

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-08654  
Date Received: 1/16/1990  
Receipt No: W007626  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: RICHARD K VYCITAL  
Address: 11996 W FLINTLOCK  
BOISE ID

83704

208-383-7201  
**RECEIVED**  
FEB 8 1993

2. Date of Priority: APR 1, 1977

3. Source: UNNAMED DRAIN

Trib. to: BOISE RIVER  
Department of Water Resources  
Western Regional Office

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 05N      | 06W   | 24      | NE     | SE     |     |     | CANYON |

5. Description of diverting works:  
DITCH, PUMP & PONDS.

6. Water is used for the following purposes:

| Purpose            | From  | To    | C.F.S | (or) | A.F.A. |
|--------------------|-------|-------|-------|------|--------|
| RECREATION STORAGE | 01/01 | 12/31 |       |      | 13.50  |
| RECREATION         | 01/01 | 12/31 | 1.000 |      |        |
| WILDLIFE           | 01/01 | 12/31 | 1.000 |      |        |
| WILDLIFE STORAGE   | 01/01 | 12/31 |       |      | 13.50  |

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

13.50 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

R/WILD FOWL PROPOGATION.

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 05N      | 06W   | 24      | NE     | SE  |     | WILD S |       |

A63-08654

Page 1

Date: 02/03/93

**MICROFILMED**

**JUL 25 1994**

SCANNED  
APR 11 2008

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use   | Acres |
|----------|-------|---------|------------|-----|-------|-------|
| 05N      | 06W   | 24      | NE SE      |     | REC S |       |

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
TWO POINTS OF DIVERSION LOCATED IN NESE, S24, T05N, R06W.

15. Basis of Claim: PERMIT

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

RECEIVED

JAN 16 1990

Ident. Number: A63-08654  
Date Received: 1-16-90  
Receipt No: 2007626  
Received By: \_\_\_\_\_

Department of Water Resources  
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: RICHARD K. UYCITAL  
Address: 11996 W. FLINTLOCK  
BOISE, ID 83704  
208-383-7201

2. Date of Priority: APR 01, 1977

3. Source: UNNAMED DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 05N      | 06W   | 24      | NE     | SE     |     |     | CANYON |

5. Description of diverting works:  
DITCH, PUMP & PONDS.

6. Water is used for the following purposes:

| Purpose            | From  | To    | C.F.S. | (or) | A.F.A. |
|--------------------|-------|-------|--------|------|--------|
| RECREATION STORAGE | 01/01 | 12/31 |        |      | 13.50  |
| RECREATION         | 01/01 | 12/31 | 1.000  |      |        |
| WILDLIFE           | 01/01 | 12/31 | 1.000  |      |        |
| WILDLIFE STORAGE   | 01/01 | 12/31 |        |      | 13.50  |

7. Total Quantity Appropriated is:  
1.000 C.F.S. (and ~~1.000~~)

13.5 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
R/WILD FOWL PROPOGATION.

MICROFILMED

JUL 25 1994

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 05N      | 06W   | 24      | NE     | SE  |     | WILD S |       |
|          |       |         | NE     | SE  |     | REC S  |       |

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
2 P/D IN NESE, S24, T5N, R6W.  
SEE ATTACHED FIELD EXAMINERS REPORT.

15. Basis of Claim: PERMIT

MICROFILMED

JUL 25 1994

(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.

Date: 10/18/89

State of Idaho  
Department of Water Resources

RECEIVED  
JUL 11 1991

**WATER RIGHT LICENSE**

WATER RIGHT NO. 63-08654

Department of Water Resources  
Western Regional Office  
1.00 CFS  
13.5 AF

Priority: April 1, 1977

Maximum Diversion Rate:  
Maximum Diversion Volume:<sup>1</sup>

This is to certify, that RICHARD K. VYCITAL  
11996 W. FLINTLOCK DR.  
BOISE, ID 83704

has complied with the terms and conditions  
of the permit, issued pursuant to Application for Permit dated April 1, 1977; and  
has submitted Proof of Beneficial Use on April 6, 1987. An examination indicates  
that the works have a diversion capacity of 10.920 cfs of water from:

UNNAMED DRAIN tributary to BOISE RIVER

source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| WILDLIFE STORAGE      | 01/01 to 12/31       |                          | 13.5 AF              |
| RECREATION STORAGE    | 01/01 to 12/31       |                          | 13.5 AF              |
| DIVERSION TO STORAGE  | 01/01 to 12/31       | 1.00 CFS                 |                      |
|                       | Totals               | 1.00 CFS                 | 13.5 AF              |

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 24, Township 05N, Range 06W  
CANYON County

PLACE OF USE: WILDLIFE STORAGE  
TWN RGE SEC

05N 06W 24 NESE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 63

MICROFILMED  
JUL 25 1994

State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**

WATER RIGHT NO. 63-08654

CONDITIONS/REMARKS:

6. Two points of diversion are located within the NESE, S24,  
T5N, R6W.

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 9<sup>th</sup>  
day of July, 1991.

Acting for

  
R. Keith Higginson, Director

MICROFILMED

JUL 25 1994

APPROVED

State of Idaho  
Department of Water Resources

RECEIVED  
JUN 24 1991

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 63-08654

Department of Water Resources

Date of Priority: April 1, 1977

Maximum Diversion Rate: 1.00 CFS  
Maximum Diversion Volume:<sup>1</sup> 13.5 AF

Comes now  
925 PARK HILL COURT  
BOISE, ID 83702

RICHARD O. VYCITAL

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-08654, and requests that the permit be changed as follows:

Source: UNNAMED DRAIN

tributary to BOISE RIVER

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| WILDLIFE STORAGE      | 01/01 to 12/31       |                          | 13.5 AF              |
| RECREATION STORAGE    | 01/01 to 12/31       |                          | 13.5 AF              |
| DIVERSION TO STORAGE  | 01/01 to 12/31       | 1.00 CFS                 |                      |
|                       | Totals               | 1.00 CFS                 | 13.5 AF              |

LOCATION OF POINT(S) OF DIVERSION:

NESE, Sec. 24, Township 05N, Range 06W  
CANYON County

PLACE OF USE: WILDLIFE STORAGE  
TWN RGE SEC

05N 06W 24

NESE

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Boise Id, this 17<sup>th</sup> day of June, 1991.

(Signature)

MICROFILMED  
JUL 25 1994

State of Idaho  
Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 63-08654

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FOR DEPARTMENT USE ONLY

Preliminary check by \_\_\_\_\_ Fee = \$20.00 Received by                      Date 6-24-91

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 63-08654 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 63
6. Two points of diversion are located within the NESE, S24, T5N, R6W.

Witness my hand this 9<sup>TH</sup> day of July, 1991.

Acting for

R. Keith Higginson  
R. Keith Higginson, Director

MICROFILMED  
JUL 25 1994

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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 63-08654

NAME AND ADDRESS: RICHARD K VYCITAL  
11515 WILDROSE CT  
BOISE, ID 83713

SOURCE: UNNAMED DRAIN TRIBUTARY: BOISE RIVER

The source of this right includes waste water. The wasting of  
water may be discontinued at any time.

QUANTITY: 1.00 CFS  
13.50 APY

PRIORITY DATE: 04/01/1977

POINT OF DIVERSION: T05N R06W S24 NESE Within Canyon County  
NESE

Two points of diversion located in T5N, R6W, S24, NESE.

