

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: **A63-09069B**
Date Received: 1/26/1994
Receipt No: W017123
Received By: _____

AMENDED

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

AMENDED

1. Name: DARREL W POULTER 208-585-2027
Address: PO BOX 13
STAR ID 83669

AND/OR

Name: PHYLLIS J POULTER 208-585-2027
Address: PO BOX 13
STAR ID 83669

2. Date of Priority: OCT 26, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	02W	21		NW	SW		CANYON

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		38.70

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 38.70 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
05N	02W	21	NW	SW		IRR	6.6

MICROFILMED

OCT 08 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	02W	21	SW	SW		IRR	2.0
Section Acres							8.6
Total Acres							8.6

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:
63-12091

14. Remarks:

CLAIM AMENDED PER TRANSFER NO. 4278 APPROVED 5/4/1994.
RT. HOLDER SHALL COMPLY WITH THE DRILLING PERMIT REQUIREMENTS
OF SECTION 42-235, IDAHO CODE.
THE RT. HOLDER SHALL USE THE FULL ALLOTMENT OF HIS SURFACE
WATER RIGHT, TO THE EXTENT IT IS AVAILABLE, IN CONJUNCTION WITH
GROUNDWATER DIVERTED PURSUANT TO THIS RIGHT.
THE POINT OF DIVERSION AND PLACE OF USE ARE LOCATED WITHIN
LOT 6, BENCHMARK ESTATES.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
COPY OF APPROVED TRANSFER NO. 4278 IN FILE. KW 1/29/1996

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4272
WATER RIGHT NO. [REDACTED]

This is to certify that: **DARREL W POULTER**
PHYLLIS J POULTER
PO BOX 13
STAR ID 836690000

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>
IRRIGATION	03/15 to 11/15	0.08 CFS	38.7 AF

SOURCE

GROUNDWATER

Priority: 10/26/1977

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 21, Township 05N, 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>
05N 02W 21	NWSW 6.6	SWSW 2		8.6
Total number of acres irrigated:				8.6

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
3. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

RECORDED

MAY 11 1994

TRANSFER NO. 4278
WATER RIGHT NO. 63-09069B

CONDITIONS/REMARKS:

6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. The point of diversion and place of use are located within Lot 6, Benchmark Estates.

Dated this 4th day of May, 1994

J. Glen Saxton

Chief, Water Alloc. Bureau

RECORDED

MAY 11 1994

RECEIVED

JAN 26 1994

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Transfer No. 4278

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

APR 11 1994

Name of applicant Danuel W + Phyllis J Poulter Phone 585-2021
Post Office address PO Box 13 Star Id 83669

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 portion of licensed acreage and plan to drill a separate well for irrigation + domestic purposes

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>63-090693</u>	<u>10/26/1977</u>	<u>.08</u>	<u>Irrig</u>	<u>3/15</u> to <u>11/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred .08 cubic feet per second and/or 38.7 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
		NW	SW	21	5N	2W	Canyon	

5. Lands irrigated or place of use: Part B portion

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
5N	2W	21										6.6	2					8.6	

MAY 11 1994

Total acres 8.6

PART 1

6. General Information:

- a. Description of diversion system well, pump
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or N/A contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A
- d. Remarks:
Applicant has filed SRBA claim A63-090693. Also for full appropriation of 1" per acre, applicant has filed application 63-12091 for an additional .09 cfs.

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 _____

RECORDED

MAY 11 1994

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-09069

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	2.03 CFS	931.5 AF

SOURCE

GROUNDWATER

Priority: 10/26/1977

LOCATION OF POINT(S) OF DIVERSION:SENE , Sec. 20, Township 05N, Range 02W
CANYON CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	02W	16	NESE 0.5			0.5
		20	NENE 23	SENE 30	NESE 35	
			SESE 17			105
		21	NENW 0.5	NWNW 34	SWNW 34	
			NWSW 27	SWSW 6		101.5
			Total number of acres irrigated:			207

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
2. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.

RECORDED

MAY 11 1994

Water Right 63-09069

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

PART 2
 (Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 63-09069 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____4. Date or priority 10/26/1977

5. Water is used for the following purpose:

amount 2.03 cfs for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 2.03 cubic feet per second and/or 931.5 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	20	5N	2W	Canyon	

8. 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	
5N	2W	16													.5				.5
		20	23			30									35			17	105
		21					.5	34	34			27	6						101.5

MAY 11 1994

Total acres 207

9. Describe any other water rights used for the same purpose as described above _____

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount .08 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: N/C

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

3. Lands irrigated or place of use: N/C - represents B portion

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>5N</u>	<u>2W</u>	<u>21</u>										<u>6.6</u>	<u>2</u>						<u>8.6</u>

Total acres 8.6**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 1.95 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: N/C

