

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 63-31245
Date Received: 11/30/89
Receipt No:
Received By:

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

1. Name of Claimant(s): JOEL S VAN LITH Phone: (208)454-0388
19724 DIXIE RIVER RD
CALDWELL ID USA 83607-9024

MICHELLE G VAN LITH Phone: (208)454-0388
19724 DIXIE RIVER RD
CALDWELL ID USA 83607-9024

2. Date of Priority: 01/19/1950

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	04W	35	NW NE	CANYON	
04N	04W	35	NW NE SE	CANYON	

5. Description of diverting works:

WELL, 12" X 180', 30 HP TURBINE PUMP, 5 HP RELIFT PUMP FROM POND.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.81	276.8

7. Total Quantity Appropriated is:
0.81 C.F.S. and/or 276.8 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04W	35	NE SE		IRRIGATION	18
			NE NE		IRRIGATION	7.5
			SE NE		IRRIGATION	36
					Section Acres	61.5
					Total Acres	61.5

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:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 63-2794. DB 6/13/2001

15. Basis of Claim: License

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

RECEIVED
APR 26 2001

WATER RESOURCES
 WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s): 63-02794
 Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s).
 (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. If your water right or adjudication claim 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 Robert K & Linda J Stephens
26104 Don Ln Parma, ID 83660

4. New Owner/Claimant(s) Joel S & Michelle G VanLith
Name Connector (Check one): ☒ and ☐ or ☐ and/or
 New Mailing Address 19724 Dixie River Rd
 City, State and ZIP Code Caldwell, ID 83607-9024
 New Telephone Number (208) 454-0388

5. Date you acquired the property Feb 27, 2001

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) Michelle D. VanLith
 Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

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

63-2794

63-31244

Stephens

NWNE	31
NENE	2.5
NESE	5.0
	38.5

.51 cfs

173.2 AFA

1000000

1.32

0.0132

450

4.5

VanLith

63-31245

NENE	7.5
SENE	36.0
NESE	18.0
	61.5

.81 cfs

276.8 AFA

200107424

JK
not

PC36963

WARRANTY DEED

FOR VALUE RECEIVED Robert K. Stephens and Linda J. Stephens,
husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto Joel S. Van Lith and Michelle
G. Van Lith, husband and wife

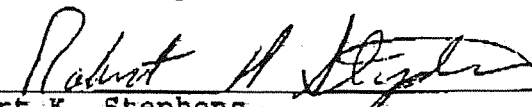
the Grantees, whose address is 19724 Dixie River Rd. Caldwell Id-83607

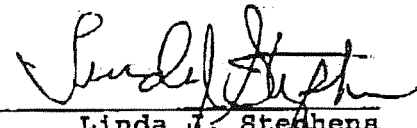
the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part
hereof and is comprised of two (2) pages.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns
forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said
premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2001 and
subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same
from all lawful claims whatsoever.

DATED: February 27, 2001

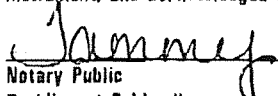

Robert K. Stephens

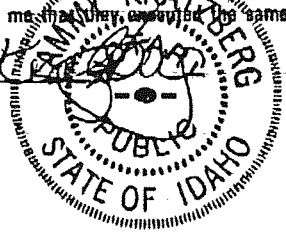

Linda J. Stephens

STATE OF IDAHO

COUNTY OF CANYON

On this 28th day of February in the year 2001, before me, a Notary Public,
personally appeared Robert K. Stephens and Linda J. Stephens known or
identified to me to be the persons whose names are subscribed to the within
instrument, and acknowledged to me that they executed the same.


Notary Public
Residing at Caldwell
My commission expires 2/3/04



11 FEB 28 PM 4 42
RECORDED
BY JOEL HALE
CANYON CHY RECORDER
REQUEST PIONEER - CALDWELL
TYPED Fee 9.00

200107424

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

610 SOUTH KIMBALL
CALDWELL, ID 83605

Exhibit "A"

This parcel is a portion of the Northwest Quarter of the Northeast Quarter, the Northeast Quarter of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 35, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

BEGINNING at the Northeast corner of said Northeast Quarter of the Southeast Quarter; thence

South 0° 47' 50" West along the East boundary of said Northeast Quarter of the Southeast Quarter, a distance of 240.00 feet; thence North 89° 12' 10" West, a distance of 210.00 feet; thence South 0° 47' 50" West parallel with the East boundary of said Northeast Quarter of the Southeast Quarter, a distance of 339.26 feet; thence

North 84° 54' 13" West, a distance of 220.34 feet; thence South 62° 38' 18" West, a distance of 569.05 feet; thence North 81° 59' 59" West, a distance of 71.57 feet; thence North 63° 34' 30" West, a distance of 103.96 feet; thence North 68° 02' 00" West, a distance of 241.38 feet to a point on the West boundary of said Northeast Quarter of the Southeast Quarter; thence

North 0° 44' 09" East along said West boundary a distance of 688.85 feet to the Northwest corner of said Northeast Quarter of the Southeast quarter; thence

North 0° 37' 25" East along the West boundary of said Southeast Quarter of the Northeast Quarter a distance of 1,323.80 feet to the Northwest corner of said Southeast Quarter of the Northeast Quarter; thence

North 89° 13' 36" West along the South boundary of said Northwest Quarter of the Northeast Quarter, a distance of 95.61 feet; thence

North 0° 37' 21" East parallel with the East boundary of said Northwest Quarter of the Northeast Quarter, a distance of 614.31 feet to a point on the centerline of an irrigation ditch; thence traversing said centerline as follows:

North 62° 01' 47" East a distance of 102.87 feet to a point of curvature; along an arc to the right having an arc length of 37.28 feet, a radius of 41.94 feet, a central angle of 50° 55' 39", and a long chord which bears North 87° 29' 36" East, a distance of 36.06 feet;

South 67° 02' 37" East, a distance of 53.39 feet;

South 63° 48' 50" East, a distance of 173.03 feet;

South 67° 30' 43" East, a distance of 240.17 feet to a point of curvature; along a curve to the right having an arc length of

(continued)

74.78 feet, a radius of 88.41 feet, a central angle of $48^{\circ} 27' 57''$, and a long chord which bears South $43^{\circ} 16' 44''$ East, a distance of 72.57 feet;

South $19^{\circ} 02' 45''$ East, a distance of 44.56 feet;

South $12^{\circ} 06' 23''$ East, a distance of 288.30 feet to a point of curvature; along a curve to the left having an arc length of 59.11 feet, a radius of 100.30 feet, a central angle of $33^{\circ} 45' 55''$, and a long chord which bears South $28^{\circ} 59' 20''$ East, a distance of 58.26 feet;

