

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: **A63-09050**
Date Received: 1/12/1990
Receipt No: W007575
Received By: _____

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

1. Name: KUENZLI FARMS 208-286-7481
Address: BOX 284
STAR, ID 83669

2. Date of Priority: SEP 29, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	03W	27		SE	SW		GEM

5. Description of diverting works:
WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.690		271.00

7. Total Quantity Appropriated is:
0.690 C.F.S. (and/or) 271.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

MICROFILMED

AUG 24 1992

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	03W	27	NE	SW		IRR	5.0
			SW	SW		IRR	34.0
			SE	SW		IRR	30.0
			SW	SE		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	107.0
		34	NW	NE	IRR	38.0
					Section Acres	38.0
					Total Acres	145.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
BLACK CANYON IRR. DIST.

14. Remarks:

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: _____

MICROFILMED
AUG 24 1992

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 _____

MICROFILMED
AUG 24 1994

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: A63-09050
Date Received: 9/05/1989
Receipt No: W0007575
Received By:



Department of Water Resources
Western Regional Office

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

1. Name: DONALD L. BROOKS
Address: RT. 7 BOX 384
CALDWELL, ID 83605
2. Date of Priority: SEP 29, 1977
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	03W	27	SE	SW			GEM

5. Description of diverting works:
WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.690		271.00

7. Total Quantity Appropriated is:
0.690 C.F.S. (and/or) 271.00 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
06N	03W	27	NE	SW		IRR	5.0
			SW	SW		IRR	34.0
			SE	SW		IRR	30.0
			SW	SE		IRR	38.0

Section Acres 107.0

A63-09050

Page 1

Date: 11/28/89

MICROFILMED
AUG 24 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	03W	34	NW NE		IRR	38.0
Section Acres						38.0
Total Acres						145.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
BLACK CANYON IRR. DIST.

14. Remarks:

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Maurie Kuenzli Date: Jan 12, 1990

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12 day

of January 19 90

Lori Harris
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 12-8-94

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. No.

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

Please type or print clearly:

Name of Claimant(s) RONALD or MARIE KUENZLI
451 S. STAR ROAD
STAR, IDAHO 83609

Mailing Address
(include Zip Code) _____

Phone Number (208) 286-7481

MICROFILMED
AUG 24 1992

09/29/2006

**NOTICE OF ERROR
REPLY**

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

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

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

Water right number: 63-9050

KUENZLI FARMS
BOX 284
STAR ID 83669
Telephone Number: (208)286-7481

RECEIVED

OCT 13 2006

**WATER RESOURCES
WESTERN REGION**

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

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

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

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

DATE: 10-10-06

SIGNATURE:

Kuenzli Farms by Marie Kuenzli
KUENZLI FARMS by MARIE KUENZLI

Please print your name:

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

03/16/2006

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

RIGHT NUMBER: 63-9050

NAME AND ADDRESS: KUENZLI FARMS
BOX 284
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.690 CFS
271.000 AFY

This right when combined with Right No. 63-11492 shall provide no more than 2.90 cfs and 652.5 afa for 145 acres of irrigation.

PRIORITY DATE: 09/29/1977

POINT OF DIVERSION:

T06N R03W S27 SESW Within GEM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/15

0.690 CFS
271.00 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within GEM County

T06N R03W S27	NESW	3.00	T06N R03W S27	SWSW	34.00
T06N R03W S27	SESW	34.00	T06N R03W S27	SWSE	36.00
T06N R03W S34	NWNE	38.00			

