

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 63-9258  
Date Received: 2/8/1990  
Receipt No: W008583  
Received By:

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

1. Name of Claimant(s)

PAUL A RASGORSHEK Phone: (208)466-7722  
12770 W ROOSEVELT AVE  
NAMPA ID USA 83686

MARILYN RASGORSHEK Phone: (208)466-7722  
12770 W ROOSEVELT AVE  
NAMPA ID USA 83686

2. Date of Priority: 06/27/1979

3. Source: GROUND WATER , GROUND WATER , GROUND WATER Trib. to: , ,

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 02N      | 03W   | 35      | NE NW SW              | CANYON |      |
| 02N      | 03W   | 34      | NE NW SE              | CANYON |      |
| 02N      | 03W   | 35      | NE NE SW              | CANYON |      |

5. Description of diverting works:

550' WELL, 8" CASING, 15 HP SUBMERSIBLE PUMP, STOCK TANKS.

6. Water is used for the following purposes:

| Purpose  | From | To    | C.F.S. | (or) A.F.A |
|----------|------|-------|--------|------------|
| DOMESTIC | 1/01 | 12/31 | 0.18   | 7.2        |

7. Total Quantity Appropriated is:  
0.18 C.F.S. and/or 7.2 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 | of 1/4 | Lot | Use      | Acres |
|----------|-------|---------|-----|--------|-----|----------|-------|
| 02N      | 03W   | 34      | SW  | NE     |     | DOMESTIC |       |
|          |       |         | NE  | NE     |     | DOMESTIC |       |
|          |       |         | NW  | SE     |     | DOMESTIC |       |
| 02N      | 03W   | 35      | SW  | NW     |     | DOMESTIC |       |
|          |       |         | NE  | SW     |     | DOMESTIC |       |
|          |       |         | NW  | SW     |     | DOMESTIC |       |
|          |       |         | NW  | NW     |     | DOMESTIC |       |

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:

14. Remarks:

DOMESTIC USE IS FOR 6 HOMES AND 500 HEAD REPLACEMENT DAIRY STOCK (HEIFERS).

CHANGE IN OWNERSHIP LG-7-13-2006 REVIEWED BY SE

15. Basis of Claim: License

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

RECEIVED

JUN 25 2004

WATER RESOURCES  
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 2-2208                | 2-2208                       |       | 63-31487              |                              |       |
| 63-2906               | Sec. 27 & N 21/4 E S. 34     |       |                       |                              |       |
| 63-2919               |                              |       |                       |                              |       |
| 63-2795               |                              |       |                       |                              |       |
| 63-9258               |                              |       |                       |                              |       |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Charles D. Pintler/ Desert Sun Farms, Inc.  
 13541 Surrey Ln., Nampa, ID 83686

4. New Owner/Claimant(s)

Paul A. Rasgorshchik; Marilyn Rasgorshchik  
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

12770 W. Roosevelt Ave.

City, State and ZIP Code

Nampa, ID 83686

New Telephone Number

208.446-7722

5. Date you acquired the property

2-20-04

SCANNED

JUN 28 2004

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s) Paul A. Rasgowshuk  
(include title if applicable) Marilyn Rasgowshuk

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

**For Office Use Only**  
 Received by DAN Date 6-25-04 Fee NO FEE  
 Receipted by N/A Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by DA AJ Date 7-13-06 WR \_\_\_\_\_ Date \_\_\_\_\_  
 reviewed by SE

SCANNED

JUN 28 2004



Order No.: C044757

REQUEST  
TYPE *Real* FEE *9.00*

TITLEONE

*G. Noel Hales*  
CANYON COUNTY RECORDER  
BY *G. Noel Hales*  
ap.

2004 FEB 23 PM 4 22

RECORDED

200409875

## WARRANTY DEED

FOR VALUE RECEIVED, CHARLES D. PINTLER and CAROL L. PINTLER, husband and wife and DESERT SUN FARMS, INC., an Idaho corporation, the Grantors, do hereby grant, bargain sell and convey unto PAUL RASGORSHEK and MARILYN RASGORSHEK, husband and wife whose current address is 12770 W. Roosevelt Avenue, Nampa, ID 83686, the Grantees, the following described premises, in Canyon County, Idaho, TO WIT:

### PARCEL 1:

The Southwest quarter of the Southeast quarter of Section 27, in Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Excepting therefrom that portion conveyed to Winemakers, LLC by Warranty Deed recorded November 19, 1998 as Instrument No. 9842977.

### PARCEL 2:

The Southeast quarter and the North half of Section 34, in Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

Excepting therefrom that portion of the North half of Section 34 as conveyed to Winemakers, LLC, by Warranty Deed recorded November 19, 1998, as Instrument No. 9842974 and re-recorded January 22, 1999 as Instrument No. 9902579.

Further Excepting therefrom that portion of the North half of Section 34 as conveyed to Winemakers, LLC, by Warranty Deed recorded November 19, 1998 as Instrument No. 9842977.

SCANNED

JUN 28 2004

PARCEL 3:

A Non-Exclusive 40-foot Easement for pipeline purposes as conveyed by Easement Agreement recorded August 20, 1963 in Book 24 at Page 223, as Instrument No. 537879, reference is made to said document for full particulars.

Said Easement is declared to be appurtenant to and for the use and benefit of the property described as Parcel 2 above.

PARCEL 3A:

A Non-Exclusive Easement for pipeline purposes as conveyed by Easement Agreement recorded March 18, 1964 in Book 24 at Page 450, as Instrument No. 547145, reference is made to said document for full particulars.

Said Easement is declared to be appurtenant to and for the use and benefit of the property described as Parcel 2 above.

PARCEL 4:

The West half of the Northwest quarter and the South half of Section 35, in Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

PARCEL 5:

A Non-Exclusive 40-foot Easement for pipeline purposes as conveyed by Easement Agreement recorded August 20, 1963 in Book 24 at Page 223, as Instrument No. 537879, reference is made to said document for full particulars.

Said Easement is declared to be appurtenant to and for the use and benefit of the property described as Parcel 4 above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantors will warrant and defend the same from all lawful claims whatsoever.

Dated: February 20, 2004

  
Charles D. Pintler

  
Carol L. Pintler

DESERT SUN FARMS, INC., an Idaho corporation

By:   
Charles Pintler, President

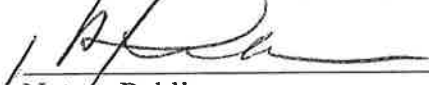
SCANNED

JUN 28 2004

State of Idaho )  
 ) ss:  
County of Canyon )

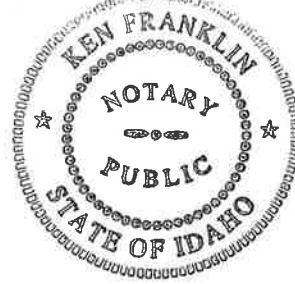
On this 20<sup>th</sup> day of February 2004, before me, the undersigned a Notary Public in and for said state personally appeared CHARLES D. PINTLER and CAROL L. PINTLER, known to me or proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have set my hand and official seal on the date shown above.



Notary Public

Commission Expires: 10/5/04



State of Idaho )  
 ) ss.  
County of Canyon )

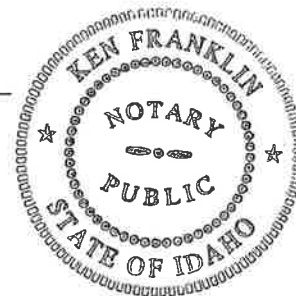
On this 20<sup>th</sup> day of February 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Charles Pintler, known or identified to me to be the President of the corporation that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said corporation and that such corporation executed it.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



NOTARY PUBLIC for Idaho

My Commission Expires: 10/5/04



SCANNED

JUN 28 2004

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: **A63-09258**  
Date Received: 2/ 8/1990  
Receipt No: W008583  
Received By: \_\_\_\_\_

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

1. Name: CHARLES D. PINTLER 208-466-6951  
Address: 13541 SURRY LN.  
NAMPA ID 83686

2. Date of Priority: JUN 27, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 02N      | 03W   | 35      | NE     | NE     | SW  |     | CANYON |

5. Description of diverting works:  
550' WELL, 8" CASING, 15 HP SUBMERSIBLE PUMP

6. Water is used for the following purposes:

| Purpose  | From  | To    | C.F.S | (or) | A.F.A. |
|----------|-------|-------|-------|------|--------|
| DOMESTIC | 01/01 | 12/31 | 0.180 |      | 7.20   |

7. Total Quantity Appropriated is:  
0.180 C.F.S. (and/or) 7.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 02N      | 03W   | 34      | SW     | NE  |     | DOMEST |       |
|          |       |         | NW     | SE  |     | DOMEST |       |
|          |       | 35      | SW     | NW  |     | DOMEST |       |
|          |       |         | NE     | SW  |     | DOMEST |       |
|          |       |         | NW     | SW  |     | DOMEST |       |

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
Domestic use is for 6 homes & 500 range cattle.

15. Basis of Claim: LICENSE

16. Signature(s)

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

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

**For Individuals:**

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

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

State of Idaho )  
County of \_\_\_\_\_ ) SS.

Subscribed and sworn (or affirmed) before me this \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

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 63-9258

Date Received \_\_\_\_\_

Receipt Number \_\_\_\_\_

RECEIVED

FEB 08 1990

NOTICE OF CLAIM  
TO A  
WATER RIGHT

Department of Water Resources  
Western Regional Office

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) George & Charles D. Rintler Phone (208) 466-6951Mailing Address 13541 Querry Ln Tampa, Fla Zip 836862. Date of Priority (Only one (1) per claim) 6/27/19793. Source of water supply (a) Groundwater  
which is tributary to (b) \_\_\_\_\_4. a. Location of existing point of diversion is: Township 2N Range 3W Section 35,  
NE 1/4 of NE 1/4 of SW 1/4, Govt. Lot, \_\_\_\_\_ B.M., County of Canyon

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. 8 inch casing, 550 ftdeep, 15 HP submersible pump.

MICROFILMED

AUG 24 1992

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 118 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 118 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 7.2 acre feet per annum.

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

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 |        |
| <u>2N</u> | <u>3W</u> | <u>34</u> |        |       | <u>D</u> |       |        |       |          |       |          |          |       |       |        | <u>D</u> |       |       |        |
|           |           | <u>35</u> |        |       |          |       |        |       | <u>D</u> |       | <u>D</u> | <u>D</u> |       |       |        |          |       |       |        |
|           |           | <u>36</u> |        |       |          |       |        |       |          |       |          |          |       |       |        |          |       |       |        |
|           |           |           |        |       |          |       |        |       |          |       |          |          |       |       |        |          |       |       |        |
|           |           |           |        |       |          |       |        |       |          |       |          |          |       |       |        |          |       |       |        |
|           |           |           |        |       |          |       |        |       |          |       |          |          |       |       |        |          |       |       |        |
|           |           |           |        |       |          |       |        |       |          |       |          |          |       |       |        |          |       |       |        |
|           |           |           |        |       |          |       |        |       |          |       |          |          |       |       |        |          |       |       |        |
|           |           |           |        |       |          |       |        |       |          |       |          |          |       |       |        |          |       |       |        |

Total number of acres irrigated \_\_\_\_\_

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

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.

or None (☒)

14. Remarks:

Last Name PINTIER Ident No. 63-9258

MICROFILMED

Copies: White, State, Yellow, Claimant

AUG 24 1992

Scale: 2 inches equals 1 mile

A 20x20 grid of squares, each containing a crosshair. The grid is divided into four 10x10 quadrants by a vertical line between columns 10 and 11, and a horizontal line between rows 10 and 11. Handwritten annotations include 'R3W' in the top-right quadrant, 'T' and 'R3N' in the bottom-left quadrant, and '34' and '35' in the bottom-right quadrant.

**MICROFILMED**  
Copies: White-State, Yellow-Claimant  
**AUG 24 1992**

15. Basis of Claim (check one) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License ☒ Permit \_\_\_\_\_  
Decree \_\_\_\_\_  
If applicable provide IDWR Water Right Number 63-9258  
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) Charles P. Pinter Date 1-25-90  
\_\_\_\_\_  
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 Idaho )  
County of Canyon ) SS.

