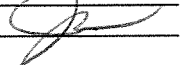


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A63-09719A
Date Received: 1/16/1990
Receipt No: W007624
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LINDENWOOD WATER ASSOC., INC. 208-466-7620
Address: C/O WAYNE JEWELL, TREAS.
424 LINDENWOOD DR.
NAMPA, ID 83686

2. Date of Priority: APR 10, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	02W	3	NW	SE	SW		CANYON

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.240		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/22 LOTS - 21 FOR HOMES, 1-WELL LOT W/IRRIG.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	02W	3	SE	SW		DOMEST	

11. Place of use in counties: CANYON

A63-09719A

Page 1

Date: 01/16/90

MICROFILMED
AUG 24 1992

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

13. Other Water Rights Used:
BOISE-KUNA IRRIG. DIST.

14. Remarks:

DESC. OF DIVERTING WORKS - TWO WELLS - 2-8" 60' DEEP WELLS. ONE WELL IS IN THE WELLHOUSE AND HAS A 3 HP PUMP, THE OTHER WELL IS OUTSIDE THE WELLHOUSE WITH A 5 HP PUMP. BOTH PUMP INTO 4 PRESS. TANKS WITH A MAINLINE AND PIPELINES TO HOMES.

NOTE: THIS CLAIM IS A SPLIT OF LICENSE NO. 63-09719 WHICH WAS ISSUED ORIG. FOR 40 HOMES AND .30 CFS. IT WAS THEN AMENDED TO 45 HOMES AND .50 CFS. THE WATER USERS ASSOCIATIONS HAVE ALWAYS BEEN SEPARATE. WHEN THE APP. FOR PERMIT WAS FILED, HOWEVER, IT WAS FILED AS ONE ENTITY IN ERROR. THIS CLAIM REFLECTS THOSE LOTS UNDER THE LINDENWOOD WATER ASSOC. TO WHICH THE WATER IS PIPED(21) THE WELL LOT(LOT 4, BLOCK 3) DOES NOT HAVE A DOMESTIC DWELLING HOWEVER, IRRIGATION FROM THE WELL DOES OCCUR. THEREFORE, THIS FILING REFLECTS 22 LOTS, AND USING .50 CFS FOR 45 HOMES THE CFS WAS PRO-RATED. P/U INCLUDES LOTS 1-11, BLOCK 1, AND LOTS 1, 2, 5, 6, 9, 10 & 11, BLOCK 2, AND LOTS 1, 2, & 3, & 4(WELL LOT), BLOCK 3, OF THE BOWMAN'S SUBDIVISION.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 8

For Organizations:

I do solemnly swear or affirm that I am TREASURER of _____ Title

LINDENWOOD WATER ASSOC., INC. that I have signed the foregoing Organization

document in the space below as TREASURER of _____ Title

LINDENWOOD WATER ASSOC., INC. and that the statements contained in the Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Treas. Lindenwood Water Assoc, Inc
Title and Organization

