

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: A67-02365

Date Received: 10/10/1989

Receipt No:

Received By: Moo 4878

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: FRANK LAND 208-345-2487  
Address: 3430 BIG FLAT ROAD  
MIDVALE, ID 83645

OR

Name: TREVA LAND 208-345-2487  
Address: 3430 BIG FLAT ROAD  
MIDVALE, ID 83645

2. Date of Priority: SEP 26, 1966

3. Source: UNNAMED SPRINGS Trib. to: TENNISON CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County     |
|----------|-------|---------|--------|--------|--------|-----|------------|
| 11N      | 02W   | 2       | NE     | NE     | NE     | 1   | WASHINGTON |
|          |       |         | NW     | NE     | NE     | 2   | WASHINGTON |
|          |       |         | SW     | NE     | NE     |     | WASHINGTON |
|          |       |         | SE     | NE     | NE     |     | WASHINGTON |

5. Description of diverting works:  
COLLECTION PONDS, SPRINKLER SYSTEM W/PORTABLE PUMP.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 1.840  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.050  |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.020  |      |        |

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

8. Total consumptive use is 308.0 Acre Feet Per Annum.

9. Non-irrigation uses:

D/1 S/200 RANGE

A67-02365

Page 1

Date: 10/10/89

SCANNED  
MAY 10 2004

MICROFILMED  
OCT 02 1992

10. Place of Use:

| Township | Range | Section | 1/4           | of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|---------------|----|-----|-----|--------|-------|
| 11N      | 02W   | 1       | SW            |    | NW  |     | IRR    | 36.0  |
|          |       |         | SW            |    | NW  |     | STOCK  |       |
|          |       |         | NW            |    | SW  |     | IRR    | 15.0  |
|          |       |         | NW            |    | SW  |     | STOCK  |       |
|          |       |         | Section Acres |    |     |     |        | 51.0  |
|          |       | 2       | NE            |    | NE  |     | STOCK  |       |
|          |       |         | NW            |    | NE  |     | IRR    | 1.0   |
|          |       |         | NW            |    | NE  | 2   | DOMEST |       |
|          |       |         | SW            |    | NE  |     | IRR    | 10.0  |
|          |       |         | SW            |    | NE  |     | STOCK  |       |
|          |       |         | SE            |    | NE  |     | IRR    | 26.0  |
|          |       |         | Section Acres |    |     |     |        | 37.0  |
|          |       |         | Total Acres   |    |     |     |        | 88.0  |

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:  
USE RIGHTS.

14. Remarks:

15. Basis of Claim: PERMIT  
Water Right Number: 33233

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:     2    

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):     F L D Lavel     Date:     10-10-89      
Date:                                 

State of Idaho )  
County of Washington ) SS.

Subscribed and sworn (or affirmed) before me this 10 day  
of Oct 19 89     Bruce A. Schuld      
Notary Public

Seal

Residing at     BRUCE A. SCHULD, NOTARY PUBLIC      
    RESIDING AT BOISE, IDAHO      
My Commission Expires     EXPIRATION EXPIRES APRIL 11, 1995



MICROFILMED<sup>6</sup>  
OCT 02 1992

67-2365  
67-1281  
67-1292

RECEIVED

JUN 05 2008

DEPARTMENT OF  
WATER RESOURCES

FIRST CLASS



UNITED STATES POSTAGE  
FIRST CLASS  
\$ 01.00<sup>0</sup>  
02 1M  
0004230683 JUN 03 2008  
MAILED FROM ZIP CODE 83702

*[Handwritten signature]*

**IDAHO DEPARTMENT OF WATER RESOURCES**

322 EAST FRONT ST.  
P.O. BOX 83720  
BOISE, ID 83720-0088



TO

*WTF*

FRANK AND TREVA LAND  
3430 BIG FLAT RD  
MIDVALE ID 83645

**NOT DELIVERABLE  
AS ADDRESSED  
UNABLE  
TO FORWARD**

*Forward  
order  
Expired*

**RECEIVED**  
JUN - 9 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**

In Re SRBA

) **Water Rights: 67-2365, 67-7281,**  
) **67-7292,**  
)

Case No. 39576

) **NOTICE OF COMPLETED**  
) **ADMINISTRATIVE PROCEEDING**  
)

IDWR has completed the following administrative proceeding:

- ☐ Address change  
☐ Substitution of Party  
☐ IC § 42-222

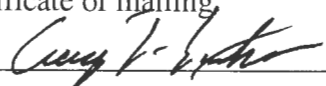
- |                                               |                                              |
|-----------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> Point of diversion   | <input type="checkbox"/> Place of use        |
| <input type="checkbox"/> Period of use        | <input type="checkbox"/> Nature of use       |
| <input type="checkbox"/> Split of water right | <input type="checkbox"/> Change in ownership |

☒ Other: License Issued

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) 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 right(s) 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: 6-2-08

  
\_\_\_\_\_  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on June 2, 2008, 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

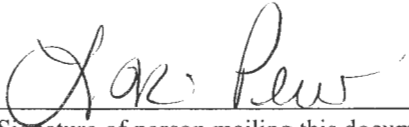
### 2. Copies to:

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

United States Dept of Justice  
Environment & Natural Resource Div  
550 W. Fort St. MSC 033  
Boise, ID 83724

### 3. Copies to all parties to the subcase:

Frank and Treva Land  
3430 Big Flat Rd.  
Midvale, ID 83645

  
\_\_\_\_\_  
Signature of person mailing this document

06/02/2008

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

RIGHT NUMBER: 67-2365

NAME AND ADDRESS: TREVA LAND  
3430 BIG FLAT RD  
MIDVALE ID 83645FRANK LAND  
3430 BIG FLAT RD  
MIDVALE ID 83645

SOURCE: UNNAMED STREAM

TRIBUTARY: TENNISON CREEK

QUANTITY: 2.000 CFS  
506.40 AFY

This right when combined with Right No. 67-7281, and 67-7292 shall provide no more than .02 cfs per acre, nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 09/26/1966

POINT OF  
DIVERSION:

T11N R02W S2 SENWNE Lot 2 Within WASHINGTON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| STOCKWATER            | 01/01 12/31          | 0.160 CFS<br>8.60 AFY   |
| IRRIGATION            | 03/15 10/31          | 2.000 CFS<br>506.40 AFY |

PLACE OF USE: IRRIGATION in WASHINGTON County

|                          |      |                          |               |       |
|--------------------------|------|--------------------------|---------------|-------|
| T11N R02W S01 Lot 4 NWNW | 0.10 | T11N R02W S01            | SWNW          | 32.00 |
| T11N R02W S01            | SENW | 3.20                     | T11N R02W S01 | NESW  |
| T11N R02W S01            | NWSW | 16.00                    | T11N R02W S01 | SESW  |
| T11N R02W S01            | NWSE | 1.70                     | T11N R02W S01 | SWSE  |
| T11N R02W S02 Lot 1 NENE | 2.80 | T11N R02W S02 Lot 2 NWNE | 1.50          |       |
| T11N R02W S02            | SWNE | 8.00                     | T11N R02W S02 | SENE  |
| T11N R02W S02            | NESE | 1.00                     |               |       |

STOCKWATER in WASHINGTON County

|               |      |                          |      |
|---------------|------|--------------------------|------|
| T11N R02W S01 | SWNW | T11N R02W S01            | NESW |
| T11N R02W S01 | NWSW | T11N R02W S01            | SWSW |
| T11N R02W S02 | NENE | T11N R02W S02 Lot 2 NWNE |      |
| T11N R02W S02 | SWNE | T11N R02W S02            | SENE |

126.6 ACRES TOTAL

Right Nos. 67-2365, 67-7281 and 67-7292 are limited to the irrigation of a combined total of 126.6 acres in a single irrigation season.

## 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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within State Water District No. 67.

Right No. 67-7281 is also diverted through point of diversion described above.

Stockwater use is for 637 head mixed stock.

06/02/2008

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

RIGHT NUMBER: 67-7281

NAME AND ADDRESS: TREVA LAND  
3430 BIG FLAT RD  
MIDVALE ID 83645FRANK D LAND  
3430 BIG FLAT RD  
MIDVALE ID 83645

SOURCE: UNNAMED STREAM

TRIBUTARY: TENNISON CREEK

QUANTITY: 75.00 AFY

This right when combined with Right No. 67-2365, and 67-7292 shall provide no more than 0.02 cfs per acre, nor more than 4.0 af/acre.

Right Nos. 67-7281 and 67-7292 are limited to a total combined annual diversion volume of 90.0 AF.

PRIORITY DATE: 07/23/1976

POINT OF DIVERSION: T11N R02W S2 SENWNE Lot 2 Within WASHINGTON County

PURPOSE AND PERIOD OF USE:

| <u>PURPOSE OF USE</u>   | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------|----------------------|-----------------|
| IRRIGATION FROM STORAGE | 03/15 10/31          | 75.00 AFY       |
| IRRIGATION STORAGE      | 01/01 12/31          | 75.00 AFY       |
| STOCKWATER FROM STORAGE | 01/01 12/31          | 2.70 AFY        |
| STOCKWATER STORAGE      | 01/01 12/31          | 2.70 AFY        |

PLACE OF USE: IRRIGATION STORAGE in WASHINGTON County

|                          |                          |
|--------------------------|--------------------------|
| T11N R02W S02 Lot 1 NENE | T11N R02W S02 Lot 2 NWNE |
| T11N R02W S02 SWNE       | T11N R02W S02 SENE       |

IRRIGATION FROM STORAGE in WASHINGTON County

|                          |       |                          |       |
|--------------------------|-------|--------------------------|-------|
| T11N R02W S01 Lot 4 NWNW | 0.10  | T11N R02W S01 SWNW       | 32.00 |
| T11N R02W S01 SENW       | 3.20  | T11N R02W S01 NESW       | 16.00 |
| T11N R02W S01 NWSW       | 16.00 | T11N R02W S01 SESW       | 7.70  |
| T11N R02W S01 NWSE       | 1.70  | T11N R02W S01 SWSE       | 2.60  |
| T11N R02W S02 Lot 1 NENE | 2.80  | T11N R02W S02 Lot 2 NWNE | 1.50  |
| T11N R02W S02 SWNE       | 8.00  | T11N R02W S02 SENE       | 34.00 |
| T11N R02W S02 NESE       | 1.00  | 126.6 ACRES TOTAL        |       |

STOCKWATER STORAGE in WASHINGTON County

|                          |                          |
|--------------------------|--------------------------|
| T11N R02W S02 Lot 1 NENE | T11N R02W S02 Lot 2 NWNE |
| T11N R02W S02 SWNE       | T11N R02W S02 SENE       |

STOCKWATER FROM STORAGE in WASHINGTON County

|                          |                          |
|--------------------------|--------------------------|
| T11N R02W S01 Lot 4 NWNW | T11N R02W S01 SWNW       |
| T11N R02W S01 SENW       | T11N R02W S01 NESW       |
| T11N R02W S01 NWSW       | T11N R02W S01 SESW       |
| T11N R02W S01 NWSE       | T11N R02W S01 SWSE       |
| T11N R02W S02 Lot 1 NENE | T11N R02W S02 Lot 2 NWNE |
| T11N R02W S02 SWNE       | T11N R02W S02 SENE       |
| T11N R02W S02 NESE       |                          |

Right Nos. 67-2365, 67-7292, and 67-7281 are limited to the irrigation of a combined total of 126.6 acres in a single irrigation season.

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

Right No. 67-2365 is also diverted through point of diversion described above.

MAXIMUM DIVERSION VOLUME SET BY THE LICENSE IS 75.0 AF.

USE OF WATER UNDER THIS RIGHT WILL BE REGULATED BY A WATERMASTER WITH RESPONSIBILITY FOR THE DISTRIBUTION OF WATER AMONG APPROPRIATORS WITHIN STATE WATER DISTRICT NO. 67.

06/02/2008

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

RIGHT NUMBER: 67-7292

NAME AND ADDRESS: FRANK D LAND  
3430 BIG FLAT RD  
MIDVALE ID 83645TREVA LAND  
3430 BIG FLAT RD  
MIDVALE ID 83645

SOURCE: UNNAMED STREAM

TRIBUTARY: TENNISON CREEK

QUANTITY: 0.900 CFS  
90.00 AFY

This right when combined with Right No. 67-2365, and 67-7281 shall provide no more than .02 cfs per acre, nor more than 4.0 af/acre..

PRIORITY DATE: 10/18/1976

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF  
DIVERSION:

T11N R02W S1 NENESW Within WASHINGTON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>   | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-------------------------|----------------------|-----------------|
| IRRIGATION STORAGE      | 01/01 12/31          | 90.00 AFY       |
| DIVERSION TO STORAGE    | 12/01 05/01          | 0.900 CFS       |
| IRRIGATION FROM STORAGE | 04/01 10/31          | 90.00 AFY       |

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

PLACE OF USE: IRRIGATION STORAGE in WASHINGTON County

|                          |                          |
|--------------------------|--------------------------|
| T11N R02W S02 Lot 1 NENE | T11N R02W S02 Lot 2 NWNE |
| T11N R02W S02 SWNE       | T11N R02W S02 SENE       |

IRRIGATION FROM STORAGE in WASHINGTON County

|                          |       |                          |       |
|--------------------------|-------|--------------------------|-------|
| T11N R02W S01 Lot 4 NWNW | 0.10  | T11N R02W S01 SWNW       | 32.00 |
| T11N R02W S01 SENW       | 3.20  | T11N R02W S01 NESW       | 16.00 |
| T11N R02W S01 NWSW       | 16.00 | T11N R02W S01 SESW       | 7.70  |
| T11N R02W S01 NWSE       | 1.70  | T11N R02W S01 SWSE       | 2.60  |
| T11N R02W S02 Lot 1 NENE | 2.80  | T11N R02W S02 Lot 2 NWNE | 1.50  |
| T11N R02W S02 SWNE       | 8.00  | T11N R02W S02 SENE       | 34.00 |
| T11N R02W S02 NESE       | 1.00  |                          |       |

126.6 ACRES TOTAL

Right Nos. 67-2365, 67-7281 and 67-7292 are limited to the irrigation of a combined total of 126.6 acres in a single irrigation season.

This right is limited to the irrigation of 126.6 acres within the place of use described above in a single irrigation season.

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.

This right is based upon an enlargement of Right No. 67-7281 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

WATER RIGHTS NO 67-7281 AND 67-7292 WHEN COMBINED SHALL NOT EXCEED A TOTAL ANNUAL MAXIMUM DIVERSION VOLUME OF 90.0 AF.

USE OF WATER UNDER THIS RIGHT WILL BE REGULATED BY A WATERMASTER WITH RESPONSIBILITY FOR THE DISTRIBUTION OF WATER AMONG APPROPRIATORS WITHIN STATE WATER DISTRICT NO. 67.

ESS SERVICE  
REQUESTED



NOT DELIVERABLE  
AS ADDRESSED  
UNABLE  
TO FORWARD

c/o needed?  
Cada D Wayne  
23250 Cada Ln  
Caldwell ID 83607

m.v.b.  
6/11/2007  
comment in Quicklook UTF

TREVA LAND

FRANK D LAND  
3430 BIG FLAT RD  
MIDVALE ID. 83645

NOE  
WR #  
67-7365  
67-7281  
67-7292

FEB 27 2007

SCANNED



1

1

FILE



MAILED FROM ZIP CODE 83702

2  
TOP  
DOES



NOT DELIVERABLE  
AS ADDRESSED  
UNABLE  
TO FORWARD

NOE  
WR # 67-2365  
67-7281  
67-7292

FRANK LAND

TREVA LAND

FRANK D LAND  
3430 BIG FLAT RD  
MIDVALE ID 83645

UTF

SCANNED

FEB 17 1991

06/02/2008

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

RIGHT NUMBER: 67-2365

NAME AND ADDRESS: TREVA LAND  
3430 BIG FLAT RD  
MIDVALE ID 83645FRANK LAND  
3430 BIG FLAT RD  
MIDVALE ID 83645

SOURCE: UNNAMED STREAM

TRIBUTARY: TENNISON CREEK

QUANTITY: 2.000 CFS  
506.40 AFY

This right when combined with Right No. 67-7281, and 67-7292 shall provide no more than .02 cfs per acre, nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 09/26/1966

POINT OF  
DIVERSION:

T11N R02W S2 SENWNE Lot 2 Within WASHINGTON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>         |
|-----------------------|----------------------|-------------------------|
| STOCKWATER            | 01/01 12/31          | 0.160 CFS<br>8.60 AFY   |
| IRRIGATION            | 03/15 10/31          | 2.000 CFS<br>506.40 AFY |

PLACE OF USE: IRRIGATION in WASHINGTON County

|                          |      |                          |               |       |
|--------------------------|------|--------------------------|---------------|-------|
| T11N R02W S01 Lot 4 NWNW | 0.10 | T11N R02W S01            | SWNW          | 32.00 |
| T11N R02W S01            | SENW | 3.20                     | T11N R02W S01 | NESW  |
| T11N R02W S01            | NWSW | 16.00                    | T11N R02W S01 | SESW  |
| T11N R02W S01            | NWSE | 1.70                     | T11N R02W S01 | SWSE  |
| T11N R02W S02 Lot 1 NENE | 2.80 | T11N R02W S02 Lot 2 NWNE | 1.50          |       |
| T11N R02W S02            | SWNE | 8.00                     | T11N R02W S02 | SENE  |
| T11N R02W S02            | NESE | 1.00                     |               |       |

STOCKWATER in WASHINGTON County

|               |      |                          |      |
|---------------|------|--------------------------|------|
| T11N R02W S01 | SWNW | T11N R02W S01            | NESW |
| T11N R02W S01 | NWSW | T11N R02W S01            | SWSW |
| T11N R02W S02 | NENE | T11N R02W S02 Lot 2 NWNE |      |
| T11N R02W S02 | SWNE | T11N R02W S02            | SENE |

126.6 ACRES TOTAL

Right Nos. 67-2365, 67-7281 and 67-7292 are limited to the irrigation of a combined total of 126.6 acres in a single irrigation season.

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within State Water District No. 67.

Right No. 67-7281 is also diverted through point of diversion described above.

Stockwater use is for 637 head mixed stock.

