

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: A63-08271  
Date Received: 3/14/1990  
Receipt No: 4011014  
Received By: BAS

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: DAVE DAVENPORT 208-286-9150  
Address: 7704 FOOT HILL ROAD  
MIDDLETON, ID 83644

2. Date of Priority: FEB 27, 1976

3. Source: UNNAMED STREAM Trib. to: MIDDLETON SLOUGH

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04N      | 02W   | 2       | NE     | NE     | NW     | 3   | CANYON |

5. Description of diverting works:  
DAM, DITCH & PUMP.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.120  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.020  |      |        |

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

8. Total consumptive use is 21.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
S/50 RANGE.

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use   | Acres |
|----------|-------|---------|--------|--------|-----|-------|-------|
| 04N      | 02W   | 2       | NE     | NW     | 4   | IRR   | 6.0   |
|          |       |         | NE     | NW     | 4   | STOCK |       |

Section Acres 6.0

A63-08271

Page 1

Date: 03/14/90

MICROFILMED  
AUG 24 1992

10. Place of Use: Continued

Total Acres            6.0

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:

APPLICATION FOR PERMIT AND DOMESTIC WATER

14. Remarks:

THE ORIGINAL PLACE OF USE HAS BEEN IMPROPERLY DESIGNATED AS THE N  
W NW WHEN IT HAD TO BE NE NW AS PER VERIFICATION ON AERIAL PHOTO  
B.A.S. 3/14/90

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:   1  

**For Individuals:**

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

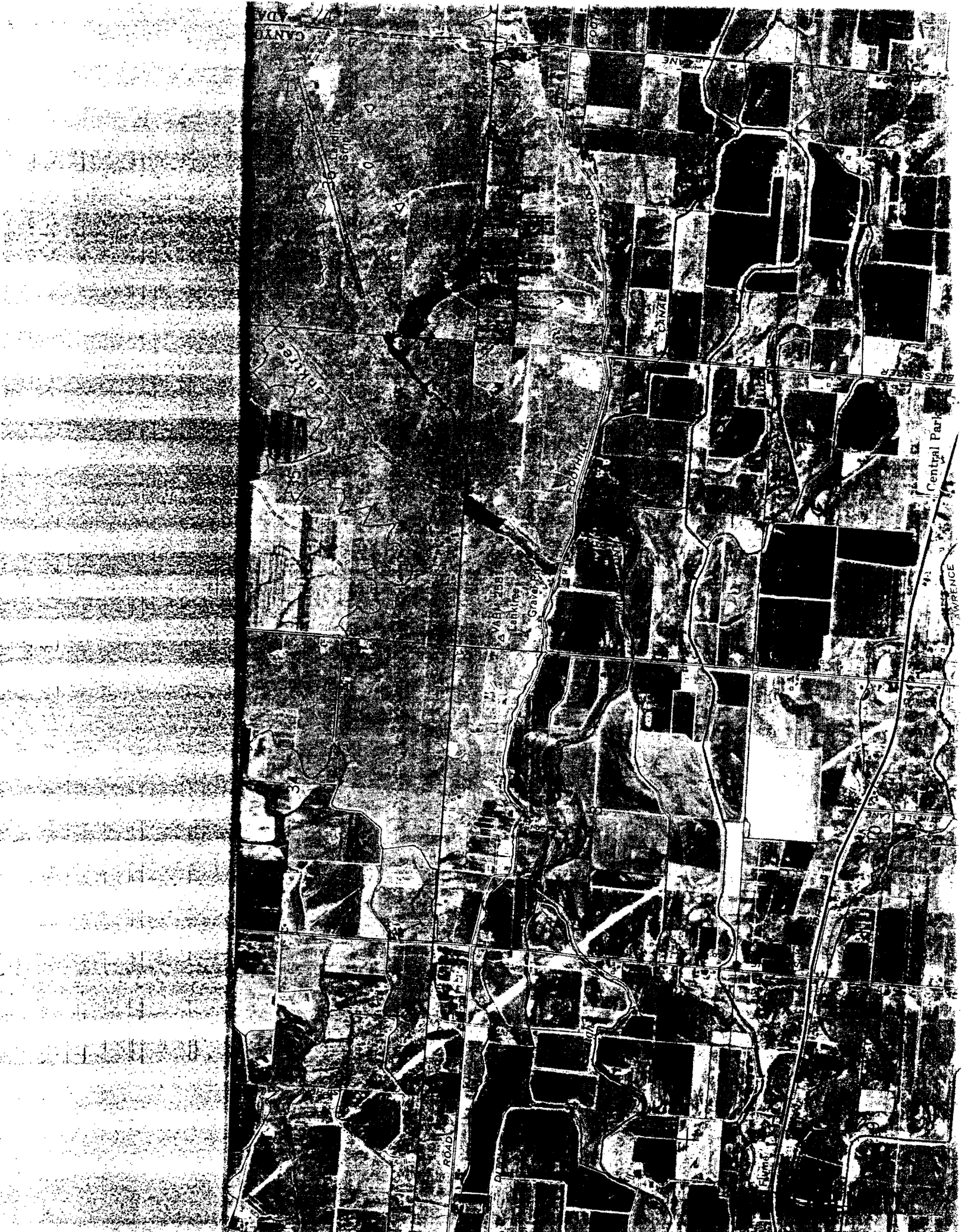
Signature of Claimant(s): David M. Davenport Date: 3-14-90  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of Ada ) ss.

Subscribed and sworn (or affirmed) before me this 14 day  
of March 19 90 Bruce A. Schell  
Notary Public

Seal

Residing at Boise Idaho  
My Commission Expires 7/11/95



AUG 24 1992

100-100000  
FEDERAL RESOURCES  
OFFICE  
80-100000-1005

ADDRESS SERVICE  
REQUESTED

FIRST CLASS



UNITED STATES  
02 14  
0004310838  
MAILED FROM ZIP 0

  
RETURN TO  
UNDELIVERABLE AS ADDRESSED-  
NO FORWARDING ORDER ON FILE

DAVID GARDNER  
2001-01-01  
MAILED TO 000000

RECEIVED

001 12 1006

WATER HENDON  
WESTERN RECEIPT

63-3211

00000000-00000000-00000000

03/27/2006

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

RIGHT NUMBER: 63-8271

NAME AND ADDRESS: DAVID DAVENPORT  
7704 FOOT HILL RD  
MIDDLETON ID 83644

SOURCE: UNNAMED STREAM TRIBUTARY: MIDDLETON SLOUGH

QUANTITY: 0.140 CFS  
27.700 AFY

This right when combined with Right No. 63-11213 shall provide no more than .02 cfs per acre or 4.5 af per acre.

PRIORITY DATE: 02/27/1976

POINT OF DIVERSION:

T04N R02W S2 NENENW Lot 3 Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>        |
|-----------------------|----------------------|------------------------|
| IRRIGATION            | 03/15 11/15          | 0.120 CFS<br>27.00 AFY |
| STOCKWATER            | 01/01 12/31          | 0.020 CFS<br>0.70 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 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

T04N R02W S02 Lot 3 NENW 6.00

STOCKWATER Within CANYON County

T04N R02W S02 Lot 3 NENW

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

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

Stockwater use is for 50 range cattle.

