

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 63-9322
Date Received: 7/27/1989
Receipt No: C008587
Received By:

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

1. Name of Claimant(s)

LANCE SPAULDING Phone: (208)375-1054
4340 N. SHAMROCK AVE
BOISE ID USA 83713

MICHELLE SPAULDING Phone: (208)375-1054
4340 N. SHAMROCK AVE
BOISE ID USA 83713

2. Date of Priority: 11/30/1979

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01E	34	NW SW NE	ADA	

5. Description of diverting works:

WELL 160' DEEP, 8" CASING, 23 STAGE SUBMERS. PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.04	5.6
DOMESTIC	1/01	12/31	0.04	1.2

7. Total Quantity Appropriated is:
0.08 C.F.S. and/or 6.8 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
04N	01E	34	SW	NE	IRRIGATION	1
					Section Acres	1
					Total Acres	1

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

THIS LICENSE COVERS THE LAWN AND GARDEN, APPROX 3/4 OF AN ACRE. THE ADJACENT 1 ACRE TO THE NORTH IS IRRIG. BY CANAL DISTRICT. AND THE GARDEN AT TIMES AS WELL.

CHANGE OF OWNERSHIP LG 12/1/05

15. Basis of Claim: License

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

RECEIVED

JUL 11 2005

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-9322					

RECEIVED

JUL 25 2005

WATER RESOURCES
WESTERN REGION

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**. Ph 455-0891

3. Name and Address of Former Owner/Claimant(s) Theodore F. & Betty L. Keith
28147 Market Road, Caldwell, Idaho 83607
4. New Owner/Claimant(s) Lance and Michelle Spaulding
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 4340 Shamrock
- City, State and ZIP Code Boise Idaho 83713
- New Telephone Number (208) 375-1054
5. Date you acquired the property 10/02

Priority Date 11-30-1979

TOWN, ROLE 534

Lot 9 Parcel #2050 Eagleson, Ustick Subdivision

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 (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 (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (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 (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

for Spaulding
Michelle Spaulding

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 _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Title File No.: T02-85732 *AP*

FOR VALUE RECEIVED

Jacqueline D. Castelblanco, an unmarried person

WARRANTY DEED RECORDED - REQUEST OF

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

3.00 FEE *J. P. [Signature]* DEPUTY

2002 OC -4 PM 4:24

102115150

TRANSACTION

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: David Lance Spaulding
and Michelle W. Spaulding, husband and wife

GRANTEES(s), whose current address is: 4340 North Shamrock Street, Boise, Idaho 83713
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:

Beginning at a point 127 feet South of the Northeast corner of Lot 9 in
Eaglesons Ustick Subdivision of the Northeast quarter of Section 34, Township 4
North, Range 1 East, Boise Meridian, Ada County, Idaho; thence
South along the East side of said lot, 127 feet; thence
West parallel with the North side of said lot, 337.72 feet; thence
North parallel with the West side of said lot, 127 feet; thence
East parallel with the North side of said lot, 337.86 feet to the POINT OF
BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s)
heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that
Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances,
EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the
Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any)
of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current
year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful
claims whatsoever.

Dated: October 4, 2002

Jacqueline D. Castelblanco
Jacqueline D. Castelblanco

STATE OF Idaho, County of Ada, ss.

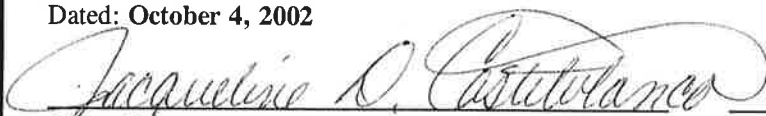
On this 4th day of September in the year of
2002, before me, the undersigned, a Notary Public in and

ALANA PIERCE
Notary Public

North, Range 1 East, Boise Meridian, Ada County, Idaho; thence
South along the East side of said lot, 127 feet; thence
West parallel with the North side of said lot, 337.72 feet; thence
North parallel with the West side of said lot, 127 feet; thence
East parallel with the North side of said lot, 337.86 feet to the POINT OF
BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s)
heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that
Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances,
EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the
Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any)
of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current
year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful
claims whatsoever.

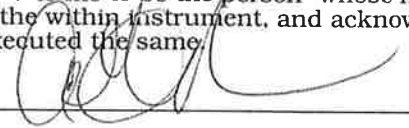
Dated: October 4, 2002


Jacqueline D. Castelblanco

STATE OF Idaho , County of Ada , ss.

