

10/17/2006

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

RIGHT NUMBER: 63-3043

NAME AND ADDRESS: KASTERA DEVELOPMENT LLC
372 S EAGLE RD, STE 375
EAGLE ID 83616

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.920 CFS
504.00 AFY

Right Nos. 63-2896, 63-3043, 63-3255 and 63-7876 are limited to a total combined annual diversion volume of 2214 AF.

PRIORITY DATE: 05/02/1955

POINT OF DIVERSION:
T01N R02W S5 SWNNW Within CANYON County
T01N R02W S5 NESESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/01 11/15	1.920 CFS 504.00 AFY
PLACE OF USE:	<u>IRRIGATION Within CANYON County</u>		
	T01N R02W S05 NENW 10.00	T01N R02W S05 NWNW	37.00
	T01N R02W S05 SWNW 25.00	T01N R02W S05 SENW	40.00
	112 ACRES TOTAL		

Right Nos. 63-2896, 63-3043, 63-3255 and 63-7876 are limited to the irrigation of a combined total of 492 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

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



Idaho Department of Water Resources

SRBA Recommendation:

63-3043

(Irrigation)

Legend

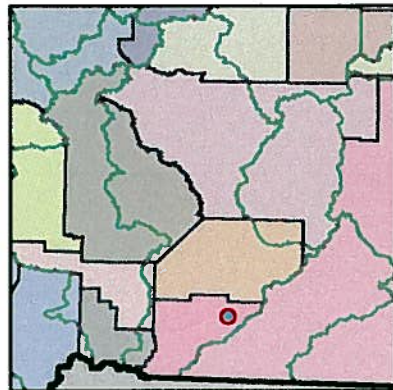
● Point of Diversion

□ Place of Use

□ Townships

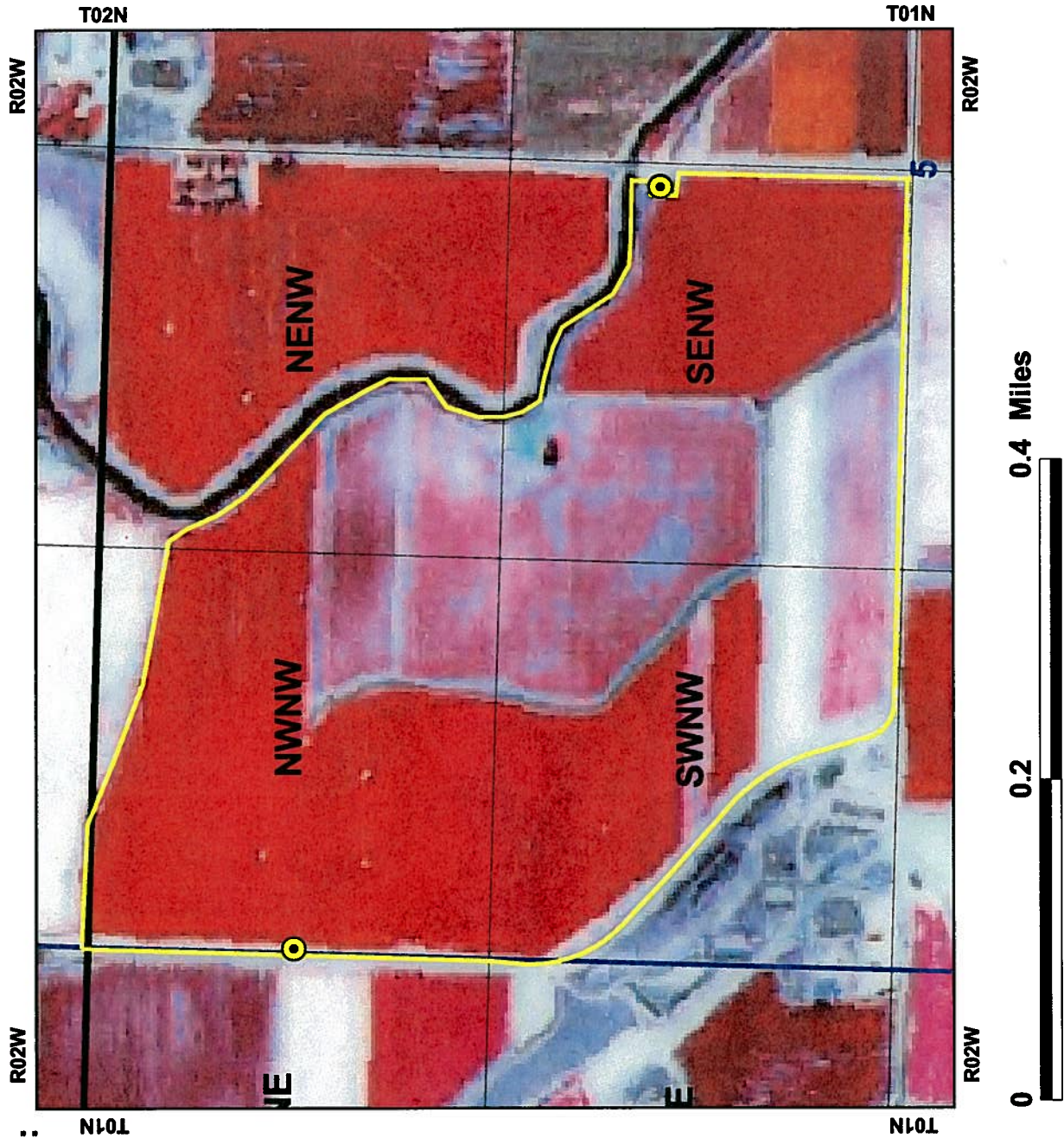
□ PLS Sections

□ Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography



AJ5809NP
No. A63-03043

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/09/00
PAGE: 46

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEONARD A TIEGS 15951 GARRITY BLVD Nampa ID 83687 (208) 466-7053	05/02/1955	IRRIGATION	03-15 11-15	1.920 CFS	
					TOTAL DIVERSION:	1.920 CFS
					CONSUMPTIVE USE:	392.00 AFA

Water Source: GROUNDWATER
