

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: A63-03274

Date Received: 2/14/1990

Receipt No: MOO 5912

Received By: gpc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JANET SCOTT TRUST
Address: 15951 GARRITY BLVD.
NAMPA, ID

208-466-7053

AND

Name: HAROLD TIEGS TRUST
Address: 15951 GARRITY BLVD.
NAMPA, ID

83687

208-466-7053

83687

2. Date of Priority: FEB 14, 1962

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	02W	31	NE	SE	SW		CANYON

5. Description of diverting works:
125 HP MOTOT 14" CASING 900' DEEP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.800		

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

A.F.A.

8. Total consumptive use is 423.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A63-03274

Page

1

Date: 02/14/90

SCANNED

APR 14 2008

MICROFILMED

AUG 19 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	6	NE	NW	3	IRR	34.0
			NW	NW	4	IRR	9.0
						Section Acres	43.0
02N	02W	31	SW	SW	4	IRR	38.0
						Section Acres	38.0
		32	SE	SW		IRR	40.0
						Section Acres	40.0
						Total Acres	121.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 30387

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): Estate of Harold Trip Date: Feb 14 1990
Leonard Trip R.R. Date:

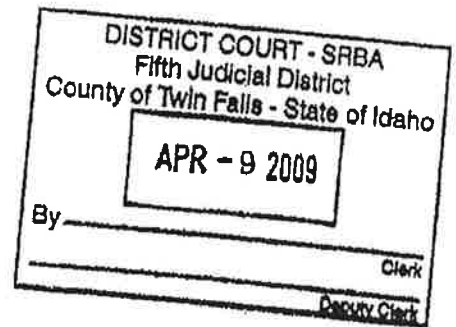
State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of Feb 19 90

John Dal. Carlson
Notary Public

Seal

Residing at Bainbridge
My Commission Expires 4/2/94



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

Subcase Nos. 63-02896 63-03043
 *63-03163 63-03255
 *63-03274 *63-03486
 63-07876 *63-08053
 63-31476

**ORDER GRANTING MOTION FOR LEAVE
TO WITHDRAW AS COUNSEL OF RECORD**

This matter having come before the Court on April 7, 2009, on Motion for Leave to Withdraw as Counsel of Record for DBSI Tiegs 979 LLC ("DBSI"), filed by Scott L. Campbell of the law firm of Moffatt Thomas Barrett Rock & Fields, Chartered and argued by Dylan B. Lawrence of that firm; the Court having heard argument, reviewed the Motion and its supporting materials, having found that the Motion is properly presented, and being otherwise fully informed in the premises;

IT IS HEREBY ORDERED, adjudged and decreed that such Motion for Leave to Withdraw as Counsel of Record in the above-referenced subcases is GRANTED.

IT IS FURTHER ORDERED that withdrawing counsel shall give notice of this Order to DBSI as required by Idaho Rule of Civil Procedure 11(b)(3). DBSI shall file and serve an additional written appearance in this action, either in person or through a newly appointed attorney WITHIN TWENTY (20) DAYS of the date of service or mailing of this Order. If DBSI

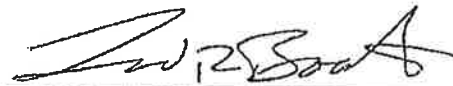
**ORDER GRANTING MOTION FOR LEAVE
TO WITHDRAW AS COUNSEL OF RECORD - 1**

Client:1183111.1

EXHIBIT A

fails to file and serve such additional written appearance in this action within the aforementioned 20-day period, such failure shall be sufficient grounds for entry of default and default judgment without further notice.

DATED this 9 day of April, 2009.

A handwritten signature in black ink, appearing to read 'Theodore R. Booth', written over a horizontal line.

Theodore R. Booth
Special Master

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this _____ day of April, 2009, I caused a true and correct copy of the foregoing **ORDER GRANTING MOTION FOR LEAVE TO WITHDRAW AS COUNSEL OF RECORD** to be served by the method indicated below, and addressed to the following:

Representing: State of Idaho
David J. Barber
Office of the Attorney General
STATE OF IDAHO
700 West State Street, 2nd Floor
P.O. Box 83720
Boise, ID 83720-0010
Fax: (208) 854-8072

- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Facsimile

Former Attorneys for DBSI:
Scott L. Campbell
Dylan B. Lawrence
101 S. Capitol Blvd, 10th Floor
Post Office Box 829
Boise, Idaho 83701-0829

- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Facsimile

Director
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. Box 83720
Boise, ID 83720-0098
Fax: (208) 287-6700

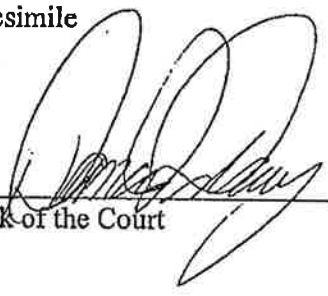
- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Facsimile

Natural Resources Division Chief
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 44449
Boise, ID 83711-4449

- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Facsimile

UNITED STATES DEPARTMENT OF JUSTICE
Environment & Natural Resources
MSC 033
550 West Fort Street
Boise, ID 83724

- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Facsimile



Clerk of the Court

RECEIVED

MAY 13 2009

DEPARTMENT OF
WATER RESOURCES

Attorneys for Claimant DBSI Ties 979, LLC

Scott L. Campbell, ISB No. 2251
Dylan B. Lawrence, ISB No. 7136
MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED
101 S. Capitol Blvd., 10th Floor
Post Office Box 829
Boise, Idaho 83701
Telephone (208) 345-2000
Facsimile (208) 385-5384
23255.0000

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

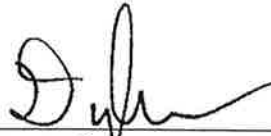
Subcase Nos.	63-02896	63-03043
	63-03163	63-03255
	63-03274	63-03486
	63-07876	63-08053
	63-31476	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of May, 2009, I caused a true and correct copy of the ORDER GRANTING MOTION FOR LEAVE TO WITHDRAW AS COUNSEL OF RECORD attached hereto as Exhibit A to be served to the parties listed on the following Certificate of Service page by U.S. Mail, postage prepaid.

DATED this 12th day of May, 2009.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By 
Dylan B. Lawrence – Of the Firm
Attorneys for Claimant DBSI Tiegs 979, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of May, 2009, I caused a true and correct copy of the foregoing **CERTIFICATE OF SERVICE** to be served by the method indicated below, and addressed to the following:

Representing: State of Idaho

David J. Barber

Office of the Attorney General

STATE OF IDAHO

700 West State Street, 2nd Floor

P.O. Box 83720

Boise, ID 83720-0010

Fax: (208) 854-8072

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Director

IDAHO DEPARTMENT OF WATER RESOURCES

P.O. Box 83720

Boise, ID 83720-0098

Fax: (208) 287-6700

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Natural Resources Division Chief

OFFICE OF THE ATTORNEY GENERAL

P.O. Box 44449

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UNITED STATES DEPARTMENT OF JUSTICE

Environment & Natural Resources

MSC 033

550 West Fort Street

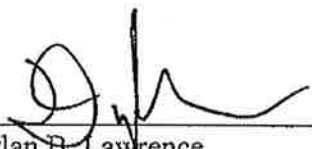
Boise, ID 83724

☒ U.S. Mail, Postage Prepaid

☐ Hand Delivered

☐ Overnight Mail

☐ Facsimile



Dylan B. Lawrence

EXHIBIT A

TO CERTIFICATE OF SERVICE

Shurte, Jan

From: Shurte, Jan
Sent: Thursday, December 18, 2008 12:38 PM
To: Courtney, Andrea; Saxton, Craig; Baxter, Garrick
Subject: RE: 63-2529.DOC

Hi everyone,

I just have a few comments about this redraft stip. In the explanations of 63-02529 he does not go into the acres X the 4.5 af and that we go with the lesser amount of af. Is this because he does not want to bring that up since we cannot find an adjudication memo or rule that states directly we do it that way? Or is he waiting for a Summary Judgment hearing to explain? I guess I am confused about what we are stipulating to? Or need to be stipulating to at this point.

The other comment is that in 63-2529 the stip states that the annual diversion volume limitations are not based upon factual investigations. There was a field exam in June, 1941 on all the wells listed in the license to record the diversion rate which was then used in the af calculation. I am not sure if he has to say it was not based on factual investigations for a reason, but this one did have a field exam and measurements that were factual and were used in calculating the acre foot amounts. Just an observation – I still may not understand the legal significance of his statement.

Also, in 63-3324 it appears there is an inconsistency in our af recommendation. When the stip shows the 247 X 4.5 = 1,111.5 af and the diversion rate calculation shows 1,046.9 af someone may question why we did not take the lesser af amount or 1,046.9 af. There is an explanation - both 63-3324 and 63-3323 are a total overlap and together bring the total diversion rate of the system up to a cfs amount which if used in the af calculation would be far greater than 1,111.5 af for the 247 overlapping acres on each. I know that's a bit deep, however, the question of inconsistency could be raised by looking at the stipulation. Maybe this comes out if the questions are asked and he just wants to make it simple in the stipulation?.

Just a few observations. Then, to address Craig's idea below – he must have been dreaming? Or delusional? Maybe some EAP would help. Poor thing.

Thanks,
Jan

From: Courtney, Andrea
Sent: Thursday, December 18, 2008 11:34 AM
To: Saxton, Craig; Baxter, Garrick; Shurte, Jan
Subject: RE: 63-2529.DOC

I'm thinking Craig believes in Christmas miracles...

thanks for the speedy review.

From: Saxton, Craig
Sent: Thursday, December 18, 2008 11:15 AM
To: Baxter, Garrick; Shurte, Jan
Cc: Courtney, Andrea
Subject: RE: 63-2529.DOC

I think everything looks good short of one really picky thing that I don't really care if you change. On page 4, Item 5(b) last paragraph, I would make the change identified below:

$$260 * 1.9835 * 2.4 = 1,237.27$$

Oh, and Jan told me that she thinks this will be fun and that she wanted to take my place for any trial stuff. She won't admit to that. She might deny ever saying that, but I CERTAINLY wouldn't lie about a thing like that. So you can just tell David to take me off the witness list ☺ In fact, Andrea, she said she wanted to take over Southside too.

12/18/2008

Thanks,
c

From: Baxter, Garrick
Sent: Thursday, December 18, 2008 10:42 AM
To: Shurte, Jan; Saxton, Craig
Cc: Courtney, Andrea
Subject: FW: 63-2529.DOC

Jan and Craig,
David Barber has redrafted the stipulation. Please review the latest draft.
Thanks,
Garrick

From: Barber, David [mailto:david.barber@ag.idaho.gov]
Sent: Thursday, December 18, 2008 10:31 AM
To: Baxter, Garrick
Subject: 63-2529.DOC

Dear Garrick:
Attached is a redraft of the stipulation.
Sincerely,
David J. Barber

<<63-2529.DOC>>

12/18/2008

1. (a) The IDWR recommended an annual diversion volume for water right no. 63-02529 in the amount of 44,918.30 acre feet. The IDWR used the following values to calculate this annual diversion volume:

an irrigation season of 260 days from March 1st of each year to November 15th of the same year.

a diversion amount of 87.1 cubic feet per second.

A conversion value of 1.9835 to convert one cubic foot per second diversion amount for 24 hours into an acre foot per day volume.

Thus, the annual diversion volume was calculated as the product of those three amounts as follows: $260 * 1.9835 * 87.1 = 44,918.30$ acre feet per year.

This calculation assumes that these pumps ran 24 hours a day for the period of 260 days at a full capacity of 87.1 cubic feet per second.

(b) The decision to recommend the annual diversion amount described in subdivision (a) was based upon the policies contained in the updated Claims Investigation Manual and Adjudication Memo 34. IDWR did not base these annual diversion volume limitations upon individualized factual investigations into the use of each of the water rights.

2. (a) The IDWR recommended an annual diversion volume for water right no. 63-09109 in the amount of 2,449.2 acre feet.

(b) The decision to recommend the annual diversion amount described in subdivision (a) was based upon water right license no. 63-9109.

3. (a) The IDWR recommended an annual diversion volume for water right no. 63-03163 in the amount of 517.50 acre feet. The IDWR used the following values to calculate this annual diversion volume:

115 acres of irrigated land.

One thing to note is that the diversion rates were meas. by the Dept. in 6/1941 prior to licensing. The 87.1 gpm is factual, etc.

an annual diversion amount of 4.5 acre feet per acre.

Thus, the annual diversion volume was calculated as the product of those two amounts as follows: $115 * 4.5 = 517.5$ acre feet per year.

(b) If the IDWR had recommended an annual diversion volume in accordance with the methodology described in paragraph (1) above, it would have used the following values to calculate this annual diversion volume:

an irrigation season of 260 days from March 1st of each year to November 15th of the same year.

a diversion amount of 2.3 cubic feet per second.

A conversion value of 1.9835 to convert one cubic foot per second diversion amount for 24 hours into an acre foot per day volume.

Thus, the annual diversion volume would have been calculated as the product of those three amounts as follows: $260 * 1.9835 * 2.3 = 1,186.1$ acre feet per year.

This calculation assumes that these pumps ran 24 hours a day for the period of 260 days at a full capacity of 2.3 cubic feet per second.

(c) The decision to recommend the annual diversion amount described in subdivision (a) was based upon the policies contained in the updated Claims Investigation Manual and Adjudication Memo 34. IDWR did not base these annual diversion volume limitations upon individualized factual investigations into the use of each of the water rights.

4. (a) The IDWR recommended an annual diversion volume for water right no. 63-03274 in the amount of 544.50 acre feet. The IDWR used the following values to calculate this annual diversion volume:

121 acres of irrigated land.

an annual diversion amount of 4.5 acre feet per acre.

Thus, the annual diversion volume was calculated as the product of those two amounts as follows: $121 * 4.5 = 544.5$ acre feet per year.

(b) If the IDWR had recommended an annual diversion volume in accordance with the methodology described in paragraph (1) above, it would have used the following values to calculate this annual diversion volume:

an irrigation season of 260 days from March 1st of each year to November 15th of the same year.

a diversion amount of 1.8 cubic feet per second.

A conversion value of 1.9835 to convert one cubic foot per second diversion amount for 24 hours into an acre foot per day volume.

Thus, the annual diversion volume would have been calculated as the product of those three amounts as follows: $260 * 1.9835 * 1.8 = 928.3$ acre feet per year.

This calculation assumes that these pumps ran 24 hours a day for the period of 260 days at a full capacity of 1.8 cubic feet per second.

(c) The decision to recommend the annual diversion amount described in subdivision (a) was based upon the policies contained in the updated Claims Investigation Manual and Adjudication Memo 34. IDWR did not base these annual diversion volume limitations upon individualized factual investigations into the use of each of the water rights.

5. (a) The IDWR recommended an annual diversion volume for water right no. 63-03323 in the amount of 1,111.50 acre feet. The IDWR used the following values to calculate this annual diversion volume:

247 acres of irrigated land.

an annual diversion amount of 4.5 acre feet per acre.

Thus, the annual diversion volume was calculated as the product of those two amounts as follows: $247 * 4.5 = 1,111.5$ acre feet per year.

(b) If the IDWR had recommended an annual diversion volume in accordance with the methodology described in paragraph (1) above, it would have used the following values to calculate this annual diversion volume:

an irrigation season of 260 days from March 1st of each year to November 15th of the same year.

a diversion amount of 2.03 cubic feet per second.

A conversion value of 1.9835 to convert one cubic foot per second diversion amount for 24 hours into an acre foot per day volume.

Thus, the annual diversion volume would have been calculated as the product of those three amounts as follows: $260 * 1.9835 * 2.03 = 1,046.9$ acre feet per year.

This calculation assumes that these pumps ran 24 hours a day for the period of 260 days at a full capacity of 2.03 cubic feet per second.

(b) The decision to recommend the annual diversion amount described in subdivision (a) was based upon the policies contained in the updated Claims Investigation Manual and Adjudication Memo 34. IDWR did not base these annual diversion volume limitations upon individualized factual investigations into the use of each of the water rights.

7. (a) The IDWR recommended an annual diversion volume for water right no. 63-10435 in the amount of 306 acre feet.

(b) The decision to recommend the annual diversion amount described in subdivision (a) was based upon water right license no. 63-10435.

Thus, the annual diversion volume was calculated as the product of those two amounts as follows: $247 * 4.5 = 1111.5$ acre feet per year.

(b) If the IDWR had recommended an annual diversion volume in accordance with the methodology described in paragraph (1) above, it would have used the following values to calculate this annual diversion volume:

an irrigation season of 260 days from March 1st of each year to November 15th of the same year.

a diversion amount of 2.4 cubic feet per second.

A conversion value of 1.9835 to convert one cubic foot per second diversion amount for 24 hours into an acre foot per day volume.

Thus, the annual diversion volume would have been calculated as the product of those three amounts as follows: $260 * 1.9835 * 2.4 = 1,237.2$ acre feet per year.

This calculation assumes that these pumps ran 24 hours a day for the period of 260 days at a full capacity of 2.4 cubic feet per second.

(c) The decision to recommend the annual diversion amount described in subdivision (a) was based upon the policies contained in the updated Claims Investigation Manual and Adjudication Memo 34. IDWR did not base these annual diversion volume limitations upon individualized factual investigations into the use of each of the water rights.

6. (a) The IDWR recommended an annual diversion volume for water right no. 63-03324 in the amount of 1,111.50 acre feet. The IDWR used the following values to calculate this annual diversion volume:

247 acres of irrigated land.

an annual diversion amount of 4.5 acre feet per acre.

RECEIVED

MAY 06 2008

DEPARTMENT OF
WATER RESOURCES

2008 MAY 05 PM 01:10
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: 63-03134B 63-03163
63-03274 63-03275B 63-03486
63-07876 63-08053

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

THURSDAY, JUNE 05, 2008 at 01:30 PM (MT)
NAMPA
120 - 9TH AVE S
NAMPA, ID

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

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

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

IT IS SO ORDERED.

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

Page 1 5/04/08

(continued)

Dated: MAY 05, 2008

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

(Order Setting Initial Hearing)

Page 2
5/04/08

CERTIFICATE OF MAILING

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

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

KASTERA DEVELOPMENT LLC
372 S EAGLE RD, STE 375
EAGLE, ID 83616
Phone: 208-472-0300

STAGECOACH AND RIM LLC
3850 E BASELINE RD #114
MESA, AZ 85206

DBSI TIEGS 979 LLC
DBSI TIEGS 979, LLC
Represented by:
SCOTT L CAMPBELL
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000

JANET SCOTT TRUST
HAROLD TIEGS TRUST
15951 GARRITY BLVD
NAMPA, ID 83687
Phone: 208-466-7053

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

MT OLYMPUS INVESTMENTS LLC
1223 S CLEARVIEW AVE STE 103
MESA, AZ 85209

VIELGLUCK LIMITED PARTNERSHIP
1223 S CLEARVIEW AVE STE 5
MESA, AZ 85209

LEONARD A TIEGS
15951 GARRITY BLVD
NAMPA, ID 83651
Phone: 208-466-7053

HAROLD TIEGS TRUST
15951 GARRITY BLVD
NAMPA, ID 83687
Phone: 208-466-7053

RECEIVED

AUG 21 2007

Department of Water Resources
Adjudication Bureau

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 No.: 63-03274

Case No. 39576

STANDARD FORM 2 RESPONSE TO OBJECTION

Please **print** or **type** the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: STATE OF IDAHO
Address: Office of the Attorney General
JRW Building, Second Floor
700 West State Street
P.O. Box 44449
Boise, Idaho 83711-4449
Phone: (208) 334-2400

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WARDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER (ISB # 2597)
Deputy Attorney General

Attorney Address: Office of the Attorney General
Natural Resources Division
JRW Building, Second Floor
700 West State Street
P.O. Box 44449
Boise, Idaho 83711-4449

Attorney Phone No. (208) 334-2400

SCANNED
APR 14 2008

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH YOU ARE RESPONDING

Name: DBSI Tiegs 979, LLC
1550 S. Tech Lane
Meridian, ID 83642

Name & Address of Attorney, if any:

Scott L. Campbell
Moffatt Thomas Barrett Rock & Fields
PO Box 829
Boise, ID 83701

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

- 1. ☐ Name and Address
- 2. ☐ Source
- 3. ☒ Quantity
- 4. ☐ Priority Date
- 5. ☐ Point(s) of Diversion
- 6. ☐ Instream Flow Description
- 7. ☒ Purpose(s) of Use
- 8. ☒ Period of Year
- 9. ☒ Place of Use
- 11. Recommendation

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

E.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

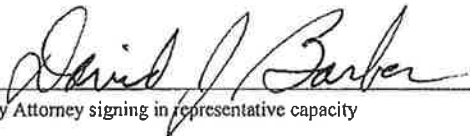
DAVID J. BARBER, Deputy Attorney General, being first duly sworn, upon oath, deposes and says:

That the State of Idaho is the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6), that I am a Deputy Attorney General authorized to represent the State of Idaho and that I have read this response, know its contents and that the statements are true to the best of my knowledge and belief.

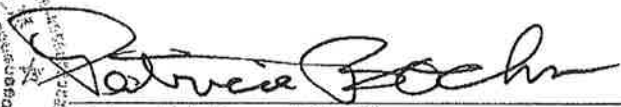
LAWRENCE G. WASDEN
Attorney General

CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division

DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on this 17th day of August 2007
(Insert Date)



Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 11/6/09

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, 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 this 17th day of August 2007, I caused to be served the original and copies of this response to the following persons by the indicated methods:

1. Original to: Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
253 Third Avenue North
Twin Falls, Idaho 83303-2707

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

Name: Janet Scott Trust U. S. MAIL
Harold Tiegs Trust
Address: 15951 Garrity Blvd.
Nampa, ID 83687

3. One copy to the party who filed the objection at the following address:

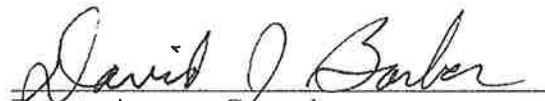
Name: DBSI Tiegs 979, LLC U. S. MAIL
Address: c/o Scott L. Campbell
Moffatt Thomas Barrett Rock & Fields
PO Box 829
Boise, ID 83701

4. Copies to: IDWR Document Depository STATEHOUSE
PO Box 83720 MAIL
Boise, ID 83720-0098

United States Department of Justice U. S. MAIL
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

(not applicable)


Deputy Attorney General

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 63-03274

(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: DBSI Tiegs 979, LLC

Address: 1550 S. Tech Lane

Meridian, Idaho 83642

Daytime Phone: (208) 955-9800

Name & Address of Attorney, if any:

Scott L. Campbell

Moffatt Thomas

PO Box 829, Boise, Idaho 83701

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

Name: Leonard A. Tiegs, Janet Scott Trust, Harold Tiegs Trust

Address: 15951 Garrity Blvd

Nampa, Idaho 83687

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: DBSI Tiegs 979, LLC, 1550 S. Tech Lane, Meridian, Idaho 83642
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: Please see Attachment 1 hereto
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: Please see Attachment 1 hereto
8. ☒ **Period of Year**
Should be: Please see Attachment 1 hereto
9. ☒ **Place of Use**
Should be: Please see Attachment 2 hereto
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):

Please see Attachment 3 hereto.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss
County of Ada)

Scott L. Campbell, 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)

Scott L. Campbell
(Attorney signing in representative capacity)

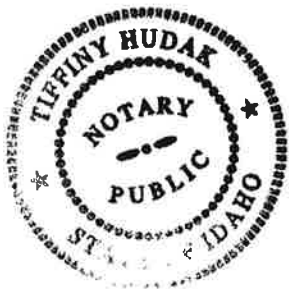
Subscribed and sworn to before me on: June 19, 2007

Tiffany Hudak

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 9/16/09



INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

I certify that on June 19, 200 7, 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: Leonard A. Tiegs, Janet Scott Trust, Harold Tiegs Trust
Address: 15951 Garrity Blvd
Nampa, Idaho 83687

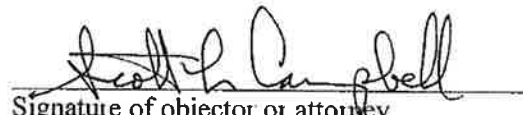
3. Copies to:

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

DBSI Tiegs 979, LLC
1550 Tech Lane
Meridian, Idaho 83642

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

**ATTACHMENT 1 TO
STANDARD FORM 1 – OBJECTION
SUBCASE 63-03274**

DBSI Tiegs 979, LLC, objects to inclusion of the annual volumetric limitation in the amount of 544 50 afy, as such appears under the Quantity and Purpose and Period of Use elements of the Director's Report.

**ATTACHMENT 2 TO
STANDARD FORM 1 – OBJECTION
SUBCASE 63-03274**

The Director's Report incorrectly identifies the place of use for irrigation of lands under this water right. The correct, historic place of use is as follows:

TWP	RNG	SEC	1/4 of	1/4	Lot	Acres
1N	2W	6	NE	NW	3	34
			NW	NW	4	9
2N		31	SW	SW	4	38
		32	SE	SW		40
Total						121

**ATTACHMENT 3 TO
STANDARD FORM 1 – OBJECTION
SUBCASE 63-03274**

Reasons Supporting Objection(s)

Name and Address:

The name and address of the current owner of the water right is DBSI Tiegs 979, LLC,
1550 Tech Lane, Meridian, Idaho 83642.

Quantity:

There is no legal basis for the inclusion of the volumetric limitation, as it was not
contained as a restriction in the license.

Purpose and Period of Use:

There is no legal basis for the inclusion of the volumetric limitation, as it was not
contained as a restriction in the license.

Place of Use:

The place of use described in the Director's Report does not accurately describe the lands
historically irrigated under this water right.



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

April 16, 2007

HAROLD TIEGS TRUST
10971 CHICKEN DINNER RD
CALDWELL ID 83607

Re: Snake River Basin Adjudication (SRBA)
Water Right No(s). 63-3274, 63-3486, 63-8053
Change of Address

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your claim(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right(s) referenced above, please call this office to obtain a form to make this required change to the water right(s) records.

Sincerely,

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region

The address is correct as shown above or as otherwise changed.

Signature of water right claimant

Telephone number

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

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
\$01.
02 1A
0004389393 FEB 02
MAILED FROM ZIP CODE 8

 **NO SUCH
ADDRESS**

RECEIVED
FEB 07 2027
WATER RESOURCES
WESTERN REGION

W2
HAROLD TIEGS TRUST
15951 GARRITY BLVD
NAMPA ID 83687

10971 Chicken Dinner Rd
Caldwell 83607

63-3274
3486
8053

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

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES
02 1A \$01.11
0004310839 OCT 06 20
MAILED FROM ZIP CODE 837



NO SUCH
NUMBER

NSN 90

HAROLD TIEGS TRUST
15951 GARRITY BLVD
Nampa ID 83687

70

RECEIVED

OCT 17 2006

WATER RESOURCES
WESTERN REGION

63-8053

3486

3274

3163

04/06/2006

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

RIGHT NUMBER: 63-3274

NAME AND ADDRESS: HAROLD TIEGS TRUST
15951 GARRITY BLVD
NAMPA ID 83687

JANET SCOTT TRUST
HAROLD TIEGS TRUST
15951 GARRITY BLVD
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.800 CFS
544.500 AFY

PRIORITY DATE: 02/14/1962

POINT OF DIVERSION:

T02N R02W S31 NESESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

1.800 CFS
544.50 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T01N R02W S06 Lot 3 NENW	34.00	T01N R02W S06 Lot 4 NWNW	9.00
T02N R02W S31 Lot 4 SWSW	38.00	T02N R02W S31 SESW	40.00

121 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



Idaho Department of Water Resources

63-3274

T01N R02W S6; T02N R02W S31



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter

Total irrigated
acres = 121



200 0 200 400 600 Feet



IDWR

Prepared by: Sandy Egbert

Date: April 6, 2006

1987 NAAP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3274 V1

WATER RIGHT NUMBER: 63-3274 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HAROLD TIEGS TRUST 15951 GARRITY BLVD NAMPA, ID 83687 (208)466-7053
Current Owner	JANET SCOTT TRUST HAROLD TIEGS TRUST 15951 GARRITY BLVD NAMPA, ID 83687 (208)466-7053
Original Owner	HAROLD A TIEGS RT 4 NAMPA, ID 83651

Priority Date: 02/14/1962

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	1.800 CFS	544.50 AF
	<u>Total Diversion:</u>	1.800 CFS	544.50 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4SW1/4	Sec. 31, Twp 02N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	02W	6					34.0	9.0											43.0
							L 3	L 4											
02N	02W	31											38.0	40.0					78.0
													L 4						

Total Acres: 121

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-3274 V1

Remarks:Comments:

1. segbert 4/6/2006 error on claim

Comment: The maps in the file and the license clearly show the 40 acres in S31 not S32 as claimed. Recommended in S31

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:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			03/31/2006	Igagnon	Active
Priority Date	4/6/2006 3:33:01 PM	segbert			Active
POD	4/6/2006 3:33:22 PM	segbert			Active
Source	4/6/2006 3:35:22 PM	segbert			Active
POU	4/6/2006 3:35:38 PM	segbert			Active
Use	4/6/2006 3:36:32 PM	segbert			Active
Season	4/6/2006 3:37:25 PM	segbert			Active
Quantity	4/6/2006 3:39:19 PM	segbert			Active
Summary			04/06/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	3/31/2006 11:02:22 AM	Igagnon	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
POD	4/6/2006 3:33:40 PM	segbert	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3274 V1

General	4/6/2006 3:33:02 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	4/6/2006 3:33:22 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POU	4/6/2006 3:36:16 PM	segbert	Updated shape for Active POU
Quantity	4/6/2006 3:39:19 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - 4.5 x acres
Summary	4/6/2006 3:41:11 PM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Source	4/6/2006 3:35:22 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-3274 V1

POU	4/6/2006 3:35:38 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	4/6/2006 3:36:33 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	4/6/2006 3:37:26 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-3274

