

10/17/2006

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

RIGHT NUMBER: 63-2938

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.980 CFS  
486.00 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: 04/24/1953

POINT OF DIVERSION:  
T01S R02W S25 SWNW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| IRRIGATION            | 03/15 11/15          | 0.980 CFS<br>486.00 AFY |

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

PLACE OF USE: IRRIGATION Within CANYON County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01S R02W S25 | NWNW | 2.00  | T01S R02W S25 | SWNW | 33.00 |
| T01S R02W S25 | NESW | 8.00  | T01S R02W S25 | NWSW | 12.00 |
| T01S R02W S26 | NENE | 12.00 | T01S R02W S26 | NWNE | 17.00 |
| T01S R02W S26 | SENE | 18.00 | T01S R02W S26 | NESE | 6.00  |

108 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 - License



# Idaho Department of Water Resources

SRBA Recommendation:

**63-2938**

(Irrigation)

## Legend

● Point of Diversion



Place of Use



Townships



PLS Sections



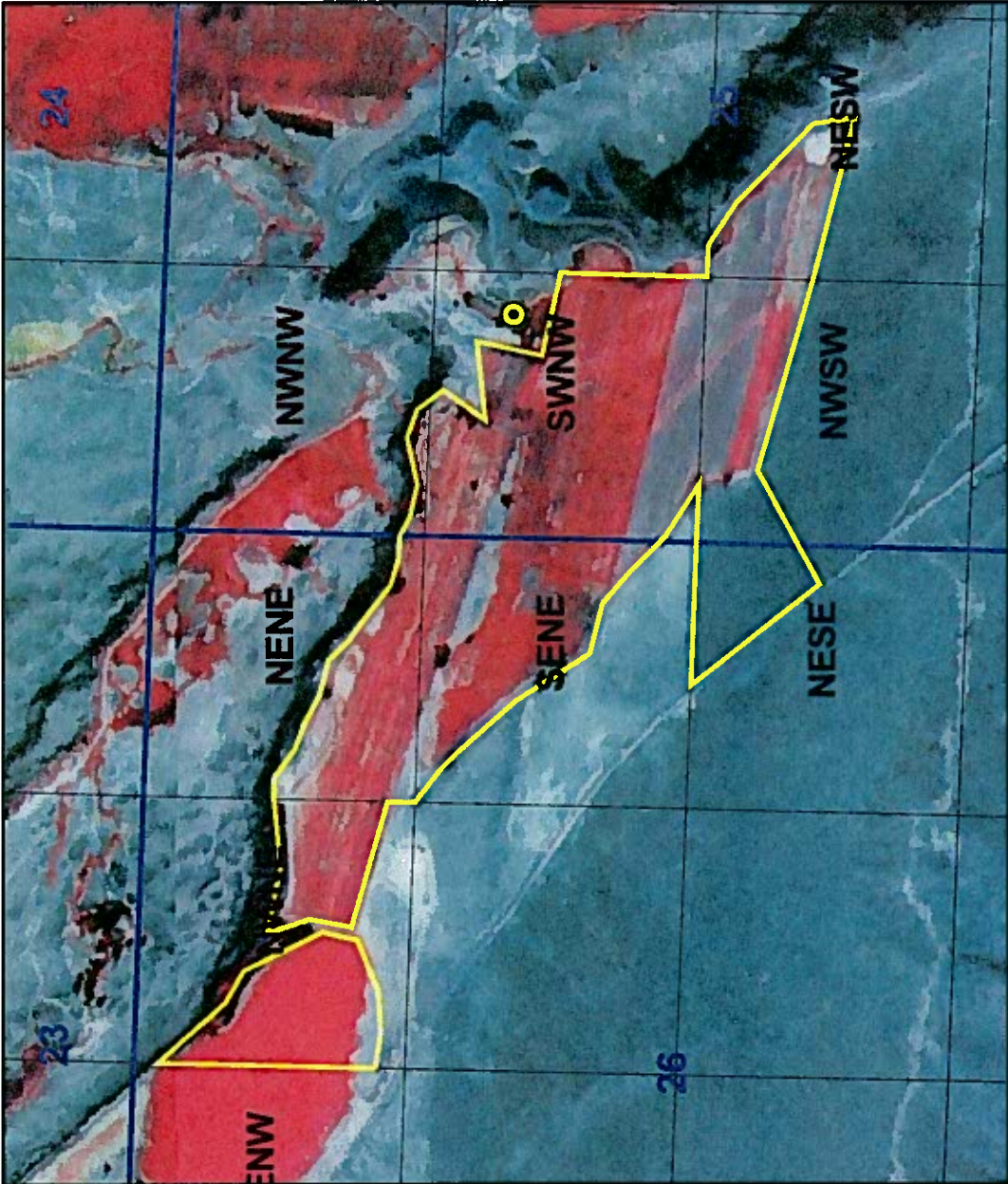
Quarter Quarters



Canyon County  
IDWR Basin 63

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

R02W



T01S



## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2938 V1

WATER RIGHT NUMBER: 63-2938 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                               |
|-------------------|---------------------------------------------------------------------------------------|
| Original Owner    | ROXY C JENSEN                                                                         |
| Current Owner     | MELBA, ID<br>DAVID VASTINE<br>105 FLORADA AVE<br>PIEDMONT, CA 94611<br>(510) 847-8944 |
| Original Owner    | GEORGE EDWARD MC DONOUGH                                                              |
| Original Owner    | , ID<br>REX S JENSEN<br>RT 1<br>MELBA, ID 83641                                       |

