

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: A63-20877
Date Received: 1/29/1990
Receipt No: W008105
Received By: De JN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD P. HASTRITER 208-482-7694
Address: RT. 1
WILDER, ID 83651

2. Date of Priority: APR 01, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04N	05W	28	SE SE		CANYON

5. Description of diverting works:
2 WELLS, 40' DEEP, 6" CASING, 3 HP & 3/4 HP PUMPS. DRILLED SAME

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	03/15	11/15	0.090		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD, S/5 BEEF CATTLE, 5 HORSES

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	05W	28			DOMEST	

A63-20877

Page 1

Date: 02/12/90

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SEP 03 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	05W	28	SE	SE	IRR	3.0
			SE	SE	STOCK	
					Section Acres	3.0
					Total Acres	3.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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SEP 03 1992

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

A63-20817

Date Received

1-29-1990 GG

Receipt Number

W008105

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s)

Donald G. Hastute

Phone (

14827694

Mailing Address

Wilder R-1- Idaho

Zip

83651

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

4-1-1960

3. Source of water supply (a)

Groundwater

which is tributary to (b)

4. a. Location of existing point of diversion is: Township

4N

Range

SW

Section

281/4 of SE1/4 of SE1/4, Govt. Lot,B.M., County ofCanyon

Additional points of diversion if any:

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

Township

Range

Section

1/4 of1/4 of1/4,

Govt. Lot

B.M.,

County of

ending point is: Township

Range

Section

1/4 of1/4 of1/4 of1/4, Govt. LotB.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.

Two Wells, 40' deep, 6" casing
3 HP & 3/4 HP Pumps Drilled same time

MICROFILMED

SEP 03 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1-1 to 12-31 amount .04 or _____

For IRRIGATION purposes from 3-15 to 11-15 amount .09 or _____

For Stockwater purposes from 1-1 to 12-31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .15 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) ONE DOMESTIC Household, 5 BEEF CATTLE, 5 HORSES

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	
4N	SW	28																3	3
4N	SW	28																D/S	

Total number of acres irrigated 3

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

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

or None (☒)

14. Remarks:

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SEP 03 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

SEP 03 1992

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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 _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

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

Signature of Claimant (s) Donald O. Hastreter Date 1-29-90

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 _____ Title _____ of _____ 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 AOA) SS.

Subscribed and sworn (or affirmed) before me this 29th day of JAN 19 90

SEAL

Notary Public

Residing at

My Commission Expires

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
SEP 03 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A \$01.
0004389393 FEB 02
MAILED FROM ZIP CODE 8

NOT DELIVERABLE
AS ADDRESSED -
UNABLE TO FORWARD

UTF

DONALD P HASTRITER
RT 1
WILDER ID 83651

RECEIVED

FEB 09 2007

WATER RESOURCES
WESTERN REGION

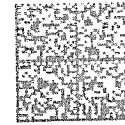
63-4680

63-26877

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A \$ 00.4
0004310839 OCT 06
MAILED FROM ZIP CODE 1

NOT DELIVERABLE
AS ADDRESSED -
UNABLE TO FORWARD
RETURNED TO SENDER
DONALD P. HASPITER
RT 1
WILDER ID 83651

RECEIVED

OCT 16 2006

WATER RESOURCES
WESTERN REGION

63-4680

20877

08/04/2006

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

RIGHT NUMBER: 63-20877

NAME AND ADDRESS: DONALD P HASTRITER
RT 1
WILDER ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.060 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1960

POINT OF DIVERSION:

T04N R05W S28 SESE Within CANYON County

T04N R05W S28 SESE Within CANYON County

Two points of diversion located T04N, R05W, S28, SESE.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

STOCKWATER

01/01 12/31

0.020 CFS

Domestic use is for 1 home.

PLACE OF USE: STOCKWATER Within CANYON County

T04N R05W S28 SESE

DOMESTIC Within CANYON County

T04N R05W S28 SESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.

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 - Beneficial Use

Stockwater use is for 10 head mixed stock.

PARCEL NO: R3718100000.

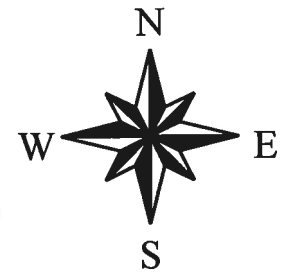
Idaho Department of Water Resources

**T04N, R05W,
SEC 28**

Claim No: 63-20877
Prepared By: Kimberly Brown
Date: August 4, 2006



-  Place of Use
-  Section Lines
-  1/4 1/4
-  Point of Diversion



0 0.02 Miles


1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-20877

WATER RIGHT NUMBER: 63-20877 ✓

Owner Type

Current Owner

Name and Address

DONALD P HASTRITER ✓
RT 1
WILDER, ID 83651
(208)482-7694

Current Owner:

