

10/17/2006

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

RIGHT NUMBER: 63-2256

NAME AND ADDRESS: DAVID VASTINE
105 FLORADA AVE
PIEDMONT CA 94611

SOURCE: PANCHERI DRAIN

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.500 CFS
630.60 AFY

Right Nos. 63-2256, 63-271163-2938, 63-3056 and 63-28282 are limited to a total combined diversion rate of 5.08 cfs.

PRIORITY DATE: 02/01/1915

POINT OF DIVERSION:
T01S R02W S24 SESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.030 CFS 0.60 AFY
IRRIGATION	03/15 11/15	2.500 CFS 630.00 AFY

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

Domestic use is for 2 homes.

PLACE OF USE: IRRIGATION Within CANYON County

T01S R02W S25	NWNW	7.00	T01S R02W S25	SWNW	34.00
T01S R02W S25	SENW	2.00	T01S R02W S25	NESW	8.00
T01S R02W S25	NWSW	9.00	T01S R02W S26	NENE	20.00
T01S R02W S26	NWNE	24.00	T01S R02W S26	SENE	36.00

DOMESTIC Within CANYON County

T01S R02W S25 SWNW

140 ACRES TOTAL

Right Nos. 63-2256, 63-2711, 63-2938, 63-3056 and 63-28282 are limited to the irrigation of a combined total of 254 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 - Decreed

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

Right decreed in Evans vs. Pancheri 08/10/1978, decree 63 U.



Idaho Department of Water Resources

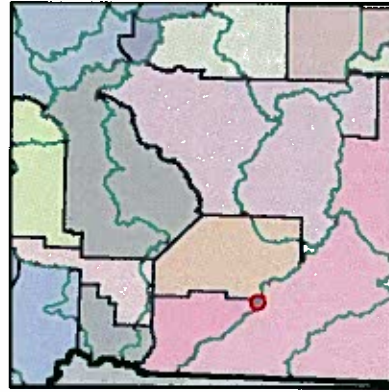
SRBA Recommendation:

63-2256

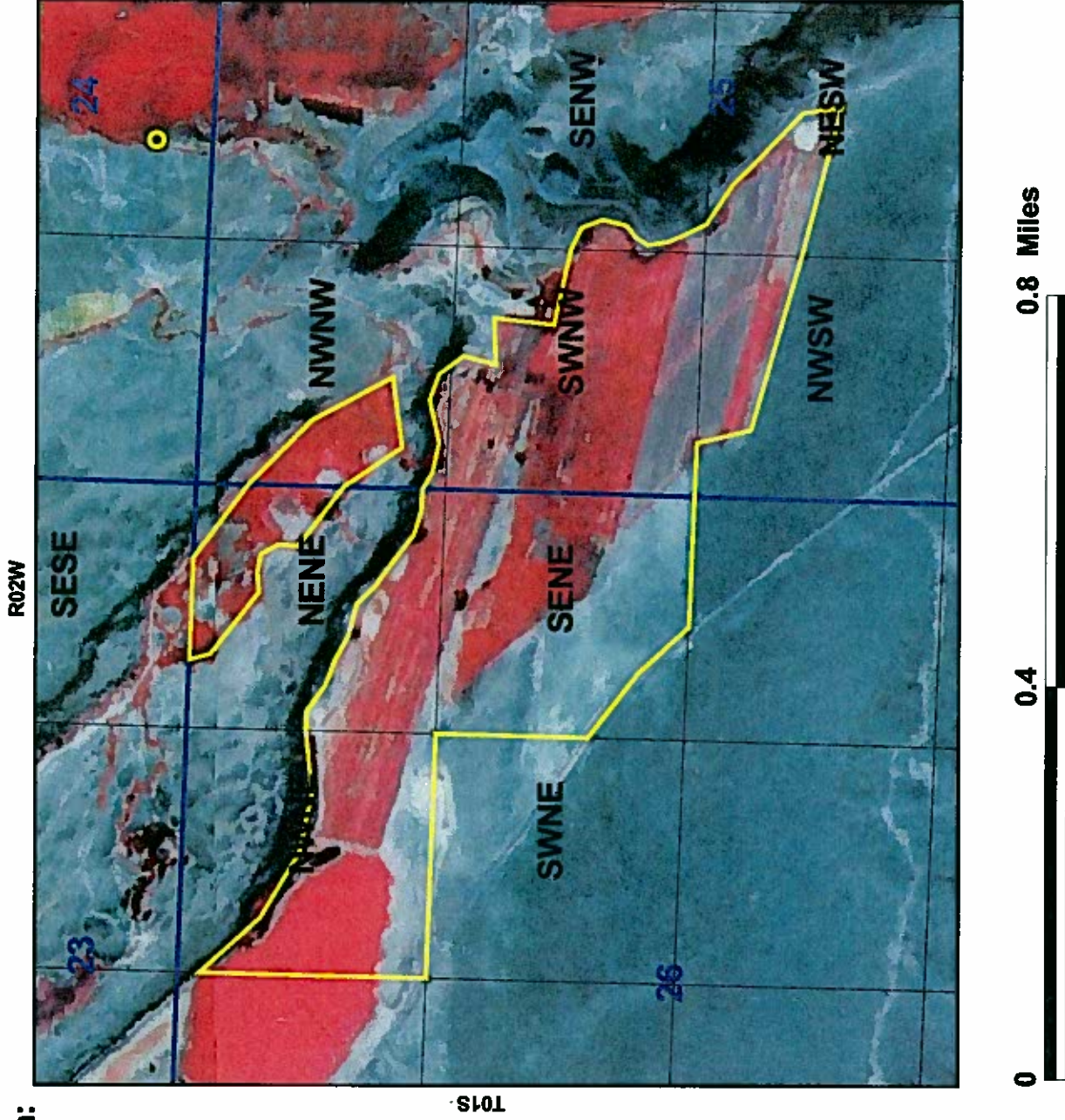
(Irrigation)

