

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: A63-03486  
Date Received: 2/14/1990  
Receipt No: 1005912  
Received By: gpe

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: LEONARD A. TIEGS 208-466-7053  
Address: 15951 GARRITY BLVD  
NAMPA, ID 83687  
AND  
Name: JANET SCOTT TRUST 208-466-7053  
Address: 15951 GARRITY BLVD.  
NAMPA, ID 83687  
AND  
Name: HAROLD TIEGS TRUST 208-466-7053  
Address: 5951 GARRITY BLVD.  
NAMPA, ID 83687

2. Date of Priority: JAN 07, 1966

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      | NW     | NW     | SE     |     | CANYON |

5. Description of diverting works:  
12" CASING 100 HP MOTOR. 600' DEEP APPROX.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.380  |      | 426.00 |

7. Total Quantity Appropriated is:  
1.380 C.F.S. (and/or) 426.00 A.F.A.

8. Total consumptive use is 332.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

A63-03486

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 |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 02N      | 02W   | 31      | NE  |    | SW  |     | IRR           | 32.0  |
|          |       |         | NE  |    | SE  |     | IRR           | 33.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 30.0  |
|          |       |         |     |    |     |     | Section Acres | 95.0  |
|          |       |         |     |    |     |     | Total Acres   | 95.0  |

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:  
63-08053,63-3163

14. Remarks:  
AC. IRR.=94.5.

15. Basis of Claim: LICENSE  
Water Right Number: 32683

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 Tiep Date: Feb 14 1990  
Leonard Tiep P.P.  
Leonard Tiep Date: Feb 14 1990

State of Idaho )  
County of Canyon ) SS.

