

154.00

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: A63-02537
Date Received: 1/18/1990
Receipt No: W007711/W007712
Received By: Reh

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MELVIN A. HUTER 208-466-3853
Address: 1410 N. 59TH
NAMPA, ID 83687

OR
Name: EARL A. HUTER 208-466-1018
Address: 9040 LINDEN
NAMPA, ID 83687

2. Date of Priority: AUG 28, 1937

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	01W	18	SE	NE			CANYON

5. Description of diverting works:
2 WELLS, 450' & 80' DEEP, 6" & APPROX 18" CASINGS, ARTESIAN & SUR. P

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.300		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A63-02537

Page 1

Date: 01/18/90

MICROFILMED

AUG 18 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	01W	18	NE		NE		IRR	30.0
			NW		NE		IRR	30.0
			SW		NE		IRR	22.0
			SE		NE		IRR	22.0
							Section Acres	104.0
							Total Acres	104.0

11. Place of use in counties: CANYON

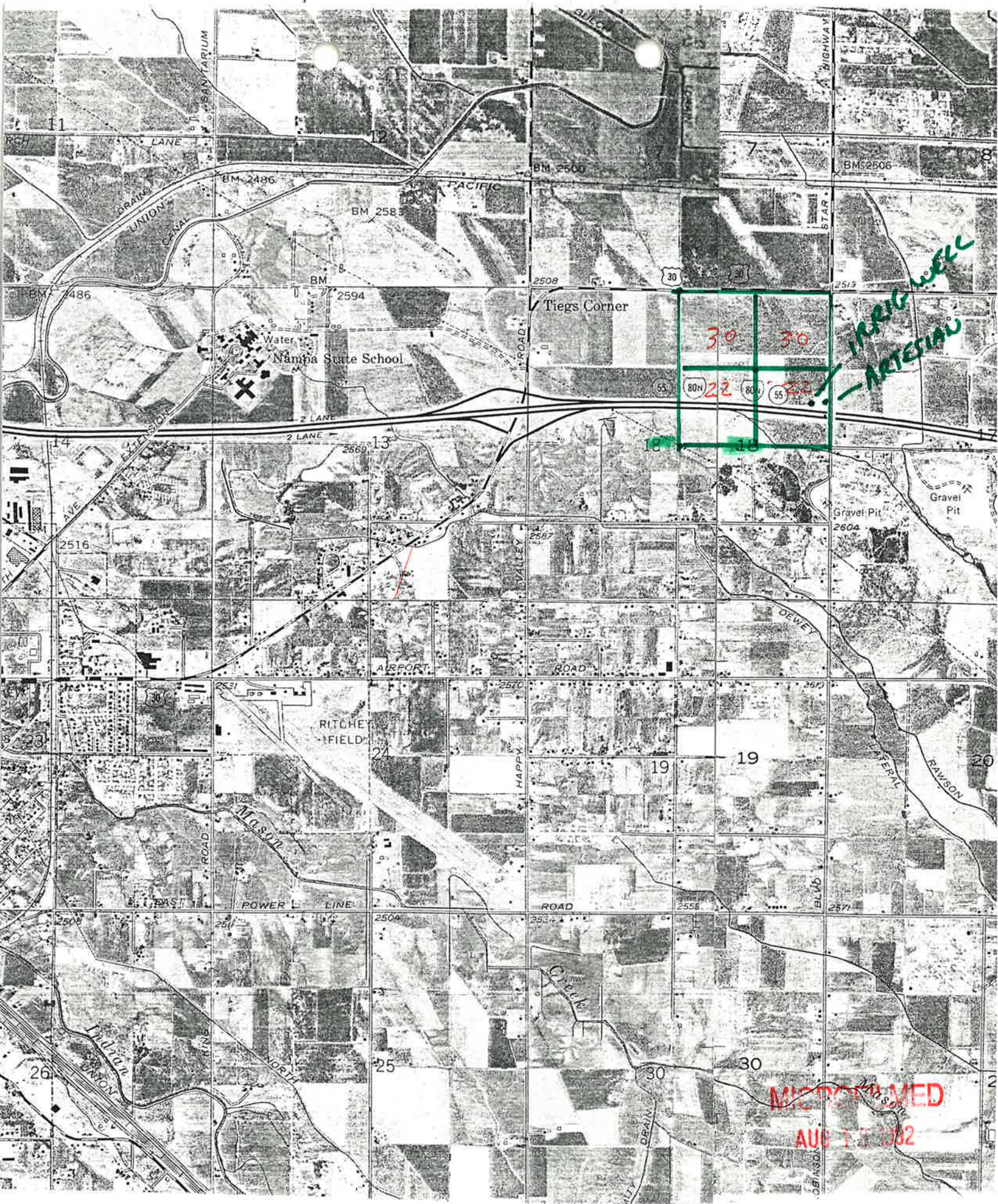
12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NAMPA-MERIDIAN