145 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

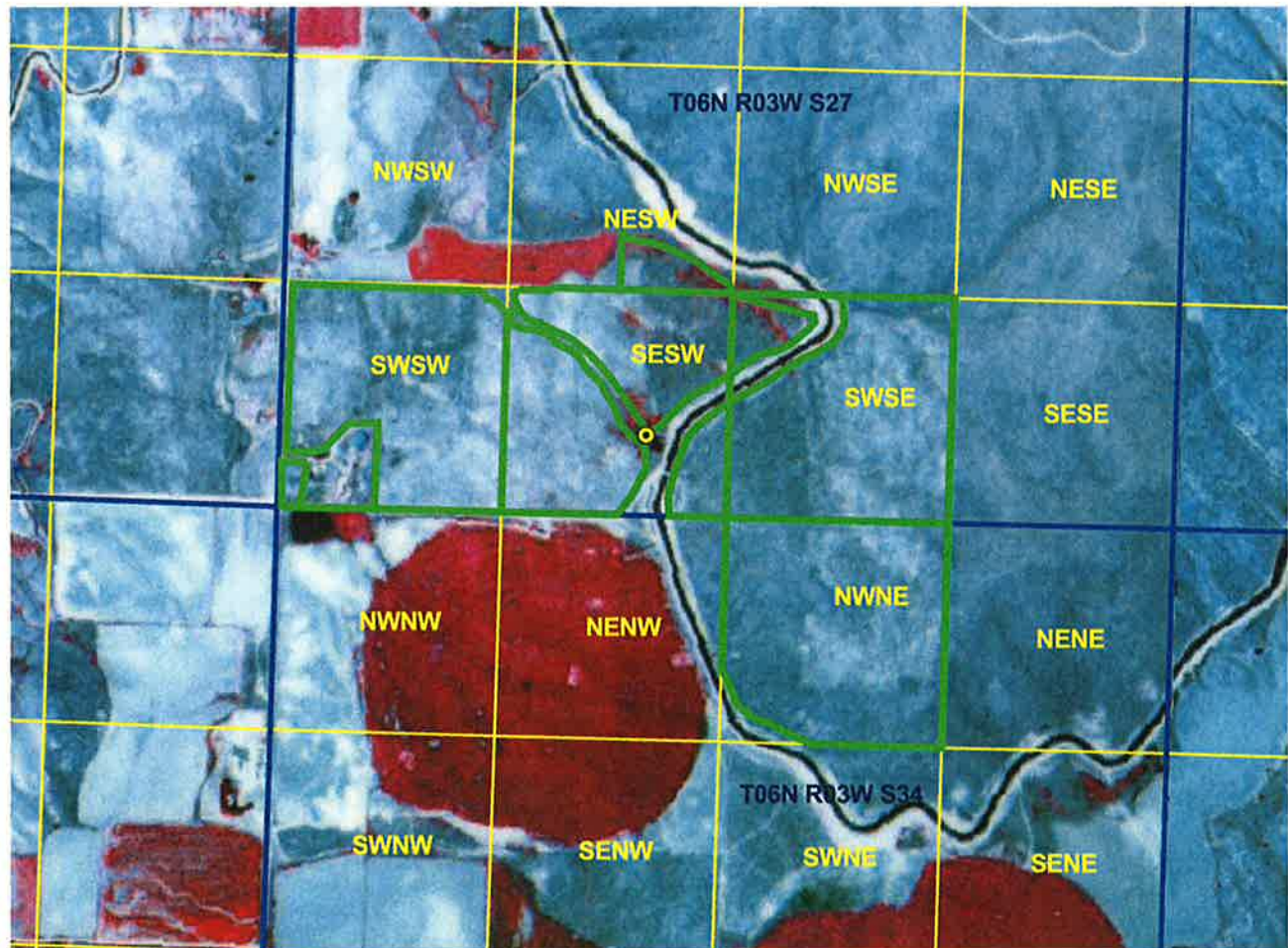
Use of this right is combined with water from Black Canyon Irrigation District.

