

TION
RYE
523



quit lots slash only
- SE 6/27/94

SEE subd. plat:
Plu mostly SENW
plus minor amounts
SUNE & NESW.

2
concurrent
Appls.

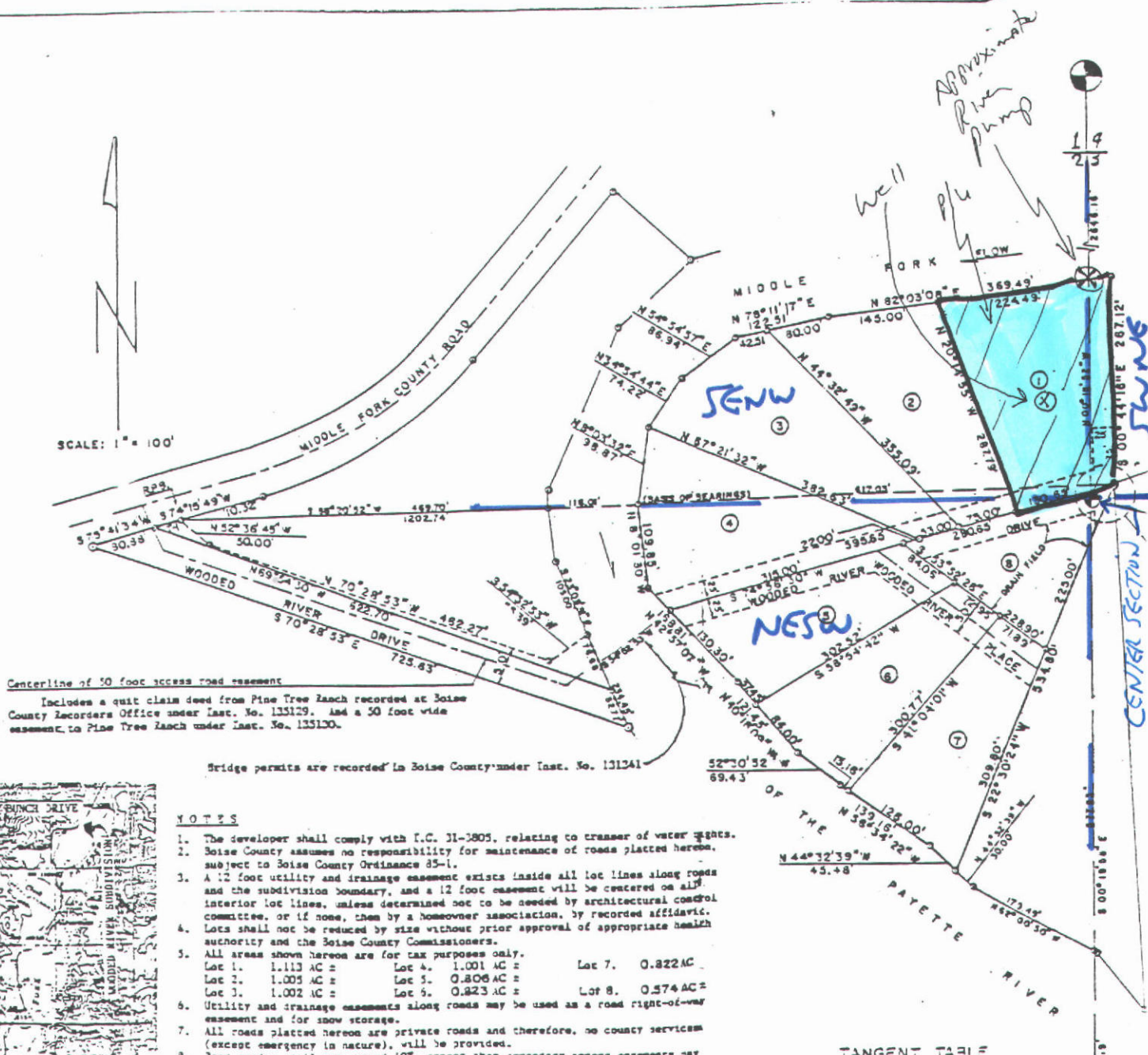
Well appears to be
in SENW.
River pump to be on/near
line between SUNE & SENW.

Oct 8 1994

WOODED RIVER SUBDIVISION

SITE IN SECTION 23, T.10N., R.4E., B.M. BOISE COUNTY, IDAHO

1990



Centerline of 50 foot access road easement

Includes a quit claim deed from Pine Tree Ranch recorded at Boise County Records Office under Inst. No. 135129. And a 50 foot wide easement to Pine Tree Ranch under Inst. No. 135130.

Bridge permits are recorded in Boise County under Inst. No. 131341

NOTES

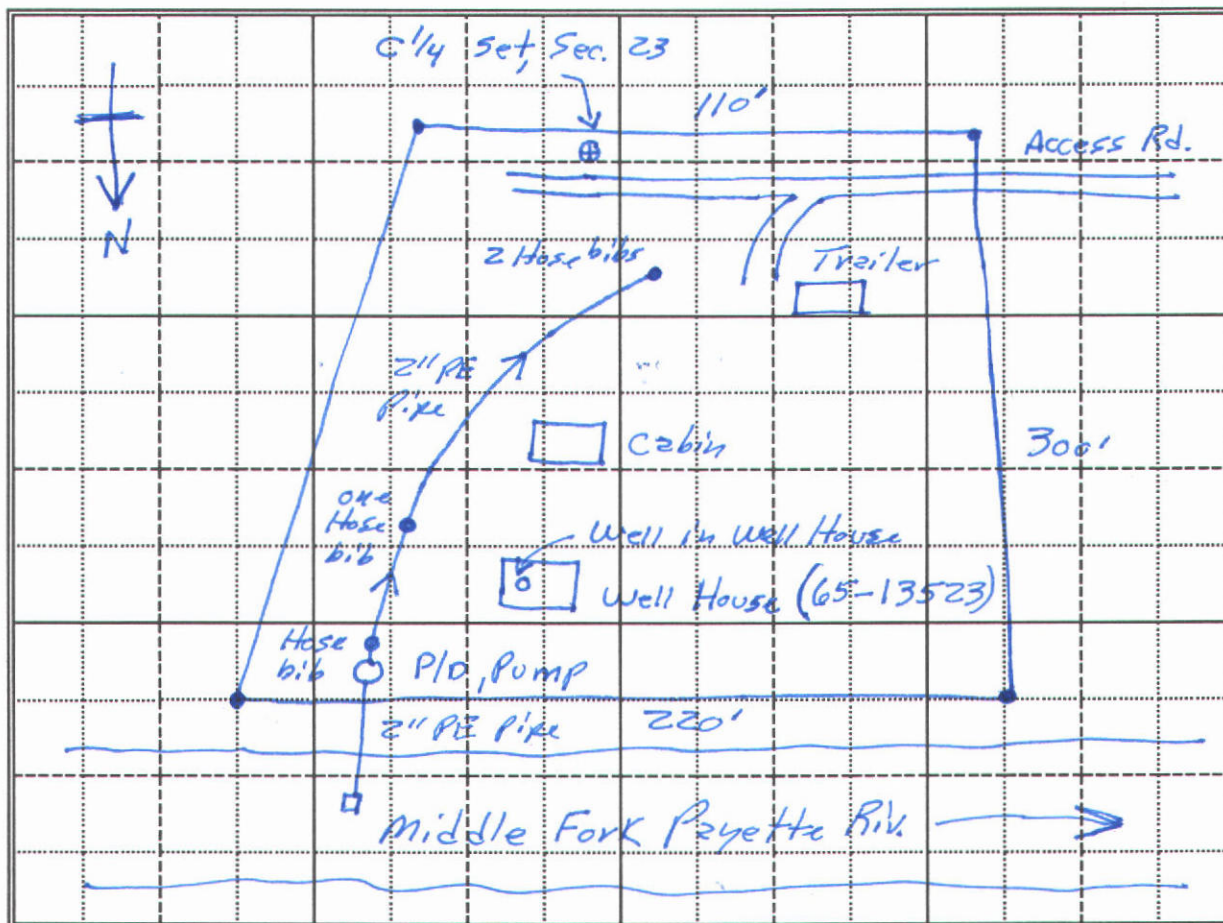
- The developer shall comply with I.C. 31-3805, relating to transfer of water rights.
- Boise County assumes no responsibility for maintenance of roads platted herein, subject to Boise County Ordinance 85-1.
- A 12 foot utility and drainage easement exists inside all lot lines along roads and the subdivision boundary, and a 12 foot easement will be centered on all interior lot lines, unless determined not to be needed by architectural control committee, or if none, then by a homeowner association, by recorded affidavit.
- Lots shall not be reduced by size without prior approval of appropriate health authority and the Boise County Commissioners.
- All areas shown hereon are for tax purposes only.