Subscribed and sworn (or affirmed) before me this 14 day  
of Feb. 19 90

John Soli Carbon  
Notary Public

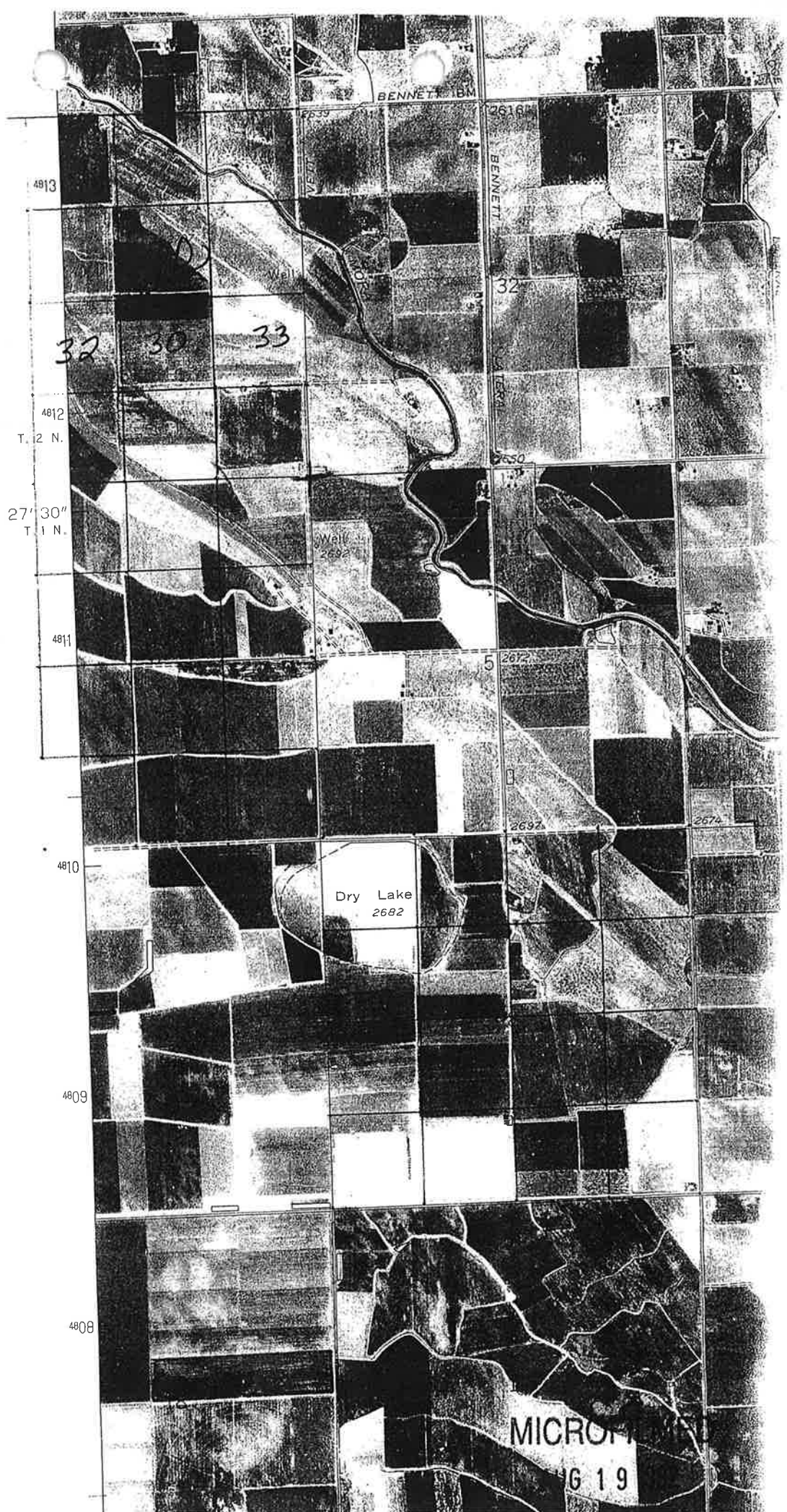
Seal

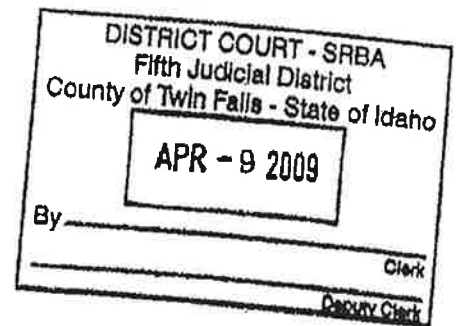
Residing at Boise Id

My Commission Expires 4/2/94

67

63-63486





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

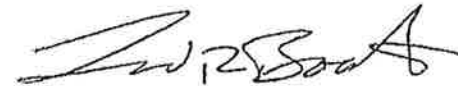
**ORDER GRANTING MOTION FOR LEAVE  
TO WITHDRAW AS COUNSEL OF RECORD - 1**

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

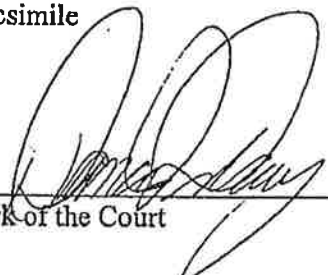
- ☐ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Facsimile

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 Tiegs 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

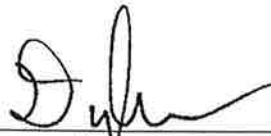
|                       |          |
|-----------------------|----------|
| Subcase Nos. 63-02896 | 63-03043 |
| 63-03163              | 63-03255 |
| 63-03274              | 63-03486 |
| 63-07876              | 63-08053 |
| 63-31476              |          |

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12<sup>th</sup> 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 12<sup>th</sup> 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 12<sup>th</sup> 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

☒ 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

  
\_\_\_\_\_  
Dylan B. Lawrence

# EXHIBIT A

TO CERTIFICATE OF SERVICE

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     | ) | ORDER SETTING SUBCASE(S) |                    |
|                | ) | FOR INITIAL HEARING      |                    |
| Case No. 39576 | ) |                          |                    |
|                | ) | 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

(continued)

Dated: MAY 05, 2008

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

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING  
SUBCASE(S) FOR INITIAL HEARING was mailed on MAY 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

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 )

A. Subcase 63-03486

(Insert water right number)

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

SCANNED  
APR 14 2009

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: \_\_\_\_\_
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, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

Name: 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 63-03486**

DBSI Tiegs 979, LLC, objects to inclusion of the following remark, as such appears under the Purpose and Period of Use elements of the Director's Report.

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.

**ATTACHMENT 2 TO  
STANDARD FORM 1 – OBJECTION  
SUBCASE 63-03486**

DBSI Tiegs 979, LLC, objects to inclusion of the following remark, as such appears under the Place of Use element of the Director's Report.

Right Nos 63-3486 and 63-8053 are limited to the irrigation of a combined total of 246 acres in a single irrigation season.

**ATTACHMENT 3 TO  
STANDARD FORM 1 – OBJECTION  
SUBCASE 63-03486**

**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.

**Purpose and Period of Use:**

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

**Place of Use:**

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way • Boise, Idaho 83705-5082

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

WESTERN REGION

C. L. "BUTCH" OTTER  
Governor

DAVID R. TUTHILL, JR.  
Interim Director

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  
FIRST CLASS  
\$ 01.  
02 1A  
0004389393 FEB 02  
MAILED FROM ZIP CODE 8

 **NO SUCH  
ADDRESS**

RECEIVED  
FEB 07 2007  
WATER RESOURCES  
WESTERN REGION

*W20*  
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  
0004310839  
\$01.1  
OCT 06 20  
MAILED FROM ZIP CODE 837

 **NO SUCH  
NUMBER**

NSN 90

HAROLD TIEGS TRUST  
15951 GARRITY BLVD  
NAPPA ID 83687

RECEIVED

OCT 17 2006

WATER RESOURCES  
WESTERN REGION

63-8053

3486

3274

3163

04/10/2006

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

RIGHT NUMBER: 63-3486

NAME AND ADDRESS: LEONARD A TIEGS  
15951 GARRITY BLVD  
NAMPA ID 83651

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

HAROLD TIEGS TRUST  
15951 GARRITY BLVD  
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.380 CFS  
426.000 AFY

PRIORITY DATE: 01/07/1966

POINT OF DIVERSION:

T02N R02W S31 NWNWSE 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           | 1.380 CFS<br>426.00 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

