

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 63-2786A
Date Received: 8/3/2006
Receipt No: W034541
Received By:

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

1. Name of Claimant(s)

BILL FELLER Phone: (208)467-6136
11489 KARCHER RD
NAMPA ID USA 83651

2. Date of Priority: 09/20/1949

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	02W	18	NW NE	CANYON	

5. Description of diverting works:

Gravity irrigation.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.1	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.14 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02W	18	NW	NE	IRRIGATION	5
					Section Acres	5
					Total Acres	5

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: Pioneer Irrigation

14. Remarks:

15. Basis of Claim: License

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
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CIVIL CASE NUMBER: 39576

Ident. Number 63-2786A

Date Received 8/3/06

Receipt Number W034541

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) BILL FELLER Phone () 467-6136

Mailing Address 11489 KARCHER Zip 83651

2. Date of Priority (Only one (1) per claim) 9-20-49

3. Source of water supply (a) Ground water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 03 N Range 02 W Section 18,
_____ 1/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Canyon County

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Gravity irrigation

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1-1 to 12-31 amount .04 or _____

For Irrigation purposes from 3-15 to 11-15 amount .1 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .14 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1 house

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3N	2W	18		5															5

Total number of acres irrigated 4

11. In which county (ies) are lands listed above as place of use located? Canyon

12. Do you own the property listed above as place of use? Yes ☒ No ☐

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. Pioneer irrigation or None ()

14. Remarks:

Last Name _____ Ident No. _____

Scale: 2 inches equals 1 mile

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The grid is composed of 16 columns and 16 rows of these squares.

Last Name _____ Ident No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) Bill Deller Date 8-3-06

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 3rd day of August 2006



Notary Public Lois Gorman

Residing at Boise

My Commission Expires 6/18/2010

Please Print Name

17. Notice of Appearance.

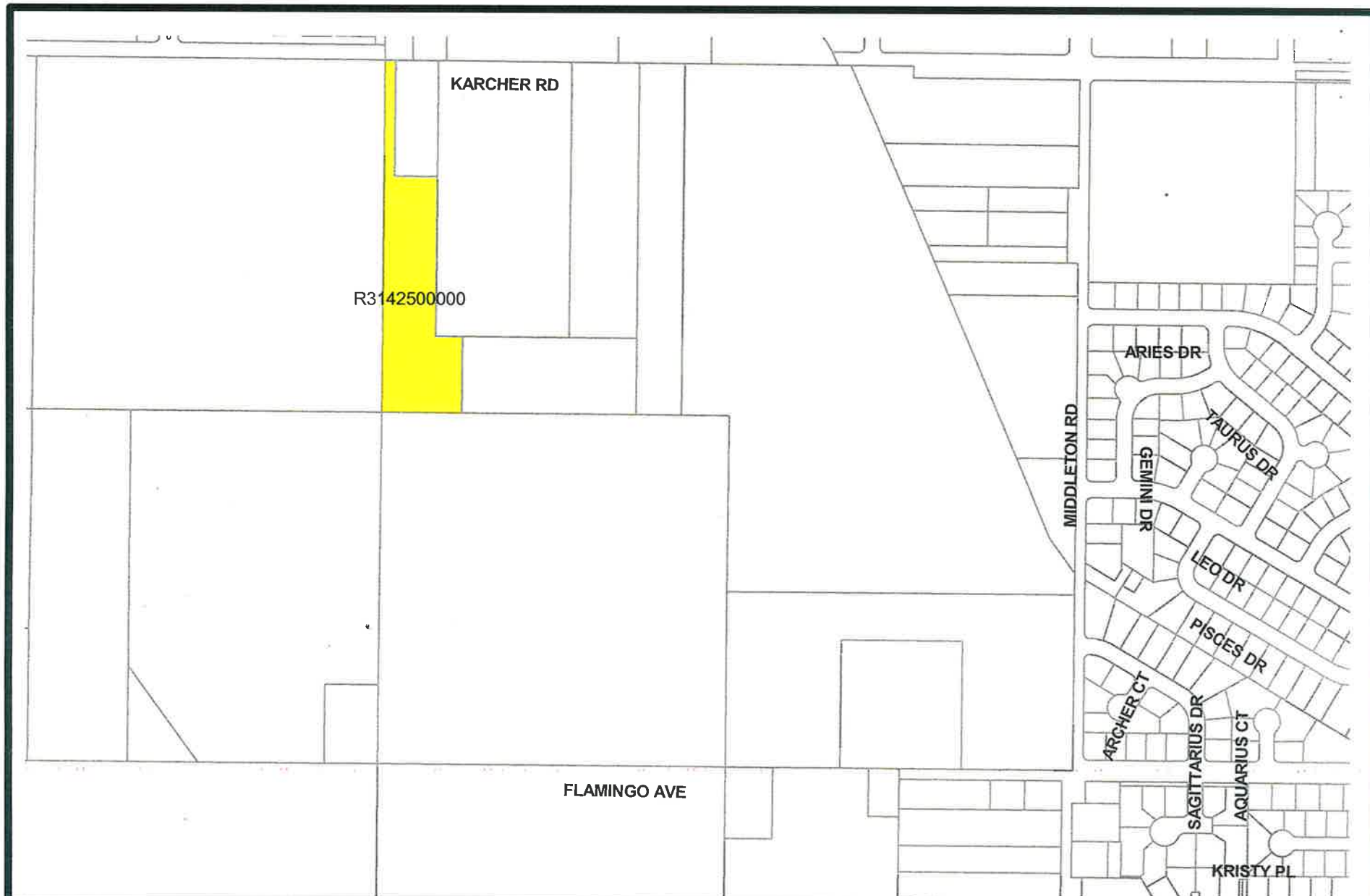
Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2786