Subscribed and sworn (or affirmed) before me this 25 day of January 19 90

SEAL

Notary Public John K. Noyes

Residing at 15470 Homedale Rd  
Caldwell, Ida 83605

My Commission Expires Sept 21, 1994

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 Pinter Ident. Number 63-9258

MICROFILMED

Copies White-Statute, Yellow-Claimant

AUG 24 1992

DEC 14 2010

WATER RESOURCES  
WESTERN REGION

**LAW OFFICES**

601 W. Bannock Street  
PO Box 2720, Boise, Idaho 83701  
TELEPHONE: 208 388-1200  
FACSIMILE: 208 388-1300  
WEBSITE: [www.givenspursley.com](http://www.givenspursley.com)

**LORI L. ANDERSON**

DIRECT DIAL: 208 388-1234  
EMAIL: [Lorianderson@givenspursley.com](mailto:Lorianderson@givenspursley.com)

Gary G. Allen  
Peter G. Barton  
Christopher J. Beeson  
Clint R. Bolinder  
Erik J. Bolinder  
Jeremy C. Chou  
William C. Cole  
Michael C. Creamer  
Amber N. Dina  
Elizabeth M. Donick  
Kristin Bjorkman Dunn  
Thomas E. Dvorak  
Jeffrey C. Fereday  
Justin M. Fredin  
Martin C. Hendrickson

Steven J. Hippler  
Donald E. Knickrehm  
Debora K. Kristensen  
Anne C. Kunkel  
Michael P. Lawrence  
Franklin G. Lee  
David R. Lombardi  
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Kenneth R. McClure  
Kelly Greene McConnell  
Cynthia A. Melillo  
Christopher H. Meyer  
L. Edward Miller  
Patrick J. Miller  
Judson B. Montgomery

Deborah E. Nelson  
Kelsey J. Nunez  
W. Hugh O'Riordan, LL.M.  
Angela M. Reed  
Justin A. Steiner  
Robert B. White

Of Counsel  
Conley E. Ward

Retired  
Kenneth L. Pursley  
James A. McClure  
Raymond D. Givens (1917-2008)

December 14, 2010

*Via Hand Delivery*

Jan Shurte  
Adjudication Supervisor  
Idaho Department of Water Resources  
Western Regional Office  
2735 Airport Way  
Boise, ID 83705-5082

Re: Subcases 63-9258; 63-31487

Dear Jan:

On behalf of Michael Lawrence, I am enclosing the original Standard Form 5's for Subcases 63-9258 and 63-31487 that have been executed by Michael Lawrence and Andrea Courtney. Kindly review the enclosed, execute them accordingly, file with the SRBA Court, and copy all parties. Should you have any concerns, please contact us.

Sincerely,

Lori Anderson  
Assistant to Michael P. Lawrence

Enclosures

LA 1037151\_1 (10119-1)

*Signed SFS's to Ray on 12-16-10 J*

**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     | ) | Subcase No. 63-9258      |
|                | ) |                          |
| Case No. 39576 | ) | STANDARD FORM 5          |
|                | ) |                          |
|                | ) | STIPULATED ELEMENTS OF A |
|                | ) | WATER RIGHT              |

---

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

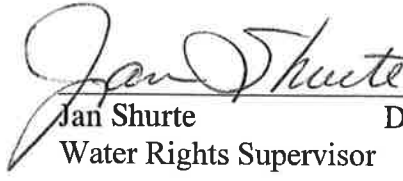
**The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached, which reflects no changes to the original Director's Report. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.**

**CLAIMANT(s)/OBJECTOR(s):**

Marilyn Rasgorshek  
Paul A. Rasgorshek

 12/13/10  
\_\_\_\_\_  
Michael P. Lawrence                      Date  
Attorney for Claimant(s)/Objector(s)

**IDWR Concurrence:**

 12-16-10  
Jan Shurte Date  
Water Rights Supervisor

 12/18/10  
Andrea L. Courtney Date  
Deputy Attorney General  
Attorney for IDWR

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

RIGHT NUMBER: 63-9258

NAME AND ADDRESS: MARILYN RASGORSHEK  
12770 W ROOSEVELT AVE  
NAMPA ID 83686PAUL A RASGORSHEK  
12770 W ROOSEVELT AVE  
NAMPA ID 83686A-7  
MPL

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.180 CFS  
7.200 AFY

PRIORITY DATE: 06/27/1979

POINT OF DIVERSION:

T02N R03W S35 NENESW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>                             | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|---------------------------------------------------|----------------------|-----------------------|
| DOMESTIC                                          | 1/01 12/31           | 0.180 CFS<br>7.20 AFY |
| Domestic use is for 6 homes and 500 range cattle. |                      |                       |

PLACE OF USE: DOMESTIC in CANYON County

|               |      |               |      |
|---------------|------|---------------|------|
| T02N R03W S34 | SWNE | T02N R03W S34 | NWSE |
| T02N R03W S35 | SWNW | T02N R03W S35 | NESW |
| T02N R03W S35 | NWSW |               |      |

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

PARCEL NOS. 014R30256-000-0, 014R30248-000-0, 014R30255-000-0

## CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_, 2010, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. Copies to:

MARILYN RASGORSHEK  
PAUL & MARILYN RASGORSHEK  
PAUL A. RASGORSHEK

Represented by:  
MICHAEL P. LAWRENCE  
601 W. BANNOCK ST.  
P.O. BOX 2720  
BOISE, ID 83701-2720

DIRECTOR OF IDWR  
P.O. BOX 83720  
BOISE, ID 83720-0098

---

Signature of person or attorney mailing the form

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

RIGHT NUMBER: 63-9258

NAME AND ADDRESS: MARILYN RASGORSHEK  
12770 W ROOSEVELT AVE  
NAMPA ID 83686PAUL A RASGORSHEK  
12770 W ROOSEVELT AVE  
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.180 CFS  
7.200 AFY

PRIORITY DATE: 06/27/1979

POINT OF DIVERSION:

T02N R03W S35 NENESW Within CANYON County

PURPOSE AND  
PERIOD OF USE:PURPOSE OF USEPERIOD OF USEQUANTITY

DOMESTIC

1/01 12/31

0.180 CFS

Domestic use is for 6 homes and 500 range cattle.

7.20 AFY

PLACE OF USE: DOMESTIC in CANYON County

T02N R03W S34 SWNE

T02N R03W S34 NWSE

T02N R03W S35 SWNW

T02N R03W S35 NESW

T02N R03W S35 NWSW

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

PARCEL NOS. 014R30256-000-0, 014R30248-000-0, 014R30255-000-0

SFS should show  
no changes. Needs  
an SFS as it has been affected to.

AK as is

10/20/2009

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-9258

NAME AND ADDRESS: MARILYN RASGORSHEK  
12770 W ROOSEVELT AVE  
Nampa ID 83686

PAUL A RASGORSHEK  
12770 W ROOSEVELT AVE  
Nampa ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.180 CFS  
7.200 AFY

PRIORITY DATE: 06/27/1979

POINT OF DIVERSION:

T02N R03W S35 NENESW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

1/01 12/31

0.180 CFS  
7.20 AFY

Domestic use is for 6 homes and 500 range cattle.

PLACE OF USE:

DOMESTIC in CANYON County

T02N R03W S34

SWNE

T02N R03W S34

NWSE

T02N R03W S35

SWNW

T02N R03W S35

NESW

T02N R03W S35

NWSW

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

PARCEL NOS. 014R30256-000-0, 014R30248-000-0, 014R30255-000-0

See memo of explanation in  
63-31487. Jp

RECEIVED

AUG 26 2009

DEPARTMENT OF  
WATER RESOURCES

COPY

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 63-9258

(Insert water right number)

STANDARD FORM 1  
OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Paul and Marilyn Rasgorshek

Address: 12770 W. Roosevelt Ave.

Nampa, Idaho 83686

Daytime Phone: 208-466-7722

Name & Address of Attorney, if any:

Michael P. Lawrence

GIVENS PURSLEY LLP

P.O. Box 2720

Boise, Idaho 83701

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

Name: Paul and Marilyn Rasgorshek

Address: 12770 W. Roosevelt Ave.

Nampa, Idaho 83686

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: \_\_\_\_\_
2. ☐ **Source**  
Should be: \_\_\_\_\_
3. ☐ **Quantity**  
Should be: \_\_\_\_\_
4. ☐ **Priority Date**  
Should be: \_\_\_\_\_
5. ☒ **Point(s) of Diversion**  
Should be: as claimed
6. ☐ **Instream Flow Description**  
Should be: \_\_\_\_\_
7. ☒ **Purpose(s) of Use**  
Should be: Domestic and Stockwater
8. ☐ **Period of Year**  
Should be: \_\_\_\_\_
9. ☒ **Place of Use**  
Should be: as claimed

11. 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 OBJECTION(S):**\_\_\_\_\_

The recommendation did not reflect stockwatering as a use (only domestic was recommended) even though the recommendation acknowledges that the right is for "500 range cattle." In addition, the recommendation did not include points of diversion and places of use that may be decreed in accordance with I.C. §§ 42-1425 and/or 42-1426.

F. VERIFICATION (Must be Completed)

State of Idaho )  
 ) ss.  
County of Ada )

Michael P. Lawrence, 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 responding 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)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

August 21, 2009

Carah Hiegel

Notary Public for Idaho

Residing at: Boise, ID

My Commission Expires: 5/8/2010



## 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 August 21, 2009, I mailed the original and copies of this response, 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: Paul and Marilyn Rasgorshek  
Address: 12770 W. Roosevelt Ave.  
Nampa, Idaho 83686

3. Copies to:

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

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

United States Department of Justice  
Environment & Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

  
\_\_\_\_\_  
Signature of Objector or attorney  
mailing on Objector's behalf

**Shurte, Jan**

---

**From:** Williams, Ray  
**Sent:** Thursday, July 16, 2009 12:00 PM  
**To:** Shurte, Jan  
**Subject:** RE: Rasgorshek

Hi Jan-

I think those other rights are showing up because Michael Lawrence filed a Notice of Appearance. I'm guessing they might be uncontested overlaps, but I'm not entirely certain (2795, 2919 & 3275A are irrigation rights, so I'm not sure of any overlap with the "domestic" rights). None of them were objected to. Since 63-31487 inadvertently went through as an uncontested disallowed right, last week was the first time that we touched it. I got nothin' either...just the e-mail.

Sorry I'm not helpful...

Ray

---

**From:** Shurte, Jan  
**Sent:** Thursday, July 16, 2009 11:33 AM  
**To:** Williams, Ray  
**Subject:** Rasgorshek

Hi Ray,

Can you tell me about the Rasgorshek stuff. I know they filed a late objection for 63-31487, however, I cannot find anything for 63-2795, 2919, 3275A and 9258. Are they uncontested overlaps? If you have any notes on these in your legal file would you please send them to me. I have nothing. (I do remember the email, but other than that I'm clueless)

Thanks,  
Jan

7/16/2009

**Shurte, Jan**

---

**From:** Shurte, Jan  
**Sent:** Tuesday, February 24, 2009 12:33 PM  
**To:** 'Ted Booth'  
**Cc:** 'Diana Delaney'  
**Subject:** RE: 63-9258

Ted,

This right was licensed for domestic use for 6 homes and 500 range cattle. From looking at the file, there has been some discussion of this, a transfer filed and withdrawn because of it. We disallowed a stock water claim for 63-31487 because the 500 range cattle were listed on this license. I cannot remove this remark due to the license and withdrawal of the transfer.

By the way, I looked at 63-31487, which was disallowed, and it has been objected to, but it does not look like an initial hearing has been held. Michael Lawrence did submit a Notice of Appearance in January, 2009. Is anything happening with this one?

Thanks,  
Jan

---

**From:** Ted Booth [mailto:tbooth@srba.state.id.us]  
**Sent:** Thursday, January 22, 2009 10:58 AM  
**To:** Shurte, Jan  
**Subject:** 63-9258

Jan,

This domestic right has a remark that says: "Domestic use is for 6 homes and 500 range cattle." It seems a little peculiar to me that water use for 500 range cattle is categorized as "domestic." Please review.  
Ted

---

Eliminate annoying spam!

