

An aerial photograph of a landscape, possibly a coastal or wetland area, with a grid overlay. The image is oriented vertically. Two punch holes are visible at the top edge. A yellow label with the text "1987 Photo" is located on the right side. A red stamp with the text "MICROFILMED SEP 23 2002" is located in the lower right quadrant. A large, stylized black logo is at the bottom center.

1987 Photo

MICROFILMED

SEP 23 2002





2000 Photo

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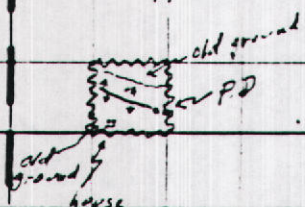
To Boise →

Meridian

T3N. R. 1E.B.M.

To
Hanna
→

19



28 acres = primary water

12 " = supplemental

$Q = .8 \text{ cfs}$

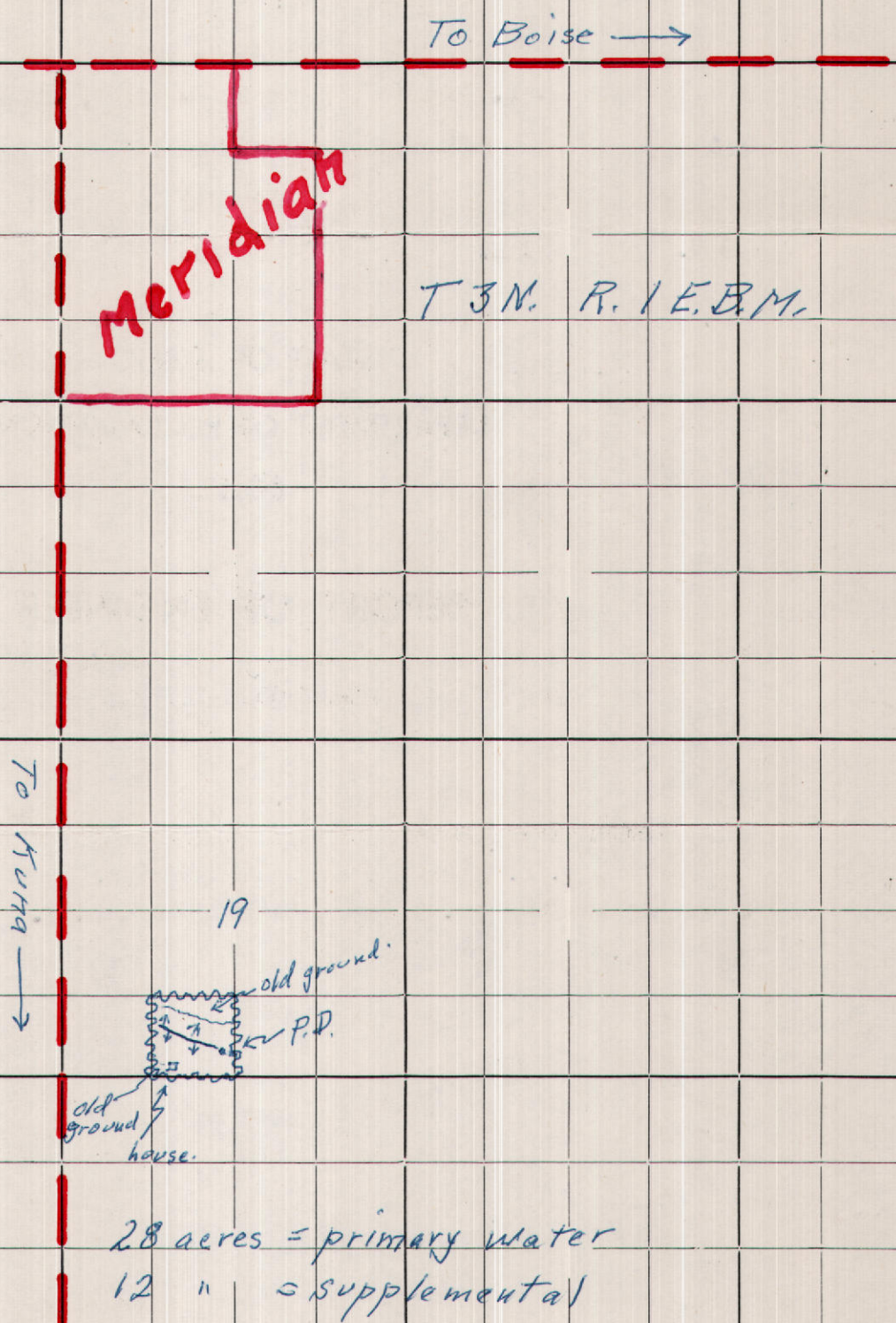
$T = \text{Not taken}$

No test run

should be able to pump more than 40 ft

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SEP 23 2002



$Q = .8 \text{ cfs.}$

$T = \text{Not taken.}$

No test run

Should be able to pump more than 40 ~~frack~~

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-22798

REPORT ON PROOF OF Completion of works & Beneficial Use

R. L. JOHNSTON, Route 2, Meridian, Idaho

• 8 cfs
smak

app 0.8 cfs

40 acres

28a. primary

col. 70' x 6"

6" boulders 3 stage

NAME OF APPLICANT R.L. Johnston,

Form No. 0

T. 3 N., R. 1 E

19



Point of Diversion

Permit Map No. 22798
As Approved
MAY 23 1952
MARK R. KULP
State Reclamation Engineer

63-2902

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 30526
Permit No. G- 22798
District No.

1. Name of Applicant: R. L. JOHNSTON
Postoffice address: Rt. 2, Meridian County: Ada State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second. 0.8 or Idaho
Miners' inches 40 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean from a well
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 19
Twp. 3 N. , Rge. 1 E. , B.M., County of Ada
5. Water is to be used for: Irrigation and domestic purposes
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, pump and ditches
8. Estimated cost of works: \$ 3,500.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Two (2) years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: $15\frac{1}{4}$ inches in Nampa-Meridian
Irrigation District
 - (a) $15\frac{1}{4}$ (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) $24\frac{3}{4}$ (cubic feet per second, inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

Applicant.

Bv

Agent.

Returned to applicant for correction:

Corrected application received:

The number of this permit is G-22798 -

Recorded in Book 81 Page 22798 Approved May 23, 1952

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before July 23, 1952

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before May 23, 1953

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before May 23, 1954

Witness my hand this 23rd day of May, 1952

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 23rd
day of May, 1952.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS
Secretary of State.

By LEN JORDAN
Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
3 N.	1 E.	19																	
LICENSE ISSUED FOR <u>0.8</u> SEC. FT. LICENSE PAGE NO. <u> </u>																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69598

This is to certify that: VICTORY 41 LLC
6874 FAIRVIEW AVE
BOISE ID 83704
(208) 761-0120

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>
63-2902	AJC/License	09/23/1954	0.8 cfs	180.6 af	40.0	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>
63-2902	NO	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>
63-2902	63-2902	0.80 cfs	180 af	N/A	40.0		N/A	N/A	N/A	N/A
TOTALS		0.80 cfs	180 af	N/A	40.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of September, 2002


Chief, Water Allocation Bureau

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SEP 23 2002

WATER RIGHT NO. 63-2902
As Modified by Transfer No. 69598

In accordance with the approval of Transfer No. 69598, Water Right No. 63-2902 is now described as follows.