WATER RIGHT NUMBER: 63-2786

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	J H ROSKELLEY 307 4TH ST S NAMPA, ID 83651
Current Owner	HANNAH F ROSKELLEY 307 4TH ST S NAMPA, ID 83651

Priority Date: 09/20/1949

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>
DOMESTIC	/ to /		
IRRIGATION	/ to /	0.620 CFS	
<u>Total Diversion:</u>		0.620 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 18, Twp 03N, Rge 02W, B.M.
CANYON County		

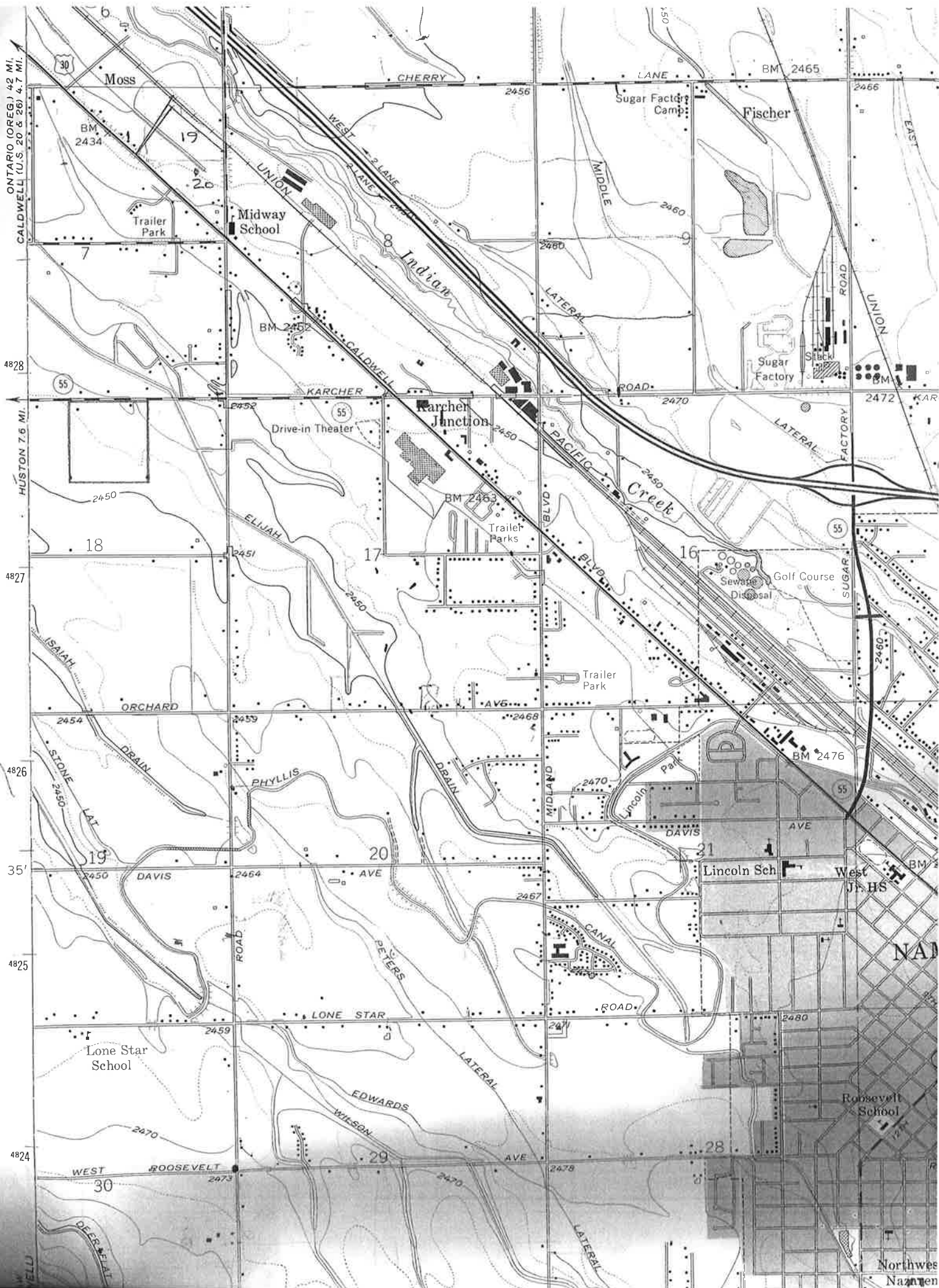
Place of Use

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	
03N	02W	18		31.0															31.0

Total Acres: 31

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:



PC39651

200130843

QUITCLAIM DEED

FOR VALUE RECEIVED Bill Lee Feller, an unmarried person

does hereby convey, release, remise and forever quit claim

unto Bill L. Feller, an unmarried person

whose address is 11489 Karcher Road, Nampa, ID 83651

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

together with their appurtenances.

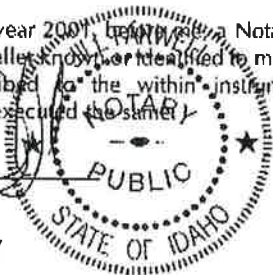
Dated: July 26, 2001

Bill Lee Feller
Bill Lee Feller

STATE OF IDAHO
COUNTY OF CANYON

On this 26 day of July in the year 2001, before me, a Notary Public, personally appeared Bill Lee Feller, known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same.

[Signature]
Notary Public
Residing at Caldwell
My commission expires 4/5/07



PIONEER TITLE COMPANY
OF CANYON COUNTY

610 SOUTH KIMBALL AVENUE
CALDWELL, IDAHO 83605

(208) 459-1651
FAX: (208) 455-1138

PC 39651

Exhibit "A"

PARCEL I

A part of the Northwest Quarter of the Northeast Quarter of Section 18, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described, to-wit:

COMMENCING at the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section 18, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

South 0° 31' 54" West a distance of 1,325.86 feet (formerly of record South 1,327.1 feet) to the INITIAL POINT of this description; thence

North 0° 31' 54" East (formerly of record North) a distance of 290 feet along the West line of said Northwest Quarter of the Northeast Quarter; thence

South 89° 29' 55" East a distance of 300 feet; thence

South 0° 31' 54" West a distance of 290 feet; thence

North 89° 29' 55" West (formerly of record West) a distance of 300 feet along the South line of said Northwest Quarter of the Northeast Quarter to the INITIAL POINT of this description.

