

RECEIVED

MAY 09 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY - 8 2008	
By _____	Clerk
Deputy Clerk	

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

Case No. 39576

) SUBCASES: 63-20900, 63-20901, 63-20902 and
) 63-20909

) ORDER VACATING AND RESETTNG
) INITIAL HEARING; ORDER ALLOWING
) TELEPHONE PARTICIPATION AT INITIAL
) HEARING

IT IS ORDERED that the Initial Hearing currently set for the above-listed subcases on June 5, 2008 at 3:15 pm is vacated. The Initial Hearing is reset for July 22, 2008 at 10 a.m. (Mountain Time).

IT IS FURTHER ORDERED that parties will be allowed to participate in this Initial Hearing by telephone by dialing the number 1-225-383-1099 and when prompted entering code 675342. If you have any difficulty connecting to this call, call the SRBA Court immediately at 208-736-3011.

DATED May 8, 2008.



THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER VACATING AND RESETTING INITIAL HEARING; ORDER ALLOWIN TELEPHONE PARTICIPATION AT INITIAL HEARING was mailed on May 08, 2008, with sufficient first-class postage to the following:

WAYNE EUGENE STEPHENS
WAYNE STEPHENS
Represented by:
DAVID L WHITNEY
PO BOX 26
CALDWELL, ID 83606-0026
Phone: 208-459-3659

LAKEVIEW WATER CO
C/O WAYNE STEPHENS
24604 EMMETT RD
CALDWELL, ID 83605
Phone: 208-454-8440

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

WAYNE EUGENE STEPHENS
24604 EMMETT RD
CALDWELL, ID 83607
Phone: 208-585-3134

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AUG 14 2008

DEPARTMENT OF
WATER RESOURCES

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

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 13 2008	
By _____	Clerk
_____	Deputy Clerk

In Re SRBA

Case No. 39576

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 63-20901,
) 63-20902, and 63-20909

I. FINDINGS OF FACT

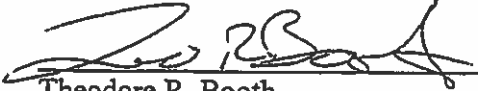
Notices of claim were filed for the above-captioned water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* recommended that these water rights be disallowed.

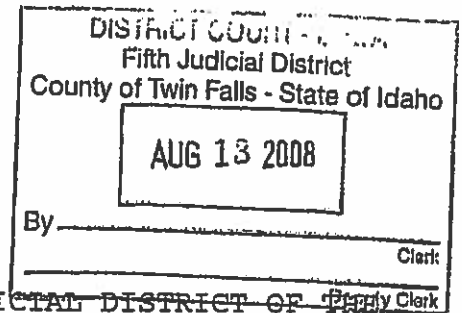
On June 4, 2007, the claimant of the water rights, Wayne Eugene Stevens and/or Lakeview Water Company, through their attorney David L. Whitney, filed objections to the *Director's Report*, asserting that the water right claims should be allowed. On August 1, 2008 the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* in each of the subcases, which resolved the objections. The Idaho Department of Water Resources concurred with the stipulations.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Forms 5*, IT IS RECOMMENDED that water rights 63-20901, 63-20902, and 63-20909 be decreed with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated Aug. 13, 2008


Theodore R. Booth
Special Master
Snake River Basin Adjudication



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)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

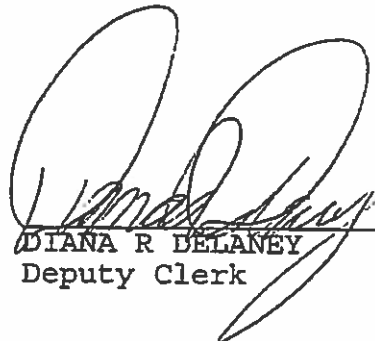
Water Right(s): 63-20901
63-20902 63-20909

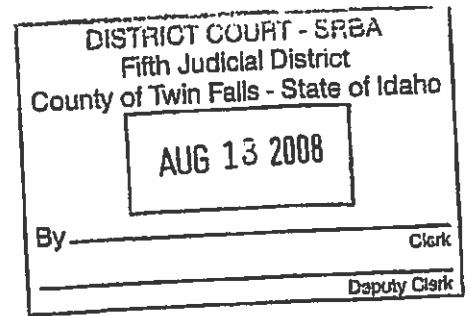
On August 13, 2008, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED August 13, 2008.


DIANA R. DELANEY
Deputy Clerk



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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 63-20901
63-20902 63-20909

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on August 13, 2008, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

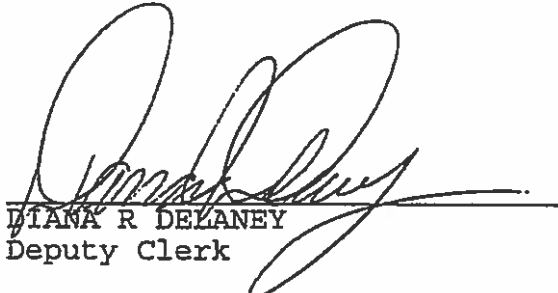
WAYNE EUGENE STEPHENS
WAYNE STEPHENS
Represented by:
DAVID L WHITNEY
PO BOX 26
CALDWELL, ID 83606-0026
Phone: 208-459-3659

LAKEVIEW WATER CO
C/O WAYNE STEPHENS
24604 EMMETT RD
CALDWELL, ID 83605
Phone: 208-454-8440

CERTIFICATE OF MAILING

PAGE 1
08/13/08

WAYNE EUGENE STEPHENS
24604 EMMETT RD
CALDWELL, ID 83607
Phone: 208-585-3134



DIANA R DEZANEY
Deputy Clerk

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

DISTRICT COURT - TWIN FALLS Fifth Judicial District County of Twin Falls - State of Idaho
AUG 13 2008
By _____ Clark
Deputy Clerk

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-20902

NAME AND ADDRESS: LAKEVIEW WATER CO
C/O WAYNE STEPHENS
24604 EMMETT RD
CALDWELL, ID 83605

WAYNE EUGENE STEPHENS
24604 EMMETT RD
CALDWELL, ID 83607

SOURCE: GROUND WATER

QUANTITY: 0.14 CFS
5.70 AFY

PRIORITY DATE: 06/01/1962

POINT OF DIVERSION: T03N R03W S16 NENE Within Canyon County
NENE
NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.14 CFS 5.70 AFY

PLACE OF USE: Domestic T03N R03W S16 NENE Within Canyon County

DOMESTIC USE IS FOR 7 APARTMENTS, LAWN, OFFICE, AND LAUNDRY.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

RECOMMENDATION

AUG 13 2008

SPECIAL MASTER

RECEIVED

AUG 01 2008

DEPARTMENT OF
WATER RESOURCES

RECEIVED

APR 03 2008

WATER RESOURCES
WESTERN REGION

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	)	Subcase No. 63-20902
	)	(Previously Disallowed)
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:

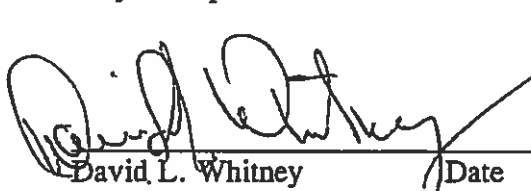
Lakeview Water Co.

Wayne E. Stephens 7-31-08
By: _____ Date
Title: *Pres.*

Wayne Eugene Stephens 7-31-08
Wayne Eugene Stephens Date

OBJECTOR:

Wayne Stephens



David L. Whitney Date
Attorney for Objector

7-31-05

IDWR Concurrence:



Vicky L. Music Date
Senior Water Resource Agent



Nicholas B. Spencer Date
Deputy Attorney General
Attorney for IDWR

4-2-08

03/25/2008

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

RIGHT NUMBER: 63-20902

NAME AND ADDRESS: WAYNE EUGENE STEPHENS
24604 EMMETT RD
CALDWELL ID 83607

LAKEVIEW WATER CO
C/O WAYNE STEPHENS
24604 EMMETT RD
CALDWELL ID 83607

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.140 CFS
5.70 AFY

PRIORITY DATE: 06/01/1962

POINT OF
DIVERSION:

T03N R03W S16 NENE Within CANYON County
T03N R03W S16 NENE Within CANYON County
T03N R03W S16 NENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.140 CFS 5.70 AFY
Domestic use is for 7 apartments, lawn, office, and laundry.		

PLACE OF USE: DOMESTIC in CANYON County

T03N R03W S16 NENE

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 - Beneficial Use

Parcel Number R2760500000

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

Place of use is located within Lot 4 and Lot 5; Vanal Heights Subdivision.

Rights 63-20900 and 63-20901 are also diverted through the points of diversion described above.

Wayne E. Stephens
DLW 7-31-08
Page 1

CERTIFICATE OF MAILING

I certify that on July 31, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

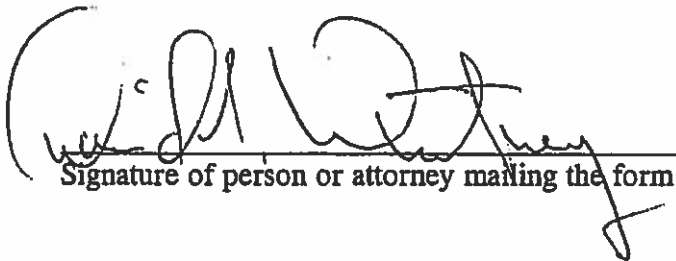
2. Copies to:

WAYNE STEPHENS
Represented by:
DAVID L WHITNEY
P.O. BOX 26
CALDWELL, ID 83606-0026

LAKEVIEW WATER CO.
C/O WAYNE STEPHENS
24604 EMMETT RD
CALDWELL, ID 83605

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

WAYNE EUGENE STEPHENS
24604 EMMETT RD.
CALDWELL, ID 83607



Signature of person or attorney mailing the form

RECEIVED

MAY 06 2008

DEPARTMENT OF
WATER RESOURCES

2008 MAY 05 PM 01:17
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	ORDER SETTING SUBCASE(S)	
	)	FOR INITIAL HEARING	
Case No. 39576	)		
_____	)	SUBCASE NOS: 63-20900	63-20901
		63-20902	63-20909

The Initial Hearing for this subcase will be held before
Special Master THEODORE R. BOOTH

THURSDAY, JUNE 05, 2008 at 03:15 PM (MT)
NAMPA
120 - 9TH AVE S
NAMPA, ID

ATTENDANCE IS MANDATORY. All parties are required to
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by
JUNE 02, 2008 or hearing will not be vacated.

IT IS SO ORDERED.

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Page 1 5/04/08

(continued)

Dated: MAY 05, 2008

/S/ THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING
SUBCASE(S) FOR INITIAL HEARING was mailed on MAY 05, 2008,
with sufficient first-class postage to the following:

WAYNE EUGENE STEPHENS
WAYNE STEPHENS

Represented by:
DAVID L WHITNEY
PO BOX 26
CALDWELL, ID 83606-0026
Phone: 208-459-3659

LAKEVIEW WATER CO
C/O WAYNE STEPHENS
24604 EMMETT RD
CALDWELL, ID 83605
Phone: 208-454-8440

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

WAYNE EUGENE STEPHENS
24604 EMMETT RD
CALDWELL, ID 83607
Phone: 208-585-3134

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

Case 39576

A. Subcase 63-20902

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Wayne Stephens

Address: 24604 Emmett Rd.

Caldwell, ID 83605

Daytime Phone: (208) 585-3134

Name & Address of Attorney, if any:

David L. Whitney

Alexanderson, Davis, Rainey & Whitney

P.O. Box 26

Caldwell, ID 83606-0026

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Wayne Stephens and/or Lakeview Water Co.

Address: 24604 Emmett Rd.

Caldwell, ID 83605

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)):

1. ☒ Name and Address
Should be: As claimed
2. ☒ Source
Should be: As claimed
3. ☒ Quantity
Should be: As claimed
4. ☒ Priority Date
Should be: As claimed
5. ☒ Point of Diversion
Should be: As claimed
6. ☒ Instream Flow Beginning and Ending Point
Should be: As claimed
7. ☒ Purpose(s) of Use
Should be: As claimed
8. ☒ Period of Year
Should be: As claimed
9. ☒ Place of Use
Should be: As claimed
10. I object because:
☐ This water right should not exist.
☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

Claimant did not supply proof of priority to IDWR as requested. Evidence of priority is attached to this objection.

F. VERIFICATION (Must be Completed)

State of IDAHO)
County of Canyon) ss.

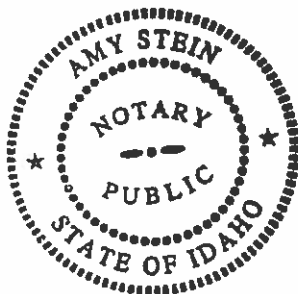
WAYNE STEPHENS, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Wayne Stephens
Signature of person filing objection

Attorney signing in representative capacity

Subscribed and sworn to before me on: May 30, 2007



Amy Stein
Notary Public for Idaho
Residing at: Nampa, Idaho
My Commission expires: 07-05-07

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 1, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Wayne Stephens and/or Lakeview Water Co.
Address: 24604 Emmett Rd.
Caldwell, ID 83605

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MCS 033
Boise, ID 83724

Brian C. Ritz
Signature of Objector or attorney
mailing on Objector's behalf

May 31, 2007

Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

Re: Evidence of Priority for Claims to Water Rights 63-20900,
63-20901, 63-20902, and 63-20909

Gentlemen:

My name is Wayne Stephens, my mailing address is 24604 Emmett Road, Caldwell, ID 83607, and I am more than 18 years of age. The following information about the water use associated with the above numbered claims to water rights is from my own personal knowledge.

The triplex associated with claim to water right 63-20900 is on the location of a residence and brick/block factory that were in place in the mid 1950s. The attached "Agreement to Terminate Water Well Agreement" was put in place to terminate a water well sharing agreement dated February 8, 1956. The location of the shared well as described in Exhibit "A" of the attached Agreement is the same property as the currently located triplex and claim to water right 63-20900 should be amended to claim a priority date of at least February 8, 1956.

I moved into and lived in the 8 plex associated with claim to water right 63-20901 in 1962. The units were new when I moved in during 1962.

The triplex and 4 plex associated with claim to water right 63-20902 were in place on the property when I moved there in 1962. Neither of the buildings was new in 1962 when I moved there.

The 12 unit apartment associated with claim to water 63-20909 was, to the best of my recollection, completed in about 1965. I request that the priority date of this claim be amended to 1965. I grew up in Middleton and from about the mid 1950s to the late 1960s I hunted geese in the general area where the 12 unit apartment and the Valley View Apartments are now located. As noted above my wife and I rented one of the Valley View apartments in 1962 and we lived there into sometime in 1963 when we purchased a residence. It is my recollection that shortly after we moved the 12 plex apartment was constructed. Our interest in the properties continued. In 1977 my wife and I purchased the Valley View Apartment complex which was located next to the then existing 12 unit apartment complex. At this time it was apparent that both units had existed for a significant period of time and both were in need of significant maintenance and repair. Later I purchased the 12 unit

Idaho Department of Water Resources
Page 2
May 31, 2007

complex. As noted, it is my best recollection that the 12 unit complex has existed since about 1965. Canyon County has advised me that they do not keep copies of building permits issued that far back and therefore I cannot pinpoint the precise date of the issuance of the building permit.

All of these water rights are interconnected to 5 wells, some of which provide water for additional water rights as well. Normally, these water rights are supplied from 3 wells but the interconnections can be turned on when needed to provide a continuous, reliable water supply. The other water rights diverted from these wells include 63-11234, 63-12000, 63-20897, 63-20898, and 63-20899.

Please contact me, David L. Whitney at 459-3659, or David Shaw at 363-7983 if you have questions or need any additional information regarding these claims to water rights.

Yours truly,


Wayne Stephens

Enc.

INSTRUMENT NO.

8602789

AGREEMENT TO TERMINATE WATER WELL AGREEMENT

THIS AGREEMENT, Made and entered into this 31
day of December, 1985, by and between WAYNE E. STEPHENS and
JULIA L. STEPHENS, husband and wife, the parties of the
first part, hereinafter referred to as "Stephens", and
WILLIAM M. HINDS and JACKIE HINDS, husband and wife, the
parties of the second part, hereinafter referred to as
"Hinds", WITNESSETH:

WHEREAS, The Stephens are the owners of real
property situate in Canyon County, State of Idaho, more
particularly described in Exhibit "A" attached hereto and by
this reference incorporated herein as if set forth fully
herein; and

WHEREAS, The Hinds are the owners of real property
situate in Canyon County, State of Idaho, more particularly
described in Exhibit "B" attached hereto and by this reference
incorporated herein as if set forth fully herein; and

WHEREAS, Prior to the execution of this agreement,
the prior owners of the real property described in Exhibit
"A" and Exhibit "B" attached hereto executed a Water Well
Agreement bearing date of the 8th day of February, 1956, and
recorded in the office of the Canyon County Recorder on the
15th day of February, 1956, as Instrument No. 430473; and

WHEREAS, Said Water Well Agreement provided that
Agreement to Terminate - 1

GARY L. MORGAN, P.A.

ATTORNEY AT LAW

1184 ALBERT STREET

CALDWELL, IDAHO 83605-3598

TELEPHONE (208) 459-8376

GARY L. MORGAN, P.A.
ATTORNEY AT LAW
1214 ALBANY STREET
CALDWELL, IDAHO 83605-3598
TELEPHONE (208) 459-6378

1 parties of the first part, former owners of the real property
2 owned by the Stephens and more particularly described in
3 Exhibit "A" attached hereto, and Vernon V. Olson and Dorothy
4 A. Olson, husband and wife, the parties of the second part,
5 former owners of the real property owned by the Hinds and
6 more particularly described in Exhibit "B" attached hereto.

7 That by entering into this agreement, the parties
8 hereto mutually agree that said Water Well Agreement shall
9 be terminated forever and of no further force and effect,
10 and that said Water Well Agreement shall no longer be a
11 covenant running with the real property owned by the respective
12 parties.

13 The parties hereto mutually covenant and agree
14 that all sums of money owing from one party to the other as
15 and for power to operate said domestic well and for maintenance
16 and repair to said domestic well and the use of the water
17 from said domestic well are paid in full.

18 IN WITNESS WHEREOF, The parties hereto have hereunto
19 set their hands and seals, the day and year in this agreement
20 first above written.

21 Wayne E. Stephens (seal)
Wayne E. Stephens
22 Julia Stephens (seal)
Julia L. Stephens
23

GARY L. MORGAN, P.A.

ATTORNEY AT LAW

1124 ALBANY STREET

CALDWELL, IDAHO 83605-3598

TELEPHONE (208) 459-0870

1 IN WITNESS WHEREOF, I have hereunto set my hand and
2 affixed my official seal, the day and year in this certificate
3 first above written.



Alfred J. Barrett
Notary Public for Idaho
Residing at Caldwell, Idaho

1 EXHIBIT "B"

2 REAL PROPERTY OWNED BY HINDS:

3 That part of the Northeast 1/4 of the Northeast
4 1/4 of Section 16, Township 3 North, Range
5 3 West of the Boise Meridian, described as
6 follows:

7 BEGINNING At a point on the Section line,
8 710.4 feet South of the Northeast corner
9 of Section 16, Township 3 North, Range 3
10 West of the Boise Meridian, and running
11 thence South on the Section line a distance
12 of 208.7 feet; thence West on a line parallel
13 with the North boundary line of said
14 Section 16, a distance of 417.4 feet; thence
15 North on a line parallel with said East
16 boundary line a distance of 208.7 feet;
17 thence East 417.4 feet to the POINT OF
18 BEGINNING, all in Canyon County, Idaho.

GARY L. MORGAN, P.A.
ATTORNEY AT LAW
1124 ALBANY STREET
CALDWELL, IDAHO 83605-8598
TELEPHONE (208) 458-6876

24 Exhibit "B"

REQUEST *Wayne Stephens*
TYPE *B + A* FEE *19.00*

BY *[Signature]*
BILL A. STAKER
CANYON CNTY. RECORDER

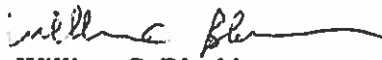
'86 FEB 6 PM 12 07

RECORDED

To whom it may concern:

April 19, 2007

In the late 1950's I hunted geese near the refuge at Lake Lowell. I hunted at 10th Ave and Karcher quite often. (now the site of a Valley View School.) Just across the Karcher Road was brick factory with a residence. This was prior to 1959, the year I graduated from high school at Middleton. The house and factory were located on the south west side of the intersection of 10th and Karcher.