My mailbox is protected by iHateSpam, the #1-rated spam buster.  
<http://www.ihatespam.net>

2/24/2009

**SRBA**  
**SUBCASE SUMMARY REPORT 63-31487**

[Return to SRBA Home Page](#)

SRBA  
02-24-2009

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 63-31487 FILE#: 02086  
CLAIMANT: RASGORSHEK, MARILYN  
12770 W ROOSEVELT AVE

WATER SOURCE: NAMPA ID 83686  
STATUS: NOT RECOMMENDED W/R SPECIAL MASTER: BOOTH, THEODORE R.  
ISSUES: 0

\*\*\*\*\* PARTIES INVOLVED \*\*\*\*\*

|                    |   |                          |
|--------------------|---|--------------------------|
| MARILYN RASGORSHEK | C | ATTY: MICHAEL P LAWRENCE |
| PAUL A RASGORSHEK  | O | ATTY: MICHAEL P LAWRENCE |
| PAUL A RASGORSHEK  | C | ATTY: MICHAEL P LAWRENCE |

\*\*\*\*\* ROA ENTRIES \*\*\*\*\*

06-21-2007 LODGED: LATE OBJ 1 F/B RASGORSHEK, PAUL A  
01-06-2009 NOTICE OF APPEARANCE OF COUNSEL

[Return to SRBA Home Page](#)

## Shurte, Jan

---

**From:** Ted Booth [tbooth@srba.state.id.us]  
**Sent:** Tuesday, February 24, 2009 2:22 PM  
**To:** Shurte, Jan  
**Cc:** mpl@givenspursley.com  
**Subject:** RE: 63-9258

Jan,  
I spoke w/ Mike Lawrence today and he is going to let us know how his client wants to proceed regarding the late objection in subcase 63-31487 as well as possible late objections in subcases 63-2795, 63-2919, 63-3275A, and 63-9258. In other words, nothing is happening until we hear from Mr. Lawrence.

Ted

---

Eliminate annoying spam!

My mailbox is protected by iHateSpam, the #1-rated spam buster.  
<http://www.ihatespam.net>

---

**From:** Shurte, Jan [mailto:Jan.Shurte@idwr.idaho.gov]  
**Sent:** Tuesday, February 24, 2009 12:33 PM  
**To:** Ted Booth  
**Cc:** Diana Delaney  
**Subject:** RE: 63-9258

Ted,

This right was licensed for domestic use for 6 homes and 500 range cattle. From looking at the file, there has been some discussion of this, a transfer filed and withdrawn because of it. We disallowed a stock water claim for 63-31487 because the 500 range cattle were listed on this license. I cannot remove this remark due to the license and withdrawal of the transfer.

By the way, I looked at 63-31487, which was disallowed, and it has been objected to, but it does not look like an initial hearing has been held. Michael Lawrence did submit a Notice of Appearance in January, 2009. Is anything happening with this one?

Thanks,  
Jan

---

**From:** Ted Booth [mailto:tbooth@srba.state.id.us]  
**Sent:** Thursday, January 22, 2009 10:58 AM  
**To:** Shurte, Jan  
**Subject:** 63-9258

Jan,  
This domestic right has a remark that says: "Domestic use is for 6 homes and 500 range cattle." It seems a little peculiar to me that water use for 500 range cattle is categorized as "domestic." Please review.  
Ted

## MEMORANDUM

TO: ADJUDICATION FILE 63-31487

FROM: DANIEL A. NELSON *DAN*

DATE: 9/3/02

SUBJECT: TRANSFER OVERLAP REVIEW OF 63-31487

During a recent overlap review for a transfer for water right 63-2795, 63-2919 and 02-2208, I discovered some discrepancies in adjudication claim 63-31487. Below is summation of my review of water rights 63-31487 and 63-9258.

Water right 63-9258 is a licensed right with a priority date of 6/27/1979 for 6 homes and 500 range cattle for 0.18 cfs and 7.2 afa. The permit did not include cattle numbers, but cattle were added to the water right after the field exam the well supplies water to 400 head of livestock in a feedlot with the capacity of 500 head of range cattle.

Water right 63-31487 is a domestic beneficial use adjudication claim that was filed for 1000 head of livestock for 0.04 cfs and no volume limitation with a comment that the 1000 head are in addition to the 500 range cattle for 63-9285. 63-31487 claimed a priority date of 8/1/1979.

However, the field exam for 63-9258 was performed on 7/14/1986, and it states that the capacity of the facility was only 500 head of cattle. Mr. Pintler filed proof of beneficial use on 5/20/1986 for 500 head of cattle, and 63-9258 was licensed in April of 1987 and no claim was made during that process that there were not enough cattle listed on the license. I have spoken to Jan Shurte of the Western Region Adjudication staff, and she has informed me that **adjudication claim 63-31487 will probably be disallowed**, since the field exam shows that there were only 500 head of cattle at the feedlot until after 1987 when a permit and license would have been needed. Mr. Pintler would need to provide evidence to counter the information supplied in the field exam for 63-9258. Even if the claim could be allowed, it would be limited to 13,000 gallons per day when combined with water right 63-9258, since the stockwater was added to this license as an exempted use. This would provide enough water for approximately 1,000 head of range cattle and would probably change the priority date of 63-31487 to after April of 1987 to more accurately describe when the water use happened.

John M. Marshall [ISB # 78]  
Michael P. Lawrence [ISB No. 7288]  
GIVENS PURSLEY LLP  
601 West Bannock Street  
P.O. Box 2720  
Boise, Idaho 83701-2720  
Office: (208) 388-1200  
Fax: (208) 388-1300  
www.givenspursley.com  
*Attorneys for Paul A. and Marilyn Rasgorshek*

RECEIVED

JAN 7 2009

DEPARTMENT OF  
WATER RESOURCES

**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 No.: 63-9258

**NOTICE OF APPEARANCE**

John M. Marshall and Michael P. Lawrence of the firm Givens Pursley LLP, hereby enter their appearance as attorneys of record in this action for water right claimants Paul A. and Marilyn Rasgorshek.

DATED this 6th day of January, 2009.

Respectfully submitted,

GIVENS PURSLEY LLP

By



Michael P. Lawrence

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 6th day of January, 2009, the foregoing was filed, served, or copied as follows:

**ORIGINAL FILED**

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

☒ U. S. Mail  
☐ Hand Delivered  
☐ Overnight Mail  
☒ Facsimile  
☐ E-mail

**SERVICE**

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

☒ U. S. Mail  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile  
☐ E-mail

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

☒ U. S. Mail  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile  
☐ E-mail

United States Department of Justice  
Environment & Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, ID 83724

☒ U. S. Mail  
☐ Hand Delivered  
☐ Overnight Mail  
☐ Facsimile  
☐ E-mail

  
Michael P. Lawrence

07/14/2006

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

RIGHT NUMBER: 63-9258

NAME AND ADDRESS: MARILYN RASGORSHEK  
12770 W ROOSEVELT AVE  
NAMPA ID 83686

PAUL A RASGORSHEK  
12770 W ROOSEVELT AVE  
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.180 CFS  
7.200 AFY

PRIORITY DATE: 06/27/1979

POINT OF DIVERSION:

T02N R03W S35 NENESW Within CANYON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u>                             | <u>PERIOD OF USE</u> | <u>QUANTITY</u>       |
|---------------------------------------------------|----------------------|-----------------------|
| DOMESTIC                                          | 1/01 12/31           | 0.180 CFS<br>7.20 AFY |
| Domestic use is for 6 homes and 500 range cattle. |                      |                       |

PLACE OF USE: DOMESTIC Within CANYON County

|               |      |               |      |
|---------------|------|---------------|------|
| T02N R03W S34 | SWNE | T02N R03W S34 | NWSE |
| T02N R03W S35 | SWNW | T02N R03W S35 | NESW |
| T02N R03W S35 | NWSW |               |      |

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

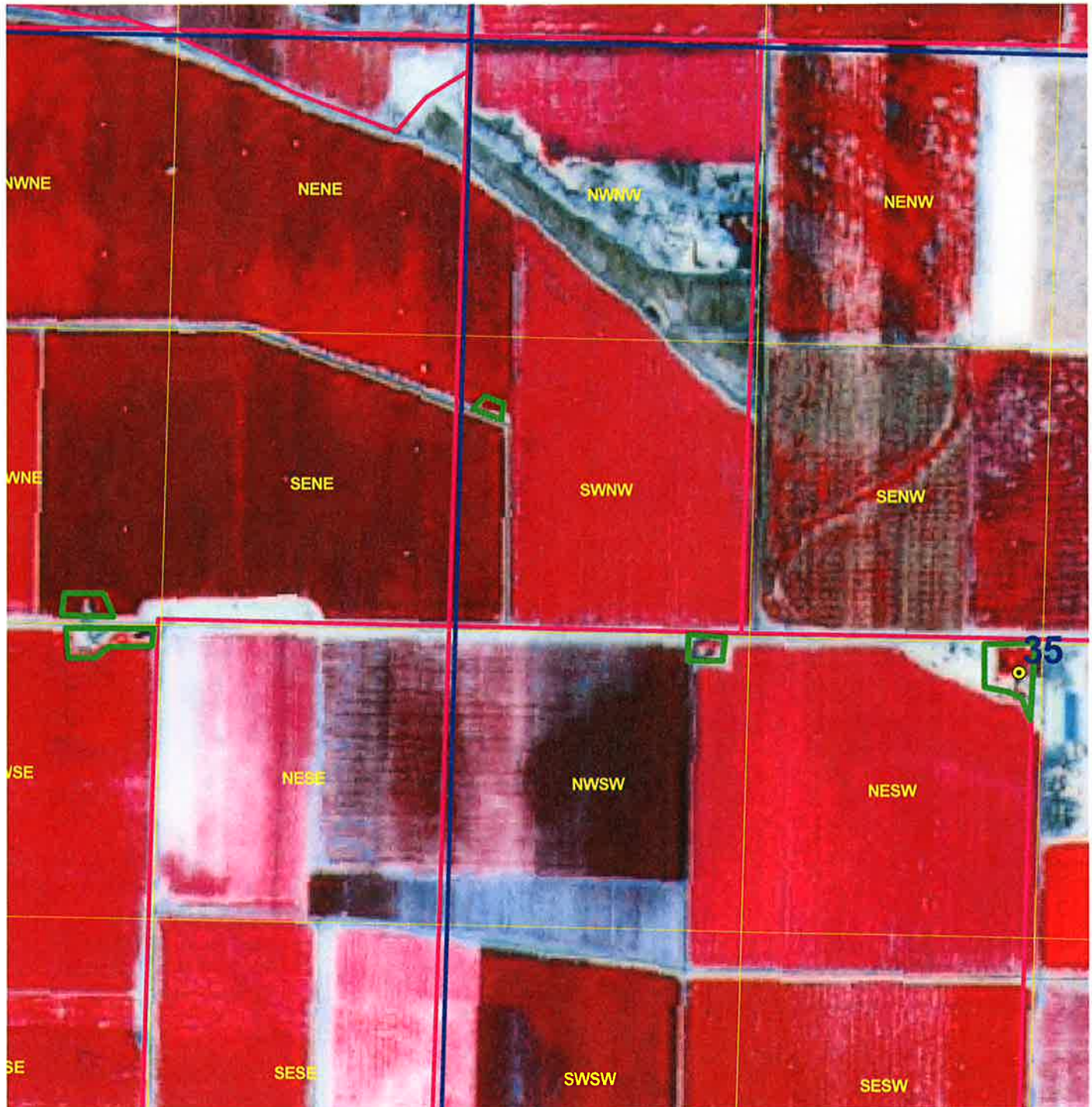
PARCEL NOS. 014R30256-000-0, 014R30248-000-0, 014R30255-000-0



# Idaho Department of Water Resources

## 63-9258

T02N R03W S34, 35



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



600 0 600 1200 Feet

IDWR  
Prepared by: Sandy Egbert  
Date: July 14, 2006  
1987 NAAP Photography

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9258 V1

WATER RIGHT NUMBER: 63-9258 V1

| <u>Owner Type</u> | <u>Name and Address</u>                                                         |
|-------------------|---------------------------------------------------------------------------------|
| Original Owner    | PINTLER & SON<br>RT 4 BOX 4243<br>NAMPA, ID 83651                               |
| Previous Owner    | CHARLES D PINTLER<br>13541 SURREY LN<br>NAMPA, ID 83686<br>(208)466-6951        |
| Current Owner     | MARILYN RASGORSHEK<br>12770 W ROOSEVELT AVE<br>NAMPA, ID 83686<br>(208)466-7722 |
| Current Owner     | PAUL A RASGORSHEK<br>12770 W ROOSEVELT AVE<br>NAMPA, ID 83686<br>(208)466-7722  |

Priority Date: 06/27/1979

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              | 1/01 to 12/31           | 0.180 CFS             | 7.20 AF              |
|                       | <u>Total Diversion:</u> | 0.180 CFS             | 7.20 AF              |

Location of Point(s) of DiversionGROUND WATER  
CANYON County

NE1/4NE1/4SW1/4

Sec. 35, Twp 02N, Rge 03W, B.M.

