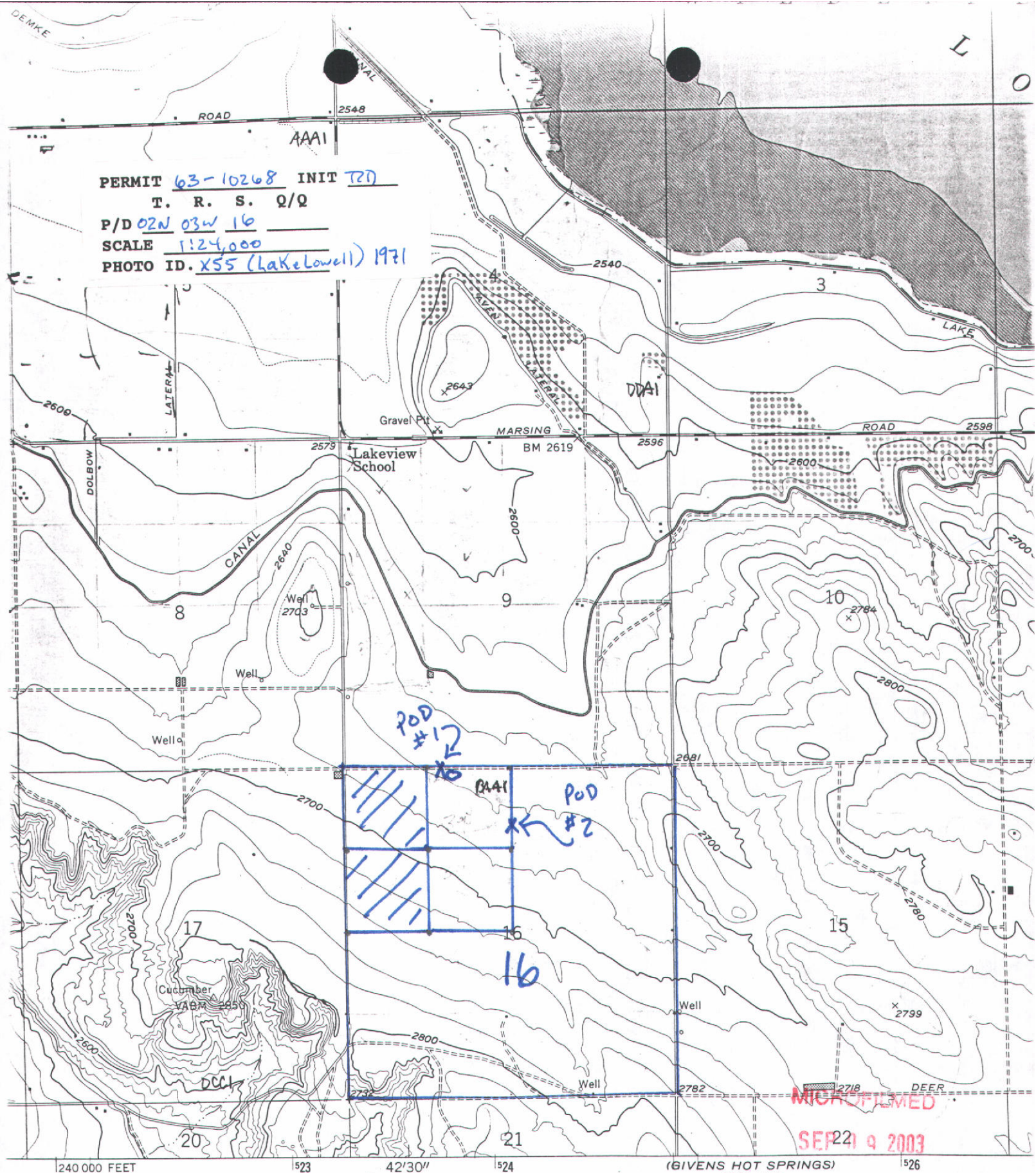


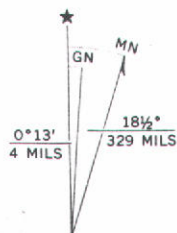
PERMIT 63-10268 INIT T20
 T. R. S. Q/Q
 P/D 02N 03W 16
 SCALE 1:24,000
 PHOTO ID. X55 (Lake Lowell) 1971



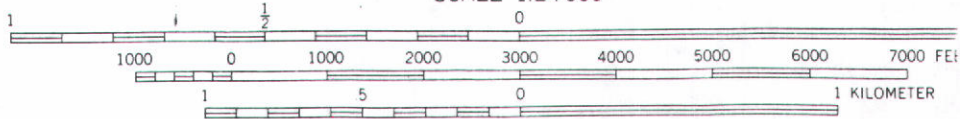
Geological Survey

grammetric methods

datum
 system, west zone
 grid ticks,



X55 (1971)
 Lake Lowell



CONTOUR INTERVAL 20 FEET
 DOTTED LINES REPRESENT 10-FOOT CONTOURS
 DATUM IS MEAN SEA LEVEL

63-10268
1987 ASCS photo
T2N R3W S16
W2 NW

POD#1
↓

POD#2
↓

17 16

T3445

T3762

/NW

/NW

SEE
L-13A

76.4

77.1

T5269

H/NW

20.0

2
1.5

3
1.5

/NW

2
56.8

N/NW

4
35.0

5
7

6
1.0

House

NW

MICROFILMED
SEP 09 2023



PHOTOGRAPHER AND DATE OF PHOTOS M. Minicucci 09/11/1997

FILE NO. AND LEGAL DESCR. 63-10268 T2N R3W S16



POD NO. 1
NW NE NW
8 inch discharge
to pond.
White pipe on
other side of
pond (w flowers)
is discharge
from POD NO. 2.
100 HP booster
pump out of
pond to POW.



POD NO. 2
SE NE NW
6 inch discharge
to buried mainline
to pond shown
above.
50 HP submersible

MICROFILMED

SEP 09 2003



PHOTOGRAPHER AND DATE OF PHOTOS Philinucci 09/11/1997

FILE NO. AND LEGAL DESCR. 63-10268 T2N R3W S.16 W2 NW



POU
Photo Taken from
Leach Road, NESE
SE, looking south
and west.



POU, showing corner
NOT irrigated this
season - NW corner
of NW NW. Photo
looks south along
west line of S.16

RECORDED
SEP 09 2003



PHOTOGRAPHER AND DATE OF PHOTOS M. Dinicucci 09/11/1997

FILE NO. AND LEGAL DESCR. 63-10268 T2N R3W S16 W2NW



POV
NW NW
Photo taken from
NW corner, looking
southeast across
POV. Corners not
irrigated this year
because of problems
with "new" well
(POD NO. 2).



Pivot sweeping
across NENW.
All heads running
but not end gun.

MICROFILMED
SEP 09 2003



PHOTOGRAPHER AND DATE OF PHOTOS M. Minicucci 09-11-1997
FILE NO. AND LEGAL DESCR. 63-10268 T2N R3W S16



Place of use
FROM NW
CORNER OF
PROPERTY
looking East



Place of
use phot
taken FROM
NW CORNER

MICROFILMED
SEP 09 2003



PHOTOGRAPHER AND DATE OF PHOTOS M. Minicucci 09/11/1997

FILE NO. AND LEGAL DESCR. 63-10268 T2N R3W S16

MICROFILMED
SEP 09 2007

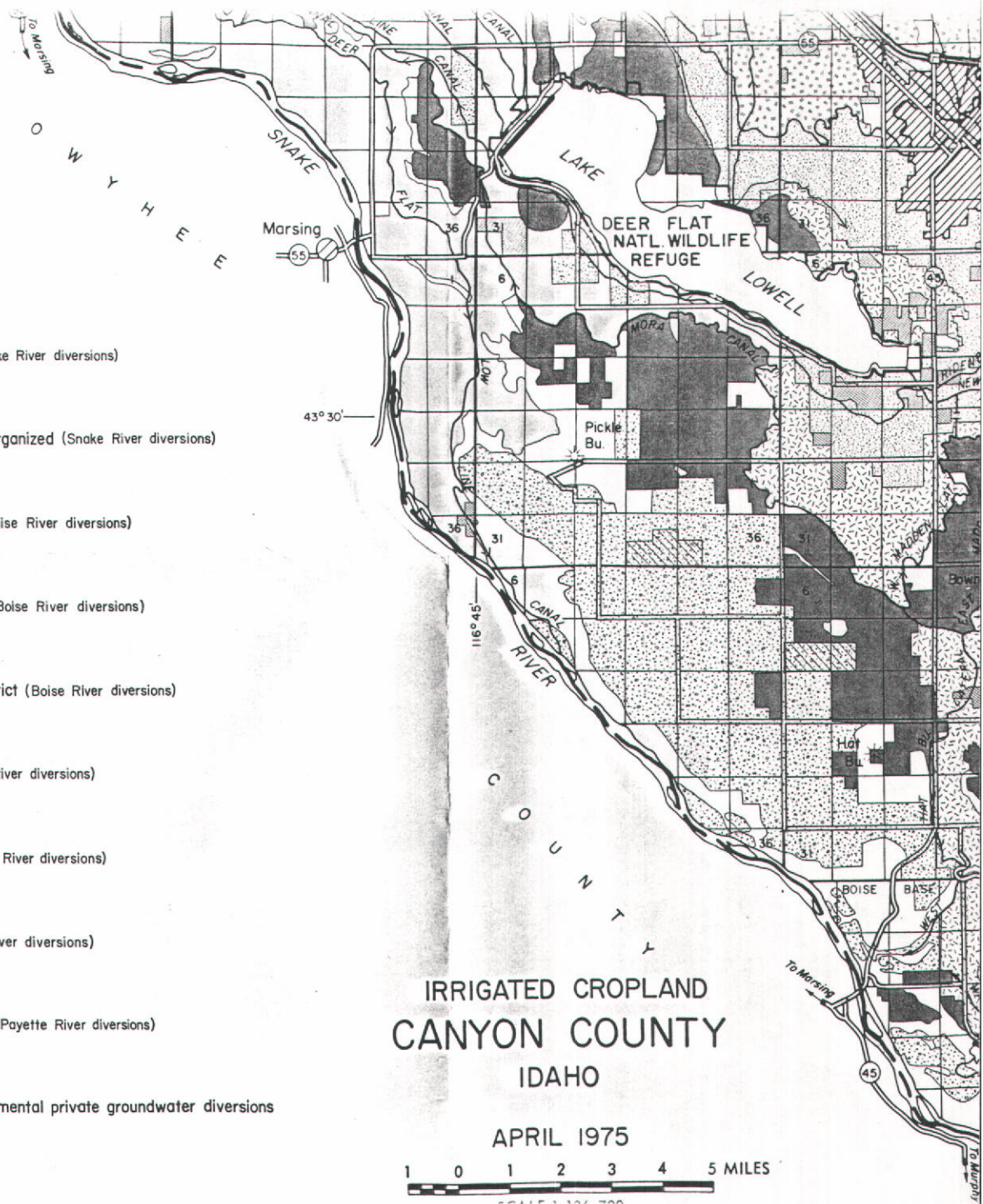


Place of use - NW $\frac{1}{4}$ - Photos Taken FROM NE NW $\frac{1}{4}$
FROM East TO West The PIVOT is Running.