South $45^{\circ} 52' 17''$ East, a distance of 227.29 feet to a point of curvature; along a curve to the left having an arc length of 80.33 feet, a radius of 297.69 feet, a central angle of $15^{\circ} 27' 42''$, and a long chord which bears South

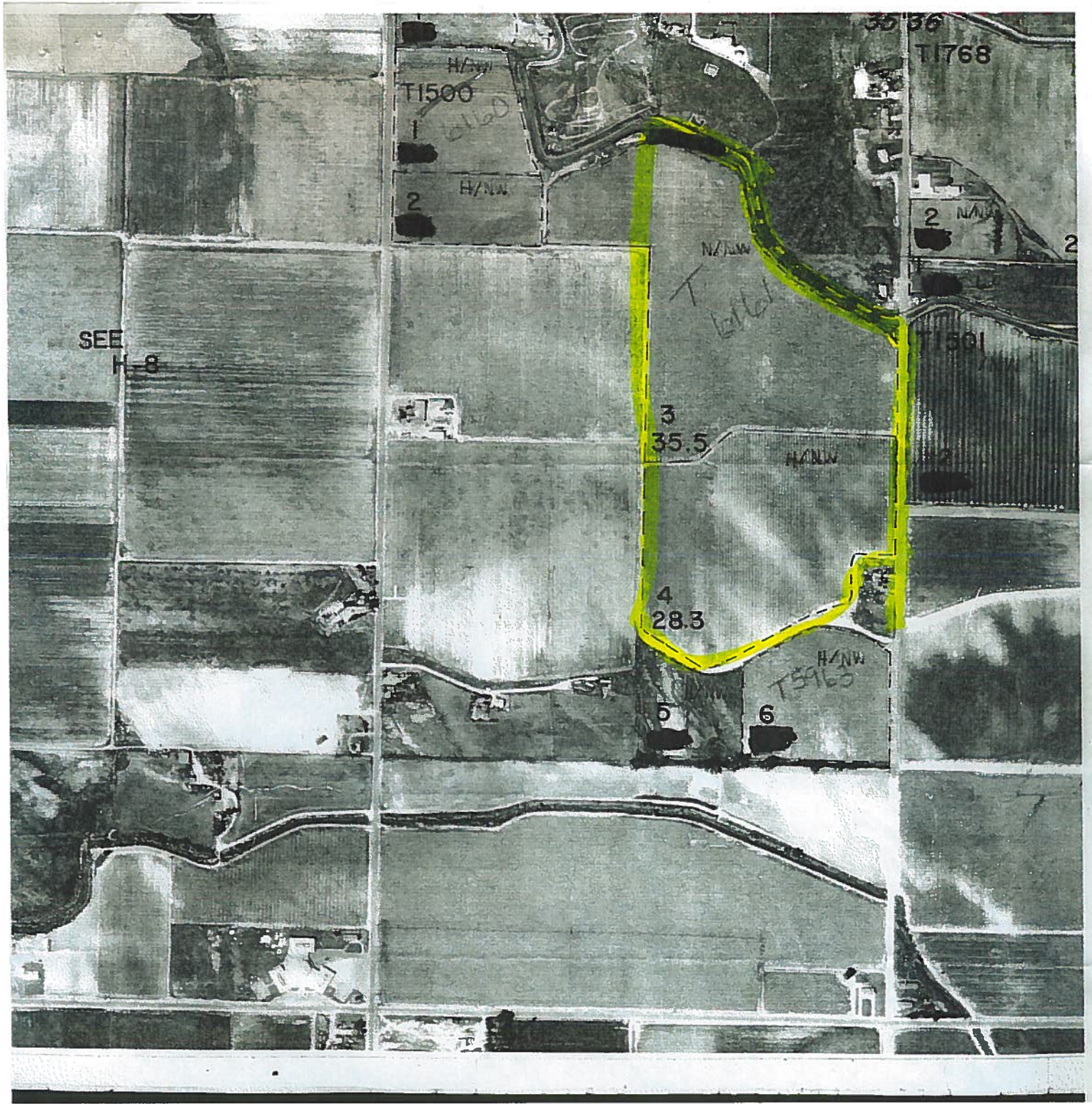
South $53^{\circ} 36' 08''$ East, a distance of 80.09 feet;

South $61^{\circ} 19' 59''$ East, a distance of 413.09 feet;

South $79^{\circ} 58' 59''$ East, a distance of 64.26 feet;

North $65^{\circ} 43' 27''$ East, a distance of 51.54 feet to a point on the East boundary of said Southeast Quarter of the Northeast Quarter; thence leaving said centerline and bearing

South $0^{\circ} 35' 05''$ West along said East boundary a distance of 995.46 feet to the POINT OF BEGINNING.



COPY

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: **A63-02794**
Date Received: 11/30/1989
Receipt No: C013113
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: LINDA J STEPHENS 208-722-6587
Address: 26104 DON LANE
PARMA ID 83660

AND

Name: ROBERT K STEPHENS 208-722-6587
Address: 26104 DON LANE
PARMA ID 83660

2. Date of Priority: JAN 19, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	35	NW	NW	NE		CANYON
			NW	NE	SE		CANYON

5. Description of diverting works:

WELL, 12" X 180', 30 HP TURBINE PUMP, 5 HP RELIFT PUMP FROM POND.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.320		

7. Total Quantity Appropriated is:

1.320 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 350.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	04W	35	NE		NE		IRR	10.0
			NW		NE		IRR	31.0
			SE		NE		IRR	36.0
			NE		SE		IRR	23.0
							Section Acres	100.0
							Total Acres	100.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANSFER NO. 4864 SHALL NOT EXCEED 1.32 CFS,
NOR TOTAL COMBINED ANNUAL VOLUME OF 450.0 AF.

CLAIM AMENDED PER TRANSFER NO. 4864, APPROVED 10/03/1996.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY
OF APPROVED TRANSFER NO. 4864 IN FILE. 10/16/1996 MM.

15. Basis of Claim: LICENSE

Water Right Number: 21326

06/14/2006

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

RIGHT NUMBER: 63-31245

NAME AND ADDRESS: JOEL S VAN LITH
19724 DIXIE RIVER RD
CALDWELL ID 83607-9024

MICHELLE G VAN LITH
19724 DIXIE RIVER RD
CALDWELL ID 83607-9024

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.810 CFS
276.800 AFY

Rights 63-31244 and 63-31245 when combined shall not exceed a total diversion rate of 1.32 cfs and a total annual maximum diversion volume of 450.0 af at the field headgate.