Lot 1. 1.113 AC ±	Lot 4. 1.001 AC ±	Lot 7. 0.822 AC ±
Lot 2. 1.005 AC ±	Lot 5. 0.806 AC ±	
Lot 3. 1.002 AC ±	Lot 6. 0.823 AC ±	Lot 8. 0.574 AC ±
- Utility and drainage easements along roads may be used as a road right-of-way easement and for snow storage.
- All roads platted hereon are private roads and therefore, no county services (except emergency in nature), will be provided.
- Road grades shall not exceed 10%, except that secondary access easements may

THIS MAP IS THE PROPERTY OF THE BOISE COUNTY RECORDS OFFICE. THE COMPANY ASSUMES NO LIABILITY FOR ERRORS. POWER FILL COMPANY, BOISE, IDAHO

APPROVED
OCT 31 1994

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



Scale: 1" = No Scale

☒ Copy of USGS Quadrangle 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
<u>River Pump:</u>	<u>GE Motors</u>	<u>2</u>	<u>Model</u>	<u>Myers</u>	<u>Jet Pump</u>
			<u>5KCR39UN</u>		<u>S.N. # 98609-96</u>
			<u>2705CX</u>		

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

D. FLOW MEASUREMENTS

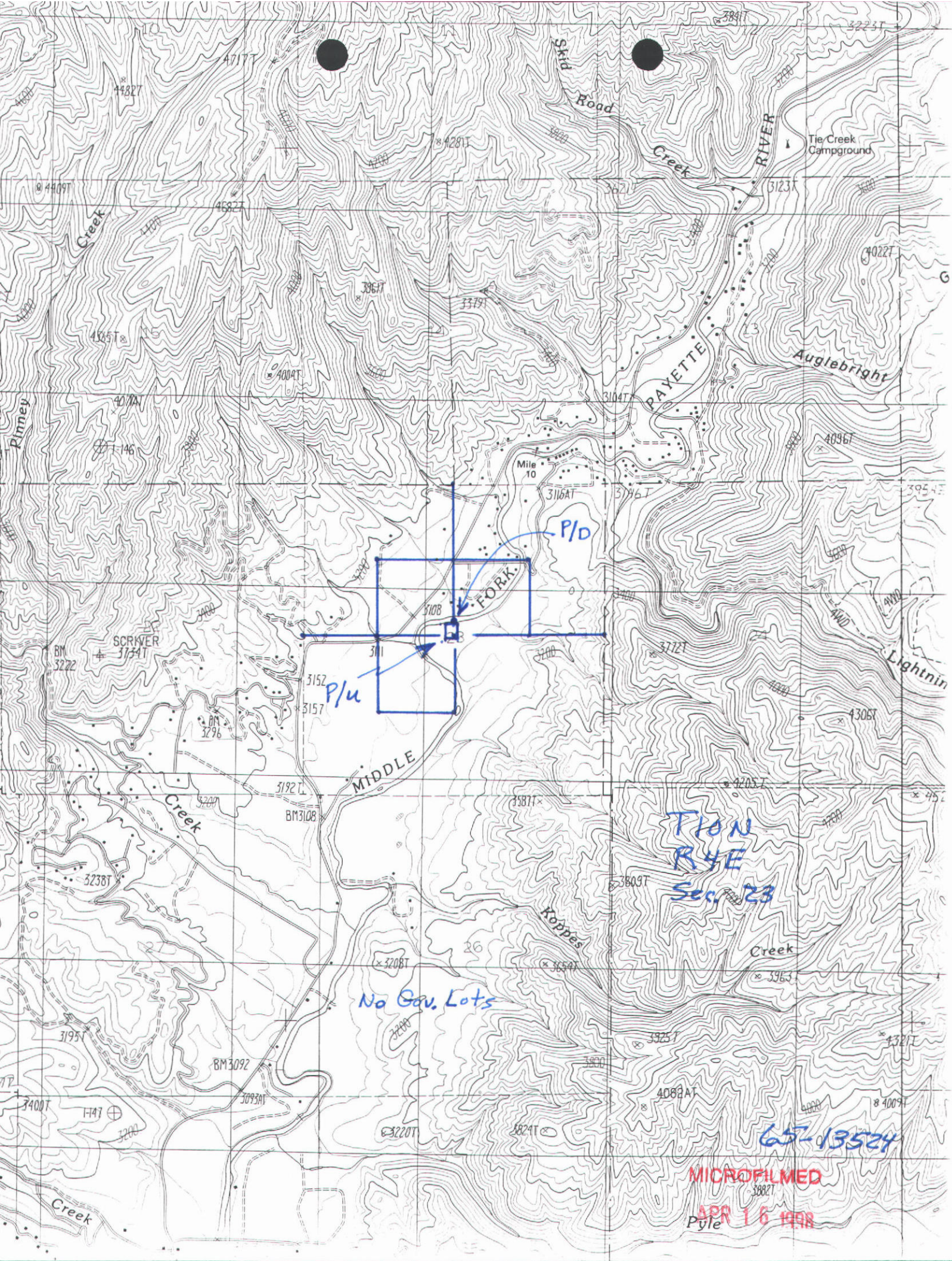
1.