Point(s) of Diversion: T01N R02M S05
Tributary to: SWMMW
Stage: LICENSE
CANYON 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	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: SUM
01N 02M 5	: 10	: 37	: 25	: 40	: 112.0
					TOTAL ACRES 112.0

POU County: CANYON

Non-Irrigation Uses: NONE

Other Rights: 6307876.

Other Water Rights Listing Overlapping Place(s) of Use:

A63-07876

Dates: Exam Made Date: 05/06/1985
Verified Date: 05/06/1985
Objection Filed Date:
Misc: Water District Number:
Field Inspection Flag:
Presumption Flag:
Audit: 02/14/90 CARLSON 03/30/95 POST-STD

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

07/13/95 00:03:35
Page 1

Water Right Number - 63-03043

Prefix Translation: WATER RIGHT

Old (D) Number - 25673

*** C - CURRENT OWNER ***
HOPKINS

LOUIS MELVIN

1 - RT. 4
2 -
3 -

City- NAMPA
Phone -

State- ID Zip- 83651

Priority Date - - - +
05/02/1955

Region - - - +
14 WESTERN

Stage - - - +
L - LICENSE

Status - - - +

Source - - - - - +
GROUNDWATER

Tributary - - - - - +

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
01N	02W	5	NW NW			(27)	CANYON			

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION						
43 - DOMESTIC						

+ - Total Div. Rate - - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.920

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
01N	02W	5	NE NW		10.0		01	IRRIGATION	(27) CANYON
01N	02W	5	NW NW		37.0		01	IRRIGATION	(27) CANYON
01N	02W	5	SW NW		25.0		01	IRRIGATION	(27) CANYON
01N	02W	5	SE NW		40.0		01	IRRIGATION	(27) CANYON
Total Acres:					112.0				

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - -
No Remarks found.