IRRIGATION WATER SOURCES

Date based on 1975 agricultural season

-  Private groundwater diversions
-  Private Boise River diversions
-  Private and small organized (Snake River diversions)
-  Private groundwater and small organized (Snake River diversions)
-  Boise-Kuna Irrigation District (Boise River diversions)
-  Farmers' Cooperative Ditch Co. (Boise River diversions)
-  Nampa & Meridian Irrigation District (Boise River diversions)
-  Pioneer Irrigation District (Boise River diversions)
-  Riverside Irrigation District (Boise River diversions)
-  Wilder Irrigation District (Boise River diversions)
-  Black Canyon Irrigation District (Payette River diversions)
-  District surface water and supplemental private groundwater diversions



IRRIGATED CROPLAND CANYON COUNTY IDAHO

APRIL 1975

1 0 1 2 3 4 5 MILES

MICROFILMED

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-10268

Priority: October 03, 1984

Maximum Diversion Rate: 1.54 CFS

Maximum Diversion Volume: 347.0 AF

It is hereby certified that TEUNISSEN FAMILY TRUST
C/O JANE TEUNISSEN TRUSTEE
9166 PERCH AVE
CALDWELL ID 83607

And/Or

TEUNISSEN FAMILY TRUST DTD 1-8-1990
BERNARD TEUNISSEN TTE
12350 WHITECHAPEL WY
NAMPA ID 83686-8030

have complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 03, 1984; and have submitted Proof of Beneficial Use on November 27, 1989. An examination indicates that the works have a diversion capacity of 3.22 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/01 to 11/15	1.54 CFS	347.0 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16, Twp 02N, Rge 03W, B.M., CANYON County

GROUND WATER SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 16, Twp 02N, Rge 03W, B.M., CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N 03W 16						38.0	39.0										77.0
Total Acres:																	77

CONDITIONS OF APPROVAL

1. Rights 63-03329 and 63-08253 are also diverted through the points of diversion described above.
2. Rights 63-03329, 63-08253 and 63-10268 when combined shall not exceed a total diversion rate of 3.22 cfs, and a total annual maximum diversion volume of 1660.0 af at the field headgate.

MICROFILMED

JUN 02 2004

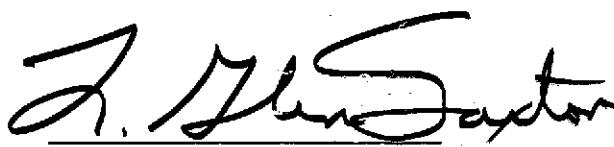
State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 63-10268

3. 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.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 18th day of February, 2004.


for KARL J. DREHER
Director

MICROFILM

JUN 02 2004

11/99

For Office Use Only
\$25 filing fee PAID
Receipt # C-057140
Date 10-18-01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 27 2003

ASSIGNMENT OF PERMIT

To change the ownership of a permit

Department of Water Resources

I, TRANSMUTATION PROPERTIES, INC., hereby assign to Bernard Teunissen and Jane Teunissen, as Trustees
of, 12350 Whitechapel Way, Nampa, Idaho 83686-8030 of the Teunissen Family Trust, dated January 8, 1990
(Full Address) (Phone) 208-442-7445

All my right, title, and interest in and to Permit No. 63-10268 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 20th day of August, 2003

by: [Signature]
Permit Holder(s) Frank J. Lizaraga, Jr., President

California
State of ~~Idaho~~)
)ss
County of San Bernardino)

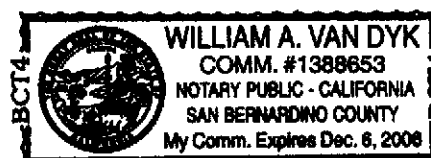
On this 20th day of August, 2003, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.

WILLIAM A. VANDYK
Notary Public residing at

SEAL

3535 Inland Empire Blvd., Ontario, CA 91764

My commission expires: Dec. 6, 2006



MICROFILMED
SEP 09 2003

RECEIVED

APR 10 2000

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMITRECEIPT # 4.12.00
C048784

BT and Anna Teunissen

I, George and Charlotte Johnson, hereby assign to Beranna Dairy - Bernard and Jane Teunissen
of, 9166 Perch Ave., Caldwell, ID 83607 (208) 455-7705
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 63-10268 to
appropriate the public waters of the State of Idaho.

A63-08253 and A63-03329

Q: (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State of
Idaho. (Describe portion of the permit assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.)

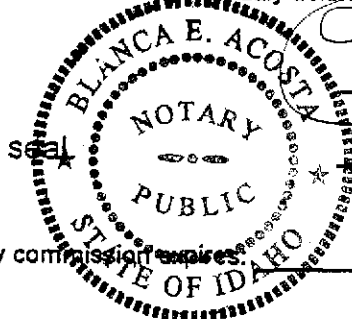
Made this 23rd day of Feb, 2000.

George D. Johnson Charlotte L. Johnson
Permit Holder

State of Idaho

County of Canyon ss

On this 23 day of Feb, 2000, personally appeared before me the signer(s) of the
above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at GreenleafMy commission expires 9-7-05MICROFILMED
APR 12 2000

Water Right Transfer to New Ownership

George R. Johnson and Charlotte L. Johnson hereby acknowledge and agree that they hereby assign, sell, and relinquish all their water rights to Adjudication Claims A63-08253 and A63-03329, application for permit No. 63-11976, 63-10268, and any other pending applications and water rights of any kind whatsoever pertaining thereto and said related property located in the W1/2 SE/4, E1/2 SW/4, E1/2 NW1/4, W1/2 NE1/4, and W1/2 NW1/4 Section 16, T.2N., R.3W., B.M., Canyon County, Idaho - containing about 400 acres to Beranna Dairy and/or Bernard, Jr. and Anna Teunissen and/or Bernard and Jane Teunissen and/or Bernard and Jane Teunissen Family Trust residing at 9168 Perch Ave., Caldwell, Idaho 83607.

Dated this 23rd day of February, 2000, by:

George S. Johnson

George R. Johnson

Charlotte L. Johnson

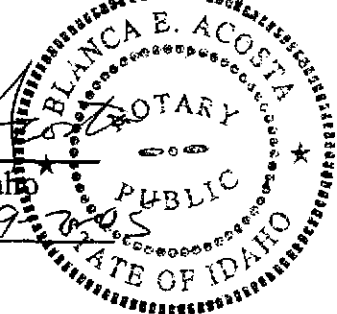
Charlotte L. Johnson

State of Idaho)) ss
County of Canyon)

On this 23rd day of February, 2000, before me a Notary Public for the State of Idaho, personally appeared George and Charlotte Johnson, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they understand and freely executed this instrument for the purposes therein stated.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public in and for Idaho
My Commission expires 9-



MICROFILMED
APR 18 2000

STATE OF IDAHO

RECEIVED
NOV 27 1989

RECEIVED
DEC 26 1989

Department of Water Resources
Western Regional Office

APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources To change the point of diversion and/or the place of use

APPROVED

Comes now George R. & Charlotte A. Johnson Phone 459-2701
of (address) 16494 Marsing Rd. Caldwell, Idaho 83605, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 63-10268, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE 1/4 NW 1/4, Section 16, Township 2N, Range 3W, B.M.,
County of Canyon. Other points of diversion: 2 pda's in NE NW
Sec 16 T2N R3W.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 1.6 for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	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	
<u>2N</u>	<u>3W</u>	<u>16</u>						<u>40</u>	<u>40</u>										<u>80</u>

Total number of acres to be irrigated = 80

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

MICROFILMED

JUN 21 1990

Show 40-acre subdivisions, townships, ranges and ditches.

[illegible]

George G. Johnson
(Signature)

MICROFILMED

~~JUN 21 1990~~

Witness my hand this

day of

Tune

19 90

_____, 19 90
A. Glen Saylor
 Chief, Water Alloc. Bureau

RECEIVED

NOV 27 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received \$100.00
Date 11/29/89
Receipt # C013070
Receipt by C. W. W.
Reviewed by J. M. 3-2-90
Sent to region

Department of Water Resources

PROOF OF BENEFICIAL USE

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

Permit No. 63-10268

Name(s) of Permit Holder: George B. For Charlotte A. Johnson

Post Office Address: 16494 Marving Rd. Caldwell, Idaho 83605

Telephone No. 208-459-2701

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation 80 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 1.0 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 1985

Measuring Device: Required? ☒ Yes ☐ No
Installed? ☐ Yes ☐ No
Fee enclosed \$ 100
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☒ Yes ☐ No
Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

George B. Johnson 459-2701
(Name) (Telephone Number)

16494 Marving Rd. Caldwell, Idaho 83605
(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

11/22/89
Date

George B. Johnson
Signature of Permit Holder (and title, if appropriate)

MAR 14 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant George R. &/or Charlotte L. Johnson Phone 459-2701

Post office address Rt. 4, Box 163, Caldwell, ID 83605

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

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 16 Township 2N

Range 3W B.M. Canyon County, additional points of diversion if any: _____

SWNE, Sec. 16, T. 2N, R. 3W

4. Water will be used for the following purposes:

Amount 1.6cfs for irrigation purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1.6 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well with pumps to sprinkler
system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 14 inches; proposed depth of well is 300 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	3W	16		40	40														80

Total number of acres to be irrigated 80

c. Describe any other water rights used for the same purposes as described above. None

