

11/06/2006

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

RIGHT NUMBER: 63-3276F

NAME AND ADDRESS: DICK FEWKES
8563 DIAMOND CT
NAMPA ID 83686

SHARON FEWKES
8563 DIAMOND CT
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.027 CFS
12.15 AFY

This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 02/27/1962

POINT OF DIVERSION:
T01N R02W S3 NENW Lot 3 Within CANYON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/01 11/15	0.027 CFS 12.15 AFY
PLACE OF USE:	<u>IRRIGATION in CANYON County</u>		
	T01N R02W S03 Lot 3 NENW	2.70	
	2.7 ACRES TOTAL		

Right Nos. 63-3276F and 63-7647F are limited to the irrigation of a combined total of 2.7 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 holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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

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



Idaho Department of Water Resources

SRBA Recommendation:

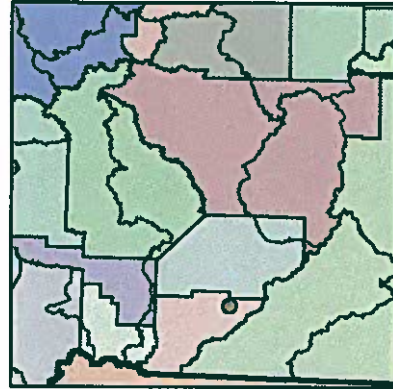
63-3247F

63-7647F

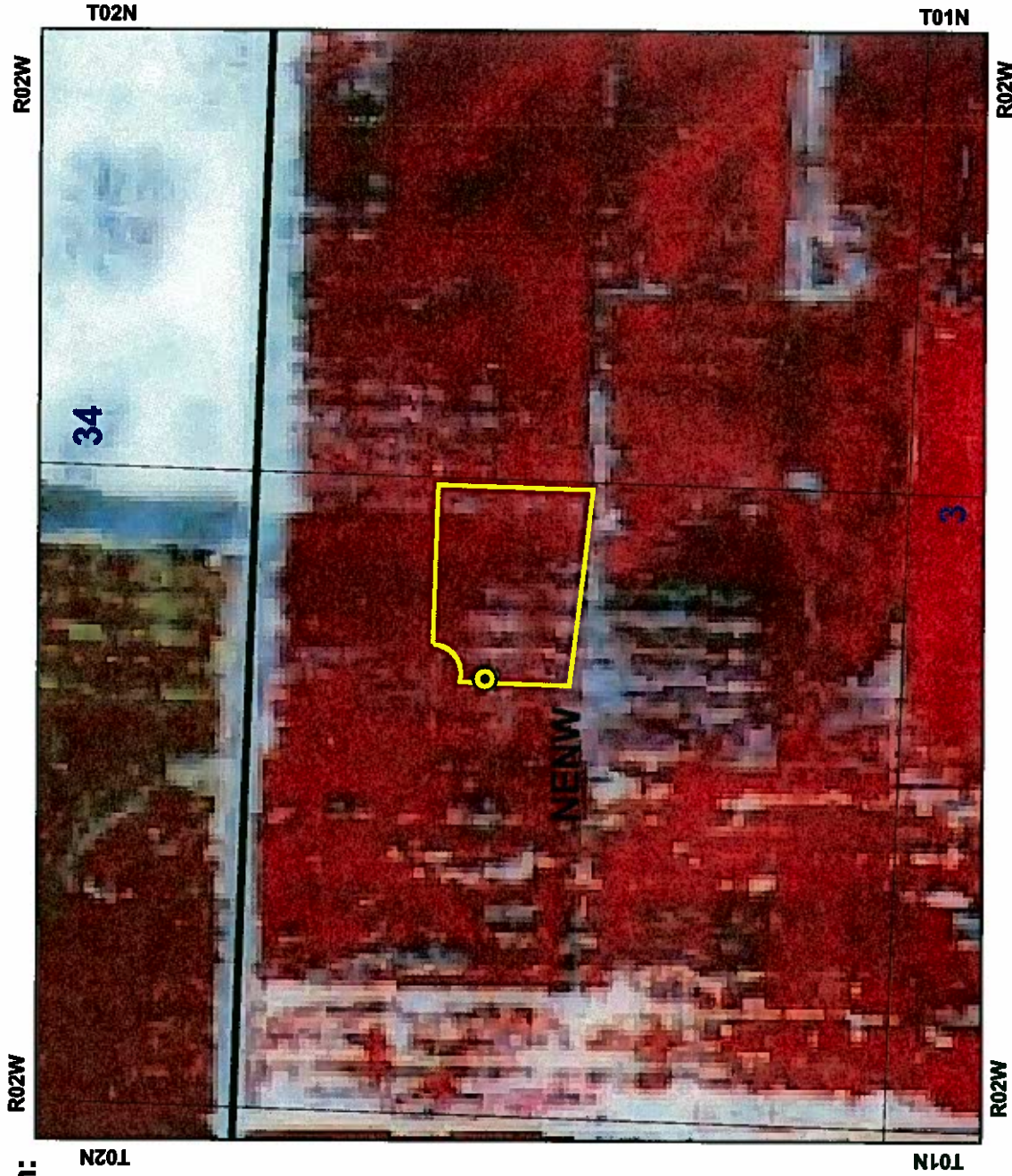
(Irrigation)

Legend

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



Canyon County
IDWR Basin 63



0 0.1 0.2 Miles

Prepared by M. Ciscell
On Monday, November 6, 2006
1987/88 Aerial Photography

63-03134 AND 63-03276 AND CLAIMED AS A63-23996 USING THE LATEST
PRIORITY DATE...RMC 10/29/90

Remarks:

THIS RIGHT WAS COMBINED BUT HAS NOW BEEN CLAIMED AND SPLIT AS
FOLLOWS:
A63-07647A, NIEDER, 35 ACRES, 0.35 CFS
A63-07647B, DAVENPORT, 195 ACRES, 1.95 CFS
A63-07647C, JOHNSON, 157 ACRES, 1.57 CFS
THE PORTIONS OF PROPERTY IN SECTION 3, E1/2NW1/4 AND SECTION 34,
W1/2SE1/4, SE1/4SE1/4, HAVE NOT BEEN CLAIMED AND STILL EXIST
UNDER A63-23996B AND C. L.R.W. 12/14/94
THIS CLAIM REPRESENTS THE NEW OWNERSHIP OF THE LANDS IN S. 3,
E 1/2 OF THE NW 1/4. 04/26/1995 MM.
THIS CLAIM IS A RESULT OF TRANS. NO. 4728, APPROVED 01/12/1996.
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.
COMBINED RIGHT NOS. 63-03276B AND 63-07647B ARE LIMITED TO THE
TOTAL COMBINED IRRIGATION OF 2.0 ACRES AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 9.0AF (THESE RIGHTS ARE FILED AS SRBA
CLAIM NOS. A63-03276F AND A63-07647F).
PLACE OF USE IS LOCATED WITHIN LOT 3, BLOCK 1, DIAMOND RIDGE
SUBDIVISION.
SEE ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF
APPROVED TRANSFER NO. 4728 IN FILE.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
Audit:	01/26/96 MMINICUC	Presumption Flag:	