William C. Blackburn
205 Barbara Drive
Middleton, Idaho 83644

10/04/2007

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

RIGHT NUMBER: 63-20902

NAME AND ADDRESS: WAYNE EUGENE STEPHENS
24604 EMMETT RD
CALDWELL ID 83607

LAKEVIEW WATER CO
C/O WAYNE STEPHENS
24604 EMMETT RD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.140 CFS
5.700 AFY

PRIORITY DATE: 06/01/1962

POINT OF DIVERSION:

T03N R03W S16 NENE Within CANYON County

T03N R03W S16 NENE Within CANYON County

T03N R03W S16 NENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.140 CFS
5.70 AFY

Domestic use is for 7 apartments, lawn, office, and laundry.

PLACE OF USE: DOMESTIC in CANYON County

T03N R03W S16 NENE

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 - Beneficial Use

Parcel Number R2760500000

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

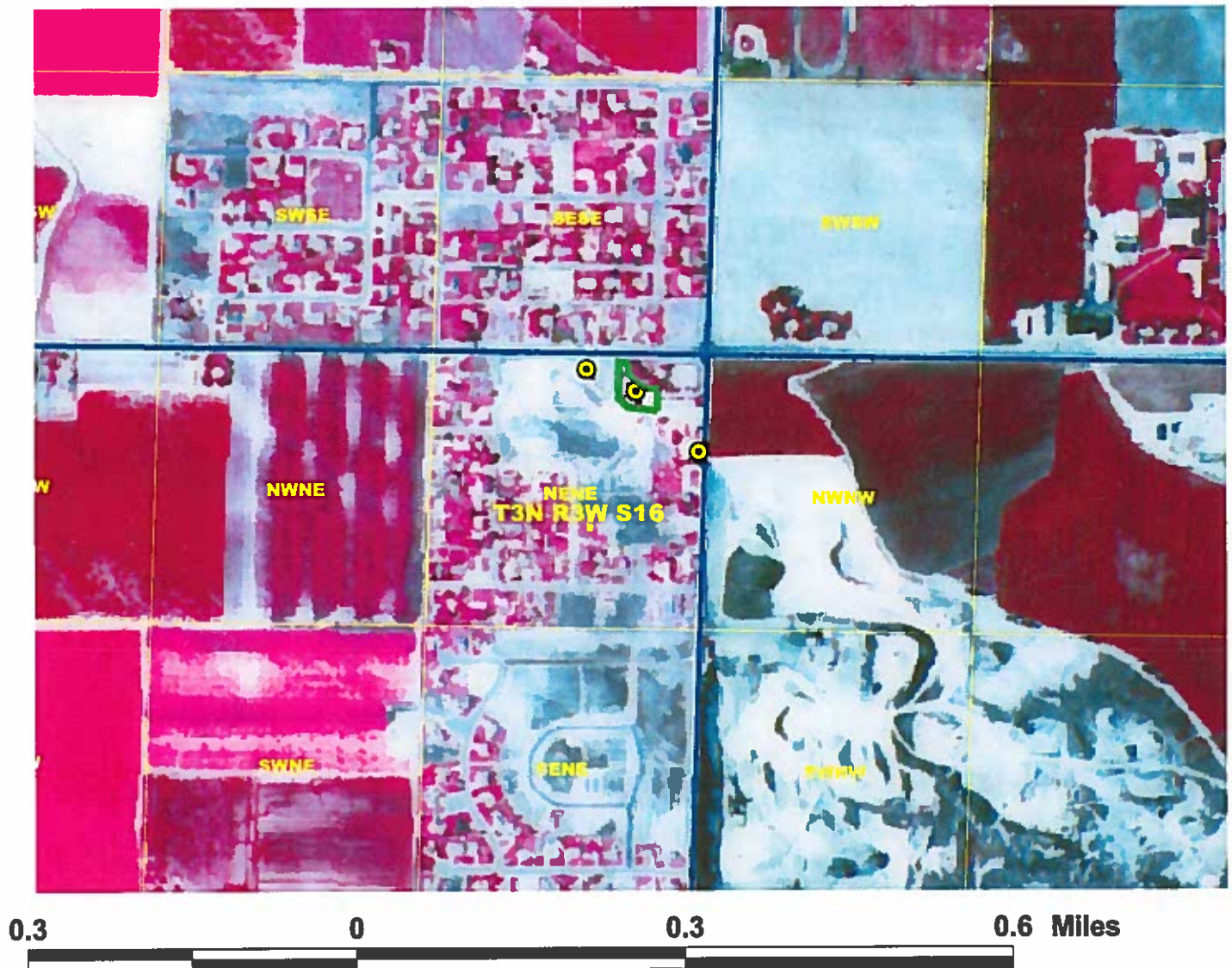
Place of use is located within Lot 4 and Lot 5; Vanal Heights Subdivision.

Rights 63-20900 and 63-20901 are also diverted through the points of diversion described above.



State of Idaho
Idaho Department of Water Resources
Wester Region

T3N R3W SECTION(S) 16
WATER RIGHT(S): 63-20902



GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: October 2007



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20902 V2

WATER RIGHT NUMBER: 63-20902 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WAYNE EUGENE STEPHENS 24604 EMMETT RD CALDWELL, ID 83607 (208)585-3134
Current Owner	LAKEVIEW WATER CO C/O WAYNE STEPHENS 24604 EMMETT RD CALDWELL, ID 83605 (208)454-8440

Priority Date: 06/01/1962

Basis: Beneficial Use

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>
DOMESTIC	01/01 to 12/31	0.140 CFS	5.70 AF
	<u>Total Diversion:</u>	0.140 CFS	5.70 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 16, Twp 03N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4	Sec. 16, Twp 03N, Rge 03W, B.M.
CANYON County		
GROUND WATER	NE1/4NE1/4	Sec. 16, Twp 03N, Rge 03W, B.M.
CANYON County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	03W	16	X																

Conditions of Approval:

1. Parcel Number R2760500000
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20902 V2

3. X60 Place of use is located within Lot 4 and Lot 5; Vanal Heights Subdivision.
4. 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.
5. X01 Domestic use is for 7 apartments, lawn, office, and laundry.
6. X36 Rights 63-20900 and 63-20901 are also diverted through the points of diversion described above.

Remarks:Comments:

1. dnelson 10/4/2007 Claim Review for version 2 recommendation

Comment: The claimant was able to supply evidence of priority for this file, but was not able to submit that information before the directors report had been submitted to the SRBA court. Therefore, he filed an objection to the recommendation and submitted the needed evidence.

I performed a field exam on this system, and it does appear as though these uses were in place at the time described in the affidavit supplied. The field exam showed that there is adequate water from the three original wells to satisfy each claimed diversion rate. According to the owner and the adjudication claims all three of these wells were connected in the same system on or around 1977. Therefore, the three original wells can be included on this right as an accomplished transfer. This system is also connected to fourth well that was added to the system in 1995, but I can not include this well since it was included after 1987. I am also working with the applicant to file a transfer to add the new well once the adjudication claims have been decreed.

This claim was filed for a triplex and a 4-plex with 7 apartments and ½ acre of yard irrigation at a diversion rate of 0.16 cfs. The field exam revealed that there is also an office located in this facility with a bathroom and laundry facilities attached to this system. The calculations show that the office and laundry have the same volume use as a standard domestic use, therefore, I am considering this an eighth domestic use when determining the flow rate, or 8 units. Appendix 4 of the Field Examiner's Handbook, does allow a 0.13 cfs diversion rate for 8 homes for in-house use. Historically it appears as though this right irrigated approximately 0.2 acres of lawn around the apartment complex, so the irrigation use can be added into this diversion rate. We can allow up to 0.03 cfs per acre or 0.01 cfs for 0.2 acres. Therefore, the maximum that I can allow for this use is 0.13 cfs + 0.01 cfs = 0.14 cfs. The volume will be the standard in-house use of 0.6 afa per apartment or 4.8 afa for the in-house use. The irrigation volume will be added in at 4.5 afa per acre or 0.2 X 4.5 = 0.9 afa for irrigation. The total allowable volume for this domestic use will be 5.7 afa.

I am recommending this right with a 6/1/1962 priority date for 0.14 cfs and 5.7 afa.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-20902 V2

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: AND
 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>
Contacts	10/4/2007 9:14:16 AM	dnelson			Active
Contacts	10/4/2007 9:17:37 AM	dnelson			Active
Priority Date	10/4/2007 9:19:56 AM	dnelson			Active
POD	10/4/2007 9:24:16 AM	dnelson			Active
Source	10/4/2007 9:24:55 AM	dnelson			Active
POU	10/4/2007 9:56:18 AM	dnelson			Active
Use	10/4/2007 9:56:46 AM	dnelson			Active
Season	10/4/2007 9:58:01 AM	dnelson			Active
Quantity	10/4/2007 10:00:10 AM	dnelson			Active
Summary			10/04/2007	dnelson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20902 V2

Quantity	10/4/2007 10:00:10 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Rate was below 0.24 cfs minimum, but a measurement was done during a field exam by Water Right agent, and there is adequate water for this right. Description for Question 10 - The field exam revealed that there is also an office located in this facility with a bathroom and laundry facilities attached to this system. The calculations show that the office and laundry have the same volume use as a standard domestic use, therefore, I am considering this an eighth domestic use when determining the flow rate, or 8 units. Appendix 4 of the Field Examiner s Handbook, does allow a 0.13 cfs diversion rate for 8 homes for in-house use. Historically it appears as though this right irrigated approximately 0.2 acres of lawn around the apartment complex, so the irrigation use can be added into this diversion rate. We can allow up to 0.03 cfs per acre or 0.01 cfs for 0.2 acres. Therefore, the maximum that I can allow for this use is $0.13 \text{ cfs} + 0.01 \text{ cfs} = 0.14 \text{ cfs}$. The volume will be the standard in-house use of 0.6 afa per apartment or 4.8 afa for the in-house use. The irrigation volume will be added in at 4.5 afa per acre or $0.2 \times 4.5 = 0.9 \text{ afa}$ for irrigation. The total allowable volume for this domestic use will be 5.7 afa.
Summary	10/4/2007 10:01:24 AM	dnelson	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 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? (No) 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20902 V2

POD	10/4/2007 9:24:16 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (Yes) 10. Is a POD remark and/or condition required? Description for Question 6 - The claim states that the system was combined in 1977, and field exam by water right agent confirmed that information.
Source	10/4/2007 9:24:55 AM	dnelson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field Exam by Water Right agent.
General	10/4/2007 9:19:56 AM	dnelson	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - An affidavit was submitted with the objection that shows this water was used in june of 1962.
POU	10/4/2007 9:56:18 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field Exam by Water Right agent.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20902 V2

Use	10/4/2007 9:56:45 AM	dnelson	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field Exam by Water Right Agent.
Contacts	10/4/2007 9:17:37 AM	dnelson	(Yes) 1. Do you want to schedule an appointment? (No) 2. Do you want to update the field exam contact information? Contact Person: Wayne Stephens Contact Phone Number: (208) 585-113134 Date of Field Exam: 9/25/2007 9:00 AM Directions to Property:
Season	10/4/2007 9:58:01 AM	dnelson	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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? (No) 15. Is irrigation claimed as a Purpose of Use? Description for Question 15 - Field Exam by Water Right Agent.
Contacts	10/4/2007 9:14:16 AM	dnelson	(Yes) 1. Do you want to schedule an appointment? (No) 2. Do you want to update the field exam contact information? Contact Person: Wayne Stephens Contact Phone Number: (208) 585-113134 Date of Field Exam: 9/25/2007 9:00 AM Directions to Property:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20902 V1

WATER RIGHT NUMBER: 63-20902 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WAYNE EUGENE STEPHENS 24604 EMMETT RD CALDWELL, ID 83607 (208)585-3134
Current Owner	LAKEVIEW WATER CO C/O WAYNE STEPHENS 24604 EMMETT RD CALDWELL, ID 83605 (208)454-8440

Priority Date: 06/01/1958

Basis: Beneficial Use

Status: Closed

<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>
DOMESTIC	1/01 to 12/31	0.160 CFS	
	<u>Total Diversion:</u>	0.160 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 16, Twp 03N, Rge 03W, B.M.
CANYON County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	03W	16	X				

Conditions of Approval:

1. P03 No beneficial use found.
2. P13 No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.
3. 1R27606-000-0

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-20902 V1

Comments:

1. CORR2 2/20/1997 COPIED FROM REMARKS
Comment: WELL NO. 2 WAS REDRILLED IN 1977

2. dnelson 9/21/2006 Claim Review.

Comment: I wrote a letter requesting evidence of priority to the claimant on 5/4/2006 and the letter was not returned. I checked the Canyon County tax records available to our office, and found this person as the current owner and the address was correct. Since there was no response to the letter, I assume they are no longer interested in pursuing this claim. I have recommended this claim as disallowed due to no beneficial use found.

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: NONE RECEIVED
State or Federal: S
Owner Name Connector: AND
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>
Summary			09/21/2006	dnelson	Closed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	9/21/2006 5:04:16 PM	dnelson	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 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?

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-20902 V1

SubCase:

SubCase Number: 63-20902
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: dnelson
Basis of Claim: Beneficial Use
Date Filed: 6/1/2007 Objection Status: Active

Water Supply Bank:

Music, Vicky

From: Music, Vicky
Sent: Tuesday, March 25, 2008 4:04 PM
To: Williams, Ray
Cc: Spencer, Nick
Subject: SF5s for Stephens

Hi Ray –

I am sending over the SF5s for 63-20900, 20901, 20902 in statehouse mail tomorrow. We got a new printer but no one knows how to operate the scanner yet. These SF5s are not in strikeout/underline format because they were recommended disallowed so all of the elements are new.

The 4th recommendation, 63-20909, remains disallowed because it was developed after 1963 and the claimant was advised by agent Dan Nelson to file an application for permit.

Later -

Vicky L. Music

Tracking:

Recipient

Williams, Ray

Spencer, Nick

Delivery

Delivered: 3/25/2008 4:04 PM

Delivered: 3/25/2008 4:04 PM

03/25/2008

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

RIGHT NUMBER: 63-20902

NAME AND ADDRESS: WAYNE EUGENE STEPHENS
24604 EMMETT RD
CALDWELL ID 83607

LAKEVIEW WATER CO
C/O WAYNE STEPHENS
24604 EMMETT RD
CALDWELL ID 83607

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.140 CFS
5.70 AFY

PRIORITY DATE: 06/01/1962

POINT OF
DIVERSION:

T03N R03W S16 NENE Within CANYON County
T03N R03W S16 NENE Within CANYON County
T03N R03W S16 NENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.140 CFS 5.70 AFY
Domestic use is for 7 apartments, lawn, office, and laundry.		

PLACE OF USE: DOMESTIC in CANYON County

T03N R03W S16 NENE

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 - Beneficial Use

Parcel Number R2760500000

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

Place of use is located within Lot 4 and Lot 5; Vanal Heights Subdivision.

Rights 63-20900 and 63-20901 are also diverted through the points of diversion described above.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-20902

WATER RIGHT NUMBER: 63-20902

Owner Type Name and Address
Current Owner LAKEVIEW WATER CO
C/O WAYNE STEPHENS
24604 EMMETT RD
CALDWELL, ID 83605
(208)454-8440
Current Owner WAYNE EUGENE STEPHENS
24604 EMMETT RD
CALDWELL, ID 83607
(208)585-3134

Priority Date: 06/01/1958
Basis: Beneficial Use
Status: Active

Source Tributary
GROUND WATER

Beneficial Use	From	To	Diversion Rate	Annual Volume
DOMESTIC	1/01	12/31	0.160 CFS	5.7
			0.14 CFS	
			0.160 CFS	5.7
			0.14 CFS	

Location of Point(s) of Diversion
GROUND WATER
CANYON County

NE1/4NE1/4

Sec. 16, Twp 03N, Rge 03W, B.M.

Place of Use
DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	03W	16	X				

Conditions of Approval:

1. WELL NO. 2 WAS REDRILLED IN 1977

Remarks:Comments:Dates and Other Information:

DO A
version 2

no Amendment
Necessary
TO change PRIORITY

Amend TO
3 A00'S

OK

C-03
C-18
X-01 - 7 apartments 1 office/Lae
X-36 - 20900 - 20901
X-60 LOTS 5 & 5
Uanal Heights
sub

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-20902

Claim Received Date: 2/13/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: AND

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:

Water Supply Bank:

TO: SNAKE RIVER BASIN ADJUDICATION CLAIM FILES 63-20900,
63-20901, 63-20902, 63-20909

FROM: DANIEL A. NELSON

DATE: 9/27/07

SUBJECT: ALLOWABLE RECOMMENDATIONS AFTER OBJECTIONS

The above mentioned Snake River Basin Adjudication (SRBA) claim files were recommended as disallowed due to failure to provide evidence of priority during the initial phase of the recommendation process. The claimant was able to supply evidence of priority for these files, but was not able to submit that information before the director's report had been submitted to the SRBA court. Therefore, he filed an objection to the recommendation and submitted the needed evidence.

In review of the evidence of priority submitted, it appears as though the 12-plex described in water right 63-20909 was not constructed until 1965. The mandatory permit statute went into affect on 3/25/1963, therefore, we cannot change the recommendation on this right. I have spoken with the claimant and we are working on filing an application for permit for this use. The other 3 rights described above can be recommended with the evidence of priority provided.

I performed a field exam on this system, and it does appear as though these uses were in place at the time described in the affidavit supplied. The field exam showed that there is adequate water from the three original wells to satisfy each claimed diversion rate. This system is also connected to fourth well that was added to the system in 1995, but I can't include this well since it was included after 1987. I am also working with the applicant to file a transfer to add the new well once the adjudication claims have been decreed. Each right is a little different, so each right will have some variances in the recommendation. Please see below the reasoning behind each recommendation.

63-20900

This right was filed for 3 apartments and ½ acre of irrigation at a diversion rate of 0.08 cfs. Appendix 4 of the Field Examiner's Handbook, does allow a 0.08 cfs diversion rate for 3 homes for in-house use. Historically it appears as though this right irrigated approximately 0.1 acres of lawn around the apartment complex, so the irrigation use would be included in the 0.08 cfs of this right. The volume will be the standard in-house use of 0.6 afa per apartment or 1.8 afa for the in-house use. The irrigation volume will be added in at 4.5 afa per acre or $0.1 \times 4.5 = 0.5$ afa for irrigation. The total allowable volume for this domestic use will be 2.3 afa.

I am recommending this right with a 2/8/1956 priority date for 0.08 cfs and 2.3 afa.

Page 2
Stephens memo

63-20901

This claim was filed for an 8-plex with 8 apartments and $\frac{1}{2}$ acre of yard irrigation at a diversion rate of 0.18 cfs. Appendix 4 of the Field Examiner's Handbook, does allow a 0.13 cfs diversion rate for 8 homes for in-house use. Historically it appears as though this right irrigated approximately 0.5 acres of lawn around the apartment complex, so the irrigation use can be added into this diversion rate. We can allow up to 0.03 cfs per acre or 0.02 cfs for $\frac{1}{2}$ acre. Therefore, the maximum that I can allow for this use is $0.13 \text{ cfs} + 0.02 \text{ cfs} = 0.15 \text{ cfs}$. The volume will be the standard in-house use of 0.6 afa per apartment or 4.8 afa for the in-house use. The irrigation volume will be added in at 4.5 afa per acre or $0.5 \times 4.5 = 2.3 \text{ afa}$ for irrigation. The total allowable volume for this domestic use will be 7.1 afa.

I am recommending this right with a 6/1/1962 priority date for 0.15 cfs and 7.1 afa.