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T02N R02W S31 | NESW | 32.00 | T02N R02W S31 | NESE | 33.00 |
| T02N R02W S31 | NWSE | 30.00 |               |      |       |

95 ACRES TOTAL

Right Nos. 63-3486 and 63-8053 are limited to the irrigation of a combined total of 246 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



# Idaho Department of Water Resources

## 63-3486

### T02N R02W S31



⊙ Point of Diversion

▭ Place of Use

▭ Sections

▭ Quarter Quarter

Total irrigated  
acres = 95



1000 0 1000 Feet

IDWR

Prepared by: Sandy Egbert

Date: April 10, 2006

1987 NAAP Photography

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-3486 V1

WATER RIGHT NUMBER: 63-3486 V1

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

Priority Date: 01/07/1966

Basis: License

Status: Active

SourceTributary

GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 3/15 to 11/15           | 1.380 CFS             | 426.00 AF            |
|                       | <u>Total Diversion:</u> | 1.380 CFS             | 426.00 AF            |

Location of Point(s) of DiversionGROUND WATER  
CANYON County

NW1/4NW1/4SE1/4

Sec. 31, Twp 02N, Rge 02W, B.M.

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 |        |
| 02N | 02W | 31  |    |    |    |    |    |    |    |    | 32.0 |    |    |    | 33.0 | 30.0 |    |    | 95.0   |

Total Acres: 95

Conditions of Approval:

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-3486 V1

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. S39 The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. E55 Right Nos. 63-3486 and 63-8053 are limited to the irrigation of a combined total of 246 acres in a single irrigation season.

Remarks:

Comments: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> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Priority Date  | 4/10/2006 8:33:30 AM      | segbert         |                           |                 | Active        |
| POD            | 4/10/2006 8:33:51 AM      | segbert         |                           |                 | Active        |
| Source         | 4/10/2006 8:35:02 AM      | segbert         |                           |                 | Active        |
| POU            | 4/10/2006 8:35:15 AM      | segbert         |                           |                 | Active        |
| Use            | 4/10/2006 8:36:00 AM      | segbert         |                           |                 | Active        |
| Season         | 4/10/2006 8:36:23 AM      | segbert         |                           |                 | Active        |
| Quantity       | 4/10/2006 8:36:52 AM      | segbert         |                           |                 | Active        |
| Summary        |                           |                 | 04/10/2006                | segbert         | Active        |

Verification Log:

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

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-3486 V1

|          |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|----------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Season   | 4/10/2006 8:36:24 AM | segbert | <p>(Yes) 1. Is the basis of claim Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a Period of Use?</p> <p>(Yes) 5. Can the claimed Period of Use be verified using the water right file?</p> <p>(Yes) 14. Is irrigation claimed as a Purpose of Use?</p> <p>(Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?</p> <p>(No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?</p> <p>(Yes) 18. Is a Period of Use remark and/or condition required?</p> |
| Quantity | 4/10/2006 8:36:53 AM | segbert | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?</p> <p>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?</p> <p>(Yes) 8. Does the parent right have an annual diversion volume limit?</p> <p>(Yes) 10. Is a irrigation a purpose of use?</p> <p>(No) 12. Is a Quantity remark or condition required?</p> <p>Description for Question 10 - as licensed</p>                                                                                                                                                                       |
| General  | 4/10/2006 8:33:31 AM | segbert | <p>(No) 1. Should this water use have been included in a later court decree of the water rights from this source?</p> <p>(Yes) 4. Is the basis of claim decree or license?</p> <p>(Yes) 5. Does the decree or license have a Priority Date?</p> <p>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?</p> <p>(Yes) 15. Is the basis of claim coded correctly?</p> <p>(Yes) 16. Is a Priority Date remark and/or condition required?</p>                                                                                                                                                                                                            |
| POD      | 4/10/2006 8:33:52 AM | segbert | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a POD?</p> <p>(Yes) 5. Can the claimed POD be verified using the water right file?</p> <p>(No) 10. Is a POD remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                                           |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-3486 V1

|         |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---------|----------------------|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Summary | 4/10/2006 8:40:16 AM | segbert | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?<br>(No) 5. Does this right have any combined use limits with other rights?<br>(Yes) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(No) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date? |
| POD     | 4/10/2006 8:34:14 AM | segbert | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Source  | 4/10/2006 8:35:03 AM | segbert | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a source?<br>(Yes) 5. Can the claimed source be verified using the water right file?<br>(No) 11. Is a Source remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                                                       |
| POU     | 4/10/2006 8:35:16 AM | segbert | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2a. Is the POU required?<br>(Yes) 5. Does the Decree or License have a POU?<br>(Yes) 6. Can the claimed POU be verified using the water right file?<br>(No) 14. Is a POU remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                       |
| POU     | 4/10/2006 8:35:38 AM | segbert | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Use     | 4/10/2006 8:36:01 AM | segbert | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a Purpose of Use?<br>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?<br>(No) 13. Is a Purpose of Use remark and/or condition required?                                                                                                                                                                                                                                                                                                                                                                        |

