

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 63-32556
Date Received: 2/28/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT G STIEHL Phone: (208)466-1881
10188 CHERRY LN
NAMPA ID USA 83687

2. Date of Priority: 01/21/1951

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
03N	02W	2	SE	SE	NE	CANYON	

5. Description of diverting works:

ARTESIAN WELL INTO LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	10/15	0.08	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.08 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02W	2	SW	NE	IRRIGATION	16
			SE	NE	IRRIGATION	23
					Section Acres	39
					Total Acres	39

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 right is a split from former right 63-2826 .

15. Basis of Claim: License

RECEIVED

NOV 07 2006

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

RECEIVED

NOV 02 2006

DEPARTMENT OF
WATER RESOURCESWATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
AS 63-2612	63-2612	Y			
AS 63-2826	63-2826	Y			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

3. Name and Address of Former Owner/Claimant(s) Robert G. Stiehl
10188 Cherry Ln., Nampa, ID 83687
4. New Owner/Claimant(s) Marty Goldsmith
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address Farwest LLC, 4487 N. Dresden Pl., Suite 102
- City, State and ZIP Code Boise, ID 83714
- New Telephone Number (208) 388-0189
5. Date you acquired the property 6/28/06

SCANNED

NOV 06 2006

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>63-2612</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.51 cfs</u>	<u>40.0 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>0.51 cfs</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>63-2826</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.08 cfs</u>	<u>40.0 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>0.08 cfs</u>	

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

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

For Office Use Only

Received by _____ Date _____ Fee N/A
 Receipted by _____ Date _____ Receipt No. _____
 Processed by [Signature] AJ Date 11-9-06 WR _____ Date _____

SCANNED

NOV 16 2006

16



Order No.: C0510004

RECORDED
JUN 27 PM 4:00
CANYON COUNTY RECORDER
BY [signature]
JUN 27 2006

200650808

WARRANTY DEED

FOR VALUE RECEIVED,

RALPH L. TARRANT and YVONNE C. TARRANT, HUSBAND AND WIFE

The Grantor(s), do(es) hereby grant, bargain sell and convey unto

MARTY GOLDSMITH, AN UNMARRIED MAN

whose current address is **4487 N. DRESDEN #102 BOISE, ID. 83714**

the Grantee(s), the following described premises, in Canyon County, Idaho, TO WIT:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 06/28/06

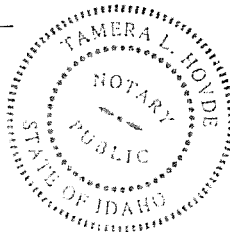
[Signature of Ralph L. Tarrant]
RALPH L. TARRANT

[Signature of Yvonne C. Tarrant]
YVONNE C. TARRANT

STATE OF IDAHO
COUNTY OF ADA

ON THIS 29th OF JUNE, 2006, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC PERSONALLY APPEARED, RALPH L. TARRANT, YVONNE C. TARRANT, KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

[Signature of Tamera L. Hovde]
TAMERA L. HOVDE
NOTARY PUBLIC
RESIDING AT: BOISE
MY COMMISSION EXPIRES:
12/02/09
(SEAL)



SCANNED

NOV 06 2006

EXHIBIT "A"

A parcel of land being all of Government Lot 1 and a portion of Government Lot 2 lying in the Northeast Quarter of Section 2, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the Northeast corner of Government Lot 1 (Northeast Section Corner), Section 2, Township 3 North, Range 2 West, Boise Meridian, the REAL POINT OF BEGINNING of this description; thence South 00°10'10" East 1340.25 feet to the Southeast corner of said Government Lot 1; thence South 89°58'38" West 1327.61 feet to the Southerly corner common to said Government Lots 1 and 2, said point also being on the centerline of the Bennett Lateral; along said centerline as follows: thence North 62°36'50" West 925.77 feet to a point; thence North 52°09'39" West 67.69 feet to a point; leaving said centerline thence North 00°07'58" West 868.26 feet to a point of the North line of said Government Lot 2; thence North 89°51'57" East 584.44 feet along said North line to a point; thence South 00°07'50" East 313.00 feet to a point; thence North 89°51'57" East 200.00 feet to a point; thence North 00°07'50" West 313.00 feet to a point on the North line of said Government Lot 2; thence North 89°51'57" East 90.00 feet along said North line to the Northerly corner common to said Government Lots 1 and 2; thence North 89°51'57" East 1326.70 feet along the North line of said Government Lot 1 to the REAL POINT OF BEGINNING of this description.

