

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

**IN THE MATTER OF APPLICATION FOR)
PERMIT #63-33510 IN THE NAME OF) PRELIMINARY ORDER
ALAN AND PATRCIA HERZFELD) VOIDING APPLICATION
_____)**

FINDINGS OF FACT

1. On May 04, 2011, Alan and Patricia Herzfeld (Applicants) filed application for permit #63- 33523 with the Idaho Department of Water Resources (Department) seeking ground water for irrigation beneficial use.

2. On September 14, 2011, the Department sent the Applicants an e-mail discussing the need to amend their application for permit. An amended application and ownership change form was attached for another related water right #63-15848. A telephone conversation followed-up.

3. On October 13, 2011, the Department sent an e-mail to the Applicants reminding them the application would be voided if the amended form was not received by November 1, 2011.

4. On October 18, the ownership change for #63-15848 was received by the Department, but the amended application was not included.

5. To date, the Department has not received the amended application, or a response from the Applicants.

CONCLUSIONS OF LAW

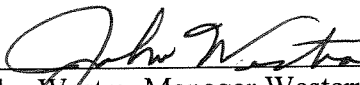
1. Idaho Code (IC)§ 42-204 and the Rules and Regulations of IDWR state that if an applicant does not submit requested information to IDWR within thirty (30) days or set deadline, IDWR may void the application.

2. Alan and Patricia Herzfeld have refused or failed to provide the Department the necessary amended application. The application should be ordered void.

ORDER

IT IS HEREBY ORDERED that Application for Permit #63-33510 in the name of Alan and Patricia Herzfeld is VOID.

Dated this 10th day of November, 2011



John Westra, Manager Western Region

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of November, 2011, I mailed a true and correct copy of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

A handwritten signature in cursive script, reading "Sherry Borgeman", is written over a horizontal line.

Sherry Borgeman
Administrative Assistant

ALAN & PATRICIA HERZFELD
9409 BURNETT DR
BOISE ID 83709

RECEIVED

MAY 04 2011

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 63-335101. Name of applicant(s) Alan and Patricia Herzfeld Phone 208-344-7797
Name connector (check one): ☒ and ☐ or ☐ and/orMailing address: 9409 Burnett Drive City BoiseState Idaho Zip 83709 Email: aherzfeld@q.com2. Source of water supply ground water which is a tributary of _____

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
3N	1E	26		NW	NE		Ada	Ground Water	AO013036 (GPS #)

4. Water will be used for the following purposes:

Amount 0.20 for irrigation purposes from 3/01 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)5. Total quantity to be appropriated is (a) .2 cubic feet per second (cfs) and/or (b) 8 acre-feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Submersible pump

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.

For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ Noe. If well is already drilled, when? 01/1992; drilling firm Dennis Phipps;Well was drilled for (well owner) Gary Mayne; Drilling Permit No. 63-91-W-489.

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. Anticipated by end of Summer, 2011: 12 chickens and 1 cow.

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households 1e. Other; describe fully. Irrigation of 2 acres, less footprint of house and shop. Irrigation of lawn turf, gardens, orchard and pastures by means of rainbirds (lawn, orchard and pastures) and drip irrigation (gardens).

VOID 1

8. 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 the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	1E	26					2												2

Total number of acres to be irrigated: 2

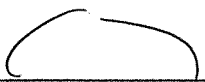
9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? Water Right 63-15848

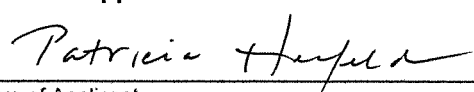
10. a. Who owns the property at the point of diversion? Alan and Patricia Herzfeld
- b. Who owns the land to be irrigated or place of use? Alan and Patricia Herzfeld
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: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

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. We bought this property from Brian and Suzette Hanold in September, 2009. We thought the existing water right (63-15848) was transferred to our names at that time, but apparently it was not. Since our purchase of the property, we have put in a 20 tree orchard and a 60'X 40' garden and are currently expanding the irrigation delivery system so that we will be able to irrigate the existing pasture areas (approximately 2/3 acre) and add 2-3 more large gardens. We are also bulding a chicken coop and a shop/barn and plan to have about 2 dozen chickens and a cow by the end of this summer. We need additional water to meet the needs of our expanded use of the property.