WATER RIGHT NUMBER	NAME	CFS
63-07647	Split into 63-07647A & B by Trans. #4728.	
63-07647A	Split into 63-07647C & D by Trans. #4730.	
63-07647B	FEWKES , DICK FEWKES , SHARON	0.03
63-07647C	RIGHT SPLIT INTO PARTS E & F THRU APPROVED TRANSFER NO. 4957.	
63-07647D	ROETTO , KENNETH A ROETTO , LINDA M	0.03
63-07647E	RIGHT SPLIT INTO PARTS G & H THRU APPROVED TRANSFER 5024.	
63-07647F	BARTLEMAY , JUANITA J WASKOW , THOMAS R	0.03
63-07647G	RIGHT SPLIT INTO PARTS J & K THRU APPROVED TRANSFER 5126.	
63-07647H	RIGGS , MICHAEL K RIGGS , DONNA M	0.02
63-07647J	NEIDER , JAY C	5.91
63-07647K	HELM , J DANIEL HELM , SHIRLEY L	0.03

MICROFILMED
FEB 28 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4957
WATER RIGHT NO(S). 63-03276F/63-07647F

This is to certify that: JUANITA J BARTLEMAY
THOMAS R WASKOW
1104 SAGE CREEK RD
NAMPA ID 83686

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-03276F :			
IRRIGATION	03/15 to 11/15	0.03 CFS	13.5 AF
Priority: 02/27/1962			
Right No. 63-07647F :			
IRRIGATION	03/15 to 11/15	0.03 CFS	13.5 AF
Priority: 08/09/1972			
	TOTAL:	0.06 CFS	*13.5 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NENW), Sec. 3, Township 01N, Range 02W
CANYON 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	02W	3	Lot 3(NENW)	3		3
Total number of acres irrigated:						*3

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

MICROFILMED

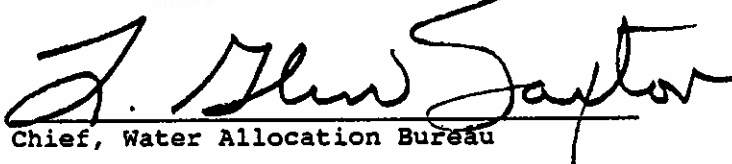
JUL 18 1987

TRANSFER NO. 4957
WATER RIGHT NO(S). 63-03276F/63-07647F

CONDITIONS OF APPROVAL AND REMARKS

3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. 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.
- *5. Right Nos. 63-03276F and 63-07647F shall not exceed a total combined annual diversion volume of 13.5 af and the irrigation of 3.0 acres.
6. Place of use is located within Lot 1, Block 2, Diamond Ridge Subdivision.

Dated this 26th day of June, 1997.


Chief, Water Allocation Bureau

RECORDED
JUL 12 1997

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 63-7647 Priority August 9, 1972 Amount 6.05 cfs

THIS IS TO CERTIFY, that JAY C. NEIDER
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 63-7647 issued pursuant to Application for Permit dated August 9, 1972,
and has submitted proof to the Department of Water Administration on January 24, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 13.93 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>6.05</u> cfs and	<u>2,866.5 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>4.5 af per acre</u>
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than * 6.05 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
* 2,866.5 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 34, Twp. 2 N, Rge. 2 W, B. M. -and- in the County of Canyon
NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, Twp. 1 N, Rge. 2 W, B. M.

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 $\frac{1}{4}$	
2 N	2 W	34									40	40	38	39		40	40	40	277
1 N	2 W	2					40			40									80
1 N	2 W	3	40	40	40	40	40			40					40				280

Total number of acres irrigated 637

* Subject to the condition that the maximum rate of diversion and volume per year
shall not exceed 12.74 cfs / 2,866.5 acre feet when combined with Licenses No.
63-3029, 63-3046, 63-3149 & 63-3276.

A measuring device of a type approved by this Department shall be permanently
maintained as part of the diverting works on the well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 20 day of
February, 19 74.

63-7647

Director

Identification No. _____

Application No. 63-7647

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

APPROVED

LICENSE ISSUED FOR 2 SEC. F.

LICENSE PAG. NO. _____

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant JAY C. NEIDER
post office address Route #3, Nampa, Idaho 83651
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34 Township 2N
Range 2W B.M. Canyon County; additional points of diversion if any:
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 1 N., R. 2 W., B.M.
(5 Wells) LT 2N R 2W.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 6.11 for Irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 6.11 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
Pumps and sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 10,000.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

AJ5809NP
No. A63-032766

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/29/00
PAGE: 46

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SHARON FEWES	02/27/1962	IRRIGATION	03-15 11-15	0.030 CFS	9.00 AFA
C	DICK FEWES					
	8563 DIAMOND CT					
	NANPA ID 83686					
	(208) 467-4247					
				TOTAL DIVERSION:	0.030 CFS	9.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

CANYON County

5

TOTAL ACRES

Other Rights: A63-07647F

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

A63-03276L A63-07647F

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

A63-03276C	A63-03276D	A63-03276G	A63-03276J	A63-03276K	A63-03276L	A63-07647D	A63-07647F	A63-07647G	A63-07647J
A63-07647K	A63-07647L	A63-07647M	A63-23996F	R63-23996F					

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of section 42-235, Idaho Code.
- R52 - This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre 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.
- 016 - See remarks for additional conditions of approval.

Remarks: GEN

THIS RIGHT HAS BEEN COMBINED WITH RIGHTS 63-03029, 63-03046, 63-03149 AND 63-07647 AND CLAIMED AS A63-253996...RMC 10/29/90 THIS CLAIM WAS ORIGINALLY COMBINED INTO A63-235996. THIS PROPERTY HAS SINCE BEEN SOLD AND SPLIT BETWEEN VARIOUS OWNERS. CONSEQUENTLY, OWNERS NOW WISH TO SEPARATE THIS RIGHT AND SPLIT OFF TO SEPARATE OWNERS.