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report 63-3486

WATER RIGHT NUMBER: 63-3486

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

Priority Date: 01/07/1966 ✓

Basis: License ✓

Status: Active ✓

Source

GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION ✓

From To

3/15 to 11/15 ✓

3-1

Diversion Rate

1.380 CFS ✓

Total Diversion:

1.380 CFS ✓

.0145 per acre

Annual Volume

426.00 AF ✓

426.00 AF ✓

4,488 ft<sup>3</sup>/acreLocation of Point(s) of Diversion

GROUND WATER

CANYON County

NW1/4NW1/4SE1/4 ✓

Sec. 31, Twp 02N, Rge 02W, B.M. ✓

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW   |    |    |    | SE   |      |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|------|----|----|----|------|------|----|----|--------|
| 02N | 02W | 31  | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW | SW | SE | NE   | NW   | SW | SE | 95.0   |
|     |     |     |    |    |    |    |    |    |    |    | 32.0 |    |    |    | 33.0 | 30.0 |    |    |        |

Total Acres: 95

Conditions of Approval:

1. AC. IRR.=94.5.

w/ 63-8053 limited to 246 acres  
95 acres + 179 acres less 28 acre overlap

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3486

WATER RIGHT NUMBER: 63-3486

|                   |                                              |
|-------------------|----------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                      |
| Current Owner     | CLARE R DAVENPORT<br>RT 4<br>NAMPA, ID 83651 |

Priority Date: 01/07/1966

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            | 3/15 to 11/15           | 1.380 CFS             | 426.00 AF            |
|                       | <u>Total Diversion:</u> | 1.380 CFS             | 426.00 AF            |

Location of Point(s) of Diversion

|               |            |                                 |
|---------------|------------|---------------------------------|
| GROUND WATER  | NW1/4SE1/4 | 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 |        |
| 02N | 02W | 31  |    |    |    |    |    |    |    |    | 32.0 |    |    |    |    | 33.0 | 30.0 |    | 95.0   |

Total Acres: 95

Conditions of Approval:

1. AC. IRR.=94.5.

Remarks:Comments:Dates and Other Information:

# Receipt Details for ID M005912

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

## General Information:

| Date Received        | Date Deposited | Region                 | Total Amount | Payment Type |
|----------------------|----------------|------------------------|--------------|--------------|
| 2/15/1990 2:30:30 PM | 2/15/1990      | Mobile                 | \$398.50     | Check        |
| <b>Payer</b>         |                | ESTATE OF HAROLD TIEGS |              |              |

## Account Information:

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 8888                 |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

**Comment** ADJUDICATION FEE

## Fee Detail:

| Amount   | Description      | PCA    | Fund | Fund Detail | Subsidiary | Object |
|----------|------------------|--------|------|-------------|------------|--------|
| \$398.50 | ADJUDICATION FEE | 410162 | 9337 | 0           | 0          | 6490   |

## Refund(s):

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

## Water Right Information:

| Basin Number | Sequence Number | Split Suffix | Amount   | Type  |
|--------------|-----------------|--------------|----------|-------|
| 63           | 20972           |              | \$171.00 | Claim |
| 63           | 3274            |              | \$25.00  | Claim |
| 63           | 3163            |              | \$29.50  | Claim |
| 63           | 3486            |              | \$72.50  | Claim |
| 63           | 8053            |              | \$100.50 | Claim |

Print Report

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-3486

04/10/2006

1

| Water Right # | Type        | Twp | Rge | Sec | QQ | Q  | Lot | Purpose of Use | Acres/Total | Name                                    |
|---------------|-------------|-----|-----|-----|----|----|-----|----------------|-------------|-----------------------------------------|
| 63-3486       | Claim       | 02N | 02W | 31  | NE | SW |     | IRRIGATION     | 32/95       | LEONARD A TIEGS                         |
| 63-3486       | Water Right | 02N | 02W | 31  | NE | SW |     | IRRIGATION     | 32/95       | CLARE R DAVENPORT                       |
| 63-3486       | Claim       | 02N | 02W | 31  | NE | SE |     | IRRIGATION     | 33/95       | LEONARD A TIEGS                         |
| 63-8053       | Claim       | 02N | 02W | 31  | NE | SE |     | IRRIGATION     | 28/179      | HAROLD TIEGS TRUST                      |
| 63-3486       | Water Right | 02N | 02W | 31  | NE | SE |     | IRRIGATION     | 33/95       | CLARE R DAVENPORT                       |
| 63-8053       | Water Right | 02N | 02W | 31  | NE | SE |     | IRRIGATION     | 28/179      | CONNECTICUT MUTUAL LIFE INSURANCE<br>CO |
| 63-3486       | Claim       | 02N | 02W | 31  | NW | SE |     | IRRIGATION     | 30/95       | LEONARD A TIEGS                         |
| 63-3486       | Water Right | 02N | 02W | 31  | NW | SE |     | IRRIGATION     | 30/95       | CLARE R DAVENPORT                       |