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

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. 463-02256

FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
---	---	---	------------------------	------------------------------------	----------------------------------	------------

PRIORITY*	N					
I. OF DIV.	N					
SOURCE	N					
II. OF USE	Possible					
IV. AMOUNT	N					
CFS/AF						
CONSUMPTIVE USE						
NATURE OF USE						
PERIOD OF USE						
STATUS OF CLAIM						
MARKS						

DATA ENTRY COMPLETED
BY _____ DATE _____

FINAL RECOMMENDATION
BY _____ DATE _____

IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____

IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

REMARKS: CC regarding claimed to occur in S.25. located in SWNW, claimant's map shows the

as the location, but Item 10 lists to in SE NW. See also A63-02211, A63-02938

No duplicate or on file as Sample 2

VERIFICATION CODES
TOPO MAP/ORTHO PHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

DIVERSION RATE	DIVERSION VOLUME
2.500 CFS	630.00 AFA
0.030 CFS	0.60 AFA

STAGE: 1 LICENSE

CANYON County

Basu
De. K. R.

[illegible]

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

Misc: Water District Number: 63 Field Exam Fee:

Audit: 04/29/85 05/01/88 CONVERT

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 11042/63-2256 Priority F5b, 1, 1915 Amount 2.5 cfs

THIS IS TO CERTIFY, that JOHN W. PITTEGER
of Mellon, Idaho, has complied with the terms and conditions of Permit
No. 11042/63-2256 issued pursuant to Application for Permit dated February 1, 1915,
and has submitted proof to the Department of Water Administration on November 7, 1919,
that he has applied water to a beneficial use, and examination by the Department indicates that the
works have a capacity of 2.5 cfs and that the water has in fact been applied to a
beneficial use; a right to the use of water from Rock Creek

tributary of _____, in hereby confirmed in the following amounts:
Amount 2.5 for irrigation from Mar. 15 to Nov. 15 (both dates inclusive)
Amount 0.03 for domestic from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ (from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 2.5 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE1SW1 Sec. 24, Twp. 1 S, Rge. 2 W, B.M.

in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 630 acre feet per year or _____
4.5 acre feet per acre, for irrigation use and 0.6 acre feet per year for
domestic use with the total amount not to exceed 630.6 acre feet
Description and location of place of use: _____ per year.