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2365 V2

WATER RIGHT NUMBER: 67-2365 V2

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | TREVA LAND<br>3430 BIG FLAT RD<br>MIDVALE, ID 83645<br>(208)345-2487 |
| Original Owner    | ROSE MARIE CADA<br><br>, ID                                          |
| Original Owner    | RUDOLPH CADA<br><br>, ID                                             |
| Current Owner     | FRANK LAND<br>3430 BIG FLAT RD<br>MIDVALE, ID 83645<br>(208)345-2487 |

Priority Date: 09/26/1966

Basis: License

Status: Active

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| UNNAMED STREAM | TENNISON CREEK   |

| <u>Beneficial Use</u>   | <u>From To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-------------------------|----------------|-----------------------|----------------------|
| STOCKWATER              | 01/01 to 12/31 | 0.160 CFS             | 8.60 AF              |
| IRRIGATION              | 03/15 to 10/31 | 2.000 CFS             | 506.40 AF            |
| <u>Total Diversion:</u> |                | 2.000 CFS             | 506.40 AF            |

Location of Point(s) of Diversion

UNNAMED STREAM                      L2 (SE1/4NW1/4NE1/4)                      Sec. 2,    Twp 11N,    Rge 02W, B.M.  
WASHINGTON County

Place of Use

STOCKWATER

| Twp | Rge | Sec | NE |     |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 11N | 02W | 1   |    |     |    |    |    |    | X  |    | X  | X  | X  |    |    |    |    |    |        |
| 11N | 02W | 2   | X  | X   | X  | X  |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    | L 2 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

IRRIGATION

| Twp | Rge | Sec | NE | NW | SW | SE |
|-----|-----|-----|----|----|----|----|
|     |     |     |    |    |    |    |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-2365 V2

|         |   | NE  | NW  | SW  | SE   | NE | NW  | SW   | SE  | NE   | NW   | SW | SE  | NE  | NW  | SW  | SE | Totals |
|---------|---|-----|-----|-----|------|----|-----|------|-----|------|------|----|-----|-----|-----|-----|----|--------|
| 11N 02W | 1 |     |     |     |      |    | .1  | 32.0 | 3.2 | 16.0 | 16.0 |    | 7.7 |     | 1.7 | 2.6 |    | 79.3   |
|         |   |     |     |     |      |    | L 4 |      |     |      |      |    |     |     |     |     |    |        |
| 11N 02W | 2 | 2.8 | 1.5 | 8.0 | 34.0 |    |     |      |     |      |      |    |     | 1.0 |     |     |    | 47.3   |
|         |   | L 1 | L 2 |     |      |    |     |      |     |      |      |    |     |     |     |     |    |        |

Total Acres: 126.6

Conditions of Approval:

1. E62 This right when combined with Right No.67-7281, and 67-7292 shall provide no more than .02 cfs per acre, nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. 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.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within State Water District No. 67.
4. F05 Right No. 67-7281 is also diverted through point of diversion described above.
5. E55 Right Nos. 67-2365, 67-7281 and 67-7292 are limited to the irrigation of a combined total of 126.6 acres in a single irrigation season.
6. X02 Stockwater use is for 637 head mixed stock.

Remarks:Comments:

## 1. shemenway 5/28/2008 CAPACITY AND FEES

Comment: CAPACITY OF THE SYSTEM WAS MEASURED AS  $Q = (64) (3.81) (3.87) / 448.3 = 2.10$  CFS. FEES WERE PAID BASED ON THE RATE OF DIVERSION. LIMITED IRRIGATION TO 2.00 CFS 506.4 AF, STOCKWATER 0.16 CFS 8.6 AF, WITH A TOTAL OF 2.00 CFS 506.4 AF.

## 2. shemenway 5/28/2008 IRRIGATED ACRES

Comment: 8/3/2005 DANIEL NELSON CONFIRMED LOCATION OF POD, POU, AND TOTAL ACREAGE USING ARC VIEW. 126.6 ACRES X 4.0 = 506.4 AF.

## 3. shemenway 5/28/2008 SYSTEM

Comment: SPRINGS FORMING AN UNNAMED STREAM FEED THE RESERVOIR, 13 FT. HEIGHT DAM, 30 FT. LENGTH, 4 FT X 4 FT HEADGATE, CENTRIFUGAL 60 HP GE GJ6284016 MOTOR, CORNELL PUMP, 4 INCH FLARED TO 8 INCH DISCHARGE TO 8 INCH BURIED MAIN THAT CONVERTS TO 6 INCH THE TO 4 INCH BURIED LINE, THEN TO ASSORTMENT OF 2-HANDLINE AND 4-WHEEL LINES.

## 4. shemenway 5/28/2008 MEASURING DEVICE

Comment: ANNUBAR SERIAL #91414, 8 INCH, AND MANOMETER SERIAL #2, 4 INCH.  $Q = (64) (3.81) (3.87) / 448.3 = 2.10$  CFS CAPACITY OF SYSTEM.

## 5. shemenway 5/28/2008 OVERLAPS

Comment: 67-7281 ADDS STORAGE TO THE SYSTEM (SAME POD, SAME POU). 67-7292 IS AN ADDITIONAL POD, ADDS THE FULL CAPACITY OF THE RESERVOIR, AND SAME POU.

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2365 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: OR  
 Water District Number: 67  
 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:

| <u>Rate</u> | <u>Volume</u> | <u>Acres</u> |
|-------------|---------------|--------------|
|             |               | 126.6        |

Combined Water Rights: 67-7281 , 67-7292 , 67-2365

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       | 5/27/2008 2:43:31 PM      | shemenway       |                           |                 | Active        |
| Priority Date  | 5/28/2008 1:22:48 PM      | shemenway       |                           |                 | Active        |
| Source         | 5/28/2008 1:26:19 PM      | shemenway       |                           |                 | Active        |
| Use            | 5/28/2008 1:29:37 PM      | shemenway       |                           |                 | Active        |
| Season         | 5/28/2008 1:39:04 PM      | shemenway       |                           |                 | Active        |
| Quantity       | 5/28/2008 1:43:58 PM      | shemenway       |                           |                 | Active        |
| POU            | 5/28/2008 2:24:25 PM      | shemenway       |                           |                 | Active        |
| POD            | 5/29/2008 8:52:54 AM      | shemenway       |                           |                 | Active        |
| Summary        |                           |                 | 05/29/2008                | shemenway       | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u> |
|----------------|------------------------|-----------------|-----------------|
|----------------|------------------------|-----------------|-----------------|

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-2365 V2

|          |                      |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------|----------------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Quantity | 5/28/2008 1:43:58 PM | shemenway | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?<br>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?<br>(Yes) 8. Does the parent right have an annual diversion volume limit?<br>(Yes) 10. Is a irrigation a purpose of use?<br>(Yes) 12. Is a Quantity remark or condition required?<br>Description for Question 10 - CAPACITY OF SYSTEM: $Q = (64) (3.81) (3.87) / 448.3 = 2.10$ CFS. $126.6 \text{ ACRES} \times 4.0 = 506.4 \text{ AF}$ FOR IRRIGATION. $637 \text{ CATTLE AND HORSES} \times 12 \times 365 / 325850 = 8.56 \text{ AF} = 8.6 \text{ AF}$ . |
| POD      | 5/28/2008 2:39:22 PM | shemenway | Updated Shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| POD      | 5/28/2008 2:39:28 PM | shemenway | Updated Shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| POU      | 5/28/2008 2:03:29 PM | shemenway | Updated Shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| POD      | 5/29/2008 8:47:36 AM | shemenway | Updated Shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| POD      | 5/29/2008 8:50:33 AM | shemenway | Updated Shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| POD      | 5/29/2008 8:52:55 AM | shemenway | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a POD?<br>(Yes) 5. Can the claimed POD be verified using the water right file?<br>(Yes) 10. Is a POD remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Season   | 5/28/2008 1:39:04 PM | shemenway | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a Period of Use?<br>(Yes) 5. Can the claimed Period of Use be verified using the water right file?<br>(Yes) 14. Is irrigation claimed as a Purpose of Use?<br>(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?<br>(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?<br>(No) 18. Is a Period of Use remark and/or condition required?                                                         |
| POU      | 5/28/2008 2:19:47 PM | shemenway | Updated Shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| POD      | 5/29/2008 8:48:42 AM | shemenway | Updated PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| POD      | 5/29/2008 8:51:02 AM | shemenway | Updated PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-2365 V2

|          |                      |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|----------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Summary  | 5/29/2008 9:01:34 AM | shemenway | <p>(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?</p> <p>(Yes) 5. Does this right have any combined use limits with other rights?</p> <p>(Yes) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(Yes) 8. Is this a split or combined right?</p> <p>(No) 9. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 10. Would you like to set the verification date?</p> |
| Contacts | 5/27/2008 2:43:30 PM | shemenway | <p>(No) 1. Do you want to schedule an appointment?</p> <p>Comment for 1: FE conducted on 7/17/1989 and write up completed on 8/23/1989</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| General  | 5/28/2008 1:22:48 PM | shemenway | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(Yes) 4. Is the basis of claim decree or license?</p> <p>(Yes) 5. Does the decree or license have a Priority Date?</p> <p>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(No) 16. Is a Priority Date remark and/or condition required?</p>                                                                                                                                                                                                                             |
| Source   | 5/28/2008 1:26:19 PM | shemenway | <p>(Yes) 1. Is the basis of claim Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a source?</p> <p>(Yes) 5. Can the claimed source be verified using the water right file?</p> <p>(No) 11. Is a Source remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Use      | 5/28/2008 1:29:37 PM | shemenway | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a Purpose of Use?</p> <p>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?</p> <p>(No) 13. Is a Purpose of Use remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                          |
| POU      | 5/28/2008 2:20:54 PM | shemenway | Updated PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| POU      | 5/28/2008 2:24:25 PM | shemenway | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2a. Is the POU required?</p> <p>(Yes) 5. Does the Decree or License have a POU?</p> <p>(Yes) 6. Can the claimed POU be verified using the water right file?</p> <p>(Yes) 14. Is a POU remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                    |

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 67-2365 V2

Water Supply Bank:

## Adjudication Recommendation Report 67-2365 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | TREVA LAND<br>3430 BIG FLAT RD<br>MIDVALE, ID 83645<br>(208)345-2487 |
| Original Owner    | ROSE MARIE CADA<br><br>, ID                                          |
| Original Owner    | RUDOLPH CADA<br><br>, ID                                             |
| Current Owner     | FRANK LAND<br>3430 BIG FLAT RD<br>MIDVALE, ID 83645<br>(208)345-2487 |

Status: Closed

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u>               | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------|-------------------------|-----------------------|----------------------|
| STOCKWATER            | 01/01       | to 12/31                |                       |                      |
| IRRIGATION            | 03/15       | to 10/31                | 6.460 CFS             |                      |
| DOMESTIC              | 01/01       | to 12/31                |                       |                      |
|                       |             | <u>Total Diversion:</u> | 6.460 CFS             |                      |

| <u>Location of Point(s) of Diversion</u> |            |         |          |               |
|------------------------------------------|------------|---------|----------|---------------|
| SPRINGS                                  | SE1/4NE1/4 | Sec. 2, | Twp 11N, | Rge 02W, B.M. |
| WASHINGTON County                        |            |         |          |               |
| SPRINGS                                  | SW1/4NE1/4 | Sec. 2, | Twp 11N, | Rge 02W, B.M. |
| WASHINGTON County                        |            |         |          |               |

[illegible]

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2365 V1

## IRRIGATION

| Twp | Rge | Sec | NE   |      |      |      | NW |      |    |    | SW   |      |      |    | SE |    |    |    | Totals |
|-----|-----|-----|------|------|------|------|----|------|----|----|------|------|------|----|----|----|----|----|--------|
| 11N | 02W | 1   | NE   | NW   | SW   | SE   | NE | NW   | SW | SE | NE   | NW   | SW   | SE | NE | NW | SW | SE | 160.0  |
|     |     |     |      |      |      |      |    | 40.0 |    |    | 40.0 | 40.0 | 40.0 |    |    |    |    |    |        |
| 11N | 02W | 2   | 41.5 | 41.4 | 40.0 | 40.0 |    |      |    |    |      |      |      |    |    |    |    |    | 162.9  |
|     |     |     | L 1  | L 2  |      |      |    |      |    |    |      |      |      |    |    |    |    |    |        |

Total Acres: 322.88

## DOMESTIC

| Twp | Rge | Sec | NE |     |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 11N | 02W | 2   | NE | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|     |     |     |    | X   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    | L 2 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

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. A01 THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

Remarks:Comments:

1. dsmith 6/8/2004 pod  
Comment: No points digitized at this point. Field exam not done, but proof of beneficial use in water right file
2. kbrown 12/1/2006 Permit  
Comment: Recommended as permitted.
3. mvanbussum 6/11/2007 Ownership  
Comment: Directors report mailing returned. May need change of ownership. According to taxlots, new owner is Cada D Wayne, 23250 Cada Ln, Caldwell, ID 83607.

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2365 V1

Dates and Other Information:

Decreed Date:  
 Enlargement Use Priority Date:  
 Enlargement Statute Priority Date:  
 Defendant:  
 Plaintiff:  
 Civil Case Number:  
 Judicial District:  
 Notice of Error Flag:  
 State or Federal: S  
 Owner Name Connector: OR  
 Water District Number: 67  
 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> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Priority Date  | 6/8/2004 12:00:56 PM      | dsmith          |                           |                 | Closed        |
| POD            | 6/8/2004 12:02:23 PM      | dsmith          |                           |                 | Closed        |
| Source         | 6/8/2004 12:02:40 PM      | dsmith          |                           |                 | Closed        |
| POU            | 6/8/2004 12:03:12 PM      | dsmith          |                           |                 | Closed        |
| Use            | 6/8/2004 12:04:20 PM      | dsmith          |                           |                 | Closed        |
| Season         | 6/8/2004 12:04:36 PM      | dsmith          |                           |                 | Closed        |
| Quantity       | 6/8/2004 12:04:50 PM      | dsmith          |                           |                 | Closed        |
| Priority Date  | 6/8/2004 12:09:06 PM      | dsmith          |                           |                 | Closed        |
| Contacts       | 12/1/2006 12:39:39 PM     | kbrown          |                           |                 | Closed        |
| Priority Date  | 12/1/2006 12:40:27 PM     | kbrown          |                           |                 | Closed        |
| POD            | 12/1/2006 12:41:24 PM     | kbrown          |                           |                 | Closed        |
| Source         | 12/1/2006 12:41:51 PM     | kbrown          |                           |                 | Closed        |
| POU            | 12/1/2006 12:48:57 PM     | kbrown          |                           |                 | Closed        |
| Use            | 12/1/2006 12:49:39 PM     | kbrown          |                           |                 | Closed        |
| Season         | 12/1/2006 12:52:12 PM     | kbrown          |                           |                 | Closed        |
| Quantity       | 12/1/2006 12:52:29 PM     | kbrown          |                           |                 | Closed        |
| Summary        |                           |                 | 12/01/2006                | kbrown          | Closed        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>       |
|----------------|------------------------|-----------------|-----------------------|
| POU            | 2/26/2004 9:06:09 AM   | awarntje        | Edited shape boundary |
| POU            | 2/26/2004 9:15:49 AM   | awarntje        | Edited shape boundary |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-2365 V1

|          |                       |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------|-----------------------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD      | 12/1/2006 12:41:25 PM | kbrown | (No) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2. Is the basis of this claim a Application or Permit?<br>(No) 3. Has the licensed been issued?<br>(No) 10. Is a POD remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Quantity | 12/1/2006 12:52:30 PM | kbrown | (No) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2. Is the basis of this claim a Application or Permit?<br>(No) 3. Has the licensed been issued?<br>(No) 12. Is a Quantity remark or condition required?                                                                                                                                                                                                                                                                                                                                                                                                                      |
| POD      | 12/1/2006 1:11:20 PM  | kbrown | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Contacts | 12/1/2006 12:39:40 PM | kbrown | (No) 1. Do you want to schedule an appointment?<br><br>Comment for 1: Recommended as permitted.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| General  | 12/1/2006 12:40:27 PM | kbrown | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(No) 4. Is the basis of claim decree or license?<br>(Yes) 7. Is the basis of claim a Application or Permit?<br>(Yes) 10a. Has proof of beneficial use been submitted?<br>(Yes) 10b. Has the Field exam been completed?<br>(Yes) 10c. Has Field exam been sent to state office?<br>(No) 10d. Has the License been issued?<br>(No) 10e. Will the license be issued prior to filing the Directors Report?<br>(Yes) 15. Is the basis of claim coded correctly?<br>(No) 16. Is a Priority Date remark and/or condition required? |
| Source   | 12/1/2006 12:41:52 PM | kbrown | (No) 1. Is the basis of claim Decree or License?<br>(Yes) 2. Is the basis of claim an Application or Permit?<br>(No) 3. Has the licensed been issued?<br>(No) 11. Is a Source remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                                                                               |
| POU      | 12/1/2006 12:48:58 PM | kbrown | (No) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2b. Is the POU required?<br>(Yes) 3. Is the basis of claim a Application or Permit?<br>(No) 4. Has the licensed been issued yet?<br>(No) 14. Is a POU remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                                      |
| Use      | 12/1/2006 12:49:40 PM | kbrown | (No) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2. Is the basis of this claim a Application or Permit?<br>(No) 3. Has the licensed been issued?<br>(No) 13. Is a Purpose of Use remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                                                            |