1-16-90
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 16th day

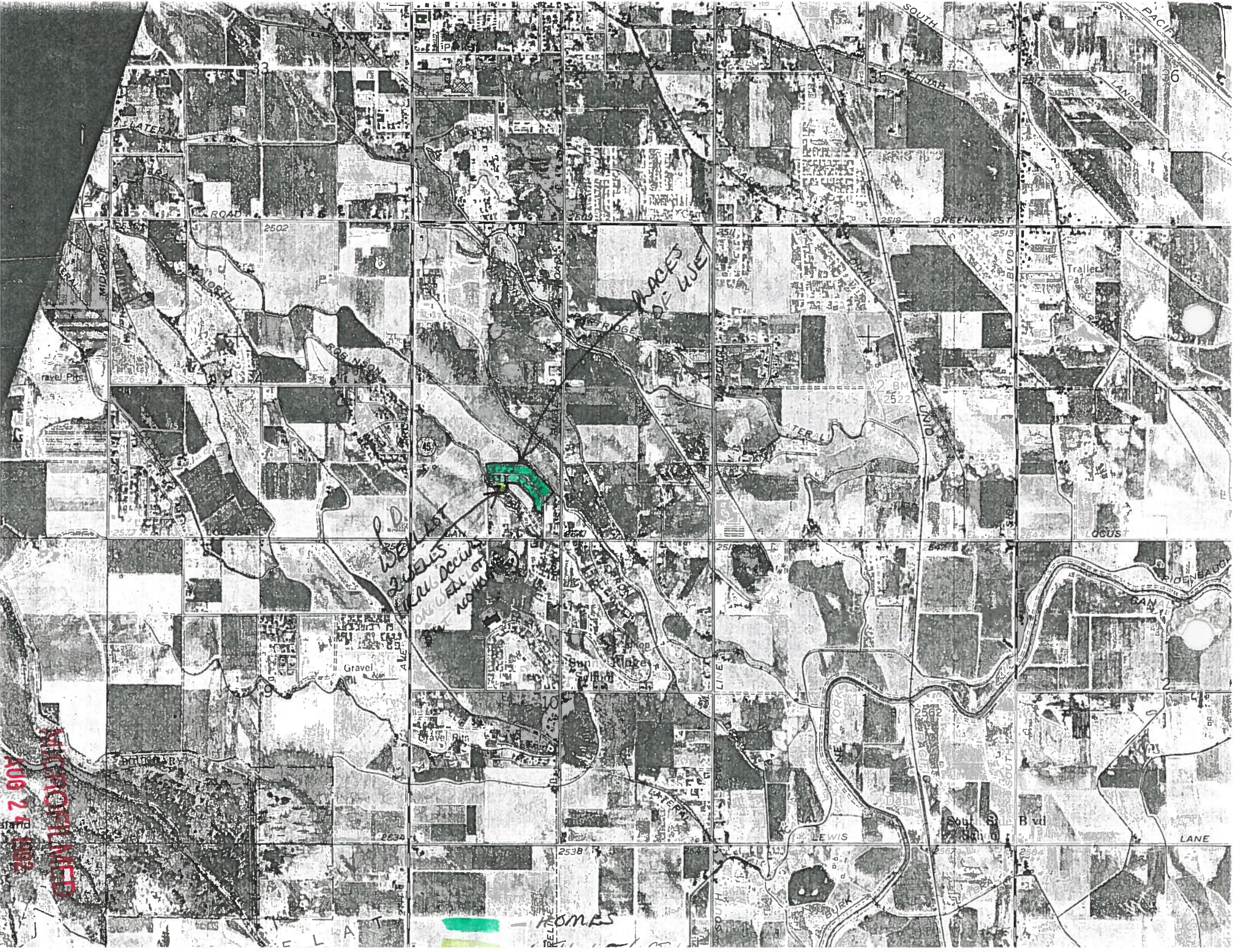
of January 19 90

Seal

[Signature]
Notary Public

Residing at Meridian ID
My Commission Expires 9-14-94

MICROFILMED
AUG 24 1982



P.D. WELLER
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HOMES

05/23/2006

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

RIGHT NUMBER: 63-9719A

NAME AND ADDRESS: LINDENWOOD WATER ASSN INC
C/O WAYNE JEWELL TREAS
424 LINDENWOOD DR
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.240 CFS
26.400 AFY

PRIORITY DATE: 04/10/1981

POINT OF DIVERSION:

T02N R02W S3 NWSESW Within CANYON County

T02N R02W S3 NWSESW Within CANYON County

2 points of diversion located in T02N, R02W, S3, NWSESW

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.240 CFS 26.40 AFY
Domestic use is for 21 homes.		