Twp	Range	Sec	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	SW1/4	SE1/4	SW1/4	NE1/4	SW1/4	SE1/4	SW1/4	NE1/4	SW1/4	SE1/4	SW1/4	NE1/4	SW1/4	SE1/4	SW1/4	
1 S	2 W	25						40											40
		26	20	40		40													100
Domestic Use:																			
1 S	2 W	25						X											

Total number of acre irrigated 130

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 29 day of
October, 19 71.

[Signature]
Director

11042/63-2256

REPORT OF ENGINEER

This project is for *beneficial use*In Water District No. *27*

1. State name of applicant and number of permit: *J. P. Pittenger, Permit 11042*
 2. State source of water supply: *Snake River*
 3. Location of point of diversion: *Sec. 1, 16. N. 7 11. B. M.*

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

Earth dam 100 ft. long and 3 ft. high. Wood head-gate 2' X 2'

Ditch 3 ft wide, 2 ft. deep. Capacity 3 sec. ft.

5. State whether or not water has been turned into works of diversion:
- Yes.**

6. Give exact location 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 for other than irrigation):
- Sec. 1, 16. N. 7 11. B. M.; Sec. 1, 16. N. 7 11. B. M., 11 1/2 AC, Sec. 16,*

T. 1. N. 7. W. 11. B. M.

SW 1/4 NW 1/4 Sec. 25, 40 A. in cultivation.

SE 1/4 NE 1/4 Sec. 26, 40 A. "

NE 1/4 NE 1/4 Sec. 26 20 A. " (20 A. pasture.)

NW 1/4 NE 1/4 Sec. 26 40 A. Pasture.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system?
- One**

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach?
- Snake River.**

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:
- Thru drains to Snake River.**

Remarks: **100 acres in cultivation. Remained pasture land, not cleared.**This examination was made on the **9** day of **Apr.**19 **20**

(Signed)

L. R. Annett
L. R. Annett.

Examiner.

110-12

1948-1949



110-112

SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

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: A63-02256
Date Received: 4/13/1990
Receipt No: W011963
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DAVID VASTINE
Address: 297 ST JAMES DR
PIEDMONT CA

94611

415-44-0603
RECEIVED
FEB 8 1993

2. Date of Priority: FEB 1, 1915

3. Source: ROCK CREEK

Trib. to: SNAKE RIVER
Department of Water Resources
Western Regional Office

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	02W	24	SE	SW			CANYON

5. Description of diverting works:
HEADGATE, IRRIGATION DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.500		630.00
DOMESTIC	01/01	12/31	0.030		0.60

7. Total Quantity Appropriated is:
2.500 C.F.S. (and/or) 630.60 A.F.A.

8. Total consumptive use is 490.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	25	SE	NW		IRR	40.0
			NE	SW		DOMEST	

A63-02256

Page 1

Date: 02/02/93

MICROFILMED

JUL 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
		26	NE	NE	IRR	20.0
			NW	NE	IRR	40.0
			SE	NE	IRR	40.0
					Section Acres	100.0
					Total Acres	140.0

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:
A63-02711, A63-02938

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 11042

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 A63-03256
Date Received _____
Receipt Number W011963

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 13 1990

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) - David Vastine Phone (415) 444-0603
Mailing Address 297 St. James Drive, Piedmont, CA Zip 94611

2. Date of Priority (Only one (1) per claim) 2/1/15

3. Source of water supply (a) Rock Creek
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 1S Range 2W Section 24,
1/4 of SE 1/4 of SW 1/4, Govt. Lot, B.M., County of Canyon

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is: N/A

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Headgate, irrigation ditches.