## IDAHO DEPARTMENT OF WATER RESOURCES

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|               |                       |        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------|-----------------------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU           | 12/1/2006 1:14:12 PM  | kbrown | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| POU           | 12/1/2006 1:13:13 PM  | kbrown | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Summary       | 12/1/2006 12:56:54 PM | kbrown | <p>(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?</p> <p>(No) 5. Does this right have any combined use limits with other rights?</p> <p>(No) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(No) 8. Is this a split or combined right?</p> <p>(No) 9. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 10. Would you like to set the verification date?</p> |
| POD           | 12/1/2006 1:10:29 PM  | kbrown | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| POU           | 12/1/2006 1:15:25 PM  | kbrown | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| POD           | 6/8/2004 12:02:24 PM  | dsmith | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 3. Has the licensed been issued?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Priority Date | 6/8/2004 12:00:57 PM  | dsmith | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(No) 4. Is the basis of claim decree or license?</p> <p>(Yes) 7. Is the basis of claim a Application or Permit?</p> <p>(Yes) 10a. Has proof of beneficial use been submitted?</p> <p>(No) 10b. Has the Field exam been completed?</p> <p>(No) 10e. Will the license be issued prior to filing the Directors Report?</p>                                                                                                                                                                                                                                     |
| POU           | 6/8/2004 12:03:13 PM  | dsmith | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2b. Is the POU required?</p> <p>(Yes) 3. Is the basis of claim a Application or Permit?</p> <p>(No) 4. Has the licensed been issued yet?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Use           | 6/8/2004 12:04:21 PM  | dsmith | <p>(No) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2. Is the basis of this claim a Application or Permit?</p> <p>(No) 3. Has the licensed been issued?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Season        | 6/8/2004 12:04:37 PM  | dsmith | <p>(No) 1. Is the basis of claim Decree or License?</p> <p>(Yes) 2. Is the basis of claim a Application or Permit?</p> <p>(No) 3. Has the licensed been issued?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-2365 V1

|               |                       |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------|-----------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Quantity      | 6/8/2004 12:04:51 PM  | dsmith   | (No) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2. Is the basis of this claim a Application or Permit?<br>(No) 3. Has the licensed been issued?                                                                                                                                                                                                                                                                                                          |
| Priority Date | 6/8/2004 12:09:07 PM  | dsmith   | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(No) 4. Is the basis of claim decree or license?<br>(Yes) 7. Is the basis of claim a Application or Permit?<br>(Yes) 10a. Has proof of beneficial use been submitted?<br>(No) 10b. Has the Field exam been completed?<br>(No) 10e. Will the license be issued prior to filing the Directors Report?<br>(Yes) 15. Is the basis of claim coded correctly? |
| Source        | 6/8/2004 12:02:40 PM  | dsmith   | (No) 1. Is the basis of claim Decree or License?<br>(Yes) 2. Is the basis of claim an Application or Permit?<br>(No) 3. Has the licensed been issued?                                                                                                                                                                                                                                                                                                                     |
| POU           | 2/3/2004 2:36:11 PM   | awarntje | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| POU           | 2/3/2004 2:43:43 PM   | awarntje | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Season        | 12/1/2006 12:52:13 PM | kbrown   | (No) 1. Is the basis of claim Decree or License?<br>(Yes) 2. Is the basis of claim a Application or Permit?<br>(No) 3. Has the licensed been issued?<br>(No) 18. Is a Period of Use remark and/or condition required?                                                                                                                                                                                                                                                     |
| POU           | 2/3/2004 2:25:55 PM   | awarntje | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| POU           | 2/3/2004 2:36:22 PM   | awarntje | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

Water Supply Bank:

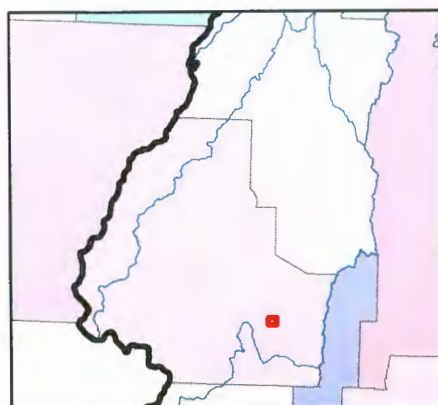


**SRBA Recommendation**  
**67-2365**  
**(STOCKWATER)**

# Idaho Department of Water Resources

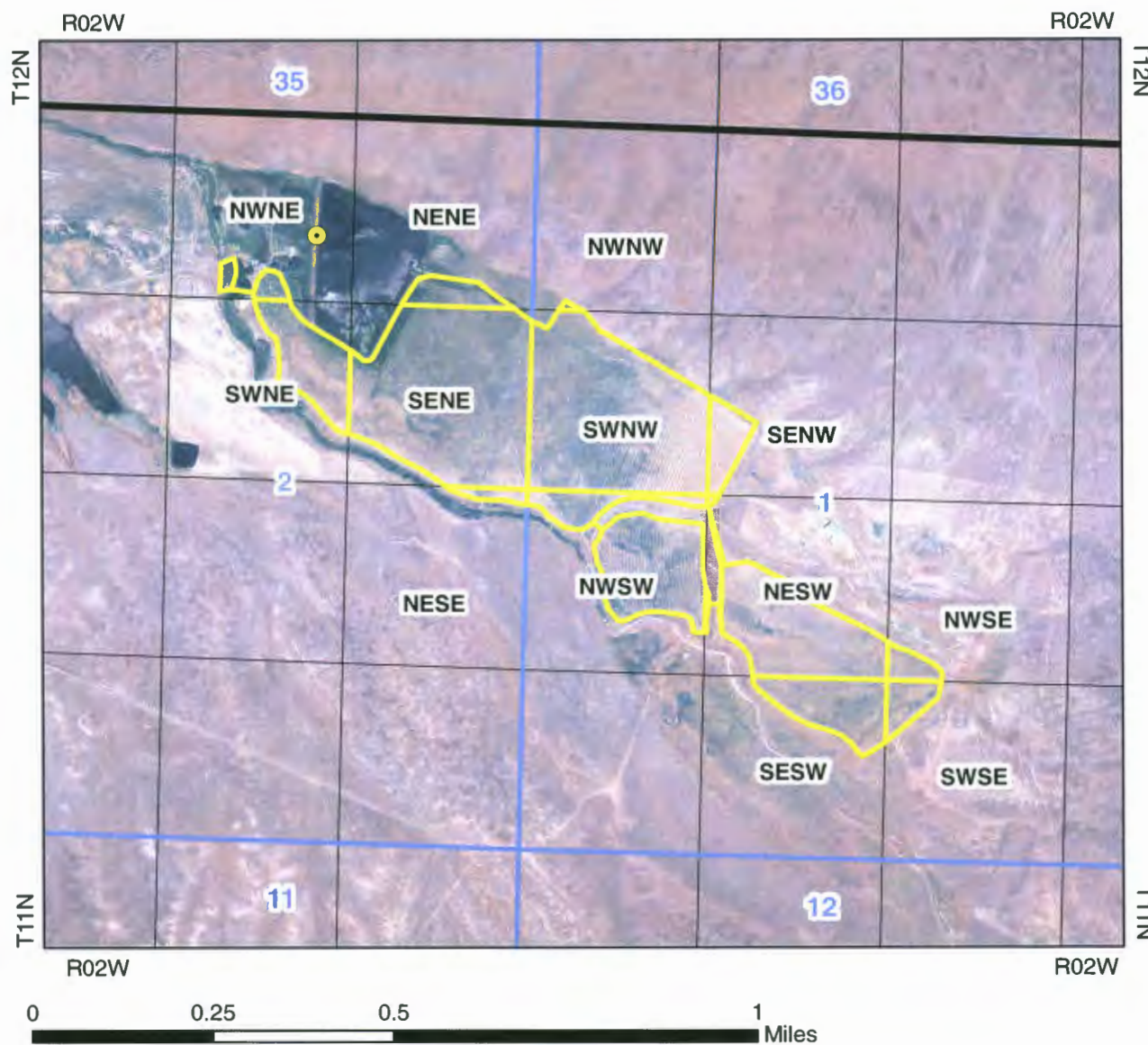
## Legend

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



**Washington County**  
**IDWR Basin 67**

Prepared by Sandy Hemenway  
On Thursday, May 29, 2008  
2004 Aerial Photography

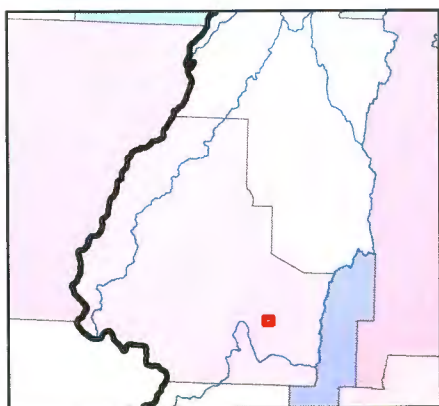




**SRBA Recommendation**  
**67-2365**  
**(IRRIGATION)**

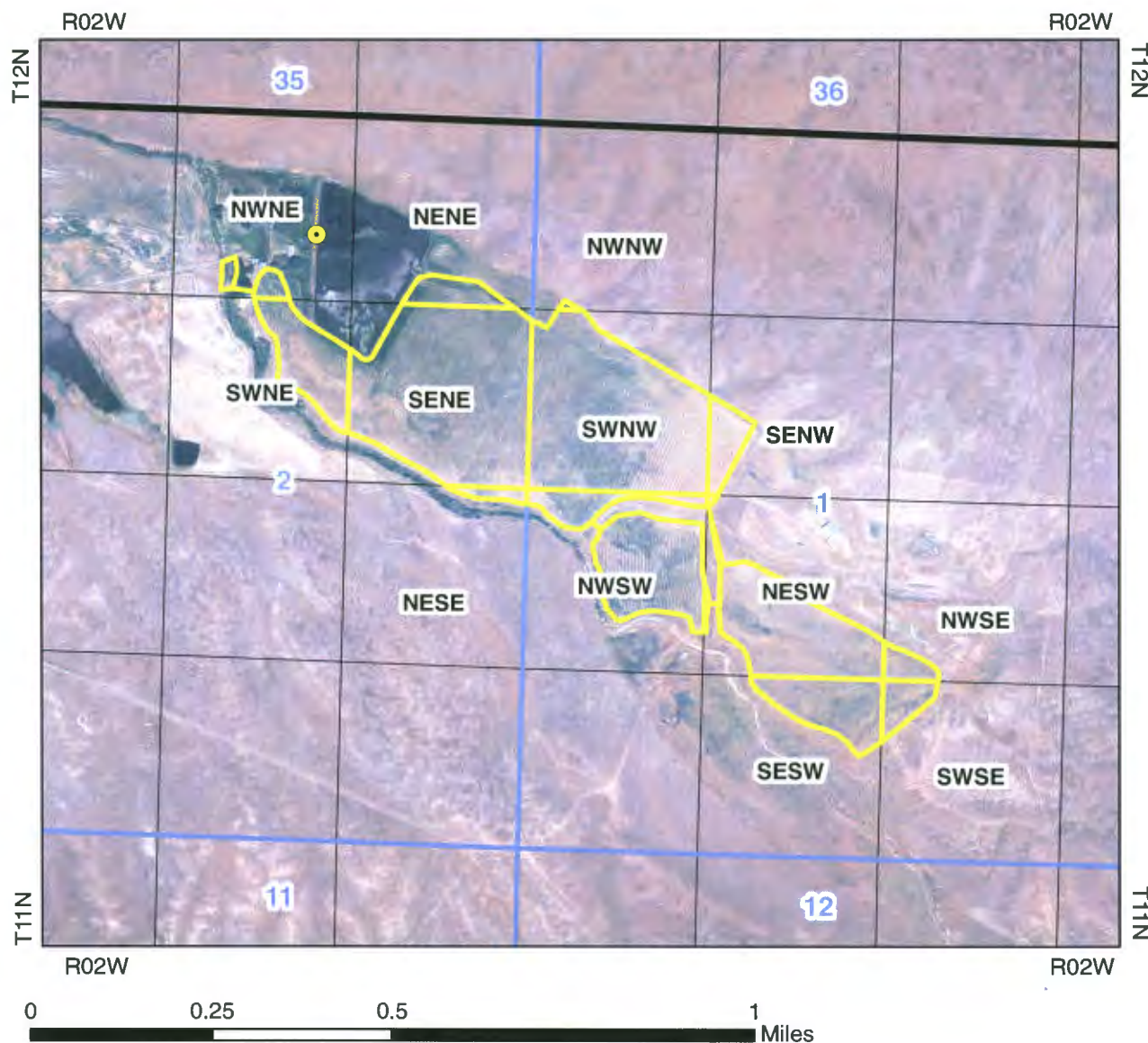
**Legend**

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



**Washington County**  
**IDWR Basin 67**

Prepared by Sandy Hemenway  
On Thursday, May 29, 2008  
2004 Aerial Photography



## **RECOMMENDATION REVIEW:**

**Date:** 5/27/2008  
**Agent:** S. Hemenway  
**Claimant:** Treva and Frank Land  
**WR#** 67-2365  
**Mailing Address:** 3430 Big Flat Rd, Midvale, Idaho 83645  
**Phone #:** (208) 345-2487  
**Location of POD:** L2 (SEWNNE) Sec 2 T11N R2W (determined in 8/3/2005 memo and maps from Daniel Nelson)  
**System Description:** springs feed reservoir/collection pond; 13' height dam, 30' length, 4'x4' headgate, centrifugal 60 Hp GE GJ6284016 motor, Cornell pump, 4" flared to 8" discharge, 8" buried main, converts to 6" then to 4" buried line, then to assortment of 2-handline and 4-wheelines.  
**Measuring Device:** Annubar serial # 91414, 8"; and Manometer serial #2, 4"  
**Measurement:** 2.10 CFS  $Q = (64) (3.81) (3.87) / 448.3 = 2.10$  CFS Capacity of System  
**Field Exam:** 8/23/1989  
**Nonirrigation Uses:** stockwater 625 cattle and 12 horses  
**Other Uses:** NONE  
**Other WRs Used:** 67-7281, 67-7292 (per the notes, 67-7292 is an expansion of 67-7281)  
**Supplemental Water:** NONE  
**Basis of Claim:** License  
**Priority Date:** 9/26/1966 (same as license)  
**Evidence of Priority:** Affidavit of Publication; License; Proof of Completion of Works.

### **NOTES:**

Notes from Rudolph Cada that the springs are on deeded land used by the family for 45 years.  
The License does not include Domestic use on it, which was listed on the permit application.

This is due to the field exam not indicating that there was any domestic use, but only storage for irrigation, irrigation from storage, irrigation, and stockwater.  
67-7281 is for adding storage to the system; 67-7292 is for adding a 2nd source.

This WR was previously recommended on the Basis of PERMIT, due to the deadline for completion for the SRBA. Once the License was finalized, this WR was changed based on the License (Version 2), with a NCAP sent to the court indicating the changes.

A01 Previous condition: subject to the conditions set forth in the License upon completion of the statutory appropriation process.

8/3/2005 Memo from Daniel Nelson confirms location of POD and POU, total acreage, and due to fees paid based on the rate of the diversion, proof of B/U "shouldn't" be limited to acres and cattle numbers. THIS IS HOW THE LICENSE WAS BASED.

126.6 acres X 4.0 = 506.4 AF for irrigation.

637 cattle and horses X 12 X 365 / 325850 = 8.56 AF = 8.6 AF

Irrigation 2.00 CFS 506.4 AF, Stockwater 0.16 CFS 8.6 AF

**Recommendation:**

**C18**

**E55: WR 67-2365, 67-7292 & 67-7281 combined shall not exceed the irrigation of 126.6 acres**

**Limit is 2.00 CFS and 506.4 AF, per License**

**E62 Shall not provide more than 0.02 cfs per acre nor more than 4.0AF/acre, when combined with other WRs.**

**X02 for 637 head mixed stock (625 cattle and 12 horses)**

**Explanatory: Use of water under this right will be regulated by a watermaster with  
responsibility for the distribution of water among appropriators within State  
Water District No. 67**

**F05 same POD as 67-7281**

State of Idaho  
Department of Water Resources  
**Water Right License**

**WATER RIGHT NO. 67-02365**

**Priority:** September 26, 1966

Maximum Diversion Rate: 2.00 CFS  
Maximum Diversion Volume: 506.4 AF

It is hereby certified that D WAYNE CADA Or JODY M CADA  
23250 CADA LN  
CALDWELL ID 83607 has complied with the terms and conditions of the  
permit, issued pursuant to Application for Permit dated September 26, 1966; and has submitted Proof of  
Beneficial Use on June 1, 1988. An examination indicates that the works have a diversion capacity of  
2.10 cfs of water from:

## SOURCE

UNNAMED STREAM

**Tributary:** TENNISON CREEK

and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL<br/>DIVERSION VOLUME</u> |
|-----------------------|----------------------|-----------------------|------------------------------------|
| IRRIGATION            | 03/15 to 10/31       | 2.00 CFS              | 506.4 AF                           |
| STOCKWATER            | 01/01 to 12/31       | 0.16 CFS              | 8.6 AF                             |

**LOCATION OF POINT(S) OF DIVERSION:**

UNNAMED STREAM L2 (SE¼NW¼NE¼) Sec. 2, Twp 11N, Rge 02W, B.M. WASHINGTON County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE         |            |     |      | NW |    |    |    | SW |    |    |    | SE |    |     |    | Totals |
|-----|-----|-----|------------|------------|-----|------|----|----|----|----|----|----|----|----|----|----|-----|----|--------|
|     |     |     | NE         | NW         | SW  | SE   | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW  | SE |        |
| 11N | 02W | 1   |            |            |     |      |    |    |    |    |    |    |    |    |    |    |     |    | 79.3   |
| 11N | 02W | 2   | 2.8<br>L 1 | 1.5<br>L 2 | 8.0 | 34.0 |    |    |    |    |    |    |    |    |    |    | 1.0 |    | 47.3   |

**Total Acres: 126.6**

**PLACE OF USE:** STOCKWATER

| Twp | Rge | Sec | <b>NE</b> |           |           |           | <b>NW</b> |           |           |           | <b>SW</b> |           |           |           | <b>SE</b> |           |           |           | <b>Totals</b> |
|-----|-----|-----|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|---------------|
|     |     |     | <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> |               |
| 11N | 02W | 1   |           |           |           |           |           | X<br>L4   | X         | X         | X         | X         | X         | X         |           |           |           |           |               |
| 11N | 02W | 2   | X<br>L1   | X<br>L2   | X         | X         |           |           |           |           |           |           |           |           | X         |           |           |           |               |

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 67-02365

**CONDITIONS OF APPROVAL**

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 67.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. Rights 67-2365, 67-7281, and 67-7292 when combined shall not exceed the irrigation of 126.6 acres.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 6<sup>th</sup> day of December, 2007.