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE       | PERIOD OF USE  | QUANTITY  |
|-------------------------------|----------------------|----------------|-----------|
|                               | Wildlife Storage     | 01-01 TO 12-31 | 13.50 APY |
|                               | Recreation Storage   | 01-01 TO 12-31 | 13.50 APY |
|                               | Diversion to Storage | 01-01 TO 12-31 | 1.00 CFS  |

|               |                    |                      |
|---------------|--------------------|----------------------|
| PLACE OF USE: | Wildlife Storage   | Within Canyon County |
|               | T05N R06W S24      | NESE                 |
|               | Recreation Storage | Within Canyon County |
|               | T05N R06W S24      | NESE                 |

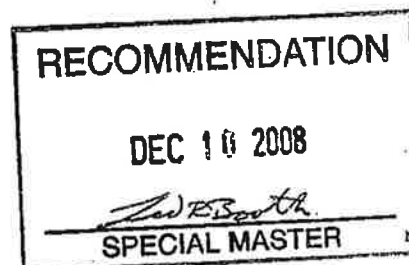
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

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

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



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

RIGHT NUMBER: 63-8654

NAME AND ADDRESS: RICHARD K VYCITAL  
11515 WILDROSE CT  
BOISE ID 83713

SOURCE: UNNAMED DRAIN

TRIBUTARY: BOISE RIVER

The source of this right includes waste water. The wasting of water may be discontinued at any time.

QUANTITY: 1.000 CFS  
13.50 AFY

PRIORITY DATE: 04/01/1977

POINT OF  
DIVERSION:

T05N R06W S24 NESE Within CANYON County

T05N R06W S24 NESE Within CANYON County

Two points of diversion located in T5N, R6W, S24, NESE.

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| DIVERSION TO STORAGE  | 01/01 12/31          | 1.000 CFS       |
| RECREATION STORAGE    | 01/01 12/31          | 13.50 AFY       |
| WILDLIFE STORAGE      | 01/01 12/31          | 13.50 AFY       |

PLACE OF USE: WILDLIFE STORAGE in CANYON County

T05N R06W S24 NESE

RECREATION STORAGE in CANYON County

T05N R06W S24 NESE

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 remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.~~

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of water under this water right will be regulated by the watermaster of State Water District No. 63.

09/16/2008

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

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The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

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 water right is appurtenant to the described place of use.

This right is subject to all prior water rights and may be forfeited by five years of non use.

RECEIVED

MAY 26 2008

DEPARTMENT OF  
WATER RESOURCES

2008 MAY 23 PM 04:00  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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

In Re SRBA

Case No. 39576

) ORDER SETTING SUBCASE(S)  
) FOR INITIAL HEARING  
)  
) SUBCASE NOS: 63-02351A 63-02351B  
63-08654

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

THURSDAY, JUNE 26, 2008 at 09:15 AM (MT)  
IDAHO SUPREME COURT BUILDING  
451 WEST STATE STREET  
BOISE, ID

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

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

Settlement documents must be filed with the court by  
JUNE 23, 2006 or hearing will not be vacated.

IT IS SO ORDERED.

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

(continued)

Dated: MAY 23, 2008

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

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING  
SUBCASE(S) FOR INITIAL HEARING was mailed on MAY 23, 2008,  
with sufficient first-class postage to the following:

RIVERSIDE IRRIGATION DISTRICT

Represented by:  
ALBERT P BARKER  
1010 W JEFFERSON, STE 102  
PO BOX 2139  
BOISE, ID 83701-2139  
Phone: 208-336-0700

USDI BUREAU OF RECLAMATION

Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

STORY FARMS INC  
C/O VIRGIL STORY  
29983 HWY 18  
PARMA, ID 83660  
Phone: 208-722-5380

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

RICHARD K VYCITAL  
11515 WILDROSE CT  
BOISE, ID 83713  
Phone: 208-383-7201

RECEIVED  
JUN 19 2007

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 ) A. Subcase 63-8654  
(Insert water right number)  
Case No. 39576 )  
STANDARD FORM 1  
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Riverside Irrigation District  
Address: PO Box 1080  
Parma, ID 83660  
Daytime Phone: 208-880-3449

Name & Address of Attorney, if any:

Albert P. Barker  
Barker Rosholt & Simpson, LLP  
1010 W. Jefferson, Ste. 102, Boise ID 83702

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

Name: Richard Vycital  
Address: 11515 Wildrose Court  
Boise, ID 83713

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

1. ☐ **Name and Address**

Should be: \_\_\_\_\_

2. ☒ **Source**

Should be: The source should be described as waste waters, and waste waters belong to the Riverside Irrigation District.

3. ☐ **Quantity**

Should be: \_\_\_\_\_

4. ☐ **Priority Date**

Should be: \_\_\_\_\_

5. ☐ **Point of Diversion**

Should be: \_\_\_\_\_

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: \_\_\_\_\_

7. ☐ **Purpose(s) of Use**

Should be: \_\_\_\_\_

8. ☐ **Period of Year**

Should be: \_\_\_\_\_

9. ☐ **Place of Use**

Should be: \_\_\_\_\_

10 ☐ **I object because:**

☐ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

**E. REASONS SUPPORTING OBJECTIONS(S):** There has been no lawful appropriation of this right. The description of the source should have been waste water. The waste waters belong to the Riverside Irrigation District and are not available for private development and appropriation. Further, any attempted development of this right constitutes a trespass against the drains of the Riverside Irrigation District. Proposed waste water remark does not sufficiently protect original appropriator.

**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     | ) | <b>Water Rights:</b> 63-2351A, 63-8654, |
|                | ) | 63-30232, 63-30233                      |
| Case No. 39576 | ) | <b>NOTICE OF COMPLETED</b>              |
|                | ) | <b>ADMINISTRATIVE</b>                   |
| _____          | ) | <b>PROCEEDING</b>                       |

IDWR has completed the following administrative proceeding:

XX Address change

Substitution of Party

☐ IC § 42-222 transfer

- |                                               |                                              |
|-----------------------------------------------|----------------------------------------------|
| <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 |
| <input type="checkbox"/> Other                |                                              |

☐ IC § 42-219 license

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

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

DATED: February 16, 2007

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

## CERTIFICATE OF MAILING

I certify that on February 16, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

### 1. Original to:

|                                |                                     |                |
|--------------------------------|-------------------------------------|----------------|
| Clerk of the District Court    | <input type="checkbox"/>            | overnight mail |
| Snake River Basin Adjudication | <input checked="" type="checkbox"/> | regular mail   |
| P.O. Box 2707                  | <input type="checkbox"/>            | hand-delivered |
| Twin Falls, ID 83303-2707      | <input type="checkbox"/>            | facsimile      |

### 2. Copies to:

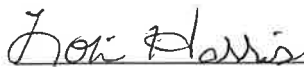
|                                 |                                     |                |
|---------------------------------|-------------------------------------|----------------|
| Clive Strong                    | <input type="checkbox"/>            | overnight mail |
| Off ice of the Attorney General | <input checked="" type="checkbox"/> | regular mail   |
| P.O. Box 44449                  | <input type="checkbox"/>            | hand-delivered |
| Boise, ID 83711-4449            | <input type="checkbox"/>            | facsimile      |

|                                    |                                     |                |
|------------------------------------|-------------------------------------|----------------|
| United States Dept of Justice      | <input type="checkbox"/>            | overnight mail |
| Environment & Natural Resource Div | <input checked="" type="checkbox"/> | regular mail   |
| 550 West Fort Street MSC 033       | <input type="checkbox"/>            | hand-delivered |
| Boise ID 83724                     | <input type="checkbox"/>            | facsimile      |

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

|                    |                                     |                |
|--------------------|-------------------------------------|----------------|
| Richard K. Vycital | <input type="checkbox"/>            | overnight mail |
| 11515 Wildrose Ct. | <input checked="" type="checkbox"/> | regular mail   |
| Boise, ID 83713    | <input type="checkbox"/>            | hand-delivered |
|                    | <input type="checkbox"/>            | facsimile      |

|                          |                |
|--------------------------|----------------|
| <input type="checkbox"/> | overnight mail |
| <input type="checkbox"/> | regular mail   |
| <input type="checkbox"/> | hand-delivered |
| <input type="checkbox"/> | facsimile      |



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Interim Director

February 16, 2007

RICHARD K VYCITAL  
11515 WILDROSE CT  
BOISE ID 83713

Re: Water Right Nos. 63-2351A, 63-8654, 63-30232, 63-30233

Dear Mr. Vycital:

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

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

Sincerely,

Lori Harris  
Technical Records Specialist 1  
Adjudication Section  
Western Region Office

LH:l  
Enclosures

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

RIGHT NUMBER: 63-8654

NAME AND ADDRESS: RICHARD K VYCITAL  
11515 WILDROSE CT  
BOISE ID 83713

~~11996 W PLINTLOCK~~  
~~BOISE ID 83704~~

SOURCE: UNNAMED DRAIN

TRIBUTARY: BOISE RIVER

QUANTITY: 1.000 CFS  
13.500 AFY

PRIORITY DATE: 04/01/1977

POINT OF DIVERSION:

T05N R06W S24 NESE Within CANYON County

T05N R06W S24 NESE Within CANYON County

Two points of diversion located in T5N, R6W, S24, NESE.

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| DIVERSION TO STORAGE  | 01/01 12/31          | 1.000 CFS       |
| RECREATION STORAGE    | 01/01 12/31          | 13.50 AFY       |
| WILDLIFE STORAGE      | 01/01 12/31          | 13.50 AFY       |

PLACE OF USE: WILDLIFE STORAGE in CANYON County

T05N R06W S24 NESE

RECREATION STORAGE in CANYON County

T05N R06W S24 NESE

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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 water right will be regulated by the watermaster of State Water District No. 63.

The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

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 water right is appurtenant to the described place of use.

This right is subject to all prior water rights and may be forfeited by five years of non use.

12/10/2006

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

RIGHT NUMBER: 63-8654  
NAME AND ADDRESS: RICHARD K VYCITAL  
11996 W FLINTLOCK  
BOISE ID 83704  
SOURCE: UNNAMED DRAIN TRIBUTARY: BOISE RIVER  
QUANTITY: 1.000 CFS  
13.50 AFY  
PRIORITY DATE: 04/01/1977  
POINT OF  
DIVERSION: T05N R06W S24 NESE Within CANYON County  
T05N R06W S24 NESE Within CANYON County  
Two points of diversion located in T5N, R6W, S24, NESE.

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| DIVERSION TO STORAGE  | 01/01 12/31          | 1.000 CFS       |
| RECREATION STORAGE    | 01/01 12/31          | 13.50 AFY       |
| WILDLIFE STORAGE      | 01/01 12/31          | 13.50 AFY       |

PLACE OF USE: WILDLIFE STORAGE in CANYON County  
T05N R06W S24 NESE  
RECREATION STORAGE in CANYON County  
T05N R06W S24 NESE

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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 water right will be regulated by the watermaster of State Water District No. 63.

The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

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 water right is appurtenant to the described place of use.

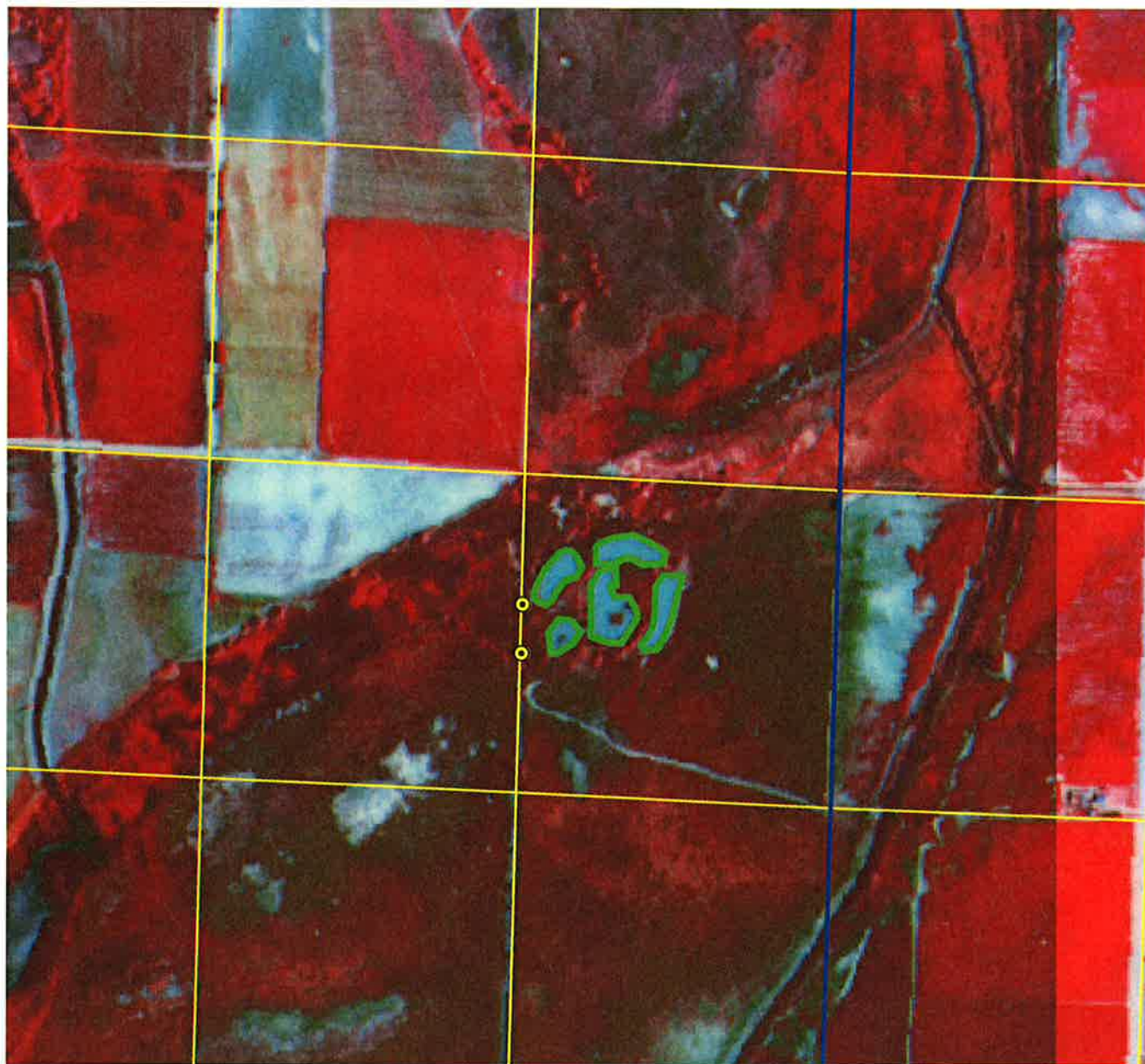
This right is subject to all prior water rights and may be forfeited by five years of non use.



# Idaho Department of Water Resources

## 63-8654

### 05N 06W Section 24



-  POU
-  POD
-  Sections
-  Quarter/Quarter

300 0 300 Feet



IDWR  
Prepared by: Lori Graves  
Date: 09-05-06  
1986-87 Photography

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-8654 V1

WATER RIGHT NUMBER: 63-8654 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Current Owner     | RICHARD K VYCITAL<br>11996 W FLINTLOCK<br>BOISE, ID 83704<br>(208)383-7201 |
| Original Owner    | RICHARD O VYCITAL<br>925 PARK HILL CT<br>BOISE, ID 83702<br>(208)343-2655  |

Priority Date: 04/01/1977

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| UNNAMED DRAIN | BOISE RIVER      |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| DIVERSION TO STORAGE  | 01/01 to 12/31          | 1.000 CFS             |                      |
| RECREATION STORAGE    | 01/01 to 12/31          |                       | 13.50 AF             |
| WILDLIFE STORAGE      | 01/01 to 12/31          |                       | 13.50 AF             |
|                       | <u>Total Diversion:</u> | 1.000 CFS             | 13.50 AF             |

Location of Point(s) of Diversion

|               |            |                                 |
|---------------|------------|---------------------------------|
| UNNAMED DRAIN | NE1/4SE1/4 | Sec. 24, Twp 05N, Rge 06W, B.M. |
| CANYON County |            |                                 |
| UNNAMED DRAIN | NE1/4SE1/4 | Sec. 24, Twp 05N, Rge 06W, B.M. |
| CANYON County |            |                                 |

Place of Use

RECREATION STORAGE

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 05N | 06W | 24  |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |        |

WILDLIFE STORAGE

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 05N | 06W | 24  |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |        |

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 63-8654 V1

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 63.
2. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
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.
4. This water right is appurtenant to the described place of use.
5. F02 Two points of diversion located in T5N, R6W, S24, NESE.
6. This right is subject to all prior water rights and may be forfeited by five years of non use.
7. 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.

Remarks:Comments:

1. Igraves 9/4/2006 License

Comment: The claim was filed on permit 63-8654 in 1990, which was licensed in 1991. This recommendation reflects the license.

2. Igraves 9/4/2006 Overlaps

Comment: Overlapping rights 63-30232 and 63-30233 have been disallowed.

3. Igraves 9/4/2006 Parcel No.

Comment: The ponds are located within Parcel No. R2618400000.

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:

Water District Number: 63

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:



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 26, 1989

Mr. Richard K. Vycital  
11996 W. Flintlock  
Boise, ID 83704

Dear Mr. Vycital:

Enclosed are the two Notice of Claims to a Water Right.

A63-02351A is the split off the original Carlson license and is for 34 acres of irrigation.

A63-08654 is the water right for the ponds. This is the way it was recommended by the field examiner.

Please review both claims and if they are satisfactory return to my attention, signed and notarized with the fee. The cost of both claims will be \$334.00. This is based on a flat rate of \$50.00 per claim, \$1.00 per irrigated acre and \$100.00 per cfs for the wildlife usage and the recreational usage.

Feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Linda A. Werner".

Linda A. Werner  
Sr. Water Resource Agent  
Adjudication Section

LW:lh  
Enclosures

MICROFILMED

JUL 25 1994

F. VERIFICATION (must be completed)

State of IDAHO)  
County of ADA)ss.

MAR P BARRETT, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

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

(Signature of person filing objection)

[Signature]

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June 18, 2007

Suzanne Estes

Notary Public for Idaho

Residing at: Boise

My Commission Expires June 1, 2012



## INSTRUCTIONS FOR MAILING

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

## G. CERTIFICATE OF MAILING

I certify that on JUN 18 2007, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

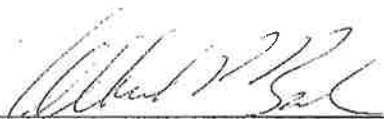
Name: Richard Vycital  
Address: 11515 Wildrose Court  
Boise, ID 83713

3. Copies to:

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

United States Department of Justice  
Environment & Nat'l Resources Div  
550 W Fort Street, MSC 033  
Boise, ID 83724

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



Signature of objector or attorney  
mailing on Objector's behalf

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

RECEIVED  
FEB 12 2007  
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 |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 63-8654               |                              |       |                       |                              |       |
| 63-2351A              |                              |       |                       |                              |       |
| 63-30232              |                              |       |                       |                              |       |
| 63-30233              |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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)

Richard K. Vycital

4. New Owner/Claimant(s)

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

11515 Wildrose Ct  
Bolton Idaho 83713  
208 375-8981

5. Date you acquired the property

Change Address

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8654

WATER RIGHT NUMBER: 63-8654

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Current Owner     | RICHARD K VYCITAL<br>11996 W FLINTLOCK<br>BOISE, ID 83704<br>(208)383-7201 |
| Original Owner    | RICHARD O VYCITAL<br>925 PARK HILL CT<br>BOISE, ID 83702<br>(208)343-2655  |

current address:  
11515 Wildrose Ct  
Boise 83713-2565

Priority Date: 04/01/1977  
Basis: ~~Permit~~ *lic*  
Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| UNNAMED DRAIN | BOISE RIVER      |

| <u>Beneficial Use</u>            | <u>From</u> <u>To</u>    | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|----------------------------------|--------------------------|-----------------------|----------------------|
| <del>WILDLIFE</del>              | 1/01 to 12/31            | <del>1.000 CFS</del>  |                      |
| RECREATION STORAGE               | 1/01 to 12/31            |                       | 13.50 AF             |
| WILDLIFE STORAGE                 | 1/01 to 12/31            |                       | 13.50 AF             |
| RECREATION<br><i>Div to Stor</i> | <del>1/01 to 12/31</del> | 1.000 CFS             |                      |
| <u>Total Diversion:</u>          |                          | 1.000 CFS             | 13.50 AF             |

Location of Point(s) of Diversion

|               |              |                                 |
|---------------|--------------|---------------------------------|
| UNNAMED DRAIN | NE1/4SE1/4   | Sec. 24, Twp 05N, Rge 06W, B.M. |
| CANYON County | <i>2 pts</i> |                                 |

Place of Use

RECREATION STORAGE

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 05N | 06W | 24  |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |        |

WILDLIFE STORAGE

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 05N | 06W | 24  |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |        |

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-8654

~~WILDLIFE same as RECREATION STORAGE~~

~~RECREATION same as RECREATION STORAGE~~

Conditions of Approval:

1. TWO POINTS OF DIVERSION LOCATED IN NESE, S24, T05N, R06W.

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 1/16/1990

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number: 63

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:

*carry over license  
conditions in expl*

*add FOZ - 2 pts of div*

Water Supply Bank:

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 63-08654

Priority: April 1, 1977

Maximum Diversion Rate:

1.00 CFS

Maximum Diversion Volume:<sup>1</sup>

13.5 AF

This is to certify, that RICHARD K. VYCITAL  
11996 W. FLINTLOCK DR.  
BOISE, ID 83704

has complied with the terms and conditions  
of the permit, issued pursuant to Application for Permit dated April 1, 1977; and  
has submitted Proof of Beneficial Use on April 6, 1987. An examination indicates  
that the works have a diversion capacity of 10.920 cfs of water from:

UNNAMED DRAIN

tributary to BOISE RIVER

source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| WILDLIFE STORAGE      | 01/01 to 12/31       |                          | 13.5 AF              |
| RECREATION STORAGE    | 01/01 to 12/31       |                          | 13.5 AF              |
| DIVERSION TO STORAGE  | 01/01 to 12/31       | 1.00 CFS                 |                      |
|                       | Totals               | 1.00 CFS                 | 13.5 AF              |

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 24, Township 05N, Range 06W  
CANYON County

PLACE OF USE: WILDLIFE STORAGE  
TWN RGE SEC

05N 06W 24

NESE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 63

**MICROFILMED**

JUL 15 1991

State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**

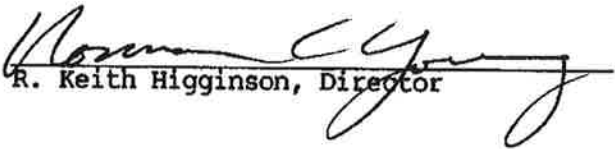
WATER RIGHT NO. 63-08654

CONDITIONS/REMARKS:

6. Two points of diversion are located within the NESE, S24, T5N, R6W.

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 9<sup>TH</sup> day of JULY, 1991.

Acting for

  
R. Keith Higginson, Director

MICROFILMED

JUL 15 1991

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

RECEIVED  
MAR 13 1990  
Department of Water Resources

**A. GENERAL INFORMATION**

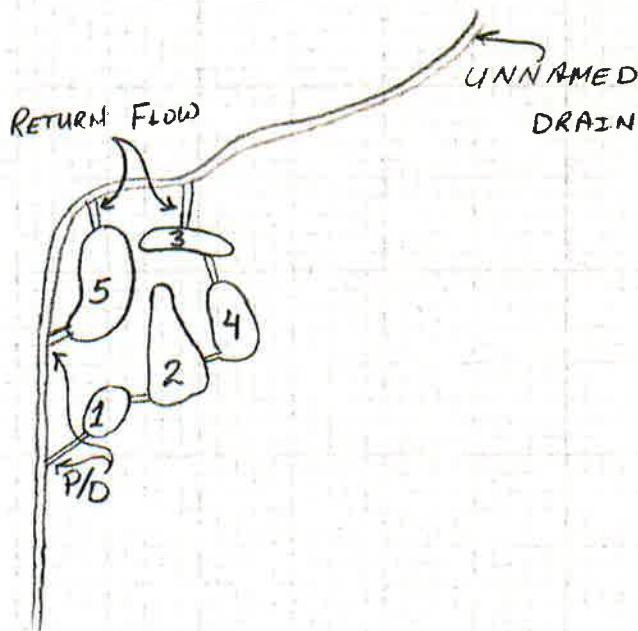
1. Owner: RICHARD O. VYCITAL Permit No. 63-8654  
Current Address: 925 PARK HILL COURT Phone No. 343-2655  
BOISE ID 83702  
2. Accompanied by: RICHARD VYCITAL EXAM. DATE: 10-7-88  
Address: \_\_\_\_\_ Phone No. \_\_\_\_\_  
Relationship to Permit Holder: OWNER  
3. Source: UNN DRAIN tributary to BOISE RIVER

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: NONE ☐ 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



**MICROFILMED**

**JUL 15 1991**

Scale: 1" = NO SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☒ Aerial Photo Attached  
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).  
place(s) of use (required).  
☒ Photo of Diversion and System Attached  
(required for all but single household domestic groundwater, and stockwater).

**System Description (continued)**

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

SYSTEM IS 5 PONDS WITH WATER DIVERTED FROM THE DRAIN AND FLOWING THROUGH POND #1 TO POND 2 TO POND 4 TO POND 3 AND THEN BACK TO THE DRAIN. WATER IS DIVERTED FROM THE DRAIN AT A POINT NORTH OF FIRST DIVERSION PT. INTO POND 5 AND THEN BACK TO THE DRAIN WITHOUT ENTERING ANY OTHER PONDS. POND DEPTH WAS ESTIMATED AT 3 TO 4 FEET. FOR ALL PONDS.

NO ACRES IRRIGATED.

☐ See Remarks on page 4 for continuation

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

5. **Point(s) of Diversion:**

| Ident. No. | Gov't. Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|------------|------------|-----|-----|-----|------|------|------|--------|---------------------------------|
| P/D #1     |            |     | NE  | SE  | 24   | 5N   | 6W   | CANYON | QUAD MAP                        |
| P/D #2     |            |     | NE  | SE  | 24   | 5N   | 6W   | CANYON | QUAD MAP                        |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |

6. **Place(s) of Use:**

Indicate Method of Determination

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 5N   | 6W   | 24   |        |        |        |        |        |        |        |        |        |        |        |        | W      |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        | R      |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

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**JUL 15 1984**

Do not use this space

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type  | Make      | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|-------|-----------|-----------|------------|------|-------------|
| CURRENT METER         | PYGMY | SCI. INST |           | 90198      |      |             |
|                       |       |           |           |            |      |             |
|                       |       |           |           |            |      |             |
|                       |       |           |           |            |      |             |

2. Measurements: SEE OPEN CHANNEL DISCHARGE MEASUREMENT NOTES

|        |          |          |                          |   |     |      |
|--------|----------|----------|--------------------------|---|-----|------|
| P/D #1 | MEASURED | 6.14 CFS | ACRE SIZE OF PONDS (EST) | 1 | .36 | ACRE |
| P/D #2 | MEASURED | 4.78 CFS |                          | 2 | .95 |      |
|        |          |          |                          | 3 | .53 |      |
|        |          |          |                          | 4 | .71 |      |
|        |          |          |                          | 5 | .83 |      |

#### E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

TOTAL 3.38 ACRE  
(SURFACE AREA)

1. Measured Method: SEE NOTES.

2. Alternate Method for Checking Purposes: NOT MADE

#### F. PUMP EFFICIENCY DATA (Optional) N/A

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:

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

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

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

2. Volume Calculations for Other Uses:

SURFACE AREA OF PONDS 3.38 ACRES

Ave DEPTH 4'

13.52 ACRE/FEET

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## H. REMARKS AND OVERLAP REVIEW ANALYSIS

PROJECT HAS SCALED DOWN SINCE PERMIT. ONLY USE IS  
THE DIVERSION THROUGH THE PONDS IN THE NE/SE OF SEC 24

FEES PAID FOR 1 CFS ONLY.

A FEW WOOD DUCK NESTS HAVE BEEN CONSTRUCTED  
TO ATTRACT DUCKS. HE DID NOT KNOW HOW MANY BIRDS  
USE THE PONDS.

## I. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use         | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|------------------------|---------------|-------|------------------------------|--------------------------|
|                        | From          | To    |                              |                          |
| DIVERSION TO STORAGE   | 1-1           | 12-31 | 1 CFS                        |                          |
| STORAGE FOR WILDLIFE   | 1-1           | 12-31 |                              | 13.5 AFA                 |
| STORAGE FOR RECREATION | 1-1           | 12-31 |                              | 13.5 AFA                 |
| Totals:                |               |       | 1 CFS                        | 13.5 AFA                 |

### 2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☒ Other BEN. USE.  
(NATURE OF USE)

## J. AUTHENTICATION

Field Examiner's Name

KELLY K. CHRISTENSEN

Signature

Kelly K. Christensen

Certification Date

Field Report Preparation Date

11-22-88

CONSULTANT SEAL

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

MICROFILMED

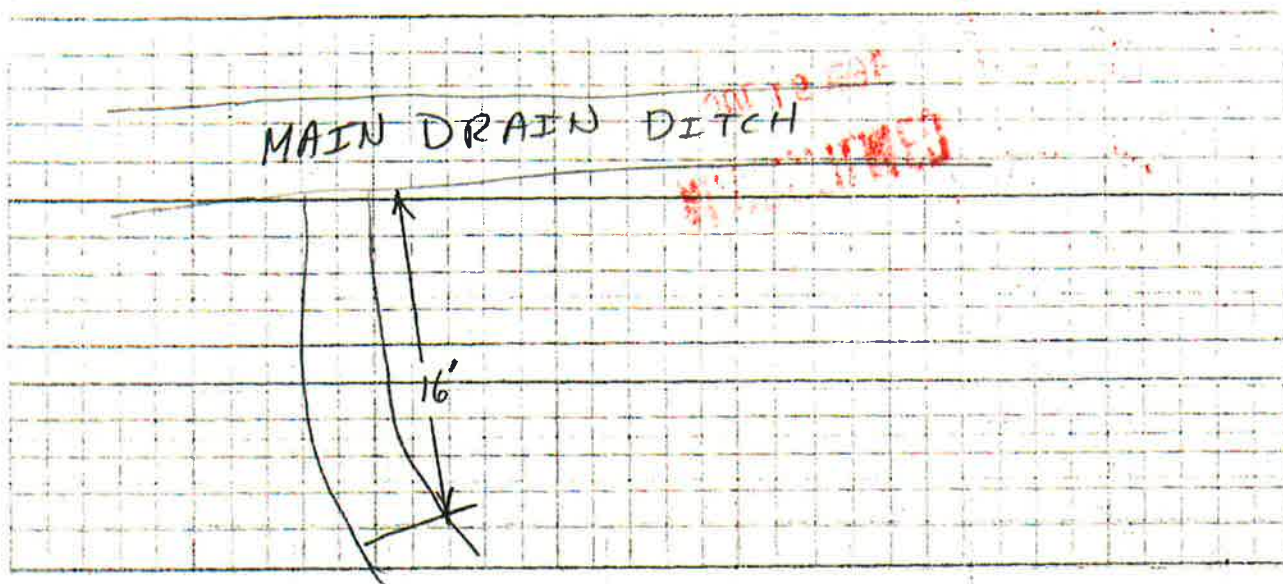
JUL 15 1991



### C. DIAGRAMS

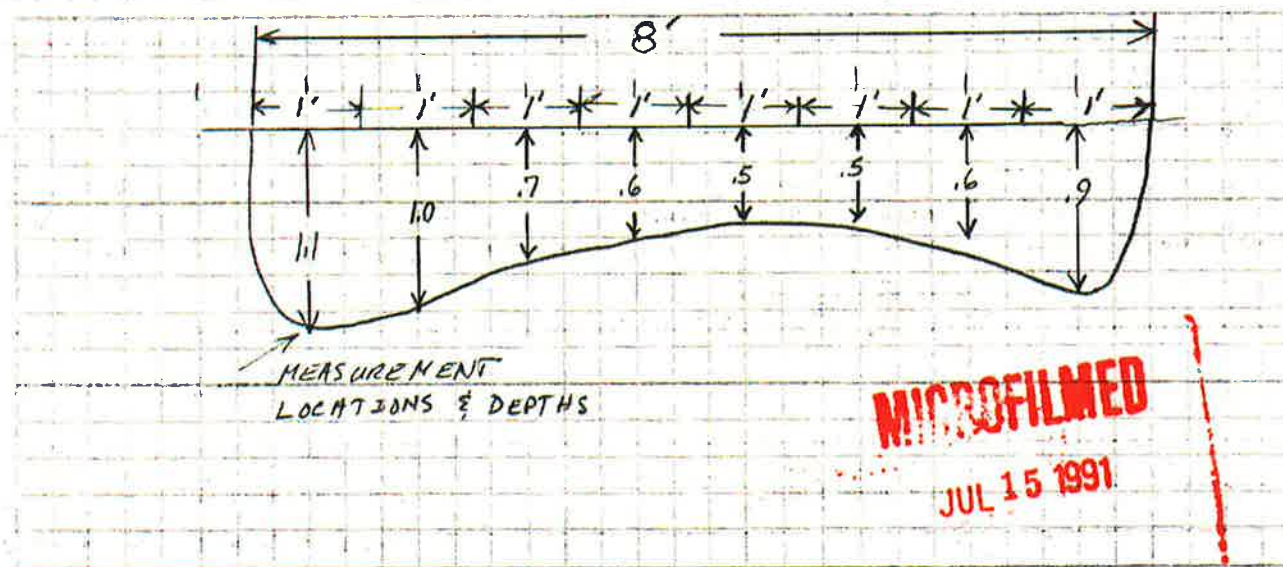
#### 1. Measurement Location

Scale: \_\_\_\_\_ = \_\_\_\_\_



#### 2. Cross-Section of Measurement

Scale \_\_\_\_\_ = \_\_\_\_\_



### D. SUMMARY INFORMATION

1. Measurement rated \_\_\_\_\_ excellent \_\_\_\_\_ good ~~X~~ fair \_\_\_\_\_ poor

2. Remarks: SOFT BOTTOM

3. Width: 8' Area: 12.04 Discharge in cubic feet per second: 6.14

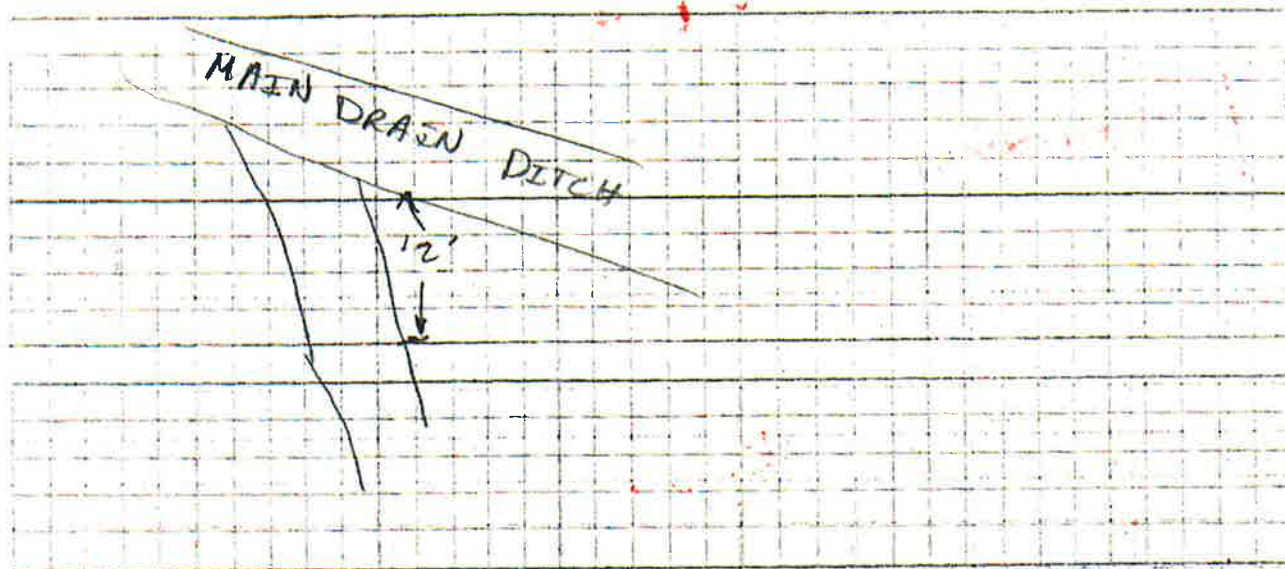
10-7-88  
DATE

Kelly Christensen  
SIGNATURE OF PERSON CONDUCTING MEASUREMENT

### C. DIAGRAMS

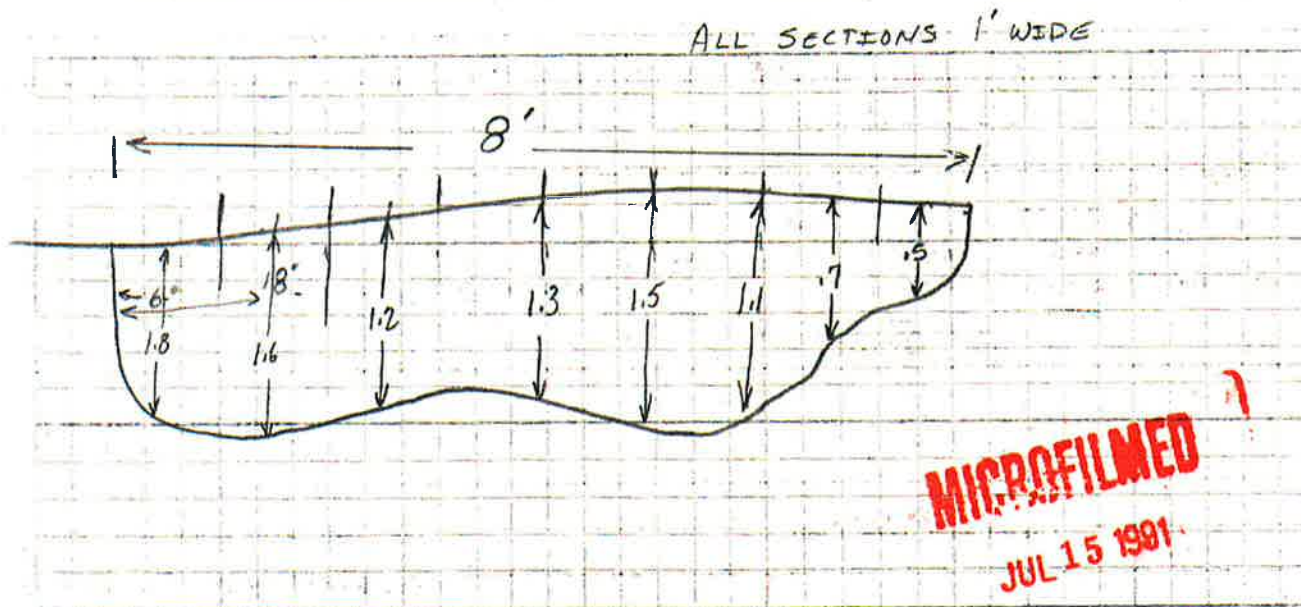
#### 1. Measurement Location

Scale: \_\_\_\_\_ = \_\_\_\_\_



#### 2. Cross-Section of Measurement

Scale \_\_\_\_\_ = \_\_\_\_\_



### D. SUMMARY INFORMATION

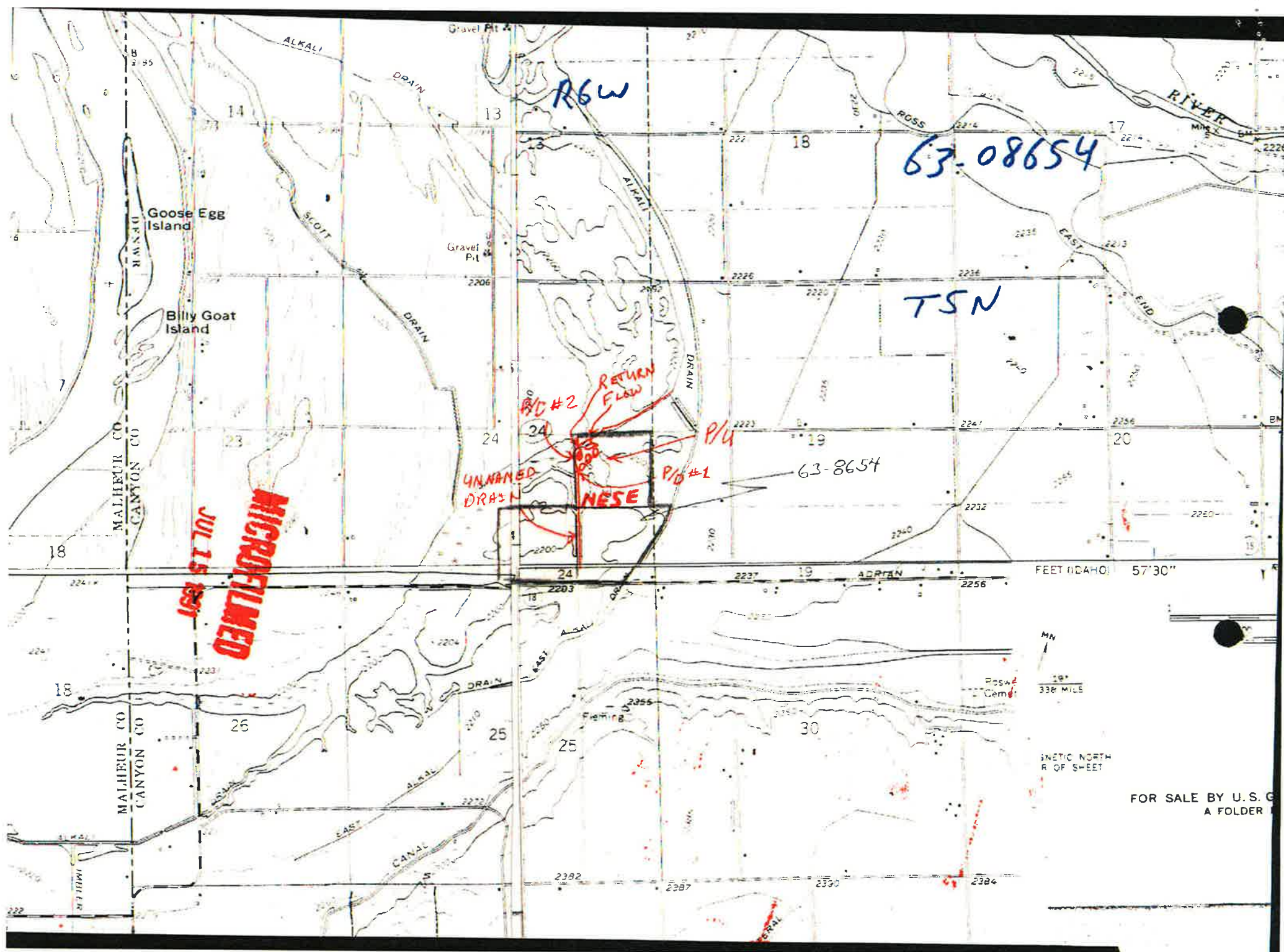
1. Measurement rated \_\_\_\_\_ excellent \_\_\_\_\_ good X fair \_\_\_\_\_ poor