Exhibit "A"
Legal Description

SCANNED

NOV 06 2006

Parcel 1

PN 41471
9200191

WARRANTY DEED

R.L.T.
Y.C.T.

FOR VALUE RECEIVED ROBERT G. STIEHL and JOANN STIEHL, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto ^VRALPH L. TARRANT and YVONNE C. TARRANT, husband and wife ^V

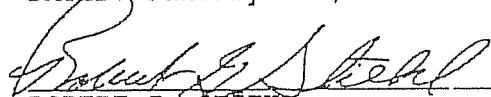
the Grantees, whose address is 7275 USTICK, NAMPA, ID 83687

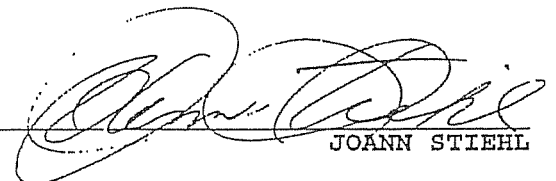
the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

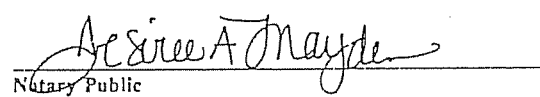
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1997 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

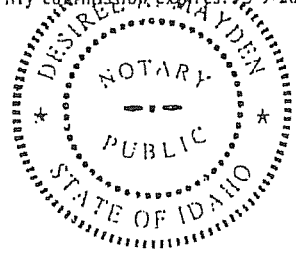
DATED: January 3, 1997


ROBERT G. STIEHL


JOANN STIEHL

STATE OF IDAHO
COUNTY OF CANYON
On this 3rd day of January, 1997, before me a notary public, personally appeared ROBERT G. STIEHL AND JOANN STIEHL, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they have executed the same.

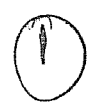

Notary Public
Residing at Nampa, Idaho
My commission expires 3-9-2000



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605



heq61 For 40 acres

Appendix A

X Parcel I

Government Lot 1, Section 2, Township 3 North, Range 2 West, Boise
Meridian, Canyon County, Idaho. X