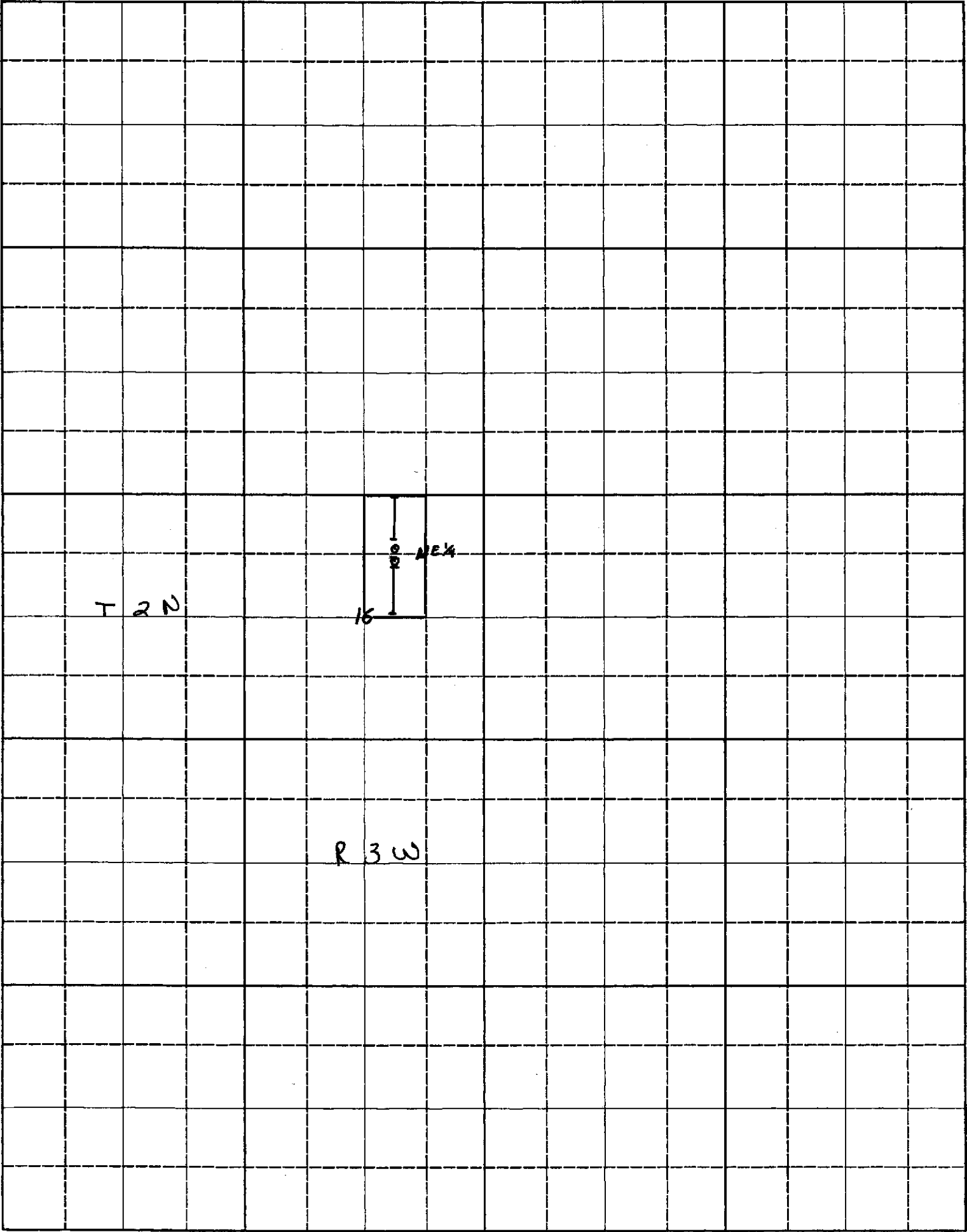
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 Inches equal 1 mile.

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

Leo A. Johnson
(Applicant)

MICROFILMED

Proposed Priority 10/3/84

Received by ECB Date 30/8/84 Time 11:Am

MICROFILMED

Preliminary check by ECB Fee \$ 65.00

Receipted by ECB Date 30/8/84 # 34564

Publication prepared by jp Date 10/11/84

Published in Press-Tribune

Publication dates 10/18 & 10/25/84

Publication approved SR Date 10/31/84

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS kw

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-10268, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 90.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

The Director of the Department of Water Resources retains jurisdiction over the use of water under this permit.

Witness my hand this 25th day of January, 1985.

L. Glen Sayton
Chief, Operations Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 18, 2004

TEUNISSEN FAMILY TRUST
C/O JANE TEUNISSEN TRUSTEE
9166 PERCH AVE
CALDWELL ID 83607

TEUNISSEN FAMILY TRUST DTD 1-8-1990
BERNARD TEUNISSEN TTE
12350 WHITECHAPEL WY
NAMPA ID 83686-8030

RE: License No. 63-10268 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

cc: SCOTT L CAMPBELL

MICROFILMED

JUN 02 2004

CERTIFICATE OF SERVICE

I hereby certify that on February 18, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

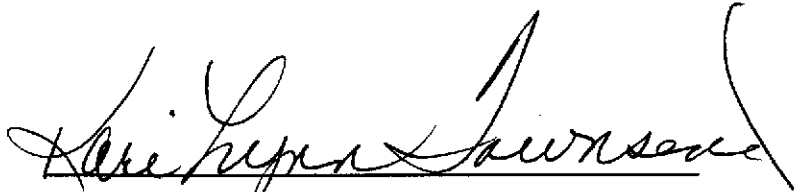
RE: WATER RIGHT NO.

63-10268

**SCOTT L CAMPBELL
MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD
PO BOX 829
BOISE ID 83701-0829**

**TEUNISSEN FAMILY TRUST
C/O JANE TEUNISSEN TRUSTEE
9166 PERCH AVE
CALDWELL ID 83607**

**TEUNISSEN FAMILY TRUST DTD 1-8-1990
BERNARD TEUNISSEN TTE
12350 WHITECHAPEL WY
NAMPA ID 83686-8030**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED

JUN 02 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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.

MAILED
JUN 02 2004

LICENSE REVIEW CHECKLIST

Permit No. 63-10268

Date: 2-13-04
1-23-04

Reviewer: Kay Walker

Change/OK

Name/Address

Source

Point of Diversion:

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed Profile reports printed yes

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 1.6 cfs

Fee Limit 2.0 cfs

Measured 3.22 cfs

Theoretical cfs

Recommended Total Diversion Rate 1.54

Water Uses

OK Change (P46)

Season of Use per new Standards

3/1 11/15

Irrigation 1.54 cfs 347.0

Stockwater cfs af

Domestic cfs af

cfs af

cfs af

Total 1.54 cfs 347.0 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

1.54 cfs x 1.9835 x 260 days = 794.2 af (vs) 77 acres x 0.02 (FHR) = 1.54 af

Remarks: 3.22 x 1.9835 x 260 = 1660.5 77 x 4.5 = 346.5 347.0

Additional Conditions

Watermaster Control

GW Measurement/Measuring Device

Other

Trust R55 - remove 051)

Non-trust (048)

GW Dist?

Water Msmt. Dist?

Crit. GWMA?

GWMA?

Government Lots?

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim?

not reg'd

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

S06

63-3329
-8253 same pld's
request additional fee for 0.34 cfs? paid 2/13/04

POD overlap

1/23/2004

Basin	Sequence	Priority Date	Rate(cfs)	Volume(af)	Source	Water Use(s)	Owner(s)	Source Table
63	3329	2/16/1963	2.06	865	GROUND WATER	IRRIGATION	TEUNISSEN FAMILY TRUST (Current)	wrAdjudicationClaim
63	8253	1/16/1976	1.16	563.7	GROUND WATER	IRRIGATION	TEUNISSEN FAMILY TRUST (Current)	wrAdjudicationClaim
63	3329	2/16/1963	2.06	865	GROUND WATER	IRRIGATION	JOHNSON, GEORGE R (Current)	wrWaterRight
							JOHNSON, CHARLOTTE (Current);	
63	8253	1/16/1976	1.16	563.7	GROUND WATER	IRRIGATION	JOHNSON, GEORGE (Current)	wrWaterRight
							TEUNISSEN FAMILY TRUST (Current);	
							TEUNISSEN FAMILY TRUST DTD 1-8-	
63	10268	10/3/1984	1.54	347	GROUND WATER	IRRIGATION	1990 (Current)	wrWaterRight
							TEUNISSEN FAMILY TRUST (Current);	
							TEUNISSEN FAMILY TRUST DTD 1-8-	
~~63~~	~~10268~~	10/3/1984	1.60		GROUND WATER	IRRIGATION	1990 (Current)	wrWaterPermit

both wells Capacity = ~~3.22 cfs~~

Lic 63-3329 = 2.06 ←

Lic 63-8253 = 1.16 ← ^{Licensed} ~~excess~~ capacity

3.22 cfs

TENNISSED FAMILY TRUST
BARNAUD TENNISSED SR.
Tel 1-208-8991397

2-10-04
RECEIVED
FEB 13 2004
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
1301 - N. ORCHARD STREET, BOISE, ID. 83706
Tel. 1-208-327-7900

RE PERMIT NO. 63-10268

KAY WAIKE
Sr. WATER RESOURCE AGENT

Dear Kay,

On your 1-27-04 letter to us, you informed us of our entitlement to Rts. 63-3229 and 63-8253, limiting the wells to 3.22 cfs. when combined.

Enclosed please find check in amount of \$50.00 to cover additional examination fee of \$25.00 and late fee of \$25.00.

Thank you Kay for this information and we look forward to receive this additional water.

Sincerely

Barnaud Tennissen

MICROFILMED

JUN 02 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

January 27, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

TEUNISSEN FAMILY TRUST
BERNARD TEUNISSEN TTE
12350 WHITECHAPEL WY
NAMPA ID 83686-8030

RE: Permit No. 63-10268

Dear Permit Holders:

Permit 63-10268 is currently being reviewed for licensing so it can be included on the application for transfer you have submitted to our Western Regional Office. The Department's field examiner found you could divert 3.22 cubic feet per second (cfs) from the two wells, located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, Twp. 02N, Rge. 03W, that are proposed to be licensed under this permit. We find that we could allow a diversion rate of 1.54 cfs under proposed license for 63-10268. However, because an examination fee was only submitted for 1.0 cfs when Proof of Beneficial Use was submitted, the license may be limited to 1.0 cfs.

These wells currently supply water to Rts. 63-3229 and 63-8253 also. The proposed license will have a condition limiting the wells to 3.22 cfs when all rights are combined.

If you want this water right license to reflect the 1.54 cfs recommended by the examiner, you must submit an additional examination fee of \$25.00, plus a late payment penalty of \$25.00, within 30 days. If we don't receive the additional examination fee/late fee of \$50.00 within 30 days from the date of this letter, we will assume you are not interested in the additional 0.54 cfs of water and may license the permit for 1.00 cfs.

