

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: **A63-08423**
Date Received: 1/26/1990
Receipt No: C014257
Received By: _____

AMENDED

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

AMENDED

1. Name: LEWIS MC KELLIP 208-466-6819
Address: 18120 DEAN LN
Nampa ID 83687
OR
Name: ANNE MC KELLIP 208-466-6819
Address: 18120 DEAN LN
Nampa ID 83687
OR
Name: MC KELLIP FARMS INC 208-466-6819
Address: 18120 DEAN LN
Nampa ID 83687

2. Date of Priority: FEB 7, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	02W	36	NE	NE	NW		CANYON
			NE	SW	NW		CANYON
			NW	SW	SE		CANYON
			NE	SE	SE		CANYON

5. Description of diverting works:
4WELLS, 220', 180', 278', 210', , 2-16" CAS., 1-10", 1-6"

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	10/31	3.420		769.50
COMMERCIAL	07/01	10/01	0.100		18.20

7. Total Quantity Appropriated is:
3.520 C.F.S. (and/or) 787.70 A.F.A.

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8. Total consumptive use is 598.5 Acre Feet Per Annum.

9. Non-irrigation uses:
C/MINT STILL.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	02W	36	NE		NW		IRR	36.0
			NW		NW		IRR	34.0
			SW		NW		IRR	37.0
			SW		SW		IRR	27.0
			SW		SE		COMMER	
			SW		SE		IRR	20.0
			SE		SE		IRR	17.0

Section Acres 171.0

Total Acres 171.0

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:
PIONEER IRR. DIST.

14. Remarks:

CLAIM AMENDED PER TRANSFER NO 4662 APPROVED 8/28/95
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY
OF APPROVED TRANSFER NO 4662 IN FILE.
AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT THE RIGHT HOLDER
SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPT.
THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT
SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED
UNDER THIS RIGHT.
PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL THE RIGHT HOLDER
SHALL PROVIDE A MEANS OF MEASUREMENT WHICH WILL ALLOW DETERMINATI
OF THE TOTAL RATE OF DIVERSION.
THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANS NO 4662 SHALL NOT EXCEED 3.52 CFS NOR A
TOTAL COMBINED ANNUAL VOLUME OF 787.7 AFA.
THIS RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED IF THE SURFACE
WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD,
TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE WITHOUT THE
APPROVAL OF THE DEPARTMENT.
COMMERCIAL USE IS FOR A MINT STILL.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4662
WATER RIGHT NO. 63-08423

Carter ADS
R Roxanne
M/S Western AJ

This is to certify that: **LEWIS MC KELLIP**
18120 DEAN LN
NAMPA ID 83687

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	3.42 CFS	769.5 AF
COMMERCIAL	07/01 to 10/01	0.10 CFS	18.2 AF
	Totals	3.52 CFS	787.7 AF

SOURCE

GROUNDWATER

Priority: 02/07/1977

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 36, Township 04N, Range 02W
SWNW , Sec. 36, Township 04N, Range 02W
SWSE , Sec. 36, Township 04N, Range 02W
SESE , Sec. 36, 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	36	NENW 36	NWNW 34	SWNW 37	
			SWSW 27	SWSE 20	SESE 17	171
				Total number of acres irrigated:		171

PLACE OF USE: COMMERCIAL

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
04N	02W	36
		SWSE

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TRANSFER NO. 4662
WATER RIGHT NO. 63-08423CONDITIONS OF APPROVAL AND REMARKSCond.
R32

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

* 2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

Cond. T04

3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

T07

4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

T08

5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

T09

6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

* 7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.

* 8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

* 9. The total instantaneous diversion of water from all points of diversion under Transfer No. 4662 shall not exceed 3.52 cfs, nor total combined annual volume of 787.7 af.

* 10. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.

* 11. Commercial use is for a mint still.

Dated this 28th day of August, 1995

J. Glen Saxton
Chief, Water Alloc. Bureau

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APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant LEWIS Mc KELLIP Phone 208-466-6819
Post Office address 18120 DEAN LN NAMPA 83687

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes add well to existing system

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use | |
|--|------------|-----------------------|------------------|---------------|----------|
| 63-08423 | 02/07/1977 | 3.42/769.5 | IRRIGATION | 3/1 | to 10/31 |
| | | .10/18.2 | COMMERCIAL | 7/1 | to 10/01 |
| | | | | | to |
| | | | | | to |
| 2. Total amount of water being transferred <u>3.52</u> cubic feet per second and/or <u>787.7</u> acre-feet per annum | | | | | |
| 3. Source of water <u>GROUNDED WATER</u> tributary to | | | | | |
| 4. Point(s) of Diversion: | | | | | |

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	36	4N	ZW	CANYON	
		SW	SE					
		SE	SE					
		NE	NW					NEW WELL - drilled under

5. Lands irrigated or place of use:

NEW WELL - drilled under
63-94-W-0020 - currently used for
exempted purposes.

[illegible]

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Total acres 171

NO change in PL

PART 1

6. General Information:

a. Description of diversion system 2 existing wells for irrigation - common mainlines. A fourth well drilled under domestic exemption to be added to system.

N/A b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
None - NENW well primarily to irrigate 10.5 acres in NENW which is now being irrigated from existing system. This well also to be used under 63-12096 when approved.

d. Remarks:
Well drilling permit 63-94-W-0020 to be upgraded to irrigation permit

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-08423

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 10/31	3.42 CFS	769.5 AF
COMMERCIAL	07/01 to 10/01	0.10 CFS	18.2 AF
	Totals	3.52 CFS	787.7 AF

SOURCE

GROUNDWATER

Priority: 02/07/1977

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 36, Township 04N, Range 02W
SWSE , Sec. 36, Township 04N, Range 02W
SESE , Sec. 36, 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	36	NENW 36	NWNW 34	SWNW 37	
			SWSW 27	SWSE 20	SESE 17	171
				Total number of acres irrigated:		171

PLACE OF USE: COMMERCIAL, same as IRRIGATION useCONDITIONS/REMARKS:

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

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

ND If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

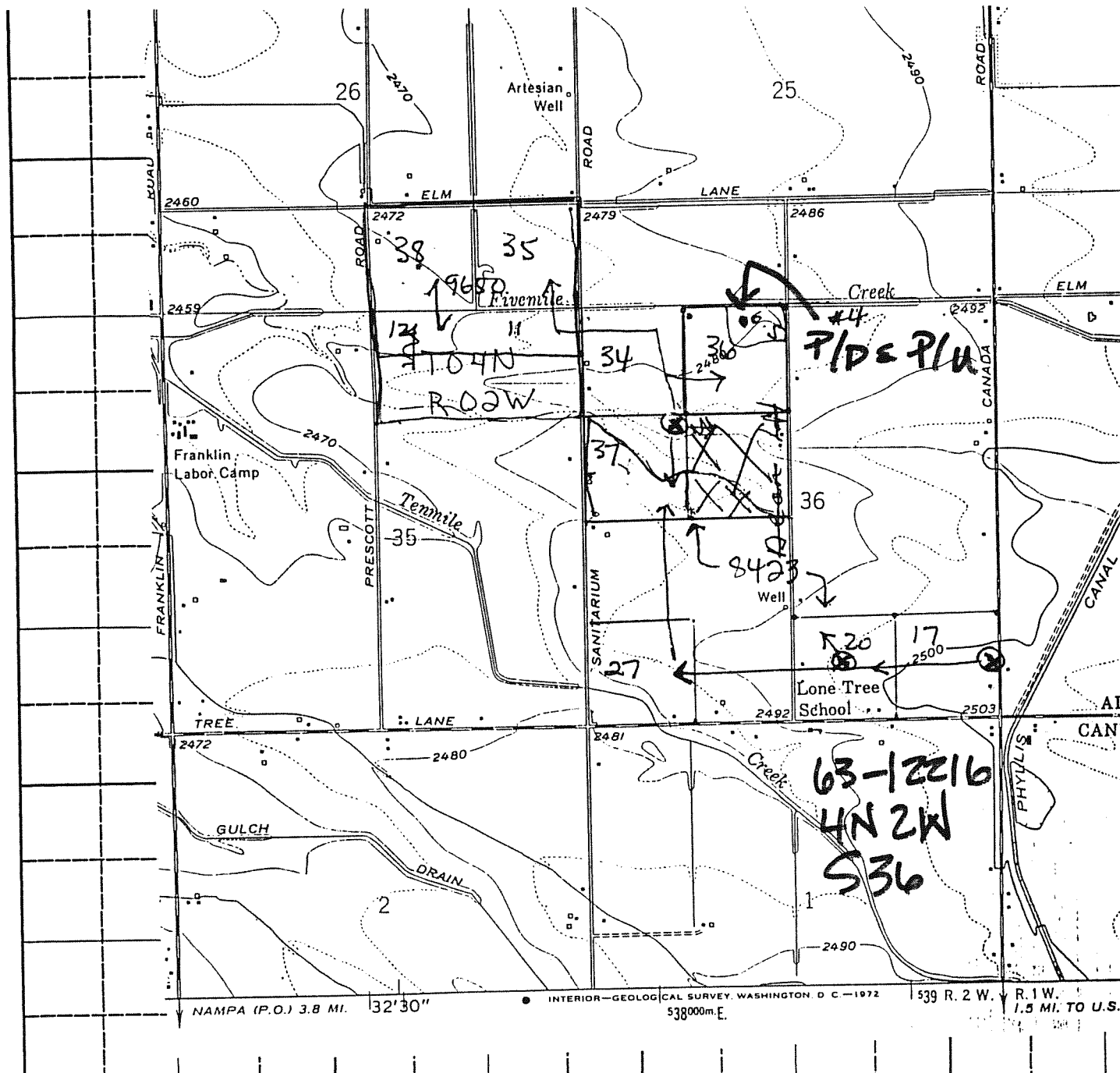
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

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

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



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PART 3

B. CHANGES IN NATURE OF USE N/A

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

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 21st day of June, 19 95.

