

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED



FIRST CLASS

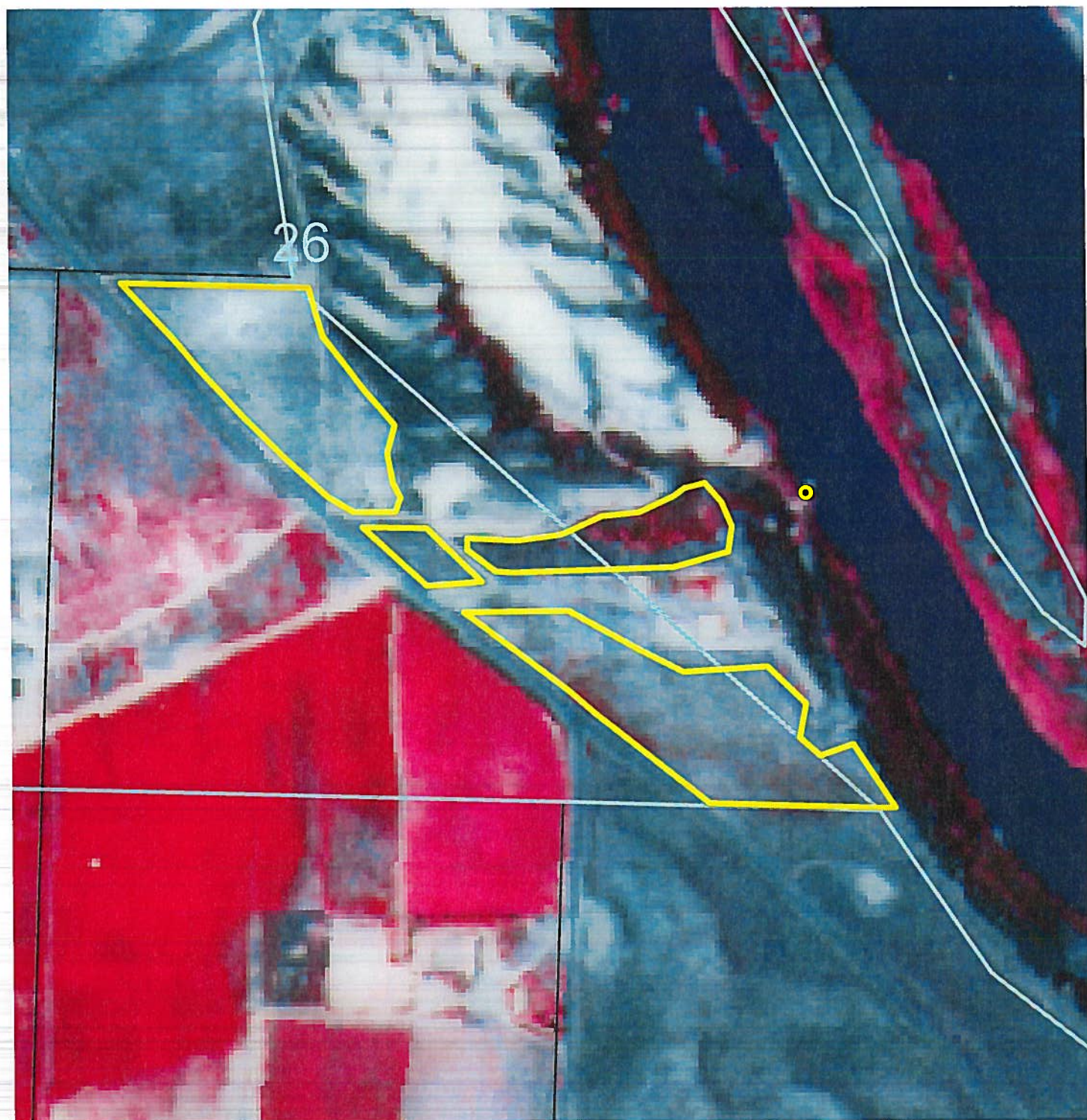
UNITED STATES POSTAL SERVICE
02 1A \$00.60⁰
0004310839 NOV 18 2005
MAILED FROM ZIP CODE 83702

REASON FOR RETURN
Incorrect Address
Return to Sender
Postage Due
No Postage
Necessary
If Mailed
in the
United States

2-7258
Preliminary
Report

BETTY STAPPLER
RT 1 BOX 7871/2
MARSHALL ID 83609

Idaho Department of Water Resources



1987 UAAPP Photo

0 0.1 0.2 0.3 0.4 0.5 Miles

Claim Number: 02-07258

Legal: 02N 04W S26

Reviewed By: SJR 2/3/05

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



02/03/2005

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

RIGHT NUMBER: 2-7258

NAME AND ADDRESS: BETTY STAPPLER
RT 1 BOX 787 1/2
MARSING ID 83639

JIM STAPPLER
RT 1 BOX 787 1/2
MARSING ID 83639

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.150 CFS
60.000 AFY

PRIORITY DATE: 10/27/1977

POINT OF DIVERSION:

T02N R04W S26 SWSE Lot 4 Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.150 CFS 60.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within OWYHEE County

T02N R04W S26 Lot 4 SESW 6.0 T02N R04W S26 Lot 4 SWSE 6.0

12 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: License

Water Right 2-7258

1

WATER RIGHT LICENSE

established a right to use water as follows:

(both dates inclusive)

Section 26, Twp 2N, Rge 4W in the County of Okech

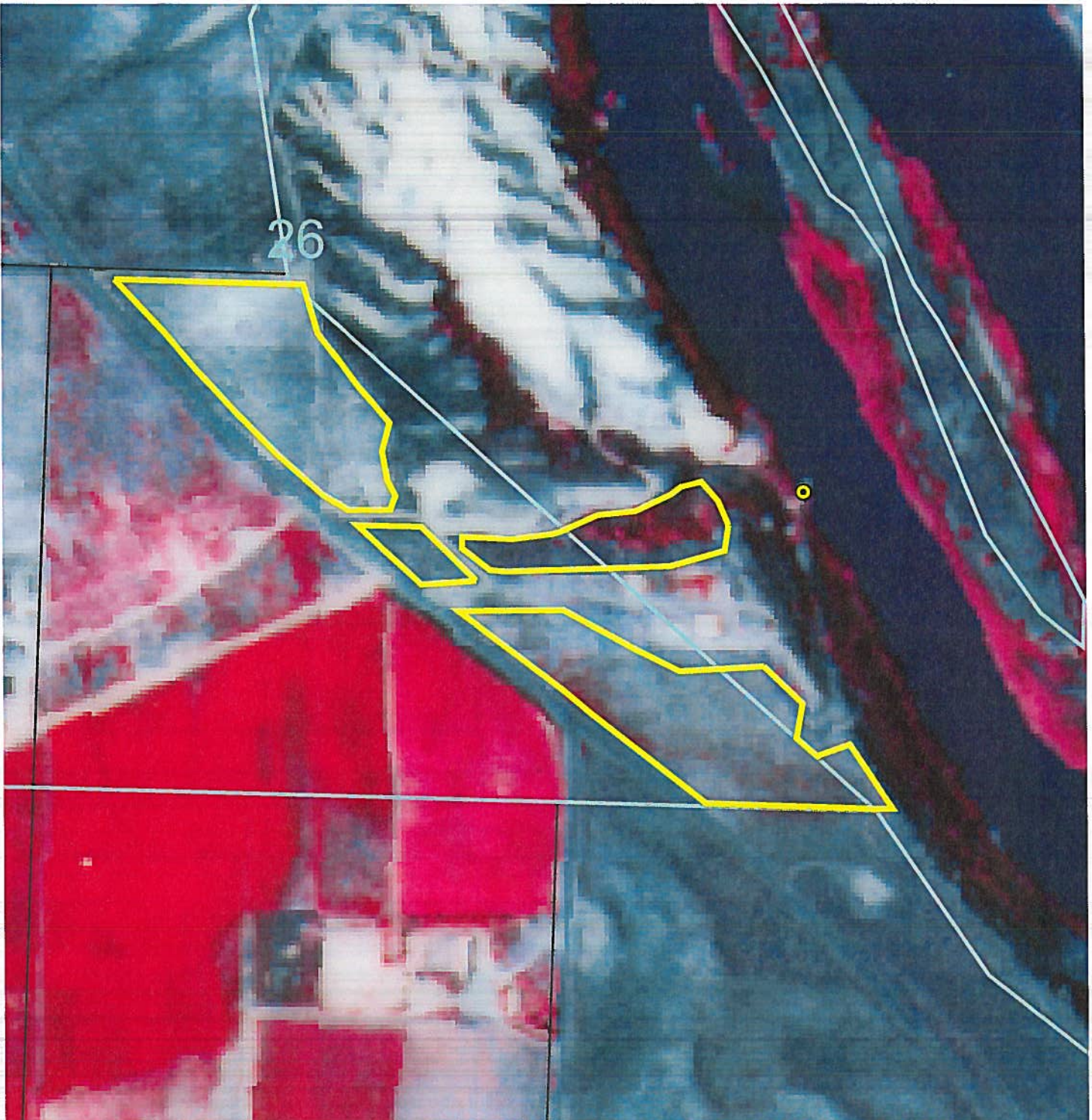
Description and location of place of use

