

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

RIGHT NUMBER: 63-10030

NAME AND ADDRESS: SAAD HAFEZ
33535 ISLAND RD
PARMA ID 83660

JANAN HAFEZ
33535 ISLAND RD
PARMA ID 83660

~~FLORENCE-K-FRANKLIN~~
~~DE-LANCE-F-FRANKLIN~~
~~PO-BOX-820~~
~~PARMA ID-83660~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.030 CFS
6.800 AFY

PRIORITY DATE: 05/10/1983

POINT OF DIVERSION:

T05N R05W S9 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.030 CFS 6.80 AFY
The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION in CANYON County

T05N R05W S09 NESE 1.50

1.5 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Property is also known as Lots 1, 2 and 3 of the Idaho Heights Subdivision.

In Re SRBA
Case No. 39576

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING

☐ Address change

XX Substitution of Party

☐ IC § 42-222 transfer

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

☐ IC § 42-219 license

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

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

DATED: May 18, 2007

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 18, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

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

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

2. Copies to:

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

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

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

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

3. Copies to all parties to the subcase:

Saad Hafez
Janan Hafez
33535 Island Rd
Parma ID 83660

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

Florence Franklin
De Lance Franklin
PO Box 820
Boise ID 83660

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



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

May 18, 2007

SAAD HAFEZ
JANAN HAFEZ
33535 ISLAND RD
PARMA ID 83660

Re: Water Right No. 63-10030

Dear Mr. & Mrs. Hafez:

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

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

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures

RECEIVED

MAY 03 2007

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

WATER RESOURCES
WESTERN REGION

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
53-10030					

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) Florence K. Franklin
4. New Owner/Claimant(s) DE. Lance E. Franklin
Saad & Jenon Hafez
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 33535 Island Rd.
- City, State and ZIP Code Parma, ID 83660
- New Telephone Number 208 722 6834
5. Date you acquired the property Oct. 6, 1986



University of Idaho
Extension

SAAD L. HAFEZ, Ph.D.
Professor of Nematology

Parma Research and Extension Center
29603 U of I Lane
Parma, ID 83660 U.S.A.

Phone: 208-722-6701 ext. 237
Home: 208-722-6834
Fax: 208-722-6708
E-mail: shafez@uidaho.edu

College of Agricultural and Life Sciences
Department of Plant, Soil and Entomological Sciences

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

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

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

7. Signature of New Owner(s) or Claimant(s) Dr. Sead L. H. F. 3
(include title if applicable) _____

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

For Office Use Only
 Received by [Signature] Date 5-3-07 Fee N/A
 Receipted by [Signature] Date 5-17-07 Receipt No. _____
 Processed by [Signature] AJ Date 5-17-07 WR _____ Date _____

D-PC 18845



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702-5836 / Telephone (208) 336-6700

P-152738 SO/ED

Reviewed and Approved:

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED DeLANCE FRANKLIN and FLORENCE K. FRANKLIN, Co-Trustees of "THE DeLANCE and FLORENCE FRANKLIN FAMILY TRUST"

Grantor s , do hereby grant, bargain, sell and convey unto ^{Dr. S L} SAAD L. HAFEZ and JANAN K. HAFEZ, ^{gk}
Husband and Wife
33535 Island Rd.

the Grantee s , whose current address is: 227 N. 10th Street, Parma, ID 83660
the following described real property in CANYON County, State of Idaho, more particularly described as follows, to-wit:
LOTS 1, 2 AND 3, IDAHO HEIGHTS SUBDIVISION, CANYON COUNTY, IDAHO, ACCORDING TO THE PLAT FILED IN BOOK 11 OF PLATS AT PAGE 19, RECORDS OF SAID COUNTY.

RECORDED
96 DEC 10 PM 4 46
NED J. KERR
CANYON CNTY RECORDER
BY C. O'Nepp
REQUEST PIONEER - CALDWELL
TYPE Deed FEE 3.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee sand Grantee heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s, the Grantor s are the owner s in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee s and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantor s will warrant and defend the same from all lawful claims whatsoever.