Place of Use

DOMESTIC

| 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 | 03W | 34  |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
| 02N | 03W | 35  |    |    |    |    | X  |    |    | X  | X  |    |    |    |    |    |    |    |        |

Conditions of Approval:

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-9258 V1

1. PARCEL NOS. 014R30256-000-0, 014R30248-000-0, 014R30255-000-0
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. X01 Domestic use is for 6 homes and 500 range cattle.

Remarks:Comments:

1. DUNN1 9/2/1993 COPIED FROM REMARKS

Comment: Domestic use is for 6 homes & 500 range cattle.

2. segbert 7/14/2006 POU and POD

Comment: This water right had an amended claim filed and a transfer file on it but both were withdrawn so the claim has been taken back to what the original license documented.

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: NONE RECEIVED

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  | 7/14/2006 9:18:45 AM      | segbert         |                           |                 | Active        |
| POD            | 7/14/2006 9:19:10 AM      | segbert         |                           |                 | Active        |
| Source         | 7/14/2006 9:19:55 AM      | segbert         |                           |                 | Active        |
| POU            | 7/14/2006 9:20:41 AM      | segbert         |                           |                 | Active        |
| Use            | 7/14/2006 9:21:36 AM      | segbert         |                           |                 | Active        |
| Season         | 7/14/2006 9:22:10 AM      | segbert         |                           |                 | Active        |
| Quantity       | 7/14/2006 9:22:53 AM      | segbert         |                           |                 | Active        |
| Summary        |                           |                 | 07/14/2006                | 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 63-9258 V1

|         |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------|----------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD     | 7/14/2006 9:18:46 AM | segbert | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| POU     | 7/14/2006 9:20:19 AM | segbert | Updated shape for Active POU                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Summary | 7/14/2006 9:26:03 AM | segbert | <p>(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?</p> <p>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?</p> <p>(No) 5. Does this right have any combined use limits with other rights?</p> <p>(Yes) 6. Is an additional remark and/or condition required?</p> <p>(Yes) 7. Would you like to view the recommended right?</p> <p>(No) 8. Is this a split or combined right?</p> <p>(No) 9. Do you have documents you would like to attach or link to the file?</p> <p>(Yes) 10. Would you like to set the verification date?</p> |
| General | 7/14/2006 9:17:55 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>(No) 16. Is a Priority Date remark and/or condition required?</p>                                                                                                                                                                                                                           |
| POD     | 7/14/2006 9:18:20 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>(Yes) 10. Is a POD remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Source  | 7/14/2006 9:19:04 AM | segbert | <p>(Yes) 1. Is the basis of claim Decree or License?</p> <p>(Yes) 4. Does the Decree or License have a source?</p> <p>(Yes) 5. Can the claimed source be verified using the water right file?</p> <p>(Yes) 11. Is a Source remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                                                      |
| POU     | 7/14/2006 9:19:51 AM | segbert | <p>(Yes) 1. Is the basis of this claim a Decree or License?</p> <p>(Yes) 2a. Is the POU required?</p> <p>(Yes) 5. Does the Decree or License have a POU?</p> <p>(Yes) 6. Can the claimed POU be verified using the water right file?</p> <p>(Yes) 14. Is a POU remark and/or condition required?</p>                                                                                                                                                                                                                                                                                                                                                                                  |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 63-9258 V1

|          |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------|----------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use      | 7/14/2006 9:20:45 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>(Yes) 13. Is a Purpose of Use remark and/or condition required?                                                                                                                                                                                      |
| Season   | 7/14/2006 9:21:19 AM | segbert | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a Period of Use?<br>(Yes) 5. Can the claimed Period of Use be verified using the water right file?<br>(No) 14. Is irrigation claimed as a Purpose of Use?<br>(No) 18. Is a Period of Use remark and/or condition required?                                                                                                                                          |
| Quantity | 7/14/2006 9:22:02 AM | segbert | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?<br>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?<br>(Yes) 8. Does the parent right have an annual diversion volume limit?<br>(No) 10. Is a irrigation a purpose of use?<br>(No) 12. Is a Quantity remark or condition required?<br>Description for Question 10 - as licensed |

Water Supply Bank:

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-9258

WATER RIGHT NUMBER: 63-9258

| <u>Owner Type</u> | <u>Name and Address</u>                                                         |
|-------------------|---------------------------------------------------------------------------------|
| Original Owner    | CHARLES D PINTLER<br>13541 SURREY LN<br>NAMPA, ID 83686<br>(208)466-6951        |
| Current Owner     | PAUL A RASGORSHEK<br>12770 W ROOSEVELT AVE<br>NAMPA, ID 83686<br>(208)466-7722  |
| Original Owner    | PINTLER & SON<br>RT 4 BOX 4243<br>NAMPA, ID 83651                               |
| Current Owner     | MARILYN RASGORSHEK<br>12770 W ROOSEVELT AVE<br>NAMPA, ID 83686<br>(208)466-7722 |

Priority Date: 06/27/1979 ✓

Basis: License ✓

Status: Active ✓

Source

GROUND WATER

TributaryBeneficial Use

DOMESTIC

From To

1/01 to 12/31 ✓

Diversion Rate

0.180 CFS ✓

Annual Volume

7.20 AF ✓

Total Diversion:

0.180 CFS ✓

7.20 AF ✓

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4NW1/4SW1/4

Sec. 35, Twp 02N, Rge 03W, B.M.

GROUND WATER

CANYON County

NE1/4NW1/4SE1/4

Sec. 34, Twp 02N, Rge 03W, B.M.

GROUND WATER

CANYON County

NE1/4NE1/4SW1/4 ✓

Sec. 35, Twp 02N, Rge 03W, B.M. ✓

Place of Use

DOMESTIC

| Twp Rge Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 02N 03W 34  | X  |    | X  |    |    |    |    |    |    |    |    |    |    | X  |    |    |        |
| 02N 03W 35  |    |    |    |    | X  | X  |    |    | X  | X  |    |    |    |    |    |    |        |

domestic 6 homes  
500 head

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report 63-9258

Conditions of Approval:

1. DOMESTIC USE IS FOR 6 HOMES AND 500 HEAD REPLACEMENT DAIRY STOCK (HEIFERS).
2. CHANGE IN OWNERSHIP LG-7-13-2006 REVIEWED BY SE

Remarks:Comments:Dates and Other Information:

Claim Received Date: 2/8/1990  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
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> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|

Verification Log:

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

Water Supply Bank:

# Receipt Details for ID W008583

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

## General Information:

| Date Received       | Date Deposited | Region                 | Total Amount | Payment Type |
|---------------------|----------------|------------------------|--------------|--------------|
| 2/8/1990 2:46:39 PM | 2/8/1990       | Western                | \$1,800.00   | Check        |
| <b>Payer</b>        |                | DESERT SUN FARMS, INC. |              |              |

## Account Information:

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 1330                 |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

**Comment** APPLICATION FOR PERMIT

## Fee Detail:

| Amount     | Description            | PCA    | Fund | Fund Detail | Subsidiary | Object |
|------------|------------------------|--------|------|-------------|------------|--------|
| \$1,770.00 | ADJUDICATION CLAIM FEE | 410162 | 9337 | 0           | 0          | 6490   |
| \$30.00    | APPLICATION FOR PERMIT | 620199 | 1238 | 0           | 0          | 6390   |

## Refund(s):

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

## Water Right Information:

| Basin Number | Sequence Number | Split Suffix | Amount   | Type  |
|--------------|-----------------|--------------|----------|-------|
| 2            | 2219            | D            | \$400.00 | Claim |
| 2            | 2208            |              | \$427.00 | Claim |
| 63           | 2795            |              | \$50.00  | Claim |
| 63           | 2919            |              | \$290.00 | Claim |
| 63           | 9258            |              | \$50.00  | Claim |
| 2            | 2313            |              | \$453.00 | Claim |
| 63           | 2906            |              | \$50.00  | Claim |
| 2            | 10046           |              | \$50.00  | Claim |

**Shurte, Jan**

---

**From:** Nelson, Dan  
**Sent:** Wednesday, July 23, 2003 2:33 PM  
**To:** Shurte, Jan  
**Subject:** Withdrawal of Adjudication Claim Amendment

Hello Jan,

I forgot to ask you if you could send me a confirmation of the withdrawn amendment for adjudication claim 63-9258 for Charles Pintler. I will need to send something to Steve Hannula of ERO to confirm that this adjudication claim amendment has been withdrawn, since the transfer has been withdrawn.

Thank you

Dan Nelson  
Western Region

## MEMORANDUM

TO: JAN SHURTE

FROM: DANIEL A. NELSON

DATE: 7/22/03

SUBJECT: AMENDMENT OF ADJUDICATION CLAIM 63-9258

Mr. Pintler has withdrawn transfer 70199. Therefore, we need to resind the amendment for adjudication claim 63-9258. Please do not process this amendment to the adjudication claim and remove the amendment from the file. Please see memo dated 1/15/2003 and withdrawal letter dated 7/22/2003.

Thank you.

RECEIVED  
JUL 22 2003  
WATER RESOURCES  
WESTERN REGION

July 18, 2003

Mr. Dan Nelson  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, Idaho 83705

RE: Pintler Transfer

Dear Mr. Nelson:

Please withdraw the Application for Transfer, which is in my name, from further processing. I understand that by withdrawing the application that any further action will have to be started anew.

If you have any questions please call Steven Hannula at ERO Resources.

Thank you,



Charles Pintler



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

FAX (208) 334-2348

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

June 24, 2003

Charles Pintler  
13541 Surry Lane  
Nampa ID 83686

Dear Mr. Pintler:

This letter is to acknowledge the withdrawal of the Amended Claim filed for Claim No. 63-9258 on January 13, 2003. It is our understanding that the amended claim is withdrawn per the withdrawal of Application for Transfer No. 70199. This claim had not yet been data entered and will be marked withdrawn in the file.

If you do not agree with this assessment or have any questions, please feel free to contact me. If I do not hear from you I will assume you agree with the withdrawal of the amended claim.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jan Shurte', is written over a light-colored background.

JAN SHURTE  
Water Rights Supervisor  
Adjudication Section  
Western Regional Office

JS:j

## MEMORANDUM

TO: ADJUDICATION FILES 63-31487 AND 63-9258

FROM: DANIEL A. NELSON

DATE: 1/15/03

SUBJECT: AMENDMENT OF ADJUDICATION CLAIM 63-9258

We are working through a transfer for water rights 63-2795, 63-2919, 63-31487, and 02-2208. The transfer number is 70199. The purpose of the transfer was change the nature of use of the water appurtenant to a portion of the land associated with these rights for a proposed 8,000-cow dairy. In the review of the transfer we discovered discrepancies in the existing stockwater rights 63-9258 and 63-31487. After discussions with Mr. Pintler and his consultant, Steve Hannula of ERO Resources, it was decided to make the following corrections to allow the transfer to continue:

- 1.) The stockwater remark would be removed from water right 63-9258, since the original license did not add any diversion rate or volume for stockwater. The reason the original license did not add stockwater is because stockwater was not included in the original application or permit. Therefore, the license could not give any rate or volume consideration to the license. They did mention in the right that 500 head of cattle were using water from the well in a feedlot.
- 2.) 63-31487 will be recommended through the transfer to cover the stockwater not applied for in water right 63-9258. This will allow the stockwater developed with license 63-9258 to be shown on water right 63-31487 with a diversion rate and volume allowed under an Idaho Code § 42-111 or 0.04 cfs and 13,000 gallons per day.

In order to use 63-31487 to reflect the water developed for stockwater in accordance with 63-9258, it is necessary to remove the remark allowing 500 head of stockwater from the license. The amendment will remove the stockwater remark from 63-9258, which will render 63-9258 for domestic use for 6 homes only. This will clean up all the overlap problems and settle some of the protests in the transfer.

We have been asked by Mr. Pintler and his consultant to hold the amendment until the transfer has been approved. If the transfer is not approved, Mr. Pintler would like the adjudication claims to stand on their own merits. The recommendation of the transfer settles some issues, but the denial of the transfer would not allow the clarifications of these rights to be involved in the adjudication process.