[illegible]

Total number of acres irrigated 12

Idaho Department of Water Resources

1987 NAPP Photo



0 0.1 0.2 0.3 0.4 Miles

Claim Number: 02-07258
Legal: 02N 04W S26
Reviewed By: SJR 2/3/05

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



IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-07258

Date: 7-17-02

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	2N	4W	26												4			4		
GIS															5			7		12
															14			15		29
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's _____

Total Claimed Acres: 12

Overlapping POU Claim #'s: _____

Total GIS Acres: 29

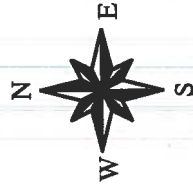
COMMENTS:

per claim map + county data. QQ line between SE SW + SW SE
does not exist on GCDs just estimated for acreage.

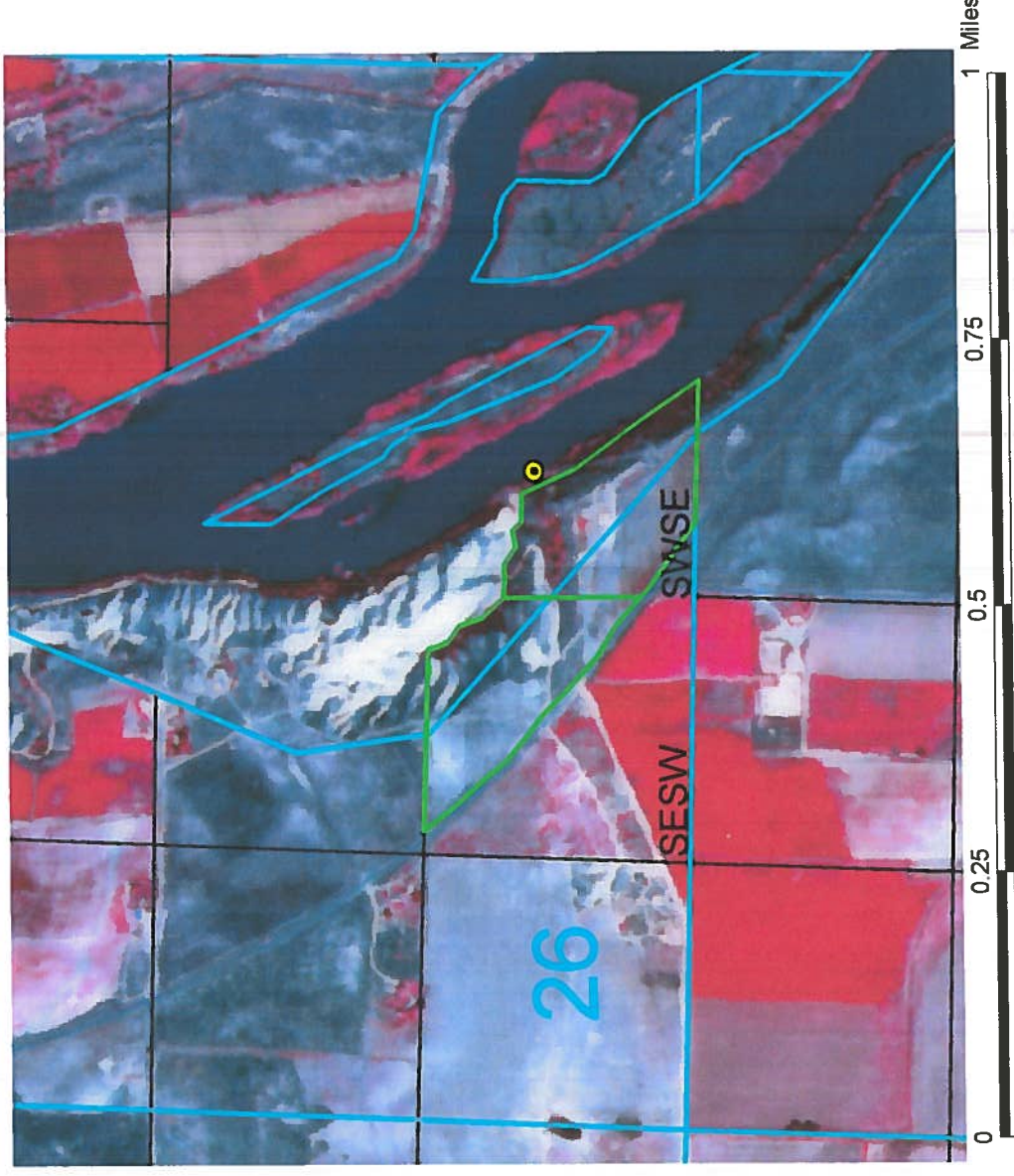
Idaho Department of Water Resources

Claim Number: 02-07258
Legal: T02N, R04W, S26
Reviewed By:

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



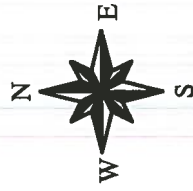
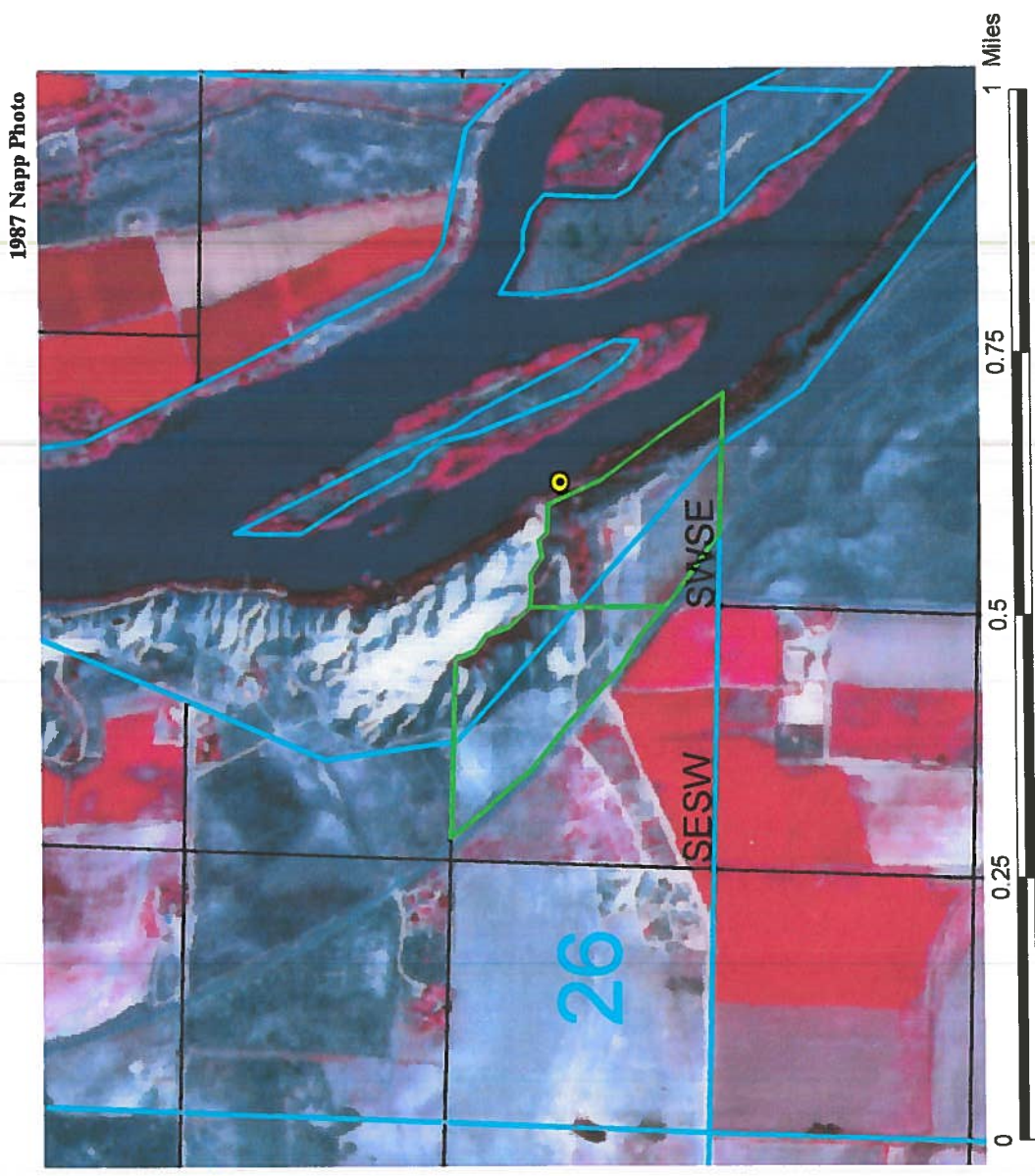
1987 Napp Photo