Dated: October 06, 1996

DeLance Franklin
DeLance Franklin, Co-Trustee

Florence K. Franklin
Florence K. Franklin, Co-Trustee



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 15, 2007

SAAD HAFEZ
JANAN HAFEZ
33535 ISLAND RD
PARMA ID 83660

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-10030

Dear Mr. & Mrs. Hafez:

We have been advised you may be the new owner of the property with the water right referenced above (see enclosed report).

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions included with this form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Lori Harris
Technical Records Specialist 1
Adjudication Section
Western Region

LH:1
Enclosures

REAL PROPERTY INQUIRY

```

+++++
01 6R19266-000- -0 006-00 SCH137+ 20 21,340 .32
+++++
HAFEZ SAAD L DR +
HAFEZ JANAN K H/W +
+
+
+
33535 ISLAND RD +
PARMA ID 83660 +
+++++
09-5N-5W SE IDAHO HEIGHTS SUB 3955 + TOTAL 99,140
LOT 1 ++++++
+ SURVEY INST 9640258
+ DRAIN DR VALUE APPR BLW
+ CLASS R2 REAP 03 MAN 02 UNIT 1
227 N 10TH ST, PA + PARCEL 6RP39550000010 H/O N C/B N
+ PRIOR ACCOUNT 5R19266-000- -0
+ 02 MH on Property NO
MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

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REAL PROPERTY INQUIRY

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+++++
01 6R19267-000- -0 006-00 SCH137+ 20 10,890 .33
+++++
HAFEZ SAAD L DR +
HAFEZ JANAN K H/W +
+
+
+
33535 ISLAND RD +
PARMA ID 83660 +
+++++
09-5N-5W SE IDAHO HEIGHTS SUB 3955 + TOTAL 10,890
LOT 2 ++++++
+ SURVEY INST 9640258
+ DRAIN DR VALUE APPR BLW
+ CLASS REAP 03 MAN UNIT 0
908 VERINA CIR, PA + PARCEL 6RP39550000020 H/O N C/B N
+ PRIOR ACCOUNT 5R19267-000- -0
+ 02 MH on Property NO
MODE:F ACTION: PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

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REAL PROPERTY INQUIRY

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+++++
01 6R19268-000- -0 006-00 SCH137+ 20 11,660 .40
+++++
HAFEZ SAAD L DR +
HAFEZ JANAN K H/W +
+
+
+
33535 ISLAND RD +
PARMA ID 83660 +
+++++
09-5N-5W SE IDAHO HEIGHTS SUB 3955 + TOTAL 11,660
LOT 3 ++++++
+ SURVEY INST 9640258
+ DRAIN DR VALUE APPR BLW
+ CLASS REAP 03 MAN UNIT 0
905 VERINA CIR, PA + PARCEL 6RP39550000030 H/O N C/B N
+ PRIOR ACCOUNT 5R19268-000- -0

```

MODE:F ACTION:

COMPANION SHEET INQUIRY

TRQK361

01 ACCOUNT: 6R19268-000- -0 AREA 006-00 DRAIN VALUE CLASS H/O N
SEC 09 TWN 5N RNG 5W QTR SE CITY/SUB P3955 BLK 000 LOT 0030
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
HAFEZ, SAAD L DR FRANKLIN, DELANCE
& HAFEZ, JANAN K H/W & FRANKLIN, FLORENCE-FAM TRUST
% FRANKLIN, DELANCE &
% FRANKLIN, FLORENCE K-TRUSTES

MAILING ADDRESS

33535 ISLAND RD
PARMA ID 83660

SITE ADDRESS

905 VERINA CIR PA

COMMENTS

PRIOR ACCOUNT 5R19268000 0
PARCEL P39550000030 SRVY
INSTR 9640258 ACRES .00
SPLIT YR DOCUMENT WD

LEGALS

09-5N-5W SE IDAHO HEIGHTS SUB 3955
LOT 3

REMARKS

9502010-9640258

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

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 14
0004389393
FEB 02 2007
MAILED FROM ZIP CODE 83702