*for*   
DAVID R. TUTHILL, JR.  
Director

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**A. GENERAL INFORMATION**

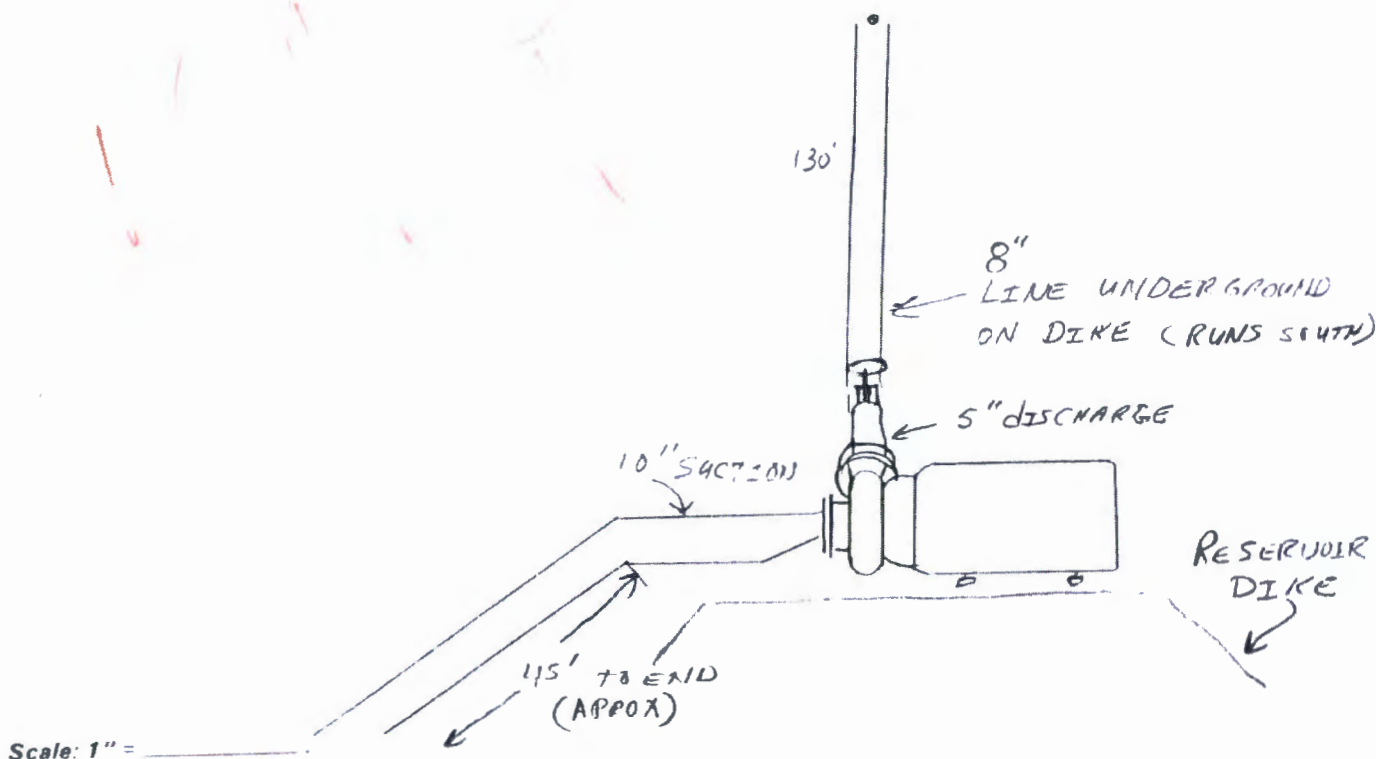
Permit No. 67-2365  
Phone No. 355-2487  
1. Owner: FRANK AND/OR TREVA LAND  
Current Address: 3430 BIG FLAT RD. MIDVALE, ID. 83645  
2. Accompanied by: FRANK LAND EXAM. DATE: 7-17-82  
Address: \_\_\_\_\_ Phone No. \_\_\_\_\_  
Relationship to Permit Holder: OWNER  
3. Source: UNNAMED SPRING tributary to TENNISON CREEK

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: 67-7281 (A PERMIT FOR LIVERPOOL OF ALL WATERS)  
67-7222 (EXPANSION OF 7281) ☐ Copies Attached  
2. Other water rights with same point of diversion: NONE  
☐ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe d. as applicable. ☐ Alternative diagram attached



Scale: 1" = \_\_\_\_\_

2. ☒ Copy of U.S.G.S. 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 or more).  
☒ Photo of Diversion and System Attached  
(required for all but single household domestic groundwater, and stockwater).

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| ANNULAR               |      |      |           | 91414      | 8"   |             |
| MANOMETER             |      |      |           | 2          | 4'   |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements:

MEASURED 2.10 CFS  
(SEE SUPPLEMENTAL MEASUREMENT SHEET)

#### E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$$\frac{60 \times 8.8 \times .8}{15 \times (2.3 \times 80)} = 2.12 \text{ CFS}$$

#### F. PUMP EFFICIENCY DATA (Optional)

(<sup>plus 15</sup> instead of  $\times 15$  SL 8/24/89)

Discharge Pressure: \_\_\_\_\_ psi  $\times 2.31 =$  \_\_\_\_\_ ft (1); Dynamic pumping level: \_\_\_\_\_ ft (2)

Total Head: (1) + (2) = \_\_\_\_\_ (3); Flow rate: \_\_\_\_\_ cfs (4)

Water HP: (3)  $\times$  (4)  $\div 8.8 =$  \_\_\_\_\_ (5)

Meter Input KW:  $3.6 \times$  \_\_\_\_\_ KH  $\times$  \_\_\_\_\_ CTR or \_\_\_\_\_ MULT  $\times$  \_\_\_\_\_ PTR  $\times$  \_\_\_\_\_ N/ \_\_\_\_\_ T = \_\_\_\_\_ (6)

Meter Input HP: (6)  $\times 1.34 =$  \_\_\_\_\_ (7)

Panel Input KW: \_\_\_\_\_ Ave PF  $\times$  \_\_\_\_\_ Ave Volts  $\times$  \_\_\_\_\_ Ave Amps  $\times .001732 =$  \_\_\_\_\_ (6)

Panel Input HP: (6)  $\times 1.34 =$  \_\_\_\_\_ (7) Efficiency: (5)/(7)  $\times 100 =$  \_\_\_\_\_ %

#### G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 120 \times 4.0 = 480$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.00 \times 245 \times 1.9835 = 972$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 480$$

2. Volume Calculations for Other Uses:

YEAR ROUND USE  
LIVESTOCK (RANGE COWS) 600 to 700 HEAD  $\rightarrow$  637 cattle & horses  
0.16 CFS AND 9 MAFAs.

$$\frac{(637)(12)(365)}{3.25 \times 10^5} = 8.58 = (8.6 \text{ cfs}) \quad \text{v.} \quad (.16)(365)(1.9835) = 115.$$

SL 8/24/89

# H. REMARKS AND OVERLAP REVIEW ANALYSIS

DRAINAGE. No WATER WAS ENTERING THE DRAINAGE AT EXAM TIME (SEE PHOTO # 6.) PHOTO # 8 SHOWS THE ACCUMULATION OF WATER AT THE UPPER END OF THE RESERVOIR. THE P/U IS IRRIGATED WITH AN ASSORTMENT OF HAND LINES AND WHEEL LINES. AN 8" BURIED MAIN LINE RUNS SOUTH EAST FROM THE P/D TO THE N/W CORNER OF THE LAST FIELD. THE LAWN IS ALSO IRRIGATED VIA THIS P/D. OVER LAP INCLUDE TWO PERMITS FOR DIVERSION OF AN UNNAMED STREAM TO THE RESERVOIR FOR STORAGE.

THIS PERMIT IS FOR FEES PAID: FOUND:  
IRRIGATION OF 322 ACRES 120 ACRES AND  
AND 6.40 CFS 2.00 CFS MAX. 2.10 CFS 90 AF STORAGE  
LEGAL LIMIT 625 COWS  
120 ACRES @ 2.02 = 2.40 CFS 12 HORSES

## I. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use          | Period of Use |       | Rate of Diversion | Annual Volume |
|-------------------------|---------------|-------|-------------------|---------------|
|                         | From          | To    | Q (cfs)           | V (afa)       |
| STORAGE FOR IRRIGATION  | 1-1           | 12-31 |                   | 90 AF         |
| IRRIGATION FROM STORAGE | 3-15          | 11-15 |                   | 90 AF         |
| IRRIGATION              | 3-15          | 11-15 | 2.00 CFS          | 480 AF        |
| STOCK WATER             | 1-1           | 12-31 | 0.16 CFS          | 8.624 AF *    |
| Totals:                 |               |       | 2.00              | 488.6 *       |

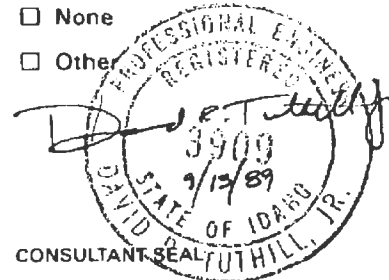
### 2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above  
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above

- ☐ None  
☐ Other

## J. AUTHENTICATION

Field Examiner's Name KELLY K. CHRISTENSEN  
Signature Kelly K. Christensen  
Certification Date \_\_\_\_\_  
Field Report Preparation Date 8-23-89



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

FOUND ACRES IN  
NW/SE  
SW/SE OF SEC 2 NOT ON PERMIT.  
SE/SW

\* 8L 8/24/89  
Rough estimate of stockwater based on 637 AF cattle shares

State of Idaho  
DEPARTMENT OF WATER RESOURCES  
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: KELLY K. CHRISTENSEN Date 7-17-89  
Owner: FRANK LAND. Permit No. 67-2365

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = \_\_\_\_\_

T = Pipe Thickness in Inches = \_\_\_\_\_

ID =  $2 [ ( 0.1592 \times \text{CIR} ) - T ] =$  8" DIRECT MEASUREMENT

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 8"

State ID No. 91414

Select C based on size from Table below.

Nominal Pipe Size C

|               |        |
|---------------|--------|
| 4"            | 4.23   |
| 6"            | 3.75   |
| 8"            | 3.37 ✓ |
| 10"           | 3.94   |
| 12"           | 3.99   |
| 14" - 16"     | 4.01   |
| 18" - 24"     | 4.02   |
| 30" or larger | 4.03   |

C selected 3.87

DIFFERENTIAL PRESSURE READING IN INCHES OF H<sub>2</sub>O (H)

High Reading = 37.5

Low Reading = 23

High - Low = H = 14.5

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.3}$$

$$Q = \frac{(8)^2 \cdot (\sqrt{14.5}) \cdot (3.87)}{448.3} = 2.10 \text{ cfs}$$

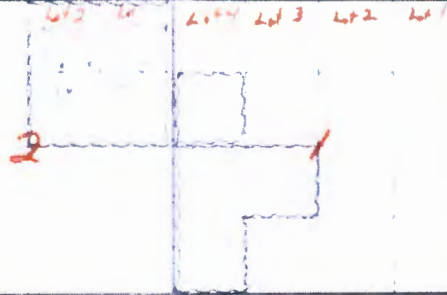
SKETCH (If not shown on Field Report)

NAME OF APPLICANT

*Rudolph + Rose Marie Coda*

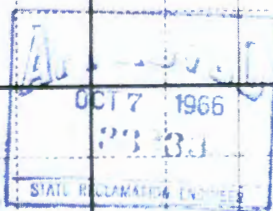
Form No. 0

*Rge 243 B. M.*



*Twp. 11 N.*

*Office Copy*



## MEMORANDUM

TO: PERMIT FILE 67-2365

FROM: DANIEL A. NELSON

*Daniel A. Nelson*  
8-3-05

DATE: 8/3/05

SUBJECT: FIELD EXAM FOR PERMIT 67-2365

I reviewed this field exam and agreed with the rate of diversion and location of the place of use. However, with new mapping technology and rounding procedures I disagreed with the land being irrigated. This is the third review of this field exam, and everyone disagrees slightly over the lands irrigated. Quentin Nesbitt conducted a field exam in 1988 and found 129 acres and Kelley Christensen re-examined this permit in 1990 and found 120 acres. The ASCS map included with the file showed 125.9 acres when the  $\frac{1}{2}$  acre yard was included. When I calculated the acres using ArcView I discovered 126.6 acres. The proof of beneficial use only listed 100 acres and 100 cattle, but the fee was based on the rate of diversion not the number of acres irrigated or livestock, so the acres and cattle numbers shouldn't be limited by the proof of beneficial use form. Whereas the determination of actual irrigated acres was so close, I data entered the acres I found, since this is the shape file that will be entered into the database. Please see enclosed map.

The second issue is whether or not this source is a series of springs or an unnamed stream. Several department personnel have discussed this, and Steve Lester has written a summary on whether the reservoir is on the springs or unnamed stream. After reviewing the maps, it seems to me as though the source for this right should be an unnamed stream. The 1987 aerial map show that the springs are on the east side of the reservoir, and when the reservoir is low, there is a definite stream channel into the reservoir. Therefore, I agree with Steve Lester's comments and have named it an unnamed stream, since the springs were not developed, but a reservoir was developed downstream of the springs in the unnamed stream's channel.

The field exam of Kelly Christensen, is satisfactory for licensing of this permit. I have included this memo with this file, because this permit will affect two other permits that have not been submitted to the state office staff, 67-7281 and 67-7292. The following is my recommendation of the source, flow rate, volume, and acres:

3. SOURCE  
UNNAMED STREAM

TRIBUTARY  
TENNISON CREEK

## 1. Recommended Amounts

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 10/31       | 2.00 CFS              | 506.4 AF             |
| STOCKWATER            | 01/01 to 12/31       | 0.16 CFS              | 8.6 AF               |
|                       | <u>Totals:</u>       | 2.00 CFS              | 515 AF               |

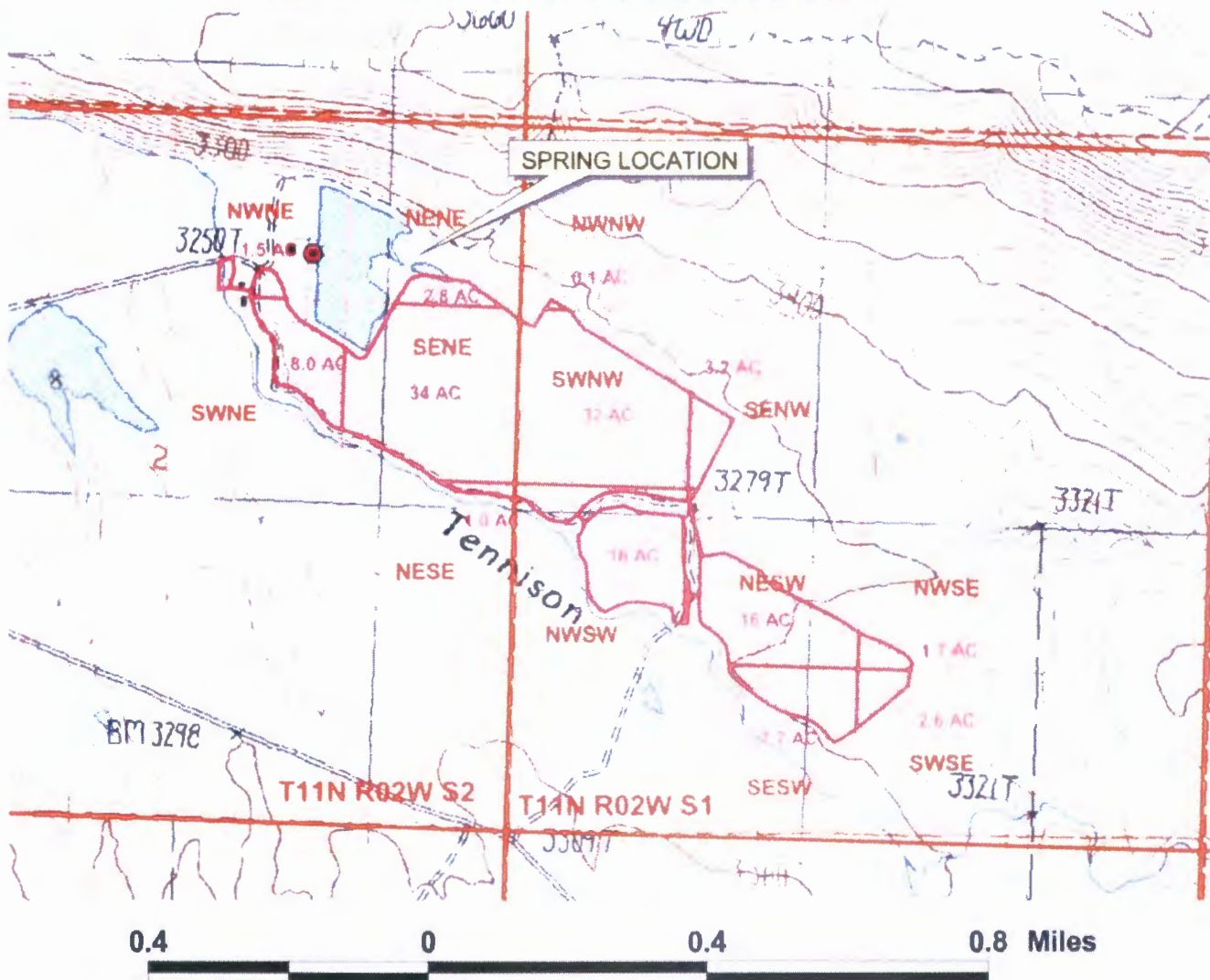
**IRRIGATION = 126.6 ac X 4.0 = 506.4 afa for irrigation.**

Stockwater calculated on exam at 8.6 afa ( $637 \times 12 \times 365 / 325850 = 8.56$  afa)

Diversion rate limited by fees paid for by the proof for a maximum of 2.00 cfs for irrigation and stockwater.

[illegible]

# ARCVIEW SHAPE FIELD EXAM 67-2365 BY DAN NELSON



- Point of diversion 2365.shp
- Place of use 2365.shp
- PLSS Section Lines
- T11n02w.shp

## PLEASE NOTE:

Field outlines and place of use were taken from maps of field exam by Kelley Christensen.

# ARCVIEW SHAPE FIELD EXAM 67-2365 BY DAN NELSON



0.4 0 0.4 0.8 Miles

- Point of diversion 2365.shp
- Place of use 2365.shp
- PLSS Section Lines
- T11n02w.shp



**PLEASE NOTE:**

Field outlines and place of use were taken from maps of field exam by Kelley Christensen.