MICROFILMED

JUL 25 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 2.5 or 630

For Domestic purposes from 1/1 to 12/31 amount .03 or .6

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.5 (cfs) and/or (b) 630 (acre feet)

8. Total consumptive use claimed is 490 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic - single family residence

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1S	2W	25								40	D								40
1S	2W	26	20	40		40													100

Total number of acres irrigated 140

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

63-02711, 63-02938

or None ()

14. Remarks:

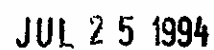
MICROFILMED

JUL 25 1994

Last Name Vastine Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 Inches equals 1 mile



Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree X
If applicable provide IDWR Water Right Number 63-02256
Court Third District Case Number 24876 Decree Date 8/10/78
Plaintiff vs Defendant Evans v Pancheri et. al.

16. Signature (s)

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

Number of attachments 0

x For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) David W. Vastine Date 4/12/90

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____ Title _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

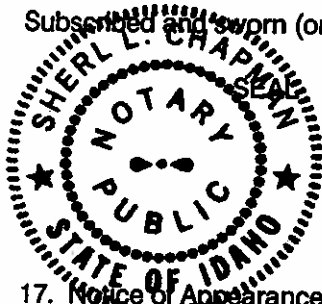
Subscribed and sworn (or affirmed) before me this 12 day of April 19 90

Notary Public Sheriff L. Chapman

Residing at 2889 Cobble Way, Meridian, ID 83642

My Commission Expires 6/14/94

Please Print Name



17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
JUL 25 1994

Last Name Vastine Ident. Number _____

Copies White-State, Yellow-Claimant

Date Received

RECEIVED
APR 13 1990

**State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

Department of Water Resources
Western Regional Office

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

David Vastine (list 444 0603
Name of Claimant Phone Number

297 56 James Drive Redmont Ca 94611
Mailing Address City State Zip

Canyon March 1 1990
County(s) where place of use is located Date claim originally due

All lands owned by Mr Vastine in T15 R2W (Three Ranches)
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

The property has recently been purchased by Mr Vastine.
The previous owner, Mr Evans has most of the
actual water right data and use information. Mr
Evans is out of state and will not return until
after March 9, 1990.

Claimant requests an extension to April 15, 19 90

Sheila Chapman 2/13/90, 19 90
Signature Date of request

Agent
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to April 16, 19 90

Signed this 11 day of March, 19 90

DAVID B. SHAW
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

DAVID B. SHAW MICROFILMED
JUL 25 1994

MAR 13 1990

Water Right Number - 63-02256

Prefix Translation:

WATER RIGHT

Old (D) Number - 11042

Last Name - + First Name - +
*** C - CURRENT OWNER ***
PITTEMBER JOHN W.

1 -

2 -

3 -

City- MELBA

State- ID Zip- 83641

Priority Date - +
02/01/1915 14 WESTERN

Stage - +
L - LICENSE

Status - +

Source - +
ROCK CREEK

tributary - +
SNAKE RIVER

Twn Rng Sec Tract Lot RPlg County Point of Diversion - +
Stream Index Blank if no Index Code)

01S 02W 24 SE SW (27) CANYON

Code Description Period From Water Use Period To Diversion Rate Diversion Volume

01 - IRRIGATION
43 - DOMESTIC

01/15 11/15
01/01 12/31

2.500
0.030

630.00
0.60

Total Div. Rate - + Total Div. Volume - + Total Div. Capacity - +
2.500 630.60

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
01S	02W	25	SW NW		40.0		01	IRRIGATION	(27) CANYON
01S	02W	26	NE NE		20.0		01	IRRIGATION	(27) CANYON
01S	02W	26	NW NE		40.0		01	IRRIGATION	(27) CANYON
01S	02W	26	SE NE		40.0		01	IRRIGATION	(27) CANYON
01S	02W	25	SE NW				43	DOMESTIC	(27) CANYON

Total Acres: 140.0

- - - 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

+ - Decree Date - +
00/00/0000

--Comments--
No Comments Found

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+ - - Audit Fields - 04/29/85 05/01/88 CONVERT

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+ - - - - - 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	Protected 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	- 04/08/1985	DLE/Carey Act	-
Order Snow Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 08/21/1979	Appl Received	- 00/00/0000	Transfer/Amended	- 653
Decree Date	- 00/00/0000	Presumption Play	-		

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

1. Name of applicant: John W. Pittenger

Postoffice address: Pampa

County: Canyon

State: Idaho.