Right Holder: VICTORY 41 LLC
 6874 FAIRVIEW AVE
 BOISE ID 83704

Priority Date: 09/23/1954

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	0.80 CFS	180.0 AF
			0.80 CFS	180.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSESW Sec. 19 Twp 03N Rge 01E ADA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
03N	01E	19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	40.0
																			40.0

Total Acres: 40

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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 right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
4. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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 SEP 23 2007

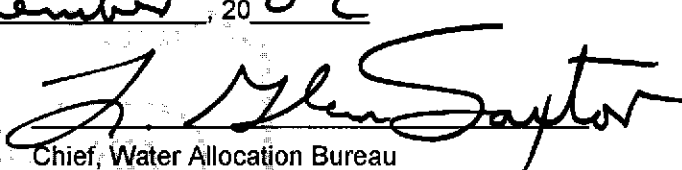
WATER RIGHT NO. 63-2902
As Modified by Transfer No. 69598

CONDITIONS OF APPROVAL

5. 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.
6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right 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 3rd day of September, 2002


Chief, Water Allocation Bureau

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SEP 23 2002

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APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

OCT 19 2001

Name of Applicant Victory 41, LLS Phone 761-0120 Department of Water Resources

Post Office address 6874 FAIRVIEW AVE BOISE ID 83704

SM agree to the following
application changes.
12/12/01 Date.

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other

RECEIVED

2. Describe the reason for the proposed changes Existing well site is being developed into a lot.

FEB 25 2002

Department of Water Resources

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
63-2902	9/23/1954	0.80 cfs/180.0 AFA	Irrigation	3/15 to 11/15
				to
				to
				to

2. Total amount of water being transferred 0.80 cubic feet per second and/or 180 acre-feet per annum.

3. Source of water Groundwater tributary to N/A

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	SE	SW	19	3N	1E	Ada	

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	1E	19												40					

MICROFILMED

SEP 23 2002

Total Acres 40

69598

PART 1

6. General Information:

- a. Description of diversion system 8' Well
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The irrigation of the land will serve residential lots instead of farm land.
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____

For the Director **MICROFILMED**

SEP 23 2002

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT NUMBER: 63-2902

Priority Date: 09/23/1954
Basis: License
Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.800 CFS	180.00 AF
DOMESTIC	1/01 to 12/31	0.020 CFS	0.60 AF
	Total Diversion:	0.800 CFS	180.60 AF

GROUND WATER **SE1/4SW1/4** **Sec. 19, Twp 03N, Rge 01E, B.M.**

ADA County

IRRIGATION Within ADA County
T03N R01E S19 SESW 40.0
Total Acres: 40

Conditions of Approval:

Comments:

Dates and Other Information:

MICROFILMED
SEP 23 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2902

Dates and Other Information:

Licensed Date: 8/28/1979
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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SEP 23 2002

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED N/A*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) N/A

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

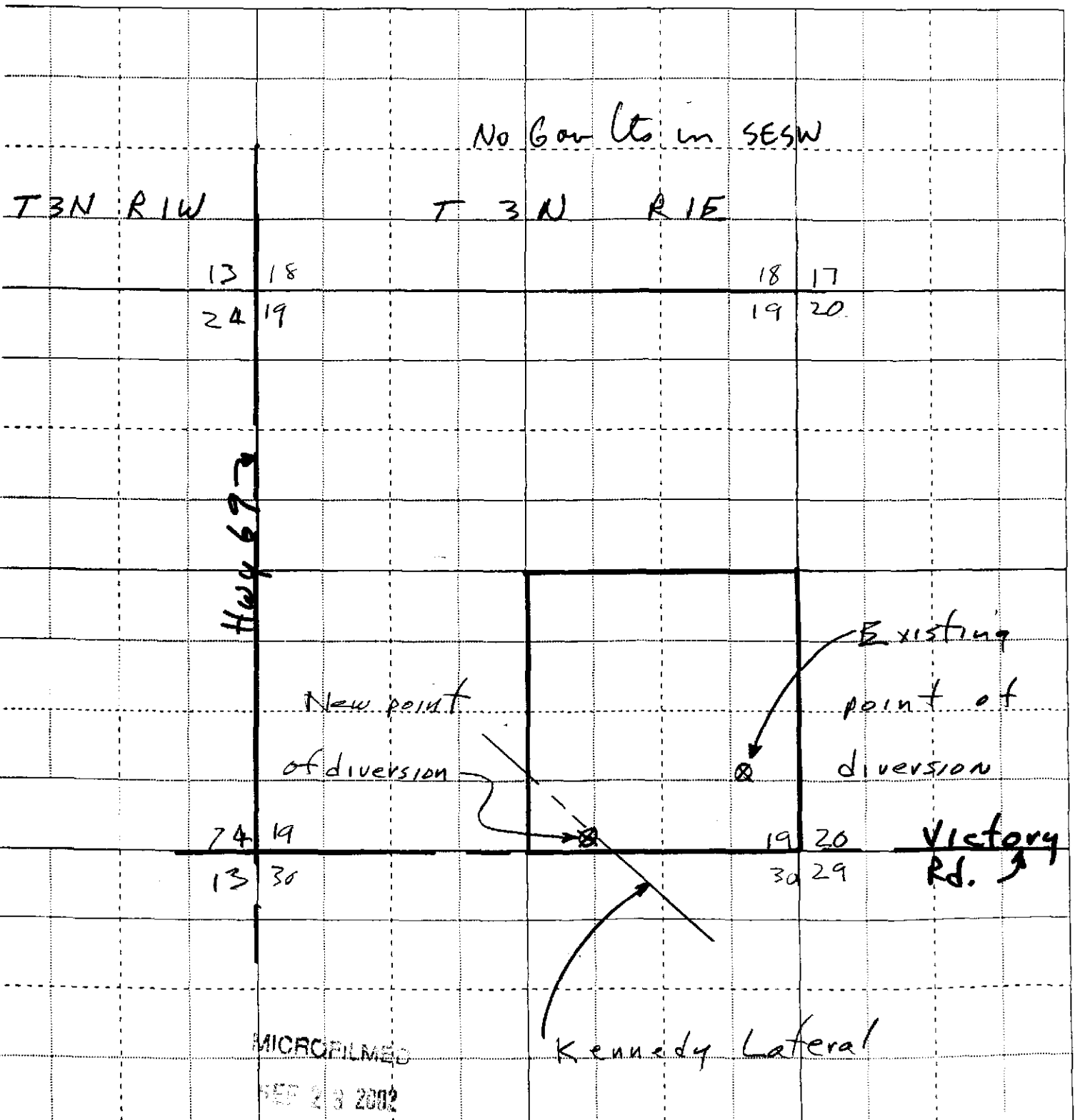
MICROFILMED
SEP 23 2002

Total Acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE N/A

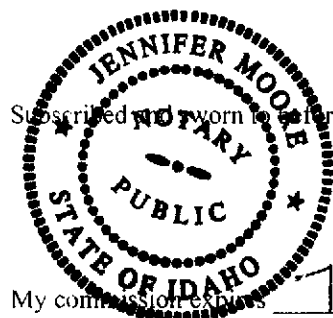
1.	New Nature of Use	Amount(cfs/af-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge: _____

3. Describe effects on other water uses resulting from the proposed change: _____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



[Signature]

(Signature of Applicant)

Subscribed and sworn to before me this

12TH

day of

OCTOBER, 20 01

[Signature]

(Notary Public)

OFFICERS: *Mike Caven*
Jerry Caven

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachmentsReceived by *J. M...*Date 10-19-01

Protest filed by _____

Prelim. Check by *Ly*Fee \$250.006057203Receipted by *J. M...*Date 10-19-01Published in *Id Statesman*

Copies of protest forwarded by _____

Pub. Dates 1-17+24-02

Hearing held by _____ Date _____

Watermaster recommendations requested on _____

Recommended for ☐ approval ☐ denial

MICROFILMED

by _____

Copy of transfer sent to lien holder SEP 23 2002

93108988

1653000890

ADA CO. RECORDER
J. DAVID HAYLERO
BOISE ID

BOISE TITLE & ESCROW

WARRANTY DEED

'93 DEC 22 PM 12 15

FOR VALUE RECEIVED DEAN E. PETERSON and BEVERLY KAY PETERSON, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto THE VICTORY, LIMITED LIABILITY COMPANY, an Idaho limited liability company, the Grantee, whose current address is 6874 Fairview Avenue, Boise, Idaho, 83704, the following described premises located in Ada County, State of Idaho, to-wit:

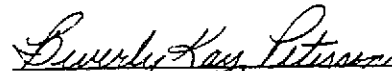
See attached Exhibit "A" which exhibit is incorporated herein by reference as if set forth in full.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title, and interest in and to the property, as well in law as in equity, of the Grantors.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever, and the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and Grantors further covenant and agree that they will warrant and defend the same from all lawful claims whatsoever except as set forth above.