Bruce & Becky Hubler
P.O. Box 918
Caldwell 83606

Priority Date: 04/01/1960 ✓

Basis: Beneficial Use ✓

Status: Active

Source

GROUND WATER ✓

TributaryProperty Address:

27122 Upper Pleasant Rdge
Wilder
83676

Beneficial Use

STOCKWATER ✓

DOMESTIC ✓

~~IRRIGATION~~ ✓

From To

1/01 to 12/31 ✓

1/01 to 12/31 ✓

3/15 to 11/15 ✓

Diversion Rate

0.020 CFS ✓

0.040 CFS ✓

0.090 CFS ✓

Annual Volume

0.150 CFS ✓

0.06

Total Diversion:

Location of Point(s) of Diversion

GROUND WATER

CANYON County ✓

SE1/4SE1/4 ✓

Sec. 28, Twp 04N, Rge 05W, B.M. ✓

ADD: 8ESE, S28Place of Use

STOCKWATER ✓

2 PODS - ADD: F02

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 05W 28	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	X

DOMESTIC ✓

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 05W 28	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	X

ADD: 8ESE for Domestic use

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

ADD X01 - Domestic use is for 1 home.

ADD N11 & N13 -

ADD X02 - Stockwater use is for
5 range cattle &
5 horses.

Parcel No: R3718100000.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-20877

04N 05W 28	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
																3.0	3.0

Total Acres: 3

Conditions of Approval:

Remarks:

Comments:

Water Supply Bank:

Field Exam Date 8-4-06

(in-office review)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$53.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information None
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) A63-20877

Owner: Donald P. Hasstriter Phone No. _____

Current Address: Rt. 1, Wilder 83651

Property Address: ☐ No change NAME IS THE SAME Bruce & Becky Hubler
☒ NEW OWNER
☐ No change Address
7122 Upper ☒ NEW ADDRESS P.O. Box 918, Caldwell 83606
Pleasant Ridge, ☐ How long owned property? _____
Wilder

Accompanied by: in-office verification

PRIORITY DATE

- ☐ No change – Complete evidence submitted or not necessary
- ☒ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 04/01/1960

(If priority date, based on your exam, seems questionable, explain below.)

Two requests for evidence of priority were sent to the Hublers – one on 2/6/06 and the other on 3/30/06. I spoke with Becky Hubler on 5/31/06 and 8/30/06 regarding evidence of priority and, as of this date, I have not

Source: _____ Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☒ POD found is different than claimed: Add a second POD in the
- ☐ If different, when did POD change? ECVR (in the SESE) since

there are two wells

received anything. (see file)
Therefore, only domestic and stock water use will be recommended.
1

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

2 PODs

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
			SE	SE	28	4N	3W		

Description of diverting works

2 wells, 40' deep, 6" casing, 3 HP & 3/4 HP pumps (See #63-8801 Field Report for the 3 HP pump)

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: _____

WATER USES

- ☐ No change
☐ Different Uses

Remove Irrigation use due to no evidence of priority.

Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only

- ☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA
☒ Changes found, the new total is, Amount 0.06 CFS _____ AFA
☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☒ No change
☐ Changes Exam found: Domestic # of homes 1 Stock # 5 range cattle & 5 horses
Types _____ Additional comments: 1 1/2 acre of lawn & garden irrigation

PLACE OF USE:

- ☐ No Change
☒ Changes shown below:

ADD: SESE to domestic
use live CVR

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

DAS
only

Overlap with other water rights: 63-8801

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

I believe #63-8801 was licensed for the very same home / parcel number as #63-20877 (for the 3 HP pump), but was not claimed in the Adjudication.

Delivery System Narrative:

See #63-8801 Field Report
for the 3 HP pump.

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

AFTER EXAM THE FILE SHOULD CONTAIN:

- DATE EXAM CONDUCTED: 8.4.06 (in-office review)
FIELD EXAMINER: Kimberly Brown

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-20877

01/27/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~20877~~	Claim	04N	05W	28	SE	SE		IRRIGATION	3/3	DONALD P HASTRITER
8801	Water Right	04N	05W	28	SE	SE		IRRIGATION	2/2	DONALD HASTRITER
~~20877~~	Claim	04N	05W	28	SE	SE		STOCKWATER		DONALD P HASTRITER
27662	Claim	04N	05W	28	SE	SE		DOMESTIC	<i>no overlap</i>	VANCE R DAYTON

*#63-27662 is actually located in the
SENE, S28 (not the SESE) → no overlap*

*#63-8801 covers the same parcel/use as
#63-20877, but was not claimed in
the SRBA.*

#63-20877
2000 NAPP

Fargo Cemetery

Parcel #R3718101000

SE

SESE

Fargo Rd

Parcel #R2718100000

Upper Pleasant Rdg. Rd.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8801

WATER RIGHT NUMBER: 63-8801

Owner Type Name and Address
 Original Owner ELMER F AGNEW
 PO BOX 643
 WILDER, ID 83676
 Current Owner DONALD HASTRITER
 RT 1
 WILDER, ID 83676