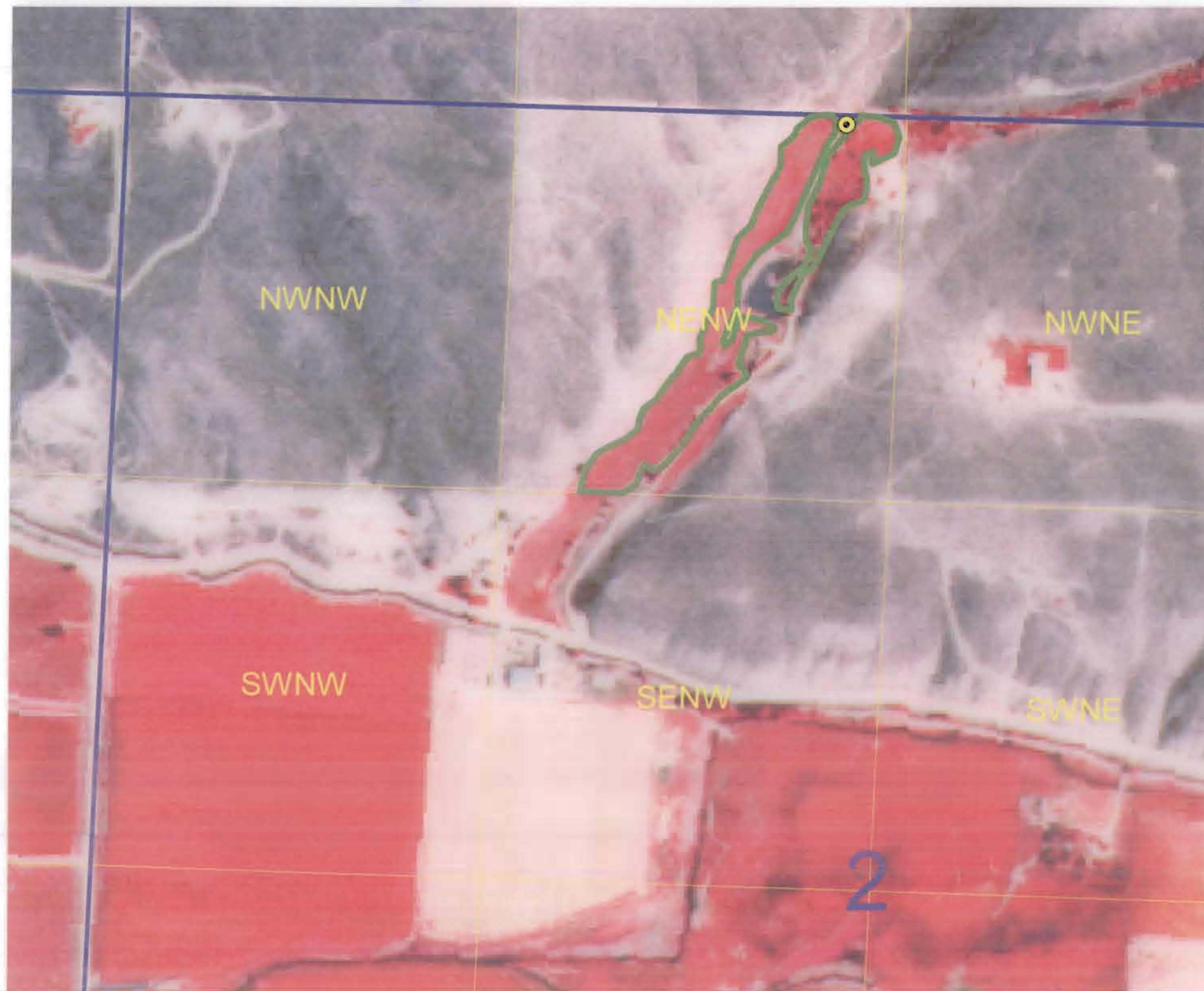
# Idaho Department of Water Resources

**T04N, R02W,  
SEC 2**

Claim No: 63-8271

Prepared By: Kimberly Brown

Date: March 27, 2006



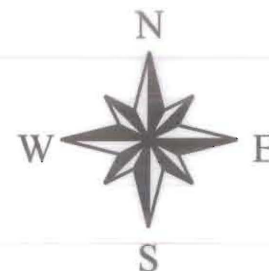
 Place of Use

 Section Lines

 1/4 1/4

 Point of Diversion

**Irrigated Acres = 6.0**



**1987 NAPP**

0 0.4 Miles

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8271

WATER RIGHT NUMBER: 63-8271 ✓

Owner Type~~Current~~ OwnerName and Address

DAVID DAVENPORT ✓  
 7704 FOOT HILL RD  
 MIDDLETON, ID 83644  
 (208)286-9150

Original Owner

VEARL RICH ✓  
 RT 1 BOX 506  
 CALDWELL, ID 83605

Priority Date: 02/27/1976 ✓

Basis: License ✓

Status: Active

Source

UNNAMED STREAM ✓

Tributary

MIDDLETON SLOUGH ✓

Beneficial Use

IRRIGATION ✓

STOCKWATER ✓

From To

3/15 to 11/15 ✓

1/01 to 12/31 ✓

Diversion Rate

0.120 CFS ✓

0.020 CFS ✓

Total Diversion:

0.140 CFS ✓

Annual Volume

27.0 AF

0.7 AF

27.7 AFA

Location of Point(s) of Diversion

UNNAMED STREAM

CANYON County ✓

L3 (NE1/4NE1/4NW1/4) ✓

Sec. 2, Twp 04N, Rge 02W, B.M.

Place of Use

IRRIGATION ✓

5.0 AC licensed

| Twp   | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| ✓ 04N | 02W | 2   | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | 6.0    |
|       |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 6.0    |

Total Acres: 6

STOCKWATER ✓

| Twp   | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-------|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| ✓ 04N | 02W | 2   | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|       |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

ADD S33 - Season of use begins 3/1.

Conditions of Approval:

ADD X02 - Stockwater use is for 50 range cattle.

ADD C05 - Place of Use Accomplished Transfer

ADD

- This right when combined with 63-11213 shall not exceed 0.02 cfs/acre or 4.5 af/acre.

Parcel No: a portion of R3380500000.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8271

1. THE ORIGINAL PLACE OF USE HAS BEEN IMPROPERLY DESIGNATED AS THE N W NW WHEN IT HAD TO BE NE NW AS PER VERIFICATION ON AERIAL PHOTO B.A.S. 3/14/90

2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:

Comments:

Water Supply Bank:

(in office 100)

**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 \$ 56.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant N/A

**CLAIMANT INFORMATION – verify contact information is complete**Claim No(s) A63-8271Owner: David Davenport Phone No. \_\_\_\_\_Current Address: 7704 Foot Hill Rd., Middleton☐ No change NAME IS THE SAME☒ NEW OWNER Osgrey Property☒ No change Address☐ NEW ADDRESS \_\_\_\_\_☐ How long owned property? \_\_\_\_\_Accompanied by: N/A**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: 2/27/76

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

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Source: Unnamed Stream Tributary to Middleton Stream☒ No Change –SAME SOURCE☐ Source found is different than claimed: \_\_\_\_\_**POINT OF DIVERSION**☒ No change☐ POD found is different than claimed: \_\_\_\_\_☐ If different, when did POD change? \_\_\_\_\_

**DIVERSION AND DELIVERY SYSTEM**

Points of Diversion:

| ID # | Govt Lot # | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks<br>GPS ID |
|------|------------|-----|-----|-----|------|------|------|--------|-------------------------------------------|
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |
|      |            |     |     |     |      |      |      |        |                                           |

Description of diverting works

*See Field Report.***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***Season of use is 5/1 to 11/15.  
ADD: 539 Condition*☐ No change☐ Different Uses

Use *Domestic* From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS *27.0* AFA

Use *Stock* From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS *0.7* AFA

Use \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA

**TOTAL VOLUME – Groundwater only**

- ☒ Incomplete on claim, the total is, Amount \_\_\_\_\_ CFS *27.7* AFA
- ☐ Changes found, the new total is, Amount \_\_\_\_\_ CFS \_\_\_\_\_ AFA
- ☐ More than 1" per Acre? Yes \_\_\_\_\_ (claimant must complete excess flow sheet)

**NON-IRRIGATION USES:***Stockwater use is for 50 range cattle.*☐ No change☐ Changes Exam found: Domestic # of homes \_\_\_\_\_ Stock # \_\_\_\_\_Types \_\_\_\_\_ Additional comments: *(the Field Report does not specify the number of stock).***PLACE OF USE:**☐ No Change☒ Changes shown below:*NENW, S2 (Lot. 3) ADD: C05*

*The 6.0 acre of irrigation were licensed in the NWNW, Sec (Lot 4), however, the claimant believes that the original use of use was improperly designated in the NWNW – claiming it had to be the NENW (as 2 per*

[illegible]

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:  
This right when combined with #63-11213 shall not exceed 0.02 cfs or 4.5 af/acre.

[illegible][illegible]

Parcel No: a portion of R338:4,000000.