If you have any questions, please feel free to contact me at (208)327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k

MICROFILMED
JUN 02 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 16 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 63-10268

1. Owner: Charlotte L. / George R. Johnson Phone No. 459-2701

Current Address: 16494 Parsing Rd, Caldwell 83605

2. Accompanied by: Mr. Johnson EXAM DATE: 09/11/1997

Address: Same Phone No. Same

Relationship to Permit Holder: Same

3. Source: Ground Water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: 63-03329 63-8253

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
1		NW	NE	NW	16	2N	3W	Canyon	USGS OQ, Field exam
2		SE	NE	NW	16	2N	3W	Canyon	USGS OQ, Field exam

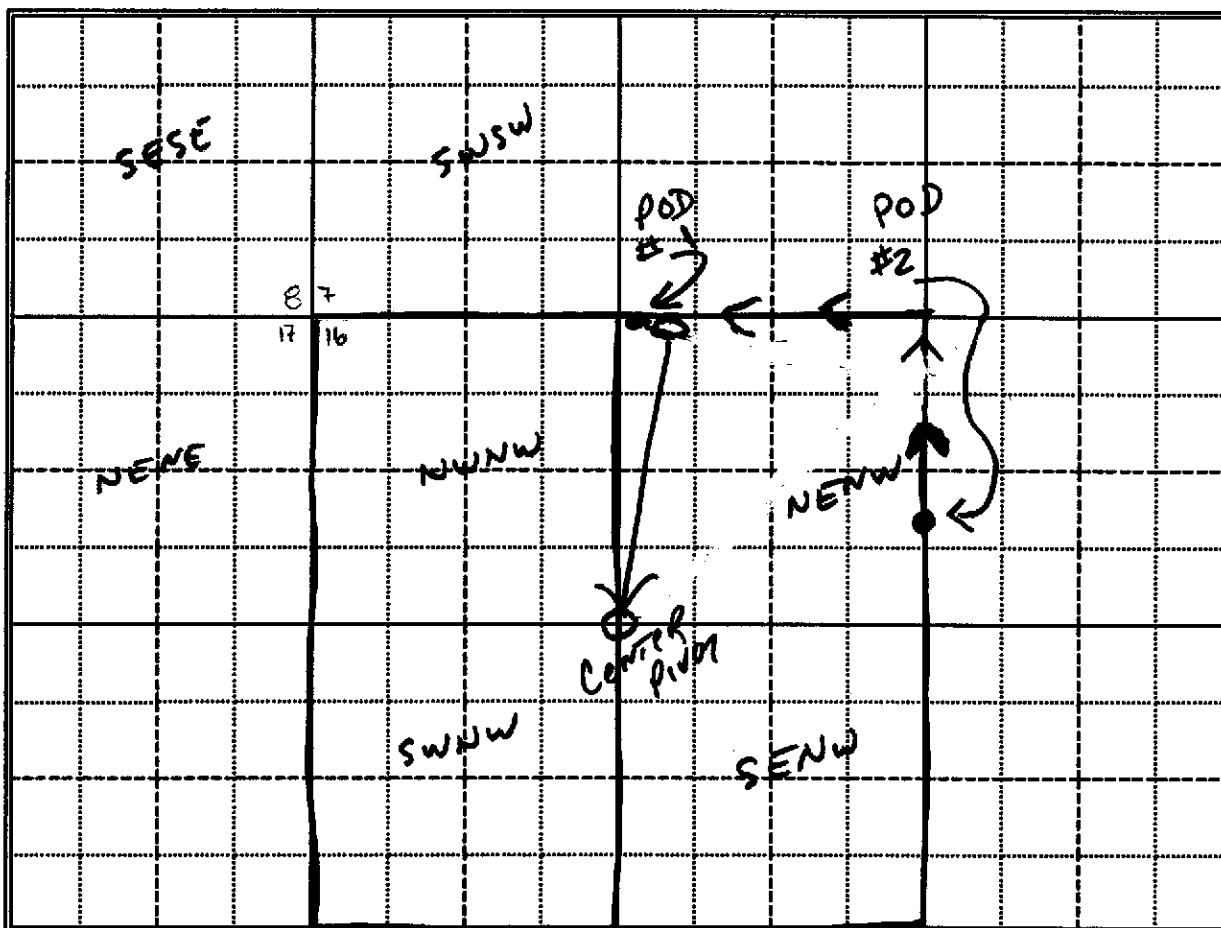
2. Place(s) of Use:

Indicate Method of Determination ASCS, NRCS 1997 slide.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	3W	16						38	39										77

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3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: ~~1" = 1000 feet~~

☒ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1	Hollowshaft	75	1296257		8" discharge to pond
2	Unknown	50		GOULD	6" discharge to pond

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

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E. NARRATIVE/REMARKS/COMMENTS

Both wells discharge to a pond next to well in NWNEW. 100 HP Booster pump lifts water to buried mainline to center pivot which irrigates NW 4 S. 16. There is no surface water appurtenant to these lands nor has there ever been surface water on these lands.

Corners were not irrigated at time of exam. Owner indicated that well #2 was pumping sand-- pump was in process of being replaced as a result. Without second well not enough water to run end guns.

Recommended acres reflect roads on ~~the~~ ~~the~~ west and north side of property.

No measuring device, although permit condition is sufficiently broad that wells probably meet condition which requires "...port or other device... provide for installation of measuring equipment..." Access port on well no. 2.

Owner should file Application for Transfer to add well in SEENEW to 63-03329 and 63-08253

Conditions limiting combined diversion with 63-03329 and 63-08253 based on system capacity of 3.06 CFS. Volume limitations of 63-08253 may need to be adjusted in SRBA.

System volume limitation is 1493.1 AFA, based on 246 day irrigation system. System irrigates 305 total acres = 4.86 AF/Acre.

Have conditions of permit approval been met? ☒ yes ☐ no

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F. FLOW CALCULATIONS

Measured Method:

Well No. 1
90 ft: STATIC H₂O (per owner)
75 HP pump
open discharge to pond
Licensed at capacity = 2.06 cfs (63-03329)

Additional Computation Sheets Attached

Well No. 2
90 ft: STATIC H₂O (per owner)
pump @ 120 ft
open discharge to pond
50 HP pump
Measured with old pump @ 1.16 cfs

Pump Curve:
450 gpm
1.00 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 77 \times 4.5 = 346.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 3.06 \times 246 \times 1.9835 = 1493.1$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} = 346.5$$

2. Volume Calculations for Other Uses: N/A

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3/15	11/15	1.6	346.5
Totals:			1.6	345

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name H. J. [Signature] Date 08/19/1998

Reviewer _____ Date _____

SEAL

MICROFILMED
SEP 9 9 2007

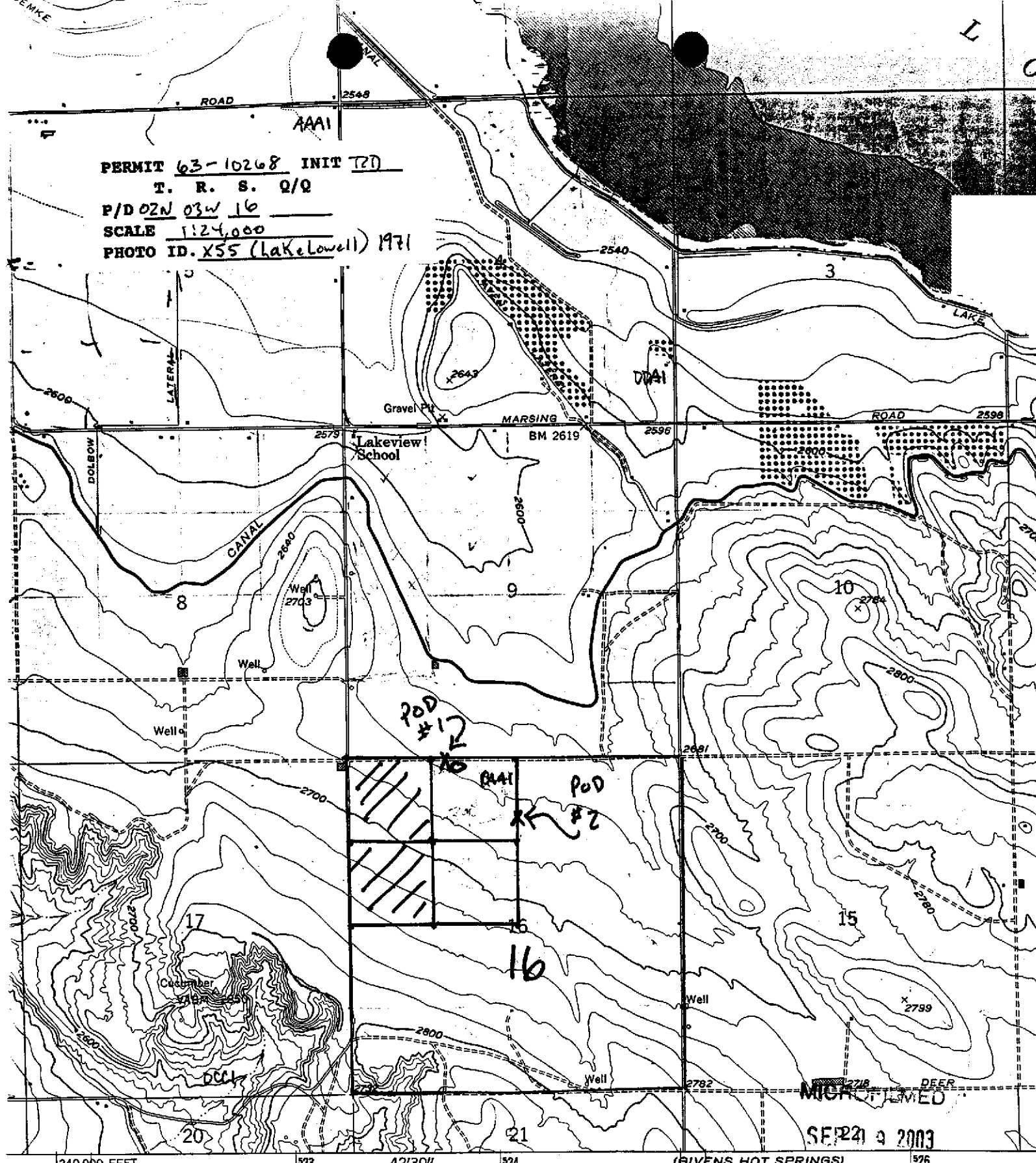
PERMIT 63-10268 INIT T2D

T. R. S. Q/Q

P/D 02N 03W 16

SCALE 1:24,000

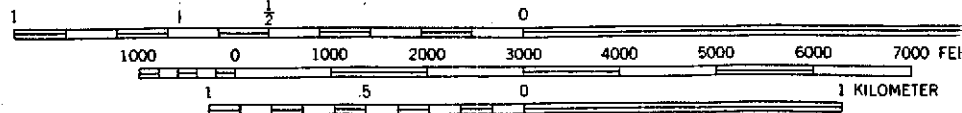
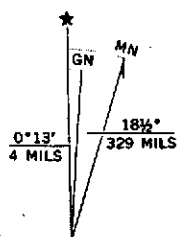
PHOTO ID. X55 (Lake Lowell) 1971



Geological Survey

grammetric methods

datum
system, west zone
grid ticks,



CONTOUR INTERVAL 20 FEET
DOTTED LINES REPRESENT 10-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL



Geological Survey

Derived from 1:80,000-scale aerial
photo, 1981

Not grid ticks: Idaho
zone

Transverse Mercator grid, zone 11
datum

U.S. North American Datum 1983 move
meters north and 78 meters east
near ticks

by optical scanning
checked image occur use the
for map point

T2N R3WS16
W2NW

POD: NENW(2)

63-10268

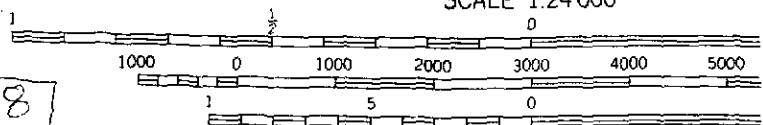
NORTH

XSS

Lake Lowell

1:24,000

SCALE 1:24 000



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SEP 02 2003

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY ST
FOR SALE BY U. S. GEOLOGICAL SURVEY, MENLO PARK

63-10268
1987 ASCS photo
T2N R3W S16
W2NW

POD#1
↓

POD#2
↓

76

T3445

T3762

/NW

NW

76.4

77.1

5269

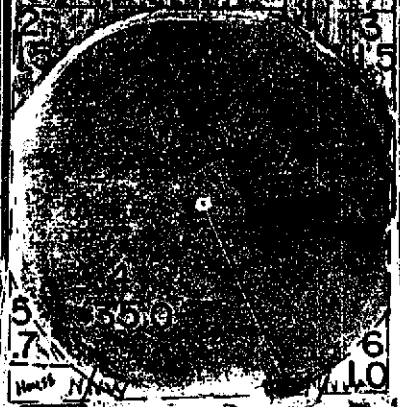
20.0

5
7

5510

6
10

MICROFILMED
SEP 11 1983



63-10268 Johnson

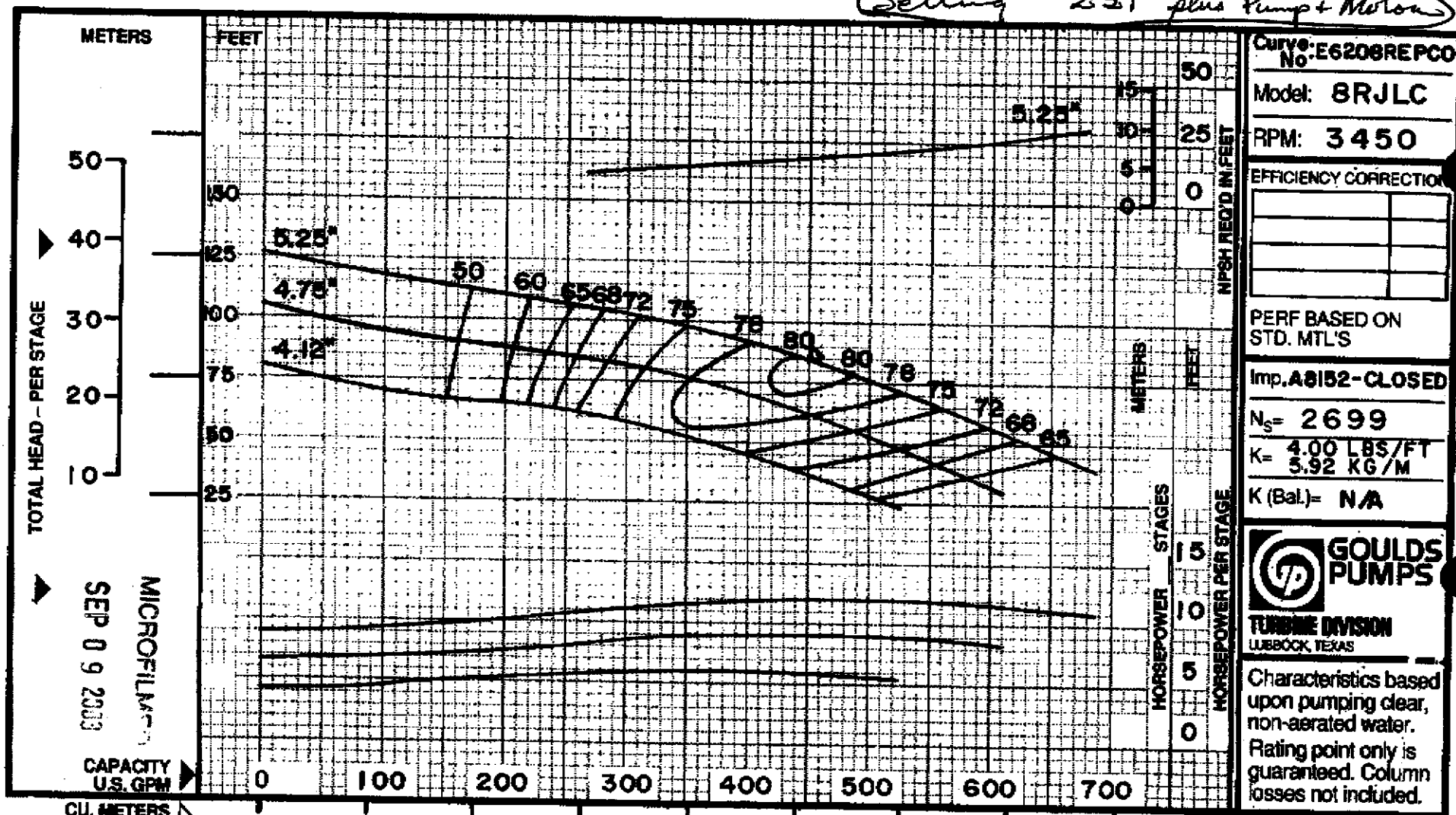
T02N 1203W S-16

W $\frac{1}{2}$ NW

1987

GOULDS PROPOSAL NO.	GOULDS S.O. NO.	INQUIRY NO.	CUSTOMER P.O. NO.	P.O. DATE	ITEM NO.	CUSTOMER		
PROJECT			SERVICE		GPM CAPACITY 450	F.T. TDH 340	% EFFICIENCY 80	RPM 3450

Setting 231' plus Pump + Motor



4 Stgs - 50 HP

MODEL
8RJLC
 DATE
March 1995
 SUPERCEDES
May 2, 1988

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: 63-10268

2. OWNER: Johnson, George + Charlotte Phone: 459-0268 2701
Address: 16494 Flamingo Rd Caldwell 83605

3. WELL LOCATION: Twp 2N, Rge. 3W, Sec. 16, NE 1/4 NW 1/4
County Canyon (Provide sketch map and photo on reverse.)

4. DRILLER: Davis Well Drilling Lic. No. 100
When Drilled? December 1962

5. WELL CONSTRUCTION:

Casing Diameter 14 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No

Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____

Depth of Casing _____ ft. Method Drilled _____

Condition of Well Casing: ☐ Good ☐ Fair ☐ Poor Describe _____

Control Valve? ☐ Yes ☐ No Pressure Gauge: ☐ Yes ☐ No

Condition of Piping and Valving _____

Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No

Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☐ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION:

Depth to Static Water 90 ft. Water Temperature _____ °F

Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)

Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____

Water Quality Measurements/Observations (Describe) _____

7. WELL USE:

☐ Domestic	☒ Irrigation	☐ Stock
☐ Test	☐ Municipal	☐ Industrial
☐ Abandoned	☐ Waste Disposal/Injection	☐ Not Used
☐ Other: _____		

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SEP 09 2003

8. **POSSIBLE CONTAMINATION SOURCES:**

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. **REMARKS:** Well also licensed under 63-03329. Discharge to small pond,
then pumped with booster to 160 acre ^{CENTER} PIVOT IN NW 1/4 S16.

Lo. Hansen Sr. Water Agent
Signature of Dept. Representative & Title

9/11/1997
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

See photo in 63-10268

MICROFILMED
SEP 09 2003

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: 63-10268

2. OWNER: George/Charlotte Johnson Phone: 459 2701
Address: 16494 Flaring Rd Caldwell 83605

3. WELL LOCATION: Twp 2N, Rge. 3W, Sec. 16, NE 1/4 NW 1/4
County Canyon (Provide sketch map and photo on reverse.)

4. DRILLER: Davis Well Drilling Lic. No. 101
When Drilled? MARCH 1976

5. WELL CONSTRUCTION:

Casing Diameter 6 inches Water tight cap? ☒ Yes ☐ No Access Port: ☐ Yes ☐ No

Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____

Depth of Casing 168 ft. Method Drilled _____

Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____

Control Valve? ☒ Yes ☐ No Pressure Gauge: ☐ Yes ☒ No

Condition of Piping and Valving Good

Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No

Are there obvious construction problems that may be a source for contamination or waste of water?
☒ Yes ☐ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION:

Depth to Static Water 125 ft. Water Temperature _____ °F

Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)

Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____

Water Quality Measurements/Observations (Describe) _____

7. WELL USE:

☐ Domestic

☒ Irrigation

☐ Stock

☐ Test

☐ Municipal

☐ Industrial

☐ Abandoned

☐ Waste Disposal/Injection

☐ Not Used

☐ Other: _____

MICROFILMED
SEP 29 2003

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS: Well located between fields on east line of NENW.

Also licensed under 63-08253. Water is piped north to section line then west to small pond in NWNE. Booster pumps water to 160 acre center pivot in NW4 S.16.

[Signature] SR Water Agent
Signature of Dept. Representative & Title

09/11/1997
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

See file 63-10268

MICROFILMED
SEP 09 2003



PHOTOGRAPHER AND DATE OF PHOTOS M. Minicucci 09/11/1997

FILE NO. AND LEGAL DESCR. 63-10268 T2N R3W S16



Pond No. 1
NW 1/4 NW 1/4
8 inch discharge
to pond.

