

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

01/18/2002

RIGHT NUMBER: 37-7755

NAME AND ADDRESS: HOWARD K KESTIE
PO BOX 537
GOODING ID 83330

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.04 CFS
6.6 AFY

PRIORITY DATE: 12/04/1978

POINT OF DIVERSION:

T05S R14E S26 SESESW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.020 CFS 0.60 AFY
IRRIGATION	4/01 11/01	0.040 CFS 6.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 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 NOVEMBER 1 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 GOODING County
T05S R14E S26 SESW 2.0
DOMESTIC same as IRRIGATION

2 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

37-7755

5-16-1992



1 Meter Resolution

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.

RECEIVED

MAR 08 1989

CIVIL CASE NUMBER: 39576

Ident. Number: A37-07755
Date Received: 2/10/1989
Receipt No: 5606494 & 5006495
Received By: ADN

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOWARD K. KESTIE 208-934-5848
Address: P.O. BOX 537
GOODING, ID 83330

2. Date of Priority: DEC 04, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
05S	14E	26	SE SW		GOODING

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	11/01	0.040		6.00
DOMESTIC	01/01	12/31	0.020		0.60
STOCKWATER	01/01	12/31	0.030		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 6.60 A.F.A..

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/55 BEEF STOCK, 20 SHEEP, 3 HORSES, POULTRY

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	14E	26	SE SW		IRR	2.0

Section Acres 2.0

A37-07755

Page 1

Date: 02/10/89

10. Place of Use: Continued

Total Acres

2.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

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): Howard A. Heater Date: 3/7/89

Date: _____

State of Idaho)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 7 day

of March, 19 89

Mar. L. Hall
Notary Public

Seal

Residing at Gooding

My Commission Expires 10 April 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7755 Priority December 4, 1978 Amount 0.04 cfs

THIS IS TO CERTIFY, that Howard K. Kestie
of Gooding, Idaho, has complied with the terms and conditions of Permit
No. 37-7755 issued pursuant to Application for Permit dated December 4, 1978,
and has submitted proof to the Department of Water Resources on February 19, 1981,
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 0.04 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
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.04</u> cfs and	<u>6.0</u> acre feet
Domestic (1 unit)	from <u>January 1</u> to <u>December 31</u>	at <u>0.02</u> cfs and	<u>0.6</u> acre feet
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 0.04 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
6.6 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, Twp.
5S, Rge. 14E in the County of Gooding

Description and location of place of use:

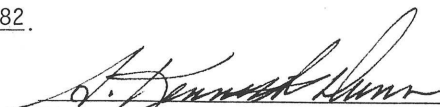
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5S	14E	26												2					2

Total number of acres irrigated 2

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 25 day of
January, 19 82.


Director

Forr
12/79

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

37-7755

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	March 6, 1981	JJ	
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date July 1, 1981 Accompanied by Howard Kestie Total Q measured ✓
If source is surface water, estimate total flow of source ✓
Methods of measurement ✓ Meets Permit requirements? yes

Measurement calculations: Trn 1.5 Acres = 0.03 cfs Volume 0.5 ACF/ANN = (0.02 cfs/Ac)(1.5 Ac)
Don = 0.02 cfs 0.6 ACF/ANN Allowed.

Allow 2 Acres
 $Q = 2 \text{ AC} \times .02 = .04 \text{ cfs}$ $V = 2 \text{ AC} \times \frac{3.0}{\text{ft}} = 6.0$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
1	1 1/2	Red Jacket		Fairbanks	4-GS/012			

System Description Submersible System, well, motor, pump, sprinklers

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

RECOMMENDED AMOUNTS

Irrigation requirement = 3.0 AFA/Acre

USE	Q (cfs)	FROM	TO
IRRIGATION	<u>0.03-0.04 ✓</u>	<u>6.0 AFA</u>	<u>Apr 1</u>
DOMESTIC	<u>0.02 ✓</u>	<u>4.5 AFA</u>	<u>Nov 1</u>
		<u>0.6 ✓</u>	<u>Jan 1</u>
			<u>Dec 31</u>
Total	<u>0.04 ✓</u>	<u>6.6</u>	
		<u>5.1 ACF/ANN</u>	

Remarks



1/8/82

Jin

TOWNSHIP 5 SOUTH

Range 14 E Sec 26

26

1 1/2 AC

Well

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

Rainbirds

MOBILE HOME

Valve

WELL MOTOR PUMP

PRESSURE TANK

LIVESTOCK TROUGH

[illegible]☐ Other

Date 1/15/82

37-7755

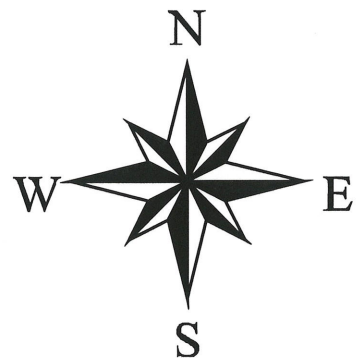


500 0 500 1000 Feet

A horizontal scale bar with alternating black and white segments. The segments are labeled 500, 0, 500, and 1000 Feet.

T05S R14E S26

Map prepared by: Carter Fritschle
Date prepared: 01/07/02
1987-1988 NAPP photography
Idaho Department of Water Resources



Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098



37-7755

Forwarding Order Expired
RETURN TO SENDER

KEST537 833302007 1N 03 08/12/02
RETURN TO SENDER

NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER

83330

RECEIVED

AUG 14 2002

Department of Water Resources

HOWARD K KESTIE
PO BOX 537
GOODING ID 83330

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED



37-7753

Forwarding Order Expired
RETURN TO SENDER

RECEIVED

JUN 27 2002

Department of Water Resources

HOWARD K KESTIE
PO BOX 537
GOODING ID 83330