

09/29/2006

NOTICE OF ERROR
REPLY

RECEIVED

NOV 03 2006

DEPARTMENT OF
WATER RESOURCES

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

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

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

Water right number: 63-7647L

JUANITA J WASKOW
5951 DIAMOND RIDGE WAY
NAMPA ID 83686
Telephone Number: (208)466-7605

THOMAS R WASKOW
5951 DIAMOND RIDGE WAY
NAMPA ID 83686
Telephone Number: (208)466-7605

RECEIVED

NOV 01 2006

WATER RESOURCES
WESTERN REGION

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

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

DATE: 10-25-06

SIGNATURE:

Please print your name:

Juanita J. Waskow
JUANITA J. WASKOW

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

SCANNED

NOV 06 2006

10/17/2006

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

RIGHT NUMBER: 63-7647L

NAME AND ADDRESS: JUANITA J WASKOW
5951 DIAMOND RIDGE WAY
NAMPA ID 83686

THOMAS R WASKOW
5951 DIAMOND RIDGE WAY
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.030 CFS
13.50 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.

USE OF THIS RIGHT WITH RIGHT NO. 63-03276L IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 13.5 AF.

PRIORITY DATE: 08/09/1972

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	3/15 11/15	0.030 CFS 13.50 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 CANYON County

T01N R02W S03 Lot 3 NENW 3.00
3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 63-03276L IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3 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

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

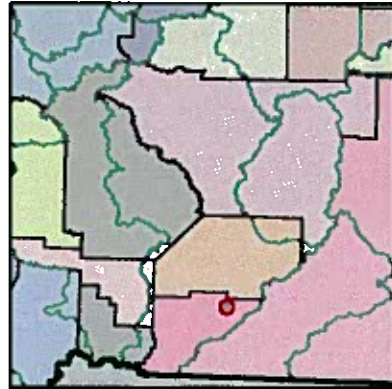
SRBA Recommendation:

63-7647L

(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



0 0.1 0.2 Miles

Stage: LICENSE

CANYON County

NE NE

POU County: CANYON

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

A63-03276A A63-03276B A63-03276J A63-07647A A63-07647B A63-07647C A63-07647M A63-23996C

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

Material Name	Listing Over (Shipping Parcel) of Use:
A63-03276G	A63-03276G
A63-07647J	A63-07647J
A63-07647K	A63-07647K
A63-07647M	A63-07647M
A63-23996F	A63-23996F
A63-03276J	A63-03276J
A63-03276K	A63-03276K
A63-03276L	A63-03276L
A63-07647D	A63-07647D
A63-07647F	A63-07647F
A63-07647G	A63-07647G

Conditions of Approval:

- R52 - This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 ata 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.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHT NO. 63-03276L IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 13.5 AF.

POU1

USE OF THIS RIGHT WITH RIGHT NO. 63-03276L IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3 ACRES IN A SINGLE IRRIGATION SEASON.

GEN

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION

AJ58D9NP
No. A63-07647L

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/29/00
PAGE: 131

Remarks:

OF CLAIM NO. A63-D32760, FEE PAID UNDER RECEIPT NO. WD19D46.
SB. 9/18/98.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
COPY OF APPROVED TRANSFER NO. 4957 IN FILE.
CLAIM AMENDED PER TRANSFER NO. 4957 APPROVED JUNE 26, 1997.
PLACE OF USE IS LOCATED WITHIN LOT 1, BLOCK 2, DIAMOND RIDGE
SUBDIVISION.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit:

D9/16/98 SBCK

63-07647A

Neider

350000

350000

63-07647B

Grant

195000

195000

63-07647C

Johnson

157

157000

63-07647D
~~Christianson~~
Stefan
Browne
80000
80000

E Routh
Browne
103000

F Fawkes
Browne
103000

G Stuffed
75000
74000

K Stuffed
71
72000

Barthelme
103
Browne

H Riggs
102
23000

Stuffed
107

N Helm
103
25000

Stuffed
107

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: A63-07647L
Date Received: 4/28/1995
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JUANITA J BARTLEMAY
Address: 1104 SAGE CREEK RD
NAMPA ID

83686

OR

Name: THOMAS R WASKOW
Address: 1104 SAGE CREEK RD
NAMPA ID

83686

2. Date of Priority: AUG 9, 1972

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	NE	NE	3	CANYON

5. Description of diverting works:
WELL AND PIPELINE

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		13.50

7. Total Quantity Appropriated is:
0.030 C.F.S. (and/or) 13.50 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	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
					Total Acres	3.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

USE OF THIS RIGHT WITH RIGHT NO. 63-03276L IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .06 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 13.5 AF.

