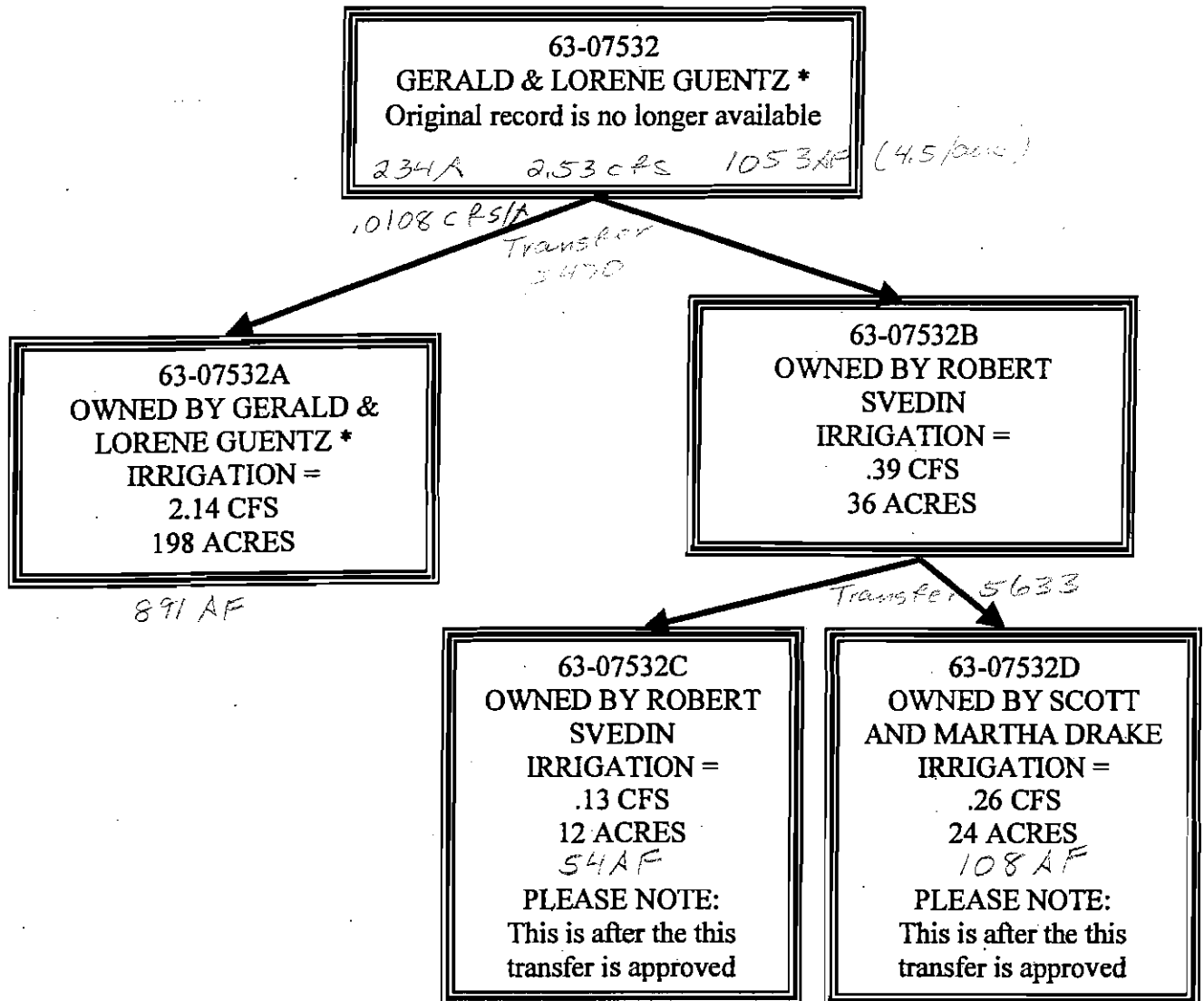
WATER RIGHT SPLITS FROM WATER RIGHT #63-03369



* The Adjudication files show the ownership of the original water right in the name of Susan and Curtis Howell.

PLEASE NOTE: This water is combined with water right 63-07532 and when combined with this water right the maximum diversion rate is .60 cfs. This would split the maximum diversion rate for these two rights to .20 cfs for the 63-03369B portion and .40 cfs for the 63-03369C portion.

WATER RIGHT SPLITS FROM WATER RIGHT #63-07532



* The Adjudication files show the ownership of the original water right in the name of Susan and Curtis Howell.

PLEASE NOTE: This water is combined with water right 63-03369 and when combined with this water right the maximum diversion rate is .60 cfs. This would split the maximum diversion rate for these two rights to .20 cfs for the 63-07532B portion and .40 cfs for the 63-07532C portion.