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



**State of Idaho
Idaho Department of Water Resources
Western Region**

**T6N R3W SECTIONS 27 & 34
WATER RIGHT (S): 63-9050**



0.5 0 0.5 1 Miles

Total Irrigated Acres = 145 acres

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

**GIS Place of Use Illustration
1987 NAPP Photography
Prepared by: Dan Nelson
Date: February 2006**



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-9050

WATER RIGHT NUMBER: 63-9050

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CLOYD L RHOE ✓
Current Owner	CALDWELL, ID 83605 ✓ KUENZLI FARMS BOX 284 STAR, ID 83669 (208)286-7481
Original Owner	DONALD L BROOKS ✓ RT 7 BOX 384 CALDWELL, ID 83605

Priority Date: 09/29/1977 ← as Licensed.
Basis: License
Status: Active

Source Tributary
GROUND WATER — as Licensed. S code

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	4/01 to 10/15	0.690 CFS	271.00 AF ← as Licensed.
	<u>Total Diversion:</u>	0.690 CFS	271.00 AF

Location of Point(s) of Diversion

GROUND WATER SE1/4SW1/4 Sec. 27, Twp 06N, Rge 03W, B.M.
GEM County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 03W 27							5.0	34.0	30.0						38.0		107.0
06N 03W 34			38.0														38.0
Total Acres: 145																	

Handwritten notes: 3.0, 34, 36, OK.

CARRIED OVER FROM LICENSE
CORRECTED PER 2002 GIS, PHOTO

Conditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:

Include W14 Black Canyon Overlap.
Include Accomplished XFER Remark.
Include combination Remark
with 63-11492 - limited to 652.59 AF
145 acres @ 2.90 cfs.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-9050

Comments:

Dates and Other Information:

Claim Received Date: 1/12/1990
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:

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-9050

WATER RIGHT NUMBER: 63-9050

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONALD L BROOKS RT 7 BOX 384 CALDWELL, ID 83605
Original Owner	CLOYD L RHOE CALDWELL, ID 83605

Priority Date: 09/29/1977

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/15	0.690 CFS	271.00 AF
	<u>Total Diversion:</u>	0.690 CFS	271.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 27, Twp 06N, Rge 03W, B.M.
GEM County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	03W	27									5.0		34.0	30.0			38.0		107.0
06N	03W	34			38.0														38.0