63-20902

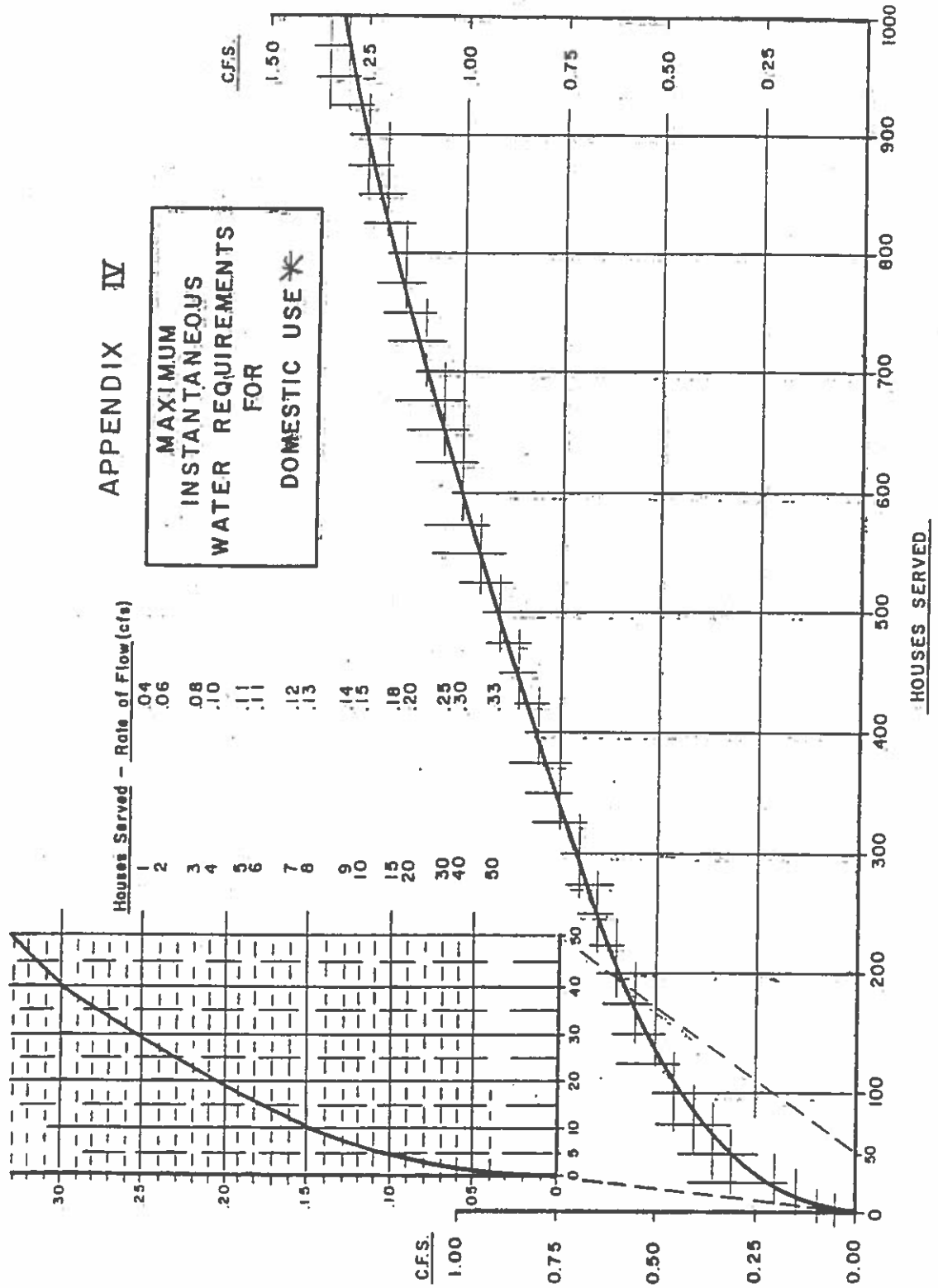
This claim was filed for a triplex and a 4-plex with 7 apartments and $\frac{1}{2}$ acre of yard irrigation at a diversion rate of 0.16 cfs. The field exam revealed that there is also an office located in this facility with a bathroom and laundry facilities attached to this system. The calculations show that the office and laundry have the same volume use as a standard domestic use, therefore, I am considering this an eighth domestic use when determining the flow rate, or 8 units. Appendix 4 of the Field Examiner's Handbook, does allow a 0.13 cfs diversion rate for 8 homes for in-house use. Historically it appears as though this right irrigated approximately 0.2 acres of lawn around the apartment complex, so the irrigation use can be added into this diversion rate. We can allow up to 0.03 cfs per acre or 0.01 cfs for 0.2 acres. Therefore, the maximum that I can allow for this use is $0.13 \text{ cfs} + 0.01 \text{ cfs} = 0.14 \text{ cfs}$. The volume will be the standard in-house use of 0.6 afa per apartment or 4.8 afa for the in-house use. The irrigation volume will be added in at 4.5 afa per acre or $0.2 \times 4.5 = 0.9 \text{ afa}$ for irrigation. The total allowable volume for this domestic use will be 5.7 afa.

I am recommending this right with a 6/1/1962 priority date for 0.14 cfs and 5.7 afa.

63-20909

As described above, this right will remain disallowed, due to development after March 25, 1963.

June 4, 1980



* DOES NOT INCLUDE FLOWS FOR IRRIGATION

ADDITIONAL INFORMATION NEEDED FOR COMMERCIAL FIELD EXAMS

Field Examiners, please complete the following checklist. Mark "unknown" or N/A if information doesn't apply.

IF CURRENT OWNER DOES NOT MATCH PROOF REPORT PLEASE GIVE NEW OWNER CHANGE OF OWNERSHIP FORM TO COMPLETE.

Pump information:

Power
BOX says
Static
Water level
at 135 FT
and
Pump set
at 160 FT.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
WEST Well	BRUISER	105	282008110	BRUISER	2 inch dia 52 PSI
Lakeview Well	UNKNOWN	10	UNKNOWN	UNKNOWN	2 inch dia 44 PSI
Valley view Well	FRANKLIN	7.5	2822019310	UNKNOWN	2 inch dia 44 PSI
Big View Pump #1	FRANKLIN	20	UNKNOWN	GOULD	Model 6C1002004CTS 46 PSI
Big View Pump #2	FRANKLIN	20	UNKNOWN	GOULD	Model 6C1003064CTS 46 PSI

HP was
Retrieved
From 1993
Field Exam
FOR WRB
63-11234

There are 2 pumps in one well at Big View Water Corp Diversion. Per 1998
Lift (distance from pump to water) See - Theoretical sheets. Field Exam for
How was lift determined (well log, measurement, owner)? See - Theoretical sheets. Water Right #
63-12000

Pressure against pump (this is checked using the owner's psi gauge, your gauge, or
an estimate by owner) See Theoretical sheets

Was a measurement made? NO If no can a measurement be made at a latter
time? NO

What type of measurement device was used? Theoretical

Is there a pump curve available for pump? ON Latest well only

Mapping Information:

Please clearly outline area of commercial use on attached aerial photo. DONE

Please clearly mark all points of diversion on map and GPS. DONE

Please take pictures of Place of Use and Point of Diversion. DONE

Commercial Use Information (how much water per year do they use?):

Type of establishment (church, camp, hospital, laundry, ect.):

APARTMENT COMPLEX.

Type of Facilities (Kitchen/cafeteria, lavatories, showers, baths, sinks trailers flush toilets):

Individual APARTMENTS - 2 LAUNDRY ROOMS.
ONE OFFICE

Number of fixtures (number of flush toilets, number of bathtubs, number of bathroom/kitchen sinks, number of showers, ect.):

5 - washing machine - 1 - OFFICE BATHROOM
WITH SINK & TOILET.

How Many Employees and/or public individuals per day use the facilities for this commercial use?

2 - OFFICE employees.

5 - PEOPLE PER DAY - 10 Loads/day

How Many Hours per day is the facility open for the above uses:

24 hrs.

How Many Days per Year is the facility open for the above uses:

365.

FIELD EXAMINERS NOTES:

These 4 wells ARE NOW CONNECTED
TOGETHER AS A SINGLE SYSTEM.
EVEN THOUGH ONLY THREE OF THESE
WELLS ARE ASSOCIATED WITH WATER
RIGHTS 63-20900, 63-20901, 63-20902, AND
63-20909. ORIGINALLY, THESE WELLS
ONLY SERVED THE SPECIFIC STRUCTURES
DESCRIBED IN THE INDIVIDUAL CLAIMS. HOWEVER
IN THE LATE TO MID. 1970'S THE ~~WELLS~~ 3 OF THE WELLS
WERE CONNECTED TOGETHER TO PROVIDE
BACK UP SOURCES. THE BIGVIEW
WATER CORPORATION WELL WAS ADDED
TO THE SYSTEM IN 1995. TAKING THIS
INTO ACCOUNT ALL 3 WELLS SHOULD
BE PLACED ON THESE RIGHTS AS AN
ACCOMPLISHED TRANSFER.

NO EVIDENCE COULD BE PROVIDED TO SHOW THAT THE 12-plex under water right 63-20909 WAS CONSTRUCTED PRIOR TO 1965. THEREFORE I HAVE RECOMMENDED TO THE CLAIMANT THAT HE FILE A TRANSFER TO add THE Bigview WATER CORP WELL TO THESE WATER RIGHTS, and FILE AN APPLICATION FOR PERMIT FOR THE 12-plex. THE ATTACHED AERIAL PHOTO SHOWS THE CURRENT DISTRIBUTION SYSTEM, and is pretty self explanatory. THERE WAS A 5TH WELL, BUT WAS ABANDONED WHEN THE Bigview WATER CORP WELL WAS added in 1995. THE THEORETICAL CALCULATION SHEETS SHOW A TOTAL OF 0.46 CFS CAPACITY WHEN THE Bigview WATER CORP WELL IS EXCLUDED. SINCE WATER RIGHT 63-20909 WAS DEVELOPED IN 1965, and CANNOT BE RECOMMENDED, THE CAPACITY OF THE 3 - ORIGINAL WELLS SHOULD BE ADEQUATE TO COVER THE 3 CLAIMS THAT CAN BE RECOMMENDED. $(63-20900 = 0.08 \text{ CFS}) + (63-20901 = 0.18 \text{ CFS}) + (63-20902 = 0.16 \text{ CFS}) =$ A TOTAL OF 0.42 CFS FOR ALL THREE RIGHTS.

20902 →
VOLUME

THERE IS AN OFFICE AND 2-LAUNDRY ROOMS COVERED UNDER 63-20902. PLUS 7 APARTMENTS @ 0.6 AFY FOR EACH APARTMENT AND OFFICE/LAUNDRY. THE TOTAL VOLUME WOULD BE $0.6 \times 8 = 4.8 \text{ AFY}$. THE OFFICE & LAUNDRY CALCULATION COULD ALSO BE CALCULATED AS FOLLOWS $(15 \text{ gal} \times 2 \text{ people FOR OFFICE}) + (50 \text{ gal/day} \times 10 \text{ loads FOR LAUNDRY}) / 32.5850 \times 365 \text{ days/yr} = 0.59 \text{ AFY}$. EITHER WAY IT EQUALS OUT TO 8 UNITS @ 0.6 AFY. OR 4.8 AFY

63-20900 →
VOLUME

3 UNITS $\times$ 0.6 AFY = 1.8 AFY

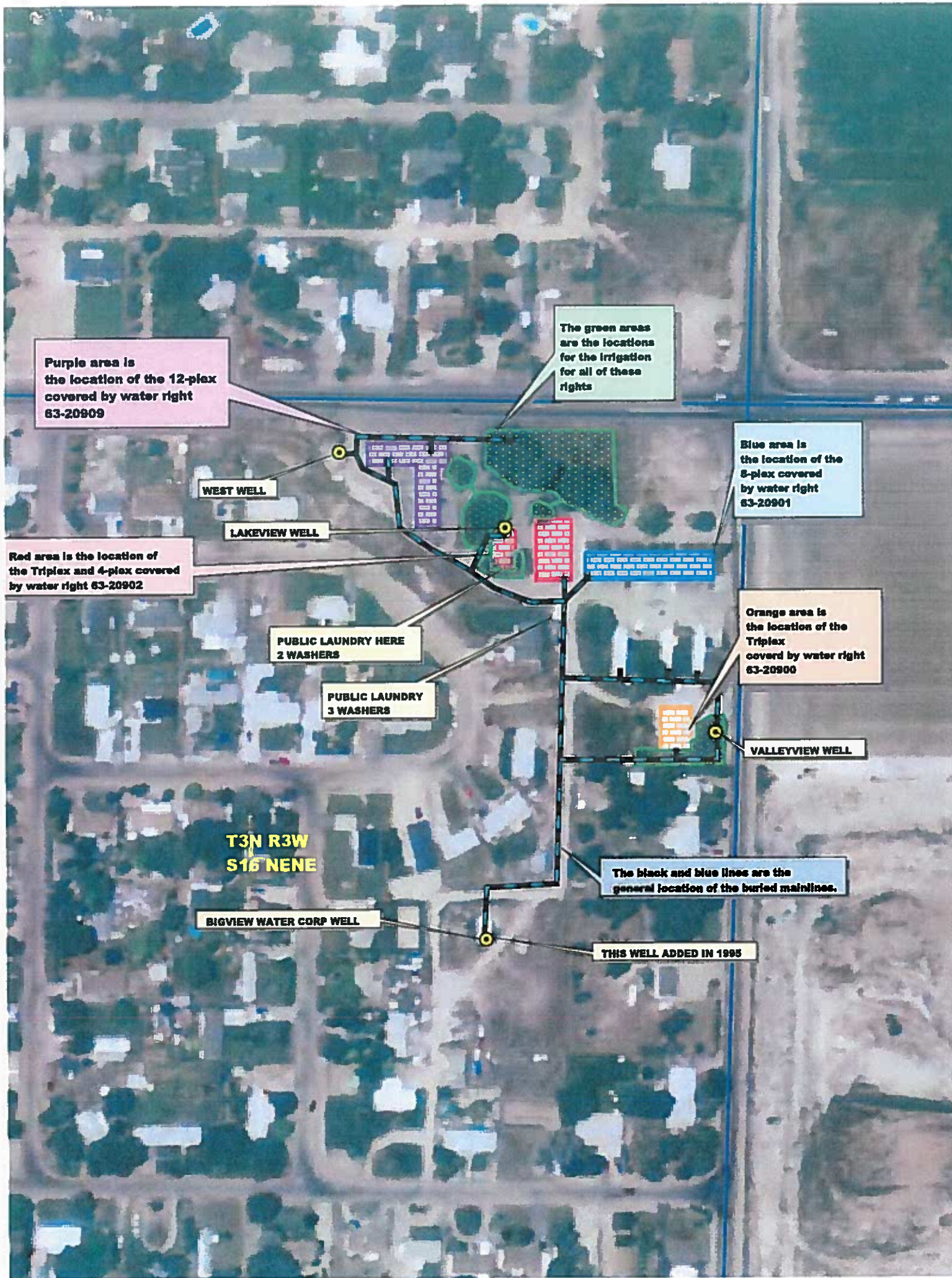
63-20901 →
VOLUME

8 UNITS $\times$ 0.6 AFY = 4.8 AFY

DATE EXAM CONDUCTED 9-25-2007

FIELD EXAMINER

Daniel A. Nelson
Daniel A. Nelson.



GROUNDWATER THEORETICAL ANALYSIS

63-20900-63-20901-63-20901

West
WellFILE: AND 63 20909DATE: 9-25-07BY: DANIELA NELSONTHEORETICAL RATE OF FLOW: $Q = \frac{(8.8 \times (HP) \times (EFF.))}{TDH}$

Q = CFS

HP = Total Brake Horsepower of pumping plant (including booster)

Eff. = Pumping plant efficiency (assume 70% or 0.70)

TDH = Total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = Depth to water in FEET from land surface to pumping water level

PSI = Pumping pressure measured in PSI near pump (if open discharge assume [0])

$$Q = \frac{(8.8) \times (1.5) \times (0.70)}{[(147.5) + (45 \times 2.31)]} = \frac{9.24}{251.45} = 0.04 \text{ CFS}$$

16.5 gpm.

<u>LIFT FROM:</u>	<u>PSI FROM:</u>	<u>NOTES ON PUMP:</u>
Measurement ()	Measurement ()	Motor Make, Serial or ID
Owner ()	Owner ()	
Area estimate ()	Estimate ()	Pump Make, Serial or ID, rating
Well Logs (☒)	Owner Gage (☒)	
Booster (Y) (N)		

REMARKS: The Well Logs FOR The Big View Pump Well show a static water level of 135 FT. The West Well Had writing on The Power Box that said the static water level was at 135 FT and the pump was set at 160 FT. Both of these wells are at opposite ends of the facility, so I calculated the pumping water level as the mid point between the static water level and the pump $-\frac{(160-135)}{2} + 135 = 147.5$ 3 of the owners 4 pressure gauges read between 44 - 46 psi. I used an average of 45 psi.

GROUNDWATER THEORETICAL ANALYSIS

63-20900-63-20901-63-20901

Lakeview
Well

FILE: AND 63 20909

DATE: 9-25-07

BY: DANIELA A. NELSON

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8 \times (HP) \times (EFF.))}{TDH}$

Q = CFS

HP = Total Brake Horsepower of pumping plant (including hooster)

Eff. = Pumping plant efficiency (assume 70% or 0.70)

TDH = Total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = Depth to water in FEET from land surface to pumping water level

PSI = Pumping pressure measured in PSI near pump (if open discharge assume [0])

$$(8.8) \times (10) \times (0.70) = 61.6$$

$$Q = \frac{61.6}{109.9 \text{ gpm.}} = 0.24 \text{ CFS}$$

$$[(147.5) + (45 \times 2.31)] = 251.45$$

LIFT FROM:

Measurement ()

Owner ()

Area estimate ()

Well Logs (☒)

Booster (Y) (N)

PSI FROM:

Measurement ()

Owner ()

Estimate ()

Owner Gage (☒)

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS: The well logs FOR the Big View Pump Well show a static water level of 135 FT. The West Well had writing on the power box that said the static water level was at 135 FT and the pump was set at 160 FT. Both of these wells are at opposite ends of the facility, so I calculated the pumping water level as the mid point between the static water level and the pump. $-\frac{(160-135)}{2} + 135 = 147.5$ 3 of the owners 4 pressure gauges read between 44 - 46 psi. I used an average of 45 psi.

GROUNDWATER THEORETICAL ANALYSIS

63-20900-63-20901-63-20901

Valley View well

FILE: AND 63 20909

DATE: 9-25-07

BY: DANIEL A. NELSON

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8 \times (HP) \times (EFF.))}{TDH}$

Q = CFS

HP = Total Brake Horsepower of pumping plant (including booster)

Eff. = Pumping plant efficiency (assume 70% or 0.70)

TDH = Total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = Depth to water in FEET from land surface to pumping water level

PSI = Pumping pressure measured in PSI near pump (if open discharge assume [0])

$$Q = \frac{(8.8) \times (7.5) \times (0.70)}{[(147.5) + (45 \times 2.31)]} = \frac{46.2}{251.45} = 0.18 \text{ CFS}$$

82.5 gpm

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
Measurement ()	Measurement ()	Motor Make, Serial or ID
Owner ()	Owner ()	
Area estimate ()	Estimate ()	Pump Make, Serial or ID, rating
Well Logs (☒)	Owner Gage (☒)	
Booster (Y) (N)		

REMARKS: The well logs FOR the Big View Pump Well show a static water level of 135 FT. The West Well had writing on the power box that said the static water level was at 135 FT and the pump was set at 160 FT. Both of these wells are at opposite ends of the facility, so I calculated the pumping water level as the mid point between the static water level and the pump. $[(160-135)/2] + 135 = 147.5$. 3 of the owners 4 pressure gauges read between 44 - 46 psi. I used an average of 45 psi.

GROUNDWATER THEORETICAL ANALYSIS

63-20900-63-20901-63-20901

Big View ~~Pump~~
WATER CORP.
Well

FILE: AND 63 20909

DATE: 9-25-07

BY: DANIELA NELSON

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8 \times (HP) \times (EFF.))}{TDH}$

Q = CFS

HP = Total Brake Horsepower of pumping plant (including booster)

Eff. = Pumping plant efficiency (assume 70% or 0.70)

TDH = Total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = Depth to water in FEET from land surface to pumping water level

PSI = Pumping pressure measured in PSI near pump (if open discharge assume [0])

$$Q = \frac{(8.8) \times (20+20=40) \times (0.70)}{[(147.5) + (45 \times 2.31)]} = \frac{246.4}{251.45} = 0.98 \text{ CFS}$$

439.8 gpm.

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
Measurement ()	Measurement ()	Motor Make, Serial or ID
Owner ()	Owner ()	
Area estimate ()	Estimate ()	Pump Make, Serial or ID, rating
Well Logs (☒)	Owner Gage (☒)	
	Booster (Y) (N)	

REMARKS: The Well Logs FOR The Big View Pump Well show a static water level of 135 FT. The West Well Had writing on The Power Box that said the static water level was at 135 FT and the pump was set at 160 FT. Both of these wells are at opposite ends of the facility, so I calculated the pumping water level as the mid point between the static water level and the pump. $[(160-135)/2] + 135 = 147.5$ 3 of the owners 4 pressure gauges read between 44 - 46 psi. I used an average of 45 psi.

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 9/25/2007

FILE NUMBER Stephens Field Exams 63-20900, 63-20901, 63-20902, & 63-20909



This photo shows the West well.



The bottom photo shows the piping for the West Well.

PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 9/25/2007

FILE NUMBER Stephens Field Exams 63-20900, 63-20901, 63-20902, & 63-20909



The photo above shows the Lakeview Well and the assorted piping.