*Partial Overlaps of 63-8053*

AJ5809NP  
No. A63-03486

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/09/00  
PAGE: 92

| OWNER<br>CODE    | NAME & ADDRESS                                                              | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-----------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | HAROLD TIEGS TRUST<br>5951 GARRITY BLVD<br>NAMPA ID 83687<br>(208) 466-7053 | 01/07/1966       | IRRIGATION | 03-15 11-15           | 1.380 CFS         | 426.00 AFA          |
| TOTAL DIVERSION: |                                                                             |                  |            |                       | 1.380 CFS         | 426.00 AFA          |
| CONSUMPTIVE USE: |                                                                             |                  |            |                       |                   | 332.50 AFA          |

C LEONARD A TIEGS  
C JANET SCOTT TRUST  
15951 GARRITY BLVD  
NAMPA ID 83687  
(208) 466-7053

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R02W S31 NWNWSE

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 | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : | SUM |  |  |    |    |  |      |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |             |  |  |
| 02N | 02W | 31 | :    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |   |     |  |  |    |    |  |      |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |             |  |  |
|     |     |    |      |    |    |    |    |    |    |    |    |    |    |    |    | 32 |    |    |    |    |    |    |    |    |    |    |    |    |   |     |  |  | 33 | 30 |  | 95.0 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |             |  |  |
|     |     |    |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |   |     |  |  |    |    |  |      |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 95.0        |  |  |
|     |     |    |      |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |   |     |  |  |    |    |  |      |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | TOTAL ACRES |  |  |

POU County: CANYON

Non-Irrigation Uses: NONE

Other Rights: 63-08053,63-3163

Other Water Rights Listing Overlapping Place(s) of Use:  
A63-08053

Remarks: GEN AC. IRR.=94.5.

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 00:08:16  
Page 1

Water Right Number - 63-03486

Prefix Translation: WATER RIGHT

Old (D) Number - 32683

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

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

DAVENPORT

CLARE R.

1 - RT. 4

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +  
01/07/1966 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 NW SE (27) CANYON

+ - - - - - - - - - - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume  
01 - IRRIGATION 03/15 11/15 1.380 426.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +  
1.380 426.00

+ - - - - - - - - - - - - - Place of Use - - - - - +  
Twn Rng Sec Tract Lot Acres Code Description County  
02N 02W 31 NE SW 32.0 01 IRRIGATION (27) CANYON  
02N 02W 31 NE SE 33.0 01 IRRIGATION (27) CANYON  
02N 02W 31 NW SE 30.0 01 IRRIGATION (27) CANYON

Total Acres: 95.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - Remarks - - - - - +  
AC. IRR.=94.5.

+ - - - - - - - - - - - - - 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 00:08:16  
Page 2

Water right number - 63-03486

Prefix Translation: WATER RIGHT

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +

00/00/0000

+-----+ -Comments- +  
No Comments Found

+ - - Audit Fields - 04/08/85 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   | - | 04/08/1985 | DLE/Carey Act      | - |   |
| Order Show Cause  | - | 00/00/0000 | Receipt Number  | - |            | Water District     | - |   |
| Licensed Date     | - | 09/12/1979 | Appl Received   | - | 00/00/0000 | Transfer/Amended   | - |   |
| Decree Date       | - | 00/00/0000 | Name Connector  | - |            | POU Ownership Flag | - |   |
| Presumption Flag  | - |            |                 |   |            |                    |   |   |

State of Idaho  
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32683/63-3486 Priority Jan. 7, 1966 Amount 1.38 cfs

THIS IS TO CERTIFY, that CLARE R. DAVENPORT  
of Nampa, Idaho, has complied with the terms and conditions of Permit  
No. 32683/63-3486 issued pursuant to Application for Permit dated January 7, 1966,  
and has submitted proof to the Department of Water Administration on January 6, 1971,  
that he has applied water to a beneficial use; an examination by the Department indicates that the  
works have a capacity of 1.38 cfs, and that the water has in fact been applied to a  
beneficial use; a right to the use of water from a ground water source  
tributary of \_\_\_\_\_, is hereby confirmed in the following amounts:  
Amount 1.38 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)  
Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
Subject, however, to the condition that no more than 1.38 cfs of water be diverted at  
any one time, said waters to be diverted within the \_\_\_\_\_

NW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 31, Twp. 2 N, Rge. 2 W, B.M.

in the county of Canyon; and that the amount of water so diverted and to which such  
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can  
actually be beneficially used and shall not exceed 426 acre feet per year or  
4.5 acre feet per acre.

Description and location of place of use:

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS           |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |                  |
| 2 N  | 2 W   | 31   |                  |                  |                  |                  |                  |                  |                  |                  | 32               |                  |                  |                  | 32 $\frac{1}{2}$ |                  |                  |                  | 94 $\frac{1}{2}$ |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |

Total number of acres irrigated 94 $\frac{1}{2}$

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6<sup>th</sup> day of  
November, 19 73.

  
Director

63 3486

APPLICATION FOR PERMIT  
To Appropriation the Subterranean Waters of The State of Idaho

Application No. G- 40845  
Permit No. G- 32683  
District No.