- I. If applicant is a corporation, give
 (a) Date and place of incorporation:
 (b) The amount of capital stock:
 (c) The 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:

2. The quantity of water claimed is 3.2 cubic feet per second.

3. Source of water supply: Rock Creek.

4. Location of point of diversion: in SW4 SE4 Sec. 24 T. 1 S. R. 2 W. B. M.

County of Canyon

5. To be used for: Domestic and irrigation purposes

- I. Irrigation and domestic use: (a) Amount of land to be irrigated: 160 acres.
 (b) In the following legal subdivisions: NE4 NE4 Sec. 26, W2 NW4, SE4 NW4 Sec. 25 T. 1 S.
 R. 2 W. B. M.

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point:

- (b) Amount of power to be generated:
 (c) Is water to be returned to any stream?
 return:

H. P. under ft. head
 (d) If so, name stream and locate point of

6. Estimated cost of works: \$200.00

7. Description of works for diversion:

I. Kind of works: Dam and ditch

II. Dimensions of works:

(a) Height of dam 1 feet, length of dam at top 20 feet,
 length of dam at bottom 15 feet. Material used in construction: earth and stone.

(b) Capacity of reservoir acre feet. (c) Size of headgate, width 3 feet,

Height 2 feet. (d) Conduit ditches width at bottom 3 feet,

width at water line 5 feet, depth of water 1 feet; diameter of pipe

inches; average grade per mile is 10 feet. Length of conduit is 1 miles,
 and it crosses the following quarter sections: SW4 SE4 Sec. 24 NW4 NE4, NE4 NW4 Sec. 25
 Town 1 S. R. 2 W. B. M.

8. The time required for the completion of the construction of such work is 1 years.

9. Time required for the complete application of the water to the proposed use is 3 additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

John W. Pittenger,
 Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9.00 a.m. February 1, 1915.

Returned to applicant for correction February 9, 1915

Corrected application received February 18, 1915.

APPROVAL OF STATE ENGINEER

The number of this permit is 11042

Recorded in Book 37 Page 11042 Approved March 6, 1915.

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 May 5, 1915 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before September 6, 1915.

The whole of said work to be completed on or before March 6, 1916.

Beneficial use of water appropriated in accordance herewith, to be made on or before March 6, 1919.

Witness my hand this 6th day of March, 1915.

Herbert Wing,
Acting State Engineer.

Remarks:

STATE OF IDAHO)
COUNTY OF ADA.) ss.

John W. Pittenger being first duly sworn, upon his oath deposes and says: That he is the owner and holder of Permit to appropriate the Public waters of the State of Idaho No. 11042,

That he intends to change the point of diversion, as described in said decree or permit, to the following described point:

In the SE $\frac{1}{4}$, 33 $\frac{1}{2}$ Sec. 24, T. 1 S. R. 2 E. Boise Meridian.

That such change will be made for the following reasons, to-wit:

Being to a mistake in identifying the corner from which surveys were made in locating the ditch.

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

John W. Pittenger.

(SEAL) Subscribed and sworn to before me this 27th day of May. Charles A. Winstead.

Notary Public.

Residence, Boise, Idaho.

My commission expires March 11, 1917.

Received and filed for record in the office of the State Engineer at Boise, Idaho, at 9:00 A. M. May 28th, 1915.

J. E. Smith,

State Engineer;

APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO.

Comes now John W. Pittenger, and represents to the State 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. 11042, and requests that the list of lands to be irrigated, as described in said permit be changed to read as follows:

SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 25, E $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26, T. 1 S., R. 2 W., Boise Meridian.
Making a total of 160 acres.

That an additional amount of water is not asked for and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 27th day of May, 1915.

John W. Pittenger.

Date of receipt at Office of State Engineer May 28th, 1915.

APPROVAL BY STATE ENGINEER.

I, J. H. Smith, State 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. 11042. 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.