14. Remarks:

THE 2ND WELL WAS PUT IN FOR DRAINAGE AND SUPPLEMENT FOR IRRIGATION. (LAPSED PERMIT 63-3541) WELL WAS PUT IN SEPT. 12, 1966. CLAIMANTS WILL TRY TO RE-INSTATE IT. THIS WELL IS ADDED TO THIS CLAIM AS A SECOND P/D.
2-POINTS OF DIVERSION IN SENE.

15. Basis of Claim: LICENSE
Water Right Number: 18498



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 X 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): Melvin A. Hunter Date: Jan 18, 1990
Earl A. Hunter Date: Jan 18, 1990

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of JAN 19 90 Ron Howerton
Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1994

Receipt Details for ID W007711

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/18/1990 11:49:07 AM	1/18/1990	Western	\$77.00	Check
Payer	HUTER, EARL			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
3263			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$77.00	ADJUDICATION FEE	410162	9337	00		6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	2537		\$77.00	Claim

[Print Report](#)

Receipt Details for ID W007712

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/18/1990 11:51:26 AM	1/18/1990	Western	\$102.00	Check
Payer HUTER, MELVIN				

Account Information:

Check #	Account #	Credit Card Name	Authorization #
789			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$102.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	2537		\$77.00	Claim
63	20325		\$25.00	Claim

Print Report

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-2537

EARL A HUTER
9040 LINDEN
NAMPA ID 83687
Telephone Number: (208)466-1018

MELVIN A HUTER
1410 N 59TH
NAMPA ID 83687
Telephone Number: (208)466-3853

RECEIVED

OCT 13 2006

WATER RESOURCES
WESTERN REGION

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: Oct 10-2006 SIGNATURE: Melvin A. Huter

Please print your name: MELVIN A. HUTER

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

02/01/2006

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

RIGHT NUMBER: 63-2537

NAME AND ADDRESS: EARL A HUTER
9040 LINDEN
NAMP A ID 83687

MELVIN A HUTER
1410 N 59TH
NAMP A ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.300 CFS
468.000 AFY

Right Nos. 63-2537 and 63-3541 are limited to a total combined diversion rate of 2.3 cfs and to a total combined annual diversion volume of 517.5 AF.

PRIORITY DATE: 08/28/1937

POINT OF DIVERSION:

T03N R01W S18 SENE Within CANYON County

T03N R01W S18 SENE Within CANYON County

Right No. 63-3541 is also diverted through one of the points of diversion described above.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.300 CFS 468.00 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T03N R01W S18	NENE	30.00	T03N R01W S18	NWNE	30.00
T03N R01W S18	SWNE	22.00	T03N R01W S18	SENE	22.00

104 ACRES TOTAL

Right Nos. 63-2537 and 63-3541 are limited to the irrigation of a combined total of 115 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Parcel Nos. R3048100000 and R3048101000.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Two points of diversion located in T3N, R1W, S18, SENE.