**THEREFORE, PLEASE DO NOT PROCESS THESE ADJUDICATION CLAIMS UNTIL TRANSFER 70199 HAS BEEN DECIDED.**

*Transfer 70199  
Withdrawn*

ERO Resources Corp.  
1106 N. Cole Rd., Suite C  
Boise, ID 83704-8661  
(208) 373-7983  
Fax: 373-7985



Denver • Boise

www.eroresources.com  
eroboise@eroresources.com

RECEIVED

JAN 13 2003

WATER RESOURCES  
WESTERN REGION

January 8, 2003

Mr. Dan Nelson  
Idaho Department of Water Resources  
2735 Airport Way  
Boise, Idaho 83705

RE: PINTLER AMENDMENT OF ADJUDICATION CLAIM

Dear Mr. Nelson

Enclosed, please find an amended claim for water right #63-9258. This amended claim removes the remark regarding 500 head of replacement dairy stock. Water right license #63-9258 does not offer a rate or volume for the 500 replacement dairy stock. The stock were added as an exempt use. By not having a defined rate and volume for stockwater, we were unable to list this water right in the Pintler Transfer. The water supply for these 500 head of replacement stock has been shifted to claim 63-31487, which has a priority date of 08/01/1979. Claim 63-31487 is included in the "Pintler Transfer" and is necessary for satisfying the water demands for the proposed dairy.

Please process the amended claim form for #63-9258 contingent on the approval of Pintler Transfer.

If there are any questions, please call Steven Hannula at ERO Resources Corporation.

Regards,

A handwritten signature in blue ink that reads "Steve R. Hannula". The signature is fluid and cursive, with the first name "Steve" being more prominent than the last name "Hannula".

Steven R. Hannula

Should questions arise during the processing of this application please contact:  
Sheri Chapman - ERO Resources Corp. (208) 373-7983

RECEIVED

JAN 13 2003

WATER RESOURCES  
WESTERN REGION

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

Ident. Number 63-9258

Date Received

Receipt Number

1113103

~~63029967~~

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

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

Please type or print clearly

1. Name of Claimant(s) Charles D. Pinter Phone (208) 466-6951  
Mailing Address 13541 Surry Lane, Nampa, Idaho Zip 83686
2. Date of Priority (Only one (1) per claim) 6-27-1979
3. Source of water supply (a) Ground water  
Which is tributary to (b) N/A
4. a. Location of point of diversion is: Township 2N Range 3W Section 35, NE ¼ of NE ¼ of SW ¼, Govt. Lot \_\_\_\_\_, B.M., County of Canyon  
Additional points of diversion if any: \_\_\_\_\_  
b. If instream flow, beginning point of claimed instream flow is:  
township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ ¼ of \_\_\_\_\_ ¼ of \_\_\_\_\_ ¼, 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. Drilled well, submersible pump, and buried pipeline

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 0.18 or 7.2

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.18 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; describe fully. (Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) 6 homes

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 ¼    |         |         |         | NW ¼    |         |         |         | SW ¼    |         |         |         | SE ¼    |         |         |         | Totals |
|-----|-----|-----|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|--------|
|     |     |     | NE<br>¼ | NW<br>¼ | SW<br>¼ | SE<br>¼ | NE<br>¼ | NW<br>¼ | SW<br>¼ | SE<br>¼ | NE<br>¼ | NW<br>¼ | SW<br>¼ | SE<br>¼ | NE<br>¼ | NW<br>¼ | SW<br>¼ | SE<br>¼ |        |
| 2N  | 3W  | 34  |         |         |         |         |         |         |         |         |         |         |         |         |         | D       |         |         |        |
|     |     | 35  |         |         |         |         |         | D       |         |         | D       | D       |         |         |         | D       |         |         |        |
|     |     |     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |        |
|     |     |     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |        |
|     |     |     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |        |
|     |     |     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |        |
|     |     |     |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |         |        |

Total number of acres irrigated \_\_\_\_\_

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 XX 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.

\_\_\_\_\_ or None (XX)

14. Remarks:

Domestic use is for 6 homes

Scale: 2 inches equals 1 mile

[illegible]

*Copies: White-State, Yellow-Claimant*

15. Basis of Claim (Check One) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License XX 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 received notice in the Snake River Basin Adjudication." 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.

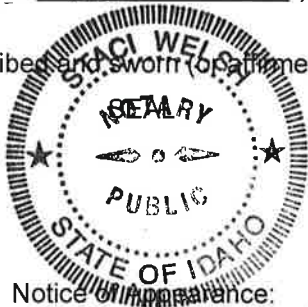
Signature of Claimant(s) Charles D. Pintler Date 1-08-03  
\_\_\_\_\_ Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am \_\_\_\_\_  
of \_\_\_\_\_, that I have signed the foregoing  
document in the space below as \_\_\_\_\_ of \_\_\_\_\_  
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 8th day of January 20 03



Notary Public Staci Welsh  
Residing at Meridian, Idaho  
My Commission Expires 1/27/2005

17. Notice of Appearance:

Please Print Name

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 \_\_\_\_\_

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 63-9258  
Date Received: 2/8/1990  
Receipt No: W008583  
Received By:

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

1. Name of Claimant(s)

CHARLES D PINTLER Phone: (208)466-6951  
13541 SURRY LN  
NAMPA ID USA 83686

AMENDED

2. Date of Priority: 06/27/1979

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 02N      | 03W   | 35      | NE NW SW              | CANYON |      |
| 02N      | 03W   | 34      | NE NW SE              | CANYON |      |
| 02N      | 03W   | 35      | NE NE SW              | CANYON |      |

5. Description of diverting works:

550' WELL, 8" CASING, 15 HP SUBMERSIBLE PUMP, STOCK TANKS.

6. Water is used for the following purposes:

| Purpose  | From To    | C.F.S. | (or) A.F.A |
|----------|------------|--------|------------|
| DOMESTIC | 1/01 12/31 | 0.18   | 7.2        |

7. Total Quantity Appropriated is:  
0.18 C.F.S. and/or 7.2 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 | of 1/4 | Lot | Use      | Acres |
|----------|-------|---------|-----|--------|-----|----------|-------|
| 02N      | 03W   | 34      | SW  | NE     |     | DOMESTIC |       |
|          |       |         | NE  | NE     |     | DOMESTIC |       |
|          |       |         | NW  | SE     |     | DOMESTIC |       |
| 02N      | 03W   | 35      | SW  | NW     |     | DOMESTIC |       |
|          |       |         | NE  | SW     |     | DOMESTIC |       |
|          |       |         | NW  | SW     |     | DOMESTIC |       |
|          |       |         | NW  | NW     |     | DOMESTIC |       |

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:

14. Remarks:

DOMESTIC USE IS FOR 6 HOMES AND 500 HEAD *RANGE CATTLE (PER LICENSE)* ~~REPLACEMENT DAIRY STOCK (HEIFERS)~~.

15. Basis of Claim: License

Should questions arise during the processing of this application please contact:  
Sheri Chapman - ERO Resources Corp. (208) 373-7983

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

63-9258

Date Received

5/8/02

Receipt Number

**AMENDED NOTICE OF CLAIM**  
**TO A**  
**WATER RIGHT**  
**AQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant(s) Charles D. Pinter Phone (208) 466-6951  
Mailing Address 13541 Surry Lane, Nampa, Idaho Zip 83686
2. Date of Priority (Only one (1) per claim) 6-27-1979
3. Source of water supply (a) Ground water  
Which is tributary to (b) N/A
4. a. Location of point of diversion is: Township 2N Range 3W Section 35, NE ¼ of NE ¼ of SW ¼, Govt. Lot \_\_\_\_\_, B.M., County of Canyon  
Additional points of diversion if any: NENWSW, Sec. 35, T2N, R3W, Canyon County; NENWSE, Sec. 34, T2N, R3W, Canyon County.  
b. If instream flow, beginning point of claimed instream flow is:  
township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ ¼ of \_\_\_\_\_ ¼ of \_\_\_\_\_ ¼, 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. Drilled wells, submersible pumps, buried pipelines and stock tanks.

RECEIVED

MAY 08 2002

WATER RESOURCES  
WESTERN REGION

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 0.18 or 7.2

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.18 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

9. Non-irrigation uses; describe fully. (Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) 6 homes/500 head of replacement dairy stock (heifers).

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 ¼ |    |     |    | NW ¼ |     |     |    | SW ¼ |     |    |    | SE ¼ |     |    |    | Totals |
|-----|-----|-----|------|----|-----|----|------|-----|-----|----|------|-----|----|----|------|-----|----|----|--------|
|     |     |     | NE   | NW | SW  | SE | NE   | NW  | SW  | SE | NE   | NW  | SW | SE | NE   | NW  | SW | SE |        |
|     |     |     | ¼    | ¼  | ¼   | ¼  | ¼    | ¼   | ¼   | ¼  | ¼    | ¼   | ¼  | ¼  | ¼    | ¼   | ¼  | ¼  |        |
| 2N  | 3W  | 34  | S/D  |    | S/D |    |      |     |     |    |      |     |    |    |      | S/D |    |    |        |
|     |     | 35  |      |    |     |    |      | S/D | S/D |    | S/D  | S/D |    |    |      |     |    |    |        |
|     |     |     |      |    |     |    |      |     |     |    |      |     |    |    |      |     |    |    |        |
|     |     |     |      |    |     |    |      |     |     |    |      |     |    |    |      |     |    |    |        |
|     |     |     |      |    |     |    |      |     |     |    |      |     |    |    |      |     |    |    |        |
|     |     |     |      |    |     |    |      |     |     |    |      |     |    |    |      |     |    |    |        |
|     |     |     |      |    |     |    |      |     |     |    |      |     |    |    |      |     |    |    |        |

Total number of acres irrigated \_\_\_\_\_

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 XX 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.

\_\_\_\_\_ or None (XX)

14. Remarks:

Domestic use is for 6 homes and 500 head of replacement dairy stock (heifers).



### P/U and P/D Map for Charles D. Pintler

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

[illegible]

15. Basis of Claim (Check One) Beneficial Use \_\_\_\_\_ Posted Notice \_\_\_\_\_ License XX 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 received notice in the Snake River Basin Adjudication." 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Charles D. Pintler Date 5-8-02

\_\_\_\_\_ 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.

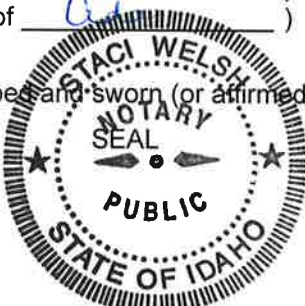
Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )

County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 8th day of May 20 02



Notary Public Staci Welsh

Residing at Mendocino, Idaho

My Commission Expires 1/27/2005

17. Notice of Appearance:

Please Print Name

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 \_\_\_\_\_

## MEMORANDUM

TO: ADJUDICATION FILE 63-31487

FROM: DANIEL A. NELSON *DAN*

DATE: 9/3/02

SUBJECT: TRANSFER OVERLAP REVIEW OF 63-31487

During a recent overlap review for a transfer for water right 63-2795, 63-2919 and 02-2208, I discovered some discrepancies in adjudication claim 63-31487. Below is summation of my review of water rights 63-31487 and 63-9258.

Water right 63-9258 is a licensed right with a priority date of 6/27/1979 for 6 homes and 500 range cattle for 0.18 cfs and 7.2 afa. The permit did not include cattle numbers, but cattle were added to the water right after the field exam the well supplies water to 400 head of livestock in a feedlot with the capacity of 500 head of range cattle.

Water right 63-31487 is a domestic beneficial use adjudication claim that was filed for 1000 head of livestock for 0.04 cfs and no volume limitation with a comment that the 1000 head are in addition to the 500 range cattle for 63-9285. 63-31487 claimed a priority date of 8/1/1979.

However, the field exam for 63-9258 was performed on 7/14/1986, and it states that the capacity of the facility was only 500 head of cattle. Mr. Pintler filed proof of beneficial use on 5/20/1986 for 500 head of cattle, and 63-9258 was licensed in April of 1987 and no claim was made during that process that there were not enough cattle listed on the license. I have spoken to Jan Shurte of the Western Region Adjudication staff, and she has informed me that **adjudication claim 63-31487 will probably be disallowed**, since the field exam shows that there were only 500 head of cattle at the feedlot until after 1987 when a permit and license would have been needed. Mr. Pintler would need to provide evidence to counter the information supplied in the field exam for 63-9258. Even if the claim could be allowed, it would be limited to 13,000 gallons per day when combined with water right 63-9258, since the stockwater was added to this license as an exempted use. This would provide enough water for approximately 1,000 head of range cattle and would probably change the priority date of 63-31487 to after April of 1987 to more accurately describe when the water use happened.