R30778D10

9700191

RECORDED

97 JAN 3 PM 3 56

NED J. KERR
CANYON CNTY RECORDER
BY *[Signature]*

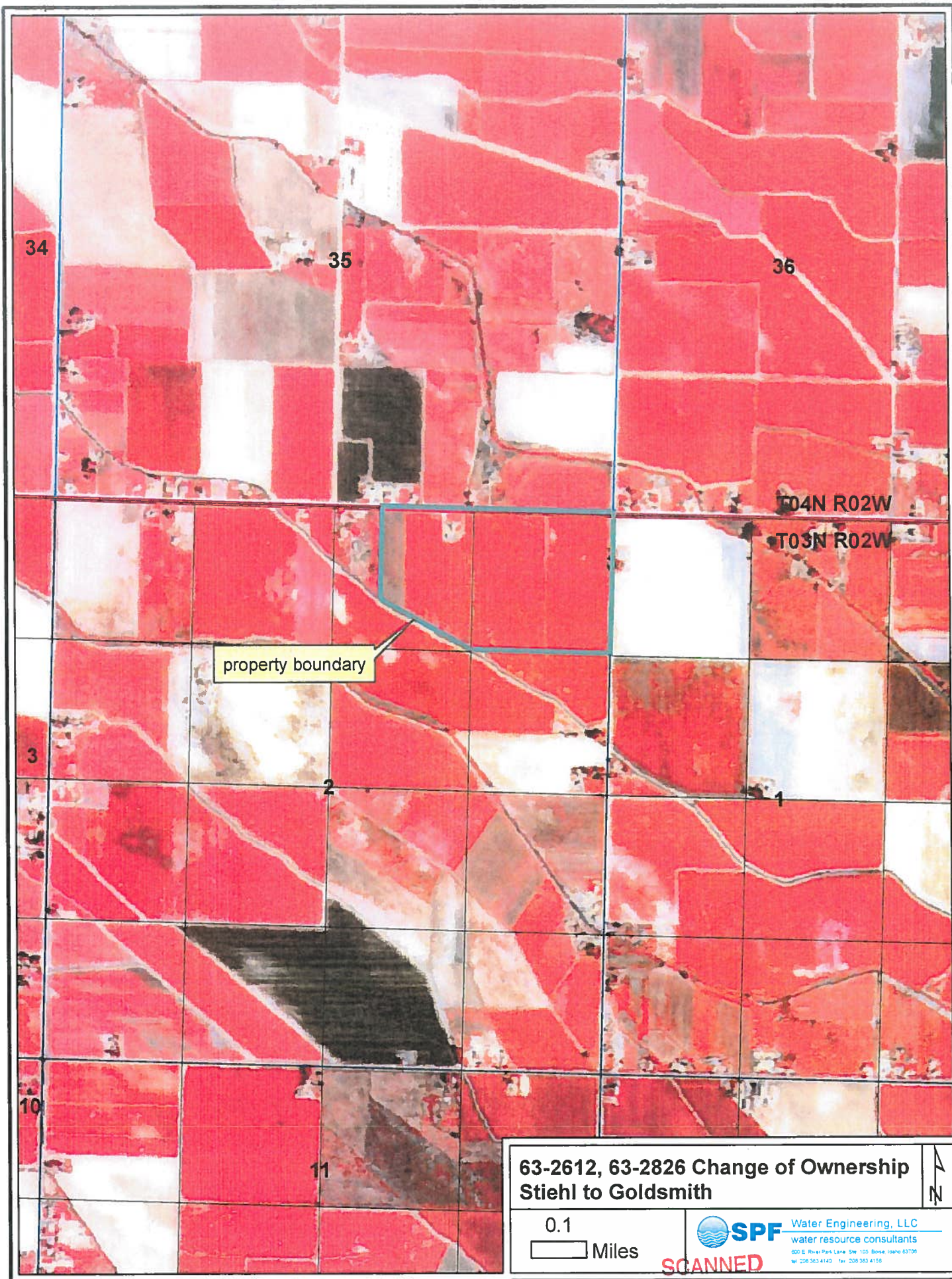
PIONEER - NAMPA

REQUEST
FOR
RECORD
FEE
\$6.00

SCANNED

NOV 11 2006

47



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: A63-02826
Date Received: ~~2/22/1990~~ 2-28-
Receipt No: W009889
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT G. STIEHL 208-466-1881
Address: 10188 CHERRY LANE
NAMPA, ID 83687

2. Date of Priority: JAN 21, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	02W	2	SE	SE	NE		CANYON

5. Description of diverting works:
ARTESIAN WELL INTO LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	10/15	0.160		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 28.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	02W	2	NE	NE		IRR	40.0
			SW	NE		IRR	16.0

A63-02826

Page 1

Date: 02/22/90

MICROFILMED
AUG 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02W	2	SE NE		IRR	23.0
Section Acres						79.0
Total Acres						79.0

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:
63-2612

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 21623

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): Robert L. Diehl Date: 2-22-90
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of February 19 90
Seal _____
Notary Public

Residing at Boise Idaho
My Commission Expires 4/11/95

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

RIGHT NUMBER: 63-32556

NAME AND ADDRESS: ROBERT G STIEHL
8019 UPLAND DR
NAMPA ID 83686-5385

~~10188 CHERRY LN~~
~~NAMPA ID 83687~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS
41.250 AFY

The rights listed below are limited to a total combined diversion rate of 1.16 cfs and to a total combined annual diversion volume of 355.5 AF. Combined Right Nos.: 63-32554, 63-32555, 63-32556, 63-32557.

The rights listed below are limited to a total combined diversion rate of 0.57 cfs and to a total combined annual diversion volume of 175.5 AF. Combined Right Nos.: 63-32554, 63-32556.