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

2. Measurements: None - unit was off

MICROFILMED

APR 16 1998



L of Z

P10

Portable
Pump
on bank
of Middle
Fork Payette.

View
Looking
North



P/u

Irrigated lot.
2" PE pipe
on ground.

Well House
at left.

View
Looking
North



MICROFILMED 65-13524
APR 16 1998

2 of 2

P/u

irrigated
lot

2" PE pipe
on ground,
1 hose bib,
hose; Cabin
and trailer
in back-
ground.

View
looking
South



P/u

Two hose
bibs at
end of
2" PE
pipe.



MICROFILMED 65-13524
APR 16 1998

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

JUL 11 2003

Department of Water Resources

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
65-13523					
65-13524					

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)

Roy + Roberta Keller
1465 No Brandon, Star, Id. 83369

4. New Owner/Claimant(s)

Scott and Stephanie Carr
 Name Connector (Check one): ☒ and ☐ or ☐ and/or

New Mailing Address

20 Springa Dr.

City, State and ZIP Code

Garden Valley, Id. 83622

New Telephone Number

(208) 462-3097

MICROFILMED

8/11/03

5. Date you acquired the property

6-26-03

SUPPORT DATA

IN FILE # 65-13523

Form 42-218(42-1499e) July, 1990

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)

Stephany [Signature]

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

MICROFILMED
JUL 23 2003

For Office Use Only

Received by <u>DH</u>	Date <u>7-10-03</u>	Fee <u>\$25- each (\$50.00 total)</u>
Received by <u>DH</u>	Date <u>7-10-03</u>	Receipt No. <u>W030693</u>
Processed by _____	AJ Date _____	WR _____ Date _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13524

Priority: June 27, 1994

Maximum Diversion Rate: 0.03 CFS

Maximum Diversion Volume: 3.5 AF

This is to certify, that ROBERTA KELLER
ROY KELLER

1665 N BRANDON

STAR ID 83669

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 27, 1994; and has submitted Proof of Beneficial Use on August 14, 1996. An examination indicates that the works have a diversion capacity of 0.110 cfs of water from:

PAYETTE RIVER, MIDDLE FORK tributary to PAYETTE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.03 CFS	3.5 AF

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 23, Township 10N, Range 04E
BOISE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10N	04E	23	SWNE 0.2	SENW 0.6	NESW 0.2	1

Total number of acres irrigated: 1

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

MICROFILMED

APR 16 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13524

CONDITIONS OF APPROVAL AND REMARKS

7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. When water is not available to fill this right, the right holder shall cease diversion or shall rent water from the Payette River Rental Pool.
9. Place of use is located within Lot 1, Wooded River Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code, Witness the seal and signature of the Director, affixed at Boise, this 28TH day of FEBRUARY, 1998.

Acting for


KARL J. DREHER, Director

MICROFILMED

APR 16 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 65 13524 Telephone No. 286 7286

2. Name(s) of Permit Holder(s): Roy & Roberta Keller

3. Mailing Address: 1665 N. Brundin, Star, Id. 83429

4. Source of Water: Payette River If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____

b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 1 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 03 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes X or No _____

Has the measuring device been installed? Yes _____ or No X

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No _____

Has the measurement port been installed? Yes _____ or No _____

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Same as above Telephone Number: _____

Address: _____

10. The information given on this form 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.

Signature of permit holder: Roberta Keller Date: 8-26-96
(include your title, if on behalf of company or organization)

OCT 10 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13524

Proposed Priority: June 27, 1994 Maximum Diversion Rate: 0.03 CFS

This is to certify, that **ROBERTA KELLER**
ROY KELLER
1665 N BRANDON
STAR ID 83669

has applied for a permit to appropriate water from:

PAYETTE RIVER, MIDDLE FORK tributary of **PAYETTE RIVER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/15 to 10/15	0.03 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 23, Township 10N, Range 04E
SENEW , Sec. 23, Township 10N, Range 04E
BOISE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10N	04E	23	SWNE 0.2	SENEW 0.6	NESW 0.2	1

Total number of acres irrigated: 1

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1997**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Use of water under this right is subject to control by the watermaster of State Water District No. 65.
5. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this right.
6. When water is not available to fill this right, the right holder shall cease diversion or shall rent water from the Payette River Rental Pool.
7. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

COT 31 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

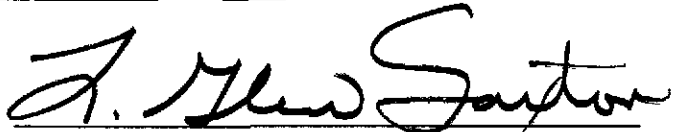
NO. 65-13524

CONDITIONS/REMARKS:

8. Single point of diversion located on or near line between SWNE and SENW, S23, T10N, R04E.
9. Place of use located within Lot 1, Wooded River Subdivision.

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

22nd day of September, 1994.



R. Keith Higginson, Director

for

OCT 31 1994

RECEIVED
AUG 26 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident No 65-13504
13504

Department of Water Resources To appropriate the public waters of the State of Idaho

- 1 Name of applicant Roy & Roberta Keller Phone 286-7280
Post office address 1865 N. Brandon Rd. STAR, ID 83669
- 2 Source of water supply Payette River, Middle Fork which is a tributary of Payette River
- 3 Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt Lot —
Sec 23 Township 10N Range 4E B M BOISE County; additional
points of diversion if any SESENW 5, 23 T10N R4E

4 Water will be used for the following purposes:

- Amount .03 for Irrigation purposes from 4/15 to 10/15 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
- Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
- Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .03 cubic feet per second and/or (b) — acre feet per annum

6. Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc pump & pipeline

b. Height of storage dam — feet, active reservoir capacity — acre-feet, total
reservoir capacity — acre-feet; period of year when water will be diverted to storage
— to — inclusive

c. Proposed well diameter is — inches, proposed depth of well is — feet

d. Is ground water with a temperature of greater than 85°F being sought? —

e If well is already drilled, when? —; Drilling firm —

Well was drilled for (well owner) — OCT 31 1994

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

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

- a. Hydropower, show total feet of head and proposed capacity in KW _____
- b. Stockwatering, list number and kind of livestock _____
- c. Municipal, show name of municipality _____
- d. Domestic, show number of households _____
- e. Other, describe fully. _____

9 Description of place of use

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below
- b. If water is used for other purposes, place a symbol of the use (example *D* for Domestic) in the corresponding place of use below See instructions for standard symbols

TWP	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	
10N	46	23			.2				.6	.2									1.0

Total number of acres to be irrigated 1.0

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

11 a Who owns the property at the point of diversion? } Applicants

b Who owns the land to be irrigated or place of use? _____

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

12 Remarks Property also known as Lot 1 Wounded River Subdivision. Single point of diversion located on or near line between SW¹/₄SW¹/₄ & SE¹/₄SW¹/₄, S23, T10N, R46.

Comments Concurrent appl. for domestic well, same property.