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

MAY 11 1994

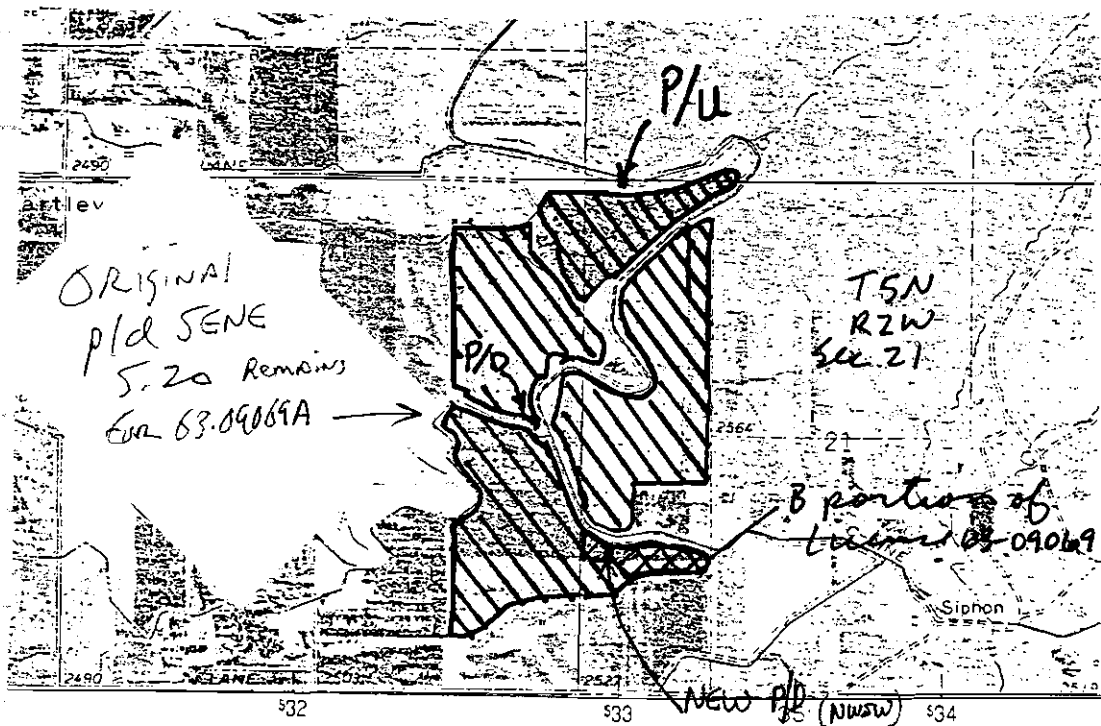
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>5N</u>	<u>2W</u>	<u>16</u>													<u>.5</u>				<u>.5</u>
		<u>20</u>	<u>23</u>			<u>30</u>								<u>35</u>			<u>17</u>		<u>105</u>
		<u>21</u>					<u>.5</u>	<u>34</u>	<u>34</u>		<u>20.4</u>	<u>4</u>							<u>92.9</u>

Total acres 198.4

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

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



RECEIVED

MAY 11 1994

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

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

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 25 day of Jan, 19 94

[Signature]
(Notary Public)

My commission expires 11/02/95

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by VR Date 1-26-94 Protest filed by _____

Prelim. check by GL Fee 30.00 W017123

Receipted by AB Date 1-26-94

Published in Ed. Press trib. Copies of protest forwarded by _____

Pub. dates 3-2-9-1994 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by [Signature]

Copy of transfer sent to lien holder _____

MAY 11 1994

MAY 11 1994

UNDERGROUND UTILITIES

26250 MOUNTAIN

BEAUTIFUL VIEWS

GOOD CCR'S

CURVE DATA

CURVE	DELTA	RADIUS	ARC TANGENT	CHORD	CHORD BEG	CHORD END
1	33° 44' 29"	85.00	60.97	32.93	38.76 N 79° 56' 21" E	
2	82° 19' 46"	100.00	106.78	60.46	103.50 N 21° 54' 14" E	