WATER RIGHT NUMBER: 63-3274

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HAROLD TIEGS TRUST 15951 GARRITY BLVD NAMPA, ID 83687 (208)466-7053
Current Owner	JANET SCOTT TRUST HAROLD TIEGS TRUST 15951 GARRITY BLVD NAMPA, ID 83687 (208)466-7053
Original Owner	HAROLD A TIEGS RT 4 NAMPA, ID 83651

Priority Date: 02/14/1962 ✓

Basis: License ✓

Status: Active ✓

SourceTributary

GROUND WATER ✓

Beneficial Use

IRRIGATION ✓

From To~~3-15~~ to 11/15

3-1

Diversion Rate

1.800 CFS ✓

Annual Volume

544.5

4.5 x acres

Total Diversion:

1.800 CFS ✓

Location of Point(s) of Diversion

GROUND WATER

NE1/4SE1/4SW1/4 ✓

Sec. 31, Twp 02N, Rge 02W, B.M. ✓

CANYON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	02W	6					34.0	9.0											43.0
							L 3	L 4											
02N	02W	31									38.0	40							38.0
											L 4	1							
02N	02W	~~31~~											40.0						40.0
		31																	

Total Acres: 121 ✓

Claim listed S32 in error. The maps in the file
and the license clearly show the 40 acres in S 31.

Conditions of Approval:

not S 32.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3274

WATER RIGHT NUMBER: 63-3274

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HAROLD A TIEGS RT 4 NAMPA, ID 83651

Priority Date: 02/14/1962

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.800 CFS	
	<u>Total Diversion:</u>	1.800 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 31, Twp 02N, Rge 02W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	02W	6					34.0	9.0											43.0
							L 3	L 4											
02N	02W	31											38.0						38.0
													L 4						
02N	02W	32												40.0					40.0

Total Acres: 121

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3274

03/31/2006

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~63-3275B~~	Claim	01N	02W	6	NE	NW		IRRIGATION	4/847	DESERT SUN FARMS INC
~~63-3275~~ <i>no overlie</i>	Water Right	01N	02W	6	NE	NW		IRRIGATION	4/876	ELMER H TIEGS
~~63-3134B~~	Claim	01N	02W	6	NE	NW		IRRIGATION	4/847	DESERT SUN FARMS INC
~~63-7876~~	Water Right	01N	02W	6	NE	NW		IRRIGATION	33/542	LEONARD A TIEGS
~~63-3274~~	Water Right	01N	02W	6	NE	NW	3	IRRIGATION	34/121	HAROLD A TIEGS
~~63-3274~~	Claim	01N	02W	6	NE	NW	3	IRRIGATION	34/121	HAROLD TIEGS TRUST
~~63-3134B~~	Claim	01N	02W	6	NW	NW		IRRIGATION	30/847	DESERT SUN FARMS INC
~~63-3134~~	Water Right	01N	02W	6	NW	NW		IRRIGATION	30/625	ELMER H TIEGS
~~63-3275B~~	Claim	01N	02W	6	NW	NW		IRRIGATION	30/847	DESERT SUN FARMS INC
~~63-7876~~	Water Right	01N	02W	6	NW	NW		IRRIGATION	8/542	LEONARD A TIEGS
~~63-3274~~	Water Right	01N	02W	6	NW	NW	4	IRRIGATION	9/121	HAROLD A TIEGS
~~63-3274~~	Claim	01N	02W	6	NW	NW	4	IRRIGATION	9/121	HAROLD TIEGS TRUST
~~63-3134B~~	Claim	02N	02W	31	SW	SW		IRRIGATION	1/847	DESERT SUN FARMS INC
~~63-31087~~	Claim	02N	02W	31	SW	SW		IRRIGATION	1/106	DESERT SUN FARMS INC
~~63-7876~~	Water Right	02N	02W	31	SW	SW		IRRIGATION	31/542	LEONARD A TIEGS
~~63-3275B~~	Claim	02N	02W	31	SW	SW		IRRIGATION	1/847	DESERT SUN FARMS INC
~~63-3274~~	Water Right	02N	02W	31	SW	SW	4	IRRIGATION	38/121	HAROLD A TIEGS
~~63-3274~~	Claim	02N	02W	31	SW	SW	4	IRRIGATION	38/121	HAROLD TIEGS TRUST
~~63-20508~~	Water Right	02N	02W	32	SE	SW		DOMESTIC		RICHARD KILZER
~~63-3274~~	Claim	02N	02W	32	SE	SW		IRRIGATION	40/121	HAROLD TIEGS TRUST
~~63-3274~~	Water Right	02N	02W	32	SE	SW		IRRIGATION	40/121	HAROLD A TIEGS

Receipt Details for ID W005912

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
9/13/1989 10:39:25 AM	9/13/1989	Western	\$100.00	Check
Payer		BOISE WATER CORPORATION		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
12704			
Card Expiration Date	Credit Card Transaction #		

Comment DRILLING PERMIT**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	DRILLING PERMIT	620350	1238	0	0	6390

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
--------------	-----------------	--------------	--------	------

[Print Report](#)

AJ5809NP
No. A63-03274

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/09/00
PAGE: 69

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HAROLD TIEGS TRUST	02/14/1962	IRRIGATION	03-15 11-15	1.800 CFS	
C	JANET SCOTT TRUST					
	15951 GARRITY BLVD			TOTAL DIVERSION:	1.800 CFS	
	NAMPA ID 83687			CONSUMPTIVE USE:		423.50 AFA
	(208) 466-7053					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R02W S31 NESESW

CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
01N	02W	6	:					:	03-34	04-09			:					:					:	43.0
02N	02W	31	:					:					:			04-38		:					:	38.0
02N	02W	32	:					:					:				40	:					:	40.0
																						TOTAL ACRES		121.0

POU County: CANYON

Non-Irrigation Uses: NONE

Other Rights: NONE

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

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

Audit: 02/14/90 CARLSON 11/20/92 MCCARTHY 03/30/95 POST-STD

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

07/13/95 00:06:04

Page 1

Water Right Number - 63-03274

Prefix Translation: WATER RIGHT

Old (D) Number - 30387

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
TIEGS

HAROLD A.