On this 4th day of September in the year of
2002, before me, the undersigned, a Notary Public in and
for said State, personally appeared
Jacqueline D. Castelblanco

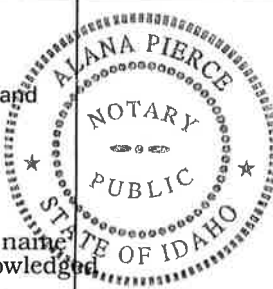
known or identified to me to be the person whose name
is subscribed to the within instrument, and acknowledged
to me that they executed the same.

Signature: 

Name: Alana G. Pierce

Residing at:

My commission expires:



RESIDING IN MERIDIAN, IDAHO
COMMISSION EXPIRES 9-18-03

Transnation Title & Escrow, Inc.



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

October 21, 2005

Lance and Michelle Spaulding
4340 Shamrock
Boise, ID 83713

RE: Notice of Change of Water Right Ownership No. 63-9322

Dear Mr. & Mrs. Spaulding:

Enclosed is a copy of a Notice of Change of Water Right Ownership form that was previously submitted to our office. However, the Deed of Trust submitted is not sufficient proof of ownership. We require a **Warranty Deed** to process any changes in ownership. Typically your Title Company or the county can provide you with a copy if they have not already done so.

Please return the Change of ownership with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed (if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any further questions.

Sincerely,

Adjudication Section
Western Region
(208) 334-2190

LG: lg

Enclosures



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

October 21, 2005

RECEIVED

NOV 09 2005
WATER RESOURCES
WESTERN REGION

Lance and Michelle Spaulding
4340 Shamrock
Boise, ID 83713

RE: Notice of Change of Water Right Ownership No. 63-9322

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Please return the Change of ownership with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed (if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any further questions.

Sincerely,

Adjudication Section
Western Region
(208) 334-2190

LG: lg

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 12, 2005

Lance & Michelle Spaulding
4340 Shamrock
Boise, ID 83713

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JUL 25 2005

WATER RESOURCES
WESTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Kimberly

Dear Waterusers:

This office has received the **Notice of Change of Water Right Ownership** form submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to **COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S).**

_____ **There is no existing water right in our records either under the former owner's name or for the legal description given.** If, after contacting the former owner, you find more information concerning a water right, such as a water right number, please contact us.

 X **Legal description of property.** Please complete showing the legal description by $\frac{1}{4}$ $\frac{1}{4}$ (40-acre tract), Section, Township and Range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat.

_____ **It appears you received your water from an irrigation district, ditch company, municipality or community water company.** If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.

===== **Name and address of former owner (seller).** This will clarify the original owner of the water right.

_____ **Name, address and phone number of new owner (purchaser).**

_____ **This change in ownership appears to result in a splitting of the water right.** A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by $\frac{1}{4}$ $\frac{1}{4}$ with the number of acres in each $\frac{1}{4}$ $\frac{1}{4}$ (if applicable) and the point of diversion by $\frac{1}{4}$ $\frac{1}{4}$, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion. **Enclosed is a computer copy of this right for your review.**

 X **Proof of ownership is needed.** This proof should be a copy of the **warranty deed** in your name which includes a description of this property by $\frac{1}{4}$ $\frac{1}{4}$, Section, Township and Range.

===== **Signature of new owner (purchaser) is needed on this form.**

_____ **Other:**

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return

it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed (if one exists), will remain in the original owner's name.