PLACE OF USE: DOMESTIC Within CANYON County

T02N R02W S03 SESW

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

This right is split from 63-9719

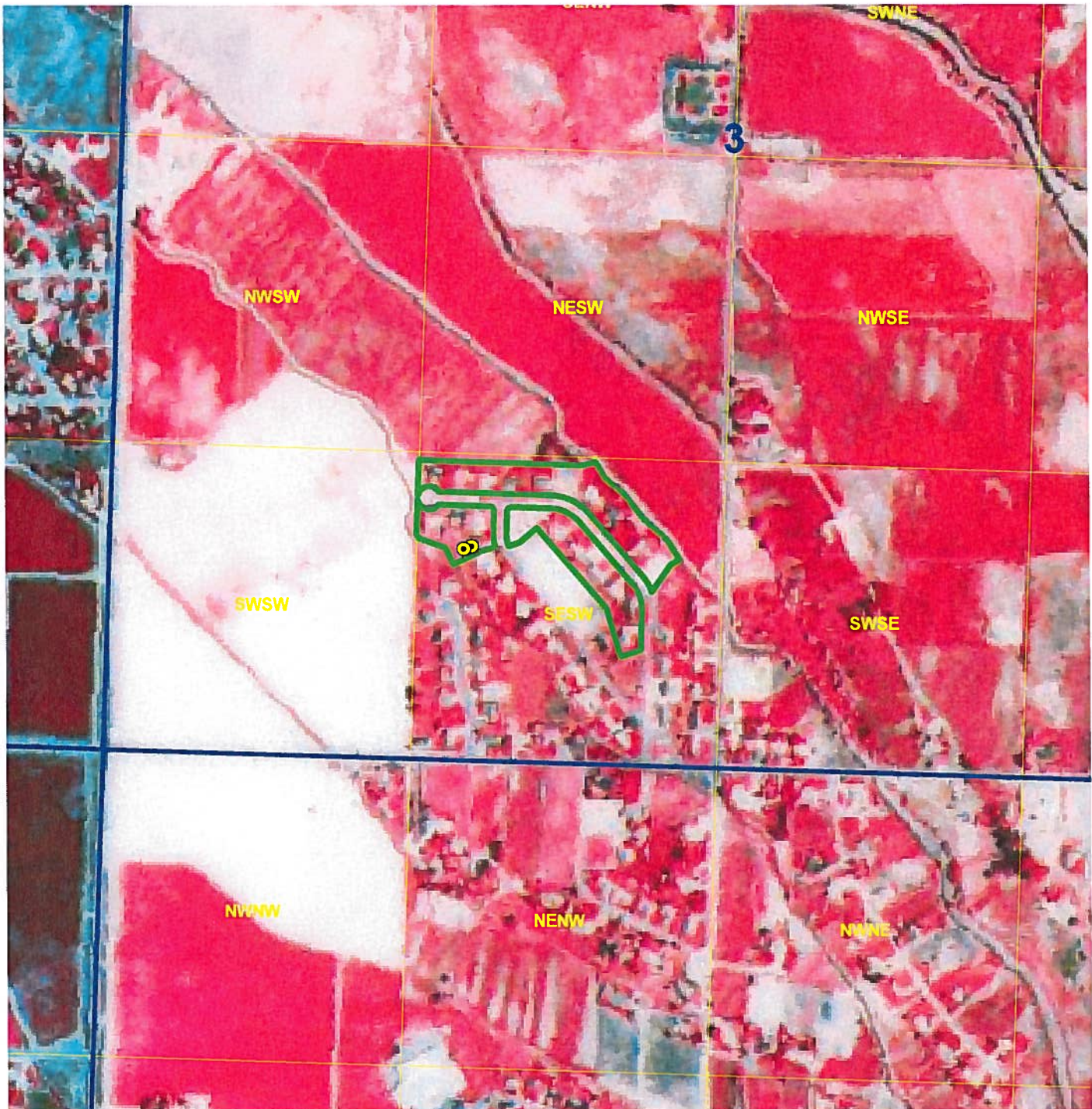
Use of this right is combined with water from Boise-Kuna Irrigation District.



Idaho Department of Water Resources

63-9719A

T02N R02W S3



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter



500 0 500 Feet

IDWR

Prepared by: Sandy Egbert

Date: May 23, 2006

1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9719A

04/12/2006

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-9220	Claim	02N	02W	3	SE	SW		IRRIGATION	4/4	SHIPMAN WATER CORP
63-9220	Water Right	02N	02W	3	SE	SW		IRRIGATION	4/4	SHIPMAN WATER CORP
63-23707	Water Right	02N	02W	3	SE	SW		STOCKWATER		WILBUR G PIKE
63-9719A	Claim	02N	02W	3	SE	SW		DOMESTIC		LINDENWOOD WATER ASSN INC
63-9719B	Claim	02N	02W	3	SE	SW		DOMESTIC		SKYLINE WATER CORP
63-9719A	Water Right	02N	02W	3	SE	SW		DOMESTIC		SKY LYNN WATER ASSN
63-9719B	Water Right	02N	02W	3	SE	SW		DOMESTIC		SKYLINE WATER CORP
63-21986	Water Right	02N	02W	3	SE	SW		DOMESTIC		EARNEST M ACREE
63-23707	Water Right	02N	02W	3	SE	SW		DOMESTIC		WILBUR G PIKE
63-26299	Water Right	02N	02W	3	SE	SW		DOMESTIC		M C PETERSON
63-27389	Water Right	02N	02W	3	SE	SW		DOMESTIC		JEWEL A LAKE
63-28412	Water Right	02N	02W	3	SE	SW		DOMESTIC		EUGENE BOWMAN



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

March 26, 1984

RE: Permit No. 63-9719

Wayne Jewell
424 Lindenwood Dr.
Nampa, ID 83651

Dear Mr. Jewell:

On January 16, 1984, the Department received a request to split the above mentioned licensed right in the name of Sky Lynn Water Association into two parts to reflect the fact that the lots supplied water under said right were now under two separate water delivery associations.