1 - RT. 4
2 -
3 -
City- NAMPA
Phone -

State- ID Zip- 83651

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

+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

02N 02W 31 SE SW (27) CANYON

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

1.800

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.800

+ - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

01N	02W	6	NE NW	3	34.0	01	IRRIGATION	(27) CANYON
01N	02W	6	NW NW	4	9.0	01	IRRIGATION	(27) CANYON
02N	02W	31	SW SW	4	38.0	01	IRRIGATION	(27) CANYON
02N	02W	32	SE SW		40.0	01	IRRIGATION	(27) CANYON

Total Acres: 121.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
No Remarks found.

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

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

WR5808NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

07/13/95 00:06:04
Page 2

Water right number - 63-03274

Prefix Translation: WATER RIGHT

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +

00/00/0000

[illegible]

+ - - Audit Fields - 05/06/85 05/01/88

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-	
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-	
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-	P
Exam to S.O. Date	-	00/00/0000	Verified Date	-	05/06/1985	DLE/Carey Act	-	
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-	
Licensed Date	-	08/28/1979	Appl Received	-	00/00/0000	Transfer/Amended	-	
Decree Date	-	00/00/0000	Name Connector	-		POU Ownership Flag	-	
Presumption Flag	-							

State of Idaho

License and Certificate of Water Right

Water License No. G-30387

Amount 1.8 c.f.s.

Water District No. _____

Priority February 14, 1962

THIS IS TO CERTIFY that **HAROLD A. TIEGS**

of **Nampa, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **February 14**, 19 **62**; that Permit No. **G-30387** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **1.8** second feet, was issued thereunder on **March 20**, 19**67**, showing that said works were completed on the **28th** day of **February**, 19**64**; and that on the **28th** day of **February**, 19**64**, **HAROLD A. TIEGS**

of **Nampa**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well

, a tributary of **subterranean flow**, for the purpose of **irrigation**, under Use Permit No. **G-30387** of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

14 of Licenses at page **8715**, on the **20** day of **March**, 19 **67**;

The right hereby confirmed dates from **February 14**, 19 **62**;

The Point of Diversion is located

in the **SE 1/4 SW 1/4, Sec. 31**, Tp. **2 N.**, R. **2 W.**, B. M., **Canyon County**.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **1.8** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	2 W.	6	Lot 3 <i>NENW</i>	40	34
			Lot 4 <i>NWNW</i>	10	9
2 N.	2 W.	31	SE 1/4 SW 1/4	40	40
			Lot 4 <i>SWSW</i>	40	38
Total number of acres to be irrigated:					121

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at **Boise, Idaho**, this

20th day of **March**, 19 **67**.

s/ R. Keith Higginson
State Reclamation Engineer.

(SEAL)

63 3274

State of Idaho

License and Certificate of Water Right

Water License No. G-30387 Priority February 14, 1962 Amount 1.8 c.f.s.

THIS IS TO CERTIFY that **HAROLD A. TIEGS**

of **Nampa, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **February 14**, 19 **62**; that Permit No. **G-30387** was issued under said application; that Certificate of Completion of Works, with a carrying capacity of **1.8** second feet, was issued thereunder on **March 20**, 19 **67**, showing that said works were completed on the **28th** day of **February**, 19 **64**; and that on the **28th** day of **February**, 19 **64**, **Harold A. Tiegs**

of **Nampa**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of **a well**,

a tributary of **subterranean flow**, for the purpose of **irrigation**, under Use Permit No. **G-30387** of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume **14** of Licenses, at Page **8715**, on the **20th** day of **March**, 19 **67**.

The right hereby confirmed dates from **February 14**, 19 **62**.

The Point of Diversion is located

in the **SE 1/4 SW 1/4, Sec. 31, Twp. 2 N., R. 2 W., B.M., Canyon** County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **1.8** cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	2 W.	6	Lot 3	40	34
			Lot 4	10	9
2 N.	2 W.	31	SE 1/4 SW 1/4	40	40
			Lot 4	40	38
Total number of acres to be irrigated:					121

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this **20th** day of **March**, 19 **67**.

R. Keith Higgins
State Reclamation Engineer.

30387

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. G-30387

To Harold A. Tiegs

Nampa, Idaho

Source of Supply Well, tributary of

subterranean flow

Canyon

County

Amount 1.8

Sec. Ft.

Point of Diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31,

T. 2 N., R. 2 W., B.M.

Place of Use Lot 3, Lot 4, Sec. 6;

T. 1 N., R. 2 W., B.M.; Lot 4,

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 2 N., R. 2 W., B.M.

Purpose Irrigation

Date of Priority February 14, 1962

Recorded March 20, 1967

in Book 14 of Licenses, Page 8715

60-0000

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 38432
Permit No. G- 30387
District No.

1. Name of Applicant: Harold A. Tiegs
Postoffice address: Route 4, Nampa County: Canyon State: Idaho
2. Quantity of water claimed: 2.6 cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the Lot 4 $\frac{1}{4}$ of the $\frac{1}{4}$ of Section 31
Twp. 2 N , Rge. 2 W , B.M., County of Canyon
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well & pump
8. Estimated cost of works: \$ 15,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5
years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 2.6 (cubic feet per second, inches or gallons per minute) is for new lands.

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

By _____ Agent,

Date of first receipt at Department of Reclamation: 1:30 P.M. February 14, 1962

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 30387

Recorded in Book 106 Page 30387 Approved February 16, 1962

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

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

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 16, 1964

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before **February 16, 1967**

Witness my hand this 16th day of February, 1962

s/ RALPH W. THOMAS
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 16th
day of February, 1962.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLIE

Governor

Secretary of State.

12.

[illegible]

TO ALL WHOM IT MAY CONCERN:

This is to certify that HAROLD A. TIEGS of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. G-30387, issued upon Application No. G-38432 bearing date of priority of February 14, 1962, authorizing the diversion of 2.6 second feet of waters of a well, County of Canyon, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.8 second feet of the waters of a well, tributary of subterranean flow; that the point of diversion of said waters is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 2 N., R. 2 W., B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:

Lot 3, Lot 4, Sec. 6, T. 1 N., R. 2 W., B.M.; Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 2 N., R. 2 W., B.M.