Witness my hand this 1st day of June, 1915.

J. H. Smith

Proof of Com. of Works made Jan. 8, 1916.

Certificate of Completion of Works issued Jan 27th, 1916.

State Engineer.

Permit No. 11042

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that John W. Pittenger of Harpa, County of Canyon, and State of Idaho, the holder of Permit No. 11042, issued upon Application No. 16084, bearing date of priority of February 1, 1915, authorizing the diversion of 3.2 second feet of the waters of Rock Creek, 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 3.2 second feet of the water of Rock Creek; that the point of diversion of said waters is near the center of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 24, T. 1 S., R. 2 W. B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 25, E $\frac{1}{2}$ of NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 26, T. 1 S., R. 2 W. B. M. containing 160 acres.

J. H. Smith,

State Engineer of the State of Idaho

EXTENSION OF TIME.

Upon proper request of John W. Pittinger, holder of Permit No. 11042, I have, this 10th day of December, 1918, extended the time for beneficial use of water thereunder to March 6th, 1920.

FRED A. WILKIE,
State Engineer.

RECEIVED
DEC 11 1918
STATE ENGINEER
11042

State of Idaho
Department of Water Administration
OFFICE OF WATER RIGHT

License of Water Right No. 11042/63-2256 Priority Feb. 1, 1915 Amount 2.5 cfs

THIS IS TO CERTIFY, that JOHN W. PETTINGER
of Mythen, Idaho, has complied with the terms and conditions of Permit
No. 11042/63-2256 issued pursuant to Application for Permit dated February 1, 1915
and has submitted proof to the Department of Water Administration on November 7, 1919
that he has applied water to a beneficial use, an examination by the Department indicates that the
works have a capacity of 2.5 cfs and that the water has in fact been applied to a
beneficial use, a right to the use of water from Rock Creek

tributary of _____, is hereby confirmed in the following amounts:
Amount 2.5 for irrigation from Mar. 15 to Nov. 15 (both dates inclusive)
Amount 0.64 for domestic from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 2.5 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE1/4 Sec. 34, Twp. 1 S., Rge. 2 W., B.M.
in the county of Canyon; and that the amount of water so diverted and in which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 630 acre feet per year or

1.5 acre feet per acre, for irrigation use and 0.6 acre feet per year for
domestic use with the total amount not to exceed 630.6 acre feet
Description and location of place of use: _____ per year.

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1 S	2 W	25							10										40
		26	20	40		40													100
Domestic Use:																			
1 S	2 W	25							X										

Total number of acres irrigated 140

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 29 day of

October, 19 71.


Director

REPORT OF ENGINEER

This proof is for beneficial useIn Water District No. 27

1. State name of applicant and number of permit: J. W. Pittenger. Permit: 11042
 2. State source of water supply: Rock Creek
 3. Location of point of diversion: SE 1/4 NW 1/4 Sec 26 T. 16. N. R. 2 W. B. M.

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

Earth dam 100 ft. long and 3 ft. high. Wood head-gate 2' X 2'Ditch 3 ft wide, 2 ft. deep. Capacity 3 sec. ft.

5. State whether or not water has been turned into works of diversion:
- Yes.

6. Give exact location 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 for other than irrigation):
- SW 1/4 NW 1/4, Sec 25; SE 1/4 NE 1/4, N 1/2 NE 1/4, Sec 26, T. 16. N. R. 2 W. B. M.

SW 1/4 NW 1/4 Sec. 25, 40 A. in cultivation.SE 1/4 NE 1/4 Sec. 26, 40 A. "NE 1/4 NE 1/4 Sec. 26 20 A. " (20 A. pasture.)NW 1/4 NE 1/4 Sec. 26 40 A. Pasture.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system?
- One

9. Give names and amount of each right:

10. What large stream would the water here appropriated finally reach?
- Snake River.

11. Describe the various tributaries en-route, from point of diversion to the principal drainage stream:
- Thru drains to Snake River.