PRIORITY DATE: 01/19/1950

POINT OF DIVERSION:

T04N R04W S35 NWNE Within CANYON County

T04N R04W S35 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.810 CFS 276.80 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S35	NENE	7.50	T04N R04W S35	SENE	36.00
T04N R04W S35	NESE	18.00			

61.5 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

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 accomplish the change authorized by this transfer within <one> year(s) of the date of this approval.

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

06/14/2006

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

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

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.

Right No.63-31244 is also diverted through points of diversion described above.



Idaho Department of Water Resources

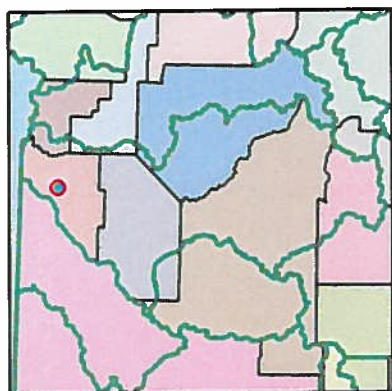
SRBA Recommendation:

63-31245

Acres = 61.5

Legend

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



Canyon County
IDWR Basin 63



0 0.2 0.4 Miles



Prepared by K. Walker
On Wednesday, June 14, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Claim Report 63-31245

WATER RIGHT NUMBER: 63-31245

*in office
 reviewed by
 KW
 6/14/06*

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BENJAMIN R HUSTON RT 6 BOX 68 CALDWELL, ID 83605
Original Owner	DOROTHY M STARR 19372 LOWER PLEASANT RIDGE CALDWELL, ID 83605 (208)459-3943
Original Owner	ROSABELLE ROOT 2010 NW CASCADE VIEW BEND, OR 97701 (503)382-8142
Original Owner	LINDA J STEPHENS 26104 DON LN PARMA, ID 83660 (208)722-6587
Original Owner	ROBERT K STEPHENS 26104 DON LN PARMA, ID 83660 (208)722-6587
Current Owner	JOEL S VAN LITH 19724 DIXIE RIVER RD CALDWELL, ID 83607-9024 (208)454-0388
Current Owner	MICHELLE G VAN LITH 19724 DIXIE RIVER RD CALDWELL, ID 83607-9024 (208)454-0388

Priority Date: 01/19/1950 ✓
 Basis: License ✓
 Status: Active

Source Tributary
 GROUND WATER ✓

Beneficial Use ✓

<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
03/15	11/15	0.810 CFS ✓	276.80 AF ✓
<u>Total Diversion:</u>		0.810 CFS ✓	276.80 AF ✓

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4 ✓	Sec. 35, Twp 04N, Rge 04W, B.M.
CANYON County		
GROUND WATER	NW1/4NE1/4SE1/4 ✓	Sec. 35, Twp 04N, Rge 04W, B.M.
CANYON County		

Place of Use
 IRRIGATION

*could not
 verify 10
 ac tract*

*F05(63-31244)
 X35-
 R65-*

*NOT ON LIC
 use standard season*

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Claim Report 63-31245

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	04W	35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	61.5
			7.5			36.0									18.0				

Total Acres: 61.5

Conditions of Approval:

1. This claim is the result of a split due to change in ownership for a portion of 63-2794. DB 6/13/2001

Remarks:

Comments:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2794

WATER RIGHT NUMBER: 63-2794

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LINDA J STEPHENS 26104 DON LN PARMA, ID 83660 (208)722-6587
Original Owner	BENJAMIN R HUSTON , ID
Current Owner	ROBERT K STEPHENS 26104 DON LN PARMA, ID 83660 (208)722-6587

Priority Date: 01/19/1950

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.320 CFS	450.00 AF
	<u>Total Diversion:</u>	1.320 CFS	450.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 35, Twp 04N, Rge 04W, B.M.
CANYON County		
GROUND WATER	NE1/4SE1/4	Sec. 35, Twp 04N, Rge 04W, 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	04W	35	10.0	31.0		36.0									23.0				100.0

Total Acres: 100

Conditions of Approval:

1. ✓ The total instantaneous diversion of water from all points of diversion under Transfer No. 4864 shall not exceed 1.32 cfs, nor total combined annual volume of 450.0 af.
2. 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.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2794

3. ~~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.
4. ~~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.
5. ~~T07~~ The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. ~~N/A~~ 46 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. ~~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.

Remarks:

Comments:

1. PSKAGGS 9/25/1996 TRANSFER NO. 4864

Comment: Transfer No. 4864 was filed to add a second well to the existing system under Right No. 63-02794.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31245

02/03/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
31244 ✓	Claim	04N	04W	35	NE	NE		IRRIGATION	2.5/38.5	LINDA J STEPHENS
31245 ✓	Claim	04N	04W	35	NE	NE		IRRIGATION	7.5/61.5	JOEL S VAN LITH
2794	Water Right	04N	04W	35	NE	NE		IRRIGATION	10/100	LINDA J STEPHENS
38754	Water Right	04N	04W	35	NE	NE		~~STOCKWATER~~		WANDA H BROWN
32135	Water Right	04N	04W	35	NE	NE		~~DOMESTIC~~		LOLA M FINLEY
36861	Water Right	04N	04W	35	NE	NE		~~DOMESTIC~~		SHELDON L MORGAN
38754	Water Right	04N	04W	35	NE	NE		~~DOMESTIC~~		WANDA H BROWN
38696	Water Right	04N	04W	35	NE	NE	10	~~STOCKWATER~~		MARK J FLITTON
38696	Water Right	04N	04W	35	NE	NE	10	~~DOMESTIC~~		MARK J FLITTON
31245	Claim	04N	04W	35	SE	NE		IRRIGATION	36/61.5	JOEL S VAN LITH
2794	Water Right	04N	04W	35	SE	NE		IRRIGATION	36/100	LINDA J STEPHENS
31244 ✓	Claim	04N	04W	35	NE	SE		IRRIGATION	5/38.5	LINDA J STEPHENS
31245 ✓	Claim	04N	04W	35	NE	SE		IRRIGATION	18/61.5	JOEL S VAN LITH
2794	Water Right	04N	04W	35	NE	SE		IRRIGATION	23/100	LINDA J STEPHENS
31090	Water Right	04N	04W	35	NE	SE		~~DOMESTIC~~		LUCILLE A HANCOCK

no OLW/63-31244
63-2174 is parent right

Receipt Details for ID C013113

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
11/30/1989 1:03:17 PM	11/30/1989	State	\$256.00	Check
Payer		STARR, MR/MRS HARLAN F.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
5222			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$256.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	19759		\$25.00	Claim
63	2636		\$81.00	Claim
63	2794		\$150.00	Claim

OK

Print Report

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4864
WATER RIGHT NO. 63-02794

This is to certify that: **ROBERT K STEPHENS**
LINDA J STEPHENS
26104 DON LANE
PARMA ID 83660

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	* 1.32 CFS	450.0 AF

SOURCE

GROUNDWATER

Priority: 01/19/1950

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 35, Township 04N, Range 04W
NESE , Sec. 35, Township 04N, Range 04W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 04W 35	NENE 10	NWNE 31	SENE 36	
	NESE 23			100
		Total number of acres irrigated:		100

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. 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.