REVISED PRELIMINARY PLAT
OF
BENCHMARK ESTATES
A PLANNED UNIT DEVELOPMENT

A PORTION OF THE SE 1/4 SECTION 20 AND THE SW 1/4 SECTION 21,
T.5N., R.2W., B.M.,
CANYON COUNTY, IDAHO
JUNE 25, 1992

LEGEND

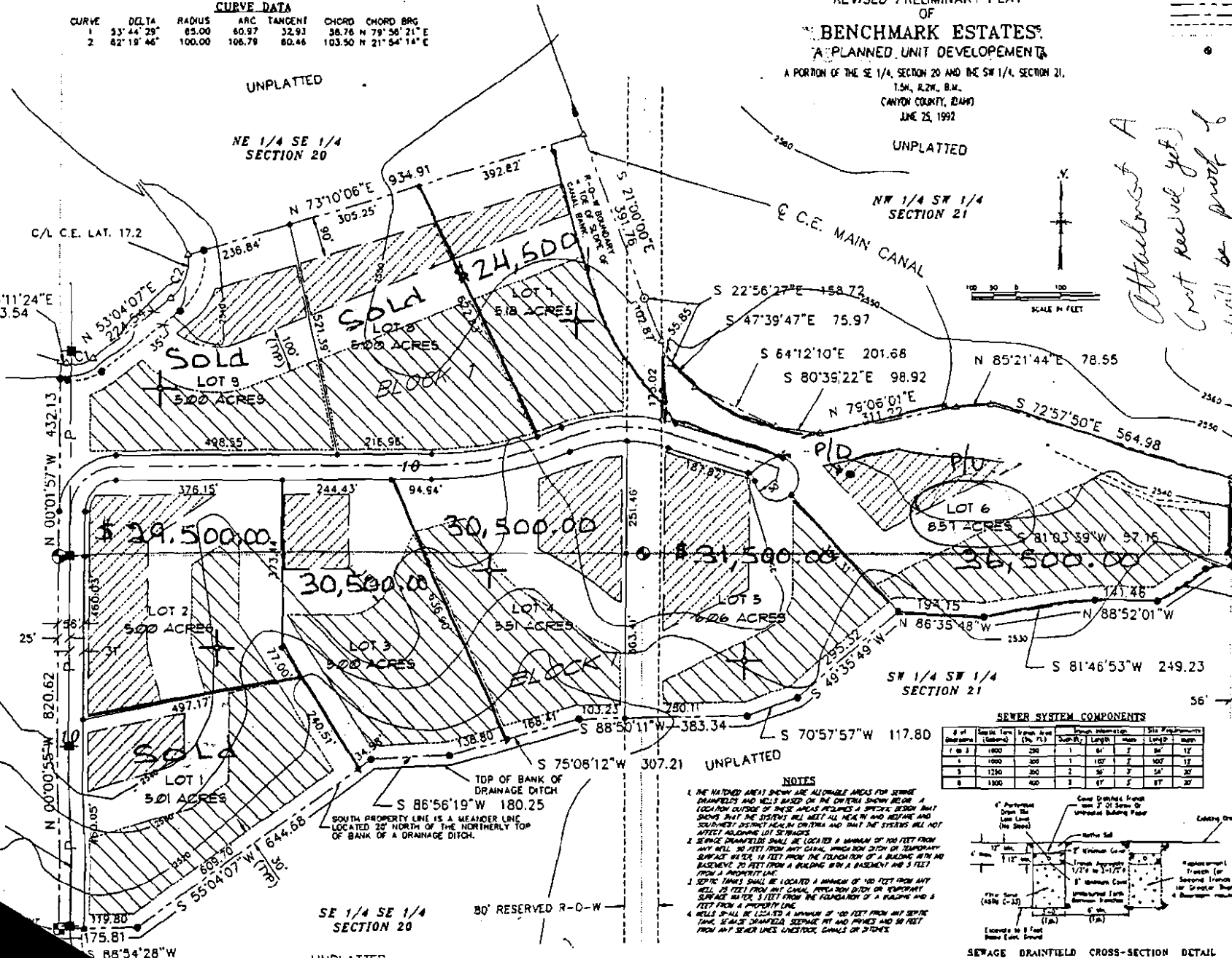
---	SECTION BOUNDARY LINE
---	COUNTY LINE
---	RIGHT OF WAY BOUNDARY
---	SECTION LINE
○	ROUND BRASS CAP
○	IRON CAP
○	IRON PIN
○	2" IRON PIN + 1/2" DIA. CAP
○	2" IRON PIN
○	2" IRON PIN + 1/2" DIA. CAP
○	POINT (NOT SET)
---	LOCATION FOR
---	CATCH FOR WELLS
---	CATCHES FOR

*Attachment A
(not received yet)
will be proof of
ownership - 8/2/92*

Attachment B

63-12091

EXISTING OVERHEAD
POWER LINE

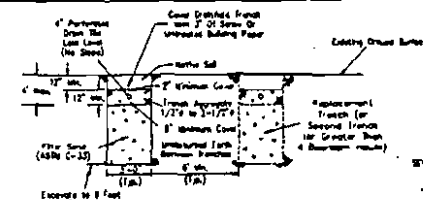


SEWER SYSTEM COMPONENTS

Size of Manhole	Depth from Ground (feet)	Depth from Invert (ft.)	Invert Information			Size of Requirements	
			Shorter	Length	more	Length	more
1 to 3	1000	200	1	6'	2	12'	12'
4	1000	300	1	10'	2	100'	12'
5	1200	300	2	6'	2	54'	20'
6	1300	400	3	6'	2	87'	20'

NOTES

- THE HATCHED AREAS SHOWN ARE ALLOWABLE AREAS FOR SEWER DRAINAGES AND WELLS BASED ON THE CRITERIA SHOWN BELOW. A LOCATION OUTSIDE OF THESE AREAS REQUIRES A SPECIAL DESIGN THAT SHOWS THAT THE SYSTEM WILL MEET ALL HEALTH AND SAFETY AND ENVIRONMENTAL STANDARDS AND THAT THE SYSTEMS WILL NOT AFFECT ADJACENT LOT SERVICES.
- SEWER DRAINAGES SHALL BE LOCATED A MINIMUM OF 100 FEET FROM ANY WELL, 50 FEET FROM ANY CREEK, WADSWORTH DITCH OR TEMPORARY SURFACE WATER, 10 FEET FROM THE FOUNDATION OF A BUILDING WITH A BASEMENT, 20 FEET FROM A BUILDING WITH A BASEMENT AND 5 FEET FROM A PROPERTY LINE.
- SEWER TANKS SHALL BE LOCATED A MINIMUM OF 100 FEET FROM ANY WELL, 25 FEET FROM ANY CREEK, WADSWORTH DITCH OR TEMPORARY SURFACE WATER, 10 FEET FROM THE FOUNDATION OF A BUILDING AND 5 FEET FROM A PROPERTY LINE.
- WELLS SHALL BE LOCATED A MINIMUM OF 100 FEET FROM ANY SEWER TANK, SEWER DRAINAGE, SEWER PIT AND PIPES AND 50 FEET FROM ANY SEWER LINES, WADSWORTH DITCHES OR DITCHES.