# FIELD EXAM 67-2365

## SYSTEM DIAGRAM

### BY DAN NELSON



0.1 0 0.1 0.2 Miles

● POINT OF DIVERSION

□ SECTION LINES

1/4 1/4 LINES

#### PLEASE NOTE:

The springs are located on the east side (back end) of the reservoir. The stream channel goes through the reservoir and comes out the other side of the dam. Therefore, the dam has been built on the unnamed stream from the springs and not on the springs themselves.



12/01/2006

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

RIGHT NUMBER: 67-2365

NAME AND ADDRESS: TREVA LAND  
3430 BIG FLAT RD  
MIDVALE ID 83645FRANK LAND  
3430 BIG FLAT RD  
MIDVALE ID 83645

SOURCE: SPRINGS

TRIBUTARY: TENNISON CREEK

QUANTITY: 6.460 CFS

PRIORITY DATE: 09/26/1966

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

POINT OF DIVERSION:

T11N R02W S2 SWNE Within WASHINGTON County

T11N R02W S2 SENE Within WASHINGTON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 01/01 12/31          |                 |
| IRRIGATION            | 03/15 10/31          | 6.460 CFS       |
| DOMESTIC              | 01/01 12/31          |                 |

PLACE OF USE: IRRIGATION in WASHINGTON County

|                     |      |       |                     |      |       |
|---------------------|------|-------|---------------------|------|-------|
| T11N R02W S01       | SWNW | 40.00 | T11N R02W S01       | NESW | 40.00 |
| T11N R02W S01       | NWSW | 40.00 | T11N R02W S01       | SWSW | 40.00 |
| T11N R02W S02 Lot 1 | NENE | 41.47 | T11N R02W S02 Lot 2 | NWNE | 41.41 |
| T11N R02W S02       | SWNE | 40.00 | T11N R02W S02       | SENE | 40.00 |

STOCKWATER in WASHINGTON County

|               |      |  |                     |      |  |
|---------------|------|--|---------------------|------|--|
| T11N R02W S01 | SWNW |  | T11N R02W S01       | NESW |  |
| T11N R02W S01 | NWSW |  | T11N R02W S01       | SWSW |  |
| T11N R02W S02 | NENE |  | T11N R02W S02 Lot 2 | NWNE |  |
| T11N R02W S02 | SWNE |  | T11N R02W S02       | SENE |  |

DOMESTIC in WASHINGTON County

T11N R02W S02 Lot 2 NWNE

322.88 ACRES TOTAL

12/01/2006

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

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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 - Permit

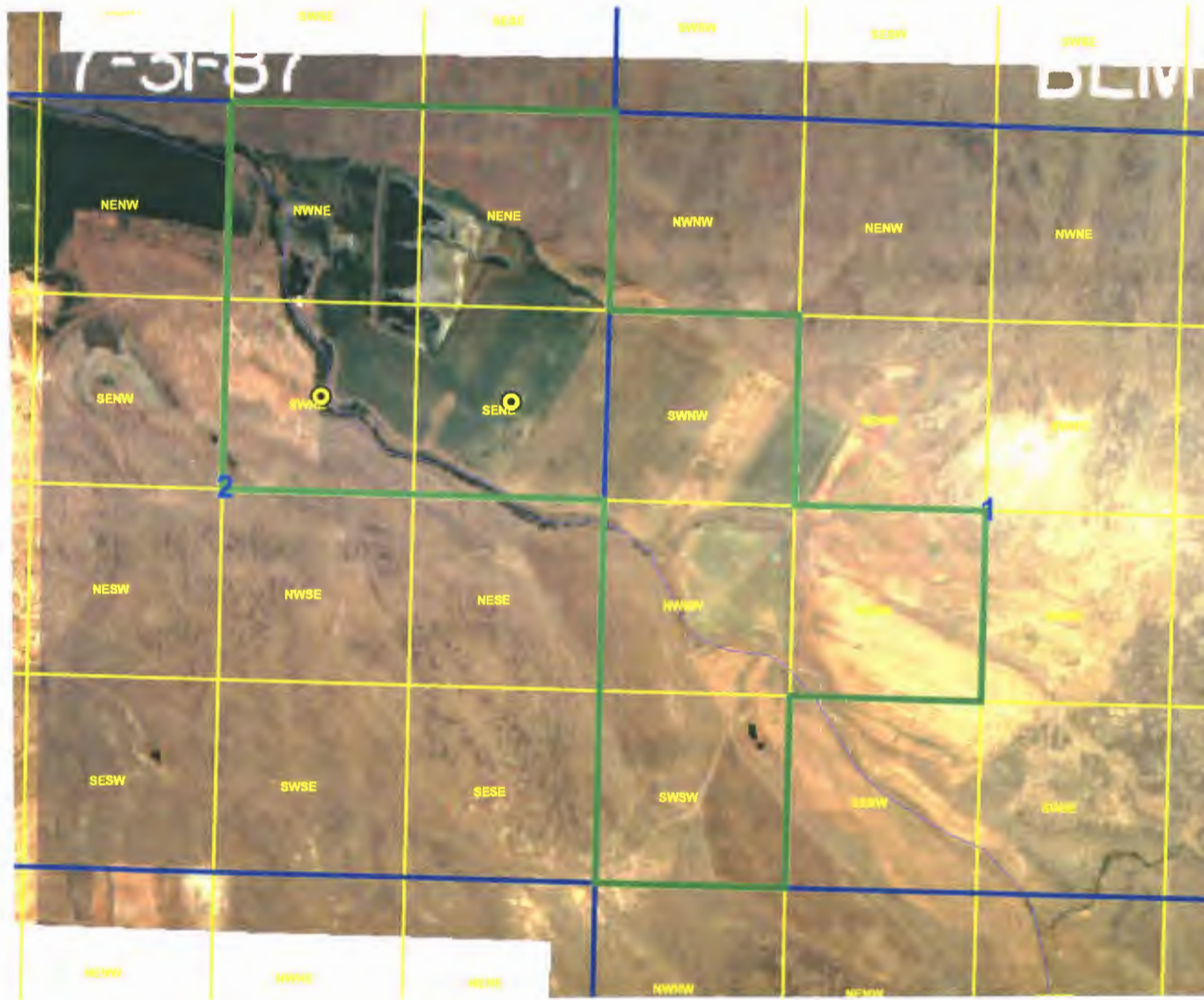
# Idaho Department of Water Resources

**T11N, R02W,  
SEC 1 & 2**

**Claim No: 67-2365**

**Prepared By: Kimberly Brown**

**Date: December 1, 2006**



### Place of Use

## Section Lines

**1/4 1/4**

### Point of Diversion

**Irrigated Acres = 322.88**



## 1987 NAPP

0.3 0 0.3 0.6 Miles

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 67-2365

WATER RIGHT NUMBER: 67-2365 ✓

Owner Type                      Name and Address  
 Original Owner                ROSE MARIE CADA ✓  
                                          , ID  
 Original Owner                RUDOLPH CADA ✓  
                                          , ID  
 Current Owner                 FRANK LAND  
                                          MIDVALE, ID 83645

Priority Date: 09/26/1966 ✓

Basis: PERMIT

Status: Active

Source                                      Tributary  
 SPRINGS ✓                                TENNISON CREEK ✓

| Beneficial Use | From | To          | Diversion Rate | Annual Volume |
|----------------|------|-------------|----------------|---------------|
| IRRIGATION ✓   | 3    | 15 to 29 31 | 6.460 CFS ✓    |               |
| DOMESTIC ✓     | 01   | 06 to 12 31 |                |               |
| STOCKWATER ✓   | 01   | 01 to 12 31 |                |               |

Total Diversion: 6.460 CFS

## Location of Point(s) of Diversion

SPRINGS                      SE1/4NE1/4 ✓ (no govt. lot)                      Sec. 2,    Twp 11N,    Rge 02W, B.M. ✓  
                                          WASHINGTON County ✓  
~~SPRINGS                      L1 (NE1/4NE1/4)                      Sec. 2,    Twp 11N,    Rge 02W, B.M.~~  
~~WASHINGTON County~~  
 SPRINGS                      SW1/4NE1/4 ✓ (no govt. lot)                      Sec. 2,    Twp 11N,    Rge 02W, B.M. ✓  
                                          WASHINGTON County ✓  
~~SPRINGS                      L2 (NW1/4NE1/4)                      Sec. 2,    Twp 11N,    Rge 02W, B.M.~~  
~~WASHINGTON County~~

## Place of Use

IRRIGATION

| Twp   | Rge | Sec | NE   | NW   | SW   | SE   | Totals  |
|-------|-----|-----|------|------|------|------|---------|
| ✓ 11N | 02W | 1   | 40.0 | 40.0 | 40.0 | 40.0 | 160.0 ✓ |
| ✓ 11N | 02W | 2   | 42.0 | 41.0 | 40.0 | 40.0 | 163.0   |

41.41 ✓  
 L1  
 41.47  
 L1

Total: 322.88

ADD-A01

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 67-2365

Total Acres: ~~323~~ 322.88

DOMESTIC same as IRRIGATION

STOCKWATER same as IRRIGATION

Conditions of Approval:

Remarks:

Comments:

Water Supply Bank:

## Brown, Kimberly

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**From:** Keen, Shelley  
**Sent:** Thursday, November 30, 2006 12:19 PM  
**To:** Brown, Kimberly  
**Subject:** RE: 67-2365, 67-7281, & 67-7292

Kimberly,

No change since my last email. We haven't received the amendments from the permit holders. We can issue the licenses as soon as those amendments arrive. If they don't come this week, we'll send a reminder.

Using the A01 condition is your best bet for now.

Shelley

-----Original Message-----

**From:** Brown, Kimberly  
**Sent:** Thursday, November 30, 2006 12:15 PM  
**To:** Keen, Shelley  
**Subject:** RE: 67-2365, 67-7281, & 67-7292

Shelley,

I just spoke with Jan regarding these three claims and we (she) decided that, since they need to be recommended in the SRBA by Monday, I should just recommend them as permitted with the A01 Condition. Can you give me any indication where they currently are in the licensing process?

-----Original Message-----

**From:** Keen, Shelley  
**Sent:** Wednesday, November 15, 2006 10:09 AM  
**To:** Brown, Kimberly  
**Subject:** RE: 67-2365, 67-7281, & 67-7292

Kimberly,

Our standard practice is to give them 14 days, wait 30 days, send a reminder giving them another 14 days, wait 30 days, then void the permit or issue a license without the changes. We can hope that they'll respond to the initial 14-day deadline. If not, I can probably prod them a little bit.

Shelley

-----Original Message-----

**From:** Brown, Kimberly  
**Sent:** Wednesday, November 15, 2006 10:05 AM  
**To:** Keen, Shelley  
**Subject:** RE: 67-2365, 67-7281, & 67-7292

Shelley,

May I ask if you gave the claimants a deadline to return the amendments to your office? Basically, my question is whether you gave them the customary 30-days or, hopefully, fewer than that?

Sincerely,  
Kimberly

-----Original Message-----

**From:** Keen, Shelley  
**Sent:** Monday, November 13, 2006 11:47 AM  
**To:** Brown, Kimberly  
**Subject:** RE: 67-2365, 67-7281, & 67-7292

Kimberly,

I pulled them out of the vault, and it looks like they all need to be amended before the licenses can be

issued. I'll try to get the amendments in the mail to the right holder by tomorrow, but I really doubt we'll have them back by your deadline. We should have them done by the time the final director's report is submitted.

Shelley

-----Original Message-----

**From:** Brown, Kimberly  
**Sent:** Monday, November 13, 2006 8:43 AM  
**To:** Keen, Shelley  
**Subject:** 67-2365, 67-7281, & 67-7292

Shelley,

I just began reviewing the three claims listed above this morning and found that the Adjudication Claim Report lists their Basis as a Permit, but the Water Right Report lists them with a Basis as Licensed. I then spoke with Dan Nelson and he conducted field investigations for two of these claims (67-7281 & 67-7292) in August 1988 and reviewed the field exam conducted by Kelly Christensen for 67-2365 in August 2005.

Since recommendations for all three of these claims are due on November 15, 2006 (in three days); Jan Shurte suggested that I recommend them as permitted.

Do you have any suggestions regarding the recommendation of these three claims in the adjudication?

Sincerely,

Kimberly Brown  
Sr. Water Resource Agent  
Western Region

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report 67-2365

WATER RIGHT NUMBER: 67-2365

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | TREVA LAND<br>3430 BIG FLAT RD<br>MIDVALE, ID 83645<br>(208)345-2487 |
| Original Owner    | ROSE MARIE CADA<br><br>, ID                                          |
| Original Owner    | RUDOLPH CADA<br><br>, ID                                             |
| Current Owner     | FRANK LAND<br>3430 BIG FLAT RD<br>MIDVALE, ID 83645<br>(208)345-2487 |

Priority Date: 09/26/1966

Basis: Permit

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| SPRINGS       | TENNISON CREEK   |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-----------------------|-----------------------|----------------------|
| STOCKWATER            | 1/01 to 12/31         | 0.050 CFS             |                      |
| IRRIGATION            | 4/01 to 10/31         | 1.840 CFS             |                      |
| DOMESTIC              | 1/01 to 12/31         | 0.020 CFS             |                      |
|                       | Total Diversion:      | 1.840 CFS             |                      |

Location of Point(s) of Diversion

|                   |                 |         |          |               |
|-------------------|-----------------|---------|----------|---------------|
| SPRINGS           | L2 (NW1/4NE1/4) | Sec. 2, | Twp 11N, | Rge 02W, B.M. |
| WASHINGTON County |                 |         |          |               |
| SPRINGS           | SE1/4NE1/4      | Sec. 2, | Twp 11N, | Rge 02W, B.M. |
| WASHINGTON County |                 |         |          |               |
| SPRINGS           | L1 (NE1/4NE1/4) | Sec. 2, | Twp 11N, | Rge 02W, B.M. |
| WASHINGTON County |                 |         |          |               |
| SPRINGS           | SW1/4NE1/4      | Sec. 2, | Twp 11N, | Rge 02W, B.M. |
| WASHINGTON County |                 |         |          |               |

Place of Use  
STOCKWATER

[illegible]

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-2365

|         |   | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|---------|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 11N 02W | 1 |    |    |    |    |    |    | X  |    |    |    | X  |    |    |    |    |    |        |
| 11N 02W | 2 | X  |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

## IRRIGATION

| Twp | Rge | Sec | NE | NW  | SW   | SE   | NE | NW | SW   | SE | NE | NW | SW   | SE | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|-----|------|------|----|----|------|----|----|----|------|----|----|----|----|----|--------|
| 11N | 02W | 1   |    |     |      |      |    |    | 36.0 |    |    |    | 15.0 |    |    |    |    |    | 51.0   |
| 11N | 02W | 2   |    | 1.0 | 10.0 | 26.0 |    |    |      |    |    |    |      |    |    |    |    |    | 37.0   |

Total Acres: 88

## DOMESTIC

| Twp | Rge | Sec | NE | NW  | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|-----|-----|-----|----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 11N | 02W | 2   |    | X   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    | L 2 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

15.0000

ADD A01 -

Conditions of Approval:Remarks:Comments:Water Supply Bank:

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-2365

WATER RIGHT NUMBER: 67-2365

DRAFT

| <u>Owner Type</u> | <u>Name and Address</u> |
|-------------------|-------------------------|
| Original Owner    | ROSE MARIE CADA         |
|                   | , ID                    |
| Original Owner    | RUDOLPH CADA            |
|                   | , ID                    |
| Current Owner     | FRANK LAND              |
|                   | MIDVALE, ID 83645       |

Priority Date: 09/26/1966

| Basis: | License |
|--------|---------|
|--------|---------|

Status: Active DRAFT

| <u>Source</u>  | <u>Tributary</u> |
|----------------|------------------|
| UNNAMED STREAM | TENNISON CREEK   |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-----------------------|-----------------------|----------------------|
| IRRIGATION            | 03/15 to 10/31        | 2.000 CFS             | 506.40 AF            |
| STOCKWATER            | 01/01 to 12/31        | 0.160 CFS             | 8.60 AF              |
|                       | Total Diversion:      | 2.000 CFS             | 506.40 AF            |

## Location of Point(s) of Diversion

UNNAMED STREAM L2 (SE1/4NW1/4NE1/4) Sec. 2, Twp 11N, Rge 02W, B.M.  
WASHINGTON County

## Place of Use

## IRRIGATION

| Twp | Rge | Sec | <u>NE</u>  |            |           |           | <u>NW</u> |           |           |           | <u>SW</u> |           |           |           | <u>SE</u> |           |           |           | <u>Totals</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> |               |
| 11N | 02W | 1   |            |            |           |           |           | .1<br>L 4 | 32.0      | 3.2       | 16.0      | 16.0      |           | 7.7       |           | 1.7       | 2.6       |           | 79.3          |
| 11N | 02W | 2   | 2.8<br>L 1 | 1.5<br>L 2 | 8.0       | 34.0      |           |           |           |           |           |           |           |           | 1.0       |           |           |           | 47.3          |

Total Acres: 126.6

STOCKWATER

| Twp | Rge | Sec | NE        |           |           |           | NW        |           |           |           | SW        |           |           |           | SE        |           |           |           |               |
|-----|-----|-----|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|---------------|
|     |     |     | <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> | <u>Totals</u> |
| 11N | 02W | 1   |           |           |           |           |           | X         | X         | X         | X         | X         |           |           |           | X         | X         |           |               |
|     |     |     |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |               |
| L4  |     |     |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |           |               |

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-2365

|         |   |  |     |     |   |   |  |  |  |  |  |   |  |  |
|---------|---|--|-----|-----|---|---|--|--|--|--|--|---|--|--|
| 11N 02W | 2 |  | X   | X   | X | X |  |  |  |  |  | X |  |  |
|         |   |  | L 1 | L 2 |   |   |  |  |  |  |  |   |  |  |

Conditions of Approval:

Remarks:

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-2365

Comments:

1. dnelson 8/3/2005 Field Report Narrative

Comment: KELLY CHRISTRIANSENS NARRATIVE:

The system is a series of springs feeding a reservoir and a pump (centrifugal) delivering water to p/u via an 8 inch buried mainline. The diversion works is the dike. The springs are all within the same drainage as the reservoir therefore, this is an instream storage rights covered by 67-7281 as well as an irrigation right. The springs are a series of seeps along an approximate 1000 ft section of the drainage. No additional water was entering the drainage at the exam time (see Photo #6). Photo #8 shows the accumulation of water at the upper end of the reservoir. The place of use is irrigated with an assortment of handlines and wheel lines. An 8-inch buried mainline runs southeast from the point of diversions to the northwest corner of the last field. The lawn is also irrigated via this point of diversion. Overlap includes two permits, one for diversion of an unnamed stream to the reservoir for storage permit 67-7292, and one to add storage to this system (67-7281). This permit is for irrigation of 322 acres and 6.46 cfs. Fees paid on proof of beneficial use allows 2.00 cfs maximum. Found 120 acres and 2.10 cfs and 90 af storage, with 625 cows and 12 horses. Legal limit 120 acres @ 0.02 cfs = 2.40 cfs.