The photo below shows the pressure tank for the Lakeview well. It is approximately 600 gallons



PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 9/25/2007

FILE NUMBER Stephens Field Exams 63-20900, 63-20901, 63-20902, & 63-20909



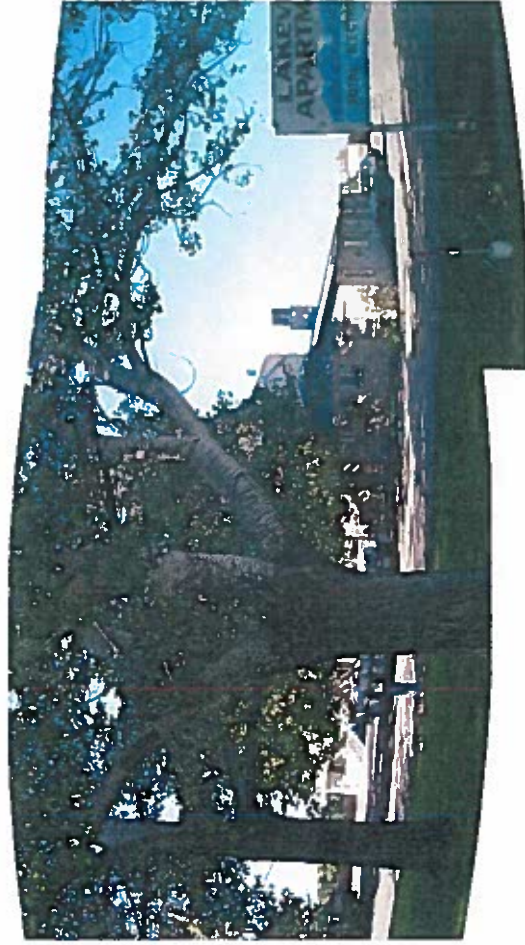
The photo above shows the Triplex and the Valleyview well in the yard area next to the hedge.

The photo below shows the piping from the well and pressure tanks.



PHOTOGRAPHER AND DATE OF PHOTOS DANIEL A NELSON 9/25/2007

FILE NUMBER Stephens Field Exams 63-20900, 63-20901, 63-20902, & 63-20909



The top photo shows all of the facility except the triplex shown earlier. The 12-plex is on the right, the triplex and 4-plex with office is in the center, and the 8-plex is on the far left.

The photo below shows a little better shot of the 12-plex.

09/23/93

State of Idaho
Department of Water Resources

OVERLAP
Westwell
& Lakeview well.

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11234

Priority: February 28, 1990

Maximum Diversion Rate: 0.24 CFS
Maximum Diversion Volume: 34.5 AF

This is to certify, that LAKEVIEW WATER CO
C/O WAYNE STEPHENS
24604 EMMETT RD
CALDWELL ID 83605

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 13, 1990; and has submitted Proof of Beneficial Use on July 16, 1991. An examination indicates that the works have a diversion capacity of .240 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.10 CFS	22.5 AF
DOMESTIC	01/01 to 12/31	0.20 CFS	12.0 AF
	Totals	0.24 CFS	34.5 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 16, Township 03N, Range 03W
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>
03N	03W	16	NENE	5		5

Total number of acres irrigated: 5

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accep standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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.
6. The issuance of this right in no way grants any right-of-way or easement across the land of another.

RECORDED

OCT 20 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-11234

CONDITIONS/REMARKS:

7. Two points of diversion are located within NENE, S16, T3N, R3W.
The maximum rate of diversion for domestic purposes under this right shall not exceed 0.20 cfs.
8. Place of use is located within Vanal Heights Subdivision.
9. Domestic use is for 20 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 24TH
day of SEPTEMBER, 19 93.

Acting for


R. Keith Higginson, Director

OCT 20 1993

LICENSE REVIEW CHECKLIST

Permit # 63-11234 Date 9-22-93 Brenda Chapman

NAME	Yes ☐ No ☒	Or Address Change?
PRIORITY DATE	☐ ☒	Advance? <u>Done</u> Memo to Advance <u>TO: 2-28-90</u>
	<u>Done</u> ☒	Order to Reinstate Needed?
	☐ ☒	Incorrect Fee for rate recommended?
SOURCE	☐ ☒	Changes? Clarification of Originally Intended source
	☐ ☒	Notice of Intent to Void - Source change.
P/D	☐ ☒	Amendment Needed?
	☐ ☒	Is Overlap Analysis a Consideration?
P/U	☐ ☒	Amendment Needed?
	☐ ☒	Is Overlap Analysis a Consideration?
TOTAL CFS	<u>-NA-</u> ☐ ☒	Disagree/Measurement <u>NONE DONE</u>
	☐ ☒	<u>5 acres x .03 = .15</u> <u>5 x .02 = .10</u>
	☐ ☒	<u>20 homes = .20</u>
	☐ ☒	Pumping Theoretical <u>(8.8 x .70 x 11.5)</u>
	☐ ☒	<u>(ISS + 2.31 x 60) = .24 CFS</u>
	☐ ☒	System Capacity <u>.24</u>
	☐ ☒	Allowable Amount: <u>CAPACITY .24</u>
TOTAL VOLUME	☒ ☐	Disagree with Examiner's Calculations?
	☐ ☒	<u>5 acres x 4.5 = 22.5</u>
	☐ ☒	<u>20 homes x .6 = 12.0</u>
	☒ ☐	Flow limit: <u>.10</u> x 246 x 1.9835 = <u>48.8</u>
	☐ ☒	Season Recommended <u>D-4.6</u> <u>3/15-11/15</u>
USES	☐ ☒	Change(s) in Nature of Use?
	☐ ☒	Amendment Needed?
REMARKS	<u>YES</u> ☐ ☒	Multiple P/Ds in 1/4 1/4? <u>TWO IN NENE 1/4</u>
	☐ ☒	Special Overlap Condition <u>RUN + CHECK</u>
	☐ ☒	Other
CONDITIONS	☐ ☒	Measuring/Locking Devices Misc/Dates
	☐ ☒	W/Master Control ☒ Water Dist
	<u>R32</u> ☐ ☒	Irrigation Overlap <u>2-13-1990</u> App Rec'd
	☐ ☒	Water Quality <u>8-13-1993</u> Exam Made
COMMENTS:	<u>REDUCE RATE TO CAPACITY</u>	

RECOMMENDED	CFS	DIV VOL	LICENSE
<u>IRRIGATION</u>	<u>.10</u>	<u>22.5</u>	☒
<u>DOMESTIC</u>	<u>.20</u>	<u>12.0</u>	
<u>TOTALS</u>	<u>.24</u>	<u>34.5</u>	AMEND ☐

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 13 1993
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-11234

1. Owner: Lakeview Water Co. / c/o Wayne Stephens Phone No. 454-8440

Current Address: 24604 Emmett Road, Caldwell, ID 83605

2. Accompanied by: Wayne Stephens EXAM DATE: 8/13/93

Address: Same Phone No. _____

Relationship to Permit Holder: Applicant

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: many - SEE OVERLAP sheet

2. Other water rights with the same point of diversion: many - see overlap sheet

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	NE	16	3N	3W	Canyon	Aerial Map

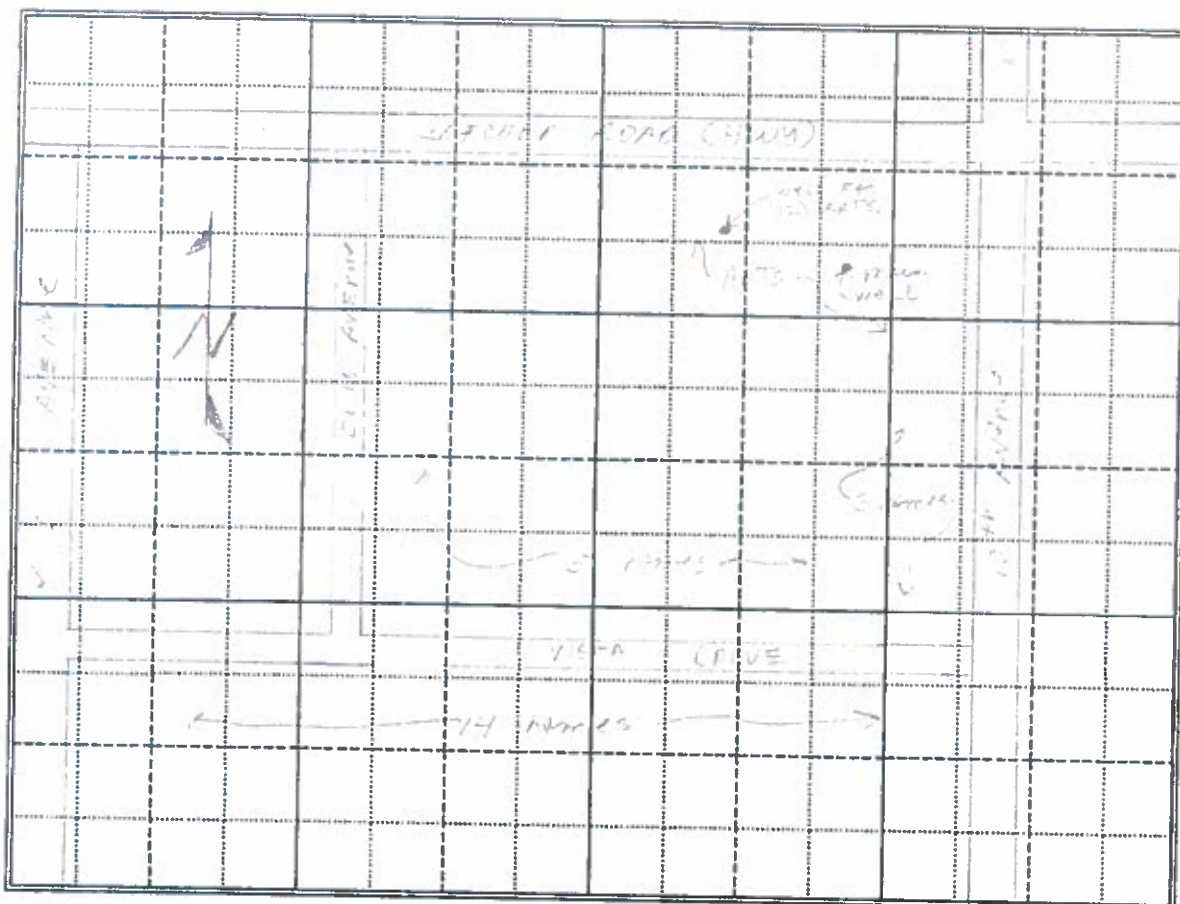
2. Place(s) of Use:

Indicate Method of Determination Same as P/D

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	3W	16	5																5

MAINTAINED
OCT 20 1993

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = 1/4 MI.

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

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

☐ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No. ^{model}	Pump Make	Pump Serial No. or Discharge Size ^{model}
	NO TAG	10	NO TAG	1	
	FRANKLIN	1 1/2	252278110	A + B	10P4F02T-DY

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: NO FLOW MEASUREMENTS

OCT 20 1993

E. NARRATIVE/REMARKS/COMMENTS

OVERLAPS - P/D - SAME Q/Q, different wells

P/U - SAME Q/Q, different areas of use.

Two wells serve 19 apartments and 22 homes. The main well serves 7 apartments and 22 homes.

The second wells primary function is to serve 12 apartments. The system is tied together, so if extra water is needed, pressure can be maintained throughout the residences. Gage pressure during pumping reached 60 psi.

The permit was allocating water for 20 homes, not the 22 homes plus 19 apartments in existence, so only 20 homes can be considered. Assuming $\frac{1}{4}$ acre of lawn per home, there exists more than 5 acres of lawn area for irrigation.

Since the systems capacity is less than the requested allocation, can only allocate the systems capacity.

Recommend licensing for 0.20 CFS domestic and 0.04 CFS irrigation.

$$Q(\text{Theoretical}) = \frac{(8.8)(0.7)(11.5)}{(2.31 \times 60) + 155} = 0.24 \text{ CFS}$$

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

APPROVED

OCT 20 1993

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

NONE - PRESSURIZED SYSTEM

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \times 4.5 = 22.5 \text{ AFA}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.04 \times 246 \times 1.9835 = 19.5 \text{ AFA}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 19.5 \text{ AFA}$$

2. Volume Calculations for Other Uses:

$$\text{Domestic} - V_{\text{INTERNAL}} = 0.6 \times 20 = 12.0 \text{ AFA}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3/15	11/15	0.04	19.5
DOMESTIC	1/1	12/31	0.20	12.0
Totals:			0.24	31.5

2. Recommended Amendments

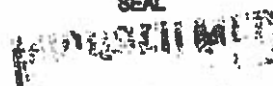
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

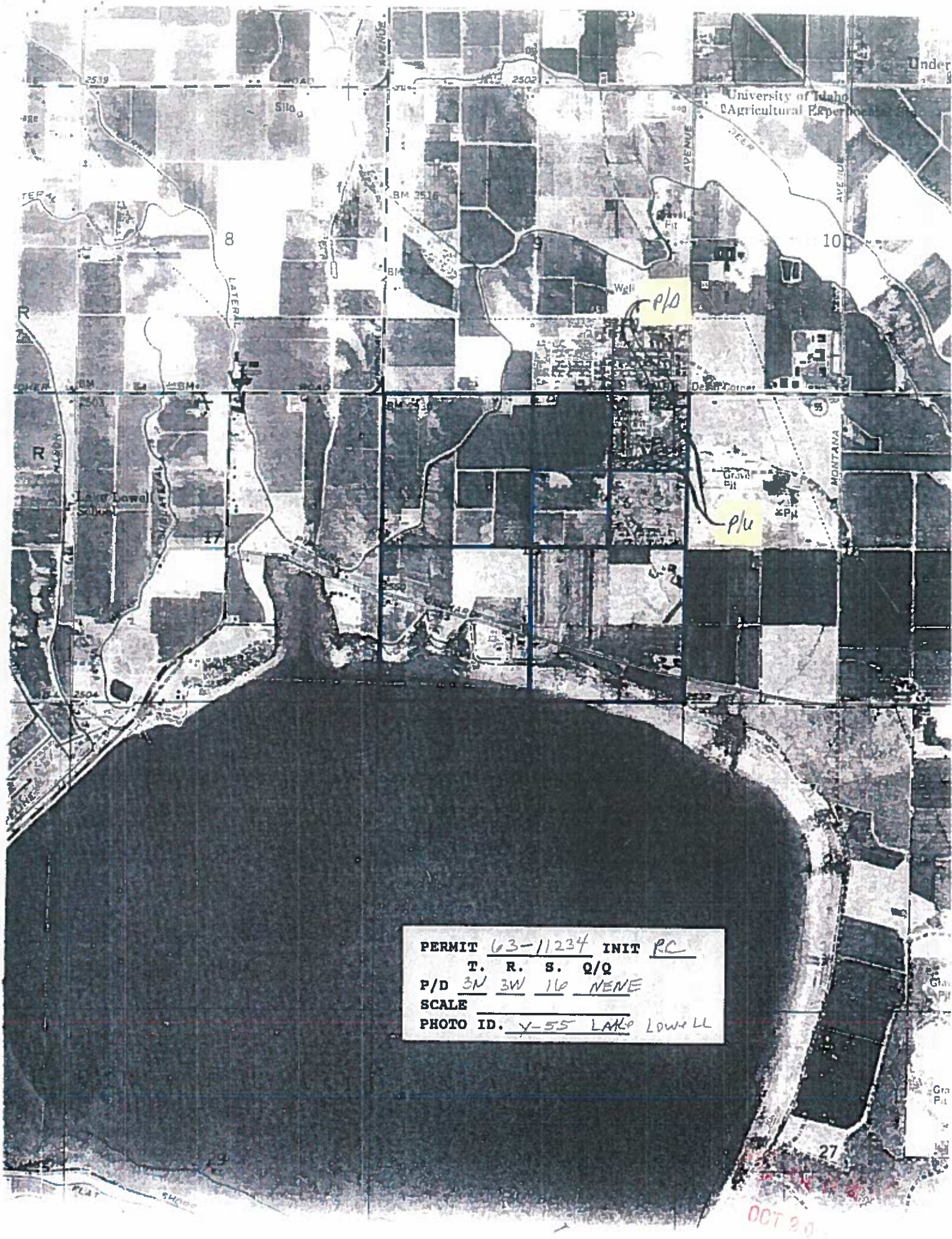
Field Examiner's Name Rick Collingwood Date 8/29/93

Reviewer _____ Date _____

SEAL



OCT 20 1993



PERMIT 63-11234 INIT RC
T. R. S. Q/Q
P/D 3N 3W 16 NENE
SCALE
PHOTO ID. Y-55 LAKE LOWELL

OCT 20

OCT 10 1993

VANAL HEIGHTS

A SUBDIVISION IN THE
NE 1/4 of SECTION 16, T3N, R.3W, B.M.

STATE OF IDAHO
COUNTY OF CANYON } SS

I, Melvin Y Davenport, a Professional Engineer in and for the State of Idaho do hereby certify that the survey of VANAL HEIGHTS, Canyon County, Idaho was made by me or under my direction, and I further certify that this Plat correctly represents the survey as made.
IN WITNESS WHEREOF, I have hereunto set my hand and seal this 14th day of May, 1960.

Melvin Y. Davenport
Registered Engineer



STATE OF IDAHO
COUNTY OF CANYON } SS

On this 14th day of May, 1960 before me, Wallace L. Davis, a Notary Public in and for the said County and State, personally appeared Melvin Y Davenport known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year written above.

Wallace L. Davis

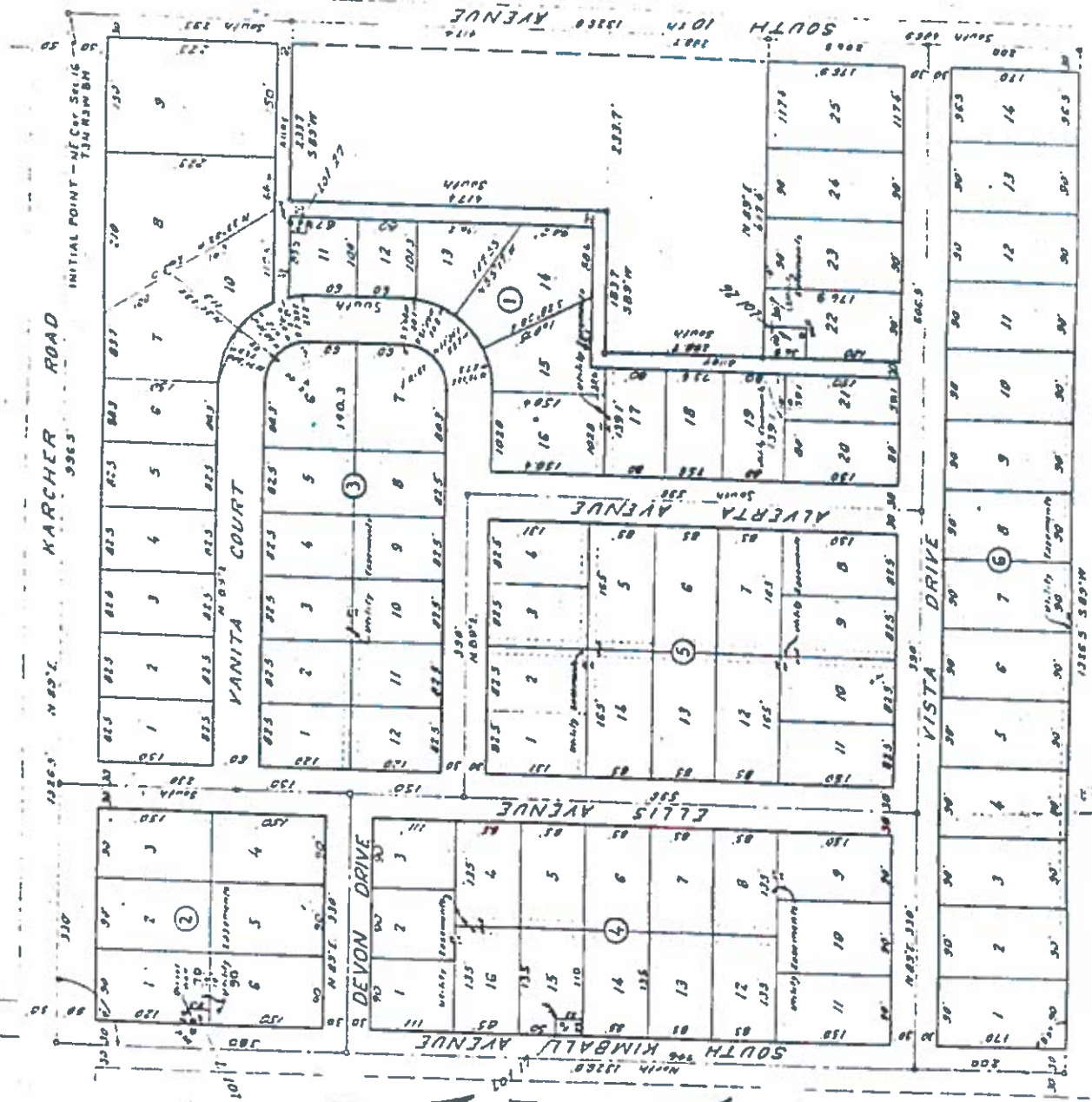
Notary Public residing at Caldwell Idaho
My Commission expires 6-1-61.