DATED this 20th day of December, 1993.


Dean E. Peterson


Beverly Kay Peterson

WARRANTY DEED - 1

MICROFILMED

SEP 23 2002

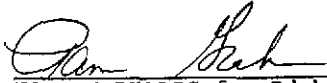
ATTACHMENT A1

1653000891

STATE OF IDAHO)
) ss.
County of Ada)

On this 20th day of December, 1993, before me,
the undersigned, a Notary Public in and for said State,
personally appeared DEAN E. PETERSON and BEVERLY KAY PETERSON,
known to me to be the persons whose names are subscribed to the
within and foregoing instrument and acknowledged to me that they
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year first above written.


NOTARY PUBLIC for Idaho
Residing at Bow
My Commission Expires: 9/13/97

WARRANTY DEED - 2

MICROFILMED

SEP 23 2002

AZ

1653000892

SEE EXHIBIT "A"

The Southeast quarter of the Southwest quarter of Section 19, Township 3 North, Range 1 East of the Boise Meridian, in Ada County, State of Idaho.

EXCEPT Ditch and Road Rights-of-Way.

EXCEPTING THEREFROM:

A parcel of land located in the Southeast quarter of the Southwest quarter of Section 19, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the South quarter corner of said Section 19; from which the Southwest corner of said Section 19 bears

South 89°42'45" West, 2450.72 feet; thence
North 00°34'26" East along the North-South Mid-Section line a distance of 288.17 feet to a point, said point being the REAL POINT OF BEGINNING; thence continuing
North 00°34'26" East, 213.17 feet to a point; thence
North 81°38'29" West, 131.54 feet to a point; thence
South 5°22'48" West, 204.24 feet to a point; thence
South 78°52'21" East, 149.98 feet to the POINT OF BEGINNING.

EXCEPT Ditch and Road Rights-of-Way

MICROFILMED

SEP 23 2002

BRIGGS ENGINEERING, Inc.

ENGINEERS / PLANNERS / SURVEYORS

1800 West Overland Road
Boise, Idaho 83705 - 3142
Voice (208) 344-9700
Fax (208) 345-2950
stanm@briggs-engineering.com
www.briggs-engineering.com

RECEIVED

OCT 22 2001

WATER RESOURCES
WESTERN REGION

October 10, 2001

Idaho Department of Water Resources
1301 N. Orchard Street
Boise, Idaho 83706

Re: Application for Transfer of Water Right

Enclosed for processing are the following:

1. Application for Transfer of Water Right.
2. Warrantee Deed for the property.
3. Check for \$250.00.
4. Application for Well Drilling Permit.

Please call me if you have any questions.

Sincerely,

BRIGGS ENGINEERING, Inc.

Stan McHutchison

Stan McHutchison, P. E.
Project Manager

SLM:fc

RECEIVED

OCT 19 2001

Idaho Department of Water Resources

MICROFILMED

SEP 23 2002

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 22798/63-2902 Priority Sept. 23, 1954 Amount 0.8 cfs

THIS IS TO CERTIFY, that R. L. JOHNSTON
of Meridian, Idaho, has complied with the terms and conditions of Permit
No. 22798/63-2902 issued pursuant to Application for Permit dated May 19, 1952,
and has submitted proof to the Department of Water Administration on Sept. 27, 1954,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.8 cfs, and that the water has in fact been applied to a
beneficial use: a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.8 for irrigation from Mar. 15 to Nov. 15 (both dates inclusive)

Amount 0.02 for domestic from Jan. 1 to Dec. 31 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.8 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE¹/₄SW¹/₄ Sec. 19, Twp. 3 N, Rge. 1 E, B.M.

in the county of Ada; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 180 acre feet per year or _____

4.5 acre feet per acre, for irrigation purposes and 0.6 acre feet per year
for domestic purposes, with the total amount not to exceed 180.6
Description and location of place of use: acre feet per year.

TWP.	RANGE	SEC.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
3 N	1 E	19											40						40
Domestic Use:																			
3 N	1 E	19											X						

Total number of acres irrigated 40

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9 day of
November, 19 71.


Director

63 2902



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 6, 2002

VICTORY 41 LLC
6874 FAIRVIEW AVE
BOISE ID 83704

RE: Transfer No.: 69598 - Water Right 63-2902 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) 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 the APPLICANT 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.

ANY PERSON aggrieved by any decision, determination, order or action 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 Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

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.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Samuel S. Skaggs
for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

MICROFILMED

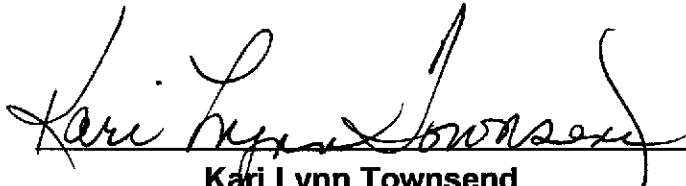
SEP 23 2002

CERTIFICATE OF SERVICE

I hereby certify that on September 6, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69598 - WATER RIGHT 63-2902

**VICTORY 41 LLC
6874 FAIRVIEW AVE
BOISE ID 83704**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
SEP 23 2002**

**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).

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.

TRANSFER REVIEW SHEET

Trans # 69598

Date Reviewed 9/2/02 LG

Right No(s). * 63-2902

Split? Y N Y N Y N Y N Y N Y N

AREA OF CONCERN: No/Yes N

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d Change use period Change p/u
Add p/d Change nature of use

RightID's of From & To records correct? Y N (resolve with State Office personnel)

Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U Lien Holder Release

GROUNDWATER:

DRILLING PERMIT

All wells

DP upgrade req'd Y N (contact GW personnel)

WMD

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 067

WMD

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or 01Q

Supp irr (irr = only use) - 065-104

Supp irr (+ other uses) - 100-105

per field exam + overlap

SURFACE WATER:

WD

≤ 0.20 cfs/others

> 0.20 cfs

WB, SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres

> 0.24 cfs/5 acres

- R04 (WD#) WM comments rec'd

- R02, 01P or No MD

- R43

- No MD

- 01M or 01Q

STANDARD SEASON 3/1 to 11/15 (use X61 if extended season)

STANDARD VOLUME af/ac

CONSUMPTIVE USE VOLUME af/ac

USES:

STORAGE

- 18C-R02-01P-18B-NA

IRR ≤ 5 ac

- R66/R67/R68/R69 (0.03 cfs/ac)

> 5 ac

- R62/R63/R64/R65 (0.02 cfs/ac)

STOCKWATER

- R37 (all BLM/USFS)

MINING

- 054-106

FISH PROP

- 029(70'S only)-007-122-106

HEAT/COOL

- R07 (injection well)

FIRE PROT.