Idaho Department of Water Resources

Claim Number: 02-07258
Legal: T02N, R04W, S26
Reviewed By:

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



BEFORE THE OWYHEE COUNTY PLANNING AND ZONING
HEARING EXAMINER

RECEIVED
AUG 04 2004
DEPARTMENT OF
WATER RESOURCES

Re: Application for Conditional Use Permit) No. 04-10
)
) Memorandum of Decision
Filed by:)
)
JIM and BETTY STAPPLER)
_____)

Jim and Betty Stappler (hereinafter "Applicants") filed an application for a conditional use permit to split a twenty one acre parcel into four parcels, adding residential use to three of the parcels. After a duly noticed hearing conducted on July 7, 2004, the Hearing Examiner enters the following findings, conclusions and order:

FINDINGS

1. The parcel affected by this application is approximately twenty one (21) acres in size and is located southeast of Marsing and abuts Highway 78 in Section 26, Township 2 North, Range 4 West, Section 35, Boise Meridian, Owyhee County. Subject parcel is owned by Applicants and is identified as Assessor's Parcel Number RP 02N04W266600 A.
2. Applicants filed a conditional use permit application to split subject parcel into four parcels approximately equal in size, with one parcel to retain the existing residence with the other three parcels to be developed for single family residential use.
3. Subject parcel is located in an area of Owyhee County that has been designated as an Agricultural Zone (hereinafter "Zone A"). Owyhee County Code, Article II, Section 04-05-A sets forth the uses which may be permitted under a conditional use permit in Zone A, and subsection 17 indicates that the uses allowed or permitted in the Residential Zone (hereinafter "Zone R") are uses which may be permitted in Zone A after approval of a conditional use permit. In turn, in Owyhee County Code Section 04-31-R (Zone R), subsection 2, sets forth single family residences as an allowed use. The residential use for which Applicants applied is not associated with any agricultural activity, and would be exclusively for residential use, so therefore Applicants were required under the Owyhee County Code to apply for a conditional use permit for the proposed use.

02-7250

4. Irrigation water rights allotted to subject parcel for water to be pumped from the Snake River and Applicants currently have a pump installed for their own use and will provide water shares to the three proposed lots. Applicants testified that it is possible that the pump will be shared by all of the lots, or the individual lot owners may wish to have their own diversion points and supply their own irrigation delivery system. An existing road located between Lot 2 and Lot 3 from Highway 78 to the Snake River is used to access the point of diversion for irrigation water to subject property and because of the topography of subject parcel it is the only available access to the pump. In addition, two neighboring property owners use the above-mentioned access road to the river as they have irrigation water rights and pump from the Snake River. Applicants testified that there is an easement across their property from Highway 78 to the Snake River for two neighbors, and that Applicants will make the future purchasers of the proposed lots aware of said easement.
5. An access road from Highway 78 will be placed on the boundary between Lots 1 and 2 and will be shared by those lots (see Attachment A). Lot 4 will have its own individual access directly from Highway 78. Applicants are aware of Idaho Department of Transportation rules of access and have applied for two access points, one for Lots 1 and 2, and one for Lot 4.
6. Individual domestic wells will be drilled to supply water to the proposed parcels and individual septic systems will be developed to dispose of waste.
7. The proposed use is consistent with the surrounding vicinity and the proposed development is located within a half mile of the boundary of a Residential Zone, and though there are agricultural operations in the near vicinity, there are also at least twelve single family homes on various sizes of small parcels in the area.
8. Current agricultural use of the property is in the form of irrigated pasture for the grazing of horses, and with the use of the irrigation water rights some form of agricultural use of the proposed parcels could be continued.
9. Electric and telephone services are present on subject parcel and will be readily available to the proposed residences. There is an existing overhead electric power transmission line which crosses subject property.
10. One neighboring landowner appeared as a neutral observer at the hearing, but no one appeared in opposition to the proposed use and there has been no objection by affected landowners in the surrounding vicinity.
11. There was no evidence introduced to indicate that the proposed use will create a hazard, nuisance, detriment or other injury to the other property in the immediate vicinity or to the health or safety to the citizens of the County in general.

X
2-7258

12. Essential public services, and the general public health, safety or public environment will not be negatively impacted by the proposed use and the impact on public funding will be minimal.
13. Adequate sewer, water and drainage facilities will be provided by the Applicants to accommodate the proposed use.
14. No evidence was introduced which indicates that the proposed use will have an adverse impact on water and water supplies, either surface or underground.
15. The geological base upon which the proposed use is to be placed will support the proposed use.
16. The proposed use will not endanger human health, and there was no evidence introduced that would indicate that animal life, plant life or the County in general will be negatively impacted by the proposed use.
17. There was no evidence of any adverse impact to be mitigated and the only special conditions which are necessary are those set forth below in Conclusion 2.
18. The proposed use is desirable, is consistent with the County Comprehensive Plan, the Applicants have met the burden of persuasion, and the application should be granted.

CONCLUSIONS

1. The Applicants have met the burden of persuasion and the conditional use permit is granted.
2. The following special conditions are imposed:
 - a. The access to the new residences must be constructed with an all weather surface of adequate ingress and egress dimensions necessary for the safe, efficient operation of emergency vehicles and a turnaround space must be provided, if deemed necessary, and approved by the Marsing Fire District.
 - b. Applicants must recognize and any future occupants or purchasers of the parcels created must be advised, through recorded marketing disclosures and deed restrictions that any agricultural activity which is in existence on lands adjoining or in the vicinity of subject parcel may not be considered a nuisance pursuant to the Idaho Right to Farm Act. A copy of the recorded disclosure and recorded deed restriction must be

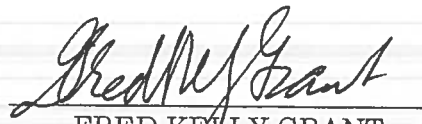
provided to the County Building Department prior to the issuance of a building permit

- c. Approval by Southwest District Department of the septic systems and well sites must be provided prior to the issuance of a building permit.
- d. An easement must be reserved on the deeds to the parcels for the existing electrical transmission line.
- e. Easements must be reserved on the deeds to all parcels for the existing access to the irrigation water diversion point (See Attachment A).
- f. An easement for the half of the shared driveway crossing Lot 1 must be reserved for Lot 2 on the deed for Lot 1 and an easement for the half of the shared driveway crossing Lot 2 must be reserved for Lot 1 on the deed for Lot 2.
- g. If a single pump is used to provide irrigation water to the more than two of the parcels created hereby, then a water user's agreement must be created and recorded.
- h. This decision must be recorded in the official records of Owyhee County.
- i. Compliance with all applicable laws and regulations.

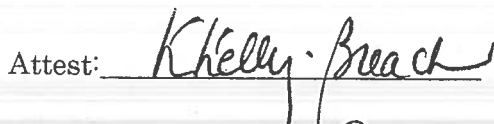
ORDER

The conditional use permit application filed by Jim and Betty Stappler is granted, subject to the special conditions set forth in Conclusion 2 above.

Issued this 20 day of August, 2004.