Priority Date: 05/04/1977

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>
DOMESTIC	1/01 to 12/31	0.040 CFS	0.60 AF
IRRIGATION	4/01 to 10/01	0.060 CFS	9.00 AF
	<u>Total Diversion:</u>	0.100 CFS	9.60 AF

Location of Point(s) of Diversion

GROUND WATER

SE1/4SE1/4

Sec. 28, Twp 04N, Rge 05W, 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	
04N 05W 28																2.0	2.0

Total Acres: 2

DOMESTIC same as IRRIGATIONConditions of Approval:

1. R52 This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
2. Domestic use is for 1 home.

Remarks:Comments:

overlap review

* This licensed right covers the same parcel / use as #63-20877, but was not claimed in the SRBA.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 63-08801

Priority: May 4, 1977

Maximum Diversion Rate: 0.10 CFS
Maximum Diversion Volume:¹ 9.6 AF

This is to certify, that DONALD HASTRITER
RT. 1

WILDER, ID 83676 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 4, 1977; and
has submitted Proof of Beneficial Use on June 7, 1982. An examination indicates
that the works have a diversion capacity of .270 cfs of water from a **GROUNDWATER**
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	04/01 to 10/01	0.06 CFS	9.0 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
	Totals	0.10 CFS	9.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 28, Township 04N, Range 05W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 05W 28	SESE 2			2

Total number of acres irrigated: 2

PLACE OF USE: DOMESTIC, same as IRRIGATION use

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 is limited to the amount which can actually be beneficially 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.

MICROFILMED

AUG 28 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08801

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. Domestic use is for 1 home.

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 8TH day of AUGUST, 1990.

Acting for R. Keith Higginson, Director

MICROFILMED

AUG 28 1990

State of Idaho
Department of Water Resources

RECEIVED
JUL 31 1990

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-08801

Department of Water Resources

Date of Priority: May 4, 1977

Maximum Diversion Rate: 0.10 CFS
Maximum Diversion Volume: 1

APPROVED

Comes now
WILDER, ID 83676

DONALD HASTRITER

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. 63-08801, 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	04/01 to 10/01	0.06 CFS	9.0 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
	Totals	0.10 CFS	9.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE, Sec. 28, Township 04N, Range 05W
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>
04N	05W	28	SESE	2		2

Total number of acres irrigated: 2

PLACE OF USE: DOMESTIC, same as IRRIGATION use

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 Wilder, Idaho, this 30 day of July, 1990

11-A-M

MICROFILMED

AUG 28 1990

Donald Hastriter
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-08801

FOR DEPARTMENT USE ONLY

C017855

Preliminary check by SC Fee = \$20.00

Received by J.D. Date 7/31/90

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. 63-08801 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 is limited to the amount which can actually be beneficially 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 .03 cfs per acre nor more than 4.5 afa per acre for the lands above.
6. Domestic use is for 1 home.

Witness my hand this 8th day of August, 1990.

Roman C. Young
Acting for R. Keith Higginson, Director

MICROFILMED

AUG 28 1990

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

I, Elmer F. Agnew, hereby assign to DONALD HASTRITER
of Wilder Idaho Address _____

All my right, title, and interest in and to Permit No. 63-8801
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the
State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 22 day of February, 1990.

Elmer F. Agnew
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Ada) ss

On this 22 day of February, 1990, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

MICROFILMED

seal

AUG 28 1990

Kathryn A. Walker
Notary Public residing at
Boise, Idaho

My commission expires:

2-14-1993

Identification No. _____

Application No. 63-8801

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**
To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Elmer F. Agnew Phone: 482-7347
post office address P.O. Box 643 Wilder, Idaho 83676
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28 Township 4N
Range 5W B.M. Canyon County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .66 for irrigation purpose from April 1 to October 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .66 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
well, PTO pump, open ditch

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 6 inches; proposed depth of well is 150 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

MICROFILMED

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	5W	28																33	33

Total number of acres to be irrigated 33

c. Describe any other water rights used for the same purposes as described above.

Wilder Irrigation District (surface Water)