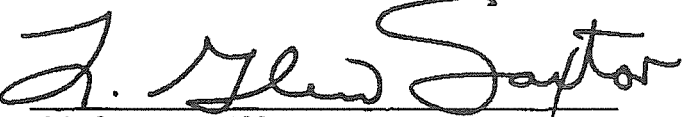
OCT 10 1996

TRANSFER NO. 4864
WATER RIGHT NO. 63-02794

CONDITIONS OF APPROVAL AND REMARKS

5. 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.
6. 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.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4864 shall not exceed 1.32 cfs, nor total combined annual volume of 450.0 af.

Dated this 3rd day of October, 1996


Chief, Water Alloc. Bureau

RECORDED

OCT 10 1996

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

SEP 23 1935

Name of applicant ROBERT K A LINDAJ. STEPHENS Phone 208.722.6587
Post Office address 26104 DON LN PARMA ID 83660

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 a well to make up for lost well production and make irrigation more efficient.

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 |
|-----------------|-----------|-----------------------|------------------|---------------|
| 63.2794 | 1/19/1950 | 1.32 | IRR | 3/15 to 11/15 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 1.32 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water ground water tributary to _____
4. Point(s) of Diversion: _____

[illegible]

5. Lands irrigated or place of use: NO CHANGE

[illegible]

Total acres

PART 1

6. General Information:

a. Description of diversion system Existing well drilled for B. Huston. New well proposed 8-10" casing, 250' depth. All open discharge to gravity irrigation

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

d. Remarks:

Ground water is primary source. No surface water has ever been used on this land.

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

OCT 10 1996

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 63-02794

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.32 CFS

SOURCE

GROUNDWATER

Priority: 01/19/1950

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 35, Township 04N, Range 04W
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	04W	35	NENE 10	NWNE 31	SENE 36	100
			NESE 23			100

Total number of acres irrigated:

100

CONDITIONS/REMARKS:

RECEIVED
OCT 10 1996

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

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

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

☐ Tax Notice☐ Warranty Deed☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

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

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

7. Point(s) of Diversion:

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

8. Lands irrigated or place of use:

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

Total acres _____

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

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED N/A

(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

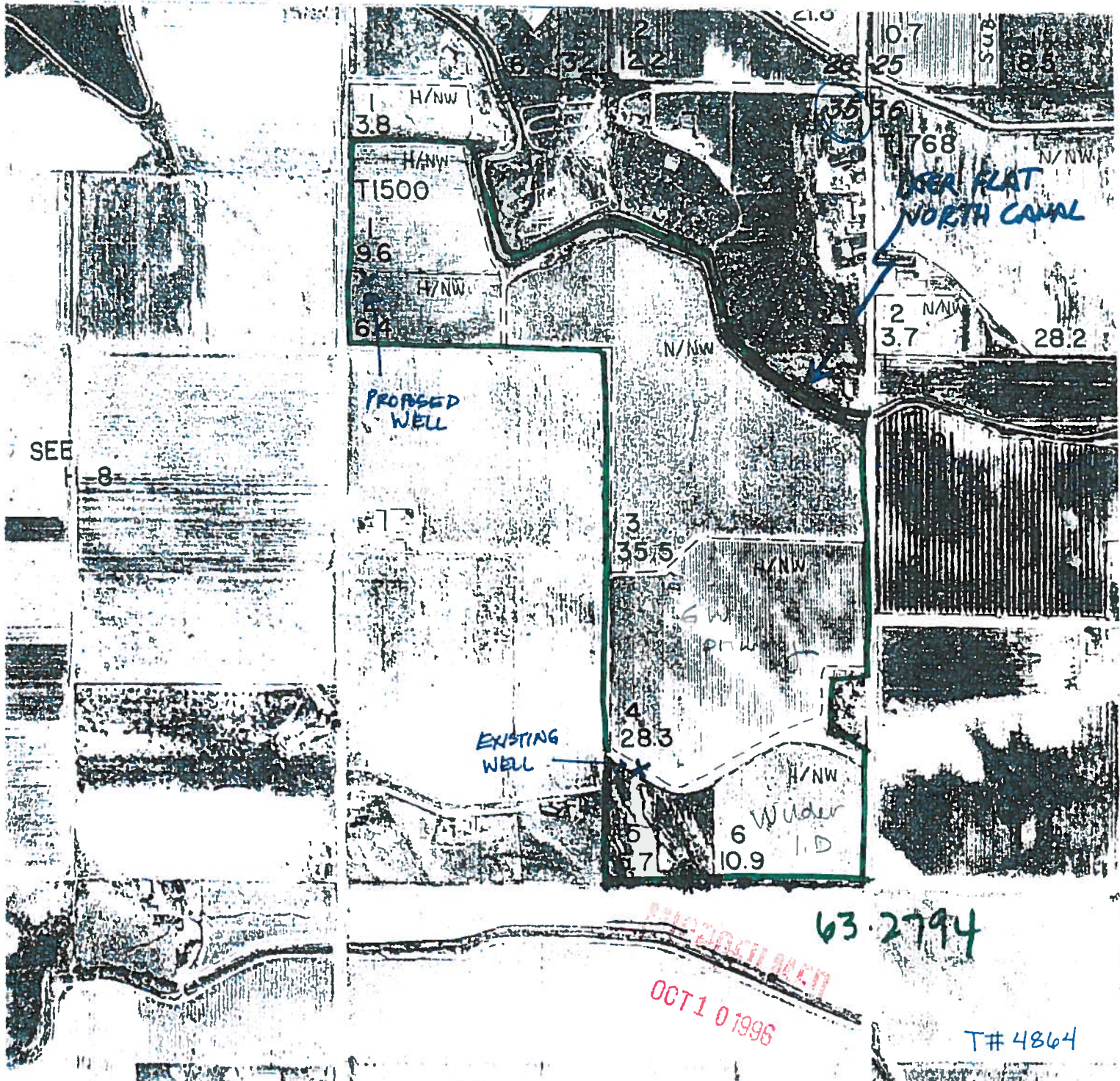
3. Lands irrigated or place of use:

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 _____

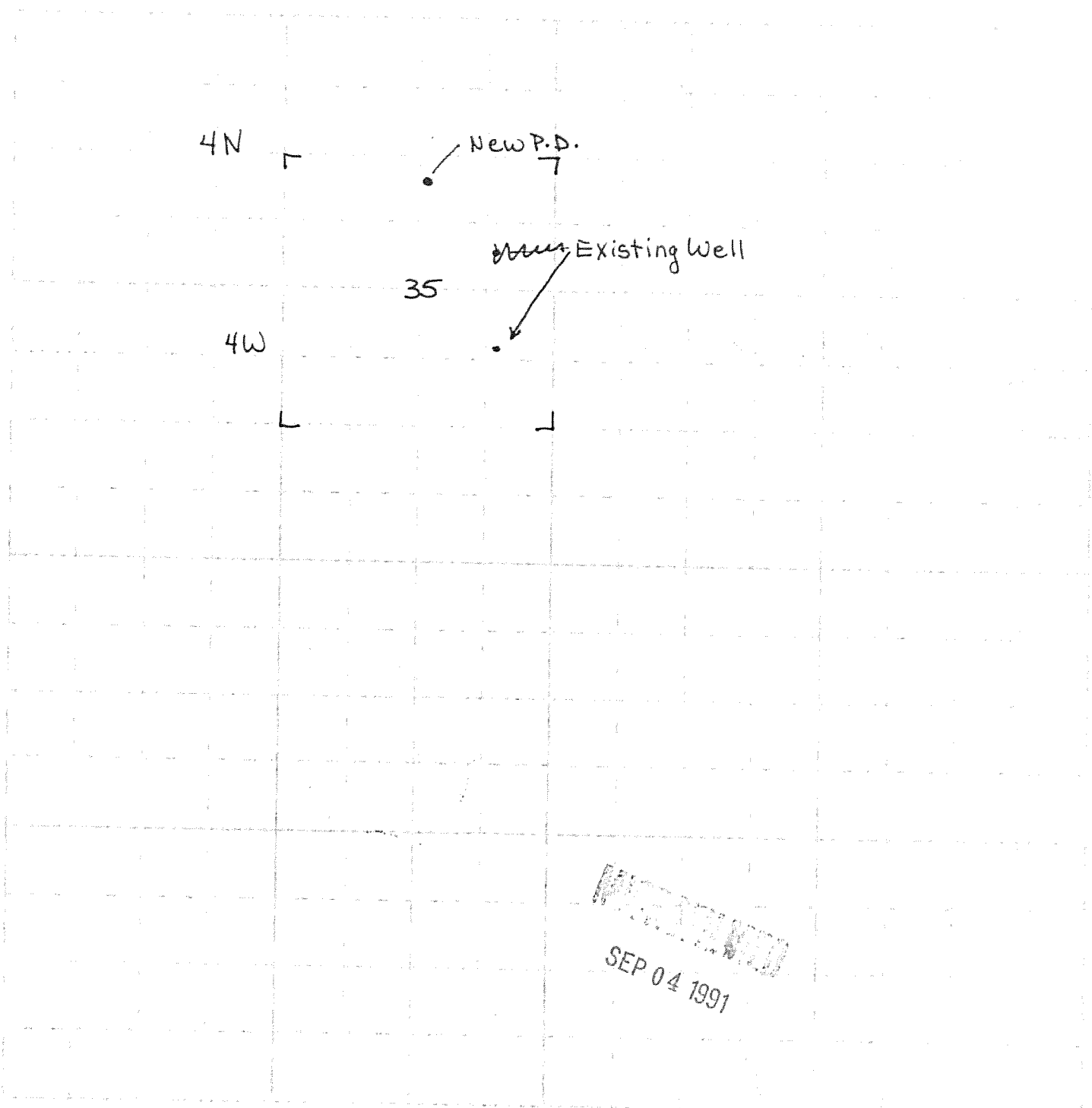
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- 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.



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

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



RECEIVED
SEP 04 1991

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

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.

x Linda J. Stephens
(Signature of Applicant)

Subscribed and sworn to before me this 26 day of June, 19 96.

Roni Harris
(Notary Public)

My commission expires 12-8-2000

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments

Received by CJL Date 6/26/96 Protest filed by _____

Prelim. check by SL for LG Fee \$100 _____

Receipted by CJL W021100 Date 6/26/96 _____

Published in Press-tribune Copies of protest forwarded by _____

Pub. dates 7-17 & 24-1996 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by John Lester 9/17/96

Copy of transfer sent to lien holder _____

OCT 1 0 1996

INSTRUMENT NO. 9616217

PC16655

PS
SS

WARRANTY DEED

FOR VALUE RECEIVED Rosabelle Root, as her sole and separate property and Dorothy Saylor, who acquired title as Dorothy Starr, as her sole and separate property

the Grantors, do hereby grant, bargain, sell and convey unto Robert K. Stephens and Linda J. Stephens, husband and wife

the Grantees, whose address is 26104 Don Lane, Parma, ID 83660

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1996 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: April 29, 1996

Rosabelle Root 5/14/96
Rosabelle Root

Dorothy M. Saylor
Dorothy M. Saylor

Rosabelle Root
STATE OF IDAHO

Dorothy M. Saylor

COUNTY OF CANYON

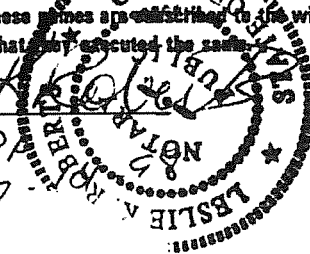
On this 30 day of April in the year 1996, before me, a Notary Public, personally appeared Rosabelle Root and Dorothy M. Saylor known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public

Residing at

My commission expires

7



CAUTION CH. 1 RECORDER

'96 MAY 1 PM 11 01

RECORDED

9613818

REQUEST PIONEER — CALDWELL

PIONEER TITLE COMPANY PE Deed FEE 6.00
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

COT 1 0 1996

ATTACH. A

Exhibit "A"

The North Half of the Northeast Quarter, the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 35, Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

All that portion lying North and East of the centerline of the Deer Flat North Canal.