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: February 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2537 V1

WATER RIGHT NUMBER: 63-2537 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EARL A HUTER 9040 LINDEN NAMPA, ID 83687 (208)466-1018
Current Owner	MELVIN A HUTER 1410 N 59TH NAMPA, ID 83687 (208)466-3853
Original Owner	GEORGE KING NAMPA, ID

Priority Date: 08/28/1937

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	1.300 CFS	468.00 AF
	<u>Total Diversion:</u>	1.300 CFS	468.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 18, Twp 03N, Rge 01W, B.M.
CANYON County		
GROUND WATER	SE1/4NE1/4	Sec. 18, Twp 03N, Rge 01W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	01W	18	30.0	30.0	22.0	22.0													104.0

Total Acres: 104

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. Parcel Nos. R3048100000 and R3048101000.
3. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2537 V1

4. F05 Right No. 63-3541 is also diverted through one of the points of diversion described above.
5. E60 Right Nos. 63-2537 and 63-3541 are limited to a total combined diversion rate of 2.3 cfs and to a total combined annual diversion volume of 517.5 AF.
6. E55 Right Nos. 63-2537 and 63-3541 are limited to the irrigation of a combined total of 115 acres in a single irrigation season.
7. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
8. F02 Two points of diversion located in T3N, R1W, S18, SENE.

Remarks:Comments:

1. vmusic 1/27/2006 OVERLAP

Comment: LICENSE 63-3541 IS POU AND POD OVERLAP. NOT CLAIMED IN THE SRBA BECAUSE APPLICANT LET PERMIT LAPSE AND WAS REINSTATED. P DATE IS 1990.

2. vmusic 1/27/2006 ACC TRX IN POD

Comment: ADDED SECOND WELL IN 1966. THIS IS WELL THAT IS LICENSED UNDER 63-3541.

3. vmusic 1/27/2006 ACC TRX IN POU

Comment: CLAIMED THE LICENSED 104 ACRES BUT CHANGED THE IRRIGATED ACRES. TIMEFRAME APPEARS TO BE 1966 WHEN SECOND WELL WAS PUT IN.

4. vmusic 1/27/2006 SOU

Comment: NO IRRIGATION SEASON LICENSED. RECOMMENDED CURRENT STANDARD. NO SHOULDER REMARK NEEDED.

5. vmusic 1/27/2006 ERROR IN LICENSE

Comment: POD IN THE LICENSE IN THE SWNE DOES NOT CORRESPOND TO THE LOCATION OF POD IN THE LICENSING EXAM OR AS CLAIMED OF THE SENE. RECOMMENDED THE POD PER CLAIM AND LICENSING EXAM IN THE SENE.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number:

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>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2537 V1

Summary			01/25/2006	lharris	Active
Contacts	1/27/2006 3:47:39 PM	vmusic			Active
Priority Date	1/27/2006 3:47:56 PM	vmusic			Active
POD	1/27/2006 3:48:12 PM	vmusic			Active
Source	1/27/2006 3:48:31 PM	vmusic			Active
POU	1/27/2006 3:48:48 PM	vmusic			Active
Use	1/27/2006 3:49:12 PM	vmusic			Active
Season	1/27/2006 3:49:33 PM	vmusic			Active
Quantity	1/27/2006 4:06:21 PM	vmusic			Active
Summary			02/01/2006	vmusic	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	1/25/2006 11:17:41 AM	lharris	(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	2/1/2006 2:36:39 PM	vmusic	Updated shape
Summary	2/1/2006 2:30:07 PM	vmusic	(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? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 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?
POD	2/1/2006 2:37:00 PM	vmusic	Updated shape
POU	2/1/2006 2:38:00 PM	vmusic	Updated shape for Active POU
Contacts	1/27/2006 3:47:41 PM	vmusic	(No) 1. Do you want to schedule an appointment?

Comment for 1: DESKTOP REVIEW OF
LICENSED RIGHT

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2537 V1

General	1/27/2006 3:47:58 PM	vmusic	(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	1/27/2006 3:48:14 PM	vmusic	(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? (Yes) 10. Is a POD remark and/or condition required?
Source	1/27/2006 3:48:33 PM	vmusic	(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?
POU	1/27/2006 3:48:49 PM	vmusic	(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? (Yes) 14. Is a POU remark and/or condition required?
Use	1/27/2006 3:49:14 PM	vmusic	(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	1/27/2006 3:49:34 PM	vmusic	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2537 V1

Quantity	1/27/2006 4:06:23 PM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License?
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Water Supply Bank:

Desktop review/vlm

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT

11/15/16

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid
- ☐ Well logs (if needed)
- ☐ Copy of topo or NAPP
- ☐ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☐ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-2537

Owner: _____ Phone No. _____

Current Address: _____

- ☐ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 8-28-1937

(If priority date, based on your exam, seems questionable, explain below.)

