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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66108

This is to certify that: JON M AGEE
15603 RIVERSIDE RD
CALDWELL ID 83607

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
63-3597P	AJC/License	04/13/1967	2.26 cfs	1095.5 af	271.0	271.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

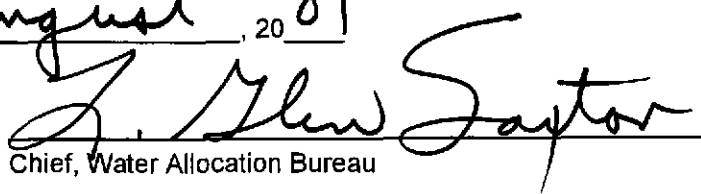
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-3597P	YES	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-3597P	63-31288	0.08 cfs	41.3 af	10.0	10.0	63-31287	2.18 cfs	1124.2 af	261.0	261.0
TOTALS		0.08 cfs	41.3 af	10.0	10.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of August, 2001


Chief, Water Allocation Bureau

MICROFILMED

SEP 13 2001

WATER RIGHT NO. 63-31287

As Modified by Transfer No. 66108

In accordance with the approval of Transfer No. 66108, Water Right No. 63-31287 is now described as follows.

Right Holder: RUBY C VICTOR
 WILFORD NOLAN VICTOR
 RODNEY KENT MONTIERTH
 GOLDA D MONTIERTH
 EDWARD MONTIERTH
 SUSAN L MONTIERTH
 H R MONTIERTH
 KATHI L MEYERS
 ROBERT J MEYERS
 1528 ADDISON AVE E
 TWIN FALLS ID 83301

Priority Date: 04/13/1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	2.18 CFS	1,124.2 AF
			2.18 CFS	1,124.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SESW	Sec. 14 Twp 02N	Rge 03W CANYON County
GROUND WATER	SENW	Sec. 10 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 11 Twp 02N	Rge 03W CANYON 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 03W 10			16.0										21.0	40.0	29.0	37.0	143.0
02N 03W 15					39.0		39.0	40.0									118.0

Total Acres: 261

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SEP 19 2001

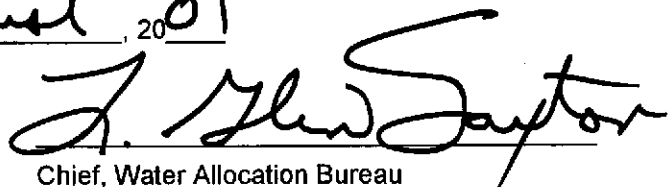
WATER RIGHT NO. 63-31287
As Modified by Transfer No. 66108

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
4. Approval of Transfer 66108 is not a confirmation of the validity of this water right and does not preclude the opportunity for review in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 29th day of August, 2001


Chief, Water Allocation Bureau

MICROFILMED

SEP 13 2001

WATER RIGHT NO. 63-31288
As Modified by Transfer No. 66108

In accordance with the approval of Transfer No. 66108, Water Right No. 63-31288 is now described as follows.

Right Holder: JON M AGEE
 15603 RIVERSIDE RD
 CALDWELL ID 83607

And

RICHARD E AGEE
 109 LOCKES MOUNTAIN RD
 DURANGO CO 81301

Priority Date: 04/13/1967

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.08 CFS	41.3 AF
			0.08 CFS	41.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSE Sec. 10 Twp 02N Rge 03W CANYON 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 03W 10															10.0		10.0

Total Acres: 10

CONDITIONS OF APPROVAL

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 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

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SEP 13 2001

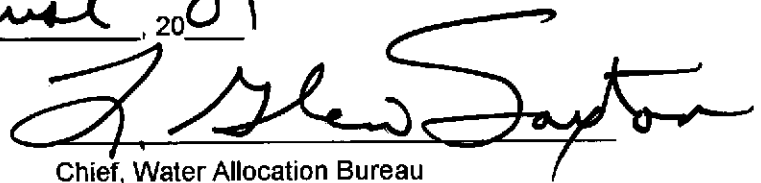
WATER RIGHT NO. 63-31288
As Modified by Transfer No. 66108

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 29th day of August, 2001


Chief, Water Allocation Bureau

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SEP 18 2001

MEMORANDUM

RECEIVED

JAN 13 2003

Department of Water Resources

TO: File

FROM: Steve Lester 

DATE: January 10, 2003

RE: Well Drilling for 63-31288

New owner of record Karrie Danielson (455-1547) called on 1/8/03 with questions about drilling a new well authorized for use in Transfer 66108. The transfer split AJ Claim 63-3597P into 63-31287 for another owner and 63-31288 for Agee, succeeded by Danielson with an ownership change recorded with IDWR.

The questions included:

1. Do Danielsons need to seek additional time to complete changes authorized by the transfer since the one year period (condition of approval) expired last August?
2. Is 63-31288 at risk of being forfeited at this time?
3. Can Danielsons use a new irrigation well drilled for 63-31288 to also serve their home?