- 077

DAIRY

- 082 (zoning if a concern)-106-WD8

USES:

POWER

- 17H-17K (+uses)-025-106

MUNICIPAL

Restricted area

- 022-075 RAFN - 007-109-X64

Irr., GW supp to SW

- 102

DOMESTIC

Surface water

- WB5 (Big Wood or Boise above Star Bridge)

- 27A (Payette River)

>1 in restricted area

- 070-071-075(no parks/common areas, etc)

Irr use listed separate

- WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop

T08 - comply or rescind

T17 - measure all p/d's (used with WB4)

T18 - Special T17 & R43 combined - multiple pds in WD

X49 - measure p/d's (source chg'd to orig trib)

X51 - 2+ yrs to develop

X53 - Use ltd to orig. source availability

X54 - forfeited ac/rate (used rarely)

X55 - (transfer shrinks total water to less ac)

X57 - no right-of-way

X58 - pending claim (statutory or AJ b/u claim)

X61 - extended irr season

X62 - replaces N11 and N13

X63 - replaces C12

WB4 - + p/ds, cfs & afa (used with T17)

WD8 - land application of waste water

01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

Apply one:

T09 - on-going claim in SRBA*

T19 - replaces C18 and used on unchg'd portions in SRBA (Recomm. or PD)

*Edit condition to fit scenario if not ongoing in SRBA process

Protested - 020-X19

Water Quality - 106-R07

OTHER CONDITIONS/REMARKS

COMMENTS

Database files updated ✓ Approval form printed ✓

Special Mailing Instructions (cc's, etc)

Final database update after approval ✓ *Comment to WR No(s).

63-2902 28

Copy to GW Sec./D.P. app.

RECEIVED

FEB 25 2002

IDWR WESTERN REGION TRANSFER ANALYSIS

Department of Water Resources

Applicant Victory 41 LLS Transfer No. 69598
Reviewed by lg Date 12/12/01
Data entered by cm

1. Right number(s) 63-2902

2. Type of right ☐ Decree ☒ License ☐ Stat. Claim ☐ BU Claim

3. Purpose of transfer ☒ Change P/D ☐ Add P/D ☐ Change P/U
☐ Change N/U ☐ Change Period ☐ Split Right
☐ Other: _____

4. Check Existing
Right

☒ Source ☒ Priority ☒ Amount
☒ Purpose ☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights for original P/D &/or P/U

5. Check Proposed Right for amount of land &/or water transferred:

- a. ☒ Analysis memo – always include unless justify why not needed
- b. ☒ All of right
- c. N/A Part of right – Note: Part B should normally be completed only if part of right is owned by applicant
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing proposed P/D &/or P/U
- g. ☒ Correct notarized signature and fee – see Transfer Memo #23 about fees if necessary
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. N/A Expansion in use of right: check rate of flow, diversion volume and consumptive volume. Discuss in memo.
- j. N/A Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

69598

k. ☒ Overlapping rights for current & proposed scenarios

Current surface water NMID

Proposed _____

l. ☒ SRBA Claim(s) _____

m. ☒ Comment letters ☒ No _____ Yes as follows:
 _____ Water District # _____ IDFG _____ Other per attached

PUBLICATION REVIEW

1. Comment Letters

Watermaster comments requested on _____, received on _____

Other comment letters received ☐ Yes ☐ No

2. Affidavit of publication received: ☒ Yes

3. Published correctly: ☒ Yes ☐ No

If No, re-publication required: ☐ Yes ☐ No

4. Protests received: ☐ Yes ☒ No ☐ If yes, acknowledgement sent

RECOMMENDATIONS

1. ☒ Approve ☐ See attached memo

2. ☐ Deny due to _____

3. Conditions of Approval See Lori Brave's memo dated 12/12/01.
Abandonment of well required.

4. Recommended by Gary S Date 2/20/02

FORWARDING FILE TO S.O.

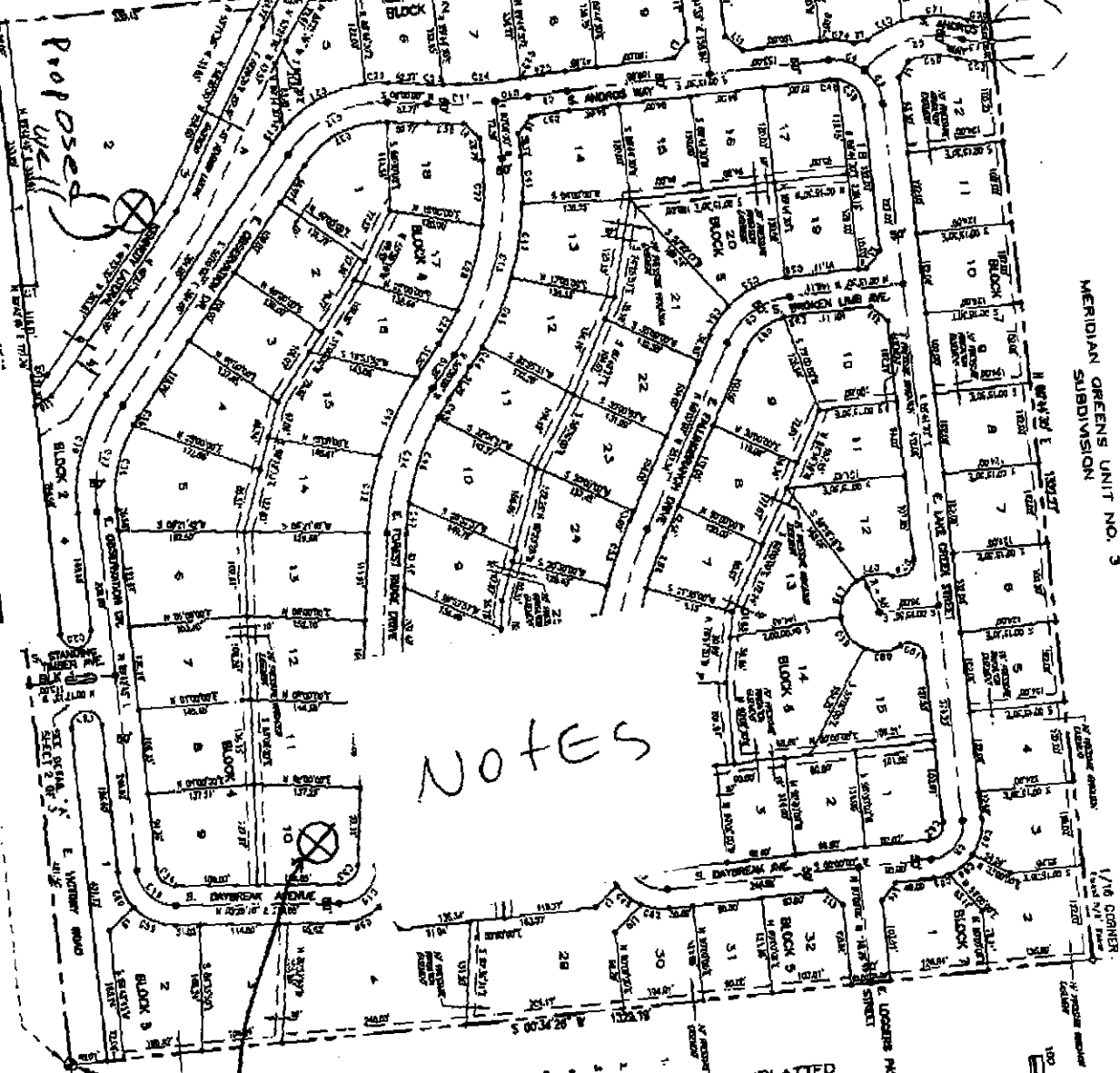
1. Copies made for Region file (see attached supplemental page): Yes _____