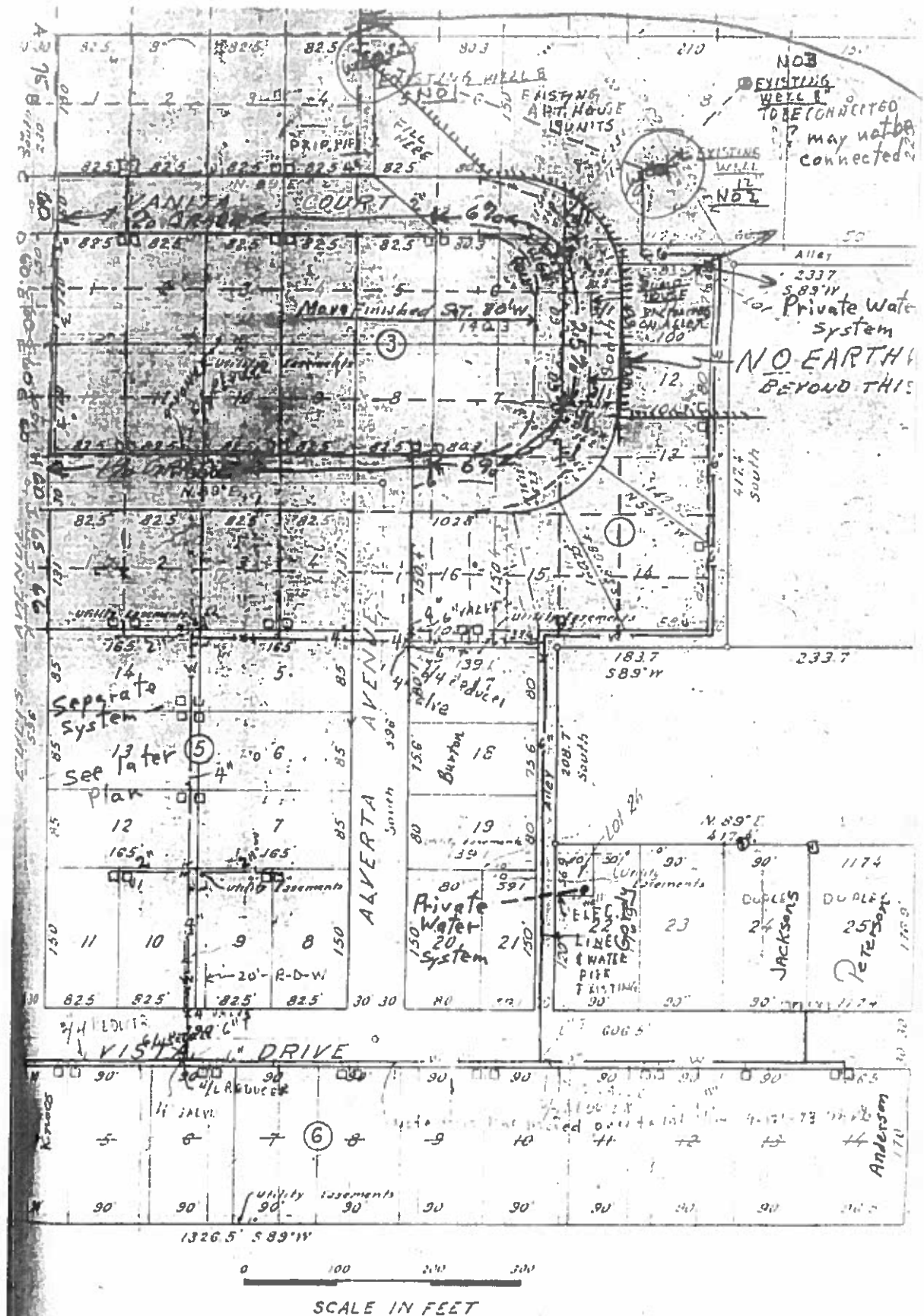
Instrument No. 14111
STATE OF IDAHO
COUNTY OF CANYON } SS

I hereby certify that this Instrument was filed for record at the request of Melvin Y Davenport 2122 minutes past 3 o'clock P.M. this 24th day of June, 1960 A.D.

S.S. Foote
Recorder
By *Arthur Mayne*
Deputy

Fee \$5.00





Permit: 63-11234

Photos taken 8/13/93

Page 1 of 2



PHOTO ONE- One OF Two wells for homes And apartments.



PHOTO TWO- Pressure Tank in room next to main well.

Permit: 63-11234

Photos taken 8/13/93

Page 2 of 3



PHOTO THREE- View westerly of a portion of homes on Vista Drive



OCT 20 1993

PHOTO FOUR-

Second well used primarily for $\frac{1}{2}$ apartments nearest TO well.

Permit: 63-11234

Photos taken 8/13/93

pg 3 of 3



PHOTO FIVE-

View eastward of a portion of 12 apartments served by second well. Well located in building to right edge of photo.

>

OCT 20 1993

PHOTO SIX-

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-12000

WATER RIGHT NUMBER: 63-12000

Owner Type Name and Address
 Current Owner WAYNE EUGENE STEPHENS
 24604 EMMETT RD
 CALDWELL, ID 83607
 (208)585-3134

Priority Date: 02/27/1997

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.120 CFS	20.30 AF
DOMESTIC	01/01 to 12/31	0.220 CFS	13.80 AF
<u>Total Diversion:</u>		0.340 CFS	34.10 AF

Location of Point(s) of Diversion

GROUND WATER

CANYON County

SE1/4NE1/4NE1/4

Sec. 16, Twp 03N, Rge 03W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	03W	16	4.5				4.5

Total Acres: 4.5

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03N	03W	16	X				

Conditions of Approval:

1. X60 Places of use for domestic purposes are located within Lots 1-4 and 11-17, Blk. 1, and Lots 1-5, and 7-12, Blk. 3, Vanal Heights Subdivision. Places of use for irrigation purposes are the lots listed above and Lot 6, Blk. 1, Vanal Heights Subdivision.

OVERLAP
 Big View
 Water Corp
 Well.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-12000

2. 01M After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
3. 071 The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
4. R69 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
5. WB5 Domestic use is for 23 homes within the lots described above. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

Remarks:Comments:

1. S. Keen 1/31/2003 License Review
Comment: Licensing review and data entry by S. Keen on 1/30/2003.

CHANGE IN NATURE OF USE

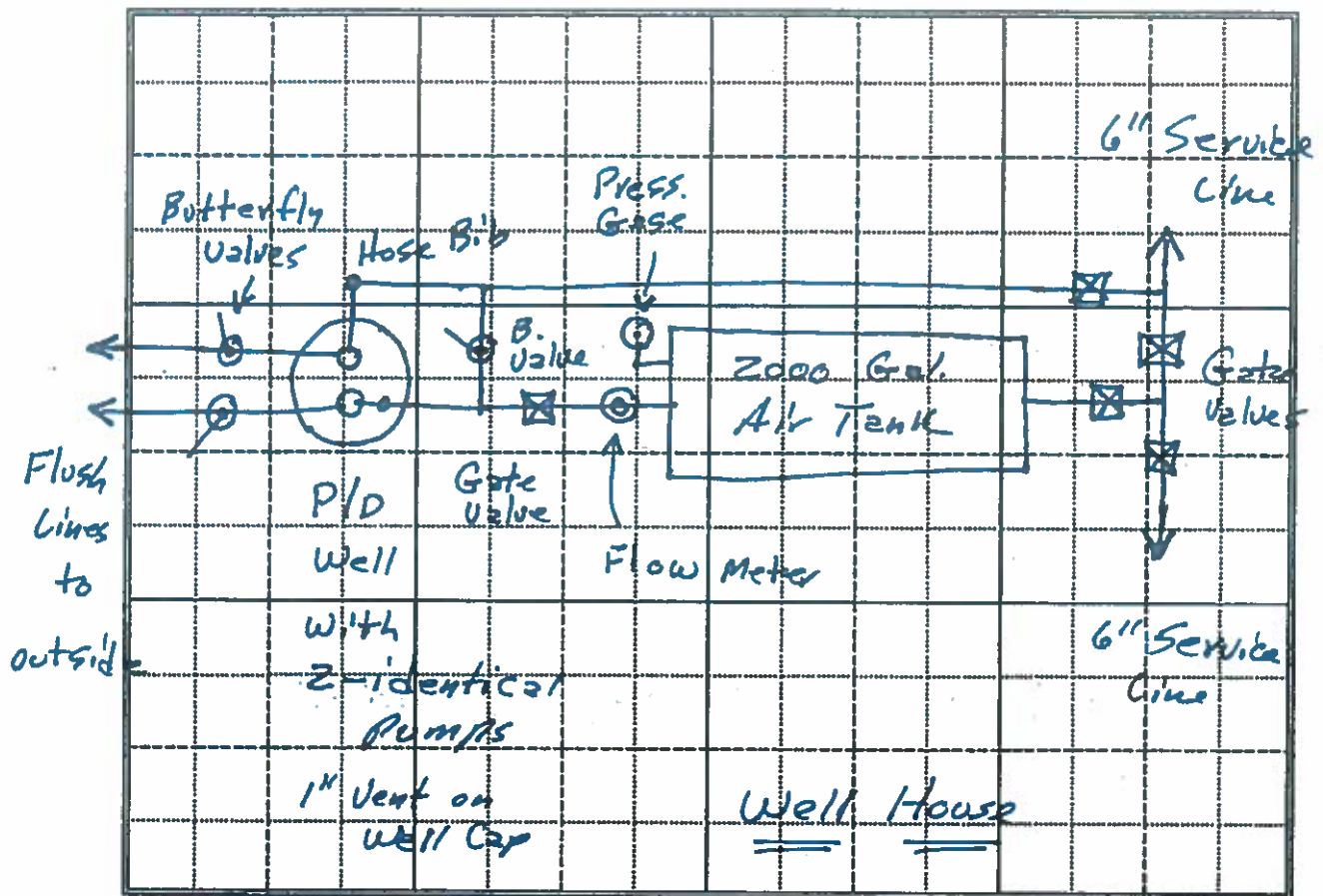
The permit authorized the development of 22 domestic uses. The examiner found 23 domestics, apparently due to the addition of lot 16A. The increase can be authorized, if the permit is amended, because the irrigated area is 1.5 acres less than was permitted.

Dates and Other Information:

Licensed Date: 2/14/2003
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre: 0.03
Generic Max Volume Per Acre: 4.5
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = None

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
2 PUMPS	Franklin	20		Gould	Model 6CLCO
in Well					2064CT5
(identical)					8 Stage

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

D. FLOW MEASUREMENTS

Installed meter:

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
McCrometer	Tot	McC.		96-7870	6	

2. Measurements: None - operating Pressure: 40-60 psi.

E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for domestic and irrigation water for the Vernal Heights Subdivision. The Subdivision has developed lots 1-4, 11-17 in Block 1, and lots 1-12 in Block 3. Lot 6 in Block 3 was cut in half by a change in the street alignment and is now a small park. There will be no house on this lot. There ~~are~~^{were} 5 homes completed, and one under construction at the time of the exam.

2. The well has two identical pump units in it, and the well house has a 2000 Gal. Air tank, flow meter, press. gage, controls, valves, piping, etc. The well pumps water to 6" mainlines which serve each lot through a meter at the lot line. The second pump acts as a back-up.

3. The well is located on the East side of lot 17 Block 1. This was a change in location from the proposed site in lot 6, Block 3 (Cond. 10). It was also proposed to have 2 wells, but only one was developed with 2 pumps in it.

4. The land where the subdivision was developed was once a gravel pit. It was dry land, and did not receive any surface irrigation water. There is no surface water delivery to this land (Cond. 8). Domestic use is for 23 lots. (Cond. 12 - 22 Homes).

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

5. Other wells adjacent to this subdivision serve different tracts of land, and other purposes.

Additional Computation Sheets Attached

Measured Method:

None Theoretical Bl.:

one pump: - (the other pump is a back-up)

$$Q = \frac{(8.8)(2044)(702)}{135'4 \left(\frac{341}{40 \text{ psi}} \right) (14.7 \text{ psi})} = \underline{0.54 \text{ cfs}} > \underline{0.34 \text{ cfs}}$$

Investition

$$Q_{\text{allowed}} = (0.02 \frac{\text{cfs}}{\text{Ac.}}) \times 6 \text{ Ac.}$$

$$= 0.12 \text{ cfs}$$

Domestic : 22 Homs

$$Q_{2/low} = 0.22 \text{ cf.}$$

G. VOLUME CALCULATIONS

TDM = 228' From Pump Pert.

Curve, $Q = 240 \text{ GPM} = 0.53 \text{ cfs}$

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (6.0 \text{ Acre}) (4.5 \frac{\text{A.F. Acre}}{\text{Acre}}) = 27.0$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.12) (246) (1.9835) = 58.6$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{DR} = 27.0 \text{ A} = A$$

2. Volume Calculations for Other Uses:

Domestic: Permit - 22 hours

freq - 23 Homes

Actual - 23 lots (Homes)

Domestic: $AF_A = (0.6 / \text{home}) (22 \text{ home})$
(Internal) $= 13.2 \text{ AF}_A$

$$= 13.2 \text{ A} = A$$

$$\text{Irrigated A.C.} = (0.24 \text{ A.C.}) (10 \text{ Lots}) + (0.29)(4) + (0.33)(1) + (0.36)(1)$$

H. RECOMMENDATIONS

NS
(lots)

$$+ (0.20)(1) + (0.31)(1) + (0.35)(1) + (0.27)(2) + (0.28)(1) + (0.22)(1) + 0.16 \text{ At. (Per K)} = \underline{6.31 \text{ At. @ } 90\%}$$

= 5.68 Allow 6.0
Annual Volume AC

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	03/15	11/15	0.12	27.0
Domestic	01/01	12/31	0.22	13.2
		Totals:	0.34	40.2

2. 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

Notes: He applied
to have 2 wells,
but decided to
have one well
with 2 pumps.

1. AUTHENTICATION

Field Examiner's Name _____

Don Turner

Date _____

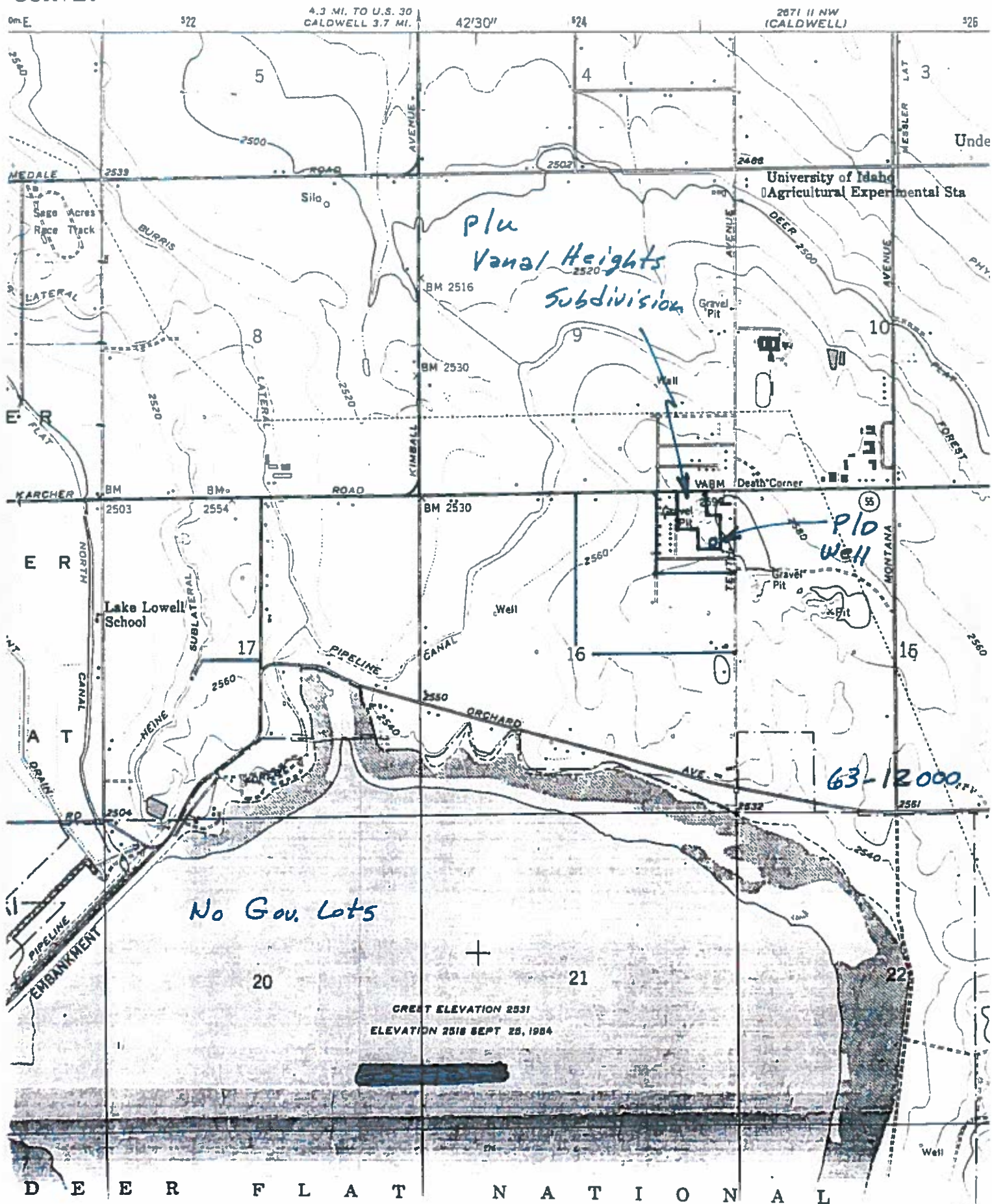
12-16-78

Reviewer

Date _____

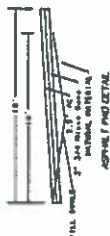
SEAL

TATES
THE INTERIOR



See DWG No. EIE-940928

See DWG No. EIE-9-
Detail Wall 5.10
STATE HIGHWAY 55



1. 100	1. 100
2. 100	2. 100
3. 100	3. 100
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number	age in years	sex	weight	height	arm	hand	finger	middle finger
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2	2	♀	10.00	66.00	46.79	31.11	19.48	15.00
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96	2	♀	10.00	66.00	46.78	31.11	19.48	15.00
97	2	♀	10.00	66.00	46.78	31.11	19.48	15.00
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99	2	♀	10.00	66.00	46.78	31.11	19.48	15.00
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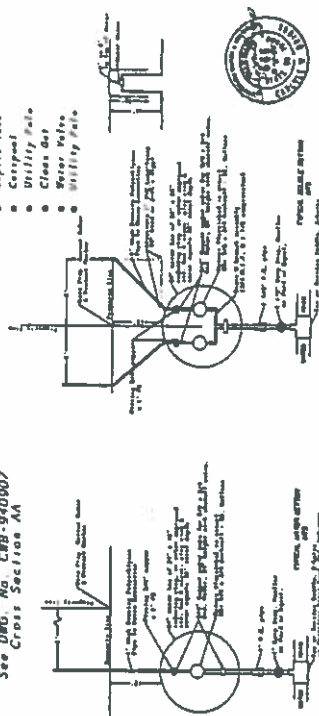
A cross-section diagram of a street. The total width is 32' ASPHALT. A central section is 18' wide. On either side of this 18' section are 7' sections. Below the 18' section, there is a layer labeled "1" of 6" - max size base (crushed stone or equivalent) and another layer below it labeled "Completed flexible substrate". To the right of the diagram, it says "Scale 40' = 1\".

STREET CROSS SECTION

See DWG No. CFB-940907



STREET CROSS SECTION
see DWG. No. CWB-940907



Note: Lot 6, BIK 3
was cut in half
by street re-align
and is now a small
Park.