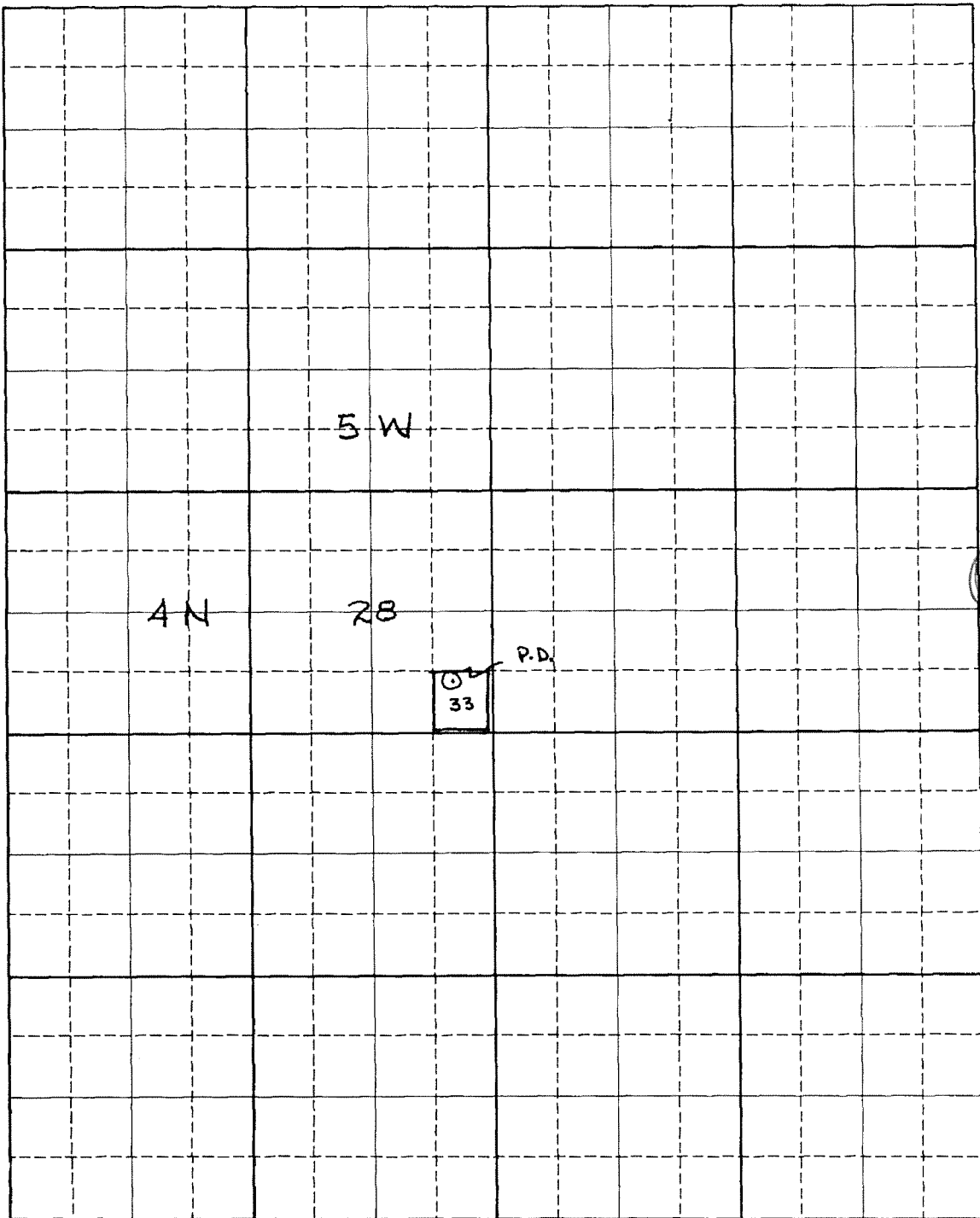
9. a. Who owns the property at the point of diversion applicant

b. Who owns the land to be irrigated or place of use applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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.

Thomas J. Ogden
(Applicant)

Proposed Priority 5/ 4/77

Received by JG Date 5-4-77 Time 4:00 PM.

Preliminary check by JG Fee \$ 25.00

Received by KTV Date 5-4-77 # 7826

Publication prepared by DS Date May 13, 1977

Published in News-Tribune

Publication dates May 19, 1977 + May 26, 1977

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by WJG

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8801, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 19 82.
- c. Other: The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

2. Denial of said application is for the following reasons: _____

Witness my hand this 12 day of July, 19 77.


Deputy Director

RECEIVED

JAN 31 1985

State of Idaho

DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

Department of Water Resources

63-8801

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	7/19/82	jp	NONE MADE
☐ Telephone call made (List Telephone No. used)	8/30/82	jc	
☐ Appointment scheduled for: (Date, time, location)	8/30/82	jc	1:30 - corner of Paipo + Upper Pleasant Valley Rd.

EXAMINATION

Date 8/30/82 Accompanied by Mr. Agnew Total Q measured CALC.
 Source G.W. Tributary to _____ Supp. annubar measurement sheet used? NO
 If source is surface water, estimate total flow of source _____
 Methods of measurement CALC. Meets permit requirements? yes

Measurement calculations:

$$\frac{3 \text{ HP} \times 8.8 \times .80}{10' + (30 \text{ PSI} \div 1.553)} = \frac{21.12}{79.24} = 0.27 \text{ cfs}$$

$$2 \text{ AC} \times 0.03 = 0.06 \text{ CFS} + 9.0 \text{ AF (4.5 AF} \times 2) \times 1.98 \times 183045 \times 0.06 = 21.7 \text{ AF/ANN}$$

$$1.00 \text{ M.} = 0.04 \text{ CFS} + 0.6 \text{ AF}$$

WELL/DIV. NO.*	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
	3	BRIGGS & STRATTON (4 CYCLE)	80232	HOMELITE	10706376	—	—	