FRED KELLY GRANT
Hearing Examiner

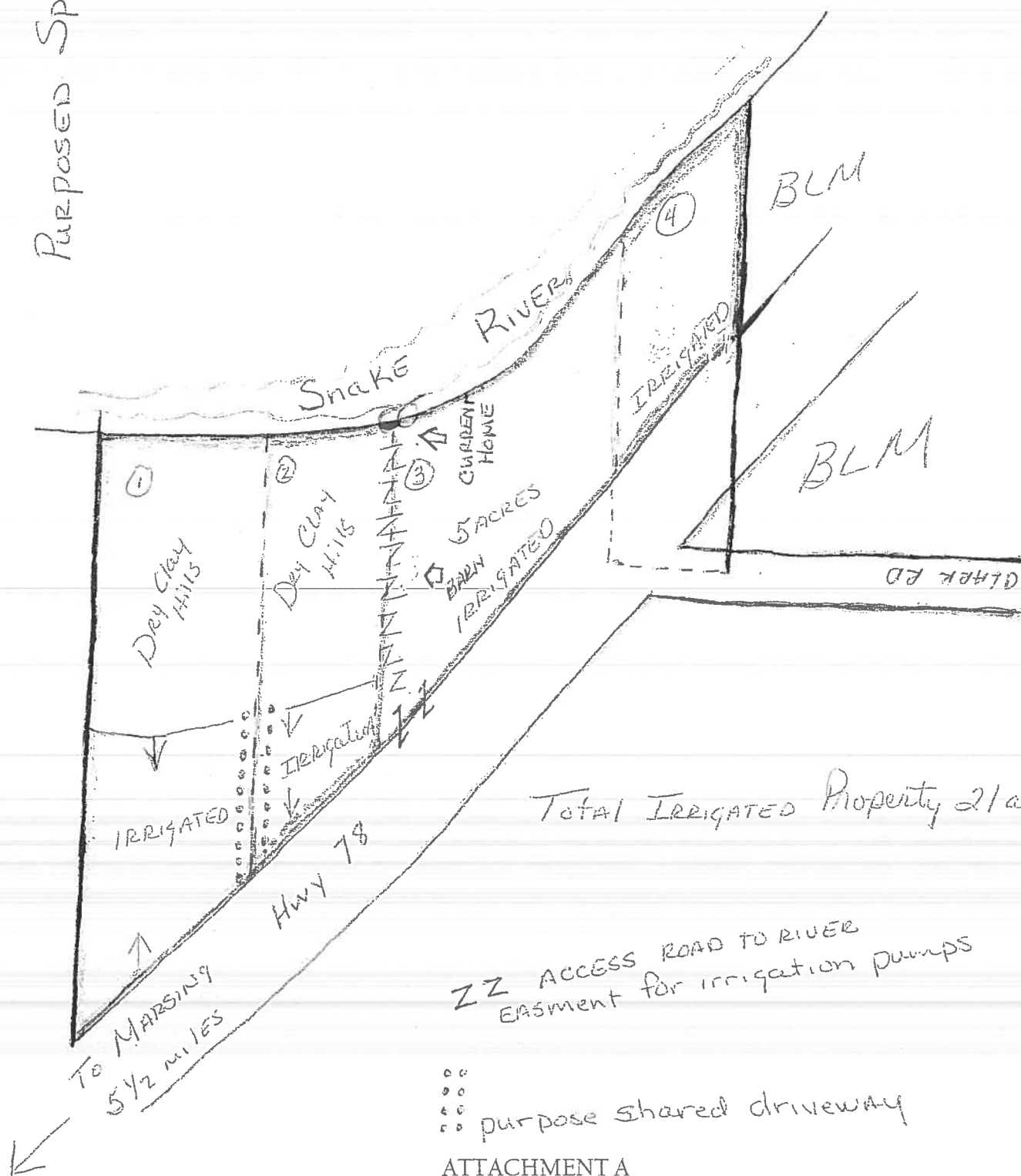
Attest:



Appeal deadline: 23 August 2004 at 5 P.M.

PURPOSED SPLITS

NORTH



ZZ ACCESS ROAD TO RIVER
Easment for irrigation pumps

purpose shared driveway

ATTACHMENT A

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: **A02-07258**
Date Received: 11/23/1988
Receipt No: W001524
Received By: _____

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

1. Name: JIM STAPPLER 208-896-4624
Address: RT 1 BOX 787 1/2
MARSING ID 83639

OR

Name: BETTY STAPPLER 208-896-4624
Address: RT 1 BOX 787 1/2
MARSING ID 83639

2. Date of Priority: OCT 27, 1977

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	04W	26	SW	SE		4	OWYHEE

5. Description of diverting works:
PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	26	SE	SW	4	IRR	5.0

MICROFILMED
SEP 19 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	04W	26	SW	SE	4	IRR	7.0

Section Acres 12.0

Total Acres 12.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

OWNERSHIP CHANGED BY KW 4/25/1995.

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: 12-16-94

RECEIVED

APR 07 1995

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township *See Attached Document. Range _____
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____.
 If you have additional legal descriptions, please attach separate sheet.

RECEIVED

APR 12 1995

WATER RESOURCES
WESTERN REGION

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s)
Assigned by IDWR: 02-07258

☒ Name and Address of Former Owner/Claimant(s)(Seller): William Reid
Box 604 Rt. 1

☒ New Owner/Claimant (Purchaser): Marsing, Id. 83639
Jim or Betty Stappler

☒ New Mailing Address: Rt. 1 Box 787 1/2
Marsing, ID. 83639

☒ New Telephone Number: (208) 896-4624

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: Deed of Trust
 (proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s): Jim C. Stappler Date 4-4-95
Betty J. Stappler Date 4-4-95

☐ Signature of Former Owner/Claimant(s): _____ Date _____
 _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 4-25-95 By: KW

Further Action Needed:

NONE

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

MICROFILMED
 SEP 19 1996

RECEIVED

APR 12 1995

WATER RESOURCES
WESTERN REGION

WHEN RECORDED MAIL TO:
COUNTRYWIDE FUNDING CORPORATION
MSN SV-79 / DOCUMENT CONTROL DEPT.
P.O. BOX 10266
VAN NUYS, CALIFORNIA 91410-0266

Prepared by: H. ELLIS

LOAN #: 2421286

ESCROW/CLOSING #:

SPACE ABOVE FOR RECORDERS USE

DEED OF TRUST

THIS DEED OF TRUST ("Security Instrument") is made on December 14, 1994
JIM C STAPPLER,
AND BETTY J STAPPLER, HUSBAND AND WIFE

. The grantor is

("Borrower"). The trustee is
PIONEER TITLE OF CANYON COUNTY DBA OWYHEE TITLE COMPANY

("Trustee"). The beneficiary is
COUNTRYWIDE FUNDING CORPORATION
which is organized and existing under the laws of NEW YORK
address is

, and whose

155 NORTH LAKE AVENUE, PASADENA, CA 91109

("Lender"). Borrower owes Lender the principal sum of
ONE HUNDRED FORTY EIGHT THOUSAND and 00/100

Dollars (U.S. \$ 148,000.00). This debt is evidenced by Borrower's note dated the same date as this Security
Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on
January 1, 2025 . This Security Instrument secures to Lender: (a) the repayment of the debt evidenced

by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with
interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's

interest, advanced under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and

MICROFILMED
SEP 19 1996

LEGAL DESCRIPTION "ADDENDUM A"

TRACT I:

All that part of Lot 4 lying North and East of State Highway No. 78, and all that part of Lot 4, lying East of Clark Road, as now constructed in Section 26, Township 2 North, Range 4 West, B.M., Owyhee County, Idaho, together with improvements. (Includes water rights to six acre-feet under license.)

EXCEPT THE FOLLOWING TRACTS:

BEGINNING at the section corner common to Sections 26, 27, 34, and 35 in T2N, R4W, B.M.; thence East along the section line between Sections 26 and 35, T2N, R4W, B.M., a distance of 990 feet to a point; thence North $65^{\circ}59'$ East a distance of 361.2 feet to the West boundary line of said Lot 4 in Section 26, T2N, R4W, B.M., the TRUE POINT OF BEGINNING; thence North $65^{\circ}59'$ East a distance of 966.55 feet to the center line of the State Highway to a point; thence Southeast along the center line of said State Highway on the $01^{\circ}00'$ curve to the left, having a central angle of $35^{\circ}32'$, a distance of 558.5 feet to a point that lies due North of the quarter corner common to Sections 26 and 35 in T2N, R4W, B.M.; thence South a distance of 210 feet, more or less, to the South quarter corner of Section 26, also the South boundary line of Lot 4; thence West on the South boundary line of Lot 4 a distance of 1320 feet to the Southwest corner of Lot 4; thence North along the West boundary line of Lot 4 a distance of 147 feet to the POINT OF BEGINNING

ALSO EXCEPTING THEREFROM

A part of Government Lot 4, Section 26, Township 2 North, Range 4 West, B.M., Owyhee County, Idaho described as follows:

COMMENCING at the Southwest corner of said Government Lot 4; thence running East along the South boundary of said Lot 4 a distance of 1318.59 feet to a point in the center of a county road, said point further identified as the North quarter corner of Section 35, T2N, R4W, B.M., Owyhee County, Idaho, and the TRUE POINT OF BEGINNING: thence North $0^{\circ}31'17''$ West a distance of [unclear] parallel with the South