TYPICAL DRAINFIELD LAYOUT - LOTS 1 THROUGH 6
SEWER SYSTEM COMPONENTS FOR LOTS 1 THROUGH 6
TEALEY'S LAND SURVEY

LAUSING MURKIN'S ESTATES
BOOK D PAGE 6

MAY 11 1994

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: **A63-09069B**
Date Received: 1/13/1994
Receipt No: W017123
Received By: _____

RECEIVED

JAN 26 1994

WATER RESOURCES
WESTERN REGION

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: DARREL W POULTER 208-585-2027
Address: PO BOX 13
STAR ID 83669

AND/OR

Name: PHYLLIS J POULTER 208-585-2027
Address: PO BOX 13
STAR ID 83669

2. Date of Priority: OCT 26, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	02W	21	NW	SW			CANYON

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		38.70

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 38.70 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
05N	02W	21	NW	SW		IRR	6.6

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	02W	21	SW	SW		IRR	2.0
Section Acres							8.6
Total Acres							8.6

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:
63-12091

14. Remarks:
The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.

15. Basis of Claim: LICENSE

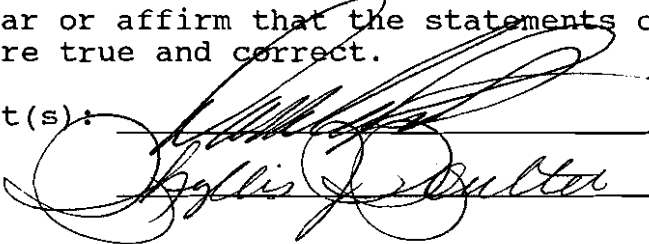
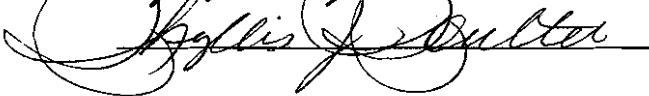
16. Signature(s)

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

Number of attachments:

For Individuals:

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

Signature of Claimant(s):  Date: 1-25-94
 Date: 1-25-94

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 25th day

of January 19 97

Seal

Lammy Sorensen
Notary Public

Residing at Meridian

My Commission Expires 11/02/95

POOR ORIGINAL

47' 30"

46 47
770 000
FEET

46 46

46 45

43° 45'
116° 37' 30"

1270 000 FEET

532

533

534

Produced by the Geological Survey

Orthophotograph prepared from 1:80,000-scale aerial
photographs taken July 8, 1981

Projection and 10 000-foot grid ticks: Idaho

MICROFILMED

JUL 25 1984

1000

0

1



POOR ORIGINAL

UNDERGROUND UTILITIES

26250 Moulton

BEAUTIFUL VIEWS

GOOD CCR'S

CURVE DATA

CURVE	DELTA	RADIUS	ARC TANGENT	CHORD	CHORD BEG
1	33° 44' 29"	85.00	80.97	32.93	58.78 N 79° 54' 21" E
2	62° 19' 46"	100.00	108.79	80.48	103.50 N 21° 54' 14" E

**REVISED PRELIMINARY PLAT
OF
BENCHMARK ESTATES**

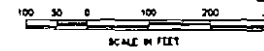
A PLANNED UNIT DEVELOPMENT

A PORTION OF THE SE 1/4, SECTION 20 AND THE SW 1/4, SECTION 21,
15N., R.2W., B.W.,
CANYON COUNTY, IDAHO
JUNE 25, 1992

LEGEND

- SUBDIVISION BOUNDARY LINE
- CENTER LINE
- POINT OF WAY BOUNDARY
- SECTION LINE
- FOUND BRASS CAP
- FOUND ALUMINUM CAP
- FOUND 5/8" IRON PIN
- SET 5/8" x 30" IRON PIN - IDENT. CAP
- FOUND 1/2" IRON PIN
- SET 1/2" x 34" IRON PIN - IDENT. CAP
- CALCULATED POINT (NOT SET)