Priority Date: 04/24/1953

Basis: License

Status: Active

Source

GROUND WATER

Tributary

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15          | 0.980 CFS             | 486.00 AF            |
|                       | <u>Total Diversion:</u> | 0.980 CFS             | 486.00 AF            |

Location of Point(s) of Diversion

|               |            |                                 |
|---------------|------------|---------------------------------|
| GROUND WATER  | SW1/4NW1/4 | Sec. 25, Twp 01S, Rge 02W, B.M. |
| CANYON County |            |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE   |      |    |      | NW  |      |    |    | SW  |      |    |    | SE  |    |    |    | Totals |
|-----|-----|-----|------|------|----|------|-----|------|----|----|-----|------|----|----|-----|----|----|----|--------|
|     |     |     | NE   | NW   | SW | SE   | NE  | NW   | SW | SE | NE  | NW   | SW | SE | NE  | NW | SW | SE |        |
| 01S | 02W | 25  |      |      |    |      | 2.0 | 33.0 |    |    | 8.0 | 12.0 |    |    |     |    |    |    | 55.0   |
| 01S | 02W | 26  | 12.0 | 17.0 |    | 18.0 |     |      |    |    |     |      |    |    | 6.0 |    |    |    | 53.0   |

Total Acres: 108

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2938 V1

1. S39 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.
2. C18 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.

Remarks:

Comments:

Water Supply Bank:

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: A63-02938  
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

415-444-0603

94611

2. Date of Priority: APR 24, 1953

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 01S      | 02W   | 25      | SW     | SW     | NW  |     | CANYON |

5. Description of diverting works:  
DRILLED WELL, PUMP AND MAINLINE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.980 |      | 486.00 |

7. Total Quantity Appropriated is:  
0.980 C.F.S. (and/or) 486.00 A.F.A.

8. Total consumptive use is 378.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 01S      | 02W   | 25      | NW     | NW  |     | IRR | 3.0   |
|          |       |         | SW     | NW  |     | IRR | 30.0  |
|          |       |         | NE     | SW  |     | IRR | 10.0  |
|          |       |         | NW     | SW  |     | IRR | 8.0   |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 51.0  |
|          |       | 26      | NE         | NE  | IRR           | 15.0  |
|          |       |         | NW         | NE  | IRR           | 15.0  |
|          |       |         | SE         | NE  | IRR           | 17.0  |
|          |       |         | NE         | SE  | IRR           | 10.0  |
|          |       |         |            |     | Section Acres | 57.0  |
|          |       |         |            |     | Total Acres   | 108.0 |

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:

DATA ENTRY ERRORS FOR POU CORRECTED. 12/01/1995 MM.

15. Basis of Claim: LICENSE

Water Right Number: 24032

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: A63-02938  
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

415-444-0603



2. Date of Priority: APR 24, 1953

3. Source: GROUNDWATER

Trib. to:

Department of Water Resources  
Western Regional Office

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 01S      | 02W   | 25      | SW     | SW     | NW     |     | CANYON |

5. Description of diverting works:  
DRILLED WELL, PUMP AND MAINLINE

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.980  |      | 486.00 |

7. Total Quantity Appropriated is:  
0.980 C.F.S. (and/or) 486.00 A.F.A.

8. Total consumptive use is 378.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 01S      | 02W   | 25      | SW     | NW     |     | IRR | 30.0  |
|          |       |         | NE     | SW     |     | IRR | 10.0  |
|          |       |         | NW     | SW     |     | IRR | 8.0   |

A63-02938

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 | 48.0  |
|          |       | 26      | NE         | NE  | IRR           | 15.0  |
|          |       |         | NW         | NE  | IRR           | 15.0  |
|          |       |         | SE         | NE  | IRR           | 20.0  |
|          |       |         | NE         | SE  | IRR           | 10.0  |
|          |       |         |            |     | Section Acres | 60.0  |
|          |       |         |            |     | Total Acres   | 108.0 |

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:

15. Basis of Claim: LICENSE

Water Right Number: 24032

**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: 39576Ident. Number A63-02938Date Received 7/01/93Receipt 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) 4/24/53
3. Source of water supply (a) Groundwater  
which is tributary to (b) N/A
4. a. Location of existing point of diversion is: Township 1S Range 2W Section 25,  
1/4 of SW 1/4 of NW 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. Drilled well, pump and mainline.