CLAIM SPLIT AS FOLLOWS:

A63-03276A, NEIDER, 40 ACRES, 0.40 CFS
A63-03276B, GANSPORT, 83 ACRES, 0.33 CFS
REMAINING 80 ACRES PORTION OF LAND CURRENTLY OWNED BY ARIZONA DEVELOPERS, ADDRESS UNKNOWN, NO CHANGE OF OWNERSHIP RECEIVED.
12/13/94, L.R.V.

THIS CLAIM REPRESENTS THE REMAINING 80 ACRES. 04/26/1995 NM. THIS CLAIM IS A RESULT OF TRANSFER NO. 4728, APPROVED 01/12/1996.

AJ5809NP
No. A63-03276f

IOAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/29/00
PAGE: 48

Remarks:

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.
COMBINED RIGHT NOS. 63-032768 AND 63-076478 ARE LIMITED TO THE TOTAL COMBINED IRRIGATION OF 2.0 ACRES AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 9.0 AF (THE RIGHTS ARE FILED AS SRBA CLAIM NOS. A63-03276f AND A63-07647f).
PLACE OF USE IS LOCATED WITHIN LOT 3, BLOCK 1, DIAMOND RIDGE SUBDIVISION.
SEE ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 4728 IN FILE.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit:

01/25/96 MMINICUC 01/26/96 MMINICUC

WATER RIGHT NUMBER	NAME	CFS
63-03276	Split into 63-03276A & B by Trans. #4728.	
63-03276A	Split into 63-03276C & D by Trans. #4730.	
63-03276B	FEWKES , SHARON FEWKES , DICK	0.03
63-03276C	RIGHT SPLIT INTO PARTS E & F THRU APPROVED TRANSFER NO. 4957.	
63-03276D	ROETTO , KENNETH A ROETTO , LINDA M	0.03
63-03276E	RIGHT SPLIT INTO PARTS G & H THRU APPROVED TRANSFER 5024.	
63-03276F	BARTLEMAY , JUANITA J WASKOW , THOMAS R	0.03
63-03276G	RIGHT SPLIT INTO PARTS J & K THRU APPROVED TRANSFER 5126.	
63-03276H	RIGGS , DONNA M RIGGS , MICHAEL K	0.02
63-03276J	FIEDLER , CHARLES M	1.86
63-03276K	HELM , J DANIEL HELM , SHIRLEY L	0.03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4957
WATER RIGHT NO(S). 63-03276F/63-07647F

This is to certify that: **JUANITA J BARTLEMAY**
THOMAS R WASKOW
1104 SAGE CREEK RD
NAMPA ID 83686

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-03276F :			
IRRIGATION	03/15 to 11/15	0.03 CFS	13.5 AF
Priority: 02/27/1962			
Right No. 63-07647F :			
IRRIGATION	03/15 to 11/15	0.03 CFS	13.5 AF
Priority: 08/09/1972			
	TOTAL:	0.06 CFS	*13.5 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NENW), Sec. 3, Township 01N, Range 02W
CANYON 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	02W	3	Lot 3(NENW)	3		3
Total number of acres irrigated:						*3

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

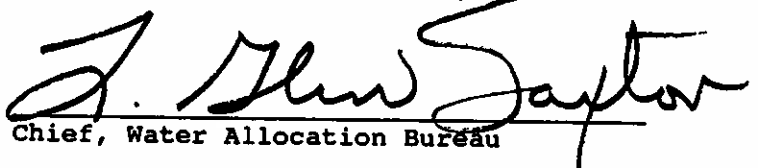
RECEIVED
JUL 18 1977

TRANSFER NO. 4957
WATER RIGHT NO(S). 63-03276F/63-07647F

CONDITIONS OF APPROVAL AND REMARKS

3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. 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.
- *5. Right Nos. 63-03276F and 63-07647F shall not exceed a total combined annual diversion volume of 13.5 af and the irrigation of 3.0 acres.
6. Place of use is located within Lot 1, Block 2, Diamond Ridge Subdivision.

Dated this 26th day of June, 1997.


Chief, Water Allocation Bureau

63-03276F-4957
JUL 18 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 3, 1997

PHILIP E. BATT
GOVERNOR

JUANITA J BARTLEMAY
THOMAS R WASKOW
1104 SAGE CREEK RD
NAMPA ID 83686

KARL J. DREHER
DIRECTOR

RE: Water Right No. 63-03276F/63-07647F (Transfer No. 4957)

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Rights for the above referenced water rights (Transfer No. 4957). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a preliminary order of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to Preliminary Orders if you are in disagreement with the approved transfer.

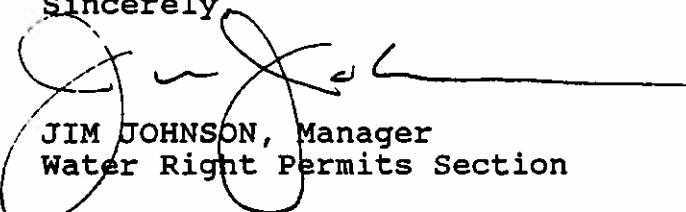
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

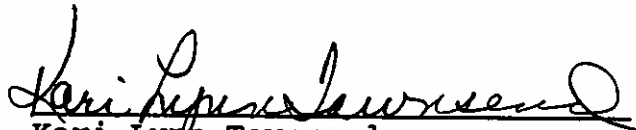
RECORDED
JUL 18 1997

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of July, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHT NO. 63-03276F/63-07647F (Transfer No. 4957)

JUANITA J BARTLEMAY
THOMAS R WASKOW
1104 SAGE CREEK RD
NAMPA ID 83686


Kari Lynn Townsend
Secretary

JUL 18 1997

ge 1
RECEIVED
MAR 11 1967
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4957

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant JUANITA J. BORTLEMAN / THOMAS R. BORTLEMAN Phone 208-466-7605
Post Office address 1104 SAGE CR RD NAMPA ID 83686

PURPOSE OF TRANSFER

- ☐ 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 Applicants have purchased 3.15 acres within Diamond Ridge Subdivision and wish to add a private well.

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>63-3276 F</u>	<u>2/27/1962</u>	<u>.039 cfs</u>	<u>IRR</u>	<u>03/15</u> to <u>11/15</u>
<u>63-7647 F</u>	<u>8/9/1972</u>	<u>.038 cfs</u>	<u>IRR</u>	<u>03/15</u> to <u>11/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred .057 .062 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>3</u>		<u>NE</u>	<u>NW</u>	<u>03</u>	<u>1N</u>	<u>2W</u>	<u>Canyon</u>	<u>New well</u>

5. 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	
<u>1N</u>	<u>2W</u>	<u>03</u>					<u>3</u>												<u>3</u>
							<u>L-3</u>												

Total acres 3

MICROFILMED
JUL 18 1967

PART 1

6. General Information:

a. Description of diversion system well & pipeline

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.