12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


 Signature of Applicant
Alan Herzfeld
 Print Name (and title, if applicable)


 Signature of Applicant
Patricia Herzfeld
 Print Name (and title, if applicable)

For Department Use:

Received by SB Date 5.4.11 Time 11:17 AM Preliminary check by _____
 Fee \$ 100 Received by DB Receipt No. W039186 Date 5.4.2011

Herzfeld Application for permit



Herzfeld water right application

- Water Right POD
- Herzfeld
- QO

0 200 400 800 Feet



Map prepared by C. Knowles 5.2.2011

63-33510



Land Records

Characteristics Detail[Go Back to Property](#)

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- [Old interactive map](#)

Residential**Land****Residential Characteristics 1 for Parcel "R1171001100"**

Occupancy Date:	No Date Available
Year Built:	1960
Year Remodel:	0
Effective Age:	0
Construction Class:	4
Number of Bedrooms:	4
Number Bathrooms:	1.75
Number of Fireplaces:	2
Air Conditioning:	N
Car Storage Sq Ft #1:	300
Car Storage Sq Ft #2:	0
General Purpose Building Sq Ft:	24
Porch Sq Ft:	0
Deck Sq Ft:	0
Deck Covered:	N
Patio Sq Ft:	534
Patio Covered:	N
Pool Sq Ft:	0
Total Sq Ft:	2300
Main Floor Sq Ft:	1150
Upper Floor Sq Ft:	0
Finished Lower Floor Sq Ft:	600
Unfinished Lower Floor Sq Ft:	0
Finished Basement Floor Sq Ft:	275
Unfinished Basement Floor Sq Ft:	275
Finished Attic Sq Ft:	0
Unfinished Attic Sq Ft:	0

Assessor Links

- [Assessor Main Page](#)
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- [Information](#)
- [Appraisal](#)
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Ada County Links

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- [Human Resources](#)

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-15848

WATER RIGHT NUMBER: 63-15848

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROY J WILLIAMSON 9409 BURNETT BOISE, ID 83709 (208)362-5189
Current Owner	IRMA J WILLIAMSON 9409 BURNETT BOISE, ID 83709 (208)362-5189

Priority Date: 01/01/1962

Basis: Beneficial Use

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	12/31	0.020 CFS	
IRRIGATION	4/01	11/01	0.030 CFS	
	<u>Total Diversion:</u>		0.050 CFS	

Location of Point(s) of Diversion

GROUND WATER

NW1/4NE1/4

Sec. 26, Twp 03N, Rge 01E, B.M.

ADA County

Place of UseDOMESTIC Within ADA County

T03N R01E S26 NWNE

IRRIGATION Within ADA County

T03N R01E S26 NWNE

Conditions of Approval:Remarks:

1. General ACTUAL IRR. ACRE=1.3

Comments:



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 63

RIGHT ID 63 15848
POD ID 163520
Quad Cloverdale 5
Claim Type Small
Easting 314310
Northing 277385
GPSID A0013036

Diversion Description

180' DEEP, 6" CS, 1 HP PUMP. Located in front yard.

Assumptions

Pressure head.

Invoice

2000-055-01

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked
Photos

a Photos\163520a.JPG

EPE (ft)
16

Date (M/D/Y)
12/11/01

Time
14.45

Flow Rate (CFS)
0.02

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning

(If used, include photo of representative channel section)

Channel Slope 0

Channel Description	
Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP 1

Pressure Head (psi) 30

Elevation Head (ft) 180

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

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INTREPID
Engineering Services, Inc. (IESI)
Enabling People and Solutions

RIGHT ID

63 15848



INTREPID PHOTO 163520a

State of Idaho
Department of Water Resources
Water Right License
63-33510 *Permit*
Water Service Area Boundary for Alan Herzfeld



0 0.04 0.08 0.16 Miles

Legend

-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

November 10, 2011

Alan & Patricia Herzfeld
9409 Burnett DR
Boise ID 83709

RE: Preliminary Order: In the Matter of Application for Permit #63-33510

Dear Applicants:

The accompanying order is a "**preliminary order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-334-2190.

Sincerely,

A handwritten signature in black ink that reads "John Westra". The signature is fluid and cursive, with the first name "John" being more prominent than the last name "Westra".