**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 .98 or 486

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .98 (cfs) and/or (b) 486 (acre feet)

8. Total consumptive use claimed is 378 acre feet per annum.

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

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  |        |       |       |       |        | 3     | 30    |       | 10     | 8     |       |       |        |       |       |       | 51     |
| 1S  | 2W  | 26  | 15     | 15    |       | 17    |        |       |       |       |        |       |       |       | 10     |       |       |       | 57     |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 108

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.  
63-02256; 63-02711 or None ( )

14. Remarks:

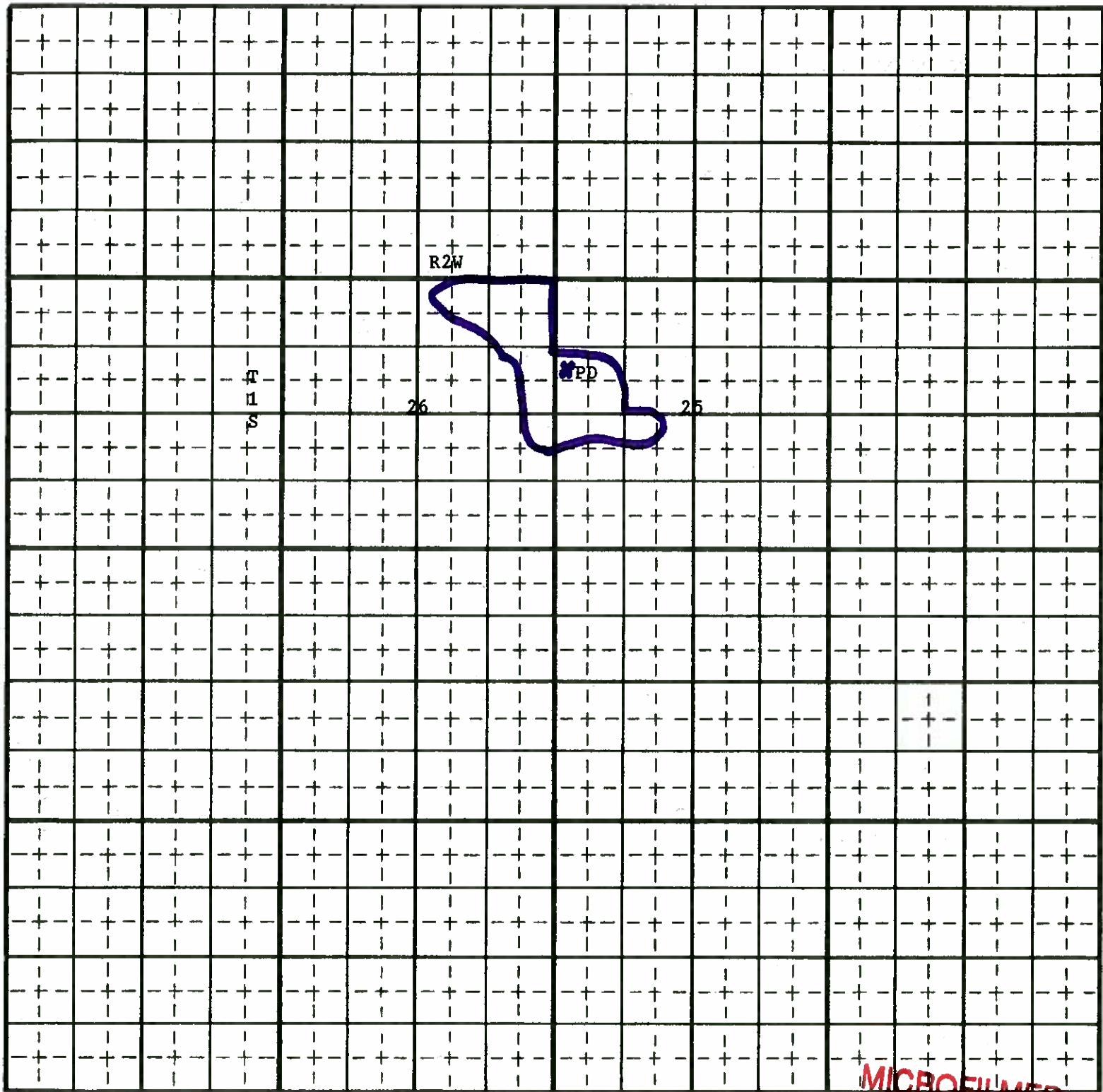
MICROFILMED

JUL 25 1994

Last Name Vastine Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

**Scale: 2 inches equals 1 mile**



**MICROFILMED**  
**JUL 25 1994**

*Copies: White-State, Yellow-Claimant*

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License X Permit \_\_\_\_\_

Decree \_\_\_\_\_

If applicable provide IDWR Water Right Number 63-02938

Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_

Plaintiff vs Defendant \_\_\_\_\_

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

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 \_\_\_\_\_

Title

of \_\_\_\_\_, that I have signed the foregoing

Organization

document in the space below as \_\_\_\_\_ of \_\_\_\_\_

Title

Organization

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 Sheri 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 St James Drive Redmont Co 94411  
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 R26W (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