PARCEL II

A part of the Northwest Quarter of the Northeast Quarter of Section 18, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described, to-wit:

COMMENCING at the Northwest corner of the Northwest Quarter of the Northeast Quarter of Section 18, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, the INITIAL POINT of this description; thence

South 89° 28' East (formerly of record South 39° 50' East) a distance of 40 feet along the North line of the said Northwest Quarter of the Northeast Quarter; thence

South 0° 31' 54" West a distance of 1,035.84 feet; thence

North 89° 29' 55" West a distance of 40 feet; thence

North 0° 31' 54" East a distance of 1,035.86 feet (formerly of record North 1,037.1 feet) along the West line of the said Northwest Quarter of the Northeast Quarter to the INITIAL POINT of this description.

PARCEL III

The West 160 feet of the following described property:

A portion of the Northwest Quarter of the Northeast Quarter of Section 18, Township 3 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

(continued)

COMMENCING at the North Quarter Corner of said Section 18; thence
South 89° 28' 00" East 40 feet to a point; thence
South 0° 31' 54" West 435.58 feet, along a line parallel to the
North-South centerline of said Section 18, to THE REAL POINT OF
BEGINNING; thence continuing
South 0° 31' 54" West 600.26 feet to a point; thence
South 89° 29' 55" East 195 feet to a point; thence
North 0° 31' 54" East 1035.73 feet, along a line parallel to the
North-South centerline of said Section 18, to a point on the North line
of said Section 18; thence
North 89° 28' 00" West 35 feet, more or less to a point that is 200
feet from the North Quarter Corner of said Section 18; thence
South 0° 31' 54" West 435.49 feet, along a line parallel to the
North-South centerline of said Section 18 to a point; thence
North 89° 29' 55" West 160 feet to THE REAL POINT OF BEGINNING.

200130843

RECORDED

201 MAR 1 PM 1 15

G NOEL SALES

CANYON CNTY RECORDED

BY

DEED FEB 9, 2001
JUNEEN - CALDWELL

After Recording Return To:
Home Federal Savings & Loan Association of Nampa
500 12th Avenue South
Nampa, ID 83651

200130844
RECORDED
2001 JUL 27 11:15
C HOEL JAMES
CANYON CITY RECORDERS
BY [Signature]
QUEST PIONEER - CALDWELL
OFFICE FEE \$2.50

PC 39657

[Space Above This Line For Recording Data]

DEED OF TRUST

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

- (A) "Security Instrument" means this document, which is dated July 27, 2001, together with all Riders to this document.
- (B) "Borrower" is BILL L FELLER, AN UNMARRIED PERSON

Borrower is the trustor under this Security Instrument.

- (C) "Lender" is Home Federal Savings and Loan Association of Nampa
Lender is a Savings and Loan
the laws of the State of Idaho
500 12th Avenue South Nampa ID 83651-

organized and existing under
Lender's address is

Lender is the beneficiary under this Security Instrument.

- (D) "Trustee" is Pioneer Title Company of Canyon County

- (E) "Note" means the promissory note signed by Borrower and dated July 27, 2001. The Note states that Borrower owes Lender One Hundred Ten Thousand and no/100 Dollars (U.S. \$110,000.00) plus interest. Borrower has promised

to pay this debt in regular Periodic Payments and to pay the debt in full not later than August 01, 2016

- (F) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."

(G) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

- (H) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

- | | | |
|--|---|---|
| ☐ Adjustable Rate Rider | ☐ Condominium Rider | ☐ Second Home Rider |
| ☐ Balloon Rider | ☐ Planned Unit Development Rider | ☐ Other(s) [specify] |
| ☐ 1-4 Family Rider | ☐ Biweekly Payment Rider | |

PC 39651

Exhibit "A"

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North 0° 31' 54" East (formerly of record North) a distance of 290 feet along the West line of said Northwest Quarter of the Northeast Quarter; thence

South 89° 29' 55" East a distance of 300 feet; thence

South 0° 31' 54" West a distance of 290 feet; thence

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North 89° 29' 55" West a distance of 40 feet; thence

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The West 160 feet of the following described property:

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(continued)

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North 0° 31' 54" East 1035.73 feet, along a line parallel to the
North-South centerline of said Section 18, to a point on the North line
of said Section 18; thence
North 89° 28' 00" West 35 feet, more or less to a point that is 200
feet from the North Quarter Corner of said Section 18; thence
South 0° 31' 54" West 435.49 feet, along a line parallel to the
North-South centerline of said Section 18 to a point; thence
North 89° 29' 55" West 160 feet to THE REAL POINT OF BEGINNING.