**AFTER EXAM THE FILE SHOULD CONTAIN:**

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 3.27.06 (in office review)

FIELD EXAMINER: Kimberly Brown

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-8271

02/28/2006

1

| Right #         | Type             | Twp            | Rge            | Sec          | QQ            | Q             | Lot          | Purpose of Use        | Acres/Total    | Name                       |
|-----------------|------------------|----------------|----------------|--------------|---------------|---------------|--------------|-----------------------|----------------|----------------------------|
| 123B            | Water Right      | 04N            | 02W            | 2            | NE            | NW            | 3            | IRRIGATION            |                | JACOBS CANAL CO            |
| 11213           | Water Right      | 04N            | 02W            | 2            | NE            | NW            | 3            | IRRIGATION            | 4/4            | DAVID DAVENPORT            |
| <del>8271</del> | <del>Claim</del> | <del>04N</del> | <del>02W</del> | <del>2</del> | <del>NE</del> | <del>NW</del> | <del>4</del> | <del>IRRIGATION</del> | <del>6/6</del> | <del>DAVID DAVENPORT</del> |
| <del>8271</del> | <del>Claim</del> | <del>04N</del> | <del>02W</del> | <del>2</del> | <del>NE</del> | <del>NW</del> | <del>4</del> | <del>STOCKWATER</del> |                | <del>DAVID DAVENPORT</del> |
| 21490           | Water Right      | 04N            | 02W            | 2            | NE            | NW            | 4            | STOCKWATER            | > 0.45         | DAVID DAVENPORT            |
| 21490           | Water Right      | 04N            | 02W            | 2            | NE            | NW            | 4            | DOMESTIC              |                | DAVID DAVENPORT            |

overlap w/ #63-11213

Overlap review

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-11213

WATER RIGHT NUMBER: 63-11213

|                   |                                                                              |
|-------------------|------------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                      |
| Current Owner     | DAVID DAVENPORT<br>7704 FOOT HILL RD<br>MIDDLETON, ID 83644<br>(208)286-9150 |

Priority Date: 03/14/1990

Basis: License

Status: Active

|                |                      |
|----------------|----------------------|
| <u>Source</u>  | <u>Tributary</u>     |
| UNNAMED STREAM | LANKTREE GULCH CREEK |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| IRRIGATION            | 3/15 to 11/15           | 0.080 CFS             | 18.00 AF             |
|                       | <u>Total Diversion:</u> | 0.080 CFS             | 18.00 AF             |

Location of Point(s) of Diversion

|                |                 |                                    |
|----------------|-----------------|------------------------------------|
| UNNAMED STREAM | L2 (NW1/4NE1/4) | Sec. 2,   Twp 04N,   Rge 02W, B.M. |
| CANYON County  |                 |                                    |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW  |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE  | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 04N | 02W | 2   |    |    |    |    | 4.0 |    |    |    |    |    |    |    |    |    |    |    | 4.0    |
|     |     |     |    |    |    |    | L 3 |    |    |    |    |    |    |    |    |    |    |    |        |

Total Acres: 4

Conditions of Approval:

1. 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 irrigation of the lands above.
2. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:Comments:

State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**  
WATER RIGHT NO. 63-11213

Priority: March 14, 1990

Maximum Diversion Rate:

0.08 CFS

Maximum Diversion Volume:

18.0 AF

This is to certify, that DAVE DAVENPORT  
7704 FOOT HILL RD  
MIDDLETON ID 83644

has complied with the terms and conditions  
of the permit, issued pursuant to Application for Permit dated March 14, 1990; and  
has submitted Proof of Beneficial Use on June 25, 1991. An examination indicates  
that the works have a diversion capacity of 7.340 cfs of water from:

UNNAMED STREAM

tributary to LANKTREE GULCH

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       | 0.08 CFS                 | 18.0 AF              |

LOCATION OF POINT(S) OF DIVERSION: Lot 2( NWNE), Sec. 2, Township 04N, 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 04N        | 02W        | 2          | Lot 3(NENW)  | 4            |              | 4            |

Total number of acres irrigated: 4

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 that 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
6. 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.

**Michael W. Wren**

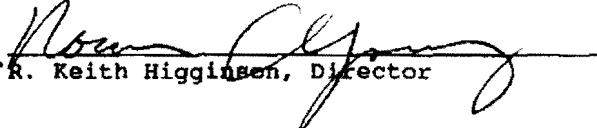
JUN 13 1994

State of Idaho  
Department of Water Resources

## WATER RIGHT LICENSE

WATER RIGHT NO. 63-11213

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 30<sup>TH</sup>  
day of MAY, 1994.

Acting for  R. Keith Higginsen, Director

RECEIVED

JUN 13 1994

RECEIVED

MAY 18 1994

Department of Water Resources

State of Idaho  
Department of Water Resources

APPROVED

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 63-11213

Date of Priority: March 14, 1990

Maximum Diversion Rate:

0.08 CFS

Maximum Diversion Volume:

18.0 AF

Comes now

DAVE DAVENPORT

7704 FOOT HILL RD

MIDDLETON ID 83644

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. 63-11213, and requests that the permit be changed as follows:

Source: UNNAMED STREAM

tributary to LANKTREE GULCH

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

IRRIGATION

03/15 to 11/15

0.08 CFS

18.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2( NWNE), Sec. 2, Township 04N, Range 02W  
CANYON County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

04N 02W 2 Lot 3(NENW) 4

4

Total number of acres irrigated:

4

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 Middleton Idaho, this 17 day of May, 1994.

MIDDERVED

JUN 13 1994

Dave Davenport  
(Signature)

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 63-11213**

\*\*\*\*\*

FOR DEPARTMENT USE ONLY

Preliminary check by BC Fee = 20<sup>00</sup> Received by dw # C030318 Date 5/19/94 ✓

**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. 63-11213 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 that 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
6. 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.

Witness my hand this 30<sup>TH</sup> day of MAY, 1994.

Acting for: R. Keith Higginson, Director

RECEIVED

JUN 13 1994

**RECEIVED**  
JUN 25 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only  
Amt. of Fee \$ 50.00  
Date 6/25/91  
Receipt No. 6020855  
Received by J. Martin

Department of Water Resources

**PROOF OF BENEFICIAL USE**

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 63-11213 Telephone No. 208-286-9150
2. Name(s) of Permit Holder(s): Dave Davenport
3. Post Office Address: 7704 Foothill Rd. Middleton, ID 83644
4. Source of Water: Drain Water from Farmer's Union Canal  
Unnamed stream, tributary of Lanktree Gulch.
  - a. If ground water, well driller's name: \_\_\_\_\_ Date drilled: \_\_\_\_\_
  - b. Pump horsepower: \_\_\_\_\_ Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft.): \_\_\_\_\_

5. Extent of Use:

Domestic \_\_\_\_\_ (No. of households) Irrigation 4 (No. of acres)  
Stockwater \_\_\_\_\_ (No. and type of stock) Other \_\_\_\_\_

6. Total rate and/or volume for which proof is submitted .08 cfs 14 acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes ☒ No Installed? Yes ☐ No  
OR  
Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☐ No

8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

Dave Davenport or 208-286-9150  
Name Telephone No.  
7704 Foothill Rd. Middleton, ID 83644  
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

June 23, 1991  
Date

David M. Davenport  
Signature (and title if on behalf of a company or organization)

JUN 26 1991

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 63-11213

Proposed Priority: March 14, 1990 Maximum Diversion Rate: 0.08 CFS

This is to certify, that **DAVE DAVENPORT**  
7704 FOOT HILL RD.  
MIDDLETON, ID 83644

has applied for a permit to appropriate water from:

**UNNAMED STREAM** tributary of **LANKTREE GULCH**

and a permit is **APPROVED** for development of water 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       | 0.08 CFS                 | 14.0 AF              |

LOCATION OF POINT(S) OF DIVERSION: LOT 3(NENENW), Sec. 2, Township 04N, 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 04N        | 02W        | 2          | LOT 3(NENW)  | 4            |              | 4            |

Total number of acres irrigated: 4

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1991.
2. Subject to all prior water rights.
3. Use of water under this permit is subject to control by the watermaster of State Water District No. 63.
4. 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this

4<sup>th</sup> day of June, 1990

for *[Signature]*  
R. Keith Higginson, Director

**RECORDED**

JUN 07 1990

Ident. No. 63-11213

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: DAVE DAVENPORT 208-286-9150  
Address: 7704 FOOT HILL ROAD  
MIDDLETON, ID 83644

2. Source: UNNAMED STREAM Trib. to: LANKTREE GULCH

\* 3. Location of Point of Diversion: Lot 3 NENENW Sec. 2, Township 04N, Range 02W  
CANYON County

4. Water will be used for the following purposes:

| Purpose    | From  | To    | CFS   | (or) | AF    |
|------------|-------|-------|-------|------|-------|
| IRRIGATION | 03/15 | 11/15 | 0.080 |      | 14.00 |

5. Total quantity to be appropriated is:  
0.080 CFS (and/or) AF

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.  
DIVERSION DAM, DITCH, AND PUMP
- Height of storage dam feet; active reservoir capacity  
acre-feet; total reservoir capacity acre-feet; period of  
year when water will be diverted to storage: to inclusive.
- Proposed well diameter is inches; proposed depth of well is  
feet.
- Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of  
the water to the proposed beneficial use is 1 years.

8. Description of proposed uses:  
IRRIGATION AND LIVESTOCK

\* 9. Place of Use: IRRIGATION

| TWN                              | RGE | SEC | ACRES | ACRES | ACRES | TOTAL |
|----------------------------------|-----|-----|-------|-------|-------|-------|
| 04N                              | 02W | 2   | Lot 3 | NENW  | 4     | 4     |
| Total number of acres irrigated: |     |     |       |       |       | 4     |

10. Describe any other water rights used for the same purposes.  
63-8271

\* DATA BASE updated 3-23-90 JJA

MICROFILMED

JUN 05 1990

11. 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.  
NA

12. Remarks:

13. Map of proposed point of diversion and place of use attached? [ ]

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.

