

63-8198

c 10509 W. KUNA Rd.
Parcel # S1426222010

PREVIOUSLY LUX,
NOW PAPE

← KUNA ROAD →

#10509

PAPE

#10505

FARMER

WSU

clear
field
pattern

ENLOE

BLACKMAN 8/28/03

FARMER'S NEW Appl. for
"PRE-87 development"

c 10505 W. KUNA Rd.
Parcel # S1426222025

FISHE

BASIE

T02N R01E S26 NWNW
1987 AERIAL PHOTO

blue = section line
green = county parcel line

- gc 8/12/03
updated 8/19/03

MICROFILMED

FEB 24 2004

63-31753

NO gov't. lots

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
63-31753 IN THE NAME OF)
JOHN R. & SHARI F. BLACKMAN)
_____)

REINSTATEMENT ORDER

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before February 1, 2004; and

WHEREAS, the Department notified the permit holder on November 30, 2003, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and

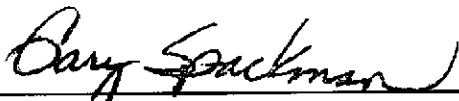
WHEREAS, on February 1, 2004, the permit lapsed since the Department had not received an acceptable proof of beneficial use statement or extension of time from the permit holder; and

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on February 3, 2004.

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 63-31753 is **REINSTATED** with an advance in priority to **August 22, 2003**.

DATED this 10th day of February 2004.



GARY SPACKMAN

MICROFILMED
FEB 24 2004

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 5072511
Receipt By: Phila
Date Received: 2-3-04

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB - 3 2004
Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 63-31753 Telephone No. 208-362-3082
 2. Name of Permit Holder(s): John & Shari Blackman
 3. Mailing Address: 10505 Kuna Rd
City Kuna State ID Zip 83634
 4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. 4 / yr. 1974
Well Driller: Russell Cowe Drilling Permit Number: —
 5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): —
Irrigation (No. of acres): 5 Other: —
 6. Total rate of diversion and/or volume for which proof is submitted: 0.19 cfs OR — acre-feet
 7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes — or No X
Has the measuring device been installed? Yes — or No X
 8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
 9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Tanya Blackman Telephone Number: 208-362-3082
Address: 10505 Kuna Rd Kuna, Idaho 83634
 10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.
- Signature of permit holder: Shari F. Blackman Date: 1-27-2004
(include your title, if on behalf of company or organization)

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FEB 24 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31753

Priority: August 20, 2003

Maximum Diversion Rate: 0.19 CFS

This is to certify, that JOHN R BLACKMAN and SHARI F BLACKMAN
10505 KUNA RD
KUNA ID 83634

have applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/01 to 11/15	0.15 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER NW¼NW¼ Sec. 26, Twp 02N, Rge 01E, B.M., ADA 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	
02N 01E 26						5.0											5.0
Total Acres: 5																	

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	
02N 01E 26						X											

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **February 01, 2004**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Water bearing zone to be appropriated is from 240 to 300 feet.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
6. This right does not authorize the irrigation of land not previously irrigated.
7. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

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FEB 24 2004

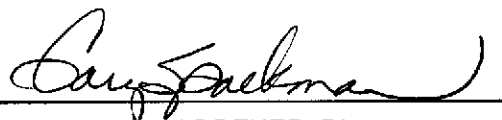
State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 63-31753

8. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 24th day of October, 2003.


KARL J DREHER, Director

MICROFILMED
FEB 24 2004

11/99

RECEIVED

OCT 23 2003

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 28 2003

WATER RESOURCES
WESTERN REGION

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

I, Thomas P. and/or Roberta E. Farmer, hereby assign to JOHN R. BLACKMAN
SHARIE F. BLACKMAN
of, 10505 KUNA RD, KUNA, ID. 83634 (Full Address) 1 (Phone)

All my right, title, and interest in and to Application for Permit No. 63-31753
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Application for
Permit No. _____ to appropriate the public waters of the State of Idaho.

(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this _____ day of _____, 20____.

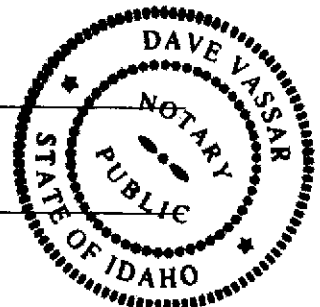
Thomas P. Farmer Roberta E. Farmer
Applicant(s)

State of Idaho)
County of ADA)ss

On this 22 day of AUGUST, 2003, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.

Gabe C.
Notary Public residing at _____

SEAL



My commission expires: 11-10-05

RECEIVED

FEB 24 2004

Ident. No. 63-31753

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Thomas P. & Roberta E. Farmer Phone 362-4866
Mailing address 10505 Kuna Rd. KUNA, ID 83634-2877

2. Source of water supply groundwater which is a tributary of —

3. Location of point of diversion is Township 2N Range 1E Sec. 26, in the — $\frac{1}{4}$,
NW $\frac{1}{4}$, NW $\frac{1}{4}$, Govt. Lot —, B.M., Ada County;

additional points of diversion if any: —

4. Water will be used for the following purposes:

Amount .15 for Irrigation purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
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) .19 and/or (b) —
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source Existing Well, pump & pipelines

b. Height of storage dam — feet; active reservoir capacity — acre-feet; total reservoir capacity — acre-feet

c. Proposed well diameter is 6 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? c 1974; Drilling firm Russell Cowe(?)

Well was drilled for (well owner) Canning; Drilling Permit No. N/A

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

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

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

b. Stockwatering; list number and kind of livestock. —

c. Municipal; show name of municipality. —

d. Domestic; show number of households. ONE

e. Other; describe fully. —

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FEB 24 2004

3. 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	
2N	1E	26						5											5
								0											

Total number of acres to be irrigated 5

10. Describe any other water rights used for the same purposes as described above. NONE

11. 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:

12. Remarks: Property AKA PARCEL #S1426222025. Well drilled for original owner & used for home & irrigation since mid-late 1970s. No well log found by IDWR. No surface water irrigation in this area. 1987 aerial photo ~~shows~~ shows evidence of irrigation. Request permit for development & place by late 1987 re Boise River drainage processing delay ("moratorium"). Water bearing zone from nearby wells (well logs) is 240-300 feet.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" 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.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Thomas R. Jensen
Signature of Applicant (and title, if applicable)

Received by SL Date 8/20/03 Time 8:24 Preliminary check by SL
Fee \$ 100.00 Received by SL # W030849 Date 8/20/03
Publication prepared by SL Date 8-11-03 Published in Idaho Waterman
Publication approved SL Date 9-17-03

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FEB 24 2004

63-8198

c 10509 W. KUNA Rd.

Parcel # S1426222010

PREVIOUSLY LUX,
NOW PAPE

Kuna Road

#19509

PAPE

#10505

FARMER

CLEAR
FIELD
PASTURE

BASE

FISHE

FARMER'S NEW Appl. for
"PRE-87 development"

c 10505 W. Kuna Rd.

Parcel # S1426222025

BASE

102N R04E S26 W04E
1987 AERIAL PHOTO

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63-31953

NOV 24 2001

NO gov't LOTS

ADA COUNTY CONSOLIDATED PROPERTY TAX BILL

ADA COUNTY TREASURER - TAX COLLECTOR FOR TAXING DISTRICTS OF ADA COUNTY
P.O. BOX 2868, BOISE, ID 83701 PH. #(208) 287-6800

COPY TAX BILL

LEGAL DESCRIPTION:

PAR #2025 OF NW4NW4
SEC 26 2N 1E
#9354237

DELINQUENT TAXES

YEAR

PARCEL NUMBER

51426222025

TAX YEAR

CODE AREA

BILL NUMBER

2002

218

54576

MORTGAGE COMPANY REQUESTING YOUR TAX BILL
FIRST NATIONWIDE MORTGAGE

PROPERTY ADDRESS: 10505 W KUNA RD

THIS IS A LISTING OF THE TOTAL AMOUNT YOU PAY EACH TAXING DISTRICT, INCLUDING BONDS, OVERRIDES AND CERTIFICATIONS IF APPLICABLE, PHONE INDIVIDUAL TAXING DISTRICTS WITH QUESTIONS REGARDING TAXES.

% LEVY CHANGE	NAME OF TAXING DISTRICT	TAXING DISTRICT PHONE NUMBER	TAXING DISTRICT TOTAL LEVY AMOUNT	TAX AMOUNT BY TAXING DISTRICT
2.23	SCHOOL DISTRICT #2	855-4500	.003516917	413.21
	SCHOOL #2 BOND	855-4500	.002532849	220.61
69.11	SCHOOL #2 EMERGENC	855-4500	.000485355	42.27
1.03	ADA COUNTY	287-7000	.002743664	238.97
1.03	ADA COUNTY HIGHWAY	387-6120	.001004090	87.46
4.80	ADA LIBRARY	362-0181	.000573873	49.98
1.03	EMERGENCY MEDICAL	375-7048	.000116470	10.14
.70	KUNA CEMETERY	922-5256	.000111767	9.73
1.16	PEST EXTERMINATION	888-2316	.000102588	8.94
2.72	MOSQUITO ABATEMENT	362-1440	.000023810	2.07
	TOTAL LEVY:		.011211383	
	TOTAL TAXES:			1083.38

IF YOU HAVE SOLD THIS PROPERTY, OR A MORTGAGE COMPANY IS RESPONSIBLE FOR PAYING THIS TAX, PLEASE FORWARD THIS BILL IMMEDIATELY.

FOR MORE DETAILED INFORMATION REGARDING TAX LAWS, SEE BACK OF TAX BILL.

TO AVOID LATE CHARGE AND INTEREST, FULL OR FIRST HALF TAXES MUST BE PAID IN PERSON OR BY U.S. POSTMARKED NO LATER THAN:

DEC 20, 2002

IF ANY PORTION OF THE TAX BECOMES DELINQUENT, A 2% LATE CHARGE WILL BE APPLIED. INTEREST ON THE DELINQUENT BALANCE WILL ACCRUE AT 1% PER MONTH, DATING FROM JANUARY 1ST, WHEN PAYING DELINQUENT BALANCES, PLEASE CALL (208) 287-6800 FOR THE CORRECT AMOUNT DUE INCLUDING LATE CHARGE AND INTEREST.

IF YOU HAVE QUESTIONS ABOUT YOUR ASSESSED VALUE, CALL (208) 287-7200.

CURRENT YEAR ASSESSED VALUE

AMOUNT OF HOMEOWNERS' EXEMPT

ADMINISTRATIVE ADJUSTMENT
TOTAL PROPERTY TAX BILLED

1083.38

PREPAYMENTS RECEIVED PRIOR TO BILL PRINTING
CIRCUIT BREAKER (SENIOR CITIZEN) EXEMPTION

TOTAL TAXES DUE

1083.38

DO PAY YOUR PROPERTY TAX WITH A
CREDIT CARD - SEE INSTRUCTIONS ON BACK.



KEEP THIS PORTION
FOR YOUR RECORDS

PLEASE DETACH AND RETURN BOTTOM PART WITH PAYMENT.

PRIOR YEAR VALUE

PRIOR YEAR TAX

CURRENT YEAR VALUE

CURRENT YEAR TAX

THIS IS A COPY BILL

THE ORIGINAL TAX BILL WAS SENT TO YOUR BANK OR MORTGAGE COMPANY AT THEIR REQUEST.

THIS COPY BILL IS FOR YOUR RECORDS. IF FOR ANY REASON YOUR BANK OR MORTGAGE COMPANY WILL NOT BE PAYING THE BILL, YOU MAY PAY USING THIS COPY. PLEASE WRITE THE PARCEL NUMBER ON YOUR CHECK FOR IDENTIFICATION PURPOSES.

FARMER THOMAS PEYTON &
FARMER ROBERTA E
10505 KUNA RD
KUNA ID 83634-2677

MICHAEL LARSEN

DEC 24 2002

68.31753

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

Thomas P. & / or Roberta E. Farmer

Mailing Address

10505 Kuna Rd. ~~Kuna~~

Kuna, ID 83634-2677

Application No.
(if known)

68-31753

IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Thomas P. Farmer

Date

8/20/03

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

MICHAEL GRADE

SEP 2 3 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 11, 2004

JOHN R BLACKMAN
SHARI F BLACKMAN
10505 KUNA RD
KUNA ID 83634

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-31753

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and examination fee submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since proof was submitted after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. The regional office staff will contact you when that examination is to be conducted. At the time the examination is conducted the system must be in operation, otherwise this permit will be of no force nor effect.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Western** Regional Office of the department in Boise (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region (w/encl.)

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FEB 24 2004

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 63-31753

Reviewed By: dgibson

Date: February 10, 2004

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?		X	Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		W030848, C072511	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	02/03/2004
Date proof due	- 02/01/2004
Lapse notice sent	-
No. of days late	= 2
Holiday allowance	+
Priority date	+ 08/20/2003
New priority date	= 08/22/2003

Deficiencies of Actions Items

Acknowledge proof. Reinstate permit and advance priority to 8/22/2003.

November 30, 2003

JOHN R BLACKMAN
SHARI F BLACKMAN
10505 KUNA RD
KUNA, ID 83634

PROOF DUE NOTICE

RE: PERMIT NO. 63-31753

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

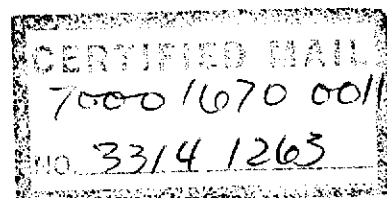
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures



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FEB 24 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 27, 2003

JOHN R BLACKMAN
SHARI F BLACKMAN
10505 KUNA RD
KUNA ID 83634

RE: Permit No. 63-31753

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

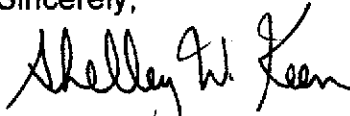
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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SEP 24 2004

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being more prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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FEB 24 2004

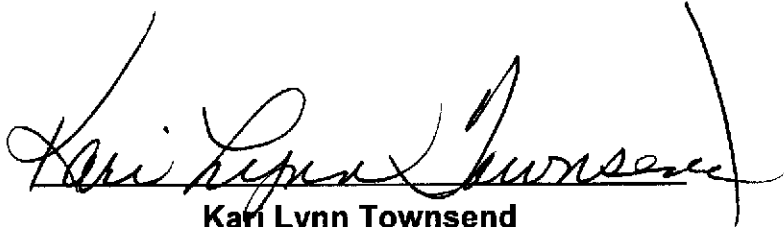
CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

63-31753

**JOHN R BLACKMAN
SHARI F BLACKMAN
10505 KUNA RD
KUNA ID 83634**



**Karl Lynn Townsend
Secretary**

**MICROFILMED
FEB 24 2004**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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. 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 Idaho Water Resource Board (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).

MICROFILMED
FEB 24 2004

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 issuance 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.

Comment Report

63-31753

1. slester 8/20/2003 9:27:25 AM Special Administration Area Notes

Comment: Special Administration Areas : Basin 63

Exempt: Y

Reason:

Doc Attached: Y

Explanation: 8-19-03 memo details pre-1987 use

2. slester 8/20/2003 Legal Notice Remarks

Comment: Water bearing zone to be appropriated is from 240 to 300 feet for development completed by November 1987.

Applicant agrees to mitigate consumptive use in the future as needed.

3. kwalker 10/24/2003 Permit Review

Comment: This application is for a pre-1987 development so I have recommended only a 90 period in which to submit proof of beneficial use. The pre-1987 use has been documented in the file by regional staff.

MICHAEL
OCT 24 2003

RECEIVED

OCT 23 2003

Form No 202a
April 2003

Department of Water Resources
IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by JZ Date 8/20/03 Application # 63-31753

REQUIRED INFORMATION

JZ Assignment data entered 9/2/03. Assumed "1/2" name correction since subject on the assignment. -JZ

☒ Name (for corporation or partnership, names & addresses for director, officers, &/or other partners must be included)

☒ Address

☒ Source (see USGS quad for source names)

☒ P/D (10 acres for spring, lot & block descriptions for subdivisions, local name)

☒ County

☒ Quantity (flow & /or volume)

☒ Period of use

☒ Nature of use (list details in appl. Item 8 if non-irrigation)

☒ Description of diverting works

☒ Time required for beneficial use of water

☒ P/U

☒ Map (show T, R, S, QQ &/OR QQQ)

☒ Subdivision plat (if > 1 home restricted area ≥ 5 homes non-restricted area)

☒ Signature (if corporation, partnership, municipality, need title of signatory)

☒ Correct fee paid

Government Lots
☒ P/D
☒ P/U

ADDITIONAL INFORMATION

Yes **ADVERTISE REMARKS (Yes or No)**

YES NO

☒ ☒ P/D overlap (explain) } NONE for this property. 63-8198 covers adjacent well & property.

☒ ☒ P/U overlap (explain) }

☒ ☒ Critical groundwater area (send letter)

☒ ☒ Ground water management area (send letter)

☒ ☒ Drilling concern area (send letter)

☒ ☒ 1992 moratorium (send letter) - Exempt & pre 1987 development

☒ ☒ Surface water source, IDFG comment letter

☒ ☒ Protected river or minimum flow reach, notify water planning bureau

☒ ☒ E-mail to Dam Safety staff (if any storage)

☒ ☒ Mitigation plan: "request to process form" in file:

☒ ☒ N/A Immediate = closed areas, acceptable plan required & submitted

☒ ☒ Future = open areas, plan not required

☒ ☒ Send power requirement letter &/or fish farm requirement letter

☒ ☒ Power residency affidavit

☒ ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach large diversion supplementary analysis sheet)

☒ ☒ REQUEST ADDITIONAL INFORMATION FROM APPLICANT

Date Requested _____ Date Response Received _____

PROCESSING

APPLICATION # 83-31753

YES NO

☒ ☐ In form for advertising
☒ ☐ Statewide advertising (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number, & date recorded on application

COMMENT LETTERS

YES NO

☐ ☒ IDEQ
☐ ☒ District Health
☐ ☒ IDFG
☐ ☒ IDL

YES NO

☐ ☒ US BLM
☐ ☒ US Forest Service
☐ ☒ Water Dist #
☐ ☒ Water Planning Bureau
☐ ☒ Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐ Affidavit of publication received
☒ ☐ Application published correctly? If not, record action taken

☒ ☐ Publication dates & paper recorded on application
☐ ☐ Final date for protest 9-22-03
☐ ☒ Protests received
☐ ☒ Recommendations attached
☐ ☒ Measuring device required
☐ ☒ Water delivered by water master? District #
☒ ☐ Special conditions of approval or cover letter

std. conditions, future mitigation possible, no development beyond that recognized
in 1987, can require meas/report in the future, parcel id #, w.b. zone
id, allow 1 year.

Recommended Date of Priority 8-20-2003

Recommendation ☒ Approve ☐ Deny by AL Lester Date 10/21/03

ADDITIONAL INFORMATION

☒ See attached proof report, note Legal Notice Remarks &/or Comments

☒ Shapefile completed (optional: attach with proof report)

CAN process - pre 1987 system. See 8.19-03 memo &
Application remarks. Assuming no protests, appl. can be
approval based on file details.

Water Application Report 63-31753

WATER RIGHT NUMBER: 63-31753

Current Owner **ROBERTA E FARMER**
10505 KUNA RD
KUNA, ID 83634-2677
(208)362-4866

✓ D'BASE updated to
BLACKMAN
9/2/03

Status: Active

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.150 CFS	
DOMESTIC	01/01 to 12/31	0.040 CFS	
	Total Diversion:	0.190 CFS	

ADA County

NW1/4NW1/4

Sec. 26, Twp 02N, Rge 01E, B.M.

IRRIGATION

[illegible]

DOMESTIC

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report 63-31753

Conditions of Approval:Remarks:Comments:

1. slester 8/20/2003 9:27:25 AM Special Administration Area Notes

Comment: Special Administration Areas : Basin 63

Exempt: Y

Reason:

Doc Attached: Y

Explanation: **8-19-03 memo details pre-1987 use**

2. slester 8/20/2003 Legal Notice Remarks

Comment: **Water bearing zone to be appropriated is from 240 to 300 feet for development completed by November 1987.**

Applicant agrees to mitigate consumptive use in the future as needed.

Dates and Other Information:

Application Received Date: 8/20/2003

Application Denied Date:

Last Date of Beneficial Use:

Extension End Date:

Protest Deadline Date:

Number of Protests: 0

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector: AND/OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Application Type: New Appropriation

Applicant Remarks: **Property aka Parcel # S1426222025. Well drilled for original owner and used for home and irrigation since mid-late 1970s. No well log found by IDWR. No surface water irrigation in this area. 1987 aerial photo shows evidence of irrigation. Request permit for development in place by late 1987 re Boise River drainage processing delay. Water bearing zone to be appropriated is from 240 to 300 feet.**

Other Water Rights: none

Time to Complete Works: 1

Transfer Affected Description:

Transfer Affected Contracts:

Old Transfer Number:

Transfer Reason:

Transfer Return Flows:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

The Idaho Statesman

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount
047628	944458	APPLICATION FOR PERMIT	\$124.68
Attention:		P.O. #	Run Dates
SUE TAYLOR			SEPTEMBER 4, 11, 2003
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WY. BOISE, ID 83705			Number of Lines 2 X 39
RECEIVED SEP 15 2003 WATER RESOURCES WESTERN REGION			Affidavit
			Legal # 17341

LEGAL NOTICE

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

63-31753

THOMAS P FARMER
10505 KUNA RD
KUNA ID 83634-2677
ROBERTA E FARMER
10505 KUNA RD
KUNA ID 83634-2677

Point(s) of Diversion NWNW S26 T02N R01E ADA County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.15 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.19 CFS

Date Filed: 08/20/2006
Place Of Use: IRRIGATION
T02N R01E S26 NWNW
Number of Acres 5
Place Of Use: DOMESTIC
T02N R01E S26 NWNW

Remark: Water bearing zone to be appropriated is from 240 to 300 feet for development completed by November 1987.

Applicant agrees to mitigate consumptive use in the future as needed.
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 09/22/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub. Sept. 4, 11, 2003

17341

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended, for:

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning issue of: SEPTEMBER 4, 2003

ending issue of: SEPTEMBER 11, 2003

Janice Hildreth

STATE OF IDAHO)

.ss

COUNTY OF ADA)

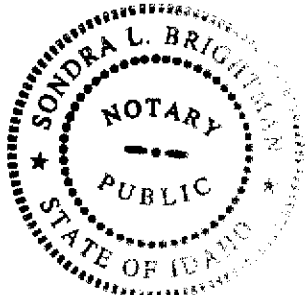
On this 11 day of SEPTEMBER in the year of 2003 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Sondra L. Brightman

Notary Public for Idaho

Residing at: Boise, Idaho

My Commission expires: 6/20/06



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FEB 24 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 2, 2003

JOHN &/OR SHARI BLACKMAN
10505 KUNA RD
KUNA ID 83634

Re: Application for Permit No. 63-31753

Dear Mr. and Mrs. Blackman:

This office recently received an assignment of the above referenced application from the Farmers to you. The application covers an existing well for domestic use and irrigation of up to five acres at the above address. The application seeks recognition of existing development.

Assuming no protests against the application are filed or that other complications do not occur in processing the application, you can expect to be informed of the outcome of this process around late October 2003.

Please contact me at 334-2190 if you have any questions in this matter.

Sincerely,

Steve Lester
Water Rights Supervisor

MICROFILMED
FEB 24 2004

MEMORANDUM

TO: File

FROM: Steve Lester 

DATE: August 19, 2003

RE: Ownership and P/U for SRBA Claim 63-8198

Loux established license 63-8198 in T2N R1E S26 NWNW. The license covered a well for a home and irrigation of 4.5 acres. Current IDWR records show this is the only irrigation filing in the tract. The land is outside of any surface water irrigation delivery service area.

Loux filed a SRBA claim on the right in 1989 but only claimed the domestic use for a home apparently at 10509 Kuna Road. Irrigation use was deliberately not claimed by Loux. An IDWR contractor handled the resulting domestic claim. The contractor determined the parcel number for the home based on the file information available to IDWR and the assessor's office. Parcel no. S1426222010 was added to the claim record.

The claim was recommended for a single home at 10509 Kuna Road owned by Loux. The claimant objected to the IDWR recommendation in 1999, apparently having second thoughts about deleting the irrigation use. Loux amended the claim in 1999 to restore irrigation to the record and to allow the filing to be considered during the Basin 63 Part II report. The above parcel number remained associated with the claim. Somewhere along the line Loux sold the property to Pape, the current owner. Pape has not filed an ownership change with IDWR.

Tom Farmer at 10505 Kuna Road owns the parcel immediately to the east of the Pape parcel. Farmer visited the office to discuss water used on his land. He has used his well for his home and about 5 acres of irrigation. He thought 63-8198 covered his irrigation use. Farmer is selling his property. The possible buyer needs to know if irrigation is legally associated with the Farmer parcel.

Today I met with Farmer, the buyer and Loux. Loux told me 63-8198 serves the property currently owned by Pape but does not cover any of Farmer's land. Loux stated the Farmer well was drilled by Russell Cowe for Canning around 1974. I cannot locate a well log for the Canning/Farmer well. Farmer does not have a water right to irrigate his property. Farmer should file an application for permit for a pre-November 1987 use that can be recognized under the present "Basin 63 moratorium." This assumes no protests or other complicating factors are found in processing an application for permit.

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FEB 24 2004

63-81753 

* The attached photo portrays this tale. The information is offered to support SRBA claim 63-8198 and an application for permit to be filed by Farmer and then assigned to the buyer if the sale occurs.

One can reasonably conclude 63-8198 covers the site previously owned by Loux and now owned by Pape. I was told Pape is selling his property. **IDWR should send an ownership change form to Pape to help update ownership of the claim.**

← SRBA staff will follow up this

IDWR should process an application for permit to be filed by Farmer without delay to assist him and the buyer as they continue the real estate transaction.

* See Application map

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FEB 24 2004

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

August 27, 2003

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit Nos. 63-31752 and 63-31753

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 09/22/2003. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

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SEP 24 2003

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

63-31753

THOMAS P FARMER
10505 KUNA RD
KUNA ID 83634-2677
ROBERTA E FARMER
10505 KUNA RD
KUNA ID 83634-2677

Point(s) of Diversion NWNW S26 T02N R01E ADA County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.15 CFS

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.19 CFS

Date Filed: 08/20/2003

Place Of Use: IRRIGATION

T02N R01E S26 NWNW

Number of Acres 5

Place Of Use: DOMESTIC

T02N R01E S26 NWNW

Remark: Water bearing zone to be appropriated is from 240 to 300 feet for development completed by November 1987.
Applicant agrees to mitigate consumptive use in the future as needed.

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 09/22/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Idaho Statesman on September 4 and 11, 2003.

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FEB 24 2004