Remarks: 100 acres in cultivation. Remained pasture land, not cleared.This examination was made on the 9 day of Apr.19 20

(Signed)

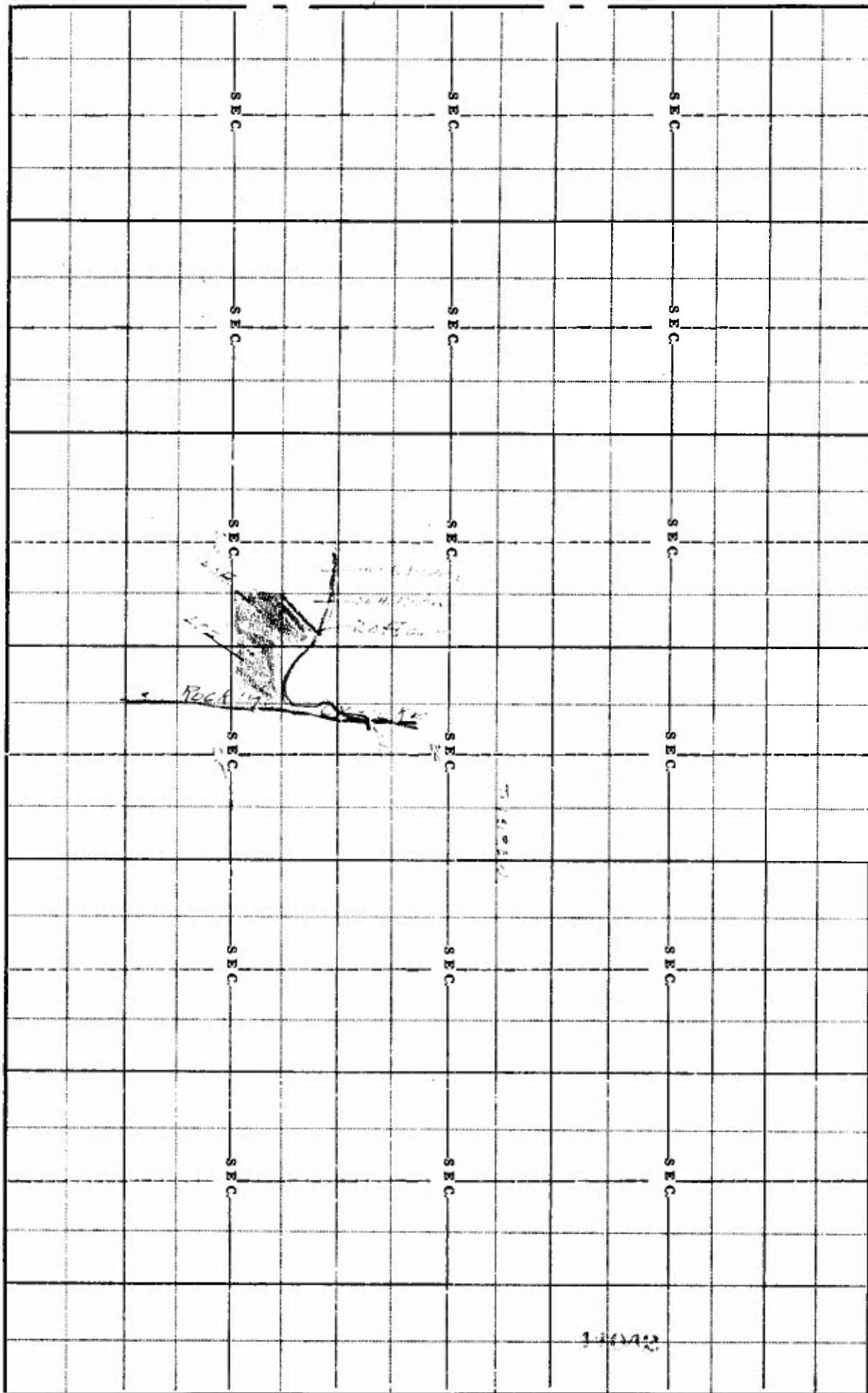
L. F. Annett.

Examiner.

11042

OVER

NAME OF APPLICANT Jay Taylor



SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.