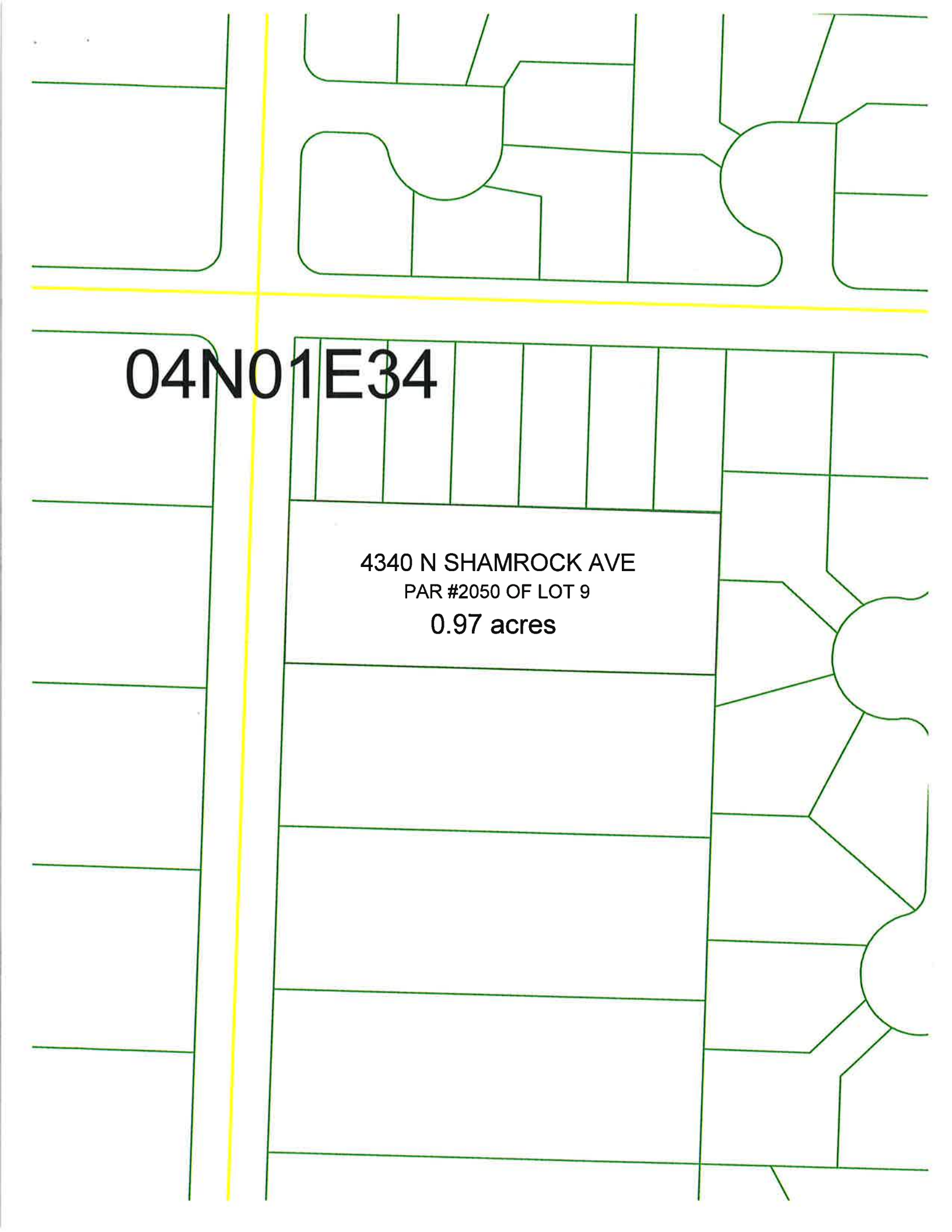
Feel free to contact this office if you have questions concerning this letter.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LG: lg

Enclosures



04N01E34

4340 N SHAMROCK AVE
PAR #2050 OF LOT 9
0.97 acres

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: A63-09322
Date Received: 7/27/1989
Receipt No: C008587
Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THEODORE F. KEITH 208-375-1574
Address: 4340 SHAMROCK
BOISE, ID 83704
OR
Name: BETTY L. KEITH 208-375-1574
Address: 4340 SHAMROCK
BOISE, ID 83704

2. Date of Priority: NOV 30, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	01E	34	NW	SW	NE		ADA

5. Description of diverting works:
WELL 160' DEEP, 8" CASING, 23 STAGE SUBMERS. PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.040		5.60
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 6.80 A.F.A.

8. Total consumptive use is 3.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD, 4 HORSES.

A63-09322

Page 1

Date: 07/27/89

MICROFILMED

AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	01E	34	SW NE		IRR	1.0
Section Acres						1.0
Total Acres						1.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

CANAL DIST. WATER USED ON THE GARDEN ONLY.

14. Remarks:

THIS LICENSE COVERS THE LAWN AND GARDEN, APPROX 3/4 OF AN ACRE.
THE ADJACENT 1 ACRE TO THE NORTH IS IRRIG. BY CANAL DISTRICT. AND
THE GARDEN AT TIMES AS WELL.

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: 0

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): X Theodore T. Kied Date: July 27, 1989
Date: _____

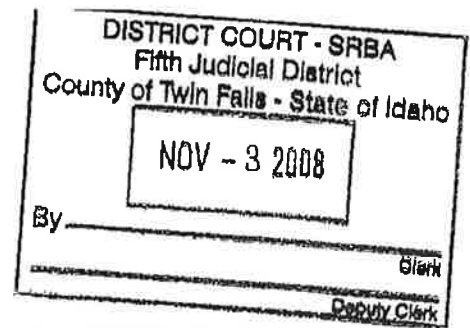
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of July 19 89
Seal

Anna Baurhoff
Notary Public

Residing at Anna Baurhoff, Notary Public
My Commission Expires Residing at Boise, Idaho
My Commission Expires December 7, 1994