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

PRIORITY DATE: 01/21/1951

POINT OF DIVERSION:

T03N R02W S2 SENE 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	0.080 CFS 41.25 AFY
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: IRRIGATION in CANYON County

T03N R02W S02	SWNE	16.00	T03N R02W S02	SENE	23.00
<u>DOMESTIC same as IRRIGATION</u>					

39 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 79 acres in a single irrigation season. Combined Right Nos.: 63-32554, 63-32555, 63-32556, 63-32557.

The rights listed below are limited to the irrigation of a combined total of 39 acres in a single irrigation season. Combined Right Nos.: 63-32554, 63-32556.

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The following rights are also diverted through point of diversion described above: 63-32554, 63-32555, 63-32556, 63-32557.

Use of this right is combined with water from Pioneer Irrigation District.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Water Rights: 63-3053, 63-32554
	)	63-32556
Case No. 39576	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE
_____	)	PROCEEDING

IDWR has completed the following administrative proceeding:

XX Address change

Substitution of Party

☐ IC § 42-222 transfer

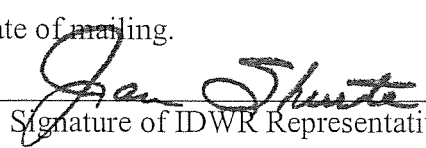
☐ Point of diversion	☐ Place of use
☐ Period of use	☐ Nature of use
☐ Split of water right	☐ Change in ownership
☐ Other	

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 2, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 2, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

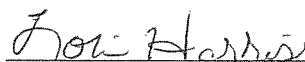
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Robert Stiehl
8019 Upland Dr
Nampa ID 83686-5385

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 2, 2007

ROBERT STIEHL
8019 UPLAND DR
NAMPA ID 83686-5385

Re: Water Right Nos. 63-3053, 63-32554, 63-32556

Dear Mr. Stiehl:

Enclosed are copies of the above referenced water rights, which reflect your new address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Lori Harris
Technical Records Specialist 1
Adjudication Section
Western Region Office

LH:l
Enclosures

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

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

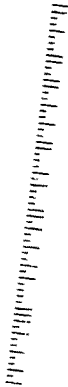
fee due 75¢

U.S. POSTAL SERVICE
FORM 3547

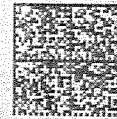
ADDRESS SERVICE
REQUESTED

ROBERT G STEHL
10188 CHERRY LN
NAMPA ID 83687

STIEHL 836872011 1506 04 02/06/07
STIEHL
8019 UPLAND DR
NAMPA ID 83686-5385
FORM 3547



FIRST CLASS



UNITED STATES POSTAGE
02 1A
0004389393
MAILED FROM ZIP CODE
\$01
FEB 07

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75¢

U.S. POSTAL SERVICE
FORM 3547

63-3053
63-32554
63-32556

RECEIVED

FEB 12 2007

WATER RESOURCES
WESTERN REGION

11/18/2006

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

RIGHT NUMBER: 63-32556

NAME AND ADDRESS: ROBERT G STIEHL
10188 CHERRY LN
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS
41.250 AFY

The rights listed below are limited to a total combined diversion rate of 1.16 cfs and to a total combined annual diversion volume of 355.5 AF. Combined Right Nos.: 63-32554, 63-32555, 63-32556, 63-32557.

The rights listed below are limited to a total combined diversion rate of 0.57 cfs and to a total combined annual diversion volume of 175.5 AF. Combined Right Nos.: 63-32554, 63-32556.

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

PRIORITY DATE: 01/21/1951

POINT OF DIVERSION:

T03N R02W S2 SENE 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	0.080 CFS 41.25 AFY
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: IRRIGATION in CANYON County

T03N R02W S02	SWNE	16.00	T03N R02W S02	SENE	23.00
---------------	------	-------	---------------	------	-------

DOMESTIC same as IRRIGATION

39 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 79 acres in a single irrigation season. Combined Right Nos.: 63-32554, 63-32555, 63-32556, 63-32557.

The rights listed below are limited to the irrigation of a combined total of 39 acres in a single irrigation season. Combined Right Nos.: 63-32554, 63-32556.