2. File forwarded to S.O. by _____ Date _____

DEC-11-2001 12:35

SECTION COR
1/16 CORNER
1/16 CORNER
1/16 CORNER

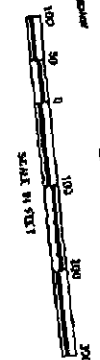
Postfix Fax Note 7671 Date # 01
To LAND GRADERS Co. FROM ST
Co./Dept. Phone #
Phone # 334-2346 Fax #



NOTES

Existing well

PLAT OF
OBSERVATION POINT SUBDIVISION
LOCATED IN THE SE 1/4 OF THE SW 1/4
SECTION 15, 13N, 11E, BLM
ADA COUNTY, IDAHO
2001



LEGEND

- Boundary Line
- Right-of-Way Line
- Lot Line
- Center Line
- Point of Beginning (Found Brass Cap)
- Found Brass or Aluminum Cap (see notes)
- Found Brass or Steel with Plastic Cap
- Found 5/8" x 1/2" Rubber with Plastic Cap
- Found 5/8" Rubber with Plastic Cap
- Found 1/2" Rubber with Plastic Cap

NOTES

1. ALL LOTS ARE TO BE CONVEYED TO THE STATE OF IDAHO BY DEED.
2. THE STATE OF IDAHO SHALL HAVE THE RIGHT TO TAKE ANY LOT OR PART OF A LOT FOR PUBLIC USE.
3. THE STATE OF IDAHO SHALL HAVE THE RIGHT TO TAKE ANY LOT OR PART OF A LOT FOR PUBLIC USE.
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31. THE STATE OF IDAHO SHALL HAVE THE RIGHT TO TAKE ANY LOT OR PART OF A LOT FOR PUBLIC USE.
32. THE STATE OF IDAHO SHALL HAVE THE RIGHT TO TAKE ANY LOT OR PART OF A LOT FOR PUBLIC USE.



VICTOR A. LUTZ
Developer
Bonneville, Idaho
BRIGGS ENGINEERING, INC.
Consulting Engineers
Bonneville, Idaho
SHEET 1 OF 3

DEC 11 2001

SECTION 19, T.3N., R.1E.
IDAHO COUNTY, IDAHO

P.01

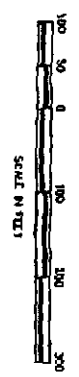
DIMONDS
DIVISION

MERIDIAN GREENS UNIT NO. 3
SUBDIVISION

OBSERVATION POINT SUBDIVISION

LOCATED IN THE SE 1/4 OF THE SW 1/4,
SECTION 19, T.3N., R.1E., B.M.
IDAHO COUNTY, IDAHO

2001



LEGEND

- Boundary Line
- Section Line
- Right-of-Way Line
- Water
- Unplatted
- Proposed Well
- Existing Well
- Good Patch of Existing Farm Trees
- Farm House or Addition (see note)
- See 5/6-10' Water with Private Cop
- See 1/2-3/4' Water with Private Cop
- Farm 5/8' Water with Private Cop
- Farm 1/2' Water with Private Cop

NOTES

1. THE PLAT OF THE OBSERVATION POINT SUBDIVISION, AS SHOWN ON THE PLAT, IS SUBJECT TO THE FOLLOWING NOTES:
2. THE PLAT OF THE OBSERVATION POINT SUBDIVISION, AS SHOWN ON THE PLAT, IS SUBJECT TO THE FOLLOWING NOTES:
3. THE PLAT OF THE OBSERVATION POINT SUBDIVISION, AS SHOWN ON THE PLAT, IS SUBJECT TO THE FOLLOWING NOTES:
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13. THE PLAT OF THE OBSERVATION POINT SUBDIVISION, AS SHOWN ON THE PLAT, IS SUBJECT TO THE FOLLOWING NOTES:
14. THE PLAT OF THE OBSERVATION POINT SUBDIVISION, AS SHOWN ON THE PLAT, IS SUBJECT TO THE FOLLOWING NOTES:

Existing Well

Proposed Well



VICTOR A. LLC
Developer
Boise, Idaho

BRIDGES ENGINEERING, INC.
Consulting Engineers
Boise, Idaho

SHEET 1 OF 3

DEC 11 2001

Positive Fax Note		7671	Date	# of Pages
To	LAWRENCE		From	Sta
Go/Dept.	Co.			
Phone #			Phone #	
Fax #	334-2348		Fax #	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2902

WATER RIGHT NUMBER: 63-2902

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DEAN E PETERSON 780 E VICTORY MERIDIAN, ID 83642 (208)888-3855
Current Owner	BEVERLY KAY PETERSON 780 E VICTORY MERIDIAN, ID 83642 (208)888-3855

Priority Date: 09/23/1954

Basis: License

Status: Active

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

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.020 CFS	0.60 AF
IRRIGATION	3/15 to 11/15	0.800 CFS	180.00 AF
<u>Total Diversion:</u>		0.800 CFS	180.60 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SW1/4	Sec. 19, Twp 03N, Rge 01E, B.M.
ADA County		

Place of UseDOMESTIC Within ADA County

T03N R01E S19 SESW

IRRIGATION Within ADA County

T03N R01E S19 SESW 40.0

Total Acres: 40

Conditions of Approval:Remarks:

1. General THE SECOND WELL WAS DRILLED IN 1969 AS A SUPPLEMENTAL WELL FOR THE DOMESTIC AND STOCK WATER USES. THERE ARE TWO PODS IN THE SE SW. STOCK REMOVED FROM POU, NOT CLAIMED AS A WATER USE. 9/3/97 LH

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2902

Dates and Other Information:

Claim Received Date: 9/1/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
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:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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1987 Photo

MICROFILMED

SEP 10 1988



2000 Photo

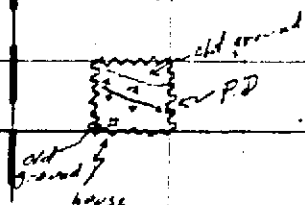
To Boise →

Meridian

T3N. R. 1E.B.M.

To
Turn →

19



28 acres = primary water

12 " = supplemental

$Q = E \cdot D \cdot t$

T = Not taken

No test run

Should be able to pump more than 40 Acres

UNCORRECTED

MEMORANDUM

DATE: 12/12/01

FROM: Lori Graves *lg*

TO: Transfer File No.69598

Attachments

A. Ownership Documentation

Brief

Applicant proposes to change the location of a licensed irrigation well because the existing well location is going to be developed into a subdivision lot.

Overlaps

Nampa Meridian Irrigation District water is also used on the property. In 1955, the field examiner found that the well supplemented 12 acres of lower ground, where district water could gravity flow and was used as the primary irrigation source on 28 acres of higher ground. Applicant's engineer stated that the applicant is in the process of purchasing additional district shares so that the well can then be used as supplemental irrigation for the entire 40-acre tract.

SRBA

The claim was filed as licensed, with the exception of adding an additional well for domestic use. Domestic use for .02 cfs and .6 afa was listed on the license however applicant's engineer stated that the licensed well has historically been used for only irrigation and is not physically plumbed for domestic use. He stated that the domestic use has been abandoned and that the applicant does not wish to pursue domestic use with an additional well as listed on the SRBA claim. As a result, the transfer lists only irrigation use for 40 acres, .80 total cfs and 180 afa. The licensed domestic amounts were not included.

SRBA staff were consulted on the validity of claim 63-2902. Based on 1987 and 2000 aerial photos, the majority of the property has obviously been irrigated. Although a lateral and roads are obviously not irrigated in the 40-acre tract, SRBA staff said they would still recommend the right as licensed.

WATERBURY

12/12/01

Misc.

Applicant stated that the irrigation water will serve residential lots instead of farmland. I asked the applicant's engineer about the property's destiny and he stated the land was going to be developed into Observation Point Subdivision consisting of 82 homes. Once the development is completed, I mentioned the availability of the water bank for the water that no longer will be used for irrigation due to development.