System Description Pump & motor set at 10'. Well is 37' deep
with 6" casing. Pipeline to home & for gravity irrigation
along dirt ditch in yard & garden (large). Garden
approx. 1 acre & yard with side area is 1 acre

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

RECOMMENDED AMOUNTS

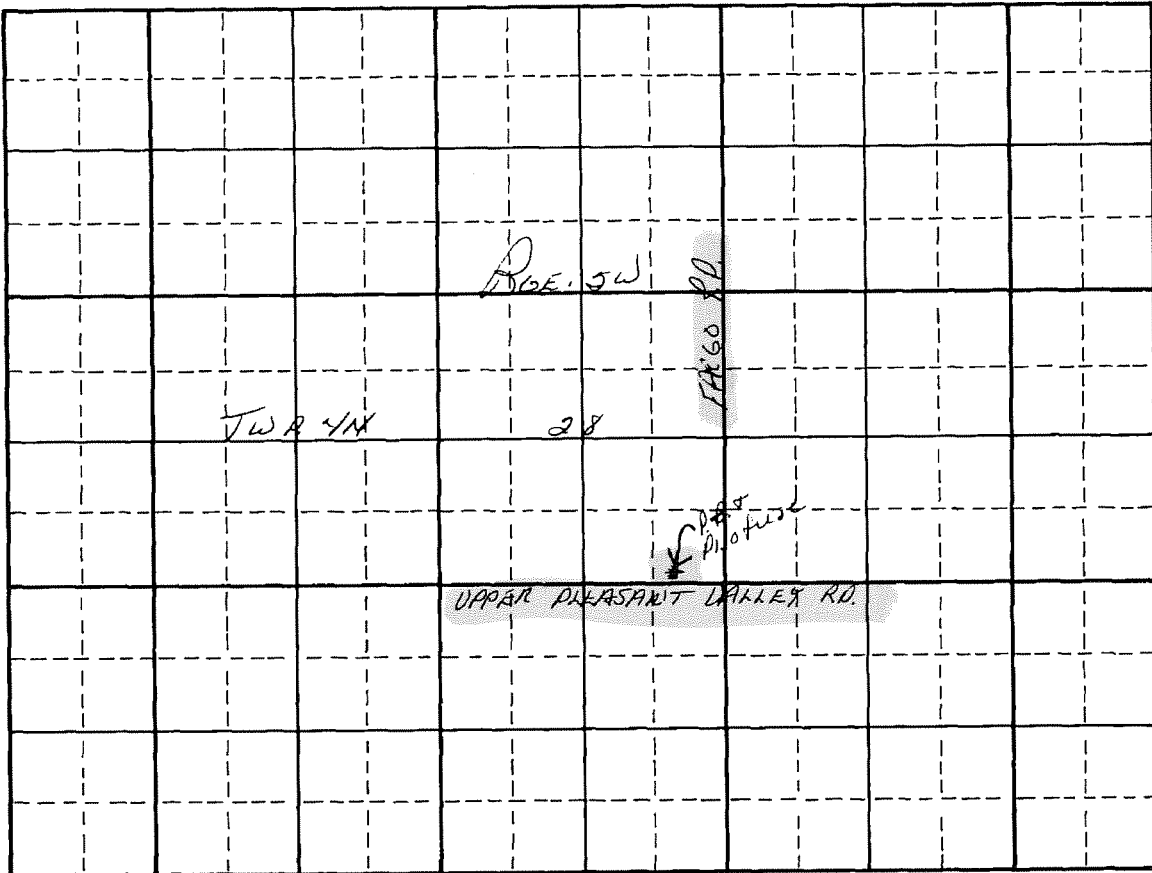
USE	Irrigation requirement = <u>4.5</u> AFA/Acre		FROM	TO
	Q (cfs)	V (afa)		
<u>Irrig. 2 ACRES</u>	<u>0.06 CFS</u>	<u>9.0 AF</u>	<u>4/1</u>	<u>10/1</u>
<u>Domestic (1) (LAWN INCL. ABOVE) ACRES</u>	<u>0.04 CFS</u>	<u>2.6 AF</u>	<u>4/1</u>	<u>12/31</u>
Total	<u>0.10 CFS</u>	<u>9.6 AF</u>		

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AUG 28 1990

Remarks Mr. Agnew has sold off other acres previously
applied for & they were withdrawn Aug. District Order.
He has returned the well & now uses it for his home
& lawn & garden irrigation, plus some small pasture (1 ac)

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: SE 1/4 SE 1/4, SEC 28, TWP. 4N, RGE. 5W.