Blo = K 1	Cots 1-4 Cots 11-17
Blo = K 3	Cots 1-12 except Cot 6

H - House
H/C - House
under
Construction

Each lot has
2 flow meters

AS CONSTRUCTED - 11-01-95 C1J
Date: Oct 04, 1994
Scale: 1" = 60'
DWG No. 63-12000 941004

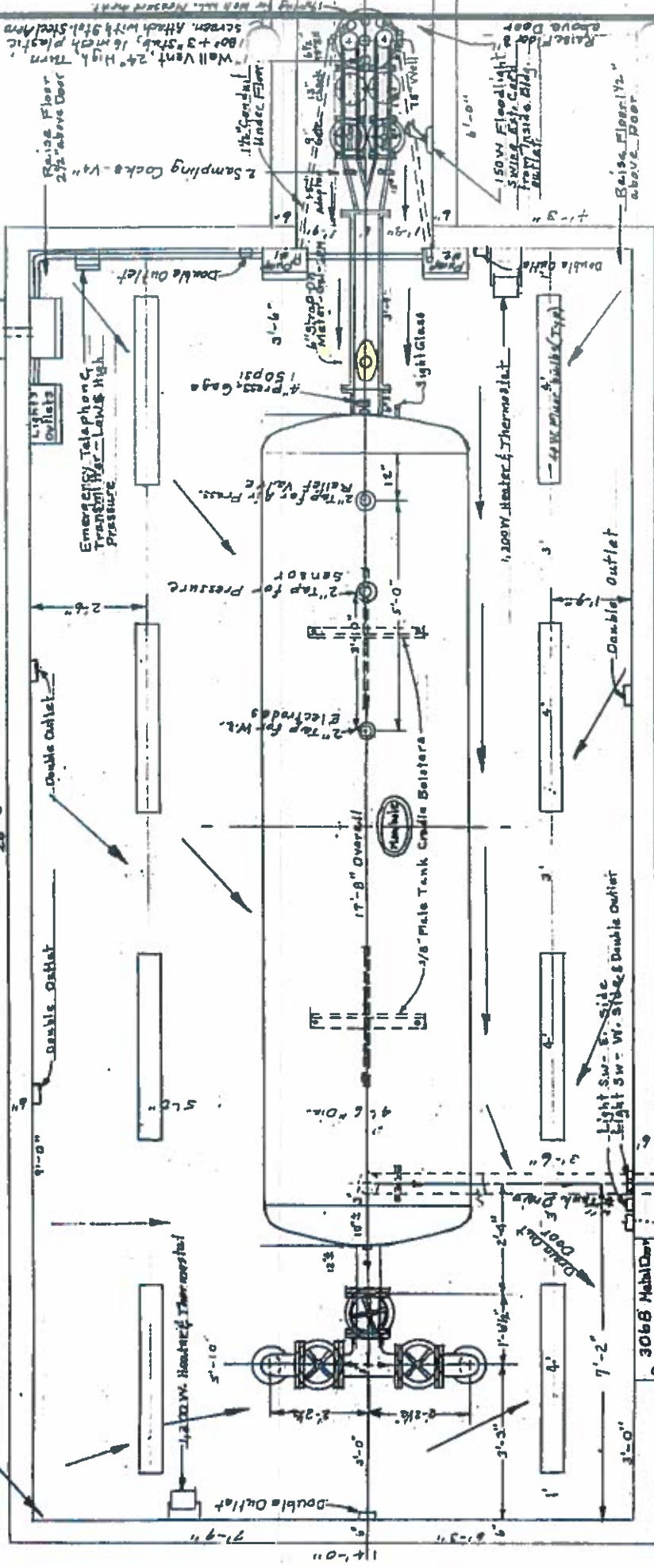
(208)343-3381

5505 FRANKLIN ROAD, BOISE, IDAHO

B. & A. ENGINEERS, INC.

2 Spindle 5'6"
2 ea Single flange - 5'6"

Raise Floor 1" above floor

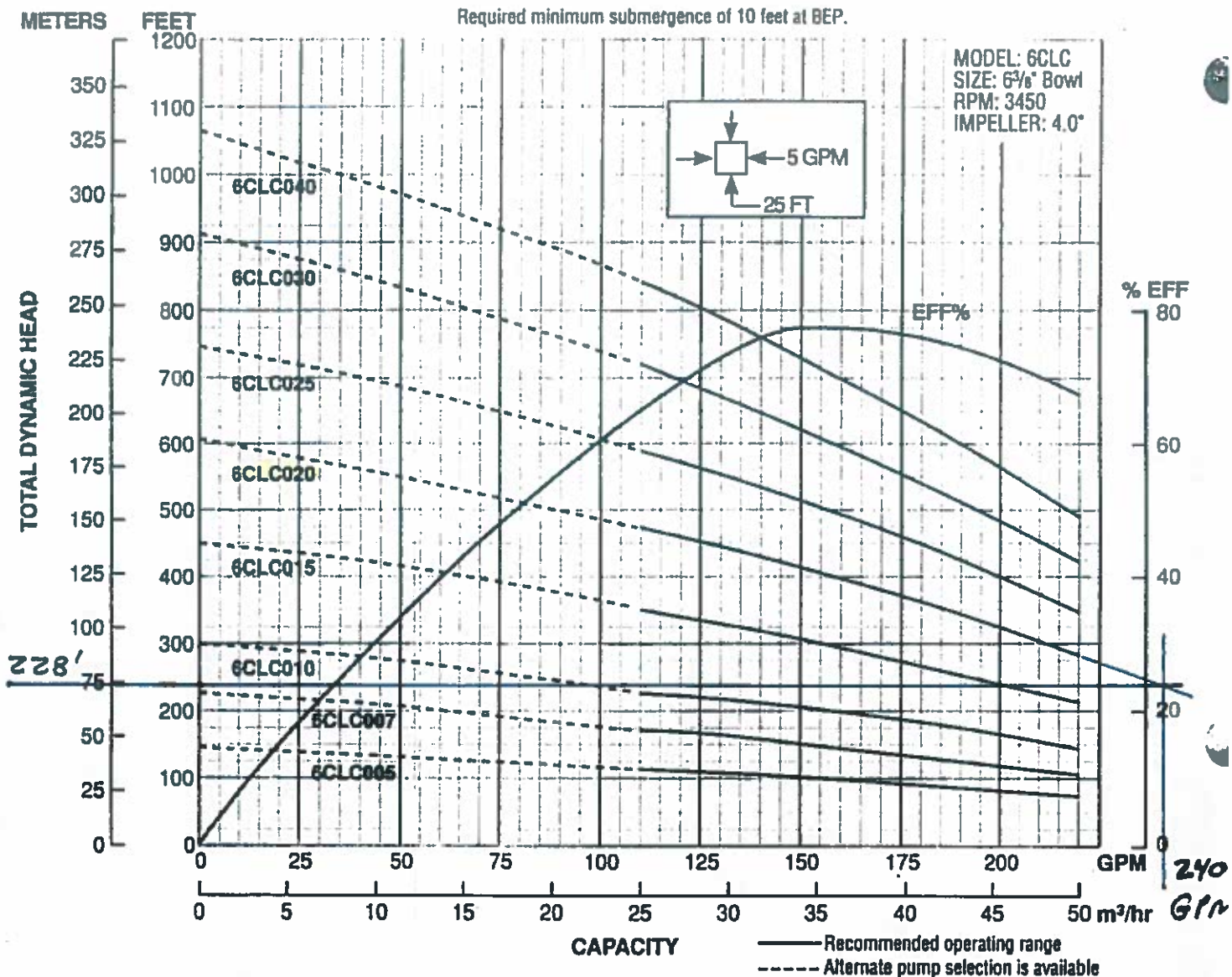


63-12000



B+A ENGINEERS INC.
DEER FLAT MANOR - WATER SYSTEM
WELL PUMP HOUSE, PRESS. TANK, ETC.
SCALE: 1/2"=1'-0" DRAWN BY: CWB
DATE: 11-9-35 SHEET 1 OF

P/D - Well House



Dimensions and Weights

HP	Stages	W.E. Order Number	W.E. Length	W.E. WL (lbs.)
5	2	6CLC00544CTS	20 1/2"	71
		6CLC00584CTS	21 1/4"	72
7 1/2	3	6CLC00744CTS	25 1/2"	88
		6CLC00764CTS	26 1/4"	90
10	4	6CLC01084CTS	32 1/2"	106
15	6	6CLC01584CTS	42 1/4"	140
20	8	6CLC02084CTS	53 1/4"	174
25	10	6CLC02584CTS	63 1/4"	208
30	12	6CLC03084CTS	73 1/4"	242
40	14	6CLC04084CTS	87 1/4"	274

(All dimensions in inches and weights in lbs. Do not use for construction purposes.)

PLEASE NOTE:

- Order motors separately.
- For intermediate horsepower pumps consult factory.
- Solid line is recommended operating range. The dotted line (---) signifies an alternate pump selection is available.
- Please specify all options changes in W.E. order number.

4" NPT DISCHARGE CONNECTION



Materials of Construction

Part Name	Material
Shaft	ASTM A582 TYPE 416
Coupling	ASTM A582 S41600 CD
Suction Adapter	ASTM A48 CL 40
Discharge Bowl	ASTM A48 CL 30B
Rubber Bearings	RUBBER
Optional Bronze Bearings	ASTM B584
Discharge Bowl Bearing	ASTM B584
Taperlocks	ASTM A108 GR 101B
Bowl	ASTM A48 CL 30B
Upthrust Collar	ASTM A276 S41400
Impeller	ASTM B145-4A
Fasteners	SAE J429 GR 8
Cable Guard	ASTM A240 S 30400
Suction Strainer	ASTM A240 S 30400

63-12000

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS: This well has two identical pumps
in it and supplies water to the Vanel
Heights Subdivision.

Don Tomic, Water Rights Examiner
Signature of Dept. Representative & Title

7-22-98
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

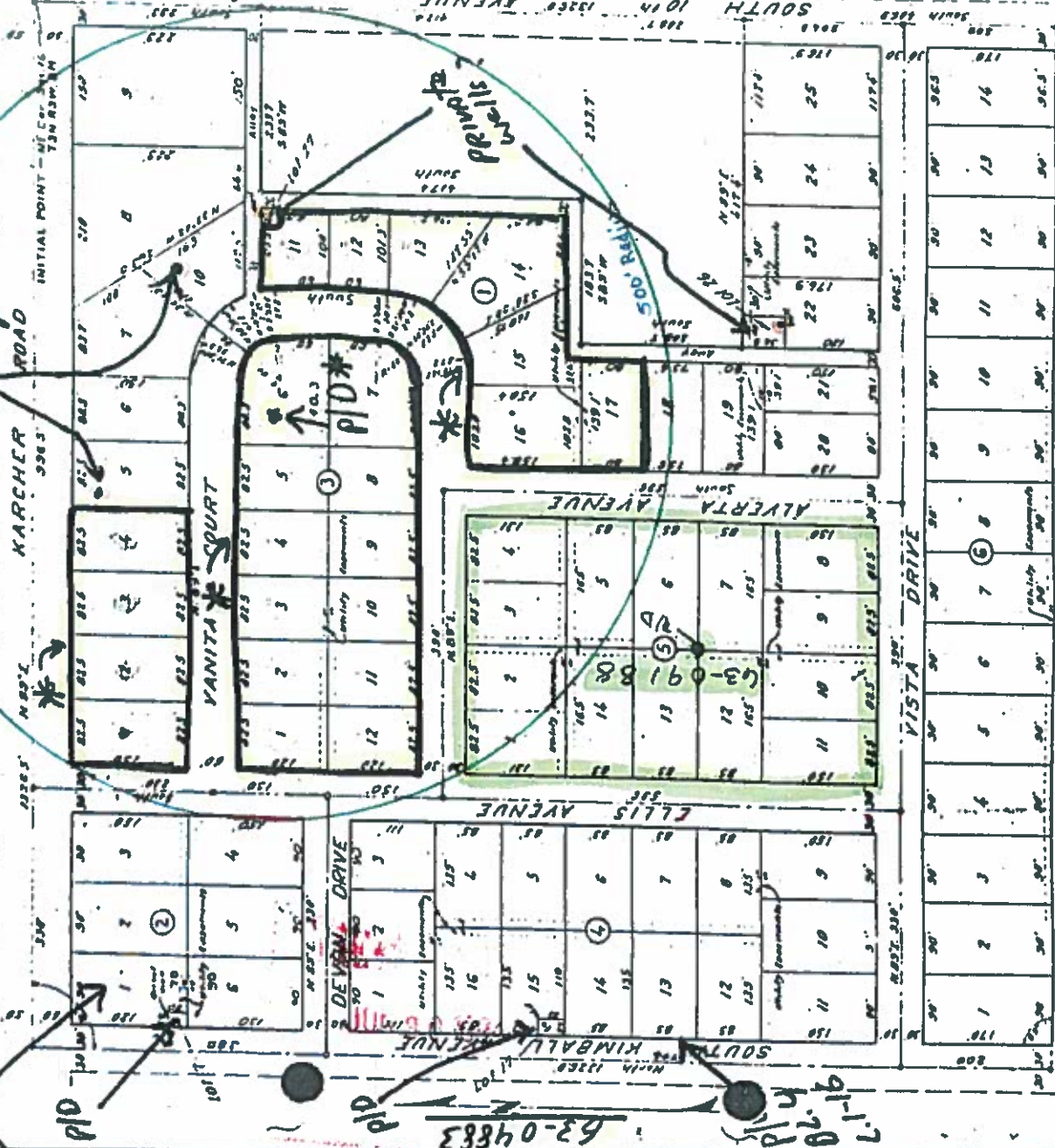


63-11234

63-05350
p1-2
p1-1-b

2 wells per plot
p1-2
p1-1-b

Lot, BL. not specified
p1-20



HELENE
VANITA

A SUBDIVISION IN THE
NE 1/4 of SECTION 16, T.3N, R.3W, B.M.

STATE OF IDAHO
COUNTY OF CANYON

I, Melvin Y. Davenport, a Professional Engineer in and for the State of Idaho, do hereby certify that the above is a true and correct copy of the original of VANAL HEIGHT Canyon Court my direction. Plat correct. IN WIT, set my hand 1960. Make Regis. 63-04883



STATE OF IDAHO
COUNTY OF CANYON

I, Melvin Y. Davenport, a Professional Engineer in and for the State of Idaho, do hereby certify that the above is a true and correct copy of the original of VANAL HEIGHT Canyon Court my direction. Plat correct. IN WIT, set my hand 1960. Make Regis. 63-04883

STATE OF IDAHO
COUNTY OF CANYON

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STATE OF IDAHO
COUNTY OF CANYON

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63-12000

*NEW appl. 3/93 D/2.3 + 4.1

P/D 2.6 BL. 3

P/D 2.1-4 + 11-17 BL. 1, All of BL. 3

63-05350 2 4.1-1.5

Lot, Grade unknown

1 home

Recorder
By Thomas Dayel

Dec 85

63-12000

*NEW appl. 3/93 D/2.3 + 4.1

P/D 2.6 BL. 3

P/D 2.1-4 + 11-17 BL. 1, All of BL. 3

63-05350 2 4.1-1.5

Lot, Grade unknown

1 home

Recorder
By Thomas Dayel

Dec 85

63-12000

*NEW appl. 3/93 D/2.3 + 4.1

P/D 2.6 BL. 3

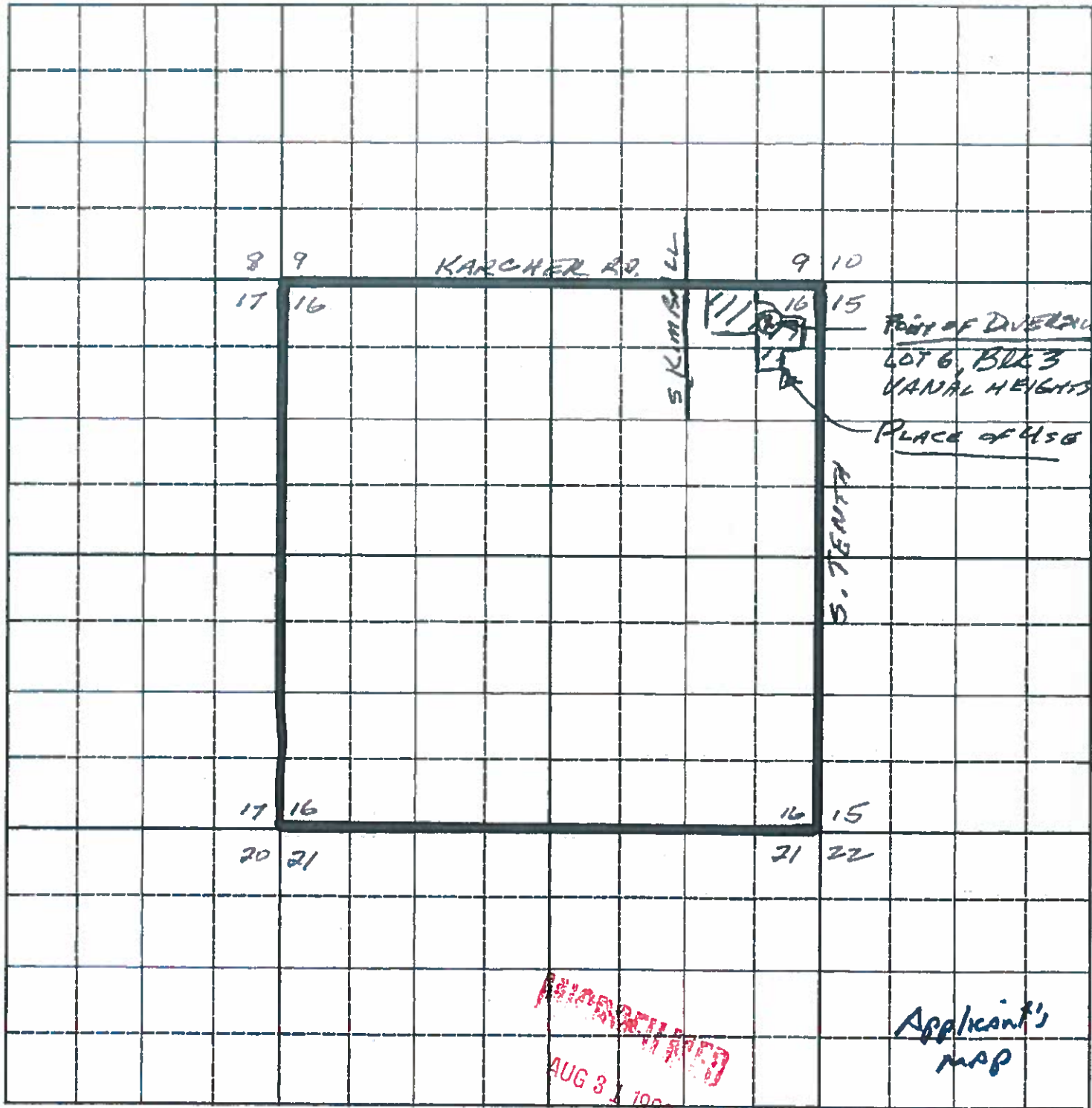
P/D 2.1-4 + 11-17 BL. 1, All of BL. 3

63-05350 2 4.1-1.5

Lot, Grade unknown

1 home

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

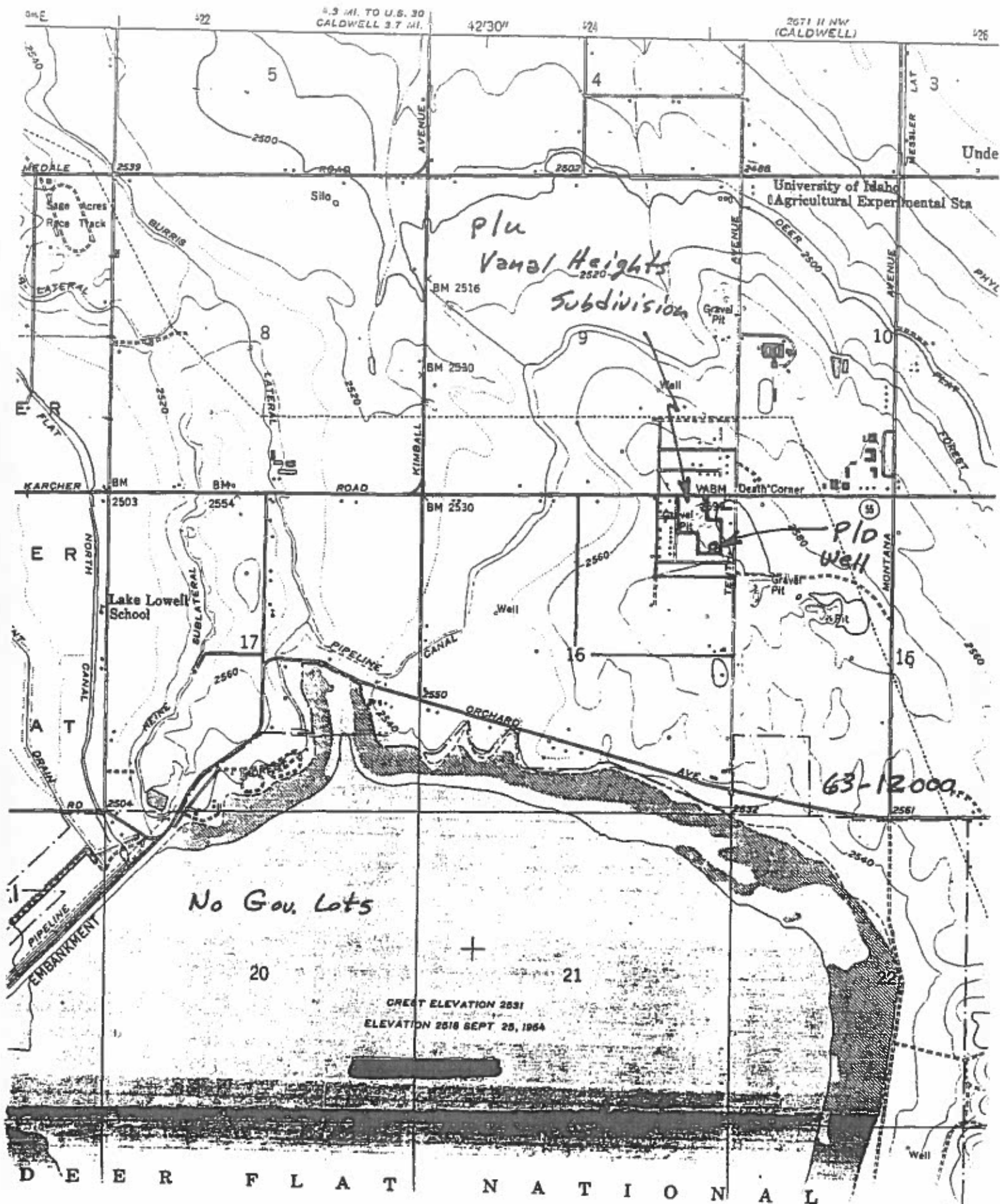


Scale: 2 inches equal 1 mile.