Recommendations

Approve the transfer as filed.

Require proper abandonment of existing well prior to approving the drilling permit for the proposed well.

UNRECORDED

2007-03-01

The Idaho Statesman

RECEIVED

JAN 11 2002

WATER RESOURCES
WESTERN REGION

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

LEGAL ADVERTISING PROOF OF PUBLICATION

Account #	DTI#	Identification	Amount:
047628	585542	PROPOSED CHANGE	\$153.50
Attention:		P.O. #	Run Dates
SUE TAYLOR			JANUARY 3, 10, 2002
IDAHO DEPT. WATER RESOURCES WEST 2735 AIRPORT WY. BOISE, ID 83705			Number of Lines 43 X 2
			Affidavit 1
			Legal # 12289

LEGAL NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 69598

VICTORY 41 LLS

6874 FAIRVIEW AVE

BOISE ID 83704, has filed Application No. 69598 for changes to the following water rights within ADA County:

Right No. 63-2902

Priority 9/23/1954

Source GROUND WATER

Use DOMESTIC (0 acres) 0.80 CFS 180.0 AFA
IRRIGATION (40 acres) 0.80 CFS 180.0 AFA

Total Amount SE SW S19 T03N R01E

Point(s) of Diversion S19 T03N R01E

Place of Use The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 63-2902

Priority 9/23/1954

Source GROUND WATER

Use IRRIGATION (40 acres) 0.80 CFS 180.0 AFA
0.80 CFS 180.0 AFA

Total Amount SWSESW S19 T03N R01E

Point(s) of Diversion S19 T03N R01E

Place of Use Remark: Applicant proposes a new irrigation well in the SWSESW because the existing well site is going to be developed into a subdivision lot. Point of Diversion and Place of Use aka Observation Point Subdivision.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport

Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before January 22, 2002. The protestant

must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub: Jan. 3 and 10, 2002

12289

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: JANUARY 3, 2002

ending issue of: JANUARY 10, 2002

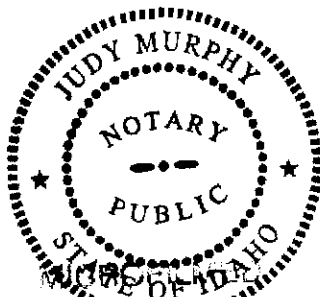
Janice Hildreth

STATE OF IDAHO)
) ss

COUNTY OF ADA)

On this 10 day of JANUARY in the year of 2002 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.

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 1/16/04



SEP 23 2002

January 7, 2002

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Ads

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find legal notices 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 notices 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 02/04/2002. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

SEP 23 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 69598

VICTORY 41 LLS
6874 FAIRVIEW AVE

BOISE ID 83704, has filed Application No. 69598 for changes to the following water rights within ADA County:

Right No. 63-2902

Priority 9/23/1954

Source GROUND WATER

Use DOMESTIC (0 acres) 0.80 CFS 180.0 AFA
IRRIGATION (40 acres)

Total Amount 0.80 CFS 180.6 AFA

Point(s) of Diversion SESW S19 T03N R01E

Place of Use S19 T03N R01E

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 63-2902

Priority 9/23/1954

Source GROUND WATER

Use IRRIGATION (40 acres) 0.80 CFS 180.0 AFA

Total Amount 0.80 CFS 180.0 AFA

Point(s) of Diversion SWSESW S19 T03N R01E

Place of Use S19 T03N R01E

Remark: Applicant proposes a new irrigation well in the SWSESW because the existing well site is going to be developed into a subdivision lot. Point of Diversion and Place of Use aka Observation Point Subdivision.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before February 4, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on January 17 and 24, 2002.

MICROFILMED

SEP 23 2002

November 15, 1971

Re: Permit No. 22798/63-2902 - R. L. Johnston

Mr. Dean Peterson
Route # 2
Meridian, Idaho 83642

Dear Mr. Peterson:

Enclosed herewith is the Water License issued on the above referenced permit.

Although this license is not in your name, you control that portion of the license that covers your land. Please note the limits of the water right.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: License

63 2972

August 9, 1971

Re: Permit No. G-22798/63-2902 - R. L. Johnston

Mr. Dean Peterson
Route 2
Meridian, Idaho 83642

Dear Mr. Peterson;

We have been advised by the Ada County Assessor's Office that you own land covered under the above referenced permit as follows:

SE~~1~~SW~~1~~ Sec. 19, T. 3N, R. 1E, B.M.

Enclosed you will find a copy of the pre-cancellation notice that is on this date being forwarded to the permit holder of record. If you are interested in acquiring the water right for this property, please contact this office within the limits of the pre-cancellation order enclosed.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enclosure

Fee paid by Mr Dean Peterson 8/20/71
License should be sent to him

BDF

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse - Annex 2
Boise, Idaho 83707

RECEIVED

AUG 18 1971

Department of Water Administration

Not Rf B.

R. L. Johnston

Route # 2

Meridian, Idaho

83642

NAME

1st NAUG 10 1971

2nd NAUG 16 1971

Return



REASON CHECKED

Undelivered _____ Returned _____
Address unknown _____ X
Insufficient address _____
No such street _____ number _____
No such office in state _____
Do not re-mail in this envelope _____



CERTIFIED MAIL

NO. 31591

RETURN RECEIPT REQUESTED

63 AUG 18 1971

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

August 9, 1971 CERTIFIED MAIL

Re: Permit No. G-22798 (New No. 63-2902)

R. L. Johnston
Route 2
Meridian, Idaho 83642

Dear Mr. Johnston:

It appearing to the Department of Water Administration that the terms and conditions of Permit G-22798/63-2902 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit licensing fee of \$7.00

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before Sept. 18, 1971, why said permit should not be cancelled.

Permit G-22798/63-2902 claims the use of 0.8 cubic feet per second of water from a ground water source, the point of diversion was to be located within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 19, T. 3N, R. 1E, B.M. and the permit was approved May 23, 1952.

R. KEITH HIGGINSON
Director

cc: Dean Peterson
Rt. 2, Meridian, Idaho

63 2902

August 9, 1971

CERTIFIED MAIL #31591

Re: Permit No. G-22798 (New No. 63-2902)

R. L. Johnston
Route 2
Meridian, Idaho 83642

Dear Mr. Johnston:

It appearing to the Department of Water Administration that the terms and conditions of Permit G-22798/63-2902 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit licensing fee of \$7.00

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before Sept. 18, 1971, why said permit should not be cancelled.

Permit G-22798/63-2902 claims the use of 0.8 cubic feet per second of water from a ground water source, the point of diversion was to be located within the SE¹/₄SW¹/₄ Sec. 19, T. 3N, R. 1E, B.M. and the permit was approved May 23, 1952.



R. KEITH HIGGINSON
Director

cc: Dean Peterson
Rt. 2, Meridian, Idaho

63 2902

✓
March 21, 1955

RE: Permit No. G-22798

Mr. R. L. Johnston
Route 2
Meridian, Idaho

Dear Mr. Johnston:

The report of our field engineer on examination for completion of works and beneficial use on Permit No. G-22798 is now on file and Certificate of Completion of Works and License can be issued for 0.8 of a second foot of water from your well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19, Township 3 North, Range 1 East B.M. upon receipt of the statutory fees.

These amount to \$5.00 for Certificate of Completion of Works and \$2.00 License fee or a total of \$7.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Ashli

22798

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-22798

This proof is for Completion of works & Beneficial Use In Water District No.