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

Water right number - 63-03043

Prefix Translation: WATER RIGHT

Conditions of Approval -
No Conditions of Approval found.

Decree Plaintiff - - - +

Decree Defendant - - - +

Decree Date - +

00/00/0000

Comments -
No Comments Found

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

Water Rights Dates and Flags Area

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 05/06/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 08/28/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	-
Presumption Flag	-				

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 63-03043

Date: 5-23-00

Overlapping POU Claim #'s: _____

all 112/ 7874

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	<u>1N</u>	<u>2W</u>	<u>5</u>					<u>10</u>	<u>37</u>	<u>25</u>	<u>40</u>									
GIS								<u>10</u>	<u>37</u>	<u>26</u>	<u>40</u>									<u>112</u>
																				<u>113</u>
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 37

POD_ID #(s): 29

Total Claimed Acres: 112

Total GIS Acres: 113

COMMENTS:

probably if I took the ditch out of SWNW it would be exactly 25
but I thought it was close enough to what will be recommended.

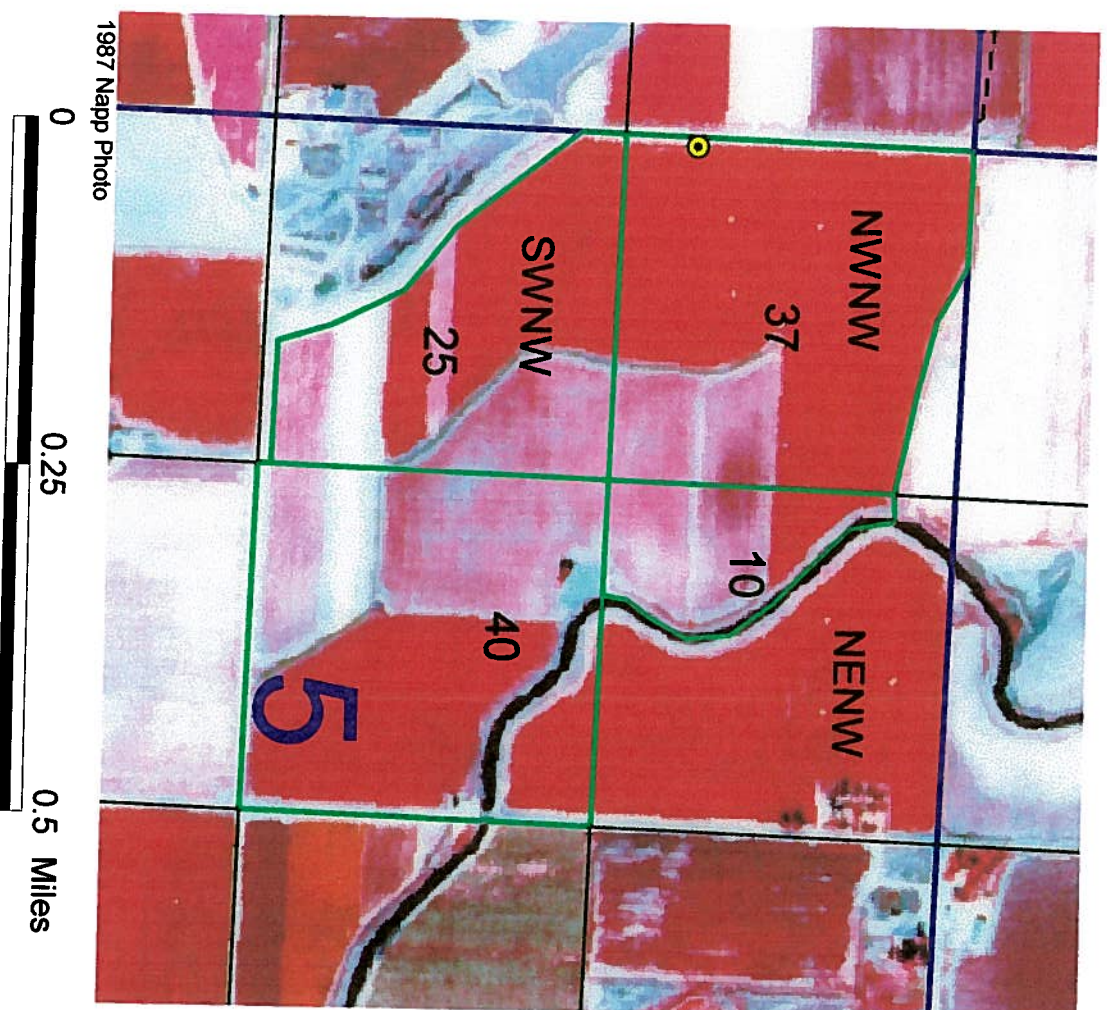
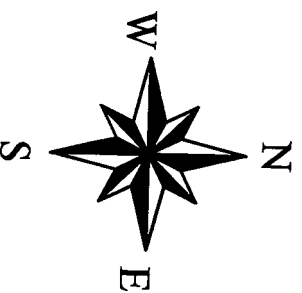
Idaho Department of Water Resources