1. Name of Applicant: CLARE R. DAVENPORT  
Postoffice address: RD # 4, Nampa, County: Canyon State: Idaho
2. Quantity of water claimed: 2.4 cubic feet/sec.  
(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 NW 1/4 of the SE 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 1/4 of the 1/4 of Section , Twp.  
Rge. , B.M.  
(b) Waste water or sewage effluent is to be returned to  
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Turbine pump & sprinkler system
8. Estimated cost of works: \$ 23,000
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 onhand: \$  
(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) 2.4 (cubic feet per second, ~~inches or gallons per minute~~) is for new lands.

Remarks: This permit replaces G-29132 which was to be on a desert entry; the entry wasn't allowed but the land was purchased by the entry applicant.

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

/s/ Clare R. Davenport Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 2:30 P.M. January 7, 1966

Returned to applicant for correction:

Corrected application received:

### Approval of State Reclamation Engineer

The number of this permit is G— 32683

Recorded in Book 114 Page 32683 Approved January 10, 1966

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

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

Work to begin on or before 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 July 10, 1968

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 January 10, 1971

Witness my hand this 10th day of January, 1966

/s/ CARL E. TAPPAN  
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 10th day of January, 1966.

Countersigned:

STATE OF IDAHO

(SEAL)

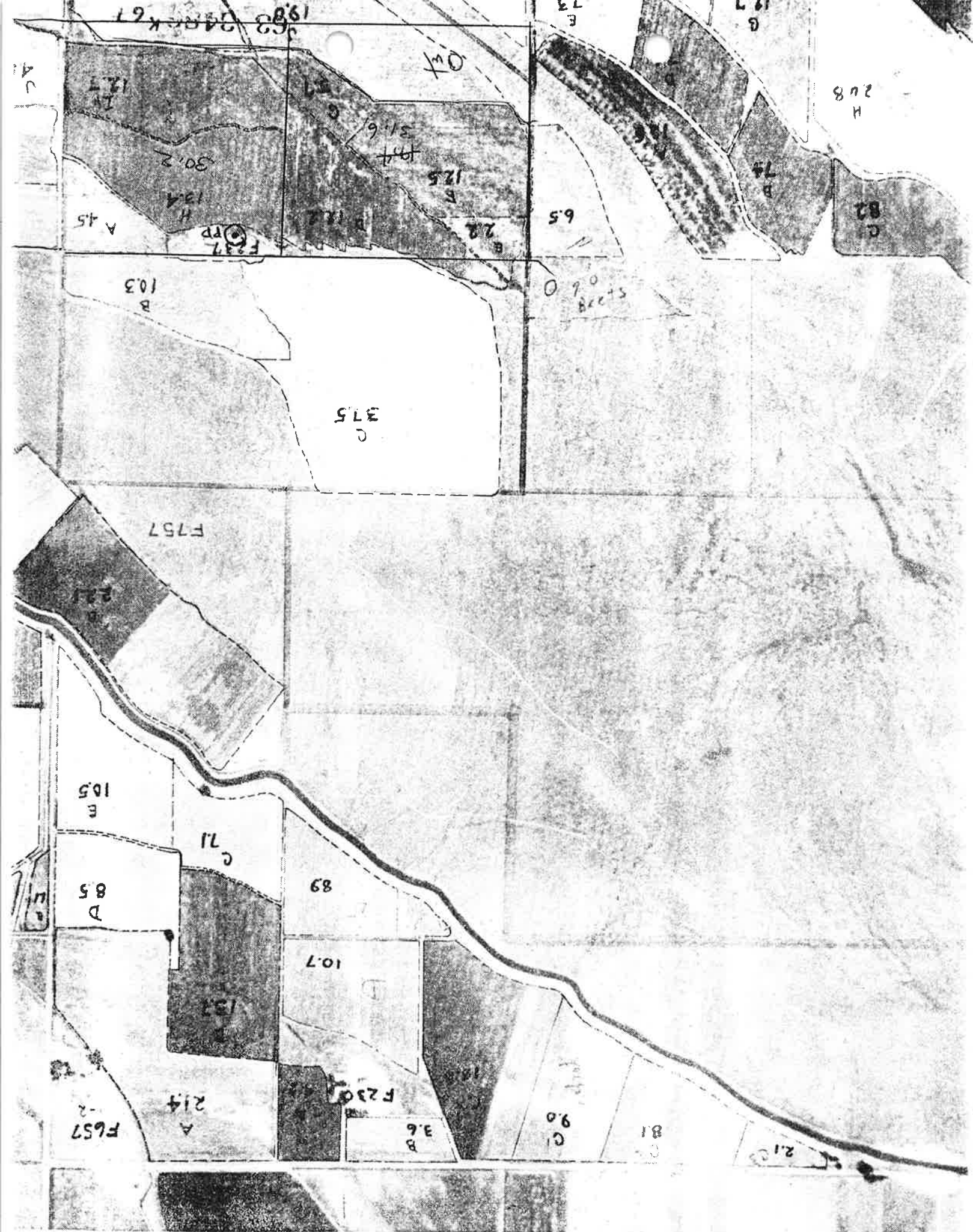
By /s/ ROBERT E. SMYLLIE  
Governor

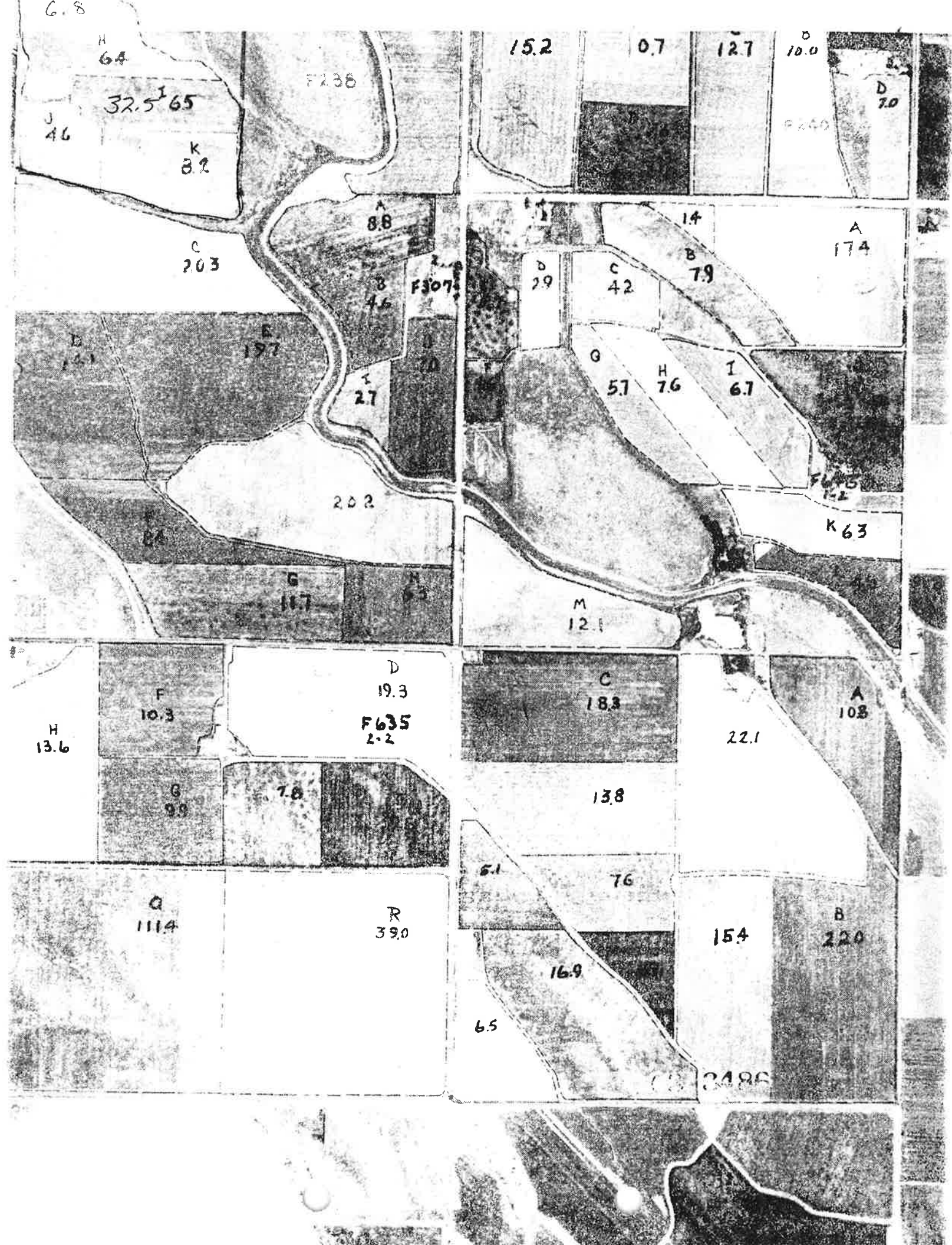
By /s/ ARNOLD WILLIAMS  
Secretary of State.

12.

| Twp. | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 2 N  | 2 W   | 31   |                  |                  |                  |                  |                  |                  |                  |                  | 40               |                  |                  |                  | 40               | 40               |                  |                  | 120    |

LICENSE ISSUED FOR 1.38-1966  
LICENSE #43





DATE OF EXAM 11 June 1971

ACREAGE  
Found 94.3  
Recommended 94.3

Irrigation Requirement 4.5 Ac Ft/Ac

USE  
Irrigation Q = 1.38 c.f.s. V = 424.4 AF/Ann. from Mar 15 to Nov 15  
Domestic Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_

Is water co-mingled? yes \_\_\_\_\_ no ✓

Name source: Ground water  
twp. 2 N/S Rge 2 W E/W B.M., Sec. 31, Sub. NW 1/4 SE 1/4 Canyon  
County

Exchange? yes \_\_\_\_\_ no ✓

Name source exchanged with: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County

Point of injection:  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County

Point of exchange:  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County

Total Q measured 1.38 Method of measurement P gauge

Total Q recommended 1.38 Meter No. \_\_\_\_\_ Type \_\_\_\_\_ Condition \_\_\_\_\_

Total V recommended 424.4

Recommended Amendments:

P.D. \_\_\_\_\_  
Place of Use \_\_\_\_\_  
Other \_\_\_\_\_  
None \_\_\_\_\_

MEASUREMENT CALCULATION:

9.6 Rainbird 30 with 5/2 Noz @ 85 psi = 6.48 gpm  
 $Q = (9.6)(6.48) / 450 = 622.08 / 450 = 1.38 \text{ CFS}$

SYSTEM DESCRIPTION:

US Motors Hollow Shaft 7.5 HP 220/440 Volts, 800 RPM  
San 1213175 Logue & Bowler Pump 8" discharge  
2.5 HP Booster Unclashed Motor Berkeley Cent Pump  
1.5 HP Booster Berkeley Cent pump  
E/W Mainline

REMARKS:

System was only running 3 times @ 85-90 psi  
I think he could get more water with additional lines  
Land is planted mostly in grain

Examiner's Signature James Barber Date 16 June 1971

Checked by 11/1 Date 11/1

Approved by \_\_\_\_\_ Date \_\_\_\_\_

## FIELD REPORT

- 120

Permit No. G-32683/63-3486  
Examination for B/U

k. 2 w.

7.  
2  
N.

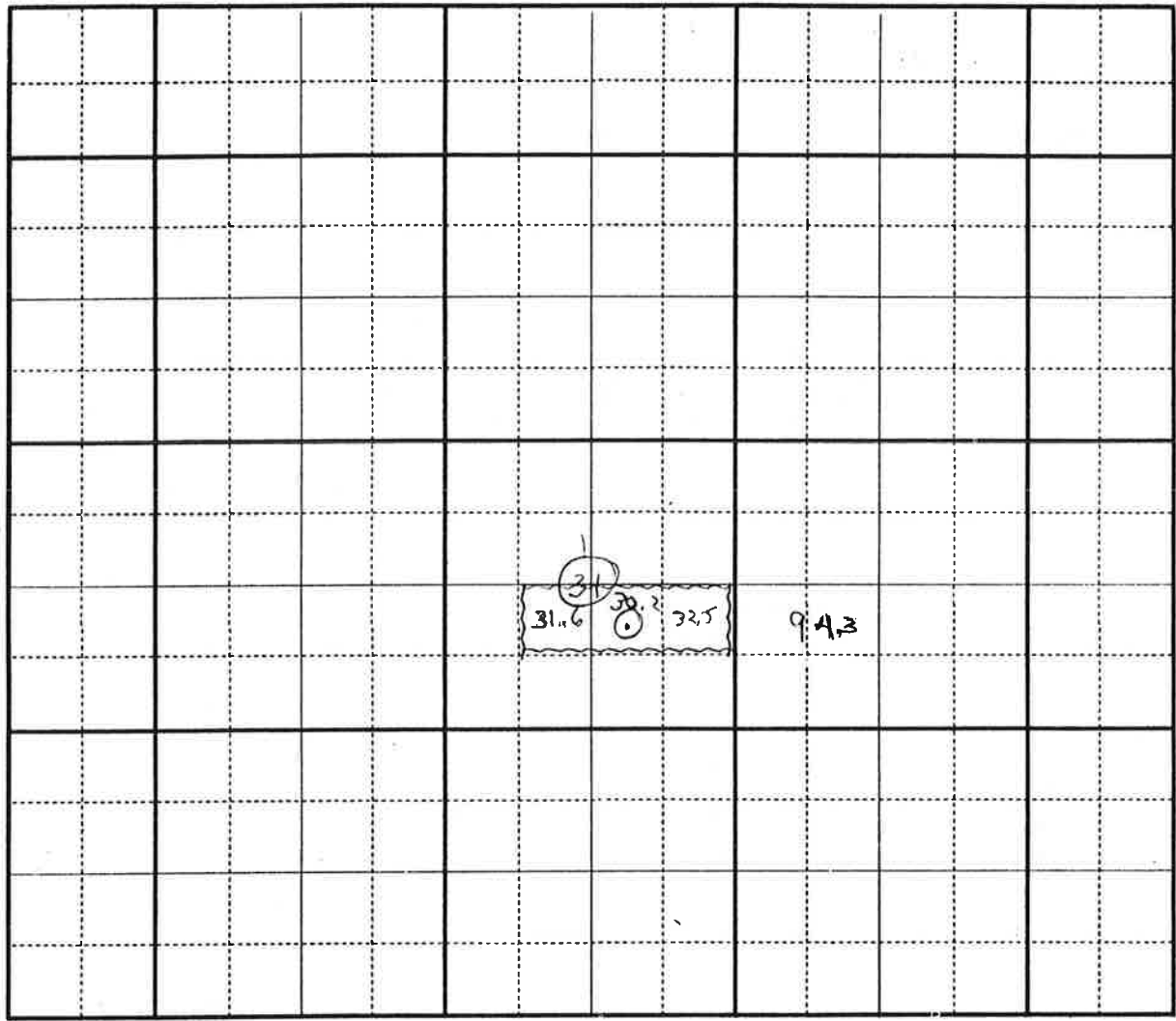


Diagram of System