See attached maps (2)

Oct 5 1 1994

Roberta Keller
(Applicant)

Received by JR Date 6/27/94 Time 4:36 Preliminary check by gy4
Fee \$ 30 Receipted by JR # W 017651 Date 8/27/94
Publication prepared by dt Date 7-13-94 Published in Idaho World
Publication approved dt Date 8-23-94

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a SUBJECT TO ALL PRIOR WATER RIGHTS

b Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 _____

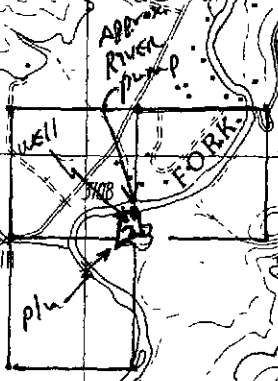
c The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land

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

e. Other

OCT 31 1994

TION
R4K
523



govt lots slash only
- SE 6/27/94

SEE subd. plat:
Plu mostly SENE
plus minor amounts
SUNE & NESW.

2
concurrent
Appls.

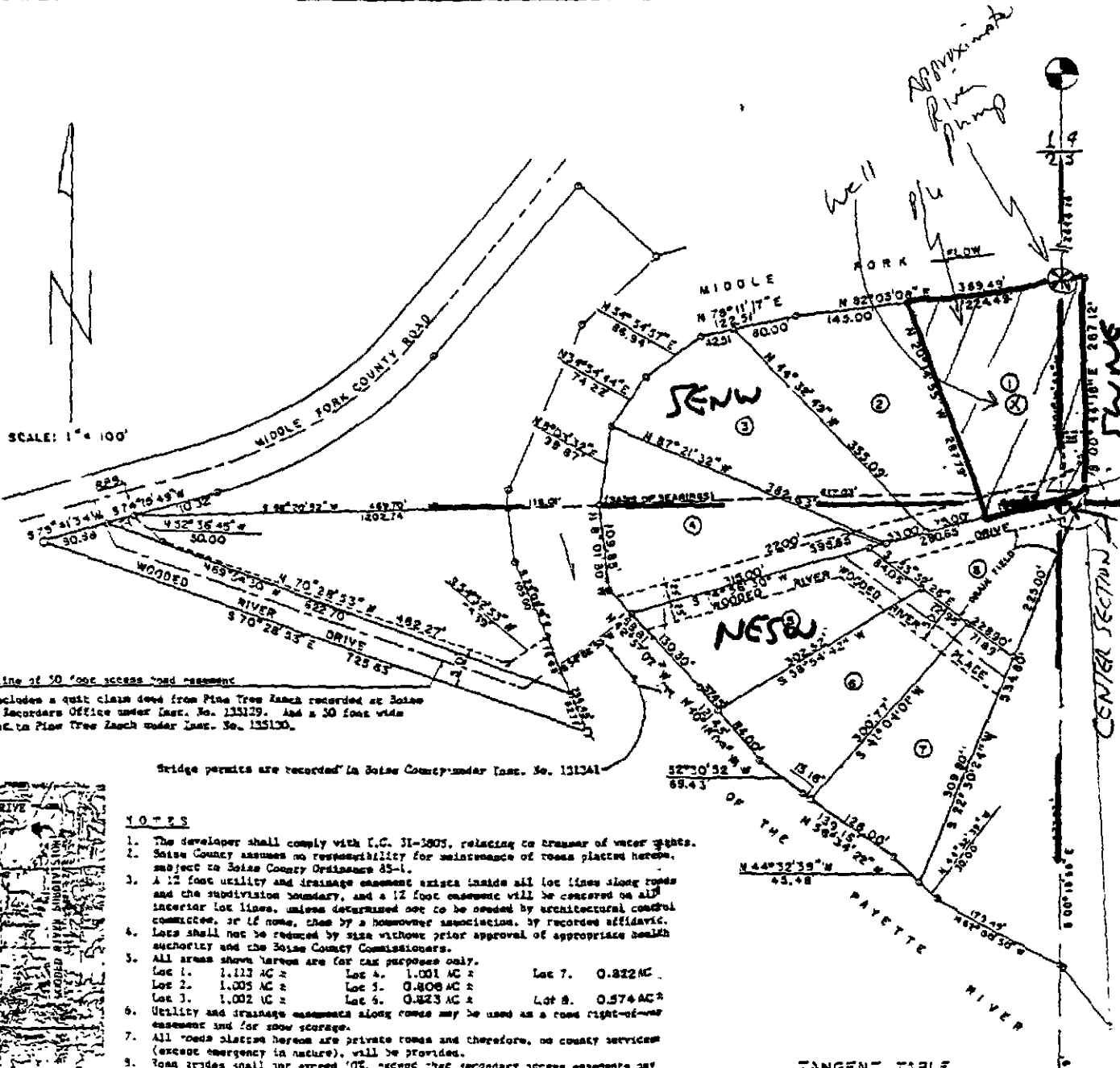
Well appears to be
in SENE
River pump to be on/wear
line between SUNE & SENE.

001-11-1994
S44221
4633V

WOODED RIVER SUBDIVISION

SITE IN SECTION 23, T.10N., R.4E, B.M. BOISE COUNTY, IDAHO

1990



Centerline of 30' wide access road easement

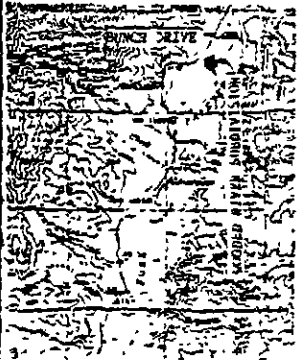
Includes a quit claim deed from Pine Tree Ranch recorded at Boise County Recorder's Office under Inst. No. 135129. And a 30 foot wide easement to Pine Tree Ranch under Inst. No. 135130.

Bridge permits are recorded in Boise County under Inst. No. 131341

NOTES

1. The developer shall comply with I.C. 31-5005, relating to drainage of water rights.
2. Boise County assumes no responsibility for maintenance of roads platting herein, subject to Boise County Ordinance 85-1.
3. A 12 foot utility and drainage easement exists inside all lot lines along roads and the subdivision boundary, and a 12 foot easement will be centered on all interior lot lines, unless determined not to be needed by architectural control committee, or if none, then by a homeowners association, by recorded affidavit.
4. Lots shall not be resumed by state without prior approval of appropriate health authority and the Boise County Commissioners.
5. All areas shown herein are for tax purposes only.

Lot 1. 1.113 AC ±	Lot 4. 1.001 AC ±	Lot 7. 0.822 AC ±
Lot 2. 1.005 AC ±	Lot 5. 0.808 AC ±	
Lot 3. 1.002 AC ±	Lot 6. 0.823 AC ±	Lot 9. 0.574 AC ±
6. Utility and drainage easements along roads may be used as a road right-of-way easement and for snow storage.
7. All roads platting herein are private roads and therefore, no county services (except emergency in nature), will be provided.
8. Road widths shall not exceed 60', except that secondary access easements are



TANGENT TABLE

APPROVED FOR RECORD BY
BOISE COUNTY CLERK
135130
1990

1994



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 25, 2003

SCOTT A CORN
STEPHANY CORN
20 SYRINGA DR
GARDEN VALLEY ID 83622

RE: Change of Ownership for Water Rights 65-13523 and 65-13524

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports 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 this office if you have any questions regarding this matter.