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

11/18/2006

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

The following rights are also diverted through point of diversion described above: 63-32554, 63-32555, 63-32556, 63-32557.

Use of this right is combined with water from Pioneer Irrigation District.



State of Idaho
Idaho Department of Water Resources
Western Region

T3N R2W SECTION 2
Water Rights: 63-32554, 53-32556



1320 0 1320 2640 Feet

TOTAL IRRIGATED ACRES = 39

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

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: November 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-32556 V1

WATER RIGHT NUMBER: 63-32556 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT G STIEHL 10188 CHERRY LN NAMPA, ID 83687 (208)466-1881
Original Owner	ESTATE OF HERBERT TIEGS , ID
Original Owner	OPAL L TIEGS RT 2 BOX 2033 NAMPA, ID 83651

Priority Date: 01/21/1951

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	03/01 to 11/15	0.080 CFS	41.25 AF
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.080 CFS	41.25 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 2, Twp 03N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02W	2			16.0	23.0													39.0

Total Acres: 39

DOMESTIC same as IRRIGATIONConditions of Approval:

1. F06 The following rights are also diverted through point of diversion described above: 63-32554, 63-32555, 63-32556, 63-32557.

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2. E61 The rights listed below are limited to a total combined diversion rate of 1.16 cfs and to a total combined annual diversion volume of 355.5 AF. Combined Right Nos.: 63-32554, 63-32555, 63-32556, 63-32557.

The rights listed below are limited to a total combined diversion rate of 0.57 cfs and to a total combined annual diversion volume of 175.5 AF. Combined Right Nos.: 63-32554, 63-32556.
3. X01 Domestic use is for 1 home.
4. W40 Use of this right is combined with water from Pioneer Irrigation District.
5. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
6. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
7. E56 The rights listed below are limited to the irrigation of a combined total of 79 acres in a single irrigation season. Combined Right Nos.: 63-32554, 63-32555, 63-32556, 63-32557.

The rights listed below are limited to the irrigation of a combined total of 39 acres in a single irrigation season. Combined Right Nos.: 63-32554, 63-32556.
8. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

Remarks:Comments:

1. Vmusic 11/18/2006 PARENT
Comment: LICENSE 63-2826 SPLIT INTO 63-32556, 63-32557
2. Vmusic 11/18/2006 SURFACE RTS
Comment: PIONEER IRRIGATION DIS
3. Vmusic 11/18/2006 OVERLAPS
Comment: POU OVERLAP IS 63-32554 AND POD OVERLAPS IS 63-32554, 62-32555, 62-32556, 63-32557

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Contacts	11/18/2006 2:06:30 PM	Vmusic	Active
Priority Date	11/18/2006 2:06:44 PM	Vmusic	Active
POD	11/18/2006 2:10:57 PM	Vmusic	Active
Source	11/18/2006 2:11:30 PM	Vmusic	Active
POU	11/18/2006 2:12:00 PM	Vmusic	Active
Use	11/18/2006 2:12:40 PM	Vmusic	Active
Season	11/18/2006 2:13:02 PM	Vmusic	Active
Quantity	11/18/2006 2:14:07 PM	Vmusic	Active
Summary		11/18/2006 Vmusic	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	11/18/2006 2:06:14 PM	Vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: LICENSE
General	11/18/2006 2:06:28 PM	Vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	11/18/2006 2:10:41 PM	Vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (Yes) 10. Is a POD remark and/or condition required?
POD	11/18/2006 2:10:59 PM	Vmusic	Updated shape
Source	11/18/2006 2:11:14 PM	Vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	11/18/2006 2:12:02 PM	Vmusic	Updated shape for Active POU

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Summary	11/18/2006 2:20:41 PM	Vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	11/18/2006 2:11:44 PM	Vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (Yes) 14. Is a POU remark and/or condition required?
Use	11/18/2006 2:12:24 PM	Vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 13. Is a Purpose of Use remark and/or condition required?
Season	11/18/2006 2:12:45 PM	Vmusic	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

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Quantity	11/18/2006 2:13:50 PM	Vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - $.08 \times 1.9835 \times 260 = 41.25$
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Water Supply Bank: