

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: **A63-07647E**  
Date Received: 4/28/1995  
Receipt No: X777777  
Received By: \_\_\_\_\_

**COPY FOR  
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

**COPY FOR  
YOUR FILES**

1. Name: KENNETH A ROETTO 208-466-9204  
Address: 6175 S RIDGEWOOD RD  
NAMPA ID 83687  
AND/OR  
Name: LINDA M ROETTO 208-466-9204  
Address: 6175 S RIDGEWOOD RD  
NAMPA ID 83687

2. Date of Priority: AUG 9, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 01N      | 02W   | 3       |        | SE     | NW  |     | CANYON |

5. Description of diverting works:  
WELL WITH PUMP, PIPED TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.030 |      | 13.50  |

7. Total Quantity Appropriated is:  
0.030 C.F.S. (and/or) 13.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 01N      | 02W   | 3       | SE     | NW  |     | IRR | 3.0   |

10. Place of Use: Continued

Section Acres            3.0

Total Acres            3.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:  
A63-03276E

14. Remarks:

THIS RIGHT HAS BEEN COMBINED WITH RIGHTS 63-03029, 63-03046, 63-03134 AND 63-03276 AND CLAIMED AS A63-23996 USING THE LATEST PRIORITY DATE...RMC 10/29/90

THIS RIGHT WAS COMBINED BUT HAS NOW BEEN CLAIMED AND SPLIT AS FOLLOWS:

A63-07647A, NIEDER, 35 ACRES, 0.35 CFS

A63-07647B, DAVENPORT, 195 ACRES, 1.95 CFS

A63-07647C, JOHNSON, 157 ACRES, 1.57 CFS

THE PORTIONS OF PROPERTY IN SECTION 3, E1/2NW1/4 AND SECTION 34, W1/2SE1/4, SE1/4SE1/4, HAVE NOT BEEN CLAIMED AND STILL EXIST UNDER A63-23996B AND C. L.R.W. 12/14/94

THIS CLAIM REPRESENTS THE NEW OWNERSHIP OF THE LANDS IN S. 3, E 1/2 OF THE NW 1/4. 04/26/1995 MM.

THIS CLAIM IS A RESULT OF TRANS. NO. 4730 APPROVED 01/12/1996. COMBINED RIGHT NOS. 63-03276D AND 63-07647D ARE LIMITED TO THE TOTAL COMBINED IRRIGATION OF 3.0 ACRES AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 13.5 AF (THESE RIGHTS ARE FILED AS SRBA CLAIM NO. A63-03276E AND A63-07647E).

PLACE OF USE IS LOCATED WITHIN LOT 14, BLOCK 1, DIAMOND RIDGE SUBDIVISION.

SEE ALSO TRANSFER CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANS. NO. 4730 IN FILE.

15. Basis of Claim: LICENSE

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4730  
WATER RIGHT NO(S). 63-03276D/63-07647D

This is to certify that: KENNETH A ROETTO  
LINDA M ROETTO  
6175 S RIDGEWOOD RD  
NAMPA ID 83687

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u>                                       | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-------------------------------------------------------------|----------------------|-----------------------|----------------------|
| Right No. 63-03276D :<br>IRRIGATION<br>Priority: 02/27/1962 | 03/15 to 11/15       | 0.03 CFS              | 13.5 AF              |
| Right No. 63-07647D :<br>IRRIGATION<br>Priority: 08/09/1972 | 03/15 to 11/15       | 0.03 CFS              | 13.5 AF              |
| TOTAL:                                                      |                      | 0.06 CFS              | * 13.5 AF            |

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SENE, Sec. 3, Township 01N, Range 02W  
CANYON County

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 01N                              | 02W        | 3          | SENE         | 3            |              | 3            |
| Total number of acres irrigated: |            |            |              |              |              | ** 3         |

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

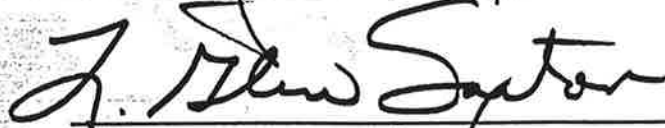
TRANSFER NO. 4730  
WATER RIGHT NO(S). 63-03276D/63-07647D

CONDITIONS OF APPROVAL AND REMARKS

2. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Combined Right Nos. 63-03276D and 63-07647D are limited to the total combined irrigation of 3.0 acres and a total combined annual diversion volume of 13.5 af.
7. Place of use is located within Lot 14, Block 1, Diamond Ridge Subdivision.

Dated this 12 day of

January, 1996



Chief, Water Alloc. Bureau

**MEMORANDUM**

**TO:** FILE NO. 63-03276 & 63-07647

**FROM:** PAM SKAGGS<sup>CS</sup>/STATE OFFICE

**SUBJECT:** TRANSFER NO. 4730

**DATE:** January 4, 1996

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Transfer No. 4730 was filed to change the point of diversion under a portion of Right Nos. T63-03276A and T63-07647A (Pending Transfer No. 4728), splitting the rights into parts C and D. The applicants purchased a 3.5 acre lot and want to irrigate from their own separate well.

The entire quarter-quarter has been confirmed irrigated as originally licensed and the rate available for transfer was based on the total 3.5 acres owned by the applicant with water being concentrated on the 3.0 irrigated acres. The remainder of the lot is for the home area and no longer irrigated. The remaining portions of the right reflect this minor adjustment in acres and rate.

Season of use and diversion volume were adjusted to reflect current standards. Recommended conditions include drilling permit requirements, combined right limits and standard transfer conditions.

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 1

Name of applicant Kenneth A. & Linda M. Roetta Phone 466-9204  
Post Office address 6175 So Ridgewood Rd Nampa Id. 83687

### A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_

2. Describe the reason for the proposed changes Add new well to continue irrigating  
3 acres per recent property sale to applicants. This is similar to  
T4728 (FEWKE, L3 BL1) now in progress.

### B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use  
63-03276D 2/27/1962 .03 Irrigation 3/15 to 11/15  
63-07647D 8/9/1972 .03 Irrigation 3/15 to 11/15  
to \_\_\_\_\_  
to \_\_\_\_\_
2. Total amount of water being transferred .06 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.
3. Source of water Groundwater tributary to \_\_\_\_\_
4. Point(s) of Diversion: \_\_\_\_\_

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion                        |
|-----|-----|-----|-----|------|------|------|--------|-------------------------------------------------|
|     |     | SE  | NW  | 3    | 1N   | 2W   | CANYON | NEW well to drill for<br>separate & private pld |
|     |     |     |     |      |      |      |        |                                                 |
|     |     |     |     |      |      |      |        |                                                 |
|     |     |     |     |      |      |      |        |                                                 |

### 5. Lands irrigated or place of use:

| 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 |        |
| 1N   | 2W   | 3    |        |        |        |        |        |        |        | 3      |        |        |        |        |        |        |        |        | 3      |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

**PART 1**

**6. General Information:**

a. Description of diversion system Well & pump

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes \_\_\_\_\_ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

no change

**d. Remarks:**

Property also known as Lot 14, Block 1, Diamond Ridge Subd.  
Total lot size is 3.55 acres; 3.0 acres to remain irrigated.  
This transfer is built on earlier, similar one for another owner  
(Fewkes, T.4728 pending). Thus, from earlier one, portions A to split to D (current

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES** Applicant) & C (the balance of right)

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_

And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

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Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

3 of 8  
**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

Transfer No. \_\_\_\_\_

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 2

(Attach one copy for each right)

### 1. DESCRIPTION OF RIGHT AS RECORDED

WRITING  
No. 83651

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**WATER RIGHT PROFILE REPORT**

DATE: 10/02/9  
PAGE:

| DWEE<br>CODE     | NAME & ADDRESS                              | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| 1                | CHARLES M. FIEDLER<br>Rt. 1<br>Map ID 83651 | 02/27/1962       | IRRIGATION | 00-00 00-00           | 2.000 CFS         |                     |
| TOTAL DIVERSION: |                                             |                  |            |                       | 2.000 CFS         |                     |

Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R02W S03 Lot 01( NENE)

CANYON County

Place of Legal Description for: IRRIGATION

| NE          |     |   |    | NW |    |    |    | SW |    |    |    | SE |    |    |       |       |
|-------------|-----|---|----|----|----|----|----|----|----|----|----|----|----|----|-------|-------|
| T           | R   | S | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac    | SUM   |
| 01N         | 02W | 2 |    |    |    |    |    |    |    |    |    |    |    |    |       | 40.0  |
| 01N         | 02W | 3 | 20 | 30 | 30 | 03 |    | 40 |    |    |    |    |    |    |       | 163.0 |
| TOTAL ACRES |     |   |    |    |    |    |    |    |    |    |    |    |    |    | 203.0 |       |

Pool County: CANYON

Other Water Rights with Same Point(s) of Diversion and Source:  
63-13729

Other Water Rights Listing Overlapping Place(s) of use:  
63-13729 63-05365 63-07647

|        |                 |                    |            |
|--------|-----------------|--------------------|------------|
| Dates: | App. Received:  | Priority Date:     | 02/27/1962 |
|        | Proof Due Date: | Proof Made Date:   |            |
|        | Exam Made Date: | Exam Sent to S.O.: |            |
|        | Licensed Date:  |                    | 08/28/1979 |

Misc: Water District Number: Field Exam Fee:

Audit: 05/06/85 05/01/88 CONVERT

[illegible]

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

Transfer No. \_\_\_\_\_

**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

*(Attach one copy for each right)*

**A. DESCRIPTION OF RIGHT AS RECORDED**

WR0749NP  
No. 63-07647

**IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT**

DATE: 10/02/9  
PAGE:

| OWNER<br>CODE    | NAME & ADDRESS                     | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | JAY C. NEIDER<br>RT. 3<br>NAMPA ID | 08/09/1972       | IRRIGATION | 03-15 11-15           | 6.050 CFS         | 2866.50 AFA         |
| TOTAL DIVERSION: |                                    |                  |            |                       | 6.050 CFS         | 2866.50 AFA         |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T01N R02W S03  
T02N R02W S34

NENE  
SWSW

NWNE  
SESW

SESE

CANYON County  
CANYON County

Place of use Legal Description for: IRRIGATION

|     |     |    |   | NE          |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |   |       |
|-----|-----|----|---|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|-------|
| T   | R   | S  | : | Lt          | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : | SUM   |
| 01N | 02W | 2  | : |             |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : | ----  |
| 01N | 02W | 3  | : | 40          |    | 40 |    | 40 |    | 40 |    |    |    |    |    |    |    |    |    | : | 80.0  |
| 02N | 02W | 34 | : |             |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : | 280.0 |
|     |     |    |   |             |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : | 277.0 |
|     |     |    |   |             |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : | 637.0 |
|     |     |    |   | TOTAL ACRES |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |       |

Pou County: CANYON

Other Rights: LIC. 63-3029, 63-3046, 63-3149 &amp; 63-3276.

Other Water Rights with Same Point(s) of Diversion and Source:  
63-03029 63-03046 63-03149 63-03276 63-03406

Other Water Rights Listing Overlapping Place(s) of use:  
63-03029 63-03046 63-03149 63-03276 63-03406 63-05365 63-11484

## Conditions of Approval:

016 - See remarks for additional conditions of approval.

Remarks: SUBJECT TO THE CONDITION THAT THE MAX. RATE OF DIVERSION & VOLUME PER YR. SHALL NOT EXCEED 12.74 CFS/2,866.5 AF WHEN COMBINED WITH LIC. NOS. 63-3029/3046/3149/3276. A MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPT. SHALL BE PERMANENTLY MAINTAINED AS PART OF THE DIVERTING WORKS ON THE WELL IN THE SWSW, S34.

Dates: App. Received: Priority Date: 08/09/1972  
Proof Due Date: Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date: 09/13/1979

Misc: Water District Number: Field Exam Fee:

Audit: 05/20/85 05/01/88 CONVERT

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?  
No If yes, describe \_\_\_\_\_

### B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .03 for Irrigation purposes from 3/15 to 11/15  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

#### 2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion           |
|-----|-----|-----|-----|------|------|------|--------|------------------------------------|
|     |     |     |     |      |      |      |        | <u>multiple points as shown on</u> |
|     |     |     |     |      |      |      |        | <u>pg 5, licensed irrig.</u>       |
|     |     |     |     |      |      |      |        | <u>W6115.</u>                      |

#### 3. Lands irrigated or place of use:

| 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 |          |
| <u>1N</u> | <u>2W</u> | <u>3</u> |        |        |        |        |        |        |        | <u>3</u> |        |        |        |        |        |        |        |        | <u>3</u> |
|           |           |          |        |        |        |        |        |        |        |          |        |        |        |        |        |        |        |        |          |
|           |           |          |        |        |        |        |        |        |        |          |        |        |        |        |        |        |        |        |          |
|           |           |          |        |        |        |        |        |        |        |          |        |        |        |        |        |        |        |        |          |
|           |           |          |        |        |        |        |        |        |        |          |        |        |        |        |        |        |        |        |          |
|           |           |          |        |        |        |        |        |        |        |          |        |        |        |        |        |        |        |        |          |

Total acres 3

### C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 6.00 for Irrigation purposes from 3/15 to 11/15  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

#### 2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        | <u>as id B2 Above</u>    |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

#### 3. Lands irrigated or place of use:

| 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    |            |
| <u>1N</u> | <u>2W</u> | <u>2</u>  |           |           |           |           | <u>40</u> |        |        | <u>40</u> |           |           |           |           |        |           |           |           | <u>80</u>  |
|           |           | <u>3</u>  | <u>40</u> | <u>40</u> | <u>40</u> | <u>40</u> | <u>38</u> |        |        | <u>37</u> |           |           |           | <u>40</u> |        |           |           |           | <u>275</u> |
| <u>2N</u> | <u>2W</u> | <u>34</u> |           |           |           |           |           |        |        |           | <u>40</u> | <u>40</u> | <u>38</u> | <u>39</u> |        | <u>40</u> | <u>40</u> | <u>40</u> | <u>277</u> |
|           |           |           |           |           |           |           |           |        |        |           |           |           |           |           |        |           |           |           |            |
|           |           |           |           |           |           |           |           |        |        |           |           |           |           |           |        |           |           |           |            |

Total acres 632

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

*See Attachment B - Orthophoto*  
*C - subd. plat*

**PART 3****B. CHANGES IN NATURE OF USE**

| 1 | <u>New Nature of Use</u> | <u>Amount<br/>(cfs/ac-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|---|--------------------------|-------------------------------|------------------------|----------------------|
|   |                          |                               |                        | to _____             |
|   |                          |                               |                        | to _____             |

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Linda M. Roetto  
(Signature of Applicant)

Subscribed and sworn to before me this 13 day of OCTOBER, 19 95

Ron Howerton  
Residing at Boise, Idaho

Ron Howerton  
(Notary Public)

My commission expires December 3, 2000

**FOR DEPARTMENT USE ONLY**

Transfer contains 8 pages and 6 attachments

Received by SL Date \_\_\_\_\_ Protest filed by \_\_\_\_\_

Prelim. check by SL Fee \$100

Receipted by SL Date 10/11/95 WOI 9970

Published in \_\_\_\_\_ Copies of protest forwarded by \_\_\_\_\_

Pub. dates \_\_\_\_\_ Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

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: A63-07647D

Date Received: 10/29/1990

Receipt No: W019046

Received By: MM

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name: JOE F STAFFORD  
Address: DIAMOND RIDGE LLC  
PO BOX 1028  
MERIDIAN ID

208-887-7697

83680

2. Date of Priority: AUG 9, 1972

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 01N      | 02W   | 3       |        | NE     | NE     | 1   | CANYON |
|          |       |         |        | NW     | NE     | 2   | CANYON |
| 02N      | 02W   | 34      |        | SW     | SW     |     | CANYON |
|          |       |         |        | SE     | SW     |     | CANYON |
|          |       |         |        | SE     | SE     |     | CANYON |

5. Description of diverting works:

WELL WITH PUMP, PIPED TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.800 |      | 360.00 |

7. Total Quantity Appropriated is:

0.800 C.F.S. (and/or) 360.00 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 01N           | 02W   | 3       | NE     | NW  | 3   | IRR | 40.0  |
|               |       |         | SE     | NW  |     | IRR | 40.0  |
| Section Acres |       |         |        |     |     |     | 80.0  |
| Total Acres   |       |         |        |     |     |     | 80.0  |

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:  
A63-03276

14. Remarks:

THIS RIGHT HAS BEEN COMBINED WITH RIGHTS 63-03029, 63-03046, 63-03134 AND 63-03276 AND CLAIMED AS A63-23996 USING THE LATEST PRIORITY DATE...RMC 10/29/90

THIS RIGHT WAS COMBINED BUT HAS NOW BEEN CLAIMED AND SPLIT AS FOLLOWS:

A63-07647A, NIEDER, 35 ACRES, 0.35 CFS

A63-07647B, DAVENPORT, 195 ACRES, 1.95 CFS

A63-07647C, JOHNSON, 157 ACRES, 1.57 CFS

THE PORTIONS OF PROPERTY IN SECTION 3, E1/2NW1/4 AND SECTION 34, W1/2SE1/4, SE1/4SE1/4, HAVE NOT BEEN CLAIMED AND STILL EXIST UNDER A63-23996B AND C. L.R.W. 12/14/94

THIS CLAIM REPRESENTS THE NEW OWNERSHIP OF THE LANDS IN S. 3, E 1/2 OF THE NW 1/4. 04/26/1995 MM.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

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

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

**For Organizations:**

I do solemnly swear or affirm that I am Managing Partner of  
Diamond Ridge LLC, that I have signed the foregoing  
document in the space below as Managing Partner of  
Diamond Ridge LLC and that the statements contained in the  
foregoing document are true and correct.

[Signature]  
Signature of Authorized Agent

Managing Partner  
Title and Organization

4-28-95  
Date

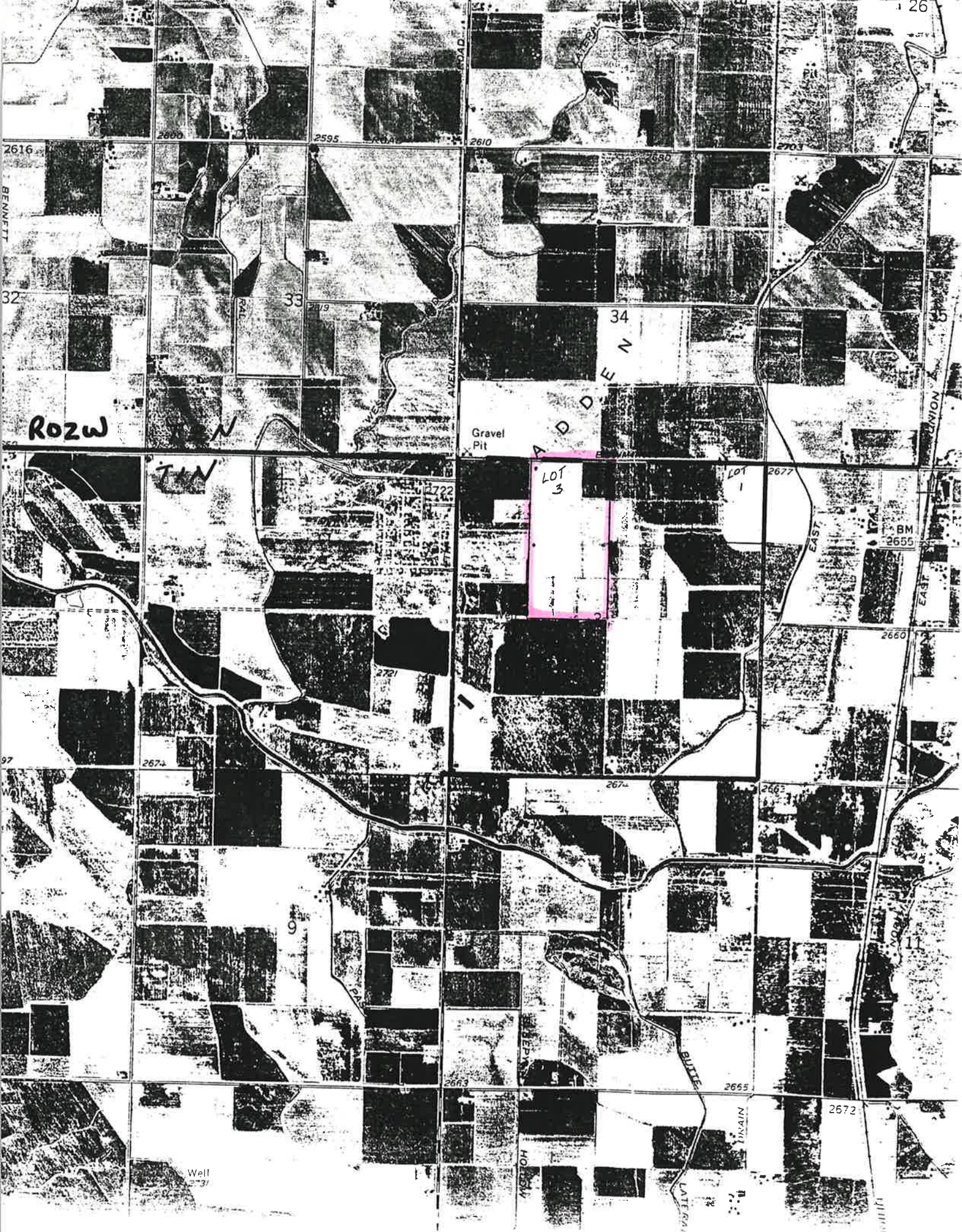
State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 28th day  
of April 19 95

[Signature]  
Notary Public



Residing at Boise Idaho  
My Commission Expires 06/25/1999



# 2 West of the Boise

M

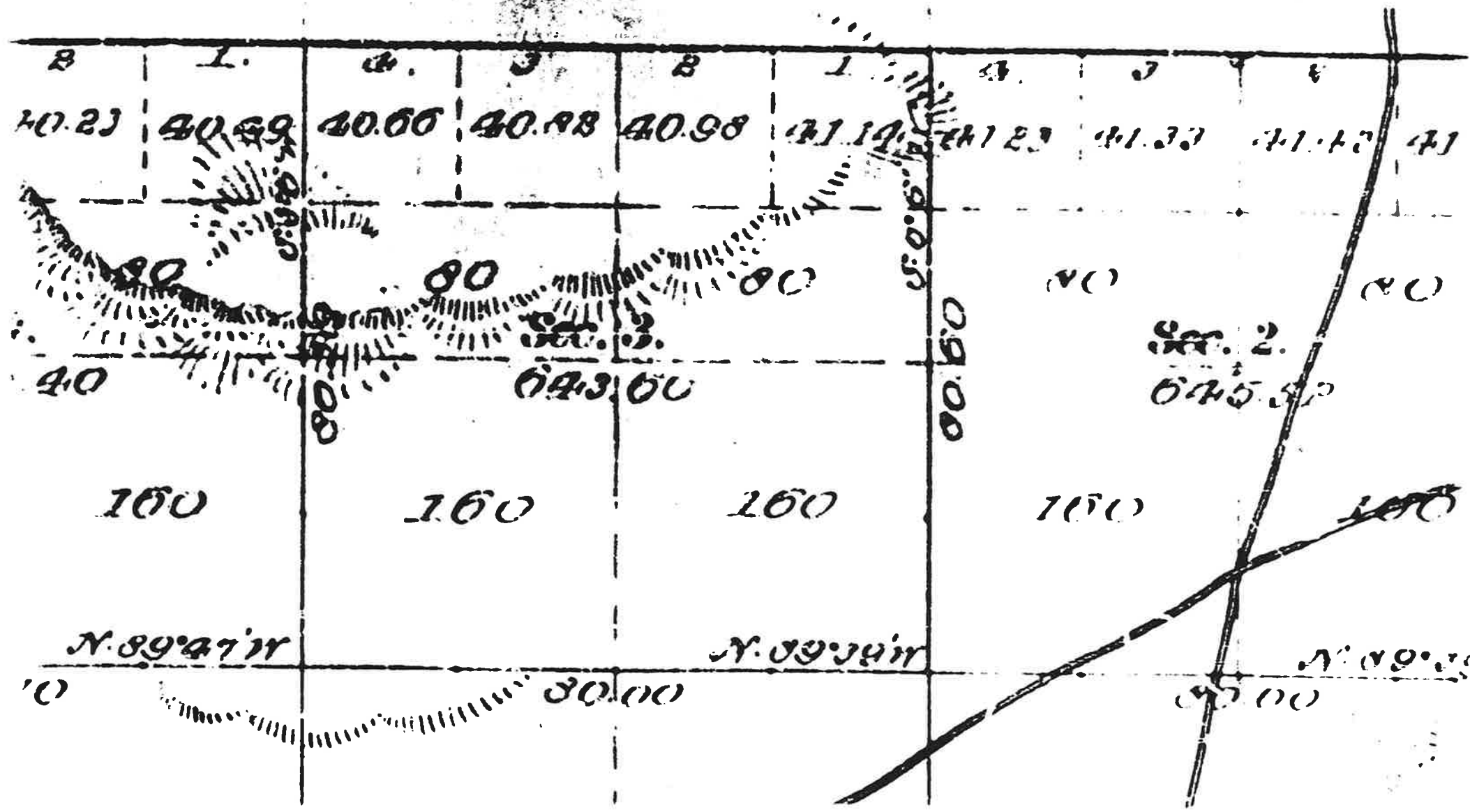
D

c

C

b

Gov't Plat Map  
(1891)  
T11N  
R02W



AJ5809NP  
No. A63-07647E

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/29/00  
PAGE: 124

| OWNER<br>CODE | NAME & ADDRESS      | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|---------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | LINDA M ROETTO      | 08/09/1972       | IRRIGATION | 03-15 11-15           | 0.030 CFS         | 13.50 AFA           |
| C             | KENNETH A ROETTO    |                  |            |                       |                   |                     |
|               | 6175 S RIDGEWOOD RD |                  |            | TOTAL DIVERSION:      | 0.030 CFS         | 13.50 AFA           |
|               | NAMPA ID 83687      |                  |            |                       |                   |                     |
|               | (208) 466-9204      |                  |            |                       |                   |                     |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T01N R02W S03

SENW

CANYON County

Place of use Legal Description for: IRRIGATION

| NE          |     |   |    |    |    |    |    |    |    |    |    | NW |    |    |    | SW |    |    |    | SE  |     |  |  |  |
|-------------|-----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|-----|--|--|--|
| T           | R   | S | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac  | SUM |  |  |  |
| 01N         | 02W | 3 | :  |    |    |    |    |    |    |    |    |    |    |    | 03 |    |    |    |    |     | 3.0 |  |  |  |
| TOTAL ACRES |     |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 3.0 |     |  |  |  |

POU County: CANYON

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A63-03276E A63-03276H A63-07647H A63-07647N

Other Water Rights Listing Overlapping Place(s) of Use:

A63-03276 A63-03276C A63-03276D A63-03276E A63-03276G A63-03276H A63-03276J A63-03276K A63-03276M A63-07647  
A63-07647D A63-07647G A63-07647H A63-07647J A63-07647K A63-07647M A63-07647N A63-23996 A63-23996F R63-03276  
R63-07647 R63-23996 R63-23996F

Conditions of Approval:

- 046 - Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R52 - This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
- A04 - THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.
- A06 - FAILURE TO COMPLY WITH THE CONDITIONS OF THE ADMINISTRATIVE ORDER IS CAUSE FOR IDWR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
- 016 - See remarks for additional conditions of approval.

Remarks: GEN

SEE ALSO TRANSFER CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 4730 IN FILE.  
TRANSFER 4730 APPROVED ON 01/12/1996.  
PLACE OF USE IS LOCATED WITHIN LOT 14, BLOCK 1, DIAMOND RIDGE SUBDIVISION.

AJ5809NP  
No. A63-07647E

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/29/00  
PAGE: 125

=====

Remarks: FEES PAID UNDER RECEIPT NO. W019046.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:  
Presumption Flag:

Audit: 01/26/96 MMINICUC 04/21/98 SBOCK 04/23/98 SBOCK 01/04/99 SBOCK

63-07647A

Neiden

35 acres

.35 cfs

63-07647B

Gansport

195 acres

1.95 cfs

63-07647C

Johnson

157

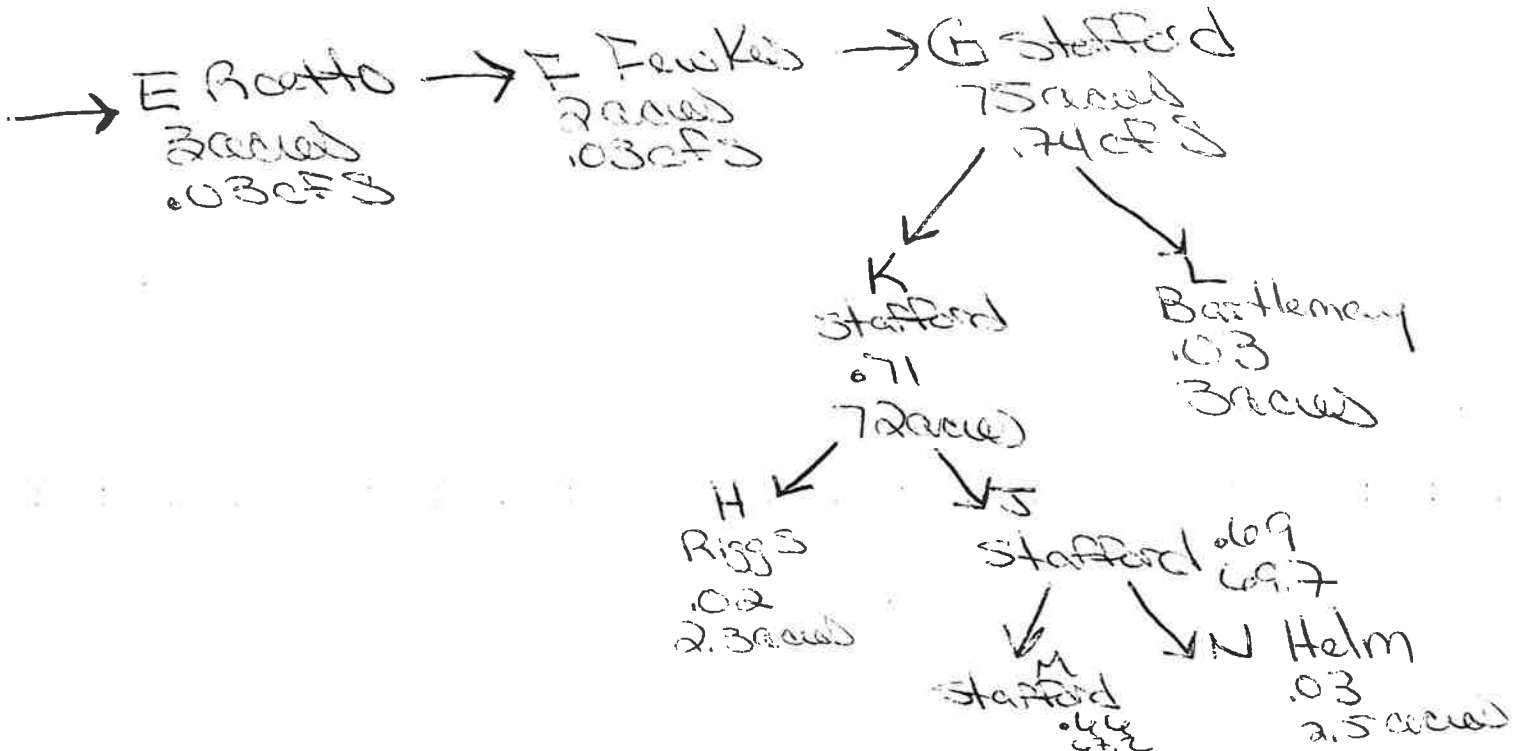
1.57 cfs

63-07647D

~~Christensen~~  
Stafford

80 acres

.80 cfs



10/17/2006

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

RIGHT NUMBER: 63-7647E

NAME AND ADDRESS: LINDA M ROETTO  
5630 DIAMOND RIDGE WAY  
NAMPA ID 83687

KENNETH A ROETTO  
5630 DIAMOND RIDGE WAY  
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.030 CFS  
13.50 AFY

This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 08/09/1972

POINT OF DIVERSION:  
T01N R02W S3 SENW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>                                                                                                                                                                                                                                                                                                                                                  | <u>PERIOD OF USE</u> | <u>QUANTITY</u>        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|------------------------|
| IRRIGATION                                                                                                                                                                                                                                                                                                                                                             | 3/15 11/15           | 0.030 CFS<br>13.50 AFY |
| The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right. |                      |                        |

PLACE OF USE: IRRIGATION Within CANYON County

T01N R02W S03      SENW      3.00  
3 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

FAILURE TO COMPLY WITH THE CONDITIONS OF THE ADMINISTRATIVE ORDER IS CAUSE FOR IDWR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.



# Idaho Department of Water Resources

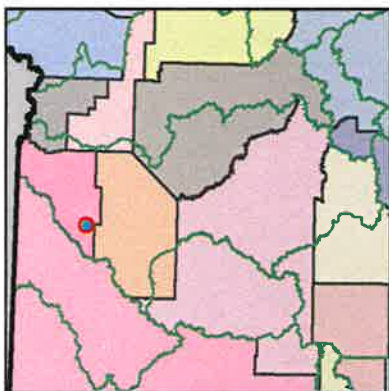
SRBA Recommendation:

**63-7647E**

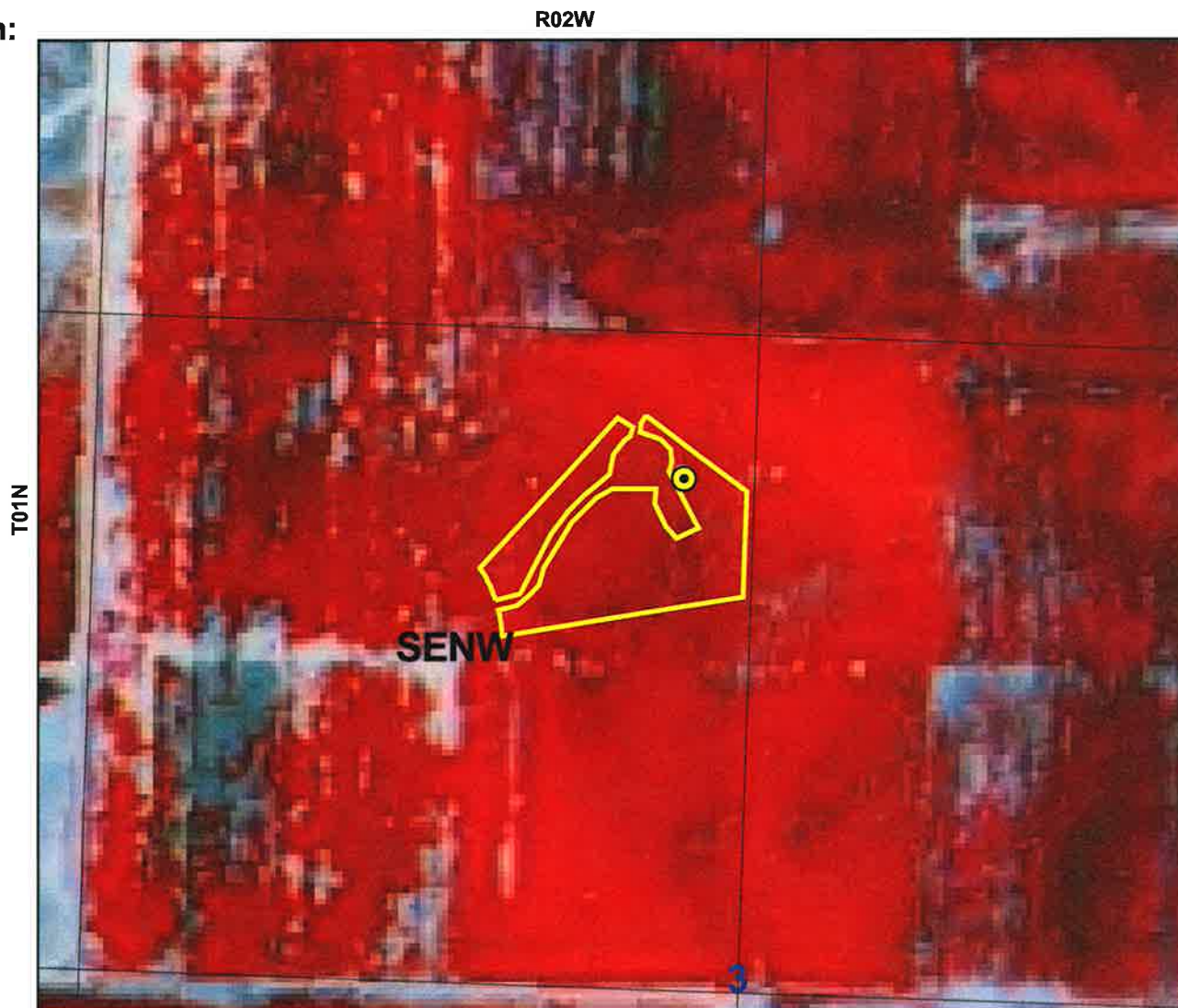
(Irrigation)

## Legend

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



Canyon County  
IDWR Basin 63



Prepared by M. Ciscell  
On Tuesday, October 17, 2006  
1987/88 Aerial Photography



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

**PHILIP E. BATT**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

January 26, 1996

KENNETH A ROETTO  
LINDA M ROETTO  
6175 S RIDGEWOOD RD  
NAMPA ID 83687

RE: Notices of claim to a water right nos. A63-03276E & A63-07647E

Dear Mr. and Ms. Roetto:

Enclosed are computer-generated copies of the above referenced claims. These claims were generated in the Snake River Basin Adjudication (SRBA) as a result of Transfer no. 4730, which was approved by this department on January 12, 1996. This transfer allows you to add a point of diversion (a well) to the portion of two water rights which are appurtenant to your property.

The enclosed copies are for your records. A field examination to confirm the location of the well and the amount of land irrigated will be conducted in the Spring of 1996. The department will contact you previous to conducting the exam to set a convenient appointment time. Although it is not required, it is best if you are present during the exam.

The Remarks (Item 14) portion of the claim details the paper trail of the water rights as they have been claimed in the SRBA. The remarks which pertain to your portion of the original claim begin with the references to Transfer number 4730, and are the same conditions as detailed by the approved transfer.

If you have any questions about this letter please do not hesitate to contact this office.

Sincerely,

Maria Minicucci  
Sr. Water Agent, Adjudication Bureau

MM:m

Enc: A63-03276E, A63-07647E

A63-07647D (80 ACRES, .80 CFS)

A63-07647E

3 ACRES (SENW)

.03 CFS

13.5 AFA

(TRANS. 4730)

Roetto

A63-07647F

2 ACRES (NENW, LTB)

.03 CFS

9.0 AFA

(TRANS. 4728)

Fewkes

A63-07647G

75 ACRES

.74 CFS

337.5 AFA

(REMAINDER)

STAFFORD

TTT

01/26/1996

**MEMORANDUM**

**TO:** Transfer file Nos. 4728 & 4730

**FROM:** M. Minicucci, W. Region SRBA 

**DATE:** November 6, 1995

The place of use for these transfers shows on NAPP (Y6NE) as irrigated in 1987. However, the scanned airphoto for T01N, R02W, indicates that the parcel was not irrigated in 1994. I have requested information on the recent irrigation practices from Mr. Jay Neider, who owned the farm before it was broken up (See A63-23996).

Although forfeiture may be too close to call for transfer nos. 4728 and 4730, it may be an issue for future transfers involving other lots in this particular subdivision.

Water Right Number - 63-03276 ✓

Prefix Translation: WATER RIGHT

Old (D) Number - 30395

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
FIEDLER

CHARLES M.

1 - RT. 3

2 -

3 -

City- Nampa

Phone -

State- ID Zip- 83651

+ - - Priority Date - - +  
02/27/1962+ - - Region - - - +  
14 WESTERN+ - - Stage - - - +  
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - - +  
GROUNDWATER

+ - - Tributary - - - - - +

| Twn | Rng   | Sec | Tract | Lot | RFlg | County      | Point of Diversion | Diversion Name | Diversion Rate | Diversion No. |
|-----|-------|-----|-------|-----|------|-------------|--------------------|----------------|----------------|---------------|
| 01N | ✓ 02W | ✓ 3 | NE NE | ✓ 1 | ✓    | (27) CANYON |                    |                |                |               |

| Code | Description | Period From | Water Use<br>Period To | Diversion Rate | Diversion Volume |
|------|-------------|-------------|------------------------|----------------|------------------|
| 01   | IRRIGATION  |             |                        | 2.000          |                  |

| Total Div. Rate | Total Div. Volume | Total Div. Capacity |
|-----------------|-------------------|---------------------|
| 2.000           |                   |                     |

| Twn | Rng | Sec | Tract | Lot | Acres | Place of Use<br>Code | Description | County      |
|-----|-----|-----|-------|-----|-------|----------------------|-------------|-------------|
| 01N | 02W | 2   | NW NW |     | 40.0  | 01                   | IRRIGATION  | (27) CANYON |
| 01N | 02W | 3   | NE NE |     | 20.0  | 01                   | IRRIGATION  | (27) CANYON |
| 01N | 02W | 3   | NW NE |     | 30.0  | 01                   | IRRIGATION  | (27) CANYON |
| 01N | 02W | 3   | SW NE |     | 30.0  | 01                   | IRRIGATION  | (27) CANYON |
| 01N | 02W | 3   | SE NE |     | 3.0   | 01                   | IRRIGATION  | (27) CANYON |
| 01N | 02W | 3   | NE NW |     | 40.0  | 01                   | IRRIGATION  | (27) CANYON |
| 01N | 02W | 3   | SE NW |     | 40.0  | 01                   | IRRIGATION  | (27) CANYON |

Total Acres: 203.0

SRBA

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

| Remarks           |
|-------------------|
| No Remarks found. |

| Old Water Right Numbers           |
|-----------------------------------|
| No Old Water Right Numbers found. |

A63-23996

~~23996~~  
Fiedler  
63-03276A  
40 ac.  
Transport  
63-03276B  
83 ac.  
Stacked  
63-03276C  
80 ac.

DATE: 04/26/95  
PAGE: 2

63-03276 is the only  
other license appointment  
to these 80 acres. This  
language appears to allow  
1" lake.