Louis Nickell
(Signature of Applicant)

Loi Gaven
(Notary Public)

My commission expires 6/18/98

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by CYH Date 6-21-95 Protest filed by _____

Prelim. check by JL Fee \$100 W019417 W019267

Receipted by g Date 6/21/95

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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: A63-08423
Date Received: 1/26/1990
Receipt No: C014257
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MC KELLIP FARMS, INC. 208-466-6819
Address: 18120 DEAN LN.
Nampa, ID 83687
OR
Name: LEWIS OR ANNE MC KELLIP 208-466-6819
Address: 18120 DEAN LN.
Nampa, ID 83687

2. Date of Priority: FEB 07, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	02W	36	NE	SW	NW		CANYON
			NW	SW	SE		CANYON
			NE	SE	SE		CANYON

5. Description of diverting works:
3WELLS, 220', 180', 278' DEPTHS, 2-16" CAS., 1-10" & 5" CAS., PUMPS, GRAV.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	10/31	3.420		769.50
COMMERCIAL	07/01	10/01	0.100		18.20

7. Total Quantity Appropriated is:
3.520 C.F.S. (and/or) 787.70 A.F.A.

8. Total consumptive use is 598.5 Acre Feet Per Annum.

9. Non-irrigation uses:
C/MINT STILL.

A63-08423

Page

1

Date: 01/26/90

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AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	02W	36	NE		NW		IRR	36.0
			NW		NW		IRR	34.0
			SW		NW		IRR	37.0
			SW		SW		IRR	27.0
			SW		SE		IRR	20.0
			SW		SE		COMMER	
			SE		SE		IRR	17.0
							Section Acres	171.0
							Total Acres	171.0

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:
PIONEER IRR. DIST.

14. Remarks:

15. Basis of Claim: LICENSE

1981

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: _____

For Organizations:

I do solemnly swear or affirm that I am Pres. of _____ Title

McKell's Farms, Inc. Organization, that I have signed the foregoing document in the space below as Pres. of _____ Title

McKell's Farms, Inc. Organization and that the statements contained in the foregoing document are true and correct.

Lewis McKell Signature of Authorized Agent

Pres. M.F.I. Title and Organization

1-26-90 Date

State of Idaho)
County of BOA) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of JANUARY 1990
Donna E. Luthy Notary Public

Seal

Residing at BOISE, ID

My Commission Expires 11/08/1994
Date: 01/26/90

RECEIVED

OCT 26 2006

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-8423	9.5 acres				

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Anne McKellip

18120 Dean Ln Nampa, ID

4. New Owner/Claimant(s)

Michael Riggs of Aspen Homes

Name Connector (Check one: [] and, [] or, [] and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

208 860-8038 936-3507

5. Date you acquired the property

Oct, 2004

375-1700

~~484-7050~~

938-3507

Chuck

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>63-8423</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.19 cfs / 42.75 afa</u>	<u>9.5 acres of irrigation</u>
Stock	_____	_____
Domestic	_____	_____
Other <u>commercial</u>	<u>0.02 cfs / 3.6 afa</u>	_____
Total	<u>0.21 cfs / 46.35 afa</u>	

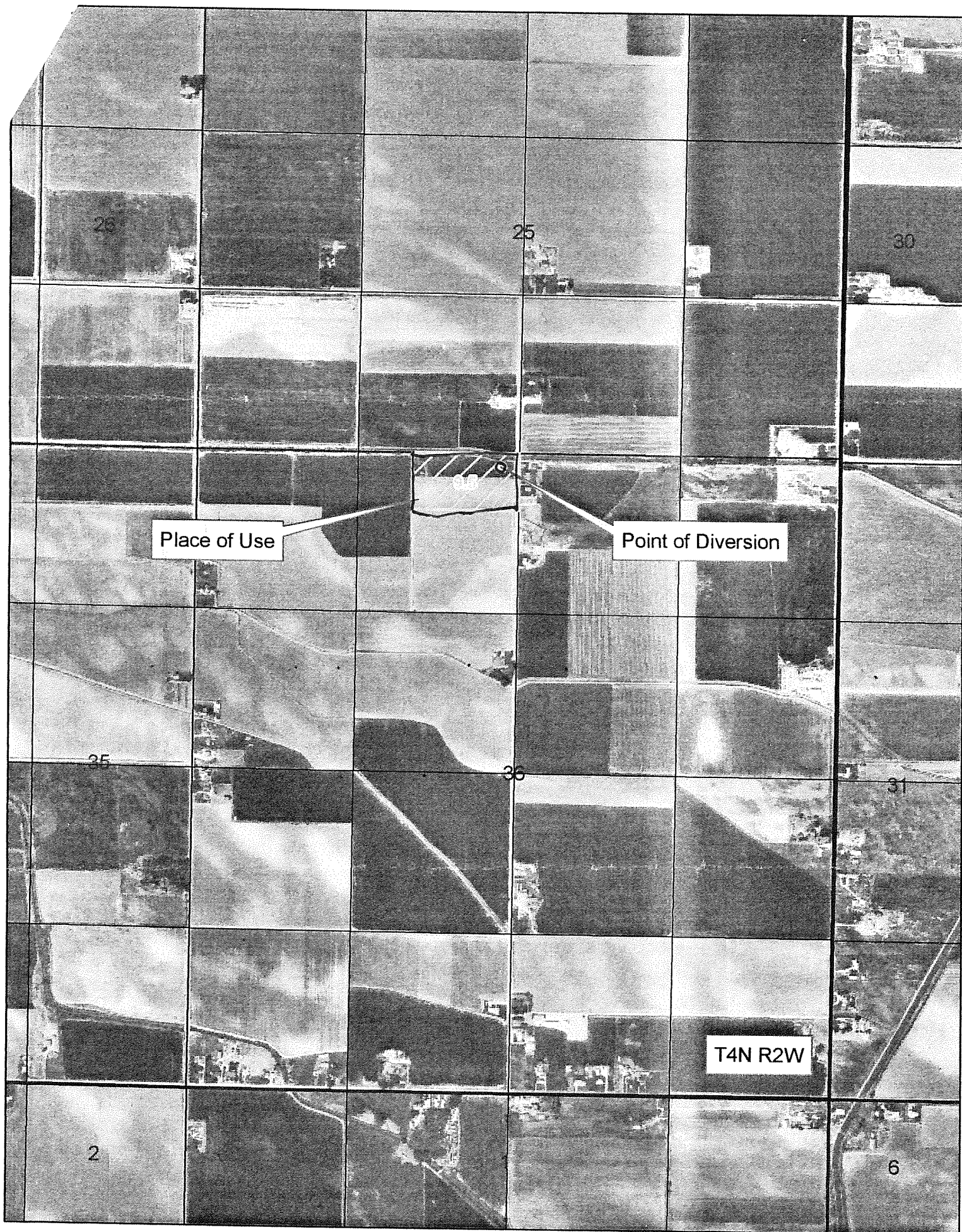
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by lgayman Date 10-27-06 Fee 0
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



03/23/2006

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

RIGHT NUMBER: 63-8423

NAME AND ADDRESS: ANNE MC KELLIP
18120 DEAN LN
NAMPA ID 83687

MC KELLIP FARMS INC
C/O LEWIS MC KELLIP
18120 DEAN LN
NAMPA ID 83687

LEWIS MC KELLIP
18120 DEAN LN
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.520 CFS
787.700 AFY

The total instantaneous diversion of water from all points of diversion under Transfer No. 4662 shall not exceed 3.52 cfs, nor total combined annual volume of 787.7 af.

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.

PRIORITY DATE: 02/07/1977

POINT OF DIVERSION:

T04N R02W S36 NENENW Within CANYON County
T04N R02W S36 NESWNW Within CANYON County
T04N R02W S36 NWSWSE Within CANYON County
T04N R02W S36 NESESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	07/01 10/01	0.100 CFS 18.20 AFY
IRRIGATION	03/15 11/15	3.420 CFS 769.50 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T04N R02W S36	NENW	38.00	T04N R02W S36	NWNW	36.00
T04N R02W S36	SWNW	33.00	T04N R02W S36	SWSW	27.00
T04N R02W S36	SWSE	19.00	T04N R02W S36	SESE	18.00
<u>COMMERCIAL Within CANYON County</u>					
T04N R02W S36	SWSE				

171 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Commercial use is for a mint still.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the department.

After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

The right holder shall accomplish the change authorized by Transfer No. 4662 within one (1) year of the date of the approval.

Idaho Department of Water Resources

**T04N, R02W,
SEC 36**

Claim No: 63-8423

Prepared By: Kimberly Brown

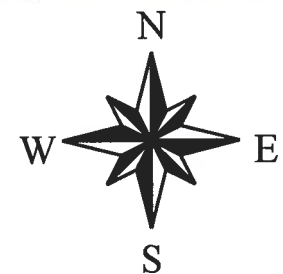
Date: March 23, 2006



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

 Point of Diversion

Irrigated Acres = 171



1987 NAPP

0  0.8 Miles

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-8423

ANNE MC KELLIP
18120 DEAN LN
NAMPA ID 83687
Telephone Number: (208)466-6819

MC KELLIP FARMS INC
C/O LEWIS MC KELLIP
18120 DEAN LN
NAMPA ID 83687
Telephone Number: (208)466-6819

LEWIS MC KELLIP
18120 DEAN LN
NAMPA ID 83687
Telephone Number: (208)466-6819

RECEIVED

OCT 26 2006

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

I sold 9.5 acres of this property including a 1 point diversion which is an artesian well.

2. Describe the changes you wish to make in the proposed recommendation:

The application for this water right has not been transferred or completed. I would like to have it completed.

3. Give a brief explanation as to why you disagree with these portions:

*The 9.5 acres described has been sold to: Michael Riggs & Aspen Homes 860-8038
See enclosed documents.*

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10/15/06 SIGNATURE: Anne McKellip

Please print your name: Anne McKellip

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

C. in O. form
has no
signature &
no legal
documents
attached.
↑ - K. Brown

~~owner~~

ownership change received 10/26/06 Gasman

Transfer No. 4662

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8423

WATER RIGHT NUMBER: 63-8423 ✓

Owner Type Name and Address

Current Owner ANNE MC KELLIP
18120 DEAN LN
NAMPA, ID 83687
(208)466-6819

Current Owner MC KELLIP FARMS INC ✓
C/O LEWIS MC KELLIP
18120 DEAN LN
NAMPA, ID 83687
(208)466-6819

Current Owner LEWIS MC KELLIP ✓
18120 DEAN LN
NAMPA, ID 83687
(208)466-6819

Other Owners: (in NE NW)

Michael Riggs

\$
Aspen Homes Inc.

Priority Date: 02/07/1977 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

Tributary

Beneficial Use

COMMERCIAL ✓

IRRIGATION ✓

From To

7/01 to 10/01 ✓

~~3/01 to 10/31~~

Diversion Rate

0.100 CFS ✓

3.420 CFS ✓

Total Diversion:

3.520 CFS ✓

Annual Volume

18.20 AF ✓

769.50 AF ✓

787.70 AF ✓

Location of Point(s) of Diversion

GROUND WATER

CANYON County ✓

(NW1/4)SW1/4SE1/4 ✓

Sec. 36, Twp 04N, Rge 02W, B.M. ✓

GROUND WATER

CANYON County ✓

(NE1/4)SW1/4NW1/4 ✓

Sec. 36, Twp 04N, Rge 02W, B.M. ✓

GROUND WATER

CANYON County ✓

(NE1/4)NE1/4NW1/4 ✓

Sec. 36, Twp 04N, Rge 02W, B.M. ✓

GROUND WATER

CANYON County ✓

(NE1/4)SE1/4SE1/4 ✓

Sec. 36, Twp 04N, Rge 02W, B.M. ✓

Place of Use

COMMERCIAL

ADD C05 - Place of Use Accomplished Transfer

Twp	Rge	Sec	NE				NW				SW				SE				Totals
✓ 04N	02W	36	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
																	X		

ADD S39 - Season of use begins 3/1.

ADD - Commercial use is for a mint still.

ADD - Use is combined with Pioneer Irr. Dist. water.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8423

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 36					36.0	34.0	37.0			27.0					20.0	17.0	171.0 ✓
					38	36	33								19	18	

Total Acres: 171 ✓

matches license

Conditions of Approval:Comments:

1. → CLAIM AMENDED PER TRANSFER NO 4662 APPROVED 8/28/95 SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO 4662 IN FILE.
 - ✓ 028 AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT THE RIGHT HOLDER SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPT. THE RIGHT HOLDER
 - ✓ 065 SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED UNDER THIS RIGHT.
 - ✓ T17 PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL THE RIGHT HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT WHICH WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION.
 - ✓ Quant. THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANS NO 4662 SHALL NOT EXCEED 3.52 CFS NOR A TOTAL COMBINED ANNUAL VOLUME OF 787.7 AFA.
 - ✓ Expl. THIS RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE WITHOUT THE APPROVAL OF THE DEPARTMENT.
 - ✓ COMMERCIAL USE IS FOR A MINT STILL.
2. ✓ T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. ✓ T04 Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. ✓ T09 ~~Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.~~
5. ✓ T07 The right holder shall accomplish the change authorized by ~~this transfer~~ ^{Tr. No. 4662} within one (1) year of the date of ~~the~~ approval.
6. ✓ 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.

REMOVERemarks:Comments:

Transfer No. 4662 —
 Adding a well in NENW S36; same well as exempted use per drilling permit 63-93-W-0020-000. Same well is proposed for use in application #63-12096 to be processed within moratorium backlog scenario.

R3443500000, R3443400000,
 Parcel lbs: R3443200000, R3443501000, R3443501100
 R3442400000, R3441500000.

Field Exam Date 3-23-06

(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 \$ 231.00
- ☐ 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) A63-8423

Owner: McKellip Farms Inc. Phone No. _____

Current Address: 18120 Dean Lane, Nampa

- ☒ No change NAME IS THE SAME
- ☒ NEW OWNER Michael Riggs (30 AC NENW) / Aspen Homes Inc. (6.8 AC NENW)
- ☒ No change Address
- ☒ NEW ADDRESS 12054 Franklin Boise / 12054 Franklin Rd. Boise
- ☐ 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: 2/7/77

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

Source: Ground Water Tributary to _____

- ☒ 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? _____

4 POBs – Note: I used the project map from Transfer No. 4662 to create the shapefile's location of the PODs.
Transfer No. 4662 added a well to system in NENW.

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

See Field Report & Transfer No. 4662.

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 3/1 to 11/15.

☐ No change☐ Different Uses

Use _____ From 3/15 To 11/15 Amount _____ CFS _____ AFA ^(as licensed)

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 _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**

Commercial use is for a mint still.

☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☒ Changes shown below:ADD COS - Place of Use Accomplished TransfChanges in acreage are based on Canyon County
tax lot information and ArcView calculation of

(*) Note: the project maps attached to the Notice of Claim, Transfer No. 4662, and the Field Exam do not depict the place of use boundaries well.

Overlap with other water rights: None - see POU overlap review sheet
Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain: in file

See Field Report.

FLOW MEASUREMENTS:

N/A

NARRATIVE/REMARKS/COMMENTS

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: 3.23.06 (in office review)

FIELD EXAMINER: Kimberly Brown

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8423

WATER RIGHT NUMBER: 63-8423

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LEWIS MC KELLIP 18120 DEAN LN NAMPA, ID 83687 (208)466-6819

Priority Date: 02/07/1977

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	7/01 to 10/01	0.100 CFS	18.20 AF
IRRIGATION	3/15 to 11/15	3.420 CFS	769.50 AF
	<u>Total Diversion:</u>	3.520 CFS	787.70 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 36, Twp 04N, Rge 02W, B.M.
CANYON County		
GROUND WATER	SW1/4SE1/4	Sec. 36, Twp 04N, Rge 02W, B.M.
CANYON County		
GROUND WATER	SE1/4SE1/4	Sec. 36, Twp 04N, Rge 02W, B.M.
CANYON County		
GROUND WATER	SW1/4NW1/4	Sec. 36, Twp 04N, Rge 02W, B.M.
CANYON County		

Place of Use

COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
04N 02W 36															X		

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
04N 02W 36					36.0	34.0	37.0				27.0				20.0	17.0	171.0

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-8423

Total Acres: 171

Conditions of Approval:

1. ✓ T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
2. ✓ T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- Exp. - 3. ✓ T04 Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- Exp. - 4. ✓ T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- Exp. - 5. ✓ 028 After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
- Exp. - 6. ✓
✓ The total instantaneous diversion of water from all points of diversion under Transfer No. 4662 shall not exceed 3.52 cfs, nor total combined annual volume of 787.7 af.
This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
Commercial use is for a mint still.
7. ✓ 065 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
8. ✓ T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. ✓ 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.

Remarks:

Comments:

1. SLESTER 7/11/1995 TRANSFER NO. 4662

Comment: Adding a well in NENW S36; same well as exempted use per drilling permit 63-93-W-0020-000. Same well is proposed for use in application #63-12096 to be processed within moratorium backlog scenario.