10/19/2006

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

RIGHT NUMBER: 63-2786A

NAME AND ADDRESS: BILL FELLER
11489 KARCHER RD
NAMP A ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
22.500 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/20/1949

POINT OF DIVERSION:

T03N R02W S18 NWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.100 CFS 22.50 AFY
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T03N R02W S18 NWNE 5.00

DOMESTIC same as IRRIGATION

5 ACRES TOTAL

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

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

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

This right is a split from former right 63-2786.

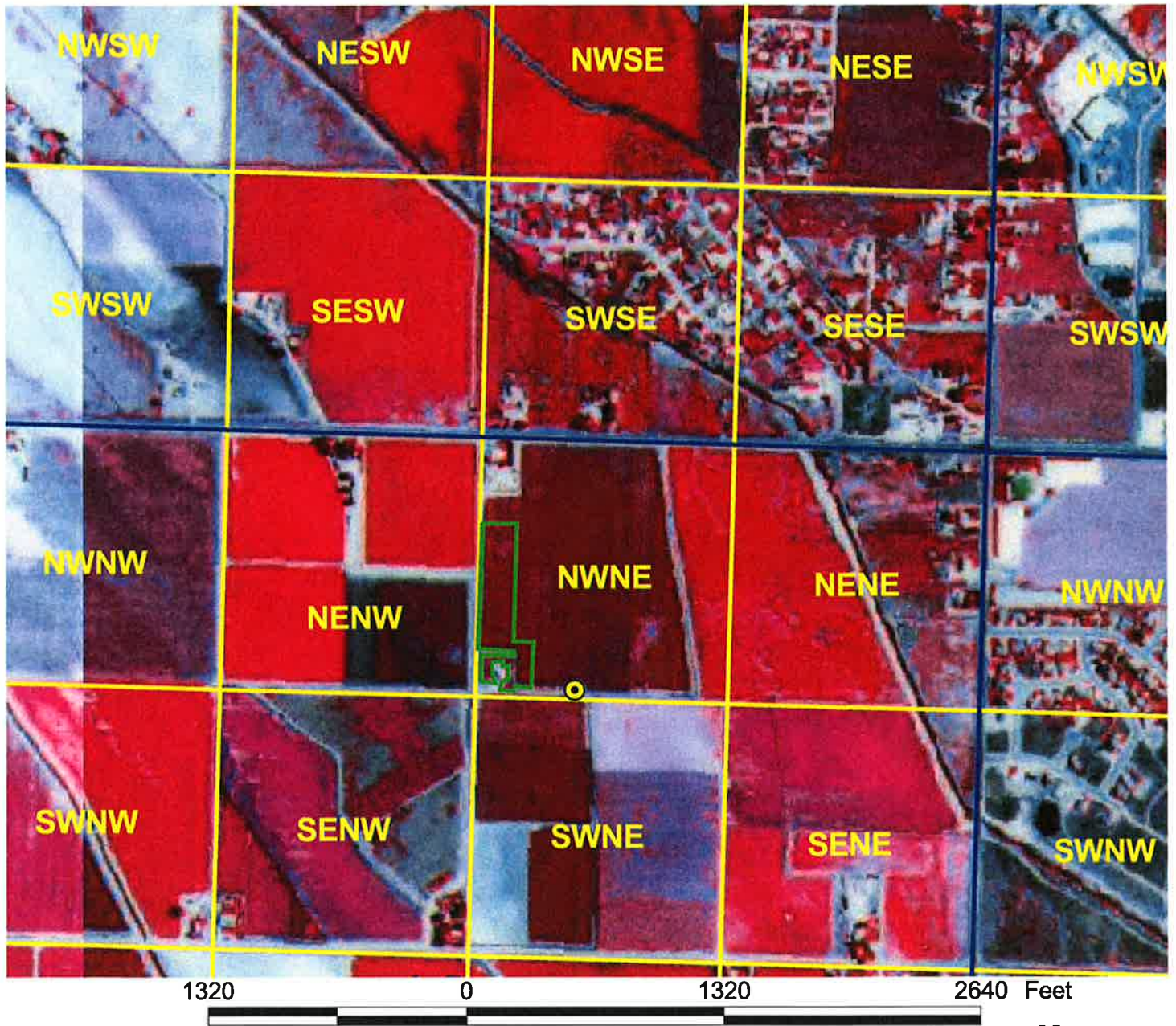
Use of this right is combined with water from Pioneer Irrigation District.