RECEIVED
NOV - 4 2008
Department of Water Resources
Adjudication Bureau



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

In Re SRBA) SPECIAL MASTER'S REPORT
Case No. 39576) FINDINGS OF FACT AND
CONCLUSIONS OF LAW
FOR WATER RIGHT 63-09322

A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

Although no objections were filed to this water right claim, IDWR identified the claim as an uncontested water right which may be affected by the outcome of contested water right claim 63-00161Q (subsequently split into water rights 63-32816, 63-32948, and 63-32949). The objection in the related contested subcase(s) has been resolved.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 63-09322 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated Nov. 3, 2008

Theodore R. Booth
Special Master
Snake River Basin Adjudication

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

NOV - 3 2008

By _____ Clerk
Deputy Clerk

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-09322

NAME AND ADDRESS: LANCE SPAULDING
MICHELLE SPAULDING
4340 N. SHAMROCK AVE
BOISE, ID 83713

SOURCE: GROUND WATER

QUANTITY: 0.08 CFS
6.80 AFY

PRIORITY DATE: 11/30/1979

POINT OF DIVERSION: T04N R01E S34 SWNE Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.04 CFS
			5.60 AFY
	Domestic	01-01 TO 12-31	0.04 CFS
			1.20 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
Domestic use is for 1 home.

PLACE OF USE: Irrigation T04N R01E S34 SWNE 1.0 Within Ada County
1.0 Acres Total

Domestic T04N R01E S34 SWNE Within Ada County

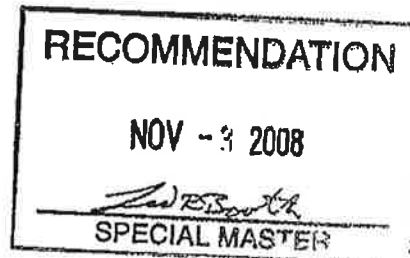
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

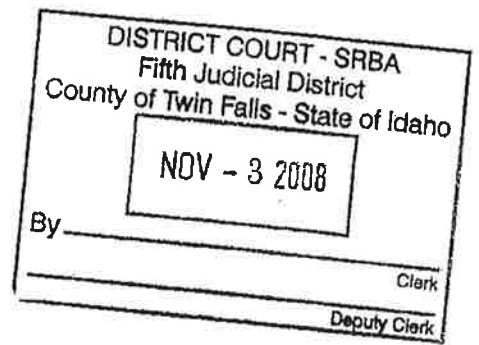
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication





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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

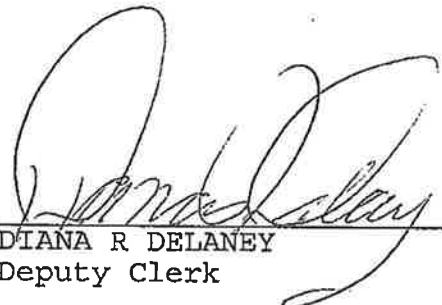
Water Right(s): 63-09322

On November 03, 2008, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED November 03, 2008.


DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
NOV - 3 2008	
By _____	Clerk
Deputy Clerk	

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

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

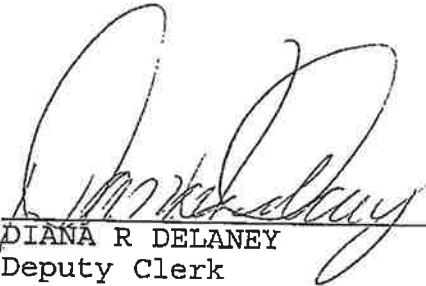
Water Right(s): 63-09322

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on November 03, 2008, with sufficient first-class postage prepaid to the following:

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

LANCE SPAULDING
MICHELLE SPAULDING
4340 N SHAMROCK AVE
BOISE, ID 83713
Phone: 208-375-1054


DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
11/03/08

12/01/2005

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

RIGHT NUMBER: 63-9322

NAME AND ADDRESS: LANCE SPAULDING
4340 N. SHAMROCK AVE
BOISE ID 83713

MICHELLE SPAULDING
4340 N. SHAMROCK AVE
BOISE ID 83713

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS
6.800 AFY

PRIORITY DATE: 11/30/1979

POINT OF DIVERSION:

T04N R01E S34 SWNE Within ADA County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS 1.20 AFY
IRRIGATION	3/15 11/15	0.040 CFS 5.60 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Domestic use is for 1 home.

PLACE OF USE: IRRIGATION Within ADA County

T04N R01E S34 SWNE 1.0

DOMESTIC Within ADA County

T04N R01E S34 SWNE

1 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

PROPERTY IS ALSO KNOWN AS LOT 9, PARCEL #2050, EAGLESON
USTICK SUBDIVISION.