X David M. Davenport 3-14-90  
Applicant

Received by B.A.S Date 3/14/90 Time 10:04 Preliminary check by GR  
Fee \$ 30.00 Receipted by B.A.S # W011014 Date 3/14/90  
Publication prepared by GG Date 3-28-90 Published in Press-Tribune  
Publication approved st Date 5-4-90 <sup>4/4 & 4/11/90</sup>

**MICROFILMED**

JUN 05 1990

STATE OF IDAHO  
- DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED

FEB 23 1994

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 63-11213

1. Owner: Dave Davenport

Phone No. 286-9150/396-3891 (w)

Current Address: 7704 FOOT HILL Rd., Middleton, ID 83644

2. Accompanied by: Dave Davenport

EXAM DATE: 6/21/93

Address: SAME

Phone No. SAME

Relationship to Permit Holder: Applicant

3. Source: Unnamed Stream tributary to Lanktree Gulch

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: 63-00238

2. Other water rights with the same point of diversion: 63-08271, 63-04356

**C. DIVERSION AND DELIVERY SYSTEM**

**1. Point(s) of Diversion:**

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
|           | 2         |     | NW  | NE  | 2    | 4N   | 2W   | Canyon | Aerial map                      |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |

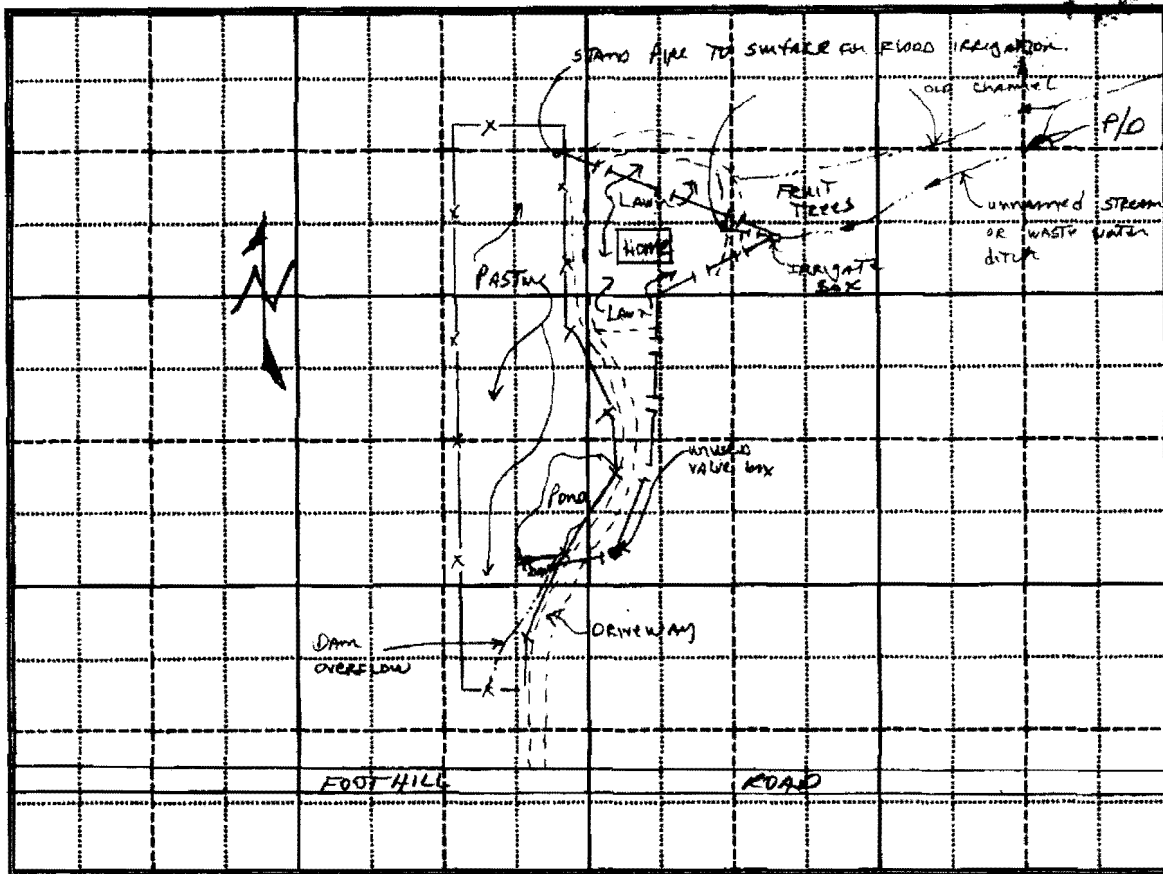
**2. Place(s) of Use:**

Indicate Method of Determination same as p10

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 4N  | 2W  | 2   |    |    |    |    | 4  |    |    |    |    |    |    |    |    |    |    | 4  |        |
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3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = NTS

☒ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4. N/A

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

\*Code to correspond with No. on map and aerial photo

D. **FLOW MEASUREMENTS** NONE - NO WASTE WATER in DITCH, or STREAM.

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. **Measurements:** NONE - NO FLOW

10/15/93 - Mannings Mean  
- Orange Peel Mean

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E. NARRATIVE/REMARKS/COMMENTS

OVERLAPS - P/A - none in NWNE

No other water rts are used.

When farmers are not irrigating from the Farmers Union Ditch, waste water is released and is diverted by Mr. Davenport to irrigate Lawn and northern most pasture. The water is collected in a 4' x 5' irrigation box and then diverted by gravity system to ~~the~~ the south by 4" PVC to flood irrigate south ~~and~~ Lawn, and to a small distribution box, where various sections of PVC pipe ~~are~~ meet to ~~substant~~ divert the water to various release points on the north and west Lawn area. Pasture irrigation is diverted from irrigation box through ~~an~~ 8" pipe to a point just inside north pasture. Water is distributed throughout by means of flood irrigation. Excess water enters pond located at southern end of pasture.

Have conditions of permit approval been met? ☒ yes ☐ no

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Additional Computation Sheets Attached

~~NOTE = NO FLOW THIS DAY.~~

see attached

### Litch Shape

Orange Peel Meas :

$$W \times D \times \frac{2}{3} = CSA$$

$$3.5 \times .6 \times \frac{2}{3} = 1.4$$

$$1.4 \times 5.24 = 7.34 \text{ cfs}$$

$$\frac{\text{Dist}}{20'} \div \frac{\text{sec}}{4} = \frac{\text{ft/sec}}{5.24}$$

### 1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 4 \times 4.5 = 18.0 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.08 \times 246 \times 1.9835 = 39.0 \text{ AFA}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 18.0 \text{ AFA}$$

2. Volume Calculations for Other Uses: *N/A*

## 1. Recommended Amounts

| Beneficial Use      | Period of Use  |                | Rate of Diversion | Annual Volume   |
|---------------------|----------------|----------------|-------------------|-----------------|
|                     | From           | To             | Q (cfs)           | V (afa)         |
| <u>IRRIGATION</u>   | <u>3/15</u>    | <u>11/15</u>   | <u>.08</u>        | <u>18</u>       |
| <u>          </u>   | <u>       </u> | <u>       </u> | <u>        </u>   | <u>        </u> |
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| <u>            </u> | <u>       </u> | <u>       </u> | <u>        </u>   | <u>        </u> |
| <b>Totals:</b>      |                |                | <u>.08</u>        | <u>18</u>       |

☒ 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

Field Examiner's Name Lon Gorman Date 10/18/93

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

SEAL

**Abstract**

10/13/94

MANNING EQUATION CHANNEL CAPACITY RESULTS

10-15-1993

File Number: 63-11213

Claimant: Davenport

Channel measured: Ditch

Date of measurement: 10/14/93 @10:00

Measurement location:

In owner's yard below the house

Calculation prepared by: Lori Graves

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 163 feet.

The upstream and downstream rod readings are 2.34 and 6.18 feet.

The channel cross section is 1.46 ft-sq.

The wetted perimeter is 3.60 feet.

The hydraulic radius is 0.41 feet.

The slope is 0.0236

The roughness coefficient is 0.0250

The flow velocity is 5.018 ft/sec.

The rate of flow is 7.34 cfs.