USE OF THIS RIGHT WITH RIGHT NO. 63-03276L IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3 ACRES IN A SINGLE IRRIGATION SEASON.

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A63-03276D, FEE PAID UNDER RECEIPT NO. W019046. SB. 9/18/98.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 4957 IN FILE.

CLAIM AMENDED PER TRANSFER NO. 4957 APPROVED JUNE 26, 1997.

PLACE OF USE IS LOCATED WITHIN LOT 1, BLOCK 2, DIAMOND RIDGE SUBDIVISION.

15. Basis of Claim: LICENSE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

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

RECEIVED
JUL 07 1997

WATER RESOURCES
WESTERN REGION

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:	<u>0.06 CFS</u>	<u>*13.5 AF</u>

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.

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.

EXP 501
Dated this 26th day of

June, 1997.


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE NOS. 63-03276C & 63-07647C

FROM: PAM SKAGGS³/STATE OFFICE

SUBJECT: TRANSFER NO. 4957

DATE: June 25, 1997

OK

=====

Transfer No. 4957 changes the point of diversion under a portion of Right Nos. 63-03276C and 63-07647C, splitting each right into parts E & F.

The applicant has purchased a 3.2 acre parcel of land within a new subdivision and will concentrate the water on the 3.0 acres of irrigation remaining with the homesite. The applicant will use the well drilled under Drilling Permit No. 63-96-W-0781-000 to irrigate their parcel of land.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include irrigation overlap, combined right limits and standard transfer conditions.

Page 1 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 2-15-7

APPLICATION FOR TRANSFER OF WATER RIGHT

AKA JJ PART 1

Name of applicant JUANITA J. BARTLEMAN / THOMAS R. NASDAQ Phone 208-466-7605
Post Office address 1104 SAGE CR RD NAMPA ID 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 Applicants have purchased 3.15 acres within Diamond Ridge Subdivision and wish to add a private well.

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

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|------------------|--------------------|---------------|------------------------------|
| <u>63-3276 F</u> | <u>2/27/1962</u> | <u>.031 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>.030 cfs</u> | <u>IRR</u> | <u>03/15</u> to <u>11/15</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
2. Total amount of water being transferred .059 .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
3		NE	NW	03	1N	2W	Canyon	New well

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	
1N	2W	03					3												3
							2.3												

Total acres 3

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? NA 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:
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 _____

PART 2

TRANS NO. 4957

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/ac

SOURCE

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			40
		3	NENE 20	NWNE 30	SWNE 30	
			SENE 3	NENW 37.3	SENW 36.5	156.8
Total number of acres irrigated:						196.8

CONDITIONS/REMARKS:

PART 2

TRANS NO. 4957

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 RGE 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	273.8
	NESE 40			
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:

1. 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.

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.



X Thomas Weston
(Signature of Applicant)

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

Har Henneken
(Notary Public)

My commission expires 06/25/1996

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 2 attachments Attachment A = Warrant Deed yet to be received

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

Prelim. check by lg Fee 100- _____

Receipted by cyh Woz1641 Date 10/17/96 _____

Published in Post 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 _____

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: A63-07647G
Date Received: 4/28/1995
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

2. Date of Priority: AUG 9, 1972

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	NE	1	CANYON
				NW	NE	2	CANYON
02N	02W	34		SW	SW		CANYON
				SE	SW		CANYON
				SE	SE		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	0.740		337.50

7. Total Quantity Appropriated is:
0.740 C.F.S. (and/or) 337.50 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	38.0
			SE	NW		IRR	37.0
						Section Acres	75.0
						Total Acres	75.0

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:
A63-03276D

14. 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.

CLAIM AMENDED AS PER TRANS. NOS. 4728 & 4730, BOTH APPROVED 01/12/1996.

15. Basis of Claim: LICENSE