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

None - Small portion removed for single family home. Balance of flow concentrated on remaining acres.

d. Remarks:

Place of use aka lot 1 Blk 2 Diamond Ridge Sub.

Drilling permit 63-96-W-0781.000 for limited-use well. (200.00 fee)

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____

MOBILITY

Jul 18 1937

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-07647C

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	5.99 CFS	2838.6 AF

SOURCE

GROUNDWATER

.0095 cfs/ac

Priority: 08/09/1972

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 3, Township 01N, Range 02W
 NWNE , Sec. 3, Township 01N, Range 02W
 SWSW , Sec. 34, Township 02N, Range 02W
 SESW , Sec. 34, Township 02N, Range 02W
 SESE , Sec. 34, Township 02N, Range 02W
 CANYON 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	02W	2	NENW 40	SENW 40		80
		3	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 37.3	SENW 36.5	
			NESE 40			273.8
02N	02W	34	NESW 40	NWSW 40	SWSW 38	
			SESW 39	NWSE 40	SWSE 40	
			SESE 40			277
Total number of acres irrigated:						630.8

CONDITIONS/REMARKS:

- SUBJECT TO THE CONDITION THAT THE MAX. RATE OF DIVERSION & VOLUME PER YR. SHALL NOT EXCEED 12.62 CFS/2,838.6 AF WHEN COMBINED WITH LIC. NOS. 63-3029/3046/3149/3276. A MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPT. SHALL BE PERMANENTLY MAINTAINED AS PART OF THE DIVERTING WORKS ON THE WELL IN THE SWSW, S34.

RECORDED
 JUL 18 1977

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED F

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

1. amount .030 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	
01N	02W	03					3.2												3.2

Total acres 3.2**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) E**

1. amount 5.96 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	
1N	2W	02					40			40									80
		03	40	40	40	40	34.1			36.5					40				270.6
2N	2W	34									40	40	38	39		40	40	40	277

Total acres 627.6

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-03276C

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.94 CFS

.0099 cfs/acSOURCE

GROUNDWATER

Priority: 02/27/1962

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 3, Township 01N, Range 02W
CANYON 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	02W	2	NWNW 40	NWNE 30	SWNE 30	40
		3	NENE 20	NENW 37.3	SENE 36.5	156.8
			SENE 3			196.8

Total number of acres irrigated:

CONDITIONS/REMARKS:

RECORDED
JUL 18 1967

10 To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED F

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

1. amount .032 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	
1N	2W	03					3.2												3.2

Total acres 3.2

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

1. amount 1.908 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:

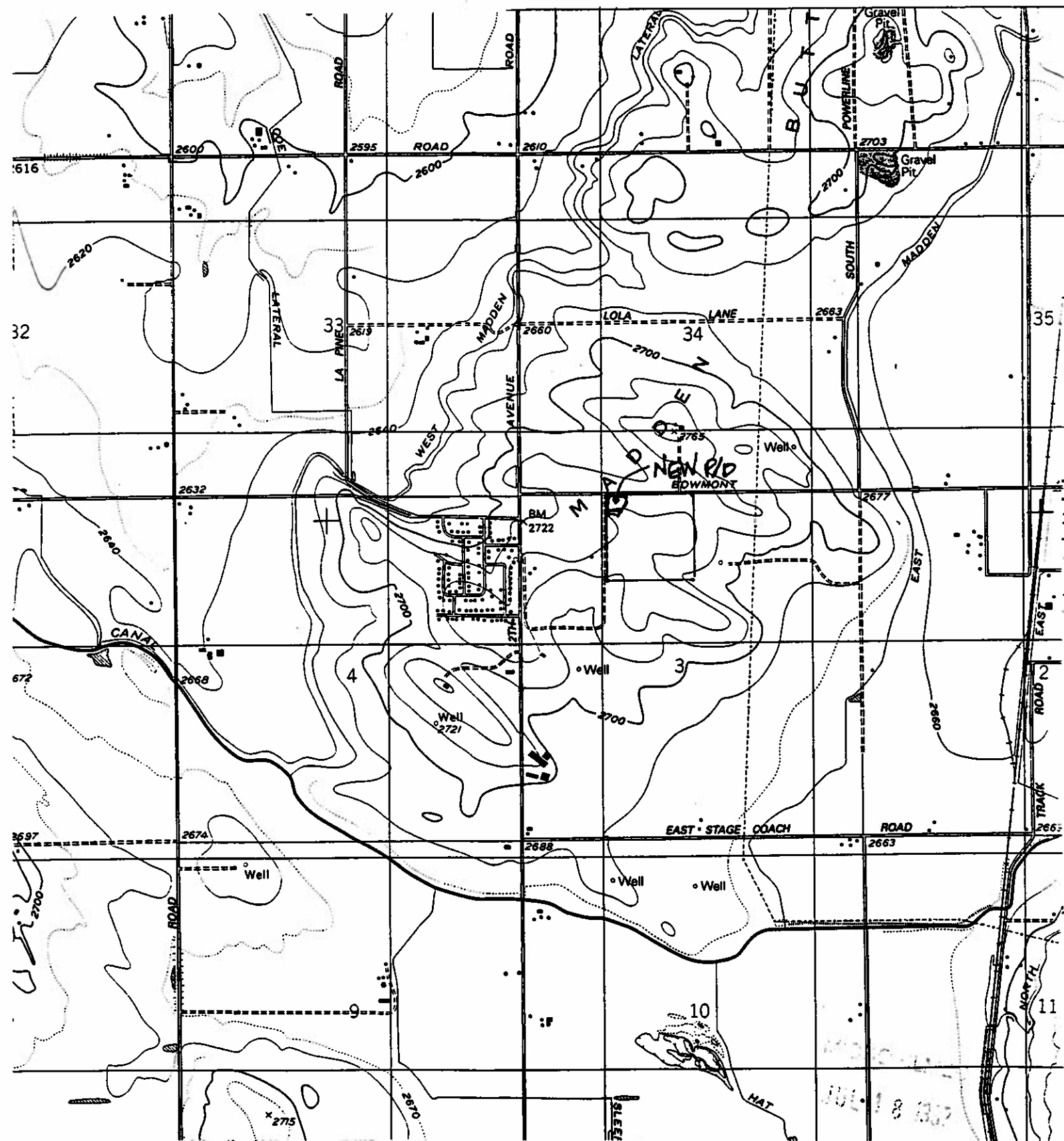
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

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	
1N	2W	02						40											40
		03	20	30	30	3	34.1		36.5										153.6

Total acres 193.6

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



PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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

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

Subscribed and sworn to before me this 17th day of October, 1996.