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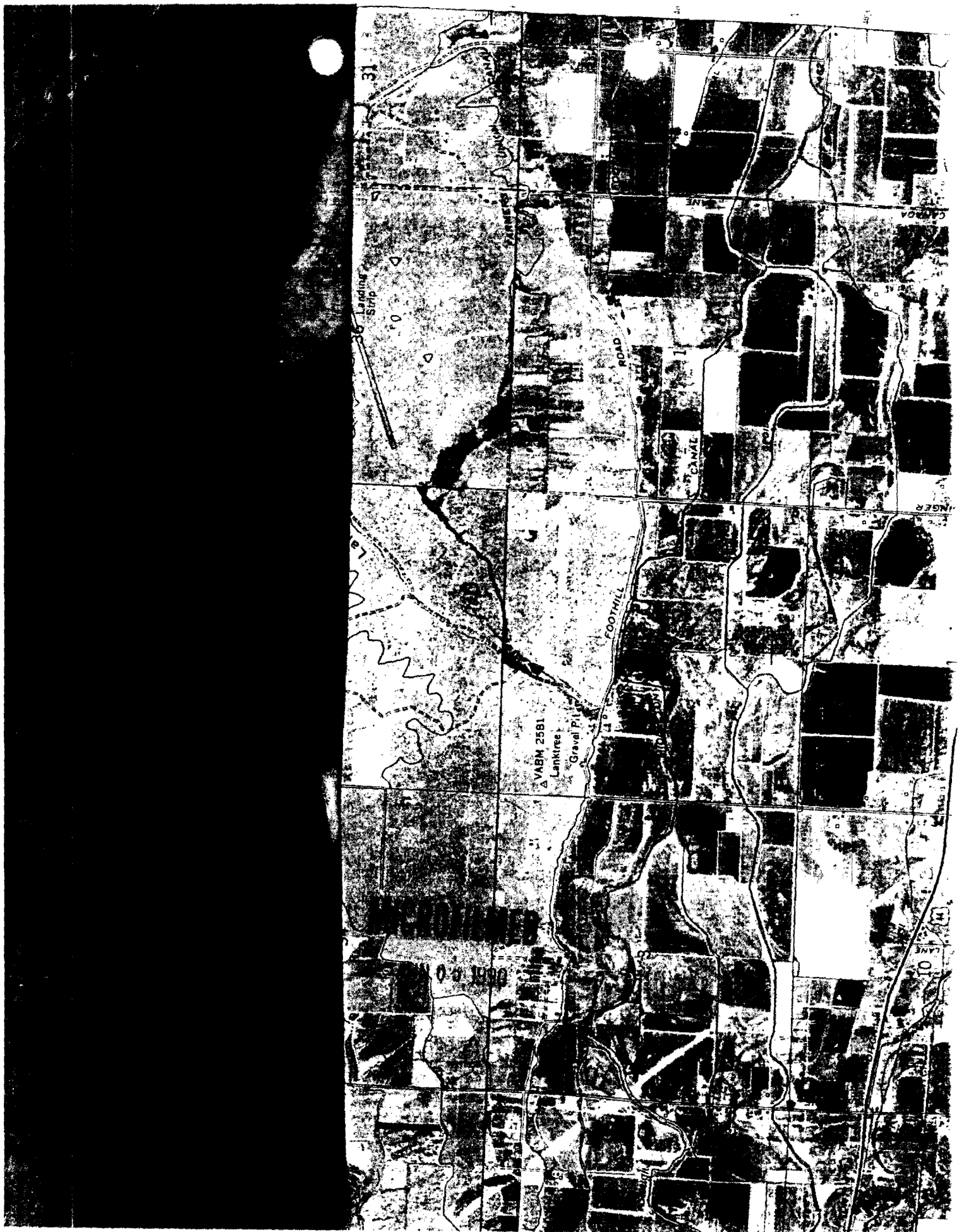
P/U

P/D

Central Park

PERMIT 63-11213 INIT RC  
T. R. S. Q/Q  
P/D 4N 2W 2 HNW NWNE  
SCALE  
PHOTO ID. X-6 Middleton

JUN 13 1994



overlap review

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-21490

WATER RIGHT NUMBER: 63-21490

Owner Type                      Name and Address  
Current Owner                  DAVID DAVENPORT  
7704 FOOT HILL RD  
MIDDLETON, ID 83644  
(208)286-9150

Priority Date: 02/27/1976

Basis: Decreed

Status: Active

Source                                              Tributary  
GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| STOCKWATER            | 1/01 to 12/31           | 0.020 CFS             |                      |
| DOMESTIC              | 1/01 to 12/31           | 0.040 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.060 CFS             |                      |

Location of Point(s) of Diversion

GROUND WATER                                      L3 (NE1/4NE1/4NW1/4)              Sec. 2,    Twp 04N,    Rge 02W, B.M.  
CANYON County

Place of Use

STOCKWATER

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 04N | 02W | 2   |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |        |

Lot 3

DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 04N | 02W | 2   |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |        |

should be Lot 3

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-21490

2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. PARCEL NO. 4R338270000 STOCKWATER, 50 RANGE CATTLE

Remarks:

Comments:

I cannot find anything in Canyon County tax lot information for this number.

Water Supply Bank:

## REAL PROPERTY INQUIRY

+++++

|                           |         |    |         |       |
|---------------------------|---------|----|---------|-------|
| 01 5R33805-000- -0 030-00 | SCH134+ | 05 | 1,300   | 38.24 |
| +++++                     |         | 10 | 34,400  | 1.00  |
| OSPNEY PROPERTIES LLC     | +       | 19 |         | 1.00  |
|                           | +       | 31 | 107,600 |       |
|                           | +       | 32 | 1,400   |       |
|                           | +       |    |         |       |

7704 FOOTHILL RD

MIDDLETON ID 83644

+++++

|                      |       |       |         |       |
|----------------------|-------|-------|---------|-------|
| 02-4N-2W NW          | +     | TOTAL | 144,700 | 40.24 |
| LTS 2 & 3 LESS TX 10 | +++++ |       |         |       |

|   |                                   |                |
|---|-----------------------------------|----------------|
| + | SURVEY                            | INST 200511845 |
| + | DRAIN DR VALUE                    | APPR MKB       |
| + | CLASS 2 REAP 01 MAN 00 UNIT 1     |                |
| + | PARCEL 5R04N02W022400 H/O Y C/B N |                |
| + | PRIOR ACCOUNT 4R33805-000- -0     |                |
| + | 02 MH on Property NO              |                |

7704 FOOTHILL RD, MI

MODE:F ACTION:

TRAITS INQUIRY

TRQK318

ACCOUNT NUMBER R33805000 0 UNIT 001 TOTAL UNITS 1

SITE 7704 FOOTHILL RD MI SEC/TWN/RNG 02-4N-2W

ASSESSED VALUE 144,700 ACREAGE 40.24

SUB/PARK NAME YEAR/MAKE

CLASS R2 RENTAL HOUSE CLASS '2' SPACE LOT BLOCK

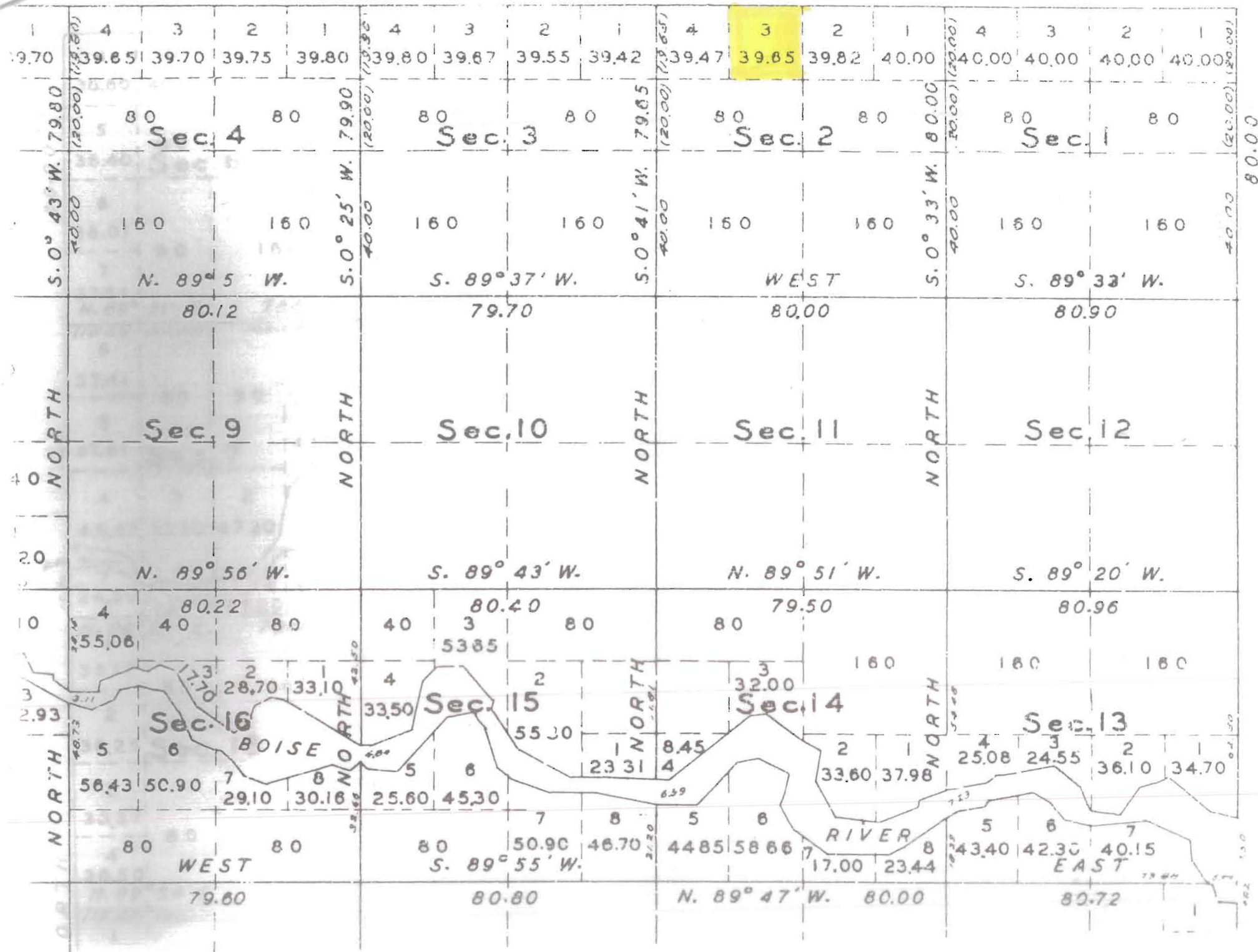
+++++

|              |            |              |             |               |   |
|--------------|------------|--------------|-------------|---------------|---|
| YR BUILT     | 1975       | AIR COND     | AIR - NONE  | CARPORT       | N |
| STORY        | 1.50 STORY | HEATING      | ELECTRIC FA | CARPORT SQ FT |   |
| FIRST SQ FT  | 1236       | EXTERIOR     | HARDBOARD   | DECK/PATIO?   | Y |
| SECOND SQ FT | 680        | ROOF         | WOOD SHAKES | POOL?         | N |
| BEDS         | 4          | BSMT SQ FT   | 1008        | SPA?          | N |
| BATHS        | 3.00       | % BSMT FIN   |             | LOT SIZE      |   |
| FRPLC        | 2          | GARAGE       | A2          | NEIGHBORHOOD  | 0 |
|              |            | GARAGE SQ FT | 552         |               |   |

+++++

|          |               |                  |
|----------|---------------|------------------|
| COMMENTS | 2ND STY ATTIC | MOBILE HOME ONLY |
|          |               | WIDTH/LENGTH     |
|          |               | EXPANDO          |

5 82° 47' W



## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8271

WATER RIGHT NUMBER: 63-8271

|                   |                                                  |
|-------------------|--------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                          |
| Current Owner     | VEARL RICH<br>RT 1 BOX 506<br>CALDWELL, ID 83605 |

Priority Date: 02/27/1976

Basis: License

Status: Active

|                |                  |
|----------------|------------------|
| <u>Source</u>  | <u>Tributary</u> |
| UNNAMED STREAM | MIDDLETON SLOUGH |

|                       |                         |                       |                      |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| STOCKWATER            | 1/01 to 12/31           | 0.020 CFS             | 0.70 AF              |
| IRRIGATION            | 3/15 to 11/15           | 0.120 CFS             | 27.00 AF             |
|                       | <u>Total Diversion:</u> | 0.140 CFS             | 27.70 AF             |

Location of Point(s) of Diversion

|                |                 |                                    |
|----------------|-----------------|------------------------------------|
| UNNAMED STREAM | L3 (NE1/4NW1/4) | Sec. 2,   Twp 04N,   Rge 02W, B.M. |
| CANYON County  |                 |                                    |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |     |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 04N | 02W | 2   |    |    |    |    |    | 6.0 |    |    |    |    |    |    |    |    |    |    | 6.0    |
|     |     |     |    |    |    |    |    | L 4 |    |    |    |    |    |    |    |    |    |    |        |

Total Acres: 6

STOCKWATER same as IRRIGATIONConditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:Comments:

# Receipt Details for ID W011014

| Status | Adjustment Type  | Version |
|--------|------------------|---------|
|        | Adjusted Receipt | 1       |

## General Information:

| Date Received         | Date Deposited | Region          | Total Amount | Payment Type |
|-----------------------|----------------|-----------------|--------------|--------------|
| 3/14/1990 10:05:40 AM | 3/14/1990      | Western         | \$111.00     | Check        |
| <b>Payer</b>          |                | DAVENPORT, DAVE |              |              |

## Account Information:

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 3707                 |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

**Comment** APPLICATION FOR PERMIT

## Fee Detail:

| Amount  | Description            | PCA    | Fund | Fund Detail | Subsidiary | Object |
|---------|------------------------|--------|------|-------------|------------|--------|
| \$81.00 | ADJUDICATION FEE       | 410162 | 9337 | 0           | 0          | 6490   |
| \$30.00 | APPLICATION FOR PERMIT | 610199 | 1238 | 0           | 0          | 6390   |

## Refund(s):

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

## Water Right Information:

| Basin Number | Sequence Number | Split Suffix | Amount  | Type  |
|--------------|-----------------|--------------|---------|-------|
| 63           | 8271            |              | \$56.00 | Claim |
| 63           | 21490           |              | \$25.00 | Claim |

Print Report

# IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-08271 Date: 1-2-02

|       | TNS | RNG | SEC | NE |    |    |    | NW      |    |    |    | SW |    |    |    | SE |    |    |    | SUM |
|-------|-----|-----|-----|----|----|----|----|---------|----|----|----|----|----|----|----|----|----|----|----|-----|
|       |     |     |     | NE | NW | SW | SE | NE      | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |     |
| Claim | 4N  | 2W  | 2   |    |    |    |    | 03<br>6 |    |    |    |    |    |    |    |    |    |    |    |     |
| GIS   |     |     |     |    |    |    |    | 9.2     |    |    |    |    |    |    |    |    |    |    |    | 1.2 |
| Claim |     |     |     |    |    |    |    |         |    |    |    |    |    |    |    |    |    |    |    |     |
| GIS   |     |     |     |    |    |    |    |         |    |    |    |    |    |    |    |    |    |    |    |     |
| Claim |     |     |     |    |    |    |    |         |    |    |    |    |    |    |    |    |    |    |    |     |
| GIS   |     |     |     |    |    |    |    |         |    |    |    |    |    |    |    |    |    |    |    |     |
| Claim |     |     |     |    |    |    |    |         |    |    |    |    |    |    |    |    |    |    |    |     |
| GIS   |     |     |     |    |    |    |    |         |    |    |    |    |    |    |    |    |    |    |    |     |

Number of POD's 1

Total Claimed Acres: 6

Overlapping POU Claim #'s:

Total GIS Acres: 35

## COMMENTS:

QQ coverage indicates NENW 1st & 1st 3 not 1st 4 as indicated on legal.  
POD is per claim maps.