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP.klt

Enclosures

MICROFILMED
SEP 25 2003



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

RECEIVED

APR 13 1999

Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

phone 462-3053

April 5, 1999

ROY W AND ROBERTA N KELLER
18 MIDDLE FORK CIR
GARDEN VALLEY ID 83622-5090

Re: Snake River Basin Adjudication (SRBA)
Water Rights #63-16166 & 65-02836D
Change of Address

cc: W.A.

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by April 19, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right(s) referenced above, please write the name of the new owner(s) so we can send them the required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Roberta Keller
Claimant Signature

462-3053

Telephone No.

OK 65-10624 } 18 middle fork
OK 4 65-07372 } circle
60' & 10'
Location

* license 65-13523 ground water
* license 65-13524 river diversion

(26 Woodard River Drive)
Location G.V. 70

MICROFILMED



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

March 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERTA KELLER
ROY KELLER
1665 N BRANDON
STAR ID 83669

RE: WATER RIGHT NO. 65-13524

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

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APR 16 1998

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.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

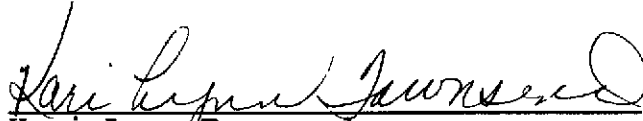
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of March, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 65-13524

ROBERTA KELLER
ROY KELLER
1665 N BRANDON
STAR ID 83669


Kari Lynn Townsend
Secretary

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B/U FIELD EXAM REVIEW

by *Cindy Lou*Permit #: 65-13524 Name: Keller Date: 2/25/98 ✓ Lots ✓

NAME	Chng	Same	Or Address Change?
	<u>✓</u>	<u>✓</u>	
SOURCE		<u>✓</u>	Clarify source _____ Prelim. Order to Void - Source change.
P/D	<u>✓</u>		Amendment Needed? Addn'l 1/4? _____ Legal <u>SE NW SWNE</u> P39 picked 1 of 2 1/4's. Same 1/4? <u>W32</u> P36
			Overlap(s) <u>None</u>
P/U		<u>✓</u>	Amendment Needed? _____ P41 Overlap(s) <u>None</u> (Gov't use special T's) _____ *P/D & P/U Amend? P37
RATE			Permit/proof fee limits <u>0.03</u> / <u>0.20</u> <u>\$50</u> Measured Quantity = _____ cfs Theoretical Quantity = <u>0.11</u> cfs <u>1 ac x 0.03 cfs = 0.03 cfs</u> (HP) <u>8.8 x 0.70 x 2</u> <u>6 + (2.31 x 45)</u> = <u>0.11</u> cfs Recommended capacity <u>0.11</u> cfs Recommended rate <u>0.03</u> cfs
VOLUME		<u>✓</u>	Season: (<u>B</u> / <u>35</u>) <u>4/15-10/15</u> = <u>184</u> days Calculations: <u>1 acre x 3.5 AF/acre = 3.5 AF.</u> Flow limit: <u>0.03</u> cfs x <u>184</u> days/yr. x <u>1.9835</u> = <u>10.9</u> AF Recommended volume <u>3.5</u> AF
USES		<u>✓</u>	Same Nature of Use? _____ P46 Amendment Needed? _____
REMARKS		<u>✓</u>	Multiple p/d's in same 1/4? Use W32 _____ <u>DW22/Pangelle</u>
CONDITIONS			<u>R02</u> Measuring Device (R43) or Lockable Controlling Works (R02)-Lock on power box OK. <u>R04</u> Watermaster Control (R04) - WD # <u>65</u> <u>R67</u> Irrigation rate/annual volume overlap <u>+</u> GW irrigation replaces surface water (050) <u>+</u> GW irrigation supplements surface water (065) <u>+</u> Water Quality <u>+</u> Other _____

PRIORITY App Rcd 6/27/94 Due 9/1/97 Rcd 8/14/96
 Receipt# C036322 Fee OK? (Yes) No
 Order to Reinstate Needed? Yes (No) Done? Advanced to. _____
 Priority 6/27/94 Examined 7/9/97

COMMENTS: license as permitted

USE	CFS	VOLUME
<u>err.</u>	<u>0.03</u>	<u>3.5</u>
<u>/</u>	<u>/</u>	<u>/</u>
TOTAL	<u>0.03</u>	<u>3.5</u>

SRBA Overlap none
 Adjustment Memo _____
 LICENSE
 #1 AMEND. _____ /P38
 #2 AMEND (R)P42/(C)P47

MEMORANDUM

DATE: February 25, 1998

TO: File No. 65-13524

FROM: Cindy Lou Zimmerman *CLZ*.

SUBJECT: Review of Beneficial Use Field Report

This permit identifies a single point of diversion on or near the line between SWNE and SENW, S23, T10N, R04E. The exam also identifies the same locations.

During regional training in April 1997, all examiners were directed use any method available to them to determine which (single) $\frac{1}{4}$ the point of diversion was actually located in when examining these situations. In this case, the point of diversion location was not verified via GPS or any other method.

A subdivision plat accompanied the application. The plat identifies this right as in Lot 1, Wooded River Subdivision. This lot has 369.49' of frontage on the Payette River, Middle Fork. The plat shows the line between the SWNE and SENW appears to be less than 40' from the eastern boundary leaving approximately 90% of river frontage within SENW. It is more likely that the point of diversion is located within SENW. Therefore, I recommend the point of diversion be clarified on the license as being within the SENW, S23, T10N, R04E.

The following adjustments¹ were made on the field report to reflect the above recommendation and to reflect the correct field headgate volume for irrigation use developed under this permit:

- C. Diversion and Delivery System
1. Point of diversion:

TWP	RGE	SEC	N E				N W				S W				S E				Total P/Ds
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	04E	23								X									1

- G. Volume Calculations.

- a. Irrigation.

$$V_{IR} = \text{acres} \times \text{AF/acre} = 1.0 \times 3.5 = \underline{\underline{3.5 \text{ AF}}}.$$

$$V_{DR} = \text{rate} \times \text{days} \times 1.9835 = 0.03 \times 184 \times 1.9835 = 10.9 \text{ AF}.$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \underline{\underline{3.5 \text{ AF}}}.$$

- H. Recommendations.