Source: GW Tributary to _____

- ☒ No Change –SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☐ No change
- ☐ POD found is different than claimed: _____
- ☒ If different, when did POD change? _____

#1 - LIC POD = GUNNE IB BUT LIC MAP SHOWS IT TO BE GENE (as claimed) - 4/10/16

#2 - 2nd well added in 1966 - ALL INF in POD

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

see claim and license, also license 63-3541

OVERLAP REVIEWOther water rights with the same point of diversion: 63-3541

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

adds 11 acres & 1.0 cfs. Combined use limits

WATER USES☒ No change☐ Different Uses

Use irr From 3/1 To 11/15 Amount 1.3 CFS 468 AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

*you not named.
no shoulder needed*

TOTAL VOLUME – Groundwater only☒ Incomplete on claim, the total is, Amount 1.3 CFS 468 AFA☐ Changes found, the new total is, Amount _____ CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

$(104)(4.5) = 468 \text{ afa}$ or $(1.3)(1.9835)(280) = 670.42 \text{ afa}$

NON-IRRIGATION USES:☒ No change☐ Changes Exam found: Domestic # of homes _____ Stock # _____

Types _____ Additional comments: _____

PLACE OF USE:☐ No Change☒ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: 63-3541

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

63-3541 for 115 acres (additional 11) & additional 1 cfs.

Delivery System Narrative: SEE claim and notices 63-3541 & 63-2537

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

118 ✓
PO2 ✓ 2 PODS in SENE
PO3 ✓ acc trx in POD
PO4 ✓ this pt. limited to 104 ac @ 1.3 cfs in irr. season
PO5 ✓ when combined w/63-3541, ~~net~~ acres limited to 115 total.
PO6 ✓ when combined w/63-3541 limited to 2.3 cfs @ 1.5 ac
PO7 ✓ 63-3541 also diverted thru one of the PODS above.
PO8 ✓ acc trx in POD
ESS ✓

- (1) rec corrects typo in lic. POD
- (2) added 2nd well in 1966 - acc map
- (3) slight changes in acres in per claim - acc map 1966
- (4) POD & POU overlap 63-3541

AFTER EXAM THE FILE SHOULD CONTAIN:

- NA C
- ☒ Completed claim checklist
 - ☐ Photographs of POD's and POU
 - ☐ GPS readings
 - ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED:

2-1-06

FIELD EXAMINER:

Yancy L. L. C.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2537

WATER RIGHT NUMBER: 63-2537

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EARL A HUTER 9040 LINDEN NAMPA, ID 83687 (208)466-1018
Current Owner	MELVIN A HUTER 1410 N 59TH NAMPA, ID 83687 (208)466-3853
Original Owner	GEORGE KING NAMPA, ID

Priority Date: 08/28/1937 ✓
 Basis: License ✓
 Status: Active

Source Tributary
 GROUND WATER 3/1

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	1.300 CFS ✓	
	<u>Total Diversion:</u>	1.300 CFS	

Location of Point(s) of Diversion

GROUND WATER SE1/4NE1/4 Sec. 18, Twp 03N, Rge 01W, 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	
03N 01W 18	30.0	30.0	22.0	22.0													104.0 ✓

Total Acres: 104

Conditions of Approval:

- THE 2ND WELL WAS PUT IN FOR DRAINAGE AND SUPPLEMENT FOR IRRIGATION.(LAPSED PERMIT 63-3541) WELL WAS PUT IN SEPT. 12, 1966. CLAIMANTS WILL TRY TO RE-INSTATE IT. THIS WELL IS ADDED TO THIS CLAIM AS A SECOND P/D.
2-POINTS OF DIVERSION IN SENE.