Place(s) of Use

TWP.	RGE.	SEC.	NEX				NW				SW				SE				TOTALS
			NEX	NW	SW	SE	NEX	NW	SW	SE	NEX	NW	SW	SE	NEX	NW	SW	SE	
4N	5W	28																2	2
																		X (DOMESTIC)	

MICROFILMED

AUG 28 1990

Recommended Amendments:

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☒ Other CHANGE NATURE OF USE

Examiner's Signature

Checked by

Approved by

Date 12/5/83

Date 1/31/85

Date 5/18/89

Overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-27662 V1

WATER RIGHT NUMBER: 63-27662 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHERYL E DAYTON PO BOX 663 WILDER, ID 83676 (208)482-7361
Current Owner	VANCE R DAYTON PO BOX 663 WILDER, ID 83676 (208)482-7361

* See attached Real Property
Inquiry - no overlap -
18747 Fargo Rd. is located
in the SENE, S28

Priority Date: 10/01/1987

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4SE1/4

Sec. 28, Twp 04N, Rge 05W, B.M.

CANYON County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	05W	28	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
						X												X	

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. PARCEL NO. 1R37223-000-0 PROPERTY ALSO KNOWN AS 18747 FARGO RD., WILDER.

Remarks:

↑
according to 2005 tax lot
data, 18747 Fargo Rd. is
located in the SENE, S28

REAL PROPERTY INQUIRY

```

+++++
01 6R37223-000- -0 079-00 SCH370+ 01 4,100 8.61
+++++
10 25,000 1.00
DAYTON VANCE RAY + 32 400
DAYTON CHERYL EDITH H/W +
+
+
+
18747 FARGO RD +
WILDER ID 83676 +
+++++
33-4N-5W NE + TOTAL 29,500
TAX 3 IN N 1/2 SENE & IN +
N 1/2 SWNE-E OF DITCH + SURVEY INST 8818149
+ DRAIN DR VALUE APPR MKB
+ CLASS DR REAP 03 MAN 02 UNIT 0
+ PARCEL 6R04N05W331200 H/O Y C/B N
+ PRIOR ACCOUNT 5R37223-000- -0
+ 02 MH on Property YES

```

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R37223000 0 UNIT 001 TOTAL UNITS

```

SITE 18747 FARGO RD WI SEC/TWN/RNG 33-4N-5W
ASSESSED VALUE 29,500 ACREAGE .00
SUB/PARK NAME YEAR/MAKE
CLASS DR DRC DEPRECIATED REPLACEMENT COST SPACE LOT BLOCK
+++++
YR BUILT 0 AIR COND AIR - NONE CARPORT N
STORY NO BLDG HEATING CARPORT SQ FT
FIRST SQ FT 0 EXTERIOR UNKNOWN DECK/PATIO? N
SECOND SQ FT ROOF UNKNOWN POOL? N
BEDS 0 BSMT SQ FT SPA? N
BATHS .00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE N NEIGHBORHOOD 0
GARAGE SQ FT

```

```

+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

```

MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

```

01 ACCOUNT: 6R37223-000- -0 AREA 079-00 DRAIN VALUE CLASS DR H/O N
SEC 33 TWN 4N RNG 5W QTR NE CITY/SUB 0 BLK LOT 1200
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
DAYTON, VANCE RAY
& DAYTON, CHERYL EDITH H/W

```

MAILING ADDRESS

LEGALS

18747 FARGO RD
WILDER ID 83676

33-4N-5W NE
TAX 3 IN N 1/2 SENE & IN
N 1/2 SWNE-E OF DITCH

SITE ADDRESS

18747 FARGO RD WI

COMMENTS

REMARKS

PRIOR ACCOUNT 5R37223000 0
PARCEL 04N05W331200 SRVY
INSTR 8818149 ACRES 10.00
SPLIT YR DOCUMENT UN

REAL PROPERTY INQUIRY

```

+++++
01 5R37181-000- -0 025-00 SCH133+ 12 20,000 1.00
+++++
2A 9,000 1.50
HUBLER, BRUCE F + 32 17,900
& HUBLER, BECKY L H/W + 34 102,100
+
+
+
PO BOX 918 +
CALDWELL ID 83606 +
+++++
28-4N-5W SE + TOTAL 149,000 2.50
TX 11 IN SE SE ++++++
+ SURVEY INST 9637950
+ DRAIN DR VALUE APPR MKB
+ CLASS +2 REAP 04 MAN 03 UNIT 1
27122 UPPER PLEASANT RDGE, WI + PARCEL 5R04N05W289700 H/O Y C/B N
+ PRIOR ACCOUNT 4R37181-000- -0
+ 02 MH on Property NO