MICROFILMED
SEP 19 1996

RECEIVED

APR 12 1995

WATER RESOURCES
WESTERN REGION

WHEN RECORDED MAIL TO:
COUNTRYWIDE FUNDING CORPORATION
MSN SV-79 / DOCUMENT CONTROL DEPT.
P.O. BOX 10266
VAN NUYS, CALIFORNIA 91410-0266

Prepared by: H. ELLIS

LOAN #: 2421286

ESCROW/CLOSING #:

SPACE ABOVE FOR RECORDERS USE

DEED OF TRUST

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JIM C STAPPLER,
AND BETTY J STAPPLER, HUSBAND AND WIFE

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PIONEER TITLE OF CANYON COUNTY DBA OWYHEE TITLE COMPANY

("Trustee"). The beneficiary is
COUNTRYWIDE FUNDING CORPORATION
which is organized and existing under the laws of NEW YORK
address is

, and whose

155 NORTH LAKE AVENUE, PASADENA, CA 91109

("Lender"). Borrower owes Lender the principal sum of
ONE HUNDRED FORTY EIGHT THOUSAND and 00/100

Dollars (U.S. \$ 148,000.00). This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on January 1, 2025 . This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in
OWYHEE

County, Idaho:

SEE LEGAL DESCRIPTION ATTACHED AS "ADDENDUM A"

4-25-95 KW
NONE

which has the address of HIGHWAY 78 MILEPOST 5.2 ,MARSING

[Street, City]

Idaho 83639-

("Property Address");

[Zip Code]

IDAHO - Single Family - Fannie Mae/Freddie Mac UNIFORM INSTRUMENT

Page 1 of 6

Form 3013 9/90

WMP -6H(ID) (9401).01 CFC (07/94)

VMP MORTGAGE FORMS - (800)521-7291

Initials: JLS

BS



* 00242128600000FT1A0 *

LEGAL DESCRIPTION "ADDENDUM A"

TRACT I:

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EXCEPT THE FOLLOWING TRACTS:

BEGINNING at the section corner common to Sections 26, 27, 34, and 35 in T2N, R4W, B.M.; thence East along the section line between Sections 26 and 35, T2N, R4W, B.M., a distance of 990 feet to a point; thence North $65^{\circ}59'$ East a distance of 361.2 feet to the West boundary line of said Lot 4 in Section 26, T2N, R4W, B.M., the TRUE POINT OF BEGINNING; thence North $65^{\circ}59'$ East a distance of 966.55 feet to the center line of the State Highway to a point; thence Southeast along the center line of said State Highway on the $01^{\circ}00'$ curve to the left, having a central angle of $35^{\circ}32'$, a distance of 558.5 feet to a point that lies due North of the quarter corner common to Sections 26 and 35 in T2N, R4W, B.M.; thence South a distance of 210 feet, more or less, to the South quarter corner of Section 26, also the South boundary line of Lot 4; thence West on the South boundary line of Lot 4 a distance of 1320 feet to the Southwest corner of Lot 4; thence North along the West boundary line of Lot 4 a distance of 147 feet to the POINT OF BEGINNING

ALSO EXCEPTING THEREFROM

A part of Government Lot 4, Section 26, Township 2 North, Range 4 West, B.M., Owyhee County, Idaho described as follows:

COMMENCING at the Southwest corner of said Government Lot 4; thence running East along the South boundary of said Lot 4 a distance of 1318.59 feet to a point in the center of a county road, said point further identified as the North quarter corner of Section 35, T2N, R4W, B.M., Owyhee County, Idaho, and the TRUE POINT OF BEGINNING: thence North $0^{\circ}31'17''$ West a distance of 248.48 feet to a point; thence East and parallel with the South boundary of said Lot 4 to a point on the westerly mean high water line of the Snake River, being the easterly boundary of said Lot 4; thence southeasterly along said mean high water line to a point on the South boundary of said Government Lot 4; thence West along said South boundary to the POINT OF BEGINNING.

Subject to roads and rights of way of record or existing.

TRACT II:

A part of Government Lot 4, Section 26, Township 2 North, Range 4 West, B.M., Owyhee County, Idaho described as follows:

COMMENCING at the Southwest corner of said Government Lot 4; thence running East along the South boundary of said Lot 4 a distance of 1318.59 feet to a point in the center of a county road, said point further identified as the North quarter corner of Section 35, T2N, R4W, B.M., Owyhee County, Idaho, and the TRUE POINT OF BEGINNING: thence North $0^{\circ}31'17''$ West a distance of 248.48 feet to a point; thence East and parallel with the South boundary of said Lot 4 to a point on the westerly mean high water line of the Snake River, being the easterly boundary of said Lot 4; thence southeasterly along said mean high water line to a point on the South boundary of said Government Lot 4; thence West along said South boundary to the POINT OF BEGINNING.

Subject to roads and rights of way of record or existing.

JCS

BS

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: A02-07258
Date Received: 11/23/1988
Receipt No: W 001524
Received By: Dno

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM P. REID
Address: P.O. BOX 604
MARSING, ID

83639

2. Date of Priority: OCT 27, 1977

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	04W	26	SW	SE		4	OWYHEE

5. Description of diverting works:
PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.150		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	04W	26	SE	SW	4	IRR	5.0
			SW	SE	4	IRR	7.0

Section Acres 12.0

10. Place of Use: Continued

Total Acres 12.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

14. Remarks:

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): *William P. Reed* Date: 11/23/1988

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of Nov 19 88

David R. Tuttle
Notary Public

Seal

Residing at Boise ID
My Commission Expires 9/14/1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 25, 1995

RE: Notice of Claim to Water Right No. A02-07258

Jim or Betty Stappler
Rt. 1, Box 787½
Marsing, ID 83639

Dear Claimants:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the lands and appurtenant water right covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions in regard to this matter, please feel free to contact this office.

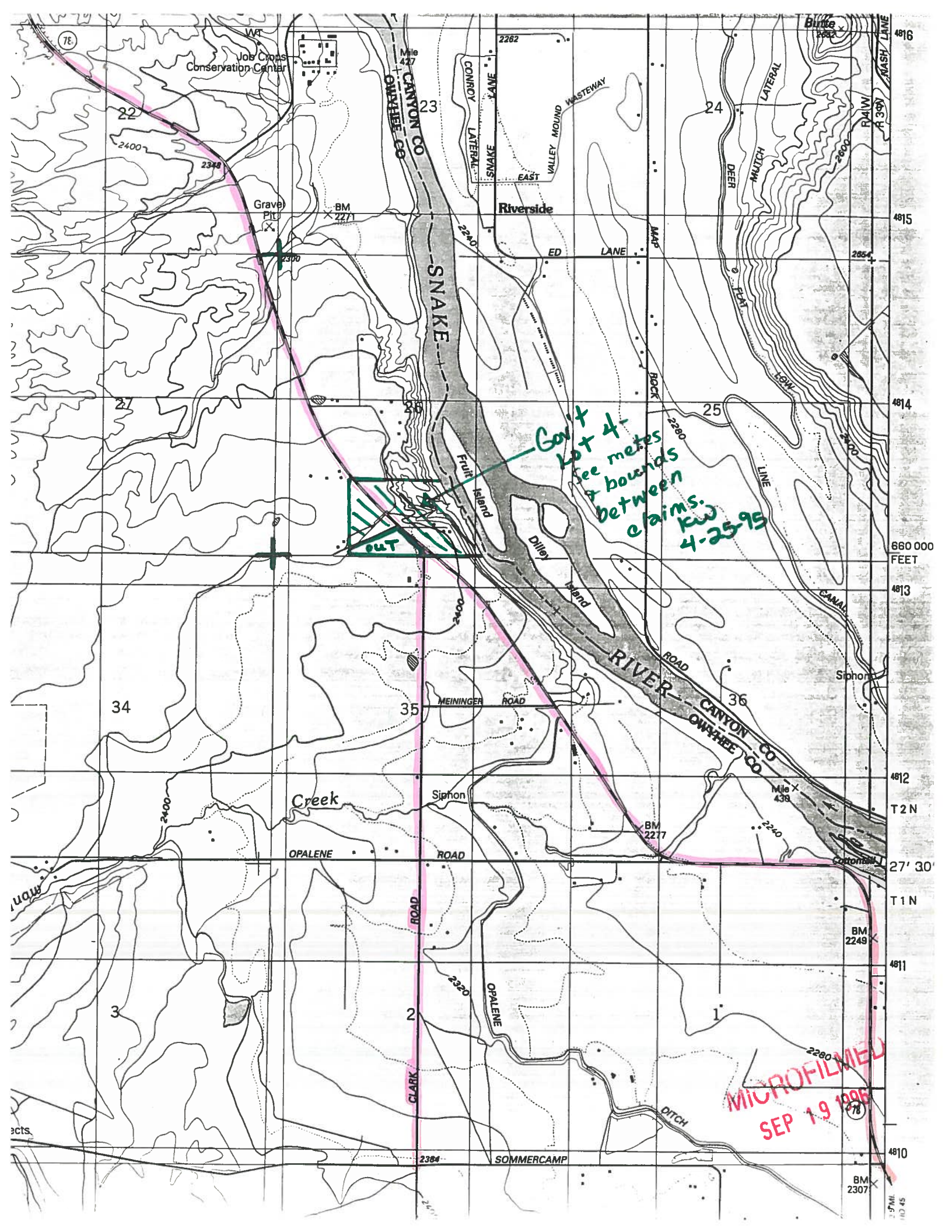
Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