Total Acres: 145

Conditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

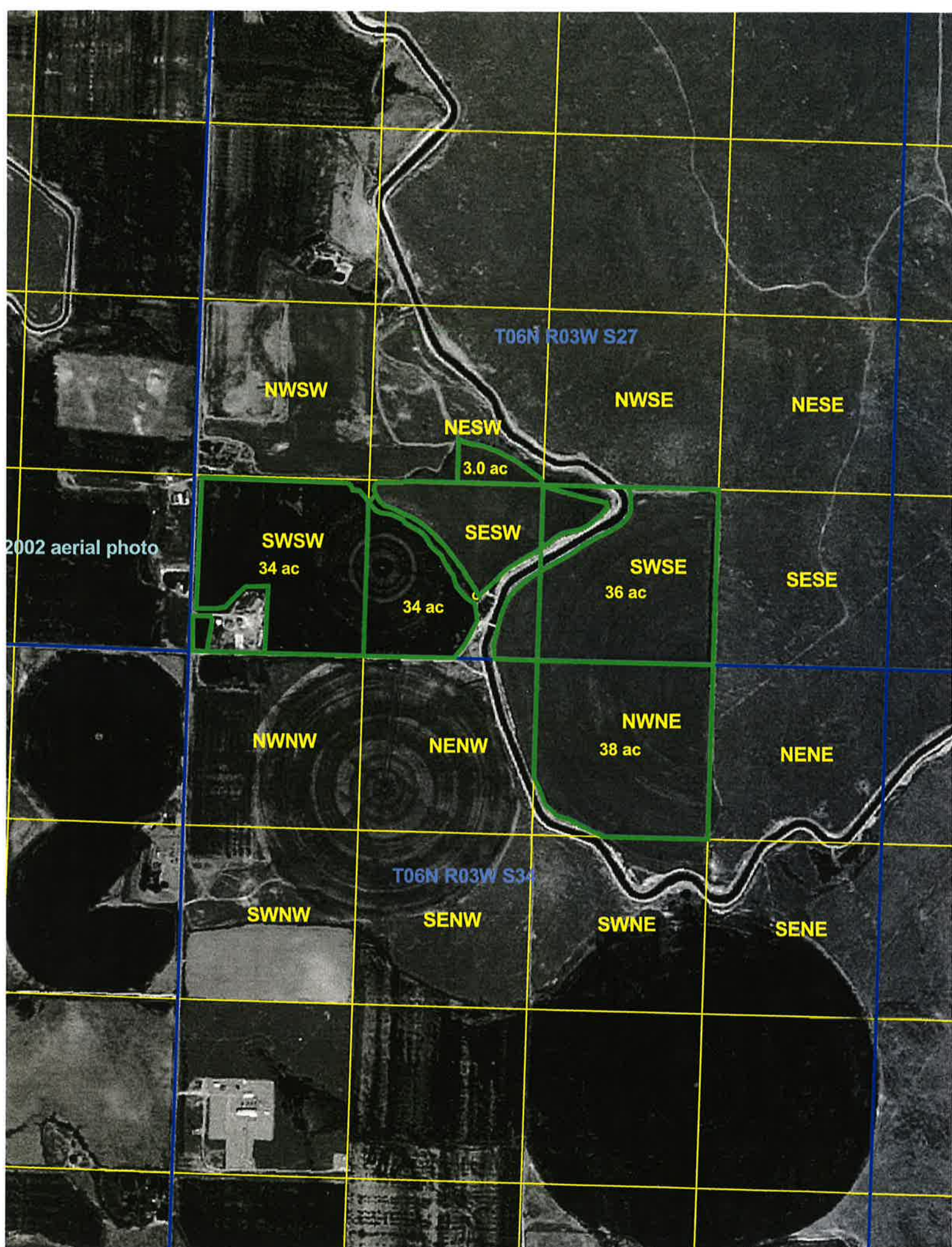
Water Right Report 63-9050

Dates and Other Information:

Licensed Date: 2/27/1984
Decreed Date:
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

Combined Use Limits:

Water Supply Bank:



MEMORANDUM

TO: TO ADJUDICATION FILE 63-9050

FROM: DANIEL A. NELSON

DATE: 3/16/06

SUBJECT: CLAIM REVIEW

This claim is based on a previous license, and most of the information was carried over as licensed. However, due to new mapping technologies, the acres per 40 acre tracts were modified to fit the irrigated acres shown in the 2002 satellite photo. The 1987 aerial photo showed only a portion of the irrigated ground.

Water right 63-11492 and Black Canyon Irrigation District water is used on the same 145 acres listed in this claim. This right is a supplemental water right to the Black Canyon Irrigation District water on the west side of the C-Line Canal, and a primary right for the lands on the east side of the canal. There is a combined condition limitation listed on water right 63-11492, which should be carried over to this claim. When water rights 63-11492 and 63-9050 are combined they should be limited to 2.90 cfs and 652.5 afa for the irrigation of 145 acres. The 0.02 cfs and 4.5 afa limitation at the field headgate condition should also be included to account for the Black Canyon Irrigation District water.

Water right 63-9050 and 63-11492 are also diverted through the same well. Water right 63-11492 also a second well used for other purposes and also contributes to the irrigation use.

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9050**

03/16/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
9050	Claim	06N	03W	27	NE	SW		IRRIGATION	5/145	KUENZLI FARMS
2900	Claim	06N	03W	27	NE	SW		IRRIGATION		
9050	Water Right	06N	03W	27	NE	SW		IRRIGATION	5/145	DONALD L BROOKS
11492	Water Right	06N	03W	27	NE	SW		IRRIGATION	5/145	KUENZLI FARMS
9050	Claim	06N	03W	27	SW	SW		IRRIGATION	34/145	KUENZLI FARMS
2900	Claim	06N	03W	27	SW	SW		IRRIGATION		
9050	Water Right	06N	03W	27	SW	SW		IRRIGATION	34/145	DONALD L BROOKS
11492	Water Right	06N	03W	27	SW	SW		IRRIGATION	34/145	KUENZLI FARMS
9050	Claim	06N	03W	27	SE	SW		IRRIGATION	30/145	KUENZLI FARMS
2900	Claim	06N	03W	27	SE	SW		IRRIGATION		
9050	Water Right	06N	03W	27	SE	SW		IRRIGATION	30/145	DONALD L BROOKS
11492	Water Right	06N	03W	27	SE	SW		IRRIGATION	30/145	KUENZLI FARMS
9050	Claim	06N	03W	27	SW	SE		IRRIGATION	38/145	KUENZLI FARMS
2900	Claim	06N	03W	27	SW	SE		IRRIGATION		
9050	Water Right	06N	03W	27	SW	SE		IRRIGATION	38/145	DONALD L BROOKS
11492	Water Right	06N	03W	27	SW	SE		IRRIGATION	38/145	KUENZLI FARMS
9050	Claim	06N	03W	34	NW	NE		IRRIGATION	38/145	KUENZLI FARMS
9050	Water Right	06N	03W	34	NW	NE		IRRIGATION	38/145	DONALD L BROOKS
11492	Water Right	06N	03W	34	NW	NE		IRRIGATION	38/145	KUENZLI FARMS

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9050

03/15/2006

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-9050	Claim	06N	03W	27	SE	SW		GROUND WATER	KUENZLI FARMS
63-9050	Water Right	06N	03W	27	SE	SW		GROUND WATER	DONALD L BROOKS
63-11492	Water Right	06N	03W	27	SE	SW		GROUND WATER	KUENZLI FARMS

Has a combined
condition
FOR IRRigation
with 9050

OVER LAP

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-11492

WATER RIGHT NUMBER: 63-11492

Owner Type Name and Address
Current Owner KUENZLI FARMS
 PO BOX 284
 STAR, ID 83669
 (208)286-7481

Priority Date: 06/19/1991

Basis: License

Status: Active

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.250 CFS	15.00 AF
IRRIGATION	3/15 to 11/15	2.210 CFS	652.50 AF
DOMESTIC	1/01 to 12/31	0.040 CFS	0.60 AF
	<u>Total Diversion:</u>	2.500 CFS	668.10 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 27, Twp 06N, Rge 03W, B.M.
GEM County		
GROUND WATER	SW1/4SW1/4	Sec. 27, Twp 06N, Rge 03W, B.M.
GEM County		

Place of Use

COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N 03W 27											X						

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N 03W 27									5.0		34.0	30.0			38.0		107.0
06N 03W 34																	38.0

Total Acres: 145

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-11492

DOMESTIC same as COMMERCIALConditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.
2. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.
The total combined annual volume of water for the irrigation use under this right and Right 63-09050 shall not exceed 652.5 af.
Commercial use is for a mint stilling operation.
Domestic use is for 1 home.

Remarks:Comments:

1. VAULT 4/7/1993 Proof of Beneficial Use Rcvd
Comment: Proof of Beneficial Use Rcvd

Dates and Other Information:

Licensed Date: 9/12/1994
Decreed Date:
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

Combined Use Limits:Water Supply Bank:

Receipt Details for ID W007575

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
1/12/1990 2:40:46 PM	1/12/1990	Western	\$195.00	Check
Payer		KUENZLI, MARIE		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
9090			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION CLAIM FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$195.00	ADJUDICATION CLAIM FEE	410162	9337	0	0	6490

Refund(s):

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

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	9050		\$195.00	Claim

[Print Report](#)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9050 Priority September 29, 1977 Amount 0.69 cfs

THIS IS TO CERTIFY, that Donald L. Brooks
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 63-9050 issued pursuant to Application for Permit dated September 29, 1977,
and has submitted proof to the Department of Water Resources on August 12, 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 0.69 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
<u>Irrigation</u>	from <u>April 1</u> to <u>October 15</u>	at <u>0.69</u> cfs and	<u>271.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.69 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
271.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27,
Twp 6N, Rge 3W in the County of Gem

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6N	3W	27									5		34	30			38		107
		34		38															38

Total number of acres irrigated 145

This right when combined with all other rights shall provide no more than .02 cfs
per acre nor more than 4.5 afa per acre for the lands above.

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 18TH day of
January, 19 84.

Acting for the Director

MICROFILMED

STATE OF IDAHO
Licensing
APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

APPROVED

Comes now Donald L. Brooks Phone _____
of (address) Route #7, Box 384, Caldwell, ID 83605, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 63-9050, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE 1/4 SW 1/4, Section 27, Township 6N, Range 3W, B.M.,
County of Gem. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.69 for irrigation purposes from 4/1 to 10/15 (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)

3. Place of use or land to be irrigated:

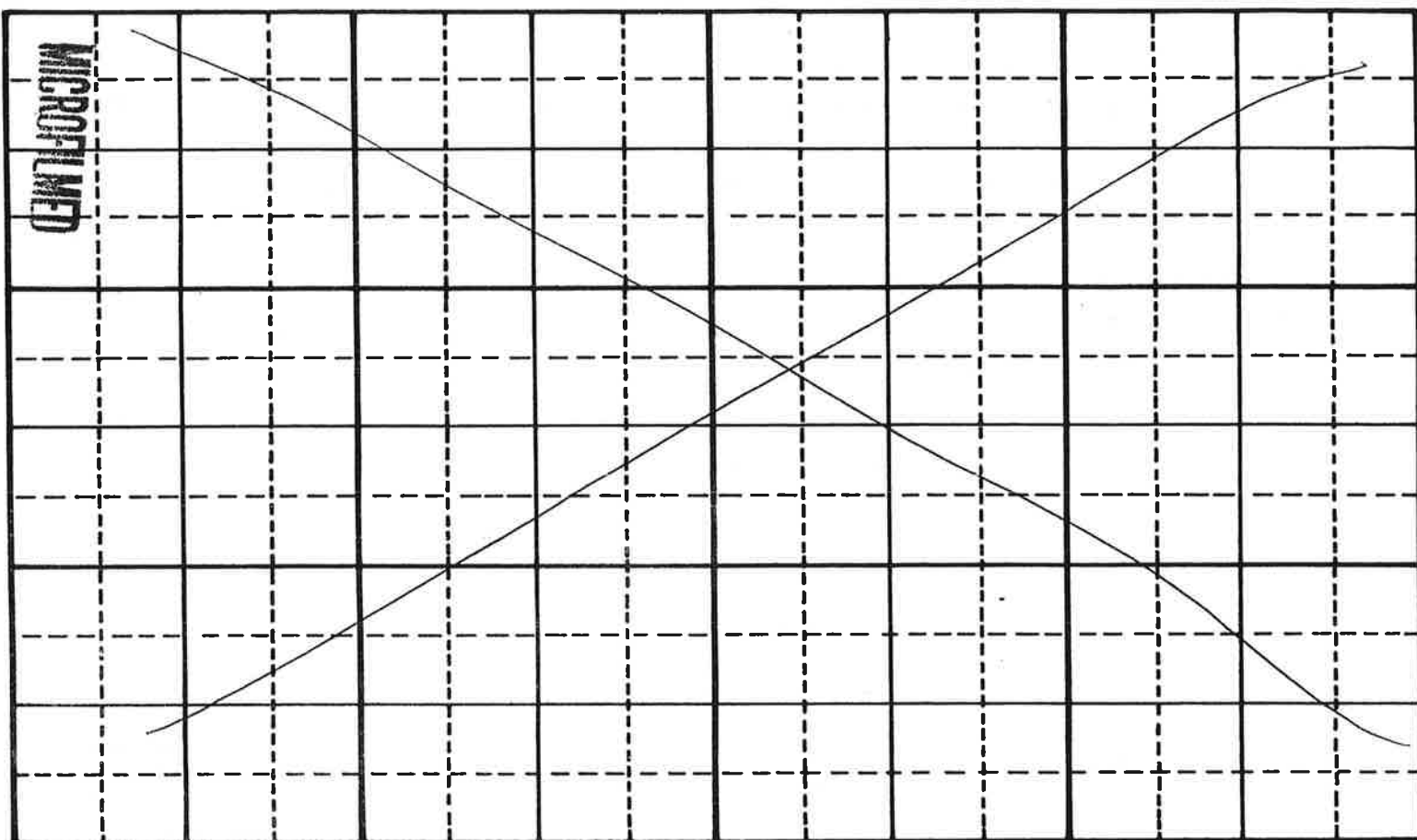
TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	3W	27									5		34	30			38		107
		34		38															38