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

Water Right 63-9322



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

November 30, 2005

Lance and Michelle Spaulding
4340 N. Shamrock
Boise, ID 83713

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Re: Notice of Claim to a Water Right No. 63-9322

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

06/30/2003

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

RIGHT NUMBER: 63-9322
NAME AND ADDRESS: BETTY L KEITH
28147 MARKET RD
CALDWELL ID 83607

THEODORE F KEITH
28147 MARKET RD
CALDWELL ID 83607

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.080 CFS
6.800 AFY
PRIORITY DATE: 11/30/1979
POINT OF DIVERSION:

T04N R01E S34 SWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS 1.20 AFY
IRRIGATION	3/15 11/15	0.040 CFS 5.60 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC Within ADA County
T04N R01E S34 SWNE
IRRIGATION Within ADA County
T04N R01E S34 SWNE 1.0

1 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

PROPERTY IS ALSO KNOWN AS LOT 9, PARCEL #2050, EAGLESON
USTICK SUBDIVISION.

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9322 V1

WATER RIGHT NUMBER: 63-9322 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BETTY L KEITH 28147 MARKET RD CALDWELL, ID 83607 (208) 455-0891
Current Owner	THEODORE F KEITH 28147 MARKET RD CALDWELL, ID 83607 (208) 455-0891

Priority Date: 11/30/1979

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
IRRIGATION	3/15 to 11/15	0.040 CFS	5.60 AF
	<u>Total Diversion:</u>	0.080 CFS	6.80 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 34, Twp 04N, Rge 01E, B.M.
ADA County		

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	
04N	01E	34			X														

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01E	34			1.0														1.0

Total Acres: 1

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-9322 V1

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. W54 Use of this right is combined with water from Settlers Irrigation District.
3. X01 Domestic use is for 1 home.

Remarks:

1. Explanatory PROPERTY IS ALSO KNOWN AS LOT 9, PARCEL #2050, EAGLESON USTICK SUBDIVISION.
2. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:

1. kbrown 6/30/2003 Rate per acre

Comment: The Permit allowed more than .03 per acre.

2. kbrown 6/30/2003 Recommendation

Comment: Recommended same as license, since there is no injury and the Permit allowed 1 acre and more than .03/acre.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

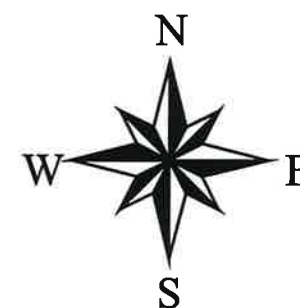
Idaho Department of Water Resources

**T04N, R01E,
S34**

**Claim No: 63-09322
Prepared By: Kimberly Brown
Date: June 30, 2003**

-  **Point of Diversion**
-  **Place of Use**
-  **Section Lines**
-  **1/4 1/4**

1 acre



1987 NAPP



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9322

WATER RIGHT NUMBER: 63-9322

Owner Type

Current Owner

Name and AddressTHEODORE F KEITH
4340 SHAMROCK
BOISE, ID 8370428147 Market Rd.
Caldwell, ID 83607

Priority Date: 11/30/1979 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

TributaryBeneficial Use

DOMESTIC ✓

IRRIGATION ✓

From To

1/01 to 12/31 ✓

3/15 to 11/15 ✓

Diversion Rate

0.040 CFS ✓

0.040 CFS ✓

Total Diversion:

0.080 CFS ✓

Annual Volume

1.20 AF ✓

~~5.60 AF~~ ✓

6.80 AF ✓

4.5
1 acre
4.5Location of Point(s) of Diversion

GROUND WATER

ADA County

(NW) SW1/4NE1/4 ✓

Sec. 34, Twp 04N, Rge 01E, B.M. ✓

Claimant claimed more detailed point of diversion.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
04N	01E	34	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	1.0
					1.0														1.0 ✓

Total Acres: 1

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

ADD S04 - Season of use is 3/1 to 11/15.

ADD X01 - Domestic use is for 1 home, 4 horses.

Comments:ADD W54 - District water^{used} on garden.Dates and Other Information:ADD J01 - Property is also known as lot 9, Parcel # 20 0,
Eagleson's Ustick Subdivision.

The Permit allowed more than .03 per acre.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9322

Dates and Other Information:

Licensed Date: 4/12/1982

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

(in office)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$ 51.00
- ☐ Well logs (if needed) N/A
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant N/A

CLAIMANT INFORMATION – verify contact information is complete

Claim No(s) 63-09322

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address
- ☒ NEW ADDRESS 28147 Market Rd., Caldwell, ID 83607
- ☐ How long owned property? _____

Accompanied by: N/A

PRIORITY DATE

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

Priority date, per claimant, is: _____

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

Source: _____ Tributary to _____

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

POINT OF DIVERSION

- ☒ No change Claimant claimed more detailed point of diversion.
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

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

Description of diverting works

See attached Field Report.**OVERLAP REVIEW**Other water rights with the same point of diversion: None

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

WATER USES

- ☒ No change
☐ Different Uses

Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA
Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only

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

The Permit allowed more than 0.03 per acre.**NON-IRRIGATION USES:**

- ☒ No change (Domestic)
☐ Changes Exam found: Domestic # of homes _____ Stock # _____
Types _____ Additional comments: _____

PLACE OF USE:

- ☒ No Change
☐ Changes shown below:

Place of use also known as Lot 9, Parcel # 20 0,
Eagleson's Ustick Subdivision.