Stephen 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

Director or his designated agent

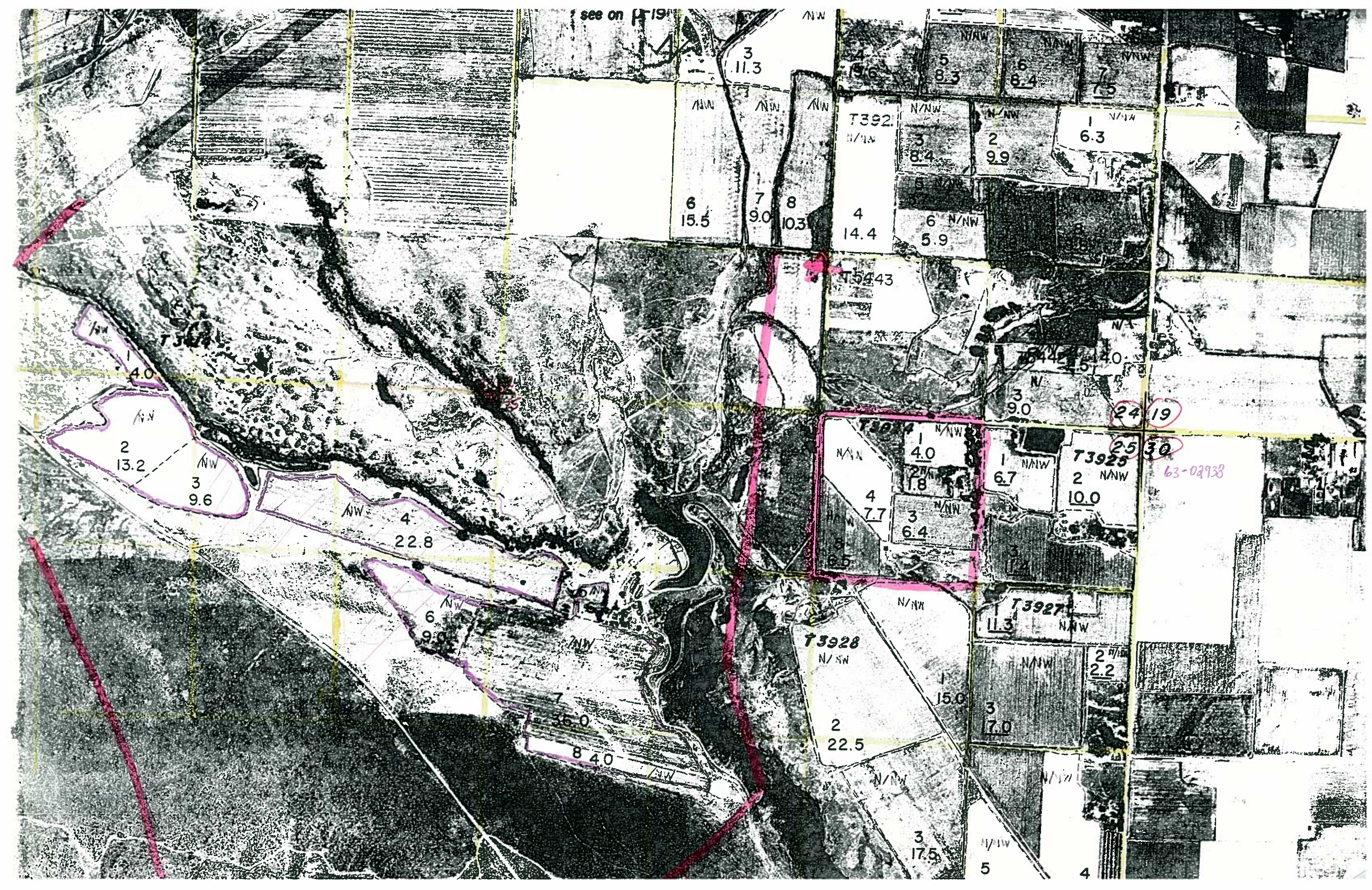
DAVID B. SHAW

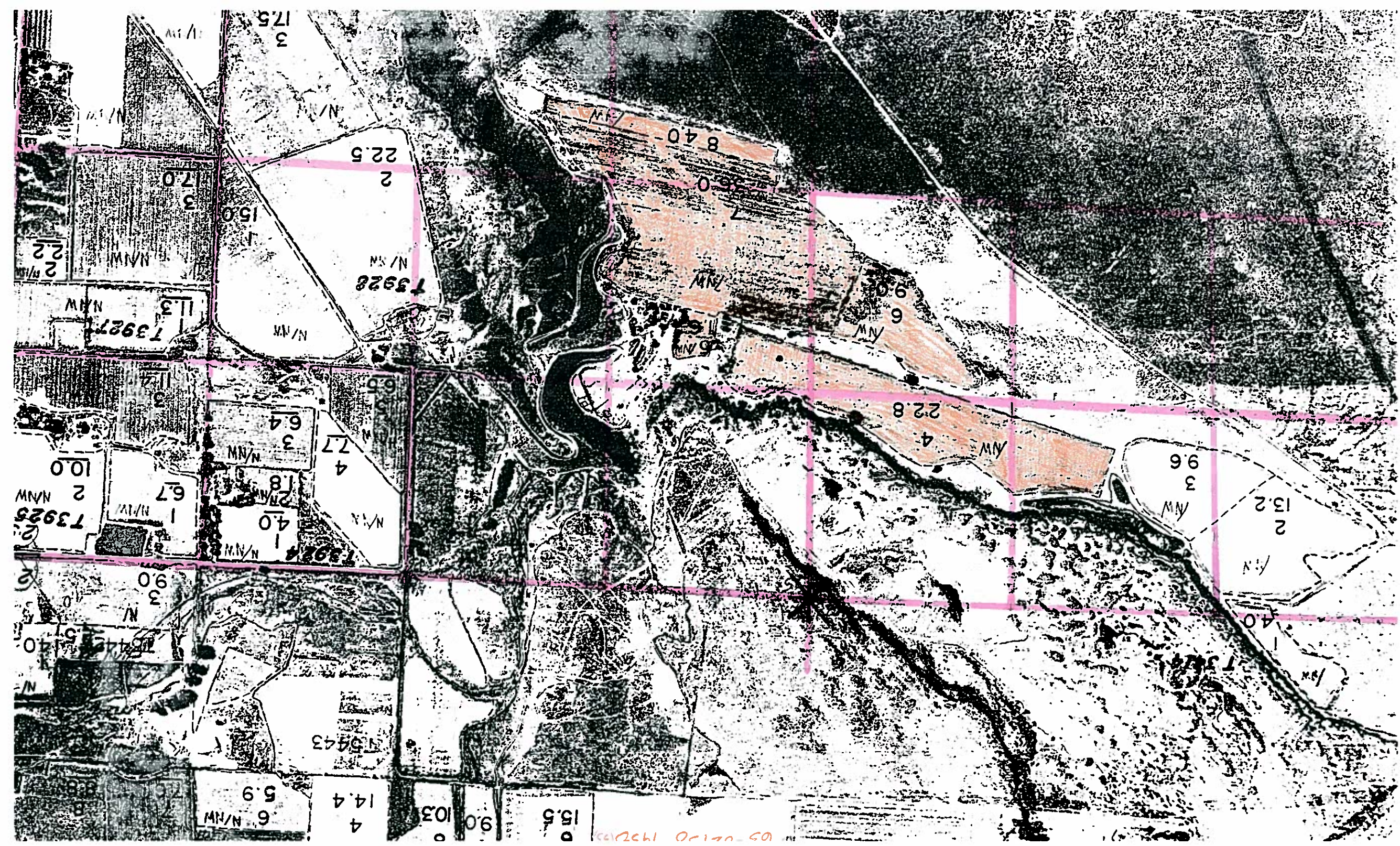
**MICROFILMED**  
JUL 25 1994

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

MAR 13 1990

see on p 19





ADJUDICATION CLAIM CHECKLIST

|                                                       |                                                         |                                             |                        |                                    |                                  |                                      |
|-------------------------------------------------------|---------------------------------------------------------|---------------------------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|
| FIELD EXAM<br>Y/N-IF NO,<br>DO OFFICE<br>VERIFICATION | FIELD EXAM<br>OR IN-OFFICE<br>VERIFICATION<br>WHOM/DATE | CLAIM<br>VERIFIED BY<br>CODE<br>(SEE BELOW) | CHANGE<br>CLAIM<br>Y/N | CLAIMANT CONTACT<br>NEEDED - Y/N** | REVIEW<br>COMPLETED<br>WHOM/DATE | NOTICE OF CLAIM NO. <u>A63-02938</u> |
| WR ELEMENT                                            |                                                         |                                             |                        |                                    |                                  |                                      |
| PRIORITY*                                             |                                                         |                                             |                        |                                    |                                  | "R" RECORD                           |
| PT. OF DIV.                                           |                                                         |                                             |                        |                                    |                                  |                                      |
| SOURCE                                                |                                                         |                                             |                        |                                    |                                  | DATA ENTRY COMPLETE<br>BY DATE       |
| PL. OF USE                                            |                                                         |                                             |                        |                                    |                                  |                                      |