4/86

RECEIVED  
MAY 18 1986

Department of Water Resources  
Western Regional Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

KEYPUNCHED

For Office Use Only

Fee Received \$100

Date 5/20/86

Receipt #40312

Receipt by 10

Sent to S.O. 5/27/86

RECEIVED

MAY 18 1986

1. Permit No. 63-9258

PROOF FILED  
5-20-1986

Department of Water Resources

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: PINTLER & SON

3. Post Office Address: RT 4 Box 4243 Nampa ID 83651

Telephone No. 466 6951

4. Source of Water: UNDER GROUND

5. Extent of Use:

Domestic 6 (No. of households) Stockwater 500 (No. and type of stock)

Irrigation (acres) Other/Remark

FOR 500  
RANGE CATTLE

6. Total rate &/or volume for which proof is submitted 124 cfs acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

7-79

8. Person to contact to accompany the department representative during the field examination:

CHARLIE PINTLER

(Name)

RT 4 Box 4243

Nampa

IDAHO

466 6951

(Address)

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

PROOF RECEIPTED  
5-20-1986

STATE OF IDAHO  
Department of Water Resources

Boise, Idaho, 5/20, 1986

RECEIVED FROM Desert Sun Farms Inc Nampa \$ 100  
One hundred dollars & 00/100 DO

FOR

|                 |               |           |
|-----------------|---------------|-----------|
| <u>Exam Fee</u> | \$ <u>100</u> | <u>00</u> |
| <u>63-9258</u>  | \$            |           |
|                 | \$            |           |

2 n. - Tamara

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

63-9258  
Permit No.

Staff Analysis Sheet  
for  
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index PG 2 7/14/86 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☒ Other: Trigger well

Check of P/U index 7 10/6 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☒ Other: Trigger well

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? 6/27/86 CD (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Richard Gumpel 7/9/86 (Signature of examiner and date)  
Exam Reviewed by Senior Water Resource Agent 2 8/7/86 (Initial and date)  
Exam Reviewed by Manager of Regional Office DA 12/9/86 (Initial and date)  
Exam Date Entered in Computer W 1-6-87 (Initial and date)  
Exam sent to State Office EH 1-2-87 (Initial and date)

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT****A. GENERAL INFORMATION**

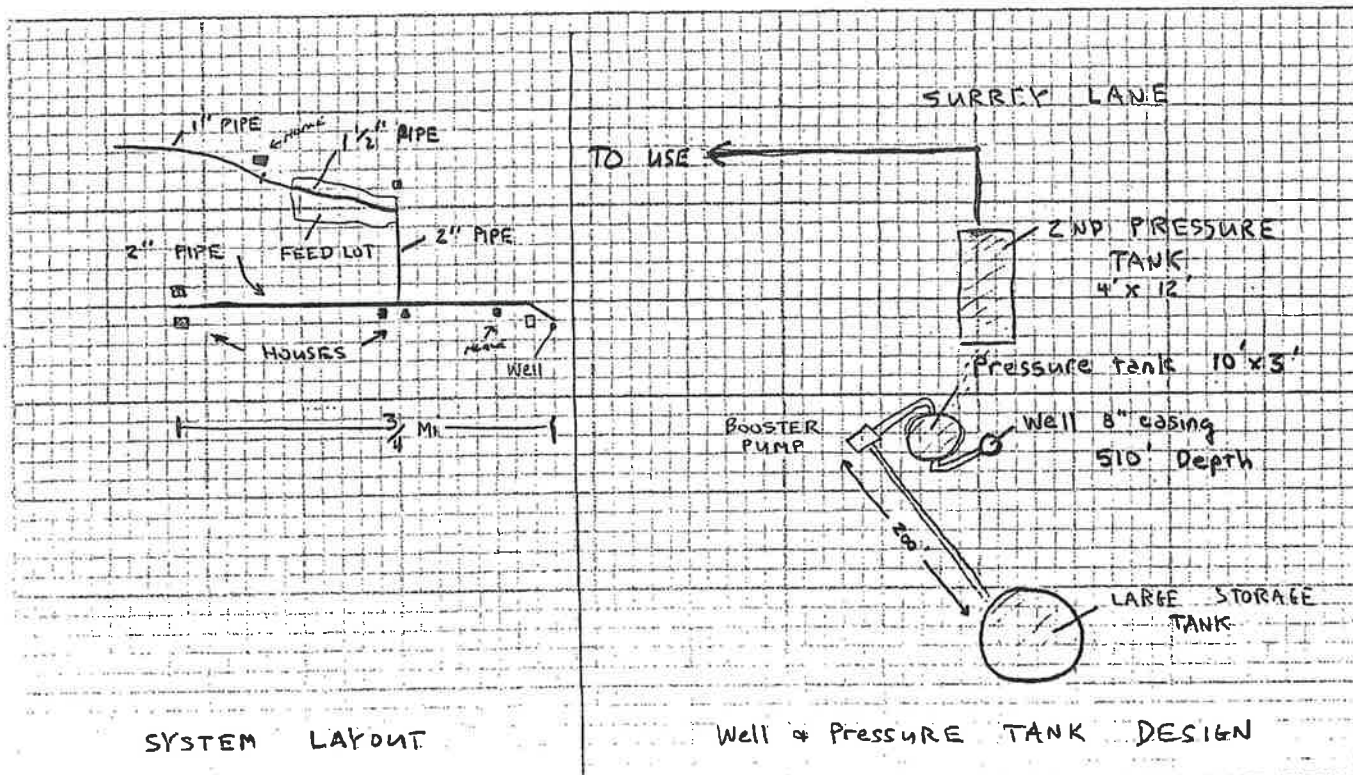
1. Owner: Pintler & Son Permit No. 63-9258  
Current Address: Rt 4 Box 4243 Nampa ID Phone No. 466-6951  
2. Accompanied by: Charlie Pintler EXAM. DATE: 7/14/86  
Address: - Phone No. -  
Relationship to Permit Holder: Owner  
3. Source: Ground water tributary to -

FIELD EXAM  
PERFORMED 7/14/86**B. OVERLAP REVIEW**

1. Other water rights with same place of use: None ☐ 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 **TOP VIEW**



Scale: 1" = \_\_\_\_\_.

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached  
Showing location(s) of point(s) of diversion and place(s) of use (required). (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.)

A well 8" by 510' deep supplies water for 6 domestic units and 500 head of cattle. The pump is a 15 HP Berkeley Submersible. Two pressure tanks are used to supply 98 PSI to the system. A 2" mainline travels  $\frac{3}{4}$  mile along slurry lane to supply water to 4 domestic units. A 2" line travels north  $\frac{1}{2}$  mile to the feedlot and to other houses.

FOR 500 head OF CATTLE

☐ 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 |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| Domestic Well                         | -          | 15 | -                | Berkeley  | 8" casing                         |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

**5. Point(s) of Diversion:**

[illegible]

**6. Place(s) of Use:**

**Indicate Method of Determination**

[illegible]

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      | N/A  |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements:

~~Handwritten notes:~~  
400 head of cattle.  
Usage 400 Head cattle = 09 cfs  
Domestic 6 homes = 11 cfs max flow rate  
Note - cattle not on original perm  
BATTLE NOT ON ORIGINAL PERMIT  
FROM MAX. INSTANTANEOUS FLOW REQ FOR DOM. N-HOUSE ONLY - ALLOW .18 SINCE IRR. USE ALSO OCCURS.

#### E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: None Horsepower EQ 
$$\frac{(15 \text{ HP}) \times 9.8 \times .8}{400 \text{ ft} + (2.3 \times 75)} = .18 \text{ cfs}$$
 ALLOW
2. Alternate Method for Checking Purposes: None

#### 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)  
N/A

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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$  \_\_\_\_\_  
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$  \_\_\_\_\_  
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$  \_\_\_\_\_

2. Volume Calculations for Other Uses:

6 Homes x 1.2 AF/ANNUAL = 7.2 AF/ANNUAL  
HOME

## H. REMARKS AND OVERLAP REVIEW ANALYSIS

Other P/D's in same '9 1/4 63-2795

Used only for irrigation purposes

All Place of use overlaps are for ~~the~~ irrigation purposes

## I. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| Domestic       | 1/1           | 12/31 | .18 cfs                      | 7.2                      |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | .18 cfs                      | 7.2                      |

### 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. 8/7/86*

## J. AUTHENTICATION

Field Examiner's Name Richard J Gempere

Signature Richard J Gempere

Certification Date \_\_\_\_\_

Field Report Preparation Date 7-14-86

CONSULTANT SEAL

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

State of Idaho  
Department of Water Resources

RECEIVED

APR 27 1987

**WATER RIGHT LICENSE**

Department of Water Resources  
Western Regional Office

WATER RIGHT NO. 63-9258

Priority: June 27, 1979

Amount: .18 CFS

7.2 AFA

This is to certify, that PINTLER & SON  
RT. 4 BOX 4243  
NAMPA, ID 83651

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated June 27, 1979, and has submitted proof to the Department of Water Resources on June 28, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .18 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

LICENSED  
4-27-87

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>VOLUME</u> |
|-----------------------|----------------------|--------------------------|---------------|
| Domestic              | 01/01 to 12/31       | .18 cfs                  | 7.2 afa       |

LOCATION OF POINT OF DIVERSION(S): NESW, Sec. 35, Township 2N, Range 3W  
Canyon County

PLACE OF USE: Domestic

TWN RGE SEC

2N 3W 34  
35

SWNE  
SWNW

NWSE  
NESW

NWSW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 6 homes & 500 range cattle.

FOR 500 Range  
CATTLE.

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 22<sup>nd</sup> day of April, 1987.

Acting for the Director

*Norm Young*

AJ5809NP  
No. R63-09258

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/31/98  
PAGE: 18

| OWNER<br>CODE    | NAME & ADDRESS                                                          | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------------------------------------------------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C                | CHARLES D PINTLER<br>13541 SURRY LN<br>NAMPA ID 83686<br>(208) 466-6951 | 06/27/1979       | DOMESTIC  | 01-01 12-31           | 0.18 CFS          | 7.20 AFA            |
| TOTAL DIVERSION: |                                                                         |                  |           |                       | 0.18 CFS          | 7.20 AFA            |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T02N R03W S35

NENESW

CANYON County

Place of use Legal Description for: DOMESTIC

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac |
| 02N | 03W | 34 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| 02N | 03W | 35 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

POU County: CANYON

Non-Irrigation Uses: DOMESTIC, 6 HOMES

Other Rights: NONE

Remarks: GEN PARCEL NOS. 014R30256-000-0, 014R30248-000-0, 014R30255-000-0

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 09/02/1993 User-ID: DUNN1 Subject: COPIED FROM REMARKS  
Domestic use is for 6 homes & 500 range cattle.

Audit: 09/02/93 DUNN1 09/02/93 DUNN1 03/30/95 POST-STD

WR5809NP  
No. 63-09258

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 08/31/98  
PAGE: 16

| OWNER<br>CODE    | NAME & ADDRESS                                    | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C                | PINTLER & SON<br>RT. 4 BOX 4243<br>NAMPA ID 83651 | 06/27/1979       | DOMESTIC  | 01/01 12/31           | 0.180 CFS         | 7.20 AFA            |
| TOTAL DIVERSION: |                                                   |                  |           |                       | 0.180 CFS         | 7.20 AFA            |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.180 CFS

Point(s) of Diversion: T02N R03W S35 NESW

CANYON County

Place of use Legal Description for: DOMESTIC

|     |     |    |   | NE   |      |      |      | NW |      |      |      | SW   |    |      |      | SE   |      |    |      |      |      |      |    |    |   |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|----|------|------|------|------|----|------|------|------|------|----|----|---|
| T   | R   | S  | : | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | :  | NESW | NWSW | SWSW | SESW | :  | NESE | NWSE | SWSE | SESE | :  |    |   |
|     |     |    |   | Lt   | Ac   | Lt   | Ac   | Lt | Ac   | Lt   | Ac   | Lt   | Ac | :    | Lt   | Ac   | Lt   | Ac | Lt   | Ac   | Lt   | Ac   | Lt | Ac | : |
| 02N | 03W | 34 | : |      |      |      | D    | :  |      |      |      |      | :  |      |      |      |      | :  |      |      |      | D    |    | :  |   |
| 02N | 03W | 35 | : |      |      |      |      | :  |      |      | D    |      | :  | D    |      | D    |      | :  |      |      |      |      |    | :  |   |

Pou County: CANYON

Remarks: GEN Domestic use is for 6 homes & 500 range cattle.