Season of use is 3/1 to 11/15.

Domestic use is for 1 home, 4 horses.

Settlers Irrigation District water used on garden.

The Permit allowed more than 0.03/acre.

AFTER EXAM THE FILE SHOULD CONTAIN:

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

DATE EXAM CONDUCTED: 6.30.03 (in office)

FIELD EXAMINER: Kimberly Brown

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

Overlap with other water rights: Settlers Irrigation District

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

Delivery System Narrative: See attached Field Report.

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

FLOW MEASUREMENTS: N/A (licensed)

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 06/30/03
Time: 09:58:15

Rec/No - C008587 AR/No -
From: - KEITH, TED OR BETTY

Receipt Type - CK Doc/No - 858
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 07/27/1989

Type Of Payment
ADJUDICATION FEE

Fund	FD	PCA	Obj	Subsid	Fee
9337		410162	6490		51.00

Total Due - 51.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
A6309322	51.00				

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9322 Priority 11/30/1979 Amount .08 cfs

THIS IS TO CERTIFY, that THEODORE F. KEITH
of Boise, ID, has complied with the terms and conditions of Permit
No. 63-9322 issued pursuant to Application for Permit dated 11/30/1979,
and has submitted proof to the Department of Water Resources on 12/22/1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .08 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (1 unit)	from <u>1/1</u> to <u>12/31</u>	at <u>.04</u> cfs and	<u>1.2</u> AF
	from _____ to _____	at _____ cfs and	_____
Irrigation	from <u>3/15</u> to <u>11/15</u>	at <u>.04</u> cfs and	<u>5.6</u> AF
(both dates inclusive)			

Subject, however, to the condition that no more than .08 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
6.8 acre feet per year, said waters to be diverted within the SWNE, Sec. 34, T4N, R1E
in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	1E	34			1														1

Total number of acres irrigated 1

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29th day of
May, 19 81.

Director

PD 6000E, sec. 34
T 4N, R. 1E
irrigation, domestic

63-9322

Permit No. _____

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	1/23/81	neh	no appt. made.
☐ Telephone call made: (List Telephone No. used)			RECEIVED MAR 81 1981
☐ Appointment scheduled for: (Date, time, location)			Department of Water Resources

EXAMINATION

Date 26 Mar 81 Accompanied by A. Small Keith Total Q measured 1 CFS
If source is surface water, estimate total flow of source _____
Methods of measurement Calculation Meets Permit requirements? yes

Measurement calculations:

$$\frac{24p \times .8 \times 8.8}{100 + \frac{90 \text{ PSI}}{.43}} = .1$$

$$\frac{2(1.8)(8.8)}{100 + 50(2.3)} \frac{14.08}{169} = 0.08 \text{ cfs}$$

ESTIMATE PSI AT 30

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	2					CALCULATION	None needed	

System Description well, Pump & Pipe Line, STANDPIPES in Yard

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 4.5 AFA/Acre

USE

Domestic Irrigation

Q (cfs)

V (afa)

FROM

TO

• 4

1.2

111

12/31

MA

3.145

1975

Total

108

Remarks: 1-25 ACICS, House, 4 Horses, pool.
System in 1 And operable, using 200' ~~100'~~ pump
level. well is ~~160'~~ deep. 8" well