| DIV. AMOUNT<br>CFS/AF                                 |                                                         |                                             |                        |                                    |                                  | FINAL RECOMMENDATION<br>BY DATE      |
| CONSUMPTIVE<br>USE                                    |                                                         |                                             |                        |                                    |                                  |                                      |
| NATURE OF<br>USE                                      |                                                         |                                             |                        |                                    |                                  |                                      |
| PERIOD OF<br>USE                                      |                                                         |                                             |                        |                                    |                                  |                                      |
| BASIS OF<br>CLAIM                                     |                                                         |                                             |                        |                                    |                                  |                                      |
| REMARKS                                               |                                                         |                                             |                        |                                    |                                  |                                      |

\*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN  
SUBMITTED - YES NO

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

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

COMMENTS: Claimed as licensed. See also A63-02256, A63-02711

| OWNER<br>CODE | NAME & ADDRESS | PRIORITY<br>DATE | WATER USE   | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|----------------|------------------|-------------|-----------------------|-------------------|---------------------|
| C             | REX S. JENSEN  | ✓06/24/1953      | ✓IRRIGATION | 00-00 00-00           | ✓0.980 CFS        |                     |
| C             | ROY C. JENSEN  |                  |             |                       |                   |                     |
|               | MELBA ID       |                  |             |                       |                   |                     |
|               |                |                  |             | TOTAL DIVERSION:      | ✓0.980 CFS        |                     |