As directed by water



State of Idaho
Idaho Department of Water Resources
Western Region

T3N R2W SECTION 18
Water Rights: 63-2786



TOTAL IRRIGATED ACRES = 5



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

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

08/14/2006

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

RIGHT NUMBER: 63-2786

NAME AND ADDRESS: BILL FELLER
11489 KARCHER RD
NAMPA ID 83651

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
22.500 AFY

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/20/1949

POINT OF DIVERSION:

T03N R02W S18 NWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	03/01 11/15	0.100 CFS 22.50 AFY

Domestic use is for 1 home and does not included irrigation.

PLACE OF USE: IRRIGATION Within CANYON County

T03N R02W S18 NWNE 5.00

DOMESTIC same as IRRIGATION

5 ACRES TOTAL

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

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Pioneer Irrigation District.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2786 V1

WATER RIGHT NUMBER: 63-2786 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	J H ROSKELLEY 307 4TH ST S NAMPA, ID 83651
Original Owner	HANNAH F ROSKELLEY 307 4TH ST S NAMPA, ID 83651
Current Owner	BILL FELLER 11489 KARCHER RD NAMPA, ID 83651 (208)467-6136

Priority Date: 09/20/1949

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>
DOMESTIC	01/01 to 12/31	0.020 CFS	
IRRIGATION	03/01 to 11/15	0.100 CFS	22.50 AF
	<u>Total Diversion:</u>	0.100 CFS	22.50 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 18, Twp 03N, Rge 02W, B.M.
CANYON County		

Place of UseIRRIGATION Within CANYON County

T03N R02W S18 NWNE 5.0

Total Acres: 5

DOMESTIC same as IRRIGATIONConditions of Approval:

1. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
2. 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.
3. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
4. X01 Domestic use is for 1 home and does not included irrigation.
5. W40 Use of this right is combined with water from Pioneer Irrigation District.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-2786 V1

Comments:

1. vmusic 8/14/2006 POU ACRES

Comment: ONLY APROX 3.6 ACRES OF THE 5 OWNED ARE IRRIGATED IN THE 1987 TO RECENT AERIALS

2. vmusic 8/14/2006 QUANTITY

Comment: LICENSED FOR .1 CFS FOR IRRIGATION AND DOMESTIC. CLAIMED .14 . RECOMMENDED THE LICENSED QUANTITY

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>
Contacts	8/14/2006 8:43:14 AM	vmusic			Active
Priority Date	8/14/2006 8:43:31 AM	vmusic			Active
POD	8/14/2006 8:43:55 AM	vmusic			Active
Source	8/14/2006 8:44:53 AM	vmusic			Active
POU	8/14/2006 8:45:29 AM	vmusic			Active
Use	8/14/2006 8:46:44 AM	vmusic			Active
Season	8/14/2006 8:47:05 AM	vmusic			Active
Quantity	8/14/2006 8:48:02 AM	vmusic			Active
Summary			08/14/2006	vmusic	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	8/14/2006 8:43:16 AM	vmusic	(No) 1. Do you want to schedule an appointment? Comment for 1: LICENSE
POU	8/14/2006 8:46:14 AM	vmusic	Updated shape for Active POU
POD	8/14/2006 8:44:28 AM	vmusic	Updated shape
General	8/14/2006 8:43:32 AM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2786 V1

POD	8/14/2006 8:43:56 AM	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? (No) 10. Is a POD remark and/or condition required?
Source	8/14/2006 8:44:56 AM	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	8/14/2006 8:45:31 AM	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? (No) 14. Is a POU remark and/or condition required?
Use	8/14/2006 8:46:46 AM	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? (Yes) 13. Is a Purpose of Use remark and/or condition required?
Season	8/14/2006 8:47:08 AM	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?
Quantity	8/14/2006 8:48:05 AM	vmusic	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2786 V1