## DAN NELSONS NARRATIVE:

I reviewed this field exam and agreed with the rate of diversion and location of the place of use. However, with new mapping technology and rounding procedures I disagreed with the land being irrigated. This is the third review of this field exam, and everyone disagrees slightly over the lands irrigated. Quentin Nesbitt conducted a field exam in 1988 and found 129 acres and Kelley Christensen re-examined this permit in 1990 and found 120 acres. The ASCS map included with the file showed 125.9 acres when the 1/2 acre yard was included. When I calculated the acres using ArcView I discovered 126.6 acres. The proof of beneficial use only listed 100 acres and 100 cattle, but the fee was based on the rate of diversion not the number of acres irrigated or livestock, so the acres and cattle numbers should not be limited by the proof of beneficial use form. Whereas the determination of actual irrigated acres was so close, I data entered the acres I found, since this is the shape file that will be entered into the database. Please see enclosed map.

The second issue is whether or not this source is a series of springs or an unnamed stream. Several department personnel have discussed this, and Steve Lester has written a summary on whether the reservoir is on the springs or unnamed stream. After reviewing the maps, it seems to me as though the source for this right should be an unnamed stream. The 1987 aerial map shows that the springs are on the east side of the reservoir, and when the reservoir is low; there is a definite stream channel into the reservoir. Therefore, I agree with Steve Lesters comments and have named it an unnamed stream, since the springs were not developed, but a reservoir was developed downstream of the springs in the unnamed streams channel.

The field exam of Kelly Christensen is satisfactory for licensing of this permit. I have included this memo with this file, because this permit will affect two other permits that have not been submitted to the state office staff, 67-7281 and 67-7292. The following is my recommendation of the source, flow rate, volume, and acres:

|    |                |           |                |
|----|----------------|-----------|----------------|
| 3. | SOURCE         | TRIBUTARY |                |
|    | UNNAMED STREAM |           | TENNISON CREEK |

## 1. Recommended Amounts

| BENEFICIAL USE | PERIOD OF USE  | DIVERSION RATE | ANNUAL VOLUME |
|----------------|----------------|----------------|---------------|
| IRRIGATION     | 03/15 to 10/31 | 2.00 CFS       | 506.4 AF      |
| STOCKWATER     | 01/01 to 12/31 | 0.16 CFS       | 8.6 AF        |

Totals: 2.00 CFS 515 AF

IRRIGATION = 126.6 ac X 4.0 = 506.4 afa for irrigation.

Stockwater calculated on exam at 8.6 afa (637 X 12 X 365 / 325850 = 8.56 afa)

Diversion rate limited by fees paid for by the proof for a maximum of 2.00 cfs for irrigation and stockwater.

|     |     |     |   |   |   |        |
|-----|-----|-----|---|---|---|--------|
| TWP | RGE | SEC | N | E | N | W      |
|     | S   | W   |   | S | E | Totals |

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 67-2365

|     | S  | W  | NE  | NW  | S   | E   | NE | Totals |       |    |    |
|-----|----|----|-----|-----|-----|-----|----|--------|-------|----|----|
|     | NW | SW | SE  | NE  | SW  | SE  | SE | NW     | SW    | SE | NE |
| 11N | 2W | 1  |     |     |     |     |    | 0.1    | 4     | 32 | 16 |
|     | 16 |    | 7.7 |     | 1.7 | 2.6 |    | 79.3   | ACRES |    |    |
| 11N | 2W | 2  | 2.8 | 1   | 1.5 | 2   |    |        |       |    |    |
|     |    |    |     | 1.0 | 8   | 34  |    | 47.3   | ACRES |    |    |

TOTAL

126.6 ACRES

2. dnelson 8/4/2005 POD  
Comment: Updated shape

3. dnelson 8/4/2005 POU  
Comment: Updated Shape

4. dnelson 8/4/2005 POU  
Comment: Updated Shape

Water Supply Bank:

# Receipt Details for ID M004878

| Status | Adjustment Type  | Version |
|--------|------------------|---------|
|        | Adjusted Receipt | 1       |

## General Information:

| Date Received         | Date Deposited | Region            | Total Amount | Payment Type |
|-----------------------|----------------|-------------------|--------------|--------------|
| 10/10/1989 3:51:09 PM | 10/10/1989     | Mobile            | \$238.00     | Check        |
| <b>Payer</b>          |                | LAND, FRANK/TREVA |              |              |

## Account Information:

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 1452                 |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

**Comment** ADJUDICATION FEE

## Fee Detail:

| Amount   | Description      | PCA    | Fund | Fund Detail | Subsidiary | Object |
|----------|------------------|--------|------|-------------|------------|--------|
| \$238.00 | 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  |
|--------------|-----------------|--------------|----------|-------|
| 67           | 7292            |              | \$50.00  | Claim |
| 67           | 2365            |              | \$50.00  | Claim |
| 67           | 7281            |              | \$138.00 | Claim |

Print Report

## Application For Permit

To Appropriate the Public Waters of the State of Idaho

67-2325

Assigned to

*Frank Smith*  
*Midvale, ID*  
*10/21/76*

APPLICATION No. 41440  
 PERMIT No. 33233  
 DISTRICT No.

1. Name of Applicant: Rudolph and Rose Marie Cada

Postoffice address: Star Route, Midvale

County: Washington

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(c) Bond to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: 6.46

cubic feet per second or 323 miners inches

3. Source of water supply: unnamed springs

which is a tributary of Tension Creek.

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the Lots 1 and 2, SE 1/4, SW 1/4

of section 2 , T. 11 N , R. 2 W , B. M., County of Washington

5. Water is to be used for irrigation, stockwater and domestic

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

(a) Point of use of water:

feet distant from

corner of Section

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

of Section of

, T. , R. , B.M.

(b) Amount of power generated:

H.P., under

feet head.

(c) Water is to be returned to

at a point

feet

distant from the

corner of Section

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

of Section

, T. , R. , B.M.

7. Estimated cost of works: \$

8. Kind of works: Collection ponds and sprinkler system with portable pump.

9. Height of dam 9 feet; length of dam at top 30 feet; length of dam at bottom 20

feet; material used in dam: rock and dirt

10. Size of headgate: Width 4 feet; height 4 feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe 3 x 4 x 5 inches; length of conduit miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is 6 additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: use rights

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

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

/s/ RUDOLPH CADA

*Applicant.*

By

*Agent.*

Date of first receipt at Department of Reclamation: September 26, 1966 4:00 P.M.

Returned to applicant for correction:

Corrected application received:

### Approval of State Reclamation Engineer

The number of this permit is 33233

Recorded in Book 116 Page 33233 Approved October 7, 1966

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

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

Work to begin on or before December 7, 1966 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before Apr 11 7, 1969

The whole of said work to be completed on or before October 7, 1971

Beneficial use of water appropriated in accordance herewith, to be made on or before October 7, 1977

WITNESS My hand this 7th day of October, 1966.

/s/ R. KEITH HIGGINSON  
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SAYLIE, Governor of the State of Idaho,  
and LOUIS E. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to

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

day of October, 1966

STATE OF IDAHO

Countersigned:

(SEAL) By /s/ LOUIS E. CLAPP

By /s/ ROBERT E. SMYLIE

Governor.

.....  
Secretary of State.

REMARKS: This filing doesn't tend to lessen any prior use right. These springs are on our deeded land and have been in use by our family for approx. 45 years.

14.

| Twp.                                   | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|----------------------------------------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|                                        |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 11 N                                   | 2 W   | 21   | L.1<br>41.47     | L.2<br>41.41     | 40               | 40               |                  |                  |                  |                  | 40               | 40               | 40               |                  |                  |                  |                  | 162.88<br>160.   |        |
| Total number of acres to be irrigated: |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 322.88           |        |

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 33233/67-2365 )  
in the name of RUDOLPH & ROSE MARIE CADA ) ORDER MODIFYING REQUIREMENTS  
FOR COMPLETION OF PERMIT TO  
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

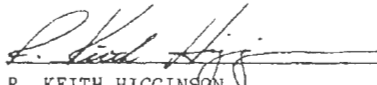
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 33233 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
  - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
  - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Water Administration of the application of the water to beneficial use on or before October 7, 1977. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for completion of works may be grounds for cancellation at the instance of the Department.

Dated this 8th day of October, 1970.

  
R. KEITH HIGGINSON  
Director

67-2365  
33233

Rec No. 33437 given

\$6.50 fee

Address all communications to

Form No. 1  
SM 1-65

P. O.

# APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 41440

Permit No. 33233

District No. \_\_\_\_\_

RECEIVED  
SEP 26 1966  
4:00 P. M.  
Department of Reclamation

1. Name of Applicant: Rudolph and Rose Marie  
Post Office address: Star Route, Hildreth County, Washington State, Idaho

If applicant is a corporation, give:

(a) Date and place of incorporation: \_\_\_\_\_

(b) Amount of Capital stock: \$ \_\_\_\_\_ (c) Amount paid in: \$ \_\_\_\_\_

(d) Names and addresses of directors: \_\_\_\_\_

The financial resources of the applicant are: (a) Cash on hand: \$ \_\_\_\_\_

(b) Treasury stock: \_\_\_\_\_ (c) Bonds to be issued: \_\_\_\_\_

(d) Other resources: \_\_\_\_\_

2. Quantity of water claimed: Unwanned Springs 6.46 x 323 cubic feet per second

3. Source of water supply: Unwanned Springs  
which is tributary of Tennistan Creek

4. Location of point of diversion: \_\_\_\_\_ feet distant from the \_\_\_\_\_ corner  
of Section \_\_\_\_\_, Twp. \_\_\_\_\_, Rge. \_\_\_\_\_, B. M., and is in the Lot 1 & 2, SE 1/4, SW 1/4  
of Section 2, Twp. 11N, Rge. 2E, B. M., County of Washington

5. Water is to be used for: irrigation, stockwater & domestic

6. If for any non-irrigation purpose, give:

(a) Point of use of water: \_\_\_\_\_ feet distant from \_\_\_\_\_ corner of Section \_\_\_\_\_  
Twp. \_\_\_\_\_, Rge. \_\_\_\_\_, B. M., in the \_\_\_\_\_ of Section \_\_\_\_\_, Twp. \_\_\_\_\_, Rge. \_\_\_\_\_, B. M.

(b) Amount of power generated: \_\_\_\_\_ H. P., under \_\_\_\_\_ feet head.

(c) Water is to be returned to \_\_\_\_\_ at a point \_\_\_\_\_ feet  
distant from the \_\_\_\_\_ corner of Section \_\_\_\_\_, Twp. \_\_\_\_\_, Rge. \_\_\_\_\_, B. M., in the  
\_\_\_\_\_ of Section \_\_\_\_\_, Twp. \_\_\_\_\_, Rge. \_\_\_\_\_, B. M.

7. Estimated cost of works: \$ \_\_\_\_\_

8. Kind of works: Collection ponds and sprinkler system with portable pump  
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam 9 feet; length of dam at top 30 feet; length of dam at bottom 20

feet; material used in dam rock & dirt  
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

10. Size of headgate: Width 4' feet; Height 4' feet

11. Ditch: Width at bottom \_\_\_\_\_ feet; Width at water line \_\_\_\_\_ feet; Depth of water \_\_\_\_\_ feet;

Dimensions of flume \_\_\_\_\_; Diameter of pipe 3"-4"-5" inches;

Length of conduit \_\_\_\_\_ miles. Average grade per mile \_\_\_\_\_ feet.

33233 H

12. The time required for the completion of such work is ..... 3 ..... years.

13. The time required for the complete application of the water to the proposed use is 6 additional years.

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

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

Total Number of Acres to be Irrigated.....322.88 Acres

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: use rights

...G...

23233

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

Remarks: *This filing does not tend to lessen any prior  
case rights. These springs are on our deeded lands and  
have been in use by our family for approx. 45 years.*

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.

X *Andrew Bado* Applicant.

By \_\_\_\_\_, Agent

## Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, \_\_\_\_\_, of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_, do hereby certify that I am the owner of the land on which the spring mentioned in the application of \_\_\_\_\_ is located, to-wit: \_\_\_\_\_ and that I do hereby grant unto the said \_\_\_\_\_ permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO )  
County of \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, a Notary Public for the State of Idaho, residing at \_\_\_\_\_, personally appeared \_\_\_\_\_ known to me to be the person whose name \_\_\_\_\_ subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public.  
My commission expires \_\_\_\_\_

33233

# Approval of State Reclamation Engineer

The number of this permit is 33233 OCT 7 1966  
Recorded in Book 116 Page 33233 Approved Oct 7 1966  
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:  
Bond in the sum of \$..... to be filed before.....  
Work to begin on or before December 7, 1966, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.  
One-fifth of the work above specified to be completed on or before April 7, 1969  
The whole of said work to be completed on or before October 7, 1971  
Beneficial use of water appropriated in accordance herewith, to be made on or before October 7, 1977  
Witness my hand this 7th day of October, 19 66

*R. Keith Higgins*  
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE Governor of the State of Idaho,  
and LOUIS E. CLAPP Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 7th day of October, 19 66

Countersigned

*Louis E. Clapp*  
By Louis E. Clapp  
Secretary of State

STATE OF IDAHO

*Robert E. Smylie*  
By Robert E. Smylie  
Governor.

No. 33233

**PERMIT**

Date of first receipt at office of State  
Reclamation Engineer

September 26, 1966 4:00 P.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 6.50

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof .25

33233

A C K N O W L E D G E M E N T

33233

Date: \_\_\_\_\_

Re: Application No. \_\_\_\_\_

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Reclamation in the preparation of Application No. \_\_\_\_\_, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

Signed:

Rudolph Bada

Applicant

33233 Deme

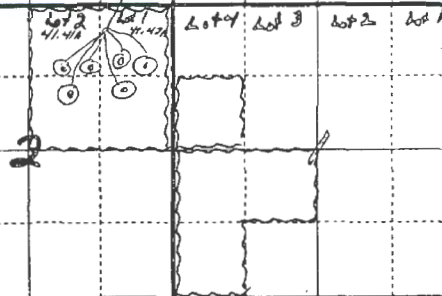
NAME OF APPLICANT

*Rudolph & Rose Marie Cade*

Form No. 0

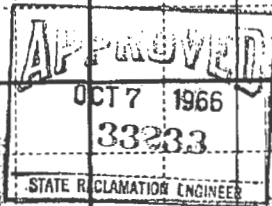
*Rge 243 B. H.*

*P. D. Springs*



*Tap. 1/2*

*Office Copy*



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

*33233*

MEMORANDUM

TO: KELLY CHRISTENSEN, WESTERN REGION

FROM: KAY WALKER

RE: EXAMINATION OF PERMIT 67-2365

DATE: 12-MAR-1990

=====

Pursuant to your request, attached is the examination that was submitted on Permit 67-2365.