Proof of Completion of Works Made: February 28, 1964.

Witness my hand this 20th day of March, A. D. 1967.

s/ R. KEITH HIGGINSON
State Reclamation Engineer

LICENSE ISSUED FOR 1.8 SEC. FT.
LICENSE PAGE NO. 8715

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-30387

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant HAROLD A. TIEGS

2. Source of water supply: a well

3. Location of point of diversion: Is in the SE 1/4 of Section 31

T. 2 N R. 2 E W County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: 125 HP F-M

Motor "F427609, F-M Pump" P2F1501, 8" Glum: 440'
including Bowler's Suction pipe 8" discharge into 30' dia X 4' Pond
10 HP Centrifugal booster (Berkeley) for sprinkler part of system

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE 1/4 NW 1/4 (Lot 3), NW 1/4 NW 1/4, Sec. 6; T. 1 N., R. 2 W., SW 1/4 SW 1/4 (Lot 4) SE 1/4 SW 1/4
Sec. 31, T. 2 N., R. 2 W.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Harold Tiegs along

Measured by Orifice Method 8" ID pp x 6" orifice $h_s = 26 \frac{1}{4} = 808 \text{ gpm}$
 $880 = 180 \text{ cfs}$

This examination was made on the 8 day of August, 1966

(Signed) Lynn Johnson

Examiner.

30387 Plat

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

OD-5
300' x 200' 10'
600' x 100' - 200' x 100'
2.6 ch. ??
h: 350'
Harold A. Tiegs
Route #4
Nampa, Idaho
Permit No. G-30387

Completion of Works
Examination for ~~and Beneficial Use~~

County Canyon

Quantity: 2.6 Sec. 31 T. 2N R. 2W

Source: Well

P. D.: SESW Sec 31 - T2N - R2W

Use: Irrigation

Filed: 14 February 1962

Due: 16 February 1967

Extension: —

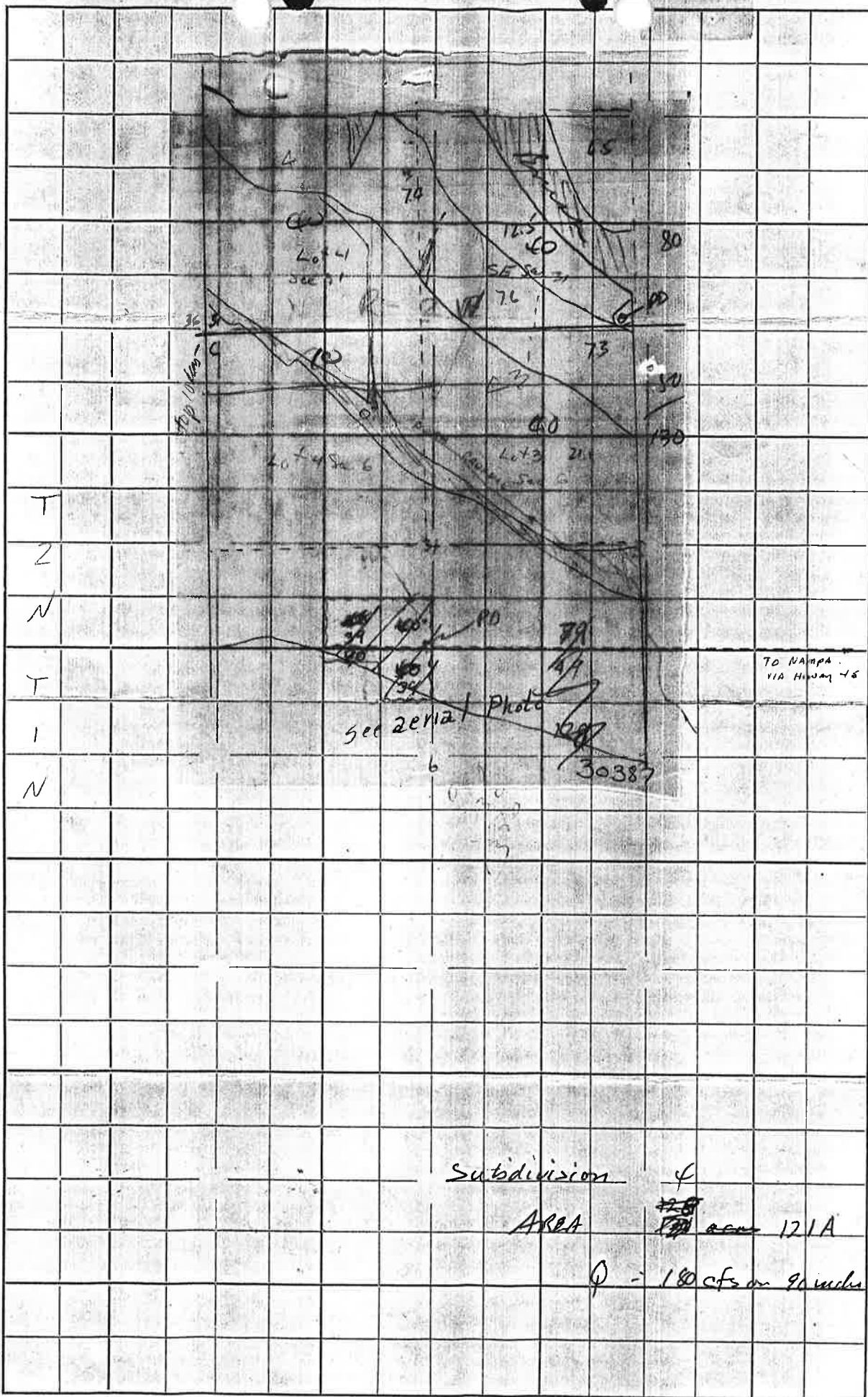
Protest: —

Completion of Works: —

Other Rights: None

Priority: Feb. 14, 1962

Made: Feb. 28, 1964



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

30387

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-30387

REPORT ON PROOF OF Completion of Works & Beneficial Use

Harold A. Tiegs
Route #4
Nampa, Idaho

27466

30387