Remarks:

acc for in P/D added 2nd well in 1966)
 acc for in P/D
 artesian
 Overlap: POU, P/D 63-3541

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2537

WATER RIGHT NUMBER: 63-2537

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEORGE KING
	NAMPA, ID

Priority Date: 08/28/1937

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 /		1.300 CFS	
DOMESTIC	/ to /			
	<u>Total Diversion:</u>		1.300 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 18, Twp 03N, Rge 01W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03N	01W	18	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			24.0	35.0	25.0	20.0													104.0

Total Acres: 104

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2537

01/25/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2537	Claim	03N	01W	18	NE	NE		IRRIGATION	30/104	EARL A HUTER
2537	Water Right	03N	01W	18	NE	NE		IRRIGATION	24/104	GEORGE KING
3541	Water Right	03N	01W	18	NE	NE		IRRIGATION	40/115	MELVIN HUTER
2537	Claim	03N	01W	18	NW	NE		IRRIGATION	30/104	EARL A HUTER
2537	Water Right	03N	01W	18	NW	NE		IRRIGATION	35/104	GEORGE KING
3541	Water Right	03N	01W	18	NW	NE		IRRIGATION	40/115	MELVIN HUTER
2537	Claim	03N	01W	18	SW	NE		IRRIGATION	22/104	EARL A HUTER
2537	Water Right	03N	01W	18	SW	NE		IRRIGATION	25/104	GEORGE KING
3541	Water Right	03N	01W	18	SW	NE		IRRIGATION	10/115	MELVIN HUTER
2537	Claim	03N	01W	18	SE	NE		IRRIGATION	22/104	EARL A HUTER
2537	Water Right	03N	01W	18	SE	NE		IRRIGATION	20/104	GEORGE KING
3541	Water Right	03N	01W	18	SE	NE		IRRIGATION	25/115	MELVIN HUTER

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-03541

Priority: January 18, 1990

Maximum Diversion Rate: 1.00 CFS
Maximum Diversion Volume:¹ 487.9 AF

This is to certify, that MELVIN HUTER
EARL HUTER

1410 N. 59TH
NAMPA, ID 83687

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 11, 1966; and has submitted Proof of Beneficial Use on January 18, 1990. An examination indicates that the works have a diversion capacity of 1.340 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.00 CFS	487.9 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE, Sec. 18, Township 03N, Range 01W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	01W	18	NENE 40 SENE 25	NWNE 40	SWNE 10	115

Total number of acres irrigated: 115

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

NOV 19 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-03541

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 17TH
day of OCTOBER, 1991.

Attest to


R. Keith Higginson, Director

NOV 19 1991

127
83 10
PERMIT 63-3541 INIT MTS
T. R. S. Q/Q
P/D 3N 1W 18 SENE
SCALE
PHOTO ID.