[illegible]

**Pol County: CANYON**

Other Water Rights Listing Overlapping Place(s) of use:  
63-02256 63-02631B 63-02632B 63-02711

|               |                        |                           |                   |
|---------------|------------------------|---------------------------|-------------------|
| <b>Dates:</b> | <b>App. Received:</b>  | <b>Priority Date:</b>     | <b>04/24/1953</b> |
|               | <b>Proof Due Date:</b> | <b>Proof Made Date:</b>   |                   |
|               | <b>Exam Made Date:</b> | <b>Exam Sent to S.O.:</b> |                   |
|               | <b>Licensed Date:</b>  | <b>08/28/1979</b>         |                   |

**Misc:**  
**Water District Number:**  
**Field Exam Fee:**

| Audit: | 06/03/85 | 05/01/88 | CONVERT |
|--------|----------|----------|---------|
|--------|----------|----------|---------|

DIVERSION  
VOLUME

486.00 AFA

486.00 AFA  
378.00 AFA

**Stage: LICENSE**

**CANYON County**

108.0

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
47-38280 467 38280

Other Water Rights Listing Overlapping Place(s) of Use:  
A63-02256 A63-02631B A63-02632B A63-02711 A63-28282

**Objection Filed Date:**

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

|        |          |          |          |          |          |          |
|--------|----------|----------|----------|----------|----------|----------|
| Audit: | 02/02/93 | MCCARTHY | 03/30/95 | POST-STD | 12/01/95 | MMINICUC |
|--------|----------|----------|----------|----------|----------|----------|

# State of Idaho

## License and Certificate of Water Right

Water License No. G-24032

Amount .98 c.f.s.

Water District No. \_\_\_\_\_

Priority April 24, 1953

THIS IS TO CERTIFY that GEORGE EDWARD McDONOUGH - Assignee - REX S. & ROXY C. JENSEN of Melba, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 24, 1953; that Permit No. G-24032 was issued under said application; that Certificate of Completion of works, with a carrying capacity of .98 second feet, was issued thereunder on September 11, 1959, showing that said works were completed on the 22 day of May, 1958; and that on the 22 day of May, 1958,

REX S. & ROXY C. JENSEN

of Melba, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation, under Use Permit No. G-24032 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 11 of Licenses at page 6754, on the 11 day of September, 1959; The right hereby confirmed dates from April 24, 1953;

The Point of Diversion is located

In the SW 1/4 NW 1/4, Sec. 25, Tp. 1 S., R. 2 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed .98 cubic feet per second.

Description and location of use:

| Twp. | Range | Sec. | Forty-acre Tract                       | No. Acres Described in Permit | No. Acres Actually Irrigated |
|------|-------|------|----------------------------------------|-------------------------------|------------------------------|
| 1 S. | 2 W.  | 25   | SW 1/4 NW 1/4                          | 40                            | 30                           |
|      |       |      | NE 1/4 SW 1/4                          | 40                            | 10                           |
|      |       |      | NW 1/4 SW 1/4                          | 40                            | 8                            |
|      |       |      | NE 1/4 NE 1/4                          | 40                            | 15                           |
|      |       | 26   | NW 1/4 NE 1/4                          | 40                            | 15                           |
|      |       |      | SE 1/4 NE 1/4                          | 40                            | 20                           |
|      |       |      | NE 1/4 SE 1/4                          | 40                            | 10                           |
|      |       |      | Total number of acres to be irrigated: |                               | 108                          |

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

11 day of September, 1959.

GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

63-2938

# APPLICATION FOR PERMIT

## To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 31810  
Permit No. G- 24032  
District No.

Assigned to

1. Name of Applicant: GEORGE EDWARD McDONOUGH (c/o Rex Jensen)  
Postoffice address: Melba County: Canyon State: Idaho
2. Quantity of water claimed: 120 Miner's inches  
(a) Rate of withdrawal in cubic feet per second. 2.4 or Idaho  
Miners' inches or gallons per minute.  
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean, to be raised through a drilled well.
4. Location of point of diversion or well is in the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 25  
Twp. 1 S , Rge. 2 W , B.M., County of Canyon
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:  
(a) Point of use of water is in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp.  
Rge. , B.M.  
(b) Waste water or sewage effluent is to be returned to  
at a point in the  $\frac{1}{4}$  of the  $\frac{1}{4}$  of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well, cased and equipped with turbine type pump and motor.
8. Estimated cost of works: \$ 4,000.00
9. (a) Is reservoir to be used? No  
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:  
I. (a) Date and place of incorporation:  
(b) Amount of capital stock: \$ (c) Amount paid in: \$  
(d) Names and addresses of directors:  
II. The financial resources of the applicant are (a) . Cash onhand: \$  
(b) Treasury stock: (c) Bonds to be issued:  
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None  
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.  
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

The water included in this application will be obtained from subterranean sources by a well drilled on land owned by Rex S. Jensen. I have an easement for the drilling of this well and a right-of-way for the conduction of the water through a canal from his lands on to my desert land entry. I will hold this well jointly with Marion L. James and have given her right-of-way across my allowed desert entry to conduct water onto her land irrigated adjacent. The Remarks: land will be used for agricultural purposes and beneficial use of the water will serve as beneficial use of the land also.