Prior to the receipt of the above mentioned correspondence, a Mr. Eugene Bowman visited our office also in reference to said split into two separate water user associations. During Mr. Bowman's visit he pointed out an error in the license that had been issued in that five (5) lots were left off the license which are beeing supplied water.

Before this office could respond to the request of splitting the license, the issue of adding five lots to the license had to be addressed. The said license has been amended by adding the said lots and increasing the amount from 0.3 cfs to 0.5 cfs.

Now to address the request to split the license (amended); there are two options that can be pursued to accomplish said request:

Option 1

In Idaho a licensed water right is considered real property and is appurtenant to the land in which the water is put to beneficial use. Normally, proof of water right ownership or a portion thereof is evidenced by proof of ownership of the land to which the water right is appurtenant. After a license has been issued, it is not uncommon for ownership of the land for which the water is being used to change. The Department has no formal procedure to record these ownership changes. Therefore, in many instances the new land owner simply sends the Department a copy of the Warranty Deed reflecting the ownership change and it is filed with the water right file. The situation that your association appears to be in is very similar to the change in ownership situation described above.

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APR 24 1984

Wayne Jewell
March 26, 1984
Page 2

The water right file properly reflects that the service area under said license is now split into two separate water user associations and no further action is required.

Option 2

Filing for a transfer of water right can be used to more formally record the split of the license into two parts. Normally an application for transfer of a water right is used to change the legal description describing the location of either the point of diversion or place of use under said right. It can also be used to change the nature of use of water such as changing the water use from irrigation to water used for domestic or stockwater, etc. It can be used for the purpose you requested also; however, it is rarely done because of the expense associated with filing the transfer application and the questionable benefit it would serve. The filing fee is \$50.00.

The only benefit would be to formally record with the Department the amount and place of use, i.e. description of lots served by the Lindenwood Water Corporation.

Either of the two options is suitable to the Department. It is up to the right holder to decide which option to pursue.

Enclosed is an Application for Transfer of water right which has been filled out for your convenience if you elect to pursue option 2. Please return it with the \$50.00 fee.

If you have any questions on this matter, please let me know.

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

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AUG 24 1992

January 16, 1984

Department of Water Resources

Attention: Jim Johnson, Re: 63-9719

On January 10, 1984 a special water meeting was held by the shareholders of the Lindeneood Water System. A vote was taken by secret ballot with results being not to merge with Skyline Water System but to form a corporation and to split the water rights that had been issued as one. The meeting was adjourned by Kenny Bowman, Chairman of the Board who immediately called a meeting of directors. Four of the five directors were in attendance.

The board agreed the association secretary should apply to the Department of Water Resources for a split of Water Rights License # 63-9719 to show service area of Lindeneood Water Corporation.

We therefore, request a split of Water Rights License # 63-9719 into two parts so that the license shows service area of Lindeneood Water Corporation. We request a letter of confirmation that this action has been completed.

Respectfully Yours,

Sharon Jewell - Co-Secretary
[Signature] - Co-Secretary
Ken Bowman - Chairman of

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AUG 24 1992

Form 219
12/79

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Idaho Water Assoc.
SESID Inc 3
TAN R2W

Domestic - 50
163-9719
Permit No.