Researched and discussed with SO 1/9/03 and provided this voice mail reply to Danielson today:

1. Per consensus with SO, do not need to seek approval of more time to complete the transfer changes. File and seek approval of a \$200 drilling permit to construct the irrigation well.
2. Per consensus with SO, the right most likely is not subject to forfeiture since the AJ claim covering the right was originally filed in 1989, tolling forfeiture after that date (new policy October 2002). Acceptable to resume irrigation use under this right after drilling the new well.
3. Did not discuss with SO the inclusion of single-family use with a new irrigation well but left this voice mail message today for Danielson: "gray area" in 42-111 about using a well for a use under an approved water right plus using the same well for an exempted use, probably not something envisioned by the statute. Probably okay but safest and perhaps more economical route is to install a separate domestic pump in the same well (Danielson probably leaning that way per 1/9 conversation). Separate pumps in the same well have been treated as separate systems by IDWR in many cases. This would allow use for irrigation under 63-31288 and for the home under 42-111. Drilling permit fee would remain at \$200. Advised owner to obtain drilling permit application via the Internet or by contacting an IDWR office.



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

September 4, 2002

Jeff Danielson
Karrie Danielson
15166 Horseshoe Drive
Caldwell ID 83607

Re: Water Right No. 63-31288

This letter is in response to your correspondence to me dated August 28, 2002. I have reviewed your water right and find that the department issued a transfer on August 29, 2001 to Jon Agee that created water right 63-31288. You bought the property and our records show you are the current owners of this right. One of the conditions of this transfer was that the change approved by the transfer was to be completed within one year from the date the transfer was issued, which according to our records was August 29, 2001. That condition is designed as an early warning, in order that development of this right be completed in a timely manner to avoid forfeiture of the water right. Since no application of water from this water right for five years or more will subject the right to forfeiture, I suggest you check with Mr. Agee to find out how long the 10 acres have not been irrigated, to determine a deadline for resumption of use of this water right.

According to Idaho Statute you must obtain a drilling permit issued by the department before a well can be drilled. The well driller you hire can obtain the drilling permit for you.

If you have any questions you may contact me at 327-7955.

Sincerely,

L. Glen Saxton, P.E.
Bureau Chief
Water Allocation Bureau

C: Western Region

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SEP 9 2003

RECEIVED

AUG 30 2002

JEFF AND KARRIE DANIELSON

Department of Water Resources

15166 Horseshoe Drive
Caldwell, ID 83607

208-455-1547

August 28, 2002

Glen Saxton
1301 N. Orchard
Boise, ID 83706

Dear Mr. Saxton,

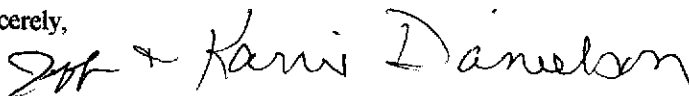
This letter is written in response to advice we received from John at the IDWR. He suggested that we write you a letter to explain why we have not yet drilled a well on our property, 10 acres located on Lewis Lane in Nampa, Idaho (water right no. 63-31288).

The former owner, Jon Agee, obtained approval of a water right transfer on August 28th, 2001. We subsequently purchased the property on September 28th, 2001. We then had the water right transferred to us through a change of ownership application on June 18, 2002.

Thus, that brings us to today August 29, 2002. As of now, we have not obtained a drilling permit, but intend to by next summer or sooner. The sale of our current home fell through and has delayed our building plans which include drilling a well. We are waiting for our current home to sell in order for us to proceed with building a new home on Lewis Lane.

Please extend time for us to obtain a drilling permit so that we will not forfeit our water right. Please call us if you have any further questions.

Sincerely,



Jeff and Karrie Danielson

MICROFILMED

AUG 17 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31288

WATER RIGHT NUMBER: 63-31288

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BRYCE MILLAR RT 7 BOX 7380 NAMPA, ID 83651
Original Owner	JON M AGEE 15603 RIVERSIDE RD CALDWELL, ID 83607
Original Owner	RICHARD E AGEE 109 LOCKES MOUNTAIN RD DURANGO, CO 81301
<u>Current Owner</u>	KARRIE L DANIELSON 15166 HORSESHOE DR CALDWELL, ID 83607 (208)455-1547
<u>Current Owner</u>	JEFFREY J DANIELSON 15166 HORSESHOE DR CALDWELL, ID 83607 (208)455-1547

Priority Date: 04/13/1967

Basis: License

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.080 CFS	41.30 AF
	<u>Total Diversion:</u>	0.080 CFS	41.30 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 10, Twp 02N, Rge 03W, B.M.
CANYON 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	03W	10															10.0		10.0

Total Acres: 408

Conditions of Approval:

MICROFILMED
MAR 17 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31288

1. 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T09 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. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Remarks:

1. General THIS CLAIM IS THE RESULT OF A SPLIT OF 63-3597P PER TRANSFER 66108 APPROVED 8/29/01.
2. General OWNERSHIP CHANGED 6/18/02. LH

Comments:

1. SCURTIS 11/1/1995 TRANSFER 4639
Comment: Trans. #4639 was filed to add a point of diversion under a portion of Right 63-03597C, splitting it into parts E & F.
2. PSKAGGS 11/10/1998 TRANSFER 5270
Comment: Transfer 5270 changes the point of diversion under a portion of Right 63-03597E, splitting the right into Parts G & H.

Dates and Other Information:

Claim Received Date: 6/18/2002
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
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Verification Log:

Element	Date Time Stamp	Reviewer	Log text
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MICROFILMED

4/21/2001

MEMORANDUM

TO: FILE 63-31288
FROM: VAULT
RE: TRANSFER # 66108
DATE: 8.30.01

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 63-3597P

**MICROFILMED
SEP 19 2001**