# Idaho Department of Water Resources

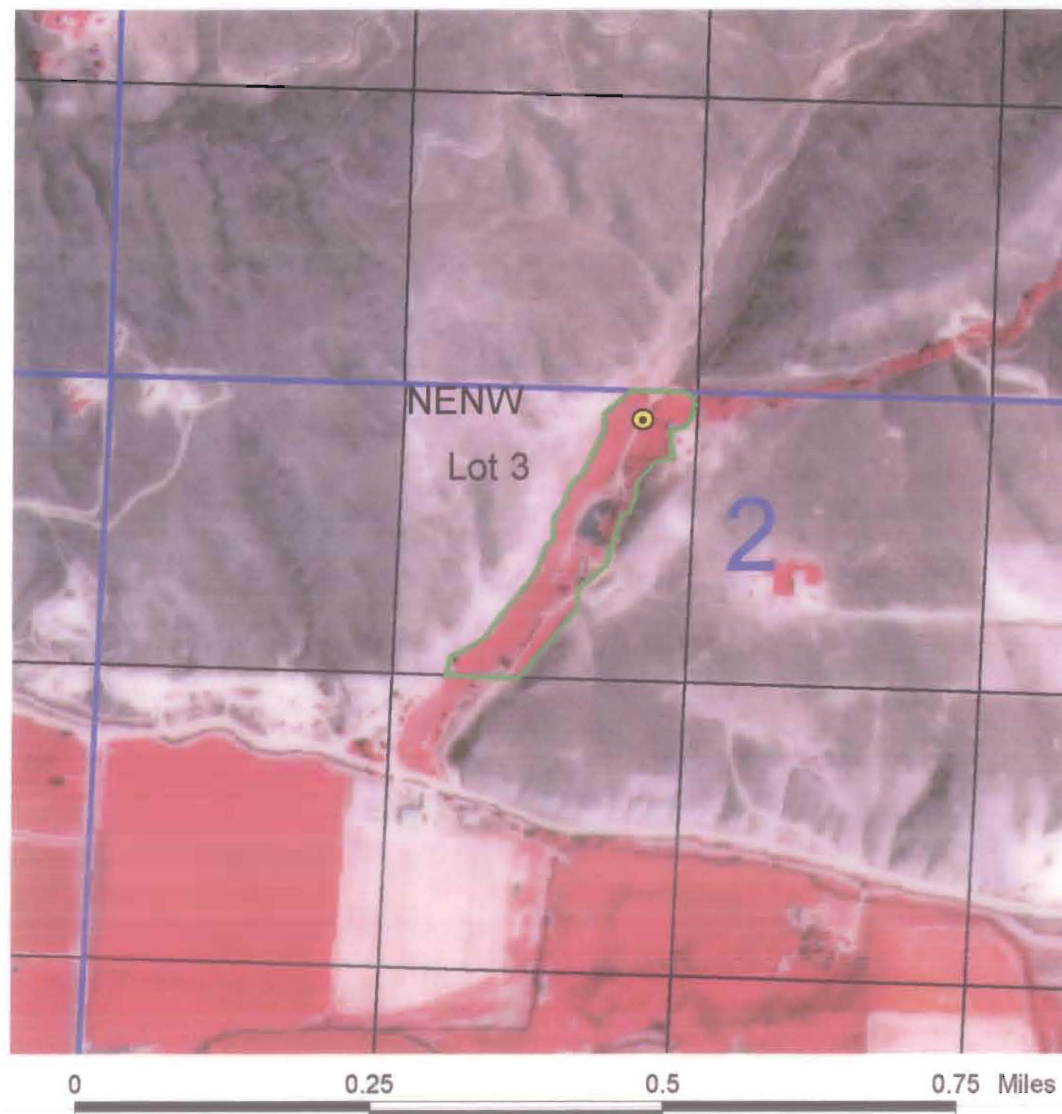
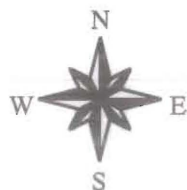
Claim Number: 63-08271

Legal: T04N, R02W, S2

Reviewed By:

1987 Napp Photo

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



State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**

License of Water Right No.                      Priority February 27, 1976 Amount 0.14 cfs

THIS IS TO CERTIFY, that Vearl Rich  
of Caldwell, Idaho, has complied with the terms and conditions of Permit  
No. 63-8271 issued pursuant to Application for Permit dated February 27, 1976,  
and has submitted proof to the Department of Water Resources on June 4, 1980,  
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 1.79 cfs of water from unnamed stream,  
tributary to Middleton Slough, 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>Irrigation</u>      | <u>from March 15 to November 15</u>  | <u>at 0.12 cfs and</u>       | <u>27.0 acre feet</u> |
| <u>Stockwater</u>      | <u>from January 1 to December 31</u> | <u>at 0.02 cfs and</u>       | <u>0.7 acre feet</u>  |
|                        | <u>from            to           </u> | <u>at            cfs and</u> |                       |
| (both dates inclusive) |                                      |                              |                       |

Subject, however, to the condition that no more than 0.14 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  
27.7 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$  (Lot 3), Section 2,  
Twp. 4N, Rge. 2W in the County of Canyon

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 $\frac{1}{4}$ |        |
| 4N   | 2W    | 2    |                  |                  |                  |                  |                  | L. 4<br>6        |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 6      |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

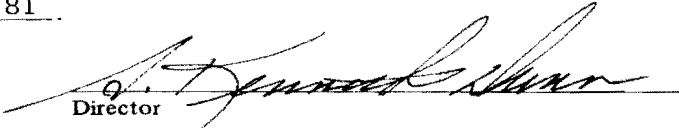
Total number of acres irrigated 6

Use of water under this license is subject to control by the watermaster of  
State Water District No. 63, Boise River.

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 22 day of  
October, 19 81.

  
Director

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
*LICENSING*  
APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now VEARL RICH  
of (address) Caldwell, ID, 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. 63-8271, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NO CHANGE  $\frac{1}{4}$   $\frac{1}{4}$ , Section           , Township           , Range           , B.M.,  
County of           . Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

NO CHANGE  
Amount            for            purposes from            to            (both dates inclusive)  
(cfs or acre feet per annum)  
Amount            for            purposes from            to            (both dates inclusive)  
(cfs or acre feet per annum)  
Amount            for            purposes from            to            (both dates inclusive)  
(cfs or acre feet per annum)  
Amount            for            purposes from            to            (both dates inclusive)  
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

| TWP | RGE | 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 $\frac{1}{4}$ |        |
| 4N  | 2W  | 2   |                  |                  |                  |                  |                  | GL 4<br>6        |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 6      |
|     |     |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |     |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |     |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |     |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |     |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |     |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

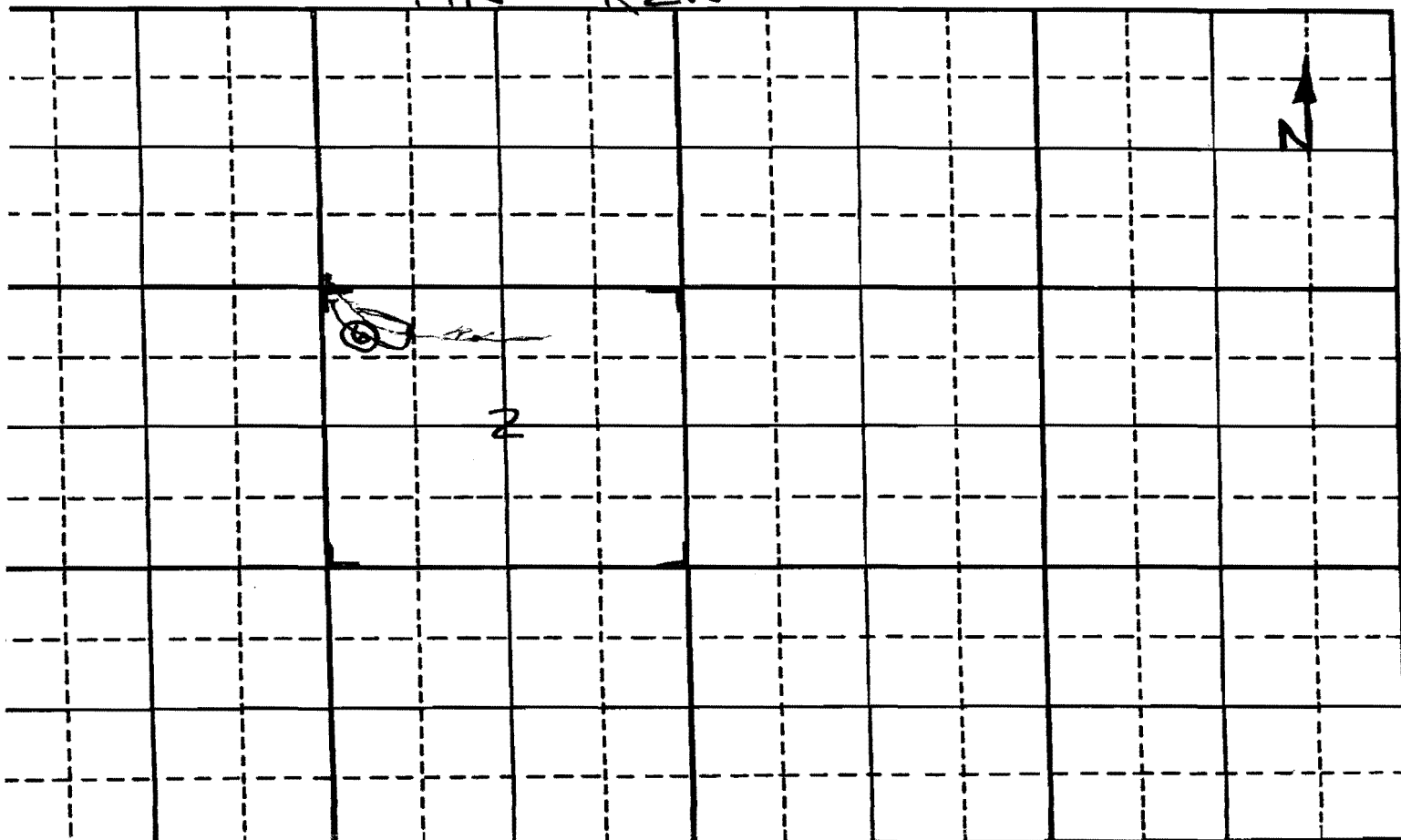
Total number of acres to be irrigated = 6

4. a. Who owns the property at the point of diversion? Vearl R Rich  
b. Who owns the land to be irrigated or the place of use? Vearl R Rich  
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the  
applicant to make this filing:

RECEIVED  
MAY 10 1978  
IDAHO DEPARTMENT OF WATER RESOURCES

Complete the following map, showing 40-acre subdivisions, townships, ranges and ditches.