ALSO EXCEPTING THEREFROM

BEGINNING at the Northwest corner of said Northwest Quarter of the Northeast Quarter; thence

South 89° 53' East along the North boundary of said Northwest Quarter of the Northeast Quarter a distance of 755 feet to a point in the centerline of Deer Flat North Canal; thence

South 22° 15' 05" East along the centerline of said canal a distance of 311.43 feet; thence

North 89° 53' West parallel with the North boundary of said Northwest Quarter of the Northeast Quarter a distance of 873 feet to a point on the West boundary of said Northwest Quarter of the Northeast Quarter; thence

North along the West boundary of said Northwest Quarter of the Northeast Quarter a distance of 288 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM

A part of the Northwest Quarter of the Northeast Quarter of Section 35, Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho, more particularly described, to-wit:

COMMENCING at the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section 35, Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho; thence

South 89° 46' 00" East (formerly called South 89° 53' 00" East) a distance of 25 feet to a point in the County road East right of way boundary; thence continuing along the said right of way

South 0° 08' 20" West (formerly called South) a distance of 25 feet to a witness corner brass cap; thence continuing along the said right of way

South 0° 08' 20" West a distance of 263 feet to a 1/2-inch rebar; thence leaving the said right of way

South 89° 46' 00" East (formerly called South 89° 53' 00" East) a distance of 751 feet along a line parallel to the North boundary of the said Northwest Quarter of the Northeast Quarter to the INITIAL POINT; thence continuing along the said line

South 89° 46' 00" East a distance of 81.89 feet to a point in the West 15-foot right of way boundary of the Deer Flat North Canal; thence meandering along the said 15-foot right of way boundary

(continued)

00716

South 28° 06' 00" West a distance of 38.96 feet; thence
South 67° 04' 00" West a distance of 38.95 feet; thence
South 84° 55' 00" West a distance of 33.16 feet; thence leaving the
said 15-foot right of way boundary
North 5° 48' 30" East a distance of 53.08 feet to the INITIAL POINT.

ALSO EXCEPTING THEREFROM

A part of the Northeast Quarter of the Southeast Quarter of Section 35,
Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho,
more particularly described, to-wit:

COMMENCING at the East Quarter corner of Section 35, Township 4 North,
Range 4 West, Boise Meridian, Canyon County, Idaho; thence
South 0° 00' East a distance of 250 feet along the East line of said
Section 35 to the INITIAL POINT of this description; thence continue
South 0° 00' East a distance of 175 feet; thence
South 90° West a distance of 200 feet; thence
North 0° 00' West a distance of 175 feet parallel to and 200 feet
West of the said East line; thence
North 90° East a distance of 200 feet to the INITIAL POINT of this
description.

ALSO EXCEPTING THEREFROM

A part of the Northeast Quarter of the Southeast Quarter of Section 35,
Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho,
more particularly described, to-wit:

COMMENCING at the East Quarter corner of Section 35, Township 4 North,
Range 4 West, Boise Meridian, Canyon County, Idaho; thence
South 0° 00' East a distance of 425 feet along the East line of said
Section 35 to the INITIAL POINT of this description; thence continuing
South 0° 00' East a distance of 225 feet; thence
South 90° West a distance of 100.09 feet; thence
North 54° 59' 00" West a distance of 121.99 feet; thence
North 0° 00' West a distance of 155 feet parallel to and 200 feet
West of the said East line; thence
North 90° East a distance of 200 feet to the INITIAL POINT of this
description.

OCT 1 6 1980

WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

Log No. _____
Rec'd _____, 19____
Well No. _____
Permit No. 21326

(DO NOT FILL IN)

Owner Benjamin R. Huston Address Huxton, Idaho
Driller A. E. Horack & Son Address Nampa, Idaho Lic. No. 27
Location of Well 1/4 1/4 Sec. 7 N 1/2 W Canyon County,
and _____ feet N/3, and _____ feet E/W from _____ Corner of 1/4 1/4 Sec.
Size of Drilled Hole 12" Total depth of Well 175' 8"
Give depth of standing water from surface 1 Water Temp. _____ °Fahrenheit
On pumping test delivery was 900 g.p.m. or _____ c.f.s. total lift 96 feet.
Size of pump and motor used to make the test _____
Length of time pumped during check was 12 hr., _____ minutes.
If flowing well, give flow in c.f.s. _____ or g.p.m. _____ and shut in pressure _____
If flowing well, describe control works _____
(TYPE AND SIZE OF VALVE, ETC.)
Water will be used for irrigation Weight of casing per linear foot 43.775
Thickness of casing .330 Casing material Steel
E.G., PIPE, CONCRETE, WOOD.
Diameter, length and location of casing 12-3/4" O.D., 175' from 0 to 175'
(CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)
Number and size of perforations 534, 3/16" x 3" located 70' to 92' feet to 154' to 169' feet
from surface of ground.
Other perforations _____
Date of commencement of well AUG. 12, 1949 Date of completion of well Sept. 11, 1949
Type of well rig Cable Tools

CASING RECORD

DIAM CASING	FROM FEET	TO FEET	LENGTH	"REMARKS" -- SEALS, GROUTING, ETC.
12-3/4"	plus 8"	175'	175'-8"	The 12" casing was drove 5' into the blue shale

GENERAL INFORMATION—Pumping Test, Quality of Water, Etc.

The 12" casing was sealed with 30 yard of gravel by means of a 6" hole
which was drilled inside the 12" casing.

OCT 10 1996

ATTACH. B

From Foot	To Foot	Type of Material	Drilling Time		Remarks Diameter Size, Yes or No	Casing Perforated Size, Yes or No
			Sec.	Min.		
0	20	Top soil & hard pan				
20	27	Small gravel				
27	30	Shale				
30	43	Fine muddy sand				
43	66	Shale or clay				
66	90	Fine muddy sand				
90	135	Muddy silty sand				
135	148	Blue shale or clay				
148	151	Fine, muddy, blue sand				
151	155	Stringers of sand & shale				
155	160	Fine black & brown sand				
160	162	Coarse gravel				
162	170	Black & brown sand				
170	175	Blue shale				

If more space is required use Sheet No. 2

This work was drilled under my jurisdiction and the above information is true and correct to the best of my knowledge and belief.

By Clifford E. Horack

License No. 27

Dated July 13, 1961.

OCT 1 0 1996

MEMORANDUM

TO: FILE NO. 63-02794
FROM: PAM SKAGGS/^{PS}STATE OFFICE
SUBJECT: TRANSFER NO. 4864
DATE: September 25, 1996

=====

Transfer No. 4864 was filed to add a second point of diversion under Right No. 63-02794. The original well has lost well production and the new owners of the property want to add a second well to the system.

Season of use and diversion volume were adjusted to current standards. Review of the records reflect development of this right as the sole source of the irrigated acres. Even though there is a general inclusion of the section under BOR surface Right No. 63-02388, this groundwater right does not appear to be for supplemental use.