Claim Number: 63-03043

Legal: T01N, R02W, S5

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



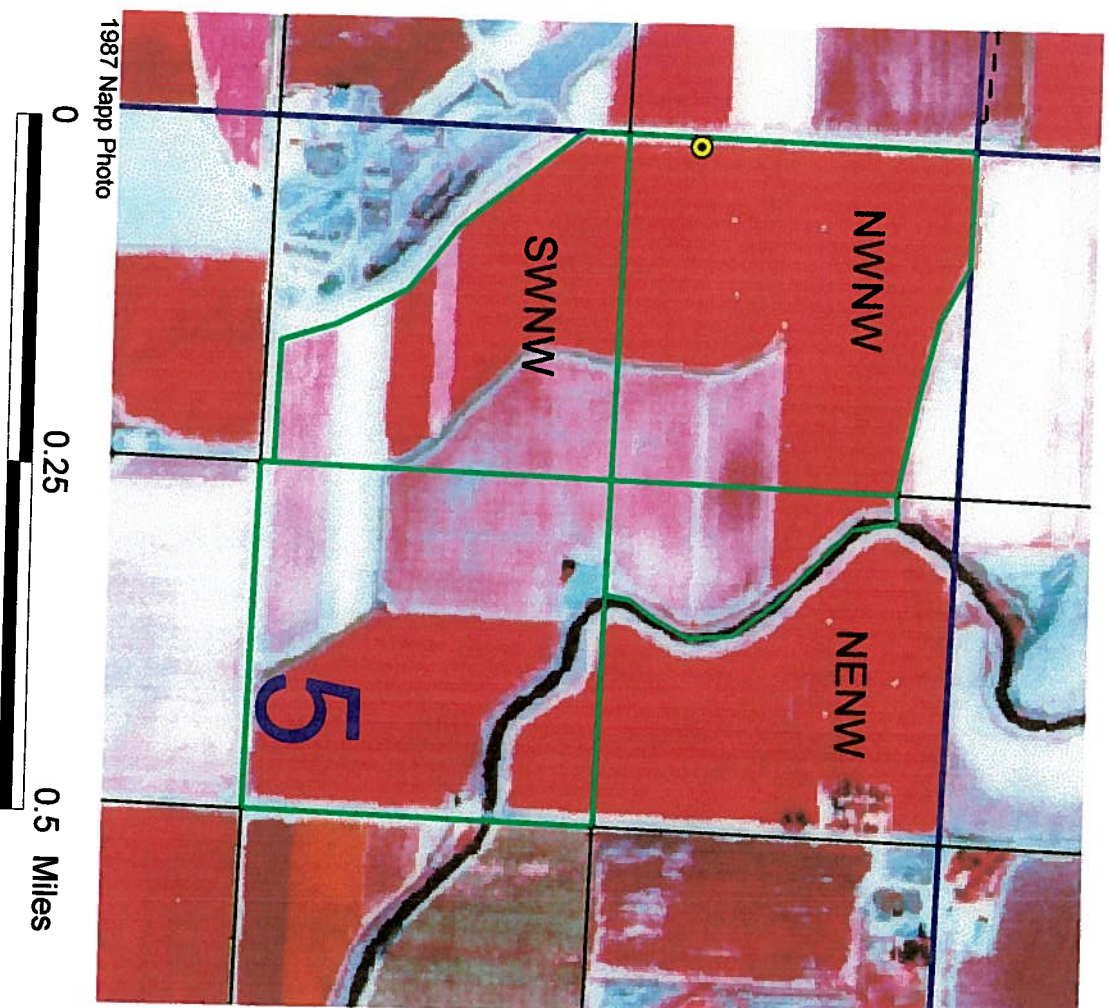
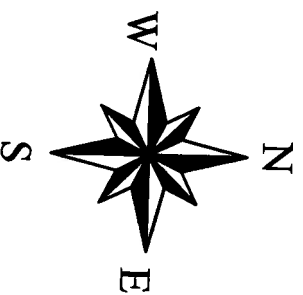
Idaho Department of Water Resources