Thomas Westman
(Signature of Applicant)

Har Henneken
(Notary Public)

My commission expires 06/25/1996



FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 2 attachments. *(Attachment A = Warranty deed yet to be received)*

Received by cyh Date 10/17/96 Protest filed by _____

Prelim. check by lg Fee 100- _____

Receipted by cyh W021641 Date 10/17/96 _____

Published in Idaho Tribune Copies of protest forwarded by _____

Pub. dates 12-4 + 12-1996 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

10/18/96
10/18/96

AL63-0321601
 Naiken-C.4 cfs
 40 acres

Split

AL63-032160B
 Garaput 083
 83 acres

032160C
~~Stafford~~
 .8 cfs
 80 acres

D Stafford
 75 acres
 0.74 cfs

E Rocket
 3 ac
 .03 cfs

F Finkles
 0.03 cfs
 20 acres

Lot 14 BK 1

Lot 3 BK 1

K Stafford
 .11
 7 acres

L Stafford
 .09
 49.2 acres

M Stafford
 .07
 27.2 acres

N Battlemey
 0.03

O 3 acres
 Lot 1 BK 2

P Riggins
 .02
 2.3 acres

Q 19 ac
 Block 2

R 2.5 ac
 2.5 cfs

S 15
 Block 1

1/4/1999
 SB

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: A63-03276F
Date Received: 4/28/1995
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: SHARON FEWKES
Address: 8563 DIAMOND CT
Nampa ID

83686

208-467-4247

AND/OR

Name: DICK FEWKES
Address: 8563 DIAMOND CT
Nampa ID

83686

208-467-4247

2. Date of Priority: FEB 27, 1962

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	3	NE	NW		3	CANYON

5. Description of diverting works:

WELL WITH PUMP, PIPED TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		9.00

7. Total Quantity Appropriated is:

0.030 C.F.S. (and/or) 9.00 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	02W	3	NE	NW	3	IRR	2.0

10. Place of Use: Continued

Section Acres 2.0

Total Acres 2.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

A63-07647F

14. Remarks:

THIS RIGHT HAS BEEN COMBINED WITH RIGHTS 63-03029, 63-03046, 63-03149 AND 63-07647 AND CLAIMED AS A63-23996...RMC 10/29/90

THIS CLAIM WAS ORIGINALLY COMBINED INTO A63-23996. THIS PROPERTY HAS SINCE BEEN SOLD AND SPLIT BETWEEN VARIOUS OWNERS. CONSEQUENTLY, OWNERS NOW WISH TO SEPARATE THIS RIGHT AND SPLIT OFF TO SEPARATE OWNERS.

CLAIM SPLIT AS FOLLOWS:

A63-03276A, NEIDER, 40 ACRES, 0.40 CFS

A63-03276B, GANSPORT, 83 ACRES, 0.33 CFS

REMAINING 80 ACRE PORTION OF LAND CURRENTLY OWNED BY ARIZONA DEVELOPERS, ADDRESS UNKNOWN, NO CHANGE OF OWNERSHIP RECEIVED. 12/13/94 L.R.W.

THIS CLAIM REPRESENTS THE REMAINING 80 ACRES. 04/26/1995 MM. THIS CLAIM IS A RESULT OF TRANSFER NO. 4728, APPROVED 01/12/1996. 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 DIVETED FROM POWER RECORDS AND SHALL ANNUALLY REPORT THE INFORMATION TO THE DEPARTMENT.

COMBINED RIGHT NOS. 63-03276B AND 63-07647B ARE LIMITED TO THE TOTAL COMBINED IRRIGATION OF 2.0 ACRES AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 9.0 AF (THE RIGHTS ARE FILED AS SRBA CLAIM NOS. A63-03276F AND A63-07647F).

PLACE OF USE IS LOCATED WITHIN LOT 3, BLOCK 1, DIAMOND RIDGE SUBDIVISION.

SEE ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 4728 IN FILE.

15. Basis of Claim: LICENSE

Water Right Number: 30395

W-ADJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4728
WATER RIGHT NO(S). 63-03276B/63-07647B

This is to certify that: **SHARON FEWKES**
DICK FEWKES
8563 DIAMOND CT
NAMPA ID 83686

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-03276B :			
IRRIGATION	03/15 to 11/15	0.03 CFS	9.0 AF
Priority: 02/27/1962			
Right No. 63-07647B :			
IRRIGATION	03/15 to 11/15	0.03 CFS	9.0 AF
Priority: 08/09/1972			
	TOTAL:	0.06 CFS	* 9.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NENW), Sec. 3, Township 01N, Range 02W
CANYON 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	02W	3	Lot 3(NENW)	2		2
Total number of acres irrigated:						** 2

CONDITIONS OF APPROVAL AND REMARKS

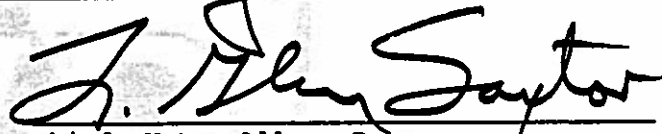
- 046 1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- RSZ 2. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.

TRANSFER NO. 4728
WATER RIGHT NO(S). 63-03276B/63-07647B

CONDITIONS OF APPROVAL AND REMARKS

3. 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.
7074. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- 708 5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- 709 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.
- 016 */**7 Combined Right Nos. 63-03276B and 63-07647B are limited to the total combined irrigation of 2.0 acres and a total combined annual diversion volume of 9.0 af.
8. Place of use is located within Lot 3, Block 1, Diamond Ridge Subdivision.

Dated this 12th day of January, 1996.


Chief, Water Alloc. Bureau

MEMORANDUM

TO: FILE NO. 63-03276 & 63-07647

FROM: PAM SKAGGS / STATE OFFICE

SUBJECT: TRANSFER NO. 4728

DATE: January 4, 1996

=====

Transfer No. 4728 was filed to change the point of diversion under a portion of Right Nos. 63-03276 and 63-07647, splitting the rights into parts A and B. The applicants purchased a 2.7 acre lot and want to irrigate from their own separate well.

The entire quarter-quarter has been confirmed irrigated as originally licensed and the rate available for transfer was based on the total 2.7 acres owned by the applicant with water being concentrated on the 2.0 irrigated acres. The remainder of the lot is for the home area and no longer irrigated. The rate was adjusted on the approval and allows the maximum of 0.03 cfs/acre for less than a 5 acre parcel. The remaining portions of the right also reflect this minor adjustment in acres and rate.

Season of use and diversion volume were adjusted to reflect current standards. Recommended conditions include drilling permit requirements, combined right limits and standard transfer conditions.