- ✱ TEST HOLE LOCATED FOR SOILS REPORT
- ▨ ALLOWABLE LOCATION FOR WELLS
- ▨ ALLOWABLE LOCATIONS FOR SEWAGE DRAINFIELDS

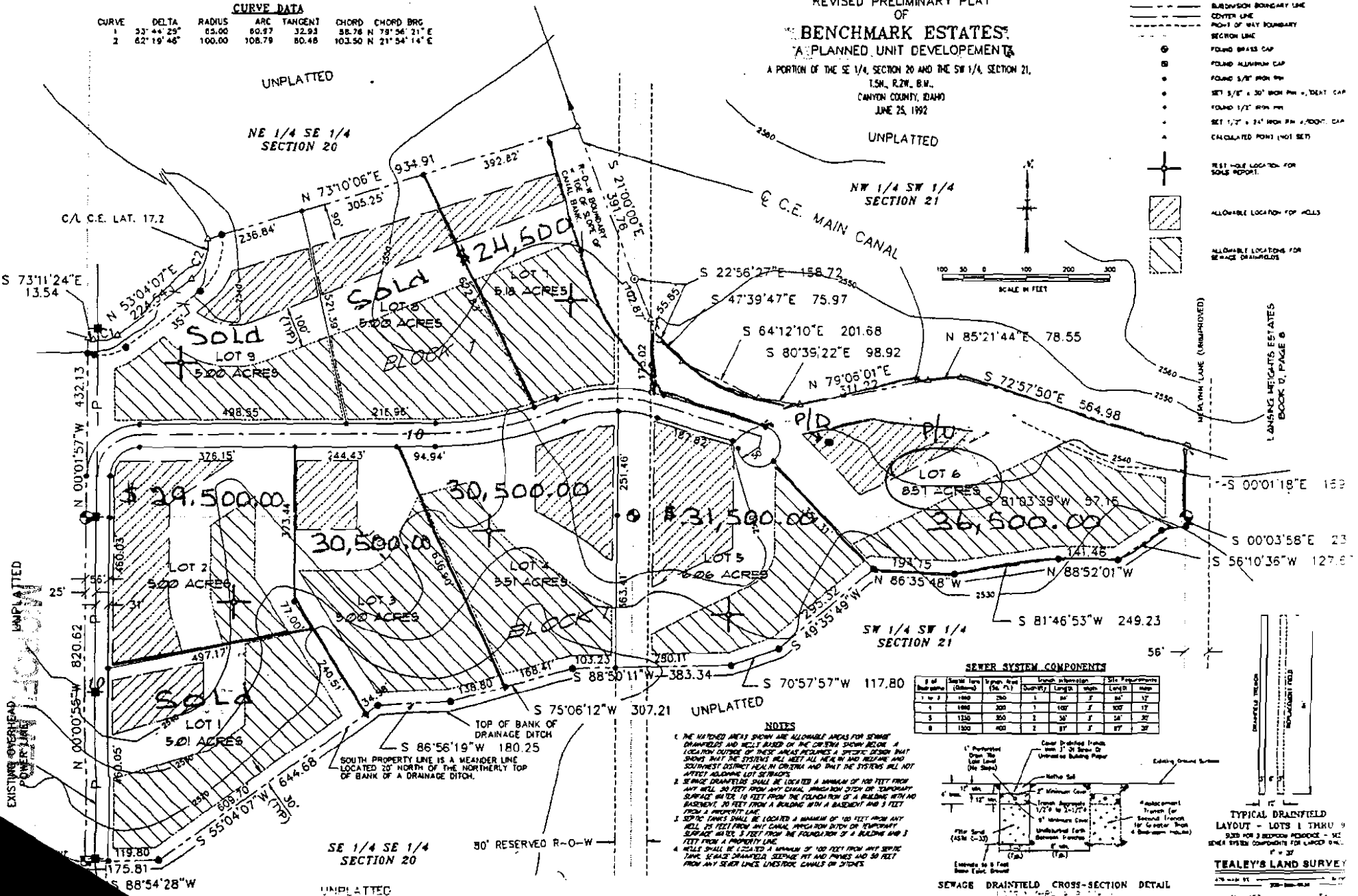


LANDING HEIGHTS ESTATES
BOOK D, PAGE 6

63-1209

4661 S 2 1st

EXISTING OVERHEAD
POWER LINES

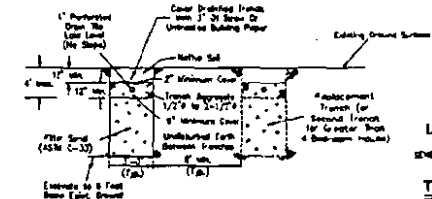


NOTES

- THE HATCHED AREAS SHOWN ARE ALLOWABLE AREAS FOR SEWAGE DRAINFIELDS AND WELLS BASED ON THE CRITERIA SHOWN BELOW. A LOCATION OUTSIDE OF THESE AREAS REQUIRES A SPECIFIC DESIGN THAT SHOWS THAT THE SYSTEMS WILL MEET ALL HEALTH AND WELFARE AND SOUTHWEST DISTRICT HEALTH CRITERIA AND THAT THE SYSTEMS WILL NOT INTERFERE WITH EXISTING UTILITIES.
- SEWAGE DRAINFIELDS SHALL BE LOCATED AT A MINIMUM OF 100 FEET FROM ANY WELL, 50 FEET FROM ANY CANAL, AND 50 FEET FROM ANY TEMPORARY SURFACE WATER, 10 FEET FROM THE FLOODPLAIN OF A BUILDING WITH NO BASEMENT, 30 FEET FROM A BUILDING WITH A BASEMENT AND 3 FEET FROM A PROPERTY LINE.
- SEWAGE DRAINFIELDS SHALL BE LOCATED AT A MINIMUM OF 100 FEET FROM ANY WELL, 50 FEET FROM ANY CANAL, AND 50 FEET FROM ANY TEMPORARY SURFACE WATER, 5 FEET FROM THE FOUNDATION OF A BUILDING AND 3 FEET FROM A PROPERTY LINE.
- WELLS SHALL BE LOCATED AT A MINIMUM OF 100 FEET FROM ANY SEWAGE TANK, SEWAGE DRAINFIELD, SEWAGE PIT AND PUMPS AND 30 FEET FROM ANY SEWER LINES, EXISTING CANALS OR DITCHES.

SEWER SYSTEM COMPONENTS

# of Components	Depth (ft)	Length (ft)	Quantity	Length (ft)	Quantity	Length (ft)	Quantity
1	120	200	1	120	1	120	1
2	120	200	1	120	1	120	1
3	120	200	1	120	1	120	1
4	120	200	1	120	1	120	1



SEWAGE DRAINFIELD CROSS-SECTION DETAIL

TYPICAL DRAINFIELD LAYOUT - LOTS 1 THRU 9

BASED ON 3 BEDROOM RESIDENCE - SEE SEWER SYSTEM COMPONENTS FOR LAYOUT DETAILS

TEALEY'S LAND SURVEY

**ADDRESS SERVICE
REQUESTED**

FIRST CLASS



UNITED STATES POSTAGE
 **RTNEV BOWIE'S**
 02 1A **\$ 00.87⁰**
 0004389393 FEB 02 2007
 MAILED FROM ZIP CODE 83702

WATER RESOURCES
WESTERN REGION

PHYLLIS J POULTER

DARREL W POULTER

PO BOX 13

STAR ID 83669

[illegible]