This is 1.25 acres

Round to 1.0 ACRES

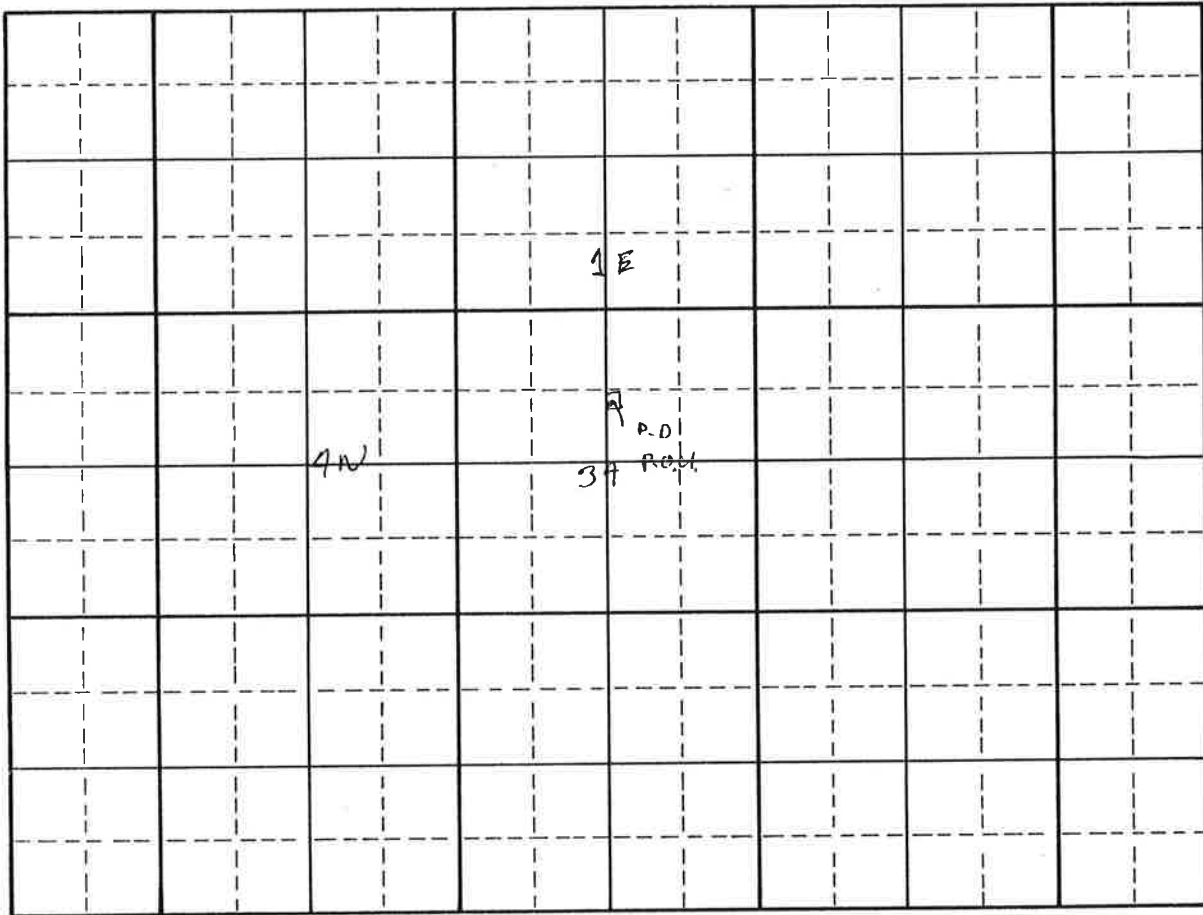
for computer

$$\rightarrow V = 1.25 A_C \times 4.5 = 5.6 \text{ V}$$

$$Q = 1.25ac \times .03 \text{ lbs/Ac} = .037 \text{ round } .04$$

domestic = 1 unit $\times$ 1.2 (year identified) = 1.2 Af

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

System?

Point(s) of diversion: SW NE 534 4N 1E APP

Place(s) of Use

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
4N	1E	34			1.25														1.25

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

Examiner's Signature

Carl E. Morit

Date

26 MAY 82

Checked by

DBS

Date

3/30/81

Approved by

[Signature]

Date

1/28/81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Theodore F. Keith Phone 315-1574 Home
385-1533 Office
Post office address 4340 Shamrock K Boise, Idaho 83704
2. Source of water supply Ground Water which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 34 Township 4N
Range 1E B.M. Ada County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .04 for Irrigation purposes from April 1 to October 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .04 for Domestic purposes from January 1 to December 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)

5. Total quantity to be appropriated:

- a. .08 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. _____

22 stage submersible pump

- b. Height of storage dam N/A feet, active reservoir capacity N/A acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage N/A (Month/Day) to _____ (Month/Day) inclusive.

- c. ~~Proposed~~ Well diameter is 8" inches; ~~proposed~~ Depth of well is 160' feet.

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

8. Description of proposed uses:

- a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 34 Township 4N

Range 1E B.M.

(2) Amount of power to be generated: N/A horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 4 Horses

(4) Name of municipality to be served None, or number of families to be supplied with domestic water One.