Dates: App. Received: 06/27/1979 Priority Date: 06/27/1979  
Proof Due Date: 08/01/1984 Proof Made Date: 06/28/1984  
Exam Made Date: 07/14/1986 Exam Sent to S.O.:  
Licensed Date: 04/22/1987

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 07/08/87 05/01/88 CONVERT

WATER RIGHT NUMBER - A83-09258

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

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

CHARLES D.

1 - 13541 SURRY LN.

2 -  
3 -

CITY- NAMPA

STATE- ID ZIP- 83686

PHONE - 208-466-6951

\*\*\* D - ORIGINAL OWNER \*\*\*  
PINTLER & SON

1 - RT. 4 BOX 4243

2 -  
3 -

CITY- NAMPA

STATE- ID ZIP- 83651

PHONE - 208-000-0000

+ - - PRIORITY DATE - - +  
06/27/1979+ - - - REGION - - - +  
14 WESTERN+ - - - STAGE - - - +  
L - LICENSE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +  
GROUNDWATER

+ - - - - TRIBUTARY - - - - - +

+ - - - - POINT OF DIVERSION - - - - - +  
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

02N 03W 35 NE NE SW (27) CANYON

+ - - - - WATER USE - - - - - +  
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC

01/01

12/31

0.180

7.20

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +  
0.180 7.20 0.0+ - - - - PLACE OF USE - - - - - +  
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

|     |     |    |       |            |    |          |             |
|-----|-----|----|-------|------------|----|----------|-------------|
| 02N | 03W | 34 | SW NE | 1R30250000 | 43 | DOMESTIC | (27) CANYON |
| 02N | 03W | 34 | NW SE | 1R30249    | 43 | DOMESTIC | (27) CANYON |
| 02N | 03W | 35 | SW NW | SW-1R30255 | 43 | DOMESTIC | (27) CANYON |
| 02N | 03W | 35 | NE SW |            | 43 | DOMESTIC | (27) CANYON |
| 02N | 03W | 35 | NW SW |            | 43 | DOMESTIC | (27) CANYON |

+ - - DIVERSION MEANS - 550' WELL, 8" CASING, 15 HP SUBMERSIBLE PUMP

+ - - NON-IRRIGATION USE - 6 homes

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +  
DOMESTIC USE IS FOR 6 HOMES & 500 RANGE CATTLE.

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JUL 25 1994 25

WATER RIGHT NUMBER - A63-09258

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +  
+ - - - - OLD WATER RIGHT NUMBERS - - - - - +  
6309258  
+ - - - - CONDITIONS OF APPROVAL - - - - - +  
NO CONDITIONS OF APPROVAL FOUND.  
+ - - - - DECREE PLAINTIFF - - - - - + - - - - DECREE DEFENDANT - - - - - +  
+ - - - - DECREE DATE - +  
00/00/0000  
+ - - - - ADDIT FIELDS - 02/07/92 WHITE 04/01/92 GRAVES  
+ - - - - COMMENTS - - - - - +  
NO COMMENTS FOUND  
+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

|                       |              |                       |              |                         |         |
|-----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| COURT REPORT FILING   | - 00/00/0000 | FIELD INSPECTION MADE | - 00/00/0000 | CIVIL CASE NUMBER       | - 39576 |
| OBJECTION FILED DATE  | - 00/00/0000 | FIELD INSPECTION FLAG | -            | OLD CASE NUMBER         | -       |
| RESPONSE FILED DATE   | - 00/00/0000 | VERIFIED DATE         | - 00/00/0000 | OLD JUDICIAL DISTRICT   | -       |
| CLAIM RECEIVED DATE   | - 02/08/1990 | LAST AMENDED DATE     | - 00/00/0000 | TEMPORARY RIGHT         | - P     |
| PROOF DUE DATE        | - 00/00/0000 | PROOF MADE DATE       | - 00/00/0000 | WATER DISTRICT          | -       |
| LICENSED DATE         | - 00/00/0000 | RECEIPT NUMBER        | - W008583    | FEDERAL/STATE INDICATOR | - S     |
| CLAIMS TAPE ERROR FLG | -            | POU OWNERSHIP FLAG    | - Y          | PRESUMPTION FLAG        | -       |
| FEE EXEMPT FLAG       | -            | NAME CONNECTOR        | -            | NOTICE OF ERROR FLAG    | -       |

01, 4R 30256 0000  
01, 4R 30248 0000  
014R 30255 0000  
~~13541 Sunny Ln An~~

PROOF  
SEP 01 1992

DATA ENTRY

ENTERED 9-2-93  
CHECKED 10/26/93

Verified By  
Topo Map/Ortho-PQ  
ASCS Map  
Watermaster Records  
NAPP Photos  
Field Exam  
Other (See Remarks)  
County Records  
Witness Statement  
Project Records  
IDWR Records

VERIFIED  
JUL 18 1993

CERTIFIED  
JUL 28 1993  
WATER EXAMINER

MICROFILMED  
JUL 25 1994

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
CLAIM VERIFICATION EXAM SHEET

(to be used in connection with B/U exams for same owners)

1. ☒ No Change NAME:  
☐ NEW OWNER: \_\_\_\_\_  
☐ No Change ADDRESS:  
☐ NEW ADDRESS: \_\_\_\_\_
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.  
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.  
Priority date, per claimant, is \_\_\_\_\_  
(if the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☒ No Change - SOURCE:  
☐ Source is different than that claimed:  
Source found: \_\_\_\_\_
4. ☒ No Change - POINT OF DIVERSION: verified 7/22/92  
☐ Point of diversion is different than the claim  
New P/D: Twp. \_\_\_\_\_, Rge. \_\_\_\_\_, Sec. \_\_\_\_\_, 1/4 1/4 1/4
- Note: If the 10-acre tract is shown on the claim, then verification of the 10-acre parcel is needed. Otherwise the 10-acre tract is not required, unless the source is a spring.
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS:  
☐ Incomplete desc., complete items missing, IF KNOWN.  
☐ Additional comments in remarks.  
HP of pump \_\_\_\_\_ Static water level \_\_\_\_\_ Well depth \_\_\_\_\_  
Casing size \_\_\_\_\_ Pumping water level \_\_\_\_\_ Gravity flow \_\_\_\_\_  
Method of irr. \_\_\_\_\_
6. ☒ No Change - WATER USES:  
☐ Different uses, (list uses found).  
Use \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ cfs \_\_\_\_\_ af  
Use \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_ Amount \_\_\_\_\_ cfs \_\_\_\_\_ af
7. ☒ No Change - TOTAL VOLUME:  
☐ Change found, The new total is, -- -- -- \_\_\_\_\_ cfs \_\_\_\_\_ af
8. N/A

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AUG 24 1992

9. ☒ No Change - NON-IRRIGATION USES: Completed on claim  
☐ Incomplete on claim - Exam found:

Domestic - No. of homes \_\_\_\_\_ Stockwater - No. of head \_\_\_\_\_

Other: \_\_\_\_\_

10. ☒ No Change - PLACE OF USE: (If changed, list below.)  
Use Twp. Rge. Sec. 1/4, 1/4, 1/4

\_\_\_\_\_  
\_\_\_\_\_

Remarks: (Comments pertinent to field examination)

Permit 63-11216 also uses well for  
another domestic + a winery along with  
a 6" submersible in the SWSE, sec 27.

ATTACHMENTS:

Attached to  
This Form.

Attachments are  
in Permit File.

PHOTOS

MAP

SYSTEM DIAGRAM

☐  
☐  
☐

☒  
☒  
☒

*see file 63-09258 +  
63-11216*

- ☐ Changes found during exam or additional information in the permit file, see permit file.

DATE EXAM CONDUCTED: 7/22/92

FIELD EXAMINER:

LOUI GRAVES

Signature

Lou Graves

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AUG 24 1992

State of Idaho  
Department of Water Resources

## WATER RIGHT LICENSE

WATER RIGHT NO. 63-9258

Priority: June 27, 1979

Amount: .18 CFS

7.2 AFA

This is to certify, that PINTLER & SON  
RT. 4 BOX 4243  
NAMPA, ID 83651

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated June 27, 1979, and has submitted proof to the Department of Water Resources on June 28, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .18 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>VOLUME</u> |
|-----------------------|----------------------|--------------------------|---------------|
| Domestic              | 01/01 to 12/31       | .18 cfs                  | 7.2 afa       |

LOCATION OF POINT OF DIVERSION(S): NESW , Sec. 35, Township 2N, Range 3W  
Canyon County

PLACE OF USE: Domestic

TWN RGE SEC

2N 3W 34  
35

SWNE  
SWNW

NWSE  
NESW

NWSW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 6 homes & 500 range cattle.

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 22<sup>nd</sup> day of April, 1987.

**MICROFILMED**

Director

MAY 12 1987

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**A. GENERAL INFORMATION**

1. Owner: Pintler & Son Permit No. 63-9258  
 Current Address: Rt 4 Box 4243 Nampa ID Phone No. 466-6951  
 2. Accompanied by: Charlie Pintler EXAM. DATE: 7/14/86  
 Address: - Phone No. -  
 Relationship to Permit Holder: Owner  
 3. Source: Groundwater tributary to -

21-6-87

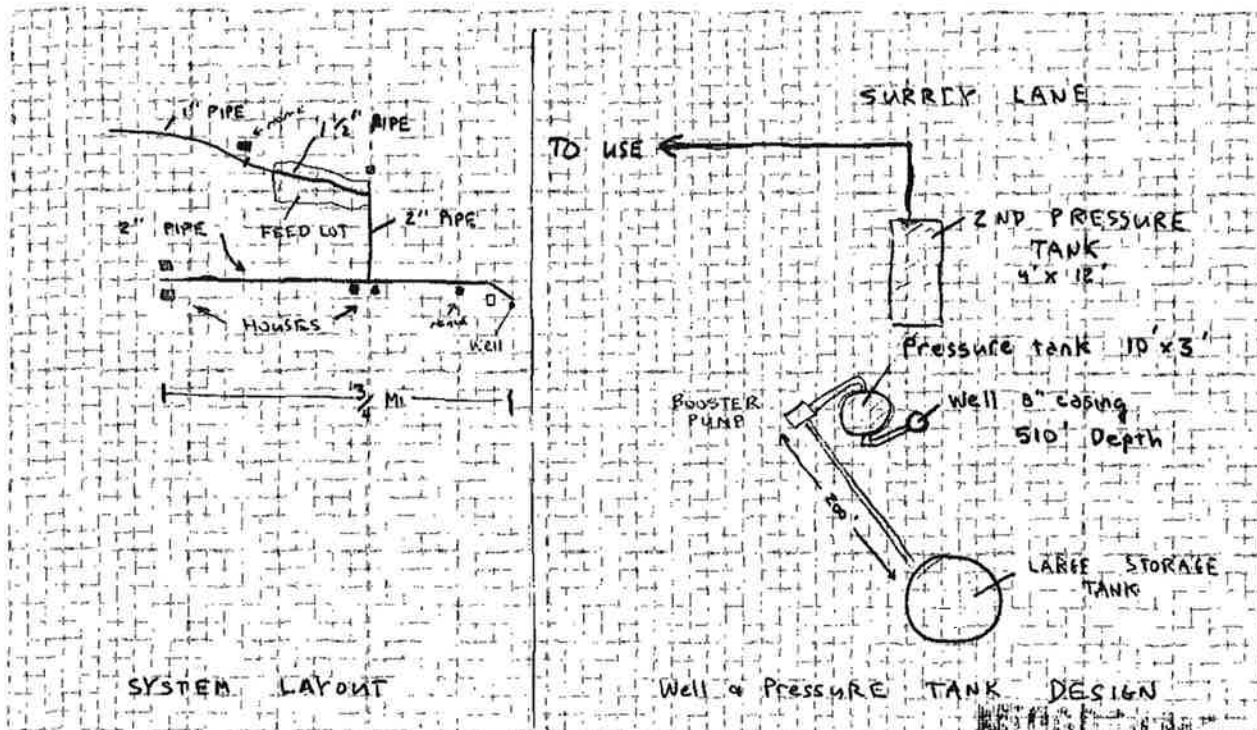
**B. OVERLAP REVIEW**

1. Other water rights with same place of use: None  
☐ 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

TOP VIEW



Scale: 1" = \_\_\_\_\_

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).