" " "

T4728 SRBA ETC Summary

gl
10/11/95

Transton proposes split of 2 acres listed in both rights. New owners will drill own well for these 2 acres.

Should not be necessary to go through entire SRBA analysis & recommendation process for this single split/new well f.t.g. Note that 1987 NAPP shows irrigation of entire Q2 in which applicants' 2 acres found.

Regarding WR v. AJ splits, see the following:

WR - 63-03276	split T4728	A →	201 ac	1.98 cfs
		B →	2 ac.	.02 cfs
		TOTAL	203 ac	2.00 cfs

AJ - various splits claimed (See Claim Remarks, pg. 7 of transton appl.)
For portion where applicants' land found:

A63-03276E	split T4728	D →	78 ac	.78 cfs
		E →	2 ac	.02 cfs
		TOTAL	80 ac	.80 cfs

Therefore, T4728 will result in 63-03276B & A63-03276E for Fowkes 2 ac., .02 cfs

Repeat same process for 63-07647/A63-07647D

↳ See pg 9 of
Transton Application

Result, T4728 will yield 63-07647B & A63-07647F for Fowkes 2 ac. .02 cfs

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant DICK + SHARON FELWICKS Phone 208-467-4247
 Post Office address 8563 DIAMOND CT. NAMPA IDA 83686

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 Seperate existing well for individual lot

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

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use undefi
63-03276B 2/27/1962 .02 irrig 3/15 to 11/15
63-07647B 8/09/1972 .019/9 irrig 3/15 to 11/15
 _____ to _____
 _____ to _____
2. Total amount of water being transferred .039 cubic feet per second and/or 9 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
<u>3</u>		<u>NE</u>	<u>NW</u>	<u>3</u>	<u>1N</u>	<u>2W</u>	<u>CANVON</u>	<u>SEPERATE / FILTRATE W/D</u>

5. Lands irrigated or place of use: N/C

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	
<u>1N</u>	<u>2W</u>	<u>3</u>					<u>3</u>												<u>2</u>

Total acres 2

PART 1

6. General Information:

a. Description of diversion system well pump

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

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

N/C

d. Remarks:

P/M also known as Lt 3, Blk 1, Diamond Ridge
Subdivision. Total lot size = 2.73 acres.
Home area will occupy the remaining .73 ac
not irrigated.

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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

WR0749NP
No. 63-03276IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORTDATE: 10/02/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLES M. FIEDLER RT. 3 NANPA ID 83651	02/27/1962	IRRIGATION	00-00 00-00	2.000 CFS	
TOTAL DIVERSION:					2.000 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R02W S03 Lot 01(NENE)

CANYON 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	02W	2	:								40									:	40.0
01N	02W	3	:	20		30		30		03		40								:	163.0
																				TOTAL ACRES	203.0

Pou County: CANYON

Other Water Rights with Same Point(s) of Diversion and Source:
63-07647Other Water Rights Listing Overlapping Place(s) of use:
63-03029 63-05365 63-07647

Dates:	App. Received:	Priority Date:	02/27/1962
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		08/28/1979

Misc: Water District Number: Field Exam Fee:

Audit: 05/06/85 05/01/88 CONVERT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

WR0749NP
No. 63-07647IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORTDATE: 10/02/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAY C. NEIDER RT. 3 NAMPA ID	08/09/1972	IRRIGATION	03-15 11-15	6.050 CFS	2866.50 AFA
TOTAL DIVERSION:					6.050 CFS	2866.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T01N R02W S03
T02N R02W S34NENE
SWSWNWNE
SESW

SESE

CANYON County
CANYON 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	02W	2	:							40										80.0	
01N	02W	3	:	40		40		40		40								40		280.0	
02N	02W	34	:											40				40	40	40	277.0
TOTAL ACRES																			637.0		

Pou County: CANYON

Other Rights: LIC. 63-3029, 63-3046, 63-3149 & 63-3276.

Other Water Rights with Same Point(s) of Diversion and Source:
63-03029 63-03046 63-03149 63-03276 63-03406Other Water Rights Listing Overlapping Place(s) of use:
63-03029 63-03046 63-03149 63-03276 63-03406 63-05365 63-11484

Conditions of Approval:

016 - See remarks for additional conditions of approval.

Remarks: SUBJECT TO THE CONDITION THAT THE MAX. RATE OF DIVERSION & VOLUME PER YR. SHALL NOT EXCEED 12.74 CFS/2,866.5 AF WHEN COMBINED WITH LIC. NOS. 63-3029/3046/3149/3276. A MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPT. SHALL BE PERMANENTLY MAINTAINED AS PART OF THE DIVERTING WORKS ON THE WELL IN THE SWSW, S34.

Dates:	App. Received:	Priority Date:	08/09/1972
	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: 05/20/85 05/01/88 CONVERT

Transfer No. _____

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

AJ0749NP
No. A63-07647DIDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)DATE: 10/02/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOE F STAFFORD DIAMOND RIDGE LLC PO BOX 1028 MERIDIAN ID 83680 (208) 887-7697	08/09/1972	IRRIGATION	03-15 11-15	0.80 CFS	360.00 AFA
TOTAL DIVERSION:					0.80 CFS	360.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T01N R02W S03 Lot01(NENE) Lot02(NWNE)
T02N R02W S34 SWSW SESW

SESE

CANYON County
CANYON 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	Lt	Ac
01N	02W	3	:					03-40													
TOTAL ACRES																				80.0	

POU County: CANYON

Other Rights: A63-03276

Other Water Rights with Same Point(s) of Diversion and Source:

A63-03029	A63-03046	A63-03149	A63-03149A	A63-03276A	A63-03276B	A63-03276C	A63-07647	A63-07647A	A63-07647B
A63-07647C	A63-23996	A63-23996A	A63-23996B	A63-23996C	A63-23996D	A63-23996E	R63-23996	R63-23996A	R63-23996D
R63-23996E									

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

A63-03276 A63-03276C A63-07647 A63-23996 R63-23996

Conditions of Approval:

016 - See remarks for additional conditions of approval.

Remarks:

THIS RIGHT HAS BEEN COMBINED WITH RIGHTS 63-03029, 63-03046, 63-03134 AND 63-03276 AND CLAIMED AS A63-23996 USING THE LATEST PRIORITY DATE...RMC 10/29/90

THIS RIGHT WAS COMBINED BUT HAS NOW BEEN CLAIMED AND SPLIT AS FOLLOWS:

A63-07647A, NIEDER, 35 ACRES, 0.35 CFS

A63-07647B, DAVENPORT, 195 ACRES, 1.95 CFS

A63-07647C, JOHNSON, 157 ACRES, 1.57 CFS

THE PORTIONS OF PROPERTY IN SECTION 3, E1/2NW1/4 AND SECTION 34, W1/2SE1/4, SE1/4SE1/4, HAVE NOT BEEN CLAIMED AND STILL EXIST UNDER A63-23996B AND C. L.R.W. 12/14/94

THIS CLAIM REPRESENTS THE NEW OWNERSHIP OF THE LANDS IN S. 3, E 1/2 OF THE NW 1/4. 04/26/1995 MM.