Water Supply Bank:

overlap review -

IDAHO DEPARTMENT OF WATER RESOURCES ADJUDICATION CLAIM POU REVIEW REPORT ADJUDICATION CLAIM NUMBER: 63-8423

02/28/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~8423~~	~~Claim~~	~~04N~~	~~02W~~	~~36~~	~~NE~~	~~NW~~		~~IRRIGATION~~	~~36/171~~	~~ANNE MC KELLIP~~
~~8423~~	~~Water Right~~	~~04N~~	~~02W~~	~~36~~	~~NE~~	~~NW~~		~~IRRIGATION~~	~~36/171~~	~~LEWIS MC KELLIP~~
~~8423~~	~~Claim~~	~~04N~~	~~02W~~	~~36~~	~~NW~~	~~NW~~		~~IRRIGATION~~	~~34/171~~	~~ANNE MC KELLIP~~
~~8423~~	~~Water Right~~	~~04N~~	~~02W~~	~~36~~	~~NW~~	~~NW~~		~~IRRIGATION~~	~~34/171~~	~~LEWIS MC KELLIP~~
26286	Water Right	04N	02W	36	NW	NW		DOMESTIC		CORA L BRINGHURST
~~8423~~	~~Claim~~	~~04N~~	~~02W~~	~~36~~	~~SW~~	~~NW~~		~~IRRIGATION~~	~~37/171~~	~~ANNE MC KELLIP~~
~~8423~~	~~Water Right~~	~~04N~~	~~02W~~	~~36~~	~~SW~~	~~NW~~		~~IRRIGATION~~	~~37/171~~	~~LEWIS MC KELLIP~~
20265	Water Right	04N	02W	36	SW	NW		STOCKWATER		JOLAND DUSKIN
26253	Water Right	04N	02W	36	SW	NW		STOCKWATER		LEON H SWENSON
4196	Water Right	04N	02W	36	SW	NW		DOMESTIC		VERN E BOOTH
4894	Water Right	04N	02W	36	SW	NW		DOMESTIC		PETER P HUNTER
20265	Water Right	04N	02W	36	SW	NW		DOMESTIC		JOLAND DUSKIN
21229	Water Right	04N	02W	36	SW	NW		DOMESTIC		PETER P HUNTER
21232	Water Right	04N	02W	36	SW	NW		DOMESTIC		JOHN L CLEVERDON
26253	Water Right	04N	02W	36	SW	NW		DOMESTIC		LEON H SWENSON
~~8423~~	~~Claim~~	~~04N~~	~~02W~~	~~36~~	~~SW~~	~~SW~~		~~IRRIGATION~~	~~27/171~~	~~ANNE MC KELLIP~~
~~8423~~	~~Water Right~~	~~04N~~	~~02W~~	~~36~~	~~SW~~	~~SW~~		~~IRRIGATION~~	~~27/171~~	~~LEWIS MC KELLIP~~
11193	Water Right	04N	02W	36	SW	SW	<i>separate POU</i>	IRRIGATION	1/1	VICTORIA A MILLER
21354	Water Right	04N	02W	36	SW	SW		STOCKWATER		R KEITH MILLER
21354	Water Right	04N	02W	36	SW	SW		DOMESTIC		R KEITH MILLER
~~8423~~	~~Claim~~	~~04N~~	~~02W~~	~~36~~	~~SW~~	~~SE~~		~~IRRIGATION~~	~~20/171~~	~~ANNE MC KELLIP~~
~~8423~~	~~Water Right~~	~~04N~~	~~02W~~	~~36~~	~~SW~~	~~SE~~		~~IRRIGATION~~	~~20/171~~	~~LEWIS MC KELLIP~~
21131	Water Right	04N	02W	36	SW	SE		STOCKWATER		ECHO BORCHERT
27037	Water Right	04N	02W	36	SW	SE		STOCKWATER		ARNELDA A AVELSGAARD
~~8423~~	~~Claim~~	~~04N~~	~~02W~~	~~36~~	~~SW~~	~~SE~~		~~COMMERCIAL~~		~~ANNE MC KELLIP~~
~~8423~~	~~Water Right~~	~~04N~~	~~02W~~	~~36~~	~~SW~~	~~SE~~		~~COMMERCIAL~~		~~LEWIS MC KELLIP~~
4445	Water Right	04N	02W	36	SW	SE		DOMESTIC		JUNE E THOMAS
19844	Water Right	04N	02W	36	SW	SE		DOMESTIC		DEANN F WARRICK

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8423

02/28/2006

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
20396	Water Right	04N	02W	36	SW	SE		DOMESTIC		LEWIS MC KELLIP
21131	Water Right	04N	02W	36	SW	SE		DOMESTIC		ECHO BORCHERT
27037	Water Right	04N	02W	36	SW	SE		DOMESTIC		ARNELDA A AVELSGAARD
28086	Water Right	04N	02W	36	SW	SE		DOMESTIC		SUZANNE HOLTZ
8193	Claim	04N	02W	36	SE	SE	<i>separate POU</i>	IRRIGATION	16/16	MARGIE CLEVERDON
~~8423~~	~~Claim~~	~~04N~~	~~02W~~	~~36~~	~~SE~~	~~SE~~		~~IRRIGATION~~	~~17/171~~	~~ANNE MC KELLIP~~
~~8193~~	~~Water Right~~	~~04N~~	~~02W~~	~~36~~	~~SE~~	~~SE~~		~~IRRIGATION~~	~~16/16~~	~~SHIRLEY MAX~~
~~8423~~	~~Water Right~~	~~04N~~	~~02W~~	~~36~~	~~SE~~	~~SE~~		~~IRRIGATION~~	~~17/171~~	~~LEWIS MC KELLIP~~
21225	Water Right	04N	02W	36	SE	SE		DOMESTIC		JAMES CLEVERDON
23158	Water Right	04N	02W	36	SE	SE		DOMESTIC		LAWRENCE CLEVERDON

no overlap

Receipt Details for ID C014257

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/26/1990 4:55:12 PM	1/26/1990	State	\$764.00	Check
Payer		MC KELLIP FARMS, INC		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2231			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$764.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
\$549.00	MCKELLIP FARMS, INC.	7/11/1990	

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	8423		\$231.00	Claim
63	9650		\$146.00	Claim
63	10594		\$180.00	Claim
63	10684		\$207.00	Claim

✓ Correct

Print Report

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4662
WATER RIGHT NO. 63-08423

This is to certify that: LEWIS MC KELLIP
18120 DEAN LN
NAMPA ID 83687

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	3.42 CFS	769.5 AF
COMMERCIAL	07/01 to 10/01	0.10 CFS	18.2 AF
	Totals	3.52 CFS	787.7 AF

SOURCE

GROUNDWATER

Priority: 02/07/1977

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 36, Township 04N, Range 02W
SWNW , Sec. 36, Township 04N, Range 02W
SWSE , Sec. 36, Township 04N, Range 02W
SESE , Sec. 36, Township 04N, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 02W 36	NENW 36	NWNW 34	SWNW 37	
	SWSW 27	SWSE 20	SESE 17	171
		Total number of acres irrigated:		171

PLACE OF USE: COMMERCIAL

<u>TWN RGE SEC</u>	
04N 02W 36	SWSE

MICROFILMED

SEP 14 1995

TRANSFER NO. 4662
WATER RIGHT NO. 63-08423

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
9. The total instantaneous diversion of water from all points of diversion under Transfer No. 4662 shall not exceed 3.52 cfs, nor total combined annual volume of 787.7 af.
10. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
11. Commercial use is for a mint still.

Dated this 28th day of

August

, 1995

J. Glen Saxton
Chief, Water Alloc. Bureau

RECEIVED

SEP 14 1995

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4662

RECEIVED
AUG 21 1995

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant LEWIS Mc KELLIP Phone 208-466-6819
Post Office of Water Resources
Department address 18120 DEAN LN NAMPA 83687

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes add well to existing system

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|-------------------|--------------------|-------------------|----------------------------|
| <u>63-08423</u> | <u>02/07/1977</u> | <u>3.42/169.5</u> | <u>IRRIGATION</u> | <u>3/1</u> to <u>10/31</u> |
| | | <u>.10/18.2</u> | <u>COMMERCIAL</u> | <u>7/1</u> to <u>10/01</u> |
| | | | | to _____ |
| | | | | to _____ |
2. Total amount of water being transferred 3.52 cubic feet per second and/or 787.7 acre-feet per annum.
3. Source of water GROUND WATER tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	36	4N	ZW	CANYON	
		SW	SE					
		SE	SE					
		NE	NW					

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	ZW	36					36	34	37				27				20	17	171

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NO change pl-
Total acres 171

PART 1

6. General Information:

a. Description of diversion system 3 existing wells for irrigation - common mainlines. A fourth well drilled under domestic exemption to be added to system.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
None - NENW well primarily to irrigate 6.5 acres in NENW which is now being irrigated from existing system. This well also to be used under 63-120916 when approved.

d. Remarks:
Well drilling permit (03-94-W-0020) to be upgraded to irrigation permit

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

RECORDED

SEP 14 1995

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-08423

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	3/15 11/15 -03/01 to 10/31	3.42 CFS	769.5 AF
COMMERCIAL	07/01 to 10/01	0.10 CFS	18.2 AF
	Totals	3.52 CFS	787.7 AF

SOURCE

GROUNDWATER

Priority: 02/07/1977

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 36, Township 04N, Range 02W
SWSE , Sec. 36, Township 04N, Range 02W
SESE , Sec. 36, Township 04N, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 02W 36	NENW 36	NWNW 34	SWNW 37	
	SWSW 27	SWSE 20	SESE 17	171
		Total number of acres irrigated:		171