Total number of acres to be irrigated = 145

4. a. Who owns the property at the point of diversion? Donald Brooks
b. Who owns the land to be irrigated or the place of use? Donald Brooks
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at _____, this 5 day of Nov, 19 83
Dwight B. ...
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 Received by qu Date 11-23-83 #33602
Publication prepared by N/A Date _____ Published in _____
Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby
Approve the above Application for Amendment for Permit No. 63-9050.

Witness my hand this 18th day of JANUARY, 19 84.
Norman C. Young
Director

ASSIGNED TO: DONALD L. BROOKS

Identification No. _____

Application No. 63-9050

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Cloyd L. Rhoe Phone: 459-4516
post office address Route 7 Caldwell, Idaho 83605
2. Source of water supply ground water-well which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27 Township 6 N
Range 3 W B.M. Gem County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into none at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.5 cfs for irrigation purpose from April 1 to October 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.5 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ (Mo. Day) inclusive.
c. Proposed well diameter is 12 " inches; proposed depth of well is 200-250 feet. (Mo. Day)
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is one years.
b. Estimated construction cost is \$ 9,000.
8. Description of proposed uses: irrigation
S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ also NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 34 T6N R3W
a. If water is not for irrigation: Sec 27 T 6N R 3W
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp 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 _____
(5) If water is to be used for other purposes describe: _____

MICROFILMED

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

[illegible]

Total number of acres to be irrigated 165

c. Describe any other water rights used for the same purposes as described above.

Black Canyon Irrigation District

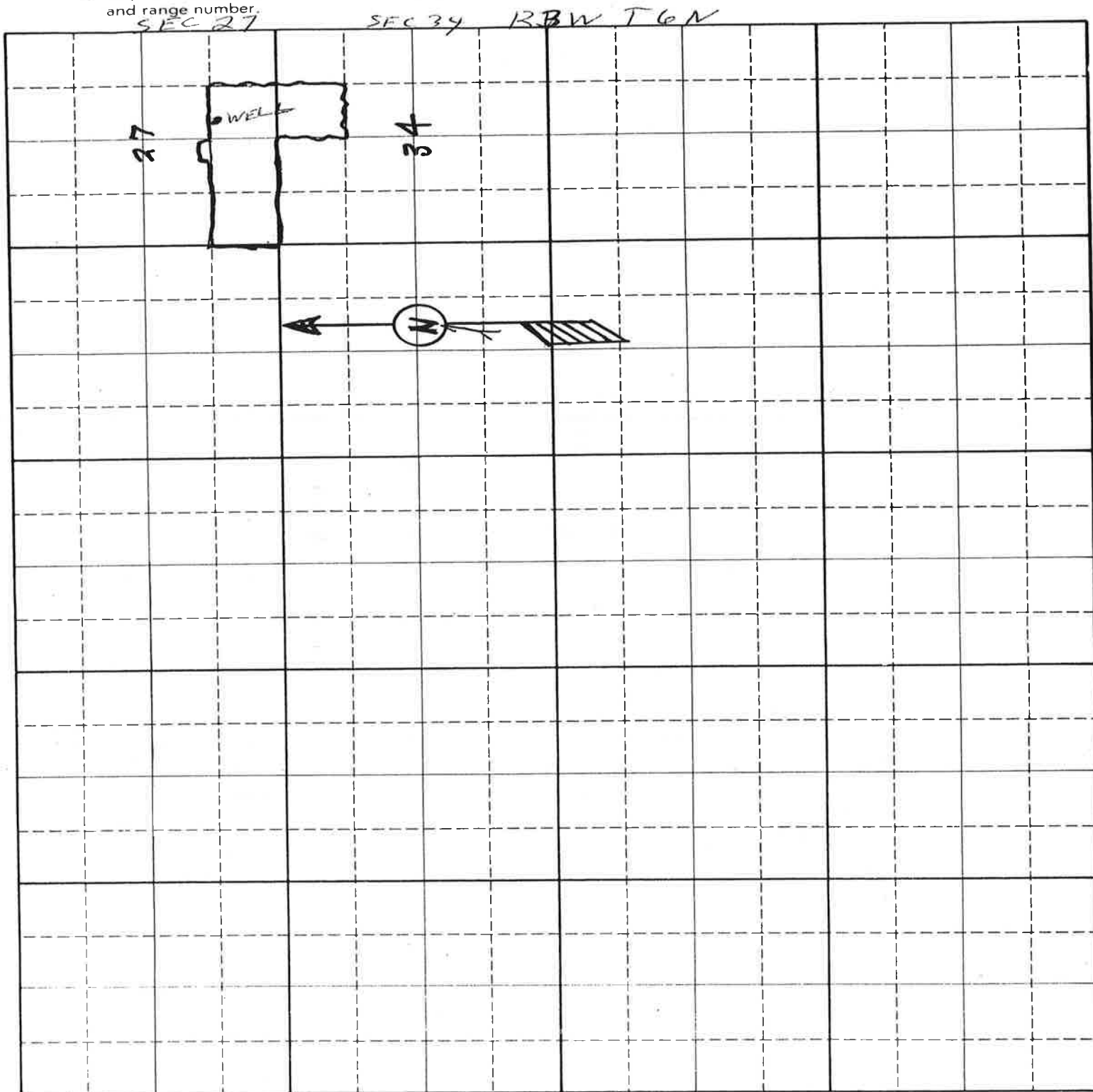
9. a. Who owns the property at the point of diversion Cloyd L. Rhoe