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.

See attachments B & C

PART 3**B. CHANGES IN NATURE OF USE** N/A

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

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

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

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

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

Subscribed and sworn to before me this 6th day of Oct, 19 95.

Rich Frakes
(Signature of Applicant)

Loi Grawen
(Notary Public)

My commission expires 6/18/98

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by Ly Date 9/29/95 Protest filed by _____Prelim. check by _____ Fee 100 W019958

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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: A63-03276C

Date Received: 10/29/1990

Receipt No: W019046

Received By: MM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOE F STAFFORD 208-887-7697
Address: DIAMOND RIDGE LLC
PO BOX 1028
MERIDIAN ID 83680

2. Date of Priority: FEB 27, 1962

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	3	NE	NE	NE	1	CANYON

5. Description of diverting works:
WELL WITH PUMP, PIPED TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) 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 of	Lot	Use	Acres
01N	02W	3	NE	NW	3	IRR	40.0
			SE	NW		IRR	40.0

Section Acres 80.0

10. Place of Use: Continued

Total Acres 80.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
A63-07647

14. Remarks:

THIS RIGHT HAS BEEN COMBINED WITH RIGHTS 63-03029, 63-03046,
63-03149 AND 63-07647 AND CLAIMED AS A63-23996...RMC 10/29/90

THIS CLAIM WAS ORIGINALLY COMBINED INTO A63-23996. THIS
PROPERTY HAS SINCE BEEN SOLD AND SPLIT BETWEEN VARIOUS OWNERS.
CONSEQUENTLY, OWNERS NOW WISH TO SEPARATE THIS RIGHT AND SPLIT
OFF TO SEPARATE OWNERS.

CLAIM SPLIT AS FOLLOWS:

A63-03276A, NEIDER, 40 ACRES, 0.40 CFS

A63-03276B, GANSFORT, 83 ACRES, 0.33 CFS

REMAINING 80 ACRE PORTION OF LAND CURRENTLY OWNED BY ARIZONA
DEVELOPERS, ADDRESS UNKNOWN, NO CHANGE OF OWNERSHIP RECEIVED.
12/13/94 L.R.W.

THIS CLAIM REPRESENTS THE REMAINING 80 ACRES. 04/26/1995 MM.

15. Basis of Claim: LICENSE

Water Right Number: 30395

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the
foregoing document are true and correct.

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

For Organizations:

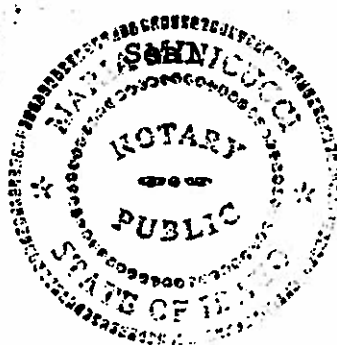
I do solemnly swear or affirm that I am Managing Partner of
Diamond Ridge L.L.C., that I have signed the foregoing
document in the space below as Managing Partner of
Diamond Ridge L.L.C. and that the statements contained in the
foregoing document are true and correct.

Joe J. Shaffel
Signature of Authorized Agent
Managing Partner
Title and Organization
4-28-95
Date

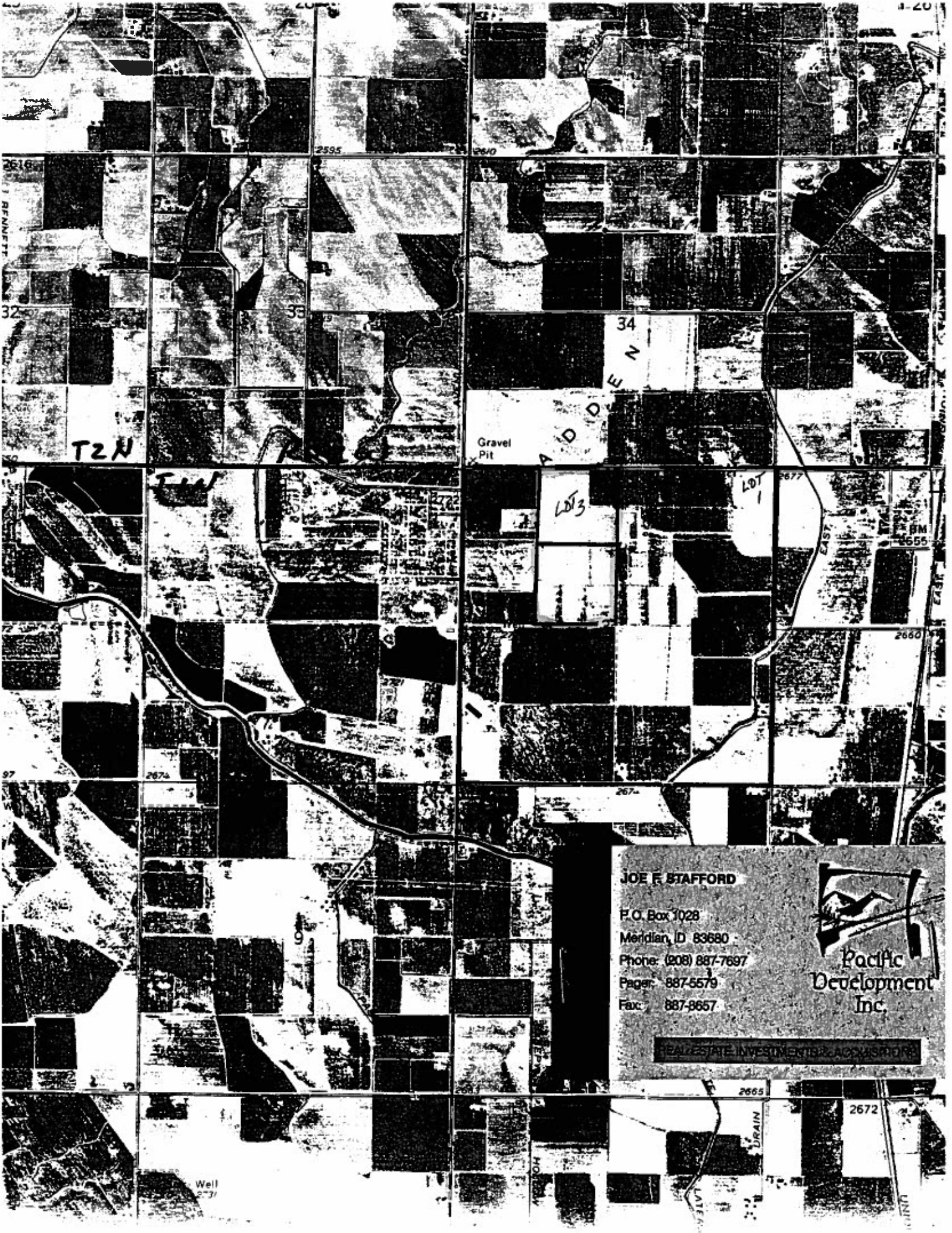
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of April 19 95