Enclosure

MICROFILMED
SEP 19 1996



Job Cross
Conservation Center

Riverside

Gait Lot 4 -
see metes
& bounds
between
claims.
KW
4-25-95

MICROFILMED
SEP 19 1986

2.5 MI
1:50,000

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 02-7258 Priority October 27, 1977 Amount .15 cfs

THIS IS TO CERTIFY, that William P. &/or Mildred D. Reid
of Marsing, Idaho, has complied with the terms and conditions of Permit
No. 02-7258 issued pursuant to Application for Permit dated October 27, 1977
and has submitted proof to the Department of Water Resources on November 8, 1984
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.15 cfs of water from Snake River
tributary to Columbia River and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.15</u> cfs and	<u>60.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.15 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
60.0 acre feet per year, said waters to be diverted within the Gov. Lot 4 (SW1SE1)
Section 26, Twp 2N, Rge 4W in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	SW¼	SE¼	NE¼	SW¼	SE¼	NE¼	SW¼	SE¼	NE¼	SW¼	SE¼	NE¼	SW¼	SE¼	NE¼	
2N	4W	26												GL4 5			GL4 7		12

Total number of acres irrigated 12

MICROFILMED
SEP 19 1996

CONDITIONS OF APPROVAL

- a. 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.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

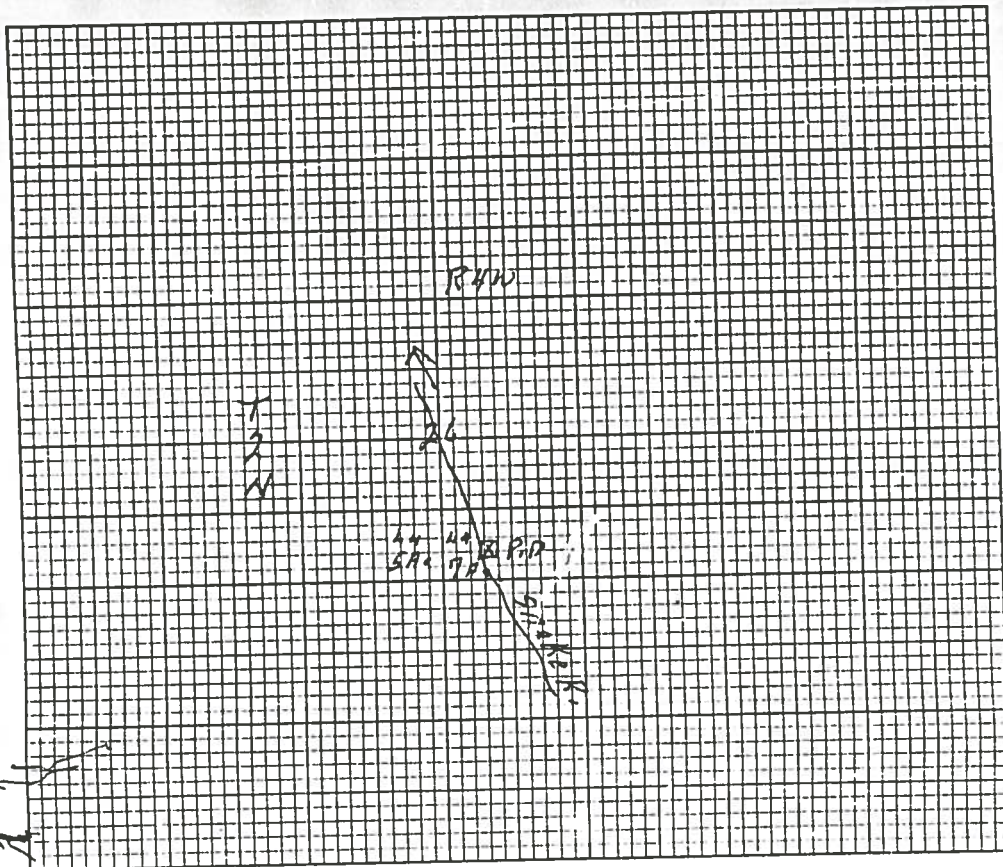
Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25TH day of April, 19 86.

Norman Cygan
Director

MICROFILMED
SEP 19 1996

SEP 19 1996

10. Other water rights on these lands none
11. Other water right diverted from same p.d. none
12. Diversion and Delivery System Diagram: Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached

14. Remarks _____

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

16. Examiner's/Consultant's Signature John H. Meyer Date 6/4/85

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

MICROFILMED
SEP 19 1996



MIAMI FILMED
SEP 19 1996

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICTOF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON DRAINAGE BASIN
BORDER.

NOTICE OF CLAIM TO A WATER RIGHT

02-7258 ✓ I.D. No. \$ 100.00 Fee Paid	Map No. # 361 Receipt No.
--	---------------------------------

Notice is hereby given that William P. &/or Mildred D. Reid ✓
(Name of Claimant)

Box 604, Rt. 1, Marsing, ID 83639
(Mailing Address)

(Zip Code)

Telephone No. 896-4755

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 10/27/1977
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River ✓ tributary to Columbia River ✓
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|---|--|---|
| Quantity <u>.46 cfs</u> ✓
(CFS, GPD, AF) | Use <u>Irrigation</u> ✓
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u> ✓ To <u>11/15</u> ✓
(Mo., Day) (Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Both dates inclusive) |
- (4) .46 cfs ✓ TOTAL QUANTITY CLAIMED. (Lot 4) ✓
- (5) A) Point of Diversion: Give location of point where water is diverted from its source (SW 1/4 SE) ✓
Sec. 26 ✓, Twp. 2N ✓, Rge. 4W ✓, B.M., Owyhee ✓ County
- Additional Points: _____
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Pump and pipeline
SCI: 272.0(1) 429.5 ✓
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
2N	4W	26												15			8		23

Total no. of acres 23 ✓

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: None ✓

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks This person has agreed with license to be issued. This right to reflect diversion rate and acreage of license to be issued. See Memo
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho

IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____
SNAKE RIVER FROM BASE OF MILLER
DAM TO OREGON DRAINAGE BASIN.
BORDER.

NOTICE OF CLAIM TO A WATER RIGHT

02-7258	I.D. No. _____
\$ 10.00	Map No. <u># 361</u>
Fee Paid	Receipt No. _____

Notice is hereby given that William P. &/or Mildred D. Reid
(Name of Claimant)
Box 604, Rt. 1, Marsing, ID 83639 Telephone No. 896-4755
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 10/27/1977
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) SNAKE RIVER tributary to COLUMBIA RIVER
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|---|--|---|
| Quantity <u>.46 cfs</u>
(CFS, GPD, AF) | Use <u>Irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>3/15</u> To <u>11/15</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) .46 cfs TOTAL QUANTITY CLAIMED. (Lot 4)
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source 8W $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 26, Twp. 2N, Rge. 4W, B.M., Owyhee County
Additional Points: _____
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Pump and pipeline
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>2N</u>	<u>4W</u>	<u>26</u>												<u>15</u>			<u>8</u>		<u>23</u>

Total no. of acres 23

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: None known applicable

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- (8) Remarks Not operate with license to be issued. This right to reflect diversion rate and acreage of license to be issued.
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 02-7258 Priority October 27, 1977 Amount .15 cfs

THIS IS TO CERTIFY, that William P. &/or Mildred D. Reid
of Marsing, Idaho, has complied with the terms and conditions of Permit
No. 02-7258 issued pursuant to Application for Permit dated October 27, 1977,
and has submitted proof to the Department of Water Resources on November 8, 1984,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.15 cfs of water from Snake River,
tributary to Columbia River, 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>0.15</u> cfs and	<u>60.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.15 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
60.0 acre feet per year, said waters to be diverted within the Gov. Lot 4 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 26, Twp 2N, Rge 4W in the County of Owyhee

Description and location of place of use

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2N	4W	26												GL 4 5			GL 4 7		12

Total number of acres irrigated 12

11 MFD

MICROFILMED

CONDITIONS OF APPROVAL

a. 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.