T2198

60.9

P/U

67.0

2
28.1

P/D

P/U

T3285

T2717

T2718

T2719

T2714

T2716

2 3 5
40 8.5 10.3

3.2

3.6

4.5

11 10 9
18 6.3 4.5 5.7

3.7

10

2.8

NOV 19 1991

T2872

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 19 1991

Department of Water Resources

A. GENERAL INFORMATION

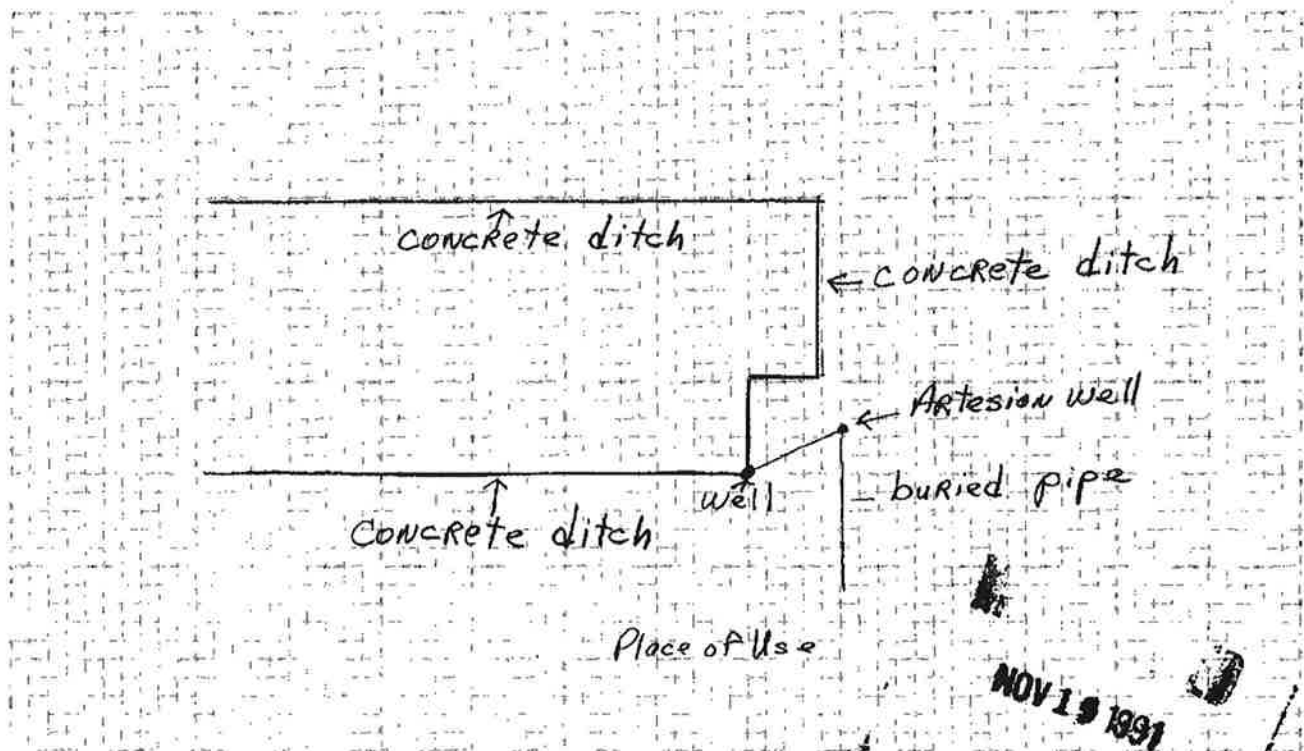
1. Owner: Melvin & Earl Huter Permit No. 63-3541
Current Address: 1410 N. 59th, Nampa, Idaho 83687 Phone No. 466-3853
2. Accompanied by: Melvin Huter EXAM. DATE: 6-12-90
Address: same Phone No. _____
Relationship to Permit Holder: same
3. Source: groundwater tributary to none

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-2537
_____ ☒ Copies Attached
2. Other water rights with same point of diversion: none
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = not to scale

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

System Description (continued)

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

The system consists of a 25 Hp pump with an 8" open discharge to a concrete ditch. The concrete ditch flows West and North from the well. Water is provided to the fields by siphon tubes. Water supplements water from an artesian well and provides water to approx 10.5 acres on the South side of F84 by an underground line.

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	U.S. Motors	25	R3921587	Layne Bros 8"	44313

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NE	18	3 N	1 W	Canyon	Ortho photo map

6. Place(s) of Use:

Indicate Method of Determination aerial photo

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3 N	1 W	18	40	40	10	25													115

Do not use this space

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Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
5 gallon bucket						
& stop watch						

2. Measurements:

5 gallons in .5 seconds.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method: $5 \text{ gal} / .5 \text{ sec} \times \frac{60 \text{ sec}}{1 \text{ min}} = 600 \text{ gpm} = 1.34 \text{ cfs}$
 license limit $\underline{1 \text{ cfs}}$

2. Alternate Method for Checking Purposes:

See theoretical calculations

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

Meter Input HP: (6) x 1.34 = _____ (7)

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$115 \times 4.5 = 517.5$
 $V_{i.r.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \text{See theoretical attached to}$
 $V_{d.r.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.0 \times 246 \times 1.9835 = 487.9$
 $V = \text{Smaller of } V_{i.r.} \text{ and } V_{d.r.} = \underline{487.9}$

2. Volume Calculations for Other Uses:

Theoretical volume is greater than calculated
 So no measurement required, however one was taken

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

License # 63-2537 is the artesian well that is part of the water used for the place of use of this permit # 63-3541. Daters received 63-2537 when they purchased the land from George King.

*-> Recommend license for 63-3541 approved on the condition that all rights combined not exceed .02 cfs per acre and priority date be advanced to the date the proof of beneficial use was received.