White pipe on
other side of
pond (in flowers)
is discharge
(from Pond No. 2).

100 HP booster
pump out of
pond to Pond



Pond No. 2
SE 1/4 NW 1/4

6 inch discharge
to buried mainline
To pond shown
above.

50 HP submersible

PHOTOGRAPHED

09/11/1997



PHOTOGRAPHER AND DATE OF PHOTOS Tim W. L. 09/11/1997

FILE NO. AND LEGAL DESCR. 63-10265 T2N R3W S.16 W2NW



POV

Photo taken from
Leach Road, NESE
SE, looking south
and west.



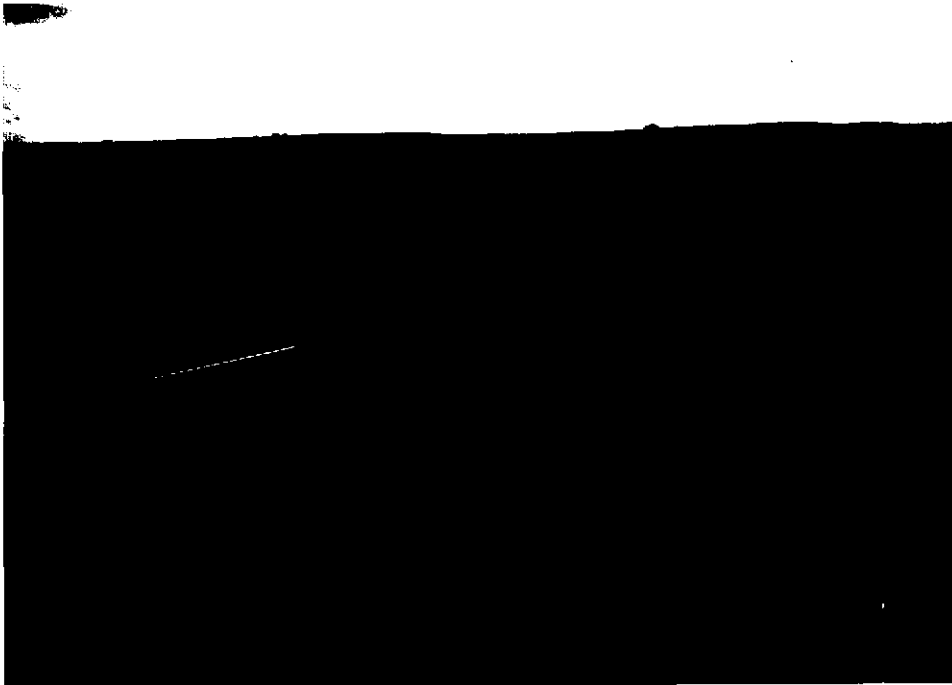
POV, showing corner
NW irrigated this
season. NW corner
of NW NW. Photo
looks south along
west line of S.16

Tim W. L. 09/11/1997
09/11/1997



PHOTOGRAPHER AND DATE OF PHOTOS M. D. D'Amico 09/11/1997

FILE NO. AND LEGAL DESCR. 63-10268 T2N R3W S16 W2NW



POV
NW NW
Photo taken from
NW corner, looking
southeast across
POV. Coaches not
relocated this year
because of problems
with "new" well
(POV No. 2).



Pivot sweeping
across NW NW.
All heads running
but not end of.

Microfilm
9/11/97



PHOTOGRAPHER AND DATE OF PHOTOS M. Minicucci 09-11-1997

FILE NO. AND LEGAL DESCR. 63-10268 T2N R3W S16



Place of use
FROM NW
CORNER OF
PROPERTY
looking East



Place of
use phot
taken from
NW corner

UNCLASSIFIED

DATE 11-11-2009



PHOTOGRAPHER AND DATE OF PHOTOS M. Minicucci 09/11/1997

FILE NO. AND LEGAL DESCR. 63-10268 T2N R3W S16

WICHITA
09/09/97



Place of use - NW $\frac{1}{4}$ - Photos Taken FROM NE NW $\frac{1}{4}$
FROM East TO West The PIVOT is Running.

Idaho Department of Water Resources Receipt

Receipt ID C057140

Payment Amount \$25.00 Date Received 10/18/2001 2:07:08 PM Region State Status
 Payment Type Check Check Number 158413

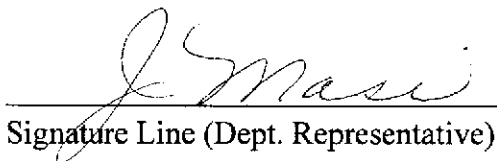
Payer MOFFATT THOMAS

Comment WATER RIGHT 63-29095 63-02839 A63-29025 A63-02839

ASSIGNMENT OF PERMIT 63-10268

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	~~56140~~	1155
				56103	


 Signature Line (Dept. Representative)

DEBBIE ALLEN . . .

THE PCA* CODE NEEDS TO BE CHANGED TO 56103* TO REFLECT THE CORRECT TRANSACTION OF "ASSIGNMENT OF PERMIT".

THANKS,

KARI LYNN
 8-28-03

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
Robert E. Bakes
John S. Simko
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
Morgan W. Richards
Mark A. Ellison
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas

Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell
Michael G. McPeck
Robert B. Burns
James C. Dale
Michael E. Thomas
Patricia M. Olsson
James C. deGlee
Bradley J. Williams
Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill

David P. Gardner
Casey C. Robertson
Julian E. Gabiola
Angela Schaer Kaufmann
Benjamin H. Schwartz
Jon A. Stenquist
Bradley J. Dixon
Mark C. Peterson
Andrew J. Waldera
Shawn C. Nunley

Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

RECEIVED

AUG 27 2003

Department of Water Resources

August 26, 2003

Boise
Idaho Falls
Pocatello

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise, Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

KariLynn Townsend
Idaho Department of Water Resources
1301 N. Orchard
P.O. Box 83720
Boise, ID 83720

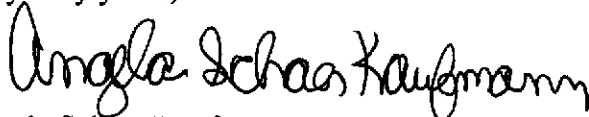
Re: Assignment of Permit for No. 63-10268
Assignment of Application for Permit for No. 63-11976
MTBR&F File No. 18953.0

Dear Ms. Townsend:

Enclosed please find the Assignment of Permit and the Assignment of Application for Permit which I am sending to you on behalf of my clients, the Teunissen Family Trust. This is in response to correspondence which you sent to us earlier this year advising that the Notice of Change of Ownership as to water right 63-10268 and 63-11976 were not the proper documents to be filed.

I hope that this resolves this matter. If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,



Angela Schaer Kaufmann

ASK/dll

Enclosures

cc: Bernie Teunissen

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SEP 09 2003

RECEIVED

OCT 18 2001

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

Department of Water Resources

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
63-03329	A63-03329	☒			
63-08253	A63-08253	☒			
63-10268	A63-10268	☐			
63-11976	A63-11976	☐			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) See attached.

4. New Owner/Claimant(s) TEUNISSEN FAMILY TRUST
GO BERNARD TEUNISSEN & JANE TEUNISSEN, TRUSTEES
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 9166 PERCH AVE

City, State and ZIP Code CALDWELL ID 83607

New Telephone Number ()

5. Date you acquired the property _____

T:\Clients\18953\Teunissen Amended Notice of Change

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SEP 09 2003

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Demond T. Tuman

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by <i>K. H. H. H.</i>	Date <i>10.18.01</i>	Fees <i>\$25.00 x 2 (\$50.00)</i>	
Received by <i>J. H. H. H.</i>	Date <i>10.18.01</i>	Receipt No. <i>0057140 + 0057141</i>	
Processed by _____	AJ Date _____	WR _____	Date _____

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Attachment A
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

**WATER RIGHT NUMBERS 63-03329, 63-08253,
63-10268 and 63-11976**

The above-captioned water rights were originally claimed by George R. and Charlotte L. Johnson. On September 5, 2001, Idaho Department of Water Resources changed that ownership as follows:

Beranna Dairy
Anna Teunissen
9166 Perch Avenue
Caldwell, ID 83607

Beranna Dairy
B.J. Teunissen
9166 Perch Avenue
Caldwell, ID 83607

Beranna Dairy
Bernard Teunissen
9166 Perch Avenue
Caldwell, ID 83607

Beranna Dairy
Jane Teunissen
9166 Perch Avenue
Caldwell, ID 83607

That ownership is incorrect. Ownership should instead be in the name of

Teunissen Family Trust
c/o Bernard Teunissen and Jane Teunissen, Trustees
9166 Perch Avenue
Caldwell, ID 83607.

A copy of the pertinent deed is attached hereto; the property in question passed from the Johnsons through Transmutation Properties, Inc., to the Teunissen Family Trust.

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SEP 09 2003

BOI_MT1:361338.1

Transmutation Properties, Inc.
c/o William A. Van Dyk, Esq.
3535 Inland Empire Boulevard
Ontario, CA 91764

**** SPACE ABOVE FOR RECORDER ****

WARRANTY DEED

FOR VALUE RECEIVED TRANSMUTATION PROPERTIES, INC., a California Corporation, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto BERNARD TEUNISSEN and JANE TEUNISSEN, as Trustees of the Teunissen Family Trust, dated January 8, 1990, hereinafter called the Grantee, whose address is: 166 Perch Rd., Caldwell, Idaho 83607, the following described premises, in Canyon County, Idaho, to wit:

PARCEL I:

Vest One-Half of the Southeast Quarter, East One-Half of the Southwest Quarter and East One-Half of the Northwest Quarter of Section 16, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

PARCEL II:

West One-Half of the Northwest Quarter and West One-Half of the Northeast Quarter of Section 16, Township 2 North, Range 3 West of the Boise Meridian, Canyon County, Idaho.

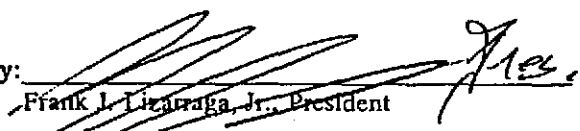
Includes transfer and conveyance of all water rights and interests appurtenant to said property or utilized in connection with enjoyment of said property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the successors, heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that they are free from all encumbrances except as above described and except as reflected within the public record and that Grantor will warrant and defend the same from all lawful claims whatsoever.

TRANSMUTATION PROPERTIES, INC.,
a California Corporation

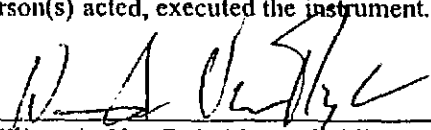
Dated: February 15, 2000.

by:


Frank J. Lizarraga, Jr., President

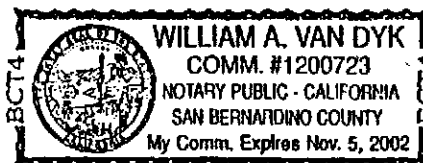
STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)

On February 15, 2000, before me, a Notary Public in and for said State, personally appeared FRANK J. LIZARRAGA, JR., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.


William A. Van Dyk, Notary Public

Residing at: 3535 Inland Empire Boulevard
Ontario, CA 91764

My Commission Expires: November 5, 2002



MICROFILMED

SEP 09 2003

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

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OCT 18 2001

Boise
Idaho Falls
Pocatello

Department of Water Resources

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
Robert E. Bakes
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
Morgan W. Richards
Mark A. Ellison
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenn M. Christensen

Gerald T. Husch
Scott L. Campbell
Michael G. McPeck
Kirk R. Helvie
Robert B. Burns
James C. Dale
Michael E. Thomas
Patricia M. Olsson
James C. deGlee
Bradley J. Williams
Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill

Stephanie A. Balzarini
David P. Gardner
Julian E. Gabiola
Paul C. Swainston
Angela D. Schaer
Casey C. Robertson
Ray J. Chacko
Dean C. Sorensen
Bradley J. Dixon
Keasa L. Hollister

Willis C. Moffatt,
1907-1980

October 17, 2001

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

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

Re: Beranna Dairy Water Right Claims
MTBR&F File No. 18-953.0

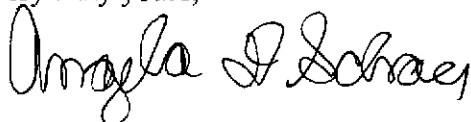
Dear Director:

Please find enclosed the following documents for filing with the Department, as well as a check in the amount of \$50.00 for the appropriate filing fees.

- 1) Notice of Change in Water Right Ownership - Water Right Nos. 63-29095 & 63-02839;
- 2) Case No. 63-29095 Notice of Appearance;
- 3) Case No. 63-02839 Notice of Appearance;
- 4) Amended Notice of Change in Water Right Ownership - Water Right Nos. 63-03329, 63-08253, 63-10268 & 63-11976;
- 5) Case No. 63-03329 Notice of Appearance;
- 6) Case No. 63-08253 Notice of Appearance;
- 7) Case No. 63-10268 Notice of Appearance; and
- 8) Case No. 63-11976 Notice of Appearance.

Please return the "conformed" copies in the envelope provided. Thank you for your attention.

Very truly yours,



Angela D. Schaer
ADS/dll
Enclosures

MOFFATT THOMAS

OCT 18 2001

RECEIVED

OCT 18 2001

Department of Water Resources

Scott L. Campbell, ISB No. 2251
Angela D. Schaer, ISB No. 5436
MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED
101 S. Capitol Boulevard, 10th Floor
Post Office Box 829
Boise, Idaho 83701
Telephone: (208) 345-2000
Facsimile: (208) 385-5384
18-953.0000

Attorneys for Bernard and Jane Teunissen

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re: SRBA

Case No. 39576

Case No. 63-10268

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that Scott L. Campbell and Angela D. Schaer, of the firm of Moffatt, Thomas, Barrett, Rock & Fields, Chtd., 101 S. Capitol Blvd., 10th Floor, P.O. Box 829, Boise, Idaho, 83701-0829, hereby enters an appearance as Attorneys of Record for Bernard and Jane Teunissen.

DATED this 17th day of October 2001.

MOFFATT, THOMAS, BARRETT, ROCK &
FIELDS, CHARTERED

By Angela D. Schaer for
Scott L. Campbell - Of the Firm

MICROFILMED

SEP 09 2003

By Angela D. Schaer
Angela D. Schaer - Of the Firm
Attorneys for Bernard and Jane Teunissen

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 17th day of October 2001, I caused a true and correct copy of the foregoing **NOTICE OF APPEARANCE** to be served by the method indicated below, and addressed to the following:

Director of IDWR
P.O. Box 83720
Boise, Idaho 83702-0098

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile

Angela D. Schaer
Angela D. Schaer



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

April 11, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BERANNA DAIRY
BERNARD & JANE TEUNISSEN
B J & ANNA TEUNISSEN
9166 PERCH AVE
CALDWELL ID 83607

RE: Assignment of Permit 63-10268

Dear Permit Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced permit to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Jeff Peppersack
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
APR 18 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 6, 1990

RE: Permit No. 63-10268

George R. &/or Charlotte L. Johnson
16494 Marsing Rd.
Caldwell, ID 83605

Dear Permit Holders:

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

JUN 21 1990

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: RW

Right Number 63-10268 Applicant George Johnson

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☒ Change place of use. ☐ Other

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☐ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) 63-10268
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date?

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
 - ☒ Amendment published correctly.
 - None* ☐ Protests processed.
 - ☒ Approve.
 - ☐ Deny.
- Conditions
-
-
-

By Dm Date 5/6/90

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By kw Date 5/25/90
- ☐ Approved copy sent to applicant and to Region. By Date

RECEIVED
MAY 14 1990

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv.
lot (R) REACH

IDAHO STREAM CODE INDEX

AFFIDAVIT OF PUBLICATION

RECEIVED
FEB 18 1990

STATE OF IDAHO)
) ss.
County of Canyon)

Department of Water Resources
Western Regional Office

Rebecca Stiehl

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

**NOTICE OF AMENDED
APPLICATION FOR PERMIT**

Notice is hereby given that permit No. 63-10268 in the name of George R. and/or Charolette L. Johnson was filed on October 3, 1984 for the diversion of 1.6 cfs from a Groundwater Source with 2 Points of Diversion within T2N R3W S16 NWNE and SWNE, B.M. to be used for irrigation purposes from 4/1 to 10/31 within portions of the NWNE and SWNE S16 T2N R3W, B.M. Canyon County.

The permit holders now proposes to amend the permit by changing the Points of Diversion to the NENW S16, T2N, R3W B.M. and the Place of Use to the NWNW and SWNW S.16 T2N R3W B.M. all with Canyon County.

Any protest against approval of the proposed change of amended application for permit must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before February 26, 1990.

R. KEITH HIGGINSON
Director
February 7, 14, 1990

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two times

—in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

February 7, 14, 1990

Rebecca Stiehl

STATE OF IDAHO)
)
COUNTY OF CANYON)

On this 14th day of February in the year of 1990, before me, a Notary Public, personally appeared Rebecca Stiehl, 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 he/she executed the same.

Janet Lust
Notary Public for Idaho
Residing at Nampa

MY COMMISSION EXPIRES
JULY 12th, 1991

NOTICE OF AMENDED APPLICATION FOR PERMIT

Notice is hereby given that permit No. 63-10268 in the name of George R. and/or Charolette L. Johnson was filed on October 3, 1984 for the diversion of 1.6 cfs from a Groundwater Source with 2 Points of Diversion within T2N R3W S16 NWNE and SWNE, B.M. to be used for Irrigation purposes from 4/1 to 10/31 within portions of the NWNE and SWNE S16 T2N R3W, B.M. Canyon County.

The permit holders now proposes to amend the permit by changing the Points of Diversion to the NENW S16, T2N, R3W B.M. and the Place of Use to the NWNW and SWNW S.16 T2N R3W B.M. all with Canyon County.

Any protest against approval of the proposed change of amended application for permit must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before February 26, 1990.

R. Keith Higginson, Director

Published in the Press-Tribune 2/7 & 2/14/1990.

MICROFILMED

JUN 21 1990

March 9, 1990

GEORGE R. JOHNSON
CHARLOTTE L. JOHNSON
RT. 4 BOX 163
CALDWELL, ID 83605

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-10268

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED
MAR 14 1990

1/08

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 63-10268

Date: 3-2-90

General Considerations:

☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change Yes If yes, prepare a data entry
☐ Proof received timely
☐ Reinstated

Source of Water:

☐ Surface water
☒ Groundwater
NO 1. well log in file 1985
NA 2. drilling permit
A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

☒ Is a measuring device or access port required?
☒ Has one been installed?
☐ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

Date proof received	<u>NA</u>	
Date proof due		
No. of days late		
Priority date		
NEW PRIORITY DATE		

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

address change

138811

October 31, 1989

GEORGE R. JOHNSON
CHARLOTTE L. JOHNSON
RT. 4 BOX 163
CALDWELL, ID 83605

PROOF DUE NOTICE

RE: PERMIT NO. 63-10268

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

MAR 14 1990

January 29, 1985

RE: Permit No. 63-10268

George R. &/or Charlotte L. Johnson
Rt. 4, Box 163
Caldwell, ID 83605

Dear Permit Holder:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

The Director has retained jurisdiction of this permit since the area is being studied due to reported interferences among existing users of the water resource. The study may show that future diversion regulations &/or reinjection may be required to protect the resource.

The 1982 Idaho Legislature added a requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

MICROFILMED

January 29, 1935

RE: Permit No. 63-10268

Page 2 of 2

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosures

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Jan Fowler APPLICATION NUMBER: 63-102102

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☒ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 11/5/84
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 10/31/84
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 65/34564
☒ Publication dates and paper, recorded on application. Press Tribune
☒ Protests, dates, withdrawal, etc., recorded on application. 10/17 & 10/24/84
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 63
10/3/84 Date of priority recommended.
Special conditions of approval or cover letter. I.P. GW letter.
★ The Director of the Department of Water Resources
retains jurisdiction over the use of water under this
(26) application permit.
See memo to Norm in file.
Cover letter should contain a caution about possible
future water supply problems.

By: DBS Date: 11/7/84

STATE OFFICE REVIEW:

- 105, 103, 117
Special paragraph attached
☐ See attached sheet for more information.
By: KW

26 OIC ★ about **RECEIVED**
Date: 1/22/85 JAN 22 1985

MICROFILMED

Department of Water Resources

The Director has retained jurisdiction of this permit since the area is currently being studied due to reported interferences among existing users of the water water resource. The study may show that future diversion regulations and/or reinjection may be required to protect the resource.

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

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lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

MEMORANDUM

TO: Norm Young
THRU: Bob Fleenor
FROM: David Shaw ⁰⁶⁵
DATE: 1/16/85

Subject: Ground Water Levels in Dry Lake Area

There have been concerns, complaints and, I understand, law suits in the past over declining water levels and well interference in the Dry Lake area south of Lake Lowell. In October 1984 application for permit 63-10268 was filed for ground water in this area.

