

Ident. No. 63-12211

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: LAVAR THORNTON 208-922-5779
Address: 2800 S TEN MILE RD
KUNA ID 83634
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SWSESE Sec. 19, Township 02N, Range 01E
ADA County
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AF |
|------------|-------|-------|-------|------|----|
| IRRIGATION | 03/15 | 11/15 | 1.800 | | |
5. Total quantity to be appropriated is:
1.800 CFS (and/or) AF
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc.
WELL, PUMP AND PIPELINE.
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is 12 inches; proposed depth of well is 300
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 5 year(s).
8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
02N	01E	19	SESW 36	SWSE 36	SESE 18	90

Total number of acres irrigated: 90

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

10. Remarks:

Application being held pending processing of drought moratorium
backlog.

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.

SEE original →

Applicant



Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 120.00 Receipted by _____ #W019139 Date 5/11/1995

Publication prepared by DB Date 9/25/08 Published in IDAHO STATESMAN

Publication approved _____ DATE: _____ Date [↑] OCTOBER 2 & 9, 2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 63-
63-12211

To appropriate the public waters of the State of Idaho

1. Name of applicant Laur Thornton Phone 922-5779
Post office address 2800 S. Ten Mile Rd. / Kuna
2. Source of water supply well ^{groundwater} which is a tributary of _____
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 19 Township 2N Range 1E B.M. Adx County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1.8 for Irrigation purposes from Mar 15 to Nov 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)
5. Total quantity to be appropriated is (a) 1.8 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. well pump
Motor
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 12" inches; proposed depth of well is 300 feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
5 years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in " ". _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	1E	19												36			36	18	90

Total number of acres to be irrigated 90

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

Boise River Irrig. Dist.

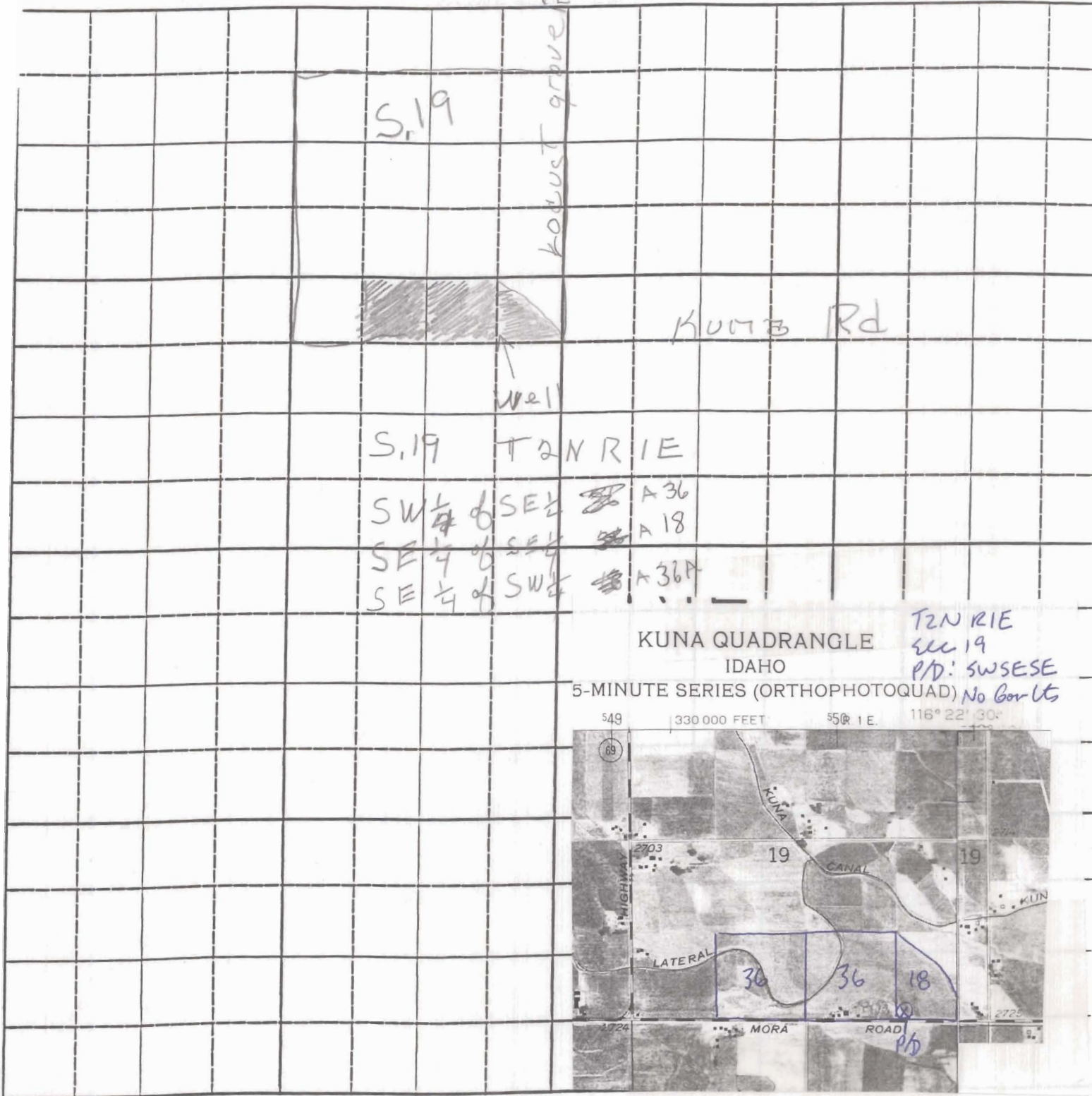
11. a. Who owns the property at the point of diversion? Laver Thornton

b. Who owns the land to be irrigated or place of use? Laver Thornton

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

12. Remarks: Application being held pending processing of drought moratorium backlog

13. 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.

Lavar L. Houston
(Applicant)

Received by V. Date 5-11-95 Time 11:00 a. Preliminary check by _____
Fee \$ 120- Receipted by VR # W019139 Date 5-11-95
Publication prepared by DB Date 9/25/08 Published in IDAHO STATESMAN
Publication approved _____ DATE: _____ Date OCTOBER 2 & 9, 2008

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. _____, and said application is hereby _____.

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 _____, 19 ____.

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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

Buffington, Denise

From: Buffington, Denise

Sent: Thursday, September 25, 2008 11:13 AM

To: legals@idahostatesman.com

Subject: Legal Notices

Attachments: Ada County Ads Cover Letter.RTF; 63-12211 Ad.RTF; 63-12240 Ad.RTF; 63-12251 Ad.RTF; 63-12253 Ad.RTF; 63-12341 Ad.RTF; 63-12389 Ad.RTF; 63-31147 Ad.RTF; 63-32674 Ad.RTF; X-fer 73823 Ad.doc; X-fer 74082 Ad.doc; X-fer 74580 Ad.doc; X-fer 74752 Ad.doc; X-fer 75059 Ad.doc

Attached please find (13) legal notices, being submitted for publication. Please contact me if you have any questions or are not able to run the ads on the dates listed.

Thank you,

Denise Buffington
Idaho Department of Water Resources
Western Region

9/25/2008

September 25, 2008

Legal Notice Department

IDAHO STATESMAN

PO BOX 40

BOISE ID 83707

RE: Application for Permit No. 63-12211, 63-12240, 63-12251, 63-12253, 63-12341, 63-12389
63-31147 & 63-32674

RE: Transfer No. 73823
Water Right No(s). 63-33098

RE: Transfer No. 74082
Water Right No(s). 63-3034C

RE: Transfer No. 74580
Water Right No(s). 63-33100

RE: Transfer No. 74752
Water Right No(s) 63-4023A 63-4086A 63-4980 63-4981 63-4982

RE: Transfer No. 75059
Water Right No(s) 63-3266 63-8215 63-11970

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 10/20/2008. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-12211

LAVAR THORNTON
2800 S TEN MILE RD
KUNA ID 83634

Point(s) of Diversion SWSESE S19 T02N R01E ADA County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 1.8 CFS

Total Diversion: 1.8 CFS

Date Filed: 05/11/1995

Place Of Use: IRRIGATION

T02N R01E S19 SESW SWSE SESE

Number of Acres 90

Remark: Water bearing zone to be appropriated is from 100 to 300 feet.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 10/20/2008. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on October 2nd & 9th, 2008

MEMORANDUM

TO: Files

FROM: Steve Lester 

DATE: June 30, 2008

RE: Lavar Thornton – Proposed New Well in T1N, R1E, Sec. 7, NWNW

Lavar Thornton recently filed a drilling permit application for a new irrigation well in this location. Several existing Thornton irrigation rights identify this tract for a ground water P/D. Also, three pending Applications for Permit list this site for a new irrigation well. See attached summary.

The existing rights, now decreed, were the subject of Transfer 4840 approved in 1997. The transfer included adding a new well in this tract. A standard condition of approval required the work authorized under the transfer approval to be completed within one year.

Consultant Scott King told me today that all the above files involve the same proposed well noted in the drilling permit application. Thornton never drilled the well but wants to now based on the transfer approval. Drilling the new well would violate the approved transfer unless the department approves more time to complete the work noted in the transfer.

Thornton could petition the department for more time to complete the transfer work. Consideration of such a request should be weighed against expected legal notices for the three pending applications – possibly could be advertised fairly soon as work continues to reduce the Basin 63 Moratorium backlog.

It might appear odd to the public if we approved drilling a new irrigation well under a 1997 transfer approval (old legal notice) while we consider new applications for the same well (new legal notice). Maybe the best method is to let the legal notice process for the new applications be completed. If protests are not filed, the drilling permit issue could be revisited at that time.

I do not think it serves the local public interest to approve the drilling permit until the protest period is over for the three Applications for Permit.

GROUND WATER P/D - IRRIGATION - 1N 1E S7 NW NW

ALL = THORNTON

Basin	Sequence	Basis	Rate(cfs)	Source	Water Use(s)	Source Table	SRBA Status
63	3280	License	3.08	GROUND WATER	IRRIGATION	AJ Recommendation	decreed
63	3368	License	4.6	GROUND WATER	IRRIGATION	AJ Recommendation	decreed
63	7933	License	2.8	GROUND WATER	IRRIGATION	AJ Recommendation	decreed
63	7993	License	1.2	GROUND WATER	IRRIGATION	AJ Recommendation	decreed
63	32355	Beneficial Use	1.12	GROUND WATER	IRRIGATION	AJ Recommendation	objection
63	12253	appl	2.78	GROUND WATER	IRRIGATION	WR Application	n/a
63	12254	appl	3.25	GROUND WATER	IRRIGATION	WR Application	n/a
63	12255	appl	1.77	GROUND WATER	IRRIGATION	WR Application	n/a

COVERS EXISTING well,
not proposed new
well
3 maintenance apps
purpose possible new
well*

All = same well & this site
but not drilled yet 6/30/08

- John has working on 3 Thornton apps w/ pld that includes man 57,
- but not approval yet so no new well drilling yet
- Scott King is handling Thornton apps

* not sure if man 57 site is existing well or proposed new well & these apps

JL 6/17/08

Idaho Department of Water Resources

Place of Use Layout 63-3280, 63-3368, 63-7933, 63-7993



0 0.25 0.5 0.75 1 Miles

Township 1N Range 1W Section 1,
Township 1N Range 1E Sections 6 and 7



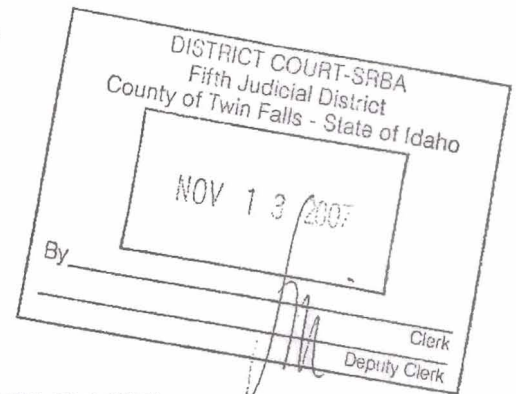
*T. 4840 to drill new well 1997,
did not drill - see 6/30/08*

GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: October 10, 2002

-  Point of Diversion
-  Place of Use
-  PLSS Township
-  PLSS Section Lines
-  PLSS quarter-quarter lines

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-03280



NAME AND ADDRESS: LAVAR K THORNTON
2800 S TEN MILE RD
KUNA, ID 83634

SOURCE: GROUND WATER

QUANTITY: 3.08 CFS
720.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 63-3368 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.6 CFS.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 8.6 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3620.6 AF. COMBINED RIGHT NOS.: 63-3280,
63-3368, 63-7933, 63-7993 AND 63-32355.

PRIORITY DATE: 03/22/1962

POINT OF DIVERSION: T01N R01E S06 SWNE Within Ada County
S07 LOT 1 (NWNW)
R01W S01 LOT 4 (NWNW)
LOT 5 (SENE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.08 CFS 720.00 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.

PLACE OF USE:	Irrigation	Within Ada County
T01N R01E S06 LOT 1	(NENE) 24.0	LOT 2 (NWNW) 13.0
	SWNE 39.0	SENE 38.0
LOT 3	(NENW) 1.0	LOT 4 (NWNW) 26.0
LOT 5	(SWNW) 35.0	SENW 26.0
	NESW 37.0	SESW 37.0
S07	NENW 39.0	LOT 1 (NWNW) 38.0
R01W S01 LOT 1	(NENE) 40.0	LOT 2 (NWNW) 40.0
	SWNE 40.0	LOT 5 (SENE) 40.0
LOT 3	(NENW) 40.0	LOT 4 (NWNW) 40.0
	SWNW 40.0	SENW 40.0
LOT 6	(NESE) 40.0	NWSE 40.0
	SWSE 39.0	LOT 7 (SESE) 40.0
T02N R01W S31	SWSW 22.5	
S36	SWSW 39.0	SESW 40.5
	SWSE 33.3	SESE 36.8
1004.1 Acres Total		

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 960.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 63-3280, 63-3368, 63-7933, 63-7993 AND
63-32355.
RIGHT NOT. 63-3280 IS LIMITED TO THE IRRIGATION OF 160 ACRES

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

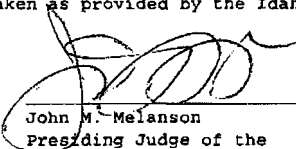
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

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.

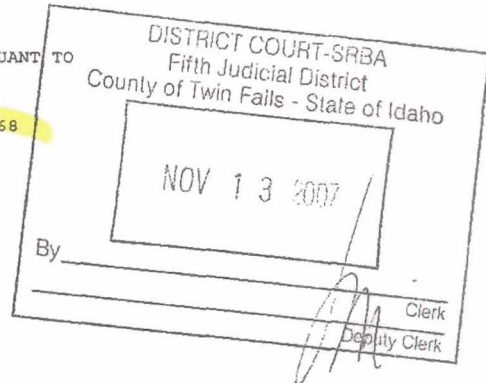


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-03368



NAME AND ADDRESS: LAVAR K THORNTON
2800 S TEN MILE RD
KUNA, ID 83634

SOURCE: GROUND WATER

QUANTITY: 4.60 CFS
1687.00 APY

USE OF THIS RIGHT WITH RIGHT NO. 63-3280 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.6 CFS.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 8.6 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3620.6 AF. COMBINED RIGHT NOS.: 63-3280,
63-3368, 63-7933, AND 63-7993 AND 63-32355.

PRIORITY DATE: 09/17/1963

POINT OF DIVERSION: T01N R01E S06 SWNE Within Ada County
S07 LOT 1 (NWNW)
R01W S01 LOT 4 (NWNW)
LOT 5 (SENE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	Irrigation	03-15 TO 11-15	4.60 CFS 1687.50 APY

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.

PLACE OF USE:	Irrigation	Within Ada County
T01N R01E S06 LOT 1	(NENE) 24.0	LOT 2 (NWNE) 13.0
	SWNE 39.0	SENE 38.0
LOT 3	(NENW) 1.0	LOT 4 (NWNW) 26.0
LOT 5	(SWNW) 35.0	SENW 26.0
	NESW 37.0	SESW 37.0
S07	NENW 39.0	LOT 1 (NWNW) 38.0
R01W S01 LOT 1	(NENE) 40.0	LOT 2 (NWNE) 40.0
	SWNE 40.0	LOT 5 (SENE) 40.0
LOT 3	(NENW) 40.0	LOT 4 (NWNW) 40.0
	SWNW 40.0	SENW 40.0
LOT 6	(NESE) 40.0	NWSE 40.0
	SWSE 39.0	LOT 7 (SESE) 40.0
T02N R01W S31	SWSW 22.5	
S36	SWSW 39.0	SESW 40.5
	SWSE 33.3	SESE 36.8
1004.1 Acres Total		

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 960.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 63-3280, 63-3368, 63-7933, AND 63-7993 AND
63-32355.
RIGHT NO. 63-3368 IS LIMITED TO THE IRRIGATION OF 375 ACRES

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

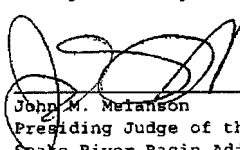
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

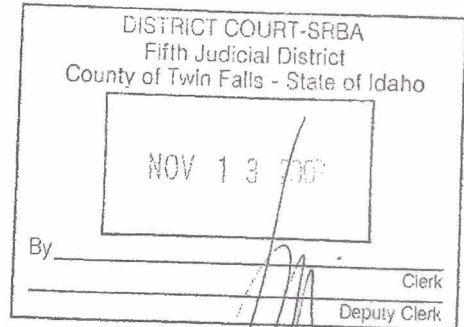
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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 }
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-07933



NAME AND ADDRESS: LAVAR K THORNTON
2800 S TEN MILE RD
KUNA, ID 83634

SOURCE: GROUND WATER

QUANTITY: 2.80 CFS
630.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 8.6 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3620.6 AF. COMBINED RIGHT NOS.: 63-3280,
63-3368, 63-7933, AND 63-32355.

PRIORITY DATE: 02/09/1975

POINT OF DIVERSION: T01N R01E S06 SWNE Within Ada County
S07 LOT 1 (NWNW)
R01W S01 LOT 5 (SENE)
LOT 4 (NWNW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.80 CFS 630.00 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.

PLACE OF USE:	Irrigation	Within Ada County
	T01N R01E S06 LOT 1 (NENE) 24.0	LOT 2 (NWNW) 13.0
	SWNE 39.0	SENE 38.0
	LOT 3 (NENW) 1.0	LOT 4 (NWNW) 26.0
	LOT 5 (SWNW) 35.0	SENE 26.0
	NESW 37.0	SESW 37.0
	S07 NENW 39.0	LOT 1 (NWNW) 38.0
	R01W S01 LOT 1 (NENE) 40.0	LOT 2 (NWNW) 40.0
	SWNE 40.0	LOT 5 (SENE) 40.0
	LOT 3 (NENW) 40.0	LOT 4 (NWNW) 40.0
	SWNW 40.0	SENE 40.0
	LOT 6 (NESE) 40.0	NWSE 40.0
	SWSE 39.0	LOT 7 (SESE) 40.0
	T02N R01W S31 SWSW 22.5	
	S36 SWSW 39.0	SESW 40.5
	SWSE 33.3	SESE 36.8
	1004.1 Acres Total	

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 960.3 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 63-3280, 63-3368, 63-7933, AND 63-7993 AND
63-32355.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 140 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

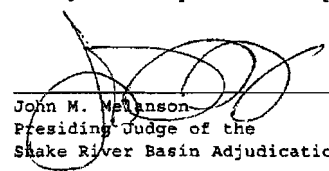
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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
Shake River Basin Adjudication

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-07993

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

NOV 13 2017

By _____ Clerk
_____ Deputy Clerk

PAGE 1
Aug-24-2007

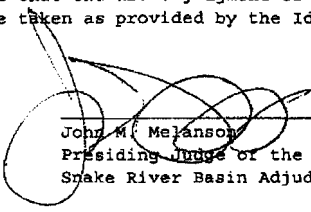
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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).

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4840
WATER RIGHT NO(S). 63-03280/63-03368/63-07933/63-07993

This is to certify that: **LAVAR K THORNTON**
2800 S TEN MILE RD
KUNA ID 83634

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-03280 :			
IRRIGATION	03/15 to 11/15	* ** 3.08 CFS	720.0 AF
Priority: 03/22/1962			
Right No. 63-03368 :			
IRRIGATION	03/15 to 11/15	* ** 4.60 CFS	1687.5 AF
Priority: 09/17/1963			
Right No. 63-07933 :			
IRRIGATION	03/15 to 11/15	** 2.80 CFS	630.0 AF
Priority: 02/09/1975			
Right No. 63-07993 :			
IRRIGATION	03/15 to 11/15	** 1.20 CFS	583.1 AF
Priority: 06/06/1975			
	TOTAL:	** 8.60 CFS	3620.6 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 6, Township 01N, Range 01E
NWNW , Sec. 7, Township 01N, Range 01E
SENE , Sec. 1, Township 01N, Range 01W
NWNW , Sec. 1, Township 01N, Range 01W
ADA County

*Adel NW
Well*

MICROFILMED
FEB 11 1987

TRANSFER NO. 4840
WATER RIGHT NO(S). 63-03280/63-03368/63-07933/63-07993

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
01N	01E	6	Lot 1(NENE)	22	Lot 2(NWNE)	15	SWNE	38	
			SENE	38	Lot 3(NENW)	2	Lot 4(NWNW)	31	
			Lot 5(SWNW)	24	SENE	29	NESW	38	
			Lot 7(SWSW)	3	SESW	38			278
		7	NENW	39	Lot 1(NWNW)	38			77
01W	1		Lot 1(NENE)	40	Lot 2(NWNE)	40	SWNE	40	
			Lot 5(SENE)	40	Lot 3(NENW)	40	Lot 4(NWNW)	40	
			SWNW	40	SENE	40	Lot 6(NESE)	40	
			NWSE	40	SWSE	40	Lot 7(SESE)	40	480
Total number of acres irrigated:									*** 835

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.
3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- ** 8. The total instantaneous diversion of water from all points of diversion under Transfer No. 4840 shall not exceed 8.60 cfs, nor total combined annual volume of 3620.6 af.
- * 9. Right Nos. 63-03280 and 63-03368 in combination shall not exceed a total diversion rate of 4.60 cfs.
- ** 10. Right Nos. 63-03280, 63-03368, 63-07933 and 63-07993 in combination shall not exceed a total diversion rate of 8.60 cfs, a total annual diversion volume of 3620.6 af, and the irrigation of 835.0 acres.

MICROFILMED

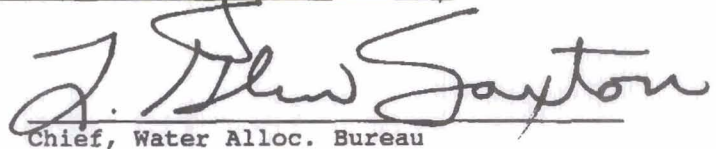
FEB 11 1937

TRANSFER NO. 4840
WATER RIGHT NO(S). 63-03280/63-03368/63-07933/63-07993

CONDITIONS OF APPROVAL AND REMARKS

- *** 11. Right No. 63-03280 is limited to the irrigation of 160.0 acres in the place of use described above in a single irrigation season.
- *** 12. Right No. 63-03368 is limited to the irrigation of 375.0 acres in the place of use described above in a single irrigation season.
- *** 13. Right No. 63-07933 is limited to the irrigation of 140.0 acres in the place of use described above in a single irrigation season.
- *** 14. Right No. 63-07993 is limited to the irrigation of 160.0 acres in the place of use described above in a single irrigation season.

Dated this 27th day of January, 1997.


Chief, Water Alloc. Bureau

MICROFILMED
FEB 11 1997

Page 1 of 12
Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4840

RECEIVED

MAY 15 1996

WATER RESOURCES
WESTERN REGION

PART 1 RECEIVED

SEP 23 1996

Phone 922-5779

Name of applicant Lavar K. Thornton

Post Office address 2800 S. Ten Mile Road, Kuna, ID 83604

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion
 ☒ Add diversion point(s)
 ☒ Change place of use
☐ Change nature of use
 ☐ Change period of use
 ☐ Other _____
- Describe the reason for the proposed changes Applicant proposes to add an additional well to the three existing wells and use them all as a combined system for more efficient irrigation of crops on the farm.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-03280</u>	<u>3/22/62</u>	<u>3.08</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>63-03368</u>	<u>9/17/63</u>	<u>4.60</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>63-07933</u>	<u>2/9/75</u>	<u>2.80</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>63-07993</u>	<u>6/6/75</u>	<u>1.20</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>

2. Total amount of water being transferred 8.60 cubic feet per second and/or 3757.5 acre-feet per annum.

3. Source of water Groundwater tributary to N/A

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NW	NW	7	1N	1E	Ada	New P/D
		SE	NE	1	1N	1W	Ada	Existing well
		NW	NW	1	1N	1W	Ada	Existing well
		SW	NE	6	1N	1E	Ada	Existing well

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
1N1	1W	1	40	40	40	40	40	40	40	40					40	40	40	40	480
1N	1E	6	22	15	38	38	2	31	24	29	38		3	38					278
1N	1E	7					39	38											77

MICROFILMED
FEB 11 1987

Total acres 835



RECEIVED

JUN 09 2008

WATER RESOURCES
WESTERN REGION

June 5, 2008

John Westra, Regional Manager
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

Subject: Lavar Thornton applications

John,

Lavar Thornton has asked us to help on his 1995 applications. Lavar is interested in moving forward with all four applications and the response forms are included for each. After review, we anticipate amending or assigning some of the applications, as follows:

- 63-12111 no amendment expected; please process as is.
- 63-12253 will amend place of use description so that text & map agree.
- 63-12254 will amend place of use.
- 63-12255 application will be assigned to Layne Thornton; in the meantime, please process as is.

Please contact me with any questions or requests for additional information.

Sincerely,

Scott N. King, P.E.
Senior Project Engineer

cc: Lavar Thornton

File: 344.0010

Not Advertised

RECEIVED

JUN 09 2008

WATER RESOURCES
WESTERN REGION

Response Form

Name of Applicant: Lavar Thornton
Address: 2800 S Ten Mile RD
Kuna ID 83634

Application No: #63-12211

(Please read carefully and mark)

X **Yes, I intent to proceed with the water use development outlined in the application. I retain full possessory interest in the listed point of diversion and place of use locations on the application. I request the Department continue processing the application. (Please describe on the back updates/changes needed on your application)**

(Please fill in) **The estimated (well) water bearing zone will be**
100 ft to 300 ft below the ground surface.

 No, I do not wish to proceed with final processing of this application. I hereby withdraw my Application for Permit to Appropriate the Public Water of the State of Idaho

Signed this 6 **day of** June **200** 8

Applicant Signature Lavar Thornton

Printed Applicant Name Lavar Thornton

Return Form to: J. Westra

Idaho Dept. of Water Resources
2735 Airport Way
Boise ID 83705



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

May 29, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

Lavar Thornton
2800 S Ten Mile RD
Kuna ID 83634

RE: Held Applications for Permit #63-12211—Filed 05/11/95
#63-12253--- Filed 06/02/95
#63-12254--- Filed 07/31/95
#63-12255--- Filed 07/31/95

Dear Applicant:

As you aware, the above reference applications for permit located in the Boise River Basin has been held by our agency since the 1990s. The Department began holding new groundwater applications for consumptive use due to prolonged drought and concerns about declining aquifer levels. As a result, the Treasure Valley Ground Water Study was initiated. The study was completed in 2002, and now provides modeling for projecting future groundwater availability in the valley. Our agency will commence processing held applications as staff resources are available.

Attached is a proof profile of your applications as submitted to our agency. Please check carefully the specifics on the applications. You must still have full possessory interest-ownership in the listed point of diversion and place of use land locations for processing consideration. Your applications will need to have public notice published in your local county newspaper. The notice will be published once per week for 2 consecutive weeks. Anyone having issue with an application may file a protest within the time allowed.

We are asking for you to convey your intentions regarding the applications by completing the attached response form. *Please respond to the following:*

- If you desire to develop the water use, and wish our agency to complete the processing of your application, please mark the *YES* response. Also, provide any changes or updates that are needed for the application.

OR

-Mark the *NO* response to withdraw the application. The application will be removed from processing and our records. Our agency will not be able to provide refunds of fees for withdrawn applications.

-Sign, date, and return the response. Response forms need to returned to this office no later than 30 days of this letter date.

Should you have questions about further processing of this application, please contact Denise Buffington or John Westra at the Western Regional Office, phone 334-2190.

Sincerely,

John Westra, Manager Western Region

Enclosure: Proof Report, Response Sheet



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 19, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Lavar Thornton
2800 S Ten Mile Rd
Kuna ID 83634

RE: Application for Permit

Dear Applicant:

Your application for permit to appropriate ground water for irrigation purposes was received on 5/11/1995. Processing of your application must be delayed.

Due to continued drought and to protect existing water rights and water supplies, the Director of this agency declared a moratorium on 5/15/1992 concerning water right applications proposing new consumptive uses of public water. The moratorium has now been lifted, but a backlog of applications filed during the moratorium must first be processed before new applications may be considered. It is not likely that your application for permit can be processed for use during the 1995 irrigation season.

This office will hold your application and will begin processing as soon as our backlog has been eliminated. All applications received will be processed in priority order. Delays related to department actions do not affect the date of priority or seniority of your application, once established.

If you have any questions, please feel free to contact me at 334-2190.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Lori Graves'.

Lori Graves
Sr. Water Resource Agent