1. Recommended amounts:

Beneficial Use	Period of Use	Rate of diversion	Annual Volume
Irrigation	4/15-10/15	0.03 cfs	<u>3.5 AF</u>
	Totals.	0.03 cfs	<u>3.5 AF</u>

Examiner: Dan Tomich
Examined: July 9, 1997

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APR 16 1998

¹ Adjustments are **bolded and underlined**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 27 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13524

1. Owner: Roberta & Roy Keller Phone No. (208) 286-7280

Current Address: 1665 N. Brandon, Star, ID 83669

2. Accompanied by: Roberta Keller EXAM DATE: 7-9-97

Address: (Same) Phone No. (Same)

Relationship to Permit Holder: (Same)

3. Source: Payette River, Middle Fork tributary to Payette River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None for irrigation; 65-13523 is well for domestic.
2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

* 1. Point(s) of Diversion: one point of diversion on or near line between:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec	Twp.	Rge.	County	Method of Determination/Remarks
			SW	NE	23	10N	4E	Boise	Site visit, map
			SE	NW	23	10N	4E	Boise	

2. Place(s) of Use:

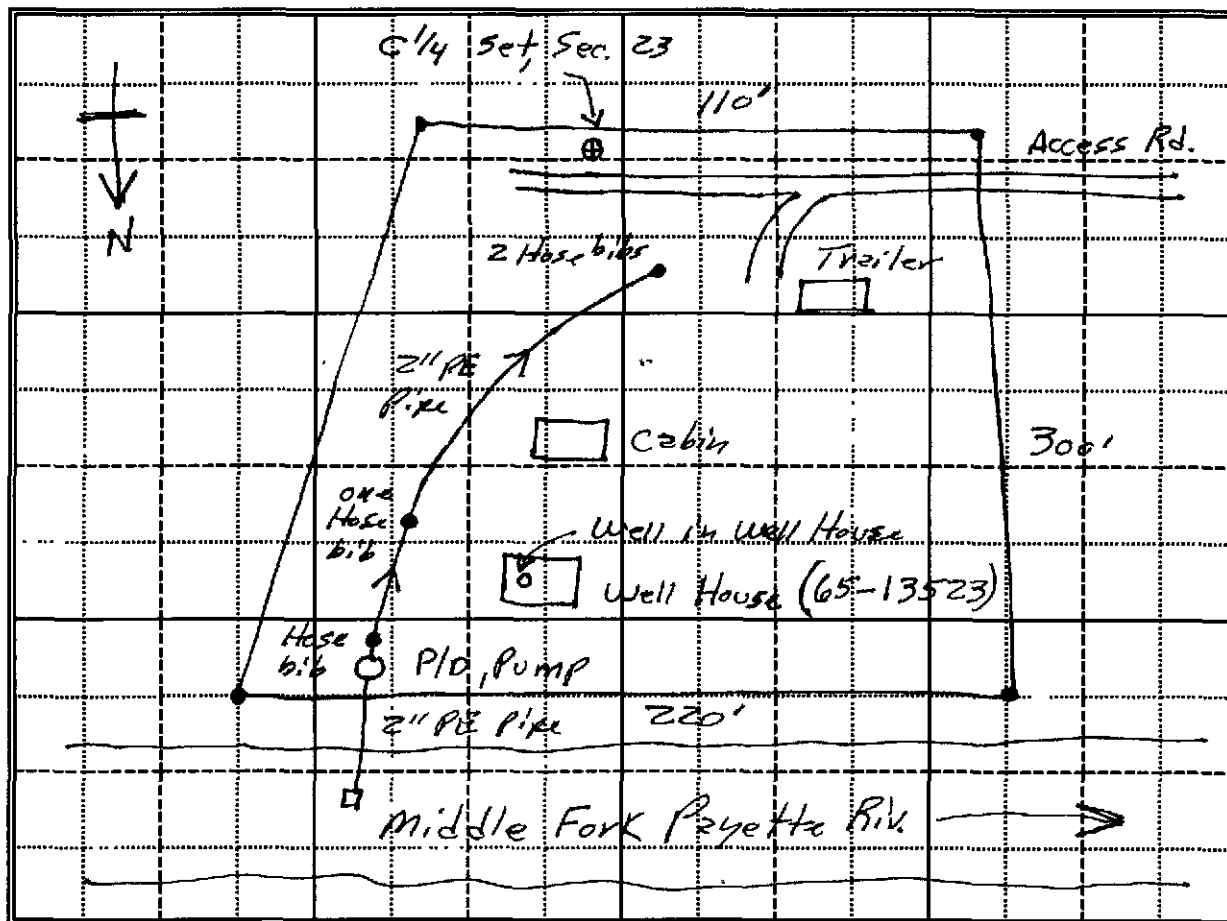
Indicate Method of Determination Site visit, map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	4E	23			0.2				0.6	0.2									1.0

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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" = No Scale

☒ Copy of USGS Quadrangle 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
River Pump:	GE Motors	2	Model	Myers	Jet Pump
			5KCR39UN		SN # 98609-96
			2705CX		

*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: None - unit was off

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E. NARRATIVE/REMARKS/COMMENTS

1. This water system consists of a portable pump unit set on the bank of the river, a 2" PE pipe on top of the ground, and 4 hose bibs with valves. The lot is irrigated by moving the PE ^{pipe} around, and using garden hoses with sprinklers. The pump and pipe are removed and stored for the winter.
2. The irrigated land is Lot 1, Wooded River Subdivision. The city corner was set - and found - ~~at~~ near the Southeast corner of the lot.
3. The owners live in Star, ID, and have a trailer at the site. They plan to build a home on the lot and move there at some future time.
4. The pump operates at about 45 PSI when irrigating the lot.

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

Condition 5. - There is no lockable device on diverting works. The pump can be removed, however, and the power box could be MICROFILMED

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F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: None - Theoretical cal.

$$Q_{max} = \frac{(8.8)(2HP)(70\%)}{6' + (45PSI) \left(\frac{34'}{14.7PSI} \right)} = 0.11 \text{ cfs} > 0.03 \text{ cfs (on permit)}$$

$$Q = (0.03 \frac{\text{cfs}}{\text{Ac}}) (1.0 \text{ Ac.}) = 0.03 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (1.0 \text{ Ac.}) (2.5 \frac{\text{AFA}}{\text{Ac.}}) = 2.5 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.03)(184)(1.9835) = 10.95'$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} = 2.5 \text{ AFA}$$

2. Volume Calculations for Other Uses:

$$\text{Irrigated acres} = \left[\left(\frac{1}{2} \right) (110' + 220') (300') - 400\text{ft}^2 - 400\text{ft}^2 - 800\text{ft}^2 \right] / (66)(66)(10)$$

(well) (2b'w) Trailer

$$= 1.10 \text{ Ac.}, \text{ Allow } 1.0 \text{ Ac.}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Irrigation</u>	<u>04/15</u>	<u>10/15</u>	<u>0.03</u>	<u>2.50 *</u>
Totals:			<u>0.03</u>	<u>2.50 *</u>