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

GEORGE EDWARD McDONOUGH *Applicant.*

By Harley M. McDowell *Agent.*

Date of first receipt at Department of Reclamation: 10:40 a.m. April 24, 1953

Returned to applicant for correction:

Corrected application received:

### Approval of State Reclamation Engineer

The number of this permit is G-24032

Recorded in Book 85 Page 24032 Approved May 2, 1953

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

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

Work to begin on or before July 2, 1953 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before November 2, 1955

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before May 2, 1958

Witness my hand this 2nd day of May, 1953

MARK R. KULP  
*State Reclamation Engineer.*

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 2nd day of May, 1953.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS, Secretary of State.

By LEN JORDAN, Governor

By Paula L. Fleenor

12.

| Twp. | Range | Sec. | NE $\frac{1}{4}$                                                       | NW $\frac{1}{4}$                                                       | SW $\frac{1}{4}$                                                       | SE $\frac{1}{4}$                                                       | Totals          |
|------|-------|------|------------------------------------------------------------------------|------------------------------------------------------------------------|------------------------------------------------------------------------|------------------------------------------------------------------------|-----------------|
|      |       |      | NE $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ | NE $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ | NE $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ | NE $\frac{1}{4}$  NW $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ |                 |
| 1 S  | 2 W   | 25   |                                                                        |                                                                        | 40 40                                                                  | 40                                                                     | 80<br>40<br>120 |

A S S I G N M E N T

WARRANTY      DEED

For Value Received R. ELIZABETH McDONOUGH and GEORGE EDWARD McDONOUGH, Wife and husband, the grantors, do hereby grant, bargain, sell and convey unto REX S. JENSEN and ROXY C. JENSEN, Husband and Wife, the grantee, the following described premises, in Canyon County Idaho, to wit: The East Half of the Northwest Quarter (E $\frac{1}{2}$  NW $\frac{1}{4}$ ), and the Southwest Quarter (SW $\frac{1}{4}$ ) of Sec. 23; and the East Half of the Southeast Quarter (E $\frac{1}{2}$  SE $\frac{1}{4}$ ) of Sec. 22, all in Twp. 1 S., R. 2 W., B.M. Containing 320 acres; Also the North Half of the Southwest Quarter (N $\frac{1}{2}$  SW $\frac{1}{4}$ ) of Sec. 25; and the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Sec. 26, all in Twp. 1 S., R. 2 W., B.M. containing 120 acres. Subject to the reservations to the United States contained in the United States/ granted to the grantors above named the property above described. And subject also to rights of way for any existing roads, ditches, pipe lines, or pole lines upon said property. The appurtenances to said property hereinafter mentioned and conveyed are intended to cover all water rights for irrigation connected with said lands.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s, that they are the owners in fee simple of said premises; that they are free from all incumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 5, 1957

SGD/George Edward McDonough  
SGD/R. Elizabeth McDonough

STATE OF IDAHO, COUNTY OF

On this 8th day of April, 1957 before me, a notary public in and for said State, personally appeared R. Elizabeth McDonough and George Edward McDonough, Wife and Husband, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same. J. F. Cromwell

Boise, Idaho Notary Public

STATE OF IDAHO, COUNTY OF Canyon

I hereby certify that this instrument was filed for record at the request of Edwin Snow at 36 minutes past 9 o'clock a.m., this 13 day of April 19 , in my office and duly recorded in Book 249 of Deeds at page 483.

S.D. Foote  
Ex-Officio Recorder

By: Lavona Sayre  
Deputy

Received and filed for record  
in the Department of Reclamation April 14, 1958  
MARK R. KULP  
State Reclamation Engineer

Application for Amendment  
To Permit to Appropriate the Public Waters  
of the State of Idaho, No. G24032

Comes now Rex S. Jensen, and represents to the State Reclamation Engineer of the State of Idaho. That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G24032, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: T 1 S - R 2 W., B.M. Sec. 25, N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec 26, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , making a total of 280 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, this 27th day of May, 1958

/s/ Rex S. Jensen  
Rex S. Jensen

Date of receipt at office of Department of Reclamation  
June 13, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

I, E. N. HUMPHREY, Acting State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G 24032. This approval constitutes a new permit and is issued as an emendment 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.

/s/ E. N. Humphrey, Deputy  
and Acting State Reclamation Engineer

Approved and recorded:  
June 16, 1958.

Permit No. G-24032 -  
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that GEORGE EDWARD McDONOUGH - Assignee - REX S. & ROXY C. JENSEN, of Melba, County of Canyon, and State of Idaho, the holder of Permit No. G-24032, issued upon Application No. G-31810 bearing date of priority of April 24, 1953. authorizing the diversion of 2.4 second feet of the waters of a well, County of Canyon, State of Idaho, for irrigation 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 .98 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters is SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 25, T. 1 S., R. 2 W., B. N.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

108 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , Sec. 25; N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 26, T. 1 S., R. 2 W., B. N.