*original exam sent back  
to western 3/12/90-  
KW*

*Do Not Film!*

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**A. GENERAL INFORMATION**

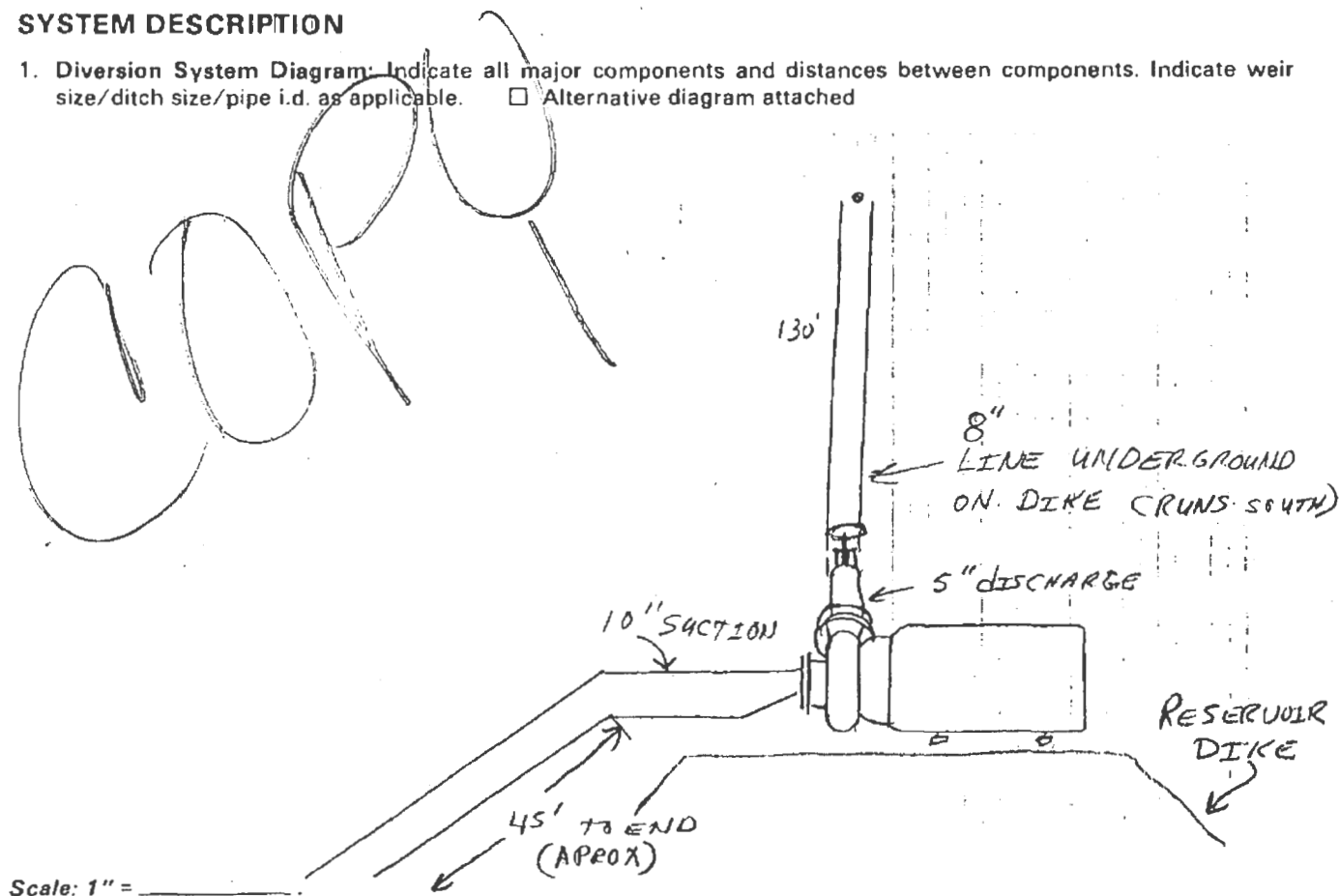
Permit No. 67-2365  
1. Owner: FRANK AND/OR TREVA LAND Phone No. 355-2487  
Current Address: 3430 BIG FLAT RD. MIDVALE, ID. 83645  
2. Accompanied by: FRANK LAND EXAM. DATE: 7-17-89  
Address: \_\_\_\_\_ Phone No. \_\_\_\_\_  
Relationship to Permit Holder: OWNER  
3. Source: UNNAMED SPRING tributary to TENNISON CREEK

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: 67-7281 (A PERMIT FOR DIVERSION OF AN UNNAMED SPRING INTO SAME RESERVOIR. 67-7292 (EXPANSION OF 7281)) ☐ Copies Attached  
2. Other water rights with same point of diversion: NONE  
☐ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



2. ☒ Copy of U.S.G.S. 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 or more).  
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

- THE SYSTEM IS A SERIES OF SPRINGS FEEDING A RESERVOIR AND A PUMP (CENTRIFUGAL) DELIVERING WATER TO P/U VIA AN 8" BURIED MAINLINE. THE DIVERSION WORKS IS THE DIKE. THE SPRINGS ARE ALL WITHIN THE SAME DRAINAGE AS THE RESERVOIR THEREFORE THIS IS AN INSTREAM STORAGE RIGHT AS WELL AS AN IRRIGATION RIGHT. THE SPRINGS ARE A SERIES OF SEAPS ALONG AN APPROXIMATE 1000 FT SECTION OF THE

4.

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

- [illegible]

- Indicate Method of Determination**

[illegible]

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| ANNUBAR               |      |      |           | 91414      | 8"   |             |
| MANOMETER             |      |      |           | 2          | 4'   |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements:

MEASURED 2.10 CFS  
(SEE SUPPLEMENTAL MEASUREMENT SHEET)

#### E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$$\frac{60 \times 8.8 \times .8}{15 \times (2.3 \times 80)} = 2.12 \text{ CFS}$$

#### F. PUMP EFFICIENCY DATA (Optional)

(<sup>2</sup> plus 15 instead of x 15 for 8/24/64)

Discharge Pressure: \_\_\_\_\_ psi x 2.31 = \_\_\_\_\_ ft (1); Dynamic pumping level: \_\_\_\_\_ ft (2)

Total Head: (1) + (2) = \_\_\_\_\_ (3); Flow rate: \_\_\_\_\_ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = \_\_\_\_\_ (5)

Meter Input KW: 3.6 x \_\_\_\_\_ KH x \_\_\_\_\_ CTR or \_\_\_\_\_ MULT x \_\_\_\_\_ PTR x \_\_\_\_\_ N/ \_\_\_\_\_ T = \_\_\_\_\_ (6)

Meter Input HP: (6) x 1.34 = \_\_\_\_\_ (7)

Panel Input KW: \_\_\_\_\_ Ave PF x \_\_\_\_\_ Ave Volts x \_\_\_\_\_ Ave Amps x .001732 = \_\_\_\_\_ (6)

Panel Input HP: (6) x 1.34 = \_\_\_\_\_ (7) Efficiency: (5)/(7) x 100 = \_\_\_\_\_ %

#### G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 120 \times 4.0 = 480$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.00 \times 245 \times 1.9835 = 972$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 480$$

2. Volume Calculations for Other Uses:

YEAR ROUND USE  
LIVESTOCK (RANGE COWS) 600 to 700 HEAD → 637 cattle & horses  
0.16 CFS AND 9.4 AFA.

$$\frac{(637)(12)(365)}{3.25 \times 10^5} = 8.57 = (8.6 \text{ cfs}) \quad \text{v.} \quad (.16)(365)(1.9835) = 115.$$

5/2/89

# H. REMARKS AND OVERLAP REVIEW ANALYSIS

DRAINAGE. NO WATER WAS ENTERING THE DRAINAGE AT EXAM TIME (SEE PHOTO # 6.) PHOTO # 8 SHOWS THE ACCUMULATION OF WATER AT THE UPPER END OF THE RESERVOIR. THE P/U IS IRRIGATED WITH AN ASSORTMENT OF HAND LINES AND WHEEL LINES. AN 8" BURIED MAIN LINE RUNS SOUTH EAST FROM THE P/D TO THE N/W CORNER OF THE LAST FIELD. THE LAWN IS ALSO IRRIGATED VIA THIS P/D. OVER LAP INCLUDE TWO PERMITS FOR DIVERSION OF AN UNNAMED STREAM TO THE RESERVOIR FOR STORAGE.

THIS PERMIT IS FOR FEES PAID: FOUND:  
IRRIGATION OF 322 ACRES 120 ACRES AND  
AND 6.46 CFS 2.00 CFS MAX. 2.10 CFS 90 AF STORAGE

## I. RECOMMENDATIONS

LEGAL LIMIT 625 COWS  
120 ACRES @ 0.02 = 2.40 CFS 12 HORSES

### 1. Recommended Amounts

| Beneficial Use          | Period of Use<br>From | To    | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-------------------------|-----------------------|-------|------------------------------|--------------------------|
| STORAGE FOR IRRIGATION  | 1-1                   | 12-31 |                              | 90 AF                    |
| IRRIGATION FROM STORAGE | 3-15                  | 11-15 |                              | 90 AF                    |
| IRRIGATION              | 3-15                  | 11-15 | 2.00 CFS                     | 480 AF                   |
| STOCK WATER             | 1-1                   | 12-31 | 0.16 CFS                     | 8.624 AF *               |
| Totals:                 |                       |       | 2.00                         | 488.6 *                  |

### 2. Recommended Amendments

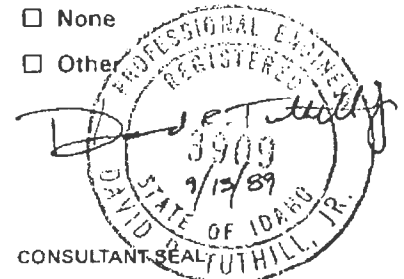
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above  
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above

☐ None

☐ Other

## J. AUTHENTICATION

Field Examiner's Name KELLY K. CHRISTENSEN  
Signature Kelly K. Christensen  
Certification Date \_\_\_\_\_  
Field Report Preparation Date 8-23-89



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

FOUND ACRES IN

NW/SE

SW/SE OF SEC 2 NOT ON PERMIT.

SE/SW

\* 8L 8/24/89

Revised of the stationer based on 637 h. cattle horses

State of Idaho  
DEPARTMENT OF WATER RESOURCES  
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: KELLY K. CHRISTENSEN Date 7-17-89  
Owner: FRANK LAND. Permit No. 67-2365

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = \_\_\_\_\_

T = Pipe Thickness in Inches = \_\_\_\_\_

ID = 2 [ ( 0.1592 X CIR ) - T ] = ..... 8" DIRECT MEASUREMENT

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test " 8"

State ID No. 91414

Select C based on size from Table below.

| Nominal Pipe Size | C      |
|-------------------|--------|
| 4"                | 4.23   |
| 6"                | 3.75   |
| 8"                | 3.37 ✓ |
| 10"               | 3.94   |
| 12"               | 3.99   |
| 14" - 16"         | 4.01   |
| 18" - 24"         | 4.02   |
| 30" or larger     | 4.03   |

C selected ..... 3.87

DIFFERENTIAL PRESSURE READING IN INCHES OF H<sub>2</sub>O (H)

High Reading = 37.5

Low Reading = 23

High - Low = H = ..... 14.5

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.3}$$

$$Q = \frac{(8)^2 \cdot (\sqrt{14.5}) \cdot (3.87)}{448.3} = \underline{2.10 \text{ cfs}}$$

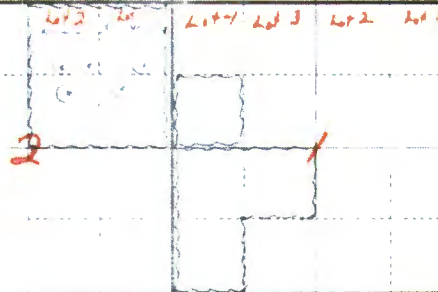
SKETCH (If not shown on Field Report)

NAME OF APPLICANT

*Rudolph + Rose Marie Coda*

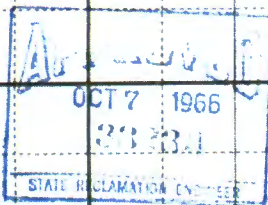
Form No. 0

*Age 24. B. H.*



*Tap. 1/2*

*Office Copy*



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

*33333*

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

|                                |   |                        |
|--------------------------------|---|------------------------|
| IN THE MATTER OF PERMIT        | ) |                        |
|                                | ) |                        |
| NO. 67-2365     IN THE NAME OF | ) | ORDER OF REINSTATEMENT |
|                                | ) |                        |
| FRANK LAND                     | ) |                        |
|                                | ) |                        |

---

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 67-2365 for issuance of a license, the Department finds, concludes and orders:

FINDINGS OF FACT

1. The Department approved Application for Permit No. 67-2365 to appropriate the public waters of the State of Idaho with a proposed priority of SEPTEMBER 26, 1966.
2. On APRIL 10, 1987 the Department advised the permit holder that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The examination fee was due on JUNE 09, 1987.
3. The license examination fee was not paid within one year of the date, and the permit lapsed for failure to pay the license examination fee.

4. The license examination fee was received on  
JUNE 23, 1988, 379 day(s) late.

#### CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the license examination fee is late, pursuant to the provisions of Section 42-217, Idaho Code.

2. The date of priority of Permit No. 67-2365 should be advanced 379 day(s).

#### ORDER

IT IS HEREBY ORDERED that Permit to Appropriate Water No. 67-2365 is reinstated.

IT IS FURTHER ORDERED that the date of priority of Permit No. 67-2365 is advanced to OCTOBER 10, 1967.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1989.

\_\_\_\_\_  
Chief, Water Allocation Bureau

30 DAY  
change p/u

no PO4 overlap  
no POD overlap

fee late  
fee limits to 2.1  
not 5F

10/10/67  
WATER RIGHT NO. 67-02365  
Priority: September 26, 1966 Amount: 2.00  
6.46 CFS

489.4 AFA -

3430 Big Flat Rd. This is to certify, that FRANK LAND = MIDVALE, ID 83645 = has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated September 26, 1966, and has submitted proof to the Department of Water Resources on January 1, 1900, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .000 cfs of water from: 9/20/77  
unnamed stream - 2.10  
tributary to TENNISON CREEK

source and that a water right has been established as follow:

| BENEFICIAL USE | PERIOD OF USE | RATE OF DIVERSION | VOLUME      |
|----------------|---------------|-------------------|-------------|
| IRRIGATION     | 3/15 to 11/15 | 2.00<br>6.46 CFS  | 480.0 AFA - |
| STOCKWATER     | 1/1 to 12/31  | 0.16              | 9.4 AFA -   |
| DOMESTIC       | to            |                   |             |
| Totals         |               | 2.00<br>6.46 CFS  | 489.4 AFA - |

LOCATION OF POINT OF DIVERSION(S):

~~SENE~~, Sec. 2, Township 11N, Range 02W  
~~SWNE~~, Sec. 2, Township 11N, Range 02W  
~~LOT 1 (NENE)~~, Sec. 2, Township 11N, Range 02W  
~~LOT 2 (NWNE)~~, Sec. 2, Township 11N, Range 02W  
WASHINGTON County

PLACE OF USE: IRRIGATION

| TWN                              | RGE | SEC | ACRES           | ACRES             | ACRES      | TOTAL     |
|----------------------------------|-----|-----|-----------------|-------------------|------------|-----------|
| 11N                              | 02W | 1   | SWNW 40 31      | SENA 2 NESW 40 15 | NWSW 40 16 |           |
|                                  |     |     | SESW 40 9       | NWSE 1 - SWSE 3   |            | 160 77 -  |
|                                  |     | 2   | LOT 1 (NENE) 42 | LOT 2 (NWNE) 41 4 | SWNE 40 7  |           |
|                                  |     |     | SENE 40 33      |                   |            | 163 43 -  |
| Total number of acres irrigated: |     |     |                 |                   |            | 323 120 - |

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

WATER RIGHT NO. 67-02365

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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 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 \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Director

4. KR3011

Identification No. \_\_\_\_\_

Permit No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED  
SEP 20 1977  
OFF

Department of Water Resources  
Western Regional Office

1. a) Name of Permit Holder Franklin Land  
b) Post Office Address Midvale, Idaho 83645
2. Permit Number 67-2365
3. Date of Priority that you are prepared to establish 9/26/1966
4. a) Source from which water was appropriated Unnamed Springs  
b) Location of the point of diversion: NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Section 2  
Township 11N, Range 2W Boise Meridian, Other points of diversion:  
NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  Sec 2 T11N R2W
5. a) The amount of water and use to which the water has been applied:  
Amount 6.46 for Irrigation purposes from 4/1 to 10/31 incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
Amount 1.04 for Stockwater purposes from 1/1 to 12/31 incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
Amount 1.04 for Domestic purposes from 1/1 to 12/31 incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
b) Total amount appropriated 6.46 cfs and/or acre-feet per annum  
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: \_\_\_\_\_
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:  
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: \_\_\_\_\_  
b) Describe the agreement or understanding by which you take water from the works: \_\_\_\_\_
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Springs drain into Reservoir then pumped into Sprinkler System  
b) Describe the type and size of measuring device which you have installed at your point of diversion: \_\_\_\_\_  
c) Give well driller's name and address and the date the well was completed: \_\_\_\_\_
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Domestic & stockwater

Exam typed 10/4/77 by [Signature]

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: \_\_\_\_\_

| T   | R  | SEC. | NE¼   |       |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL  |
|-----|----|------|-------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |    |      | NE¼   | NW¼   | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 11N | 24 | 2    | 41.97 | 41.91 | 40  | 40  |     |     |     |     |     |     |     |     |     |     |     |     | 162.88 |
|     |    |      |       |       |     |     | 40  |     |     |     | 40  | 40  | 40  |     |     |     |     |     | 160    |
|     |    |      |       |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |    |      |       |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |    |      |       |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |    |      |       |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |    |      |       |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |    |      |       |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |    |      |       |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres irrigated 322.88

10. Remarks: \_\_\_\_\_

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

Sept 20, 1977  
(Date)

Franklin Land  
(Signature)

State of Id )  
 ) ss.  
County of Ada )

On this 20 day of Sept, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



David R. Tuttle  
Notary Public residing at Boise, Id

My commission expires Sept 10, 1980

5.3-05 : Overlap w/ 67-2365, 67-7281, 67-7292

67-7095 not Required to be filed on in SRBA.