Summary 8/14/2006 9:09:56 AM 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?
(No) 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?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2786

WATER RIGHT NUMBER: 63-2786

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	J H ROSKELLEY 307 4TH ST S NAMPA, ID 83651
Original Owner	HANNAH F ROSKELLEY 307 4TH ST S NAMPA, ID 83651
Current Owner	BILL FELLER 11489 KARCHER RD NAMPA, ID 83651 (208)467-6136

Priority Date: 09/20/1949 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

DOMESTIC

IRRIGATION

From To

01/01 to 12/31

03/15 to 11/15

Diversion Rate

0.040 CFS

0.100 CFS

Annual Volume

22.5

Total Diversion: 0.140 CFS

Location of Point(s) of Diversion

GROUND WATER ✓

CANYON County

NW1/4NE1/4 ✓

Sec. 18, Twp 03N, Rge 02W, B.M.

Place of Use

IRRIGATION Within CANYON County

T03N R02W S18 NWNE 5.0

Total Acres: 5

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:Comments:

3/11- not tie - no
shoulder remark
needed

$$(5)(4.5) = 22.5 \text{ or } (.1)(1.9835)(260) = 515.57$$

W40 Pioneer Irr D shares used
x 0.14 Dam use is for 1 home & does not include irr
N104 Q for dam not a dept of his b/h
N124 Q for dam not to 7 13k dpo

Only ~ 3.6 ac irrigated in 1981
the 3.6 ac irr + dam .02
1.012 cfs + .02 = .032 cfs
Q of .1 cfs GW + Pioneer sufficient for

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2786

08/14/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2786	Claim	03N	02W	18	NW	NE		IRRIGATION	5/5	BILL FELLER
2786	Water Right	03N	02W	18	NW	NE		IRRIGATION	31/31	J H ROSKELLEY
30482	Claim	03N	02W	18	NW	NE		DOMESTIC		BRYAN L GUCHES

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21243

REPORT ON PROOF OF Beneficial use

ditch is 24" at water line
12" in bottom
12" deep

app. 0.62 c.f.s.
31 acres described in app.

1-40

new
spring

waterline → 6" old casing from 78'-138'

8" old casing from 0' to 70'

bottom 70' of 6" casing is
broken perforated. Five foot
plug in bottom of 6" casing.
Water level before pumping 14'
pumped Feb 6, 1947

648 9 P.M. @ 31' lift.

Well Log.

Drilled in Feb 6-1947

0-12' soil & hard pan

12'-36' coarse yellow sand

36'-68' muddy sand.

68'-69' coarse white sand

69'-84' acid lava rock.

84'-97' brown sandy clay

97'-128' coarse sand & gravel.

128'-138' coarse sand.

Form No. B-A

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

J. H. & Hannah F. Roskelley
307 4th St. South
Burma

BOISE

November 1, 1949

Dear Sir: & Madam:

Under the terms of your permit No. 21243 you are required to complete your diversion works and make proof of beneficial use on or before January 6, 1950.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public of Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths. The date for proof as set out in your permit, is January 6, 1950, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,

MARK R. KUTP
State Reclamation Engineer

21243

J. H. ROSKELLEY
HANNAH F. ROSKELLEY

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 11:00 A. M. September 20, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21243

Recorded in Book 76

Page 21243

Approved October 6, 1949

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 Completed 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

The whole of said work to be completed on or before January 6, 1950

By official use of water appropriated in accordance herewith, to be made on or before January 6, 1950

Witness My hand this 6th day of October, 1949

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, 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 6th

day of October, 1949

STATE OF IDAHO

Countersigned:

(S)AL)

By

C. A. ROBINS

Governor.

By J. D. "CY" PRICE
Secretary of State.

REMARKS: This water right is a supplemental right to existing water right.