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

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25TH day of APRIL, 19 86.

Acting for the

Director

Norman C. Young

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by gao

Date 10/25/84

Right No. 02-7258

Claimant Wm. P. O'Neil / MILDRED D. REID

Recommendation differs from claim: ☐ Yes ☒ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

- ☐ License
- ☐ Previous Statutory Claim.
- ☒ Permits, valid or lapsed. Number(s) if different than above _____
- ☐ Decree. Name & date _____
- ☐ Conveyance Loss Calculations. See printout included.
- ☐ Title abstract. ☐ In file. Or, Name & location _____
- ☐ County records. ☐ In file. Or, Name & location _____
- ☐ Affidavits. ☐ In file.
- ☐ Posted Notices, Water Locations Notices. ☐ In file.
- ☐ Deed Records. ☐ In file. Or, Name & location _____
- ☐ Patent Records. ☐ In file. Or, Name & location _____
- _____
- ☐ Metzker Maps. Identify _____
- ☐ A.S.C.S. Records. Year & Photograph No. _____
- ☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____
- ☐ Historical Books. Name(s) & location _____
- _____
- ☐ Interview(s). Attach conversation memorandum.
- ☒ Other DEPT WATER RES TOPOS DETERMINING SCI.
- ☐ _____

Field Exam Made: ☐ Yes ☒ No Date _____

☐ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement N/A cfs. Amount recommended _____ cfs.
Type of measuring device: _____ Meter No. _____
Condition _____ Date _____ Time _____

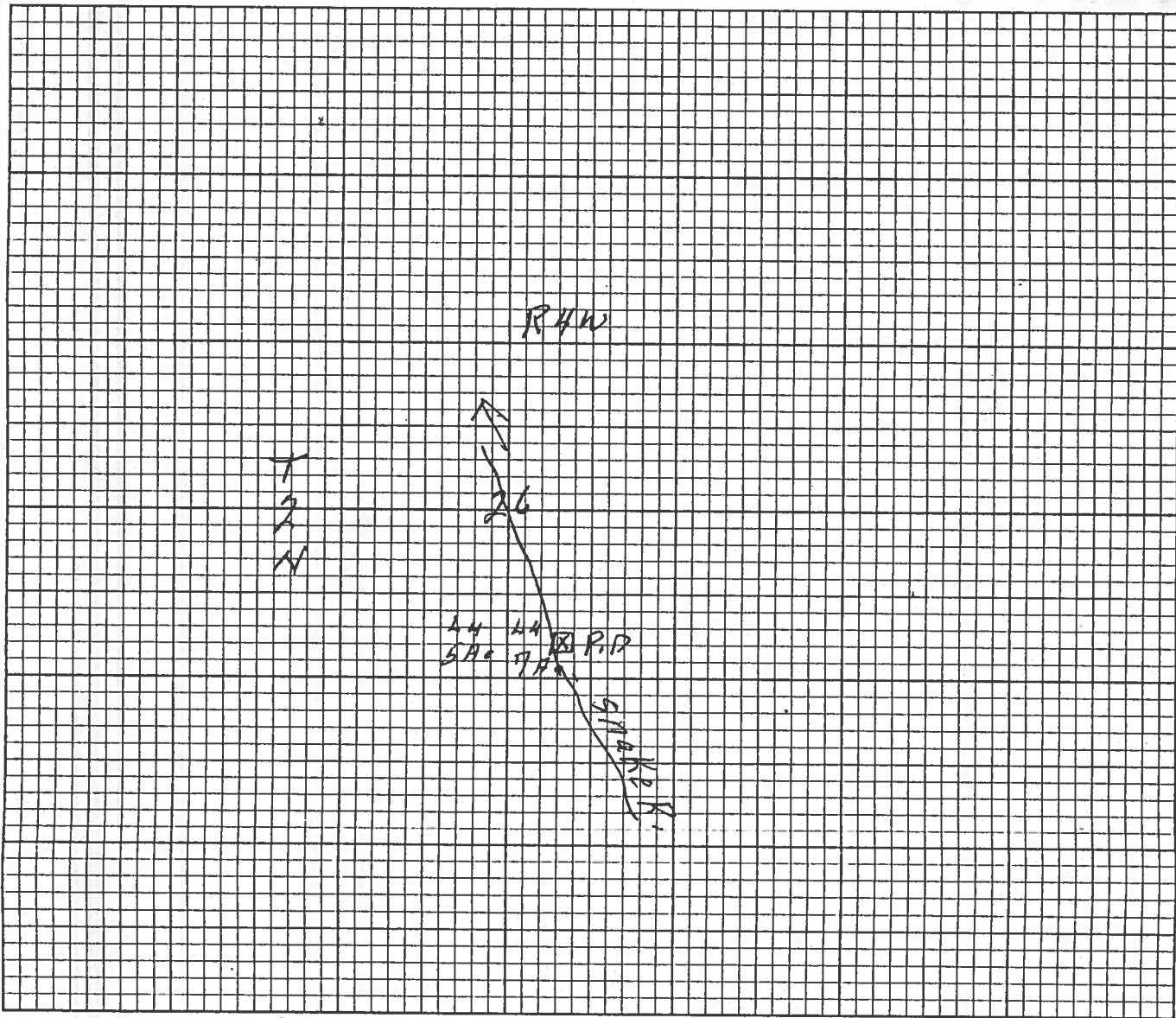
Adjudication Photo(s) Used: Name or No. _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks SEE MEMO TO FILE CONCERNING PROOF & RECOMMENDATIONS.

10. Other water rights on these lands none
11. Other water right diverted from same p.d. none
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion system indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. Recommended Amendments
- | | | |
|---|--|--|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☒ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |

16. Examiner's/Consultant's Signature John H. Meyer Date 6/4/85

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date _____

CONSULTANT SEAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

02-7258
Permit No.

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

^{9/52}
Model 20 Rainbird nozzle - 31 hrs 10 PSI (2.2 GPM)
 $2.2 \times .002228 = .15055$ Total diversion
a applicant claims system is designed for 75 GPM
 $75 \times .002228 = .1671$

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 12 \times 5 = 60$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .15 \times 245 \times 1.9835 = 73$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 60$

- c) Volume Calculations for Other Uses:

none

2. Overlap Review

- a) Other water rights with same place of use: *none*

- b) Other water rights with same point of diversion: *none*

- c) Analysis:

RECOMMENDED AMOUNTS

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
02-7258		.15			.15

4. Permit Holder: William P & or Mildred D Reid

Address: Box 004 Rt 1 Maring, Ida 83639

5. Source: Snake River tributary to Columbia River

3. Beneficial Use Period of Use Rate of Diversion Annual Volume
From To Q (cfs) V (afa)

Irrigation 3/15 11/15 .15 60

Allowable Maximums: .15 60

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
	64		SW	SE	26	2N	4W	Owyhee

8. Place(s) 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	
2N	4W	26											64				64		12
													5				7		
Total Acres <u>12</u>																			

9. Recommended Conditions/Remarks: none

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____

11. Examiner's Signature John H. Moyer Date 6/4/85

Checked in Regional Office by _____ Date _____

Approved in State Office by _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

For additional time in which to submit
proof of beneficial use on a water right permit

William P. &/or Mildred D. Reid of PO Box 604 Marsing, Id. 83639
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public
Waters of the State of Idaho No. 02-7258.

That under the terms and conditions of said permit, work thereunder was required to be completed on or
before January 1, 19 83.

That I have performed the following work toward developing said permit: Sagebrush cleared &
(This information must be provided on all extension requests, if none, so state.)
land leveled for hay field and vineyard. New road cut down cliff to river. 1000' water
line buried from river to top of cliff and from cliff top to diversion point next to Hiway
Drip system delivered and ready for installation in vineyard, posts and support wires
ordered. Floating dock constructed as carrier for pumps. Pumps purchased ready for
installation. Cement base poured and cement dead man in place up river with cable
attached to hold float in place. \$ 2500.00 on land
Costing \$ 7500.00 water system

That I have been unable to complete the remainder of the work within the required time for the follow-
ing reasons: Emergency surgery, followed by stroke causing temporary paralysis in
Spring of 82. Delays finding men with equipment with time to do our job due to their
Spring planting. Man who finally came to help worked two afternoons, then broke his
leg and had to quit. Owner recovered enough to continue work slowly due to weakness.
Early rains and run-off from spring above new road have made ground too muddy to
use tractor to launch float into river, or to finish installing irrigation pipes into fields.