Claim Number: 63-03043

Legal: T01N, R02W, S5

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



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: A63-03043
Date Received: 2/14/1990
Receipt No: MOO 5886
Received By: gdc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEONDARD A. TIEGS
Address: 15951 GARRITY BLVD.
NAMPA, ID

208-466-7053

83687

2. Date of Priority: MAY 02, 1955

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	02W	5	SW	NW	NW		CANYON

5. Description of diverting works:
12" CASING 600' DEEP 75 HP. MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.920		

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

A.F.A.

8. Total consumptive use is 392.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	02W	5	NE	NW		IRR	10.0
			NW	NW		IRR	37.0
			SW	NW		IRR	25.0

A63-03043

Page 1

Date: 02/14/90

MICROFILMED
AUG 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	5	SE	NW		IRR	40.0

Section Acres 112.0

Total Acres 112.0

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:
6307876.

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 25673

(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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

MICROFILMED
AUG 18 1992

T. 2 N.
27' 30"
T. 1 N.

AUG 18 1992

63-3043



License and Certificate of Water Right

Water License No. G-25673

Amount 1.92 c.f.s.

Water District No. _____

Priority May 2, 1955

THIS IS TO CERTIFY that **LOUIS MELVIN HOPKINS**
of **Nampa, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **May 2**, 19 **55**; that Permit No. **G-25673**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.92 second feet, was issued thereunder on **July 16**, 19 **58**, showing that said works
were completed on the **16th** day of **September**, 19 **57**; and that on the **16th**
day of **September**, 19 **57**, **LOUIS MELVIN HOPKINS**

of **Nampa**, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of **a well**
, a tributary of **subterranean**, for the purpose of **Irrigation and domestic**
use, under Use Permit No. **G-25673** of the **Department of Reclamation**
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page **6375**, on the **16th** day of **July**, 19 **58**;
The right hereby confirmed dates from **May 2**, 19 **55**;

The Point of Diversion is located
in the **NW 1/4 NW 1/4**, Sec. **5**, Tp. **1 N.**, R. **2 W.**, B. M. County **Canyon**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed **1.92** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	2 W.	5	NE $\frac{1}{4}$ NW $\frac{1}{4}$	10	10
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	37
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	25
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	<u>40</u>
			Total number of acres irrigated - -		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
16th day of **July**, 19 **58**.

_____/s/_____**N. Carter**_____
State Reclamation Engineer.

(SEAL)

63 3048

Application No. G- 33521
Permit No. G- 25673
District No.