A work request for review of ground water supplies in the area was sent to Paul Castelin as a result of this application. Paul's report is attached with his Finding that observation wells in the area are showing declines. The proposed well for this application is located between an observation well that was discontinued in 1977 and at that time was showing declines and a current observation well that is also declining.

The 1975 irrigated lands map shows substantial ground water development in the area and some potential for additional development. No research of outstanding permits in the area was made.

Based upon Paul's comments I have recommended this application for approval with the condition the Director retain jurisdiction and the permittee be cautioned of possible future problems in the cover letter. I also recommend we carry out the well measurement suggested in Paul's memo.

Your approval of both the permit and well measurement are requested.

MICROFILMED



JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

RECEIVED

JAN 14 1985

Department of Water Resources
Western Regional Office

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

M E M O

TO: Western Region

DATE: January 10, 1985

FROM: Paul Castelin *PMC*

SUBJECT: Dry Lake Area Ground-Water Level Trends
(Pursuant to attached work request dated
November 9, 1984)

Most observation wells in the Dry Lake area show no long-term declines. In general, shallow wells and very deep wells (>600 ft.) show little water level change over the past 15 years. However, well 2N 3W 6DB1, in the shallower ground-water zone (246 ft. deep), was showing an average decline of 1.6 feet/year in 1974-77 when it was dropped from the state network due to loss of funding support. Many other wells in the Dry Lake area were also discontinued in late 1977 or early 1978.

Another observation well, 2N 3W 22 DDC1, with a depth of 580 feet and perforated from 400-580 feet, has shown a consistent water-level decline since 1971, of 3.2 ft./year. Season-end pumping levels may now be as deep as about 407 feet, with a spring static water level around 365 feet.

This well appears to monitor an intermediate zone which might be more heavily developed than either the shallower or deeper zones. It is also in the northwest portion of the Dry Lake area, as is 2N 3W 6DBD1. These two wells are really the only two observation wells in the area showing definite declines related to ground-water withdrawals.

Complaints of "pumping problems" need to be carefully screened to determine whether or not the "problem" is with regard to declining water levels, well construction, or pump bowl wear or other mechanical problems. Pumping of sand is a common problem in the area due to well construction using perforated casing rather than screened, gravel-packed wells. I would expect that only a relatively small percentage, if any of the problems are due to widespread areal decline of the water table. Pumping lifts of 400+ feet do not appear to be economically limiting, if they are representative.

RECORDED
INDEXED

The area has not been studied in any detail since about 1956 (U.S.G.S. Water-Supply Paper 1585) and is ripe for at least a mass-measurement of water levels and general inventory of wells, especially of those visited in 1956.

In summary, little is known of water level changes in all water bearing zones throughout the area; however, development of the intermediate zone from about 300-550 feet seems likely to cause some problem with accelerated declines in the northwestern portion of the area. Its an area which needs further study and monitoring.

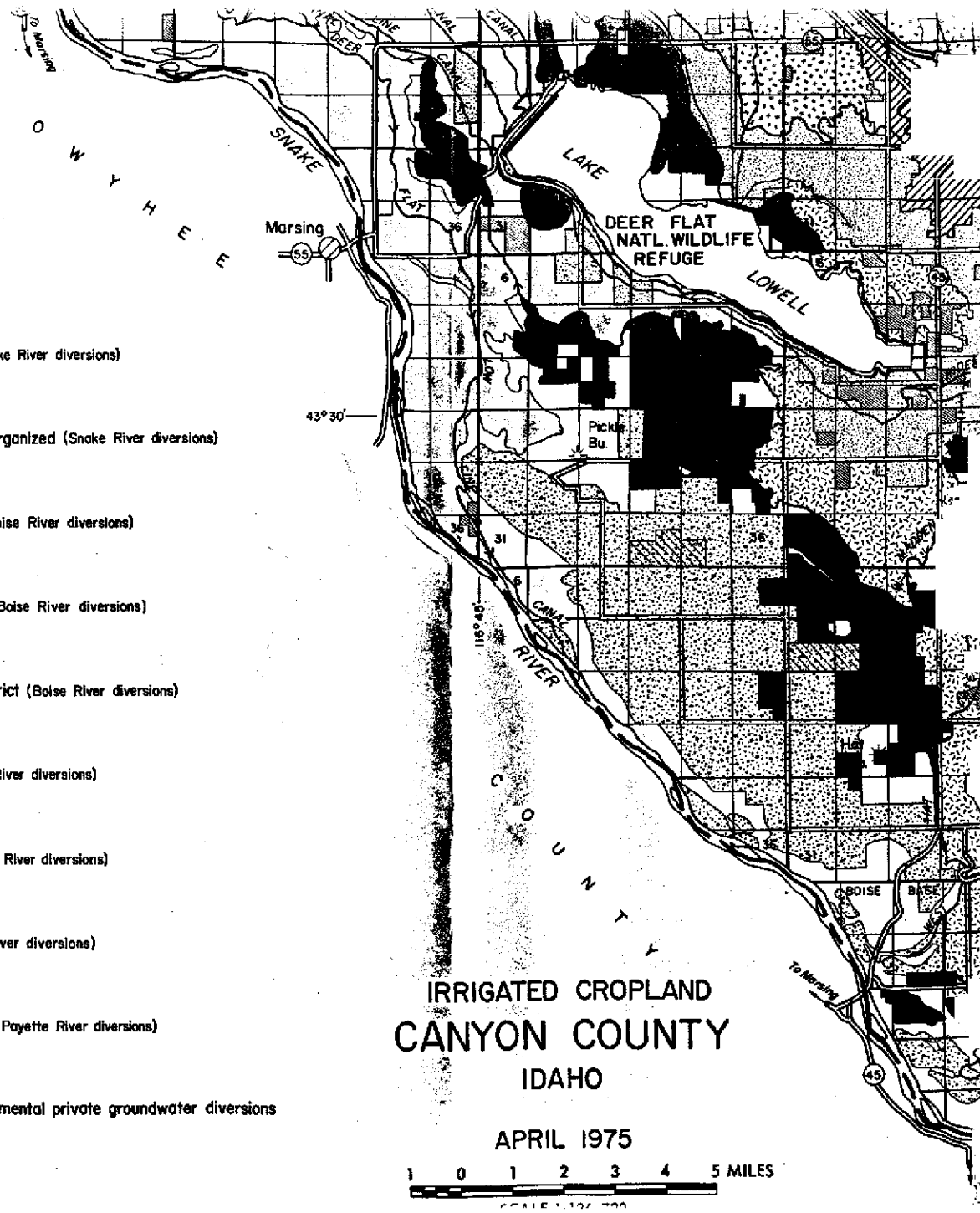
PMC:cjk

MICROFILMED

IRRIGATION WATER SOURCES

Date based on 1975 agricultural season

-  Private groundwater diversions
-  Private Boise River diversions
-  Private and small organized (Snake River diversions)
-  Private groundwater and small organized (Snake River diversions)
-  Boise-Kuna Irrigation District (Boise River diversions)
-  Farmers' Cooperative Ditch Co. (Boise River diversions)
-  Nampa & Meridian Irrigation District (Boise River diversions)
-  Pioneer Irrigation District (Boise River diversions)
-  Riverside Irrigation District (Boise River diversions)
-  Wilder Irrigation District (Boise River diversions)
-  Black Canyon Irrigation District (Payette River diversions)
-  District surface water and supplemental private groundwater diversions



IRRIGATED CROPLAND
CANYON COUNTY
IDAHO

APRIL 1975

1 0 1 2 3 4 5 MILES

MICROFILMED

TO: Paul Castelin
FROM: Western
SUBJECT: Work Request
DATE: November 9, 1984

Several new water right applications have been filed in the Dry Lake and surrounding area (south of Lake Lowell). We have heard grumblings that several wells in this area have experienced water level declines and pumping problems. Any insight you could offer on the further groundwater development potential or lack of for this area, would be appreciated.

MICROFILMED

RECEIVED
OCT 23 1984

Department of Water Resources
Western Regional Office

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application has
been filed to appropriate the public
waters of the State of Idaho:

63-10268 ✓

JOHNSON, GEORGE R. &/or
CHARLOTTE L.
RT. 4 BOX 163, CALDWELL, ID
83605

Source: GROUNDWATER

Date Filed: October 3, 1984

Diversion Pt: NWNE SWNE Sec 16
T 02N R 03W

Use: IRRIGATION (1.60 CFS)

In: NWNE SWNE Sec 16 T 02N R
03W FOR 80 ACRES

The permit will be subject to all
prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, Western Region,
Statehouse, Boise, Idaho 83720 on
or before NOVEMBER 5, 1984.

KEN DUNN

Director

October 18, 25, 1984

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

) SS.

County of Canyon)

Debra Martin del Campo

of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of
America, and at all times hereinafter mentioned
was over the age of eighteen years, and not a party
to the above entitled action.

2. That I am the Principal Clerk of the Idaho
Press-Tribune, a daily, (except Saturday)
newspaper published in the City of Nampa and
Caldwell, in the County of Canyon, State of Idaho;
that the said newspaper is in general circulation
in the said County of Canyon, and in the vicinity of
Nampa and Caldwell, and has been uninterrupted-
ly published in said County during a period of
seventy-eight consecutive weeks prior to the first
publication of the notice, a copy of which is hereto
attached.

3. That the notice, of which the annexed is a prin-
ted copy, was published in said newspaper

Two times

in the regular and entire issue of said paper, and
was printed in the newspaper proper, and not in a
supplement.

4. That said notice was published the following
dates:

October 18, 25, 1984

RECEIVED
OCT 31 1984

Department of Water Resources
Western Regional Office

Debra Martin del Campo

Subscribed and sworn to before me this

25th

day of October

1984

Janne Sedek
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

OCTOBER 11, 1984

Idaho Press-Tribune
P.O. Box 9399
Nampa, ID 83652

Gentlemen:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 5, 1984.

Yours truly,

JUDY PENSE
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before NOVEMBER 5, 1984.

KEN DUNN, Dir.

Published 10/18 & 10/25/84.

MICROFILMED

63-10268

JOHNSON, GEORGE R. &/or CHARLOTTE L.

RT. 4 BOX 163, CALDWELL, ID 83605

Source: GROUNDWATER

Date Filed: 10/03/1984

Diversion Pt: NWNE SWNE Sec 16 T 02N R 03W

Use: IRRIGATION (1.60 CFS)

In: NWNE SWNE Sec 16 T 02N R 03W FOR 80 ACRES