Note: groundwater levels were checked at 4 sites in pipes installed by SCS within 100 yds of well location and provided groundwater depths of 11', 9', 9' & 8.5'. Draw down was estimated at 5'-6' during operation of system.

Due to the large variation between the Irrigation Requirement and theoretical AFA a 5 gallon bucket measurement was performed.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-15	11-15	1.0	517.5 487.9
Totals:			1.0	517.5 487.9

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name

Melvin T. Schulte

Signature

Melvin T. Schulte

Certification Date

Field Report Preparation Date

7-6-90



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

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State of Idaho
License and Certificate of Water Right

Water License No. 18498

Amount 1.3 second feet

Water District No. _____

Priority August 28, 1937

THIS IS TO CERTIFY that GEORGE KING

of Nampa, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 17, 1937; that Permit No. 18498 was issued under said application; that Certificate of Completion of works, with a carrying capacity of Two second feet, was issued thereunder on September 21, 1942, showing that said works were completed on the 6th day of August, 1942; and that on the 2nd day of October, 1948,

GEORGE KING

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 subterranean flow from an ~~exhaustion of~~ artesian well, for the purpose of domestic and irrigation uses, under Use Permit No. 18498 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

8 of Licenses at page 4527, on the 22nd day of March, 1950;

The right hereby confirmed dates from August 28, 1937;

The Point of Diversion is located

in the SW 1/4 NE 1/4 Sec. 18, Tp. 3 N., R. 1 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 1.3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	1 W.	18	NE 1/4 NE 1/4	24	24
			NW 1/4 NE 1/4	36	35
			SW 1/4 NE 1/4	40	25
			SE 1/4 NE 1/4	40	20
			Number of Acres Actually Irrigated -		<u>104</u>

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 22nd day of March, 1950.

MARK R. KULP

State Reclamation Engineer

(SEAL)

*NO 50N
TINERD*

63 2537

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 18498This proof is for Beneficial use

In Water District No. _____

1. Name of applicant George C. King, 1203 10th Street South, (Box 970) Nampa, Idaho2. Source of water supply: An artesian well3. Location of point of diversion: Is in the SW (NW) NE $\frac{1}{4}$ of Section 18T. 3 N. R. 1 W. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: _____

Artesian well, 350 feet deep with 350 feet of casing 6 inches in diameter.The casing extends 6 inches above the ground. The well flows 65 inches and the water is supplemental to all the land by exchange.5. Water is used for: Irrigation and domestic purposes6. 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 $\frac{1}{4}$ Section 18, Township 3 North, Range 1 West, B. M.

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

8. What large stream would the water here appropriated finally reach? UnknownRemarks: The pasture and grain fields are weed and morning glory infested.This examination was made on the 9 day of June, 1949

(Signed) _____

Examiner.

18498

George C. King -1203 10th St. So.
Nampa, Idaho

Permit No. 18498

Examination for Beneficial use

County Canyon

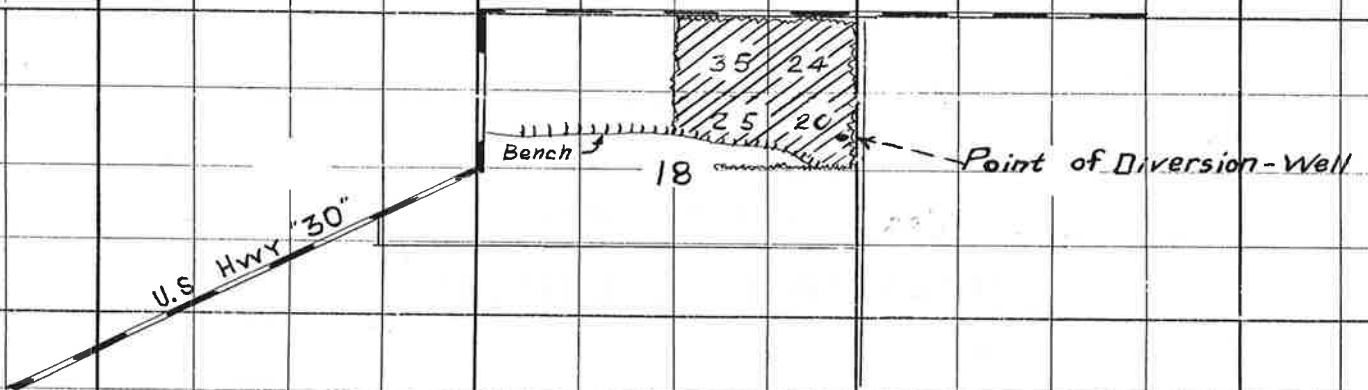
INSTRUCTIONS TO EXAMINERS

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.
-

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MAR 6 1950
Department of Reclamation

T.3 N., R.1 W.