1. Name of Applicant: LOUIS MELVIN HOPKINS,
Postoffice address: Rt. 4, Nampa, County: Canyon, State: Idaho.
2. Quantity of water claimed: 2.60 cubic feet per second,
(a) Rate of withdrawal in cubic feet per second. 2.60 or Idaho
Miners' inches 130 or gallons per minute.
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean Flow, (Well)
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5
Twp. 1.N., Rge. 2.W., B.M., County of Canyon,
5. Water is to be used for: Irrigation and domestic purposes,
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: Well, Pump and ditches,
8. Estimated cost of works: \$ 6,000.00
9. (a) Is reservoir to be used?
(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 Five,
years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None,
(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) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: Leoded land,

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.

LOUIS MELVIN HOPKINS
Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 3-P.M. May 2, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-25673

Recorded in Book 91 Page 25673 Approved May 11, 1955

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

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

Work to begin on or before July 11, 1955

and to continue diligently and uninterruptedly to completion,

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

One-fifth of the work above specified to be completed on or before November 11, 1957

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before May 11, 1960

Witness my hand this 11th day of May, 1955

JOHN R. KILL
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 11th day of May, 1955.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS
PAULA E. FLEENER Secretary of State.
Acting Secretary of State

By ROBERT E. SMYLIE
Governor

12.

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 $\frac{1}{4}$	
1.N.	2.W.	5					10	40	40	40									130

APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-25673

Comes now LOUIS MELVIN HOPKINS and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-25673. That the point of diversion is described in said permit as being located SW $\frac{1}{4}$ of Section 5, Township 1 North, Range 2 West, B.M. That he now requests that the point of diversion be changed to a point located NW $\frac{1}{4}$ of Section 5, Township 1 North, Range 2 West, B.M. That his reasons for desiring to make such change are as follows: Since land-leveling was completed it is apparent it will be more convenient at that point. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Nampa, this 10th day of July, 1958

/s/ Louis Melvin Hopkins

Date of receipt at Department of Reclamation
July 11, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-25673. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Permit No. G-25673
Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that LOUIS MELVIN HOPKINS of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. G-25673, issued upon Application No. G-33521 bearing date of priority of May 2, 1955, authorizing the diversion of 2.60 second feet of waters of Subterranean Flow (Well) County of Canyon, State of Idaho, for Irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.92 second feet of the waters of subterranean flow from well that the point of diversion of said waters NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, Township 1 North, Range 2 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 112 acres in NW $\frac{1}{4}$ of Section 5, Township 1 North, Range 2 West, B.M. Proof of Completion of Works made: September 16, 1957.

Witness my hand this 16th day of July, A.D. 1958

/s/ Geo. N. Carter
State Reclamation Engineer

Proof of Completion of Works made: September 16, 1957
Certificate of Completion of Works issued: July 16, 1958

LICENSE ISSUED FOR 1.92 SEC. FT.
Page 6375

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-25673

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

1. Name of applicant Louis Melvin Hopkins
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the SW 1/4 NW 1/4 of Section 5
T. 1 N. R. 2 W. B. M. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: 75 hp. H.S. Motor #1100725
Layne Bowler Turbine 23857
Pump and motor rest on top of casing
Delivery to west into small holding pond
to fields by gravity
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW 1/4 of Sec. 5, Twp. 1 N., Rge. 2 W., B. M.
App. 2.6 - No Assignment or Amendment

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

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

Remarks: _____

Mr. H. along on inspection

Hay - grain - row crops

This examination was made on the 23 day of May, 1948

(Signed) E. H. Humphrey Examiner.

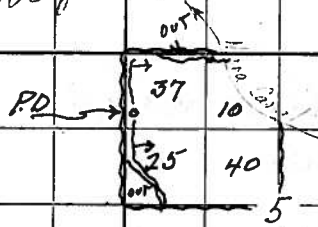
#25673

R-2W.

Sta. 0+00

12.85 acre
110 irrigators

T.
N.
T = 75°F



Subdivisions = 4

Area = 112 acres

Q = 96 inches.
= 1.92 cfs.

T = 75°F

by 2' Cipe. Weir

76.000 W. (P.D.)

RJ.