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

Wayne Stephens
(Applicant)

T3N, R3W, Sec. 1, NENE

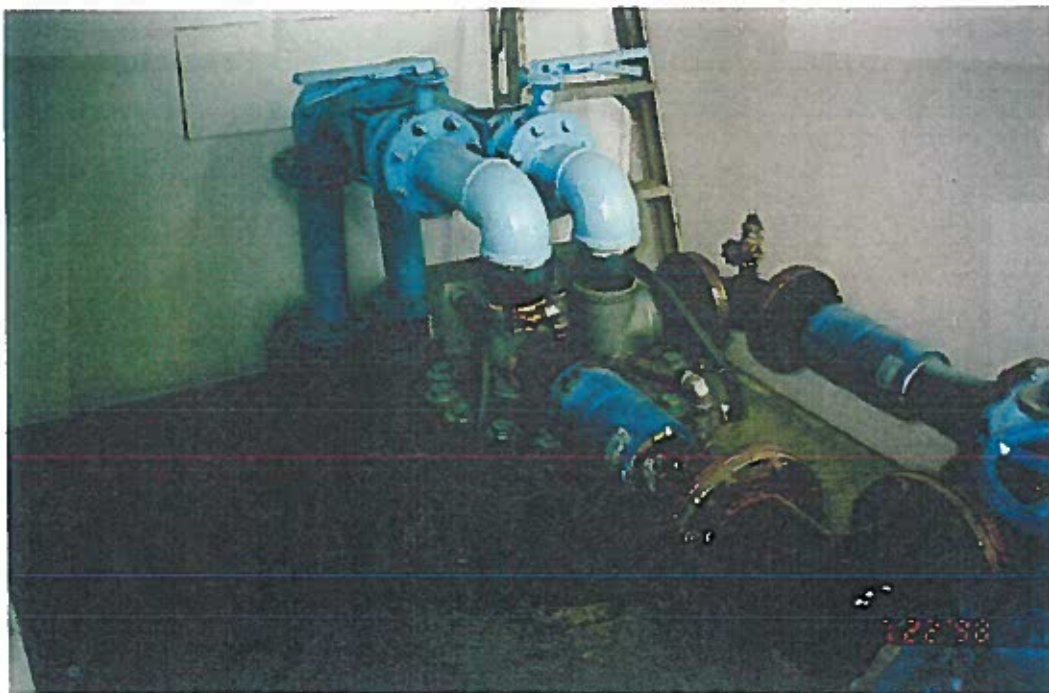


1 of 3

P/O
well
House
on the
East
side
of lot 17.



P/O
well
with
2
pump
units.



63-12000

3 of 3

Plu

Completed
Homes

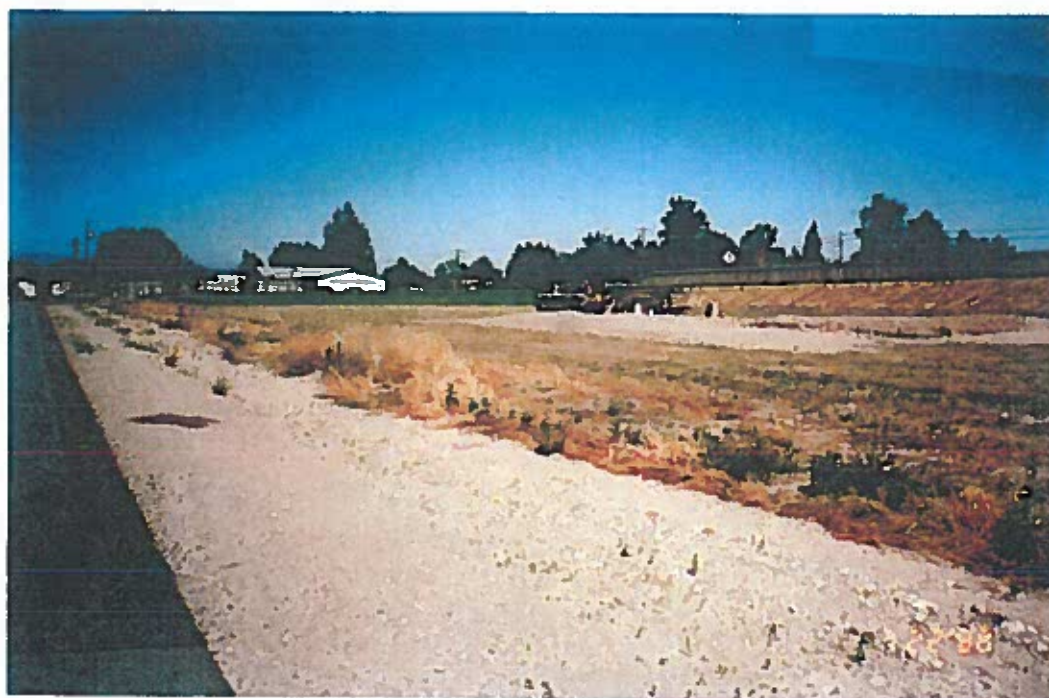
Lots 2 & 3
BLIC 3



Plu

House
under
Construction

Lot 3
BLIC 1



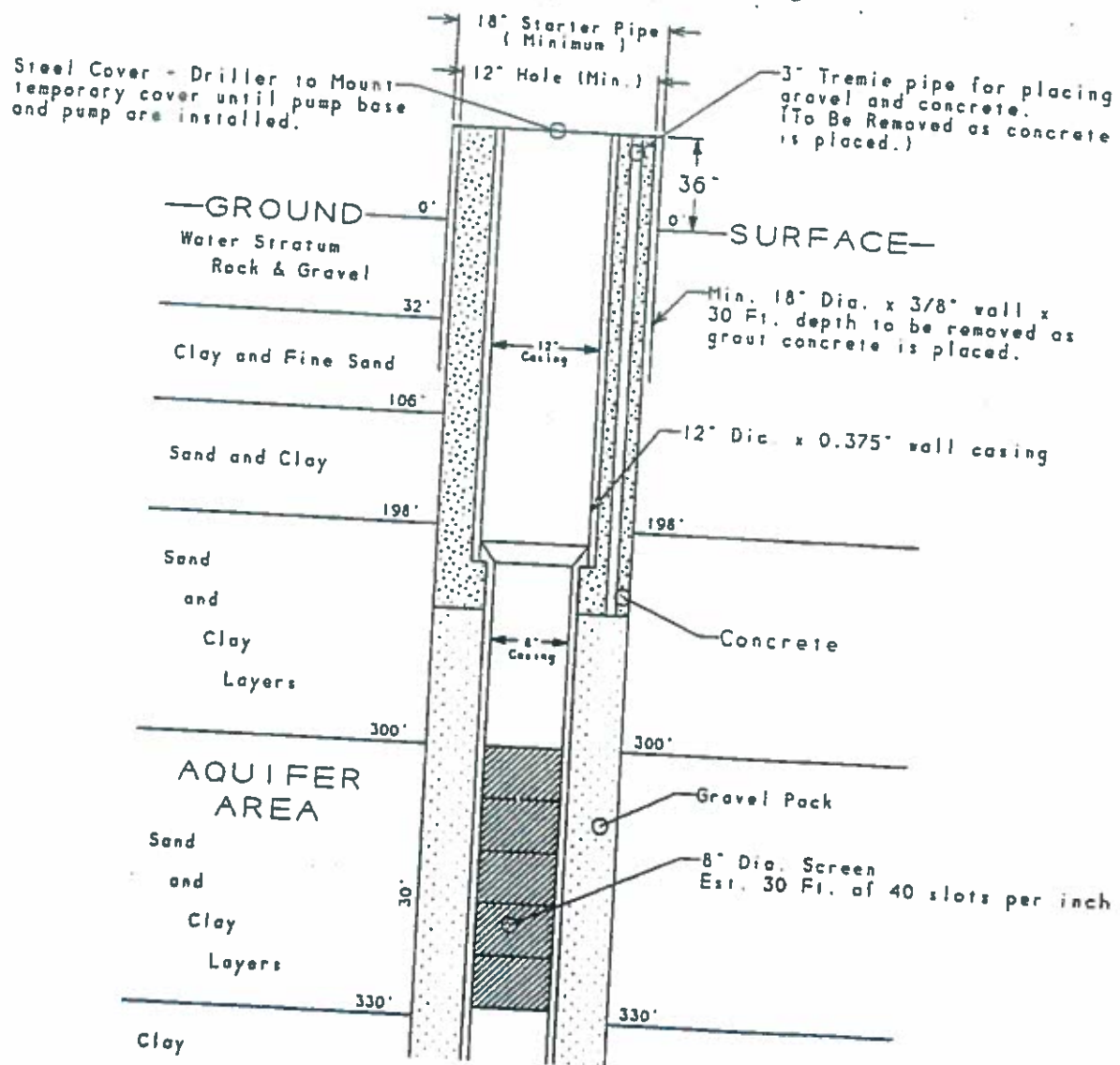
63-12000



12" WELL

DEER FLAT MANOR

KARCHER ROAD AND 10TH AVENUE
CANYON COUNTY, IDAHO



WELL DESIGN FOR:

DEER FLAT MANOR AT VANAL HEIGHTS SUBDIVISION FOR WAYNE E. STEPHENS
KARCHER ROAD AND 10th AVENUE. CANYON COUNTY, IDAHO
AUGUST 31, 1994

BY:

CARLYLE W. BRIGGS, P.E.
B & A ENGINEERS, INC.
AUGUST 24, 1994
SCALE: NONE
DWG. NO. CWB-940824

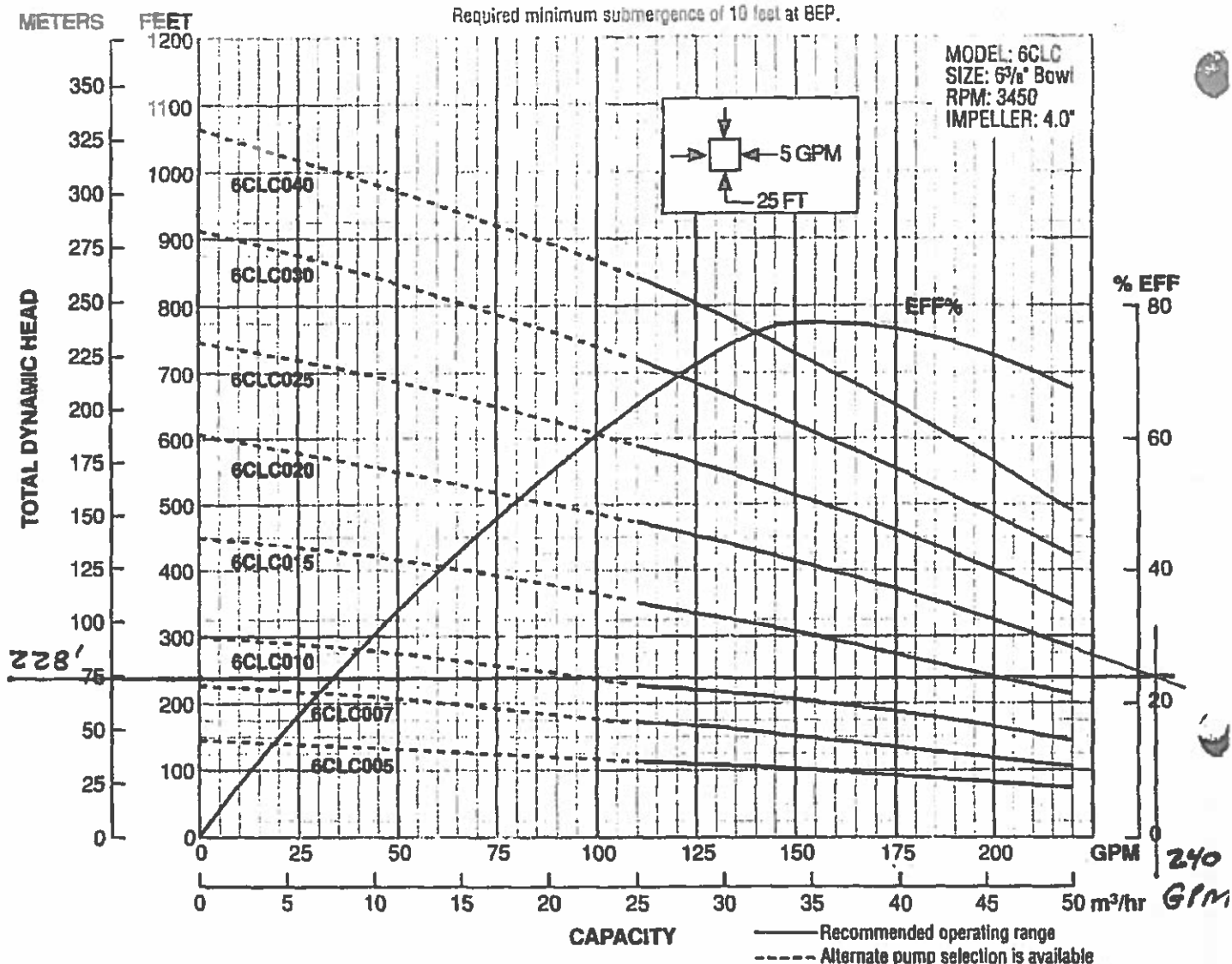
5505 W. FRANKLIN RD. BOISE, IDAHO 83705

RECEIVED

SEP 01 1994

DIVISION OF
ENVIRONMENTAL QUALITY
SWIRG

APR 14 1995



Dimensions and Weights

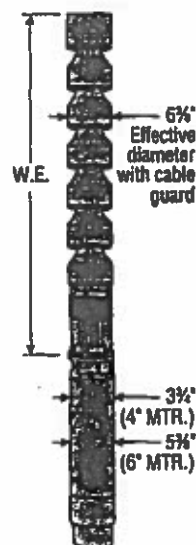
HP	Stages	W.E. Order Number	W.E. Length	W.E. WL. (lbs.)
5	2	6CLC00544CTS	20 ¹ / ₂ "	71
		6CLC00564CTS	21 ¹ / ₂ "	72
7 ¹ / ₂	3	6CLC00744CTS	25 ¹ / ₂ "	88
		6CLC00764CTS	26 ¹ / ₂ "	90
10	4	6CLC01064CTS	32 ¹ / ₂ "	108
15	6	6CLC01564CTS	42 ¹ / ₂ "	140
20	8	6CLC02064CTS	53 ¹ / ₂ "	174
25	10	6CLC02564CTS	63 ¹ / ₂ "	208
30	12	6CLC03064CTS	73 ¹ / ₂ "	242
40	14	6CLC04064CTS	87 ¹ / ₂ "	274

(All dimensions in inches and weights in lbs. Do not use for construction purposes.)

PLEASE NOTE:

- Order motors separately.
- For intermediate horsepower pumps consult factory.
- Solid line is recommended operating range. The dotted line (---) signifies an alternate pump selection is available.
- Please specify all options changes in W.E. order number.

4" NPT DISCHARGE CONNECTION



Materials of Construction

Part Name	Material
Shaft	ASTM A582 TYPE 416
Coupling	ASTM A582 S41600 CD
Suction Adapter	ASTM A48 CL 40
Discharge Bowl	ASTM A48 CL 30B
Rubber Bearings	RUBBER
Optional Bronze Bearings	ASTM B584
Discharge Bowl Bearing	ASTM B584
Taperlocks	ASTM A108 GR 101B
Bowl	ASTM A48 CL 30B
Upthrust Collar	ASTM A276 S41400
Impeller	ASTM B145-4A
Fasteners	SAE J429 GR 8
Cable Guard	ASTM A240 S 30400
Suction Strainer	ASTM A240 S 30400

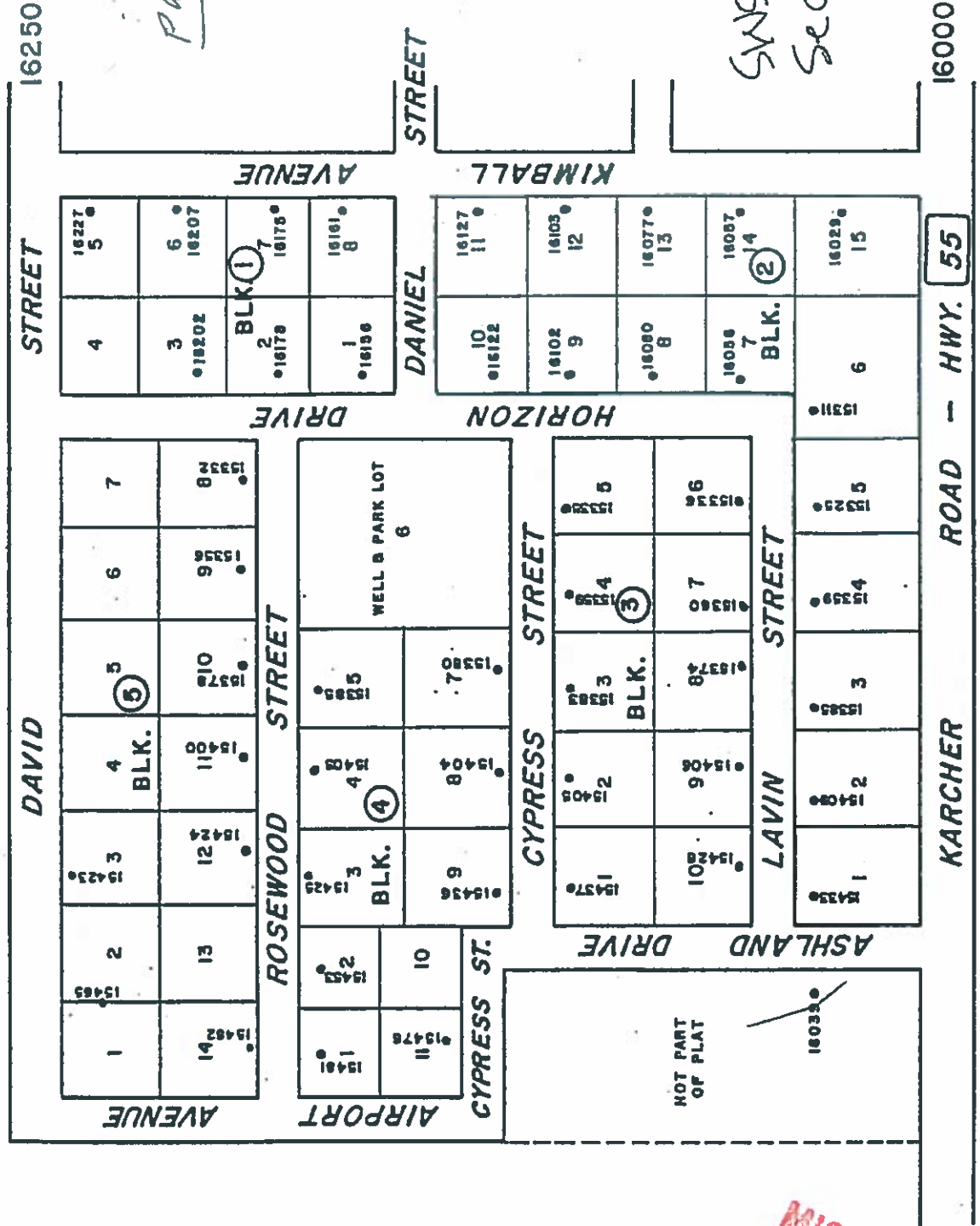
63-12000



15500

SOMERSET WEST SUBDIVISION

15250



DAVID

STREET

16250

1	2	3	4	5	6	7
15481	15482	15483	15484	15485	15486	15487

ROSEWOOD STREET

1	2	3	4	5	6
15496	15497	15498	15499	15500	15501

CYPRESS ST.