RECEIVED
FEB 15 2007
WATER RESOURCES
WESTERN REGION

DE LANCE FRANKLIN

FRANKLIN FRANKLIN
P.O. BOX 120
PARMA ID 83660

63-10030

Saad Hafez
Janan Hafez
33535 Island Rd
Parma 83660



08/28/2006

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

RIGHT NUMBER: 63-10030
NAME AND ADDRESS: FLORENCE K FRANKLIN
PO BOX 820
PARMA ID 83660
DE LANCE F FRANKLIN
PO BOX 820
PARMA ID 83660

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.030 CFS
6.800 AFY

PRIORITY DATE: 05/10/1983

POINT OF DIVERSION:

T05N R05W S9 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.030 CFS 6.80 AFY
The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION Within CANYON County

T05N R05W S09 NESE 1.50

1.5 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Property is also known as Lots 1, 2 and 3 of the Idaho Heights Subdivision.

Idaho Department of Water Resources

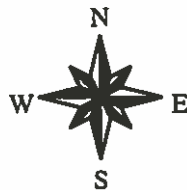
Claim Number: 63-10030

Legal: T05N, R05W, S09

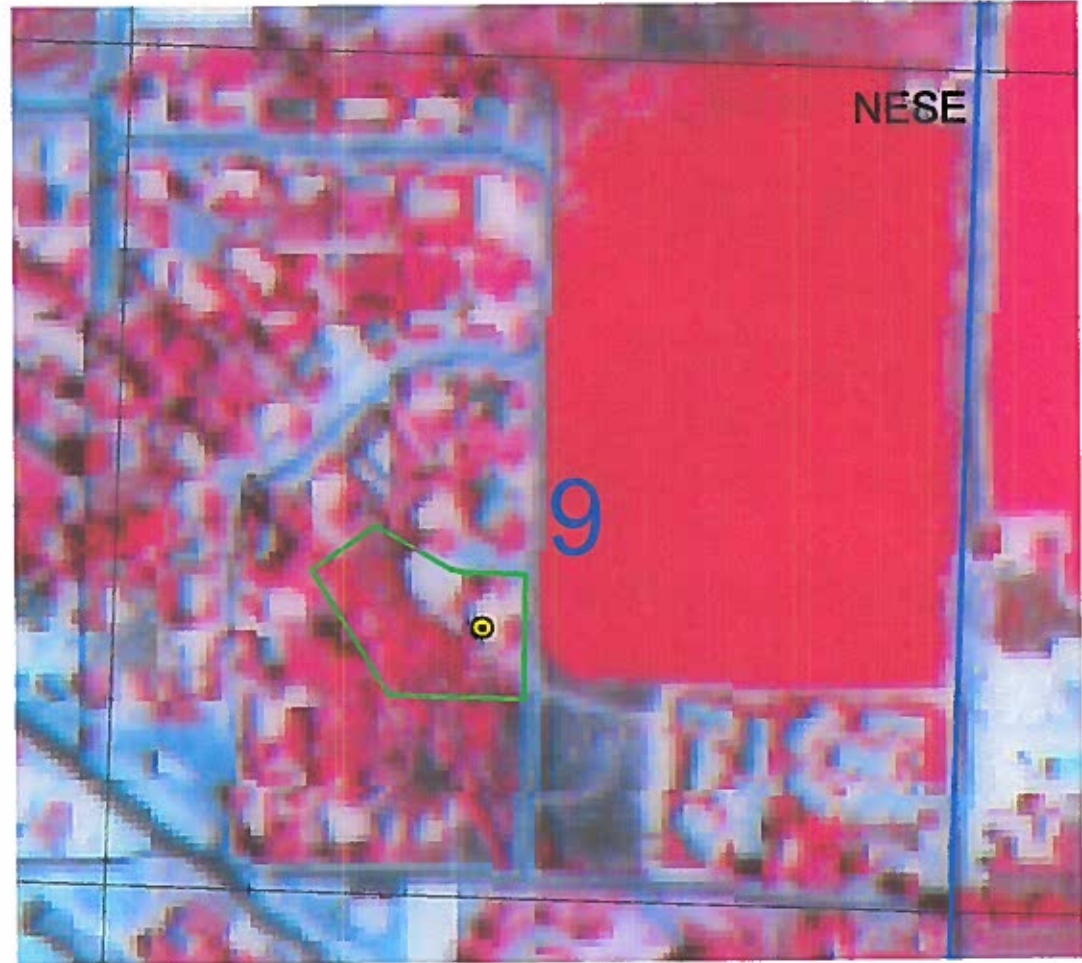
Reviewed By:

icky Music

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



1987 Napp Photo



0 0.25 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10030 V1

WATER RIGHT NUMBER: 63-10030 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FLORENCE K FRANKLIN PO BOX 820 PARMA, ID 83660
Current Owner	DE LANCE F FRANKLIN PO BOX 820 PARMA, ID 83660

Priority Date: 05/10/1983

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.030 CFS	6.80 AF
	<u>Total Diversion:</u>	0.030 CFS	6.80 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 9, Twp 05N, Rge 05W, B.M.
CANYON County		

Place of UseIRRIGATION Within CANYON County

T05N R05W S09 NESE 1.5

Total Acres: 1.5

Conditions of Approval:

1. 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.
2. J01 Property is also known as Lots 1, 2 and 3 of the Idaho Heights Subdivision.
3. S39 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-10030 V1

Comments:

1. vmusic 8/28/2006 RECOMMENDATION
Comment: RECOMMENDED AS LICENSED

2. vmusic 8/28/2006 OWNERSHIP
Comment: CURRENT OWNER PER ARCVIEW CANYON CO TAXLOT INFORMATION IS DR HAFEZ SAAD. NO CHANGE OF OWNERSHIP FILED

3. vmusic 8/28/2006 SURFACE RTS
Comment: NOT MENTIONED IN FILES.

4. vmusic 8/28/2006 ACRES
Comment: THE LOT IS 1.4 ACRES AND ACRES ACTUALLY IRRIGATED IS ABOUT 1.3.

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			05/15/2006	scurtis	Active
Contacts	8/28/2006 10:02:44 AM	vmusic			Active
Priority Date	8/28/2006 10:02:59 AM	vmusic			Active
POD	8/28/2006 10:03:27 AM	vmusic			Active
Source	8/28/2006 10:04:41 AM	vmusic			Active
POU	8/28/2006 10:04:53 AM	vmusic			Active
Use	8/28/2006 10:10:16 AM	vmusic			Active
Season	8/28/2006 10:10:37 AM	vmusic			Active
Quantity	8/28/2006 10:11:07 AM	vmusic			Active
Summary			08/28/2006	vmusic	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	5/15/2006 2:51:16 PM	scurtis	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
Contacts	8/28/2006 10:02:59 AM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: DESKTOP REVIEW
POD	8/28/2006 10:03:42 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10030 V1

Source	8/28/2006 10:04:56 AM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (Yes) 11. Is a Source remark and/or condition required?
POU	8/28/2006 10:05:09 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
General	8/28/2006 10:03:14 AM	vmusic	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	8/28/2006 10:05:49 AM	vmusic	Updated shape for Active POU
Use	8/28/2006 10:10:32 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	8/28/2006 10:10:53 AM	vmusic	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-10030 V1

Quantity	8/28/2006 10:11:23 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - SEE LICENSING EXAM
Summary	8/28/2006 10:14:07 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (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?
POD	8/28/2006 10:04:07 AM	vmusic	Updated shape

Water Supply Bank:

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 63-10030 Priority May 10, 1983 Amount 0.03 cfs

THIS IS TO CERTIFY, that DeLance F. Franklin & Florence K. Franklin
of Parma, Idaho, has complied with the terms and conditions of Permit
No. 63-10030 issued pursuant to Application for Permit dated May 10, 1983,
and has submitted proof to the Department of Water Resources on July 24, 1984,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.08 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.03</u> cfs and	<u>6.8 acre feet</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.03 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
6.8 acre feet per year, said waters to be diverted within the NE1/4 SE1/4 Section 9,
Twp 5N, Rge 5W in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5N	5W	9													1.5				1.5

Total number of acres irrigated 1.5

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CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29TH day of OCTOBER, 19 85.