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 Don Smith Date 1-12-98

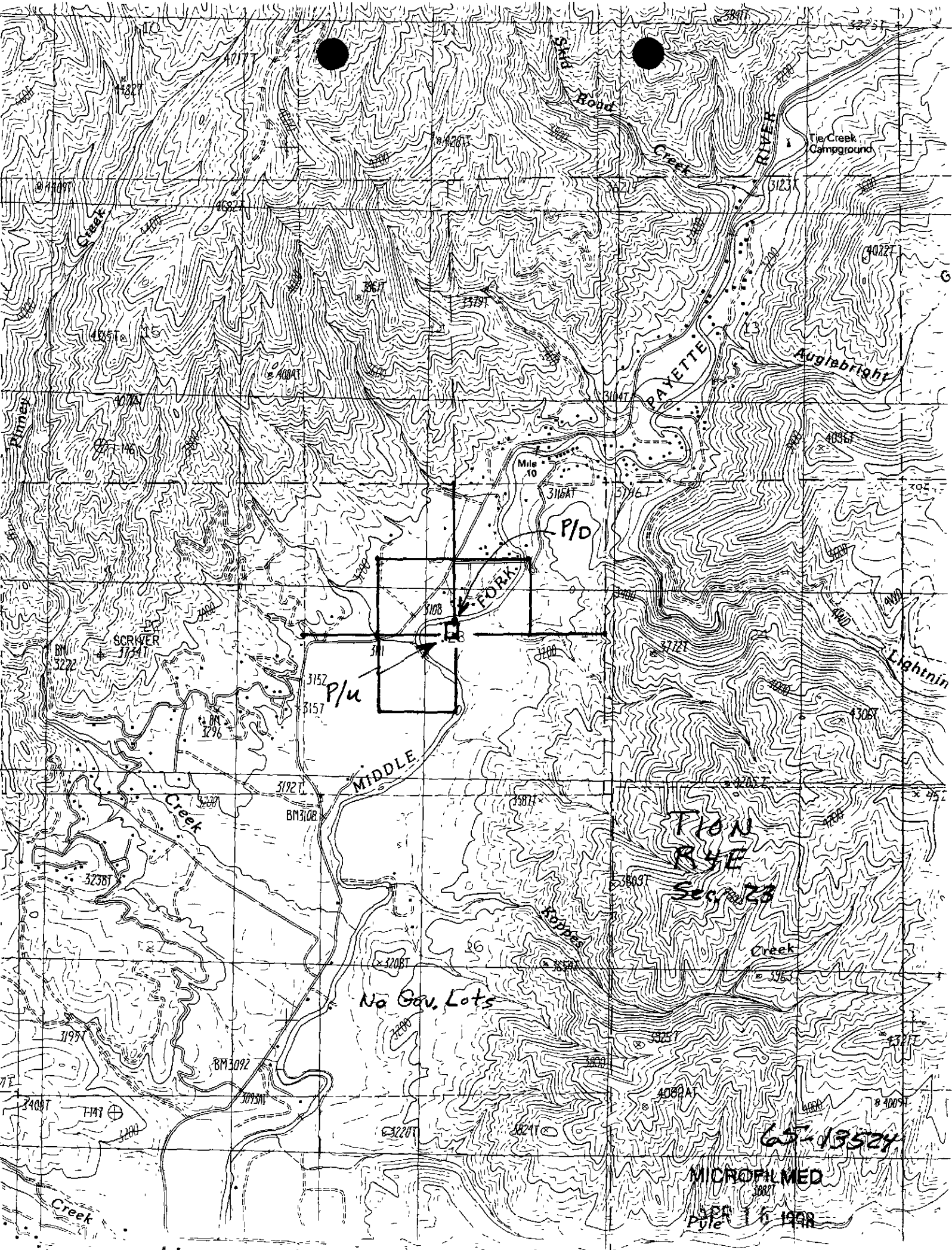
Reviewer _____ Date _____

SEAL

* Adjustments made during review of this right for license approval
See Memo for additional information. 2/25/98

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APR 16 1998



Lot 2

P/D

Portable
Pump
on bank
of Middle
Fork Payette.

View
Looking
North

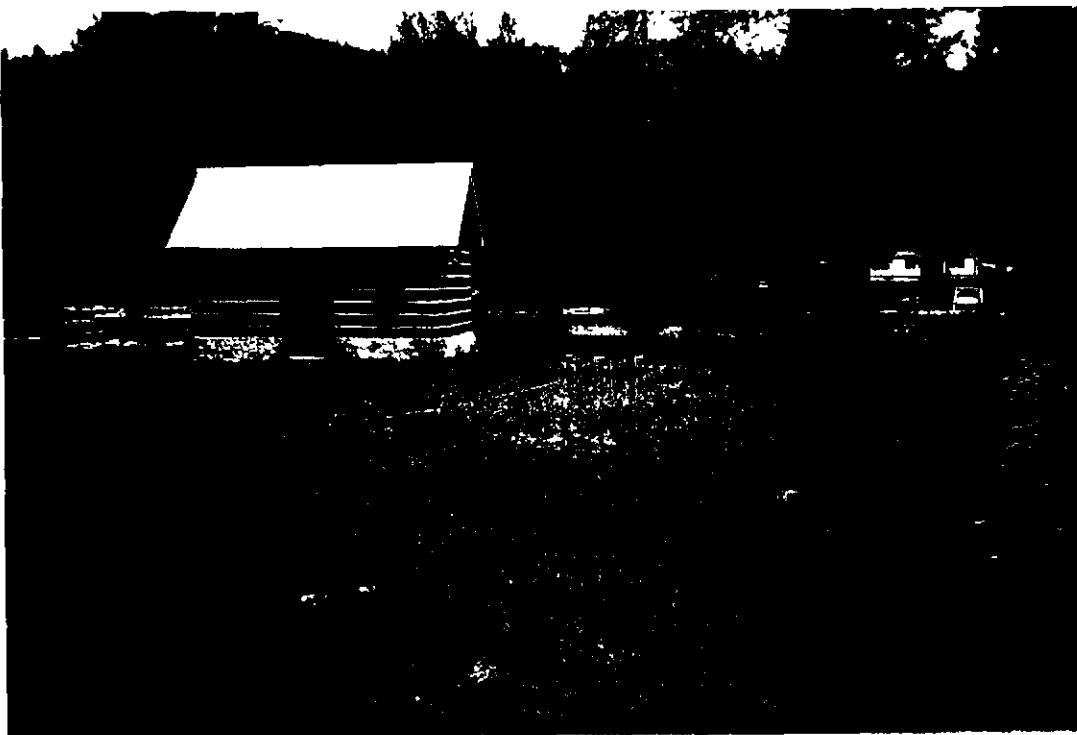


P/u

Irrigated lot.
2" PE pipe
on ground.

Well House
at left.