```

MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R37181000 0 UNIT 001 TOTAL UNITS 1

```

SITE 27150 UPPER PLEASANT RDGE WI SEC/TWN/RNG 28-4N-5W
ASSESSED VALUE 149,000 ACREAGE .00
SUB/PARK NAME YEAR/MAKE
CLASS +2 OWNER / OCCUPIED HOUSE CLASS '+2' SPACE LOT BLOCK
+++++
YR BUILT 1907 AIR COND CARPORT
STORY 1 STORY HEATING OIL CARPORT SQ FT
FIRST SQ FT 1088 EXTERIOR COMP SHINGLE DECK/PATIO? Y
SECOND SQ FT ROOF COMP POOL?
BEDS 2 BSMT SQ FT 468 SPA?
BATHS 1.00 % BSMT FIN LOT SIZE
FRPLC 1 GARAGE NEIGHBORHOOD 0
GARAGE SQ FT

```

```

+++++
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

```

MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

```

01 ACCOUNT: 6R37181-000- -0 AREA 025-00 DRAIN VALUE CLASS +2 H/O Y
SEC 28 TWN 4N RNG 5W QTR SE CITY/SUB 0 BLK LOT 9700
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
HUBLER, BRUCE F WATSON, GARY & MONIE H/W
& HUBLER, BECKY L H/W

```

MAILING ADDRESS

LEGALS

PO BOX 918
CALDWELL ID 83606

28-4N-5W SE
TX 11 IN SE SE

SITE ADDRESS

27122 UPPER PLEASANT RDGE WI

COMMENTS

REMARKS

9115554, 9637950

PRIOR ACCOUNT 5R37181000 0
PARCEL 04N05W289700 SRVY
INSTR 9637950 ACRES 2.50
SPLIT YR DOCUMENT WD

Receipt Details for ID W008105

Status	Adjustment Type	Version
	Water Right Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/30/1990 7:37:55 AM	1/30/1990	Western	\$153.00	Check
Payer	HASTRITER, DONALD P.			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
114			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$153.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	20877		\$53.00	Claim
63	4680		\$100.00	Claim

Print Report

CONVERSATION MEMORANDUM

**RE: Snake River Basin Adjudication Water Right Nos. A63-20877
Evidence of Priority**

February 2, 2006

I called #454-7925 for Pat Hastriter and left a message on the answering machine.

February 6, 2006

Don Hastriter (cell #880-1031) returned my call. He no longer owns this property. Mr. Hastriter stated that the home is located on Upper Pleasant Road, approximately 500 yards west of Fargo Road. He also informed me that this property used to be a dairy. He said that there are two wells: one is a residential well and the other was used for the dairy.

→ Based on this information, both wells
are being recommended for domestic &
stock water
use.

May 31, 2006

Becky Hubler (#250-1342) called in reference to the evidence of priority request she received in the mail. She confirmed that there are two wells and she stated that they are both still in use. Regarding evidence of priority, Mrs. Hubler thought that Don Hastriter had passed away. I told her that I spoke with him in February. She said she would call #482-7691 (the number listed on the claim) and speak to him about the claimed priority date.

-KB

June 30, 2006

Since I have not received any evidence, I called #250-1342 and spoke with Becky Hubler. I gave her an additional week to submit evidence. She said she would have her husband visit Mr. Hastriter's son and ask for an affidavit. I faxed her a Change in Ownership form (FAX #455-1114). When I asked her where the wells are located, she was only able to describe the location of one and wasn't sure where the other one is located.

Kimberly Brown
Senior Water Resource Agent
Western Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

March 30, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BRUCE & BECKY HUBLER
27122 UPPER PLEASANT RIDGE RD
WILDER ID 83676

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-20877

Dear Claimants,

In the past, Donald Hastriter submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out. Mr. Hastriter indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled, **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by April 21, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

to verify claims in this area. In the near future, you may be receiving a call from us in order to set-up an appointment for a field exam.

Respectfully Submitted,

Kimberly Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-20877

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

February 6, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BRUCE & BECKY HUBLER
PO BOX 918
CALDWELL ID 83606

RE: EVIDENCE OF PRIORITY

Snake River Basin Claim No(s): A63-20877

Dear Claimants,

In the past, Donald Hastriter submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out. Mr. Hastriter indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

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It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by February 28, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area. In the near future, you will be receiving a call from us in order to set-up an appointment for a field exam.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-20877

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.

Field Investigation Report

Completed by **Karan Waters**

Claim Number 63-20877

Contact:

Source of Information

Contact Date:

DONALD P **HASTRITER**

RT 1

WILDER **ID** **83651**

(208)482-7694

Contact Comments

Phone # incorrect, phone book for Don Hastriter- Kuna 466-6907

5-5-03 got Mrs. Hastriter- They are not the right people, there are 2 Don Hastriters and Don P. passed away and so did his wife. Son is Danny but he is not in phone book. Call Pat ?

☐ **Verified**

☐ **New owner**

Appointment Date:

Appointment Time:

POD id

197038

Legal Description

04N 05W 28 SE SE

Desc of Diversion W

Site Tag #

GPS File Name

Motor Make

Pump Make

Horsepower

Pressure gage

pump bowl or static

Depth level

dyn. pump level

0

0

psi

0

Ft.