CONTACT WITH PERMIT HOLDER

☒ Appointment letter mailed:

DATE

INITIALS

REMARKS

☐ Telephone call made:
(List Telephone No. used)

☐ Appointment scheduled for:
(Date, time, location)

7/30/81

JP

no appt made

EXAMINATION

Date 6 AUG 1981 Accompanied by MR. SALISBURY

Total Q measured

0.88

.71 cfs

If source is surface water, estimate total flow of source
Methods of measurement HP CALCULATION

Meets Permit requirements? YES

Measurement calculations:

$$3 \times .8 \times 8.8 = .88$$

$$60 \times \frac{50}{42} = .88$$

$$13 \times .8 \times 9.8 = 0.16$$

$$3 \times 13 \times .8 = .39 \text{ cfs}$$

$$7.5 \times .8 \times 8.8 = .32 \text{ cfs}$$

$$60 \times \frac{50}{42} = .32 \text{ cfs}$$

$$3 \text{ wells} \times 0.16 = 0.48$$

$$7.5 \times .8 \times 8.8 = 0.40$$

$$20 + (30 \times 12.32) = 0.40$$

$$.39 + .32 = .71 \text{ cfs}$$

$$0.48 + 0.40 = .88 \text{ capacity}$$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
#1	3	Franklin	282-1022-201		Submersible	11		
#2	3					11		
#3	7.5	Franklin	282-2012-201					
#4	3	A.O. Smith	HS-C	NOT AVAILABLE				

System Description

4 wells, pumps, int system transline.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS
USE

Domestic (32)

Irrigation requirement =

Q (cfs)

0.50

0.30

0.30

0.50

V (afa)

48

48

AFA/Acre

FROM

TO

1/1

12/31

as per Domestic Chart for 40 hours

Remarks

#1 set at 60'

#2 60'