[Signature]
Notary Public



Residing at Boise Idaho
My Commission Expires 06/25/1999



JOE F. STAFFORD

P.O. Box 1028

Meridian, ID 83680

Phone: (208) 887-7697

Pager: 887-5579

Fax: 887-8657



REAL ESTATE INVESTMENT MANAGEMENT



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 26, 1996

DICK FEWKES
SHARON FEWKES
8563 DIAMOND CT
NAMPA ID 83687

RE: Notices of claim to a water right nos. A63-03276 & A63-07647F

Dear Mr. and Ms. Fewkes:

Enclosed are computer-generated copies of the above referenced claims. These claims were generated in the Snake River Basin Adjudication (SRBA) as a result of Transfer no. 4728, which was approved by this department on January 12, 1996. This transfer allows you to add a point of diversion (a well) to the portion of two water rights which are appurtenant to your property.

The enclosed copies are for your records. A field examination to confirm the location of the well and the amount of land irrigated will be conducted in the Spring of 1996. The department will contact you previous to conducting the exam to set a convenient appointment time. Although it is not required, it is best if you are present during the exam.

The Remarks (Item 14) portion of the claim details the paper trail of the water rights as they have been claimed in the SRBA. The remarks which pertain to your portion of the original claim begin with the references to Transfer number 4728, and are the same conditions as detailed by the approved transfer.

If you have any questions about this letter please do not hesitate to contact this office.

Sincerely,

Maria Minicucci
Sr. Water Agent, Adjudication Bureau

MM:m

Enc: A63-03276F, A63-07647F

A63-03276C (80 Acres, .80 CFS)

A63-03276D

75 Acres

.74 CFS

337.5 AFA

(REMAINDER)

STAFFORD

A63-03276E

3 acres (SENW)

.03 CFS

13.5 AFA

(TRANS. 4730)

ROETTO

A63-03276F

2 acres (NE NW,
LT 3)

.03 CFS

9.0 AFA

(TRANS. 4728)

FEWKES

MEMORANDUM

TO: Transfer file Nos. 4728 & 4730

FROM: M. Minicucci, W. Region SRBA 

DATE: November 6, 1995

The place of use for these transfers shows on NAPP (Y6NE) as irrigated in 1987. However, the scanned airphoto for T01N, R02W, indicates that the parcel was not irrigated in 1994. I have requested information on the recent irrigation practices from Mr. Jay Neider, who owned the farm before it was broken up (See A63-23996).

Although forfeiture may be too close to call for transfer nos. 4728 and 4730, it may be an issue for future transfers involving other lots in this particular subdivision.

WATER RIGHT PROOF READING REPORT

Page 1

Water Right Number - 63-03276 ✓

Prefix Translation: WATER RIGHT

Old (D) Number - 30395

*** C - CURRENT OWNER ***
 FIEDLER
 CHARLES M.
 1 - RT. 3
 2 -
 3 -
 City- NAMPA
 Phone -
 State- 10 Zip- 83651

Priority Date - 02/27/1962
 Region - 14 WESTERN
 Stage - L - LICENSE
 Status -

Source - GROUNDWATER
 Tributary -

Tm	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
01N	✓ 02W	✓ 3	✓ NE NE	✓ 1	✓	(27) CANYON				

Code - 01 - IRRIGATION
 Description -
 Period from Period to
 Water Use -
 Diversion Rate - 2.000
 Diversion Volume -

Total Div. Rate - 2.000
 Total Div. Volume -
 Total Div. Capacity -

Tm	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
01N	02W	2	NW NW		40.0	01 IRRIGATION		(27) CANYON	
01N	02W	3	NE NE		20.0	01 IRRIGATION		(27) CANYON	
01N	02W	3	NW NE		30.0	01 IRRIGATION		(27) CANYON	
01N	02W	3	SW NE		30.0	01 IRRIGATION		(27) CANYON	
01N	02W	3	SE NE		3.0	01 IRRIGATION		(27) CANYON	
01N	02W	3	NE NW		40.0	01 IRRIGATION		(27) CANYON	
01N	02W	3	SE NW		40.0	01 IRRIGATION		(27) CANYON	

Total Acres: 203.0

SPBA

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

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

63-23996

OWNER NAME & ADDRESS
C JAY C. NEIDER
RT. 3
MMPA ID
PRIORITY DATE WATER USE
08/09/1972 IRRIGATION
USE PERIOD FROM TO
03-15 11-15
DIVERSION RATE
6.050 CFS
DIVERSION VOLUME
2866.50 AFA
TOTAL DIVERSION: 6.050 CFS 2866.50 AFA

Water Source: GROUNDWATER
Tributary to:
Stage: LICENSE

Point(s) of Diversion: T01N R02M S03
T02N R02M S34
CANYON County
CANYON County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				SUM
	NE	NE	SE	SE	NE	NE	SE	SE	NE	NE	SE	SE	NE	NE	SE	SE	
1 R S : Lt Ac	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	80.0
01N 02M 2 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	280.0
01N 02M 3 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	277.0
02N 02M 34 :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	637.0
TOTAL ACRES																	637.0

Pou County: CANYON

Other Rights: LIC. 63-3029, 63-3046, 63-3149 & 63-3276.

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

Remarks: SUBJECT TO THE CONDITION THAT THE MAX. RATE OF DIVERSION & VOLUME PER YR. SHALL NOT EXCEED 12.74 CFS/2,866.5 AF WHEN COMBINED WITH LIC. NOS. 63-3029/3046/3149/3276. A MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPT. SHALL BE PERMANENTLY MAINTAINED AS PART OF THE DIVERTING WORKS ON THE WELL IN THE SUSM, S34.

Dates:
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Exam Made Date:
Exam Sent to S.O.:
Licensed Date: 09/13/1979

Misc:
Water District Number:
Field Exam Fee:
Audit: 05/20/85 05/01/88 CONVERT

04/26/1995
63-03276 is the only
other license appointment
to these 80 acres. This
language appears to allow
1" force. 77