View
Looking
North



NOTED 65-13524
AIR

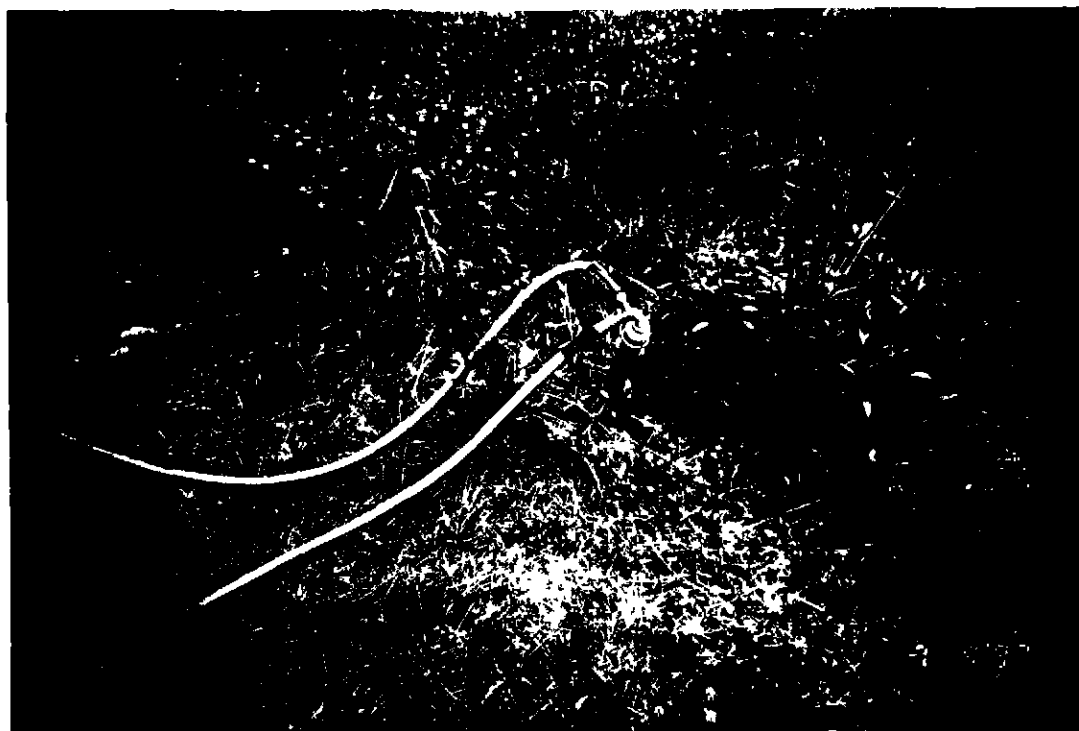
2 of 2



P/u
irrigated
lot

2" PE pipe
on ground,
1 hose bib,
hose; Cabin
and trailer
in back-
ground.

View
Looking
South



P/u
Two hose
bibs at
end of
2" PE
pipe.

REFILMED 65-13524

10 10 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 7, 1996

ROBERTA KELLER
ROY KELLER
1665 N BRANDON
STAR ID 83669

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 65-13524

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. I have enclosed the extension of time originally submitted and applied the fee to the proof of beneficial use license examination fee. 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.

Please be advised that Section 42-248, Idaho Code, which became affective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

If you have questions concerning the field examination, contact the **WESTERN** Regional Office in Boise, at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
OCT 10 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 22, 1994

ROBERTA KELLER
ROY KELLER
1665 N BRANDON
STAR ID 83669

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13524

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Sincerely,

A handwritten signature in cursive script that reads 'Shelley W. Keen'.

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosures

OCT 31 1994

The Idaho World

P O Box 99
Garden Valley, ID 83622
208 462-3487

RECEIVED

AUG 16 1994

WATER
RIGHTS

State of Idaho >

County of Boise >

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Aug 3, 1994 and ending with the issue of Aug 10, 1994.

Deanna Stevenson

State of Idaho >

County of Boise >

On this 15 day of Aug in the year 1994, before me, a notary public, personally appeared Deanna Stevenson 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 executed the same.

V. Carotte
Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 6-25-2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13523

KELLER, ROY
KELLER, ROBERTA
1665 N BRANDON RD
STAR, ID 83669

Source: GROUNDWATER

Diversion Pt: SESENW Sec 23 T 10N R 04E in BOISE County.

Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 6/27/1994

In: BOISE County
T10N R04E S23 SWNE SENW NESW

65-13524

KELLER, ROBERTA
KELLER, ROY
1665 N BRANDON
STAR, ID 83669

Source: PAYETTE RIVER, MIDDLE FORK Tributary: PAYETTE RIVER

Diversion Pt: SWSWNE Sec 23 T 10N R 04E in BOISE County.
SESENW Sec 23 T 10N R 04E in BOISE County.

Use: IRRIGATION (.030 CFS)
Total Diversion: (.030 CFS)

Date Filed: 6/27/1994

In: BOISE County
T10N R04E S23 SWNE SENW NESW

1.0 ACRES TOTAL

65-13526

CASTLE MOUNTAIN CREEK OWNERS ASSN INC
HC 76 BOX 4001
GARDEN VALLEY, ID 83622

Source: WARM SPRINGS CREEK Tributary: PAYETTE RIVER, MIDDLE FORK

Diversion Pt: NESE Sec 31 T 10N R 04E in BOISE County.
NWSE Sec 32 T 10N R 04E in BOISE County.

Use: DOMESTIC (.540 CFS)
IRRIGATION (1.040 CFS)
Total Diversion: (1.580 CFS)

Date Filed: 6/30/1994

In: BOISE COUNTY
T10N R04E S32 SWNE SENE NESE NWSE
SWSE SESE
S33 SWNW SENW NESW NWSW
SWSW SESW

52.0 ACRES TOTAL

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before AUGUST 22, 1994. The protestant must also send a copy of the protest to the applicant.

R. KEITH HIGGINSON, Director

Published In The Idaho World August 3 and 10, 1994.

OCT 31 1994

I called Deanne and they didn't get the
legals advertised so we scheduled them
to run on 8-3 & 10, 1994
and changed the
protest date to 8-22-94.
A. Taylor

IMPORTANT MESSAGE			
FOR <u>Sue</u>			
DATE <u>7-25</u>		TIME <u>1:14</u> <u>PM</u>	
M. <u>Deanne</u>			
OF <u>Idaho World Newspaper</u>			
PHONE <u>208</u> <u>462-3487</u>			
AREA CODE		NUMBER	EXTENSION
TELEPHONED	☒	PLEASE CALL	☒
CAME TO SEE YOU	☐	WILL CALL AGAIN	☐
WANTS TO SEE YOU	☐	RUSH	☐
RETURNED YOUR CALL	☐	SPECIAL ATTENTION	☐
MESSAGE _____			

SIGNED <u>Marcie</u>			
LITHO IN U.S.A.			

USE
BASIC

71100

000-1-1994

65-13524

KELLER, ROBERTA
KELLER, ROY
1665 N BRANDON
STAR, ID 83669

Source: PAYETTE RIVER, MIDDLE FORK Tributary: PAYETTE RIVER

Diversion Pt: SWSWNE Sec 23 T 10N R 04E in BOISE County.
 SESENW Sec 23 T 10N R 04E in BOISE County.

Use: IRRIGATION (.030 CFS)
 Total Diversion: (.030 CFS)

Date Filed: 6/27/1994

In: BOISE County
 T10N R04E S23 SWNE SENW NESW

1.0 ACRES TOTAL

001811