CYPRESS STREET

1	2	3	4	5	6
15496	15497	15498	15499	15500	15501

LAVIN

STREET

1	2	3	4	5	6
15496	15497	15498	15499	15500	15501

KARCHER

ROAD

- HWY.

55

16000

SEE PAGE 120)

APR 14 1995

SWSE
Sec 9

Sec. 9

Page 1203

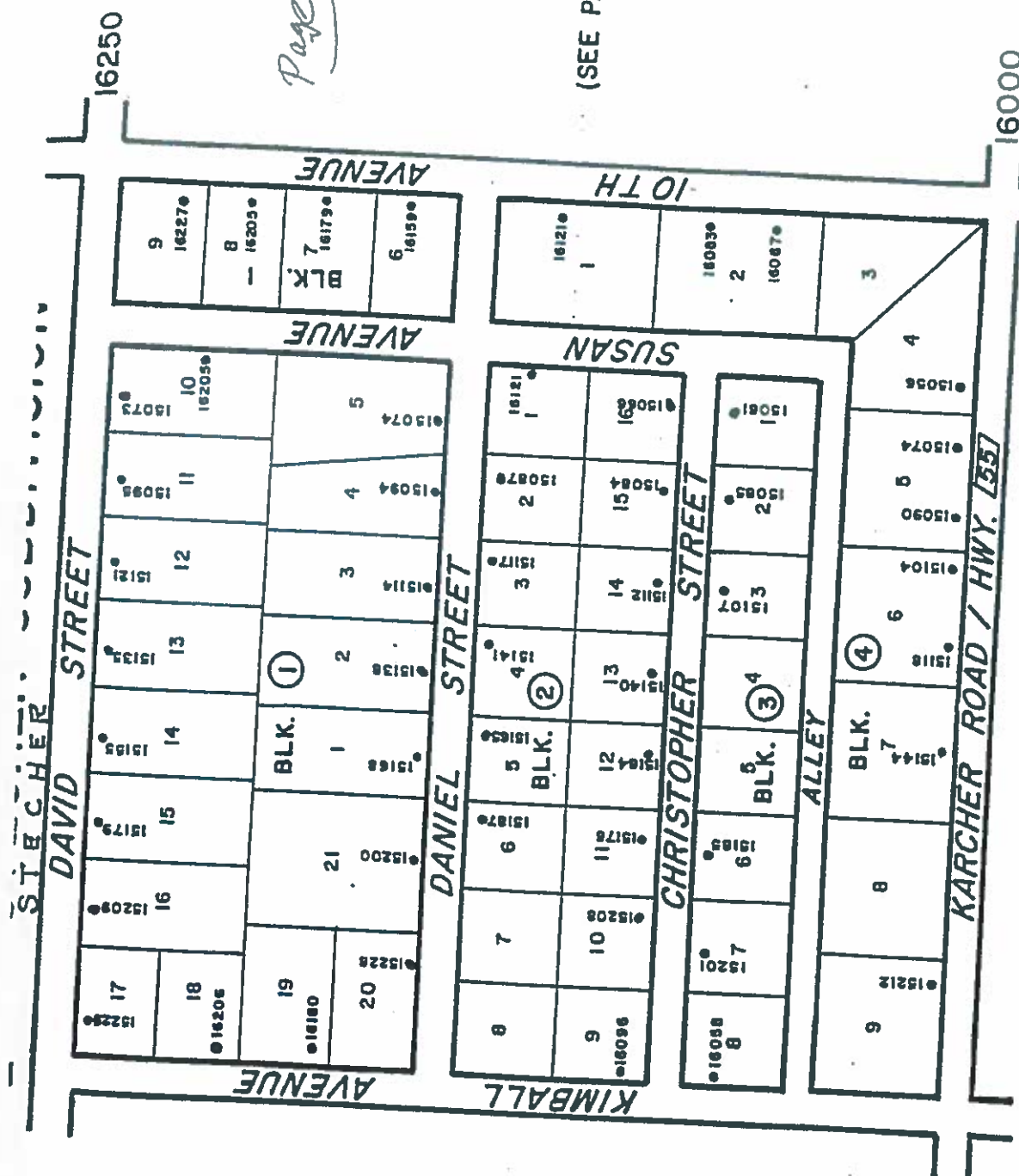
APR 14 1995

SECTION 9 T.3N., R.3W.

555

(SEE PAGE 1.)

Page 124



09/21/2006

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

RIGHT NUMBER: 63-20902
NAME AND ADDRESS: WAYNE EUGENE STEPHENS
24604 EMMETT RD
CALDWELL ID 83607

LAKEVIEW WATER CO
C/O WAYNE STEPHENS
24604 EMMETT RD
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.160 CFS

PRIORITY DATE: 06/01/1958

POINT OF DIVERSION:

T03N R03W S16 NENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
1/01 12/31

QUANTITY
0.160 CFS

PLACE OF USE: DOMESTIC Within CANYON County
T03N R03W S16 NENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

1R27606-000-0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20902 V1

WATER RIGHT NUMBER: 63-20902 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WAYNE EUGENE STEPHENS 24604 EMMETT RD CALDWELL, ID 83607 (208)585-3134
Current Owner	LAKEVIEW WATER CO C/O WAYNE STEPHENS 24604 EMMETT RD CALDWELL, ID 83605 (208)454-8440

Priority Date: 06/01/1958

Basis: Beneficial Use

Status: **DISALLOWED**

<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>
DOMESTIC	1/01 to 12/31	0.160 CFS	
	<u>Total Diversion:</u>	0.160 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 16, Twp 03N, Rge 03W, B.M.
CANYON County		

Place of Use

DOMESTIC

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	03W	16	X																

Conditions of Approval:

1. P03 No beneficial use found.
2. P13 No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.
3. 1R27606-000-0

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-20902 V1

Comments:

1. CORR2 2/20/1997 COPIED FROM REMARKS
 Comment: WELL NO. 2 WAS REDRILLED IN 1977

2. dnelson 9/21/2006 Claim Review.

Comment: I wrote a letter requesting evidence of priority to the claimant on 5/4/2006 and the letter was not returned. I checked the Canyon County tax records available to our office, and found this person as the current owner and the address was correct. Since there was no response to the letter, I assume they are no longer interested in pursuing this claim. I have recommended this claim as disallowed due to no beneficial use found.

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: NONE RECEIVED
 State or Federal: S
 Owner Name Connector: AND
 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>
Summary			09/21/2006	dnelson	Disallowed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	9/21/2006 5:04:16 PM	dnelson	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 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?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-20902

WATER RIGHT NUMBER: 63-20902

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LAKEVIEW WATER CO C/O WAYNE STEPHENS 24604 EMMETT RD CALDWELL, ID 83605 (208)454-8440
Current Owner	WAYNE EUGENE STEPHENS 24604 EMMETT RD CALDWELL, ID 83607 (208)585-3134

Priority Date: 06/01/1958
 Basis: Beneficial Use
 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>
DOMESTIC	1/01 to 12/31	0.160 CFS	
<u>Total Diversion:</u>		0.160 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NE1/4	Sec. 16, Twp 03N, Rge 03W, B.M.
CANYON County		

Place of Use

<u>DOMESTIC</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
<u>Twp</u> <u>Rge</u> <u>Sec</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
03N 03W 16	X																

Conditions of Approval:

1. WELL NO. 2 WAS REDRILLED IN 1977

Remarks:Comments:Dates and Other Information:

Claim Received Date: 2/13/1990
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: AND
 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:

*Disallowed
 NO Beneficial
 USE
 P03 codes.
 p13*



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 4, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

WAYNE STEPHENS
AND LAKEVIEW WATER COMPANY
24604 EMMETT RD
CALDWELL ID 83605

RE: EVIDENCE OF PRIORITY

Snake River Basin Adjudication Claim No(s): A63-20900, A63-20902, A63-20901, A63-20909,

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated printout of the claim(s) for your reference only, it is not necessary to return this printout. You indicated, when this claim was filed, that the water right(s) was based on a "Statutory Claim" or "Beneficial Use" of the water.

Water rights of this type are established by historical beneficial use of the water, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources, since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled. "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

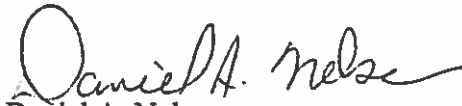
Page 2
Stephens

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, I will need an accurate location of the well used for each water right; the location of each complex; and any irrigation associated with each right outlined. Please carefully mark on the enclosed aerial photo the exact location of the well and places the water is being used for these rights. I have supplied 4 separate maps, please mark one map for each right.

The required evidence supporting the priority date(s) requested and the aerial photo needs to be returned to me by May 12, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

If you have any questions or concerns, please contact me at the above address.

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel A. Nelson". The signature is fluid and cursive, with the first name "Daniel" being more prominent.

Daniel A. Nelson
Senior Agent
Western Region Office - IDWR

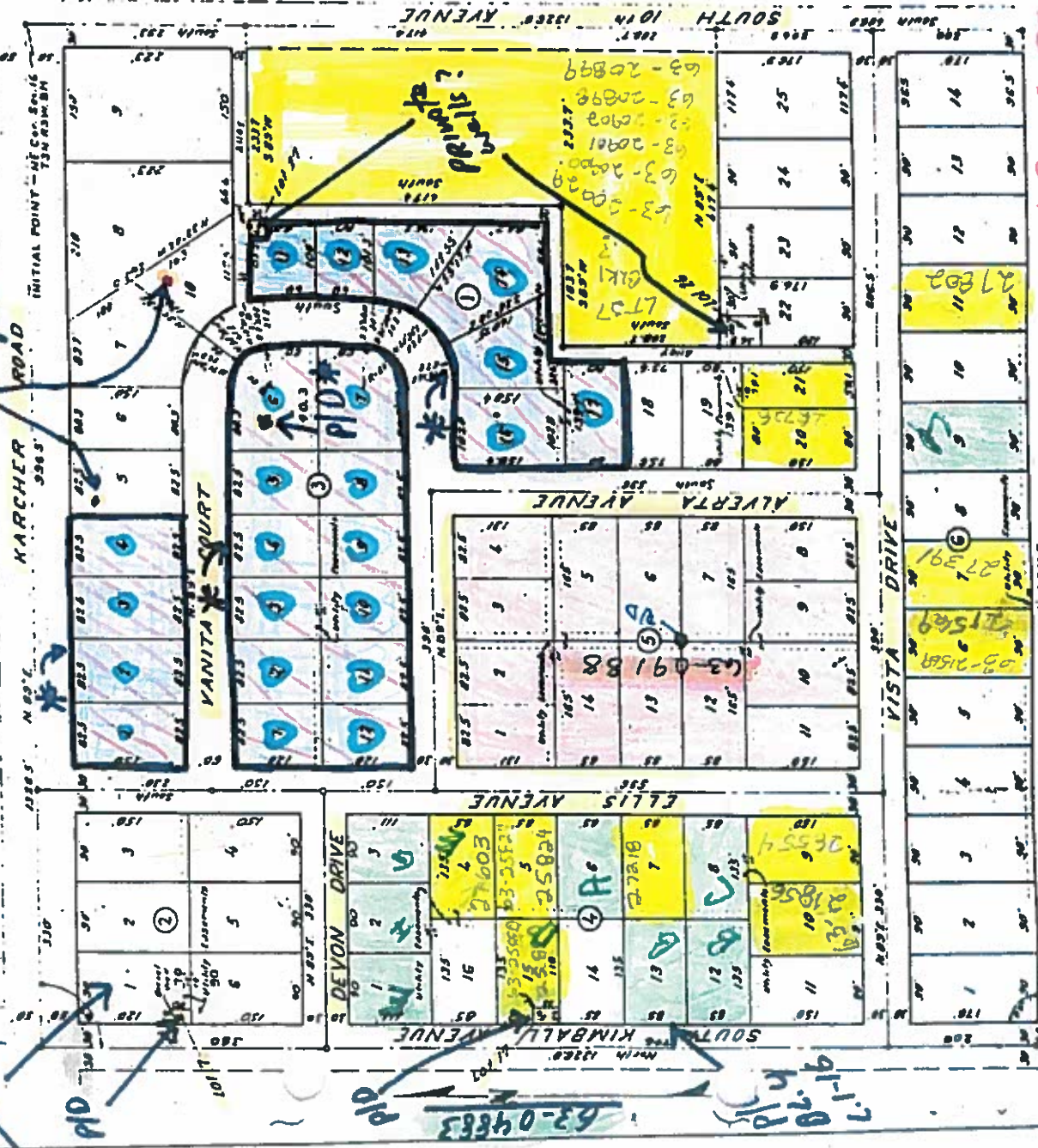
Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-20900, A63-20901, A63-20902, and A63-20909
4- 2004 aerial photos (one for each right)

63-11234

2 wells per plot
1/2" peanut file

Plm 3
D/20

Lot, BL. not specified



TOWN MAP WORK

AUG 31 1993

A SUBDIVISION IN THE
NE 1/4 OF SECTION 16 T3N, R.3W, BM.

STATE OF IDAHO
COUNTY OF CANYON

I, Melvin K. Davenport, a Professional Engineer in and for the State of Idaho do hereby certify that the information of VANAL HEIGHTS, Canyon County INFO FROM Files FOR 5 Rights: set my hand 1990



63-04883
-05280
-05350
-11234
- NEW APP.
3/93, NO
yet
-52 3/25/93

960 before
in and for
ally appear
me to be the
to the fore-
edged to me
one hereinto
arial Seal

Witness
My Co.

CC: All S.O.
s Region
files



Instrument
I hereby
at the request
2122 minutes past 3 o'clock P.M.
this 22nd day of June 1990 AD
S.S. 4-7-90

Recorder
By *[Signature]*

63-12000

*NEW App. 3/93 D/23 + 4

Plm 2-6 BL-3
Plm 2-1-4 + 11-17 BL-1, All of BL-3

63-05350 2 1/2 Hs
1 apt. bld. (14 unit)

Lot, Block
unknown

```

+++++
+
+ MANUFACTURED HOUSING INQUIRY +
+
+ 01 6T73733-000- -0 059-00 FIRE- FLOOD- APPR TAM CLASS R1 REAP 99 DECL N +
+
+ NAMES AND MAILING ADDRESS + DESCRIPTION +
+ STEPHENS, WAYNE + R32863-010- -0 SECTION 16-3N-3W NE +
+
+ SPACE LOT BLOCK +
+ PONDEROSA (12 X 56) ( X )+
+ S3857 +
+ 24604 EMMETT RD + PONDE-72-12-S10 TITLE +
+ CALDWELL ID 83607 ++++++
+ VALUES +
+ SITE S 10TH AVE CA +
+ 46 4,700 +
+ STATUS- COMB N TRAN N DEL N PPD N +
+ PRIOR ACCOUNT 5T73733-000- -0 +
+ PARCEL 6T3N3W16R73733 +
+ H/O N C/B N SCH 139 +
+ 02 TRAITS INQUIRY + TOTAL 4,700 +
MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK402
+++++
+
+ MANUFACTURED HOUSING INQUIRY +
+
+ 01 6T73734-000- -0 059-00 FIRE- FLOOD- APPR TAM CLASS R1 REAP 99 DECL N +
+
+ NAMES AND MAILING ADDRESS + DESCRIPTION +
+ STEPHENS, WAYNE + R32863-010- -0 SECTION 16-3N-3W NE +
+
+ SPACE LOT BLOCK +
+ GREAT LAKES (12 X 56) ( X )+
+ S8915 +
+ 24604 EMMETT RD + GREAT-71-12-S10 TITLE +
+ CALDWELL ID 83607 ++++++
+ VALUES +
+ SITE S 10TH AVE CA +
+ 46 4,300 +
+ STATUS- COMB N TRAN N DEL N PPD N +
+ PRIOR ACCOUNT 5T73734-000- -0 +
+ PARCEL 6T3N3W16R73734 +
+ H/O N C/B N SCH 139 +
+ 02 TRAITS INQUIRY + TOTAL 4,300 +

```

AJ58noip
10. R63-3090

DATE: 06/12/98

27%

NAME & ADDRESS

WATER USE

PERIOD TO

DIVISION

VOLUME
CONTENTS

06/01/1958 DOMESTIC

01-01 12-31

0-16 CFS

DIVERSION:

0.16 CFS

Tributary to:

Stage: BENEFICIAL USE

T03N R03W S16

NE NE

CANYON COUNTY

III

MS

35

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:	Lt	Ac	Lt	Ac	Lt	Ac
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:	-	-	-	-	-	-

2.

KOMPLEX

Other Rights: NONE

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A

- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000

- GALLONS PER DAY.

1

Verified Date:

Objection Filed Date:

Field Inspection Flare:

Field Inspection Flag:

User-ID: COR82

Subject: COPIED FROM REMARKS

TRILLED IN 1977

02/20/97 CORR2

EXP: Vernal Heights

Non-Dominant

Receipt No. 1100 5862 - \$ 666.00

WATER RIGHT NUMBER - A63-20902 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (D) NUMBER -

*** C - CURRENT OWNER ***
STEPHENS WAYNE
1 - 24604 EMMETT RD.
2 -
3 -
CITY- CALDWELL
PHONE - 208-585-3134
1 - 24604 EMMETT RD.
2 -
3 -
CITY- CALDWELL
PHONE - 208-585-3134

LAKEVIEW WATER COMPANY STATE- ID ZIP- 83605
STATE- ID ZIP- 83605

PRIORITY DATE - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - +
06/01/1958 14 WESTERN J - BENEFICIAL USE

SOURCE - - - - - +
GROUNDWATER

TWN RNG SEC TRACT LOT RFLG COUNTY POINT OF DIVERSION STREAM INDEX (BLANK IF NO INDEX CODE)

03N 03W 16 NE NE (27) CANYON

CODE DESCRIPTION PERIOD FROM PERIOD TO WATER USE DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 01/01 12/31 0.160

+ - - - TOTAL DIV. RATE - + + - - - TOTAL DIV. VOLUME - + + - - - TOTAL DIV. CAPACITY - + + - - - TOTAL CONSUMPTIVE USE - + + - - - KW USAGE - +
0.160

TWN RNG SEC TRACT LOT ACRES PLACE OF USE CODE DESCRIPTION COUNTY

03N 03W 16 NE NE 43 DOMESTIC (27) CANYON

+ - - - DIVERSION MEANS - WELL NO. 1, 8"; WELL NO. 2, 12"

+ - - - NON-IRRIGATION USE - U/I TRIPLEX AND 1 4-PLEX (7 UNITS) PLUS LESS THAN 1/2 ACRE IRRIG.

+ - - - OTHER RIGHTS FOR SAME USE - NONE

REMARKS
WELL NO. 2 WAS REDRILLED IN 1977

OLD WATER RIGHT NUMBERS
NO OLD WATER RIGHT NUMBERS FOUND.

CONDITIONS OF APPROVAL
NO CONDITIONS OF APPROVAL FOUND.

06/11/91 02:35:39
PAGE 2

PREFIX TRANSLATION: ADJUDICATION CLAIM

+	-	DECEE	DATE	-	+
00	/	00	/	0000	

+ - - AUDIT FIELDS - 02/13/90 MOBILE2

--COMMENTS--
NO COMMENTS FOUND

COURT REPORT FILING		ADJUDICATION RIGHTS DATES AND FLAGS AREA		CIVIL CASE NUMBER	
OBJECTION FILED DATE	00/00/0000	FIELD INSPECTION MADE	00/00/0000	OLD CASE NUMBER	39576
RESPONSE FILED DATE	00/00/0000	FIELD INSPECTION FLAG		OLD JUDICIAL DISTRICT	
CLAIM RECEIVED DATE	02/13/1990	VERIFIED DATE	00/00/0000	TEMPORARY RIGHT	P
PROOF DUE DATE	00/00/0000	LAST AMENDED DATE	00/00/0000	WATER DISTRICT	
LICENSED DATE	00/00/0000	PROOF MADE DATE	00/00/0000	FEDERAL/STATE INDICATOR	S
CLAIMS TAPE ERROR FLAG		RECEIPT NUMBER	M005862	PRESUMPTION FLAG	
EEE EXEMPT FLAG		POU OWNERSHIP FLAG	Y		
		NAME CONNECTOR	AND/OR		

1 R2766-000-0
VANAL HEIGHTS

DATA ENTRY
ENTERED _____
CHECKED _____

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
JUL - 1991

CERTIFIED
JUL 19 1991
WATER EXAMINER