1. Name of applicant R. L. Johnston, Route 2, Meridian, Idaho

2. Source of water supply: Subterranean from a well

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19

T. 3 N. R. 1 E. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: The well is 210' deep by 8" diameter. Water H. is 450'. Small open shed over the pump and motor. Motor is a 10 h.p. U. S. Motor 3-phase No. 900150. Pump is a turbine type Berkeley No. 5210448. Column is 70' by 6". 6" bowls, 3 stage. Delivery to the West through a pipe 6" by 5" long into a ditch 2' wide on the bottom by 12" deep.

Gravity irrigation

5. Water is used for: Irrigation and domestic purposes

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19, Twp. 3 North, Range 1 East, B. M.

See the map.

28 acres primary irrigation

12 acres supplementary irrigation

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: This is high ground above the Nampa-Meridian Canal. Crop is mostly

hay and pasture.

Fields show evidence of good and sufficient irrigation.

This examination was made on the 18th day of March, 1955.

(Signed) *E. N. Humphreys* Examiner.

22798

R. L. Johnston
Rt. 2, Meridian, Idaho

Permit No. G-22798

Examination for Completion of works
and Beneficial Use

County Ada

24" x 8"

50' x 10'

U.S. Notes 10 Apr. 3rd

Yuma Co. 100'

Washday Camp

5210450

Model 7-41-4

6' x 5' 1/2" x 1/2" x 1/2" x 1/2"

Shown bottom of

24" x 8" x 6'

22 55244

10' x 10' x 10'

Or 2nd 2nd

SE 1/4 2nd 3rd 1/2

For 1/4 Sec

for SE 1/4 2nd 3rd 1/2

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
MAR 19 1955

Department of Reclamation

Notes, July 1955
22 55244

R. L. Johnston
Ht. 2, Meridian, Idaho

Permit No. G-22798

Examination for Completion of works
and Beneficial Use

County Ada

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
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6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
MAR 19 1955

Department of Reclamation

210" x 8"

50' x h.

U.S. Motor 10 hp - 3 ph.

900150 = serial

Berkeley Pump

5210448

Model 8K4h-4

6" x 5' del. to w. into ditch
2' w. on bottom 12" deep.

240V meter G.E.

22558915

Bulldog switch

Q = 8 cfs well.

SE SW 219 3N. 1E.

Irrig & dam.

for SE SW. 219 - 3N. 1E

Prior. May 19-52

B.Y. May 23-54

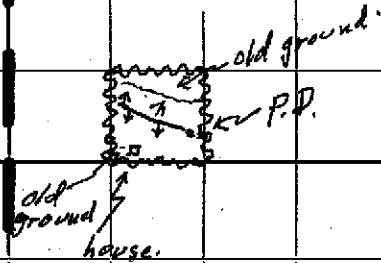
Meridian

To Boise →

T 3 N. R. 1 E. B. M.

To Huma →

19



28 acres = primary water

12 " = supplemental

$$Q = .8 \text{ cfs.}$$

T = Not taken.

No test run

Should be able to pump more than 40 ft.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-22798

REPORT ON PROOF OF Completion of works & Beneficial Use

R. L. JOHNSTON, Route 2, Meridian, Idaho

.8 of
smak

app 0.8 cfs

40 acres

28a. primary

col. 70' x 6"

6" boulders 3 stages

March 14, 1955

RE: Permit No. G-22798

Mr. R. L. Johnston
Route 2
Meridian, Idaho

Dear Mr. Johnston:

We have placed on file the depositions of yourself and two witnesses also affidavit of publication in the Meridian Times all submitted in proof of completion of works and beneficial use on Permit No. G-22798.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

22798

4-22798

The Meridian Times

Gideon H. Oppenheimer, Publisher

MERIDIAN, IDAHO

September 3, 1954

Dep't of Reclamation

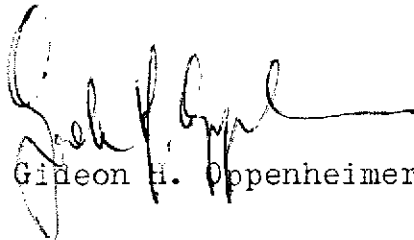
Boise, Idaho

Att; Mr. Mark Kulp

Gentlemen,

Attached you will find proof of the legal notice in connection with
Permit No. G-22798.

Very truly yours,



Gideon H. Oppenheimer

22798

NOTICE PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 a.m. on the 27th day of September, 1954, at Meridian, County of Ada, State of Idaho, before Clifford W. Stringer, Notary Public, proof will be submitted of the completion of works for the diversion of 0.8 cubic foot per second of the waters of a well and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22798 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are R. L. Johnston, Route 2, Meridian, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 0.8 cubic foot per second.

3. The use to which said water has been applied is Irrigation and domestic purposes, and the amount applied to beneficial use is 0.8 cubic foot per second.

4. The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19, Township 3 North, Range 1 East, B.M., and the well is located in the same subdivision.

5. The date of priority which said user is prepared to establish is May 19, 1952.

MARK R. KULP
State Reclamation Engineer
(Sept. 2, 9, 16, 23, 1954)

PROOF OF PUBLICATION

State of Idaho, }
County of Ada, } ss.

I, CLYDE B. CORNELL, being first duly sworn, depose and say, that I am over twenty-one years of age, and Foreman of the MERIDIAN TIMES, a weekly newspaper of general circulation, published at Meridian, County of Ada, State of Idaho, and that the annexed notice was published in said paper once each week for 4 consecutive weeks, the first publication being on the 2nd day of September, 1954 and the last publication being on the 23rd day of September, 1954.

That said notice was published in the newspaper proper and not in a supplement. That said newspaper had been continuously and uninterruptedly published in said county for a period of 78 consecutive weeks prior to the first publication of this notice, and is a newspaper within the meaning of the Idaho statutes.

Clyde B. Cornell
Foreman

Subscribed and sworn to before me this 24th day of September, 1954.

W. E. Mayes
Notary Public in and for Idaho.

Residence or Postoffice Address Meridian, Idaho

22798

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. _____

Proof of Application of Water to Beneficial Use

and Completion of Works

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans.

*P. L. Johnston Mendia Ho Farming
Rt # 2 Mendia Idaho*

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans.

G 22798 May, 19, 1952

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans.

*Well on subdivision SE 1/4 SW 1/4 Section 19 -
Twp. 3 N. Rge. 1 E. B M*

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans.

*Well 207 ft deep casing depth 200 ft.
Casing 8 in diameter
Pump discharge 0.8 cubic ft per second
But only 1.0 H. P.*

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans.

*subdivision SE 1/4 of SW 1/4 section 19 Township #
3 N range 1 E B M. 40 acres cultivated
land.*

22798

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. none

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 0.8 cubic ft per second

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. original owner

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Water was used full dry seasons of 53 & 54
0.8 Cubic ft per second.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None other than 12 acres of water that is irrigated
underampa Meridian Irrigation system.

(Sign) A. L. Johnston

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Meridian, County of Ada,

State of Idaho, on this 27th day of September, A. D. 1954.

Jefford W. Stringer

My commission expires Feb 20, 1956

22798

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No.

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Iva Berthelson 59 Rt 2 Mission Idaho

Ques. 2. Are you acquainted with R. H. Johnston, the holder of Permit No. G 22 798? How long have you known him and where does he reside?

Ans. Yes 7 years. 1st place east of our place.

Ques. 3. Have you read or heard read said Permit No. G 22 798, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Well on place conveyed by ditch to place of use

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 0.8 Cubic ft per second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 0.8 Cubic ft per second. Measured over a weir by water measure

22 798

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. *Irrigation of 30 acres in SE 1/4 of SW 1/4 of Section 19 Twp 3 N Range 1 East Baine Township*
Cultivated
dry land just under irrigation

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. *none*

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. *0.8 cubic ft per second*

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. *none*

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. *Have seen crops raised on this land that was formerly in sage brush.*

(Signed) *Loa Brotherson*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in *Meridian* County of *Ada*, State of Idaho, on this *27th* day of *September*, A. D. 19*57*.