PLACE OF USE: COMMERCIAL, ~~same as IRRIGATION use~~ Not Specified on License.CONDITIONS/REMARKS:

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

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

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

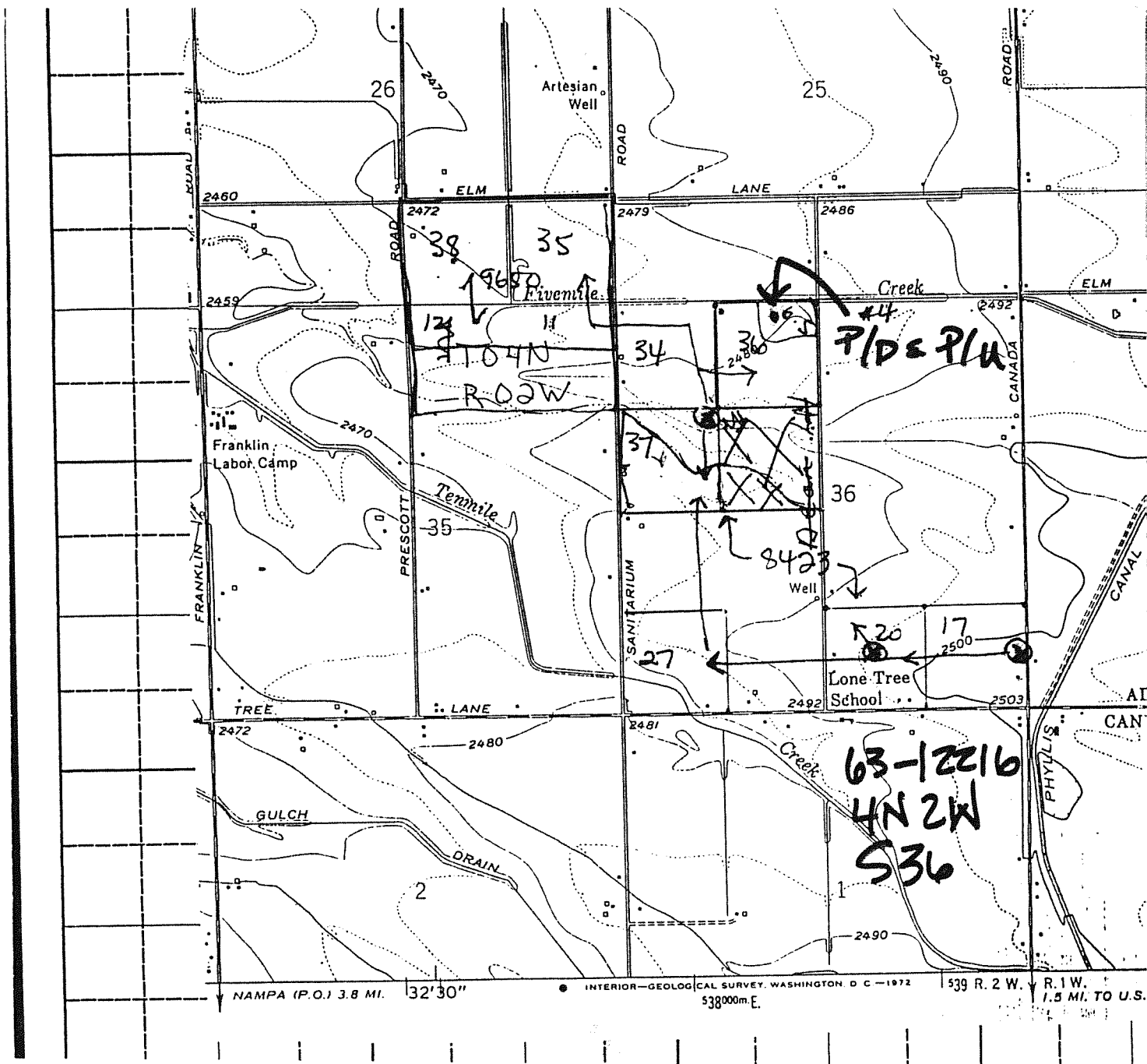
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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



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PART 3

B. CHANGES IN NATURE OF USE N/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 21st day of June, 19 95.

Louis McKelley
(Signature of Applicant)

Loi Garrow
(Notary Public)

My commission expires 6/18/98

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by CYT Date 6-21-95 Protest filed by _____

Prelim. check by SL Fee \$100 W019417 W019267

Receipted by g Date 6/21/95

Published in Press Tribune Copies of protest forwarded by _____

Pub. dates 7-19 + 26 - 1995 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by IRS

Copy of transfer sent to lien holder _____

SEP 14 1995

T.4662

AJ0729NP
No. A63-08423IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORTDATE: 07/11/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEWIS MC KELLIP	02/07/1977	IRRIGATION	03-01 10-31	3.42 CFS	769.50 A
C	ANNE MC KELLIP		COMMERCIAL	07-01 10-01	0.10 CFS	18.20 A
C	MC KELLIP FARMS INC 18120 DEAN LN NAMPA ID 83687 (208) 466-6819					
TOTAL DIVERSION:					3.52 CFS	787.70 A
CONSUMPTIVE USE:						598.50 A

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T04N R02W S36 NESWNW NWSWE NESESE CANYON County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		
Lt Ac Lt Ac Lt Ac Lt Ac				Lt Ac Lt Ac Lt Ac Lt Ac				Lt Ac Lt Ac Lt Ac Lt Ac				Lt Ac Lt Ac Lt Ac Lt Ac				SUM
04N 02W 36				36 34 37				27				20 17				171.0
TOTAL ACRES															171.0	

Place of use Legal Description for: COMMERCIAL

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		
Lt Ac Lt Ac Lt Ac Lt Ac				Lt Ac Lt Ac Lt Ac Lt Ac				Lt Ac Lt Ac Lt Ac Lt Ac				Lt Ac Lt Ac Lt Ac Lt Ac				
04N 02W 36												C				

POU County: CANYON

Non-Irrigation Uses: C/MINT STILL.

Other Rights: PIONEER IRR. DIST.

Other Water Rights with Same Point(s) of Diversion and Source:

A63-02529	A63-04445	A63-04894	A63-08193	A63-09650	A63-19844	A63-20396	A63-21131	A63-21229	A63-21232
A63-23158	A63-26253	R63-23158	R63-26253						

Other Water Rights Listing Overlapping Place(s) of Use:

A63-00166A	A63-00167A	A63-00179A	A63-00224	A63-00225	A63-00294	A63-00295	A63-00371	A63-02275	A63-02276
A63-02294	A63-02529	A63-02891	A63-02891A	A63-03614A	A63-03618A	A63-05199	A63-05200	A63-05219	A63-05237
A63-05255	A63-05262A	A63-08193	A63-09109	A63-21731	A63-21739				

Conditions of Approval:

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

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

MICROFILMED

SEP 14 1995

Claim = license except pinpointed
Comm. plan to 1 Q2 in claim instead
of " " totally equal to irrig plan

Attachment A

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8423 Priority February 7, 1977 Amount 3.52 cfs

THIS IS TO CERTIFY, that Lewis McKellip
of Nampa, Idaho, has complied with the terms and conditions of Permit
No. 63-8423 issued pursuant to Application for Permit dated February 7, 1977,
and has submitted proof to the Department of Water Resources on December 2, 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 6.35 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>3.42</u> cfs and	<u>769.5</u> acre feet
Commercial	from <u>July 1</u> to <u>October 1</u>	at <u>0.10</u> cfs and	<u>18.2</u> acre feet
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 3.52 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
787.7 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 36, 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	36					36	34	37				27				20	17	171

Total number of acres irrigated 171

Commercial use is for a mint still.

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.

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3RD day of

AUGUST, 19 84.

Acting for the Director

Norman C. Young

STATE OF IDAHO
Licensing
APPLICATION FOR AMENDMENT OF A PERMIT

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

APPROVED

Comes now Lewis McKellip Phone _____
of (address) Route #2, Box 2117, Nampa, ID 83651, 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. 63-8423, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ SE ¼, Section 36, Township 4N, Range 2W, B.M.,
County of Canyon. Other points of diversion: _____
SW¼NW¼, SW¼SE¼, Section 36, Twp. 4N, Rge. 2W

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

Amount 3.42 for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre feet per annum)

Amount 0.10 for commercial* purposes from 7/1 to 10/1 (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)

*Commercial use is for a mint still.

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	2W	36					36	34	37				27				20	17	171

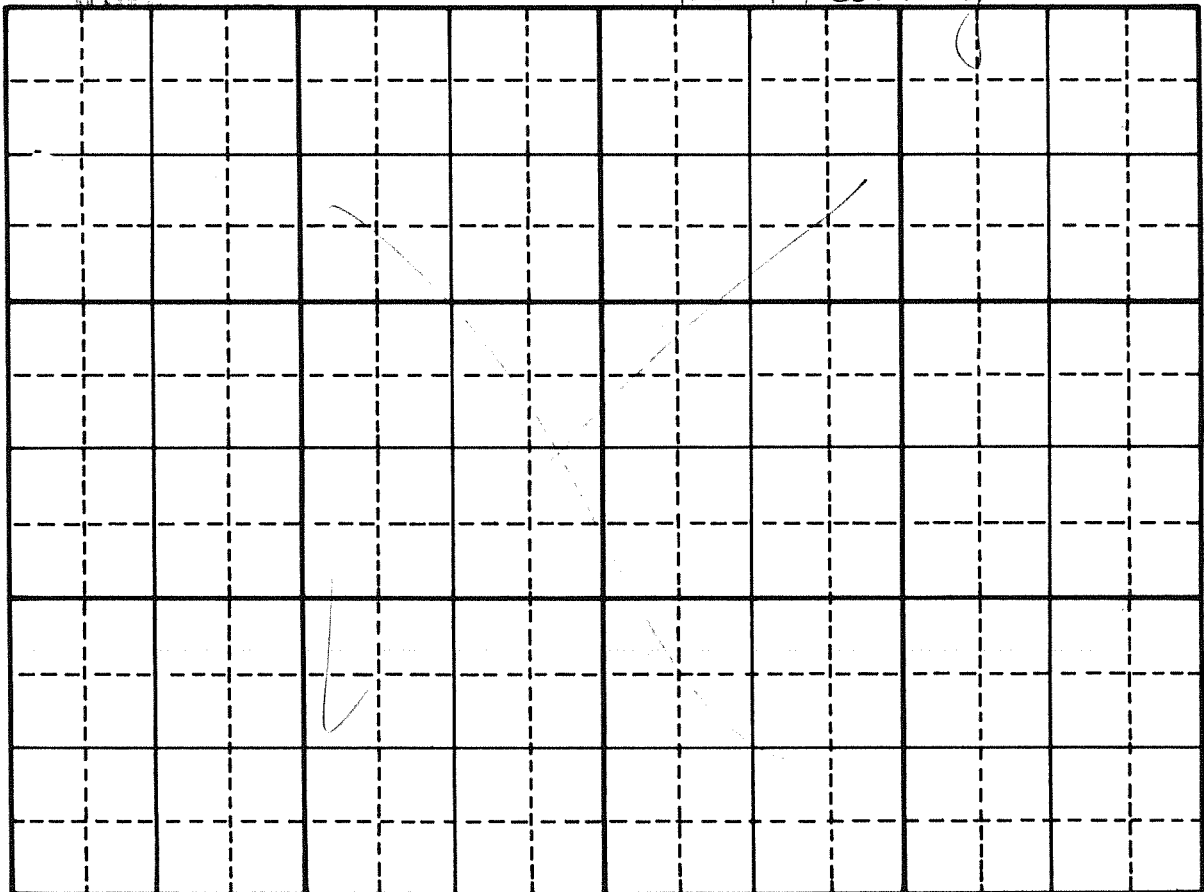
Total number of acres to be irrigated = 171

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

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

Not Necessary



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 Hampden Farm, this 11 day of July, 19 84.

X Lewis McKello
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 ☒

Received by rg Date 7-13-84 # 34912

Publication prepared by N/A Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

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

Approve the above Application for Amendment for Permit No. 63-8423.

Witness my hand this 3rd day of August, 19 84.

Norm C. Young
Acting for the Director

Identification No. _____

Application No. 63-8423

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriately the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Lewis McKellip Phone: 466-6819
post office address Route 2 Box 2117 Nampa, ID
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36 Township 4N
Range 2W B.M. Canyon County; additional points of diversion if any: _____
SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 36 T4N-R2W
- 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:
- LM*
4/12/77
- Amount ~~3.84~~ 3.76 for Irrigation purpose from 3-1 to 10-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.03 for Stockwater purpose from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.10 for Mint Still purpose from 7-1 to 10-1 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
- a. ~~3.97~~ 3.83 cubic feet per second and/or
- b. _____ acre feet per annum.
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. _____
well, pump & gravity system
- 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 16 inches; proposed depth of well is 200 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 \$ 11,000.
8. Description of proposed uses:
- a. If water is **not** for irrigation: Stockwater 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 100 head of beef cattle
- (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: _____
operation of mint still in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 36 T4N-R2W

MICROFILMED

[illegible]

184.96
~~191.46~~

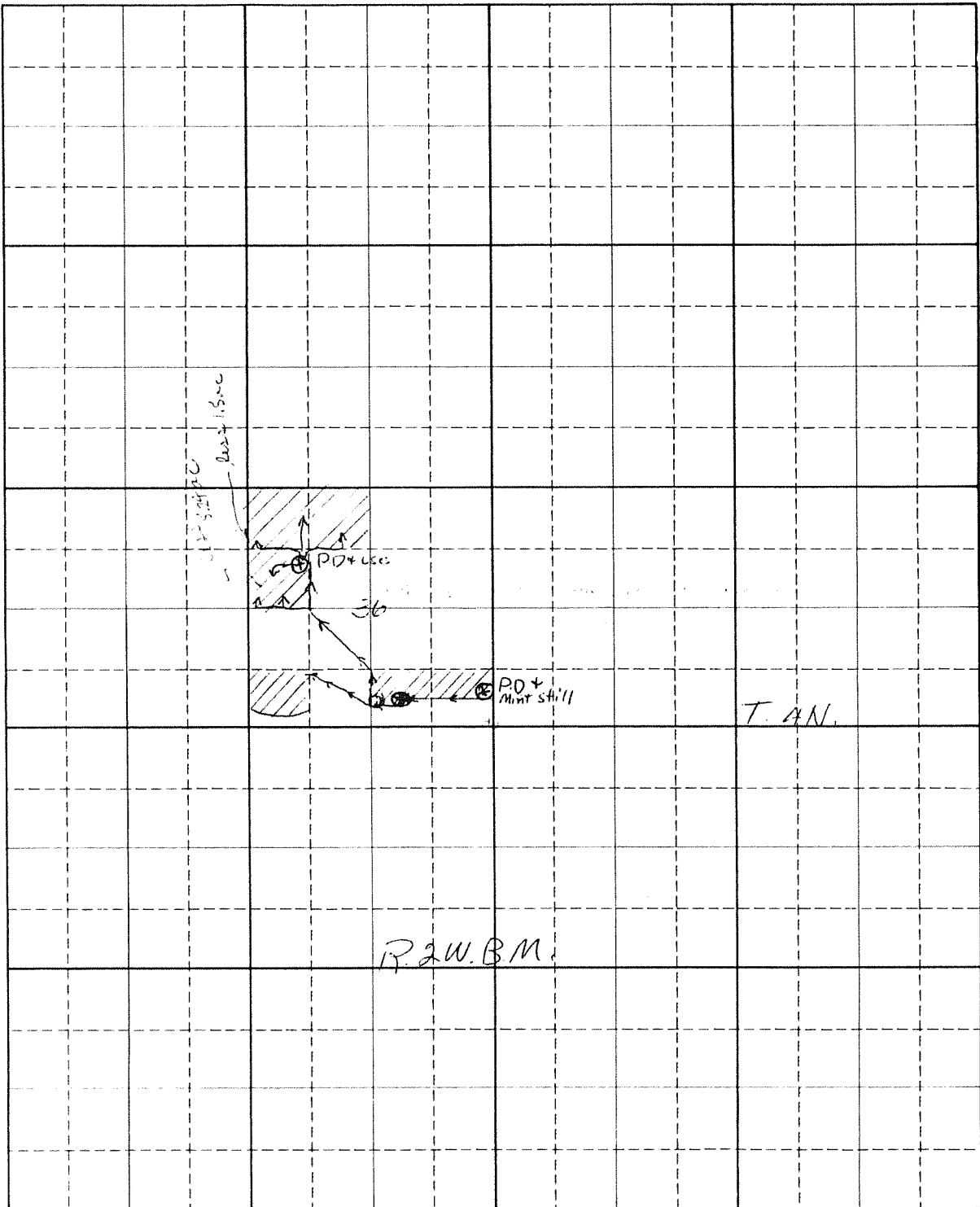
Pioneer Irrigation District water

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 This water is to be supplemental to irrigation district water

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.

Lewis M. Kelly
(Applicant)

Proposed Priority 2/ 7/77

Received by PWH Date 2-7-77 Time 9:30 A.M.

Preliminary check by PWH Fee \$ 55.00

Received by rf Date 2-7-77 # 6621

Publication prepared by y Date 2-10-77

Published in Idaho Free Press

Publication dates February 17+24

Publication approved rs Date 3-11-77

Priority reduced to _____ Reason _____

Protests filed by: J. L. Donaldson

Copies of protests forwarded by rf 3-16-1977

Hearing held by LG548DF Date 4-12-77

Recommended for protest withdrawn approval denial by HS

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. 63-8423, 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 May 1, 19 82.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.
The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

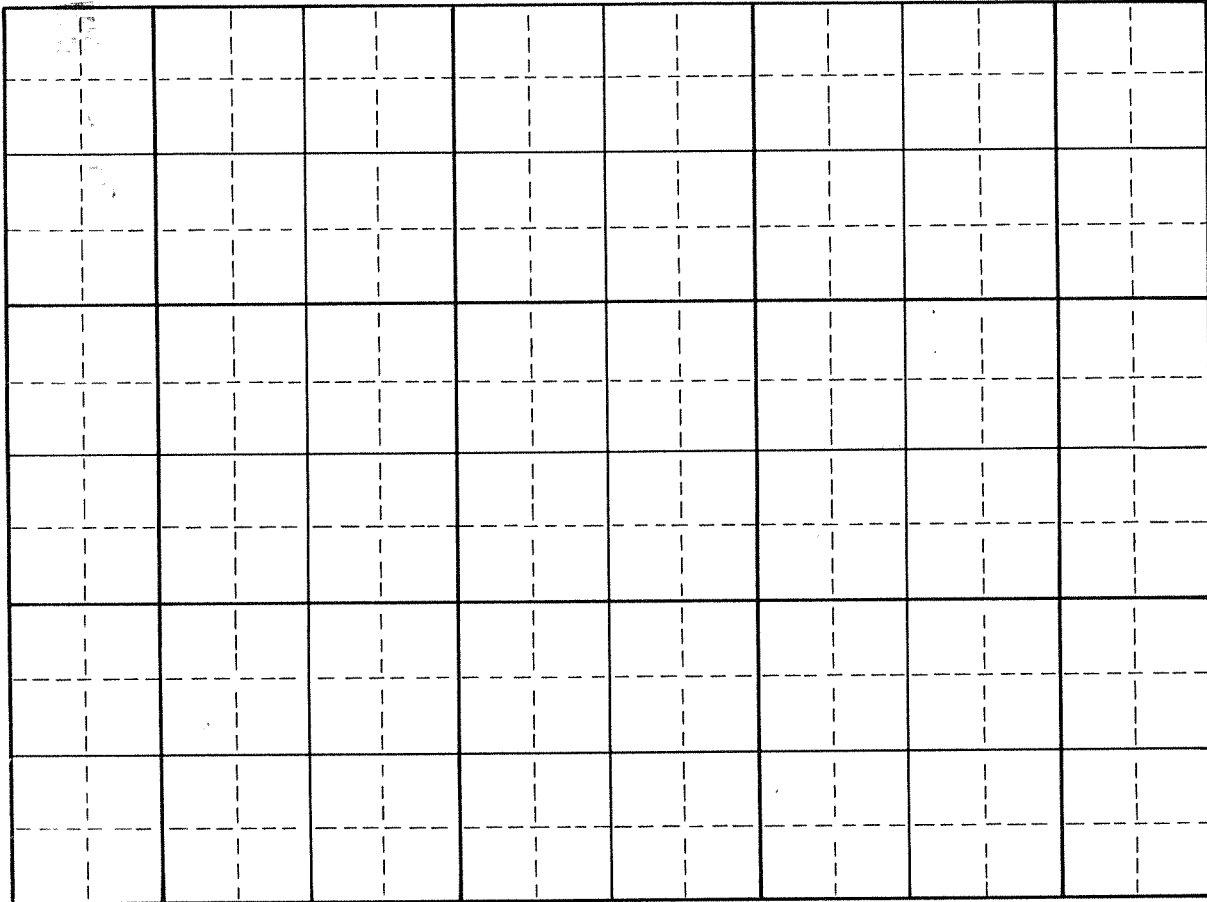
2. Denial of said application is for the following reasons: _____

Witness my hand this 6 day of May 19 77.


Deputy Director

$$171 \times 0.02 = 3.42 \text{ cps}$$

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: ^{#2} SESE ^{#3} SWNW ^{#1} SWSE #36 4N 2W

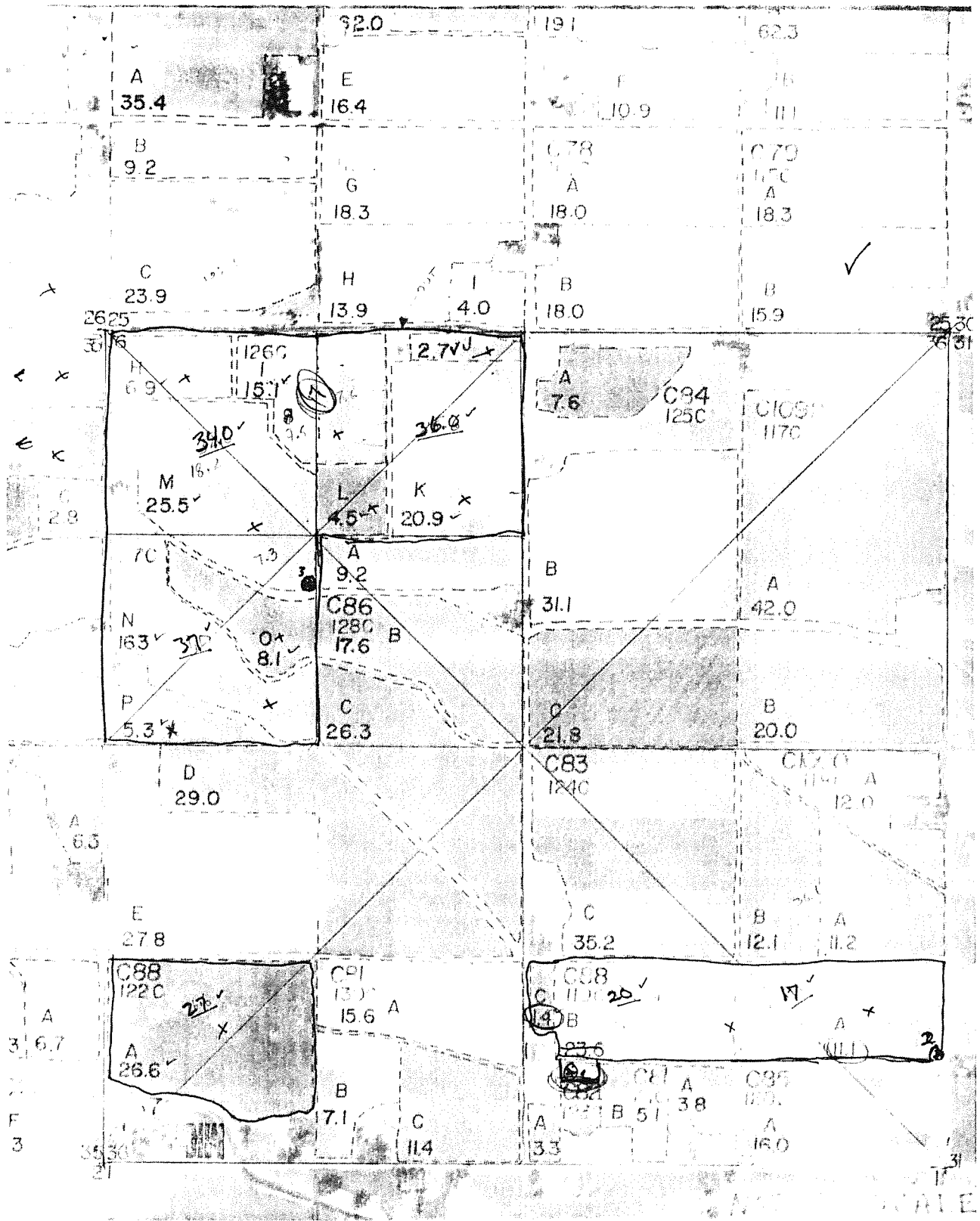
Place(s) of Use ☒

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	2W	36					35.6	34.6	35.1			26.6				19X	17.1		168
							V												
							35.6	38.6	37			26.6				19	17.1		167.9
							36	34				27				20	17		171

Recommended Amendments: Acres changed per aerial photo & Carl's notes.

- ☐ 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

Examiner's Signature Carl E. Miller Date 16 June 1982
 Checked by CLS Date 4/23/82
 Approved by CLS Date 4/23/82



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-08423

Date: 9-23-01

				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	2W	36					36	34	37				27				20	17	171
GIS								38	36	33				27				19	18	171
								(107.85)										(37.62)		
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 4