2. Remarks: DITCH BOTTOM SOFT FLOW WASN'T STEADY

3. Width: 8' Area: 9.7 Discharge in cubic feet per second: 4.78

10-7-88  
DATE

Kelly Christensen  
SIGNATURE OF PERSON CONDUCTING MEASUREMENT



FOR SALE BY U.S. G  
A FOLDER

5/29/2006

# Idaho Dept. of Water Resources Place of Use Comparison Report

Page1

[illegible]

# Idaho Dept. of Water Resources

## Place of Use Comparison Report

|       |          |                                                        |                       |          |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
|-------|----------|--------------------------------------------------------|-----------------------|----------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
| Rec   | 63 2279  | THE RIVERSIDE IRRIGATION DIST LTD,                     | INDIAN CREEK          | 05N06W24 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 640 |
| Right | 63 2279  | THE RIVERSIDE IRRIGATION DIST LTD,                     | INDIAN CREEK          | 05N06W24 |    | 18 | 34 |    | 28 | 25 | 39 | 23 | 31 | 39 | 35 | 8  |    | 10 |    |    | 290 |
| Claim | 63 4008  | THE RIVERSIDE IRRIGATION DIST LTD,                     | MAMMEN GULCH CREEK    | 05N06W24 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 640 |
| Rec   | 63 4008  | THE RIVERSIDE IRRIGATION DIST LTD,                     | MAMMEN GULCH CREEK    | 05N06W24 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 640 |
| Claim | 63 4007  | THE RIVERSIDE IRRIGATION DIST LTD,                     | MEADOWS GULCH DRAIN   | 05N06W24 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 640 |
| Rec   | 63 4007  | THE RIVERSIDE IRRIGATION DIST LTD,                     | MEADOWS GULCH DRAIN   | 05N06W24 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 640 |
| Rec   | 63 2212  | UNITED STATES OF AMERICA ACTING THROUGH,               | PIPE GULCH DRAW CREEK | 05N06W24 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 640 |
| Claim | 63 30230 | ROBERT D GLAISYER, ROSWELL DUCK CLUB LLC, DALE NAGY,   | POND                  | 05N06W24 |    |    |    |    |    |    |    |    | X  |    | X  | X  |    |    |    |    | 0   |
| Claim | 63 30230 | ROBERT D GLAISYER, ROSWELL DUCK CLUB LLC, DALE NAGY,   | POND                  | 05N06W24 |    |    |    |    |    |    |    |    | X  |    | X  | X  |    |    |    |    | 0   |
| Rec   | 63 30230 | ROBERT D GLAISYER, ROSWELL DUCK CLUB LLC, DALE NAGY,   | POND                  | 05N06W24 |    |    |    |    |    |    |    |    | X  |    | X  | X  |    |    |    |    | 0   |
| Rec   | 63 30230 | ROBERT D GLAISYER, ROSWELL DUCK CLUB LLC, DALE NAGY,   | POND                  | 05N06W24 |    |    |    |    |    |    |    |    | X  |    | X  | X  |    |    |    |    | 0   |
| Right | 63 12197 | DALE F NAGY, ROBERT D GLAISYER, ROSWELL DUCK CLUB LLC, | POND                  | 05N06W24 |    |    |    |    |    |    |    |    | X  |    | X  | X  |    |    |    |    | 0   |
| Claim | 63 2351A | RICHARD K VYCITAL,                                     | ROSWELL DRAINS        | 05N06W24 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 34 | 34  |
| Right | 63 2351  | OLAF CARLSON,                                          | ROSWELL DRAINS        | 05N06W24 |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 37 | 37  |
| Claim | 63 8654  | RICHARD K VYCITAL,                                     | UNNAMED DRAIN         | 05N06W24 |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    | 0   |

**Idaho Dept. of Water Resources  
Place of Use Comparison Report**

|       |          |                                    |                |          |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
|-------|----------|------------------------------------|----------------|----------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
| Claim | 63 8654  | RICHARD K VYCITAL,                 | UNNAMED DRAIN  | 05N06W24 |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    | 0   |
| Rec   | 63 8654  | RICHARD K VYCITAL,                 | UNNAMED DRAIN  | 05N06W24 |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    | 0   |
| Rec   | 63 8654  | RICHARD K VYCITAL,                 | UNNAMED DRAIN  | 05N06W24 |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    | 0   |
| Right | 63 8654  | RICHARD K VYCITAL,                 | UNNAMED DRAIN  | 05N06W24 |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    | 0   |
| Claim | 63 30232 | RICHARD K VYCITAL,                 | UNNAMED SLOUGH | 05N06W24 |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  | X  | 0   |
| Rec   | 63 30232 | RICHARD K VYCITAL,                 | UNNAMED SLOUGH | 05N06W24 |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  | X  | 0   |
| Claim | 63 4010  | THE RIVERSIDE IRRIGATION DIST LTD, | WEST END DRAIN | 05N06W24 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 640 |
| Rec   | 63 4010  | THE RIVERSIDE IRRIGATION DIST LTD, | WEST END DRAIN | 05N06W24 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 640 |
| Claim | 63 30233 | RICHARD K VYCITAL,                 |                | 05N06W24 |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  | X  | 0   |
| Rec   | 63 30233 | RICHARD K VYCITAL,                 |                | 05N06W24 |    |    |    |    |    |    |    |    |    |    |    |    | X  | X  | X  | X  | 0   |

# Receipt Details for ID W007626

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

**General Information:**

| Date Received        | Date Deposited      | Region  | Total Amount | Payment Type |
|----------------------|---------------------|---------|--------------|--------------|
| 1/17/1990 9:31:28 AM | 1/17/1990           | Western | \$334.00     | Check        |
| Payer                | VYCITAL, RICHARD K. |         |              |              |

**Account Information:**

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 1005                 |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

**Comment** ADJUDICATION CLAIM FEE**Fee Detail:**

| Amount   | Description            | PCA    | Fund | Fund Detail | Subsidiary | Object |
|----------|------------------------|--------|------|-------------|------------|--------|
| \$334.00 | ADJUDICATION CLAIM FEE | 410162 | 9337 | 0           | 0          | 6490   |

**Refund(s):**

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

**Water Right Information:**

| Basin Number | Sequence Number | Split Suffix | Amount   | Type  |
|--------------|-----------------|--------------|----------|-------|
| 63           | 2351            | A            | \$84.00  | Claim |
| 63           | 8654            |              | \$250.00 | Claim |

[Print Report](#)