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

RECEIVED

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	1E	34			1¼														
Total number of acres to be irrigated																			1¼

Total number of acres to be irrigated 14

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 Theodore F. Keith

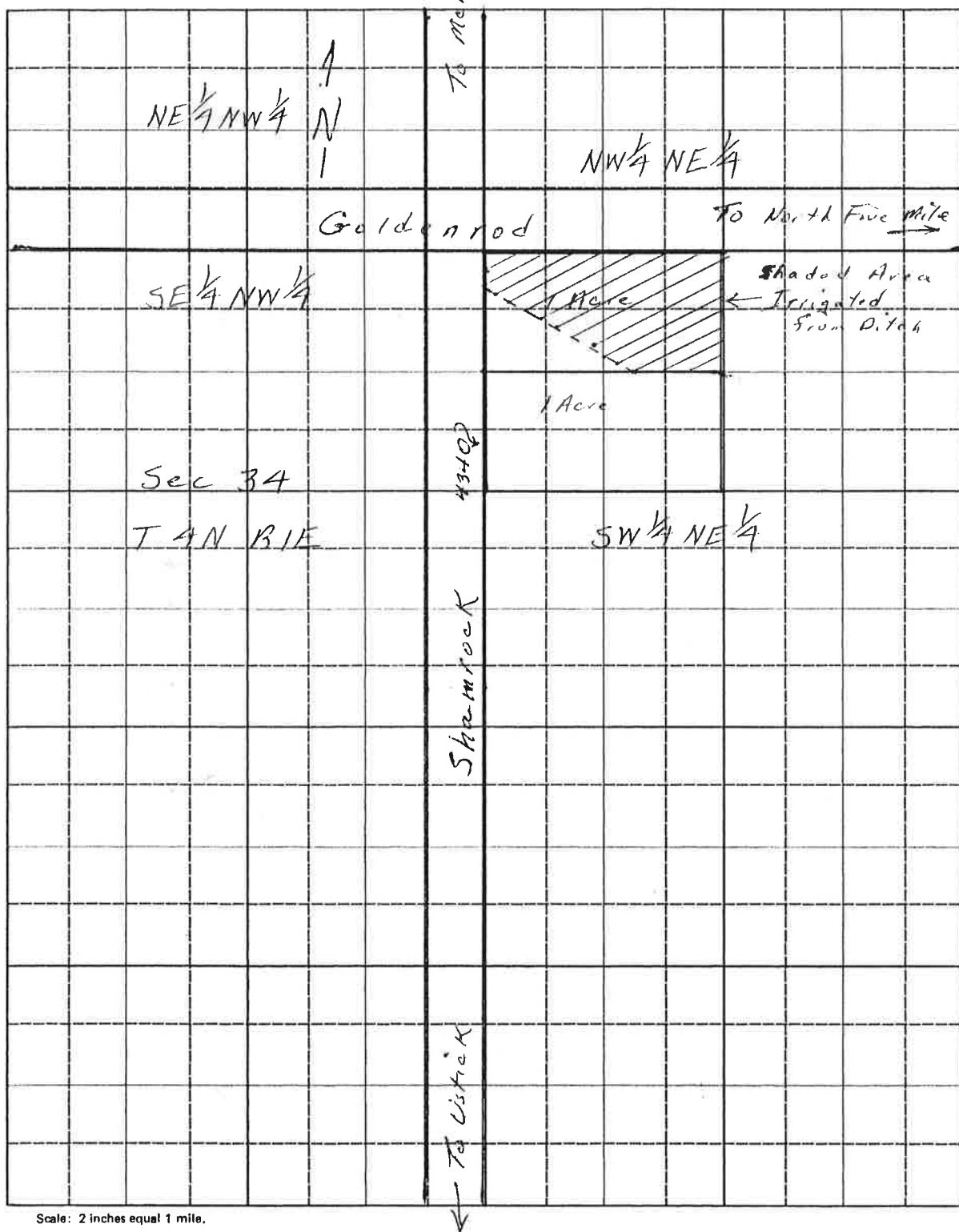
b. Who owns the land to be irrigated or place of use Theodore F. Keith

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

10. Remarks I have two acres of property. About
 $\frac{3}{4}$ acre is irrigated with gravity flow irrigation
water during the summer irrigation season. The
remaining $1\frac{1}{4}$ acres which is mostly
landscaped yard including a swimming pool
is irrigated from the well.

The domestic use includes watering stock year around, a 3,400' home with 3 baths and maintaining 5/pool water level.

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



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.

Theodore F. Kild
(Applicant)

Proposed Priority 11/30/79

Received by CLS AK Date 11/30/79 Time 11:45 AM
Preliminary check by CLS Fee \$ 20.00 #15258
Received by AK Date 12/13/79
Publication prepared by AK Date 12/16/79
Published in Statesman
Publication dates 12/13 + 12/20/79
Publication approved AK Date 11/2/80
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for (approval) denial by CLS Jim

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. 63-9322, 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 February 1, 19 81.
- 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 24th day of January, 19 80.

A. Glen Saxton
Chief, Dept. of Water Resources