John Westra, Manager
Western Regional Office

Westra, John

From: Westra, John
Sent: Thursday, October 13, 2011 2:19 PM
To: 'aherzfeld@q.com'
Subject: FW: Water Permit Application/Ownership Change
Attachments: DOC014.pdf; DOC016.pdf

COPY

Mr. Herzfeld:

I have not received your amended application to date.

If I don't receive it by month end – November 1st, I will be forced to void the application.

Let me know if you have previously sent it

Thank you

John Westra

From: Westra, John
Sent: Wednesday, September 14, 2011 10:15 AM
To: 'aherzfeld@q.com'
Subject: Water Permit Application/Ownership Change

Mr. Herzfeld:

After our conversation, I looked through the records for the existing water right #63-15848 (Hanold) that is applicable for your property.

As we discussed the right is for only 1.3 acres of the parcel total 2 acres.

If you subtract your house/drive footprint, it is certain that you are short on water rights.

I am not able to process a new application for 2 acres as you already have 1.3 acres covered for the 2 acre parcel as this would be consider speculative. I have enclosed is an amended application for 1 acre at a flow rate of .03 cfs. The .03 cfs flow is the maximum that is allowed for acreages under 5 acres by the statutes. Please sign and date the amended form and return it.

#63-15848 Ownership Change.

Our records are not showing an ownership change has been submitted for the water right.

If you have not submitted an application, an application form is enclosed. Please fill it out, enclose a copy of your property deed, and \$25 fee. Let me know if you have already submitted this form.

I will not be able to accept the returned documents by e-mail as original signature are required.

You may drop them off at our office or mail them to: John Westra

Dept. of Water Resources

2735 Airport Way

Boise ID

(Our office is by the airport off Vista Ave, across from the

83705

Vista Inn Motel)

Feel free to call me at 334-2190 if you have questions.

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



Westra, John

From: Westra, John
Sent: Thursday, October 13, 2011 2:19 PM
To: 'aherzfeld@q.com'
Subject: FW: Water Permit Application/Ownership Change
Attachments: DOC014.pdf; DOC016.pdf

Mr. Herzfeld:

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John Westra

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Mr. Herzfeld:

After our conversation, I looked through the records for the existing water right #63-15848 (Hanold) that is applicable for your property.

As we discussed the right is for only 1.3 acres of the parcel total 2 acres.

If you subtract your house/drive footprint, it is certain that you are short on water rights.

I am not able to process a new application for 2 acres as you already have 1.3 acres covered for the 2 acre parcel as this would be consider speculative. I have enclosed is an amended application for 1 acre at a flow rate of .03 cfs. The .03 cfs flow is the maximum that is allowed for acreages under 5 acres by the statutes. Please sign and date the amended form and return it.

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I will not be able to accept the returned documents by e-mail as original signature are required.

You may drop them off at our office or mail them to: John Westra

Dept. of Water Resources

2735 Airport Way

Boise ID

83705

Vista Inn Motel)

(Our office is by the airport off Vista Ave, across from the

Feel free to call me at 334-2190 if you have questions.



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Dept. of Water Resources

2735 Airport Way

Boise ID

(Our office is by the airport off Vista Ave, across from the

83705

Vista Inn Motel)

Feel free to call me at 334-2190 if you have questions.

John Westra,
Manager.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

1. Name: ALAN HERZFELD
9409 BURNETT DR
BOISE ID 83709
(208)344-7797

AND/OR

PATRICIA HERZFELD
9409 BURNETT DR
BOISE ID 83709
(208)344-7797

2. Source: GROUND WATER

3. Location of Point of Diversion:

#1 GROUND WATER NW1/4NE1/4 Sec. 26, Twp 03N, Rge 01E, B.M.
ADA County

4. Water will be used for the following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01	to 11/15	0.03 CFS	

5. Total quantity to be appropriated is: 0.03 CFS

6. Proposed diverting works:

POINT OF DIVERSION #1

- a. Type and size of devices used to divert water from the source: SUBMERSIBLE PUMP
- b. Height of storage dam _____ feet;
Active reservoir capacity _____ acre-feet;
Total reservoir capacity _____ acre-feet;.
- c. Proposed well diameter is _____ inches;
Proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85F being sought?
- e. If well is already drilled, when? _____;
Drilling Firm _____;
Drilling Permit No. _____.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

- 8.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR PERMIT

To appropriate the public water of the State of Idaho

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 01E 26		1.0															1.0

Total Acres: 1

9a. Who owns the property at the point of diversion? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

9b. Who owns the land to be irrigated or place of use? If other than applicant, describe the arrangement enabling the applicant to make this filing.