Edward W. Stringer
Notary Public.

My commission expires *Feb 20, 1958*

22798

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. _____

Proof of Application of Water to Beneficial Use
Deposition of Witness and Completion of Works

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Hartel Philan 36 St 2 medician Ida
Farming St 2 medician Ida

Ques. 2. Are you acquainted with R. L. Johnston, the holder of Permit No. 222798? How long have you known him and where does he reside?

Ans. Yes 1 year.

Ques. 3. Have you read or heard read said Permit No. 222798, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Well on place conveyed by ditch to place
of use

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 0.8 cubic ft per second

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 0.8 cubic ft per second
Measured over a weir by water measure

222798

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation on 30 acres in SE 1/4 of SW 1/4
Sec 19 Twp 3N Range 1E East Bain Meridian
Cultivated. Dry land put under cultivation.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. None

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. 0.8 cubic ft per second

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Seen Mr. Johnson irrigating the farm
and crops raised.

(Signed) Hartel Shelton

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Meridian,
County of Ada, State of Idaho, on this 27th day of September,
A. D. 1951.

Ernest W. Hanger
Notary Public.

My commission expires Feb 20, 1956

22798

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. G-22798

Date: August 28, 1954

Meridian Times

Meridian, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **September 27, 1954** the date set for proof, the expense of the publication to be paid by the applicant, **R. L. Johnston** of Route 2, **Meridian, Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

22798

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 A. M., on the 27th
day of September, 19 54, at Meridian, County of
Ada State of Idaho, before Clifford W. Stringer, Notary Public
proof will be submitted of the completion of works for the diversion of 0.8
cubic feet per second of the waters of a well and of
the application to beneficial use of said water, in accordance with the terms and
conditions of Permit No. G-22798 heretofore issued by the Department of Reclama-
tion of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are R. L. Johnston, Route 2, Meridian, Idaho
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 0.8 cubic feet per second.
3. The use to which said water has been applied is Irrigation and domestic purposes, and the amount applied to beneficial use is 0.8 cubic feet per second.
4. The place where said water is used is SE 1/4 SW 1/4 Section 19, Township 3 North, Range 1 East B.M., and the well is located in the same subdivision.
5. The date of priority which said user is prepared to establish is May 19, 1952.

MARK R. KULP
State Reclamation Engineer

22798

August 27, 1954

RE: Permit No. G-22798

Mrs. R. L. Johnston
Route 2
Meridian, Idaho

Dear Mrs. Johnston:

In accordance with your letter of August 26, we have completed the notice for proof of completion of works and beneficial use on Permit No. G-22798 to be made at Meridian at 11 A.M., September 27, 1954, before Clifford W. Stringer, and have sent a copy of the notice to the Meridian Times with instructions to publish once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set you should appear before Mr. Stringer together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

22798

Aug 26, 1954

Dear Sir -

I'm sorry to be so slow on this
but have finally found time for it.
the name of a Notary Public is

Clifford W. Stringer *

at the Valley Agency
in Meridian

Sincerely Mr R. L. Johnston

P.S. Please notify us as to what & where we
are supposed to carry out the rest of this.

RECEIVED
AUG 27 1954

Department of Reclamation

22798



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, RECLAMATION ENGINEER

BOISE

August 24, 1954

RE: Permit No. G-22798

Mrs. R. L. Johnston
Route 2
Meridian, Idaho

Dear Mrs. Johnston:

When you were in this department on August 10th it was our understanding that you were to give us the name of a Notary Public before whom proof of completion of works and beneficial use would be made on Permit No. G-22798, but we have heard nothing from you since.

You understand, of course, that this Permit is subject to cancellation, as per registered notice sent Mr. Johnston on July 20.

If the Permit is to be reinstated and continued in good standing, it is important that these proofs be made showing completion of works prior to May 23, 1954, the date set for such completion, under the terms of the Permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Jeanne L. Anderson
Chief Clerk

A:hll

22798

✓
C. P. L.
August 24, 1954

RE: Permit No. G-22798

Mrs. R. L. Johnston
Route 2
Meridian, Idaho

Dear Mrs. Johnston:

When you were in this department on August 10th it was our understanding that you were to give us the name of a Notary Public before whom proof of completion of works and beneficial use would be made on Permit No. G-22798, but we have heard nothing from you since.

You understand, of course, that this Permit is subject to cancellation, as per registered notice sent Mr. Johnston on July 20.

If the Permit is to be reinstated and continued in good standing, it is important that these proofs be made showing completion of works prior to May 23, 1954, the date set for such completion, under the terms of the Permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

22798

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Aug. 10 - 1954

(P. O.) Boise, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Meridian Times of Meridian, Idaho - published in
the county in which the works are situated.

Max R. L. Johnston

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

922798

922798

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this Card.

1 R. L. Johnston
(Signature or name of addressee)

2 Barbara Johnston
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 7/24, 1954

22798

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE.
(GPO)

POSTMARK ON DELIVERING
OFFICE

Return to

(NAME OF SENDER)

Street and Number,
or Post Office Box,

REGISTERED ARTICLE

No.

INSURED PARCEL

No.

BOISE,

IDAHC

22798

Form 1
Rev. 1-2

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this Card.

1 R. L. Johnston
(Signature or name of addressee)

2 Barbara Johnston
(Signature of addressee's agent—Agent should enter addressee's name on this line if not above)

Date of delivery 7/24, 1954

22798

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

July 20, 1954

Re: Permit No. G-22798

To Mr. R. L. Johnston
Route 2
Meridian

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G-22798
to appropriate the Public Waters of the State of Idaho, have not been complied with as to
Completion of works May 23, 1954

you are hereby notified in compliance with Sec. 41-311, Idaho Code annotated that said Permit No. G-22798
is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from
date of this notice why said Permit should not be cancelled.

Said Permit No. G-22798 claims the use of 0.3 cubic feet per second of the
waters of a well with point of diversion located
in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 19, Twp. 3 North, Range 1 E., B.M., and
was approved May 23, 1952

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the
20th day July, 1954

Mark R. Kulp
State Reclamation Engineer.

By Assistant.

22798

S T A T E O F I D A H O

D E P A R T M E N T O F R E C L A M A T I O N

Boise, Idaho

March 1, 1954

Mr. R. L. Johnston
Route 2
Meridian, Idaho

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. ~~6-22798~~. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than ~~May 23, 1954~~.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

22798

S T A T E O F I D A H O

D E P A R T M E N T O F R E C L A M A T I O N

Boise, Idaho

March 1, 1954

Mr. R. L. Johnston
Route 2
Meridian, Idaho

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-22798. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than May 23, 1954.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

22798

May 28, 1952

RE: Permit No. G-22798

Mr. R. L. Johnston
Route 2
Meridian, Idaho

Dear Mr. Johnston:

We enclose Permit No. G-22798 together with departmental receipt No. 24462 for the \$5.00 filing fee.

You will note that we have allowed two years within which to make proofs of completion of works and beneficial use, which is the minimum required by statute.

However, if you are prepared to make these proofs at an earlier date, which we believe you stated when you filed the application, we shall be glad to send you the necessary forms and instructions upon request.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22798

NAME OF APPLICANT R.L. Johnston,

Form No. 0

T. 3 N. R. 1 E

19



Point of Diversion

Permit Map No. 22798
As Approved
MAY 29 1952
MARK R. KULF
State Reclamation Engineer

T. 3 N., R. 1 E

19



Point of Diversion

Permit Map No. 22798
As Approved
MAY 23 1952
MARK R. KULF
State Reclamation Engineer