22-139 100 sheets

Idaho Department of Water Resources

67-2365



1000 0 1000 2000 3000 4000 Feet

T11N, R02W, S1 & S2



Prepared by Anita L. Warntjes  
February 9, 2004  
1993/94 True Color Photo

## Point of Diversion and Source Data Entry Form

Claim Number 67-2356

## Claimed Point of Diversion and Source

T11N R04W S33 SESENW Within WASHINGTON County Source: GROUND WATER

☐ Use Claimed POD and Source as Recommended POD and Source

## Water Right Point of Diversion and Source

T11N R04W S33 SENW Within WASHINGTON County

## Recommended Point of Diversion and Source

## Source Information

Source

Tributary To

|       |       |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

| Twp | Rge | Sec | Gov Lot | QQQ of QQ of Q | County | Source |
|-----|-----|-----|---------|----------------|--------|--------|
|     |     |     |         |                |        |        |
|     |     |     |         |                |        |        |
|     |     |     |         |                |        |        |

Other rights from this POD? \_\_\_\_\_

Document how the POD and Source were verified:

|       |
|-------|
| _____ |
| _____ |
| _____ |
| _____ |

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

## Place Of Use Data Entry Form

Claim Number 67-2356

## Claimed Place Of Use

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T11N R04W S33 | NWNE | 40.0 | T11N R04W S33 | SWNE | 40.0 |
| T11N R04W S33 | NENW | 40.0 | T11N R04W S33 | SENE | 40.0 |
| T11N R04W S33 | NESW | 40.0 | T11N R04W S33 | NWSE | 40.0 |

Total Acres 240

☐ Use Claimed POU as Recommended POU

## Water Right Place Of Use

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T11N R04W S33 | NWNE | 40.0 | T11N R04W S33 | SWNE | 38.0 |
| T11N R04W S33 | NENW | 40.0 | T11N R04W S33 | SENE | 40.0 |
| T11N R04W S33 | NESW | 39.0 | T11N R04W S33 | NWSE | 40.0 |

Total Acres 237

## Recommended Place of Use

☐ See corrections to claimed POU above

| Tw | Rge | Sec | QQ | Q | County | Lot Num | Acres | Purpose of Use |
|----|-----|-----|----|---|--------|---------|-------|----------------|
|    |     |     |    |   |        |         |       |                |
|    |     |     |    |   |        |         |       |                |
|    |     |     |    |   |        |         |       |                |
|    |     |     |    |   |        |         |       |                |

Total Acres \_\_\_\_\_

Document how the POU was verified:

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Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

## Purpose of Use Data Entry Form

Claim Number 67-2356

## Claimed Purpose of Use

| Water Use  | Number of Homes | Number of Stock | Acre Limit |
|------------|-----------------|-----------------|------------|
| IRRIGATION |                 |                 |            |

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

## Water Right Purpose of Use

| Water Use  | Number of Homes | Number of Stock | Acre Limit |
|------------|-----------------|-----------------|------------|
| STOCKWATER |                 |                 |            |
| DOMESTIC   |                 |                 |            |
| IRRIGATION |                 |                 |            |

## Recommended Purpose of Use

| Water Use | Number of Homes | Number of Stock | Acre Limit | Number of Other |
|-----------|-----------------|-----------------|------------|-----------------|
|           |                 |                 |            |                 |
|           |                 |                 |            |                 |
|           |                 |                 |            |                 |

Document how the Purpose of Use was verified:

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Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

**Period of Use and Quantity Data Entry Form**

Claim Number 67-2356

## Claimed Period of Use and Diversion Rate

| Water Use  | Start | End   | Rate | Volume |
|------------|-------|-------|------|--------|
| IRRIGATION | 4/15  | 10/15 | 1.07 |        |

Overall Diversion Rate 1.07

Overall Diversion Volume

**\_\_\_ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity**

## Water Right Period of Use and Diversion Rate

| Water Use  | Start | End   | Rate | Volume |
|------------|-------|-------|------|--------|
| IRRIGATION | 3/15  | 11/15 | 4.27 | 1066.5 |
| STOCKWATER | 1/12  | 12/31 | 0.03 | 1.4    |
| DOMESTIC   | 1/01  | 12/31 | 0.04 | 0.6    |

Overall Diversion Rate 4.27

Overall Diversion Volume 1068.5

## Recommended Period of Use and Diversion Rate

| Water Use | Start | End   | Rate  | Volume |
|-----------|-------|-------|-------|--------|
| _____     | _____ | _____ | _____ | _____  |
| _____     | _____ | _____ | _____ | _____  |
| _____     | _____ | _____ | _____ | _____  |

Overall Diversion Rate \_\_\_\_\_

Overall Diversion Volume \_\_\_\_\_

Document how the Period of Use and/or Diversion Rate were verified:

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Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

**Contacts Data Entry Form**

| Owner Type     | Full Name          | Address       | City   | State | Zip   | Phone         |
|----------------|--------------------|---------------|--------|-------|-------|---------------|
| Current Owner  | CAROL YOUNGBLOOD   | 1090 E 9TH ST | WEISER | ID    | 83672 | (208)549-2693 |
| Original Owner | WILLIAM E BRUMMETT | PO BOX 68     | WEISER | ID    | 83762 |               |
| Current Owner  | BILL YOUNGBLOOD    | 1090 E 9TH ST | WEISER | ID    | 83672 | (208)549-2693 |

Date of Field Exam: \_\_\_\_\_ Time: \_\_\_\_\_

Accompanied By: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Relationship to Claimant: \_\_\_\_\_

Directions to Property (if different from above) and/or update owner information:

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Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

## Priority Date Data Entry Form

Claim Number 67-2356

Claimed Priority Date: 12/31/1972

Claimed Basis: License

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 7/29/1966

Water Right Basis: License

Recommended Priority Date

Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

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Reviewer:

Date:

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 67-2365 V1

WATER RIGHT NUMBER: 67-2365 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Current Owner     | TREVA LAND<br>3430 BIG FLAT RD<br>MIDVALE, ID 83645<br>(208)345-2487 |
| Original Owner    | ROSE MARIE CADA<br>, ID                                              |
| Original Owner    | RUDOLPH CADA<br>, ID                                                 |
| Current Owner     | FRANK LAND<br>3430 BIG FLAT RD<br>MIDVALE, ID 83645<br>(208)345-2487 |

Priority Date: 09/26/1966

**Basis:**

Status:

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| SPRINGS       | TENNISON CREEK   |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-----------------------|-----------------------|----------------------|
| STOCKWATER            | 1/01 to 12/31         | 0.050 CFS             |                      |
| IRRIGATION            | 4/01 to 10/31         | 1.840 CFS             |                      |
| DOMESTIC              | 1/01 to 12/31         | 0.020 CFS             |                      |
|                       | Total Diversion:      | 1.840 CFS             |                      |

Location of Point(s) of Diversion

|                              |                 |                                |
|------------------------------|-----------------|--------------------------------|
| SPRINGS<br>WASHINGTON County | L2 (NW1/4NE1/4) | Sec. 2, Twp 11N, Rge 02W, B.M. |
| SPRINGS<br>WASHINGTON County | SE1/4NE1/4      | Sec. 2, Twp 11N, Rge 02W, B.M. |
| SPRINGS<br>WASHINGTON County | L1 (NE1/4NE1/4) | Sec. 2, Twp 11N, Rge 02W, B.M. |
| SPRINGS<br>WASHINGTON County | SW1/4NE1/4      | Sec. 2, Twp 11N, Rge 02W, B.M. |

### Place of Use

STOCKWATER

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |  |  |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|--|--|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |  |  |
| 11N | 02W | 1   |    |    |    |    |    |    | X  |    |    |    |    | X  |    |    |    |    |        |  |  |

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 67-2365 V1

|           |   |   |  |  |  |  |
|-----------|---|---|--|--|--|--|
| 11N 02W 2 | X | X |  |  |  |  |
|-----------|---|---|--|--|--|--|

## IRRIGATION

| Twp | Rge | Sec | NE |     |      |      | NW   |    |    |    | SW |      |    |    | SE |    |    |    | Totals |      |      |
|-----|-----|-----|----|-----|------|------|------|----|----|----|----|------|----|----|----|----|----|----|--------|------|------|
|     |     |     | NE | NW  | SW   | SE   | NE   | NW | SW | SE | NE | NW   | SW | SE | NE | NW | SW | SE |        |      |      |
| 11N | 02W | 1   |    |     |      |      | 36.0 |    |    |    |    | 15.0 |    |    |    |    |    |    |        |      | 51.0 |
| 11N | 02W | 2   |    | 1.0 | 10.0 | 26.0 |      |    |    |    |    |      |    |    |    |    |    |    |        | 37.0 |      |

Total Acres: 88

DOMESTIC

[illegible]

**Conditions of Approval:**

1. A01 THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

## Remarks:

Comments:

1. dsmith 8/8/2004 pod  
Comment: No points digitized at this point. Field exam not done, but proof of beneficial use in water right file

06/08/2004

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 67-2365

11N 02W 2 | X X | |

IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 67-2365 V1

## Dates and Other Information:

Decreed Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Defendant:  
Plaintiff:  
Civil Case Number:  
Judicial District:  
Notice of Error Flag:  
State or Federal: S  
Owner Name Connector: OR  
Water District Number: 67  
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:

| Element       | Last Reviewed Date   | Reviewer | Last Verified Date | Verifier | Status |
|---------------|----------------------|----------|--------------------|----------|--------|
| Priority Date | 6/8/2004 12:00:56 PM | dsmith   |                    |          |        |
| POD           | 6/8/2004 12:02:23 PM | dsmith   |                    |          |        |
| Source        | 6/8/2004 12:02:40 PM | dsmith   |                    |          |        |
| POU           | 6/8/2004 12:03:12 PM | dsmith   |                    |          |        |
| Use           | 6/8/2004 12:04:20 PM | dsmith   |                    |          |        |
| Season        | 6/8/2004 12:04:36 PM | dsmith   |                    |          |        |
| Quantity      | 6/8/2004 12:04:50 PM | dsmith   |                    |          |        |

## Verification Log:

| Element       | Date Time Stamp      | Reviewer | Log text                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------|----------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU           | 2/26/2004 9:06:09 AM | awamtje  | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                 |
| POU           | 2/28/2004 9:15:49 AM | awamtje  | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                 |
| POD           | 6/8/2004 12:02:24 PM | dsmith   | (No) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2. Is the basis of this claim a Application or Permit?<br>(No) 3. Has the licensed been issued?                                                                                                                                                                                                                                                      |
| Priority Date | 6/8/2004 12:00:57 PM | dsmith   | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(No) 4. Is the basis of claim decree or license?<br>(Yes) 7. Is the basis of claim a Application or Permit?<br>(Yes) 10a. Has proof of beneficial use been submitted?<br>(No) 10b. Has the Field exam been completed?<br>(No) 10c. Will the license be issued prior to filing the Directors Report? |

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 67-2365 V1

| POU      | Date Time Stamp      | Reviewer | Log text                                                                                                                                                                                          |
|----------|----------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POU      | 6/8/2004 12:03:13 PM | dsmith   | (No) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2b. Is the POU required?<br>(Yes) 3. Is the basis of claim a Application or Permit?<br>(No) 4. Has the licensed been issued yet? |
| Use      | 6/8/2004 12:04:21 PM | dsmith   | (No) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2. Is the basis of this claim a Application or Permit?<br>(No) 3. Has the licensed been issued?                                  |
| Season   | 6/8/2004 12:04:37 PM | dsmith   | (No) 1. Is the basis of claim Decree or License?<br>(Yes) 2. Is the basis of claim a Application or Permit?<br>(No) 3. Has the licensed been issued?                                              |
| Quantity | 6/8/2004 12:04:51 PM | dsmith   | (No) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2. Is the basis of this claim a Application or Permit?<br>(No) 3. Has the licensed been issued?                                  |
| Source   | 6/8/2004 12:02:40 PM | dsmith   | (No) 1. Is the basis of claim Decree or License?<br>(Yes) 2. Is the basis of claim an Application or Permit?<br>(No) 3. Has the licensed been issued?                                             |
| POU      | 2/3/2004 2:36:11 PM  | awamtje  | Edited shape boundary                                                                                                                                                                             |
| POU      | 2/3/2004 2:43:43 PM  | awamtje  | Edited shape boundary                                                                                                                                                                             |
| POU      | 2/3/2004 2:25:55 PM  | awamtje  | Edited shape boundary                                                                                                                                                                             |
| POU      | 2/3/2004 2:36:22 PM  | awamtje  | Edited shape boundary                                                                                                                                                                             |

DO

MOL 20mm

RECEIVED

MAY 10 2004

RECEIVED

MAY 06 2004

# Washington County Title Co.

Department of Water Resources

WATER RESOURCES  
WESTERN REGION

35 West Idaho St.  
Weiser, ID 83672

(208) 414-1455  
Fax (208) 414-1487  
wctitle@ruralnetwork.net

Title Insurance

Escrow Service

May 6, 2004

IDWR Western Region  
Attn: Kari Lynn Townsend  
2735 Airport Way  
Boise, ID 83705-5082



RE: Change in Water Right Ownership for No.'s 67-2365, 67-7281, 67-7292, and 67-7895 *W.R. has original*

Dear Kari Lynn:

Enclosed please find check #991 in the amount of \$25.00 for the above referenced change, as well as the Notice of Change in Water Right Ownership form and copy of the Warranty Deed.

Thank you for your help with this.

Yours truly,

WASHINGTON COUNTY TITLE CO.



Paula Thomsen

Encl.

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

RECEIVED

MAY 06 2004

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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 67-2365               |                              |       |                       |                              |       |
| 67-7281               |                              |       |                       |                              |       |
| 67-7292               |                              |       |                       |                              |       |
| \$25 → 67-7895        |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) Frank D. Land + Treva Land  
3430 Big Flat Rd (Star Rt.) Midland, ID 83645
4. New Owner/Claimant(s) D. Wayne Cada / Jody M. Cada  
 — Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address 23250 Cada Lane
- City, State and ZIP Code Caldwell, ID 83607
- New Telephone Number (208) 455-5050 (Hm) / 880-2221 (Cell)
5. Date you acquired the property 4-30-05

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s) *D. Wayne Clark*  
(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.

|                            |                    |                             |            |
|----------------------------|--------------------|-----------------------------|------------|
| <b>For Office Use Only</b> |                    |                             |            |
| Received by <u>DB</u>      | Date <u>5-7-04</u> | Fee <u>\$25-- (67-7895)</u> |            |
| Received by <u>DB</u>      | Date <u>5-7-04</u> | Receipt No. <u>WC31662</u>  |            |
| Processed by _____ AJ      | Date _____         | WR _____                    | Date _____ |

193573

Approved by:  
Initials \_\_\_\_\_

**COPY**  
**Warranty Deed**

FOR VALUE RECEIVED, FRANKLIN D. LAND, a married man as his sole and separate property, and TREVA L. LAND, an unmarried person, the Grantors, do hereby, grant, bargain, sell and convey unto D. WAYNE CADA and JODY M. CADA, husband and wife, the Grantees, whose address is 23250 Cada Lane, Caldwell, ID 83605, the following described real estate situated in Washington County, State of Idaho, to-wit:

See Attached Legal Description

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their successors and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 30 day of April, 2004.

*Franklin D. Land*  
FRANKLIN D. LAND

*Treva L. Land*  
TREVA L. LAND

STATE OF IDAHO )  
: ss  
County of Washington )

On this 30 day of April, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared FRANKLIN D. LAND and TREVA L. LAND, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

**Instrument # 193573**

WEISER, WASHINGTON, IDAHO

2004-05-03 10:38:00 No. of Pages: 2

Recorded for : WASHINGTON COUNTY TITLE

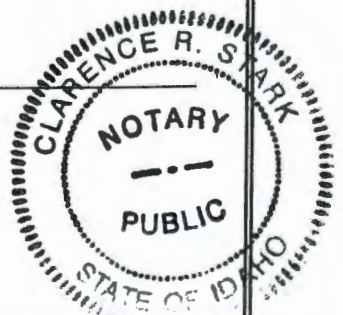
SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: DEED

*Clarence R. Stark*  
Notary Public for Idaho  
Residing at Weiser, Idaho  
Commission expires:

9-7-2005



## Legal Description

IN TOWNSHIP 11 NORTH, RANGE 2 WEST OF THE BOISE MERIDIAN:

Section 1: Lots 2, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;

Section 2: NE $\frac{1}{4}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ ;

Section 11: E $\frac{1}{2}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;

Section 12: W $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ ;

Section 13: NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;

Section 14: SE $\frac{1}{4}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$ .

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**A. GENERAL INFORMATION**

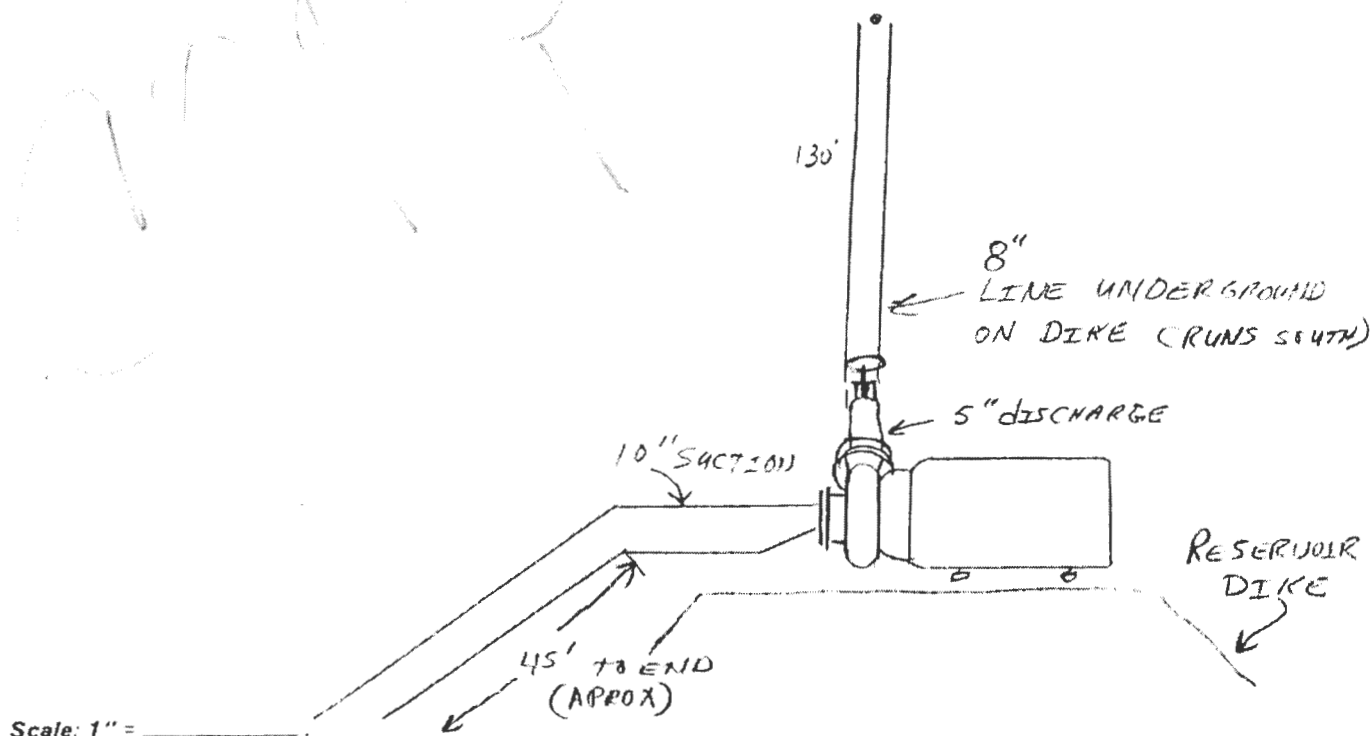
- Permit No. 67-2365  
1. Owner: FRANK AND/OR TREVA LAND Phone No. 355-2487  
Current Address: 3430 BIG FLAT RD. MIDVALE, ID. 83645  
2. Accompanied by: FRANK LAND EXAM. DATE: 7-17-82  
Address: \_\_\_\_\_ Phone No. \_\_\_\_\_  
Relationship to Permit Holder: OWNER  
3. Source: UNNAMED SPRING Tributary to TENNISON CREEK

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: 67-7251 (A PERMIT FOR DIVERSION OF RILL CREEK)  
67-7292 (EXPANSION OF 7251) ☐ Copies Attached  
2. Other water rights with same point of diversion: NONE  
☐ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



- Scale: 1" = \_\_\_\_\_
2. ☒ Copy of U.S.G.S. 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 or more).  
☒ Photo of Diversion and System Attached  
(required for all but single household domestic groundwater, and stockwater).