b. Who owns the land to be irrigated or place of use Cloyd L. Rhoe

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.

Cloyd L. Rhoe
(Applicant)

09/29/77

Proposed Priority

Received by Y Date 9-29-77 Time 11:05
Preliminary check by RWH Fee \$ 35.00
Receipted by Y Date 9-30-77 # 8955
Publication prepared by Y Date 10-7-77
Published in Emmett Messenger Index
Publication dates Oct 13 & 20, 1977
Publication approved Y Date 12-19-77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by YH W H

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. 63-9050, 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 79.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water. (2) The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 29 day of January 1978.


Director

MAP (Each Aerial Photo)

A hand-drawn diagram on graph paper. The diagram consists of a central rectangle divided into four quadrants. The top-left quadrant is labeled '3K', the top-right is '30', the bottom-left is 'P.O.', and the bottom-right is '38'. Arrows point from the labels to their respective quadrants. Above the rectangle, the number '27' is written. Below the rectangle, the number '34' is written. To the right of the rectangle, the number '38' is written. The entire diagram is centered on a grid of 10x10 squares.

SCHEMATIC DIAGRAM OF SYSTEM

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

МИСРОЦИ НАП

81
195
30

Point(s) of diversion: SE SW S 27 6N 3W

Place(s) of Use

[illegible]

195

Recommended Amendments:

- ☒ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
- ☐ Add P.U. as reflected above

- ☒ None
☐ Other

Examiner's Signature Jul E. Morris

Checked by DBS

Approved by John 2-11-83

Date 27 Aug 1980

File 10/6/80

Date 1981

21

28

D
20

MICROFILMED

C
3.3

A
4.0

B
1.6

D
3.0

C
2.0

F
3.0

B
17.4

A
1.6

E
7.1

D
6.1

A
5.4

23.1

I
14.8

H
5.2

12.1

A
10.7

3

154

149 Acres
145

L
2.3

D
3.3

C
27.2

B
12.4

F
8.3

28

P.D.

28 27

33 34

C
6.0

B
32.0

A
18.5

G
4.6

H
6.5

38

E
7.0

F
3.2