I ask the Department of Water Resources to extend the time for the completion of obligations under
said permit to January 1, 19 85.
(1 to 5 years)

RECEIVED
DEC 13 1982

Mildred D. Reid
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

Department of Water Resources
Western Regional Office

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time

January 19, 1983

William P. and/or Mildred D. Reid
P. O. Box 604
Marsing, ID 83839

Dear Mr. and Mrs. Reid:

Re: Permit No. 02-7258

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to January 1, 1985.

Also enclosed is the statement of beneficial use postcard submitted July 23, 1981 since the department has granted an extension of time for completion of the project. The department will notify you when it is time to resubmit the statement.

In connection with the development of a water right under this permit, the department wishes to call to your attention an Idaho Supreme Court decision issued in November 1982 which likely could affect your future use of water.

The decision in the case of Idaho Power Company vs the State of Idaho et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later in time uses. The question of whether Idaho Power's 8,400 cfs water right at Swan Falls dam has been diminished by subsequent development, however, was remanded back to district court for determination. The findings of the district court could restrict water availability or require compensation to Idaho Power Company for uses developed later in time than Idaho Power Company's water right at Swan Falls dam.

Sincerely,

RITA I. FLECK
Sr. Secretary

INTER-DEPARTMENT MEMO — 1

FROM

Glen

DATE

12-29-82

TO

SUBJECT

- note that proof was submitted
in July 1981

- We can accept the ext request
rec'd 12-13-82, however, proof
should be returned w/an
appropriate letter to document
the file.

HYF

TO: File - Reid
FROM - JAN GROVER

DATE - 9/10/81

I phoned Mrs. Reid this date & their system has not been installed, but will possibly be completed by the end of next summer. Proof is not due until 1/1/83. I said we would call back in June of 82.

Turn at first rd past Symms.



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

(Office at the corner of
Franklin and Cole Roads)

(208) 384-2190

September 14, 1981

William P. &/or Mildred D. Reid
Box 604 Route #1
Marsing, Idaho 83639

RE: 02-7258

Dear Mr. & Mrs. Reid:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Kay Walker
Secretary

*Disregard
see letter
dated 1-19-1983
JP*



DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 02-7258

Name(s) of Permit Holder: WILLIAM P. VOY MILAREO D. REID

Post Office Address: Box 604, Rt 1, Marsing ID 83633

Tel. No. 896-4755

Source of Water: SNAKE R

Extent of Use:

- ☐ Domestic
☐ Stockwater
☒ Irrigation
☐ Other

(number of households)
(number and type of stock)
(acres)

AUG 10 1981

Measuring Device: Required? ☐ Yes ☒ No
Access Port: Required? ☐ Yes ☒ No

Installed? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Department of Water Resources
Western Regional Office

The above information is a true statement of the extent to which the above numbered permit has been developed.

✓ 5/10/81
Date

[Signature]
Signature of Permit Holder

Western

Identification No. _____

Application No. 02-7258

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant WILLIAM P. &/or MILDRED D. REID Phone: _____
post office address Box 604, Route 1, Marsing, ID 83639
2. Source of water supply Snake River which is a tributary of _____
3. a.* Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26 Township 2N
Range 4W B.M. Owyhee County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Snake River at a point in SW $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 26 Township 2N Range 4W B.M. _____
4. Water will be used for the following purposes:
Amount 0.46 for irrigation purpose from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.46 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
pump and pipeline

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 _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 3,000.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	4W	26												15				8	23

Total number of acres to be irrigated 23

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

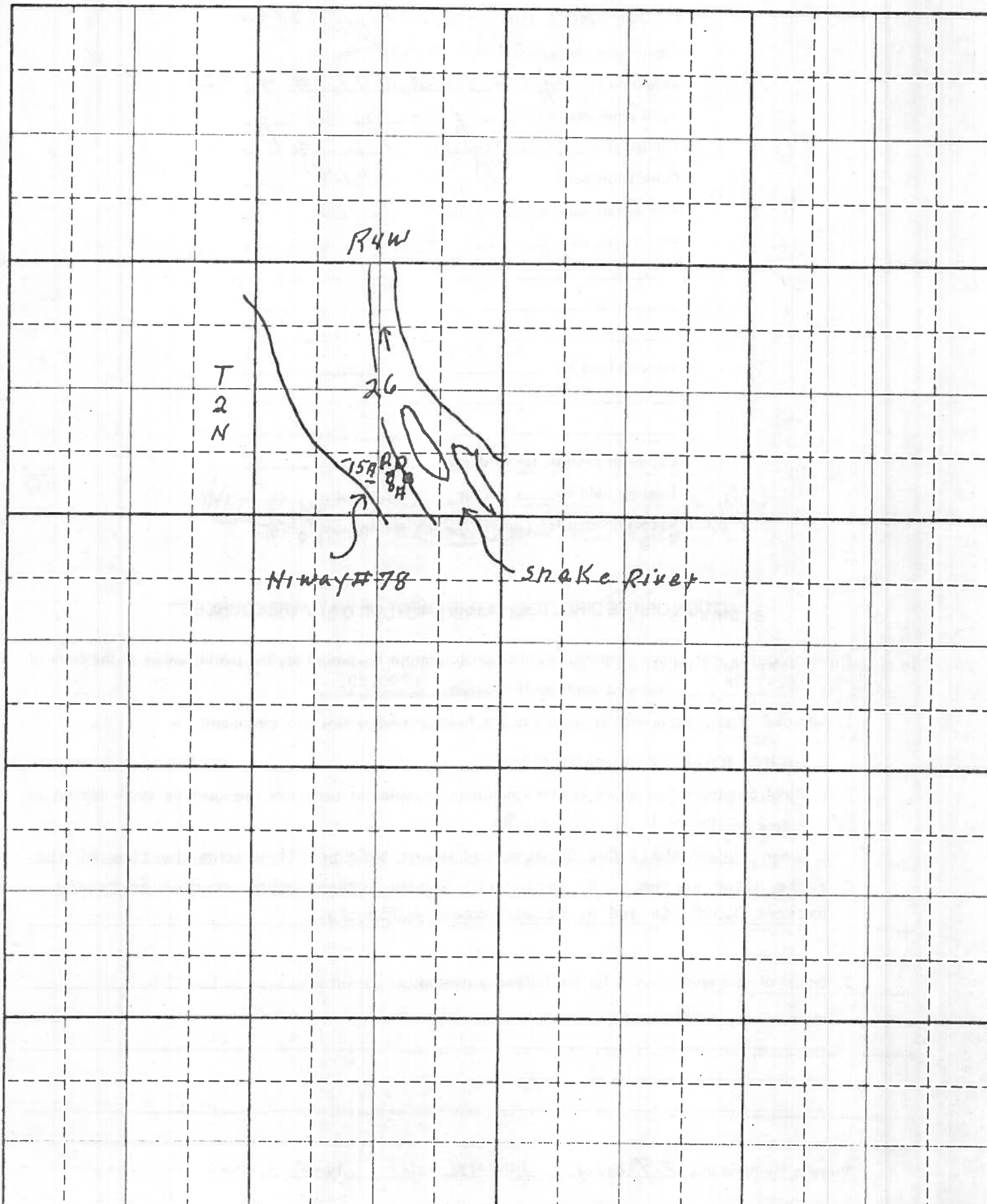
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks cont. fol 4 T2N R4W Sec 26

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



Proposed Findings 10/27/77

Received by JKH Date 10/21/77 Time 3:30 PM

Preliminary check by W.H. Fee \$ 25.00

Received by rf Date 10-27-77 # 9642

Publication prepared by rf Date 10-28-77

Published in C. Weiser Dugger

Publication dates Nov 3 & 10

Publication approved rf Date 11-16-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by W.H.

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. 02-7258, 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 January 1, 19 83.

c. Other: Water shall not be diverted under this permit unless the flow of the Snake River at the U. S. Geological Survey stream gaging station at Murphy exceeds 3,300 cfs and at Weiser exceed 4,750 cfs.

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

Witness my hand this 29 day of January 19 78.

[Signature]
DEPUTY Director

MEMO TO FILE: 02-7258

FROM: FORREST

DATE: 10/25/84

PROOF SUBMITTED ON THIS PMT IN 1981 AND SUBSEQUENTLY WITHDRAWN.
PROOF NOW DUE AS OF JAN 1, '85. NO SIGN OF RECEIPT OF SAME
AS OF ABV. DATE IN S.O. FILE.

WILL REC. AS PMT. W/ ENCOMPASSING STD RMK.

WILL NOT BE K/P UNTIL DETAILS ARE DETERMINED..

[Signature]