0

Ft.

Pressure gage at sprinkler

0

psi

Bucket Measurment (gps)

0

Calc Method:

Flow (cfs)

0.00

Photos

POD Remarks:

6-1-03 called Pat Hastriter @ 454-7925. He said his dad sold this property about 12 yrs. ago. Property is located at intersection of Fargo + Lower Pleasant Rd. 1st homestead on lower pleasant heading west past Fargo.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 3, 2002

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Boise River Basin (Basin 63). This investigation is a major effort, and IDWR has hired a contractor, Water Works, Inc., to assist us with this task.

The purpose of this letter is to advise you that Water Works, Inc. might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Water Works, Inc. with access to your water diversion system so that their personnel can conduct this field examination. Water Works, Inc. will be gathering information on the rate of flow, diversion location and place of use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in the Boise River Basin, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our office. If you are unable to forward this letter, please send any information regarding a new owner to our Western Regional Office located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. ~~Experience has shown that water users who~~ work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Water Works, Inc. to ensure that the results accurately reflect your water uses.

Sincerely,

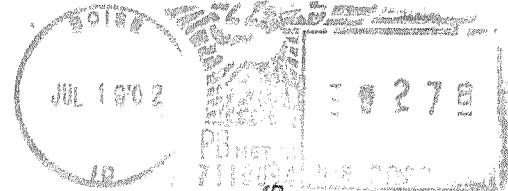
Jan Shurte
Adjudication Section Supervisor
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

RETURN SERVICE
REQUESTED

PRESORTED
FIRST CLASS



RECEIVED

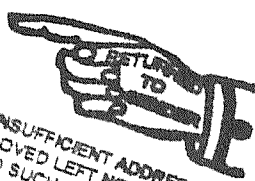
JUL 26 2002

Department of Water Resources

RECEIVED

JUL 26 2002

WATER RESOURCES
WESTERN REGION


☐ INSUFFICIENT ADDRESS
☐ MOVED LEFT NO ADDRESS
☐ NO SUCH NUMBER
☐ UNCLAIMED ☐ REFUSED
☐ NO SUCH STREET ☐ KNOWN
☐ NO RECEPTACLE ☐ VACANT
☒ BOX CLOSED NO ORDER
☐ NOT DELIVERABLE AS
ADDRESSED-UNABLE
TO FORWARD

LUNA

63-20877

DONALD P HASTRITER
RT 1
WILDER, ID 83651

* 4293 Dye Lane LUNA 83634

Sent again 8/5/02

Kanan



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 18, 2001

RE: Investigation of Water Right Claims in the Snake River Basin Adjudication, Basin 63 Part 3

Dear Claimant:

As you may be aware, the Idaho Department of Water Resources (IDWR) is commencing its Snake River Basin Adjudication (SRBA) investigation of water rights in the Canyon County portion of the Boise River Basin (Basin 63 Part 3). This investigation is a major effort, and IDWR has hired a contractor, Ms. Karan Waters, to assist us with this task.

The purpose of this letter is to advise you that Ms. Waters might be contacting you to conduct a field investigation of your water use. This investigation is meant to provide important information to the IDWR Senior Water Resource Agent who will be making a recommendation for your water rights. Accordingly, we request that you provide Ms. Waters with access to your water diversion system so that she can conduct this field examination. She will be gathering information on the rate of flow, location, and extent of beneficial use of your water rights, and will be reporting this information to IDWR.

If you have sold your property in Basin 63, we request that you forward this letter to the purchaser, so that the purchaser can report the new name and address to our offices. This is important because the adjudication process will either confirm or disallow the water rights, which can have an impact on the value of the property. Our Western Regional Office is located at 2735 Airport Way, Boise, 83705, (208) 334-2190.

The process of adjudicating your water rights is straightforward for most people, resulting in the issuance of decreed water rights on your property. Experience has shown that water users who work with our agency early in the process to ensure that their recordings are correct have a better experience than those who wait until IDWR has filed its findings with the SRBA Court. Thus, we encourage you to work with our staff and with Ms. Waters to ensure that the resulting decrees accurately reflect your water uses.

Sincerely,

for Jan Shurte
Adjudication Section Supervisor
Western Regional Office

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-20877

Date: 4-08-02

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	4N	5W	28																3	3
-GIS																			3	3
Claim																				
-GIS																				
Claim																				
-GIS																				
Claim																				
-GIS																				

Number of POD's 1

Total Claimed Acres: 3

Overlapping FOU Claim #'s:

Total GIS Acres: 3

COMMENTS:

No map, applicant doesn't own anything according to county data in this area. So I digitized the parcel closest in acreage to claim.

pod placed in center of poe, no map

Idaho Department of Water Resources

1987 Napp Photo

Claim Number: 63-20877

Legal: T04N, R05W, S28

Reviewed By:

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



0 0.25 Miles