Recommended conditions include drilling permit requirements, irrigation overlap, multiple points of diversion/measuring devices and standard transfer conditions.

RECEIVED

OCT 10 1996

TRANSFER REVIEW SHEET
(04-96)

Transfer # 4864

Date Reviewed 9-25-96

Right(s) 63-02794 _____

WRQW Print Split Summary ☒ Run POU Comparison Report
NA P/D change/add only

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership Not Required - '96 Warranty Deed covers P/U

Transfer ☒ All of Right _____ Portion of Right
Resulting Split(s) None

Check Transfer Against Recorded Right

Season/Vol. D/4.5

(1) ☒ Priority (2) ☒ Use (3) Season (4) ☒ Rate (5) Volume
.0132 cfs/acre
(6) ☒ Source (7) P/D (8) ☒ P/U (9) ☒ Proof/Owner (10) ☒ Map
(11) NA Water District (12) NO Pertinent Conditions (13) NO Expansion

(3) Standard Season 3-15 to 11-15

(5) Standard Vol = 4.5 x 100 = (450 ac) < VDR

(7) Add 2nd P/D

Transfer Remarks

WB4

Conditions 046, R32,

T17, T07, T08, T09

Database/Processing Notes

Standard ☒ Non-Standard _____

T file -

WR Reports File _____

File Deleted _____

Transfer Memo Complete ☒

Database Updated 10-3-96 CR

Approval Cover Letter

Standard ☒ Preliminary Order _____

7134 +

State of Idaho License and Certificate of Water Right

Water License No. 21326 Amount 1.32 c.f.s.
Water District No. _____ Priority Jan. 19, 1950

THIS IS TO CERTIFY that BENJAMIN R. HUSTON
of Caldwell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 3, 1950; that Permit No. 21326
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.0 second feet, was issued thereunder on January 6, 1955, showing that said works
were completed on the 5th day of January, 1955; and that on the 23rd
day of January, 1961,

BENJAMIN R. HUSTON

of Caldwell, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. 21326 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 7134, on the 9 day of August, 1961;
The right hereby confirmed dates from January 19, 1950;

The Point of Diversion is located
in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Tp. 4 N., R. 4 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.32 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	4 W.	35	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	10
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	31
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	36
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	23	23
			Total number of acres to be irrigated:		100

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

9th day of August, 1961.

ALP. H. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 21326

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Benjamin R. Huston
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the NE 1/4 Sec 1 of Section 35

Description of works for Permit No. 21326

G. E. Motor, 30 HP, 220V, Model-5K365XA2A, Layne-Bowler Pump No. 15888. 8"X4' disch. North into 13" X 13" X 48" steel box Tee, 10" X 1' disch. West into open ditch. 12" X 420' North through steel pipe into 4" X 4' X 2" concrete box then into open ditches N.W., 8" X 20' vert-
icle stand pipe w/ Bulldog safety switch on pole 4' East. Pump set on top of 12" well casing, no protection. Well- 12" X 178', cased 12" X 170'. h: 38'.

No. 1 Relift Pump.

Located in center NW 1/4 NE 1/4 Sec 35. GE Motor, 3HP, 220V, Model 5KC225XA47A. Centrifical Pump (no name or number) mounted horizontally to bottom of motor, set top concrete sump 3'x6'x 4'. 5" inlet, 4" discharge west into 6"x 20' steel pipe then to 8"x 730' concrete pipe to open ditches north and south.

No. 2 Relift Pump.

Located NE cor. NW 1/4 NE 1/4 Sec. 35. Delco Motor, 2HP, 220V, 5" single V belt pulley. Parma Water Lifter Pump (No number or size plate) 18" pulley, 4" discharge east to 4"x 40' steel pipe then to 6"x 300' into open ditches NW and SE.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: Mr. Ben S. Huston along (son)

Relift pump #1 + 2 reclaim wastewater and apply it back to higher ground not reached by direct flow from well

Measurement over 2' Cipolletti weir (.34 = 1.32 cfs.)

This examination was made on the 26th day of April, 1961

(Signed)

Lynne Johnson

Examiner.

21326

General
5-1-68

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 4 N., R. 4 W., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Ben S. Huston along, (San).

Relift pump #1 + 2 reclaim wastewater and apply it back to higher ground not reached by direct flow from well

Measurement over 2' Cipolletti weir (.34 = 1.32 cfs.

This examination was made on the 26th day of April, 1961

(Signed)

Lynn Johnson

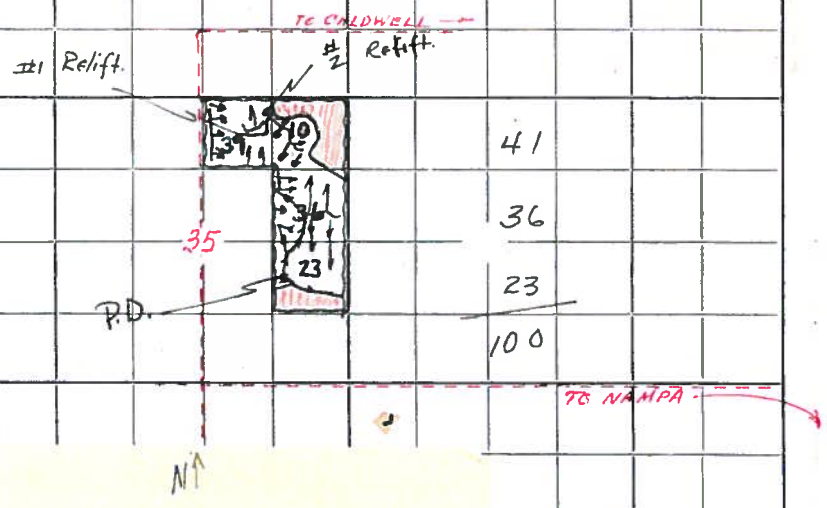
Examiner.

21326

24' and 2' collection of air 1.32 cfs or 66 inches

R-4W.