Resent 2-20-07

63-9069B

26250 Moonglow Dr
Middleton 83644

U.S. DEPT. OF AGRICULTURE
BUREAU OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES
02 1A
0004310839 OCT 0
\$ 00
MAILED FROM ZIP CODE

- ☒ Not Deliverable As Addressed
☐ Incorrect Address
☐ Moved, Left No Address
☐ Undelivered ☐ Refused
☐ Attention Not Known
☐ No Such Street Or Number
☐ Vacant ☐ Inhabitable
☐ No Mail Receipts
☐ Box Closed, No Order
☐ Returned For Better Address
☐ Postage Due _____

DARREL W. POULTER
PHILLIS J. POULTER
PO BOX 13
STAR ID 83669-0013

- ☐ Not Deliverable As Addressed
☐ Unable To Forward
☐ Incorrect Address
☐ Moved, Left No Address
☐ Undelivered ☐ Refused
☐ Attention Not Known
☐ No Such Street Or Number
☐ Vacant ☐ Inhabitable
☐ No Mail Receipts
☐ Box Closed, No Order
☐ Returned For Better Address
☐ Postage Due _____

RECEIVED
OCT 16 2006
WATER RESOURCES
WESTERN REGION

63-9069B

08/29/2006

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

RIGHT NUMBER: 63-9069B

NAME AND ADDRESS: PHYLLIS J POULTER
PO BOX 13
STAR ID 83669-0013

DARREL W POULTER
PO BOX 13
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS
38.700 AFY

PRIORITY DATE: 10/26/1977

POINT OF DIVERSION:

T05N R02W S21 NWSW 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	0.080 CFS 38.70 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

T05N R02W S21	NWSW	6.60	T05N R02W S21	SWSW	2.00
---------------	------	------	---------------	------	------

8.6 ACRES TOTAL

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 point of diversion and place of use are located within Lot 6, Benchmark Estates.

The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Failure of the right holder to comply with the conditions of Transfer No. 4278 is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by Transfer No. 4278 within one (1) year of the date of this approval.



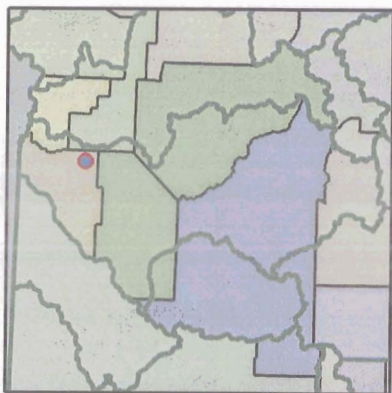
Idaho Department of Water Resources

SRBA Recommendation:

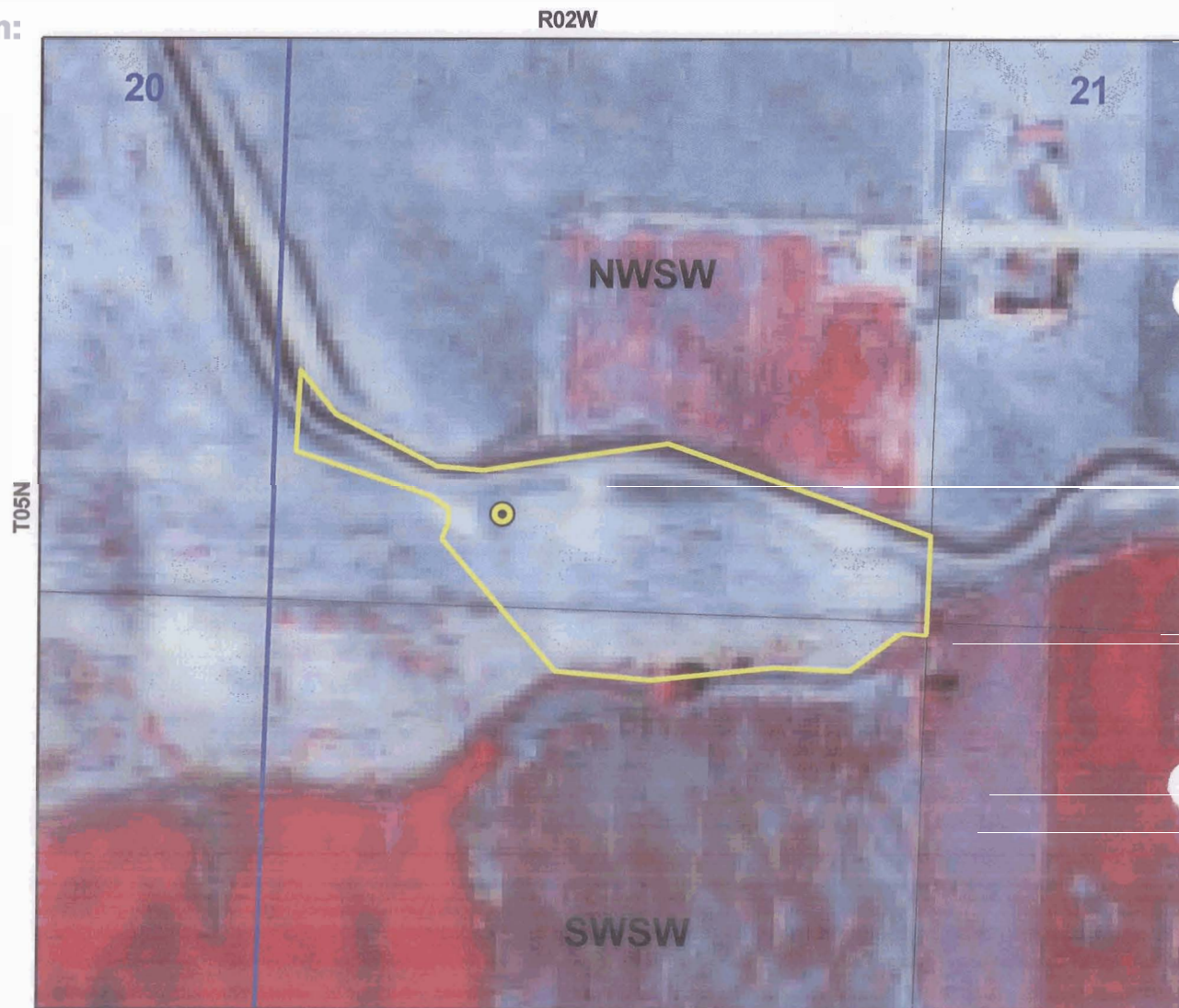
63-9069B

Legend

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

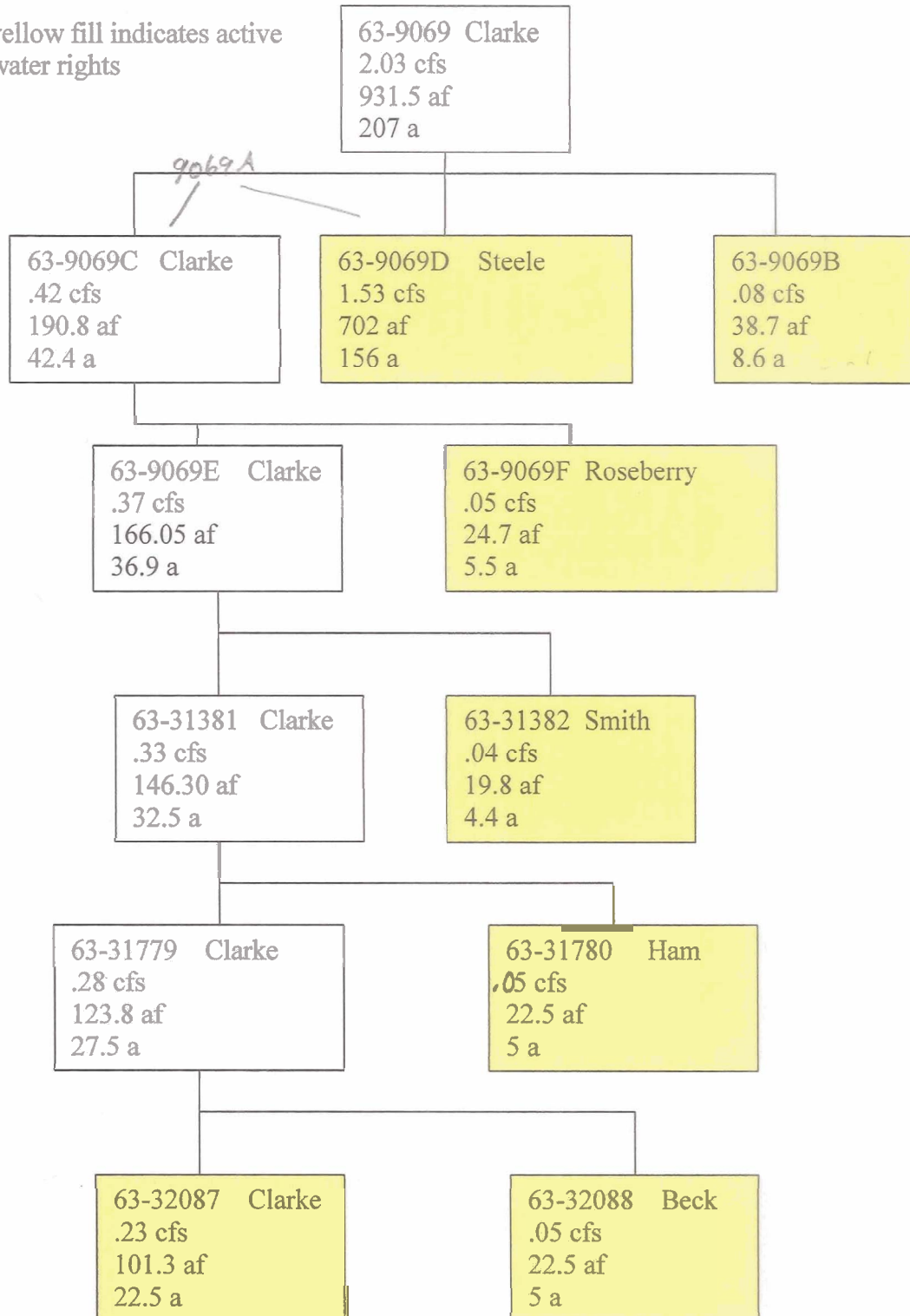


Canyon County
IDWR Basin 63



Prepared by S. Egbert
On Tuesday, August 29, 2006
1987/88 Aerial Photography

yellow fill indicates active
water rights



21

Poulter
9069 B

31082

9069 F
Raspberry
550

32088

31780

Newton
5.0

Steele

Steele

NENE

Steele

SENE

Steele

20

SPLIT TREE

ALLOCATIONS

63-9069
2.03 cfs
931.5 AFA
207 ACRES

CLARKE
63-9069A
1.95 cfs
892.8 AFA
198.4 AC

(X-fert)
4278

POULTER
63-9069B
.08 cfs
38.7 AFA
8.6 AC

CLARKE
63-9069C (X-fert)
1.40 cfs (5264)
768.05 AFA
192.9 AC

ROSEBERRY
63-9069D
.05 cfs
24.75 AFA
5.5 AC

CLARKE
63-9069E
1.85 cfs (X-fert)
845.6 AFA (5431)
157.9 AC

~~NEW~~ Peterson
63-9069F
.05 cfs
22.5 AFA
5 AC

CLARKE
63-31382
1.81 cfs (X-fert)
825.8 AFA (69628)
183.5 AC

SMITH
63-31382
.04 cfs
19.8 AFA
4.4 AC



SRBA

63-9069
2.03 cfs
931.5 AFA
207 AC

CLARKE
63-9069A
1.95 cfs
892.8 AFA
198.4 AC

(X-fert)
4278

POULTER
63-9069B
.08 cfs
38.7 AFA
8.6 AC

CLARKE
63-9069C
.42 cfs (owner-ship change)
190.8 AFA
42.4 AC

STEELE
63-9069D
1.53 cfs
702 AFA
156 AC

CLARKE
63-9069E
.37 cfs (X-fert)
166.05 AFA (5264)
36.9 AC

ROSEBERRY
63-9069F
.05 cfs
24.75 AFA
5.5 AC

CLARKE
63-31381
.33 cfs (X-fert)
146.25 AFA (69628)
32.5 AC

SMITH
63-31382
.04 cfs
19.8 AFA
4.4 AC

CLARKE
63-31779
.28 cfs (X-fert)
123.8 afa (70868)
27.5 ac

HOMBURGER
63-31780
.05 cfs
22.5 afa
5 ac

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DARREL W POULTER	10/26/1977	IRRIGATION	03-15 11-15	0.08 CFS	38.70 AFA
C	PHYLLIS J POULTER PO BOX 13 STAR ID 83669 (208) 585-2027					
TOTAL DIVERSION:					0.08 CFS	38.70 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T05N R02W S21 NWSW

CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SUNE	SENE	:	NENW	NWNW	SWNW	SESW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
05N	02W	21	:					:					:			06	02	:					:	8.6
TOTAL ACRES																							8.6	

POU County: CANYON

Other Rights: 63-12091

Other Water Rights Listing Overlapping Place(s) of use:
A63-08264

Conditions of Approval:

- R32 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.5 afa per acre for the
- lands above.

Remarks: The right holder shall fully use all surface water rights
appurtenant to the lands identified above prior to using water
under this right.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Attachment C

RECEIVED

MAY 11 1994

12/30/1993

POULTER, DARREL, PHYLLIS

Mountain hold filing

WATER RIGHT FILING SUB #63-12091

51100

229 21 1755

30.00

DRILLING PERMIT #63-93-C-1287-000

54104

229 21 1205

35.00

*Well for T.4278 ;
63-12091*

\$65.00

CHECK

7252

Region: STATE

Signature: _____

MAY 11 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09069

Priority: October 26, 1977

Maximum Diversion Rate: 2.03 CFS

Maximum Diversion Volume: 931.5 AF

This is to certify, that DAN CLARKE

2465 OVERLAND RD

BOISE ID 837050000

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 26, 1977; and has submitted Proof of Beneficial Use on June 6, 1978. An examination indicates that the works have a diversion capacity of 2.030 cfs of water from a source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	2.03 CFS	931.5 AF

LOCATION OF POINT(S) OF DIVERSION: SENE, Sec. 20, Township 05N, 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>
05N	02W	16	NESE 0.5			0.5
		20	NENE 23	SENE 30	NESE 35	105
			SESE 17			
		21	NENW 0.5	NWNW 34	SWNW 34	101.5
			NWSW 27	SWSW 6		

Total number of acres irrigated: 207

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afu per acre for the lands above.

APR 16 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-09069

CONDITIONS/REMARKS:

6. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 30TH day of MARCH, 1993.

Acting for R. Keith Higginson, Director

RECEIVED

APR 16 1993

RECEIVED

MAR 16 1993

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-09069

APPROVED

Department of Water Resources
Western Regional Office

Date of Priority: October 26, 1977

Maximum Diversion Rate: 2.03 CFS
Maximum Diversion Volume: 931.5 AF

Comes now DAN CLARKE
2465 OVERLAND RD
BOISE ID 837050000

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 63-09069, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	2.03 CFS	931.5 AF

LOCATION OF POINT(S) OF DIVERSION: SENE, Sec. 20, Township 05N, Range 02W
CANYON County

PLACE OF USE: IRRIGATION
TWN RGE SEC

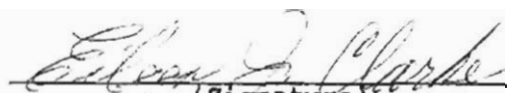
	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N 02W 16	NESE 0.5			0.5
20 SESE 17	NENE 23	SENE 30	NESE 35	~~88~~ 105
21	NENW 0.5	NWNW 34	SWNW 34	
	NWSW 27	SWSW 6		101.5

PER CON
w/ P.S. 3/3/93
Rdh

Total number of acres irrigated: ~~190~~
207

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at TULSON, ARIZONA, this 10th day of March, 1993.


(Signature)

APR 16 1993

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-09069

FOR DEPARTMENT USE ONLY

Preliminary check by RW Fee = 20 Received by JY # W016031 Date 3-16-93

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 63-09069 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.

Witness my hand this 30TH day of MARCH, 1993.

R. Keith Higginson
Acting for R. Keith Higginson, Director

RECORDED

APR 16 1993