14

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 $\frac{1}{4}$	
3 N.	2 W.	18	Beginning at the Northwest corner of the North Half (NE $\frac{1}{2}$) of the NE $\frac{1}{4}$ of Section 18, Twp. 3 N., Range 2 W., B.M., and running thence South 89°50' East 922 feet along the North boundary line of said North half of the NE $\frac{1}{4}$, thence South 9°20' East 1345 feet to a point in the South boundary line of said N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 18, thence West 1144 feet to the Southwest corner of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 18, thence North 1327.1 feet to the point of beginning.																31
			Permit No. 21243 CERTIFICATE OF COMPLETION OF WORKS.																

TO ALL WHOM IT MAY CONCERN:

This is to certify that J. H. and Hanna F. Roskelley of 307 4th St. South, Nampa, County of Canyon, and State of Idaho, the holders of Permit No. 21243, issued upon Application No. 26924 bearing date of priority of September 20, 1949, authorizing the diversion of 0.62 second foot of the waters of subterranean flow from a well, County of Canyon, State of Idaho, for irrigation and domestic purposes, have 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 0.62 second foot of the waters of said well; that the point of diversion of said waters is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, Township 3 North, Range 2 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Beginning at the Northwest corner of the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18, Twp. 3 N., Range 2 W. B.M., and running thence South 89° 50' East 922 feet along the North boundary line of said N $\frac{1}{2}$ NE $\frac{1}{4}$; thence South 9°20' East 1345 feet to a point in the South boundary line of said N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18; thence West 1144 feet to the Southwest corner of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 18; thence North 1327.1 feet to the point of beginning; containing 31 acres, more or less.

Witness my hand this 25th day of November, A. D. 1949.

MARK R. KULP

State Reclamation Engineer

Proof of Completion of Works made November 22, 1949.

Certificate of Completion of Works issued November 25th, 1949.

UNOFFICIAL 0.62 sec ft

State of Idaho License and Certificate of Water Right

Water License No. 21243Amount 0.62 second foot

Water District No. _____

Priority September 20, 1949.

THIS IS TO CERTIFY that J. H. and HANNAH F. ROSKELLEY
of 307 4th St. South, Nampa, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 20, 1949; that Permit No. 21243
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.62 second foot, was issued thereunder on November 25, 1949, showing that said works
were completed on the 22nd day of November, 1949; and that on the 30th
day of December, 1949,

J. H. and HANNAH F. ROSKELLEY

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 a well subterranean flow, for the purpose of irrigation and domestic
use, under Use Permit No. 21243 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 4607, on the 15th day of June, 1950;

The right hereby confirmed dates from September 20, 1949;

The Point of Diversion is located in the W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$
~~in the~~ Sec. 18, Twp. 3 N., R. 2 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.62 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>3 N.</u>	<u>2 W.</u>	<u>18</u>	<u>NW$\frac{1}{4}$ NE$\frac{1}{4}$</u>	<u>31</u>	<u>31</u>
Beginning at the Northwest corner of the North Half of the Northeast Quarter of Section 18, Twp. 3 North, Range 2 West, B.M., and running thence South 89° 50' East 922 feet along the North boundary line of said NW$\frac{1}{4}$ NE$\frac{1}{4}$; thence South 9° 20' East 1345 feet to a point in the South boundary line of said NW$\frac{1}{4}$ NE$\frac{1}{4}$ of Section 18; thence West 1144' to the Southwest corner of the NE$\frac{1}{4}$ of said Section 18; thence North 1327.1 feet to the point of beginning.					

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

15th day of June, 1950.

MARK R. KULP

State Reclamation Engineer

(SEAL)

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2786 V1

WATER RIGHT NUMBER: 63-2786 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	J H ROSKELLEY 307 4TH ST S NAMPA, ID 83651
Original Owner	HANNAH F ROSKELLEY 307 4TH ST S NAMPA, ID 83651
Current Owner	BILL FELLER 11489 KARCHER RD NAMPA, ID 83651 (208)467-6136

Priority Date: 09/20/1949

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>
DOMESTIC	01/01 to 12/31	0.020 CFS	
IRRIGATION	03/01 to 11/15	0.100 CFS	22.50 AF
	<u>Total Diversion:</u>	0.100 CFS	22.50 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 18, Twp 03N, 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	
03N	02W	18		5.0															5.0

Total Acres: 5

DOMESTIC same as IRRIGATIONConditions of Approval:

1. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
2. 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.
3. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.