APPLICANT

10. Remarks:

11. Map of proposed point of diversion and place of use attached? ☐

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.

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

Receipt No. W039186

Date: _____

Receipted by: _____

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-15848

WATER RIGHT NUMBER: 63-15848

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	IRMA J WILLIAMSON 9409 BURNETT BOISE, ID 83709 (208)362-5189
Current Owner	BRIAN L. HANOLD 9409 BURNETT BOISE, ID 83709 (208)362-0331
Original Owner	ROY J WILLIAMSON 9409 BURNETT BOISE, ID 83709 (208)362-5189
Current Owner	SUZETTE L. HANOLD 9409 BURNETT DR BOISE, ID 83709 (208)362-0331

Priority Date: 01/01/1962

Basis: Decreed

Status: Active

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

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.020 CFS	
IRRIGATION	03/01 to 11/15	0.030 CFS	5.85 AF
	<u>Total Diversion:</u>	0.050 CFS	5.85 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 26, Twp 03N, 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	
03N 01E 26		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	

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-15848

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N 01E 26		1.3															1.3

Total Acres: 1.3

Conditions of Approval:

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. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. J01 PROPERTY IS ALSO KNOWN AS LOT 2, BLK 2, HARVEY BURNETT ACREAGE SUB.
4. PARCEL NO. R1171001100.
5. WB5 Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

Remarks:

Comments:

1. vmusic 12/13/2004 PROOF OF PRIORITY

Comment: USED ADA CO ASSESSOR TAX LOT INFO WHICH STATED THAT HOUSE WAS BUILT IN 1960 AND AERIAL PHOTO DHT-3DD-74 DATED 7-8-1964 WHICH CLEARLY SHOWS THE HOUSE.

2. vmusic 12/13/2004 INTREPID GPS POINTS

Comment: THE GPS COORDINATES FOR THE WELL LOCATES THE WELL ON THE NEIGHBORING PROPERTY TO THE WEST. SO I DID NOT USE INTREPIDS DATA.

3. lgagnon 10/25/2005 CHNAGE OF OWNERSHIP

Comment: THE DATA IN THE NAME FIELD HAS BEEN CHANGED TO SHOW THAT THIS RIGHT HAS AN OWNERSHIP CHANGE

Water Supply Bank:

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 63-15848
Date Received: 6/22/1989
Receipt No: W003338
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SUZETTE L. HANOLD Phone: (208)362-0331
9409 BURNETT DR
BOISE ID USA 83709

BRIAN L. HANOLD Phone: (208)362-0331
9409 BURNETT DR
BOISE ID USA 83709

2. Date of Priority: 01/01/1962

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03N	01E	26	NW NE	ADA	

5. Description of diverting works:

180' DEEP, 6" CS, 1 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.03	
DOMESTIC	1/01	12/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	01E	26	NW	NE	DOMESTIC	
			NW	NE	IRRIGATION	

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:

ACTUAL IRR. ACRE=1.3

CHANGE OF OWNERSHIP LG 10/25/05

15. Basis of Claim: Beneficial Use

RECEIVED

JUL 12 2005

WATER RESOURCES
WESTERN REGION

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

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

Vickrey

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
	63-15848				

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)

Ray Williams - Irma Williams

4. New Owner/Claimant(s)

Brian H. Harold and Surette L. Harold

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

9409 Burnett Dr

City, State and ZIP Code

Boise, ID 83709

New Telephone Number

208 362-0331

5. Date you acquired the property

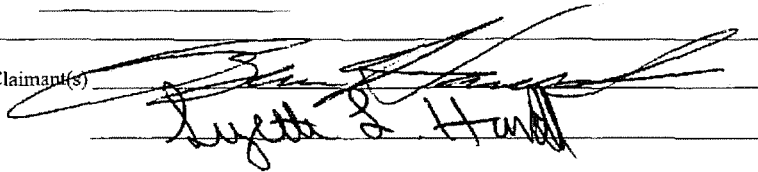
9-13-1993

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)


Lynda S. Hand

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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



INTREPID PHOTO 163520a