#3

#4 Turbine

8" well 7.5 pressure tanks

8" well

Submersible 8" well

12" well

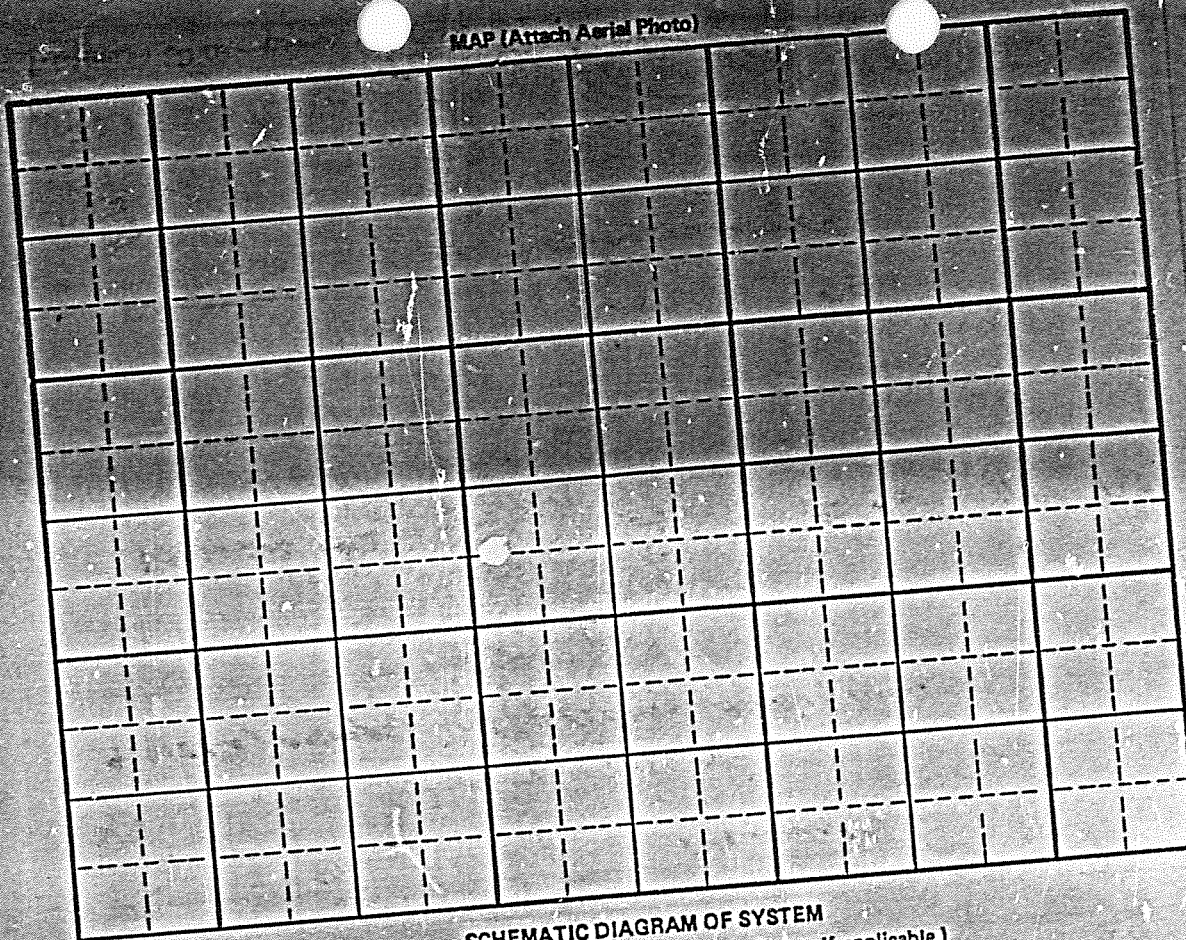
#3 & 4 3 pressure tanks

40 lots in subdivision

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MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SESW S3 SW 24

Place(s) of Use			NEX				NWK				SWK				SEK				TOTALS
TWP.	RGE.	SEC.	NEX	NWK	SWK	SEK	NEX	NWK	SWK	SEK	NEX	NWK	SWK	SEK	NEX	NWK	SWK	SEK	
<u>24</u>	<u>24</u>	<u>3</u>																	

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Examiner's Signature

Checked by QBS

Approved by [Signature]

Date 6 Aug 1987
 Date 10/29/81
 Date 2-5-82

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AUG 24 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9719 Priority April 10, 1981 Amount 0.30 cfs

THIS IS TO CERTIFY, that Sky Lynn Water Association
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 63-9719 issued pursuant to Application for Permit dated April 10, 1981,
and has submitted proof to the Department of Water Resources on July 1, 1981,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.88 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> <u>(40 units)</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.30</u> cfs and	<u>48.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.30 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
48.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3,
Twn 2N, Rge 2W in the County of _____

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	2W	3											X						

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26 day of
February, 19 82.

For the Director



WATER RIGHT NUMBER - A63-09719A

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
LINDENWOOD WATER ASSOC., INC.

1 - C/O WAYNE JEWELL, TREAS.
2 - 424 LINDENWOOD DR.
3 -
CITY- NAMPA STATE- ID ZIP- 83686
PHONE - 208-466-7620

*** D - ORIGINAL OWNER ***
SKY LYNN WATER ASSN.

1 - 413 LINDENWOOD DR.
2 -
3 -
CITY- NAMPA STATE- ID ZIP- 83651
PHONE - 208-000-0000

+ - - PRIORITY DATE - - +
04/10/1981

+ - - - REGION - - - +
14 WESTERN

+ - - - STAGE - - - +
L - LICENSE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
GROUNDWATER

+ - - - - TRIBUTARY - - - - - +

+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

02N 02W 3 NW SE SW (27) CANYON

+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 01/01 12/31 0.240

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.240

+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

02N 02W 3 SE SW 43 DOMESTIC (27) CANYON

+ - - DIVERSION MEANS - SEE REMARKS.

+ - - NON-IRRIGATION USE - D/22 LOTS - 21 FOR HOMES, 1-WELL LOT W/IRRIG.

+ - - OTHER RIGHTS FOR SAME USE - BOISE-KUNA IRRIG. DIST.

+ - - - - REMARKS - - - - - +
DESC. OF DIVERTING WORKS - TWO WELLS - 2-8" 60' DEEP WELLS. ONE WELL IS IN THE WELLHOUSE AND HAS A 3 HP PUMP, THE OTHER WELL IS OUTSIDE THE WELLHOUSE WITH A 5 HP PUMP. BOTH PUMP INTO 4 PRESS. TANKS WITH A MAINLINE AND PIPELINES TO HOMES.

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WATER RIGHT NUMBER - A63-09719A PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - REMARKS - - - - - +
45 HOMES AND .50 CFS. THE WATER USERS ASSOCIATIONS HAVE ALWAYS
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WAS FILED AS ONE ENTITY IN ERROR. THIS CLAIM REFLECTS THOSE LOTS
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HOWEVER, IRRIGATION FROM THE WELL DOES OCCUR. THEREFORE, THIS
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5, 6, 9, 10 & 11, BLOCK 2, AND LOTS 1, 2, & 3, & 4(WELL LOT),
BLOCK 3, OF THE BOWMAN'S SUBDIVISION.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
A6309719

+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 01/16/90 SHURTE

+ - - - - COMMENTS - - - - - +
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 02/26/1985	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 01/16/1990	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- W007624	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-		