Ten Mile Creek



Indian Creek

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18498

REPORT ON PROOF OF Beneficial use

Ab. 2 C. / S.

1.3 of 5
miles

104 acres
4-40's

15. (a) Is reservoir to be used? No If so, fill in (b) and (c) below.
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

GEORGE KING Applicant.

By M. O. ANDERSON Agent.

Date of first receipt at Department of Reclamation: 11:30 A. M., Aug. 17, 1937

Returned to applicant for correction: Aug. 19, 1937

Corrected application received: Aug. 28, 1937

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18498

Recorded in Book 67 Page 18498 Approved September 1, 1937

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 October 31, 1937

and to continue diligently and uninterruptedly to completion,

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

One-fifth of the work above specified to be completed on or before March 1, 1940

The whole of said work to be completed on or before September 1, 1942

Beneficial use of water appropriated in accordance herewith, to be made on or before September 1, 1948

Witness my hand this 1st day of September, 1937

R. W. FARIS
Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3 N	1 W	18	24	36	40	40													140
Total Number of Acres to be Irrigated																			140

In testimony whereof, we, BARZILLA W. CLARK, Governor of the State of Idaho, and IRA H. MASTERS, Secretary of State of the State of Idaho, have hereunto 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 1st day of September, 1937.

STATE OF IDAHO

By BARZILLA W. CLARK
Governor

(SEAL)

Countersigned:

By IRA H. MASTERS
Secretary of State

Permit No. 18498

CERTIFICATE OF COMPLETION OF WORKS

TO WHOM IT MAY CONCERN::

This is to certify that GEORGE KING of NAMPA, County of Canyon, and State of Idaho, the holder of Permit No. 18498, issued upon Application No. 25806 bearing date of priority of August 17, 1937, authorizing the diversion of 2.0 second feet of the waters of Subterranean, Artesian Well, County of Canyon, State of Idaho, for Domestic and 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 2.0 second feet of the waters of Subterranean Flow, that the point of diversion of said waters NW¼ SECTION 18, TOWNSHIP 3.N. Range 1.W.B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE¼ SECTION 18, TOWNSHIP 3. N. RANGE 1 W.B.M.

Witness my hand this 21, day of September, A. D. 1942.

E. V. Berg
Commissioner of Reclamation

Proof of Completion of Works made; August 6, 1942

Certificate of Completion of Works issued; September 21, 1942

LICENSE ISSUED FOR 1.3 SEC. FT.

P. 4527

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 25806
Permit No. 18498
District No.

1. Name of Applicant: George King

Postoffice address: P. O. 970, Nampa

County:

Canyon

State:

Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 2 Sec. Ft. cubic feet per second.

3. Source of water supply: Artesian Well, Subterranean / waters which is a tributary of

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 18 , T. 3 N. , R. 1 W. , B. M., County of Canyon

5. Water is to be used for: Domestic and Irrigation

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

(a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.

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

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 1200.00

8. Kind of works: Well and open ditch

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

feet; material used in dam:

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

11. Ditch: Width at bottom $3\frac{1}{2}$ feet; width at water line 4 feet; depth of water 8 inches
feet; dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

Note: This ditch also handles our regular allotment of irrigation water and the length of the ditch is about one and one-half miles over the entire place.

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

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

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

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 63-02537

Date: 11-06-01

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	1W	18	30	30	22	22													104
GIS				36	36	15	26													114
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 2

Total Claimed Acres: 104

Overlapping POU Claim #'s:

Total GIS Acres: 114

COMMENTS:

Idaho Department of Water Resources

Claim Number: 63-02537
Legal: T03N, R01W, S18
Reviewed By:

1987 Napp Photo

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