T4N R2W



Scale: 2 inches equal 1 mile.

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

Signed at Basis, this 2 day of Oct., 19 81.

Paul P. Rich  
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by Jm Fee = \$20.00

Received by ny Date 10-2-81 #20464

Publication prepared by N/A Date \_\_\_\_\_

Published in \_\_\_\_\_

Publication dates \_\_\_\_\_

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, Director of the Department of Water Resources hereby

APPROVE the above Application for Amendment of Permit No. 63-8271.

MICROFILMED

Witness my hand this 22 day of October, 19 81

A. Kenneth Dunn  
Director

Identification No. \_\_\_\_\_

Application No. 63-8271

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 Yearl Rich Phone: 286-7069  
post office address RT. No. 1 Caldwell, Idaho
2. Source of water supply Lantree & Unnamed Stream which is a tributary of Middleton Slough
3. a. Location of point of diversion is NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 2 Township 4N  
Range 2W B.M. Canyon County; additional points of diversion if any: NW<sup>4</sup>NE<sup>7</sup>-2; -4N-2W.
- 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 0.12 for Irrigation purpose from 4-1 to 10-31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 0.02 for Stockwater purpose from 1-1 to 12-31 (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: NAA  
a. 0.14 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. Diversion dam, ditch & pump?
- 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 \_\_\_\_\_ (Mo. Day) inclusive.
- c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ 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 \$ 20,000<sup>00</sup>.
8. Description of proposed uses:  
a. If water is **not** for irrigation: Same as irrigated land  
(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 50 head beef stock
- (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: \_\_\_\_\_

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   | 2W    | 2    | Lot 2+3 |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 80 6   |
|      |       |      |         |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |         |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |         |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |         |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |         |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |         |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |         |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |         |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |         |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |         |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

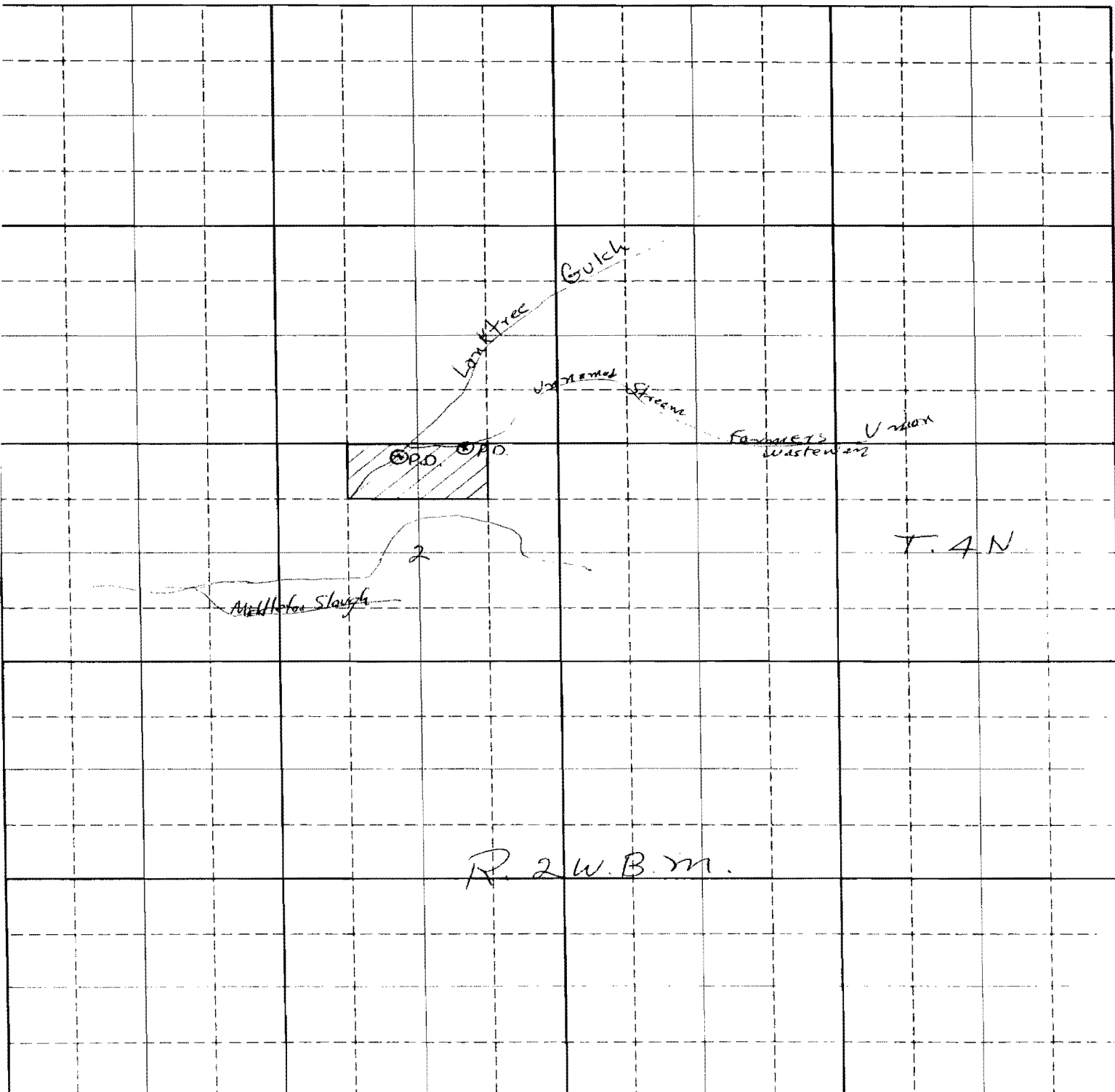
Total number of acres to be irrigated 80 6

c. Describe any other water rights used for the same purposes as described above. None

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.

Veal Rick  
(Applicant)

Received by RWH Date 2-27-1976 Time 12:15 P.M.  
Preliminary check by RWH Fee \$ 35.00  
Receipted by RWH Date 2-27-76  
Publication prepared by rl Date 3-4-76  
Published in News Tribune  
Publication dates March 11 & 18  
Publication approved \_\_\_\_\_ Date \_\_\_\_\_  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Protests filed by: Betty QUENTER, DELBERT  
Hunt, Delos C. Foster et. al.  
\_\_\_\_\_  
Copies of protests forwarded by  
Confer. ISS 9AKD  
Hearing held by \_\_\_\_\_ Date 4-20-76  
Recommended for approval denial by ISS

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. 63-8271, and said application is hereby APPROVED.

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

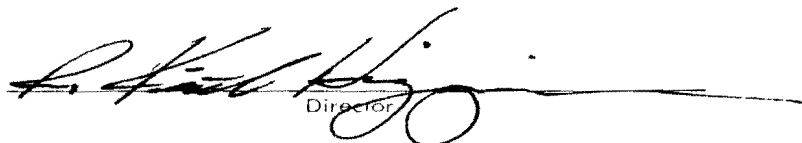
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 81.

c. Other: Pursuant to Memorandum Decision and Order dated this 10th  
day of May - 1976.

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

Witness my hand this 10 day of \_\_\_\_\_ May \_\_\_\_\_ 19 76.

  
Director

Remarks MR. RICH DOES LET WATER OVERFLOW FROM POND IN FLOOD STREAM USE. I MEASURED THE TOTAL STREAM AS THAT IS THE AMOUNT THAT FLOWS OVER THE POND DOWNSIDE THE YARR. (GOES TO YARR FIRST & THEN INTO POND). NO NEW SIGN IS BEING MADE FROM LAKEVIEW GULCH.

A hand-drawn map on a grid. The map features a stream labeled "RGE. Q. W. URM. STREAM" flowing from the top right towards the center. A point labeled "P.D." is marked with a black dot. A line labeled "TWA. 4IN" is drawn from the left side towards the center. A small area is labeled "GAC" and "GAC" with a black dot.

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

Point(s) of diversion: (Lot 3)  
NE 1/4 NW 1/4, Sec. 9, Twp. 4N, R. 2W, S. 11.

[illegible]

☐ Change ~~EDS~~ as reflected above  
☒ Change ~~EDS~~ as reflected above

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None  
☐ Other

Date 9/26/80

Date 10/3/80

Date 6/16/81