Witness my hand this 11th day of September, A. D., 1959.

s/ GEO. N. CARTER  
State Reclamation Engineer

Proof of Completion of Works Made: May 22, 1958

PERMIT ISSUED FOR 2.4 SEC. FT.  
Page 6754

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO  
**REPORT OF ENGINEER**

Permit No. G-24032This proof is for C/W & Beneficial Use In Water District No. \_\_\_\_\_1. Name of applicant Rex S. Jensen Melba, Idaho2. Source of water supply: Subterranean3. Location of point of diversion: Is in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 25T. 1 S. R. 2 W. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: Well 16" x 800'  
H: 50' Lift: 100' Smith Way motor 300 Hp 440 V # 62534  
Byron Jackson Vertical turbine # 287555 E & M controls  
10" discharge 400' long to high point of land 8" x 120' column  
49 runners meter measured by speeding meter

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Amend: Township 1 South, Range 2 West, B.M.Section 25: N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 26: N $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ Total of 280 acres.

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

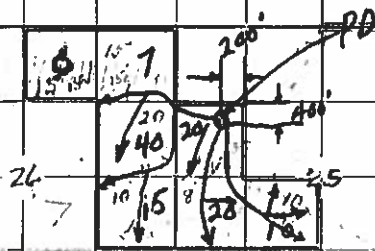
8. What large stream would the water here appropriated finally reach? \_\_\_\_\_

Remarks: Accompanied by Rex Jensen  
This land is supplemented by water from an  
unnamed drain applied for on another permit.

This examination was made on the 29 day of August, 1958(Signed) Daniel A. Stevenson Examiner.G-24032

2 m 8

|     |         |
|-----|---------|
| T12 | K' 2 W. |
|-----|---------|



Area = 1/2 area

Subdivisions = 6

Q 49 round stone

11

4/17/11

Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

211032

DATE: 12/01/95  
PAGE: 1

**Misc:**

|                        |                                             |
|------------------------|---------------------------------------------|
| Water District Number: | Field Inspection Flag:<br>Presumption Flag: |
|------------------------|---------------------------------------------|

Old (D) Number - 24032

[illegible]

1.

**City- MELBA**

1-1-1944

**Ciara MELBA**

PHOT -

City-

|       |               |       |                |       |             |       |              |       |
|-------|---------------|-------|----------------|-------|-------------|-------|--------------|-------|
| + - - | Priority Date | - - + | + - - - Region | - - + | + - - Stage | - - + | + - - Status | - - + |
|       |               |       | 14 WESTERN     |       | LICENSE     |       |              |       |
|       |               |       | 04/24/1953     |       |             |       |              |       |

[illegible][illegible]

01S 02W 25 SW NW (27) CANYON

| Code | Description | Period From | Period To | Water Use | Diversion Rate | Diversion Volume |
|------|-------------|-------------|-----------|-----------|----------------|------------------|
| +    | -           | -           | -         | -         | -              | +                |

01 - IRRIGATION - 0.980 -

|                       |   |                       |   |                         |
|-----------------------|---|-----------------------|---|-------------------------|
| + - Total Div. Rate - | + | - Total Div. Volume - | + | - Total Div. Capacity - |
|                       |   |                       |   | 0.980                   |

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|--------|
|-----|-----|-----|-------|-----|-------|------|-------------|--------|

|     |     |    |       |      |    |            |      |        |
|-----|-----|----|-------|------|----|------------|------|--------|
| 01S | 02W | 25 | SW NW | 30.0 | 01 | IRRIGATION | (27) | CANYON |
| 01S | 02W | 25 | NE SW | 10.0 | 01 | IRRIGATION | (27) | CANYON |
| 01S | 02W | 25 | NW SW | 8.0  | 01 | IRRIGATION | (27) | CANYON |
| 01S | 02W | 26 | NE NE | 15.0 | 01 | IRRIGATION | (27) | CANYON |
| 01S | 02W | 26 | NW NE | 15.0 | 01 | IRRIGATION | (27) | CANYON |
| 01S | 02W | 26 | SE NE | 20.0 | 01 | IRRIGATION | (27) | CANYON |
| 01S | 02W | 26 | NE SE | 10.0 | 01 | IRRIGATION | (27) | CANYON |

**Total Acres:** 108.0

+ - - Diversion Means -

| Proof Due Date    | 00/00/0000 | Field Exam Made  | 00/00/0000 | Field Exam Fee   |
|-------------------|------------|------------------|------------|------------------|
| Approved/Denied   | 00/00/0000 | Protested Date   | 00/00/0000 | Swan Falls       |
| Proof Made Date   | 00/00/0000 | Hearing Date     | 00/00/0000 | Temporary Right  |
| Exam to S.O. Date | 00/00/0000 | Verified Date    | 06/03/1985 | DLE/Catey Act    |
| Prior Show Cause  | 00/00/0000 | Receipt Number   | -          | Water District   |
| Licensed Date     | 08/28/1979 | Appl Received    | 00/00/0000 | Transfer/Amended |
| Decree Date       | 00/00/0000 | Presumption Flag | -          |                  |