Acting for the Director

Norm C. Young

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
APPROVED

To appropriate the public waters of the State of Idaho

FLORENCE K. FRANKLIN, husband and

1. Name of applicant DeLANCE F. FRANKLIN and Phone 722-6321

Post office address Parma, Idaho 83660

2. Source of water supply ground water which is a tributary of _____

3. Location of point of diversion is NE of SE $\frac{1}{4}$ of Section 9 Township 5N

Range 5W B.M. Canyon County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .033 for irrigation purposes from March 15 to November 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .033 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well

Pump with electric motor from 6" cased well

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 completed years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

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3

Midnight Men

4.5

None

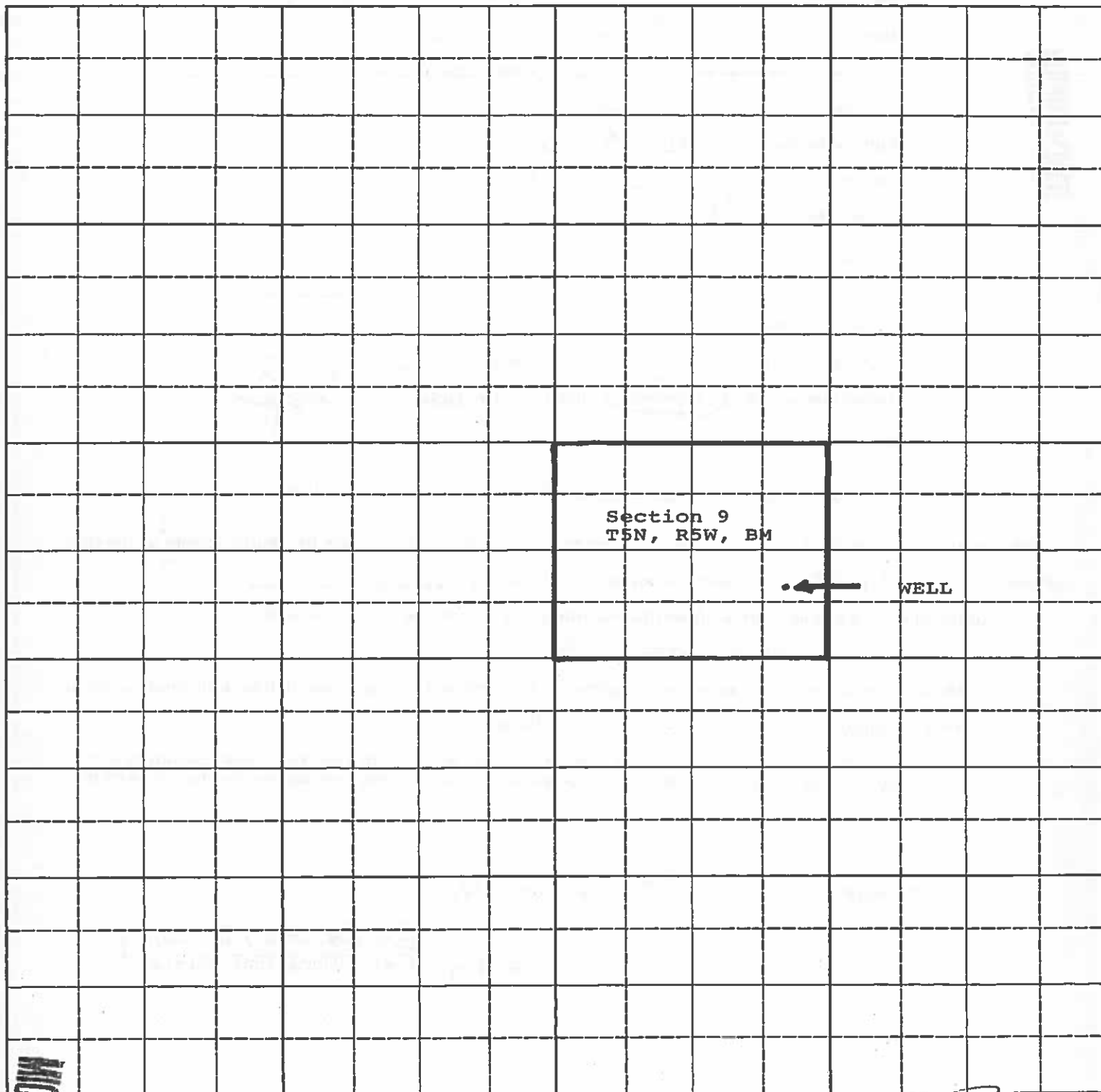
Applicants

Applicants

To irrigate the following land:

2005 17, 18, and 19. According to the Plat of
said Subdivision filed August 10, 1972 in Book 11
of Plats at Page 19, in the office of the
County Recorder, Canyon County, Idaho.

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



Scale: 2 inches equal 1 mile.

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

James R. Franklin
James R. Franklin
(Applicant)

NOT
RECORDED

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Proposed Priority 5-10-83 Date 5-11-83 Time 8:00
Received by SR Date 5/10/83 Time 8:45
Preliminary check by JG Fee \$ 30. 28813
Receipted by SP Date 5/11/83
Publication prepared by SP Date 5/12/83
Published in Shosh. Tribune
Publication dates 5/19 & 5/26/83
Publication approved SP Date 6/30/83
Protests filed by: None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DBS JC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-10030, and said application is hereby Approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 84.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

Witness my hand this 20 day of July, 1983.