Total Claimed Acres: 171

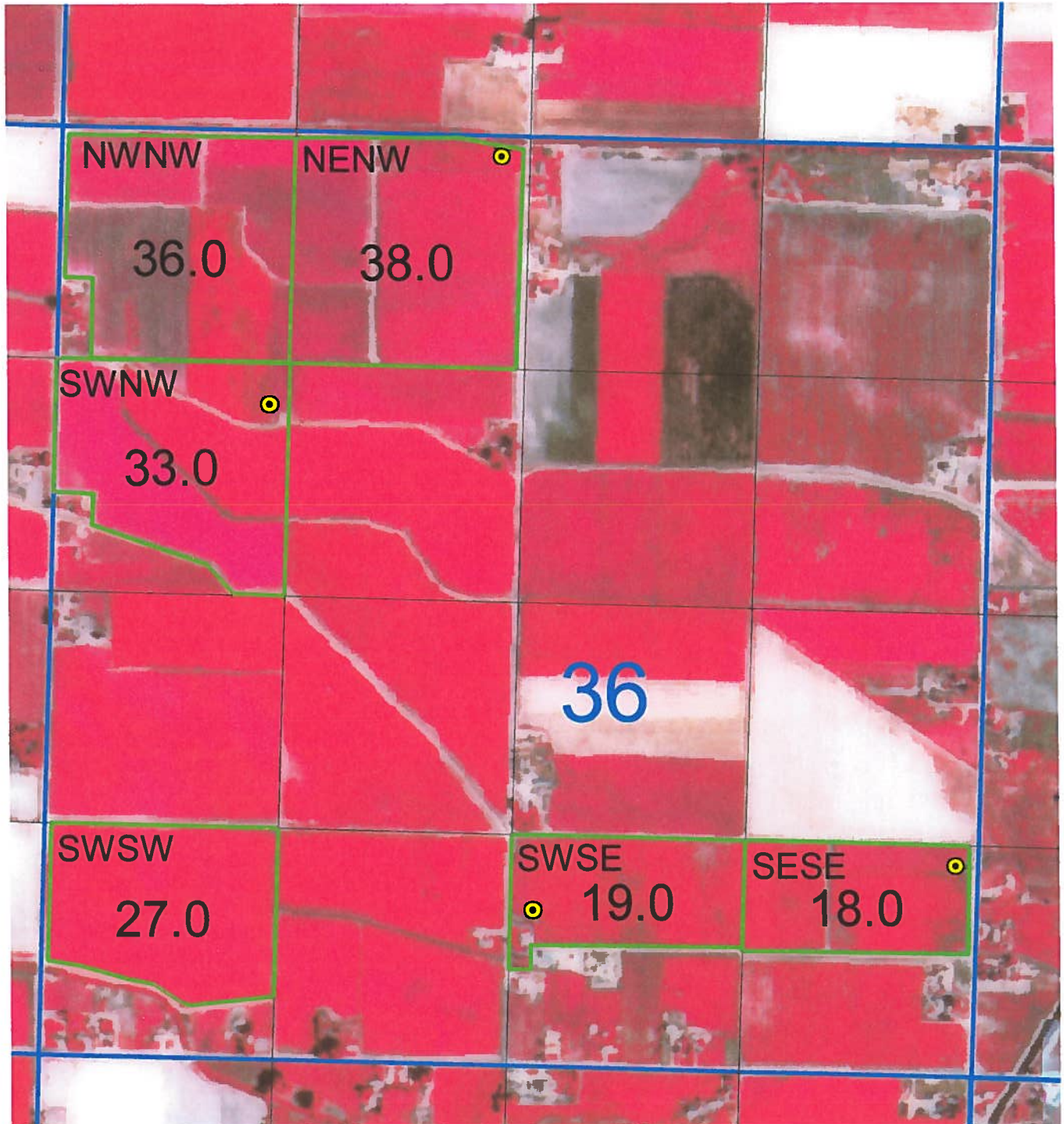
Overlapping POU Claim #'s:

Total GIS Acres: 171

COMMENTS:

Idaho Department of Water Resources

1987 Napp Photo



0 0.25 0.5 Miles

Claim Number: 63-08423
Legal: T04N, R02W, S36
Reviewed By:

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Date: 8-21-90

MC KELLIP FARMS INC
18120 DEAN LN
NAMPA ID 83687

RE: Notices of Claim to a Water Right in the Snake River Basin
Adjudication, See List Below
County of Canyon + Ada

Dear Claimant:

We are forwarding to you data entered copies of the claims you
filed in the Snake River Basin Adjudication.

We have interpreted the data from these claims in the process
of data entry in a manner which we feel more accurately reflects
the true status of these water rights. The items that were
modified are highlighted. Please review the enclosed claims to
assure that these modifications are in agreement with these water
rights.

If you believe our data is incorrect, and you wish to make any
changes to any of these Notices of Claim, initial the changes, sign
the form, have your signature notarized, and return it to this
office within 30 days. If you believe the modifications are
correct, please retain these copies of your claims for your
records.

Please feel free to contact this office if you have any
questions.

Sincerely,

John D. Carlson
Adjudication Supervisor

JDC:AB;CF;HHT;FEL;RM
Enclosure:

Claim Nos. A43-08423

A63-09450

A63-10594

A63-10684

A63-20396

A63-20398

MICROFILMED

AUG 24 1992

WHITE - State Auditor
 YELLOW - Remittance Advice
 PINK - State Auditor then Agency
 GOLDENROD - Agency Copy

EXPENDITURE VOUCHER

AUDITOR USE

AGENCY USE

2054
Date
07/11/90
Code
193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY

TO

MCKELLIP FARMS, INC.
 18120 DEAN LANE
 NAMPA, ID 83687

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	8831		REFUNDS PER D. SHAFF WR#A63-08423/A63-10594 WR#A63-09650/A63-10084 6/27/90 549.00	549.00	
TOTAL						549.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

MICROFILMED

AUG 24 1990

TO: Debbie Allen

THRU: D. Shaff *DS*

FROM: J. CARLSON

DATE: 06-27-90

RE: Receipt C014257 Refund

Please process a refund of \$ 549.⁰⁰ to:

McKellip Farms, Inc.

18120 Dean Lane

Nampa, ID 83687

(overpmt.) (Pioneer Irr.)

A63-08423
A63-09650

A63-10594
A63-10084

MICROFILMED

AUG 24 1992

**RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES**

RECEIVED
MAR 27 1990

Receipt No: C014257

Department of Water Resources

Date: 01/26/90
Time: 16:55:12

Received
From: MC KELLIP FARMS, INC

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$764.00
	Total	\$764.00

CHECK 2231

WR/NO: A63-08423 A63-09650 A63-10594 A63-10684

Idaho Department of Water Resources

Region: STATE

Signature: *[Signature]*

10684
A63-~~08423~~ Sec 25. SW NE 40 acres 40 paid by Pioneer
SE NW 40 acres 40 paid by Pioneer
NE SW 40 acres 40 paid by Pioneer

10594
A63-~~08423~~ Sec 31 NW SE 37 acres 40 paid by Pioneer
NW NE 25 acres 20 * paid by Pioneer
SW NE 20 acres 10 * paid by Pioneer
NE NW 30 acres 40 paid by Pioneer
NW NW 25 acres 40 paid by Pioneer
SW NW 10 acres 30 paid by Pioneer
SE NW 20 acres 20 * paid by Pioneer
SW SE 38 acres 40 paid by Pioneer
SE SE 35 acres 40 paid by Pioneer
NE NE 12 acres 40 paid by Pioneer
NW NE 11 acres 40 paid by Pioneer

9650
A63-~~08423~~ Sec 26
Sec 35
1. + 1 1 0 NW NE

MICROFILMED

AUG 24 1992

RECEIVED

Inter-Department Memorandum

JUN 21 1990

From: Bruce A. Schuld
Western Region

Date:

Department of Water Resources

To: Don Shaff/Debbie Allen/John Carlson
State Office

Re: Refund of Acreage Fees for Mc Kellip Farms Inc.
18120 Dean Lane
Rampa Idaho 83687

Attached are copies of Rcpt. # CO14257 and Adjudication
^{8423 10594}
claim #A63- 9650 10484. There is an overlap with the

irrigated acreages paid for by Pioneer Irrigation District in

the 40 acre tracts as indicated by on the copy of their Rcpt.

Would you please initiate a refund to ~~Mr.~~ Mrs. Mc Kellip Farms Inc.
for \$549

Thanks

Bruce A. Schuld
Bruce A. Schuld
Western Region

*all but \$15 acreage fees were also paid by
Pioneer.*

MICROFILMED

AUG 24 1992

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C014257

Date: 01/26/90
Time: 16:55:12

Received

From: MC KELLIP FARMS, INC

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$764.00
Total		\$764.00

CHECK 2231

WR/NO: A63-08423 A63-09650 A63-10594 A63-10684

Idaho Department of Water Resources

Region: STATE

Signature: *[Signature]*

MCKELLIP FARMS, INC.
ROUTE 2 BOX 2117 466-6819
NAMPA, ID 83661
18120 Dean Ln. 83687 1-26-90

2231 92-1/1241

PAY TO THE ORDER OF Dept of Water Resources \$ 764.00
Seven Hundred Sixty Four and 00/100 DOLLARS

Idaho first IDAHO FIRST NATIONAL BANK
NAMPA OFFICE 08
P.O. Box 220
Nampa, Idaho 83651

FOR fees for adjudication
For Nampa with firm *[Signature]*

⑆ 24100019⑆ 110006016529⑆ 2310

MICROFILMED
AUG 24 1992

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C014258

Date: 01/26/90
Time: 16:57:58

Received
From: MC KELLIP FARMS, INC.

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$50.00
Total		\$50.00

CHECK 2232

WR/NO: A63-20396 A63-20398

Idaho Department of Water Resources

Region: STATE

Signature: *Gloria L. Smith*

McKELLIP FARMS, INC.		2232
ROUTE 2 BOX 2117 466-6819		
Nampa, ID 83651		
18120 Dean Ln	83651	1-26 19 90
PAY TO THE ORDER OF <i>Dept of Water Resour.</i>		\$ 50.00
<i>Fifty and 00/100</i>		DOLLARS
IDAHO FIRST NATIONAL BANK Nampa Office 08 P.O. Box 220 Nampa, Idaho 83651		
FOR <i>fees</i>		<i>Lewi McKellip</i>
⑆ 24100019⑆ 110006016529⑆ 2320		

MICROFILMED

AUG 24 1992