MAY 1 1987

**System Description (continued)**

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

A well 8" by 510' deep supplies water for 6 domestic units and 500 head of cattle. The pump is a 15 HP Berkeley submersible. Two pressure tanks are used to supply 98 PSI to the system. A 2" mainline travels 3/4 mile along slurry lane to supply water to 4 domestic units. A 2" line travels north 1/2 mile to the feedlot and to other houses.

☐ 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 |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| Domestic well                         | -          | 15 | -                | Berkeley  | 8" casing                         |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

\*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 |
|------------|------------|-----|-----|-----|------|------|------|--------|---------------------------------|
|            |            |     | NE  | SW  | 35   | 2N   | 3W   | Canyon | Topographic map                 |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |

**6. Place(s) of Use:**

Indicate Method of Determination

| 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 |        |
| 2N   | 3W   | 34   |        |        | X      |        |        |        |        |        |        |        |        |        |        | X      |        |        |        |
|      |      | 35   |        |        |        |        |        | X      |        |        | X      | X      |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Do not use this space

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      | N/A  |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements:

~~Handwritten notes:~~  
 Usage 400 Head cattle = .09 cfs (Note - cattle not on original permit)  
 Domestic 6 homes = .11 cfs max flow rate  
 (FROM MAX. INSTANTANEOUS FLOW REQ FOR DOM. W-HOUSE ONLY - ALLOW .18 SINCE IRR. USE ALSO OCCURS.)

#### E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: None Horsepower EQ 
$$\frac{(15 \text{ HP}) \times 3.8 \times .8}{900 \text{ ft} + (2.3 \times 75)} = .18 \text{ cfs}$$
 ALLOW

2. Alternate Method for Checking Purposes: None

#### 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)  
 N/A

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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$  \_\_\_\_\_  
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$  ~~24,000,000~~  
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$  ~~24,000,000~~

2. Volume Calculations for Other Uses:

6 Homes x 1.2 AF/ANNUAL = 7.2 AF/ANNUAL  
 HOME

## H. REMARKS AND OVERLAP REVIEW ANALYSIS

Other P/D's in same '9 1/4 63-2795

Used only for irrigation purposes

All Place of use overlaps are for ~~the~~ irrigation purposes

## I. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| Domestic       | 1/1           | 12/31 | .18 cfs                      | 7.2                      |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | .18 cfs                      | 7.2                      |

### 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

Richard J Gempere

Signature

Richard J Gempere

Certification Date

Field Report Preparation Date

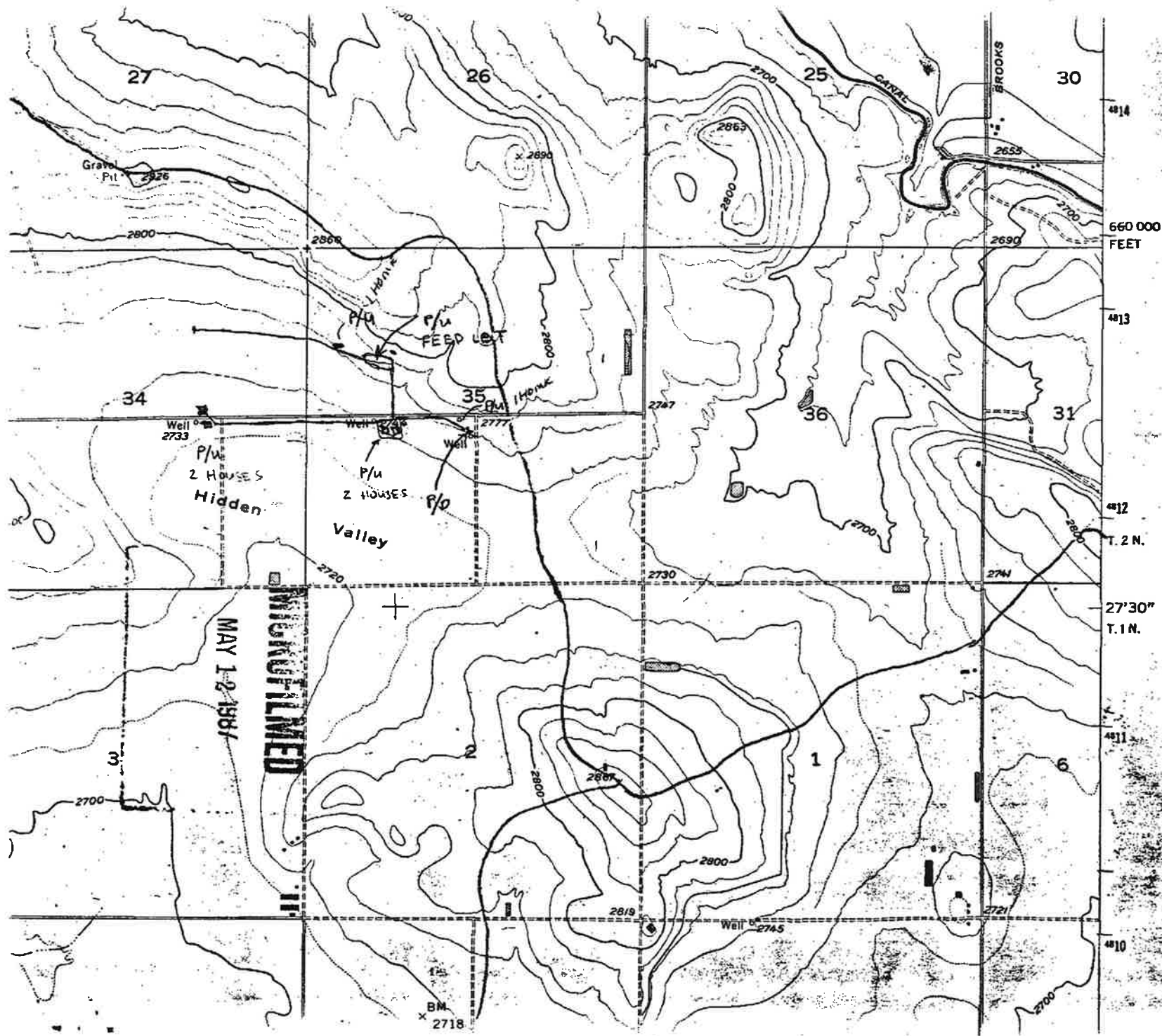
7-14-86

CONSULTANT SEAL

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

MICROFILMED

MAY 12 1987



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Pintler & Son Phone 466-6951

Post office address Rt. 4, Box 4243, Nampa, Idaho

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 35 Township 2N

Range 3W B.M. Canyon County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount .24 for Domestic (6) purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .24 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 8" well with submersible pump  
and pipeline

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is 8 inches; proposed depth of well is \_\_\_\_\_ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation: NW SE 34  
SW NE 34  
(1) Give the place of use of water: NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 35 Township 2N

Range 3W B.M. SW NW 35

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water 6 families

(5) If water is to be used for other purposes describe: \_\_\_\_\_

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**b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:**

[illegible]**Total number of acres to be irrigated**

c. Describe any other water rights used for the same purposes as described above. None

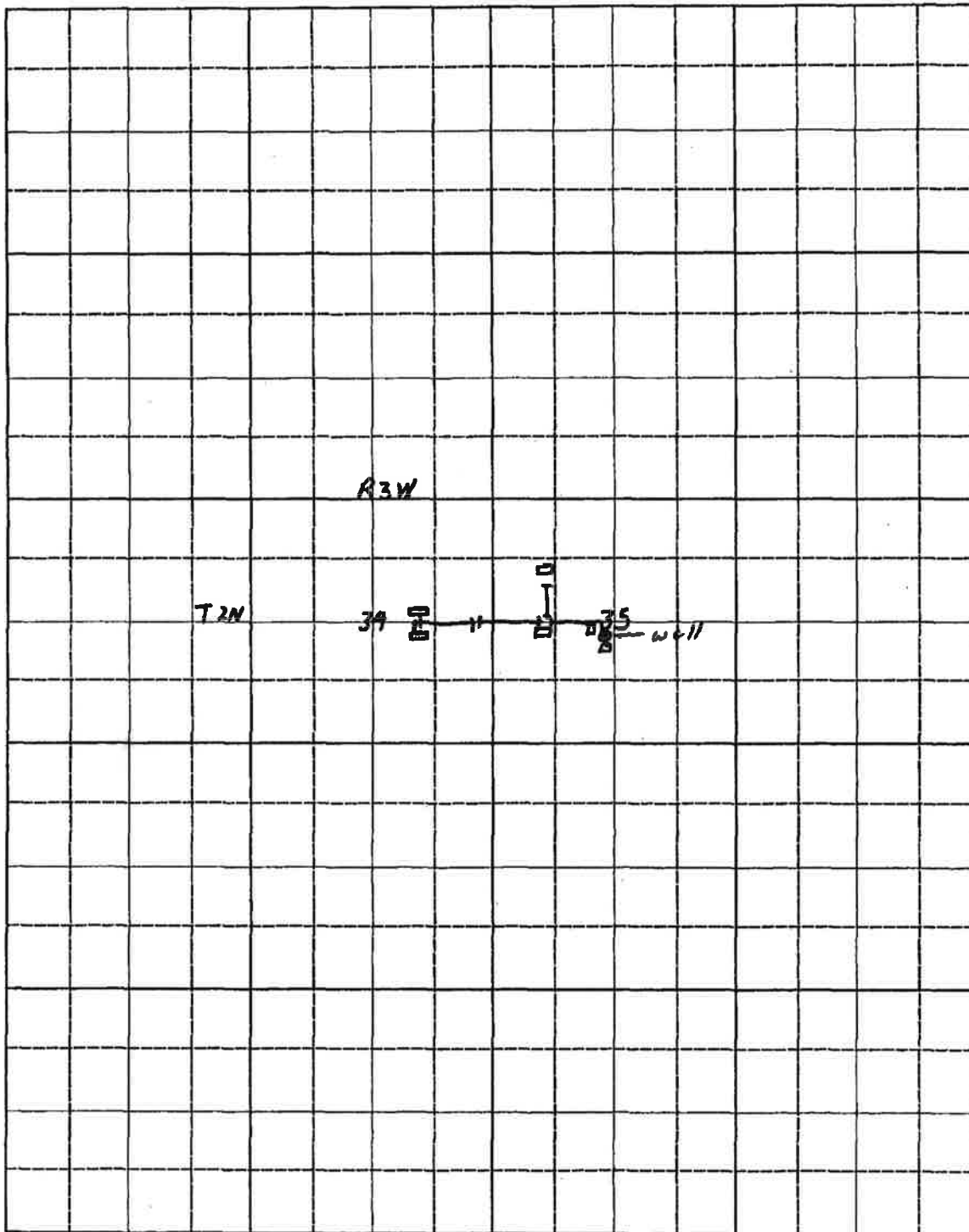
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

### 10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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.

*Cintler + Son*  
By *Geo. W. Cintler* Partner  
(Applicant)

Proposed Priority 6/27/79

Received by CLS Date 6/27/79 Time 4:30

Preliminary check by CWB Fee \$ #35.00 # 14415

Receipted by AK Date 6/27/79

Publication prepared by AK Date 7/5/79

Published in News Tribune

Publication dates 7/12 - 7/19/79

Publication approved \_\_\_\_\_ Date \_\_\_\_\_

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval Denial by W.C. 3.5  
2/8/79

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-9258, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 84.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: \_\_\_\_\_

Witness my hand this 28<sup>th</sup> day of August, 19 79.

J. Glen Saxton  
Chief, Operations Bureau



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

FAX (208) 334-2348

July 13 2006

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

Paul and Marilyn Rasgorshek  
12770 W Roosevelt Ave  
Boise, ID 83686

*Nampa, sent corrected letter*

Notice of Claim to a Water Right No. 63-2919, 63-2795, 63-9258, 63-31487

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed information, please feel free to contact this office.

Sincerely,

Liberty Gagnon  
Office Specialist 1  
Adjudication Section  
Western Region Office

LG: lg

Enclosure