Acting David R. Tuttle
Chief, Operations Bureau

Permit No. 03-12670

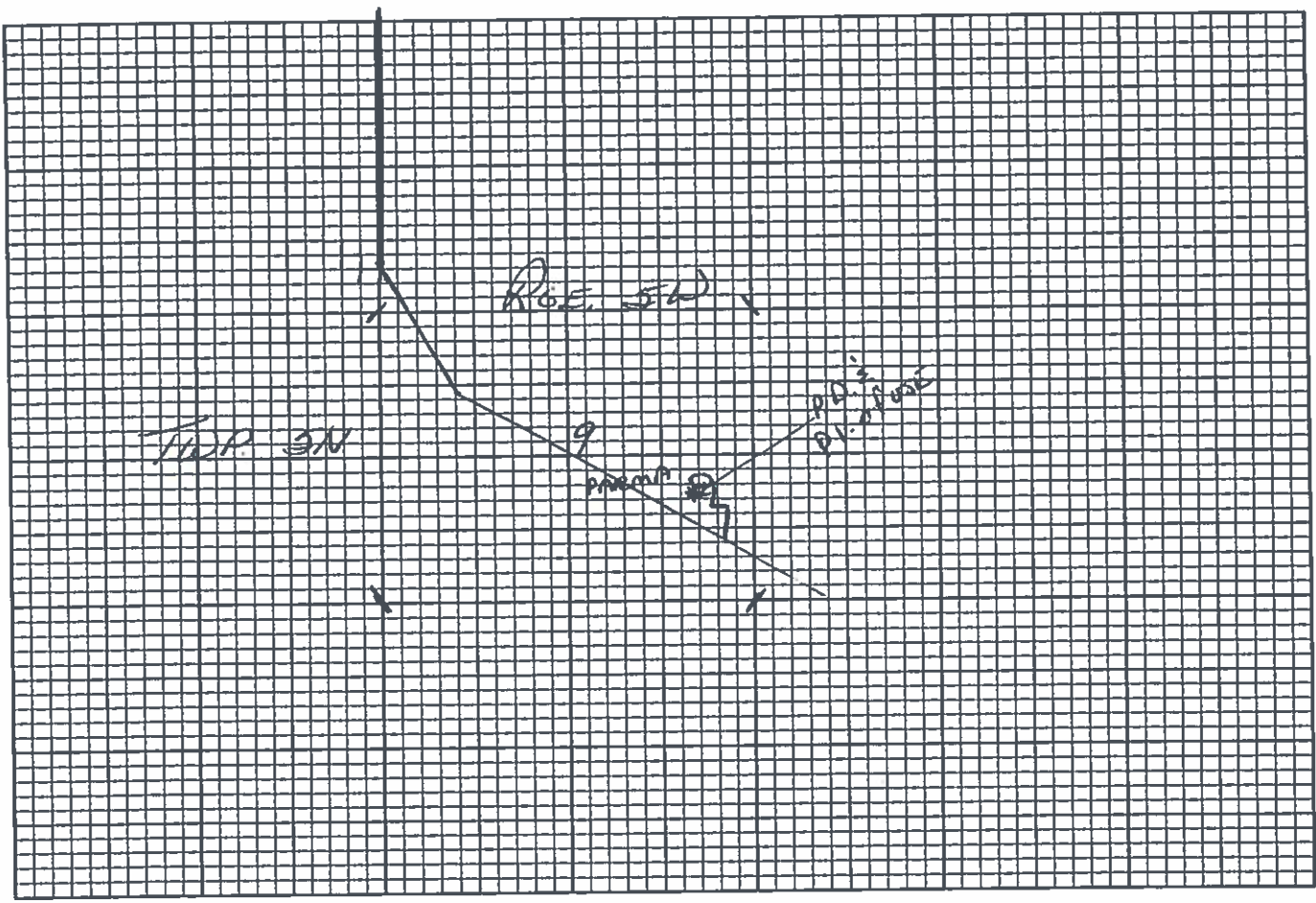
Phone No. 222-6321

- [illegible]

10. Other water rights on these lands NONE
11. Other water right diverted from same p.d. NONE

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12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



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

14. Remarks _____

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

16. Examiner's/Consultant's Signature Van Grover Date 5/31/85
Consultant's License Number _____
IDWR Director's Authorization to Conduct
Beneficial Use Examination 5/21/85 Date _____

CONSULTANT SEAL

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-10030

Date: 3-4-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	5N	5W	9													2				2
GIS																1.4				1.4
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 2

Overlapping POU Claim #'s:

Total GIS Acres: 1.4

COMMENTS:

POU - Included all irrigated acres and went into easement.

POD - Estimated in POU in the

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-10030
Date Received: 1/18/1990
Receipt No: CO140916
Received By: hlt

RECEIVED
JAN 18 1990
Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DE LANCE F. FRANKLIN
Address: P.O. BOX 820
PARMA, ID 83660

and/or
Name: FLORENCE K. FRANKLIN
Address: P.O. BOX 820
PARMA, ID 83660

2. Date of Priority: MAY 10, 1983

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	05W	9	NE	SE			CANYON

5. Description of diverting works:
WELL, PUMP & MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		6.80

7. Total Quantity Appropriated is:
0.030 C.F.S. (and/or) 6.80 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	05W	9	NE	SE		IRR	2.0
Section Acres							2.0
Total Acres							2.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

AC. IRR. = 1.5.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): X [Signature] Date: X 1-18-90
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 18th day

of January 19 90

[Signature]
Notary Public

Seal

Helen Harrington, Notary Public
Residing at Residing at Boise, Idaho
My Commission Expires December 1, 1994

Receipt Details for ID C014096

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/18/1990 2:53:01 PM	1/18/1990	State	\$52.00	Check
Payer		FRANKLIN, DE LANCE		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
5914			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$52.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	10030		\$52.00	Claim

[Print Report](#)