T.
4
N.



Red shaded area

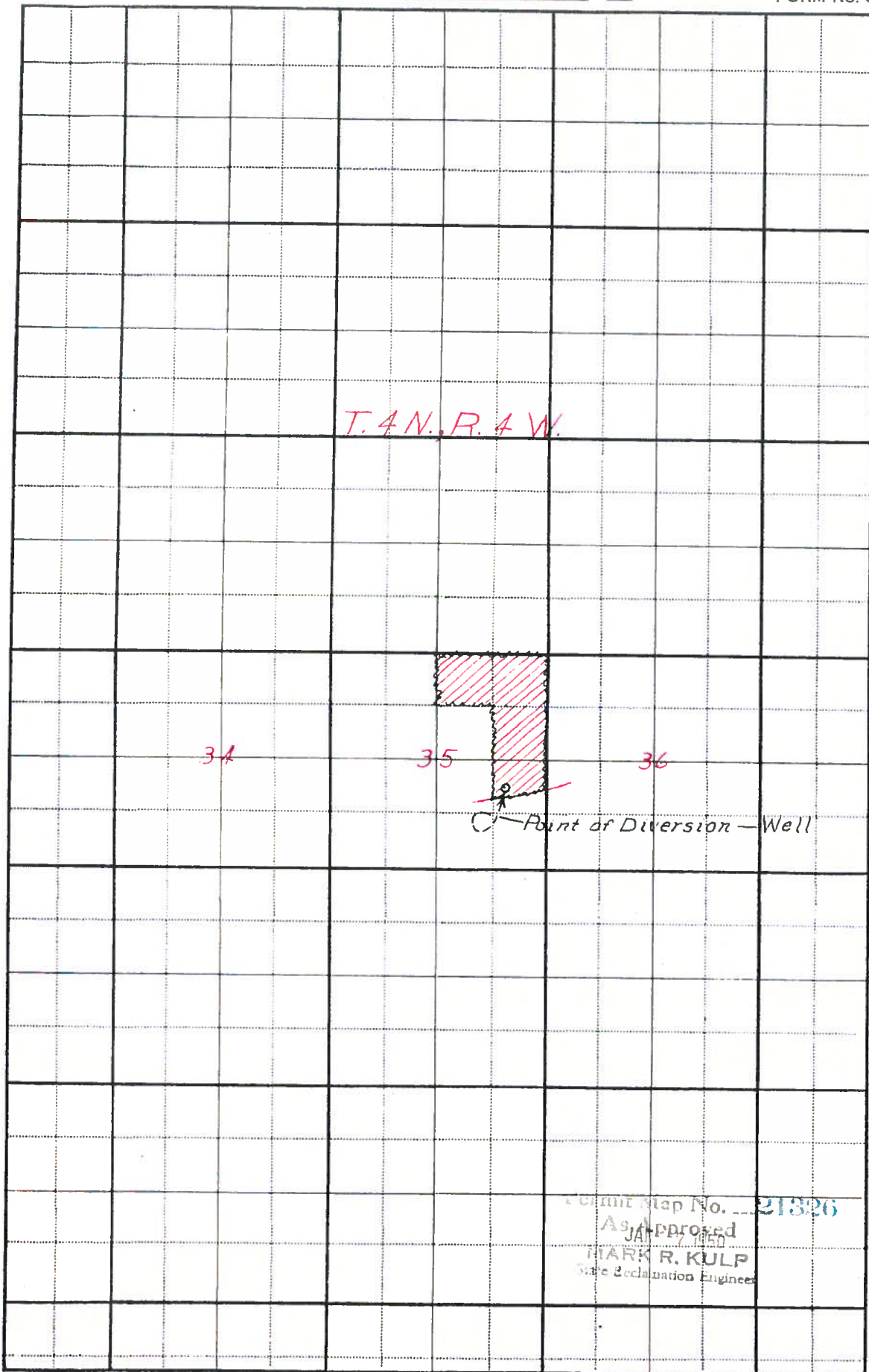
Subdivisions 4

Area 100 acres

Q 1.32 cfs or 66 inches

NAME OF APPLICANT Be: min R. Huston,

FORM No. 0



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

21326

63-2794 No 21326

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29015
PERMIT No. 21326
DISTRICT No.

1. Name of Applicant: BENJAMIN R. HUSTON

Postoffice address: Box 713, Caldwell

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 100 inches or 2

cubic feet per second.

3. Source of water supply: Subterranean flow from a well

which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 35 , T. 4 N. , R. 4 W. , B.M., County of Canyon

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water:

feet distant from

corner of Section

T. , R. , B.M., in the

of Section

, T. , R. , B.M.

(b) Amount of power generated:

H.P., under

feet head.

(c) Water is to be returned to

at a point

feet

distant from the

corner of Section

, T. , R. , B.M., in the

of Section

, T. , R. , B.M.

7. Estimated cost of works: \$ 7,000.00

8. Kind of works: Drilled 12" well, electric pump, and concrete pipe lines,

9. Height of dam

feet; length of dam at top

feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width

feet; height

feet.

11. Ditch: Width at bottom

feet; width at water line

feet; depth of water

feet;

dimensions of flume:

Diameter of pipe 10 - 12

inches; length of conduit 1600 feet

miles.

Average grade per mile

feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is Six (6)

additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

BENJAMIN R. HUSTON

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 5:00 P. M. January 3, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21326

Recorded in Book 76 Page 21326 Approved January 7, 1950

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before March 7, 1950

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before July 7, 1952

The whole of said work to be completed on or before January 7, 1955

Beneficial use of water appropriated in accordance herewith, to be made on or before January 7, 1961

WITNESS My hand this 7th day of January, 1950

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS

Governor of the State of Idaho,

and J. D. "CY" PRICE

Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 7th

day of January, 1950

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS

Governor.

By J. D. "CY" PRICE

Secretary of State.

REMARKS:

14.

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 $\frac{1}{4}$	
4 N.	4 W.	35	40	40		40									23				143
Permit No. 21326 CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that BENJAMIN R. HUSTON of Caldwell, County of Canyon, and State of Idaho, the holder of Permit No. 21326, issued upon Application No. 29015 bearing date of priority of January 3, 1950, authorizing the diversion of Two (2) second feet of the waters of subterranean flow from a well County of Canyon, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Two (2) second feet of the waters of said well; that the point of diversion of said waters is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, Township 4 North, Range 4 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, Township 4 North, Range 4 West, B.M.																			
Witness my hand this 6th day of January, A. D. 1955.																			
Proof of Completion of Works Made January 5, 1955 Certificate of Completion of Works issued January 6, 1955																			
MARK R. KULP State Reclamation Engineer															LICENSE ISSUED FOR 1.32 SEC. FT. Page 7/34				



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 13, 2001

JOEL S VAN LITH
MICHELLE G VAN LITH
19724 DIXIE RIVER RD
CALDWELL ID 83607-9024

Re: Original Notice of Claim to a Water Right No. 63-02794

Renumbered Notice of Claim to a Water Right No. 63-31245

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim. Also enclosed is a copy of the original claim for your reference.

Please feel free to contact this office if you have any questions concerning your claim or this letter:

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosure